Rezoning Application: 22-0699

Zoning Hearing Master Date: May 16, 2022

BOCC Land Use Meeting Date: July 26, 2022



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Bricklemyer Law Group

FLU Category: Res- 1 Service Area: Rural

Site Acreage: 8.45+/-

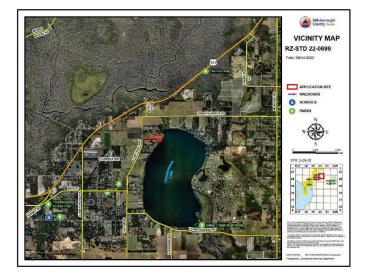
Community Plan Area: Thonotosassa

Overlay: None

Reguest: Rezone from Agricultural Rural

(AR) to Agricultural,

Single-Family Estate (AS 0.4)



Request Summary:

The request is to rezone from the existing **Agricultural Rural (AR)**zoning district to the proposed to **Agricultural, Single-Family Estate (AS 0.4)** zoning district. The proposed zoning for AS 0.4 permits single-family conventional and mobile home residential development in a low-density rural environment which encourages agricultural activities and their supporting uses. The minimum lot size in the AS-0.4 district is 2.5 acres.

Zoning:					
	Current AR Zoning	Proposed AS 0.4 Zoning			
Uses	Agricultural/Single Family Residential	Agricultural/Single Family Residential			
Acreage	8.45+/- Acres (a); 368,082sq. ft	8.45+/- ac			
Density / Intensity	1 dwelling Unit (du)/ 5 Acres, 217,800 sq. ft.	1 du/ 2.5 acres, 108,900 sq. ft.			
Mathematical Maximum* 1 dwelling unit 3 dwelling units					
* Mathematical Maximum entitlements may be reduced due to roads, stormwater and other improvements.					

Development Standards:				
	Current AR Zoning	Proposed AS 0.4 Zoning		
Density/ Intensity	1 du/217,800sq.ft	1 du/ 108,900 sq. ft		
Lot Size / Lot Width	217,800 sq. ft/ 150'	108,900 sq. ft/ 150'		
Setbacks/Buffering and Screening	50' - Front 25' – Sides 50' - Rear	50' - Front 25' — Sides 50' - Rear		
Height	50'	50'		

APPLICATION NUMBER: RZ STD 22-0699

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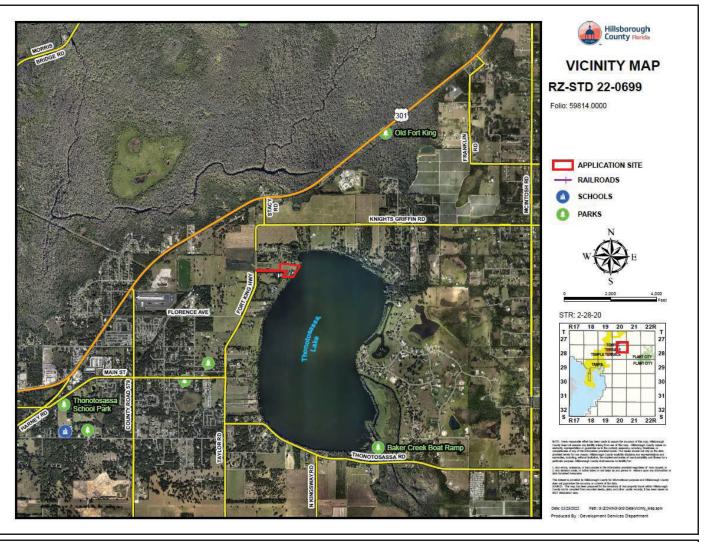
Additional Information:		
PD Variations N/A		
Waiver(s) to the Land Development Code	None	

Case Reviewer: Isis Brown

Additional Information:			
Planning Commission Recommendation Consistent			
Development Services Department Recommendation	Approvable		

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map



Context of Surrounding Area:

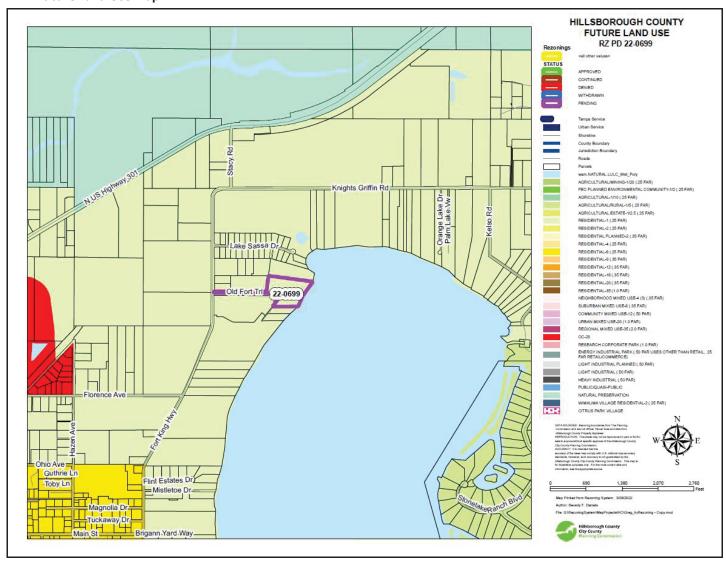
The site is surrounded by Rural-Agricultural, Rural Low-Density and Rural Low-Density Residential. The adjacent properties are zoned (ASC-1) Agricultural Single – Family Conventional Residential-1 and (AR) Agricultural-Rural (to the north), (AR) Agricultural Rural (to the south), ASC-1, AR and Fort King Highway (to the west), and Lake Thonotosassa (to the east). The surrounding area consist of properties within the Res-1 FLU category.

APPLICATION NUMBER: RZ STD 22-0699

ZHM HEARING DATE: May 16, 2022
BOCC LUM MEETING DATE: July 26, 2022 Case Reviewer: Isis Brown

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map



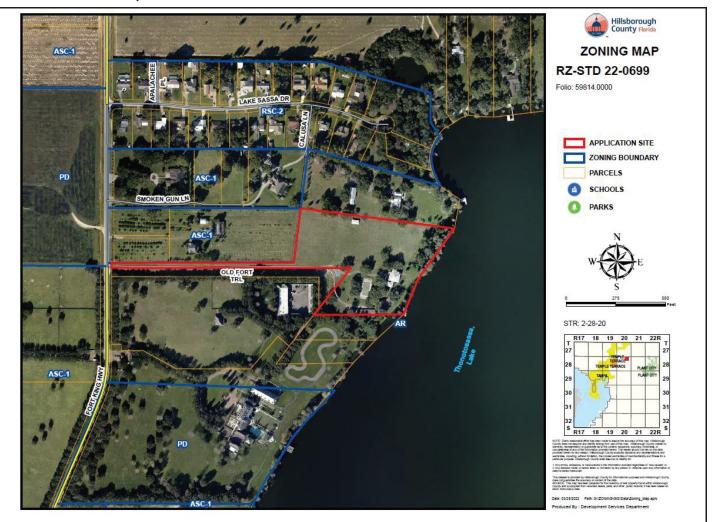
Subject Site Future Land Use Category:	Residential 1 (Res-1)
Maximum Density/F.A.R.:	1 dwelling unit per Gross Acre (ga)/ 0.25 F.A.R.
Typical Uses:	Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

