

**Hillsborough County  
City-County  
Planning Commission**

**Hillsborough County: HC/CPA 19-06**

**Future Land Use Map Amendment – 13437 E. Highway 92**

Meeting Date	October 14, 2019
Meeting Type	Public Hearing
Staff Planner	Will Augustine, Senior Planner, <a href="mailto:august@plancom.org">august@plancom.org</a> , (813) 273-3774 ext. 315
Action Necessary	Yes
Attachments Included	Resolution, Adopted Future Land Use Map Series, Agency Comments, Site Photos and Application

**Summary Information**

Application Type	Privately Initiated
Location	13437 E. Highway 92, Dover
Property Size	3.46+/- acres
Folio Numbers	082855.0501
Existing Future Land Use	Residential-1 (RES-1)
Proposed Future Land Use	Suburban Mixed Use-6 (SMU-6)
Existing Land Use	Residential Single-Family Home; Large Engine Repair Shop; Outdoor Storage
Urban Service Area	No
Roadways	Principal Arterial
Community Plan Area	None
Other Considerations	Code enforcement proceeding, Case # CE18010663
Staff Recommendation	Planning Commission staff finds the proposed request <b>INCONSISTENT</b> with the Comprehensive Plan.



**Potential Impact of Proposed Change**

The applicant is requesting the following Future Land Use Map designation change:

Potential Impacts	Current Land Use Category	Proposed Land Use Category
Acres: 3.36+/-	Residential 1 (RES-1)	Suburban Mixed Use-6 (SMU-6)
Maximum Density	Up to 1 dwelling unit per gross acre (DU/AC)	Up to 6 dwelling units per gross acre (DU/AC)

Maximum Residential Development Potential	An allowable maximum residential density of 3 dwelling units per gross acre will allow consideration of up to <b>3 dwelling units</b> .	An allowable maximum residential density of 18 dwelling units per gross acre will allow consideration of up to <b>18 dwelling units</b> .
Typical Non-Residential Intensity	0.03 FAR (31 sites)	0.20 FAR (29 sites)
Maximum Floor Area Ratio (FAR)/Non-residential Development Potential	0.25 FAR/30,000 sq. ft.	<p>Suburban scale neighborhood commercial, projects limited to 0.25 FAR/175,000 sq. ft.</p> <p>Neighborhood Commercial uses that are free standing shall meet locational criteria.</p> <p>Other non-residential land uses must be compatible with residential uses through established techniques of transition or be restricting the location of incompatible uses.</p>
Typical Residential Density	<p>Within ¼ miles of the subject site:</p> <p>Average parcel size of the 94 parcels within the radius is 6.52 acres ranging from .24 to 289 acres.</p> <p>There are 70 residentially developed parcels and 15 vacant residential parcels. The average residential density per developed parcels is 1 unit per 5.9 acres.</p>	
Range of Allowable Uses	<p>Farms, ranches, residential uses, rural scale neighborhood commercial uses, offices and multi-purpose uses for specific land use projects.</p> <p>Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.</p>	<p>Residential, suburban scale neighborhood commercial, office uses, research corporate park uses, light industrial multi-purposes and clustered residential and/or mixed-use projects at appropriate locations.</p> <p>Neighborhood Commercial uses shall meet locational criteria or be a part of locational criteria or be a part of larger mixed use planned development.</p>

<p>Typical Impacts</p>	<p>The potential FLU designation to SMU-6 is intended for urban/suburban uses, with greater densities and intensities. Development shall occur as the provision and timing of transportation and public facility services are made available to support these intensities and densities.</p> <p>The potential impact of the proposed change from RES-1 to SMU-6 would allow an additional 15 dwelling units on site. The FAR for non-residential uses remains at .25 or 175,000, whichever is less intense. Based on the size of the property, non-residential uses are capped at 175,000 sq. ft.</p> <p>SMU-6 would also allow light industrial and commercial intensive uses, currently not allowed under the R-1.</p> <p>The site does not meet locational criteria for commercial development.</p>
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<p>Final Review</p>		
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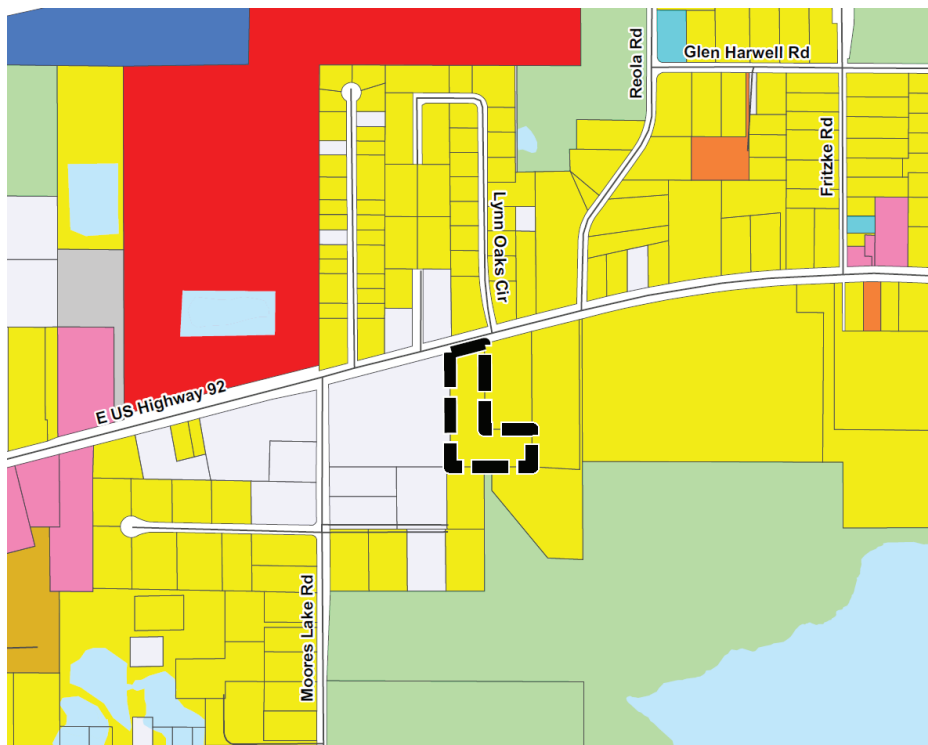
## Context of Proposed Change



The subject site is 3.46 +/- acres and fronts to the south side of Highway 92, just west of Plant City. The subject property is south of the intersection of Lynn Oaks Circle/Highway 92. The intersection of Highway 92 and McIntosh Road is approximately 1.4 miles west of the site. The intersection of Highway 92 and Branch Forbes Road is approximately 2.1 miles east of the site. The site consists of two structures; an open commercial diesel engine repair shop and a single-family home. The site is surrounded by vacant, developed Residential 1 (RES-1) parcels and Agricultural land uses on the southside of Highway 92 and developed Residential-2 (RES-2) parcels on the north side of Highway 92.

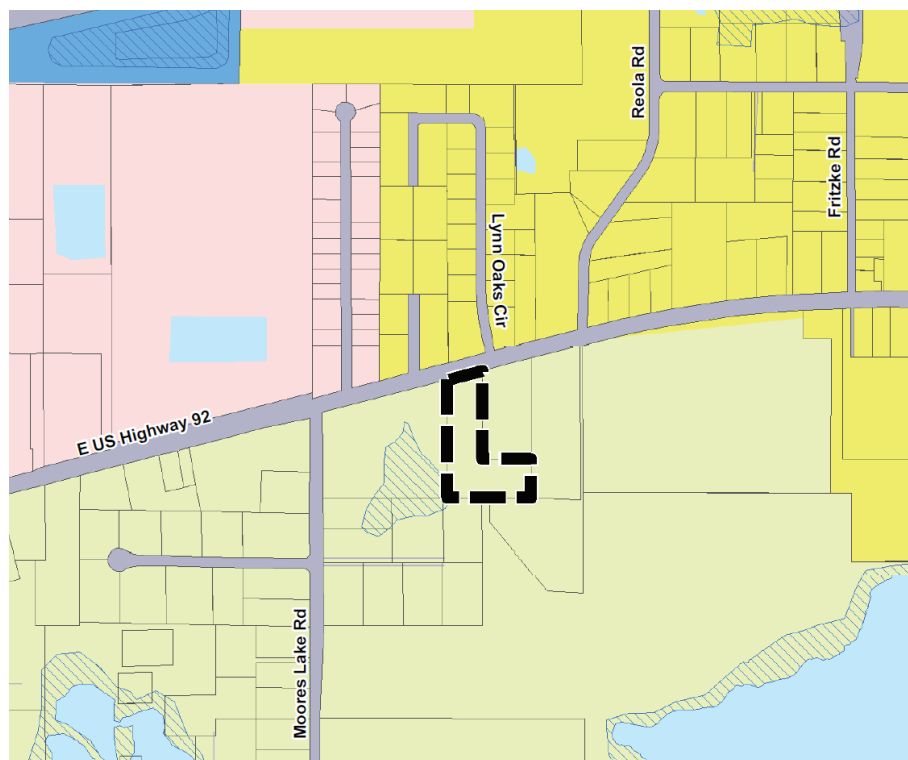


## Existing Land Uses and Typical Development in the Area



The subject site surrounding area is developed with a mixture of **single-family homes**, vacant parcels, **heavy commercial** and agriculture.

## Current Future Land Uses



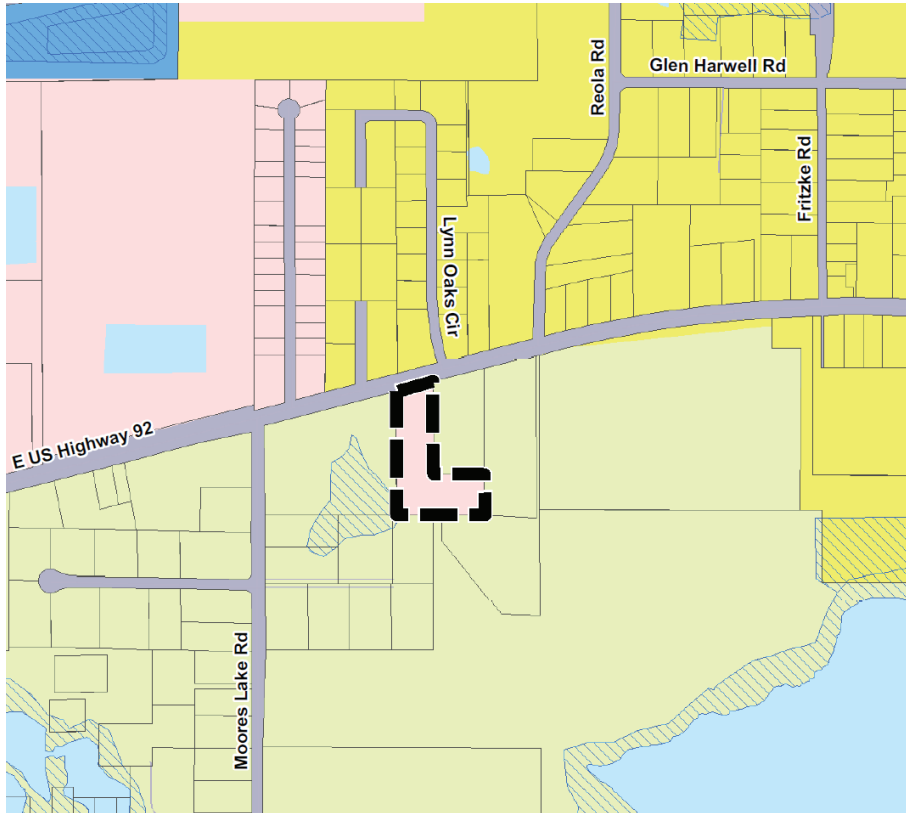
The subject site is in the Rural Service Area and is designated **Residential-1 (RES-1)**. This land use category allows up to 1 dwelling unit per acre as well as suburban scale, neighborhood scale, commercial and light industrial uses. The surrounding area is suburban in scale.

