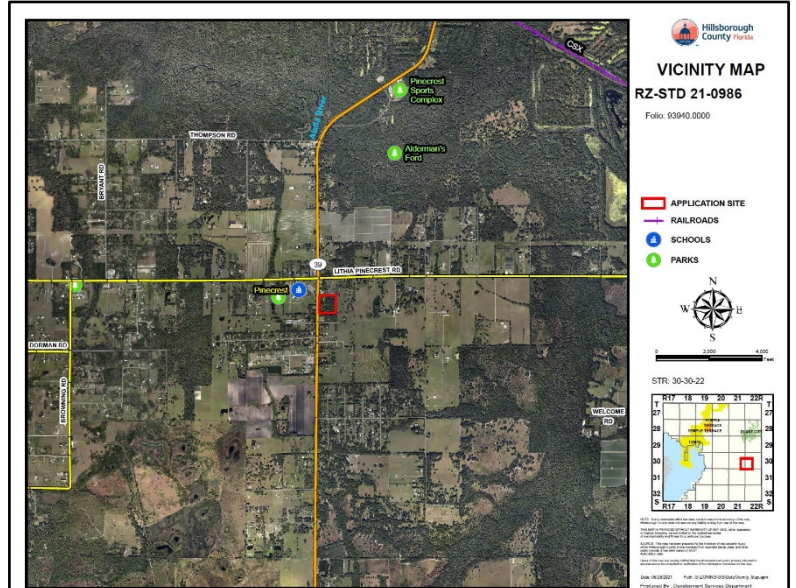


Rezoning Application: 21-0986
Zoning Hearing Master Date: September 13, 2021
BOCC Land Use Meeting Date: November 9, 2021

1.0 APPLICATION SUMMARY

Applicant: Calvin Lyons Lloyd
FLU Category: Residential -1 (Res-1)
Service Area: Rural
Site Acreage: 9.73
Community Plan Area: South Rural
Overlay: None



Introduction Summary:

The request is to rezone from the existing **Agricultural Rural (AR)** zoning district to the proposed to **Agricultural Single-Family Conventional-1 (ASC-1)** zoning district. The proposed zoning for ASC-1 permits agricultural and related uses and single-family conventional development on lots containing a minimum of one (1) acre.

Zoning:	Existing	Proposed
District(s)	AR	ASC-1
Typical General Use(s)	Single-Family Residential/Agricultural	Single-Family Residential/Agricultural
Acreage	9.73	9.73
Density/Intensity	1 dwelling unit (du) per 5 acres (a)	1 du/ 1 a
Mathematical Maximum*	1 dwelling unit	9 dwelling units

*number represents a pre-development approximation

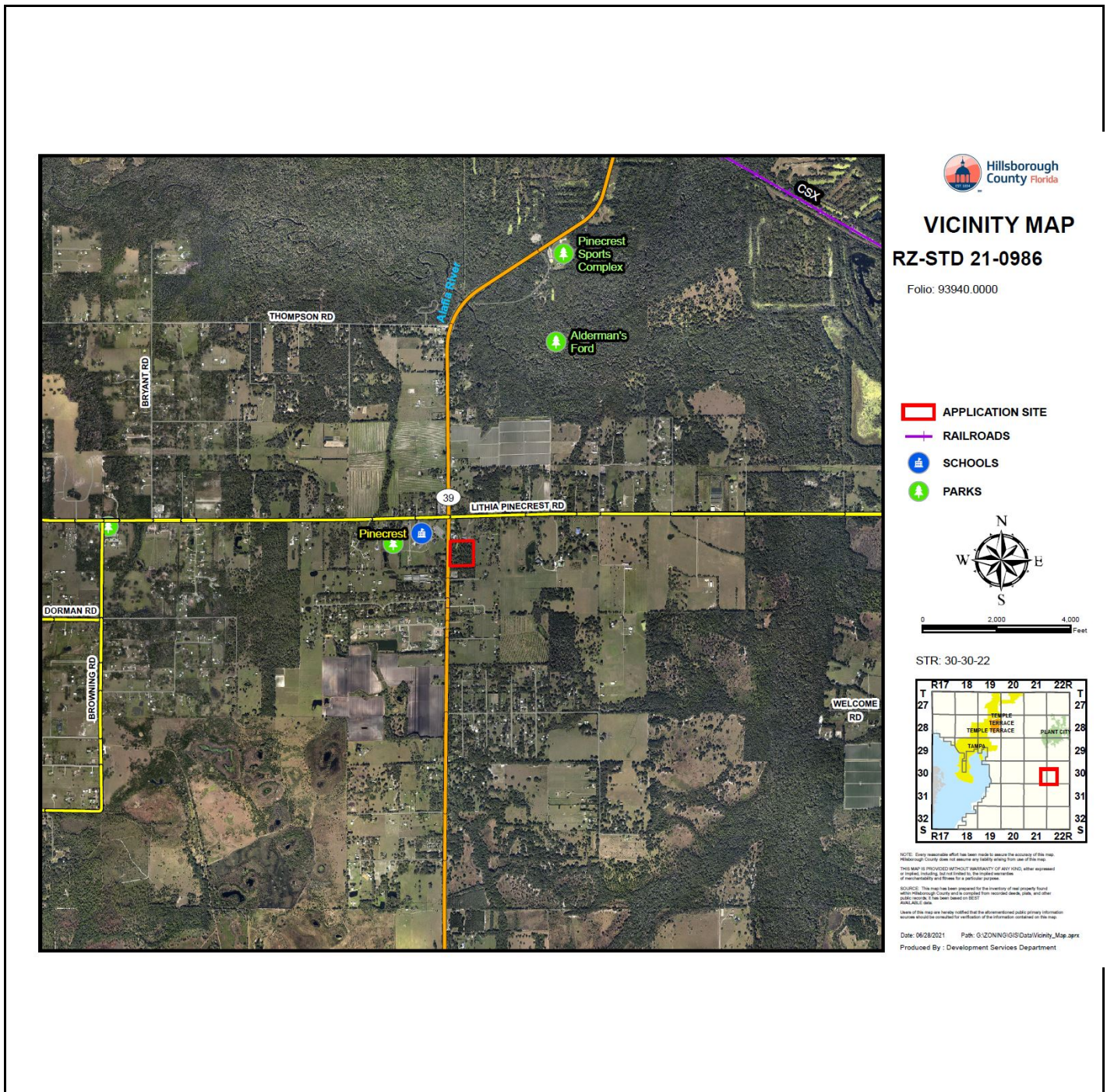
Development Standards:	Existing	Proposed
District(s)	AR	ASC-1
Lot Size / Lot Width	217,800 square feet (sf) / 150'	43,560 sf / 150'
Setbacks/Buffering and Screening	50' Front 50' Rear 25' Sides	50' Front 50' Rear 15' Sides
Height	50'	50'

Additional Information:

PD Variation(s)	None requested as part of this application
Waiver(s) to the Land Development Code	None requested as part of this application
Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



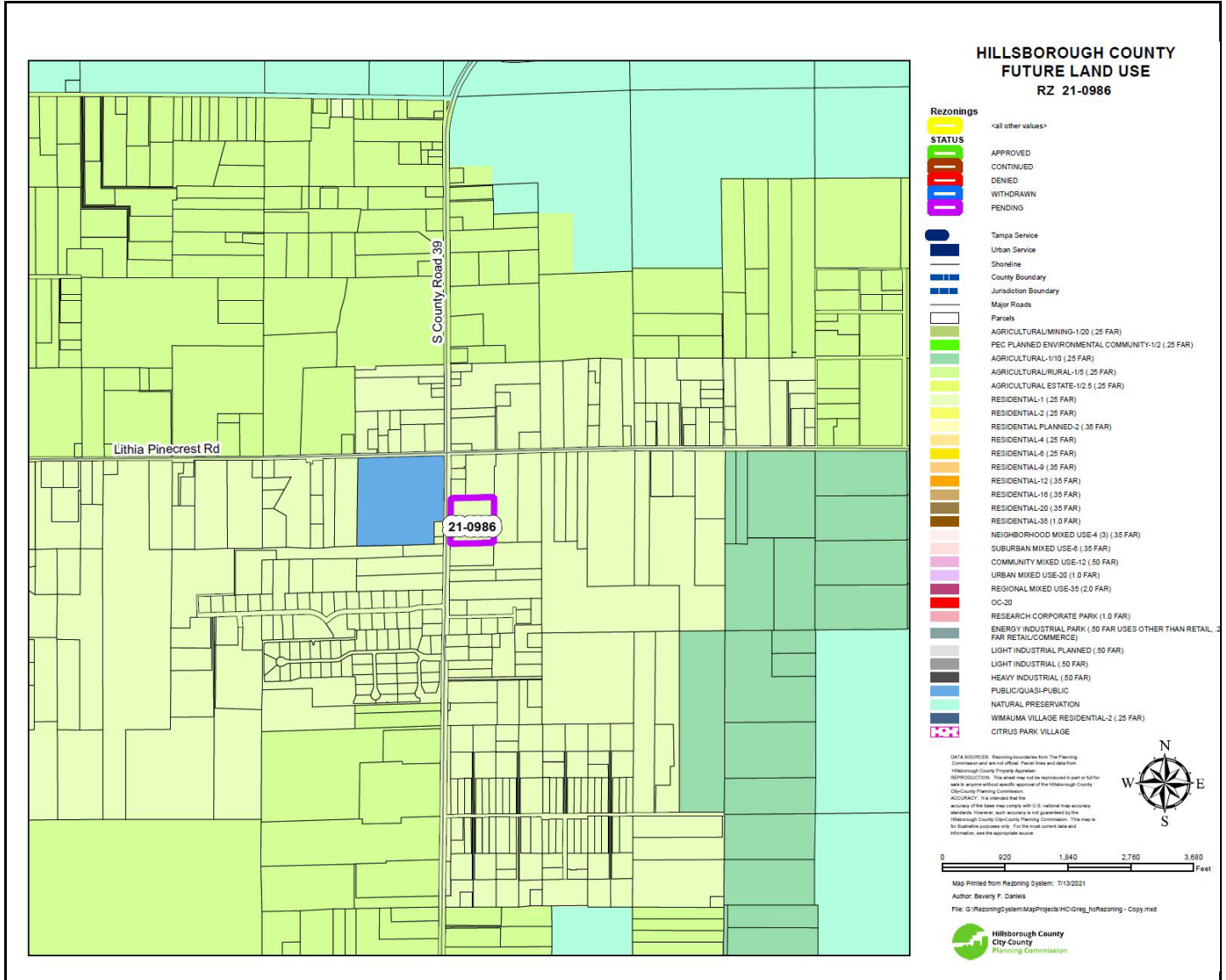
Context of Surrounding Area:

