



**Rezoning Application: RZ-STD 22-0025**

**Zoning Hearing Master Date: JANUARY 18, 2022**

**BOCC Land Use Meeting Date: MARCH 8, 2022**

**Applicant:** Yaismel Hernandez

**FLU Category:** Light Industrial

**Service Area:** Urban

**Site Acreage:** 0.17

**Community  
Plan Area:** Town N' Country

**Overlay:** None



**Introduction Summary:**

The request is to rezone the existing AI (Agricultural Industrial) zoning district to the proposed M (Manufacturing) zoning district. The proposed zoning for M permits manufacturing, processing or assembling uses, intensive commercial uses, and other industrial uses on lots containing a minimum of 20,000 square feet.

Zoning:	Existing	Proposed
District(s)	AI	M
Typical General Use(s)	Agricultural	Manufacturing, processing, assembling, intensive commercial uses, and other industrial uses.
Acreage	0.17	0.17
Density/Intensity	NA	NA
Mathematical Maximum*	0	5,554 SF

\*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	AI	M
Lot Size / Lot Width	43,560 sf / 150'	20,000 sf / 100'
Setbacks/Buffering and Screening	50' Front Setback 50' Rear Setback 15' Side Setback	30' Front Setback 30'/C Rear Buffer/Screening 30'/C Side Buffer/Screening
Height	50'	110'

**Additional Information:**

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

<b>Planning Commission Recommendation:</b> Consistent	<b>Development Services Recommendation:</b> Approvable, subject to proposed conditions
--	---

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map

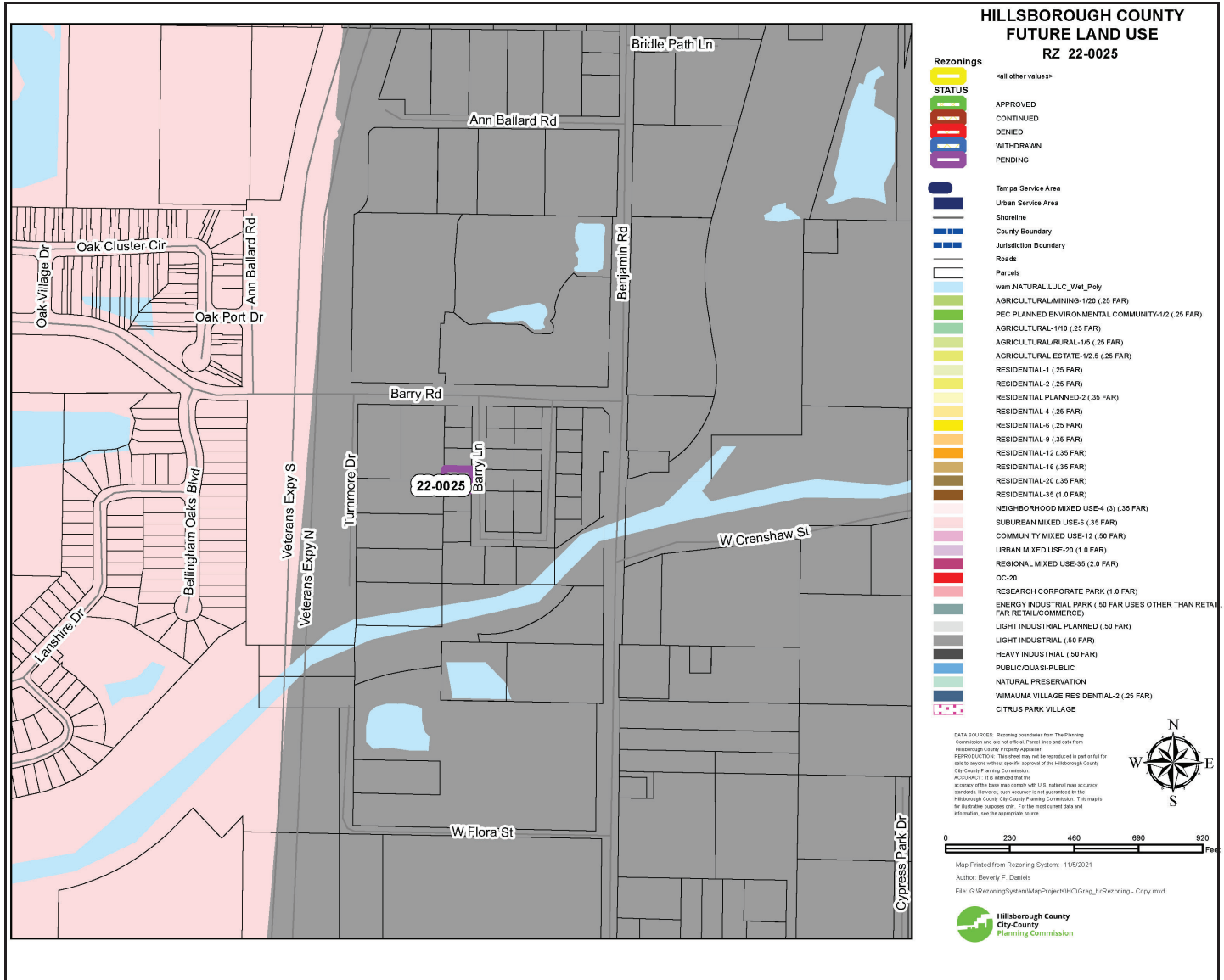


#### Context of Surrounding Area:

The uses within the surrounding area include residential, warehouse and distribution, and open storage. The nearest M-property to the site is 75 feet to the north. The properties to the immediate north, south, east and west are zoned AI and are developed for residential uses. The homes within the neighborhood are a mix of mobile homes and conventionally built houses.

2.0 LAND USE MAP SET AND SUMMARY DATA

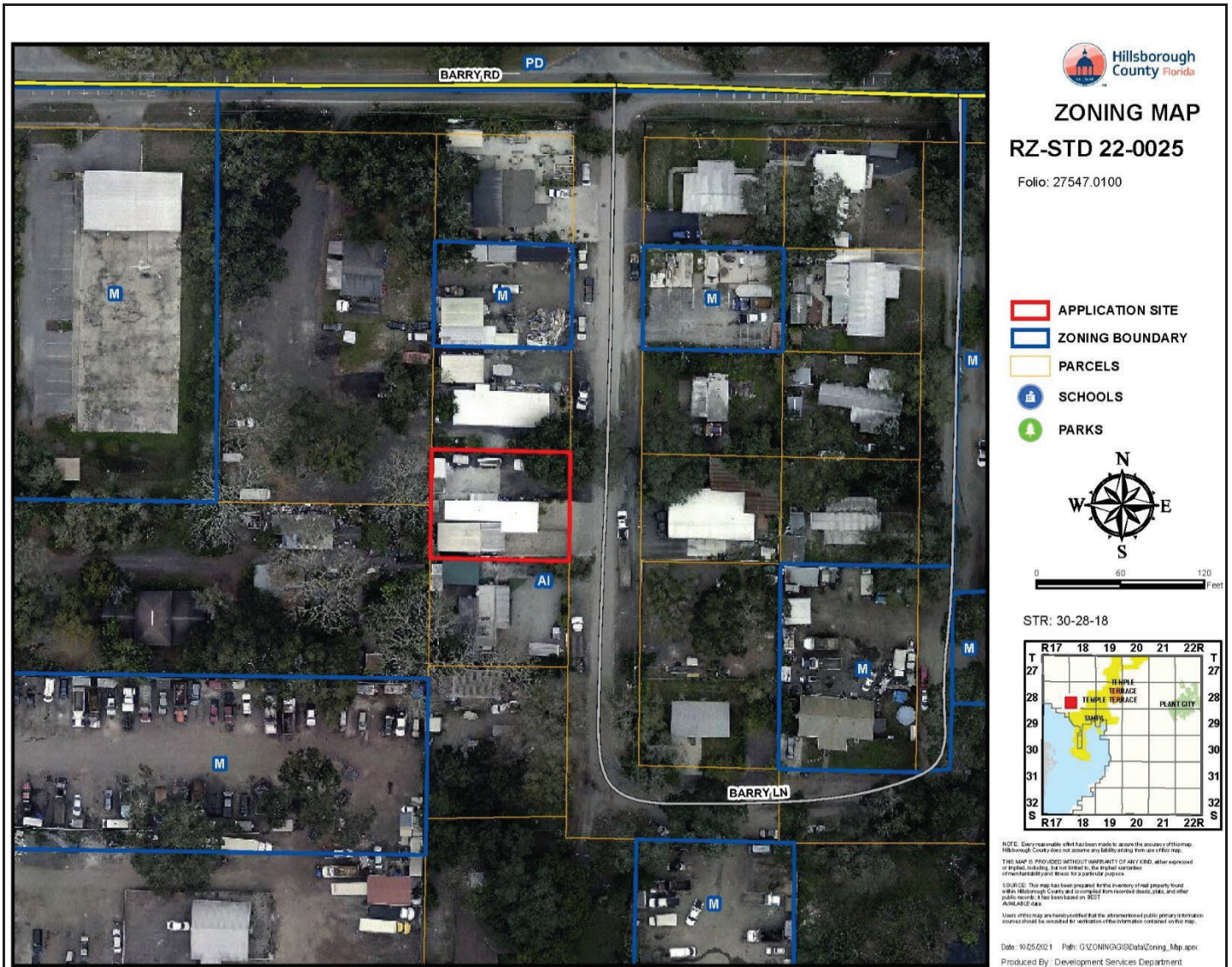
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Light Industrial (LI)
Maximum Density/F.A.R.:	Except limited accessory residential, residential is not allowed. Maximum F.A.R.: 0.75
Typical Uses:	Processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials, warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use), offices, research/corporate parks as the predominant uses and subordinate uses or services such as hotels, motels, restaurants, suburban scale retail establishments, and recreational facilities.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

