

Rezoning Application: RZ-STD 23-0035

Zoning Hearing Master Date: March 20, 2023

BOCC Land Use Meeting Date: May 9, 2023

1.0 APPLICATION SUMMARY

Applicant: AMQ International, Corp.

FLU Category: Residential - 9 (RES-9)

Service Area: Urban

Site Acreage: 5.53 MOL

**Community
Plan Area:** Seffner Mango

Overlay: None

Request: Rezone from Residential – Multi-Family Conventional Restricted (RMC-9 (R)) to Residential – Multi-Family Conventional Restricted (RMC-9 (R)) (Removing restriction of a maximum of 36 dwelling units)



Introduction Summary:

The existing zoning is Residential – Multi-Family Conventional Restricted (RMC-9 (R)) which allows Multi-Family Residential Restricted uses pursuant to the development standards in the table below. The proposed zoning is Residential – Multi-Family Conventional Restricted (RMC-9 (R)) with a removal of the restriction of a maximum of 36 dwelling units from previous rezoning 13-0695 which allows Multi-Family Residential Restricted uses pursuant to the development standards in the table below. The remaining buffering and screening restrictions will remain.

	Existing	Proposed
District(s)	RMC-9 (R)	RMC-9 (R)
Typical General Use(s)	Multi-Family Residential Restricted	Multi-Family Residential Restricted
Acreage	5.53 MOL	5.53 MOL
Density	approx. 6.5 du/gross acre	9 du/gross acre
Mathematical Maximum*	36 units	49 units

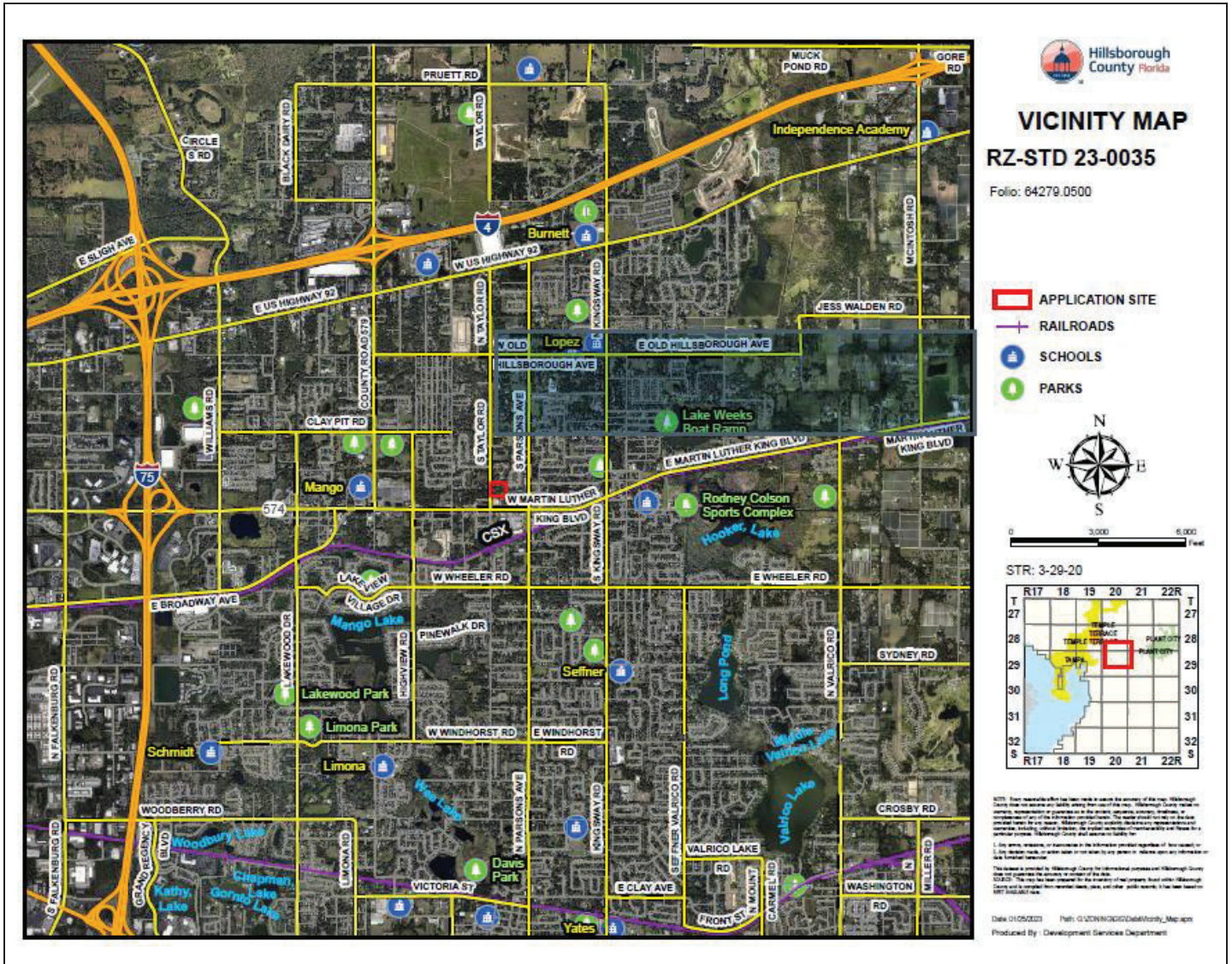
*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	RMC-9 (R)	RMC-9 (R)
Lot Size / Lot Width	14,520 sf / 70'	14,520 sf / 70'
Setbacks/Buffering and Screening	25' Front 20' Rear 10' Sides Buffer and Screening Per Restrictions and LDC Section 6.06.06	25' Front 20' Rear 10' Sides Buffer and Screening Per Restrictions and LDC Section 6.06.06
Height	35'	35'

Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable, with restrictions
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

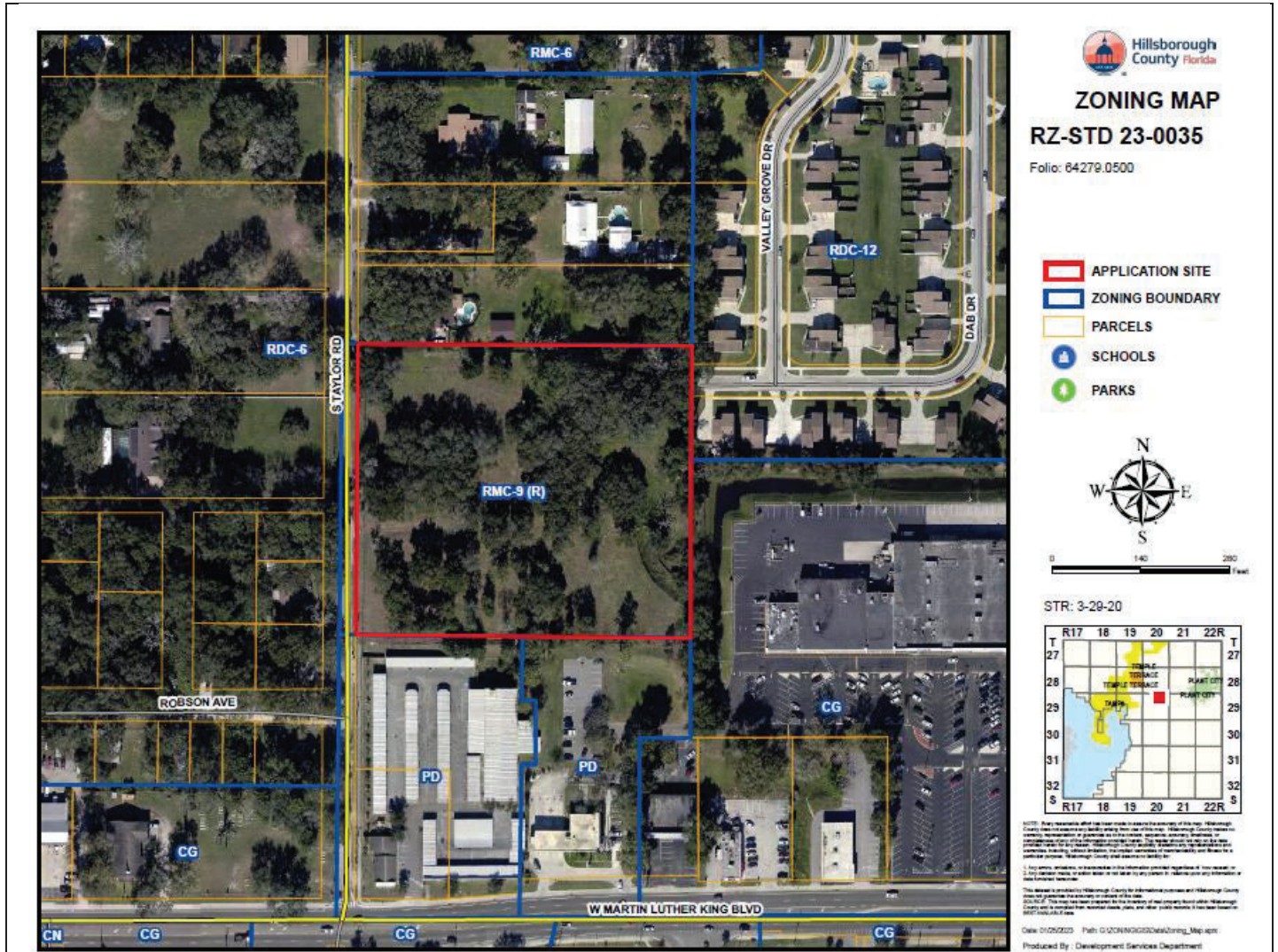


Context of Surrounding Area:

The area consists of single-family and two family residential and commercial. The subject parcel is directly adjacent to single-family residential zoned RDC-6 to the north. To the south it is adjacent to commercial zoned PD. To the east it is adjacent to two-family residential zoned RDC-12 and commercial zoned CG. To the west across South Taylor Road is single-family and two family residential zoned RDC-6.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RDC-6	6 du / gross acre	Single-Family and Two-Family (Conventional)	Single-Family Residential
South	PD 03-1068, PD 84-0348	0.44 F.A.R., Per PD 84-0348	Commercial, Bank	Commercial, Bank
East	RDC-12, CG	12 du / gross acre, 0.27 F.A.R.	Single-Family and Two-Family (Conventional), Commercial	Two-Family Residential, Commercial
West	RDC-6	6 du / gross acre	Single-Family and Two-Family (Conventional)	Single-Family Residential, Vacant, Two-Family Residential

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
Taylor Road	County Collector - Rural	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 Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	264	17	20
Proposed	359	23	27
Difference (+/-)	+95	+6	+7

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.

Notes:

Design Exception/Administrative Variance Not applicable for this request

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

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No wetlands present
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
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 checked="" type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input checked="" type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Comprehensive Plan:	Comments Received	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 checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The approximate 5.53-acre vacant parcel is zoned RMC-9 (R) (Residential – Multi-Family Conventional Restricted). The subject property is located at 1406 South Taylor Road. The area consists of single-family and two family residential and commercial. The subject parcel is directly adjacent to single-family residential zoned RDC-6 to the north. To the south it is adjacent to commercial zoned PD. To the east it is adjacent to two-family residential zoned RDC-12 and commercial zoned CG. To the west across South Taylor Road is single-family and two family residential zoned RDC-6. The subject property is designated Residential - 9 (RES-9) on the Future Land Use map.

The applicant is requesting to withdraw the prior approved restriction that limited the site to 36 units under rezoning 13-0695, while the other restrictions would remain.

The proposed revised restrictions are the following:

- 1) A 5 foot buffer shall be provided along the northern property line. Within the buffer, screening shall consist of a 6 foot high PVC fence, hedges and 10 oak trees. Hedges shall consist of those listed in Hillsborough County's Approved Tree and Hedge Materials List. The required oak trees may consist of existing or newly planted oak trees (per the oak trees specified in Screening Trees for Incompatible Land Uses of the Approved Tree and Hedge Materials). The hedges and trees may be placed on either side of the PVC fence.
- 2) A 20 foot buffer along Taylor Road shall be provided. Within that buffer, ornamental trees (acceptable for planting under power lines per Hillsborough County's Approved Tree and Hedge Material List), shall be planted. Clusters of 3 trees shall be planted on 30 foot centers at a height of 6 feet at time of planting.
- 3) No fence or wall shall be constructed along Taylor Road within the 20 foot buffer.

Development Services has no objection to the removal of the 36-unit restriction. The Planning Commission concurs with a finding of consistent. The previous rezoning 13-0695 restriction of the density to 36 dwelling units was offered by the applicant to address neighbors' concerns at the time. The Future Land Use of Residential – 9 and RMC-9 zoning permit 9 dwelling units per gross acre. The surrounding area to the north is zoned for two family and multi-family residential. The remaining restrictions provide additional buffering and screening in addition to Land Development Code requirements.

Based on the above considerations staff finds the requested RMC-9 (R) zoning district COMPATIBLE with the existing zoning and development pattern in the area.

5.2 Recommendation


Based on the above considerations, staff finds the request APPROVABLE, with restrictions. As noted, the applicant's proposed revised restrictions are the following:

- 1) A 5 foot buffer shall be provided along the northern property line. Within the buffer, screening shall consist of a 6 foot high PVC fence, hedges and 10 oak trees. Hedges shall consist of those listed in Hillsborough County's Approved Tree and Hedge Materials List. The required oak trees may consist of existing or newly planted oak trees (per the oak trees specified in Screening Trees for Incompatible Land Uses of the Approved Tree and Hedge Materials). The hedges and trees may be placed on either side of the PVC fence.

- 2) A 20 foot buffer along Taylor Road shall be provided. Within that buffer, ornamental trees (acceptable for planting under power lines per Hillsborough County’s Approved Tree and Hedge Material List), shall be planted. Clusters of 3 trees shall be planted on 30 foot centers at a height of 6 feet at time of planting.

- 3) No fence or wall shall be constructed along Taylor Road within the 20 foot buffer.

Zoning Administrator Sign Off:



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U. Bryan Grady
Mon Mar 20 2023 12:08:21

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.

6.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: Seffner Mango/Northeast

DATE: 03/09/2023
AGENCY/DEPT: Transportation
PETITION NO.: STD 23-0035

- 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 95 average daily trips, 6 trips in the a.m. peak hour, and 7 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 +/- 5.5-acre parcel from Residential, Multi Family Conventional-9-Restricted (RMC-9-R) to Residential Multi Family Conventional – 9 (RMC-9). The existing restriction limits the maximum residential units to 36. The proposed rezoning would eliminate the maximum dwelling unit restriction. The maximum number of residential units able to be built under the proposed rezoning category is 49 dwelling units. The site is located on the west side of Taylor Road +/- 440 feet north of the intersection of Taylor Road and Martin Luther King Blvd. The Future Land Use designation of the site is Residential-9 (RES-9).

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
RMC-9-R, 36 Multi Family Dwelling Units (ITE 220)	264	17	20

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RMC-9, 49 Multi Family Dwelling Units (ITE 220)	359	23	27

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+95	+6	+7

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Taylor Road. Taylor Road is a 2 lane, undivided, Hillsborough County maintained, substandard, collector roadway. Taylor Road lies within +/- 50 feet of Right of Way in the vicinity of the project. Taylor Road does not have sidewalk, bike lanes or curb and gutter on either side of the roadway in the vicinity of the project.

SITE ACCESS

It is anticipated that the site will have access to Taylor Road. 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

Taylor Road is not a regulated roadway and was not included in the Level of Service Report.

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

Application number:	RZ-STD 23-0035
Hearing date:	March 20, 2023
Applicant:	AMQ International, Corp.
Request:	Rezone to RMC-9 (R)
Location:	1406 S. Taylor Road, Seffner
Parcel size:	5.53 acres +/-
Existing zoning:	RMC-9 (R), Rezoning 13-0695
Future land use designation:	Res-9 (9 du/ga; 0.5 FAR)
Service area:	Urban Services Area
Community planning area:	Seffner-Mango Community Plan

A. APPLICATION REVIEW

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

Rezoning Application: RZ-STD 23-0035
Zoning Hearing Master Date: March 20, 2023
BOCC Land Use Meeting Date: May 9, 2023

1.0 APPLICATION SUMMARY

Applicant: AMQ International, Corp.
FLU Category: Residential - 9 (RES-9)
Service Area: Urban
Site Acreage: 5.53 MOL
Community Plan Area: Seffner Mango
Overlay: None
Request: Rezone from Residential – Multi-Family Conventional Restricted (RMC-9 (R)) to Residential – Multi-Family Conventional Restricted (RMC-9 (R)) (Removing restriction of a maximum of 36 dwelling units)



Introduction Summary:

The existing zoning is Residential – Multi-Family Conventional Restricted (RMC-9 (R)) which allows Multi-Family Residential Restricted uses pursuant to the development standards in the table below. The proposed zoning is Residential – Multi-Family Conventional Restricted (RMC-9 (R)) with a removal of the restriction of a maximum of 36 dwelling units from previous rezoning 13-0695 which allows Multi-Family Residential Restricted uses pursuant to the development standards in the table below. The remaining buffering and screening restrictions will remain.

