

PD Modification Application: MM 22-1126

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: Wos Properties 1, Inc.

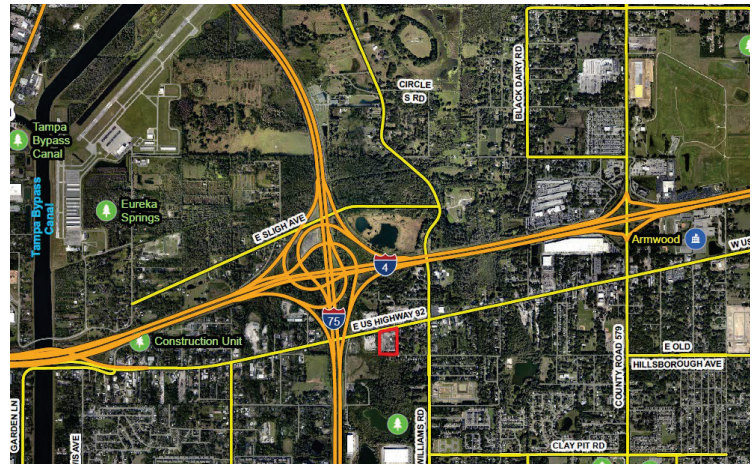
FLU Category: UMU-20

Service Area: Urban

Site Acreage: 6.68 +/-

Community
Plan Area: Seffner Mango

Overlay: None



Introduction Summary:

The applicant requests modifications to PD (Planned Development) 15-1034 (as most recently modified by MM 17-0762). The site is currently approved for the following uses: (1) sales, rental and service of used domestic automobile vehicles, farm and garden equipment, and hobby and pleasure crafts; (2) the sales, rental and service of used commercial vehicles, trucks, buses and recreational vehicles; (3) minor and major vehicle repair; (4) motor vehicle body work and painting; (5) vehicle parts sales; (6) vehicle recycling (open) excluding compacting; and, (7) related office uses.

Existing Approval(s):	Proposed Modification(s):
Vehicle recycling (open) area location with the PD: <ul style="list-style-type: none">Northwest setback: 35 feetNortheast setback: n/aSouth setback: 110 feetWest setback: 30 feetEast setback: 88 feet	Vehicle recycling (open) area location within the PD: <ul style="list-style-type: none">Northwest setback: 35 feet (no change)Northeast setback: 0 feet (expansion of area)South setback: 91 - 93 feet (expansion of area)West setback: 34 - 46 feet (reduction of area)East setback: 30 feet (expansion of area)
Sales area located within the northeast portion of the PD	Sales area to be relocated within the vehicle recycling (open) portion of the PD
Office building at 480 square feet and located 103 feet from the western PD boundary	Office building size at 550 square feet and located 97 feet from the western PD boundary
No enclosed storage for vehicle parts	Provision of a 4,000 sf building for enclosed storage of vehicle parts
Covered concrete area located 128 feet from the eastern PD boundary	Covered concrete area to be located 125 feet from the eastern PD boundary.
Western buffer of 30 feet in width	No western buffer
Southern buffer at 30 feet in width. Screening to consist of existing vegetation, tree plantings, and a 6 foot high solid wood or PVC fence, or evergreen shrubs.	Southern buffer of 30 feet in width. Screening to consist of existing vegetation, tree plantings, and a 6 foot high solid wood, PVC or metal fence, or evergreen shrubs.

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Case Reviewer: Michelle Heinrich, AICP

Eastern buffer of 30 feet width. Screening to consist of existing vegetation, and a 6 foot high solid wood or PVC fence, or evergreen shrubs.

Eastern buffer of 30 feet in width. Screening to consist of existing vegetation, and a 6 foot high solid wood, PVC or metal fence, or evergreen shrubs.

Additional Information:

PD Variation(s):

LDC Part 6.06.00 (Landscaping/Buffering)

Waiver(s) to the Land Development Code:

None Requested as part of this application

Planning Commission Recommendation:

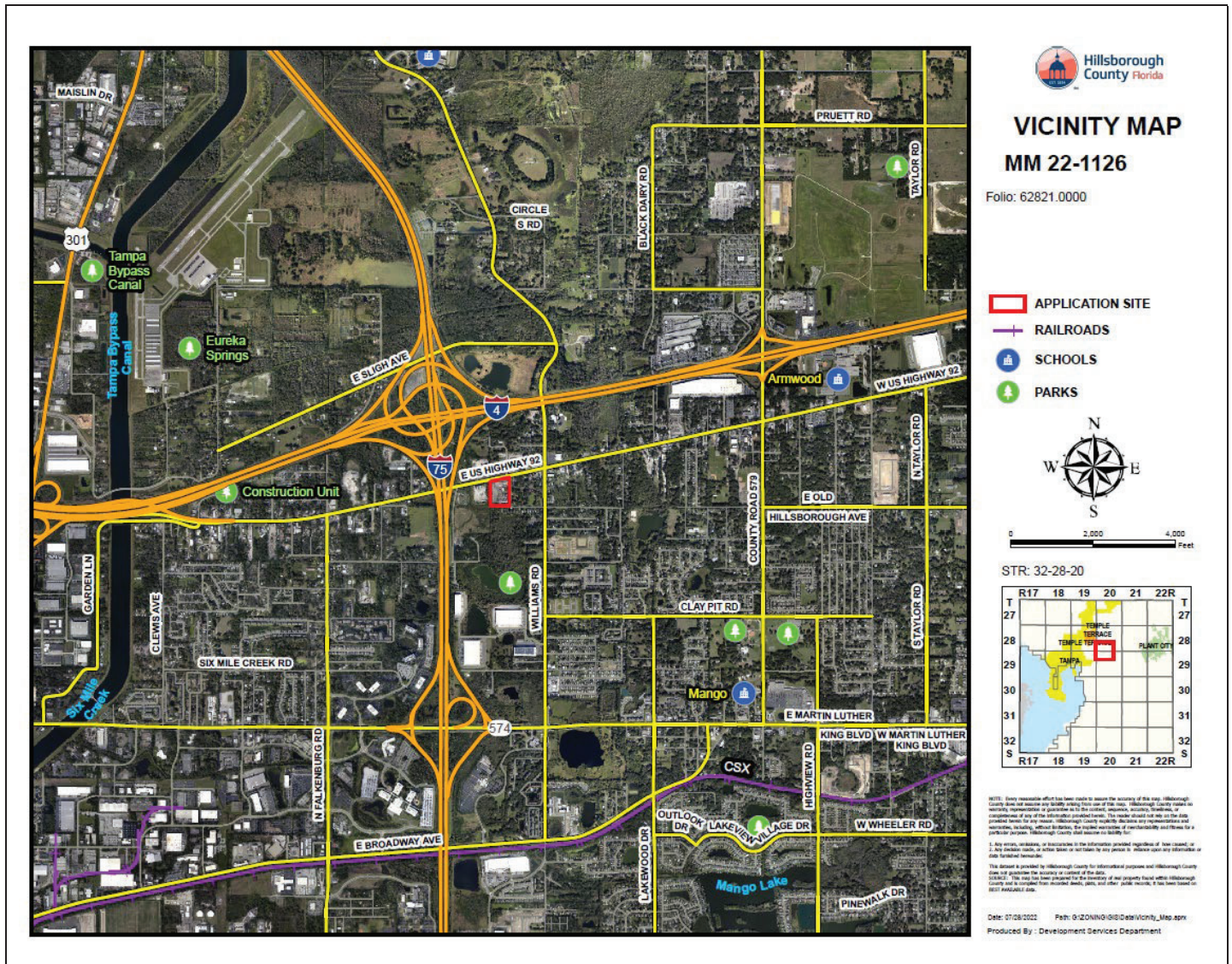
Inconsistent

Development Services Recommendation:

Not supported

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

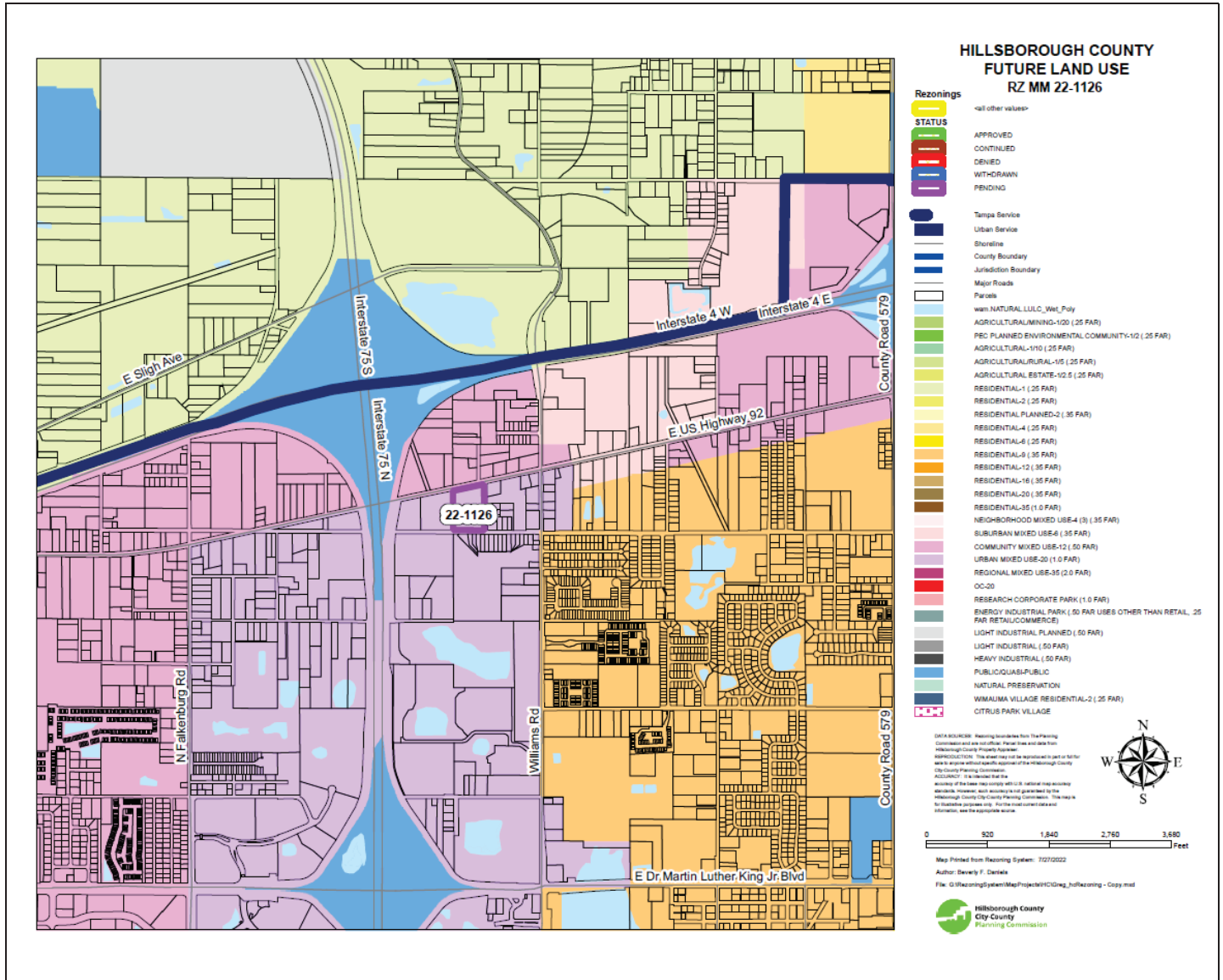


Context of Surrounding Area:

The site is located at the southwest corner of the US Hwy 92 and McLeod Drive within the Seffner-Mango community. Interstate 75 is located approximately 0.20 miles to the west. This segment of US Hwy 92 is developed with intense commercial and manufacturing uses. Areas south and north of US Hwy 92 are developed with residential.

2.0 LAND USE MAP SET AND SUMMARY DATA

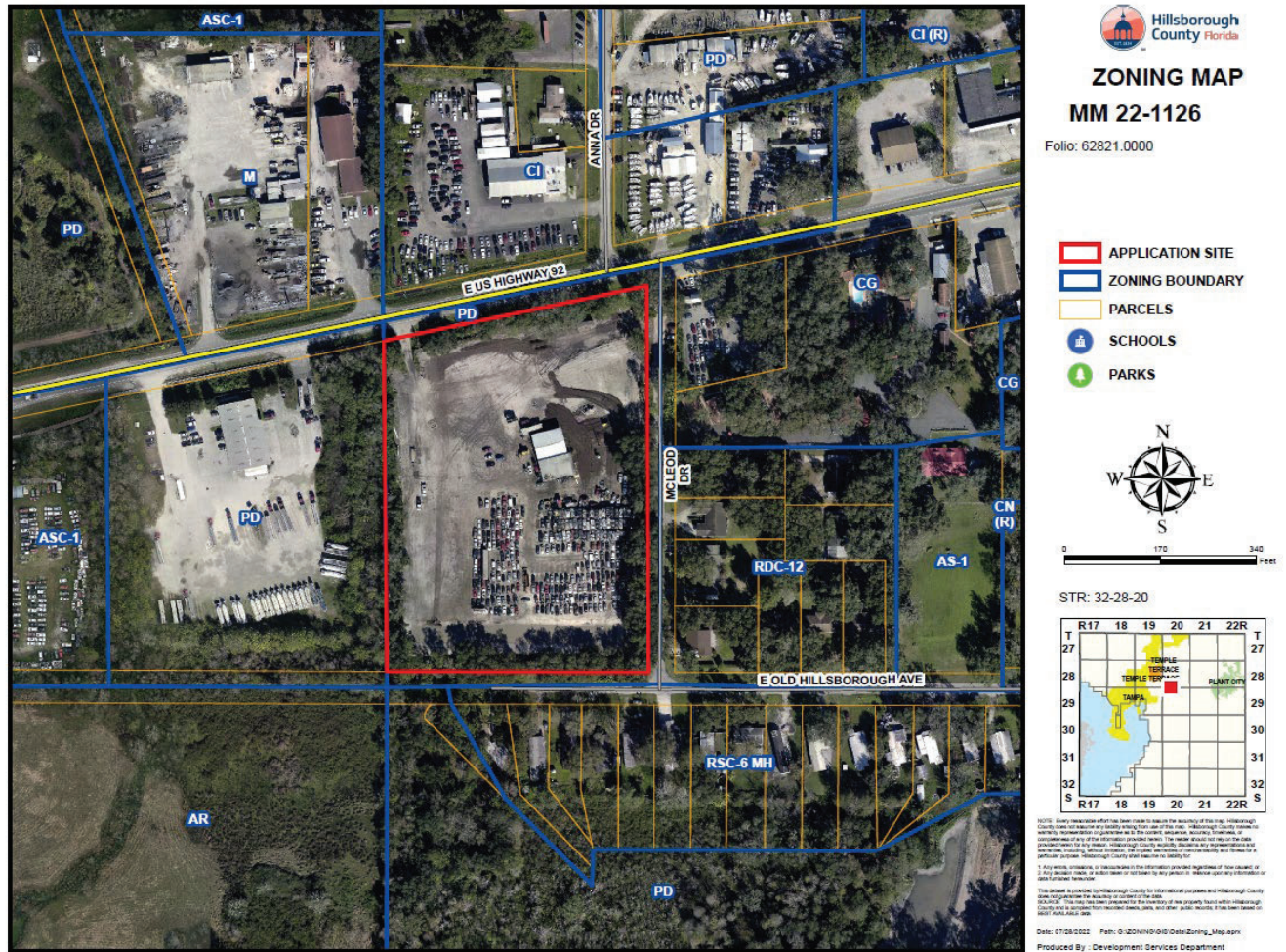
2.2 Future Land Use Map



Subject Site Future Land Use Category:	UMU-20
Maximum Density/F.A.R.:	1.0 FAR
Typical Uses:	Residential, regional scale commercial uses, such as a mall, office and business park uses, research corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed use projects at appropriate locations.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

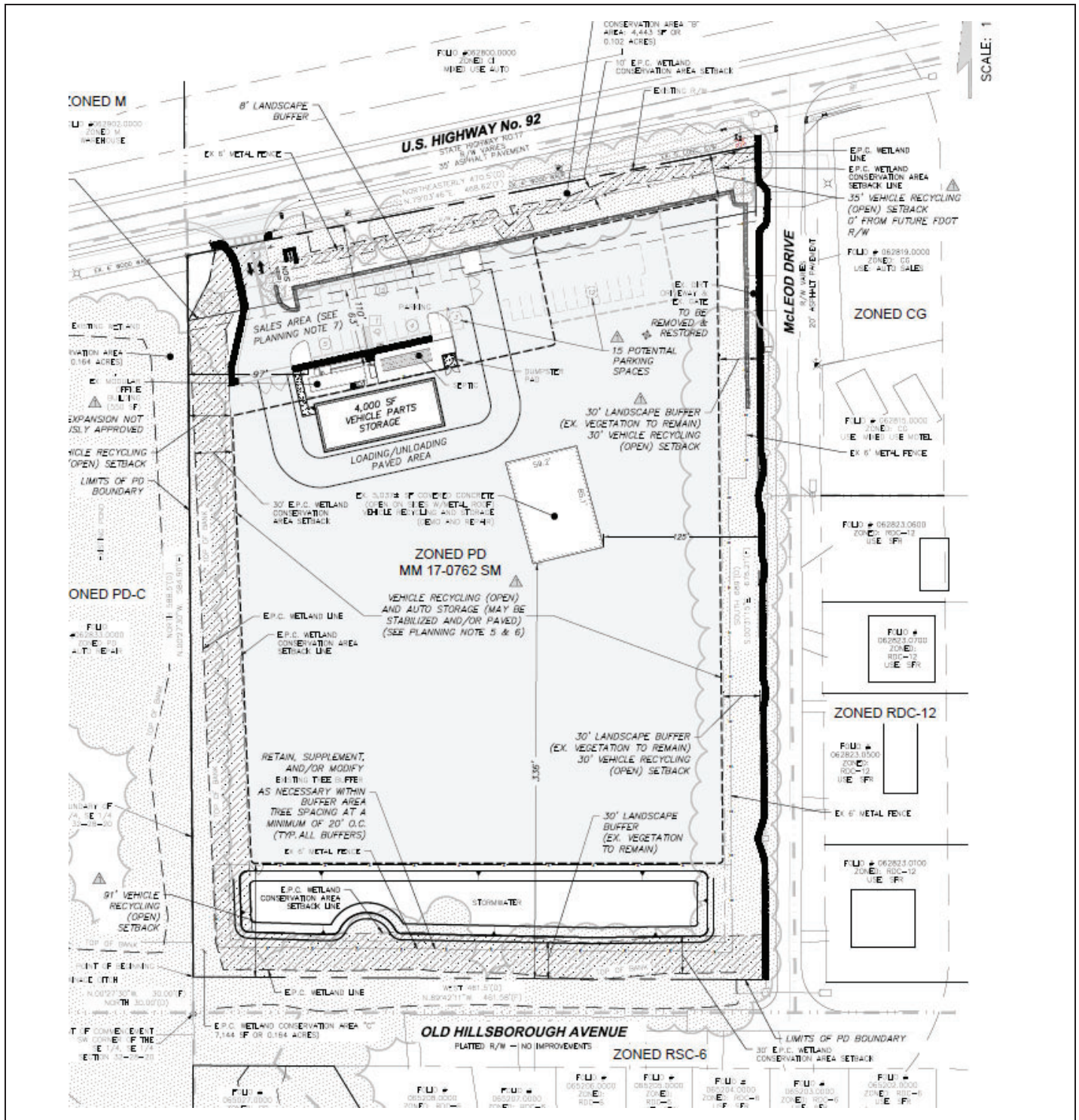


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	CI	0.30 FAR	Commercial Intensive	Car/RV storage and repair
South	RSC-6 (MH) & PD 00-0171	RSC-6 & PD: 6 units per acre	Single-Family Residential	Single-Family Residential and ROW
East	CG & RDC-12	CG: 0.27 FAR RDC-12: 12 u/a	CG: Commercial General RDC-12: Single-Family Residential	CG: Auto Sales, Motel RDC-12: Single-Family Residential
West	PD 84-0088	0.30 FAR	Commercial Intensive	Commercial vehicle storage and repair

2.0 LAND USE MAP SET AND SUMMARY DATA

2.5 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.2 for full site plan)



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
E US Highway 92	FDOT Principal Arterial - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
McLeod Drive	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation ☐ Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	32	5	4
Proposed	52	8	7
Difference (+/-)	+20	+3	+3

*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	X	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<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	
Check if Applicable: <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input checked="" type="checkbox"/> Surface Water Resource Protection Area <input 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"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
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 type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees Not available at the time of filing this staff report.				
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 checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The subject site is situated between an area developed with commercial/commercial intensive uses and areas developed with single-family residential uses. The site was originally rezoned in 2015 from AR (Agriculture Rural) and CG (Commercial General) to PD (Planned Development) for the uses presently approved on the site. The CG zoning was located within the northern portion of site, while the AR zoning was located within the southern portion of site (see figure 7.1). The original PD consisted primarily of auto sales, an auto sales office and repair, while 0.69 acres along the south permitted a vehicle recycling use in compliance with screening standards. The open vehicle recycling area had a 91 foot setback to the south and 30 foot setback to the east and provided screening to consist of existing vegetation and a six-foot high wood fence, PVC fence or hedges.

The PD was modified in 2017 under MM 17-0762. The modifications included relocating the parking area, relocating the sales area, removing of the storage/office buildings, carport, multi-use building, and garage, providing an office building, and enlarging the vehicle recycling use from 0.69 acres to 2.57 acres. The southern and eastern setbacks were increased to minimize impacts to adjacent residential uses and to provide for stormwater ponds in these areas of the site. The previously required buffering and screening remained.

Under the current modification request, the the vehicle recycling area will be enlarged and will also provide land area for the storage of domestic vehicles, farm and garden equipment, hobby and pleasure crafts, commercial vehicles, trucks, buses and RVs that are offered for sale (see Figure 7.2). The sales area was previously located within the northern portion of the PD along the roadway. A vehicle parts storage building is now also proposed. The setbacks for the open vehicle recycling are proposed to decrease from 110-183 feet to 91 feet along the south and decrease from 146-88 feet to 30 feet along the east. Additionally, screening variations are proposed to allow a 6 foot high metal fence along the south and east boundaries.

The subject parcel, unlike the other similarly developed parcels in the area, abuts residentially developed property. Previous approvals have been supported by staff due to the size, location and screening of the open vehicle recycling relative to the other uses occurring on the site. Single-family residential is located to the east on McLeod Drive with homes oriented towards the site. Single-family residential is located to the south on Old Hillsborough Avenue/Tanner Road with homes oriented towards to the site. This proposal will bring the open vehicle recycling use closer coupled with non-compliant screening by using a 6 foot high metal fence. Required Land Development Code screening options consists of a 6 foot high masonry wall, wood fence, PVC fence or shrubs. Use of the metal fence for screening and view from residential properties is less attractive and does not compensate for the reduced setbacks from residential properties.

Based upon these factors, staff does not find the request to be compatible.


5.2 Recommendation

Not supported.

6.0 PROPOSED CONDITIONS

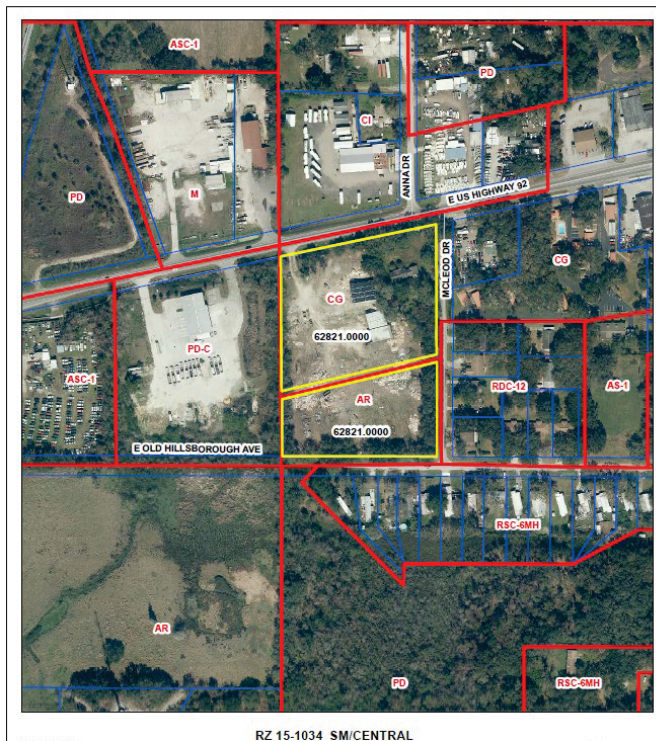
Requirements for Certification:

- 1. Locate buffers and screening outside of wetland conservation area setbacks.

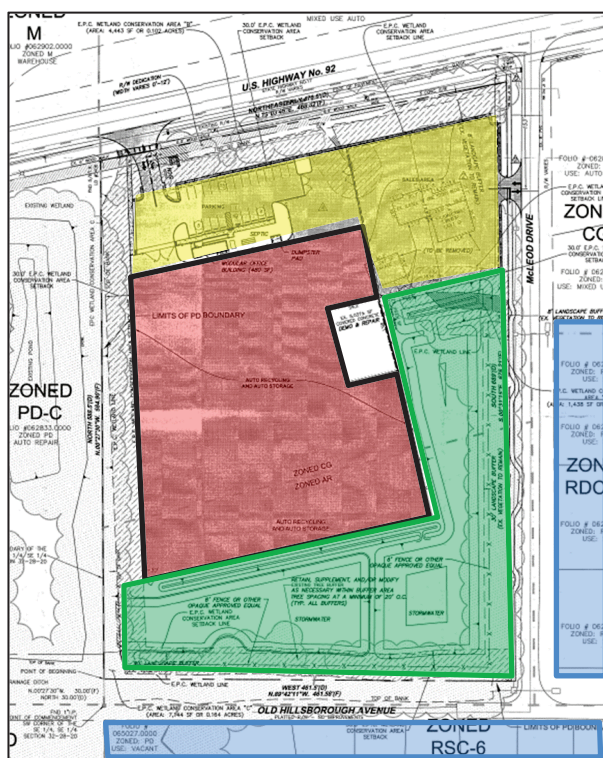
Zoning Administrator Sign Off:	
<p>SITE, SUBDIVISION AND BUILDING CONSTRUCTION IN ACCORDANCE WITH HILLSBOROUGH COUNTY SITE DEVELOPMENT PLAN & BUILDING REVIEW AND APPROVAL.</p> <p>Approval of this re-zoning petition by Hillsborough County does not constitute a guarantee that the project will receive approvals/permits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

7.0 ADDITIONAL INFORMATION AND/OR GRAPHICS

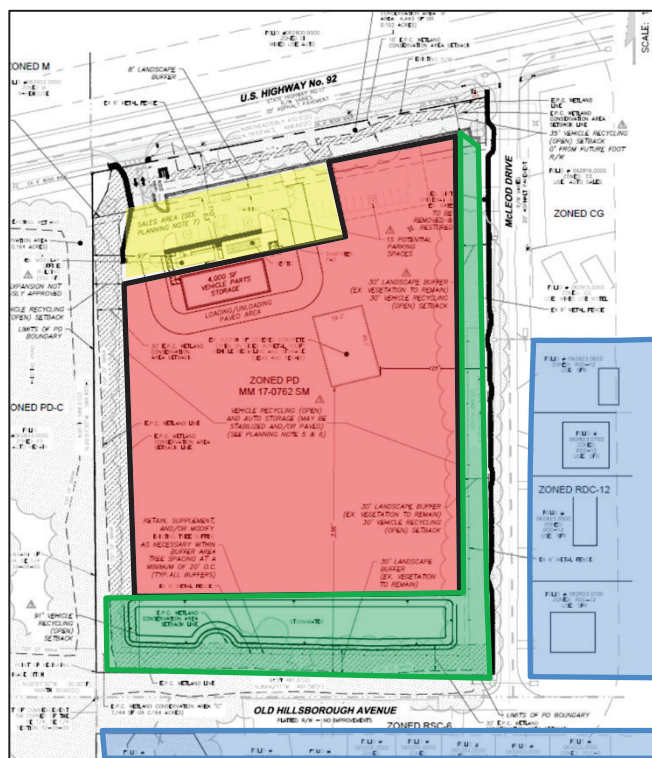
7.1: Original Zoning Districts within the Site



7.2: Existing Layout



Proposed Layout



PD Variation Requests:

1. Land Development Code Section 6.06.06.7.b(1): Where open storage is in view from a street, screening shall be provided and consist of 6 foot high masonry walls, solid PVC fences, solid wooden fences or evergreen shrubs. Screening shall be extended interior to the site a minimum of 100 feet from the street property line or the entire depth of the storage area unless an existing permanent structure shields the storage area from public view.

Applicant proposes to utilize a 6 foot high metal fence along portions of the northern boundary, the full eastern boundary and along the full southern boundary. No screening will be provided along the northwestern boundary or full western boundary. Per the applicant's responses, existing vegetation along the west and intervening buildings remove the need for screening. The use of a metal fence is proposed to provide better theft protection and in some areas is supplemented with existing trees. Additionally, the applicant states that the screening is existing without complaints from neighbors.

Staff is not supportive of the use of metal fencing where in view from a street. The intent of this requirement is to discourage an unsightly streetscape. US Highway 92 is a commonly traveled roadway for the Seffner-Mango community and is not part of an industrial park or similar isolated area. Other uses in addition to intensive commercial uses along US Highway include retail establishments, car sales lots, boat sales, membership organizations, churches and a motel. McLeod Drive is a 2-lane primarily residential street, except for the US Highway 92 and McLeod Drive intersection which is used for a car sales lot. Old Hillsborough Avenue/Tanner Road is residential road located along the project's southern boundary. It is staff's position that a more attractive type of screening, which is required for in the Land Development Code, be provided. These fence types can offer the same benefits as those provided by a metal fence. Additionally, the use of a metal fence is not viewed to compensate for the reduced setback to residential properties.

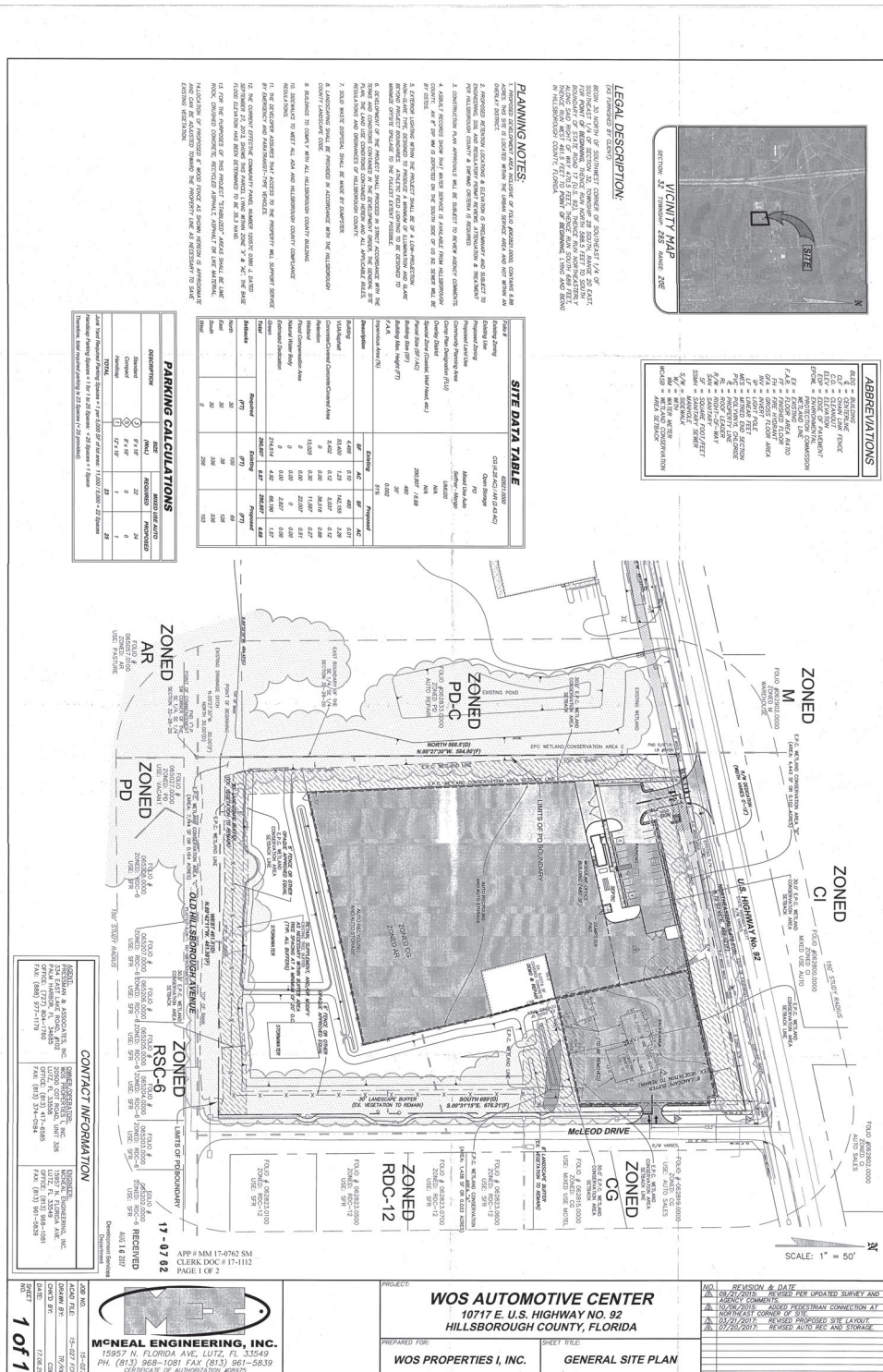
2. Land Development Code Section 6.06.06.7.b(2): Where open storage is in view from a residentially zoned district within 200 feet, screening shall be provided and consist of 6 foot high masonry wall, solid PVC fence, solid wooden fence or evergreen shrubs.

