

**Rezoning Application: 23-0115**

Zoning Hearing Master Date: April 17, 2023

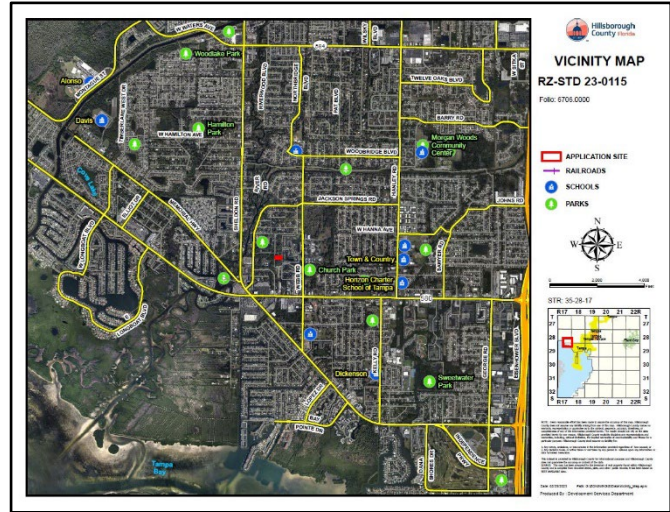
BOCC Land Use Meeting Date: June 13, 2023

**Hillsborough  
County Florida**

Development Services Department

**1.0 APPLICATION SUMMARY**

Applicant: Dilip Agarwal  
 FLU Category: Residential - 6 (Res-6)  
 Service Area: Urban  
 Site Acreage: 0.55 +/-  
 Community Plan Area: Town N' Country  
 Overlay: None  
 Request: Rezone from **Residential, Single-Family Conventional-6 (RSC-6)** zoning districts to the proposed to **Residential Multi-Family Conventional - 20 (RMC-20)** zoning district.

**Request Summary:**

The request is to rezone from the existing **Residential, Single-Family Conventional-6 (RSC-6)** zoning district to the proposed to **Residential Multi-Family Conventional - 20 (RMC-20)** zoning district. The proposed zoning for RMC-20 permits development limited to conventional multiple family dwelling units in a high-density living environment, on lots containing a minimum of 6,540 square feet (sf).

Zoning:	Current RSC-6 Zoning	Proposed RMC-20 Zoning
Uses:	Single-Family Residential (Conventional Only)	Single-Family and Two-Family (Conventional)
Acreage	0.55 +/- Acres (ac) / 23,950 sf	0.55 +/- ac
Density / Intensity	1 dwelling unit (du) / 7,000 sf	1 Multi-Family Unit / 2,180 sf
Mathematical Maximum*	3 Dwelling Unit	10 Multi-Family Units
* <i>Mathematical Maximum entitlements may be reduced due to roads, stormwater and other improvements.</i>		