The surrounding area reflects a mixture of **Residential-1 (RES-1)**, **Residential-2 (RES-2)**, and **Suburban Mixed Use-6 (SMU-6)**.

## Applicant's Request

This privately-initiated amendment is proposed to change the Future Land Use Map (FLUM) designation of the subject site from **Residential-1 (RES-1)** to **Suburban Mixed Use-6 (SMU-6)**.

## Proposed Future Land Uses



The change to **Suburban Mixed Use-6 (SMU-6)** would allow up to 18 dwelling units per acre and urban scale non-residential uses that meet locational criteria. SMU-6 would also allow light industrial and commercial intensive uses, which are currently not allowed under RES-1. The site does not meet locational criteria for commercial development.

## Applicable Comprehensive Plan Policies and Criteria

### **FUTURE LAND USE ELEMENT**

#### **GROWTH MANAGEMENT STRATEGY**

*The Sustainable Growth Management Strategy serves as a vehicle to structure County spending and planning policies to optimize investment for services and infrastructure, protect the vulnerability of the natural environment, reduce the exposure and risk to natural hazards and provide a clear direction for achieving an efficient development pattern. This strategy is comprised of three primary components, an environmental overlay, an urban service area and a defined rural area. The established Greenways Master Plan and emerging Integrated Conservation Process will serve as the framework for the environmental overlay component.*

*The rural area is that area planned to remain in long term agriculture, mining or large lot residential development. Within the rural area, some “rural communities” exist. These communities have historically served as a center of community activity within the rural environment. They include, Thonotosassa, Keystone, Lutz, and others. The diversity and unique character of these communities will be reflected through the application of “community-based planning” techniques specifically designed to retain their rural character while providing a level of service appropriate to the community and its surrounding environment. To foster the rural environment and reinforce its character rural design guidelines will be developed to distinguish between the more urban environment. Additionally, rural areas should have differing levels of service for supporting facilities such as emergency services, parks and libraries from those levels of service adopted in urban areas.*

#### **Purpose**

- Control Urban Sprawl.
- Create a clear distinction between long range urban and rural community forms.
- Define the future urban form through the placement of an urban service area that establishes a geographic limit of urban growth.
- Define areas within the urban service area where growth can occur concurrent with infrastructure capacities and where public investment decisions can be made more rationally in a manner that does not perpetuate urban sprawl.
- Identify a distinct rural area characterized by the retention of land intensive agricultural uses, the preservation of natural environmental areas and ecosystems and the maintenance of a rural lifestyle without the expectation of future urbanization.
- Apply an overlay of ecosystems and greenways that preserve natural environmental systems and open space while simultaneously reducing exposure to natural hazards.
- Create compatible development patterns through the design and location of land uses.

#### **Urban Service Area Boundary**

*This boundary is established to designate on the Future Land Use Map the location for urban level development in the County. The boundary shall serve as a means to provide an efficient use of land and public and private investment, and to contain urban sprawl.*

#### **Rural Area**

*Rural areas will typically carry land use densities of 1 du/5 ga or lesser intense designations. There will be no new extension of public water or sewer service into the Rural Area unless there is a public health concern identified or the development is classified as a planned village as*



*described in this Plan. New development will utilize private potable water wells and septic systems. In some cases, existing water and/or sewer lines may already be in place either by development approvals granted prior to the adoption of these policies or due to public health/safety issues. Expansion of those systems should be prohibited and limited to cases where public health is at risk.*

*Within the rural area there are existing developments that are characterized as suburban enclaves or rural communities. These are residential developments which have a more dense development pattern and character, usually 1 or 2 du/ga. These enclaves are recognized through the placement of land use categories that permit densities higher than 1 du/5 acres. New development of a character similar to the established community will be permitted to infill in a limited manner, but not be permitted to expand into areas designated with lower land use densities.*

*Rural communities, such as Lutz, Keystone and Thonotosassa will specifically be addressed through community-based planning efforts. These communities, and others like them, have historically served as centers for community activities within the rural environment.*

**Objective 4:** *The Rural Area will provide areas for long term, land intensive agricultural uses and large lot, low density rural residential uses which can exist without the threat of urban or suburban encroachment, with the goal that no more than 20% of all population growth within the County will occur in the Rural Area.*

**Policy 4.1: Rural Area Densities** *Within rural areas, densities shown on the Future Land Use Map will be no higher than 1 du/5 ga unless located within an area identified with a higher density land use category on the Future Land Use Map as a suburban enclave, planned village, a Planned Development pursuant to the PEC ½ category, or rural community which will carry higher densities.*

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

**Policy 16.1:**

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

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

**Policy 16.2:**

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

**Policy 16.3:**

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

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

**Objective 26:** *The County shall identify specific target industry clusters, target industries, and target businesses; shall establish corresponding “economic development areas” and shall provide incentives for the location of desirable economic growth in these areas.*

**Policy 26.1:**

*Economic development areas shall be any area with a land use designation, including mixed use categories, consistent with the targeted business or industry associated with desirable economic growth.*

**Policy 26.2:**

*Economic development areas should be within designated transit corridors, accessible to economically disadvantaged populations, and within the County’s Urban Service Area.*

**Policy 30.6:**

*Agriculture and agricultural support uses are the preferred uses in rural areas.*

## Staff Analysis

### Background and Development Trends

This privately initiated map amendment seeks to change the Future Land Use Map designation from RES-1 to SMU-6 on 3.46 +/- acres. The site is in the Rural Service Area. The surrounding area reflects an established rural-residential scale development pattern. Staff has reviewed the proposal and finds the SMU-6 **inconsistent** with the following tenets of the County’s Comprehensive Plan:

The Comprehensive Plan’s growth management strategy is to direct urban/suburban intensity and density into the Urban Service Area, which is planned over the 20-year planning horizon to accommodate urban/suburban land use patterns. The growth management strategy is to maintain the Rural Service Area for low density and intensity with a desired pattern of rural-agricultural development of one unit per five acres or lower.

The SMU-6 category would allow a variety of suburban scale land uses including residential, office, commercial and industrial at a density and intensity inconsistent with the intent for growth and development in the Rural Service Area which is to accommodate an agricultural-rural residential lifestyle. While a neighborhood serving retail, commercial uses is allowed in this category, the site does not meet the locational criteria for such uses outlined in the

Comprehensive Plan. The SMU-6 category allows a maximum of 6 units per acre for residential development, which is not consistent with the desired density for the Rural Service Area of one unit per five acres.

This privately initiated map amendment requests to change the Future Land Use Map designation from RES-1 to SMU-6 on 3.46 +/- acres which is in the Rural Service Area. The surrounding area has an established suburban scale/rural development pattern.

There is one prior land use plan amendment (HC CPA 08-06) with a similar proposed land use designation change of from Residential-1 to Suburban Mixed Use-6 which was approximately 2 miles west of the site along Highway 92. The BOCC denied this plan amendment request, citing that the proposed amendment would not be consistent with development in the Rural Service Area and the existing and expected future development patterns and community facilities in the area.

### **Analysis and Impact**

The proposed map amendment requests that this property be changed from the Residential-1 (RES-1) land use category to the Suburban Mixed Use-6 (SMU-6) land use category. The site is located north of Highway 92 between McIntosh Road and Branch Forbes Road. The site is within the Rural Service Area.

The proposed amendment is adjacent to a mixture of residential land uses of both rural and suburban scale along with zoning districts that allow for suburban style residential, rural residential, agriculture, and general commercial land uses.

The plan amendment site is currently developed and includes a single-family residence and a major engine repair business in an adjacent covered shop facility. Existing surrounding plan land uses include Residential-1, and some Agriculture categories to the east, west and south of Highway 92. Existing uses of land surrounding the site include vacant undeveloped land, some agricultural uses to the south and single family homes to the east, west, north and south.

The proposed amendment to SMU-6 land use category would be inconsistent with the types of uses that are permitted along this portion of Highway 92, which are primarily rural residential uses. Therefore, this amendment would be introducing new incompatible uses into this well established rural-residential area causing adverse impacts on the adjacent rural residential development.

### **Guiding Principles**

The BOCC, in the summer of 2015, endorsed "Guiding Principles" to assist in land use and fiscal decision making. Staff has evaluated the proposed FLUM change from Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6) to determine if the proposal is consistent and furthers applicable goals, objectives and policies of the Comprehensive Plan.

**Quality of Life** – Modifying the land use to SMU-6 would not support the coordination with the provision of infrastructure such as transit services, and other public services, such as schools, and recreational facilities, which affect quality of life.

**Fiscal Sustainability and Responsible Growth** – The site is in the Rural Area. The proposed amendment would not promote the desired pattern for orderly growth consistent with the county's growth management strategy. The request would be an inefficient use of land and public and private investment and would carry a higher land use than what would be allowed within the Rural Area and would essentially be urban sprawl.



In summary, amending a site which has a Future Land Use designation, (RES-1), that exceeds what is allowed in the Rural Area to an even higher category, (SMU-6), is inconsistent with the goals, objectives and policies in the *Future of Hillsborough Comprehensive Plan* for unincorporated Hillsborough County.

## Recommendation

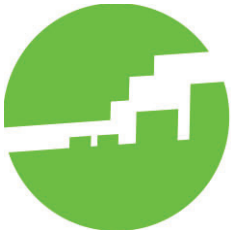
Staff recommends that the Planning Commission find the proposed Future Land Use Map designation change for **Hillsborough County CPA 19-06** from RES-1 to SMU-6 on 3.46+/- acres **INCONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* and forward this recommendation to the Board of County Commissioners.