Applicant proposes use of a metal fence in lieu of a masonry wall, solid wooden fence, solid PVC fence or evergreen shrubs, along the eastern and southern boundaries. Per the applicant's responses, the metal fence provides protection from thefts, provides longevity and exceeds the LDC requirement by better reducing sound and providing an improved appearance compared to the permitted screening materials. The metal fence is currently on site and has received no complaints from neighbors.

Residential property is located to the east and south of the site. Residential structures on McLeod Road are oriented to the west, facing the subject site. Residential structures on Old Hillsborough Avenue/Tanner Road are oriented to the north, facing the subject site. Metal fences are not typically found in residential settings and are not an approved fence type in residential developments. Staff's position is that the more appealing fence options which are required per the LDC should be provided given that this will be in direct view of residential properties. Given the expansion of the open vehicular use area to the south and east, use of a metal fence does not offset the proposed changes.

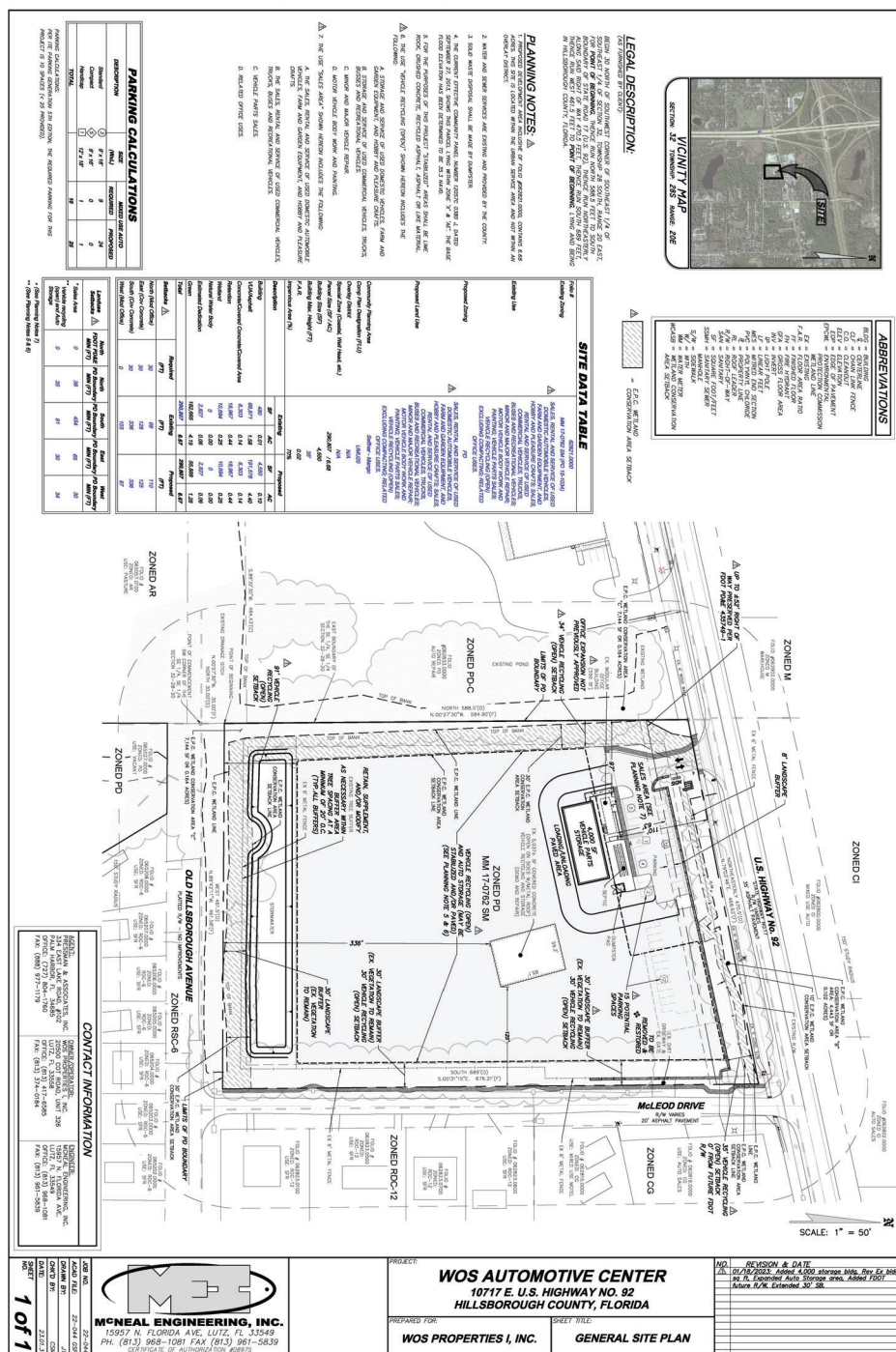
8.0 SITE PLANS (FULL)

8.1 Approved Site Plan (Full)



8.0 SITE PLANS (FULL)

8.2 Proposed Site Plan (Full)



APPLICATION NUMBER: MM 22-1126

ZHM HEARING DATE: March 20, 2023

BOCC LUM MEETING DATE: May 9, 2023

Case Reviewer: Michelle Heinrich, AICP

9.0 FULL TRANSPORTATION REPORT (see following pages)

AGENCY REVIEW COMMENT SHEET

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

DATE: 02/10/2023
AGENCY/DEPT: Transportation
PETITION NO: PD MM 22-1126

<input type="checkbox"/>	This agency has no comments.
<input type="checkbox"/>	This agency has no objection.
<input checked="" type="checkbox"/>	This agency has no objection, subject to the listed or attached conditions.
<input type="checkbox"/>	This agency objects for the reasons set forth below.

REPORT SUMMARY AND CONCLUSIONS

- The proposed major modification would result in an increase of trips potentially generated by development of the subject site by 35 average daily trips, 2 trips in the a.m. peak hour, and 3 trips in the p.m. peak hour.
- As US Hwy 92 is included in the Hillsborough County Corridor Preservation Plan as a future 6-lane improvement, the developer shall designate up to 52 feet of right of way preservation along the project frontage on US Hwy 92. Building setbacks shall be calculated from the future right-of-way line.
- Transportation Review Section staff has no objection to the proposed request, subject to the conditions of approval provided hereinbelow.

CONDITIONS OF APPROVAL

Staff is requesting the following condition:

New Condition:

- As US Hwy 92 is included in the Hillsborough County Corridor Preservation Plan as a future 6-lane improvement, the developer shall designate up to 52 feet of right of way preservation along the project frontage on US Hwy 92. Building setbacks shall be calculated from the future right-of-way line.

Revised Conditions:

5. ~~In accordance with the Hillsborough County Corridor Preservation Plan, the developer shall preserve up to 27 52 feet of additional right of way along the project's US Highway 92 frontage, such that a minimum of 67 92 feet south of the existing US Highway 92 right of way centerline is preserved for future improvements. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right of way. The right of way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right of way line. Notwithstanding anything herein this condition to the contrary, the amount of required right of way preservation may be reduced if, at the time of site plan review for development within the subject parcel, an updated Project Development and Environmental study has been completed and approved by the Florida Department of Transportation supporting a reduction. All such deviations shall be subject to the approval of Hillsborough County Public Works.~~

[Transportation Staff recommends deleting this condition because of outdated language. An FDOT PD&E study is now available, and a new condition is being proposed to address the required right of way preservation for the future roadway improvement.]

6. ~~The developer shall coordinate with the Florida Department of Transportation regarding the location of the required internal sidewalk connection with the existing boardwalk within US 92 right of way. Design shall be subject to the approval of Hillsborough County and the Florida Department of Transportation.~~

[Transportation Staff recommends deleting this condition because the required sidewalk has already been built and approved by FDOT.]

7. ~~Concurrent with site development, the developer shall construct a minimum 24-foot wide vehicular cross access connection (stub out) to its westernmost property boundary, unless prohibited by the Environmental Protection Commission.~~

[Transportation Staff recommends deleting this condition because the applicant indicated that coordination with EPC confirmed that due to wetland concerns a cross access would be prohibited.]

8. The developer shall be allowed ~~two access connections. Once One access connection shall be allowed~~ on U.S. Highway 92. ~~The second access connection shall be allowed on McLeod Drive.~~

[Transportation Staff recommends modifying this condition to address the access changes proposed in the subject major modification. Only one access to the site is now proposed on US Highway 92 and there is no longer any access proposed on McLeod Drive.]

Other Condition

Prior to PD site plan certification, the applicant shall revise the PD site plan to:

- Remove note #5 from the site plan.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a major modification to previously approved PD 15-1034 to modify the site to increase the area of open storage, increase the size of the office and modify the location of the sales area. MM 22-1126 includes one parcel totaling +/- 6.8 acres. The site is located on the south side of US Hwy 92 (Hillsborough Avenue), on the southwest corner of the intersection of Us Hwy 92 and Mcleod Drive. The Future Land Use designation of the site is UMU-20.

Trip Generation Analysis

As per the DRPM, the applicant provided a traffic letter indicating that a detailed traffic analysis is not required. Staff has prepared a comparison of the trips potentially generated under the previously approved zoning and the proposed planned development, 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, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 240 sf Automobile Part Sales (ITE Code 841)	6	1	1
PD, 5,277 sf of Light Industrial Uses (ITE Code 110)	26	4	3
Total Trips	32	5	4

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 240 sf Automobile Part Sales (ITE Code 841)	6	1	1
PD, 9,312 sf of Light Industrial Uses (ITE 110)	46	7	6
Total Trips	52	8	7

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+20	+3	+3

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The subject site has frontage of E Hillsborough Avenue and Mcleod Drive. E Hillsborough Avenue is a 2-lane, undivided, Florida Department of Transportation (FDOT) maintained, Principal Arterial roadway. The existing right-of-way on E Hillsborough Avenue is +/-80 feet. There are bicycle facilities on both sides of E Hillsborough Avenue within the vicinity of the project. There are sidewalks on the south side of the roadway E Hillsborough Avenue within the vicinity of the project. Mcleod Drive is a 2-lane undivided, Hillsborough County maintained, substandard roadway. The existing right of way on Mcleod is +/- 50 feet. There are sidewalks along the western side of the Mcleod Drive within the vicinity of the project.

SITE ACCESS

Access to the project will be via an existing full access to E Hillsborough Avenue. Cross access to the west is not required due to the applicant indicating that after previous coordination with EPC, cross access would be prohibited due to wetland concerns.

HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN

E Hillsborough Avenue is included in the Hillsborough Corridor Preservation Plan as a future 6 Lane roadway. FDOT has a completed PD&E concerning the future widening of the roadway. The LDC requires the applicant to preserve the right of way included in the PD&E study. As a result of coordination with FDOT, the applicant will be required to preserve up to 52 feet of right of way as a result of the alignment included in FDOT PD&E 435749-1.

ROADWAY LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below. Mcleod Drive is not a regulated Roadway and was not included in the Level of Service Report.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
US HWY 92	US HWY 301	WILLIAMS RD	D	C

Source: [2020 Hillsborough County Level of Service \(LOS\) Report](#)

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
E US Highway 92	FDOT Principal Arterial - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Mcleod Drive	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	32	5	4
Proposed	52	8	7
Difference (+/-)	+20	+3	+3

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North	X	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
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 type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Staff Report.

COUNTY OF HILLSBOROUGH
LAND USE HEARING OFFICER'S RECOMMENDATION

Application number:	MM 22-1126
Hearing date:	March 20, 2023
Applicant:	Wos Properties 1, Inc.
Request:	Major Modification to a Planned Development
Location:	10717 East U.S. Highway 92, Tampa
Parcel size:	6.68 acres +/-
Existing zoning:	PD 15-1034
Future land use designation:	UMU-20 (20 du/ga; 1.0 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

PD Modification Application: MM 22-1126

Zoning Hearing Master Date:

March 20, 2023

BOCC Land Use Meeting Date:

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**Hillsborough
County Florida**

Development Services Department

1.0 APPLICATION SUMMARY

Applicant: Wos Properties 1, Inc.

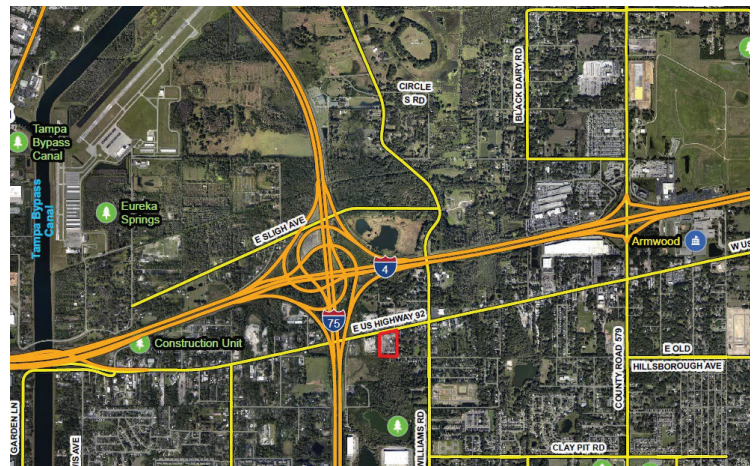
FLU Category: UMU-20

Service Area: Urban

Site Acreage: 6.68 +/-

Community
Plan Area: Seffner Mango

Overlay: None



Introduction Summary:

The applicant requests modifications to PD (Planned Development) 15-1034 (as most recently modified by MM 17-0762). The site is currently approved for the following uses: (1) sales, rental and service of used domestic automobile vehicles, farm and garden equipment, and hobby and pleasure crafts; (2) the sales, rental and service of used commercial vehicles, trucks, buses and recreational vehicles; (3) minor and major vehicle repair; (4) motor vehicle body work and painting; (5) vehicle parts sales; (6) vehicle recycling (open) excluding compacting; and, (7) related office uses.

Existing Approval(s):	Proposed Modification(s):
Vehicle recycling (open) area location with the PD: <ul style="list-style-type: none">Northwest setback: 35 feetNortheast setback: n/aSouth setback: 110 feetWest setback: 30 feetEast setback: 88 feet	Vehicle recycling (open) area location within the PD: <ul style="list-style-type: none">Northwest setback: 35 feet (no change)Northeast setback: 0 feet (expansion of area)South setback: 91 - 93 feet (expansion of area)West setback: 34 - 46 feet (reduction of area)East setback: 30 feet (expansion of area)
Sales area located within the northeast portion of the PD	Sales area to be relocated within the vehicle recycling (open) portion of the PD
Office building at 480 square feet and located 103 feet from the western PD boundary	Office building size at 550 square feet and located 97 feet from the western PD boundary
No enclosed storage for vehicle parts	Provision of a 4,000 sf building for enclosed storage of vehicle parts
Covered concrete area located 128 feet from the eastern PD boundary	Covered concrete area to be located 125 feet from the eastern PD boundary.
Western buffer of 30 feet in width	No western buffer
Southern buffer at 30 feet in width. Screening to consist of existing vegetation, tree plantings, and a 6 foot high solid wood or PVC fence, or evergreen shrubs.	Southern buffer of 30 feet in width. Screening to consist of existing vegetation, tree plantings, and a 6 foot high solid wood, PVC or metal fence, or evergreen shrubs.

APPLICATION NUMBER: MM 22-1126

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BOCC LUM MEETING DATE: May 9, 2023

Case Reviewer: Michelle Heinrich, AICP

Eastern buffer of 30 feet width. Screening to consist of existing vegetation, and a 6 foot high solid wood or PVC fence, or evergreen shrubs.

Eastern buffer of 30 feet in width. Screening to consist of existing vegetation, and a 6 foot high solid wood, PVC or metal fence, or evergreen shrubs.

Additional Information:

PD Variation(s):

LDC Part 6.06.00 (Landscaping/Buffering)

Waiver(s) to the Land Development Code:

None Requested as part of this application

Planning Commission Recommendation:

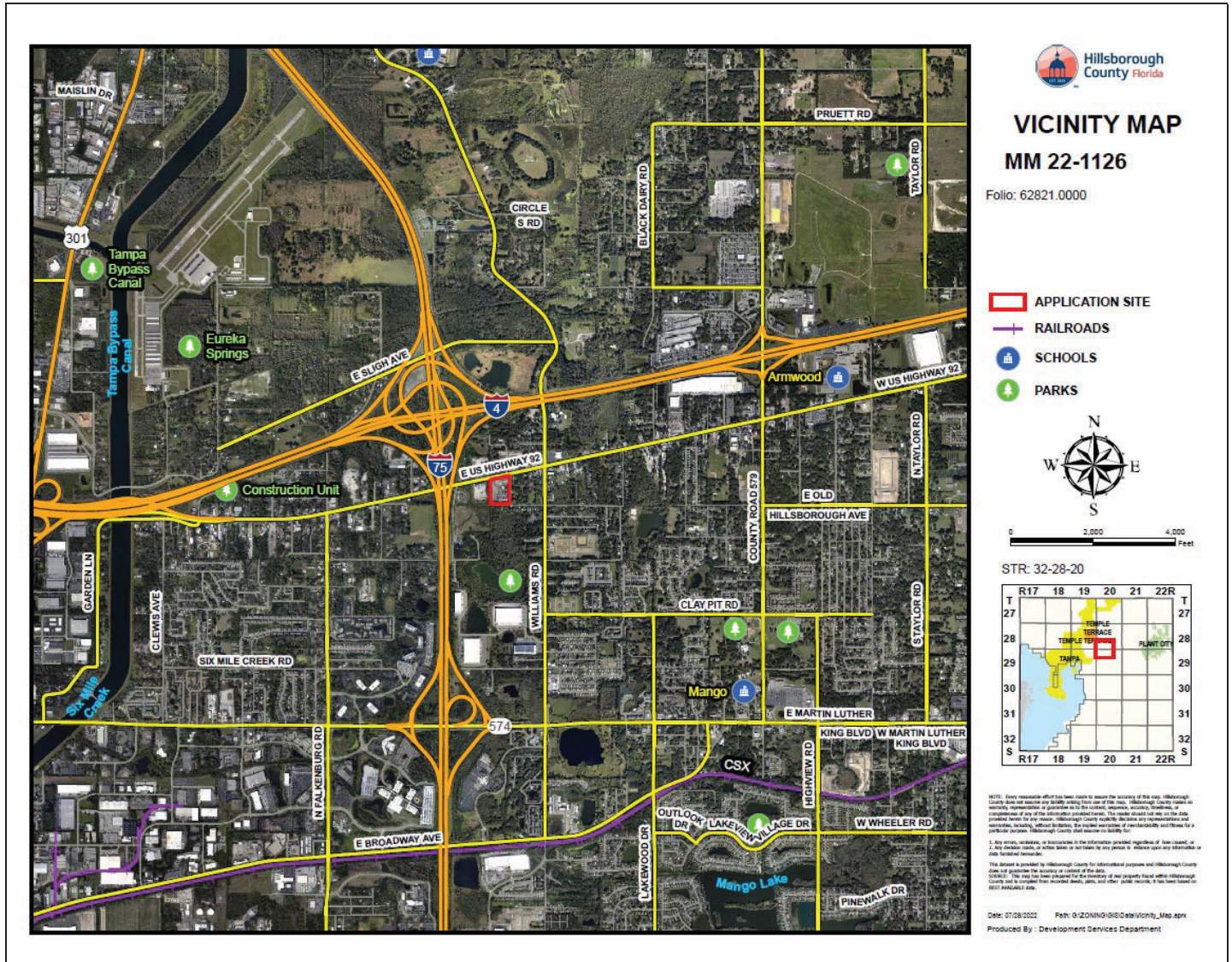
Inconsistent

Development Services Recommendation:

Not supported

2.0 LAND USE MAP SET AND SUMMARY DATA

2.1 Vicinity Map

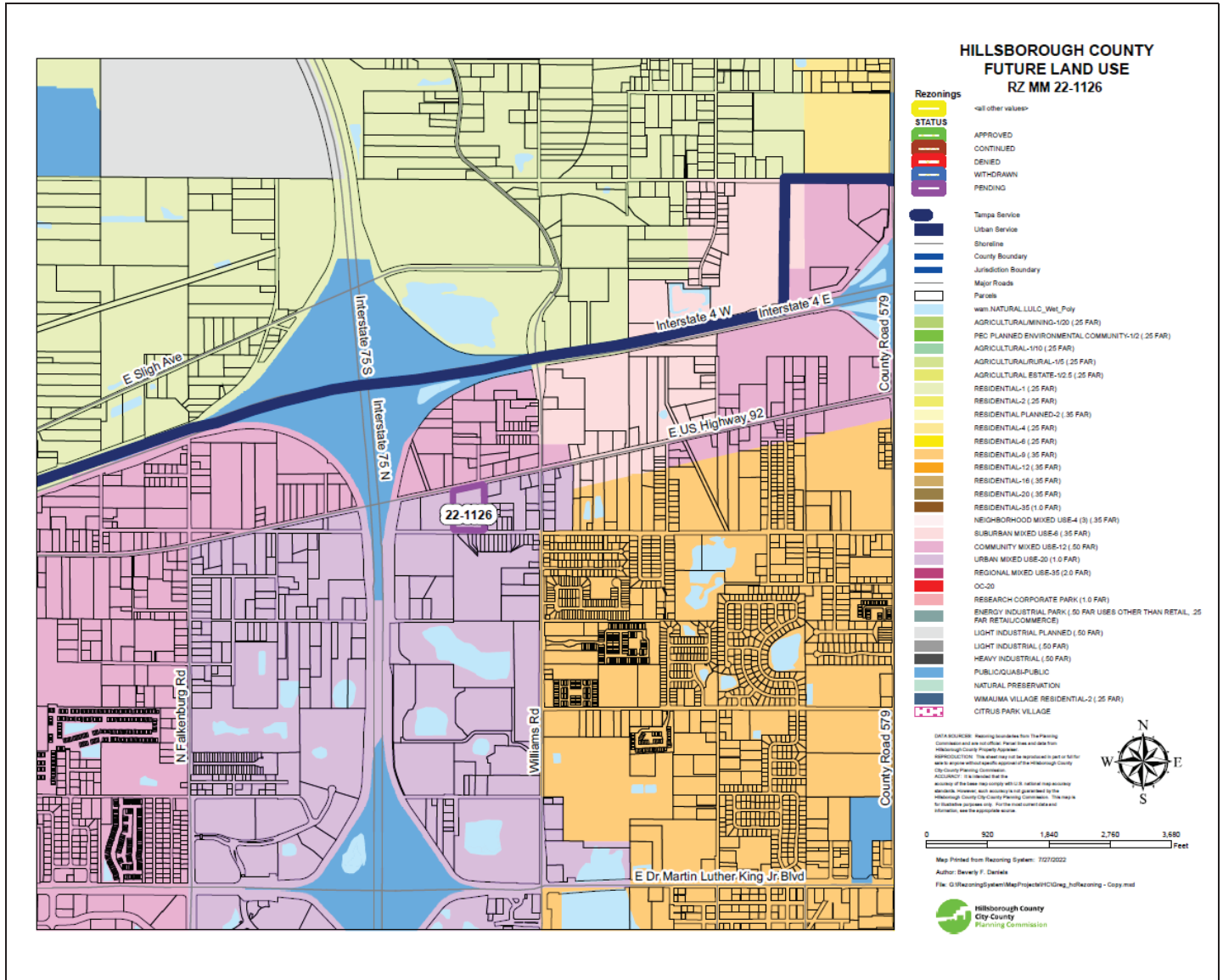


Context of Surrounding Area:

The site is located at the southwest corner of the US Hwy 92 and McLeod Drive within the Seffner-Mango community. Interstate 75 is located approximately 0.20 miles to the west. This segment of US Hwy 92 is developed with intense commercial and manufacturing uses. Areas south and north of US Hwy 92 are developed with residential.

2.0 LAND USE MAP SET AND SUMMARY DATA

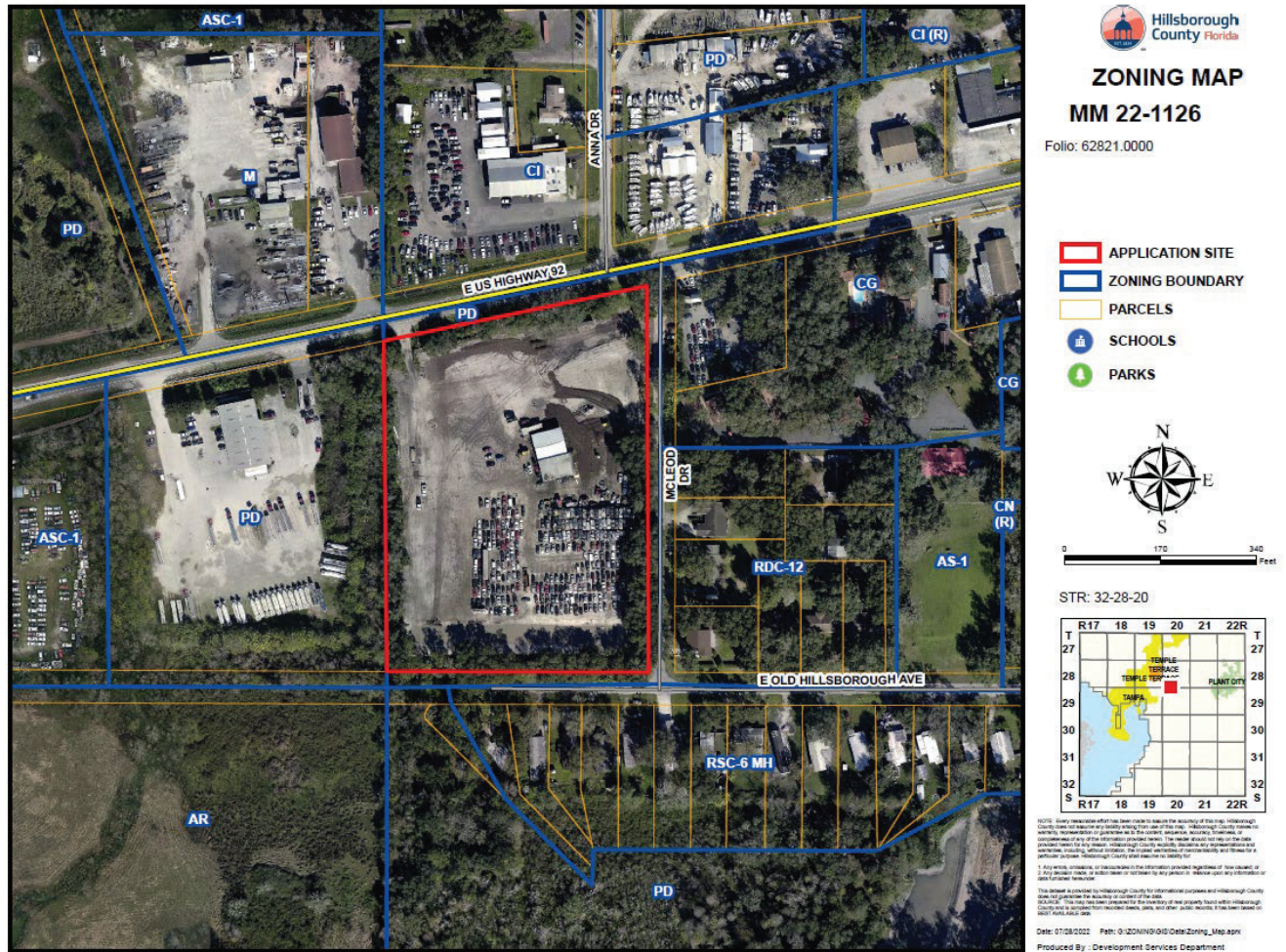
2.2 Future Land Use Map



Subject Site Future Land Use Category:	UMU-20
Maximum Density/F.A.R.:	1.0 FAR
Typical Uses:	Residential, regional scale commercial uses, such as a mall, office and business park uses, research corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed use projects at appropriate locations.