	Existing	Proposed
District(s)	RMC-9 (R)	RMC-9 (R)
Typical General Use(s)	Multi-Family Residential Restricted	Multi-Family Residential Restricted
Acreage	5.53 MOL	5.53 MOL
Density	approx. 6.5 du/gross acre	9 du/gross acre
Mathematical Maximum*	36 units	49 units

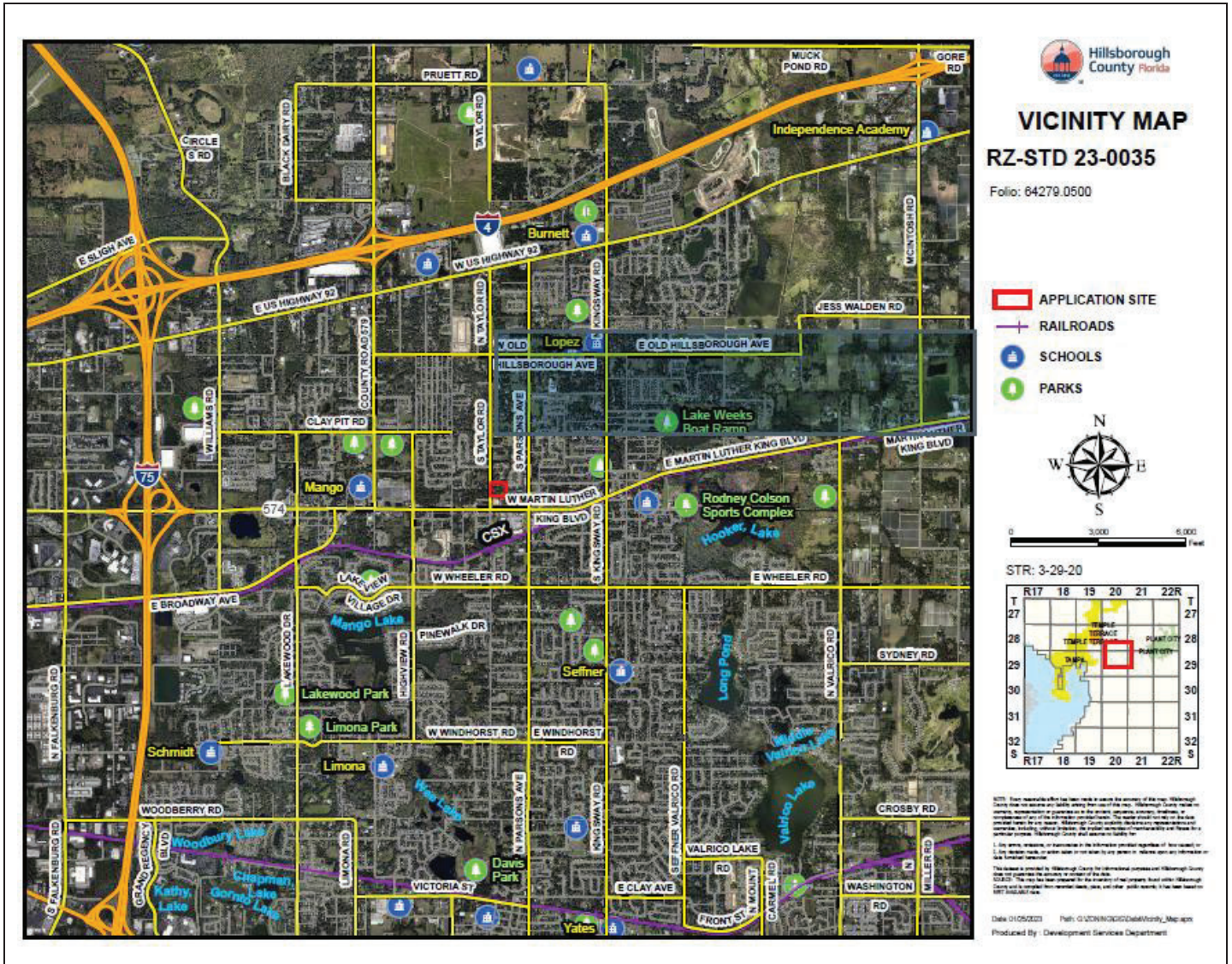
*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	RMC-9 (R)	RMC-9 (R)
Lot Size / Lot Width	14,520 sf / 70'	14,520 sf / 70'
Setbacks/Buffering and Screening	25' Front 20' Rear 10' Sides Buffer and Screening Per Restrictions and LDC Section 6.06.06	25' Front 20' Rear 10' Sides Buffer and Screening Per Restrictions and LDC Section 6.06.06
Height	35'	35'

Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable, with restrictions
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2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

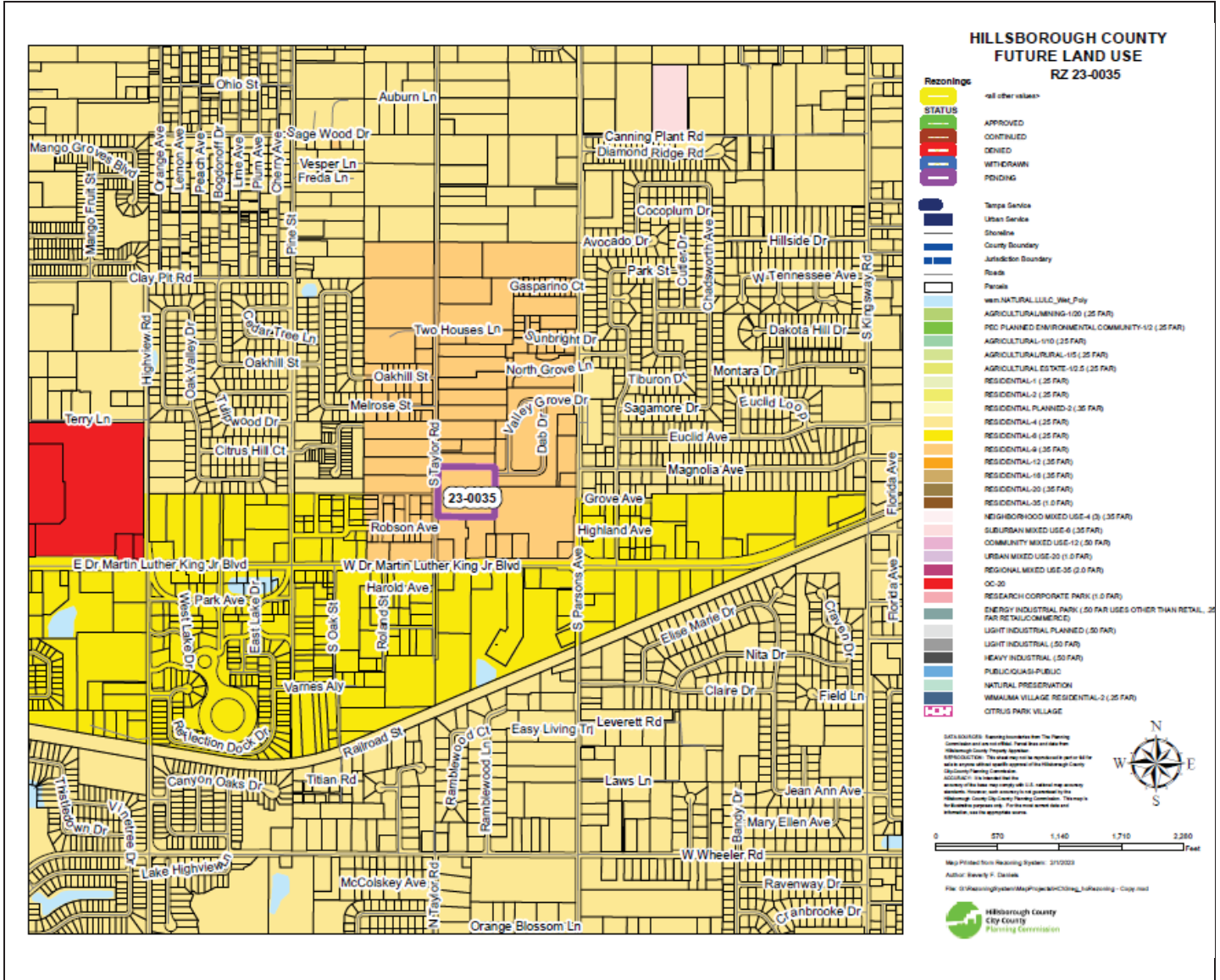


Context of Surrounding Area:

The area consists of single-family and two family residential and commercial. The subject parcel is directly adjacent to single-family residential zoned RDC-6 to the north. To the south it is adjacent to commercial zoned PD. To the east it is adjacent to two-family residential zoned RDC-12 and commercial zoned CG. To the west across South Taylor Road is single-family and two family residential zoned RDC-6.

2.0 LAND USE MAP SET AND SUMMARY DATA

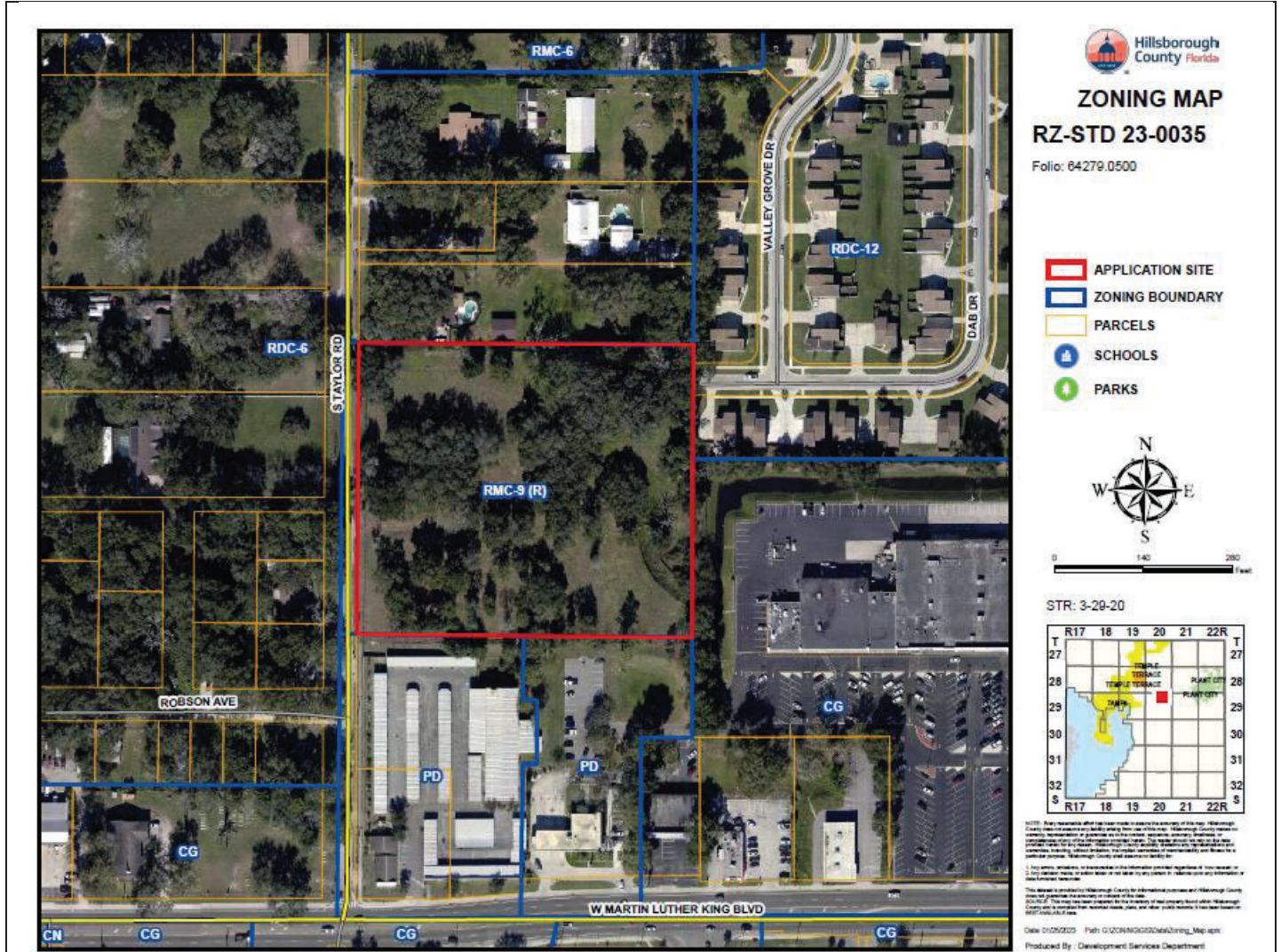
2.2 Future Land Use Map



Subject Site Future Land Use Category:	Residential - 9 (RES-9)
Maximum Density:	9.0 dwelling units per gross acre / 0.50 F.A.R.
Typical Uses:	Residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses shall meet established locational criteria for specific land use.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RDC-6	6 du / gross acre	Single-Family and Two-Family (Conventional)	Single-Family Residential
South	PD 03-1068, PD 84-0348	0.44 F.A.R., Per PD 84-0348	Commercial, Bank	Commercial, Bank
East	RDC-12, CG	12 du / gross acre, 0.27 F.A.R.	Single-Family and Two-Family (Conventional), Commercial	Two-Family Residential, Commercial
West	RDC-6	6 du / gross acre	Single-Family and Two-Family (Conventional)	Single-Family Residential, Vacant, Two-Family Residential

APPLICATION NUMBER: RZ-STD 23-0035

ZHM HEARING DATE: March 20, 2023

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
Taylor Road	County Collector - Rural	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 Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	264	17	20
Proposed	359	23	27
Difference (+/-)	+95	+6	+7

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.
Notes:				

Design Exception/Administrative Variance Not applicable for this request

Road Name/Nature of Request	Type	Finding
	Choose an item.	Choose an item.
	Choose an item.	Choose an item.
Notes:		

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No wetlands present
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
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 checked="" type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____				
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Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
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Comprehensive Plan:	Comments Received	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 checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The approximate 5.53-acre vacant parcel is zoned RMC-9 (R) (Residential – Multi-Family Conventional Restricted). The subject property is located at 1406 South Taylor Road. The area consists of single-family and two family residential and commercial. The subject parcel is directly adjacent to single-family residential zoned RDC-6 to the north. To the south it is adjacent to commercial zoned PD. To the east it is adjacent to two-family residential zoned RDC-12 and commercial zoned CG. To the west across South Taylor Road is single-family and two family residential zoned RDC-6. The subject property is designated Residential - 9 (RES-9) on the Future Land Use map.

The applicant is requesting to withdraw the prior approved restriction that limited the site to 36 units under rezoning 13-0695, while the other restrictions would remain.

The proposed revised restrictions are the following:

- 1) A 5 foot buffer shall be provided along the northern property line. Within the buffer, screening shall consist of a 6 foot high PVC fence, hedges and 10 oak trees. Hedges shall consist of those listed in Hillsborough County's Approved Tree and Hedge Materials List. The required oak trees may consist of existing or newly planted oak trees (per the oak trees specified in Screening Trees for Incompatible Land Uses of the Approved Tree and Hedge Materials). The hedges and trees may be placed on either side of the PVC fence.
- 2) A 20 foot buffer along Taylor Road shall be provided. Within that buffer, ornamental trees (acceptable for planting under power lines per Hillsborough County's Approved Tree and Hedge Material List), shall be planted. Clusters of 3 trees shall be planted on 30 foot centers at a height of 6 feet at time of planting.
- 3) No fence or wall shall be constructed along Taylor Road within the 20 foot buffer.

