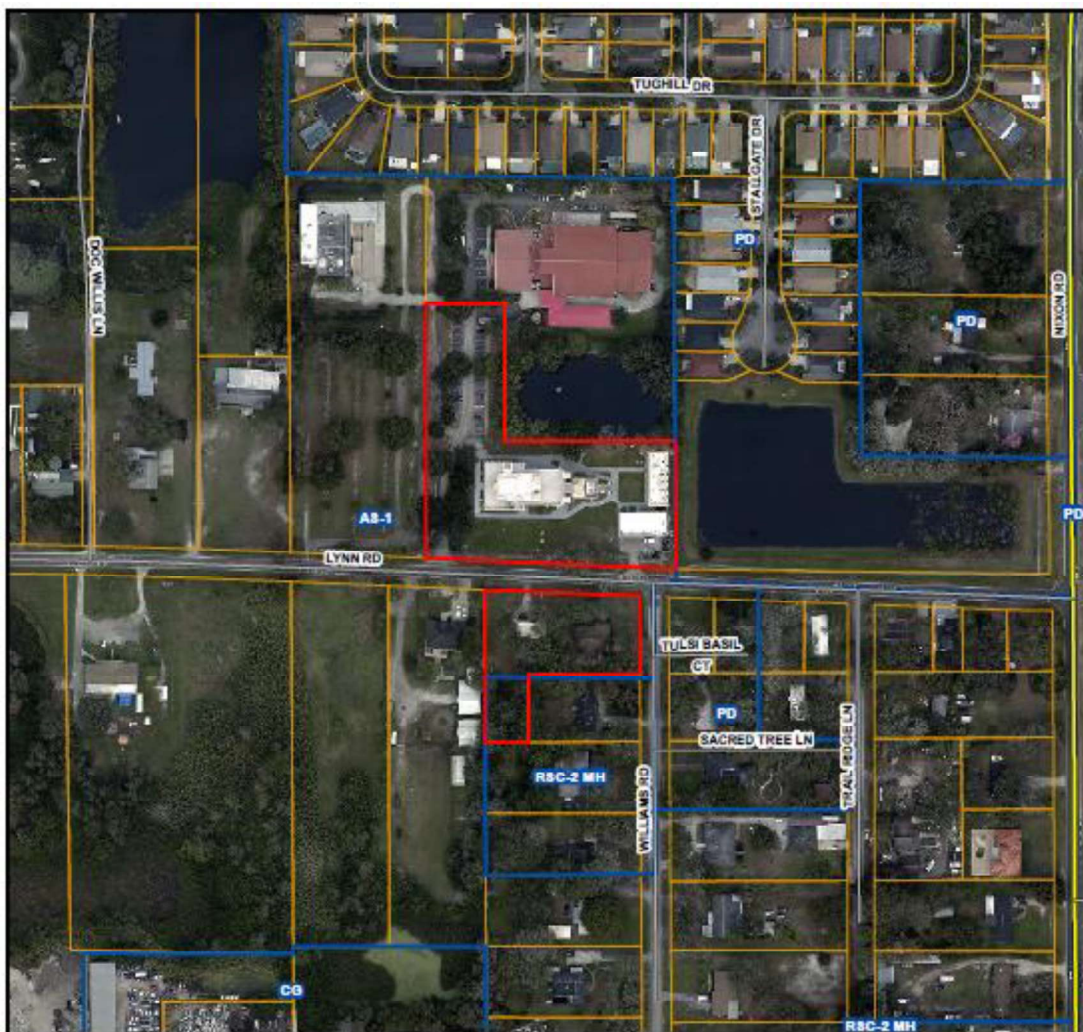




Land Use Application Summary Report

Application Number:	SU 21-1333	Adjacent Zoning and Land Uses:	
Request:	Special Use Permit for Church With More Than 300 Seats	North:	AS-1, Cultural/Institutional
		East:	PD, Retention pond (north side of Lynn Rd) PD, Residential (south side of Lynn Rd)
Comp Plan:	RES-4	South:	RSC-2 (MH), Single Family Residential
Service Area:	USA	West:	AS-1, Cultural/Institutional (north side of Lynn Rd) AS-1, Residential (south side of Lynn Rd)



Hillsborough County Florida

ZONING MAP

SU-GEN 21-1333

Folio: 23779.0100, 23824.0000

- APPLICATION SITE
- ZONING BOUNDARY
- PARCELS
- SCHOOLS
- PARKS

0 175 350 Feet

DTR: 18-28-18

NOTES: Applicant is responsible for the accuracy of the data provided. The County is not responsible for the accuracy of the data provided. This map is for informational purposes only and is not a legal document. It is subject to change without notice. The County is not responsible for the accuracy of the data provided. This map is for informational purposes only and is not a legal document. It is subject to change without notice.

Date: 08/10/2021 File: C:\Users\jmorris\Desktop\Zoning_Maps Produced By: Development Services Department

1.0 Background:

In 2019, a Special Use approval (SU 19-0834) was approved for the Hindu Temple for property located on the north and south sides of Lynn Road in the proximity of Williams Road. As part of the approval a waiver was granted allowing a church with more than 300 seats to be located on a local road instead of an arterial or collector roadway as required by LDC Section 6.11.25.C. Additionally, variances were granted to allow reduced parking, modification to building setbacks, and to allow shared parking facilities between the existing temple on the north side of Lynn Road and the proposed multi-purpose building on the south side.

The present Special Use request seeks changes to the existing SU approval. Per LDC Section 10.02.03.J, requests to modify the existing conditions and/or site plan for an approved Special Use must follow the same review process as a new application. Consequently, the applicant is required to once again request the roadway classification waiver and site development variances that were previously requested and approved. Additionally, the applicant is requesting an additional variance to allow a six-foot-high fence in a required front yard.

1.1 Request Details:

Pursuant to Land Development Code Section 6.11.28, the request is for a Special Use Permit for a church with a seating capacity for more than 300 persons on property zoned AS-1 (Agricultural, Single-Family) and RSC-2 (MH) (Residential, Single-Family Conventional – Mobile Home Overlay). The majority of the subject site is located on the north side of Lynn Road (5509 Lynn Road) while the remainder is located on the south side of the road (5504 Lynn Road). The request includes one waiver to LDC Section 6.11.28 and six variances to LDC Sections 6.01.01, and 6.05.02.D. The applicant proposes one new variance request associated with Section 6.07.02 (fence height).

1.2 Staff Findings:

- The subject parcel is 3.77 acres in size and zoned AS-1 and RSC-2 (MH) (see Figure 1). A church of any seating capacity is a Conditional Use within the AS-1 zoning district; however, a church with a seating capacity of more than 300 seats is a Special Use in the RSC-2 zoning district.



Figure 1: Zoning within the Site.

- The surrounding area is primarily residential in character with the presence of residential support uses, such as schools and churches.
- The Hindu Temple of Florida has existed at 5509 Lynn Road since 2000 and consists of three buildings: a 2-story temple and two multi-purpose buildings (see Figure 2). The combined square footage is 19,569 square feet on the 2.75 parcel. The northernmost multi-purpose building is predominately used as a “prayer room.” The applicant proposes increasing the building height of both multi-purpose buildings. The height is proposed to be increased to allow for a more spiritual experience. The Hindu Temple of Florida has a membership of over 500 members that utilizes the site.

The property is situated among other Hindu facilities. As such, cross access currently exists on the property to both the north and west, which provides access to Lynn Road through the subject site.

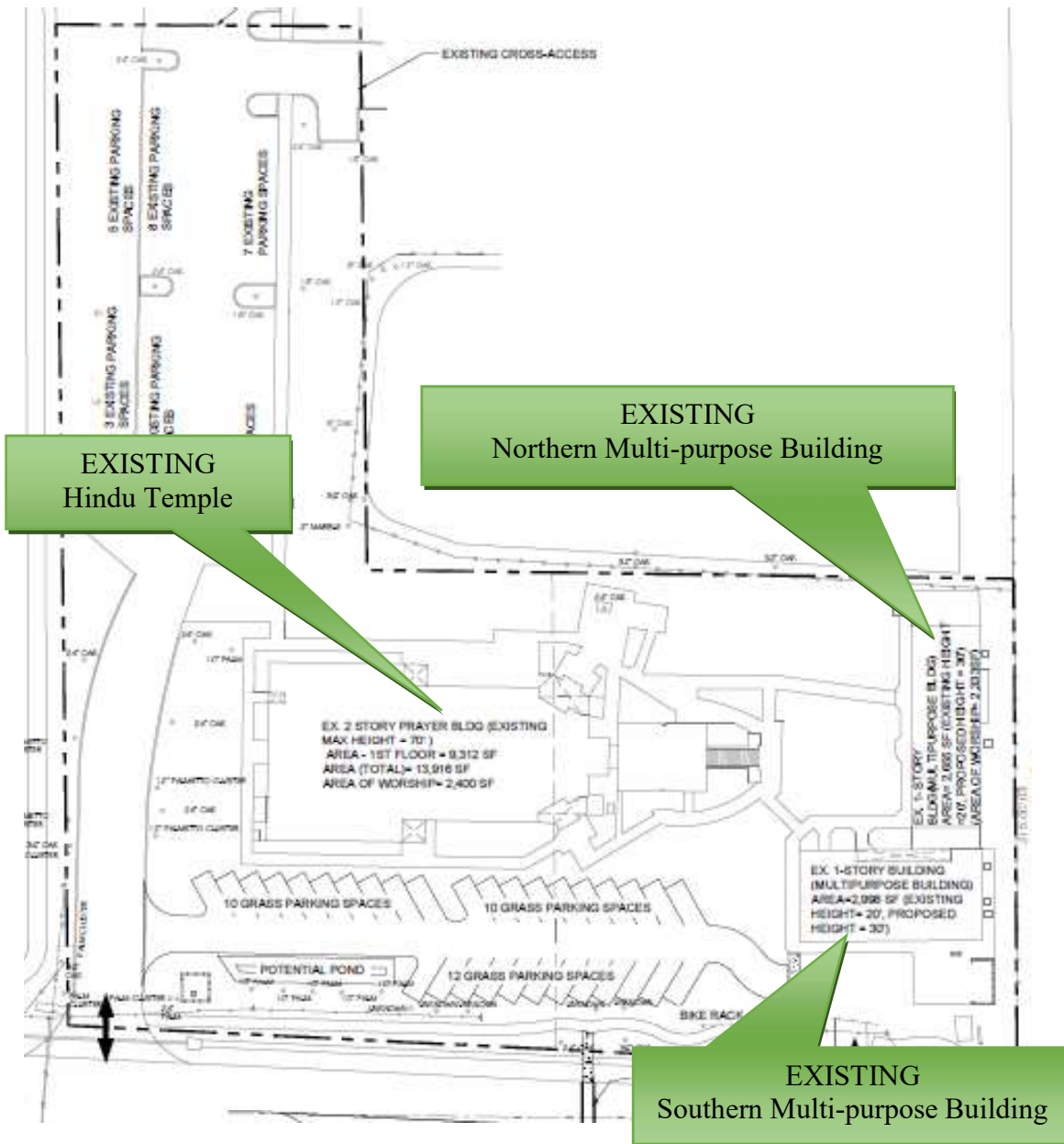


Figure 2: Existing Site (north side of Lynn Road)

- The Hindu Temple of Florida seeks to expand their site with the inclusion of 1.03 acres located on the south side of Lynn Road, at the southeast corner of Lynn and Williams Road (5504 Lynn Road) (see Figure 3). On the southern property, a new multi-purpose building and parking is proposed. The multi-purpose building will consist of 21,531 square feet which is an increase of 4,741 square feet more than the 16,790 square feet approved for SU 19-0834. This proposed 21,531 square foot building will provide an area for religious education and studies, administrative office uses, a relocated cantina, and customary accessory events.
- The cantina will be for member use only and not available to the general public. No worship activities are proposed to occur in the new building. Additionally, the building will not be permitted for the rental of events for the general public or events not associated with the temple. This southern area will also provide 34 parking spaces, to be used by the members attending activities on either side of Lynn Road. The property is currently occupied by two single-family residential structures.

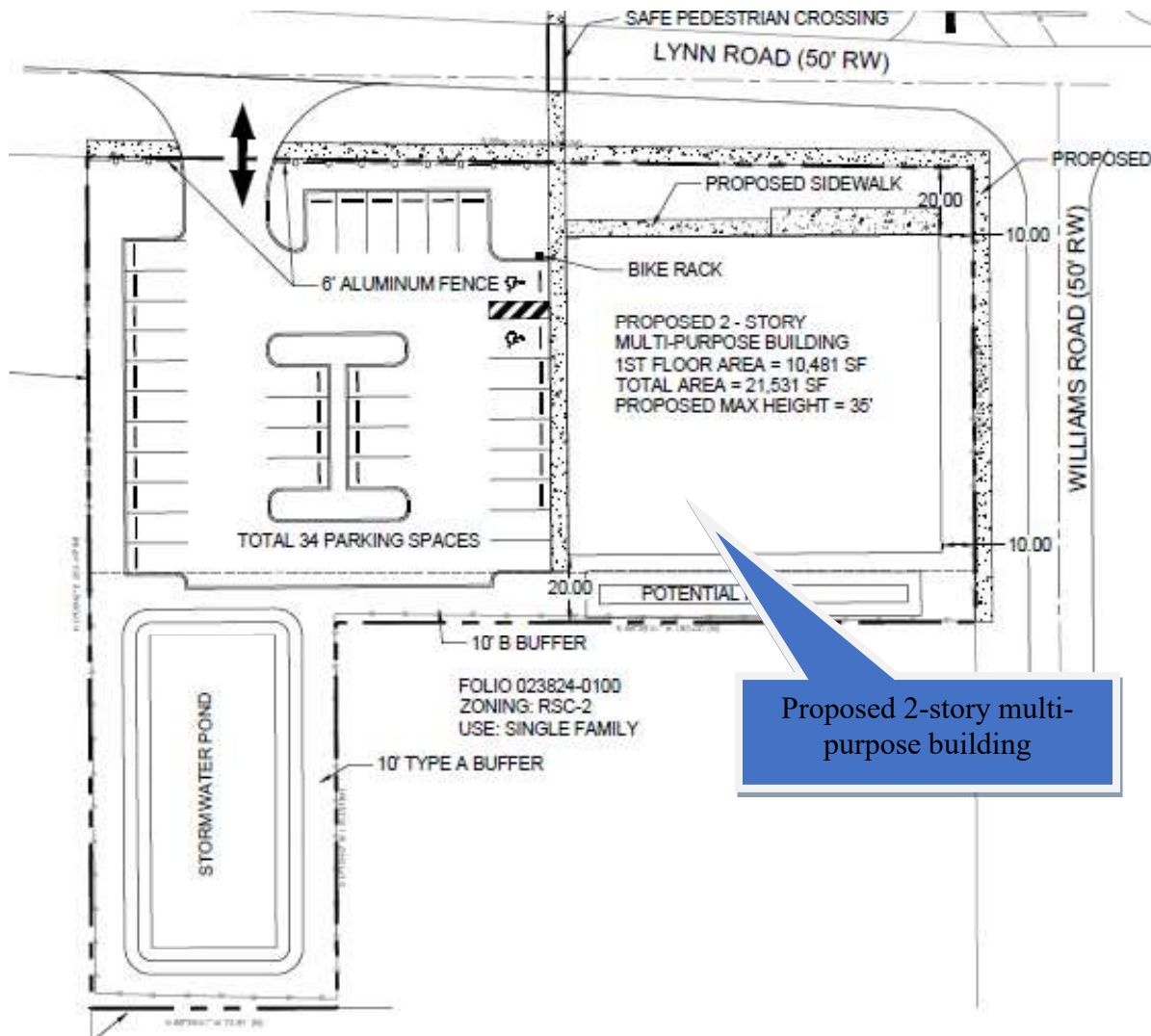


Figure 3: Proposed Acreage and Buildings (south side of Lynn Road)

- Under this Special Use Permit, the entire site will consist of a total of 3.77 acres with 41,100 square feet of building square footage, which is an increase of 4,741 square feet from the previously approved total. The resulting F.A.R. will be increased from 0.22 to 0.25. The maximum FAR permitted is 0.25 (RES-4 future land use category).

- According to the applicant, the Hindu religion is characterized by providing an area for members to worship individually or in small groups throughout the day. No specified services on certain days at certain times are regularly scheduled. Also, the worship spaces have open floor areas with no fixed seating or pews. For this site, the worship spaces include a 2,400-square-foot area within the temple and a 2,333-square-foot prayer room within one of the existing multipurpose rooms, both located on the north side of Lynn Road. No worship space is proposed within the new multi-purpose building on the south side of Lynn Road. The LDC states that for churches that do not have fixed seating or pews, the number of seats is to be derived by the square footage used for worship activities. Each seat shall be equal to 10 square feet of the worship area square footage. Other components of the building, such as hallways, offices, multipurpose rooms and so forth are not included. For this site, 4,733 square feet is used for worship activities, resulting in 473 seats.
- Lynn Road is an undivided, 2-lane local roadway with approximately 50 feet of right-of-way. Sidewalks are present on the north side of Lynn Road in front of the subject site and eastward to Nixon Road. The proposal requests no additional "seating capacity" and therefore no additional trips are expected to be generated.

