

# Rezoning Application: RZ-STD 23-0729

Zoning Hearing Master Date: October 16, 2023

BOCC Land Use Meeting Date: December 12, 2023



**Hillsborough County Florida**

Development Services Department

## 1.0 APPLICATION SUMMARY

Applicant:	Danays Acosta Benitez, Dynasty Pools and Spas	
FLU Category:	LI	
Service Area:	Urban	
Site Acreage:	0.94585	
Community Plan Area:	Town N' Country	
Overlay:	None	

### Introduction Summary:

The applicant of the property at 5822 Barry Road would like to rezone it from AI to M with proposed retractions restrictions to limit the uses and square footage to Contractor's Office with Open Storage, Accessory Customer Display/Showroom, and maximum allowable 20,000 gross square footage.

Zoning:	Existing	Proposed
District(s)	AI	M-R
Typical General Use(s)	Agricultural Industrial	Manufacturing
Acreage	0.94585	0.94585
Density/Intensity	N/A DU per GA/ FAR: NA	NA DU per GA /FAR: <del>0.75</del> <u>0.48</u>
Mathematical Maximum*	N/A DU/ FAR: NA	NA DU / FAR: <del>0.71</del> <u>20,000 Sq Ft</u>

\*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	AI	M-R
Lot Size / Lot Width	43,560 SqFt /150'	20,000 SqFt / 100'
Setbacks/Buffering and Screening	<ul style="list-style-type: none"> <li>North: 50'</li> <li>East: 15'</li> <li>West: 15'</li> <li>South: 50'</li> <li>Buffering: 30'/C abutting zoning district M</li> </ul>	<ul style="list-style-type: none"> <li>Front: 30'</li> <li>Sides: LDCSec. 6.01.01 Endnote 10 &amp; 11</li> <li>Rear: LDCSec. 6.01.01 Endnote 10 &amp; 11</li> <li>Buffering: South: 30'/C East abutting AI: 30'/C</li> </ul>
Height	50'	110'

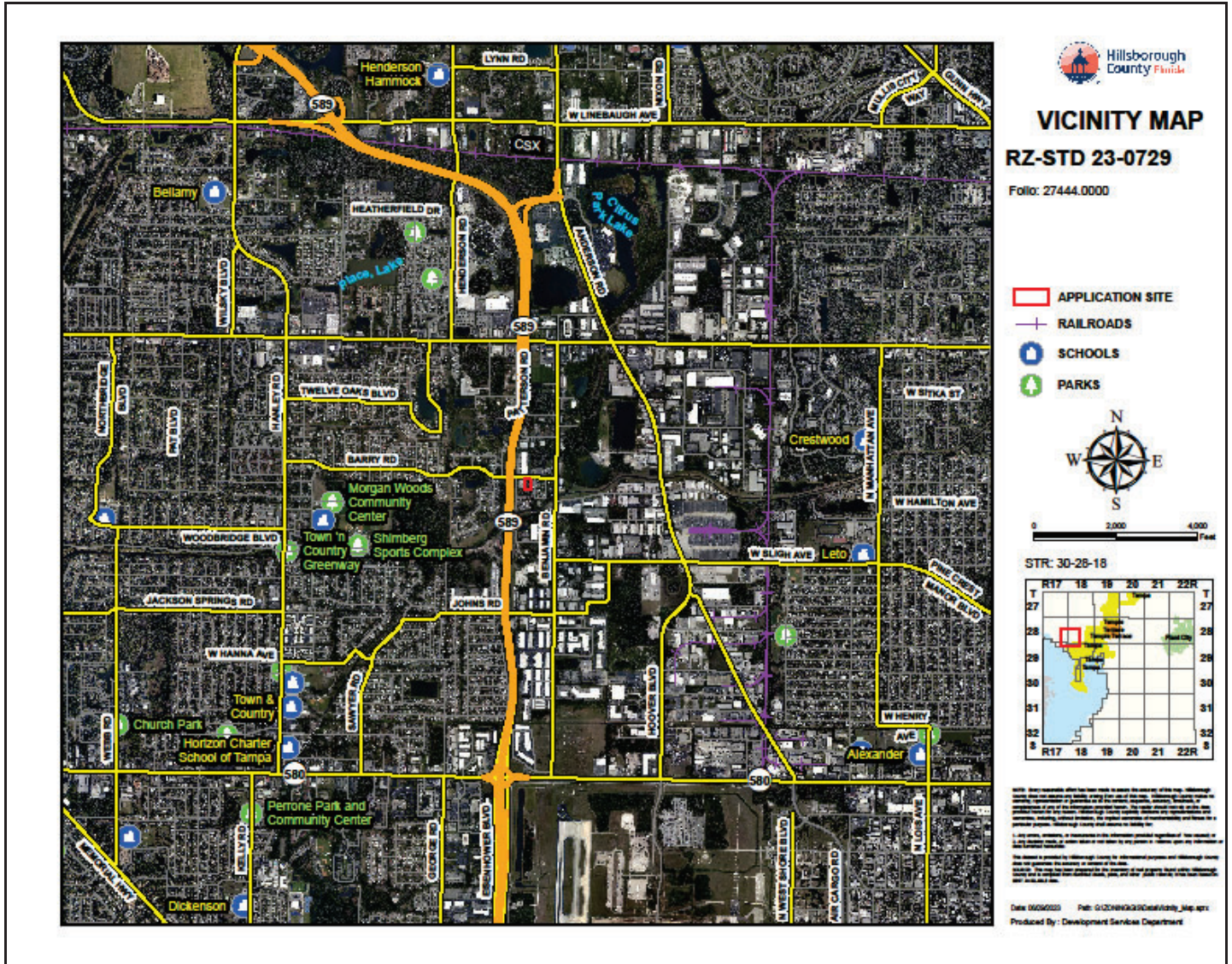
### Additional Information:

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

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

### 2.1 Vicinity Map

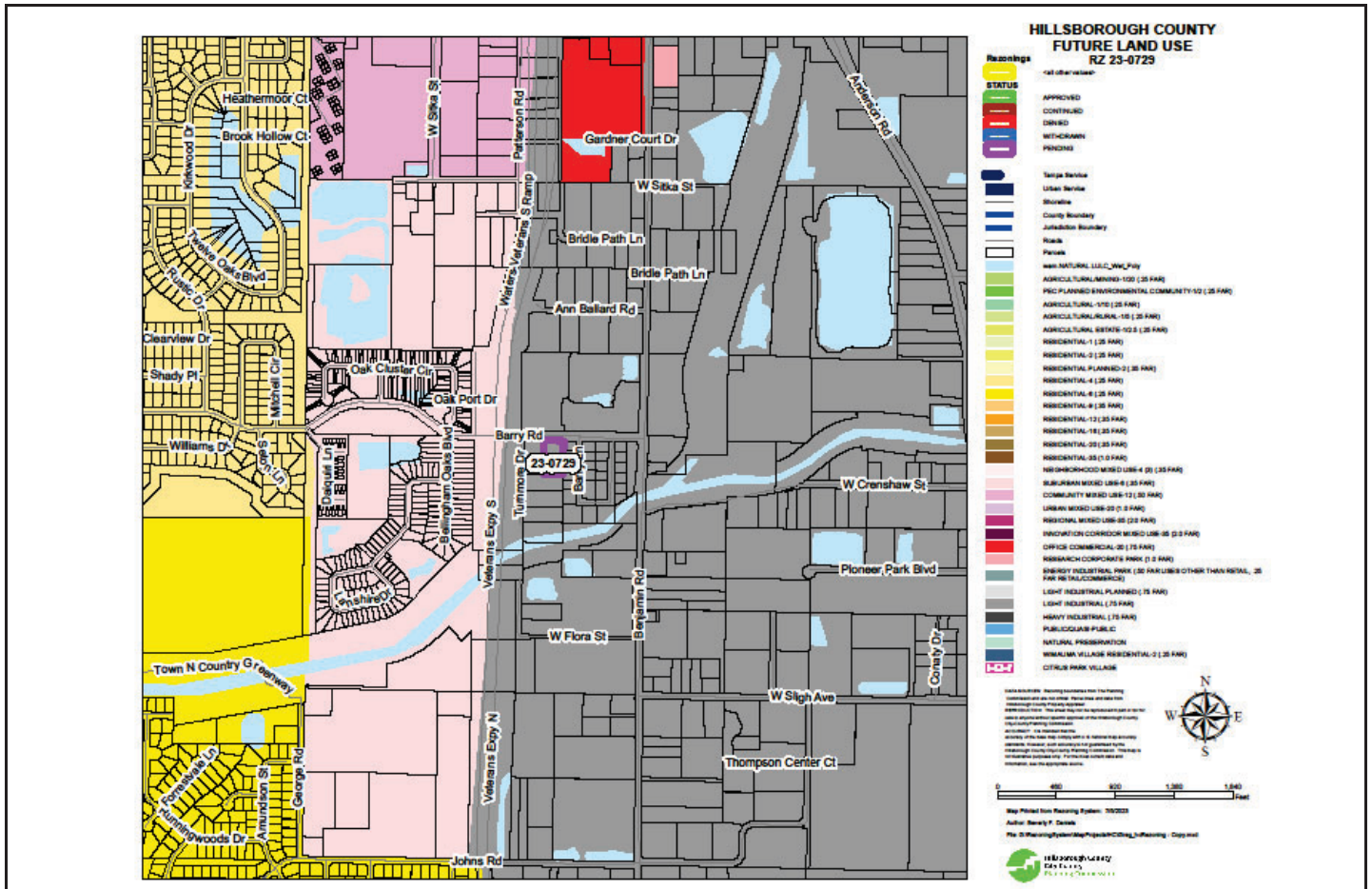


#### Context of Surrounding Area:

The site is located east of Veterans Expressway in an area which is comprised of a mixture of warehouse and residential uses. A portion of the eastern property line abuts a vacant residential lot owned by the applicant of the subject parcel.

2.0 LAND USE MAP SET AND SUMMARY DATA

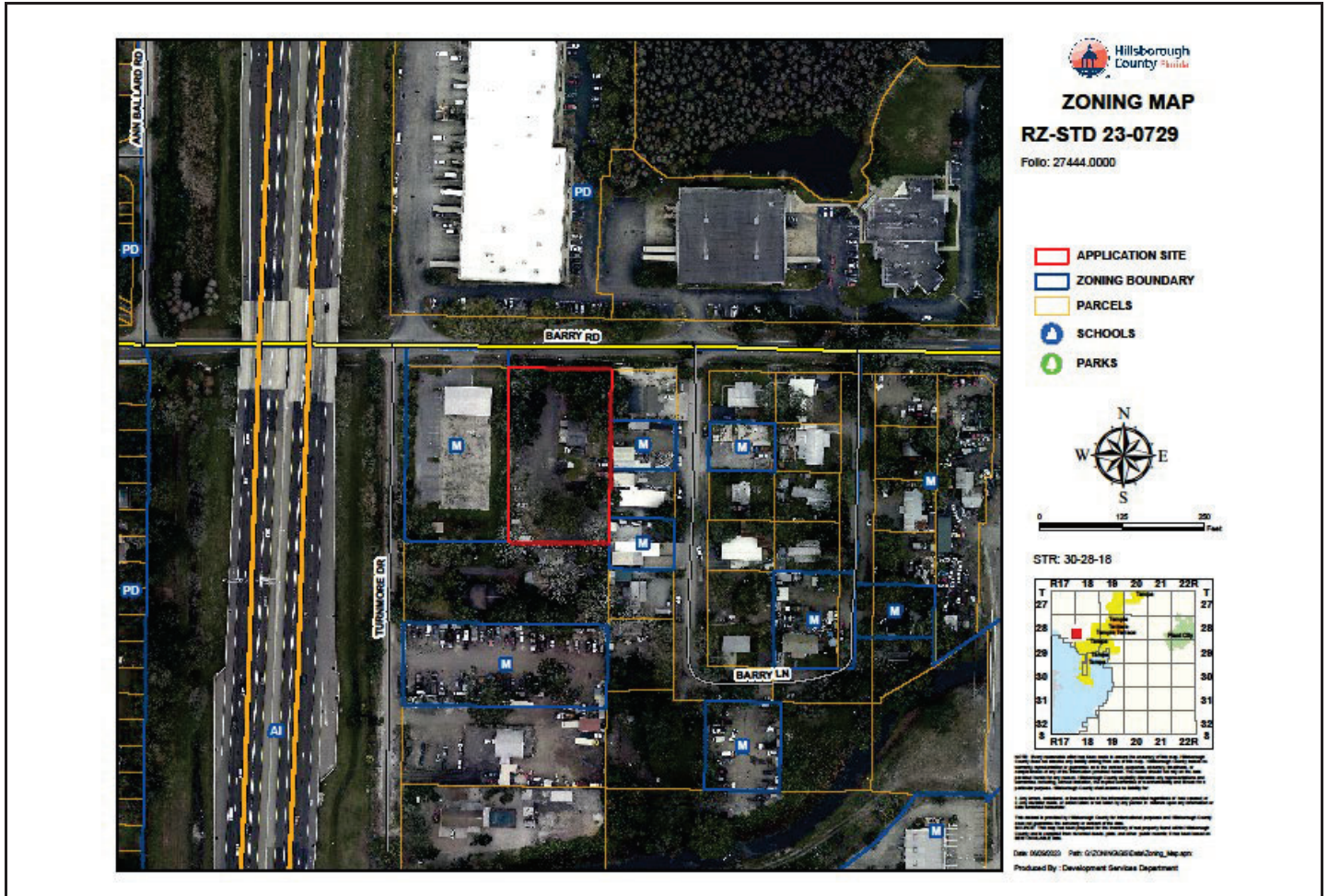
2.2 Future Land Use Map



Subject Site Future Land Use Category:	LI
Maximum Density/F.A.R.:	NA / 0.75
Typical Uses:	<p>Processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials, warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use<sup>xxvii</sup>), offices, research/corporate parks as the predominant uses and subordinate uses or services such as hotels, motels, restaurants, suburban scale retail establishments, and recreational facilities. Free standing suburban scale neighborhood commercial uses are pursuant to locational criteria or 20% of the project’s land area when part of a larger industrial/office park (greater than 300,000 square feet).</p> <p>Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.</p>

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	NA, 0.30	Light Industrial, Office, & Commercial	WAREHOUSE
South	AI	1 DU per acre/NA	Agriculture	SINGLE FAMILY R
East	AI, M	1 DU per acre /NA, NA/0.75	Agriculture, Commercial, Residential	MH, VACANT RESIDENTIAL, MH, MH
West	M	NA/0.75	Commercial	WAREHOUSE C

2.0 LAND USE MAP SET AND SUMMARY DATA

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



**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
Barry Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
	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	152	22	24
Proposed	196	33	39
Difference (+/-)	(+) 44	(+) 11	(+) 15

\*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		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance <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**

INFORMATION/REVIEWING AGENCY

<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 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"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> 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 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	
<input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided				
<b>Service Area/ Water &amp; Wastewater</b>	<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	
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace				
<b>Hillsborough County School Board</b>	<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	
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				
<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 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	
<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 type="checkbox"/> N/A <input type="checkbox"/> Density Bonus Requested <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent				

**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**

The immediate adjacent properties are zoned PD to the north, M to the west, AI to the south, and both M and AI to the east. The site is surrounded by a mixture of residential uses and warehouses. The subject site is surrounded by LI

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Future Land Use (FLU) categories which permits processing, manufacturing, wholesale, subordinate, suburban retail, and neighborhood commercial uses.