ZHM HEARING DATE: May 16, 2022 BOCC LUM MEETING DATE: July 26, 2022

Case Reviewer: Isis Brown

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	ASC-1	1 du/1an/a	Single-Family Residential (Conventional Only)	Single-Family Residential Home
NOTE	AR	1 du/5 acres.	Single-Family Residential/Agricultural	Single-Family Residential Home
South	AR	1 du/5 acres.	Single-Family Residential/Agricultural	Single-Family Residential Home
East	Lake	n/a	n/a	Lake Thonotosassa
	ASC-1	1 du/1an/a	Single-Family Residential (Conventional Only)	Single-Family Residential Home
West	AR	1 du/5 acres.	Single-Family Residential/Agricultural	Single-Family Residential Home
	Street	n/a	Street	Forth King Highway

ZHM HEARING DATE: BOCC LUM MEETING DATE:	May 16, 2022 July 26, 2022	Case Reviewer: Isis Brown
2.0 LAND USE MAP SET	AND SUMMARY DATA	
2.4 Proposed Site Plan (partial provided below for	size and orientation purposes. See Section 8.0 for full site plan)
		Not Applicable
1		

APPLICATION NUMBER:

RZ STD 22-0699

APPLICATION NUMBER:	RZ STD 22-0699	
ZHM HEARING DATE:	May 16, 2022	
BOCC LUM MEETING DATE:	July 26, 2022	Case Reviewer: Isis Brown

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		
Fort King Highway	County Collector - Urban	2 Lanes ⊠ Substandard Road □ Sufficient ROW Width	☐ Corridor Preservation Plan☐ Site Access Improvements☐ Substandard Road Improvements☐ Other		

Project Trip Generation □Not applicable for this request				
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips	
Existing	9	1	1	
Proposed	28	2	3	
Difference (+/-)	+19	+1	+2	

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

Connectivity and Cross Access ⊠Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance ⊠Not applicable for this request				
Road Name/Nature of Request Type Finding				
	Choose an item.	Choose an item.		
	Choose an item.	Choose an item.		
Notes:				

APPLICATION NUMBER: RZ STD 22-0699

ZHM HEARING DATE: May 16, 2022
BOCC LUM MEETING DATE: July 26, 2022 Case Reviewer: Isis Brown

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY			
Environmental:	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	□ Yes ⊠ No	☐ Yes ☑ No	"Wetlands exist in the eastern portion of the subject parcel"
Natural Resources	☐ Yes ☐ No	☐ Yes ☐ No	No comments provided
Conservation & Environmental Lands Mgmt.	☐ Yes ☐ No	☐ Yes ☐ No	This agency has no comments.
Check if Applicable:	-		
☐ Wetlands/Other Surface Waters	☐ Significant Wild	dlife Habitat	
☐ Use of Environmentally Sensitive Land Credit	☐ Coastal High Ha	azard Area	
☐ Wellhead Protection Area	⊠ Urban/Suburb	an/ Rural Scenic C	Corridor
☑ Surface Water Resource Protection Area	☐ Adjacent to ELA	APP property	
☐ Potable Water Wellfield Protection Area	☐ Other		
Public Facilities:	Objections	Conditions Requested	Additional Information/Comments
Transportation			
☐ Design Exception/Adm. Variance Requested	□Yes	☐ Yes	
☐ Off-site Improvements Provided	⊠ No	□ No	
⊠ N/A	□ N/A	⊠ N/A	
Utilities Service Area/ Water & Wastewater	│ │ □ Yes	□ Yes	
☐Urban ☐ City of Tampa	⊠ No	⊠ No	
図Rural ☐ City of Temple Terrace		2.10	
Hillsborough County School Board			
Adequate □ K-5 □6-8 □9-12 □N/A	☐ Yes	☐ Yes	No comments provided
Inadequate □ K-5 □6-8 □9-12 □N/A	□ No	□ No	
Impact/Mobility Fees N/A	<u> </u>		
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
Planning Commission			
☐ Meets Locational Criteria ☐ N/A	□ Inconsistent	□ Yes	
☐ Locational Criteria Waiver Requested	⊠ Consistent	⊠ No	
☐ Minimum Density Met ☐ N/A			

APPLICATION NUMBER: RZ STD 22-0699
ZHM HEARING DATE: May 16, 2022

BOCC LUM MEETING DATE: July 26, 2022 Case Reviewer: Isis Brown

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of rural-agricultural, rural low-density residential. The adjacent properties are zoned (ASC-1) Agricultural Single — Family Conventional Residential-1 and (AR) Agricultural-Rural (to the north), (AR) Agricultural Rural (to the south), ASC-1, AR and Fort King Highway (to the west), and Lake Thonotosassa (to the east).

The surrounding area consist of properties within the Res-1 FLU category and permits agricultural and single-family residential uses.

The site is located outside of the within the Hillsborough County Urban Service Area. The subject site is located outside of the Hillsborough County Urban Service Area; therefore, water and/or wastewater service is not generally allowed. The subject property should be served by private well water and septic system for wastewater.

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

5.2 Recommendation

Based on the above considerations, staff finds the proposed AS-0.4 zoning district is compatible with the existing zoning districts and development pattern in the area. Staff finds the request **Approvable**.

6.0 PROPOSED CONDITIONS:

N/A

Zoning Administrator Sign Off:

J. Brian Grady Fri May 6 2022 08:00:35

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

APPLICATION NUMBER: RZ STD 22-0699

ZHM HEARING DATE: May 16, 2022
BOCC LUM MEETING DATE: July 26, 2022 Case Reviewer: Isis Brown

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

APPLICATION NUMBER:	KZ 31D 22-0699	
ZHM HEARING DATE: BOCC LUM MEETING DATE:	May 16, 2022 July 26, 2022	Case Reviewer: Isis Brown
8.0 PROPOSED SITE PLA	N (FULL)	
		Not Applicable

APPLICATION NUMBER: RZ STD 22-0699

ZHM HEARING DATE: May 16, 2022

BOCC LUM MEETING DATE: July 26, 2022 Case Reviewer: Isis Brown

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

REVI	oning Technician, Development Services Department EWER: Alex Steady, Senior Planner NING AREA/SECTOR: Thonotosassa/ Northeast	DATE: 05/03/2022 AGENCY/DEPT: Transportation PETITION NO.: STD 22-0699
	This agency has no comments.	
X	This agency has no objection.	
	This agency objects for the reasons set forth below.	