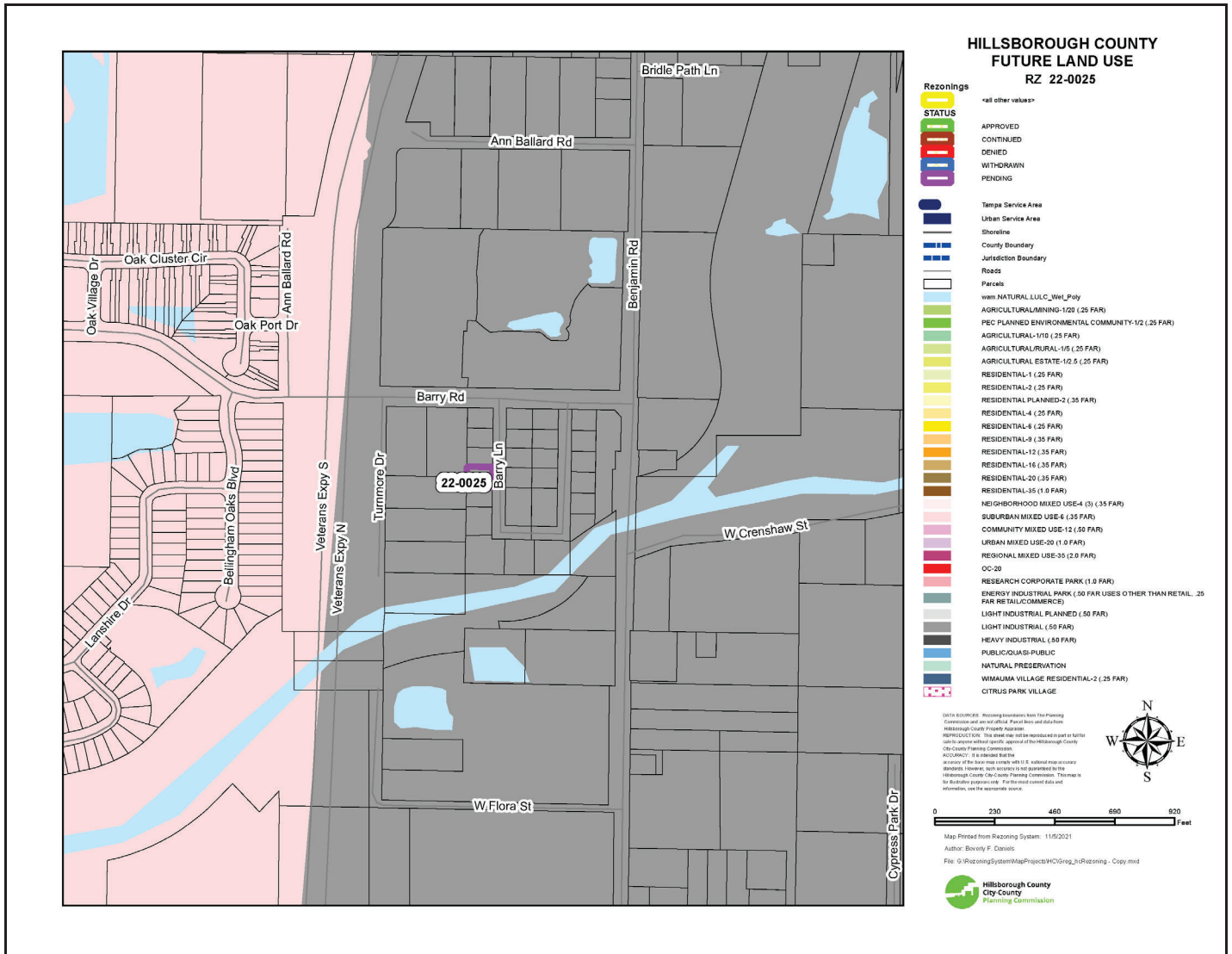


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	AI	1 Dwelling per Acre	Agriculture and related uses.	Residential – Mobile Home
South	AI	1 Dwelling per Acre	Agriculture and related uses.	Residential – Mobile Home
East	AI	1 Dwelling per Acre	Agriculture and related uses.	Residential – Mobile Home
West	AI	1 Dwelling per Acre	Agriculture and related uses.	Residential – Single-Family

### 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
Barry Lane	County Arterial - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	264	61	62
Proposed	22	3	4
Difference (+/1)	-242	-58	-58

\*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				
South				
East				
West				
Notes:				

Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
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	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input 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 type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input checked="" type="checkbox"/> Other Airport Incompatible Use Area			
<b>Public Facilities:</b>	<b>Comments Received</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
<b>Transportation</b> <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
<b>Service Area/ Water &amp; Wastewater</b> <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Hillsborough County School Board</b> Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Impact/Mobility Fees</b>				
<b>Comprehensive Plan:</b>	<b>Comments Received</b>	<b>Findings</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
<b>Planning Commission</b> <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**

The surrounding area uses include residential, and manufacturing used as open storage and warehousing. The adjacent properties in all directions are zoned AI (Agricultural – Intensive) developed with single family residential homes to the west and mobile homes to the north, south, and east.

As a result of six zoning changes from AI to M, since 2005, for 13 of the 25 properties that directly front Barry Lane, 54% of the property area is currently zoned M.

The Comprehensive Plan Future Land Use Classification for the surrounding area is LI. The LI plan category does not permit residential uses. The AI zoning district, consistent with the LI plan category, does not permit residential uses

---

and requires a minimum lot size of one acre. Therefore, all of the existing residential lots on Barry Lane are legally nonconforming as to both zoning lot size and use, and Comprehensive Plan land use.

Section 6.01.01 of the Land Development Code requires 20,000 square feet for a M zoning district. The parcel is already nonconforming under the one acre AI zoning minimum lot size requirement. The Manufacturing (M) zoning request may proceed because the degree of non-conformity will not increase.


## **5.2 Recommendation**

Based on the above considerations staff finds the proposed M zoning district compatible with the existing uses, zoning districts, and development pattern in the area.