The site is surrounded by agricultural, single-family residential, a school and neighborhood-commercial type uses. The subject site is located adjacent to a property with Public/Quasi-Public and Res-1 FLU categories which permits institutional, agricultural, and single-family residential uses. The adjacent properties are zoned (AR) Agricultural Rural and (CN) Commercial Neighborhood (to the north); and (AR) Agricultural Rural (to the south, east and west).



2.0 LAND USE MAP SET AND SUMMARY DATA

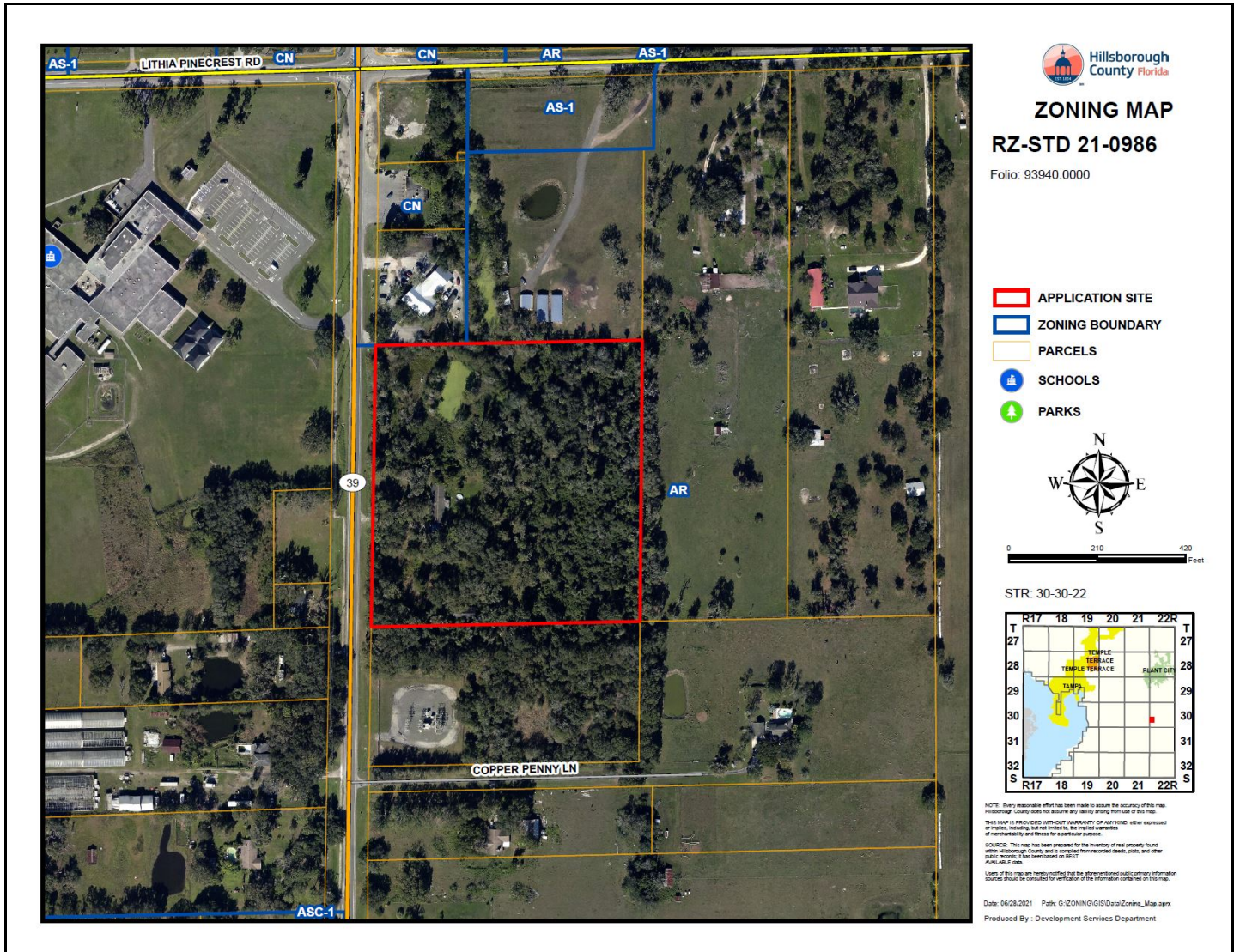
2.2 Future Land Use Map



Subject Site Future Land Use (FLU) Category:	Residential 1 (Res-1)
Maximum Density/F.A.R.:	1 dwelling unit per Gross Acre (ga)/0.25 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

2.3 Immediate Area Map



Adjacent Zonings and Uses

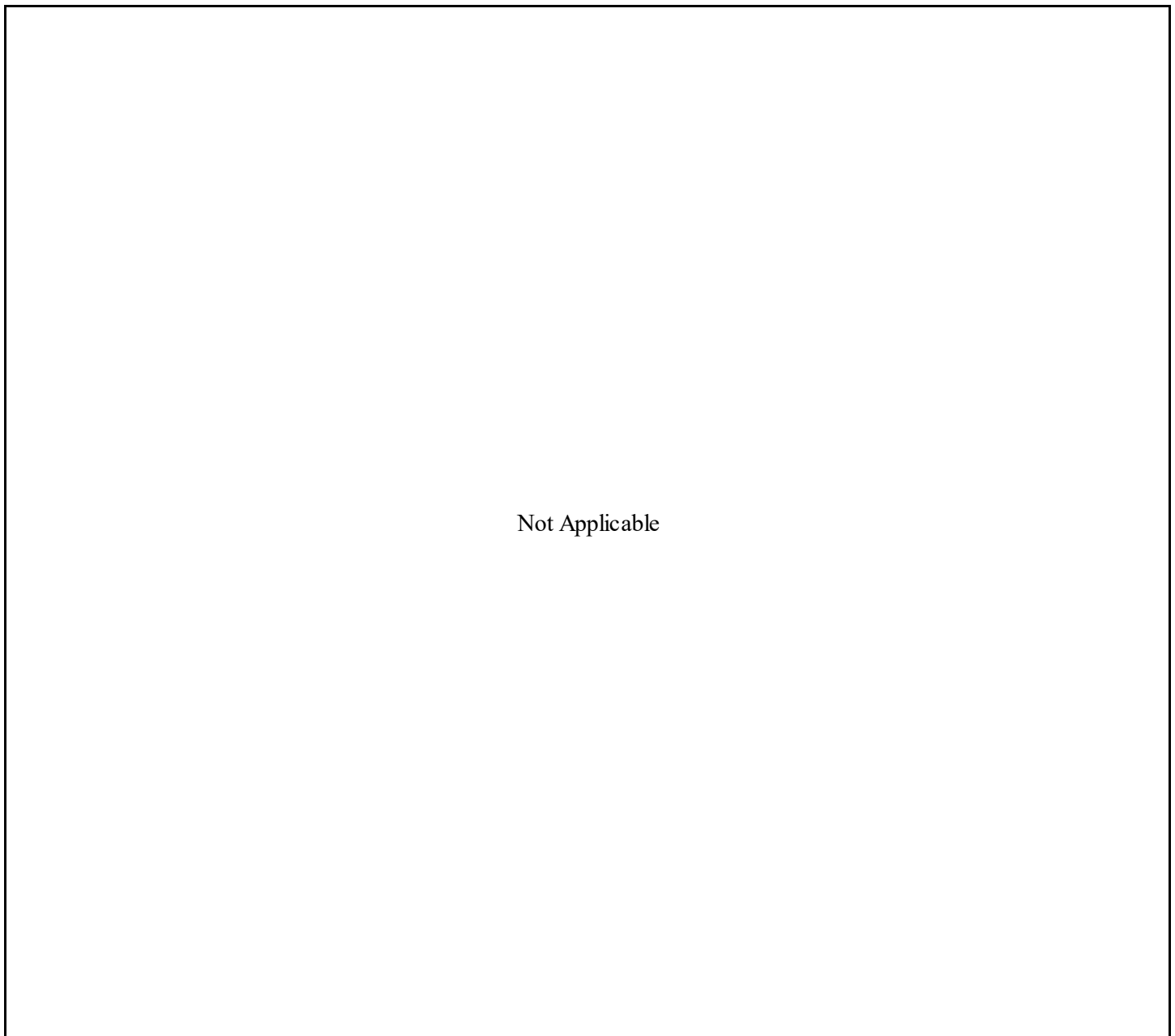
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	Commercial Neighborhood (CN)	0.25 F.A.R.	Neighborhood Commercial, Office and Personal Services	Office
	Agricultural - Single-Family (AS-1)	1 du / 1 a	Single-Family Residential/Agricultural	Diary Farm
South	AR	1 du / 5 acres	Single-Family Residential/Agricultural	Utility (TECO)

Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
East	AR	1 du / 5 acres	Single-Family Residential/Agricultural	School, Single-Family Residential
West	AR	1 du / 5 acres	Single-Family Residential/Agricultural	School, Single-Family Residential

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 9.0 OF STAFF REPORT)

Adjoining Roadways (check if applicable)

Road Name	Classification	Current Conditions	Select Future Improvements
County Road 39	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	9	1	1
Proposed	85	7	9
Difference (+/1)	+76	+6	+8

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

Connectivity and Cross Access Not applicable for this request

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

Design Exception/Administrative Variance Not applicable for this request

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

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again.
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 type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This agency has no comments.
Check if Applicable: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input checked="" type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input checked="" type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____ 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Service Area/ Water & Wastewater <input type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input checked="" type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees: No Comments Provided.				
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input checked="" type="checkbox"/> N/A <input 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	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of agricultural, single-family residential, a school and neighborhood-commercial type uses. The subject site is located adjacent to a property with Public/Quasi-Public and Res-1 FLU categories which permits institutional, agricultural, and single-family residential uses.

The site is adjacent to properties with similar zoning district designations. The adjacent properties are zoned (AR) Agricultural Rural and (CN) Commercial Neighborhood (to the north); and (AR) Agricultural Rural (to the south, east and west).

The size and depth of the subject parcel in relation to other adjacent agricultural and 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 outside the Hillsborough County Urban Service Area; therefore, the subject property should be served by private well water and septic system for wastewater.

5.2 Recommendation

Based on the above considerations, staff finds the proposed ASC-1 zoning district is compatible with the existing zoning districts and development pattern in the area.

6.0 PROPOSED CONDITIONS

N/A

Zoning Administrator Sign Off:	 <p>J. Brian Grady Mon Aug 30 2021 08:25:08</p>
<p>SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.</p> <p>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.</p>	

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: South Rural/South

DATE: 08/02/2021

AGENCY/DEPT: Transportation

PETITION NO: RZ-STD 21-0986

- 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 an increase of trips potentially generated by development of the subject site by 76 average daily trips, 6 trips in the a.m. peak hour, and 8 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a parcel totaling +/- 9.73 acres from Agricultural Rural (AR-1/5) to Agricultural Single-Family Conventional (ASC-1). The site is located +/- 700 feet south of the intersection of Lithia Pinecrest Rd and County Road 39. The Future Land Use designation of the site is R-1.

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, 10th Edition.

Approved Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AR-1/5, 1 Single Family Detached Dwelling Units (ITE Code 210)	9	1	1

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
ASC-1, 9 Single Family Detached Dwelling Units (ITE Code 210)	85	7	9

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+76	+6	+8

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 76 average daily trips, 6 trips in the a.m. peak hour, and 8 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on County Road 39. CR 39 is a 2-lane, substandard, undivided, arterial, Hillsborough County maintained roadway with +/- 12-foot travel lanes. Along the project frontage, the roadway lies within a +/- 100-foot wide right-of-way. CR 39 has +/- 4-foot sidewalks on the west side of the roadway. There are +/- 3-foot bike lanes on both sides of CR 39.

CR 39 is shown on the Hillsborough County Corridor Preservation Plan as a future 2-lane enhanced roadway.

SITE ACCESS

It is anticipated pedestrian and vehicular access will be from CR 39. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
CR39	BALM PICNIC RD	LITHIA PINECREST RD	D	C

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

COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER: RZ STD 21-0986

DATE OF HEARING: September 13, 2021

APPLICANT: Calvin Lyons Lloyd

PETITION REQUEST: The request is to rezone a parcel of land from AR to ASC-1

LOCATION: East side of South County Rad 39 & 920 feet south of Lithia Pinecrest Road

SIZE OF PROPERTY: 9.73 acres m.o.l.

EXISTING ZONING DISTRICT: AR

FUTURE LAND USE CATEGORY: RES-1

SERVICE AREA: Rural

DEVELOPMENT REVIEW STAFF REPORT*

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

1.0 APPLICATION SUMMARY

Applicant: Calvin Lyons Lloyd
FLU Category: Residential -1 (Res-1)
Service Area: Rural
Site Acreage: 9.73

Community Plan Area: South Rural

Overlay: None
Existing Zoning: AR
Proposed Zoning: ASC-1



Introduction Summary:

The request is to rezone from the existing **Agricultural Rural (AR)** zoning district to the proposed to **Agricultural Single-Family Conventional -1 (ASC-1)** zoning district. The proposed zoning for ASC-1 permits agricultural and related uses and single-family conventional development on lots containing a minimum of one (1) acre.

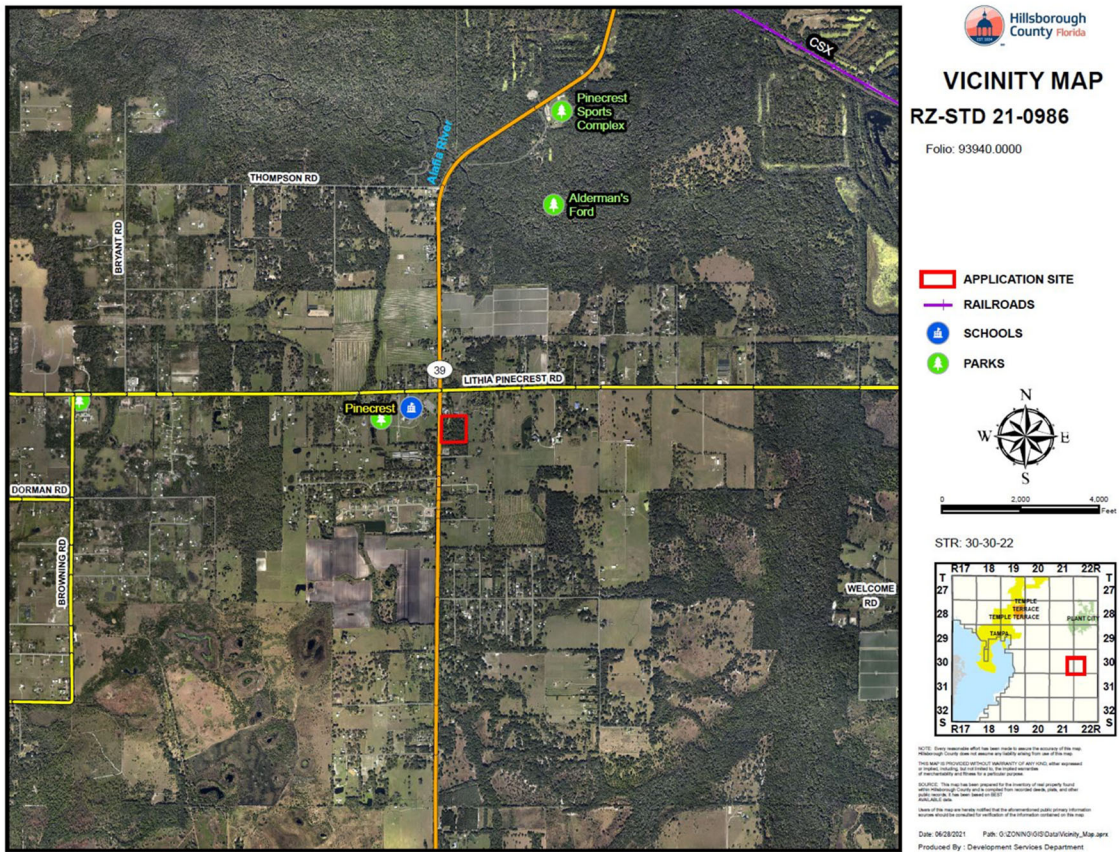
Development Services Recommendation:

