**Rezoning Application:** PD 21-0745

**Zoning Hearing Master Date:** June 13, 2022

**BOCC Land Use Meeting Date:** August 25, 2022



**Development Services Department** 

#### 1.0 APPLICATION SUMMARY

Applicant: Clayton Bricklemyer, Bricklemyer

Law Group, P.L.

FLU Category: NMU-4

Service Area: Rural

Site Acreage: 6.08

Community

Plan Area:

Overlay: None



## **Introduction Summary:**

The subject application was remanded to the June 13, 2022, ZHM hearing at the applicant's request. Applicant modifications included conditions to create greater compatibility between the residential development to the east of the subject site. This includes maintaining a residential-like appearance and limiting the square feet of the proposed boat / RV storage structures to 4,000-sq. ft. for each building.

The applicant seeks to develop a 6.08-acre unified development consisting of 5.17 acres ("Parcel 1") of enclosed RV/boat storage units located on the eastern 5.17 acres (folio 13999.0100), and ("Parcel 2") consisting of 0.91 acres of commercial neighborhood uses fronting U.S. 41. Parcel 1 is currently limited to PD-O office uses with conditions pursuant to PD 88-0229, with a maximum of 6,000 square feet for medical offices. Parcel 2 consisting of folio 13992.0000 and 13994.0000 is currently zoned CN.

Zoning:	Existin	Proposed	
District(s)	PD 88-0029 (PD-O)	Commercial Neighborhood (CN)	PD 21-0745
Typical General Use(s)	Medical and General Office	Neighborhood Commercial, Office and Personal Services	Neighborhood Commercial and General Commercial
Acreage	5.17 acres	0.91 acres	6.08 acres
Density/Intensity	0.25 FAR	0.25 FAR	0.25 FAR
Mathematical Maximum*	56,301 sf	9,910 sf	66,211 sf

<sup>\*</sup>number represents a pre-development approximation

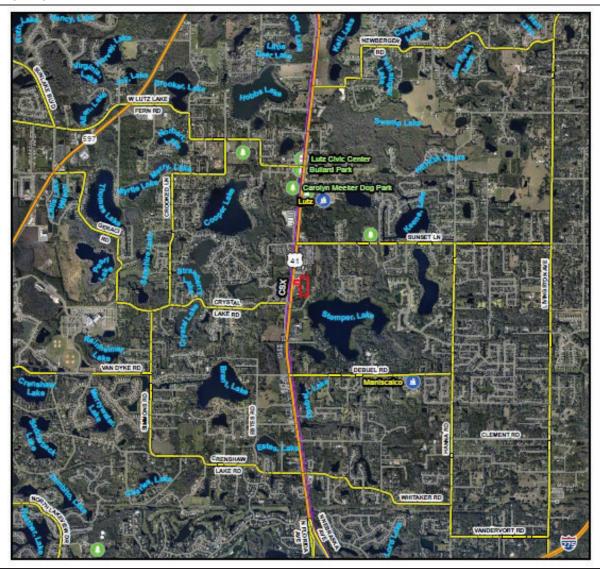
Development Standards:	Existin	Proposed	
District(s)	PD 88-0029 (PD-O)	Commercial Neighborhood (CN)	PD 21-0745
Setbacks/Buffering and Screening	30' North 15' East 15' West 50' /20' South	30' Front Yard 0' West Side Yard 0' East Side Yard 0' Rear Yard	30' Front Yard Side (West): 15' buffer Side (South) & Rear (East): 30' setback with 20' Type "B" Buffer

APPLICATION NUMBER:	PD 2	21-0745			
ZHM HEARING DATE: BOCC LUM MEETING DATE:		e 13, 2022 ust 25, 2022		Case Reviewe	er: Tim Lampkin, AICP
Height		25'/20' southernmost bldg. 35'		35′	
Additional Information:					
PD Variation(s)		None requeste	d as part of this applicat	ion	
Waiver(s) to the Land Development Code		None Requeste	ed		

Planning Commission Recommendation:	<b>Development Services Recommendation:</b>		
Consistent with conditions	Approvable with Conditions		

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

### 2.1 Vicinity Map



### **Context of Surrounding Area:**

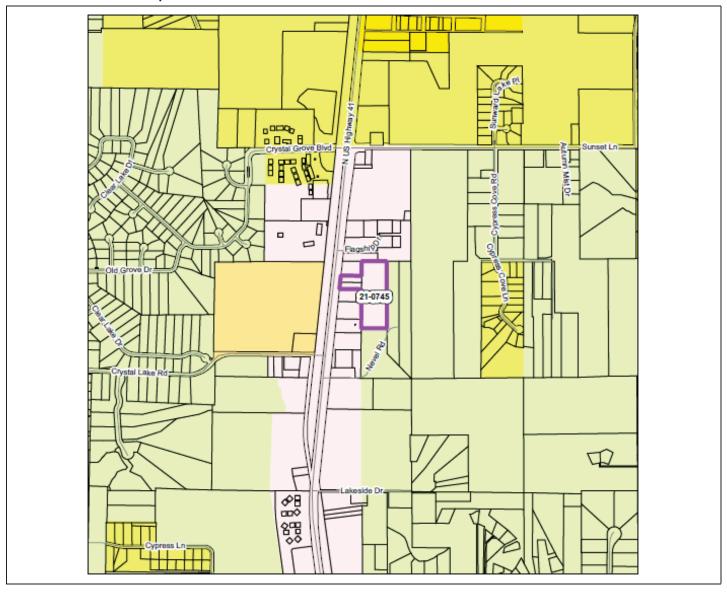
The site is located in the Lutz community on the east side of U.S. 41. To the north of the site is a gas station, with restaurants and other commercial uses continuing northward along the U.S. 41 corridor to Sunset Lane. West across U.S. 41 is PD CZ, the location of a mobile home park, with a church located further south. To the southwest of the proposed development is more commercial development including therapy and a massage establishment.

To the immediate south and east of the subject site is zoned ASC-1 with single-family residential uses. Directly south of the subject site is a 5.09-acre property developed with a single-family home. Directly east of the subject site is folio 14001.0100 and 14003.0000, also developed with a single-family home.

Case Reviewer: Tim Lampkin, AICP

## 2.0 LAND USE MAP SET AND SUMMARY DATA

## 2.2 Future Land Use Map

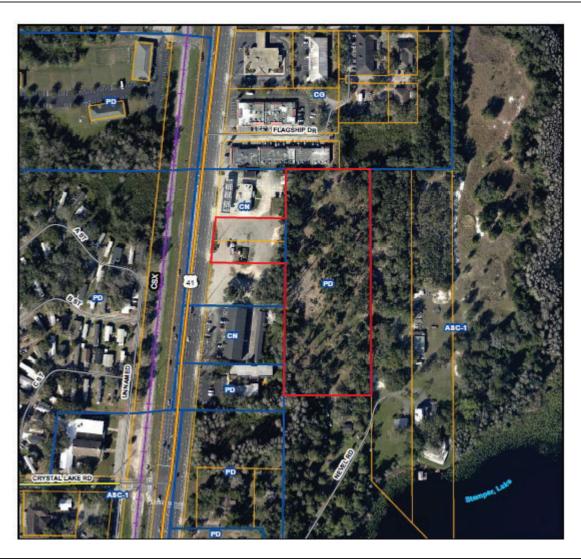


Subject Site Future Land Use Category:	NMU-4
Maximum Density/F.A.R.:	0.25 FAR
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, research corporate park uses, multi-purpose and clustered residential and/or mixed-use projects at appropriate locations. Office uses are not subject to locational criteria.

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## 2.0 LAND USE MAP SET AND SUMMARY DATA

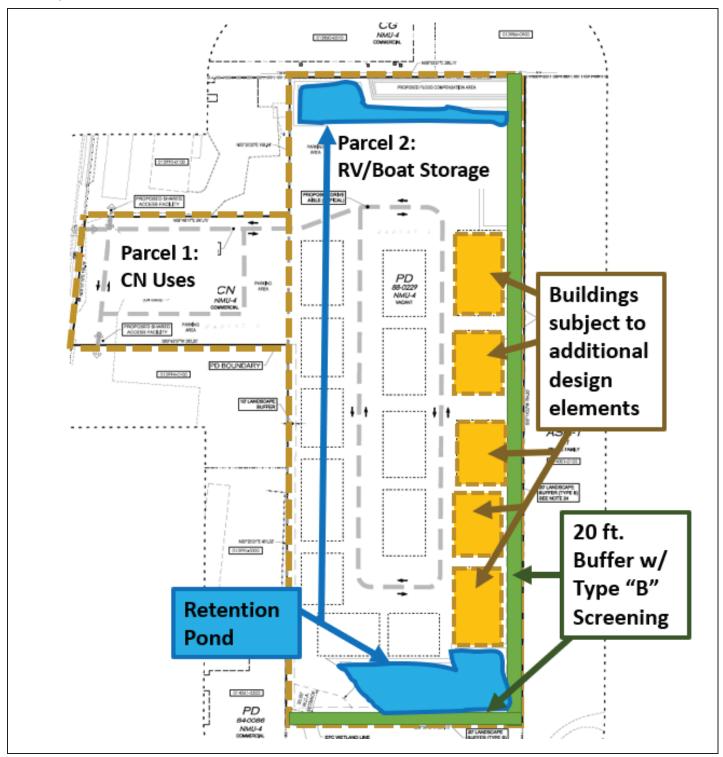
## 2.3 Immediate Area Map



Adjacent Zonings and Uses					
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:	
North	CN / CG	F.A.R. CN: 0.20 CG: 0.25* per FLU	Commercial	Gas Station, Restaurant, laundromat and other commercial uses.	
South	CN / ASC-1	CN F.A.R.: 0.20 ASC-1: 43,560 sf	CN: Commercial ASC-1: Single-family Res.	CN: Vacant & Commercial ASC-1: Single-family home	
East	ASC-1	43,560 sf	Single-Family Residential	Single-Family Residential	
West	PD CZ & U.S. 41 ROW	Mobile Home Park	Mobile Homes	Sunrise Mobile Home Park	

## 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)



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

Adjoining Roadways (check if applicable)					
Road Name	Classification	<b>Current Conditions</b>	Select Future Improvements		
US Hwy 41	FDOT Principal Arterial - Urban	6 Lanes □Substandard Road □Sufficient ROW Width	<ul> <li>□ Corridor Preservation Plan</li> <li>□ Site Access Improvements</li> <li>□ Substandard Road Improvements</li> <li>□ Other</li> </ul>		

<b>Project Trip Generation</b> ☐ Not applicable for this request					
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips		
Existing	4,295	202	440		
Proposed	1,273	82	53		
Difference (+/-)	(-)3,022	(-)120	(-)387		

<sup>\*</sup>Trips reported are based on net new external trips unless otherwise noted.

Connectivity and Cross Access   Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Vehicular & Pedestrian	None	Meets LDC
South		Vehicular & Pedestrian	None	Meets LDC
East		None	None	Meets LDC
West	Х	None	None	Meets LDC
Notes:				

<b>Design Exception/Administrative Variance</b> ⊠ 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	Conditions Requested	Additional Information/Comments			
☐ Design Exception/Adm. Variance Requested ☐ Off-Site Improvements Provided	☐ Yes ☐ N/A ☐ No	⊠ Yes □ No	See Transportation Report		

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## 4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions	Additional
Environmental Protection Commission	⊠ Yes □ No	□ Yes ⊠ No	Requested  ⊠ Yes  □ No	Information/Comments  EPC staff may identify other legitimate concerns at any time prior to final project approval.
Natural Resources	☐ Yes ⊠ No	☐ Yes ☐ No	☐ Yes ☐ No	
Conservation & Environ. Lands Mgmt.	⊠ Yes □ No	☐ Yes ⊠ No	☐ Yes ⊠ No	
Check if Applicable:  ☑ Wetlands/Other Surface Waters  ☐ Use of Environmentally Sensitive Land	☐ Significan	/ater Wellfield Pro t Wildlife Habitat igh Hazard Area	tection Area	
Credit  ☐ Wellhead Protection Area  ☐ Surface Water Resource Protection Area	<ul> <li>□ Urban/Suburban/Rural Scenic Corridor</li> <li>□ Adjacent to ELAPP property</li> <li>☑ Other Eagles Nest</li> </ul>			
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation  ☐ Design Exc./Adm. Variance Requested ☐ Off-site Improvements Provided	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes □ No	
Service Area/ Water & Wastewater  □ Urban ☑ City of Tampa  □ Rural □ City of Temple Terrace	⊠ Yes □ No	□ Yes ⊠ No	⊠ Yes □ No	
Hillsborough County School BoardAdequate□ K-5□6-8□9-12⊠ N/AInadequate□ K-5□6-8□9-12⊠ N/A	□ Yes ⊠ No	☐ Yes ☐ No	□ Yes ⊠ No	
Impact/Mobility Fees Mini - Warehouse (Per 1,000 s.f.) Mobility: \$653.00 Fire: \$32.00 ***revised fees estimated based on Jan 1, 20	)22 schedule**	«*		

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Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission	⊠ Yes □ No	☐ Inconsistent ⊠ Consistent	⊠ Yes □ No	Condition 6: Development Services and Planning Commission  CLC: front parcels are located at a commercial node outlined in the Lutz Community Plan

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#### 5.0 IMPLEMENTATION RECOMMENDATIONS

## 5.1 Compatibility

The surroundings consist mostly of a mix of commercial and residential uses. To the north of the site is a gas station, with restaurants and other commercial uses continuing northward along the U.S. 41 corridor to Sunset Lane. West across U.S. 41 is the location of a mobile home park, with a church located further south. To the southwest of the proposed development is more commercial development including a therapy and a massage establishment. The applicant proposes CN uses limited to 2,500 square feet, and 56,301 square feet for RV/Boat storage equating to a total of 66,211 square feet of development for the unified site plan.

Staff identified compatibility concerns associated with the original request pertaining to the properties to the east and south which are developed with single-family residential development. More specifically, the building length/massing along the eastern boundary. To the immediate south and east of the subject site is zoned ASC-1 with single-family residential uses. Directly south of the subject site is a 5.09-acre property developed with a single-family home. Directly east of the subject site is also developed with a single-family home. Notwithstanding the proposed buffering and screening, staff found that proposed building length and massing as shown on the site plan was not compatible with the adjacent large lot single family to the east. Pursuant to this incongruent transition of uses, the applicant requested the application be remanded to the June 13, 2022, ZHM hearing. Applicant modifications included conditions to create greater compatibility between the residential development to the east of the subject site. This includes maintaining a residential-like appearance and limiting the square feet of the proposed boat / RV storage structures to 4,000-sq. ft. for each building for a more form-based designed development on the eastern side of the proposed development.

To address compatibility with the adjacent residential the applicant has proposed a 20-foot buffer with Type B screening that is being supplemented with design requirements to maintain a residential appearance. The applicant will also comply with the Lutz Rural Development Standards of Section 3.09.00 of the Hillsborough County Land Development Code. In addition, Development Services Department in collaboration with Planning Commission staff, crafted Conditions of Approval that provide a specific set of form, design, and architectural requirements to regulate the building elevations, size, orientation, appearance, and scale to reflect the surrounding rural residential aesthetic.

The applicant amended the original building length to 100 feet and the individual Boat / RV storage structures to a maximum of 4,000 sq. ft. along the east side and south side adjacent to folio 14001.0100 and 13999.0000. The applicant has also agreed to design standards on the east side of the subject property adjacent to folio 14001.0100, that include, but not limited to the following:

- At least 40 percent of the horizontal length of each façade shall be comprised of windows, shutters, transoms, awnings, porches, doors, recessed entryways, arcades, porticos and/or pilasters. Horizontal banding and other predominately horizontal elements shall not contribute towards satisfaction of this requirement.
- Faux windows shall include at least one of the following features: canopies, awnings, shutters or trims. These features shall be permitted to be combined. Decorative shutters, if provided, shall be made of wood, metal or copolymer material and shall not be scored into the stucco.
- Facades shall be clad in cement stucco bands, stucco, wood or vinyl slats, or brick. Exterior finish materials may only be combined horizontally, with the visually heavier material below the lighter material. The relative visual weight of materials shall be in the following order (heaviest to lightest): stone, brick, stucco, wood or vinyl slats.
- Overhead doors shall be facing internally.
- A solid masonry-type wall shall not be permitted pursuant to the Lutz Community Plan, of the Livable Communities Element of the Unincorporated Hillsborough County comprehensive plan.

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The property is located outside the Urban Service Area; however, a 12-inch water main exists adjacent to the property and is located within the east right-of-way of N. U.S. Highway 41. The application does not request any variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering). The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code.

#### 5.2 Recommendation

Based on the above consideration, staff finds the request supportable as the site design adequately demonstrates a compatible transition of uses within the area through the form-based design standards found in the conditions of approval. The request encompasses design and size limitations that are compatible with the existing rural development pattern and facilitates the vision of the Lutz Community Plan. As such, staff finds that the intensity and proposed scale of the RV/boat storage is consistent with the Land Development Code and the policies of the Comprehensive Plan of Unincorporated Hillsborough County.

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#### **6.0 PROPOSED CONDITIONS**

Approval of the request, subject to the conditions listed below, is based on the general site plan submitted May 24, 2022.

1. The site shall be developed as depicted on the site plan, and subject to the conditions listed below.

- 2. The Commercial Neighborhood (CN) uses on Parcel 2 (folio 13992.0000 and folio 13994.0000) shall be limited to a maximum of 2,500 square feet of development.
- 3. A maximum of 63,711 sf of development shall be allowed for up to 125 enclosed RV/Boat storage spaces located on Parcel 1 (folio 13999.0100).
- 4. Buffer and screening shall be in accordance with the LDC, Part 6.06.00, unless otherwise specified herein. Notwithstanding building setbacks delineated or noted in the Project Data Table, the following setbacks shall be provided from the PD boundaries.

4.1 Parcel 1:

Minimum Side Yard (South): 20 feet with Type "B" Screening abutting folio

13999.0000

Minimum Rear Yard (East): 20 feet with Type "B" Screening abutting folio

14001.0100

Minimum Side Yard (West): 45 10 feet landscape buffer abutting folios 13994.0100,

13995.0000, 14061.5500

4.2 Parcel 2:

Shall be in compliance with development standards for the CN zoning district.

- 5. Maximum building height shall be 35'.
- 6. The subject property shall be subject to the Lutz Rural Area Development Standards of Section 3.09.00 of the Hillsborough County Land Development Code, unless specified herein. This includes design standards for non-residential buildings including:
  - a) All buildings shall have metal or shake-style shingle roofs with a minimum pitch of four to 12 and a maximum pitch of eight to 12. Mansard roofs shall not be utilized.
  - b) All buildings adjacent to folio no. 14001.0100 shall incorporate the following elements, for elevations facing east, unless otherwise specified:
    - at least one of the specified design features found in Table 3-08.1.
    - at least one least one design feature shall be utilized for every 50 feet of roof length that is adjacent along folio 14001.0100.
    - At least 40 percent of the horizontal length of each façade shall be comprised of windows, shutters, transoms, awnings, porches, doors, recessed entryways, arcades, porticos and/or pilasters. Horizontal banding and other predominately horizontal elements shall not contribute towards satisfaction of this requirement.
    - Faux windows shall include at least one of the following features: canopies, awnings, shutters or trims.
       These features shall be permitted to be combined. Decorative shutters, if provided, shall be made of wood, metal or copolymer material and shall not be scored into the stucco.
    - Facades shall be clad in cement stucco bands, stucco, wood or vinyl slats, or brick. Exterior finish materials may only be combined horizontally, with the visually heavier material below the

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lighter material. The relative visual weight of materials shall be in the following order (heaviest to lightest): stone, brick, stucco, wood or vinyl slats.

- Overhead doors shall be facing internally.
- A solid masonry-type wall shall not be permitted pursuant to the Lutz Community Plan, of the Livable Communities Element of the Unincorporated Hillsborough County comprehensive plan.
- c) All buildings adjacent to folio no. 14001.0100 and folio 13999.0000 shall adhere to the following:
  - A maximum of 5 RV/Boat spaces are permitted per building.
  - Buildings shall be a maximum of 4,000 sq. ft.
  - Portions of the buildings adjacent to the above folios shall be a maximum of 100 feet in length for the facades directly facing and fronting the above folios.
- 7. All poles or standards, other than those made of wood, used to support nonexempt outdoor lighting fixtures shall be anodized or otherwise coated to minimize glare from the light source.
- 8. The developer shall screen service areas, trash receptacles, etc., from view from neighboring residential properties through the use of features, such as walls, fences, and landscaping.
- 9. The dumpster enclosure shall be located a minimum of 100' from single-family residential zoning and development.
- 10. The site shall be limited to one access connection on US Highway 41.
- 11. The developer shall construct site access improvements on US Highway 41, including to but not limited to median opening alignment and turn lane extension, subject to FDOT approval.
- 12. Shared access facilities shall be provided to the adjacent properties to the north (folio# 13992.0100) and south (folio#13394.0100) with the initial increment of development. At such time ingress and egress easements shall be recorded with each of the said adjacent properties in order to construct, maintain and utilize the shared access facilities.
- 13. Notwithstanding anything shown on the site plan, ADA/sidewalk connections shall be provided from site ingress and egress access points to building entrances and parking areas.
- 14. Minimum off-street parking spaces shall be provided for per Sec. 6.05.00 of the LDC.
- 15. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- 16. The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
- 17. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear

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on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

- 18. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- 19. The subject site is located outside of the Hillsborough County Urban Service Area, however County water service line is located adjacent to the subject property so water service is available. This comment sheet does not guarantee water service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.
- 20. If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or the 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.

**Zoning Administrator Sign Off:** 

J. Brian Grady Thu Jun 2 2022 09:14:00

SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

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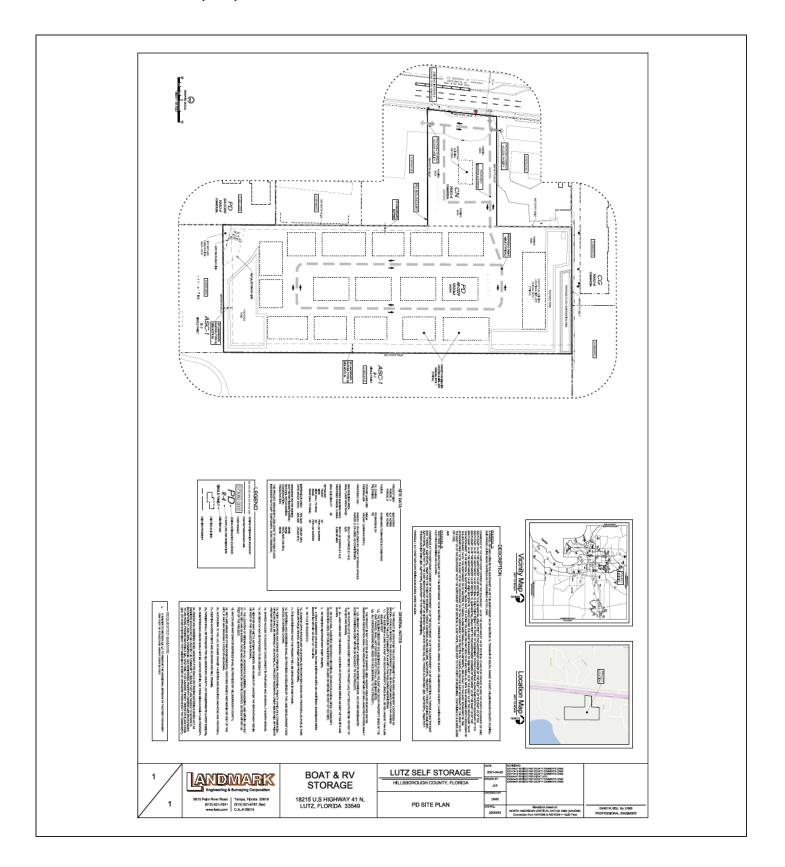
## 7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

APPLICATION NUMBER: PD 21-0745

ZHM HEARING DATE: June 13, 2022

BOCC LUM MEETING DATE: August 25, 2022 Case Reviewer: Tim Lampkin, AICP

## 8.0 PROPOSED SITE PLAN (FULL)



APPLICATION NUMBER: PD 21-0745

ZHM HEARING DATE: June 13, 2022 BOCC LUM MEETING DATE: August 25, 2022

9.0 FULL TRANSPORTATION REPORT (see following pages)

Case Reviewer: Tim Lampkin, AICP

### AGENCY REVIEW COMMENT SHEET

TO: Z	oning Technician, Development Services Dep	DATE: 1/04/2022		
REVIEWER: Richard Perez, AICP AGENCY/DEPT: Trans			nsportation	
PLANNING AREA/SECTOR: Lutz/NW		PETITION NO: R	Z 21-0745	
	This agency has no comments.			
This agency has no objection.				
X	This agency has no objection, subject to the	listed or attached conditions		
This agency objects for the reasons set forth below.				

## CONDITIONS OF APPROVAL

- 1. The site shall be limited to one access connection on US Highway 41.
- 2. The developer shall construct site access improvements on US Highway 41, including to but not limited to median opening alignment and turn lane extension, subject to FDOT approval.
- 3. Shared access facilities shall be provided to the adjacent properties to the north (folio# 13992.0100) and south (folio#13394.0100) with the initial increment of development. At such time ingress and egress easements shall be recorded with each of the said adjacent properties in order to construct, maintain and utilize the shared access facilities.
- 4. The Commercial Neighborhood (CN) uses on Parcel 2 shall be limited to a maximum of 2,500 square feet of development.
- 5. Notwithstanding anything shown on the site plan, ADA/sidewalk connections shall be provided from site ingress and egress access points to building entrances and parking areas.
- 6. Minimum off-street parking spaces shall be provided for per Sec. 6.05.00 of the LDC.