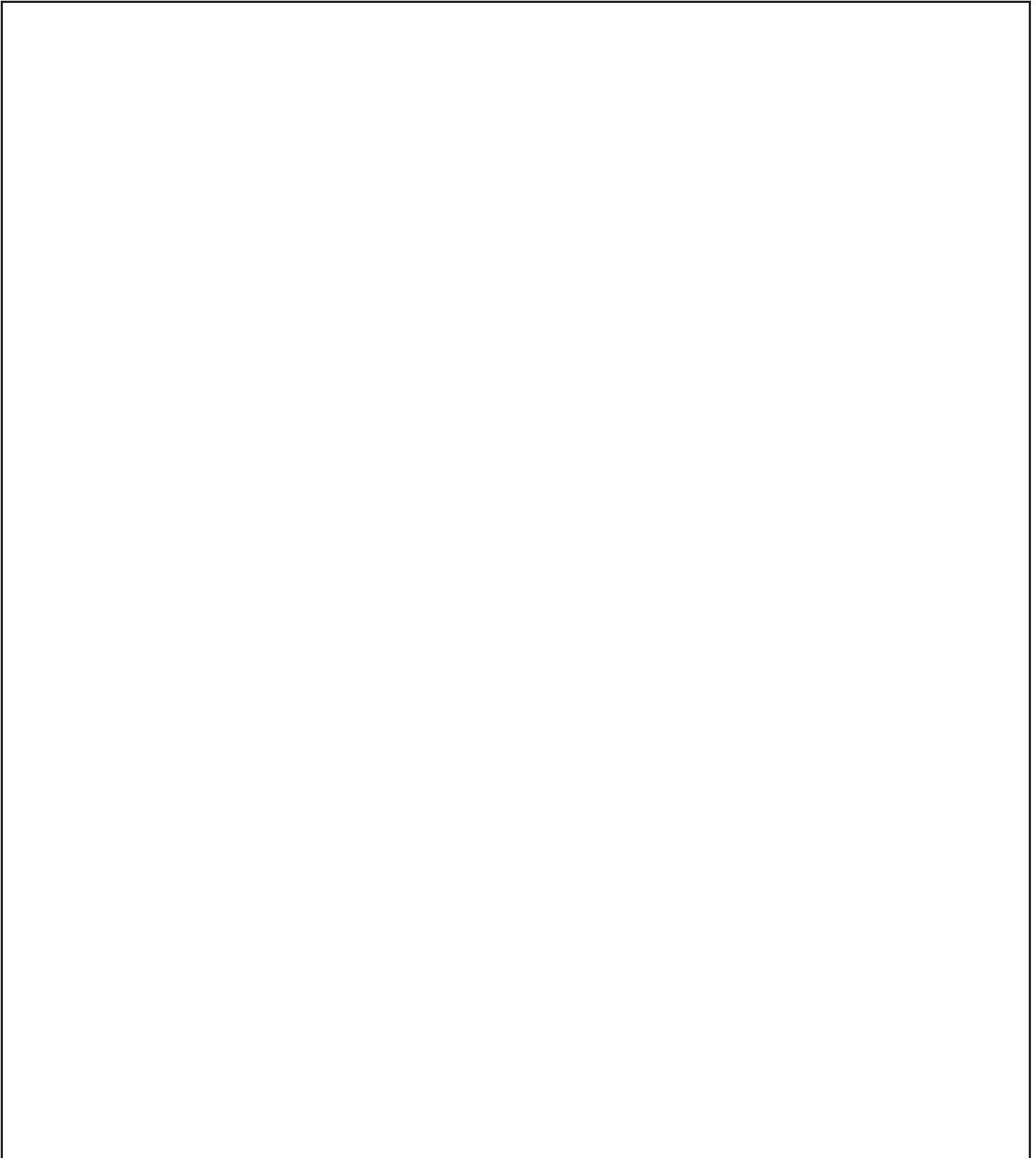
## 6.0 PROPOSED CONDITIONS

**Approval** – Non-applicable

<p><b>Zoning Administrator Sign Off:</b></p>	 <p>J. Brian Grady Wed Jan 5 2022 08:34:11</p>
<p><b>SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN &amp; BUILDING REVIEW AND APPROVAL.</b></p> <p>Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.</p>	

**7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS**

## 8.0 PROPOSED SITE PLAN (FULL)



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

**COUNTY OF HILLSBOROUGH  
LAND USE HEARING OFFICER'S RECOMMENDATION**

<b>Application number:</b>	RZ-Std-22-0025
<b>Hearing date:</b>	January 18, 2022
<b>Applicant:</b>	Yaismel Hernandez
<b>Request:</b>	Rezone from AI to M
<b>Location:</b>	5832 Barry Lane, Tampa
<b>Parcel size:</b>	0.18 acres
<b>Existing zoning:</b>	AI
<b>Future land use designation:</b>	Light Industrial (0.75 FAR)
<b>Service area:</b>	Urban
<b>Community planning area:</b>	Town 'n Country

**A. APPLICATION REVIEW**

**DEVELOPMENT SERVICES STAFF REPORT  
APPLICATION REVIEW SUMMARY AND RECOMMENDATION**

Applicant: Yaismel Hernandez  
 FLU Category: Light Industrial  
 Service Area: Urban  
 Site Acreage: 0.17  
 Community Plan Area: Town N' Country  
 Overlay: None



**Introduction Summary:**

The request is to rezone the existing AI (Agricultural Industrial) zoning district to the proposed M (Manufacturing) zoning district. The proposed zoning for M permits manufacturing, processing or assembling uses, intensive commercial uses, and other industrial uses on lots containing a minimum of 20,000 square feet.

Zoning:	Existing	Proposed
District(s)	AI	M
Typical General Use(s)	Agricultural	Manufacturing, processing, assembling, intensive commercial uses, and other industrial uses.
Acreage	0.17	0.17
Density/Intensity	NA	NA
Mathematical Maximum*	0	5,554 SF

\*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	AI	M
Lot Size / Lot Width	43,560 sf / 150'	20,000 sf / 100'
Setbacks/Buffering and Screening	50' Front Setback 50' Rear Setback 15' Side Setback	30' Front Setback 30'/C Rear Buffer/Screening 30'/C Side Buffer/Screening
Height	50'	110'

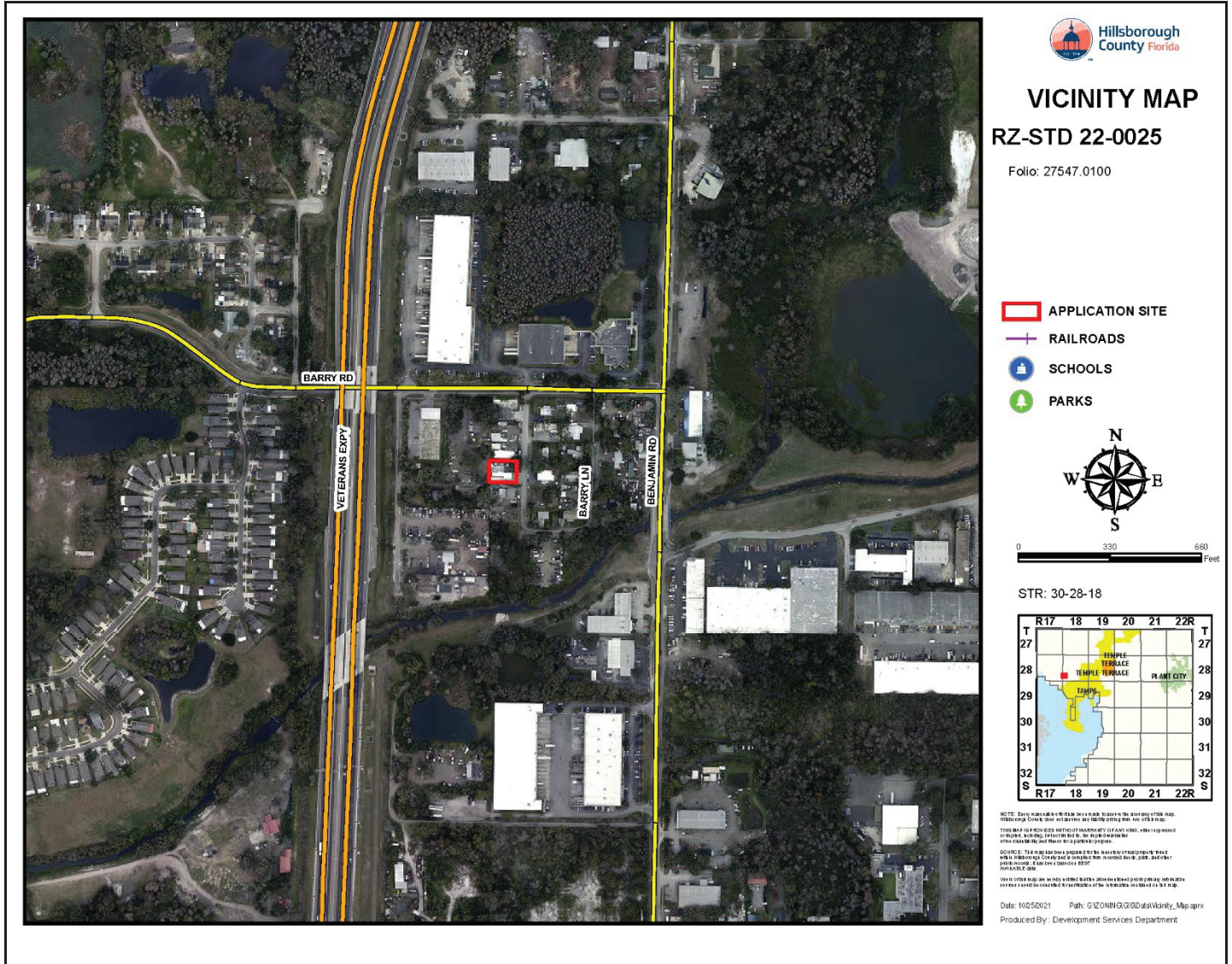
**Additional Information:**

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

<b>Planning Commission Recommendation:</b> Consistent	<b>Development Services Recommendation:</b> Approvable, subject to proposed conditions
--	---

