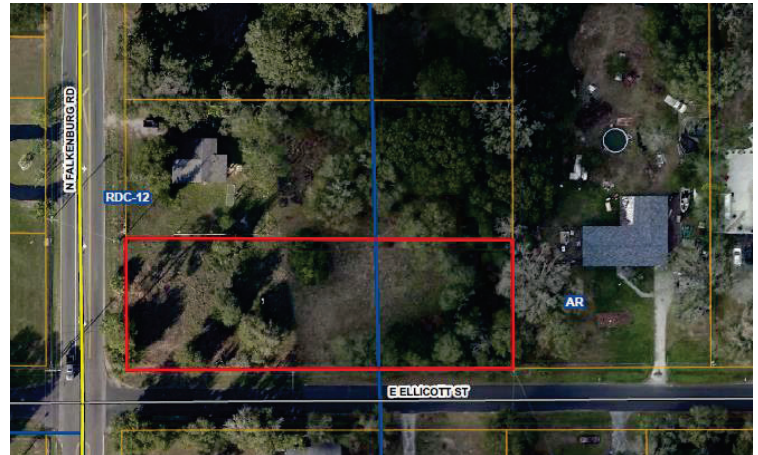


**Rezoning Application:** RZ-STD 21-1091  
**Zoning Hearing Master Date:** September 13, 2021  
**BOCC Land Use Meeting Date:** November 9, 2021

**1.0 APPLICATION SUMMARY**

**Applicant:** Alvaro Rodriguez  
**FLU Category:** Urban Mixed Use-20 (UMU-20)  
**Service Area:** Urban  
**Site Acreage:** 0.69 MOL  
**Community Plan Area:** East Lake/Orient Park  
**Overlay:** None



**Introduction Summary:**

The existing zoning is Residential Duplex Conventional-12 (RDC-12) and Agricultural Rural (AR) which permits Single-Family and Two-Family Residential (Conventional) and Agricultural uses pursuant to the development standards in the table below. The proposed zoning is Residential Duplex Conventional-12 (RDC-12) for the entire parcel to allow Single-Family and Two-Family Residential (Conventional) uses pursuant to the development standards in the table below.

Zoning:	Existing		Proposed
District(s)	RDC-12	AR	RDC-12
Typical General Use(s)	Single-Family and Two-Family Residential (Conventional)	Single-Family Residential/Agricultural	Single-Family and Two-Family Residential (Conventional)
Acreage	.45 MOL	.24 MOL	0.69 MOL
Density/Intensity	12 du/gross acre	1 du/5 gross acres	12 du/gross acre
Mathematical Maximum*	5 units	0 units	8 units

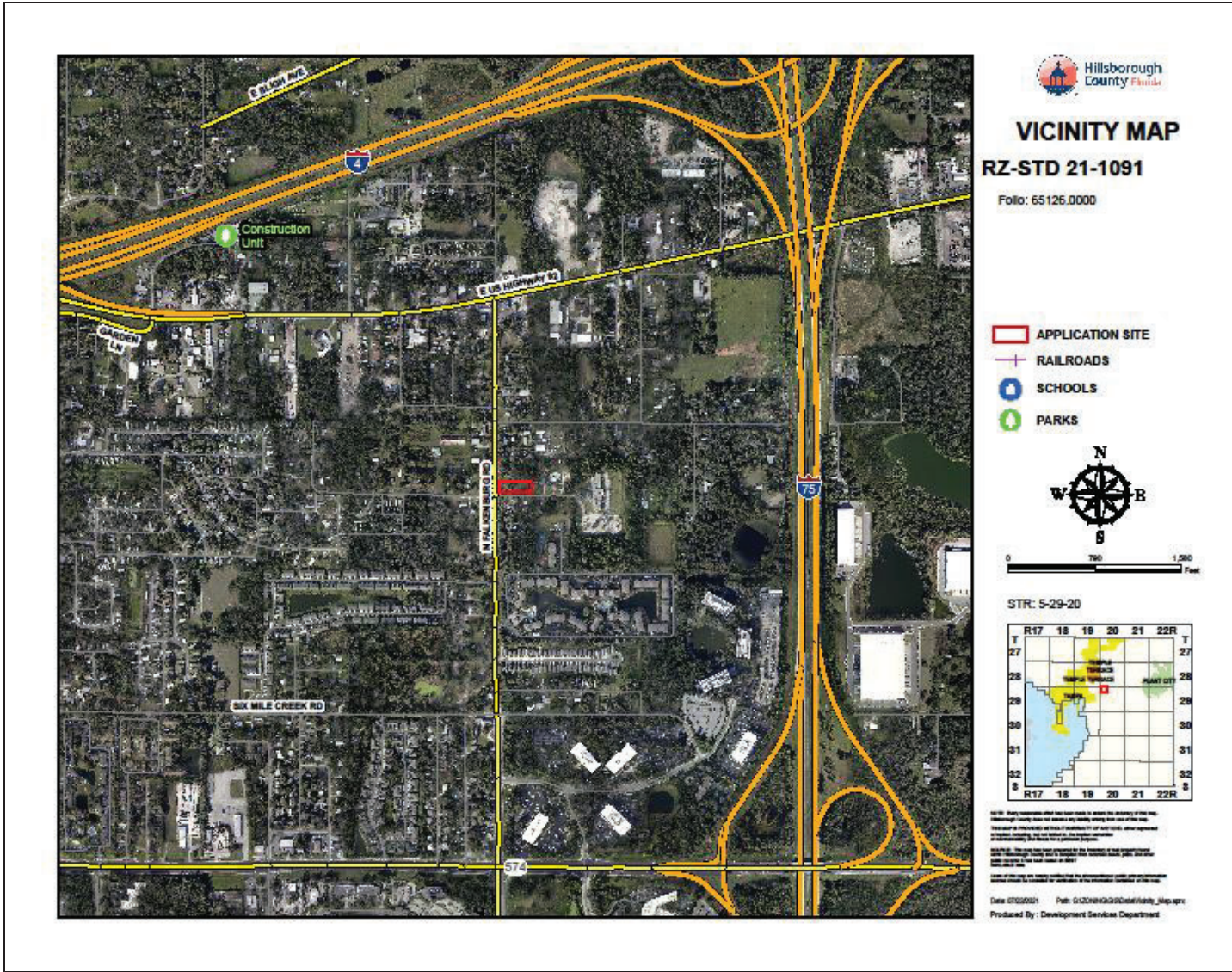
\*number represents a pre-development approximation

Development Standards:	Existing		Proposed
District(s)	RDC-12	AR	RDC-12
Lot Size / Lot Width	3,500 sf / 40'	217,800 sf / 150'	3,500 sf / 40'
Setbacks/Buffering and Screening	20' Front 20' Rear 5' Sides	50' Front 50' Rear 25' Sides	20' Front 20' Rear 5' Sides
Height	35'	50'	35'

<b>Planning Commission Recommendation:</b> Consistent	<b>Development Services Recommendation:</b> Approvable
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## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map

