

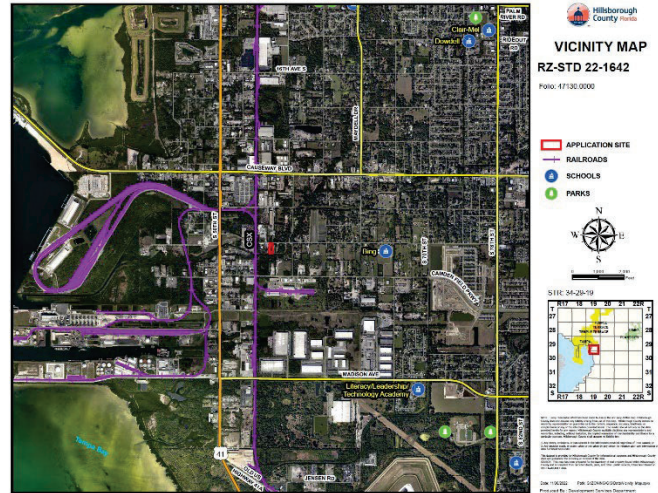
Rezoning Application: 22-1642
Zoning Hearing Master Date: January 17, 2023
BOCC Land Use Meeting Date: March 14, 2023



Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Maschmeyer Concrete Company of Florida
FLU Category: Light Industrial (LI)
Service Area: Urban
Site Acreage: 1.03+/- acre
Community Plan Area: Greater Palm River
Overlay: None
Request: Rezone from **Agricultural Industrial (AI) to Manufacturing (M)**



Request Summary:

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

Zoning:

Uses	Current AI Zoning	Proposed M Zoning
	Agricultural	Industrial/Manufacturing
Acreage	1.03 +/- Acres (ac) (44,867 square feet (sq ft))	1.03 +/- ac (44,867 square feet (sq ft))
Density / Intensity	N/A	0.75 Floor Area Ratio (FAR).
Mathematical Maximum*	N/A	33,650 sq ft

* *Mathematical Maximum entitlements may be reduced due to roads, stormwater and other improvements.*

Development Standards:

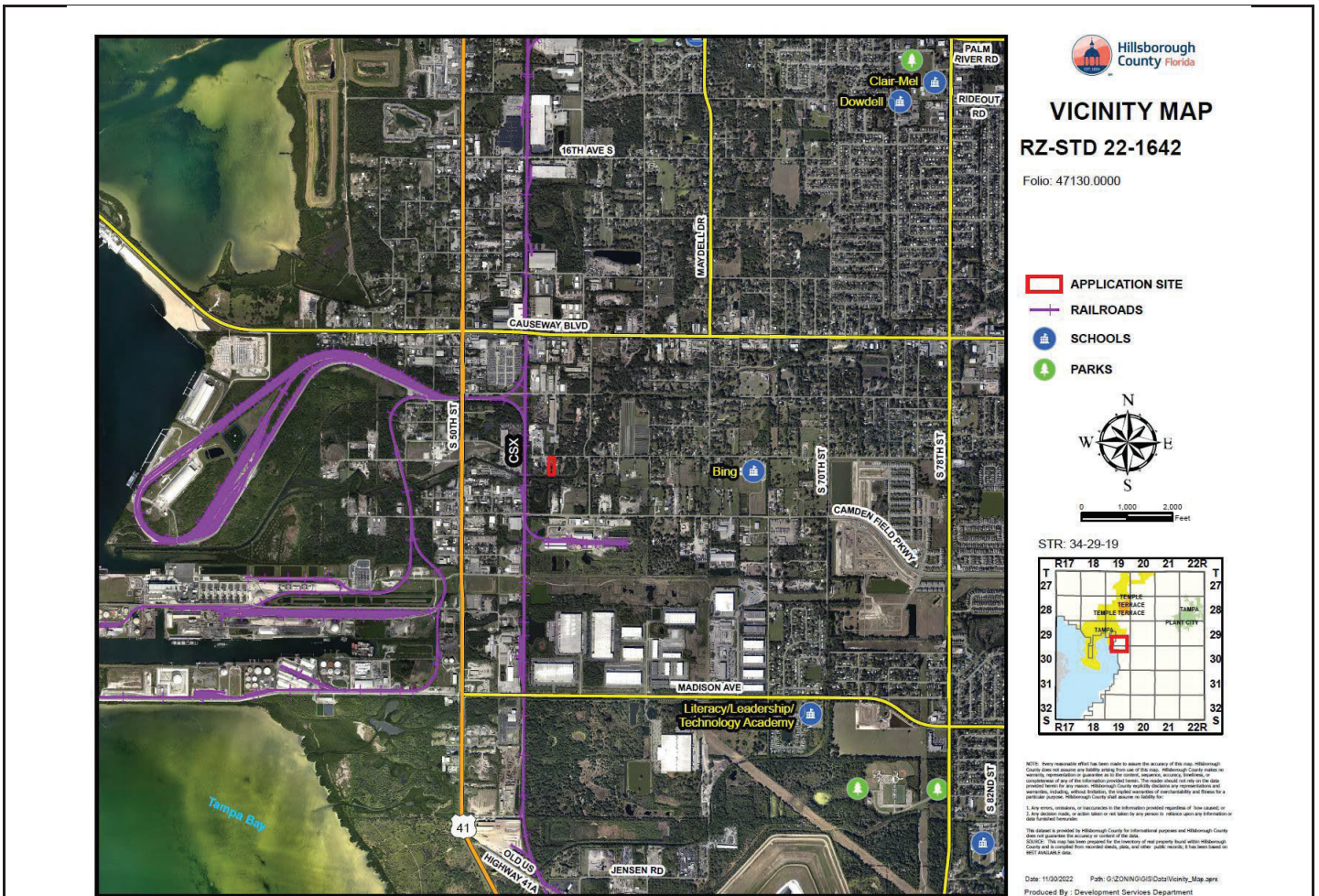
	Current AI Zoning	Proposed M (R) Zoning
Density / Intensity	1 du per 1 ac	0.75 FAR / 0.77 ac (33,650 sq ft)
Lot Size / Lot Width	1 Acre (43,560 sq ft) / 150'	20,000 sq ft / 100'
Setbacks/Buffering and Screening	50' - Front (North) 15' - Sides (East & West) 50' - Rear (South)	0' -Front (North) 0' - Rear (South) 0' - Side (West) 30' (Plus 20' Type B Buffering) - Side (East)
Height	50'	110'

