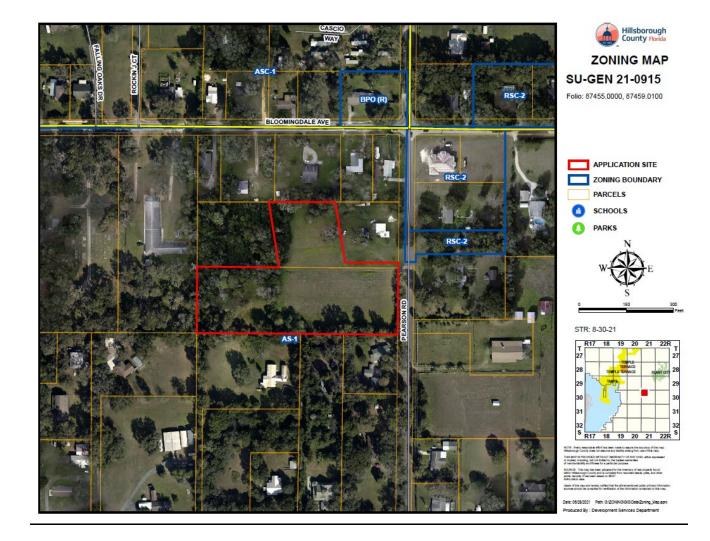


### Land Use Application Summary Report

Application Number:	SU 21-0915	Adjacen	t Zoning and Land Uses:
Request: Community Residential Home Type B	North:	AS-1 / SF Residential	
		East:	Pearson Road, AS-1& RSC-2 / SF Residential
Comp Plan:	Res-4	South:	AS-1/ MH, SF Homes
Service Area:	Urban Service Area	West:	AS-1 / Institutional Church, Vacant



#### 1.0 Project Summary:

Pursuant to Land Development Code Section 6.11.28, the applicant requests Special Use approval for a proposed Community Residential Home (CRH), Type B, with a maximum of 12 placed residents. The request includes a distance separation waiver to allow the proposed home to be located within a radius of 500 feet from property that is zoned RSC-2.

The proposed CRH will be located at 3410 Pearson Road on property zoned AS-1 (Agricultural Single Family). The site is located on the west side of Pearson Road, approximately midway between Bloomingdale Avenue to the north and Stearns Road to the south. The site is comprised of two parcels with a total area of 4.28 acres and 230 feet of frontage on Pearson Road. The property is located in the Urban Service Area and designated RES-4 in the Comprehensive Plan, as are surrounding properties.

The proposed CRH will have a maximum of 10,760 square feet of floor area. The building will conform to the design elevations shown on the site plan and include a pitched roof, dormers, covered entrances and window shutters. The building will be limited to one story with a maximum height of 19 feet and have an east-west axis with the primary entrance and parking lot on the south side of the structure.

#### **Surrounding Area:**

The surrounding area between Pearson and Sterns roads is zoned AS-1, except for approximately 2.5 acres to the northeast across Pearson Road that is zoned RSC-2. The surrounding area is generally developed with conventional single-family homes and mobile homes on lots ranging from approximately .40-acre to more than three acres in size, some of which are nonconforming to the minimum lot size of one acre required by their AS-1 zoning. The western portion of the project site abuts property developed with a church (folio 87464.0000) and a vacant wooded parcel owned by the Florida Audubon Society (folio 87458.0000).

#### **Required Separations:**

Per LDC Section 6.11.28.A, a proposed Community Residential Home, Type B, shall be located at least 1,200 feet from existing Type B or Type C Community Residential Homes in a multi-family zone, and at least 500 feet from non-agricultural (RSC) single-family zoning. These distances shall be measured from the nearest point of the existing home or area of single-family zoning to the nearest point of the proposed home.

According to State licensing data submitted by the applicant, there are no existing Type B or C Community Residential Homes within a 1,200-foot radius of the proposed CRH. However, the proposed CRH does not meet the separation requirement from properties zoned RSC-2 on the east side of Pearson Road, the nearest of which is the northernmost portion of a parcel with split zoning. Per information provided by the applicant, the proposed CRH will be located approximately 172 feet from the RSC-2 portion of the 1.8-acre parcel to the east across Pearson Road (folio 87430.0000), the majority of which is zoned AS-1.

The applicant requests a 328-foot waiver to the required 500-foot separation from RSC-2 zoning and has provided the following justification.

- The western half of the subject property contains numerous, mature trees. Moving the proposed CRH and associated infrastructure westward to meet the 500' separation distance would result in the removal of the majority of those trees.
- Relocating the proposed CRH and parking westward would require additional infrastructure in the way of paving, piping for utilities and additional stormwater pond area, thereby creating a more intensive development from that standpoint. The applicant desires to minimize the infrastructure footprint thereby preserving as much open space as possible.

- Fire Department requirements change significantly at a distance that requires the dead-ending of a parking lot that exceeds 150 feet. Moving the building westward would trigger the increased infrastructure requirements and intensification of the development footprint.
- The applicant notes that expending more resources for infrastructure will impact the amount of resources that can be expended for services to the target population.
- The walking distance from the main entrance of the proposed CRH to the front door of the closest singlefamily dwelling that is located on property zoned RSC-2 property (folio 87428.0000) will be approximately 679 feet.

#### **Permitted Density:**

A maximum of 14 residents may be placed in a Community Residential Home, Type B, subject to compliance with the density calculations found LDC Section 6.11.28.C. The applicant has requested a maximum of 12 placed residents for the proposed CRH. Staff finds the requested number of residents is consistent with the site area density calculations found in LDC Section 6.11.28.C and is equivalent to 2.4 dwelling units at a gross density of approximately 0.56 units per acre.

#### **Residential Appearance:**

Per LDC Section 6.11.28.E.1, a Community Residential Home, Type B, shall be designed and built to appear as similar to a residential structure as possible. The site plan submitted by the applicant includes design elevations for the proposed CRH which include a pitched roof, dormers, covered entrances and window shutters. Staff finds these design elements are characteristic of residential design and reflect design elements found on some single-family homes in the area.

#### **Setbacks and Buffering:**

Per LDC Section 6.01.01, the required minimum building setbacks in the AS-1 district are as follows: front yard, 50 feet; side yard, 15 feet; and rear yard, 50 feet. As proposed by the applicant, the subject CRH will have a minimum front yard setback of 71 feet, a minimum north side yard setback of 60 and minimum south side yard setback of 90 feet, and a minimum rear yard setback of 330 feet.

Per LDC Section 6.06.06, a 5-foot-wide buffer with Type A screening comprised of a six-foot-high wall, fence or hedge is required along the north, west and south boundaries of the subject, except where adjacent to the parcel developed with a church. The applicant proposes the following buffering and screening measures:

The westernmost 275 feet of the site shall be maintained as a buffer area with Type A screening along the site boundaries in that area, except that no screening shall be required where adjacent to property folio 87464.0000. A 10-foot-wide buffer area shall be provided along the remainder of the north and south boundaries of the site. Within these buffer areas, screening comprised of a solid 6-foot-high PVC fence shall be provided together with a row of evergreen shade trees. The trees shall be planted no more than 20 feet apart on centers and shall have a minimum height of 10 feet and minimum caliper of two inches at time of planting. Existing trees in the buffer area may contribute towards the tree planting requirement subject to approval of Natural Resources staff. In addition to the screening requirements described above, all existing trees with a DBH of 5 inches or greater within the required buffer areas shall be preserved, except that invasive species, dead and diseased trees may be removed in accordance with Natural Resources regulations.