2.0 LAND USE MAP SET AND SUMMARY DATA

2.3 Immediate Area Map

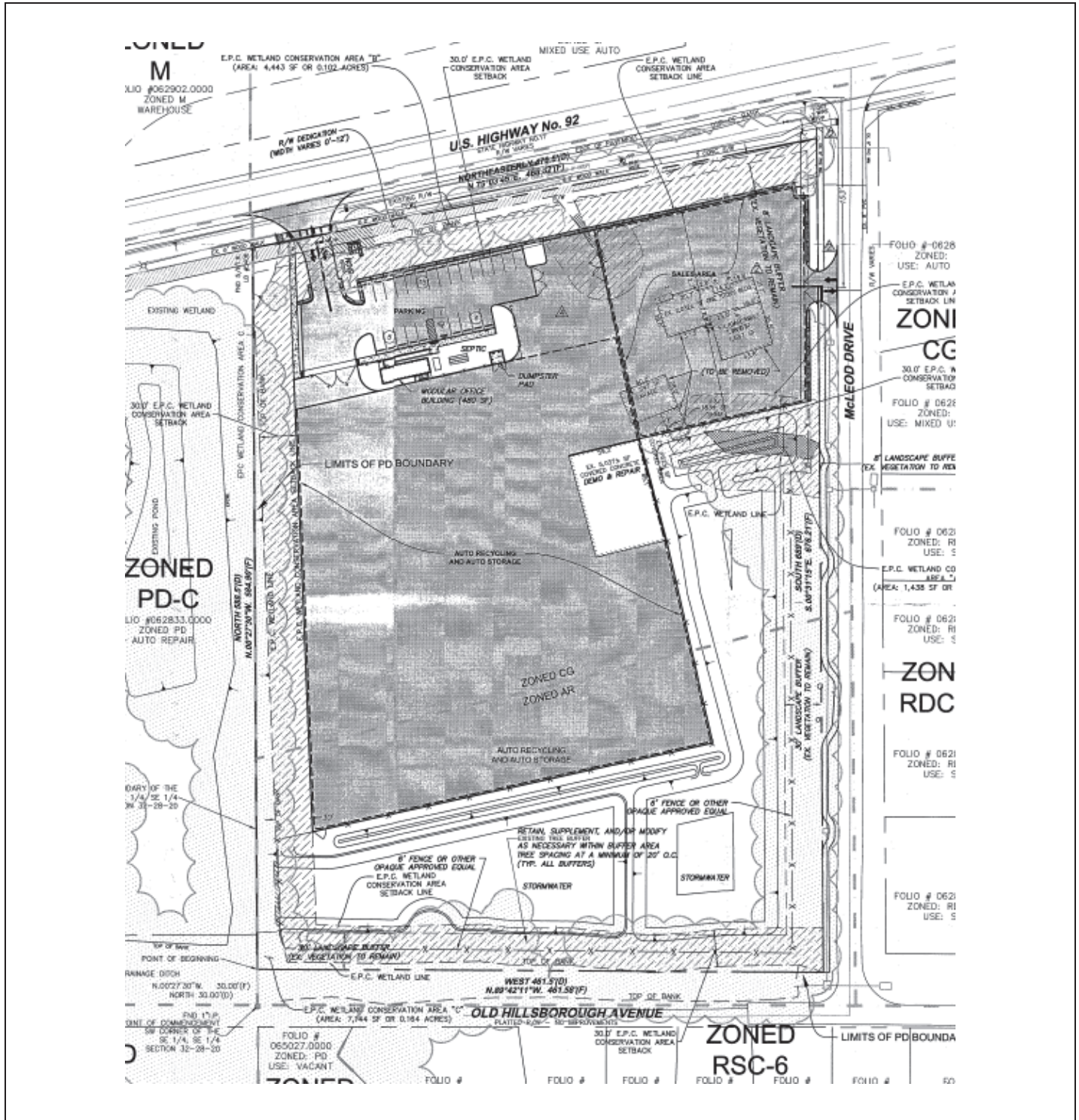


Adjacent Zonings and Uses

Location:	Zoning:	Maximum Density/F.A.R. Permitted by Zoning District:	Allowable Use:	Existing Use:
North	CI	0.30 FAR	Commercial Intensive	Car/RV storage and repair
South	RSC-6 (MH) & PD 00-0171	RSC-6 & PD: 6 units per acre	Single-Family Residential	Single-Family Residential and ROW
East	CG & RDC-12	CG: 0.27 FAR RDC-12: 12 u/a	CG: Commercial General RDC-12: Single-Family Residential	CG: Auto Sales, Motel RDC-12: Single-Family Residential
West	PD 84-0088	0.30 FAR	Commercial Intensive	Commercial vehicle storage and repair

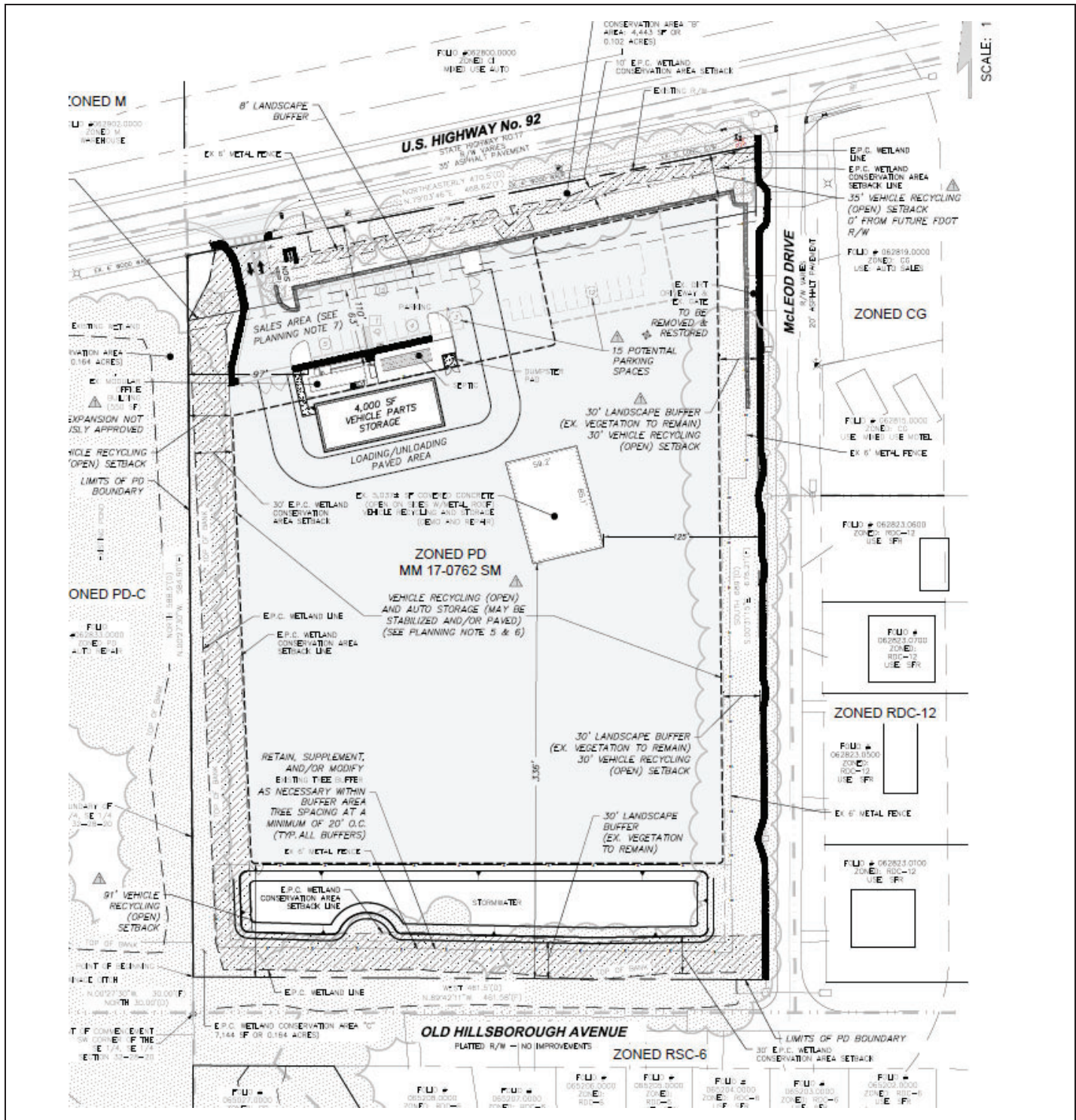
2.0 LAND USE MAP SET AND SUMMARY DATA

2.4 Approved Site Plan (partial provided below for size and orientation purposes. See Section 8.1 for full site plan)



2.0 LAND USE MAP SET AND SUMMARY DATA

2.5 Proposed Site Plan (partial provided below for size and orientation purposes. See Section 8.2 for full site plan)



APPLICATION NUMBER: MM 22-1126

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3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 9 OF STAFF REPORT)**Adjoining Roadways (check if applicable)**

Road Name	Classification	Current Conditions	Select Future Improvements
E US Highway 92	FDOT Principal Arterial - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Mcleod Drive	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation ☐ Not applicable for this request

	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	32	5	4
Proposed	52	8	7
Difference (+/-)	+20	+3	+3

*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	X	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Natural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Conservation & Environ. Lands Mgmt.	<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	
Check if Applicable: <input checked="" type="checkbox"/> Wetlands/Other Surface Waters <input type="checkbox"/> Use of Environmentally Sensitive Land Credit <input type="checkbox"/> Wellhead Protection Area <input checked="" type="checkbox"/> Surface Water Resource Protection Area <input 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"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
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 type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A Inadequate <input type="checkbox"/> K-5 <input type="checkbox"/> 6-8 <input type="checkbox"/> 9-12 <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Impact/Mobility Fees Not available at the time of filing this staff report.				
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 checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> Consistent	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

5.0 IMPLEMENTATION RECOMMENDATIONS

5.1 Compatibility

The subject site is situated between an area developed with commercial/commercial intensive uses and areas developed with single-family residential uses. The site was originally rezoned in 2015 from AR (Agriculture Rural) and CG (Commercial General) to PD (Planned Development) for the uses presently approved on the site. The CG zoning was located within the northern portion of site, while the AR zoning was located within the southern portion of site (see figure 7.1). The original PD consisted primarily of auto sales, an auto sales office and repair, while 0.69 acres along the south permitted a vehicle recycling use in compliance with screening standards. The open vehicle recycling area had a 91 foot setback to the south and 30 foot setback to the east and provided screening to consist of existing vegetation and a six-foot high wood fence, PVC fence or hedges.

The PD was modified in 2017 under MM 17-0762. The modifications included relocating the parking area, relocating the sales area, removing of the storage/office buildings, carport, multi-use building, and garage, providing an office building, and enlarging the vehicle recycling use from 0.69 acres to 2.57 acres. The southern and eastern setbacks were increased to minimize impacts to adjacent residential uses and to provide for stormwater ponds in these areas of the site. The previously required buffering and screening remained.

Under the current modification request, the the vehicle recycling area will be enlarged and will also provide land area for the storage of domestic vehicles, farm and garden equipment, hobby and pleasure crafts, commercial vehicles, trucks, buses and RVs that are offered for sale (see Figure 7.2). The sales area was previously located within the northern portion of the PD along the roadway. A vehicle parts storage building is now also proposed. The setbacks for the open vehicle recycling are proposed to decrease from 110-183 feet to 91 feet along the south and decrease from 146-88 feet to 30 feet along the east. Additionally, screening variations are proposed to allow a 6 foot high metal fence along the south and east boundaries.

The subject parcel, unlike the other similarly developed parcels in the area, abuts residentially developed property. Previous approvals have been supported by staff due to the size, location and screening of the open vehicle recycling relative to the other uses occurring on the site. Single-family residential is located to the east on McLeod Drive with homes oriented towards the site. Single-family residential is located to the south on Old Hillsborough Avenue/Tanner Road with homes oriented towards to the site. This proposal will bring the open vehicle recycling use closer coupled with non-compliant screening by using a 6 foot high metal fence. Required Land Development Code screening options consists of a 6 foot high masonry wall, wood fence, PVC fence or shrubs. Use of the metal fence for screening and view from residential properties is less attractive and does not compensate for the reduced setbacks from residential properties.

Based upon these factors, staff does not find the request to be compatible.


5.2 Recommendation

Not supported.

6.0 PROPOSED CONDITIONS

Requirements for Certification:

- 1. Locate buffers and screening outside of wetland conservation area setbacks.

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

B. HEARING SUMMARY

This case was heard by the Hillsborough County Land Use Hearing Officer 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 presented the major modification request, responded to the hearing master's questions, and provided testimony as reflected in the hearing transcript attached to and made a part of this recommendation.

Development Services Department

Ms. Michelle Heinrich, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted to 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 to 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.

Mr. Jim Thomas, McNeal Engineering, spoke in support of the major modification and provided testimony as reflected in the hearing transcript attached to and made a part of this recommendation. Mr. Thomas noted the elimination of an access point to McLeod Drive and the existence of a 30-foot buffer along the Subject Property's east boundary as depicted on the applicant's site plan.

Opponents

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

Development Services Department

Mr. Grady stated the Development Services Department had nothing further.

Applicant Rebuttal

Mr. Pressman stated the applicant mailed public notice and posted signs. He thanked staff for their assistance with the application process.

The hearing officer closed the hearing on MM 22-1126.

C. EVIDENCE SUBMITTED

Mr. Pressman submitted to the record at the hearing a copy of the applicant's presentation package, petitions in support of the major modification, and a copy of the applicant's proposed conditions.

D. FINDINGS OF FACT

1. The Subject Property consists of approximately 6.68 acres at 10717 East U.S. Highway 92 in Tampa.
2. The Subject Property is designated UMU-20 on the comprehensive plan Future Land Use Map and is zoned PD 15-1034 as modified by MM 17-0762. The Subject Property is developed and in use as a vehicle recycling and parts sales operation, which are uses allowed under the current zoning.
3. The Subject Property is located within the Urban Services Area and is within the boundaries of the Seffner-Mango Community Plan.
4. Zoning and uses in the general area surrounding the Subject Property include Commercial Intensive zoning with vehicle and RV storage and repair uses, Commercial General zoning with auto sales and a motel, RDC-12 and RSC-6 zoning with single-family residential uses, a PD residential subdivision, and a PD allowing commercial vehicle storage and repair. Adjacent properties include East U.S. Highway 92 and a car sales lot to the north; a car sales lot and residential uses to the east; Old Hillsborough Avenue and a manufactured home subdivision to the south; and a commercial vehicle storage and repair lot to the west.
5. The applicant is requesting a major modification to PD 15-1034, as modified by MM 17-0762, to expand the vehicle recycling area on the Subject Property in areas on the northeast, south, and east; move the sales area; enlarge the office building; provide an area for enclosed vehicle parts storage; specify location of a covered concrete area; eliminate the western buffer; and to specify screening may consist of a metal fence.
6. The applicant is requesting PD variations from LDC Part 6.06.00, Landscaping and Buffering.
7. The LDC at section 6.06.06.C.7.b. provides:

Open storage areas which are accessory to a principal use shall be screened from view of any street and from residentially zoned land as follows:

- (1) Where an open storage area is in view from a street, the method of screening shall consist of solid masonry walls, solid PVC fences or solid wooden fences at least six feet in height, or

evergreen shrubs which at the time of installation shall be six feet in height and 75 percent opaque and shall grow to form a continuous hedge, with access from the street only through solid gates which shall be closed except when in use. Said screening shall extend interior to the site a minimum of 100 feet from the street property line or the entire depth of the open storage area, whichever is less, unless an existing permanent structure shields the storage area from public view.

(2) Where an open storage area is in view from a residentially zoned district within 200 feet, the method of screening shall consist of solid PVC fences, solid wooden fences or solid masonry walls at least six feet in height, or evergreen shrubs which at the time of installation shall be six feet in height and 75 percent opaque and shall grow to form a continuous hedge. Said screening shall be installed along all boundaries of the storage area including internal boundaries, that are in view from the residential districts.

8. The applicant is requesting a variation to allow a 6-foot-high metal fence and the existing natural forestation along the Subject Property's north, east, and south boundaries in lieu of the screening required under LDC section 6.06.06.C.7.(b).
9. The applicant is requesting a variation to allow no fencing or added opacity along the Subject Property's west boundary.
10. Aerial views available on the Hillsborough County Property Appraiser's website show the Subject Property's existing conditions are not compliant with the conditions of approval or the site plan under MM 17-0762; but are more consistent with the applicant's site plan under the proposed Major Modification. The applicant's representative confirmed the Subject Property's existing conditions are as depicted on the aerial views.
11. Development Services staff found the proposed Major Modification would bring the open vehicle recycling use closer to the single-family residential uses on Old Hillsborough Avenue and McLeod Drive and would allow non-compliant screening in the form of the six-foot-high metal fence. Staff found the Major Modification request not compatible.
12. Planning Commission staff found the proposed Major Modification does not meet the intent of the comprehensive plan's Future Land Use Objective 16 and Policy 16.2 for neighborhood protection and gradual transition of intensities because it reduces the buffer between the auto recycling-storage areas and the single-family residential uses to the east and south. Planning Commission staff also found the Major Modification request inconsistent with Goal 2 of the Seffner-Mango Community Plan because of the reduced eastern and southern buffers. Planning Commission staff found the proposed Major Modification inconsistent with the comprehensive plan.

13. The LDC at section 5.03.06.C.6.a. governs Variations for Site Design in Planned Development zoning districts and states:

The purpose of the Planned Development District is to allow flexibility in certain site development standards in order to achieve creative, innovative, and/or mixed use development. The following non-district regulations may be varied as part of a Planned Development based upon the criteria contained herein:

- (1) Part 6.05.00, Parking and Loading Requirements;
- (2) Part 6.06.00, Landscaping, Irrigation, and Buffering Requirements; and
- (3) Part 6.07.00, Fences and Walls.

14. Findings on LDC 5.03.06.C.6.b. variation criteria:

1. **The variation is necessary to achieve creative, innovative, and/or mixed-use development that could not be accommodated by strict adherence to current regulations.**

Variation to allow a 6-foot-high metal fence and the existing natural forestation along the Subject Property's north, east, and south boundaries in lieu of the screening required under LDC section 6.06.06.C.7.(b). No. The applicant's Variance Criteria Response states the existing metal fence has been in place for a long period of time, provides effective screening, and no neighboring property owners have complained. However, this response does not address the variation criteria. There is no record evidence to support a finding that the variation for a metal fence in lieu of the required screening materials is necessary to achieve creative, innovative, or mixed-use development that could not be accommodated by strict adherence to the LDC screening requirements.

Variation to allow no fencing or added opacity along the Subject Property's west boundary. Yes, the record evidence shows the existing wetland and wetland vegetation along the Subject Property's west boundary provides effective screening from the adjacent land use to the west.

2. **The variation is mitigated through enhanced design features that are proportionate to the degree of variation.**

Variation to allow a 6-foot-high metal fence and the existing natural forestation along the Subject Property's north, east, and south boundaries in lieu of the screening required under LDC section 6.06.06.C.7.(b). No. The applicant's Variance Criteria Response states the existing metal fence has

been in place for a long period of time, provides effective screening, and no neighboring property owners have complained. However, this response does not address the variation criteria. There is no record evidence to support a finding that the variation for a metal fence in lieu of the required screening materials is mitigated through enhanced design features proportionate to the degree of variation.

Variation to allow no fencing or added opacity along the Subject Property's west boundary. Yes, the record evidence shows existing wetland and wetland vegetation along the Subject Property's west boundary provides effective screening from the adjacent land use to the west.

3. The variation is in harmony with the purpose and intent of the Hillsborough County Land Development Code.

Variation to allow a 6-foot-high metal fence and the existing natural forestation along the Subject Property's north, east, and south boundaries in lieu of the screening required under LDC section 6.06.06.C.7.(b). No. The applicant's Variance Response Criteria states the existing buffering and screening has been in place for a long time and works well. However, this response does not address the variance criteria. There is no record evidence to support a finding that the variation for a metal fence in lieu of the required screening materials is in harmony with the purpose and intent of the LDC.

Variation to allow no fencing or added opacity along the Subject Property's west boundary. Yes, the record evidence shows existing wetland and wetland vegetation along the Subject Property's west boundary provides effective screening from the adjacent land use to the west. The record supports a finding that the variation is in harmony with the purpose and intent of the LDC.

4. The variation will not substantially interfere with or injure the rights of adjacent property owners.

Variation to allow a 6-foot-high metal fence and the existing natural forestation along the Subject Property's north, east, and south boundaries in lieu of the screening required under LDC section 6.06.06.C.7.(b). No. The applicant's Variance Response Criteria states the existing buffering and screening has been in place for a long time and works well. However, this response does not address the variance criteria. There is no record evidence to support a finding that the variation for a metal fence in lieu of the required screening materials will not substantially interfere with or injure the rights of adjacent property owners.

Variation to allow no fencing or added opacity along the Subject Property's west boundary. Yes, the record evidence shows existing wetland and

wetland vegetation along the Subject Property's west boundary provides effective screening from the adjacent land use to the west. The record supports a finding that the variation will not substantially interfere with or injure the rights of adjacent property owners.

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

The record evidence demonstrates the proposed Major Modification is not in compliance with, and does not 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, there is substantial competent evidence demonstrating the proposed Major Modification is not consistent with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, and does not comply with the applicable requirements of the Hillsborough County Land Development Code.

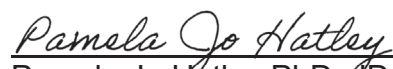
G. SUMMARY

The applicant is requesting a major modification to PD 15-1034, as modified by MM 17-0762, to expand the vehicle recycling area on the Subject Property in areas on the northeast, south, and east; move the sales area; enlarge the office building; provide an area for enclosed vehicle parts storage; specify location of a covered concrete area; eliminate the western buffer; and specify screening may consist of a metal fence.

The applicant is requesting PD variations from LDC Part 6.06.00, Landscaping and Buffering.

H. RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, this recommendation is for **DENIAL** of the Major Modification.


Pamela Jo Hatley PhD, JD
Land Use Hearing Officer

April 10, 2023
Date:

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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

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

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
March 20, 2023

ZONING HEARING MASTER: PAMELA JO HATLEY

D.3.:

Application Number: MM 22-1126

Applicant: Wos Properties 1, Inc.

Location: 10717 E 92 Hwy.

Folio Number: 062821.0000

Acreage: 6.68 acres, more or less

Comprehensive Plan: UMU-20

Service Area: Urban

Existing Zoning: PD 15-1034

Request: Major Modification to a Planned Development

1 MR. GRADY: The next Item is Agenda Item D3, Major Mod
2 Application 22-1126. The applicant is Wos Properties 1,
3 Incorporated. The request is for a major modification to
4 existing planned development. Michelle Heinrich with --
5 with County Staff will provide Staff recommendation after
6 presentation by the applicant.

7 MR. PRESSMAN: Good evening, Hearing Officer.
8 Todd Pressman, 200 2nd Avenue South, No. 451, St.
9 Petersburg, Florida. This is MM 2216. This is located in
10 the northeast area of the county, somewhat near the
11 Mango-Seffner area, located on Highway 92 near the
12 intersection of I-4 and I-275.

13 The issue is a major modification for a multi-vehicle
14 type use. It was originally approved in 2015, it was
15 modified in 2017, and, at that time, Development Services,
16 Planning Commission, and the zoning hearing master all
17 approved. So on East Highway 92, which I would describe as
18 extremely intensive, this is the site. As you can see,
19 there's quite a bit of activity on it. The current long
20 time approved uses are sales, rental, service of domestic
21 vehicles, farm, and recreational vehicles, minor-major
22 vehicle repair, vehicle part sales, vehicle recycling,
23 which is open vehicle recycling, there is no specific
24 compacting of vehicles, and related office use.

25 Per the Planning Commission, the proposed PD uses

1 today are the same as approved in 2017; what we're
2 proposing are changes on the site plan, locational
3 elements, and buffer changes. So the uses remain the same,
4 but we're, in a sense, expanding a lot of the uses and
5 modifying them and moving them around a little bit.

6 I will say that the staff has done an outstanding job,
7 on of the opening pages, of the very specific changes,
8 which are a lot, and they're kind of detailed and kind of
9 unique, are kind of specific as you look at each item. But
10 they also did a really great graphic, which I have here,
11 which they note the parking office area, which was -- which
12 is existing and approved, and the proposed layout.
13 Probably the most looked at is the vehicle recycling sales
14 storage, which would shift from this red area to this red
15 area.

16 Can you see my cursor? Yeah.

17 HEARING MASTER HATLEY: I don't see your cursor --

18 MR. PRESSMAN: Okay.

19 HEARING MASTER HATLEY: -- but I do see the --

20 MR. PRESSMAN: Those changes?

21 HEARING MASTER HATLEY: Yes, I can see the
22 different -- difference in the sizes of the colored areas,
23 yes.

24 MR. PRESSMAN: Okay. Good. So, like I said, I think
25 they did a really nice graphic showing that and how it

1 works and what's proposed, because there are a lot of very
2 specific minute changes going on.

3 Primarily, what I'm trying to show you is on the east
4 setback, we're reducing from 88 to 30 feet, south setback,
5 110 to 91 and 93, it kind of shifts a little bit, and the
6 west setback 30 feet, which is actually a little bit
7 bigger, 34 to 46 feet. The reason I'm putting emphasis on
8 the east and south is because -- and not speaking for the
9 staffs, of course, but the major concern about the Planning
10 Commission and the Zoning Staff is impacts onto
11 residential, which is existing across McLeod Avenue and Old
12 Hillsborough to the east and south. So we're proposing to
13 bring those uses closer, which is their main point of
14 concerns and compatibility.

15 So looking at zoning, the site is that PD. Clearly,
16 you can see there's very intensive uses which are very deep
17 from East Hillsborough Avenue, which includes CG, CI,
18 manufacturing. And I think it's very critical to highlight
19 that the entire south side in this area of Hillsborough is
20 UMU 20, which includes the residential abutting and the
21 site and CMU 12 to -- to the north. So future land use
22 very clearly stakes out in a very intensive category
23 what -- well, what the future land use category is. UMU 20
24 is regional commercial, light industrial, multi-purpose.
25 CMU 12, which is across the street, community retail,

1 commercial, light industrial.

2 So looking specifically at those buffer changes on the
3 south, the forestation that's been there for a long time,
4 that -- that remains. There's already an existing metal
5 fence, which we're asking for approval to be permitted to
6 continue on the south, and then, of course, you have the
7 roadway here. So to make emphasis again, the fencing is
8 metal, which is not in the current allowable uses or
9 allowable buffer; it's supposed to be a solid fence or, I
10 believe, a wall. And that's one element we want -- we want
11 to keep. One -- one reason for that is that, these type of
12 sites are really preyed upon for stealing parts and
13 materials. The metal fence does give a better buffer or
14 better standard to try and keep that under a little better
15 control.

16 The west buffer is an intensive use next door, just
17 about as intensive as this is, but I have it measured from
18 property line to property line at 144 feet. There's a pond
19 that's a very intensive res -- forestation area on the
20 west, which I wanted to point out to you.

21 Now, on the east buffer, which residential is
22 abutting, this is McLeod -- McLeod is on your right.
23 Again, a medical fence is existing, but I wanted to point
24 out, again, the forestation remains, which is many, many
25 times more than what code would require; that's proposed to

1 remain as is.

2 So points in support, again, future land use that are
3 regional and commercial is very intensive, and that
4 includes McLeod Drive. There's been intensive activity
5 here since 1999, just per an aerial. Again, the site was
6 approved 2015 for the intensive uses that are there now.
7 And these are some past aerial pictures.

8 This is the south existing conditions, which is very
9 thick, very high, provides a great buffer on the south.
10 And this is, again, on the east, just to show, again, the
11 intensity of buffering that's there. This is again on the
12 east, and this is further on the east.

13 Now, along the north, there's a lot of good buffering
14 as well. Depending upon as you travel past the site, this
15 particular area has some specific more intensive -- you can
16 see a driveway there along the north, which is Highway 92.
17 I have from property line to property line on the east is
18 70 feet. We'd be providing the 30-foot buffer, the other
19 street, and the forestation, of course, and the metal
20 fence. On the south, I have the measurement from property
21 line to property line at 140 feet, with a stormwater pond,
22 forestation, metal fence, and, again, the street. On the
23 north, I have it as 135 feet from the edge of paving to the
24 office with the forestation I showed you and the metal
25 fence as well.

1 Zoning Staff notes it's their position that a more
2 attractive type of screening, which is required for in the
3 Land Development Code, would be provided; we would disagree
4 with that. We would indicate that what's existing is -- is
5 a really good buffer. Screening shall be providing
6 consists of six -- which would be a 6 foot high masonry
7 wall or fence, solid food fence, or evergreen shrubs.

8 Planning Commission notes the uses are within
9 character of the area as is located on a principal arterial
10 roadway with similar commercial uses along the corridor
11 strictly in regard to the corridor. In regard to the
12 Seffner-Mango Community Plan, they recognize the commercial
13 character of US 92 within the USA. I think that's an
14 important element or policy that's stated, noting and
15 recognizing the commercial character of US 92, and that
16 commercial development should be directed to US 92 and
17 Martin Luther King Boulevard, which, of course, we're on.

18 Now, I think most critically, recognizing that the
19 staffs had concerns, and I think it's a reasonable concern,
20 of course, regarding neighbors, the applicant did spend a
21 lot of time going door to door, and I'll submit these
22 petitions into the record; we thought it was very important
23 to bring forward. What we found was great support for the
24 changes. So these are the petitions that I'll put in the
25 record for you, and different parts of them, and I put that

1 on an aerial.

2 So I think it's -- it's critical to note that,
3 according to the petitions the applicant collected,
4 virtually every abutting neighbor, except one at the bottom
5 there which they weren't able to contact, we don't have
6 opposition that supports this request. The applicant owns
7 and operates the property at the -- at the upper right
8 hand.

9 So in regards to the critical concerns from the
10 staffs, we wanted to really come forward and present how
11 the neighbors felt for compatibility and for cohesion. And
12 I asked the applicant why -- I -- I asked him why, because
13 I was curious as to why they had such outstanding support,
14 and he just indicated that they work with the neighbors a
15 lot, they're real careful about being loud with uses, they
16 run a -- try really responsibly. They own some other
17 parcels for similar use in the immediate area, and, as far
18 as we're aware, there's never been a complaint filed,
19 there's no code enforcement citations, but no complaints
20 from the public that have been submitted or made aware of
21 that we're aware.

22 So I do wanna put those in the record along with a set
23 of conditions, because Staff is not presenting conditions,
24 so we have a set of conditions to present as well.

25 With that, we're happy to answer any questions you

1 might have.

2 HEARING MASTER HATLEY: Just one, Mr. Pressman. You,
3 I believe, showed a graphic that -- that show -- that was
4 the approved site plan, and I'm -- it's in the staff
5 report --

6 MR. PRESSMAN: Yeah.

7 HEARING MASTER HATLEY: -- so I'm looking at it in the
8 staff report.

9 MR. PRESSMAN: Oh, okay.

10 HEARING MASTER HATLEY: And I'm looking at that
11 approved site plan, and also the existing aerial view from
12 the property appraiser's website, which is really on the
13 front page of the -- the staff report as well.

14 MR. PRESSMAN: Mmhmm.

15 HEARING MASTER HATLEY: And they don't seem
16 consistent. It appears, and maybe you can clarify this,
17 that the use of the site right now is basically what the --
18 the major modification will do -- or it seems that maybe
19 the owner has made changes on the -- the use on the site
20 right now and is -- has prepared a site plan consistent
21 with what's going on there now. Could you speak to that,
22 please?

23 MR. PRESSMAN: Yeah, I -- in regard to -- that is
24 correct. I think with the use of this nature, as you have
25 large crews working, I think it's easy -- I'm not saying

1 it's correct, but I think -- I think it's difficult
2 sometimes to maintain specific boundaries when you're real
3 busy and you're overwhelmed with vehicles, and they are
4 sometimes overwhelmed with vehicles.

5 So your observations is exactly correct. I would also
6 really mention that I think they have the test of time here
7 because they have been operating in other areas of the
8 property outside the original site plan, and that's been
9 for evidently some time that has not generated complaints
10 or any concerns from neighbors as we've been able to
11 present it. So, yes, your correct, as well as the office
12 structure was put in larger than what the original proof
13 was -- approval was. Not by a lot, but we're seeking to
14 correct that as well.

15 So your observations are ex -- are correct.

16 HEARING MASTER HATLEY: Okay. So does -- does the --
17 I guess the business, the operation just needs more space;
18 that's essentially what this is accommodating, right? Is
19 that --

20 MR. PRESSMAN: That's exactly correct, yes.

21 HEARING MASTER HATLEY: Okay. Okay.

22 MR. PRESSMAN: As they've operated over time,
23 businesses -- I -- I think it's fair to say businesses sort
24 of change and morph, and they start working a lot more in
25 another direction. That's where the business comes in, so,

1 yes, that's the case.

2 HEARING MASTER HATLEY: Okay. All right. Thank you
3 so much, Mr. Pressman. No more questions right now.

4 Development Services.

5 MS. HEINRICH: Good evening. Michelle Heinrich,
6 Development Services. As you heard, this is a request to
7 modify PD 151034 as most recently modified by Major Mod
8 170762. And, as you saw, the PD is currently improved for
9 a variety of uses which would be considered general and
10 intensive commercial uses. And Mr. Pressman already gave
11 you the specific uses, so I won't reiterate that, that's
12 approved on the site.

13 The property, as you saw, is uniquely situated. It is
14 located on US Highway 92, which you saw also contains some
15 other intensive uses. However, this site is also adjacent
16 to single-family residential to the south and southeast.
17 Therefore, compatibility has been a significant factor in
18 both the previous and current modification request.

19 And I'll put up the graphic that we were utilizing
20 before. Let me fold it so it doesn't take up the mirror.
21 And this is found in our staff report.

22 Under Major Modification 170762, which is on the left,
23 the northeastern portion of the site was designated as a
24 sales area, and the remaining area along the north was the
25 sales office. The open vehicle cycling was located on the

1 remaining portions of the site with significance separation
2 from the residential to the south and southeast, and
3 code-required -- or code-required screening was requiring
4 in the conditions of approval. On the right, you'll see
5 the proposed modifications, and that involves relocating
6 the uses and expanding the open vehicular recycling area to
7 the south and southeast. And, additionally, two PD
8 variations are requested -- oh, I should also say, along
9 the north as well up in that area.

10 The proposed layout, as I stated, will remove the
11 sales area and enlarged open vehicle recycling area. The
12 office square footage will increase, and an enclosed
13 vehicle parts building is added. The open vehicle
14 recycling area, as noted, expands to the north, south, and
15 east. And the setbacks vary greatly between the two site
16 plans. The southern setback decreases from between 110 to
17 approximately 180 feet down to 91 to 93 feet. And the
18 eastern setback, which was originally 88 to about 145 feet
19 will go down to 30 feet. And the proposed screening along
20 these two boundaries is proposed, which is not compliant
21 with the LDC required screening options.

22 The first PD variation is for the screening that's
23 required when open storage is in view from a street, and
24 the screening is supposed to be provided using either a 6
25 foot high masonry wall, PVC fence, wooden fence, or dense

1 shrubbery. This site abuts US 92 to the north, McLeod
2 Drive to the east, and Old Hillsborough Avenue/Tanner
3 Street to the south. And the applicant proposes to screen
4 the site from these roadways with a 6 foot high metal fence
5 with the existing vegetation.

6 Staff does not support this request as the purpose of
7 the screening materials is to provide an attractive
8 streetscape, and Staff's review finds that US 92 is not
9 developed solely with intensive commercial uses and
10 provides a common transportation route for many in the
11 Seffner-Mango community. McLeod drive is used primarily by
12 residential properties, and Old Hillsborough Avenue is used
13 solely by residential properties as well. And, also, to
14 note, the residential uses on both McLeod and Old
15 Hillsborough are oriented towards the site.

16 The second PD vari -- variation is for open storage
17 screening when in view from a residential district. I
18 already noted the screening options that are required,
19 which are limited to the wall, fence -- PVC fence or
20 shrubbery. And the applicant proposes a 6 foot high metal
21 fence with the existing vegetation in view of these
22 residential properties. The allowed screening options
23 consistent of those trip -- typically found in a
24 residential setting and does not include a metal fence
25 option. Additionally, the proposed screening does not

1 compensate or provide further screening enhancement due to
2 the re -- two setbacks from the vehicle expansion.
3 Therefore, Staff does not support that PD variation request
4 or the previous one.

5 So, overall, Staff feels this expansion is
6 incompatible with the adjacent residential uses and does
7 not support the PD variations. Additionally, a finding of
8 inconsistency from the Planning Commission was filed, and,
9 based on these factors, we are not supportive of this
10 request. I'm available if you have any questions.

11 HEARING MASTER HATLEY: All right. Thank you.

12 Okay. Planning Commission.

13 MS. MASSEY: Jillian Massey with Planning Commission
14 Staff. Excuse me. The subject site is in the Urban Mixed
15 Use 20 Future Land Use category. It's in the urban service
16 area, and is located within the limits of the Seffner-Mango
17 Community Plan. The Urban Mixed Used 20 Future Land Use
18 category is located to the east, west, south, southeast,
19 and southwest of the subject property. The Community Mixed
20 Use 12 Future Land Use category is located to the north,
21 northwest, and northeast of the second property.

22 The proposed uses are within the character of the area
23 as it is located on a principal arterial roadway with
24 similar commercial uses along the corridor; however,
25 Objective 16 and Policy 16.2 of the Future Land Use Element

1 indicate a need for neighborhood protection by the gradual
2 transition of intent -- intensities between different land
3 uses using professional site planning, buffering, and
4 screening techniques and control of specific land uses.

5 The proposed rezoning does not meet the intent of
6 these policies as it reduces the buffer between the auto
7 recycling and auto storage and the single-family
8 residential to the east and south. The subject property is
9 in -- within the Seffner-Mango Community Plan, and Goal 2
10 of this plan indicates a need to enhance the community
11 character and ensure quality residential and nonresidential
12 development.