#### PROJECT SUMMARY AND ANALYSIS

The subject property is located on the east side of US Hwy 41 approximately 360 feet south of Flagship Dr. The applicant is requesting to rezone a +/- 6.08-acre site from Planned Development (PD 88-0229) and 2,500 sq ft of Commercial Neighborhood (CN) to a new PD district to allow RV/Boat storage with a +/- 0.91 outparcel to be developed for CN uses. PD 88-0229 is approved for 42,000 sq ft of office uses with a limit of 6,000 sq ft of medical office uses. The future land use designation is Neighborhood Mixed Use 4 (NMU-4).

The applicant submitted a trip generation analysis as required by the Development Review Procedures Manual (DRPM). Note, the applicant's analysis is based on the proposed limit on Commercial Neighborhood (CN) uses of 2, 500 sq ft. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data

presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-		Total Peak Hour Trips	
	Way Volume	AM	PM	
PD: 36,000 sf - General Office	209	42	41	
PD: 6, 000 sf – Medical Office	351	17	21	
CN: 7,925 sf - Fastfood Restaurant Drive Thru (ITE LUC 934)	3,735	319	259	
Total Trips	4,295	378	578	
Internal Capture	N/A	26	12	
Pass-By Trips	N/A	150	126	
Net Trips	4,295	202	440	

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips		
	Way Volume	AM	PM	
PD: 63,711 sf - Self Storage (ITE LUC 151)	96	6	11	
PD: 2,500 sf - Fastfood Restaurant Drive Thru (ITE LUC 934)	1,177	100	82	
Total Trips	1,273	106	93	
Internal Capture	N/A	N/A	N/A	
Pass-By Trips	N/A	24	40	
Net Trips	1,273	82	53	

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
	way volume	AM	PM
Difference	(-) 3,022	(-) 120	(-) 387

The proposed rezoning would result in a decrease of trips potentially generated by development of the subject site by 3,022 average daily trips, 120 trips in the a.m. peak hour, and 387 trips in the p.m. peak hour.

## TRANSPORTATION INFRASTRUCTURE SERVING THE SITE AND SITE ACCESS

US Hwy 41 a 6-lane, divided, arterial roadway maintained by FDOT. The roadway is characterized by +/-11-foot wide travel lanes within +/- 120 feet of right-of-way. There is a +/- 5-foot sidewalk along the project frontage and +/- 5-foot bicycles lanes are present in the vicinity of the project.

### SITE ACCESS AND CONNECTIVITY

Site access is from US Hwy 41; an FDOT roadway. The access connection to the project will be limited by a restrictive median opening to one right-in, right-out and left-in driveway. The existing driveway access is nonconforming/non-compliant per FDOT requirements.

The applicant held a pre-application meeting with FDOT on August 10, 2021. Based on FDOT comments, shared access facilities are proposed as part of the PD site plan to the adjacent properties to the north (folio# 13992.0100) and south (folio#13394.0100). Shared access easements shall be required to comply with

FDOT comments at the time of the initial increment of development. Additionally, the developer will make improvements to the site access from US Hwy 41. The improvements, subject to FDOT final approval, include shifting the existing median opening on US Hwy 41 to south to align with the proposed access and extending the southbound left turn lane to 340 feet.

At the time of construction/site plan review, the applicant will be required to show ADA/sidewalk connections from all site access points to the primary building entrances and parking areas consistent with Section 6.02.03. B. of the LDC.

## ROADWAY LEVEL OF SERVICE

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service					
Roadway	From	То	LOS Standard	Peak Hr Directional LOS	
US HWY 41	DEBUEL RD	SUNSET LANE	D	С	

Source: 2020 Hillsborough County Level of Service (LOS) Report

## Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)						
Road Name	Classification	Current Conditions	Select Future Improvements			
US Hwy 41	FDOT Principal Arterial - Urban	6 Lanes □Substandard Road □Sufficient ROW Width	<ul><li>☐ Corridor Preservation Plan</li><li>☐ Site Access Improvements</li><li>☐ Substandard Road Improvements</li><li>☐ Other</li></ul>			

Project Trip Generation ☐ Not applicable for this request					
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips		
Existing	4,295	202	440		
Proposed	1,273	82	53		
Difference (+/-)	(-)3,022	(-)120	(-)387		

<sup>\*</sup>Trips reported are based on net new external trips unless otherwise noted.

Connectivity and Cross Access ☐ Not applicable for this request					
Project Boundary	Primary Access	Additional	Cross Access	Finding	
		Connectivity/Access			
North		Vehicular & Pedestrian	None	Meets LDC	
South		Vehicular & Pedestrian	None	Meets LDC	
East		None	None	Meets LDC	
West	Х	None	None	Meets LDC	
Notes:					

<b>Design Exception/Administrative Variance</b> ⊠ 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		
<ul><li>□ Design Exception/Adm. Variance Requested</li><li>☑ Off-Site Improvements Provided</li></ul>	☐ Yes ☐ N/A ☑ No	⊠ Yes □ No	See Transportation Report		

# COUNTY OF HILLSBOROUGH LAND USE HEARING OFFICER'S RECOMMENDATION

Application number:	RZ-PD 21-0745 (Remand)
Hearing date:	June 13, 2022
Applicant:	Bricklemyer Law Group
Request:	Rezoning to Planned Development
Location:	East side of North U.S. Highway 41 and 360 feet south of Flagship Drive.
Parcel size:	6.08 acres +/-
Existing zoning:	CN and PD 88-0229
Future land use designation:	NMU-4
Service area:	Rural
Community planning area:	Lutz

## A. APPLICATION REVIEW

## DEVELOPMENT SERVICES STAFF REPORT APPLICATION REVIEW SUMMARY AND RECOMMENDATION

**Rezoning Application:** PD 21-0745

**Zoning Hearing Master Date:** June 13, 2022

**BOCC Land Use Meeting Date:** August 25, 2022



**Development Services Department** 

#### 1.0 APPLICATION SUMMARY

Applicant: Clayton Bricklemyer, Bricklemyer

Law Group, P.L.

FLU Category: NMU-4

Service Area: Rural

Site Acreage: 6.08

Community

Plan Area:

Overlay: None



#### **Introduction Summary:**

The subject application was remanded to the June 13, 2022, ZHM hearing at the applicant's request. Applicant modifications included conditions to create greater compatibility between the residential development to the east of the subject site. This includes maintaining a residential-like appearance and limiting the square feet of the proposed boat / RV storage structures to 4,000-sq. ft. for each building.

The applicant seeks to develop a 6.08-acre unified development consisting of 5.17 acres ("Parcel 1") of enclosed RV/boat storage units located on the eastern 5.17 acres (folio 13999.0100), and ("Parcel 2") consisting of 0.91 acres of commercial neighborhood uses fronting U.S. 41. Parcel 1 is currently limited to PD-O office uses with conditions pursuant to PD 88-0229, with a maximum of 6,000 square feet for medical offices. Parcel 2 consisting of folio 13992.0000 and 13994.0000 is currently zoned CN.

Zoning:	Existin	Proposed	
District(s)	PD 88-0029 (PD-O)	Commercial Neighborhood (CN)	PD 21-0745
Typical General Use(s)	Medical and General Office	Neighborhood Commercial, Office and Personal Services	Neighborhood Commercial and General Commercial
Acreage	5.17 acres	0.91 acres	6.08 acres
Density/Intensity	0.25 FAR	0.25 FAR	0.25 FAR
Mathematical Maximum*	56,301 sf	9,910 sf	66,211 sf

<sup>\*</sup>number represents a pre-development approximation

Development Standards:	Existin	Proposed	
District(s)	PD 88-0029 (PD-O)	Commercial Neighborhood (CN)	PD 21-0745
Setbacks/Buffering and Screening	30' North 15' East 15' West 50' /20' South	30' Front Yard 0' West Side Yard 0' East Side Yard 0' Rear Yard	30' Front Yard Side (West): 15' buffer Side (South) & Rear (East): 30' setback with 20' Type "B" Buffer

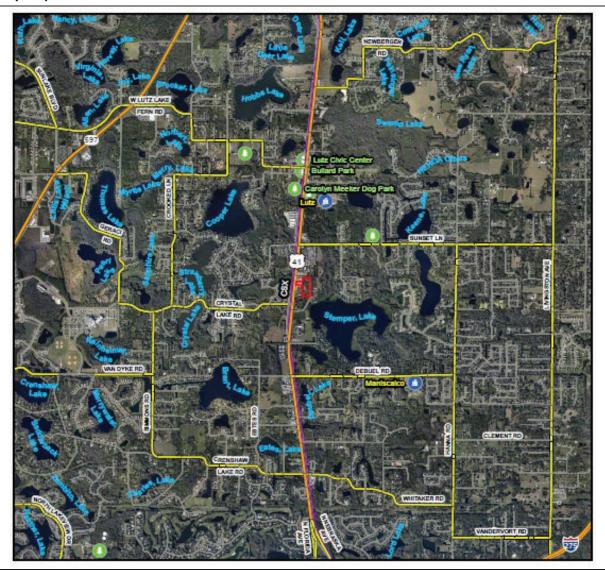
APPLICATION NUMBER:	PD 21-0/45			
ZHM HEARING DATE: BOCC LUM MEETING DATE:	June 13, 2022 August 25, 2022		Case Reviewe	er: Tim Lampkin, AICP
Height	25'/20' soutl	hernmost bldg.	35′	35′
Additional Information:				
PD Variation(s)		None requeste	d as part of this applicat	ion
Waiver(s) to the Land De	velopment Code	None Requeste	ed	

Planning Commission Recommendation:	Development Services Recommendation:
Consistent with conditions	Approvable with Conditions

Case Reviewer: Tim Lampkin, AICP

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

### 2.1 Vicinity Map



### **Context of Surrounding Area:**

The site is located in the Lutz community on the east side of U.S. 41. To the north of the site is a gas station, with restaurants and other commercial uses continuing northward along the U.S. 41 corridor to Sunset Lane. West across U.S. 41 is PD CZ, the location of a mobile home park, with a church located further south. To the southwest of the proposed development is more commercial development including therapy and a massage establishment.

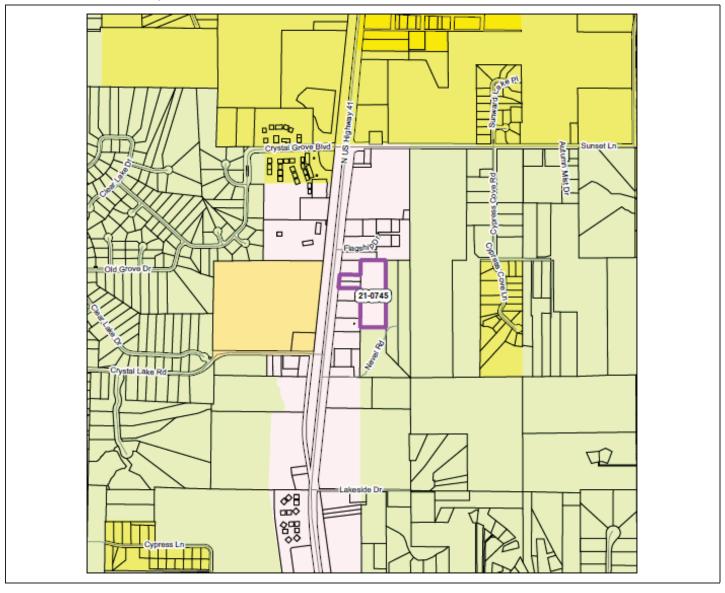
To the immediate south and east of the subject site is zoned ASC-1 with single-family residential uses. Directly south of the subject site is a 5.09-acre property developed with a single-family home. Directly east of the subject site is folio 14001.0100 and 14003.0000, also developed with a single-family home.

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Case Reviewer: Tim Lampkin, AICP

## 2.0 LAND USE MAP SET AND SUMMARY DATA

## 2.2 Future Land Use Map

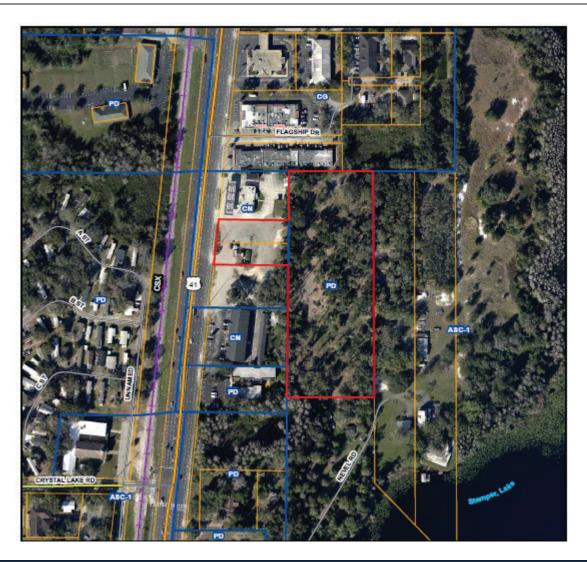


Subject Site Future Land Use Category:	NMU-4
Maximum Density/F.A.R.:	0.25 FAR
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, research corporate park uses, multi-purpose and clustered residential and/or mixed-use projects at appropriate locations. Office uses are not subject to locational criteria.

Case Reviewer: Tim Lampkin, AICP

## 2.0 LAND USE MAP SET AND SUMMARY DATA

## 2.3 Immediate Area Map



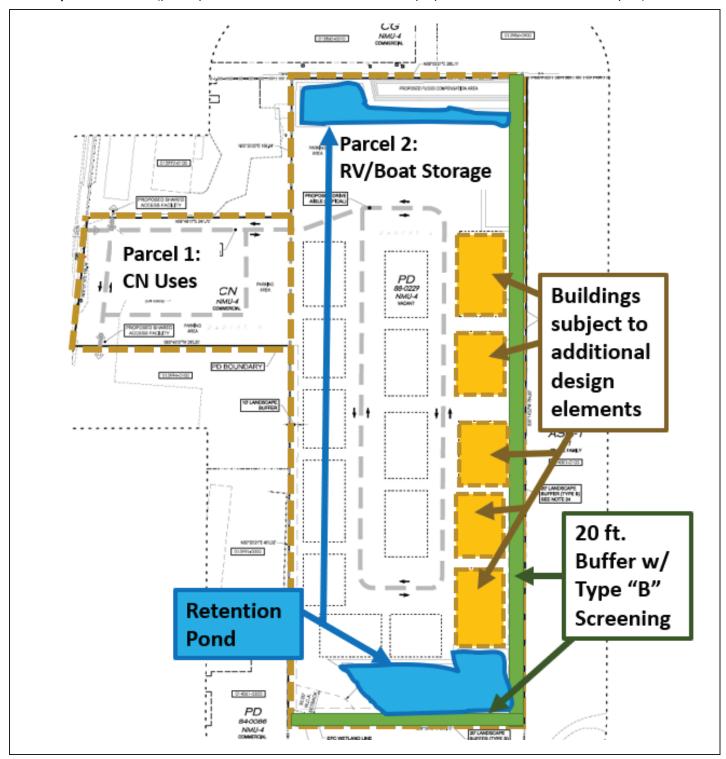
Adjacent Zonings and Uses				
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	CN / CG	F.A.R. CN: 0.20 CG: 0.25* per FLU	Commercial	Gas Station, Restaurant, laundromat and other commercial uses.
South	CN / ASC-1	CN F.A.R.: 0.20 ASC-1: 43,560 sf	CN: Commercial ASC-1: Single-family Res.	CN: Vacant & Commercial ASC-1: Single-family home
East	ASC-1	43,560 sf	Single-Family Residential	Single-Family Residential
West	PD CZ & U.S. 41 ROW	Mobile Home Park	Mobile Homes	Sunrise Mobile Home Park

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Case Reviewer: Tim Lampkin, AICP

### 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)



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

Adjoining Roadways (check if applicable)				
Road Name	Classification	<b>Current Conditions</b>	Select Future Improvements	
US Hwy 41	FDOT Principal Arterial - Urban	6 Lanes □Substandard Road □Sufficient ROW Width	<ul> <li>□ Corridor Preservation Plan</li> <li>□ Site Access Improvements</li> <li>□ Substandard Road Improvements</li> <li>□ Other</li> </ul>	

Project Trip Generation ☐ Not applicable for this request				
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips	
Existing	4,295	202	440	
Proposed	1,273	82	53	
Difference (+/-)	(-)3,022	(-)120	(-)387	

<sup>\*</sup>Trips reported are based on net new external trips unless otherwise noted.

Connectivity and Cross Access   Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Vehicular & Pedestrian	None	Meets LDC
South		Vehicular & Pedestrian	None	Meets LDC
East		None	None	Meets LDC
West	X	None	None	Meets LDC
Notes:				

<b>Design Exception/Administrative Variance</b> ⊠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		
☐ Design Exception/Adm. Variance Requested	☐ Yes ☐N/A	⊠ Yes	See Transportation Report		
☐ Off-Site Improvements Provided	⊠ No	□ No			

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### 4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY					
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments	
Environmental Protection Commission	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes	EPC staff may identify other legitimate concerns at any time prior to final project approval.	
Natural Resources	☐ Yes ⊠ No	☐ Yes ☐ No	☐ Yes ☐ No		
Conservation & Environ. Lands Mgmt.	⊠ Yes □ No	☐ Yes ⊠ No	☐ Yes ⊠ No		
Check if Applicable:   Wetlands/Other Surface Waters	<ul><li>☑ Potable Water Wellfield Protection Area</li><li>☐ Significant Wildlife Habitat</li></ul>				
<ul> <li>☐ Use of Environmentally Sensitive Land</li> <li>Credit</li> <li>☐ Wellhead Protection Area</li> <li>☐ Surface Water Resource Protection Area</li> </ul>	<ul><li>☐ Coastal High Hazard Area</li><li>☐ Urban/Suburban/Rural Scenic Corridor</li><li>☐ Adjacent to ELAPP property</li></ul>				
Public Facilities:	○ Other     Comments       Received	Cobjections Cobjections	Conditions Requested	Additional Information/Comments	
Transportation  ☐ Design Exc./Adm. Variance Requested ☐ Off-site Improvements Provided	⊠ Yes	☐ Yes ☑ No	⊠ Yes	,	
Service Area/ Water & Wastewater  □Urban ☑ City of Tampa □Rural □ City of Temple Terrace	⊠ Yes	□ Yes ⊠ No	⊠ Yes □ No		
Hillsborough County School Board  Adequate □ K-5 □6-8 □9-12 ⊠ N/A  Inadequate □ K-5 □6-8 □9-12 ⊠ N/A	☐ Yes ⊠ No	☐ Yes ☐ No	□ Yes ⊠ No		
Impact/Mobility Fees Mini - Warehouse (Per 1,000 s.f.) Mobility: \$653.00 Fire: \$32.00 ***revised fees estimated based on Jan 1, 2022 schedule***					

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Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission	⊠ Yes □ No	☐ Inconsistent ⊠ Consistent	⊠ Yes □ No	Condition 6: Development Services and Planning Commission  CLC: front parcels are located at a commercial node outlined in the Lutz Community Plan

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#### 5.0 IMPLEMENTATION RECOMMENDATIONS

### 5.1 Compatibility

The surroundings consist mostly of a mix of commercial and residential uses. To the north of the site is a gas station, with restaurants and other commercial uses continuing northward along the U.S. 41 corridor to Sunset Lane. West across U.S. 41 is the location of a mobile home park, with a church located further south. To the southwest of the proposed development is more commercial development including a therapy and a massage establishment. The applicant proposes CN uses limited to 2,500 square feet, and 56,301 square feet for RV/Boat storage equating to a total of 66,211 square feet of development for the unified site plan.

Case Reviewer: Tim Lampkin, AICP

Staff identified compatibility concerns associated with the original request pertaining to the properties to the east and south which are developed with single-family residential development. More specifically, the building length/massing along the eastern boundary. To the immediate south and east of the subject site is zoned ASC-1 with single-family residential uses. Directly south of the subject site is a 5.09-acre property developed with a single-family home. Directly east of the subject site is also developed with a single-family home. Notwithstanding the proposed buffering and screening, staff found that proposed building length and massing as shown on the site plan was not compatible with the adjacent large lot single family to the east. Pursuant to this incongruent transition of uses, the applicant requested the application be remanded to the June 13, 2022, ZHM hearing. Applicant modifications included conditions to create greater compatibility between the residential development to the east of the subject site. This includes maintaining a residential-like appearance and limiting the square feet of the proposed boat / RV storage structures to 4,000-sq. ft. for each building for a more form-based designed development on the eastern side of the proposed development.

To address compatibility with the adjacent residential the applicant has proposed a 20-foot buffer with Type B screening that is being supplemented with design requirements to maintain a residential appearance. The applicant will also comply with the Lutz Rural Development Standards of Section 3.09.00 of the Hillsborough County Land Development Code. In addition, Development Services Department in collaboration with Planning Commission staff, crafted Conditions of Approval that provide a specific set of form, design, and architectural requirements to regulate the building elevations, size, orientation, appearance, and scale to reflect the surrounding rural residential aesthetic.

The applicant amended the original building length to 100 feet and the individual Boat / RV storage structures to a maximum of 4,000 sq. ft. along the east side and south side adjacent to folio 14001.0100 and 13999.0000. The applicant has also agreed to design standards on the east side of the subject property adjacent to folio 14001.0100, that include, but not limited to the following:

- At least 40 percent of the horizontal length of each façade shall be comprised of windows, shutters, transoms, awnings, porches, doors, recessed entryways, arcades, porticos and/or pilasters. Horizontal banding and other predominately horizontal elements shall not contribute towards satisfaction of this requirement.
- Faux windows shall include at least one of the following features: canopies, awnings, shutters or trims. These features shall be permitted to be combined. Decorative shutters, if provided, shall be made of wood, metal or copolymer material and shall not be scored into the stucco.
- Facades shall be clad in cement stucco bands, stucco, wood or vinyl slats, or brick. Exterior finish materials may only be combined horizontally, with the visually heavier material below the lighter material. The relative visual weight of materials shall be in the following order (heaviest to lightest): stone, brick, stucco, wood or vinyl slats.
- Overhead doors shall be facing internally.
- A solid masonry-type wall shall not be permitted pursuant to the Lutz Community Plan, of the Livable Communities Element of the Unincorporated Hillsborough County comprehensive plan.

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The property is located outside the Urban Service Area; however, a 12-inch water main exists adjacent to the property and is located within the east right-of-way of N. U.S. Highway 41. The application does not request any variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering). The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code.

#### 5.2 Recommendation

Based on the above consideration, staff finds the request supportable as the site design adequately demonstrates a compatible transition of uses within the area through the form-based design standards found in the conditions of approval. The request encompasses design and size limitations that are compatible with the existing rural development pattern and facilitates the vision of the Lutz Community Plan. As such, staff finds that the intensity and proposed scale of the RV/boat storage is consistent with the Land Development Code and the policies of the Comprehensive Plan of Unincorporated Hillsborough County.

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#### 6.0 PROPOSED CONDITIONS

Approval of the request, subject to the conditions listed below, is based on the general site plan submitted May 24, 2022.

1. The site shall be developed as depicted on the site plan, and subject to the conditions listed below.

- 2. The Commercial Neighborhood (CN) uses on Parcel 2 (folio 13992.0000 and folio 13994.0000) shall be limited to a maximum of 2,500 square feet of development.
- 3. A maximum of 63,711 sf of development shall be allowed for up to 125 enclosed RV/Boat storage spaces located on Parcel 1 (folio 13999.0100).
- 4. Buffer and screening shall be in accordance with the LDC, Part 6.06.00, unless otherwise specified herein. Notwithstanding building setbacks delineated or noted in the Project Data Table, the following setbacks shall be provided from the PD boundaries.

4.1 Parcel 1:

Minimum Side Yard (South): 20 feet with Type "B" Screening abutting folio

13999.0000

Minimum Rear Yard (East): 20 feet with Type "B" Screening abutting folio

14001.0100

Minimum Side Yard (West): 45 10 feet landscape buffer abutting folios 13994.0100,

13995.0000, 14061.5500

4.2 Parcel 2:

Shall be in compliance with development standards for the CN zoning district.

- 5. Maximum building height shall be 35'.
- 6. The subject property shall be subject to the Lutz Rural Area Development Standards of Section 3.09.00 of the Hillsborough County Land Development Code, unless specified herein. This includes design standards for non-residential buildings including:
  - a) All buildings shall have metal or shake-style shingle roofs with a minimum pitch of four to 12 and a maximum pitch of eight to 12. Mansard roofs shall not be utilized.
  - b) All buildings adjacent to folio no. 14001.0100 shall incorporate the following elements, for elevations facing east, unless otherwise specified:
    - at least one of the specified design features found in Table 3-08.1.
    - at least one least one design feature shall be utilized for every 50 feet of roof length that is adjacent along folio 14001.0100.
    - At least 40 percent of the horizontal length of each façade shall be comprised of windows, shutters, transoms, awnings, porches, doors, recessed entryways, arcades, porticos and/or pilasters. Horizontal banding and other predominately horizontal elements shall not contribute towards satisfaction of this requirement.
    - Faux windows shall include at least one of the following features: canopies, awnings, shutters or trims.
       These features shall be permitted to be combined. Decorative shutters, if provided, shall be made of wood, metal or copolymer material and shall not be scored into the stucco.
    - Facades shall be clad in cement stucco bands, stucco, wood or vinyl slats, or brick. Exterior finish materials may only be combined horizontally, with the visually heavier material below the

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lighter material. The relative visual weight of materials shall be in the following order (heaviest to lightest): stone, brick, stucco, wood or vinyl slats.