## Attachment A

Resolution

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# Hillsborough County City-County Planning Commission

## Resolution

Item: Unincorporated Hillsborough County Comprehensive Plan Amendment:  
HC/CPA 19-06, 13437 E. Highway 92

	AYE	NAY	ABSENT	DATE: October 14, 2019
Mitch Thrower, Chair		X		
Jacqueline Wilds, Vice-Chair	X			
Nigel M Joseph, Member at Large		X		
John Dicks	X			
Derek Doughty, PE		X		Mitch Thrower Chair
Theodore Trent Green, RA			X	
Karen Kress, AICP	X			
Michael Maurino		X		
Cody Powell	X			
Jennifer Willman	X			
Melissa E Zornitta, AICP Executive Director				Melissa E. Zornitta, AICP Executive Director
On motion of <u>Commissioner Dicks</u> Seconded by <u>Commissioner Maurino</u> The following resolution was adopted:				



WHEREAS, the Hillsborough County City-County Planning Commission, in accordance with Laws of Florida has developed a long-range comprehensive plan for unincorporated Hillsborough County entitled the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, pursuant to the provisions of Chapter 163, Part II, Florida Statutes and Chapter 97-351, Laws of Florida, as amended; and

WHEREAS, the Hillsborough County City-County Planning Commission has received a privately initiated map amendment proposal to the adopted Future Land Use Map found in the Future Land Use Element of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*; and

WHEREAS, the Hillsborough County City-County Planning Commission staff reviewed HC/CPA 19-06 which proposes a Future Land Use designation change from Residential-1 to Suburban Mixed Use-6 for the 3.46+/- acre subject parcel that is located at 13437 E. Highway 92; and

**Resolution**

Unincorporated Hillsborough County Comprehensive Plan Amendment:  
HC/CPA 19-06 13437 E. Highway  
October 14, 2019

WHEREAS, the Hillsborough County City-County Planning Commission has reviewed the proposed map amendment, has considered existing/future development patterns and community facilities, as well as the adopted goals, objectives and policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* as follows:

**Objective 10:** *Development orders shall not be issued unless development is suitable for the physical conditions of the land, including, but not limited to, topographical and soil conditions, and development mitigates those adverse impacts that it creates upon the physical conditions of the land that may affect the health, safety and/or welfare of the people who live and work within those particular areas.*

**Objective 12:** *All new development and redevelopment shall be serviced with transportation systems that meet or exceed the adopted levels of service established by Hillsborough County.*

**Policy 11.1:** *New development or redevelopment must meet adopted levels of service for public facilities as established by the Future of Hillsborough Comprehensive Plan.*

WHEREAS, the Planning Commission has determined HC/CPA 19-06 is consistent with the goals, objectives and policies of the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*.

NOW, THEREFORE, BE IT RESOLVED, that the Hillsborough County City-County Planning Commission finds the Unincorporated Hillsborough County Comprehensive Plan Amendment **CONSISTENT** with the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* and forwards it to the Board of County Commissioners for approval.

## Attachment B

### Map Series

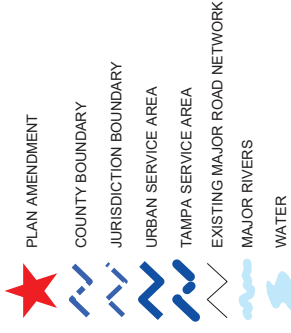
1. **General Locator Map**
2. **Aerial Map**
3. **Existing Land Use Map**
4. **Adopted Future Land Use Map**
5. **Proposed Future Land Use Map Change**
6. **Adopted Future Land Use Map – Wide View Version**



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FIGURE 1  
UNINCORPORATED HILLSBOROUGH COUNTY  
GENERAL LOCATION MAP  
JULY 2019  
PLAN AMENDMENT SUBMITTAL

LEGEND



- HC/CPA 19-03 WEST OF KINGSWAY RD AND NORTH OF VATICAN RD
- HC/CPA 19-04 EAST OF KINGSWAY ROAD AND N. AND S. OF COLLINS RANCH RD
- HC/CPA 19-05 WEST OF KINGSWAY RD AND SOUTH OF THONOTOSASSA RD
- HC/CPA 19-06 13437 E. HWY 92
- HC/CPA 19-07 TEVALO HILLS NEIGHBORHOOD

JURISDICTION BOUNDARIES: Hillsborough County City-County Planning Commission.  
URBAN SERVICE AREA BOUNDARIES: Hillsborough County City-County Planning Commission.  
ACCURACY: It is intended that the accuracy of the base map comply with U.S. map accuracy standards. However, such accuracy is not guaranteed by the Hillsborough County City-County Planning Commission.  
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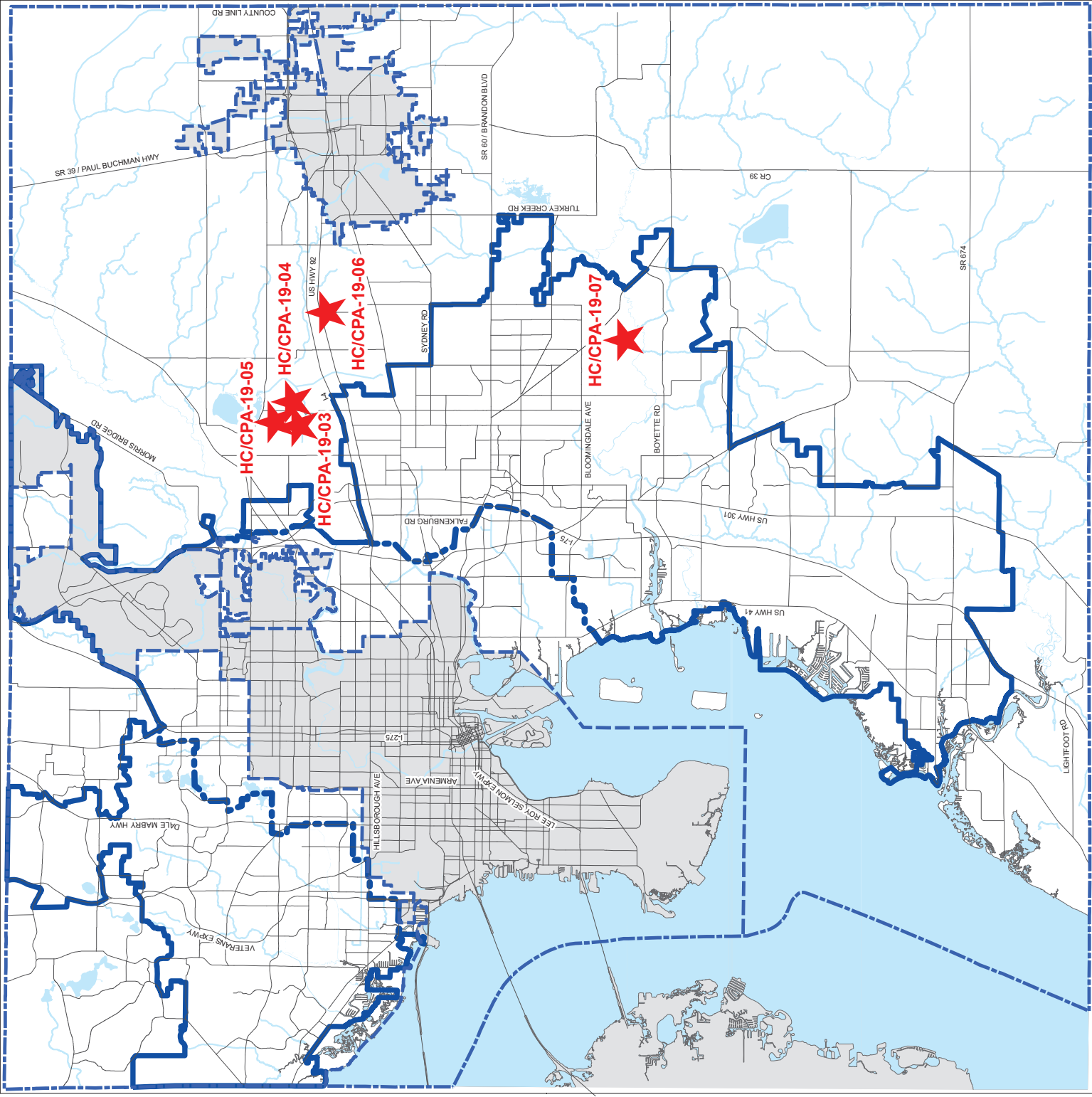








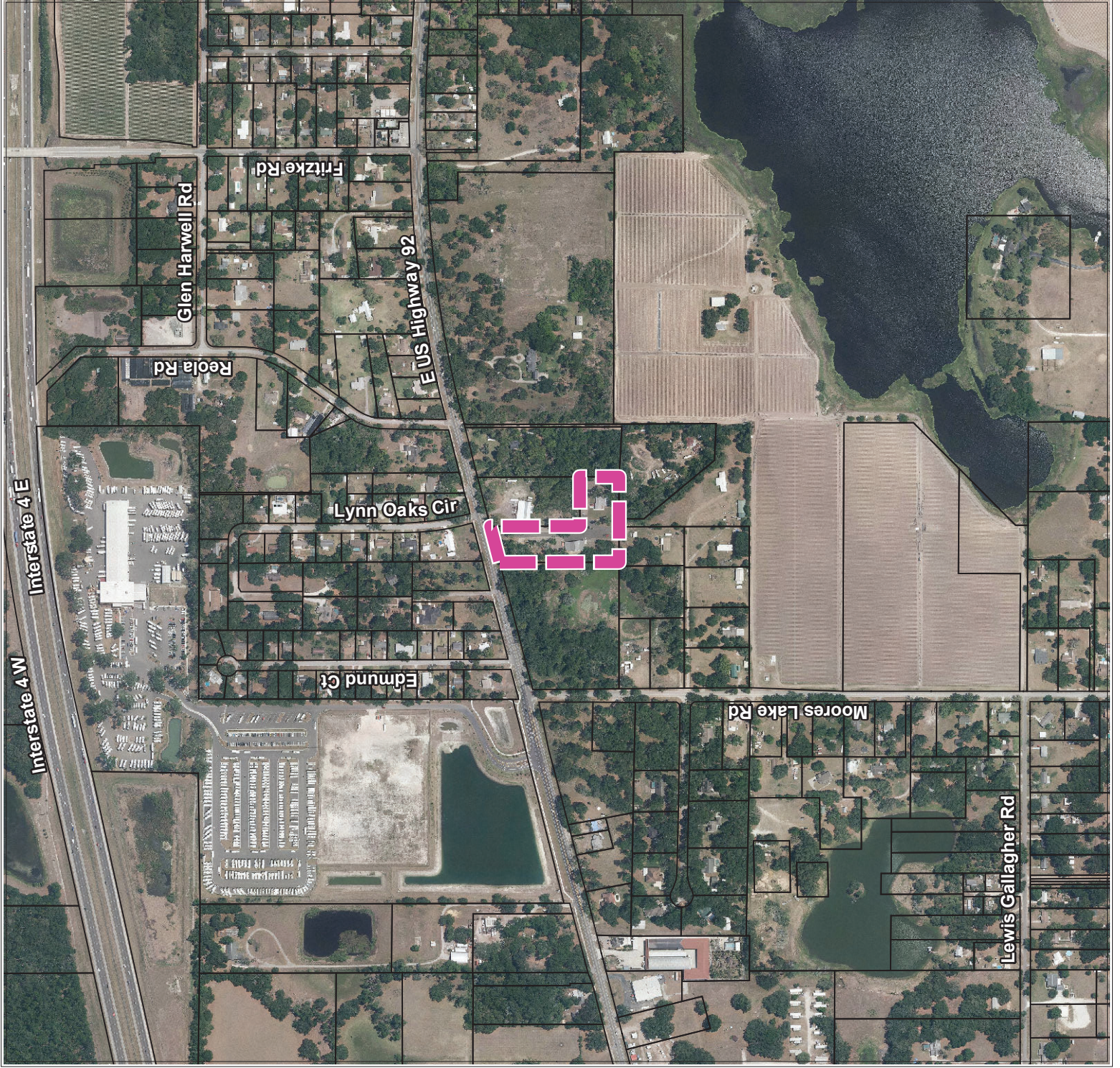


FIGURE 2  
UNINCORPORATED HILLSBOROUGH COUNTY  
AERIAL PHOTOGRAPHY

HC/CPA 19-06

LEGEND

-  PLAN AMENDMENT AREA
-  ROADS AND BOUNDARY LINES
-  COUNTY BOUNDARY
-  JURISDICTION BOUNDARY
-  TAMPA SERVICE AREA
-  URBAN SERVICE AREA