13 Planning Commission Staff conducted a routine visit to
14 the site and has observed that, to the east and south of
15 the subject site, it has a residential character. As
16 previously mentioned, the proposed planned development is
17 not consistent with the Neighborhood Production Objective
18 16 and Policy 6 -- 16.2, as the applicant is proposing to
19 reduce the eastern and southern buffers. Planning
20 Commission Staff finds the current request for the
21 reduction of buffers inconsistent with Goal 2 of the
22 Seffner-Mango Community Plan.

23 And based on these considerations, Planning Commission
24 Staff finds the proposed major modification inconsistent
25 with the Unincorporated Hillsborough County Comprehensive

1 Plan.

2 HEARING MASTER HATLEY: All right. Thank you.

3 Is there anyone here or online who wishes to speak in
4 support of this application? All right.

5 UNIDENTIFIED SPEAKER: I believe we have a
6 James Thomas; I'm not sure if he's with the applicant or in
7 support.

8 MR. THOMAS: Hello. My name's Jim Thomas. I'm with
9 McNeal Engineering. I'm in support of this project.

10 A couple things to note that I think is kind of
11 important is that on the original site construction plan
12 and approved PD, there was a Phase 2 with a driveway to
13 McLeod Drive that we have removed, and I think that keeps a
14 little bit of separation from the single-family residence.
15 And, also, just to note, there's been a lot of talk on the
16 reduced buffer, but on the approved PD plan, the -- the
17 buffer hasn't changed; the open space has changed. But the
18 30-foot buffer is still on the east and extends all the
19 way -- now extends all the way to US 92.

20 That's it. Thank you.

21 HEARING MASTER HATLEY: Yes, sir. Thank you.

22 MS. SMITH: Madam Hearing Master, may I have the
23 speaker state the address, please.

24 HEARING MASTER HATLEY: All right. Mr. Thomas, are
25 you still online? Could you please state your -- your

1 address for the record.

2 MR. THOMAS: 15957 North Florida Avenue.

3 HEARING MASTER HATLEY: All right. Thank you.

4 Clerk, does that give you what you need?

5 MS. SMITH: Yes.

6 HEARING MASTER HATLEY: All right. Thank you.

7 Is there anyone else who wishes to speak in support of
8 this application? All right. Do not hear anyone.

9 Is there anyone here or online who wishes to speak in
10 opposition to this application? Do not hear anyone.

11 All right. Development Services, anything further?

12 MR. GRADY: Nothing further.

13 HEARING MASTER HATLEY: And, Applicant, anything
14 further?

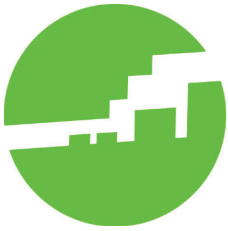
15 MR. PRESSMAN: I'd just like to add that we did send
16 out 26 notices, actually, a number of times throughout the
17 community, and big yellow signs out there for quite a long
18 time. I -- I do want to say that Michelle has been a
19 tremendous help. This was a very tough one to get here
20 today, and her help and her assistance and direction --
21 although she held our feet to the fire, she was a huge
22 help, and we appreciate it. Thank you.

23 HEARING MASTER HATLEY: All right. Thank you.

24 This closes the hearing on Major Modification 22-1126.
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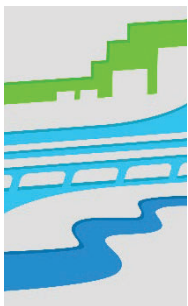
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Hillsborough County City-County Planning Commission

Unincorporated Hillsborough County Rezoning	
Hearing Date: March 20, 2023 Report Prepared: March 8, 2023	Petition: MM 22-1126 10717 East U.S. Highway 92, Tampa <i>South of East U.S. Highway 92 and west of McLeod Drive</i>
Summary Data:	
Comprehensive Plan Finding	INCONSISTENT
Adopted Future Land Use	Urban Mixed Use-20 (20 du/ga; 1.0 FAR)
Service Area	Urban
Community Plan	Seffner-Mango
Requested Modification	Major Modification to a Planned Development (PD 15-1034) to allow for 7 different uses and a reduction of the eastern and southern setbacks
Parcel Size	6.68 ± acres
Street Functional Classification	East U.S. Highway 92 - State Principal Arterial McLeod Drive - Local Road
Locational Criteria	N/A
Evacuation Zone	E



Context

- The ± 6.68 acre subject property is located south of East U.S. Highway 92 and west of McLeod Drive.
- The site is located within the Urban Service Area and is located within the limits of the Seffner-Mango Community Plan.
- The subject site is located within the Urban Mixed Use-20 (UMU-20) Future Land Use category, and can be considered for a maximum density of 20 dwelling units per gross acre and a maximum intensity of a 1.0 Floor Area Ratio (FAR). Typical uses include but are not limited to residential, regional scale commercial uses such as a mall, office and business park uses, research corporate park uses, light industrial, multi-purpose and clustered residential and/or mixed use projects at appropriate locations. The UMU-20 Future Land Use category is not subject to Commercial Locational Criteria. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The UMU-20 Future Land Use category is located to the east, west, south, southeast and southwest of the subject property. The Community Mixed Use-12 (CMU-12) Future Land Use category is located to the north, northwest and northeast of the subject property.
- The subject property has a Planned Development (PD) zoning designation. The most recent modification to the PD zoning is MM 17-0762, which reconfigured the site to enlarge the auto recycling and auto storage area from 0.69 acres to 2.57 acres, as well as relocate the parking area to the northwest and the sales area to the northeast and to reduce the existing structure square footage. To the east of the subject site is Commercial General (CG) with a car dealership and Residential Duplex Conventional-12 (RDC-12) zoning district with single family homes. To the north and northeast is Commercial Intensive (CI) zoning with a boat dealership and automotive repair shop. To the northwest is Manufacturing (M) zoning with a business specializing in drilling service. To the southeast is Residential Single-family Conventional-6 (RSC-6) zoning district with single-family homes and to the south is PD Zoning approved for multi-family and a single family home. To the west and southwest are PD zoning approved for warehousing and distribution.
- The applicant is requesting to a Major Modification to a Planned Development (PD) to allow for a reduction of the eastern and southern setback and to allow for the following seven uses: sales, rental and service of used domestic automobile vehicles, farm and garden equipment, and hobby and pleasure crafts; the sales, rental and service of used commercial vehicles, trucks, buses and recreational vehicles; minor and major vehicle repair; motor vehicle body work and painting, vehicle parts sales; vehicle recycling (open) excluding compacting; and related office uses.

Compliance with Comprehensive Plan:

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

FUTURE LAND USE ELEMENT

Urban Service Area (USA)

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

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

Relationship to the Future Land Use Map

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

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

Neighborhood/Community Development

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

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

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

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

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

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

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

ENVIRONMENTAL AND SUSTAINABILITY SECTION (E&S)

Objective 3.5: Apply adopted criteria, standards, methodologies and procedures to manage and maintain wetlands and/or other surface waters for optimum fisheries and other environmental values in consultation with EPC.

Policy 3.5.1: Collaborate with the EPC to conserve and protect wetlands and/or other surface waters from detrimental physical and hydrological alteration. Apply a comprehensive planning-based approach to the protection of wetland ecosystems assuring no net loss of ecological values provided by the functions performed by wetlands and/or other surface waters authorized for projects in Hillsborough County.

Policy 3.5.2: Collaborate with the EPC through the land planning and development review processes to prohibit unmitigated encroachment into wetlands and/or other surface waters and maintain equivalent functions.

Policy 3.5.4: Regulate and conserve wetlands and/or other surface waters through the application of local rules and regulations including mitigation during the development review process.

LIVABLE COMMUNITIES ELEMENT: Seffner-Mango Community Plan

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

Strategy:

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

3. **Goal:** Commercial development should be directed to the US 92 and Martin Luther King Boulevard corridors.

Strategies:

- Recognize the commercial character of US 92 and Martin Luther King Boulevard within the Urban Service Area
- Encourage revitalization and redevelopment of older existing commercial areas and uses

Staff Analysis of Goals, Objectives, and Policies:

The ± 6.68 acre subject property is located south of East U.S. Highway 92 and west of McLeod Drive. The site is located within the Urban Service Area and is located within the limits of the Seffner-Mango Community Plan. The applicant is requesting approval of a Major Modification to a Planned Development (PD 15-1034) to allow for a reduction of the eastern and southern setback and to allow for the following 7 uses: sales, rental and service of used domestic automobile vehicles, farm and garden equipment, and hobby and pleasure crafts; the sales, rental and service of used commercial vehicles, trucks, buses and recreational vehicles; minor and major vehicle repair; motor vehicle body work and painting, vehicle parts sales; vehicle recycling (open) excluding compacting; and related office uses.

The subject site is designated Urban Mixed Use-20 (UMU-20) on the Future Land Use Map, which can be considered for a maximum density of 20 dwelling units per gross acre and a maximum intensity of 1.0 FAR. The UMU-20 Future Land Use category is not subject to Commercial Locational Criteria. The site plan shows a 4,550 square feet building and 197,881 square feet of auto recycling/ auto storage (open storage), which is less than the maximum 299,692 square feet allowed per the UMU-20 Future Land Use category. UMU-20 Future Land Use category is located to the east, west, south, southeast and southwest of the subject property. Community Mixed Use-12 (CMU-12) Future Land Use category is located to the north, northwest and northeast of the subject property.

The subject property is in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. 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 PD uses are the same as approved in 2017. There are similar uses to the north of East U.S. Highway 92 and to the west of the subject site. Surrounding the subject site is a car dealership, boat dealership, automotive repair shop, and a light industrial business. To the southeast is single-family and multi-family homes. To the west and southwest are warehousing and distribution. The uses are within character of the area as it is located on a principal arterial roadway with similar commercial uses along the corridor. However, Objective 16 and Policy 16.2 indicate a need for neighborhood protection by the gradual transition of intensities between different land uses using professional site planning, buffering, and screening techniques and control of specific land uses.

The most recent modification to the PD zoning is MM 17-0762 which reconfigured the site. Figure 1 below shows the differences between the 2017 approved site plan and the currently proposed site plan. The 2017 approved zoning resolution indicates that the property reduced the existing buildings from 11,549 square feet to 480 square feet. The applicant also enlarged the auto recycling and auto storage area from 0.69 acres to 2.57 acres with greater southern and eastern setbacks and enlarged stormwater ponds to the east and south boundary creating more distance between the single family uses and the subject site. The proposed rezoning does not meet the intent of Objective 16 and Policy 16.2 as it reduces the buffer between the auto recycling/ auto storage and the single family residential to the east and south.

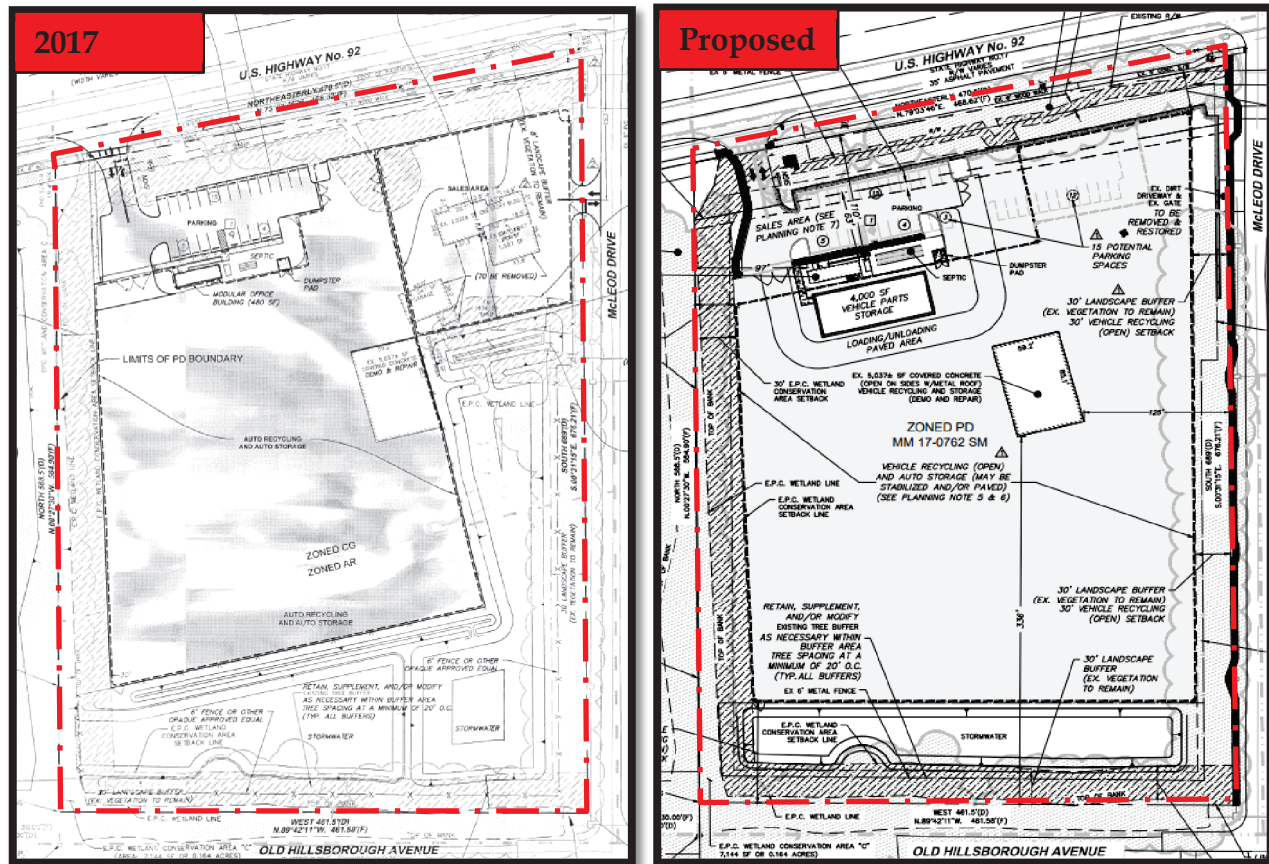


Figure 1: 2017 Approved site plan and current proposed site plan

Wetlands are located to the southwest of the subject property. The Environmental Protection Commission (EPC) Wetlands Division has reviewed the proposed rezoning and determined that in the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. Given that there is a separate approval process for wetland impacts with the Environmental Protection Commission and they currently do not object, Planning Commission staff finds this request consistent with Objective 13 and associated policies in the FLUE and Objective 3.5 and associated policies in the E&S.

Per FLUE Policy 9.2, developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County. Transportation comments dated February 10, 2023, indicate there are no objections to the proposed site development.

The subject property is within the Seffner-Mango Community Plan and Goal 2 of this plan indicates a need to enhance the community character and ensure quality residential and nonresidential development. Planning Commission staff conducted a routine visit to the site and has observed that to the east and south of the subject site is of residential character. As mentioned above the proposed PD is not consistent with the Neighborhood Protection Objective 16 and Policy 16.2 as the applicant is proposing to reduce the eastern

and southern buffers. Planning Commission staff finds the current request for the reduction of buffers inconsistent with Goal 2 of the Seffner-Mango Community Plan.

Overall, the proposed major modification would allow for development that is not consistent with the protection of residential neighborhoods and not compatible with the adjacent uses to the south, and east. The request would also not provide a gradual transition and therefore, it is not consistent with the Goals, Objectives, and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

Recommendation

Based upon the above considerations, Planning Commission staff finds the proposed Major Modification **INCONSISTENT** with the *Unincorporated Hillsborough County Comprehensive Plan*.

HILLSBOROUGH COUNTY
FUTURE LAND USE

RZ MM 22-1126

<all other values>

Rezoning

STATUS



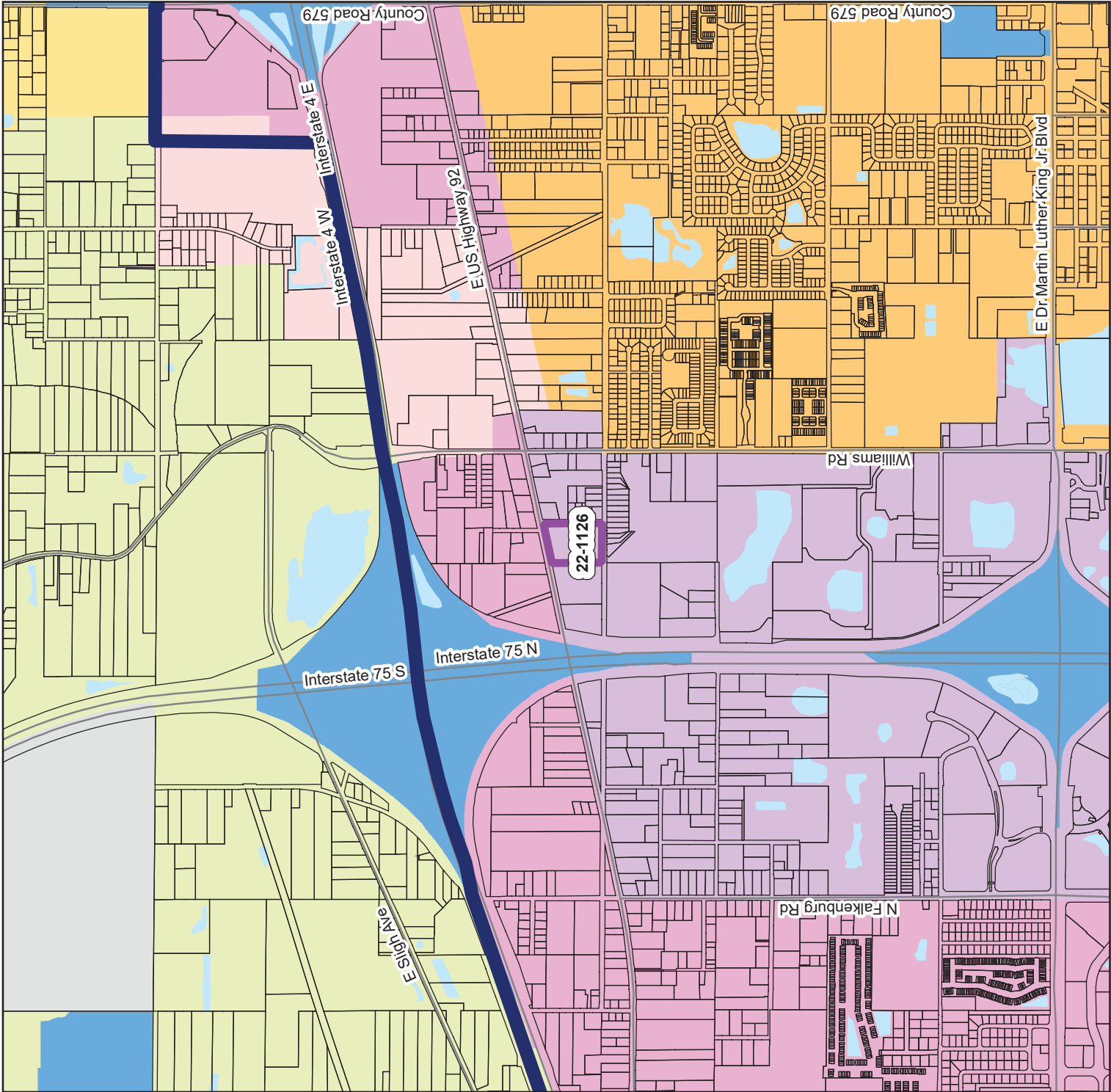
DATA SOURCES: Rezoning boundaries from The Planning Commission and are not official. Parcel lines and data from Hillsborough County Property Appraiser. The map is for informational purposes only and is not intended to be used as a legal document. It is intended that the map be used in conjunction with the official zoning ordinance and any other applicable laws, rules, and regulations. The map is not a warranty, representation, or guarantee of accuracy. Hillsborough County City/County Planning Commission. This map is for illustrative purposes only. For the most current data and information, visit the appropriate local or state website.



Map Printed from Rezoning System: 7/27/2022

Author: Beverly F. Daniels

File: G:\Rezoning\System\Map\Projects\Hillsborough\Hillsborough - Copy.mxd





**GENERAL
SITE PLAN
FOR
CERTIFICATION**

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Hillsborough
County Florida

DEVELOPMENT SERVICES

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

HILLSBOROUGH COUNTY
DEVELOPMENT SERVICES DEPARTMENT

GENERAL SITE PLAN REVIEW/CERTIFICATION

**BOARD OF COUNTY
COMMISSIONERS**

Harry Cohen
Ken Hagan
Pat Kemp

Gwendolyn "Gwen" Myers
Michael Owen
Donna Cameron Cepeda
Joshua Wostal

COUNTY

ADMINISTRATOR Bonnie
M. Wise **COUNTY**

ATTORNEY Christine M.
Beck **INTERNAL AUDITOR**
Peggy Caskey

DEPUTY COUNTY ADMINISTRATOR
Gregory S. Horwedel

Project Name: WOS

Zoning File: None **Modification:** MM (22-1126)

Atlas Page: None **Submitted:** 04/19/23

To Planner for Review: 04/19/23 **Date Due:** ASAP

Contact Person: Todd Pressman **Phone:** 727-804-1760/ todd@pressmaninc.com


Right-Of-Way or Land Required for Dedication: Yes ☐ No ☐

☐ The Development Services Department HAS NO OBJECTION to this General Site Plan.

☒ The Development Services Department RECOMMENDS DISAPPROVAL of this General Site Plan for the following reasons: Staff is not supportive of the request. However, should this request be approved by the BOCC, the general site plan certification is approved.

Reviewed by: Michelle Heinrich **Date:** 4/20/23

Date Agent/Owner notified of Disapproval: _____



APPLICANT PROPOSED CONDITIONS

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Approval - Approval, subject to the conditions listed below, is based on the general site plan submitted January 31, 2023.

1. The development shall be limited to the following uses: (1) the sales, rental and service of used domestic automobile vehicles, farm and garden equipment, and hobby and pleasure crafts; (2) the sales, rental and service of used commercial vehicles, trucks, buses and recreational vehicles; (3) minor and major vehicle repair; (4) motor vehicle body work and painting; (5) vehicle parts sales; (6) vehicle recycling (open) excluding compacting; and (7) related office uses.
2. Vehicle recycling (open) uses shall be permitted where shown on the site plan ~~in the south area~~ of the planned development (“~~auto~~ vehicle recycling (open) and auto storage area”) at a minimum distance of ~~440~~ 91 feet from the southern property line, a minimum distance of 30 ~~34~~ feet from the western property line, and 88 ~~30~~ feet from the eastern property line, and 35 ~~feet from the northern PD boundary~~. A reduced setback for the Vehicle Recycling-Open and auto storage area from US Highway 92 (the northern PD boundary) equal to the amount of right-of-way to be preserved along US Highway 92 may be permitted. No ~~automobile vehicle~~ vehicle recycling-open and auto storage use shall be permitted ~~north of the modular office building, east of the parking area or~~ within the sales area. Notwithstanding the above, the site shall developed in compliance with LDC Sections 3.05.02 (Wellhead Resource Protection Area Map, Surface Water Resource Protection Area Map and Potable Water Wellfield Protection Area Map) and 3.05.03 (Prohibited Activities in the Wellhead Resource Protection Areas and Surface Water Resource Protection Areas).
3. Maximum building square footage shall be as provided on the site plan and the building is limited to 35 feet in height. The maximum square footage for the “demo and repair” covered area shall be as depicted on the site plan. The building parking area, sales area, covered concrete demo and repair area and stormwater ponds shall be located where depicted on the site plan. The modular office building shall be located a minimum of 110 feet from the northern PD boundary. A reduced setback for the modular office building from US Highway 92 (the northern PD boundary) equal to the amount of right of way to be preserved along US Highway 92 may be permitted.
4. A 30-foot wide landscape buffer shall be provided along the eastern, ~~western~~ and southern boundaries where depicted on the site plan. The landscape buffer shall consist of existing vegetation. The southern landscape buffer shall include tree plantings on 20 foot centers and may include existing trees to meet this requirement. Along the eastern and southern 30-foot wide landscape buffers, the developer shall provide a six foot high solid wood, metal, or PVC fence, or evergreen shrubs which at the time of installation shall be six feet in height and 75% opaque and shall grow to form a continuous hedge. ~~A vehicular cross access connection (stub out) within the western 30 foot wide landscape buffer shall be permitted, subject to approval by the Environmental Protection Commission.~~
 - 4.1 Screening shall be provided along the northern PD boundary, excluding the access area, and consist of a 6 foot high masonry wall, solid PVC fence, metal fence, solid wooden fence or evergreen shrubs which at the time of installation shall be six feet in height and 75 percent opaque and shall grow to form a continuous hedge.

5. ~~In accordance with the Hillsborough County Corridor Preservation Plan, the developer shall preserve up to 27 feet of additional right of way along the project's US Highway 92 frontage, such that a minimum of 67 feet south of the existing US Highway 92 right of way centerline is preserved for future improvements. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right of way. The right of way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right of way line. Notwithstanding anything herein this condition to the contrary, the amount of required right of way preservation may be reduced if, at the time of site plan review for development within the subject parcel, an updated Project Development and Environmental study has been completed and approved by the Florida Department of Transportation supporting a reduction. All such deviations shall be subject to the approval of Hillsborough County Public Works. As US Hwy 92 is included in the Hillsborough County Corridor Preservation Plan as a future 6-lane improvement, the developer shall designate up to 52 feet of right of way preservation along the project frontage on US Hwy 92. Building setbacks shall be calculated from the future right-of-way line.~~
6. ~~The developer shall coordinate with the Florida Department of Transportation regarding the location of the required internal sidewalk connection with the existing boardwalk within US 92 right of way. Design shall be subject to the approval of Hillsborough County and the Florida Department of Transportation. Notwithstanding note #5 on general site plan, stabilized areas shall be in accordance with the Land Development Code.~~
7. ~~Concurrent with site development, the developer shall construct a minimum 24-foot wide vehicular cross access connection (stub out) to its westernmost property boundary, unless prohibited by the Environmental Protection Commission.~~
87. ~~The developer shall be allowed two one access connection connections. Once access connection shall be allowed on U.S. Highway 92. The second access connection shall be allowed on McLeod Drive.~~
98. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
109. The construction and location of any wetland impacts are not approved by EPC review comments, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the property.
110. Prior to the issuance of any building or land alteration permits or other development, the approved wetland/other surface waters (OSW) line must be incorporated into the site plan. The wetland/OSW line must appear on all site plans, labeled as "EPC Wetland Line," and the wetland line must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code.
121. Final design of buildings, stormwater retention areas, and ingress/egress are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.

- ~~43~~12. An evaluation of the property identified a number of mature trees that may include grand oaks. The potential stature of these trees warrants every effort to minimize their removal. The applicant is encouraged to consult with staff of the Natural Resources Unit for design input addressing these trees prior to submittal of preliminary plans through the Land Development Code's Site Development or Subdivision process.
- ~~44~~13. If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as regulations in effect at the time of preliminary plan/plat approval.

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AGENCY COMMENTS

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AGENCY REVIEW COMMENT SHEET

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

DATE: 02/10/2023
AGENCY/DEPT: Transportation
PETITION NO: PD MM 22-1126

<input type="checkbox"/>	This agency has no comments.
<input type="checkbox"/>	This agency has no objection.
<input checked="" type="checkbox"/>	This agency has no objection, subject to the listed or attached conditions.
<input type="checkbox"/>	This agency objects for the reasons set forth below.

REPORT SUMMARY AND CONCLUSIONS

- The proposed major modification would result in an increase of trips potentially generated by development of the subject site by 35 average daily trips, 2 trips in the a.m. peak hour, and 3 trips in the p.m. peak hour.
- As US Hwy 92 is included in the Hillsborough County Corridor Preservation Plan as a future 6-lane improvement, the developer shall designate up to 52 feet of right of way preservation along the project frontage on US Hwy 92. Building setbacks shall be calculated from the future right-of-way line.
- Transportation Review Section staff has no objection to the proposed request, subject to the conditions of approval provided hereinbelow.

CONDITIONS OF APPROVAL

Staff is requesting the following condition:

New Condition:

- As US Hwy 92 is included in the Hillsborough County Corridor Preservation Plan as a future 6-lane improvement, the developer shall designate up to 52 feet of right of way preservation along the project frontage on US Hwy 92. Building setbacks shall be calculated from the future right-of-way line.

Revised Conditions:

5. ~~In accordance with the Hillsborough County Corridor Preservation Plan, the developer shall preserve up to 27 52 feet of additional right of way along the project's US Highway 92 frontage, such that a minimum of 67 92 feet south of the existing US Highway 92 right of way centerline is preserved for future improvements. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right of way. The right of way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right of way line. Notwithstanding anything herein this condition to the contrary, the amount of required right of way preservation may be reduced if, at the time of site plan review for development within the subject parcel, an updated Project Development and Environmental study has been completed and approved by the Florida Department of Transportation supporting a reduction. All such deviations shall be subject to the approval of Hillsborough County Public Works.~~

[Transportation Staff recommends deleting this condition because of outdated language. An FDOT PD&E study is now available, and a new condition is being proposed to address the required right of way preservation for the future roadway improvement.]

6. ~~The developer shall coordinate with the Florida Department of Transportation regarding the location of the required internal sidewalk connection with the existing boardwalk within US 92 right of way. Design shall be subject to the approval of Hillsborough County and the Florida Department of Transportation.~~

[Transportation Staff recommends deleting this condition because the required sidewalk has already been built and approved by FDOT.]

7. ~~Concurrent with site development, the developer shall construct a minimum 24-foot wide vehicular cross access connection (stub out) to its westernmost property boundary, unless prohibited by the Environmental Protection Commission.~~

[Transportation Staff recommends deleting this condition because the applicant indicated that coordination with EPC confirmed that due to wetland concerns a cross access would be prohibited.]

8. The developer shall be allowed ~~two access connections. Once One access connection shall be allowed on U.S. Highway 92. The second access connection shall be allowed on McLeod Drive.~~

[Transportation Staff recommends modifying this condition to address the access changes proposed in the subject major modification. Only one access to the site is now proposed on US Highway 92 and there is no longer any access proposed on McLeod Drive.]

Other Condition

Prior to PD site plan certification, the applicant shall revise the PD site plan to:

- Remove note #5 from the site plan.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a major modification to previously approved PD 15-1034 to modify the site to increase the area of open storage, increase the size of the office and modify the location of the sales area. MM 22-1126 includes one parcel totaling +/- 6.8 acres. The site is located on the south side of US Hwy 92 (Hillsborough Avenue), on the southwest corner of the intersection of Us Hwy 92 and Mcleod Drive. The Future Land Use designation of the site is UMU-20.

Trip Generation Analysis

As per the DRPM, the applicant provided a traffic letter indicating that a detailed traffic analysis is not required. Staff has prepared a comparison of the trips potentially generated under the previously approved zoning and the proposed planned development, 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, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 240 sf Automobile Part Sales (ITE Code 841)	6	1	1
PD, 5,277 sf of Light Industrial Uses (ITE Code 110)	26	4	3
Total Trips	32	5	4

Proposed Zoning:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
PD, 240 sf Automobile Part Sales (ITE Code 841)	6	1	1
PD, 9,312 sf of Light Industrial Uses (ITE 110)	46	7	6
Total Trips	52	8	7

Trip Generation Difference:

Zoning, Lane Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	+20	+3	+3

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The subject site has frontage of E Hillsborough Avenue and Mcleod Drive. E Hillsborough Avenue is a 2-lane, undivided, Florida Department of Transportation (FDOT) maintained, Principal Arterial roadway. The existing right-of-way on E Hillsborough Avenue is +/-80 feet. There are bicycle facilities on both sides of E Hillsborough Avenue within the vicinity of the project. There are sidewalks on the south side of the roadway E Hillsborough Avenue within the vicinity of the project. Mcleod Drive is a 2-lane undivided, Hillsborough County maintained, substandard roadway. The existing right of way on Mcleod is +/- 50 feet. There are sidewalks along the western side of the Mcleod Drive within the vicinity of the project.

SITE ACCESS

Access to the project will be via an existing full access to E Hillsborough Avenue. Cross access to the west is not required due to the applicant indicating that after previous coordination with EPC, cross access would be prohibited due to wetland concerns.

HILLSBOROUGH COUNTY CORRIDOR PRESERVATION PLAN

E Hillsborough Avenue is included in the Hillsborough Corridor Preservation Plan as a future 6 Lane roadway. FDOT has a completed PD&E concerning the future widening of the roadway. The LDC requires the applicant to preserve the right of way included in the PD&E study. As a result of coordination with FDOT, the applicant will be required to preserve up to 52 feet of right of way as a result of the alignment included in FDOT PD&E 435749-1.

ROADWAY LEVEL OF SERVICE (LOS)

Level of Service (LOS) information is reported below. Mcleod Drive is not a regulated Roadway and was not included in the Level of Service Report.