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- Overhead doors shall be facing internally.
- A solid masonry-type wall shall not be permitted pursuant to the Lutz Community Plan, of the Livable Communities Element of the Unincorporated Hillsborough County comprehensive plan.
- c) All buildings adjacent to folio no. 14001.0100 and folio 13999.0000 shall adhere to the following:
  - A maximum of 5 RV/Boat spaces are permitted per building.
  - Buildings shall be a maximum of 4,000 sq. ft.
  - Portions of the buildings adjacent to the above folios shall be a maximum of 100 feet in length for the facades directly facing and fronting the above folios.
- 7. All poles or standards, other than those made of wood, used to support nonexempt outdoor lighting fixtures shall be anodized or otherwise coated to minimize glare from the light source.
- 8. The developer shall screen service areas, trash receptacles, etc., from view from neighboring residential properties through the use of features, such as walls, fences, and landscaping.
- 9. The dumpster enclosure shall be located a minimum of 100' from single-family residential zoning and development.
- 10. The site shall be limited to one access connection on US Highway 41.
- 11. The developer shall construct site access improvements on US Highway 41, including to but not limited to median opening alignment and turn lane extension, subject to FDOT approval.
- 12. Shared access facilities shall be provided to the adjacent properties to the north (folio# 13992.0100) and south (folio#13394.0100) with the initial increment of development. At such time ingress and egress easements shall be recorded with each of the said adjacent properties in order to construct, maintain and utilize the shared access facilities.
- 13. Notwithstanding anything shown on the site plan, ADA/sidewalk connections shall be provided from site ingress and egress access points to building entrances and parking areas.
- 14. Minimum off-street parking spaces shall be provided for per Sec. 6.05.00 of the LDC.
- 15. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- 16. The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
- 17. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear

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on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

- 18. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- 19. The subject site is located outside of the Hillsborough County Urban Service Area, however County water service line is located adjacent to the subject property so water service is available. This comment sheet does not guarantee water service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.
- 20. If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or the 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.

**Zoning Administrator Sign Off:** 

J. Brian Grady Thu Jun 2 2022 09:14:00

SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

#### **B. HEARING SUMMARY**

This case was heard by the Hillsborough County Land Use Hearing Officer on June 13, 2022. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

#### **Applicant**

Mr. Clayton Bricklemyer spoke on behalf of the applicant. Mr. Bricklemyer presented the rezoning request and provided testimony as reflected in the hearing transcript, a copy of which is attached to and made a part of this recommendation.

#### **Development Services Department**

Mr. Tim Lampkin, 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. Melissa Lienhard, 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 and responded to the hearing officer's questions. Ms. Lienhard noted Planning Commission's report stated a 15-foot buffer on the west property boundary, which has been corrected to a 10-foot buffer abutting folios 13994.0100, 13995.0000, and 14061.5500 in condition 4.1 of the Development Services Department staff report.

#### **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**

Mr. Bricklemyer stated the applicant had nothing further.

The hearing officer closed the hearing RZ-PD 21-0745.

#### C. EVIDENCE SUMBITTED

Mr. Grady submitted into the record at the hearing a revised staff report.

#### D. FINDINGS OF FACT

- 1. The Subject Property consists of three parcels zoned CN (folios 013994-0000 and 013992.0000) and PD 88-0229 (013999.0100) and is designated NMU-4 on the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County Future Land Use Map.
- 2. The Subject Property is located within the boundaries of the Lutz Community Plan and is within the Rural Services Area.
- 3. Surrounding land uses include a mix of commercial and residential uses. North of the Subject Property is a gasoline station, restaurants, a shopping center, and commercial uses. To the west across U.S. 41 is a mobile home park and a church. To the south along U.S. 41 are commercial uses. East and south of the Subject Property are properties zoned ASC-1 developed with single-family residential uses.
- 4. The applicant is requesting a Planned Development rezoning of the Subject Property to allow a unified development consisting of enclosed RV and boat storage units located on the eastern 5.17 acres (folio 13999.0100) and commercial uses fronting U.S. 41 on the western 0.91 acres (folios 013994-0000 and 013992.0000). The proposed approval conditions limit commercial on folios 13992.0000 and 13994.0000 to 2,500 square feet and limit the enclosed RV-Boat storage on folio 13999.0100 to a maximum of 63,711 square feet.
- 5. Based on concerns that certain building architectural elements might exceed 20 feet in height, the applicant is requesting a waiver of LDC section 6.01.01, which requires additional setback of two feet for every one foot of structure height over 20 feet. The applicant has agreed to a condition requiring a 20-foot buffer with Type B screening on the east and south property boundaries of folio 013999-0100, adjacent to residential uses.
- 6. The applicant's site plan shows the proposed Planned Development will include form-based design elements, buffering, and screening to mitigate potential adverse impacts and create greater compatibility of the proposed uses with adjacent residential properties. The applicant has agreed to adhere to the Lutz Rural Development Standards of LDC section 3.09.00.
- 7. County staff found the applicant's site design adequately demonstrates a compatible transition of uses in the area through the form-based design standards set out in the approval conditions. County staff found the proposed Planned Development compatible with the existing rural development pattern and facilitates the Lutz Community Plan vision. Staff found the rezoning request supportable.

8. Planning Commission staff found the proposed Planned Development would be compatible with adjacent residential uses based on strict application of the proposed conditions to mitigate potential adverse impacts. Planning Commission staff found the proposed rezoning consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, subject to the conditions proposed by the Development Services Department.

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

The proposed Planned Development 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 Planned Development rezoning, subject to conditions set out in the Development Services staff report, 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 is requesting a Planned Development rezoning of the Subject Property to allow a unified development consisting of a maximum of 63,711 square feet of enclosed RV and boat storage units located on the eastern 5.17 acres (folio 13999.0100) and a maximum of 2,500 square feet of commercial uses fronting U.S. 41 on the western 0.91 acres (folios 013994-0000 and 013992.0000). The applicant is requesting a waiver of LDC section 6.01.01, which requires additional setback of two feet for every one foot of structure height over 20 feet. The applicant's site plan shows the proposed Planned Development will include form-based design elements, buffering, and screening to mitigate potential adverse impacts and create greater compatibility of the proposed uses with adjacent residential properties.

#### H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for APPROVAL of the rezoning request, subject to the conditions stated in the staff report based on the applicant's general site plan submitted May 24, 2022.

Pamela Jo Hatley PhD, DD

Land Use Hearing Officer

Hearing Transcript

## HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

	>
IN RE:	)
ZONE HEARING HEARINGS	MASTER )
	>

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:

PAMELA JO HATLEY

Land Use Hearing Master

DATE:

Monday, June 13, 2022

TIME:

Commencing at 6:00 p.m.

Concluding at 11:56 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

	Page 73
1	HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS
2	
3	ZONING HEARING MASTER HEARINGS  June 13, 2022
4	ZONING HEARING MASTER: PAMELA JO HATLEY
5	
	B1:
6	Application Number: RZ-PD 21-0745 Applicant: Bricklemyer Law Group
7	Location: E side of N US Highway 41 & 360' S of Flagship Dr.
8	Folio Number: 013992.0000, 013994.0000 & 013999.0100
9	Acreage: 6.08 acres, more or less Comprehensive Plan: NMU-4
10	Service Area: Rural
11	Existing Zoning: CN, PD, 88-0229 Request: Rezone to Planned Development
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	Page 74
1	MR. GRADY: The next item is agenda item
2	B-1, Rezoning-PD 21-0745. The applicant is
3	Bricklemyer Law Group.
4	This was a remanded case. Tim Lampkin will
5	provide staff recommendation after presentation by
6	the applicant.
7	MR. BRICKLEMYER: Good evening. I told you
8	back in January we would be back with something
9	that was supported, and I think I've delivered.
10	Clayton Bricklemyer, 4427 West Kennedy,
11	Bricklemyer Law Group representing the applicant.
12	I really don't want to be duplicative of
13	Mr. Lampkin's presentation. So I will let him do
14	his thing. I will tell you that we really
15	appreciate staff. We worked really hard,
16	particularly on Condition 6, to get this to where
17	everyone agreed that it's compatible.
18	And we are happy with the conditions you
19	have. There is one scrivener's error that Tim is
20	going to correct. But other than that, I would ask
21	you for your recommendation of approval, and we're
22	available for questions.
23	HEARING MASTER HATLEY: All right. Thank
24	you. Can you point me to that scrivener's error?
25	MR. BRICKLEMYER: It's going to be in

	Page 75
1	MR. LAMPKIN: Condition 4. 4.1.
2	HEARING MASTER HATLEY: Okay. Thank you.
3	I'll look at it.
4	All right. Development Services.
5	MR. LAMPKIN: Hello. Tim Lampkin, again.
6	The application this application is
7	approximately oops, sorry.
8	This application is located off of U.S. 41.
9	To the north of the site is a gas station with
10	restaurants and other commercial uses continuing
11	northward up to Sunset Lane.
12	West across 41 is a PD, location of a mobile
13	home park with a church located further to the
14	south. To the southwest of the proposed
15	development is more commercial development
16	including therapy and massage establishments.
17	To the immediate south and to the east of
18	the subject site is zoned ASC-1 with a
19	single-family residential on the parcel. Directly
20	south of the site is approximately 5.09-acre
21	property developed with a single-family home, and
22	directly east of the subject site, there are two
23	folios.
24	It's also developed with a single-family
25	home. And we'll talk a little bit about that

Page 76 1 quickly. Later, that was one of the reasons for 2 It had to do with the applicant wanted the remand. to create more compatibility with the residential 4 immediately to the east. 5 The Future Land Use is NMU-4. The property 6 is located in the Rural Service Area. Typical uses are suburban scale, neighborhood commercial office, 8 multipurpose, clustered residential, and mixed-use -- mixed-use projects. 9 To the north of the site is a gas station 10 with restaurants and other commercial uses. 11 12 again, you can see a little more of a close-up. To 13 the east is ASC-1 and single-family home. This is the site plan. What's being called 14 15 out, a couple of things. The applicant is 16 proposing a 20-foot buffer with Type B screening. 17 Additionally, on the east and the south, 18 this is code compliant. They are also proposing to 19 have a waiver of the two-for-one, which staff 20 supports, although they are proposing a 30-foot 21 setback from the property which -- so they should 22 not have an issue with meeting that requirement, 23 but they're concerned with architectural elements 24 possibly going over above into the 30 feet above 25 the ground, 20 feet up.

Page 77

So staff identified compatibility concerns associated with the original request pertaining to the properties to the east and the south.

More specifically, the building length and massing in the original application along the eastern boundary, the applicant amended the original building length to -- this is in the conditions if approved to 100 feet and the individual boat, RV storage structures to a maximum of 4,000 square feet along the east side adjacent to folio 14001.011 and 13999.0000. And this is to the east and the south.

Now, there are additional architectural elements that are being proposed. For example, let's see, Condition 6. As the subject property is in the Lutz Rural Area and needs to be in compliance, what staff did is took those Lutz -- Lutz -- there's Lutz regulations that normally would not apply to this location against the -- along the eastern boundary and apply those conditions with slight modifications to create more of a formed based development that would appear residential. Things like faux windows, design features, at least one design feature every 50 feet and that sort of thing.

	Page 78
1	And based upon the above considerations,
2	staff finds the request supportable. The site
3	design now adequately demonstrates a compatible
4	transition of uses within area to the foreign-based
5	design standards found in the condition of
6	approval.
7	The request encompasses design, sign
8	limitations that are compatible with the existing
9	rural development. The Development Services staff
10	along with input from others and the Planning
11	Commission met extensively and crafted the
12	conditions to bring it into compatibility and
13	approvability. And that concludes staff's
14	presentation, unless there are any questions.
15	HEARING MASTER HATLEY: No questions for
16	you. Thank you, Mr. Lampkin.
17	All right. Planning Commission.
18	MS. LIENHARD: Thank you. For the record,
19	Melissa Lienhard, Planning Commission staff.
20	The subject property is located in the
21	Neighborhood Mixed-Use-4 Future Land Use Category.
22	The site is in the Rural Area, and it is also
23	located within the limits of the Lutz Community
24	Plan.
25	Per Future Land Use Element Objective 4, the

Page 79 intent of the Rural Area is to provide areas for 1 2 large lot, low density, rural residential, or agricultural uses. 4 Future Land Use Element Policies 16.1, 16.2, 5 and 16.3 require new development to be compatible 6 with the surrounding land uses. Light commercial and vacant lots are located 8 to the south, north, and west. In addition to the north are public communications and Light Industrial uses. 10 11 Immediately adjacent to the site on the east 12 and south are single-family residential lots. 13 According to adoptive policy direction established neighborhood should be protected by restricting 14 15 incompatible land uses through locational criteria 16 for the placement of nonresidential uses, as well 17 as limiting commercial development in residential 18 land use categories to a neighborhood scale. 19 The subject site does meet commercial 20 locational criteria per the direction under Future 21 Land Use Element Objective 22, and the closest 22 qualifying intersection is south of the site at 23 Crystal Lake Road and U.S. Highway 41; 75 percent 24 of the site is located within the 900-foot distance

of the qualifying intersection. And therefore, the

Page 80 site does meet commercial locational criteria. 1 The eastern portion of the Planned Development is proposing intensity of 63,711 square feet of enclosed RV and boat storage adjacent to 5 single-family residential uses. 6 Per adoptive policy direction, new development must demonstrate the gradual transition of intensities between different land uses using professional site planning, buffering and screening 10 techniques, and the control of specific land uses. 11 Development and redevelopment are also 12 required to be integrated with adjacent land uses 13 through the creation of like uses, the creation of 14 complementary uses, or the mitigation of adverse 15 impacts. 16 Future Land Use Element Policy 16.5 requires 17 development of higher intensity nonresidential land 18 uses that are adjacent to establish neighborhoods 19 to be restricted to collectors and arterials and to 20 locations that are external to established or 21 developing neighborhoods. 22 The proposed development would permit a 23 transition east from Commercial Neighborhood uses 24 that are fronting U.S. Highway 41 to enclosed RV,

boat storage of Commercial General use to

single-family residential.

The proposed development would not provide a gradual transition of uses between the proposed CG use and the existing single-family residential.

Due to this lack of gradual transition of uses, the applicant has proposed to utilize site planning and mitigation techniques to better mitigate for the adjacent single-family residential lots.

The applicant has proposed a 20-foot buffer with Type B screening for the south and the east and a 15-foot buffer for the west. The applicant has agreed to adhere to all of the Lutz rural development standards of the Land Development Code.

And in addition, Planning Commission staff
in conjunction with Development Services has
crafted conditions of approval that provide a
specific set of form design in architectural
requirements to regulate the building elevations,
size, orientation, appearance, and scale to reflect
the surrounding rural residential setting.

The applicant has also agreed to limit the size of the building on the east side and south side to be a maximum of 4,000 square feet in size and 100 feet -- and no more than 100 feet in

length.

The applicant has also agreed to several design requirements for the buildings on the easternmost side of the site.

The conditions of approval are essential to this project being supported as they provide a building form, scale, and design that complements existing residential landscape and also helps to provide for a transition of uses from Commercial Neighborhood to single-family residential.

The proposal along with the proposed conditions would protect the existing established neighborhoods to the east and would meet the intent of Objective 16 and for the Future Land Use Element with regards to compatibility.

The proposal must adhere to the conditions of approval to be found consistent. Without these specific conditions, the intensity and scale of the RV and boat storage on the eastern parcel would not be complementary with the large lot, low density, rural residential development pattern that is representative of the properties that do not front Highway 41.

These conditions also provide a guaranteed standard that the development will be built to

comply with Comprehensive Plan policies. The

applicant at the time of this report -- at the

report writing had agreed to all the conditions of

approval.

And based on this, Planning Commission staff finding the request to be consistent with the Comprehensive Plan.

The subject site is also located within a

Lutz Community Plan boundary, and the Lutz

Community Plan establishes certain commercial nodes
and encourages commercial development within these
areas.

A portion of this subject property is located along U.S. Highway 41 and is between Crystal Lake Road and Sunset Lane and the Highway 41 intersections.

The parcels along U.S. 41 from Crystal Road to Sunset Road are identified as a commercial node in the Lutz Community Plan. Consequently, the front parcels of the site do meet the vision of the community plan.

However, the eastern parcel is not located along Highway 41. The Lutz community desires to retain existing and encourage new commercial uses geared to serving the daily needs of area residents

	Page 85
1	there anyone here or online who wishes to speak in
2	support of this application? Do not see anyone.
3	Is there anyone here or online who wishes to
4	speak in opposition to this application? All
5	right. I do not see anyone.
6	Development Services, did you have anything
7	further?
8	MR. GRADY: Nothing further.
9	HEARING MASTER HATLEY: Okay. And
10	applicant, did you have anything further? Okay.
11	All right.
12	This will close the hearing then on PD
13	21-0745.
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Unincorporated Hillsborough C	County Rezoning
Hearing Date: June 13, 2022  Report Prepared: June 1, 2022	Petition: PD 21-0745  18213 North U.S. Highway 41  East of U.S. Highway 41 and north of the U.S. Highway 41 and Crystal Lake Road intersection
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Neighborhood Mixed-Use 4 (4 du/ga; 0.25 FAR; 0.35 FAR for office, research corporate parks and mixed-use projects)
Service Area:	Rural
Community Plan:	Lutz
Requested Modification:	Planned Development (PD) to allow 66,211 square feet of Commercial Neighborhood (CN) uses and enclosed RV/boat storage uses
Parcel Size (Approx.):	6.08 +/- acres (264,844.8 sq. ft.)
Street Functional Classification:	U.S. Highway 41– <b>Arterial</b> Crystal Lake Road – <b>Collector</b>
Locational Criteria:	Yes; in addition, the front parcels are located at a commercial node outlined in the Lutz Community Plan
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 subject property is located on approximately 6.08 acres located on the east side of Highway 41 and is north of the U.S. Highway 41 and Crystal Lake Road intersection. The property is located within the limits of the Lutz Community Plan within the Rural Area.
- The property is designated Neighborhood Mixed Use-4 (NMU-4) on the Future Land Use Map. Typical uses in the NMU-4 Future Land Use category includes residential, suburban scale neighborhood commercial, office uses, research corporate park uses, multi-purpose and clustered residential and/or mixed use projects at appropriate locations. Office uses are not subject to locational criteria. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- Neighborhood Mixed-Use 4 (NMU-4) is located to the north, west, and southwest of the subject property. Residential-1 (RES-1) is located to the south and east of the subject property. Across US Highway 41 to the west, is Residential-4 (RES-4).
- The subject property is currently classified as vacant land and zoned Planned Development (PD) and Commercial Neighborhood (CN). The properties to the north are classified as light commercial, vacant, public communications / utilities, and light industrial with Commercial General (CG) zoning. Single-family residential, vacant lots and the Agricultural Single-Family Conventional-1 (ASC-1) zoning are located to the east with. To the south is light commercial use, vacant lands, and single-family residential lots with PD and ASC-1 zoning. Light commercial and vacant lots with CN zoning are located to the west. Further west, across U.S. Highway 41, is a mixture of light commercial, vacant and mobile home park properties with PD zoning.
- The application requests a Planned Development to allow for a maximum of 66,211 square feet of Commercial Neighborhood (CN) uses and enclosed RV/boat storage. The parcels that front U.S. Highway 41 would contain a maximum of 2,500 square feet of CN uses. The eastern parcel would contain a maximum of 75 units or 63,711 square feet of enclosed RV/boat storage.

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

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

#### **FUTURE LAND USE ELEMENT**

#### Rural Area

Rural Area Rural areas will typically carry land use densities of 1 du/5 ga or lesser intense designations. The One Water Chapter outlines relevant language related to water, wastewater and septic in the Rural Area. Within the rural area there are existing developments that are characterized as suburban enclaves or rural communities. These are residential developments which have a more dense development pattern and character, usually 1 or 2 du/ga. These enclaves are recognized through the placement of land use categories that permit densities higher than 1 du/5 acres. New development of a character similar to the established community will be permitted to infill in a limited manner, but not be permitted to expand into areas designated with lower land use densities.

Rural communities, such as Lutz, Keystone and Thonotosassa will specifically be addressed through community based planning efforts. These communities, and others like them, have historically served as centers for community activities within the rural environment

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

**Policy 4.1:** Rural Area Densities Within rural areas, densities shown on the Future Land Use Map will be no higher than 1 du/5 ga unless located within an area identified with a higher density land use category on the Future Land Use Map as a suburban enclave, planned village, a Planned Development pursuant to the PEC ½ category, or rural community which will carry higher densities.

#### Relationship to the Future Land Use Map

**Objective 7:** The Future Land Use Map is a graphic illustration of the county's policies governing the determination of its pattern of development in the unincorporated areas of Hillsborough County through the year 2025.

**Policy 7.1:** The Future Land Use Map shall be used to make an initial determination regarding the permissible locations for various land uses and the maximum possible levels of residential densities and/or non-residential intensities, subject to any special density provisions, locational criteria and exceptions of the Future Land Use Element text. Policy 7.2: All land use category boundaries on the Future Land Use Map coinciding with and delineated by man-made or natural features, such as but not limited to roads, section lines, property boundaries, surface utility rights-of-way, railroad tracks, rivers, streams or other water bodies or wetlands are precise lines.

#### **Neighborhood/Community Development**

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

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

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

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

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

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

**Policy 16.5:** Development of higher intensity non-residential land uses that are adjacent to established neighborhoods shall be restricted to collectors and arterials and to locations external to established and developing neighborhoods.

**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.

#### Commercial-Locational Criteria

**Objective 22:** To avoid strip commercial development, locational criteria for neighborhood serving commercial uses shall be implemented to scale new commercial development consistent with the character of the areas and to the availability of public facilities and the market.

Policy 22.2: The maximum amount of neighborhood-serving commercial uses permitted in an area shall be consistent with the locational criteria outlined in the table and diagram below. The table identifies the intersection nodes that may be considered for non-residential uses. The locational criteria is based on the land use category of the property and the classification of the intersection of roadways as shown on the adopted Highway Cost Affordable Long Range Transportation Plan. The maximums stated in the table/diagram may not always be achieved, subject to FAR limitations and short range roadway improvements as well as other factors such as land use compatibility and environmental features of the site. In the review of development applications consideration shall also be given to the present and short-range configuration of the roadways involved. The five year transportation Capital Improvement Program, MPO Transportation Improvement Program or Long Range Transportation Needs Plan shall be used as a guide to phase the development to coincide with the ultimate roadway size as shown on the adopted Long Range Transportation Plan.

**Policy 22.7:** Neighborhood commercial activities that serve the daily needs of residents in areas designated for residential development in the Future Land Use Element shall be considered provided that these activities are compatible with surrounding existing and planned residential development and are developed in accordance with applicable development regulations, including phasing to coincide with long range transportation improvements.

The locational criteria outlined in Policy 22.2 are not the only factors to be considered for approval of a neighborhood commercial or office use in a proposed activity center. Considerations involving land use compatibility, adequacy and availability of public services, environmental impacts, adopted service levels of effected roadways and other policies of the Comprehensive Plan and zoning regulations would carry more weight than the locational criteria in the approval of the

potential neighborhood commercial use in an activity center. The locational criteria would only designate locations that could be considered, and they in no way guarantee the approval of a particular neighborhood commercial or office use in a possible activity center.

#### LIVABLE COMMUNITIES ELEMENT: LUTZ COMMUNITY PLAN

#### Commercial Character

The Lutz community desires to retain existing and encourage new commercial uses geared to serving the daily needs of area residents in a scale and design that complements the character of the community. Currently there is approximately 301,559 square feet of commercial approved but not built within the community planning area.

The Lutz community seeks to ensure that commercial development and special uses in the community are properly placed to enhance the utility and historic character of the downtown. The community does not want new commercial and special use development to force the creation of development that does not complement the character of the area. To ensure that new commercial development is consistent with the character of the Lutz community, design guideline standards have been created and adopted into the County's land development regulations.

#### These regulations ensure that:

- commercial uses are developed in character and/or scale with the rural look of the community and the environment;
- the Lutz downtown, generally located at the intersection of Lutz Lake Fern Road and US Highway 41, is recognized as community activity center, and defined as an overlay district within the County's Land development regulations;
- the Lutz Downtown Center Zoning District incorporates design guidelines which reflect the historic development pattern already in place and promote desirable complements to that pattern. These standards include:
  - 1. recognizing proximity of the historic old Lutz schoolhouse and its Georgian Revival architecture (and incorporating this into new schools);
  - 2. interruptions in roof lines and structures;
  - 3. public courtyards or open space(s) with shade trees;
  - 4. architectural features to emphasize the location of the downtown:
  - 5. residential style roof lines;
  - 6. outside structure facades made of wood siding, brick or vinyl material;
  - 7. preserved natural areas to act as buffers along perimeters;
  - 8. ground level monument signage standards in scale and related to architectural character overlay district;
  - 9. drought tolerant trees and vegetation plantings for shade, screening and buffers along roadways; and,
  - 10. nighttime lighting that mimics gaslights or kerosene lights (circa early 1900's).
  - the commercial activity centers identified in the North Dale Mabry Corridor Plan will be maintained (Figure 3 (of the Lutz background documentation);
  - new commercial zoning is encouraged to locate at the three existing activity nodes along U.S. Highway 41(Figure 4 (of the Lutz background documentation):

- 1. Lutz's historic downtown area to Newberger Road;
- 2. Crystal Lake Road to Sunset Lane; and
- 3. Crenshaw Lake Road area

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

The subject property is located on approximately 6.08 acres, on the east side of U.S. Highway 41, north of the U.S. Highway 41 and Crystal Lake Road intersection. The property is located within the limits of the Lutz Community Plan and within the Rural Area. The application request is for a Planned Development (PD) to allow for 66,211 square feet of commercial neighborhood uses and enclosed RV/boat storage. The proposed site plan includes a maximum of 2,500 sq. ft. of commercial neighborhood uses on the western parcel that fronts U.S. Highway 41 and 63,711 square feet of enclosed RV/boat storage on the eastern parcel.

The subject site is designated Neighborhood Mixed Use-4 (NMU-4) on the Future Land Use Map. The intent of the category is to develop urban/suburban in intensity and density of uses, with development occurring as the provision and timing of transportation and public facility services. Neighborhood commercial uses that are free standing are required to meet Commercial Locational Criteria. Suburban scale neighborhood commercial is limited to 110,000 sq. ft. or 0.25 FAR, whichever is less intense. The proposed project proposes a maximum of 66,211 square feet at 0.25 FAR, which is the maximum allowed on site.