DATA SOURCES: Aerial Photography 2016, Hillsborough County Geomatics.  
PARCEL DATA: Hillsborough County Property Appraiser.  
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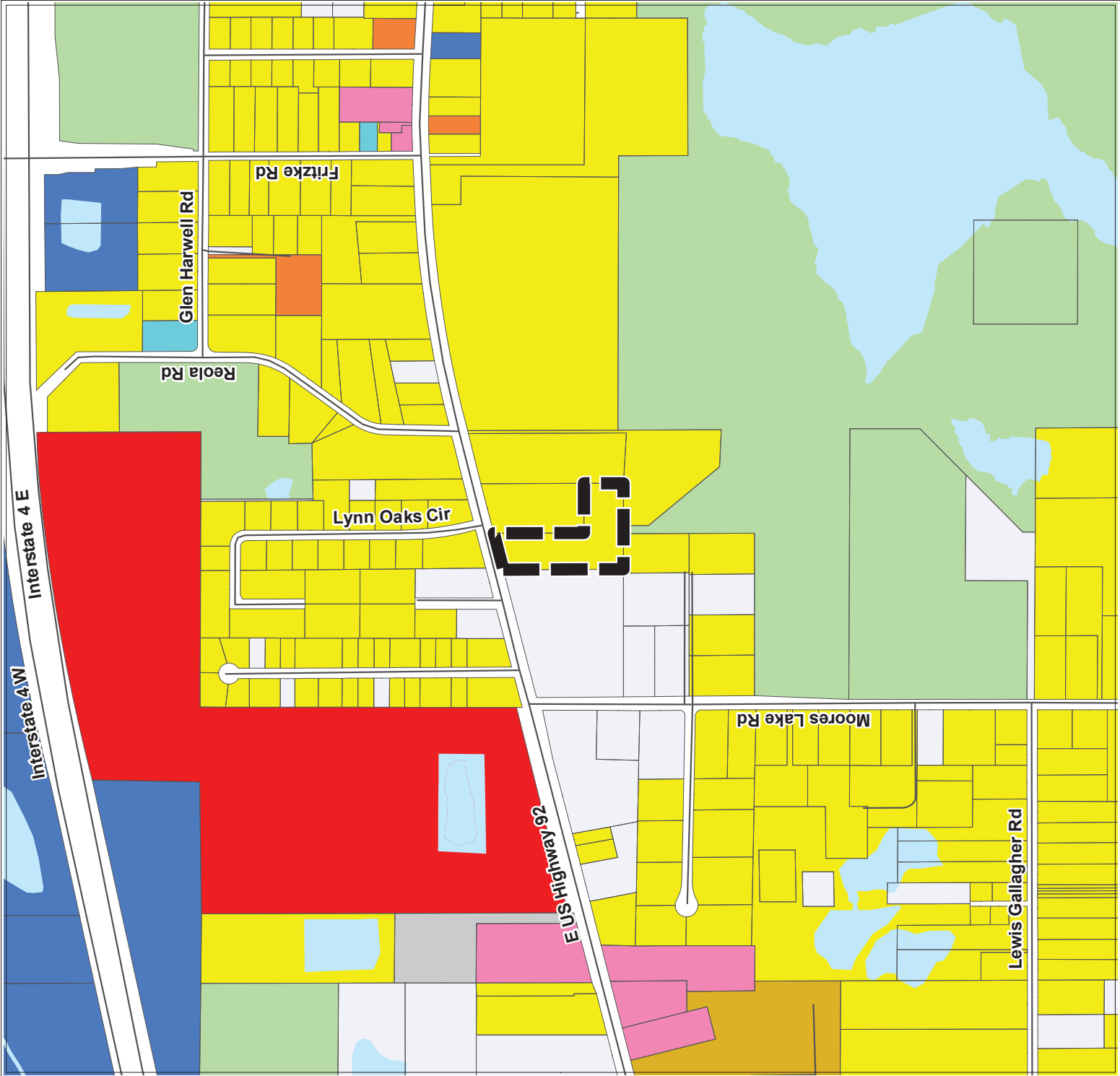


FIGURE 3  
UNINCORPORATED HILLSBOROUGH COUNTY  
EXISTING LAND USE  
HC/CPA 19-06

LEGEND

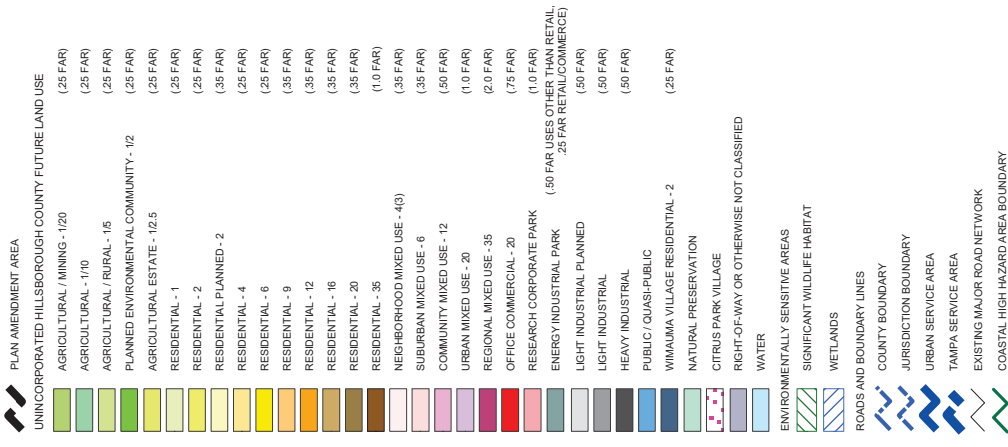
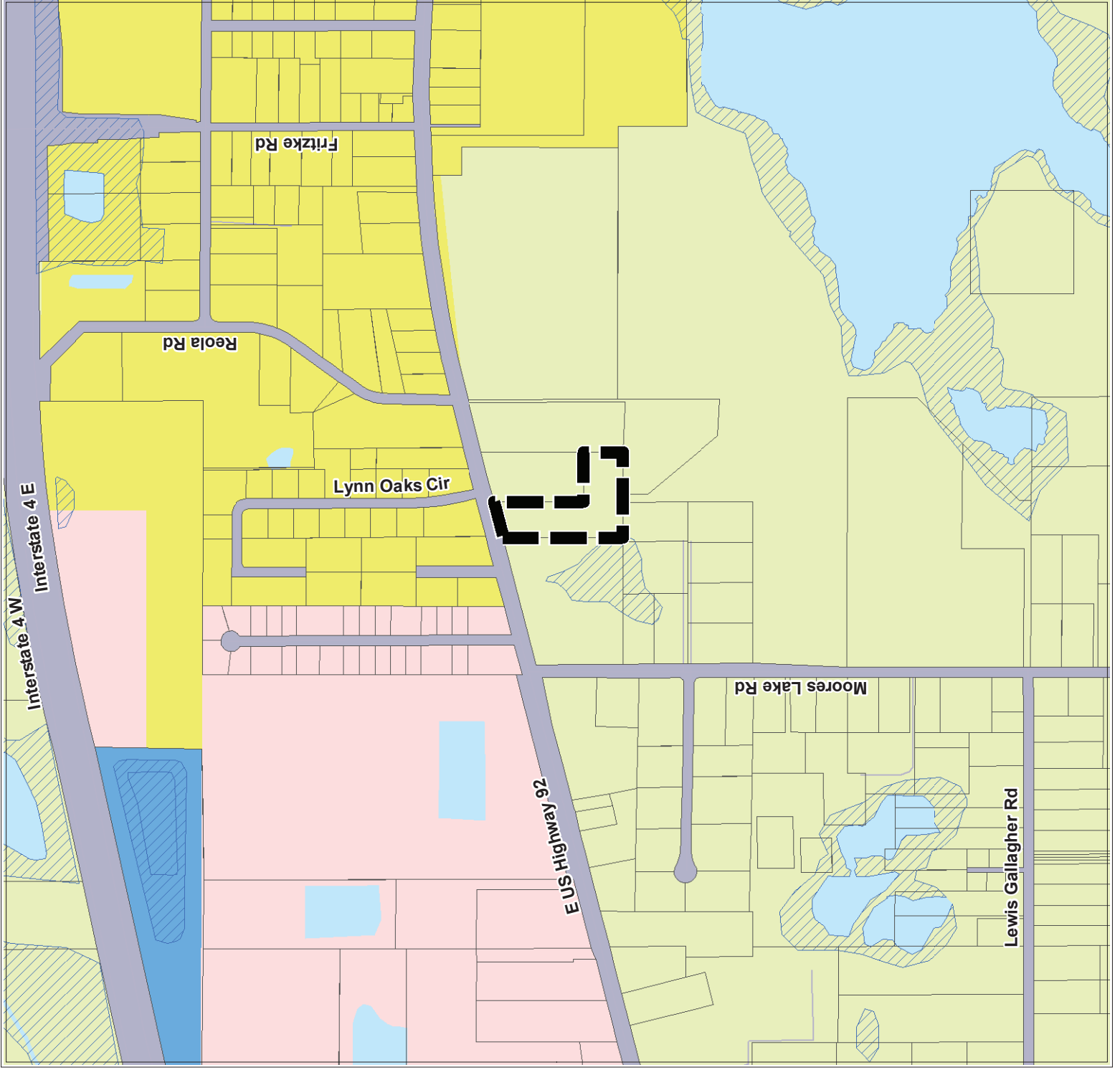
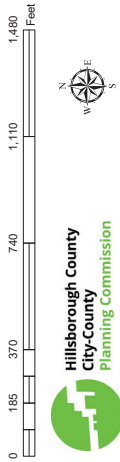
- PLAN AMENDMENT AREA
- EXISTING LAND USE
- SINGLE FAMILY / MOBILE HOME
  - TWO FAMILY
  - MULTI-FAMILY
  - MOBILE HOME PARK
  - VACANT
  - PUBLIC / QUASIPUBLIC / INSTITUTIONS
  - PUBLIC COMMUNICATIONS / UTILITIES
  - RIGHT OF WAY/ROADS/HIGHWAYS
  - EDUCATIONAL
  - HEAVY COMMERCIAL
  - LIGHT COMMERCIAL
  - HIGH INDUSTRIAL
  - LIGHT INDUSTRIAL
  - MINING
  - RECREATION / OPEN SPACE
  - AGRICULTURAL
  - NATURAL
  - WATER
  - UNKNOWN
  - NOT CLASSIFIED
- ROADS AND BOUNDARY LINES
- COUNTY BOUNDARY
  - JURISDICTION BOUNDARY
  - URBAN SERVICE AREA
  - TAMPA SERVICE AREA
  - COASTAL HIGH HAZARD AREA BOUNDARY

Existing Land Use: Derived from Property Appraiser parcel and LDC Codes.  
JURISDICTION BOUNDARIES: Hillsborough County Property Appraiser  
PARCELS: Hillsborough County Property Appraiser  
URBAN SERVICE AREA BOUNDARIES: Hillsborough County Planning Commission  
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COMMENTS: Information is not intended to be used for any other purpose.