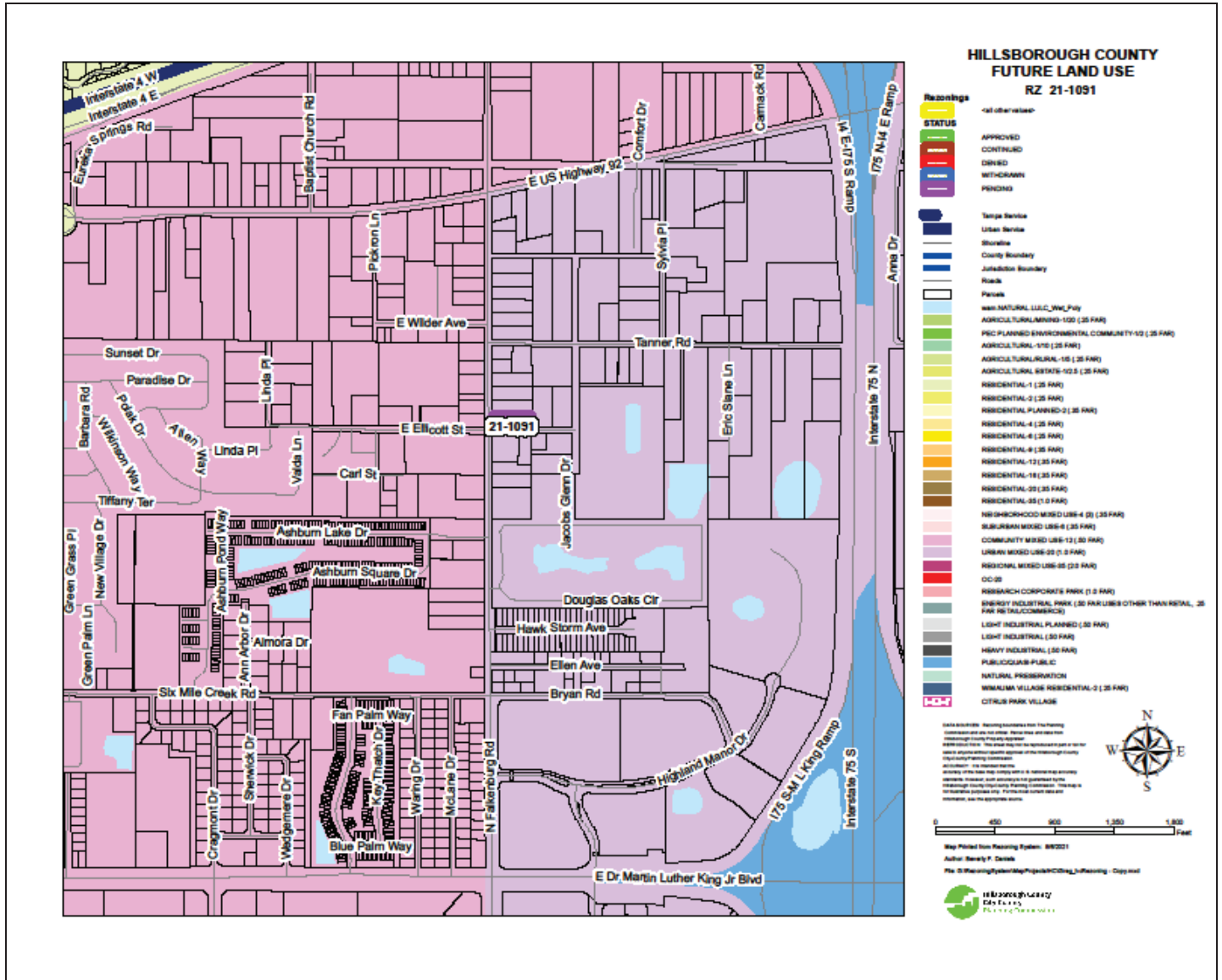


#### Context of Surrounding Area:

The area consists of single-family residential, agricultural uses and a technical school. The subject parcel is adjacent to single family homes on every side, except the west where a vacant lot zoned RDC-12 is located.

2.0 LAND USE MAP SET AND SUMMARY DATA

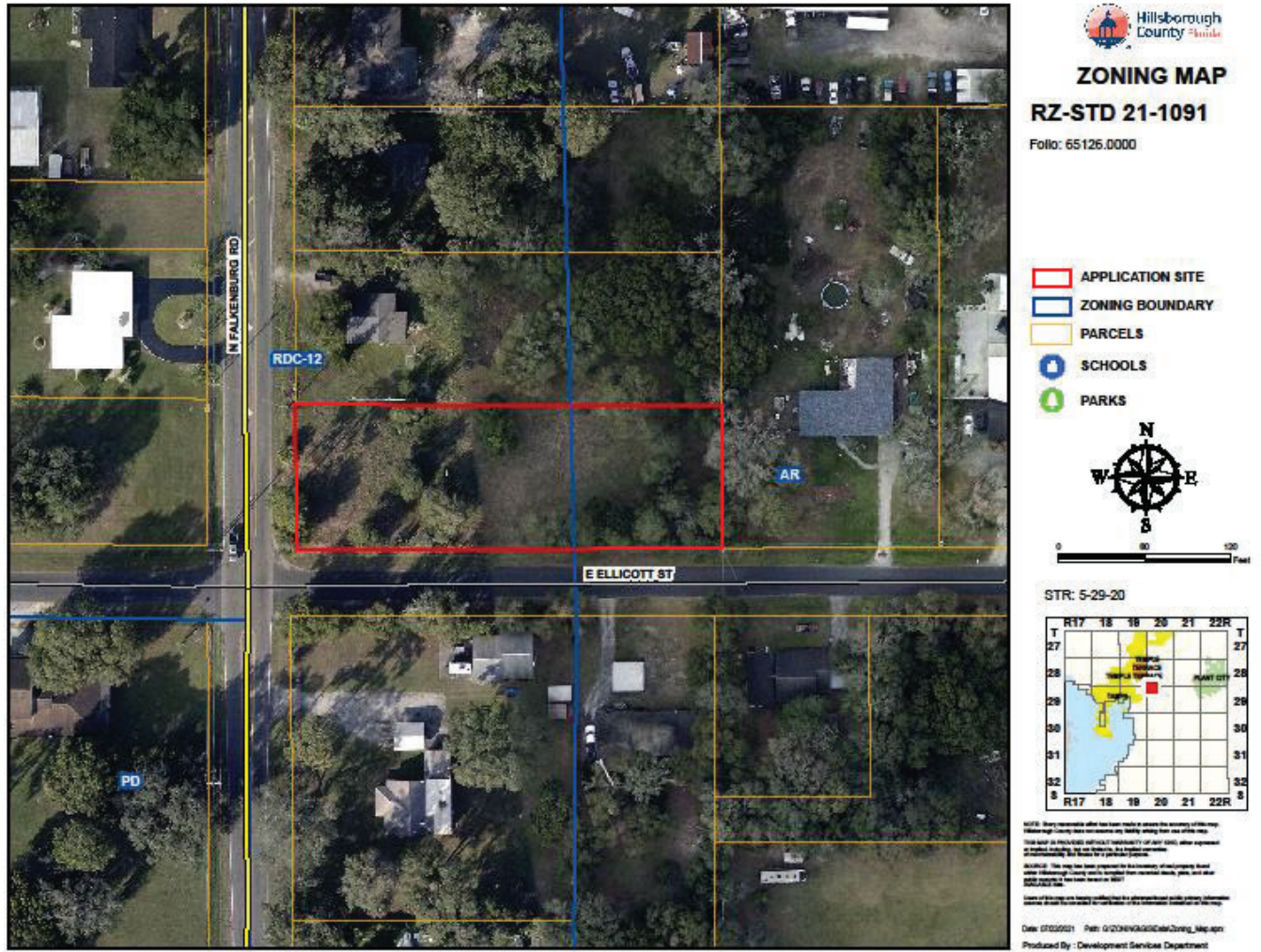
2.2 Future Land Use Map



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

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	RDC-12 AR	12 du per acre 1 du per 5 acres	Single-Family and Two-Family Residential (Conventional), Agricultural	Single-Family Residential
South	RDC-12 AR	12 du per acre 1 du per 5 acres	Single-Family and Two-Family Residential (Conventional), Agricultural	Single-Family Residential
East	AR	1 du per 5 acres	Single-Family Residential/Agricultural	Single-Family Residential
West	RDC-12	12 du per 5 acres	Single-Family and Two-Family Residential (Conventional)	Vacant

**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
Falkenburg Rd	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Ellicott St	County Local - Urban	2 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

**Project Trip Generation**  Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	56	5	6
Proposed	76	6	8
Difference (+/-)	+20	+1	+2

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

**Connectivity and Cross Access**  Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Choose an item.
South		None	None	Choose an item.
East		None	None	Choose an item.
West		None	None	Choose an item.
Notes:				

**Design Exception/Administrative Variance**  Not applicable for this request

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

**4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY**

<b>INFORMATION/REVIEWING AGENCY</b>				
<b>Environmental:</b>	<b>Comments Received</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
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 type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <ul style="list-style-type: none"> <li><input type="checkbox"/> Wetlands/Other Surface Waters</li> <li><input type="checkbox"/> Use of Environmentally Sensitive Land Credit</li> <li><input type="checkbox"/> Wellhead Protection Area</li> <li><input type="checkbox"/> Surface Water Resource Protection Area</li> <li><input type="checkbox"/> Potable Water Wellfield Protection Area</li> <li><input type="checkbox"/> Significant Wildlife Habitat</li> <li><input type="checkbox"/> Coastal High Hazard Area</li> <li><input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor</li> <li><input type="checkbox"/> Adjacent to ELAPP property</li> <li><input type="checkbox"/> Other _____</li> </ul>				
<b>Public Facilities:</b>	<b>Comments Received</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
<b>Transportation</b> <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
<b>Service Area/ Water &amp; Wastewater</b> <input checked="" type="checkbox"/> Urban <input checked="" 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	
<b>Hillsborough County School Board</b> Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<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	
<b>Impact/Mobility Fees</b>				
<b>Comprehensive Plan:</b>	<b>Comments Received</b>	<b>Findings</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
<b>Planning Commission</b> <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<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	

**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**


The site is located in an area comprised of single-family residential, agricultural uses and a technical school. The subject parcel is in the Urban Mixed Use-20 (UMU-20) FLU category which has the potential to permit multi-purpose and clustered residential and mixed-use projects. A majority of the area across Falkenburg Road is within the Community Mixed Use -12 (CMU-12) FLU category which permits community scale retail commercial and clustered residential and mixed-use projects.

The majority of surrounding uses and zoning districts are similar to the request; Single-Family and Two-Family Residential (Conventional). The adjacent properties are zoned RDC-12 and AR to the north and south. To the east it is zoned AR. To the west it is zoned RDC-12. Therefore, the rezoning of the subject parcel from RDC-12 and AR to RDC-12 would be consistent with the existing zoning pattern of the area.

Based on the above considerations, staff finds the requested RDC-12 zoning district compatible with the existing zoning and development pattern in the area.

**5.2 Recommendation**

Based on the above considerations, staff finds the request approvable.

<p><b>Zoning Administrator Sign Off:</b></p>	 <p>J. Brian Grady Wed Sep 1 2021 11:20:04</p>
<p><b>SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN &amp; BUILDING REVIEW AND APPROVAL.</b></p> <p>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.</p>	

**6.0 FULL TRANSPORTATION REPORT (see following pages)**

**AGENCY REVIEW COMMENT SHEET**

**TO:** Zoning Technician, Development Services Department

**DATE:** 08/30/2021

**REVIEWER:** Alex Steady, Senior Planner

**AGENCY/DEPT:** Transportation

**PLANNING AREA/SECTOR:** East Lake Orient Park/Northeast

**PETITION NO:** STD 21-1091

<input type="checkbox"/>	This agency has no comments.
<input checked="" type="checkbox"/>	This agency has no objection.
<input type="checkbox"/>	This agency objects for the reasons set forth below.