The site is located within the Urban Service Area's Water and Wastewater Service Area; therefore, the subject property should be served by the County.

## 5.2 Recommendation

Based on the above considerations and the applicant's proposed restrictions regarding limited uses to Contractor's Office with Open Storage, Accessory Customer Display/Showroom, and maximum allowable 20,000 gross square footage of the restricted uses in order to address access issues to Barry Road raised by transportation, staff finds the proposed M zoning district is compatible with the existing zoning districts and development pattern in the area. Therefore, staff finds the request Approvable.

**6.0 PROPOSED RESTRICTIONS**

1. To limit allowable uses to Contractor’s Office with Open Storage and Accessory Customer Display/Showroom Uses; and,
2. To limit the maximum allowable gross square-footage (g.s.f.) of the above uses to a maximum of 20,000 g.s.f.

<b>Zoning Administrator Sign Off:</b>	 J. Brian Grady Fri Oct 6 2023 15:02:07
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**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 a approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.



**7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS**

**N/A**

## 8.0 PROPOSED SITE PLAN (FULL)

N/A

**APPLICATION NUMBER: RZ-STD 23-0729**

ZHM HEARING DATE: October 16, 2023

BOCC LUM MEETING DATE: December 12, 2023

Case Reviewer: Carolanne Peddle

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

## AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department

DATE: 9/9/2023

*Revised: 10/06/2023*

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA: NWH

PETITION NO: RZ 23-0729

- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to the listed or attached restrictions.
- This agency objects for the reasons set forth below.

### **PROPOSED RESTRICTIONS**

The parcel shall be permitted to develop under the Manufacturing (M) zoning district with the following restrictions:

- 1) Use of the property shall be limited to Contractor's Office with Open Storage uses and Accessory Customer Display/Showroom Uses; and,
- 2) The above uses shall be limited to a maximum of 20,000 g.s.f.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone a +/- 0.92 ac. parcel from Agricultural Industrial (AI) to Manufacturing (M).

Consistent with the Development Review Procedures Manual (DRPM), the applicant was not required to submit a trip generation or site access analysis to process this request. Staff has prepared the below comparison of the maximum trip generation potential of the subject property under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Information shown below is based upon data from the Institute of Transportation Engineer's Trip Generation Manual, 11<sup>th</sup> Edition. Since there is no ITE land use code for the a contractor's office with show room, staff examined other available use codes which were anticipated to be a close match with that component of the proposed use. Staff notes that a furniture store is likely to be close in nature to a display area for a contractor (in this case the end user is a pool builder). Staff noted that the highest peak rate for furniture stores (LUC 890) is 0.52 trips per 1,000 g.s.f., vs. the 1.93 trips per 1,000 g.s.f. in the highest peak hour for LUC 180. As such, staff believes the analysis prepared below represents a conservative analysis of likely maximum trip generation potential.

Staff had previously objected to the case based on the inclusion of all "M" district uses, which can include very high trip intensive uses including but not limited to fast food with drive through uses. Given that the project will be unable to meet access spacing requirements, and that there is likely insufficient right-of-way available in which to construct a turn lane which would be required by a higher intensity use, staff worked with the applicant to customize the restrictions to accomplish the uses sought by the applicant, while providing additional room for their proposed business to potentially grown in the future. With these restrictions, staff believes that the applicant's proposed development will be able to obtain the necessary Section 6.04.02.B Administrative Variance (AV) and/or Design Exception (DE) approvals needed to obtain site/construction plan approval. These remaining issues will be dealt with through the

site/construction plan process, as is the case with all other Euclidean zoned projects (which are not required to seek AV/DE approvals concurrent with Euclidean zoning petitions.

**Existing Zoning:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AI, 32,016 s.f. Agricultural Manufacturing Uses (ITE LUC 254)	152	22	24

**Proposed Zoning:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
M, 20,000 s.f. Contractor’s Office with Open Storage and Display Area (ITE LUC 180)	196	33	39

**Trip Generation Difference:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>(+) 44</b>	<b>(+) 11</b>	<b>(+) 15</b>

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

Barry Rd. is a 2-lane, publicly maintained, substandard collector roadway. The roadway is characterized by +/- 20 feet of pavement in average condition. In the vicinity of the project site, the right-of-way width is approximately +/- 76 feet. There are a +/- 5-foot-wide sidewalks present along portions of the north side of Barry Rd. in the vicinity of the proposed project. There are no bicycle facilities along the roadway in the vicinity of the proposed project.

**SITE ACCESS AND CONNECTIVITY**

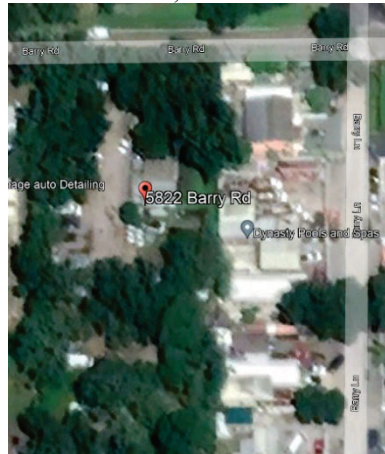
It is anticipated that access to the site will be from Barry Rd. Staff notes that vehicular and pedestrian cross access would likely also be required pursuant to Sec. 6.04.03.Q. of the LDC.

Given access spacing along Barry Rd. in vicinity of the proposed project, and the subject property’s available frontage and configuration, staff believes the restrictions proposed in the applicant’s modified narrative represents a supportable level of intensification of the subject site.

May 14, 2023 Aerial



December 15, 2022 Aerial



Streetview showing speed table and problematic access location and design.



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

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

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Barry Rd.	Hanley Rd.	Benjamin Rd.	D	C

Source: Hillsborough County 2020 Level of Service Report.

Transportation Comment Sheet

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

<b>Adjoining Roadways (check if applicable)</b>			
<b>Road Name</b>	<b>Classification</b>	<b>Current Conditions</b>	<b>Select Future Improvements</b>
Barry Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
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<b>Project Trip Generation</b> <input type="checkbox"/> Not applicable for this request			
	<b>Average Annual Daily Trips</b>	<b>A.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
Existing	152	22	24
Proposed	196	33	39
Difference (+/-)	<b>(+) 44</b>	<b>(+) 11</b>	<b>(+) 15</b>

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

<b>Connectivity and Cross Access</b> <input checked="" type="checkbox"/> Not applicable for this request				
<b>Project Boundary</b>	<b>Primary Access</b>	<b>Additional Connectivity/Access</b>	<b>Cross Access</b>	<b>Finding</b>
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

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

## Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
<b>Transportation</b>	<b>Objections</b>	<b>Restrictions Requested</b>	<b>Additional Information/Comments</b>
<input 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**

<b>APPLICATION NUMBER:</b>	RZ STD 23-0729
<b>DATE OF HEARING:</b>	October 16, 2023
<b>APPLICANT:</b>	Danays Acosta Benitez
<b>PETITION REQUEST:</b>	The request is to rezone a parcel of land from AI to M (R)
<b>LOCATION:</b>	5822 Barry Road
<b>SIZE OF PROPERTY:</b>	0.92 acres m.o.l.
<b>EXISTING ZONING DISTRICT:</b>	AI
<b>FUTURE LAND USE CATEGORY:</b>	LI
<b>SERVICE AREA:</b>	Urban

## DEVELOPMENT REVIEW STAFF REPORT

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

### 1.0 APPLICATION SUMMARY



Applicant: Danays Acosta Benitez, Dynasty Pools and Spas

FLU Category: LI

Service Area: Urban

Site Acreage: 0.94585

Community Plan Area: Town N' Country

Overlay: None

The applicant of the property at 5822 Barry Road would like to rezone it from AI to M with proposed retractions restrictions to limit the uses and square footage to Contractor's Office with Open Storage, Accessory Customer Display/ Showroom, and maximum allowable 20,000 gross square footage.

PD Variation(s): None requested as part of this application

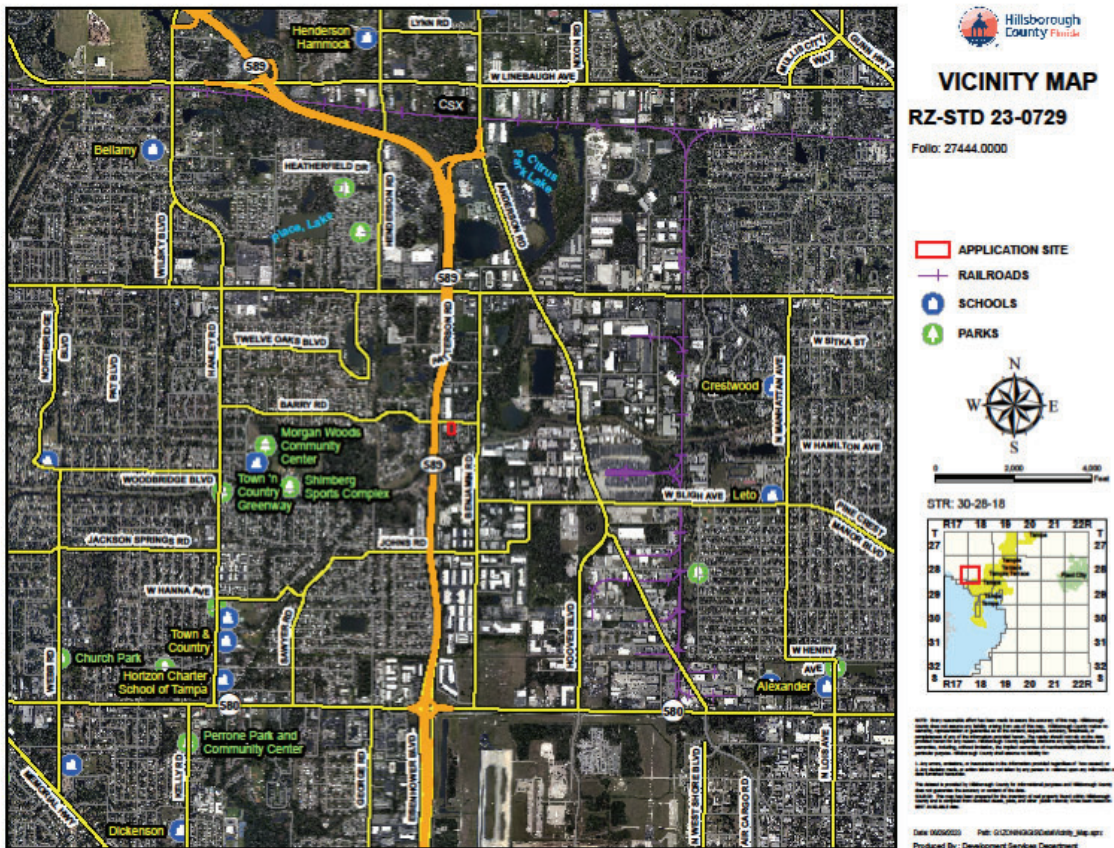
Setbacks/Buffering and Screening	<ul style="list-style-type: none"> <li>• North: 50'</li> <li>• East: 15'</li> <li>• West: 15'</li> <li>• South: 50'</li> <li>• Buffering: 30'/C abutting</li> </ul> <p style="text-align: center;">zoning district M</p>	<ul style="list-style-type: none"> <li>• Front: 30'</li> <li>• Sides: LDC Sec. 6.01.01 Endnote 10 &amp; 11</li> <li>• Rear: LDC Sec. 6.01.01 Endnote 10 &amp; 11</li> <li>• Buffering:</li> </ul> <p style="text-align: center;">South: 30'/C East abutting AI: 30'/C</p>
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Waiver(s) to the Land Development Code: N/A