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map



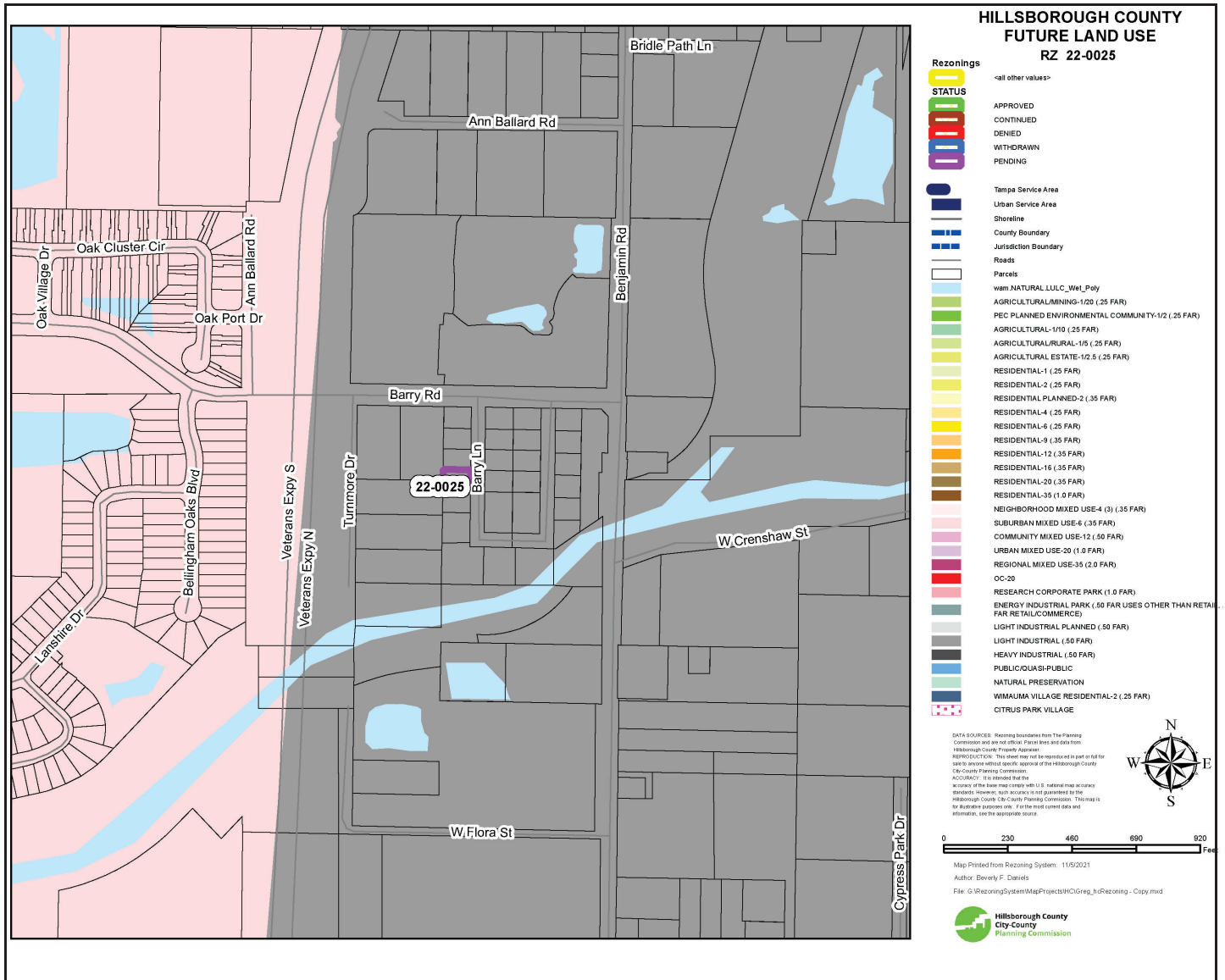
#### Context of Surrounding Area:

The uses within the surrounding area include residential, warehouse and distribution, and open storage. The nearest M-property to the site is 75 feet to the north. The properties to the immediate north, south, east and west are zoned AI and are developed for residential uses. The homes within the neighborhood are a mix of mobile homes and conventionally built houses.



## 2.0 LAND USE MAP SET AND SUMMARY DATA

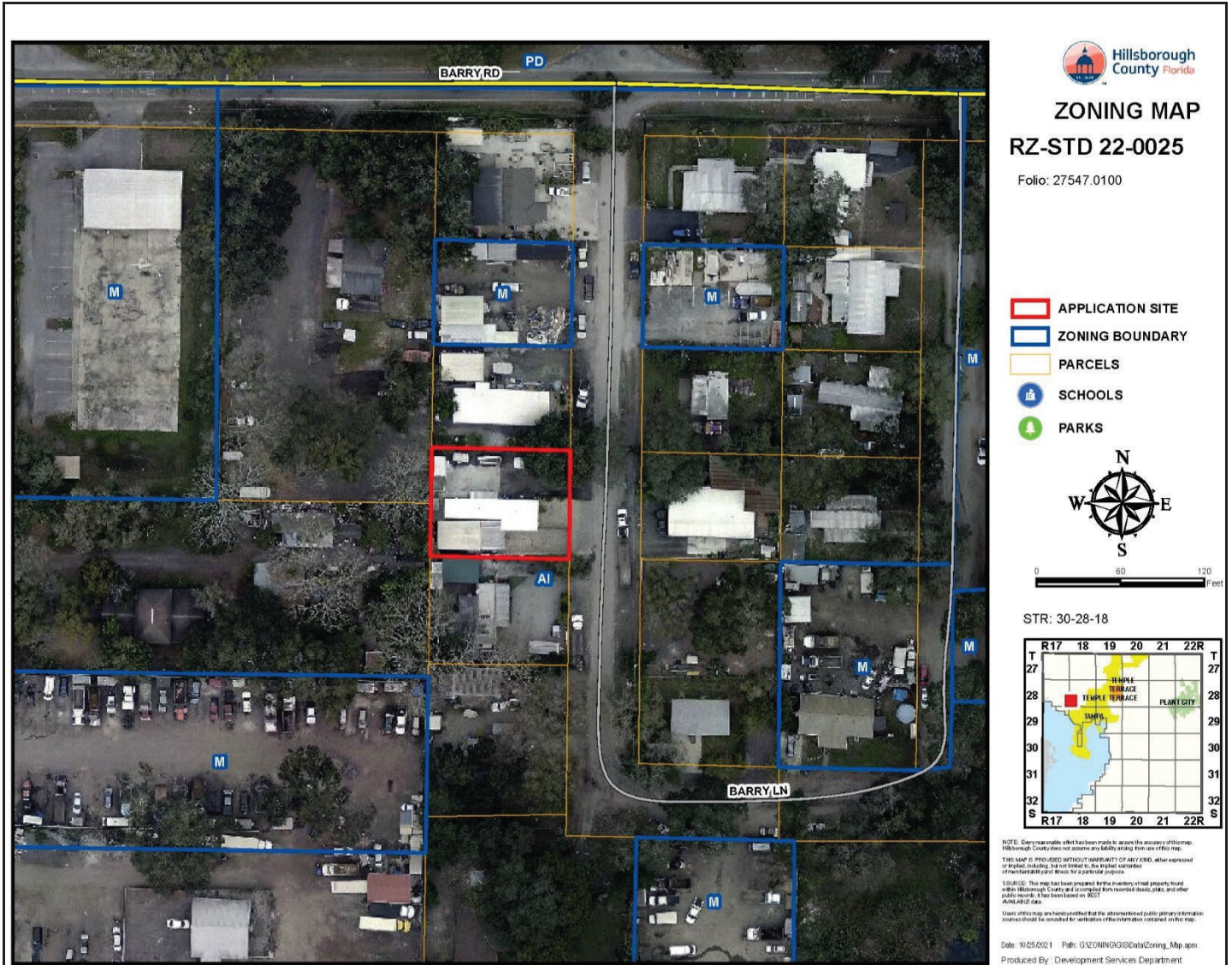
### 2.2 Future Land Use Map



Subject Site Future Land Use Category:	Light Industrial (LI)
Maximum Density/F.A.R.:	Except limited accessory residential, residential is not allowed. Maximum F.A.R.: 0.75
Typical Uses:	Processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials, warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use), offices, research/corporate parks as the predominant uses and subordinate uses or services such as hotels, motels, restaurants, suburban scale retail establishments, and recreational facilities.