FDOT Generalized Level of Service				
Roadway	From	To	LOS Standard	Peak Hr Directional LOS
US HWY 92	US HWY 301	WILLIAMS RD	D	C

Source: [2020 Hillsborough County Level of Service \(LOS\) Report](#)

Transportation Comment Sheet

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

Adjoining Roadways (check if applicable)			
Road Name	Classification	Current Conditions	Select Future Improvements
E US Highway 92	FDOT Principal Arterial - Urban	2 Lanes <input type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input checked="" type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other
Mcleod Drive	County Local - Urban	2 Lanes <input checked="" type="checkbox"/> Substandard Road <input type="checkbox"/> Sufficient ROW Width	<input type="checkbox"/> Corridor Preservation Plan <input type="checkbox"/> Site Access Improvements <input type="checkbox"/> Substandard Road Improvements <input type="checkbox"/> Other

Project Trip Generation <input type="checkbox"/> Not applicable for this request			
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips
Existing	32	5	4
Proposed	52	8	7
Difference (+/-)	+20	+3	+3

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

Connectivity and Cross Access <input type="checkbox"/> Not applicable for this request				
Project Boundary	Primary Access	Additional Connectivity/Access	Cross Access	Finding
North	X	None	None	Meets LDC
South		None	None	Meets LDC
East		None	None	Meets LDC
West		None	None	Meets LDC
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 type="checkbox"/> Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Staff Report.



Florida Department of Transportation

RON DESANTIS
GOVERNOR

2822 Leslie Road
Tampa, FL 33612-6456

JARED W. PERDUE, P.E.
SECRETARY

September 13th, 2022
Revised October 12th, 2022

WOS Automotive Rezoning

10717 US 92
SR 600
10 030 000
MP 7.9 Rt Rdwy
Class 5 @ 55 MPH
Folio # 06821-0000

RE: Pre-Application Meeting Request

THIS DOCUMENT IS NOT A PERMIT APPROVAL

THE COMMENTS AND FINDINGS FROM THIS PRE-APPLICATION MEETING MAY BE SUBJECT TO CHANGE
AND MAY NOT BE USED AS A BASIS OF APPROVAL AFTER 3/13/2023

Proposed Conditions:

This development is proposing new access to SR 600, a **class 5** roadway with a posted speed limit of **55 MPH**. Florida Administrative Code, Rule Chapter 14-97, requires **440'** driveway spacing, **2640'** directional, **660'** full median opening spacing, and **2640'** signal spacing requirements.

Not proposing any work or changes in the state ROW. Adding an additional 4,000 ft² building onsite with no new impervious area and minimal additional trips.

FDOT Recommendations:

1. Rezoning number MM22-1126
2. FDOT has a PD&E in this area that will acquire 52' of property frontage starting from the white edge of travel line.
 - a. Clearly mark this on the plans with a bold line
 - b. Label it as "FDOT ROW Preservation"
3. FPID # for the project is 435749-1 and the project manager is Craig Fox
 - a. Craig.Fox@dot.state.fl.us



Florida Department of Transportation

RON DESANTIS
GOVERNOR

2822 Leslie Road
Tampa, FL 33612-6456

JARED W. PERDUE, P.E.
SECRETARY

- b. (813) 975-6082
- c. Craig can provide CAD files for project
- 4. This does not trigger a significant change and will not require any permit from the Department, as proposed.
- 5. Provide the permit office a letter for record stating the following,
 - a. explanation of changes being made and that it is not a significant change
 - b. that you met with the Department, and we all agreed that no permit will be needed as proposed in this meeting
- 6. The Department does not have any concern with the driveway on McLeod Drive, or have any objection to it being removed.

Summary:

After reviewing and discussing the information presented in this meeting, the Department has determined we are

- ☒ in favor (considering the conditions stated above)
- ☐ not in favor
- ☐ willing to revisit a revised plan

The access, as proposed in this meeting, would be considered

- ☐ conforming
- ☐ non-conforming
- ☒ N/A (no access proposed)

in accordance with the rule chapters 1996/97 for connection spacing. The following state permits will need to be applied for by visiting our One Stop Permitting website (osp.fdot.gov):

- ☐ access-category A or B
- ☐ access-category C, D, E, or F
 - ☒ traffic study required
- ☐ access safety upgrade
- ☐ drainage
 - or
- ☐ drainage exception
- ☐ construction agreement
- ☐ utility
- ☐ general Use
- ☒ other **No Permit Required**



Florida Department of Transportation

RON DESANTIS
GOVERNOR

2822 Leslie Road
Tampa, FL 33612-6456

JARED W. PERDUE, P.E.
SECRETARY

Thank you for allowing us the opportunity to review and discuss this project in advance. Please feel free to contact me with any questions. We look forward to working with you again.

Respectfully,

Mecale' Roth

Permit Coordinator II
2822 Leslie Rd.
Tampa, FL 33619
Office - 813-612-3237
M-F 8:30 AM – 5:00 PM



Participants

Name

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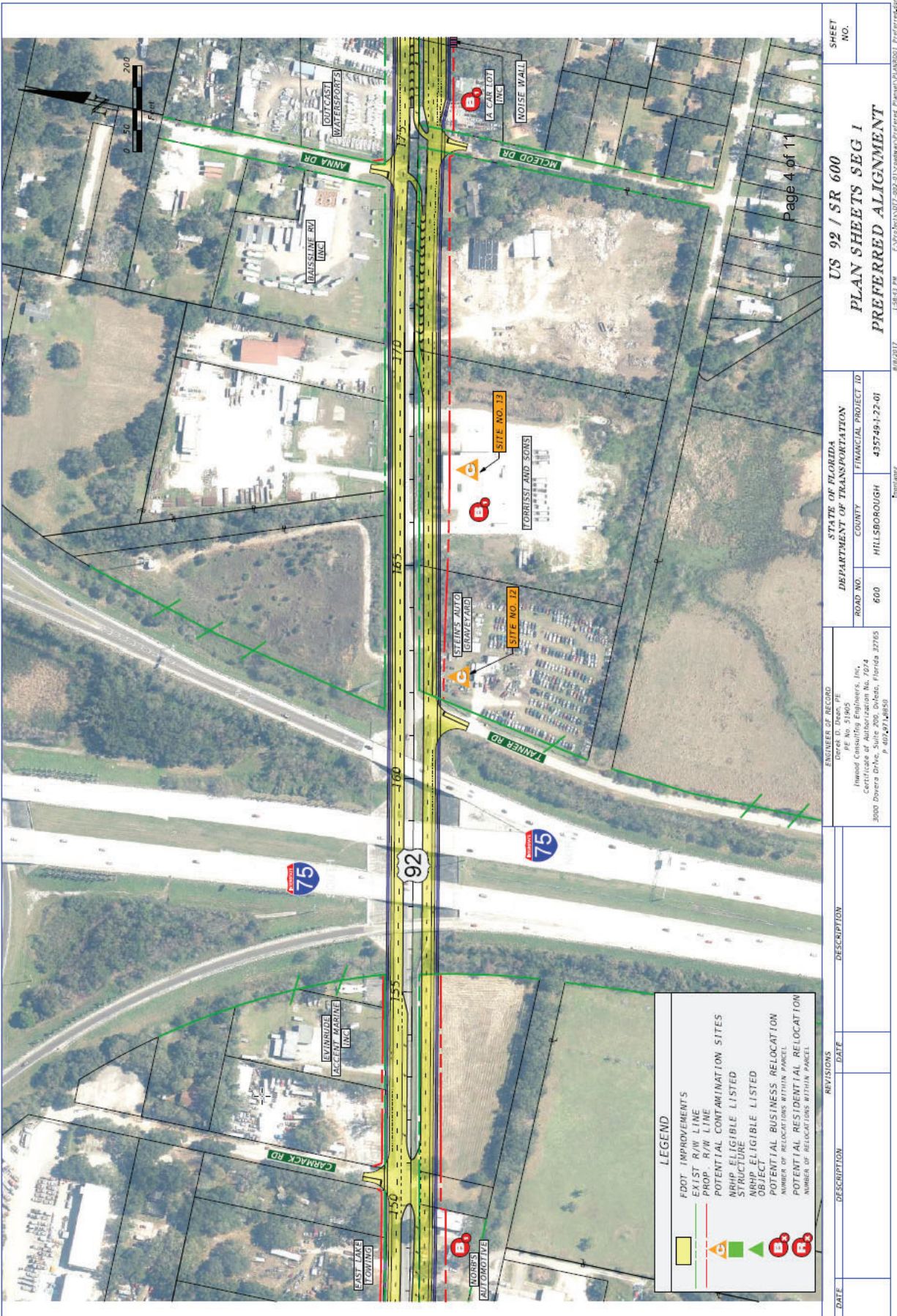
Perez, Andrew A.
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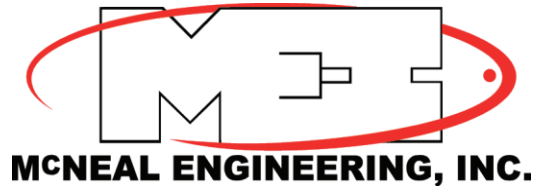
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Florida Department of Transportation
Access Management
2820 Leslie Road
Tampa, FL 33619

Re: **WOS AUTOMOTIVE CENTER**
10717 US Hwy 92
Hillsborough County
Folio # 062821-0000

Attn: Holly Champion

MEI File # 15-027
March 26, 2020

TRANSPORTATION ANALYSIS

Holly:

Wos Automotive sales and repair is located at 10717 E US Highway 92 and consist of approximately 6.737 acres. A vicinity map and site plan for the project is attached for your convenience. The existing land use is Mixed Use Auto and will remain Mixed Use Auto with no change in ownership. The proposed improvements consist of two driveways, one located on US E Highway 92 (Phase 1) while the other is proposed on McLeod Drive (Phase 2).

Per conditions set forth for the Wos Automotive Center's Florida Department of Transportation (FDOT) permit #2017-A-796-07 (Expired) review, please find the following Updated Traffic Study for your review and records:

The Institute of Transportation Engineers Trip Generation, Tenth Edition, for Automotive Sales - Used (ITE Code 841) and General Light Industrial (ITE Code 110), appears to be the most appropriate trip generation documentation for analyzing the proposed uses. An evaluation of the resultant square footage and trip calculations has been completed. The summary is as follows.

<u>Description</u>	<u>Unit</u>	<u>ADT</u>	<u>PM Peak</u>
841 - Automotive Sales	2 (Employee)	25	3
120 - General Light Industrial	2 (Employee)	14	0
Total	4 (Employees)	39	2

Based on the HC LOS Report dated March 2018, US Highway 92 is a two-lane arterial. According to the 2018 FDOT Quality/LOS Handbook Tables, Table 3 the ADT is 18,600 and Table 6 the Peak Hour is 1,220 for LOS C. As noted, the proposed project will yield an ADT of 39 (which is < 186 [or 1% of 18,600]) and with a corresponding PM peak hour of 3 trips (which is < 12 [or 1% of 1,200]), therefore, there is a non-significant change and a detail traffic analysis is not required (see following page for summary calculations).

We trust the enclosed items will be sufficient for this filing. Thank you very much for your assistance.

Sincerely,

Christopher S. McNeal, PE
MCNEAL ENGINEERING, INC.

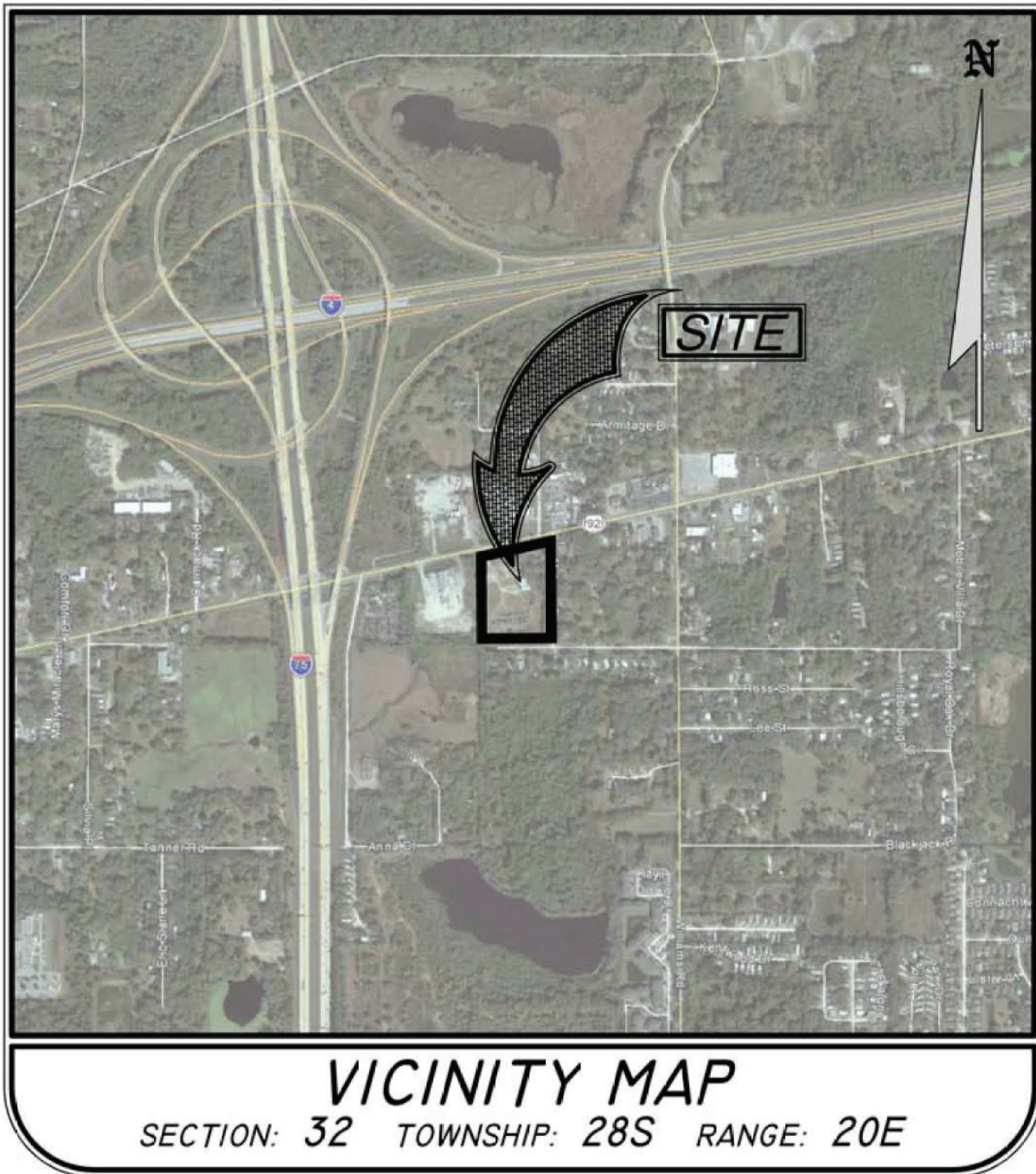
attchs

c: Joe & Mike Wos *via* email

Project Name:	15-027 WOS AUTO	No:	15-027
Date:	3/10/2020	City:	TAMPA
State/Province:	FL	Zip/Postal Code:	33610
Country:	USA	Client Name:	Mike Wos
Analyst's Name:	JT	Edition:	Trip Gen Manual, 10th Ed

LAND USE	SIZE	WEEKDAY		WEEKDAY, PEAK HOUR OF ADJACENT STREET TRAFFIC, ONE HOUR BETWEEN 4 AND 6 P.M.	
		Entry	Exit	Entry	Exit
841 - Automobile Sales (Used) (General Urban/Suburban)	2 ⁽¹⁾	13	12	1	2
Reduction		0	0	0	0
Internal		0	0	0	0
Pass-by		0	0	0	0
Non-pass-by		13	12	1	2
110 - General Light Industrial (General Urban/Suburban)	2 ⁽¹⁾	7	7	0	0
Reduction		0	0	0	0
Internal		0	0	0	0
Pass-by		0	0	0	0
Non-pass-by		7	7	0	0
Total		20	19	1	2
Total Reduction		0	0	0	0
Total Internal		0	0	0	0
Total Pass-by		0	0	0	0
Total Non-pass-by		20	19	1	2

⁽¹⁾ Employees



HILLSBOROUGH COUNTY 2018 LOS REPORT

On Street	From	To	Lane No	Lane Type	Length	Speed Limit	LOS Std	2017 AADT	Peak Hour Pk Dir Vol	Daily MSV	Daily v/c Ratio	Pk Hr Pk Dir MSV	Pk Hr Pk Dir v/c Ratio	Jurisdiction	Local Func Class
US HWY 41	BIG BEND RD	SYMMES RD	4	D	2.95	55	D	24,500	1249	36,200	0.68	1790	0.70	SR	PA
US HWY 41	SYMMES RD	RIVERVIEW DR	4	D	2.05	50	D	28,967	1476	36,200	0.80	1790	0.82	SR	PA
US HWY 41	RIVERVIEW DR	MADISON AVE	4	D	2.77	55	D	25,500	1300	36,200	0.70	1790	0.73	SR	PA
US HWY 41	PORT SUTTON RD	PORT SUTTON RD	4	D	0.34	55	D	27,391	1396	36,200	0.76	1790	0.78	SR	PA
US HWY 41	CAUSEWAY BLVD	CAUSEWAY BLVD	6	D	1.18	50	D	27,391	1396	54,300	0.50	2690	0.52	SR	PA
US HWY 41	CAUSEWAY BLVD	CITY LIMITS	6	D	1.52	50	D	26,541	1352	54,300	0.49	2690	0.50	SR	PA
US HWY 41	NEBRASKA/FLORIDA	DEBUEL RD	6	D	1.12	45	D	51,000	2599	54,300	0.94	2690	0.97	SR	PA
US HWY 41	DEBUEL RD	SUNSET LANE	6	D	1.02	45	D	44,500	2268	56,400	0.79	2790	0.81	SR	PA
US HWY 41	SUNSET LANE	COUNTY LINE RD	6	D	2.05	45	D	35,500	1809	56,400	0.63	2790	0.65	SR	PA
US HWY 92	US HWY 301	WILLIAMS RD	2	U	2.09	40	D	14,320	730	13,900	1.03	690	1.06	SR	PA
US HWY 92	WILLIAMS RD	PINE ST	2	U	1.54	45	D	12,537	639	13,900	0.90	690	0.93	SR	PA
US HWY 92	KINGSWAY RD	KINGSWAY RD	2	U	1.03	45	D	12,537	639	13,900	0.90	690	0.93	SR	PA
US HWY 92	MCINTOSH RD	MCINTOSH RD	2	U	2.13	45	D	9,900	505	18,601	0.53	925	0.55	SR	PA
US HWY 92	TURKEY CREEK RD	TURKEY CREEK RD	2	U	4.30	55	D	11,290	575	18,601	0.61	925	0.62	SR	PA
US HWY 92	TURKEY CREEK RD	WALTER DR	2	U	0.79	45	D	11,290	575	18,601	0.61	925	0.62	SR	PA
US HWY 92	PARK ST	COUNTY LINE RD	2	U	3.05	55	D	10,300	525	18,601	0.55	925	0.57	SR	PA
VETERANS EXPWY	INDEPENDENCE PKWY	MEMORIAL HWY	8	F	0.35	45	D	67,000	3414	177,800	0.38	8310	0.41	SR	PA
VETERANS EXPWY	MEMORIAL HWY	ANDERSON RAMP	8	F	3.53	55	D	72,136	3676	177,800	0.41	8310	0.44	SR	PA
VETERANS EXPWY	ANDERSON RAMP	GUNN HWY	8	F	3.13	55	D	56,117	2860	177,800	0.32	8310	0.34	SR	PA
VETERANS EXPWY	EHRLICH RD	EHRLICH RD	6	F	0.94	60	D	51,638	2631	133,500	0.39	6240	0.42	SR	PA
VETERANS EXPWY	HUTCHINSON RD	HUTCHINSON RD	6	F	1.92	55	D	51,638	2631	133,500	0.39	6240	0.42	SR	PA
VETERANS EXPWY	HUTCHINSON RD	SUNCOAST PKWY	6	F	1.62	55	D	50,700	2584	133,500	0.38	6240	0.41	SR	PA
VETERANS EXPWY	SUNCOAST PKWY	DALE MABRY HWY	4	F	3.02	55	D	15,600	795	90,500	0.17	4230	0.19	SR	PA
VETERANS FRONTAGE N	INDEPENDENCE PKWY	HILLSBOROUGH AVE	2	O	1.38	50	D	14,999	764	21,720	0.69	1074	0.71	SR	PA
VETERANS FRONTAGE S	MEMORIAL HWY	HILLSBOROUGH AVE	2	O	1.02	35	D	14,000	713	21,720	0.64	1074	0.66	SR	PA
Segments grouped based on similar grouping in 2017 LOS Report. Changes made where lane type, speed limit, functional classification, LOS standard and/or volume changes															
Note: Peak hour volumes were not adjusted for seasonal variation because they were conducted around the time that FDOT seasonal adjustment factors = 1.0															
Where Peak hour volumes were not available, the FDOT "design K" in Hillsborough County was used to estimate PM Peak Hour volumes, a pk/daily ratio of 0.85 was used for the AM peak															
For County arterials, an adjustment of 0.95 to state values was made. For County collectors, state values were adjusted by 0.90															

Generalized **Annual Average Daily** Volumes for Florida's
Rural Undeveloped Areas OR
Developed Areas Less Than 5,000 Population¹

03/14/2018

INTERRUPTED FLOW FACILITIES

STATE SIGNALIZED ARTERIALS

Lanes	Median	B	C	D	E
2	Undivided	18,200	18,600	**	**
4	Divided	*	28,100	37,200	**
6	Divided	*	46,100	56,400	**

Non-State Signalized Roadway Adjustments

(Alter corresponding state volumes by the indicated percent.)

Non-State Signalized Roadways - 10%

Median & Turn Lane Adjustments

Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors
2	Divided	Yes	No	+5%
2	Undivided	No	No	-20%
Multi	Undivided	Yes	No	-5%
Multi	Undivided	No	No	-25%
—	—	—	Yes	+ 5%

One-Way Facility Adjustment

Multiply the corresponding two-directional volumes in this table by 0.6

BICYCLE MODE²

(Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Rural Undeveloped

Paved Shoulder/Bicycle Lane Coverage	B	C	D	E
0-49%	*	1,300	2,000	3,200
50-84%	1,000	2,100	3,200	10,600
85-100%	2,600	3,900	18,500	>18,500

Rural Developed

Paved Shoulder/Bicycle Lane Coverage	B	C	D	E
0-49%	*	2,300	4,900	15,600
50-84%	1,700	4,500	13,300	18,500
85-100%	5,900	18,500	>18,500	**

PEDESTRIAN MODE²

(Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Sidewalk Coverage	B	C	D	E
0-49%	*	*	2,700	9,200
50-84%	*	1,500	8,400	14,900
85-100%	3,600	10,200	16,700	>19,200

UNINTERRUPTED FLOW FACILITIES

FREEWAYS

Lanes	B	C	D	E
4	42,400	57,400	66,700	70,700
6	58,800	82,400	97,600	105,900
8	75,400	107,700	127,700	141,200

Freeway Adjustments

Auxiliary Lanes

Present in Both Directions + 20,000

UNINTERRUPTED FLOW HIGHWAYS

Rural Undeveloped

Lanes	Median	B	C	D	E
2	Undivided	5,500	9,900	17,000	34,100

Rural Developed

Lanes	Median	B	C	D	E
2	Undivided	12,300	18,800	25,500	34,100
4	Divided	35,800	51,700	62,200	66,700
6	Divided	53,700	77,800	93,300	100,000

Passing Lane Adjustments

Alter LOS B-D volumes in proportion to the passing lane length to the highway segment length

Uninterrupted Flow Highway Adjustments

Lanes	Median	Exclusive left lanes	Adjustment factors
2	Divided	Yes	+5%
Multi	Undivided	Yes	-5%
Multi	Undivided	No	-25%

¹Values shown are presented as peak hour directional volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the Highway Capacity Manual and the Transit Capacity and Quality of Service Manual.

² Level of service for the bicycle and pedestrian modes in this table is based on number of motorized vehicles, not number of bicyclists or pedestrians using the facility.

* Cannot be achieved using table input value defaults.

** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.

Source:

Florida Department of Transportation

Systems Planning Office

www.dot.state.fl.us/planning/systems/sm/los/default.shtm

Generalized **Peak Hour Two-Way** Volumes for Florida's
Rural Undeveloped Areas and
Developed Areas Less Than 5,000 Population¹

12/18/12

TABLE 6

INTERRUPTED FLOW FACILITIES						UNINTERRUPTED FLOW FACILITIES					
STATE SIGNALIZED ARTERIALS						FREEWAYS					
Lanes	Median	B	C	D	E	Lanes	B	C	D	E	
2	Undivided	*	1,220	1,350	**	4	3,020	4,510	5,490	6,300	
4	Divided	*	2,790	2,890	**	6	4,510	6,720	8,220	9,720	
6	Divided	*	4,300	4,350	**	8	6,040	8,970	10,960	12,970	
Non-State Signalized Roadway Adjustments						Freeway Adjustments					
(Alter corresponding state volumes by the indicated percent.)						Auxiliary Lanes					
Non-State Signalized Roadways						Present in Both Directions					
						+ 1,800					
Median & Turn Lane Adjustments						UNINTERRUPTED FLOW HIGHWAYS					
						Rural Undeveloped					
Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors		Lanes	Median	B	C	D	E
2	Divided	Yes	No	+5%		2	Undivided	440	790	1,350	2,710
2	Undivided	No	No	-20%		4	Divided	2,440	3,820	4,840	5,500
Multi	Undivided	Yes	No	-5%		6	Divided	3,680	5,730	7,280	8,240
Multi	Undivided	No	No	-25%		Developed Areas					
—	—	—	Yes	+ 5%		Lanes	Median	B	C	D	E
One-Way Facility Adjustment						2	Undivided	820	1,550	2,190	2,990
Multiply the corresponding two-directional volumes in this table by 0.6						4	Divided	2,460	3,860	4,970	5,660
						6	Divided	3,680	5,790	7,440	8,500
BICYCLE MODE²						Passing Lane Adjustments					
(Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)						Alter LOS B-D volumes in proportion to the passing lane length to the highway segment length					
Rural Undeveloped						Uninterrupted Flow Highway Adjustments					
Paved Shoulder/Bicycle						Lanes	Median	Exclusive left lanes	Adjustment factors		
Lane Coverage	B	C	D	E		2	Divided	Yes	+5%		
0-49%	*	120	190	300		Multi	Undivided	Yes	-5%		
50-84%	100	200	310	>1,010		Multi	Undivided	No	-25%		
85-100%	250	370	1,760	>1,760		¹ Values shown are presented as peak hour two-way volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the Highway Capacity Manual and the Transit Capacity and Quality of Service Manual.					
Developed Areas						² Level of service for the bicycle and pedestrian modes in this table is based on number of motorized vehicles, not number of bicyclists or pedestrians using the facility.					
Paved Shoulder/Bicycle						* Cannot be achieved using table input value defaults.					
Lane Coverage	B	C	D	E		** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.					
0-49%	*	220	460	1,480		Source:					
50-84%	170	430	1,270	>1,760		Florida Department of Transportation					
85-100%	560	1,760	>1,760	**		Systems Planning Office					
PEDESTRIAN MODE²						www.dot.state.fl.us/planning/systems/sm/los/default.shtm					
(Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)											
Sidewalk Coverage	B	C	D	E							
0-49%	*	*	220	840							
50-84%	*	120	780	1,390							
85-100%	320	940	1,560	>1,820							

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Sterlin Woodard, P.E. WETLANDS DIVISION

AGENCY COMMENT SHEET

REZONING	
HEARING DATE: October 17, 2022	COMMENT DATE: August 17, 2022
PETITION NO.: 22-1126	PROPERTY ADDRESS: 10717 E 92 Hwy, Tampa, FL 33610
EPC REVIEWER: Sarah Hartshorn	FOLIO #: 0628210000
CONTACT INFORMATION: (813) 627-2600 X 1237	STR: 32-28S-20E
EMAIL: hartshorns@epchc.org	
REQUESTED ZONING: PD to UMU-20	
FINDINGS	
WETLANDS PRESENT	YES
SITE INSPECTION DATE	8/17/2022
WETLAND LINE VALIDITY	Expired 9/25/2020
WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)	Wetland Delineation Needed
<p>The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:</p> <ul style="list-style-type: none">• Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.• The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.• Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland must be	

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

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

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

INFORMATIONAL COMMENTS:

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

- Wetland delineation surveys were submitted and approved by EPC; however, they expired on September 25, 2020. Prior to the issuance of any building or land alteration permits or other development, the wetlands/other surface waters (OSW) must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff (SWFWMD) and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.
- Chapter 1-11, prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.

Sjh/aow

WATER RESOURCE SERVICES
REZONING REVIEW COMMENT SHEET: WATER & WASTEWATER

PETITION NO.: MM22-1126 REVIEWED BY: Randy Rochelle DATE: 8/22/2022

FOLIO NO.: 62821.0000

WATER

- ☐ The property lies within the _____ Water Service Area. The applicant should contact the provider to determine the availability of water service.
- ☒ A 8 inch water main exists ☒ (adjacent to the site), ☐ (approximately _____ feet from the site) and is located within the south Right-of-Way of E. US Highway 92. 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 2180 feet from the site) and is located south of the subject property within the east Right-of-Way of Williams Road. 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: 16 August 2022

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

APPLICANT: Todd Pressman

PETITION NO: MM 22-1126

LOCATION: 10717 E 92 Hwy, Tampa, FL 33610

FOLIO NO: 62821.0000

SEC: 32 **TWN:** 28 **RNG:** 20

- ☒ 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: _____.

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HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONE HEARING MASTER)
HEARINGS)
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-----X

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

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS
March 20, 2023

ZONING HEARING MASTER: PAMELA JO HATLEY

D.3.:

Application Number: MM 22-1126

Applicant: Wos Properties 1, Inc.

Location: 10717 E 92 Hwy.

Folio Number: 062821.0000

Acreage: 6.68 acres, more or less

Comprehensive Plan: UMU-20

Service Area: Urban

Existing Zoning: PD 15-1034

Request: Major Modification to a Planned Development

1 MR. GRADY: The next Item is Agenda Item D3, Major Mod
2 Application 22-1126. The applicant is Wos Properties 1,
3 Incorporated. The request is for a major modification to
4 existing planned development. Michelle Heinrich with --
5 with County Staff will provide Staff recommendation after
6 presentation by the applicant.

7 MR. PRESSMAN: Good evening, Hearing Officer.
8 Todd Pressman, 200 2nd Avenue South, No. 451, St.
9 Petersburg, Florida. This is MM 2216. This is located in
10 the northeast area of the county, somewhat near the
11 Mango-Seffner area, located on Highway 92 near the
12 intersection of I-4 and I-275.

13 The issue is a major modification for a multi-vehicle
14 type use. It was originally approved in 2015, it was
15 modified in 2017, and, at that time, Development Services,
16 Planning Commission, and the zoning hearing master all
17 approved. So on East Highway 92, which I would describe as
18 extremely intensive, this is the site. As you can see,
19 there's quite a bit of activity on it. The current long
20 time approved uses are sales, rental, service of domestic
21 vehicles, farm, and recreational vehicles, minor-major
22 vehicle repair, vehicle part sales, vehicle recycling,
23 which is open vehicle recycling, there is no specific
24 compacting of vehicles, and related office use.

25 Per the Planning Commission, the proposed PD uses

1 today are the same as approved in 2017; what we're
2 proposing are changes on the site plan, locational
3 elements, and buffer changes. So the uses remain the same,
4 but we're, in a sense, expanding a lot of the uses and
5 modifying them and moving them around a little bit.

6 I will say that the staff has done an outstanding job,
7 on of the opening pages, of the very specific changes,
8 which are a lot, and they're kind of detailed and kind of
9 unique, are kind of specific as you look at each item. But
10 they also did a really great graphic, which I have here,
11 which they note the parking office area, which was -- which
12 is existing and approved, and the proposed layout.
13 Probably the most looked at is the vehicle recycling sales
14 storage, which would shift from this red area to this red
15 area.

16 Can you see my cursor? Yeah.

17 HEARING MASTER HATLEY: I don't see your cursor --

18 MR. PRESSMAN: Okay.

19 HEARING MASTER HATLEY: -- but I do see the --

20 MR. PRESSMAN: Those changes?

21 HEARING MASTER HATLEY: Yes, I can see the
22 different -- difference in the sizes of the colored areas,
23 yes.

24 MR. PRESSMAN: Okay. Good. So, like I said, I think
25 they did a really nice graphic showing that and how it

1 works and what's proposed, because there are a lot of very
2 specific minute changes going on.

3 Primarily, what I'm trying to show you is on the east
4 setback, we're reducing from 88 to 30 feet, south setback,
5 110 to 91 and 93, it kind of shifts a little bit, and the
6 west setback 30 feet, which is actually a little bit
7 bigger, 34 to 46 feet. The reason I'm putting emphasis on
8 the east and south is because -- and not speaking for the
9 staffs, of course, but the major concern about the Planning
10 Commission and the Zoning Staff is impacts onto
11 residential, which is existing across McLeod Avenue and Old
12 Hillsborough to the east and south. So we're proposing to
13 bring those uses closer, which is their main point of
14 concerns and compatibility.

15 So looking at zoning, the site is that PD. Clearly,
16 you can see there's very intensive uses which are very deep
17 from East Hillsborough Avenue, which includes CG, CI,
18 manufacturing. And I think it's very critical to highlight
19 that the entire south side in this area of Hillsborough is
20 UMU 20, which includes the residential abutting and the
21 site and CMU 12 to -- to the north. So future land use
22 very clearly stakes out in a very intensive category
23 what -- well, what the future land use category is. UMU 20
24 is regional commercial, light industrial, multi-purpose.
25 CMU 12, which is across the street, community retail,

1 commercial, light industrial.