#### APPLICATION: SU 21-0915 LUHO HEARING DATE: December 13, 2021 BOCC MEETING DATE: N/A

#### CASE REVIEWER: Steve Beachy, AICP

#### **Parking:**

Per LDC Section 6.11.28.D, each Community Residential Home shall provide adequate parking as required in LDC Section 6.05.00. According to the site plan submitted by the applicant, the proposed CRH will have 9 employees (largest shift) and one facility vehicle and will provide 20 parking spaces. Per the parking requirements found in LDC Section 6.05.02.E, a minimum of 13 parking spaces are required for the proposed facility.

#### **Transportation:**

As proposed by the applicant, the subject CRH will have two driveways on Pearson Road, one of which will be limited to emergency use by a gate equipped with Fire Department Knox Box.

Transportation staff reports that Pearson Road is a 2-lane undivided substandard collector roadway. However, the proposed CRH is expected to generate 31 vehicle trips a day, including 2 AM peak hour trips and 3 PM peak hour trips, compared to 38 vehicle trips a day, including 3 AM peak hour trips and 4 PM peak hour trips, that could be generated by development of the site with four single-family lots under its current zoning.

Additionally, by policy of the County Engineer, projects generating fewer than 10 peak hour trips in total are generally exempt from LDC Section 6.04.03.L which requires that a project taking access on a substandard roadway must improve the roadway between the project access and the nearest standard roadway, provided the roadway being accessed meets minimum life safety standards (i.e., 15 feet of pavement width within a 20-footwide clear area). Pearson Road meets these minimum standards and Transportation staff has no concerns regarding the ability of emergency vehicles to access the site. Therefore, no substandard road improvements are required. Transportation staff does not object to the proposed CRH, subject to recommended conditions found in this staff report.

#### **Utilities:**

The proposed CRH is located in the Urban Service Area and therefore will be required to utilize public water and wastewater services.

#### **Comprehensive Plan Consistency:**

Planning Commission staff finds the proposed Community Residential Home consistent with the Comprehensive Plan.

#### **Staff Findings:**

The LDC defines "compatibility" 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."

Staff finds the proposed Community Residential Home compatible with existing uses in the surrounding area for the following reasons:

- A Community Residential Home is a residential use, as defined by the LDC, with a generally benign nature and limited nuisance potential.
- The design of the subject CRH will incorporate multiple design elements that are characteristic of residential design and reflect design elements found on some single-family homes in the vicinity, while surpassing the design elements on other homes. Staff recognizes the size of the proposed CRH substantially exceeds the average size of existing single-family homes in the vicinity, but finds that due

#### CASE REVIEWER: Steve Beachy, AICP

to the relatively large size of the host parcel the resulting building coverage is approximately six percent, which is congruous with the range of principal building coverages on the single-family lots which vary from less than one percent to more than 12 percent. Staff further finds that in view of the maximum number of residents, 14, that may be placed in a Type B Community Residential Home, density permitting, a building scale that is larger than the typical size of single-family homes in the AS-1 district is anticipated by the LDC in such cases.

- The proposed setbacks for the subject CRH substantially exceed those required by the property's AS-1 zoning, as well as existing setbacks found on some neighboring properties. Additionally, the proposed buffering and screening will exceed that required by the LDC for the proposed use.
- The proposed CRH will be substantially screened from view from neighboring parcels and Pearson Road by perimeter buffering/screening which will include a row of 6-foot-high hedges along the road frontage.

The separation requirements for Community Residential Homes, Type B and C, are found in LDC Section 6.11.28 which states that such homes "shall not be located so as to result in a concentration of such homes in an area." Staff does not object to the requested separation waiver from RSC-2 zoned property home for the following reasons:

- There no other Type B or C Community Residential Homes within 1,200 feet of the proposed home. Therefore, the requested waiver will not result in a concentration of such homes in the area.
- The nearest property that is zoned RSC-2 is the northerly 73 feet, approximately, of a 1.8-acre parcel with about 285 feet of frontage on Pearson that is otherwise zoned AS-1, a district from which no separation distance is required. The nearest parcel that is entirely zoned RSC-2 is approximately 217 feet distant from the proposed CRH, as measured from the building to the RSC-2 property line, and due to the southward orientation of the proposed CRH, the normal route of pedestrian travel from the primary entrance to the single-family home is approximately 600 feet.
- In view of the generally benign nature of the proposed CRH and proposed buffering and screening measures, the requested separation waiver does not pose appreciably increased impacts on the RSC-2 parcels.
- The development pattern of the three parcels that are entirely zoned RSC-2 is similar to the development pattern of the neighboring AS-1 properties, from which no separation distance is required for the proposed CRH by the LDC.

#### Exhibits:

Exhibit 1: Area Zoning Map Exhibit 2: Immediate Zoning Map Exhibit 3: Proposed Site Plan

#### 2.0 Staff Recommendation:

For the reasons discussed above, staff finds the proposed Community Residential Home to be **APPROVABLE**, **subject to recommended conditions.** This recommendation is based on the revised site plan received November 23, 2021.