Approvable

Planning Commission Recommendation:

Consistent

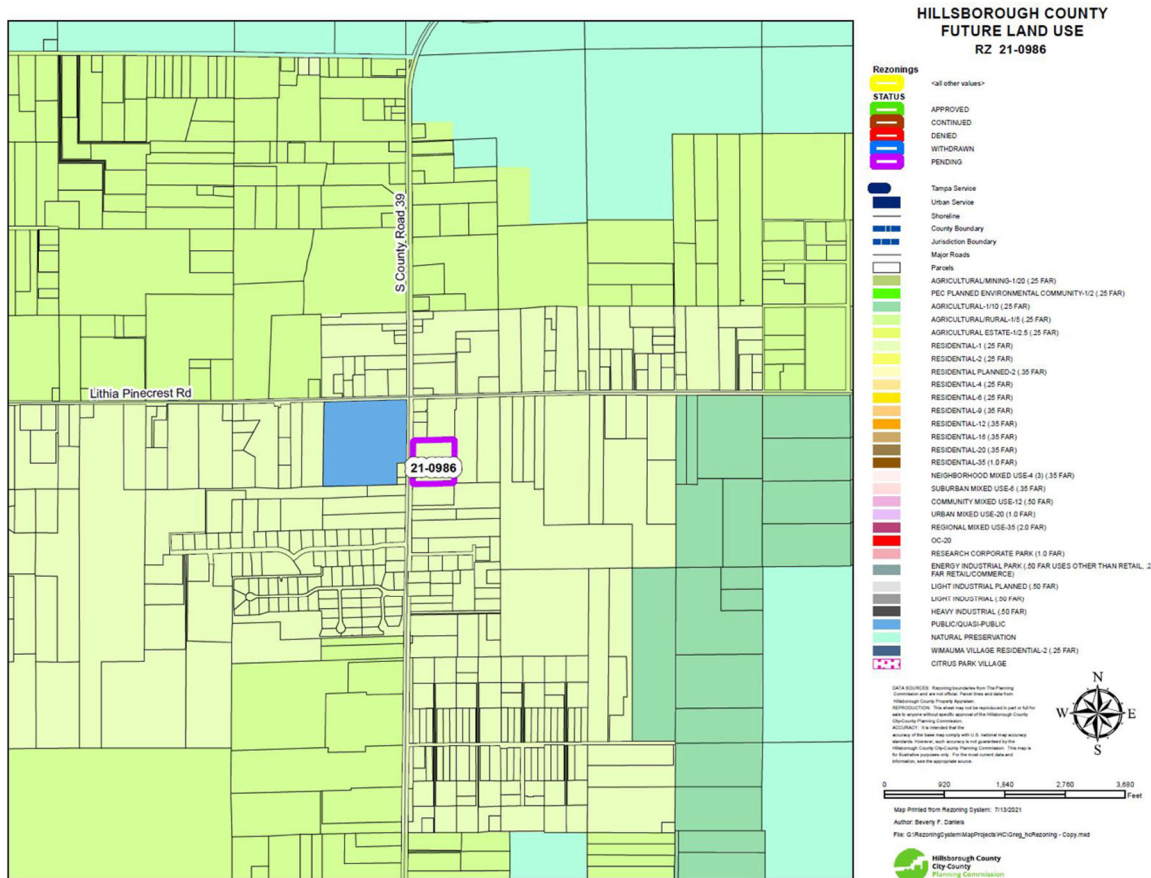
2.0 LAND USE MAP SET



Context of Surrounding Area:

The site is surrounded by agricultural, single-family residential, a school and neighborhood-commercial type uses. The subject site is located adjacent to a property with Public/Quasi-Public and Res-1 FLU categories which permits institutional, agricultural, and single-family residential uses. The adjacent properties are zoned (AR) Agricultural Rural and (CN) Commercial Neighborhood (to the north); and (AR) Agricultural Rural (to the south, east and west).

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



Subject Site Future Land Use (FLU) Category: Maximum Density/F.A.R.:

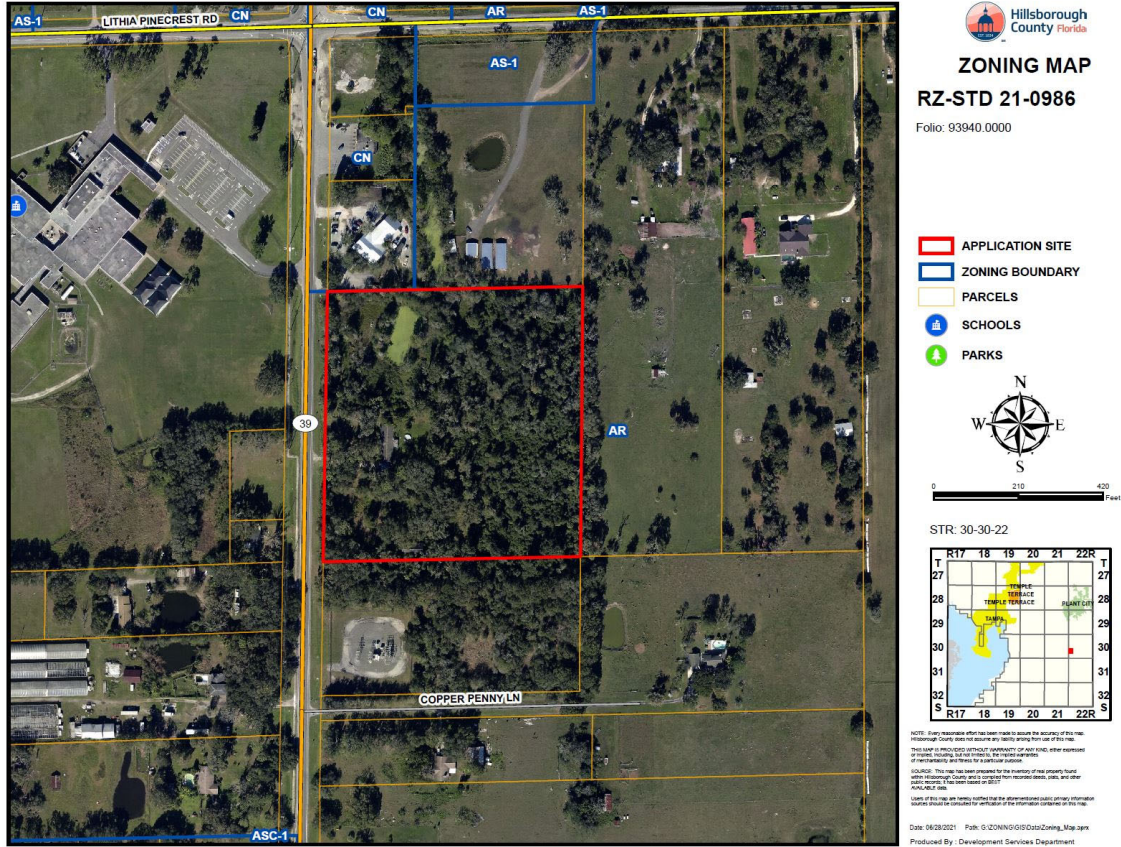
Residential 1 (Res-1)

1 dwelling unit per Gross Acre (ga)/ 0.25 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.
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2.0 LAND USE MAP SET AND SUMMARY DATA 2.3 Immediate Area Map

Development Services Department



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

Classification Current Conditions Select Future Improvements

3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9.0 OF STAFF REPORT)			
Adjoining Roadways (check if applicable)			
County Road 39	County Local - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Existing

Proposed

Difference (+/1)

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

Connectivity and Cross Access Not applicable for this request

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY				
INFORMATION/REVIEWING AGENCY	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental:				
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	If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again.

No No

Potable Water Wellfield Protection Area Significant Wildlife Habitat

Coastal High Hazard Area

Urban/Suburban/Rural Scenic Corridor Adjacent to ELAPP property

Other _____

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

Impact/Mobility Fees: No Comments Provided.

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

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 site is located in an area comprised of agricultural, single-family residential, a school and neighborhood- commercial type uses. The subject site is located adjacent to a property with Public/Quasi-Public and Res-1 FLU categories which permits institutional, agricultural, and single-family residential uses.

The site is adjacent to properties with similar zoning district designations. The adjacent properties are zoned (AR) Agricultural Rural and (CN) Commercial Neighborhood (to the north); and (AR) Agricultural Rural (to the south, east and west).

The size and depth of the subject parcel in relation to other adjacent agricultural and 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 outside the Hillsborough County Urban Service Area; therefore, the subject property should be served by private well water and septic system for wastewater.

5.2 Recommendation

Based on the above considerations, staff finds the proposed ASC-1 zoning district is compatible with the existing zoning districts and development pattern in the area.