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development
 of the subject site by 19 average daily trips, 1 trip in the a.m. peak hour, and 2 trips in the p.m.
 peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction
 plan review for consistency with applicable rules and regulations within the Hillsborough County
 Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to the proposed rezoning.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 8.47-acre parcel from Agricultural Residential (AR) to Agricultural Single-Family Estate - 0.4 (AS-0.4). The site is located +/- 0.4 miles north of the intersection of Fort King Highway and Florence Ave. The Future Land Use designation of the site is Residential-1 (RES-1).

Trip Generation Analysis

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

Approved Zoning:

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

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
AS-0.4, 3 Single Family Detached Dwelling Units (ITE Code 210)	28	2	3

APPLICATION NUMBER: RZ STD 22-0699

ZHM HEARING DATE: May 16, 2022

BOCC LUM MEETING DATE: July 26, 2022 Case Reviewer: Isis Brown

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
	way volume	AM	PM
Difference	+19	+1	+2

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 19 average daily trips, 1 trip in the a.m. peak hour, and 2 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Fort King Highway. Fort King Hwy is a 2-lane, undivided, substandard, Hillsborough County maintained, collector roadway with +/- 10-foot travel lanes. Fort King Hwy lies within +/- 63 feet of Right of Way in the vicinity of the project. Fort King Hwy does not have sidewalks or curb or gutter on either side within the vicinity of the project.

SITE ACCESS

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

ROADWAY LEVEL OF SERVICE

Level of Service (LOS) information is reported below.

FDOT Generalized Level of Service					
Roadway	From	То	LOS Standard	Peak Hr Directional LOS	
FORT KING HWY	MAIN ST	KNIGHTS GRIFFIN	С	В	

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

COUNTY OF HILLSBOROUGH

RECOMMENDATION OF THE LAND USE HEARING OFFICER

APPLICATION NUMBER: RZ STD 22-0699 DATE OF HEARING: May 16, 2022 Bricklemyer Law Group **APPLICANT: PETITION REQUEST:** The request is to rezone a parcel of land from AR to AS-0.4 LOCATION: 11106 Old Fort Trail **SIZE OF PROPERTY:** 8.45 acres m.o.l. **EXISTING ZONING DISTRICT:** AR **FUTURE LAND USE CATEGORY:** RES-1 **SERVICE AREA:** Rural

Thonotosassa

COMMUNITY PLANNING AREA:

DEVELOPMENT REVIEW STAFF REPORT*

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

1.0 APPLICATION SUMMARY

Applicant: Bricklemyer Law Group

FLU Category: Res- 1

Service Area: Rural

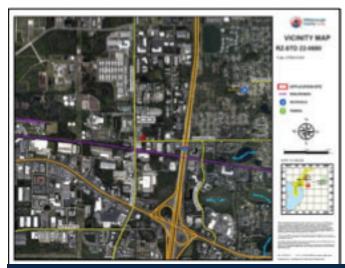
Site Acreage: 8.45+/-

Community Plan Area: Thonotosassa

Overlay: None

Request: Rezone from Agricultural Rural (AR) to Agricultural, Single-Family

Estate (AS 0.4)



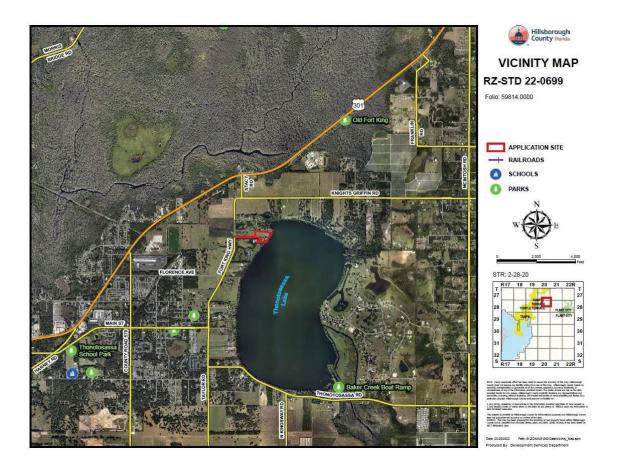
Request Summary:

The request is to rezone from the existing **Agricultural Rural (AR)**zoning district to the proposed to **Agricultural**, **Single-Family Estate (AS 0.4)** zoning district. The proposed zoning for AS 0.4 permits single-family conventional and mobile home residential development in a low-density rural environment which encourages agricultural activities and their supporting uses. The minimum lot size in the AS-0.4 district is 2.5 acres.

Zoning:					
Us es	L.Hrrent AR Zonino				Proposed AS 0.4 Zoning
	Agricultura	al/Sin	gle Family Res	Agricultural/Single Family Residential	
Acreage	8.45+/- Ac	res (a); 368,082sq.	ft	8.45+/- ac
Density / Intensity	1 dwelling (du)/5 Acre	00	217,800	sq.ft.	1 du/ 2.5 acres, 108,900 sq. ft.
Mathematical Maximum*	1 dwelling unit			3 dwelling units	
* Mathematical M and other improve		ntitler	ments may be	reduced	I due to roads, stormwater
		Cur	rent AR Zonin	ıg	Proposed AS 0.4 Zoning
Density/ Intensity		1 du/217,800sq.ft			1 du/108,900sq.ft
Lot Size / Lot Width		217,800 sq. ft/ 150'		•	108,900 sq. ft/ 150'
Setbacks/Buffering and Screening		50' - Front 25' – Sides 50' - Rear		des 50'	50' - Front 25' – Sides 50' - Rear
Height		50'			50'

Additional Information:			
PD Variations	N/A		
Waiver(s) to the Land Development Code	None		
Additional Information:			
Planning Commission Recommendation			Consistent
Development Services Department Recor	nmen	dation	Approvable

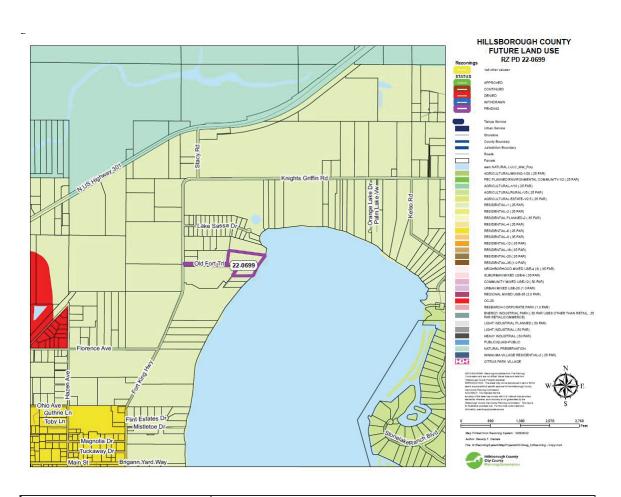
2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



Context of Surrounding Area:

The site is surrounded by Rural-Agricultural, Rural Low-Density and Rural Low-Density Residential. The adjacent properties are zoned (ASC-1) AgriculturalSingle—FamilyConventionalResidential-1and(AR)Agricultural-Rural(tothe north),(AR) Agricultural Rural (to the south), ASC-1, AR and Fort King Highway (to the west), and Lake Thonotosassa (to the east). The surrounding area consist of properties withintheRes-1 FLU category.