**Development Standards:**

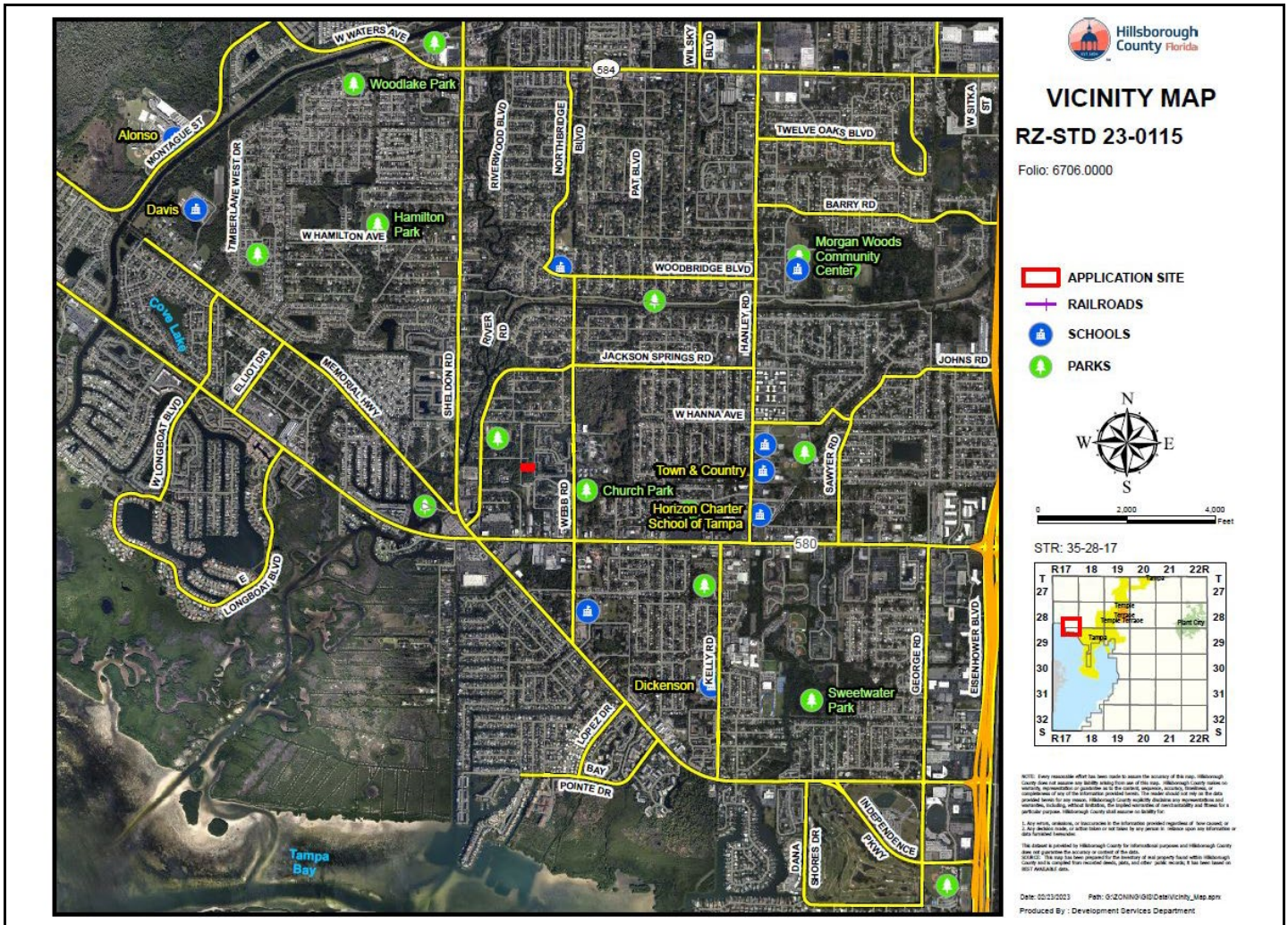
	Current RSC-6 Zoning	Proposed RMC-20 Zoning
Density / Intensity	1 dwelling unit (du) / 7,000 sf	1 Multi-Family Unit / 2,180 sf
Lot Size / Lot Width	7,000 sf / 70'	7,260 sq ft / 60'
Setbacks/Buffering and Screening	25' - Front 7.5' - Sides 25' - Rear	25' - Front 10' - Sides 20' - Rear
Height	35'	45'

**Additional Information:**

PD Variations	N/A	
Waiver(s) to the Land Development Code	None	
Planning Commission Recommendation	Consistent	
Development Services Department Recommendation	Approvable	