Development Services has no objection to the removal of the 36-unit restriction. The Planning Commission concurs with a finding of consistent. The previous rezoning 13-0695 restriction of the density to 36 dwelling units was offered by the applicant to address neighbors' concerns at the time. The Future Land Use of Residential – 9 and RMC-9 zoning permit 9 dwelling units per gross acre. The surrounding area to the north is zoned for two family and multi-family residential. The remaining restrictions provide additional buffering and screening in addition to Land Development Code requirements.

Based on the above considerations staff finds the requested RMC-9 (R) zoning district COMPATIBLE with the existing zoning and development pattern in the area.

5.2 Recommendation


Based on the above considerations, staff finds the request APPROVABLE, with restrictions. As noted, the applicant's proposed revised restrictions are the following:

- 1) A 5 foot buffer shall be provided along the northern property line. Within the buffer, screening shall consist of a 6 foot high PVC fence, hedges and 10 oak trees. Hedges shall consist of those listed in Hillsborough County's Approved Tree and Hedge Materials List. The required oak trees may consist of existing or newly planted oak trees (per the oak trees specified in Screening Trees for Incompatible Land Uses of the Approved Tree and Hedge Materials). The hedges and trees may be placed on either side of the PVC fence.

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- 3) No fence or wall shall be constructed along Taylor Road within the 20 foot buffer.

Zoning Administrator Sign Off:



IntegrISign Desktop
U. Bryan Grady
Mon Mar 20 2023 12:08:21

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

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

B. HEARING SUMMARY

This case was heard by the Hillsborough County Zoning Hearing Master on March 20, 2023. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Applicant

Mr. Todd Pressman spoke on behalf of the applicant. Mr. Pressman introduced the rezoning petition and provided testimony as reflected in the hearing transcript attached to and made a part of this recommendation.

Development Services Department

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

Planning Commission

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

Proponents

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

Opponents

The hearing officer asked whether there was anyone at the hearing in person or online to speak in opposition to the application.

Ms. Grace McComas spoke in opposition to the rezoning request and provided testimony as reflected in the hearing transcript attached to and made a part of this recommendation. Ms. McComas stated her property is 2 miles from the Subject Property. Ms. McComas raised concerns about traffic congestion on Taylor Road and stated she opposes removal of the restriction allowing a maximum of 36 units. She stated without the restriction of 36 homes there will be increased traffic, drainage, and flooding. She stated there is no traffic signal at Taylor and Martin Luther King Boulevard or at Highway 92. Ms. McComas stated many residents opposed the prior rezoning, which restricted the number of units, and nothing has changed since then. She raised a concern that there is no condition to ensure Dab Drive will never be connected through the Subject Property to Taylor Road and asked that such a condition be included. She stated allowing 49 homes would not be compatible, consistent, or transitional with existing uses.

Development Services Department

Mr. Grady noted he distributed a revised staff report that included the school board's revised comments.

Applicant Rebuttal

Mr. Pressman provided rebuttal testimony as reflected in the hearing transcript attached to and made a part of this recommendation. Mr. Pressman noted the Transportation staff had no objection to the rezoning request and indicated there would be six additional a.m. peak trips and seven additional p.m. peak trips. He stated he received no opposition communications in response to the public notice. He stated there are intense uses abutting the Subject Property, and the proposed rezoning will be a transitional use.

The hearing officer closed the hearing RZ-STD 23-0035.

C. EVIDENCE SUBMITTED

Ms. Rosalina Timoteo submitted to the record at the hearing a revised Development Services Department staff report.

Ms. Grace McComas submitted to the record at the hearing a transcript from the October 21, 2013 Zoning Hearing Master hearing.

D. FINDINGS OF FACT

1. The Subject Property consists of approximately 5.53 acres of undeveloped land at 1406 South Taylor Road in Seffner.
2. The Subject Property is designated Res-9 on the Future Land Use Map and is zoned RMC-9 (R), under rezoning case 13-0695, which provided buffering and screening restrictions, and allowed development on the Subject Property with a maximum of 36 dwelling units.
3. The Subject Property is located within the boundaries of the Seffner Community Plan and is within the Urban Services Area.
4. The surrounding area consists of single-family and two-family residential and commercial uses. The area to the north of the Subject Property is zoned for two-family and multi-family residential uses. Adjacent parcels include a property zoned RDC-6 to the north; parcels zoned PD and developed with a self-storage facility, pet grooming business, and credit union to the south; South Taylor Road and residential properties zoned RDC-6 to the west; and a shopping center property zoned CG and residential properties zoned RDC-12 to the east.
5. The applicant is requesting to rezone the Subject Property to remove the restriction for a maximum of 36 dwelling units. The proposed RMC-9(R) zoning will allow development of the Subject Property with up to 49 dwelling units. The applicant is not requesting to remove the buffering and screening restrictions imposed under rezoning case 13-0695.

6. Development Services Department staff found the proposed rezoning compatible with the existing zoning and development pattern in the surrounding area and found the rezoning request approvable with restrictions.
7. Planning Commission staff found the proposed rezoning consistent with the county's comprehensive plan and compatible with the existing and planned development pattern in the surrounding area.

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

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

F. CONCLUSIONS OF LAW

A development order is consistent with the comprehensive plan if “the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government.” § 163.3194(3)(a), Fla. Stat. (2022). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant's testimony and evidence, and opposition testimony and evidence, there is substantial competent evidence demonstrating the requested rezoning is consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and does comply with the applicable requirements of the Hillsborough County Land Development Code.

G. SUMMARY

The applicant is requesting to rezone the Subject Property to remove the restriction for a maximum of 36 dwelling units. The proposed RMC-9(R) zoning will allow development of the Subject Property with up to 49 dwelling units. The applicant is not requesting to remove the buffering and screening restrictions imposed under rezoning case 13-0695.

H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **APPROVAL** of the rezoning request to RMC-9(R), with the following restrictions:

1. A 5-foot buffer shall be provided along the northern property line. Within the buffer, screening shall consist of a 6-foot-high PVC fence, hedges and 10 oak trees. Hedges shall consist of those listed in Hillsborough County's Approved Tree and Hedge Materials List. The required oak trees may consist of existing or newly planted oak trees (per the oak trees specified in Screening Trees for Incompatible

Land Uses of the Approved Tree and Hedge Materials). The hedges and trees may be placed on either side of the PVC fence.

2. A 20-foot buffer along Taylor Road shall be provided. Within that buffer, ornamental trees (acceptable for planting under power lines per Hillsborough County's Approved Tree and Hedge Material List), shall be planted. Clusters of 3 trees shall be planted on 30 foot centers at a height of 6 feet at time of planting.
3. No fence or wall shall be constructed along Taylor Road within the 20-foot buffer.

Pamela Jo Hatley
Pamela Jo Hatley PhD, JD
Land Use Hearing Officer

April 10, 2023
Date:

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONE HEARING MASTER)
HEARINGS)
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Monday, March 20, 2023

TIME: Commencing at 6:00 p.m.
Concluding at 8:08 p.m.

PLACE: Hillsborough County Board of
County Commissioners
601 East Kennedy Boulevard
2nd Floor Boardroom
Tampa, Florida 33601

Reported in person by:

Brittany Bridges, CER No. 1607
U.S. Legal Support
4200 West Cypress Street, Suite 750
Tampa, Florida 33607
(813)223-7321

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
March 20, 2023

ZONING HEARING MASTER: PAMELA JO HATLEY

C.1.:

Application Number: RZ-STD 23-0035
Applicant: AMQ International Corp.
Location: 1406 S Taylor Rd
Folio Number: 064279.0500
Acreage: 5.53 acres, more of less
Comprehensive Plan: R-9
Service Area: Urban
Existing Zoning: RMC-9, 13-0695 (R)
Request: Rezone to RMC-9 (R)

1 MR. GRADY: The next item is Agenda Item C1, Rezoning
2 Standard 23-0035. The applicant is AMQ International Corp.
3 The request is a rezone from RM -- RMC 9 with restrictions
4 to RMC 9 with restrictions. Ostensibly, the purposes of
5 this modification is to remove a restriction with restrict
6 (sic) to the maximum number of dwelling units on the
7 property.

8 Chris Grandlienard will provide Staff recommend --
9 recommendation after presentation by the applicant.

10 HEARING MASTER HATLEY: All right. We'll hear from
11 the applicant.

12 UNIDENTIFIED SPEAKER: (Inaudible.)

13 HEARING MASTER HATLEY: It's on -- nope, it was. Now
14 it is.

15 MR. PRESSMAN: There we go. Thank you.

16 HEARING MASTER HATLEY: Thank you.

17 MR. PRESSMAN: Good evening, Hearing Officer.
18 Todd Pressman, 200 2nd Avenue South in St. Petersburg,
19 No. 451.

20 As Mr. Grady indicated, this is official rezoning for
21 RMC 9 to RMC 9. The purpose of it is to remove a
22 restriction that was placed when this originally came
23 through for zoning which capped it at 36 units. Releasing
24 the cap would put it at 49 units, which is, of course, at
25 the Future Land Use category -- within the parameters of

1 the Future Land Use category.

2 There's a couple other conditions that are included in
3 the staff report regarding buffers, which were an original
4 part of the present -- presentation and application, and
5 those will remain. The only things changing is that change
6 in density. I did check this morning, and there were no
7 posted communications against it. And in regard to
8 noticing, we sent out approximately 90 -- or 26 notices;
9 haven't heard anything back as well. So both Zoning and
10 Planning Commission are in support.

11 So with that, if you have any other comments or
12 questions, then we will respond if there's anything else.
13 Thank you.

14 HEARING MASTER HATLEY: All right. Thank you,
15 Mr. Pressman.

16 MR. GRANDLIENARD: Good evening. Chris Grandlienard,
17 Dev -- planner with Development Services. Represent
18 Application 23-0035, approximate 5.53-acre vacant parcel as
19 zoned RMC 9 restricted, was is -- which is residential
20 multi-family conventional restricted. The subject property
21 is located at 1406 South Taylor Road. The area consists of
22 single-family and two-family residential and commercial.
23 The subject property is designated Residential 9 on the
24 future land use map.

25 The applicant is requesting to withdraw the prior

1 approved restriction that limited the site to 36 units
2 under Rezoning 13-0695, while the other restrictions will
3 remain. The proposed revised restrictions, I'm not going
4 to go into them just for -- they're in the record. They're
5 buffering and screening restrictions. Also, an addition of
6 a fence on the third one.

7 Development Services has no objection to the removal
8 of the 36-unit restriction. The planning Commission
9 concurs with the finding of the -- of consistent. The
10 previous Rezoning 130695 restriction of the density to 36
11 dwelling units was offered by the applicant to address
12 neighborhood concerns at the time. The future land use RES
13 9 -- the future land use of Residential 9, and the RMC 9
14 zoning both permit nine dwelling units per gross acre, so
15 it'll meet that. The surrounding area to the north is
16 zoned for two-family and multi-family residential. Also,
17 the remaining restrictions provide additional buffering and
18 screening in addition to what's already required in the
19 Land Development Code.

20 Based on all that, residential future land use
21 classification, the surrounding zoning and development
22 pattern, and the proposed uses for the RMC 9 restricted
23 district, Staff finds the request approvable, subject to
24 the proposed conditions.

25 That concludes my staff report. I'm glad to answer

1 any questions you may have.

2 HEARING MASTER HATLEY: Thank you. I have no
3 questions for you.

4 MR. GRANDLIENARD: Thank you.

5 HEARING MASTER HATLEY: Thank you.

6 All right. Planning Commission.

7 MS. MASSEY: Jillian Massey with Planning Commission
8 Staff.

9 The subject site is in the Residential 9 Future Land
10 Use category, it's in the urban service area, and within
11 the limits of the Seffner-Mango Community Plan. The
12 Residential 9 Future Land Use category around the site on
13 all sides, residential 6 is located further southwest,
14 south, and southeast, and Residential 4 extends further
15 northwest and northeast of the subject site.

16 The proposed rezoning would allow consideration of a
17 density increase that would enhance the established
18 neighborhood to the north and northeast while also
19 providing a transition in land use from the commercial and
20 industrial uses located to the south of the subject site.
21 The rezoning would allow for the development of like uses
22 while incorporating a density increase that is approp --
23 appropriate for the subject site and the surrounding area;
24 therefore, the proposal meets the need -- the intent of the
25 neighborhood protection policies of the Future Land Use

1 Element, Objective 16, and the accompanying policies.

2 The proposal would also for the consideration of
3 development that relates to the predominant character of
4 the area along South Taylor Road and Dab Drive and is
5 therefore consistent with the policy direction provided in
6 the community design component of the Future Land Use
7 Element.

8 And, finally, the proposed rezoning would allow for
9 the consideration of residential development that is
10 consistent and encouraged by the goals and strategies of
11 the Seffner-Mango Community Plan. And based on these
12 considerations, Planning Commission Staff finds the
13 proposed rezoning consistent with the Unincorporated
14 Hillsborough County Comprehensive Plan, subject to the
15 restrictions proposed by the Development Services
16 Department. Thanks.

17 HEARING MASTER HATLEY: All right. Thank you.

18 All right. We'll go to the public. Is there anyone
19 here or online who wishes to speak in support of this
20 applicant? I do not hear anyone.

21 Is there anyone here or online who wishes to speak in
22 opposition to this application?

23 All right. Come forward, please. Be sure and state
24 your name and address.

25 MS. MCCOMAS: Yes, ma'am.

1 HEARING MASTER HATLEY: Thank you.

2 MS. MCCOMAS: My name is Grace McComas, and I live at
3 805 Old Darby Street, Seffner, Florida. To save
4 Mr. Pressman the need to look up how far away I live from
5 Taylor Road, it's two miles.

6 So I do not live on Taylor Road; however, the facts of
7 my opposition and your decision affects all similar
8 properties and neighborhoods of the Hillsborough County
9 Unincorporated Areas. I'm here to try to protect anything
10 in Seffner that is unreasonable in an area.

11 I use Highway 92 and MLK; I know the traffic concerns
12 on 92 for this neighborhood and the heavy traffic with the
13 Amazon trucks. We've counted as many as 72 trucks coming
14 out of the warehouse in one stream, blocking traffic at
15 Taylor Road because there is no signalization. The same
16 heavy traffic problems exist for trying to access MLK
17 Boulevard.

18 The zoning hearing master in 2013 recommended denial
19 of the RSC 9 zoning, and the condition of 36 homes was
20 placed. Nothing in this area has changed since then.
21 Mr. Pressman wishes to only remove the restriction of 36
22 homes through her approval given in 130695 rezoning; all
23 others would remain, thankfully. My opposition is to
24 allowing the removal of the condition and making a bad sec
25 -- situation for this neighborhood worse. He already has

1 zoning for 36 homes; I do know we cannot take that way.

2 At that 2013 hearing, residents from the area poured
3 their hearts out to save Taylor Road. It is still one of
4 the prettiest tranquil neighborhoods in Seffner. The homes
5 are on very large lots, well set back from the two-lane
6 substandard road, with no sidewalks, no curbs, no drainage,
7 no lighting. It is suburban in its nature. Although many
8 of these properties have a future land use category much
9 higher, residents do not wish to change the character of
10 the neighborhood. Their arguments were, the increased
11 traffic, even with the restriction of 36 homes, increased
12 drainage, and persistent flooding to the neighbor --
13 neighboring homes, no signalization at either Taylor and
14 Martin Luther King Boulevard or Taylor and Highway 92, and
15 an increase in des -- density that is not compatible or
16 consistent or transitional with the neighborhood
17 appearance.

18 There are more, and I am submitting the testimony of
19 Crystal Booth from that hearing, who resent -- represented
20 the 50 people that wrote or signed in opposition, and to
21 include all of those concerns as far as my opposition
22 today. Her statements are as valid now as they were in
23 2013, and all the facts and concerns of residents remains
24 the same today. Unfortunately, they were unsuccessful.

25 There are two duplexes across from this plan site, but

1 they each are on large lots separated by a dirt road named
2 Robson Street. The prop -- which does maintain the
3 appearance of this neighborhood. The property adjacent to
4 the north is a very large lot with one home on the
5 property.