#### 2.1 Recommended Conditions

**Approval** - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted November 23, 2021.

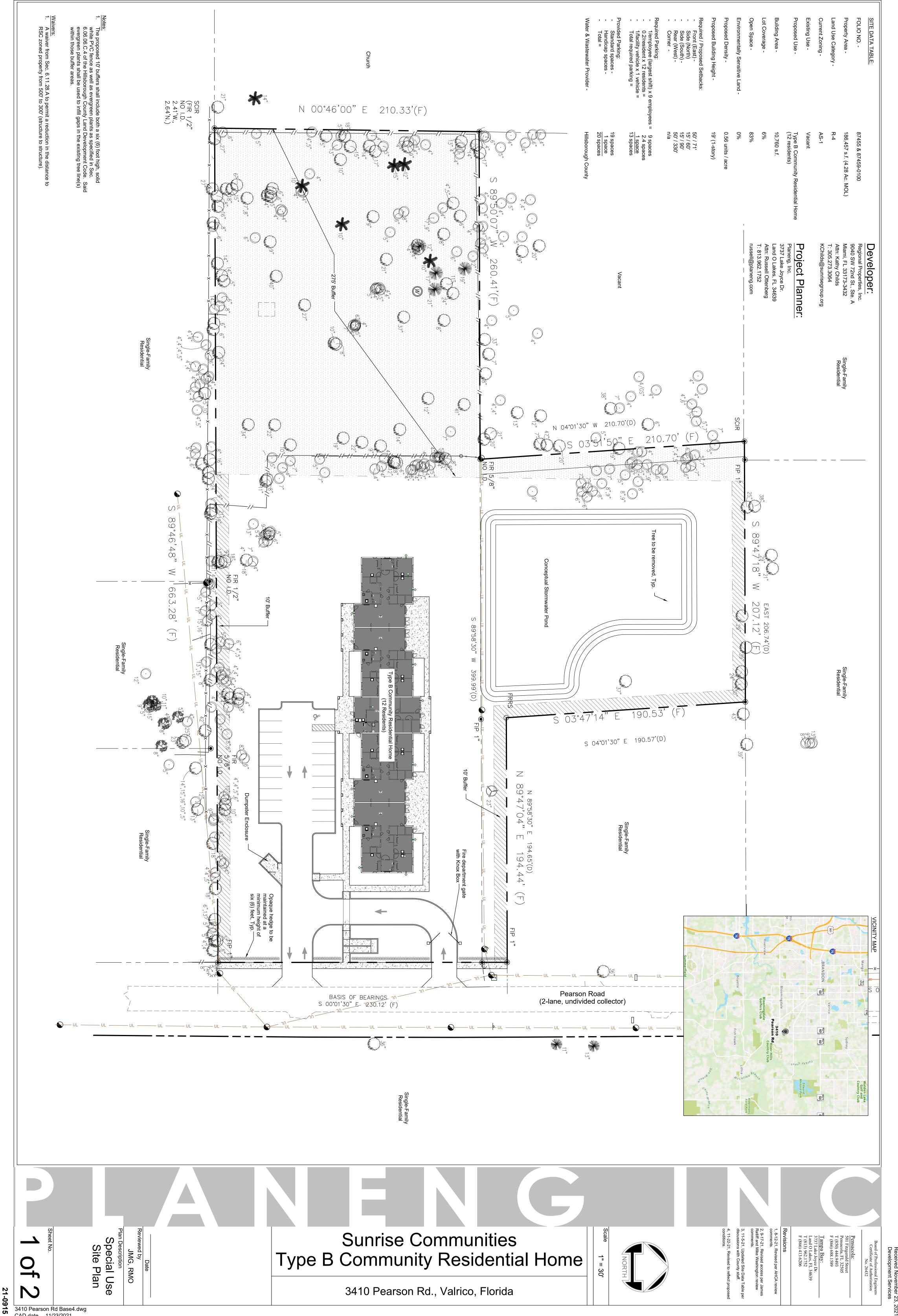
- 1) Development shall be limited to a Community Residential Home, Type B, with a maximum of 12 placed residents.
- 2) The principal building shall comply with the following development requirements:

Maximum floor space: 10,800 square feet. Minimum front yard setback: 71 feet. Minimum side yard setbacks: north side, 60 feet; south side, 90 feet. Minimum rear yard setback: 330 feet. Maximum building height: 19 feet.

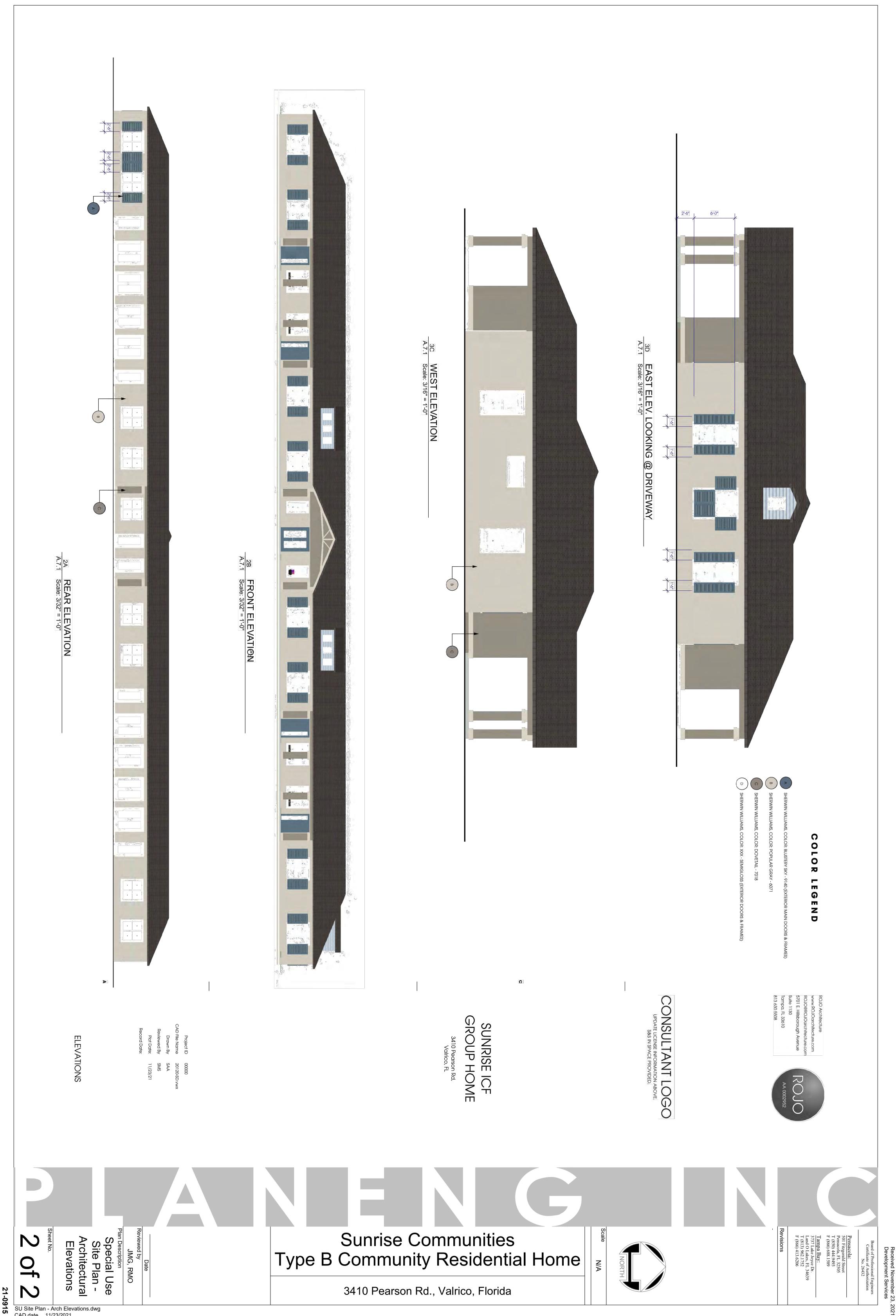
- 3) The principal building shall have a residential appearance and closely conform to the design elevations shown on the site plan. Additionally, all buildings, including accessory structures, shall be architecturally finished on all sides. Paint shall not constitute an architectural finish.
- 4) The westernmost 275 feet of the site shall be maintained as a buffer area with Type A screening along the site boundaries in that area, except that no screening shall be required where adjacent to property folio 87464.0000. A 10-foot-wide buffer area shall be provided along the remainder of the north and south boundaries of the site. Within these buffer areas, screening comprised of a solid 6-foot-high PVC fence shall be provided together with a row of evergreen shade trees. The trees shall be planted no more than 20 feet apart on centers and shall have a minimum height of 10 feet and minimum caliper of two inches at time of planting. Existing trees in the buffer area shall contribute towards the tree planting requirement subject to approval of Natural Resources staff.
- 5) In addition to the screening requirements described above, all existing trees with a DBH of 5 inches or greater within the required buffer areas shall be preserved, except that invasive species, dead and diseased trees may be removed in accordance with Natural Resources regulations.
- 6) An evergreen hedge shall be installed along the east property boundary. The hedge shall have a minimum height of four feet at time of planting and shall have a minimum height of six feet and minimum opacity of 75 percent within two years of planting.
- 7) Off-street vehicular use areas shall be landscaped in accordance with the requirements of LDC Section 6.06.04. If perimeter landscaping of the parking lot is not required under these provisions, the south and east sides of the parking lot shall nevertheless be landscaped in accordance with LDC Section 6.06.04.G.
- 8) The project shall utilize public water and wastewater services and the developer shall pay all connection costs.