**REPORT SUMMARY AND CONCLUSIONS**

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 20 average daily trips, 1 trip in the a.m. peak hour, and 2 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to this request.

**PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone one parcel totaling +/- 0.68 acres from RDC-12 and AR to RDC-12. The site is located on the north east corner of the intersection of Falkenberg Rd and Ellicott St. The Future Land Use designation of the site is UMU-20.

*Trip Generation Analysis*

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

**Approved Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RDC-12, 5 Single Family Detached Dwelling Units (ITE Code 210)	<b>47</b>	<b>4</b>	<b>5</b>
AR, 1 Single Family Detached Dwelling Unit (ITE Code 210)	<b>9</b>	<b>1</b>	<b>1</b>
Total	<b>56</b>	<b>5</b>	<b>6</b>



**Proposed Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RDC-12, 8 Single Family Detached Units	76	6	8

**Trip Generation Difference:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>+20</b>	<b>+1</b>	<b>+2</b>

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 20 average daily trips, 1 trip in the a.m. peak hour, and 2 trips in the p.m. peak hour.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

The site has frontage on Falkenburg Rd and Ellicott St. Falkenburg Rd is a 2-lane, undivided, collector, substandard, Hillsborough County maintained roadway with +/- 11-foot travel lanes. Ellicott St. is a 2-lane, local, undivided, substandard, Hillsborough County maintained roadway. Along the project frontage of the subject site, Falkenburg Rd lies within +/- 60-foot-wide right-of-way and the project frontage along Ellicott St lies within +/- 51 feet of right of way. There are no sidewalks or bike lanes on either Falkenburg Rd or Ellicott St in the vicinity of the proposed project.

Falkenburg is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway. Ellicott St is not shown on the Hillsborough County Corridor Preservation Plan.

**SITE ACCESS**

It is anticipated pedestrian and vehicular access will be from Falkenburg Rd and Ellicott St. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

**LEVEL OF SERVICE (LOS)**

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
FALKENBURG RD	BRYAN RD	HILLSBOROUGH AVE	D	C

Source: [2020 Hillsborough County Level of Service \(LOS\) Report](#)

**COUNTY OF HILLSBOROUGH**

**RECOMMENDATION OF THE  
LAND USE HEARING OFFICER**

**APPLICATION NUMBER:** RZ STD 21-1091

**DATE OF HEARING:** September 13, 2021

**APPLICANT:** Alvaro A. Rodriguez

**PETITION REQUEST:** The request is to rezone a parcel of land from RDC-12 and AR to RDC-12

**LOCATION:** Northeast corner of E. Ellicott St. and N. Falkenburg Rd.

**SIZE OF PROPERTY:** 0.68 acres m.o.l.

**EXISTING ZONING DISTRICT:** RDC-12 and AR

**FUTURE LAND USE CATEGORY:** UMU-20

**SERVICE AREA:** Urban

## DEVELOPMENT REVIEW STAFF REPORT\*

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

### 1.0 APPLICATION SUMMARY

Applicant: Alvaro Rodriguez

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

Service Area: Urban

Site Acreage: 0.69 MOL

Community Plan Area: East Lake/Orient Park

Overlay: None

**Introduction Summary:**

The existing zoning is Residential Duplex Conventional-12 (RDC-12) and Agricultural Rural (AR) which permits Single- Family and Two-Family Residential (Conventional) and Agricultural uses pursuant to the development standards in the table below. The proposed zoning is Residential Duplex Conventional-12 (RDC-12) for the entire parcel to allow Single- Family and Two-Family Residential (Conventional) uses pursuant to the development standards in the table below.

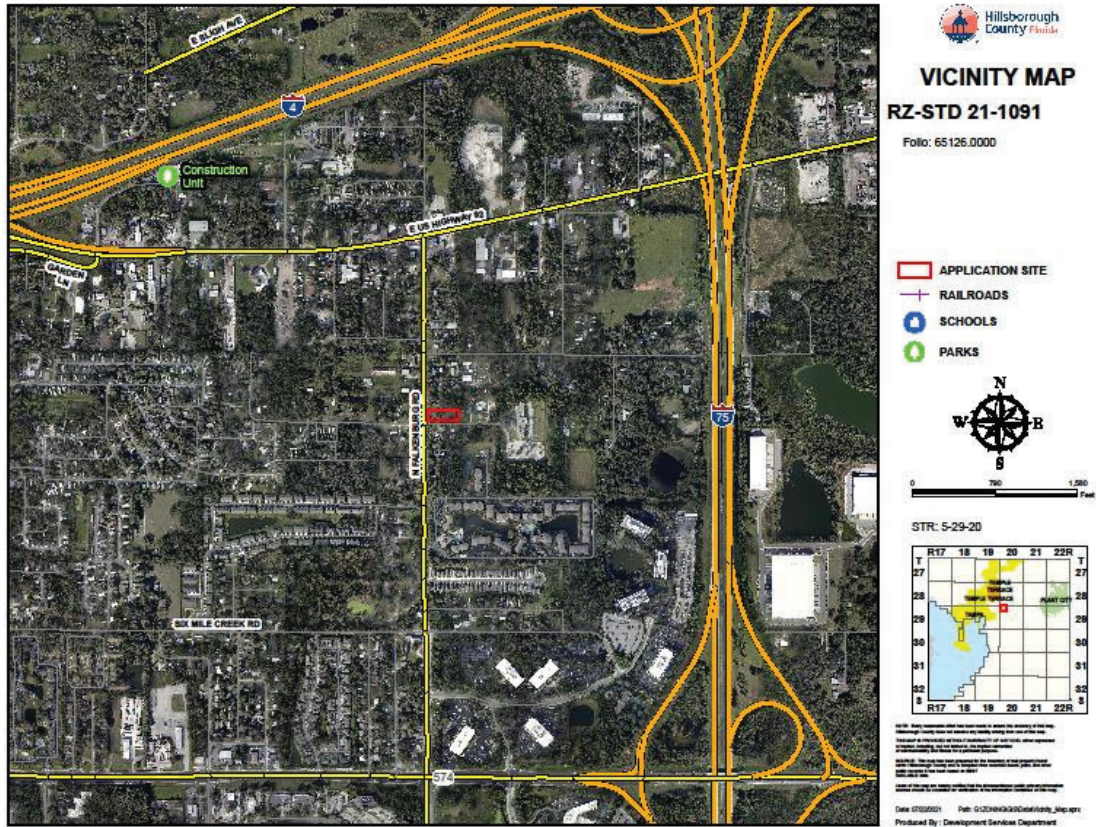
Typical General Use(s)	Single-Family and Two-Family Residential (Conventional)	Single-Family Residential/Agricultural	Single-Family and Two-Family Residential (Conventional)
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Setbacks/Buffering and Screening	20’ Front 20’ Rear 5’ Sides	50’ Front 50’ Rear 25’ Sides	20’ Front 20’ Rear 5’ Sides
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**Planning Commission Recommendation:** Consistent

**Development Services Recommendation:** Approvable

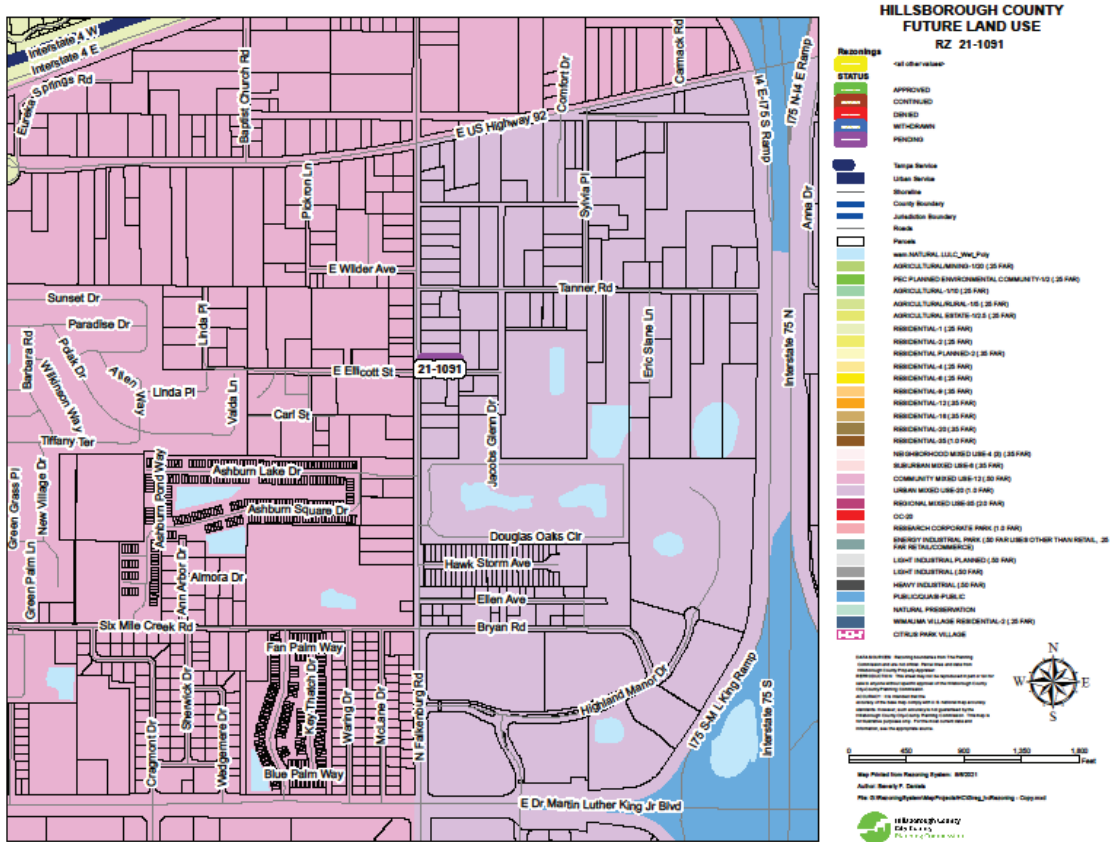
## 2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