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



Subject Site Future Land Use Category:	Residential 1 (Res-1)
. Maximum Density/F.A.R.:	1 dwelling unit per Gross Acre (ga)/ 0.25 F.A.R.
Typical Uses:	Farms,ranches,residentialuses,ruralscaleneighborhoo dcommercialuses, offices,andmultipurposeprojects.Commercial,office,andmultipurpose uses shall meet locational criteria for specific land use projects. Agricultural uses maybe permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

2.0 LAND USE MAP SET AND SUMMARY DATA 2.3 Immediate Area Map



Adjacent	Zonings	andUses		
Location :		Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
Nowth	ASC-1	1 du/1an/a	Single-Family Residential (Conventional Only)	Single-Family Residential Home
North	AR	1 du/5 acres.		Single-Family Residential Home
South	AR	1 du/5 acres.		Single-Family Residential Home
East		n/a		

	Lake		n/a	Lake Thonotosassa
	ASC-1		Single-Family Residential (Conventional Only)	Single-Family Residential Home
West	AR	11 011/5 20/06	Single-Family Residential/Agricultural	Single-Family Residential Home
	Street	n/a	Street	Forth King Highway

2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Proposed Site Plan (partial provided below for size and orientation purposes. See Section8.0 for full site plan)

SECTION	SPORTATION SUI 9 OF STAFF REP Roadways (checl	ORT)		ORTA	TION REPORT IN
Road Name	Classification	Current (Conditions		ct Future ovements
Fort King Highway	County Collector Urban		ndard Road nt ROW Width	Plan □ Sit Impro □ Su	te Access ovements ubstandard Road ovements □Other
Project Tr	ip Generation □N	ot applicab	le for this reque	est	
	Average Annu Trips	ual Daily	A.M. Peak Ho Trips	ur	P.M. Peak Hour Trips
Existing	9		1		1

Proposed	28	2	3
Difference (+/-)	+19	+1	+2
		1004	

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

Connectivity and Cross Access ⊠Not applicablefor this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East	-	Choose an item.	Choose an item.	Choose an item.
West	-	Choose an item.	Choose an item.	Choose an item.
Notes ·				

Notes :

Design Exception/Administrative Variance ⊠Not applicablefor this reques				
Road Name/Nature of Request	Туре	Finding		
	Choose an item.	Choose an item.		
	Choose an item.	Choose an item.		
Notes :	'	1		

4.0 ADDITIONAL SITE INFO	RMATION 8	AGENCY (COMMENTS SUMMARY			
Environmental:	Objections	Conditions Requested	Additional Information/Comments			
Environmental Protection Commission	□ Yes ⊠ No	□ Yes ⊠ No	"Wetlands exist in the eastern portion of the subject parcel"			
Natural Resources	□ Yes □ No	□ Yes □ No	No comments provided			
Conservation & Environmental Lands Mgmt.	□ Yes □ No	□ Yes □ No	This agency has no comments.			
 □ Wetlands/Other Surface W □ Use of Environmentally Se □ Surface Water Resource Pr □ Potable Water Wellfield Pro □ Significant Wildlife Habitat □ Coastal High Hazard Area □ Urban/Suburban/Rural Sco □ Other 	nsitive Land otection Area	a a				
Public Facilities:	Objections	Conditions Requested				
Transportation						
□ Design Exception/Adm. Variance Requested □ Off- site Improvements Provided ☑ N/A	□ Yes ⊠ No □ N/A	□ Yes □ No 図 N/A				
·						

□Urban □ City of Tampa			
⊠Rural □ City of Temple			
Terrace			
Hillsborough County			
School Board	□ Yes □	□ Yes □	
Adequate □ K-5 □6-8 □9-12 □N/A Inadequate □ K-5 □6-		No	No comments provided
8 □9-12 □N/A		-	
Impact/Mobility Fees			
N/A			
N/ / \			
Comprehensive Plan:	Findings	- Conditions Requested	Additional Information/Comments
	Findings		

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of rural-agricultural, rural low-density residential. The adjacent properties are zoned (ASC-1) Agricultural Single – Family Conventional Residential-1 and (AR) Agricultural- Rural (to the north), (AR) Agricultural Rural (to the south), ASC-1, AR and Fort King Highway (to the west), and Lake Thonotosassa (to the east).

The surrounding area consist of properties within the Res-1 FLU category and permits agricultural and single-family residential uses.

The site is located outside of the within the Hillsborough County Urban Service Area. The subject site is located outside of the Hillsborough County Urban Service Area; therefore, water and/or wastewater service is not generally allowed. The subject property should be served by private well water and septic system for wastewater.

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

5.2 Recommendation

Based on the above considerations, staff finds the proposed AS-0.4 zoning district is compatible with the existing zoning districts and development pattern in the area. Staff finds the request **Approvable**.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on May 16, 2022. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Mr. Clayton Bricklemyer 4427 West Kennedy Blvd. testified as the applicant and stated that he request is to rezone to AS-0.4 which requires a minimum lot size of 2.5 acres. He added that the request will allow for a subdivision and stated that he believes that it is compatible with the area.

Ms. Isis Brown, Development Services staff, testified regarding the County's staff report. Ms. Brown stated that the request is to rezone the property from the Agricultural Rural to Agricultural Single-Family Estate (AS 0.4) which requires a minimum lot size of 2.5 acres. She described the location of the parcel and surrounding zoning districts. The property will be served by private well and septic tank and the rezoning will result in a zoning pattern and development that is consistent with the area. Staff finds the request approvable.

Ms. Karla Llanos, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Llanos stated that the subject property is within the Residential-1 Land Use classification and the Rural Service Area and Thonotosassa Community Planning Area. She stated that while the maximum number of dwelling units would be eight given the acreage, the request is for one additional unit which is consistent with the low density rural residential character of the surrounding area. Ms. Llanos testified that the Planning Commission finds the proposed rezoning consistent with the Future of Hillsborough Comprehensive Plan.

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

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

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

The hearing was then concluded.

The hearing was reopened to obtain testimony in opposition from a neighbor.

Mr. Jeff Marple 12401 Calusa Lane Thonotosassa testified in opposition. Mr. Marple stated that he lives on the property to the north and that he would like to support the staff recommendation to allow for an additional dwelling unit creating an average lot size of 4.2 acres which is comparable with the large lot rural residential land uses in the area. Mr. Marple stated that Mr. Bricklemyer's testimony was different in terms of the requested number of lots. He concluded his remarks by stating that he would be willing to accept an average lot size of 4.5 acres.

Hearing Master Finch asked Mr. Mr. Marple to confirm that his property was located to the north of the subject property. Mr. Marple replied yes. Hearing Master Finch asked Mr. Marple how large was his property. Mr. Marple replied five acres.

Mr. Bricklemyer testified during the rebuttal period that the Planning Commission's report talks about the request as if it were a Planned Development but it is not. The request is for a Euclidean zoning that would permit a minimum of 2.5 acre lots. Mr. Bricklemyer added that a 2.5 acre lot size is appropriate when reviewing other lots around the lake. He stated that the staff agrees and the Planning Commission agrees the request is appropriate.