The subject site meets Commercial Locational Criteria (CLC) per the policy direction under Objective 22 in the Future Land Use Element (FLUE). Commercial Locational Criteria is based on the Future Land Use category of the property and the classification of the intersection of roadways as shown on the adopted 2040 Highway Cost Affordable Long-Range Transportation Plan. Roadways listed in the table as 2 or 4 lane roadways must be shown on the 2040 Highway Cost Affordable Long-Range Transportation Plan (FLUE Policy 22.2). The closest qualifying intersection is south of the site at Crystal Lake Road and U.S. Highway 41. 75% of the site is located within 900 feet of the qualifying intersection and therefore meets Commercial Locational Criteria.

Per FLUE Objective 4, the intent of the Rural Area is to provide areas for large lot, low density rural residential or agricultural uses. FLUE Policies 16.1, 16.2, and 16.3 require new development to be compatible with surrounding uses. Light commercial and vacant lots are located to the south, north, and west. In addition, to the north are public communications/utilities and light industrial uses. Immediately adjacent to the site on the east and south are single family residential lots. According to adopted policy direction, established neighborhoods should be protected by restricting the incompatible land uses through locational criteria for the placement of non-residential uses and limiting commercial development in residential land use categories to neighborhood scale (FLUE Policy 16.1).

The eastern portion of the Planned Development is proposing an intensity of 63,711 square feet of enclosed RV/boat storage adjacent to single family residential uses. New development must demonstrate the gradual transition of intensities between different land uses using professional site planning, buffering and screening techniques, and control of specific land uses (FLUE Policy 16.2). Development and redevelopment are also required to be integrated with adjacent land uses through the creation of like uses, creation of complementary uses or mitigation of adverse impacts (FLUE Policy 16.3). FLUE Policy 16.5 requires development of higher intensity non-residential land uses that are adjacent to

established neighborhoods to be restricted to collectors and arterials and to locations external to established and developing neighborhoods. In addition, the NMU-4 Future Land Use category states other non-residential land uses must be compatible with residential uses through established techniques of transition or by restricting the location of incompatible uses. As shown in the graphic below, the proposed development would permit a transition east from Commercial Neighborhood uses fronting U.S. Highway 41 to enclosed RV/boat storage, a Commercial General (CG) use, to single family residential. The proposed development would not provide a gradual transition of uses between the proposed CG use and the existing single family residential.

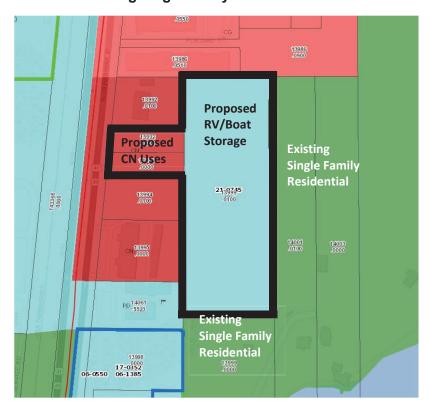


Figure 1: Shows the transition of land uses with the proposed development

Due to this lack of a gradual transition of uses, the applicant has proposed to utilize site planning and mitigation te chniques to better mitigate for the adjacent single-family residential lots. The applicant has proposed a 20 foot buffer with Type B screening for the south and east (adjacent to folios 14001.0100 and 13999.0000) and 15 foot buffer for the west (adjacent to folios 13994.0100, 13995.0000 and 14061.5523). The applicant has agreed to adhere to all of the Lutz Rural Development Standards of Section 3.09.00 of the Hillsborough County Land Development Code. In addition, Planning Commission staff, in conjunction with the Development Services Department, crafted Conditions of Approval (COA) that provide a specific set of form, design, and architectural requirements to regulate the building elevations, size, orientation, appearance, and scale to reflect the surrounding rural residential aesthetic.

The applicant has agreed to limit the size of the buildings on the east side and south side (adjacent to folios 14001.0100 and 13999.0000) to be a maximum of 4,000 square feet in size and 100 feet in length. The applicant has also agreed to the following design

requirements for the buildings on the easternmost side of the site (adjacent to folio 14001.0100):

- Buildings shall have metal or shake-style shingle roofs with minimum pitch of four to 12 and a maximum pitch of eight to 12
- At least one of the specified design feature found in Table 3-08.1
- At least 40 percent of the horizontal length of each façade shall be comprised of faux windows, shutters, transoms, awnings, porches, doors, recessed entryways, arcades, porticos and/or pilasters
- Faux windows must include at least one design feature listed in the COA
- Specific façade materials may only be used
- Overhead doors shall be facing internally
- Solid masonry-type walls and fencing materials must adhere to the Lutz Community Plan

The Conditions of Approval are essential to this project being supported as they provide a building form, scale, and design that complements the existing rural residential landscape and provides a transition of uses from Commercial Neighborhood to single family residential (as depicted in the graphic above). The proposal, along with the proposed conditions, would protect the existing established neighborhoods to the east and would meet the intent of Objectives 16 and 4 of the Future Land Use Element. The proposal must adhere to the COA to be found consistent. Without these specific conditions, the intensity and scale of the RV/boat storage on the eastern parcel are not complimentary with the large lot, low density rural residential development pattern that is representative of the properties that do not front U.S. Highway 41. These conditions also provide a guaranteed standard that the development will be built to comply with Comprehensive Plan policies. The applicant, at the time of this report, has agreed to meet all these conditions of approval. Based on this, Planning Commission staff are finding this request to be consistent with the Comprehensive Plan.

The subject site is located within the limits of the Lutz Community Plan. The Lutz Community Plan establishes certain commercial nodes and encourages commercial development within these areas. A portion of the subject property is located along U.S. Highway 41 and is between the Crystal Lake Road and Sunset Lane and U.S. Highway 41 intersections. The parcels along U.S. Highway 41 from Crystal Lake Road to Sunset Road are identified as qualifying for Commercial Locational Criteria in the Lutz Community Plan. Consequently, the front parcels of the site meet CLC per the Lutz Community Plan and helps facilitate the vison of the Plan. However, the eastern parcel is not located along U.S. Highway 41 and does not meet the commercial criteria per the Lutz Community Plan. The Lutz community desires to retain existing and encourage new commercial uses geared to serving the daily needs of area residents in a scale and design that complements the character of the community. As stated above, the proposed development COA ensure an intensity and scale that would be compatible with the large lot, low density rural development pattern and the existing adjacent single family residential. Consequently, the request is consistent with the Lutz Community Plan.

Overall, the proposed rezoning would allow for development that is consistent with the Goals, Objectives, and Policies of the Future Land Use Element of the Unincorporated Hillsborough County Comprehensive Plan. The rezoning request encompasses design

and size limitations that are compatible with the existing rural development pattern. The request would facilitate the vision of the Lutz Community Plan.

#### Recommendation

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

#### ENERGY INDUSTRIAL PARK (50 FAR USES OTHER THAN RETAIL, 25 FAR RETAIL/COMMERCE) NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR.) RZ PD 21-0745 AGRICULTURAL/MINING-1/20 (.25 FAR) RESIDENTIAL PLANNED-2 (.35 FAR) NATURAL PRESERVATION RESIDENTIAL-12 (.35 FAR) RESIDENTIAL-16 (.35 FAR) RESIDENTIAL-20 (.35 FAR) RESIDENTIAL-1 (.25 FAR) RESIDENTIAL-9 (.35 FAR) RESIDENTIAL-2 (.25 FAR) RESIDENTIAL-4 (.25 FAR) RESIDENTIAL-6 (.25 FAR) PUBLIC/QUASI-PUBLIC Jurisdiction Boundary County Boundary <all other values> Tampa Service WITHDRAWN CONTINUED Urban Service APPROVED PENDING Shoreline DENIED OC-20 STATUS Sunset Ln≡ Autumn Mist Dr Cove Cypress Cove Rd Mevel Rd. 21-0745 Flagshi N US Highway 41 Crystal Grove Bivd Crystal Lake Rd Old Grove Dr Jake Dr

# HILLSBOROUGH COUNTY **FUTURE LAND USE**

PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR) AGRICULTURAL-1/10 (.25 FAR)

AGRICULTURAL ESTATE-1/2.5 (.25 FAR)

RESIDENTIAL-35 (1.0 FAR)

SUBURBAN MIXED USE-6 (.35 FAR)

COMMUNITY MIXED USE-12 (.50 FAR) URBAN MIXED USE-20 (1.0 FAR)

REGIONAL MIXED USE-35 (2.0 FAR)

RESEARCH CORPORATE PARK (1.0 FAR)

LIGHT INDUSTRIAL PLANNED (.50 FAR)

HEAVY INDUSTRIAL (.50 FAR) LIGHT INDUSTRIAL (.50 FAR)

WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR) CITRUS PARK VILLAGE

akeside Dr

/press Ln≡



Map Printed from Rezoning System: 5/20/2021 920 460

1,380

Author: Beverly F. Daniels

FIe: G\RezoningSystem\MapProjects\HC\Greg\_hcRezoning - Copy.mxd



# GENERAL SITE PLAN FOR CERTIFICATION



#### **DEVELOPMENT SERVICES**

PO Box 1110, Tampa, FL 33601-1110 (813) 272-5600

#### HILLSBOROUGH COUNTY **DEVELOPMENT SERVICES DEPARTMENT**

#### **GENERAL SITE PLAN REVIEW/CERTIFICATION**

#### **BOARD OF COUNTY COMMISSIONERS**

Harry Cohen Ken Hagan Pat Kemp Gwendolyn "Gwen" Myers Kimberly Overman Mariella Smith Stacy R. White

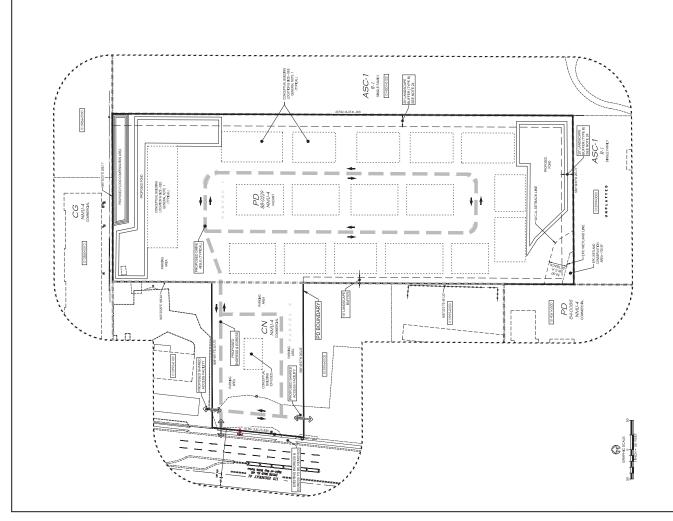
#### **COUNTY ADMINISTRATOR**

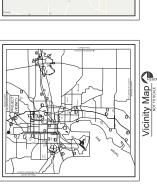
Bonnie M. Wise **COUNTY ATTORNEY** Christine M. Beck **INTERNAL AUDITOR** Peggy Caskey

**DEPUTY COUNTY ADMINISTRATOR** 

Gregory S. Horwedel

Project Name: RZ-PD (21-07	(45)
Zoning File: RZ-PD ( 21-0745)	Modification: None
Atlas Page: None	Submitted: 07/28/22
To Planner for Review: 07/28/22	Date Due: ASAP
Clayton Bricklemyer, Bricklemyer law Group  Contact Person:	Phone: 813-229-7700/ clayton@bricklawgroup.com
Right-Of-Way or Land Required for I	Dedication: Yes No ✓
✓ The Development Services Departm	ent HAS NO OBJECTION to this General Site Plan.
The Development Services Departm Site Plan for the following reasons:	ent RECOMMENDS DISAPPROVAL of this General
Reviewed by: Tim Lampkin	Date: 8/2/22
Date Agent/Owner notified of Disapp	roval:









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LUTZ SELF STORAGE





VACANT (UNDEVELOPED)		RESOURCE PI
PARCEL 1: 75 ENCLOSED RV / BOAT STORAGE SPACES PARCEL 2: CN USES, AS CONDITIONED		3. U.S. HIGH SCENIC CORF
A: 68,211 SF± (PARCELS 1.6.2) RATIO: 0,25		4. NO PLATTI THE SITE ARE
NG AREA: 66,211 SF [PARCELS 1 & 2) 3,2 AREA: 2,500 SF MAX		5. ALL LAND SHOWN.
98		6. NO CULTU RECREATION
30		7. NO EXIST
RES): 30' PER LDC BUFFER		8. A TECO E/ DENTIFIED W
		9. NO FLEXE
: 70% MAX (185,391 SF±) c. 30% MN (79,453 SF±)		10. COMMON- LANDS OR PU
BODIES		11. IT IS ANTIC
		12, BUFFERIN UNLESS OTHE
NAME A IS IN FLOOD ZONE "X" PER FEMA FLOOD MAP 1205702064H, DATED 08/26/2008.		13. POINT OF VEHICLES SH AND MAY BE (
	1	14, SHARED A
(		15. NO RIGHT
IIII ZONINS DESIGNATION BOUNDARY		18. RIGHT OF 150 FEET OF 1
PROPERTY/BOUNDARY LINE 30 FOLIO MAMBER		17. THE LOCA OF THE SITE / FEET OF THE
ZONING DESIGNATION (CURRENT)		18. WATER AN
FUTURE LAND USE DESIGNATION		19, WETLAND SITE, IF ANY A
EXISTING USE		20, ACCORDI
		on mutostato

III III III III III ZONING DESIGNATION BOUNDARY	PROPERTY/BOUNDARY LINE	FOUR MUMBER	ZONING DESIGNATION (CURRENT)	- FUTURE LAND USE DESIGNATION	NG USE	EXISTING BUILDING	EXISTING PAVEMENT	
MNOZ III	PROPE		ZONIN	- RUTUR	-EXISTING USE	EXIST	EXIST	
		3082,0000	7	170	LE FAMILY			

GENEBAI NOTES	GENERAL MOLES	1. THE PROJECT IS LOCATED IN THE LUTZ COMMUNITY PLAN AREA AND IS NOT LO	SPECIAL OVERLAY DISTRICT, THE DEVELOPMENT SHALL BE IN COMPLIANCE WITH T	STANDARDS IN THE LUTZ COMMUNITY PLAN WITH THE FOLLOWING RESTRICTIONS	1.1. THE BUILDINGS ALONG THE EAST AND SOUTH PROPERTY LINES SHALL BE NO	SQUARE FEET	1.2. THE BUILDING SIDES FOR THE BUILDINGS ALONG THE EAST AND SOUTH PROF	EAST PARCEL SHALL NOT EXCRED 100 FEET FOR ALL BUILDING SIZES.	1.3. ALL OVERHEAD DOORS WILL NEED TO FACE INTERNAL TO THE PROJECT.	

- - RAL FACILITIES, RECORDED HISTORICAL OR ARCHEOLOGICAL SITES, COMM USES, OR PUBLIC FACILITIES EXIST ON-SITE OR WITHIN 150 FEET OF THE SIT

18215 U.S HIGHWAY 41 N. LUTZ, FLORIDA 33549

STORAGE

VA & TAOB

- ASEMENT (OR BOOK 4909, PG 925) THIN 150 PEET OF THE SITE.
- - VIDN OF SIDEWALKS ON ALL ROADWAYS WRE AS SHOWN. THERE ARE NO BIKEWAY PROJECT.

		A WAIVER TO SECTION 6.01.01 TO REMOVE THE ADDITIONAL SETBACK OF TWO FEET FOR	VER 20 FEET.
OCTURNIC COTTONIO	AEGUESTED WAIVERS -	A WAIVER TO SECTION 6.01.01 TO REI	ONE FOOT OF STRUCTURE HEIGHT OVER 20 FEET.

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S Surveying Corporation	Engineering 8

8136 Bhiol , eqmeT (xet) 1973-123 (818)	beoR reviR mls9 8188 1487-158 (818)
Surveying Corporation	& Baineenign3

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## AGENCY COMMENTS

#### AGENCY REVIEW COMMENT SHEET

TO: Z	coning Technician, Development Services Depa	rtment	DATE: 1/04/2022
REVIEWER: Richard Perez, AICP AGENCY/DEPT: Transportation			nsportation
PLANNING AREA/SECTOR: Lutz/NW PETITION NO: RZ 21-074			Z 21-0745
	This agency has no comments.		
	This agency has no objection.		
X	This agency has no objection, subject to the li	sted or attached conditions	
	This agency objects for the reasons set forth b	pelow.	

#### CONDITIONS OF APPROVAL

- 1. The site shall be limited to one access connection on US Highway 41.
- 2. The developer shall construct site access improvements on US Highway 41, including to but not limited to median opening alignment and turn lane extension, subject to FDOT approval.
- 3. Shared access facilities shall be provided to the adjacent properties to the north (folio# 13992.0100) and south (folio#13394.0100) with the initial increment of development. At such time ingress and egress easements shall be recorded with each of the said adjacent properties in order to construct, maintain and utilize the shared access facilities.
- 4. The Commercial Neighborhood (CN) uses on Parcel 2 shall be limited to a maximum of 2,500 square feet of development.
- 5. Notwithstanding anything shown on the site plan, ADA/sidewalk connections shall be provided from site ingress and egress access points to building entrances and parking areas.
- 6. Minimum off-street parking spaces shall be provided for per Sec. 6.05.00 of the LDC.

#### PROJECT SUMMARY AND ANALYSIS

The subject property is located on the east side of US Hwy 41 approximately 360 feet south of Flagship Dr. The applicant is requesting to rezone a +/- 6.08-acre site from Planned Development (PD 88-0229) and 2,500 sq ft of Commercial Neighborhood (CN) to a new PD district to allow RV/Boat storage with a +/- 0.91 outparcel to be developed for CN uses. PD 88-0229 is approved for 42,000 sq ft of office uses with a limit of 6,000 sq ft of medical office uses. The future land use designation is Neighborhood Mixed Use 4 (NMU-4).

The applicant submitted a trip generation analysis as required by the Development Review Procedures Manual (DRPM). Note, the applicant's analysis is based on the proposed limit on Commercial Neighborhood (CN) uses of 2, 500 sq ft. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data

presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 36,000 sf - General Office	209	42	41
PD: 6, 000 sf – Medical Office	351	17	21
CN: 7,925 sf - Fastfood Restaurant Drive Thru (ITE LUC 934)	3,735	319	259
Total Trips	4,295	378	578
Internal Capture	N/A	26	12
Pass-By Trips	N/A	150	126
Net Trips	4,295	202	440

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
		AM	PM
PD: 63,711 sf - Self Storage (ITE LUC 151)	96	6	11
PD: 2,500 sf - Fastfood Restaurant Drive Thru (ITE LUC 934)	1,177	100	82
Total Trips	1,273	106	93
Internal Capture	N/A	N/A	N/A
Pass-By Trips	N/A	24	40
Net Trips	1,273	82	53

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(-) 3,022	(-) 120	(-) 387

The proposed rezoning would result in a decrease of trips potentially generated by development of the subject site by 3,022 average daily trips, 120 trips in the a.m. peak hour, and 387 trips in the p.m. peak hour.

#### TRANSPORTATION INFRASTRUCTURE SERVING THE SITE AND SITE ACCESS

US Hwy 41 a 6-lane, divided, arterial roadway maintained by FDOT. The roadway is characterized by +/-11-foot wide travel lanes within +/- 120 feet of right-of-way. There is a +/- 5-foot sidewalk along the project frontage and +/- 5-foot bicycles lanes are present in the vicinity of the project.

#### SITE ACCESS AND CONNECTIVITY

Site access is from US Hwy 41; an FDOT roadway. The access connection to the project will be limited by a restrictive median opening to one right-in, right-out and left-in driveway. The existing driveway access is nonconforming/non-compliant per FDOT requirements.

The applicant held a pre-application meeting with FDOT on August 10, 2021. Based on FDOT comments, shared access facilities are proposed as part of the PD site plan to the adjacent properties to the north (folio# 13992.0100) and south (folio#13394.0100). Shared access easements shall be required to comply with

FDOT comments at the time of the initial increment of development. Additionally, the developer will make improvements to the site access from US Hwy 41. The improvements, subject to FDOT final approval, include shifting the existing median opening on US Hwy 41 to south to align with the proposed access and extending the southbound left turn lane to 340 feet.

At the time of construction/site plan review, the applicant will be required to show ADA/sidewalk connections from all site access points to the primary building entrances and parking areas consistent with Section 6.02.03. B. of the LDC.

# ROADWAY LEVEL OF SERVICE

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service				
Roadway	From	То	LOS Standard	Peak Hr Directional LOS
US HWY 41	DEBUEL RD	SUNSET LANE	D	С

Source: 2020 Hillsborough County Level of Service (LOS) Report

# Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)					
Road Name	Classification	Current Conditions	Select Future Improvements		
US Hwy 41	FDOT Principal Arterial - Urban	6 Lanes □Substandard Road □Sufficient ROW Width	<ul><li>☐ Corridor Preservation Plan</li><li>☐ Site Access Improvements</li><li>☐ Substandard Road Improvements</li><li>☐ Other</li></ul>		

<b>Project Trip Generation</b> □ Not applicable for this request				
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips	
Existing	4,295	202	440	
Proposed	1,273	82	53	
Difference (+/-)	(-)3,022	(-)120	(-)387	

<sup>\*</sup>Trips reported are based on net new external trips unless otherwise noted.

Connectivity and Cross Access ☐ Not applicable for this request				
Project Boundary	Primary Access	Additional	Cross Access	Finding
		Connectivity/Access		
North		Vehicular & Pedestrian	None	Meets LDC
South		Vehicular & Pedestrian	None	Meets LDC
East		None	None	Meets LDC
West	Х	None	None	Meets LDC
Notes:				

<b>Design Exception/Administrative Variance</b> ⊠ 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	
<ul><li>☐ Design Exception/Adm. Variance Requested</li><li>☑ Off-Site Improvements Provided</li></ul>	☐ Yes ☐ N/A ☑ No	⊠ Yes □ No	See Transportation Report	



RON DESANTIS GOVERNOR

2822 Leslie Road Tampa, FL 33619 KEVIN J. THIBAULT, P.E. SECRETARY

August 10, 2021

#### THIS DOCUMENT IS NOT A PERMIT APPROVAL.

THIS PRE-APPLICATION FINDING MAY NOT BE USED AS A BASISFOR PERMIT APPROVAL AFTER 02/10/2022.

**Re: PRE-APPLICATION REVIEW FOR ACCESS CONNECTION PERMIT REQUEST** 

Date: August 10, 2021 State Road#: 45

Time: 11:30 AM Section ID #: 10 040 000
Applicant: Michael Yates Mile Post: 13.099
Project: RV & Boat Storage Road Class: 5

Location: 18213 US-41 Lutz, 33549 MPH: 45 MPH

County: Hillsborough DW/Sig Spacing: 245' 1320'

13999-01000, 013992-0000, Median Spacing: 660' 1320'

013994-0000

Dear Mr. Yates

The Pre-application review of the subject project was conducted by your request. The purpose of the Pre-application review is to educate both the applicant and the Department of the project, the scope of work being proposed, and the requirements to obtain a permit for allowed development or modification to connections within the state Right of Way. After discussing the project and doing a thorough review of the documentation presented, the following comments are to be considered in the final design and we have determined that

	We disapprove the concept as presented with the following considerations.
×	We approve the concept as presented with the following conditions/considerations.
	We approve of the concept as submitted and we invite you to submit a permit application package to the Permit Office with engineering drawings that reflect the concept proposed in this meeting.
	We are prepared to continue the review of the concept with the District Variance Committee.
	We are prepared to continue the review of the concept as presented with the following

#### **Conditions and Comments:**

This project proposes modifying access to SR 45, a class 5 roadway, with a posted speed limit of 45 MPH. Florida Administrative Code, Rule Chapter 14-97, requires 245' driveway spacing, 660' directional, 1320' full median opening spacing, and 1320' signal spacing requirements. Therefore, connections would be considered non-conforming in accordance with the rule chapters 1996/97 for connection spacing.

#### considerations.

# **FDOT Recommendations**,

- 1. Trying to develop into a mini-warehouse for boat and RV storage.
- 2. 147 daily trips.
- 3. Trying to achieve a shared access driveway with the southern property.
- 4. Developer wants to avoid RVs needing to make U-turns to access the site, so efforts are being made to access a SB directional left.
- 5. Proposed driveway location would achieve conforming spacing to the south and non-conforming to the north (which is the existing condition).
- 6. The Department agrees to the driveway location and consolidation if the applicant also provides cross-access to the southern property (either an easement or a physical connection). Label on the plans as a 'Shared Access Facility' to satisfy Hillsborough County requirements.
- 7. Existing SB left turn lane will be lengthened to 340'.
- 8. If median modifications shorten existing turn lanes more than 50' the lanes will have to be reconstructed to provide the length lost.
- 9. Because turn lanes are being modified a traffic study will be required.
- 10. Concrete separator will still need to be a minimum of 6' edge to edge.
- 11. Driveway needs to be constructed as a radial urban design. 35' radial driveway with a 30' throat. 24' minimum width, can be increased to 30'.
- 12. Applicant will need to account for existing drainage inlet.
- 13. Sidewalk connection will be required.
- 14. A drainage permit exception will be required. A full drainage connection permit is not expected to be necessary.
- 15. Shoulders will need to be (re)constructed accordingly.
- 16. All other existing driveway will need to be removed.
- 17. Maintain 20' pedestrian sight triangles and draw the triangles on the plans to show there are no obstructions taller than 24" within the triangles. (See example below)
- 18. All typical driveway details to be placed properly:
  - a. 6' wide, high emphasis, ladder style crosswalk straddling the (RED) detectable warning mats.
  - b. 24" thermoplastic white stop bar equal to the lane width placed 4' behind crosswalk.
  - c. 36" stop sign mounted on a 3" round post, aligned with the stop bar.
  - d. If applicable, a "right turn only" sign mounted below the stop sign (FTP-55R-06 or FTP-52-06).
  - e. Double yellow 6" lane separation lines.
  - f. Directional arrow(s) 25' behind the stop bar.