1.3 Requested Special Use Permit Waiver:

- Per LDC Section 6.11.25.C, churches must have direct access to an arterial or collector roadway if the church has a seating capacity of more than 300. As previously described, the use is found to contain 473 seats. Lynn Road is classified as a local road. The applicant requests a waiver to the roadway classification requirement and has provided the following justifications.
 - The Hindu Temple is one of three temples currently located in the immediate vicinity of the Indian Cultural Center – the Hindu Temple, the Temple Jain and the Temple Mandir. Each of the temples are independently owned and each is located on a separately owned parcel. The Hindu Temple was constructed in 2000. Per the applicant's narrative, the area of these temples was established almost 40 years ago and memberships since that time have grown over the years. This Special Use Permit will, if approved, recognize the current capacity of 473 seats for the existing 4,733 square feet of worship space. No future increase in worship space is proposed.
 - The applicant notes that anticipated impacts of this 473-seat church on a local roadway are low due to the characteristics of the Hindu religion. As previously stated, the temple does not offer regularly scheduled worship services as typically found in Christian churches. Therefore, the influx of all 473 members at certain days and times is not common. Also, the applicant states that the Hindu religion is tied to a natural setting and such sites are typically found on a local roadway rather than on an arterial or collector roadway.
- Transportation staff has reviewed this request and offers no objections.

2.0 REQUESTED VARIANCES TO THE LAND DEVELOPMENT CODE:

The applicant has requested the following variances to standard development requirements. The hearing officer is required to make a separate ruling on each variance in connection with this Special Use application.

- **VARIANCE (1)** Per LDC Section 6.01.01, a 50-foot front yard setback is required for the proposed multi-use building in the Special Use Permit area to the south of Lynn Road. The applicant proposes **a reduction of 30 feet, to allow a 20-foot north front yard setback** (Folio 23824.0000) fronting Lynn Road.
 - The parcel is a corner lot with two front yards (those that abut Williams Road to the east and Lynn Road to the north) and two side yards (the western and southern property lines). The parcel is zoned both AS-1 and RSC-2 MH. The proposed building is within the AS-1 zoned portion of the property.
 - Per the applicant's variance responses, the proposed location is preferred in an effort to place the building where least impactful to the adjacent residential properties. Property to the south is

- developed with a single-family residence. Placement of the building in accordance with the 50-foot setback along the north would place the building closer to the southern single-family home.
- The side yard setback of 15 feet to the south will still be met, despite this variance request. Per the general site plan, a 30-foot setback will be provided. A pond will be located within this area, which will not include parking, drive aisles or walkways.
 - As noted by the applicant, zonings along the south side of Lynn Road vary. Agricultural zonings are present that require a 50-foot setback; however, the front yard setbacks for existing structures both vary below and above 50 feet. PD 15-0398, to the immediate east, is approved for a 15-foot setback to Lynn Road.
 - **The requested variance #1 was previously approved by SU 19-0834, and there are no changes to the request.**
- **VARIANCE (2)** Per LDC Section 6.05.02, a 50-foot front yard setback is required for the proposed multi-use building in the Special Use Permit area to the south of Lynn Road. The applicant proposes **a reduction of 40 feet to allow a 10-foot east front yard setback** (Folio 23824.0000) fronting Williams Road.
 - The parcel is a corner lot with two front yards (those that abut Williams Road to the east and Lynn Road to the north) and two side yards (the western and southern property lines). The parcel is zoned both AS-1 and RSC-2 MH. The proposed building is within the AS-1 zoned portion of the property.
 - Per the applicant's variance responses, the proposed location is preferred in an effort to place the building where both least impactful to the adjacent residential properties and best suited to provide a consolidated parking area. Property to the west is developed with a single-family residence. Despite the reduced east front yard setback, a 145-foot setback from the western property line will be provided.
 - Areas closest to Williams Road and adjacent to the subject property area permit front yard setbacks of 15 and 25 feet.
 - Staff would add that compliance with the east front yard setback of 50 feet would result in a smaller area to provide parking. This would have a corresponding impact on the number of parking spaces the overall project can provide. Additionally, the setback reduction allows for the parking to be located behind the structure, improving the appearance from Williams Road.
 - **The requested variance #2 was previously approved by SU 19-0834, and there are no changes to the request.**
 - **VARIANCE (3)** Per LDC Section 6.05.02.D.2.e, **off-site parking shall occur only in industrial, commercial and office districts**. The provision of required parking on a non-contiguous portion of the Special Use Permit area is permitted if the criteria found within 6.05.02.D.2 is met. The property does not meet subsection (e), due to the fact that the property is an agricultural zoning district.
 - The Special Use Permit area is zoned AS-1 and RSC-2 (MH). With the exception of the proposed stormwater pond within the pond in the area to the south of Lynn Road, all area is zoned AS-1, which permits churches.
 - Per the applicant's variance responses, the use is existing and seeks to expand where land is available. The expansion will not increase the existing worship area and under this Special Use Permit, compliance with parking requirements is sought. As previously stated, the area has been used for the Hindu religion for the past 40 years with common parking areas shared between the temples. However, the Hindu temple seeks to meet all requirements as an individual project that has increased membership since its initial stages and therefore must look to adjacent lands to provide parking.
 - It is the applicant's position that the intent of the regulation was to not include agricultural districts because such districts are larger and do not have uses requiring significant numbers of parking spaces.
 - **The requested variance #3 was previously approved by SU 19-0834, and there are no changes to the request.**

- **VARIANCE (4)** Per LDC Section 6.05.02.D.2.b, off-site parking is limited to a maximum walking distance of 300 feet from the building entrance of the primary use. A pedestrian route between these two points is to be provided that is safe, direct and convenient. This Special Use Permits request a variance to increase this walking distance by 190 feet, resulting in a walking distance of 490 feet between the off-site parking area and the temple's eastern building entrance (see Figure 4).

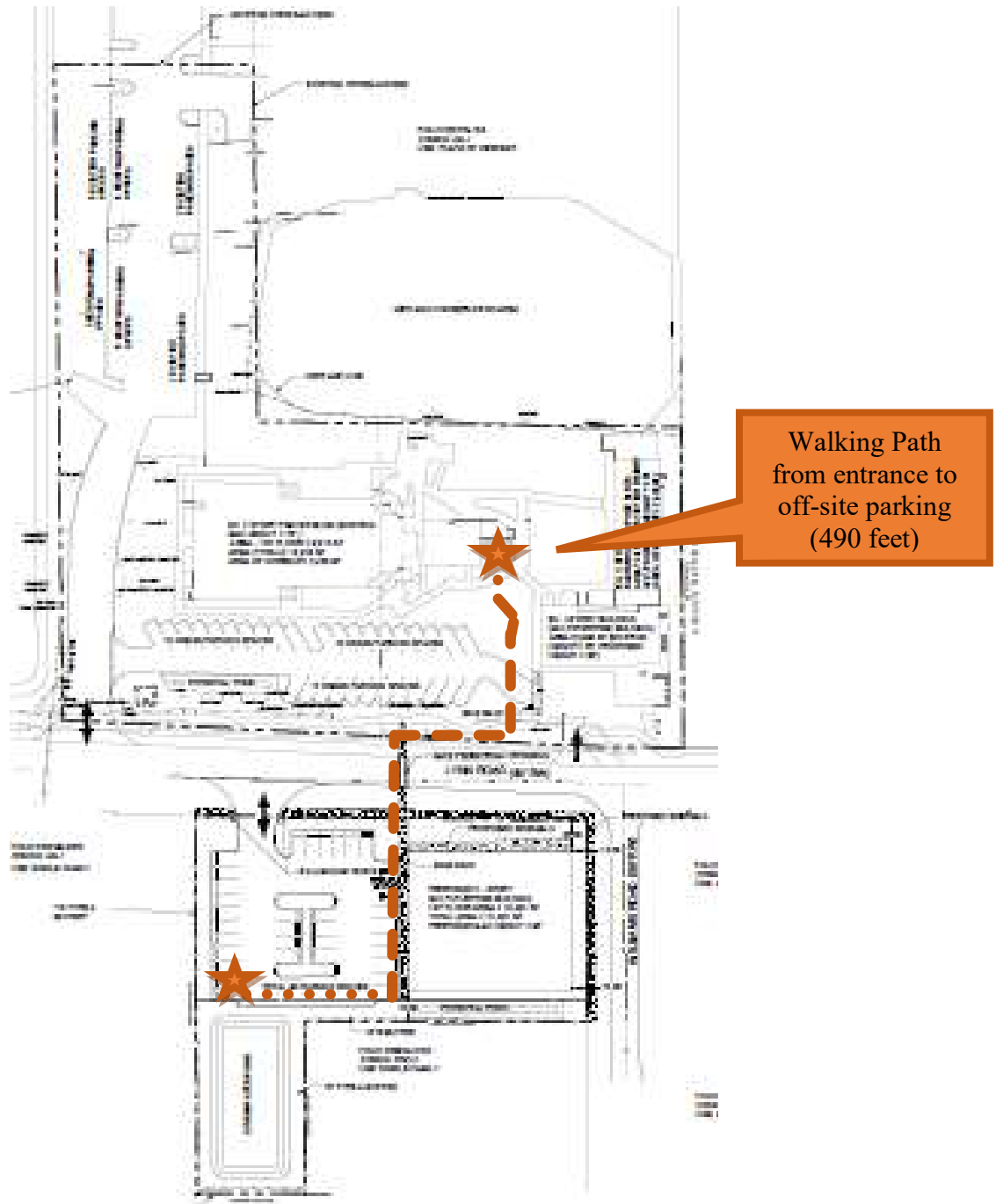


Figure 4: Walking Distance/Pedestrian Crossing

- As discussed in the applicant's variance responses, the longer distance is the result of the most appropriate location of the pedestrian crossing over Lynn Road and the proposed parking area on the south side of Lynn Road that can also be characterized as safe, direct and convenient.
- Factors which influenced the proposed pedestrian crossing location include distance from the Lynn Road/Williams Road intersection, new multi-purpose building location/entrances, new parking area

location, proposed access point along the south side of Lynn Road, and the existing temple building entrance location. Based upon these factors, the pedestrian crossing is proposed where depicted on the plan. The location was selected as it will not interfere with vehicles entering/existing the southern parking lot or vehicles entering/existing Lynn Road from Williams Road. The location also provides a logical connection between the new multi-purpose building and existing northern buildings based upon the internal sidewalk network. A location as eastward as possible was selected to provide greater proximity to the temple entrance; yet, the location is not too far eastward so as to not be readily visible and convenient to those that park on the south side of the Lynn Road. Based upon these considerations, the distance exceeds the maximum 300 feet.

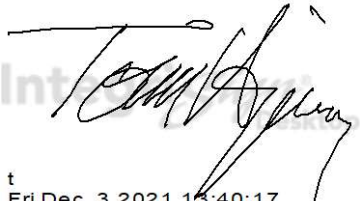
- The applicant has proposed to provide fencing and signage to direct pedestrians to the crossing over Lynn Road.
 - **The requested variance #4 was previously approved by SU 19-0834, and there are no changes to the request.**
- **VARIANCE (5)** Per LDC Section 6.05.02, a minimum of 142 parking spaces is required. **The applicant requests a reduction of 38 spaces, resulting in 104 parking spaces.** The 104 parking spaces includes both existing and proposed parking on both sides of Lynn Road.
 - The Special Use Permit area to the north of Lynn Road provides 70 parking spaces. The Special Use Permit area to the south of Lynn Road proposes 34 additional parking spaces.
 - Per the applicant's variance responses, the property seeks to provide parking for the individual temple, rather than relying on shared parking with adjacent Hindu temples.
 - As previously discussed, the Hindu temple does not provide fixed seating or pews, as devotees typically sit or stand before an alter or shrine for worship purposes. Additionally, such worship activities occur periodically throughout the day for various numbers of individuals. As such, specific days and times for worship for all members, as typically seen in Christian churches, does not occur and therefore do not have the same demand as other religions.
 - While the proposed number of parking spaces does not meet the minimum number of spaces required by the LDC, the number of parking spaces is sufficient to serve the Hindu temple when using the Fifth Edition of the ITE Parking General Manual, which calculates a total of 45 spaces needed.
 - Transportation has reviewed this request and has no objections.
 - **The requested variance #5 was previously approved by SU 19-0834, and there are no changes to the request.**
- **VARIANCE (6)** Per LDC Section 6.07.02.C, fences over four (4) in the front yard are not allowed. **The applicant requests an increase of 2 feet in the front yard fence height, resulting in a six (6) foot front yard fence for folio 23824.0000 (south side of Lynn Road) and 23779.0100 (north side of Lynn Road).**
 - Per the applicant's variance responses, the property seeks to provide an increase in fence height to allow for masonry columns and metal pickets to ensure safety when crossing Lynn Road.
 - Per the applicant's variance responses, the proposed increase in height will enhance the vista along Lynn Road, as well as provide safety.
 - Some of the Comprehensive Plan's primary goals are to ensure the development of land results in public health, safety and welfare and orderly development plan. Generally, fences located on residentially zoned land are limited to four (4) feet in height to ensure sightlines of drives are not obstructed and maintain an orderly aesthetic. The applicant proposes a 6-foot metal picket fence and solid columns that will not obstruct sight lines, while providing for an increase in public safety.
 - Providing a six (6) foot fence increases the likelihood that a pedestrian will cross at a location marked as the safe pedestrian crossing.
 - Staff has not received any objections from reviewing agencies.

2.0 Staff Recommendation:

Based on the above findings, staff finds the requests to be **APPROVABLE** subject to the recommended conditions found in Section 2.1 of this report which reflect and incorporate the requested variances.

1.2 Exhibits

- Exhibit 1: Future Land Use Map
- Exhibit 2: Aerial/Zoning Map – General Area
- Exhibit 3: Aerial/Zoning Map – Immediate Area
- Exhibit 4: Proposed Site Plan (SU 21-1333)

Staff's Recommendation: Approvable, Subject to Conditions
 Zoning Administrator Sign-off: <small>t</small> Fri Dec 3 2021 13:40:17

2.1 Recommended Conditions of Approval

Approval of the request, subject to the conditions listed below, is based on the general site plan dated November 17, 2021.