Hearing Master Finch asked Mr. Bricklemyer what was the maximum number of lots that could be achieved given the total acreage of 8.45 acres. Mr. Bricklemyer replied no more than three lots at a minimum lot size of 2.5 acres. He added that developing three lots would be a struggle because of the driveway requirements. He stated that there would be two lots automatically but the property owner is trying to build in enough flexibility to develop three lots for family reasons.

Hearing Master Finch asked Mr. Bricklemyer to confirm for the record that he was not asking for any variances and that the project would adhere to the access requirements. Mr. Bricklemyer replied that was correct and stated that the project will proceed in accordance with the Code.

EVIDENCE SUBMITTED

No documents were submitted into the record.

PREFACE

All matters that precede the Summary of Hearing section of this Decision are hereby incorporated into and shall constitute a part of the ensuing Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

- 1. The subject property is 8.45 acres in size and is currently zoned Agricultural Rural (AR) and is designated Residential-1 (RES-1) by the Comprehensive Plan. The property is located within the Rural Service Area and the Thonotosassa Community Planning Area.
- 2. The applicant is requesting a rezoning to the Agricultural Single-Family Estate 0.4 (AS-0.4) zoning district.
- 3. The Planning Commission staff testified that the maximum number of dwelling units possible under the RES-1 land use category is eight dwelling units and that the applicant was requesting an additional dwelling units with an average lot size of 4.2 acres. The Planning Commission found the proposed rezoning consistent with the Future of Hillsborough Comprehensive Plan.

It is noted that the applicant's representative testified that the rezoning request was for the Euclidean district of AS-0.4 which requires a minimum lot size of 2.5 acres. No Restrictions to the AS-0.4 district regarding the number of lots were applied for or committed to by the applicant. The request results in larger lots than permitted for consideration by the RES-1 Future Land Use category which permits a maximum density of one dwelling unit per one acre.

- 4. The property owner of the adjacent lot to the north testified in opposition at the Zoning Hearing Master hearing. He stated that he supported the Planning Commission staff recommendation to allow for an additional dwelling unit creating an average lot size of 4.2 acres which is comparable with the large lot rural residential land uses in the area.
- 5. The surrounding zoning districts permit agricultural and residential land uses with minimum lot sizes ranging between one to five acres. A review of the existing lots surrounding the lake confirms the range of lot sizes between one to five acre lots.
- 6. The property owner's representative testified that the maximum number of 2.5 acre lots that could be achieved on the 8.45 acre parcel is 3 lots.

7. The request for the AS-0.4 zoning district on the subject property is appropriate given the existing zoning and lot development pattern in the area. The request is consistent with the Land Development Code and the Comprehensive Plan.

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

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

CONCLUSIONS OF LAW

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

SUMMARY

The applicant is requesting a rezoning to the AS-0.4 zoning district. The property is 8.45 acres in size and is currently zoned AR and designated RES-1 by the Comprehensive Plan. The property is located in the Rural Service Area and the Thonotosassa Community Planning Area.

The Planning Commission staff testified that the maximum number of dwelling units possible under the RES-1 land use category is eight dwelling units and that the applicant was requesting an additional dwelling units with an average lot size of 4.2 acres. The Planning Commission found the proposed rezoning consistent with the Future of Hillsborough Comprehensive Plan. The property owner of the adjacent lot to the north testified in opposition to the request and supported the Planning Commission's staff report. It is noted that the applicant's representative testified that the rezoning request was for the Euclidean district of AS-0.4 which requires a minimum lot size of 2.5 acres. No Restrictions to the AS-0.4 district regarding the number of lots were applied for or committed to by the applicant. The request results in larger lots than permitted for consideration by the RES-1 Future Land Use category which permits a maximum density of one dwelling unit per one acre.

The property owner's representative testified that the maximum number of 2.5 acre lots that could be achieved on the 8.45 acre parcel is 3 lots.

The request for the AS-0.4 zoning district on the subject property is appropriate given the surrounding zoning districts which permit agricultural and residential land uses with minimum lot sizes ranging between one to five acres. A review of the existing lots surrounding the lake confirms the range of lot sizes between one to five acre lots. The request is compatible with the Land Development Code and the Comprehensive Plan.

RECOMMENDATION

Based on the foregoing, this recommendation is for <u>APPROVAL</u> of the AS-0.4 rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.

June 7, 2022

Susan M. Finch, AICP Land Use Hearing Officer

Sum M. Fine

Date



Unincorporated Hillsboroug	h County Rezoning
Hearing Date: May 16, 2022 Report Prepared: May 4, 2022	Petition: RZ 22-0699 11106 Old Fort Trail East of Fort King Highway and Old Fort Trail, south of Knights Griffin Road, southeast of US 301 and northwest of Lake Thonotosassa.
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Residential-1 (RES-1) (1 du/ga; 0.25 FAR)
Service Area	Rural Area
Community Plan:	Thonotosassa
Requested Zoning:	Applicant requests a rezoning from Agricultural - Rural (AR) to Agricultural-single family estate -0.4 (AS-0.4) to allow for an additional dwelling unit.
Parcel Size (Approx.):	8.47 +/- acres (368,953.2 square feet)
Street Functional Classification:	Fort King Highway – County Collector Old Fort Trail – Local Knights Griffin Road – County Arterial US 301 – State Principal Arterial
Locational Criteria	Not Applicable
Evacuation Zone	Not within an evacuation zone.



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

Context

- The 8.47 ± acre property is located at 11106 Old Fort Trail, east of Fort King Highway and Old Fort Trail, south of Knights Griffin Road, southeast of US 301 and northwest of Lake Thonotosassa.
- The subject site is located in the Rural Area and is within the limits of the Thonotosassa Community Plan.
- The property has a Future Land Use designation of Residential-1 (RES-1) and the area is
 predominantly within this category as well. The RES-1 FLU category allows for uses such
 as farms, ranches, residential uses, rural scale neighborhood commercial uses, offices,
 and multi-purpose projects. Commercial, office, and multi-purpose uses are subject to
 locational criteria for specific land use projects.
- The property has Agricultural -Rural (AR) zoning and it can also be found to the north, and south. Agricultural Single-Family Conventional-1 (ASC-1) can be found to the west and northwest of the subject site. Residential-Single-Family Conventional -2 (RSC-2) can be found further to the northwest.
- As classified by the Hillsborough County Property Appraiser, the subject property's existing use is Agricultural. The property abuts single-family to the north, and northwest. Agricultural abuts east, southeast, and southern side of the property. To the northeast, east and southeast is Lake Thonotosassa.
- The applicant is requesting a rezoning from Agricultural -Rural (AR) to Agricultural-single family estate -0.4 (AS-0.4) to allow for an additional dwelling unit.

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

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.

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

RZ 22-0699 2

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.