6 The property to the north and east of the site is RDC
7 12. It has two-story complexes; however, a big difference
8 is their exit is on Parsons Avenue, a much better improved
9 road with sidewalks, curbs, drainage, lighting, and
10 signalization to the north at 92, and the south, at Martin
11 Luther King Boulevard, to their connecting arterial roads.
12 There is stub-out road on the west property line of that
13 property to this requesting petition to increase the PD
14 density.

15 My concern is there is no -- no condition to ensure
16 Dab Drive will never be connected to or through this
17 property to Taylor Road. I know the rule states, if the
18 project is developed with private roads, no connection is
19 required, but not prohibited. For the sake of the
20 residents on Taylor Road, since the applicant wants to
21 change a condition, is it possible to add a condition of
22 approval to the approved 36 homes that this would never be
23 allowed? The 49 homes would be far more inconsistent,
24 incompatible, and non-transitional than the 36 homes.

25 It is unfortunate that you cannot actually see this

1 neighborhood, and most unfortunate that there is no site
2 plans or narrative submitted to show the plans to address
3 the sensitive stormwater requirements or the configuration
4 of either of the plans 2013 36 homes or the now-requested
5 49 homes. While the Seffner-Mango Community Plan supports
6 infill, it is supporting infill that is compatible with the
7 existing uses. 49 homes as multiple duplexes or two-story
8 homes are not compatible, consistent, or transitional with
9 existing uses. The approved 36 -- homes we have to live
10 with, but not an increased density.

11 Just because a property has a for -- future land use
12 designation does not mean it has to be used at that
13 designation in a neighborhood that would not be consistent
14 with, like Taylor Road, and will set the present --
15 precedent to eventually allow more same non-trad --
16 transitional zonings. The neighborhood would become more
17 unsafe to exit to arterial roads with an increase stated as
18 95 more trips a day on Taylor Road, probably more. Also,
19 take away the quality of life that -- of families that have
20 lived there for many years. And although some of the
21 properties have changed ownership over the years, the
22 character of these properties have not changed.

23 Just because it looks right on paper and meets the FLU
24 plan does not mean it is right to allow this -- that
25 increased zoning in this neighborhood. If they are ready

1 to build, they have the right now to build 36 homes, but
2 should consider the neighbors' rights and not have
3 two-story homes where the northern boundary property has
4 their single home, and that property is one fourth of the
5 size of the property being considered, so it's a good-sized
6 property.

7 Crystal Booth gave all her -- gave her all to try and
8 save this neighborhood unsuccessfully. Fortunately, for
9 almost 10 years, nothing has been constructed. There is no
10 valid reason other than greed to increase the density now,
11 and it would be even more inconsistent, incompatible, and
12 definitely not transitional by county standards. The
13 reasons for the zoning hearing master to recommend for
14 denial of the RSC 9 in 2013 are the same today; the area
15 and the problems and concerns have not changed one bit
16 since then.

17 My additional small concern is the increase in
18 densities that have been approved all over Seffner and are
19 being requested like today add up to affect our overcrowded
20 schools. The redistricting of school boundaries being much
21 in the news today will require children to be bused to a
22 different school than the one in their neighborhood, a
23 foolish county expense. Whether Seffner will be affected
24 now, I do not know yet, but the more homes, the more kids,
25 the more overcrowding occurs. We know from the super --

1 superintendent of schools, no new schools are planned.

2 I am not against building -- new building in Seffner.
3 As Mr. Pressman knows, and we have spoken briefly about at
4 other hearings, I have not objected to the rezoning
5 request, his -- his or any land use attorney's request that
6 are consistent with the area in which they are requested.

7 I hope you accept my statement as truth as I have
8 nothing to gain and a lot to lose if I misrepresent or
9 mislead by any statements I make. We drove down the site
10 to take pictures today to support my statements, and
11 nothing has changed with the surrounding area since the
12 application approved in 2013 with the 36-home condition. I
13 have them on my phone if you're allowed to look at them.
14 If not, Google Earth pictures of the area posted in 2019
15 are unchanged today. I hope you can look at them and would
16 be allowed to print them for the BOCC hearing. If not, I
17 hope you do look at Google Maps as part of my opposition.

18 Gotta go back.

19 Please recommend denial of this increase or, as
20 stated, the removal of the condition to 36 homes they have
21 received permission for previously, and add the Dab Drive
22 restriction as a condition for the Taylor Road residents'
23 safety and protection.

24 Thank you, and thank you for hearing my concerns and
25 opposition, and please forgive my nervousness.

1 Can I give this to you?

2 Any questions for me, ma'am?

3 HEARING MASTER HATLEY: No questions for you. I
4 believe you wanted to submit photographs to the records,
5 but you don't have them in a format you could leave them
6 with us --

7 MS. MCCOMAS: Correct.

8 HEARING MASTER HATLEY: -- in the record -- okay.
9 So --

10 MS. MCCOMAS: That's why I thought --

11 HEARING MASTER HATLEY: All right.

12 MS. MCCOMAS: -- maybe you could look at the map
13 yourself --

14 HEARING MASTER HATLEY: Okay.

15 MS. MCCOMAS: -- and see it. Thank you.

16 HEARING MASTER HATLEY: Thank you, ma'am.

17 MS. MCCOMAS: Thank you.

18 HEARING MASTER HATLEY: Is there anyone else who
19 wishes to speak in opposition to this application? All
20 right. I don't hear anyone.

21 Development Services.

22 MR. GRADY: I just want to note for the record we did
23 hand out a revised report which included the school board
24 comments that we -- we received today, so the report
25 reflects the revised comments from the school board, and

1 would be open for any other questions.

2 HEARING MASTER HATLEY: All right. Thank you. I have
3 the revised report, thank you.

4 Applicant.

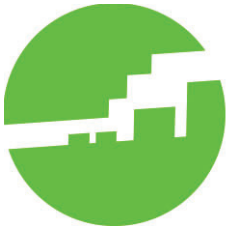
5 MR. PRESSMAN: Well, the -- the young lady certainly
6 has a lot of passion, and she has a lot to say, and it's
7 very much appreciated. We respect her coming down, she's a
8 very nice lady, and we're very friendly.

9 I would just emphasize that Transportation Department
10 has no opposition. They've indicated there will be six
11 additional a.m. peak trips at seven p.m. peak trips. We
12 did notice actually 30 nearby residents, and, of course,
13 with a big yellow sign, and as compared to the last hearing
14 from 10 years ago, no one was in opposition, and we didn't
15 hear or see from anyone -- anyone in opposition.

16 The reality is that there are very intensive uses
17 abutting this site, and it will be a transitional use, and
18 the Zoning Department and Planning Commission, of course,
19 have listed numerous and many policies in support, and no
20 agencies are in opposition.

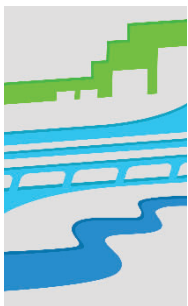
21 So with that, we appreciate -- we appreciate it you
22 coming down this evening. Thank you.

23 HEARING MASTER HATLEY: All right. Thank you,
24 Mr. Pressman. That will close the hearing on Rezoning
25 Standard 23-0035.



**Hillsborough County
City-County
Planning Commission**

Unincorporated Hillsborough County Rezoning	
Hearing Date: March 20, 2023	Petition: RZ 23-0035
Report Prepared: March 8, 2023	1406 South Taylor Road <i>East of South Taylor Road and west of Dab Drive</i>
Summary Data:	
Comprehensive Plan Finding	CONSISTENT
Adopted Future Land Use	Residential-9 (9 du/ga; 0.5 FAR)
Service Area	Urban
Community Plan	Seffner-Mango
Requested Zoning	Residential Multi-Family Conventional with Restrictions (RMC-9(R)) (RZ 13-0695) to Residential Multi-Family Conventional with Restrictions (RMC-9(R))
Parcel Size	5.53 +/- acres
Street Functional Classification	South Taylor Road – Local Dab Drive – Local East Dr. Martin Luther King Jr. Boulevard – State Principal Arterial
Locational Criteria	N/A
Evacuation Zone	None



Context

- The 5.53 +/- acre subject site is located east of South Taylor Road and west of Dab Drive.
- The subject site is located in the Urban Service Area and is located within the limits of the Seffner-Mango Community Plan.
- The subject site is located within the Residential-9 (RES-9) Future Land Use category, which can be considered for a maximum density of up to 9 dwelling units per gross acre and a maximum intensity of 0.5 FAR. The RES-9 Future Land Use category is intended to designate areas that are suitable for low to medium density residential uses as well as urban scale neighborhood commercial, office, multi-purpose projects, and mixed-use developments. Typical uses of RES-9 include residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development.
- The RES-9 Future Land Use category surrounds all sides of the subject site. Residential-6 (RES-6) is located further southwest, south, and southeast. Residential-4 (RES-4) extends further northwest and northeast of the subject site.
- The subject site is currently vacant. A mixture of vacant, single family, and double family uses are interspersed north and west of the subject site. Light industrial, and light commercial uses directly abut the south and east sides of the subject site. Multifamily uses exist directly to the northeast of the subject site as well. The area has a mixed variety of uses, with the most intense uses located on the south end of the subject site towards East Dr. Martin Luther King Avenue. Existing uses decrease in intensity on the northern end of the subject site along South Taylor Road.
- The subject site is currently zoned as Residential Multi-Family Conventional with restrictions (RMC-9 (R)). Residential Duplex Conventional (RDC-6) directly abuts the subject site to the north and is located to the west across South Taylor Road. Three Planned Development (PD) parcels are located directly south of the subject site. Commercial General (CG) zoning extends from the east of the subject site. Residential Duplex Conventional (RDC-12) zoning abuts the northeast corner of the subject site and extends north.
- The applicant is requesting to remove a previously approved restriction for RZ 13-0695. The restriction limits the allowable number of dwelling units on the subject site to 36. The applicant is requesting to remove the restriction so that a total of up to 49 dwelling units can be considered on the subject site. The request will still include other restrictions that were submitted as part of RZ 13-0695, therefore, the subject site's assigned zoning district will remain Residential Multi-Family Conventional with restrictions (RMC-9 (R)).

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 1.2: 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 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.

Land Use Categories

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

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

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

Relationship to Land Development Regulations

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

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

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

Neighborhood/Community Development

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

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

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

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

Policy 16.8: *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 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.*

Policy 16.11: *Within residential projects, site planning techniques shall be encouraged to ensure a variety and variation of lot sizes, block faces, setbacks, and housing types.*

Community Design Component

4.2 SUBURBAN RESIDENTIAL CHARACTER

GOAL 8: *Preserve existing suburban uses as viable residential alternatives to urban and rural areas.*

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: Seffner-Mango Community Plan

2. Goal: Enhance community character and ensure quality residential and nonresidential development.

Strategies:

- Support in-fill development and redevelopment within the Urban Service Area while providing for compatibility with existing uses.

Staff Analysis of Goals, Objectives and Policies

The 5.53 +/- acre subject site is located east of South Taylor Road and west of Dab Drive. The subject site is located in the Urban Service Area and is located within the limits of the Seffner-Mango Community Plan. The subject site's Future Land Use classification on the Future Land Use Map (FLUM) is Residential-9 (RES-9). The applicant's rezoning request is to remove a restriction from RZ 13-0695 that currently limits the allowable number of dwelling units to 36. The subject site would be considered for up to 49 dwelling units if the restriction is removed.

The subject site is located in the Urban Service Area (USA) 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 1.2 states that 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. Removing the current restriction of 36 dwelling units on the subject site would allow for consideration of density that is at least 75% of the allowable density within the site's RES-9 FLU category. 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 proposed rezoning is compatible with the existing character of development in the area, as it provides adequate transition between the commercial uses located south of the subject site and the single-family and multi-family uses located north of the subject site.

Objective 8 of the FLUE establishes Land Use Categories which outline the maximum level of intensity and density and range of permitted land uses allowed and planned for an area. Similarly, Policy 8.1 ensures that the character of each land use category is defined by building type, residential density, functional use, and the physical composition of the land. The integration of these factors sets the general atmosphere and character of each land use category. The proposed rezoning to allow for consideration of up to 49 dwelling units on the subject site does not exceed the maximum amount of density allowed within the

RES-9 FLU category. The proposed rezoning is therefore in compliance with Objective 8 and Policies 8.1 and 8.2.

Objective 9 and Policy 9.1 of the FLUE require future land use development regulations to be consistent with the Comprehensive Plan and require each land use category to have a set of zoning districts that may be permitted within each land use plan category. The Residential Multi-Family Conventional (RMC-9) zoning category is allowed and consistent with the scope of the RES-9 FLU category. The proposal to remove the limit of 36 dwelling units on the site would still be consistent with this policy direction and would still be required to meet or exceed all land development regulations as outlined by Policy 9.2. Since there are no conflicts, the proposed rezoning is consistent with the aforementioned objective and policies.

The proposed rezoning meets the intent of the Neighborhood Protection Policies of FLUE Objective 16 and its accompanying policies 16.2, 16.3, 16.8, 16.10 and 16.11. The proposed rezoning would allow for consideration of a density increase that would enhance the established neighborhood to the north and northeast, while also providing a transition in land use from the commercial and industrial uses located south of the subject site. The rezoning would allow for the development of like uses while incorporating a density increase that is appropriate for the subject site and its surrounding area. Additionally, the other restrictions from RZ 13-0695 would still be in place. These include buffering along the northern property line and along South Taylor Road. The proposed rezoning that would remove the restriction of 36 dwelling units on the site would enhance the surrounding neighborhood, ensure appropriate buffering techniques, and would reflect a development pattern that is in keeping with the existing development pattern throughout the area.

The Community Design Component (CDC) in the Future Land Use Element provides guidance on residential developments. Goal 8 encourages the preservation of existing suburban uses as viable residential alternatives to urban and rural areas. Goal 12 and Objective 12-1 seek to facilitate patterns of development that are both compatible and related to the predominate character of their surroundings. Similarly, Policy 12-1.4 states that compatibility may be achieved through the utilization of site design techniques including but not limited to transitions in uses and buffering methods. The proposed rezoning would allow for consideration of residential uses that provide alternatives to urban and rural areas throughout the Unincorporated Hillsborough County Jurisdiction. The proposal would also allow for the consideration of development that relates to the predominant character of the area along South Taylor Road and Dab Drive and is therefore consistent with the policy direction provided by the Community Design Component.

The subject site is located within the limits of the Seffner-Mango Community Plan. Goal 2 of the community plan seeks to enhance community character and ensure quality residential and nonresidential development. One of the key strategies to this goal is to support in-fill development and redevelopment within the Urban Service Area while providing for compatibility with existing uses. The subject site is currently vacant and is located between industrial and commercial uses to the south and single-family and multi-family uses to the north. The proposed rezoning would allow for the consideration of residential development that is consistent and encouraged by the goals and strategies of the Seffner-Mango Community Plan.

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*, subject to the restrictions proposed by the Development Services Department.