2 So looking specifically at those buffer changes on the
3 south, the forestation that's been there for a long time,
4 that -- that remains. There's already an existing metal
5 fence, which we're asking for approval to be permitted to
6 continue on the south, and then, of course, you have the
7 roadway here. So to make emphasis again, the fencing is
8 metal, which is not in the current allowable uses or
9 allowable buffer; it's supposed to be a solid fence or, I
10 believe, a wall. And that's one element we want -- we want
11 to keep. One -- one reason for that is that, these type of
12 sites are really preyed upon for stealing parts and
13 materials. The metal fence does give a better buffer or
14 better standard to try and keep that under a little better
15 control.

16 The west buffer is an intensive use next door, just
17 about as intensive as this is, but I have it measured from
18 property line to property line at 144 feet. There's a pond
19 that's a very intensive res -- forestation area on the
20 west, which I wanted to point out to you.

21 Now, on the east buffer, which residential is
22 abutting, this is McLeod -- McLeod is on your right.
23 Again, a medical fence is existing, but I wanted to point
24 out, again, the forestation remains, which is many, many
25 times more than what code would require; that's proposed to

1 remain as is.

2 So points in support, again, future land use that are
3 regional and commercial is very intensive, and that
4 includes McLeod Drive. There's been intensive activity
5 here since 1999, just per an aerial. Again, the site was
6 approved 2015 for the intensive uses that are there now.
7 And these are some past aerial pictures.

8 This is the south existing conditions, which is very
9 thick, very high, provides a great buffer on the south.
10 And this is, again, on the east, just to show, again, the
11 intensity of buffering that's there. This is again on the
12 east, and this is further on the east.

13 Now, along the north, there's a lot of good buffering
14 as well. Depending upon as you travel past the site, this
15 particular area has some specific more intensive -- you can
16 see a driveway there along the north, which is Highway 92.
17 I have from property line to property line on the east is
18 70 feet. We'd be providing the 30-foot buffer, the other
19 street, and the forestation, of course, and the metal
20 fence. On the south, I have the measurement from property
21 line to property line at 140 feet, with a stormwater pond,
22 forestation, metal fence, and, again, the street. On the
23 north, I have it as 135 feet from the edge of paving to the
24 office with the forestation I showed you and the metal
25 fence as well.

1 Zoning Staff notes it's their position that a more
2 attractive type of screening, which is required for in the
3 Land Development Code, would be provided; we would disagree
4 with that. We would indicate that what's existing is -- is
5 a really good buffer. Screening shall be providing
6 consists of six -- which would be a 6 foot high masonry
7 wall or fence, solid food fence, or evergreen shrubs.

8 Planning Commission notes the uses are within
9 character of the area as is located on a principal arterial
10 roadway with similar commercial uses along the corridor
11 strictly in regard to the corridor. In regard to the
12 Seffner-Mango Community Plan, they recognize the commercial
13 character of US 92 within the USA. I think that's an
14 important element or policy that's stated, noting and
15 recognizing the commercial character of US 92, and that
16 commercial development should be directed to US 92 and
17 Martin Luther King Boulevard, which, of course, we're on.

18 Now, I think most critically, recognizing that the
19 staffs had concerns, and I think it's a reasonable concern,
20 of course, regarding neighbors, the applicant did spend a
21 lot of time going door to door, and I'll submit these
22 petitions into the record; we thought it was very important
23 to bring forward. What we found was great support for the
24 changes. So these are the petitions that I'll put in the
25 record for you, and different parts of them, and I put that

1 on an aerial.

2 So I think it's -- it's critical to note that,
3 according to the petitions the applicant collected,
4 virtually every abutting neighbor, except one at the bottom
5 there which they weren't able to contact, we don't have
6 opposition that supports this request. The applicant owns
7 and operates the property at the -- at the upper right
8 hand.

9 So in regards to the critical concerns from the
10 staffs, we wanted to really come forward and present how
11 the neighbors felt for compatibility and for cohesion. And
12 I asked the applicant why -- I -- I asked him why, because
13 I was curious as to why they had such outstanding support,
14 and he just indicated that they work with the neighbors a
15 lot, they're real careful about being loud with uses, they
16 run a -- try really responsibly. They own some other
17 parcels for similar use in the immediate area, and, as far
18 as we're aware, there's never been a complaint filed,
19 there's no code enforcement citations, but no complaints
20 from the public that have been submitted or made aware of
21 that we're aware.

22 So I do wanna put those in the record along with a set
23 of conditions, because Staff is not presenting conditions,
24 so we have a set of conditions to present as well.

25 With that, we're happy to answer any questions you

1 might have.

2 HEARING MASTER HATLEY: Just one, Mr. Pressman. You,
3 I believe, showed a graphic that -- that show -- that was
4 the approved site plan, and I'm -- it's in the staff
5 report --

6 MR. PRESSMAN: Yeah.

7 HEARING MASTER HATLEY: -- so I'm looking at it in the
8 staff report.

9 MR. PRESSMAN: Oh, okay.

10 HEARING MASTER HATLEY: And I'm looking at that
11 approved site plan, and also the existing aerial view from
12 the property appraiser's website, which is really on the
13 front page of the -- the staff report as well.

14 MR. PRESSMAN: Mmhmm.

15 HEARING MASTER HATLEY: And they don't seem
16 consistent. It appears, and maybe you can clarify this,
17 that the use of the site right now is basically what the --
18 the major modification will do -- or it seems that maybe
19 the owner has made changes on the -- the use on the site
20 right now and is -- has prepared a site plan consistent
21 with what's going on there now. Could you speak to that,
22 please?

23 MR. PRESSMAN: Yeah, I -- in regard to -- that is
24 correct. I think with the use of this nature, as you have
25 large crews working, I think it's easy -- I'm not saying

1 it's correct, but I think -- I think it's difficult
2 sometimes to maintain specific boundaries when you're real
3 busy and you're overwhelmed with vehicles, and they are
4 sometimes overwhelmed with vehicles.

5 So your observations is exactly correct. I would also
6 really mention that I think they have the test of time here
7 because they have been operating in other areas of the
8 property outside the original site plan, and that's been
9 for evidently some time that has not generated complaints
10 or any concerns from neighbors as we've been able to
11 present it. So, yes, your correct, as well as the office
12 structure was put in larger than what the original proof
13 was -- approval was. Not by a lot, but we're seeking to
14 correct that as well.

15 So your observations are ex -- are correct.

16 HEARING MASTER HATLEY: Okay. So does -- does the --
17 I guess the business, the operation just needs more space;
18 that's essentially what this is accommodating, right? Is
19 that --

20 MR. PRESSMAN: That's exactly correct, yes.

21 HEARING MASTER HATLEY: Okay. Okay.

22 MR. PRESSMAN: As they've operated over time,
23 businesses -- I -- I think it's fair to say businesses sort
24 of change and morph, and they start working a lot more in
25 another direction. That's where the business comes in, so,

1 yes, that's the case.

2 HEARING MASTER HATLEY: Okay. All right. Thank you
3 so much, Mr. Pressman. No more questions right now.

4 Development Services.

5 MS. HEINRICH: Good evening. Michelle Heinrich,
6 Development Services. As you heard, this is a request to
7 modify PD 151034 as most recently modified by Major Mod
8 170762. And, as you saw, the PD is currently improved for
9 a variety of uses which would be considered general and
10 intensive commercial uses. And Mr. Pressman already gave
11 you the specific uses, so I won't reiterate that, that's
12 approved on the site.

13 The property, as you saw, is uniquely situated. It is
14 located on US Highway 92, which you saw also contains some
15 other intensive uses. However, this site is also adjacent
16 to single-family residential to the south and southeast.
17 Therefore, compatibility has been a significant factor in
18 both the previous and current modification request.

19 And I'll put up the graphic that we were utilizing
20 before. Let me fold it so it doesn't take up the mirror.
21 And this is found in our staff report.

22 Under Major Modification 170762, which is on the left,
23 the northeastern portion of the site was designated as a
24 sales area, and the remaining area along the north was the
25 sales office. The open vehicle cycling was located on the

1 remaining portions of the site with significance separation
2 from the residential to the south and southeast, and
3 code-required -- or code-required screening was requiring
4 in the conditions of approval. On the right, you'll see
5 the proposed modifications, and that involves relocating
6 the uses and expanding the open vehicular recycling area to
7 the south and southeast. And, additionally, two PD
8 variations are requested -- oh, I should also say, along
9 the north as well up in that area.

10 The proposed layout, as I stated, will remove the
11 sales area and enlarged open vehicle recycling area. The
12 office square footage will increase, and an enclosed
13 vehicle parts building is added. The open vehicle
14 recycling area, as noted, expands to the north, south, and
15 east. And the setbacks vary greatly between the two site
16 plans. The southern setback decreases from between 110 to
17 approximately 180 feet down to 91 to 93 feet. And the
18 eastern setback, which was originally 88 to about 145 feet
19 will go down to 30 feet. And the proposed screening along
20 these two boundaries is proposed, which is not compliant
21 with the LDC required screening options.

22 The first PD variation is for the screening that's
23 required when open storage is in view from a street, and
24 the screening is supposed to be provided using either a 6
25 foot high masonry wall, PVC fence, wooden fence, or dense

1 shrubbery. This site abuts US 92 to the north, McLeod
2 Drive to the east, and Old Hillsborough Avenue/Tanner
3 Street to the south. And the applicant proposes to screen
4 the site from these roadways with a 6 foot high metal fence
5 with the existing vegetation.

6 Staff does not support this request as the purpose of
7 the screening materials is to provide an attractive
8 streetscape, and Staff's review finds that US 92 is not
9 developed solely with intensive commercial uses and
10 provides a common transportation route for many in the
11 Seffner-Mango community. McLeod drive is used primarily by
12 residential properties, and Old Hillsborough Avenue is used
13 solely by residential properties as well. And, also, to
14 note, the residential uses on both McLeod and Old
15 Hillsborough are oriented towards the site.

16 The second PD vari -- variation is for open storage
17 screening when in view from a residential district. I
18 already noted the screening options that are required,
19 which are limited to the wall, fence -- PVC fence or
20 shrubbery. And the applicant proposes a 6 foot high metal
21 fence with the existing vegetation in view of these
22 residential properties. The allowed screening options
23 consistent of those trip -- typically found in a
24 residential setting and does not include a metal fence
25 option. Additionally, the proposed screening does not

1 compensate or provide further screening enhancement due to
2 the re -- two setbacks from the vehicle expansion.
3 Therefore, Staff does not support that PD variation request
4 or the previous one.

5 So, overall, Staff feels this expansion is
6 incompatible with the adjacent residential uses and does
7 not support the PD variations. Additionally, a finding of
8 inconsistency from the Planning Commission was filed, and,
9 based on these factors, we are not supportive of this
10 request. I'm available if you have any questions.

11 HEARING MASTER HATLEY: All right. Thank you.

12 Okay. Planning Commission.

13 MS. MASSEY: Jillian Massey with Planning Commission
14 Staff. Excuse me. The subject site is in the Urban Mixed
15 Use 20 Future Land Use category. It's in the urban service
16 area, and is located within the limits of the Seffner-Mango
17 Community Plan. The Urban Mixed Used 20 Future Land Use
18 category is located to the east, west, south, southeast,
19 and southwest of the subject property. The Community Mixed
20 Use 12 Future Land Use category is located to the north,
21 northwest, and northeast of the second property.

22 The proposed uses are within the character of the area
23 as it is located on a principal arterial roadway with
24 similar commercial uses along the corridor; however,
25 Objective 16 and Policy 16.2 of the Future Land Use Element

1 indicate a need for neighborhood protection by the gradual
2 transition of intent -- intensities between different land
3 uses using professional site planning, buffering, and
4 screening techniques and control of specific land uses.

5 The proposed rezoning does not meet the intent of
6 these policies as it reduces the buffer between the auto
7 recycling and auto storage and the single-family
8 residential to the east and south. The subject property is
9 in -- within the Seffner-Mango Community Plan, and Goal 2
10 of this plan indicates a need to enhance the community
11 character and ensure quality residential and nonresidential
12 development.

13 Planning Commission Staff conducted a routine visit to
14 the site and has observed that, to the east and south of
15 the subject site, it has a residential character. As
16 previously mentioned, the proposed planned development is
17 not consistent with the Neighborhood Production Objective
18 16 and Policy 6 -- 16.2, as the applicant is proposing to
19 reduce the eastern and southern buffers. Planning
20 Commission Staff finds the current request for the
21 reduction of buffers inconsistent with Goal 2 of the
22 Seffner-Mango Community Plan.

23 And based on these considerations, Planning Commission
24 Staff finds the proposed major modification inconsistent
25 with the Unincorporated Hillsborough County Comprehensive

1 Plan.

2 HEARING MASTER HATLEY: All right. Thank you.

3 Is there anyone here or online who wishes to speak in
4 support of this application? All right.

5 UNIDENTIFIED SPEAKER: I believe we have a
6 James Thomas; I'm not sure if he's with the applicant or in
7 support.

8 MR. THOMAS: Hello. My name's Jim Thomas. I'm with
9 McNeal Engineering. I'm in support of this project.

10 A couple things to note that I think is kind of
11 important is that on the original site construction plan
12 and approved PD, there was a Phase 2 with a driveway to
13 McLeod Drive that we have removed, and I think that keeps a
14 little bit of separation from the single-family residence.
15 And, also, just to note, there's been a lot of talk on the
16 reduced buffer, but on the approved PD plan, the -- the
17 buffer hasn't changed; the open space has changed. But the
18 30-foot buffer is still on the east and extends all the
19 way -- now extends all the way to US 92.

20 That's it. Thank you.

21 HEARING MASTER HATLEY: Yes, sir. Thank you.

22 MS. SMITH: Madam Hearing Master, may I have the
23 speaker state the address, please.

24 HEARING MASTER HATLEY: All right. Mr. Thomas, are
25 you still online? Could you please state your -- your

1 address for the record.

2 MR. THOMAS: 15957 North Florida Avenue.

3 HEARING MASTER HATLEY: All right. Thank you.

4 Clerk, does that give you what you need?

5 MS. SMITH: Yes.

6 HEARING MASTER HATLEY: All right. Thank you.

7 Is there anyone else who wishes to speak in support of
8 this application? All right. Do not hear anyone.

9 Is there anyone here or online who wishes to speak in
10 opposition to this application? Do not hear anyone.

11 All right. Development Services, anything further?

12 MR. GRADY: Nothing further.

13 HEARING MASTER HATLEY: And, Applicant, anything
14 further?

15 MR. PRESSMAN: I'd just like to add that we did send
16 out 26 notices, actually, a number of times throughout the
17 community, and big yellow signs out there for quite a long
18 time. I -- I do want to say that Michelle has been a
19 tremendous help. This was a very tough one to get here
20 today, and her help and her assistance and direction --
21 although she held our feet to the fire, she was a huge
22 help, and we appreciate it. Thank you.

23 HEARING MASTER HATLEY: All right. Thank you.

24 This closes the hearing on Major Modification 22-1126.
25

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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HEARINGS)
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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Monday, February 20, 2023

TIME: Commencing at 6:00 p.m.
Concluding at 8:11 p.m.

LOCATION: Hillsborough County Planning
Commission Board Room-2nd Floor
601 East Kennedy Boulevard
Tampa, Florida 36602

Reported via Cisco Webex Videoconference by:
Samantha Kozlowski, CER

1 here, Richard Perez and Alex Steady.

2 We do not have any changes to tonight's agenda.

3 Although, I will note for purposes of the hearing tonight, B.2
4 is a remand item that Hearing Officer Finch will be hearing.
5 And that's her only case, so we'll take up B.2 first, in front
6 of B.1. Other than that, there's no other changes to the
7 agenda. So I'll go to -- go through the withdrawals and
8 continuances, beginning on Page 3 of the -- and Page 4 of the
9 agenda.

10 The first item is Item A.1, major mod application
11 22-0671. This application is out of order to be heard and is
12 being continued to the March 20, 2023 Zoning Hearing Master
13 Hearing.

14 Item A.2, rezoning PD 22-0856. This application is
15 being continued by the applicant to the March 20, 2023 Zoning
16 Hearing Master Hearing.

17 Item A.3, rezoning PD 22-1082. This application is
18 out of order to be heard and is being continued to the
19 March 20, 2023 Zoning Hearing Master Hearing.

20 Item A.4, major mod application 22-1116. This
21 application is being continued by staff to the March 20, 2023
22 Zoning Hearing Master Hearing.

23 Item A.5, major mod application 22-1126. This
24 application is being continued by staff to the March 20, 2023
25 Zoning Hearing Master Hearing.

Zoning Hearing Master Hearing
January 17, 2023

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH
Land Use Hearing Master

DATE: Tuesday, January 17, 2023

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

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

Zoning Hearing Master Hearing
January 17, 2023

1 out of order to be heard and is being continued to the
2 February 20 2023 Zoning Hearing Master Hearing.

3 Item A.10, RZ-PD 22-1107. This application's being
4 withdrawn from the Zoning Hearing Master process.

5 Item A.11, major mod application 22-1116. This
6 application is out of order to be heard and is being continued
7 to the February 20, 2023 Zoning Hearing Master Hearing.

8 Item A.12, major mod application 22-1126. This
9 application's being continued by the applicant to the
10 February 20, 2023 Zoning Hearing Master Hearing.

11 Item A.13, Rezoning Standard 22-1221. This
12 application's out of order to be heard and is being continued to
13 the February 20, 2023 Zoning Hearing Master Hearing.

14 Item A.14, major mod application 22-1236. This
15 application's being continued by the applicant to the
16 February 20, 2023 Zoning Hearing Master Hearing.

17 Item A.15, major mod application 22-1239. This
18 application is out of order to be heard and is being continued
19 to the February 20, 2023 Zoning Hearing Master Hearing.

20 Item A.16, Rezoning PD 22-1257. This application is
21 out of order to be heard and has been continued to the
22 February 20, 2023 Zoning Hearing Master Hearing.

23 Item A.17, Rezoning PD 22-1330. This application is
24 out of order to be heard and has been continued to the
25 February 20, 2023 Zoning Hearing Master Hearing.

Zoning Master Hearing
December 12, 2022

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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ZONING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Monday, December 12, 2022

TIME: Commencing at 6:04 p.m.
Concluding at 9:15 p.m.

Reported via Cisco Webex Videoconference by:
Vicki Parent, CER No. 1255

Zoning Master Hearing
December 12, 2022

1 application is out of order to be heard and is being continued
2 to the January 17, 2023 Zoning Hearing Master Hearing.

3 Item A.17, Major Mod application 22-1126. This
4 application is -- is being continued by the applicant to the
5 January 17, 2023 Zoning Hearing Master Hearing.

6 Item A.18, Rezoning Standard 22-1221. This
7 application is out of order to be heard and is being continued
8 to the January 17, 2023 Zoning Hearing Master Hearing.

9 Item A.19, Rezoning PD 22-1226. This application is
10 being continued by the applicant to the January 17, 2023 Zoning
11 Hearing Master Hearing.

12 Item A.20, Major Mod application 22-1228. This
13 application is out of order to be heard and is being continued
14 to the January 17, 2023 Zone Hearing Master Hearing.

15 Item A.21, Rezoning PD 22-1229. This application is
16 out of order to be heard and is being continued to the
17 January 17, 2023 Zoning Hearing Master Hearing.

18 Item A.22, Major Mod application 22-1236. This
19 application to be continued by the applicant to the
20 January 17, 2023 Zoning Hearing Master Hearing.

21 Item A.23 Major Mod application 22-1239. This
22 application is out of -- is out of order to be heard and is
23 being continued to the January 17, 2023 Zoning Hearing Master
24 Hearing.

25 Item A.24, Rezoning PD 22-1257. This application is

HILLSBOROUGH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

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LAND USE HEARING OFFICER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY
Land Use Hearing Master

DATE: Monday, October 17, 2022

TIME: Commencing at 6:00 p.m.
Concluding at 9:10 p.m.

PLACE: Robert W. Saunders, Sr. Public
Library
Ada T. Payne Community Room
1505 N. Nebraska Avenue
Tampa, Florida 33602

Reported via Zoom Videoconference by:

Julie Desmond, Court Reporter
U.S. Legal Support

1 Item A.21, Rezoning Standard 22-1217. This
2 application is being withdrawn from the Zoning
3 Hearing Master process.

4 Item A.22, Rezoning Standard 22-1221. This
5 application not awarded. The hearing is being
6 continued to the December 12, 2022, Zoning Hearing
7 Master Hearing.

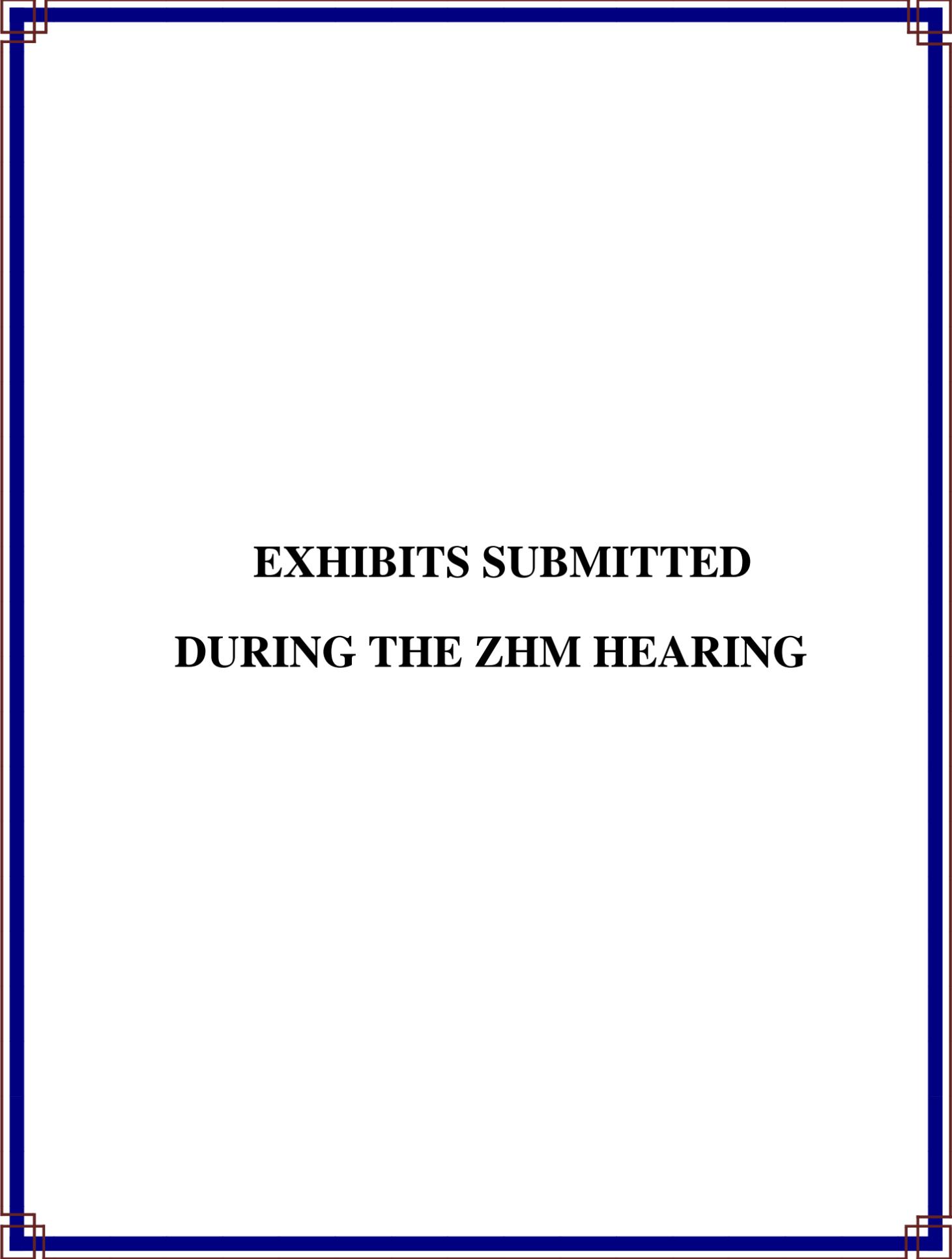
8 Item A.23, Major Mod Application 22-1116.
9 This application is being continued by the
10 applicant to the November 14, 2022, Zoning Hearing
11 Master Hearing.

12 Item A.24, Major Mod Application 22-1120.
13 This application is being continued by the
14 applicant to the November 14, 2022, Zoning Hearing
15 Master Hearing.

16 Item A.25, Major Mod Application 22-1126.
17 This application is being continued by the
18 applicant to the December 12, 2022, Zoning Hearing
19 Master Hearing.

20 Item A.26, Rezoning PD 22-1195. This
21 application is being continued by the applicant to
22 the November 14, 2022, Zoning Hearing Master
23 Hearing.

24 Item A.27, Rezoning PD 22-1204. This
25 application is being continued by the applicant to



**EXHIBITS SUBMITTED
DURING THE ZHM HEARING**

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SIGN-IN SHEET: RFR, ZHM, PHM, LUHOPAGE 1 OF 3DATE/TIME: 3/20/23 / 6pmHEARING MASTER: Pamela J. HuleyPLEASE **PRINT CLEARLY**. THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>B.I</u> <u>MM 22-0686</u>	PLEASE PRINT NAME <u>Michael Brooks</u> MAILING ADDRESS <u>400 N. Tampa St / Suite 1910</u> CITY <u>Tampa</u> STATE <u>FL</u> ZIP <u>33602</u> PHONE <u>813</u>
APPLICATION # <u>RZ</u> <u>23-0035</u>	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 <u>727-8044760</u>
APPLICATION # <u>RZ 23-0035</u>	PLEASE PRINT NAME <u>Grace McComas</u> MAILING ADDRESS <u>805 Old Derby St</u> CITY <u>Seffner</u> STATE <u>FL</u> ZIP <u>33588</u> PHONE <u>813-240-3907</u>
APPLICATION # <u>RZ 23-0063</u>	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 <u>727-8644760</u>
APPLICATION # <u>RZ 22-0856</u>	PLEASE PRINT NAME <u>MARK BENTLEY</u> MAILING ADDRESS <u>401 E JACKSON ST. STE 3100</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33506</u> PHONE <u>813-225-2500</u>
APPLICATION # <u>RZ 22-0856</u>	PLEASE PRINT NAME <u>RYAN MANASSE</u> MAILING ADDRESS <u>401 E JACKSON ST. STE 3100</u> CITY <u>TAMPA</u> STATE <u>FL</u> ZIP <u>33506</u> PHONE <u>813-225-2500</u>

SIGN-IN SHEET: RFR, ZHM, PHM, LUHOPAGE 2 OF 3DATE/TIME: 3/20/23, 6pmHEARING MASTER: Pamela Jo HaskyPLEASE **PRINT CLEARLY**, THIS INFORMATION WILL BE USED FOR MAILING

APPLICATION # <u>RZ 22-0856</u>	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 # <u>MM 22-1086</u>	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 # <u>MM 22-1086</u>	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 # <u>MM 22-1126</u>	PLEASE PRINT NAME James <u>Todd Pressman</u> MAILING ADDRESS <u>200 2nd Ave South</u> CITY <u>SF Petersburg</u> STATE <u>FL</u> ZIP <u>33701</u> PHONE _____
APPLICATION # <u>MM 22-1126</u> <u>V.S.</u>	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 _____ <u>Delope</u>
APPLICATION # <u>MM 22-1340</u>	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 _____

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

PAGE 3 OF 3

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

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

APPLICATION # <u>RZ 22-1705</u>	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>
APPLICATION #	PLEASE PRINT NAME _____ MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____
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, PHM, VRH, LUHO

Pamela Jo Hatley


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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.

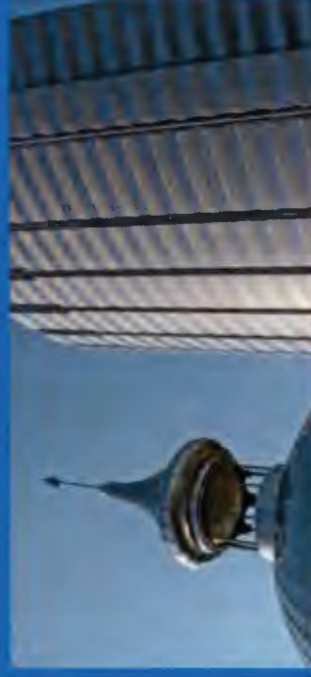
ADJOURNMENT

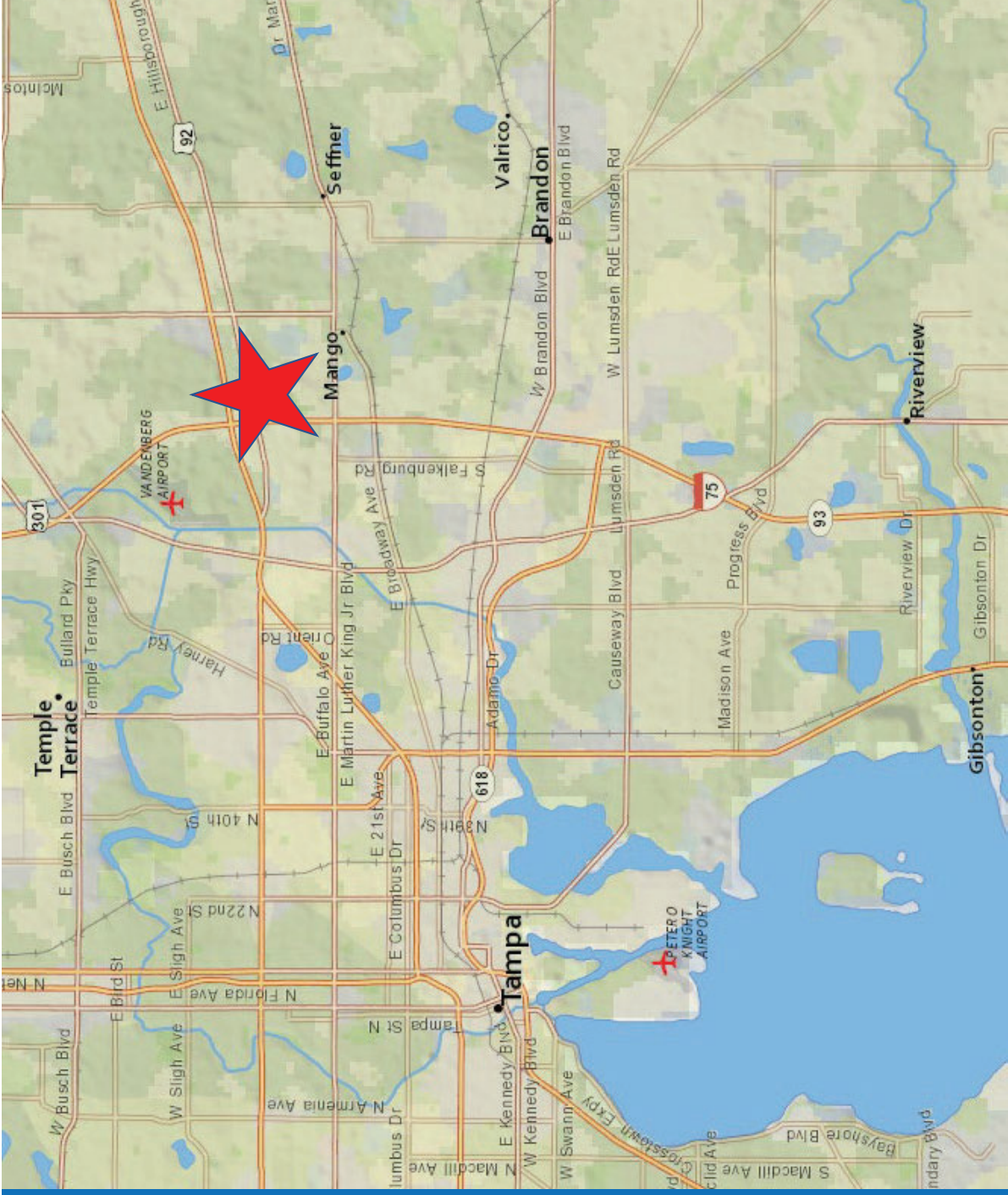
 Pamela Jo Hatley, ZHM, adjourns the meeting.