1. Development shall be limited to a Hindu temple with a maximum of 473 seats for worship purposes, as calculated in accordance with Section 6.05.02.F of the Land Development Code, and three accessory use multi-purpose buildings as shown on the general site plan. Total combined floor space of the buildings shall not exceed 41,100 square feet within the total Special Use Permit area.
2. The temple and two multi-purpose buildings located on the north side of Lynn Road shall be located where depicted on the general site plan. The maximum building height for the temple shall be 70 feet. The maximum building height for the two multi-purpose buildings shall be 30 feet and the buildings shall be limited to one story.
3. The multi-purpose building located on the south side of Lynn Road shall comply with the following development standards:

Maximum floor space: 21,531 square feet

Maximum building height: 35 feet
Minimum north front yard setback: 50 feet
Minimum east front yard setback: 50 feet
Minimum south side yard setback: 20 feet

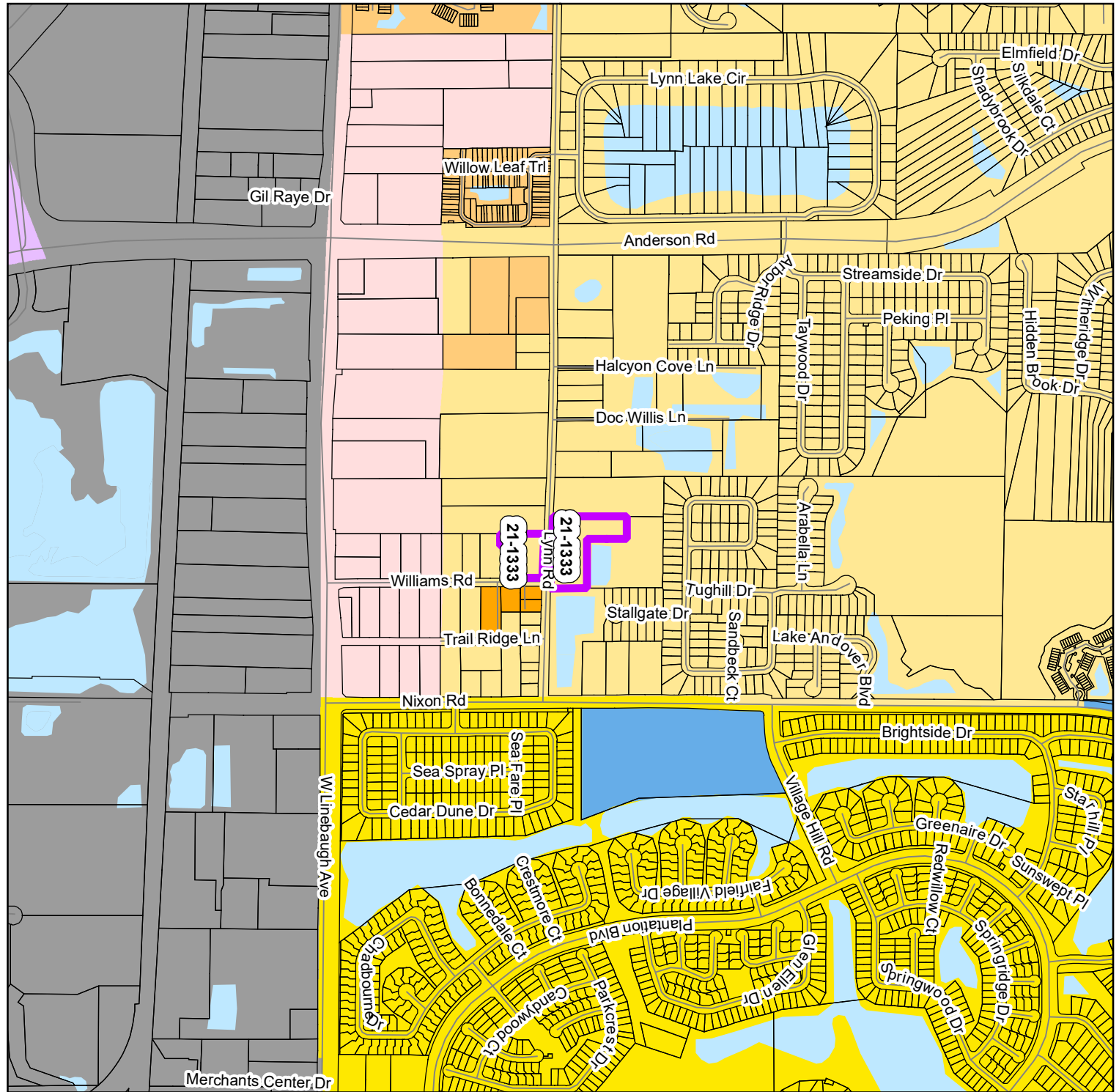
4. The multi-purpose building located on the south side of Lynn Road shall be limited to the following uses:
 - 4.1 Religious education and studies offered by the temple. However, no worship space shall be permitted in the building.
 - 4.2 Temple administrative offices.
 - 4.3 A cantina for temple members and visitors to the temple. The cantina shall not otherwise serve the general public and no signs for the cantina shall be allowed on the exterior of the building.
 - 4.4 Customary accessory events and fellowship activities such as receptions for weddings held at the temple, birthday parties for temple members, and similar affairs. The building shall not otherwise be rented or made available to the general public, or on the sole basis of incidental association with a temple member, for banquets, receptions, proms, concerts and other similar events.
5. A 10-foot-wide buffer with Type A screening shall be provided along the western boundary of the Special Use Permit area located on the south side of the Lynn Road. A 10-foot-wide buffer with Type A screening shall be provided to the west, south and east of the stormwater pond within the Special Use Permit area located on the south side of Lynn Road. A 10-foot-wide buffer with Type B screening shall be provided along the southern boundary of the Special Use Permit area located on the south side of Lynn Road. Screening types shall conform to the requirements of LDC Section 6.06.06.C.
6. A minimum of 104 parking spaces shall be provided. Site development plans for any portion of the Special Use Permit area shall demonstrate compliance with this condition for the entire Special Use Permit area in accordance with the requirements of the Land Development Code and other applicable regulations.
7. Parking areas shall be located where generally shown on the general site plan. Notwithstanding the parking space details provided on the general site plan, the project shall provide disabled parking in accordance with LDC Section 6.05.02.J.
8. The parking area contained on the south side of Lynn Road shall be available for the permitted uses located on both the north and south sides of Lynn Road.
9. The parking area contained in the Special Use Permit area on the south side of Lynn Road shall be provided with a 6-foot high metal picket fence along Lynn Road from the western boundary of the parking area to the eastern boundary of the parking area (excluding the access drive and sidewalk connection over Lynn Road), as depicted on the general site plan. Additionally and notwithstanding what is depicted on the site plan, a 6-foot high metal picket fence along the north side of Lynn Road from the western access point to the eastern access point (excluding the sidewalk connection over Lynn Road) shall be provided. Site development plans for any portion of the Special Use Permit area shall demonstrate compliance with this condition for the entire Special Use Permit area in accordance with the requirements of the Land Development Code and other applicable regulations.
10. Signs shall be posted in the Special Use Permit area located on the south side of Lynn Road to direct members to the pedestrian crossing over Lynn Road. Specifically, signs in the southern area shall be placed (1) in the vicinity of the access drive from Lynn Road, (2) along the sidewalk to the east of the parking area and (3) along the sidewalks in the vicinity of the Lynn Road/Williams Road intersection. Additionally, signs shall be posted

on the north side of Lynn Road to direct members to the pedestrian crossing over Lynn Road. Specifically, signs in the northern area shall be placed (1) in the vicinity of the eastern access drive from Lynn Road, (2) along the sidewalk between the pedestrian crossing over Lynn Road and the eastern access point and (3) within the grass parking area to the south of the Temple. These sign posting locations shall be provided on the project's site development plan to ensure no obstruction of sight visibility triangles. Site development plans for any portion of the Special Use Permit area shall demonstrate compliance with this condition for the entire Special Use Permit area in accordance with the requirements of the Land Development Code and other applicable regulations.

11. A pedestrian crosswalk shall be provided where depicted on the general site plan as a "safe pedestrian crossing." Adjustment for the exact location shall be permitted to accommodate existing trees, subject to Development Services Department (Transportation) review and approval. The crosswalk shall be provided in accordance with Land Development Code and Public Works standards. The type of pedestrian crossing and necessary appurtenances shall be determined at the site development stage, subject to the review and approval by Development Services Departments (Transportation) and Public Works Department.
12. The pedestrian crosswalk shall be part of a continuous pedestrian route from the parking area contained in the Special Use Permit area located on the south side of Lynn Road to the temple. A maximum pedestrian route length of 300 feet shall be provided, unless a variance is approved by the hearing officer in connection with this Special Use, in which case a maximum 490-foot long pedestrian route shall be provided.
13. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ SU 21-1333



Rezoning Status

Color	Status
Yellow	APPROVED
Light Green	CONTINUED
Red	DENIED
Blue	WITHDRAWN
Pink	PENDING

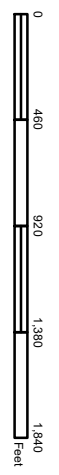
Geographic Features

Blue	Tampa Service Area
Light Blue	Urban Service Area
Dark Blue	Shoreline
Blue with Dashed	County Boundary
Blue with Dotted	Jurisdiction Boundary
Black	Roads
Black with Dotted	Parcels

Land Use Categories

Light Green	wm NATURAL LLUC - Wet Pdy
Light Green	AGRICULTURAL/AMINING-120 (.25 FAR)
Light Green	PFC PLANNED ENVIRONMENTAL COMMUNITY-112 (.25 FAR)
Light Green	AGRICULTURAL-110 (.25 FAR)
Light Green	AGRICULTURAL/RURAL-115 (.25 FAR)
Light Green	AGRICULTURAL/ES TATE-112.5 (.25 FAR)
Light Green	RESIDENTIAL-1 (.25 FAR)
Light Green	RESIDENTIAL-2 (.25 FAR)
Light Green	RESIDENTIAL PLANNED-2 (.35 FAR)
Light Green	RESIDENTIAL-4 (.25 FAR)
Light Green	RESIDENTIAL-6 (.25 FAR)
Light Green	RESIDENTIAL-9 (.35 FAR)
Light Green	RESIDENTIAL-12 (.35 FAR)
Light Green	RESIDENTIAL-16 (.35 FAR)
Light Green	RESIDENTIAL-20 (.35 FAR)
Light Green	RESIDENTIAL-36 (1.0 FAR)
Light Green	NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
Light Green	SUBURBAN MIXED USE-6 (.35 FAR)
Light Green	COMMUNITY MIXED USE-12 (.50 FAR)
Light Green	URBAN MIXED USE-20 (1.0 FAR)
Light Green	REGIONAL MIXED USE-35 (2.0 FAR)
Light Green	OC-20
Light Green	RESEARCH CORPORATE PARK (1.0 FAR)
Light Green	ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, 25 FAR RETAIL/COMMERCE)
Light Green	LIGHT INDUSTRIAL PLANNED (.50 FAR)
Light Green	LIGHT INDUSTRIAL (.50 FAR)
Light Green	HEAVY INDUSTRIAL (.50 FAR)
Light Green	PUBLIC/QUASIPUBLIC
Light Green	NATURAL PRESERVATION
Light Green	WIMAUVA VILLAGE RESIDENTIAL-2 (.25 FAR)
Light Green	CITRUS PARK VILLAGE

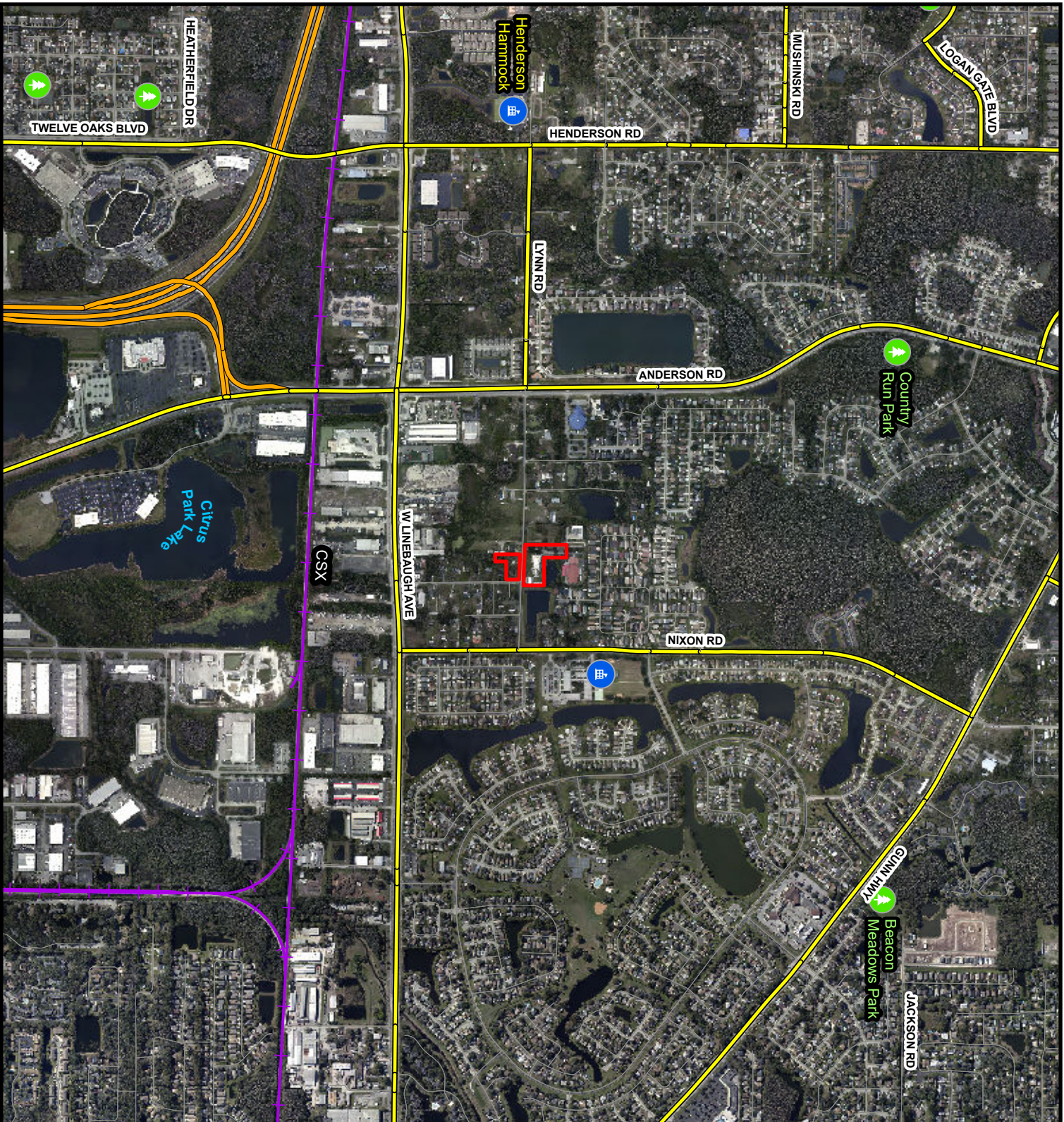
DATA SOURCES: Rezoned boundaries from The Planning Commission and an official fiscal lines and street from Hillsborough County Property Appraiser. The map is for informational purposes only and does not constitute an offer of any service or product. The map is for informational purposes only and does not constitute an offer of any service or product. The map is for informational purposes only and does not constitute an offer of any service or product.



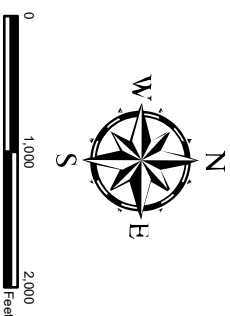
VICINITY MAP

SU-GEN 21-1333

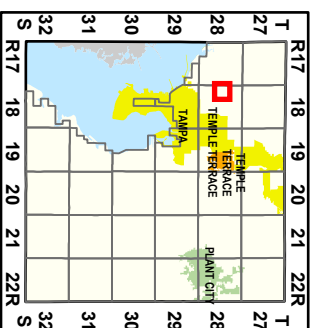
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-  APPLICATION SITE
-  RAILROADS
-  SCHOOLS
-  PARKS



STR: 18-28-18



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ZONING MAP

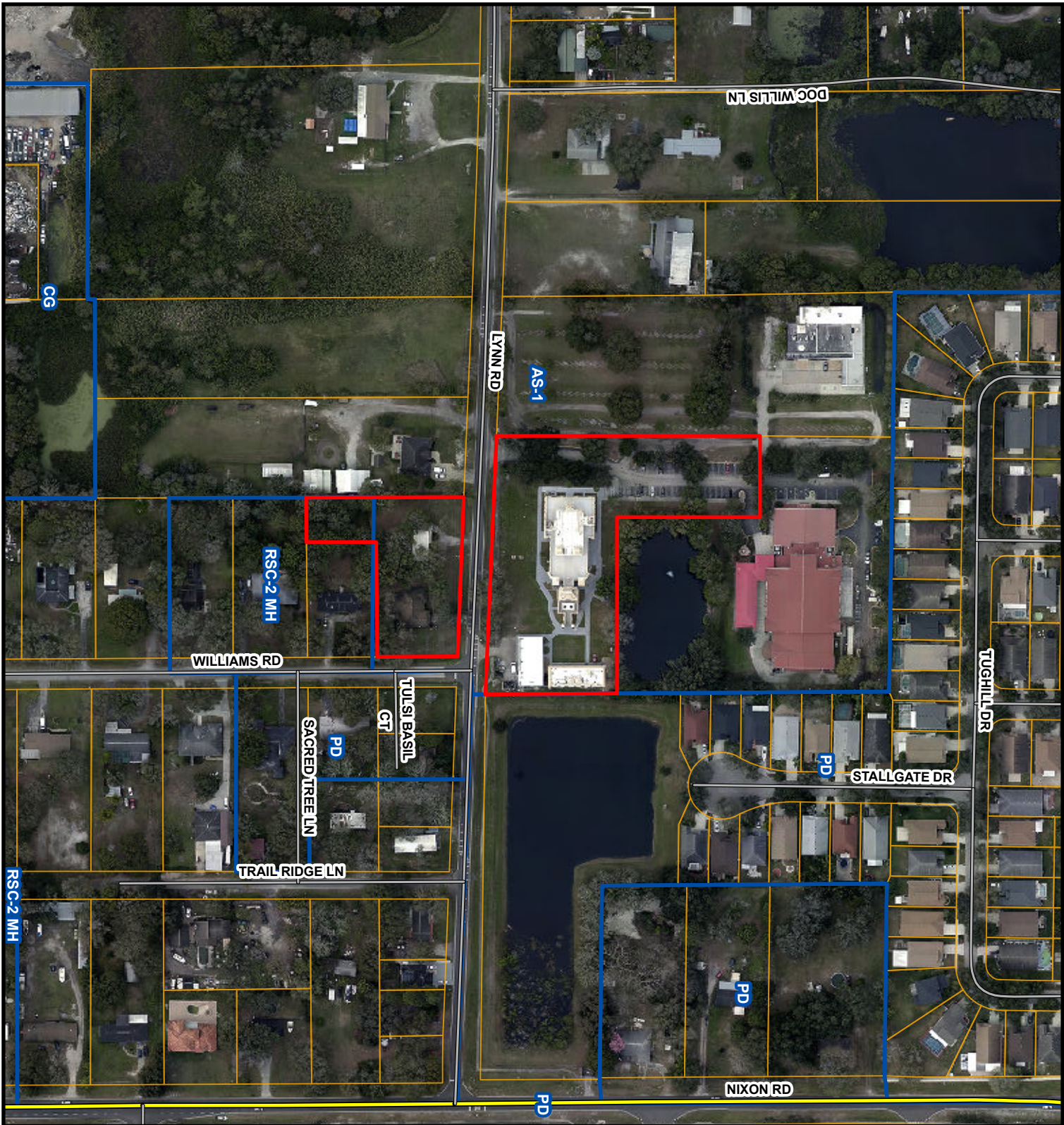
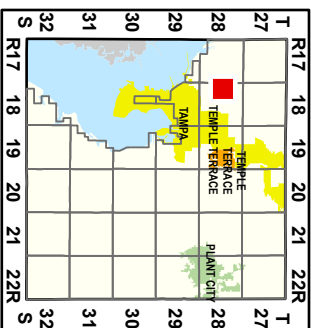
SU-GEN 21-1333