Relationship to Land Development Regulations

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

Neighborhood/Community Development

Objective 16: Neighborhood Protection The neighborhood is 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 16.2: Gradual transitions of intensities between different land uses shall be provided for as new development is proposed and approved, through the use of professional site planning, buffering and screening techniques and control of specific land uses.

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

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

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

RZ 22-0699 3

4.0 COMMUNITY LEVEL DESIGN

4.1 RURAL RESIDENTIAL CHARACTER

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

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

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

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

Livable Communities Element: Thonotosassa Community Plan

Goals

- 2. Sense of Community Ensure that new development maintains and enhances Thonotosassa's unique character and sense of place, and provides a place for community activities and events.
- 3. Rural Character, Open Space and Agriculture Provide improved yet affordable infrastructure and a balance of residential, commercial, and other land uses while maintaining the rural nature of the Thonotosassa area. This goal includes encouragement for agriculture, protection of property owners' rights and values, and the establishment of open space and green space and low density, rural residential uses.
- 4. Diversity of People, Housing and Uses Maintain the existing diversity of housing types and styles. Provide for commerce and jobs but protect the community identity and limit the location, type and size of new businesses to fit the surrounding area.

Comprehensive Plan Strategies

- Require minimum lot sizes of 1 acre for residential development within the Residential-1, Agricultural Estate, and Agricultural Rural Future Land Use categories.
- Protect the area's rural character.

Support agricultural uses throughout the community.

Staff Analysis of Goals, Objectives and Policies:

The applicant is requesting to rezone the site from Agricultural - Rural (AR) to Agricultural-Single-Family Estate -0.4 (AS-0.4). The site is currently developed with a single-family residential home and guest home. The site is in the Rural Area and within the limits of the Thonotosassa Community Plan. The subject site has access from Knight Griffin Road through Old Fort Trail, which is an unimproved Right-of-way. The adopted Future Land Use (FLU) Category for the subject site is Residential-1 (RES-1). Typical uses in the RES-1 FLU category include farms, ranches, residential uses, rural scale neighborhood commercial uses, offices, and multi-purpose projects. Commercial, office, and multi-purpose uses shall meet locational criteria for specific land use projects. The intent of the category is to designate areas best suited for agricultural development and for compatible rural

RZ 22-0699 4

residential uses. Per Objective 4, the Rural Area is intended for agricultural uses and large lot, low density rural residential uses. The RES-1 FLU category would allow for a maximum of 8 dwelling units. However, the request is to allow for additional dwelling unit creating an average lot size of 4.2 acres which is comparable with the large lot, low density rural residential uses of the surrounding area. Policy 16.3 requires development and redevelopment be integrated through the use of complementary land uses. The proposed AS-0.4 zoning allows for similar uses as the AR zoning and for smaller lot sizes. The site is within the limits of the Thonotosassa Community Plan. Goal 3 of the Plan calls for a balance of residential, commercial and other land uses while maintain the rural nature of the area. This encourages agriculture, protection of property owners' rights, and open space and green space. Plan strategies include minimum lot sizes of 1 acre and protecting the area's rural character. The proposed rezoning will have an average lot size of 4.5 acres which is consistent with the community plan. The proposed development will provide a rural residential land use that fits with the surrounding area. The proposed development meets the intent of the Thonotosassa Community Plan.

Overall, the proposed rezoning is consistent with the Goals, Objectives, and Policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, as it is a compatible use with the surrounding rural residential area.

Recommendation

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

RZ 22-0699

PUBLIC/QUASI-PUBLIC Jurisdiction Boundary County Boundary File: G\RezoningSystem\MapPI PENDING 069 STATUS Mone Banch Kelso:Rd Palm Lake Vw COrange Lake Dr ■Knights Griffin Rd 22-0699 Lake Sassa Dr Old Fort Tri Stacy Rd Mistletoe Dr Tuckaway Dr Main St Brigann, Yard Way — Flint Estates Dr EXMH BUIN HOY 106 Kemmon SON N Magnolia Dr Florence Ave Hazen Guthrie Ln Ohio Ave -Toby Ln

HILLSBOROUGH COUNTY **FUTURE LAND USE**

RZ 22-0699

<all other values>

WITHDRAWN CONTINUED DENIED

Tampa Service Urban Service

AGRICULTURAL/MINING-1/20 (.25 FAR) wam.NATURAL.LULC_Wet_Poly

PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR) AGRICULTURAL/RURAL-1/5 (.25 FAR) AGRICULTURAL-1/10 (.25 FAR)

AGRICULTURAL ESTATE-1/2.5 (.25 FAR)

RESIDENTIAL-1 (.25 FAR)

RESIDENTIAL PLANNED-2 (.35 FAR) RESIDENTIAL-2 (.25 FAR)

RESIDENTIAL-4 (.25 FAR)

RESIDENTIAL-6 (.25 FAR)

RESIDENTIAL-9 (.35 FAR)

RESIDENTIAL-12 (.35 FAR) RESIDENTIAL-16 (.35 FAR)

RESIDENTIAL-20 (.35 FAR)

RESIDENTIAL-35 (1.0 FAR)

NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)

COMMUNITY MIXED USE-12 (.50 FAR) SUBURBAN MIXED USE-6 (.35 FAR)

REGIONAL MIXED USE-35 (2.0 FAR) URBAN MIXED USE-20 (1.0 FAR)

RESEARCH CORPORATE PARK (1.0 FAR)

ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE)

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

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



1,380

Map Printed from Rezoning System: 3/29/2022

Author: Beverly F. Daniels



AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

DATE: 05/02/2022

REVIE	WER: Alex Steady, Senior Planner IING AREA/SECTOR: Thonotosassa/ Northeast	AGENCY/DEPT: Transportation PETITION NO.: STD 22-0699
	This agency has no comments.	
X	This agency has no objection.	
	This agency objects for the reasons set forth below.	

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 19 average daily trips, 1 trip in the a.m. peak hour, and 2 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to the proposed rezoning.

PROJECT SUMMARY AND ANALYSIS

Trip Generation Analysis

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

Approved Zoning:

Zoning, Land Use/Size	24 Hour Two-	Total Hour	
	Way Volume	AM	PM
AR, 1 Single Family Detached Dwelling Unit (ITE Code 210)	9	1	1

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Hour	Trips
	J	AM	PM
AS-0.4, 3 Single Family Detached Dwelling Units (ITE Code 210)	28	2	3

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+19	+1	+2

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 19 average daily trips, 1 trip in the a.m. peak hour, and 2 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Fort King Highway. Fort King Hwy is a 2-lane, undivided, substandard, Hillsborough County maintained, collector roadway with +/- 10-foot travel lanes. Fort King Hwy lies within +/- 63 feet of Right of Way in the vicinity of the project. Fort King Hwy does not have sidewalks or curb or gutter on either side within the vicinity of the project.

SITE ACCESS

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

ROADWAY LEVEL OF SERVICE

Level of Service (LOS) information is reported below.

	FDOT Generalized Level of Service				
Roadway	From	То	LOS Standard Peak Hr Directional I		
FORT KING HWY	MAIN ST	KNIGHTS GRIFFIN	С	В	

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 (ch	Adjoining Roadways (check if applicable)				
Road Name	Classification	Current Conditions	Select Future Improvements		
Fort King Highway	County Collector - Urban	2 Lanes ⊠Substandard Road □Sufficient ROW Width	 □ Corridor Preservation Plan □ Site Access Improvements □ Substandard Road Improvements □ Other 		

Project Trip Generation □Not applicable for this request					
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips		
Existing	9	1	1		
Proposed	28	2	3		
Difference (+/-)	+19	+1	+2		

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

Connectivity and Cross Access ⊠ Not applicable for this request					
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding	
North		Choose an item.	Choose an item.	Choose an item.	
South		Choose an item.	Choose an item.	Choose an item.	
East		Choose an item.	Choose an item.	Choose an item.	
West		Choose an item.	Choose an item.	Choose an item.	
Notes:				·	

Design Exception/Administrative Variance ⊠Not applicable for this request		
Road Name/Nature of Request	Туре	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 □ Off-Site Improvements Provided ⋈ N/A 	☐ Yes ☐ N/A ⊠ No	☐ Yes ⊠N/A ☐ No		

COMMISSION

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Steffanie L. Wickham WASTE DIVISION
Sterlin Woodard, P.E. WETLANDS DIVISION

AGENCY COMMENT SHEET

REZONING				
HEARING DATE: May 16, 2022	COMMENT DATE: April 28, 2022			
PETITION NO.: 22-0699 EPC REVIEWER: Abbie Weeks	PROPERTY ADDRESS: 11106 Old Fort Trail, Thonotosassa			
CONTACT INFORMATION: (813) 627-2600 X1101	FOLIO #: 59814.0000 STR: 02-28S-20E			
EMAIL: weeksa@epchc.org	011.02 200 201			

REQUESTED ZONING: From AR to AS-0.4

FINDINGS				
WETLANDS PRESENT	YES			
SITE INSPECTION DATE	April 12, 2022			
WETLAND LINE VALIDITY	N/A			
WETLANDS VERIFICATION (AERIAL PHOTO,	Shoreline of Lake Thonotosassa in eastern portion			
SOILS SURVEY, EPC FILES)	of the property			

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.

aow/

cc: <u>clayton@bricklawgroup.com</u>

AGENCY REVIEW COMMENT SHEET

TO:	ZONING TECHNICIAN, Planning Growth Mana	gement	DA'.	TE: <u>25 Apr. 2022</u>	
REV	IEWER: Bernard W. Kaiser, Conservation and E	nvironmen	tal Lands Man	<u>agement</u>	
APP	LICANT: Clayton Bricklemyer	PETITIO	N NO: RZ-ST	D 22-0699	
LOC	ATION: Not listed				
FOL	IO NO: 59814.0000	SEC:	TWN:	RNG:	
	This agency has no comments.				
	This agency has no objection.				
	This agency has no objection, subject to listed of	or attached	conditions.		
	This agency objects, based on the listed or attack	ched condi	tions.		
COM	MENTS:				

VERBATIM TRANSCRIPT

HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

	X
IN RE:)
ZONE HEARING MASTER HEARINGS)
	X

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:

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 1	17
1	HILLSBOROUGH COUNTY, FLORIDA	
2	BOARD OF COUNTY COMMISSIONERS	
3	ZONING HEARING MASTER HEARINGS May 16, 2022	
4	ZONING HEARING MASTER: SUSAN FINCH	
5		
6	C6: Application Number: RZ-STD 22-0699	
7	Applicant: Bricklemyer Law Group Location: 11106 Old Fort Trl	
	Folio Number: 059814.0000	
8	Acreage: 8.45 acres, more or less Comprehensive Plan: R-1	
9	Service Area: Rural Existing Zoning: AR	
10	Request: Rezone to AS-0.4	
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	Page 118
1	MR. GRADY: The next item is agenda item
2	C-6, Rezoning-Standard 22-0699. The applicant is
3	Bricklemyer Law Group. The request is to rezone
4	from AR to AS-0.4.
5	Isis Brown will provide staff recommendation
6	after presentation by the applicant.
7	HEARING MASTER FINCH: Good evening.
8	MR. BRICKLEMYER: Good evening, Ms. Finch.
9	Clayton Bricklemyer, Bricklemyer Law Group, 4427
10	West Kennedy.
11	Again, I don't have much of a presentation.
12	We're going down to AS.4, which keep us at
13	2 1/2-acre lot minimum. That's to allow for
14	subdivision. Haven't decided exactly what it looks
15	like. So we're sticking with Euclidean.
16	We believe it's compatible, and I'm here for
17	questions.
18	HEARING MASTER FINCH: None at this time.
19	Thank you so much. If you could please sign in.
20	Development Services.
21	MS. BROWN: Isis Brown, Development
22	Services.
23	Case 22-0699. The request is to rezone from
24	the existing Agricultural Rural, AR, zoning
25	district to the proposed Agricultural Single-Family

Page 119

1 Estate AS-0.4 zoning district.

The proposed zoning for AS-0.4 permits

Single-Family Conventional -- sorry. Conventional development in low density rural environmental areas. Encourages agricultural activities and supports the minimum lot size in the AS-0.4 zoning district is 2.5 acres.

The subject property is 8.45 acres with a density/intensity of one dwelling unit per 5 acres currently. The proposed will be one dwelling unit per 2.5 acres.

The site is located in an area comprised of rural agricultural and low -- rural low density residential area. The adjacent properties are zoned ASC-1 Agricultural Single-Family Conventional Residential and AR to the north, AR to the south, ASC-1, AR, and the Fort King Highway to the west and Lake Thonotosassa to the east.

The surrounding area consists of properties within the RES-1 Future Land Use Category and permits agricultural and single-family residential uses.

The site is located outside -- sorry. The site is located outside the Urban Service Area.

The site is located and therefore -- what is wrong.

Executive Reporting Service

	Page 120
1	The subject property will be served by private well
2	water and septic wastewater. The size and the
3	depth of the subject property in relation to the
4	adjacent agricultural and single-family uses would
5	create a zoning pattern and development that is
6	consistent with the existing zoning and development
7	pattern of the agricultural and single-family uses
8	and zoning district in the area.
9	Based on the above considerations, staff
10	finds the proposed AS-0.4 district is compatible
11	with the existing zoning district and development
12	pattern in the area.
13	Staff finds the request approvable. I'm
14	available for any questions.
15	HEARING MASTER FINCH: It sounds like you
16	made it through to the end. So we'll give you time
17	for water. So thank you. No questions at this
18	time. I appreciate it.
19	Planning Commission, please.
20	MS. LLANOS: Karla Llanos, senior planner
21	with Planning Commission staff.
22	The property is 8.47 acres and it's located
23	in the Rural Area and is within the limits of the
24	Thonotosassa Community Plan.
25	The property has a Future Land Use

Page 121 designation of Residential-1, and the area is 1 predominantly within this category as well. The applicant is requesting a rezoning from 4 Agricultural Rural to Agricultural Single-Family 5 Estate-0.4 to allow for an additional dwelling unit. 6 The site is currently developed with 8 single-family residential homes and a guest home. The subject site has access from Knights Griffin 9 Road through Old Fort Trail, which is an unimproved 10 11 right-of-way. 12 Per Objective 4, the rural area is intended 13 for agricultural uses and large lots, low density 14 rural residential uses. The Residential-1 Future 15 Land Use Category would allow for a maximum of 16 eight dwelling units. 17 However, the request is to allow for only 18 one additional unit creating an average lot size of 19 4.2 acres, approximately, which is comparable with 20 the large lot. Again, low density rural residential uses are character of the surrounding 21 22 area. 23 The proposed development meets the intent of 24 the Thonotosassa Community Plan. Overall, the

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proposed rezoning is consistent with the goals,

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1	objectives, and policies of the Future of
2	Hillsborough Comprehensive Plan for the
3	unincorporated Hillsborough County and is
4	compatible it is a compatible use with the
5	surrounding rural residential area.
6	So based upon those considerations, Planning
7	Commission staff finds the proposed
8	Rezoning-Standard consistent with the Future of
9	Hillsborough County Comprehensive Plan for
10	unincorporated Hillsborough County. Always a
11	handful.
12	HEARING MASTER FINCH: Thank you so much. I
13	appreciate it.
14	All right. Is there anyone in the room or
15	online that would like to speak in support? Anyone
16	in favor?
17	Seeing no one, anyone in opposition to this
18	request?
19	Seeing no one, all right, Mr. Grady,
20	anything else?
21	MR. GRADY: Nothing further.
22	HEARING MASTER FINCH: Mr. Bricklemyer?
23	Nothing.
24	All right. Then with that, we'll close
25	Rezoning 22-0699.

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We're going to take a short five-minute 1 2 break. Oh, excuse me. I didn't see you. asked for opposition. I apologize. But if we can 4 reopen the hearing to provide your testimony if we 5 missed it. Let me just do it for the record. So let's 6 7 reopen Rezoning 22-0699 to take a gentleman in 8 opposition, his testimony. 9

Before we do, is there anyone else that wants to speak in opposition to this request? Seeing no one.

All right. If you'll give us your name and address, please.

MR. MARPLE: Sure. My name is Jeff Marple, 12401 Calusa Lane, Thonotosassa. I'm Alex's northernmost neighbor.

We went ahead -- we'd like to go ahead and support staff recommendation. The request was put in -- this comes off of the report. The request is to allow for additional dwelling unit creating an average lot size of 4.2 acres, which is comparable with a large lot, low density, rural residential uses of the land surrounding area.

As you go further down into your recommendations, it talks about that the average

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1	lot size would be 4.5. So this is a difference of
2	where we were at from what Mr. Bricklemyer was
3	saying about .4.
4	Your recommendation is saying it's willing
5	to go forward as long as we have an average lot
6	size of 4.5. The floor report says one hump per
7	1 acre in the future. This is not a residential
8	development.
9	These are large lots on a on a very
10	private lake. To her to her northern point, we
11	have 5-acre lot. To her southern immediate
12	neighbor, there's over 40 acres. Then it goes 5,
13	5, 5, and then another 20-acre lot.
14	So all I'm asking and we're willing to
15	accept and approve that the average lot size
16	that was originally requested was 4.2 and that the
17	average lot size stay at 4.5.
18	HEARING MASTER FINCH: So just to be clear,
19	your lot is the abutting lot to the north?
20	MR. MARPLE: Yes.
21	HEARING MASTER FINCH: And how large is your
22	property?
23	MR. MARPLE: Five.
24	HEARING MASTER FINCH: 5 acres. I see. All
25	right. Does that complete your testimony?

Page 125 MR. MARPLE: It does. Thank you so much. 1 2 HEARING MASTER FINCH: If you could please 3 sign in with the clerk's office. 4 Now let me have Mr. Bricklemyer the 5 opportunity for rebuttal since we reopened the 6 case. MR. BRICKLEMYER: Thank you very much. 8 Clayton Bricklemyer, again, for the record. 9 The -- I actually know what Mr. Marple's is 10 talking about. I believe the Planning Commission report talks about as if it were a PD. It is not a 11 12 We're asking for Euclidean zoning that would 13 get us to 2 1/2-acre lots. That's the minimum. We would be able to subdivide, obviously, 14 15 into 4-acre lots. I am going to put up from the 16 staff report -- if you just look around the lake, I 17 just -- Mr. Marple and I, I think, just disagree 18 about the diversity of the sizes of the lot. 19 I think 2 1/2 acres, if you look around the 20 lake, is a completely appropriate size. If we went 21 to that size, which we are not guaranteeing that we 22 are, we're just giving ourselves some flexibility. 23 The staff agrees and the Planning Commission 24 agrees that it's appropriate. I agree with them. 25 HEARING MASTER FINCH: Let me ask you a

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1	question for the record.
2	MR. BRICKLEMYER: Yes.
3	HEARING MASTER FINCH: So the acreage on the
4	agenda is noted at 8.45 acres.
5	MR. BRICKLEMYER: Yes.
6	HEARING MASTER FINCH: I understand you
7	haven't subdivided this out to find out exactly
8	where you want to be. But given that, what do you
9	believe is the maximum number of lots?
10	MR. BRICKLEMYER: Three. There's no more
11	than three.
12	HEARING MASTER FINCH: Three at 2 1/2-acre
13	minimum?
14	MR. BRICKLEMYER: Correct.
15	HEARING MASTER FINCH: I see.
16	MR. BRICKLEMYER: And that honestly is going
17	to be a struggle because of the way the driveway
18	works.
19	HEARING MASTER FINCH: That was my
20	question
21	MR. BRICKLEMYER: Automatically it's two,
22	but we're trying to build in enough flexibility to
23	have three for family reasons. But that's the
24	reason.
25	HEARING MASTER FINCH: All right. And then

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1	the other question just to confirm for the record
2	is you're not asking for any variances or anything;
3	that you will adhere to the access requirements and
4	so forth?
5	MR. BRICKLEMYER: Correct. Yes. Everything
6	in the Code that's attached to this point forward
7	we're adhering to.
8	HEARING MASTER FINCH: Understood. Okay.
9	Thank you so much.
10	With that, we will close Rezoning 22-0699.
11	And now we'll take a five-minute break. So
12	I have it's 8:10. So 8:15, we'll be back
13	online. Thank you so much.
14	(Recess taken at 8:10 p.m.)
15	(Recess concluded at 8:18 p.m.)
16	HEARING MASTER FINCH: All right. Good
17	evening. We are back from our break for the
18	May 16th, 2022, Zoning Hearing Master Hearing.
19	So, Mr. Grady, let's call the next case.
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EXHIBITS SUBMITTED DURING THE ZHM HEARING

NONE

PARTY OF RECORD

NONE