SUMMARY OF HEARING

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

Mr. Michael Horner 14502 North Dale Mabry Highway Tampa testified on behalf of Mr. Lloyd Lyons who is the applicant and property owner. Mr. Horner stated that the request has unanimous recommendations for approval. He added that the property is 9.7 acres in size and located east of County Road 39 in Lithia. Mr. Horner showed a graphic to discuss the location and surrounding land uses. He identified adjacent parcels which are zoned both AS-1 and ASC-1. Although

the maximum number of lots based on the requested density could be nine lots, it is not possible due to the limitations on road frontage of 150 feet per lot. Therefore, it is estimated that the property could be divided into four lots. Mr. Horner concluded his presentation by stating that the request is consistent with all Plan policies.

Ms. Isis Brown, Development Services staff, testified regarding the County's staff report. Ms. Brown stated that the request is to rezone the property from AR to ASC-1. She identified the location of the site and stated that while the mathematical maximum would be nine lots, the applicant is requesting less lots. She described the surrounding zoning and development pattern. Ms. Brown concluded her presentation by stating that staff finds the request approvable.

Ms. Melissa Lienhard, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Lienhard stated that the subject property is within the Residential-1 Future Land Use classification and the Rural Service Area and the SouthShore Areawide Plan. Ms. Lienhard testified that the request is consistent with Objective 4 and Policy 4.1 regarding low density rural residential development patterns. The request is also consistent with Objective 16 regarding neighborhood compatibility. She stated that the request meets the intent of agricultural general and retention policies under Policy 29.4 and 30.6. Staff found that the proposed rezoning consistent with the Future of Hillsborough Comprehensive Plan.

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

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

County staff and Mr. Horner did not have additional comments.

The hearing was then concluded.

EVIDENCE SUBMITTED

Mr. Horner submitted documents into the record that included information on a nearby wedding venue and a zoning map.

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 9.73 acres in size and is currently zoned Agricultural Rural (AR) and is designated Residential-1 (RES-1) by the Comprehensive Plan. The property is located within the Rural Service Area and the SouthShore Areawide Plan.
2. The applicant is requesting a rezoning to the Agricultural Single-Family Conventional-1 (ASC-1) zoning district.
3. The Planning Commission staff supports the request. The Planning Commission found that the request is consistent with Objective 4 and Policy 4.1 regarding low density rural residential development patterns as well as Objective 16 regarding neighborhood compatibility. The request meets the intent of agricultural general and retention policies under Policy 29.4 and 30.6. The Planning Commission found the application consistent with the Comprehensive Plan.
4. The subject property is located in an area comprised of agricultural and single-family residential land uses.
5. The applicant's representative testified that while nine lots are theoretically possible given the acreage size and proposed density, the Land Development Code standards regarding the required lot width and road frontage result in a maximum of four lots.
6. The request for the ASC-1 zoning district on the subject property is compatible with the surrounding zoning districts and the RES-1 Future Land Use category.

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

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

CONCLUSIONS OF LAW

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

SUMMARY

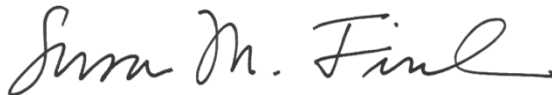
The applicant is requesting a rezoning to the ASC-1 zoning district. The property is 9.73 acres in size and is currently zoned AR and designated RES-1 by the Comprehensive Plan. The property is located in the Rural Service Area and the SouthShore Areawide Plan.

The Planning Commission found the request compatible with the surrounding area which is developed with agricultural and single-family land uses.

The request for the ASC-1 zoning district on the subject property is compatible with the surrounding zoning districts and the RES-1 Future Land Use category.

RECOMMENDATION

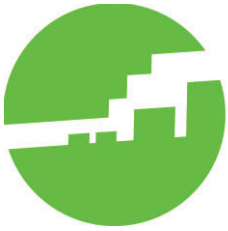
Based on the foregoing, this recommendation is for **APPROVAL** of the ASC-1 rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.



October 1, 2021

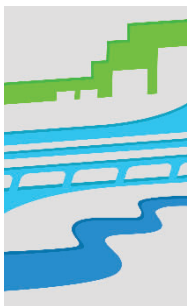
Susan M. Finch, AICP
Land Use Hearing Officer

Date



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: September 13, 2021 Report Prepared: September 1, 2021	Petition: RZ 21-0986 10620 South County Road 39 <i>East of South County Road 39, south of Lithia Pinecrest Road</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Residential-1 (0.25 FAR)
Service Area	Rural
Community Plan:	Southshore
Requested Zoning:	Agricultural Rural (AR) to Agricultural Single-Family Conventional-1 (ASC-1)
Parcel Size (Approx.):	9.73 acres +/- (423 838.8 square feet)
Street Functional Classification:	South County Road 39 – County Arterial Lithia Pinecrest Road – County Arterial
Locational Criteria	Not Applicable
Evacuation Zone	None



Context

- The approximately 9.73 +/- acre subject site is located on the south side of Lithia Pinecrest Road and east of South County Road 39. The subject site is located within the Rural Area and is within the limits of the Southshore Areawide Systems Community Plan.
- The subject site's Future Land Use designation is Residential-1 (RES-1). Typical allowable uses of RES-1 include 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. RES-1 surrounds the subject site on all sides. Public/ Quasi-Public (P/QP) is located directly to the west, across US Highway 39.
- There is a single-family residential dwelling on the subject site. The surrounding area is primarily agricultural with low density rural residential housing. A school is located across US Highway 39 on the west side. Light Commercial uses are located directly north of the subject site.
- The subject site is currently zoned as Agricultural Rural (AR). AR surrounds the subject site on all sides. Smaller parcels of Commercial Neighborhood (CN) zoning districts and Agricultural Single-Family Conventional-1 (ASC-1) are located north of the subject site at the intersection of Lithia Pinecrest Drive and US Highway 93.
- The applicant is requesting to rezone the subject site from Agricultural Rural (AR) to Agricultural Single-Family Conventional-1 (ASC-1) to permit greater residential density.

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

Rural Area

Objective 4: *The Rural Area will provide areas for long term, agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment, with the goal that no more than 20% of all population growth within the County will occur in the Rural Area.*

Policy 4.1: Rural Area Densities

Within rural areas, densities shown on the Future Land Use Map will be no higher than 1 du/5 ga unless located within an area identified with a higher density land use category on the Future Land Use Map as a suburban enclave, planned village, a Planned Development pursuant to the PEC ½ category, or rural community which will carry higher densities.

Relationship to Land Development Regulations

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

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

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

Neighborhood/Community Development

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

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

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

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

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

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

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

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

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.*

Agriculture-General Considerations

Objective 29: *In recognition of the importance of agriculture as an industry and valuable economic resource, Hillsborough County shall protect the economic viability of agricultural activities by recognizing and providing for its unique characteristics in land use planning and land development regulations.*

Policy 29.1: *Promote the development and maintenance of agriculture market centers to strengthen the agricultural economy, encouraging agricultural uses within and around such centers.*

Policy 29.3: *Land development regulations shall provide for a shortened, simpler review process for the division or development of land for bona fide agricultural purposes.*

Policy 29.4: *Pursuant to Florida Statute 163.3179, to preserve and protect the viability of the basic family farm as well as to provide homesteads for the relatives of agricultural land holders, a family homestead parcel may be created in the Rural land use categories regardless of the underlying plan density assigned to the parcel. Residential development of agriculturally-designated land for the use of family members as their permanent residences is permitted at densities higher than normally permitted in the respective rural-agricultural categories but not to exceed 1 dwelling unit per gross acre. These parcels must be of at least one acre in size. This policy is intended to perpetuate the family farm by making it possible for family members to both work and reside on the property devoted to agricultural uses and shall apply only once to any individual.*

Agriculture - Retention

Objective 30: *Recognizing that the continued existence of agricultural activities is beneficial, the county will develop, in coordination with appropriate entities, economic incentives to encourage and expand agricultural activities.*

Policy 30.3:

Permit clustering of development in rural areas that will allow for the continuation of bona fide agricultural uses in conjunction with residential uses.

Policy 30.6:

Agriculture and agricultural support uses are the preferred uses in rural areas.

Community Design Component

4.0 COMMUNITY LEVEL DESIGN

4.1 RURAL RESIDENTIAL CHARACTER

GOAL 7: *Preserve existing rural uses as viable residential alternatives to urban and suburban areas.*

OBJECTIVE 7-1: Support existing agricultural uses for their importance as a historical component of the community, their economic importance to the County and for the open space they provide.

Policy 7-1.1: Preserve natural areas in rural residential lot development.

Policy 7-1.2: Vary lot size in order to encourage diversity of housing product types and respect natural resources.

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.

Policy 12-1.4: Compatibility may be achieved through the utilization of site design techniques including but not limited to transitions in uses, buffering, setbacks, open space and graduated height restrictions, to affect elements such as height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture.

Livable Communities Element – Southshore Areawide Systems Communities Plan

Cultural/Historic Objective

The SouthShore region of Hillsborough County supports a diverse population with people living in unique communities, interspersed with farms, natural areas, open spaces and greenways that preserve and enhance the natural and cultural heritage.