- 9) The project shall be limited to one (1) full access vehicular connection to Pearson Road and one (1) emergency access connection to Pearson Road. The emergency access connection shall be gated with a Knox-box (or similar access mechanism acceptable to Hillsborough County).
- 10) Pursuant to the County Engineer's de minimis criteria, and because Pearson Road meets minimum life safety standards, the project shall not be required to make substandard road improvements to Pearson Road.
- 11) Notwithstanding anything herein these conditions or on the SU site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the SU boundaries.
- 12) Facility identification shall be limited to a mailbox with the street number only. No building signs, canopy signs, ground signs, window signs or banner signs shall be allowed.
- 13) On-site compensation plantings that are required by Hillsborough County shall be placed between the eastern façade of the principal building and/or parking lot and the east property line to provide visual screening from Pearson Road.
- 14) If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
- 15) The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use, conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

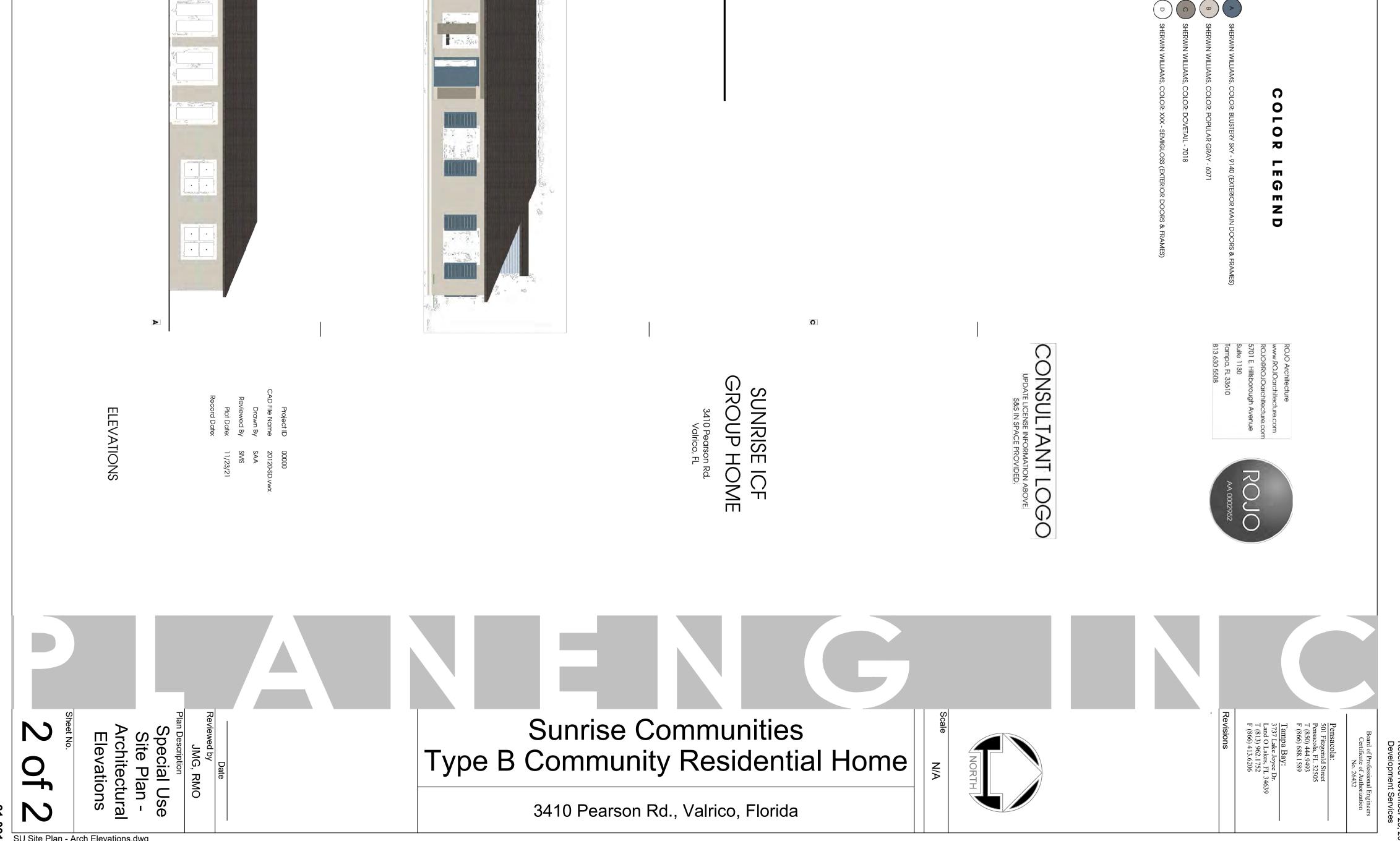
Staff's Recommenda	tion: Approvable, Subject to Conditions
Zoning	In MANUE
Administrator	
Sign-off:	Mon Dec 6 2021 13:22:19



3410 Pearson Rd Base4.dwg CAD date 11/23/2021







SU Site Plan - Arch Elevations.dwg CAD date 11/23/2021



## Hillsborough County City-County Planning Commission

Unincorporated Hillsborough County Rezoning		
Hearing Date: October 25, 2021 Report Prepared: October 12, 2021	Petition: SU 21-0915 3410 Pearson Road West side of Pearson Road, south of Bloomingdale Avenue	
Summary Data:		
Comprehensive Plan Finding:	CONSISTENT	
Adopted Future Land Use:	Residential-4 (4 du/ga; 0.25 FAR)	
Service Area	Urban	
Community Plan:	N/A	
Requested Zoning:	Request for a Special Use to permit a 10,760 square foot Community Residential Home Type B with 12 beds in the Agricultural Single-Family-1 (AS-1) zoning district	
Parcel Size (Approx.):	4.28 +/- acres (186,436 sq. ft.)	
Street Functional Classification:	Pearson Road– <b>Collector Road</b> Bloomingdale Avenue – Collector Road	
Locational Criteria	N/A	
Evacuation Zone	None	