HILLSBOROUGH COUNTY FUTURE LAND USE

RZ 23-0035

<all other values>

Rezoning

STATUS

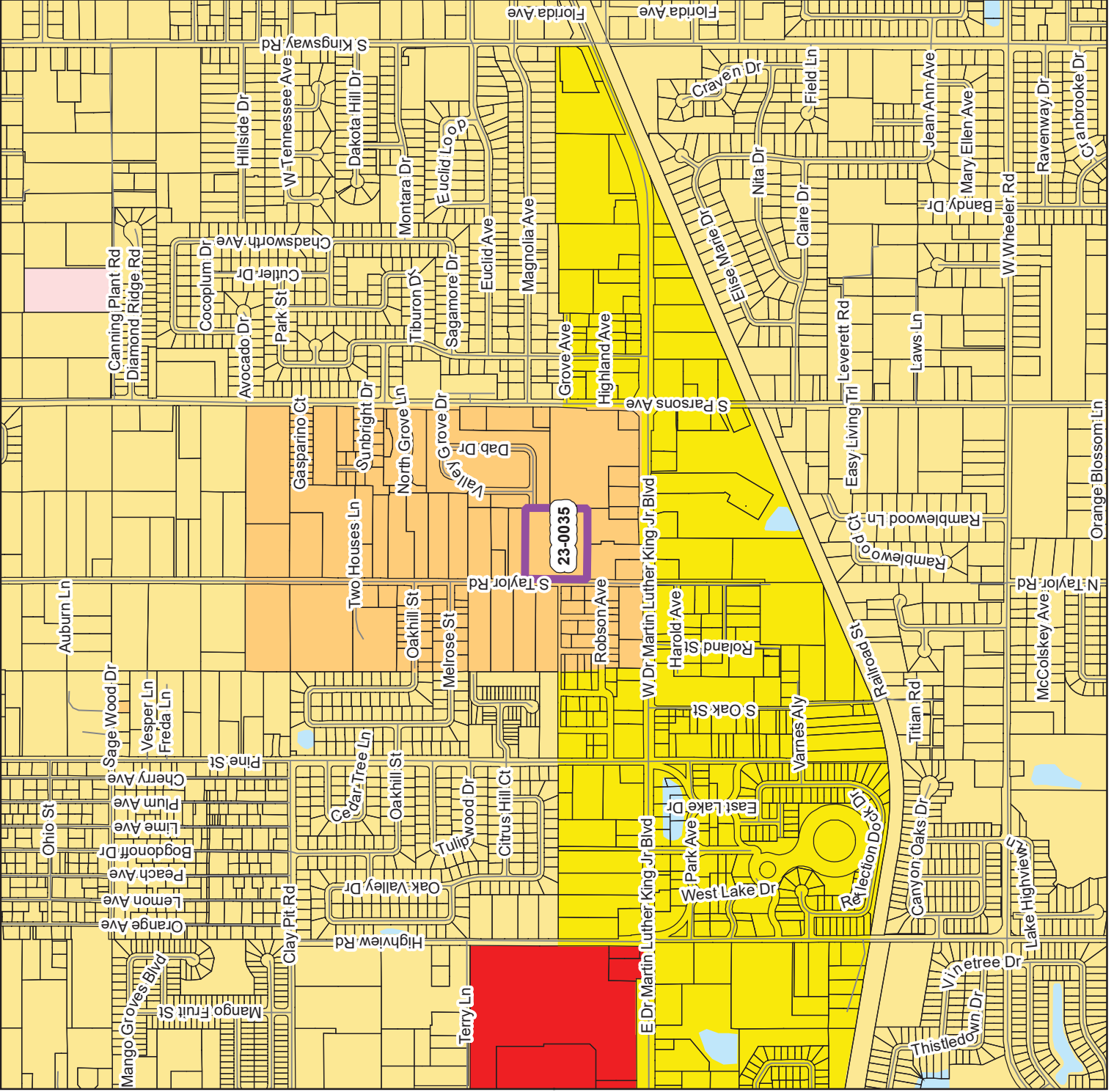
- APPROVED
- CONTINUED
- DENIED
- WITHDRAWN
- PENDING

Tampa Service
Urban Service
Shoreline
County Boundary
Jurisdiction Boundary
Roads
Parcels

- w/m NATURAL LULC, Wet Poly
- AGRICULTURAL/MINING-1/20 (.25 FAR)
- PEC PLANNED ENVIRONMENTAL COMMUNITY-1/2 (.25 FAR)
- AGRICULTURAL-1/10 (.25 FAR)
- AGRICULTURAL-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: Rezoning 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. The information is not intended for any other use without specific approval of the Hillsborough County City/County Planning Commission.

ACCURACY: It is intended that this map is prepared to the standards of the National Map Accuracy Standards, however, such accuracy is not guaranteed by the Hillsborough County City/County Planning Commission. This map is for informational purposes only. For the most current data and information, visit the appropriate website.





AGENCY COMMENTS

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
REVIEWER: Alex Steady, Senior Planner
PLANNING AREA/SECTOR: Seffner Mango/Northeast

DATE: 03/09/2023
AGENCY/DEPT: Transportation
PETITION NO.: STD 23-0035

- 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 95 average daily trips, 6 trips in the a.m. peak hour, and 7 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 +/- 5.5-acre parcel from Residential, Multi Family Conventional-9-Restricted (RMC-9-R) to Residential Multi Family Conventional – 9 (RMC-9). The existing restriction limits the maximum residential units to 36. The proposed rezoning would eliminate the maximum dwelling unit restriction. The maximum number of residential units able to be built under the proposed rezoning category is 49 dwelling units. The site is located on the west side of Taylor Road +/- 440 feet north of the intersection of Taylor Road and Martin Luther King Blvd. The Future Land Use designation of the site is Residential-9 (RES-9).

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
RMC-9-R, 36 Multi Family Dwelling Units (ITE 220)	264	17	20

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RMC-9, 49 Multi Family Dwelling Units (ITE 220)	359	23	27

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+95	+6	+7

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Taylor Road. Taylor Road is a 2 lane, undivided, Hillsborough County maintained, substandard, collector roadway. Taylor Road lies within +/- 50 feet of Right of Way in the vicinity of the project. Taylor Road does not have sidewalk, bike lanes or curb and gutter on either side of the roadway in the vicinity of the project.

SITE ACCESS

It is anticipated that the site will have access to Taylor Road. 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

Taylor Road is not a regulated roadway and was 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
Taylor Road	County Collector - Rural	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	264	17	20
Proposed	359	23	27
Difference (+/-)	+95	+6	+7

*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

Joshua Wostal CHAIR
Harry Cohen VICE-CHAIR
Donna Cameron Cepeda
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Gwendolyn "Gwen" W. Myers
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Steffanie L. Wickham WASTE DIVISION
Sterlin Woodard, P.E. WETLANDS DIVISION

AGENCY COMMENT SHEET

REZONING	
HEARING DATE: 3/20/2023 PETITION NO.: 23-0035 EPC REVIEWER: Melissa Yañez CONTACT INFORMATION: (813) 627-2600 X 1360 EMAIL: yanezm@epchc.org	COMMENT DATE: 2/28/2023 PROPERTY ADDRESS: 1406 S Taylor Rd, Seffner, FL 33584 FOLIO #: 0642790500 STR: 03-29S-20E
REQUESTED ZONING: Release RMC-9	
FINDINGS	
WETLANDS PRESENT	NO
SITE INSPECTION DATE	02/22/2023
WETLAND LINE VALIDITY	NA
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	No wet - Site Visit
INFORMATIONAL COMMENTS: <p>Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.</p> <p>Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a "WDR30 - Delineation Request Application". Once approved, the formal wetland delineation would be binding for five years.</p>	

my/ cb

ec: todd@pressmaninc.com

Environmental Excellence in a Changing World

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



Adequate Facilities Analysis: Rezoning

Date: 3/20/23 **Acreage:** 5.53 (+/- acres)
Jurisdiction: Hillsborough County **Proposed Zoning:** RMC-9
Case Number: RZ 23-0035 **Future Land Use:** R-9
HCPS #: RZ-506 **Maximum Residential Units:** 49
Address: 1406 S Taylor Road **Residential Type:** multi-family
Parcel Folio Number(s): 64279.0500

School Data	Colson Elementary	Burnett Middle	Armwood High
FISH Capacity Total school capacity as reported to the Florida Inventory of School Houses (FISH)	896	1198	2465
2022-23 Enrollment K-12 enrollment on 2022-23 40 th day of school. This count is used to evaluate school concurrency per Interlocal Agreements with area jurisdictions	638	635	2401
Current Utilization Percentage of school capacity utilized based on 40 th day enrollment and FISH capacity	71%	53%	97%
Concurrency Reservations Existing concurrency reservations due to previously approved development. Source: CSA Tracking Sheet as of 2/6/23	14	167	64
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	6	3	3
Proposed Utilization School capacity utilization based on 40 th day enrollment, existing concurrency reservations, and estimated student generation for application	73%	67%	100%

Notes: At this time, adequate capacity exists at Colson Elementary and Burnett Middle Schools for the proposed rezoning. While Armwood High School is at or nearing capacity for the projected impacts, currently capacity exists in adjacent concurrency service areas (i.e., school attendance boundaries) at the high school levels.

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.

Andrea A. Stingone

Andrea A. Stingone, M.Ed.
 Department Manager, Planning & Siting
 Growth Management Department
 Hillsborough County Public Schools
 E: andrea.stingone@hcps.net
 P: 813.272.4429 C: 813.345.6684

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

PETITION NO.: STD23-0035 REVIEWED BY: Randy Rochelle DATE: 2/6/2023

FOLIO NO.: 64279.0500

WATER

- The property lies within the _____ Water Service Area. The applicant should contact the provider to determine the availability of water service.
- A 12 inch water main exists (adjacent to the site), (approximately 450 feet from the site) and is located south of the subject property within the north Right-of-Way of West Martin Luther King Jr. Boulevard. 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 _____ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- A 4 inch wastewater force main exists (adjacent to the site), (approximately 550 feet from the site) and is located south of the subject property within the south Right-of-Way of West Martin Luther King Jr. Boulevard. 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: 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.

AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Management

DATE: 27 January 2023

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

APPLICANT: Todd Pressman

PETITION NO: RZ-STD 23-0035

LOCATION: _____

FOLIO NO: 64279.0500

SEC: _____ TWN: _____ RNG: _____

- This agency has no comments.

- This agency has no objection.

- This agency has no objection, subject to listed or attached conditions.

- This agency objects, based on the listed or attached conditions.

COMMENTS: _____.



VERBATIM TRANSCRIPT

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONE HEARING MASTER)
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Monday, March 20, 2023

TIME: Commencing at 6:00 p.m.
Concluding at 8:08 p.m.

PLACE: Hillsborough County Board of
County Commissioners
601 East Kennedy Boulevard
2nd Floor Boardroom
Tampa, Florida 33601

Reported in person by:

Brittany Bridges, CER No. 1607
U.S. Legal Support
4200 West Cypress Street, Suite 750
Tampa, Florida 33607
(813)223-7321

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
March 20, 2023

ZONING HEARING MASTER: PAMELA JO HATLEY

C.1.:

Application Number: RZ-STD 23-0035
Applicant: AMQ International Corp.
Location: 1406 S Taylor Rd
Folio Number: 064279.0500
Acreage: 5.53 acres, more of less
Comprehensive Plan: R-9
Service Area: Urban
Existing Zoning: RMC-9, 13-0695 (R)
Request: Rezone to RMC-9 (R)

1 MR. GRADY: The next item is Agenda Item C1, Rezoning
2 Standard 23-0035. The applicant is AMQ International Corp.
3 The request is a rezone from RM -- RMC 9 with restrictions
4 to RMC 9 with restrictions. Ostensibly, the purposes of
5 this modification is to remove a restriction with restrict
6 (sic) to the maximum number of dwelling units on the
7 property.

8 Chris Grandlienard will provide Staff recommend --
9 recommendation after presentation by the applicant.

10 HEARING MASTER HATLEY: All right. We'll hear from
11 the applicant.

12 UNIDENTIFIED SPEAKER: (Inaudible.)

13 HEARING MASTER HATLEY: It's on -- nope, it was. Now
14 it is.

15 MR. PRESSMAN: There we go. Thank you.

16 HEARING MASTER HATLEY: Thank you.

17 MR. PRESSMAN: Good evening, Hearing Officer.
18 Todd Pressman, 200 2nd Avenue South in St. Petersburg,
19 No. 451.

20 As Mr. Grady indicated, this is official rezoning for
21 RMC 9 to RMC 9. The purpose of it is to remove a
22 restriction that was placed when this originally came
23 through for zoning which capped it at 36 units. Releasing
24 the cap would put it at 49 units, which is, of course, at
25 the Future Land Use category -- within the parameters of

1 the Future Land Use category.

2 There's a couple other conditions that are included in
3 the staff report regarding buffers, which were an original
4 part of the present -- presentation and application, and
5 those will remain. The only things changing is that change
6 in density. I did check this morning, and there were no
7 posted communications against it. And in regard to
8 noticing, we sent out approximately 90 -- or 26 notices;
9 haven't heard anything back as well. So both Zoning and
10 Planning Commission are in support.

11 So with that, if you have any other comments or
12 questions, then we will respond if there's anything else.
13 Thank you.

14 HEARING MASTER HATLEY: All right. Thank you,
15 Mr. Pressman.

16 MR. GRANDLIENARD: Good evening. Chris Grandlienard,
17 Dev -- planner with Development Services. Represent
18 Application 23-0035, approximate 5.53-acre vacant parcel as
19 zoned RMC 9 restricted, was is -- which is residential
20 multi-family conventional restricted. The subject property
21 is located at 1406 South Taylor Road. The area consists of
22 single-family and two-family residential and commercial.
23 The subject property is designated Residential 9 on the
24 future land use map.

25 The applicant is requesting to withdraw the prior

1 approved restriction that limited the site to 36 units
2 under Rezoning 13-0695, while the other restrictions will
3 remain. The proposed revised restrictions, I'm not going
4 to go into them just for -- they're in the record. They're
5 buffering and screening restrictions. Also, an addition of
6 a fence on the third one.

7 Development Services has no objection to the removal
8 of the 36-unit restriction. The planning Commission
9 concurs with the finding of the -- of consistent. The
10 previous Rezoning 130695 restriction of the density to 36
11 dwelling units was offered by the applicant to address
12 neighborhood concerns at the time. The future land use RES
13 9 -- the future land use of Residential 9, and the RMC 9
14 zoning both permit nine dwelling units per gross acre, so
15 it'll meet that. The surrounding area to the north is
16 zoned for two-family and multi-family residential. Also,
17 the remaining restrictions provide additional buffering and
18 screening in addition to what's already required in the
19 Land Development Code.

20 Based on all that, residential future land use
21 classification, the surrounding zoning and development
22 pattern, and the proposed uses for the RMC 9 restricted
23 district, Staff finds the request approvable, subject to
24 the proposed conditions.

25 That concludes my staff report. I'm glad to answer

1 any questions you may have.

2 HEARING MASTER HATLEY: Thank you. I have no
3 questions for you.

4 MR. GRANDLIENARD: Thank you.

5 HEARING MASTER HATLEY: Thank you.

6 All right. Planning Commission.

7 MS. MASSEY: Jillian Massey with Planning Commission
8 Staff.

9 The subject site is in the Residential 9 Future Land
10 Use category, it's in the urban service area, and within
11 the limits of the Seffner-Mango Community Plan. The
12 Residential 9 Future Land Use category around the site on
13 all sides, residential 6 is located further southwest,
14 south, and southeast, and Residential 4 extends further
15 northwest and northeast of the subject site.

16 The proposed rezoning would allow consideration of a
17 density increase that would enhance the established
18 neighborhood to the north and northeast while also
19 providing a transition in land use from the commercial and
20 industrial uses located to the south of the subject site.
21 The rezoning would allow for the development of like uses
22 while incorporating a density increase that is approp --
23 appropriate for the subject site and the surrounding area;
24 therefore, the proposal meets the need -- the intent of the
25 neighborhood protection policies of the Future Land Use

1 Element, Objective 16, and the accompanying policies.

2 The proposal would also for the consideration of
3 development that relates to the predominant character of
4 the area along South Taylor Road and Dab Drive and is
5 therefore consistent with the policy direction provided in
6 the community design component of the Future Land Use
7 Element.

8 And, finally, the proposed rezoning would allow for
9 the consideration of residential development that is
10 consistent and encouraged by the goals and strategies of
11 the Seffner-Mango Community Plan. And based on these
12 considerations, Planning Commission Staff finds the
13 proposed rezoning consistent with the Unincorporated
14 Hillsborough County Comprehensive Plan, subject to the
15 restrictions proposed by the Development Services
16 Department. Thanks.

17 HEARING MASTER HATLEY: All right. Thank you.

18 All right. We'll go to the public. Is there anyone
19 here or online who wishes to speak in support of this
20 applicant? I do not hear anyone.

21 Is there anyone here or online who wishes to speak in
22 opposition to this application?

23 All right. Come forward, please. Be sure and state
24 your name and address.

25 MS. MCCOMAS: Yes, ma'am.

1 HEARING MASTER HATLEY: Thank you.

2 MS. MCCOMAS: My name is Grace McComas, and I live at
3 805 Old Darby Street, Seffner, Florida. To save
4 Mr. Pressman the need to look up how far away I live from
5 Taylor Road, it's two miles.

6 So I do not live on Taylor Road; however, the facts of
7 my opposition and your decision affects all similar
8 properties and neighborhoods of the Hillsborough County
9 Unincorporated Areas. I'm here to try to protect anything
10 in Seffner that is unreasonable in an area.

11 I use Highway 92 and MLK; I know the traffic concerns
12 on 92 for this neighborhood and the heavy traffic with the
13 Amazon trucks. We've counted as many as 72 trucks coming
14 out of the warehouse in one stream, blocking traffic at
15 Taylor Road because there is no signalization. The same
16 heavy traffic problems exist for trying to access MLK
17 Boulevard.