- g. Warning mats to be red in color unless specified otherwise.
- h. All markings on concrete are to be high contrast (white with black border).
- i. All striping within and approaching FDOT R/W shall be thermoplastic.
- 19. **Make a note in the plans** stating that vegetation control, maintenance and restoration is the responsibility of the UAO or Contractor for the duration of the work being done in the ROW for six months after after work is complete or until restored vegetation is well established.
- 20. Include a copy of this letter in the application submittal.
- 21. Plans shall be per the current Standard Plans and FDM.
- 22. **Lighting of sidewalks and/or shared paths must be to current standards** (FDM section 231). Newly implemented FDOT Context classifications updated the required sidewalk widths (FDM section 222.2.1.1). Where sidewalk is being added and/or widened, the lighting will be analyzed to ensure sidewalks are properly lighted per FDOT FDM standards. Reference the following link for details: <a href="https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/roadway/fdm/2020/2020fdm231lighting.pdf?sfvrsn=2ad35fbf\_2">https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/roadway/fdm/2020/2020fdm231lighting.pdf?sfvrsn=2ad35fbf\_2</a>
- 23. Any relocation of utilities, utility poles, signs, or other agency owned objects must be coordinated with the Department and the **existing and proposed location** must be clearly labeled on the plans. Contact the Permits Department for more details and contact information.
- 24. Any project that falls within the limit of a FDOT project must contact project manager, provide a work schedule, and coordinate construction activities prior to permit approval. Contact the Permits Department for more details and contact information.
- 25. All the following project identification information must be on the Cover Sheet of the plans:
  - a. All Associated FDOT Permit #('s)
  - b. SR # (& Local Road Name) and Road Section ID #
  - c. Mile Post # and Lt or Rt Roadway
  - d. Roadway Classification # and Speed Limit (MPH)
- 26. All Plans and Documents submitted in OSP need to be signed and sealed.
- 27. The following FDOT Permits may additionally be required:
  - a. Access Permit / Construction Agreement
  - b. Drainage Permit or Exemption
  - c. Utility Permit for any utility connections within the FDOT R/W (Except those that are exempt from permitting by the 2017 FDOT Utility Accommodation Manual).
  - d. Temporary Driveway Permit

If you do not have access to a computer, and are unable to apply through our One Stop Permitting website, you must submit your application to,

Florida Department of Transportation 2822 Leslie Rd. Tampa, Fl. 33619 Attn: Mecale' Roth

Favorable review of the proposed generally means that you may develop plans that comply with the review comments and submit them with a permit application, within six months, to

the Department for permit processing and further review. The Pre-application is for the applicant to discuss, with Department staff, the proposed site design for compliance and constructability in relation to the Standard Plans, and look at options, potential obstacles, or unforeseen issues. The review findings are not binding and are subject to change. The applicant's Engineer of Record is responsible for the technical accuracy of the plans. In keeping with the intent of the Rule, the Department will attempt to abide with the review comments to the extent that necessary judgment is available to the Permits Engineer. Unfavorable review generally means that a permit application, based on the design proposal, would likely be denied.

If you do not agree with Pre-Application meeting results and would like to schedule an AMRC meeting, contact Traffic Ops, David Ayala at 813-975-6717.

For any other questions or assistance, please feel free to contact me.

Sincerely,

Holly Champion

Permit Coordinator I Tampa Operations Office - 813-612-3365 Cell- 813-255-3678 **Guests-** Mike Yates myates@palmtraffic.com

David Bell dwb@lesc.com

FDOT- Matt Campbell matthew.campbell@dot.state.fl.us William Gardner William.gardner@dot.state.fl.us

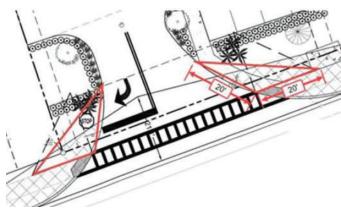
Doug Todd Crosby

Douglas.crosby@dot.state.fl.us

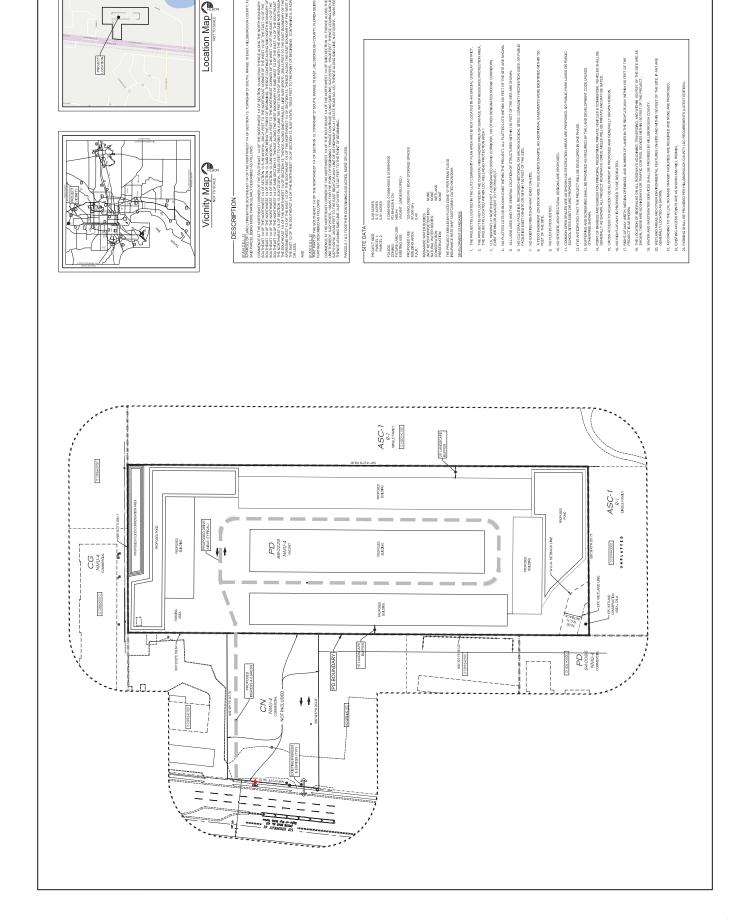
Joel Provenzano joel.provenzano@dot.state.fl.us
Holly Champion
Lindsey Mineer
Dan Santos
Antonius Lebrun
Amanda Serra
Andrew Perez
Joel.provenzano@dot.state.fl.us
Holly.champion@dot.state.fl.us
lindsey.miner@dot.state.fl.us
daniel.santos@dot.state.fl.us
antonius.lebrun@dot.state.fl.us
amanda.serra@dot.state.fl.us
andrewa.perez@dot.state.fl.us

# **Pedestrian Sight Triangle Example:**

Driveways leading onto state roads need to have min. 20' x 20' clear 'pedestrian sight triangles' on each side of the driveway, at the edge of the sidewalk. It should be measured as 20' up the sidewalk and 20' up the driveway from the point at which the sidewalk meets the driveway. Nothing above 2' in height from the pavement elevation (except for the stop sign post) should be placed in these triangles. Also, no parking spaces should be in these triangles, not even partially. Please draw in and label these 'pedestrian sight triangles' on the plans. Here is an example of what these triangles look like and how they are positioned (see red triangles in the attached example)









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ніггавокопен солиту, ғъовірь

LUTZ SELF STORAGE

DAVID W. BEIL. No. 57966

ADRITH AMERICAN VERTICAL DATUM 1988 (NAVD88 Conversion from NAVD88 to NGVD29 = +0.82 Feet

DWB CKED BA

JEE

5021-04-26





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#### **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 Hooshang Boostani, P.E. WASTE DIVISION Elaine S. DeLeeuw ADMIN DIVISION Sam Elrabi, P.E. WATER DIVISION Rick Muratti, Esq. LEGAL DEPT Andy Schipfer, P.E. WETLANDS DIVISION Sterlin Woodard, P.E. AIR DIVISION

#### AGENCY COMMENT SHEET

REZONING			
HEARING DATE: 7/26/2021	COMMENT DATE: 5/18/2021		
PETITION NO.: 21-0745	PROPERTY ADDRESS: 18213 US-41, Lutz, FL		
EPC REVIEWER: Chantelle Lee	33549		
CONTACT INFORMATION: (813) 627-2600 X 1358	FOLIO #: 013992-0000, 013994-0000, 013999-0100		
EMAIL: leec@epchc.org	<b>STR:</b> 13-27S-18E		
REQUESTED ZONING: CN, PD to PD			

FINDINGS			
WETLANDS PRESENT	YES		
SITE INSPECTION DATE	1/21/2021		
WETLAND LINE VALIDITY	Expires 4/27/2026		
WETLANDS VERIFICATION (AERIAL PHOTO,	Wetland in southwestern corner of Folio# 013999-		
SOILS SURVEY, EPC FILES)	0100		

The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:

- Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the
  Environmental Protection Commission of Hillsborough County (EPC) approvals/permits
  necessary for the development as proposed will be issued, does not itself serve to justify any
  impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland

must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

• Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

#### INFORMATIONAL COMMENTS:

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

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

Cl/mst

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

PETIT	PETITION NO.: PD21-0745 REVIEWED BY: Randy Rochelle DATE: 5/10/2021				
FOLIC	FOLIO NO.: 13992.0000				
	This agency would ☐ (support), ☒ (conditionally support) the proposal.				
	WATER				
	The property lies within theWater Service Area. The applicant should contact the provider to determine the availability of water service.				
	No Hillsborough County water line of adequate capacity is presently available.				
	A <u>12</u> inch water main exists (adjacent to the site), (approximately feet from the site) <u>and is located within the east Right-of-Way of N. US Highway 41</u> .				
	Water distribution improvements may be needed prior to connection to the County's water system.				
	No CIP water line is planned that may provide service to the proposed development.				
	The nearest CIP water main ( inches), will be located [ (adjacent to the site), [ (feet from the site at). Expected completion date is				
	WASTEWATER				
	The property lies within the Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.				
	No Hillsborough County wastewater line of adequate capacity is presently available.				
	A inch wastewater force main exists (adjacent to the site), (approximately feet from the site)				
	Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.				
	No CIP wastewater line is planned that may provide service to the proposed development.				
	The nearest CIP wastewater main ( inches), will be located $\square$ (adjacent to the site), $\square$ (feet from the site at). Expected completion date is				
COMN	MENTS: The subject site is located outside of the Hillsborough County Urban Service Area, however County water service line is located adjacent to the subject property so water service is available. This comment sheet does not guarantee water service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.				

# AGENCY REVIEW COMMENT SHEET

TO:	<b>ZONING TECHNICIAN, Planning Growth Manag</b>	gement	<b>DATE:</b> 26 May 2021			
REVIEWER: Bernard W. Kaiser, Conservation and Environmental Lands Management						
APPI	LICANT: Clayton Brickelmyer	PETITION NO: R	Z-PD 21-0745			
LOC	<b>ATION:</b> 18213 N. US 41 Hwy, Lutz, FL 33549					
FOL	IO NO: 13992.0000 13994.0000, 13999.0100	SEC: <u>13</u> TWN: <u>27</u>	<b>RNG</b> : <u>18</u>			
	This agency has no comments.					
	This agency has no objection.					
	This agency has no expection.					
	This agency has no objection, subject to listed o	r attached condition	S.			
	This agency objects, based on the listed or attac	shed conditions				
	This agency objects, based on the listed of attac	nica contantoris.				
COMMENTS:						



#### **AGENCY REVIEW COMMENT SHEET**

**NOTE:** THIS IS ONLY FOR ESTIMATE PURPOSES, BASED ON THE FEES AT THE TIME THE REVIEW WAS MADE. ACTUAL FEES WILL BE ASSESSED BASED ON PERMIT APPLICATIONS RECEIVED AND BASED ON THE FEE SCHEDULE AT THE TIME OF BUILDING PERMIT APPLICATION.

TO: Zoning Review, Development Services DATE: 01/06/2022

**REVIEWER:** Ron Barnes, Impact & Mobility Fee Coordinator

APPLICANT: Bricklemyer Law Group, P.L. PETITION NO: 21-0745

LOCATION: E side of US 41, approx 300' South of Flagship Dr

**FOLIO NO:** 13992.0000, 13994.0000, 13999.0100

#### **Estimated Fees:**

Warehouse Shopping Center (Per 1,000 s.f.) (Per 1,000 s.f.)

Mobility: \$1,239\*63.711 = \$78,937.93 Mobility: \$12,206\*2.5 = \$30,515

Fire: \$34\*63.711 = \$2,166.17 Fire: \$313\*2.5 = \$782.50

Bank w/DT Fast Food w/DT (per 1,000 s.f.) (Per 1,000 s.f.)

Mobility: \$15,549\*2.5 = \$38,872.50 Mobility: \$94,045\*2.5 = \$235,112.50

Fire: \$313\*2.5 = \$782.50 Fire: \$313\*2.5 = \$782.50

### **Project Summary/Description:**

Rural Mobility, Northwest Fire - 63,711 s.f. enclosed warehouse RV/Boat storage units, 2,500 s.f. CN uses

<sup>\*\*\*</sup>revised fees estimated based on Jan 1, 2022 schedule\*\*\*

# VERBATIM TRANSCRIPT

# HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

	X
IN RE:	)
ZONE HEARING HEARINGS	MASTER )
	X

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:

PAMELA JO HATLEY

Land Use Hearing Master

DATE:

Monday, June 13, 2022

TIME:

Commencing at 6:00 p.m.

Concluding at 11:56 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

	Page 73
1	HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS
2	
3	ZONING HEARING MASTER HEARINGS June 13, 2022
4	ZONING HEARING MASTER: PAMELA JO HATLEY
5	
	B1:
6	Application Number: RZ-PD 21-0745 Applicant: Bricklemyer Law Group
7	Location: E side of N US Highway 41 & 360' S of Flagship Dr.
8	Folio Number: 013992.0000, 013994.0000 & 013999.0100
9	Acreage: 6.08 acres, more or less
10	Comprehensive Plan: NMU-4 Service Area: Rural
11	Existing Zoning: CN, PD, 88-0229 Request: Rezone to Planned Development
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Page 74 MR. GRADY: The next item is agenda item 1 2 B-1, Rezoning-PD 21-0745. The applicant is Bricklemyer Law Group. 4 This was a remanded case. Tim Lampkin will provide staff recommendation after presentation by 5 6 the applicant. MR. BRICKLEMYER: Good evening. I told you 8 back in January we would be back with something that was supported, and I think I've delivered. Clayton Bricklemyer, 4427 West Kennedy, 10 11 Bricklemyer Law Group representing the applicant. 12 I really don't want to be duplicative of 13 Mr. Lampkin's presentation. So I will let him do 14 his thing. I will tell you that we really 15 appreciate staff. We worked really hard, 16 particularly on Condition 6, to get this to where 17 everyone agreed that it's compatible. 18 And we are happy with the conditions you have. There is one scrivener's error that Tim is 19 20 going to correct. But other than that, I would ask 21 you for your recommendation of approval, and we're 22 available for questions. 23 HEARING MASTER HATLEY: All right. 24 you. Can you point me to that scrivener's error? 25 MR. BRICKLEMYER: It's going to be in --

Page 75 MR. LAMPKIN: Condition 4. 4.1. 1 2 HEARING MASTER HATLEY: Okay. Thank you. I'll look at it. 4 All right. Development Services. 5 MR. LAMPKIN: Hello. Tim Lampkin, again. The application -- this application is 6 7 approximately -- oops, sorry. 8 This application is located off of U.S. 41. 9 To the north of the site is a gas station with restaurants and other commercial uses continuing 10 11 northward up to Sunset Lane. 12 West across 41 is a PD, location of a mobile 13 home park with a church located further to the 14 south. To the southwest of the proposed 15 development is more commercial development 16 including therapy and massage establishments. 17 To the immediate south and to the east of 18 the subject site is zoned ASC-1 with a 19 single-family residential on the parcel. Directly 20 south of the site is approximately 5.09-acre 21 property developed with a single-family home, and 22 directly east of the subject site, there are two 23 folios. 24 It's also developed with a single-family 25 And we'll talk a little bit about that

Page 76 quickly. Later, that was one of the reasons for 1 2 It had to do with the applicant wanted the remand. to create more compatibility with the residential 4 immediately to the east. 5 The Future Land Use is NMU-4. The property 6 is located in the Rural Service Area. Typical uses are suburban scale, neighborhood commercial office, 8 multipurpose, clustered residential, and mixed-use -- mixed-use projects. 9 To the north of the site is a gas station 10 with restaurants and other commercial uses. 11 12 again, you can see a little more of a close-up. To 13 the east is ASC-1 and single-family home. This is the site plan. What's being called 14 15 out, a couple of things. The applicant is 16 proposing a 20-foot buffer with Type B screening. Additionally, on the east and the south, 17 18 this is code compliant. They are also proposing to 19 have a waiver of the two-for-one, which staff 20 supports, although they are proposing a 30-foot 21 setback from the property which -- so they should 22 not have an issue with meeting that requirement, 23 but they're concerned with architectural elements 24 possibly going over above into the 30 feet above 25 the ground, 20 feet up.

Page 77

So staff identified compatibility concerns associated with the original request pertaining to the properties to the east and the south.

More specifically, the building length and massing in the original application along the eastern boundary, the applicant amended the original building length to -- this is in the conditions if approved to 100 feet and the individual boat, RV storage structures to a maximum of 4,000 square feet along the east side adjacent to folio 14001.011 and 13999.0000. And this is to the east and the south.

Now, there are additional architectural elements that are being proposed. For example, let's see, Condition 6. As the subject property is in the Lutz Rural Area and needs to be in compliance, what staff did is took those Lutz -- Lutz -- there's Lutz regulations that normally would not apply to this location against the -- along the eastern boundary and apply those conditions with slight modifications to create more of a formed based development that would appear residential. Things like faux windows, design features, at least one design feature every 50 feet and that sort of thing.

Page 78 And based upon the above considerations, 1 staff finds the request supportable. The site design now adequately demonstrates a compatible transition of uses within area to the foreign-based 5 design standards found in the condition of 6 approval. The request encompasses design, sign 8 limitations that are compatible with the existing rural development. The Development Services staff along with input from others and the Planning 10 Commission met extensively and crafted the 11 12 conditions to bring it into compatibility and 13 approvability. And that concludes staff's 14 presentation, unless there are any questions. 15 HEARING MASTER HATLEY: No questions for 16 Thank you, Mr. Lampkin. you. 17 All right. Planning Commission. 18 MS. LIENHARD: Thank you. For the record, 19 Melissa Lienhard, Planning Commission staff. 20 The subject property is located in the 21 Neighborhood Mixed-Use-4 Future Land Use Category. 22 The site is in the Rural Area, and it is also 23 located within the limits of the Lutz Community 24 Plan. 25 Per Future Land Use Element Objective 4, the

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intent of the Rural Area is to provide areas for large lot, low density, rural residential, or agricultural uses.

Future Land Use Element Policies 16.1, 16.2, and 16.3 require new development to be compatible with the surrounding land uses.

Light commercial and vacant lots are located to the south, north, and west. In addition to the north are public communications and Light Industrial uses.

Immediately adjacent to the site on the east and south are single-family residential lots.

According to adoptive policy direction established neighborhood should be protected by restricting incompatible land uses through locational criteria for the placement of nonresidential uses, as well as limiting commercial development in residential land use categories to a neighborhood scale.

The subject site does meet commercial locational criteria per the direction under Future Land Use Element Objective 22, and the closest qualifying intersection is south of the site at Crystal Lake Road and U.S. Highway 41; 75 percent of the site is located within the 900-foot distance of the qualifying intersection. And therefore, the

Page 80

site does meet commercial locational criteria.

The eastern portion of the Planned

Development is proposing intensity of 63,711 square

feet of enclosed RV and boat storage adjacent to

single-family residential uses.

Per adoptive policy direction, new development must demonstrate the gradual transition of intensities between different land uses using professional site planning, buffering and screening techniques, and the control of specific land uses.

Development and redevelopment are also required to be integrated with adjacent land uses through the creation of like uses, the creation of complementary uses, or the mitigation of adverse impacts.

Future Land Use Element Policy 16.5 requires development of higher intensity nonresidential land uses that are adjacent to establish neighborhoods to be restricted to collectors and arterials and to locations that are external to established or developing neighborhoods.

The proposed development would permit a transition east from Commercial Neighborhood uses that are fronting U.S. Highway 41 to enclosed RV, boat storage of Commercial General use to

Executive Reporting Service

single-family residential.

The proposed development would not provide a gradual transition of uses between the proposed CG use and the existing single-family residential.

Due to this lack of gradual transition of uses, the applicant has proposed to utilize site planning and mitigation techniques to better mitigate for the adjacent single-family residential lots.

The applicant has proposed a 20-foot buffer with Type B screening for the south and the east and a 15-foot buffer for the west. The applicant has agreed to adhere to all of the Lutz rural development standards of the Land Development Code.

And in addition, Planning Commission staff in conjunction with Development Services has crafted conditions of approval that provide a specific set of form design in architectural requirements to regulate the building elevations, size, orientation, appearance, and scale to reflect the surrounding rural residential setting.

The applicant has also agreed to limit the size of the building on the east side and south side to be a maximum of 4,000 square feet in size and 100 feet -- and no more than 100 feet in

length.

The applicant has also agreed to several design requirements for the buildings on the easternmost side of the site.

The conditions of approval are essential to this project being supported as they provide a building form, scale, and design that complements existing residential landscape and also helps to provide for a transition of uses from Commercial Neighborhood to single-family residential.

The proposal along with the proposed conditions would protect the existing established neighborhoods to the east and would meet the intent of Objective 16 and for the Future Land Use Element with regards to compatibility.

The proposal must adhere to the conditions of approval to be found consistent. Without these specific conditions, the intensity and scale of the RV and boat storage on the eastern parcel would not be complementary with the large lot, low density, rural residential development pattern that is representative of the properties that do not front Highway 41.

These conditions also provide a guaranteed standard that the development will be built to

Page 83

comply with Comprehensive Plan policies. The

applicant at the time of this report -- at the

report writing had agreed to all the conditions of

approval.

And based on this, Planning Commission staff finding the request to be consistent with the Comprehensive Plan.

The subject site is also located within a

Lutz Community Plan boundary, and the Lutz

Community Plan establishes certain commercial nodes
and encourages commercial development within these
areas.

A portion of this subject property is located along U.S. Highway 41 and is between Crystal Lake Road and Sunset Lane and the Highway 41 intersections.

The parcels along U.S. 41 from Crystal Road to Sunset Road are identified as a commercial node in the Lutz Community Plan. Consequently, the front parcels of the site do meet the vision of the community plan.

However, the eastern parcel is not located along Highway 41. The Lutz community desires to retain existing and encourage new commercial uses geared to serving the daily needs of area residents

Executive Reporting Service

Page 84 in a scale and design that complements the 1 character of the community. As previously stated, the proposed 4 development conditions of approval ensure intensity 5 and scale that would be compatible with the large 6 lot, low density, rural development pattern, and the existing adjacent single-family residential uses. Consequently, the request is consistent with 9 10 the vision of the Lutz Community Plan. And based upon those considerations, Planning Commission 11 12 staff finds the proposed Planned Development 13 consistent with the Future of Hillsborough Comprehensive Plan for unincorporated Hillsborough 14 15 County, and that will be subject to conditions as 16 proposed by Development Services. Thank you. 17 HEARING MASTER HATLEY: All right. you. Ms. Lienhard, to clarify, I believe the 18 19 Planning Commission's report did say a 15-foot 20 buffer for the west, and that has been corrected to a 10-foot buffer? 21 22 Thank you. Duly noted. MS. LIENHARD: 23 HEARING MASTER HATLEY: Okay. Good. 24 you. 25 All right. We'll go to the public.

	Page 85
1	there anyone here or online who wishes to speak in
2	support of this application? Do not see anyone.
3	Is there anyone here or online who wishes to
4	speak in opposition to this application? All
5	right. I do not see anyone.
6	Development Services, did you have anything
7	further?
8	MR. GRADY: Nothing further.
9	HEARING MASTER HATLEY: Okay. And
10	applicant, did you have anything further? Okay.
11	All right.
12	This will close the hearing then on PD
13	21-0745.
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# HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

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IN RE:	)
ZONE HEARING MASTER HEARINGS	)
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:

SUSAN FINCH

Land Use Hearing Master

DATE:

Monday, May 16, 2022

TIME:

Congluding at 10:14 p.m.