Plan Hillsborough planhillsborough.org planner@plancom.org 813 – 272 – 5940 601 E Kennedy Blvd 18<sup>th</sup> floor Tampa, FL, 33602

#### **Context**

- The approximately 4.28+/- acre subject property is located on the west side of Pearson Road, south of Bloomingdale Avenue. The subject property is located in the Urban Service Area (USA). It is not within the limits of a Community Plan.
- The subject site's Future Land Use designation is Residential-4 (RES-6) on the Future Land Use Map. Typical allowable uses in the RES-4 Future Land Use category include residential, suburban scale neighborhood commercial, office uses, multi-purpose projects. Nonresidential uses are required to meet established locational criteria for the specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The subject site is surrounded by RES-4 on all sides for almost a mile in each direction. The Office Commercial-20 (OC-20) Future Land Use category is located approximately one mile to the west along Lithia Pinecrest Road.
- The subject property is zoned as Agricultural Single-Family-1 (AS-1). AS-1 surrounds the property on all sides.
- The subject site is currently vacant and is surrounding by single-family residential dwellings to the north, east and south. There is a multi-family development located directly adjacent to the west. A church is located next to the multi-family development on the west side.
- The applicant is requesting a Special Use to permit the operation of a 10,760 square foot Community Residential Home Type B with 12 beds.

#### 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 1.2:** *Minimum Density*

All new residential or mixed-use land use categories within the USA shall have a density of 4 du/ga or greater unless environmental features or existing development patterns do not support those densities.

Within the USA and in categories allowing 4 units per acre or greater, new development or redevelopment shall occur at a density of at least 75% of the allowable density of the land use category, unless the development meets the criteria of Policy 1.3.

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

#### Relationship to Land Development Regulations

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

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

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

#### Neighborhood/Community Development

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

**Policy 16.2:** 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.

#### **Objective 17: Neighborhood and Community Serving Uses**

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

**Policy 17.1:** Residential support uses (child care centers, adult care centers, churches, etc.) is an allowable land use in any of the residential, commercial and industrial land use plan categories consistent with the following criteria:

a) The facility shall be of a design, intensity and scale to serve the surrounding neighborhood or the non-residential development in which it occurs, and to be compatible with the surrounding land uses and zoning;

**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.

**Objective 20:** The County shall encourage new development and redevelopment of residential housing for special target groups of people. The provisions specified within the Housing Element of the Comprehensive Plan shall be applied with respect to the following policies.

**Policy 20.5:** The development of congregate living facilities will be allowed within each of the land use plan categories that permit residential development; however, the locations of facilities shall be considered to prevent excessive concentration in any one area.

**Policy 20.6:** The Land Development Code shall include appropriate development standards and/or placed persons-to-dwelling unit conversion factors shall be utilized for congregate living facilities to allow for the consistent application of residential densities otherwise established in this element. The resulting application of density equivalents to proposed congregate living facilities shall be utilized to ensure that cumulative impacts upon surrounding residential land uses are reasonable and to ensure compatible densities between congregate living facilities and other residential land uses in the surrounding area. Consideration should be given to having conversion factors which vary depending on the land use designation, to ensure compatibility with surrounding areas.

#### Community Design Component

#### 5.0 NEIGHBORHOOD LEVEL DESIGN

5.1 COMPATIBILITY

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

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

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

The applicant is requesting a Special Use to permit the development of a 10,760 square foot Community Residential Home Type B with 12 beds. The subject site is located within the Urban Service Area and is not within the limits of a Community Plan.

The proposal meets the intent of Objective 1 and Policy 1.4 of the Future Land Use Element of the Comprehensive Plan (FLUE) by providing a residential support use within the Urban Service area. The proposal meets the compatibility requirements of Policy 1.4 as the predominant character of the area is single-family residential dwellings at comparable densities and is an acceptable transition between the multifamily development and singlefamily residential that surrounds the site.

The subject site is located within the Residential-4 (RES-4) Future Land Use category. The subject site's zoning district is Agricultural Single-Family-1 (AS-1). A Community Residential Home Type B is a residential support use that can be considered in the RES-4 Future Land Use category. According to Objective 9, Policy 9.1 and 9.2, the proposed use must comply with all local, state and federal land development regulations and comply with all requirements for the operation of a Community Residential Home Type B and demonstrate that there are no similar facilities within 1200 feet. The applicant has submitted verification that there are no such facilities within 1200 feet and thus meets the intent of FLUE Objective 9.

The proposal also meets the intent of FLUE Objective 16 and its accompanying policies 16.1,16.2, 16.3, 16.8 and 16.10 that require new development, infill and redevelopment to be compatible to the surrounding area in character, lot size and density. The applicant is proposing 12 beds which will complement the existing residential density per household of the surrounding area. As the subject parcels are currently vacant, the proposed special use provides a compatible transition of uses from the multi-family development to the west and the single-family residential on the east, north and south sides. Access will be provided via Pearson Road and the applicant has submitted architectural elevations that demonstrate compatibility with the surrounding area.

Objective 17 and Policy 17.1 permit the development of residential support uses in all residential future land use categories. The subject site is located in the RES-4 Future Land Use category and is therefore permitted.

Objective 20 and Policies 20.5 and 20.6 support the development of congregate living facilities within unincorporated Hillsborough County subject to limitations. The applicant has demonstrated that no existing facilities are within a reasonable distance to prevent excessive concentration. There are no existing Community Residential Homes or Group Living Facilities within 1200 feet of the subject site. The applicant's proposed density of 12 beds is comparable to the density permitted in the surrounding area. The proposed special use therefore meets the intent of Objective 20 by providing innovative housing for all residents of Hillsborough County.

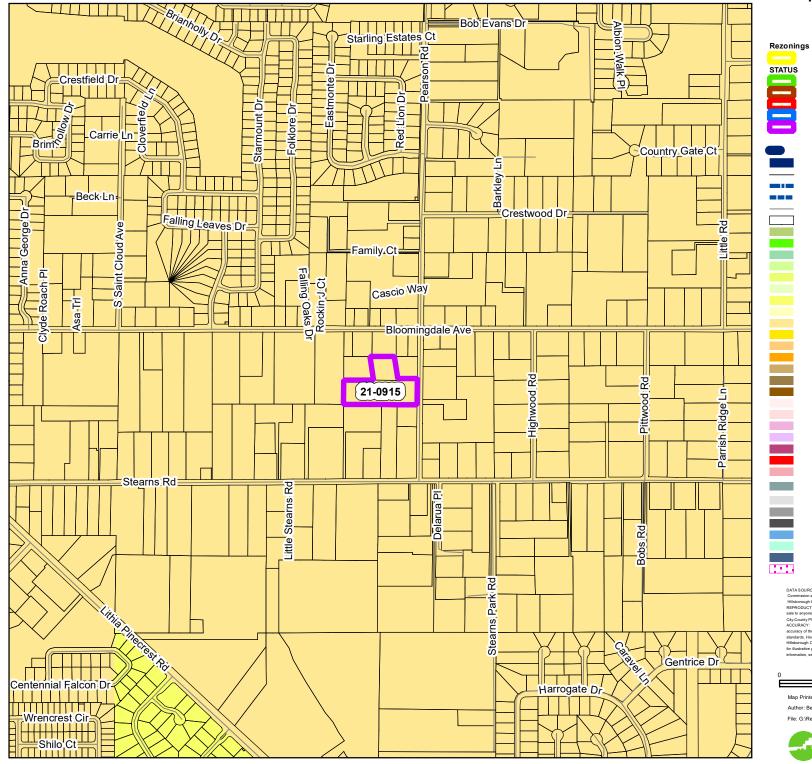
Goal 12 and Objective 12-1 of the Community Design Component (CDC) in the FLUE requires new developments to recognize the existing community and be designed to relate to and be compatible with the predominant character of the surrounding area. In this case, the surrounding land-use pattern is low density single-family residential with a parcel of

multi-family development, and the proposal would be compatible with the existing development pattern.