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

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

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

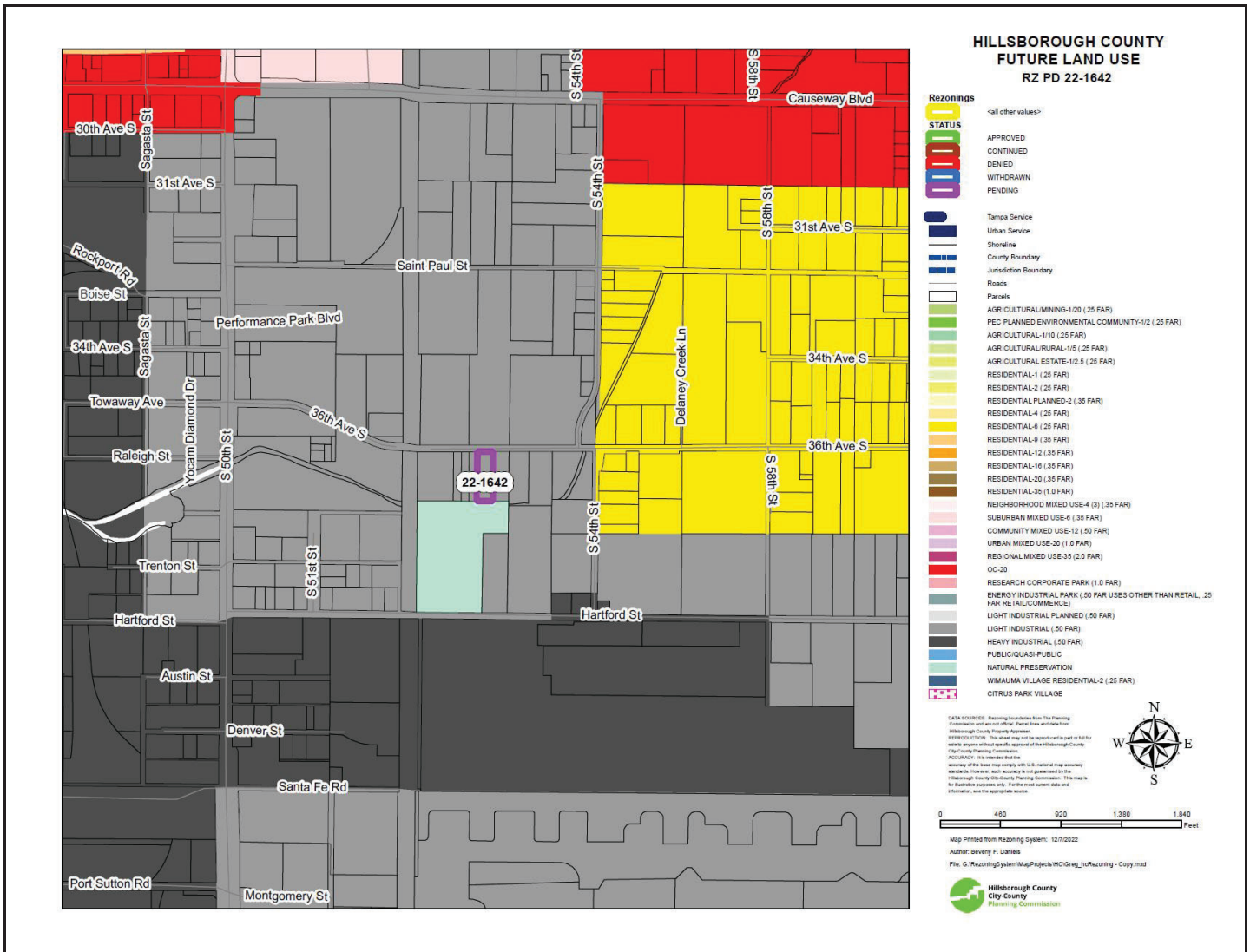


Context of Surrounding Area:

The site is surrounded by agricultural, commercial, and industrial use properties. The adjacent properties are zoned M to north, south and west; and AI to the east. The subject site's immediate surrounding area consist of properties within the LI FLU category.

2.0 LAND USE MAP SET AND SUMMARY DATA

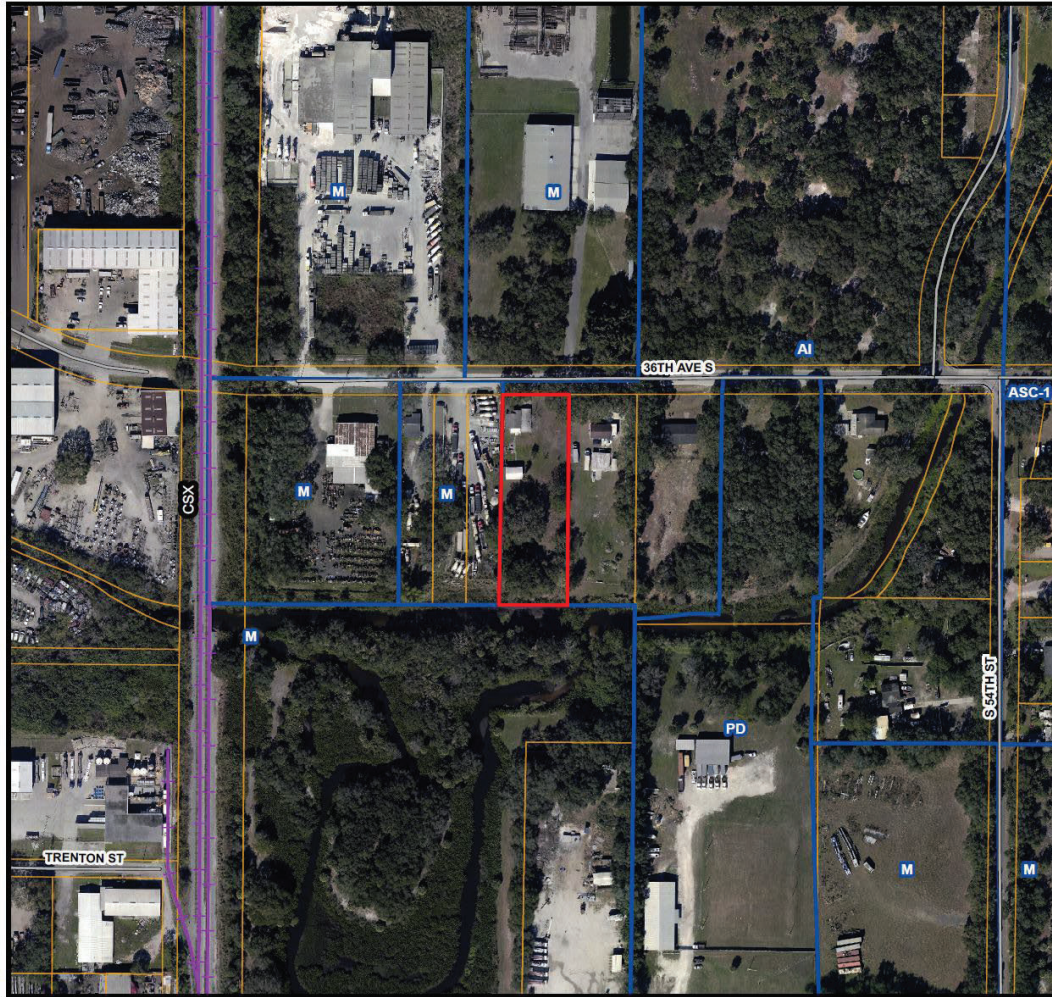
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Light Industrial (LI)
Maximum Density/F.A.R.:	0.75 F.A.R.
Typical Uses:	Processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials, warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use), offices, research/corporate parks as the predominant uses and subordinate uses or services such as hotels, motels, restaurants, suburban scale retail establishments, and recreational facilities. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Hillsborough County Florida

ZONING MAP
RZ-STD 22-1642
 Folio: 47130.0000

- APPLICATION SITE
- ZONING BOUNDARY
- PARCELS
- M SCHOOLS
- P PARKS

0 180 360 Feet

STR: 34-29-19

NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not warrant any results arising from use of this map. Hillsborough County makes no warranty, representation or guarantee as to the content, accuracy, timeliness, completeness, or appropriateness of any information provided herein. The reader should rely only on the data provided herein for any purpose. Hillsborough County neither warrants any representation and accuracy, timeliness, completeness, or appropriateness of any information provided herein for a particular purpose. Hillsborough County is not liable for any errors, omissions, or inaccuracies in the information provided regardless of how caused, or for any reliance made, or action taken or not taken by any person in reliance upon any information or data provided herein.