18 The zoning hearing master in 2013 recommended denial
19 of the RSC 9 zoning, and the condition of 36 homes was
20 placed. Nothing in this area has changed since then.
21 Mr. Pressman wishes to only remove the restriction of 36
22 homes through her approval given in 130695 rezoning; all
23 others would remain, thankfully. My opposition is to
24 allowing the removal of the condition and making a bad sec
25 -- situation for this neighborhood worse. He already has

1 zoning for 36 homes; I do know we cannot take that way.

2 At that 2013 hearing, residents from the area poured
3 their hearts out to save Taylor Road. It is still one of
4 the prettiest tranquil neighborhoods in Seffner. The homes
5 are on very large lots, well set back from the two-lane
6 substandard road, with no sidewalks, no curbs, no drainage,
7 no lighting. It is suburban in its nature. Although many
8 of these properties have a future land use category much
9 higher, residents do not wish to change the character of
10 the neighborhood. Their arguments were, the increased
11 traffic, even with the restriction of 36 homes, increased
12 drainage, and persistent flooding to the neighbor --
13 neighboring homes, no signalization at either Taylor and
14 Martin Luther King Boulevard or Taylor and Highway 92, and
15 an increase in des -- density that is not compatible or
16 consistent or transitional with the neighborhood
17 appearance.

18 There are more, and I am submitting the testimony of
19 Crystal Booth from that hearing, who resent -- represented
20 the 50 people that wrote or signed in opposition, and to
21 include all of those concerns as far as my opposition
22 today. Her statements are as valid now as they were in
23 2013, and all the facts and concerns of residents remains
24 the same today. Unfortunately, they were unsuccessful.

25 There are two duplexes across from this plan site, but

1 they each are on large lots separated by a dirt road named
2 Robson Street. The prop -- which does maintain the
3 appearance of this neighborhood. The property adjacent to
4 the north is a very large lot with one home on the
5 property.

6 The property to the north and east of the site is RDC
7 12. It has two-story complexes; however, a big difference
8 is their exit is on Parsons Avenue, a much better improved
9 road with sidewalks, curbs, drainage, lighting, and
10 signalization to the north at 92, and the south, at Martin
11 Luther King Boulevard, to their connecting arterial roads.
12 There is stub-out road on the west property line of that
13 property to this requesting petition to increase the PD
14 density.

15 My concern is there is no -- no condition to ensure
16 Dab Drive will never be connected to or through this
17 property to Taylor Road. I know the rule states, if the
18 project is developed with private roads, no connection is
19 required, but not prohibited. For the sake of the
20 residents on Taylor Road, since the applicant wants to
21 change a condition, is it possible to add a condition of
22 approval to the approved 36 homes that this would never be
23 allowed? The 49 homes would be far more inconsistent,
24 incompatible, and non-transitional than the 36 homes.

25 It is unfortunate that you cannot actually see this

1 neighborhood, and most unfortunate that there is no site
2 plans or narrative submitted to show the plans to address
3 the sensitive stormwater requirements or the configuration
4 of either of the plans 2013 36 homes or the now-requested
5 49 homes. While the Seffner-Mango Community Plan supports
6 infill, it is supporting infill that is compatible with the
7 existing uses. 49 homes as multiple duplexes or two-story
8 homes are not compatible, consistent, or transitional with
9 existing uses. The approved 36 -- homes we have to live
10 with, but not an increased density.

11 Just because a property has a for -- future land use
12 designation does not mean it has to be used at that
13 designation in a neighborhood that would not be consistent
14 with, like Taylor Road, and will set the present --
15 precedent to eventually allow more same non-trad --
16 transitional zonings. The neighborhood would become more
17 unsafe to exit to arterial roads with an increase stated as
18 95 more trips a day on Taylor Road, probably more. Also,
19 take away the quality of life that -- of families that have
20 lived there for many years. And although some of the
21 properties have changed ownership over the years, the
22 character of these properties have not changed.

23 Just because it looks right on paper and meets the FLU
24 plan does not mean it is right to allow this -- that
25 increased zoning in this neighborhood. If they are ready

1 to build, they have the right now to build 36 homes, but
2 should consider the neighbors' rights and not have
3 two-story homes where the northern boundary property has
4 their single home, and that property is one fourth of the
5 size of the property being considered, so it's a good-sized
6 property.

7 Crystal Booth gave all her -- gave her all to try and
8 save this neighborhood unsuccessfully. Fortunately, for
9 almost 10 years, nothing has been constructed. There is no
10 valid reason other than greed to increase the density now,
11 and it would be even more inconsistent, incompatible, and
12 definitely not transitional by county standards. The
13 reasons for the zoning hearing master to recommend for
14 denial of the RSC 9 in 2013 are the same today; the area
15 and the problems and concerns have not changed one bit
16 since then.

17 My additional small concern is the increase in
18 densities that have been approved all over Seffner and are
19 being requested like today add up to affect our overcrowded
20 schools. The redistricting of school boundaries being much
21 in the news today will require children to be bused to a
22 different school than the one in their neighborhood, a
23 foolish county expense. Whether Seffner will be affected
24 now, I do not know yet, but the more homes, the more kids,
25 the more overcrowding occurs. We know from the super --

1 superintendent of schools, no new schools are planned.

2 I am not against building -- new building in Seffner.
3 As Mr. Pressman knows, and we have spoken briefly about at
4 other hearings, I have not objected to the rezoning
5 request, his -- his or any land use attorney's request that
6 are consistent with the area in which they are requested.

7 I hope you accept my statement as truth as I have
8 nothing to gain and a lot to lose if I misrepresent or
9 mislead by any statements I make. We drove down the site
10 to take pictures today to support my statements, and
11 nothing has changed with the surrounding area since the
12 application approved in 2013 with the 36-home condition. I
13 have them on my phone if you're allowed to look at them.
14 If not, Google Earth pictures of the area posted in 2019
15 are unchanged today. I hope you can look at them and would
16 be allowed to print them for the BOCC hearing. If not, I
17 hope you do look at Google Maps as part of my opposition.

18 Gotta go back.

19 Please recommend denial of this increase or, as
20 stated, the removal of the condition to 36 homes they have
21 received permission for previously, and add the Dab Drive
22 restriction as a condition for the Taylor Road residents'
23 safety and protection.

24 Thank you, and thank you for hearing my concerns and
25 opposition, and please forgive my nervousness.

1 Can I give this to you?

2 Any questions for me, ma'am?

3 HEARING MASTER HATLEY: No questions for you. I
4 believe you wanted to submit photographs to the records,
5 but you don't have them in a format you could leave them
6 with us --

7 MS. MCCOMAS: Correct.

8 HEARING MASTER HATLEY: -- in the record -- okay.
9 So --

10 MS. MCCOMAS: That's why I thought --

11 HEARING MASTER HATLEY: All right.

12 MS. MCCOMAS: -- maybe you could look at the map
13 yourself --

14 HEARING MASTER HATLEY: Okay.

15 MS. MCCOMAS: -- and see it. Thank you.

16 HEARING MASTER HATLEY: Thank you, ma'am.

17 MS. MCCOMAS: Thank you.

18 HEARING MASTER HATLEY: Is there anyone else who
19 wishes to speak in opposition to this application? All
20 right. I don't hear anyone.

21 Development Services.

22 MR. GRADY: I just want to note for the record we did
23 hand out a revised report which included the school board
24 comments that we -- we received today, so the report
25 reflects the revised comments from the school board, and

1 would be open for any other questions.

2 HEARING MASTER HATLEY: All right. Thank you. I have
3 the revised report, thank you.

4 Applicant.

5 MR. PRESSMAN: Well, the -- the young lady certainly
6 has a lot of passion, and she has a lot to say, and it's
7 very much appreciated. We respect her coming down, she's a
8 very nice lady, and we're very friendly.

9 I would just emphasize that Transportation Department
10 has no opposition. They've indicated there will be six
11 additional a.m. peak trips at seven p.m. peak trips. We
12 did notice actually 30 nearby residents, and, of course,
13 with a big yellow sign, and as compared to the last hearing
14 from 10 years ago, no one was in opposition, and we didn't
15 hear or see from anyone -- anyone in opposition.

16 The reality is that there are very intensive uses
17 abutting this site, and it will be a transitional use, and
18 the Zoning Department and Planning Commission, of course,
19 have listed numerous and many policies in support, and no
20 agencies are in opposition.

21 So with that, we appreciate -- we appreciate it you
22 coming down this evening. Thank you.

23 HEARING MASTER HATLEY: All right. Thank you,
24 Mr. Pressman. That will close the hearing on Rezoning
25 Standard 23-0035.



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

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

PAGE 1 OF 3

DATE/TIME: 3/20/23 / 6pm

HEARING MASTER: Pamela J. Hulley

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

<p>APPLICATION # <u>B.I</u> <u>MM 22-0686</u></p>	<p>PLEASE PRINT NAME <u>MICHAEL BROOKS</u></p> <p>MAILING ADDRESS <u>400 N. TAMPA ST / SUITE 1910</u></p> <p>CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813</u></p>
<p>APPLICATION # <u>RZ</u> <u>23-0035</u></p>	<p>PLEASE PRINT NAME <u>TODD PRESSMAN</u></p> <p>MAILING ADDRESS <u>200 2nd Ave South</u></p> <p>CITY <u>St Petersburg</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>727-8044760</u></p>
<p>APPLICATION # <u>RZ 23-0035</u></p>	<p>PLEASE PRINT NAME <u>Grace McComas</u></p> <p>MAILING ADDRESS <u>805 Old Derby St</u></p> <p>CITY <u>Seffner</u> STATE <u>FL</u> ZIP <u>33587</u> PHONE <u>813-240-3907</u></p>
<p>APPLICATION # <u>RZ 23-0063</u></p>	<p>PLEASE PRINT NAME <u>TODD PRESSMAN</u></p> <p>MAILING ADDRESS <u>200 2nd Ave South</u></p> <p>CITY <u>St Petersburg</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE <u>727-8644760</u></p>
<p>APPLICATION # <u>RZ 22-0856</u></p>	<p>PLEASE PRINT NAME <u>MARK BENTLEY</u></p> <p>MAILING ADDRESS <u>401 E JACKSON ST. STE 3100</u></p> <p>CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33506</u> PHONE <u>813-225-2500</u></p>
<p>APPLICATION # <u>RZ 22-0856</u></p>	<p>PLEASE PRINT NAME <u>RYAN MANASSE</u></p> <p>MAILING ADDRESS <u>401 E JACKSON ST. STE 3100</u></p> <p>CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33506</u> PHONE <u>813-225-2500</u></p>

DATE/TIME: 3/20/23, 6pmHEARING MASTER: Pamela Jo HaskyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # RZ 22-0856	PLEASE PRINT NAME <u>Nicole Neugebauer</u> MAILING ADDRESS <u>401 E Jackson Ave</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE _____
APPLICATION # MM 22-1086	PLEASE PRINT NAME <u>Kami Corbett</u> MAILING ADDRESS <u>101 E Kennedy Blvd, Ste 3700</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813-227-8421</u>
APPLICATION # MM 22-1086	PLEASE PRINT NAME <u>John LaRocca</u> MAILING ADDRESS <u>3225 S. McDill Ave</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33629</u> PHONE <u>813-695-0469</u>
APPLICATION # MM 22-1126	PLEASE PRINT NAME _____ <u>Todd Pressman</u> MAILING ADDRESS <u>200 2nd Ave South</u> CITY <u>St Petersburg</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE _____
APPLICATION # MM 22-1126 V.S.	PLEASE PRINT NAME <u>Jim Thomas</u> MAILING ADDRESS <u>15957 N. Florida Ave</u> CITY <u>Lutz</u> STATE <u>FL</u> ZIP <u>33549</u> PHONE _____
APPLICATION # MM 22-1340	PLEASE PRINT NAME <u>William Molloy</u> MAILING ADDRESS <u>325 S Blvd</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33606</u> PHONE _____

DATE/TIME: 3/20/23 6pm HEARING MASTER: Pamela Jo Hatley

PLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

<p>APPLICATION # <u>RZ 22-1705</u></p>	<p>PLEASE PRINT NAME <u>Clayton Brice Meyer</u> MAILING ADDRESS <u>101 E. KENNEDY, SUITE 5700</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>(813) 957-7227</u></p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____</p>
<p>APPLICATION #</p>	<p>PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____</p>

HEARING TYPE:

ZHM, PHM, VRH, LUHO

DATE: March 20, 2023


HEARING MASTER: Pamela Jo Hatley

PAGE: 1 of 1

APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
MM 22-0686	Michelle Heinrich	1. Revised Staff Report	Yes – Copy
RZ 23-0035	Rosa Timoteo	1. Revised Staff Report	Yes - Copy
RZ 23-0035	Grace McComas	2. Opponent Presentation	No
RZ 23-0063	Todd Pressman	1. Applicant Presentation	No
RZ 22-0856	Nicole Neugebauer	1. Proponent Presentation	No
RZ 22-0856	Mark Bentley	2. Applicant Presentation Packet	No
RZ 22-1086	Rosa Timoteo	1. Revised Staff Report	Yes – Copy
RZ 22-1086	Kami Corbett	2. Map	No
RZ 22-1086	Kami Corbett	3. Applicant Presentation Packet	No
MM 22-1126	Todd Pressman	1. Applicant Presentation Packet	No
MM 22-1126	Todd Pressman	2. Applicant Presentation Packet	No
RZ 22-1705	Clayton Bricklemyer	1. Applicant Presentation	No


MARCH 20, 2023 - ZONING HEARING MASTER


The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, March 20, 2023, at 6:00 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

 Pamela Jo Hatley, 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.

 Pamela Jo Hatley, ZHM, overview of ZHM process.

 Senior Assistant County Attorney Mary Dorman, overview of oral argument/ZHM process.

 Pamela Jo Hatley, ZHM, oath.

B. REMANDS

B.1. MM 22-0686

 Brian Grady, Development Services, calls MM 22-0686.

 Pamela Jo Hatley, ZHM, closes MM 22-0686.

C. REZONING STANDARD (RZ-STD) :

C.1. RZ 23-0035

 Brian Grady, Development Services, calls RZ 23-0035.

 Pamela Jo Hatley, ZHM, closes RZ 23-0035.

C.2. RZ 23-0063

 Brian Grady, Development Services, calls RZ 23-0063.

 Pamela Jo Hatley, ZHM, closes RZ 23-0063.

MONDAY, MARCH 20, 2023

D. REZONING-PLANNED DEVELOPMENT (RZ-PD) & MAJOR MODIFICATION (MM):

D.1. RZ 22-0856

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

 Pamela Jo Hatley, ZHM, closes RZ 22-0856.

D.2. MM 22-1086

 Brian Grady, Development Services, calls MM 22-1086.

 Pamela Jo Hatley, ZHM, closes MM 22-1086.

D.3. MM 22-1126

 Brian Grady, Development Services, calls MM 22-1126.

 Pamela Jo Hatley, ZHM, closes MM 22-1126.

D.4. MM 22-1340

 Brian Grady, Development Services, calls MM 22-1340.

 Pamela Jo Hatley, ZHM, closes MM 22-1340.

D.5. RZ 22-1705

 Brian Grady, Development Services, calls RZ 22-1705.

 Pamela Jo Hatley, ZHM, closes RZ 22-1705.

ADJOURNMENT

 Pamela Jo Hatley, ZHM, adjourns the meeting.

Rezoning Application: RZ-STD 23-0035

Zoning Hearing Master Date: March 20, 2023

BOCC Land Use Meeting Date: May 9, 2023



Hillsborough County Florida

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: AMQ International, Corp.

FLU Category: Residential - 9 (RES-9)

Service Area: Urban

Site Acreage: 5.53 MOL

Community Plan Area: Seffner Mango

Overlay: None

Request: Rezone from Residential – Multi-Family Conventional Restricted (RMC-9 (R)) to Residential – Multi-Family Conventional Restricted (RMC-9 (R)) (Removing restriction of a maximum of 36 dwelling units)



Application No. RZ 23-0035
Name: Rosa Tomateo
Entered at Public Hearing: 2111
Exhibit # 1 Date: 3/20/23

Introduction Summary:

The existing zoning is Residential – Multi-Family Conventional Restricted (RMC-9 (R)) which allows Multi-Family Residential Restricted uses pursuant to the development standards in the table below. The proposed zoning is Residential – Multi-Family Conventional Restricted (RMC-9 (R)) with a removal of the restriction of a maximum of 36 dwelling units from previous rezoning 13-0695 which allows Multi-Family Residential Restricted uses pursuant to the development standards in the table below. The remaining buffering and screening restrictions will remain.