## 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.3 Immediate Area Map

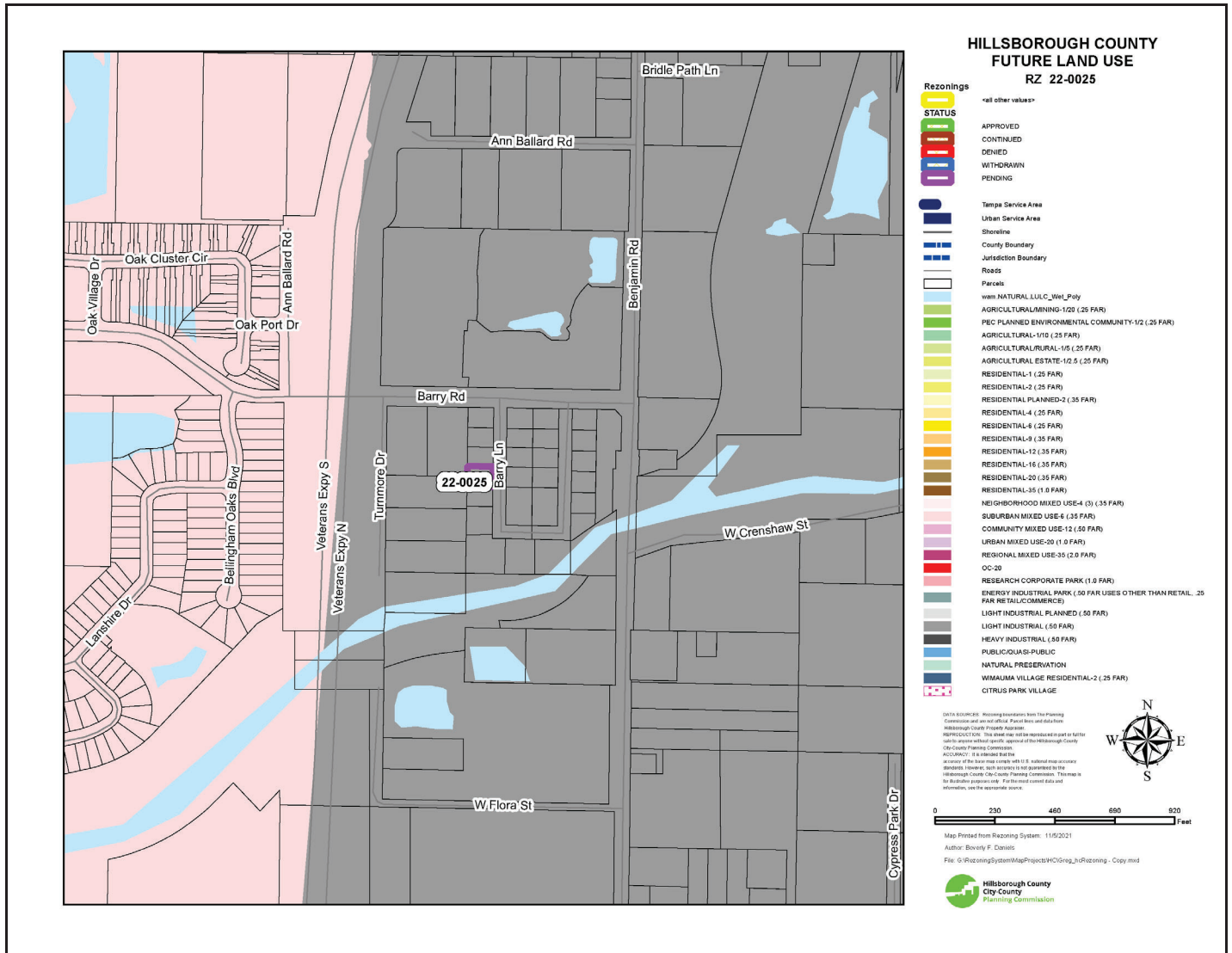


#### Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	AI	1 Dwelling per Acre	Agriculture and related uses.	Residential – Mobile Home
South	AI	1 Dwelling per Acre	Agriculture and related uses.	Residential – Mobile Home
East	AI	1 Dwelling per Acre	Agriculture and related uses.	Residential – Mobile Home
West	AI	1 Dwelling per Acre	Agriculture and related uses.	Residential – Single-Family

## 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
Barry Lane	County Arterial - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	264	61	62
Proposed	22	3	4
Difference (+/1)	-242	-58	-58

\*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				
South				
East				
West				
Notes:				

Design Exception/Administrative Variance <input checked="" type="checkbox"/> Not applicable for this request		
Road Name/Nature of Request	Type	Finding
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	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Conservation & Environ. Lands Mgmt.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input 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 type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input checked="" type="checkbox"/> Other Airport Incompatible Use Area			
<b>Public Facilities:</b>	<b>Comments Received</b>	<b>Objections</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
<b>Transportation</b> <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
<b>Service Area/ Water &amp; Wastewater</b> <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Hillsborough County School Board</b> Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Impact/Mobility Fees</b>				
<b>Comprehensive Plan:</b>	<b>Comments Received</b>	<b>Findings</b>	<b>Conditions Requested</b>	<b>Additional Information/Comments</b>
<b>Planning Commission</b> <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**5.0 IMPLEMENTATION RECOMMENDATIONS**

**5.1 Compatibility**

The surrounding area uses include residential, and manufacturing used as open storage and warehousing. The adjacent properties in all directions are zoned AI (Agricultural – Intensive) developed with single family residential homes to the west and mobile homes to the north, south, and east.

As a result of six zoning changes from AI to M, since 2005, for 13 of the 25 properties that directly front Barry Lane, 54% of the property area is currently zoned M.

The Comprehensive Plan Future Land Use Classification for the surrounding area is LI. The LI plan category does not permit residential uses. The AI zoning district, consistent with the LI plan category, does not permit residential uses

and requires a minimum lot size of one acre. Therefore, all of the exiting residential lots on Barry Lane are legally nonconforming as to both zoning lot size and use, and Comprehensive Plan land use.


Section 6.01.01 of the Land Development Code requires 20,000 square feet for a M zoning district. The parcel is already nonconforming under the one acre AI zoning minimum lot size requirement. The Manufacturing (M) zoning request may proceed because the degree of non-conformity will not increase.

## **5.2 Recommendation**

Based on the above considerations staff finds the proposed M zoning district compatible with the existing uses, zoning districts, and development pattern in the area.

**6.0 PROPOSED CONDITIONS**

**Approval**– Non-applicable

<p><b>Zoning Administrator Sign Off:</b></p>	 <p>J. Brian Grady Wed Jan 5 2022 08:34:11</p>
<p><b>SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN &amp; BUILDING REVIEW AND APPROVAL.</b></p> <p>Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.</p>	

## **B. HEARING SUMMARY**

This case was heard by the Hillsborough County Land Use Hearing Officer on January 18, 2022. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

### **Applicant**

Ms. Lisa Wilson spoke on behalf of the applicant. She stated the property owner has a possible sale deal with another owner in the area whose property is also zoned Manufacturing. She stated many properties are zoned Manufacturing in the area surrounding the subject property. She stated the property owner wishes to rezone to Manufacturing so the other company can access and use the property as an overflow to its trucking parking company on Barry Lane.

The hearing officer asked Ms. Wilson to describe the use in more detail. Ms. Wilson stated the subject property will be used for parking trucks that are being worked on or for parts they use from the trucks. She stated most of the properties in the area are zoned Manufacturing. She stated there is a tree trimming company to the southwest and properties to the north that are also zoned Manufacturing.

### **Development Services Department**

Mr. Sam Ball, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted into the record.

### **Planning Commission**

Ms. Jillian Massey, Hillsborough County City-County Planning Commission, presented a summary of the findings and analysis as detailed in the Planning Commission report previously submitted into the record.

### **Proponents**

The hearing officer asked whether there was anyone at the hearing in person or online to speak in support of the application. There were none.

### **Opponents**

The hearing officer asked whether there was anyone at the hearing in person or online to speak in opposition to the application. There were none.

### **Development Services Department**

Mr. Grady stated Development Services had nothing further.

### **Applicant Rebuttal**

Ms. Wilson stated the applicant had nothing further.



The hearing officer closed the hearing on rezoning 22-0025.

### **C. EVIDENCE SUBMITTED**

No additional documentary evidence was submitted into the record at the hearing.