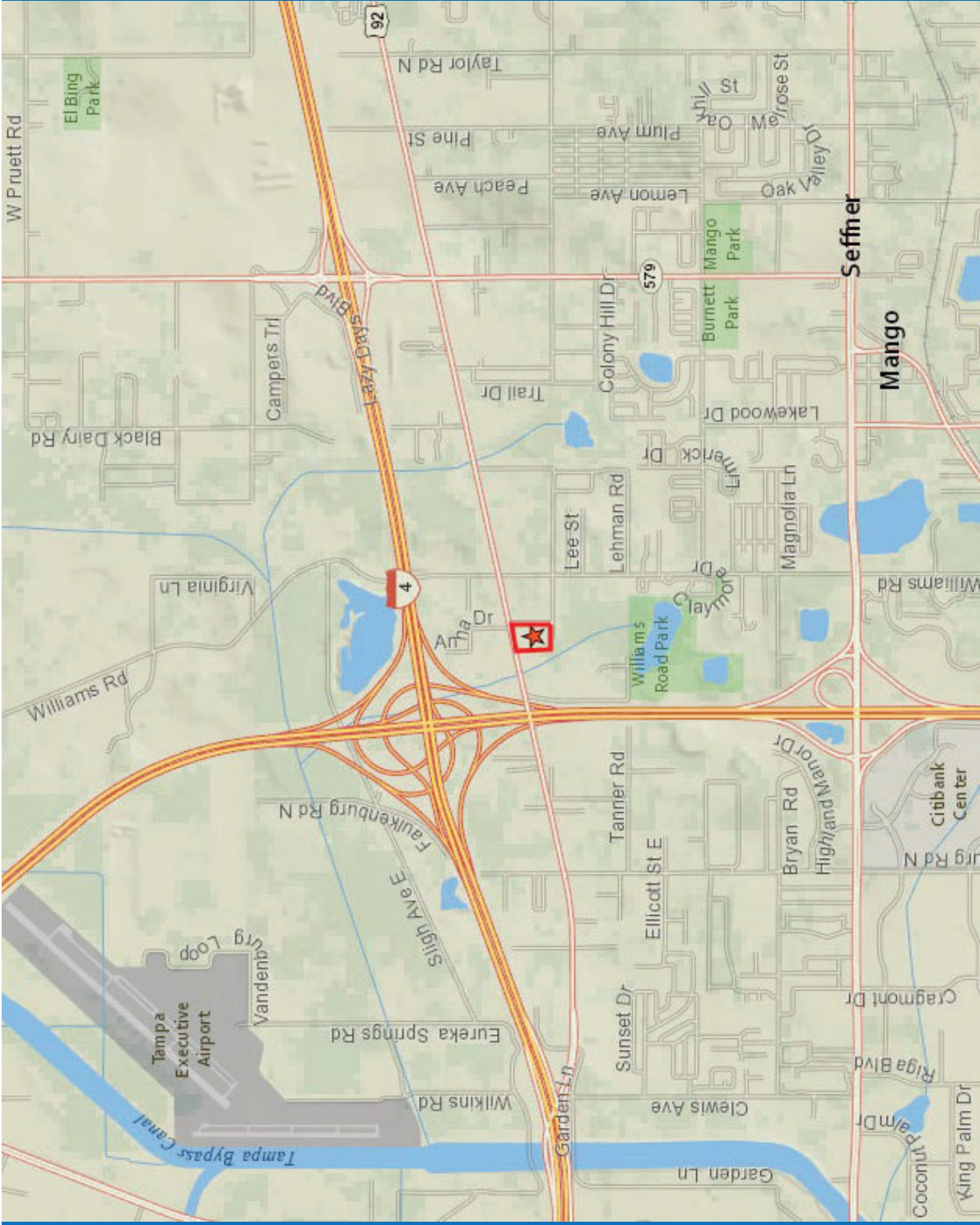
Application No. MM 22-1126
Name: Todd Pressman
Entered at Public Hearing: 2/11/23
Exhibit # 1 Date: 3/20/23



MM 22-16







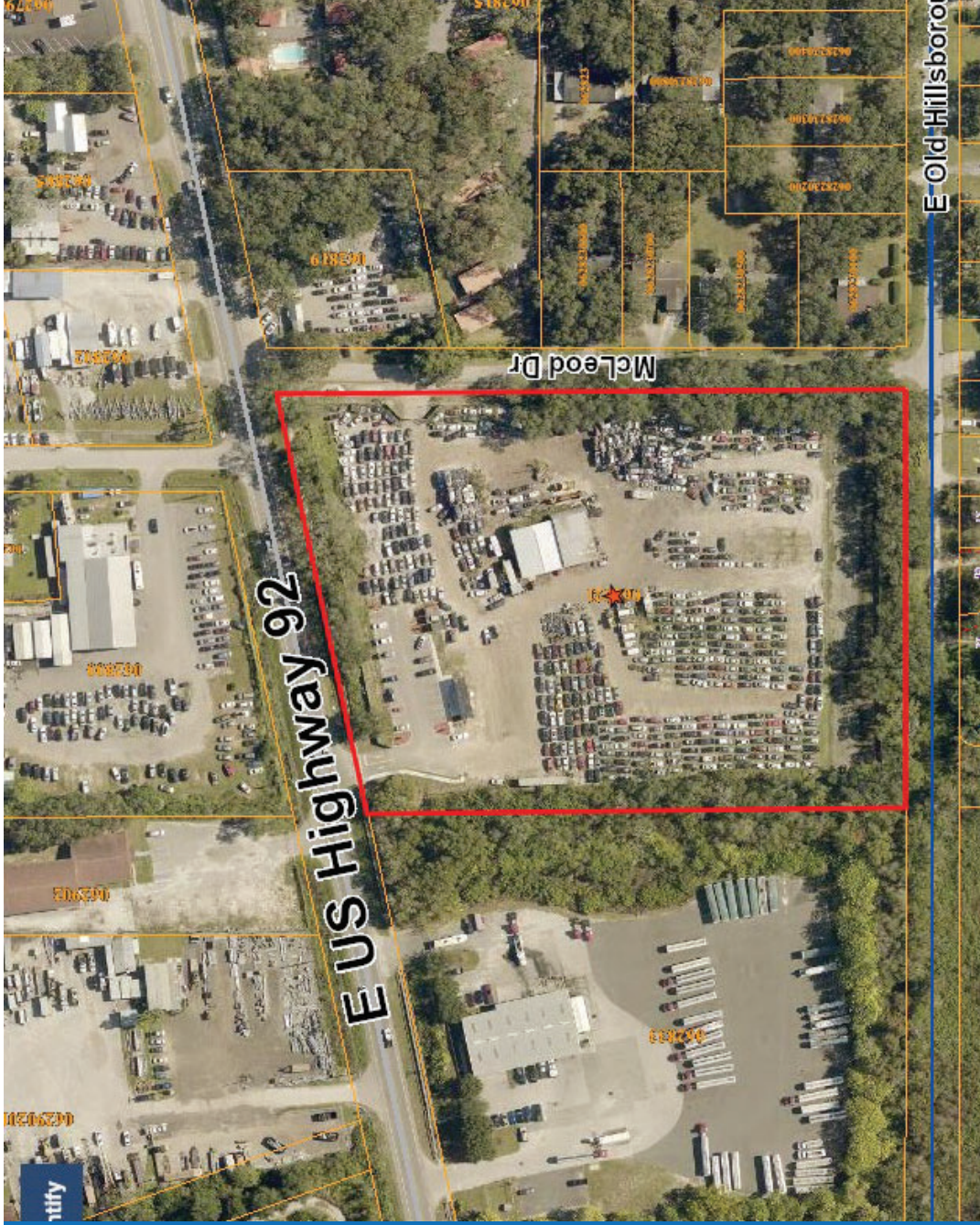
**Issue: Major Modification to a multi-vehicle use
site**

Originally approved in 2015

Modified further in 2017

DSD, PC & ZHM all approved

Current



Current Long Time Approved Uses:

- Sales, rental service of domestic vehicles, farm & rec vehicles
 - Sales of those vehicles
 - Minor and Major vehicle repair
 - Vehicle parts sales
 - Vehicle recycling (open) (no compacting)
 - Related office
- Per Planning Commission... "the proposed PD uses are the same as approved in 2017"

Issue: Major Modification of long time current use

- No use changes

Changes ARE:

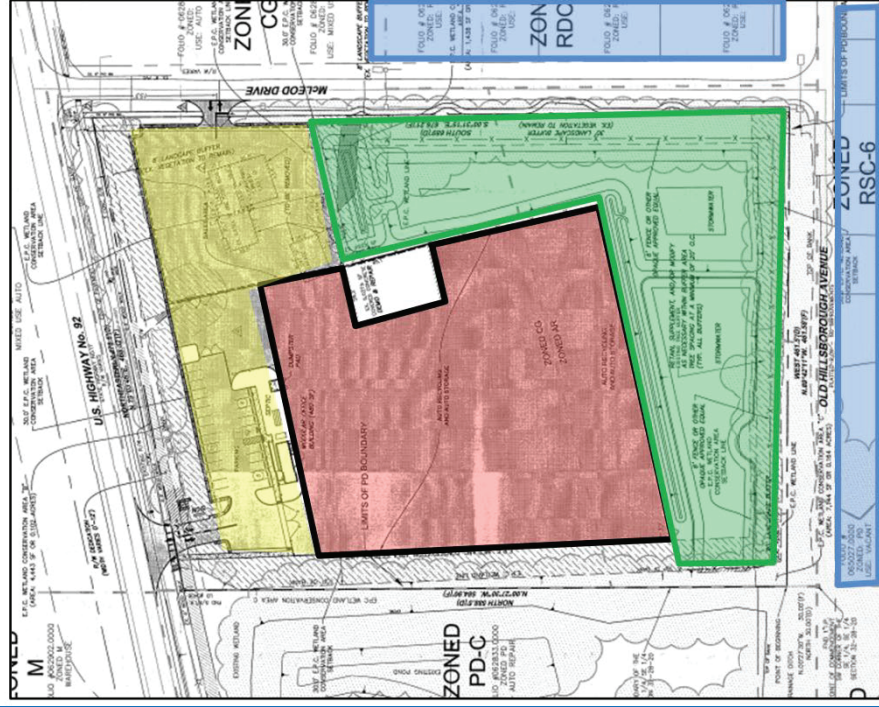
- Site plan/location
- Buffer changes

Issue: Major Modification of long time current use

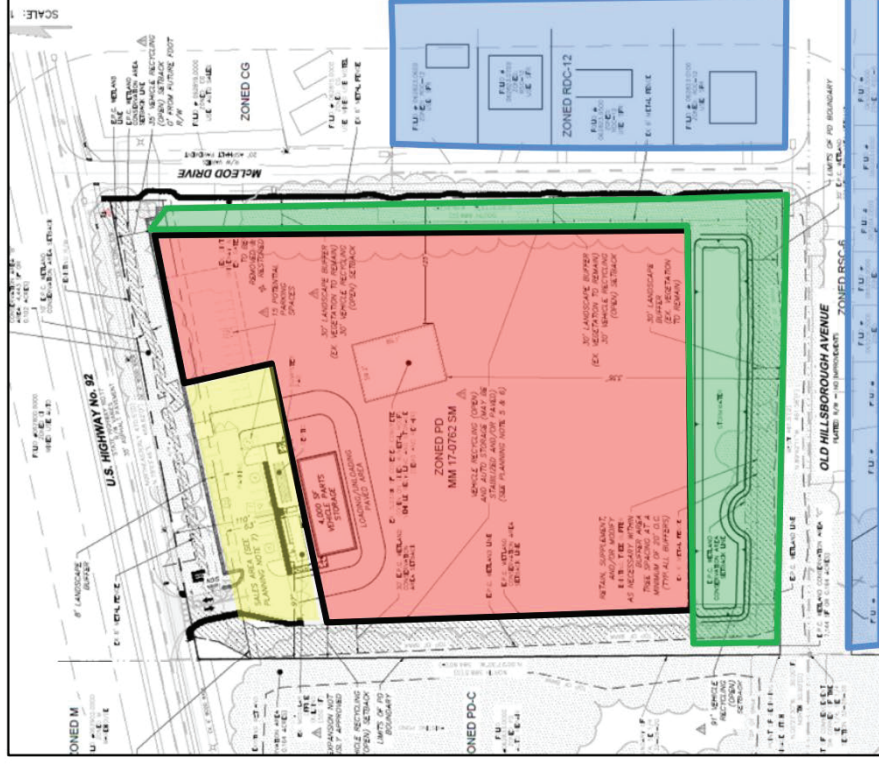
Existing Approval(s):	Proposed Modification(s):
<p>Vehicle recycling (open) area location with the PD:</p> <ul style="list-style-type: none"> • Northwest setback: 35 feet • Northeast setback: n/a • South setback: 110 feet • West setback: 30 feet • East setback: 88 feet 	<p>Vehicle recycling (open) area location within the PD:</p> <ul style="list-style-type: none"> • Northwest setback: 35 feet (no change) • Northeast setback: 0 feet (expansion of area) • South setback: 91 - 93 feet (expansion of area) • West setback: 34 - 46 feet (reduction of area) • East setback: 30 feet (expansion of area)
<p>Sales area located within the northeast portion of the PD</p>	<p>Sales area to be relocated within the vehicle recycling (open) portion of the PD</p>
<p>Office building at 480 square feet and located 103 feet from the western PD boundary</p>	<p>Office building size at 550 square feet and located 97 feet from the western PD boundary</p>
<p>No enclosed storage for vehicle parts</p>	<p>Provision of a 4,000 sf building for enclosed storage of vehicle parts</p>
<p>Covered concrete area located 128 feet from the eastern PD boundary</p>	<p>Covered concrete area to be located 125 feet from the eastern PD boundary.</p>
<p>Western buffer of 30 feet in width</p>	<p>No western buffer</p>
<p>Southern buffer at 30 feet in width. Screening to consist of existing vegetation, tree plantings, and a 6 foot high solid wood or PVC fence, or evergreen shrubs.</p>	<p>Southern buffer of 30 feet in width. Screening to consist of existing vegetation, tree plantings, and a 6 foot high solid wood, PVC or metal fence, or evergreen shrubs.</p>

APPLICATION NUMBER: MM 22-1126	
ZHM HEARING DATE:	March 20, 2023
BOCC LUM MEETING DATE:	May 9, 2023
Case Reviewer: Michelle Heinrich, AICP	
Eastern buffer of 30 feet width. Screening to consist of existing vegetation, and a 6 foot high solid wood or PVC fence, or evergreen shrubs.	Eastern buffer of 30 feet in width. Screening to consist of existing vegetation, and a 6 foot high solid wood, PVC or metal fence, or evergreen shrubs.

Existing Layout



Proposed Layout



Parking/Office/Sales Area

Stormwater/Setback

Vehicle Recycling/Sales Storage

Residential

[illegible]

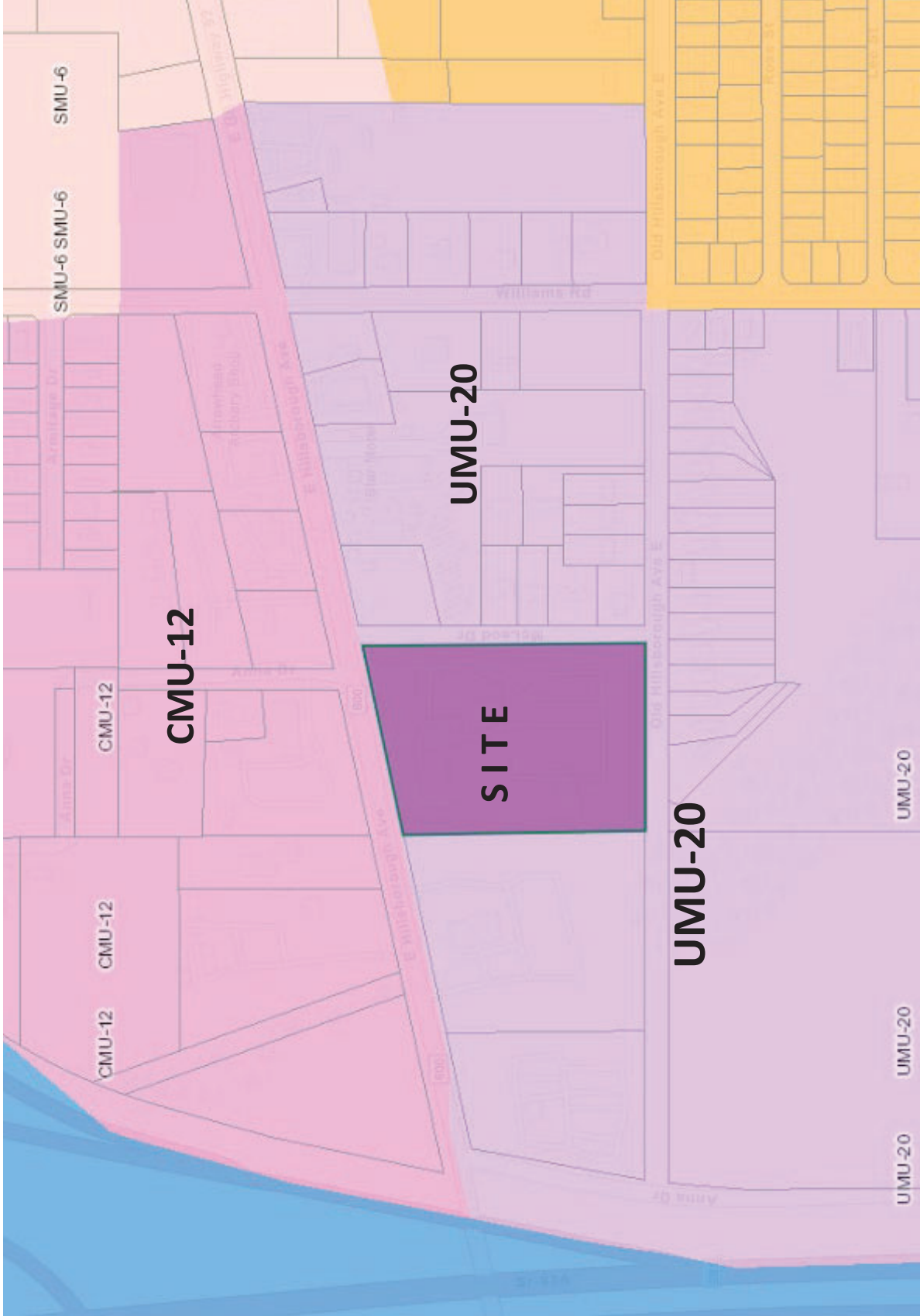
South Setback 110' to 91-93'

West Setback 30' to 34-46'
(area reduction)

The map displays a residential neighborhood with the following features:

- Streets:** Anna Dr, E Hillsborough Ave, Williams Rd, and a road labeled 600.
- Highlighted Lot:** 15-1034 (purple shading).
- Zoning Designations:** PD, RSC-6, MH, AS-1, RDC-12, CG, M, ASC-1, and RSC-9.
- Other Labels:** Star Motel, Refrigerator Shop, and various lot numbers (e.g., 84-0262, 16-0658, 99-1225, 22-0115, 12-0486, 06-0547, 84-0068, 22-0683, 00-1286, 19-0775, 83-0259, 77-0128, 07-1144).

FLU



UMU-20: ...Regional Commercial...Light
Industrial...multi-purpose

CMU-12:...community retail commercial...light
industrial

Buffer Changes (Existing)

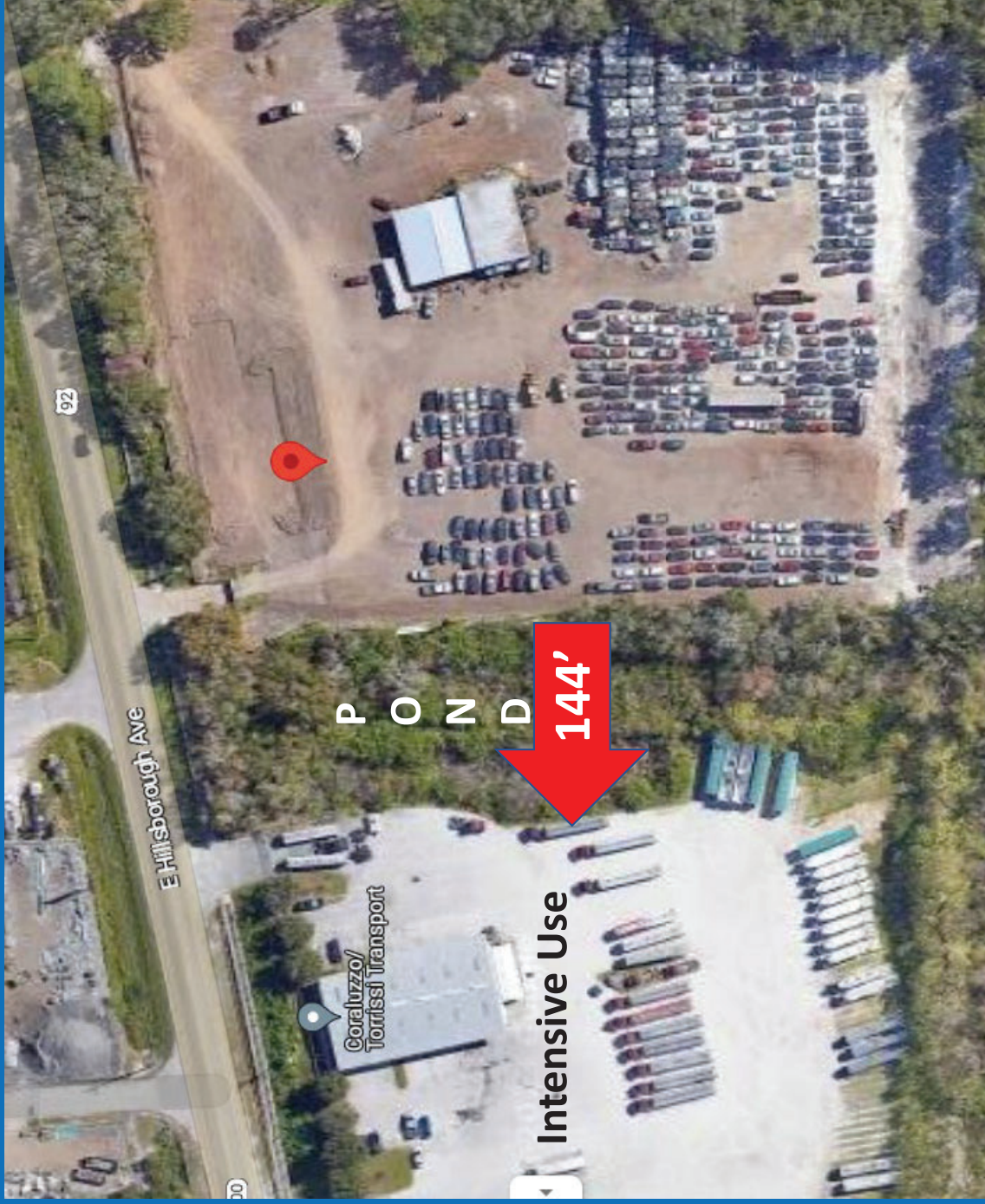
Only changes are what's in the buffer



Metal Fence

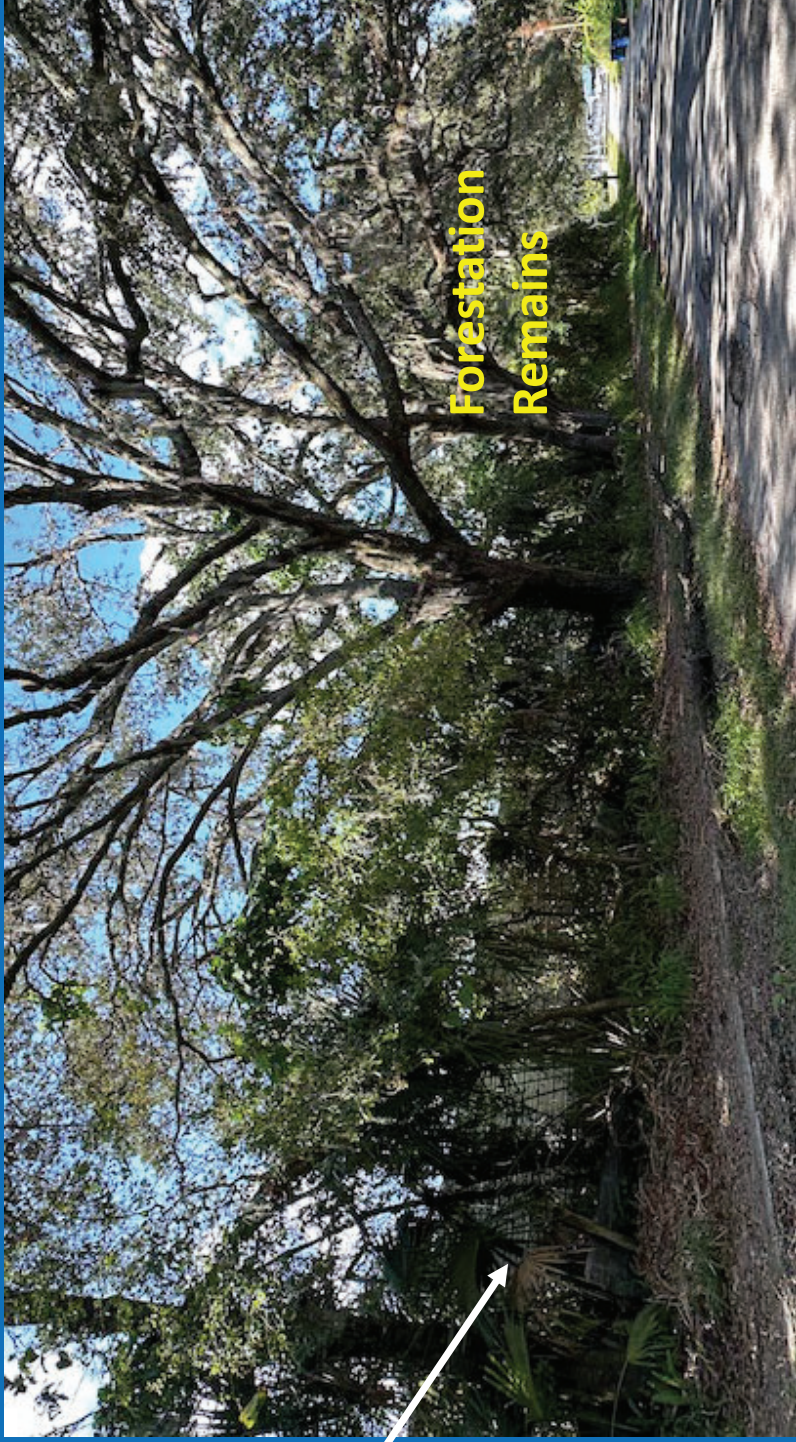
Forestation
Remains

SOUTH



Buffer Changes (Existing)