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- APPLICATION SITE
- ZONING BOUNDARY
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STR: 18-28-18



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**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: December 13, 2021	Petition: SU 21-1333
Report Prepared: December 6, 2021	5504 and 5509 Lynn Road East of Anderson Avenue, on the north and south side of Lynn Road
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Residential- 4 (4 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan:	Greater Carrollwood Northdale
Requested Zoning:	Special Use in Agricultural Single-Family Conventional-1 (AS-1) and Residential Single Family Conventional-2 (RSC-2) to modify the conditions of approval for SU 19-0834 to increase building height and area, increase the front yard fence length and retain all other waivers and conditions from the original SU 19-0834
Parcel Size (Approx.):	3.77+/- acres (164221.2 square feet)
Street Functional Classification:	Lynn Road– Local Williams Road – Local Nixon Road - Collector
Locational Criteria	N/A
Evacuation Zone	None



Plan Hillsborough
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 813 – 272 – 5940
 601 E Kennedy Blvd
 18th floor
 Tampa, FL, 33602

Context

- The 3.77 acre site consists of two parcels that are bisected by Lynn Road. The northern parcel folio 23779.0100 is currently developed with a temple and several multipurpose buildings. The applicant is proposing a multi purpose building on the southern parcel, folio 23824.0000, that is currently developed with a single family home, the temple's parsonage. The subject site is in the Urban Service Area and is located within the limits of the Greater Carrollwood Northdale Community Plan.
- The subject site and the properties to the north, south and west are designated Residential-4 (RES-4). Typical allowable uses within this designation include, residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects. Non-residential uses are meet locational criteria for a specific land use. East of the site is designated Residential-12 (RES-12).
- Existing land uses immediately surrounding the subject property include predominately single family residential and residential support uses such as churches. Further south of the site along Williams Road are light industrial uses. There are also heavy industrial uses further west of the site along Lynn Road.
- The subject property is surrounded by Agricultural Single Family-1 (AS-1) to the north and west. Residential Single Family-2 (RSC-2) is located south of the site along Williams Road. To the east are two Planned Developments, both approved for single family residential.
- The applicant is requesting approval through this Special Use (SU) request to modify the conditions of approval 1, 2, 3, 5, 6 and 9 for SU 19-0834 and to retain all existing approved waivers from SU 19-0834. The request is primarily for the proposed multi-purpose building on the southern portion of the site. The request will increase the total square footage of the building on the southern folio to 21,531 square feet granting a total increase in square footage from 36,2359 square feet to 41,100 square feet. The request will also change the height of the three accessory multi-purpose buildings from 20 feet to 30 feet. The applicant is also requesting a reduction in the south side yard setback to 20 feet. The special use also proposes to increase the fence height from 4 feet to 6 feet.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area

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

Neighborhood/Community Development

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

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

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

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

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

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

5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

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

6.3 PEDESTRIAN CROSSINGS

GOAL 15: *Provide a transportation system throughout Hillsborough County that is safe and functional for all modes of transportation, is aesthetically-pleasing, and is designed to meet the overall needs of the communities it serves.*

OBJECTIVE 15-2: *Provide safe and convenient roadway crossings that are easily identifiable by pedestrians and motorists.*

Objective 17: Neighborhood and Community Serving Uses

Certain non-residential land uses, including but not limited to residential support uses and public facilities, shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner to be compatible to the surrounding residential development pattern.

Policy 17.1: Residential support uses (child care centers, adult care centers, churches, etc.) is an allowable land use in any of the residential, commercial and industrial land use plan categories consistent with the following criteria:

- a) The facility shall be of a design, intensity and scale to serve the surrounding neighborhood or the non-residential development in which it occurs, and to be compatible with the surrounding land uses and zoning;

LIVABLE COMMUNITIES ELEMENT: Greater Carrollwood Northdale Community Plan

Goal 1: Establish sustainable community activity centers that allow the citizens to live, work and play all within walking distance.

- Community facilities and residential support uses with appropriate parking and functional open space.

Goal 2: Reinforce community identity through maintenance and enhancement of the community's unique characteristics, assets and physical appearance

- New development and redevelopment shall use compatibility design techniques to ensure the appearance (architectural style), mass and scale of development is integrated with the existing suburban nature of each neighborhood. (i.e. transitions, buffers etc).

Staff Analysis of Goals, Objectives and Policies:

The applicant has requested a Special Use to modify the conditions of the existing SU 19-0834 of the subject site. The site is currently developed with a Hindu Temple and multi-purpose buildings to the north and an associated parsonage to the south. The Special Use primarily deals with the proposed development on the southern parcel of the site which is a proposed multi-purpose facility. Specifically, the applicant is requesting approval through this Special Use (SU) request to modify the conditions of approval 1, 2, 3, 5, 6 and 9 for SU 19-0834 and to retain all existing approved waivers from SU 19-0834. The request is for the proposed multi-purpose building on the southern portion of the site. The applicant proposes to increase the total square footage of the building on the southern folio to 21,531 square feet granting a total increase in square footage from 36 359 square feet to 41,100 square feet. The request will also change the height of the three accessory multi-purpose buildings from 20 feet to 30 feet. The applicant is also requesting a reduction in the south side yard setback to 20 feet. The special use also proposes to increase the fence height from 4 feet to 6 feet.

The proposed Special Use is a residential support use and is compatible with the surrounding development pattern which includes a number of places of worship such as churches. Support uses are allowed within all residential Future Land Use categories, including in this case, the Residential-4 (RES-4) Future land use classification. The applicant is proposing 41, 100 square feet total over the entire site, with an acreage of 3.77 acres site, the request will be developed at a 0.24.9 FAR, which is within the 0.25 maximum of what can be considered on the site.

Churches, schools, and daycare centers are defined as residential support uses by the Comprehensive Plan (Policy 17.1) and are allowable in residential Future Land Use categories as long as their intensity and design are compatible with the surrounding land

uses. The proposed use is compatible with the surrounding single family detached residential uses and the existing residential support uses in the vicinity.

The Community Design Component (CDC) in the Future Land Use Element of the Comprehensive Plan contains policy direction about designing developments that relate to the predominant character of the surroundings (*CDC Goal 12*). It further states that new developments should recognize the existing community and be designed in a way that is compatible with the established character of an area (*CDC Objective 12-1*). There are existing residential support uses in the area such as daycare, schools, and other places of worship such as churches on the northside of Lynn Road. The stormwater pond in the southern parcel will provide a natural buffer to the single family residential to the south. The proposed special use also provides a pedestrian crossing that would link the existing Temple to the proposed multi-purpose building on the south side of Lynn Road. This fulfills the intent of Goal 15 of the CDC.

The Greater Carrollwood Northdale Communities Plan supports development and redevelopment that ensures that development is integrated with the existing suburban nature of each neighborhood. (i.e. transitions, buffers etc). The applicant has proposed measures to mitigate impacts to the surrounding development pattern. The applicant is providing a pedestrian connection across Lynn Road and additional bicycle parking on site demonstrating pedestrian connectivity within the site and the surrounding area. Moreover, this Special Use application is in tandem with the plans for the Temple to upgrade the architectural exterior features of the site to provide greater aesthetic appeal.

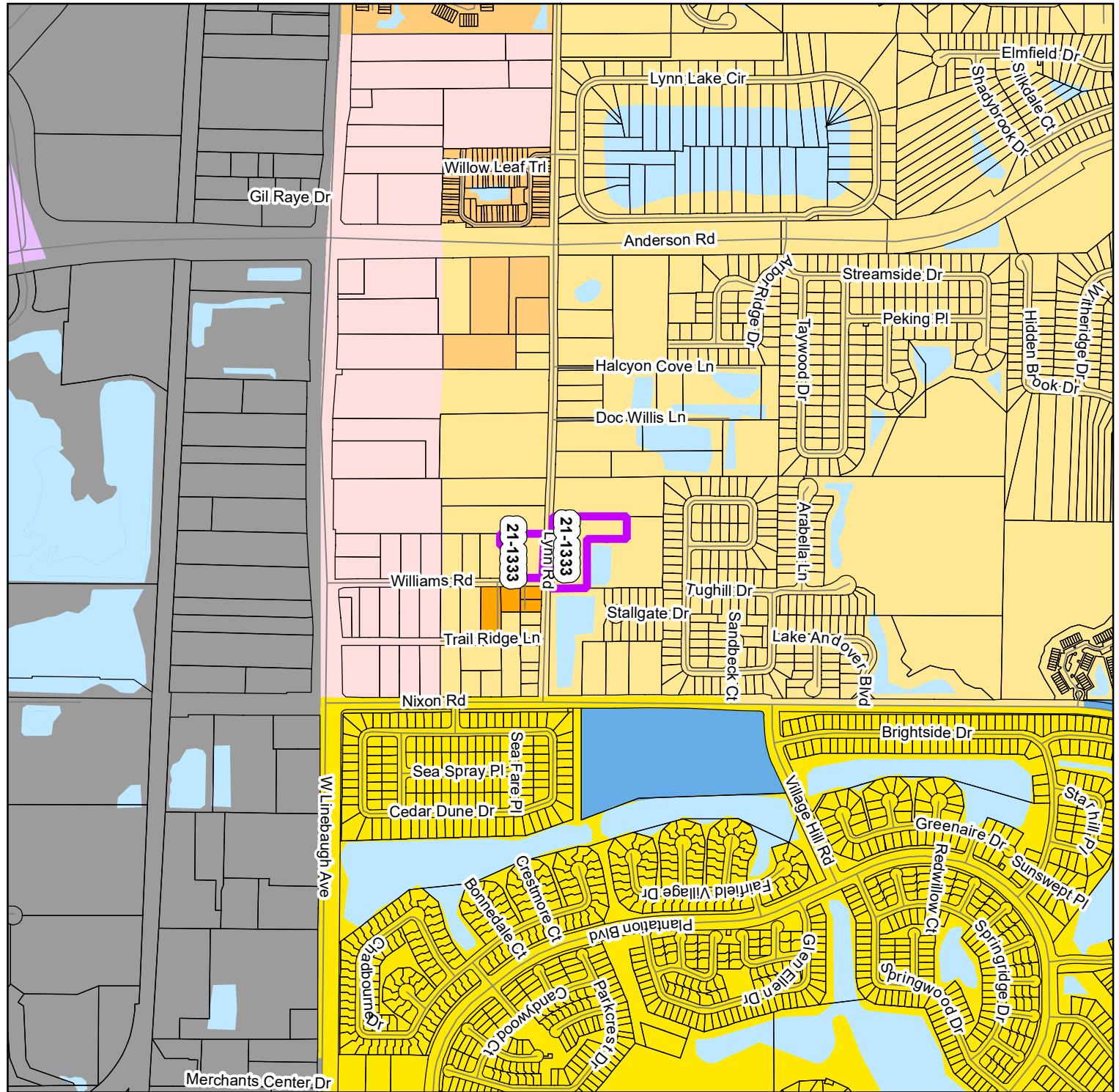
Overall, the proposed rezoning would allow for a development that is consistent with the Goals, Objectives and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and that is compatible with the existing and planned development pattern found in the surrounding area

Recommendation

Based upon the above considerations, the Planning Commission staff finds the proposed Special Use **CONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, subject to conditions proposed by the Development Services Department.

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ SU 21-1333



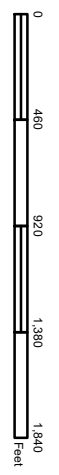
Rezonings

<Call out values>

STATUS	Color
APPROVED	Light Green
CONTINUED	Yellow-Green
DENIED	Red
WITHDRAWN	Blue
PENDING	Pink

Timpa Service Area	Dark Blue
Urban Service Area	Medium Blue
Shoreline	Light Blue
County Boundary	Blue with Dashed Line
Jurisdiction Boundary	Blue with Dotted Line
Roads	White with Black Outline
Parcels	Thin Black Outline
w/m NATURAL LULC: Wet Pdy	Light Green
AGRICULTURAL/AMINING-1/20 (.25 FAR)	Light Green
PFC PLANNED ENVIRONMENTAL COMMUNITY-1/12 (.25 FAR)	Light Green
AGRICULTURAL-1/10 (.25 FAR)	Light Green
AGRICULTURAL/RURAL-1/5 (.25 FAR)	Light Green
AGRICULTURAL/ES TATE-1/2.5 (.25 FAR)	Light Green
RESIDENTIAL-1 (.25 FAR)	Light Green
RESIDENTIAL-2 (.25 FAR)	Light Green
RESIDENTIAL PLANNED-2 (.35 FAR)	Light Green
RESIDENTIAL-4 (.25 FAR)	Light Green
RESIDENTIAL-6 (.25 FAR)	Light Green
RESIDENTIAL-9 (.35 FAR)	Light Green
RESIDENTIAL-12 (.35 FAR)	Light Green
RESIDENTIAL-16 (.35 FAR)	Light Green
RESIDENTIAL-20 (.35 FAR)	Light Green
RESIDENTIAL-36 (1.0 FAR)	Light Green
NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)	Light Green
SUBURBAN MIXED USE-6 (.35 FAR)	Light Green
COMMUNITY MIXED USE-12 (.50 FAR)	Light Green
URBAN MIXED USE-20 (1.0 FAR)	Light Green
REGIONAL MIXED USE-35 (2.0 FAR)	Light Green
OC-20	Light Green
RESEARCH CORPORATE PARK (1.0 FAR)	Light Green
ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)	Light Green
LIGHT INDUSTRIAL PLANNED (.50 FAR)	Light Green
LIGHT INDUSTRIAL (.50 FAR)	Light Green
HEAVY INDUSTRIAL (.50 FAR)	Light Green
PUBLIC/QUASIPUBLIC	Light Green
NATURAL PRESERVATION	Light Green
WIMAUVA VILLAGE RESIDENTIAL-2 (.25 FAR)	Light Green
CITRUS PARK VILLAGE	Light Green

DATA SOURCES: Rezonings boundaries from The Planning Commission and an official fiscal lines and street from Hillsborough County Property Appraiser. Parcel boundaries and lot numbers from the parcel map provided by Hillsborough County City/County Planning Commission. A/C/D/UC/CR: This indicates that the U.S. National Map Accuracy Standards (1966) were used to determine the map's accuracy. Hillsborough County City/County Planning Commission. This map is for illustrative purposes only. For the most current data and information, visit the appraiser's website.





Additional / Revised Information Sheet

Rcvd 11/17/21 21-1333

Date Stamp Here

Application Number: _____ Applicant's Name: _____

Reviewing Planner's Name: _____ Date: _____

Application Type:

- Planned Development (PD), Minor Modification/Personal Appearance (PRS), Standard Rezoning (RZ), Variance (VAR), Development of Regional Impact (DRI), Major Modification (MM), Special Use (SU), Conditional Use (CU), Other

Current Hearing Date (if applicable): _____

Will this revision add land to the project? Yes No

IMPORTANT: If "Yes" is checked on the above, a Revised Application Sheet, Property Information Sheet, Affidavit to Authorize Agent, and additional Deeds must be filed immediately to ensure proper noticing and sign posting requirements are met.

Will this revision remove land from the project? Yes No x

The following must be attached to this Sheet.

- Cover Letter with summary of the changes and/or additional information provided. If a revised Site Plan is being submitted, all changes on the site plan must be listed in detail in the Cover Letter. An updated Project Narrative consistent with the changes or additional information provided, if applicable.

Submittal Via:

Email - Note that no follow up paper file is necessary. Files must be in pdf format and minimum resolution of 300 dpi. Maximum attachment(s) size is 15 MB.

Email this sheet along with all the additional/revised submittal items in pdf to: ZoningIntake-DSD@hcflgov.net

For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcflgov.net.

I certify that changes described above are the only changes that have been made to the submission. Any further changes will require an additional submission and certification.