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Date: 11/29/2022 Path: G:\ZONING\GIS\Dist\Zoning_Map.aprx
 Produced by : Development Services Department

Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	M	0.75 FAR	Industrial/Manufacturing	Steel Warehouse
South	M	0.75 FAR	Industrial/Manufacturing	Vacant
West	M	0.75	Industrial/Manufacturing	Warehouse
East	AI	1 du/ 1 ac	Agricultural	Agricultural/ Single Family Dwelling

2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.0 for full site plan)

Not Applicable

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
36 th Ave South	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	9	1	1
Proposed	130	20	22
Difference (+/-)	+121	+19	+21

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

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

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

4.0 Additional Site Information & Agency Comments Summary

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

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY			
Environmental:	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Review at time of development
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Agency Report
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input checked="" type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Other _____			
Public Facilities:	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Utilities Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments provided
Impact/Mobility Fees N/A			
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
Planning Commission <input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The site is located in an area comprised of light industrial, agricultural, mixed, and commercial uses. The adjacent properties are zoned M to north, south and west; and AI to the east. The subject site’s immediate surrounding area consist of properties within the LI FLU category

The subject site is located within a Coastal High Hazard Area. Therefore, allowable uses may be further prohibited or restricted in accordance with the requirements of Part 3.04.00 of the Land Development Code.

The overall area is also within the City of Tampa Service Area with publicly owned and operated potable water and wastewater facilities available.

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

5.2 Recommendation

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

6.0 PROPOSED CONDITIONS:

N/A

Zoning Administrator Sign Off:	 <p>J. Brian Grady Tue Jan 10 2023 13:00:31</p>
<p>SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.</p> <p>Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits necessary for site development as proposed will be issued, nor does it imply that other required permits needed for site development or building construction are being waived or otherwise approved. The project will be required to comply with the Site Development Plan Review approval process in addition to obtain all necessary building permits for on-site structures.</p>	

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

N/A

8.0 PROPOSED SITE PLAN (FULL)

Not Applicable

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: Greater Palm River/Central

DATE: 01/09/2023
AGENCY/DEPT: Transportation
PETITION NO.: STD 22-1642

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

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 121 average daily trips, 19 trips in the a.m. peak hour, and 21 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to the proposed rezoning.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone one parcel totaling +/- 1.03 acres from Agricultural Industrial (AI) to Manufacturing (M). The site is located on the south side of 36th Ave S, +/- 640 feet west of the intersection of 36th Ave S and 54th St. The Future Land Use designation of the site is Light Industrial (LI).

Trip Generation Analysis

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

Approved Zoning:

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

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
M, 33,000 sf of Manufacturing Uses (ITE Code 140)	130	20	22

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+121	+19	+21

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 121 average daily trips, 19 trips in the a.m. peak hour, and 21 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on 36th Ave South. 36th Ave S is a 2-lane, undivided, substandard, Hillsborough County maintained, local roadway with +/- 11-foot travel lanes. 36 Ave S lies within +/- 50 feet of Right of Way in the vicinity of the project. 36th Ave S does not have sidewalks, bike lanes or curb and gutter on either side of the roadway within the vicinity of the project.

SITE ACCESS

It is anticipated that the site will have access to 36th Ave S. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

ROADWAY LEVEL OF SERVICE

36th Ave S is not a regulated roadway and as such is not included in the Level of Service Report.

COUNTY OF HILLSBOROUGH

**RECOMMENDATION OF THE
LAND USE HEARING OFFICER**

APPLICATION NUMBER:	RZ STD 22-1642
DATE OF HEARING:	January 17, 2023
APPLICANT:	Maschmeyer Concrete of Florida
PETITION REQUEST:	The request is to rezone a parcel of land from AI to M
LOCATION:	5217 South 36 th Avenue
SIZE OF PROPERTY:	1.04 acres m.o.l.
EXISTING ZONING DISTRICT:	AI
FUTURE LAND USE CATEGORY:	LI
SERVICE AREA:	Urban

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: Maschmeyer Concrete Company of Florida

FLU Category: Light Industrial (LI)

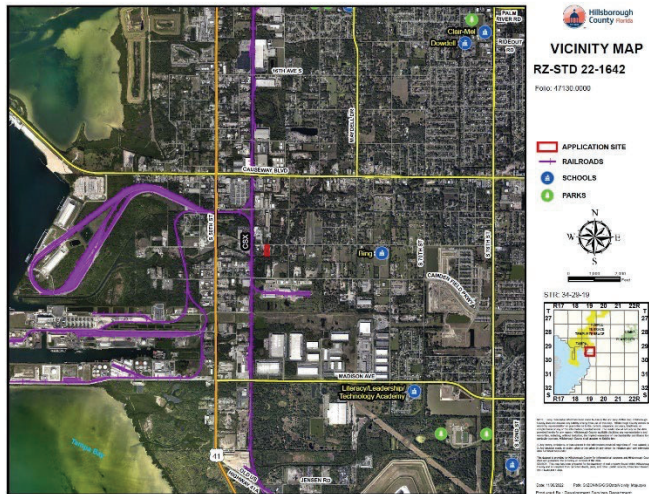
Service Area: Urban

Site Acreage: 1.03+/- acre

Community Plan Area: Greater Palm River

Overlay: None

Request: Rezone from **Agricultural Industrial (AI)** to **Manufacturing (M)**



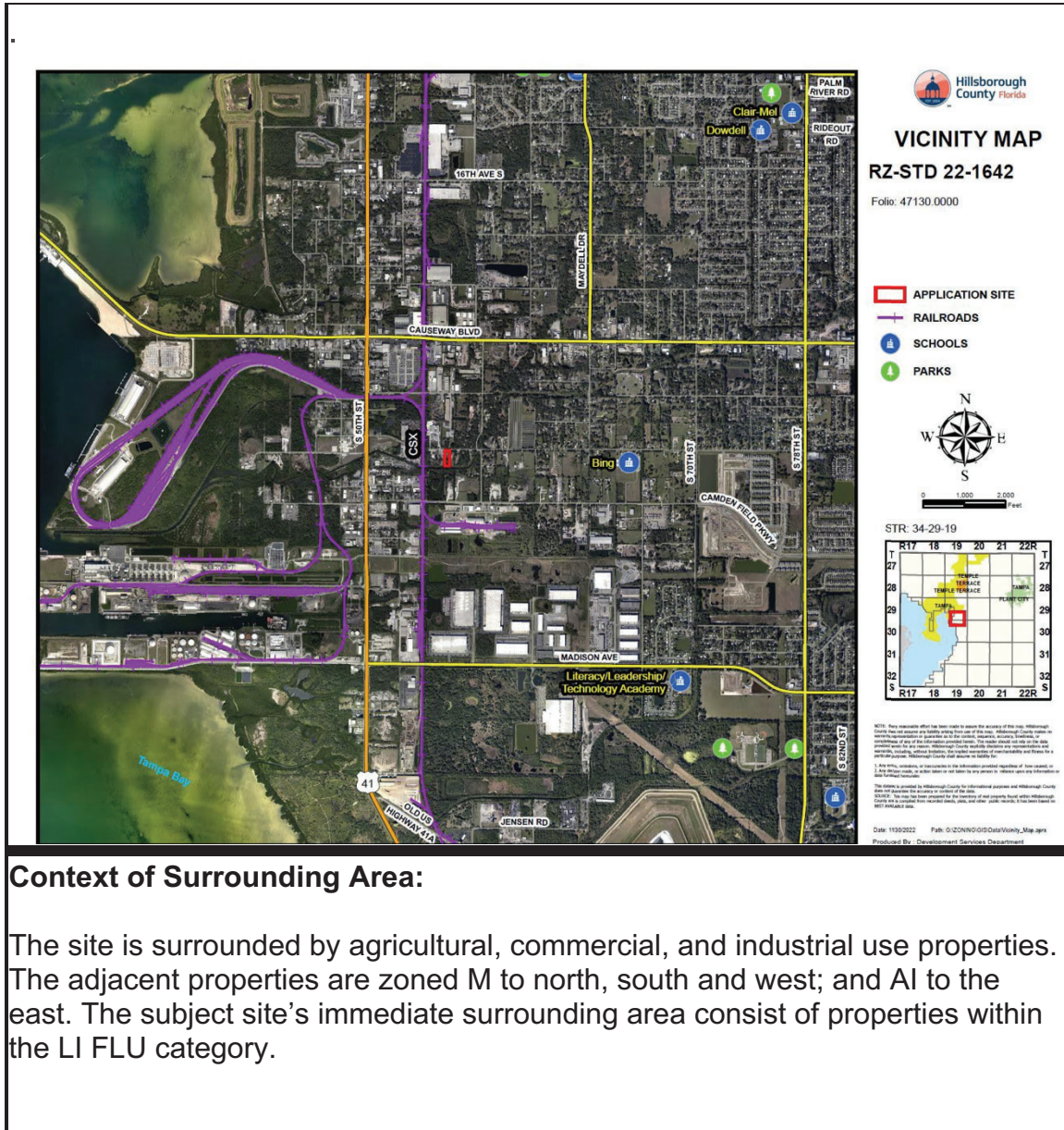
Request Summary:

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

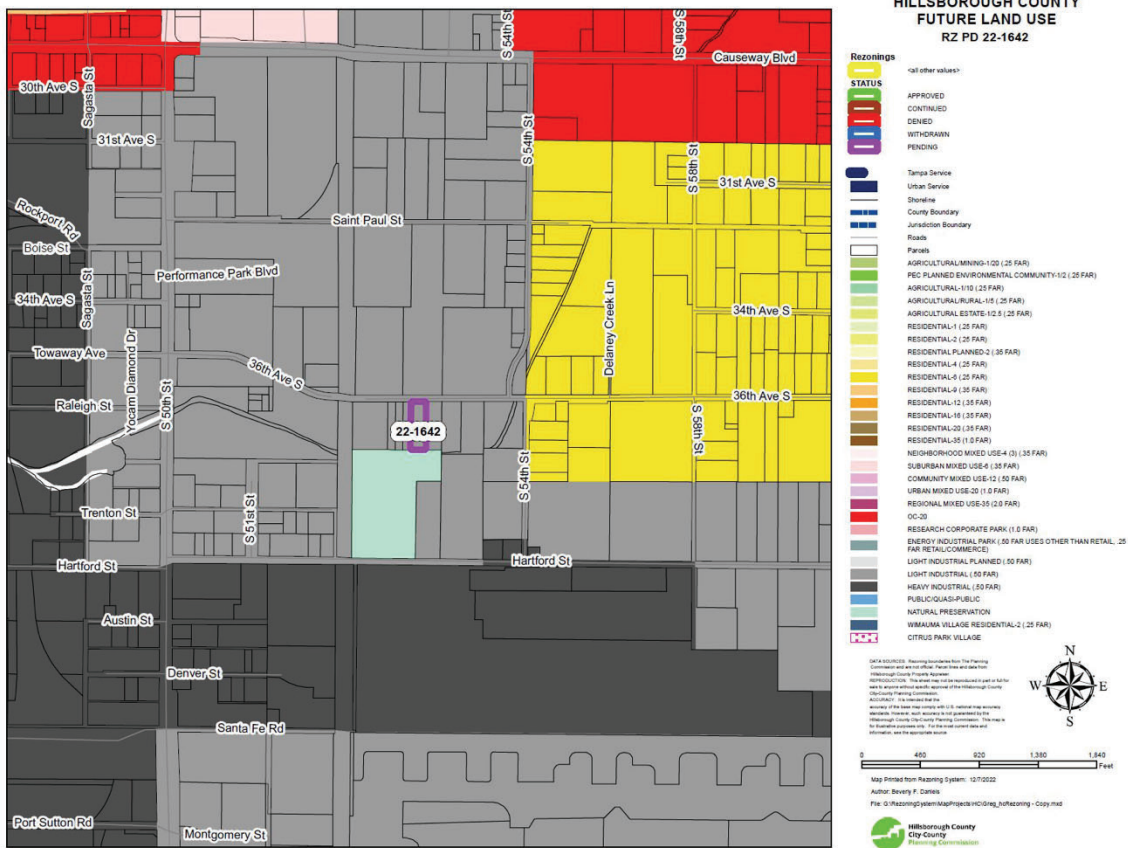
Zoning:		
	Current AI Zoning	Proposed M Zoning
Uses	Agricultural	Industrial/Manufacturing
Acreage	1.03 +/- Acres (ac) (44,867 square feet (sq ft))	1.03 +/- ac (44,867 square feet (sq ft))
Density / Intensity	N/A	0.75 Floor Area Ratio (FAR).
Mathematical Maximum*	N/A	33,650sqft
* Mathematical Maximum entitlements may be reduced due to roads, stormwater and other improvements.		

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

2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



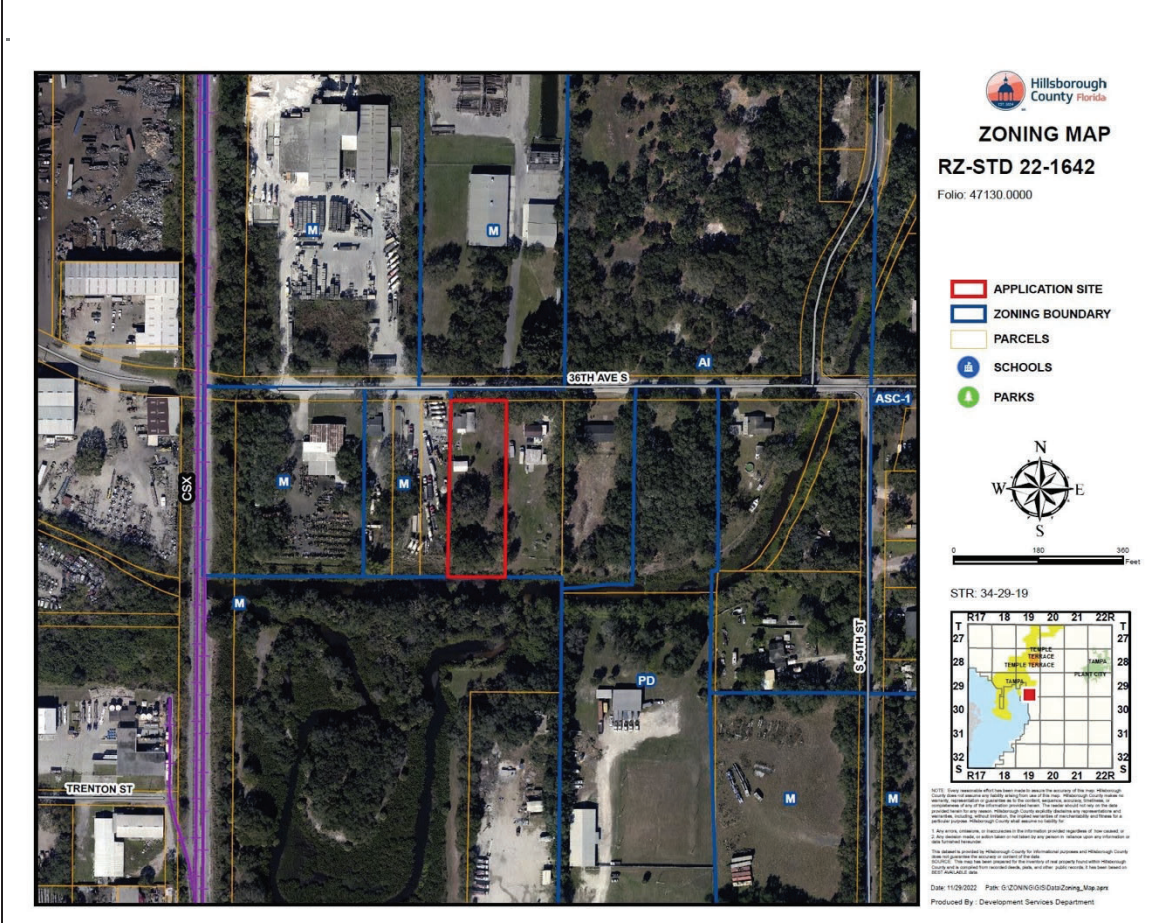
2.0 LAND USE MAP SET AND SUMMARY DATA 2.2 Future Land Use Map