	Existing	Proposed
District(s)	RMC-9 (R)	RMC-9 (R)
Typical General Use(s)	Multi-Family Residential Restricted	Multi-Family Residential Restricted
Acreage	5.53 MOL	5.53 MOL
Density	approx. 6.5 du/gross acre	9 du/gross acre
Mathematical Maximum*	36 units	49 units

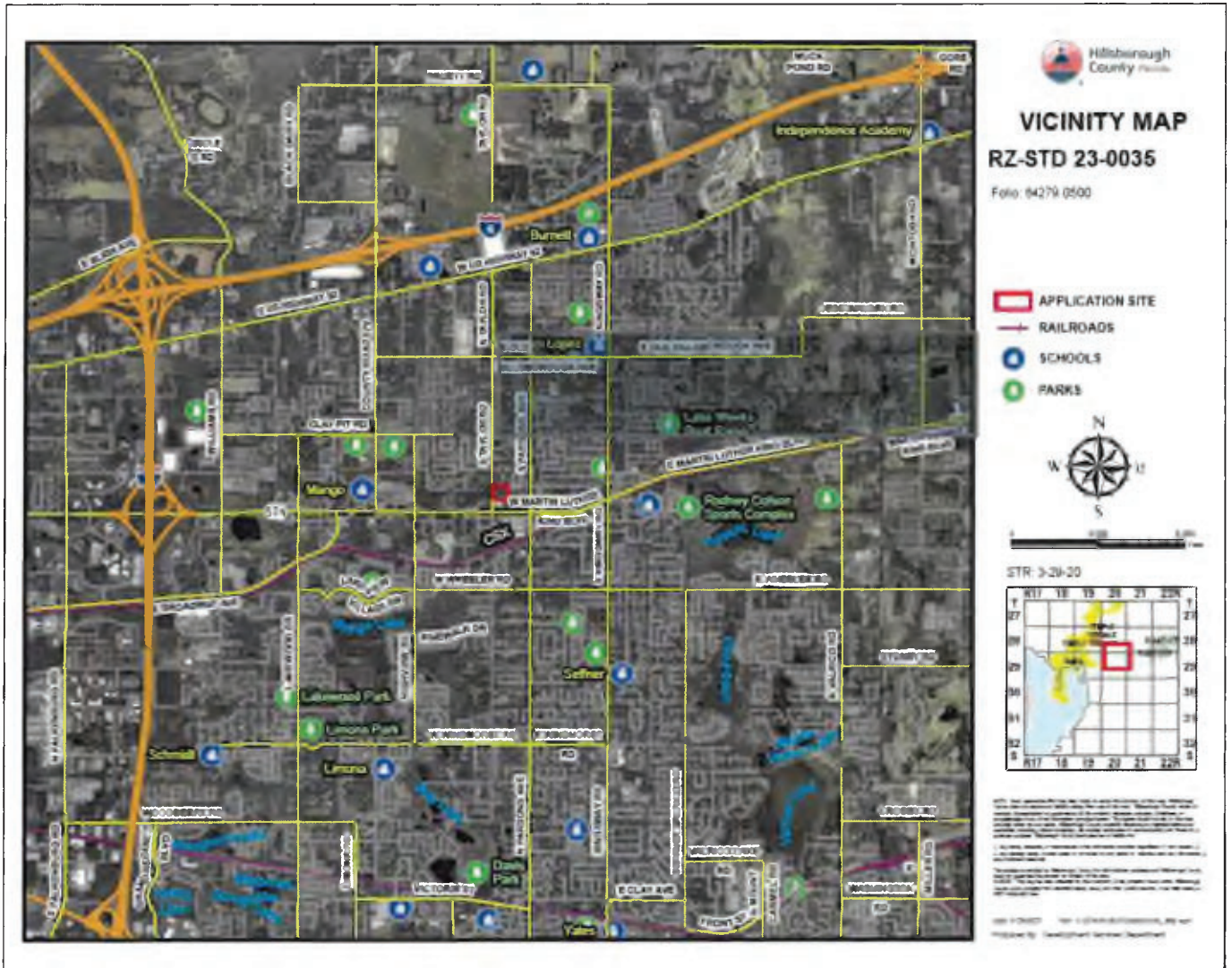
*number represents a pre-development approximation

Development Standards:	Existing	Proposed
District(s)	RMC-9 (R)	RMC-9 (R)
Lot Size / Lot Width	14,520 sf / 70'	14,520 sf / 70'
Setbacks/Buffering and Screening	25' Front 20' Rear 10' Sides Buffer and Screening Per Restrictions and LDC Section 6.06.06	25' Front 20' Rear 10' Sides Buffer and Screening Per Restrictions and LDC Section 6.06.06
Height	35'	35'

Planning Commission Recommendation: Consistent	Development Services Recommendation: Approvable, with restrictions
--	--

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

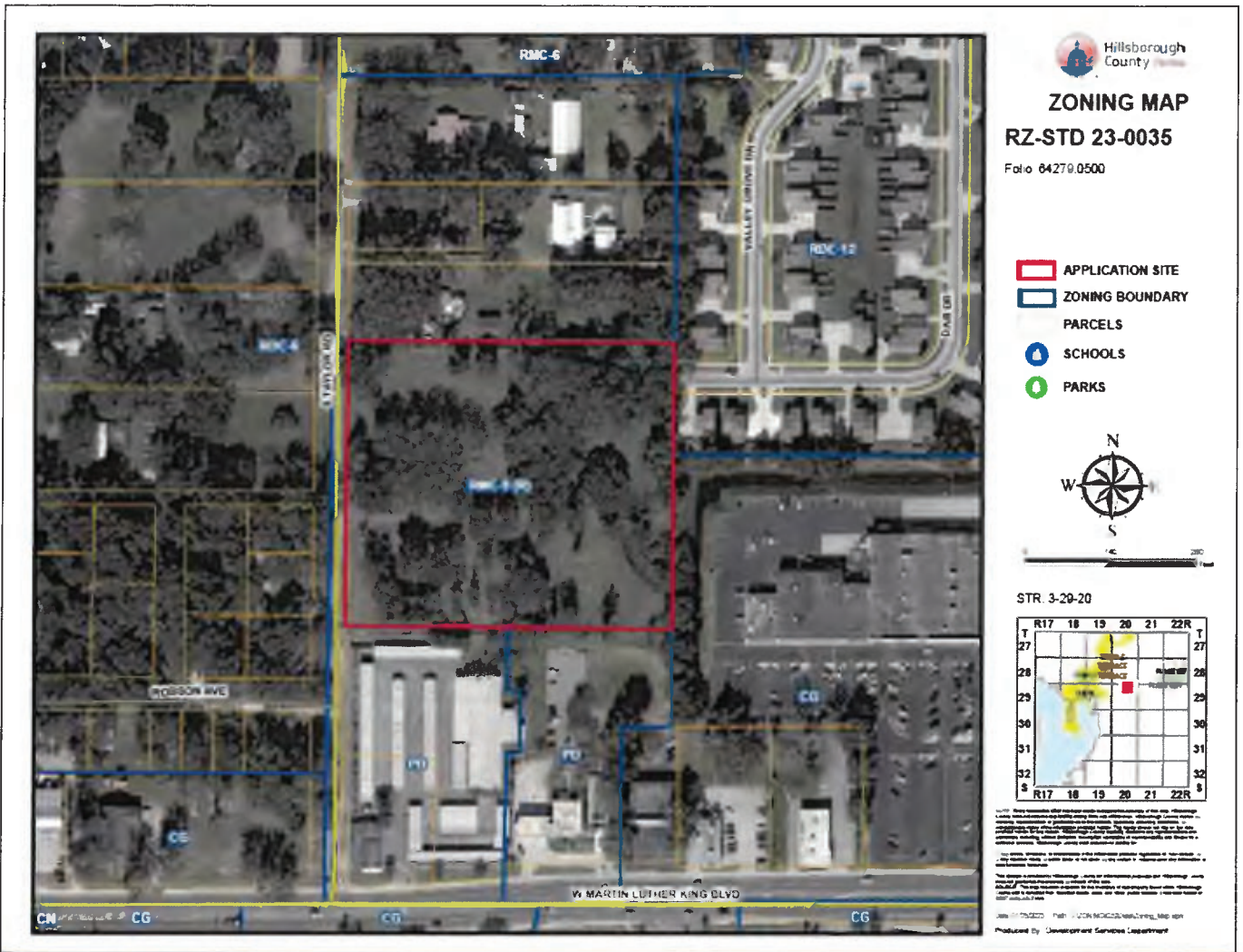


Context of Surrounding Area:

The area consists of single-family and two family residential and commercial. The subject parcel is directly adjacent to single-family residential zoned RDC-6 to the north. To the south it is adjacent to commercial zoned PD. To the east it is adjacent to two-family residential zoned RDC-12 and commercial zoned CG. To the west across South Taylor Road is single-family and two family residential zoned RDC-6.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map



Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density Permitted by Zoning District:	Allowable Use:	Existing Use:
North	RDC-6	6 du / gross acre	Single-Family and Two-Family (Conventional)	Single-Family Residential
South	PD 03-1068, PD 84-0348	0.44 F.A.R., Per PD 84-0348	Commercial, Bank	Commercial, Bank
East	RDC-12, CG	12 du / gross acre, 0.27 F.A.R.	Single-Family and Two-Family (Conventional), Commercial	Two-Family Residential, Commercial
West	RDC-6	6 du / gross acre	Single-Family and Two-Family (Conventional)	Single-Family Residential, Vacant, Two-Family Residential

APPLICATION NUMBER: RZ-STD 23-0035

ZHM HEARING DATE: March 20, 2023

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
Taylor Road	County Collector - Rural	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 Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	264	17	20
Proposed	359	23	27
Difference (+/-)	+95	+6	+7

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

Connectivity and Cross Access Not applicable for this request

Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North		Choose an item.	Choose an item.	Choose an item.
South		Choose an item.	Choose an item.	Choose an item.
East		Choose an item.	Choose an item.	Choose an item.
West		Choose an item.	Choose an item.	Choose an item.

Notes:

Design Exception/Administrative Variance Not applicable for this request

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

Notes:

4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY				
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Environmental Protection Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No wetlands present
Conservation & Environ. Lands Mgmt.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Check if Applicable: <ul style="list-style-type: none"> <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 checked="" type="checkbox"/> Potable Water Wellfield Protection Area <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Coastal High Hazard Area <input type="checkbox"/> Urban/Suburban/Rural Scenic Corridor <input type="checkbox"/> Adjacent to ELAPP property <input type="checkbox"/> Other _____ 				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments
Transportation <input type="checkbox"/> Design Exc./Adm. Variance Requested <input type="checkbox"/> Off-site Improvements Provided <input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Service Area/ Water & Wastewater <input checked="" type="checkbox"/> Urban <input type="checkbox"/> City of Tampa <input type="checkbox"/> Rural <input type="checkbox"/> City of Temple Terrace	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hillsborough County School Board Adequate <input checked="" type="checkbox"/> K-5 <input checked="" type="checkbox"/> 6-8 <input checked="" type="checkbox"/> 9-12 <input type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Comprehensive Plan:	Comments Received	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 checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The approximate 5.53-acre vacant parcel is zoned RMC-9 (R) (Residential – Multi-Family Conventional Restricted). The subject property is located at 1406 South Taylor Road. The area consists of single-family and two family residential and commercial. The subject parcel is directly adjacent to single-family residential zoned RDC-6 to the north. To the south it is adjacent to commercial zoned PD. To the east it is adjacent to two-family residential zoned RDC-12 and commercial zoned CG. To the west across South Taylor Road is single-family and two family residential zoned RDC-6. The subject property is designated Residential - 9 (RES-9) on the Future Land Use map.

The applicant is requesting to withdraw the prior approved restriction that limited the site to 36 units under rezoning 13-0695, while the other restrictions would remain.

The proposed revised restrictions are the following:

- 1) A 5 foot buffer shall be provided along the northern property line. Within the buffer, screening shall consist of a 6 foot high PVC fence, hedges and 10 oak trees. Hedges shall consist of those listed in Hillsborough County's Approved Tree and Hedge Materials List. The required oak trees may consist of existing or newly planted oak trees (per the oak trees specified in Screening Trees for Incompatible Land Uses of the Approved Tree and Hedge Materials). The hedges and trees may be placed on either side of the PVC fence.
- 2) A 20 foot buffer along Taylor Road shall be provided. Within that buffer, ornamental trees (acceptable for planting under power lines per Hillsborough County's Approved Tree and Hedge Material List), shall be planted. Clusters of 3 trees shall be planted on 30 foot centers at a height of 6 feet at time of planting.
- 3) No fence or wall shall be constructed along Taylor Road within the 20 foot buffer.

Development Services has no objection to the removal of the 36-unit restriction. The Planning Commission concurs with a finding of consistent. The previous rezoning 13-0695 restriction of the density to 36 dwelling units was offered by the applicant to address neighbors' concerns at the time. The Future Land Use of Residential – 9 and RMC-9 zoning permit 9 dwelling units per gross acre. The surrounding area to the north is zoned for two family and multi-family residential. The remaining restrictions provide additional buffering and screening in addition to Land Development Code requirements.

Based on the above considerations staff finds the requested RMC-9 (R) zoning district COMPATIBLE with the existing zoning and development pattern in the area.


5.2 Recommendation

Based on the above considerations, staff finds the request APPROVABLE, with restrictions. As noted, the applicant's proposed revised restrictions are the following:

- 1) A 5 foot buffer shall be provided along the northern property line. Within the buffer, screening shall consist of a 6 foot high PVC fence, hedges and 10 oak trees. Hedges shall consist of those listed in Hillsborough County's Approved Tree and Hedge Materials List. The required oak trees may consist of existing or newly planted oak trees (per the oak trees specified in Screening Trees for Incompatible Land Uses of the Approved Tree and Hedge Materials). The hedges and trees may be placed on either side of the PVC fence.

- 2) A 20 foot buffer along Taylor Road shall be provided. Within that buffer, ornamental trees (acceptable for planting under power lines per Hillsborough County's Approved Tree and Hedge Material List), shall be planted. Clusters of 3 trees shall be planted on 30 foot centers at a height of 6 feet at time of planting.
- 3) No fence or wall shall be constructed along Taylor Road within the 20 foot buffer.

Zoning Administrator Sign Off:



U. Brian Grady
Mon Mar 20 2023 12:08:21

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.

6.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

TO: Zoning Technician, Development Services Department
 REVIEWER: Alex Steady, Senior Planner
 PLANNING AREA/SECTOR: Seffner Mango/Northeast

DATE: 03/09/2023
 AGENCY/DEPT: Transportation
 PETITION NO.: STD 23-0035

- 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 95 average daily trips, 6 trips in the a.m. peak hour, and 7 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 +/- 5.5-acre parcel from Residential, Multi Family Conventional-9-Restricted (RMC-9-R) to Residential Multi Family Conventional - 9 (RMC-9). The existing restriction limits the maximum residential units to 36. The proposed rezoning would eliminate the maximum dwelling unit restriction. The maximum number of residential units able to be built under the proposed rezoning category is 49 dwelling units. The site is located on the west side of Taylor Road +/- 440 feet north of the intersection of Taylor Road and Martin Luther King Blvd. The Future Land Use designation of the site is Residential-9 (RES-9).

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
RMC-9-R, 36 Multi Family Dwelling Units (ITE 220)	264	17	20

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RMC-9, 49 Multi Family Dwelling Units (ITE 220)	359	23	27

Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+95	+6	+7

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on Taylor Road. Taylor Road is a 2 lane, undivided, Hillsborough County maintained, substandard, collector roadway. Taylor Road lies within +/- 50 feet of Right of Way in the vicinity of the project. Taylor Road does not have sidewalk, bike lanes or curb and gutter on either side of the roadway in the vicinity of the project.

SITE ACCESS

It is anticipated that the site will have access to Taylor Road. 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

Taylor Road is not a regulated roadway and was not included in the Level of Service Report.