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map



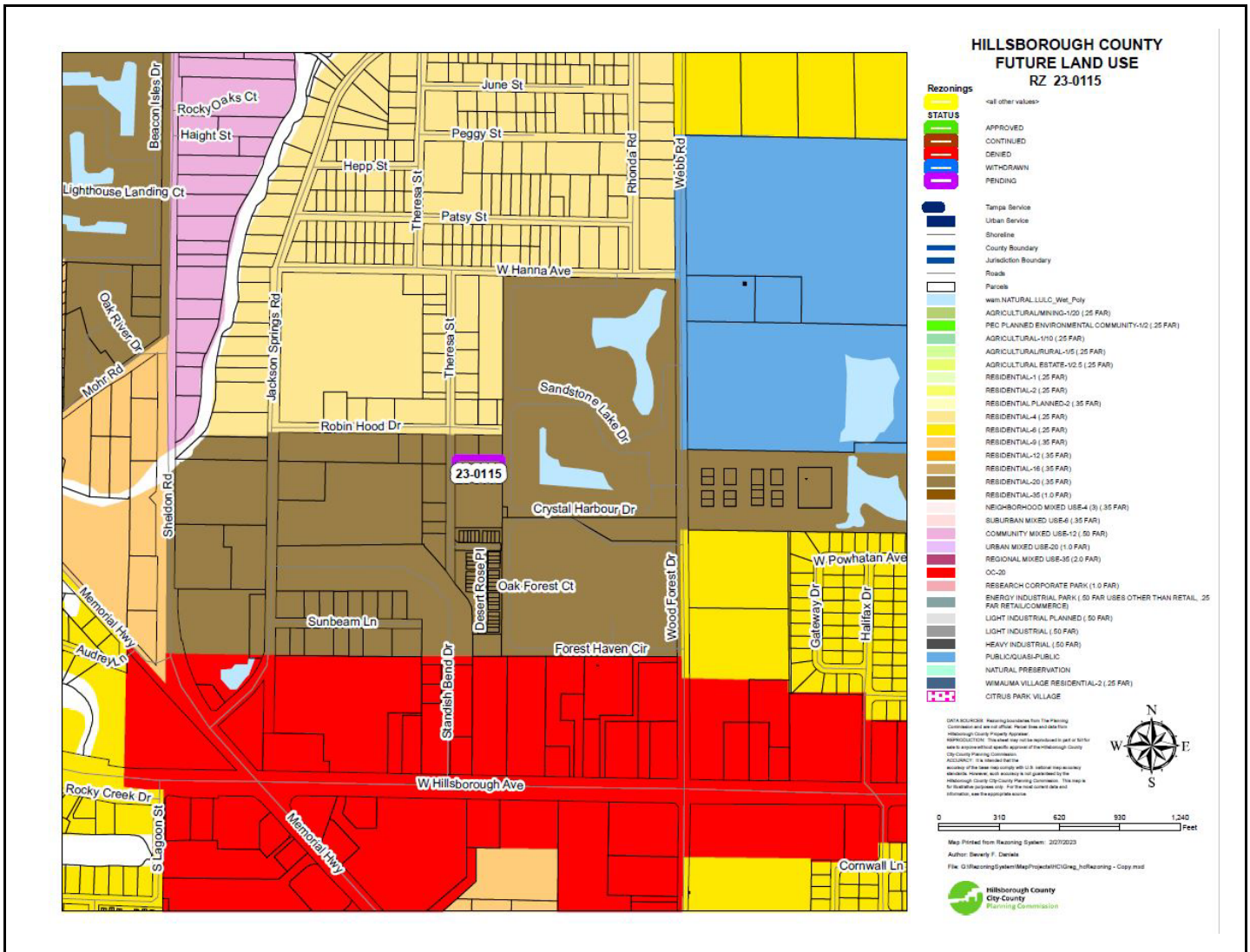
#### Context of Surrounding Area:

The site is surrounded by a mixture of uses consisting of single-family residential, duplexes and multi-family type uses. The subject site is surrounded by Res-20 Future Land Use (FLU) categories which permits single-family residential, multi-family, office and neighborhood-commercial uses. The adjacent properties are zoned RSC-6 to the north and west, and RMC-20 to the south and west.



## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential 20 (Res-20)
Maximum Density/F.A.R.:	20 dwelling unit per Gross Acre (ga)/ 0.75 F.A.R.
Typical Uses:	Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects. 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

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

Not Applicable

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

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

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	28	2	3
Proposed	74	4	6
Difference (+/-)	+46	+2	+3

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

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

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		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:				



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

<b>INFORMATION/REVIEWING AGENCY</b>			
<b>Environmental:</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
Environmental Protection Commission	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Review at time of development</b>
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<b>No Comments provided</b>
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<b>This agency has no comments.</b>
Check if Applicable: <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input checked="" type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input checked="" type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____			
<b>Public Facilities:</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
<b>Transportation</b> <input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	
<b>Utilities 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 type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Hillsborough County School Board</b> Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Impact/Mobility Fees</b> N/A			
<b>Comprehensive Plan:</b>	<b>Findings</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
<b>Planning Commission</b> <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	

**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**

The immediate adjacent properties are zoned RSC-6 to the north and west, and RMC-20 to the south and west. The site is surrounded by a mixture of uses consisting of single-family residential and multi-family residential uses, and office and neighborhood commercial type zoned uses. The subject site is surrounded by Res-20 Future Land Use (FLU) categories which permits single-family residential, multi-family residential, office and neighborhood-commercial uses.