Subject Site Future Land Use Category:	Light Industrial (LI)
Maximum Density/F.A.R.:	0.75 F.A.R.
Typical Uses:	Processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials, warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use), offices, research/corporate parks as the predominant uses and subordinate uses or

services such as hotels, motels, restaurants, suburban scale retail establishments, and recreational facilities. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.

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



Adjacent Zonings and Uses				
Location :	Zoning :	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	M	0.75FAR	Industrial/Manufacturing	Steel Warehouse

South	M	0.75FAR	Industrial/Manufacturing	Vacant
West	M	0.75	Industrial/Manufacturing	Warehouse
East	AI	1 du/ 1 ac	Agricultural	Agricultural/ Single Family Dwelling

2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.0 for full site plan)

Not Applicable

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
36 th Ave South	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	9	1	1
Proposed	130	20	22
Difference (+/-)	+121	+19	+21

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

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

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

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

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY			
Environmental:	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Review at time of development
Natural Resources	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments
Conservation & Environmental Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Agency Report
Check if Applicable: <input type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input type="checkbox"/> Surface Water Resource Protection Area <input type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input checked="" type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____			
Public Facilities:	Objections	Conditions Requested	Additional Information/Comments
Transportation			
<input type="checkbox"/> Design Exception/Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Utilities Service Area/ Water & Wastewater			

<input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	No Comments provided
Impact/Mobility Fees			
N/A			
Comprehensive Plan:	Findings	Conditions Requested	Additional Information/Comments
<input type="checkbox"/> Meets Locational Criteria <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Locational Criteria Waiver Requested <input type="checkbox"/> Minimum Density Met <input type="checkbox"/> N/A	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

The site is located in an area comprised of light industrial, agricultural, mixed and commercial uses. The adjacent properties are zoned M to north, south and west; and AI to the east. The subject site's immediate surrounding area consist of properties within the LI FLU category

The subject site is located within a Coastal High Hazard Area. Therefore, allowable uses may be further prohibited or restricted in accordance with the requirements of Part 3.04.00 of the Land Development Code.

The overall area is also within the City of Tampa Service Area with publicly owned and operated potable water and wastewater facilities available.

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

5.2 Recommendation

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

SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on January 17, 2023. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Mr. Jeff Cathey 1142 Water Tower Road Lake Park Florida testified on behalf of Maschmeyer Concrete Company. He stated that the request is to rezone from AI to M. Mr. Cathey added that the surrounding properties are similarly zoned as they were zoned M several years ago. He concluded his presentation by stating that his company owns the facility across the street and the subject property will be the same use.

Ms. Isis Brown of the Development Services Department testified regarding the County's staff report. Ms. Brown stated that the applicant has requested a rezoning of 1.03 acres from AI to M. The surrounding area is developed with a mix of light industrial, agricultural and commercial land uses. The property is located within the Coastal High Hazard Area which may limit the potential uses. Ms. Brown stated that staff finds the request approvable.

Ms. Massey stated that the subject property is within the Light Industrial (LI) Future Land Use classification and located within the Greater Palm River Community Plan and the Urban Service Area. Ms. Massey stated that the LI category surrounds the subject site and the request is compatible with the existing character of the area and therefore consistent with Future Land Use Policy 1.4. She added that the request is also consistent with Policy 16.5 regarding high intensity land uses and Policy 17.7 regarding development to mitigate adverse impacts on adjacent land uses. Ms. Massey concluded her presentation by stating that the rezoning is consistent with both the Greater Palm River Community Plan and the Future of Hillsborough Comprehensive Plan.

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

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

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

The hearing was then concluded.

EVIDENCE SUBMITTED

No documents were submitted into the record.

PREFACE

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

FINDINGS OF FACT

1. The subject property is 1.04 acres in size and is currently zoned Agricultural Industrial (AI) and is designated Light Industrial (LI) by the Comprehensive Plan. The property is located within the Urban Service Area and the Greater Palm River Community Planning Area.
2. The applicant is requesting a rezoning to the Manufacturing (M) zoning district.
3. The applicant's representative testified that the applicant owns the existing facility across the street and will develop the subject property similarly.
4. The Planning Commission staff supports the request. The Planning Commission staff found the request meets Policies 1.4 regarding compatibility, Policy 16.5 regarding high intensity land uses and Policy 17.7 regarding development to mitigate adverse impacts on adjacent land uses. Staff testified that the rezoning is consistent with the Greater Palm River Community Plan and the Future of Hillsborough Comprehensive Plan.
5. The area surrounding the subject property is zoned M to the north, south and west and AI to the east. The area is developed with a mix of light industrial, commercial and agricultural land uses.
6. The request for the M zoning district on the subject property is compatible with the surrounding zoning and development pattern and the LI Future Land Use category.

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

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

CONCLUSIONS OF LAW

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

SUMMARY

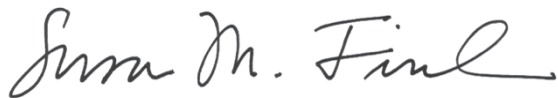
The applicant is requesting a rezoning to the M zoning district. The property is 1.04 acres in size and is currently zoned AI and designated LI by the Comprehensive Plan. The property is located in the Urban Service Area and the Greater Palm River Community Planning Area.

The Planning Commission found the request compatible with the surrounding area and consistent with numerous Policies regarding compatibility and the mitigation of adverse impacts from adjacent land uses. Planning Commission staff testified that the rezoning is consistent with the Greater Palm River and the Comprehensive Plan.

The request for the M zoning district on the subject property is compatible with the surrounding zoning pattern and the LI Future Land Use category.

RECOMMENDATION

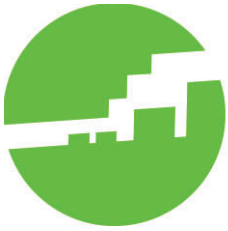
Based on the foregoing, this recommendation is for **APPROVAL** of the M rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.