**Planning Commission Recommendation:** Consistent

**Development Services Recommendation:** Approvable with restrictions

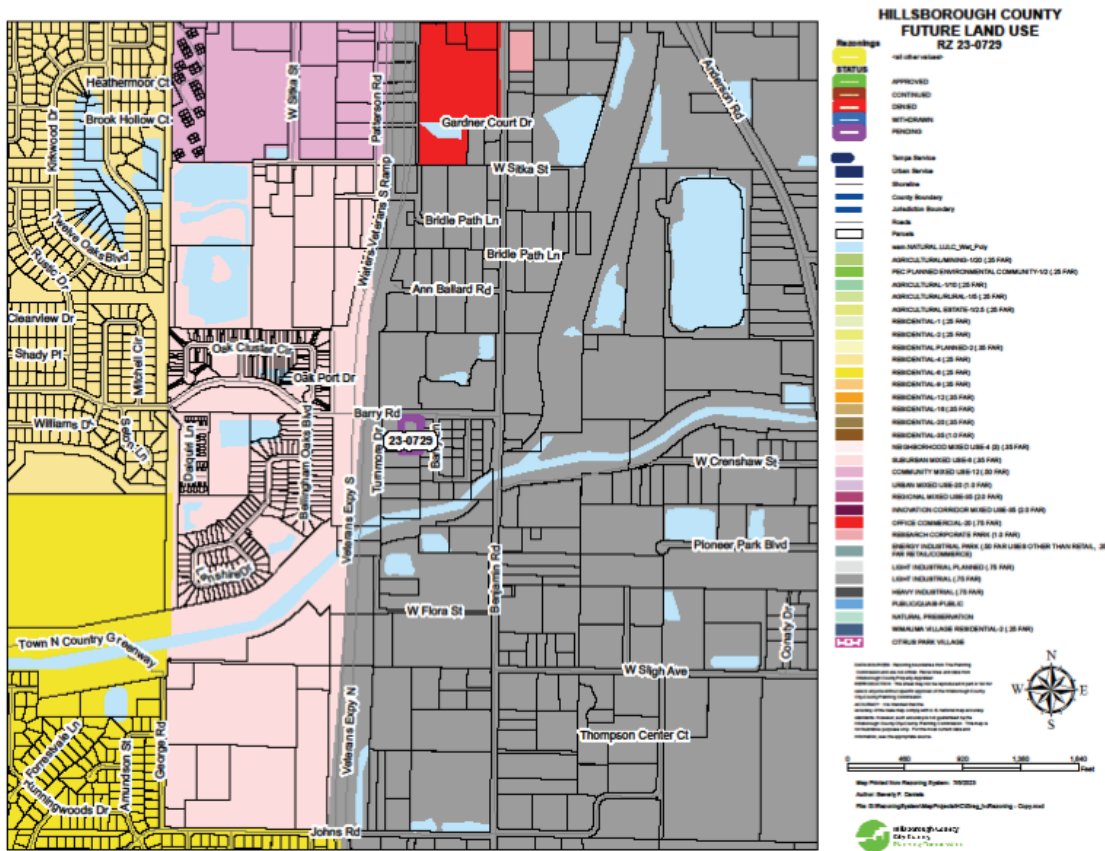
**2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map**



**Context of Surrounding Area:**

The site is located east of Veterans Expressway in an area which is comprised of a mixture of warehouse and residential uses. A portion of the eastern property line abuts a vacant residential lot owned by the applicant of the subject parcel.

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

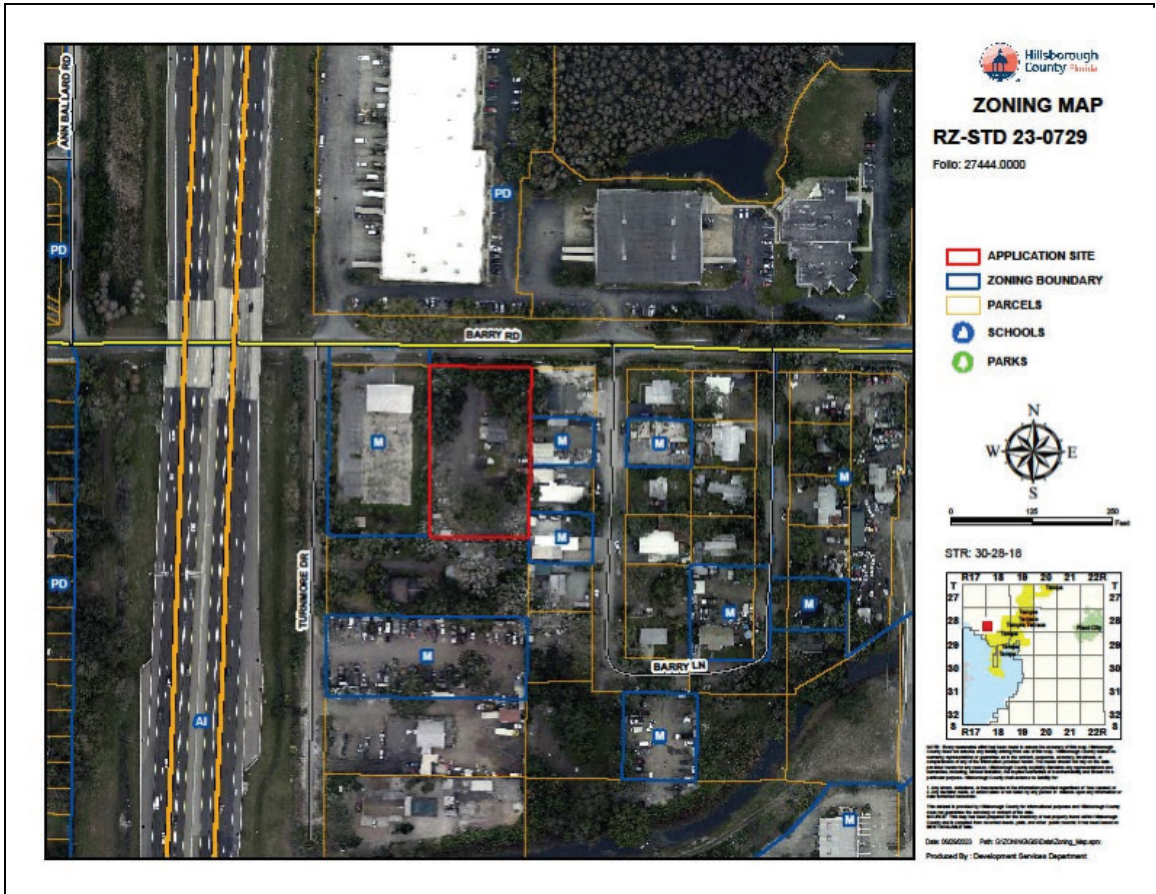


Subject Site Future Land Use Category:	LI
Maximum Density/F.A.R.:	NA / 0.75
Typical Uses:	Processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials, warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use <sup>xxvii</sup> ), offices, research/corporate parks as the predominant uses and subordinate

uses or services such as hotels, motels, restaurants, suburban scale retail establishments, and recreational facilities. Free standing suburban scale neighborhood commercial uses are pursuant to locational criteria or 20% of the project's land area when part of a larger industrial/office park (greater than 300,000 square feet).

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:
:	:	:	:	:

**2.0 LAND USE MAP SET AND SUMMARY DATA**

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

N/A

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Notes:				

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Notes:		

**INFORMATION/REVIEWING AGENCY**

<b>Environmental:</b>	<b>Comments Received</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
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Environmental Protection Commission Natural Resources  
Conservation & Environ. Lands Mgmt.

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"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Service Area/ Water &amp; Wastewater</b> <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	
<b>Hillsborough County School Board</b> 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 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 checked="" type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A <input type="checkbox"/> Density Bonus Requested <input checked="" type="checkbox"/> Consistent <input 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	
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**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**

The immediate adjacent properties are zoned PD to the north, M to the west, AI to the south, and both M and AI to the east. The site is surrounded by a mixture of residential uses and warehouses. The subject site is surrounded by LI Future Land Use (FLU) categories which permits processing, manufacturing, wholesale, subordinate, suburban retail, and neighborhood commercial uses.

The site is located within the Urban Service Area’s Water and Wastewater Service Area; therefore, the subject property should be served by the County.

**5.2 Recommendation**

Based on the above considerations and the applicant’s proposed restrictions regarding limited uses to Contractor’s Office with Open Storage, Accessory Customer Display/Showroom, and maximum allowable 20,000 gross square footage of the restricted uses in order to address access issues to Barry Road raised by transportation, staff finds the proposed M zoning district is compatible with the existing zoning districts and development pattern in the area. Therefore, staff finds the request Approvable.

**SUMMARY OF HEARING**

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on October 16, 2023. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

Ms. Danays Acosta Benitez 7718 Hinsdale Drive testified as the applicant and stated that the request is to rezone to M with two transportation Restrictions. He added that one Restriction is to limit the permitted use to contractor’s office with open storage and accessory customer display or showroom uses and limit the maximum square footage 20,000 square feet.

Ms. Carolanne Peddle, Development Services staff, testified regarding the County’s staff report. Ms. Peddle stated that the applicant is requesting a



rezoning from AI to M with Restrictions. She described the surrounding land uses and concluded her remarks by stating that the Restriction limits the use to contractor's office with open storage, accessory customer display showroom and a maximum allowable gross square footage of 20,000 square feet. Staff found the request to be approvable.

Ms. Karla Llanos, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Llanos stated that the subject property is within the Light Industrial Future Land Use classification and the Urban Service Area and the Town and Country Community Plan. Ms. Llanos described the existing use of single-family home and surrounding area and stated that the rezoning meets the intent of the Town and Country Community Plan. She concluded her presentation by stating that the proposed rezoning is consistent with the Future of Hillsborough Comprehensive Plan.

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

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

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

The hearing was then concluded.

## **EVIDENCE SUBMITTED**

Ms. Heinrich 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 property is 0.92 acres in size and is zoned Agricultural Industrial (AI) and is designated Light Industrial (LI) by the Comprehensive Plan. The property is located within the Urban Service Area and the Town and Country Community Plan.
2. The applicant is requesting a rezoning to the Manufacturing with Restrictions (M (R)) zoning district.

3. The proposed Restrictions limit the use of the property to Contractor's Office with Open Storage and Accessory Customer Display/Showroom uses only and a maximum square footage of 20,000 square feet.
4. No waivers are requested as a part of the rezoning application.
5. The Planning Commission staff supports the rezoning request and stated that the request is consistent with the Town and Country Community Plan. The Planning Commission staff found the proposed rezoning is consistent with the development pattern in the area and the Future of Hillsborough Comprehensive Plan.
6. The vehicular traffic generated by the proposed 20,000 square foot contractor's office with open storage is slightly more (44 trips in a 24 hour two-way volume) than the maximum square footage and land uses permitted under the existing AI zoning district.
7. The request for M with the proposed Restrictions that limit the land use to only a Contractor's Office with Open Storage and Accessory Customer Display/Showroom uses only and a maximum square footage of 20,000 square feet is consistent with the development pattern in the surrounding area. The rezoning is consistent with the Town and County Community Plan and also consistent with the Land Development Code and the Comprehensive Plan.

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

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

#### **CONCLUSIONS OF LAW**

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

#### **SUMMARY**

The applicant is requesting a rezoning to the M (R) zoning district. The property is 0.92 acres in size and is currently zoned AI and designated LI by the Comprehensive Plan. The parcel is located within the Urban Service Area and the Town and Country Community Plan.

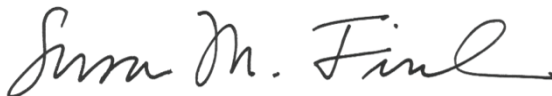
The Planning Commission staff supports the rezoning request and stated it is consistent with the Town and Country Community Plan and the Comprehensive Plan.

The vehicular traffic generated by the proposed 20,000 square foot contractor's office with open storage is slightly more (44 trips in a 24 hour two-way volume) than the maximum square footage and land uses permitted under the existing AI zoning district.

The request for M with the proposed Restrictions that limit the land use to only a Contractor's Office with Open Storage and Accessory Customer Display/Showroom uses only and a maximum square footage of 20,000 square feet is consistent with the development pattern in the surrounding area. The rezoning is consistent with the Town and County Community Plan and also consistent with the Land Development Code and the Comprehensive Plan.

### RECOMMENDATION

Based on the foregoing, this recommendation is for **APPROVAL** of the M (R) rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.