The community desires to:

1. Promote sustainable growth and development that is clustered and well planned to preserve the area's environment, cultural identity and livability.

a. Employ an integrated, inclusive approach to sustainable growth and development that is well planned to maintain the cultural and historic heritage and unique agricultural and archaeological resources of SouthShore.

4. Maintain housing opportunities for all income groups.

a. Explore and implement development incentives throughout SouthShore that will increase the housing opportunities for all income groups, consistent with and furthering the goals, objectives and policies within the Comprehensive Plan Housing Element.

Economic Development Objective

The SouthShore community encourages activities that benefits residents, employers, employees, entrepreneurs, and businesses that will enhance economic prosperity and improve quality of life. The community desires to pursue economic development activities in the following areas:

2. Future Conversion of Land

a. Recognize that agriculture is allowed and encouraged within the Urban Service Boundary, but that the viable use of the land should be solely determined by the property owner. Outside the Urban Service Boundary agriculture and related uses are the preferred use of the property.

Staff Analysis of Goals, Objectives and Policies

The applicant is requesting to rezone the 9.73 +/- acre subject property from Agricultural Rural (AR) to Agricultural Single Family Conventional-1 (ASC-1).

According to Objective 4 of the Future Land Use Element of the Comprehensive Plan (FLUE) 20% of the growth in the region will occur in the Rural Service Area. The subject site is in the Rural Service Area and the proposal therefore meets the intent of Objective 4 and Policy 4.1 of the Future Land Use Element (FLUE) of the Comprehensive Plan by preserving a low density rural residential development pattern.

Objective 9 of the FLUE requires development to be consistent with all local, state and federal land development regulations. Policy 9.1 states that *“each land use plan category shall have a set of zoning districts that may be permitted within that land use plan category.”* The subject site is located in the Rural Service Area and it has a Future Land Use Classification of Residential-1 (RES-1) which permits 1 dwelling unit per gross acre (du/ga). The intent of the RES-1 category is to designate areas for low density large lot rural residential uses that are compatible with short-term agricultural uses. The proposal to rezone the subject site to Agricultural Single-Family Conventional-1 (ASC-1) meets the requirements of the RES-1 Future Land Use category and Objective 9 and Policies 9.1 and 9.2

Objective 16 and its accompanying policies 16.1, 16.2, 16.3, seek to protect existing neighborhoods and development by ensuring compatibility with the surrounding area through various buffering requirements and mitigation techniques. Policy 16.8 specifically requires the density and lot sizes of the surrounding area to be compatible with new development. The existing uses in the area are agricultural uses which are compatible with the scale of the proposed residential uses. Policy 16.10 states that *“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.”* In this case, the surrounding area has existing agricultural zoning districts in the immediate vicinity and preserves the existing rural residential character of the area. The proposal is therefore compatible with the surrounding area and meets the intent of Objective 16 and Policies 16.1, 16.2, 16.3, 16.8 and 16.10.

The proposed rezoning also meets the intent of the agricultural general and retention policies 29.4 and 30.6 of Objective 29 and 30 that provide for the preservation and expansion of agricultural and related uses, especially in the Rural Area. The subject site is in the Rural Area and is seeking a rezoning to a rural and agricultural scale residential zoning district, ASC-1.

The Community Design Component (CDC) of the FLUE provides policy direction regarding residential development in the rural area. Goal 7, Objective 7-1 and its accompanying policies seek to preserve rural residential areas as a viable alternative to urban and suburban areas. The proposed rezoning to ASC-1 meets the intent of preserving rural residential lifestyles. Goal 12 and Objective 12-1 of the CDC directs new development to relate to the predominant character of its surroundings and be designed to be compatible with the area. As the surrounding land use pattern is primarily agricultural and low density rural residential in character, a rezoning request to allow ASC-1 would be compatible with the surrounding area and the existing development pattern.

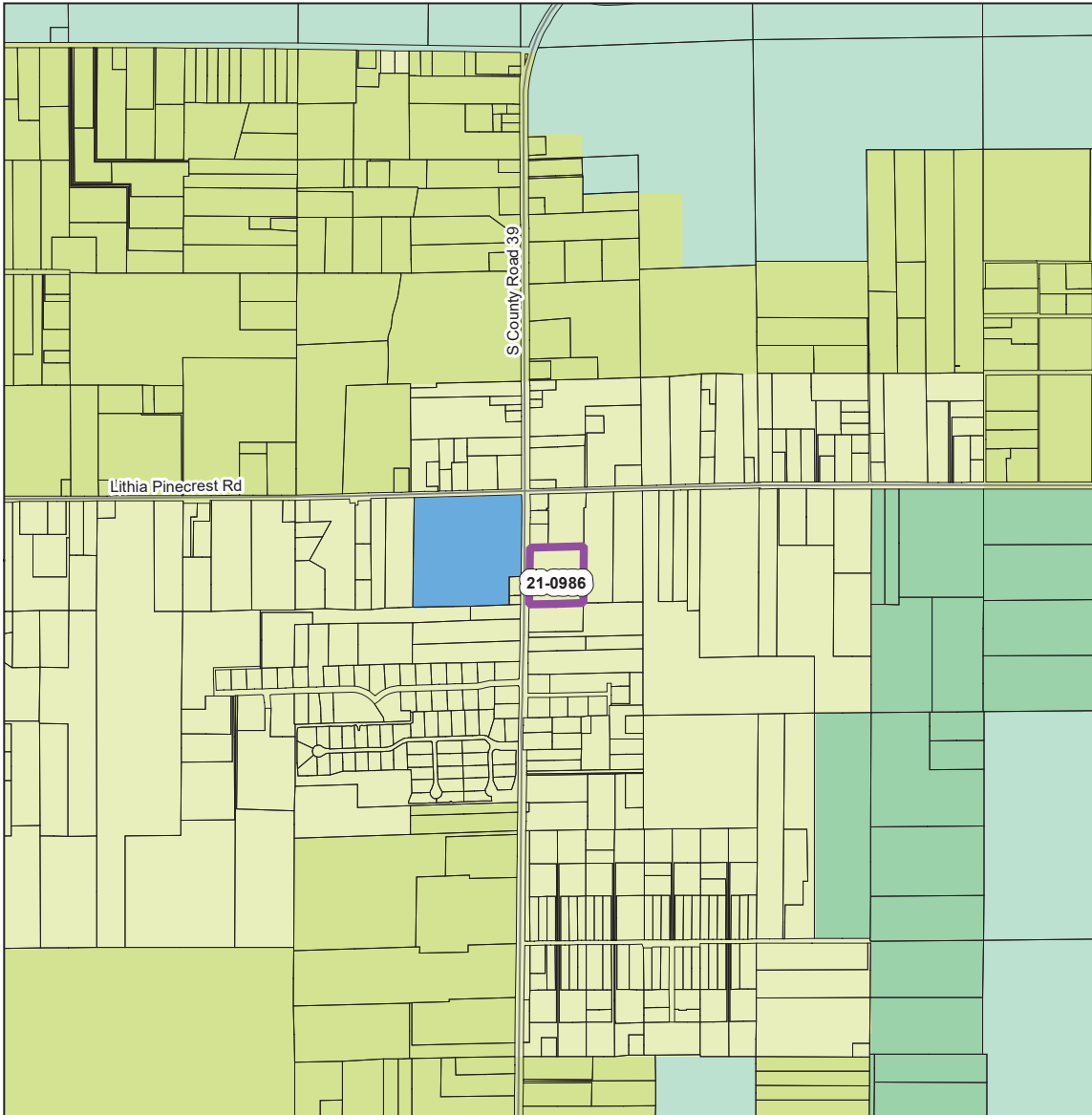
The proposed rezoning also meets the intent of the Cultural Goals of the Southshore Areawide Systems Community Plan that seek to balance residential growth with existing agricultural scale activities. As the proposed residential use is rural and agricultural scale it meets the intent of the Goal. The proposed rezoning also meets the intent of the Economic Goal regarding the future conversion of land in the rural area to be rural scale and agriculturally related. A rezoning to ASC-1 retains its agricultural development pattern and is therefore consistent with the direction provided in the community plan.

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

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE RZ 21-0986

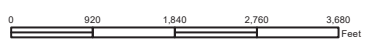


- Rezoning**
- <all other values>
- STATUS**
- APPROVED
 - CONTINUED
 - DENIED
 - WITHDRAWN
 - PENDING
- Tampa Service
 - Urban Service
 - Shoreline
 - County Boundary
 - Jurisdiction Boundary
 - Major Roads
 - Parcels
- AGRICULTURAL/MINING-1/20 (.25 FAR)
 - PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25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

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

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

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



Map Printed from Rezoning System: 7/13/2021
 Author: Beverly F. Daniels
 File: G:\RezoningSystem\MapProjects\H\CG\reg_hr\Rezoning - Copy.mxd





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: South Rural/South

DATE: 08/02/2021
AGENCY/DEPT: Transportation
PETITION NO: RZ-STD 21-0986

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

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 76 average daily trips, 6 trips in the a.m. peak hour, and 8 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to this request.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a parcel totaling +/- 9.73 acres from Agricultural Rural (AR-1/5) to Agricultural Single-Family Conventional (ASC-1). The site is located +/- 700 feet south of the intersection of Lithia Pinecrest Rd and County Road 39. The Future Land Use designation of the site is R-1.