February 7, 2023

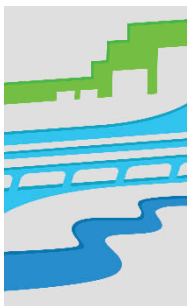
Susan M. Finch, AICP
Land Use Hearing Officer

Date



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: January 17, 2023 Report Prepared: January 5, 2023	Petition: RZ 22-1642 5217 South 36th Avenue <i>On the south side of South 36th Avenue, west of South 54th Street</i>
Summary Data:	
Comprehensive Plan Finding:	CONSISTENT
Adopted Future Land Use:	Light Industrial (0.75 FAR)
Service Area:	Urban
Community Plan:	Greater Palm River Area
Requested Zoning:	Agricultural Industrial (AI) to Manufacturing (M) to construct a concrete manufacturing facility
Parcel Size (Approx.):	1.04 acres +/- (45,302 square feet)
Street Functional Classification:	South 36 th Avenue – Collector South 54 th Street – Local
Locational Criteria:	N/A
Evacuation Zone:	A



Context

- The approximately 1.04 +/- acre subject site is located on the south side of South 36th Avenue and west of South 54th Street. The subject site is located within the Urban Service Area and the Coastal High Hazard Area. It is also within the limits of the Greater Palm River Area Community Plan.
- The subject site's Future Land Use classification is Light Industrial (LI) on the Future Land Use Map. Typical uses of LI include processing, manufacturing and assembly of materials including food products, storage, furniture or apparel manufacturing, packaging plants, wholesaling, storage of non-hazardous materials, warehouse/showrooms with retail sales (which occupy no more than 20% of the floor area of the principal use), offices, research/corporate parks as the predominant uses and subordinate uses or services such as hotels, motels, restaurants, suburban scale retail establishments and recreational facilities. Free standing suburban scale neighborhood commercial uses are pursuant to locational criteria or 20% of the project's land area when part of a larger industrial/office park (greater than 300,000 square feet). Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- LI surrounds the west, north and east sides of the subject site. Natural Preservation (NP) is located directly to the south. Further east is an extended area of Residential-6 (RES-6). Heavy Industrial (HI) is located further south of the subject site.
- The subject site is currently utilized as single-family residential. Single family residential uses are located directly to the east and further west of the subject site. Heavy industrial uses are utilized directly west, northwest and southeast. Light Industrial uses are utilized directly north, further west and further south. Public/Quasi Public uses are utilized directly south. There are several vacant parcels located further east, northeast and southeast. The area is industrial in character with public institutional, single family and vacant land uses interspersed throughout.
- The subject site is currently zoned as Agricultural Industrial (AI). AI zoning is directly adjacent to the east and further northeast. Manufacturing (M) zoning extends north, west and south of the subject site. A Planned Development (PD) zoning is located further southeast of the subject site.
- The applicant is requesting to rezone the subject site from Agricultural Industrial (AI) to Manufacturing (M).

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area (USA)

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

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

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

Relationship to Land Development Regulations

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

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

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

Neighborhood/Community Development

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

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

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

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

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

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

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

General Criteria

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

5.1 COMPATIBILITY

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

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

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 – Greater Palm River Area Community Plan

Planning and Growth/Economic Development

Goal 5a: Planning and Growth – to promote and provide for opportunities for compatible well designed public use, residential, and business growth and jobs

Strategies

1. The Vision of Greater Palm River Area Concept Map illustrates the unique qualities and land uses related to distinct areas of the community. Future development and redevelopment is required to comply with the adopted Concept Map.
3. Encourage and support new, infill and redevelopment compatible with existing community patterns that maintains and enhances the Community's unique character and sense of place.
8. Support well designed, compatible densities and intensities at appropriate locations.

Goal 5b: Economic Development - Provide opportunities for business growth and jobs in the Palm River Area.

Strategies

2. Recognize and support the existing industrial and port areas that contribute to the economy and character of Palm River.

Staff Analysis of Goals, Objectives and Policies

The approximately 1.04+/- acre subject site is located on the south side of South 36th Avenue and west of South 54th Street. The subject site is located in the Urban Service Area and the Coastal High Hazard Area. It is located within the limits of the Greater Palm River Area Community Plan. The subject site's Future Land Use classification on the Future Land Use Map (FLUM) is Light Industrial (LI). The applicant is requesting to rezone the subject site from Agricultural Industrial (AI) to Manufacturing (M) with the intent to construct a concrete manufacturing facility.

The subject site is located in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. The proposed request is consistent with this policy direction.

FLUE Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that *"Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development."* The subject site is currently AI and the applicant is proposing to rezone the site to M to allow for the construction of a concrete manufacturing facility. This proposed change is compatible with the existing character of development in the area. The current development pattern contains several other similar industrial uses.

The proposed rezoning meets the intent of the Neighborhood Protection Policies of FLUE Objective 16 and its accompanying Policies 16.1, 16.2, 16.3 and 16.5. The development pattern of the surrounding area shows several other industrial uses and manufacturing zoning areas. Policy 16.5 restricts high intensity non-residential land uses that are adjacent to established neighborhoods to collector roadways. South 36th Avenue is classified as a collector roadway which makes the subject site viable for higher intensity uses. The applicant will be required to construct a buffer on the east side of the subject site. This will address the compatibility conflicts with the single-family residential uses that are currently utilized directly to the east. The buffer will also adhere to General Criteria Policy 17.7, which requires development and redevelopment to mitigate adverse noise, visual, odor and vibration impacts created by that development upon all adjacent land uses. This being considered, a rezoning to M would reflect a development pattern that is in keeping with the existing development pattern, consistent with the aforementioned policy direction.

The Community Design Component (CDC) in the Future Land Use Element provides guidance on residential developments. Goal 12, Objective 12-1, and Policy 12-1.4 seek to facilitate patterns of development that are both compatible and related to the predominate character of their surroundings. A rezoning to allow for the construction of a concrete manufacturing facility would be consistent with this policy direction.

The subject site meets the intent of Goal 5a of the Greater Palm River Area Community Plan. This goal seeks to promote and provide for opportunities for compatible well designed public use, residential and business growth and jobs. The subject site is located within the desired area for industrial uses on the Adopted Concept Map. The proposed rezoning from AI to M would also reflect existing community patterns and would support an appropriate intensity at the subject site location.

The subject site also meets the intent of Goal 5b of the Greater Palm River Area Community Plan. This goal seeks to provide opportunities for business growth and jobs in the Palm

River Area. The applicant's proposal would not only encourage business and job growth, but it would also support the existing industrial area that contributes to the Palm River economy.