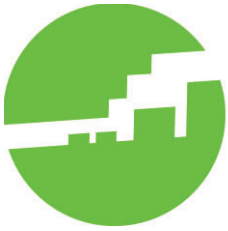


November 6, 2023

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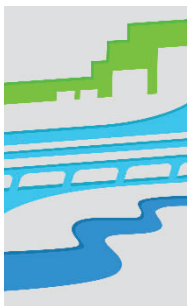
**Susan M. Finch, AICP**  
**Land Use Hearing Officer**

**Date**



**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> October 16, 2023  <b>Report Prepared:</b> October 4, 2023	<b>Petition: STD 23-0729</b>  <b>5822 Barry Road</b>  <i>South of Barry Road, east of the Veterans Expressway and Turnmore Drive, and west of Benjamin Road</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use</b>	<b>Light Industrial (0.75 FAR)</b>
<b>Service Area</b>	<b>Urban</b>
<b>Community Plan</b>	<b>Town N' Country</b>
<b>Request</b>	Agricultural Industrial (AI) to Manufacturing (M) to allow for commercial use
<b>Parcel Size</b>	0.94 ± acres (40,656 square feet)
<b>Street Functional Classification</b>	Turnmore Drive- <b>Local</b> Barry Road- <b>County Collector</b> Benjamin Road- <b>County Collector</b> Veterans Expressway- <b>State Principal Arterial</b>
<b>Locational Criteria</b>	N/A
<b>Evacuation Zone</b>	C



Plan Hillsborough  
[planhillsborough.org](http://planhillsborough.org)  
[planner@plancom.org](mailto:planner@plancom.org)  
 813 – 272 – 5940  
 601 E Kennedy Blvd  
 18<sup>th</sup> floor  
 Tampa, FL, 33602

## **Context**

- The 0.94 ± acre subject property is located south of Barry Road, east of the Veterans Expressway and Turnmore Drive, and west of Benjamin Road.
- The site is located within the Urban Service Area and limits of the Town and Country Community Plan.
- The subject site, including the surrounding parcels, are recognized under the Light Industrial (LI) Future Land Use category. Typical allowable uses within the LI Future Land Use category include processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials, warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use), offices, research/corporate parks as the predominant uses and subordinate uses or services such as hotels, motels, restaurants, suburban scale retail establishments, and recreational facilities. Free standing suburban scale neighborhood commercial uses are pursuant to locational criteria or 20% of the project's land area when part of a larger industrial/office park (greater than 300,000 square feet). Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The subject site, including parcels to the south, northeast, southeast, and southwest, are zoned Agricultural Industrial (AI). PD zoning developed with a non-residential use is to the north of the subject site. LI zoning is present to the west, further to the south, and several parcels to the east and within the neighborhood.
- A single-family mobile home presently occupies the subject site. The mobile-home is non-conforming with the Light Industrial (LI) Future Land Use designation. Since 2018, several nearby parcels have requested a rezone to Manufacturing (M) which is similar to the applicant's request. The proposed "M" Zoning District is found abutting the subject site's west, and eastern boundaries. There are several other pockets of "M" zoning observed within the neighborhood.
- The applicant is requesting to rezone the subject site from Agricultural Industrial (AI) to Manufacturing (M) to allow for commercial uses.

## **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***

***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 16.2:** *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 16.10:** *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.*

**Objective 17: Neighborhood and Community Serving Uses:** *Certain non-residential land uses, including but not limited to residential support uses and public facilities, shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner to be compatible to the surrounding residential development pattern.*

**Policy 17.7:** *New development and redevelopment must mitigate the adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses.*

**Economic Development: Industrial and Heavy Commercial Uses, Research Corporate Parks and Tourist/Leisure Industries**

*A healthy, stable economy contributes to the economic well-being of all Hillsborough County residents and makes possible a sound tax base sufficient to achieve the County’s Comprehensive Plan. Desirable economic growth will contribute to, and be characterized by: full, productive, stable employment; high economic returns (wages and benefits) on individual labor effort; a minimal rate of poverty; and cost containment of basic living expenses for all residents.*

*Strategies that generally enhance desirable economic growth include:*

- *encouraging the retention, expansion or attraction of export-base businesses—firms that provide goods or services to markets beyond the Tampa Bay metropolitan area. These traditionally include many manufacturers, but may also include services, such as, financial service firms, universities, certain health services and tourism. Universities represent an ideal export-based firm—they not only sell four-year degrees to students from outside the metropolitan area, but they require their customers to purchase four years of food, lodging and other living expenses. This strategy may extend to key members of a significant industry cluster.*
- *stimulating the development of import-substitution businesses—often smaller, sometimes home-based, firms that may fill an important “missing link” in the local economy, or may help lower costs by providing a less expensive, or more accessible, neighborhood supplier.*
- *providing better educational and work-force training to optimize the opportunities and productivity of the local work force.*

- offering more affordable options for transportation, day care, medical, housing and energy to low income communities, thereby improving their economic well-being, while creating a more reliable workforce and a greater consumer base.

To maximize Hillsborough County’s economic potential while minimizing land use conflicts, it is advisable to identify specific, strategic geographic areas best suited to accommodate businesses chosen for their contribution to desirable economic growth and then provide incentives to encourage such businesses in these “economic development areas”.

**Objective 26:** The County shall identify specific target industry clusters, target industries, and target businesses; shall establish corresponding “economic development areas” and shall provide incentives for the location of desirable economic growth in these areas.

**Policy 26.5:** Non-industrial land uses shall be restricted or prohibited in the industrial land use categories, and economic development areas will be preserved for employment centers, except as provided in Policy 26.6.

**Policy 26.6:** In industrial land use categories, up to twenty percent (20%) of the project land area, when part of larger industrial developments (those industrial and/or office parks greater than 300,000 square feet total) may be considered for certain retail, service and tourist-related uses; generally, the amount of commercial uses permitted in this type of development will not exceed the maximum square footage shown in the chart with locational criteria. Retail activities may also be considered in industrial areas as freestanding uses if it is demonstrated to serve the greater industrial area, pursuant to the provisions of the suburban-scale Locational Criteria.

## **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**

### **1.0 Community and Special Areas Studies**

#### **Town and Country Community Plan**

#### **III. Vision Statement**

We the People of Town 'N Country cherish our location next to Tampa Bay and advocate the creation of town centers that serve as a community gathering places. We support the expansion of protected lands, seek better connectivity in our trail networks, and endorse the creation of recreational opportunities for young and old alike.

We encourage redevelopment of our older commercial centers and desire a strong business sector that contributes to the community and provides meaningful employment opportunities. We support non-residential construction in a pedestrian friendly, new urban design that contributes to



*the community's sense of place. We would like to see a reduction in traffic congestion, an increase in transit service and will take steps to improve the appearance and safety of our primary roadways.*

*We want the property values of our homes and businesses to increase. We desire proactive enforcement of housing and commercial codes. We are committed to strengthening our community and business associations to work together on furthering our common goals.*

*We will continue to be an urban community with citizens who have a strong sense of civic pride and are committed to improving our way of life.*

## **V. Strategies**

*The citizens of Town 'N Country have outlined the following strategies to accomplish their goals:*

### **9. Strengthen/Empower Community And Business Associations**

- Encourage creation of new associations in unrepresented area*
- Strengthen existing associations by providing greater support and responsibility*
- Encourage homeowners associations to educate residents on residential codes*
- Strengthen the Greater Town 'N Country Chamber of Commerce*
- Encourage the Chamber to use the County's Economic Development Department and Small Business Resource Center for assistance*
- Establish a Community Advisory Committee to support plan implementation*

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

**The 0.94 ± acre subject property is located south of Barry Road, east of the Veterans Expressway and Turnmore Drive, and west of Benjamin Road. The site is located within the Urban Service Area and the limits of the Town and Country Community Plan. The applicant is requesting to rezone the subject site from Agricultural Industrial (AI) to Manufacturing (M) to allow for commercial uses.**

**Due to the presence of Manufacturing (M) zoned parcels in the immediate area, the proposed zoning is compatible with the surrounding area and meets the intent of Objective 1 and Policy 1.4 of the Future Land Use Element. The neighborhood has a few residential uses with mobile homes that are non-conforming with the Light Industrial (LI) Future Land Use category. It is anticipated that the non-conforming mobile homes within the LI category will be phased out. The proposed rezoning is consistent and maintains the light industrial character of the area.**

**The proposed rezoning meets the intent of Objective 8 and Policies 8.1 and 8.2 which require proposed land uses to meet the intent of the Future Land Use Map designations and the goals objectives and policies of the Comprehensive Plan. The subject site's Future Land Use category is Light Industrial (LI) and uses in the Manufacturing (M) zoning district are permitted in the LI category as defined in Appendix A of the FLUE. The LI plan category typically allows uses such as processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials. Other uses allowed are warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use), offices, research/corporate parks as the predominant uses and subordinate uses or services such as hotels, motels, restaurants, suburban scale retail establishments, and recreational facilities. Free standing suburban scale neighborhood**

commercial uses are pursuant to locational criteria or 20% of the project's land area when part of a larger industrial/office park (greater than 300,000 square feet). Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

The request meets the intent of Objective 16 and Policies 16.2 and 16.3 regarding the protection of adjacent land uses through various buffering and mitigation measures. The subject site is zoned Agricultural Industrial (AI). A PD approved for non-residential uses is to the north of the site. To the south, northeast, southeast, and southwest is AI zoning. "M" zoning is found to the west, further to the south and several parcels to the east and within the neighborhood. Overall, the proposed rezoning to manufacturing (M) is consistent with the development pattern of the neighborhood and brings the property closer to compliance with LI Future Land Use. Therefore, the request meets the intent of Policy 16.10 and 17.7 of the FLUE. The proposed rezoning also meets the intent of Objective 26, Policies 26.5 and 26.6 that seek to restrict non-conforming uses in industrial and employment areas for securing longer term economic development. Manufacturing is a permitted use in the Light Industrial Future Land Use category and the proposed rezoning therefore conforms to the desired land use pattern.

The applicant's request is consistent with the Town and Country Community Plan as it encourages the redevelopment of existing neighborhoods and helps with business development in areas that are predominantly non-residential.

Overall, the proposed rezoning would allow for development that is consistent with the Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*. The rezoning request 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 rezoning **CONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

# HILLSBOROUGH COUNTY FUTURE LAND USE

RZ 23-0729

<all other values>

Rezonings

STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

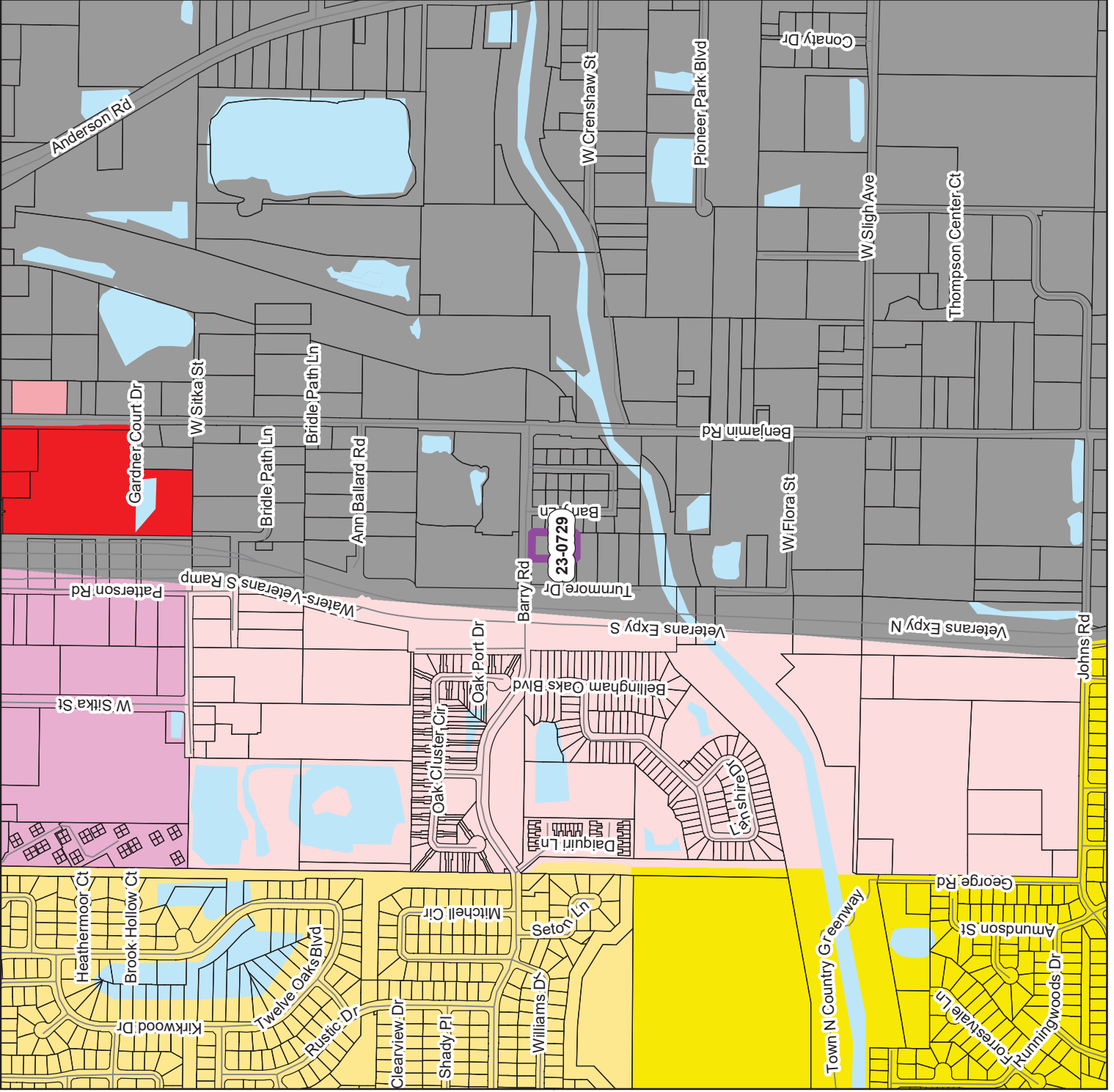
- Tampa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels

- WATER NATURAL LULC\_We\_Poly
- AGRICULTURAL/MINING-120 (.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)
- INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)
- OFFICE COMMERCIAL-20 (.75 FAR)
- RESEARCH CORPORATE PARK (1.0 FAR)
- ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)
- LIGHT INDUSTRIAL PLANNED (.75 FAR)
- LIGHT INDUSTRIAL (.75 FAR)
- HEAVY INDUSTRIAL (.75 FAR)
- PUBLIC/QUASH-PUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The rezoning status and other data is for informational purposes only. For the most current data and information, visit the appropriate website.