Application No. RZ 23-0035
Name: Grace McComas
Entered at Public Hearing: 2/11/11
Exhibit # 2 Date: 3/20/23

by Ms. Heinrich.

And Planning Commission Staff supports the proposed restrictions because they provide a transition between what's proposed and what's currently developed to the north and the west. We feel those are very important.

Planning Commission Staff found the proposed rezoning consistent with the Future of Hillsborough Comprehensive Plan.

THE HEARING OFFICER: Okay. Thank you.

At this point in time, is there anyone in the audience that wishes to speak in support of the Application?

I see no one responding.

Anyone in the audience wish to speak in opposition to the Application?

Good evening. Good evening.

KRYSTLE BOOTH: My name is Krystle Booth and I am the homeowner at 1304 South Taylor Road, which is two houses north of the property that's up for rezoning.

For the record, I would like to --

BRIAN GRADY: Ma'am, could you pull the microphone a little bit closer so --

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THE HEARING OFFICER: Yes, that's fine.

KRYSTLE BOOTH: Sorry.

BRIAN GRADY: Thank you.

KRYSTLE BOOTH: Is that better?

THE HEARING OFFICER: Yes. That's fine.

KRYSTLE BOOTH: For the record, I would like to note that there are several homeowners who are opposed to this rezoning that could not make it this evening due to prior scheduled vacations and commitments.

This was created by a continuance due to the Applicant's indecisiveness from the beginning on how to proceed with this property's rezoning.

The participants who are not present this evening have given me permission to speak on their behalf. I would also like to make note that Becky Halcom, who is a owner directly next door to the property, and I received signatures from homeowners in the community who are opposed to this proposed zoning request.

A hundred percent of the homeowners that we spoke to are in opposition to this

1 request. We have over 50 letters of
2 opposition that are in the binder that I
3 just turned into you that is in Section 2.

4 Let me start off by giving you a
5 picture of the community that we are in,
6 which is outlined in Section 1, which is in
7 a picture representation.

8 By all accounts, this road is still a
9 rural street. As a matter of fact, the post
10 office still has us listed as a rural route.
11 We have no sidewalks, we have no curbs, we
12 have no streetlights. We still have
13 overhead power.

14 Homeowners who are on this street have
15 been here for 20, 30, some even longer than
16 that. They developed this road back
17 whenever it was orange groves.

18 It is made up primarily of relatives,
19 parents, brothers, sisters, aunts and uncles
20 who are all down the road from each other.

21 Highway 92 and MLK are both State
22 highways that are at the end of this street.
23 There are no red lights at either end. We
24 only have stop signs.

25 Trying to get out of here is a

1 nightmare as it is, much less if you were to
2 increase the population on this road. And
3 currently there is no intention of putting a
4 red light at either end of this road.

5 People have already been killed on this
6 street because it is so dark, pedestrians
7 and bicyclists alike. This would only add
8 to it.

9 The speed limit is currently 40 miles
10 an hour, but people do well in excess of
11 that. Using our street as a detour for the
12 road construction that is currently on MLK
13 and because of the road closures that are on
14 Parsons.

15 Since these are State highways, we have
16 been told that it's not the County's
17 responsibility to put in red lights at
18 either one of these intersections, which is
19 fine, but that does not solve our current
20 traffic situation, or the one that would
21 bring about being -- causing increase
22 traffic volume would bring to us.

23 Most of the other tracts on this road
24 are RDC-6, but none of them are built to
25 that. There is not a precedent for that, so

1 now why would we increase the usage to 9?

2 The Applicant has stated that there are
3 duplexes here or that there's a duplex
4 development, but that is not the case.

5 There are only eight duplexes on the
6 entire road all the way from MLK to 92.
7 There isn't even a market for duplexes on
8 this street, much less any type of other
9 built-out structure.

10 There have been three similar rezoning
11 requests on this street in the past five to
12 six years, and all of them have been denied
13 because they did not fit the character of
14 our neighborhood. These can be found in
15 Section 1 of the binder behind the picture
16 representation.

17 Nothing has changed in the character of
18 our neighborhood since this -- since these
19 requests were denied. Property has been
20 bought, sold or inherited; however, the
21 character of our neighborhood has not
22 changed.

23 Current property is zoned, and people
24 are well Within their rights to develop it;
25 however, they have chosen not to.

1 This type of action to expand to RMC-9
2 is premature whenever nothing is still built
3 out to a 6.

4 The Staff Report takes into
5 consideration neighboring streets, Future
6 Land loose -- Land Use and recommendations
7 and certain protections that have been
8 outlined just a couple of minutes ago;
9 however, what is on paper sometimes is not
10 an accurate representation of what is
11 actually there.

12 One example is on Robson Street, which
13 is adjacent to this property and was just
14 listed as being a duplex development;
15 however, it does not even meet the
16 development criteria based on square footage
17 even for duplexes.

18 This can be found in your binder in
19 Section 3 behind the Staff Report. And it
20 is in a color-coded graph.

21 Many of these lots are just around
22 5,000 square feet, so they don't meet the
23 criteria for even building duplexes. You
24 would have to combine the lots on order for
25 it to meet a developmental criteria.

1 Another example that is important to
2 point out is that the Staff Report takes
3 into Consideration Parsons Avenue.

4 Parsons is a busier street with more
5 thoroughfare and is a higher density than
6 Taylor Road. Even these developments on
7 Parsons, which are zoned for nine units, are
8 only built out to an average of 6, not what
9 they have been allowed to be built out to,
10 the highest, which has only been built out
11 to approximately 7.

12 We feel that it's important to note
13 that these are already built out but do not
14 reflect the zoning categories on the
15 Staffing Report and on the Zoning Staffing
16 Map. Once again, these can be found in
17 Section 3 of the binder behind the Staffing
18 Report.

19 If this were approved, it would set the
20 precedent for getting a foothold in for
21 higher intensity into this area. It would
22 lead to increased traffic and our road
23 cannot support it.

24 We have two historic cemeteries on this
25 road, and we are already limited to future

1 road improvements. In Section 1 behind the
2 picture representation, I have included an
3 excerpt from the Florida Department of State
4 Historic Preservation.

5 We would also like to point out that we
6 believe it is a valid question regarding the
7 Applicant and who's considered the property
8 owner. The Application cites that Carlina
9 Mercer is the property owner; however, prior
10 County documents cite Joe Herdon as the
11 Mercer Trustee and owner, while other
12 documents list Leroy Gonzalez and another
13 mortgage on the property. Depending on when
14 you look at County records, a different
15 person is listed.

16 We would also like to note that this
17 property and its owners have done nothing by
18 way of improvements to the community. If
19 anything, it's been a neighborhood nuisance
20 for numerous Code Enforcement Violations and
21 property issues through at least the last
22 ten years.

23 There have been citations for dumping,
24 overgrown trash, debris, inoperable
25 vehicles, just to name a few.

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In addition to drainage issues, this property causes the rest of the homeowners who are adjacent to it due to a drainage easement that is located at the back of the property, which in the picture representation, you can see pictures of flooding on the northern property on page nine. This is what it looks like on at least five homeowners' property after it rains.

There's also a history of the drainage issues in Section 4 that go back to the early 2000s we have been dealing with.

This displaces stormwater onto at least four other homeowners from the Northgrove Shopping Center.

Further documentation has also been cited and can be found in the Staff Report under Agency Comments by Stormwater Division.

It specifically points out that the retention area must consider the amount of water displaced from the shopping center on to neighbors north of this property. This means that there would be a substantial

1 (phonetic) -- substantial developmental
2 amount of property that will be lost due to
3 stormwater retention.

4 Because of these issues alone,
5 surrounding neighbors have no expectation
6 that once a rezoning has been approved, that
7 anything will change or that conditions will
8 approve -- improve.

9 The property and buildings could look
10 the same as what they do now, which you can
11 also find in Section 1 on page 7 of the
12 pictures on the flip side that are labeled
13 as Applicant Property Issues.

14 The Applicant would also present that
15 they have worked with the community on this
16 rezoning. That is not the case either.

17 The reason so many of our neighbors are
18 not here tonight is due to their
19 indecisiveness on how to proceed with this.

20 First it was commercial general, then
21 it was commercial restricted, now it's
22 multifamily, then it's multifamily with
23 restrictions.

24 There was no clear plan from the
25 beginning on how they wanted to proceed.

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They only want to make it more appealing to potential buyers and developers without any regard for our surrounding neighborhood and community.

The sole purpose of this Application is to rezone this property to RMC-9 to have the ability to utilize the building standards such as building type, bulk and height, which would allow for apartments, quadruplexes, and increase the number of total units connected.

To show the difference, page 13 in Section 1, where you can see the vast difference in the building type that would -- this would create on our street and all the adjoining neighbors and the overall character of our neighborhood.

It is not that we are anti-growth, we just do not have the means to support the infrastructure and to support what is currently on our street now.

And a viable solution to us is not build it now or we will address it later. It has to be taken into consideration now before it continues to pass and we keep

1 getting the: It's not my department, it's
2 theirs.

3 The bottom line is we live here, and
4 the traffic, noise, speeding, and lack of
5 road improvements, no sidewalks, no curbs,
6 no overhead power and no streetlights and
7 drainage that we have been dealing with for
8 the past several decades will only continue
9 to get worse if this is brought in.

10 By approving this Application for
11 rezoning, it sends a message to this
12 neighborhood and all of the 50-plus
13 signatures that we have in that binder that
14 oppose this, that this one property owner or
15 this one developer matter more than
16 everybody else that's in this neighborhood
17 and in this community.

18 And taking that into consideration,
19 where does this one person or this one
20 developer's rights begin and all of ours
21 end?

22 Future Land Use is not an entitlement,
23 especially when nothing has changed since
24 the prior denials. It is still inconsistent
25 with our current neighborhood and land use,

1 and it does not provide a good enough
2 transition into our neighborhood.

3 We have submitted photos, a detailed
4 analysis of the lots and existing pattern of
5 development, in addition to prior cases that
6 were recommended for denial, remanded, and
7 then denied again.

8 This is and can be considered by law
9 substantial and competent evidence, and we
10 believe there's enough to warrant a
11 recommendation for denial. Thank you.

12 THE HEARING OFFICER: Okay. Thank you,
13 ma'am. Ma'am, there's a number of court
14 cases that you've submitted in your binder.

15 KRYSTLE BOOTH: Uh-huh.

16 THE HEARING OFFICER: If you could,
17 just briefly point out if you know what the
18 substance is of these court cases. There's
19 one here, Sheila A. Alfonso versus Southwest
20 Florida Water Management District and
21 Southeast Partners. Do you know what that
22 was all about.

23 KRYSTLE BOOTH: That is for the
24 drainage easement that is on that --

25 BRIAN GRADY: Ma'am, you need to be on

1 the --

2 KRYSTLE BOOTH: Sorry. That is for

3 that drainage easement --

4 THE HEARING OFFICER: Okay.

5 KRYSTLE BOOTH: -- that is on that

6 property --

7 THE HEARING OFFICER: Okay.

8 KRYSTLE BOOTH: -- because what the

9 homeowner or the property owner did was they

10 actually hauled in fill dirt at the back end

11 of that property in order for the water from

12 the Northgrove Shopping Center to overflow

13 into our property. So that's -- that's what

14 that is --

15 THE HEARING OFFICER: Okay. So the --

16 KRYSTLE BOOTH: -- regarding.

17 THE HEARING OFFICER: -- so the

18 shopping center brought in the dirt?

19 KRYSTLE BOOTH: No. The homeowner

20 brought in that dirt because --

21 THE HEARING OFFICER: Because he wanted

22 to block the drainage?

23 KRYSTLE BOOTH: Wanted to divert the

24 shopping center's overflow --

25 THE HEARING OFFICER: Right.

1 KRYSTLE BOOTH: -- onto our property.

2 THE HEARING OFFICER: Onto your

3 property?

4 KRYSTLE BOOTH: Correct. Onto -- onto
5 those four or five parcels north of it.

6 THE HEARING OFFICER: Okay.

7 KRYSTLE BOOTH: And so then what they
8 worked out is that the Northgrove's Shopping
9 Center paid that property owner to put in a
10 drainage easement at the back end of his
11 property which still diverts that water onto
12 all of our property.

13 So they got paid to put in an easement
14 that still diverts water onto our property,
15 which you can see by the photos that we
16 still flood.

17 THE HEARING OFFICER: Okay. All right.
18 I just briefly looked at your binder, but
19 was that the only lawsuit or legal case
20 that's in this binder?

21 KRYSTLE BOOTH: And there's also
22 letters that have been written to the
23 Board --

24 THE HEARING OFFICER: Right. But --

25 KRYSTLE BOOTH: -- in addition to that

1 as well.

2 THE HEARING OFFICER: -- in terms of,
3 you know, any sort of legal proceedings,
4 that's the only case that you attached --

5 KRYSTLE BOOTH: Correct.

6 THE HEARING OFFICER: -- in the binder?
7 Okay. All right. Thank you.

8 KRYSTLE BOOTH: Uh-huh.

9 TERRY FLOTT: Terry Flott, Seffner
10 Community Alliance. And I'm going to modify
11 what I'm saying so I don't repeat, so if you
12 will just bear with me real quickly.

13 I think everything relating to the
14 intensity and density of this particular;
15 proposed development, we're opposed to it.

16 The Comprehensive Plan, Section 5,
17 Neighborhood Designs, Goal 12, clearly
18 states, design neighborhoods which are
19 related to the prominent character of the
20 surroundings.

21 Since there is no plan, we rely totally
22 on whatever the development criteria is at
23 the time they develop. So it's really an
24 unknown entity at this point, other than we
25 know that the bulk of this project, meaning

1 the bulk -- building bulk can be far greater
2 than what would be allowed under RDC-6.

3 I mean, it was pointed out that it's
4 misrepresentative, the zoning of the area is
5 misrepresentative of what is there.

6 That area has not been built out to
7 what the Zoning Map identifies. I think
8 that was said.

9 Putting in a few six-foot trees with a
10 two-inch caliper along the southern --
11 excuse me, northern boundary isn't going to
12 protect those neighbors who are abutting it,
13 particularly if they wind up being two-story
14 apartments, two-story townhomes, it's
15 just -- you know, an extra five foot isn't
16 going to make a whole lot of difference,
17 particularly if you can have eight or more
18 of these townhomes or apartments in a row.
19 It's the bulk issue that is going to be a
20 problem. And it is not in character with
21 the community.

22 Seffner Community Alliance supports
23 infill, but it also needs to be with the
24 character of the community. That was clear
25 in our plan.

1 Making some trees -- putting trees in,
2 things like that are important. We had
3 hoped that they would require greater trees
4 to protect the community should you decide
5 to support this.

6 And the Comprehensive Plan -- I have
7 some key issues that I really want to say.
8 The Comprehensive Plan only established a
9 long-range maximum limit on the possible
10 intensity of the land use and does not
11 simultaneously establish an immediate
12 minimum limit; thus, the present use of land
13 may by zoning ordinance continue to be more
14 limited -- more limited than the future land
15 use category, future land use may allow.

16 Bu law -- and case -- there has been
17 case law on this that it can be less. It
18 can be taken into consideration. Character
19 is a vital and important piece to this --
20 this case.

21 It is not enough for the Applicant to
22 rely solely on the Future Land Use
23 designation as an argument. The mere fact
24 that the application for rezoning is
25 consistent with the Comprehensive Plan does

1 not in itself give the landowner a right.

2 It's not a right, it's just the landowner

3 desires it.

4 Further more, the burden of proof is

5 upon the landowner to substantiate why the

6 status quo, which is RDC-6, is not

7 sufficient.

8 We haven't heard that tonight as far as

9 I'm concerned. To this point, we have not

10 heard any substantial competent evidence to

11 that fact.

12 For all these reasons and more,

13 everything that you've heard, everything

14 that you will review in that manual, why

15 we -- we are opposing this project.

16 Thank you very much.

17 THE HEARING OFFICER: All right. Thank

18 you, ma'am.

19 Does anyone else in the audience which

20 to speak in opposition?

21 ELIZABETH BELCHER: Yes.

22 BRIAN GRADY: Ms. Flott?

23 TERRY FLOTT: I need a bell or

24 something. A cow bell.

25 ELIZABETH BELCHER: Good evening. My



**PARTY OF
RECORD**

NONE