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

Recommendation

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

HILLSBOROUGH COUNTY FUTURE LAND USE RZ 22-1642

Rezonings
STATUS

- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

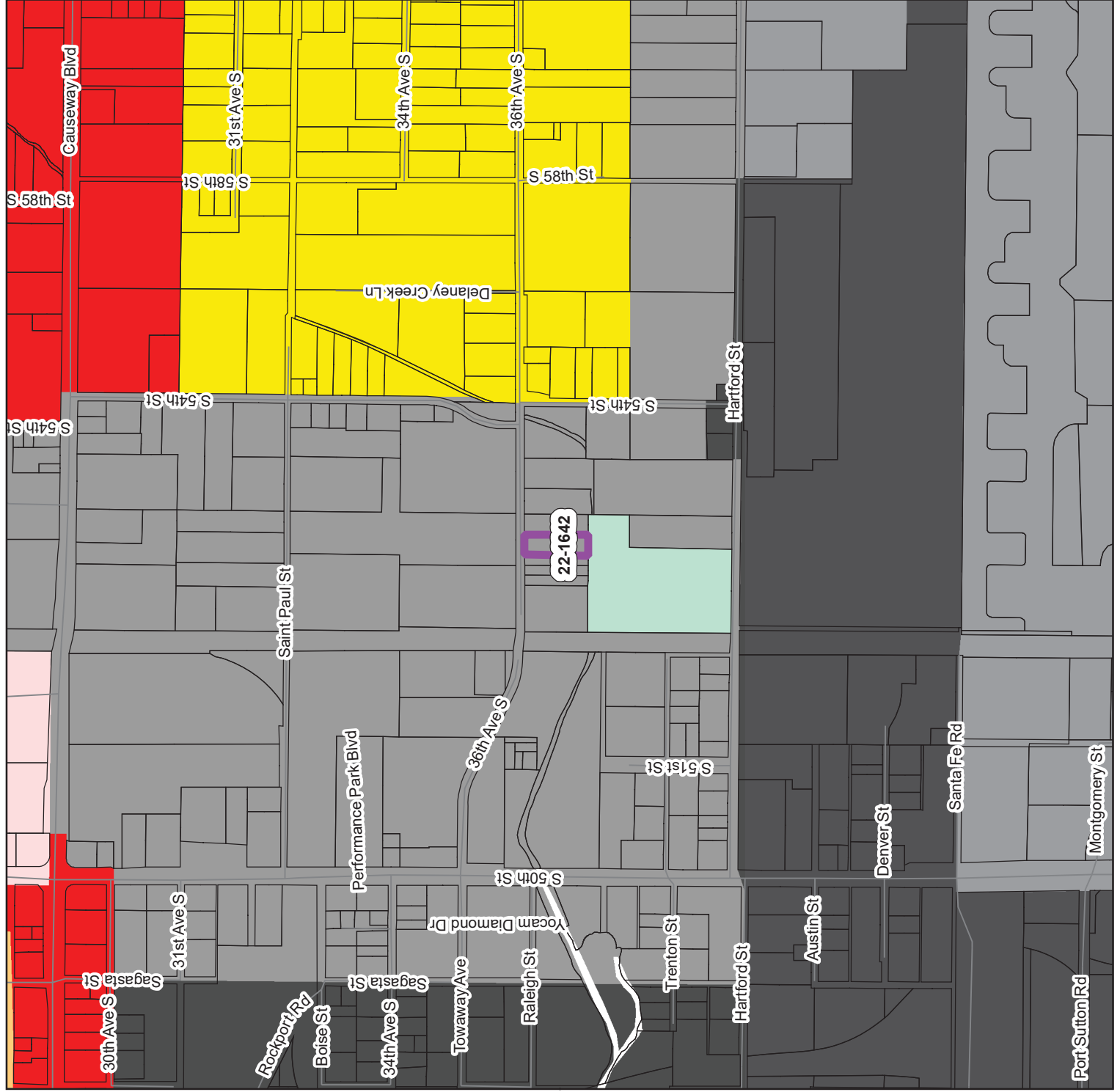
- Tampa Service
- Urban Service
- Shoreline
- County Boundary
- Jurisdiction Boundary
- Roads
- Parcels

- AGRICULTURAL/MINING-120 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL RURAL-1/5 (.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-9 (.35 FAR)
- RESIDENTIAL-12 (.35 FAR)
- RESIDENTIAL-16 (.35 FAR)
- RESIDENTIAL-20 (.35 FAR)
- RESIDENTIAL-35 (1.0 FAR)
- NEIGHBORHOOD MIXED USE-4 (3) (.35 FAR)
- SUBURBAN MIXED USE-6 (.35 FAR)
- COMMUNITY MIXED USE-12 (.50 FAR)
- URBAN MIXED USE-20 (1.0 FAR)
- REGIONAL MIXED USE-35 (2.0 FAR)
- OC-20
- 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)
- HEAVY INDUSTRIAL (.50 FAR)
- PUBLIC/QUASIPUBLIC
- NATURAL PRESERVATION
- WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR)
- CITRUS PARK VILLAGE

DATA SOURCES: Rezonings boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The information on this map is for informational purposes only. It is intended that the information on this map be used for informational purposes only. It is not intended to be used for any other purpose. The information on this map is not intended to be used for any other purpose. The information on this map is not intended to be used for any other purpose.



Map Printed from Rezoning System: 12/7/2022
 Author: Beverly F. Daniels
 File: G:\Rezoning\System\MapProjects\HIC\Gen_Hil\Rezoning - Copy.mxd





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: Greater Palm River/Central

DATE: 01/09/2023
AGENCY/DEPT: Transportation
PETITION NO.: STD 22-1642

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

REPORT SUMMARY AND CONCLUSIONS

- The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 121 average daily trips, 19 trips in the a.m. peak hour, and 21 trips in the p.m. peak hour.
- As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.
- Transportation Review Section staff has no objection to the proposed rezoning.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone one parcel totaling +/- 1.03 acres from Agricultural Industrial (AI) to Manufacturing (M). The site is located on the south side of 36th Ave S, +/- 640 feet west of the intersection of 36th Ave S and 54th St. The Future Land Use designation of the site is Light Industrial (LI).

Trip Generation Analysis

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

Approved Zoning:

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

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
M, 33,000 sf of Manufacturing Uses (ITE Code 140)	130	20	22

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+121	+19	+21

The proposed rezoning would result in an increase of trips potentially generated by development of the subject site by 121 average daily trips, 19 trips in the a.m. peak hour, and 21 trips in the p.m. peak hour.

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on 36th Ave South. 36th Ave S is a 2-lane, undivided, substandard, Hillsborough County maintained, local roadway with +/- 11-foot travel lanes. 36 Ave S lies within +/- 50 feet of Right of Way in the vicinity of the project. 36th Ave S does not have sidewalks, bike lanes or curb and gutter on either side of the roadway within the vicinity of the project.

SITE ACCESS

It is anticipated that the site will have access to 36th Ave S. As this is a Euclidean zoning request, access will be reviewed at the time of plat/site/construction plan review for consistency with applicable rules and regulations within the Hillsborough County Land Development Code and Transportation Technical Manual.

ROADWAY LEVEL OF SERVICE

36th Ave S is not a regulated roadway and as such is not included in the Level of Service Report.

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
36 th Ave South	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	9	1	1
Proposed	130	20	22
Difference (+/-)	+121	+19	+21

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

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

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

4.0 Additional Site Information & Agency Comments Summary

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

COMMISSION

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 Sterlin Woodard, P.E. WETLANDS DIVISION

AGENCY COMMENT SHEET

REZONING	
<p>HEARING DATE: January 17, 2023</p> <p>PETITION NO.: 22-1642</p> <p>EPC REVIEWER: Jackie Perry Cahanin</p> <p>CONTACT INFORMATION: (813) 627-2600 X 1241</p> <p>EMAIL: cahaninj@epchc.org</p>	<p>COMMENT DATE: December 30, 2022</p> <p>PROPERTY ADDRESS: 5217 36th Ave S, Tampa, FL</p> <p>FOLIO #: 047130-0000</p> <p>STR: 34-29S-19E</p>
<p>REQUESTED ZONING: From AI to M</p>	
FINDINGS	
<p>WETLANDS PRESENT</p>	<p>YES</p>
<p>SITE INSPECTION DATE</p>	<p>12/29/2022</p>
<p>WETLAND LINE VALIDITY</p>	<p>NO</p>
<p>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</p>	<p>Delaney Creek located along the southern property boundary</p>
<p>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:</p> <ul style="list-style-type: none"> 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 	

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Environmental Protection Commission - Roger P. Stewart Center
 3629 Queen Palm Drive, Tampa, FL 33619 - (813) 627-2600 - www.epchc.org

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

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

INFORMATIONAL COMMENTS:

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

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

Jpc/

ec: jcathey@maschmeyer.com

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

PETITION NO.: 22-1642

REVIEWED BY: Randy Rochelle

DATE: 12/19/2022

FOLIO NO.: 47130.0000

WATER

- The property lies within the City of Tampa Water Service Area. The applicant should contact the provider to determine the availability of water service.