### **D. FINDINGS OF FACT**

1. The Subject Property consists of approximately .017 acre and is located at 5832 Barry Lane.
2. The Subject Property is zoned Agricultural Industrial and is designated LI on the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* Future Land Use Map.
3. The Subject Property is located within the boundaries of the Town 'n Country Community Plan and is within the Urban Services Area.
4. The applicant is requesting to rezone the Subject Property to Manufacturing (M).
5. Uses in the area surrounding the Subject Property include residential, warehouse and distribution, and open storage. Properties to the immediate north, south, east, and west are developed with residential uses that include mobile homes and conventional single-family homes.
6. Properties surrounding the Subject Property are designated LI on the Future Land Use Map and are zoned AI and M. The LI Future Land Use category does not permit residential uses. The AI zoning district does not permit residential uses and requires a minimum lot size of one acre. Therefore, the existing residential lots on Barry Lane near the Subject Property are nonconforming as to lot size and use, and comprehensive plan as to use.
7. The Land Development Code at section 6.01.01 provides that properties zoned AI must consist of a minimum of one acre, and properties zoned M must consist of a minimum of 20,000 square feet. Since the Subject Property consists of approximately 7,500 square feet, it is nonconforming to the minimum lot size requirement of its existing AI zoning. The rezoning to M will not increase the degree of non-conformity.
8. County staff found the rezoning request to be compatible with existing uses, zoning districts, and the development pattern in the surrounding area.
9. Planning Commission staff found the rezoning request to be consistent with the Town and Country Community Plan in that it encourages the redevelopment of existing neighborhoods and promotes business development in areas that are

predominantly residential. Planning Commission staff concluded the proposed rezoning is consistent with the county's comprehensive plan.

**E. FINDINGS OF COMPLIANCE OR NON-COMPLIANCE WITH COMPREHENSIVE PLAN**

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

**F. CONCLUSIONS OF LAW**

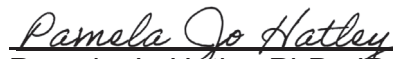
A development order is consistent with the comprehensive plan if “the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.” § 163.3194(3)(a), Fla. Stat. (2020). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant's testimony and evidence, there is substantial competent evidence demonstrating the requested rezoning is consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and does comply with the applicable requirements of the Hillsborough County Land Development Code.

**G. SUMMARY**

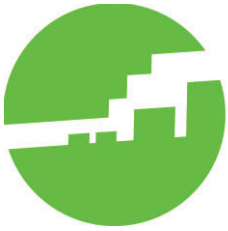
The applicant has requested to rezone the Subject Property to M.

**H. RECOMMENDATION**

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **APPROVAL** of the rezoning request.

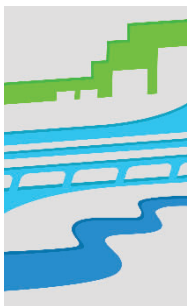
  
Pamela Jo Hatley PhD, JD  
Land Use Hearing Officer

2-8-2022  
Date:



**Hillsborough County  
City-County  
Planning Commission**

<b>Unincorporated Hillsborough County Rezoning</b>	
<b>Hearing Date:</b> January 18, 2022  <b>Report Prepared:</b> January 2, 2022	<b>Petition: 22-0025</b>  <b>5832 Barry Lane</b>  <i>West of Anderson Road, and Benjamin Road, East of Veterans Expressway North, and Tummore Drive, south of Barry Road, and north of Flora Street.</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding:</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use:</b>	<b>Light Industrial (0.75 FAR)</b>
<b>Service Area</b>	<b>Urban</b>
<b>Community Plan:</b>	<b>Town and Country</b>
<b>Requested Zoning:</b>	Agricultural Industrial (AI) to Manufacturing (M)
<b>Parcel Size (Approx.):</b>	0.17 +/- acres (7,405 square feet)
<b>Street Functional Classification:</b>	Barry Lane- <b>Local</b> Barry Road- <b>County Collector</b> Benjamin Road- <b>County Collector</b> Veterans Expressway- <b>State Principal Arterial</b>
<b>Locational Criteria</b>	N/A
<b>Evacuation Zone</b>	The subject property is in Evacuation Zone C



## **Context**

- The 0.17 +/- acre subject site is accessed from Barry Lane which is located west of Anderson Road, and Benjamin Road, East of Veterans Expressway North, and Tummore Drive, south of Barry Road, and north of Flora Street.
- The property is within the Urban Service Area (USA) and falls within the limits of the Town and Country Community Plan.
- The subject site's Future Land Use designation is Light Industrial (LI) on the Future Land Use Map. Typical allowable uses within the LI Future Land Use category include processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials, warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use), offices, research/corporate parks as the predominant uses and subordinate uses or services such as hotels, motels, restaurants, suburban scale retail establishments, and recreational facilities. Free standing suburban scale neighborhood commercial uses are pursuant to locational criteria or 20% of the project's land area when part of a larger industrial/office park (greater than 300,000 square feet). Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element. The subject site is surrounded by LI on all sides.
- The subject site is zoned Agricultural Industrial (AI). The majority of the lands to the south, southeast, southwest, east, west, northeast, and north are characterized by manufacturing and warehousing uses. Only a small portion of residential use with mobile home remains to the northwest.
- The existing use of the property is single-family and with an existing mobile-home on site. The mobile-home is non-conforming with the Light Industrial (LI) Future Land Use designation. Since 2018, several nearby parcels have requested a rezone to Manufacturing (M) which is similar to the applicant's request. The proposed M Zoning District is found abutting the subject site's northwest corner and there's several other pockets of M zoning within the neighborhood, which is an indicator that residential uses are being phased out by the market.
- The applicant is requesting to rezone the subject site from Agricultural Industrial (AI) to Manufacturing (M) to allow for general manufacturing uses.

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

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

## **Future Land Use Element**

### ***Urban Service Area***

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

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

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

## **Implementation of the Growth Management Strategy and Future Land Use Element**

### **Land Use Categories**

**Objective 8:** The Future Land Use Map will include Land Use Categories which outline the maximum level of intensity or density and range of permitted land uses allowed and planned for an area. A table of the land use categories and description of each category can be found in Appendix A.

**Policy 8.1:** The character of each land use category is defined by building type, residential density, functional use, and the physical composition of the land. The integration of these factors sets the general atmosphere and character of each land use category. Each category has a range of potentially permissible uses which are not exhaustive, but are intended to be illustrative of the character of uses permitted within the land use designation. Not all of those potential uses are routinely acceptable anywhere within that land use category.

**Policy 8.2:** Each potential use must be evaluated for compliance with the goals, objectives, and policies of the Future Land Use Element and with applicable development regulations.

### **Relationship to Land Development Regulations**

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

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

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

## **Community Development and Land Uses**

### **Neighborhood/Community Development**

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

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

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

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

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

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

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

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

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

*Strategies that generally enhance desirable economic growth include:*

- *encouraging the retention, expansion or attraction of export-base businesses—firms that provide goods or services to markets beyond the Tampa Bay metropolitan area. These traditionally include many manufacturers, but may also include services, such as, financial service firms, universities, certain health services and tourism. Universities represent an ideal export-based firm—they not only sell four-year degrees to students from outside the metropolitan area, but they require their customers to purchase four years of food, lodging*

and other living expenses. This strategy may extend to key members of a significant industry cluster.

- *stimulating the development of import-substitution businesses—often smaller, sometimes home-based, firms that may fill an important “missing link” in the local economy, or may help lower costs by providing a less expensive, or more accessible, neighborhood supplier.*
- *providing better educational and work-force training to optimize the opportunities and productivity of the local work force.*
- *offering more affordable options for transportation, day care, medical, housing and energy to low income communities, thereby improving their economic well-being, while creating a more reliable workforce and a greater consumer base.*

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

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

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

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

## **5.0 NEIGHBORHOOD LEVEL DESIGN**

### **5.1 COMPATIBILITY**

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

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

### **Livable Communities Element**

**1.0 Community and Special Areas Studies**

**Town and Country Community Plan**

**III. Vision Statement**

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

We encourage redevelopment of our older commercial centers and desire a strong business sector that contributes to the community and provides meaningful employment opportunities. We support non-residential construction in a pedestrian friendly, new urban design that contributes to the community's sense of place. We would like to see a reduction in traffic congestion, an increase in transit service and will take steps to improve the appearance and safety of our primary roadways.

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

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

**IV. Goals**

The plan's vision is supported by the following ten goals which are listed in priority order:

1. Develop A Town Center
2. Improve The Appearance Of Roadway Corridors
3. Strengthen Code Enforcement Efforts
4. Relieve Traffic Congestion And Improve Transit
5. Improve Sidewalk, Bicycle Lane And Trail Connectivity
6. Maintain Drainage Facilities
7. Encourage The Renovation And Retrofitting of Residences
8. Improve Traffic Calming Methods
9. Strengthen/Empower Community And Business Associations
10. Encourage Neighborhood Squares

**V. Strategies**

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

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



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

The applicant is requesting to rezone the subject site from Agricultural Industrial (AI) to Manufacturing (M) to allow for the sale of the property and to allow for manufacturing uses.