### Context of Surrounding Area:

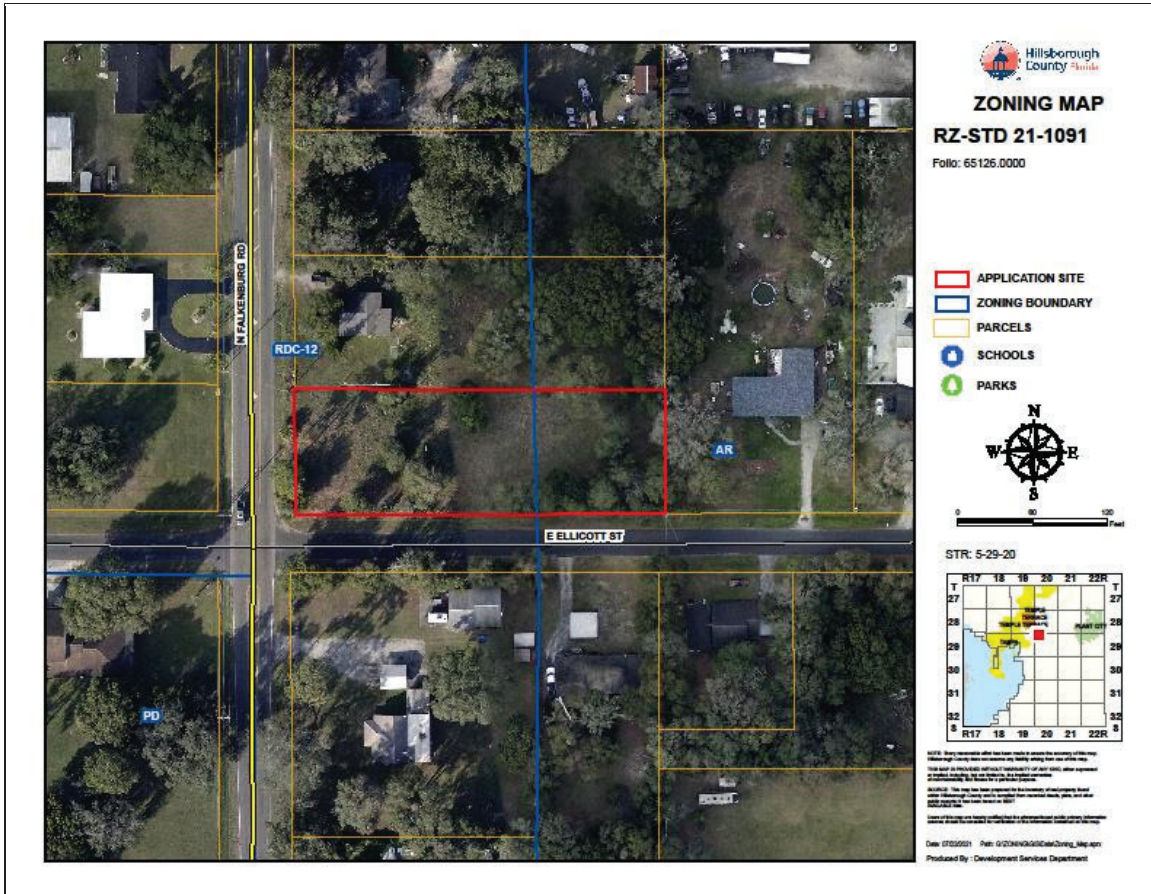
The area consists of single-family residential, agricultural uses and a technical school. The subject parcel is adjacent to single family homes on every side, except the west where a vacant lot zoned RDC-12 is located.

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



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

## 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	RDC-12 AR	12 du per acre 1 du per 5 acres	Single-Family and Two-Family Residential (Conventional), Agricultural	Single-Family Residential
South	RDC-12 AR	12 du per acre 1 du per 5 acres	Single-Family and Two-Family Residential (Conventional), Agricultural	Single-Family Residential

West	RDC-12	12 du per 5 acres	Single-Family and Two-Family Residential (Conventional)	Vacant
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**Classification Current Conditions Select Future Improvements**

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

**Adjoining Roadways (check if applicable)**

Falkenburg Rd	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Ellicott St	County Local - Urban	2 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

**Project Trip Generation**  Not applicable for this request

**Connectivity and Cross Access**  Not applicable for this request

**Variance**  Not applicable for this request

**4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY**

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments

Check if Applicable:

- Wetlands/Other Surface Waters
- Use of Environmentally Sensitive Land Credit
- Wellhead Protection Area
- Surface Water Resource Protection Area
- Potable Water Wellfield Protection Area  Significant Wildlife Habitat
- Coastal High Hazard Area
- Urban/Suburban/Rural Scenic Corridor  Adjacent to ELAPP property
- Other \_\_\_\_\_

<b>Public Facilities:</b>	<b>Comments Received</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
<b>Transportation</b>  <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
<b>Service Area/ Water &amp; Wastewater</b>  <input checked="" type="checkbox"/> Urban <input checked="" 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	
<b>Hillsborough County School Board</b>  Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<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	

**Impact/Mobility Fees**



Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
<b>Planning Commission</b>  <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A	<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	

## 5.0 IMPLEMENTATION RECOMMENDATIONS

### 5.1 Compatibility

The site is located in an area comprised of single-family residential, agricultural uses and a technical school. The subject parcel is in the Urban Mixed Use-20 (UMU-20) FLU category which has the potential to permit multi-purpose and clustered residential and mixed-use projects. A majority of the area across Falkenburg Road is within the Community Mixed Use -12 (CMU-12) FLU category which permits community scale retail commercial and clustered residential and mixed-use projects.

The majority of surrounding uses and zoning districts are similar to the request; Single-Family and Two-Family Residential (Conventional). The adjacent properties are zoned RDC-12 and AR to the north and south. To the east it is zoned AR. To the west it is zoned RDC-12. Therefore, the rezoning of the subject parcel from RDC-12 and AR to RDC-12 would be consistent with the existing zoning pattern of the area.

Based on the above considerations, staff finds the requested RDC-12 zoning district compatible with the existing zoning and development pattern in the area.

### 5.2 Recommendation

Based on the above considerations, staff finds the request approvable.

## SUMMARY OF HEARING

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

Mr. Alvaro Rodriguez 3603 West Flora Street Suite 101 Tampa testified on behalf of Ramesh Harjani. Mr. Rodriguez stated that the rezoning applies to one parcel that has two zoning districts which are RDC-12 and AR. The purpose of the rezoning is to have the entire property zoned RDC-12 to develop eight residential units. Mr. Rodriguez described the property location and the surrounding land uses as being single-family residential, agricultural and a technical school. He concluded his presentation by stating that staff is recommending approval.

Mr. Chris Grandlienard, Development Services staff, testified regarding the County's staff report. Mr. Grandlienard stated that the property is designated UMU-20 and is located at 5001 North Falkenburg Road. He described the surrounding uses and added that parcels to the north and south also have the split zoning of RDC-12 and AR. The request to rezone from RDC-12 and AR to RDC-12 has a maximum of eight dwelling units. Mr. Grandlienard concluded his presentation by stating that staff finds the request approvable.

Ms. Melissa Lienhard, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Lienhard stated that the subject property is within the Urban Mixed Use-20 Future Land Use classification and the Urban Service Area and the East Lake Orient Community Plan. Ms. Lienhard testified that the request is consistent with the density and housing type expected in the UMU-20 land use category. The creation of a duplex use will be consistent with Objective 16 regarding compatibility with the surrounding area. The request is also consistent with Goal 5 of the Community Design Component of the Future Land Use Element regarding neighborhood level design. Staff found that the proposed rezoning consistent with the vision of the East Lake Orient Park Community Plan which seeks to develop housing opportunities. The Planning Commission finds the request consistent with the Future of Hillsborough Comprehensive Plan.

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

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

Mr. Juan Rojas 5005 North Falkenburg testified in opposition and asked where he could obtain information regarding the type of housing proposed. He stated that he lives adjacent to the subject property.

County staff did not have additional comments.

Mr. Rodriguez testified during the rebuttal period. He stated that there will be a maximum of eight dwelling units. They are currently evaluating the design but have contemplated two buildings with four units per building and 16 parking spaces total. There may be two units on the first floor and two units on the second floor but the design has not been finalized.

The hearing was then concluded.

### **EVIDENCE SUBMITTED**

No documents were submitted into the record.