Handwritten signature in blue ink

Signature

11/12/2021 Date

FOR OFFICE USE ONLY

- Notification E-Mail Sent, Transmittal Completed, Scanned into OPTIX

In-Take Completed by: _____ CM

Property Address: 5504 and 5509 Lynn Road

Property Owner: Hindu Temple of Florida

Folio Number(s): 023824.0000 and 023779.0100.

Current Zoning: AS-1 and RSC-2

Future Land Use: Residential-4

Service Area: Urban Service Area

REVISED Narrative 11/16/2021

Introduction:

The Hindu Temple of Florida has existed on 5509 Lynn Road (folio number 23779.0100) since 2000. It is one of three temples related to Hindu faith located in close proximity to one another and near the Indian Cultural Center and the Hindu Village, a multi-family development approved as a PD (15-0398) and intended to provide homes for Hindu devotees and priests. Each of these establishments are independently owned and operated.

In 2019, Special Use approval was granted to Hindu Temple, allowing the a church with seating capacity of more than 300 persons on property zoned AS-1 and RSC-2 (MH) and variances to LDC Section 6.01.01 and 6.05.02. As a result of this approval, two parcels owned by Hindu Temple of Florida and bisected by Lynn Road were joined under one development order which recognized the existing church and allowed construction of a new Vidyalaya Center/multi-purpose building; required parking was reduced; parking lots were approved on both sides of the road; safe pedestrian crossing was demonstrated; and the front yard building setback of the Vidyalaya Center was reduced.

After the Special Use permit was approved and before construction commenced, meetings were held between the Temple’s Board of Directors, member doners, devotees, and the architect where it was determined that changes to the approved Special Use site plan and conditions of approval would be necessary to accommodate the site improvements as envisioned, specifically, increased height and area of the Vidyalaya Center on the southern parcel; increased height of the prayer rooms on the northern parcel; and increased front yard fence height.

Land Use, Zoning and Service Area designations:

The northern most parcel (folio number 23779.0100) is zoned AS-1, 2.7- acres in size and developed with Hindu Temple and two multi-purpose buildings. The southern parcel (folio number 23824.0000) is dually zoned AS-1 (MH) and RSC-2; it is 1.03-acres in size. Both lots are located within the Residential 4 land use category where residential support uses are allowed and where the maximum development intensity is the lesser of 175,000 square feet or 25% FAR. Both properties are in the Urban Service Area where growth is intended to occur, and both are odd shaped reverse flag lots. The southernmost parcel has two front yards, three side yards and one rear yard.

Request:

Special uses are uses which require additional review to demonstrate appropriateness and which are controlled through the zoning review process to ensure public health, safety, and welfare. Like the Planned Development (PD) rezoning process, approval is controlled by a site development plan and conditions of approval. However, the Special Use permit differs from the PD process because it cannot be modified. Instead, a new application must be submitted. This new Special Use petition proposes modifications to the approved Conditions of Approval of SU 19-0834 numbers: 1., 2., 3., 5., 6., and 9; and one additional variance and intends to:

- Allow increased building area and height to the Vidyalaya Center, located on the southernmost parcel with no increase of area of worship area;
- Increase the building height of the two existing Prayer Rooms on the northern property with no increase of the area of worship;
- Increase the front yard fence height from 4- feet to 6- feet
- Retain the waivers and variations as approved through Special Use 19-0834

Parking

There are no changes requested to the approved number of parking spaces or parking lot configuration. However, a summary of the parking reduction granted through SU 19-0834 is helpful in understanding the previous Special Use which approved a parking variation which is proposed to be carried over.

The required parking is determined based per Code Section 6.05.02 part F *Calculation of Certain Parking Requirements* because Hindu Temple does not have fixed seats. As outlined, where parking requirements relate to the number of seats, and seating is in the form of undivided pews, benches or the like, 20 lineal inches are construed as equal to one seat. Since Hindus do not use benches or pews when praying, the parking requirements are determined as follows: 10 square feet of net floor area is equal to one seat exclusive of accessory unoccupied areas or the thickness of walls. The area of worship is located on the northern parcel within the Hindu Temple and two accessory buildings. The total area of worship is 4730 square feet.

The calculation for required parking is: $4730 / 10 = 473$ square feet of worship
 $473 \text{ feet of worship area} * 0.3 \text{ seats} = 141.9$ required parking spaces rounded up to 142.

An administrative variance was approved allowing a parking reduction based on ITE Parking Code 560, which reduced required parking to 104 parking spaces. Neither the previously approved Special Use or this proposed Special Use add area of worship. The area of worship will remain at 4,730 square feet and located on the northern parcel (23779.0100) within the existing Temple and two existing prayer rooms. The new Vidyalaya Center will provide area for religious education and studies, administrative office uses, a relocated cantina, and customary accessory events. To be clear, there will be no area of worship and the banquet hall use is not proposed. Since the proposed Vidyalaya Center building will not add additional area of worship to the temple but will instead provide ancillary uses, no additional trips will be generated. Furthermore, two parking lots were approved through SU 19-0834, this petition does not propose any changes to the number of parking spaces or to the approved parking lot configuration.

Pedestrian Safety/Fencing

Currently, a 4-foot-tall metal picket fence is required along both the north and south sides of Lynn Road to direct pedestrians to cross at the crosswalk. This petition for Special Use includes a variance to increase the front yard fence height from 4-feet to 6-feet and is meant to increase pedestrian safety by further limiting the opportunity to cross at other locations. It will also provide greater security to the temple and alleviate concerns of vandalism and trespass and through thoughtful design will unify the contemporary architecture of the Vidyalaya Center with the classic architecture of the Temple.

Changes to Approved Conditions of Approval

a.) A modification to SU 19-0834 Condition of Approval 1.

Development shall be limited to a Hindu temple with a maximum of 473 seats for worship purposes, as calculated in accordance with Section 6.05.02. F. of the Land Development Code, and three accessory use

multi-purpose buildings as shown on the general site plan. Total combined floor space of the buildings shall not exceed ~~36,359~~ 41,100-square feet within the total Special Use Permit area.

b.) A modification to SU 19-0831 Condition of Approval 2.

The temple and two multi-purpose buildings located on the north side of Lynn Road shall be located where depicted on the general site plan. The maximum building height for the temple shall be 70-feet. The maximum building height for the two multi-purpose buildings shall be ~~20~~-30-feet and the buildings shall be limited to one story.

c.) A modification to SU 19-0834 Condition of Approval 3.

The multipurpose building located on the south side of Lynn Road shall comply with the following development standards:

- Maximum Floor Space: ~~16,790~~ 21,531
- Maximum Height ~~30-feet~~ 35-feet
- Minimum north front yard setback: 20-feet
- Minimum east front yard setback: 10-feet
- Minimum south side yard setback: ~~30-feet~~ 20-feet
- Minimum west side yard setback: 140-feet

d.) Modification to SU 19-0834 Condition of Approval 9.

The parking area contained in the Special Use Permit area on the south side of Lynn Road shall be provided with a ~~4-foot-high~~ 6-foot-high metal picket fence along Lynn Road from the western boundary of the parking area to the eastern boundary of the parking area (excluding the access drive and sidewalk connection over Lynn Road), as depicted on the general site plan. Additionally, and notwithstanding what is depicted the site plan, a ~~4-foot-high~~ 6-foot-high metal picket fence along the north side of Lynn Road from the western access point to the eastern aces point (excluding the sidewalk connection over Lynn Road) shall be provided. Site development plans for any portion of the Special Use Permit area shall demonstrate compliance with this condition for the entire Special Use Permit area in accordance with the requirements of the Land Development Code and other applicable regulations.

Changes to Site Plan Notes and Graphics

Site Data Table:

- Proposed Building Area increased from 36,359 square feet to 41,100 square feet
- **Proposed FAR increased from 23% to 25%**
- Addition of bicycle parking, consistent with bicycle parking credit LDC 6.05.02 P
- Proposed Maximum Height increased from 30-feet to 35-feet
- Southern Side Yard of southern parcel (tax folio 23824.0000) decreased from 30-feet to 20-feet
- Gross Building Coverage increased from 15% to 16%
- Fence Height associated with safe pedestrian crossing increased from 4-feet to 6-feet
- Parking spaces on the southeast corner of the southern parcel (023824.0000) double as loading zone
- The height of the proposed 2-story multi-purpose building (folio 23824.0000) increased to 35 feet, first floor area increased to 10,481 square feet and total area increased to 21,531
- The height of the existing multi-purpose buildings increased from 20-to 30-feet

- Wetland area calculation has been added

Change to the Title Block

- The Project name has been revised from Hindu Temple School to Hindu Temple

Additional Variations Requested:

Front yard Fence Height LDC Section 6.07.02

Summary: Condition of approval # 9 of SU 19-0834 requires a 4-foot high, metal picket fence to be located along the north and south sides of Lynn Road to direct pedestrian foot traffic to safe crossing locations. The conditioned height of 4-feet is consistent with the maximum front yard fence height as outlined in LDC Section 6.07.02. However, a 6-foot fence height is preferred to provide additional pedestrian safety. Additionally, this additional fence height is proposed as a pro-active measure against the vandalism and desecration of Hindu temples which has increased in occurrence over the last several years.

Waivers and Variations Approved through SU 19-0834 proposed to be retained

1. Waiver: Code Section 6.11.25 Special and Conditional uses: Churches and Synagogues part C. To allow a church with a seating capacity of more than 300 persons to be located on a parcel which does not have direct access to an arterial or collector street, as shown on the Major Streets map
2. Variation: Code Section 6.01.01 District Performance and Dimensional Standards *Schedule of District Area Height, Bulk and Placement Regulations* To reduce the required setback of the AS-1 zoning district to allow a multi-purpose building on the southern parcel (folio number 23824.0000) from 50-feet to 20-feet as measured along the eastern/Lynn Road frontage.
3. Variation: Code Section 6.01.01 District Performance and Dimensional Standards *Schedule of District Area Height, Bulk and Placement Regulations* To reduce the required 50-foot front setback of the AS-1 zoning district to allow a multi-purpose building (folio number 23824.0000) a front setback reduction from 50-feet to 10 feet as measured along the eastern/Williams Road frontage.
4. Variation Code Section 6.05.02 D. 2. E. *Methods of Providing Required Parking and Loading Part D. 2* to allow offsite parking in the AS-1 zoning district.
5. Variation Code Section 6.05.02 D *Methods of Providing Required Parking and Loading Part D. 2. b.* To allow some of the off-site parking to be located more than 300-feet of walking distance from the principal (temple) entrance.

Part 2 Rationale for requested modifications

Increase in floor space, height, and setback of the Vidyalaya Center

The 2019 Special Use permit restricted the floor space of the development to a maximum total of 36,359 square feet to include all existing structures and the proposed 16,790 square foot Vidyalaya Center. ~~proposed as illustrated on the submitted site plan.~~ During pre-construction meetings with the Board of Trustees and the

developers, held after the approval, it was made clear that the approved maximum height would not be sufficient to provide the sensation of formality and spiritualism associated with religious institutions or to allow for the intended roof top terrace; and that the indoor area was not adequate for the intended uses. For these reasons modest adjustments to height, floor area and setback are proposed.

- The floor area of the building is calculated by measuring the enclosed areas of the building from the outside faces of the exterior walls, including all halls, lobbies, arcades, stair ways and elevator shafts. The increased floor area is necessary to allow for a marginal increase in indoor classroom area, increased ceiling heights and the covered rooftop lobby. As proposed the increased building size as proposed reflects a 2% increased of the previously approved FAR and is in compliance with the FAR as allowed in the R-4 district.
- The increased building height will allow for a greater floor to ceiling differential on both the upper and lower levels as is typical of religious institutions.
- The lot has an unusual configuration with three side yards, two front yards, and one rear yard. The increased building footprint will require a reduction of the southern side yard. The lot is dually designated as AS-1 and RSC-2 (MH); but the building is located entirely within the AS-1 zone where the required side yard setback is 15-feet. The proposed 20-foot building setback exceeds the required 15-foot setback of the AS-1 zone and is also greater than the required setback of the adjacent RSC-2 zoned property. ~~Mitigation of uses will be further mitigated by the required 10-foot wide buffer with Type B screening and the~~ The impact of the church use upon the abutting residential use will be mitigated for through the use of the 10-foot wide Type B screening materials, and a stormwater pond which will make it impossible to use the area between the Vidyalaya Center building and the residential lot line as parking, drive aisle and or walkway.

Increased Building Height for multi-purpose buildings on the northern parcel (folio number 23779.0100)

The Hindu Temple Board of Directors intends to fully revitalize the property. As planned the existing multi-purpose buildings on the northern parcel will be renovated and increased in height. These structures were built in 2008 and 2013 and are currently used for food preparation, classroom, and administrative office, and for worship. The intent is to allow greater ceiling height to increase the spiritual experience and to allow for ornamentation in harmony with Hindu Temple. There will be no increase to the area of worship, FAR, or building coverage, and no decrease in building setback.

Parking Lot Configuration with dual parking and loading zone in southeast corner

Limited weekday, daytime deliveries of food items, kitchen supplies and paper goods will be necessary, from time to time, for the proper functioning of the cantina located on the southern parcel (23824.0000). To accommodate deliveries the developer is proposing to utilize the two parking spaces in the southeast corner of the parking lot and closest to the kitchen as both a loading zone and as required parking. Delivery times will be limited to weekday, daytime hours when worship and religious education activity is most minimal. The dual use of the parking spaces during non-peak Temple hours is not anticipated to have a negative impact on

parking, bicycle parking racks will be added to the site consistent with the requirements for bicycle parking credit. Response to the Variance Criteria is included as an addendum to this report.

Parking Reduction/Application of the Bicycle Parking Credit

~~This petition seeks a parking reduction of two stalls to allow a designated loading area for service deliveries and trash pick-up, which will promote an orderly and well-kept appearance. To compensate for the loss of parking the developer will provide bicycle parking facilities consistent with Code 6.05.02. P. Bicycle Parking.~~

Fence Height

The 2019 Special Use approval allowed for parking to be located on both sides of Lynn Road but required 4-foot fencing to ensure safe pedestrian crossing. The Board of Directors and church members are of the mind that a 6-foot-tall fence would provide increased pedestrian safety as well as protection of the temple property. As proposed the fencing will be metal picket style connected to brick columns and extend along the perimeter of both parcels. A companion variance request will be submitted seeking to allow the fence to be located on the northern side of the northern parcel, between the existing temple and the Indian Cultural Center and within an area of wetland. Response to the variance criteria is attached as an addendum to this request.

Part 3 Analysis of Area and Site Conditions

Area Characteristics

The subject property is located on Lynn Road, between Nixon Road and Anderson Road and within the Carrollwood Village neighborhood. Several high-density residential subdivisions exist near the site to the northeast and northwest, and to the east including Plantation, Wildwood, Andover, and Meadow Glen. However, none of these developments access from Lynn Road. Instead, access is provided from Anderson Road, Nixon Road or Linebaugh Ave. Intense non-residential development exists south of the property along Linebaugh Ave.

Planned Development PD 15-0396 is located east and southeast of the southern parcel (folio 23824.00000) and has been approved as Hindu Village, a residential development to be operated in conjunction with Hindu Temple. It was approved through the planned development rezoning process in 2015, allowing for 19 residential units. Construction has not yet commenced.

Most of the properties fronting Lynn Road between Anderson Road and Nixon Road are used as single-family residences or churches; the exceptions being: folio numbers 23797.0000 and 23797.0600, located at the southeast corner of the intersection of Lynn Road and Anderson Road are vacant and zoned RMC-9; folio 23830.1230 located on the northwest corner of the intersection of Lynn Road and Nixon Road is used as a storm water pond for the Andover

Community: and a large, 8+/- acre parcel located on the south side of Lynn Road midway between Anderson Road and Nixon Road is used for mining and processing. Along Lynn Road, most of the lots are used in a residential manner; however, more land area is devoted to non-residential uses.

All land on the north side of Lynn Road, between Anderson Road and Nixon Road is zoned AS-1; except for a 3.81-acre tract of land used as a storm water pond associated with the Andover community, which is zoned PD. The AS-1 zoning reach extends northward for between 650- feet and 1,300-feet where it changes to PD and is developed as a planned community with typical lot sizes of 6,000 square feet. The zoning on the south side of Lynn Road is more mixed. Most of the land is zoned AS-1; however, there are pockets of RSC-2, Planned Development and RMC-9. Several lots fronting Lynn Road are zoned AS-1 but do not conform to the minimum lot size requirements others greatly exceed the minimum lot area. The commercial reach extends north from Linebaugh Ave for a varying distance of between 270 and 600-feet.