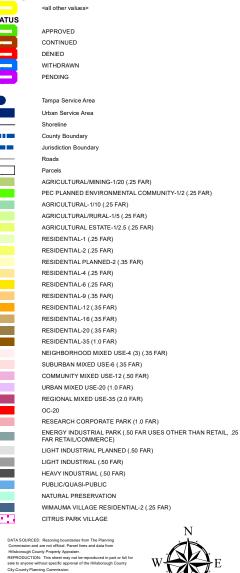
Overall, the proposed Special Use would allow for development that is consistent with the Goals, Objectives and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and that is compatible with the existing and planned development pattern found in the surrounding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

#### Recommendation

Based upon the above considerations, the Planning Commission staff finds the proposed Special Use **CONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, subject to the conditions proposed by the Development Services Department.



### HILLSBOROUGH COUNTY FUTURE LAND USE RZ SU 21-0915



sale banyone without specia approval of the Hillsborough County Ocy-County Filming Commission. ACCURACY: It is interded that the accuracy of the base may comply with U.S. national map accuracy standards. However, such accuracy: in not guaranteed by the Hillsborough County OpC-Caunty Filming Commission. This map is for illustrative purposes only. For the most current data and information, see the appropriate source.



Map Printed from Rezoning System: 7/19/2021 Author: Beverly F. Daniels

dutior. Devery P. Daniels

 ${\tt File: G:} RezoningSystem \\ MapProjects \\ {\tt HC} \\ Greg\_hcRezoning - Copy.mxd$ 

Hillsborough County City-County Planning Commission



			Received December 1, 2021 Development Services
Hillsboro	ugh Addition	nal / Revised	
ST 1885 ST Development Serv	lorida	Hal / Revised	
601 E. Kennedy Blvd., 19th Floor   (81	3) 272 5600	tion Sheet	Date Stamp Here
Application Number: 21-0	)915 Applican	t's Name:Regional Propertie	
Reviewing Planner's Name			
Application Type:		Date: 12/0	01/2021
Planned Development (	PD) Development of Projection		
	Development of Regional Ir	maar Appearance (PRS) 🛄 Standar	d Rezoning (RZ)
Special Use (SU)	Conditional Use (CU)		1odification (MM)
Current Hearing Date (if app		Gother	
	The following must be at	tached to this Sheet	
Cover Letter with summ			
submitted, all changes on th	ary of the changes and/or addition e site plan must be listed in detail in	al information provided. If a revi	sed Site Plan is being
		n the Cover Letter.	
An updated Project Narr	ative consistent with the changes o	r additional information provide	d, if applicable.
Submittal Via:			
Email (Preferred), Note that	at no follow		
Email this sheet along all th	at no follow up paper file is necessary. Pdf f	ormat only. Maximum attachment(s) si	ze is 15 MB.
	e additional/revised submittal items i	in pdf to: ZoningIntake-DSD@hcflg	ov.net
Mail or delivery. Number	n and a second		
For Minor Change: 6 large conid	e copies 24"X36", one small 8.5X11". arger than 8.5"X11", 7 large copies should es. e permits: one 8.5"X11" or larger)	be submitted.	
<u>Mail to:</u> Developmen	t Services Department	Hand Deliver to:	
Community P.O. Box 111	Development Division	County Center Development Services Depar	tmont
Tampa, FL 33		19th Floor	1. BREALDACK
I certify that changes describe	d above are the only shares of	601 E. Kennedy Blvd., Tampa	
changes will require an addition	d above are the only changes that onal submission and certification.	have been made to the submiss	ion. Any further
$\wedge$	2		
	×	12/01/2021	
Si	gnature		ate
	FOR OFFICE USE	ONLY	
<ul> <li>Notification E-Mail Sent</li> <li>Transmittal Completed</li> </ul>	Scanned into OPTIX		
- Hunshinttai Completed		In-Take Completed by:	
	1 of 1		04/20204 00 4 5

Received December 1, 2021 Development Services

December 1, 2021

### Mr. Stephen Beachy, AICP

Planner Development Services Department, Hillsborough County 601 E. Kennedy Blvd. Tampa, FL 33602

Re: Special Use Application No. 21-0915 Type B Community Residential Home

Mr. Steve,

Attached please find a revised Project Description & Code Compliance Statement as well as a Letter of Clarification from Sunrise.

# Sincerely, **Planeng, Inc.**

Runed Ottenber

Russell M. Ottenberg Vice President

#### **PROJECT DESCRIPTION & CODE COMPLIANCE STATEMENT**

This project consists of a 10,760 s.f., single-story building on 4.28 Ac. (MOL) with associated parking and infrastructure for a 12-resident, Type B Community Residential Home (CRH). The proposed building will feature residential-style architecture. The project is located at 3410 Pearson Road in Valrico, in unincorporated Hillsborough County.

The subject property is zoned AS-1 with an underlying land use of R-4. As such and pursuant to the Hillsborough County Land Development Code (LDC), Type B CRHs are considered a Special Use. Accordingly, the Applicant is seeking approval of a Special Use Permit for the described project. The project fully complies with the LDC's general requirements and also complies with the specific standards found in LDC Sec. 6.11.28. Pursuant to that section, a 12- resident CRH would require 2.40 Ac. of land; the subject property is 4.28 Ac. (MOL). Additionally, the proposed building will be designed and built with residential-style architecture. Furthermore, buffering and screening will exceed the standards set forth in Sec. 6.06.06 of the LDC. Specifically, a 275' buffer is proposed for the western portion of the site. A 10-foot buffer with a six-foot high, solid white PVC fence and evergreen plants (as specified in Sec. 6.06.06.C.4 of the LDC) will be provided along the northern and southern property lines between Pearson Road and the proposed western buffer. Lastly, an opaque hedge, to be maintained at a minimum of six (6) feet tall will be provided along the Pearson Road right-of-way.

	AS-1 Required Setback	Proposed Setback
Front (East)	50'	71'
Side (North)	15'	60'
Side (South)	15'	90'
Rear (West)	50'	330'

Building setbacks are proposed to exceed those required by the existing AS-1 zoning as follows:

Additionally, results for a 1,200' radius search turned up no other Type B or C CRH facilities pursuant to the AHCA website's search (see attached printout of search results).