### **PREFACE**

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

### **FINDINGS OF FACT**

1. The subject property is 0.68 acres in size and is currently zoned Agricultural Rural (AR) and Residential Duplex Conventional-12 (RDC-12) and is designated Urban Mixed Use-20 (UMU-20) by the Comprehensive Plan. The property is located within the Urban Service Area and the East Lake Orient Park Community Planning Area.
2. The applicant is requesting a rezoning to the RDC-12 zoning district for a maximum of eight dwelling units.
3. The Planning Commission staff supports the request. The Planning Commission found that the request is consistent with Objective 16 regarding compatibility with the surrounding area as well as Goal 5 of the Community Design Component of the Future Land Use Element regarding neighborhood level design. Staff also found that the proposed rezoning consistent with the vision of the East Lake Orient Park Community Plan which seeks to develop housing opportunities. The Planning Commission found the application consistent with the Comprehensive Plan.
4. The subject property is adjacent to parcels zoned RDC-12 to the north, south and west.
5. One person testified in opposition to the request. The testimony focused on the question of how many dwelling units would be constructed and what was the housing type.

The applicant's representative replied that there will be a maximum of eight dwelling units constructed. The housing type is currently being evaluated but two buildings, two story in height, with four unit each was possible.

6. The request for the RDC-12 zoning district on the subject property is compatible with the surrounding zoning districts and the UMU-20 Future Land Use category.

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

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

### **CONCLUSIONS OF LAW**

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

### **SUMMARY**

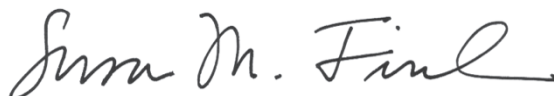
The applicant is requesting a rezoning to the RDC-12 zoning district. The property is 0.68 acres in size and is currently zoned AR and RDC-12 designated UMU-20 by the Comprehensive Plan. The property is located in the Urban Service Area and the East Lake Orient Park Community Plan.

The Planning Commission found the request compatible with the UMU-20 land use category and the East Lake Orient Community Plan.

The request for the RDC-12 zoning district on the subject property is compatible with the surrounding zoning districts and the UMU-20 Future Land Use category.

### **RECOMMENDATION**

Based on the foregoing, this recommendation is for **APPROVAL** of the RDC-12 rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.

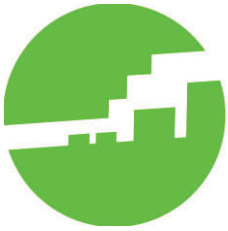


October 1, 2021

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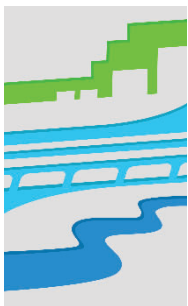
**Susan M. Finch, AICP**  
**Land Use Hearing Officer**

**Date**



**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> September 13, 2021	<b>Petition: 21-1091</b>
<b>Report Prepared:</b> September 2, 2021	<b>5001 Falkenburg Road N Folio: 065126-0000</b> <i>NE corner of Falkenburg Rd N and Elliot St E</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding:</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use:</b>	<b>Urban Mixed Use-20 (20 du/ag; 1.0 FAR)</b>
<b>Service Area</b>	<b>Urban</b>
<b>Community Plan:</b>	<b>East Lake-Orient Park</b>
<b>Requested Zoning:</b>	Agricultural Rural (AR) to Residential Duplex Conventional-12 (RDC-12)
<b>Parcel Size (Approx.):</b>	.69 acres +/- (30,056 square feet)
<b>Street Functional Classification:</b>	Falkenburg Road N - <b>Collector</b> Elliot Street E - <b>Local</b>
<b>Locational Criteria</b>	N/A
<b>Evacuation Zone</b>	The subject property is not in an Evacuation Zone



## **Context**

- The approximately .69 +/- acre site is located at the northeast corner of Falkenburg Road North and Elliot Street East. The subject site is in the Urban Service Area. It is located within the limits of the East Lake-Orient Park Community Plan.
- The subject site's Future Land Use designation is Urban Mixed Use-20 (UMU-20). Typical allowable uses in the UMU-20 category include residential, regional scale commercial uses such as a mall, office and business park uses, research corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed use projects at appropriate locations. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element. The subject site is surrounded by UMU-20 on the north, east and south sides, and Commercial Mixed Use-12 (CMU-12) to the west.
- The subject site is currently zoned Agricultural Rural (AR) on the eastern portion and Residential Duplex Conventional-12 (RDC-12) on the western portion of the parcel. The site is surrounded by AR zoning to the north, east and south, and RDC-12 zoning to the north, west and south.
- Currently, the parcel is designated as vacant residential land. Surrounding the site there are single family dwellings, multifamily dwellings, and light commercial uses.
- The applicant requests to change the zoning of the Agricultural Rural (AR) portion of the parcel to Residential Duplex Conventional-12 (RDC-12), so that the entire parcel is RDC-12 for a multifamily development option.

## **Compliance with Comprehensive Plan:**

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

### ***Future Land Use Element***

#### ***Urban Service Area (USA)***

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

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

## **Relationship to Land Development Regulations**

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

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

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

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

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

## **Mixed Use Land Use Categories**

**Objective 19:** All development in the mixed-use categories shall be integrated and interconnected to each other.

**Policy 19.1:** Larger new projects proposed in all mixed-use plan categories shall be required to develop with a minimum of 2 land uses in accordance with the following:

- Requirements for 2 land uses will apply to properties 10 acres or greater in the RMU-35, UMU-20, and CMU-12 land use categories, and to properties 20 acres or greater in the SMU-6 and NMU-4 land use categories.
- At least 10% of the total building square footage in the project shall be used for uses other than the primary use.
- The mix of uses may be horizontally integrated (located in separate building). Horizontal integration may also be achieved by utilizing off-site uses of a different type located within  $\frac{1}{4}$  mile of the project, on the same side of the street of a collector or arterial roadway connected by a continuous pedestrian sidewalk.
- The land uses that may be included in a mixed-use project include: retail commercial, office, light industrial, residential, residential support uses, and civic uses provided that the use is permitted in the land use category.
- These requirements do not apply within  $\frac{1}{2}$  of a mile of an identified Community Activity Centers (if other mixed-use standards have been adopted for that area or when the project is exclusively industrial).

**Policy 19.2:** In the mixed use land use categories, when two or more uses are required on the same project, then the development shall be implemented through a zoning district that demonstrates street connectivity, description of land uses, and site placement, access locations and internal connections at a minimum.

## **Community Design Component**

### **5.0 NEIGHBORHOOD LEVEL DESIGN**

#### **5.1 COMPATIBILITY**

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

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

## **Livable Communities Element**

### **East Lake-Orient Park Community Plan**

Housing – Create housing opportunities.

- East Lake-Orient Park is experiencing problems with poorly managed apartment complexes and rental properties. East Lake-Orient Park seeks annual inspections of rental units for compliance with the health and housing codes.
- New residential developments that provide home ownership are preferred.



- *Support affordable housing opportunities that accommodate a diverse population and income levels and promote home ownership.*
- *Create a neighborhood redevelopment and rehabilitation program to revitalize the area south of US 92 in the vicinity of Falkenburg Road.*
- *Evaluate land uses along Orient Road to allow higher density quality residential dwelling units.*

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

The applicant requests to change the zoning of the Agricultural Rural (AR) portion of the parcel to Residential Duplex Conventional-12 (RDC-12), so that the entire .69 acre parcel is RDC-12 to allow for the development of a multifamily development option.

According to Objective 1 of the Future Land Use Element of the Comprehensive Plan (FLUE) at least 80% of all population growth will occur within the Urban Service Area (USA). The subject site is in the USA and the proposal is a rezoning for a multifamily development option therefore potentially increasing density and meeting the intent of Objective 1 of the Future Land Use Element (FLUE) of the Comprehensive Plan.

Objective 9 of the FLUE requires development to be consistent with all land development regulations in Hillsborough County. Policy 9.1 states that *“each land use plan category shall have a set of zoning districts that may be permitted within that land use plan category.”* The subject site is located in the Urban Service Area and the Future Land Use Classification is Urban Mixed Use-20 (UMU-20) which permits 20 dwelling units per gross acre (du/ga). The intent of the UMU-20 category is to be urban in intensity and density of uses. The proposal to rezone the subject site to RDC-12 meets the requirements of the UMU-20 Future Land Use category and Objective 9 and Policies 9.1 and 9.2

Objective 16 and its accompanying policies 16.1, 16.2, 16.3, seek to protect existing neighborhoods and development by ensuring compatibility with the surrounding area through the creation of like or complementary uses. The creation of a multifamily building would be consistent with these policies as the use is similar and complementary to the surrounding residential uses. Policy 16.8 specifically requires the density and lot sizes of the surrounding area to be compatible with new development. The existing uses in the area are single family dwellings, multifamily dwellings, and light commercial uses, which are urban in nature. Policy 16.10 states that *“any density increase shall be compatible with existing, proposed or planned surrounding development.”* In this case, the surrounding area has existing RDC-12 zoning district in the immediate vicinity and preserves the existing urban residential character of the area. The proposal is therefore compatible with the surrounding area and meets the intent of Objective 16 and Policies 16.1, 16.2, 16.3, 16.8 and 16.10. The proposal also meets the intent of Objective 19, Mixed Use Land Use Categories, which states that all development in the mixed-use categories shall be integrated and interconnected to each other.

The Community Design Component (CDC) of the FLUE provides policy direction in Goal 5 regarding neighborhood level design. Goal 12 and Objective 12-1 of the CDC directs new development to relate to the predominant character of its surroundings and be designed to be compatible with the area. As the surrounding land use pattern is primarily residential with a residential density that is urban in nature, a rezoning request to allow RDC-12 would be compatible with the surrounding area and the existing development pattern.