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, 10th Edition.

Approved Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AR-1/5, 1 Single Family Detached Dwelling Units (ITE Code 210)	9	1	1

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
ASC-1, 9 Single Family Detached Dwelling Units (ITE Code 210)	85	7	9

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+76	+6	+8

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 76 average daily trips, 6 trips in the a.m. peak hour, and 8 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on County Road 39. CR 39 is a 2-lane, substandard, undivided, arterial, Hillsborough County maintained roadway with +/- 12-foot travel lanes. Along the project frontage, the roadway lies within a +/- 100-foot wide right-of-way. CR 39 has +/- 4-foot sidewalks on the west side of the roadway. There are +/- 3-foot bike lanes on both sides of CR 39.

CR 39 is shown on the Hillsborough County Corridor Preservation Plan as a future 2-lane enhanced roadway.

SITE ACCESS

It is anticipated pedestrian and vehicular access will be from CR 39. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
CR39	BALM PICNIC RD	LITHIA PINECREST RD	D	C

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

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
County Road 39	County Arterial - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input checked="" type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

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	9	1	1
Proposed	85	7	9
Difference (+/-)	+76	+6	+8

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

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

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

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

COMMISSION

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AGENCY COMMENT SHEET

REZONING	
HEARING DATE: August 16, 2021 PETITION NO.: 21-0986 EPC REVIEWER: Kelly M. Holland CONTACT INFORMATION: (813) 627-2600 X 1222 EMAIL: hollandk@epchc.org	COMMENT DATE: August 16, 2021 PROPERTY ADDRESS: 10620 39 Hwy, Lithia FOLIO #: 0939400000 STR: 30-30S-22E
REQUESTED ZONING: Rezoning from AR to ASC-1	
FINDINGS	
WETLANDS PRESENT	YES
SITE INSPECTION DATE	August 12, 2021
WETLAND LINE VALIDITY	N/A
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	In the northern portion of the property
<p>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan’s current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</p> <ul style="list-style-type: none"> Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals. The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property. 	

- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).
- Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

INFORMATIONAL COMMENTS:

The following specific comments are made for informational purposes only and to provide guidance as to the EPC review process. However, future EPC staff review is not limited to the following, regardless of the obviousness of the concern as raised by the general site plan and EPC staff may identify other legitimate concerns at any time prior to final project approval.

- The subject property contains wetland/OSW areas, which have not been delineated. Knowledge of the actual extent of the wetland and OSW are necessary in order to verify the avoidance of wetland impacts pursuant to Chapter 1-11. Prior to the issuance of any building or land alteration permits or other development, the wetlands/OSWs must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff (SWFWMD) and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.
- Chapter 1-11, prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.

knh / app

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 18 July 2021

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

APPLICANT: Michael Horner

PETITION NO: RZ-STD 21-0986

LOCATION: 10620 HWY 39, Lithia, FL 33547

FOLIO NO: 93940.0000

SEC: 30 TWN: 30 RNG: 22

- This agency has no comments.

- This agency has no objection.

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

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

COMMENTS: _____.

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

PETITION NO.: STD21-0986 **REVIEWED BY:** Randy Rochelle **DATE:** 7/7/2021

FOLIO NO.: 93940.0000

WATER

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

WASTEWATER

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

COMMENTS: The subject site is located outside of the Hillsborough County Urban Service Area, therefore no County water and/or wastewater service lines are available to serve the subject property. Developer is responsible for submitting a utility service request at the time of development plan review.



VERBATIM TRANSCRIPT

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
September 13, 2021
ZONING HEARING MASTER: SUSAN FINCH

C3:
Application Number: RZ-STD 21-0986
Applicant: Calvin Lyons Lloyd
Location: E side of S County Rd. 39 &
920' S of Lithia Pinecrest Rd.
Folio Number: 093940.0000
Acreage: 9.73 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: AR
Request: Rezone to ASC-1

1 MR. GRADY: The next item is agenda item
2 C-3, Rezoning-Standard 21-0986. The request is to
3 rezone from AR to ASC-1, Agricultural
4 Single-Family-1 permits minimum lot size of
5 1 unit -- 1 acre.

6 Isis Brown will provide staff recommendation
7 after presentation by the applicant.

8 HEARING MASTER FINCH: Good evening.

9 MR. HORNER: Good evening, Ms. Finch. For
10 the record, Michael Horner, 14502 North Dale Mabry
11 Highway, Tampa, 33618, representing Mr. Lloyd
12 Lyons, applicant and owner of this request.

13 I'll be brief, Ms. Finch. I'll be fairly
14 straightforward. Staff's supporting it. It comes
15 to you with unanimous recommendations of approval,
16 including findings of consistency in the Planning
17 Commission and Development Services.

18 We also have no objection from any review
19 agencies. That's 9.7 acres. It's right east of
20 County Road 39 in the Lithia community. This is
21 south of Lithia Pinecrest Road. This site is
22 across from the Pinecrest Elementary School.

23 You can see it quite clearly on the west
24 side. You'll notice that the access drive on
25 Lithia -- excuse me, on County Road 39 is right at

1 my client's northwest corner of his property. The
2 school traffic -- school bus traffic, certainly
3 higher intensity institutional use.

4 We have AR zoning, but we are seeking ASC-1
5 consistent with the RES-1 Comp Plan out here. We
6 note that RES-1 extends on all four sides of this
7 property. Of course, the school has
8 Public/Quasi-Public designation.

9 It's in the Rural Service Area, Ms. Finch.
10 So, certainly, wells and septic tank are permitted.
11 We're seeking the ASC-1 consistent with the RES-1.
12 We also have a number of CN zoning districts
13 directly to the north that extend up to Lithia
14 Pinecrest Road.

15 Couple -- couple CN uses directly north. We
16 have a wedding venue. I'm going to file a couple
17 of documents in the record that gives you more
18 information on that. We then have a Circle K, CN
19 zoning, and then north parcel at the intersection
20 itself is vacant. It's still zoned CN.

21 We have a number of AS-1, ASC-1 districts in
22 this area, Ms. Finch. We are not blazing any new
23 trails here. Trying to file a request that is
24 consistent. My client is essentially seeking only
25 three to four lots. Although it's 9.7 acres, ASC-1

1 allows 1-acre lots.

2 He'll never get nine lots because we have
3 limitations on the road frontage, which limits him
4 to 150 feet per lot. So four lots is probably the
5 maximum we can get on this site. We have
6 additional AS-1 to the south, additional ASC-1
7 southwest.

8 Then you pass a couple of AR tracts. I did
9 a couple of sketch zoning districts for you. I'm
10 not going to go over them on the record, but I'll
11 file them into the record so you can see that AS-1
12 and ASC-1 pattern continues.

13 I'm not aware of any objections, any
14 opposition, Ms. Finch. Consistent with all plan
15 policies. I'm not aware of any objections from any
16 review agencies. Happy to answer any questions.
17 Thank you.

18 HEARING MASTER FINCH: No questions. Thank
19 you.

20 Development Services.

21 MS. BROWN: Can you hear me?

22 MR. LAMPE: Yes, we can.

23 MS. BROWN: Good evening. Isis Brown,
24 Development Services.

25 Case RZ 21-0986. The applicant is

1 requesting to rezone from AR to ASC-1. Site
2 location, 10620 Highway 39 in Lithia, Florida,
3 approximately 650 feet southeast of the
4 intersection of Lithia Pinecrest Road and South
5 County Road 39.

6 It is the -- the site is located in Rural
7 Service Area and located in the Southshore
8 community plan area.

9 It's stated that it's the Future Land Use
10 Category for this property is RES-1 and immediately
11 to the north, south, and east is RES-1 and then
12 immediately to the west is Public Quasi, which is a
13 school, and there is a little bit of RES-1 as well
14 on the west side.

15 Current density, one dwelling per 5 acres.
16 Proposed one dwelling per acre. Zoning category,
17 current, AR, Agricultural Rural. Immediately to
18 the north is Agricultural Rural and Commercial
19 Neighborhood, CN. Immediately to the south, east,
20 and west is also Agricultural Rural.

21 And these are the mathematical maximum
22 entitlements for the property. Currently, it's one
23 dwelling unit and it's as stated the full property
24 is nine dwelling units, 9 acres -- 9-plus acres but
25 not asking for that.

1 The zoning -- the surrounding zoning and
2 development pattern consists of Agricultural
3 Single-Family Residential, school, and neighborhood
4 commercial-type uses.

5 The subject site is located adjacent to
6 property with Public Quasi, which is school and
7 RES-1 FLU categories which permits Institutional
8 Agricultural and Single-Family Residential uses.