Map Printed from Rezoning System: 7/15/2023  
 Author: Beverly F. Daniels  
 File: G:\Rezoning\System\MapProjects\HC\Gea\_H\Rezoning\_Copy.mxd





# **AGENCY COMMENTS**

## AGENCY REVIEW COMMENT SHEET

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TO: Zoning Technician, Development Services Department

DATE: 9/9/2023

*Revised: 10/06/2023*

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA: NWH

PETITION NO: RZ 23-0729

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- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to the listed or attached restrictions.
- This agency objects for the reasons set forth below.

### **PROPOSED RESTRICTIONS**

The parcel shall be permitted to develop under the Manufacturing (M) zoning district with the following restrictions:

- 1) Use of the property shall be limited to Contractor's Office with Open Storage uses and Accessory Customer Display/Showroom Uses; and,
- 2) The above uses shall be limited to a maximum of 20,000 g.s.f.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone a +/- 0.92 ac. parcel from Agricultural Industrial (AI) to Manufacturing (M).

Consistent with the Development Review Procedures Manual (DRPM), the applicant was not required to submit a trip generation or site access analysis to process this request. Staff has prepared the below comparison of the maximum trip generation potential of the subject property under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Information shown below is based upon data from the Institute of Transportation Engineer's Trip Generation Manual, 11<sup>th</sup> Edition. Since there is no ITE land use code for the a contractor's office with show room, staff examined other available use codes which were anticipated to be a close match with that component of the proposed use. Staff notes that a furniture store is likely to be close in nature to a display area for a contractor (in this case the end user is a pool builder). Staff noted that the highest peak rate for furniture stores (LUC 890) is 0.52 trips per 1,000 g.s.f., vs. the 1.93 trips per 1,000 g.s.f. in the highest peak hour for LUC 180. As such, staff believes the analysis prepared below represents a conservative analysis of likely maximum trip generation potential.

Staff had previously objected to the case based on the inclusion of all "M" district uses, which can include very high trip intensive uses including but not limited to fast food with drive through uses. Given that the project will be unable to meet access spacing requirements, and that there is likely insufficient right-of-way available in which to construct a turn lane which would be required by a higher intensity use, staff worked with the applicant to customize the restrictions to accomplish the uses sought by the applicant, while providing additional room for their proposed business to potentially grown in the future. With these restrictions, staff believes that the applicant's proposed development will be able to obtain the necessary Section 6.04.02.B Administrative Variance (AV) and/or Design Exception (DE) approvals needed to obtain site/construction plan approval. These remaining issues will be dealt with through the

site/construction plan process, as is the case with all other Euclidean zoned projects (which are not required to seek AV/DE approvals concurrent with Euclidean zoning petitions.

**Existing Zoning:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AI, 32,016 s.f. Agricultural Manufacturing Uses (ITE LUC 254)	152	22	24

**Proposed Zoning:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
M, 20,000 s.f. Contractor’s Office with Open Storage and Display Area (ITE LUC 180)	196	33	39

**Trip Generation Difference:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>(+) 44</b>	<b>(+) 11</b>	<b>(+) 15</b>

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

Barry Rd. is a 2-lane, publicly maintained, substandard collector roadway. The roadway is characterized by +/- 20 feet of pavement in average condition. In the vicinity of the project site, the right-of-way width is approximately +/- 76 feet. There are a +/- 5-foot-wide sidewalks present along portions of the north side of Barry Rd. in the vicinity of the proposed project. There are no bicycle facilities along the roadway in the vicinity of the proposed project.

**SITE ACCESS AND CONNECTIVITY**

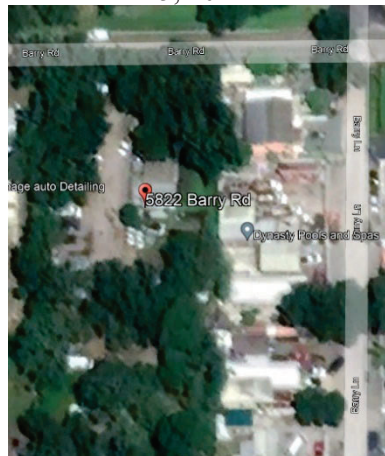
It is anticipated that access to the site will be from Barry Rd. Staff notes that vehicular and pedestrian cross access would likely also be required pursuant to Sec. 6.04.03.Q. of the LDC.

Given access spacing along Barry Rd. in vicinity of the proposed project, and the subject property’s available frontage and configuration, staff believes the restrictions proposed in the applicant’s modified narrative represents a supportable level of intensification of the subject site.

May 14, 2023 Aerial



December 15, 2022 Aerial



Streetview showing speed table and problematic access location and design.



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

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

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Barry Rd.	Hanley Rd.	Benjamin Rd.	D	C

Source: Hillsborough County 2020 Level of Service Report.

Transportation Comment Sheet

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

<b>Adjoining Roadways (check if applicable)</b>			
<b>Road Name</b>	<b>Classification</b>	<b>Current Conditions</b>	<b>Select Future Improvements</b>
Barry Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
	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

<b>Project Trip Generation</b> <input type="checkbox"/> Not applicable for this request			
	<b>Average Annual Daily Trips</b>	<b>A.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
Existing	152	22	24
Proposed	196	33	39
Difference (+/-)	<b>(+) 44</b>	<b>(+) 11</b>	<b>(+) 15</b>

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

<b>Connectivity and Cross Access</b> <input checked="" type="checkbox"/> Not applicable for this request				
<b>Project Boundary</b>	<b>Primary Access</b>	<b>Additional Connectivity/Access</b>	<b>Cross Access</b>	<b>Finding</b>
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

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



## Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
<b>Transportation</b>	<b>Objections</b>	<b>Restrictions Requested</b>	<b>Additional Information/Comments</b>
<input 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	

**COMMISSION**

Joshua Wostal CHAIR  
 Harry Cohen VICE-CHAIR  
 Donna Cameron Cepeda  
 Ken Hagan  
 Pat Kemp  
 Gwendolyn “Gwen” W. Myers  
 Michael Owen



**DIRECTORS**

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

**AGENCY COMMENT SHEET**

REZONING	
<b>HEARING DATE:</b> 8/21/2023  <b>PETITION NO.:</b> 23-0729  <b>EPC REVIEWER:</b> Melissa Yanez  <b>CONTACT INFORMATION:</b> (813) 627-2600 X 1360  <b>EMAIL:</b> <a href="mailto:yanezm@epchc.org">yanezm@epchc.org</a>	<b>COMMENT DATE:</b> 8/1/2023  <b>PROPERTY ADDRESS:</b> 5822 Barry Rd, Tampa, FL 33634  <b>FOLIO #:</b> 0274440000  <b>STR:</b> 30-28S-18E
<b>REQUESTED ZONING:</b> From AI to LI	
FINDINGS	
<b>WETLANDS PRESENT</b>	NO
<b>SITE INSPECTION DATE</b>	NA
<b>WETLAND LINE VALIDITY</b>	NA
<b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b>	Desktop Review - Aerial review, soil surveys, EPC file search
<b>INFORMATIONAL COMMENTS:</b>  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 are apparent 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/aow

ec: Dynasty Pools and Spa Corp - [dacosta@dynastypoolsfl.com](mailto:dacosta@dynastypoolsfl.com)



## **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:** 7/27/2023

**REVIEWER:** Kim Cruz, Environmental Supervisor    **REVIEW DATE:** 7/28/2023

**APPLICANT:** Danays Acosta Benitez    **PID:** 23-0729

**LOCATION:** 5822 Barry Rd. Tampa, FL 33634

**FOLIO NO.:** 27444.0000

### **AGENCY REVIEW COMMENTS:**

Based on the most current data, the parcel is not located within a Wellhead Resource Protection Area (WRPA), Surface Water 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.

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

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PETITION NO.: RZ-STD 23-0729 REVIEWED BY: Clay Walker, E.I. DATE: 7/31/2023

FOLIO NO.: 27444.0000

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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.
- A    inch water main exists  (adjacent to the site),  (approximately    feet from the site)                     . This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.
- Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include    and will need to be completed by the         prior to issuance of any building permits that will create additional demand on the system.

**WASTEWATER**

- The property lies within the                      Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- A  4  inch wastewater force main exists  (adjacent to the site),  (approximately 200 feet from the site) and is located west of the subject property within the north Right-of-Way of Barry 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 wastewater systems.

**AGENCY REVIEW COMMENT SHEET**

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

**DATE: 7 Jul. 2023**

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

**APPLICANT: Modesto Sanchez**

**PETITION NO: RZ-STD 23-0729**

**LOCATION: 5822 Barry Rd., Tampa, FL 33634**

**FOLIO NO: 27444.0000**

**SEC: 30 TWN: 28 RNG: 18**

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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: \_\_\_\_\_.



# **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, October 16, 2023

TIME: Commencing at 6:00 p.m.  
Concluding at 10:13 p.m.

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

Reported by:  
Diane DeMarsh, AAERT No. 1654

1 MS. HEINRICH: Our next item is C.4, Standard Rezoning  
2 23-0729. The applicant is requesting to rezone property from AI  
3 to M restricted. Carolanne Peddle with Development Services  
4 will provide Staff findings after the applicant's presentation.

5 HEARING MASTER: All right. Is the applicant here?

6 MS. BENITEZ: Good evening. Hello. My name is  
7 Danays Acosta Benitez. Address is 7718 Hinsdale Drive, Tampa,  
8 Florida 33615.

9 HEARING MASTER: Thank you.

10 MS. BENITEZ: I'm here for 5822 Barry Road, Tampa,  
11 Florida 33634. We are trying to rezone to zone M with two  
12 restrictions That transportation give to us. One of them it's  
13 limit a permit to use to a contractor office with open storage  
14 and access accessory customer display or showroom uses and the  
15 limit the maximum permit to gross square feet 20,000 uses of the  
16 land.

17 So that's all I have to present.

18 HEARING MASTER: Okay. Thank you so much. I'd  
19 appreciate it if you could please sign in.

20 Development Services.

21 MS. PEDDLE: Good evening. Carolanne Peddle,  
22 Development Services. Standard Rezoning 23-0729.

23 The applicant is requesting to rezone the property  
24 from AI to M with restrictions. The property associ --  
25 associated with this rezoning has a Future Land Use designation



1 of LI. LI allows for nonresidential intensities of up to an FR  
2 of 7.5 or excuse me, 0.75. All surrounding properties have a  
3 future land use of LI.

4 The properties in the immediate vicinity are developed  
5 for residential and warehouse uses. The abutting properties to  
6 the south and east are developed for residential uses with AI  
7 and M. The property to the north is used as a warehouse zoned  
8 PD, as well as the parcel to the west, which is zoned M.

9 Based on the previous considerations and the  
10 applicant's proposed restrictions regarding limited use as to  
11 contractor's office with open storage, accessory customer  
12 display showroom and maximum allowable gross square footage of  
13 20,000 for the restricted use is -- is ordered to address access  
14 issues to barrier roadways by transportation. Staff finds the  
15 proposed M zoning district is compatible with the existing  
16 zoning districts and development pattern in the area.

17 HEARING MASTER: Thank you so much.

18 MS. PEDDLE: Planning Commission.

19 MS. LLANOS: Karla Llanos with Planning Commission  
20 Staff.

21 The site is located in the urban service area in the  
22 limits of Town and Country Community Plan. The site, including  
23 the surrounding parcels are recognized under the light  
24 industrial future land use category. Typical allowable uses in  
25 the LI Future Land Use Category include processing,

1 manufacturing, assembly of materials, food products, storage,  
2 apparel, manufacturing, etcetera. You'll have a full list out  
3 in your packet, Madam Hearing Officer.

4           Now these -- a single-family home is presently  
5 occupied on the site. A mobile home is nonconforming to the  
6 light industrial Future Land Use Category. Since 2018, several  
7 nearby parcels have been requested to rezone to manufacturing,  
8 which is similar to the applicant's request. Now the proposed  
9 M zoning district is found abutting the subject site to the west  
10 and eastern boundaries. And there's several other pockets  
11 within this neighborhood that has been observed to change that  
12 zoning to M.

13           Now Planning Commission Staff reviewed it for  
14 consistency with the -- with the intent in objective of poli --  
15 Objective one and Policy 1.4 of the Future Land Use Element. We  
16 find it consistent and compatible with a surrounding area, as  
17 well as projecting growth in the urban service area. Now the  
18 proposed rezoning does meet the intent of Objective 8, Policies  
19 8.1 and 8.2, which basically is trying to bring into con --  
20 conformity the -- the underlying zoning into the Future Land Use  
21 Category.

22           Furthermore, the request meets Objective 16 and Policy  
23 16.2 and 16.3 regarding the protection of adjacent land uses  
24 through various buffering and mitigation measures. Staff did  
25 have a question at the time when the applicant had submitted

1 their rezoning application, since there is an existing  
2 single-family home to the east. However, after discussion with  
3 Development Services, it was determined that the actual required  
4 buffering is a little bit more restrictive than proposing a  
5 condition. So Planning Commission Staff was okay with them  
6 providing what the LDC code requirement was for buffering and  
7 screening.

8           Manufacturing is permitted -- is a permitted use in  
9 the light industrial Future Land Use Category. And therefore,  
10 it conforms to the desired land use pattern in that area. The  
11 applicant's request is consistent with the Town and Country  
12 Community Plan as it encourages the redevelopment of existing  
13 neighborhoods and helps with business development in that area.  
14 Over all, the proposed rezoning would allow for a development  
15 that is consistent with goals, objectives and policies of the  
16 Unincorporated Hillsborough County Comprehensive Plan.  
17 Therefore, Planning Commission Staff finds that this proposed  
18 rezoning is consistent with the Unincorporated Hillsborough  
19 County Comprehensive Plan.

20           HEARING MASTER: Thank you so much. Is there anyone  
21 in the room or online that would like to speak in support?