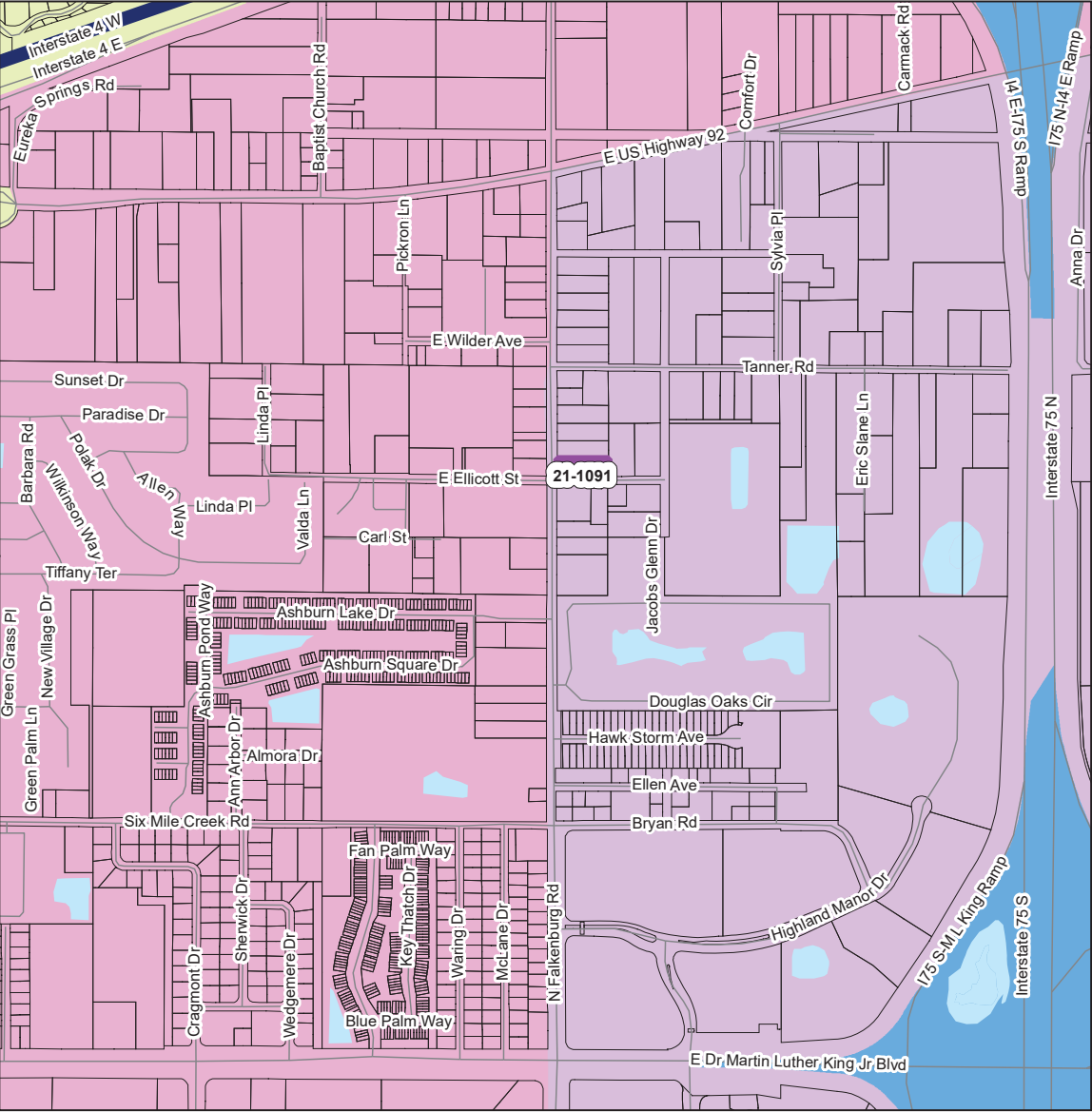
The proposed rezoning is consistent with the goals of the East Lake-Orient Park Community Plan in the Livable Communities Element which seeks to develop housing opportunities. By changing the AR portion of the parcel to RDC-12 provides an opportunity to create a new multifamily development option. This further supports the goals in the plan that seek to create affordable housing opportunities that accommodate a diverse population and income levels and promote home ownership, and allowing higher density quality residential dwelling units.

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

**Recommendation**

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

# HILLSBOROUGH COUNTY FUTURE LAND USE RZ 21-1091

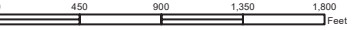


- Rezoning**
- all other values-
  - STATUS**
  - APPROVED
  - CONTINUED
  - DENIED
  - WITHDRAWN
  - PENDING
  - Tampa Service
  - Urban Service
  - Shoreline
  - County Boundary
  - Jurisdiction Boundary
  - Roads
  - Parcels
  - wam.NATURAL/LULC\_Wet\_Poly
  - AGRICULTURAL/MINING-1/20 (.25 FAR)
  - PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
  - AGRICULTURAL-1/10 (.25 FAR)
  - AGRICULTURAL/RURAL-1/5 (.25 FAR)
  - AGRICULTURAL/ESTATE-1/2.5 (.25 FAR)
  - RESIDENTIAL-1 (.25 FAR)
  - RESIDENTIAL-2 (.25 FAR)
  - RESIDENTIAL PLANNED-2 (.35 FAR)
  - RESIDENTIAL-4 (.25 FAR)
  - RESIDENTIAL-6 (.25 FAR)
  - RESIDENTIAL-9 (.35 FAR)
  - RESIDENTIAL-12 (.35 FAR)
  - RESIDENTIAL-16 (.35 FAR)
  - RESIDENTIAL-20 (.35 FAR)
  - RESIDENTIAL-35 (1.0 FAR)
  - NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
  - SUBURBAN MIXED USE-6 (.35 FAR)
  - COMMUNITY MIXED USE-12 (.50 FAR)
  - URBAN MIXED USE-20 (1.0 FAR)
  - REGIONAL MIXED USE-35 (2.0 FAR)
  - OC-20
  - RESEARCH CORPORATE PARK (1.0 FAR)
  - ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
  - LIGHT INDUSTRIAL PLANNED (.50 FAR)
  - LIGHT INDUSTRIAL (.50 FAR)
  - HEAVY INDUSTRIAL (.50 FAR)
  - PUBLIC/QUASI-PUBLIC
  - NATURAL PRESERVATION
  - WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
  - CITRUS PARK VILLAGE

**DATA SOURCES:** Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser.

**REPRODUCTION:** This sheet may not be reproduced in part or full for sale to anyone without specific approval of the Hillsborough County City-County Planning Commission.

**ACCURACY:** It is intended that the accuracy of the base map comply with U.S. national map accuracy standards. However, such accuracy is not guaranteed by the Hillsborough County City-County Planning Commission. This map is for illustrative purposes only. For the most current data and information, see the appropriate source.



Map Printed from Rezoning System: 8/6/2021  
 Author: Beverly F. Daniels  
 File: G:\Rezoning\System\MapProjects\H\CG\reg\_hr\Rezoning - Copy.mxd





# **AGENCY COMMENTS**

**AGENCY REVIEW COMMENT SHEET**

**TO:** Zoning Technician, Development Services Department  
**REVIEWER:** Alex Steady, Senior Planner  
**PLANNING AREA/SECTOR:** East Lake Orient Park/Northeast

**DATE:** 08/30/2021  
**AGENCY/DEPT:** Transportation  
**PETITION NO:** STD 21-1091

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | This agency has no comments.                         |
| <input checked="" type="checkbox"/> | <b>This agency has no objection.</b>                 |
| <input type="checkbox"/>            | This agency objects for the reasons set forth below. |

**REPORT SUMMARY AND CONCLUSIONS**

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 20 average daily trips, 1 trip in the a.m. peak hour, and 2 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to this request.

**PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone one parcel totaling +/- 0.68 acres from RDC-12 and AR to RDC-12. The site is located on the north east corner of the intersection of Falkenberg Rd and Ellicott St. The Future Land Use designation of the site is UMU-20.

***Trip Generation Analysis***

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

**Approved Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RDC-12, 5 Single Family Detached Dwelling Units (ITE Code 210)	<b>47</b>	<b>4</b>	<b>5</b>
AR, 1 Single Family Detached Dwelling Unit (ITE Code 210)	<b>9</b>	<b>1</b>	<b>1</b>
Total	<b>56</b>	<b>5</b>	<b>6</b>

**Proposed Zoning:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RDC-12, 8 Single Family Detached Units	76	6	8

**Trip Generation Difference:**

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>+20</b>	<b>+1</b>	<b>+2</b>

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 20 average daily trips, 1 trip in the a.m. peak hour, and 2 trips in the p.m. peak hour.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

The site has frontage on Falkenburg Rd and Ellicott St. Falkenburg Rd is a 2-lane, undivided, collector, substandard, Hillsborough County maintained roadway with +/- 11-foot travel lanes. Ellicott St. is a 2-lane, local, undivided, substandard, Hillsborough County maintained roadway. Along the project frontage of the subject site, Falkenburg Rd lies within +/- 60-foot-wide right-of-way and the project frontage along Ellicott St lies within +/- 51 feet of right of way. There are no sidewalks or bike lanes on either Falkenburg Rd or Ellicott St in the vicinity of the proposed project.

Falkenburg is shown on the Hillsborough County Corridor Preservation Plan as a future 4-lane roadway. Ellicott St is not shown on the Hillsborough County Corridor Preservation Plan.