- A ___ inch water main exists (adjacent to the site), (approximately ___ feet from the site) _____. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.

- Water distribution system improvements will need to be completed prior to connection to the County's water system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

WASTEWATER

- The property lies within the City of Tampa Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.

- A ___ inch wastewater force main exists (adjacent to the site), (approximately ___ feet from the site) _____. This will be the likely point-of-connection, however there could be additional and/or different points-of-connection determined at the time of the application for service. This is not a reservation of capacity.

- Wastewater collection system improvements will need to be completed prior to connection to the County's wastewater system. The improvements include _____ and will need to be completed by the _____ prior to issuance of any building permits that will create additional demand on the system.

COMMENTS: _____.

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 6 Jan. 2023

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

APPLICANT: Jeff Cathey

PETITION NO: RZ-STD 22-1642

LOCATION: 5217 S 36th Ave. Tampa, FL 33619

FOLIO NO: 47130.0000

SEC: 34 TWN: 29 RNG: 19

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

COMMENTS: The subject application is adjacent to the Delaney Creek Preserve. Per LDC 4.01.11, compatibility of the development with the preserve will be ensured with a compatibility plan that addresses issues related to the development such as, but not necessarily limited to, access, prescribed fire, and landscaping. The compatibility plan shall be proposed by the developer, reviewed and approved by the Conservation and Environmental Lands Management Department, and shall be required as a condition of granting a Natural Resources Permit.



VERBATIM TRANSCRIPT

Zoning Hearing Master Hearing
January 17, 2023

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
 Land Use Hearing Master

DATE: Tuesday, January 17, 2023

TIME: Commencing at 6:04 p.m.
 Concluding at 11:35 p.m.

Reported via Cisco Webex Videoconference by:
 Diane DeMarsh, CER No. 1654

Zoning Hearing Master Hearing
January 17, 2023

1 MR. GRADY: The next item is Agenda Item C.2, Rezoning
2 standard 22-1642. The applicant's Maschmeyer Concrete Company
3 of Florida. The request is to rezone (inaudible) industrial to
4 an M manufacturing zoning district. Isis Brown will provide
5 staff recommendation after presentation by the applicant.

6 HEARING MASTER: Good evening.

7 MR. CATHEY: Good evening. My name is Jeff Cathey. I
8 represent Maschmeyer Concrete Company. 1142 Water Tower Road,
9 Lake Park, Florida 33403. We request a rezone from (inaudible)
10 parcel from current zoning of AI to M. We feel that the
11 surrounding properties are very similar. They've been zoned the
12 same. They've been rezoned actually the past couple of years to
13 M. We currently operate a facility across the street from this
14 parcel and this will just be incorporated in same -- same use.
15 I'll take any questions.

16 HEARING MASTER: No questions at this time. Thank you
17 for coming. I appreciate it. I you could please sign in with
18 the Clerk's office.

19 MR. CATHEY: Sure.

20 HEARING MASTER: Development Services services.

21 MS. BROWN: Good evening. Isis Brown, Development
22 Services for the record. Case 22-1642, the -- the requested is
23 to rezone an existing site of approximately 1.03 acres from AI,
24 agricultural industrial zoning district, to the proposed
25 manufacturing zoning district. The proposed zoning for M

1 permits manufacturing, processing or assembling uses, intensive
2 commercial uses and other industrial uses on lots containing a
3 minimum of 20,000 square feet. The FAR and the Z4 -- the M
4 zoning district is 0.57 FAR. And that would give based on the
5 mathematical calculation of 33,000 -- 33,600 square feet.

6 The site is located in an area comprising of a light
7 industrial agricultural mixed and commercial uses. The adjacent
8 properties are zoned M to the north, south and west and AI to
9 the east. The subject sites immediately surrounding the area
10 consists of properties within the light industrial Future Land
11 Use Category. The subject site is located within coastal high
12 hazard area. Therefore, allowable uses will be uses maybe
13 further prohibited or restricted in according with the
14 requirements of -- of part 3.04.00 of the Land Development Code.
15 The area is also within the City of Tampa's service area and
16 public -- publicly owned and operated portable water and
17 wastewater facility available -- facilities available. The site
18 in depth and the site's parcel in relation to adjacent
19 properties and commercial uses creates a zoning development
20 pattern that is consistent with the existing zoning and
21 development pattern of light industrial and commercial uses in
22 zoning districts in the area.

23 Based on the above consideration, Staff finds that the
24 proposed M zoning district is compatible with the existing
25 zoning district and the development patent in the area.

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1 Therefore, Staff finds the request approvable. I'm available
2 for any questions.

3 HEARING MASTER: None at this time, but thank you.
4 Planning Commission.

5 MS. MASSEY: This is Jillian Massey with Planning
6 Commission Staff. The subject pro -- the subject property is in
7 the light industrial Future Land Use Category. It's in the
8 urban service area and located within the limits of the Greater
9 Palm River Area community Plan. The light industrial category
10 surrounds the west, north and east sides of the subject site.
11 Natural preservation is located directly to the south. Further
12 east is an extended area of Residential-6. Heavy industrial is
13 located further south of the subject site. The proposed change
14 from agricultural industrial to manufacturing is compatible with
15 the existing character of the development in the area.

16 Therefore, consistent with Future Element Land Use Policy 1.4.

17 The current development pattern contains several other
18 similar industrial uses. The proposed rezoning meets the intent
19 of neighborhood protection policies of the Future Land Use
20 Element Objective 16 and its accompanying policies. The
21 development pattern of the surrounding area shows several other
22 industrial uses in manufacturing zoning areas. Policy 16.5
23 restricts high intensity, non-residential land uses that are
24 adjacent to establish neighborhoods to collect dirt roadways.
25 South 36th Avenue is classified as a collector roadway, which

1 makes the subject site viable for high intense -- higher
2 intensity uses.

3 The proposed buffer on the east side is consistent
4 with Policy 17.7, which requires the development and
5 re-development to mitigate adverse noise, visual, odor and
6 vibration impacts created by that development upon all adjacent
7 land uses. The subject site meets the intent of Goal 5A of the
8 Greater Palm River Area Community Plan. This Goal seeks to
9 promote and provide for opportunities for compatible
10 well-designed public use, residential and business growth and
11 jobs.

12 The subject site also meets the intent of Goal 5B of
13 the Greater Palm River Area Community Plan. This Goal seeks to
14 provide opportunities for business growth and jobs in -- in the
15 Palm River area. And based upon these considerations, Planning
16 Commissio Staff finds the proposed rezoning consistent with the
17 Unincorporated Hillsborough County Comprehensive Plan. Thank
18 you.

19 HEARING MASTER: Thank you so much. Is there anyone
20 in the room or online that would like to speak in support? I'm
21 seeing no one.

22 Anyone in opposition to this request? No one. County
23 Staff, anything else?

24 MR. GRADY: Nothing further.

25 HEARING MASTER: All right. The applicant, anything,

1 you have the last word. All right. Nothing. All right. Thank
2 you for that.

3 With that, we'll then close Rezoning 22-1642 and go to
4 the next case.

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**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

NONE



**PARTY OF
RECORD**

NONE