Concluding at 10:14 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

Page 9 dealing with for the past week, I have not been 1 2 able to prepare for this hearing and request a continuance to the July hearing, please. 4 HEARING MASTER FINCH: Okay. Is there 5 anyone in the room or online that would like to 6 speak to the continuance only of Rezoning 22-0456? Seeing no one in the room, no one online. 8 All right. Then with that, we'll continue Rezoning 22-0456 to the July 25th Zoning Hearing 9 10 Master Hearing at 6:00 p.m. 11 Mr. Grady, thank you. 12 MR. GRADY: That concludes the changes to 13 the published agenda. I'll now go through the 14 published withdrawals and continuances beginning on 15 page 4 of the agenda. 16 The first item is item A-1, Rezoning-PD 17 21-0745. The applicant is being continued by the 18 applicant to the June 13, 2022, Zoning Hearing 19 Master Hearing. 20 Item A-2, Major Mod 21-0963. 21 application is out of order to be heard and is 22 being continued to the June 13, 2022, Zoning 23 Hearing Master Hearing. 24 Item A-3, Major Mod Application 21-1270. 25 This application is out of order to be heard and is

# HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

	>
IN RE:	)
ZONE HEARING MASTER HEARINGS	) ) )
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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

		Page 146
1		GH COUNTY, FLORIDA DUNTY COMMISSIONERS
2		ING MASTER HEARINGS
3	Janua	ary 18, 2022 ASTER: PAMELA JO HATLEY
4	ZONING HEARING MA	SIER: PAMELA JO HAILEI
5		
6	± ±	RZ-PD 21-0745
7		Bricklemyer Law Group E side of N. US Hwy 41 & 360'S
8	Folio Number:	of Flagship Dr. 013992.0000, 013994.0000 & 013999.0100
9	<del>-</del>	6.26 acres, more or less
10	Service Area:	Rural
11	Existing Zoning: Request:	Rezone to Planned Development
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Page 147 MR. GRADY: The next item is agenda item 1 2 D-3, Rezoning-PD 21-0745. The applicant is Bricklemyer Law Group. The request is to rezone 4 from CN and PD to a Planned Development. 5 Tim Lampkin with County Staff will provide 6 staff recommendation after presentation by the applicant. MR. BRICKLEMYER: Good evening. Can you-all hear me? 9 HEARING MASTER HATLEY: 10 11 MR. BRICKLEMYER: Great. Clayton Bricklemyer, Bricklemyer Law Group, 4427 West 12 13 Kennedy Boulevard, representing the applicant. 14 This is a strange one. I am -- I would be 15 continuing this hearing, Madam Hearing Master, if 16 not for the fact that the Code precludes me from 17 continuing because we used up our continuances. 18 Therefore, my discussions with staff have 19 led me to a place where I am simply telling you 20 that we are going to be asking for a remand back to 21 you. At which point, we are -- we are very hopeful 22 that we will have an application that is kind of 23 ready for prime time. 24 I don't see the benefit in making any kind 25 of presentation that'll muddy up my presentation

Page 148 that I make when I get remanded. I understand 1 2 there may be some residents nearby, and that's -or in the room to speak, and that's part of the 4 reason I need the time, to speak to them. 5 So that is actually my presentation. I 6 understand -- I spoke to staff. I think they're going to make their presentations, and I understand 8 that you need to make a recommendation based on the record that's in front of you, and that's totally 10 okay. 11 And I hope to see you in a few months with 12 something that has support across the board. But 13 that's the end of my presentation. 14 HEARING MASTER HATLEY: Okay, 15 Mr. Bricklemyer. I understand. Thank you. 16 MR. BRICKLEMYER: Thanks. 17 HEARING MASTER HATLEY: All right. 18 Development Services. 19 MR. LAMPKIN: Hello. Tim Lampkin, 20 Development Services. I'm just going to bring up 21 the presentation. 22 So the applicant is requesting a CN, PD, 23 Office Use, and Commercial General. It's in a 6.08 24 unified development zoning plan is what's being 25 proposed. It's located in the Lutz community on

Page 149 the east side of 41, on the south side of U.S. 1 41 --MR. LAMPE: Mr. Lampkin, just to let you 4 know, we're not seeing any presentation. 5 MR. LAMPKIN: Oh, you're not? Okay. 6 MR. LAMPE: No, sir. MR. LAMPKIN: Hold on. Let me -- sorry 8 about that. Can you see it now? MR. LAMPE: Yes, sir. HEARING MASTER HATLEY: Yes. 10 11 MR. LAMPKIN: Okay. Thank you very much. 12 I'll go over it again. The project is located in 13 the Lutz community. It's on the east side of U.S. 14 41, and it's located south -- you'll see Sunset 15 Lane and 41. 16 It's approximately a 6-acre unified 17 development. The proposal is for 6,211 square feet 18 of development. It's located in the Rural Service 19 Area. The Future Land Use is NMU-4. 20 A typical use is to include residential, 21 suburban scale neighborhood commercial, office 22 uses, research corporate park uses, clustered 23 Residential Mixed-Used projects. Office uses are not subject to locational criteria. 24 25 Located on the north and west is an NMU-4,

and to the east and the south is RES-1 Future Land Use. The surrounding areas to the west and the north is zoned for Commercial, including Commercial General and Commercial Neighborhood. To the east and the south is ASC-1 Residential Single-Family.

Staff has identified -- up on the screen is the site plan, and you'll see the area delineated for the RV boat storage. And in parcel 2 and in parcel 1 have CN uses which front on U.S. 41.

Staff found compatibility concerns with the request pertaining to the properties to the east and the south, which are the single-family residential developments. And it's related more specifically from the Land Development Code regarding the length and massing along the eastern boundary.

Staff's recommendation, based upon the above considerations, finds the request not supportable, and site design does not adequately demonstrate a gradual transition of uses within the area.

Staff concurs with findings of the
Hillsborough County City-County Planning Commission
that the intensity and scale of the development
does not meet compatibility and transition of use
policies and numerous objectives, policies of the

Page 151 Future Land Use Element. 1 So that concludes staff's presentation. 3 HEARING MASTER HATLEY: Thank you. 4 MR. LAMPKIN: I'm available for any 5 questions. 6 HEARING MASTER HATLEY: No questions for you, Mr. Lampkin. Thank you. All right. We'll hear from the Planning Commission, please. MS. MASSEY: Hi. This is Jillian Massey 10 with Planning Commission staff. 11 12 In an effort to keep this brief, a lot of 13 Planning Commission's concerns are similar to the Development Services Department. But as mentioned, 14 15 this property is located within the limits of the 16 Lutz Community Plan and in the Rural Area. It's 17 designated as Neighborhood Mixed-Use-4 on the 18 Future Land Use Map. 19 The site does meet locational criteria per 20 the policy direction and Objective 22 and the 21 Future Land Use Element. The site has 75 percent 22 located within 900 feet of the qualifying 23 intersection at Crystal Lake Road and U.S. 24 Highway 41.

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Adopted -- according to adopted policy

Page 152 direction, established neighborhoods should be 1 protected by restricting the incompatible land uses through locational criteria for the placement of nonresidential uses and limiting commercial 5 development and residential land use categories to 6 the neighborhood scale. This portion of the proposed -- the Planned 8 Development is proposing an intensity of 63,711 square feet of enclosed RV and boat storage 10 adjacent to the single-family residential uses. 11 The proposal would not protect the existing established neighborhoods to the east and would not 12 13 meet the intent of Policy 16.1. In addition, the intensity and scale of the 14 15 RV and boat storage on the eastern parcel are not 16 complementary of the large lot in the rural 17 residential development pattern that's directly 18 representative of the properties that do not front 19 on Highway 41. 20 And while the site planning's techniques 21 move closer to the intent of Objective 16.4 of the 22 Comprehensive Plan, the proposed RV and boat 23 storage use on the eastern parcel does not provide

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surrounding area that is too intensive,

gradual transition of uses or complement the

24

Page 153 specifically due to the adjacent single-family 1 residential to the east and south. So overall, the proposed rezoning would 4 allow for a development that's not consistent with 5 the goals, objectives, and policies of the Future Land Use Element. 6 7 And the Planning Commission staff found that 8 the proposed land development wasn't consistent with the Comprehensive Plan for unincorporated 9 10 Hillsborough County. HEARING MASTER HATLEY: All right. 11 12 you. 13 Is there anyone here or online who Okay. 14 wishes to speak in support of this application? 15 Anyone who wishes to speak in support? Don't hear 16 anyone. Is there anyone here or online who wishes 17 to speak in opposition to this application? 18 MR. VANBEBBER: Hello. I'm Greg VanBebber. I live at 220 Nevel Road. 19 20 If you can see, here's the subject property. 21 I live -- I live at 220, which is right here, and I 22 also own 208 Nevel Road. I also own 124 Nevel 23 Road. This is a 35-acre tract over here, and they 24 have cows on it, and they're anticipating putting 25 one house on it. I just bought it.

Anyway, I've lived over here for 25 years, and I guess my biggest concern is here -- I've reached out and Tim has been very helpful with me. He even called me back yesterday on his day off to talk to me about this.

And that he introduced us by e-mail with a list of my concerns to the applicant, to the attorney, and they elected not to contact me since December 9th -- December 6th, excuse me.

I'm also the vice president of the Lake

Stemper Lake Association, which you can see is

right here. So part of their concern is that this

is a highly paved and -- scenario and if you look

at the -- at the design, you know, they got a pond

here, and there's an environmental area here that

this water is going to run to here and then flow

into there and then straight into our lake through

a culvert that connects to two.

So that's an environmental service. Since they have access, I'm not sure that it shouldn't be a DOT stormwater connection as opposed to running into our lake. Lake Sempter is 135-acre, very nice lake.

And one of my big concerns is, too, is that everything we seem to get is so schematical, and

Executive Reporting Service

Page 155 that's why I haven't voiced too much because I 1 2 don't want to say I'm against something until I know something about it. 4 But then when they do this and they come 5 back and they show a -- that -- that building -- I 6 live right here. That building is 600 and 7 something feet long that runs all the way across 8 this end of the property here. 9 And then it's open on this end. That's my driveway right there. I'm going to be looking 10 straight into this project. So -- but I guess the 11 12 biggest concern is that they just haven't been in 13 contact with me and even act like they care. 14 I did get a call today from the owner of the 15 project, and he acted like he didn't know that. 16 But, you know, I've got it on record that I have tried to do that. 17 18 There's also nothing in there -- they're 19 talking about 35-foot height. You know, that's --20 that's a pretty industrial use running straight 21 down the property, and there's nothing in here 22 about architectural design. 23 And I just -- really just don't understand 24 why they haven't talked to me and telling me more 25 about it. I just can't support this. Thank you

Page 156 for your time. 1 HEARING MASTER HATLEY: All right. you, sir. Is there anyone else here or online who 5 wishes to speak in opposition to this application? All right. I don't hear anyone. 6 7 Development Services, did you have anything further? 8 MR. GRADY: Nothing further. HEARING MASTER HATLEY: All right. 10 Applicant, did you have anything further? 11 12 MR. BRICKLEMYER: Just only to say that I am 13 sorry that we haven't been in contact. We will --14 I won't bore you with the explanation for that, but 15 we'll -- as you heard, we've reached out -- the 16 owner reached out today. I think there's a meeting 17 later next week. 18 We needed some time on our team to figure 19 out what we were going to do because we were aware 20 of staff concerns, and we did get an e-mail from 21 Mr. VanBebber, and he raised some issues. 22 So those are things we need to deal with. 23 We just need -- we needed some time and now we need 24 some time. So I hope to see you in a few months. 25 HEARING MASTER HATLEY: All right. Thank

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Page 157
 1
       you very much.
 2
                That will close the hearing then on PD
 3
       21-0745.
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# 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

Page 8 1 page 4 of the agenda. 2 The first item is item A-1, Rezoning-Planned Development 18-0798. This is being continued to the April 18th, 2022, Zoning Hearing Master 4 5 Hearing. 6 Item A-2, Rezoning-PD 20-1253. This is 7 being continued to the -- by the applicant to the 8 January 18, 2022, Zoning Hearing Master Hearing. 9 Item A-3, Rezoning-PD 21-0110. application is out of order to be heard and is 10 being continued to the January 18, 2022, Zoning 11 12 Hearing Master Hearing. 13 Item A-4, Rezoning-PD 21-0647. 14 application is being continued by the applicant to 15 the January 18, 2022, Zoning Hearing Master 16 Hearing. 17 Item A-5, Rezoning-PD 21-0701. This 18 application is being continued by the applicant to the January 18, 2022, Zoning Hearing Master 19 20 Hearing. 21 Item A-6, Rezoning-PD 21-0744. This 22 application is being continued by the applicant to the January 18, 2022, Zoning Hearing Master 23 24 Hearing. 25 Item A-7, Rezoning-PD 21-0745.

	Page 9
1	application is being continued by the applicant to
2	the January 18, 2022, Zoning Hearing Master
3	Hearing.
4	Item A-8, Rezoning-PD 21-0748. This
5	application is being continued by the staff to the
6	January 18, 2022, Zoning Hearing Master Hearing.
7	Item A-9, Rezoning-PD 21-0863. This
8	application is being continued by the applicant to
9	the January 18, 2022, Zoning Hearing Master
10	Hearing.
11	Item A-10, Rezoning-PD 21-0864. This
12	application is being continued by the applicant to
13	the January 18, 2022, Zoning Hearing Master
14	Hearing.
15	Item A-11, Rezoning-PD 21-0959. This
16	application is being continued by the applicant to
17	the January 18, 2022, Zoning Hearing Master
18	Hearing.
19	Item A-12, Rezoning-PD 21-0962. This
20	application is out of order to be heard and is
21	being continued to the February 14, 2022, Zoning
22	Hearing Master Hearing.
23	Item A-13, Major Mod Application 21-0963.
24	This application is out of order to be heard and is
25	being continued to the January 18, 2022, Zoning

# HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

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

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:

SUSAN FINCH

Land Use Hearing Master

DATE:

Monday, November 15, 2021

TIME:

Commencing at 6:00 p.m.

Concluding at 9:16 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

Page 8 1 Hearing. Item A-9, Rezoning-PD 21-0745, this application is out of order to be heard and is being continued to the December 13, 2021, Zoning 5 Hearing Master Hearing. Item A-10, Rezoning-PD 21-0748. 6 application is being continued by staff to the 8 December 13, 2021, Zoning Hearing Master Hearing. 9 Item A-11, Rezoning-PD 21-0863. application is being continued by the applicant to 10 the December 13th, 2021, Zoning Hearing Master 11 12 Hearing. 13 Item A-12, Rezoning-PD 21-0864. 14 application is being continued by the applicant to 15 the December 13th, 2021, Zoning Hearing Master 16 Hearing. 17 Item A-13, Major Mod Application 21-0884. 18 This application is out of order to be heard and is 19 being continued to the December 13, 2021, Zoning 20 Hearing Master Hearing. 21 Item A-14, Rezoning-PD 21-0959. This 22 application is being continued by the applicant to 23 the December 13, 2021, Zoning Hearing Master 24 Hearing. 25 Item A-15, Major Mod Application 21-0963.

# HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

	>
IN RE:	)
ZONE HEARING HEARINGS	MASTER )
	>

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:

PAMELA JO HATLEY and SUSAN FINCH

Land Use Hearing Master

DATE:

Monday, October 18, 2021

TIME:

Commencing at 6:00 p.m.

Concluding at 10:33 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

	Page 9
1	This application is being withdrawn from the by
2	the Zoning Administrator in accordance with LDC
3	Section 10.03.02.C.2.
4	Item A-4, Rezoning-PD 21-0626. This
5	application is out of order to be order and is
6	being continued to the November 15, 2021, Zoning
7	Hearing Master Hearing.
8	Item A-5, Rezoning-PD 21-0647. This
9	application is out of order to be heard and is
10	being continued to the November 15, 2021, Zoning
11	Hearing Master Hearing.
12	Item A-6, Rezoning-PD 21-0650. This
13	application is out of order to be heard and is
14	being continued to the November 15, 2021, Zoning
15	Hearing Master Hearing.
16	Item A-7, Rezoning 21-0701. This
17	application is being continued by the applicant to
18	the November 15, 2021, Zoning Hearing Master
19	Hearing.
20	Item A-8, Rezoning-PD 21-0745. This
21	application is being continued by the applicant to
22	the November 15, 2021, Zoning Hearing Master
23	Hearing.
24	Item A-9, Rezoning-PD 21-0748. This
25	application is being continued by staff to the

# 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, September 13, 2021

TIME:

Commencing at 6:00 p.m.

Concluding at 10:36 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

Page 10 Item A-10, Rezoning-PD 21-0701. 1 application has been continued by the applicant to the October 18, 2021, Zoning Hearing Master Hearing. 4 5 Item A-11, Rezoning-PD 21-0744. 6 application is being continued by the applicant to the November 15th, 2021, Zoning Hearing Master Hearing. 9 Item A-12, Rezoning-PD 21-0745. application is being continued by the applicant to 10 the October 18, 2021, Zoning Hearing Master 11 12 Hearing. 13 Item A-13, Rezoning-PD 21-0748. 14 application has been continued by staff to the 15 October 18, 2021, Zoning Hearing Master Hearing. 16 Item A-14, Rezoning-PD 21-0863. 17 application is out of order to be heard and is 18 being continued to the October 18, 2021, Zoning 19 Hearing Master Hearing. 20 Item A-15, Rezoning-PD 21-0864. 21 application is being continued by the applicant to 22 the October 18, 2021, Zoning Hearing Master 23 Hearing. 24 Item A-16, Major Mod Application 21-0865. 25 This application has been continued by the

HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

IN RE:

ZONING HEARING MASTER (ZHM)

HEARING

)

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:

SUSAN FINCH

Zoning Hearing Master

DATE:

Monday, August 16, 2021

TIME:

Commencing at 6:00 p.m.

Concluding 8/17/21 at 12:04 a.m.

PLACE:

Hybrid Meeting/Cisco Webex

R.W. Saunders Sr. Public Library

Ada T. Payne Community Room

1505 Nebraska Avenue

Tampa, Florida

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

Page 10 application is out of order to be heard and is 1 being continued to the September 13, 2021, Zoning Hearing Master hearing. Item A.14., rezoning PD 21-0701. 4 This application is being continued by the applicant to 5 the September 13, 2021, Zoning Hearing Master 6 hearing. 8 Item A.15., rezoning PD 21-0745. application is out of order to be heard and is 9 being continued to the September 13, 2021, Zoning 10 Hearing Master hearing. 11 12 Item A.16., rezoning PD 21-0746. This 13 application is being continued by the applicant to the September 13, 2021, Zoning Hearing Master 14 15 hearing. 16 Item A.17., rezoning PD 21-0748. This 17 application is being continued by staff to the 18 September 13, 2021, Zoning Hearing Master hearing. 19 Item A.18., rezoning PD 21-0863. 20 application is out of order to be heard and is 21 being continued to the September 13, 2021, Zoning 22 Hearing Master hearing. 23 Item A.19., rezoning PD 21-0864. 24 application is out of order to be heard and is 25 being continued to the September 13, 2021, Zoning

# 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 and SUSAN FINCH

Land Use Hearing Masters

DATE:

Monday, July 26, 2021

TIME:

Commencing at 6:00 p.m.

Concluding at 8:34 p.m.

PLACE:

Appeared via 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

Page 10 application is being continued by the applicant to 1 the September 13, 2021, Zoning Hearing Master Hearing. Item A-24, Rezoning-PD 21-0745. This 5 application is out of order to be heard and is being continued to the August 16, 2021, Zoning 6 Hearing Master Hearing. Item A-25, Rezoning-PD 21-0746. application is out of order to be heard and is 9 being continued to the August 16, 2021, Zoning 10 Hearing Master Hearing. 11 12 Item A-26, Major Mod Application 21-0747. 13 This application is out of order to be heard and is 14 being continued to the August 16, 2021, Zoning 15 Hearing Master Hearing. 16 Item A-27, Rezoning-PD 21-0749. This 17 application is out of order to be heard and is 18 being continued to the August 16, 2021, Zoning 19 Hearing Master Hearing. 20 Item A-28, Rezoning-Standard 21-0820. 21 application is being withdrawn from the Zoning 22 Hearing Master process. 23 Item A-21 (sic), Rezoning-Standard 21-0870. 24 This application is out of order to be heard and is 25 being continued to the August 16, 2021, Zoning

# EXHIBITS SUBMITTED DURING THE ZHM HEARING

SIGN-IN SHEET: RFR ZHM, PHM, LUHO

DATE/TIME: 61363 6PM HEARING MASTER DAME (a JO Hatley

PLEASE PRINT CLE	ARLY, THIS INFORMATION WILL BE USED FOR MAILING
APPLICATION #	PLEASE PRINT Rebecoa Keft
22-0443	ADDRESS 400 N Tampa St Ste 1916
	CITY Tampa STATE FL ZIP 33602 PHONE 813 3683064
APPLICATION #	NAME Jame Mare
22-0862	
	CITY Tompon STATE FL ZIP 33602 PHONE 817-506-5184
APPLICATION #	NAME William J Molly
33.0103	ADDRESS 555 5 Bhd
	CITY Jan STATES ZIP PHONE 3360C
APPLICATION #	NAME Isabelle Olbert
22.0103	ADDRESS 1000 W. Oshly Dr.  CITY Young STATE PL ZIP 336 OLPHONE 332-0976
APPLICATION #	PLEASE PRINT, Detty R. W., 1/15
220103	ADDRESS 1440 HOWNES HONOW CE
130	CITY Lutz STATE [-/ ZIP 3354]PHONES 949-107
APPLICATION#	NAME Pullars
22-0165	ADDRESS 166 Forgolaline Manor Dr.
0	CITY TAMES STATE FC ZIP 33613 PHONE 813 962-0196

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

DATE/TIME: 613122 6PM HEARING MASTER: Parvela To Hatley

PLEASE PRINT CLE	ARLY, THIS INFORMATION WILL BE USED FOR MAILING
APPLICATION #	NAME Natalie Davis
22-0103	ADDRESS 17844 N.U.S Highway 41
	CITY Luty STATE ZIP 3354 PHONE 3352-219-
APPLICATION #	NAME MAIG LOTINER
22.0103	ADDRESS P.D. BOX 2303
	CITY <u>LU72</u> STATE[ ] ZIP <u>335</u> PHONE <u>813728-373</u>
APPLICATION #	NAME DAN POMECRUES
22.0103	ADDRESS BIG REGER R.
J &	CITY LUIZ STATE ZIPZZ APHONE 949-374
APPLICATION #	NAME Chyis Captovic
22-0103	ADDRESS 17510 Estes Pl
	CITY LUTZ STATE FL ZIB3548 PHONE 813 482-6825
APPLICATION #	PLEASE PRINT NAME  OF COMMON AND S
22.0065	ADDRESS 4013 10 27rd 87
	CITY TOO STATE PL ZIP 38613 PHONE 813 404 8940
APPLICATION #	NAME CATHORINE HOTTLES
220069	ADDRESS DUVI East 200 Aug
	CITY Compa STATE F (ZIP 33 LAPHONE & 3220)

sign-in sheet: RFR, CHM, PHM, LUHO

DATE/TIME: 6/13/22 6 pm HEARING MASTER: Partela To Hatley

PLEASE PRINT CLE	ARLY, THIS INFORMATION WILL BE USED FOR MAILING
APPLICATION #	PLEASE PRINT SRICKENTER
21-0745	ADDRESS 4427 W. KERNERT Bus Sun Son 250
	CITY LAMPA STATE TO ZIP 536 PHONE (9/3) 229-7700
APPLICATION #	NAME Roy Weiver
22-0295	ADDRESS 63 + V. Cum see Rd
	CITY ROOM STATE ZIP STON PHONE 8/36 STSCOOL
APPLICATION #	NAME Leas Mully
27-0795	ADDRESS 5218 EURALA SPOINGS 1D
70	CITY THE STATE FC ZIP 33037 PHONE G13-457-4730
APPLICATION #	NAME Confirmed Cliff Cardwell
APPLICATION#	ADDRESS 124 50
-90	CITY TANA STATE ZIP35612 PHONE 813 293 1549
APPLICATION #	PLEASE PRINT SANDOR GASPAR
J. 0604	ADDRESS 1908 SO. 47 TH STREET.
· Jo	CITY TAIM DA STATE FL ZIP 33619 PHONE 908-801-0690
APPLICATION #	PLEASE PRINT TO dd Press Way
6/80.2	ADDRESS 200 24 Apr. 5 #45/
23.0210	CITY 5+ PAC STATEF1 ZIP 33701 PHONE 809-1766

SIGN-IN SHEET: RFR, ZHM PHM, LUHO

PAGE 4 OF 9

DATE/TIME: (2/13/22 6PM) HEARING MASTER: Parela JO Hatley

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING PLEASE PRINT **APPLICATION #** NAME TO 20-1147 ADDRESS 14031 N. Dgle Mabry Highway CITY TAMPA STATE PL ZIP 33618PHONE (813) 962-6230 PLEASE PRINT APPLICATION # NAME Rigoberto Reves ADDRESS 6806 36th Ave Soot CITY TOWOG STATE F/ ZIP 33619PHONE PLEASE PRINT **APPLICATION #** NAME 22.0442 STATE ZIP 336 PHONE 331-0276 PLEASE PRINT APPLICATION # NAME Dow'd which ADDRESS POBOX 273417 CITY TUMPOL STATE F ZIP 336 PHONE NAME Janise Man-Son-Hing APPLICATION # ADDRESS 16740 Whirley Rd CITY LOTT STATE ZIP 33558 PHONE PLEASE PRINT TO do APPLICATION # Pressnagr 2-0319

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

DATE/TIME: 613/22 6PM HEARING MASTER: Parvela To Hatley

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING NAME Much GologRAM **APPLICATION #** 12-0319 ADDRESS 11606 BOKI IN CITY Thous OSASSE STATE 71 ZIP 33592PHONE 813-343-1751 NAME Stephnie Elders APPLICATION # 82.03/9 ADDRESS 11504 BOKI LONE CITY MOOBSISSE STATE FL ZIP 33592 PHONE 813-982-NAME RICKY RICHARDSON APPLICATION # ADDRESS 11499 Boki Lane CITY THO MOTOS CASSTATE F/ ZIP 3359 PHONE PLEASE PRINT NAME Michael Yates APPLICATION # PALM TRAFFIC ADDRESS 400 N. TAMPA Si, 15th FL 22.0319 CITY TAMPA STATE FL ZIP 33602 PHONE 813 205 8057 NAME PETER PENSA, DICP - AVID GROUP LC **APPLICATION #** 22 MIL ADDRESS 2300 CURLEW RO, STE 201 CITY PALMHARS OR STATE FL ZIP 34693 PHONE 727-234-8015 PLEASE PRINT NAME ALX SMALL APPLICATION # 33. OHUY ADDRESS 400 N- ASNLEY DV- SINCE 1100 CITY CIMPU STATE [ ZIP 35/01-PHONE 850-319-1782 SIGN-IN SHEET: RFR, ZHM, PHM, LUHO