Only changes are what's in the buffer



EAST

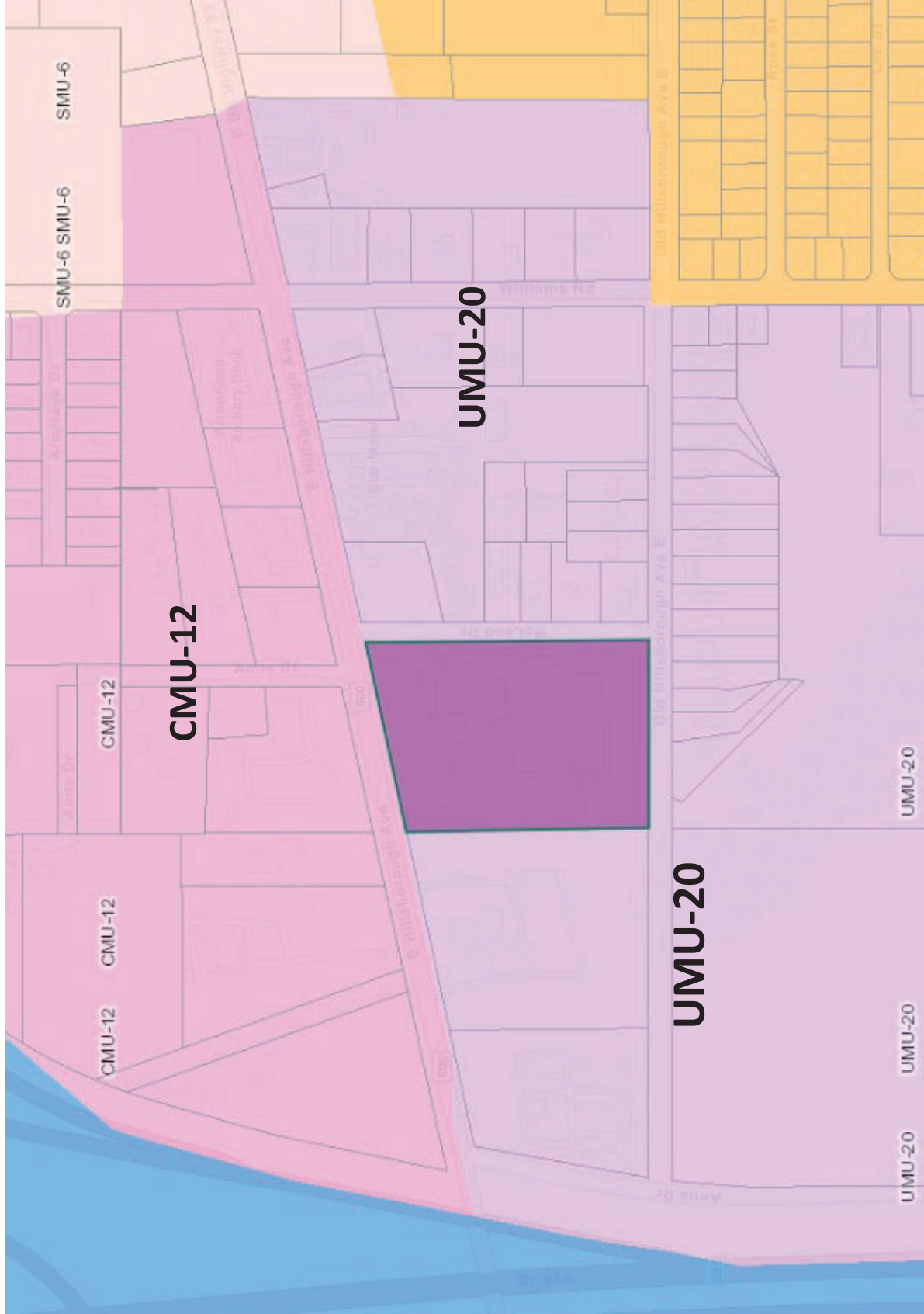
Metal Fence

Forestation
Remains

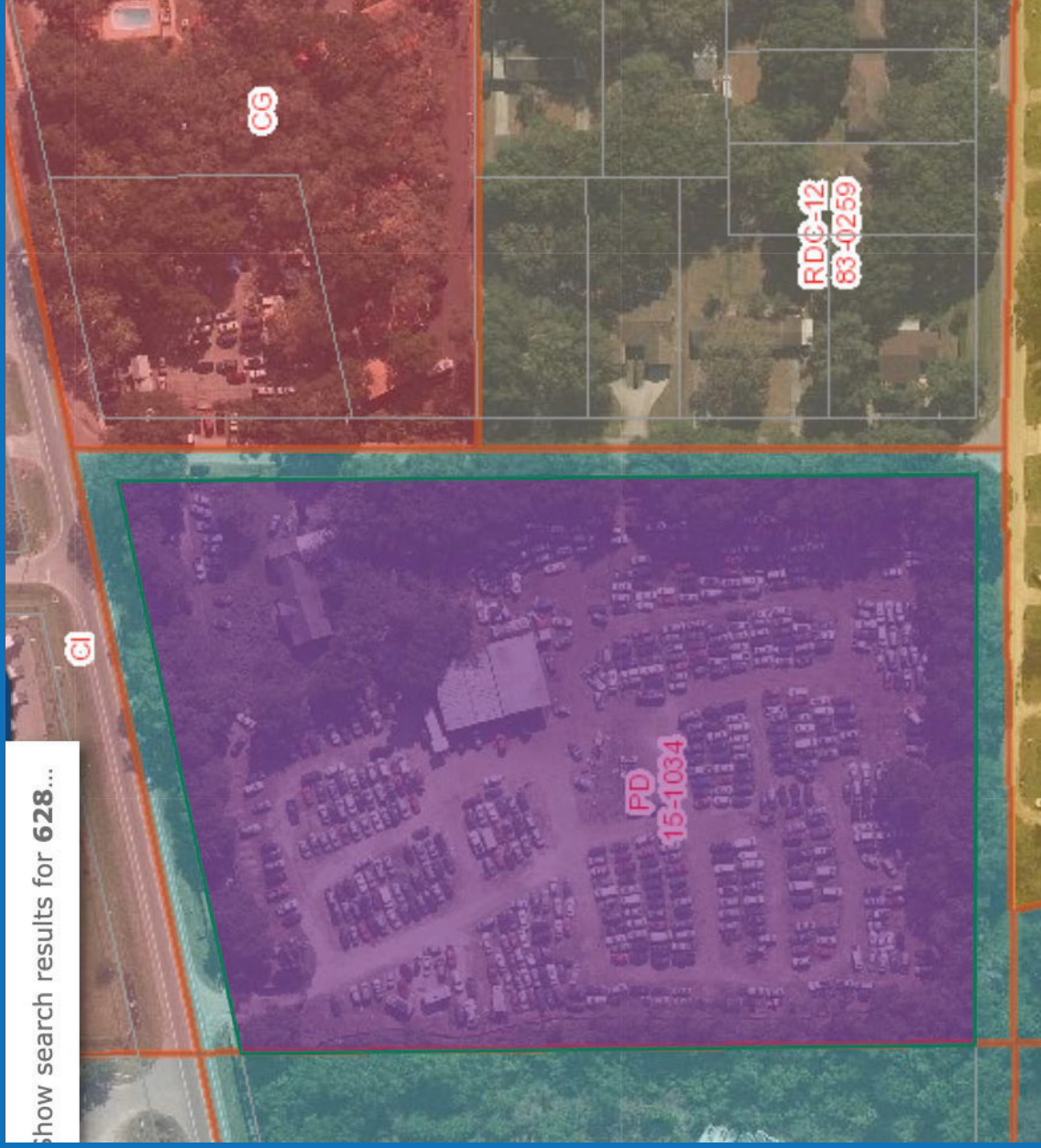
POINTS IN SUPPORT

FLU

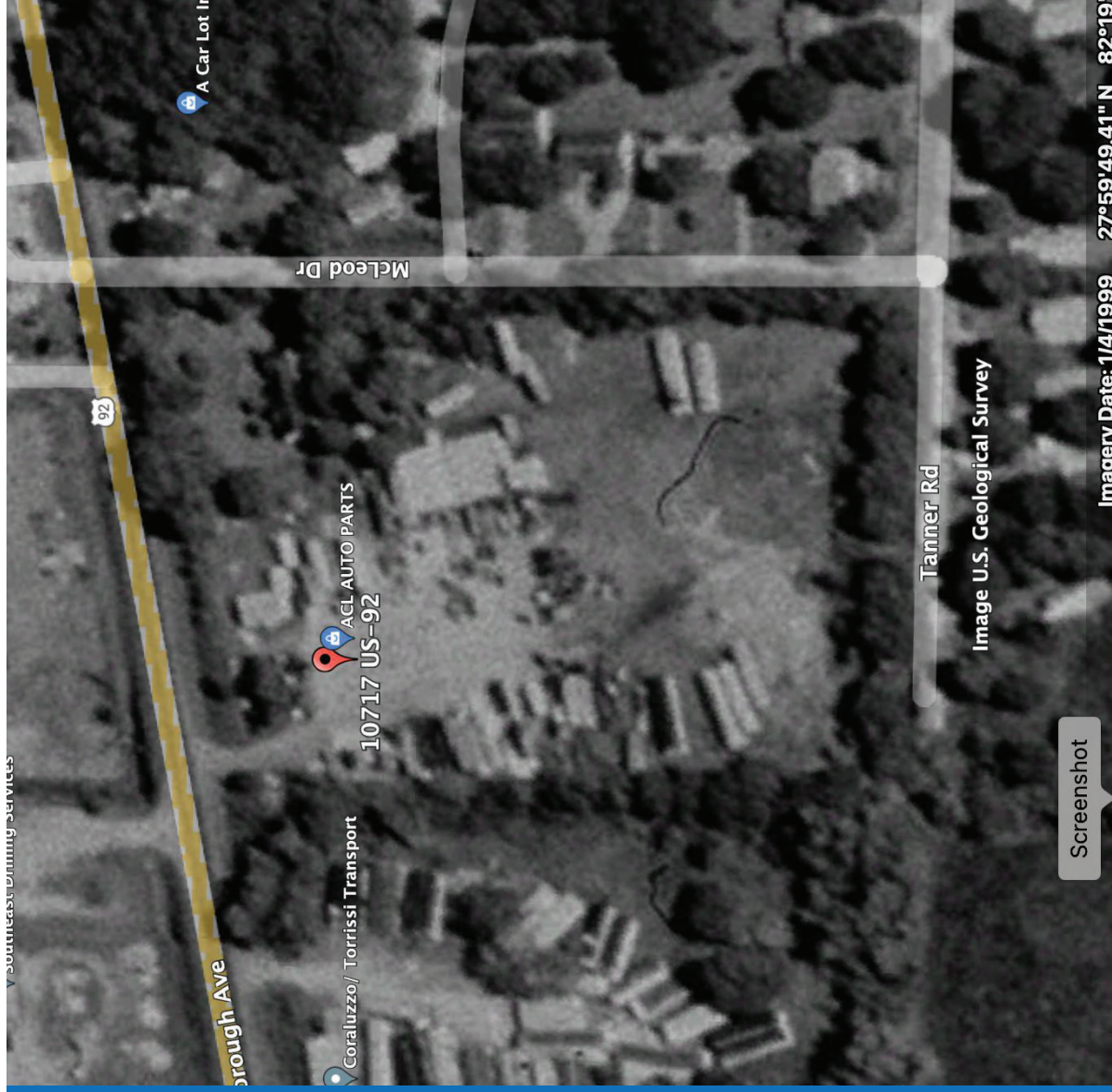
Regional
Commercial;
Light
Industrial

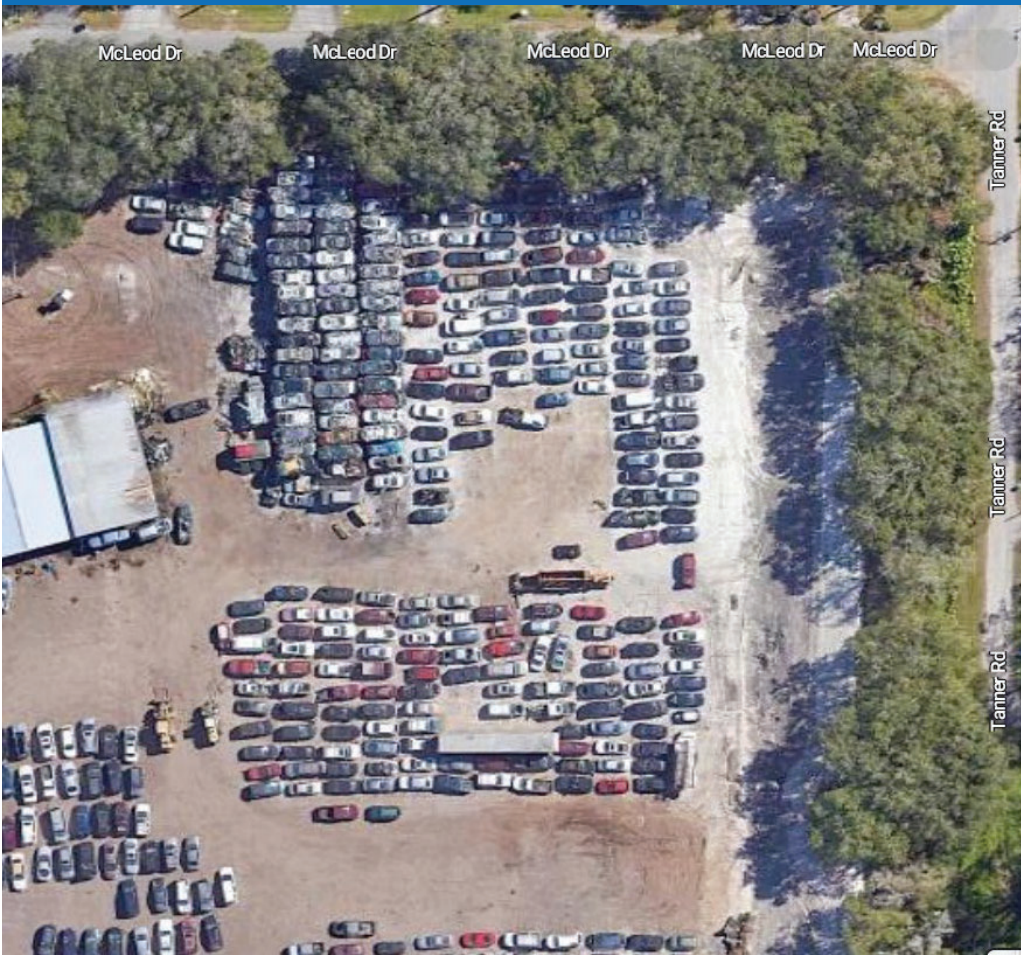


McLoed Drive



1999





SOUTH



EAST



EAST



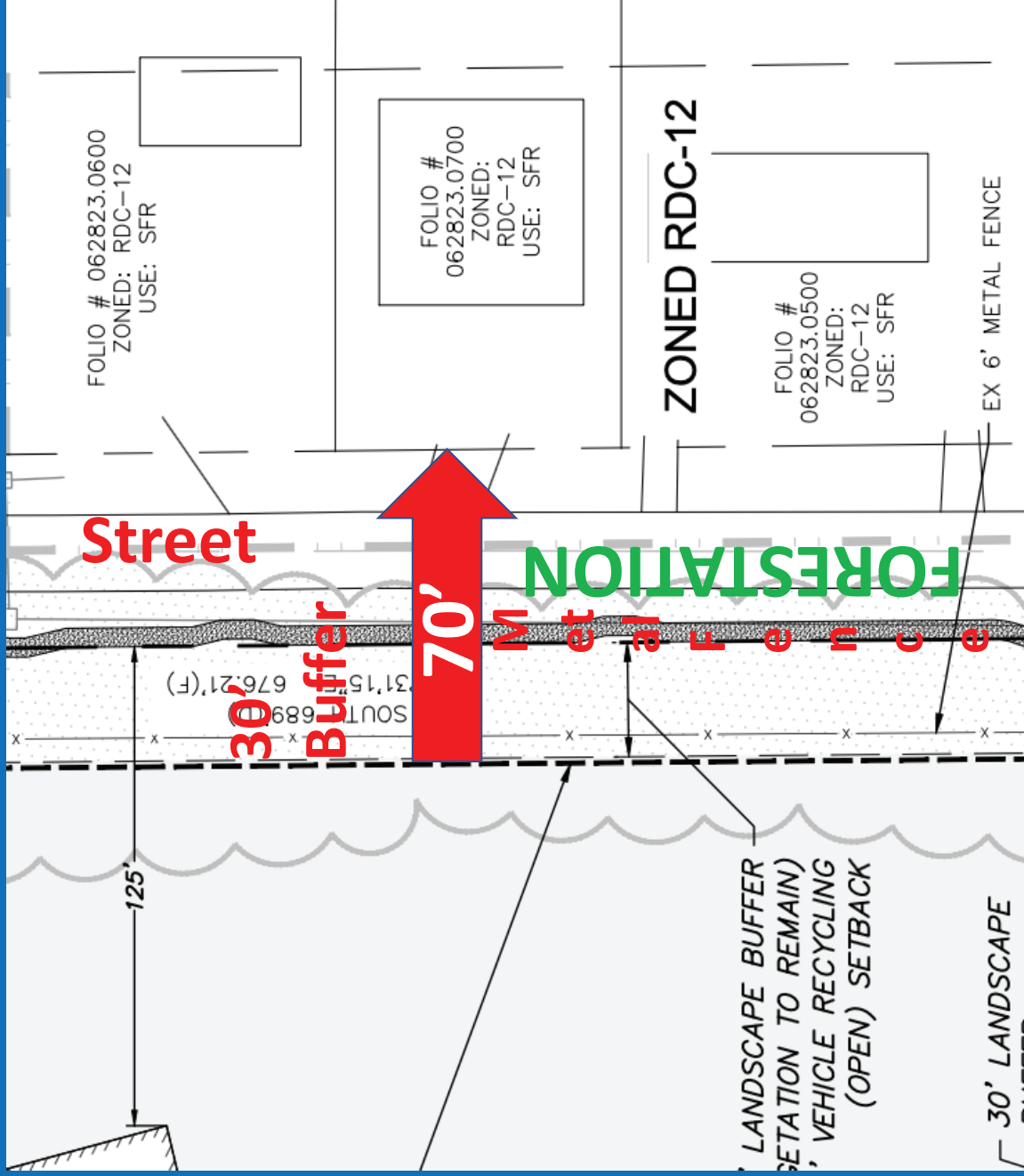


NORTH

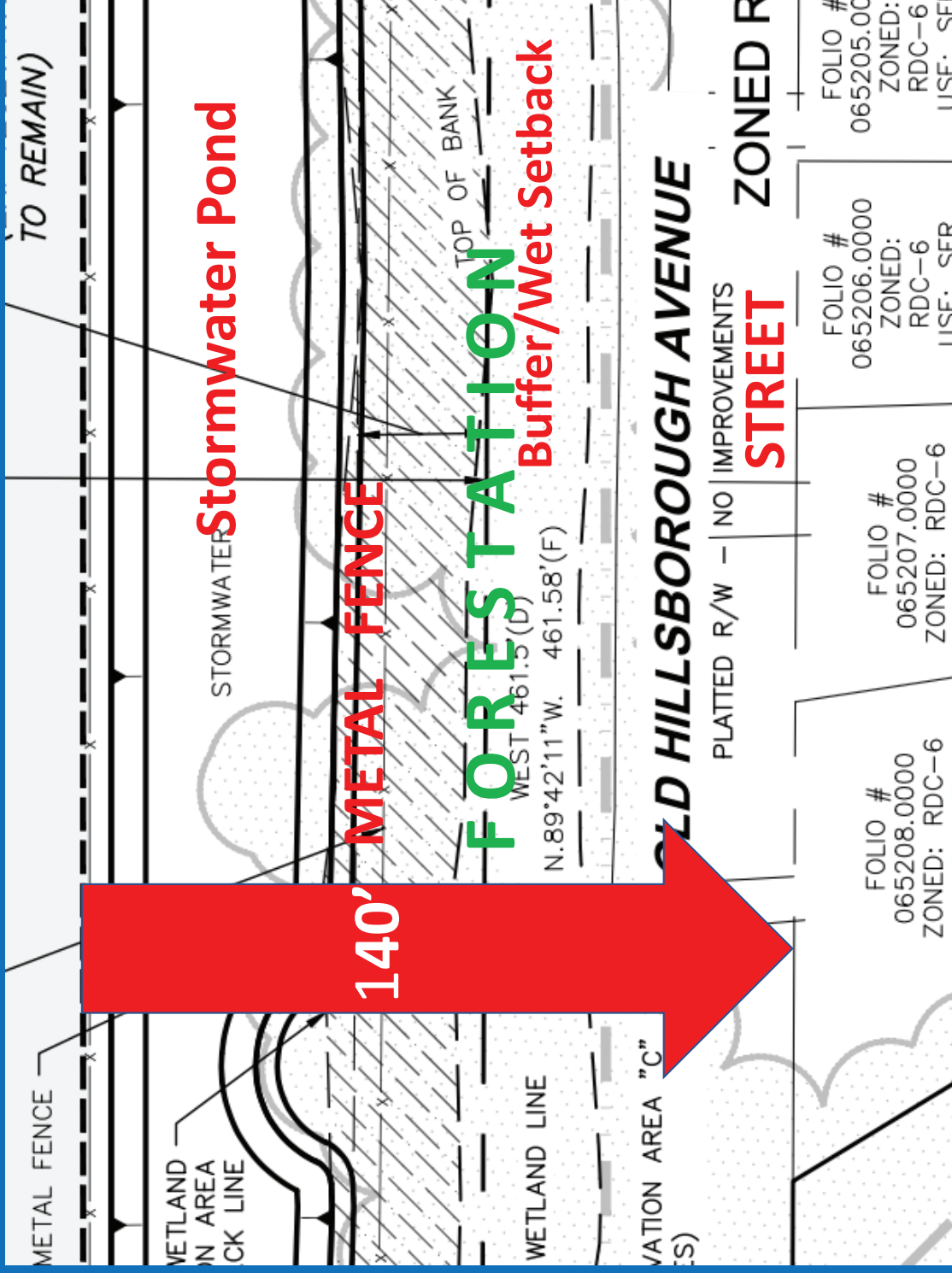


NORTH

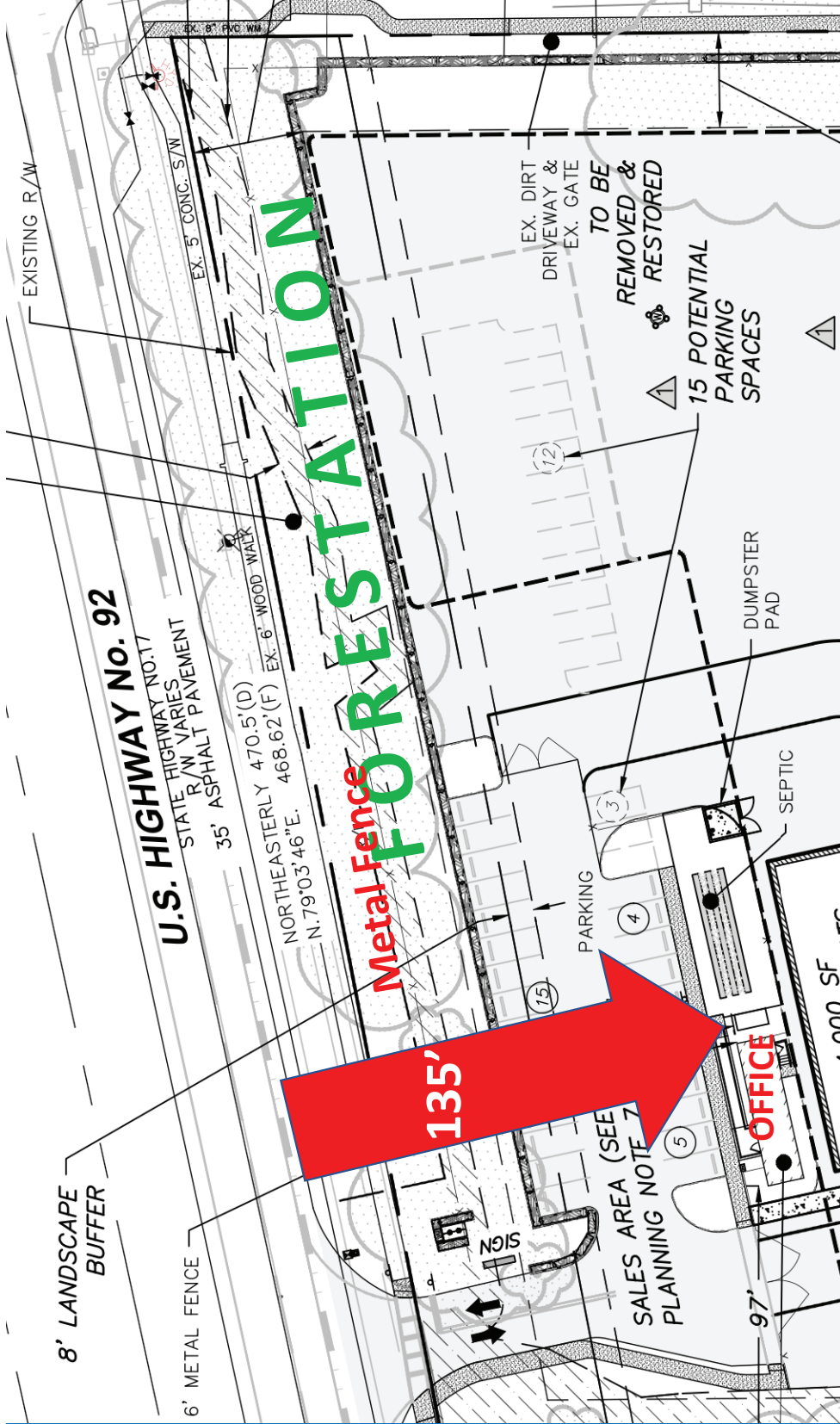




EAST: Metal fence has provided much better security



SOUTH



Zoning Staff

“It is staff’s position that a more attractive type of screening, which is required for in the Land Development Code, be provided”.

“...screening shall be provided and consist of 6 foot high masonry walls, solid PVC fences, solid wooden fences or evergreen shrubs” (at the time of installation shall be six feet in height and 75 percent opaque and shall grow to form a continuous hedge)

Planning Commission:

“The uses are within character of the area as it is located on a principal arterial roadway with similar commercial uses along the corridor.”

1.0 COMMUNITY AND SPECIAL AREA STUDIES

SEFFNER - MANGO

SEFFNER-MANGO COMMUNITY PLAN

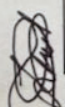
“Recognize the commercial character of US 92 and MLK, Jr. Blvd. within the USA”

3. **Goal:** Commercial development should be directed to the US 92 and Martin Luther King Boulevard corridors.

Petition in Support

To Hillsborough County Government:
For: Re-Zoning Major Modification 22-1126 at 10717 E. Hwy. 92, Tampa, FL

As closely located neighbors, we support the continued use and changes proposed for this application for: metal fencing; leave existing landscaping; vehicle parts indoor storage; covered concrete pad; setback changes; sales area; office building...
Thank you.

NAME	ADDRESS	DATE
Ashley Ringle	10803 Old Hillsborough Ave Tampa FL 33610	3/14/23
Heather Angulos-Lentel	10807 Old Hillsborough Ave Tampa FL 33610	3-14-23
	10807 Old Hillsborough Ave Tampa FL 33610	3/14/23

LIVE

Petition in Support

To Hillsborough County Government:
For: Re-Zoning Major Modification 22-1126 at 10717 E. Hwy. 92, Tampa, FL

As closely located neighbors, we support the continued use and changes proposed for this application for: metal fencing; leave existing landscaping; vehicle parts indoor storage; covered concrete pad; setback changes; sales area; office building...
Thank you.

NAME	ADDRESS	DATE
Abel Cota	5613 ANNA DR	3/14/23
Nancy & Lyle	10819 Old Hillsborough Ave	3/14/23
Lucia Christ	10819 Old Hillsborough Ave	3/14/23
Samuel Barber	5413 McLeod Dr Hillsborough	3/14/23

Latimer

5405 McLeod Dr. Unit A+B 3/5/23

By S O'Army

5415 McLeod Dr 3/5/23

Walter Beer,

Jermade Dr

10809 Old

Hillborough

Tempe FL 33610

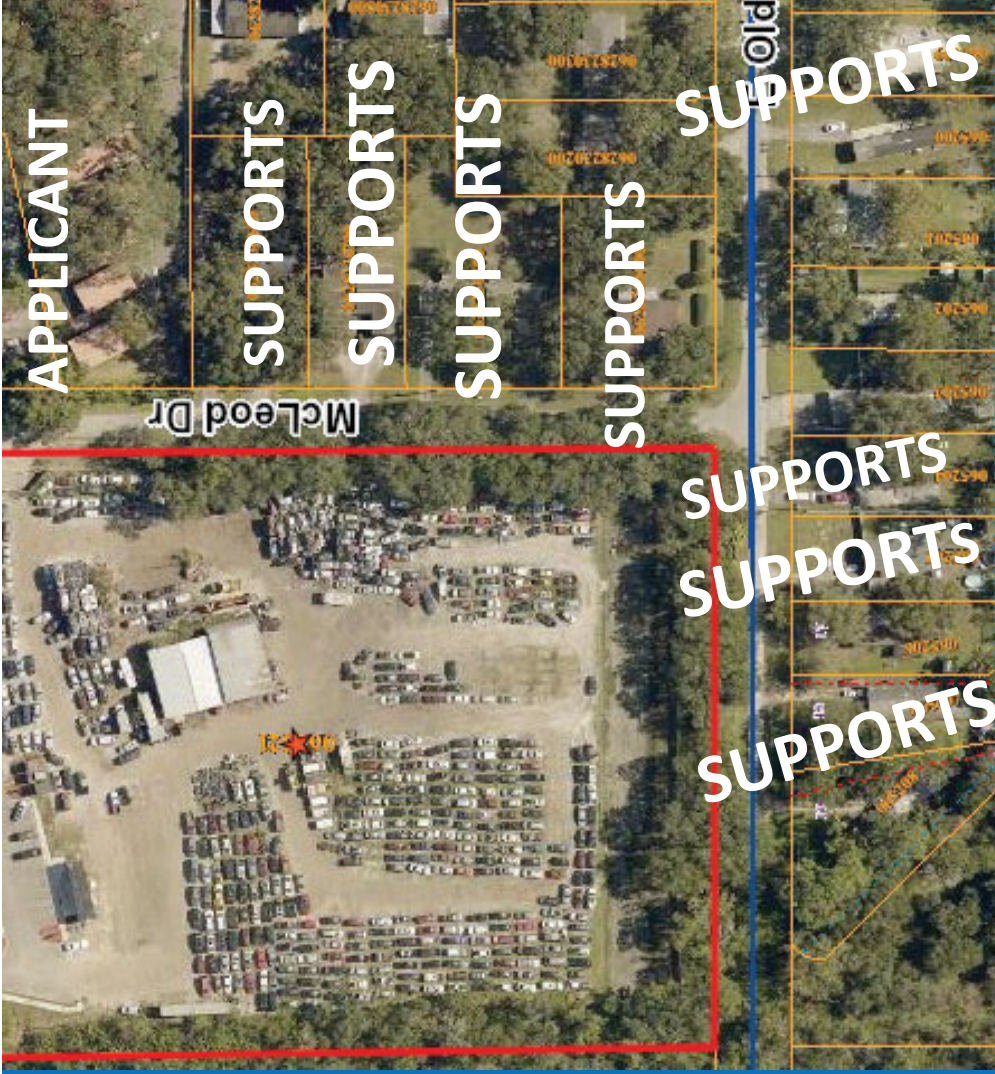
3/14/23

Samuel Barber 5413 McLeod Dr Hillsborough

Clayton J. Schapf 5520 ANNAND HILL 3-15-23

Alison Mooney 5409 McLeod Dr Unit A 03/15/23

Screenshot



Applicant collected
petition signatures
in support

APPLICATION: MM 22-1126
ZHM HEARING DATE: 3/20/23
BOCC Meeting Date: 4/10/23

Application No. MM 22-1126
Name: Todd Pressman
Entered at Public Hearing: 214M
Exhibit # 2 Date: 3/20/23

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted 6/27/2022.

1. The development shall be limited to the following uses: (1) the sales, rental and service of used domestic automobile vehicles, farm and garden equipment, and hobby and pleasure crafts; (2) the sales, rental and service of used commercial vehicles, trucks, buses and recreational vehicles; (3) minor and major vehicle repair; (4) motor vehicle body work and painting; (5) vehicle parts sales; (6) vehicle recycling (open) excluding compacting; and (7) related office uses.
2. Vehicle recycling (open) uses shall be permitted where shown on the site plan ~~in the south area~~ of the planned development ("~~auto~~ Vehicle recycling (open) and auto storage area") at a minimum distance of ~~91-110~~ 91 feet from the southern property line, and 30 feet from the western property line and ~~88~~ 30' from the eastern property lines as shown on the site plan. ~~No automobile Vehicle recycling (open) and auto storage use shall be permitted north of the modular office building, east of the parking area or within the sales area.~~ All other permitted uses shall be permitted north of the "auto recycling and auto storage area" in the open sales area, in the multi-purpose building, in the storage building, and in the demo and repair area and in the sales office/storage building. Notwithstanding the above, the site shall be developed in compliance with LDC Sections 3.05.02 (Wellhead Resource Protection Area Map, Surface Water Resource Protection Area Map and Potable Water Wellfield Protection Area Map) and 3.05.03 (Prohibited Activities in the Wellhead Resource Protection Areas and Surface Water Resource Protection Areas).
3. Maximum building square footage shall be as provided on the site plan and ~~all the buildings are is~~ limited to ~~one-story~~ 35 feet in height. The maximum square footage for the "demo and repair" covered area shall be as depicted on the site plan. ~~All~~ The buildings, carports parking area, sales area, and covered concrete demo and repair areas and stormwater ponds shall be located where depicted on the site plan. The modular office building shall be located a minimum of 110 63 feet from the northern PD boundary. A Reduced setbacks for the modular office building from US Highway 92 (the northern PD boundary) equal to the amount of right of way to be preserved along US Highway 92 may be permitted.
4. A 30-foot wide landscape buffer shall be provided along the eastern, western and southern boundaries where depicted on the site plan. The landscape buffer shall consist of existing vegetation. Along the eastern and southern 30-foot wide landscape buffers, the developer shall provide a six foot high solid wood, metal or PVC fence, or evergreen shrubs which at the time of installation shall be six feet in height and 75% opaque and shall grow to form a continuous hedge. A vehicular cross access connection (stub out) within the western 30 foot wide landscape buffer shall be permitted, subject to approval by the Environmental Protection Commission.
5. In accordance with the Hillsborough County Corridor Preservation Plan, the developer shall preserve up to ~~27~~ 52 feet of additional right-of-way along the project's US Highway 92 frontage, such that a minimum of 67 feet south of the existing US Highway 92 right of way centerline is preserved for future improvements. Only those interim uses allowed by the Hillsborough County Land Development Code shall be permitted within the preserved right-of-way. The right-of-way preservation area shall be shown on all future site plans, and building setbacks shall be calculated from the future right-of-way line. Notwithstanding anything herein to the contrary, the amount of required right-of-way preservation may be reduced if, at the time of site plan

- review for development within the subject parcel, an updated Project Development and Environmental study has been completed and approved by the Florida Department of Transportation supporting a reduction. All such deviations shall be subject to the approval of Hillsborough County Public Works.
- ~~6. The developer shall coordinate with the Florida Department of Transportation regarding the location of the required internal sidewalk connection with the existing boardwalk within US 92 right of way. Design shall be subject to the approval of Hillsborough County and the Florida Department of Transportation.~~
- ~~7. Concurrent with site development, the developer shall construct a minimum 24 foot wide vehicular cross access connection (stub out) to its westernmost property boundary, unless prohibited by the Environmental Protection Commission.~~
8. The developer shall be allowed two access connections. One access connection shall be allowed on U.S. Highway 92. The second access connection shall be allowed on McLeod Drive.
- ~~9.~~ Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- ~~10.~~ The construction and location of any wetland impacts are not approved by EPC review comments, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the property.
- ~~11.~~ Prior to the issuance of any building or land alteration permits or other development, the approved wetland/other surface waters (OSW) line must be incorporated into the site plan. The wetland/OSW line must appear on all site plans, labeled as "EPC Wetland Line," and the wetland line must be labeled as "Wetland Conservation Area" pursuant to the Hillsborough County Land Development Code.
- ~~12.~~ Final design of buildings, stormwater retention areas, and ingress/egress are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- ~~13.~~ An evaluation of the property identified a number of mature trees that may include grand oaks. The potential stature of these trees warrants every effort to minimize their removal. The applicant is encouraged to consult with staff of the Natural Resources Unit for design input addressing these trees prior to submittal of preliminary plans through the Land Development Code's Site Development or Subdivision process.
- ~~14.~~ If the notes and/or graphics on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above

APPLICATION: MM 22-1126

ZHM HEARING DATE: 3/20/23

BOCC Meeting Date: 4/10/23

stated conditions shall be interpreted as regulations in effect at the time of preliminary plan/plat approval.

Zoning Administrator Sign-off:	

Rosemary Egan 10811 Old Hillsboro Ave 3/15/23

Dana Carter 5415 McLeod DR 3/17/23

MMA 10816 Old Hillsboro Ave

Michelle 10822 Old Hillsboro Ave

Petition in Support

The undersigned hereby declare that I am
The undersigned hereby declare that I am

As shown by the record and the fact that the undersigned and the undersigned
for the undersigned, and the undersigned, and the undersigned, and the undersigned
and the undersigned, and the undersigned, and the undersigned, and the undersigned

Thank you

DATE

3/1/53

NAME

Charles E. Smith 1000 N. 1st St. St. Petersburg, Fla.

Charles E. Smith 1000 N. 1st St. St. Petersburg, Fla. 3-14-53

3-14-53

1000 N. 1st St.

St. Petersburg, Fla.

CONFIDENTIAL

CONFIDENTIAL - SECURITY INFORMATION
This document contains information that is exempt from public release under the Freedom of Information Act, 5 U.S.C. 552, and is to be controlled, stored, handled, transmitted, and disposed of in accordance with the provisions of the Freedom of Information Act, 5 U.S.C. 552, and the Department of Defense Freedom of Information Act Regulations, 32 CFR 1.101.

As a result of the review of this document, it was determined that it contains information that is exempt from public release under the Freedom of Information Act, 5 U.S.C. 552, and is to be controlled, stored, handled, transmitted, and disposed of in accordance with the provisions of the Freedom of Information Act, 5 U.S.C. 552, and the Department of Defense Freedom of Information Act Regulations, 32 CFR 1.101.

TOP SECRET

DATE

EXEMPT

EXEMPT

3/4/23

CONFIDENTIAL - SECURITY INFORMATION

CONFIDENTIAL - SECURITY INFORMATION

CONFIDENTIAL

CONFIDENTIAL - SECURITY INFORMATION

CONFIDENTIAL

CONFIDENTIAL - SECURITY INFORMATION

1/14/23

Amount Due: 240 received on 1/14/23

Cheryl Schaffel 2500 Avenue Hills 2-15-23

Alice Morley Super Market Unit 4 03/15/23

03/15/23

Sharon Brown 5400 McLeod Dr. Rockledge, FL 32955

Copy of School Report 2-15-23

Sharon Brown Super McLeod Dr Unit 4 03/15/23

1/15/23

Admission Document - 2414 received on 1/15/23

Cheryl Schuchman 7520A W. Hill 2-15-23

Alison Taylor 5409 Wood Dr Unit A 03/15/23

Adrian

54025 Mt (and Dr. Unit A+B

03/15/23

Adrian

54025 Mt (and Dr. Unit A+B

03/15/23

Adrian

54025 Mt (and Dr. Unit A+B

03/15/23

Adrian

54025 Mt (and Dr. Unit A+B

03/15/23

54025 Mt (and Dr. Unit A+B

03/15/23

54025 Mt (and Dr. Unit A+B

03/15/23

UNITED STATES DEPARTMENT OF THE ARMY

W. H. [Signature]

SUBJ: [illegible]

03/15/23

[Signature]

54025- [illegible] Unit [illegible]

[Signature]

54025- [illegible] [illegible]

Walter [Signature]

03/15/23
Hill [illegible]
[illegible]

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PARTY OF RECORD

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