**SITE ACCESS**

It is anticipated pedestrian and vehicular access will be from Falkenburg Rd and Ellicott St. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

**LEVEL OF SERVICE (LOS)**

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
FALKENBURG RD	BRYAN RD	HILLSBOROUGH AVE	D	C

Source: [2020 Hillsborough County Level of Service \(LOS\) Report](#)

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
Falkenburg Rd	County Collector - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Ellicott St	County Local - Urban	2 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

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	56	5	6
Proposed	76	6	8
Difference (+/-)	+20	+1	+2

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

Connectivity and Cross Access <input checked="" type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		None	None	Choose an item.
South		None	None	Choose an item.
East		None	None	Choose an item.
West		None	None	Choose an item.
Notes:				

Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 Additional Site Information & Agency Comments Summary <input type="checkbox"/> Not applicable for this request			
Transportation	Objections	Conditions Requested	Additional Information/Comments
<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No	

**COMMISSION**

Mariella Smith CHAIR  
 Pat Kemp VICE-CHAIR  
 Harry Cohen  
 Ken Hagan  
 Gwendolyn "Gwen" W. Myers  
 Kimberly Overman  
 Stacy White



**DIRECTORS**

Janet L. Dougherty EXECUTIVE DIRECTOR  
 Elaine S. DeLeeuw ADMIN DIVISION  
 Sam Elrabi, P.E. WATER DIVISION  
 Rick Muratti, Esq. LEGAL DEPT  
 Andy Schipfer, P.E. WETLANDS DIVISION  
 Steffanie L. Wickham WASTE DIVISION  
 Sterlin Woodard, P.E. AIR DIVISION

**AGENCY COMMENT SHEET**

REZONING	
<p><b>HEARING DATE:</b> 9/13/2021</p> <p><b>PETITION NO.:</b> 21-1091</p> <p><b>EPC REVIEWER:</b> Sarah Hartshorn</p> <p><b>CONTACT INFORMATION:</b> (813) 627-2600 X 1237</p> <p><b>EMAIL:</b> hartshorns@epchc.org</p>	<p><b>COMMENT DATE:</b> 8/12/2021</p> <p><b>PROPERTY ADDRESS:</b> 5001 N Falkenburg Rd, Tampa, FL 33610</p> <p><b>FOLIO #:</b> 0652160000</p> <p><b>STR:</b> 05-29S-20E</p>
<p><b>REQUESTED ZONING:</b> RDC-12</p>	
FINDINGS	
<b>WETLANDS PRESENT</b>	NO
<b>SITE INSPECTION DATE</b>	N/A
<b>WETLAND LINE VALIDITY</b>	N/A
<b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b>	N/A
<p><b>INFORMATIONAL COMMENTS:</b></p> <p>Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) reviewed the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using aerial photography, soil surveys, and reviewing EPC files. Through this review, it appears that no wetlands or other surface waters exist onsite.</p> <p>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.</p>	

Sjh/mst



**AGENCY REVIEW COMMENT SHEET**

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**TO: ZONING TECHNICIAN, Planning Growth Management**

**DATE: 27 July 2020**

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

**APPLICANT: Alvaro Rodriquez**

**PETITION NO: RZ-STD 21-1091**

**LOCATION: 5001 N. Falkenburg Rd., Tampa, FL 33610**

**FOLIO NO: 65126.0000**

**SEC: 05 TWN: 29 RNG: 20**

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- 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**

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PETITION NO.: STD21-1091    REVIEWED BY: Randy Rochelle    DATE: 7/22/2021

FOLIO NO.: 65126.0000

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**WATER**

- The property lies within the City of Tampa Water Service Area. The applicant should contact the provider to determine the availability of water service.
- No Hillsborough County water line of adequate capacity is presently available.
- A \_\_\_\_\_ inch water main exists  (adjacent to the site),  (approximately \_\_\_\_\_ feet from the site) \_\_\_\_\_.
- Water distribution improvements may be needed prior to connection to the County's water system.
- No CIP water line is planned that may provide service to the proposed development.
- The nearest CIP water main (\_\_\_\_\_ inches), will be located  (adjacent to the site),  (feet from the site at \_\_\_\_\_). Expected completion date is \_\_\_\_\_.

**WASTEWATER**

- The property lies within the Hillsborough County Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- No Hillsborough County wastewater line of adequate capacity is presently available.
- A 4 inch wastewater force main exists  (adjacent to the site),  (approximately 45 feet from the site) and is located south of the subject property within the south Right-of-Way of E. Ellicott Street .
- Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.
- No CIP wastewater line is planned that may provide service to the proposed development.
- The nearest CIP wastewater main (\_\_\_\_\_ inches), will be located  (adjacent to the site),  (feet from the site at \_\_\_\_\_). Expected completion date is \_\_\_\_\_.

COMMENTS: This site is located within the Hillsborough County Urban Wastewater Service Area, therefore the subject property should be served by Hillsborough County Wastewater Service. The site also falls within the City of Tampa Water Service Area. This comment sheet does not guarantee wastewater service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.



# **VERBATIM TRANSCRIPT**

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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

ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:              SUSAN FINCH  
                          Land Use Hearing Master

DATE:                  Monday, September 13, 2021

TIME:                  Commencing at 6:00 p.m.  
                          Concluding at 10:36 p.m.

PLACE:                Cisco Webex

Reported By:

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

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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
  
ZONING HEARING MASTER HEARINGS  
September 13, 2021  
ZONING HEARING MASTER: SUSAN FINCH

C5:  
Application Number: RZ-STD 21-1091  
Applicant: Alvaro A. Rodriguez  
Location: NE corner of E. Ellicott St. &  
N. Falkenburg Rd.  
Folio Number: 065126.0000  
Acreage: 0.68 acres, more or less  
Comprehensive Plan: UMU-20  
Service Area: Urban  
Existing Zoning: RDC-12 & AR  
Request: Rezone to RDC-12

1 MR. GRADY: The next item is  
2 Rezoning-Standard -- sorry. The next item is  
3 agenda C-5, Rezoning-Standard 21-1091. The  
4 applicant is Alvaro A. Rodriguez. The request is  
5 to rezone from RDC-12 and AR to RDC-12.

6 Chris Grandlienard will provide staff  
7 recommendation after presentation by the applicant.

8 HEARING MASTER FINCH: Good evening.

9 MR. RODRIGUEZ: Good evening. My name is  
10 Alvaro Rodriguez. My address is 3603 West Flora  
11 Street, Suite 101, Tampa, Florida. I represent  
12 Ramesh Harjani.

13 I would like to have your collaboration in  
14 order to rezone a property located at 5001 North  
15 Falkenburg Road, Tampa, Florida. The property in  
16 reference is just one property with one folio  
17 number, one legal description, but the property has  
18 two zonings.

19 The property has one zoning that is  
20 residential, two permits, (sic) conventional 12,  
21 RDC-12, and additional, the same property has  
22 single-family residential agricultural, AR.

23 I would like to rezone the entire property,  
24 the entire parcel just for one zoning. The zoning  
25 will be Residential Duplex Conventional-12, RDC-12,

1 to allow single-family and two family residential  
2 conventional. This use is allowed and -- for the  
3 development standards with that type of zoning.

4 The property located on the corner of Falken  
5 Road -- Falkenburg Road and Ellicott Street.  
6 Falkenburg Road is a connector road that goes north  
7 to south in front of the property. Falkenburg is  
8 shown on the Hillsborough County corridor  
9 presentation plans as a future four-lane roadway.  
10 It's -- it's an important road.

11 Actually, the road has only two lanes.  
12 Natural Resources asked me on the comments that if  
13 I have to develop something on the property, I have  
14 to have scenic corridor. And they are asking for  
15 zoned -- a reservation for a scenic corridor and  
16 also for the four lanes for the future.

17 The other area east, a little more than half  
18 acre, is 30000.68 acres. And with the RDC-12, I  
19 can develop eight residential units. The property  
20 surrounded by single-family residential and  
21 agricultural uses and one technical school on the  
22 east side of the property.

23 The existing properties around it are  
24 residential houses. Only the property on the west  
25 side is vacant, but the zoning for the -- for the

1 residential house that is for the residential  
2 property that be located on the west is RDC-12,  
3 which is the same use that I am asking for.

4 The Future Use -- the Future Land Use  
5 Category for the property is Urban Mixed-Use-20.  
6 The property located on the north side -- the  
7 neighbor on the north side is RDC-12 plus AR. The  
8 property on the south side is RDC-12 plus AR. The  
9 property on the east side is RDC, AR and the  
10 property on the west is RDC-12.

11 Basically most of the properties around my  
12 property are on the RDC-12 that I am asking for. I  
13 did not receive any objections from Hillsborough  
14 County staff when they reviewed the application,  
15 and the recommendation that they have on the -- on  
16 the staff is for approval.

17 And I think that the project will be -- the  
18 project that the zoning is appropriate for the --  
19 for the land. Thank you.

20 HEARING MASTER FINCH: Thank you. I  
21 appreciate it. If you could please sign in with  
22 the clerk's office.

23 Development Services.

24 MR. GRANDLIENARD: Just one second. Okay.  
25 Good evening. Chris Grandlienard again, planner



1 with Development Services.

2 Property -- we're doing Rezoning 21-1091.

3 The property associated with Standard  
4 Rezoning 21-1091 has a Future Land Use designation  
5 of Urban Mixed-Use-20.

6 The Urban Mixed-Use-20 permit consideration  
7 of residential densities up to a maximum density of  
8 20 units per acre and nonresidential intensities up  
9 to a maximum FAR of 1.0.

10 The subject rezoning parcel is located at  
11 5001 North Falkenburg Road, which is at the  
12 northeast corner of East Ellicott Street and North  
13 Falkenburg Road.