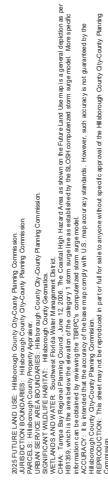


**HC/CPA 19-06**

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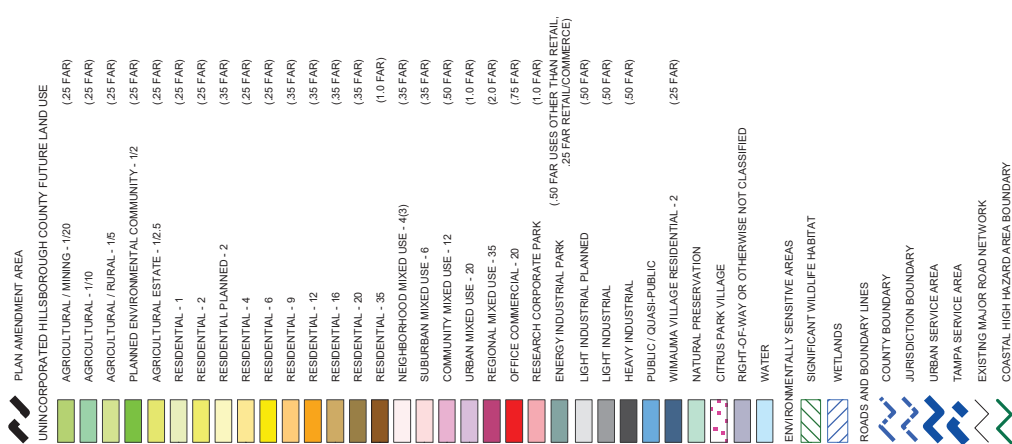
## LEGEND



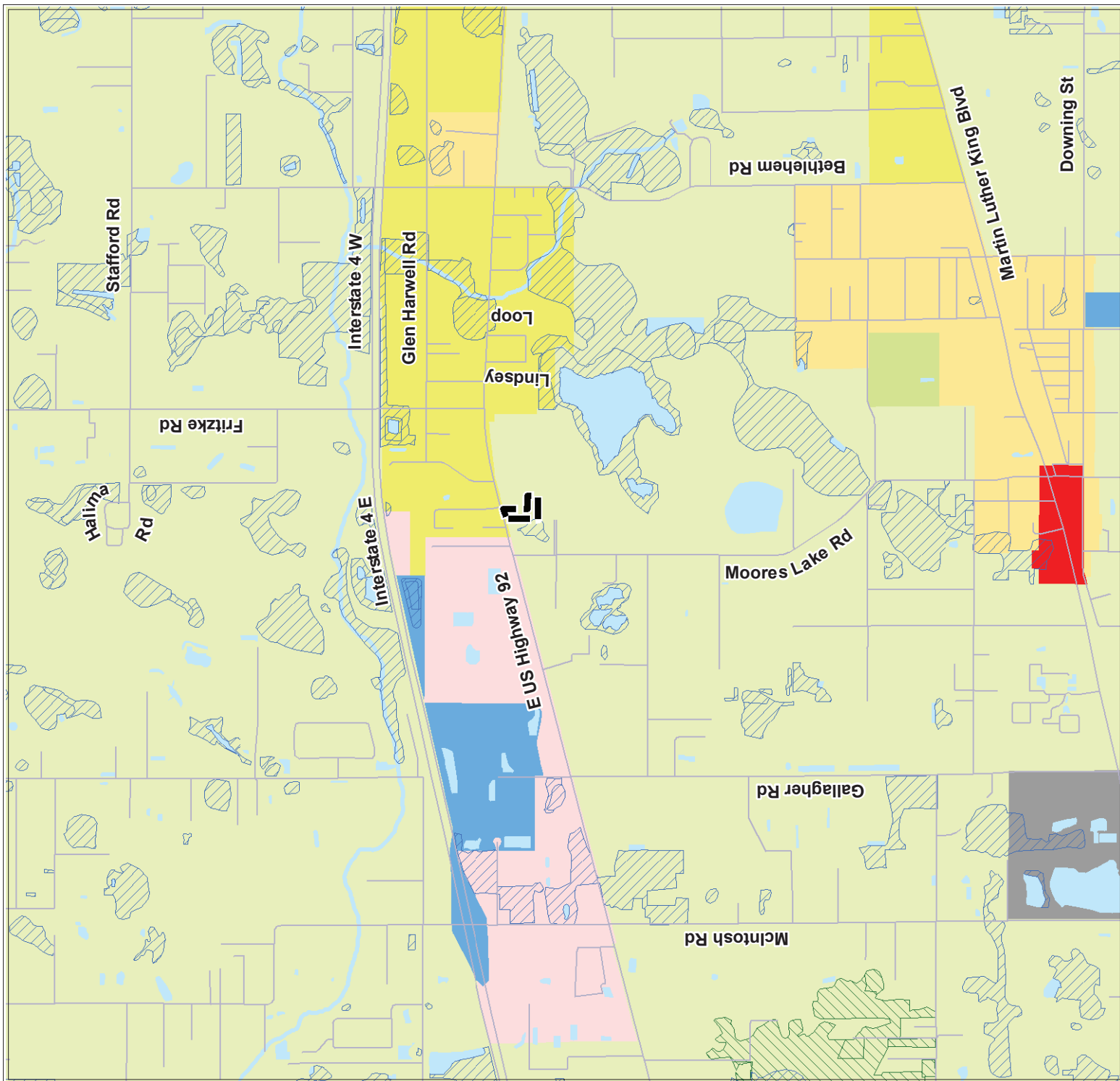


## HC/CPA 19-06

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Hillsborough County  
City-County  
Planning Commission



## Attachment C

Agency Comments

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Comprehensive Plan Amendment Request  
HC/CPA 19-06

Transportation Information

Road Name	From - To	Number of Lanes	Adopted LOS Standard	Current LOS	Pedestrian LOS	Bicycle LOS
E Highway 92	Moore's Lake Rd to Forbes Rd	2LU	D	C	C	C
Moore's Lake Rd	M L King Blvd to US 92 Hwy	2LU	C	B	B	C

**Transportation Analysis – Existing**

This property is South of E US 92 Highway which is classified as an Urbanized Arterial highway. It is a 2-lane undivided highway with a paved shoulder on both sides and sidewalks on the north side of the US 92.

This area is not currently served by HART bus service.

**Transportation Analysis – Future Proposed**

The *2040 Needs Assessment for Capacity Projects* of the current *Long Range Transportation Plan* identifies the widening of US 92 highway from CR 579 to Thonotosassa Rd from two to four lanes.

The FDOT has completed a Project Development and Environment (PD&E) study to widen US 92 Highway. The project study limits are from east of I-4 to east of County Line Road, for approximately 18 miles.

Since the potential impacts of the proposed amendment would increase allowable residential development, there would be an increase in the bicycle and pedestrian impacts. It is important to provide continuous, accessible and well-maintained bike facilities as well as sidewalks and high visibility crosswalks at intersections where it is safe to cross.

The current *HART Transit Development Plan* does identify the need for expansion of transit service in this area.

**Special Area Analysis**

This area is not identified in the MPO's *Demographic Analysis for Environmental Justice Purposes* as an area having a greater than median density of minority population.

The Hillsborough County Corridor Preservation Plan Map 25 identifies US 92 Highway to be a 4-lane corridor. Right of way needs to be preserved by the developer pursuant to the county code.

**CPA 19-06**

**CPA CYCLE: July 2019**

**Request:** Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6)

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The map amendment request is to change the future land use of the subject property (folio number 082855.0501) from Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6). The property contains a total of 3.46+/- acres and is located on the South side of E Hillsborough Avenue (US 92) 0.4 miles south of Interstate-4 (I-4).

## **Section 1.0 – Infrastructure & Public Facilities Review**

### **Agency Comments:**

#### **Fire Rescue:**

No comments.

#### **Parks & Recreation:**

No comments.

#### **Public Utilities:**

##### **Potable Water**

The subject area falls outside of the Hillsborough County Water Urban Service Area. County Water Service will not be available to the Subject Property.

##### **Wastewater**

The subject area falls outside of the Hillsborough County Wastewater Urban Service Area. County Wastewater Service will not be available to the Subject Property.