22 Anyone in favor. I'm seeing no one.

23           Anyone in opposition?

24           Ms. Heinrich, anything else?

25           MS. HEINRICH: Nothing further, ma'am.

1 HEARING MASTER: All right. Ma'am, anything else?

2 MS. BENITEZ: No.

3 HEARING MASTER: All right. Thank you. Then with  
4 that, we'll close Rezoning 23-0729 and go to the next case.

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1           Item A.17, PD 23-0610, this application is being  
2 continued by the applicant to the October 16th, 2023, Zoning  
3 Hearing Master hearing.

4           Item A.18, Major Mod application 23-0614, this  
5 application is being continued by the applicant to the October  
6 16, 2023, Zoning Hearing Master hearing.

7           Item A.19, Major Mod application 23-0617, this  
8 application is out of order to be heard and is being continued  
9 to the October 16th, 2023, Zoning Hearing Master hearing.

10          Item A.20, PD 23-0618, this application is out of  
11 order to be heard and is being continued to the October 16th,  
12 2023, Zoning Hearing Master hearing.

13          Item A.22 [sic], Standard Rezoning 23-0714, this  
14 application is being continued by the applicant to the October  
15 16th, 2023, Zoning Hearing Master hearing.

16          Item A.22, Standard Rezoning 23-0729, this application  
17 is being continued by staff to the October 16th, 2023, Zoning  
18 Hearing Master hearing.

19          Item A.23, Standard Rezoning 23-0771, this application  
20 is being continued by the applicant to the October 16th, 2023,  
21 Zoning Hearing Master hearing.

22          Item A.24, Standard Rezoning 23-0782, this application  
23 is out of order to be heard and is being continued to the  
24 October 16th, 2023, Zoning Hearing Master hearing.

25          And, lastly, Item A.25, Standard Rezoning 23-0828,



1           Item A.22, Standard Rezoning 23-0611. This  
2 application is being withdrawn from the ZHM process.

3           Item A.22, Standard Rezoning 23-0714. This  
4 application is being continued by the applicant to the  
5 September 18, 2023 ZHM hearing.

6           Item A.24, Standard Rezoning 23-0729. This  
7 application is out of order to be heard and is being continued  
8 to the September 18, 2023 ZHM hearing.

9           And that concludes the continuances.

10           HEARING MASTER: Thank you so much. All right. The  
11 agenda for the meeting tonight consists of items that require a  
12 public hearing by a hearing master before going to the Board of  
13 County Commissioners for final decision.

14           I will conduct a hearing on each item today and will  
15 submit a written recommendation. My written recommendation will  
16 be filed with the clerk of the board within 15 working days  
17 after the conclusion of today's public hearings. The Board of  
18 County Commissioners will consider the record of today's public  
19 hearing and my recommendation and will make the final decision  
20 on each application that a publicly noticed meeting on a date  
21 and time set by the Board of County Commissioners.

22           The hearings today will be informal. I will ask  
23 questions related to the scope of direct testimony and may call  
24 and question witnesses as I deem appropriate. I will decide all  
25 questions of procedure. I will take evidence, but will exclude





**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**

DATE/TIME: 11/16/2023HEARING MASTER: Susan FinchPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # 23-0443	PLEASE PRINT NAME <u>Todd Fueszmann</u> MAILING ADDRESS <u>200 2nd Ave S #451</u> CITY <u>Odessa</u> STATE <u>FL</u> ZIP <u>33451</u> PHONE <u>889-1700</u>
APPLICATION # 23-0443	PLEASE PRINT NAME <u>Ariel Quintela</u> MAILING ADDRESS <u>9511 Aqua Ln Odessa</u> CITY <u>Odessa</u> STATE <u>FL</u> ZIP <u>33526</u> PHONE <u>8132635727</u>
APPLICATION # 23-0443	PLEASE PRINT NAME <u>Melissa Nurdbeck</u> MAILING ADDRESS <u>16068 Hammock Woods Dr</u> CITY <u>Odessa</u> STATE <u>FL</u> ZIP <u>33557</u> PHONE <u>813-505-9311</u>
APPLICATION # 23-0443	PLEASE PRINT NAME <u>Elizabeth White</u> MAILING ADDRESS <u>17905 Gurrell Rd</u> CITY <u>Odessa</u> STATE <u>FL</u> ZIP <u>33557</u> PHONE <u>813/404-5125</u>
APPLICATION # 23-0443	PLEASE PRINT NAME <u>Trish Lawton</u> MAILING ADDRESS <u>8310 Jana Pr.</u> CITY <u>Odessa</u> STATE <u>FL</u> ZIP <u>33576</u> PHONE <u></u>
APPLICATION # 23-0443	PLEASE PRINT NAME <u>Regina P. Hernandez</u> MAILING ADDRESS <u>8703 Lake Colm Ln</u> CITY <u>Odessa</u> STATE <u>FL</u> ZIP <u>33550</u> PHONE <u>813-760-6368</u>

DATE/TIME: 10/16/2023HEARING MASTER: Susan FinchPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION #  23-0443	PLEASE PRINT NAME <u>Nancy Pateracki</u> MAILING ADDRESS <u>18128 Gunn Hwy</u> CITY <u>Oakessa</u> STATE <u>FL</u> ZIP <u>33556</u> PHONE <u>813 453 1255</u>
APPLICATION #  23-0422	PLEASE PRINT NAME <u>Joe Merediz</u> MAILING ADDRESS <u>400 N. Ashley</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>-</u> PHONE <u>813 392 9446</u>
APPLICATION #  23-0422	PLEASE PRINT NAME <u>Christian Silva</u> MAILING ADDRESS <u>18101 Hamden Parkway</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33647</u> PHONE <u>813-731-2536</u>
APPLICATION #  23-0422	PLEASE PRINT NAME <u>Christina Mafessini</u> MAILING ADDRESS <u>3214 W. Bay Villa Ave</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33611</u> PHONE <u>813 <del>453</del> 879-6227</u>
APPLICATION #  23-0422	PLEASE PRINT NAME <u>Ravi Chatani</u> MAILING ADDRESS <u>1108 Abbays Way</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u></u>
APPLICATION #  23-0422	PLEASE PRINT NAME <u>Sameer Chatani</u> MAILING ADDRESS <u>1108 Abbey Way</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u></u>

DATE/TIME: 10-16-2023HEARING MASTER: Susan FinchPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION #  23-0422	PLEASE PRINT NAME <u>James M. Tatum</u> MAILING ADDRESS <u>2810 Ballet Ave</u> CITY <u>PLANT CITY</u> STATE <u>FL</u> ZIP <u>33566</u> PHONE <u>813-495-1682</u>
APPLICATION #  23-0588	PLEASE PRINT NAME <u>Matt Farhadi</u> MAILING ADDRESS <u>12303 Memorial HWY</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33635</u> PHONE <u>813-415-5620</u>
APPLICATION #  23-0729	PLEASE PRINT NAME <u>Danays Acosta Benitez</u> MAILING ADDRESS <u>7718 Hinedale Dr</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33611</u> PHONE <u>813 2442428</u>
APPLICATION #  23-0828	PLEASE PRINT NAME <u>Todd Pressman</u> MAILING ADDRESS <u>200 1st Ave S #491</u> CITY <u>St Pete</u> STATE <u>FL</u> ZIP <u>33709</u> PHONE <u>727-341-7600</u>
APPLICATION #  23-0932	PLEASE PRINT NAME <u>Todd Pressman</u> MAILING ADDRESS <u>200 1st Ave S #491</u> CITY <u>St Pete</u> STATE <u>FL</u> ZIP <u>33709</u> PHONE <u>727-341-7600</u>
APPLICATION #  23-0932	PLEASE PRINT NAME <u>RICHARD GONZALEZ</u> MAILING ADDRESS <u>612 CHASTAIN RD</u> CITY <u>SEFFNER</u> STATE <u>FL</u> ZIP <u>33584</u> PHONE <u>813-478-2904</u>

DATE/TIME: 10-16-2023HEARING MASTER: Susan FinchPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION #  23-0281	PLEASE PRINT NAME <u>John Eveland</u>  MAILING ADDRESS <u>501 E Kennedy Blvd Ste 1010</u>  CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 373-8251</u>
APPLICATION #  23-0407	PLEASE PRINT NAME <u>Nicole Neugebauer</u>  MAILING ADDRESS <u>401 E. Jackson Street</u>  CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-822-5016</u>
APPLICATION #  23-0407	PLEASE PRINT NAME <u>Brian Funk</u>  MAILING ADDRESS <u>2119 NE Coachman Rd</u>  CITY <u>Clearwater</u> STATE <u>FL</u> ZIP <u>33765</u> PHONE <u>727-641-8795</u>
APPLICATION #  23-0407	PLEASE PRINT NAME <u>Austin Zane</u>  MAILING ADDRESS <u>401 S Bryan Circle</u>  CITY <u>Brandon</u> STATE <u>FL</u> ZIP <u>33511</u> PHONE <u>352-317-7326</u>
APPLICATION #  23-0407	PLEASE PRINT NAME <u>Toni Wiley</u>  MAILING ADDRESS <u>1111 English Bluffs Ct</u>  CITY <u>Brandon</u> STATE <u>FL</u> ZIP <u>33511</u> PHONE <u>727-422-6617</u>
APPLICATION #  23-0407	PLEASE PRINT NAME <u>Elise Batsel</u>  MAILING ADDRESS <u>401 E. Jackson St. Suite 2100</u>  CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 222 5057</u>

DATE/TIME: 10-16-2023HEARING MASTER: Susan FinchPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION #  23-0520	PLEASE PRINT NAME <u>John Eveland</u>  MAILING ADDRESS <u>501 E Kennedy Blvd, Ste 1010</u>  CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813 373-8251</u>
APPLICATION #  23-0520	PLEASE PRINT NAME <u>Kami Corbett</u>  MAILING ADDRESS <u>101 E Kennedy Blvd, Ste 3700</u>  CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-227-8421</u>
APPLICATION #  23-0610	PLEASE PRINT NAME <u>Colin Rice</u>  MAILING ADDRESS <u>1000 W Cass St</u>  CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33608</u> PHONE <u>239-409-2771</u>
APPLICATION #  23-0614	PLEASE PRINT NAME <u>Kami Corbett</u>  MAILING ADDRESS <u>101 E Kennedy Blvd Ste 3700</u>  CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-227-8421</u>
APPLICATION #  23-0784	PLEASE PRINT NAME <u>Tyler Hudson</u>  MAILING ADDRESS <u>400 N. Ashley Dr. #1100</u>  CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-335-4825</u>
APPLICATION #  23-0784	PLEASE PRINT NAME <u>Alex Schaler</u>  MAILING ADDRESS <u>400 N. Ashley Dr. suite 1100</u>  CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-221-9600</u>

DATE/TIME: 10/16/2023HEARING MASTER: Susan FinchPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

<b>APPLICATION #</b>  23-0588	PLEASE PRINT <b>NAME</b> <u>David Wright (virtual)</u> <b>MAILING ADDRESS</b> <u>P.O. Box 273417</u> <b>CITY</b> <u>Tampa</u> <b>STATE</b> <u>FL</u> <b>ZIP</b> <u>33688</u> <b>PHONE</b> _____
<b>APPLICATION #</b>	PLEASE PRINT <b>NAME</b> _____ <b>MAILING ADDRESS</b> _____ <b>CITY</b> _____ <b>STATE</b> _____ <b>ZIP</b> _____ <b>PHONE</b> _____
<b>APPLICATION #</b>	PLEASE PRINT <b>NAME</b> _____ <b>MAILING ADDRESS</b> _____ <b>CITY</b> _____ <b>STATE</b> _____ <b>ZIP</b> _____ <b>PHONE</b> _____
<b>APPLICATION #</b>	PLEASE PRINT <b>NAME</b> _____ <b>MAILING ADDRESS</b> _____ <b>CITY</b> _____ <b>STATE</b> _____ <b>ZIP</b> _____ <b>PHONE</b> _____
<b>APPLICATION #</b>	PLEASE PRINT <b>NAME</b> _____ <b>MAILING ADDRESS</b> _____ <b>CITY</b> _____ <b>STATE</b> _____ <b>ZIP</b> _____ <b>PHONE</b> _____
<b>APPLICATION #</b>	PLEASE PRINT <b>NAME</b> _____ <b>MAILING ADDRESS</b> _____ <b>CITY</b> _____ <b>STATE</b> _____ <b>ZIP</b> _____ <b>PHONE</b> _____

HEARING TYPE:

**ZHM**, PHM, VRH, LUHO

DATE: October 16, 2023

HEARING MASTER:

Susan Finch

PAGE: 1 OF 1

APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
RZ 23-0443	Todd Pressman	1. Applicant Presentation Packet	No
RZ 23-0443	Elizabeth White	2. Opposition Presentation Packet	No
RZ 23-0443	Nancy Pateracki	3. Applicant Presentation Packet	No
RZ 23-0636	Rosa Timoteo	1. Revised Staff Report – Email	Yes (Copy)
RZ 23-0828	Todd Pressman	1. Applicant Presentation Packet	No
RZ 23-0828	Rosa Timoteo	2. Revised Staff Report – Email	Yes (Copy)
RZ 23-0932	Todd Pressman	1. Applicant Presentation Packet	No
RZ 23-0932	Rosa Timoteo	2. Revised Staff Report – Email	Yes (Copy)
MM 23-0281	John Eveland	1. Applicant Presentation Packet	No
MM 23-0281	Rosa Timoteo	2. Revised Staff Report – Email	Yes (Copy)
MM 23-0407	Nicole Neugebauert	1. Applicant Presentation Packet	No
MM 23-0407	Tori Wiley	2. Opposition Presentation Packet	No
MM 23-0407	Rosa Timoteo	3. Revised Staff Report - Email	Yes (Copy)
RZ 23-0422	Joe Moreda	1. Applicant Presentation Packet	No
RZ 23-0422	Joe Moreda	2. Applicant Letter	No
RZ 23-0422	James Tatum	3. Proponent Presentation Packet	Yes (Copy)
RZ 23-0422	Rosa Timoteo	4. Revised Staff Report - Email	
MM 23-0520	Kami Corbett	1. Applicant Presentation Packet	No
MM 23-0520	Rosa Timoteo	2. Revised Staff Report – Email	Yes (Copy)
RZ 23-0610	Colin Rice	1. Application Presentation Packet	No
RZ 23-0610	Rosa Timoteo	2. Revised Staff Report - Email	Yes (Copy)
MM 23-0614	Kami Corbett	1. Application Presentation Packet	No
MM 23-0614	Rosa Timoteo	2. Revised Staff Report - Email	Yes (Copy)
RZ 23-0784	Tyler Hudson	1. Application Presentation Packet	No
RZ 23-0784	Rosa Timoteo	2. Revised Staff Report - Email	Yes (Copy)



OCTOBER 16, 2023 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, October 16, 2023, 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. and led in the pledge of allegiance to the flag.

A. WITHDRAWALS AND CONTINUANCES

▶ Michelle Heinrich, Development Services (DS), reviewed the changes/withdrawals/continuances.

▶ Susan Finch, ZHM, overview of ZHM process.

▶ Senior Assistant County Attorney Mary Dorman overview of oral argument/ZHM process.

▶ Susan Finch, ZHM, Oath.

B. REMANDS:

C. REZONING STANDARD (RZ-STD):

C.1. RZ 23-0443

▶ Michelle Heinrich, DS, called RZ 23-0443.

▶ Testimony provided.

▶ Susan Finch, ZHM, closed RZ 23-0443.

C.2. RZ 23-0588

▶ Michelle Heinrich, DS, called RZ 23-0588.

▶ Testimony provided.

▶ Susan Finch, ZHM, continued RZ 23-0588 to the December 18, 2023, ZHM hearing.

C.3. RZ 23-0636

▶ Michelle Heinrich, DS, called RZ 23-0636.

▶ Testimony provided.

MONDAY, OCTOBER 16, 2023

▶ Susan Finch, ZHM, closed RZ 23-0636.

C.4. RZ 23-0729

▶ Michelle Heinrich, DS, called RZ 23-0729.

▶ Testimony provided.

▶ Susan Finch, ZHM, closed RZ 23-0729.

C.5. RZ 23-0828

▶ Michelle Heinrich, DS, called RZ 23-0828.

▶ Testimony provided.

▶ Susan Finch, ZHM, closed RZ 23-0828.

C.6. RZ 23-0932

▶ Michelle Heinrich, DS, called RZ 23-0932.

▶ Testimony provided.

▶ Susan Finch, ZHM, closed RZ 23-0932.

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

D.1. MM 23-0281

▶ Michelle Heinrich, DS, called MM 23-0281.

▶ Testimony provided.

▶ Susan Finch, ZHM, closed MM 23-0281.

D.2. MM 23-0407

▶ Michelle Heinrich, DS, called MM 23-0407.

▶ Testimony provided.

▶ Susan Finch, ZHM, closed MM 23-0407.

MONDAY, OCTOBER 16, 2023

D.3. RZ 23-0422

- ▶ Michelle Heinrich, DS, called RZ 23-0422.
- ▶ Testimony provided.
- ▶ Susan Finch, ZHM, closed RZ 23-0422.

D.4. MM 23-0520

- ▶ Michelle Heinrich, DS, called MM 23-0520.
- ▶ Testimony provided.
- ▶ Susan Finch, ZHM, closed MM 23-0520.

D.5. RZ 23-0610

- ▶ Michelle Heinrich, DS, called RZ 23-0610.
- ▶ Testimony provided.
- ▶ Susan Finch, ZHM, closed RZ 23-0610.

D.6. MM 23-0614

- ▶ Michelle Heinrich, DS, called MM 23-0614.
- ▶ Testimony provided.
- ▶ Susan Finch, ZHM, closed MM 23-0614.

D.7. RZ 23-0784

- ▶ Michelle Heinrich, DS, called RZ 23-0784.
- ▶ Testimony provided.
- ▶ Susan Finch, ZHM, closed RZ 23-0784.

E. ZHM SPECIAL USE

ADJOURNMENT

- ▶ Susan Finch, ZHM, adjourned the meeting at 10:13 p.m.

# Rezoning Application: RZ-STD 23-0729

Zoning Hearing Master Date: October 16, 2023

BOCC Land Use Meeting Date: December 12, 2023



**Hillsborough  
County Florida**

Development Services Department

## 1.0 APPLICATION SUMMARY

Applicant:	Danays Acosta Benitez, Dynasty Pools and Spas	
FLU Category:	LI	
Service Area:	Urban	
Site Acreage:	0.94585	
Community Plan Area:	Town N' Country	
Overlay:	None	

### Introduction Summary:

The applicant of the property at 5822 Barry Road would like to rezone it from AI to M with proposed retractions restrictions to limit the uses and square footage to Contractor's Office with Open Storage, Accessory Customer Display/Showroom, and maximum allowable 20,000 gross square footage.

Zoning:	Existing	Proposed
District(s)	AI	M-R
Typical General Use(s)	Agricultural Industrial	Manufacturing
Acreage	0.94585	0.94585
Density/Intensity	N/A DU per GA/ FAR: NA	NA DU per GA /FAR: <del>0.75</del> <u>0.48</u>
Mathematical Maximum*	N/A DU/ FAR: NA	NA DU / FAR: <del>0.71</del> <u>20,000 Sq Ft</u>

\*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	AI	M-R
Lot Size / Lot Width	43,560 SqFt /150'	20,000 SqFt / 100'
Setbacks/Buffering and Screening	<ul style="list-style-type: none"> <li>North: 50'</li> <li>East: 15'</li> <li>West: 15'</li> <li>South: 50'</li> <li>Buffering: 30'/C abutting zoning district M</li> </ul>	<ul style="list-style-type: none"> <li>Front: 30'</li> <li>Sides: LDCSec. 6.01.01 Endnote 10 &amp; 11</li> <li>Rear: LDCSec. 6.01.01 Endnote 10 &amp; 11</li> <li>Buffering: South: 30'/C East abutting AI: 30'/C</li> </ul>
Height	50'	110'

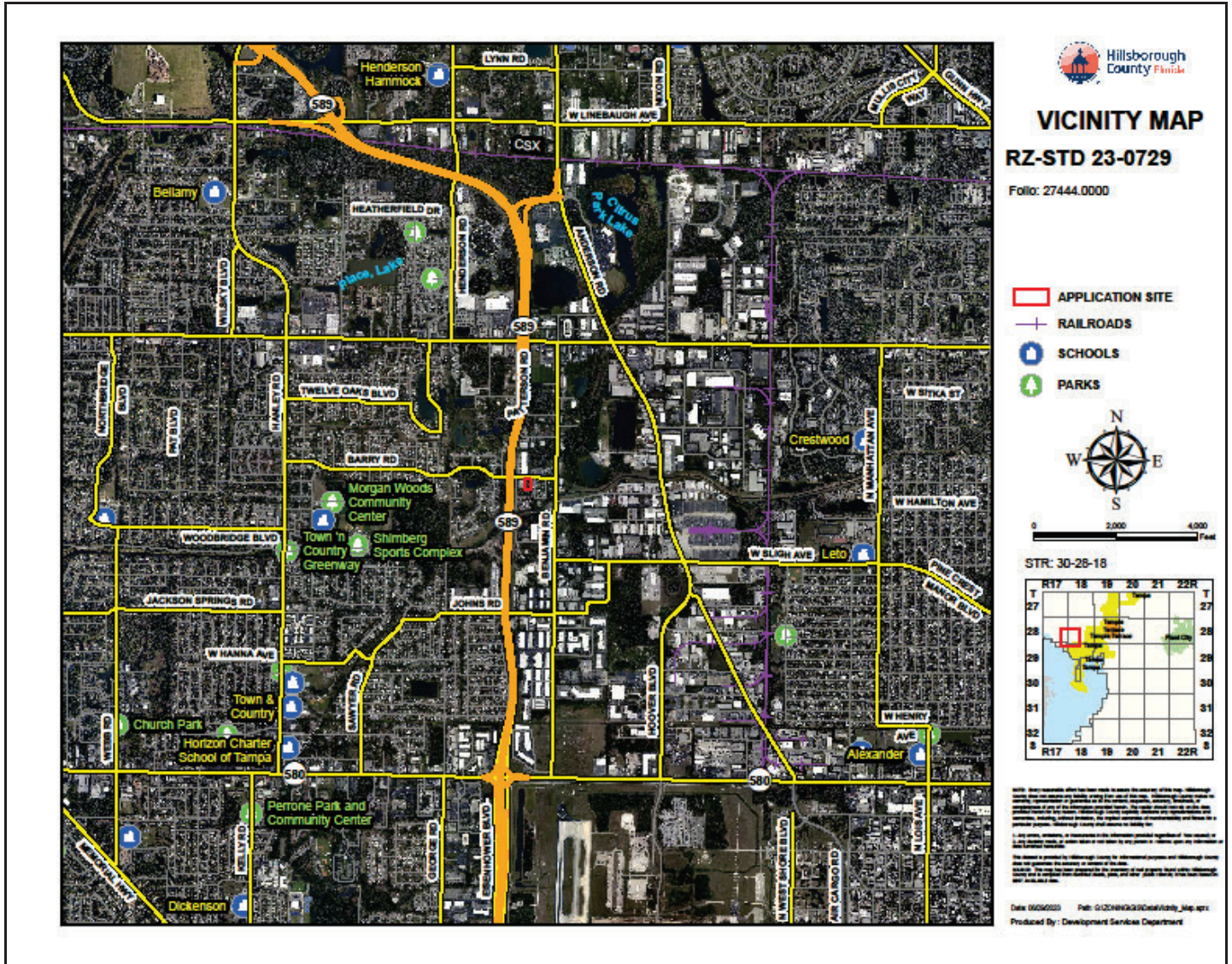
### Additional Information:

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

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

### 2.1 Vicinity Map

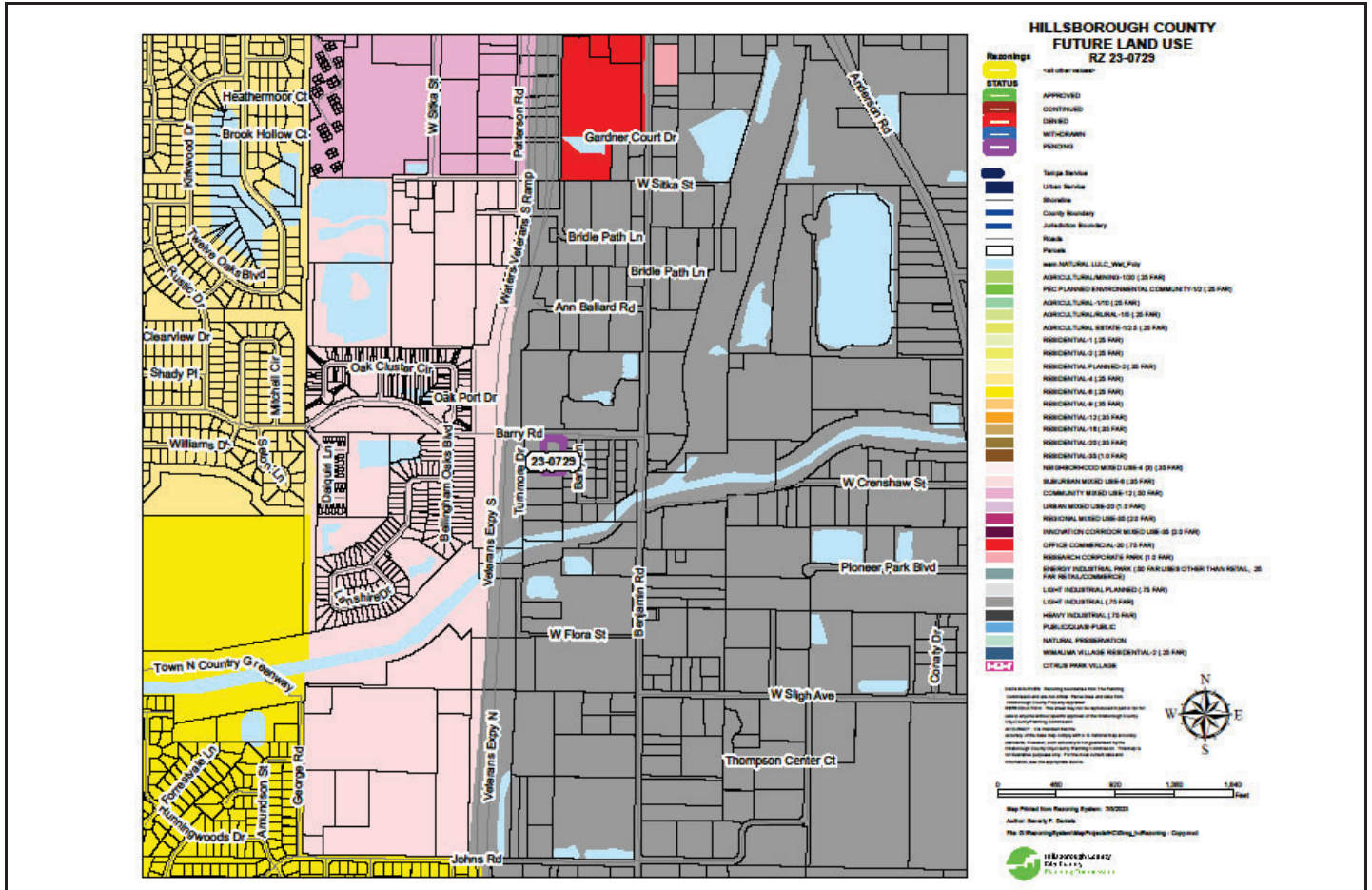


#### Context of Surrounding Area:

The site is located east of Veterans Expressway in an area which is comprised of a mixture of warehouse and residential uses. A portion of the eastern property line abuts a vacant residential lot owned by the applicant of the subject parcel.

2.0 LAND USE MAP SET AND SUMMARY DATA

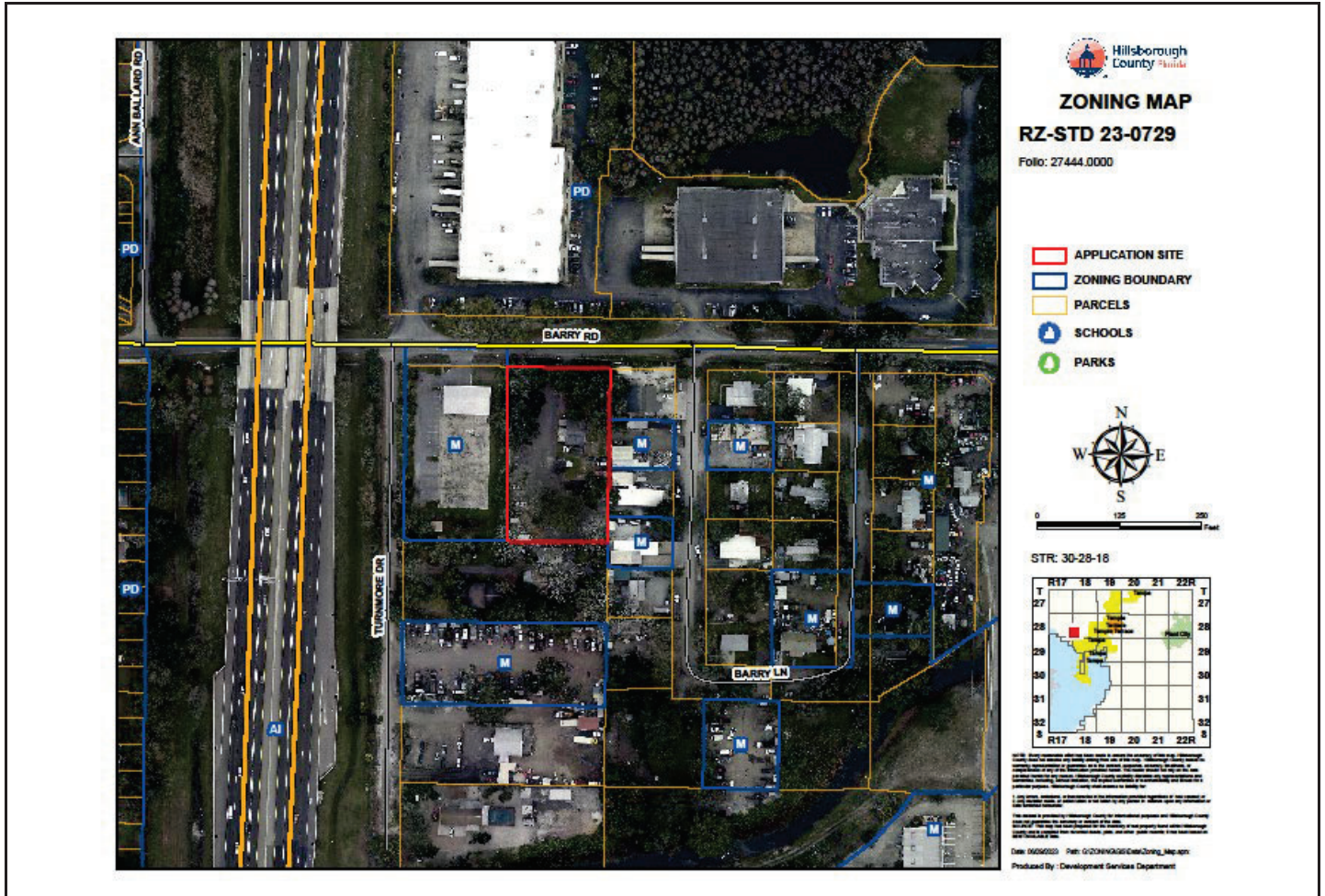
2.2 Future Land Use Map



Subject Site Future Land Use Category:	LI
Maximum Density/F.A.R.:	NA / 0.75
Typical Uses:	<p>Processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials, warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use<sup>xxvii</sup>), offices, research/corporate parks as the predominant uses and subordinate uses or services such as hotels, motels, restaurants, suburban scale retail establishments, and recreational facilities. Free standing suburban scale neighborhood commercial uses are pursuant to locational criteria or 20% of the project’s land area when part of a larger industrial/office park (greater than 300,000 square feet).</p> <p>Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.</p>

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	NA, 0.30	Light Industrial, Office, & Commercial	WAREHOUSE
South	AI	1 DU per acre/NA	Agriculture	SINGLE FAMILY R
East	AI, M	1 DU per acre /NA, NA/0.75	Agriculture, Commercial, Residential	MH, VACANT RESIDENTIAL, MH, MH
West	M	NA/0.75	Commercial	WAREHOUSE C

2.0 LAND USE MAP SET AND SUMMARY DATA

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



**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
Barry Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
	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	152	22	24
Proposed	196	33	39
Difference (+/-)	(+) 44	(+) 11	(+) 15

\*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		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance <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**

INFORMATION/REVIEWING AGENCY



<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 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"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> 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 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	
<input type="checkbox"/> Off-site Improvements Provided				
<b>Service Area/ Water &amp; Wastewater</b>				
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa	<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	
<input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace				
<b>Hillsborough County School Board</b>				
Adequate <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 checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A				
<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 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	
<input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A				
<input type="checkbox"/> Density Bonus Requested				
<input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent				

**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**

The immediate adjacent properties are zoned PD to the north, M to the west, AI to the south, and both M and AI to the east. The site is surrounded by a mixture of residential uses and warehouses. The subject site is surrounded by LI

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Future Land Use (FLU) categories which permits processing, manufacturing, wholesale, subordinate, suburban retail, and neighborhood commercial uses.


The site is located within the Urban Service Area's Water and Wastewater Service Area; therefore, the subject property should be served by the County.

### **5.2 Recommendation**

Based on the above considerations and the applicant's proposed restrictions regarding limited uses to Contractor's Office with Open Storage, Accessory Customer Display/Showroom, and maximum allowable 20,000 gross square footage of the restricted uses in order to address access issues to Barry Road raised by transportation, staff finds the proposed M zoning district is compatible with the existing zoning districts and development pattern in the area. Therefore, staff finds the request Approvable.

**6.0 PROPOSED RESTRICTIONS**

1. To limit allowable uses to Contractor's Office with Open Storage and Accessory Customer Display/Showroom Uses; and,
2. To limit the maximum allowable gross square-footage (g.s.f.) of the above uses to a maximum of 20,000 g.s.f.

<p><b>Zoning Administrator Sign Off:</b></p>	 <p>J. Brian Grady Fri Oct 6 2023 15:02:07</p>
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**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 a approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

**7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS**

**N/A**

## 8.0 PROPOSED SITE PLAN (FULL)

N/A

**APPLICATION NUMBER: RZ-STD 23-0729**

ZHM HEARING DATE: October 16, 2023

BOCC LUM MEETING DATE: December 12, 2023

Case Reviewer: Carolanne Peddle

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

## AGENCY REVIEW COMMENT SHEET

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TO: Zoning Technician, Development Services Department

DATE: 9/9/2023

*Revised: 10/06/2023*

REVIEWER: James Ratliff, AICP, PTP, Principal Planner

AGENCY/DEPT: Transportation

PLANNING AREA: NWH

PETITION NO: RZ 23-0729

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- This agency has no comments.
- This agency has no objection.
- This agency has no objection, subject to the listed or attached restrictions.
- This agency objects for the reasons set forth below.

### **PROPOSED RESTRICTIONS**

The parcel shall be permitted to develop under the Manufacturing (M) zoning district with the following restrictions:

- 1) Use of the property shall be limited to Contractor's Office with Open Storage uses and Accessory Customer Display/Showroom Uses; and,
- 2) The above uses shall be limited to a maximum of 20,000 g.s.f.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone a +/- 0.92 ac. parcel from Agricultural Industrial (AI) to Manufacturing (M).

Consistent with the Development Review Procedures Manual (DRPM), the applicant was not required to submit a trip generation or site access analysis to process this request. Staff has prepared the below comparison of the maximum trip generation potential of the subject property under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Information shown below is based upon data from the Institute of Transportation Engineer's Trip Generation Manual, 11<sup>th</sup> Edition. Since there is no ITE land use code for the a contractor's office with show room, staff examined other available use codes which were anticipated to be a close match with that component of the proposed use. Staff notes that a furniture store is likely to be close in nature to a display area for a contractor (in this case the end user is a pool builder). Staff noted that the highest peak rate for furniture stores (LUC 890) is 0.52 trips per 1,000 g.s.f., vs. the 1.93 trips per 1,000 g.s.f. in the highest peak hour for LUC 180. As such, staff believes the analysis prepared below represents a conservative analysis of likely maximum trip generation potential.

Staff had previously objected to the case based on the inclusion of all "M" district uses, which can include very high trip intensive uses including but not limited to fast food with drive through uses. Given that the project will be unable to meet access spacing requirements, and that there is likely insufficient right-of-way available in which to construct a turn lane which would be required by a higher intensity use, staff worked with the applicant to customize the restrictions to accomplish the uses sought by the applicant, while providing additional room for their proposed business to potentially grown in the future. With these restrictions, staff believes that the applicant's proposed development will be able to obtain the necessary Section 6.04.02.B Administrative Variance (AV) and/or Design Exception (DE) approvals needed to obtain site/construction plan approval. These remaining issues will be dealt with through the

site/construction plan process, as is the case with all other Euclidean zoned projects (which are not required to seek AV/DE approvals concurrent with Euclidean zoning petitions.

**Existing Zoning:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AI, 32,016 s.f. Agricultural Manufacturing Uses (ITE LUC 254)	152	22	24

**Proposed Zoning:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
M, 20,000 s.f. Contractor’s Office with Open Storage and Display Area (ITE LUC 180)	196	33	39

**Trip Generation Difference:**

Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>(+) 44</b>	<b>(+) 11</b>	<b>(+) 15</b>

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

Barry Rd. is a 2-lane, publicly maintained, substandard collector roadway. The roadway is characterized by +/- 20 feet of pavement in average condition. In the vicinity of the project site, the right-of-way width is approximately +/- 76 feet. There are a +/- 5-foot-wide sidewalks present along portions of the north side of Barry Rd. in the vicinity of the proposed project. There are no bicycle facilities along the roadway in the vicinity of the proposed project.

**SITE ACCESS AND CONNECTIVITY**

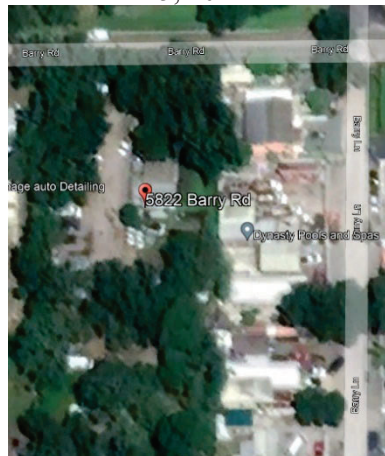
It is anticipated that access to the site will be from Barry Rd. Staff notes that vehicular and pedestrian cross access would likely also be required pursuant to Sec. 6.04.03.Q. of the LDC.

Given access spacing along Barry Rd. in vicinity of the proposed project, and the subject property’s available frontage and configuration, staff believes the restrictions proposed in the applicant’s modified narrative represents a supportable level of intensification of the subject site.

May 14, 2023 Aerial



December 15, 2022 Aerial





Streetview showing speed table and problematic access location and design.



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

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

Roadway	From	To	LOS Standard	Peak Hour Directional LOS
Barry Rd.	Hanley Rd.	Benjamin Rd.	D	C

Source: Hillsborough County 2020 Level of Service Report.

Transportation Comment Sheet

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

<b>Adjoining Roadways (check if applicable)</b>			
<b>Road Name</b>	<b>Classification</b>	<b>Current Conditions</b>	<b>Select Future Improvements</b>
Barry Rd.	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width (for Urban Section)	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input checked="" type="checkbox"/> Other - TBD
	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

<b>Project Trip Generation</b> <input type="checkbox"/> Not applicable for this request			
	<b>Average Annual Daily Trips</b>	<b>A.M. Peak Hour Trips</b>	<b>P.M. Peak Hour Trips</b>
Existing	152	22	24
Proposed	196	33	39
Difference (+/-)	<b>(+) 44</b>	<b>(+) 11</b>	<b>(+) 15</b>

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

<b>Connectivity and Cross Access</b> <input checked="" type="checkbox"/> Not applicable for this request				
<b>Project Boundary</b>	<b>Primary Access</b>	<b>Additional Connectivity/Access</b>	<b>Cross Access</b>	<b>Finding</b>
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

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

## Transportation Comment Sheet

4.0 Additional Site Information & Agency Comments Summary			
<b>Transportation</b>	<b>Objections</b>	<b>Restrictions Requested</b>	<b>Additional Information/Comments</b>
<input 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**