14 The surrounding zoning and development  
15 pattern consists of single-family residential  
16 agricultural uses and a technical school. The  
17 subject parcel is adjacent to single-family homes  
18 every side except for the west where a vacant lot  
19 is located.

20 To the north and south are both districts  
21 similar to the subject parcel that are split zoned  
22 RDC-12 and AR with a maximum density of 12 dwelling  
23 units per acre for RDC-12 and a maximum density of  
24 one dwelling unit per 5 acres for AR.

25 To the east is a district zoned AR with a

1 maximum density of one dwelling unit per 5 acres.

2 To the west is a district zoned RDC-12 with a  
3 maximum density of 12 dwelling units per acre.

4 The applicant is requesting to rezone from  
5 RDC-12 and AR with a maximum density of 12 dwelling  
6 units per acre for RDC-12 and a maximum density of  
7 one dwelling unit per 5 acres for AR are two just  
8 RDC-12 for the entire parcel with a maximum density  
9 of 12 dwelling units per acre.

10 The proposed use is a two-family residential  
11 complex with a mathematical maximum of eight units.  
12 That's prior to development requirements. Based on  
13 the Urban Mixed-Use Future Land Use classification,  
14 the surrounding zoning, and development pattern,  
15 and the proposed use and development standards of  
16 the RDC-12 zoning district, staff finds the request  
17 approvable.

18 That concludes my presentation. I'll be --  
19 I'm available for any questions you may have.

20 HEARING MASTER FINCH: No. No questions at  
21 this time but thank you.

22 Planning Commission, please.

23 MS. LIENHARD: Thank you. Melissa Lienhard,  
24 Planning Commission staff.

25 The subject property is located in the Urban

1 Mixed-Use-20 Future Land Use Category. It is in  
2 the Urban Service Area and located within the  
3 limits of the East Lake Orient Park Community Plan.

4 According to Objective 1 of the Future Land  
5 Use Element, at least 80 percent of all population  
6 growth will occur in the Urban Service Area. The  
7 intent of the UMU-20 category is to be urban in  
8 intensity and density of uses.

9 The proposal to rezone the subject site to  
10 RDC-12 meets the intent of the UMU-20 Future Land  
11 Use Category by providing a density and housing  
12 type that is expected in this type of category.

13 Objective 16 of the Future Land Use Element  
14 and its accompanying policies seek to protect  
15 existing neighborhoods and development by ensuring  
16 compatibility with the surrounding area through the  
17 creation of like or complementary uses.

18 The creation of a duplex use will be  
19 consistent with these policies as the use is  
20 similar and complementary to the surrounding  
21 residential uses.

22 Policy 16.8 specifically requires the  
23 density on lot sizes of the surrounding area be  
24 compatible with new development. The existing uses  
25 in the area are -- excuse me, I'm sorry. The

1 existing uses in the area are single-family  
2 dwellings, multifamily dwellings, light commercial  
3 uses which are urban in nature, and light  
4 commercial uses.

5 Policy 16.10 states that any density  
6 increase shall be compatible with existing,  
7 proposed, or planned surrounding development. In  
8 this case, in the surrounding area, there will be  
9 existing RDC-12 zoning in the immediate vicinity  
10 and preserves the existing urban residential  
11 character of the area.

12 The proposal is, therefore, compatible with  
13 the surrounding area and meets the intent of  
14 Objective 16 and its accompanying policies with  
15 regard to compatibility. The Community Design  
16 Component in the Future Land Use Element provides  
17 policy direction in Goal 5 regarding neighborhood  
18 level design.

19 Goal 12 and Objective 12-1 directs new  
20 development to relate to its predominant character  
21 surroundings and be designed to be compatible with  
22 the area.

23 As the surrounding Land Use pattern is  
24 primarily residential with the residential density  
25 that is urban in nature, a rezoning request to

1 allow RDC-12 would be compatible with the  
2 surrounding area and the existing development  
3 pattern.

4 The proposed rezoning is consistent with the  
5 vision of the East Lake Orient Park Community Plan  
6 which seeks to develop housing opportunities.  
7 Rezoning the AR portion of the parcel to RDC-12  
8 provides an opportunity to create a new residential  
9 development option.

10 This further supports the goals in the plan  
11 that seek to create affordable housing  
12 opportunities that accommodate the diverse  
13 population and income level and promotes  
14 homeownership and allows higher density quality  
15 residential dwelling units.

16 Based upon those considerations, Planning  
17 Commission staff finds the proposed rezoning  
18 consistent with the Future of Hillsborough  
19 Comprehensive Plan for Unincorporated Hillsborough  
20 County.

21 HEARING MASTER FINCH: Okay. Thank you. I  
22 appreciate it.

23 All right. Is there anyone in the room that  
24 would like to speak in support? Anyone in favor?

25 Seeing no one, no one online, anyone in

1 opposition to this request? No one. One person?

2 UNIDENTIFIED SPEAKER: Mr. Rojas.

3 HEARING MASTER FINCH: All right.

4 MR. ROJAS: Where can I get further  
5 information -- what kind of housing are we talking  
6 about here?

7 HEARING MASTER FINCH: Mr. Rojas --  
8 Mr. Rojas, if we could stop you. Excuse me. If  
9 you could just give us your name and address before  
10 you begin your testimony, please. Thank you.

11 MR. ROJAS: Juan Rojas. My address is 5005  
12 North Falkenburg Road, the property adjacent to the  
13 property in question -- the property applying for  
14 the rezoning.

15 HEARING MASTER FINCH: All right. And do  
16 you have a camera that you could turn on? You're  
17 required to have that on to speak.

18 MR. ROJAS: Okay. Let me see. I had the  
19 camera on earlier.

20 UNIDENTIFIED SPEAKER: You should be able to  
21 swipe to the -- the right, Mr. Rojas. And I think  
22 it will give you --

23 MR. ROJAS: Hold on. Can you see me?

24 UNIDENTIFIED SPEAKER: No, sir. There you  
25 are.

1 MR. ROJAS: How about now? Okay. Yeah.

2 The reason my camera was off is that I was driving,  
3 but I'm going to pull over right now. Yeah. I  
4 didn't know that this meeting would be as long as  
5 it has been. I thought the agenda would be just  
6 our -- our -- you know, this -- this rezoning issue  
7 here.

8 But -- so that's my question is, can I get  
9 any other information on what kind of zoning or  
10 what kind of housing is going to be in place. And,  
11 obviously, I'm concerned about my property, which  
12 is, you know, 300 feet deep. I just want to see  
13 how this is going to develop. Right.

14 HEARING MASTER FINCH: Mr. Rojas, you said  
15 you live next door? You have the property next  
16 door?

17 MR. ROJAS: Yeah. Right next door, 5005.

18 HEARING MASTER FINCH: All right. Well, if;  
19 that's the end of your testimony, we'll ask the  
20 applicant at the end of this hearing.

21 MR. ROJAS: Okay. Is the applicant going to  
22 show some sort of plan for his development?

23 HEARING MASTER FINCH: He's not required to  
24 show a site plan because this is what's referred to  
25 as a standard rezoning district, but there is a

1 maximum number of units that he could build. And  
2 so we'll ask him what he plans to build. Then  
3 that's -- he can comment as he will.

4 MR. ROJAS: Okay. All right.

5 HEARING MASTER FINCH: All right. Thank you  
6 for your testimony. I appreciate it.

7 Anyone else in opposition that would like to  
8 testify?

9 Seeing no one, County Staff, anything  
10 further?

11 MR. GRADY: Nothing further.

12 HEARING MASTER FINCH: All right. Sir, if  
13 you could respond to the gentleman's comment about  
14 the type of dwelling unit and how many units you  
15 plan to build.

16 MR. RODRIGUEZ: Okay. We just tried to get  
17 a general idea we can -- how many units we can fit  
18 there. But the maximum number of units that we're  
19 thinking would be eight units. Will be only two  
20 buildings and will be 16 parking spaces. Two  
21 parking spaces per unit.

22 HEARING MASTER FINCH: So eight dwelling  
23 units. Are they -- are they duplexes?

24 MR. RODRIGUEZ: Right now we are thinking  
25 apartments. We are thinking that that building



1 will have two units on the first floor and on the  
2 second floor. But again, we didn't go that far  
3 with that site plan design because we -- they never  
4 request that. But eight units we are sure that we  
5 really have to fit basically two buildings,  
6 two-story, four units for each building.

7 HEARING MASTER FINCH: Okay. All right.  
8 Thank you. Did you want to comment -- you get the  
9 last word as the applicant. Is there anything else  
10 you'd like to add before I close the hearing?

11 MR. RODRIGUEZ: I think I'm not changing  
12 anything that is already on the site. RDC-12 is  
13 already on that -- on that property, including your  
14 property, including the property in the back.

15 Falkenburg is an important road, and I am  
16 not getting anything that is out of residential use  
17 that is not around the property. You have uses  
18 more existing like this.

19 School that is behind. This will be just  
20 for four houses or four apartments or four --  
21 excuse me, eight houses or eight homes or eight  
22 apartments. We didn't go that far with site  
23 design. We didn't go that far with specific sign  
24 of the units. That would be just a single-family  
25 units. Nothing further.

1                   HEARING MASTER FINCH: All right. Thank you  
2                   so much.

3                   So with that, we'll close Rezoning 21-1091  
4                   and go to the next case.

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**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**

**NONE**



**PARTY OF  
RECORD**

**NONE**