Consequently, as the proposed Type B CRH will meet all of the County's requirements, the Applicant is entitled to approval of the requested Special Use Permit.

To further clarify what services will be provided in conjunction with the Type B Community Residential Home (CRH) proposed for 3410 Pearson Road and the accompanying Special Use Permit application (21-0915):

All activities are authorized under the LDC. Specifically, the special use is a Type B Community Residential Home (CRH)to be located at 3410 Pearson Road which shall consist of a single building that shall undertake through its ownership or management to provide, for a period exceeding 24 hours, housing, food services, and one or more personal care services (as defined by the Hillsborough County Land Development Code) to persons not related to the owner or operator by blood, marriage, or adoption and licensed, certified or approved by the State Department of Health and Rehabilitative Services. This facility shall contain congregate kitchens, dining and living areas, with separate sleeping rooms and may contain independent kitchens, however, three full meals shall be provided by the required congregate kitchens. Further, this facility shall not be used for those persons in need of a structured environment, as it is defined in the Hillsborough County Land Development Code. With respect to the Hillsborough County Land Development Code, the proposed Community Residential Home will not be a boarding house; fraternity or sorority; monastery; convent; hotel/motel; professional residential facility; or nursing, convalescent and/or extended care facility. "Placed", as used in reference to Community Residential Homes in the Hillsborough County Land Development Code, shall mean the persons placed, supported, or sponsored by, or the residents of a facility licensed by the State of Florida Health and Rehabilitative Services.

Personal care services to be provided at the subject facility shall be limited to individual assistance with, or supervision of, essential activities of daily living, such as eating, bathing, grooming, dressing and ambulation; the supervision of the administration of medication, counseling, training, and other similar service. Personal care service shall not include, nor shall be construed to mean the provision of medical, dental, structured nursing, or mental health service.

Instrument #: 2020554192, Pg 1 of 2, 12/29/2020 4:39:49 AM DOC TAX PD(F.S. 201.02) \$2345.00, INT. TAX PD (F.S. 199) \$0.00, DOC TAX PD (F.S. 201.08) \$0.00, Deputy Clerk: O Pat Frank, Clerk of the Circuit Court Hillsborough County

Prepared by: Hillsborough Title, Inc. Tammy Wooten 350 E. Bloomingdale Ave. Brandon, FL 33511 File No.: BRI20-86307 This Deed is prepared pursuant to the issuance of Title Insurance

#### **GENERAL WARRANTY DEED**

Made this December 18, 2020. A.D. by Charlotte J. Koechig, individually and as Trustee of the Charlotte J. Koechig Trust dated October, 15, 2004, whose address is: Control of the Charlotte J. Control of the Charlotte J. Regional Properties, Inc., a Florida not for profit corporation, whose post office address is: 9040 Sunset Dr., Suite A, Miami, FL 33173, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Hillsborough County, Florida, viz:

The South 1/2 of the following described property:

Beginning at a Point 231.85 feet South of the Northeast corner of the NW Vbc of Section 8, Township 30 South, Range 21 East, lying and being in Hillsborough County, Florida; thence run South 0°01'30" East, 420 feet; thence South 89°57' West, 688.57 feet; thence North 0°46' East, 420.66 feet; thence East 682.72 feet to the Point of Beginning; AND

From the Northeast corner of the NW \'bc of Section 8, Township 30 South, Range 21 East, run South 00°01" 30' East, 441.85 feet along the East boundary of said NW \'bc; thence run South 89°58' 30" West, 25 feet for a Point of Beginning, continue South 89°58' 30" West, 399.99 feet; thence run North 04°01' 30" West, 210.70 feet; thence run East 206.74 feet along a line parallel with and 231.85 feet Southerly from the North boundary of said NW \'bc of said Section 8; thence run South 04°01' 30" East, 190.57 feet; thence run North 89°58' 30" East, 194.65 feet to a point lying 25 feet Westerly of the East boundary of said NW \'bc is thence run South 00°01'30" East, 20 feet parallel with and 25 feet Westerly from the East boundary of said NW \'bc is to the Point of Beginning, all lying and being in Hillsborough County, Florida.

Parcel ID No.: 087455-0000

Parcel ID No.: 087459-0100

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances except taxes accruing subsequent to the current year.

# 21-0915

Prepared by: Hillsborough Title, Inc. Tammy Wooten 350 E. Bloomingdale Ave. Brandon, FL 33511 incidental to the issuance of a title insurance policy File No.: BRI20-86307

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed and Sealed in Our Presence:

X) 1 Charlotte J. Koechig, individually and as Trustee of the Charlotte J. Koechig Trust dated October 15, 2004 Witness Printed Name: Co K 1th Q Jaher Charlotte J. Koechig, individually Witness Printed Name: oney Charlotte J. Koechig, as Trustee Koesh Address: State of Florida County of Hillsborough 900 The foregoing instrument was executed and acknowledged before me this 18th of December, 2020, by means of \_\_\_\_\_ Physical Presence or \_\_\_\_\_ Online Notarization, by Charlotte J. Koechig, who is/are personally known to me or who has produced a valid driver's license as identification. M Notary Public 11 20 My Commission Expires: (SEAL) Pamela A. Bossert Notary Public State of Florida Comm# HH067395 Expires 11/29/2024

Instrument #: 2020554192, Pg 1 of 2, 12/29/2020 4:39:49 AM DOC TAX PD(F.S. 201.02) \$2345.00, INT. TAX PD (F.S. 199) \$0.00, DOC TAX PD (F.S. 201.08) \$0.00, Deputy Clerk: O Pat Frank, Clerk of the Circuit Court Hillsborough County

Prepared by: Hillsborough Title, Inc. Tammy Wooten 350 E. Bloomingdale Ave. Brandon, FL 33511 File No.: BRI20-86307 This Deed is prepared pursuant to the issuance of Title Insurance

#### **GENERAL WARRANTY DEED**

Made this December 18, 2020. A.D. by Charlotte J. Koechig, individually and as Trustee of the Charlotte J. Koechig Trust dated October, 15, 2004, whose address is: Control of the Charlotte J. Control of the Charlotte J. Regional Properties, Inc., a Florida not for profit corporation, whose post office address is: 9040 Sunset Dr., Suite A, Miami, FL 33173, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Hillsborough County, Florida, viz:

The South 1/2 of the following described property:

Beginning at a Point 231.85 feet South of the Northeast corner of the NW Vbc of Section 8, Township 30 South, Range 21 East, lying and being in Hillsborough County, Florida; thence run South 0°01'30" East, 420 feet; thence South 89°57' West, 688.57 feet; thence North 0°46' East, 420.66 feet; thence East 682.72 feet to the Point of Beginning; AND

From the Northeast corner of the NW \'bc of Section 8, Township 30 South, Range 21 East, run South 00°01" 30' East, 441.85 feet along the East boundary of said NW \'bc; thence run South 89°58' 30" West, 25 feet for a Point of Beginning, continue South 89°58' 30" West, 399.99 feet; thence run North 04°01' 30" West, 210.70 feet; thence run East 206.74 feet along a line parallel with and 231.85 feet Southerly from the North boundary of said NW \'bc of said Section 8; thence run South 04°01' 30" East, 190.57 feet; thence run North 89°58' 30" East, 194.65 feet to a point lying 25 feet Westerly of the East boundary of said NW \'bc is thence run South 00°01'30" East, 20 feet parallel with and 25 feet Westerly from the East boundary of said NW \'bc is to the Point of Beginning, all lying and being in Hillsborough County, Florida.