The size and depth of the subject parcel in relation to other adjacent single-family residential and multi-family residential uses would create a zoning/development pattern that is consistent with the existing zoning and development pattern of the agricultural and residential uses/zoning districts in the area.


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, staff finds the proposed RMC- 20 zoning district is compatible with the existing zoning districts and development pattern in the area. Therefore, staff finds the request **Approvable**.

**6.0 PROPOSED CONDITIONS:**

N/A

<b>Zoning Administrator Sign Off:</b>	 <p>J. Brian Grady Fri Apr 7 2023 13:12:17</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 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)

Not Applicable

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



**AGENCY REVIEW COMMENT SHEET**

**TO:** Zoning Technician, Development Services Department  
**REVIEWER:** Alex Steady, Senior Planner  
**PLANNING AREA/SECTOR:** Town and Country /Northwest

**DATE:** 04/07/2023  
**AGENCY/DEPT:** Transportation  
**PETITION NO.:** STD 23-0115

- This agency has no comments.
- This agency has no objection.
- This agency objects for the reasons set forth below.

**REPORT SUMMARY AND CONCLUSIONS**

- The proposed rezoning would result in a n increase of trips potentially generated by development of the subject site by 46 average daily trips, 2 trips in the a.m. peak hour, and 3 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to the proposed rezoning.

**PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone one parcel totaling +/- 0.56 acres from Residential Single Family Conventional – 6 (RSC-6) to Residential Multi-Family Conventional – 20 (RMC-20). The site is located +/- 125 feet south of the intersection of Robin Hood Drive and Theresa Ave Street. The Future Land Use designation of the site is Residential-20 (R-20).

*Trip Generation Analysis*

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer’s Trip Generation Manual, 11<sup>th</sup> Edition.

**Approved Zoning:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-6, 3 Single Family Dwelling Units (ITE Code 210)	28	2	3

**Proposed Zoning:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RMC-20, 11 Multi Family Dwelling Units (ITE Code 220)	74	4	6

**Trip Generation Difference:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>+46</b>	<b>+2</b>	<b>+3</b>

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

The site has frontage on Theresa Street. Theresa Street is a 2-lane, substandard, undivided, Hillsborough County maintained, local roadway. Theresa Street lies within +/- 52 feet of Right of Way in the vicinity of the project. Theresa Street does not have sidewalk, bikes lanes or curb and gutter on either side of the roadway within the vicinity of the project.

**SITE ACCESS**

It is anticipated that the site will have access to Theresa Street. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

**ROADWAY LEVEL OF SERVICE**

Theresa Street is not a regulated roadway and as such was not included in the Level of Service Report.

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**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> April 17, 2023  <b>Report Prepared:</b> April 5, 2023	<b>Petition: RZ 23-0115</b>  <b>5817 Theresa Street</b>  <i>Southeast of Theresa Street and Robinhood Drive</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use</b>	<b>Residential-20 (20 du/ga; 0.75 FAR)</b>
<b>Service Area</b>	<b>Urban</b>
<b>Community Plan</b>	<b>Town 'N Country</b>
<b>Requested Zoning</b>	Standard rezoning from Residential Single-Family Conventional (RSC-6) to Residential Multi-Family Conventional (RMC-20)
<b>Parcel Size</b>	0.55 +/- acres (23,958 square feet)
<b>Street Functional Classification</b>	Theresa Street – <b>Local</b> Robinhood Drive – <b>Local</b>
<b>Locational Criteria</b>	N/A
<b>Evacuation Zone</b>	A