9 The size and depth of the subject parcel in
10 relation to other Agricultural and Residential uses
11 would create a zoning development pattern that is
12 consistent with the existing zoning and development
13 pattern of the Agricultural and Residential uses
14 districts in the area.

15 As stated, the applicant is requesting to
16 rezone from AR to ASC-1. Based on the RES-1 Future
17 Land Use classification, the surrounding zoning and
18 development pattern and the proposed uses,
19 development standards for ASC-1 zoning district,
20 staff finds the request approvable. I'm available
21 for any questions.

22 HEARING MASTER FINCH: I don't have any at
23 this time but thank you so much.

24 Planning Commission, please.

25 MS. LIENHARD: Thank you. Melissa Lienhard,

1 Planning Commission staff.

2 The subject property is located in the
3 Residential-1 Future Land Use Category. It is in
4 the Rural Area, and the subject property is located
5 within the limits of the Southshore Areawide
6 Systems Plan.

7 According to Objective 4 of the Future Land
8 Use Element, 20 percent of the growth in the region
9 will occur in the Rural Area. The subject site is
10 in the Rural Area, and the proposal, therefore,
11 meets the intent of Objective 4 and Policy 4.1 of
12 the Future Land Use Element by preserving
13 low-density rural residential development pattern.

14 The subject site is located in the Rural
15 Area, as I mentioned, and has a Future Land Use
16 classification of Residential-1, which permits one
17 dwelling unit per gross acre.

18 The intent of this category is to designate
19 areas for low density, large lot, rural residential
20 uses that are compatible with short-term
21 agricultural uses.

22 The proposal to rezone the subject site to
23 Agricultural Single-Family Conventional-1 meets the
24 intent of the Residential-1 Future Land Use
25 Category and is consistent with development that is

1 expected in this rural land use category.

2 Objective 16 and its accompanying policies
3 seek to protect existing neighborhoods and
4 development by ensuring compatibility with the
5 surrounding area through various buffering
6 requirements and mitigation techniques.

7 Policy 16.8 specifically requires the
8 density and lot sizes of the surrounding area to be
9 compatible with new development. The existing uses
10 in the area are Agricultural, which are compatible
11 with the scale of the proposed residential uses.

12 In this case, the surrounding area also has
13 existing Agricultural zoning districts in the
14 immediate vicinity and preserves the existing rural
15 residential character of the area.

16 The proposal is, therefore, compatible with
17 the surrounding area and is consistent with policy
18 direction. The proposed rezoning also meets the
19 intent of the Agricultural General and Retention
20 policies under Policy 29.4 and 30.6 of the Future
21 Land Use Element.

22 These policies provide for the preservation
23 and expansion of Agricultural and related uses,
24 especially in the Rural Area. The subject site is
25 in the Rural Area and seeking to rezone to a Rural

1 and Agricultural Scale Residential Zoning District
2 ASC-1.

3 The proposed rezoning also meets the intent
4 of the cultural goals of the Southshore Areawide
5 Systems Plan that seeks to balance residential
6 growth with existing agricultural scale activities.

7 The proposed rezoning also meets the intent
8 of the economic goal regarding the future
9 conversion of land in the Rural Area to be in a
10 rural scale and agriculturally related.

11 A rezoning to ASC-1 retains its agricultural
12 development pattern and is, therefore, consistent
13 with the direction provided in the community plan.
14 Based upon those considerations, Planning
15 Commission staff finds the proposed rezoning
16 consistent with the Future of Hillsborough
17 Comprehensive Plan for unincorporated Hillsborough
18 County.

19 I was going to say subject to conditions,
20 but I will take that back. It is a standard
21 rezoning. So there are no conditions. Thank you.

22 HEARING MASTER FINCH: We do get on
23 autopilot, don't we.

24 MS. LIENHARD: A little bit.

25 HEARING MASTER FINCH: All right. Thank you

1 so much.

2 Is there anyone in the room or online that
3 would like to speak in support?

4 Seeing no one, anyone in opposition to this
5 request? No one.

6 All right. County Staff, anything else?

7 MR. GRADY: Nothing further.

8 HEARING MASTER FINCH: Mr. Horner, you have
9 the last word.

10 MR. HORNER: Nothing further, Ms. Finch.
11 Thank you.

12 HEARING MASTER FINCH: Thank you. I
13 appreciate it.

14 We'll close Rezoning 21-0986 and go to the
15 next case.

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONING HEARING MASTER (ZHM) )
HEARING )
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
Zoning Hearing Master

DATE: Monday, August 16, 2021

TIME: Commencing at 6:00 p.m.
Concluding 8/17/21 at 12:04 a.m.

PLACE: Hybrid Meeting/Cisco Webex
R.W. Saunders Sr. Public Library
Ada T. Payne Community Room
1505 Nebraska Avenue
Tampa, Florida

Andrew Mayes
Executive Reporting Service
Ulmerton Business Center, Suite 130
Clearwater, FL 33762

1 Item A.26., rezoning standard 21-0985. This
2 application is out of order to be heard and is
3 being continued to the September 13, 2021, Zoning
4 Hearing Master hearing.

5 And item A.27., rezoning standard 21-0986.
6 This application is out of order to be heard and
7 is being continued to the September 13, 2021,
8 Zoning Hearing Master hearing.

9 That concludes all withdrawals and
10 continuances.

11 HEARING MASTER FINCH: Thank you, Mr. Grady.
12 I appreciate it.

13 All right. Let me start by going over our
14 procedures this evening. Tonight's agenda
15 consists of agenda items that require a public
16 hearing be held before a Zoning Hearing Master
17 prior to the final decision which is made by the
18 Hillsborough County Board of County Commissioners.
19 I'll conduct the hearing tonight as the hearing
20 officer and will make recommendations on each
21 application 15 business days following tonight's
22 hearing. That recommendation will then be sent to
23 the Board for their final decision at their public
24 meeting.

25 Our hearing process is as follows: Our



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

DATE/TIME: 9-13-2021HEARING MASTER: Susan FinchPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>MM 21-0169</u>	PLEASE PRINT NAME <u>Todd Fressman</u> MAILING ADDRESS <u>200 1st Ave S #451</u> CITY <u>St Pete</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>703 804 1700</u>
APPLICATION # <u>RZ-PD</u> <u>21-0221</u>	PLEASE PRINT NAME <u>RONALD FLOYD</u> MAILING ADDRESS <u>417 W LINDENBAUGH AVE</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33625</u> PHONE <u>83969619</u>
APPLICATION # <u>21-022</u>	PLEASE PRINT NAME <u>J.D. ALSABBAGH</u> MAILING ADDRESS <u>8370 W. Hills. Ave # 205</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33615</u> PHONE <u>813 889-0700</u>
APPLICATION # <u>21-0556</u>	PLEASE PRINT NAME <u>Jessica Iceman</u> MAILING ADDRESS <u>401 East Jackson St. #2100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33702</u> PHONE <u>813 222-5066</u>
APPLICATION # <u>21-0556</u>	PLEASE PRINT NAME <u>Davis M. Smith</u> MAILING ADDRESS <u>401 E. Jackson St. Suite 2100</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33601</u> PHONE <u>813 222 5010</u>
APPLICATION # <u>21-0557</u>	PLEASE PRINT NAME <u>Colin Rice</u> MAILING ADDRESS <u>101 E Kennedy Blvd Ste 2800</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33609</u> PHONE <u>813-676-7226</u>

- HOME
- WEDDINGS
- EVENTS
- BOUTIQUE
- VENDOR MARKET
- OUR STORY
- BLOG
- CONTACT

Application No. 21-0986
 Name: Michael Horner
 Entered at Public Hearing: 9-13-21
 Exhibit # 1 Date: ZHM

*DIRECTLY N/A
 SUBJECT SITE
 C-A 2021*

Our Story



THE WHITE OAK COTTAGE, LITHIA, FL

Event Venue & Boutique

The White Oak Cottage was founded by Melanie Bentley-Montanaro and Shaunessy Dobish to bring their passion for decor and love for events together. With an eye for design and love for making others happy, Melanie and Shaunessy have brought together a team who is here to help you with all of your decor needs or plan the event of your dreams!

The boutique at The White Oak Cottage has a mix of unique pieces that will either be the focal point of any room or accent your already fabulous space! The boutique also is home to many local vendors who pour their heart and soul in to their products. From custom made benches, hand-poured, soy wax candles and tarts, beautiful jewelry to a fabulous clothing line, The White Oak Cottage has something for everyone.

The event space at The White Oak Cottage is one of a kind. With the touch of rustic and mix of glam you are invited to a 'blank canvas' where if you can dream it, we can do it! The event space is an open concept with beautiful wood tile floors, massive chandeliers, and can hold up to *150* guests. We have a wonderful team here ready to help you plan your perfect event. The White Oak Cottage can host your next work party, birthday party, Anniversary celebration, graduation party, your WEDDING, and so many other events. The options are endless.

Come check out The White Oak Cottage and see what you've been missing!



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**PARTY OF
RECORD**

NONE