Parcel ID No.: 087455-0000

Parcel ID No.: 087459-0100

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances except taxes accruing subsequent to the current year.

# 21-0915

Prepared by: Hillsborough Title, Inc. Tammy Wooten 350 E. Bloomingdale Ave. Brandon, FL 33511 incidental to the issuance of a title insurance policy File No.: BRI20-86307

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed and Sealed in Our Presence:

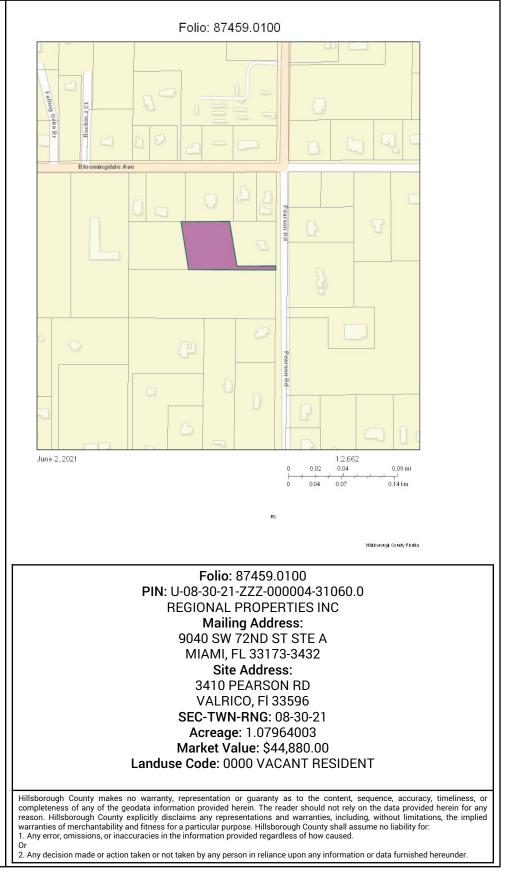
X) 1 Charlotte J. Koechig, individually and as Trustee of the Charlotte J. Koechig Trust dated October 15, 2004 Witness Printed Name: Co K 1th Q Jaher Charlotte J. Koechig, individually Witness Printed Name: oney Charlotte J. Koechig, as Trustee Koesh Address: State of Florida County of Hillsborough 900 The foregoing instrument was executed and acknowledged before me this 18th of December, 2020, by means of \_\_\_\_\_ Physical Presence or \_\_\_\_\_ Online Notarization, by Charlotte J. Koechig, who is/are personally known to me or who has produced a valid driver's license as identification. M Notary Public 11 20 My Commission Expires: (SEAL) Pamela A. Bossert Notary Public State of Florida Comm# HH067395 Expires 11/29/2024

Important instructions to all appointment to submit this application. To request an appointment please call 813-272-5600. All requirements listed on the submittal checklist must be met. Incomplete applications will not be accepted.			
Address: <u>3410 Pearson Rd.</u> City/State/Zip: <u>Va</u>			
Folio(s): 87455 & 87459-0100 Zoning: AS-1	Future Land Use:Property Size:4.28 Ac.		
Property Owner Information         Name:       Properties, Inc.         Daytime Phone:       305.273.3064			
	City/State/Zip: Miami, FL 33173-3432		
	FAX Number: 305.275.3350		
Name:     Same as Property Owner     Daytime Phone:       Address:			
Applicant's Representation Name: Russell Ottenberg, Planeng, Inc.	ative (if different than above) Daytime Phone: 813.962.1752		
Address: 3737 Lake Joyce Dr.	City / State/Zip:Land O Lakes, FL 34639		
Email: russell@planeng.com	FAX Number: 866.413.6206		
I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION. DocuSigned by: Figure 1 Avenue Signature of Applicant 555403587DD1440 Russell Armour, President Type or Print Name	I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS. DocuSigned by: Fussell Hymoux Signature of Property Owner SF5403587DD1440 Russell Armour, President Type or Print Name		
Intake Staff Signature: Ana Lizardo Office	Use Only Intake Date: 06/01/21		
Case Number: <u>21-0915</u> Public Hearing Date: <u>09/2</u>			
Type of Application: <u>SU-GEN</u>	4 		
<i>Development Services, 601</i> Revised 07/02/2014	<u>E Kennedy Blvd. 19<sup>th</sup> Floor</u> 21-091		



## PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

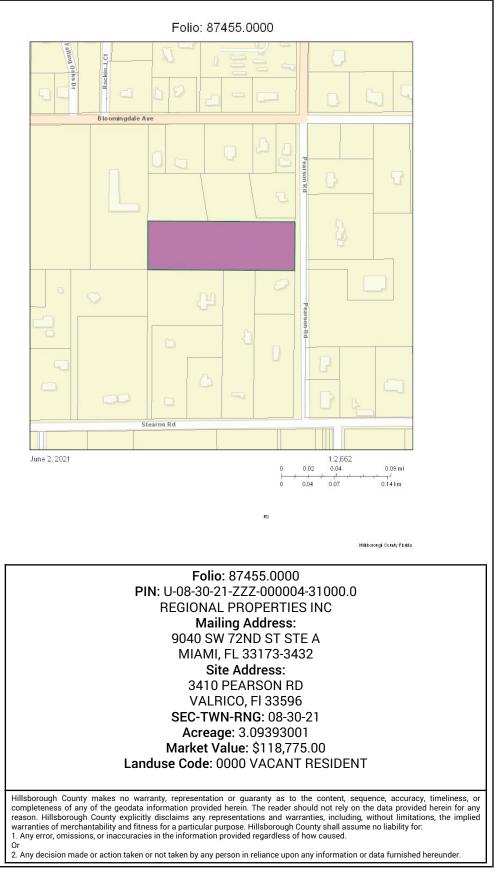
Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	AS-1
Description	Agricultural - Single-Family
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0415H
FIRM Panel	12057C0415H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Х
Pre 2008 Firm Panel	1201120415C
County Wide Planning Area	Valrico
Census Data	Tract: 013208 Block: 1013
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 7
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO





## PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	AS-1
Description	Agricultural - Single-Family
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0415H
FIRM Panel	12057C0415H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Х
Pre 2008 Firm Panel	1201120415C
County Wide Planning Area	Valrico
Census Data	Tract: 013208 Block: 1013
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 7
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



< THIS PAGE WAS INTENTIONALLY LEFT BLANK >

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >