Rezoning Application: PD 22-0443

Zoning Hearing Master Date: July 25, 2022

BOCC Land Use Meeting Date: September 13, 2022



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Lennar Homes, LLC

FLU Category: RES-4

Service Area: Urban

Site Acreage: 5.25 +/-

Community

Plan Area:

Wimauma

Overlay: Wimauma Downtown



Introduction Summary:

The request is to rezone property zoned AR (Agricultural Rural) to PD (Planned Development) to allow 21 single-family detached and/or single-family attached units. The site is located in the Downtown Residential subdistrict of the Wimauma Downtown Overlay. A Right-of-Way vacating request is associated with the application.

Zoning:	Existing	Proposed
District(s)	AR	PD
Typical General Use(s)	Single-Family Residential/Agricultural	Single-Family Residential
Acreage	5.25	5.25
Density/Intensity	1 unit per 5 acres	4 units per acre
Mathematical Maximum*	1 unit	21 units

^{*}number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	AR	PD
Lot Size / Lot Width	5 acres / 150 feet	5,000 sf / 50 feet - detached 1,800 -3,840 sf / 16 - 32 feet – attached
Setbacks/Buffering and Screening	50 foot Front Yard 50 foot Rear Yard 25 foot Side Yards	20 foot Front Yard - detached 10 foot Rear Yard - detached 5 foot Side Yards – detached 0-15 foot Front Yard - attached 15 foot Rear Yard - attached 10 foot Side Yards - attached
Height	50 feet	35 feet – detached and attached

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

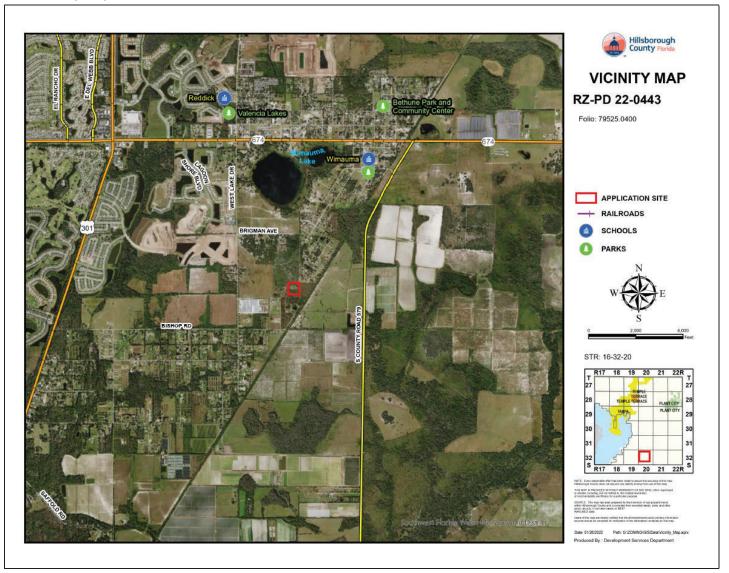
Planning Commission Recommendation:	Development Services Recommendation:
Consistent	Approvable, subject to proposed conditions

ZHM HEARING DATE: July 25, 2022 BOCC LUM MEETING DATE: September 19, 2022

Case Reviewer: Michelle Heinrich, AICP

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

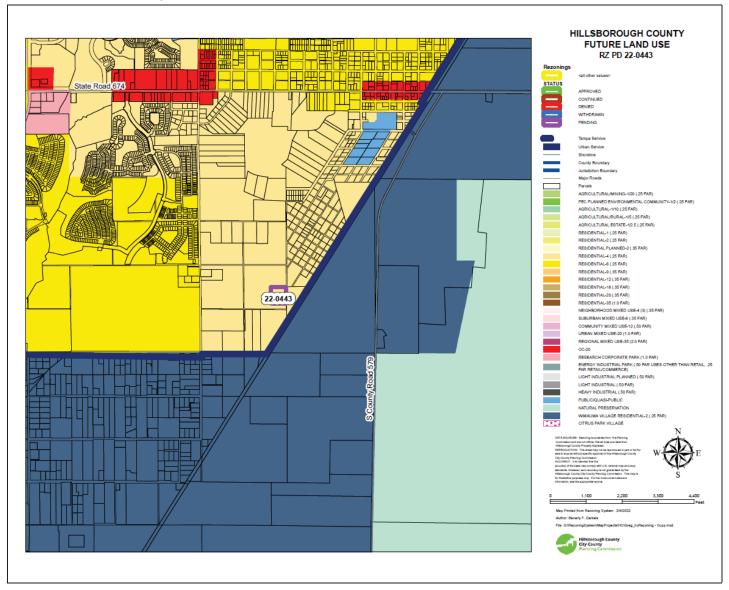


Context of Surrounding Area:

The surrounding area is developed with agricultural and residential uses, as well as conservation areas, within the Wimauma community. This area of Wimauma is currently in transition to a more suburban development pattern with projects under construction or recently approved rezoning applications to allow for residential and school uses. Primary roadways in the area consists of US Hwy 301 to the west, CR 579 to the east and SR 674 to the north. The Wimauma Downtown located on SR 674 is approximately 1.14 miles to the north of the project.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.2 Future Land Use Map



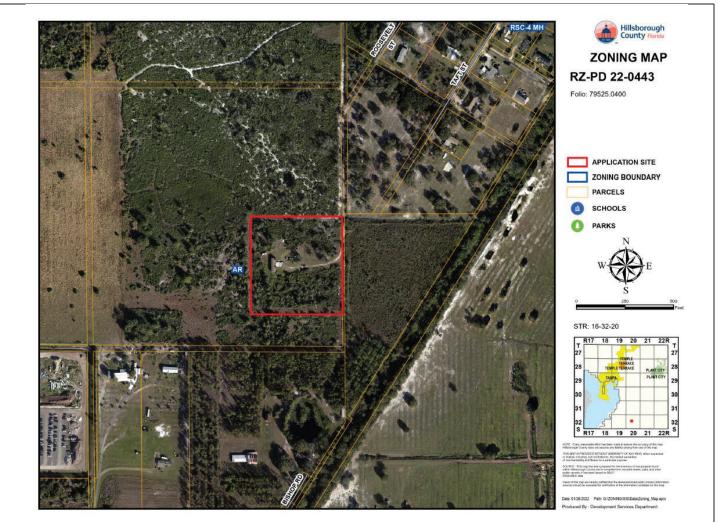
Subject Site Future Land Use Category:	RES-4
Maximum Density/F.A.R.:	4 units per acre
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects.

ZHM HEARING DATE: July 25, 2022 BOCC LUM MEETING DATE: September 19, 2022

Case Reviewer: Michelle Heinrich, AICP

2.0 LAND USE MAP SET AND SUMMARY DATA

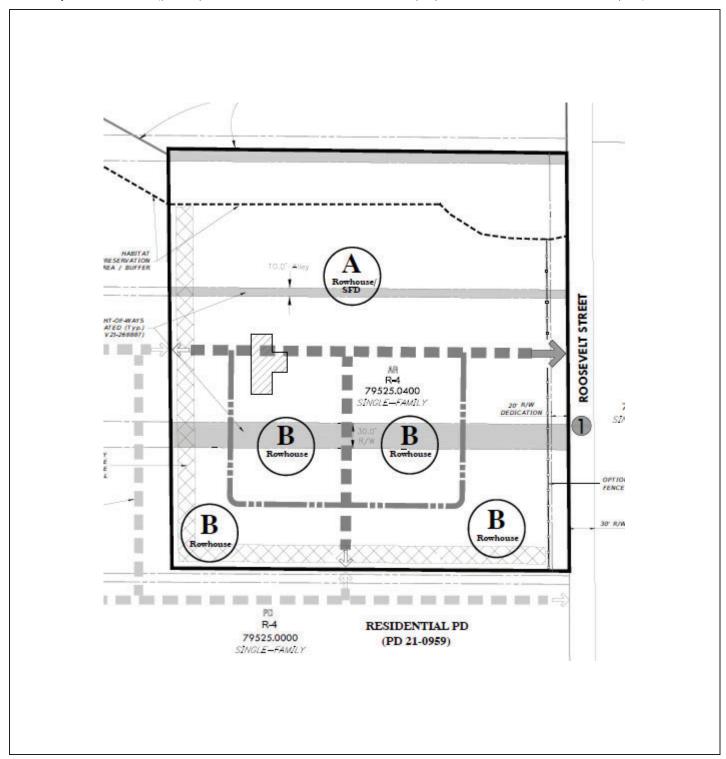
2.3 Immediate Area Map



Adjacent Zonings and Uses					
Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:	
North	PD	4 units per acre	Single-Family Detached/Attached	Vacant	
South	PD	4 units per acre	Single-Family Detached/Attached	Vacant	
East	AR	1 unit per 5 acres	Single-Family Residential/Agricultural	Vacant	
West	PD	4 units per acre	Single-Family Detached/Attached	Vacant	

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 22-0443

ZHM HEARING DATE: July 25, 2022

BOCC LUM MEETING DATE: September 19, 2022 Case Reviewer: Michelle Heinrich, AICP

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	
Natural Resources	☐ Yes ☒ No	☐ Yes ☐ No	☐ Yes ☐ No	
Conservation & Environ. Lands Mgmt.	☐ Yes ⊠ No	☐ Yes ☐ No	☐ Yes ☐ No	
Check if Applicable:	☐ Potable V	Vater Wellfield Pro	tection Area	
⊠ Wetlands/Other Surface Waters	☐ Significan	t Wildlife Habitat		
☐ Use of Environmentally Sensitive Land	_	igh Hazard Area		
Credit		burban/Rural Scen	ic Corridor	
☐ Wellhead Protection Area	-	to ELAPP property		
☐ Surface Water Resource Protection Area	☐ Other:	See Section 7.0		
D. L.P. E. Chr.	Comments		Conditions	Additional
Public Facilities:	Received	Objections	Requested	Information/Comments
Transportation ☐ Design Exc./Adm. Variance Requested ☐ Off-site Improvements Provided	⊠ Yes □ No	☐ Yes ⊠ No	⊠ Yes □ No	
Service Area/ Water & Wastewater	_	☐ Yes ☑ No	☐ Yes ☑ No	Water distribution system
⊠Urban □ City of Tampa	⊠ Yes			improvements required
☐Rural ☐ City of Temple Terrace	□No			prior to building permits
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 (Fee estimate is based on a 1,500 square foot, 3 k Mobility: \$5,995 Parks: \$1,957 School: \$7,027 Fire: \$249 Total Townhouse per unit = \$15,228 (Fee estimate is based on a 2,000 square foot, 3 k Mobility: \$8,265 Parks: \$2,145 School: \$8,227 Fire: \$335 Total Single Family Detached per unit = \$18,972 Urban Mobility, South Parks/Fire - 21 single famil	edroom, Single	Family Detached)		

APPLICATION NUMBER: PD 22-0443

ZHM HEARING DATE: July 25, 2022

BOCC LUM MEETING DATE: September 19, 2022 Case Reviewer: Michelle Heinrich, AICP

Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments
Planning Commission				
☐ Meets Locational Criteria ⊠N/A	⊠ Yes	☐ Inconsistent	□ Yes	
☐ Locational Criteria Waiver Requested	□No		⊠ No	

APPLICATION NUMBER: PD 22-0443

ZHM HEARING DATE: July 25, 2022

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5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The proposed project will be part of a unified development with PD 21-0959 to the immediate west, which has been approved for single-family attached and detached uses. The development area of PD 21-0959 is to the immediate south, north and west of the development area of PD 22-0443. Property to the west is separated from the subject PD by Roosevelt Road and is currently vacant.

The project will be utilizing the lot standards of the Wimauma Downtown Overlay – Downtown Residential subdistrict, as required. These standards implement the recently adopted Wimauma Community Plan policies and goals. Staff will note that the Wimauma Community Plan envisions this subdistrict to have a mixture of housing types – including single-family detached, single-family attached, live/work units and multi-family (Goal 3). Therefore, the use of single-family attached is in compliance with community's vision.

Staff has not identified any compatibility issues with the request.

5.2 Recommendation

Approvable, subject to proposed conditions.

APPLICATION NUMBER: PD 22-0443
ZHM HEARING DATE: July 25, 2022

BOCC LUM MEETING DATE: September 19, 2022 Case Reviewer: Michelle Heinrich, AICP

6.0 PROPOSED CONDITIONS

Requirements for Certification:

- 1. Development Pod A to be noted as SFD only.
- 2. Site Project Data Table to remove "Pursuant to Policy 13.3 of the Future Land Use Element of the Comprehensive Plan, additional dwelling units/density shall be permitted based on the actual acreage of of qualifying and preserved upland areas to be determined at the time of preliminary plat review."
- 3. Site plan to note that "optional 6' wall or fence" along Roosevelt Street from the Roosevelt Street access point southward to the PD boundary, if constructed, shall be in compliance with LDC Sections 3.23.11.D and in compliance with 3.23.10.C.2 requiring individual pedestrian gates.
- 4. Rowhouse Typical Lot Detail to note that the minimum front yard setback may be 0 feet or 2 feet depending on the fronting roadway Typical Section (see condition 3).
- 5. Modify site note 18 to change the word "if" to "where adjacent to single-family detached uses."
- 6. Change "Roosevelt St." references to read "Roosevelt St. (known as Halifax St. per plat).
- 7. Add linework/shading of the overlapping area depicted as both Roosevelt Street ROW dedication and habitat preservation/buffer area and label such area as "Habitat Preservation Area/Buffer or Right-of-Way" see conditions of approval.
- 8. <u>Label the western boundary of the "Habitat Preservation Area/Buffer or Right-of-Way" as the "Alternate Habitat Preservation Area/Buffer Boundary."</u>

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted July 5, 2022.

- 1. The project shall permit a maximum of 21 single-family residential units (detached and/or attached).
- 2. Residential units may be blended between the areas encompassing PD 21-0959 and PD 22-0443 under the following: 1) the Developer submits a preliminary plat proposing to develop the overall land as a single unified development, and thereafter submits construction plans and plats consistent with the same; 2) the overall/total density of the unified plan does not exceed the 21 units (4 units per acre) approved under PD 22-0443 combined with the maximum density permitted by the Comprehensive Plan as approved under PD 21-0959 or any modifications to PD 21-0959; and, 3) all other conditions of the respective planned development approvals are met.
- 3. Single-family detached units shall be developed in accordance with the following:

Minimum/Maximum lot size: 5,000 sf
Minimum-Maximum lot width: 50-60 feet
Minimum/Maximum front yard setback: 20 feet
Minimum/Maximum rear yard setback: 10 feet
Minimum/Maximum side yard setback: 5 feet

Maximum building height: 35 feet / 1-3 stories

Minimum-Maximum building frontage: 40% - 70%*

*attached garages and all building attachments, such as but not including covered porches, colonnades, awnings, porticos, and balconies shall contribute to the minimum/maximum building frontage requirements. The maximum depth of any building attachments shall be 12 feet. These building attachments shall meet the minimum/maximum front yard setback found above.

APPLICATION NUMBER:	PD 22-0443	
ZHM HEARING DATE:	July 25, 2022	
BOCC LUM MEETING DATE:	September 19, 2022	Case Reviewer: Michelle Heinrich, AICP

- 3.1 All single-family detached units shall be developed with an attached garage accessed from the street in front of the home.
- 4. Single-family attached (townhome) units shall be developed in accordance with the following:

Minimum-Maximum lot size: 1,800 sf - 3,840 sf Minimum-Maximum lot width: 16 feet - 32 feet Minimum-Maximum front yard setback: 0 feet - 15 feet*

Minimum/Maximum rear yard setback: 15 feet

Minimum/Maximum side yard setback: 10 feet (end units)
Minimum/Maximum building height: 35 feet / 2-3 stories**
Minimum-Maximum building frontage: 90% - 100%***

- 4.1 Each building shall consist of at least 3 attached townhome units.
- 4.2 Each townhome unit shall provide a garage attached to the rear of the unit accessed via a one-way alley located to the rear of the unit. The alley shall be a minimum of 20 feet in width.
- 4.3 Each townhome unit's primary frontage shall be towards a public roadway.
- 5. Areas noted as Development Pod A shall be permitted single-family detached uses only. Residential development shall not be permitted within the Habitat Preservation Area and Habitat Preservation Area buffer.
- 6. Areas noted as Development Pod B shall be permit single-family attached (rowhouse) uses only.
- 7. The project's internal roadways shall be developed as generally depicted on the general site plan.
- 8. Land Development Code required buffering and screening (5-foot wide buffer with Type A screening) shall be provided both internally and along PD boundaries where single-family attached uses are adjacent to single-family detached uses.
- 9. 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.
- 10. 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.

^{*}minimum front yard setback shall be a minimum 0 feet or minimum of 2 feet depending on the roadway type (Type TND-1 Typical Section or TS-3 Typical Section) the townhome unit fronts.

^{**}an additional 2 feet of setback for every 1 foot over 20 feet in height shall be provided where adjacent (not separated by a roadway of at least 50 feet in width) to a single-family detached use.

^{***}attached garages and all building attachments, such as but not including covered porches, colonnades, awnings, porticos, and balconies shall contribute to the minimum/maximum building frontage requirements. The maximum depth of any building attachments shall be 12 feet. These building attachments shall meet the minimum/maximum front yard setback found above.

APPLICATION NUMBER:	PD 22-0443	
ZHM HEARING DATE:	July 25, 2022	
BOCC LUM MEETING DATE:	September 19, 2022	Case Reviewer: Michelle Heinrich, AICI

- 11. 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).
- 12. 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.
- 13. Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include two funded CIP projects that are currently under construction, C32001-South County Potable Water Repump Station Expansion and C32011-Potable Water In-Line Booster Pump Station, and will need to be completed by the County prior to issuance of any building permits that will create additional demand on the system.
- 14. The project shall be served by (and limited to) one (1) access connection along the project's eastern boundary, one (1) access connection along the project's western boundary, and one (1) access connection along the project's southern boundary.
- 15. Notwithstanding anything shown on the PD site plan or herein these conditions to the contrary, the access along the western and southern project boundaries may occur anywhere within the cross-hatched area indicated on the site plan, subject to compliance with Section 6.04.07 Land Development Code (LDC) regulations governing access spacing and other applicable technical standards. All such connections shall be subject to the review and approval of Hillsborough County.
- 16. Prior to or concurrent with the initial increment of development, the developer shall dedicate and convey to Hillsborough County 20 feet of additional right-of-way along the project's eastern boundary, such that there is a minimum of 50-feet of right-of-way available.
- 17. Notwithstanding anything shown on the PD site plan or herein these conditions to the contrary, the area dedicated to the County for future right-of-way shall not be considered Essential Wildlife Habitat Preservation or buffer areas in the event the County decides to construct (or authorize others to construct) a transportation facility within this right-of-way.
- 18. Internal project roadways may be public or private roadways. Additionally:
 - a. If internal project roadways are constructed as privately owned and maintained facilities, then prior to or concurrent with the initial increment of development the developer shall record in the Official Records of Hillsborough County an easement which allows public access over the internal roadways and sidewalks.
 - b. All roadways, whether public or private, shall be ungated.
- 19. Outside of the project (but along the eastern project boundary), the developer shall construct a north/south roadway between the easternmost project access (to Roosevelt St. /Halifax St.) and the east-west roadway to be constructed along the project's southern boundary (within adjacent PD 21-0959). The developer shall install appropriate end of roadway treatments at the northern terminus to prevent traffic from utilizing the existing dirt road which extends north.

APPLICATION NUMBER:	PD 22-0443	
ZHM HEARING DATE:	July 25, 2022	
BOCC LUM MEETING DATE:	September 19, 2022	Case Reviewer: Michelle Heinrich, AICP

- 20. In addition to any end-of-roadway treatment/signage required by the Manual of Uniform Traffic Control Devices (MUTCD), the developer shall place signage which identifies roadway stub-outs as a "Future Roadway Connection".
- 21. The project development and required improvements shall comply with Section 3.23.08 subsections A., B., D. and F., Section 3.23.10 subsections C.2., D. and E., and Section 3.23.11 of the Hillsborough County Land Development Code.
- 22. No development shall occur within the area designated on the PD site plan as "Habitat Preservation Area/ Buffer". Any future zoning modifications which revisit this zoning condition or modify or reconfigures the preservation area such that it no longer runs along the entirety of the northern project the boundary of the preservation area shall trigger reevaluation of the sufficiency of the project's overall connectivity and compliance with Sections 3.23.08.A. and 6.02.01.A. of the LDC.
 - The final use of the area noted as "Habitat Preservation Area/Buffer or Right-of-Way" shall be determined at the time of site development/preliminary plat by Natural Resources staff and/or any other regulatory agency. Should this area, or portions of this area, be designated as "Habitat Preservation Area/Buffer," no right-of-way dedication within that area shall be required. Should this area, or portions of this area, not be designated as "Habitat Preservation Area/Buffer," those areas shall be dedicated for right-of-way per condition #16.
- 23. Notwithstanding anything herein or shown on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
- 24. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.
- 25. 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:

Fri Aug 19 2022 08:17:23

APPLICATION NUMBER: PD 22-0443

ZHM HEARING DATE: July 25, 2022

BOCC LUM MEETING DATE: September 19, 2022 Case Reviewer: Michelle Heinrich, AICP

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.

APPLICATION NUMBER: PD 22-0443

ZHM HEARING DATE: July 25, 2022

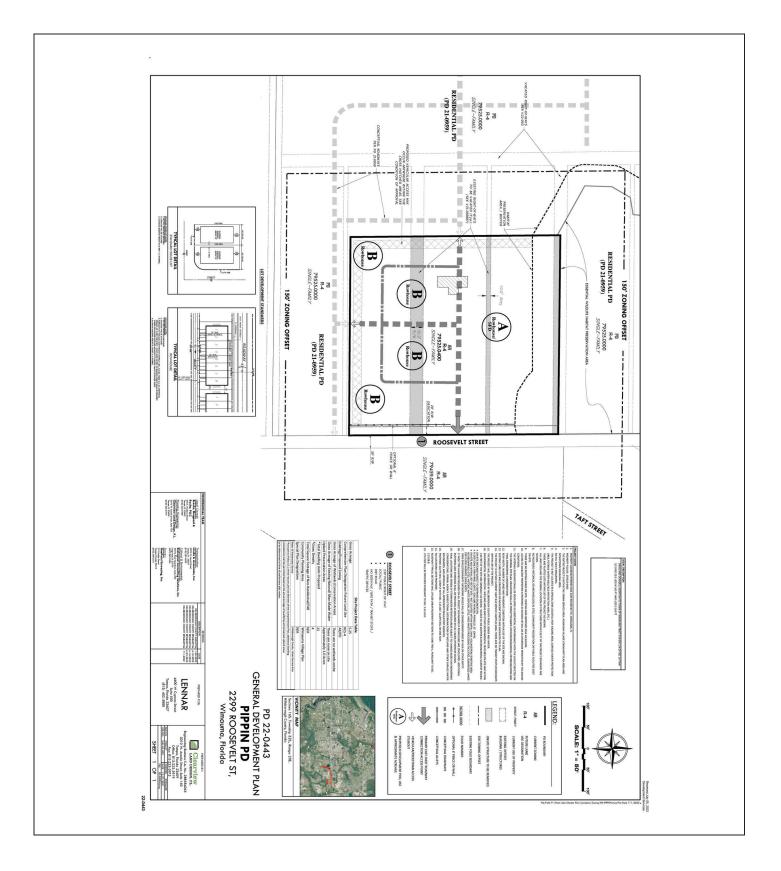
BOCC LUM MEETING DATE: September 19, 2022 Case Reviewer: Michelle Heinrich, AICP

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

The area to the direct north PD 22-0443 is within PD 21-0959 and this area within PD 21-0959 was reviewed by the applicant and Natural Resources staff. The area is not within a mapped Significant Wildlife Habitat (SWH) and does not meet the dimensional criteria for SWH status; however, it was observed to contain a xeric habitat, scrub jays, gopher tortoises and golden aster plants and proposed for protection. Natural Resources staff concurred that the applicant's Scrub Habitat Delineation Map which confirmed the location of several listed animal and plant species within a xeric scrub plant community. The area is proposed to be preserved under PD 21-0959.

While not within the delineation submitted for PD 21-0959, the same habitat and preservation extends into the northern portion of PD 22-0443. As with PD 21-0959, the applicants propose no development within or within 50 feet of this area. Staff continues to be supportive of no roadway/access for the purposes of connectivity within this preserve.

8.0 PROPOSED SITE PLAN (FULL)



APPLICATION NUMBER: PD 22-0443

ZHM HEARING DATE: July 25, 2022

BOCC LUM MEETING DATE: September 19, 2022 Case Reviewer: Michelle Heinrich, AICP

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department		partment DATE: 6/05/20	122
REVIEWER: James Ratliff, AICP, PTP AG		AGENCY/DEPT: Transportation	
PLAN	INING AREA/SECTOR: WM	PETITION NO: RZ 22-0443	
	This agency has no comments.		
	This agency has no objection.		
	This agency has no objection, subject to the	listed or attached conditions.	
X	This agency objects for the reasons set forth	below.	

RATIONALE FOR OBJECTION

- 1. Transpiration Review Section staff emailed the applicant on 5/11/2022 a series of questions and comments regarding the project. Despite one follow-up meeting, formal responses have not been received and the applicant failed to request a continuance to a future hearing date by the "matter of right" request deadline. As such, staff cannot conduct its review and recommends denial of this request in the event the case does not continue to a later hearing date.
 - a. Pursuant to Sec. 3.23.02.B.3, multi-family development must comply with Wimauma Downtown Overlay standards.
 - b. The project is located within the Downtown Residential district. As such, the applicant must specify lots types to be selected from Sec. 3.23.05. and shown on PD plan.
 - c. How is parking being accommodated? Special requirements regarding setbacks to garages may trigger need to access units via alleyways, if allowed. If used, these alleyways need to be shown on the plan. (reference Sec. 3.23.06. Table 5-2 and subpart C).
 - d. Please note that if alleys are proposed they must comply with Sec. 3.23.08.F.
 - e. Please confirm no live/work units are proposed.
 - f. The applicant needs to demonstrate how the proposed roadways satisfy the intent of Sec. 3.23.08. Some of the graphics utilized in the transportation staff report for 21-0959 (modified as needed for this application) could be used in conjunction with a narrative to help demonstrate compliance with these requirements.
 - g. Please ensure the project narrative/site plan notes commit to specific typical sections pursuant to Sec. 3.23.08.B.
 - h. Please ensure the project narrative provides an explanation for how the proposed vacations do not violate Sec. 3.23.08.C.
 - i. Please identify stubout locations on the plan pursuant to Sec. 3.23.08.D.

- j. Roadways cannot access a substandard road without following special substandard road procedures contained in Sec. 3.23.09. It appears to the sole plan for immediate project access is via the adjacent project (PD #21-0959). Please ensure the project narrative includes an explanation that development of this project is predicated on development of the 21-0959 project. Staff notes that unless and until the adjacent project construct and dedicates to Hillsborough County roadways between the subject property and West Lake Dr., the subject parcel is restricted to the existing single-family dwelling. Please proffer a condition to such effect or otherwise describe an alternative plan of access which complies with Sec. 3.23.09 and other applicable requirements.
- k. Roadways within 21-0959 are anticipated to be developed using the TS-3 or TS-7 typical section standard. Roadways constructed within this project must be urban Typical Sections, pursuant to Sec. 3.23.08.B.
- 1. In project narrative and PD site notes, please state the developer's commitment to utility placement pursuant to Sec. 3.23.10.C.
- m. In project narrative and PD site notes, please state the developer's commitment to comply with Sec. 3.23.10.B.2., (regarding direct pedestrian access requirements).

COUNTY OF HILLSBOROUGH

RECOMMENDATION OF THE LAND USE HEARING OFFICER

APPLICATION NUMBER: RZ PD 22-0443

DATE OF HEARING: July 25, 2022

APPLICANT: Lennar Homes, LLC

PETITION REQUEST: A request to rezone property from AR to

PD to permit the development of 21 single-family detached or attached

dwelling units

LOCATION: 2299 Roosevelt Street

SIZE OF PROPERTY: 5.25 acres, m.o.l.

EXISTING ZONING DISTRICT: AR

FUTURE LAND USE CATEGORY: RES-4

SERVICE AREA: Urban

COMMUNITY PLAN: Wimauma

DEVELOPMENT REVIEW STAFF REPORT

*Note: Formatting issues prevented the entire Development Services
Department staff report from being copied into the Hearing Master's
Recommendation. Therefore, please refer to the Development Services
Department web site for the complete staff report.

1.0 APPLICATION SUMMARY



Applicant: Lennar Homes, LLC

FLU Category: RES-4

Service Area: Urban

Site Acreage: 5.25 +/-

Community Plan Area: Wimauma

Overlay: Wimauma Downtown

Introduction Summary:

The request is to rezone property zoned AR (Agricultural Rural) to PD (Planned Development) to allow 21 single-family detached and/or single-family attached units. The site is located in the Downtown Residential subdistrict of the Wimauma Downtown Overlay. A Right-of-Way vacating request is associated with the application.

Zoning: Existing Proposed

	AR	PD
Typical General Use(s)		Single-Family Residential
Acreage	5.25	5.25
Density/Intensity	1 unit per 5 acres	4 units per acre
Mathematical Maximum*	1 unit	21 units

^{*}number represents a pre-development approximation

Development Standards: Existing Proposed				
District(s)	AR	PD		
Lot Size / Lot Width	5 acres / 150 feet	5,000 sf / 50 feet - detached 1,800 -3,840 sf / 16 - 32 feet - attached		
Setbacks/Buffering and Screening	50 foot Front Yard 50 foot Rear Yard 25 foot Side Yards	20 foot Front Yard - detached 10 foot Rear Yard - detached 5 foot Side Yards – detached 0-15 foot Front Yard - attached 15 foot Rear Yard - attached 10 foot Side Yards - attached		
Height	50 feet	35 feet – detached and attached		

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

2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map

VICINITY MAP
RZ-PD 22-0443
Folio: 79525.0400

APPLICATION SITE
RAILROADS
SCHOOLS
PARKS

STR: 16-32-20

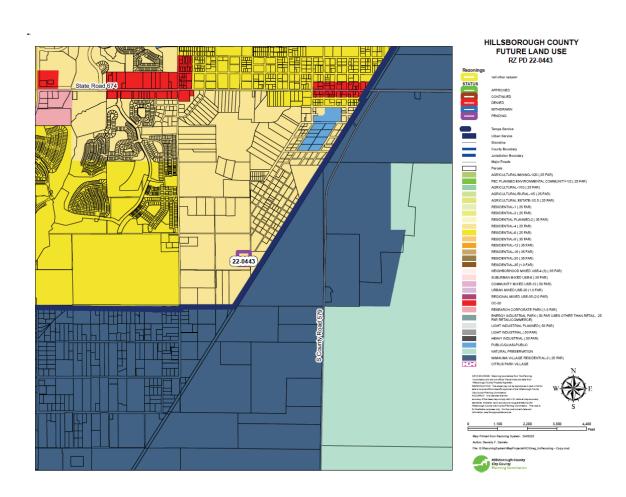
TOTAL TOTAL SITE
RAILROADS
STR: 16-32-20

TOTAL SITE
RAILROADS
STR: 16-

Context of Surrounding Area:

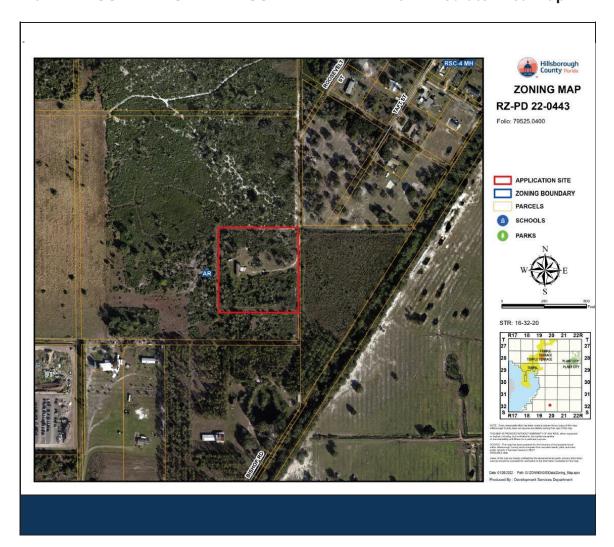
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2.0 LAND USE MAP SET AND SUMMARY DATA 2.2 Future Land Use Map



Subject Site Future Land Use	
Category:	RES-4
Maximum Density/F.A.R.:	4 units per acre
	Residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects.

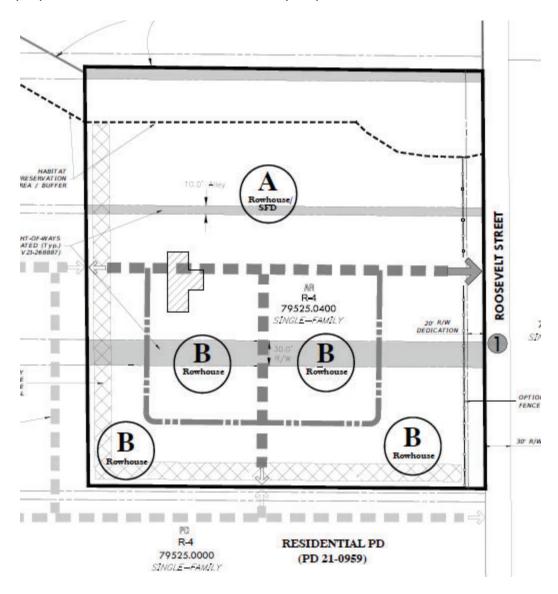
2.0 LAND USE MAP SET AND SUMMARY DATA 2.3 Immediate Area Map



Adjacent	Zonings	s and Uses		
Location :	Zoning :	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	PD	4 units per acre	Single-Family Detached/Attached	Vacant
South	PD	4 units per acre	Single-Family Detached/Attached	Vacant
East	AR	1 unit per 5 acres	Single-Family Residential/Agricultural	Vacant
West	PD	4 units per acre	Single-Family Detached/Attached	Vacant

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)



4.0 ADDITIONAL SITE IN	FORMATION	ON & AGE	NCY COM	MENTS SUMMARY
INFORMATION/REVIEWING AGENCY				
Environmental:	Comment s Received	Objection s	Conditio ns Requeste d	Additional Information/Comme nts
Environmental Protection Commission	⊠ Yes □ No	□ Yes ⊠No	⊠ Yes □No	
Natural Resources	□ Yes ⊠No	□ Yes □No	□ Yes □ No	
Conservation & Environ. Lands Mgmt.	□ Yes ⊠No	□ Yes □No	□ Yes □No	
 ☑ Wetlands/Other Surface ☐ Use of Environmentally ☐ Wellhead Protection Are ☐ Surface Water Resource ☐ Potable Water Wellfield ☐ Coastal High Hazard Are ☐ Urban/Suburban/Rural See Section 	Sensitive Lea e Protection Protection ea Scenic Cor	n Area Area □ Si	gnificant W acent to El	
Public Facilities:	Comment s Received	Objection s	Conditio ns Requeste d	Additional Information/Comme nts
Transportation ☐ Design Exc./Adm. Variance Requested ☒ Off-site Improvements Provided	⊠ Yes □ No	□ Yes ⊠No	⊠ Yes □No	
Service Area/ Water & Wastewater	⊠ Yes □ No	□ Yes ⊠No	□ Yes ⊠No	Water distribution system improvements

⊠Urban □ City of Tampa □Rural □ City of Temple Terrace				required prior to building permits
Hillsborough County				
School Board				
Adequate ⊠ K-5 □6-8	⊠ Yes □No	□ Yes ⊠No	□ Yes ⊠No	
□9-12 □N/A Inadequate		MINO	MINO	
□ K-5 ⊠6-8 ⊠9-12 □N/A				
Impact/Mobility Fees		l	l	
(Fee estimate is based on Stories) Mobility: \$5,995 Parks: \$1,957 School: \$7,027	a 1,500 sq	uare foot,	3 bedroom	Townhouse Unit 1-2
Fire: \$249 Total Townhouse per unit	Fire: \$249 Total Townhouse per unit = \$15,228			
(Fee estimate is based on a 2,000 square foot, 3 bedroom, Single Family Detached) Mobility: \$8,265 Parks: \$2,145 School: \$8,227				
Fire: \$335 Total Single Family Detached per unit = \$18,972 Urban Mobility, South Parks/Fire - 21 single family/Townhome units (unsure of mixture)				
Planning Commission				
\Box Meets Locational Criteria \boxtimes N/A \Box Locational Criteria Waiver Requested \boxtimes Minimum Density Met \Box N/A				
Findings				
⊠ Yes □ No				
☐ Inconsistent ☒ Consistent				

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The proposed project will be part of a unified development with PD 21-0959 to the immediate west, which has been approved for single-family attached and detached uses. The development area of PD 21-0959 is to the immediate south, north and west of the development area of PD 22-0443. Property to the west is separated from the subject PD by Roosevelt Road and is currently vacant.

The project will be utilizing the lot standards of the Wimauma Downtown Overlay – Downtown Residential subdistrict, as required. These standards implement the recently adopted Wimauma Community Plan policies and goals. Staff will note that the Wimauma Community Plan envisions this subdistrict to have a mixture of housing types – including single-family detached, single-family attached, live/work units and multi-family (Goal 3). Therefore, the use of single-family attached is in compliance with community's vision.

Staff has not identified any compatibility issues with the request.

5.2 Recommendation

Approvable, subject to proposed conditions.

Zoning conditions, which were presented Zoning Hearing Master hearing, were reviewed and are incorporated by reference as a part of the Zoning Hearing Master recommendation.

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on July 25, 2022. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Ms. Rebecca Kert 400 North Tampa Street Suite 1910 testified on behalf of Lennar Homes regarding the rezoning application. Ms. Kert showed a PowerPoint presentation and introduced member of the development team. She stated that the property is 5.25 acres in size and located within the Wimauma Village Community Plan. She referred to another rezoning that was heard several months ago adjacent to the subject property. The parcels will be part of an overall unified development plan. Ms. Kert testified that the main difference between the two rezonings is that the subject parcel zoning was applied for after the revisions to the Wimauma Community Plan and Land Development Code were implemented. The proposed development meets all of the standards. She added that no variances are requested. She described the preservation of a scrub habitat in the previous rezoning and noted that the subject rezoning would

continue the buffer. The applicant has agreed to dedicate 20 feet of right-of-way adjacent to Roosevelt Street. There is an issue with staff regarding whether the area is a buffer area or right-of-way. That issue is identified in a proposed zoning condition and will be resolved at the time of permitting. Ms. Kert stated that the 21 single-family dwelling units will be a combination of detached and attached homes. The area on the site plan labeled A will be comprised of single-family homes and area B will be row houses which is a new use similar to townhomes in the Wimauma Plan. Ms. Kert concluded her presentation by stating that the request meets all of the provisions of the Wimauma Downtown Plan and the Land Development Code. She submitted documents into the record regarding the environmental area on-site.

Ms. Michelle Heinrich, Development Services Department testified regarding the County's staff report. Ms. Heinrich stated that the request is to rezone property from Agricultural Rural to Planned Development to permit 21 single-family detached and attached residential dwelling units. The site will function as a part of PD 21-0959 located to the north, west and south. She stated that the project will utilize a row house and standard house lot standards of the Wimauma Downtown Overlay which calls for more of a TND development form with pedestrian and vehicular connectivity. Ms. Heinrich testified that a revision to the zoning conditions was submitted into the record regarding an area northeast of the PD which may or may not consist of a preservation buffer or right-of-way. Staff found the request approvable.

Ms. Jillian Massey of the Planning Commission staff testified that the property is designated Residential-4 and located in the Urban Service Area and the Wimauma and SouthShore Community Plans. She described the surrounding land use categories and stated that the request is consistent with Objective 9 and Policy 9.2 which requires compliance with all land development regulations. A proposed zoning condition refers to the adjacent PD 21-0959 and combines the overall density to be no more than four dwelling units per acre. Ms. Massey testified that the rezoning is consistent with Objective 16 regarding neighborhood protection. She concluded her remarks by stating that the rezoning request is compatible with the development pattern in the area and consistent with the Future of Hillsborough Comprehensive Plan.

Hearing Master Finch asked audience members if there were any proponents of the application. None replied.

Hearing Master Finch asked audience members if there were any opponents of the application. None replied.

Ms. Heinrich of the Development Services Department stated that there is an associated right-of-way vacation request tied to the rezoning request. The applications will be heard at the same Board of County Commissioners meeting.

Ms. Kert did not have additional comments.

The hearing was then concluded.

EVIDENCE SUBMITTED

Ms. Timateo submitted revised zoning conditions into the record.

Ms. Kert submitted information regarding the environmental land on-site 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

- The subject site is 5.25 acres in size and is zoned Agricultural Rural (AR) and designated Residential-4 (RES-4) by the Comprehensive Plan. The property is located in the Urban Service Area and the Wimauma Community Planning Area.
- 2. The purpose of the rezoning from AR to PD is to permit the development of 21 single-family detached and attached dwelling units.
- 3. No waivers or Planned Development variations are requested.
- 4. The Planning Commission stated that the request is consistent with Objective 9 and Policy 9.2 which requires compliance with all land development regulations as well as Objective 16 regarding neighborhood protection. Staff testified that a proposed zoning condition refers to the adjacent PD 21-0959 and combines the overall density to be no more than four dwelling units per acre. The Planning Commission found the rezoning request compatible with the development pattern in the area and consistent with the Future of Hillsborough Comprehensive Plan.
- 5. The majority of the surrounding area is zoning Planned Development and approved for residential development at a maximum of four dwelling units per acre.
- 6. The project will be associated with the Planned Development (PD 21-0959) zoning to the north, south and west as a unified development.
- 7. No testimony in opposition at the Zoning Hearing Master hearing.

8. The rezoning to Planned Development for the development of 21 single-family detached and attached homes is consistent with the Wimauma Community Plan 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 Planned Development 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 request is to rezone 5.25 acres from AR to Planned Development to permit the development of a 21 single-family detached and attached homes.

The Planning Commission stated that the request is consistent with Objective 9 and Policy 9.2 which requires compliance with all land development regulations as well as Objective 16 regarding neighborhood protection. Staff testified that a proposed zoning condition refers to the adjacent PD 21-0959 and combines the overall density to be no more than four dwelling units per acre. The Planning Commission found the rezoning request compatible with the development pattern in the area and consistent with the Future of Hillsborough Comprehensive Plan.

The rezoning to Planned Development for the development of 21 single-family detached and attached homes is consistent with the Wimauma Community Plan and the Comprehensive Plan.

RECOMMENDATION

Based on the foregoing, this recommendation is for **APPROVAL** of the Planned Development rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above subject to the zoning conditions prepared by the Development Services Department.

August 15, 2022

Susan M. Finch, AICP Land Use Hearing Officer

Sum M. Fine

Date



Unincorporated Hillsborough County Rezoning			
Hearing Date: July 25, 2022	Petition: PD 22-0443		
July 25, 2022	2299 Roosevelt Street		
Report Prepared: July 13, 2022	East side of West Lake Drive and north of Bishop Road, south of J Street.		
Summary Data:			
Comprehensive Plan Finding:	CONSISTENT		
Adopted Future Land Use:	Residential-4 (4 du/ga; 0.25 FAR)		
Service Area:	Urban		
Community Plan:	Wimauma, Southshore		
Rezoning Request:	Rezoning from Agricultural Rural (AR) to Planned Development (PD) to develop 21 rowhouse (townhome) dwelling units		
Parcel Size (Approx.):	5.25 +/- acres (228, 690 square feet)		
Street Functional Classification:	West Lake Drive– County Collector Bishop Road – Local		
Locational Criteria:	N/A		
Evacuation Area:	None		



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

Context

- The subject site is located on approximately +/- 5.25 acres on the east side of West Lake Drive and north of Bishop Road. The subject property is within the Urban Service Area (USA) and within the limits of the Wimauma Community Plan.
- The subject site has a Future Land Use designation of Residential-4 (RES-4), with typical uses such as residential, suburban scale neighborhood commercial, office uses and multipurpose projects. Non-residential uses are required to meet established locational criteria for specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The subject site is surrounded by RES-4 to the north, east, and south, and Residential-6 (RES-6) to the west. Further east of the site is designated as Wimauma Village Residential-2 (WVR-2).
- The subject site is classified as agricultural land with Agricultural Rural (AR) zoning. There
 is AR zoning to the north, east, west, and south, and Planned Development (PD) zoning
 further west. Surrounding the site is mainly agricultural uses and single-family homes.
- The applicant requests to rezone the subject site from AR to PD to develop a maximum of 21 rowhouse (townhome) dwelling units.

Compliance with Comprehensive Plan:

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

Future Land Use Element

Urban Service Area

Objective 1: Hillsborough County shall pro-actively direct new growth into the urban service area with the goal that at least 80% of all population growth will occur within the USA during the planning horizon of this Plan. Within the Urban Service Area, Hillsborough County will not impede agriculture. Building permit activity and other similar measures will be used to evaluate this objective.

Policy 1.2: Minimum Density

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

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

Policy 1.4: Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian

PD 22-0443 2

or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor, and architecture. Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

Relationship to Land Development Regulations

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

Policy 9.2: 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 16.1: 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 16.7: Residential neighborhoods shall be designed to include an efficient system of internal circulation and street stub-outs to connect adjacent neighborhoods together.

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

Policy 16.10: Any density increase shall be compatible with existing, proposed, or planned surrounding development. Compatibility is defined as the characteristics of different uses or

PD 22-0443

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.

Community Design Component (CDC)

5.0 NEIGHBORHOOD LEVEL DESIGN 5.1 COMPATIBILITY

OBJECTIVE 12-1: New developments should recognize the existing community and be designed in a way that is compatible with the established character of the surrounding neighborhood.

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

Livable Communities Element

Wimauma Village Community Plan

3. Wimauma Downtown Plan and Development – Revitalize the Wimauma Downtown by implementing the downtown master plan and overlay to enhance the appearance of the district, improve infrastructure, and promote business growth. The boundaries of the Wimauma Downtown Plan (refer to Figure 15A) include those lands within the Urban Service Area that are also within the Wimauma Community Plan boundary and the Wimauma Downtown East district located along SR 674. The Wimauma Downtown Plan is geographically defined further by a series of districts located mostly along SR 674. To ensure that standards for both block faces of each street are identical, the actual boundaries conform to property lines and or service alleys. The Wimauma Downtown Plan shall include:

Wimauma Downtown Overlay Districts:

•Downtown Residential

Context: The Downtown Residential is adjacent to the Downtown Center and within walking distance to the Main Street Core. The Downtown Residential zone is residential in character with a mix of housing types including single family attached and detached homes, live/work units, and some multi-family units in proximity to SR 674. Homes located in the Downtown Residential zone are normally set back from the front property line to allow a front yard with a porch or stoop; lots often have private rear yards. Development should maintain a connected street network.

- Residential uses are encouraged including single-family attached and detached homes
- Multi-family units are encouraged near SR 674

PD 22-0443 4

Staff Analysis of Goals Objectives and Policies:

The subject site is located on approximately 5.25 acres on the east side of West Lake Drive and north of Bishop Road, south of J Street. The subject property is within the Urban Service Area (USA) and within the limits of the Wimauma Community Plan. The applicant requests to rezone the subject site from AR to PD to develop a maximum of 21 rowhouse (townhome) dwelling units.

The subject property is designated Residential-4 (RES-4) on the Future Land Use Map. The intent of the RES-4 Future Land Use category is to designate areas that are suitable for low density residential development. In addition, suburban scale neighborhood commercial, office, multi-purpose and mixed-use projects serving the area may be permitted subject to the Goals, Objectives, and Policies of the Future Land Use Element and applicable development regulations and conforming to established locational criteria for specific land use. The proposed use is consistent with the Residential-4 Future Land use classification.

The subject property is in the Urban Service Area, where 80% or more of new growth is to be directed per the Comprehensive Plan. The proposal meets the intent of Objective 1 and Policies 1.2 and 1.4 of the Future Land Use Element of the Comprehensive Plan (FLUE) by providing growth within the Urban Service Area. The proposed Planned Development meets the minimum density required for properties within the Urban Service Area by providing 21 residential dwelling units on 5.25-acre site, which is consistent with the density expected in the RES-4 category.

The proposed rezoning is consistent with Objective 9 and Policy 9.2 of the Future Land Use Element which require compliance with all land development regulations. The subject site is in the downtown residential section of the Wimauma Community Plan. The applicant is proposing a condition to blend the densities of the recent rezoning to the west PD 21-0959 and this rezoning PD 22-0443 so long as the overall combined density of both Planned Developments does not go above 4 dwelling units per acre. If any increase is requested for the unified development for PD 21-0959 at a future date, it will be reviewed by Planning Commission Staff through the appropriate modification process. Planning Commission staff have no concerns regarding the proposed condition and find that the proposed rezoning meets the intent of Objective 9 and Policy 9.2.

The proposed rezoning is consistent with Objective 16 and Policies 16.1, 16.2, 16.3, 16.7, 16.8, and 16.10. While the existing uses are single family residential, the proposed rezoning to the west was recently approved for residential uses by the same developer. This rezoning continues the development of 21-0959 and provides connectivity with that development on the west side as well as access to the south and east. The proposed uses are residential uses which are anticipated in this Future Land Use category.

The proposed rezoning is consistent with the Downtown Residential Overlay District identified in the Wimauma Community Plan. According to the Wimauma Community Plan single-family attached and single-family attached homes are encouraged and the applicant is proposing 21 townhomes for this project.

The Planned Development would allow for residential development that is consistent with the Goals, Objectives, and Policies of the Future Land Use Element of the Future of Unincorporated Hillsborough County Comprehensive Plan for Unincorporated Hillsborough County.

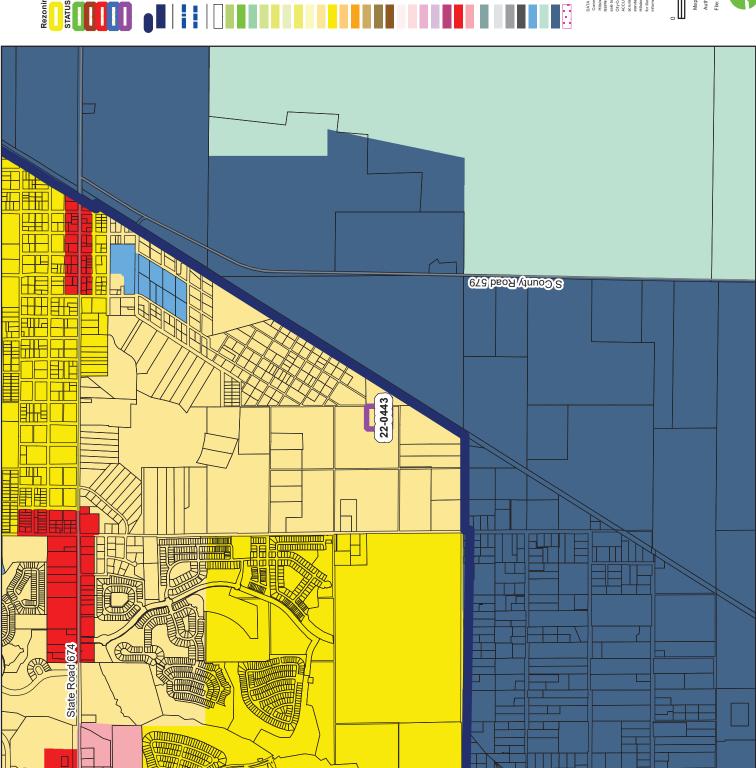
PD 22-0443 5

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.

PD 22-0443 6

RZ PD 22-0443



HILLSBOROUGH COUNTY **FUTURE LAND USE**



<all other values> APPROVED

WITHDRAWN CONTINUED DENIED

Tampa Service Urban Service Shoreline

PENDING

Jurisdiction Boundary

County Boundary

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

AGRICULTURAL/MINING-1/20 (.25 FAR)

AGRICULTURAL ESTATE-1/2.5 (.25 FAR)

RESIDENTIAL-1 (.25 FAR) RESIDENTIAL-2 (.25 FAR)

RESIDENTIAL PLANNED-2 (.35 FAR)

RESIDENTIAL-4 (.25 FAR) RESIDENTIAL-6 (.25 FAR)

RESIDENTIAL-12 (.35 FAR) RESIDENTIAL-9 (.35 FAR)

RESIDENTIAL-16 (.35 FAR)

RESIDENTIAL-20 (.35 FAR)

NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR.) RESIDENTIAL-35 (1.0 FAR)

SUBURBAN MIXED USE-6 (.35 FAR)

COMMUNITY MIXED USE-12 (.50 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)

LIGHT INDUSTRIAL (.50 FAR)

WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR) HEAVY INDUSTRIAL (.50 FAR) NATURAL PRESERVATION PUBLIC/QUASI-PUBLIC

CITRUS PARK VILLAGE



1,100

Map Printed from Rezoning System: 2/4/2022 Author: Beverly F. Daniels

File: G:\RezoningSystem\MapPrc



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

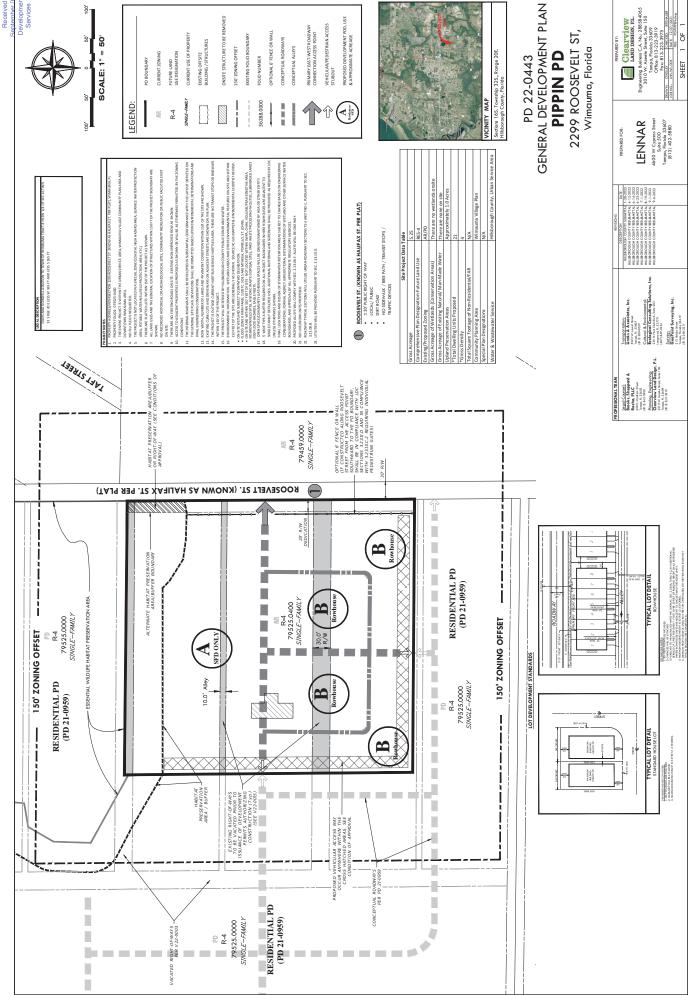
INTERNAL AUDITOR

Peggy Caskey

DEPUTY COUNTY ADMINISTRATOR

Gregory S. Horwedel

Project Name: West Lake Annex (Pippin)			
Zoning File: RZ-PD (PD 22-0443) Modification: None			
Atlas Page: None	Submitted: 09/06/22		
To Planner for Review: 09/06/22			
Michael Brooks Brooks, Sheppard & Rocha, PLLC Contact Person:	Phone: 813-407-7799/ mbrooks@bsrfirm.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: Michelle Heinric	ch Date: 9/06/22		
Date Agent/Owner notified of Disapp	roval:		



22-0443

AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Z	coning Technician, Development Services Dep	partment DATE: 6/05/20	122
REVIEWER: James Ratliff, AICP, PTP AGENCY/DEPT: Trans		AGENCY/DEPT: Transportation	
PLANNING AREA/SECTOR: WM PETITION NO: R		PETITION NO: RZ 22-0443	
	This agency has no comments.		
	This agency has no objection.		
	This agency has no objection, subject to the	listed or attached conditions.	
X	This agency objects for the reasons set forth	below.	

RATIONALE FOR OBJECTION

- 1. Transpiration Review Section staff emailed the applicant on 5/11/2022 a series of questions and comments regarding the project. Despite one follow-up meeting, formal responses have not been received and the applicant failed to request a continuance to a future hearing date by the "matter of right" request deadline. As such, staff cannot conduct its review and recommends denial of this request in the event the case does not continue to a later hearing date.
 - a. Pursuant to Sec. 3.23.02.B.3, multi-family development must comply with Wimauma Downtown Overlay standards.
 - b. The project is located within the Downtown Residential district. As such, the applicant must specify lots types to be selected from Sec. 3.23.05. and shown on PD plan.
 - c. How is parking being accommodated? Special requirements regarding setbacks to garages may trigger need to access units via alleyways, if allowed. If used, these alleyways need to be shown on the plan. (reference Sec. 3.23.06. Table 5-2 and subpart C).
 - d. Please note that if alleys are proposed they must comply with Sec. 3.23.08.F.
 - e. Please confirm no live/work units are proposed.
 - f. The applicant needs to demonstrate how the proposed roadways satisfy the intent of Sec. 3.23.08. Some of the graphics utilized in the transportation staff report for 21-0959 (modified as needed for this application) could be used in conjunction with a narrative to help demonstrate compliance with these requirements.
 - g. Please ensure the project narrative/site plan notes commit to specific typical sections pursuant to Sec. 3.23.08.B.
 - h. Please ensure the project narrative provides an explanation for how the proposed vacations do not violate Sec. 3.23.08.C.
 - i. Please identify stubout locations on the plan pursuant to Sec. 3.23.08.D.

- j. Roadways cannot access a substandard road without following special substandard road procedures contained in Sec. 3.23.09. It appears to the sole plan for immediate project access is via the adjacent project (PD #21-0959). Please ensure the project narrative includes an explanation that development of this project is predicated on development of the 21-0959 project. Staff notes that unless and until the adjacent project construct and dedicates to Hillsborough County roadways between the subject property and West Lake Dr., the subject parcel is restricted to the existing single-family dwelling. Please proffer a condition to such effect or otherwise describe an alternative plan of access which complies with Sec. 3.23.09 and other applicable requirements.
- k. Roadways within 21-0959 are anticipated to be developed using the TS-3 or TS-7 typical section standard. Roadways constructed within this project must be urban Typical Sections, pursuant to Sec. 3.23.08.B.
- 1. In project narrative and PD site notes, please state the developer's commitment to utility placement pursuant to Sec. 3.23.10.C.
- m. In project narrative and PD site notes, please state the developer's commitment to comply with Sec. 3.23.10.B.2., (regarding direct pedestrian access requirements).

COMMISSION

Mariella Smith Chair Pat Kemp Vice-Chair Harry Cohen Ken Hagan Gwendolyn "Gwen" W. Myers Kimberly Overman Stacy White



DIRECTORS

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

AGENCY COMMENT SHEET

REZONING

HEARING DATE: April 18, 2022

PETITION NO.: 22-0443

PROPERTY ADDRESS: 2299 Roosevelt Street, Wimauma, FL

EPC REVIEWER: Jackie Perry Cahanin

CONTACT INFORMATION: (813) 627-2600 X 1241

EMAIL: cahaninj@epchc.org

REQUESTED ZONING: AR to PD

FINDINGS		
WETLANDS PRESENT	Undetermined	
SITE INSPECTION DATE	02/16/2022	
WETLAND LINE VALIDITY	NO	
WETLANDS VERIFICATION (AERIAL PHOTO,	Small wetland may exist in the northeast portion	
SOILS SURVEY, EPC FILES)	of parcel, inaccessible.	

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 may contain 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.

Jpc/mst

cc: mbrooks@bsrfirm.com



Adequate Facilities Analysis: Rezoning

Date: 2/28/2022 **Acreage:** 5.25 (+/- acres)

Jurisdiction: Hillsborough County Proposed Zoning: Planned Development

Case Number: RZ 22-0443 Future Land Use: Residential-4

HCPS #: RZ-433 Maximum Residential Units: 21 Units

Address: 2299 Roosevelt St., Wimauma, 33598 Residential Type: Single-Family Detached

Parcel Folio Number(s): 79525.0400

School Data	Wimauma Elementary	Shields Middle	Sumner High
FISH Capacity Total school capacity as reported to the Florida Inventory of School Houses (FISH)	975	1557	2289
2021-22 Enrollment K-12 enrollment on 2021-22 40 th day of school. This count is used to evaluate school concurrency per Interlocal Agreements with area jurisdictions	481	1782	3084
Current Utilization Percentage of school capacity utilized based on 40 th day enrollment and FISH capacity	49%	114%	135%
Concurrency Reservations Existing concurrency reservations due to previously approved development. Source: CSA Tracking Sheet as of 2/28/2022	464	0	250
Students Generated Estimated number of new students expected in development based on adopted generation rates. Source: Duncan Associates, School Impact Fee Study for Hillsborough County, Florida, Dec. 2019	5	2	3
Proposed Utilization School capacity utilization based on 40 th day enrollment, existing concurrency reservations, and estimated student generation for application	97%	115%	146%

Notes: Wimauma Elementary School has adequate capacity, but Shields Middle and Sumner High schools are currently over capacity. State law requires the school district to consider whether additional capacity exists in adjacent concurrency service areas (i.e., attendance boundaries). At this time, additional capacity does not exist at adjacent middle and high schools.

A proportionate share agreement may be available as a mitigation option and is contingent upon two approvals. The first approval is a development agreement with Lennar Homes, LLC and Hillsborough County to construct transportation facilities required to support the proposed schools on West Lake Drive and an associated proportionate share mitigation. The second approval required is the associated rezoning application (MM 21-1342) for the construction of the elementary, middle, and high school outlined in the proportionate share mitigation agreement. Both items, the developers' agreement and rezoning application, are tentatively scheduled to be heard by the Board of County Commissioners in May 2022. The applicant is advised to contact the county or school district for more information.

This is an analysis for adequate facilities only and is NOT a determination of school concurrency. A school concurrency review will be issued PRIOR TO preliminary plat or site plan approval.

Matthew Pleasant

Department Manager, Planning & Siting Growth Management Department Hillsborough County Public Schools

Matthew Pleasant

E: matthew.pleasant@hcps.net

P: 813.272.4429



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: 04/06/2022

REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator

APPLICANT: Lennar Homes LLC **PETITION NO:** 22-0443

LOCATION: 2299 Roosevelt St

FOLIO NO: 79525.0400

Estimated Fees:

(Fee estimate is based on a 1,500 square foot, 3 bedroom, Townhouse Unit 1-2 Stories)

Mobility: \$5,995 Parks: \$1,957 School: \$7,027 Fire: \$249

Total Townhouse per unit = \$15,228

(Fee estimate is based on a 2,000 square foot, 3 bedroom, Single Family Detached)

Mobility: \$8,265 Parks: \$2,145 School: \$8,227 Fire: \$335

Total Single Family Detached per unit = \$18,972

Project Summary/Description:

Urban Mobility, South Parks/Fire - 21 single family/Townhome units (unsure of mixture)

WATER RESOURCE SERVICES REZONING REVIEW COMMENT SHEET: WATER & WASTEWATER

PETIT	ION NO.:	PD22-0443	REVIEWED BY:	Randy Rochelle	DATE: <u>2/16/2022</u>
FOLIC) NO.:	79525.0400	<u> </u>		
			WATER		
	The proper should co	erty lies within the ntact the provide	e r to determine the a	Water Service Are availability of water s	ea. The applicant service.
	from the soft County approximathe east Foundation to the second be additional to the second to the s	site) and is locally Road 674. A ately 9900-feet frame of Seed within the Rigonal and/or diff	ted north of the subsection second POC will second pock with the site and is second pock. US Highway 30° with the second pock will be the likely	pject property within be required to a located west of the life. It is possible that Road reducing the topoint-of-connection nection determine	proximately <u>5500</u> feet the north Right-of-Way a 10-inch water main subject property within a 12-inch water will be the distance to connect as, however there could d at the time of the
	the Countary curre Station Expensed to be	ty's water syster ently under cons xpansion and C3	n. The improvement <u>struction, C32001</u> <u>2011 - Potable Wat</u> he <u>County</u> prior	nts include <u>two fu</u> - South County P ter In-Line Booster F	ed prior to connection to inded CIP projects that otable Water Repump Pump Station, and will building permits that will
			WASTEWAT	ER	
	The proper should co	erty lies within the ntact the provide	er to determine the a	Wastewater Service availability of wastev	e Area. The applicant vater service.
	5500 fe Right-of-V part of a calternate will be the points-of-of-of-of-of-of-of-of-of-of-of-of-of-	eet from the site) Vay of State Roa development sou wastewater poin e likely point-of-c	and is located not ad 674. A proposed out of the subject st-of-connection that connection, however,	orth of the subject p 12-inch force main ite on Bishop Road t could be closer to r there could be ad	site), (approximately roperty within the north may be constructed as . This could provide an the subject site . This ditional and/or different or service. This is not a
	connection and will no	n to the County eed to be comple	s wastewater syste	em. The improveme prior to issuance	nts include of any building permits

COMMENTS: <u>The subject rezoning includes parcels that are within the Urban Service Area and would require connection to the County's potable water and wastewater systems.</u>

Statement of Record

The South County service area (generally south of the Alafia River) has seen significant customer growth over the recent past. As new customers are added to the system there is an increased demand for potable water that is causing delivery issues during certain periods of the year. The greatest demand for water occurs during the spring dry season, generally the months of March through May. During the dry season of 2021 the Water Resources Department was challenged to deliver water to the southern portions of the service area to meet customer expectations for pressure and flow. While Levels of Service per the Comprehensive Plan were met, customers complained of very low pressure during early morning hours. Efforts to increase flow and pressure to the south resulted in unacceptably high pressures in the north portions of the service area. The Florida Plumbing Code limits household pressure to 80 psi to prevent damage to plumbing and possible injury due to system failure. The Department had to balance the operational challenges of customer demand in the south with over pressurization in the north, and as a result, water pressure and flow in the South County service area remained unsatisfactory during the dry period of 2021.

As a result of demand challenges, the Department initiated several projects to improve pressure and flow to the south area. Two projects currently under construction CIP C32001 - South County Potable Water Repump Station Expansion and CIP C32011 - Potable Water In-Line Booster Pump will increase the delivery pressure to customers.

These projects are scheduled to be completed and operational prior to the 2022 dry season, and must demonstrate improved water delivery through the highest demand periods before additional connections to the system can be recommended.

VERBATIM TRANSCRIPT

HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

	>
IN RE:)
ZONE HEARING MASTER HEARINGS)))
	2

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:

SUSAN FINCH

Land Use Hearing Master

DATE:

Monday, July 25, 2022

TIME:

Commencing at 6:00 p.m.

Concluding at 11:20 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

Executive Reporting Service

		Page 182
1		GH COUNTY, FLORIDA DUNTY COMMISSIONERS
2	ZONING HEARI	ING MASTER HEARINGS
3		ly 25, 2022 G MASTER: SUSAN FINCH
4		
5	D5:	
6	Application Number: Applicant:	RZ-PD 22-0443 Lennar Homes, LLC
7		2299 Roosevelt St. 079525.0400
8	Acreage: Comprehensive Plan:	5.25 acres, more or less R-4
9	Service Area:	
10	Request:	Rezone to Planned Development
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Executive Reporting Service

Page 183 MR. GRADY: The next item is agenda item 1 2 D-5, Rezoning-PD 22-0443. The request is to rezone from Agricultural Rural to a Planned Development. Michelle Heinrich will provide staff 4 5 recommendation after presentation by the applicant. 6 HEARING MASTER FINCH: Good evening. 7 MS. KERT: Thank you. Rebecca Kert, 400 8 North Tampa Street, Suite 1910, proudly 9 representing Lennar Homes on this project with the West Lake Annex. 10 11 For the applicant, we have Parker Hirons and 12 Chelsea Hardy. Land use counsel is my co-counsel 13 Michael Brooks and myself. Our planner in the 14 audience is Anna Ritenour. The engineer is Chris 15 O'Kelly. We have Steve Henry for transportation 16 and ecologist on this project were John Goolsby and 17 Andrew Fuddy. Next slide, please. 18 This is an overview general location map. 19 You can see that we are located within the Wimauma 20 Village Community Plan. We are within the Urban 21 Service Area, and we are outside the Wimauma 22 Village Rural Land Use Area. Next slide, please. 23 The parcel in red is the approximately 24 5.25 acres that is called the West Lake Annex. 25 Also, in the legend as the Pipin property for the

Page 184

1 current owners.

If you will recall, we were here a couple of months ago for a larger rezoning, which is the area in yellow, PD 21-0959, which was subsequently approved by the Board of County Commissioners.

This was a parcel that we had noted at the time was in the zoning process and would eventually be developed as part of a unified development plan. So this project is very similar.

The main difference to this project is that it was applied for after the Wimauma Plan revisions to the community plan and the Land Development Code were implemented. So we have been required to meet all of those. I'm happy to say that this project meets all of those provisions and we are not requesting any variances. Next slide, please.

This slide shows the site plan with the area to the north highlighted. The area to the north, if you recall from the previous rezoning project, there was a very large environmental preservation conservation area to the north of our subject site.

As part of that, we agreed to preserve all of the scrub habitat in a 50-foot buffer. We also as part of that project had spoken with fish and wildlife, and they had found that we were

Page 185

approvable without further review given the fact that we were preserving all of the scrub habitat on-site and the 50-foot buffer.

Because of that, we are requesting as part of this rezoning to continue that buffer as part of the commitment that we previously made, and you'll note that it is extended over 50 feet when you abut Roosevelt Street.

I'm going to explain why that's a little bit different on the next slide. We have been in discussions with staff and we've agreed to dedicate 20 feet of right-of-way adjacent to Roosevelt Street.

There was some confusion because that area goes all the way through the buffer area and, obviously, we would not be dedicating environmentally sensitive lands for right-of-way purposes. It was more of a timing issue.

We believe that we and the County were all trying to get to the same place. The County has proposed a condition that that issue be resolved at time of permitting. If it's found not to be required buffer, then we will dedicate it.

If it's needed for environmental purposes, we will not dedicate it. We believe that we've

Page 186 already demonstrated that it's needed, but that is 1 staff's proposed condition. Next slide, please. This slide is one that we presented as part of the previous PD 21-0959, but we wanted to include it here to explain why there's larger than 50-foot buffer here. 6 So the blue line again is the overall scrub 8 habitat. The yellow line is the 50-foot buffer. The yellow stars are the -- the golden asterisk 9 10 which are required to be preserved and the purple line around them is the County's requirement for 11 12 200-foot buffer. 13 And you can see that that dips a little bit 14 further than 50 feet. And so we're required to 15 preserve that as essential wildlife habitat. 16 just wanted to clarify why that was a little bit 17 different. Next slide, please. 18 So, again, we are within -- we are within 19 the Residential-4 Future Land Use within the Urban 20 Service Area, and outside of the WVR-2 Future Land 21 Use. Next slide, please. 22 The request to rezone the property from 23 Agricultural Rural to Planned Development with no 24 associated variations or waivers for approval for a

21 single-family residential units which will be a

Page 187 combination of detached and attached. 1 The density of four units of an acre is consistent with the RES-4 Future Land Use Category. Next slide, 4 please. 5 We're going back to the site plan here. 6 A area will be the single-family area; the B area will be what's termed row houses. It's a new use 8 that is implemented in the Wimauma Plan. It's not defined, but it appears to be close to townhomes 9 10 with some additional requirements, such as alley 11 access. 12 We -- the yellow highlights show our cross 13 access that we're providing that's so important to 14 the community. If we are going from east to west 15 and, obviously, to the south to the -- we're going 16 to the south to an east-west connection that was 17 approved in the prior PD. 18

We are, obviously, not going to the north because that is where the preservation area is.

Next slide, please. Again, as is incurred by the Wimauma Plan, we are providing a mixture of housing types with single-family and the row houses.

And, again, we're meeting all of the requirements in the Land Development Code for -- for these types of uses. Next slide, please.

19

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23

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Page 188

We were found to be consistent by the

Planning Commission for a number of policies. I'm

not going to go through all of them because I know

you have a long agenda, but we wanted to highlight

some of them. Next slide, please.

Just in conclusion, we are consistent with our Comp Plan category. All of the provisions of the Wimauma downtown plan and the Land Development Code provisions. We have been found approvable by Development Services and consistent by the Planning Commission staff, and we were respectfully request approval of this rezoning request.

I am going to submit into the record some environmental documentation that we submitted as part of the rezoning for 21-0959 on the request of the County Staff so that we are justifying for anyone in the future who wants to understand why we have that buffer area to back up for that.

HEARING MASTER FINCH: Okay. Understood. Thank you.

All right. Development Services.

MS. HEINRICH: Hi, good evening. Michelle
Heinrich, Development Services.

As you heard from the applicant, this is a PD rezoning request from AR to PD to allow for 21

Page 189

single-family detached and attached residential
units. The site is located in the RES-4 Future

Land Use Category, the Urban Service Area, and the
Wimauma downtown overlay; specifically the downtown
residential subdistrict.

As you heard, the area will function as part of the residential development approved under PD 21-0959 located to the site's immediate north, west, and south.

The project will utilize a row house and standard house lot standards of the Wimauma downtown overlay which calls for a more TND development form with pedestrian-vehicular connectivity.

Revised conditions, which were provided to you this evening, have been provided which address an area within the northeast portion of the PD that you heard Ms. Kert speak about, which may or may not consist of a buffer -- preservation buffer or right-of-way.

As Ms. Kert stated, that will be determined at site development being as we don't know that at this time.

Planning Commission staff has found the project to be consistent with the Comprehensive

	Page 190
1	Plan, and no objections by reviewing agencies were
2	received. Therefore, we find this approvable
3	subject to the proposed conditions of approval
4	including the revisions distributed this evening.
5	Thank you.
6	HEARING MASTER FINCH: Thank you. I
7	appreciate it.
8	Planning Commission, please.
9	MS. MASSEY: Hi. This is Jillian Massey
10	with Planning Commission staff.
11	As previously noted, the site is in the
12	Residential-4 Future Land Use Category. It's in
13	the Urban Service Area and within the limits of the
14	Wimauma and Southshore Community Plans.
15	The subject site is surrounded by
16	Residential-4 to the north, east, and south and
17	Residential-6 to the west. Further east of the
18	site is designated as Wimauma Village Residential-2
19	or WVR-2.
20	The proposed rezoning is consistent with
21	Objective 9 and Policy 9.2 of the Future Land Use
22	Element which requires compliance with all land
23	development regulations.
24	The subject site is in the downtown
25	residential section of the Wimauma Community Plan.

Page 191 The applicant is proposing a condition along the 1 density of the recent rezoning to the west, PD 21-0959, and this Rezoning-PD 22-0443 so long as the overall combined density of both land 5 developments do not go above the four dwelling 6 units per acre. If any increase is requested for the unified 8 development or PD 21-0959 at a future date, it will be reviewed by the Planning Commission staff with 9 10 the appropriate modification process. Planning Commission staff have no concerns 11 12 regarding the proposed condition and find that the 13 proposed rezoning meets the intent of Objective 9 and Policy 9.2. 14 15 The proposed rezoning is consistent with 16 Objective 16 and its accompanying policies 17 regarding neighborhood protection. While the 18 existing uses are single-family residential, the 19 proposed rezoning to the west was recently approved 20 for residential uses by the same developer. 21 This rezoning continues to develop -- the 22 development of 21-0959 and provides connectivity 23 with that development on the west side as well as 24 access to the south and east. 25 The proposed uses are residential uses,

	Page 192
1	which are the which are anticipated in this land
2	use category. The proposed rezoning is consistent
3	with the downtown residential overlay district
4	identified in the Wimauma Community Plan.
5	According to the Wimauma Community Plan,
6	single-family attached and single-family detached
7	homes are encouraged and the applicant is proposing
8	21 townhomes for this project.
9	And based upon these considerations,
10	Planning Commission staff finds the proposed
11	Planned Development consistent with the Future of
12	Hillsborough Comprehensive Plan for unincorporated
13	Hillsborough County subject to the conditions
14	proposed by the Development Services Department.
15	Thank you.
16	HEARING MASTER FINCH: Thank you. I
17	appreciate it.
18	Is there anyone in the room or online that
19	would like to speak in support?
20	Seeing no one, anyone in opposition to this
21	request? All right.
22	Seeing no one, Mr. Grady, anything else?
23	MR. GRADY: Nothing further.
24	MS. HEINRICH: Ms. Finch?
25	HEARING MASTER FINCH: Yes.

	Page 193
1	MS. HEINRICH: I'm sorry. One thing I just
2	wanted to note before you closed the item that I
3	neglected to mention in my presentation is there is
4	an associated right-of-way vacation request tied to
5	this rezoning request, and those will need to be
6	heard together at the same BOCC land use meeting.
7	That's all.
8	HEARING MASTER FINCH: Thank you for that
9	addition. I appreciate it.
10	Ms. Kert, you have the last word if you'd
11	like.
12	MS. KERT: I just want to say thank you for
13	our consideration of our application.
14	HEARING MASTER FINCH: All right. Thank you
15	so much.
16	We'll close Rezoning 22-0443 and go to the
17	next case.
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Executive Reporting Service

HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

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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

Executive Reporting Service

Page 8 will be heard following item B-2 on the agenda, 1 2 which is being heard by Hearing Officer Susan Finch. 4 Also, another housekeeping note with respect 5 to item B-2 -- item B-2 and item D-4 will be 6 heard -- be the first two items to be heard tonight so that Hearing Officer Finch can hear those items, 8 and then we'll take up B-1 immediately following those two items. 10 The next change on the agenda is on page 10, item D-8, Rezoning-PD 22-0443. The applicant is 11 Lennar Homes, LLC. The applicant's requesting a 12 13 continuance to the July 25th, 2022, Zoning Hearing 14 Master Hearing. I believe the applicant is here to 15 explain the reasons for the requested continuance. 16 MS. KERT: Thank you. Good evening. 17 Rebecca Kert; Brooks, Sheppard, Rocha, 400 North 18 Tampa Street, here representing Lennar Homes. 19 are requesting a continuance to the July Zoning 20 Hearing Master meeting. 21 We are one of the first rezonings to go 22 under the new Wimauma main development code, and we 23 are working with staff to finalize some 24 interpretations of the Code. 25 HEARING MASTER HATLEY: Okay. Let me just

HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

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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

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Ulmerton Business Center
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Clearwater, FL 33762
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Executive Reporting Service

Page 12 applicant to the June 13, 2022, Zoning Hearing 1 Master Hearing. 3 Item A-18, Rezoning-PD 22-0420. application is being continued by the applicant to 4 the June 13, 2022, Zoning Hearing Master Hearing. 5 6 Item A-19, Rezoning-PD 22-0433. application is being continued by the applicant to 8 the June 13, 2022, Zoning Hearing Master Hearing. 9 Item A-20, Rezoning-PD 22-0442. application is being continued by the applicant to 10 the June 13, 2022, Zoning Hearing Master Hearing. 11 12 Item A-21, Rezoning-PD 22-0443. 13 application is being continued by the applicant to the June 13, 2022, Zoning Hearing Master Hearing. 14 15 Item A-22, Rezoning-PD 22-0444. 16 application is out of order to be heard and is 17 being continued to the June 13, 2022, Zoning 18 Hearing Master Hearing. 19 Item A-23, Rezoning-Standard 22-0453. 20 application is being continued by the applicant to 21 the August 15, 2022, Zoning Hearing Master Hearing. 22 Item A-24, Rezoning-PD 22-0461. 23 application is being continued by the applicant to 24 the June 13, 2022, Zoning Hearing Master Hearing. 25 Item A-25, Major Mod Application 22-0477.

HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

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

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:

PAMELA JO HATLEY

Land Use Hearing Master

DATE:

Monday, April 18, 2022

TIME:

Commencing at 6:00 p.m.

Concluding at 7:37 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

Executive Reporting Service

Page 11 Item A-20, Rezoning-PD 22-0420. 1 This 2 application is being continued by the applicant to the May 16, 2022, Zoning Hearing Master Hearing. Item A-21, Rezoning-Standard 22-0423. 4 5 application is out of order to be heard and is being continued to the May 16, 2022, Zoning Hearing 6 Master Hearing. 8 Item A-22, Rezoning-PD 22-0433. application is out of order to be heard and is 9 being continued to the May 16, 2022, Zoning Hearing 10 11 Master Hearing. 12 Item A-23, Rezoning-PD 22-0441. This 13 application is being continued by the applicant to 14 the May 16, 2022, Zoning Hearing Master Hearing. 15 Item A-24, Rezoning-PD 22-0422 [0442]. This 16 application is out of order to be heard and is 17 being continued to the May 16, 2022, Zoning Hearing 18 Master Hearing. 19 Item A-25, Rezoning-PD 22-0443. 20 application is being continued by the applicant to 21 the May 16, 2022, Zoning Hearing Master Hearing. 22 Item A-26, Rezoning-PD 22-0444. 23 application is being continued by the applicant to 24 the May 16, 2022, Zoning Hearing Master Hearing. 25 Item A-27, Major Mod Application 22-0452.

EXHIBITS SUBMITTED DURING THE ZHM HEARING

SIGN-IN SHEET: RFR,	ZHM, PHM, LUHO PAGE OF 6		
DATE/TIME: 7/25/3	ZHM, PHM, LUHO 2 6m HEARING MASTER: SUSAN FINCH		
Commence of the commence of th	ARLY, THIS INFORMATION WILL BE USED FOR MAILING		
APPLICATION# MM 72-208-1	PLEASE PRINT NAME Kann Go Sett MAILING ADDRESS 101 & Cent of Bld, 84 5400		
eck	CITY JAMMA STATE PL ZIP 336 PHONE 213-227-842/		
APPLICATION #			
APPLICATION#	PLEASE PRINT NAME DAVID Wright		
122-0698	MAILING ADDRESS P.O. Box 273417		
V.S.	CITY Tampa STATE FL ZIP 33(88PHONE 230-7473		
APPLICATION #	PLEASE PRINT David Wright		
RZ 22-0456	MAILING ADDRESS P.O. Box 273417		
V.6.	CITY Tampa STATE FLZIP33688 PHONE 230-7473		
APPLICATION #	PLEASE PRINT Jeffrey + Jaime Peck		
RZ22-0789	MAILING ADDRESS 1221 Canyon Oaks Dr CITY Brandon STATE FL ZIP 33610 PHONE 302-218-5131		
APPLICATION #	PLEASE PRINT Ruth P. London O		
	MAILING ADDRESS 1502 W. Busch Blvd St D1		
RZ 22-0929	CITY TPA STATE FL ZIP 33612 PHONE (813) 919-7802		

SIGN-IN SHEET: RFR,	ZHM, PHM, LUHO PAGE 2 OF 6
DATE/TIME: 7/25/22	Gpm HEARING MASTER: SUSAn Finch
PLEASE PRINT CLE	ARLY, THIS INFORMATION WILL BE USED FOR MAILING
APPLICATION #	PLEASE PRINT TU MAI
22-0980	MAILING ADDRESS 14031 N. Dale Maky Hwy.
	CITY TAMPA STATE PL ZIP336 3 PHONE (81) 962-6230
APPLICATION #	PLEASE PRINT Kumi Curbert
RZ 0075	MAILING ADDRESS 1018 Kennely Brid Ste 3-100
80	CITYTAMPA STATE C ZIP300 PHONE 3-8227 842
APPLICATION #	PLEASE PRINT IS Whele Albert / Halff & Associates
27-0075	MAILING ADDRESS 1600 N ASHLEY DV. Ste 900
20	CITY Tampa STATE FC ZIP 33402 PHONE 731-0976
APPLICATION #	NAME Abbey Naylor
CZ 25	MAILING ADDRESS 14706 Tuder Chase Dr.
22-0075	CITY Tampa STATE FL ZIP 3362 bPHONE 727-207-552
APPLICATION #	PLEASE PRINT NAME Sukes
22-0075 22-0075	MAILING ADDRESS 610 Garnson Covely
	CITY TUNGE STATE FL ZIP 3360 PHONE 813-063-25
APPLICATION #	PLEASE PRINT NAME William Place
1 2 1175	MAILING ADDRESS 600 Core land

STATE EL ZIP 33602 PHONE \$13763-765

ed

SIGN-IN SHEET: RFR,	ZHM, PHM, LUHO PAGE 3 OF Le		
DATE/TIME: 7/25/22	6pm HEARING MASTER: Susan Finch		
PLEASE PRINT CLE	ARLY, THIS INFORMATION WILL BE USED FOR MAILING		
APPLICATION #	NAME James Anderson		
RZ 22-0075	MAILING ADDRESS 10\$14 Sedge brook Orive		
	CITY River view STATE FL ZIP33569 PHONE 727 430-3494		
APPLICATION #	NAME E He Jummer		
R2 N15	MAILING ADDRESS 19825 Angl Ln		
R2 10075	CITY Odess ~ STATE FL ZIP 3355 PHONE		
APPLICATION #	PLEASE PRINT NAME Vac Vacau		
R2 22-0075	MAILING ADDRESS 3000 W. San Michales St.		
22-00	CITY AWPC STATES ZIPZGZG PHONES 18-390-0627		
APPLICATION #	PLEASE PRINT MUNCO RAFFAELE		
02,0557	MAILING ADDRESS 11910 New Rd		
73	CITY LIMIN STATE FU ZIP3354 PHONE		
APPLICATION #	PLEASE PRINT NAME SIGHAL BROOKS		
1.1 22-	MAILING ADDRESS 400 A. TAnga St Unit 910		
MM 22-	CITY TAMPA STATE FL ZIP 3802 PHONE		
APPLICATION #	PLEASE PRINT Robecco Kert		
WW 27-0089	MAILING ADDRESS 400 N Tange St. 5de 1910		
,	CITY Tampa STATE FL ZIP 33602 PHONE		

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

DATE/TIME: 7/25/22 6 PM HEARING MASTER: 56 Finch PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING PLEASE PRINT Barbara Fite **APPLICATION #** MM 22-0089 MAILING ADDRESS 6102 E LK BUTTE/ Or CITY LATZ STATE FL ZIP 3354 PHONE 813 246-1544 PLEASE PRINT NAME Curbett **APPLICATION #** MAILING ADDRESS 101 Ekenely 18/vd, StE 3700 CITY Tampa STATE FL ZIP 33602 PHONE PLEASE PRINT To Sabel e Albert APPLICATION # 12-0442 MAILING ADDRESS 1000 NASHey Dr 900 CITY Tumpa STATE FL ZIP 33602 PHONE NAME Rebecca Kert **APPLICATION #** MAILING ADDRESS 400 N. Tumpa St. 1910 22-0443 CITY Tompa STATE F ZIP 33602 PHONE_ PLEASE PRINT **APPLICATION #** NAME WESCEY MILLY

MAILING ADDRESS 700 ZZAD PLACE 22-0477 CITY VALO BAACH STATE FL ZIP 32161 PHONE 772-7282 NAME BY 1911 Suit APPLICATION # mm 0670 MAILING ADDRESS 307 11 Aye, & CITY Palmetto STATE C ZIP 3424 PHONE 813-957-1777 SIGN-IN SHEET: RFR, ZHM, PHM, LUHO PAGES OF 6 DATE/TIME: 7/25/23 6 PM HEARING MASTER: 5456~ PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING NAME Nicote Neugebour APPLICATION # MAILING ADDRESS 401 F. Tuckson St -7- Xe83 CITY Tunfor STATE FL ZIP 33642 PHONE 813 - 223 - 4800 PLEASE PRINT **APPLICATION #** NAME David Mechan MAILING ADDRESS 305 5, Boulevard 22-0782 CITY Tampo STATE FL ZIP 3360 PHONE (813) 276-1920 NAME KEN TNIKLER FIELDS **APPLICATION #** MAILING ADDRESS 4221 W. Byscat Blvd CITY Tumpu STATE FL ZIP PHONE 813 123 7050 PLEASE PRINT MALL **APPLICATION #** Femal MAILING ADDRESS 201 N Franklin St. Saite 1400 77-0832 CITY Tampa STATE FL ZIP33602 PHONE 813-635-5726 PLEASE PRINT **APPLICATION #** PLEASE PRINT NAME 72-0834 MAILING ADDRESS 401 E Jackson St CITY Tump STATE FL ZIP 33602 PHONE NAME RUSSELL OHEN berg **APPLICATION #** MAILING ADDRESS 3737 Luke Joyce Dr. J-0834 CITY Land Olike STATE FL ZIP 34639 PHONE 813.962.1752

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO PAGE 6 OF			
DATE/TIME: 7/25/22	GPM HEARING MASTER: SUSAn Finch		
PLEASE PRINT CLE	ARLY, THIS INFORMATION WILL BE USED FOR MAILING		
APPLICATION #	PLEASE PRINT Else Batse		
22-0862	MAILING ADDRESS 401 E. Juckson St, 3100		
ea	CITY Tomph STATE FL ZIP 3360 2PHONE 765 993 3429		
APPLICATION #	PLEASE PRINT Steve Henry		
mm	MAILING ADDRESS GOZZ W. LAUREL ST		
29-0849 mm	MAILING ADDRESS GOZZ W. LAUREL ST CITY TPA STATEF L ZIP PHONE CO39		
APPLICATION #	PLEASE PRINT Dary) MAX PORGER , AICA		
mm 102	MAILING ADDRESS 236 ST 45th STROOT		
23-0862	CITY CAPE COMPSTATE FL ZIP 339 PHONE 239,560		
APPLICATION #	PLEASE PRINT CHARLES POTHE		
My alo	MAILING ADDRESS 2303 Huly 60		
27-00	CITY PALLICO STATE ZIP33594PHONE 8/3 267 5476		
APPLICATION #	NAME FlizHoeth R Belcher		
MM 28/17			
MM 22-0867	MAILING ADDRESS 406 SMiller Rd CITY Valvi Co STATE FL ZIP 335 PHONE 813-478-		
APPLICATION #	PLEASE PRINT NAME		
	MAILING ADDRESS		
	CITYSTATEZIPPHONE		

HEARING TYPE: ZHM, PHM, VRH, LUHO DATE: 07/25/2022

HEARING MASTER: Susan Finch PAGE: 1 OF 1

APPLICANT #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
RZ 22-0075	Rosa Timoteo	1. Applicant Presentation Packet	NO
RZ 22-0075	Isabelle Albert	2. Applicant Presentation Packet	NO
RZ 22-0075	William Place	3. Applicant Presentation Packet	NO
RZ 22-0075	Abbey Naylor	4. Applicant Presentation Packet	NO
MM 22-0087	Kami Corbett	1. Applicant Presentation Packet	NO
MM 22-0089	Rosa Timoteo	1. Revised Staff Report	YES - COPY
MM 22-0089	Michael Brooks	2. Applicant Presentation Packet	NO
RZ 22-0420	Rosa Timoteo	1. Revised Staff Report	YES - COPY
RZ 22-0420	Kami Corbett	2. Applicant Presentation Packet	NO
RZ 22-0442	Isabelle Albert	1. Applicant Presentation Packet	YES - COPY
RZ 22-0443	Rosa Timoteo	1. Revised Staff Report	YES - COPY
RZ 22-0443	Rebecca Kert	2. Applicant Presentation Packet	NO
RZ 22-0683	Nicole Neugebauer	1. Applicant Presentation Packet	YES - COPY
RZ 22-0832	Ken Tinkler	1. Applicant Presentation Packet	NO
RZ 22-0834	Russell Ottenberg	1. Applicant Presentation Packet	NO
RZ 22-0834	Mark Bentley	2. Applicant Presentation Packet	NO
MM 22-0862	Rosa Timoteo	1. Revised Staff Report	YES - COPY
MM 22-0862	Rosa Timoteo	2. Revised Staff Report	YES - COPY
MM 22-0862	Elise Batsel	3. Applicant Presentation Packet	YES - COPY

JULY 25, 2022 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, July 25, 2022, at 6:00 p.m., in the Ada T. Payne Community Room, Robert W. Saunders Sr. Public Library, Tampa, Florida, and held virtually.

Susan Finch, ZHM, calls the meeting to order and leads in the pledge of allegiance to the flag.

A. WITHDRAWALS AND CONTINUANCES

Brian Grady, Development Services, reviews changes/withdrawals/continuances.

D.7. RZ 22-0562

Brian Grady, Development Services, calls RZ 22-0562.

Isabelle Albert, applicant rep, requests continuance.

Susan Finch, ZHM, calls proponents/opponents/continues RZ 22-0562 to September 19, 2022.

C.4. RZ 22-0698

Brian Grady, Development Services, calls RZ 22-0698.

David Wright, applicant rep, requests continuance.

Susan Finch, ZHM, calls proponents/opponents/continues RZ 22-0698 September 19, 2022.

D.13. RZ 22-0856

Brian Grady, Development Services, calls RZ 22-0856.

Mark Bentley, applicant rep, requests continuance.

Susan Finch, ZHM, calls proponents/opponents/continues RZ 22-0856.

B.1. RZ 19-0521

Brian Grady, Development Services, reviews RZ 19-0521.

🖺 Susan Finch, ZHM, announces withdrawal of RZ 19-0521.

- Brian Grady, Development Services, continues review of withdrawals/continuances.
- Susan Finch, ZHM, overview of ZHM process.
- Senior Assistant County Attorney Cameron Clark, overview of oral argument/ZHM process.
- Susan Finch, ZHM, oath.
- B. REMANDS

B.2. MM 22-0087

- Brian Grady, Development Services, calls RZ 22-0087.
- Kami Corbett, applicant rep, presents testimony/submits exhibits.
- Brian Grady, Development Services, staff report/questions to applicant rep.
- Kami Corbett, applicant rep, answers Development Services questions.
- 🛂 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant/closes MM 22-0087.
- C. REZONING STANDARD (RZ-STD):

C.1. RZ 22-0423

- Brian Grady, Development Services, calls RZ 22-0423.
- David Wright, applicant rep, presents testimony.
- Chris Grandlienard, Development Services, staff report.
- 🛂 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 22-0423.

C.2. RZ 22-0456

- Brian Grady, Development Services, calls RZ 22-0456.
- David Wright, applicant rep, presents testimony.

- ☑ Isis Brown, Development Services, staff report.
- Susan Finch, ZHM, questions to Development Services.
- Isis Brown, Development Services, answers ZHM questions and continues staff report.
- 🛂 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 22-0456.

C.5. RZ 22-0789

- Brian Grady, Development Services, calls RZ 22-0789.
- 🖺 Jeffrey Peck, applicant rep, presents testimony.
- Chris Grandlienard, Development Services, staff report.
- 🖺 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 22-0789

C.6. RZ 22-0829

- Brian Grady, Development Services, calls RZ 22-0829.
- Ruth Londono, applicant rep, presents testimony.
- Chris Grandlienard, Development Services, staff report
- 🛂 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 22-0829.

C.7. RZ 22-0980

- Brian Grady, Development Services, calls RZ 22-0980.
- Tu Mai, applicant rep, presents testimony.
- Chris Grandlienard, Development Services, staff report.
- Jillian Massey, Planning Commission, staff report.

- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 22-0980.
- D. REZONING-PLANNED DEVELOPMENT (RZ-PD) & MAJOR MODIFICATION (MM):

D.1. RZ 22-0075

- Brian Grady, Development Services, calls RZ 22-0075.
- Kami Corbett, applicant rep, presents testimony.
- Isabelle Albert, applicant rep, presents testimony.
- Susan Finch, ZHM, questions to applicant rep.
- ☑ Isabelle Albert, applicant rep, answers ZHM questions/continues testimony.
- Susan Finch, ZHM, questions to applicant rep.
- Isabelle Albert, applicant rep, answers ZHM questions/continues testimony.
- Abbey Naylor, applicant rep, presents testimony.
- 🖺 Israel Monsanto, Development Services, staff report.
- Susan Finch, ZHM, questions to Development Services.
- Israel Monsanto, Development Services, answers ZHM questions/continues staff report.
- Brian Grady, Development Services, revised staff report.
- 🛂 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, questions to Development Services.
- 🛂 Jillian Massey, Planning Commission, answers ZHM questions.
- Susan Finch, ZHM, calls proponents.
- William Place, proponent, presents testimony/submits exhibits.
- Susan Finch, ZHM, questions to proponent.
- ☑William Place, proponent, answers ZHM questions.
- 🖺 Susan Finch, ZHM, calls opponents.

- 🛂 James Anderson, opponent, presents testimony.
- Ethel Hammer, opponent, presents testimony.
- Susan Finch, ZHM, calls opponents/Development Services.
- Susan Finch, ZHM, questions to Development Services.
- 🖺 Kami Corbett, applicant rep, gives rebuttal.
- Abbey Naylor, applicant rep, gives rebuttal, submits exhibit.
- Kami Corbett, applicant rep, continues rebuttal.
- Susan Finch, ZHM, questions to applicant rep.
- 🖺 Kami Corbett, applicant rep, answers ZHM questions.
- Brian Grady, Development Services, statement for the record.
- Kami Corbett, applicant rep, responds to Development Services.
- Brian Grady, Development Services, provides clarification.
- Kami Corbett, applicant rep, continues rebuttal.
- Mac McCraw, applicant rep, closes rebuttal.
- Susan Finch, ZHM, closes RZ 22-0075.
- Susan Finch, ZHM, breaks.
- 🛂 Susan Finch, ZHM, resumes hearing.

C.3. RZ 22-0557

- Brian Grady, Development Services, calls RZ 22-0557.
- Susan Finch, ZHM, oath.
- Marco Raffaele, applicant rep, presents testimony.
- ☑ Isis Brown, Development Services, staff report.
- Susan Finch, ZHM, questions to Development Services.
- 🛂 Isis Brown, Development Services, answers ZHM questions.

- 🛂 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 22-0557

D.2. MM 22-0089

- Brian Grady, Development Services, calls RZ 22-0089.
- Michael Brooks, applicant rep, presents testimony/submits exhibits.
- Rebecca Kert, applicant rep, continues testimony.
- Michael Brooks, applicant rep, continues testimony.
- Timothy Lampkin, Development Services, staff report.
- Susan Finch, ZHM, statement to Development Services.
- Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents.
- Barbara Fite, proponent, presents testimony.
- Susan Finch, ZHM, calls opponents/Development Services/applicant rep.
- Michael Brooks, applicant rep, concludes testimony.
- Susan Finch, ZHM, closes MM 22-0089.

D.3. RZ 22-0420

- Brian Grady, Development Services, calls RZ 22-0420 and notes expedited review for the record.
- EKami Corbett, applicant rep, presents testimony/submits exhibits.
- Sam Ball, Development Services, staff report.
- Susan Finch, ZHM, questions to Development Services.
- Sam Ball, Development Services, answers ZHM questions.
- 🛂 Jillian Massey, Planning Commission, staff report.

Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 22-0420.

D.4. RZ 22-0442

- Brian Grady, Development Services, calls RZ 22-0442.
- ☑ Isabelle Albert, applicant rep, presents testimony/submits exhibits.
- Susan Finch, ZHM, questions to applicant rep.
- 🖺 Isabelle Albert, applicant rep, answers ZHM questions.
- Susan Finch, ZHM, calls Development Services.
- Tania Chapela, Development Services, staff report.
- Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes MM 22-0442.

D.5. RZ 22-0443

- Brian Grady, Development Services, calls RZ 22-0443.
- Rebecca Kert, applicant rep, presents testimony/submits exhibits.
- Michelle Heinrich, Development Services, staff report.
- 🛂 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep.
- Michelle Heinrich, Development Services, provides additional information.
- Susan Finch, ZHM, closes RZ 22-0443.

D.6. MM 22-0477

- Brian Grady, Development Services, calls MM 22-0477.
- Wesley Mills, applicant rep, presents testimony.
- Sam Ball, Development Services, staff report.

- 🛂 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 22-0477.

D.8. MM 22-0670

- Brian Grady, Development Services, calls MM 22-0670 and notes expedited review for the record.
- Brian Smith, applicant rep, presents testimony.
- Susan Finch, ZHM, questions to applicant rep.
- Brian Smith, applicant rep, presents testimony.
- ☑ Israel Monsanto, Development Services, staff report.
- Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes MM 22-0670.

D.9. RZ 22-0683

- Brian Grady, Development Services, calls RZ 22-0683.
- Dicole Neugebauer, applicant rep, presents testimony/submits exhibits.
- Susan Finch, ZHM, questions to applicant rep.
- Nicole Neugebauer, applicant rep, answers ZHM questions.
- Sam Ball, Development Services, staff report.
- 🛂 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 22-0683.

D.10. MM 22-0782

- Brian Grady, Development Services, calls MM 22-0782.
- David Mechanik, applicant rep, presents testimony.
- Susan Finch, ZHM, questions to applicant rep.

- David Mechanik, applicant rep, answers ZHM questions.
- Tania Chapela, Development Services, staff report.
- Susan Finch, ZHM, questions to Development Services.
- David Mechanik, applicant rep, answers ZHM questions.
- 🛂 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes MM 22-0782.

D.11. RZ 22-0832

- Brian Grady, Development Services, calls RZ 22-0832.
- Ken Tinkler, applicant rep, presents testimony.
- Matthew Femal, applicant rep, presents testimony.
- Tania Chapela, Development Services, staff report.
- Susan Finch, ZHM, questions to Development Services.
- Brian Grady, Development Services, corrects the record.
- Susan Finch, ZHM, questions to Development Services.
- Tania Chapela, Development Services, answers ZHM questions.
- 🛂 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services.
- Brian Grady, Development Services, statement for the record.
- Susan Finch, ZHM, questions to applicant rep.
- Matthew Femal, applicant rep, answers ZHM questions/presents rebuttal.
- Susan Finch, ZHM, questions to applicant rep.
- EKen Tinkler, applicant rep, answers ZHM questions.
- Susan Finch, ZHM, closes RZ 22-0832.

D.12. RZ 22-0834

- Brian Grady, Development Services, calls RZ 22-0834.
- Mark Bentley, applicant rep, presents testimony.
- Russell Ottenberg, applicant rep, presents testimony.
- Susan Finch, ZHM, questions to applicant rep.
- Russell Ottenberg, applicant rep, answers ZHM questions.
- Mark Bentley, applicant rep, continues testimony.
- Timothy Lampkin, Development Services, staff report.
- Susan Finch, ZHM, questions to Development Services.
- Timothy Lampkin, Development Services, answers ZHM.
- 🛂 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 22-0834.

D.14. MM 22-0862

- Brian Grady, Development Services, calls MM 22-0862.
- Susan Finch, ZHM, oath.
- Elise Batsel, applicant rep, presents testimony/submits exhibits.
- Steve Henry, applicant rep, continues testimony.
- Susan Finch, ZHM, questions to applicant rep.
- Steve Henry, applicant rep, answers ZHM questions.
- Elise Batsel, applicant rep, continues testimony.
- Sam Ball, Development Services, staff report.
- 🛂 Jillian Massey, Planning Commission, staff report.
- Susan Finch, ZHM, calls proponents/opponents.
- Max Forgey, opponent, presents testimony.

- Charles Bothe, opponent, presents testimony.
- Elizabeth Belcher, opponent, presents testimony.
- Susan Finch, ZHM, calls opponents/Development Services.
- Brian Grady, Development Services, questions for Planning Commission.
- 🛂 Jillian Massey, Planning Commission, answers Development Services.
- Brian Grady, Development Services, statement for the record.
- Susan Finch, ZHM, calls applicant rep.
- Elise Batsel, applicant rep, calls Steve Henry, applicant rep.
- Steve Henry, applicant rep, gives rebuttal.
- Elise Batsel, applicant rep, gives rebuttal.
- Susan Finch, ZHM, closes MM 22-0862.

ADJOURNMENT

lacksquare Susan Finch, ZHM, adjourns the meeting.

APPLICATION NUMBER:

PD 22-0443

ZHM HEARING DATE:

July 25, 2022

BOCC LUM MEETING DATE:

September 19, 2022

Case Reviewer: Michelle Heinrich, AICP

6.0 PROPOSED CONDITIONS

Application No. Name: KOS Entered at Public Hearing: ZAM _ Date: _ 7/25/22 Exhibit # ___

Requirements for Certification:

1. Development Pod A to be noted as SFD only.

- 2. Site Project Data Table to remove "Pursuant to Policy 13.3 of the Future Land Use Element of the Comprehensive Plan, additional dwelling units/density shall be permitted based on the actual acreage of of qualifying and preserved upland areas to be determined at the time of preliminary plat review."
- 3. Site plan to note that "optional 6" wall or fence" along Roosevelt Street from the Roosevelt Street access point southward to the PD boundary, if constructed, shall be in compliance with LDC Sections 3.23.11.D and in compliance with 3.23.10.C.2 requiring individual pedestrian gates.
- 4. Rowhouse Typical Lot Detail to note that the minimum front yard setback may be 0 feet or 2 feet depending on the fronting roadway Typical Section (see condition 3).
- 5. Modify site note 18 to change the word "if" to "where adjacent to single-family detached uses."
- 6. Change "Roosevelt St." references to read "Roosevelt St. (known as Halifax St. per plat).
- <u>Z.</u> Add linework/shading of the overlapping area depicted as both Roosevelt Street ROW dedication and habitat preservation/buffer area and label such area as "Habitat Preservation Area/Buffer or Right-of-Way" – see conditions of approval.
- Label the western boundary of the "Habitat Preservation Area/Buffer or Right-of-Way" as the <u>8.</u> "Alternate Habitat Preservation Area/Buffer Boundary."

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted July 5, 2022.

- 1. The project shall permit a maximum of 21 single-family residential units (detached and/or attached).
- 2. Residential units may be blended between the areas encompassing PD 21-0959 and PD 22-0443 under the following: 1) the Developer submits a preliminary plat proposing to develop the overall land as a single unified development, and thereafter submits construction plans and plats consistent with the same; 2) the overall/total density of the unified plan does not exceed the 21 units (4 units per acre) approved under PD 22-0443 combined with the maximum density permitted by the Comprehensive Plan as approved under PD 21-0959 or any modifications to PD 21-0959; and, 3) all other conditions of the respective planned development approvals are met.
- 3. Single-family detached units shall be developed in accordance with the following:

Minimum/Maximum lot size:

5,000 sf

Minimum-Maximum lot width:

50-60 feet

Minimum/Maximum front yard setback:

20 feet

Minimum/Maximum rear yard setback: Minimum/Maximum side yard setback: 10 feet

5 feet

Maximum building height:

35 feet / 1-3 stories

Minimum-Maximum building frontage:

40% - 70%*

*attached garages and all building attachments, such as but not including covered porches, colonnades, awnings, porticos, and balconies shall contribute to the minimum/maximum building

ZHM HEARING DATE:

July 25, 2022

BOCC LUM MEETING DATE: September 19, 2022 Case Reviewer: Michelle Heinrich, AICP

6.0 PROPOSED CONDITIONS

Application No. Name: K Entered at Public Hearing: ZAM Date: _ 7/25 Exhibit #

Requirements for Certification:

1. Development Pod A to be noted as SFD only.

- 2. Site Project Data Table to remove "Pursuant to Policy 13.3 of the Future Land Use Element of the Comprehensive Plan, additional dwelling units/density shall be permitted based on the actual acreage of of qualifying and preserved upland areas to be determined at the time of preliminary plat review."
- 3. Site plan to note that "optional 6' wall or fence" along Roosevelt Street from the Roosevelt Street access point southward to the PD boundary, if constructed, shall be in compliance with LDC Sections 3.23.11.D and in compliance with 3.23.10.C.2 requiring individual pedestrian gates.
- 4. Rowhouse Typical Lot Detail to note that the minimum front yard setback may be 0 feet or 2 feet depending on the fronting roadway Typical Section (see condition 3).
- 5. Modify site note 18 to change the word "if" to "where adjacent to single-family detached uses."
- 6. Change "Roosevelt St." references to read "Roosevelt St. (known as Halifax St. per plat).
- Add linework/shading of the overlapping area depicted as both Roosevelt Street ROW <u>Z.</u> dedication and habitat preservation/buffer area and label such area as "Habitat Preservation <u>Area/Buffer or Right-of-Way" – see conditions of approval.</u>
- Label the western boundary of the "Habitat Preservation Area/Buffer or Right-of-Way" as the 8. "Alternate Habitat Preservation Area/Buffer Boundary."

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted July 5, 2022.

- 1. The project shall permit a maximum of 21 single-family residential units (detached and/or attached).
- 2. Residential units may be blended between the areas encompassing PD 21-0959 and PD 22-0443 under the following: 1) the Developer submits a preliminary plat proposing to develop the overall land as a single unified development, and thereafter submits construction plans and plats consistent with the same; 2) the overall/total density of the unified plan does not exceed the 21 units (4 units per acre) approved under PD 22-0443 combined with the maximum density permitted by the Comprehensive Plan as approved under PD 21-0959 or any modifications to PD 21-0959; and, 3) all other conditions of the respective planned development approvals are met.
- 3. Single-family detached units shall be developed in accordance with the following:

Minimum/Maximum lot size: 5,000 sf Minimum-Maximum lot width: 50-60 feet Minimum/Maximum front yard setback: 20 feet Minimum/Maximum rear yard setback: 10 feet Minimum/Maximum side yard setback: 5 feet

Maximum building height: 35 feet / 1-3 stories

Minimum-Maximum building frontage: 40% - 70%*

*attached garages and all building attachments, such as but not including covered porches, colonnades, awnings, porticos, and balconies shall contribute to the minimum/maximum building

ZHM HEARING DATE: July 25, 2022

BOCC LUM MEETING DATE: September 19, 2022 Case Reviewer: Michelle Heinrich, AICP

frontage requirements. The maximum depth of any building attachments shall be 12 feet. These building attachments shall meet the minimum/maximum front yard setback found above.

3.1 All single-family detached units shall be developed with an attached garage accessed from the street in front of the home.

4. Single-family attached (townhome) units shall be developed in accordance with the following:

Minimum-Maximum lot size: 1,800 sf - 3,840 sf Minimum-Maximum lot width: 16 feet - 32 feet Minimum-Maximum front yard setback: 0 feet - 15 feet*

Minimum/Maximum rear yard setback: 15 feet

Minimum/Maximum side yard setback: 10 feet (end units)
Minimum/Maximum building height: 35 feet / 2-3 stories**

Minimum-Maximum building frontage: 90% - 100%***

*minimum front yard setback shall be a minimum 0 feet or minimum of 2 feet depending on the roadway type (Type TND-1 Typical Section or TS-3 Typical Section) the townhome unit fronts.

- **an additional 2 feet of setback for every 1 foot over 20 feet in height shall be provided where adjacent (not separated by a roadway of at least 50 feet in width) to a single-family detached use.

 ***attached garages and all building attachments, such as but not including covered porches, colonnades, awnings, porticos, and balconies shall contribute to the minimum/maximum building frontage requirements. The maximum depth of any building attachments shall be 12 feet. These building attachments shall meet the minimum/maximum front yard setback found above.
 - 4.1 Each building shall consist of at least 3 attached townhome units.
 - 4.2 Each townhome unit shall provide a garage attached to the rear of the unit accessed via a one-way alley located to the rear of the unit. The alley shall be a minimum of 20 feet in width.
 - 4.3 Each townhome unit's primary frontage shall be towards a public roadway.
- 5. Areas noted as Development Pod A shall be permitted single-family detached uses only. Residential development shall not be permitted within the Habitat Preservation Area and Habitat Preservation Area buffer.
- Areas noted as Development Pod B shall be permit single-family attached (rowhouse) uses only.
- 7. The project's internal roadways shall be developed as generally depicted on the general site plan.
- Land Development Code required buffering and screening (5-foot wide buffer with Type A screening) shall be provided both internally and along PD boundaries where single-family attached uses are adjacent to single-family detached uses.
- 9. 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

ZHM HEARING DATE: July 25, 2022

BOCC LUM MEETING DATE: September 19, 2022 Case Reviewer: Michelle Heinrich, AICP

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.

- 10. 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.
- 11. 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 jurisclictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- 13. Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include two funded CIP projects that are currently under construction, C32001-South County Potable Water Repump Station Expansion and C32011-Potable Water In-Line Booster Pump Station, and will need to be completed by the County prior to issuance of any building permits that will create additional demand on the system.
- 14. The project shall be served by (and limited to) one (1) access connection along the project's eastern boundary, one (1) access connection along the project's western boundary, and one (1) access connection along the project's southern boundary.
- Notwithstanding anything shown on the PD site plan or herein these conditions to the contrary, the access along the western and southern project boundaries may occur anywhere within the cross-hatched area indicated on the site plan, subject to compliance with Section 6.04.07 Land Development Code (LDC) regulations governing access spacing and other applicable technical standards. All such connections shall be subject to the review and approval of Hillsborough County.
- 16. Prior to or concurrent with the initial increment of development, the developer shall dedicate and convey to Hillsborough County 20 feet of additional right-of-way along the project's eastern boundary, such that there is a minimum of 50-feet of right-of-way available.
- 17. Notwithstanding anything shown on the PD site plan or herein these conditions to the contrary, the area dedicated to the County for future right-of-way shall not be considered Essential Wildlife Habitat Preservation or buffer areas in the event the County decides to construct (or authorize others to construct) a transportation facility within this right-of-way.
- 18. Internal project roadways may be public or private roadways. Additionally:

ZHM HEARING DATE: July 25, 2022

BOCC LUM MEETING DATE: September 19, 2022 Case Reviewer: Michelle Heinrich, AICP

a. If internal project roadways are constructed as privately owned and maintained facilities, then prior to or concurrent with the initial increment of development the developer shall record in the Official Records of Hillsborough County an easement which allows public access over the internal roadways and sidewalks.

- b. All roadways, whether public or private, shall be ungated.
- 19. Outside of the project (but along the eastern project boundary), the developer shall construct a north/south roadway between the easternmost project access (to Roosevelt St. /Halifax St.) and the east-west roadway to be constructed along the project's southern boundary (within adjacent PD 21-0959). The developer shall install appropriate end of roadway treatments at the northern terminus to prevent traffic from utilizing the existing dirt road which extends north.
- 20. In addition to any end-of-roadway treatment/signage required by the Manual of Uniform Traffic Control Devices (MUTCD), the developer shall place signage which identifies roadway stub-outs as a "Future Roadway Connection".
- 21. The project development and required improvements shall comply with Section 3.23.08 subsections A., B., D. and F., Section 3.23.10 subsections C.2., D. and E., and Section 3.23.11 of the Hillsborough County Land Development Code.
- 22. No development shall occur within the area designated on the PD site plan as "Habitat Preservation Area/ Buffer". Any future zoning modifications which revisit this zoning condition of the modify or reconfigures the preservation area such that it no longer runs along the entirety of the northern project the boundary of the preservation area shall trigger reevaluation of the sufficiency of the project's overall connectivity and compliance with Sections 3.23.08.A. and 6.02.01.A. of the LDC.
 - The final use of the area noted as "Habitat Preservation Area/Buffer or Right-of-Way" shall be determined at the time of site development/preliminary plat by Natural Resources staff and/or any other regulatory agency. Should this area, or portions of this area, be designated as "Habitat Preservation Area/Buffer," no right-of-way dedication within that area shall be required. Should this area, or portions of this area, not be designated as "Habitat Preservation Area/Buffer," those areas shall be dedicated for right-of-way per condition #16.
- 23. Notwithstanding anything herein or shown on the PD site plan to the contrary, bicycle and pedestrian access may be permitted anywhere along the PD boundaries.
- 24. In accordance with LDC Section 5.03.07.C, the certified PD general site plan shall expire for the internal transportation network and external access points, as well as for any conditions related to the internal transportation network and external access points, if site construction plans, or equivalent thereof, have not been approved for all or part of the subject Planned Development within 5 years of the effective date of the PD unless an extension is granted as provided in the LDC. Upon expiration, re-certification of the PD General Site Plan shall be required in accordance with provisions set forth in LDC Section 5.03.07.C.

ZHM HEARING DATE: July 25, 2022

BOCC LUM MEETING DATE: September 19, 2022 Case Reviewer: Michelle Heinrich, AICP

25. 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.



Additional / Revised Information Sheet

Date Stamp Here

Application Number: 21-0959 Applica	ant's Name: Lennar Homes
Reviewing Planner's Name: Michelle Heinrich	Date: 01/12/2022
Application Type:	
☑ Planned Development (PD) ☐ Minor Modification/Pers	sonal Appearance (PRS) Standard Rezoning (RZ)
☐ Variance (VAR) ☐ Development of Regiona	
☐ Special Use (SU) ☐ Conditional Use (CU)	Other
Current Hearing Date (if applicable): 02/14/2022	
The following must be	e attached to this Sheet.
Cover Letter with summary of the changes and/or addit submitted, all changes on the site plan must be listed in details.	
☐ An updated Project Narrative consistent with the chang	es or additional information provided, if applicable.
Submittal Via:	
Email (Preferred). Note that no follow up paper file is necessary.	Pdf format only. Maximum attachment(s) size is 15 MB.
Email this sheet along all the additional/revised submittal it	# all
☐ Mail or delivery. Number of Plans Submitted: Large_	Small Public
For PD, MM, PRS and SU: 7 large copies 24"X36", one small 8.5X11". For RZ-Standard: if plot plan is larger than 8.5"X11", 7 large copies short Minor Change: 6 large copies. For Variances or Conditional Use permits: one 8.5"X11" or larger)	hould be submitted. Date:
	:
Mail to:	Hand Deliver to:
Development Services Department	County Center
Community Development Division P.O. Box 1110	Development Services Department 19th Floor
Tampa, FL 33601-1110	601 E. Kennedy Blvd., Tampa
I certify that changes described above are the only changes changes will require an additional submission and ortifications.	
	01/12/2022
Signature	Date
FOR OFFIC	E USE ONLY
■ Notification E-Mail Sent ■ Scanned into OPT ■ Transmittal Completed	TIX In-Take Completed by:



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ADDITIONAL INFORMATION

January 12, 2022

RE: Petition RZ 21-0959 (West Lake Drive)

The Applicant hereby submits the following additional information in connection with the above referenced Petition, each of which address Natural Resource matters:

- December 6, 2021, letter from John Goolsby, Clearview Land Design, to Carla Shelton, requesting an Upland Habitat Assessment of environmental conditions on the subject property. This transmittal includes, among other things:
 - a. A copy of the December 6, 2021, letter from Andrew Fuddy, Senior Ecologist Principal, Applied Bionomics, to Erin Gawera, U.S. Fish and Wildlife Service, requesting consultation by the Service.

Note: The USFWS Request includes a copy of the Florida Scrub Jay Report prepared by Ecological Consulting Solutions, Inc, dated June 2020.

- 2. Applicant's written response to December 23, 2021, Natural Resource Comments (issued in response to the December 6, 2021, letter from John Goolsby.)
- 3. Scrub Habitat Delineation Map, prepared by Clearview Land Design (dated January 11, 2022), depicting, among other things:
 - a. Observed Scrub Jay Territory;
 - b. Golden Aster locations field verified on January 4, 2022; and
 - c. Limits of 200-foot buffer from Golden Aster locations.
- 4. December 17, 2021, email from Erin Gawera, U.S. Fish and Wildlife Service to Andrew Fuddy, Senior Ecologist Principal, Applied Bionomics, advising that development of the subject property as proposed would not require further consultation or permitting through the USFWS.

The Petition is currently scheduled to be heard by the Zoning Hearing Master on February 14, 2022. Please contact our office should any additional action be needed to include this additional information as part of the official record for the Petition.



P 813.543.5900 F 813.543.5901



December 6, 2021

Carla Shelton Knight
Senior Forester
Hillsborough County
Natural Resources, Development Services Dept.
601 E. Kennedy Blvd.
Tampa, FL 33602

RE: West Lake Project – Upland Habitat Assessment Request; Rezoning Applic. No. RZ-21-0959; Folio Nos. 079525-0000, 079527-0000, 07527-0100; S/T/R – 16/32/20

Dear Ms. Shelton Knight:

Lennar Homes, LLC has a rezoning application pending with the County for this parcel in the Wimauma portion of the County. During Lennar's due diligence review of the site, it was noticed that there is a patch of scrub habitat in the northeast corner of the site. Two scrub jays have been seen in this corner of the property. There were also several golden aster plants observed in this same vicinity. The applicant wants to make sure that the County is aware of these items, and they want to pro-actively discuss the site and possible preservation and management options with the County to ensure the rezoning process is not delayed and to make sure that adequate protection limits and measures are accounted-for by the resultant site plan.

The site has been assessed by Applied Bionomics (Andrew Fuddy), Clearview Land Design (John Goolsby) and Ecological Consulting Solutions, Inc. (Chris Krack) during several visits in 2021. A recent package by Andrew Fuddy to the USFWS is attached.

Most of the site is a bahia grass pasture. However, there is a portion of the eastern part of the site has not been cleared and is occupied by palmetto prairie and xeric scrub land. Cattle currently graze on the entire parcel.

Scrub Jays

Since the scrub jay is a federally listed animal, we have concurrently submitted a package to the USFWS with the proposed protection area and management plan to

obtain their concurrence with the plan and to avoid a Section 10 Consultation. We conclude the protection area, in conjunction with the existing habitats that lie offsite to the north of the subject parcel, will adequately protect the observed jays. We are requesting that the ultimate protection plan be accepted by all agencies.

Gopher Tortoises

There are several active gopher tortoise burrows on the property (see the exhibit). ECS reports they did a 100% survey for tortoises. All three burrows appear to be located withing the proposed protection area. The applicant proposes that if tortoises are found to reside outside of the preservation area, they be moved into the protection limits, assuming that the carrying capacity of that area can support them. We assume the upcoming FFWCC relocation permit will confirm the ability for onsite relocation.

Golden Aster

The attached map depicts the approximate locations of the golden aster plants. All or most of them are contained within the proposed protection limits. The applicant proposes that a more detailed assessment of their locations be done prior to the start of clearing and that any individuals that fall outside of the preservation area will be transplanted into the preserve, if possible.

General Discussion

We want to stress the fact that this parcel is specifically not mapped as "Existing Significant Wildlife Habitat" on the County's 2008 map. It is approximately a mile from mapped SWH habitats. Due to the small size of the onsite habitats, even in conjunction with adjacent, offsite habitats, we contend that the site does not meet the County's dimensional criteria for SWH status. We conclude that the parcel should not be subjected to the protection requirements or review criteria of the Land Development Code, per Section 4.01. However, the applicant is proposing upland protection measures that should substantially protect the resource and at the same time provide the applicant with reasonable use of the parcel.

Habitat Protection Area Limits

The proposed preservation area is approximately 11.0 acres in size and includes nearly all of the scrub habitat onsite. It abuts the north and eastern property lines and extends to the west to the edge of the existing palmetto prairie.

The southern edge of the proposed protection limits is north of a possible future road connection. The need for and location of a roadway connection on the east side of the site is actively being discussed with the County's traffic staff during the rezoning and has not yet been fully resolved. This issue might have an affect on the ultimate protection limits.

We propose that the preservation area be protected by a conservation easement, in accordance with the requirements of Section 704.06, F.S.. The timing of that recording should be coincident or prior to the recording of the first plat at the project.

As an alternative, it should be considered acceptable protection if the ELAPP program, or other acceptable conservation group takes ownership of the proposed protection site.

Habitat Management Discussion

The scrub/flatwoods area is in an acceptable ecological condition at present. We do not recommend any extensive management is needed at the current time. We do propose that an initial inspection be done and that a time-zero maintenance event kill any Brazilian pepper, punk tree, cogon grass, tropical soda apple, etc. that might already be in the protected area. This management event would occur prior to or concurrently with the start of adjacent construction.

The limits of the preserve will be marked with signage around the perimeter to notify residents and landscape maintenance crews to avoid the area. Pets will not be allowed. The area will be inspected by the HOA at least every 90 days to make sure that unauthorized activities are not occurring and to clean up any trash.

The following items are provided in support of this request:

- 1. Copy of the rezoning site plan that is currently under review by the County
- 2. Package recently submitted to the USFWS on the scrub jay and aster
- 3. Aerial overlay of the project limits and proposed protection area
- 4. Location Map
- 5. USGS quad map
- 6. SCS Soils Survey Map
- 7. Topographic map
- 8. 2007 Hillsborough County "Significant Wildlife Habitat Map", with project limits
- 9. Photos of the site and protection area

The applicant is very anxious to move forward with this project. Please let us know if you have any questions or email me to set up a site visit, if that would be helpful. Thank you in advance for your assistance.

Sincerely,

John A. Goolsby, CEP

Director of Environmental Services

CC: Parker Hirons
Michael Brooks
Chris O'Kelly
Andrew Fuddy

P:\West Lake\Master Plan\Environmental\Natural Resource Review Request Cover Letter 12-6-21.doc

AGENCY COMMENT SHEET

TO: Zoning/Code Administration, Development Services Department

FROM: Reviewer: Carla Shelton Knight Date: October 6, 2021

Agency: Natural Resources Petition #: 21-0959

- () This agency has no comment
- () This agency has no objections
- (X) This agency has **no objections**, subject to listed or attached conditions
- () This agency objects, based on the listed or attached issues.
- 1. An evaluation of the property supports the possibility that listed animal species may occur or have restricted activity zones throughout the property. Pursuant to the Land Development Code (LDC), a wildlife survey of any endangered, threatened or species of special concern in accordance with the Florida Fish and Wildlife Conservation Commission Wildlife Methodology Guidelines shall be required. This survey information must be provided upon submittal of the preliminary plans through the Land Development Code's Site Development or Subdivision process. Essential Wildlife Habitat as defined by the LDC must be addressed, if applicable, in consideration with the overall boundaries of this rezoning request. This statement should be identified as a condition of the rezoning.
- 2. The proposed area of development contains a xeric scrub which is a natural plant community. Please be advised that Section 4.01.06.A.4 of the Hillsborough County Land Development Code require a minimum of 50 percent of the total pervious open space of the proposed development, excluding stormwater ponds, retain this natural plant community vegetation, including understory vegetation. This statement should be identified as a condition of the rezoning.
- 3. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area setbacks. A minimum 30' setback where land alterations are restricted must be maintained around these areas, which shall be designated on all future plan submittals.

- 4. Approval of this petition by Hillsborough County does not constitute a guarantee that Natural Resources approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to trees, natural plant communities or wildlife habitat, and does not grant any implied or vested right to environmental approvals.
- 5. The construction and location of any proposed environmental impacts are not approved by this correspondence, but shall be reviewed by Natural Resources staff through the site and subdivision development plan process pursuant to the Land Development Code.
- 6. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.



General view of scrub area



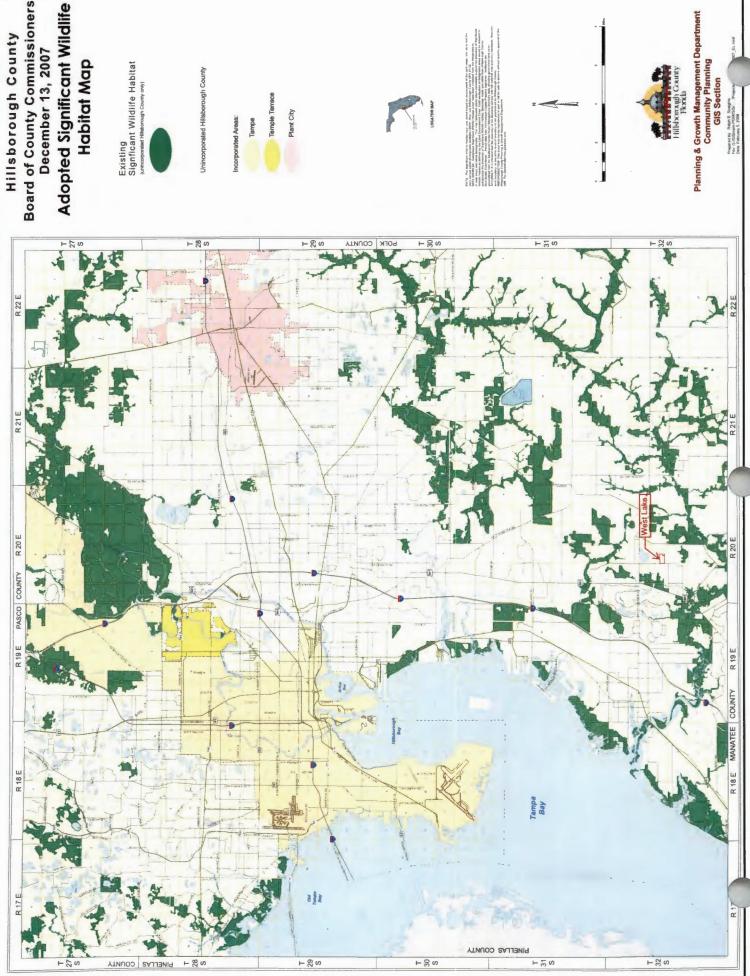
General view of scrub area



General view of scrub



Golden aster



Board of County Commissioners December 13, 2007 Hillsborough County

Existing Signficant Wildlife Habitat

Planning & Growth Management Department

December 6, 2021

Via Electronic Mail

Ms. Erin Gawera U.S. Fish and Wildlife Service 7915 Baymeadows Way, Suite 200 Jacksonville, Florida 32256

RE: Informal Consultation - Request of Concurrence Federally Listed Species Avoidance West Lake Property Hillsborough County, Florida

Dear Ms. Gawera,

On behalf of the Lennar Corporation (Lennar), Applied Bionomics, LLC (ABenv) is submitting the following information to the U.S. Fish and Wildlife Service (USFWS) in request of technical assistance with regard to the West Lake property (±73.5-acre potential residential development site; Property), located in Wimauma Hillsborough County, Florida. Lennar is in the beginning stages of planning for the potential development of the Property for single and multi-family residencies (Attachment A – Preliminary Site Plan) to assist with the housing demand in the region. Therefore, we are initiating an informal consultation with the USFWS by requesting a simple project review and concurrence that the proposed action, as described below, will have a "no effect" or "not like to adversely affect" determination for federally listed wildlife and plant species observed on the Property.

The majority of the upland habitats on the Property were historically cleared and are now improved pasture for agriculture operations (i.e., cattle grazing). The Property also contains lesser amounts of palmetto prairie and xeric native habitats. All of the xeric native habitat (±11.8 acres) onsite occurs in the northeast corner of the Property and continues off-site to the north (Figure 2). The conceptual site plan for the Property provided, as Attachment A, demonstrates that the existing xeric native habitat on the Property will be avoided, to the extent practicable, with most of the proposed development area situated in the improved pasture habitat. In addition, a 50-foot buffer will be maintained around the xeric native habitat onsite to further reduce disturbance from site development.

In January 2021, a listed species survey was conducted on the Property and all potentially suitable habitats were canvased for gopher tortoise (*Gopherus polyphemus*) burrows. During this effort, three potentially occupied gopher tortoise burrows were observed in the xeric native habitat in the northeast corner of the Property (Attachment B – Listed Species Report Letter). Shortly thereafter, a formal Florida Scrub-jay survey was performed throughout all potentially suitable habitats to determine the presences or absence of the species onsite and locate the extent of the occupied habitat on the Property (Attachment C – Florida Scrub Jay Report - West Lake Property). During this species-specific survey, a pair of FSJs (two individuals) were observed on multiple survey days and their occupied territory was delineated based on the observations recorded during the species-specific survey. The extent of the FSJ territory boundary was confirmed to be ±4.73 acres during additional general listed species surveys of the Property and the extent of the xeric native habitat onsite was also defined (Figure 3).



Additionally, one Federally Endangered plant species, Florida goldenaster (*Chrysopsis floridana*), was observed in the xeric native habitat onsite (see Figure 3 and Attachment D – Listed Species and Habitat Photos).

Because all listed species observed on the Property during the above-mentioned surveys occur in the xeric native habitat located in the northeast corner of the Property, Lennar has decided to minimize the potential disturbance to the listed species onsite, and to the extent practicable, by avoiding construction activities in the occupied Florida scrub-jay habitat and the surrounding xeric native habitat in the northeast corner of the of the Property altogether. In addition, an average 50-foot-wide vegetation buffer will be implemented around the xeric native habitat (Figure 3). Therefore, with this correspondence, Lennar is requesting concurrence that the proposed action, as described in this letter, will: 1- have "no effect" or "not like to adversely affect" on the federally protected species and critical habitats onsite, and 2- would like to confirm that no additional permitting or mitigation will be required for known federally protected species occurring on the Property, based on the species information and current conceptual site plan (Attachment A) provided in this correspondence. Please also note that Lennar will submit a separate request to other local governing agencies regarding other potential protected habitats and statelisted and regulated species, including the gopher tortoise and southeastern American kestrel (Falco sparverius paulus).

Thank you for your time and please feel free to contact me (mobile: 813-625-1463) if you have any questions or need any additional information regarding this letter.

Sincerely,

Andrew Fuddy

Senior Ecologist/Principal

Perha Sally

APPLIED BIONOMICS

Mobile: 813.625.1463 Email: <u>Afuddy@ABenv.com</u>

Website: www.ABenv.com

Enc:

Figure 1 – Location Map

Figure 2 – FWC/FNAI Land Use Map

Figure 3 – Species Observation and Avoidance Map

Attachment A - Preliminary Site Plan

Attachment B – Listed Species Report Letter

Attachment C – Florida Scrub Jay Report - West Lake Property

Attachment D – West Lake Property - Listed Species and Habitat Photos

Received January 12, 202.

Figure 1 - Location Map West Lake Property Lennar Homes Hillshorough County Florida

Figure 2 - Land Use Habitat Map
West Lake Property
Lenne omes
Hillshordingh County Florida

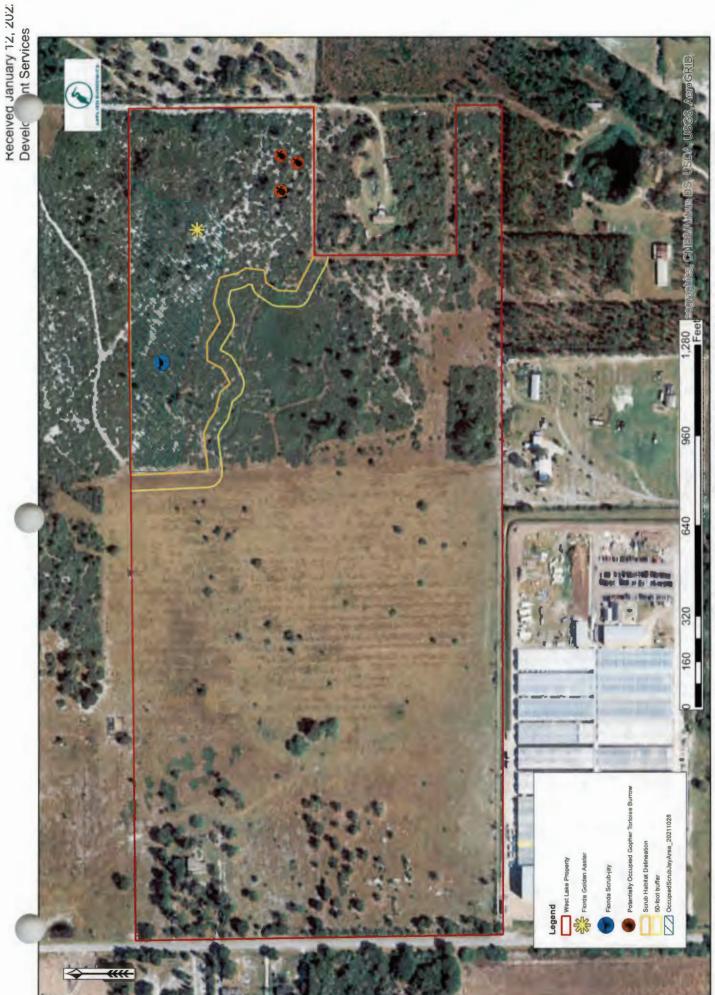
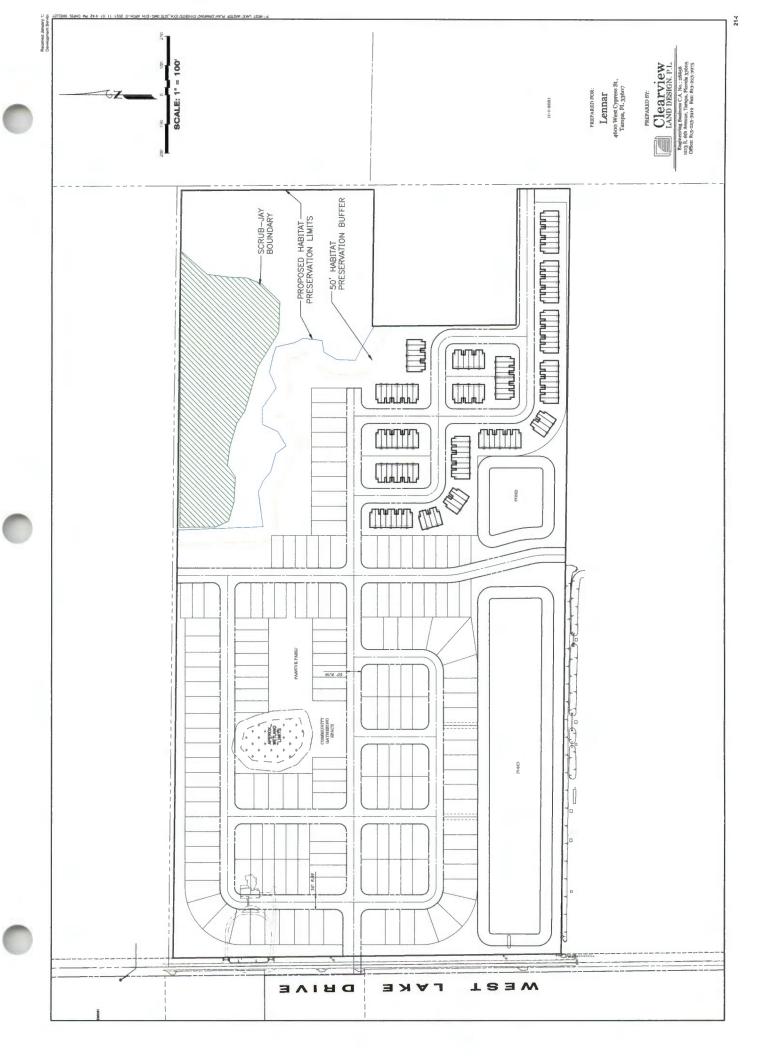


Figure 3 – Species Observation and Avoidance Map West Lake Property Lennar Homes Hillsborough County, Florida

Attachment A – Preliminary Site Plan – West Lake Property



Attachment B – 2021 Listed Species Report Letter – West Lake Property



February 5th, 2021

Tom Mullin Regional Environmental Counsel Lennar Homes 4600 West Cypress Street, Suite 200 Tampa, FL 33607

Re: Westlake Property

Hillsborough County, FL Listed Species Report ECS Project No. 008.319.21

Dear Mr. Mullin:

On January 28th, 2021, a listed species survey was conducted on the above referenced project site. The proposed project site is located immediately east of West Lake Drive, north of Bishop Road, and south of Lake Wimauma in Wimauma, Florida. More specifically, the proposed project site is located in Section 16, Township 32 South and Range 20 East of Hillsborough County, Florida (Figure 1).

The subject property consists of predominately pasture habitat with the eastern side of the property consisting of native scrub habitat. There are two isolated wetland areas located within the pasture habitat.

A survey of the project boundaries was conducted to assess the potential occurrence of flora and fauna listed as threatened or endangered by the United States Fish and Wildlife Service (USFWS), Florida Fish and Wildlife Conservation Commission (FWC), and the Florida Department of Agriculture (FDA). Tables 1 and 2 provide a listing of the species known to occur within Hillsborough County and their expected occurrence of the project site. The findings and conclusions of the survey are reported in this letter.

The survey was conducted by Ecological Consulting Solutions Inc (ECS) for the purpose of evaluating the site for the presence or absence of wetland habitat and protected flora and fauna or their habitat. The survey was conducted by means of pedestrian transects in the early morning to assure the potential of observing listed fauna as recommended by the FWC and the USFWS.

Longwood Office 235 Hunt Club Blvd., Suite 202 Longwood, FL 32779 Phone: (407) 869-9434 Fax: (407) 869-9436 Tampa Office 419 W. Platt St., Suite 103 Tampa, FL 33606 Phone: (813) 254-5959

- The following resources were used for supporting information during the site assessment and letter preparation:
- Color aerial photographs (1" = 300), 2020, Google Earth, Hillsborough County, Florida.
- United States Geological Survey (USGS) 7.5 minute quadrangle map, Hillsborough County, Florida, (ArcGIS).
- Official Lists of Endangered and Potentially Endangered Fauna and Flora in Florida (USFWS and FWC).

Pedestrian and vehicular surveys of the project site were conducted in order to qualitatively document the existing vegetation and to assess the present land use patterns according to the Florida Land Use, Cover and Forms Classification System, Department of Transportation (FLUCFCS; DOT 1999). Six (06) land use types were present (Figure 2). A brief description of each FLUCFCS community is provided below.

110 - Residential, Low Density

There is a single-family residence located in the north west portion of the project site. Vegetation consists of bahia grass (*Paspalum notatum*), broom sedge (*Andropogon virginicus virginicus*), as well as live oak (*Quercus virginianna*).

211 – Improved Pasture

The dominate habitat type located on site, this habitat is found throughout the western portion of the project site. Species observed include bahia grass, broom sedge, blackberry (Rubus fruticosus), dog fennel (Eupatorium capillifolium) and ragweed (Ambrosia artemisiifolia).

2111 - Improved Pasture (Wet)

Found in the northern portion of the pasture habitat, these areas are defined by low lying areas within the pasture. Ground cover consists of soft rush (*Juncus elliottii*), Chalky blue stem (*Andropogon virginicus glaucus*), marsh pennywort (*Hydrocotyle vulgaris*), bahia grass, and blackberry.

320 - Shrub and Brushland

Located in the northeastern and southeastern portion of the project site. This habitat contains predominately saw palmetto (Serenoa repens) with other species such as gallberry (Ilex glabra), sand pine (Pinus clausa), runner oak (Quercus pumila), sand live oak (Quercus geminata), wire grass (Aristida stricta), and bahia grass.

321 - Palmetto Prairie

This habitat is found in the eastern portion of the property. This habitat is dominated by dense saw palmetto with some wire grass, runner oak, and very scattered sand pine.

436 - Upland Scrub, Pine and Hardwoods

Found along the southern boundary this habitat type contained dense saw palmetto with mature longleaf pines (*Pinus ellitottii*) and sand live oak (*Quercus geminata*). Other species observed include runner oak, wiregrass and gallberry.

Listed Species Survey

A survey was conducted using pedestrian transects throughout the site to assess the occurrence, or potential for occurrence, of flora and fauna listed as threatened, endangered, or as species of special concern (SSC) by the Florida Fish and Wildlife Conservation Commission (FWC), United States Fish and Wildlife Service (USFWS), and Florida Department of Agriculture (FDA).

On January 11, 2017, the FWC State listing status changes, originally proposed back in 2010, became official after the approval of Florida's Imperiled Species Management Plan by FWC Commissioners.

- 15 species were removed from Florida's Endangered and Threatened Species List: Eastern chipmunk, Florida mouse, brown pelican, limpkin, snowy egret, white ibis, peninsula ribbon snake (Lower Keys population), red rat snake Lower Keys population), striped mud turtle (Lower Keys population), Suwannee cooter, gopher frog, Pine Barrens tree frog, Lake Eustis pupfish, mangrove rivulus, and Florida tree snail.
- 23 species changed from State-designated Species of Special Concern to State-designated Threatened species: Sherman's short-tailed shrew, Sanibel rice rat, little blue heron, tricolored heron, reddish egret, roseate spoonbill, American oystercatcher, black skimmer, Florida burrowing owl, Marian's marsh wren, Worthington's Marsh wren, Scott's seaside sparrow, Wakulla seaside sparrow, Barbour's map turtle, Florida Keys mole skink, Florida pine snake, Georgia blind salamander, Florida bog frog, bluenose shiner, saltmarsh top minnow, Southern tessellated darter, Santa Fe crayfish, and Black Creek crayfish.
- 14 species keep their State-designated Threatened status: Everglades mink, Big Cypress fox squirrel, Florida sandhill crane, snowy plover, least tern, white-crowned pigeon, Southeastern American kestrel, Florida brown snake (Lower Keys population), Key ringneck snake, short-tailed snake, rim rock crowned snake, Key silverside, blackmouth shiner, and crystal darter.
- Five species listed as State-designated Species of Special Concern: (list species): Homosassa shrew, Sherman's fox squirrel, osprey (Monroe County population), alligator snapping turtle, and harlequin darter.

- On December 23, 2018, the State listing status changes that were proposed in 2011 as part of the newly implemented imperiled species management system became official after the approval of Florida's Imperiled Species Management Plan by FWC Commissioners.
- Four species were removed from Florida's Endangered and Threatened Species List as State Species of Special Concern: Harlequin darter, Osprey (Monroe County population), Homosassa shrew, and Sherman's fox squirrel.
- The Alligator snapping turtle was taxonomically reclassified into three subspecies. The Suwannee alligator snapping turtle was listed as a State-designated Threatened species. Two species were listed as Federally-designated Threatened species: Giant manta ray and Nassau grouper. Four species had changes in their scientific names: Short tailed snake, Bluetail mole skink, Florida Keys mole skink, and sand skink.

Birds

Approximately 35 species (and sub-species) of birds found in Florida are protected by the FWC and/or the USFWS. Overall, about fifteen (15) are expected to occur in central Florida.

For Hillsborough County, the USFWS federally lists four (4) bird species. No listed birds were observed at this site (Table 1).

Florida scrub jays (Aphelocoma c. coerulescens) were not observed on the project site. This species is listed as threatened at the state and federal levels. The property does contain scrub habitat. The survey guidelines outlined in the Ecology & Development-Related Habitat Requirements of the Florida Scrub Jay (April 1991) were reviewed prior to the site visit. No scrub jays were observed or vocalizations heard.

Red-cockaded woodpeckers (*Picoides borealis*) are endangered (USFWS) and endangered (FWC). No red-cockaded woodpeckers were observed and the upland habitat type is not suitable. There were no open pine flatwoods with old-growth pines that characterize RCW nesting and foraging habitat.

Listed wading birds such as limpkin (Aramus guarauna), snowy egret (Egretta thula), tricolored heron (Egretta tricolor) white ibis (Eudocimus albus) and the wood stork (Mycteria americana) were not observed. The onsite wetlands contained no standing water and are considered poor quality habitat for wading birds.

Bald eagles (*Haliaeetus leucocephalus*) or their nests were not observed on the site. Bald eagles are protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. The USFWS has established a 660 foot protection zone around a bald eagle nest.

ECS searched the FWC website to determine if any documented bald eagle nests are within 660 feet of the project site. ECS also contacted Eagle Watch with the Audubon's Society for information concerning any reported bald eagle nests within the vicinity of the project site. There are no known or reported nests within 660 feet of the project site. Therefore, the project site is well outside of the 660 foot eagle nest protection zone and the development will not affect any bald eagle nests.

No other listed raptors such as Arctic peregrine falcons (*Falco peregrinus tundrius*) were observed on or around the site. No birds were observed on or offsite at the time of the survey.

Southeastern American Kestrel

The southeastern American kestrel is listed as threatened by the Florida Fish and Wildlife Conservation Commission (FWC). It is not listed by the U.S. Fish and Wildlife Service. Habitat loss, specifically a lack of suitable nest cavities, is the primary reason for the decline of this species. Lack of fire also has reduced the quality of habitat.

Territory sizes for kestrels range from 50-317 hectares (124-783 acres) depending on habitat quality. Open patches of grass or bare ground are needed since thick palmettos prevent detection of prey.

The southeastern American kestrel is the only subspecies of kestrel that breeds in Florida. They nest primarily in large dead trees in cavities previously excavated or hollowed out by woodpeckers. Breeding season ranges from mid-March to early June. Second nesting attempts occasionally occur, especially in Florida, when the first nest either fails or is completed early in the breeding season. All birds found in the breeding season (April through early September) should be considered as the listed subspecies.

No kestrels were observed while conducting the site assessment which took place on January 28th, 2021. The project site does contain foraging habitat for kestrels, however there are no snags located on site for nesting.

Amphibians and Reptiles

About thirty (30) species of Florida's amphibians and reptiles are protected. For Hillsborough County, the USFWS federally lists six (6) reptile species. Four of these are species of sea turtles, which do not apply to this site. Only a few amphibians or reptiles could occur on this site.

The sand skink (*Neoseps reynoldsi*) is listed as threatened by both FWS and FWC. The property is not within the mapped sand skink consultation area. In addition, the property's habitat does not support sand skinks.

Gopher Tortoise

A 100% survey was conducted throughout the property for gopher tortoises (*Gopherus polyphemus*), a species listed by the FWC as a Threatened. Three (03) gopher tortoise burrows were observed throughout the property.

Currently, there are four suitable options to conduct activities that may adversely impact tortoises. The options are to:

- 1. Avoid developing the area occupied by the tortoises.
- 2. Avoid individual burrow entrances to ensure the protection of the entire burrow, usually a distance of 50 feet.



- 3 Capture and relocate the tortoises to a separate onsite location.
- 4. Capture and relocate the tortoises to an offsite FWC-approved recipient site.

Tortoises may be relocated to an on-site preserve at a density of up to four tortoises per acre of suitable upland habitat. Onsite recipient sites must be suitable set-aside areas that are not disturbed by construction activities, that provide a safe environment, and that exclude (through temporary fencing or other means) tortoises from development areas until such development activities have been completed.

Gopher tortoises need access to the following: 1) sufficient areas of forage (herbaceous and low-growing plants including native broadleaf grasses, legumes [bean/pea family], asters, blackberries and other fruits, prickly pear cactus, and a variety of other non-native grasses, except cogon grass; 2) open sandy, well-drained, open (uncanopied), sunny sites for burrows and basking; 3) protection from dogs, cats, other exotic predators, human harassment, and busy roads. Such general conditions must remain after development, outside the built footprint on the site.

Small sites typically have gopher tortoises that normally "roam" between adjoining neighboring parcels to forage or burrow, so this should be considered as well. The herbaceous vegetation must be maintained (mowing, burning, etc.), and pesticides/herbicides should not be used in the recipient area.

A permanent FWC-approved easement must also be placed over the onsite recipient area to be maintained in perpetuity.

If the project site does not have a dedicated onsite preserve for tortoises, then offsite relocation will be necessary. In this event, tortoises can be relocated by biologists to an FWC approved recipient site. ECS biologists are authorized by the FWC to relocate gopher tortoises by various means including backhoe extraction. ECS also manages five (5) gopher tortoise recipient sites which are long-term protected sites.

The tasks associated with conducting an offsite relocation of tortoises would include reserving as yet to be determined number of acres at the recipient site, submitting an application to the FWC for the relocation, removing the tortoises from the donor site to the recipient site and reporting the results of the relocation to the FWC.

It typically takes 14 to 30 days to obtain the permit to relocate the onsite gopher tortoise population to an approved recipient site. Once the relocation permit is received, ECS can complete the relocation using either the backhoe or bucket trapping extraction methods.

Several commensal species associated with gopher tortoise burrows, including the gopher frog (Rana areolata aesopus) and eastern indigo snake (Drymarchon corais couperi) also receive protection, but were not observed.

Eastern Indigo Snake

Concerning the eastern indigo snake, ECS conducted survey transects to identify potential aboveground and underground refugia, which eastern indigo snakes may inhabit.

Underground refugia includes active or inactive gopher tortoise burrows, mammal burrows, hollows at the base of trees and other similar formations. Above ground refugia includes thick shrub formations, stumps, the base of thick palmetto, ground litter, brush piles, trash piles, and abandoned structures, and crevices of rock-lined ditch walls and other similar refugia.

Surveys for eastern indigo snakes are recommended by the USFWS during the time of October 01st through April 30th. There were little suitable refugia for the eastern indigo snake onsite. No eastern indigo snakes were observed.

The USFWS has established new programmatic effect determination key (Key) as part of the eastern indigo snake management. The Key allows the USFWS to require mitigation for eastern indigo snake habitat if 25 or more acres of suitable habitat will be impacted for development.

The USFWS has established a fund that a developer can pay into for mitigation.

A developer can pay up front and then no surveys for the eastern indigo snakes are required. The survey is a minimum 5-day survey. To save time and monies associated with the surveys, the developer can pay a fee and expedite the permitting process.

To determine if the site has eastern indigo snake habitat will be up to the USFWS reviewer assigned to the project.

The Key only applies if a project has Army Corps of Engineers jurisdictional wetlands. It was designed to speed up the permitting process for indigo snakes when there are Army Corps of Engineers jurisdictional wetlands onsite. The idea is a developer pays into the fund and gets a permit quickly.

If a project site does not have Army Corps of Engineers jurisdictional wetlands, then the programmatic key cannot be used. Under this circumstance, formal consultation with the USFWS would have to be conducted which can take up to 6 months to obtain a permit to impact eastern indigo snake habitat.

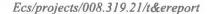
The USFWS requires the developer to notify the local field office via email at least 30 days prior to any clearing/land alteration activities.

The notification has to include an eastern indigo snake protection/education plan. This notification can occur via email with the protection/education plan attached.

As long as the signatory of the e-mail certifies compliance with the protection/education plan (including use of the USFWS informational poster and brochure), no further written confirmation or "approval" from the USFWS is needed and the applicant may move forward with the project.

Mammals

Thirty-three (33) mammals are currently protected in Florida. For Hillsborough County, the USFWS federally lists one (1) mammal species, the West Indian Manatee. About four State-listed mammals could occur in the region of this project site. None were observed on this site.



We focused our search on the Florida mouse (*Podomys floridanus*) and their possible den or nest sites. The presence of gopher tortoise burrows increases the likelihood for the Florida mouse. Listed mammals or their potential den sites were not observed.

Listed Plants

There were no protected plant species found on the project site (Table 2). Protected plants are not expected to occur on the project sites since the area has been previously cleared and graded. Currently, there are no technical reports available by the state or federal agencies mentioned in this letter report for the survey of the nearly 400 protected plant species. None of the agencies require relocation or mitigation for protected plant species.

The Department of Agriculture and Consumer Services (DACS) designates and regulates plants listed as "endangered", "commercially exploited" and "threatened". There is no statutory prohibition against a landowner from harvesting an endangered or threatened plant from his property.

However, it is unlawful for an individual to harvest an endangered or threatened species from the private land of another or any public land without first obtaining written permission of that landowner and a permit from DACS. Additionally, harvesting three or more commercially exploited plants from the private land of another or any public land will also require a DACS permit.

Wetlands

Two wetlands were delineated in the improved pasture habitat. Both wetlands are isolated and are considered low quality. Hydric or wetland soils were used to identify the limits of both wetlands.

The flagged wetland lines will have to be reviewed by three agencies. They are the Southwest Florida Water Management District (SWFWMD), Hillsborough County Environmental Protection Commission (EPC) and the Florida Department of Environmental Protection (DEP).

The Southwest Florida Water Management District (SWFWMD) has not issued any permits for the property nor are there any applications pending. A 25 foot upland buffer is required should no impacts be proposed.

Hillsborough County Environmental Protection Commission (EPC) will also review the flagged wetland lines. EPC staff requires a 30 foot upland buffer around any non-impacted wetlands.

The Florida Department of Environmental Protection (DEP) will have federal jurisdiction over the property. Since the onsite wetlands are isolated, a No Permit Required Determination will be requested from DEP.

Any proposed wetland impacts will require a permit from the SWFWMD and EPC. Permitting from the DEP will not be required since the onsite wetlands are isolated and are therefore not Waters of the United States (WOTUS).

Summary

In summary, one listed species the gopher tortoise was observed onsite. A permit to relocate the onsite gopher tortoise population can be obtained in 30 days. The permit will be valid for one year. The relocation can be completed in one day.

Although ECS did not observe Florida scrub jays, the birds were reported on the west side of the property in 2006. Based on this information, a 5-day Florida scrub jay survey, as recommended by the USFWS, should be conducted on the west side of the property. The survey will conclusively determine if Florida scrub jays utilize the subject site for foraging and / or nesting.

Prior to any land clearing or construction activities, the USFWS must be provided with an eastern indigo snake protection/education plan. The USFWS must approve the protection/education plan prior to construction.

There are two wetlands present on site. The wetlands limits will need to be verified by the appropriate agencies.

Ecological Consulting Solutions Inc. appreciates the opportunity to provide you with our services. Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

ECOLOGICAL CONSULTING SOLUTIONS INC

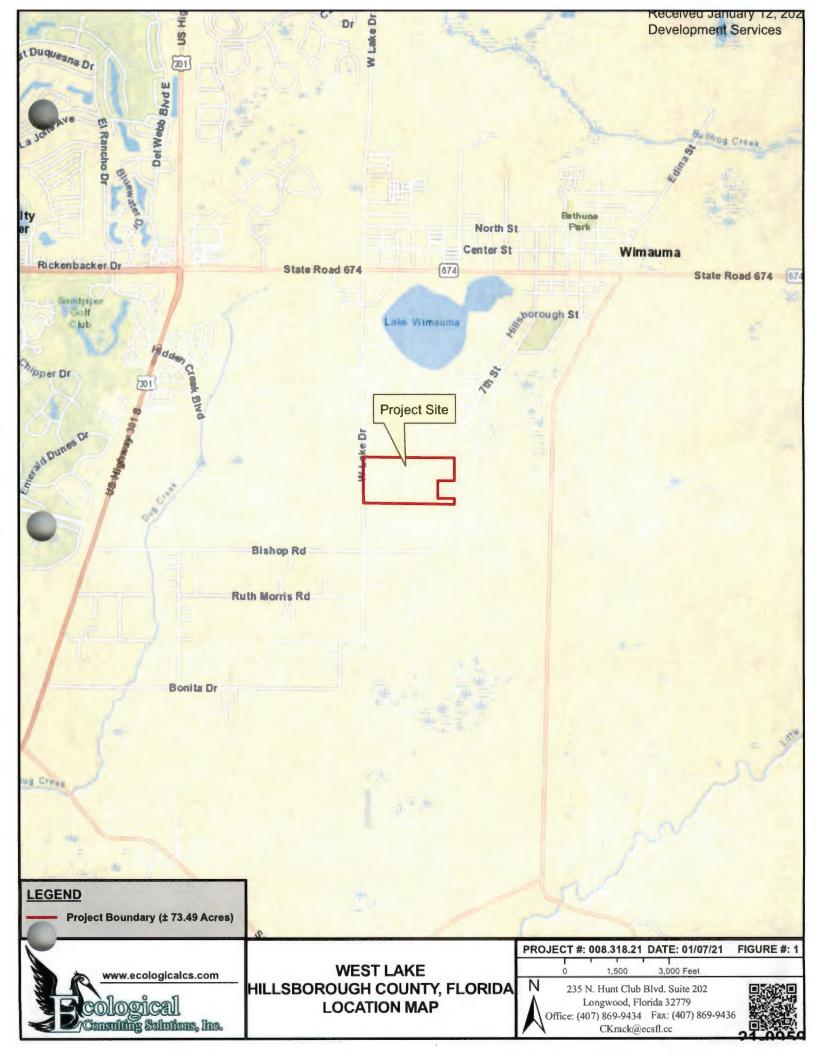
Chris Krack

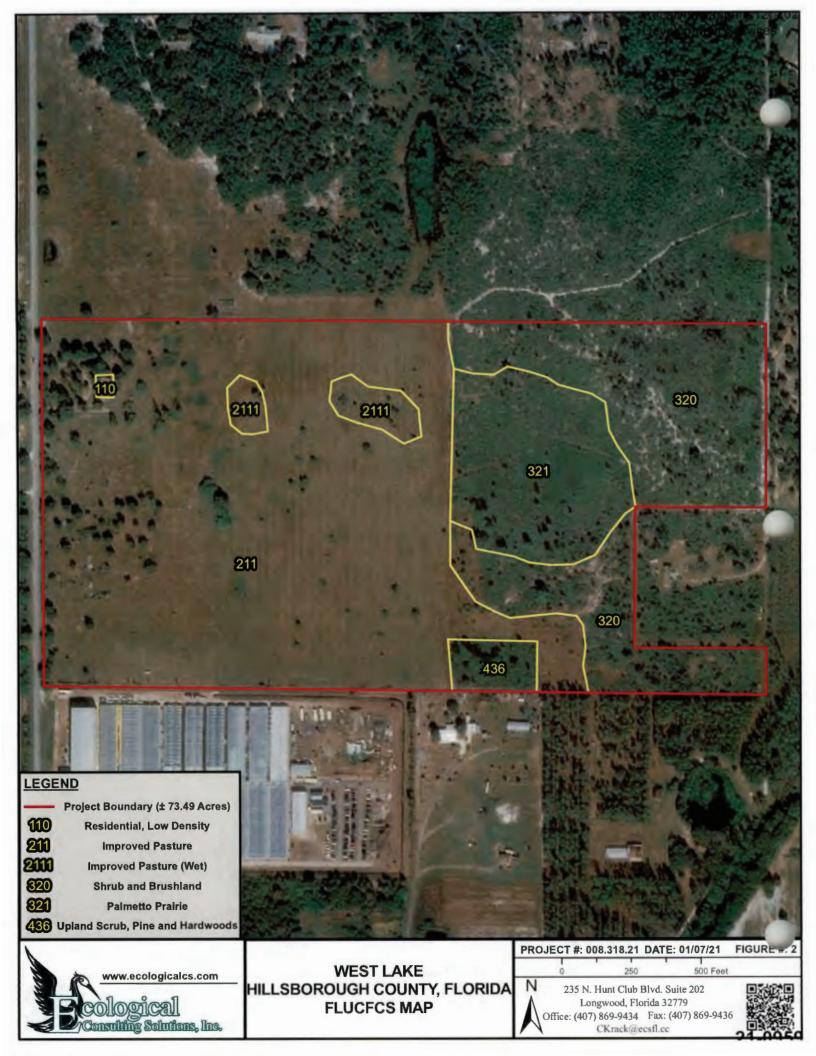
Attachments



Pasture habitat on site.











TABLES



PROTECTED FAUNA FOUND IN HILLSBOROUGH COUNTY, FLORIDA AND THEIR EXPECTED OCCURRENCE ON THE WESTLAKE PROPERTY. TABLE 1:

SPECIES	FWC STATUS (1)	USFWS STATUS (2)	PREFERRED HABITAT (3)	PROBABILITY OF OCCURRENCE (4)
REPTILES				
Drymarchon corais couperi Eastern indigo snake	T	T	Dry habitats bordered by water; often occupy G. polyphemus burrows	Low: little habitat available, three gopher tortoise burrows present
Gopherus polyphemus Gopher tortoise	SSC	1	Well drained soil; xeric pine-oak hammocks and scrub; pine flatwoods	High: habitat available, three burrows observed
Neoseps reynoldsii Sand Skink	T	Т	Well drained sandy soil, open areas, sand pinerosemary scrub	Low: habitat not available, none sighted, outside known range
<u>Pituophis melanoleucus mugitus</u> Florida pine snake	SSC	1	Dry, sandy barrens in xeric oak and pine- wooded sandhills	Low: habitat not available, none observed
Stilosoma extenuatum Short-tailed snake	T	1	Sandy upland ridges; xeric oak pine woods; xeric oak hammocks	Low: habitat not present, none sighted
AMPHIBIANS				
Rana areolata aesopus Florida gopher frog	SSC	1	Dry, xeric habitats with wetlands such as isolated permanent ponds and cypress domes	Low: habitat limited; gopher tortoise burrows observed
BIRDS				
Aphelocoma coerulescens Florida scrub jay	T	L	Level, sterile, white sand with low, xeric oak scrub	Medium: suitable scrub available on site, none sighted
Aramus guarauna Limpkin	SSC	_	Densely vegetated swamps, lakeshores and slow streams	Low: no flow-way present, none sighted
Egretta caerulea Little blue heron	SSC	-	Lake littorus; shallow ponds and marshes	Low: no open water available, no birds sighted
Egretta thula Snowy egret	SSC	1	Lake littorus; shallow ponds and marshes	Low: no open water available, no birds sighted

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PROTECTED FAUNA FOUND IN HILLSBOROUGH COUNTY, FLORIDA AND THEIR EXPECTED OCCURRENCE ON THE WESTLAKE PROPERTY. TABLE 1:

SPECIES	FWC STATUS (1)	USFWS STATUS (2)	PREFERRED HABITAT (3)	PROBABILITY OF OCCURRENCE (4)
BIRDS (cont)				
Egretta tricolor Tricolored heron	SSC	I	Lake littorus; shallow ponds and marshes	Low no habitat available, none sighted
Eudocimus albus White ibis	SSC	ı	Beaches, mudflats, wet fields and prairies, forested wetlands and marshes	Low: habitat not available, none sighted
Falco peregrinus tundrius Peregrine falcon	П	I	Coastal beaches, prairies, and marshes	Low: no habitat available, none sighted.
Falco sparverius paulus Southeastern American kestrel	T	1	Forest edges, and clearings; nests in mature pines	Low: no habitat available, none sighted
Grus canadensis pratensis Florida sandhill crane	T	1	Marshes, wet prairies, pastures, and open herbaceous rangeland	Medium: habitat available, birds not sighted
Haliaeetus leucocephalus Bald eagle	T	L	Open (<60% canopy cover), mature pine forests < 2 km from expansive open waters	Low: habitat not available, no nests or birds sighted
Mycteria americana Wood stork	ਬ	田	Nests is cypress swamps; forage sites range from shallow marshes to roadway borrow pits	Low: habitat not available, birds not sighted
Picoides borealis Red-cockaded Woodpecker	Э	日	Old-growth pine flatwoods with regular fire occurrence are required for nesting	Low: habitat not available, none sighted
MAMMALS				
Podomys floridanus Florida mouse	SSC	ı	Sand pine scrub; xeric oak-pine flatwoods; often associated with <i>G. polyphemus</i> burrows	Medium: habitat / gopher tortoise burrows present, none sighted
Sciurus niger niger Southern fox squirrel	t	1	Mature flatwoods of sandhills; occasional in tall cypress-bay forests	Low: habitat not available, none sighted
Ursus americanus floridanus Florida black bear	Т	1	Nearly-impenetrable wooded thickets and swamps	Low: habitat not available, none sighted

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Footnotes to Table 1

- FWC Florida Fish and Wildlife Conservation Commission, formerly the Florida Game and Fresh Water Fish Commission; Official Lists of Florida's Endangered Species, Threatened Species and Species of Special Concern, published August 1997.
- USFWS United States Fish and Wildlife Service; List obtained from FWC's Florida's Endangered Species, Threatened Species and Species of Special Concern, published August 1997. 2

with enough substantial information on biological vulnerability and threats to support proposals for listing) and C2 (candidate for (E-endangered, T-threatened, SSC-species of special concern, CE-commercially exploited). C1 (candidate for federal listing, listing, with some evidence of vulnerability, but for which not enough data exists to support listing) are no longer official

Habitats described by: 3

Conant, R. 1975 A Field Guide to Reptiles and Amphibians of Eastern/Central North America (2nd ed.). Houghton Mifflin Co. Ashton, R.E. and P.S. Ashton. 1985 Handbook of Reptiles and Amphibians of Florida (3 vols.). Windward Publ. Inc. Miami. Boston 430 pp.

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Peterson, R.T. 1980. A Field Guide to the Birds of East of the Rockies (4th ed.). Houghton Mifflin Co. Boston. 384 pp. McLane, W.M. 1985. The Fishes of the St. Johns River, Florida. Ph.D. diss. University of Florida, Gainesville. 361 pp.

Likelihood of occurrence: Low, Moderate or High, based on the best available data and selective field observations. 4

PROTECTED FLORA FOUND IN HILLSBOROUGH COUNTY, FLORIDA AND THEIR EXPECTED OCCURRENCE ON THE WESTLAKE PROPERTY. TABLE 2:

SPECIES	FDA STATUS (1)	USFWS STATUS (2)	PREFERRED HABITAT (3)	PROBABILITY OF OCCURRENCE (4)
Calopogon barbatus Bearded grass pink	Т	-	Damp pinelands	Low: habitat not available, none found
Calopogon multiflorus Many-flowed grass pink	E	1	Open, damp, occasionally recently burned pinelands and meadows	Low: habitat not available, none found
Deerinfothamnus rugelii Rugel's pawpaw	丑	E	Mesic flatwoods	Low: habitat not available, none found
Encyclia tampensis Butterfly orchid	CE		Cypress swamps, hardwood swamps and hammocks	Low: habitat not available, none found
Epidendrum conopseum Greenfly orchid	CE	-	Cypress swamps, hardwood swamps and hammocks	Low: habitat not available, none found
Hartwrightia floridiana Florida Hartwrightia	Т	-	Wet, open areas, moist grasslands, and sphagnum bogs	Low: habitat not available, none found
<u>Lilium catesbaei</u> Southern red lily	Г	I	Mesic flatwoods, wet prairies, usually in graminoid systems	Low: habitat not available, none found
Listera australis Southern tway blade	Т	-	Hammocks, low moist woods in deep humus, ravines, shady stream banks, sphagnum	Low: habitat not available, none found
Nemastylis floridana Fall-flowering ixia	Ε	_	Marshes; grassy openings of wet hammocks moist flatwoods	Low: no habitat available, none found
Platanthera blephariglottis Large white fringed orchid	Т	1	Inhabits sphagnum bogs, meadows, damp fields and woods	Low: habitat not available, none found
Platanthera cristata Golden fringed orchid	Т	1	Low moist meadows and damp pine woods	Low: habitat not available, none found
Platanthera flava Southern tubercled orchid	Н	1	Very wet habitats such as swamps, bogs and wet forests with thick, black mud	Low: habitat not available, none found

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PROTECTED FLORA FOUND IN HILLSBOROUGH COUNTY, FLORIDA AND THEIR EXPECTED OCCURRENCE ON THE WESTLAKE PROPERTY. TABLE 2:

SPECIES	FDA	USFWS	PREFERRED HABITAT	PROBABILITY OF OCCURRENCE
	(1)	(2)	(6)	(4)
Platanthera integra Southern yellow fringeless orchid	Э		Marshes and wet pine flatwoods	Low: no habitat available, none found
Platanthera nivea Snowy orchid	Т	_	Open bogs and sunny, wet meadows	Low: habitat not available, none found
Pogonia ophioglossoides Rose pogonia	T	1	Open, wet meadows and sphagnum bogs, poorly drained roadside ditches	Low: habitat not available, none found
Polygala lewtonii Scrub (Lewton's) milkwort	Ħ	Ħ	Dry oak woodlands and scrub	Low: habitat not available, none found.
Rhapidophyluum hystrix Needle palm	CE	_	Wet to mesic woods and hammocks; spring fed stream bottoms	Low: habitat not available, none found
Spiranthes brevilabris floridana Florida Ladies' tresses	Ħ	1	Open meadows and damp pinelands, road shoulders, ditches	Low: habitat not available, none found
Spiranthes laciniata Lace-tip ladies' tresses	T	1	Marshes and cypress swamps; road banks and ditches	Low: habitat not available, none found
Spiranthes longilabris Long-tip ladies' tresses	T	ı	Marshes and wet prairies	Low: habitat not available, none found
Stenorrhynchos lanceolatus var. lanceolatus Leafless beaked orchid	Τ	1	Vacant lots, open pastures, pine flatwoods and mowed roadsides	Low: habitat available, none found
Tillandsia fasciculata Common wild pine	Ξ	1	Cypress swamps and hammocks	Low: habitat not available, none found
<u>Tillandsia utriculata</u> Giant wild pine	H	-	Hammocks and cypress swamps	Low: habitat not available, none found
Zephyranthes simpsonii Simpson zephyr lily	L	1	Dome swamps, wet flatwoods, ditches, wet pastures, often burned-over areas	Low: habitat not available, none found

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- Natural Inventory; Matrix of habitats and distribution by county of rare/endangered fauna and flora in Florida, published April FDA - Florida Department of Agriculture and Consumer Services; List obtained from FWC's Florida's Endangered Species, Threatened Species and Species of Special Concern, published August 1997. Supporting information from FNAI - Florida
- USFWS United States Fish and Wildlife Service; List obtained from FWC's Florida's Endangered Species, Threatened Species and Species of Special Concern, published August 1997. α

with enough substantial information on biological vulnerability and threats to support for listing) and C2 (candidate for listing E-endangered, T-threatened, SSC- species of special concern, CE-commercially exploited.] C1 (candidate for federal listing, with some evidence of vulnerability, but for which not enough data exist to support listing) are no longer official categories.

3 Habitats described by:

FNAI - Florida Natural Inventory; Matrix of Habitats and Distribution by County of Rare/Endangered Species in Florida, Bell, C.R. and B.J. Taylor. 1982. Florida Wild Flowers and Roadside Plants. Laurel Hill Press, Chapel Hill, NC 308pp.

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Godfrey, R.K. 1988. Trees, Shrubs, and Woody Vines of Northern Florida, and Adjacent Georgia and Alabama. University Georgia Press. Athens, GA 734 pp.

Ward, D.B. (publ. date not listed). Volume Five,. Plants, in P.C.H. Pritchard (ed.), Rare and Endangered Biota of Florida. University Presses of Florida, Gainesville. 175 pp.

Wunderlin, R.P. 1982. Guide to Vascular Plants of Florida. University Presses of Florida, Gainesville, FL. 472 pp.

Likelihood of occurrence: Low, Moderate, or High, based on the best available data and selective field observations. 4

Attachment C – Florida Scrub Jay Report - West Lake Property

FLORIDA SCRUB JAY REPORT

WESTLAKE PROPERTY WIMAUMA, HILLSBOROUGH COUNTY

Prepared for:

LENNAR HOMES

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March 2021

TABLE OF CONTENTS

1.0	INT	RODUCTION	3
	1.1	Florida Scrub Jay	3
	1.2	Historic Data of Hillsborough County	3
2.0	USF	WS METHODOLOGY	4
	2.1	Project Site Conditions	4
	2.2	Project Survey Design	5
3.0	RES	ULTS	7
	3.1	Observations Regarding Relevant Habitat Conditions	7
4.0	SUM	IMARY	8

LIST OF FIGURES

Figure 1: Site Location Map

Figure 2: Westlake Property USGS Topographic Map

Figure 3: Westlake Property SCS Soils Map

Figure 4: Westlake Property FLUCFCS Map

Figure 5: Westlake Property Scrub-Jay Playback Stations Map

Figure 6: Westlake Property Scrub Jay Area of Occupation

APPENDIX

Appendix A: Photographs of Westlake Property Habitats

and Scrub Jays Playback Stations

Appendix B: USFWS Appendix D, Mitigation Cost Calculation

WESTLAKE PROPERTY HILLSBOROUGH COUNTY, FLORIDA

FLORIDA SCRUB-JAY REPORT

1.0 INTRODUCTION

A Florida scrub-jay survey was conducted on the Westlake property of the \pm 73.49 acre Westlake property. The property is located east of West Lake Drive, north of Bishop Road, and south of Lake Wimauma in Wimauma, Florida. More specifically, the proposed project site is located in Section 16, Township 32 South and Range 20 East of Hillsborough County, Florida (Figure 1).

A site-specific survey of the Westlake project site was conducted to assess the potential occurrence and relative risk of taking of the Florida scrub-jay (*Aphelocoma coerulescens*), a species listed as Threatened by both the Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (USFWS).

Survey design, methodology and results are presented within this report and are detailed below.

1.1 FLORIDA SCRUB-JAY

The Florida scrub-jay prefers well-drained scrub communities where one or more species of scrub oaks (*Quercus spp.*) are present. Optimal habitat consists of fire-dominated xeric oak scrub, open sand pine scrub, open scrubby flatwoods with slash pines and rosemary scrub of the interior and Atlantic coast sand ridges (Fitzpatrick et al., 1991). Open sandy patches are necessary for burying acorns which allows the Florida scrub-jay to recover and forage acorns during every month of the year.

Habitat elimination, fragmentation, degradation and fire suppression are the primary threats to survival of this species and have resulted in an overall population decline. In recent years, Florida scrub-jays have been observed utilizing suboptimal or atypical habitat types such as abandoned citrus groves, overgrown fence rows in pasture areas, low-shrubby areas surrounding herbaceous wetlands and residential developments within historic scrub habitats.

1.2 HISTORIC DATA OF HILLSBOROUGH COUNTY

The distribution and status of the Florida scrub-jay state-wide was determined during 1992 and 1993 (Fitzpatrick et al, 1994). This survey was funded by the USFWS and determined that the overall population was divided into five subregions, corresponding to the major sand deposits located within Florida.

Hillsborough County lies within the Southern Gulf Subregion

Along the Gulf coast from Levy County south to Lee County, scrub-jays historically occurred in a contiguous fourth major population: the Gulf Coast Subregion. Today, however, this population is divided into two subregions: the Northern Gulf Coast Subregion and the Southern Gulf Coast Subregion, because of the extensive amount of habitat fragmentation and loss that has occurred in Pinellas, Hillsborough, Pasco, and Hernando counties (Fitzpatrick et al. 1994b).

2.0 USFWS METHODOLOGY

ECS biologists conducted a 5-day consecutive survey on March 8th, 9th, 10th, 11th, and 12th, 2021. Survey methodology was determined in accordance with the prescribed guidelines established by the USFWS which were adapted from the "Ecology and development-related habitat requirements of the Florida scrub-jay, Florida Game and Freshwater Fish Commission, Nongame Wildlife Program Technical Report No. 8".

A high-quality digital recording of Florida scrub-jay territorial scolding and female "hiccup" call is recommended to attract the birds. A distance of 100 to 200 meters between transects and playback stations should be established. Surveys should be conducted on calm, clear days with little to no breeze (5 to 8 mph) and before midday heat. Surveys may be conducted between March 1st through October 31st with ideal survey periods of 1) spring (especially March), 2) fall (September and October) and 3) midsummer (July).

The above-mentioned guidelines were employed during the surveys conducted on the Westlake project site.

A United States Geological Survey (USGS) topographic map (Figure 2), a United States Department of Agriculture Soil Conservation Service soils map (Figure 3) and a USGS aerial photograph (Figure 4) were used to identify suitable Florida scrub-jay habitat and to assist in mapping the playback locations.

2.1 Project Site Conditions

The vegetative conditions of the project site consist of Six (6) habitat types, with two; the shrub and brushland and palmetto prairie habitat types, being suitable for the Florida scrub jay.

Review of aerial photography and examination of existing site conditions revealed the two potential Florida scrub-jay habitat types within the project boundaries. These habitats were assessed according to the *Florida Land Use, Cover and Forms Classification System, Department of Transportation* (FLUCFCS; DOT 1999). A brief description of the six (6) FLUCFCS communities is provided below.

110 - Residential, Low Density

There is a single-family residence located in the north west portion of the project site. Vegetation consists of bahia grass (Paspalum notatum), broom sedge (Andropogon virginicus virginicus), as well as live oak (Quercus virginianna).

211 - Improved Pasture

The dominate habitat type located on site, this habitat is found throughout the western portion of the project site. Species observed include bahia grass, broom sedge, blackberry (Rubus fruticosus), dog fennel (Eupatorium capillifolium) and ragweed (Ambrosia artemisiifolia).

2111 - Improved Pasture (Wet)

Found in the northern portion of the pasture habitat, these areas are defined by low lying areas within the pasture. Ground cover consists of soft rush (Juncus elliottii), Chalky blue stem (Andropogon virginicus glaucus), marsh pennywort (Hydrocotyle vulgaris), bahia grass, and blackberry.

320 - Shrub and Brushland

Located in the northeastern and southeastern portion of the project site. This habitat contains predominately saw palmetto (Serenoa repens) with other species such as gallberry (Ilex glabra), sand pine (Pinus clausa), runner oak (Quercus pumila), sand live oak (Quercus geminata), wire grass (Aristida stricta), and bahia grass.

321 - Palmetto Prairie

This habitat is found in the eastern portion of the property. This habitat is dominated by dense saw palmetto with some wire grass, runner oak, and very scattered sand pine.

436 – Upland Scrub, Pine and Hardwoods

Found along the southern boundary this habitat type contained dense saw palmetto with mature longleaf pines (Pinus ellitottii) and sand live oak (Quercus geminata). Other species observed include runner oak, wiregrass and gallberry.

2.2 Project Survey Design

During the Florida scrub-jay surveys, pedestrian transects were used to systematically survey the site. More specifically, pedestrian transects, running north \ south, as well as east \ west, were used in the shrub and brushland, palmetto prairie and upland scrub, pine and hardwood habitats. Playback stations

were established an average of every 100 meters.

Digital recordings utilizing a hand-held media players, played at full volume, of scrub-jay "scolding" calls, including the female "hiccup" calls, were utilized at each station for at least five minutes in each direction. The vocalization recording was obtained from the Macaulay Library at the Cornell Lab of Ornithology. Surveys were conducted during the early morning hours as prescribed by the USFWS guidelines, with the weather being acceptable on each survey date. Conditions on each day were moderate to clear with no precipitation and either calm to slight breezes during the survey times.

During the cursory pedestrian surveys, the tape recordings were played extensively along each boundary of the entire survey site, including, but not limited to, all applicable Florida scrub-jay habitats, as well as the interior of the main habitat type in the center of the project boundaries. During these surveys, teams of two to three biologists were present at each playback station as the cursory pedestrian surveys were being conducted, in order to maximize the potential for Florida scrub-jay identification. These surveys were also conducted utilizing field glasses to minimize the chances of misidentifying possible Florida scrub-jays.

Suitable habitats, including both typical and atypical, were identified and mapped prior to commencement of the intensive 5-day consecutive survey during listed species surveys that were conducted on the project site in early January, 2021. It was during this period that the initial cursory surveys were conducted for the Florida scrub-jay utilizing the tape recorded vocalizations throughout the site.

Additional reference material, including topographic maps and aerial photographs, were used to supplement visual observations noted during the constraints analysis of the project site in order to determine the placement of playback stations.

Due to strong territoriality of Florida scrub-jays, playback stations were setup in such a way as to maximize the possibility of playback "overlap", in that the tape recordings would most likely be heard in more than one scrub-jay group's territory. Approximately nineteen (19) playback stations were established throughout the project site (Figure 5). Each playback station was marked with surveyor's tape for easy location.

Playback stations were established on the eastern portion of the property, as this contained the most suitable habitat. Due to the existence of suitable habitat adjacent to the north of the subject site, ECS biologists dedicated extra time at each of the northern boundary playback stations with an emphasis on playbacks directed to the north in order to establish whether or not scrub jays utilized the subject site by flying in from the above referenced adjacent property.

Special attention was given to careful observations of these areas using field glasses to note any bird species attracted to the taped calls. During each of the days of the survey, between two scrub jays were noted on this area of the site, whose territory appeared to encompass both the project site and the neighboring site to the north.

3.0 SURVEY RESULTS

The results of the Florida scrub-jay surveys produced multiple sightings and responses at all of the playback stations. The results are detailed in the following table:

Information Data Sheet - March 8th - 12th, 2021

Survey Dates	March 8	March 9	March 10	March 11	March 12
Survey Times	8:00 – 10:27 am	7:30 – 10:02 am	7:30 – 9:58 am	7:00 – 9:37 am	7:00 – 9:41 am
Survey Weather Conditions	73 degrees 3 mph breeze from sw, clear, 0 precip.	78 degrees 4 mph breeze from ssw, partly cloudy, 0 precip.	80 degrees, 3 mph breeze from nw, 0 precip.	83 degrees, 4 mph breeze from ssw, clear, 0 precip.	83 degrees, 3 mph breeze from ssw, mostly clear, 0 precip.
Survey 0 scrub- jays identified		0 scrub- jays identified	2 scrub- jays identified	2 scrub-jays identified	2 scrub-jays identified

Thorough surveys resulted in sightings of Florida scrub-jays on the eastern portion of the project site. Digital recordings of scrub-jay "scolding" calls attracted various varieties of curious bird life including northern mocking birds (*Mimus polyglottos*), cardinals (*Cardinalis cardinalis*) and blue jays (*Cyanocitta cristata*).

During these encounters, extra time and care was taken in order to properly observe any bird life moving throughout the lower branches of nearby shrub and brushland as well as palmetto prairie so as to positively identify that species of bird. Two scrub-jays were identified on the east side of the property with additional observations offsite, to the north of the northern property boundary (Figure 6).

3.1 Observations Regarding Relevant Habitat Conditions

The project site currently exhibits some features and characteristics regarding suitable Florida scrub-jay foraging and nesting habitats, including the shrub and brushland, which demonstrate habitats in flux due to pressures from surrounding residential and roadway developments.

Important to note was the evidence of fire suppression in habitats which are historically subjected to periodic natural fire occurrence is highlighted by the heavy understory of saw palmetto and invasive and nuisance species. There is evidence of fire suppression due to heavy development of this region.

Without the seasonal fire occurrence that is typical for these habitat communities, this historical scrub jay habitat becomes suboptimal as evidenced here. Despite this, there are still open sandy patches of ground which supports scrub jays on the eastern portion of the property.

Excess detritus, or leaf litter, exists within much of the habitat area, and is also the result of fire suppression. Encroachment by human activity has direct affect on the isolation of the subject site.

The southern adjacent property is a mixture of development and planted pine with single family residences along the east property boundary. West Lake Drive forms the west property boundary with single family residences on the west side of West Lake Drive. ECS biologists focused on the possibility of scrub jay utilization of the subject site as a "thoroughfare" for jays, with the usage of the site for temporary foraging, or as part of a search for new territory. However, based on daily observations, it is the opinion of ECS that the two scrub jays are from a resident population whose territory extends offsite to the north.

The eastern portion of the project site contains the most suitable habitat.

4.0 SUMMARY

In summary, the Florida scrub-jay survey was conducted over a five (5) day period from March 8th, to March 12th, 2021.

Survey design followed the prescribed USFWS guidelines using digital recordings of scrub-jay "scolding" calls at nineteen (19) playback stations within the project boundaries in the habitat types mostly likely utilized for scrub-jay foraging and nesting. Each playback station was permanently marked.

One area of the project site contained scrub jays. Approximately two scrub jays were observed on the east side of the property. These birds were confined to the shrub and brushland habitat. Efforts to lure the scrub jays into the palmetto prairie community were unsuccessful. The scrub jays would stop at the edge of the shrub and brushland habitat and not venture further into the property.

These birds were not observed until the use of the taped vocalization playback. The birds were not observed during day 1 or day 2. The final three days produced scrub jay sightings.

Figure 6 depicts the locations of the scrub jay area of occupation. This does not represent

the limits of where the birds were visually sighted as both birds were observed offsite to the north as well.

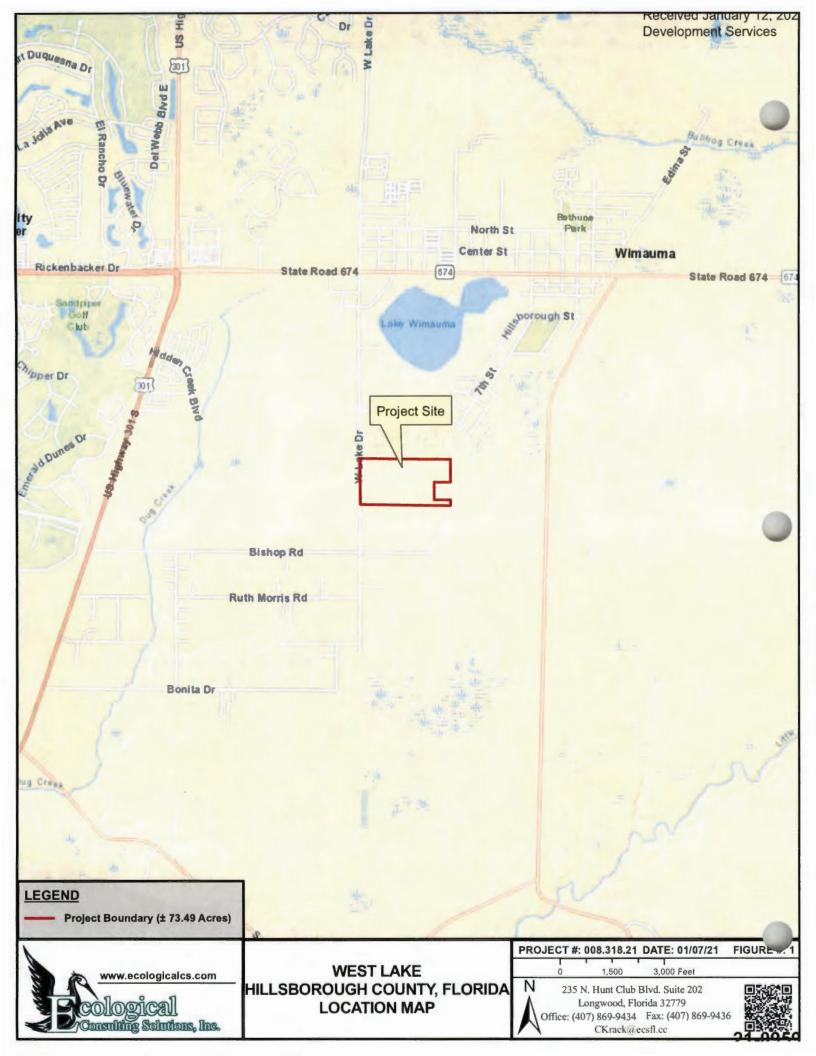
The area of occupation or suitable scrub jay habitat is 4.72 acres.

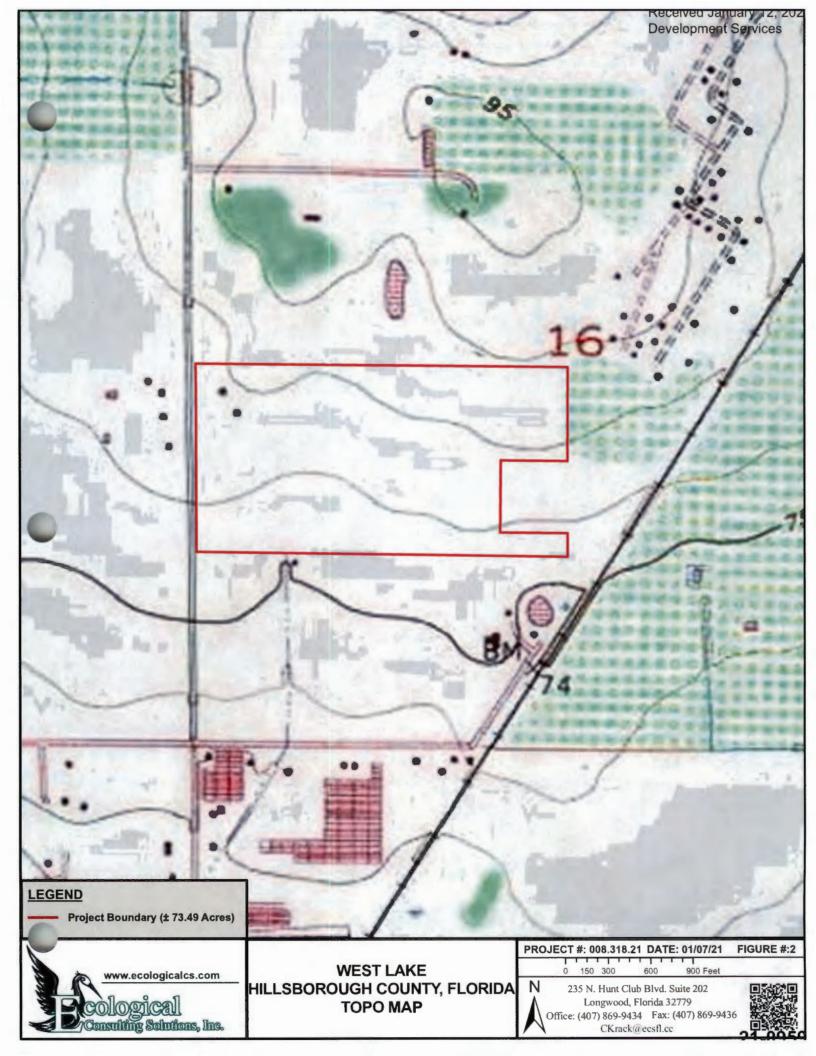
According to the USFWS Appendix D, Mitigation Cost Calculation for impacting Florida scrub jay habitat, the cost per acre for Hillsborough County is \$29,961.00. A 2:1 ratio is applied, therefore approximately 9.44 acres of mitigation would be required or a fee of \$282,831.84 to impact the area of occupation.

The mitigation fee can be paid by either 1) contributing to the Florida Scrub-jay Conservation Fund or 2) purchasing an equivalent amount of mitigation credit at a USFWS approved conservation bank.

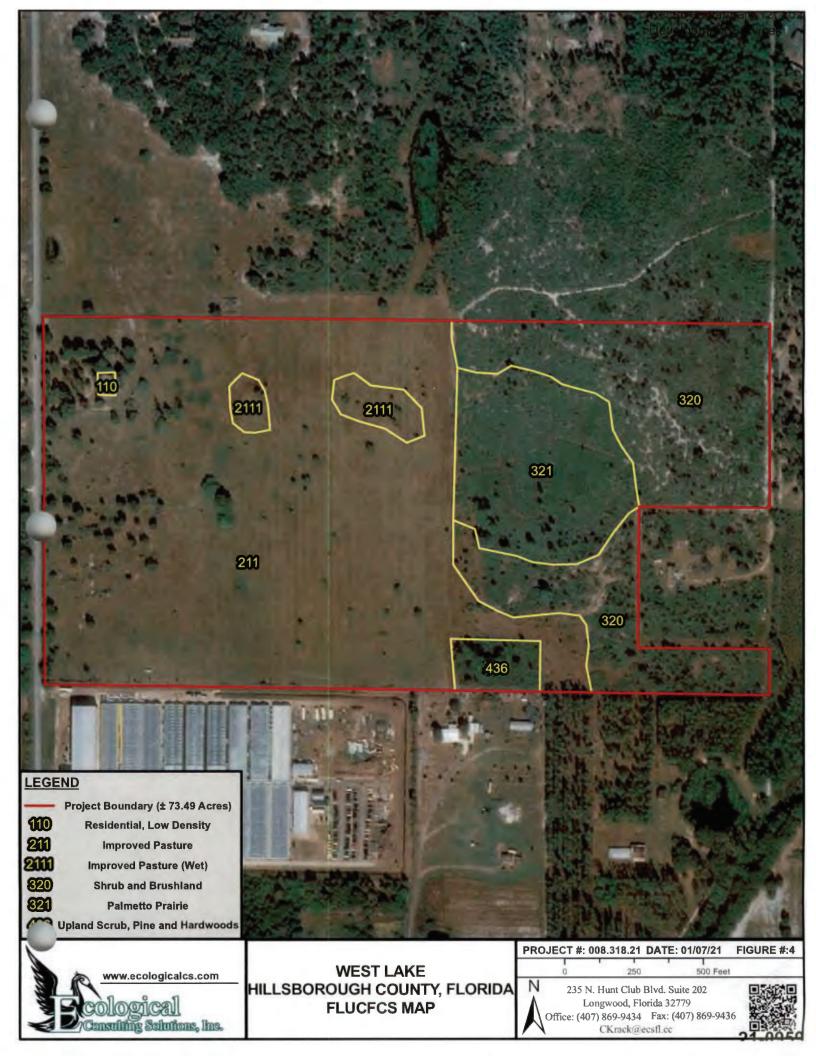
The USFWS will require a permit to impact the scrub jay habitat. Included in the permit application will be a Habitat Conservation Plan. The entire permitting process typically takes 12 months before permit issuance.

FIGURES

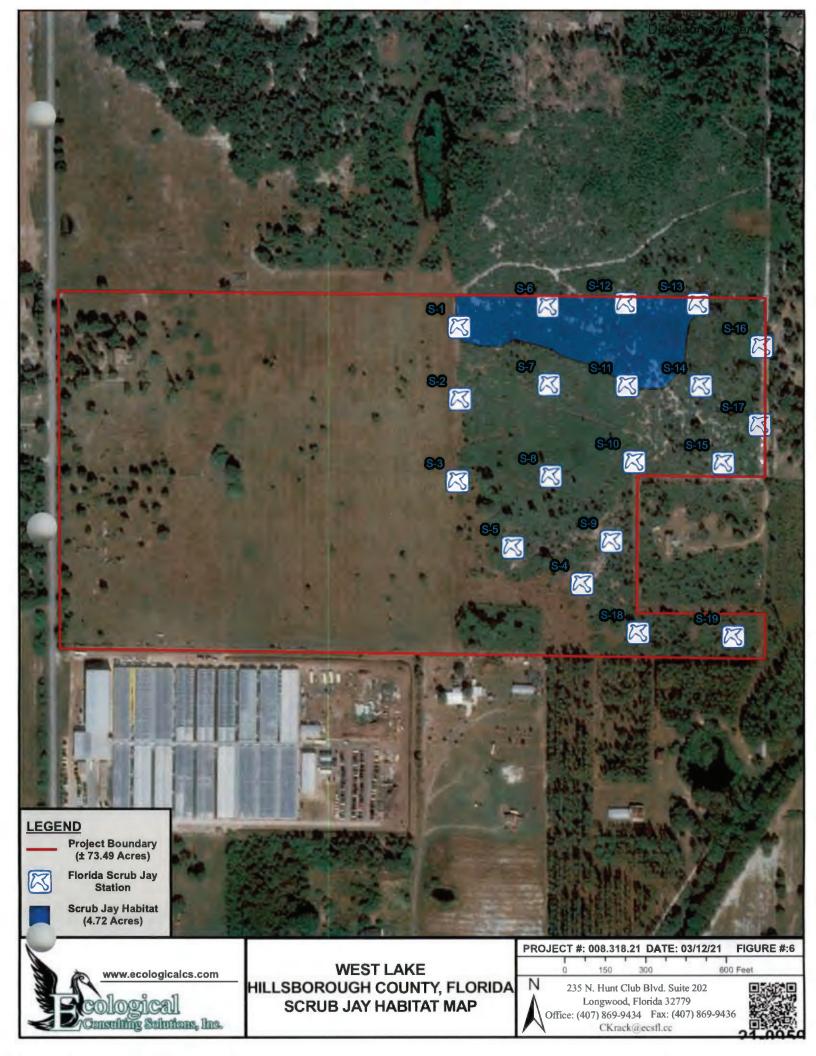












APPENDIX A

Appendix A

Photo 1



Photo of the shrub and brushland habitat on the northeastern portion of the property



Photo of the shrub and brushland habitat on the northeastern portion of the property



Photo of a Florida scrub jay on the northeast portion of the site, bird was in the center of habitat range within the shrub and brushland habitat.



Shrub and Brushland habitat in the center of the property.



Shrub and Brushland on the east side of the property.



Florida scrub jay on the north eastern side of the property.



Palmetto prairie habitat located on the eastern portion of the property.



Palmetto prairie habitat located on the eastern portion of the property.



Two Florida Scrub jays along the northern boundary of the project site.

Appendix D

Calculating Mitigation Costs

This Appendix must be used to determine the cost of mitigation that will be required to participate in this HCP/EA. There are 21 maps that follow and applicants should review them to determine which scrub-jay metapopulation their property lies in. Once an applicant has identified the metapopulation containing their property, they should use the list below to find the cost of mitigation. If a property is not located within any of the 21 metapopulations, the applicant should use the "Average" value listed at the end of the table below.

How to calculate the mitigation cost for participation in the Scrub-jay Umbrella HCP.

Step 1. Determine your property size in acres.

You can find your property size on the land title survey or at your county's property appraiser's web site.

If the size of your property is recorded in square feet (sq. ft.), divide by 43,560 to obtain acres.

Step 2. Determine the mitigation area.

Multiple your property size in acres by 2. For example, if your property size is 0.23 acre, multiplying by 2 would result in 0.46 acres of mitigation area.

Step 3. Find the scrub-jay metapopulation where your property is located.

Use the overview map to identify the general area of the State where your property is located. Go to the close-up maps of the metapopulations found after the overview map for greater detail.

Step 4. Calculate Mitigation Cost.

Find your metapopulation in the listing provided in Appendix Table D.1. If your property is outside the identified metapopulations use the Average Total Mitigation Cost from the last line of the Appendix Table D.1. Multiply the mitigation area obtained in step 2 by the cost within your metapopulation.

This is the mitigation cost needed to compensate for impacts to scrub-jays and participate in the umbrella HCP.

You can pay the mitigation cost by:

- 1) contributing to the Florida Scrub-jay Conservation Fund (see Appendix B for details), or
- 2) purchasing an equivalent amount of mitigation credit at a Service-approved conservation bank (please check our web site www.fws.gov/northflorida/Scrub-jays/scrubjays.htm to see if there are Service approved banks in your area).

Table D.1. Mitigation cost per acre by Scrub-jay Metapopulation for the Florida Scrub-jay Umbrella Habitat Conservation Plan, revised September 2014.

	Per Acre Total			
Comb iou	Mitigation			
Scrub-jay Metapopulation	Cost			
Central Brevard	\$44,074			
Central Charlotte	\$19,893			
Central Lake	\$29,961			
Citrus	\$12,295			
Flagler	\$29,961			
Lake Wales Ridge	\$14,770			
Lee	\$38,718			
Levy	\$7,580			
Manatee	\$13,450			
Martin	\$37,359			
Merritt Island	\$29,961			
Ocala National Forest	\$29,961			
Palm Beach	\$29,961			
Pasco	\$19,903			
North Brevard	\$14,294			
Northeast Lake	\$27,659			
Northwest Charlotte	\$38,637			
Sarasota	\$71,360			
South Brevard	\$28,680			
St. Lucie	\$53,833			
West Volusia	\$15,327			
Average	\$29,961			

Attachment D – West Lake Property - Listed Species and Habitat Photos

Attachment D West Lake Property - Listed Species and Habitat Photos



Xeric Native Habitat Photo



Xeric Native Habitat Photo

Attachment D West Lake Property - Listed Species and Habitat Photos



Xeric Native Habitat Photo



Florida Goldenaster

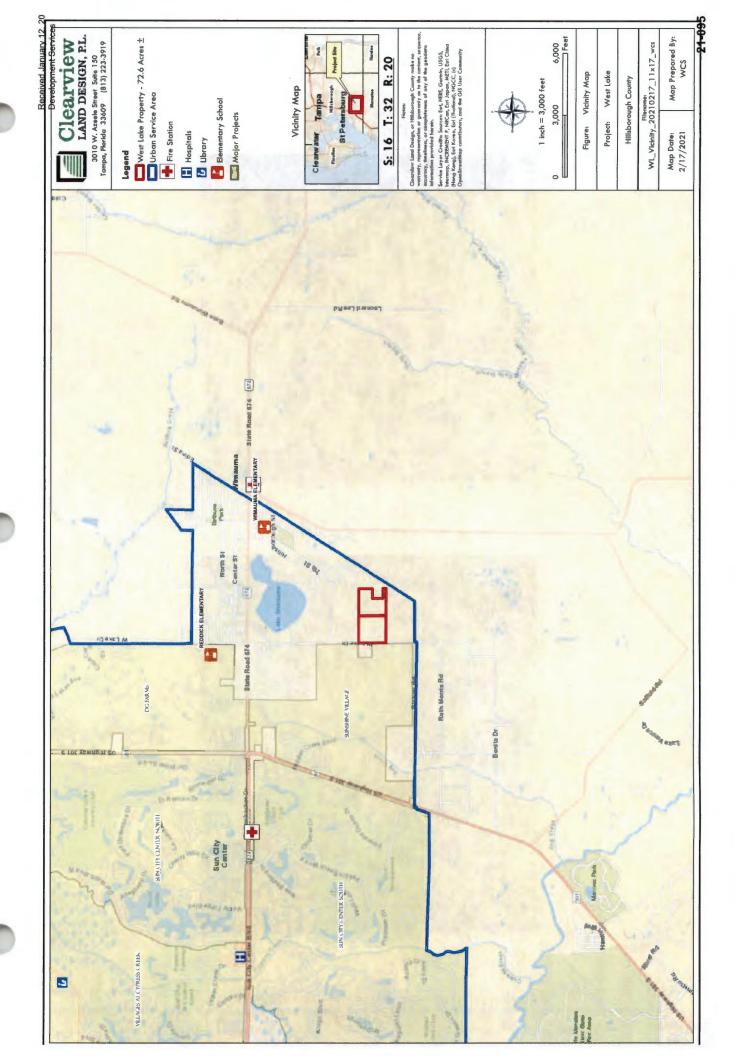
Attachment D West Lake Property - Listed Species and Habitat Photos



Florida Scrub Jay Photo



Florida Scrub Jay Photo



21-09

21-09



Additional / Revised Information Sheet

Date Stamp Here

	9 Applicant's Na	me: Lennar Homes
Reviewing Planner's Name: Mic	Date: 7/28/21	
Application Type:		
Planned Development (PD)	Minor Modification /Personal Ar	pearance (PRS) Standard Rezoning (RZ)
■ Variance (VAR) ■ Development of Regional Impact (DRI)		t (DRI) Major Modification (MM)
Special Use (SU)	Conditional Use (CU)	Other
Current Hearing Date (if applica	able): 09/13/2021	
	The following must be attac	hed to this Sheet.
Cover Letter with summary	of the changes and/or additional in	formation provided. If a revised Site Plan is being
submitted, all changes on the s	ite plan must be listed in detail in the	e Cover Letter.
An updated Project Narration	ve consistent with the changes or ad	Iditional information provided, if applicable.
Submittal Via:		
	on follow up paper file is passesson. Belf form	at only. Maximum attachment(s) size is 15 MB.
Email (Preferred). Note that h	to follow up paper file is flecessary, Por form	
	The state of the s	
Email this sheet along all the	additional/revised submittal items in p	
	The state of the s	df to: ZoningIntake-DSD@hcflgov.net
Mail or delivery. Number of	additional/revised submittal items in p Plans Submitted: Large S copies 24"X36", one small 8.5X11". ger than 8.5"X11", 7 large copies should be	df to: ZoningIntake-DSD@hcflgov.net
Mail or delivery. Number of For PD, MM, PRS and SU: 7 large For RZ-Standard: if plot plan is lar For Minor Change: 6 large copies. For Variances or Conditional Use	additional/revised submittal items in p Plans Submitted: LargeS copies 24"X36", one small 8.5X11". ger than 8.5"X11", 7 large copies should be	odf to: ZoningIntake-DSD@hcflgov.net Small submitted.
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Mail or delivery. Number of For PD, MM, PRS and SU: 7 large For RZ-Standard: if plot plan is lar For Minor Change: 6 large coples. For Variances or Conditional Use Mail to: Development Community D P.O. Box 1110 Tampa, FL 336 certify that changes described	additional/revised submittal items in p f Plans Submitted: Large	Smallsubmitted. Hand Deliver to: County Center Development Services Department 19th Floor
Mail or delivery. Number of For PD, MM, PRS and SU: 7 large For RZ-Standard: if plot plan is lar For Minor Change: 6 large coples. For Variances or Conditional Use Mail to: Development Community D P.O. Box 1110 Tampa, FL 336	additional/revised submittal items in p f Plans Submitted: Large	Smallsubmitted. Hand Deliver to: County Center Development Services Department 19th Floor 601 E. Kennedy Blvd., Tampa
Mail or delivery. Number of For PD, MM, PRS and SU: 7 large For RZ-Standard: if plot plan is lar For Minor Change: 6 large coples. For Variances or Conditional Use Mail to: Development Community D P.O. Box 1110 Tampa, FL 336	additional/revised submittal items in p f Plans Submitted: Large	Smallsubmitted. Hand Deliver to: County Center Development Services Department 19th Floor 601 E. Kennedy Blvd., Tampa
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Mail or delivery. Number of For PD, MM, PRS and SU: 7 large For RZ-Standard: if plot plan is lar For Minor Change: 6 large coples. For Variances or Conditional Use Mail to: Development Community D P.O. Box 1110 Tampa, FL 336	additional/revised submittal items in page 1 Plans Submitted: Large 2 Copies 24"X36", one small 8.5X11". ger than 8.5"X11", 7 large copies should be permits: one 8.5"X11" or larger) Services Department evelopment Division 501-1110 I above are the only changes that he nal submission and certification.	Smallsubmitted. Hand Deliver to: County Center Development Services Department 19th Floor 601 E. Kennedy Blvd., Tampa ave been made to the submission. Any further



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July 28, 2021

SUMITTED THROUGH HILLSBOROUGH COUNTY INTAKE

ADVANCE COPY TO: HeinrichM@HillsboroughCounty.org

Michelle Heinrich, AICP Principal Planner Hillsborough County Development Services Department 601 E. Kennedy Blvd., Tampa, FL 33602

RE: RZ-21-0959

Dear Ms. Heinrich:

In response to your July 14, 2021, email regarding RZ-21-0959, please see the below responses and attached Revised Site Plan:

1. Is a higher resolution PDF available for submittal? Both online and printed versions are difficult to read.

Response: A higher resolution digital site plan has been included with this resubmittal.

2. Existing zonings are AR, not AS-1. Project Information Sheet to be revised.

Response: The form has been updated and has been included with this resubmittal.

3. Site plan to provide the wetlands or other surface waters acreage in the Site Data Project Table.

Response: The site plan has been updated and has been included with this resubmittal.

4. Per the Site Data Project Table, 1.70 acres of the site is existing natural/man-made water. Which category is it?

Response: It is 1.70 acres of natural wetlands. The site plan has been clarified and has been included with this resubmittal.

5. Per the site plan, portions of an existing North/South ROW are to be vacated. This action must occur prior to or accompanying the PD application. Has a ROW vacation been requested? If so, please provide the application number.

400 North Tampa Street | Suite 1910 P 813.543.5900 Tampa FL 33602

F 813.543.5901



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Response: The Applicant is proposing to realign unimproved right-of-way to avoid impacting a wetland near the northern property boundary. It is contemplated that this realignment would be accomplished subsequent to subdivision platting process, at which time the specific dimensions and curvature of the replacement right-of-way would be engineered and approved.

The areas north and south of the wetland proposed for vacating are not being used to satisfy any minimum regulatory standard in connection with the rezoning and therefore have not been proposed for vacating at this time. Rather, upon vacating these areas will be incorporated into the adjacent community gathering space / open space proposed as depicted on the site plan.

Will portions of the East/West ROW be vacated? Roadway alignment appears to be altered in proposed development.

Response: No. The East-West Road bisecting the project is a new road, not existing unimproved publicly owned ROW.

7. If zonings of parcels 150' feet from the PD boundary are not provided, please provide.

Response: The site plan has been updated and has been included with this resubmittal.

8. Site Plan to provide the current zoning within the project.

Response: The site plan has been clarified and the revised site plan has been included with this resubmittal.

The proposed 40' wide lot alternatives are unable to be read; therefore, no preliminary comments can be provided.

Response: A higher resolution digital site plan has been included with this resubmittal.

 Per presub meeting comment, roadway connection to one of the existing ROWs along the east needed to meet plan requirements.

Response: A new East-West Road is proposed through the center of the project. This road will connect West Lake Drive with Roosevelt Street to the east meeting plan requirements.



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If you have any questions or require additional information, please do not contact me.

Sincerely,

BROOKS, SHEPPARD & ROCHA, PLLC

By: Michael Brooks, For the Firm



PLANNED DEVELOPMENT REZONING APPLICATION

IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

You must schedule an appointment to submit this application. To request an appointment please call 813-272-5600.

All requirements listed on the submittal checklist must be met. Incomplete applications will not be accepted.

Property Information

Address: multiple, see attached	City/State/Zip: W	/imauma, FL 33598 TWN-RN-SEC: 16-32-20
079525-0000, 079527-0000 Folio(s): 07527-0100		Future Land Use: R-4 Property Size:72.9 M.O.
West Lake LLC; Brion Scott Brigms Name: Broward Clay Brigman; Brend	an Property Ow a Karen Clark c/o Mil	mer Information ke Maguire, Esq Daytime Phone: 813-515-5050
Address: 3300 Henderson Boulevar	rd, Suite 206A	City/State/Zip: Tampa, FL 33609
Email: MMaguire2MaguireLG.com	m	FAX Number:
Name: Lennar Homes, LLC	Applicant	Information Daytime Phone:
Address: 4600 W. Cypress St. Suite	300	City/State/Zip: Tampa, Fl 33607
Email: Parker.Hirons@lennar.com		FAX Number:
Name: Michael Brooks, Brooks, Sh	eppard & Rocha, PL	ative (if different than above) LC Daytime Phone: 813-543-5900 City / State/Zin: Tampa, FL 33602
Name: Michael Brooks, Brooks, Sh	eppard & Rocha, PL	LC Daytime Phone: 813-543-5900
Mame: Michael Brooks, Brooks, Shame: Michael Brooks, Brooks, Shame: 400 N. Tampa St. Ste 19 Email: mbrooks@bsrfirm.com 1 HEREBY SWEAR OR AFFIRM THAT ALL PROVIDED IN THIS APPLICATION PACACCURATE, TO THE BEST OF MY	L THE INFORMATION TRUE AND NOWLEGE, AND	City / State/Zip: Tampa, FL 33602 FAX Number: 813-543-5901 1 HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO
Address: 400 N. Tampa St. Ste 19 Email: mbrooks@bsrfirm.com I HEREBY SWEAR OR AFFIRM THAT ALL PROVIDED IN THIS APPLICATION PACACCURATE, TO THE BEST OF MY AUTHORIZE THE REPRESENTATIVE LIST MY BEHALP FOR THIS APPLICATION.	L THE INFORMATION TRUE AND NOWLEGE, AND	LC Daytime Phone: 813-543-5900 City / State/Zip: Tampa, FL 33602 FAX Number: 813-543-5901 1 HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION
Address: 400 N. Tampa St. Ste 19 Email: mbrooks@bsrfirm.com I HEREBY SWEAR OR AFFIRM THAT ALL PROVIDED IN THIS APPLICATION PAC ACCURATE, TO THE BEST OF MY AUTHORIZE THE REPRESENTATIVE LIST. MY BEHALP FOR THIS APPLIC	L THE INFORMATION TRUE AND NOW! DGE, AND D ABOV TO ACT ON	City / State/Zip: Tampa, FL 33602 FAX Number: 813-543-5901 1 HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS. Signature of Property Owner
Address: 400 N. Tampa St. Ste 19 Email: mbrooks@bsrfirm.com I HEREBY SWEAR OR AFFIRM THAT ALL PROVIDED IN THIS APPLICATION PAC ACCURATE, TO THE BEST OF MY AUTHORIZE THE REPRESENTATIVE LIST, MY BEHALP FOR THIS APPLICATION. Signature of Applicant Yehat Blooks Type or Print Name	THE INFORMATION TRUE AND ABOY TO ACT ON	City / State/Zip: Tampa, FL 33602 FAX Number: 813-543-5901 I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS. Signature of Property Owner Type or Print Name
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212-00056

Property/Project Information Sheet

Official Use Only

Application	on No.	aggins of distance of the control of						
Proposed Proje	roposed Project Name (If applicable):		Related Applications:					
List Code Enfor	rcement/Build	ling Code violation No. (if applicable):						
List each folio necessary).	within the pr	oposed project along with the correspon	ding inf	ormation fo	or each (Use	additional	sheets if	
Folio Number		Owner(s) Name(s) as listed on the deed		Acreage	Current Zoning*	Comp. Plan Categon	S/T/R**	
079525-0000	WEST LA	KEILC		67.54	AR	R-4	16/32/2	
079527-0000	WEST LA	KELLC	-	3.35	AR	R-4	16/32/20	
079527-0100	Brion Scott i Brenda Kan	Brigman, Broward Clay Brigman, en Clark	_	1.69	AR	R-4	16/32/2	
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	*72.58 bas	ed on prop appraiser data					-	
+		ed on survey				_		
			Acreage:	72.58*		R-4		

^{*} If Current Zoning is PD, list PD application number as well.
** Section / Township / Range

7 3

RESPONSE TO NATURAL RESOURCE COMMENTS

AGENCY COMMENT SHEET

TO: Zoning/Code Administration, Development Services Department

FROM: Reviewer: Carla Shelton Knight Date: December 23, 2021

Agency: Natural Resources **Petition #:** 21-0959

() This agency has no comment

() This agency has no objections

() This agency has no objections, subject to listed or attached conditions

(X) This agency objects, based on the listed or attached issues.

1. The Upland Habitat Report received from Clearview Land Design on December 6, 2021, confirmed the presence of several listed animal and plant species on this site within the xeric scrub plant community. These species include Florida scrub jay, gopher tortoise and Florida golden aster. The report states that there is a total of 11.8 acres of xeric scrub on the site.

Correct, the supplemental scrub jay report by Applied Bionomics mentioned that there was 11.8 acres of "xeric native habitat" occurring on the subject property.

a) Florida Scrub Jay – the report includes a map showing a scrub jay territory in the northeast corner of the site totaling 4.73 acres. However, the Hillsborough County Development Review Procedures Manual Guidelines for Listed Species (Section 4.1.6.1.7, Table C-1) states that "at least 10 acres of optimal scrub habitat, more acreage if habitat less than optimal" must be provided to manage Florida scrub jay territories on the site.

Additional habitat must be provided on the proposed rezoning plan to meet the DRPM Guidelines and any additional requirements from the Florida Fish & Wildlife Conservation Commission and/or the U.S. Fish and Wildlife Service.

Based on the results of the formal species-specific Florida scrub-jay survey, there is a total of 4.73 acres of occupied scrub-jay territory occurring on the subject property. The remainder of the occupied scrub-jay territory likely extends offsite to the north. The applicant has proposed to preserve 12.3 acres of optimal scrub habitat

occurring on the subject property, plus a 50' buffer. This preservation area consists of all of the scrub habitat occurring on the subject property.

b) Gopher tortoise – the burrows located on the site as described in the report are located in an area where they can be preserved on the site.

Correct. To date, all observed gopher tortoise burrows on the subject property occur within the proposed preservation area. A formal gopher tortoise survey will be performed in all potentially suitable habitats onsite, and if needed, a relocation permit will be obtained from FWC to relocate any tortoises in the developable portions of the subject property.

c) Golden aster – the exact location and quantity of this plant is not determined in the report. The report states "all or most of (the plants) are contained within the proposed protection limits" and goes on to say that a more detailed assessment of the their locations is proposed to be done prior to the start of clearing. The Hillsborough County DRPM states that "colonizing species such as Florida golden aster...may be managed onsite with a 200 foot buffer zone to protect against encroachment and disturbance". Locations of all golden aster plants must be shown on a plan and a 200' buffer must be provided and shown on the plan.

On January 4, 2022, an extensive survey of the scrub habitat was preformed to locate Florid golden aster colonies onsite. The enclosed exhibit depicts all observed Florida golden aster with the requested 200' buffer. All Florida golden asters and their buffers are located within the proposed preservation area and 50' buffer.

As noted previously, the applicant is willing to formally preserve this area, per the guidelines in the Code, to perform an appropriate initial habitat management event, and to provide the long-term management needed.

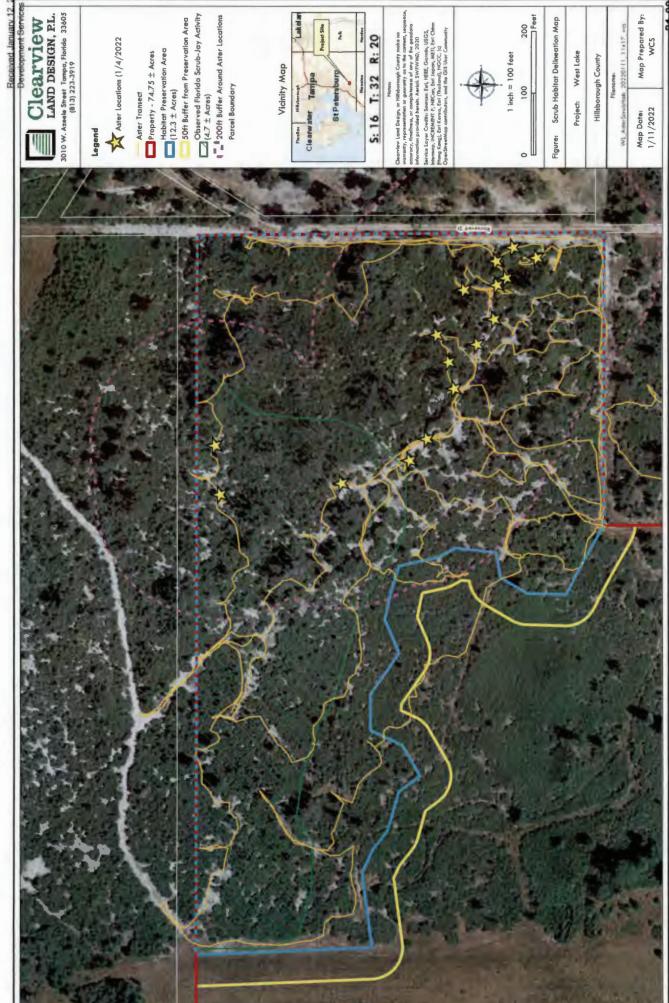
21-0959 December 23, 2021 Page Two:

1. (Continued) A copy of the Upland Habitat Assessment report and all attachments emailed to County staff on December 6, 2021, must be submitted as part of the record of this rezoning file.

We will submit all of the referenced documents onto the rezoning file.

2. Wetlands or other surface waters are considered Environmentally Sensitive Areas and are subject to Conservation Area setbacks. A minimum 30' setback where land alterations are restricted must be maintained around these areas, which shall be designated on all future plan submittals. The revised plan must note or show on a detailed plan that there will be no disturbance proposed within the 30' wetland setbacks.

We are pleased to note that the site was visited on January 6, 2022, by Lauren Greenawalt, of SWFWMD. The wetland limits were approved, and the applicant has scheduled a survey crew to locate the wetland line for use on future plans and submittals. The wetland limits were very similar to the estimated wetland lines depicted on the previously submitted zoning plans. The required 30' wetland setback will be applied.



FW: [EXTERNAL] West Lake Project Site, Hillsborough County, Florida; Informal Consultation - Request of Concurrence for Federally Listed Species Avoidance

Michael Brooks <mbrooks@bsrfirm.com>

Wed 12/22/2021 1:24 PM

To: Rebecca Kert < RKert@bsrfirm.com>

From: Gawera, Erin <erin_gawera@fws.gov>
Date: Friday, December 17, 2021 at 1:37 PM
To: Andrew Fuddy <afuddy@abenv.com>

Cc: John Goolsby < John. Goolsby @ clearviewland.com >, 'Parker Hirons'

<Parker.Hirons@lennar.com>, Chris OKelley <Chris.OKelley@clearviewland.com>, Michael

Brooks <mbrooks@bsrfirm.com>

Subject: Re: [EXTERNAL] West Lake Project Site, Hillsborough County, Florida; Informal

Consultation - Request of Concurrence for Federally Listed Species Avoidance

Hello Andrew,

Thank you for your email regarding the West Lake Project Site located in Hillsborough County, Florida.

A 5-day survey was conducted on the site in March of 2021, and scrub-jays were observed using portions of the property as described in the report. According to project plans construction will occur outside of the boundaries of the 4.73 acre scrub-jay territory as delineated during the survey. Additionally, a 50 foot buffer will be placed around the occupied scrub-jay habitat. One Federally Endangered plant species, the Florida golden aster, was also located in this area and will also not be disturbed.

The Service agrees that neither scrub-jays nor the Florida golden aster will be impacted so long as construction occurs outside of the occupied scrub-jay habitat. We also agree with the 50 foot buffer to be placed around the occupied scrub habitat. Any development within the occupied habitat would be considered an impact and would require consultation.

Based on the above information the Service concludes that development outside of the occupied areas and buffer area as indicated in your project report will not impact scrub-jay habitat, and, therefore, will not result in "take" of scrub-jays as defined under Section 9 of the Endangered Species Act.

The Service's determination is valid for a period of no more than two years from the date of this email. If you have any further questions please contact me at (904) 731-3121.

Thank you,

Erin

Log #04EF1000-2022-TA-0366 West Lake Project_Hillsborough

Erin M. Gawera, Fish and Wildlife Biologist

US Fish and Wildlife Service

Email: erin_gawera@fws.gov http://www.fws.gov/northflorida

Florida Ecological Services Field Office 7915 Baymeadows Way, Suite 200 Jacksonville, FL 32256-7517 904/731-3121 (direct) 904/731-3336 (main) Fax: 904/731-3045 or 3048

From: Andrew Fuddy <afuddy@abenv.com> Sent: Monday, December 6, 2021 10:18 AM To: Gawera, Erin <erin_gawera@fws.gov>

Cc: John Goolsby < John. Goolsby@clearviewland.com>; 'Parker Hirons'

<Parker.Hirons@lennar.com>; Chris OKelley <Chris.OKelley@clearviewland.com>; 'Michael

Brooks' <mbrooks@bsrfirm.com>

Subject: [EXTERNAL] West Lake Project Site, Hillsborough County, Florida; Informal Consultation

- Request of Concurrence for Federally Listed Species Avoidance

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Ms. Gawera,

We spoke over the phone a few months ago regarding a potential development project in Hillsborough County that contains occupied scrub-jay habitat. During our conversation, I mentioned that I was working with the developer and engineer to design a site plan that would avoid the occupied habitat on the property and limit the potential disturbance to the known federally projected species occurring on the property. Please see the attached letter requesting Informal Consultation - Request of Concurrence for Federally Listed Species Avoidance. We believe the current site plan for the West Lake property is not likely to adversely affect listed species known to occur on the property. Please let us know if you concur with our assessment and if further consultation is necessary.

Please feel free to contact me (contact information below) if you have any questions or need any additional information.

Thank you, Andrew

Andrew Fuddy Senior Ecologist/Principal



Mobile: 813.625.1463

Email: <u>Afuddy@ABenv.com</u> Website: <u>www.ABenv.com</u>

PARTY OF RECORD

NONE