DATE/TIME: CO 13 20 LOW HEARING MASTER: Powela To Hatley

PLEASE PRINT CLE	ARLY, THIS INFORMATION WILL BE USED FOR MAILING
APPLICATION #	NAME ANNE POLCE
22-0558	ADDRESS 433 Central Ave Ste 400
	CITY St Pete STATE FL ZIP337 PHONE 813-898-28.
APPLICATION #	NAME TVUETT GOVERNMENT
22-05Cel	ADDRESS 400 N. Ashley Or #100
55	CITY TUMPO STATE ZIP 33602PHONE
APPLICATION #	NAME Buddy Horself
22.056	ADDRESS DOBOX 257
	CITY Lib soular STATE F/ ZIP 33531 PHONE 13-671-4958
APPLICATION #	PLEASE PRINT LAMES Frankland FYGN KLAIN C
22.0561	address 15064 Boly Ru
<u> </u>	CITY BYLM STATE FL ZIP 335 PHONE & LB4985L
APPLICATION #	NAME Michael Yoles
22-05lel	ADDRESS 400 N TAMPA ST, 15th FC
	CITY Tampa STATE FZ ZIP 3360ZPHONE 813 205 8657
APPLICATION #	NAME Wallamah 5. Jahn
72-0569	ADDRESS 935 Man Street Ste D1
'O F	CITY Soldy MakerSTATE TL ZIP 34695 PHONE 727. 773.70

SIGN-IN SHEET: RFR, CHM, PHM, LUHO

PAGE 7 OF 9

DATE/TIME: 61333 LPM HEARING MASTER: POWNEL TO HOTTEY

PLEASE <b>PRINT CLE</b>	ARLY, THIS INFORMATION WILL BE USED FOR MAILING
APPLICATION #	NAME ( Thomas Thomas
97-6569	ADDRESS 5115 LITHIK SPRINGS RD
	CITY LITITIA STATE ZIP 38447PHONE
APPLICATION #	PLEASE PRINT BILL Meyers
22.0569	NAME Bill Meyers  ADDRESS 5104 Lithia Springs Rd
7,7	CITY LIY K, Q STATE F/ ZIP 335 4 PHONE 813-495=7522
APPLICATION #	PLEASE PRINT NAME Elix Batsel
72-6682	ADDRESS 401 E. Jackson 89.
	CITY Tempe STATE PL ZIP PHONE SOS
APPLICATION #	PLEASE PRINT NAME Dail M. Smith
	PLEASE PRINT NAME David M. Smith ADDRESS 401 E. Jackson Start
APPLICATION#	PLEASE PRINT NAME David M. Smith  ADDRESS 401 E. Jack son Start  CITY Tagan STATE / ZIP 33602 PHONE 813 212 5010
APPLICATION#	ADDRESS 401 E. Jackson Street
APPLICATION#	ADDRESS 401 E. Jackson Strate  CITY Page STATE F/ ZIP 33602 PHONE 813 212 5019  PLEASE PRINT Elise Bat sel  ADDRESS 401 E. Jackson 84.
DD.0682	ADDRESS 401 E. Juckson Strate  CITY Tagen STATE F/ ZIP 33602 PHONE 813 212 5010  PLEASE PRINT Elise Bar sel  NAME Elise Bar sel
APPLICATION#  APPLICATION#	ADDRESS 401 E. Jackson Strate  CITY Page STATE F/ ZIP 33602 PHONE 813 212 5019  PLEASE PRINT Elise Bat sel  ADDRESS 401 E. Jackson 84.
37.0682  APPLICATION#  37.0682	ADDRESS 401 E. Jackson Street  CITY Dayon STATE FL ZIP 33602 PHONE 813 212 501)  PLEASE PRINT Elise Bar sel  ADDRESS 401 E. Jackson 84.  CITY Tampa STATE FL ZIP 33606 813.222, 5057

SIGN-IN SHEET: RFR ZHM, PHM, LUHO

DATE/TIME: 6/3/82 6PM HEARING MASTER: POWNELL TO HATLEY

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING					
APPLICATION #	NAME TELE TOURS				
97-0689	ADDRESS SOZ3 W. LAVLEL ST  CITY TPA STATE ZIP PHONE CO39				
APPLICATION#	NAME Dary MAX FORGER				
22-0689	ADDRESS 236 SE 45th STROET				
	CITY CAPT COPP STATE 1 ZIP \$39/04				
APPLICATION #	PLEASE PRINT NAME Robert Radilla				
22-0689	ADDRESS 212 Ronja Lane				
	CITY Valrico STATE FL ZIP 53594PHONE 813-525-7262				
APPLICATION #	NAME Kenin Ratiof				
27-0689	ADDRESS 1814 Citrus Orchard Way				
	CITY Val-ico STATE FL ZIP 3359/PHONE 8135380851				
APPLICATION #	NAME Elizabeth Rodriguez-Belcher				
33-0689	ADDRESS 406 S Miller Rd				
28	CITY Nalvilo STATE FL ZIP 3359PHONE 813-478-104				
APPLICATION #	NAME Charles Bothe				
J.0689	ADDRESS 2303 444 60				
20	CITY ALLI CO STATE TZIP33594PHONE813 267 5476				

SIGN-IN SHEET: RFR ZHM, PHM, LUHO

DATE/TIME: 6/13/22 6PM HEARING MASTER: POWVELO TO HOTTEY

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING						
APPLICATION #	PLEASE PRINT LUKE LIROT  NAME LUKE LIROT  ADDRESS 2240 BELLEAIR RD. *190					
61.89						
23.6689	CITY CLEAR WA	STATE FL	ZIP 3 3 3	PHONE 727 \536	2/06	
APPLICATION #	PLEASE PRINT NAME					
,	ADDRESS				_	
	CITY	STATE	ZIP	PHONE	_	
APPLICATION #	PLEASE PRINT			4. /-	_	
	ADDRESS					
	CITY	STATE	ZIP	PHONE	_	
APPLICATION #	PLEASE PRINT NAME					
	ADDRESS					
	CITY	STATE	ZIP	PHONE	_	
APPLICATION #	PLEASE PRINT NAME					
	ADDRESS					
	CITY	STATE	ZIP	PHONE		
APPLICATION #	PLEASE PRINT NAME	·				
	ADDRESS					
	CITY	STATE	ZIP	PHONE		

HEARING TYPE: ZHM, PHM, VRH, LUHO DATE: 6-13-2022

HEARING MASTER: Susan Finch & Pamela Jo Hatley PAGE: 1 OF 1

APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
MM 22-0103	Isabelle Albert	Applicant Presentation Packer	No
MM 22-0103	Chris Capkovic	2. Opponent Letters	No
RZ 22-0083	Brian Grady	Revised Staff Report	Yes (Copy)
RZ 21-0745	Brian Grady	1. Revised Staff Report	Yes (Copy)
RZ 22-0319	Mitch Gologram	Proponent Presentation Packet	No
MM 22-0416	Brian Grady	Revised Staff Report	Yes (Copy)
MM 22-0416	Peter Pensa	2. Applicant Presentation Packet	No
RZ 22-0444	Brian Grady	Revised Staff Report	Yes (Copy)
MM 22-0558	Anne Pollack	Applicant Presentation Packet	No
RZ 22-0561	Buddy Harwell	Opponent Presentation Packet	No
MM 22-0569	Mahaniah S. Jahn	Applicant Presentation Packet	No
MM 22-0569	Thommen Thomas	2. Opponent Presentation Packet	No
MM 22-0569	Bill Meyers	3. Opponent Presentation Packet	No
RZ 22-0682	Elise Batsel	Applicant Presentation Packet	No
MM 22-0689	Brian Grady	Revised Staff Report	Yes (Copy)
MM 22-0689	Elise Batsel	2. Applicant Presentation Packet	No
MM 22-0689	Max Forgey	3. Opponent Presentation Packet	No
MM 22-0689	Robert Padilla	4. Opponent Presentation Packet	No

# JUNE 13, 2021 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, June 13, 2022, at 6:00 p.m., held virtually.

Pamela Jo Hatley, ZHM, called the meeting to order at 6:00 p.m. and led in the pledge of allegiance to the flag.

Brian Grady, Development Services, reviewed the non-published changes/withdrawals/continuances.

## D.2. RZ 21-1337 W/D

Brian Grady, Development Services, announces RZ 21-1337 was withdrawn.

# D.8. RZ 22-0443

Brian Grady, Development Services, calls RZ 22-0443.

Rebecca Kerf, applicant rep, presents testimony.

Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/continues RZ 22-0443 to July 25, 2022.

## C.3. RZ 22-0802

Brian Grady, Development Services, calls RZ 22-0802.

Jaime Maier, applicant rep, presents testimony.

Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/continues RZ 22-0802 to August 15, 2022.

## A. WITHDRAWALS AND CONTINUANCES

Brian Grady, Development Services, continued the review of the changes/withdrawals/continuances.

Pamela Jo Hatley, ZHM, overview of ZHM process.

Assistant County Attorney Cameron Clark overview of oral argument/ZHM process.

Pamela Jo Hatley, ZHM, Oath.

#### B. REMANDS

# B.2. MM 22-0103 Susan Finch

- Brian Grady, Development Services, calls MM 22-0103.
- William Molloy, applicant rep, presents testimony.
- Isabelle Albert, applicant rep, presents testimony.
- Susan Finch, questions to applicant rep.
- Isabelle Albert, applicant rep, answers ZHM questions.
- Michelle Heinrich, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Susan Finch, ZHM, questions to Planning Commission.
- Melissa Lienhard, Planning Commission, answers ZHM questions.
- Susan Finch, ZHM, calls for proponents.
- Betty Willis, proponent, presents testimony.
- Nick Pullaro, proponent, presents testimony.
- Natalie Davis, proponent, presents testimony.
- Susan Finch, ZHM, calls for opponents.
- Craig Latimer, opponent, presents testimony.
- Dan Bomesburg, opponent, presents testimony.
- Chris Capkovic, opponent, presents testimony and submits exhibits.
- Susan Finch, ZHM, calls for applicant rep/Development Services.
- Isabelle Albert, applicant rep, presents rebuttal and submits exhibits.
- William Molloy, applicant rep, presents rebuttal.
- Susan Finch, ZHM, closes MM 22-0103.

# D.4. RZ 22-0083 Susan Finch

- Brian Grady, Development Services, calls RZ 22-0083 and submits exhibits.
- Catherine Hartley, applicant rep, presents testimony.
- Sarah Combs, applicant rep, presents testimony.
- Catherine Hartley, applicant rep, continues testimony.
- Susan Finch, ZHM, questions to applicant rep.
- Catherine Hartley, applicant rep, answers ZHM questions and continues testimony.
- Tim Lampkin, Development Services, staff report.
- Susan Finch, ZHM, questions to Development Services.
- Tim Lampkin, Development Services, answers ZHM questions.
- Melissa Lienhard, Planning Commission, staff report.
- Susan Finch, ZHM, calls for proponents/opponents/Development Services.
- Catherine Hartley, applicant rep, presents rebuttal.
- Susan Finch, ZHM, closes RZ 22-0083.

#### B.1. RZ 21-0745

- Brian Grady, Development Services, calls RZ 21-0745 and submits exhibits.
- Clayton Bricklemyer, applicant rep, presents testimony.
- Tim Lampkin, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, questions to Planning Commission.
- Melissa Lienhard, Planning Commission, answers ZHM questions.
- Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/closes RZ 21-0745.

# C. REZONING STANDARD (RZ-STD):

# C.1. RZ 22-0295

Brian Grady, Development Services, calls RZ 22-0295.

Rory Weiner, applicant rep, presents testimony.

Isis Brown, Development Services, staff report.

Melissa Lienhard, Planning Commission, staff report.

Pamela Jo Hatley, ZHM, calls for proponents.

Francis Murray, proponent, presents testimony.

Pamela Jo Hatley, ZHM, calls for opponents/Development Services/applicant rep/closes RZ 22-0295.

### C.2. RZ 22-0604

Brian Grady, Development Services, calls RZ 22-0604.

Cliff Cardwell, applicant rep, presents testimony.

Brian Grady, Development Services, staff report.

Melissa Lienhard, Planning Commission, staff report.

Pamela Jo Hatley, ZHM, calls for proponents/opponents.

Sandor Gaspar, Opponent, presents testimony.

Brian Grady, Development Services, responds to opponent.

Sandor Gaspar, Opponent, continues testimony.

Pamela Jo Hatley, ZHM, calls for Development Services.

Brian Grady, Development Services, responds to opponent.

Sandor Gaspar, Opponent, continues testimony.

Pamela Jo Hatley, ZHM, calls for applicant rep.

Cliff Cardwell, applicant rep, presents rebuttal.

Pamela Jo Hatley, ZHM, closes RZ 22-0604.

# C.4. RZ 22-0812

- Brian Grady, Development Services, calls RZ 22-0812.
- Todd Pressman, applicant rep, presents testimony.
- Isis Brown, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/closes RZ 22-0812.
- D. REZONING-PLANNED DEVELOPMENT (RZ-PD) & MAJOR MODIFICATION (MM):

# D.1. RZ 20-1142

- Brian Grady, Development Services, calls RZ 20-1142.
- Tu Mai, applicant rep, presents testimony.
- Pamela Jo Hatley, ZHM, questions to applicant rep.
- Tu Mai, applicant rep, answers ZHM questions and continues testimony.
- Rigoberto Reyes, applicant rep, presents testimony.
- Michelle Heinrich, Development Services, staff report.
- Pamela Jo Hatley, ZHM, statement for the record.
- Michelle Heinrich, Development Services, continues staff report.
- James Ratliff, Development Services Transportation, staff report.
- Pamela Jo Hatley, ZHM, questions to Development Services and Transportation.
- Brain Grady, Development Services, answers ZHM questions.
- Tu Mai, applicant rep, responds to Development Services and ZHM.
- Michelle Heinrich, Development Services, continues staff report.
- Melissa Lienhard, Planning Commission, staff report.

- Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep.
- Brian Grady, Development Services, provides rebuttal.
- James Ratliff, Development Services Transportation, provides rebuttal.
- Pamela Jo Hatley, ZHM, questions to applicant rep.
- Brian Grady, Development Services, responds to ZHM.
- Tu Mai, applicant rep, request continuance.
- Pamela Jo Hatley, ZHM, continues RZ 22-1142 to July 25, 2022.
- Pamela Jo Hatley, ZHM, Break.
- Pamela Jo Hatley, ZHM, Resumes Hearing.

## D.7. RZ 22-0442

- Brian Grady, Development Services, calls RZ 22-0442.
- Isabelle Albert, applicant rep, request continuance.
- Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/continues RZ 22-0442 to July 25, 2022.

# D.3. RZ 21-1338

- Brian Grady, Development Services, calls RZ 21-1338.
- David Wright, applicant rep, presents testimony.
- Brian Grady, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls for proponents
- Janise Man-Son-Hing, proponent, presents testimony.
- Pamela Jo Hatley, ZHM, calls for opponents/Development Services.
- Brian Grady, Development Services, statement for the record.
- Pamela Jo Hatley, ZHM, calls for applicant rep.

- David Wright, applicant rep, presents rebuttal.
- Pamela Jo Hatley, ZHM, closes RZ 21-1338.

## D.5. RZ 22-0319

- Brian Grady, Development Services, calls RZ 22-0319.
- Todd Pressman, applicant rep, presents testimony.
- Pamela Jo Hatley, ZHM, questions to applicant rep.
- Todd Pressman, applicant rep, answers ZHM questions.
- Michelle Heinrich, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls for proponents.
- Mitch Gologram, proponent, presents testimony and submits exhibits.
- Stephanie Elders, proponent, presents testimony.
- Ricky Richardson, proponent, presents testimony.
- Mitch Gologram, proponent, continues testimony.
- Pamela Jo Hatley, ZHM, calls for opponents/Development Services/applicant rep.
- Todd Pressman, applicant rep, presents rebuttal.
- Pamela Jo Hatley, ZHM, questions to applicant rep.
- Todd Pressman, applicant rep, answers ZHM questions.
- Michael Yates, applicant rep, presents rebuttal.
- Pamela Jo Hatley, ZHM, questions to applicant rep.
- Michael Yates, answers ZHM questions.
- Pamela Jo Hatley, ZHM, closes RZ 22-0319.

# D.6. MM 22-0416

- Brian Grady, Development Services, calls MM 22-0416 and submits exhibits.
- Peter Pensa, applicant rep, presents testimony and submitted exhibits.
- Sam Ball, Development Services, staff report.
- Pamela Jo Hatley, ZHM, questions to Development Services.
- Sam Ball, Development Services, answers ZHM questions.
- Brian Grady, Development Services, answers ZHM questions.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services.
- James Ratliff, Development Services Transportation, presents rebuttal.
- Pamela Jo Hatley, ZHM applicant rep/closes MM 22-0416.

# D.9. RZ 22-0444

- Brian Grady, Development Services, calls RZ 22-0444 and submits exhibits.
- Alex Schaler, applicant rep, presents testimony.
- Tim Lampkin, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep.
- Alex Schaler, applicant rep, presents rebuttal.
- Pamela Jo Hatley, ZHM, closes RZ 22-0444.

# D.10. MM 22-0558

- Brian Grady, Development Services, calls MM 22-0558.
- Anne Pollack, applicant rep, presents testimony and submitted exhibits.
- Tania Chapela, Development Services, staff report.

- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/closes MM 22-0558.

# D.11. RZ 22-0561

- Brian Grady, Development Services, calls RZ 22-0561.
- T. Truett Gardner, applicant rep, presents testimony.
- Michelle Heinrich, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls for proponents/opponents.
- Buddy Harwell, opponent, presents testimony and submitted exhibits.
- James Frankland, opponent, presents testimony.
- Pamela Jo Hatley, ZHM, calls for Development Services/applicant rep.
- T. Truett Gardner, rep, presents rebuttal.
- Michael Yates, applicant rep, presents rebuttal.
- Pamela Jo Hatley, ZHM, closes RZ 22-0561.

### D.12. MM 22-0569

- Brian Grady, Development Services, calls MM 22-0569.
- Mahaniah S. Jahn, applicant rep, presents testimony.
- Colleen Marshall, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls for proponents/opponents.
- C. Thommen Thomas, opponent, presents testimony and submits exhibits.
- Bill Meyers, opponent, presents testimony and submits exhibits.
- Pamela Jo Hatley, ZHM, calls for Development Services/applicant rep.

- Mahaniah S. Jahn, applicant rep, presents rebuttal and submits exhibits.
- Pamela Jo Hatley, ZHM, closes MM 22-0569.

## D.13. RZ 22-0682

- Brian Grady, Development Services, calls RZ 22-0682.
- Elise Batsel, applicant rep, presents testimony and submits exhibits.
- David Smith, applicant rep, presents testimony.
- Tim Lampkin, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep/closes RZ 22-0682.

## D.14. MM 22-0689

- Brian Grady, Development Services, calls MM 22-0689 and will be hard on August 11, 2022 6 p.m. and submits exhibits.
- Elise Batsel, applicant rep, presents testimony and submitted exhibits.
- David Smith, applicant rep, presents testimony.
- Steve Henry, applicant rep, presents testimony.
- Michelle Heinrich, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls for proponents/opponents.
- Max Forgey, opponent, presents testimony and submits exhibits.
- Robert Padilla, opponent, presents testimony and submits exhibits.
- Kevin Ratliff, opponent, presents testimony.
- Elizabeth Belcher, opponent, presents testimony.
- Charles Bothe, opponent, presents testimony.
- Luke Lirot, opponent, presents testimony.

- Pamela Jo Hatley, ZHM, calls for Development Services/applicant rep.
- Brian Grady, Development Services, statement for the record.
- Pamela Jo Hatley, ZHM, questions to Development Services.
- Brian Grady, Development Services, answers ZHM questions.
- Pamela Jo Hatley, ZHM, calls for applicant rep.
- Steve Henry, applicant rep, presents rebuttal.
- Elise Batsel, applicant rep, presents rebuttal.
- Pamela Jo Hatley, ZHM, closes MM 22-0689.
- E. ZHM SPECIAL USE

### ADJOURNMENT

Pamela Jo Hatley, ZHM, adjourns the meeting at 11:55 p.m.

**Rezoning Application:** 

PD 21-0745

**Zoning Hearing Master Date:** 

June 13, 2022

**BOCC Land Use Meeting Date:** 

August 25, 2022



**Development Services Department** 

### 1.0 APPLICATION SUMMARY

Applicant:

Clayton Bricklemyer, Bricklemyer

Law Group, P.L.

FLU Category:

NMU-4

Service Area:

Rural

Site Acreage:

6.08

Community

Plan Area:

Lutz

Overlay:

None



Application No. 21.07.45

Name: RCICLO GROCK

Entered at Public Hearing: ZHOM

Exhibit # Date: Letts 122

### Introduction Summary:

The subject application was remanded to the June 13, 2022, ZHM hearing at the applicant's request. Applicant modifications included conditions to create greater compatibility between the residential development to the east of the subject site. This includes maintaining a residential-like appearance and limiting the square feet of the proposed boat / RV storage structures to 4,000-sq. ft. for each building.

The applicant seeks to develop a 6.08-acre unified development consisting of 5.17 acres ("Parcel 1") of enclosed RV/boat storage units located on the eastern 5.17 acres (folio 13999.0100), and ("Parcel 2") consisting of 0.91 acres of commercial neighborhood uses fronting U.S. 41. Parcel 1 is currently limited to PD-O office uses with conditions pursuant to PD 88-0229, with a maximum of 6,000 square feet for medical offices. Parcel 2 consisting of folio 13992.0000 and 13994.0000 is currently zoned CN.

Zoning:	Existin	Proposed	
District(s)	PD 88-0029 (PD-O)	Commercial Neighborhood (CN)	PD 21-0745
Typical General Use(s)	Medical and General Office	Neighborhood Commercial, Office and Personal Services	Neighborhood Commercial and General Commercial
Acreage	5.17 acres	0.91 acres	6.08 acres
Density/Intensity	0.25 FAR	0.25 FAR	0.25 FAR
Mathematical Maximum*	56,301 sf	9,910 sf	66,211 sf

<sup>\*</sup>number represents a pre-development approximation

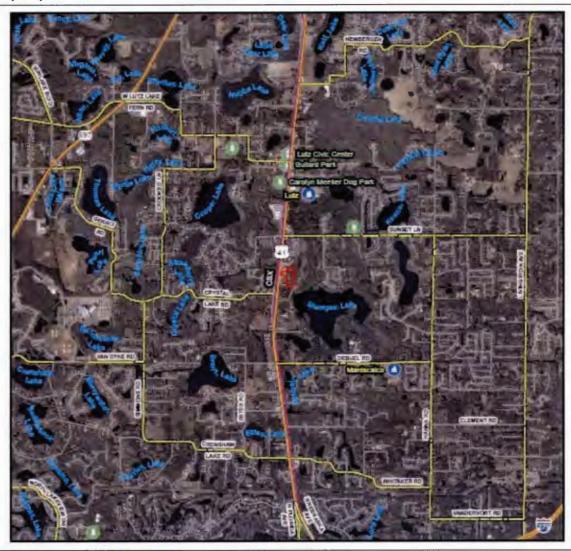
Development Standards:	Exist	Proposed	
District(s)	PD 88-0029 (PD-O)	Commercial Neighborhood (CN)	PD 21-0745
Setbacks/Buffering and Screening	30' North 15' East 15' West 50' /20' South	30' Front Yard 0' West Side Yard 0' East Side Yard 0' Rear Yard	30' Front Yard Side (West): 15' buffer Side (South) & Rear (East): 30' setback with 20' Type "B" Buffer

APPLICATION NUMBER:	PD 21-0745			
ZHM HEARING DATE: June 13, 2022 BOCC LUM MEETING DATE: August 25, 2022			Case Reviewe	er: Tim Lampkin, AICP
Height	25'/20' sout	hernmost bldg.	35′	35′
Additional Information:	Braken Comme	<b>引放性系统中最多</b> 。		
PD Variation(s)		None reques	ted as part of this applicat	ion
Waiver(s) to the Land Dev	velopment Code	None Reques	ted	
Planning Commission Re	commendation:		<b>Development Services R</b>	ecommendation:
Consistent with conditions			Approvable with Conditions	

Case Reviewer: Tim Lampkin, AICP

### 2.0 LAND USE MAP SET AND SUMMARY DATA

### 2.1 Vicinity Map



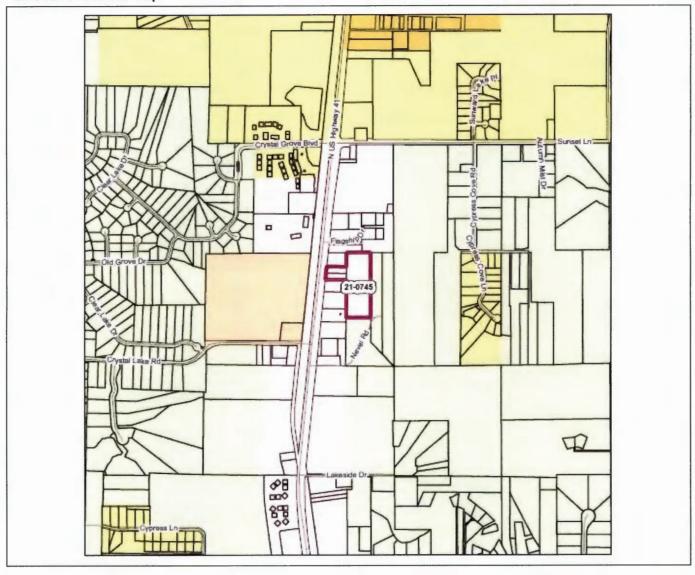
### **Context of Surrounding Area:**

The site is located in the Lutz community on the east side of U.S. 41. To the north of the site is a gas station, with restaurants and other commercial uses continuing northward along the U.S. 41 corridor to Sunset Lane. West across U.S. 41 is PD CZ, the location of a mobile home park, with a church located further south. To the southwest of the proposed development is more commercial development including therapy and a massage establishment.

To the immediate south and east of the subject site is zoned ASC-1 with single-family residential uses. Directly south of the subject site is a 5.09-acre property developed with a single-family home. Directly east of the subject site is folio 14001.0100 and 14003.0000, also developed with a single-family home.