**CPA 19-06**

**CPA CYCLE: July 2019**

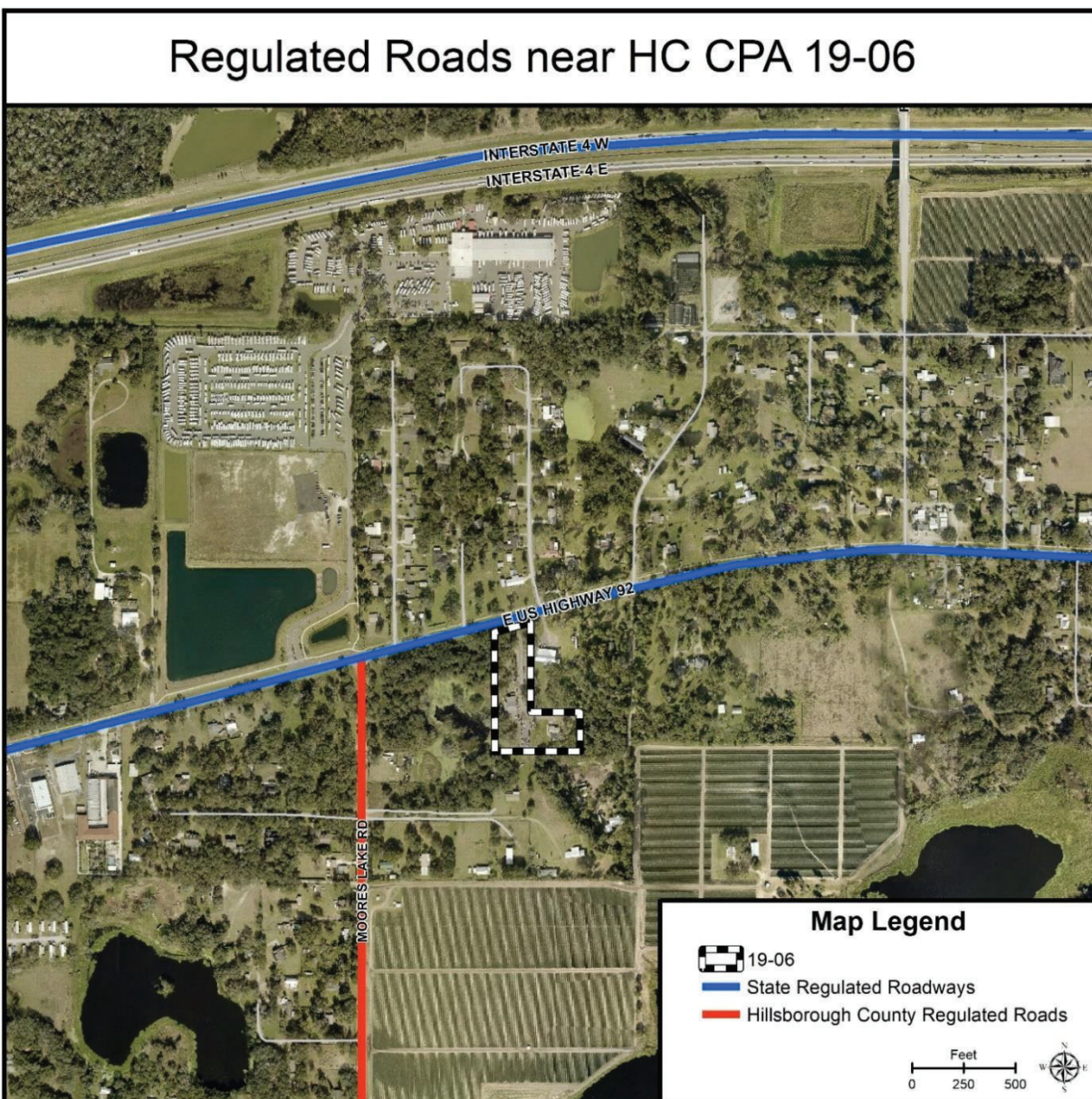
**Request:** Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6)

### **Public Works Transportation:**

According to Hillsborough County's comprehensive plan transportation policy 1.1.1, Hillsborough County plans for the peak hour peak direction level of service on all regulated county roads. The property in question is located on US Highway 92 (Hillsborough Avenue), a two lane collector road.

The regulated road in the subject area are:

- Moores Lake Road- Hillsborough County
- Interstate 4 (I-4)- FDOT
- US HWY 92 (Hillsborough Avenue)- FDOT





**CPA 19-06**

**CPA CYCLE: July 2019**

**Request:** Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6)

#### **Adopted Levels of Service Standard –**

According to the 2017 Level of service report, the Hillsborough County BOCC adopted level of service D for the segment of US Hwy 92 between the McIntosh Road and Turkey Creek Road. Level of service D indicates that the peak hour peak directional maximum service volume of the facility is 880 trips.

#### **Peak Hour Peak Directional Volume/Capacity Ratio –**

According to the 2017 Level of service report, US Hwy 92 is currently operating at 64% of its level of service D capacity at peak hour/peak direction.

Trip Generation Comparison								
3.85+/- Acres	From:	Daily Trips	AM Peak Trips	PM Peak Trips	To:	Daily Trips (max)	AM Peak Trips	PM Peak Trips
Current Density	(RES-1) 3 DU (ITE 210 Single Family Housing)	41	7	4				
Development Potential					(SMU-6) 52,000 sf Office (ITE 710 General Office Building)	536	75	61
Difference						+495	+68	+57

**CPA 19-06**

**CPA CYCLE: July 2019**

**Request:** Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6)

The Planning Commission includes a typical non-residential intensity in their report of 0.2 floor area ratio (FAR) using a sampling of other sites around the subject property area (29 sites sampled). Using the 0.2 FAR results in a building scenario of 30,000 square feet of office. The following analysis is the trip generation of the property developed using the typical non-residential intensity FAR.

		Daily Trips (max)	AM Peak Trips	PM Peak Trips
Development Potential at typical FAR	(SMU-6) 30,000 sf Office (ITE 710 General Office Building)	330	55	36
Difference between existing and typical nonresidential FAR		+289	+48	+32

### **Capacity: Existing**

The land use change may generate up to 495 additional daily trips and 68 additional peak hour peak directional trips in the max development scenario.

The land use change may generate up to 289 additional daily trips and 48 additional peak directional trips in the typical non-residential intensity scenario.

The trips generated by development of the subject site will not exceed the peak hour peak direction LOS of the regulated facility in either scenario, assuming no additional background growth.

### **Traffic Impact Summary: Existing Conditions with max development potential**

Roadway Link	PkHrDir Vol	PkHrDir Trips	Total PkHrDir Vol	PkHrDir MSV	Available Capacity
US HWY 92 (MCINTOSH RD to TURKEY CREEK RD)	559	38	597	880	+238

Data source: Hillsborough County 2017 level of Service Report (Hillsborough MPO)

The proposed land use change would generate 38 peak hour/peak direction trips. Adding these 38 trips to the existing peak hour directional trips on US HWY 92 totals 597 trips. The new total for peak hour peak direction volume indicates an available capacity of 238 trips on US HWY 92 when considering the existing conditions with max development potential.

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**Request:** Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6)

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**Traffic Impact Summary: Projected Conditions w max development potential**

Roadway Link	2040 Volume	Daily Project Trips	Total Daily w/project 2040 Vol	MSV	Available Capacity
US HWY 92 (MCINTOSH RD to TURKEY CREEK RD)	21,531	536	22,067	17,700	-4,367

Distribution of trips are estimates at a planning level. More detailed distribution values will be developed at subsequent stages of development.

Data source: Tampa Bay Regional Planning Model, Year 2040 Cost Affordable Scenario

PkHrDir: peak hour / peak direction

MSV: maximum service volume (i.e. capacity)

The proposed land use change would generate 536 daily trips. Adding the 536 trips to the 2040 projected volume amounts to 22,067 daily trips in 2040 conditions. The new total daily trips indicate a deficit of 4,367 trips on US Highway 92 in 2040 conditions. However, the 2040 LRTP does not anticipate a four lane US HWY 92. A PD&E study was completed for a four lane US HWY 92 which would add enough capacity to address the deficit currently projected.

### Future Plans

- Transportation Improvement Program (TIP)

A Project Development and Environmental Study (PD&E) was recently completed for US 92 (Hillsborough Avenue) in front of the subject area.

- Hillsborough County Capital Improvement Plan (FY 18-23)

There are no Capital Improvement Plan projects in in the subject area.

### Unfunded Improvements Listed in Various Plans

- Corridor Preservation Plan

In the Hillsborough County Corridor Preservation Plan, Moores Lake Road is planned to be a two-lane enhanced road and Hillsborough Avenue is planned to be a 4 lane road. Sufficient right of way must be reserved along US HWY 92 avenue to allow for the planned improvement.

### Operations/Safety

- With the passage of the mobility fee ordinance in Hillsborough County, projects would not be required to build capacity improvements to mitigate transportation impacts

**CPA 19-06**

**CPA CYCLE: July 2019**

**Request:** Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6)

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generated by project traffic. The project pays a one-time fee proportionate to the impact generated by project traffic. However, safety-related transportation improvements may still be required at the site plan review process, consistent with the Hillsborough County Land Development Code.

- According to the Vision Zero Action Plan, CR 579/Mango Road from MLK Blvd to US 92 is included at number 19 of the top 20 severe crash corridors in Hillsborough County.

## **Access Management**

Access management focuses on the location, spacing, and design of entrances, street intersections, median openings, and traffic signals. Each of these creates conflict points where vehicles have to stop or slow down, disrupting the flow of traffic. As the number of conflict points increase, so does traffic congestion and crashes.

Access management was adopted by Hillsborough County as part of the Land Development code Part 6.04.00 to “protect the public health, safety and welfare; maintain smooth and efficient traffic flow; maintain proper roadway drainage; and to protect the functional level of the public roadway system.”

In order to adhere to the purpose of access management, the appropriate number of access driveway must be determined by adding existing approved development and the potential development to their impact on the roads on existing infrastructure.

Generally the site would likely have direct access to US Hwy 92 which is a collector road.

According to section 6.04.03 of the land Development Code, Number of Driveways = Peak Hour Total Project Traffic/Maximum Vehicle Flow. Fractional results shall be rounded up to the next highest whole number.

According to section 6.04.03 the total amount of peak hour trips produced by the properties on the private drive amount to 75 which is then divided by 90 since it is a residential use and accessing a local road. This division results in 0.83 which is rounded up to 1 meaning that a minimum of 1 driveway is required.

Final determination of location, number of access points, and mitigate improvements to substandard roads will be determined at site plan review of the project.



**CPA 19-06**

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**Request:** Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6)

Photographs of US Highway 92 are provided below.



US Highway 92 Road Looking East (Parcel on the right side).



US Highway 92 Looking West (Parcel on the left side).

CPA 19-06

CPA CYCLE: July 2019

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## **Section 2.0 – Zoning and Regulatory Compliance Review**

No comments

### **Site Engineering:**

No comments.

### **Natural Resources:**

No comments.

## **Section 3.0 – Conservation & Environmental Lands Review**

### **Agency Comments:**

No comments.

## **Section 4.0 – Affordable Housing Review**

### **Agency Comments:**

No comments.

## **Section 5.0 – Economic Development Review**

### **Agency Comments:**

No comments.

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## **Section 6.0 – Hazard Mitigation Review**

### **I) Background and Purpose**

In order to minimize loss of life, human suffering, damage to public and private property, and economic loss, there must be complete knowledge of the types of hazards that affect Hillsborough County. This hazard identification and vulnerability assessment report is a vital component in the review of requests for development within high risk areas.

To assist in the review of development placed within risk areas, a full hazard analysis of Hillsborough County and its jurisdictions is contained within the Hillsborough County Local Mitigation Strategy (LMS). The analyses includes the types of hazards, the geographical location of impact, physical, social and economic impacts, and the vulnerable populations. The information was compiled by Hillsborough County and county municipal planning agencies, the Tampa Bay Regional Planning Council, Port Authority Tampa, National Weather Service, State of Florida DOT, U.S. Geological Survey, National Climatic Data Center, Local Mitigation Strategy Working Group, and other sources. Consistent with Federal and State Plans and the County Comprehensive Emergency Management Plan (CEMP), the Hillsborough County LMS reflects an “all-hazards” approach to mitigation.

### **II) Development Description/Proposed Comprehensive Plan Amendment**

#### **a. Proposed Plan**

Land use amendment from Residential 1 (RES-1) to Suburban Mixed Use-6 (SMU-6). Site is located along US Hwy 92 in the Dover area. Property is located mostly within flood zone X and encompasses about 3.5 acres. On the southwestern side of the property there is a small area within Zone AE which is prone to more frequent flooding.

#### **b. Maps, graphs, tables and pictures that show these areas as related to risks and this project:**

Table 1.

Immediate Items for Consideration				
Item	Yes	No	Zone/ Level	Notes
SFHA	X		X, AE	Majority of property is located in Zone X, with a small portion on the western side within AE
CHHA		X		
Stormsurge Area		X		
Evacuation Level		X		Property is not located within an evacuation zone.
Nearest Shelter(s)		X		
140 mph wind born debris zone		X		The property is outside the 140 mph wind born debris zone.
Critical Facility Locations (nearest)		X		



**CPA 19-06**







**CPA CYCLE: July 2019**

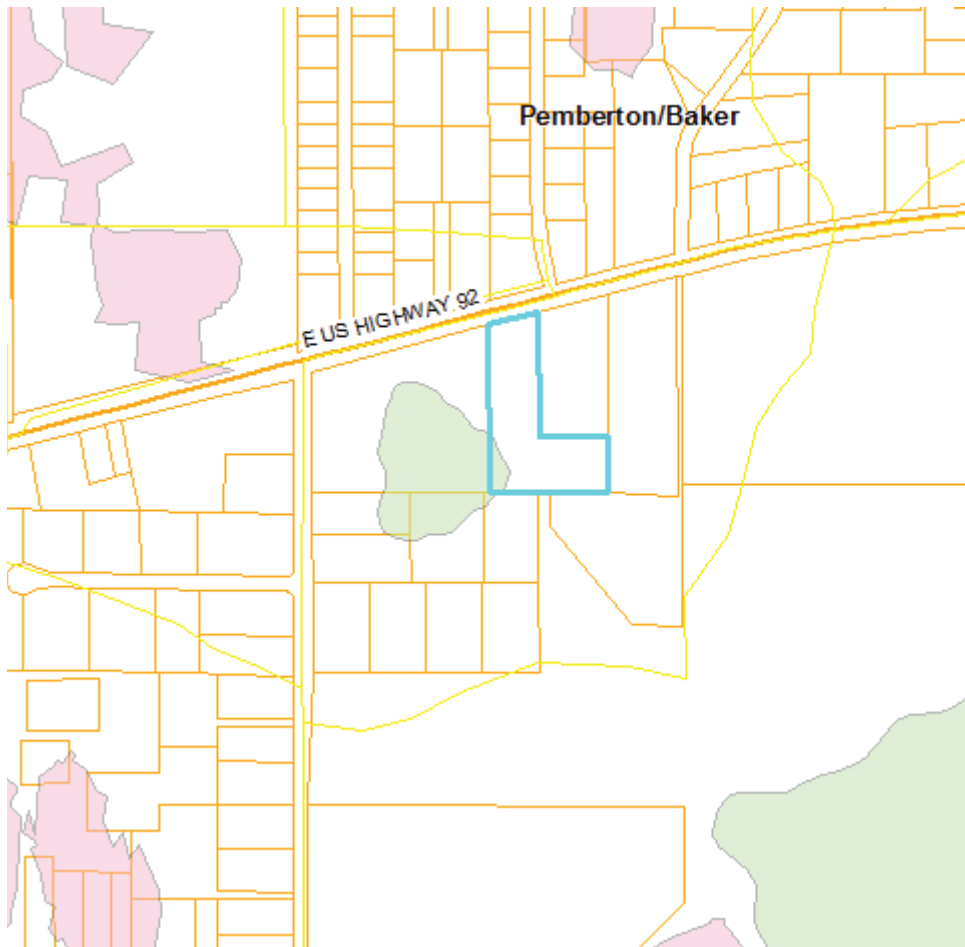
**Request: Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6)**

<b>Major Transportation Lines (proximal)</b>	X			Property is on south side of Hwy 92 and south of the I-4  <b>**These roads also serve as Evacuation Routes**</b>
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**Flood Zone**

Entire property lies within flood zone X

-  A
-  AE
-  OPEN WATER
-  V
-  VE
-  X



**CPA 19-06**

**CPA CYCLE: July 2019**

**Request:** Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6)

### Evacuation Zone

Entire property is not located within an evacuation zone.

### Evacuation Route



**Table 2.**

Hazards By Jurisdiction				
Natural Hazards	Hillsborough County	Tampa	Temple Terrace	Plant City
Coastal/Riverine Erosion	L	H	L	L
Category 1-2 Hurricane (Minor)/Tropical Storm	H	H	H	H
Category 3-5 Hurricane (Major)/Tropical Storm	M	M	M	M
Flooding (FEMA FIRM Zones)	H	H	M	M
Suspect Soils/Sinkhole	M	L	L	L
Wildland Fires	M	L	L	L

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Request: Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6)

Technological Hazards				
Hazardous Materials Transportation	M	M	M	M
Hazardous Materials Fixed Facility	M	M	L	L
Terrorism	M	M	L	M

Source: 2015 Hillsborough County Local Mitigation Strategy



Jurisdictions with significant coastal areas



Inland communities with some chance of flooding

**High (H):** Most of the population affected, major damage to old, poorly maintained, and mobile home structures, some damage to newer structures built to code likely.

**Moderate (M):** Around 50% of the population affected, mobile homes and poorly built or maintained structures most at risk.

**Low (L):** Special portions of the population affected, day-to-day operations not affected, minor cosmetic damage expected to some structures.

### III) Considerations

#### a. Regulations within Hillsborough County

Are designed to ensure developments are approved for and/or developed with consideration, in addition to other items identified within the code, to the protection of life and property. With respect to risk in which the site is vulnerable, the request is required to address, at a *minimum*, the following:

- Hillsborough County (HC) Land Development Code (LDC) Part 3.06 and 6.11
- HC Comprehensive Plan Coastal Management Element
- HC Construction Code Chapter 3
- F.S. CH. 163.3178(8) (a) (2) Coastal Management – Evacuation clearance time
- HC Local Mitigation Strategy (LMS)
- HC Comprehensive Emergency Management Plan (CEMP)
- HC County Wildfire Protection Plan (CWPP)

#### b. Evacuation impact:

This property is not located in an Evacuation Zone. The property is located on the northern side of the county and principal evacuations are I-4 and Hwy US 92. The area is located outside the 140 mph wind zone / debris zone.

#### c. Shelter Ratio Impact:

If a Land Use change were to be considered to increase the use and density/number of dwelling units, then Shelter Ration Impacts would need to be assessed. The site encompasses about 3.5 acres, with a possible increase of dwelling units from 3 to 18 units

#### d. Hazard Mitigation

This project is mostly within the FIRM Zone X, which is in an area subject to minimal flooding and a small portion on the western side is within Zone AE which is prone to more frequent flooding.

#### e. Suspect Soils/Ground Subsidence

**CPA 19-06**

**CPA CYCLE: July 2019**

**Request:** Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6)

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M- Moderate risk: Around 50% of the population affected, mobile homes and poorly built or maintained structures or roadways are most at risk.

**f. Mitigation techniques**

Mitigations techniques can be found at Federal Alliance for Safe Homes  
<http://www.flash.org/mitigation/> or Institute for Business and Home Safety  
<https://disastersafety.org/>



## School Capacity Report

<b>Date:</b> October 14, 2019  <b>Jurisdiction:</b> Hillsborough County  <b>Case Number:</b> HC/CPA 19-06  <b>Address/Folio:</b> 13437 E Highway 92 (0828550501)	<b>Acreage:</b> 3.46+/- acres  <b>Current Land Use:</b> RES-1  <b>Proposed Land Use:</b> SMU-6  <b>Maximum Residential Units:</b> 18 Units
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School Data	Bailey Elementary	Tomlin Middle	Strawberry Crest High
FISH Capacity	920	1712	2404
2018-19 Enrollment	762	1666	2383
Current Utilization	83%	97%	99%
Concurrency Reservations	28	7	23
Students Generated	3	2	2
Proposed Utilization	86%	98%	100%

Source: 2018-19 40<sup>th</sup> day enrollment count with updated concurrency reservations

**Note:** Strawberry Crest High School currently does not have adequate capacity for the proposed development. An attendance boundary change may have to be conducted in order to accommodate the additional proposed growth. However, due to growth in this area, there may not be available capacity for the high school level at the time of site plan. The applicant should meet with School District to discuss capacity options prior to approval.

**This is a capacity review, and is not a concurrency determination. A concurrency review will take place prior the preliminary plat or site plan approval.**

Amber K. Dickerson, AICP  
 Department Manager of Planning & Siting  
 Email: [amber.dickerson@sdhc.k12.fl.us](mailto:amber.dickerson@sdhc.k12.fl.us)

**Raymond O. Shelton School Administrative Center** • 901 East Kennedy Blvd. • Tampa, FL 33602-3507  
 Phone: 813-272-4004 • FAX: 813-272-4002 • School District Main Office: 813-272-4000  
 P.O. Box 3408 • Tampa, FL 33601-3408 • Website: [www.sdhc.k12.fl.us](http://www.sdhc.k12.fl.us)

Phone: 813.272.4896

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## Attachment D

Site Photo



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HC CPA 19-06: West View of Property Entrance Along Highway 92



HC CPA 19-06: East View Property Entrance Highway 92





HC CPA 19-06: North View of Property Entrance Highway 92



HC CPA 19-06: South View of Commercial Engine Repair Business





HC CPA 19-06: South View Property Entrance





HC CPA 19-06: Southeast View Adjacent Property Along Highway 92





HC CPA 19-06: Southeast View of Residence on Property





HC CPA 19-06: Southeast View of Property



HC CPA 19-06: South View of Commercial Engine Repair Business

## Attachment E

Application

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**Jurisdiction in which proposed Comprehensive Plan Amendment is located:**

- ☒ Unincorporated Hillsborough County    ☐ City of Plant City  
☐ City of Tampa    ☐ City of Temple Terrace

**Type of Comprehensive Plan Amendment:**

- ☒ Map Amendment    ☐ Text Amendment

**IMPORTANT:** If the subject property is 10 acres or greater, the Pre-Application Conference that must be conducted **must be dated within 6 months of the application submission and at least fifteen (15) days prior to the filing deadline** for the Comprehensive Plan Amendment application. **Applications for amendments subject properties less than 10 acres** can be submitted anytime.

**Comprehensive Plan Amendment Initiated by:**

- ☒ Private Sector    ☐ Public Sector

**Property Owner(s):**

Name (s): W. C. Smith  
Address: 13437 E. 92 Highway, Dover, FL 33527  
Phone: 813-401-2395 E-mail: bubbasmith@tampabay.rr.com

**Agent/Representative (if applicable):**

Name: Pamela Jo Hatley  
Address: 14517 N. 18th Street, Tampa, FL 33613  
Phone: 813-727-0672 E-mail: pamela@pamelajohatley.com

**Affidavit to Authorize Agent (if applicable):** Where the applicant is not identified as the owner(s) of the property as specified on the deed(s) submitted with the request, a signed Affidavit to Authorize Agent is required.