The proposed rezoning meets the intent of Objective 1 of the Future Land Use Element of the Comprehensive Plan by providing growth in the Urban Service Area. The proposed rezoning also meets the intent of Policy 1.4 as it is compatible with the surrounding area that has several Manufacturing (M) zoned parcels in proximity to the subject site. The neighborhood has a few residential uses with mobile homes that are non-conforming to the Light Industrial (LI) FLU category. These residential uses will be phased out as they are not permitted in the LI category or compatible with the surrounding development pattern. In this case, a rezoning from AI to M would maintain the Light Industrial character of the area as there are already several (M) zoning districts in proximity.

The proposed rezoning meets the intent of Objective 8 and Policies 8.1 and 8.2 that require proposed land uses to meet the intent of the Future Land Use Map designations and the goals objectives and policies of the Comprehensive Plan. The subject site's Future Land Use category is Light Industrial (LI) and uses in the Manufacturing (M) zoning district are permitted in the LI category as defined in Appendix A of the FLUE. Objective 9 and Policy 9.2 require that all developments be consistent with the Plan and meet all Land Development Regulations in Hillsborough County. The (M) uses that are permitted in this FLU category are those that fall within the Land Development Code standards for Light Industrial. All uses conforming to the Light Industrial standards will be permitted as per the direction of the Development Services Department of Hillsborough County.

The subject site meets the intent of Objective 16 and Policies 16.2 and 16.3 regarding the protection of adjacent land uses through various buffering and mitigation measures. The subject site abuts residential use to the north, south, and east. However, the current Agricultural Industrial (AI) zoning that is currently there is on an interim basis to allow those uses to be phased out so that future uses align with the manufacturing and industrial nature of the surrounding area and therefore meets the intent of Policy 16.10 and 17.7 of the FLUE. The proposed rezoning also meets the intent of Objective 26, Policies 26.5 and 26.6 that seek to restrict non-conforming uses in industrial and employment areas for securing longer term economic development. Manufacturing is a permitted use in the Light Industrial FLU category and the proposed rezoning therefore conforms to the desired land use pattern. The applicant's request is consistent with the Town and Country Community Plan as it encourages the redevelopment of existing neighborhoods and helps with business development in areas that are predominantly non-residential.

### 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*.



# **AGENCY COMMENTS**

## AGENCY REVIEW COMMENT SHEET

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

**DATE:** 11/30/2021  
**AGENCY/DEPT:** Transportation  
**PETITION NO.:** STD 22-0025

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

### **REPORT SUMMARY AND CONCLUSIONS**

- The proposed rezoning would result in a decrease of trips potentially generated by development of the subject site by 242 average daily trips, 58 trips in the a.m. peak hour, and 58 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to the proposed rezoning.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone a +/- 0.17 ac parcel from Agricultural Industrial (AI) to Manufacturing (M). The site is located +/- 0.11 miles east of the intersection of Barry Road and the Veterans Expressway. The Future Land Use designation of the site is Light Industrial (LI).

#### ***Trip Generation Analysis***

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

#### **Approved Zoning:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
AI, 5,550 sf Daycare Care Center (ITE Code 565)	264	61	62

#### **Proposed Zoning:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
M, 5,550 sf General Manufacturing (ITE Code 140)	22	3	4

**Trip Generation Difference:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>-242</b>	<b>-58</b>	<b>-58</b>

The proposed rezoning would result in a decrease of trips potentially generated by development of the subject site by 242 average daily trips, 58 trips in the a.m. peak hour, and 58 trips in the p.m. peak hour.

**TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

The site has frontage on Barry Lane. Barry Ln. is a 2-lane, undivided, Hillsborough County maintained, substandard, local roadway with +/- 15 feet of pavement. There are no sidewalks or bike lanes on Barry Ln. in the vicinity of the proposed project.

**SITE ACCESS**

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

**ROADWAY LEVEL OF SERVICE**

Barry Ln. is not a regulated roadway and is not included within the Hillsborough County 2020 Level of Service Report. As such, roadway Level of Service (LOS) data cannot be provided.

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

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	264	61	62
Proposed	22	3	4
Difference (+/-)	-242	-58	-58

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

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

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

4.0 Additional Site Information & Agency Comments Summary

Transportation	Objections	Conditions Requested	Additional Information/Comments
<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-Site Improvements Provided <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No	

**COMMISSION**

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



**DIRECTORS**

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

**AGENCY COMMENT SHEET**

REZONING	
<b>HEARING DATE:</b> 12/13/2021  <b>PETITION NO.:</b> 22-0025  <b>EPC REVIEWER:</b> Sarah Hartshorn  <b>CONTACT INFORMATION:</b> (813) 627-2600 X 1237  <b>EMAIL:</b> hartshorns@epchc.org	<b>COMMENT DATE:</b> 11/18/2021  <b>PROPERTY ADDRESS:</b> 5832 Barry Ln, Tampa, FL  <b>FOLIO #:</b> 027547-0100  <b>STR:</b> 30-28S-18E
<b>REQUESTED ZONING:</b> Agricultural Industrial to Manufacturing	
FINDINGS	
<b>WETLANDS PRESENT</b>	NO
<b>SITE INSPECTION DATE</b>	NA
<b>WETLAND LINE VALIDITY</b>	NA
<b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b>	No wetlands apparent per aerial review
<b>INFORMATIONAL COMMENTS:</b>  On November 17, 2021 The Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) reviewed the above referenced parcel in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using aerial photography, soil surveys, and reviewing EPC files. Through this review, it appears that no wetlands or other surface waters exist onsite.  Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a “WDR30 - Delineation Request Application”. Once approved, the formal wetland delineation would be binding for five years.	

Sjh/mst

**AGENCY REVIEW COMMENT SHEET**

---

---

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

**DATE: 27 Oct 2021**

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

**APPLICANT: Lisa Wilson**

**PETITION NO: RZ-STD 22-0025**

**LOCATION: 5832 Barry Ln, Tampa, FL 33634**

**FOLIO NO: 27547.0100**

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

---

---

- This agency has no comments.
  
- This agency has no objection.
  
- This agency has no objection, subject to listed or attached conditions.
  
- This agency objects, based on the listed or attached conditions.

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



# **VERBATIM TRANSCRIPT**



HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

```

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

```

ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY  
Land Use Hearing Master

DATE: Monday, January 18, 2022

TIME: Commencing at 6:00 p.m.  
Concluding at 10:27 p.m.

PLACE: Robert W. Saunders, Sr. Public  
Library  
Ada T. Payne Community Room  
1505 N. Nebraska Avenue  
Tampa, Florida 33602

Reported via Cisco Webex Videoconference by:

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
  
ZONING HEARING MASTER HEARINGS  
January 18, 2022  
ZONING HEARING MASTER: PAMELA JO HATLEY

C1:  
Application Number: RZ-STD 22-0025  
Applicant: Yaismel Hernandez  
Location: 5832 Barry Ln.  
Folio Number: 027547.0100  
Acreage: 0.18 acres, more or less  
Comprehensive Plan: LI  
Service Area: Urban  
Existing Zoning: AI  
Request: Rezone to M

1 MR. GRADY: The next item is agenda item C-1  
2 is Rezoning-Standard 22-0025. The applicant is  
3 Yaismel Hernandez. The request is to rezone from  
4 AI to M, Manufacturing zoning district.

5 Sam Ball with County Staff will provide  
6 staff recommendation after presentation by the  
7 applicant.

8 HEARING MASTER HATLEY: All right.  
9 Applicant.

10 MS. WILSON: Yes. My name is Lisa Wilson.  
11 I have a company called The Permit Tech, and I'm  
12 representing Mr. Hernandez today.

13 I don't know if you need any other  
14 information. Mr. Hernandez has this property and  
15 he -- he has a possible sale deal with another  
16 property owner in the area that's also zoned  
17 Manufacturing. And many of the properties in that  
18 area are zoned Manufacturing.

19 So he was hoping today that he can have it  
20 rezoned to Manufacturing so that this other company  
21 can access and use that property as an overflow to  
22 their trucking -- truck parking company, which is  
23 at -- it's also on Barry Lane.

24 HEARING MASTER HATLEY: Okay. Describe the  
25 use a little bit more. This is going to be used

1 for truck parking?

2 MS. WILSON: Yes. As an overflow to this --  
3 to this business so that they can park the -- the  
4 trucks that they're working on or parts that they  
5 use from the trucks.