# 2.0 LAND USE MAP SET AND SUMMARY DATA

# 2.2 Future Land Use Map



Subject Site Future Land Use Category:	NMU-4
Maximum Density/F.A.R.:	0.25 FAR
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, research corporate park uses, multi-purpose and clustered residential and/or mixed-use projects at appropriate locations. Office uses are not subject to locational criteria.

# 2.0 LAND USE MAP SET AND SUMMARY DATA

# 2.3 Immediate Area Map

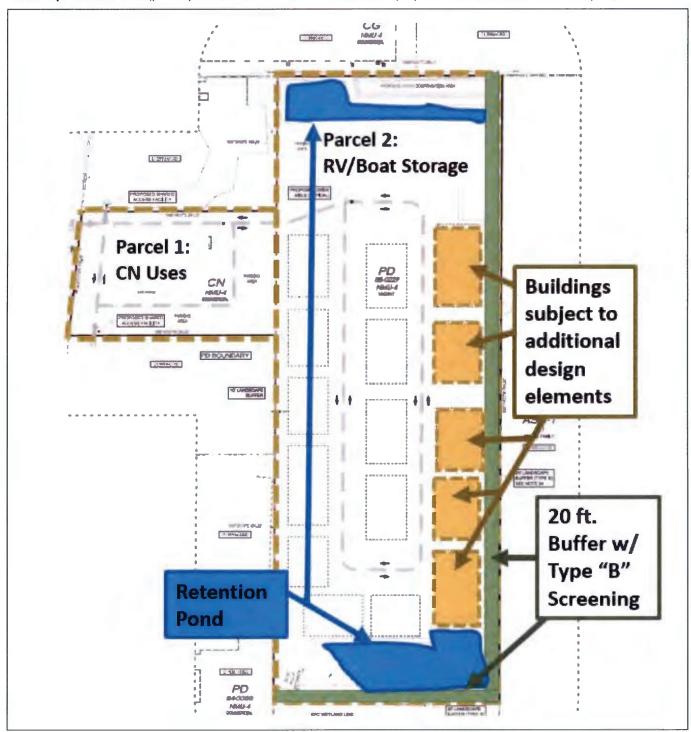


	Adjacent Zonings and Uses					
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:		
North	CN / CG	F.A.R. CN: 0.20 CG: 0.25* per FLU	Commercial	Gas Station, Restaurant, laundromat and other commercial uses.		
South	CN / ASC-1	CN F.A.R.: 0.20 ASC-1: 43,560 sf	CN: Commercial ASC-1: Single-family Res.	CN: Vacant & Commercial ASC-1: Single-family home		
East	ASC-1	43,560 sf	Single-Family Residential	Single-Family Residential		
West	PD CZ & U.S. 41 ROW	Mobile Home Park	Mobile Homes	Sunrise Mobile Home Park		

APPLICATION NUMBER:	PD 21-0745	
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<b>BOCC LUM MEETING DATE:</b>	August 25, 2022	Case Reviewer: Tim Lampkin, AICP

### 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)



APPLICATION NUMBER:	PD 21-0745		
ZHM HEARING DATE:	June 13, 2022		
BOCC LUM MEETING DATE:	August 25, 2022	Case Reviewer: Tim Lampkin, AICP	

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

Road Name	Classification	<b>Current Conditions</b>	Select Future Improvements
US Hwy 41	FDOT Principal Arterial - Urban	6 Lanes  □Substandard Road  □Sufficient ROW Width	☐ Corridor Preservation Plan ☐ Site Access Improvements ☐ Substandard Road Improvements ☐ Other

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	4,295	202	440
Proposed	1,273	82	53
Difference (+/-)	(-)3,022	(-)120	(-)387

<sup>\*</sup>Trips reported are based on net new external trips unless otherwise noted.

<b>Project Boundary</b>	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Vehicular & Pedestrian	None	Meets LDC
South		Vehicular & Pedestrian	None	Meets LDC
East		None	None	Meets LDC
West	X	None	None	Meets LDC
Notes:				

Road Name/Nature of Request	Туре	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

4.0 Additional Site Information & Agency Comme	ents Summary		
Transportation	Objections	Conditions Requested	Additional Information/Comments
☐ Design Exception/Adm. Variance Requested	☐ Yes ☐ N/A	⊠ Yes	See Transportation Report
☐ Off-Site Improvements Provided	⊠ No	□No	See Transportation Report

APPLICATION NUMBER: PD 21-0745

ZHM HEARING DATE: June 13, 2022 BOCC LUM MEETING DATE: August 25, 2022

# 4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	⊠ Yes □ No	□ Yes ⊠ No	⊠ Yes □ No	EPC staff may identify other legitimate concerns at any time prior to final project approval.
Natural Resources	☐ Yes ☑ No	☐ Yes ☐ No	☐ Yes ☐ No	
Conservation & Environ. Lands Mgmt.	⊠ Yes □ No	☐ Yes ☑ No	☐ Yes	
Check if Applicable:  ☑ Wetlands/Other Surface Waters  ☐ Use of Environmentally Sensitive Land	etlands/Other Surface Waters ☐ Significant Wildlife Habitat			
Credit  ☐ Wellhead Protection Area	<ul><li>☐ Urban/Suburban/Rural Scenic Corridor</li><li>☐ Adjacent to ELAPP property</li></ul>			
☐ Surface Water Resource Protection Area  Public Facilities:	○ Other     Comments       Received	Objections	Conditions Requested	Additional Information/Comments
Transportation  ☐ Design Exc./Adm. Variance Requested ☐ Off-site Improvements Provided  Service Area/ Water & Wastewater	⊠ Yes □ No	☐ Yes ☑ No	⊠ Yes □ No	•
<ul><li>□Urban</li><li>□ City of Tampa</li><li>□ Rural</li><li>□ City of Temple Terrace</li></ul>	⊠ Yes □ No	☐ Yes ☑ No	⊠ Yes □ No	
Hillsborough County School Board  Adequate □ K-5 □ 6-8 □ 9-12 ⊠ N/A  Inadequate □ K-5 □ 6-8 □ 9-12 ⊠ N/A	☐ Yes ☑ No	☐ Yes ☐ No	☐ Yes ☑ No	
Impact/Mobility Fees Mini - Warehouse (Per 1,000 s.f.) Mobility: \$653.00 Fire: \$32.00 ***revised fees estimated based on Jan 1, 20	) 122 schedule**	**		

Case Reviewer: Tim Lampkin, AICP

APPLICATION NUMBER: PD 21-0745

ZHM HEARING DATE: June 13, 2022

BOCC LUM MEETING DATE: August 25, 2022 Case Reviewer: Tim Lampkin, AICP

Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission	⊠ Yes □ No	☐ Inconsistent ☑ Consistent	⊠ Yes □ No	Condition 6: Development Services and Planning Commission  CLC: front parcels are located at a commercial node outlined in the Lutz Community Plan

APPLICATION NUMBER: PD 21-0745

ZHM HEARING DATE: June 13, 2022

BOCC LUM MEETING DATE: August 25, 2022

Case Reviewer: Tim Lampkin, AICP

### 5.0 IMPLEMENTATION RECOMMENDATIONS

### 5.1 Compatibility

The surroundings consist mostly of a mix of commercial and residential uses. To the north of the site is a gas station, with restaurants and other commercial uses continuing northward along the U.S. 41 corridor to Sunset Lane. West across U.S. 41 is the location of a mobile home park, with a church located further south. To the southwest of the proposed development is more commercial development including a therapy and a massage establishment. The applicant proposes CN uses limited to 2,500 square feet, and 56,301 square feet for RV/Boat storage equating to a total of 66,211 square feet of development for the unified site plan.

Staff identified compatibility concerns associated with the original request pertaining to the properties to the east and south which are developed with single-family residential development. More specifically, the building length/massing along the eastern boundary. To the immediate south and east of the subject site is zoned ASC-1 with single-family residential uses. Directly south of the subject site is a 5.09-acre property developed with a single-family home. Directly east of the subject site is also developed with a single-family home. Notwithstanding the proposed buffering and screening, staff found that proposed building length and massing as shown on the site plan was not compatible with the adjacent large lot single family to the east. Pursuant to this incongruent transition of uses, the applicant requested the application be remanded to the June 13, 2022, ZHM hearing. Applicant modifications included conditions to create greater compatibility between the residential development to the east of the subject site. This includes maintaining a residential-like appearance and limiting the square feet of the proposed boat / RV storage structures to 4,000-sq. ft. for each building for a more form-based designed development on the eastern side of the proposed development.

To address compatibility with the adjacent residential the applicant has proposed a 20-foot buffer with Type B screening that is being supplemented with design requirements to maintain a residential appearance. The applicant will also comply with the Lutz Rural Development Standards of Section 3.09.00 of the Hillsborough County Land Development Code. In addition, Development Services Department in collaboration with Planning Commission staff, crafted Conditions of Approval that provide a specific set of form, design, and architectural requirements to regulate the building elevations, size, orientation, appearance, and scale to reflect the surrounding rural residential aesthetic.

The applicant amended the original building length to 100 feet and the individual Boat / RV storage structures to a maximum of 4,000 sq. ft. along the east side and south side adjacent to folio 14001.0100 and 13999.0000. The applicant has also agreed to design standards on the east side of the subject property adjacent to folio 14001.0100, that include, but not limited to the following:

- At least 40 percent of the horizontal length of each façade shall be comprised of windows, shutters, transoms, awnings, porches, doors, recessed entryways, arcades, porticos and/or pilasters. Horizontal banding and other predominately horizontal elements shall not contribute towards satisfaction of this requirement.
- Faux windows shall include at least one of the following features: canopies, awnings, shutters or trims.
   These features shall be permitted to be combined. Decorative shutters, if provided, shall be made of wood, metal or copolymer material and shall not be scored into the stucco.
- Facades shall be clad in cement stucco bands, stucco, wood or vinyl slats, or brick. Exterior
  finish materials may only be combined horizontally, with the visually heavier material below the
  lighter material. The relative visual weight of materials shall be in the following order (heaviest to
  lightest): stone, brick, stucco, wood or vinyl slats.
- Overhead doors shall be facing internally.
- A solid masonry-type wall shall not be permitted pursuant to the Lutz Community Plan, of the Livable Communities Element of the Unincorporated Hillsborough County comprehensive plan.

APPLICATION NUMBER:	PD 21-0745	The Property and the Control of the
ZHM HEARING DATE:	June 13, 2022	
BOCC LUM MEETING DATE:	August 25, 2022	Case Reviewer: Tim Lampkin, AICP

The property is located outside the Urban Service Area; however, a 12-inch water main exists adjacent to the property and is located within the east right-of-way of N. U.S. Highway 41. The application does not request any variations to Land Development Code Parts 6.06.00 (Landscaping/Buffering). The site will comply with and conform to all other applicable policies and regulations, including but not limited to, the Hillsborough County Land Development Code.

### 5.2 Recommendation

Based on the above consideration, staff finds the request supportable as the site design adequately demonstrates a compatible transition of uses within the area through the form-based design standards found in the conditions of approval. The request encompasses design and size limitations that are compatible with the existing rural development pattern and facilitates the vision of the Lutz Community Plan. As such, staff finds that the intensity and proposed scale of the RV/boat storage is consistent with the Land Development Code and the policies of the Comprehensive Plan of Unincorporated Hillsborough County.

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### 6.0 PROPOSED CONDITIONS

Approval of the request, subject to the conditions listed below, is based on the general site plan submitted May 24, 2022.

- The site shall be developed as depicted on the site plan, and subject to the conditions listed below.
- 2. The Commercial Neighborhood (CN) uses on Parcel 2 (folio 13992.0000 and folio 13994.0000) shall be limited to a maximum of 2,500 square feet of development.
- 3. A maximum of 63,711 sf of development shall be allowed for up to 125 enclosed RV/Boat storage spaces located on Parcel 1 (folio 13999.0100).
- 4. Buffer and screening shall be in accordance with the LDC, Part 6.06.00, unless otherwise specified herein. Notwithstanding building setbacks delineated or noted in the Project Data Table, the following setbacks shall be provided from the PD boundaries.
  - 4.1 Parcel 1:

Minimum Side Yard (South): 20 feet with Type "B" Screening abutting folio

13999.0000

Minimum Rear Yard (East): 20 feet with Type "B" Screening abutting folio

14001.0100

Minimum Side Yard (West): 45 10 feet landscape buffer abutting folios 13994.0100,

13995.0000, 14061.5500

4.2 Parcel 2:

Shall be in compliance with development standards for the CN zoning district.

- 5. Maximum building height shall be 35'.
- 6. The subject property shall be subject to the Lutz Rural Area Development Standards of Section 3.09.00 of the Hillsborough County Land Development Code, unless specified herein. This includes design standards for non-residential buildings including:
  - a) All buildings shall have metal or shake-style shingle roofs with a minimum pitch of four to 12 and a maximum pitch of eight to 12. Mansard roofs shall not be utilized.
  - b) All buildings adjacent to folio no. 14001.0100 shall incorporate the following elements, for elevations facing east, unless otherwise specified:
    - at least one of the specified design features found in Table 3-08.1.
    - at least one least one design feature shall be utilized for every 50 feet of roof length that is adjacent along folio 14001.0100.
    - At least 40 percent of the horizontal length of each façade shall be comprised of windows, shutters, transoms, awnings, porches, doors, recessed entryways, arcacles, porticos and/or pilasters. Horizontal banding and other predominately horizontal elements shall not contribute towards satisfaction of this requirement.
    - Faux windows shall include at least one of the following features: canopies, awnings, shutters or trims.
       These features shall be permitted to be combined. Decorative shutters, if provided, shall be made of wood, metal or copolymer material and shall not be scored into the stucco.
    - Facades shall be clad in cement stucco bands, stucco, wood or vinyl slats, or brick. Exterior
      finish materials may only be combined horizontally, with the visually heavier material below the

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lighter material. The relative visual weight of materials shall be in the following order (heaviest to lightest): stone, brick, stucco, wood or vinyl slats.

- Overhead doors shall be facing internally.
- A solid masonry-type wall shall not be permitted pursuant to the Lutz Community Plan, of the Livable Communities Element of the Unincorporated Hillsborough County comprehensive plan.
- c) All buildings adjacent to folio no. 14001.0100 and folio 13999.0000 shall adhere to the following:
  - A maximum of 5 RV/Boat spaces are permitted per building.
  - Buildings shall be a maximum of 4,000 sq. ft.
  - Portions of the buildings adjacent to the above folios shall be a maximum of 100 feet in length for the facades directly facing and fronting the above folios.
- 7. All poles or standards, other than those made of wood, used to support nonexempt outdoor lighting fixtures shall be anodized or otherwise coated to minimize glare from the light source.
- 8. The developer shall screen service areas, trash receptacles, etc., from view from neighboring residential properties through the use of features, such as walls, fences, and landscaping.
- 9. The dumpster enclosure shall be located a minimum of 100' from single-family residential zoning and development.
- 10. The site shall be limited to one access connection on US Highway 41.
- 11. The developer shall construct site access improvements on US Highway 41, including to but not limited to median opening alignment and turn lane extension, subject to FDOT approval.
- 12. Shared access facilities shall be provided to the adjacent properties to the north (folio# 13992.0100) and south (folio#13394.0100) with the initial increment of development. At such time ingress and egress easements shall be recorded with each of the said adjacent properties in order to construct, maintain and utilize the shared access facilities.
- 13. Notwithstanding anything shown on the site plan, ADA/sidewalk connections shall be provided from site ingress and egress access points to building entrances and parking areas.
- 14. Minimum off-street parking spaces shall be provided for per Sec. 6.05.00 of the LDC.
- 15. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- 16. The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
- 17. Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear

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on all site plans, labeled as "EPC Wetland Line", and the wetland must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code (LDC).

- 18. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- 19. The subject site is located outside of the Hillsborough County Urban Service Area, however County water service line is located adjacent to the subject property so water service is available. This comment sheet does not guarantee water service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.
- 20. If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or the 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.

**Zoning Administrator Sign Off:** 

J. Brian Grady Thu Jun 2 2022 09:14:00

SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.

Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.

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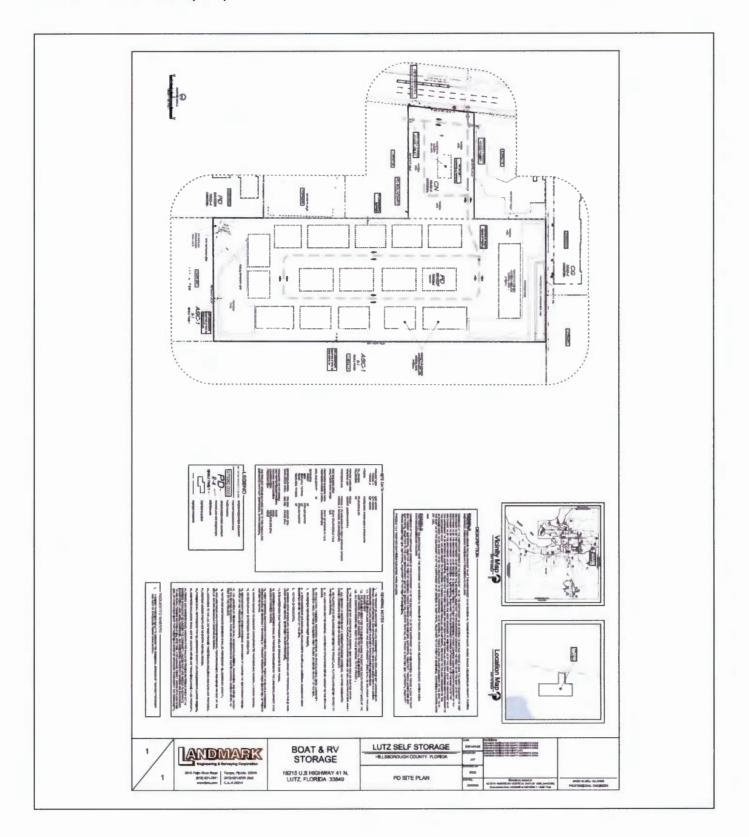
# 7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

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# 8.0 PROPOSED SITE PLAN (FULL)



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# 9.0 FULL TRANSPORTATION REPORT (see following pages)

### AGENCY REVIEW COMMENT SHEET

TO: 2	TO: Zoning Technician, Development Services Department DATE: 1/04/2022				
REVI	REVIEWER: Richard Perez, AICP AGENCY/DEPT: Transportation				
PLANNING AREA/SECTOR: Lutz/NW PETITION NO: RZ 21-0745					
	This agency has no comments.				
	This agency has no objection.				
This agency has no objection, subject to the listed or attached conditions.					
	This agency objects for the reasons set forth below.				

# CONDITIONS OF APPROVAL

- 1. The site shall be limited to one access connection on US Highway 41.
- 2. The developer shall construct site access improvements on US Highway 41, including to but not limited to median opening alignment and turn lane extension, subject to FDOT approval.
- 3. Shared access facilities shall be provided to the adjacent properties to the north (folio# 13992.0100) and south (folio#13394.0100) with the initial increment of development. At such time ingress and egress easements shall be recorded with each of the said adjacent properties in order to construct, maintain and utilize the shared access facilities.
- 4. The Commercial Neighborhood (CN) uses on Parcel 2 shall be limited to a maximum of 2,500 square feet of development.
- 5. Notwithstanding anything shown on the site plan, ADA/sidewalk connections shall be provided from site ingress and egress access points to building entrances and parking areas.
- 6. Minimum off-street parking spaces shall be provided for per Sec. 6.05.00 of the LDC.

# PROJECT SUMMARY AND ANALYSIS

The subject property is located on the east side of US Hwy 41 approximately 360 feet south of Flagship Dr. The applicant is requesting to rezone a +/- 6.08-acre site from Planned Development (PD 88-0229) and 2,500 sq ft of Commercial Neighborhood (CN) to a new PD district to allow RV/Boat storage with a +/- 0.91 outparcel to be developed for CN uses. PD 88-0229 is approved for 42,000 sq ft of office uses with a limit of 6,000 sq ft of medical office uses. The future land use designation is Neighborhood Mixed Use 4 (NMU-4).

The applicant submitted a trip generation analysis as required by the Development Review Procedures Manual (DRPM). Note, the applicant's analysis is based on the proposed limit on Commercial Neighborhood (CN) uses of 2, 500 sq ft. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data

presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition.

Approved Uses:

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
PD: 36,000 sf - General Office	209	42	41
PD: 6, 000 sf – Medical Office	351 3,735	17	21
CN: 7,925 sf - Fastfood Restaurant Drive Thru (IT) LUC 934)		319	259
Total Trips	4,295	378	578
Internal Capture	N/A	26	12
Pass-By Trips	N/A	150	126
Net Trips	4,295	202	440

Proposed Uses:

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
PD: 63,711 sf - Self Storage (ITE LUC 151)	96	6	11
PD: 2,500 sf - Fastfood Restaurant Drive Thru (ITE LUC 934)	1,177	100	82
Total Trips	1,273	106	93
Internal Capture	N/A	N/A	N/A
Pass-By Trips	N/A	24	40
Net Trips	1,273	82	53

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
	way volume	AM	PM
Difference	(-) 3,022	(-) 120	(-) 387

The proposed rezoning would result in a decrease of trips potentially generated by development of the subject site by 3,022 average daily trips, 120 trips in the a.m. peak hour, and 387 trips in the p.m. peak hour.

# TRANSPORTATION INFRASTRUCTURE SERVING THE SITE AND SITE ACCESS

US Hwy 41 a 6-lane, divided, arterial roadway maintained by FDOT. The roadway is characterized by +/-11-foot wide travel lanes within +/-120 feet of right-of-way. There is a +/-5-foot sidewalk along the project frontage and +/-5-foot bicycles lanes are present in the vicinity of the project.

# SITE ACCESS AND CONNECTIVITY

Site access is from US Hwy 41; an FDOT roadway. The access connection to the project will be limited by a restrictive median opening to one right-in, right-out and left-in driveway. The existing driveway access is nonconforming/non-compliant per FDOT requirements.

The applicant held a pre-application meeting with FDOT on August 10, 2021. Based on FDOT comments, shared access facilities are proposed as part of the PD site plan to the adjacent properties to the north (folio# 13992.0100) and south (folio#13394.0100). Shared access easements shall be required to comply with

FDOT comments at the time of the initial increment of development. Additionally, the developer will make improvements to the site access from US Hwy 41. The improvements, subject to FDOT final approval, include shifting the existing median opening on US Hwy 41 to south to align with the proposed access and extending the southbound left turn lane to 340 feet.

At the time of construction/site plan review, the applicant will be required to show ADA/sidewalk connections from all site access points to the primary building entrances and parking areas consistent with Section 6.02.03. B. of the LDC.

# ROADWAY LEVEL OF SERVICE

Level of Service (LOS) information is reported below.

	FDOT	Generalized Level of	Service	
Roadway	From	То	LOS Standard	Peak Hr Directional LGS
US HWY 41	DEBUEL RD	SUNSET LANE	D	С

Source: 2020 Hillsborough County Level of Service (LOS) Report

# **Transportation Comment Sheet**

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

Adjoining Roadways (check if applicable)				
Road Name	Classification	Current Conditions	Select Future Improvements	
US Hwy 41	FDOT Principal Arterial - Urban	6 Lanes □Substandard Road □Sufficient ROW Width	<ul> <li>□ Corridor Preservation Plan</li> <li>□ Site Access Improvements</li> <li>□ Substandard Road Improvements</li> <li>□ Other</li> </ul>	

Project Trip Generation ☐ Not applicable for this request					
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips		
Existing	4,295	202	440		
Proposed	1,273	82	53		
Difference (+/-)	(-)3,022	(-)120	(-)387		

<sup>\*</sup>Trips reported are based on net new external trips unless otherwise noted.

<b>Project Boundary</b>	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Vehicular & Pedestrian	None	Meets LDC
South		Vehicular & Pedestrian	None	Meets LDC
East		None	None	Meets LDC
West	X	None	None	Meets LDC
Notes:				

Road Name/Nature of Request	Туре	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.

4.0 Additional Site Information & Agency Comments Summary				
Transportation	Objections	Conditions Requested	Additional Information/Comments	
☐ Design Exception/Adm. Variance Requested ☐ Off-Site Improvements Provided	☐ Yes ☐ N/A ☑ No	⊠ Yes □ No	See Transportation Report	

# PARTY OF RECORD

Subject: RZPD 21-0745 Date: Tuesday, November 23, 2021 5:38:12 PM  External email: Use caution when clicking on links and attachments from outside sources.  Tim ,  We have talked in the past about the above boat storage rezoning .  I have looked on line and seen they have resubmitted .  It does not have much info on the new plan.  *No building sizes it says just general location ,  *No parking layout , no green area lay out or design .  *no dumpster location  *no fence lay out or design ,  *no room for land scape Buffer between ponds and my property and no detail of the required landscape design  *It says that water and sewer are by Hillsborough county .  (last I was told we cannot hook up to the fire line and the county does nhave sewer on US41)  * Will all the buildings be Fire sprinkled and will the county allow them to up to the fire line  *Is the are open area in between the buildings paved—and will they be approved for open storage in the open storage and how can that be controlled after permitting .  They also own the property to the south of the storage area and they halleft space between pond and WCA set back line ,  Will they be able to rezone that property at a later date and put storage ?  The property is in the Lutz community Plan and is approved in that plan  Will they have to do a traffic study be for rezoning ?  What does # 9 NO flex is requested mean ?	ct: R	reg VanBebber ampkin, Timothy				
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Is this all the detail we will get before it goes for a vote? I have always had to give much more detail on the site and build on all PD rezonings I have done.	
Can call me or give me a time to call you .  I will be traveling tomorrow morning but can talk in the afternoon .	
Thank you in advance for your help . Have a Happy Thanksgiving	
FYI your VM is full	
Thank You, Greg Van Bebber, President Van Bebber & Associates, Inc.	
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Fax: (813) 909-0699 Cell: (813) 781-0843	
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