## **Context**

- The approximately 0.55 +/- acre subject site is located southeast of Theresa Street and Robinhood Drive.
- The subject site is located within the Urban Service Area and is located within the Limits of the Town 'N Country Community Plan.
- The subject site is located within the Residential-20 (RES-20) Future Land Use category, which can be considered for a maximum density of 20 dwelling units per gross acre and a maximum intensity of 0.75 FAR. The RES-20 Future Land Use category is intended to designate areas for high density residential development, as well as urban scale neighborhood commercial, office, multi-purpose projects, and mixed use developments. Typical uses of RES-20 include residential, neighborhood commercial, office uses, multi-purpose projects and mixed-use developments.
- RES-20 surrounds all sides of the subject site. The Residential-4 (RES-4) Future Land Use category extends further north of the subject site across Robinhood Drive. Office Commercial-20 (OC-20) is located further south of the subject site along Hillsborough Avenue.
- The subject site is currently vacant. Single family, public/quasi-public, and vacant uses are interspersed north and northwest of the subject site. Several parcels located west across Theresa Street are vacant. Single family and group home uses extend further west. Single family, multifamily, and vacant uses are interspersed south of the subject site. Further south, there are several light commercial and light industrial uses along Hillsborough Avenue. Multifamily uses are directly adjacent to the east and extend all the way to Webb Road. The area utilizes a variety of housing styles and is residential in character.
- The subject site is currently zoned as Residential Single Family Conventional (RSC-6). Several parcels located north and northwest of the site are also zoned as RSC-6. Residential Multifamily Conventional (RMC-16), Commercial Neighborhood (CN) and RSC-6 zoning are interspersed throughout the west side of the subject site across Theresa Street. Residential Multifamily Conventional (RMC-20) zoning is located directly south and east of the subject site. A Planned Development (PD) is located further south of the subject site as well.
- The applicant is requesting to rezone the subject site from Residential Single-Family Conventional (RSC-6) to Residential Multifamily Conventional (RMC-20).

### **Compliance with Comprehensive Plan:**

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

## **FUTURE LAND USE ELEMENT**

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

***Objective 1:*** Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of this Plan. Within the Urban Service Area, Hillsborough County will not impede

agriculture. Building permit activity and other similar measures will be used to evaluate this objective.

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

### **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.

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

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

## **Community Design Component**

### **4.2 SUBURBAN RESIDENTIAL CHARACTER**

**GOAL 8:** Preserve existing suburban uses as viable residential alternatives to urban and rural areas

#### **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: Town ‘N Country Community Plan**

### **III. Vision Statement**

*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.*

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

The approximately 0.55 +/- acre subject site is located southeast of Robinhood Drive and Theresa Street. The subject site is located in the Urban Service Area and is located within the limits of the Town ‘N Country Community Plan. The subject site’s Future Land Use classification on the Future Land Use Map (FLUM) is Residential-20 (RES-20). The

applicant is requesting to rezone the subject site from Residential Single-Family Conventional (RSC-6) to Residential Multi Family Conventional (RMC-20).

The subject site is located in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. The proposed request is consistent with this policy direction. FLUE Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that "*Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.*" The proposed change from RSC-6 to RMC-20 zoning is compatible with the existing character of development in the area, as the current development pattern contains extensive RMC-20 zoning to the south, east, and northeast.

Objective 8 of the FLUE establishes Land Use categories which outline the maximum level of intensity and density and range of permitted land uses allowed and planned for an area. Similarly, Policy 8.1 ensures that 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. The proposed rezoning to RMC-20 does not exceed the maximum amount of density allowed within the RES-20 FLU category. The proposed rezoning is therefore in compliance with Objective 8 and Policy 8.1.

The proposed rezoning meets the intent of the Neighborhood Protection Policies of FLUE Objective 16 and its accompanying Policies 16.2, 16.3, 16.8, and 16.10. The development pattern of the surrounding area shows several other residential uses with varying lot sizes. The proposed rezoning would also encourage an appropriate transition in intensity between the commercial zoning districts located south of the subject site and the single family zoning districts located north of the subject site. A rezoning to RMC-20 would reflect a development pattern that is in keeping with the existing development pattern, consistent with the aforementioned policy direction.

The Community Design Component (CDC) in the Future Land Use Element provides guidance on residential developments. Goal 8 encourages the preservation of existing suburban uses as viable residential alternatives to urban and rural areas. Goal 12 and Objective 12-1 seek to facilitate patterns of development that are both compatible and related to the predominate character of their surroundings. A rezoning to RMC-20 would be consistent with this policy direction as it would preserve existing suburban uses while remaining compatible with the predominant character of the surrounding area.

The Town 'N Country Community Plan's Vision Statement encourages development that increases the property values of their homes. Allowing RMC-20 zoning on the subject site will encourage development and increased value to the area, especially considering that the site is currently vacant. The proposed RMC-20 zoning district is aligned with the community plan's language regarding a strong urban community and is therefore consistent with the overall vision of the community plan.

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

**Recommendation**

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



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