Table 1 Nearby and Adjacent Uses:

<p>Northwest Folio Number: 23779.0000 Use Jain Temple Zone AS-1</p>	<p>North Folio Number:23779.0100 Use: Indian Cultural Center Zone AS-1</p>	<p>Northeast Folio Number:23830.1230 Use: Stormwater Pond Andover Community Zone: PD 94-0125</p>
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<p>FLU R4 West Folio Number: 23798.0200 Use: Residence Zone : AS-1 FLU: R4</p>	<p>FLU R4 Site Folio Number 23779.0100 and 23824.0000 Use: Existing Hindu Temple and Proposed Multi-Purpose Building Zone: AS-1 and RSC-2 FLU:R4</p>	<p>FLU R4 East Folio Number: 123812.5000 Use: Residential Zone: PD 15-0398 Hindu Village FLU:R4</p>
<p>Southwest Folio Number: 23798.0200 Use: Residence Zone: AS-1 FLU:R4</p>	<p>South Folio Number: 23824.0100 Use: Residence Zone RSC-2 FLU:R4</p>	<p>Southeast Folio Num: 23827.0000 Use: Residential Zone PD 15-0398 Hindu Village FLU: R4</p>

Table 2 illustration and description of uses existing in general area



USE KEY

	Folio Number	Description of Use	Current Lot Size	Developed with	Year Built
1	023792.0000	Church	4.93 acres	Iglesia Misonera Asemblea De Dios	2008
2	23793.0000	Church	2.43	Korean International Mission Training Center	1959
3	023782.0000	Church	1.02	VYO USA INC	1992
4	023789.0000	Church	1.19+/- acres	Vishnu Madir	1964
5	23779.0000	Church	3.48+/- acres	Jain Temple	2008
6	23779.0100	Church	2.72+/- acres	Hindu Temple	2000
7	23779.0150	Church	3.56+/- acres	Indian Cultural Center	1997
8	23795.0000	Church	5.6+/- acres	Existing Christian Church near subject site	1975
9	23796.0000	Mining	8.04	Mining	NA
10	23798.0000, 23812.0050, 23812.0000,23827.0000	Vacant or Residential	Varies	Vacant or Residential	NA
11	23824.0000	Parcel Proposed for Hindu Temple expansion	1.03+/- acres	Proposed Multi-Purpose Building	
12	23812.5000, 23812.5010 23827.0000,23813.0000	Hindu Village	1.6	To be developed as Hindu Village (m/f residential)	NA
13	23830.1230	Pond	3.81	Pond	NA

Roadway Network

The area has an extensive and well connected roadway network which provides access throughout County and includes a mix of local, collector and arterial roadways. The Veterans Expressway and Interstate 275 are also located in close

proximity and provide access through out the greater Tampa Bay region. The proposed use will not increase the number of trips because it is accessory to the existing temple, and because there is no increase in membership. Sidewalks exist along Hindu Temple’s road frontage and are proposed along the rontage of the southern most parcel. Additionally, the developer is currently working with the appropriate agencies to ensure safe pedestrian crossing is established.

Road Way	Classification	Number of Lanes	Location in relation to site
Gunn Highway	Major Arterial	2 in each direction	North
Nixon Raod	Collector	1 in each direction	East
Interstate 275	Limited Access Highway	3 in each direction	East
Linebaugh	Major Arterial	2 in each direction	South
Anderson	Major Arterial	2 in each direction	West
Veterans Expressway	Highway	3 in each direction	West and South

Part 4 Water and Wastewater.

The site is located within the Urban Service Area where 80% of the County’s growth is intended to occur; all new development within this area is require to connect to centralized water and wastewater services. An 8-inch water main and a 4-inch wastewater force main exist in close proximity to the site.

Part 5 Environmentally Sensitive Lands

The subject site is located within an area of Minimal Flood Hazard. Wetlands exist in the general area but do not appear to be located on the property to be developed with the multi-purpose building/ Vidyalaya Center-site. Some large trees exist on the parcel to be developed but do not appear to meet grand oak status.

Part 6 Areas of Special Regulation

The subject properties are not located within any zoning overlays; it is not part of a site plan controlled distict nor Development of Regional Impact. Additionally the site is not located within the Coastal High Hazard Area and no part of the property is located within a floodplane. There are no reported historically signifcant featrues associated with the site.

Part 7 Greater Carrollwood/Northdale Community Plan

The Greater Carrollwood/Northdale Community consists of 33 square miles. The land use composition is illustrative of residential development and is mostly built out. A variety of housing styles exist in concert with institutional, public/semipublic, and recreational uses and a spattering of office uses. Agricultural uses comprise only 1.8% of the land area. The Greater Carrollwood Community Planning Area is a defined suburban intensity community which values aesthetically pleasing, well designed neighborhoods and cultural and historic landmarks, and where a vibrant and economically sustainable community is envisioned. The Greater Carrollwood/Northdale community is located east of the Veterans Expressway; west of the city limits of Tampa and Interstate 275; and north of Busch Blvd. This community consists of 33 square miles; most of the land area is developed residentially with a mix of attached and detached housing and a mix of housing styles on lots of varying sizes. However, a significant amount of public/semipublic uses, institutional and recreational uses and some office also exist. Agricultural uses comprise only 1.8% of the land area

Part 8 Compatibility:

The proposed Special Use seeks to expand the existing temple use in a harmonious manner through thoughtful site planning and building design. The intent is twofold and seeks to: improve the religious experience by providing a more modern building for religious study and to present a showcase building which reflects the grandeur of Hindu Temple while maintaining harmony with the development pattern of the area. This development plan seeks to raze the existing homes on the southernmost parcel, to construct a two story 21,531 square foot multi-purpose building, and a parking lot with 34 stall parkings, two of which will, on a limited basis, be dually used as a loading area. The northern parcel will be re-developed to allow for additional parking and to increased height of the existing multi-purpose buildings. There will be no increase to the area of worship; the increased building height will be used to unite the buildings on the northern parcel through architecture and design and will result in a grandiose setting, especially when approached from the east.

The anticipated impacts of this church on the local roadway are low due to the characteristics of the Hindu religion, which does not offer regularly scheduled worship services as typically found in Christian religions, therefore the influx of all members at certain days and times is not common.

The subject property is situated among other Hindu facilities. The surrounding area is primarily residential in character with the presence of residential support uses such as schools and churches. The homes closest to Williams Road and adjacent to the southernmost parcel allow for front yard and rear setbacks of between 15 and 25 feet, and side yards of between 10 and 15 feet. The placement of a newly constructed multi-purpose building on the southern parcel (23824.0000) with a 20-foot northern/front building setback along Lynn Road, a 10-foot eastern/front setback along Williams Road, and a 20-foot southern side yard setback is the preferred location as it is least impactful to adjacent residential properties; and allows for a 145-foot setback from the western property line. Furthermore, the building location as proposed allows the parking lot to be located behind the building improving the appearance from Williams Road.

Part 9 Rezoning and Variance and Special Use approvals (subject and nearby properties)

Zoning Interpretation 10-0234 found the Indian Cultural Center **does not** meet the definition of a church but instead a community center and not a banquet hall or reception hall.

PD 94-0125/PRS 96-0230 (east and north of subject site) Andover community; allowing 143 single family lots with a minimum lot size of 5000 square feet **approved**

Variance 03-1493 (east of the subject site: tax folio number 238000.0000) seeking approval of a front, side, and rear setback **approved**

Standard Rezoning 04-1846 (west of the subject site at the southwest corner of Anderson Road and Lynn Road) rezoning from AS-1 to RMC-9 **approved**

PD 15-0398 Hindu Village (east and south of the subject site) Seeking a 19 unit single and multi-family development with 15-foot building setback on all sides, and a 29 foot overall height **approved**

Special Use 19-0834 Special Use for Hindu Temple (folio numbers 23779.0100 and 23824.0000) **approved** allowing for the a maximum FAR of 23%, construction of a multi-purpose building and parking

Part 10 Consistency with the Hillsborough County Comprehensive Plan

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

The site is within the Urban Service Area

Policy 1.2

Within the USA and in categories allowing 4 unit per acre or greater, new development or re-development shall occur at a density of at least 75% of the allowable density of the land use category unless the development meets the criteria of

The development will occur at an intensity equal to or greater than 75% of the allowed intensity

Policy 1.4

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

The subject property is located within an area of the County which is developed with a mix or residential and residential support uses and the use is compatible with the surrounding development

Objective 7

The Future Land Use Map is a graphic illustration of the County's policies governing the determination of its pattern of development through the year 2025.

The proposed use is consistent with the allowed uses within the Residential 4 land use category

Policy 7.1

The Future Land Use Map shall be used to make an initial determination regarding the permissible locations for various land uses and the maximum possible levels of residential densities and/or non-residential intensities, subject to any special density provisions, location criteria and exceptions of Future Land Use Element text

The request to expand the existing church through construction of a multipurpose building on a separate but adjacent parcel of land is appropriate considering the location, the zoning and the future land use classification

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.

Residential and Residential support, like churches, area allowed uses within the Residential 4 category

Objective 11

All new development and redevelopment shall be serviced with potable water, sewerage, stormwater management facilities, solid waste disposal and parks that meet or exceed the adopted levels of service established by Hillsborough County.

Policy 11.1

New development or redevelopment must meet adopted levels of service for public facilities as established by the Future of Hillsborough Comprehensive Plan.

The site will comply

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

Policy 16.3 Development and redevelopment shall be integrated with the adjacent land uses through: a) the creation of like uses; b) creation of complementary uses; or c) mitigation of adverse impacts; and d) transportation/pedestrian connections *The proposed development is associated with Hindu Temple and located in an area with a high concentration of churches and residential development. The proposed development is like and complimentary to the surrounding uses. The off-site impacts have been mitigated for through increased buffering and screening. Sidewalks will be constructed along all road fronting property boundaries.*

Objective 17

Certain non-residential uses, including but not limited to residential support uses and public facilities shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner compatible with the surrounding development pattern.

The proposed development will allow Hindu Temple a multi-purpose building. The temple and the multi-purpose building will serve the significant Hindu population residing within the community and the greater Tampa Bay region. The location and design of the building will be compatible with the surrounding development.

Policy 17.1

Residential support uses (childcare centers, adult care centers, churches, etc.) is an allowable land use in any of the residential, commercial, and industrial land use plan categories consistent with the following criteria:

- a. The facility shall be of a design, intensity, and scale to serve the surrounding neighborhood or the non-residential development in which it occurs and be compatible with the surrounding land uses and zoning.

As proposed the development is of a design, intensity, and scale to server the surrounding area and is compatible with the surrounding land uses and zoning districts

Policy 17.5

Community facilities should be a focal point in the residential neighborhood and shall be designed in a scale that is compatible with the surrounding uses and integrated into the residential neighborhood to create a more walkable neighborhood with a greater sense of place. *The proposed multi-purpose building will be designed in a scale compatible with the surrounding uses. Sidewalks will be located along the project frontage to increase walkability.*

Livable Communities

The proposed development is consistent with the Community Vision of Greater Carrollwood/Northdale which aims to promote the history, culture and volunteerism of the community and persevere the community’s unique character

Hindu Temple is one of the largest temples for Hindu worship in the state and a focal point of the community and offers a place for worship, education, and Hindu cultural events.

Goal 1: Establish sustainable community activity centers that allow the cities to live, work and play all within walking distance

Objective 2 Community Design/Culture

Maintain and enhance community pride by promoting the area’s history, culture, and volunteerism while preserving each community’s value and unique character. As the area redevelops it is important that existing residential neighborhoods remain suburban in nature.

Goal 2 : Reinforce community identity through maintenance and enhancement of the community’s unique characteristics, assets and physical appearance.

Strategy: Promote focal points and landmarks that reflect the uniqueness of each neighborhood within a community
Hindu Temple is a unique focal point and landmark unique to the Carrollwood Village neighborhood.

Strategy: New development and redevelopment shall use compatibility design techniques to ensure the appearance (architectural style), mass and scale of the development is integrated with the existing suburban nature of each neighborhood. *The multi-purpose building will be designed in a tasteful manner that reflects the relationship to the temple. The mass and scale of the development is consistent with the building coverage and FAR allowed within the district.*

Goal 5 Create a walkable environment that is safe and convenient through the connection of sidewalks, crosswalks, paths and trails that link both the natural and built environments.

Strategy: New development will provide pedestrian infrastructure and amenities that connect to existing facilities along the roadway network. Priority shall be given to designing in a manner that fosters safe walkable /biking along Dale Mabry Hwy., Bearss Ave., Fletcher Ave., Linebaugh Ave., Gunn Hwy., and Handy Road.
The developer will be working with the public works division to ensure safe roadway crossing and a connection to the Temple.

Goal 7: Ensure that new development is compact, contiguous, and concurrent with available public facilities and service and promotes the integration of uses to provide increased connectivity thereby discouraging sprawl and maximizing the

use of public infrastructure. *The multipurpose building is a compact design, contiguous to the existing Temple and will connect to water and sewer. The proposed location of the multi-purpose building is most appropriate as it is close to the Temple and reduces the need to drive from one location to the other and allows for shared parking.* **Consistency**

Part 11 Consistency with the Hillsborough County Land Development

The proposed Special Use seeks to expand the existing and legally established temple by incorporating an adjacent parcel of land upon which a multi-purpose building will be constructed. Hindu Temple was legally established in 1983, and currently supports a membership of 500+/- people. The combined lot size of both parcels exceeds the minimum lot size of 20,000 square feet required of churches with more than 300 seats. However, Special Use is necessary because a portion of the site is located within the RSC-2 zone which requires places of worship with more than 301 seats to be approved through the Special Use process. The parcel intended for development of the multi-purpose building is ideally located in close proximity to the Hindu Temple and along a roadway developed with several churches and the Indian Cultural Center. The variation sought are necessary to legitimize the existing conditions which have evolved over a 34-year period, and which result from the natural growth in membership and to overcome the challenges associated with the expansion of and existing use. Additionally, each variation is in line with the County's intent of ensuring an orderly development which preserves public health, safety, and welfare.

Part 12 Conclusion

The expansion of the temple is appropriate considering the size of the congregation, and the purpose of the Temple as stated in the Articles of Incorporation: *This corporation is organized exclusively for charitable and religious purposes including the fostering, promoting, supporting, and conducting of religious and cultural activities of the Hindu Religion.* The proposed development is consistent with the vision of the Greater Carrollwood Community plan as outlined in the Livable Communities Element and with the relevant objectives as outlined in the Future Land Use Element, the regulation guiding development of church/synagogue use and the definition of church synagogue as found in Article VI and XII of the Land Development Code.

Additionally, the location is most ideal for the church/synagogue use. Lynn Road functions as a boundary of what appears to be the rural/suburban transition. The uses along this roadway are generally residential or residential support uses. More specifically, a significant number of churches of various denominations exist in harmony with single family homes. Lot sizes vary between 0.15 and 5.0 acres. The site abuts Hindu Village, a planned development intended to provide residences for visiting priests and members of the congregation. It is also located within proximity to high density residential development and a well-established road network which provides reasonable access throughout the community and the greater Tampa Bay area.

Part 13 Waivers and Variations:

Waiver: One waiver has been proposed with this application- and that is from the requirements of Code Section 6.11.25 Special and Conditional Uses: *Churches and Synagogues part C*; which requires churches with a seating capacity of more than 300 persons to be located on a parcel which has direct access to an arterial or collector street, as shown on the Major Street map. Hindu Temple was established almost 40 years ago, and the membership has grown organically over time through immigration and birth. All buildings associated with the Hindu Temple Lynn Road have developed in accordance with the regulation in place at the time of development. Even though this petition does not result from an increase in membership, but rather the intent to improve the internal and external character of the temple by creating additional area for classrooms, storage and library space; to provide ample parking and to increase the area of the dining room; the regulation limiting the location of churches and temples with membership rates in excess of 300 must be addressed. The assumed intent of this regulation is to allow the more intense development of large congregation churches to occur on smaller parcels of land in commercial areas with access to a well-functioning roadway network.

However, such locations are not ideal for the Hindu religion which is more closely tied to nature and the natural world than most western religions. Instead, this suburban location with access from a local roadway is most appropriate and the larger lot size and lower rate of intensity of the zoning ensure the impacts of the temple on neighboring properties are mitigated for. Additionally, the characteristics of the subject neighborhood are ideal for this well-established temple. The impacts of this use are significantly lower than most uses because of the nature of worship. Hinduism is singular; devotees do not follow a scheduled worship routine and there are no set times of service. Instead, a Hindu worship before a deity as inspired; generally, for between 15-30 minutes. Therefore, the impacts of this church use on the local road network are significantly less than a typical Christian Church which provides a service generally two days per week at which most of the membership is anticipated to participate.

Variation 1 Code Section 6.01.01 District Performance and Dimensional Standards Schedule of District Area, Height, Bulk and Placement Regulations: To reduce the required 50-foot front setback of the AS-1 zoning district to allow the proposed multi-purpose building/ Vidyalaya Center (proposed to be located on folio number 23824.0000) a northern front setback (adjacent to Lynn Road) of 20-feet where 50 feet is required

1. Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located?

The subject property is challenged by its relatively small size, its dual zoning, odd shape and its corner lot configuration. Together these factors create a hardship which is unique and singular to the subject land and not suffered in common with other properties. The subject site is 1.03 acres in size and dually zoned AS-1 and RSC-2 (MH); only 0.8 acres are within the AS-1 district which is less than the minimum lot size of the district. However, compliance with the required 50-foot front yard setback is necessary and measured from both abutting rights of way. The corner lot configuration creates two front yards and complicates setback compliance. The odd shape of the lot furthers the problem of setback compliance as the AS-1 zoned portion of the property is 262+/- feet long as measured along the northern frontage adjacent to Lynn Road and 123+/- feet deep. The configuration of this odd, reverse flagpole shape complicates development potential; the flag pole portion of the property is narrow and because of its location abutting residential uses is best suited for use as a pond. Compliance with the required setback of the AS-1 district significantly reduces the development potential of the land and will prevent this appropriately sized and located lot from being developed in the manner proposed, which is most appropriate considering the development pattern of the area.

2. Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC

The size of the lot and its odd shape, AS-1 setback requirements, and unusual configuration complicate site development. A strict interpretation of the Code requires compliance with the required 50-foot setback as measured from the northern property line and will significantly reduce the buildable area of the property. Compliance will result in a less efficient site plan with very limited transition between the proposed building and the residential use abutting on the south.

3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance. The proposed 20-foot northern setback will not substantially interfere with or injure the rights of others and it will not create an anomaly. The lot sizes, building setback and uses

along Lynn Road vary; with typical uses being churches and homes. Between Nixon Road and Williams Road, the uses on the south side of the road are residential. The existing buildings appear to be setback between 20 and 35 feet; however, Hindu Village (PD 15-0398) was rezoned from AS-1 to PD and approved with a 15-foot building setback as measured from both Lynn Road and Williams Road. The proposed building setback is comparable to the existing and approved building setbacks to the east and allows for the largest area of transition between the proposed church use and the abutting residences.

4.Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose). The variance is in harmony with and serves the general intent and purpose of both the LDC and the Comprehensive Plan which work together to foster and preserve public health, safety, comfort, and welfare and seek to aid in the harmonious and orderly development of the County. The subject property is located within the RES-4 future land use category where residential support uses are allowed; within the Urban Service Area where growth is intended to occur; and within the Greater Carrollwood/Northdale community where aesthetically pleasing, well designed neighborhoods and cultural and historic landmarks are valued, and where a vibrant and economically sustainable community is envisioned. The proposed development is in line with the County’s intent to ensure good planning and design. Allowing a 20-foot northern front yard building setback will not circumvent this intent. Instead, it will allow a long standing and appropriately located use to continue and expand in a logical manner which is consistent with the development of the area and compatible with adjacent uses.

5.Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship. The variance precedes construction.

6.Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance The building setback regulation strives to ensure that development occurs in an orderly and progressive manner which fosters and preserves public health, safety and welfare. Building setbacks are intended to prevent the overcrowding of land and work to limit density and ensure privacy. The unique characteristics of the land, specifically its unusual shape and size, dual zoning, and corner lot configuration create challenges in regard to meeting the required setback of 50-feet as measured from the north and warrants special consideration. Allowing the variance will result in substantial justice as it will allow the development of the property to occur in a logical and well-planned manner which is not out of character with the area and provide an enhanced religious experience.

Variation 2: Code Section: 6.01.01 District Performance and Dimensional Standards *Schedule of District Area, Height, Bulk and Placement Regulations* To reduce the required 50-foot front setback of the AS-1 zoning district to allow the proposed multi-purpose building/ Vidyalaya Center (proposed to be located on folio number 23824.0000) an eastern front setback (adjacent to Williams Road) of 10 feet where 50 feet is required **1.Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located?** The subject property is challenged by its relatively small size, its dual zoning, odd shape and its corner lot configuration. Together these factors create a hardship which is unique and singular to the subject land and not suffered in common with other properties. The subject site is 1.03 acres in size and dually zoned AS-1 and RSC-2 (MH). 0.8 acres are within the AS-1 district which is less than the minimum lot size of the district yet compliance with the setback requirements of this district are required. The corner lot configuration requires two 50-foot deep front yards; however, the clumsy configuration of the land is such that setback compliance significantly reduces the buildable area and does not lend itself to the most appropriate configuration.

2.Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC The size of the lot and its odd shape, which is not conducive to building placement; its dual zoning, and corner lot configuration are unique and not typical of other properties in the same district. A strict interpretation of the Code and compliance with the required 50-foot setback as measured from the eastern property line will significantly reduce the buildable area of the property resulting in a less efficient site plan.

3.Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance. The proposed 10-foot eastern front setback will not

substantially interfere with or injure the rights of others: it will not create an anomaly as it similar to the building setback which exists on AS-1 zoned lands to the east and that which was approved for Hindu Village which abuts the site to the east and across Williams Road. The proposed configuration allows for the greatest area of transition between the abutting residential uses; promotes pedestrian safety by acting as an end-cap to the lot and encouraging pedestrian at the marked crosswalk; and will result in an increased aesthetic as the proposed building will complement the existing temple and enhance the view shed of the corridor, especially when approaching from the east.

4.Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose). The variance is in harmony with and serves the general intent and purpose of both the LDC and the Comprehensive Plan which work together to foster and preserve public health, safety, comfort, and welfare and seeks to aide in the harmonious and orderly development of the County. The subject property is located within the RES-4 future land use category where residential support uses are allowed; within the Urban Service Area where growth is intended to occur and within the Greater Carrollwood/Northdale community where aesthetically pleasing, well designed neighborhoods and cultural and historic landmarks are valued, and where a vibrant and economically sustainable community is envisioned. The proposed development is in line with the County's intent to ensure good planning and design. The proposed petition seeks to reduce the northern and eastern building setback to allow for expansion of a long-standing religious institution. The proposed use is consistent with the development pattern of the neighborhood and the configuration is comparable to the existing and approved development standards and careful consideration has been given to ensure public health and safety

5.Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship. The variance precedes construction.

6.Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance. The building setback regulation strives to ensure that development occurs in an orderly and progressive manner which fosters and preserves public health, safety and welfare. Building setbacks are intended to prevent the overcrowding of land and work to limit density and ensure privacy. The unique characteristics of the land, specifically its unusual shape and size, dual zoning, and corner lot configuration create challenges in regard to meeting the required setback of 50-feet as measured from both frontages and warrants special consideration. Allowing a reduce building setback along the eastern property frontage, adjacent to Williams Road will result in substantial justice as it will allow the development of the property to occur in a logical and well-planned manner, which is not out of character with the area, which will provide an enhanced religious experience and addresses connectivity and pedestrian safety.

Variance 3.Code Section: 6.05.02 D Methods of Providing Required Parking and Loading Part D.2.e. to allow the provision of off-site required off-street parking to occur in the AS-1 zoning district. The subject properties are bisected by Lynn Road. As proposed, parking will be provided on both parcels and in the most functional manner which will allow members to park closest to their area of interest and provide an area of safe crossing for those intending to visit both properties. **1.Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located?** Hindu Temple has existed on the subject land for some 40 years. Over time the membership has grown, and the property has been improved. The current intent is to expand the temple to provide additional parking for Hindu Temple, to provide an updated kitchen, modern classrooms and a library, and increase parking. However, there is no available area to construct these improvements on the existing temple land or on adjoining lands. The best available solution is to redevelop the adjacent land to the south and across Lynn Road. A strict compliance with LDC 6.05.02 cannot be met as the project site will be comprised of two zoning lots. As proposed, parking will be provided on each of the subject parcels and configured in the most functional and appropriate manner.

2. Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC A literal interpretation of the Land Development Code would prevent consideration of the proposed multi-purpose building and would leave the existing temple deficient regarding parking.

3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance. The variance, if allowed, will not substantially interfere with or injure the rights of others. Allowing parking to be located on each of the zoning lots is the best solution as it will allow the temple members to choose the more appropriate parking location based on the purpose of their visit. The parking as proposed will be landscaped and buffered from adjacent properties in accordance with the Code and will not interfere with the rights of others.

4. Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose). The variance is in harmony with and serves the general intent and purpose of both the LDC and the Comprehensive Plan. The subject property is located within the R4 future land use category where residential support uses are allowed; within the Urban Service Area, where growth is intended to occur, and within the Greater Carrollwood/Northdale Community Planning Area which values aesthetically pleasing, cultural and historic landmarks, and where a vibrant and economically sustainable community is envisioned. The Code allows required parking to be provided on separate zoning lots in the commercial and industrial districts, but not in the Agricultural districts- presumably because areas zoned Agricultural require larger lot sizes and allow less intense uses and are not anticipated to warrant such needs. Hindu Temple is a unique use, which has experienced a natural membership growth over time, and which is currently stable at 561 members. Allowing some required parking to be located near the proposed accessory use and on a zoning lot separate from the principal use is in-line with the intent to foster orderly and progressive development.

5. Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship. The proposed multi-purpose building and the associated parking lots have not yet been constructed. This request is not a result of an illegal act

6. Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance. The intent of the regulation is to ensure that parking associated with any use is located to ensure convenience and safety and to avoid nuisance parking and circuitous travel. In this instance, allowing some required parking to be located on each of the two zoning lots associated with the subject property will result in substantial justice. Hindu worship is an individual act. Education, particularly of language and customs is essential to this religion because the sacred scriptures are ancient and written in Sanskrit. It is not uncommon for a devotee to spend weeks studying for a particular worship ritual or prayer which generally takes less than 30 minutes to perform. Therefore, the proposed parking arrangement, with spaces near the multi-purpose building, which provides area for study, and additional parking near Hindu Temple is appropriate and most suitable because on most visits a devotee will visit either the multi-purpose building or the temple, but typically not both.

Variance 4. Code Section: 6.05.02 D Methods of Providing Required Parking and Loading Part D.2.b. to allow the provision of off-street parking to occur more than 300-feet from the entrance of the principal use, Hindu Temple. In this instance the most functional area for parking is on both sides of the road, near the existing temple and near the multi-use building. The existing temple is considered the principal use and the proposed multi-purpose building accessory. The distance between the most distant parking space and the main entrance to the temple is 340 feet. However, it is important to note that Hindu worship does not have an established service, and most members will arrive for either study or worship not both.

1.Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located The lack of developable land area on the north side of Lynn Road and near Hindu Temple creates a practical difficulty in meeting the required 300-foot distance of separation between the most distant parking space and the temple's main door entrance. Some parking will be located on the southernmost parcel as is appropriate to provide convenience to those visiting for educational reasons. This parking area will be consistent with the parking lot regulation and mostly in line with the building also, connection will be made between the uses by sidewalks connected by a crosswalk. The straight-line distance between the main entrance to Hindu Temple, the principal use, and the most distant parking space on the southernmost parcel (folio 23824.0000), where the multi-purpose building- an accessory use- is proposed to be constructed is 340-feet.

2.Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC A literal interpretation of the Code would result in a less pleasing parking configuration or an inconsistency with the required parking and loading standards.

3.Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance. The variance will not substantially interfere with or injure the rights of others. Although the proposed parking configuration does not meet a strict interpretation of the Code it does remedy an existing parking deficiency in the most reasonable manner. The members of the temple will arrive at the property to worship or study, typically not both. However, pedestrian crossing has been considered and a convenient and safe pathway with paved sidewalks between the parking areas and the main door entrances are illustrated on the site plan. The proposed variation will not injure the rights of others, as it will be screened and buffered in accordance with the established parking lot regulation and because most members will arrive on site to either study or worship, typically not both.

4.Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose). The variance is in harmony with and serves the general intent and purpose of both the LDC and the Comprehensive Plan which work together to foster and preserve public health, safety, comfort, and welfare and seeks to aid in the harmonious and orderly development of the County. The subject property is located within the RES-4 future land use category where residential support uses are allowed; within the Urban Service Area where growth is intended to occur; and within the Greater Carrollwood/Northdale community where aesthetically pleasing, well designed neighborhoods and cultural and historic landmarks are valued and a vibrant and economically sustainable community is envisioned. The proposed petition seeks to increase the distance between parking stalls and main door entrances and is necessary to allow for expansion of this long-standing religious institution. The proposed use is consistent with the development pattern of the neighborhood and the configuration is comparable to the existing and approved development standards. Additionally, careful consideration has been given to ensure public health and safety through provision of a sidewalk network connected via crosswalk and is appropriated considering most devotees will come to the property for either worship or religious study, not both.

5.Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship. Construction of the new parking area has not commenced

6.Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance. Approval of this request, to increase the required distance of separation between parking areas and principal uses to a distance of 340-feet will result in substantial justice. The proposed lot configuration provides parking in the safest, most convenient, and visually appealing manner possible. The intent is to remedy an existing parking deficiency and to

eliminates the potential of nuisance parking and circuitous traffic. As proposed, a strict compliance with the regulation is not met; however, the configuration proposed is in line with the spirit of the regulation.

Variance 5 Code Section 6.05.02 part D Methods of Providing Required Parking and Loading to reduce the required parking from 142 spaces to 104. One specific intent of this proposed application is to provide ample parking for the principal and accessory activities associated with Hindu Temple, currently the parking is shared between Jain Temple and the Indian Cultural Center as allowed for within the 1992 Site Development approval. The proposed parking configuration has been carefully considered and seeks to proactively address parking conflicts that have not yet come to be.

1. Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located? Hindu worship is a singular activity; there is no service or specified day or days of worship. Instead, a devotee may worship at the temple at any time during the daily operating hours. The areas of worship do not have fixed seating, instead the devotees sit or stand before an alter or shrine, for varying lengths of time, generally 30 minutes or less. Typically, the parking requirements for churches are based on a rate of .33 parking stalls per seat, however in this instance LDC Section 6.05.02 F. rules that 10 square feet of net floor area shall be construed as equal to one seat, and that the net floor area be the actual area occupied by seating and related aisles and shall not include accessory unoccupied areas or the thickness of walls. There are two areas of worship, both on the northern most parcel identified as folio number 23779.0100; the upper level of the existing temple and a prayer room located in a separate building on the ground floor. As measured from the interior, the area of worship on the second level of the existing temple is 2,400 square feet; as measured from the interior, the area of worship of the existing prayer room is: 2,330 for a total worship area of 4,730 square feet and a required parking area of 142 stalls. The church use is an identified use in the Fifth Edition of the ITE parking generation manual. When using the parking software, the average rate of parking for a church with 4,730 square feet of worship area is 45 parking spaces

2. Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC The literal interpretation of the Code requires that prior to new construction, land area enlargement, increases in density or intensity or change of use, off-street parking requirements be met. Although the existing areas of worship were constructed after permit approval, the existing off-street parking is less than that currently required by Code. The proposed enlargement of land area and construction of multi-purpose building do not add to the area of worship but does require review of the parking. In this instance, the provided parking is 104 spaces and less than the 142 required by Code, yet significant more than the number called for by the Fifth Edition of the ITE parking generation manual.

3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance The parking reduction will not injure the rights or others- instead it will result in a situation which more closely aligns with the parking requirements of the Code. Additionally, all new parking areas will be buffered and screened in accordance with the current regulation. The proposed parking is more than that which is required based on the results of the Fifth Edition of the ITE parking generation manual analysis of the church use with 4,730 square feet of worship area, however, it varies from the Code requirement by 38 parking spaces. Considering that Hindu religion is a singular activity, with no scheduled service, and that the proposed development will not increase the area of worship or increase the number of members, the end result will be a parking configuration more consistent with the regulation than what currently exists.

4. Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose). The variance is in harmony with and serves the general intent and purpose of both the LDC and the Comprehensive Plan. The subject property is located within the R4 future land use category where residential support uses are allowed; within the Urban Service Area, where growth is intended to occur, and within the Greater Carrollwood/Northdale Community Planning

Area which values aesthetically pleasing, cultural and historic landmarks, and where a vibrant and economically sustainable community is envisioned. The Code allows the consideration of parking reductions when it can be demonstrated that the proposed parking is sufficient for the use. The Fifth Edition of the ITE parking generation manual was reviewed to determine an alternate parking ratio for this church use and the software output demonstrates that a church with 4730 square feet of worship area would necessitate 45 parking stalls. The proposed parking rate is 104 spaces and though less than the 142 spaces required by the Code, far exceeds that supported by the ITE.

5.Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship. Construction of the new parking area has not commenced.

6.Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance. Allowing the variance will result in substantial justice because it will bring the existing temple closer to compliance with the LDC regarding required parking; and exceeds the parking necessary based on ITE Parking Code 560. Staff has analyzed the use and has determined a total of 104 parking spaces are necessary based on ITE parking code 560. (See attached email). The proposed parking, 104 spaces, is consistent with the parking deemed necessary by staff. The location of the parking areas provides the safest and most convenient route from car to building and will be designed with appropriate setback, landscaping, and line of sight. Also, a safe pedestrian crossing will be provided between the existing temple and the proposed multi-purpose building

Variance 6 Section Variance from LDC Section 6.07.02 C. Regulation for Fences a. Fences over four feet in height shall not be allowed within required front yards 1. Residential and SB Districts. The intent is to allow a metal picket style fence with masonry columns to be located along the property boundary to allow more control of the pedestrian crossing than required through the conditions of approval.

1. **Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located?** The subject property consists of two individual folio numbers intended to be developed in conjunction and bisected by a local roadway. Some required parking is located on each side of the road and conditions of approval were approved to ensure safe pedestrian crossing. However, the conditions of approval require a 4-foot tall fence, as is generally allowed within the front yard of residentially zoned lots. In this instance a 6-foot-tall fence designed as proposed with masonry columns and metal pickets is a better solution as the increased height will ensure the safety intended by the condition.
2. **Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC.** A literal interpretation of the Code would restrict the fence along the project frontage to four feet, as required by condition of Special Use Permit SU 19-0834. In this instance a fence of 6-feet better addresses the concerns of public safety concerns than a fence of 4-feet.
3. **Explain how the variance, if allowed, will not substantially interfere with, or injure the rights of others whose property would be affected by allowance of the variance.** A fence height of 6-feet instead of 4-feet, constructed as conditioned of metal pickets and located along the project frontage as proposed will provide the intended safety as well as improved curb appeal and will not injure the rights of others.
4. **Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose).**

The general intent of the fence regulation is twofold, it seeks to assure safety and security as well as protect property. The primary goal of the Comprehensive Plan is to ensure the development of land results in public health, safety and welfare, that a neat and orderly development pattern is achieved, and that the land uses optimize the potential for economic benefit. The four-foot-tall fence as required by conditions of approval aims to protect the safety and welfare of persons crossing Lynn Road to get from area of worship to the area of religious study. Generally, fences in the front yards of residentially zoned land are limited to 4 feet in height to ensure sightlines of drives are not obstructed and to maintain an orderly and welcoming aesthetic. In this instance a fence height of 6-feet, constructed of metal picket and solid columns, and located along the project frontage as presented will increase public safety as well as aesthetic. However, a fence height of 6 feet would better encourage appropriate crossing than one of four feet and at the same time provide the establishment security and protection of property as well as improving the aesthetic.

- 5 **Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship** Variance has been requested prior to fence installation.
- 6 **Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.** Allowing the increased fence height along the perimeter of the property will enhance both safety and aesthetic. The fence proposed is comprised of a series of metal pickets and masonry columns which accentuate the architecture of both classic Hindu Temple and the modern Vidyalaya Center and unit the structures as a single development. The increased fence height along the adjacent roadways increases the likeness that a pedestrian would cross at a location other than the marked safe pedestrian crossing. Approval will result insubstantial justice.

Variance 7: Relief from Code Section 6.05.02 N *Off-Street Loading Space, Required* is requested. This regulation seeks to ensure adequate area for the loading of goods and materials, to ensure the on-site flow of traffic is not disrupted and to make certain parking space necessary to serve the use is available. The intent of this variance is to allow special consideration for this church use, and to demonstrate how the limited use of two required parking space for loading will not have a negative impact on the traffic flow of the site, will not create a situation of insufficient parking for the use and will not negatively impact adjacent and nearby parcels.

1. **Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located?** Loading Areas are not required for places of worship. However, Hinduism is unique in its religious affiliation with food; the preparation and enjoyment of food is an integral component of the religious experience, much like religious study and worship. Currently, food is prepared within the existing cantina on the northern parcel, but, as part of the property improvements, the cantina is intended to be relocated to the southern parcel within the proposed Vidyalaya Center. Delivery of food items and dry goods is the most cost effective and because of this, area for delivery has been planned. However, the size of the property and its unusual shape limit the amount of parking and loading area which can be provided. Instead of seeking a reduction of the number of required parking spaces, the proposed solution is to seek a variance to allow the two parking spaces most near to the cantina to be reserved as a loading zone during limited weekday, daytime hours when activity at the Temple is most minimal.

2. **Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC.** Places of worship are not required to provide loading areas. However, the unique relationship between the Hindu religion and food and the size of the congregation are such that delivery of foods and dry goods is most efficient and cost effective. A loading zone consistent with Code Section 6.05.02 N and O is

3. **Explain how the variance, if allowed, will not substantially interfere with, or injure the rights of others whose property would be affected by allowance of the variance.**

4. **Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose).**

5. **Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship**
6. **Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.**

1989 MAR 24 AM 9: 34

89062834

L.C.

WARRANTY DEED
DEED TO DEED

This Warranty Deed Made the 15th day of March A. D. 19 89 by

K. G. PATEL, a married person
hereinafter called the grantor, to
HINDU TEMPLE OF FLORIDA, INC.

OFF. REC. 5648 P. 1878

whose postoffice address is 13509 Lake Magdalene Drive, Tampa, Fl 33613
hereinafter called the grantees:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and their legal representatives and assigns of individuals, and the successors and assigns of corporations.)

Witnesseth: That the grantor, for and in consideration of the sum of Ten Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all those certain lands described as follows:

The East 202.604 feet of the East 284.00 feet of the South 215.00 feet of the Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 18, Township 28 South, Range 18 East, Hillsborough County, Florida.

THIS PROPERTY DOES NOT NOW, NOR HAS NEVER, CONSTITUTED THE HOMESTEAD OF GRANTOR. GRANTOR RESIDES AT 11609 CARROLLWOOD DRIVE, TAMPA, FLORIDA 33618.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1988. Subject to all valid restrictions, reservations and easements of record, if any, said reference to restrictions shall not operate to reimpose same.

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

Documentary Tax Pd. \$.55
Intangible Tax Pd. \$ 0
Richard Ake, Clerk Hillsborough County
By: Jensen Deputy Clerk

In Witness Whereof, the said mortgagor has hereunto signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Handwritten signatures and initials]

[Signature]
K. C. PATEL

L.S.
L.S.
L.S.
L.S.

STATE OF FLORIDA,
COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared K. C. PATEL, a married person

to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 17th day of March A.D. 19 89

(SEAL)

Notary Public
My commission expires

Notary Public, State of Florida at Large
My Commission Expires April 23, 1990

21-1333

This instrument was prepared by Sally J. Dudley, Florida-Seminole Title Services, Inc., P. O. Box 3985, Seminole, FL 34642-0985. Prepared by and Return To: SALLY J. DUDLEY, Florida-Seminole Title Services, Inc., P. O. Box 3985, Seminole, FL 34642-0985.

Prepared by and return to:
Stephen Daniel Hayman, Esq.

Stephen D. Hayman, Esq., P.A.
6605 Gunn Hwy.
Tampa, FL 33625
813-968-9846
File Number: 12-04
Will Call No.: 8139689846

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 30th day of May, 2012 between Karen Dee Hambleton, a single person and Kristen Dee Stephenson, a single person, as joint tenants, with right of survivorship, whose post office address is 709 Gentle Breeze DR, Minneola, FL 34715, grantor, and Hindu Temple of Florida, Inc., a Florida Corporation whose post office address is 5504 Lynn Rd., Tampa, FL 33624, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Hillsborough County, Florida to-wit:

Tract # 29: The South 120 feet of the North 290 feet of the East 3/4 of the Southeast 1/4 of the Southeast 1/4 of Section 18, Township 28 South, Range 18 East, LESS the East 725 feet thereof, Hillsborough County, Florida.

Tract # 30: The South 120 feet of the North 170 feet of the East 3/4 of the Southeast 1/4 of the Southeast 1/4 of Section 18, Township 28 South, Range 18 East, LESS the East 725 feet thereof, Hillsborough County, Florida.

folio:23824.0000

Subject to taxes for 2012 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

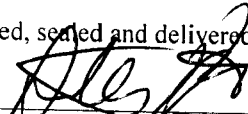
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

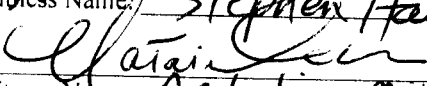
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2011.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.


Signed, sealed and delivered in our presence:

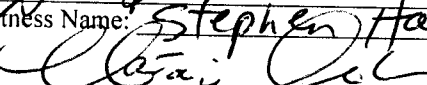

Witness Name: Stephen Hayman


Karen Dee Hambleton (Seal)


Witness Name: Natalie Miller


Kristen Dee Stephenson (Seal)


Witness Name: Stephen Hayman


Witness Name: Natalie Miller

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 30th day of May, 2012 by Karen Dee Hambleton and Kristen Dee Stephenson, who are personally known or have produced a driver's license as identification.

[Notary Seal]



Notary Public

Printed Name:

Stephen Hayman

My Commission Expires:

K. H. *DD*



SPECIAL USE (GENERAL)

Received
09/16/2021
Development Services

IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

You must schedule an appointment to submit this application. To request an appointment please call 813-272-5600.
All requirements listed on the submittal checklist must be met. **Incomplete applications will not be accepted.**

Property Information

Address: 5504 and 5509 Lynn Road City/State/Zip: Tampa FL 33624 TWN-RN-SEC: 8-28-18

Folio(s): ~~23779.0100~~ and 23824.0000 Zoning: AS-1&RSC2 Future Land Use: R4 Property Size: 3.75
23779.0100

Property Owner Information

Name: Hindu Temple of Florida Daytime Phone: 813.817.8492

Address: 5504 Lynn Road City/State/Zip: Tampa FL 33624

Email: OrtizPlanningSolutions@gmail.com FAX Number: NA

Applicant Information

Name: Hindu Temple of Florida Daytime Phone: 813.817.8492

Address: 5504 Lynn Road City/State/Zip: Tampa FL 33624

Email: OrtizPlanningSolutions@gmail.com FAX Number: NA

Applicant's Representative (if different than above)

Name: OrtizPlanningSolutions@gmail.com Daytime Phone: 813.817.8492

Address: 2810 N Central Ave City / State/Zip: Tampa FL 33602

Email: OrtizPlanningSolutions@gmail.com FAX Number: _____

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.

Signature of Applicant

Patricia Ortiz, AICP (agent)

Type or Print Name

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.

Signature of Property Owner

Type or Print Name

Office Use Only

Intake Staff Signature: Ana Lizardo Intake Date: 09/16/21

Case Number: 21-1333 Public Hearing Date: 12/13/21 Receipt Number: _____

Type of Application: SU-GEN

Development Services, 601 E Kennedy Blvd. 19th Floor

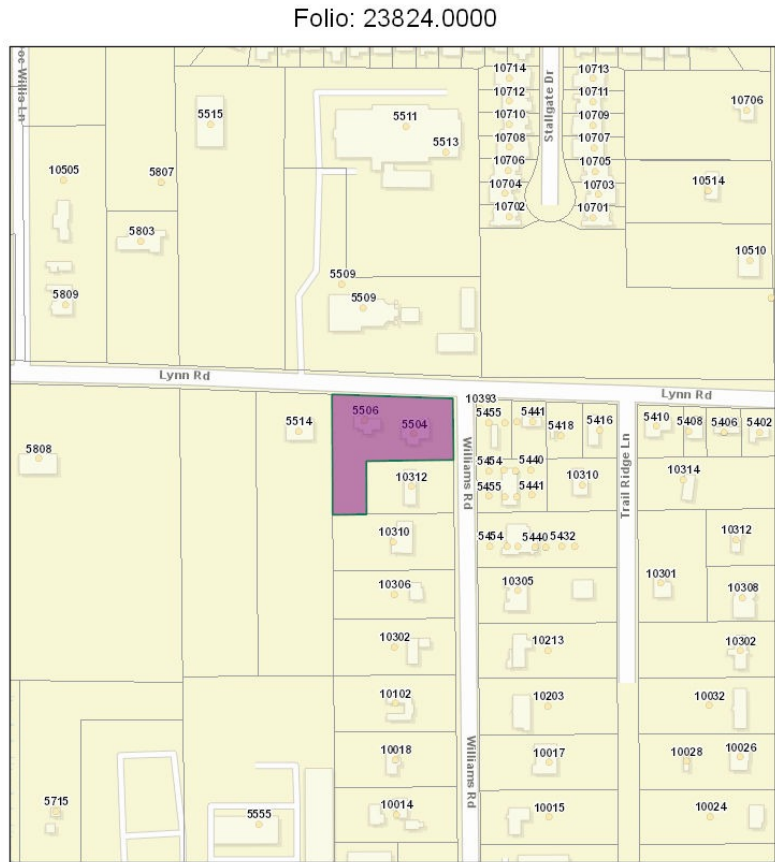
Revised 07/02/2014

21-1333



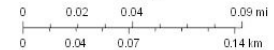
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	AS-1
Description	Agricultural - Single-Family
Zoning Category	Residential
Zoning	RSC-2
Description	Residential - Single-Family Conventional
Overlay	MH
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0191H
FIRM Panel	12057C0191H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120195D
County Wide Planning Area	Greater Carrollwood Northdale
Community Base Planning Area	Greater Carrollwood Northdale
Census Data	Tract: 011415 Block: 2018
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	180' AMSL
Aviation Authority	Non-Compatible Use (Schools)
Competitive Sites	NO
Redevelopment Area	NO



September 16, 2021

1:2,658



RS, Hillsborough County - Public Works - Geomatics - Streets & Addresses

Hillsborough County Florida

Folio: 23824.0000
PIN: U-18-28-18-ZZZ-000000-91140.0
HINDU TEMPLE OF FLORIDA INC
Mailing Address:
 5504 LYNN RD
 TAMPA, FL 33624-4814
Site Address:
 5504 LYNN RD
 TAMPA, FL 33624
SEC-TWN-RNG: 18-28-18
Acreage: 1.03244996
Market Value: \$276,201.00
Landuse Code: 7101 CHURCH PARSONAGES

Hillsborough County makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any of the geodata information provided herein. The reader should not rely on the data provided herein for any reason. Hillsborough County explicitly disclaims any representations and warranties, including, without limitations, the implied warranties of merchantability and fitness for a particular purpose. Hillsborough County shall assume no liability for:

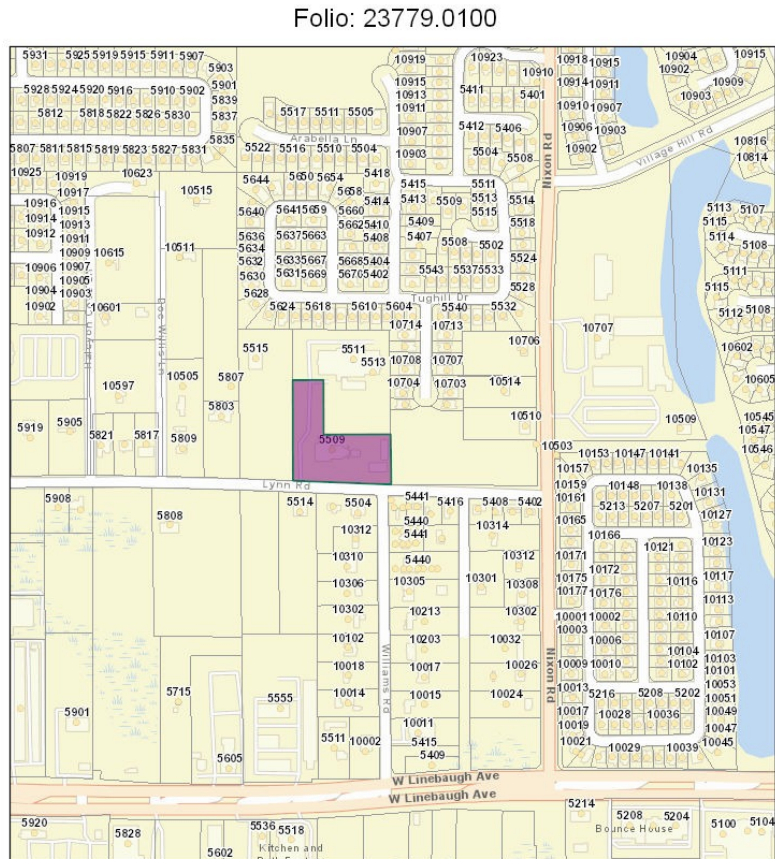
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2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

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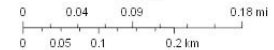
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	AS-1
Description	Agricultural - Single-Family
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0191H
FIRM Panel	12057C0191H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120195D
County Wide Planning Area	Greater Carrollwood Northdale
Community Base Planning Area	Greater Carrollwood Northdale
Census Data	Tract: 011415 Block: 2014
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	180' AMSL
Aviation Authority	Non-Compatible Use (Schools)
Competitive Sites	NO
Redevelopment Area	NO



September 16, 2021

1:5.316



RS: Hillsborough County - Public Works - Geomatics - Streets & Addresses

Hillsborough County Florida

Folio: 23779.0100
PIN: U-18-28-18-ZZZ-000000-90480.0
HINDU TEMPLE OF FLORIDA INC
Mailing Address:
 5509 LYNN RD
 TAMPA, FL 33624-4813
Site Address:
 5509 LYNN RD
 TAMPA, FL 33624
SEC-TWN-RNG: 18-28-18
Acreage: 2.75375009
Market Value: \$2,681,123.00
Landuse Code: 7100 INSTITUTIONAL

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