**Rezoning Application:** 23-0714

**Zoning Hearing Master Date:** December 18, 2023

BOCC Land Use Meeting Date: February 13, 2024



**Development Services Department** 

## 1.0 APPLICATION SUMMARY

Applicant: Highland Homes, Inc.

FLU Category: R-4

Service Area: Urban

Site Acreage: 15.85

Community Plan Area: Ruskin

Overlay: None



## Request Summary:

Request to rezone five parcels from RSC-6 (Residential Single-Family Conventional- 6) & AR (Agricultural Rural) to RSC-9 Restricted (Residential Single-Family Conventional- 9) in order to facilitate residential single-family development. Added restrictions are to ensure the project meets the Ruskin Community Plan Guidelines. A vacation request for existing right-of-way established in a previous subdivision is being submitted concurrently with this application.

Zoning:	Existin	Proposed	
District(s)	RSC-6 AR		RSC-9 Restricted
Typical General Use(s)	Single-Family Residential	Single-Family	Single-Family Residential
Typical General Ose(s)	(Conventional/Mobile Home)	Residential/Agricultural	(Conventional Only)
Acreage	7.79 (339,332.4 sf)	7.79 (339,332.4 sf)	15.85 (690,426 sf)
Density/Intensity	4 units per acre	1 unit per 5 acres	1 unit per 6,000 sf
Mathematical Maximum*	31 units	1 unit	115 units

<sup>\*</sup>number represents a pre-development approximation

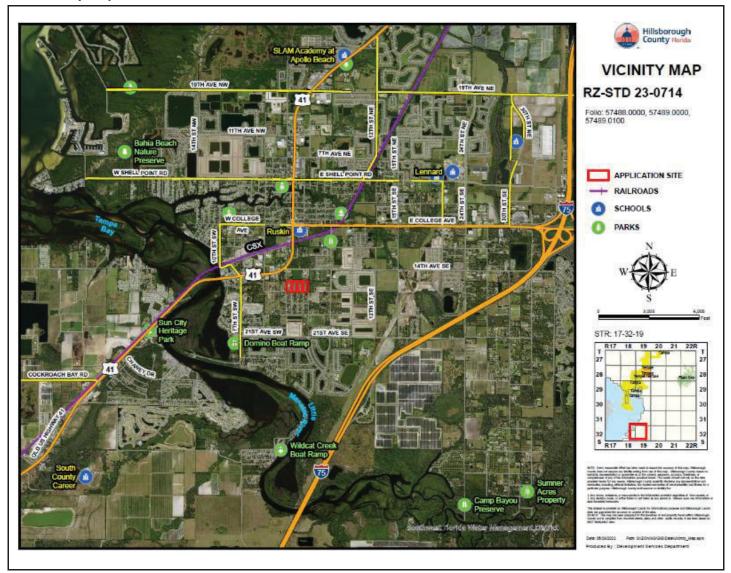
Development Standards:		Proposed	
District(s)	RSC-6	AR	RSC-9 Restricted
Lot Size / Lot Width	7,000 sf / 70'	217,800 sf / 150'	6,000 sf/ 55' & 60'
Setbacks/Buffering and Screening	Front: 25' Side: 7.5' Rear: 25'	Front: 50' Side: 25' Rear: 50'	Front: 20' Side: 5' Rear: 20'
Height	35'	50′	35'

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

Planning Commission Recommendation:	Development Services Recommendation:		
Inconsistent	Approvable, with Restrictions		

## 2.0 LAND USE MAP SET AND SUMMARY DATA

## 2.1 Vicinity Map



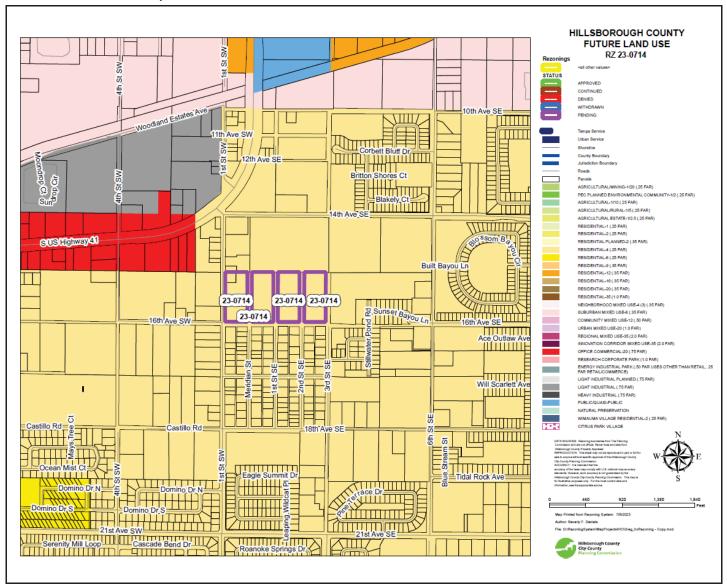
## Context of Surrounding Area:

The subject properties are generally located at 1502 SW 1<sup>st</sup> Street and about 770 feet south of US Highway 42. The properties are bordered by zoning districts RSC-6 & AR to the north, ASC-1 to the east, RSC-6 to the south, and ASC-1 to the west. The dominant use in the area is residential with some non-commercial concentrated along the highway and 14<sup>th</sup> Avenue SE. The properties are bordered to north by a large detention pond. Additionally, the properties are within Area 3 of the Ruskin Community Plan and in the Urban Service Area.

Case Reviewer: Jared Follin

## 2.0 LAND USE MAP SET AND SUMMARY DATA

## 2.2 Future Land Use Map

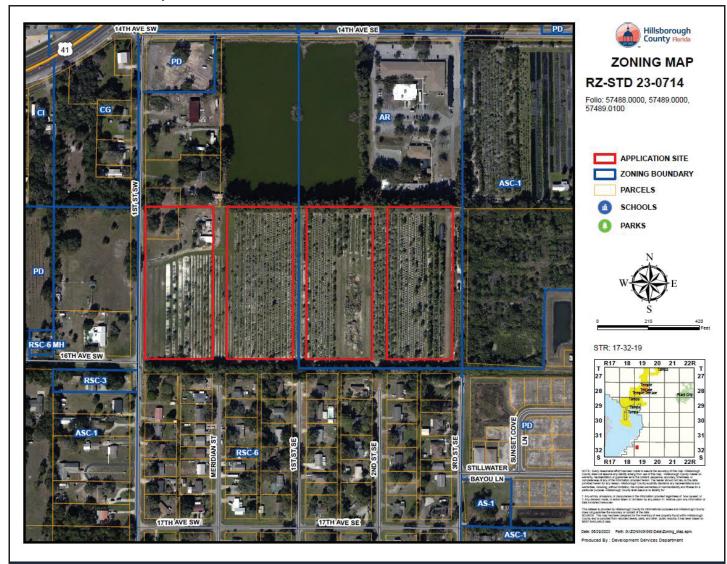


Subject Site Future Land Use Category:	Residential- 4 (RES-4)
Maximum Density/F.A.R.:	4.0 dwelling units per gross acre/175,000 sq feet or .25 FAR (non-residential)
Typical Uses:	Residential, suburban scale neighborhood commercial, office uses, and multi- purpose projects. Non-residential uses shall meet locational criteria for specific land use.

Case Reviewer: Jared Follin

## 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	RSC-6 & AR	1 du per 7,000 sf (RSC-6) 1 du per 5 gross acres (AR)	Residential Single-Family / Agriculture	Mobile Homes, government services	
South	RSC-6	1 du per 7,000 sf	Residential Single-Family	Residential Single-Family	
East	ASC-1	1 du per gross acre	Residential Single-Family / Agriculture	Undeveloped	
West	ASC-1	1 du per gross acre	Residential Single-Family / Agriculture	Residential Single-Family, undeveloped	

APPLICATION NUMBER:	RZ 23-0714	
ZHM HEARING DATE: BOCC LUM MEETING DATE:	December 18, 2023 February 13, 2024	Case Reviewer: Jared Follin

## 3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 7.0 OF STAFF REPORT)

Adjoining Roadways (check if applicable)					
Road Name	Classification	Current Conditions	Select Future Improvements		
1 <sup>st</sup> Street SW	County Arterial - Urban	2 Lanes ⊠Substandard Road □Sufficient ROW Width	<ul><li>☐ Corridor Preservation Plan</li><li>☐ Site Access Improvements</li><li>☐ Substandard Road Improvements</li><li>☐ Other</li></ul>		

Project Trip Generation					
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips		
Existing	24	18	21		
Proposed	660	49	65		
Difference (+/1)	+446	+31	+44		

<sup>\*</sup>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						
South						
East						
West United States of the Control of						
Notes:						

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

APPLICATION NUMBER: RZ 23-0714

ZHM HEARING DATE: December 18, 2023

BOCC LUM MEETING DATE: February 13, 2024 Case Reviewer: Jared Follin

## 4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

INFORMATION/REVIEWING AGENCY						
Environmental:	Comments Received	Objections	Conditions Requested	Additional Information/Comments		
Environmental Protection Commission	⊠ Yes □ No	□ Yes ⊠ No	☐ Yes ⊠ No	,		
Natural Resources	☐ Yes ⊠ No	☐ Yes ⊠ No	□ Yes ⊠ No			
Conservation & Environ. Lands Mgmt.	⊠ Yes □ No	□ Yes ⊠ No	□ Yes ⊠ No			
Check if Applicable:  ☐ Wetlands/Other Surface Waters  ☐ Use of Environmentally Sensitive Land Credit  ☐ Wellhead Protection Area  ☐ Surface Water Resource Protection Area	☐ Significan ☐ Coastal H	□ Potable Water Wellfield Protection Area □ Significant Wildlife Habitat □ Coastal High Hazard Area □ Urban/Suburban/Rural Scenic Corridor □ Adjacent to ELAPP property				
Public Facilities:	Comments Received	Objections	Conditions Requested	Additional Information/Comments		
Transportation  ☐ Design Exc./Adm. Variance Requested ☐ Off-site Improvements Provided ☐ N/A	⊠ Yes □ No	□ Yes ⊠ No	□ Yes ⊠ No			
Service Area/ Water & Wastewater  ☐ Urban ☐ City of Tampa ☐ Rural ☐ City of Temple Terrace	⊠ Yes □ No	□ Yes ⊠ No	□ Yes ⊠ No			
Hillsborough County School Board  Adequate □ K-5 □ 6-8 □ 9-12 □ N/A  Inadequate □ K-5 □ 6-8 □ 9-12 □ N/A	⊠ Yes □ No	□ Yes ⊠ No	□ Yes ⊠ No			
Impact/Mobility Fees						
Comprehensive Plan:	Comments Received	Findings	Conditions Requested	Additional Information/Comments		
Planning Commission  ☐ Meets Locational Criteria ☐ N/A ☐ Locational Criteria Waiver Requested ☐ Minimum Density Met ☐ N/A	⊠ Yes □ No		□ Yes ⊠ No			

ZHM HEARING DATE: December 18, 2023

BOCC LUM MEETING DATE: February 13, 2024 Case Reviewer: Jared Follin

#### 5.0 IMPLEMENTATION RECOMMENDATIONS

## 5.1 Compatibility

The subject parcels, generally located at 1506 SW 1<sup>st</sup> Street, are currently zoned RSC-6 and AR. The applicant is requesting to rezone the parcels to RSC-9 Restricted in order to develop single-family homes on lots with a minimum size of 6,000 square feet. The total acreage of the property is approximately 15.85 acres

The property is located along a Local Road and is surrounded mostly by residential uses at various densities. To the west across 1<sup>st</sup> Street, is a large ASC-1 property that has a single-family home. To the south lies an RSC-6 single family neighborhood comprised of smaller lots. To the east, lies a vacant, ASC-1 zoned property. To the north lies properties zoned RSC-6 and AR, one currently developed with residential uses and the other containing a large stormwater detention basin as well as a head start school and office owned by Hillsborough County.

The property is located within the Ruskin Community Plan Area 3 – South Ruskin. The plan provides character strategies for residential developments to encourage a diversity of home styles and types and to protect the small-town character of the Ruskin Area. These strategies include the size and dimensions of lots and the design of the neighborhoods layout to resemble a traditional grid pattern. The Land Development Code Part 3.22.00 – Ruskin Community Character Guidelines further provides codified guidelines that are required to be met. For Area 3, projects that are less than 50 acres, lots must be at least 6,000 square feet, with 20% of them being 60 feet in width, and the remaining being at least 55 feet.

To ensure the strategies and guidelines are met at the time of development, the applicant has proposed restrictions to the standard rezoning request. The restrictions are designed to restrict the lot size requirements to coincide with the guidelines in LDC Part 3.22.00 and to require the neighborhood development to adhere to a traditional grid system pattern to satisfy the Ruskin Community Plan. To ensure the grid system pattern will be followed, the restriction requires street connections to the east and west boundaries of the property and a street connection to 1<sup>st</sup> Street SE to the south. Another restriction was added to prohibit internal cul-de-sacs and gates.

The subject site is a suitable location for residential uses and the added restrictions will ensure that the development will adhere to the Land Development Code Community Character guidelines for the Ruskin Community Area. In addition, the Future Land Use designation for the property is Residential- 4, and despite the proposed lot sizes, the requirement of 4.0 dwelling units per acre will be met. Further, the uses and zoning districts around the property are consistent with the proposed RSC-9 Restricted zoning district, and thus, would be compatible with the existing development and zoning trends in the area.

#### 5.2 Recommendation

Based on the above considerations, staff finds the proposed RSC-9 zoning district approvable, with the following restrictions:

- 1. Development shall occur in accordance with Land Development Code Part 3.22.00 Ruskin Community Character Guidelines.
- 2. The project shall be limited to 4.0 dwelling units per acre (properties within the RES-4 FLU category).
- 3. The minimum lot size for all lots shall be 6,000 square feet.
- 4. The lot width for 20% of all lots must be 60 feet wide and the remaining lots shall be a minimum of 55 feet wide.
- 5. To replicate the traditional grid system, connectivity shall be required at the existing rights of way to the east and to the west. In addition to designing the eastern and western connections, the development shall be

**APPLICATION NUMBER:** RZ 23-0714 ZHM HEARING DATE: December 18, 2023

BOCC LUM MEETING DATE: February 13, 2024 Case Reviewer: Jared Follin

required to make a connection from the project boundary across 16th Avenue SW at 1st Street SE to connect to the existing 1st Street SE roadway.

6. Internal cul-de-sacs and gates shall not be permitted.

**Zoning Administrator Sign Off:** 

J. Brian Grady Mon Dec 11 2023 16:01:50

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

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

APPLICATION NUMBER: RZ 23-0714

ZHM HEARING DATE: December 18, 2023

BOCC LUM MEETING DATE: February 13, 2024 Case Reviewer: Jared Follin

## 6.0 ADDITIONAL INFORMATION AND/OR GRAPHIC N/A

7.0 FULL TRANSPORTATION REPORT (see following pages)

## AGENCY REVIEW COMMENT SHEET

REVIE	wining Technician, Development Services Department WER: Alex Steady, AICP NING AREA/SECTOR: Ruskin/South	DATE: 12/11/2023 AGENCY/DEPT: Transportation PETITION NO.: STD 23-0714		
	This agency has no comments.			
X	This agency has no objection.			
	This agency objects for the reasons set forth below.			

## PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone three parcels totaling +/- 15.84 acres from Residential Single Family Conventional – 6 (RSC-6) and Agricultural Rural (AR) to Residential Single Family Conventional – 9 – Restricted (RSC-9-R). The proposed restrictions include: 1. Development shall occur in accordance with Land Development Code Part 3.22.00 Ruskin Community character guidelines. 2. The minimum lot size for all lots shall be 6,000 square feet. 3. The lot width for 20% of all lots must be 60 feet wide and the remaining lots shall be a minimum of 55 feet wide. 4. The development shall be required to replicate the traditional grid street pattern to the greatest extent practicable by providing connectivity to the existing rights of way to the east and to the west. In addition to designing the eastern and western connections, the development shall be required to make a connection from the project boundary across 16th Ave SW at 1st Street SE to connect to the existing 1st Street SE roadway. 5. Internal cul-de-sacs and gates shall not be permitted. The site is located on the east side of 1st Street SW, +/- 0.15 miles south of the intersection of 14th avenue SE and US Hwy 41. The Future Land Use designation of the site is Residential – 4 (R-4).

## **SITE ACCESS**

For projects with a Euclidean zoning designation, a project's potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review.

Transportation Review Section staff did review the proposed rezoning and restrictions to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff's opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements

The proposed rezoning is located in Ruskin and as such subject to the Ruskin Community Plan Area. Goal 2 of the Ruskin Community Plan Area Livable Communities Element states "Developments should continue and/or replicate the traditional "grid" street pattern found in Ruskin to the greatest extent practicable." In order to comply with this requirement, the applicant provided restrictions that provide connections to the east and west as well as providing a connection south to 1st street SE. The Ruskin Community Plan also states "Encourage development that is connected with, and integrated into, the Ruskin community. Design features (e.g. walls, gates) that isolate or segregate development from the community is inconsistent with the community's character and should be discouraged." The applicant provided restrictions that cul-de-sacs and gates will not be allowed. The applicants' restrictions including access connections to the east, west and south, and prohibiting cul-de-sacs and gates are consistent with

preventing isolated, segregated development and integrating into the Ruskin community and as such transportation review staff does not object to the proposed rezoning.

In addition to the proposed rezoning, the applicant has submitted a Right-of-Way vacation application for the unimproved right-of-way lying adjacent between the blocks that comprise the Site, pursuant to application V23-0010, which is currently under review.

Staff notes that, regardless of this review, the developer/property owner will be required to comply will all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review.

Staff notes that any plans or graphics presented as a part of a Euclidean zoning case is non-binding and will have no regulatory value at the time of plat/site/construction plan review.

## Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's <u>Trip Generation Manual</u>, 11<sup>th</sup> Edition.

**Approved Zoning:** 

FF 8			
Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
AR, 2 Single Family Dwelling Units (ITE Code 210)	28	3	3
RSC-6, 16 Single Family Units	186	15	18
Total	214	18	21

**Proposed Zoning:** 

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
RSC-6-R, 63 Single Family Dwelling Units (ITE Code 210)	660	49	65

**Trip Generation Difference:** 

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
-	Way Volume	AM	PM
Difference	+446	+31	+44

## TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on 1<sup>st</sup> Street SW. 1<sup>st</sup> Street SW is a 2-lane, undivided, substandard, Hillsborough County maintained, local roadway. 1<sup>st</sup> Street SW does not have any bike lanes or sidewalks on either side of the roadway within the vicinity of the project. 1<sup>st</sup> Street SW lies within +/- 62 feet of Right of Way in the vicinity of the project.

## **ROADWAY LEVEL OF SERVICE**

 $1^{\rm st}$  Street SW is not a regulated Roadway and as such was not included in the 2020 Hillsborough County Level of Service Report.

## **COUNTY OF HILLSBOROUGH**

# RECOMMENDATION OF THE LAND USE HEARING OFFICER

APPLICATION NUMBER:	RZ STD 23-0714
DATE OF HEARING:	December 18, 2023
APPLICANT:	Highland Homes, Inc.
PETITION REQUEST:	The request is to rezone a parcel of land from AR & RSC-6 to RSC-9 (R)
LOCATION:	900' South of the Intersection of 14 <sup>th</sup> Ave. SE and 1 <sup>st</sup> St. SW
SIZE OF PROPERTY:	15.88 acres m.o.l.
EXISTING ZONING DISTRICT:	AR and RSC-6
FUTURE LAND USE CATEGORY:	RES-4
SERVICE AREA:	Urban

## **DEVELOPMENT REVIEW STAFF REPORT**

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



## Request Summary:

Request to rezone five parcels from RSC-6 (Residential Single-Family Conventional- 6) & AR (Agricultural Rural) to RSC- 9 Restricted (Residential Single-Family Conventional- 9) in order to facilitate residential single-family development. Added restrictions are to ensure the project meets the Ruskin Community Plan Guidelines. A vacation request for existing right-of-way established in a previous subdivision is being submitted concurrently with this application.

PD Variation(s): N/A

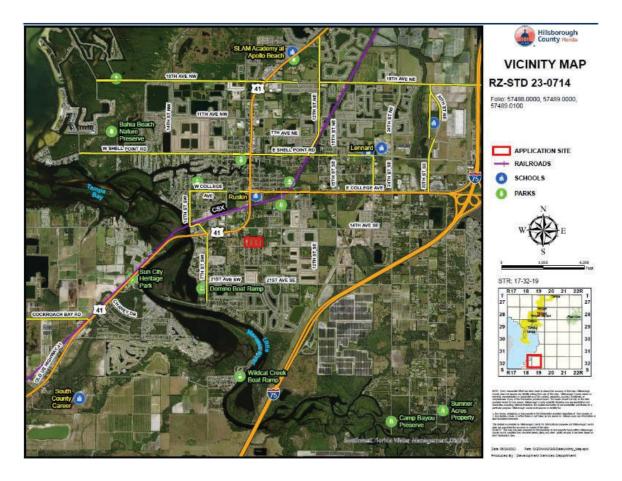
Waiver(s) to the Land Development Code: None

Planning Commission Recommendation: Inconsistent

**Development Services Recommendation:** 

Approvable, with Restrictions

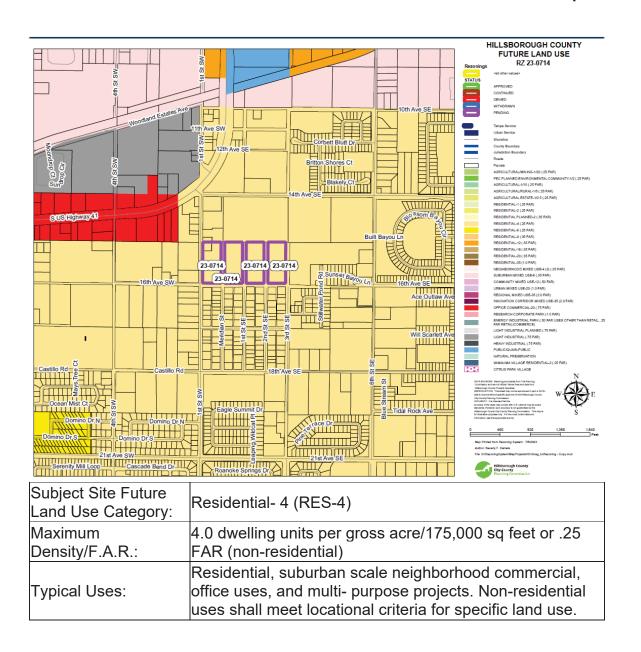
## 2.0 LAND USE MAP SET AND SUMMARY DATA 2.1 Vicinity Map



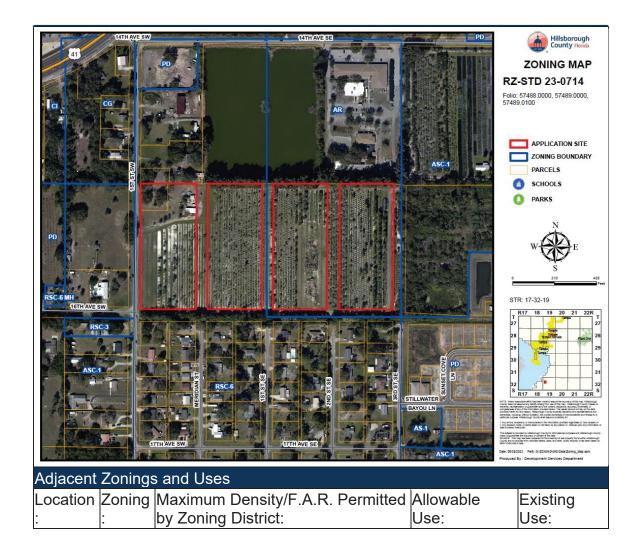
## **Context of Surrounding Area:**

The subject properties are generally located at 1502 SW 1st Street and about 770 feet south of US Highway 42. The properties are bordered by zoning districts RSC-6 & AR to the north, ASC-1 to the east, RSC-6 to the south, and ASC-1 to the west. The dominant use in the area is residential with some non-commercial concentrated along the highway and 14th Avenue SE. The properties are bordered to north by a large detention pond. Additionally, the properties are within Area 3 of the Ruskin Community Plan and in the Urban Service Area.

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



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



## **Classification Current Conditions Select Future Improvements**

3.0 TRANSPORTATION SUMMARY (FULL TRANSPORTATION REPORT IN SECTION 7.0 OF STAFF REPORT)				
Adjoining	g Roadways (d	check if applicable)		
1 <sup>St</sup> Street SW	County Arterial - Urban	2 Lanes ⊠Substandard Road □Sufficient ROW Width	□Corridor Preservation Plan □ Site Access Improvements □ Substandard Road Improvements □Other	

## Connectivity and Cross Access ⊠Not applicable for this request

## **Variance** ⊠Not applicable for this request

## 4.0 ADDITIONAL SITE INFORMATION & AGENCY COMMENTS SUMMARY

Check if Applicable:  Wetlands/Other Surface Waters					
☐ Use of Environm	nentally Sens	sitive Land C	redit		
□ Wellhead Proted □ Surface Water F		otection Area			
□ Coastal High Ha	☐ Potable Water Wellfield Protection Area ☐ Significant Wildlife Habitat☐ Coastal High Hazard Area☐ Urban/Suburban/Rural Scenic Corridor ☐ Adjacent to ELAPP property☐ Other				
Public Facilities:	Comments Received	( )hiactions	Conditions Requested	Additional Information/Comments	
Transportation  ☐ Design Exc./Adm. /ariance Requested ☐ Off- site Improvements Provided 図N/A	⊠ Yes □No	□ Yes ⊠No	□ Yes ⊠No		
Service Area/  Nater &  Nastewater   ☑Urban □ City of  「ampa □Rural □ City of	⊠ Yes □No	□ Yes ⊠No	□ Yes ⊠No		

Hillsborough County School Board				
□6-8 ⊠9-12 □N/A	⊠ Yes □No	□ Yes ⊠No	□ Yes ⊠No	
Inadequate□K- 5⊠6-8 □9-12 □N/A				
Impact/Mobility F	ees			
Comprehensive	Comments		Conditions	Additional
Plan:	Received	Findings		Information/Comments
-		Findings		
Plan: Planning Commission  Meets Locational Criteria	Received	Findings	Requested	Information/Comments

## 5.0 IMPLEMENTATION RECOMMENDATIONS 5.1 Compatibility

The subject parcels, generally located at 1506 SW 1<sup>st</sup> Street, are currently zoned RSC-6 and AR. The applicant is requesting to rezone the parcels to RSC-9 Restricted in order to develop single-family homes on lots with a minimum size of 6,000 square feet. The total acreage of the property is approximately 15.85 acres

The property is located along a Local Road and is surrounded mostly by residential uses at various densities. To the west across 1<sup>st</sup> Street, is a large ASC-1 property that has a single-family home. To the south lies an RSC-6 single family neighborhood comprised of smaller lots. To the east, lies a vacant, ASC-1 zoned property. To the north lies properties zoned RSC-6 and AR, one currently developed with residential uses and the other containing a large stormwater detention basin as well as a head start school and office owned by Hillsborough County.

The property is located within the Ruskin Community Plan Area 3 – South Ruskin. The plan provides character strategies for residential developments to encourage a diversity of home styles and types and to protect the small - town

character of the Ruskin Area. These strategies include the size and dimensions of lots and the design of the neighborhoods layout to resemble a traditional grid pattern. The Land Development Code Part 3.22.00 – Ruskin Community Character Guidelines further provides codified guidelines that are required to be met. For Area 3, projects that are less than 50 acres, lots must be at least 6,000 square feet, with 20% of them being 60 feet in width, and the remaining being at least 55 feet.

To ensure the strategies and guidelines are met at the time of development, the applicant has proposed restrictions to the standard rezoning request. The restrictions are designed to restrict the lot size requirements to coincide with the guidelines in LDC Part 3.22.00 and to require the neighborhood development to adhere to a traditional grid system pattern to satisfy the Ruskin Community Plan. To ensure the grid system pattern will be followed, the restriction requires street connections to the east and west boundaries of the property and a street connection to 1st Street SE to the south. Another restriction was added to prohibit interna I cul-de-sacs and gates.

The subject site is a suitable location for residential uses and the added restrictions will ensure that the development will adhere to the Land Development Code Community Character guidelines for the Ruskin Community Area. In addition, the Future Land Use designation for the property is Residential- 4, and despite the proposed lot sizes, the requirement of 4.0 dwelling units per acre will be met. Further, the uses and zoning districts around the property are consistent with the proposed RSC-9 Restricted zoning district, and thus, would be compatible with the existing development and zoning trends in the area.

## 5.2 Recommendation

Based on the above considerations, staff finds the proposed RSC-9 zoning district approvable, with the following restrictions:

- 1. Development shall occur in accordance with Land Development Code Part 3.22.00 Ruskin Community Character Guidelines.
- 2. The project shall be limited to 4.0 dwelling units per acre (properties within the RES-4 FLU category).
- 3. The minimum lot size for all lots shall be 6,000 square feet.
- 4. The lot width for 20% of all lots must be 60 feet wide and the remaining lots shall be a minimum of 55 feet wide.
- 5. To replicate the traditional grid system, connectivity shall be required at the existing rights of way to the east and to the west. In addition to designing the eastern and western connections, the development shall be required to make a connection from the project boundary across 16th Avenue SW at 1st Street SE to connect to the existing 1st Street SE roadway.
  - 6. Internal cul-de-sacs and gates shall not be permitted.

## **SUMMARY OF HEARING**

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on December 18, 2023. Ms. Michelle Heinrich of the Hillsborough County Development Services Department introduced the petition.

Ms. Kami Corbett 101 East Kennedy Boulevard Suite 3700 Tampa testified on behalf of Highland Homes. Ms. Corbett stated that the property is located in Ruskin and is south of College Avenue and west of I-75. She testified that the request is to rezone to RSC-9 with Restrictions and will comply with the Ruskin Community Character guidelines. She added that development is restricted to the maximum density permitted under the Residential 4 Future Land Use category. The minimum lot size proposed is 6,000 square feet for all lots and the minimum lot width will be at 60 feet wide for at least 20 percent of the lots and a minimum of 55 feet wide for the remaining lots. Ms. Corbett stated that the project will provide interconnections to the east, west and south at SW First Street SE to connect to the existing First Street SE. The Restrictions prohibit internal cul-de-sacs and gates are not permitted. Ms. Corbett added that the Restrictions are all consistent with the Ruskin Community Character Design guidelines. She stated that the issue with the case with the Planning Commission is whether or not the project satisfies the portion of the Ruskin Community Plan that states that development should connect or replicate the traditional grid street patter to the greatest extent practicable. She stated that practicable means that it must be feasible. Ms. Corbett testified that in the case of the subject project, it is not practicable to provide more connections that what have been already agreed to. Second Street has been vacated and is in use for purposes other than right-of-way. Third Street SE terminates at 16th Avenue SW and 16th Avenue SW is in active use as a stormwater drainage area with no plans for improvement. The Development Services staff asked the applicant to look at the possible improvement of Third Street along the project's eastern boundary and the applicant provided a cost estimate of in excess of \$500,000 which is not proportionate to the scale of the development that is proposed. She added that the request is for about 63 to 65 lots and the cost of the improvement would be deemed prohibitive. Ms. Corbett showed a PowerPoint presentation to detail the surrounding area and land uses. She discussed the existing drainage pond which is to the north of the Community Resource Center including the existing vegetation. She stated that a companion vacating request is being processed to vacate the internal right-of-way and the application will be heard by the Board at the same time as the rezoning application. Ms. Corbett showed a graphic to discuss the Planning Commission's requirement for connectivity and specifically the desire for connection along Second Street SE which are not being proposed. Ms. Corbett explained that access dead-ends into the Community Resource Center and that a more logical access would be to Third Street SE which is not being vacated. She pointed to an aerial photo and other graphics to describe the existing stormwater pond and Community Resource Center which is at the deadend of the noted access on the Planning Commission's map. Ms. Corbett testified that the application has not received any requests for additional information or been the subject of concerns by anyone but rather the issue focuses on the position of the Planning Commission regarding access connections. The Development Services Department staff found the rezoning request supportable based on the proposed Restrictions. She added that the Planning Commission cited several goals, objectives and policies regarding compatibility, neighborhood protection and adherence to design guidelines that support approval.

Hearing Master Finch asked Ms. Corbett if the right-of-way is existing to the north and east of the project. Ms. Corbett replied that the right-of-way does exist to the east and will not be vacated. She stated that the Second Street right-of-way to the north has been vacated and that is where the drainage pond is located as well as the Ruskin Center which uses that area for parking. If Hillsborough County chose to improve the existing right-of-way on the east, the project proposes connectivity to the east which is a more logical connection point rather than through the developed County resource center.

Hearing Master Finch asked Ms. Corbett if the photos she showed with internal driveways are the Resource Center. Ms. Corbett replied yes and showed an aerial photo to discuss the Planning Commission's proposed access which is partially in a drainage area and the parking area for the resource center.

Hearing Master Finch asked Ms. Corbett if there were any Ruskin guidelines that are not being met with the proposed development. Ms. Corbett replied no.

Mr. Jared Follin, Development Services staff, testified regarding the County's staff report. Mr. Follin stated that the applicant is requesting a rezoning of 15.85 acres to RSC-9 with Restrictions to develop a single-family project at a density of four dwelling units per acre. He detailed the accompanying right-of-way vacation request and described the surrounding area. Mr. Follin testified that the property is located in the Ruskin Community Plan and specifically in Area 3 which provides guidelines for a diversity of home styles and lot sizes and dimensions. He added that the proposed Restrictions which ensure compliance with the Ruskin guidelines and stated that staff finds the request approvable with the proposed Restrictions.

Ms. Andrea Papandrew, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Papandrew stated that the subject property is within the Residential-4 Future Land Use classification and the Ruskin Community Plan. She added that the applicant submitted proposed Restrictions after the filing of the Planning Commission's staff report and therefore the staff's recommendation do not take into account the Restrictions. Ms. Papandrew described the surrounding land use categories and stated that the request is consistent with several Policies of Objective 16 regarding the protection of

existing neighborhoods. She stated that the Transportation comments were not yet available at the time the staff report was uploaded therefore they were not taken into consideration. She added that the Transportation comments state that the rezoning meets the intent of the Ruskin Community Plan however the Planning Commission staff is the entity responsible for the finding of consistency or inconsistency with the Comprehensive Plan. The Planning Commission staff found the application inconsistent with the adopted policy direction of the Ruskin Community Plan as Goal 5 states that development should continue and/or replicate the traditional grid street pattern and the proposed application does not provide a connection to the north even though there is an opportunity from Second Street SE to the SouthShore Community Resource Center. Additionally, staff found that there are up to four connections to the south to provide a grid pattern by connecting to the 16th Avenue SW. Ms. Papandrew testified that while that area is currently used as a drainage ditch, Planning Commission staff has not received any County documentation stating that 16th Avenue SW cannot be a viable future roadway connection. She stated that the proposed rezoning does not provide two connections to 16th Street SW to provide the necessary grid pattern. She testified that residential neighborhoods should be designed for internal circulation with stub outs to adjacent neighborhoods. Ms. Papandrew stated that while the applicant is willing to connect to Third Street SE, that roadway has not been constructed therefore a connection to Second Street SE is needed to establish a grid pattern and provide a connection to the Community Resource Center north of the site. She added that the standard rezoning process does not provide for a site plan or allow for conditions of approval for staff to fully evaluate how the grid pattern will be maintained. The Planning Commission staff does not support the right-of-way vacation application as the vacating of Second Street SE does not allow the continuation of the grid network. Staff found that the lack of connectivity results in a finding of the proposed rezoning inconsistent with the Future of Hillsborough Comprehensive Plan.

Hearing Master Finch asked Ms. Papandrew of the Planning Commission about her comment that staff had not seen the proposed Restrictions as of the time the staff report was finalized. Ms. Papandrew replied yes and stated that staff must file their staff report twelve days before the Zoning Hearing Master hearing. Hearing Master Finch asked Ms. Papandrew if, now that she has seen the proposed Restrictions which addresses a connection to the south, if the Planning Commission position would be the same. Ms. Papandrew replied that staff does not change its findings after filing but if the applicant would like to continue, they would be happy to review the application.

Hearing Master Finch asked Ms. Papandrew about the Planning Commission's map of a possible access point to the north at the Resource Center and the applicant's representative's testimony that the access point is not viable. Ms. Papandrew replied that there are multiple policies in the Comprehensive Plan on connectivity and it seems like a missed opportunity which is not consistent with the policy direction. Hearing Master Finch asked if it was fair to say that the

connectivity issue was the sole reason for the Planning Commission's finding of inconsistent. Ms. Papandrew replied yes.

Hearing Master Finch asked for members of the audience in support of the application. No one replied.

Hearing Master Finch asked for members of the audience in opposition to the application. No one replied.

County staff did not have additional comments.

Ms. Corbett testified during the rebuttal period that the Restrictions were in the record at the time that County staff filed their staff reports. She stated that the only Restriction that was not agreed to at the time was the connection to the south but all other connections to the east and west and compliance with the Ruskin Community Design standards regarding lot sizes and widths were in the record ahead of the filing deadline. Ms. Corbett testified that the applicant did not work further with the Planning Commission because they were insistent about the connection to the north at Second Street SE through the Community Resource Center which is not practicable currently or in the near future.

The hearing was then concluded.

## **EVIDENCE SUBMITTED**

Ms. Corbett submitted a copy of her PowerPoint presentation into the record.

## **PREFACE**

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

## FINDINGS OF FACT

 The subject property is 15.88 acres in size and is currently Agricultural Rural (AR) and Residential Single-Family Conventional-6 (RSC-6) and is designated Residential-4 (RES-4) by the Comprehensive Plan. The property is located within the Urban Service Area and the Ruskin Community Plan.

- 2. The applicant is requesting a rezoning to the Residential Single-Family Conventional-9 Restricted (RSC-9 R) zoning district. The applicant has proposed restrictions to ensure compliance with the Ruskin Community Character Guidelines. The restrictions address minimum lot size, minimum lot width, maximum density and connectivity standards. Additionally, internal cul-de-sacs and gates are prohibited.
- 3. The applicant is processing a right-of-way vacation application to vacate rights-of-way internal to the project. The application will be heard by the Board of County Commissioners concurrent with the rezoning application.
- 4. The Planning Commission staff does not support the rezoning request. The Planning Commission found that the request is consistent with Objective 16 regarding the protection of existing neighborhoods and that a rezoning to RSC-9 "...would reflect a development pattern that is in keeping with the existing development pattern." Staff testified that the request, however, does not meet Goal 5 of the Ruskin Community Plan regarding developments that should continue and/or replicate the traditional grid street pattern. Planning Commission staff provided a graphic to illustrate the proposed access connections that are being requested by staff but not provided in the rezoning application therefore resulting in a finding of inconsistency. Planning Commission staff found that the request is not consistent with the SouthShore Areawide Systems Plan. Staff stated that although the project provides additional housing opportunities, the lack of a grid pattern does not recognize the preferred development and connectivity patterns of Ruskin. The Planning Commission therefore found the application to be inconsistent with the Comprehensive Plan.
- 5. The Development Services Department staff supports the requested rezoning with the proposed restrictions as they ensure compliance with the Ruskin Community Character Guidelines.
- 6. No testimony in support or opposition was provided at the Zoning Hearing Master hearing.
- 7. The Ruskin Community Plan Community and Neighborhood Character Guidelines (Goal 5) state that:
  - "Developments should continue and/or replicate the traditional grid street pattern found in Ruskin to the greatest extent <u>practicable</u>."

- 8. The Planning Commission prepared a graphic to depict the location of the access connections to the north and south that they requested from the applicant (marked on the graphic with an "X") which are not being provided.
- 9. The proposed restrictions require connectivity to the existing rights of way to the east and west and a connection to the south across 16<sup>th</sup> Avenue SW at 1<sup>st</sup> Street SE to connect to the existing 1<sup>st</sup> Street SE roadway.

It is emphasized that connectivity to the south is provided by the proposed restrictions. The Planning Commission testified at the Zoning Hearing Master hearing that the restrictions were not filed into the record at the time of their staff report filing deadline however the applicant's representative disputed that statement at the hearing. Planning Commission staff stated that because the restrictions were not filed prior to the staff report deadline they would not change their finding of Inconsistent with the Comprehensive Plan. The applicant's representative testified in rebuttal that access to the south is provided and that the Planning Commission's requested access point to the north is not practicable as it abuts an existing County Resource Center.

10. The large parcel to the north of the subject property is owned by Hillsborough County and developed with a large stormwater retention pond and a County Community Resource Center that includes the Ruskin Infant Child Development Center.

The applicant's representative submitted photos of the County's Community Resource Center which depicted parking areas and narrow internal driveways in the area where the Planning Commission has stated that an access connection be shown.

- 11. A review of the aerial photo and site photos in the record shows that access to the north from the subject property is not "practicable" based on the existing large stormwater retention pond and existing County Community Resource Center.
- 12. The County's Transportation Agency Review staff found that the "...applicant's restrictions including access connections to the east, west and south...are consistent with preventing isolated, segregated development and integrating into the Ruskin community and as such transportation review staff does not object to the proposed rezoning."

13. The proposed rezoning to RSC-9 R is compatible with the surrounding area and development pattern. The request is consistent with the Land Development Code, Comprehensive Plan and Ruskin Community Plan.

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

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

## **CONCLUSIONS OF LAW**

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

#### SUMMARY

The applicant is requesting a rezoning to the RSC-9 R zoning district. The property is 15.88 acres in size and is currently zoned AR and RSC-6 and designated RES-4 by the Comprehensive Plan. The parcel is located within the Urban Service Area and the Ruskin Community Plan.

The applicant has proposed restrictions which ensure compliance with the Ruskin Community Character Guidelines. The restrictions address minimum lot size, minimum lot width, maximum density and connectivity standards. Additionally, internal cul-de-sacs and gates are prohibited.

The Planning Commission staff does not support the rezoning request. The Planning Commission found that the request is consistent with Objective 16 regarding the protection of existing neighborhoods and that a rezoning to RSC-9 "...would reflect a development pattern that is in keeping with the existing development pattern." Staff testified that the request, however, does not meet Goal 5 of the Ruskin Community Plan regarding developments that should continue and/or replicate the traditional grid street pattern. Planning Commission staff provided a graphic to illustrate the proposed access connections that are being requested by staff but not provided in the rezoning application therefore resulting in a finding of inconsistency. Planning Commission staff found that the request is not consistent with the SouthShore Areawide Systems Plan. Staff stated that although the project provides additional housing opportunities, the lack of a grid pattern does not recognize the preferred development and

connectivity patterns of Ruskin. The Planning Commission therefore found that the application to be inconsistent with the Comprehensive Plan.

The Development Services Department including the Transportation Review Section support the requested rezoning application.

No testimony in support or opposition was provided at the Zoning Hearing Master hearing.

The Ruskin Community Plan Community and Neighborhood Character Guidelines (Goal 5) state that:

"Developments should continue and/or replicate the traditional grid street pattern found in Ruskin to the greatest extent practicable."

The proposed restrictions require connectivity to the existing rights of way to the east and west and a connection to the south across 16<sup>th</sup> Avenue SW at 1<sup>st</sup> Street SE to connect to the existing 1<sup>st</sup> Street SE roadway.

The large parcel to the north of the subject property is owned by Hillsborough County and developed with a large stormwater retention pond to the west and a County Community Resource Center that includes the Ruskin Infant Child Development Center. The applicant's representative submitted photos of the County's Community Resource Center which depicted parking areas and narrow internal driveways in the area where the Planning Commission has stated that an access connection be shown. A review of the aerial photo and site photos in the record shows that access to the north from the subject property is not "practicable" based on the existing large stormwater retention pond and existing County Community Resource Center.

The County's Transportation Agency Review staff found that the "...applicant's restrictions including access connections to the east, west and south...are consistent with preventing isolated, segregated development and integrating into the Ruskin community and as such transportation review staff does not object to the proposed rezoning."

The proposed rezoning to RSC-9 R is compatible with the surrounding area and development pattern. The request is consistent with the Land Development Code, Comprehensive Plan and Ruskin Community Plan.

## **RECOMMENDATION**

Based on the foregoing, this recommendation is for **APPROVAL** of the RSC-9 R rezoning request with the Restrictions prepared by the Development Services Department as indicated by the Findings of Fact and Conclusions of Law stated above.

January 11, 2024

Susan M. Finch, AICP Land Use Hearing Officer

Sum M. Fine

Date



Unincorporated Hillsborough County Rezoning				
Hearing Date: December 18, 2023  Report Prepared: December 6, 2023  Summary Data:	Petition: RZ 23-0714  Folios 57489.0000, 57489.0100 & 57488.0000  Northeast of 1 <sup>st</sup> Street Southwest and 16 <sup>th</sup> Avenue Southwest			
Comprehensive Plan Finding	INCONSISTENT			
Adopted Future Land Use	Residential-4 (4 du/ga; 0.25 FAR)			
Service Area	Urban			
Community Plan	Ruskin and SouthShore Areawide Systems			
Request	Rezoning from Residential - Single-Family Conventional (RSC-6) and Agricultural Rural (AR) to Residential - Single-Family Conventional (RSC- 9) Restricted			
Parcel Size	± 15.86 acres			
Street Functional Classification	16 <sup>th</sup> Avenue Southwest - <b>Local</b> 1 <sup>st</sup> Street Southwest - <b>Local</b> U.S. Highway 41 - <b>State Principal Arterial</b>			
Locational Criteria	N/A			
Evacuation Zone	В			



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

## Context

- The 15.86 ± acre subject property is located Northeast of 1<sup>st</sup> Street Southwest and 16<sup>th</sup> Avenue Southwest.
- The property is located within the Urban Service Area (USA) and is located within the limits of the Ruskin Community Plan and the SouthShore Areawide Systems Plan.
- The subject site has a Future Land Use category of Residential-4 (RES-4), which is intended to designate areas that are suitable for low density residential development. Typical uses in the RES-4 Future Land Use category are residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects. Non-residential uses shall meet locational criteria for specific land uses. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element. The RES-4 Future land Use category allows for a maximum density of 4 dwelling units an acre and up to 0.25 FAR.
- Surrounding the site is the Residential-4 (RES-4) Future Land Use Category. Further northwest is the Office Commercial-20 (OC-20) and Light Industrial (LI) Future Land Use categories.
- North of the site is vacant, single family residential, multi-family and public institutional (SouthShore Community Resource Center) land. South of the site is vacant, single family residential and multi-family properties. West and east of the site is vacant and single family residential. Further northeast and northwest is agricultural land. Further northwest, along U.S. Highway 41, are vacant, single family residential, light commercial, industrial and public institutional properties.
- The subject site has Residential Single-Family Conventional (RSC-6) and Agricultural Rural (AR) zoning. To the north is RSC-6 and AR zoning. To the south is RSC-6 zoning. East is Agricultural Single-Family Conventional (ASC-1) and Planned Development (PD) zoning. West is PD, ASC-1, RSC-6 and Residential Single-Family Conventional (RSC-3) zoning. Further northwest is Commercial General (CG) and Commercial Intensive (CI) zoning.
- The applicant is requesting to rezone from Residential Single-Family Conventional (RSC-6) and Agricultural Rural (AR) to Residential Single-Family Conventional (RSC-9) Restricted.

## **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 Land Development Regulations

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

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

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

## **Environmental Considerations**

**Objective 13**: New development and redevelopment shall not adversely impact environmentally sensitive areas and other significant natural systems as described and required within the Conservation and Aquifer Recharge Element and the Coastal Management Element of the Comprehensive Plan.

**Policy 13.6:** The County shall protect significant wildlife habitat, and shall prevent any further net loss of essential wildlife habitat in Hillsborough County, consistent with the policies in the Conservation and Aquifer Recharge Element and Land Development Code.

## **Neighborhood/Community Development**

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

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

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

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

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

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

**Policy 16.7:** Residential neighborhoods shall be designed to include an efficient system of internal circulation and street stubouts to connect adjacent neighborhoods together.

**Objective 17: Neighborhood and Community Serving Uses:** Certain non-residential land uses, including but not limited to residential support uses and public facilities, shall be allowed within residential neighborhoods to directly serve the population. These uses shall be located and designed in a manner to be compatible to the surrounding residential development pattern.

**Policy 17.1:** Residential support uses (child care centers, adult care centers, churches, etc.) is an allowable land use in any of the residential, commercial and industrial land use plan categories consistent with the following criteria:

The facility shall be of a design, intensity and scale to serve the surrounding neighborhood or the non-residential development in which it occurs, and to be compatible with the surrounding land uses and zoning;

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

## **Community Design Component**

#### 5.0 NEIGHBORHOOD LEVEL DESIGN

## **5.1 COMPATIBILITY**

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

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

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

## **MOBILITY SECTION**

**Goal 4:** Provide safe and convenient connections within the transportation network that support multimodal access to key destinations, such as community focal points, employment centers and services throughout the County.

**Objective 4.1:** In urban and suburban contexts, design communities around a grid network of streets, or a modified grid, which will improve interconnections between neighborhoods and surrounding neighborhood-serving uses.

## LIVABLE COMMUNITIES ELEMENT: Ruskin Community Plan

**Goal 2.** Community and Neighborhood Character – Provide for a diversity of home styles and types while protecting Ruskin's small town character.

## Strategies:

- Limit the height of new residential development to 50 feet, unless a more restrictive limitation exists.
- Implement the Characteristics of Livable Neighborhood Guidelines for future residential development within Ruskin to ensure an attractive community that balances new development with historic uses.
- Encourage development that is connected with, and integrated into, the Ruskin community. Design features (e.g. walls, gates) that isolate or segregate development from the community is inconsistent with the community's character and should be discouraged.
- Developments should continue and/or replicate the traditional "grid" street pattern found in Ruskin to the greatest extent practicable.
- Support housing to accommodate a diverse population and income levels.
- Subdivisions and other development existing prior to this plan do not set precedents for future development that would be inconsistent with this community plan.

**Goal 5:** Community and Neighborhood Character – Provide for a diversity of home styles and types while protecting Ruskin's small town character.

## Strategies:

- Eliminate the "flex" provisions within and into the Ruskin Community Plan area.
- Limit the height of new residential development to 50 feet, unless a more restrictive limitation exists.
- Implement the Characteristics of Livable Neighborhood Guidelines for future residential development within Ruskin to ensure an attractive community that balances new development with historic uses.
- Encourage development that is connected with, and integrated into, the Ruskin community. Design features (e.g. walls, gates) that isolate or segregate development from the community is inconsistent with the community's character and should be discouraged.
- Developments should continue and/or replicate the traditional "grid" street pattern found in Ruskin to the greatest extent practicable.
- Support housing to accommodate a diverse population and income levels.
- Recognize the four distinct neighborhood areas depicted on the Ruskin Neighborhood Area Map.
- Each neighborhood has a unique character and associated development guidelines. The areas are listed below.

- Area 1- Northwest Ruskin
- Area 2- Northeast Ruskin
- o Area 3- South Ruskin
- o Area 4- Rural Ruskin
- Subdivisions and other development existing prior to this plan do not set precedents for future development that would be inconsistent with this community plan.
- Initiate and support community clean-up efforts.
- Promote beautification and landscaping along US 41, College Avenue and Shell Point Road.
- Prohibit pole signs and limit ground signs to eight (8) feet in height.

## LIVABLE COMMUNITIES ELEMENT: Southshore Areawide Systems Plan

## Cultural/Historic Objective

The SouthShore region of Hillsborough County supports a diverse population with people living in unique communities, interspersed with farms, natural areas, open spaces and greenways that preserve and enhance the natural and cultural heritage.

## The community desires to:

4. Maintain housing opportunities for all income groups. a. Explore and implement development incentives throughout SouthShore that will increase the housing opportunities for all income groups, consistent with and furthering the goals, objectives and policies within the Comprehensive Plan Housing Element.

## **Economic Development Objective**

The SouthShore community encourages activities that benefits residents, employers, employees, entrepreneurs, and businesses that will enhance economic prosperity and improve quality of life. The community desires to pursue economic development activities in the following areas:

- 1. Land Use/ Transportation
  - a. Analyze, identify and market lands that are available for economic development, including: residential, commercial, office, industrial, agricultural (i.e., lands that already have development orders or lands that are not developable.)
  - b. Recognize preferred development patterns as described in individual community plans, and implement the communities' desires to the greatest extent possible (including codification into the land development code). I.e., activity center, compatibility, design and form, pedestrian and bicycle/trail connectivity.

## Staff Analysis of Goals, Objectives and Policies:

The subject property is 15.855 ± acres located northeast of the intersection of 1st Street Southwest and 16th Avenue Southwest. The property is located within the Urban Service Area (USA) and is located within the limits of the Ruskin Community Plan and the South Shore Areawide Systems Plan. The applicant is requesting to rezone from Residential - Single-Family Conventional (RSC-6) and Agricultural Rural (AR) to Residential - Single-Family Conventional (RSC-9) Restricted.

The Future Land Use Category of the subject site is Residential-4 (RES-4). According to Appendix A of the Future Land Use Element of the Comprehensive Plan, the RES-4 category is intended for low density residential development. The RES-4 Future Land Use category allows for a maximum density of 4 dwelling units per gross acre and up to 0.25 FAR. The property would allow for a maximum of 63 dwelling units or 172,660 square feet of non-residential use. The subject site is proposing Residential - Single-Family Conventional (RSC-9) Restricted zoning single-family residential lots at a maximum of 4 units per acre.

The subject site is located in the Urban Service Area where according to Objective 1 of the Future Land Use Element (FLUE), 80 percent of the county's growth is to be directed. Policy 1.4 requires all new developments to be compatible with the surrounding area, noting that "Compatibility does not mean 'the same as.' Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development."

The subject site is currently zoned as RSC-6. The subject site is proposing Residential - Single-Family Conventional (RSC-9) Restricted zoning for a single-family residential development with 6,000 square foot lots. The property currently has an existing nursery on site. The proposed change is compatible with the existing character development of the area. There are currently single family residential properties surrounding the site.

The Community Design Component (CDC) in the Future Land Use Element provides guidance on residential developments. Goal 8 encourages the preservation of existing suburban uses as viable residential alternatives to urban and rural areas. Goal 12 and Objective 12-1 seek to facilitate patterns of development that are both compatible and related to the predominate character of their surroundings. There are a wide range of lot sizes in the immediate area ranging from 4,000 square feet to 13 acres. A rezoning to allow single family residential lots that are 6,000 square feet would be consistent with policy direction

Per FLUE Policy 9.2, developments must meet or exceed the requirements of all land development regulations as established and adopted by Hillsborough County. At the time of uploading this report, Transportation comments were not yet available in Optix and thus were not taken into consideration for analysis of this request. The EPC Wetlands Division has reviewed the proposed site plan and has not found any wetlands or other surface waters on site.

The proposed rezoning meets the intent of some of the Neighborhood Protection Policies of FLUE Objective 16, specifically Policies 16.1, 16.2, 16.3, 16.8, 16.10 and 16.11. The area is residential in character with public institutional uses to the north. There is also vacant land, agricultural and HOA/common property uses interspersed throughout. Further northwest is light commercial. A rezoning to RSC-9 Restricted would reflect a development pattern that is in keeping with the existing development pattern.

The site is in the Ruskin Community Plan. Goal 5 of the Plan states that developments should continue and/or replicate the traditional grid street pattern. Based upon this adopted policy direction, the proposed rezoning has been found inconsistent. For this proposed rezoning, the applicant has stated in their narrative that they will provide connections along the western boundary to 1st Street Southwest and along the eastern boundary to 3rd Street Southeast. Additionally, internal cul-de-sacs and gates will not be permitted. No connections are proposed north or south. Planning Commission staff

recognizes that there is no right-of-way further northwest of the site towards 14<sup>th</sup> Avenue Southeast. However, there is an opportunity to provide a connection north from 2nd Street Southeast to the SouthShore Community Resource Center located directly north of the subject site. Additionally, there are up to four potential connections to the south. There are opportunities to replicate and provide a grid pattern south of the site by connecting to 16<sup>th</sup> Avenue Southwest. While it is currently being used as a drainage ditch, Planning Commission staff have not received any documentation from Hillsborough County staff stating that 16<sup>th</sup> Avenue Southwest cannot be a viable future roadway connection. The proposed rezoning does not provide two connections to 16th Avenue Southwest to provide the necessary grid pattern.

As shown on Figure 1 below, the blue arrows indicate the two proposed connections via the subject property on 1<sup>st</sup> Street Southwest and 3<sup>rd</sup> Street Southeast. The red x's show the three additional connections that Planning Commission Staff is requesting to ensure the Ruskin Community Plan language on the traditional grid street pattern is implemented. Two of those connections would be to 16<sup>th</sup> Avenue Southwest and one connection from 2<sup>nd</sup> Street Southeast up to the existing SouthShore Community Resource Center.

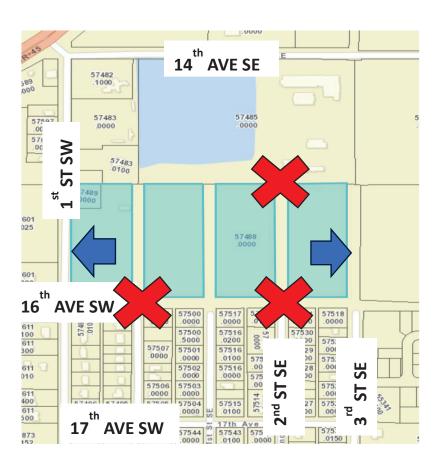


Figure 1

The intent of FLUE Objective 16 and its associated policies seek to preserve, protect and enhance neighborhoods. Maintaining transportation connections and efficient systems of circulation are established measures that help accomplish the goals of this policy direction. Per FLUE Policy 16.7, residential neighborhoods should be designed for internal

circulation and street stub outs to connect adjacent neighborhoods. Without additional roadway connections, there is no guarantee that internal circulation will be preserved for this subject site. In addition, Goal 4 and Objective 4.1 of the Mobility Section seek to provide safe and convenient connections within communities. In suburban contexts, communities shall be designed around a grid network of streets or through a modified grid that will help provide interconnections between neighborhoods and surrounding neighborhood uses. A connection northeast to the SouthShore Community Resource Center would provide accessibility to a community use through the subject site while also enhancing the neighborhood's street grid network. The proposed rezoning would conflict with the continuation of the neighborhood's grid network of streets and would limit the ability to connect neighborhood serving uses. The potential connections to 16th Avenue Southwest and 2<sup>nd</sup> Street Southeast will establish a grid pattern in the area, which would connect to the existing grid south of the site on 17th Avenue Southeast and 18th Avenue Southeast. Staff recognizes the applicant's willingness to connect east to 3<sup>rd</sup> Street Southeast, However, since 3rd Street Southeast has not been constructed to the west of the site, a connection on 2<sup>nd</sup> Street Southeast allows to establish a grid pattern in the area and provides a connection to a community resource north of the site. Additionally, a standard rezoning does not require a site plan or allow for conditions of approval for staff to fully evaluate how the grid pattern will be maintained in Ruskin. The petition is therefore inconsistent with the policy direction established by the Future Land Use Element and Mobility Section and the vision of the Ruskin Community Plan.

There is a vacating application (V23-0010) associated with this rezoning application. Planning Commission staff found that application inconsistent with the adopted *Unincorporated Hillsborough County Comprehensive Plan* due to the vacating of 2<sup>nd</sup> Street Southeast, which would not allow the continuation of the neighborhood's grid network of streets and would limit the ability to connect neighborhood serving uses. Planning Commission staff maintains this position for this proposed rezoning, RZ 23-0714, and finds the lack of connectivity with this application to be inconsistent with several goals, objectives and policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

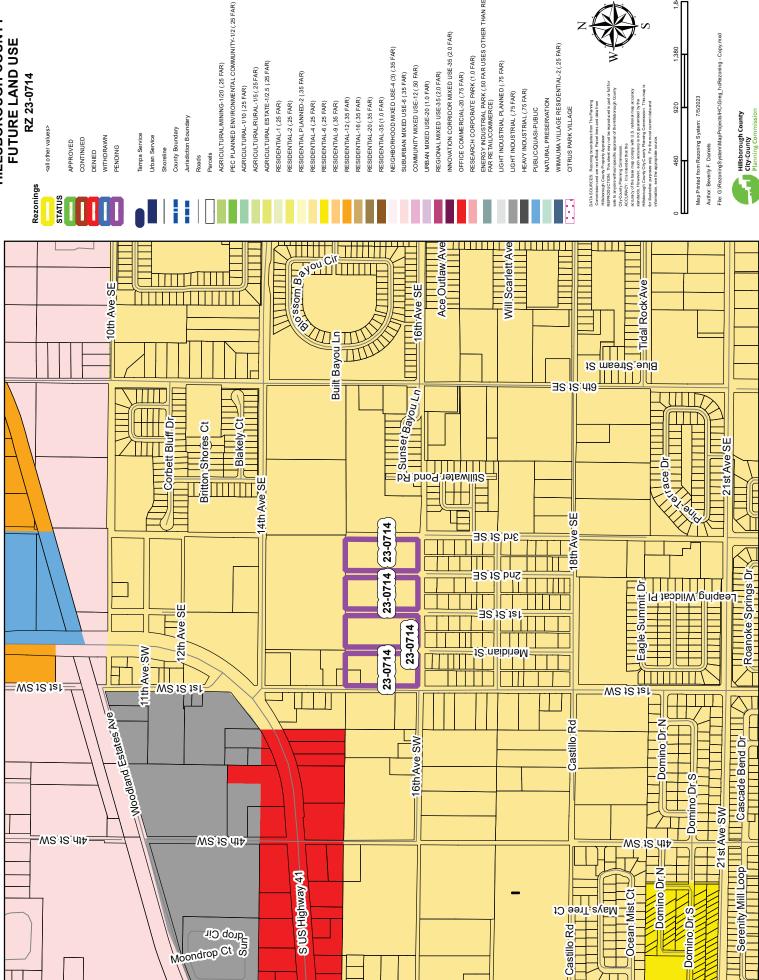
The proposed development also does not meet the intent of the Southshore Areawide Systems Plan which recognizes the preferred development pattern for each of the communities and supports housing opportunities. While the rezoning would provide additional housing opportunities, not providing a grid pattern does not recognize the preferred development and connectivity patterns of Ruskin.

Overall, the proposed rezoning would allow for development that is inconsistent with the Goals, Objectives and Policies of the Unincorporated *Hillsborough County Comprehensive Plan* and does not meet the intent of FLUE Objective 16, multiple Mobility Section policies, the Ruskin Community Plan nor the Southshore Areawide Systems Plan.

#### Recommendation

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

RZ 23-0714 9



# HILLSBOROUGH COUNTY **FUTURE LAND USE**

RZ 23-0714

Tampa Service Urban Service Shoreline

Jurisdiction Boundary County Boundary

AGRICULTURAL-1/10 (.25 FAR)

AGRICULTURAL ESTATE-1/2.5 (.25 FAR) AGRICULTURAL/RURAL-1/5 (.25 FAR)

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

RESIDENTIAL PLANNED-2 (.35 FAR)

RESIDENTIAL-4 (.25 FAR)

RESIDENTIAL-6 (.25 FAR) RESIDENTIAL-9 (.35 FAR)

RESIDENTIAL-12 (.35 FAR)

RESIDENTIAL-16 (.35 FAR)

RESIDENTIAL-20 (.35 FAR)

RESIDENTIAL-35 (1.0 FAR)

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

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

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

INNOVATION CORRIDOR MIXED USE-35 (2.0 FAR)

ENERGY INDUSTRIAL PARK (.50 FAR USES OTHER THAN RETAIL, .25 FAR RETAIL/COMMERCE) RESEARCH CORPORATE PARK (1.0 FAR) OFFICE COMMERCIAL-20 (.75 FAR)

LIGHT INDUSTRIAL PLANNED (.75 FAR) HEAVY INDUSTRIAL (.75 FAR) LIGHT INDUSTRIAL (.75 FAR)

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



920

Author: Beverly F. Daniels

Fle: G\RezoningSystem\MapProjects\HC\Greg\_hcRezoning - Copy.mxd



# AGENCY COMMENTS

#### AGENCY REVIEW COMMENT SHEET

REVIE	wining Technician, Development Services Department WER: Alex Steady, AICP NING AREA/SECTOR: Ruskin/South	DATE: 12/11/2023 AGENCY/DEPT: Transportation PETITION NO.: STD 23-0714		
	This agency has no comments.			
X	This agency has no objection.			
	This agency objects for the reasons set forth below.			

#### PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone three parcels totaling +/- 15.84 acres from Residential Single Family Conventional – 6 (RSC-6) and Agricultural Rural (AR) to Residential Single Family Conventional – 9 – Restricted (RSC-9-R). The proposed restrictions include: 1. Development shall occur in accordance with Land Development Code Part 3.22.00 Ruskin Community character guidelines. 2. The minimum lot size for all lots shall be 6,000 square feet. 3. The lot width for 20% of all lots must be 60 feet wide and the remaining lots shall be a minimum of 55 feet wide. 4. The development shall be required to replicate the traditional grid street pattern to the greatest extent practicable by providing connectivity to the existing rights of way to the east and to the west. In addition to designing the eastern and western connections, the development shall be required to make a connection from the project boundary across 16th Ave SW at 1st Street SE to connect to the existing 1st Street SE roadway. 5. Internal cul-de-sacs and gates shall not be permitted. The site is located on the east side of 1st Street SW, +/- 0.15 miles south of the intersection of 14th avenue SE and US Hwy 41. The Future Land Use designation of the site is Residential – 4 (R-4).

#### **SITE ACCESS**

For projects with a Euclidean zoning designation, a project's potential transportation impacts, site access requirements, substandard road issues, site layout and design, other issues related to project access, and compliance with other applicable Hillsborough County Comprehensive Plan, Hillsborough County Land Development Code (LDC) and Hillsborough County Transportation Technical Manual (TTM) requirements are evaluated at the time of plat/site/construction plan review.

Transportation Review Section staff did review the proposed rezoning and restrictions to determine (to the best of our ability) whether the zoning is generally consistent with applicable policies of the Hillsborough County Comprehensive Plan, LDC and TTM (e.g. to ensure that the proposed rezoning would not result in a violation of the requirement whereby access to commercial properties cannot be taken through residentially or agriculturally zoned properties), and/or whether, in staff's opinion, some reasonable level of development under the proposed zoning designation could be supported based on current access management standards (e.g. to ensure that a project was not seeking an intensification of a parcel which cannot meet minimum access spacing requirements

The proposed rezoning is located in Ruskin and as such subject to the Ruskin Community Plan Area. Goal 2 of the Ruskin Community Plan Area Livable Communities Element states "Developments should continue and/or replicate the traditional "grid" street pattern found in Ruskin to the greatest extent practicable." In order to comply with this requirement, the applicant provided restrictions that provide connections to the east and west as well as providing a connection south to 1st street SE. The Ruskin Community Plan also states "Encourage development that is connected with, and integrated into, the Ruskin community. Design features (e.g. walls, gates) that isolate or segregate development from the community is inconsistent with the community's character and should be discouraged." The applicant provided restrictions that cul-de-sacs and gates will not be allowed. The applicants' restrictions including access connections to the east, west and south, and prohibiting cul-de-sacs and gates are consistent with

preventing isolated, segregated development and integrating into the Ruskin community and as such transportation review staff does not object to the proposed rezoning.

In addition to the proposed rezoning, the applicant has submitted a Right-of-Way vacation application for the unimproved right-of-way lying adjacent between the blocks that comprise the Site, pursuant to application V23-0010, which is currently under review.

Staff notes that, regardless of this review, the developer/property owner will be required to comply will all Comprehensive Plan, LDC, TTM and other applicable rules and regulations at the time of plat/site/construction plan review.

Staff notes that any plans or graphics presented as a part of a Euclidean zoning case is non-binding and will have no regulatory value at the time of plat/site/construction plan review.

#### Trip Generation Analysis

In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's <u>Trip Generation Manual</u>, 11<sup>th</sup> Edition.

**Approved Zoning:** 

FF 8			
Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
AR, 2 Single Family Dwelling Units (ITE Code 210)	28	3	3
RSC-6, 16 Single Family Units	186	15	18
Total	214	18	21

**Proposed Zoning:** 

Zoning, Land Use/Size	24 Hour Two-	Total Peak Hour Trips	
	Way Volume	AM	PM
RSC-6-R, 63 Single Family Dwelling Units (ITE Code 210)	660	49	65

**Trip Generation Difference:** 

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
-		AM	PM
Difference	+446	+31	+44

#### TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

The site has frontage on 1<sup>st</sup> Street SW. 1<sup>st</sup> Street SW is a 2-lane, undivided, substandard, Hillsborough County maintained, local roadway. 1<sup>st</sup> Street SW does not have any bike lanes or sidewalks on either side of the roadway within the vicinity of the project. 1<sup>st</sup> Street SW lies within +/- 62 feet of Right of Way in the vicinity of the project.

#### **ROADWAY LEVEL OF SERVICE**

 $1^{\rm st}$  Street SW is not a regulated Roadway and as such was not included in the 2020 Hillsborough County Level of Service Report.

#### **Transportation Comment Sheet**

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

Adjoining Roadways (check if applicable)						
Road Name	Classification	<b>Current Conditions</b>	Select Future Improvements			
1 <sup>st</sup> Street SW	County Local - Urban	2 Lanes  ⊠ Substandard Road  □ Sufficient ROW Width	<ul><li>□ Corridor Preservation Plan</li><li>□ Site Access Improvements</li><li>□ Substandard Road Improvements</li><li>□ Other</li></ul>			

Project Trip Generation □Not applicable for this request					
	Average Annual Daily Trips	A.M. Peak Hour Trips	P.M. Peak Hour Trips		
Existing	214	18	21		
Proposed	660	49	65		
Difference (+/-)	+446	+31	+44		

<sup>\*</sup>Trips reported are based on net new external trips unless otherwise noted.

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

<b>Design Exception/Administrative Variance</b> ⊠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	
<ul> <li>□ Design Exception/Adm. Variance Requested</li> <li>□ Off-Site Improvements Provided</li> <li>⋈ N/A</li> </ul>	☐ Yes ☐N/A ⊠ No	☐ Yes ⊠N/A ☐ No		

#### **COMMISSION**

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Rick Muratti, Esq. LEGAL DEPT
Steffanie L. Wickham WASTE DIVISION
Sterlin Woodard, P.E. AIR DIVISION

#### AGENCY COMMENT SHEET

REZONING				
COMMENT DATE: August 4, 2023				
PROPERTY ADDRESS:				
FOLIO #: 0574880000, 0574890000, 0574890100				
STR: 17-32S-19E				

**REQUESTED ZONING:** From AR and RSC-6 to RSC-9

FINDINGS				
WETLANDS PRESENT	NO			
SITE INSPECTION DATE	08/04/2023			
WETLAND LINE VALIDITY	NA			
WETLANDS VERIFICATION (AERIAL PHOTO,	No wetlands or other surface waters observed			
SOILS SURVEY, EPC FILES)	onsite.			

#### **INFORMATIONAL COMMENTS:**

Wetlands Division staff of the Environmental Protection Commission of Hillsborough County (EPC) inspected the above referenced site in order to determine the extent of any wetlands and other surface waters pursuant to Chapter 1-11, Rules of the EPC. This determination was performed using the methodology described within Chapter 62-340, Florida Administrative Code, and adopted into Chapter 1-11. The site inspection revealed that no wetlands or other surface waters exist within the above referenced parcel.

Please be advised this wetland determination is informal and non-binding. A formal wetland delineation may be applied for by submitting a "WDR30 - Delineation Request Application". Once approved, the formal wetland delineation would be binding for five years.

aow/

ec: kami.corbett@hwhlaw.com



Adequate Facilities Analysis: Rezoning

**Date:** 9/29/2023 **Acreage:** 15.85 (+/- acres)

Jurisdiction: Hillsborough County Proposed Zoning: RSC-9

Case Number: 23-0714 Future Land Use: R-4

**HCPS #**: RZ 556

**Maximum Residential Units: 63** 

Address: Intersection of 14th Ave SE and 1st

Street SW Residential Type: Single Family Detached

Parcel Folio Number(s): 57488.0000,

57489.0000, 57489.0100

School Data	Ruskin Elementary	Shields Middle	Lennard High
FISH Capacity  Total school capacity as reported to the Florida Inventory of School Houses (FISH)	1008	1557	2494
<b>2022-23 Enrollment</b> K-12 enrollment on 2022-23 40 <sup>th</sup> day of school. This count is used to evaluate school concurrency per Interlocal Agreements with area jurisdictions	712	1866	2406
Current Utilization Percentage of school capacity utilized based on 40 <sup>th</sup> day enrollment and FISH capacity	71%	120%	96%
Concurrency Reservations  Existing concurrency reservations due to previously approved development. Source: CSA Tracking Sheet as of 9/15/23	156	0	88
Students Generated Estimated number of new students expected in development based on adopted generation rates. Source: Duncan Associates, School Impact Fee Study for Hillsborough County, Florida, Dec. 2019	13	6	9
<b>Proposed Utilization</b> School capacity utilization based on 40 <sup>th</sup> day enrollment, existing concurrency reservations, and estimated student generation for application	87%	120%	100%

**Notes:** At this time, adequate capacity exists at Ruskin Elementary School to accommodate the maximum residential impact of the rezoning. While Shields Middle and Lennard High Schools are projected to be over capacity, state law requires the school district to consider whether capacity exists in adjacent concurrency service areas (i.e., school attendance boundaries). At this time, there is no adjacent capacity available at the middle or high school levels. The applicant is advised to contact the school district for more information.

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

andrea a Hingone

Andrea A. Stingone, M.Ed.
Department Manager, Planning & Siting
Growth Management Department
Hillsborough County Public Schools

E: <u>andrea.stingone@hcps.net</u> P: 813.272.4429 C: 813.345.6684

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

PETIT	TION NO.: RZ-STD 23-0714 REVIEWED BY: Clay Walker, E.I. DATE: 7/31/2023	
FOLIC	NO.: 57489.0000, 57489.0100, 54788.0000	
	WATER	
	The property lies within the Water Service Area. The applicant should contact the provider to determine the availability of water service.	
	A 12 inch water main exists (adjacent to the site), (approximately feet from the site) and is located west of the subject property within the west Right-of-Way of 1st Street Southwest. 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 $\underline{6}$ inch wastewater force main exists $\boxtimes$ (adjacent to the site), $\square$ (approximately feet from the site) and is located west of the subject property within the east Right-of-Way of 1 <sup>st</sup> Street Southwest. 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.	
COMM	MENTS: The subject rezoning includes parcels that are within the Urban Service Area	

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.

#### **ENVIRONMENTAL SERVICES DIVISION**

Hillsborough County Florida

PO Box 1110 Tampa, FL 33601-1110

#### **Agency Review Comment Sheet**

**NOTE:** Wellhead Resource Protection Areas (WRPA), Potable Water Wellfield Protection Areas (PWWPA), and Surface Water Resource Protection Areas (SWRPA) reviews are based on the most current available data on the Hillsborough County maps, as set forth in Part 3.05.00 of the Land Development Code.

TO: Zoning Review, Development Services **REQUEST DATE**: 7/18/2023

**REVIEWER:** Kim Cruz, Environmental Supervisor **REVIEW DATE:** 7/24/2023

**APPLICANT:** Highland Homes APP ID: 23-0714

**LOCATION:** 1502 SW 1 St Ruskin, FL 33570 and 1506 SW 1st St Ruskin, FL 33570

**FOLIO NO.:** 57849.0000, 57849.0100, 57488.0100

#### **AGENCY REVIEW COMMENTS:**

Based on the most current data, the project is not located within a Wellhead Resource Protection Area (WRPA), Surface Water Protection Area (SWPA), and/or a Potable Water Wellfield Protection Area (PWWPA), as defined in Part 3.05.00 of the Land Development Code. Hillsborough County Environmental Services Division (EVSD) has no objection.

#### AGENCY REVIEW COMMENT SHEET

TO:	ZONING TECHNICIAN, Planning Growth Manag	gement	<b>DATE:</b> 7 Jul. 2023	
REVIEWER: Bernard W. Kaiser, Conservation and Environmental Lands Management				
APP	PLICANT: Kami Corbett	PETITION NO: RA	Z-STD 23-0714	
LOC	CATION: Ruskin, FL 33570			
FOL	LIO NO: 57488.0000, 57489.0000, 57489.0100	SEC: <u>17</u> TWN: <u>32</u>	RNG: <u>19</u>	
$\boxtimes$	This agency has no comments.			
	This against has no objection			
	This agency has no objection.			
	This agency has no objection, subject to listed or attached conditions.			
	This agency objects, based on the listed or attac	ched conditions.		
COMMENTS: .				
COIVIIVILINTO				

# VERBATIM TRANSCRIPT

	HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS
	X )
IN RE:	)
ZONE HEARIN	MASTER )
HEARINGS	)
	X

ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH

Land Use Hearing Master

DATE: Monday, December 18, 2023

TIME: Commencing at 6:00 p.m.

Concluding at 8:18 p.m.

LOCATION: Hillsborough County BOCC

601 East Kennedy Boulevard

26th Floor Boardroom Tampa, Florida 33601

Reported by: Diane DeMarsh, AAERT No. 1654

- 1 if you could please stand and raise your right hand while I
- 2 swear you in.
- 3 Do you solemnly swear the testimony you're about to
- 4 provide is the truth, the whole truth, and nothing but the
- 5 truth?
- 6 (I do said in unison.)
- 7 HEARING MASTER: Thank you so much. Please be seated.
- 8 All right, Ms. Heinrich, that takes us to the first
- 9 case.
- 10 MS. HEINRICH: Our first item is Item C.1, Standard
- 11 Rezoning 23-0714. The applicant is requesting to rezone
- 12 property from AR and RSC-6 to RSC-9 Restricted. Jared Follin
- 13 with Development Services will provide staff findings after the
- 14 applicant's presentation.
- 15 HEARING MASTER: All right.
- MS. CORBETT: Good evening.
- 17 HEARING MASTER: Good evening.
- 18 MS. CORBETT: Kami Corbett with the law firm of Hill
- 19 Ward and Henderson, 101 East Kennedy Boulevard, Suite 3700,
- 20 Tampa, Florida. I'm here this evening representing Highland
- 21 Homes.
- The development location is in Ruskin. It's south of
- 23 College Avenue and west of I-75. And as Michelle indicated, we
- 24 are proposing an RSC-9 Restricted rezoning with the following
- 25 restrictions: The development shall comply with the Ruskin

- 1 Community Character Guidelines. Development is limited to the
- 2 maximum density of the Future Land Use category, which is
- 3 Residential-4 here. The minimum lot size is 6000 square feet
- 4 for all lots, and the minimum lot width is at least 20% of the
- 5 lots must be 60 feet wide and the remaining lots must be 55 feet
- 6 wide.
- 7 We're providing interconnections to the east, west,
- 8 and south at Southwest First Street Southeast to connect to
- 9 the existing First Street Southeast. And we have a prohibition
- 10 on internal cul-de-sacs, and gates are not permitted.
- And all of those restrictions, if you were to look in
- 12 the Land Development Code with respect to what are the Ruskin
- 13 Community Character design Guidelines, those are all consistent
- 14 with those guidelines.
- 15 What's at issue in this case with the Planning
- 16 Commission is whether or not we satisfy this portion of the
- 17 Ruskin Community Plan that says that development should connect
- 18 or replicate the traditional grid street pattern to the greatest
- 19 extent practicable. And what does practical -- practicable
- 20 mean? It means it must be feasible.
- In this instance, it's not practicable to provide more
- 22 connections than we've already agreed to. I'll show you some
- 23 images to back this up. Second Street has been vacated and is
- 24 in use for purposes other than right-of-way. Third Street
- 25 Southeast terminates at 16th Avenue Southwest, and 16th Avenue

- 1 Southwest is in active use as a stormwater drainage area with no
- 2 plans to improve.
- 3 Staff -- Development Services did ask us to look at
- 4 the improvement of Third Street South along our project's
- 5 eastern boundary, but we were able to provide a cost estimate
- 6 indicating that it would be well in excess of \$500,000, which
- 7 would not be proportionate to the scale of development that
- 8 we're proposing here. We're only going to propose about 63, 65
- 9 lots, and that would be -- the cost just deemed prohibitive.
- 10 Again, this is surrounding area. The Second Street
- 11 area that I indicated has been vacated is the area to the north
- 12 separating the property -- subject property from the drainage
- 13 pond that you can see to the north as well as the Community
- 14 Resource Center.
- 15 And then you can see on the southern area, which is
- 16 16th Avenue Southwest, you can see that it's all vegetated right
- 17 now and it is serving as an active drainage to Hillsborough
- 18 County. Similar with Third Street, you can see there's a lot of
- 19 vegetation and a lot of trees there, thus, increasing the costs
- 20 associated with having to approve that.
- We do have a companion vacating application which
- 22 seeks to vacate those internal right-of-ways that you see in
- 23 between the red squares on the properties. So that is in
- 24 process and will be heard by the Board at the same time as this
- 25 application.

- 1 This exhibit is from the Planning Commission Staff
- 2 Report on what they required for connectivity. The circles in
- 3 green, the two east -- the connections on the east and the west
- 4 and one connection on the south are being proposed in part of
- 5 the restrictions. These two x's along Second Street Southeast
- 6 are not being proposed.
- 7 Essentially, that dead-ends into the Community
- 8 Resource Center. And you can see that, actually, Third Street
- 9 Southeast is not being vacated by the -- by the requested
- 10 vacation. And a more logical place for a connection to the
- 11 north would be along that right-of-way.
- And I'll show you a little bit more what I mean here.
- 13 See the yellow oval is that the location of where that
- 14 connection would occur. You can see that it's partially in a
- 15 stormwater pond and partially at the Community Resource Center.
- 16 So that dead-ends right into their driveway.
- The green box on the right is where, again, I think
- 18 the more logical connection if it were to occur -- the County
- 19 ever wanted to create a connection from this development to that
- 20 Community Resource Center, that's where that would be located.
- 21 And just for reference, this is the area in question.
- 22 This is the Community Resource Center. This is the area where
- 23 the Second Street has been vacated and is already in use for
- 24 other purposes. You can see some light striping there; the
- 25 handicapped parking is being provided there.

1 Again, this is another shot looking south where you can see there's parking provided in what -- where there would be 2 a right-of-way in a roadway -- in a connection. 3 4 This is actually the Ruskin Infant Center that is located most due south. So this is for a child development center that's on the southern portion of this property. And, 6 7 again, you can see these driveways are not really suitable for public roadways. Any kind of connection would not be to a 8 suitable public right-of-way. 9 10 Again, more one-way crossing. It's really kind of a 11 mish-mash of driveways at this location. And, again, more of 12 the same. You can see they're not standard roadways. They're 13 not suitable for public traffic and would not be a logical 14 location for a connection. 15 And that's really what's at heart -- at the heart of 16 this application and what's at the heart of any controversy. We 17 have not had any requests for additional information or anyone 18 expressing concerns about this rezoning. It's really about whether or not we can provide additional access connections. 19 20 And Development Services has found that the request is 21 supportable based on the conditions that we have proposed for 22 the restrictions. And the Planning Commission itself sites 23 several goals, objectives, and policies supporting approval 24 regarding the consistency with compatibility of the surrounding 25 area, consistency with neighborhood protection policies, and

- 1 adherence to the design guidelines. And really what we have is
- 2 a disagreement about whether or not those additional connections
- 3 are practicable.
- And I'm here with Heather Works who is our project
- 5 engineer who can answer question should you have any and a
- 6 couple of representatives from my clients as well.
- 7 HEARING MASTER: Let me ask you a couple questions.
- 8 First of all, we are not normally in this room. If you ever
- 9 come to the Zoning Hearing Master Meeting, we are not normally
- 10 in this room and we're not normally this far away from -- so
- 11 anyway. That's going just a little off.
- My first question pertains to connectivity, of course,
- 13 and your graphic that showed where it would have been logical at
- 14 Third Street Southeast; is that right? Can you go back to that
- 15 graphic?
- MS. CORBETT: This one?
- 17 HEARING MASTER: Yeah. So that -- the right-of-way
- 18 does not exist to the north -- or to the east adjacent to your
- 19 project; is that correct?
- MS. CORBETT: So the right-of-way does exist to the
- 21 east. We're not seeking to vacate it. You can see -- maybe if
- 22 I go back to --
- HEARING MASTER: Yes.
- MS. CORBETT: -- the vacating -- go back to this
- 25 slide. And I could probably actually --

- 1 Heather, if you want to go hand Ms. Finch this
- 2 hardcopy of the PowerPoint presentation, it might be a little
- 3 easier to see than trying to look --
- 4 HEARING MASTER: I'll give you some extra time to get
- 5 down here.
- 6 MS. CORBETT: So you see Second Street to the north
- 7 has been vacated, and Second Street to the north is where the
- 8 drainage pond is and where those -- the Ruskin Infant Center is
- 9 utilizing that for their parking. The right-of-way all the way
- 10 to the east, you can see that's not being included in the
- 11 right-of-way vacation application. So that's going to remain a
- 12 right-of-way.
- 13 HEARING MASTER: I see.
- MS. CORBETT: And should Hillsborough County choose to
- 15 improve it, we are providing connectivity to the east. And so
- 16 the more logical vehicular connection to that resource center
- 17 would be from that connection point up -- taking a left and up
- 18 on an improved right-of-way rather than through the development
- 19 of the county park and resource center which has long been
- 20 developed.
- 21 And I think the Planning Commission made reference to
- 22 maybe some time in the future. But, again, that's in use now.
- 23 It doesn't -- there's no plans for the County to use it any
- 24 other way.
- 25 HEARING MASTER: And the drive areas you showed in

- 1 your photos around that resource center, those are internal
- 2 right-of-way for that project?
- 3 MS. CORBETT: Yes. And you can look at this aerial.
- 4 You can sort of see a little bit better how -- where that -- the
- 5 internal right-of-way where the Planning Commission was asking
- 6 for the connection, you can see it sort of dead-ends maybe
- 7 partially on the drainage area and maybe partially to -- to the
- 8 other property. But, yes, it -- it goes right into the internal
- 9 right-of-way where those parking spaces are in use right now.
- 10 And actually, that right-of-way is not -- that area
- 11 has been vacated, so it's not even the standard width. So it's
- 12 probably no longer even -- you can probably get one car, but
- 13 it's not a standard roadway.
- 14 HEARING MASTER: Are there any Ruskin quidelines that
- 15 you are not meeting?
- MS. CORBETT: No.
- 17 HEARING MASTER: Okay. Thank you.
- MS. CORBETT: You're welcome.
- 19 HEARING MASTER: Please sign in with the clerk's
- 20 office.
- 21 All right. We'll go to Development Services, please.
- 22 Good evening.
- MR. FOLLIN: Good evening. Jared Folling with
- 24 Development Services. As was stated, this is a request to
- 25 rezone approximately 15.85 acres parcel from residential

- 1 single-family conventional four and agricultural rural to RSC-9
- 2 Restrictive in order to facilitate a residential single-family
- 3 development at a density of four units per acre.
- 4 The applicant has also submitted a vacation request to
- 5 vacate existing right-of-way on the property to prepare for the
- 6 new subdivision, and it will run concurrently with the
- 7 application when it is sent to the Board of County
- 8 Commissioners.
- 9 So the subject property is located at 1502 Southwest
- 10 First Street. It is within the Ruskin Community Plan and the
- 11 South Ruskin Community Plan areas and is located in the Urban
- 12 Service Area. The current use of the property is a tree nursery
- 13 and contains one single-family home. Surrounding properties
- 14 primarily consist of residential uses of various densities and
- 15 residential agricultural zonings. But some non-residential uses
- 16 such as the resource center is to the north -- adjacent along
- 17 with a large detention pond that is maintained by Hillsborough
- 18 County. To the northwest, you will find commercial uses in
- 19 districts concentrated along Highway 42, which is about 800 feet
- 20 away.
- 21 And, as mentioned, the property is located within the
- 22 Ruskin Community Plan, specifically, in Area 3. The plan
- 23 provides character strategies for residential development to
- 24 encourage a diversity of home styles and types and to protect
- 25 the small town character of the Ruskin area. These strategies

- 1 include the size and dimensions of lots and the design of the
- 2 neighborhood's layout to resemble a traditional grid pattern.
- 3 The Land Development Code Part 3.22.00 Ruskin
- 4 Community Guidelines further provides codified guidelines that
- 5 are required to be met. To ensure the development meets the
- 6 plan in LDC, the applicant has proposed restrictions that
- 7 include a minimum lot size of 6000 square feet and prohibiting
- 8 internal cul-de-sacs and gates.
- 9 They also included a restriction for the development
- 10 to replicate a traditional grid system by requiring at least one
- 11 access point to be located on the east, west, and south property
- 12 boundaries to encourage this grid design. This includes a
- 13 connection to First Street Southeast to the south which connects
- 14 to the existing neighborhood.
- 15 Other restrictions proposed are general statement of
- 16 conforming to the Ruskin Community Character Guidelines in the
- 17 Land Development Code and limiting the development to four
- 18 dwelling units per acre.
- Based on the proposed restrictions, we find that they
- 20 meet the guidelines and strategies described in the Ruskin Plan
- 21 and LDC. We also find that the site is appropriate for the
- 22 proposed RSC-9 zoning and recommend approval of the requests.
- I'll be happy to answer any questions.
- 24 HEARING MASTER: No questions at this time. Thank you
- 25 so much.

- 1 Planning Commission.
- 2 MS. PAPANDREW: Andrea Papandrew, Planning Commission
- 3 staff. The site is in the Residential 4 Future Land Use
- 4 category and within the Ruskin Community Plan and the Southshore
- 5 Areawide Systems Plan. The applicant did submit proposed
- 6 restrictions after Planning Commission staff filed our report.
- 7 So, due to this, those restrictions were not taken into account
- 8 during this analysis recommendation.
- 9 The Residential 4 category is intended for low density
- 10 residential development. The site is proposing residential
- 11 single-family conventional restrictive zoning at a maximum of
- 12 four units per acre with 6000 square foot lots.
- The proposed rezoning meets the intent of some of the
- 14 Neighborhood Protection Policies, specifically Policies 16.1,
- 15 16,2, 16.3, 16.8, 16.10, and 16.11. The area is residential in
- 16 character with public institutional uses to the north. There's
- 17 also vacant land, agricultural, and common property uses
- 18 throughout. Further northwest is light commercial. Rezoning to
- 19 allow single-family residential lots or 6000 square feet would
- 20 be consistent with Objective 16's policies and Goals 8, 12 in
- 21 Objective 12.1 of the Community Design Component in the Future
- 22 Land Use Element.
- Per Policy 9.2, developments must meet or exceed the
- 24 requirements of all land development regulations as established
- 25 and adopted by Hillsborough County. At the time of uploading --

- 1 time of staff reviewing the report, Transportation comments were
- 2 not yet available, and so were not taken into consideration.
- The site is in the Ruskin Community Plan. Goal 5
- 4 states that development should continue and/or replicate the
- 5 traditional grid street pattern. While the Transportation
- 6 Division included in their comments that they believe the
- 7 proposed rezoning meets the intent of the Ruskin Community Plan,
- 8 Planning Commission Staff is the entity that ultimately makes a
- 9 finding of consistent or inconsistent with the Comprehensive
- 10 Plan.
- In this case, staff have reviewed the application and
- 12 finds it inconsistent with the adopted policy direction. The
- 13 applicant has stated that they will provide connections on the
- 14 western boundary to First Street Southwest and along the eastern
- 15 boundary of Third Street Southeast. Internal cul-de-sacs and
- 16 gates will not be permitted.
- 17 Staff recognizes that there is no right-of-way further
- 18 northwest of the site towards 14th Avenue Southeast. However,
- 19 there is an opportunity to provide a connection north from
- 20 Second Street Southeast to the Southshore Community Resource
- 21 Center. Additionally, there are up to four connections to the
- 22 south to provide a grid pattern by connecting to 16th Avenue
- 23 Southwest. While it is currently being used as a drainage
- 24 ditch, Planning Commission Staff have not received any
- 25 documentation from Hillsborough County Staff stating that 16th

- 1 Avenue Southwest cannot be a viable future roadway connection.
- 2 The proposed rezoning does not provide two connections to 16th
- 3 Avenue Southwest to provide the necessary grid pattern.
- 4 Per Policy 16.7, residential neighborhoods should be
- 5 designed for internal circulation and street stub outs to
- 6 connect adjacent neighborhoods. Without additional roadway
- 7 connections, there is no guarantee that internal circulation
- 8 will be preserved for this site. Additionally, Goal 4 and
- 9 Objective 4.1 of the Mobility Section seek to provide safe and
- 10 convenient connections within communities.
- 11 Staff recognizes the applicant's willingness to
- 12 connect east of Third Street Southeast. However, since Third
- 13 Street Southeast has not been constructed, a connection on
- 14 Second Street Southeast establishes a grid pattern area and
- 15 provide a connection with the Community Resource Center north of
- 16 the site. Additionally, standard rezoning does not require a
- 17 site plan or allow for conditions of approval for staff to fully
- 18 evaluate how the grid pattern will be maintained in Ruskin.
- 19 As mentioned, there is a vacating application
- 20 associated with this rezoning. Staff found the vacating
- 21 inconsistent as well due to the vacating of Second Street
- 22 Southeast which would not allow the continuation of the grid
- 23 network and would limit the ability to connect neighborhood
- 24 serving uses.
- 25 Planning Commission Staff maintains its position for

- 1 this proposed rezoning and finds the lack of connectivity to be
- 2 inconsistent with several goals, objectives, and policies of the
- 3 Unincorporated Hillsborough County Comprehensive Plan. The
- 4 proposal also does not meet the intent of Southshore Areawide
- 5 Systems. While it provides additional housing opportunities,
- 6 not providing a grid pattern does not recognize the preferred
- 7 development and connectivity patterns of Ruskin.
- 8 Based upon the above considerations, Planning
- 9 Commission Staff finds the proposed rezoning inconsistent with
- 10 the Unincorporated Hillsborough County Comprehensive Plan.
- 11 HEARING MASTER: Let me ask you -- because it does
- 12 seem that it points back to the Planning Commission in terms of
- 13 the question, so let me delve into that a little bit. You said
- 14 in your opening remarks that you had not seen the proposed
- 15 restrictions. At the date of this writing, they weren't
- 16 finalized?
- MS. PAPANDREW: Yes. So Planning Commission Staff are
- 18 obligated to file our reports 12 days before the Zoning Hearing
- 19 Master per the Land Development Code. So at the time we filed,
- 20 the restrictions were not sent to us, so they were not included
- 21 in our analysis.
- 22 HEARING MASTER: Okay. Understood. So the
- 23 restriction -- now that you've seen them, the restriction talks
- 24 about a connection to the south. I think it's number five that
- 25 talks about a connection from the project across 16th Avenue

- 1 Southwest at First Street Southeast to connect to the existing
- 2 First Street Southeast which I believe that is a connection to
- 3 the south. Would you agree? If you see the County Staff
- 4 Report -- I don't know if you have a copy of it.
- 5 MS. PAPANDREW: I believe they are proposing one to
- 6 the south.
- 7 HEARING MASTER: Yes.
- 8 MS. PAPANDREW: However, we -- we don't change our
- 9 finding after we file. If the applicant would like to continue,
- 10 we're happy to review that.
- 11 HEARING MASTER: Okay. Understood. All right. And
- 12 then the connection to the north that's suggested in the
- 13 Planning Commission Staff report regarding that resource center,
- 14 you saw the pictures. And so if you could just elaborate on
- 15 Ms. Corbett's argument that that's not viable at this point for
- 16 a connection for a project of this type.
- MS. PAPANDREW: So, I mean, we have multiple policies
- 18 in the Comprehensive Plan on connectivity and connecting to our
- 19 community resources, and not providing that connection seems
- 20 like a missed opportunity that would not be consistent with our
- 21 policy direction.
- 22 HEARING MASTER: Okay. And is it fair to say that the
- 23 connectivity issue is the sole reason that the Planning
- 24 Commission is not recommending?
- MS. PAPANDREW: Yes, the -- the connectivity issue.

- 1 Because there is strong language in the Ruskin Community Plan.
- 2 HEARING MASTER: Okay. Understood. Thank you for
- 3 that. I appreciate the clarification.
- 4 All right. Is there anyone in the room or online that
- 5 would like to speak in support? Anyone in favor? Seeing no
- 6 one.
- 7 Anyone in opposition to this request? Seeing no one.
- 8 Ms. Heinrich, anything else?
- 9 MS. HEINRICH: No, ma'am.
- 10 HEARING MASTER: All right.
- 11 Ms. Corbett, you have five minutes for rebuttal, if
- 12 you'd like.
- MS. CORBETT: Sure. Kami Corbett, again, with Hill
- 14 Ward and Henderson. Just to clarify a couple of things in the
- 15 record, the restrictions were in the record at the time that
- 16 staff filed their report. The only restriction that was not
- 17 agreed to at the time was the connection to the south. All of
- 18 the other required connections to the east and west, the
- 19 compliance with the Ruskin Community Design standards with
- 20 respect to lot sizes and lot widths, those were all in the
- 21 record ahead of time.
- 22 And part of the reason why we didn't agree to continue
- 23 or try to work further with the Planning Commission is their
- 24 insistence on the connection to the north at Second Street
- 25 Southeast and through that Community Resource Center. So I

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don't think there was anything that we were going to do to --
 1
    their position is they're objecting to the vacating and
    therefore the rezoning because of the lack of interconnectivity
    to that resource center. That is simply not something that's
   practicable to do right now.
 6
              HEARING MASTER: Thank you.
              MS. CORBETT: Or -- or in the near future.
              HEARING MASTER: All right. Thank you so much.
 8
 9
              With that, we'll close Rezoning 23-0714 and go to the
10
   next case.
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# Zone Hearing Master Hearing --November 13, 2023

	Veniber 13, 2023				
HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS					
IN RE:  ZONE HEARING MASTER HEARINGS	) ) ) ) ) )				
	F TESTIMONY AND PROCEEDINGS				
BEFORE:	PAMELA JO HATLEY Land Use Hearing Master				
DATE:	Monday, November 13, 2023				
TIME:	Commencing at 6:00 p.m. Concluding at 9:07 p.m.				
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard Tampa, Florida 33601				
Reported by: Diane DeMarsh, AAERT No.	1654				

### Zone Hearing Master Hearing --November 13, 2023

continued by Staff to the December 18, 2023 ZHM hearing. 1 Item A.3, Major Mod 23-0518. This application is out of order to be heard and is being continued to the 3 December 18, 2023 ZHM hearing. Item A.4, PD 23-0540. This application is out of order to be heard and is being continued to the December 18 2023 ZHM hearing. 8 Item A.5, PD 23-0583. This application is out of order to be heard and is being continued to the 9 December 18, 2023 ZHM hearing. 10 11 Item A.6, PD 23-0584. This application is out of order to be heard and is being continued to the 12 13 December 18, 2023 ZHM hearing. 14 Item A.7, Major Mod 23-0617. This application is out of order to be heard and is being continued to the December 18, 2023 ZHM hearing. 16 Item A.8, PD 23-0618. This application is out of 17 18 order to be heard and is being continued to the January 16, 2024 19 ZHM hearing. 20 Item A.9, PD 23-0622. This application is being 21 continued by Staff to the January 16, 2024 ZHM hearing. 22 Item A.10, this app -- which is Standard Rezoning 23 23-041 -- 0714. This application is being continued by the applicant to the December 18, 2023 ZHM hearing. 24 25 Item A.11, Major Mod application 23-0768. This

#### Zoning Master Hearing ---October 16, 2023

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	OROUGH COUNTY, FLORIDA F COUNTY COMMISSIONERS
IN RE:  ZONE HEARING MASTER HEARINGS	) ) ) ) ) ) )
	HEARING MASTER HEARING F TESTIMONY AND PROCEEDINGS
BEFORE:	Susan Finch Land Use Hearing Master
DATE:	Monday, October 16, 2023
TIME:	Commencing at 6:00 p.m. Concluding at 10:13 p.m.
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard Tampa, Florida 33601
Reported by: Diane DeMarsh, AAERT No.	1654

#### Zoning Master Hearing ---October 16, 2023

ZHM Hearing. 1 Item A.10, Major Mod Application 23-0617. This application is out of order to be heard and is being continued 3 to the November 13, 2023 ZHM Hearing. Item A.11, PD 23-0618. This application is out of order to be heard and is being continued to the November 13, 2023 ZHM Hearing. Item A.12, PD 23-0622. This application is out of 8 order to be heard and is being continued to the 9 November 13, 2023 ZHM Hearing. 10 11 Item A.13, Standard Rezoning 23-0714. This application is being continued by the applicant to the 12 13 November 13, 2013 ZHM Hearing. 14 Item A.14, Major Mod Application 23-0768. This 15 application is out of order to be heard and is being continued to the November 13, 2023 ZHM Hearing. 16 17 Item A.15, Standard Rezoning 23-0771. This 18 application is out of order to be heard and is being continued to the November 13, 2023 ZHM Hearing. 19 20 Item A.16, PD 23-0774. This application is out of 21 order to be heard and is being continued to the November 13, 22 2023 ZHM Hearing. 23 Item A.17, PD 23-0775. This application is out of order to be heard and is being continued to the 24 25 November 13, 2023 ZHM Hearing.

#### ZHM Hearing September 18, 2023

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	OROUGH COUNTY, FLORIDA F COUNTY COMMISSIONERS			
IN RE:  ZONE HEARING MASTER HEARINGS	) ) ) )			
ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS				
BEFORE:	SUSAN FINCH Land Use Hearing Master			
DATE:	Monday, September 18, 2023			
TIME:	Commencing at 6:00 p.m. Concluding at 10:54 p.m.			
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard Tampa, FL 33601			
Reported by: Diane DeMarsh, AAERT No.	1654			

## ZHM Hearing September 18, 2023

Item A.17, PD 23-0610, this application is being 1 continued by the applicant to the October 16th, 2023, Zoning 2 Hearing Master hearing. Item A.18, Major Mod application 23-0614, this application is being continued by the applicant to the October 16, 2023, Zoning Hearing Master hearing. Item A.19, Major Mod application 23-0617, this application is out of order to be heard and is being continued 8 to the October 16th, 2023, Zoning Hearing Master hearing. 9 Item A.20, PD 23-0618, this application is out of 10 order to be heard and is being continued to the October 16th, 11 2023, Zoning Hearing Master hearing. 12 13 Item A.22 [sic], Standard Rezoning 23-0714, this 14 application is being continued by the applicant to the October 15 16th, 2023, Zoning Hearing Master hearing. 16 Item A.22, Standard Rezoning 23-0729, this application 17 is being continued by staff to the October 16th, 2023, Zoning 18 Hearing Master hearing. Item A.23, Standard Rezoning 23-0771, this application 19 20 is being continued by the applicant to the October 16th, 2023, 21 Zoning Hearing Master hearing. 22 Item A.24, Standard Rezoning 23-0782, this application 23 is out of order to be heard and is being continued to the October 16th, 2023, Zoning Hearing Master hearing. 24 25 And, lastly, Item A.25, Standard Rezoning 23-0828,

## ZHM Hearing August 21, 2023

A	agust 21, 2025				
HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS					
X ) IN RE:					
ZONE HEARING MASTER ) HEARINGS )					
ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS					
BEFORE:	PAMELA JO HATLEY Land Use Hearing Master				
DATE:	Monday, August 21, 2023				
TIME:	Commencing at 6:00 p.m. Concluding at 8:43 p.m.				
LOCATION:	Hillsborough County BOCC 601 East Kennedy Boulevard Tampa, Florida 33601				
Reported by: Diane DeMarsh, AAERT No.	1654				

## ZHM Hearing August 21, 2023

1 Item A.22, Standard Rezoning 23-0611. application is being withdrawn from the ZHM process. 2 Item A.22, Standard Rezoning 23-0714. 3 application is being continued by the applicant to the September 18, 2023 ZHM hearing. Item A.24, Standard Rezoning 23-0729. This 6 application is out of order to be heard and is being continued to the September 18, 2023 ZHM hearing. 8 And that concludes the continuances. 9 HEARING MASTER: Thank you so much. All right. 10 agenda for the meeting tonight consists of items that require a 11 public haring by a hearing master before going to the Board of 12 13 County Commissioners for final decision. 14 I will conduct a hearing on each item today and will 15 submit a written recommendation. My written recommendation will 16 be filed with the clerk of the board within 15 working days 17 after the conclusion of today's public hearings. The Board of 18 County Commissioners will consider the record of today's public hearing and my recommendation and will make the final decision 19 on each application that a publicly noticed meeting on a date 20 21 and time set by the Board of County Commissioners. 22 The hearings today will be informal. I will ask 23 questions related to the scope of direct testimony and may call and question witnesses as I deem appropriate. I will decide all 24 questions of procedure. I will take evidence, but will exclude 25

## EXHIBITS SUBMITTED DURING THE ZHM HEARING

SIGN-IN SHEET: RFR, $[2/8/23]$	ZHMI PHM, LUHO  6:00 pm HEARING MASTER: Susan Finch				
PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING					
APPLICATION #	PLEASE PRINT NAME Com Cor bett				
23-0714	MAILING ADDRESS 1018 (COMPLETE Blud Ste 3700)				
	CITY TAMP OF STATE ZIP 3360 PHONE 813-227 842				
APPLICATION #	PLEASE PRINT NAME  NORGIVA  Santos				
23-902	MAILING ADDRESS 102 9th St				
VS	CITY Mimaumastate FL ZIP 3359 PHONE				
APPLICATION #	PLEASE PRINT JOE MORECO				
24-0042	MAHINGADDRESS 490 X) Achless D				
	CITY TO STATE TO ZIP 3403 PHONE 813.342 9495				
APPLICATION #	PLEASE PRINT NAME Michael hee Grande				
24-0042	MAILING ADDRESS 606 Felfair Rol				
	CITY Brandon STATE In ZIP 3 3510PHONE \$ 13-689-2098				
APPLICATION #	PLEASE PRINT NAME  John Pohl				
24-0642	MAILING ADDRESS 6/9 Telfair Rd				
US	CITY Brandon STATE FZ ZIP 3310 PHONE				
APPLICATION #	PLEASE PRINT Care/ine Margin				
24-065	MAILING ADDRESS 5137 5 Lake land Dr Ste 3				
VS	CITY Cake and STATE FC ZIR 38 LPHONE				

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO  PAGE $\checkmark$ OF $\checkmark$						
DATE/TIME: 12/18/23 6:00 PM HEARING MASTER: SUSAN FINCH						
PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING						
APPLICATION #	PLEASE PRINT Daniel Kovacs					
24-0065	MAILING ADDRESS 5177 5 Lake and Dr. Ste. 3					
16	CITY (gkeland STATE FL ZIP 378/3 PHONE					
	CITY (TING CAPA) STATE - ZIP->7(13) PHONE					
APPLICATION #	PLEASE PRINT ON VESSINGE					
23-6472	MAILING ADDRESS 200 Dut Aug 9. #45					
,	CITY Hele STATE ZIP PHONE 3					
	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1					
APPLICATION #	NAME DOUALD RICHARDSON					
23-0470	MAILING ADDRESS 730 / SUMMORBNIOSO Dr.					
	CITY Tet STATE Pla ZIP 3434 PHONE 84-244-0678					
APPLICATION #	NAME AND PILLOWS					
2 3-0472	MAILING ADDRESS 7510 DAKUS MA CIV					
	CITY TOA STATE PL ZIP 33134 PHONE 813-767-4965					
APPLICATION #	NAME Julie Hirst					
9 7-6472						
25000	MAILING ADDRESS 6743 TWELVE OOKS Blud,  CITY TOMPO STATEFL ZIP PHONE 3411					
	CITISTATE_CZIFFHONE					
APPLICATION #	NAME Nancy Hendrix					
23-0472	MAILING ADDRESS 7536 Armand Civ					
	MAILING ADDRESS 7536 Armand CIV  CITY Tampa STATE FL ZIP 33634 PHONE 0655					

DATE/TIME: 12/18/27 6:08 pm HEARING MASTER: SUSAn Finch					
DATE/TIME: 12/18/	23 6:08 pm HEARING MASTER: Susan Finch				
	ARLY, THIS INFORMATION WILL BE USED FOR MAILING				
APPLICATION #	NAME Stanty N. Holmes				
23-0479	MAILING ADDRESS 7003 Forestview c1				
	CITY Tampa STATEFL ZIP 3 PHONE 885-4879				
APPLICATION #	NAME PRINT ROLL MCKEON				
23-0472	MAILING ADDRESS 7016 ontries				
	CITY Tampa STATEF L ZIP 33634 HONE 8/3236-060 6				
APPLICATION #	PLEASE PRINT GREG Thole				
2 3-0472	MAILING ADDRESS 759 Marfair Ct				
	CITY APPA STATE P ZIP 33634 PHONE \$13-40-9392				
APPLICATION #	PLEASE PRINT Edward Whyte				
23-0472	PLEASE PRINT Edward Whyte  MAILING ADDRESS 7401 Spring +				
US	CITY Tampa STATE FL ZIP 33654 PHONE				
APPLICATION #	NAME Brill PINION				
23-0883	MAILING ADDRESS (OOD N ASHLY DY				
	CITY TUMPA STATE PL ZIP33/102PHONE 78/105/80183				
APPLICATION #	PLEASE PRINT NAME				
	MAILING ADDRESS				
	CITYSTATEPHONE				

**HEARING TYPE:** 

ZHM, PHM, VRH, LUHO

DATE: December 18, 2023

**HEARING MASTER:** 

Susan Finch

PAGE: <u>1</u> OF <u>1</u>

APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
24-0042	Joe Moreda	1. Applicant Presentation Packet	Yes (Copy)
23-0714	Kami Corbett	1. Applicant Presentation Packet	No
23-0472	Todd Pressman	1. Applicant Presentation Packet	No
23-0472	Sam Ball	2. Revised Staff Report	Yes (No)
23-0472	Donald Richardson	3. Opposition Presentation Packet	No
23-0472	Susan Pritchard	4. Opposition Presentation Packet	No
23-0472	Julie Hirst	5. Opposition Presentation Packet	No
23-0472	Rosa Timoteo	6. Revised Staff Report	No

## DECEMBER 18, 2023 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, December 18, 2023, at 6:00 p.m., in the 26th Floor Conference Room, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

Susan Finch, ZHM, called the meeting to order at 6:00 p.m., led in the pledge of allegiance to the flag, and introduced Development Services (DS).

## A. WITHDRAWALS AND CONTINUANCES

Michelle Heinrich, DS, introduced staff, and reviewed changes/withdrawals/continuances.

Susan Finch, ZHM, overview of ZHM process.

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

Susan Finch, ZHM, Oath.

- B. REMANDS None.
- C. REZONING STANDARD (RZ-STD):

## C.1. RZ 23-0714

Michelle Heinrich, DS, called RZ 23-0714.

Testimony provided.

Susan Finch, ZHM, closed RZ 23-0714.

## C.2. RZ 23-0902

Michelle Heinrich, DS, called RZ 23-0902.

Testimony provided.

Susan Finch, ZHM, tabled RZ 23-0902.

Michelle Heinrich, DS, called RZ 23-0902.

Testimony provided.

🛂 Susan Finch, ZHM, closed RZ 23-0902.

## MONDAY, DECEMBER 18, 2023

## C.3. RZ 24-0042

- Michelle Heinrich, DS, called RZ 23-0042.
- Testimony provided.
- Susan Finch, ZHM, closed RZ 23-0042.

## C.4. RZ 24-0065

- Michelle Heinrich, DS, called RZ 24-0065.
- Testimony provided.
- Susan Finch, ZHM, closed RZ 24-0065.
- D. REZONING-PLANNED DEVELOPMENT (RZ-PD) & MAJOR MODIFICATION (MM):

## D.1. RZ 23-0472

- Michelle Heinrich, DS, called RZ 23-0472.
- Testimony provided.
- Susan Finch, ZHM, continued RZ 23-0472 to February 20, 2024, ZHM hearing.

## D.2. RZ 23-0584

- Michelle Heinrich, DS, called RZ 23-0584.
- Susan Finch, ZHM, continued RZ 23-0584 to January 16, 2024, ZHM hearing.

## D.3. MM 23-0883

- Michelle Heinrich, DS, called MM 23-0883.
- Testimony presented.
- Susan Finch, ZHM, closed MM 23-0883.

## ADJOURNMENT

Susan Finch, ZHM, adjourned meeting at 8:18 p.m.

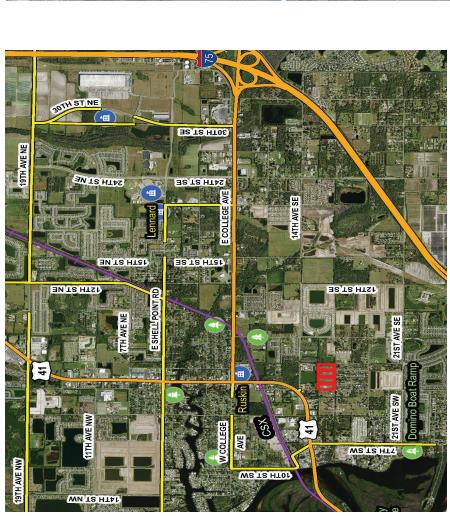
Submitted by Kami Corbett 12-18-23 ZHM 23-0714 Exhibit 1

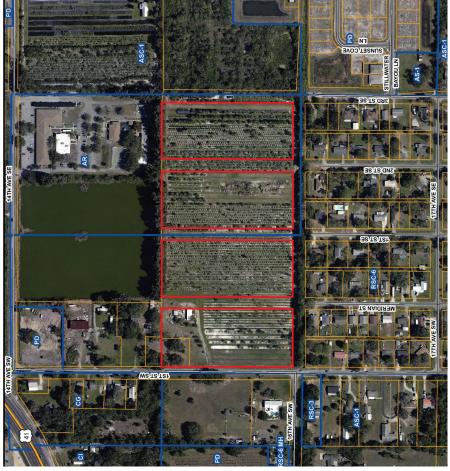
## **RZ-STD 23-0714**



Representative: Kami Corbett, Esq. / Hill Ward Henderson

## **Development Location**





## Proposed Rezoning – RSC-9 - R

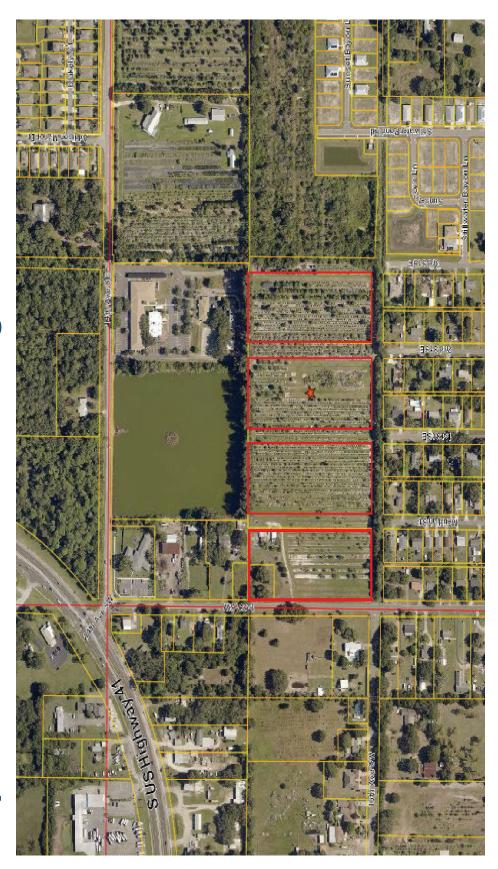
## **Proposed Restrictions:**

- Development shall comply with the Ruskin Community Character Guidelines
- Development is limited to the maximum density of the Future Land Use Category
- Minimum Lot Size of 6,000 sf all lots
- Minimum Lot Width 20% of the lots must be 60 feet wide and the remaining lots must be 55 feet wide
- Interconnections to the east/west and south at SW 1st Street SE to connect to existing 1st Street SE
- Internal cul-de-sacs and gates are not permitted

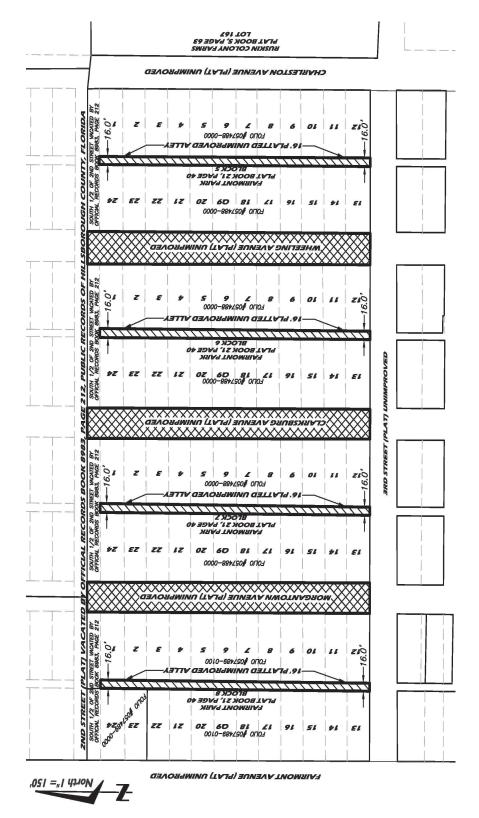
## Ruskin Community Plan

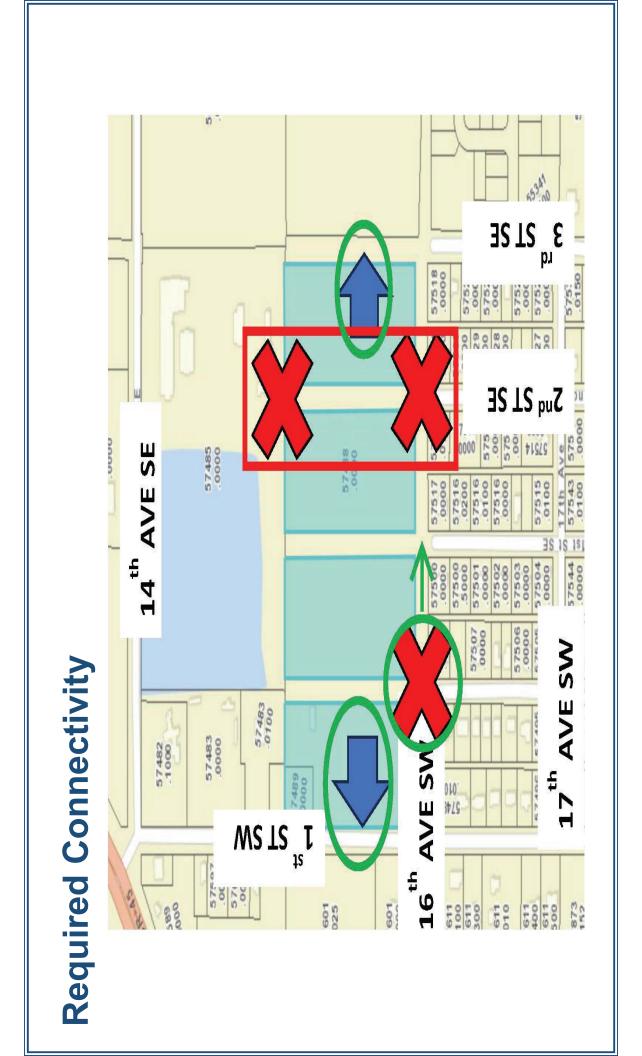
- Development should continue and/or replicate the traditional "grid" street pattern in Ruskin to the "*greatest extent practicable*"
- Practicable = Capable of Being Realized/Done; Feasible
- Additional continuation of grid pattern is not practicable
- 2nd Street has been vacated and is in use for purposes other than ROW
- 3rd Street SE terminates at 16th Avenue SW
- 16th Avenue SW is in active use as stormwater drainage with no plans to improve
- Improvement of 3rd Street South Not Proportionate to the Proposed Impacts

# Development Pattern - Surrounding Area



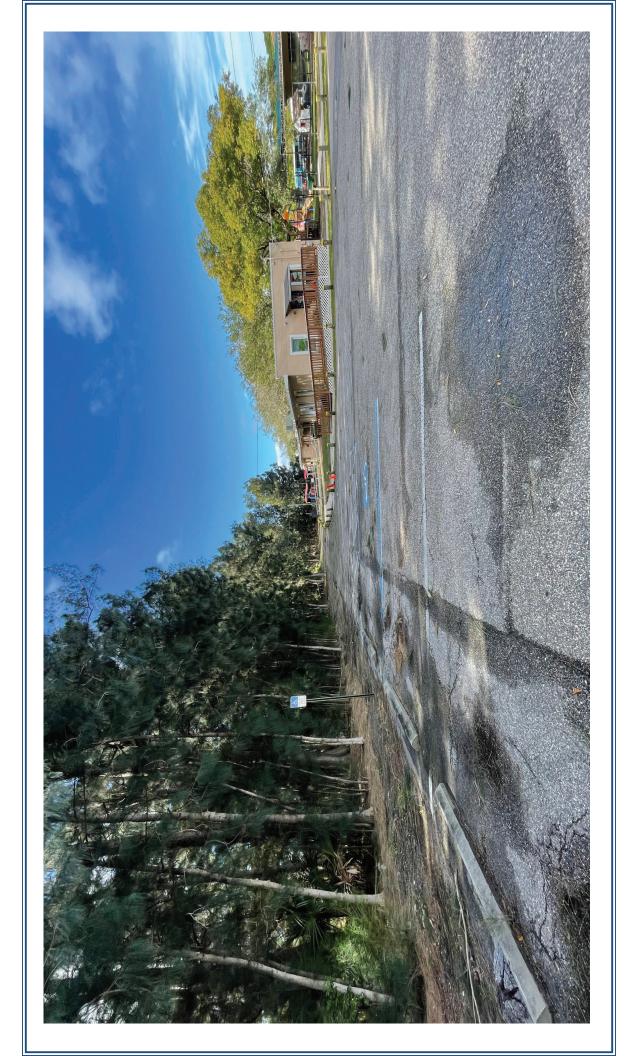
# Companion Vacating Application - V23-0010

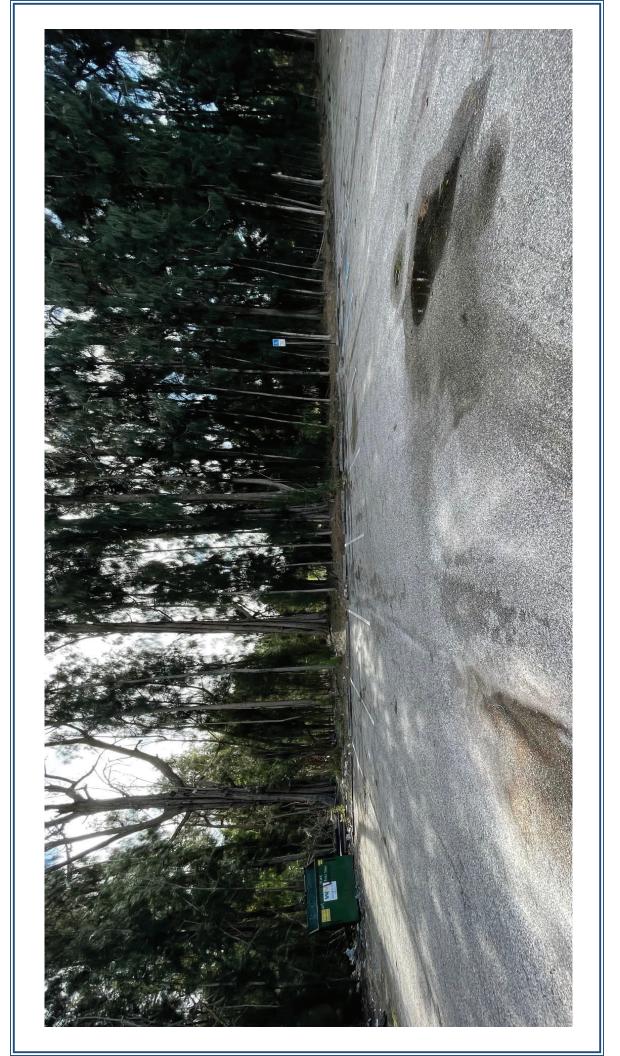


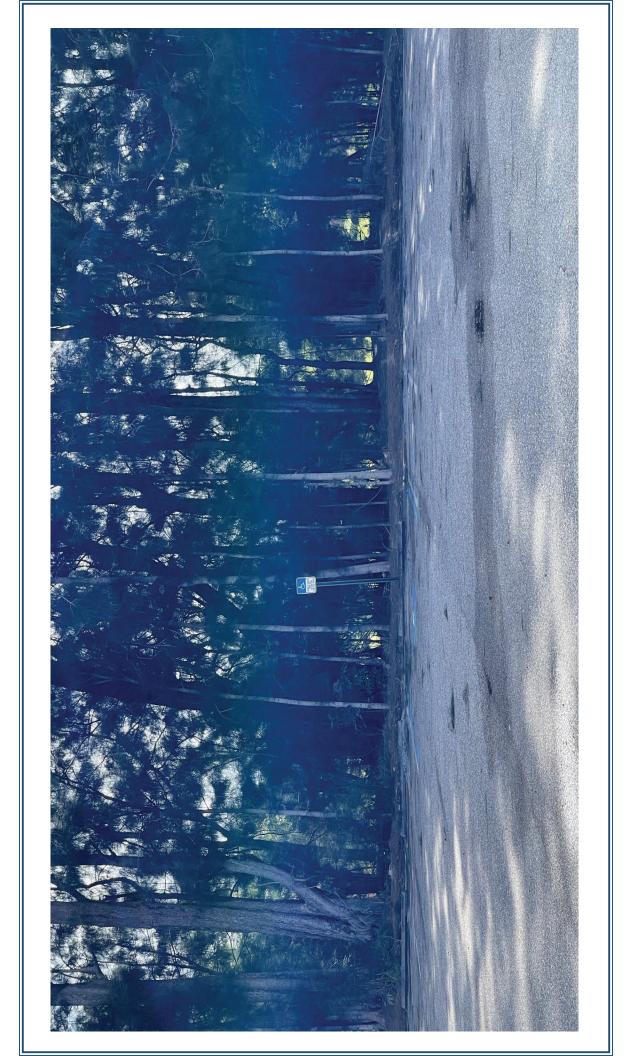


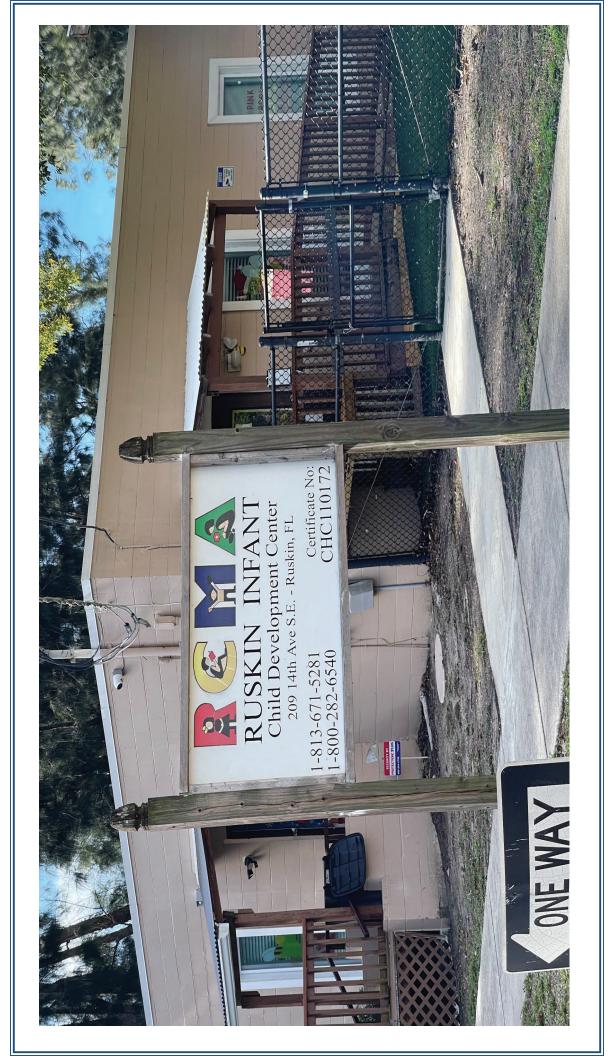
# Southshore Community Resource Center



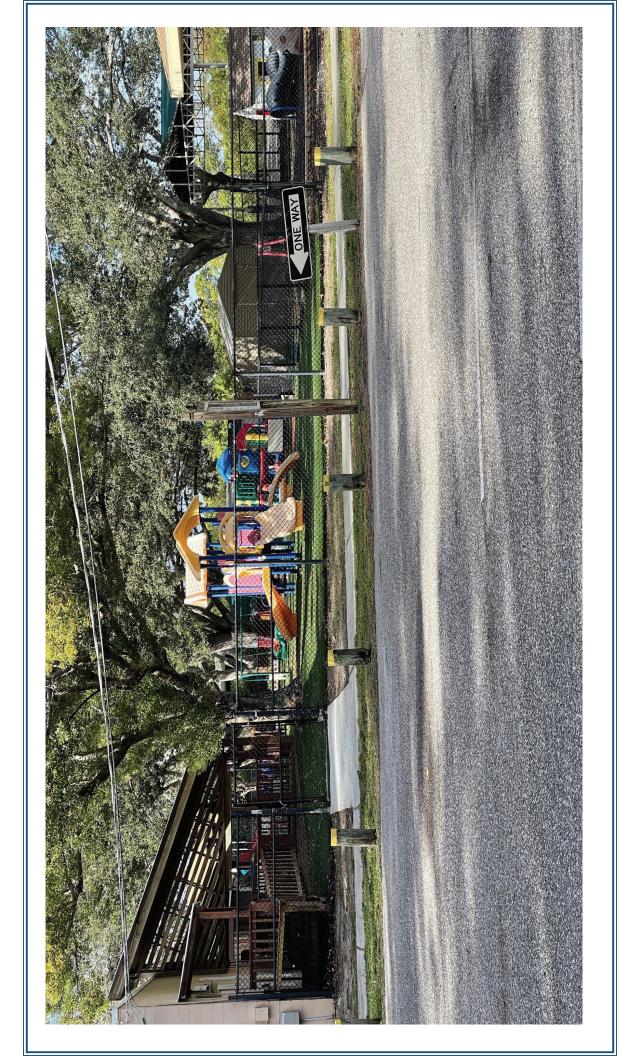


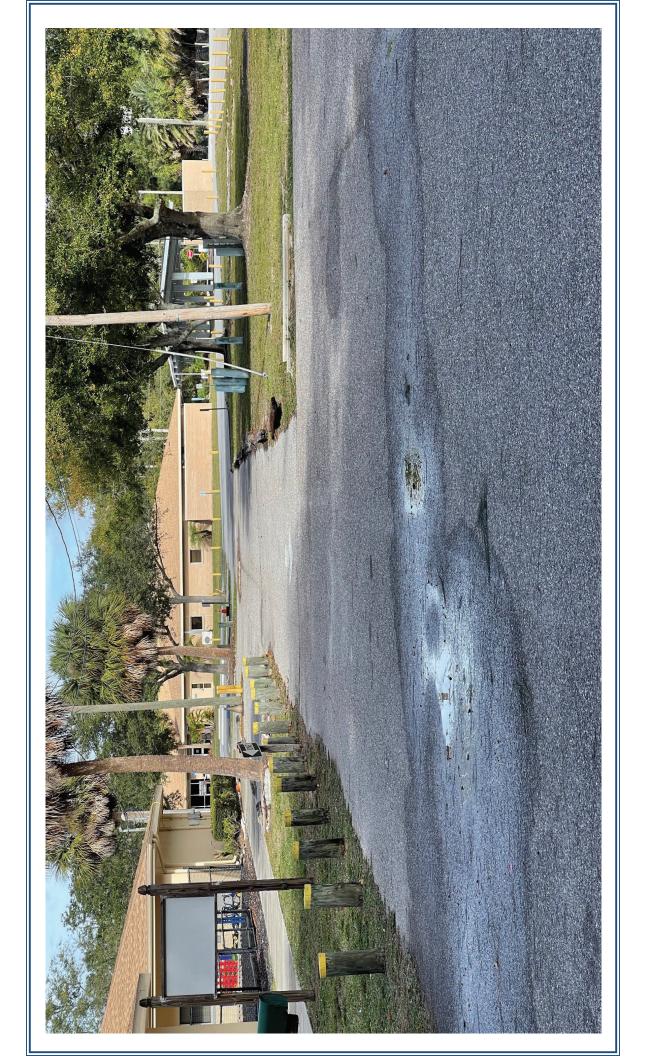


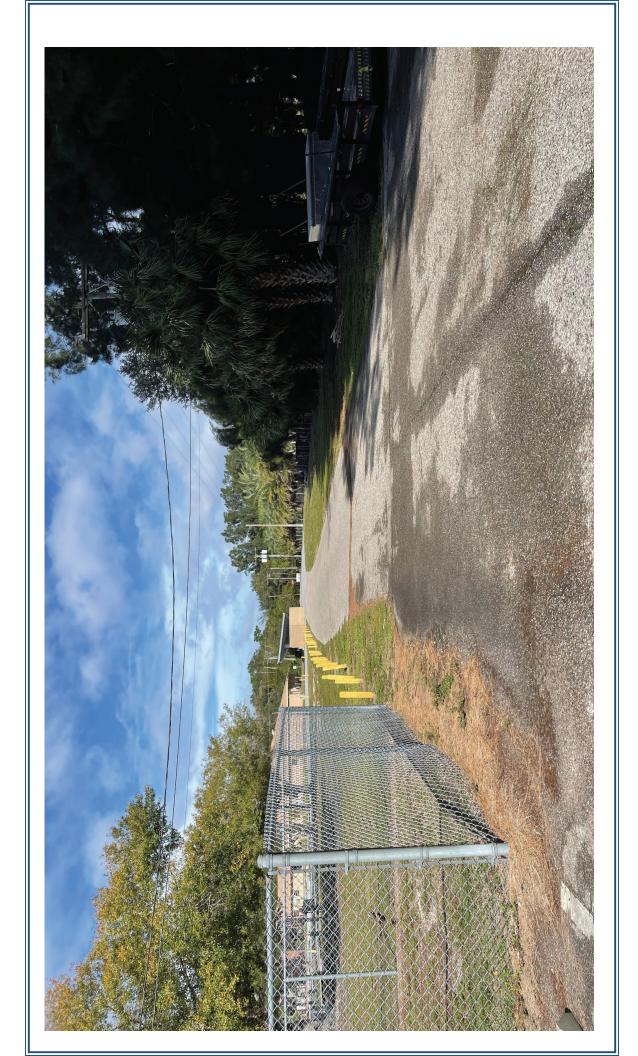












# Goals, Objectives & Policies Supporting Approval

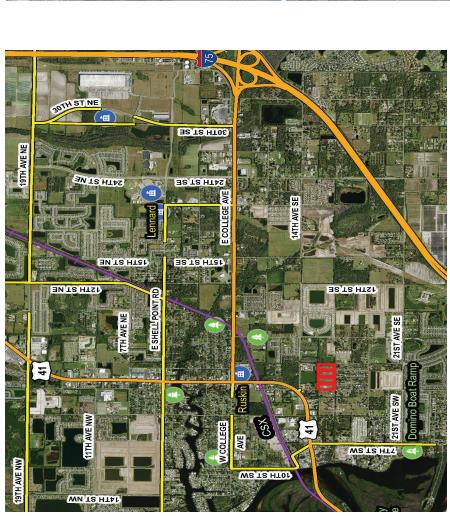
- Goal 12/Objective 12.1 Compatibility with the surrounding patterns of development
- Policy 9.2 Compliance with Land Development Regulations no objections from reviewing agencies
- Objection 16, Policies 16.1, 16.2, 16.3, 16.8, 16.10 & 16.11 Neighborhood **Protection**
- Ruskin Community Plan Adherence to Design Guidelines and providing grid where practicable

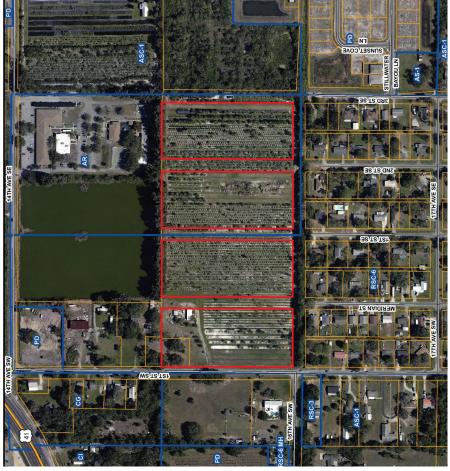
## RZ-STD 23-0714



Representative: Kami Corbett, Esq. / Hill Ward Henderson

## **Development Location**





## Proposed Rezoning – RSC-9 - R

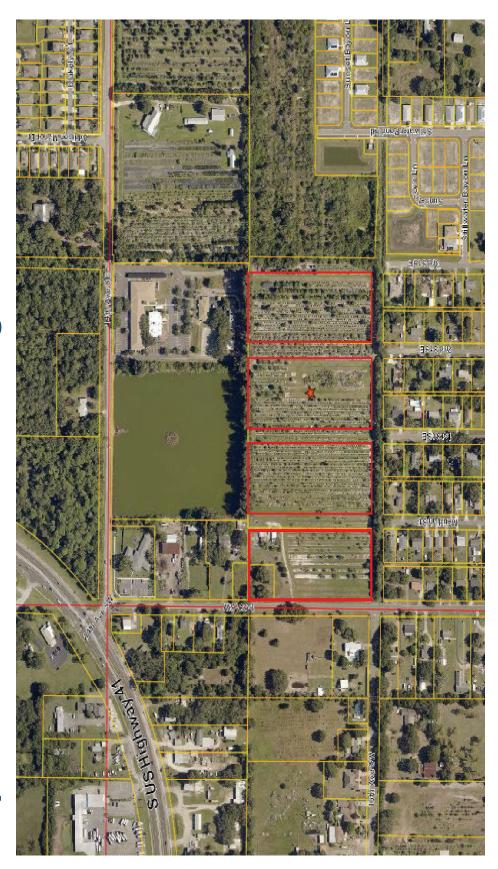
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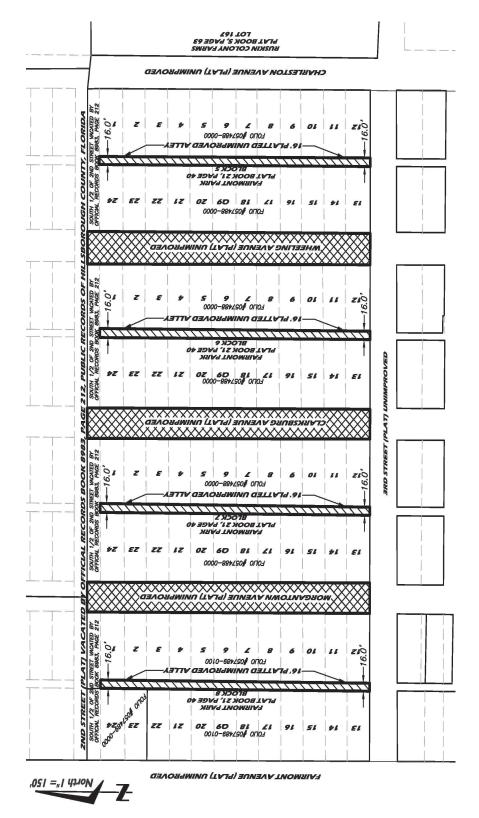
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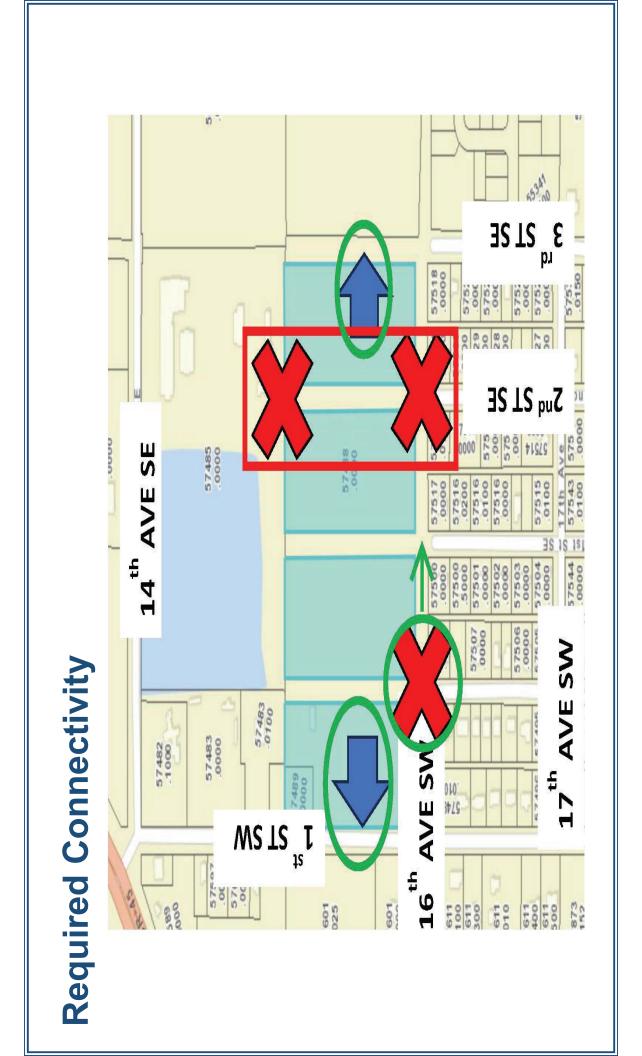
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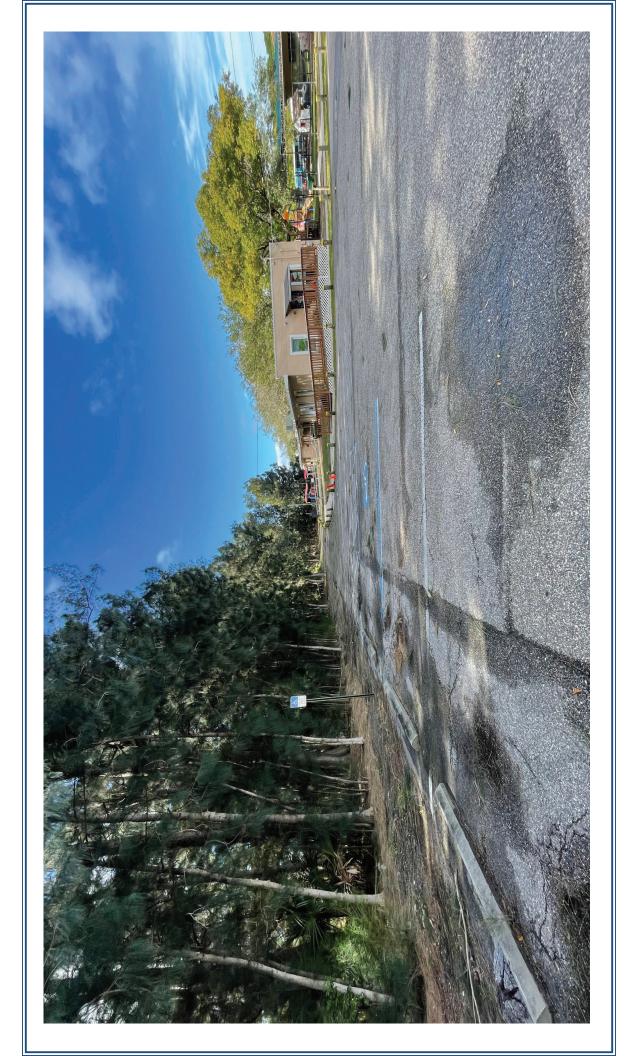
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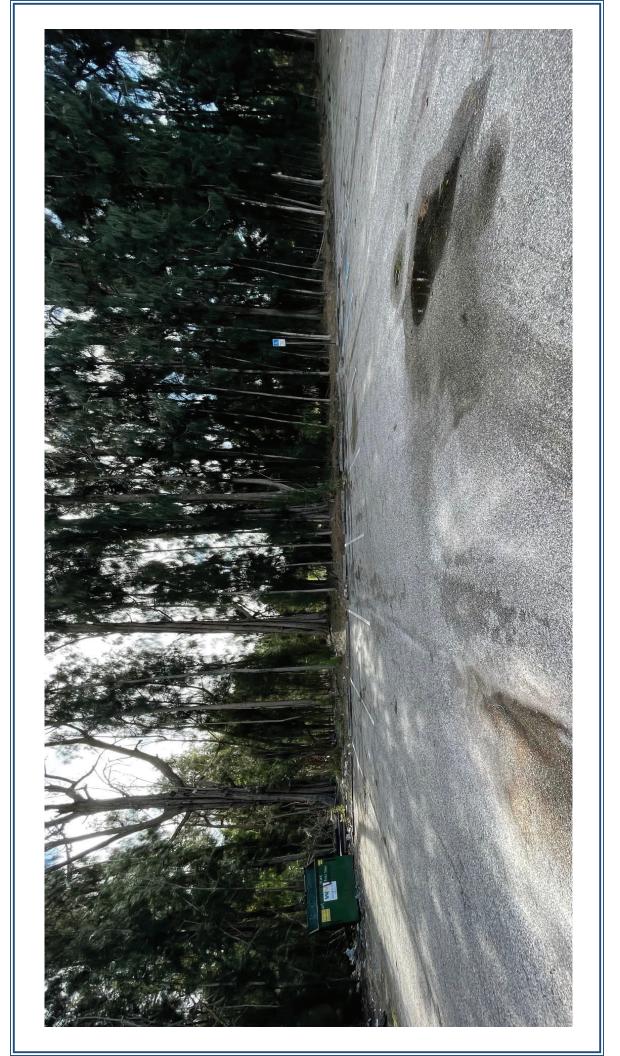


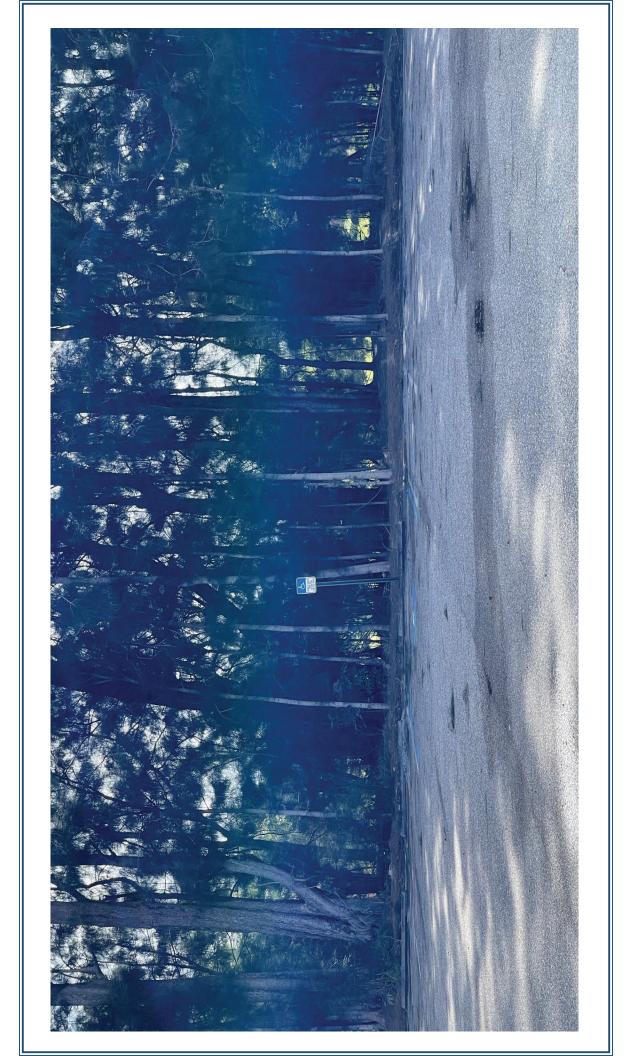


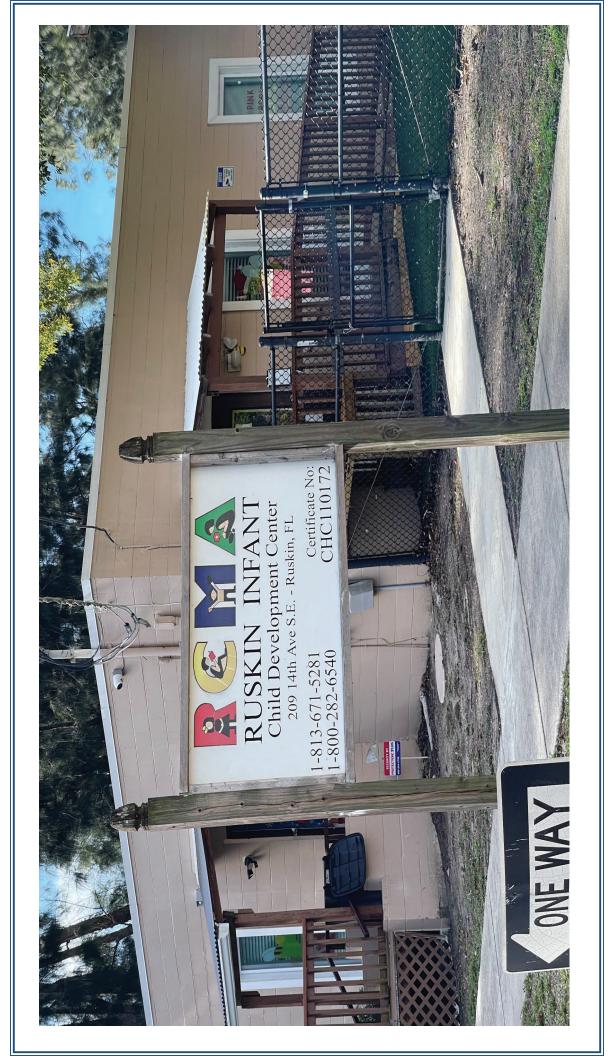
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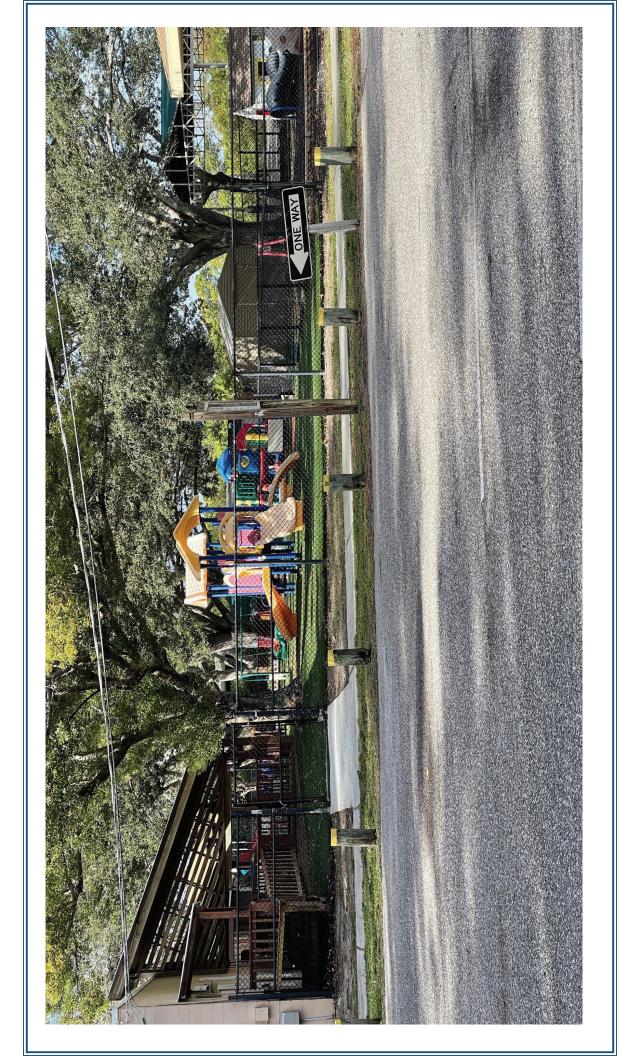


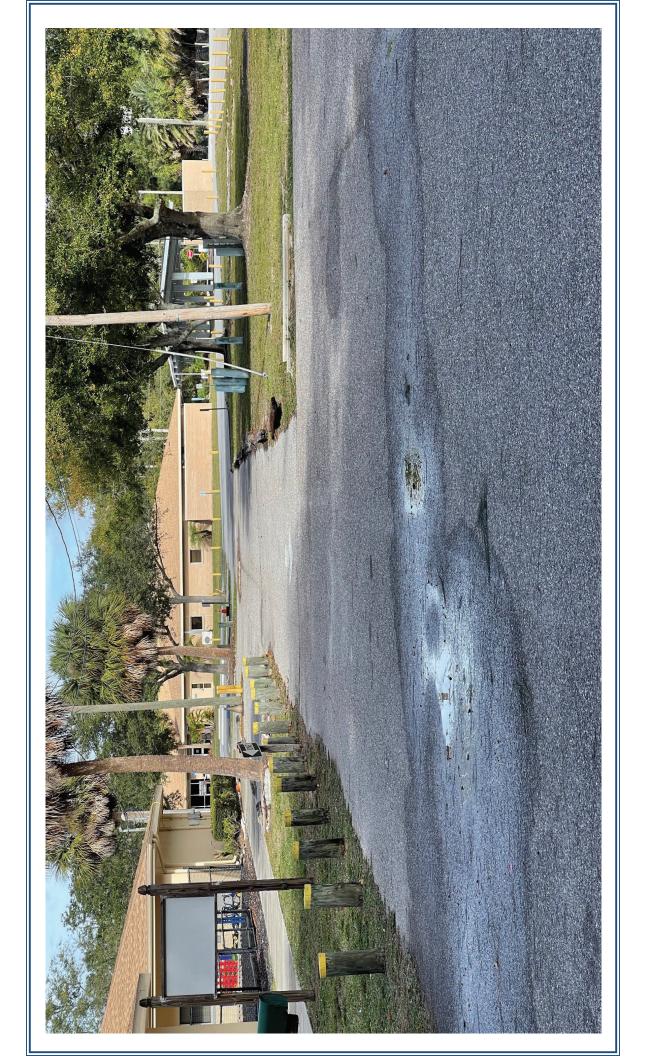


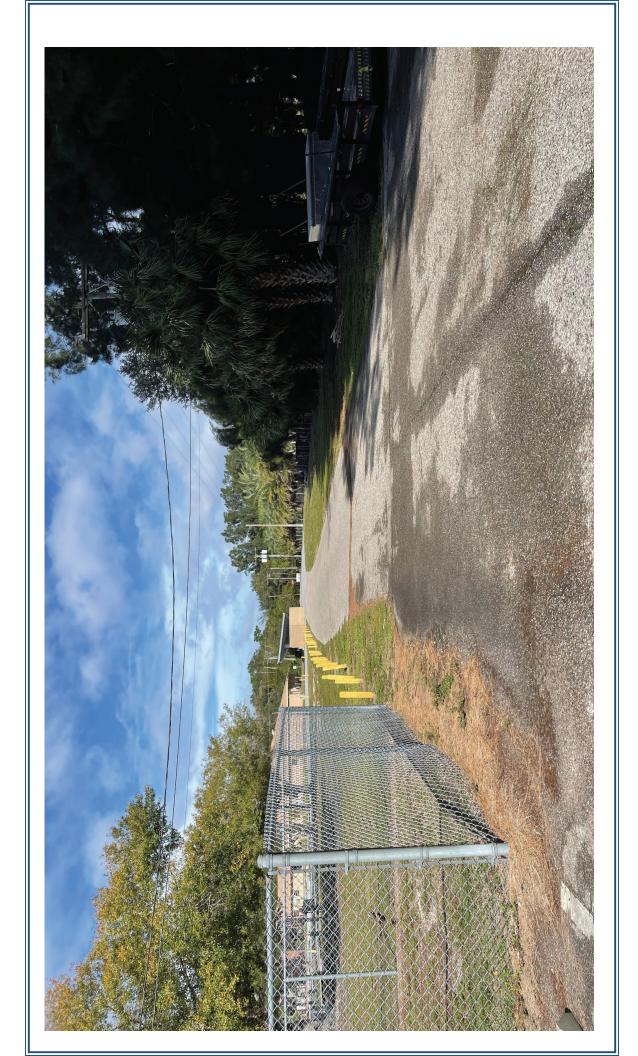












# Goals, Objectives & Policies Supporting Approval

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## PARTY OF RECORD

## **NONE**