6 HEARING MASTER HATLEY: Okay. Anything  
7 further?

8 MS. WILSON: No. Mostly, I think that most  
9 of the properties in the area are Manufacturing.  
10 There are a couple of, I think, Agricultural  
11 properties as well, but for the most part, it is  
12 Manufacturing.

13 There's a tree trimming company to the  
14 southwest. There's property to the north and  
15 surrounding properties that are also zoned the  
16 same. So hoping that it wouldn't be an issue in  
17 rezoning it for the sale of the property.

18 HEARING MASTER HATLEY: Okay. All right.  
19 Thank you.

20 We'll hear from Development Services.

21 MR. BALL: Hello. I'm just going to share  
22 my screen as soon as I can get this to share. Here  
23 we go. Good evening. Sam Ball of Development  
24 Services.

25 This request is to rezone a 0.17-acre site

1 located east of the Veterans Expressway,  
2 approximately 275 feet south of Barry Road on the  
3 east side of Barry Lane from Agricultural  
4 Industrial to Manufacturing.

5 The property is located in the Urban Service  
6 Area and is in the Town N Country Community Plan  
7 area. The proposed zoning for Manufacturing  
8 permits manufacturing, processing or assembly uses,  
9 intensive commercial uses, and other industrial  
10 uses on lots containing a minimum of 20,000 square  
11 feet.

12 Here we go. Okay. The site is located  
13 within a Future Land Use Classification of Light  
14 Industrial which allows up to a 0.75 floor area  
15 ratio, which is approximately 5,553 square feet  
16 would be allowed at this location.

17 Typical uses for Light Industrial include  
18 processing, manufacturing, and assembly of  
19 materials including food products, storage,  
20 furniture repair manufacturing, packaging plants,  
21 wholesaling, storage of nonhazardous material,  
22 warehouse and showrooms with limited retail,  
23 office, research corporate parks as predominate  
24 uses.

25 The uses within this surrounding area

1 include residential, warehouse and distribution,  
2 and open storage. The properties to the immediate  
3 north, south, east, and west are all zoned  
4 Agricultural Industrial and are developed for  
5 residential uses.

6 The homes within the neighborhood are a mix  
7 of mobile homes and conventionally built houses.  
8 The nearest Manufacturing property to the site is  
9 75 feet to the north and 13 of the 25 properties  
10 that front Barry Lane are zoned Manufacturing.

11 With a -- with six rezoning approvals in the  
12 area since 2005, 54 percent of the property  
13 fronting Barry Lane is currently zoned  
14 Manufacturing. The proposed rezoning to  
15 Manufacturing would allow the maximum floor area of  
16 5,553 square feet.

17 The Comprehensive Plan Future Land Use  
18 Classification for the surrounding area is Light  
19 Industrial. The Light Industrial Plan category  
20 does not permit residential uses. The Agricultural  
21 Industrial zoning district consistent of Light  
22 Industrial Plan category also does not permit  
23 residential uses and require a minimum lot size of  
24 1 acre.

25 Therefore, all of the existing residential

1           lots on Barry Lane are legally nonconforming as to  
2           both zoning lot size and use and the Comprehensive  
3           Plan Land Use.

4                   Based on the -- based on the above  
5           considerations, staff finds the proposed  
6           Manufacturing zoning district compatible with  
7           existing uses, zoning districts, and development  
8           pattern in the area.

9                   This concludes my report. I'm available for  
10          any questions.

11                   HEARING MASTER HATLEY: Thank you. I don't  
12          have any questions for you right now.

13                   All right. We'll hear from Planning  
14          Commission please.

15                   MS. MASSEY: Hi. This is Jillian Massey  
16          again with Planning Commission staff.

17                   The proposed rezoning meets the intent of  
18          Objective 1 of the Future Land Use Element of  
19          Comprehensive Plan by providing growth in the Urban  
20          Service Area.

21                   The proposed rezoning also meets the intent  
22          of Policy 1.4 as it is compatible with the  
23          surrounding area that has several Manufacturing or  
24          M-zoned parcels in proximity to the site.

25                   The neighborhood has a few residential uses

1 with mobile homes that are nonconforming to the  
2 Light Industrial Future Land Use Category. These  
3 residential uses will be phased out as they are not  
4 permitted in the LI category or compatible with the  
5 surrounding development pattern.

6 In this case a rezoning from AI to M would  
7 maintain the Light Industrial character of the area  
8 as there are several M-zoning districts in  
9 proximity.

10 The proposed rezoning meets the intent of  
11 Objective 8 and Policies 8.1 and 8.2 that require  
12 proposed land uses to meet the intent of the Future  
13 Land Use Map designations and goals, objectives,  
14 and policies of the Comprehensive Plan.

15 The subject site Future Land Use Category is  
16 Light Industrial and uses in the Manufacturing  
17 zoning district are permitted in the LI category as  
18 defined in Appendix A of the Future Land Use  
19 Element.

20 Objective 9 and Policy 9.2 require that all  
21 developments be consistent with the plan and meet  
22 all land development regulations in Hillsborough  
23 County. The M uses that are permitted in this  
24 Future Land Use Category and fall within the --  
25 those that fall within the Land Development Code



1 standards with the Light Industrial.

2 All uses conforming to the Light Industrial  
3 standards will be permitted as per the direction of  
4 the Development Services Department of Hillsborough  
5 County.

6 The subject site meets the intent of  
7 Objective 16 and Policy 16.2 and 16.3 regarding the  
8 protection of adjacent land uses through various  
9 buffering and mitigation measures. The subject  
10 site abuts residential uses to the north, south,  
11 and east.

12 However, the current Agricultural Industrial  
13 zoning that is currently there on an interim basis  
14 to allow those uses to be phased out so that future  
15 uses aligned with Manufacturing and industrial  
16 nature of the surrounding area.

17 Therefore, it also meets the intent of 16.10  
18 and 17.7 of the Future Land Use Element. The  
19 proposed rezoning also meets the intent of  
20 Objective 26, Policies 26.5 and 26.6 that seek to  
21 restrict nonconforming uses and industrial and  
22 employment areas for securing long-term economic  
23 development.

24 Manufacturing is a permitted use in the  
25 Light Industrial Future Land Use Category, and the

1 proposed rezoning, therefore, conforms to the  
2 desired Land Use pattern. The applicant's request  
3 is consistent with the Town N Country Community  
4 Plan as it encourages the redevelopment of existing  
5 neighborhoods and helps with the business  
6 development in areas that are predominantly  
7 nonresidential.

8 And based upon those considerations,  
9 Planning Commission staff finds the proposed  
10 rezoning is consistent with the Future of  
11 Hillsborough Comprehensive Plan for unincorporated  
12 Hillsborough County. And that concludes my  
13 presentation. Thank you.

14 HEARING MASTER HATLEY: All right. Thank  
15 you.

16 All right. Is there anyone here or online  
17 who wishes to speak in support of this application?  
18 Don't hear anyone.

19 Is there anyone here or online who wishes to  
20 speak in opposition to this application? All  
21 right. Don't hear anyone.

22 Development Services, do you have anything  
23 further?

24 MR. GRADY: Nothing further.

25 HEARING MASTER HATLEY: Thank you.

1 Applicant, did you want to add anything?

2 MS. WILSON: Nope. I think I'll quit while  
3 I'm ahead.

4 HEARING MASTER HATLEY: Okay. All right.  
5 Thank you.

6 This closes the hearing then on  
7 Rezoning 22-0025.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

```

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

```

ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH  
Land Use Hearing Master

DATE: Monday, December 13, 2021

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

PLACE: Cisco Webex

Reported By:

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

1 opposition to this request?

2 Seeing no one, County Staff, anything else?

3 MR. GRADY: Nothing further.

4 HEARING MASTER FINCH: Sir, you have five  
5 minutes if you choose or you don't have to take it.  
6 All right. Thank you.

7 Then with that, we'll close  
8 Rezoning 21-1341.

9 And we have one case from earlier in the  
10 evening where the applicant was not present.

11 MR. GRADY: We've not been able to get in  
12 touch with the applicant. So I think we'll need to  
13 continue that item, C-2. It's agenda item C-2,  
14 Rezoning-Standard 22-0025. We'll need to continue  
15 that to the January 18, 2022, Zoning Hearing Master  
16 Hearing.

17 HEARING MASTER FINCH: January 18th. All  
18 right. So Rezoning 22-0025 has been continued to  
19 the January 18th, 2021, Zoning Hearing Master  
20 Hearing at 6 --

21 MR. GRADY: '22.

22 HEARING MASTER FINCH: '22. I cannot get  
23 that. Sorry. And we will adjourn tonight's  
24 hearing. Thank you so much for your time and  
25 testimony.



**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**

**NONE**



**PARTY OF  
RECORD**



**NONE**