

PD Modification Application: MM 23-0887

Zoning Hearing Master Date: March 25, 2004

BOCC Land Use Meeting Date: May 7, 2024

1.0 APPLICATION SUMMARY

Applicant: WMS Realty Brandon, LLC

FLU Category: RES-4

Service Area: Urban

Site Acreage: +/-1.78 acres (Parcel "A")

**Community
Plan Area:** Brandon

Overlay: None



Introduction Summary:

PD 00-0457 was rezoned from RSC-6 to PD in 2000 to allow for a maximum of 30,165 square feet of Business, Professional Office (BPO) uses.

MM 17-1020 was approved to add Motor Vehicle Repair, Minor only within a portion of the parcel located to the immediate east of the subject area. This modification split the PD in two parcels (Parcels A and B), with the new Motor Vehicle Repair use located on the eastern portion of the subject PD (Parcel B). The remaining ±1.78 acres of the subject PD (Parcel A) were limited to 20,364 sq. ft. of BPO uses.

The applicant is requesting a major modification to the previously approved Planned Development (17-1020) to permit limited commercial uses in addition to the already approved BPO zoning district uses; increase the maximum building height; and, reduce the maximum square footage.

Existing Approval(s):	Proposed Modification(s):
1. Current Allowable Uses: BPO uses	1. Proposed Expanded Uses: BPO uses and limited commercial uses (Cond. 1)
2. Maximum Height: 20 ft.	2. Proposed Maximum Height: 25 feet*
3. Maximum Square Feet: 20,364	4. Maximum Square Feet: 19,384
4. <u>Access to Parcel A (Subject Site) shall be from Lumsden Road.</u>	5. <u>Access shall be through easement located on Parcel B located directly to the east of the site.</u>

*Subject for the 2:1 additional setback compatibility requirement

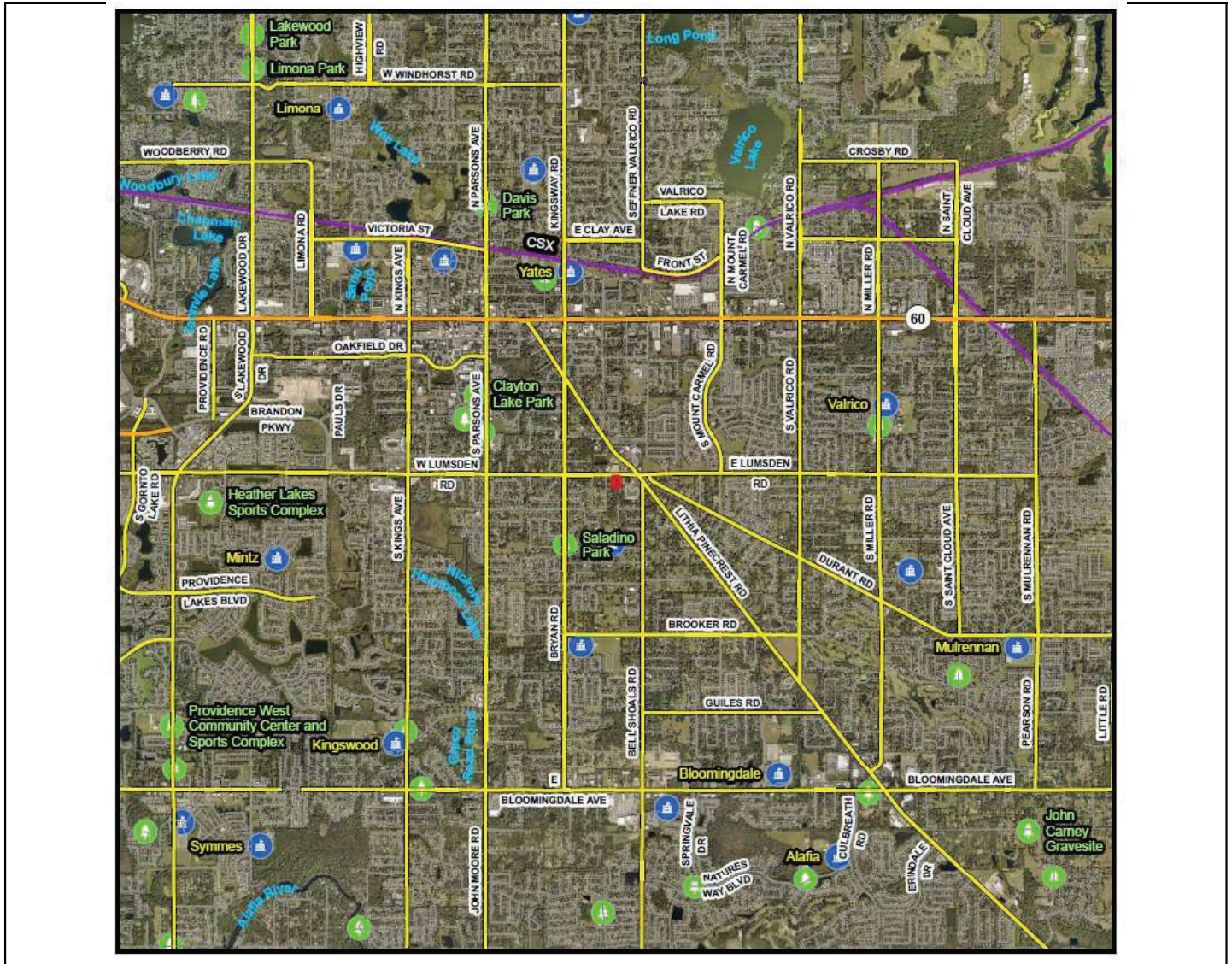
Additional Information:

PD Variation(s):	None Requested as part of this application
Waiver(s) to the Land Development Code:	None requested.

Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable, subject to proposed conditions
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

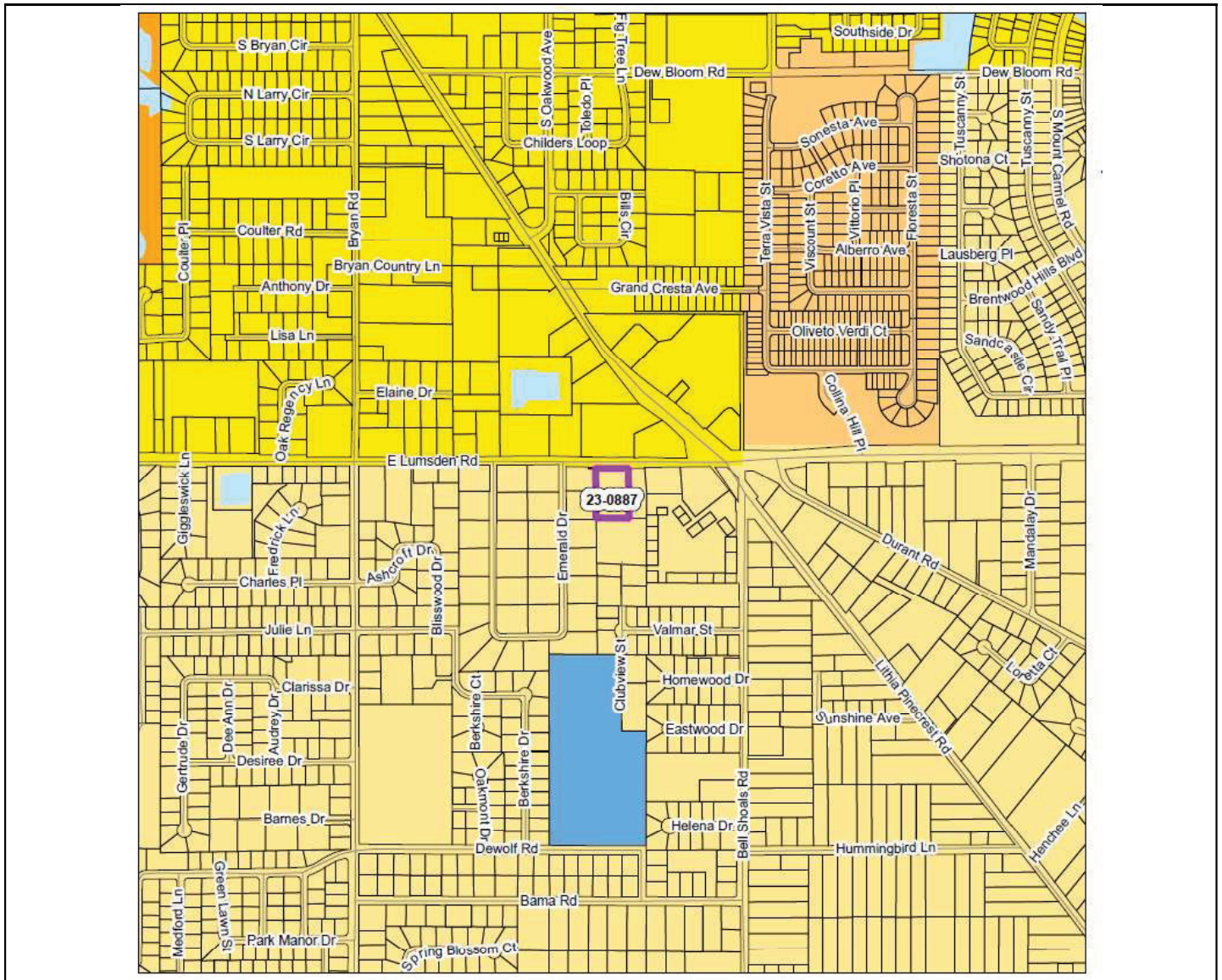


Context of Surrounding Area:

The subject property is located on the south side of East Lumsden Road, approximately 500 feet west of Lithia Pinecrest Road in Brandon. The subject site is currently vacant. Auto repair, located within Parcel B of the same PD as the subject site is located to the immediate east. Commercial uses are located to the west, north, and further east of the subject site. Single family dwelling units are located directly to the southwest and south of the subject site.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-4 (RES-4)
Maximum Density/F.A.R.:	4 dwelling unit per acre / Maximum 0.25 FAR
Typical Uses:	Typical uses include residential, suburban commercial, offices, multi-purpose.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

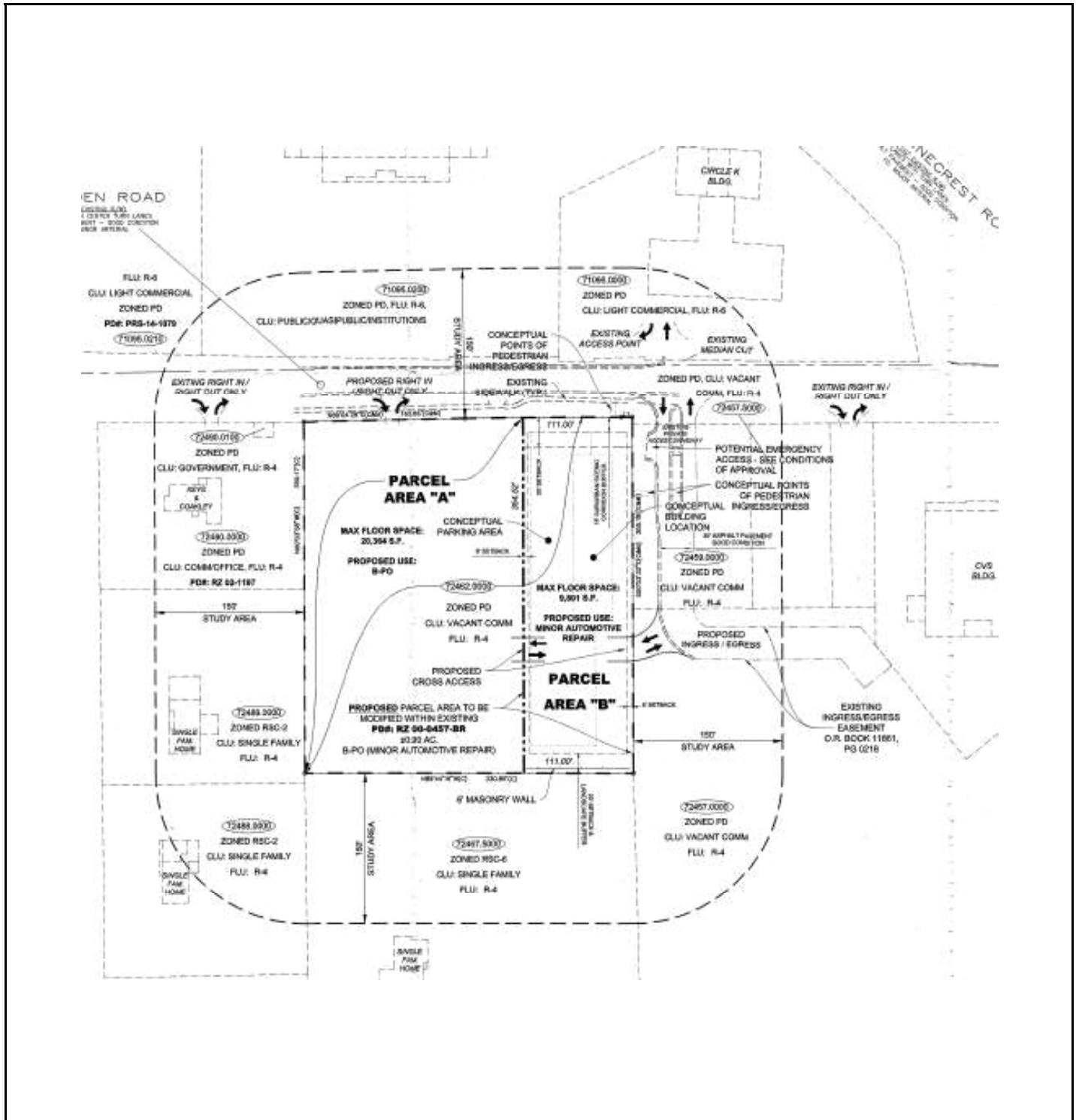


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	PD 92-0158	Max. 18,800 sf CG uses Max. 39,000 sf PD-O uses	Commercial General and PD-O Uses	Convenience Store, Kennel, Gym
South	RSC-6	Min. 7,000 sf lots	Single-family	Single-family
East	PD 00-0457	Max FAR: 0.25	Commercial Uses	Auto Repair
West	RSC-2 and PD 02-1197	RSC-2: Min. 21,780 sf lot PD: Max. 5,000 sf BPO uses	Single-family and Office Uses	SF and Office Uses

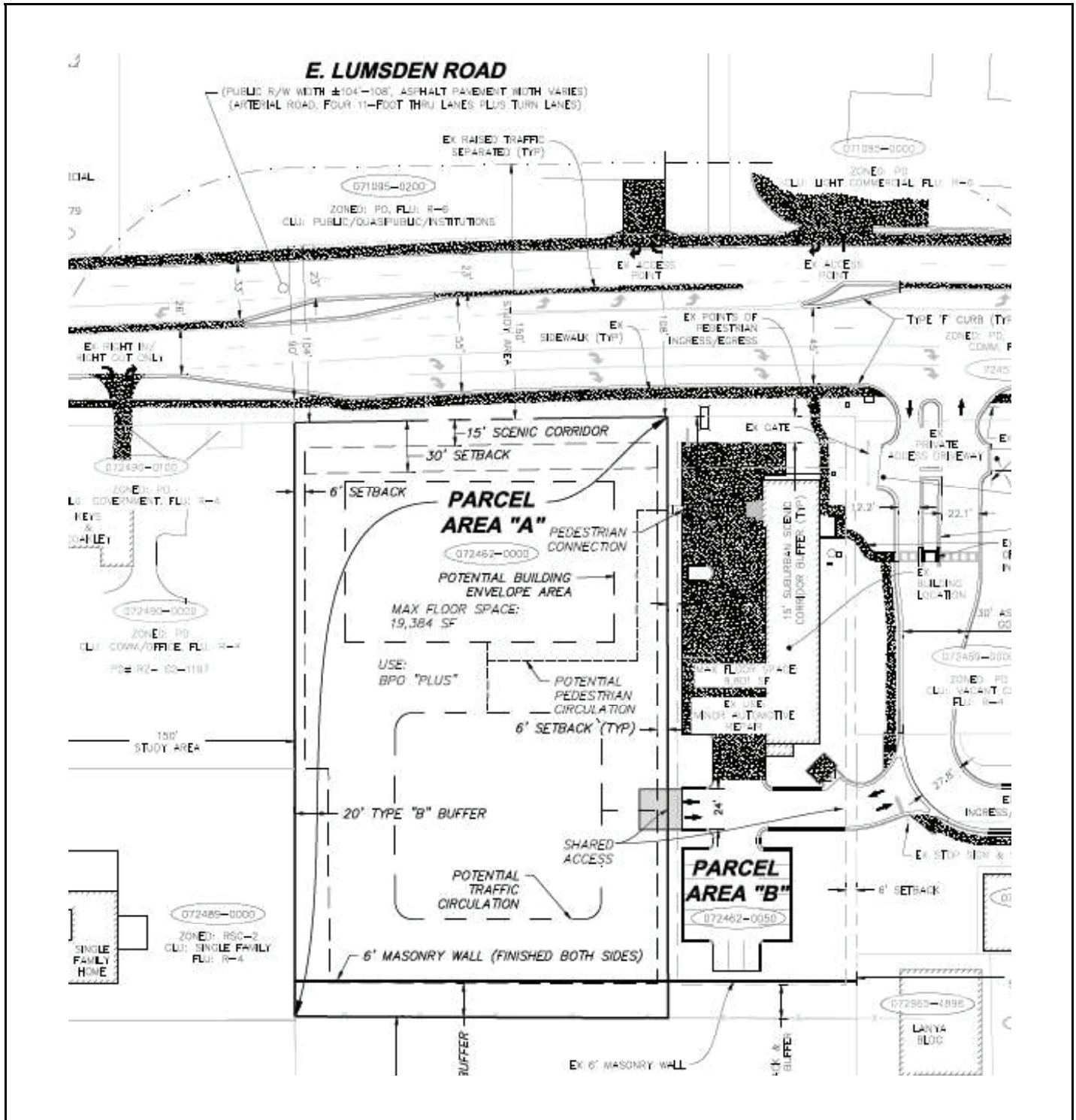
2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Approved Site Plan (partial provided below for size and orientation purposes. See Section 8.1 for full site plan)



2.0 LAND USE MAP SET AND SUMMARY DATA

2.5 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.2 for full site plan)



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

Adjoining Roadways (check if applicable)

Road Name	Classification	Current Conditions	Select Future Improvements
Lumsden Rd.	County Arterial - Urban	4 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	1,116	79	115
Proposed	1,116	79	115
Difference (+/-)	No Change	No Change	No Change

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Pedestrian	None	Meets LDC
South		None	None	Meets LDC
East	X	Vehicular & Pedestrian	Vehicular & Pedestrian	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
Lumsden Rd./ Substandard Road	Administrative Variance Requested	Approvable
Lumsden Rd./ Access Spacing	Administrative Variance Requested	Approvable
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY																
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments												
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No													
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
Check if Applicable: <table style="width:100%; border:none;"> <tr> <td><input type="checkbox"/> Wetlands/Other Surface Waters</td> <td><input type="checkbox"/> Potable Water Wellfield Protection Area</td> </tr> <tr> <td><input type="checkbox"/> Use of Environmentally Sensitive Land Credit</td> <td><input type="checkbox"/> Significant Wildlife Habitat</td> </tr> <tr> <td><input type="checkbox"/> Wellhead Protection Area</td> <td><input type="checkbox"/> Coastal High Hazard Area</td> </tr> <tr> <td><input type="checkbox"/> Surface Water Resource Protection Area</td> <td><input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Adjacent to ELAPP property</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Other</td> </tr> </table>					<input type="checkbox"/> Wetlands/Other Surface Waters	<input type="checkbox"/> Potable Water Wellfield Protection Area	<input type="checkbox"/> Use of Environmentally Sensitive Land Credit	<input type="checkbox"/> Significant Wildlife Habitat	<input type="checkbox"/> Wellhead Protection Area	<input type="checkbox"/> Coastal High Hazard Area	<input type="checkbox"/> Surface Water Resource Protection Area	<input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor		<input type="checkbox"/> Adjacent to ELAPP property		<input type="checkbox"/> Other
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	<input type="checkbox"/> Adjacent to ELAPP property															
	<input type="checkbox"/> Other															
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments												
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See "Transportation Summary Report".												
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No													
Impact/Mobility Fees (Various use types allowed. Estimates are a sample of potential development)																
<table style="width:100%; border:none;"> <tr> <td style="width:33%;"> Industrial (Per 1,000 s.f.) Mobility: \$4,230.00 Fire: \$57.00 </td> <td style="width:33%;"> Retail - Shopping Center (Per 1,000 s.f.) Mobility: \$13,562.00 Fire: \$313.00 </td> <td style="width:33%;"> Warehouse (Per 1,000 s.f.) Mobility: \$1,377.00 Fire: \$34.00 </td> </tr> <tr> <td> Bank w/Drive Thru (Per 1,000 s.f.) Mobility: \$20,610.00 Fire: \$313.00 </td> <td> Retail - Fast Food w/Drive Thru (Per 1,000 s.f.) Mobility: \$104,494.00 Fire: \$313.00 </td> <td> Mini-Warehouse (Per 1,000 s.f.) Mobility: \$725.00 Fire: \$32.00 </td> </tr> </table> Urban Mobility, Central Fire - replace current BPO with CG, non specific uses, no square footage provided.					Industrial (Per 1,000 s.f.) Mobility: \$4,230.00 Fire: \$57.00	Retail - Shopping Center (Per 1,000 s.f.) Mobility: \$13,562.00 Fire: \$313.00	Warehouse (Per 1,000 s.f.) Mobility: \$1,377.00 Fire: \$34.00	Bank w/Drive Thru (Per 1,000 s.f.) Mobility: \$20,610.00 Fire: \$313.00	Retail - Fast Food w/Drive Thru (Per 1,000 s.f.) Mobility: \$104,494.00 Fire: \$313.00	Mini-Warehouse (Per 1,000 s.f.) Mobility: \$725.00 Fire: \$32.00						
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Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
<p>Planning Commission</p> <p><input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A</p> <p><input type="checkbox"/> Locational Criteria Waiver Requested</p> <p><input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A</p> <p><input type="checkbox"/> Density Bonus Requested</p> <p><input checked="" type="checkbox"/> Consistent <input checked="" type="checkbox"/> Inconsistent</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>	<p><input type="checkbox"/> Inconsistent</p> <p><input checked="" type="checkbox"/> Consistent</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>	<p>See "Hillsborough County Planning Commission Review".</p>

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The subject property is located on the south side of Lumsden Road, approximately 500 feet west of Lithia Pinecrest Rd. in Brandon. The subject parcel is 1.78 acres referred to as Parcel "A" of PD 00-0457 comprising 2.75 total acres. The eastern portion of the PD is developed with an automotive repair business. The applicant is requesting a major modification to the previously approved Major Modification 17-1020 to maintain the BPO uses permitted along with limited additional uses normally allowed in Commercial Neighborhood or Commercial General zoning districts. The additional uses are trip generation neutral uses relative to the currently approved uses.

The additional commercial uses shall be limited to the following: Automated Teller (ATM); Bicycle Repair; Bicycle Sales; Dry Cleaners Small; Dry Cleaners, General; Electric/Electronic Repair, Large; Electric/Electronic Repair, Small; Exterminator; Florist Shop; Furniture Refinishing, Repair and Upholstery; Furniture/Home Furnishings; Hardware Store; Jewelry Store; Locksmith; Office Equipment Sales; Pet Shop; Recreational Uses, General Indoor/Outdoor; Sporting Goods Store; Swimming Pools; Watch, Clock, Jewelry Repair.

The applicant is proposing to allow an increase in maximum building height from 20 feet to 25 feet, and subject to an additional 2 feet of setback for every foot over 20 feet. Other uses located adjacent and nearby the subject site are approved with building heights of 35 and 50 feet. Residential and commercial neighborhood uses in the vicinity are allowed to have a maximum height of 35, therefore, the request to increase in height of the subject project to a maximum of 25 feet is reasonable. The applicant is also proposing to eliminate the proposed connection to Lumsden Road, and access shall be through an easement via Parcel B located immediately to the east of the subject site and within the subject PD.

The applicant does not request any variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering). To the immediate south and southwestern portion of the subject site is RSC-6 and RSC-2 zoned property developed with single-family homes. The applicant would normally be required to provide a 20-foot-wide landscaped buffer with Type "B" screening along the southwest portion and the entire southern perimeter of the subject site as the proposed development falls under a Category 4 classification and adjacent developments fall under a Category 1 classification. However, the existing condition 4 requires a more intense screening along the southern perimeter of the property to include a 20-foot-wide landscaped buffer with type "C" screening which shall include a masonry wall. The adjacent property to the immediate east of the subject site and developed with an auto repair business, also has a masonry wall on the southern perimeter. Staff finds the proposal, with the additional compatibility buffers, compatible with the existing development pattern.

The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code subject to the proposed conditions of approval. The Planning Commission found that the proposed rezoning would be consistent with the Unincorporated Hillsborough County Comprehensive Plan and meets the locational criteria.

5.2 Recommendation

Based on the above, staff finds the request approvable.

Prior to Site Plan Certification the applicant shall make the following updates:

- Add Leader Line with label stating "Ingress/Egress Easement for Parcel A (Reference Official Records Book 25865, Page 873, Reference Item No. 3)".

6.0 PROPOSED CONDITIONS

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted January 22, 2024.

1. Development of the project shall be limited to a maximum of ~~30,165~~ 29,185 square feet of floor space for Business, Professional Office (BPO) uses.

In the event that the site is developed with two development parcels, the project shall be limited to the following:

Parcel Area A: A maximum of ~~20,364~~ 19,384 square feet of floor space for Business, Professional Office (BPO) uses and the following additional uses:

- Automated Teller (ATM);
- Bicycle Repair; Bicycle Sales;
- Dry Cleaners Small;
- Dry Cleaners, General;
- Electric/Electronic Repair, Large;
- Electric/Electronic Repair, Small;
- Exterminator; Florist Shop;
- Furniture Refinishing, Repair and Upholstery;
- Furniture/Home Furnishings;
- Hardware Store;
- Jewelry Store;
- Locksmith;
- Office Equipment Sales;
- Pet Shop;
- Recreational Uses, General Indoor/Outdoor;
- Sporting Goods Store;
- Swimming Pools;
- Watch, Clock, Jewelry Repair.

Parcel Area B: A maximum of 9,801 square feet of floor space for Motor Vehicle Repair, Minor.

The structure shall have an office building appearance and to achieve this requirement the following shall apply: the facades must be architecturally finished to grade. They shall incorporate changes in mass, surface or finish such as stone, stucco, wood slats or vinyl slat-style siding. Unsurfaced cement or block shall not be utilized. Paint shall not constitute a surface for the purpose of this regulation.

The hours of operation shall be from 7:00 a.m. to 7:00 p.m. Monday thru Friday, and 9:00 a.m. to 2:00 p.m. Saturdays. The business shall be closed on Sundays.

2. With the exception of Floor Area Ratio and building height, the project shall be developed in accordance with BPO zoning district standards. Building height shall be restricted to ~~twenty (20)~~ twenty five (25) feet within Parcel Area "A" and twenty five (25) feet within Parcel Area "B".
3. Buffering and screening shall be provided in accordance with the Land Development Code unless otherwise stated herein.

4. Along the western and southern project boundaries, a buffer area a minimum of 20 feet in width shall be provided. Screening within said buffer shall be provided in accordance with the Land Development Code. A six-foot-high masonry wall, however, shall be provided along the southern property line of both Parcel Area "A" and Parcel Area "B" concurrent with development of each parcel. A six-foot-high masonry wall shall also be erected along a portion of the western boundary of Parcel Area "B" commencing at the southwest corner of Parcel Area "B" for a distance of 80 feet north along said western boundary. Existing natural vegetation, excluding hazardous and invasive species, may be used in lieu of required trees, subject to review and approval by Hillsborough County Natural Resources.
 - 4.1 The required masonry wall on Parcel Area "B" will be erected before vertical construction commences on Parcel Area "B".
 - 4.2 The required masonry wall on Parcel Area "A" will be erected before vertical construction commences on Parcel Area "A".
5. Lighting within the project shall be of a low-projection non-glare type, designed to produce a minimum of illumination beyond project boundaries.
6. Dumpsters shall be completely enclosed and the dumpster shelter shall be finished in like materials to the principal structure they serve.
7. ~~For Parcel B, the~~ The general design, location, and number of the access point(s) may be as shown on the General Site Plan, but shall be regulated by the Hillsborough County Access Management regulations. The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department. Final design, if approved by Hillsborough County Planning and Growth Management Department, but is not limited to left turn lanes, acceleration lanes and deceleration lanes.
8. Vehicular and pedestrian access/cross-access shall be provided internal to the development as well as between the subject site and the commercial site to the east.

[Concurrent with relocation/construction of the eastern cross access driveway, the developer shall remove the existing cross access driveway stubout and restore the curb unless otherwise required for emergency access purposes by the Hillsborough County Fire Marshall. THIS PORTION OF THE CONDITION HAS BEEN SATISFIED.]

In such instance, the existing driveway may remain; however, access shall be restricted using a breakaway gate, breakaway bollards, gate with Knox-box, or another method meeting Hillsborough County Fire Marshall standards.

9. If MM 23-0887 is approved, the County Engineer will approve a Sec. 6.04.02.B. Administrative Variance (dated January 18, 2024) which has been found approvable by the County Engineer (on March 7, 2024). Approval of this Administrative Variance will waive the Lumsden Rd. substandard road improvements required by Sec. 6.04.03.L. of the LDC.
10. If MM 23-0887 is approved, the County Engineer will approve a Sec. 6.04.02.B. Administrative Variance (dated January 18, 2024) from the LDC Sec. 6.04.07 access spacing requirements for the project's Lumsden Rd. access (to folio 72459.0000), which has been found approvable by the County Engineer (on March 7, 2024). Approval of this Administrative Variance will permit a +/- 130-foot reduction of the minimum access

spacing between the above referenced access and the next closest access to the east, resulting in an access spacing of +/- 115 feet.

11. 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.

12. Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations and ordinances of Hillsborough County.

13. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C

Zoning Administrator Sign Off:



J. Brian Grady
Mon Mar 25 2024 08:35:41

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

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

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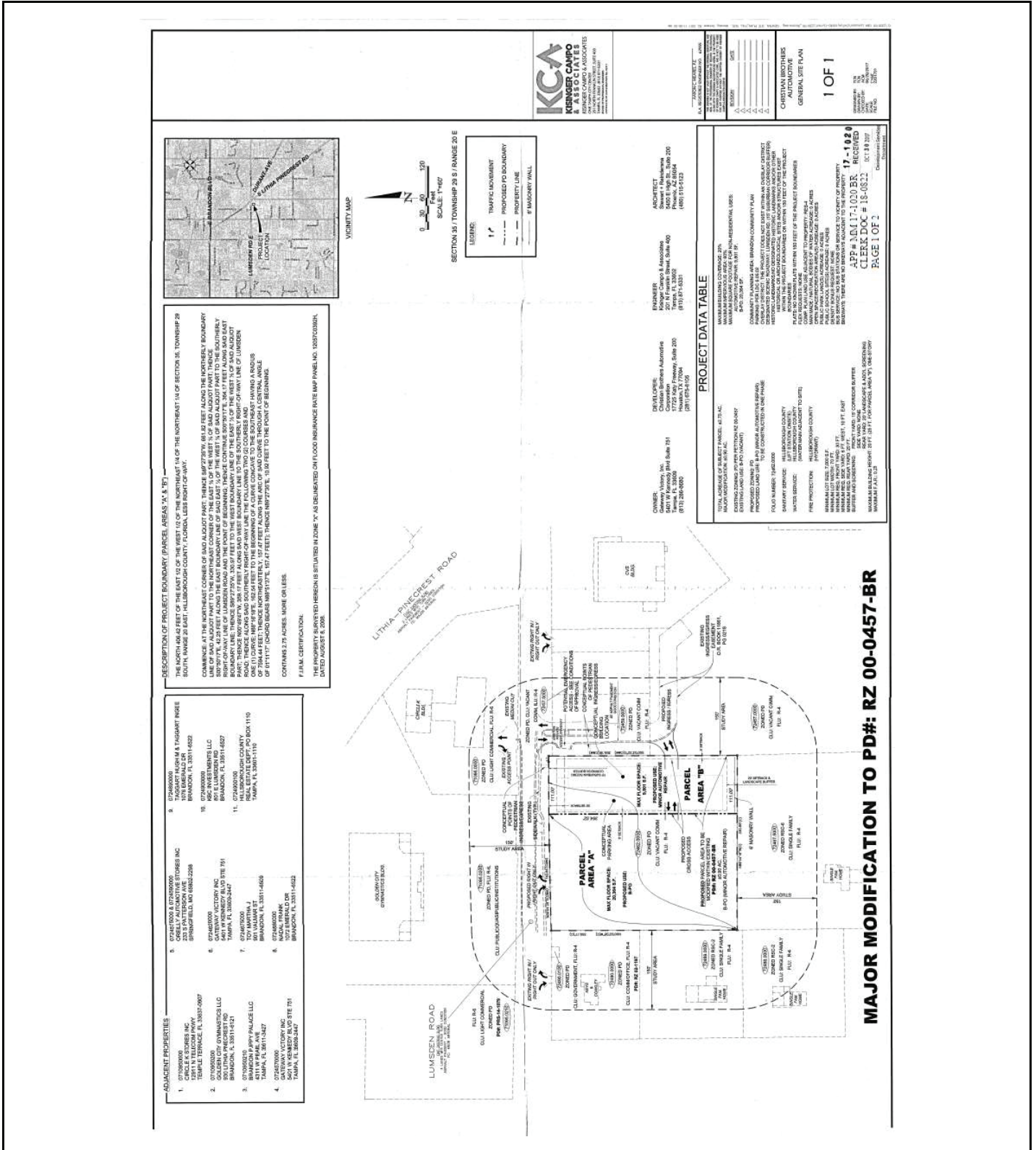
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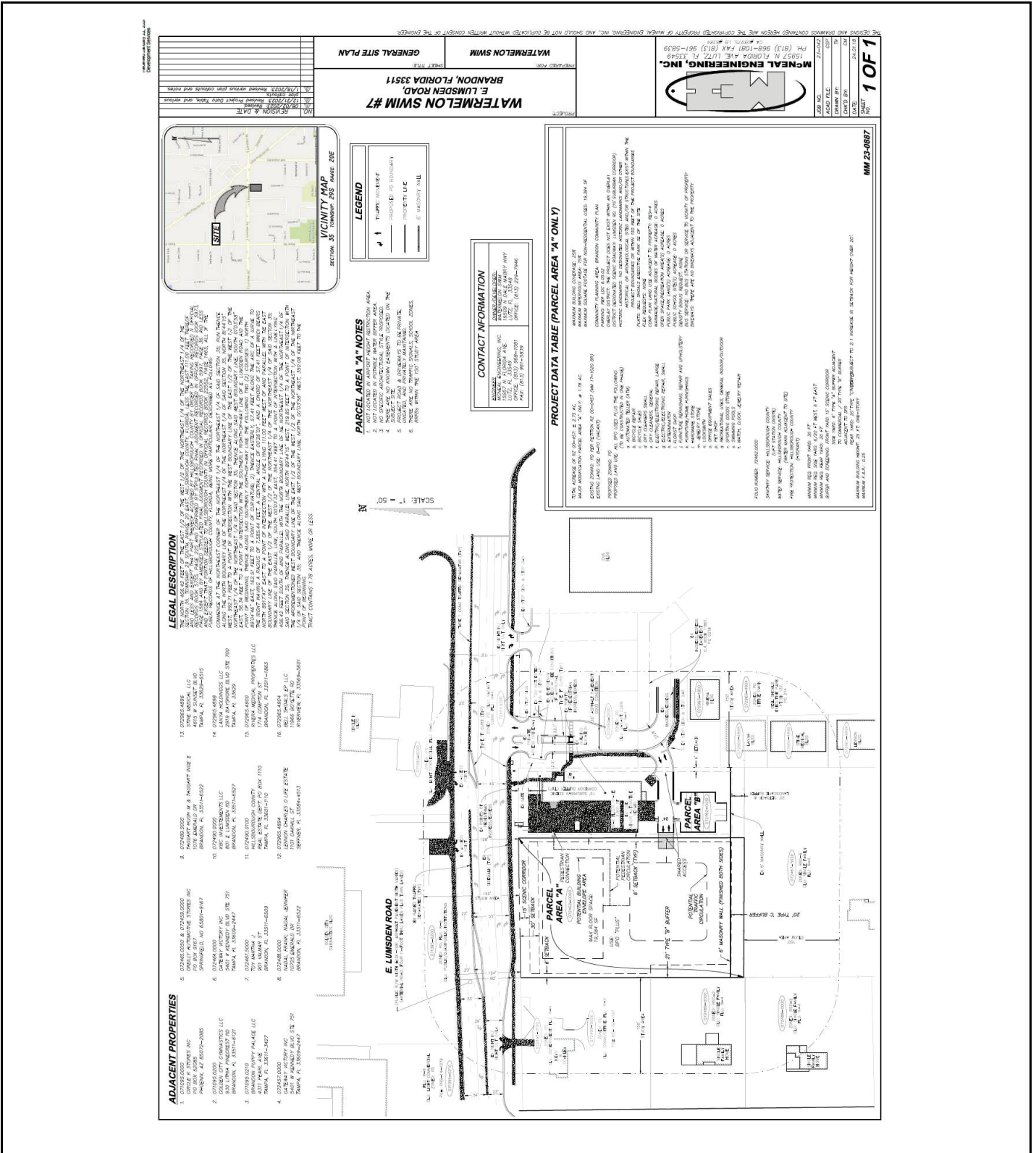
7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

8.0 SITE PLANS (FULL)

8.1 Approved Site Plan (Full)



8.2 Proposed Site Plan (Full)



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9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 03/15/2024

REVIEWER: James Ratliff, AICP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: BR/ Central

PETITION NO: MM 23-0887

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

NEW AND REVISED CONDITION OF APPROVAL

Revised Conditions

- 8. [For Parcel B](#), ~~T~~he general design, location, and number of the access point(s) may be as shown on the General Site Plan, but shall be regulated by the Hillsborough County Access Management regulations. The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department. Final design, if approved by Hillsborough County Planning and Growth Management Department, but is not limited to left turn lanes, acceleration lanes and deceleration lanes.

[Staff is proposing to modify this condition to reflect the proposed access changes and to comport with current practice.]

- 9. Vehicular and pedestrian [access](#)/ cross-access shall be provided internal to the development as well as between the subject site and the commercial site to the east.

[Concurrent with relocation/construction of the eastern cross access driveway, the developer shall remove the existing cross access driveway stubout and restore the curb unless otherwise required for emergency access purposes by the Hillsborough County Fire Marshall. [THIS PORTION OF THE CONDITION HAS BEEN SATISFIED](#).]

~~9.~~ -In such instance, the existing driveway may remain; however, access shall be restricted using a breakaway gate, breakaway bollards, gate with Knox-box, or another method meeting Hillsborough County Fire Marshall standards.

[Staff is proposing to modify this condition to conform with current language/terminology. The eastern "cross access" currently serves as primary access for the Parcel B uses. Additionally, when the referenced "eastern cross access driveway" connection was constructed, it was determined that the "existing cross access driveway stubout" would remain as an emergency access connection, and the site was approved/constructed accordingly. As such, staff has modified the condition for clarify, i.e. to reflect that the decision referenced in the existing

condition language (i.e. whether to keep or remove the existing connection) has already been made/implemented)].

New Conditions

- If MM 23-0617 is approved, the County Engineer will approve a Sec. 6.04.02.B. Administrative Variance (dated January 18, 2024) which has been found approvable by the County Engineer (on March 7, 2024). Approval of this Administrative Variance will waive the Lumsden Rd. substandard road improvements required by Sec. 6.04.03.L. of the LDC.
- If MM 23-0887 is approved, the County Engineer will approve a Sec. 6.04.02.B. Administrative Variance (dated January 18, 2024) from the LDC Sec. 6.04.07 access spacing requirements for the project's Lumsden Rd. access (to folio 72459.0000), which has been found approvable by the County Engineer (on March 7, 2024). Approval of this Administrative Variance will permit a +/- +/- 130-foot reduction of the minimum access spacing between the above referenced access and the next closest access to the east, resulting in an access spacing of +/- 115 feet.

PROJECT SUMMARY AND TRIP GENERATION

The applicant is proposing a Major Modification (MM) to a previously approved Planned Development (PD) #00-0457, as most recently amended via MM 17-1020. The project consists of two parcels totaling +/- 2.75 ac. The modification area consists of a single +/- 1.78 ac. parcel. The zoning is presently approved for 30,165 s.f. of Business Professional Office (BPO) uses. The applicant is seeking to modify Parcel A within the PD to add the following additional uses:

- a. Automated Teller (ATM)
- b. Bicycle Repair
- c. Bicycle Sales
- d. Dry Cleaners Small
- e. Dry Cleaners, General
- f. Electric/Electronic Repair, Large
- g. Electric/Electronic Repair, Small
- h. Exterminator
- i. Florist Shop
- j. Furniture Refinishing, Repair and Upholstery
- k. Furniture/Home Furnishings
- l. Hardware Store
- m. Jewelry Store
- n. Locksmith
- o. Office Equipment Sales
- p. Pet Shop
- q. Recreational Uses, General Indoor/Outdoor
- r. Sporting Goods Store
- s. Swimming Pools
- t. Watch, Clock, Jewelry Repair

The applicant is also proposing to eliminate a project access connection to Lumsden Rd., as further discussed below.

Consistent with Sec. 6.2.1.C. of the Development Review Procedures Manual (DRPM), staff has waived the required transportation analysis. In doing so, staff evaluated each of the proposed additional uses proposed by the applicant and determined them to generate peak hour trips in an equal of lesser amount

than the already approved uses within Parcel A (i.e. all additional uses generate the same or fewer trips as Medical Office uses, which is assumed to be the highest generating BPO use (which is already approved). Additionally, the project's access already has turn lanes serving the site which are sufficient to serve the proposed project. Given this, staff determined that a traditional trip generation and site access analysis would be of little to no benefit. Staff has prepared the below comparison of the trip generation potential of development of the subject property, under the existing and proposed rezonings, utilizing a generalized worst-case scenario. Data presented below is based on the 11th Edition of the Institute of Transportation Engineer's Trip Generation Manual.

Existing Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Parcel A: +/- 20,364 s.f. Medical Office Uses (ITE Code 720)	766	57	80
Parcel B: +/- 9,801 s.f. Auto Care Center Uses (ITE Code 942)	350 (Est.)	22	35
Subtotal:	1,116	79	115

Proposed Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Parcel A: +/- 20,364 s.f. Medical Office Uses (ITE Code 720)	766	57	80
Parcel B: +/- 9,801 s.f. Auto Care Center Uses (ITE Code 942)	350 (Est.)	22	35
Subtotal:	1,116	79	115

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	No Change	No Change	No Change

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Lumsden Rd. is a 4-lane, divided, substandard, arterial roadway characterized by +/- 11 to 12-foot wide travel lanes in average condition. There are no bicycle facilities on Lumsden Rd. in the vicinity of the proposed project. There are +/- 4-foot-wide to 5-foot-wide sidewalks along portions both sides of Lumsden Rd. in the vicinity of the proposed project.

SITE ACCESS CONSIDERATIONS

The applicant is proposing to eliminate the proposed connection to Lumsden Rd. Sole legal access to the parcel will be via the Shared Access Facility within the PD that is adjacent and east of the subject PD (i.e. PD 19-0034). This decision was made after an examination of the roadway configuration and available

right-of-way on Lumsden Rd. in the vicinity of the proposed project. Specifically, it is generally not permissible for projects to take access to a roadway from within a turn lane, but particularly so when the location of such access (and lack of available right-of-way) makes it impossible to extend the turn lane such that the a turn lane extension which can provide the required queue, deceleration and taper lengths necessary to provide for the safe entry and deceleration within the turn lane. In this case, it was determined that such extension was not possible given lack of right-of-way, roadway configuration and/or adjacent parcel access, and that safer access for the project would be via the sole connection which currently serves the existing Parcel B uses.

ADMINISTRATIVE VARIANCE #1 – SUBSTANDARD ROAD

Lumsden Rd. is a substandard arterial roadway. The applicant’s Engineer of Record (EOR) submitted a Section 6.04.02.B Administrative Variance request (dated January 18, 2024) from the Section 6.04.03.L. requirement whereby an applicant is required to improve a substandard roadway, between its project access and nearest roadway meeting an applicable standard, to current County standards. Based on factors presented in the Administrative Variance request, the County Engineer found the request approvable (on March 7, 2024). If this rezoning is approved by the Hillsborough County Board of County Commissioners, the County Engineer will approve the above referenced Administrative Variance Request. If approved, no substandard road improvements on Lumsden Rd. will be required.

ADMINISTRATIVE VARIANCE #2 – ACCESS SPACING

The applicant’s Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated January 18, 2024) from the Section 6.04.07 LDC requirement, governing access spacing. The Hillsborough County LDC requires a minimum connection spacing of 245 feet for a Class 5 roadway with a posted speed of 45 miles per hour or less. Staff notes that while the applicant’s request letter incorrectly identified the base standard by utilizing standards for a Class 5 facility with a posted speed of greater than 45 mph, the end result remains unchanged (however the letter overstates the amount of the required variance by an additional 85 feet). The applicant is seeking a variance, relative to its proposed project access, of +/- 130 feet from the closest driveway to the east on the same (south) side of the roadway. If approved, this would result in an access spacing of +/- 115 ft.

Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on March 7, 2024.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway sections is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Lumsden Rd.	Kings Ave.	Lithia Pinecrest Rd.	D	C

Source: Hillsborough County 2020 Level of Service Report.

Ratliff, James

From: Williams, Michael
Sent: Thursday, March 7, 2024 12:27 PM
To: McNeal, Christopher
Cc: Carla Sansone; Lampkin, Timothy; Ratliff, James; Tirado, Sheida; PW-CEIntake; De Leon, Eleonor
Subject: FW: MM 23-0887 - Administrative Variance Review
Attachments: 23-0887 AVReq 01-18-24_1.pdf; 23-0887 AVReq 01-18-24_2.pdf

Importance: High

Chris,
I have found the attached Section 6.04.02.B. Administrative Variances (AV) for PD 23-0887 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (DeLeonE@hcfl.gov or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

If the BOCC denies the PD zoning or PD zoning modification request, staff will request that you withdraw the AV/DE. In such instance, notwithstanding the above finding of approvability, if you fail to withdraw the request, I will deny the AV/DE (since the finding was predicated on a specific development program and site configuration which was not approved).

Once I have signed the document, it is your responsibility to submit the signed AV/DE(s) together with your initial plat/site/construction plan submittal. If the project is already in preliminary review, then you must submit the signed document before the review will be allowed to progress. Staff will require resubmittal of all plat/site/construction plan submittals that do not include the appropriate signed AV/DE documentation.

Lastly, please note that it is critical to ensure you copy all related correspondence to PW-CEIntake@hcfl.gov

Mike

Michael J. Williams, P.E.
Director, Development Review
County Engineer
Development Services Department

P: (813) 307-1851
M: (813) 614-2190
E: Williamsm@HCFL.gov
W: HCFLGov.net

Hillsborough County
601 E. Kennedy Blvd., Tampa, FL 33602

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Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Tirado, Sheida <TiradoS@hcfl.gov>
Sent: Tuesday, March 5, 2024 5:56 PM
To: Williams, Michael <WilliamsM@hcfl.gov>
Cc: De Leon, Eleonor <DeLeonE@hcfl.gov>
Subject: MM 23-0887 - Administrative Variance Review
Importance: High

Hello Mike,

The attached AVs are approvable to me, please include the following people in your response:

cmcneal@mcnealengineering.com
csansone@mcnealengineering.com
lampkint@hcfl.gov
ratliffja@hcfl.gov

Best Regards,

Sheida L. Tirado, PE
Transportation Review Manager
Development Services Department

P: (813) 276-8364
E: tirados@hcfl.gov
W: HCFLGov.net

Hillsborough County
601 E. Kennedy Blvd., Tampa, FL 33602

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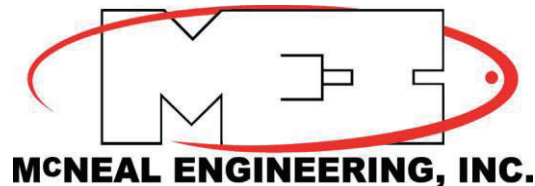
**Hillsborough
County Florida**
Development Services

Supplemental Information for Transportation Related Administrative Reviews

Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at padroni@hcpaf.fl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<input checked="" type="checkbox"/> Section 6.04.02.B. Administrative Variance <input type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	<input checked="" type="checkbox"/> New Request <input type="checkbox"/> Revised Request <input type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input checked="" type="checkbox"/> 1. 1/18/2024 Substandard Road <input type="checkbox"/> 4. <input type="checkbox"/> 2. <input type="checkbox"/> 5. <input type="checkbox"/> 3. <input type="checkbox"/> 6.
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>	
Project Name/ Phase	Watermelon Swim #7
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>	
Folio Number(s)	072462.0000
<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers	
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").</p>	
Name of Person Submitting Request	McNeal Engineering c/o Christopher S. McNeal
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>	
Current Property Zoning Designation	PD 00-0457, MM 17-1020
<p>Important: For Example, type "Residential Multi-Family Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>	
Pending Zoning Application Number	MM 23-0887
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>	
Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	



Hillsborough County
Development Services
601 E Kennedy Blvd 20th Floor
Tampa, FL 33602

Re: **WATERMELON SWIM #7**
E. Lumsden Road
Hillsborough County
Folio # 072462.0000
MM 23-0887

Attn: Mr. Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 23-042
January 18, 2024

ADMINISTRATIVE VARIANCE - EXISTING FACILITIES

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.03.L, Existing Facilities.

Our client is requesting a revision to the PD of this parcel to allow for Business Professional Office (BPO) uses be replaced with all uses permitted within the BPO zoning district, "Plus" the following additional uses:

- a. Automated Teller (ATM)
- b. Bicycle Repair
- c. Bicycle Sales
- d. Dry Cleaners Small
- e. Dry Cleaners, General
- f. Electric/Electronic Repair, Large
- g. Electric/Electronic Repair, Small
- h. Exterminator
- i. Florist Shop
- j. Furniture Refinishing, Repair and Upholstery
- k. Furniture/Home Furnishings
- l. Hardware Store
- m. Jewelry Store
- n. Locksmith
- o. Office Equipment Sales
- p. Pet Shop
- q. Recreational Uses, General Indoor/Outdoor
- r. Sporting Goods Store
- s. Swimming Pools
- t. Watch, Clock, Jewelry Repair

Mr. Michael J. Williams, PE
WATERMELON SWIM #7
MEI File # 23-042
January 18, 2024
Page 2 of 3

We understand that the proposed application is being reviewed in accordance with current code standards, and as such, are requesting a variance from the above-mentioned section for Existing Facilities. Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below for the variance requested.

6.04.03.L Improvement of Existing Facility

Lumsden Road adjacent to this project, is a 4-lane divided urban arterial road that has approximately 81 feet of pavement. This includes a WB Left Turn Lane, dual EB Right Turn Lanes, a 3-foot Traffic Separator, and Sidewalks on both sides of the road. Per Hillsborough County's TTM TS-6, the roadway adjacent to the proposed access is deficient of buffered bike lanes, and in-sufficient right-of-way. The posted speed is 45 MPH. The surrounding land use serves mostly commercial.

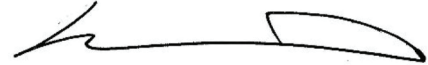
Our responses to review criteria a, b, and c are as follows:

- (a) The current code would require that Lumsden Road adhere to the closest County Standard, TS-6. There is currently insufficient right-of-way to construct the improvements required to bring the subject road up to current county standards (i.e. addition of 7-foot buffered bicycle lanes). In addition, this roadway segment was recently improved, and bike lanes were not included along this corridor. To provide a short bike lane segment on one side of the road only would be a financial burden to the client, as well as a safety hazard.
- (b) The existing shared private access driveway does not appear to produce conflicts in its current location with access to E Lumsden Road. Pedestrian access will be provided both internally for the proposed project, and to the current pedestrian features on Lumsden Road.
- (c) The existing shared private access location would provide reasonable access for the proposed Zoning Modification. Without use of the shared private access location, the proposed use of the parcel is not feasible.

Mr. Michael J. Williams, PE
WATERMELON SWIM #7
MEI File # 23-042
January 18, 2024
Page 3 of 3

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, PE
MCNEAL ENGINEERING, INC.

c: WMS Realty Brandon LLC c/o Micha Seal *via* email

Based on the information provided by the applicant, this request is:

_____ Approved

_____ Approved with Conditions

_____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, PE at (813) 276-8364.

Sincerely,

Mr. Michael J. Williams, PE
Hillsborough County Engineer



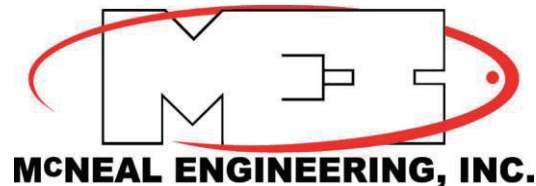
**Hillsborough
County Florida**
Development Services

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- Please contact Ingrid Padron at padroni@hcpaf.fl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<input checked="" type="checkbox"/> Section 6.04.02.B. Administrative Variance <input type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	<input checked="" type="checkbox"/> New Request <input type="checkbox"/> Revised Request <input type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input checked="" type="checkbox"/> 1. 1/18/2024 Driveway Spacing <input type="checkbox"/> 4. <input type="checkbox"/> 2. <input type="checkbox"/> 5. <input type="checkbox"/> 3. <input type="checkbox"/> 6.
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>	
Project Name/ Phase	Watermelon Swim #7
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>	
Folio Number(s)	072462.0000
<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers	
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").</p>	
Name of Person Submitting Request	McNeal Engineering c/o Christopher S. McNeal
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>	
Current Property Zoning Designation	PD 00-0457, MM 17-1020
<p>Important: For Example, type "Residential Multi-Family Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>	
Pending Zoning Application Number	MM 23-0887
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>	
Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	



Hillsborough County
Development Services
601 E Kennedy Blvd 20th Floor
Tampa, FL 33602

Re: **WATERMELON SWIM #7**
E. Lumsden Road
Hillsborough County
Folio #072462.0000
MM 23-0887

Attn: Mr. Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 23-042
January 18, 2024

REQUEST FOR ADMINISTRATIVE VARIANCE - ACCESS SPACING

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.07, Minimum Spacing.

Our client is requesting a revision to the PD of this parcel to allow for Business Professional Office (BPO) uses be replaced with all uses permitted within the BPO zoning district, "Plus" the following additional uses:

- a. Automated Teller (ATM)
- b. Bicycle Repair
- c. Bicycle Sales
- d. Dry Cleaners Small
- e. Dry Cleaners, General
- f. Electric/Electronic Repair, Large
- g. Electric/Electronic Repair, Small
- h. Exterminator
- i. Florist Shop
- j. Furniture Refinishing, Repair and Upholstery
- k. Furniture/Home Furnishings
- l. Hardware Store
- m. Jewelry Store
- n. Locksmith
- o. Office Equipment Sales
- p. Pet Shop
- q. Recreational Uses, General Indoor/Outdoor
- r. Sporting Goods Store
- s. Swimming Pools
- t. Watch, Clock, Jewelry Repair

Mr. Michael J. Williams, PE
WATERMELON SWIM #7
MEI File # 23-042
January 18, 2024
Page 2 of 3

We understand that the proposed application is being reviewed in accordance with current code standards, and as such, are requesting a variance from the above-mentioned section for access spacing. Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below for the variance requested.

6.04.07 Access Spacing

We are requesting a variance to reduce the required access spacing for a Class 5 roadway from 330 feet (per LDC) to approximately 115 feet. This is the separation between the existing shared private driveway which services the project site and the existing CVS driveway to the east, on the same side of the road. The driveway on the opposite (WB) side of the roadway was not included in this evaluation, as it is restricted by a raised traffic separator.

The proposed access location for Parcel Area "A" would use the existing Parcel Area "B" shared private access to E Lumsden Road. Lumsden Road adjacent to this this project, is a 4-lane Divided Urban Arterial Roadway, with dedicated Turn Lanes, Curb and Gutter and Sidewalk on both sides of the road. The posted speed is 45 MPH. The land use is mostly Commercial.

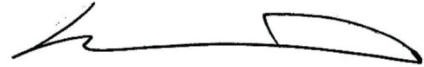
Our responses to review criteria a, b, and c are as follows:

- (a) The frontage of this parcel is in the area of the existing EB dual right turn lanes on Lumsden Road, near the Intersection with Lithia Pinecrest Road. The parcel is currently approved to have a direct connection to Lumsden Road. Safety concerns regarding the location of the approved access with regards to the existing EBRTLs generate the desire to remove this access point. Parcel Area "A" access is proposed to be through the existing private shared access across and along the east side of Parcel Area "B" as shown on the approved General Site Plan (MM 17-1020). There are no other financially feasible alternatives for access.
- (b) The existing shared private access driveway does not appear to produce conflicts in its current location with access to E Lumsden Road. Pedestrian access will be provided both internally for the proposed project, and to the current pedestrian features on E Lumsden Road.
- (c) The existing shared private access location would provide reasonable access for the proposed Zoning Modification. Without use of the shared private access location, the proposed use of the parcel is not feasible.

Mr. Michael J. Williams, PE
WATERMELON SWIM #7
MEI File # 23-042
January 18, 2024
Page 3 of 3

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, PE
MCNEAL ENGINEERING, INC.

c: WMS Realty Brandon LLC c/o Micha Seal *via* email

Based on the information provided by the applicant, this request is:

_____ Approved

_____ Approved with Conditions

_____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, PE at (813) 276-8364.

Sincerely,

Mr. Michael J. Williams, PE
Hillsborough County Engineer

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Lumsden Rd.	County Arterial - Urban	4 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	1,116	79	115
Proposed	1,116	79	115
Difference (+/-)	No Change	No Change	No Change

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Pedestrian	None	Meets LDC
South		None	None	Meets LDC
East	X	Vehicular & Pedestrian	Vehicular & Pedestrian	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Lumsden Rd./ Substandard Road	Administrative Variance Requested	Approvable
Lumsden Rd./ Access Spacing	Administrative Variance Requested	Approvable
Notes:		

Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input checked="" type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER: MM 23-0887

DATE OF HEARING: March 25, 2024

APPLICANT: WMS Realty Brandon, LLC

PETITION REQUEST: The Major Modification request is to modify PD 00-0457 to permit commercial uses in addition to the already approved BPO uses, increase the maximum building height and reduce the maximum square footage

LOCATION: 350 feet Southeast of the Intersection E. Lumsden Rd. and Emerald Dr.

SIZE OF PROPERTY: 1.78 acres, m.o.l.

EXISTING ZONING DISTRICT: PD 00-0457

FUTURE LAND USE CATEGORY: RES-4

SERVICE AREA: Urban

COMMUNITY PLAN: Brandon

DEVELOPMENT REVIEW STAFF REPORT

1.0 APPLICATION SUMMARY

Applicant: WMS Realty Brandon, LLC

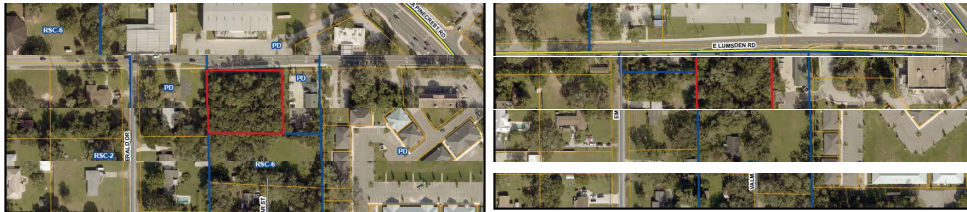
FLU Category: RES-4

Service Area: Urban

Site Acreage: +/-1.78 acres (Parcel "A")

Community Plan Area: Brandon

Overlay: None



Introduction Summary:

PD 00-0457 was rezoned from RSC-6 to PD in 2000 to allow for a maximum of 30,165 square feet of Business, Professional Office (BPO) uses.

MM 17-1020 was approved to add Motor Vehicle Repair, Minor only within a portion of the parcel located to the immediate east of the subject area. This modification split the PD in two parcels (Parcels A and B), with the new Motor Vehicle Repair use located on the eastern portion of the subject PD (Parcel B). The remaining ±1.78 acres of the subject PD (Parcel A) were limited to 20,364 sq. ft. of BPO uses.

The applicant is requesting a major modification to the previously approved Planned Development (17-1020) to permit limited commercial uses in addition to the already approved BPO zoning district uses; increase the maximum building height; and reduce the maximum square footage.

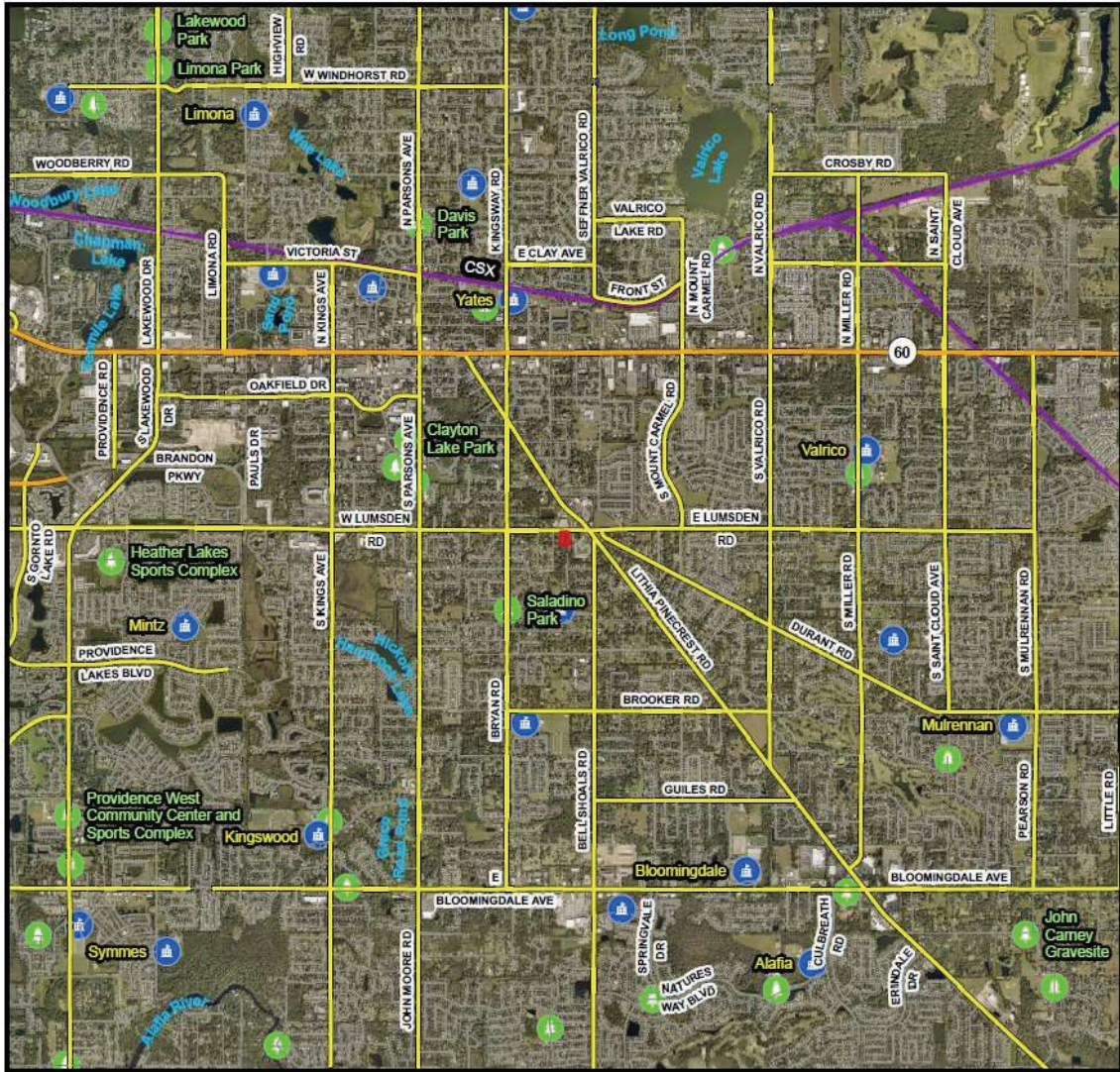
Planning Commission Recommendation: Consistent

Development Services Recommendation: Approvable Subject to Conditions

Additional Information:

PD Variation(s):	None Requested as part of this application
Waiver(s) to the Land Development Code:	None requested.

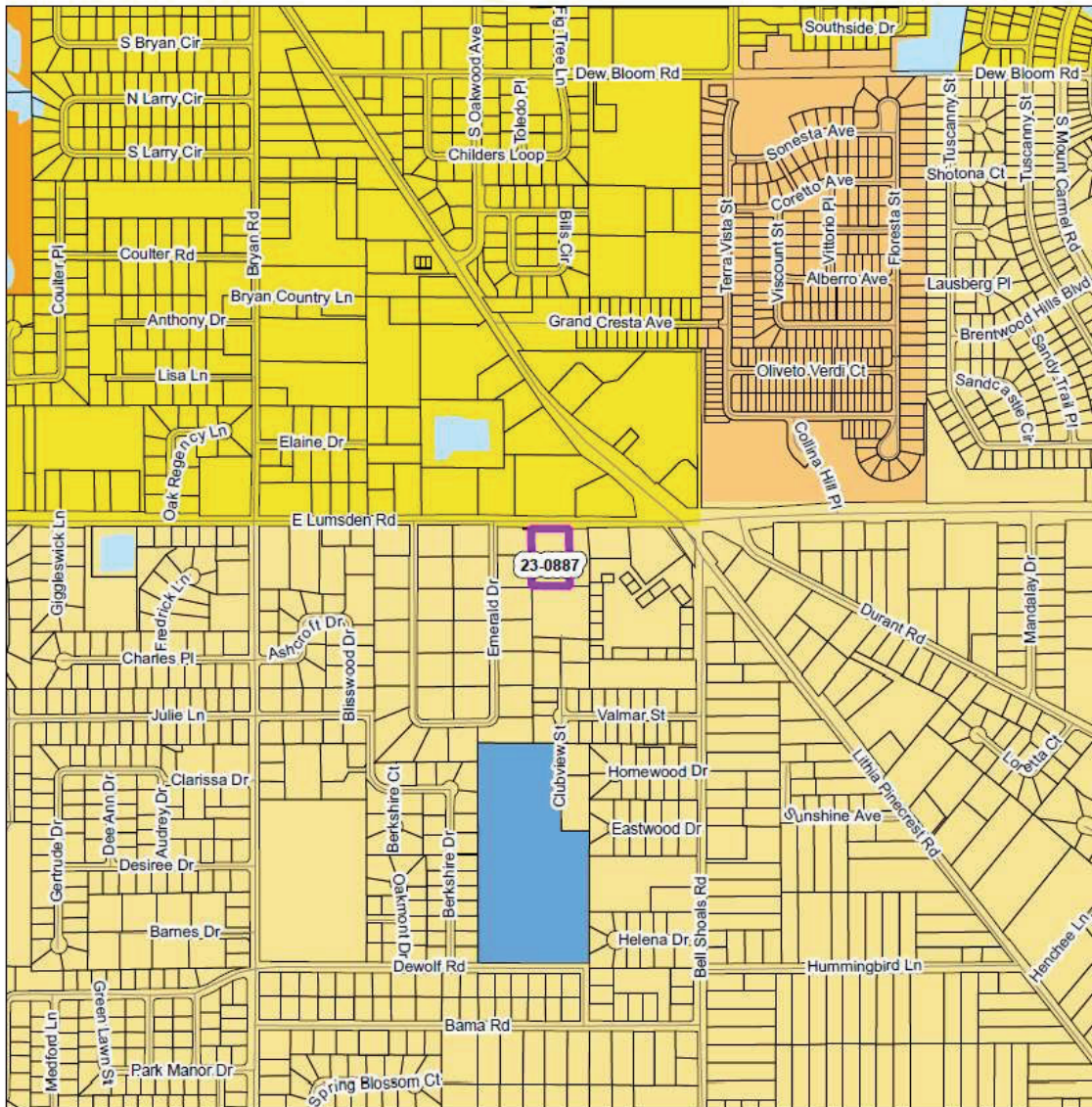
2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



Context of Surrounding Area:

The subject property is located on the south side of East Lumsden Road, approximately 500 feet west of Lithia Pinecrest Road in Brandon. The subject site is currently vacant. Auto repair, located within Parcel B of the same PD as the subject site is located to the immediate east. Commercial uses are located to the west, north, and further east of the subject site. Single family dwelling units are located directly to the southwest and south of the subject site.

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



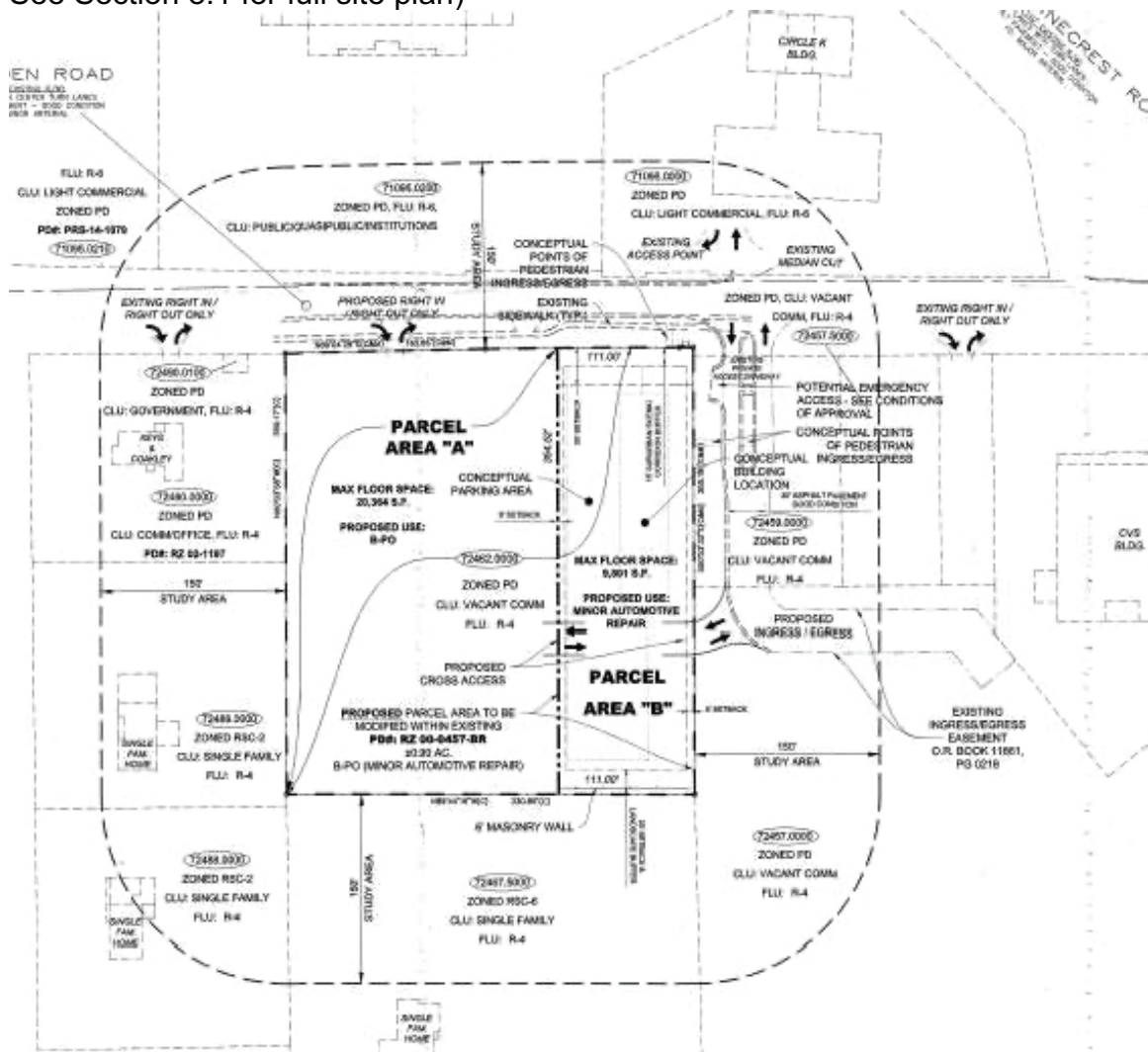
Subject Site Future Land Use Category:	Residential-4 (RES-4)
Maximum Density/F.A.R.:	4 dwelling unit per acre / Maximum 0.25 FAR
Typical Uses:	Typical uses include residential, suburban commercial, offices, multi- purpose.

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



2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Approved Site Plan (partial provided below for size and orientation purposes. See Section 8.1 for full site plan)



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

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

Impact Fees

Industrial

(Per 1,000 s.f.) Mobility: \$4,230.00 Fire: \$57.00

Bank w/Drive Thru (Per 1,000 s.f.) Mobility: \$20,610.00 Fire: \$313.00

Retail - Shopping Center (Per 1,000 s.f.) Mobility: \$13,562.00

Fire: \$313.00

Warehouse

(Per 1,000 s.f.) Mobility: \$1,377.00

Fire: \$34.00

Retail - Fast Food w/Drive Thru (Per 1,000 s.f.)

Mobility: \$104,494.00

Mini-Warehouse (Per 1,000 s.f.) Mobility: \$725.00

Fire: \$313.00

Urban Mobility, Central Fire - replace current BPO with CG, non-specific uses, no square footage provided.

Fire: \$32.00

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The subject property is located on the south side of Lumsden Road, approximately 500 feet west of Lithia Pinecrest Rd. in Brandon. The subject parcel is 1.78 acres referred to as Parcel "A" of PD 00-0457 comprising 2.75 total acres. The eastern portion of the PD is developed with an automotive repair business. The applicant is requesting a major modification to the previously approved Major Modification 17-1020 to maintain the BPO uses permitted along with limited additional uses normally allowed in Commercial Neighborhood or Commercial General zoning districts. The additional uses are trip generation neutral uses relative to the currently approved uses.

The additional commercial uses shall be limited to the following: Automated Teller (ATM); Bicycle Repair; Bicycle Sales; Dry Cleaners Small; Dry Cleaners, General; Electric/Electronic Repair, Large; Electric/Electronic Repair, Small; Exterminator; Florist Shop; Furniture Refinishing, Repair and Upholstery; Furniture/Home Furnishings; Hardware Store; Jewelry Store; Locksmith; Office Equipment Sales; Pet Shop; Recreational Uses, General Indoor/Outdoor; Sporting Goods Store; Swimming Pools; Watch, Clock, Jewelry Repair.

The applicant is proposing to allow an increase in maximum building height from 20 feet to 25 feet, and subject to an additional 2 feet of setback for every foot over 20 feet. Other uses located adjacent and nearby the subject site are approved with building heights of 35 and 50 feet. Residential and commercial neighborhood uses in the vicinity are allowed to have a maximum height of 35, therefore, the request to increase in height of the subject project to a maximum of 25 feet is reasonable. The applicant is also proposing to eliminate the proposed connection to Lumsden Road, and access shall be through an easement via Parcel B located immediately to the east of the subject site and within the subject PD.

The applicant does not request any variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering). To the immediate south and southwestern portion of the subject site is RSC-6 and RSC-2 zoned property developed with single-family homes. The applicant would normally be required to provide a 20-foot-wide landscaped buffer with Type "B" screening along the southwest portion and the entire southern perimeter of the subject site as the proposed development falls under a Category 4 classification and adjacent developments fall under a Category 1 classification. However, the existing condition 4 requires a more intense screening along the southern perimeter of the property to include a 20-foot-wide landscaped buffer with type "C" screening which shall include a masonry wall. The adjacent property to the immediate east of the subject site and developed with an auto repair business, also has a masonry wall on the southern perimeter. Staff finds the proposal, with the additional compatibility buffers, compatible with the existing development pattern.

The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code subject to the proposed conditions of approval. The Planning Commission found that the proposed rezoning would be consistent with the Unincorporated Hillsborough County Comprehensive Plan and meets the locational criteria.

5.2 Recommendation

Based on the above, staff finds the request approvable.

Zoning conditions were presented to the Zoning Hearing Master at the hearing and are hereby incorporated into the Zoning Hearing Master's recommendation.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on March 25, 2024. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

Mr. Chris McNeal 15957 North Florida Avenue testified on behalf of the applicant. Mr. McNeal showed graphics to discuss the location of the property just west of the intersection at the southwest corner of Lumsden and Lithia Pinecrest. He stated that there are Parcels A and B within the PD. Mr. McNeal detailed the requested modification which include allowing limited commercial uses in addition to the approved BPO uses, increasing the maximum height, decreasing the permitted square footage and changing the access.

Hearing Master Finch asked Mr. McNeal to confirm that the modification only applies to Parcel A. Mr. McNeal stated that was correct.

Mr. Tim Lampkin of the Development Services Department, testified regarding the County staff report. Mr. Lampkin stated that the revised staff report pertained to the access off Lumsden Drive being removed and access will now be through Parcel B to the east. He described the location of the property and the requested modification. He added that the additional vehicular trips are neutral relative to the already approved entitlements. Mr. Lampkin concluded his presentation by stating that the applicant is not requesting any variations to the Land Development Code and that staff recommends approval.

Ms. Andrea Papandrew of the Planning Commission testified regarding the Planning Commission staff report. Ms. Papandrew stated that the property is designated Residential-4 by the Future Land Use Map and is located within the Urban Service Area and the Brandon Community Plan. She described the existing entitlements and surrounding land uses. The request is consistent with the land use category as well as Policy 16.5 as the site is located on an arterial roadway and Objective 22 as it meets commercial locational criteria. She concluded her presentation by stating that the modification is consistent with the Brandon Community Plan and the Comprehensive Plan.

Hearing Master Finch asked audience members if there were any proponents of the application. No one replied.

Hearing Master Finch asked audience members if there were any opponents of the application. No one replied.

County staff did not have additional comments.

Mr. McNeal testified during the rebuttal period that while some of the proposed uses were removed due to their trip generation rate, other uses were removed because they were not good in the area.

Hearing Master Finch then concluded the hearing.

EVIDENCE SUBMITTED

Mr. Lampkin submitted a revised staff report into the record.

PREFACE

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

FINDINGS OF FACT

1. The subject site is 1.78 acres in size and is zoned Planned Development (00-0457). The property is designated RES-4 by the Comprehensive Plan and located in the Urban Service Area and the Brandon Community Planning Area.
2. The Planned Development (PD) is approved for a maximum of 30,165 square feet of Business Professional Office (BPO) land uses on Parcels A and B. Parcel A is limited to a maximum of 20,364 square feet and Parcel B is limited to a maximum of 9,801 square feet and permitted for Motor Vehicle Repair, Minor land use only. The maximum height is 20 feet.
3. The Major Modification request pertains only to Parcel A. The request proposes to add limited commercial uses, increase the height to 25 feet and decrease the maximum square footage to 19,384 square feet. The applicant has also requested to eliminate the access point to Lumsden Road and provide access to Parcel A via an easement through Parcel B located to the east.
4. No Planned Development variations or waivers are requested.
5. The Planning Commission supports the modification and found it consistent with the Brandon Community Plan and the Comprehensive Plan.
6. County staff testified that the limited commercial land uses do not increase the already approved land uses and associated vehicular trip generation rates.

7. No testimony in opposition was received at the Zoning Hearing Master hearing.
8. The proposed modification for the addition of limited commercial uses, increase in height to 25 feet and change in access is consistent with the Comprehensive Plan and Land Development Code and compatible with the existing development pattern.

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

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

CONCLUSIONS OF LAW

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

SUMMARY

Planned Development 00-0457 is approved for a maximum of 30,165 square feet of Business Professional Office (BPO) land uses on Parcels A and B. Parcel A is limited to a maximum of 20,364 square feet and Parcel B is limited to a maximum of 9,801 square feet and permitted for Motor Vehicle Repair, Minor land use only. The maximum height is 20 feet.

The Major Modification request pertains only to Parcel A. The request proposes to add limited commercial uses, increase the height to 25 feet and decrease the maximum square footage to 19,384 square feet. The applicant has also requested to eliminate the access point to Lumsden Road and provide access to Parcel A via an easement through Parcel B located to the east.

No waivers or Planned Development variations are requested.

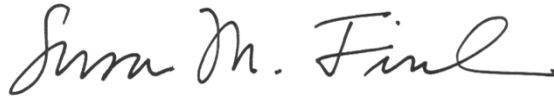
The Planning Commission supports the request and found the Major Modification consistent with the Brandon Community Plan and the Comprehensive Plan.

The additional limited commercial land uses do not increase the already approved land uses and associated vehicular trip generation rates.

The modification is consistent with the Comprehensive Plan and Land Development Code and compatible with the existing development pattern.

RECOMMENDATION

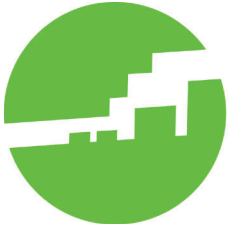
Based on the foregoing, this recommendation is for **APPROVAL** of the Major Modification to Planned Development 00-0457 as indicated by the Findings of Fact and Conclusions of Law stated above subject to the zoning conditions prepared by the Development Services Department.



April 15, 2024

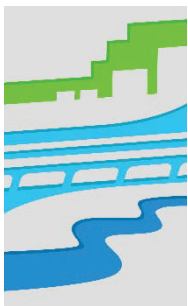
Susan M. Finch, AICP
Land Use Hearing Officer

Date



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: March 25, 2024 Report Prepared: March 13, 2024	Petition: MM 23-0887 Folio 72462.0000 <i>South of East Lumsden Road, east of Emerald Drive, & west of Lithia Pinecrest Road</i>
Summary Data:	
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Residential-4 (4 du/ga; 0.25 FAR)
Service Area	Urban
Community Plan	Brandon; Suburban Character District
Request	Major Modification to PD 00-0457 to allow for a list of commercial uses in addition to the currently approved Business Professional Office (BPO) uses
Parcel Size	1.75 +/- acres (76,230 square feet)
Street Functional Classification	East Lumsden Road – Arterial Emerald Drive – Local Lithia Pinecrest Road – Arterial
Locational Criteria	Meets
Evacuation Zone	None



Context

- The approximately 1.75 +/- acre subject site is located south of East Lumsden Road, east of Emerald Drive, and west of Lithia Pinecrest Road.
- The subject site is located within the Urban Service Area and is within the limits of the Brandon Community Plan, specifically in the Suburban Character District.
- The subject site is designated as Residential-4 (RES-4) on the Future Land Use Map (FLUM), which can consider up to 4 dwelling units per acre and a maximum FAR of 0.25 or 175,000 square feet, whichever is less intense. The intent of the RES-4 category is to designate areas that are suitable for low density residential development. Typical uses include residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects. Non-residential uses shall meet locational criteria for specific land use.
- RES-4 extends to the west, south, and east of the subject site. Residential-6 (RES-6) is located to the north. Residential-9 (RES-9) is located further northeast. Public/Quasi-Public (P/Q-P) is located further south.
- The subject site is currently vacant. Heavy commercial uses are located to the immediate east. Light commercial uses are located to the west, north, and further east of the subject site. Single family dwelling units are located directly to the west, southwest, and south. Public institutional uses are located further northwest. The area surrounding the intersection of East Lumsden Road and Lithia Pinecrest Road is mostly commercial in nature whereas the area south and west of the site is mostly residential in nature.
- The subject site is currently zoned as Planned Development (00-0457) and Major Modification (17-1020). The PD zoning district is located to the west, north, and east. Residential Single Family Conventional (RSC-2 & RSC-6) are located to the west and south. The Commercial Neighborhood (CN) district is located further east.
- The applicant is requesting a Major Modification to allow for a list of commercial uses in addition to the currently approved Business Professional Office (BPO) uses for the subject site.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area (USA)

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

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.*

Land Use Categories

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

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

Policy 8.2: *Each potential use must be evaluated for compliance with the goals, objectives, and policies of the Future Land Use Element and with applicable development regulations.*

Relationship to Land Development Regulations

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

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

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

Neighborhood/Community Development

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

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

- a) *locational criteria for the placement of non-residential uses as identified in this Plan,*

- b) *limiting commercial development in residential land use categories to neighborhood scale;*
- c) *requiring buffer areas and screening devices between unlike land uses;*

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

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

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

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

Commercial-Locational Criteria

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

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

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

Policy 22.5: *When planning the location of new non-residential developments at intersections meeting the locational criteria, a transition in land use shall be established that recognizes the existing surrounding community character and supports the creation of a walkable environment. This transition will cluster the most intense land uses toward the intersection, while providing less intense uses, such as offices, professional services or specialty retail (i.e. antiques, boutiques) toward the edges of the activity center.*

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

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

Community Design Component

5.1 COMPATIBILITY

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

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

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

LIVABLE COMMUNITIES ELEMENT: Brandon Community Plan

Goal 6: *Re-establish Brandon's historical, hospitable, and family oriented character through thoughtful planning and forward thinking development practices by concentrating density in certain areas to preserve the semi-rural lifestyle of other areas. Attempt to buffer and transition uses in concentric circles where possible with most intense uses in an area at a node (intersection) and proceeding out from there. Create a plan for how areas could be developed and redeveloped for the future. Each of these areas would have potential for different building heights, parking configurations, fencing, buffering, landscape requirements, special use limitations, and design standards. These standards apply to new construction on infill property, redevelopment of undesirable areas and renovation of existing buildings. The primary consideration of all changes should be compatibility with existing structures to ensure neighborhood preservation.*

3. *Implement Brandon Character Districts to protect established neighborhoods and historic patterns of development.*

4. *Consistent with the Brandon Character Districts Map, develop design guidelines for the Brandon Character Districts to address at a minimum building height, density and intensity, building types, bulk, mass, parking location, access, frontage, setbacks, buffers, landscape, streetscape and signage. Consistent with the general design characteristics listed in the Brandon Community Plan document, develop specific standards for adoption into the Land Development Code.*

5. *General design characteristics for each Brandon Character District are described below. The design characteristics are descriptive as to the general nature of the vicinity and its*

surroundings and do not affect the Future Land Use or zoning of properties in effect at the time of adoption of the Brandon Community Plan. Any proposed changes to the zoning of property may proceed in accordance with the Land Development Code.

***d. Suburban** - Primarily residential area of single-family detached homes with side and perimeter yards on one-quarter acre or less. Mixed-use is usually confined to certain intersection locations. This district has a wide range of residential building types: single-family detached, single-family attached and townhouses. Setbacks and street canopy vary. Streets typically define medium-sized blocks. New development/redevelopment would be required to build internal sidewalks and connect to existing external sidewalks or trails.*

Staff Analysis of Goals, Objectives and Policies

The approximately 1.75 +/- acre subject site is located south of East Lumsden Road, east of Emerald Drive, and west of Lithia Pinecrest Road. The subject site is located in the Urban Service Area and is located within the limits of the Brandon Community Plan, specifically in the Suburban Character District. The subject site's Future Land Use classification on the Future Land Use Map (FLUM) is Residential-4 (RES-4). The applicant is requesting a Major Modification to allow for a list of commercial uses in addition to the currently approved Business Professional Office (BPO) uses for the subject site. The list of commercial uses includes the following:

- Automated Teller (ATM)
- Bicycle Repair
- Bicycle Sales
- Dry Cleaners Small
- Dry Cleaners, General
- Electric/Electronic Repair, Large
- Electric/Electronic Repair, Small
- Exterminator
- Florist Shop
- Furniture Refinishing, Repair and Upholstery
- Furniture/Home Furnishings
- Hardware Store
- Jewelry Store
- Locksmith
- Office Equipment Sales
- Pet Shop
- Recreational Uses, General Indoor/Outdoor
- Sporting Goods Store
- Swimming Pools
- Watch, Clock, Jewelry Repair

The subject site is located in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. Similarly, FLUE Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that "*Compatibility does not mean "the same as."* Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development." There is currently an auto repair shop located to the east and a law office located to the west. The nature of each requested use is compatible with these existing uses. The proposal also includes measures to ensure compatibility with the single family

dwelling units to the west and south. The southwestern boundary of the subject site will incorporate a 20-foot Type B buffer. The southern boundary of the site will include a 20-foot Type C buffer and a 6-foot high masonry wall. These measures, along with the nature of the request, are consistent with FLUE Objective 1 and Policy 1.4 as they relate to compatibility.

FLUE Objective 8 and its associated policies establish Land Use Categories on the Future Land Use Map along with the range of their allowable densities and intensities. The subject site is located within the RES-4 Future Land Use category, which allows for the consideration of non-residential uses subject to locational criteria. The subject site meets Commercial Locational Criteria (CLC) and is therefore eligible for consideration under the site's designated FLU category.

FLUE Objective 16 and its accompanying policies require the protection of existing neighborhoods through various site planning techniques. FLUE Policy 16.1 requires that sites meet locational criteria for the placement of non-residential uses and that buffering and screening is required between unlike land uses. The subject site meets Commercial-Locational-Criteria and includes buffering and screening methods along the western and southern boundaries that abut residential land uses. FLUE Policy 16.2 also requires gradual transitions of intensities between different land uses. The subject site's building is to be located on the north side of the parcel, directly along East Lumsden Road. The southern portion of the site will include parking and buffering/screening areas. These measures help ensure an adequate transition of use between commercial uses and residential uses. Lastly, FLUE Policy 16.5 requires that development of higher intensity non-residential land uses that are adjacent to established neighborhoods be restricted to collectors and arterials and to locations external to established and developing neighborhoods. The subject site is located directly on an arterial roadway and will not impede on the residential neighborhood to the south. The request is consistent with the aforementioned Neighborhood Protection Policies.

The subject site meets Commercial Locational Criteria as outlined in FLUE Objective 22, as it is entirely within the 900-foot distance from the intersection of East Lumsden Road and Lithia Pinecrest Road. FLUE Policy 22.2 establishes the maximum building square footage per intersection quadrant based upon roadway classification and the number of lanes per road. East Lumsden Road and Lithia Pinecrest Road are both 4-lane, county arterial roadways. Per FLUE Policy 22.2, the maximum allowable square footage for the southwestern quadrant of this intersection is 175,000 square feet. The applicant has provided materials that outline the existing amount of non-residential development within the intersection quadrant. When adding the amount of existing non-residential square footage to the proposed addition of 29,185 total square feet on the entire PD site, the total equals 101,125 square feet. Given the nature of the request and that it falls within the maximum allowable square footage of 175,000 square feet, the application is consistent with FLUE Policy 22.2. Additionally, FLUE Policy 22.5 seeks to ensure a transition of uses that clusters the most intense land uses toward the intersection node, while providing less intense uses, such as offices, professional services or specialty retail toward the edges of an activity center. The proposed commercial and BPO uses are consistent with this goal and are also compatible with the development pattern of the area. The request is therefore consistent with FLUE Objective 22 and its associated Policies.

The Community Design Component (CDC) in the Future Land Use Element provides guidance on developments and states that they should relate to the predominant character

of their surroundings. It further states that new developments should recognize the existing community and be designed in a way that is compatible with the established character of an area (*CDC Objective 12-1*). The development to the immediate east and west reflects a pattern of mostly commercial uses whereas the areas to the southwest and south are primarily residential. The site plan places the proposed building towards East Lumsden Road near the existing commercial uses. It also incorporates buffering and screening on the south and southwestern boundaries between the site and the existing residential uses. These design components are consistent with the CDC.

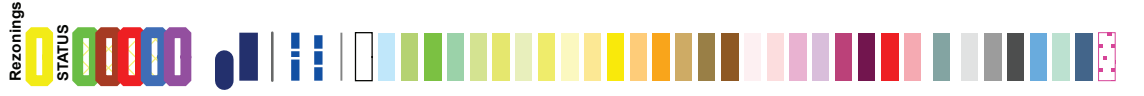
Goal 6 of the Brandon Community Plan seeks to buffer and transition uses in concentric circles with most intense uses in an area at a node (intersection) and proceeding out from there. This also coincides with FLUE Policy 22.5. The request and its proposed uses offer an adequate transition of use with regard to the intersection of East Lumsden Road and Lithia Pinecrest Road. Goal 6 of the community plan also establishes design guidelines for each of the Brandon Character Districts. The subject site is located within the Suburban character district which primarily consists of single-family detached homes as well as mixed use development at certain intersection locations. The proposed Major Modification does not conflict with the overall intent of the Suburban character district as established in the community plan.

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

Recommendation

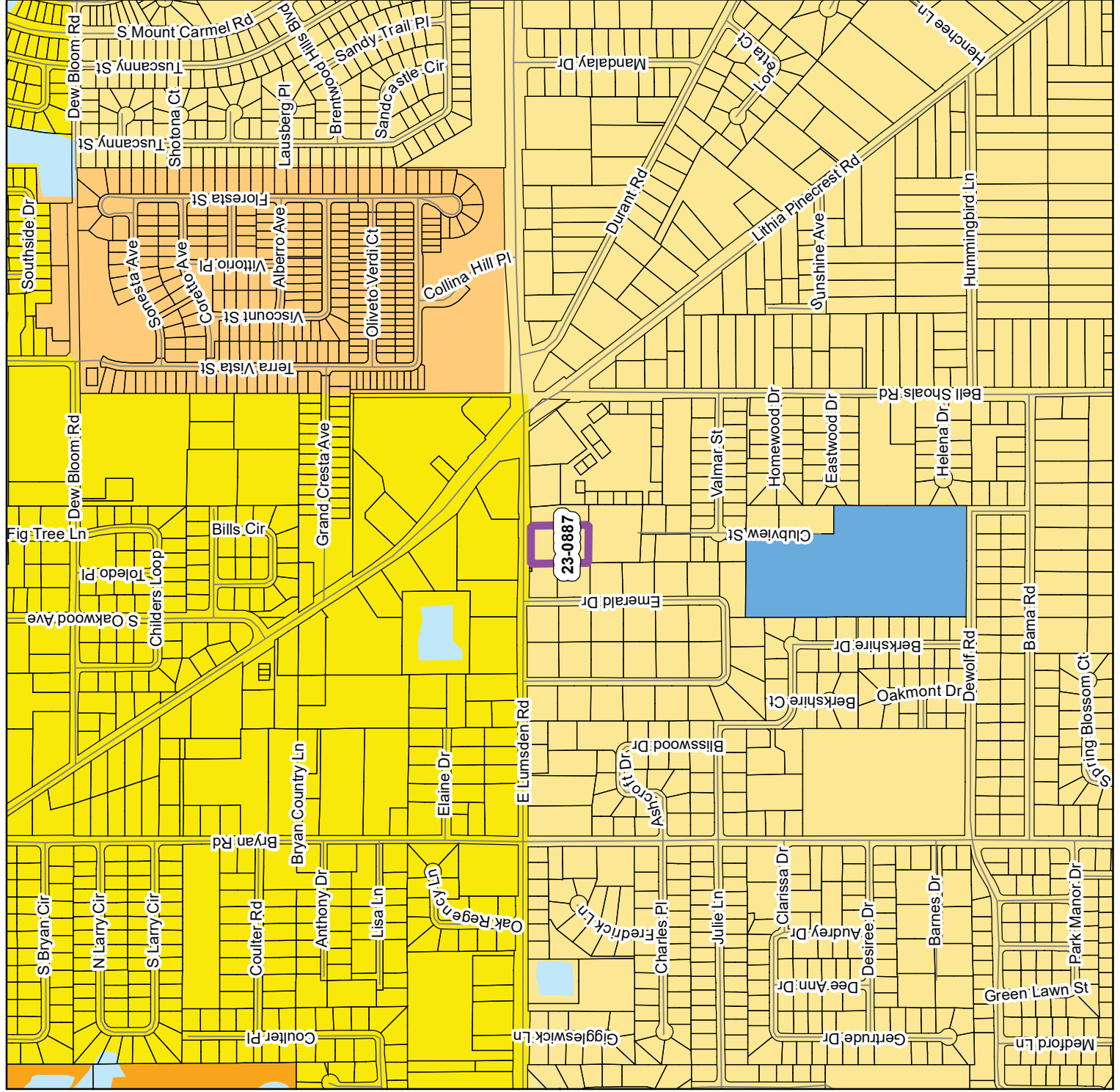
Based upon the above considerations, the Planning Commission staff finds the proposed Major Modification **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*, subject to the Conditions of Approval proposed by Hillsborough County Development Services.

HILLSBOROUGH COUNTY FUTURE LAND USE RZ MM 23-0887



DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The information on this map is for informational purposes only. It is intended that the user of this map will verify the accuracy of the information shown on this map with the appropriate authority. ACCURACY: It is intended that the user of this map will verify the accuracy of the information shown on this map with the appropriate authority. Hillsborough County City-County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.

Map Printed from Rezoning System: 8/18/2023
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HCGreg_hReZoning - Copy.mxd





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 03/15/2024

REVIEWER: James Ratliff, AICP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: BR/ Central

PETITION NO: MM 23-0887

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

NEW AND REVISED CONDITION OF APPROVAL

Revised Conditions

8. [For Parcel B](#), ~~T~~the general design, location, and number of the access point(s) may be as shown on the General Site Plan, but shall be regulated by the Hillsborough County Access Management regulations. The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department. Final design, if approved by Hillsborough County Planning and Growth Management Department, but is not limited to left turn lanes, acceleration lanes and deceleration lanes.

[Staff is proposing to modify this condition to reflect the proposed access changes and to comport with current practice.]

9. Vehicular and pedestrian [access](#)/ cross-access shall be provided internal to the development as well as between the subject site and the commercial site to the east.

[Concurrent with relocation/construction of the eastern cross access driveway, the developer shall remove the existing cross access driveway stubout and restore the curb unless otherwise required for emergency access purposes by the Hillsborough County Fire Marshall. [THIS PORTION OF THE CONDITION HAS BEEN SATISFIED](#).]

~~9.~~ -In such instance, the existing driveway may remain; however, access shall be restricted using a breakaway gate, breakaway bollards, gate with Knox-box, or another method meeting Hillsborough County Fire Marshall standards.

[Staff is proposing to modify this condition to conform with current language/terminology. The eastern "cross access" currently serves as primary access for the Parcel B uses. Additionally, when the referenced "eastern cross access driveway" connection was constructed, it was determined that the "existing cross access driveway stubout" would remain as an emergency access connection, and the site was approved/constructed accordingly. As such, staff has modified the condition for clarify, i.e. to reflect that the decision referenced in the existing

condition language (i.e. whether to keep or remove the existing connection) has already been made/implemented)].

New Conditions

- If MM 23-0617 is approved, the County Engineer will approve a Sec. 6.04.02.B. Administrative Variance (dated January 18, 2024) which has been found approvable by the County Engineer (on March 7, 2024). Approval of this Administrative Variance will waive the Lumsden Rd. substandard road improvements required by Sec. 6.04.03.L. of the LDC.
- If MM 23-0887 is approved, the County Engineer will approve a Sec. 6.04.02.B. Administrative Variance (dated January 18, 2024) from the LDC Sec. 6.04.07 access spacing requirements for the project's Lumsden Rd. access (to folio 72459.0000), which has been found approvable by the County Engineer (on March 7, 2024). Approval of this Administrative Variance will permit a +/- +/- 130-foot reduction of the minimum access spacing between the above referenced access and the next closest access to the east, resulting in an access spacing of +/- 115 feet.

PROJECT SUMMARY AND TRIP GENERATION

The applicant is proposing a Major Modification (MM) to a previously approved Planned Development (PD) #00-0457, as most recently amended via MM 17-1020. The project consists of two parcels totaling +/- 2.75 ac. The modification area consists of a single +/- 1.78 ac. parcel. The zoning is presently approved for 30,165 s.f. of Business Professional Office (BPO) uses. The applicant is seeking to modify Parcel A within the PD to add the following additional uses:

- a. Automated Teller (ATM)
- b. Bicycle Repair
- c. Bicycle Sales
- d. Dry Cleaners Small
- e. Dry Cleaners, General
- f. Electric/Electronic Repair, Large
- g. Electric/Electronic Repair, Small
- h. Exterminator
- i. Florist Shop
- j. Furniture Refinishing, Repair and Upholstery
- k. Furniture/Home Furnishings
- l. Hardware Store
- m. Jewelry Store
- n. Locksmith
- o. Office Equipment Sales
- p. Pet Shop
- q. Recreational Uses, General Indoor/Outdoor
- r. Sporting Goods Store
- s. Swimming Pools
- t. Watch, Clock, Jewelry Repair

The applicant is also proposing to eliminate a project access connection to Lumsden Rd., as further discussed below.

Consistent with Sec. 6.2.1.C. of the Development Review Procedures Manual (DRPM), staff has waived the required transportation analysis. In doing so, staff evaluated each of the proposed additional uses proposed by the applicant and determined them to generate peak hour trips in an equal of lesser amount

than the already approved uses within Parcel A (i.e. all additional uses generate the same or fewer trips as Medical Office uses, which is assumed to be the highest generating BPO use (which is already approved). Additionally, the project's access already has turn lanes serving the site which are sufficient to serve the proposed project. Given this, staff determined that a traditional trip generation and site access analysis would be of little to no benefit. Staff has prepared the below comparison of the trip generation potential of development of the subject property, under the existing and proposed rezonings, utilizing a generalized worst-case scenario. Data presented below is based on the 11th Edition of the Institute of Transportation Engineer's Trip Generation Manual.

Existing Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Parcel A: +/- 20,364 s.f. Medical Office Uses (ITE Code 720)	766	57	80
Parcel B: +/- 9,801 s.f. Auto Care Center Uses (ITE Code 942)	350 (Est.)	22	35
Subtotal:	1,116	79	115

Proposed Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Parcel A: +/- 20,364 s.f. Medical Office Uses (ITE Code 720)	766	57	80
Parcel B: +/- 9,801 s.f. Auto Care Center Uses (ITE Code 942)	350 (Est.)	22	35
Subtotal:	1,116	79	115

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	No Change	No Change	No Change

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Lumsden Rd. is a 4-lane, divided, substandard, arterial roadway characterized by +/- 11 to 12-foot wide travel lanes in average condition. There are no bicycle facilities on Lumsden Rd. in the vicinity of the proposed project. There are +/- 4-foot-wide to 5-foot-wide sidewalks along portions both sides of Lumsden Rd. in the vicinity of the proposed project.

SITE ACCESS CONSIDERATIONS

The applicant is proposing to eliminate the proposed connection to Lumsden Rd. Sole legal access to the parcel will be via the Shared Access Facility within the PD that is adjacent and east of the subject PD (i.e. PD 19-0034). This decision was made after an examination of the roadway configuration and available

right-of-way on Lumsden Rd. in the vicinity of the proposed project. Specifically, it is generally not permissible for projects to take access to a roadway from within a turn lane, but particularly so when the location of such access (and lack of available right-of-way) makes it impossible to extend the turn lane such that the a turn lane extension which can provide the required queue, deceleration and taper lengths necessary to provide for the safe entry and deceleration within the turn lane. In this case, it was determined that such extension was not possible given lack of right-of-way, roadway configuration and/or adjacent parcel access, and that safer access for the project would be via the sole connection which currently serves the existing Parcel B uses.

ADMINISTRATIVE VARIANCE #1 – SUBSTANDARD ROAD

Lumsden Rd. is a substandard arterial roadway. The applicant’s Engineer of Record (EOR) submitted a Section 6.04.02.B Administrative Variance request (dated January 18, 2024) from the Section 6.04.03.L. requirement whereby an applicant is required to improve a substandard roadway, between its project access and nearest roadway meeting an applicable standard, to current County standards. Based on factors presented in the Administrative Variance request, the County Engineer found the request approvable (on March 7, 2024). If this rezoning is approved by the Hillsborough County Board of County Commissioners, the County Engineer will approve the above referenced Administrative Variance Request. If approved, no substandard road improvements on Lumsden Rd. will be required.

ADMINISTRATIVE VARIANCE #2 – ACCESS SPACING

The applicant’s Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated January 18, 2024) from the Section 6.04.07 LDC requirement, governing access spacing. The Hillsborough County LDC requires a minimum connection spacing of 245 feet for a Class 5 roadway with a posted speed of 45 miles per hour or less. Staff notes that while the applicant’s request letter incorrectly identified the base standard by utilizing standards for a Class 5 facility with a posted speed of greater than 45 mph, the end result remains unchanged (however the letter overstates the amount of the required variance by an additional 85 feet). The applicant is seeking a variance, relative to its proposed project access, of +/- 130 feet from the closest driveway to the east on the same (south) side of the roadway. If approved, this would result in an access spacing of +/- 115 ft.

Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on March 7, 2024.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway sections is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Lumsden Rd.	Kings Ave.	Lithia Pinecrest Rd.	D	C

Source: Hillsborough County 2020 Level of Service Report.

Ratliff, James

From: Williams, Michael
Sent: Thursday, March 7, 2024 12:27 PM
To: McNeal, Christopher
Cc: Carla Sansone; Lampkin, Timothy; Ratliff, James; Tirado, Sheida; PW-CEIntake; De Leon, Eleonor
Subject: FW: MM 23-0887 - Administrative Variance Review
Attachments: 23-0887 AVReq 01-18-24_1.pdf; 23-0887 AVReq 01-18-24_2.pdf

Importance: High

Chris,

I have found the attached Section 6.04.02.B. Administrative Variances (AV) for PD 23-0887 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (DeLeonE@hcfl.gov or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

If the BOCC denies the PD zoning or PD zoning modification request, staff will request that you withdraw the AV/DE. In such instance, notwithstanding the above finding of approvability, if you fail to withdraw the request, I will deny the AV/DE (since the finding was predicated on a specific development program and site configuration which was not approved).

Once I have signed the document, it is your responsibility to submit the signed AV/DE(s) together with your initial plat/site/construction plan submittal. If the project is already in preliminary review, then you must submit the signed document before the review will be allowed to progress. Staff will require resubmittal of all plat/site/construction plan submittals that do not include the appropriate signed AV/DE documentation.

Lastly, please note that it is critical to ensure you copy all related correspondence to PW-CEIntake@hcfl.gov

Mike

Michael J. Williams, P.E.

Director, Development Review

County Engineer

Development Services Department

P: (813) 307-1851

M: (813) 614-2190

E: Williamsm@HCFL.gov

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Tirado, Sheida <TiradoS@hcfl.gov>
Sent: Tuesday, March 5, 2024 5:56 PM
To: Williams, Michael <WilliamsM@hcfl.gov>
Cc: De Leon, Eleonor <DeLeonE@hcfl.gov>
Subject: MM 23-0887 - Administrative Variance Review
Importance: High

Hello Mike,

The attached AVs are approvable to me, please include the following people in your response:

cmcneal@mcnealengineering.com
csansone@mcnealengineering.com
lampkint@hcfl.gov
ratliffja@hcfl.gov

Best Regards,

Sheida L. Tirado, PE
Transportation Review Manager
Development Services Department

P: (813) 276-8364
E: tirados@hcfl.gov
W: HCFLGov.net

Hillsborough County
601 E. Kennedy Blvd., Tampa, FL 33602

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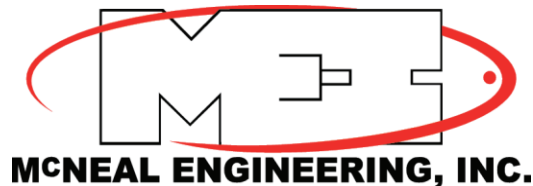
**Hillsborough
County Florida**
Development Services

Supplemental Information for Transportation Related Administrative Reviews

Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at padroni@hcpaf.fl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<input checked="" type="checkbox"/> Section 6.04.02.B. Administrative Variance <input type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	<input checked="" type="checkbox"/> New Request <input type="checkbox"/> Revised Request <input type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input checked="" type="checkbox"/> 1. 1/18/2024 Substandard Road <input type="checkbox"/> 4. <input type="checkbox"/> 2. <input type="checkbox"/> 5. <input type="checkbox"/> 3. <input type="checkbox"/> 6.
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>	
Project Name/ Phase	Watermelon Swim #7
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>	
Folio Number(s)	072462.0000
<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers	
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").</p>	
Name of Person Submitting Request	McNeal Engineering c/o Christopher S. McNeal
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>	
Current Property Zoning Designation	PD 00-0457, MM 17-1020
<p>Important: For Example, type "Residential Multi-Family Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>	
Pending Zoning Application Number	MM 23-0887
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>	
Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	



Hillsborough County
Development Services
601 E Kennedy Blvd 20th Floor
Tampa, FL 33602

Re: **WATERMELON SWIM #7**
E. Lumsden Road
Hillsborough County
Folio # 072462.0000
MM 23-0887

Attn: Mr. Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 23-042
January 18, 2024

ADMINISTRATIVE VARIANCE - EXISTING FACILITIES

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.03.L, Existing Facilities.

Our client is requesting a revision to the PD of this parcel to allow for Business Professional Office (BPO) uses be replaced with all uses permitted within the BPO zoning district, "Plus" the following additional uses:

- a. Automated Teller (ATM)
- b. Bicycle Repair
- c. Bicycle Sales
- d. Dry Cleaners Small
- e. Dry Cleaners, General
- f. Electric/Electronic Repair, Large
- g. Electric/Electronic Repair, Small
- h. Exterminator
- i. Florist Shop
- j. Furniture Refinishing, Repair and Upholstery
- k. Furniture/Home Furnishings
- l. Hardware Store
- m. Jewelry Store
- n. Locksmith
- o. Office Equipment Sales
- p. Pet Shop
- q. Recreational Uses, General Indoor/Outdoor
- r. Sporting Goods Store
- s. Swimming Pools
- t. Watch, Clock, Jewelry Repair

Mr. Michael J. Williams, PE
WATERMELON SWIM #7
MEI File # 23-042
January 18, 2024
Page 2 of 3

We understand that the proposed application is being reviewed in accordance with current code standards, and as such, are requesting a variance from the above-mentioned section for Existing Facilities. Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below for the variance requested.

6.04.03.L Improvement of Existing Facility

Lumsden Road adjacent to this project, is a 4-lane divided urban arterial road that has approximately 81 feet of pavement. This includes a WB Left Turn Lane, dual EB Right Turn Lanes, a 3-foot Traffic Separator, and Sidewalks on both sides of the road. Per Hillsborough County's TTM TS-6, the roadway adjacent to the proposed access is deficient of buffered bike lanes, and in-sufficient right-of-way. The posted speed is 45 MPH. The surrounding land use serves mostly commercial.

Our responses to review criteria a, b, and c are as follows:

- (a) The current code would require that Lumsden Road adhere to the closest County Standard, TS-6. There is currently insufficient right-of-way to construct the improvements required to bring the subject road up to current county standards (i.e. addition of 7-foot buffered bicycle lanes). In addition, this roadway segment was recently improved, and bike lanes were not included along this corridor. To provide a short bike lane segment on one side of the road only would be a financial burden to the client, as well as a safety hazard.
- (b) The existing shared private access driveway does not appear to produce conflicts in its current location with access to E Lumsden Road. Pedestrian access will be provided both internally for the proposed project, and to the current pedestrian features on Lumsden Road.
- (c) The existing shared private access location would provide reasonable access for the proposed Zoning Modification. Without use of the shared private access location, the proposed use of the parcel is not feasible.

Mr. Michael J. Williams, PE
WATERMELON SWIM #7
MEI File # 23-042
January 18, 2024
Page 3 of 3

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, PE
MCNEAL ENGINEERING, INC.

c: WMS Realty Brandon LLC c/o Micha Seal *via* email

Based on the information provided by the applicant, this request is:

- _____ Approved
- _____ Approved with Conditions
- _____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, PE at (813) 276-8364.

Sincerely,

Mr. Michael J. Williams, PE
Hillsborough County Engineer



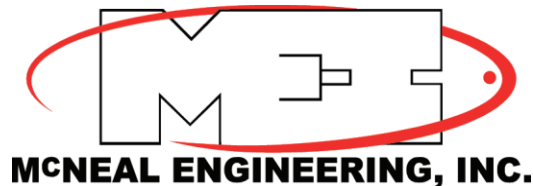
**Hillsborough
County Florida**
Development Services

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- All responses must be typed.
- Please contact Ingrid Padron at padroni@hcpaf.fl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<input checked="" type="checkbox"/> Section 6.04.02.B. Administrative Variance <input type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	<input checked="" type="checkbox"/> New Request <input type="checkbox"/> Revised Request <input type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input checked="" type="checkbox"/> 1. 1/18/2024 Driveway Spacing <input type="checkbox"/> 4. <input type="checkbox"/> 2. <input type="checkbox"/> 5. <input type="checkbox"/> 3. <input type="checkbox"/> 6.
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>	
Project Name/ Phase	Watermelon Swim #7
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>	
Folio Number(s)	072462.0000
<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers	
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").</p>	
Name of Person Submitting Request	McNeal Engineering c/o Christopher S. McNeal
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>	
Current Property Zoning Designation	PD 00-0457, MM 17-1020
<p>Important: For Example, type "Residential Multi-Family Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>	
Pending Zoning Application Number	MM 23-0887
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>	
Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	



Hillsborough County
Development Services
601 E Kennedy Blvd 20th Floor
Tampa, FL 33602

Re: **WATERMELON SWIM #7**
E. Lumsden Road
Hillsborough County
Folio #072462.0000
MM 23-0887

Attn: Mr. Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 23-042
January 18, 2024

REQUEST FOR ADMINISTRATIVE VARIANCE - ACCESS SPACING

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.07, Minimum Spacing.

Our client is requesting a revision to the PD of this parcel to allow for Business Professional Office (BPO) uses be replaced with all uses permitted within the BPO zoning district, "Plus" the following additional uses:

- a. Automated Teller (ATM)
- b. Bicycle Repair
- c. Bicycle Sales
- d. Dry Cleaners Small
- e. Dry Cleaners, General
- f. Electric/Electronic Repair, Large
- g. Electric/Electronic Repair, Small
- h. Exterminator
- i. Florist Shop
- j. Furniture Refinishing, Repair and Upholstery
- k. Furniture/Home Furnishings
- l. Hardware Store
- m. Jewelry Store
- n. Locksmith
- o. Office Equipment Sales
- p. Pet Shop
- q. Recreational Uses, General Indoor/Outdoor
- r. Sporting Goods Store
- s. Swimming Pools
- t. Watch, Clock, Jewelry Repair

Mr. Michael J. Williams, PE
WATERMELON SWIM #7
MEI File # 23-042
January 18, 2024
Page 2 of 3

We understand that the proposed application is being reviewed in accordance with current code standards, and as such, are requesting a variance from the above-mentioned section for access spacing. Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below for the variance requested.

6.04.07 Access Spacing

We are requesting a variance to reduce the required access spacing for a Class 5 roadway from 330 feet (per LDC) to approximately 115 feet. This is the separation between the existing shared private driveway which services the project site and the existing CVS driveway to the east, on the same side of the road. The driveway on the opposite (WB) side of the roadway was not included in this evaluation, as it is restricted by a raised traffic separator.

The proposed access location for Parcel Area "A" would use the existing Parcel Area "B" shared private access to E Lumsden Road. Lumsden Road adjacent to this this project, is a 4-lane Divided Urban Arterial Roadway, with dedicated Turn Lanes, Curb and Gutter and Sidewalk on both sides of the road. The posted speed is 45 MPH. The land use is mostly Commercial.

Our responses to review criteria a, b, and c are as follows:

- (a) The frontage of this parcel is in the area of the existing EB dual right turn lanes on Lumsden Road, near the Intersection with Lithia Pinecrest Road. The parcel is currently approved to have a direct connection to Lumsden Road. Safety concerns regarding the location of the approved access with regards to the existing EBRTLs generate the desire to remove this access point. Parcel Area "A" access is proposed to be through the existing private shared access across and along the east side of Parcel Area "B" as shown on the approved General Site Plan (MM 17-1020). There are no other financially feasible alternatives for access.
- (b) The existing shared private access driveway does not appear to produce conflicts in its current location with access to E Lumsden Road. Pedestrian access will be provided both internally for the proposed project, and to the current pedestrian features on E Lumsden Road.
- (c) The existing shared private access location would provide reasonable access for the proposed Zoning Modification. Without use of the shared private access location, the proposed use of the parcel is not feasible.

Mr. Michael J. Williams, PE
WATERMELON SWIM #7
MEI File # 23-042
January 18, 2024
Page 3 of 3

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, PE
MCNEALENGINEERING, INC.

c: WMS Realty Brandon LLC c/o Micha Seal *via* email

Based on the information provided by the applicant, this request is:

_____ Approved

_____ Approved with Conditions

_____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, PE at (813) 276-8364.

Sincerely,

Mr. Michael J. Williams, PE
Hillsborough County Engineer

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Lumsden Rd.	County Arterial - Urban	4 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	1,116	79	115
Proposed	1,116	79	115
Difference (+/-)	No Change	No Change	No Change

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Pedestrian	None	Meets LDC
South		None	None	Meets LDC
East	X	Vehicular & Pedestrian	Vehicular & Pedestrian	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Lumsden Rd./ Substandard Road	Administrative Variance Requested	Approvable
Lumsden Rd./ Access Spacing	Administrative Variance Requested	Approvable
Notes:		

Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input checked="" type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

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AGENCY COMMENT SHEET

REZONING	
HEARING DATE: 11/13/2023 PETITION NO.: 23-0887 EPC REVIEWER: Melissa Yanez CONTACT INFORMATION: (813) 627-2600 X1360 EMAIL: yanezm@epchc.org	COMMENT DATE: 8/28/2023 PROPERTY ADDRESS: E Lumsden Rd, Brandon, FL 33511 FOLIO #: 072462-0000 STR: 35-29S-20E
REQUESTED ZONING: Modification to PD - Changing land use to CG	
FINDINGS	
WETLANDS PRESENT	NO
SITE INSPECTION DATE	NA
WETLAND LINE VALIDITY	NA
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	NA - Desktop review, soil survey and EPC file search.
INFORMATIONAL COMMENTS: Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) reviewed aerials, soil surveys, and historical records, to determine the limits of wetlands and other surface waters regulated by Chapter 1-11, Wetlands, Rules of the EPC. The review revealed that no wetlands or other surface waters exist within the above referenced parcel. Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a "WDR30 - Delineation Request Application". Once approved, the formal wetland delineation would be binding for five years.	

my /cb

ec: WMS Realty Brandon LLC - micha.seal@watermelonswim.com
McNeal Engineering c/o Christopher S. McNeal - Permitting@mcnealengineering.com



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

TO: Zoning Review, Development Services

DATE: 11/01/2023

REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator

APPLICANT: WMS Realty Brandon LLC

PETITION NO: 23-0887

LOCATION: E Lumsden Rd

FOLIO NO: 72462.0000

Estimated Fees:

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

Industrial (Per 1,000 s.f.) Mobility: \$4,230.00 Fire: \$57.00	Retail - Shopping Center (Per 1,000 s.f.) Mobility: \$13,562.00 Fire: \$313.00	Warehouse (Per 1,000 s.f.) Mobility: \$1,377.00 Fire: \$34.00
Bank w/Drive Thru (Per 1,000 s.f.) Mobility: \$20,610.00 Fire: \$313.00	Retail - Fast Food w/Drive Thru (Per 1,000 s.f.) Mobility: \$104,494.00 Fire: \$313.00	Mini-Warehouse (Per 1,000 s.f.) Mobility: \$725.00 Fire: \$32.00

Project Summary/Description:

Urban Mobility, Central Fire - replace current BPO with CG, non specific uses, no square footage provided

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 30 Aug. 2023

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

APPLICANT: Chris McNeal

PETITION NO: MM 23-0887

LOCATION: E. Lumsden Rd., Brandon, FL 33511

FOLIO NO: 72462.0000

SEC: 35 TWN: 29 RNG: 20

- This agency has no comments.

- This agency has no objection.

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

- This agency objects, based on the listed or attached conditions.

COMMENTS: _____.

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

PETITION NO.: MM 23-0887 **REVIEWED BY:** Clay Walker, E.I. **DATE:** 8/28/2023

FOLIO NO.: 72462.0000

WATER

- The property lies within the _____ Water Service Area. The applicant should contact the provider to determine the availability of water service.
- A 6 inch water main exists (adjacent to the site), (approximately ___ feet from the site) and is located north of the subject property within the south Right-of-Way of East Lumsden Road. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

WASTEWATER

- The property lies within the _____ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- A 12 inch wastewater force main exists (adjacent to the site), (approximately feet from the site) and is located north of the subject property within the south Right-of-Way of East Lumsden Road. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

COMMENTS: The subject rezoning includes parcels that are within the Urban Service Area and would require connection to the County's potable water and wastewater systems. The subject area is located within the Hillsborough County Wastewater Service Area and will be served by the Falkenburg Wastewater Reclamation Facility. If all of the development commitments for the referenced facility are added together, they would exceed the existing reserve capacity of the facility. However, there is a plan in place to address the capacity prior to all of the existing commitments connecting and sending flow to the referenced facility. As such, an individual permit will be required based on the following language noted on the permits: The referenced facility currently does not have, but will have prior to placing the proposed project into operation, adequate reserve capacity to accept the flow from this project.



Agency Review Comment Sheet

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

TO: Zoning Review, Development Services **REQUEST DATE:** 8/8/2023

REVIEWER: Kim Cruz, Environmental Supervisor **REVIEW DATE:** 8/10/2023

APPLICANT: WMS Realty Brandon LLC **PID:** 23-0887

LOCATION: East Lumsden Rd Brandon, FL 33511

FOLIO NO.: 72462.0000

AGENCY REVIEW COMMENTS:

Based on the most current data, the project is not located within a Wellhead Resource Protection Area (WRPA), Surface Water Resource Protection Area (SWRPA), and/or a Potable Water Wellfield Protection Area (PWWPA), as defined in Part 3.05.00 of the Land Development Code. Hillsborough County Environmental Services Division (EVSD) has no objection.



**GENERAL
SITE PLAN
FOR
CERTIFICATION**



**Hillsborough
County Florida**

DEVELOPMENT SERVICES

PO Box 1110, Tampa, FL 33601-1110
(813) 272-5600

**HILLSBOROUGH COUNTY
DEVELOPMENT SERVICES DEPARTMENT**

GENERAL SITE PLAN REVIEW/CERTIFICATION

**BOARD OF COUNTY
COMMISSIONERS**

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Harry Cohen
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Michael Owen
Joshua Wostal

COUNTY ADMINISTRATOR

Bonnie M. Wise

COUNTY ATTORNEY

Christine M. Beck

COUNTY INTERNAL AUDITOR

Peggy Caskey

DEPUTY COUNTY ADMINISTRATOR

Gregory S. Horwedel

Project Name: Corporex Business Park

Zoning File: PD 84-0177 Modification: PRS 23-0877

Atlas Page: None Submitted: 04/23/2024

To Planner for Review: 04/23/2024 Date Due: 04/30/2024

Contact Person: Jacob Cremer Phone: 813.223.4800/jcremer@stearnsweaver.com

Right-Of-Way or Land Required for Dedication: Yes No

The Development Services Department HAS NO OBJECTION to this General Site Plan.

The Development Services Department RECOMMENDS DISAPPROVAL of this General Site Plan for the following reasons:

Reviewed by: Tim Lampkin Date: 4-23-24

Date Agent/Owner notified of Disapproval: _____



VERBATIM TRANSCRIPT

1 MS. HEINRICH: Our next application is Item D.3, Major
2 Mod 23-0887. The applicant is requesting a modification of
3 PD 00-0457. Tim Lampkin with Development Services will provide
4 Staff findings after the applicant's presentation.

5 And you should have received a revised Staff Report,
6 but Tim can comment on.

7 HEARING OFFICER: I did. Thank you so much.

8 Is the applicant here? Good evening.

9 MR. McNEAL: Good evening. Chris McNeal, McNeal
10 Engineering, 15957 North Florida Avenue in Lutz, Florida on
11 behalf of the applicant.

12 HEARING OFFICER: Go ahead.

13 MR. McNEAL: Okay. I'm going to slide over here to
14 the --

15 Okay. Very good. The project site is located here at
16 Lumsden, SW corner of Lumsden and Lithia Pinecrest just a little
17 west of that intersection. Here's an overhead aerial of that
18 site that's located here. It's paired with as it's identified
19 as Partial A and paired with this parcel here, which is
20 identified as Partial B within one PD.

21 This area is highlighted as the building footprint
22 area that we're proposing to be the envelope. The square
23 footage has been limited there also. Another change to the plan
24 is in regard to access on this side. And I'll address that here
25 in just a minute a little further.

1 Along the south side, there's a residential area
2 there. And this was addressed as -- as part of the Partial B's
3 modification previously. They constructed a six-foot high
4 masonry wall and then proposed some additional buffering on the
5 south end of just 20 feet. Actually, there was a 20 feet Type B
6 buffer and we proposed this to be an increase. And above that
7 is Type C to provide some additional buffering. I also talked
8 with the neighbor there and I don't believe that -- I -- I know
9 I was expecting her to come tonight, but I don't know if she's
10 here or not. But she -- she did not appear object -- in
11 opposition of the case. And no other calls had been received.

12 This is the -- a shared access here that it was -- it
13 will be the access for the site. Previously, there was an
14 access point connection here directly to Lumsden as part of the
15 previous PD, which has been removed from this plan. To do that,
16 that was done for safety reasons. But to do that, the -- we
17 needed to have -- well, I guess for this driveway connection, we
18 still needed it as well. So we have an administrative variance
19 for the driveway spacing on Lumsden, just having the -- the
20 additional one here would have been even more -- even worse. So
21 that was found to be an approvable state. Additional
22 administrative variance was also requested for the improvements
23 along Lumsden, given the -- there's -- the roadway is developed
24 and -- and on that side, it's been maximized. There's really no
25 other improvements that could made -- be made out there.

1 The site is serviced by county water and sewer.
2 That's been pleasure to work with staff to get it to this point.
3 I'm not sure if there's any other information. I'm here --
4 available for questions should you have any.

5 HEARING OFFICER: Just real quick, just to verify
6 the -- the major mod only applies to Parcel A?

7 MR. McNEAL: Yes, ma'am.

8 HEARING OFFICER: That's correct. And then that
9 access to Lumsden is removed, but then accesses to the south
10 to -- through Parcel B and then up to Lumsden through that
11 section, is that correct.

12 MR. McNEAL: That is correct.

13 HEARING OFFICER: Okay. That was my only question.

14 MR. McNEAL: Yes, ma'am.

15 HEARING OFFICER: Thank you so much. If you could
16 please sign in with the clerk's office.

17 Development Services. Good evening.

18 MR. LAMPKIN: Good evening. Tim Lampkin,
19 Development Services.

20 Would you like me to go over to the revised Staff
21 Report --

22 HEARING OFFICER: If you could just --

23 MR. LAMPKIN: -- the revisions?

24 HEARING OFFICER: Hit the highlights of what the
25 revisions are.

1 MR. LAMPKIN: The revision has to do with the -- that
2 access off of Lumsden Drive was removed and now it's going to
3 Parcel B to the east.

4 HEARING OFFICER: And that's it?

5 MR. LAMPKIN: That's it.

6 HEARING OFFICER: Okay. Perfect. Thank you.

7 MR. LAMPKIN: And it's just on the summary page that
8 additional change and on page, what is it, don't have the page.
9 In the compatibility section.

10 So the applicant's requesting a major modification to
11 the previously approved plan development to permit limited
12 commercial uses in addition to the already approved PD zoning
13 district uses, increase the maximum building height and reduce
14 the maximum square footage. This property is located on the
15 south side of east Lumsden Road. It's approximately 500 feet
16 west of Lithia Pinecrest Road in Brandon, excuse me.

17 The subject site is currently vacant. Next door is
18 auto repair located within Parcel B of the same PD, as the
19 subject site is located to the immediate west of that.
20 Commercial uses located to the west, north and further east of
21 the subject site are varied commercial uses, single-family
22 dwelling units are located directly to the southwest and south
23 of the subject site. The applicant is proposing to allow an
24 increase in the maximum building height from 20 feet to 25 feet
25 and subject to the two for one setback requirement and they are

1 not requesting a waiver of that.

2 The additional commercial uses shall be limited to, so
3 this is conditioned in condition one. Would you like me to go
4 over those uses? They are all listed out in condition one.

5 HEARING OFFICER: Let me just get there and see. Oh,
6 I do see. Yeah. No, you don't need to list them. I see
7 them --

8 MR. LAMPKIN: Okay.

9 HEARING OFFICER: -- in the report.

10 MR. LAMPKIN: Okay, good. And these additional trip
11 uses were identified by DSD zoning and transportation staff as
12 being a trip generation neutral uses relative to the currently
13 approved uses. So that's how -- and uses that the applicant
14 requested. So some of the uses the applicant initially
15 requested were, like, weren't trip neutral, so then they are not
16 included.

17 The applicant did not request any variations. The
18 Land Development Code part 6.06.00. And the -- to the immediate
19 south and southwest is RSC-6 and RSC-2 and their development of
20 single-family homes. The applicant would normally be required
21 to provide a 20-foot landscape buffer with Type B screening
22 along the southwest in the entire southern portion of the site.
23 However, there is an existing condition for that requires a more
24 intense screen along the southern perimeter of the property to
25 include a 20-foot wide landscape buffer with Type C screening,

1 which shall include a masonry wall. And the applicant proposes
2 to maintain that. It doesn't propose to change that condition.

3 The adjacent property to the immediate east is also
4 developed with an auto repair business and also has that masonry
5 wall on the southern perimeter. Staff does find the proposal --
6 the additional compatibility buffers compatible with the
7 existing development pattern with the additional buffer
8 requirements. The site will comply to all their applicable
9 policies and regulations, including but not limited to the
10 Hillsborough Land Development Code and subject to the proposed
11 conditions of approval and the comprehensive plan.

12 Based upon the above, Staff finds the request
13 approvable. And that concludes Staff's presentation unless you
14 have any questions.

15 HEARING OFFICER: Nothing further. Thank you so much.

16 MR. LAMPKIN: Thank you.

17 HEARING OFFICER: Appreciate it.

18 Planning Commission.

19 MS. PAPANDREW: Andrea Papandrew, Planning Commission
20 Staff. The site is the Residential-4 Future Land Use Category
21 in the urban service area and with the Brandon Community Plan.
22 Staff's report is based on the information we had as of
23 March 13th when we filed. Policy 1.4 requires all new
24 developments to be compatible the surrounding area. There is
25 currently an auto repair shop located to the east and a law

1 office to the west. The nature of each requested use is
2 compatible with these existing uses.

3 Proposal also includes buffering screening measures to
4 ensure compatibility with the single-family dwelling units to
5 the west and south. Objective 16 in it's policies require the
6 protection of existing neighborhoods through various site
7 planning techniques. The site building will be on the north
8 side of the parcel directly across, excuse me, directly along
9 East Lumsden Road. The southern portion of the site will
10 include parking and buffering screening areas, which will help
11 ensure an adequate transition between commercial and residential
12 uses.

13 The site also meets Policy 16.5, as it is located
14 directly on an arterial roadway and will not impede on the
15 residential neighborhood to the south. The site meets
16 commercial locational of criteria as outlined in Objective 22,
17 is entirely within the 900-foot distance from the intersection
18 of East Lumsden Road and Lithia Pinecrest Road. Per Policy
19 22.2, the maximum allowable square footage for the intersection
20 quadrant 175,000 square feet. And the applicant has provided
21 materials showing that adding the proposed square feet would
22 total 101,125 square feet for the intersection. So it is
23 compatible and consistent with Policy 22.2. And the proposed is
24 also consistent with Policy 22.5.

25 The community design component, provides guidance on

1 development and it states that they should can reflect the
2 predominant character of their surroundings. The development to
3 the immediate east and west reflects a mostly commercially use
4 pattern in the areas to the southwest and south are primarily
5 residential. Placing the reposed building towards East Lumsden
6 Road near the existing commercial uses and incorporated
7 buffering and screening meets this policy -- meets these
8 policies.

9 Goal 8 of the Brandon Community Plan seeks to buffer
10 and transition uses in concentric circles with the most intense
11 uses in the area at a node. The request offers an adequate
12 transition of use for this intersection. The site is also
13 located within the suburban character district, which consists
14 primarily of single-family detached homes, as well as mixed use
15 development at certain intersection locations. And the proposed
16 does not conflict with the intent of this character district.

17 Based upon the above considerations, Planning
18 Commission Staff finds the proposed major modification
19 consistent with the Unincorporated Hillsborough County
20 Comprehensive Plan, subject to the conditions proposed by
21 Development Services Department of Hillsborough County.

22 HEARING OFFICER: Thank you so much.

23 Is there anyone in the room or online that would like
24 to speak in support? Anyone in favor? I'm hearing no one.

25 Anyone in opposition to this request? No one.

1 Ms. Heinrich, anything else?

2 MS. HEINRICH: No, ma'am.

3 HEARING OFFICER: All right. Mr. McNeal, you have the
4 last word if you'd like it.

5 MR. McNEAL: Thank you, Ms. Finch. I just wanted to
6 add, I know, Mr. Lampkin had mentioned that some of the uses
7 were removed to obtain a trip mutual and that's true, but there
8 were also some additional uses that were moved because the
9 applicant just didn't feel like it would be good in that area.
10 So I know there were quit a few knockdown for that as well. So
11 there -- I think they'll be a great neighbor for the area and
12 look forward to having them there.

13 HEARING OFFICER: All right.

14 MR. McNEAL: Thank you.

15 HEARING OFFICER: Thank you for that information. I
16 appreciate it.

17 Wit that, we'll close Major Modification 23-0887 and
18 go to the next case.

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ZHM Hearing
February 20, 2024

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

-----X
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IN RE:)
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ZONE HEARING MASTER)
HEARINGS)
)
-----X

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: Susan Finch
Land Use Hearing Master

DATE: Tuesday, February 20, 2024

TIME: Commencing at 6:00 p.m.
Concluding at 11:46 p.m.

LOCATION: Hillsborough County BOCC
601 East Kennedy Boulevard
Second Floor Boardroom
Tampa, Florida 33601

Reported by:
Diane DeMarsh, AAERT No. 1654
DIGITAL REPORTER

1 ZHM Hearing.

2 Item A.4, Standard Rezoning 23-0771. This application
3 is being withdrawn from the ZHM process.

4 Item A.5, PD 23-0778. This application is being
5 continued by the applicant to the March 25, 2024 ZHM Hearing.

6 Item A.6, PD 23-0780. This application is out of
7 order to be heard and is being continued to the March 25, 2024
8 ZHM Hearing.

9 Item A.7, PD 23-0781. This application is being
10 withdrawn from the ZHM process.

11 Item A.8, PD 23-0848. This application is out of
12 order to be heard and is being continued to March 25, 2024
13 ZHM Hearing.

14 Item A.9, Major Mod 23-0887. This application is
15 being continued by the applicant to the March 25, 2024 ZHM
16 Hearing.

17 Item A.10, Major Mod 23-0904. This application is
18 being continued by the applicant to the March 25, 2024 ZHM
19 Hearing.

20 Item A.11, Special Use General 23-0955. This
21 application is being continued by the applicant to the
22 March 25, 2024 ZHM Hearing.

23 Item A.12, PD 23-0994. This application is being
24 continued by Staff to the March 25, 2024 ZHM Hearing.

25 Item A.13, PD 23-0997. This application is being

1 is being continued by the -- by the applicant to the
2 February 2024 Zoning Hearing Master Hearing.

3 Item A.8, Rezoning PD 23-0774. This application is
4 being continued by the applicant to the February 20, 2024 Zoning
5 Hearing Master Hearing.

6 Item A.9, Rezoning PD 23-0776. This application is
7 being continued by the Staff to the February 20, 2024 Zoning
8 Hearing Master Hearing.

9 Item A.10, Rezoning PD 23-0780. This application is
10 out of order to be heard and is being continued to the
11 February 20, 2024 Zoning Hearing Master Hearing.

12 Item A.11, Rezoning PD 23-0783. This application is
13 being continued -- is being continued by Staff to the
14 February 20, 2024 Zoning Hearing Master Hearing.

15 Item A.12, Rezoning PD 23-0785. This application is
16 out of order to be heard and is being continued to the
17 February 20, 2024 Zoning Hearing Master Hearing.

18 I'm A.13, Rezoning PD 23-0848. This application is
19 out of order to be heard and is being continued to the
20 February 20, 2024 Zoning Hearing Master Hearing.

21 Item A.14, Major Mod Application 23-0887. This
22 application is out of order to be heard and is being continued
23 to the February 20, 2024 Zoning Hearing Master Hearing.

24 Item A.15, Major Mod Application 23-0904. This
25 application is out of order to be head and is being continued to

1 Item A.15, PD 23-0781. This application is out of
2 order to be heard and is being continued to the February 20,
3 2024 ZHM hearing.

4 Item A.16, PD 23-0783. This application is out of
5 order to be heard and is being continued to the January 16, 2024
6 ZHM hearing.

7 Item A.17, PD 23-0785. This application is being
8 continued by the applicant to the January 16, 2024, ZHM hearing.

9 Item A.18, Major Mod 23-0881. This application is
10 being continued by the applicant to the January 16, 2024, ZHM
11 hearing.

12 Item A.19, PD 23-0882. This application is out of
13 order to be heard and is being continued to the January 16, 2024
14 ZHM hearing.

15 Item A.20, Major Mod 23-0887. This application is out
16 of order to be heard and is being continued to the January 16,
17 2024 ZHM hearing.

18 Item A.21, Major Mod application 23-0904. This
19 application is out of order to be heard and is being continued
20 to the January 16, 2024 ZHM hearing.

21 Item A.22, PD 23-0918. This application is out of
22 order to be heard and is being continued to the January 16, 2024
23 ZHM hearing.

24 Item A.23, Major Mod 23-0951. This application is out
25 of order to be heard and is being continued to the January 16,

1 December 18, 2023 ZHM hearing.

2 Item A.20, PD 23-0848. This application is out of
3 order to be heard and is being continued to the January 16, 2024
4 ZHM hearing.

5 Item A.21, Major Mod 23-0881. This application is
6 being continued by the applicant to the December 18, 2023 ZHM
7 hearing.

8 Item A.22, PD 23-0882. This application is out of
9 order to be heard and is being continued to the
10 December 18, 2023 ZHM hearing.

11 Item A.23, Major Mod 23-0883. This application is out
12 of order to be heard and is being continued to the
13 December 18, 2023 ZHM hearing.

14 Item A.24, Major Mod 23-0887. This application is out
15 of order to be heard and is being continued to the
16 January 18, 2023 (sic) ZHM hearing.

17 Item A.25, Standard Rezoning 23-0902. This
18 application is out of order to be heard and is being continued
19 to the December 18, 2023 ZHM hearing.

20 And item A.26, PD 23-0918. This application is out of
21 order to be heard and is being continued to the
22 December 18, 2023 ZHM hearing.

23 And that concludes our continuances.

24 HEARING MASTER: All right. Thank you, Ms. Heinrich.

25 All right. The agenda tonight consists of items that



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

HEARING TYPE:

ZHM, PHM, VRH, LUHO

DATE: 3/25/2024

HEARING MASTER:

Susan Finch

PAGE: 1 OF 1

APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
RZ 23-0082	Rosa Timoteo	1. Revised Staff Report	Yes (copy)
RZ 23-0082	Todd Pressman	2. Applicant Presentation Packet	No
RZ 23-0774	Rosa Timoteo	1. Revised Staff Report	Yes (copy)
RZ 23-0774	Anne Pollack	2. Applicant Presentation Packet	No
MM 23-0887	Rosa Timoteo	1. Revised Staff Report	Yes (copy)
SU 23-0955	Kami Corbett	1. Applicant Presentation Packet	No
RZ 23-0994	Rosa Timoteo	1. Revised Staff Report	Yes (copy)
MM 24-0241	Stephen Sposato	1. Applicant Presentation Packet	No
RZ 24-0303	Rosa Timoteo	1. Revised Staff Report	Yes (copy)
RZ 24-0303	Todd Pressman	2. Applicant Presentation Packet	No
RZ 24-0323	Todd Pressman	1. Applicant Presentation Packet	No

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

APPLICATION # <u>23-0918</u>	PLEASE PRINT NAME <u>William Molloy</u> MAILING ADDRESS <u>315 S Blvd</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33606</u> PHONE <u>813-7157</u>
APPLICATION # <u>24-0029</u>	PLEASE PRINT NAME <u>Jedd Freeman</u> MAILING ADDRESS <u>200 2nd Ave S #451</u> CITY <u>St. Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>813-207-1760</u>
APPLICATION # <u>23-0082</u>	PLEASE PRINT NAME <u>Jedd Freeman</u> MAILING ADDRESS <u>200 2nd Ave S #451</u> CITY <u>St. Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>813-207-1760</u>
APPLICATION # <u>23-0082</u>	PLEASE PRINT NAME <u>Michael Bernstein</u> MAILING ADDRESS <u>19537 Deer Lake Rd</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33548</u> PHONE <u>813 293 1930</u>
APPLICATION # <u>23-0082</u>	PLEASE PRINT NAME <u>Jay A MUFFLY</u> MAILING ADDRESS <u>102 5TH AVE. SE</u> CITY <u>LUTZ</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>813-949-2724</u>
APPLICATION # <u>24-0166</u>	PLEASE PRINT NAME <u>Kelly Hopkins</u> MAILING ADDRESS <u>1673 E Keysville Rd</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE <u>813 770 5141</u>

DATE/TIME: 3/25/2024 6:00pm HEARING MASTER: Susan Finch

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

<p>APPLICATION # <u>24-0166</u></p>	<p>PLEASE PRINT NAME <u>PARA STARE</u> MAILING ADDRESS <u>515 E Keyville Rd</u> CITY <u>Plant City</u> STATE <u>FL</u> ZIP <u>33567</u> PHONE <u>813-244-2301</u></p>
<p>APPLICATION # <u>24-0166</u></p>	<p>PLEASE PRINT NAME <u>Michele Hunt</u> MAILING ADDRESS <u>322 Sea Island Way</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813.245.0678</u></p>
<p>APPLICATION # <u>24-0303</u></p>	<p>PLEASE PRINT NAME <u>Todd Presley</u> MAILING ADDRESS <u>200 2nd Ave. #451</u> CITY <u>St. Pet</u> STATE <u>FL</u> ZIP <u>33704</u> PHONE <u>813-244-1700</u></p>
<p>APPLICATION # <u>24-0323</u></p>	<p>PLEASE PRINT NAME <u>Todd Presley</u> MAILING ADDRESS <u>200 2nd Ave. #451</u> CITY <u>St. Pet</u> STATE <u>FL</u> ZIP <u>33704</u> PHONE <u>813-244-1700</u></p>
<p>APPLICATION # <u>24-0323</u> <u>VS</u></p>	<p>PLEASE PRINT NAME <u>Debra McClure</u> MAILING ADDRESS <u>603 Cottage Grove Cir.</u> CITY <u>Valrico</u> STATE <u>FL</u> ZIP <u>33594</u> PHONE _____</p>
<p>APPLICATION # <u>24-0323</u> <u>VS</u></p>	<p>PLEASE PRINT NAME <u>Susan Phillips</u> MAILING ADDRESS <u>602 Cottage Grove Cir.</u> CITY <u>Valrico</u> STATE <u>FL</u> ZIP <u>33594</u> PHONE _____</p>

DATE/TIME: 3/25/2024 6:00pm HEARING MASTER: Susan FinchPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>24-0323</u> <u>VS</u>	PLEASE PRINT NAME <u>Tony Fernandes</u> MAILING ADDRESS <u>710 Valrico Hills Ln.</u> CITY <u>Valrico</u> STATE <u>FL</u> ZIP <u>33594</u> PHONE _____
APPLICATION # <u>24-0323</u> <u>VS</u>	PLEASE PRINT NAME <u>April Williams</u> MAILING ADDRESS <u>2114 Valrico Heights Blvd.</u> CITY <u>Valrico</u> STATE <u>FL</u> ZIP <u>33594</u> PHONE _____
APPLICATION # <u>24-0323</u>	PLEASE PRINT NAME <u>Tom Leevitt</u> MAILING ADDRESS <u>2015 Kiser Drive</u> CITY <u>Valrico</u> STATE <u>FL</u> ZIP <u>33594</u> PHONE ⁸¹³ <u>220-5335</u>
APPLICATION # <u>24-0323</u>	PLEASE PRINT NAME <u>Dan Peterson</u> MAILING ADDRESS <u>2004 Capri Rd</u> CITY <u>Valrico</u> STATE <u>FL</u> ZIP <u>33594</u> PHONE <u>407-937-9868</u>
APPLICATION # <u>24-0323</u>	PLEASE PRINT NAME <u>JACKIE MARCELTIN</u> MAILING ADDRESS <u>1905 Capri Rd</u> CITY <u>Valrico</u> STATE <u>FL</u> ZIP <u>33594</u> PHONE ⁽⁸¹³⁾ <u>754-6713</u>
APPLICATION # <u>24-0323</u>	PLEASE PRINT NAME <u>Michelle Logan</u> MAILING ADDRESS <u>2002 Capri Rd</u> CITY <u>Valrico</u> STATE <u>FL</u> ZIP <u>33594</u> PHONE <u>256-227-5766</u>

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

APPLICATION # <u>24-0356</u> <u>VS</u>	PLEASE PRINT NAME <u>Justin Marx</u> MAILING ADDRESS <u>19115 Crooked Ln.</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33548</u> PHONE _____
APPLICATION # <u>23-0774</u>	PLEASE PRINT NAME <u>Anne Pollack</u> MAILING ADDRESS <u>433 Central Ave Ste 400</u> CITY <u>St Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>813-898-2836</u>
APPLICATION # <u>23-0774</u>	PLEASE PRINT NAME <u>Robert Tomczak</u> MAILING ADDRESS <u>10611 Broadmoor Place</u> CITY <u>Thonotosassa</u> STATE <u>FL</u> ZIP <u>33592</u> PHONE <u>813-750-4790</u>
APPLICATION # <u>23-0778</u>	PLEASE PRINT NAME <u>John LaRocca</u> MAILING ADDRESS <u>3225 S. MacDill Ave, Ste 129-320</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33629</u> PHONE <u>(813)695-0469</u>
APPLICATION # <u>23-0887</u>	PLEASE PRINT NAME <u>CHRISTOPHER S. MUNEAL</u> MAILING ADDRESS <u>15957 N. FLORIDA AVE</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE <u>813-205-2564</u>
APPLICATION # <u>23-0994</u>	PLEASE PRINT NAME <u>Isabelle Albert</u> MAILING ADDRESS <u>4112 1000 N. Ashley Dr.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-331-0976</u>

DATE/TIME: 3/25/2024 6:00pm HEARING MASTER: Susan FinchPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>24-0031</u>	PLEASE PRINT NAME <u>David M Smith</u> MAILING ADDRESS <u>401 E. Jackson St suite 2100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33601</u> PHONE <u>813 222-5010</u>
APPLICATION # <u>24-0031</u>	PLEASE PRINT NAME <u>Jake Cremer</u> MAILING ADDRESS <u>401 E Jackson St #2100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33601</u> PHONE <u>813-222-5051</u>
APPLICATION # <u>24-0132</u> <u>VS</u>	PLEASE PRINT NAME <u>David Mechanik</u> MAILING ADDRESS <u>385 S. Blvd.</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33606</u> PHONE _____
APPLICATION # <u>24-0241</u>	PLEASE PRINT NAME <u>Stephen Sposato</u> MAILING ADDRESS <u>505 E Jackson St</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33601</u> PHONE <u>813-375-0612</u>
APPLICATION # <u>24-0241</u> <u>VS</u>	PLEASE PRINT NAME <u>David Alessandri</u> MAILING ADDRESS <u>5121 Ehrlich Rd. #107B</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33624</u> PHONE _____
APPLICATION # <u>23-0955</u>	PLEASE PRINT NAME <u>Kami Corbett</u> MAILING ADDRESS <u>HWH 1019 Kennedy Blvd</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>227 8421</u>

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

PAGE 6 OF 6


DATE/TIME: 3/25/2024 6:00pm HEARING MASTER: Susan Finch

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

APPLICATION # <u>23-0955</u>	PLEASE PRINT NAME <u>MICHAEL YATES</u> MAILING ADDRESS <u>PALM TRAFFIC 4006 SOUTH MACDILL AVE</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33611</u> PHONE <u>813 205 8057</u>
APPLICATION # <u>23-0955</u>	PLEASE PRINT NAME <u>HARISH PATEL</u> MAILING ADDRESS <u>7620 PARADISE POINTE CIRCLE SOUTH</u> CITY <u>ST. PETERSBURG</u> STATE <u>FL</u> ZIP <u>33711</u> PHONE <u>813-732-5262</u>
APPLICATION # <u>24-0782</u>	PLEASE PRINT NAME <u>Gisselle Amparo</u> MAILING ADDRESS <u>1606 Condurant way</u> CITY <u>Brandon</u> STATE <u>FL</u> ZIP <u>33511</u> PHONE <u>401.339.8460</u>
APPLICATION #	PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____
APPLICATION #	PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____
APPLICATION #	PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____

MARCH 25, 2024 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, March 25, 2024, at 6:00 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

 Susan Finch, ZHM, called the meeting to order at 6:00 p.m., led in the pledge of allegiance to the flag, and introduced Development Services (DS).

A. WITHDRAWALS AND CONTINUANCES

 Michelle Heinrich, DS, introduced staff, and reviewed changes/withdrawals/continuances.

 Susan Finch, ZHM, overview of ZHM process.

 Cameron Clark, Senior Assistant County Attorney, overview of oral argument/ZHM process.

 Susan Finch, ZHM, Oath.

B. REMANDS

B.1. RZ 23-0082

 Michelle Heinrich, DS, called RZ 23-0082.

 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0082.

C. REZONING STANDARD (RZ-STD)

C.1. RZ 24-0166

 Michelle Heinrich, DS, called RZ 24-0166.

 Testimony provided.


 Susan Finch, ZHM, closed RZ 24-0166.

C.2. RZ 24-0303

 Michelle Heinrich, DS, called RZ 24-0303.

 Testimony provided.


MONDAY, MARCH 25, 2024

 Susan Finch, ZHM, closed RZ 24-0303.

C.3. RZ 24-0323

 Michelle Heinrich, DS, called RZ 24-0323.


 Testimony provided.

 Susan Finch, ZHM, closed RZ 24-0323.

C.4. RZ 24-0356

 Michelle Heinrich, DS, called RZ 24-0356.

 Testimony provided.


 Susan Finch, ZHM, closed RZ 24-0356.

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

D.1. RZ 23-0774

 Michelle Heinrich, DS, called RZ 23-0774.


 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0774.

D.2. RZ 23-0778

 Michelle Heinrich, DS, called RZ 23-0778.


 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0778.

D.3. MM 23-0887

 Michelle Heinrich, DS, called MM 23-0887.

 Testimony presented.


 Susan Finch, ZHM, closed MM 23-0887.

MONDAY, MARCH 25, 2024

D.4. RZ 23-0918

 Michelle Heinrich, DS, called RZ 23-0918.

 Testimony provided.

 Susan Finch, ZHM, continued RZ 23-0918 to May 14, 2024, ZHM hearing.

D.5. RZ 23-0994

 Michelle Heinrich, DS, called RZ 23-0994.


 Testimony provided.

 Susan Finch, ZHM, closed RZ 23-0994.

D.6. MM 24-0029

 Michelle Heinrich, DS, called MM 24-0029.

 Testimony presented.

 Susan Finch, ZHM, continued MM 24-0029 to May 14, 2024, ZHM hearing.

D.7. RZ 24-0031

 Michelle Heinrich, DS, called RZ 24-0031.

 Testimony provided.

 Susan Finch, ZHM, closed RZ 24-0031.

D.8. RZ 24-0132

 Michelle Heinrich, DS, called RZ 24-0132.

 Testimony provided.

 Susan Finch, ZHM, closed RZ 24-0132.

D.9. MM 24-0241

 Michelle Heinrich, DS, called MM 24-0241.

 Testimony presented.


MONDAY, MARCH 25, 2024

 Susan Finch, ZHM, closed MM 24-0241.

E. ZHM SPECIAL USE

E.1. SU 23-0955


 Michelle Heinrich, DS, called SU 23-0955.

 Testimony presented.

 Susan Finch, ZHM, closed SU 23-0955.

E.2. SU 24-0382

 Michelle Heinrich, DS, called SU 24-0382.

 Testimony presented.

 Susan Finch, ZHM, closed SU 24-0382.

ADJOURNMENT

 Susan Finch, ZHM, adjourned meeting at 10:24 p.m.



PD Modification Application: MM 23-0887

Zoning Hearing Master Date:

March 25, 2004

23-0887
Rosa Timoteo
3/25/2024 ZHM
Exhibit 1

BOCC Land Use Meeting Date:

May 7, 2024

1.0 APPLICATION SUMMARY

Applicant: WMS Realty Brandon, LLC

FLU Category: RES-4

Service Area: Urban

Site Acreage: +/-1.78 acres (Parcel "A")

Community Plan Area: Brandon

Overlay: None



Introduction Summary:

PD 00-0457 was rezoned from RSC-6 to PD in 2000 to allow for a maximum of 30,165 square feet of Business, Professional Office (BPO) uses.

MM 17-1020 was approved to add Motor Vehicle Repair, Minor only within a portion of the parcel located to the immediate east of the subject area. This modification split the PD in two parcels (Parcels A and B), with the new Motor Vehicle Repair use located on the eastern portion of the subject PD (Parcel B). The remaining ±1.78 acres of the subject PD (Parcel A) were limited to 20,364 sq. ft. of BPO uses.

The applicant is requesting a major modification to the previously approved Planned Development (17-1020) to permit limited commercial uses in addition to the already approved BPO zoning district uses; increase the maximum building height; and, reduce the maximum square footage.

Existing Approval(s):	Proposed Modification(s):
1. Current Allowable Uses: BPO uses	1. Proposed Expanded Uses: BPO uses and limited commercial uses (Cond. 1)
2. Maximum Height: 20 ft.	2. Proposed Maximum Height: 25 feet*
3. Maximum Square Feet: 20,364	4. Maximum Square Feet: 19,384

*Subject for the 2:1 additional setback compatibility requirement

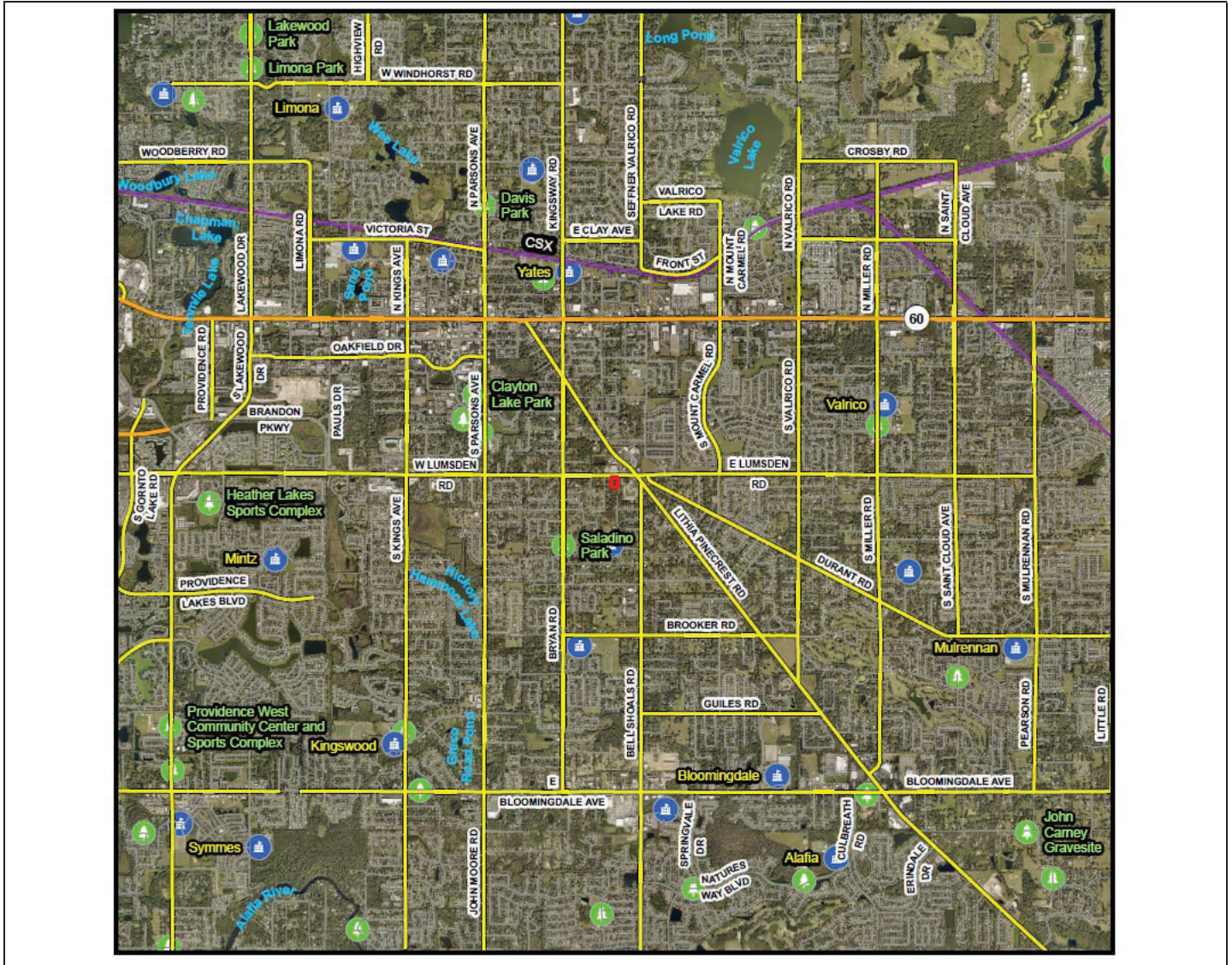
Additional Information:

PD Variation(s):	None Requested as part of this application
Waiver(s) to the Land Development Code:	None requested.

Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable, subject to proposed conditions
--	---

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

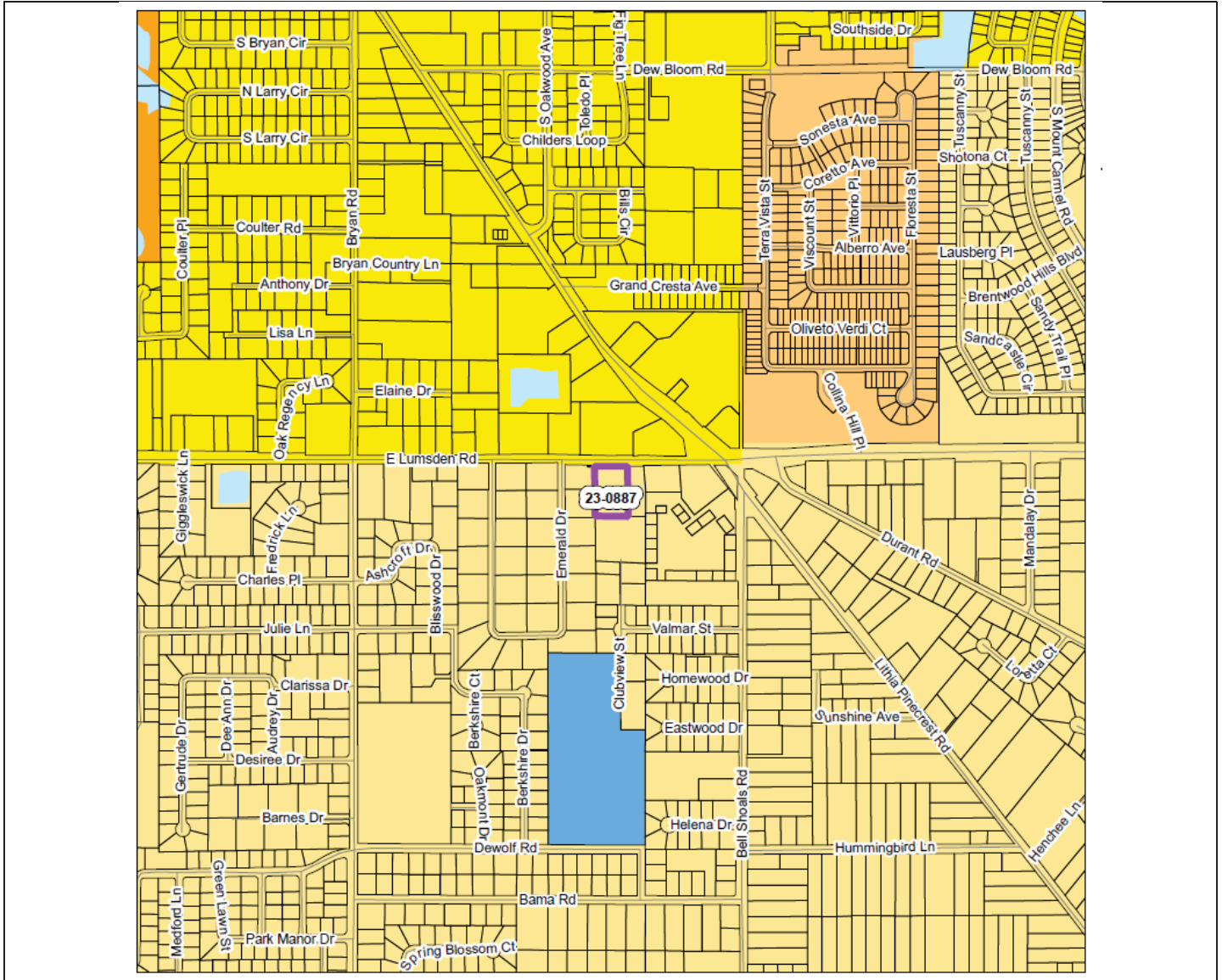


Context of Surrounding Area:

The subject property is located on the south side of East Lumsden Road, approximately 500 feet west of Lithia Pinecrest Road in Brandon. The subject site is currently vacant. Auto repair, located within Parcel B of the same PD as the subject site is located to the immediate east. Commercial uses are located to the west, north, and further east of the subject site. Single family dwelling units are located directly to the southwest and south of the subject site.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential-4 (RES-4)
Maximum Density/F.A.R.:	4 dwelling unit per acre / Maximum 0.25 FAR
Typical Uses:	Typical uses include residential, suburban commercial, offices, multi-purpose.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

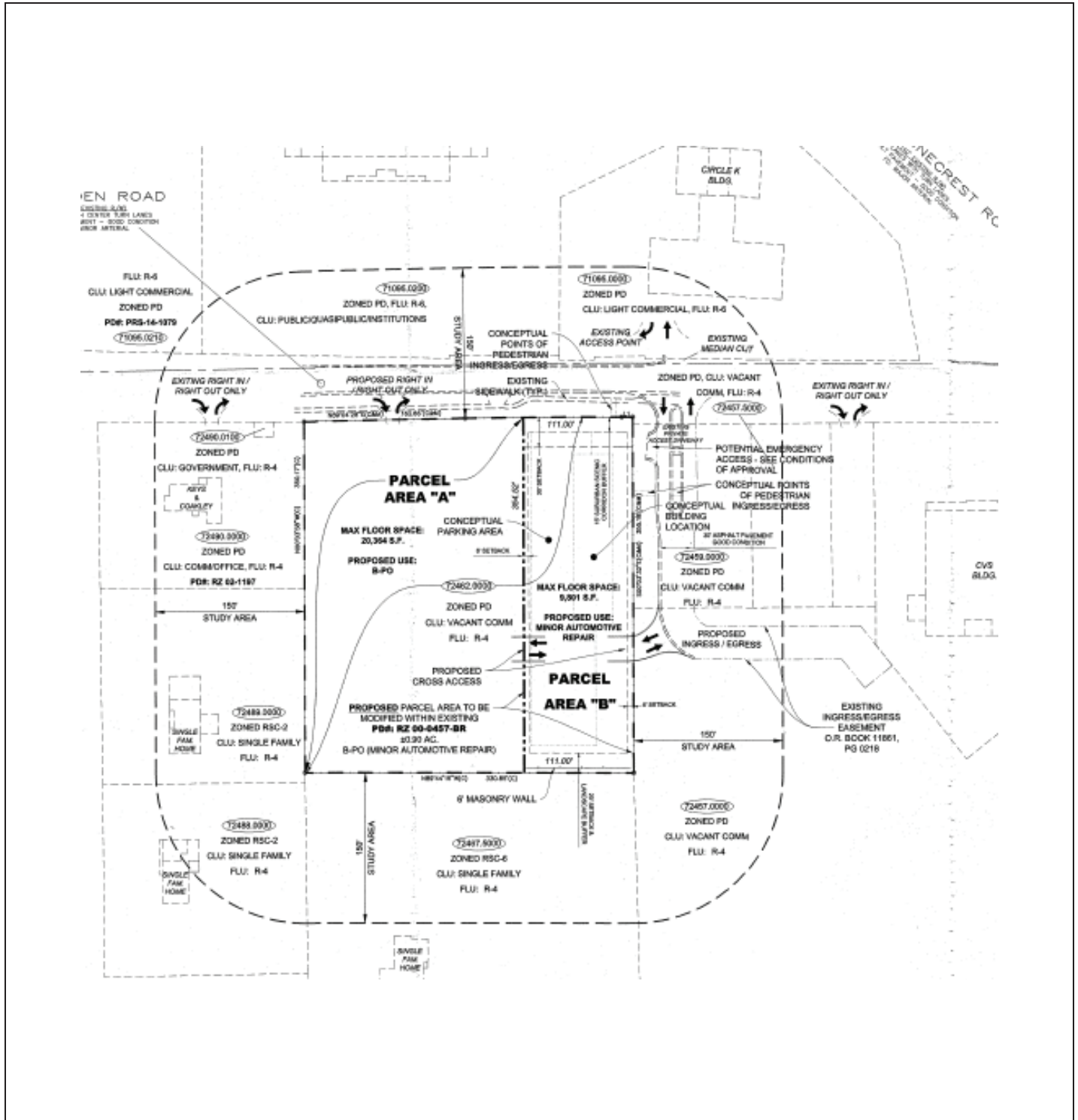


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	PD 92-0158	Max. 18,800 sf CG uses Max. 39,000 sf PD-O uses	Commercial General and PD-O Uses	Convenience Store, Kennel, Gym
South	RSC-6	Min. 7,000 sf lots	Single-family	Single-family
East	PD 00-0457	Max FAR: 0.25	Commercial Uses	Auto Repair
West	RSC-2 and PD 02-1197	RSC-2: Min. 21,780 sf lot PD: Max. 5,000 sf BPO uses	Single-family and Office Uses	SF and Office Uses

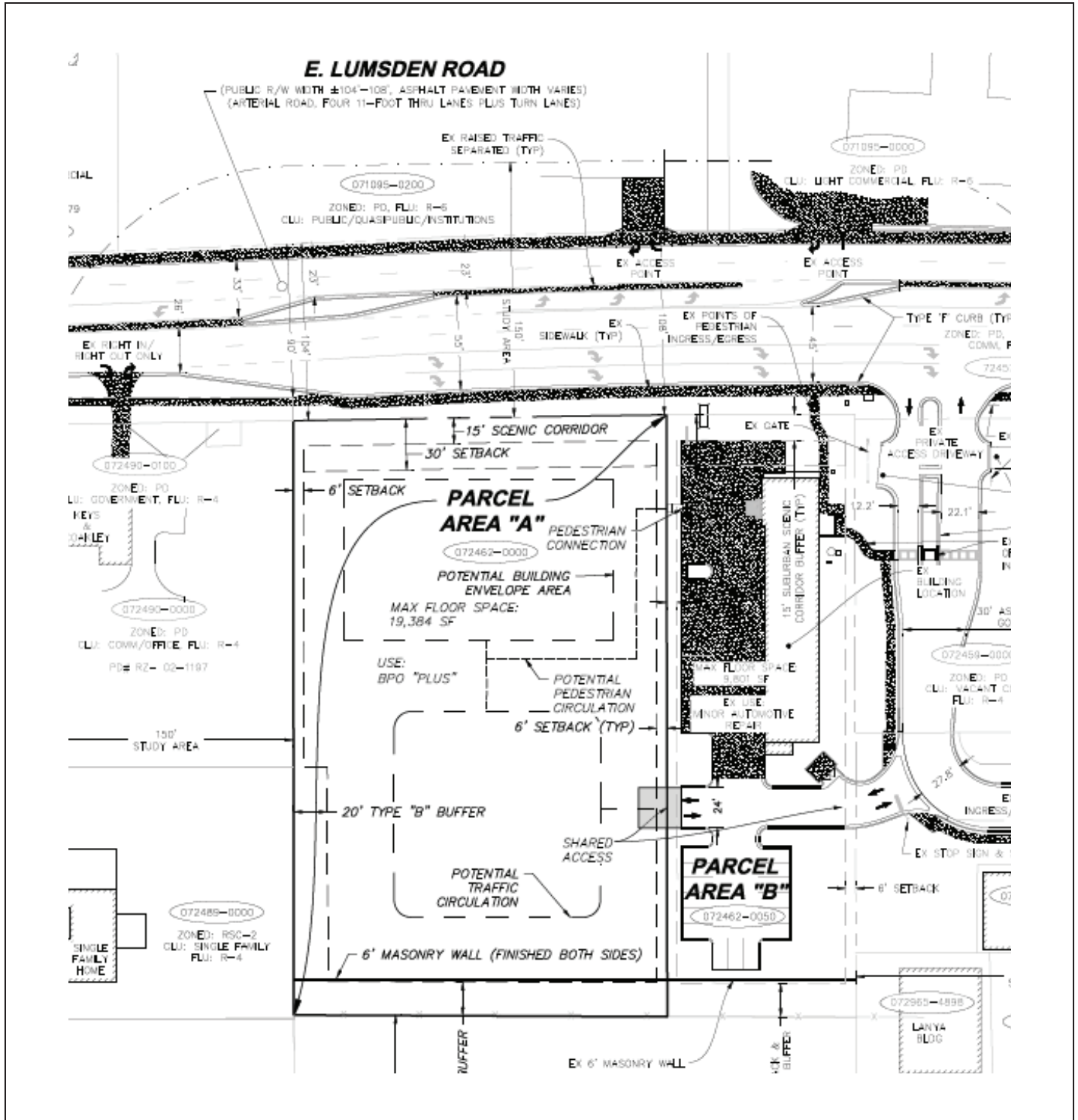
2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Approved Site Plan (partial provided below for size and orientation purposes. See Section 8.1 for full site plan)



2.0 LAND USE MAP SET AND SUMMARY DATA

2.5 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.2 for full site plan)



APPLICATION NUMBER: MM 23-0887

ZHM HEARING DATE: March 25, 2024

BOCC LUM MEETING DATE: May 7, 2024

Case Reviewer: Tim Lampkin, AICP

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

Adjoining Roadways (check if applicable)

Road Name	Classification	Current Conditions	Select Future Improvements
Lumsden Rd.	County Arterial - Urban	4 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	1,116	79	115
Proposed	1,116	79	115
Difference (+/-)	No Change	No Change	No Change

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Pedestrian	None	Meets LDC
South		None	None	Meets LDC
East	X	Vehicular & Pedestrian	Vehicular & Pedestrian	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
Lumsden Rd./ Substandard Road	Administrative Variance Requested	Approvable
Lumsden Rd./ Access Spacing	Administrative Variance Requested	Approvable
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input checked="" type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See "Transportation Summary Report".
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees (Various use types allowed. Estimates are a sample of potential development)				
Industrial (Per 1,000 s.f.) Mobility: \$4,230.00 Fire: \$57.00	Retail - Shopping Center (Per 1,000 s.f.) Mobility: \$13,562.00 Fire: \$313.00	Warehouse (Per 1,000 s.f.) Mobility: \$1,377.00 Fire: \$34.00		
Bank w/Drive Thru (Per 1,000 s.f.) Mobility: \$20,610.00 Fire: \$313.00	Retail - Fast Food w/Drive Thru (Per 1,000 s.f.) Mobility: \$104,494.00 Fire: \$313.00	Mini-Warehouse (Per 1,000 s.f.) Mobility: \$725.00 Fire: \$32.00		
Urban Mobility, Central Fire - replace current BPO with CG, non specific uses, no square footage provided.				

Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input checked="" type="checkbox"/> Meets Locational Criteria <input type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A <input type="checkbox"/> Density Bonus Requested <input checked="" type="checkbox"/> Consistent <input checked="" type="checkbox"/> Inconsistent	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	See "Hillsborough County Planning Commission Review".

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The subject property is located on the south side of Lumsden Road, approximately 500 feet west of Lithia Pinecrest Rd. in Brandon. The subject parcel is 1.78 acres referred to as Parcel "A" of PD 00-0457 comprising 2.75 total acres. The eastern portion of the PD is developed with an automotive repair business. The applicant is requesting a major modification to the previously approved Major Modification 17-1020 to maintain the BPO uses permitted along with limited additional uses normally allowed in Commercial Neighborhood or Commercial General zoning districts. The additional uses are trip generation neutral uses relative to the currently approved uses.

The additional commercial uses shall be limited to the following: Automated Teller (ATM); Bicycle Repair; Bicycle Sales; Dry Cleaners Small; Dry Cleaners, General; Electric/Electronic Repair, Large; Electric/Electronic Repair, Small; Exterminator; Florist Shop; Furniture Refinishing, Repair and Upholstery; Furniture/Home Furnishings; Hardware Store; Jewelry Store; Locksmith; Office Equipment Sales; Pet Shop; Recreational Uses, General Indoor/Outdoor; Sporting Goods Store; Swimming Pools; Watch, Clock, Jewelry Repair.

The applicant is proposing to allow an increase in maximum building height from 20 feet to 25 feet, and subject to an additional 2 feet of setback for every foot over 20 feet. Other uses located adjacent and nearby the subject site are approved with building heights of 35 and 50 feet. Residential and commercial neighborhood uses in the vicinity are allowed to have a maximum height of 35, therefore, the request to increase in height of the subject project to a maximum of 25 feet is reasonable.

The applicant does not request any variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering). To the immediate south and southwestern portion of the subject site is RSC-6 and RSC-2 zoned property developed with single-family homes. The applicant would normally be required to provide a 20-foot-wide landscaped buffer with Type "B" screening along the southwest portion and the entire southern perimeter of the subject site as the proposed development falls under a Category 4 classification and adjacent developments fall under a Category 1 classification. However, the existing condition 4 requires a more intense screening along the southern perimeter of the property to include a 20-foot-wide landscaped buffer with type "C" screening which shall include a masonry wall. The adjacent property to the immediate east of the subject site and developed with an auto repair business, also has a masonry wall on the southern perimeter. Staff finds the proposal, with the additional compatibility buffers, compatible with the existing development pattern.

The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code subject to the proposed conditions of approval. The Planning Commission found that the proposed rezoning would be consistent with the Unincorporated Hillsborough County Comprehensive Plan and meets the locational criteria.

5.2 Recommendation

Based on the above, staff finds the request approvable.

Prior to Site Plan Certification the applicant shall make the following updates:

- Add Leader Line with label stating “Ingress/Egress Easement for Parcel A (Reference Official Records Book 25865, Page 873, Reference Item No. 3”.

6.0 PROPOSED CONDITIONS

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted January 22, 2024.

1. Development of the project shall be limited to a maximum of ~~30,165~~ 29,185 square feet of floor space for Business, Professional Office (BPO) uses.

In the event that the site is developed with two development parcels, the project shall be limited to the following:

Parcel Area A: A maximum of ~~20,364~~ 19,384 square feet of floor space for Business, Professional Office (BPO) uses and the following additional uses:

- Automated Teller (ATM);
- Bicycle Repair; Bicycle Sales;
- Dry Cleaners Small;
- Dry Cleaners, General;
- Electric/Electronic Repair, Large;
- Electric/Electronic Repair, Small;
- Exterminator; Florist Shop;
- Furniture Refinishing, Repair and Upholstery;
- Furniture/Home Furnishings;
- Hardware Store;
- Jewelry Store;
- Locksmith;
- Office Equipment Sales;
- Pet Shop;
- Recreational Uses, General Indoor/Outdoor;
- Sporting Goods Store;
- Swimming Pools;
- Watch, Clock, Jewelry Repair.

Parcel Area B: A maximum of 9,801 square feet of floor space for Motor Vehicle Repair, Minor.

The structure shall have an office building appearance and to achieve this requirement the following shall apply: the facades must be architecturally finished to grade. They shall incorporate changes in mass, surface or finish such as stone, stucco, wood slats or vinyl slat-style siding. Unsurfaced cement or block shall not be utilized. Paint shall not constitute a surface for the purpose of this regulation.

The hours of operation shall be from 7:00 a.m. to 7:00 p.m. Monday thru Friday, and 9:00 a.m. to 2:00 p.m. Saturdays. The business shall be closed on Sundays.

2. With the exception of Floor Area Ratio and building height, the project shall be developed in accordance with BPO zoning district standards. Building height shall be restricted to ~~twenty (20)~~ twenty five (25) feet within Parcel Area “A” and twenty five (25) feet within Parcel Area “B”.
3. Buffering and screening shall be provided in accordance with the Land Development Code unless otherwise stated herein.
4. Along the western and southern project boundaries, a buffer area a minimum of 20 feet in width shall be provided. Screening within said buffer shall be provided in accordance with the Land Development Code.

A six-foot-high masonry wall, however, shall be provided along the southern property line of both Parcel Area "A" and Parcel Area "B" concurrent with development of each parcel. A six-foot-high masonry wall shall also be erected along a portion of the western boundary of Parcel Area "B" commencing at the southwest corner of Parcel Area "B" for a distance of 80 feet north along said western boundary. Existing natural vegetation, excluding hazardous and invasive species, may be used in lieu of required trees, subject to review and approval by Hillsborough County Natural Resources.

4.1 The required masonry wall on Parcel Area "B" will be erected before vertical construction commences on Parcel Area "B".

4.2 The required masonry wall on Parcel Area "A" will be erected before vertical construction commences on Parcel Area "A".

5. Lighting within the project shall be of a low-projection non-glare type, designed to produce a minimum of illumination beyond project boundaries.
6. Dumpsters shall be completely enclosed and the dumpster shelter shall be finished in like materials to the principal structure they serve.
7. For Parcel B, the general design, location, and number of the access point(s) may be as shown on the General Site Plan, but shall be regulated by the Hillsborough County Access Management regulations. The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department. Final design, if approved by Hillsborough County Planning and Growth Management Department, but is not limited to left turn lanes, acceleration lanes and deceleration lanes.
8. Vehicular and pedestrian access/cross-access shall be provided internal to the development as well as between the subject site and the commercial site to the east.

[Concurrent with relocation/construction of the eastern cross access driveway, the developer shall remove the existing cross access driveway stubout and restore the curb unless otherwise required for emergency access purposes by the Hillsborough County Fire Marshall. THIS PORTION OF THE CONDITION HAS BEEN SATISFIED.]

In such instance, the existing driveway may remain; however, access shall be restricted using a breakaway gate, breakaway bollards, gate with Knox-box, or another method meeting Hillsborough County Fire Marshall standards.

9. If MM 23-0887 is approved, the County Engineer will approve a Sec. 6.04.02.B. Administrative Variance (dated January 18, 2024) which has been found approvable by the County Engineer (on March 7, 2024). Approval of this Administrative Variance will waive the Lumsden Rd. substandard road improvements required by Sec. 6.04.03.L. of the LDC.
10. If MM 23-0887 is approved, the County Engineer will approve a Sec. 6.04.02.B. Administrative Variance (dated January 18, 2024) from the LDC Sec. 6.04.07 access spacing requirements for the project's Lumsden Rd. access (to folio 72459.0000), which has been found approvable by the County Engineer (on March 7, 2024). Approval of this Administrative Variance will permit a +/- 130-foot reduction of the minimum access spacing between the above referenced access and the next closest access to the east, resulting in an access spacing of +/- 115 feet.

11. 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.

12. Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations and ordinances of Hillsborough County.

13. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C

Zoning Administrator Sign Off:



J. Brian Grady
Mon Mar 18 2024 08:12:37

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

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

ZHM HEARING DATE: March 25, 2024

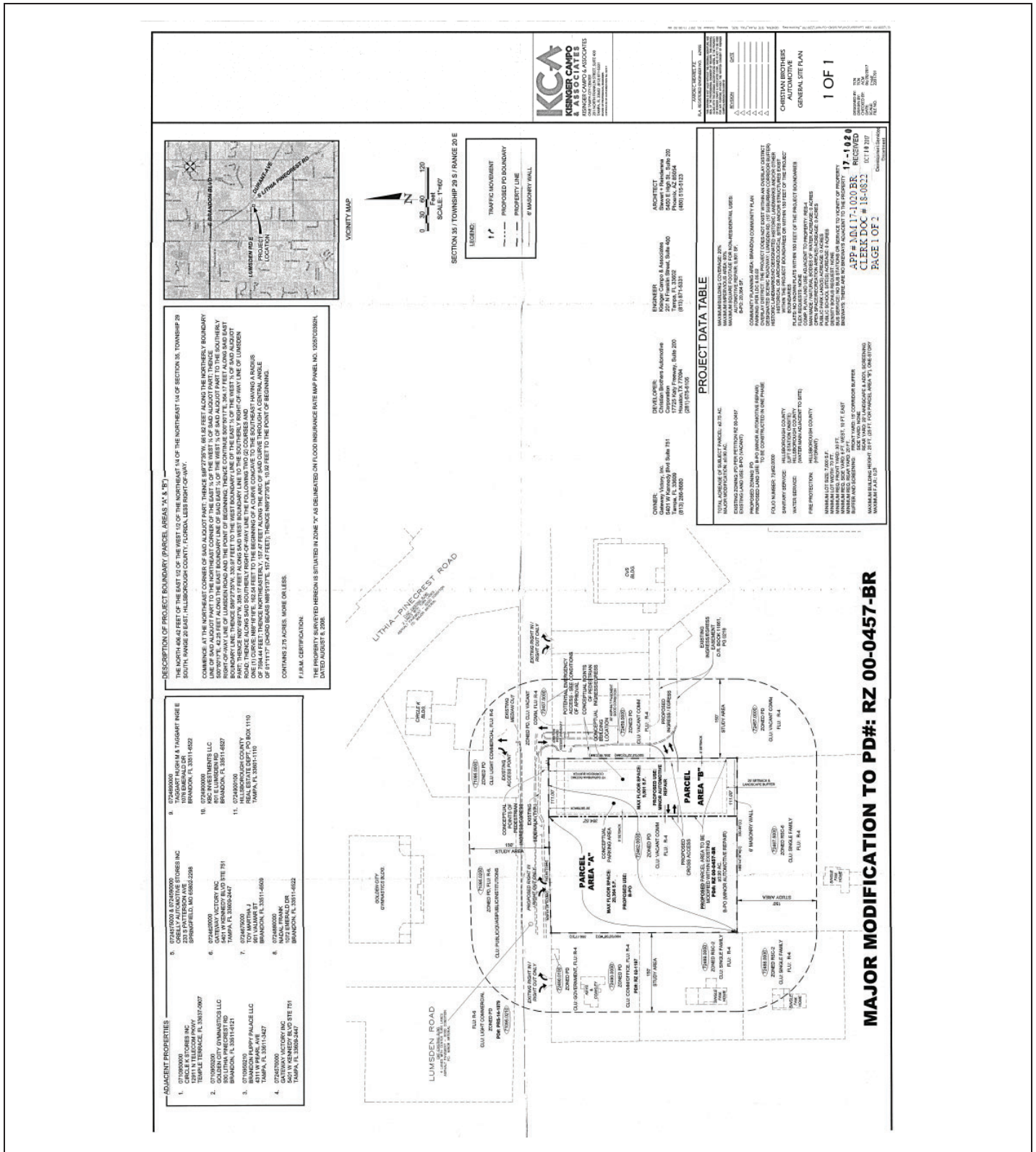
BOCC LUM MEETING DATE: May 7, 2024

Case Reviewer: Tim Lampkin, AICP

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

8.0 SITE PLANS (FULL)

8.1 Approved Site Plan (Full)



MAJOR MODIFICATION TO PD#: RZ 00-0457-BR

DESCRIPTION OF PROJECT BOUNDARY (PARCEL AREAS 'A' & 'B')

THE NORTHEAST CORNER OF SAID ALGUDOT PART, THENCE S09°07'11.2" E OF THE WEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 26 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, LESS RIGHT-OF-WAY, COMMENCE AT THE NORTHEAST CORNER OF SAID ALGUDOT PART, THENCE S90°07'11.2" E 122.27 FEET TO THE EAST BOUNDARY LINE OF SAID EAST 1/4 OF THE WEST 1/4 OF SAID ALGUDOT PART, THENCE S09°07'11.2" E 330.27 FEET TO THE WEST BOUNDARY LINE OF SAID EAST 1/4 OF SAID ALGUDOT PART, THENCE N09°07'11.2" W 300.17 FEET TO THE SOUTH BOUNDARY LINE OF SAID EAST 1/4 OF SAID ALGUDOT PART, THENCE N09°07'11.2" W 300.17 FEET TO THE BEGINNING OF A CURVE COMMENSURATE TO THE SOUTHEAST HAVING A RADIUS OF 111.17 FEET (CHORD BEARS N81°37'47.4" E, 152.50 FEET TO THE POINT OF BEGINNING, CONTAINING 2.72 ACRES, MORE OR LESS.

F.J.M. CERTIFICATION

THE BOUNDARY SURVEYED HEREBY IS SITUATED IN ZONE "A" AS DESIGNATED ON FLOOD INSURANCE RATE MAP PANEL NO. 130123830A, DATED AUGUST 6, 2006.

- ADJACENT PROPERTIES**
- 1. CIRCLE K STORE INC
1391 N BELMONT AVE
BRANDON, FL 33811-0927
 - 2. CROWN CITY OYSTER BARS LLC
GOLDEN CITY OYSTER BARS LLC
BRANDON, FL 33811-1521
 - 3. CROWN CITY PALACE LLC
BRANDON PALACE LLC
TAMPA, FL 33811-1427
 - 4. CROWN CITY INC
501 N UNIVERSITY BLVD STE 719
TAMPA, FL 33609-1447
 - 5. CROWN CITY INC
501 N UNIVERSITY BLVD STE 719
BRANDON, FL 33811-0622
 - 6. CROWN CITY INC
501 N UNIVERSITY BLVD STE 719
BRANDON, FL 33811-0622
 - 7. CROWN CITY INC
501 N UNIVERSITY BLVD STE 719
BRANDON, FL 33811-0622
 - 8. CROWN CITY INC
501 N UNIVERSITY BLVD STE 719
BRANDON, FL 33811-0622



PROJECT DATA TABLE

MAJOR MODIFICATION TO PD# RZ 00-0457-BR

APPLICANT: CHRISTIAN BROTHERS GENERAL SITE PLAN

PROJECT NAME: GENERAL SITE PLAN

LOCATION: SECTION 35, TOWNSHIP 26 S, RANGE 20 E, HILLSBOROUGH COUNTY, FLORIDA

PROJECT NUMBER: 23-0887

DATE: 08/20/2023

PROJECT DESCRIPTION: MAJOR MODIFICATION TO PD# RZ 00-0457-BR

DESIGNER: KCSA KESNER CAMPO & ASSOCIATES

DATE: 08/20/2023

PROJECT NUMBER: 23-0887

DATE: 08/20/2023

PROJECT DESCRIPTION: MAJOR MODIFICATION TO PD# RZ 00-0457-BR

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DATE: 08/20/2023

PROJECT DESCRIPTION: MAJOR MODIFICATION TO PD# RZ 00-0457-BR

DESIGNER: KCSA KESNER CAMPO & ASSOCIATES

DATE: 08/20/2023

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 03/15/2024

REVIEWER: James Ratliff, AICP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA/SECTOR: BR/ Central

PETITION NO: MM 23-0887

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

NEW AND REVISED CONDITION OF APPROVAL

Revised Conditions

8. [For Parcel B](#), ~~T~~the general design, location, and number of the access point(s) may be as shown on the General Site Plan, but shall be regulated by the Hillsborough County Access Management regulations. The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department. Final design, if approved by Hillsborough County Planning and Growth Management Department, but is not limited to left turn lanes, acceleration lanes and deceleration lanes.

[Staff is proposing to modify this condition to reflect the proposed access changes and to comport with current practice.]

9. Vehicular and pedestrian [access](#)/ cross-access shall be provided internal to the development as well as between the subject site and the commercial site to the east.

[Concurrent with relocation/construction of the eastern cross access driveway, the developer shall remove the existing cross access driveway stubout and restore the curb unless otherwise required for emergency access purposes by the Hillsborough County Fire Marshall. [THIS PORTION OF THE CONDITION HAS BEEN SATISFIED](#).]

~~9.~~ -In such instance, the existing driveway may remain; however, access shall be restricted using a breakaway gate, breakaway bollards, gate with Knox-box, or another method meeting Hillsborough County Fire Marshall standards.

[Staff is proposing to modify this condition to conform with current language/terminology. The eastern "cross access" currently serves as primary access for the Parcel B uses. Additionally, when the referenced "eastern cross access driveway" connection was constructed, it was determined that the "existing cross access driveway stubout" would remain as an emergency access connection, and the site was approved/constructed accordingly. As such, staff has modified the condition for clarify, i.e. to reflect that the decision referenced in the existing

condition language (i.e. whether to keep or remove the existing connection) has already been made/implemented)].

New Conditions

- If MM 23-0617 is approved, the County Engineer will approve a Sec. 6.04.02.B. Administrative Variance (dated January 18, 2024) which has been found approvable by the County Engineer (on March 7, 2024). Approval of this Administrative Variance will waive the Lumsden Rd. substandard road improvements required by Sec. 6.04.03.L. of the LDC.
- If MM 23-0887 is approved, the County Engineer will approve a Sec. 6.04.02.B. Administrative Variance (dated January 18, 2024) from the LDC Sec. 6.04.07 access spacing requirements for the project's Lumsden Rd. access (to folio 72459.0000), which has been found approvable by the County Engineer (on March 7, 2024). Approval of this Administrative Variance will permit a +/- +/- 130-foot reduction of the minimum access spacing between the above referenced access and the next closest access to the east, resulting in an access spacing of +/- 115 feet.

PROJECT SUMMARY AND TRIP GENERATION

The applicant is proposing a Major Modification (MM) to a previously approved Planned Development (PD) #00-0457, as most recently amended via MM 17-1020. The project consists of two parcels totaling +/- 2.75 ac. The modification area consists of a single +/- 1.78 ac. parcel. The zoning is presently approved for 30,165 s.f. of Business Professional Office (BPO) uses. The applicant is seeking to modify Parcel A within the PD to add the following additional uses:

- a. Automated Teller (ATM)
- b. Bicycle Repair
- c. Bicycle Sales
- d. Dry Cleaners Small
- e. Dry Cleaners, General
- f. Electric/Electronic Repair, Large
- g. Electric/Electronic Repair, Small
- h. Exterminator
- i. Florist Shop
- j. Furniture Refinishing, Repair and Upholstery
- k. Furniture/Home Furnishings
- l. Hardware Store
- m. Jewelry Store
- n. Locksmith
- o. Office Equipment Sales
- p. Pet Shop
- q. Recreational Uses, General Indoor/Outdoor
- r. Sporting Goods Store
- s. Swimming Pools
- t. Watch, Clock, Jewelry Repair

The applicant is also proposing to eliminate a project access connection to Lumsden Rd., as further discussed below.

Consistent with Sec. 6.2.1.C. of the Development Review Procedures Manual (DRPM), staff has waived the required transportation analysis. In doing so, staff evaluated each of the proposed additional uses proposed by the applicant and determined them to generate peak hour trips in an equal of lesser amount

than the already approved uses within Parcel A (i.e. all additional uses generate the same or fewer trips as Medical Office uses, which is assumed to be the highest generating BPO use (which is already approved). Additionally, the project's access already has turn lanes serving the site which are sufficient to serve the proposed project. Given this, staff determined that a traditional trip generation and site access analysis would be of little to no benefit. Staff has prepared the below comparison of the trip generation potential of development of the subject property, under the existing and proposed rezonings, utilizing a generalized worst-case scenario. Data presented below is based on the 11th Edition of the Institute of Transportation Engineer's Trip Generation Manual.

Existing Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Parcel A: +/- 20,364 s.f. Medical Office Uses (ITE Code 720)	766	57	80
Parcel B: +/- 9,801 s.f. Auto Care Center Uses (ITE Code 942)	350 (Est.)	22	35
Subtotal:	1,116	79	115

Proposed Zoning:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Parcel A: +/- 20,364 s.f. Medical Office Uses (ITE Code 720)	766	57	80
Parcel B: +/- 9,801 s.f. Auto Care Center Uses (ITE Code 942)	350 (Est.)	22	35
Subtotal:	1,116	79	115

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	No Change	No Change	No Change

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Lumsden Rd. is a 4-lane, divided, substandard, arterial roadway characterized by +/- 11 to 12-foot wide travel lanes in average condition. There are no bicycle facilities on Lumsden Rd. in the vicinity of the proposed project. There are +/- 4-foot-wide to 5-foot-wide sidewalks along portions both sides of Lumsden Rd. in the vicinity of the proposed project.

SITE ACCESS CONSIDERATIONS

The applicant is proposing to eliminate the proposed connection to Lumsden Rd. Sole legal access to the parcel will be via the Shared Access Facility within the PD that is adjacent and east of the subject PD (i.e. PD 19-0034). This decision was made after an examination of the roadway configuration and available

right-of-way on Lumsden Rd. in the vicinity of the proposed project. Specifically, it is generally not permissible for projects to take access to a roadway from within a turn lane, but particularly so when the location of such access (and lack of available right-of-way) makes it impossible to extend the turn lane such that the a turn lane extension which can provide the required queue, deceleration and taper lengths necessary to provide for the safe entry and deceleration within the turn lane. In this case, it was determined that such extension was not possible given lack of right-of-way, roadway configuration and/or adjacent parcel access, and that safer access for the project would be via the sole connection which currently serves the existing Parcel B uses.

ADMINISTRATIVE VARIANCE #1 – SUBSTANDARD ROAD

Lumsden Rd. is a substandard arterial roadway. The applicant’s Engineer of Record (EOR) submitted a Section 6.04.02.B Administrative Variance request (dated January 18, 2024) from the Section 6.04.03.L. requirement whereby an applicant is required to improve a substandard roadway, between its project access and nearest roadway meeting an applicable standard, to current County standards. Based on factors presented in the Administrative Variance request, the County Engineer found the request approvable (on March 7, 2024). If this rezoning is approved by the Hillsborough County Board of County Commissioners, the County Engineer will approve the above referenced Administrative Variance Request. If approved, no substandard road improvements on Lumsden Rd. will be required.

ADMINISTRATIVE VARIANCE #2 – ACCESS SPACING

The applicant’s Engineer of Record (EOR) submitted a Section 6.04.02.B. Administrative Variance Request (dated January 18, 2024) from the Section 6.04.07 LDC requirement, governing access spacing. The Hillsborough County LDC requires a minimum connection spacing of 245 feet for a Class 5 roadway with a posted speed of 45 miles per hour or less. Staff notes that while the applicant’s request letter incorrectly identified the base standard by utilizing standards for a Class 5 facility with a posted speed of greater than 45 mph, the end result remains unchanged (however the letter overstates the amount of the required variance by an additional 85 feet). The applicant is seeking a variance, relative to its proposed project access, of +/- 130 feet from the closest driveway to the east on the same (south) side of the roadway. If approved, this would result in an access spacing of +/- 115 ft.

Based on factors presented in the Administrative Variance Request, the County Engineer found the request approvable on March 7, 2024.

ROADWAY LEVEL OF SERVICE (LOS) INFORMATION

Level of Service (LOS) information for adjacent roadway sections is reported below.

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Lumsden Rd.	Kings Ave.	Lithia Pinecrest Rd.	D	C

Source: Hillsborough County 2020 Level of Service Report.

Ratliff, James

From: Williams, Michael
Sent: Thursday, March 7, 2024 12:27 PM
To: McNeal, Christopher
Cc: Carla Sansone; Lampkin, Timothy; Ratliff, James; Tirado, Sheida; PW-CEIntake; De Leon, Eleonor
Subject: FW: MM 23-0887 - Administrative Variance Review
Attachments: 23-0887 AVReq 01-18-24_1.pdf; 23-0887 AVReq 01-18-24_2.pdf

Importance: High

Chris,
I have found the attached Section 6.04.02.B. Administrative Variances (AV) for PD 23-0887 APPROVABLE.

Please note that it is you (or your client's) responsibility to follow-up with my administrative assistant, Eleonor De Leon (DeLeonE@hcfl.gov or 813-307-1707) after the BOCC approves the PD zoning or PD zoning modification related to below request. This is to obtain a signed copy of the DE/AV.

If the BOCC denies the PD zoning or PD zoning modification request, staff will request that you withdraw the AV/DE. In such instance, notwithstanding the above finding of approvability, if you fail to withdraw the request, I will deny the AV/DE (since the finding was predicated on a specific development program and site configuration which was not approved).

Once I have signed the document, it is your responsibility to submit the signed AV/DE(s) together with your initial plat/site/construction plan submittal. If the project is already in preliminary review, then you must submit the signed document before the review will be allowed to progress. Staff will require resubmittal of all plat/site/construction plan submittals that do not include the appropriate signed AV/DE documentation.

Lastly, please note that it is critical to ensure you copy all related correspondence to PW-CEIntake@hcfl.gov

Mike

Michael J. Williams, P.E.
Director, Development Review
County Engineer
Development Services Department

P: (813) 307-1851
M: (813) 614-2190
E: Williamsm@HCFL.gov
W: HCFLGov.net

Hillsborough County
601 E. Kennedy Blvd., Tampa, FL 33602

[Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#) | [HCFL Stay Safe](#)

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From: Tirado, Sheida <TiradoS@hcfl.gov>
Sent: Tuesday, March 5, 2024 5:56 PM
To: Williams, Michael <WilliamsM@hcfl.gov>
Cc: De Leon, Eleonor <DeLeonE@hcfl.gov>
Subject: MM 23-0887 - Administrative Variance Review
Importance: High

Hello Mike,

The attached AVs are approvable to me, please include the following people in your response:

cmcneal@mcnealengineering.com
csansone@mcnealengineering.com
lampkint@hcfl.gov
ratliffja@hcfl.gov

Best Regards,

Sheida L. Tirado, PE
Transportation Review Manager
Development Services Department

P: (813) 276-8364
E: tirados@hcfl.gov
W: HCFLGov.net

Hillsborough County
601 E. Kennedy Blvd., Tampa, FL 33602

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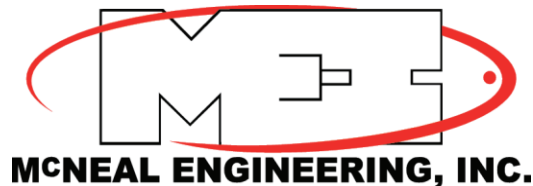
**Hillsborough
County Florida**
Development Services

Supplemental Information for Transportation Related Administrative Reviews

Instructions:

- This form must be provided separately for each request submitted (including different requests of the same type).
- This form must accompany all requests for applications types shown below. Staff will not log in or assign cases that are not accompanied by this form, or where the form is partially incomplete.
- A response is required in every field. Blank fields or non-responsive answers will result in your application being returned.
- All responses must be typed.
- Please contact Ingrid Padron at padroni@hcpaf.fl.gov or via telephone at (813) 307-1709 if you have questions about how to complete this form.

Request Type (check one)	<input checked="" type="checkbox"/> Section 6.04.02.B. Administrative Variance <input type="checkbox"/> Technical Manual Design Exception Request <input type="checkbox"/> Alternative Parking Plan Request (Reference LDC Sec. 6.05.02.G3.) <input type="checkbox"/> Request for Determination of Required Parking for Unlisted Uses (Reference LDC Sec. 6.05.02.G.1. and G.2.)
Submittal Type (check one)	<input checked="" type="checkbox"/> New Request <input type="checkbox"/> Revised Request <input type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input checked="" type="checkbox"/> 1. 1/18/2024 Substandard Road <input type="checkbox"/> 4. <input type="checkbox"/> 2. <input type="checkbox"/> 5. <input type="checkbox"/> 3. <input type="checkbox"/> 6.
<p>Important: To help staff differentiate multiple requests (whether of the same or different type), please use the above fields to assign a unique submittal number/name to each separate request. Previous submittals relating to the same project/phase shall be listed using the name and number previously identified. It is critical that the applicant reference this unique name in the request letter and subsequent filings/correspondence. If the applicant is revising or submitting additional information related to a previously submitted request, then the applicant would check the number of the previous submittal.</p>	
Project Name/ Phase	Watermelon Swim #7
<p>Important: The name selected must be used on all future communications and submittals of additional/revised information relating to this variance. If request is specific to a discrete phase, please also list that phase.</p>	
Folio Number(s)	072462.0000
<input type="checkbox"/> Check This Box If There Are More Than Five Folio Numbers	
<p>Important: List all folios related to the project, up to a maximum of five. If there are additional folios, check the box to indicate such. Folio numbers must be provided in the format provided by the Hillsborough County Property Appraiser's website (i.e. 6 numbers, followed by a hyphen, followed by 4 additional numbers, e.g. "012345-6789"). Multiple records should be separated by a semicolon and a space e.g. "012345-6789; 054321-9876").</p>	
Name of Person Submitting Request	McNeal Engineering c/o Christopher S. McNeal
<p>Important: For Design Exception (DE) Requests, the person submitting must be a Professional Engineer (PE) licensed within the state of Florida. The DE request letter must be signed and sealed.</p>	
Current Property Zoning Designation	PD 00-0457, MM 17-1020
<p>Important: For Example, type "Residential Multi-Family Conventional – 9" or "RMC-9". This is not the same as the property's Future Land Use (FLU) Designation. Typing "N/A" or "Unknown" will result in your application being returned. This information may be obtained via the Official Hillsborough County Zoning Atlas, which is available at https://maps.hillsboroughcounty.org/maphillsborough/maphillsborough.html. For additional assistance, please contact the Zoning Counselors at the Center for Development Services at (813) 272-5600 Option 3.</p>	
Pending Zoning Application Number	MM 23-0887
<p>Important: If a rezoning application is pending, enter the application number preceded by the case type prefix, otherwise type "N/A" or "Not Applicable". Use PD for PD rezoning applications, MM for major modifications, PRS for minor modifications/personal appearances.</p>	
Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	



Hillsborough County
Development Services
601 E Kennedy Blvd 20th Floor
Tampa, FL 33602

Re: **WATERMELON SWIM #7**
E. Lumsden Road
Hillsborough County
Folio # 072462.0000
MM 23-0887

Attn: Mr. Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 23-042
January 18, 2024

ADMINISTRATIVE VARIANCE - EXISTING FACILITIES

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.03.L, Existing Facilities.

Our client is requesting a revision to the PD of this parcel to allow for Business Professional Office (BPO) uses be replaced with all uses permitted within the BPO zoning district, plus the following additional uses:

- a. Automated Teller (ATM)
- b. Bicycle Repair
- c. Bicycle Sales
- d. Dry Cleaners Small
- e. Dry Cleaners, General
- f. Electric/Electronic Repair, Large
- g. Electric/Electronic Repair, Small
- h. Exterminator
- i. Florist Shop
- j. Furniture Refinishing, Repair and Upholstery
- k. Furniture/Home Furnishings
- l. Hardware Store
- m. Jewelry Store
- n. Locksmith
- o. Office Equipment Sales
- p. Pet Shop
- q. Recreational Uses, General Indoor/Outdoor
- r. Sporting Goods Store
- s. Swimming Pools
- t. Watch, Clock, Jewelry Repair

Mr. Michael J. Williams, PE
WATERMELON SWIM #7
MEI File # 23-042
January 18, 2024
Page 2 of 3

We understand that the proposed application is being reviewed in accordance with current code standards, and as such, are requesting a variance from the above-mentioned section for Existing Facilities. Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below for the variance requested.

6.04.03.L Improvement of Existing Facility

Lumsden Road adjacent to this project, is a 4-lane divided urban arterial road that has approximately 81 feet of pavement. This includes a WB Left Turn Lane, dual EB Right Turn Lanes, a 3-foot Traffic Separator, and Sidewalks on both sides of the road. r r C TTM T -6, the roadway adjacent to the proposed access is deficient of buffered bike lanes, and in-sufficient right-of-way. The posted speed is 45 MPH. The surrounding land use serves mostly commercial.

Our responses to review criteria a, b, and c are as follows:

- (a) The current code would require that Lumsden Road adhere to the closest County Standard, TS-6. There is currently insufficient right-of-way to construct the improvements required to bring the subject road up to current county standards (i.e. addition of 7-foot buffered bicycle lanes). In addition, this roadway segment was recently improved, and bike lanes were not included along this corridor. To provide a short bike lane segment on one side of the road only would be a financial burden to the client, as well as a safety hazard.
- (b) The existing shared private access driveway does not appear to produce conflicts in its current location with access to E Lumsden Road. Pedestrian access will be provided both internally for the proposed project, and to the current pedestrian features on Lumsden Road.
- (c) The existing shared private access location would provide reasonable access for the proposed Zoning Modification. Without use of the shared private access location, the proposed use of the parcel is not feasible.

Mr. Michael J. Williams, PE
WATERMELON SWIM #7
MEI File # 23-042
January 18, 2024
Page 3 of 3

If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, PE
MCNEAL ENGINEERING, INC.

c: WMS Realty Brandon LLC c/o Micha Seal *via* email

Based on the information provided by the applicant, this request is:

- _____ Approved
- _____ Approved with Conditions
- _____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, PE at (813) 276-8364.

Sincerely,

Mr. Michael J. Williams, PE
Hillsborough County Engineer



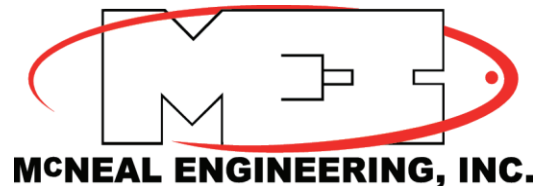
**Hillsborough
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Submittal Type (check one)	<input checked="" type="checkbox"/> New Request <input type="checkbox"/> Revised Request <input type="checkbox"/> Additional Information
Submittal Number and Description/Running History (check one and complete text box using instructions provided below)	<input checked="" type="checkbox"/> 1. 1/18/2024 Driveway Spacing <input type="checkbox"/> 4. <input type="checkbox"/> 2. <input type="checkbox"/> 5. <input type="checkbox"/> 3. <input type="checkbox"/> 6.
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Related Project Identification Number (Site/Subdivision Application Number)	N/A
<p>Important: This 4-digit code is assigned by the Center for Development Services Intake Team for all Certified Parcel, Site Construction, Subdivision Construction, and Preliminary/Final Plat applications. If no project number exists, please type "N/A" or "Not Applicable".</p>	



Hillsborough County
Development Services
601 E Kennedy Blvd 20th Floor
Tampa, FL 33602

Re: **WATERMELON SWIM #7**
E. Lumsden Road
Hillsborough County
Folio #072462.0000
MM 23-0887

Attn: Mr. Michael J. Williams, PE
Hillsborough County Engineer

MEI File # 23-042
January 18, 2024

REQUEST FOR ADMINISTRATIVE VARIANCE - ACCESS SPACING

Mr. Williams,

We are requesting an administrative variance per Hillsborough County Land Development Code (LDC) Section 6.04.02.B for relief from Section 6.04.07, Minimum Spacing.

Our client is requesting a revision to the PD of this parcel to allow for Business Professional Office (BPO) uses be replaced with all uses permitted within the BPO zoning district, plus the following additional uses:

- a. Automated Teller (ATM)
- b. Bicycle Repair
- c. Bicycle Sales
- d. Dry Cleaners Small
- e. Dry Cleaners, General
- f. Electric/Electronic Repair, Large
- g. Electric/Electronic Repair, Small
- h. Exterminator
- i. Florist Shop
- j. Furniture Refinishing, Repair and Upholstery
- k. Furniture/Home Furnishings
- l. Hardware Store
- m. Jewelry Store
- n. Locksmith
- o. Office Equipment Sales
- p. Pet Shop
- q. Recreational Uses, General Indoor/Outdoor
- r. Sporting Goods Store
- s. Swimming Pools
- t. Watch, Clock, Jewelry Repair

Mr. Michael J. Williams, PE
WATERMELON SWIM #7
MEI File # 23-042
January 18, 2024
Page 2 of 3

We understand that the proposed application is being reviewed in accordance with current code standards, and as such, are requesting a variance from the above-mentioned section for access spacing. Pursuant to the Hillsborough County LDC, a request for administrative variance is to be evaluated by the issuing authority based on the following conditions: (a) there is an unreasonable burden on the applicant, (b) the variance would not be detrimental to the public health, safety, and welfare, (c) without the variance, reasonable access cannot be provided. These items are addressed below for the variance requested.

6.04.07 Access Spacing

We are requesting a variance to reduce the required access spacing for a Class 5 roadway from 330 feet (per LDC) to approximately 115 feet. This is the separation between the existing shared private driveway which services the project site and the existing CVS driveway to the east, on the same side of the road. The driveway on the opposite (WB) side of the roadway was not included in this evaluation, as it is restricted by a raised traffic separator.

The proposed access location for Parcel A would use the existing Parcel " shared private access to E Lumsden Road. Lumsden Road adjacent to this this project, is a 4-lane Divided Urban Arterial Roadway, with dedicated Turn Lanes, Curb and Gutter and Sidewalk on both sides of the road. The posted speed is 45 MPH. The land use is mostly Commercial.

Our responses to review criteria a, b, and c are as follows:

- (a) The frontage of this parcel is in the area of the existing EB dual right turn lanes on Lumsden Road, near the Intersection with Lithia Pinecrest Road. The parcel is currently approved to have a direct connection to Lumsden Road. Safety concerns regarding the location of the approved access with regards to the existing EBRTLs generate the desire to remove this access point. Parcel A access is proposed to be through the existing private shared access across and along the east side of Parcel as shown on the approved General Site Plan (MM 17-1020). There are no other financially feasible alternatives for access.
- (b) The existing shared private access driveway does not appear to produce conflicts in its current location with access to E Lumsden Road. Pedestrian access will be provided both internally for the proposed project, and to the current pedestrian features on E Lumsden Road.
- (c) The existing shared private access location would provide reasonable access for the proposed Zoning Modification. Without use of the shared private access location, the proposed use of the parcel is not feasible.

Mr. Michael J. Williams, PE
WATERMELON SWIM #7
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If you have questions, or need additional information, please feel free to contact our office at the website or phone number listed. Thank you very much for your assistance.

Sincerely,



Christopher S. McNeal, PE
MCNEALENGINEERING, INC.

c: WMS Realty Brandon LLC c/o Micha Seal *via* email

Based on the information provided by the applicant, this request is:

_____ Approved

_____ Approved with Conditions

_____ Disapproved

If there are any further questions or you need clarification, please contact Sheida Tirado, PE at (813) 276-8364.

Sincerely,

Mr. Michael J. Williams, PE
Hillsborough County Engineer

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Lumsden Rd.	County Arterial - Urban	4 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
	Choose an item.	Choose an item. Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	1,116	79	115
Proposed	1,116	79	115
Difference (+/-)	No Change	No Change	No Change

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Pedestrian	None	Meets LDC
South		None	None	Meets LDC
East	X	Vehicular & Pedestrian	Vehicular & Pedestrian	Meets LDC
West		None	None	Meets LDC
Notes:				

Design Exception/Administrative Variance <input type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
Lumsden Rd./ Substandard Road	Administrative Variance Requested	Approvable
Lumsden Rd./ Access Spacing	Administrative Variance Requested	Approvable
Notes:		

Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input checked="" type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	



**PARTY OF
RECORD**

NONE