**Site Location Information (for Map Amendments only):**

Site Location Address(es): 13437 E. 92 Highway, Dover, FL 33527

**Plan Amendment Request (for Map Amendments only):**

*Attach additional property folio numbers on additional page if needed.*

Property Information		Future Land Use Designation	
Folio Numbers	Acres	Current	Requested
082855-0501	3.46	Res-1	SMU-6

**Justification for the proposed Map Amendment (i.e., infrastructure; supporting Policies, transit availability, etc.):**

See attached.

**Development trends in the area (*within one mile of site in the cities and five miles of the site for unincorporated Hillsborough County*):**

See attached.

**Is there a pending action regarding the subject property in process related to the subject property (i.e., concurrent Rezoning, Land Development Code Amendment, others):**

Code enforcement proceeding. Case No. CE18010663





Pamela Jo Hatley PhD, JD  
Real Estate and Land Use  
P. O. Box 47477 · Tampa, FL 33646-0113  
813-727-0672  
pamela@pamelajohatley.com · www.pamelajohatley.com

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Socially Responsible, Environmentally Sustainable Economic Development

May 17, 2019

To: Hillsborough County City-County Planning Commission  
From: Pamela Jo Hatley PhD, JD  
Re: Future Land Use Map Amendment  
Folio 082855-0501  
13437 E. US 92, Dover, FL

**Justification for the proposed map amendment:**

The subject parcel is located at 13437 E. U.S. 92 Highway, south of Interstate 4, east of the I-4 McIntosh Road exit and west of the Branch Forbes Road exit. Highway 92 is a principle arterial roadway. The property owner lives onsite in an existing single-family home and operates a major engine repair business in an adjacent covered shop facility. The purpose of the requested map amendment is to support a mixed-use planned development rezoning that will allow the property owner to use a portion of the parcel for his residence and another portion of the parcel for his major engine repair shop. The parcel is at a lower elevation than U.S. 92 and the improvements are situated so that the business activity occurs some 300 feet internal to the parcel and is not easily visible from the public roadway. Hence, the non-residential use has very little visual or other impact on surrounding uses.

The map amendment will support and further Hillsborough County's growth management goal of ensuring that the character and location of land uses optimizes the combined potentials for economic benefit and the enjoyment and protection of natural resources, while minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation. The map amendment also supports and furthers Hillsborough County's economic growth strategy by encouraging a small, home-based business that fills a need in the local economy.

The request is consistent with and furthers the following provisions of the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County:

- Objective 10: The development is suitable for the physical conditions of the land.
- Policy 11.1: The development meets adopted levels of service for public facilities as established by the Future of Hillsborough Comprehensive Plan
- Objective 12: The development is serviced by transportation systems that meet or exceed the adopted levels of service established by Hillsborough County.

- Objective 13: The development does not adversely impact environmentally sensitive areas or other significant natural systems as described and required within the Conservation and Aquifer Recharge Element and Coastal Management Element of the Comprehensive Plan.
- Policy 16.5: The development is located on a principle arterial roadway and is external to established and developing neighborhoods.

**Development trends in the area (within five miles of the site):**

Development along East U.S. 92 Highway from the subject site to McIntosh Road consists of mixed residential, agricultural, commercial, and institutional uses on both the north and south sides of U.S. 92. Immediately adjacent to the subject parcel are residential and agricultural uses. The General RV Center is approximately 750 feet west of the subject parcel on the north side of U.S. 92. From General RV Center west to McIntosh Road on the north side of U.S. 92 there is an automotive and RV detailing business, an automotive transmission repair shop, Strawberry Crest High School, Bailey Elementary School, a landscape and plant nursery, a charter school, and residential uses. On the south side of U.S. 92 there are agricultural and residential uses, a roofing business, a Volkswagen engine and body repair shop, a Family Dollar Store, and a utility building sales business.

East of the subject parcel on U.S. 92 are primarily agricultural and residential uses. There is a grocery store and restaurant approximately 2,000 feet east of the subject parcel, and a landscaping business approximately 6,200 feet east of the subject parcel, both on the north side of U.S. 92.

North of the subject parcel are residential and agricultural uses, General RV Center, and Interstate 4. South of the subject parcel are agricultural and residential uses.



**AFFIDAVIT TO AUTHORIZE AGENT**

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

W. C. Smith

(NAME OF ALL PROPERTY OWNERS- Attach list if more than one), being first duly sworn, depose(s) and say(s):

1. That (I am/we are) the owner(s) and record title holder(s) of the following described property, to wit:

ADDRESS(ES) OR GENERAL LOCATIONS: 13437 E. 92 Hwy, Dover, Florida 33527

FOLIO(S) No. 082855-0501

2. That this property constitutes the property for which a request for a:

Future land use map amendment

(NATURE OF REQUEST)

3. That the undersigned (has/have) appointed Pamela Jo Hatley as (his/her/their) agent(s) to execute any permits or other documents necessary to affect such application.
4. That this affidavit has been executed to induce Hillsborough County, Florida to consider and act on the above-described property;
5. That (I/we), the undersigned authority, hereby certify that the foregoing is true and correct.

  
SIGNED (PROPERTY OWNER)

\_\_\_\_\_  
SIGNED (PROPERTY OWNER)

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

This foregoing instrument was acknowledged before me this

(DATE) April 23, 2019  
by W.C. Smith

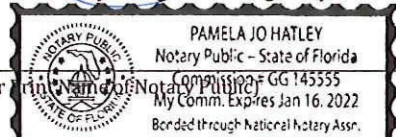
(Property Owner)

Personally known to me X

Florida Driver's License \_\_\_\_\_

And who did \_\_\_\_\_ did not X take an oath.

(Signature of Notary taking acknowledgment)

  
(Type or Print Name of Notary Public)

Commission Number

Expiration Date

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

This foregoing instrument was acknowledged before me this

(DATE) \_\_\_\_\_  
by \_\_\_\_\_

(Property Owner)

Personally known to me \_\_\_\_\_

Florida Driver's License \_\_\_\_\_

And who did \_\_\_\_\_ did not \_\_\_\_\_ take an oath.

(Signature of Notary taking acknowledgment)

(Type or Print Name of Notary Public)

Commission Number

Expiration Date

**MAILING NOTICE OF PUBLIC HEARING DECLARATION**  
(To be completed by the Owner or Agent)

**IMPORTANT:** This Declaration and associated Buffer Map highlighting the noticed property owners. This Map shall be obtained from the Property Appraiser must be submitted to the Planning Commission Office at least ten (10) days in advance of the Public Hearing.

**Planning Commission Public Hearing Notice**

Note: Each Mailing Notice of Public Hearing Declaration must be received at least ten (10) days prior to the Public Hearing.

I hereby certify that the required Mail Notice(s) for the Planning Commission Public Hearing on amendment(s) \_\_\_\_\_ has/have been prepared mailed to the most current address(s) within 250 feet of the amendment site, at least fourteen (14) days before in advance of the Planning Commission's Public Hearing.

**DECLARATION**

I, \_\_\_\_\_ solemnly declare all above statements contained in all of the exhibits transmitted herewith, are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF OWNER OR AGENT

**MAILING OF NOTICES OF PUBLIC HEARING**

The Notice of Public Hearing was mailed to the following property addresses (provide Proof of Mailing from the Post Office) and Neighborhood Associations (If applicable). Please attach a separate sheet.

**STATE OF FLORIDA**

**COUNTY OF HILLSBOROUGH**

This foregoing instrument was acknowledged before me this

(DATE) \_\_\_\_\_ by \_\_\_\_\_

(Property Owner)

Personally known to me \_\_\_\_\_

Florida Driver's License \_\_\_\_\_

\_\_\_\_\_  
(Signature of Notary taking acknowledgment)

\_\_\_\_\_  
(Type or Print Name of Notary Public)

Commission Number

Expiration Date



## Pamela Hatley

---

**From:** Krista Kelly <kellyk@plancom.org>  
**Sent:** Tuesday, April 16, 2019 2:33 PM  
**To:** Pamela Hatley; Melissa Lienhard  
**Cc:** Tony Garcia  
**Subject:** RE: Folio 082855-0501  
**Attachments:** Plan Amendment Pre-Application review submission for Unincorporated Hillsborough County; Plan Amendment Application 2018 rev Checklist.pdf

Hi Pamela,

I've attached the Pre-Application form you submitted in March as a reference of what is potentially being proposed. As Melissa Lienhard stated, **you had a Pre-Application Meeting on March 21<sup>st</sup>, 2019** that satisfies the Application requirement. Please see the attached Plan Amendment Application with the Checklist of requirements. The Checklist on page 4 provides the time range for conducting a Pre-Application Meeting.

If there is additional information you'd like to introduce and discuss, I'm happy to set up a meeting. It would be helpful if you could provide me with any new information in advance of the meeting so we can consider it internally, and I can determine who would be good to invite to the meeting. Please let me know if you want to meet next week, and if so, some dates and times that work for you.

Thank you,



**Krista Kelly, AICP**  
Planning Commission Executive Planner  
[kellyk@plancom.org](mailto:kellyk@plancom.org) • 813.273.3774 x328  
[planhillsborough.org](http://planhillsborough.org)

*All incoming and outgoing messages are subject to public records inspection*

---

**From:** Pamela Hatley <pamela@pamelajohatley.com>  
**Sent:** Tuesday, April 16, 2019 2:03 PM  
**To:** Melissa Lienhard <lienhardm@plancom.org>  
**Cc:** Tony Garcia <garciat@plancom.org>; Krista Kelly <kellyk@plancom.org>  
**Subject:** RE: Folio 082855-0501

Hi Melissa,

Yes, thank you. I believe we wanted to meet with staff to discuss further. Do you have availability next Thursday?

Best,  
Pamela



Pamela Jo Hatley PhD, JD

P. O. Box 47477

Tampa, FL 33646-0113

813-727-0672 (C)

[pamela@pamelajohatley.com](mailto:pamela@pamelajohatley.com)

Socially responsible, environmentally sustainable economic development.

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*Please consider the environment when printing this email.*

**From:** Melissa Lienhard <[lienhardm@plancom.org](mailto:lienhardm@plancom.org)>

**Sent:** Tuesday, April 16, 2019 2:02 PM

**To:** Pamela Hatley <[pamela@pamelajohatley.com](mailto:pamela@pamelajohatley.com)>

**Cc:** Tony Garcia <[garciat@plancom.org](mailto:garciat@plancom.org)>; Krista Kelly <[kellyk@plancom.org](mailto:kellyk@plancom.org)>

**Subject:** RE: Folio 082855-0501

Pamela,

I believe you've met the requirement for having a pre-application meeting prior to submitting a plan amendment, so I do not believe another meeting is needed. I've copied Krista on this email to verify.

Of course if you would like to discuss something additionally, we'd be more than happy to meet. Please let me know; thanks.



**Melissa E. Lienhard, AICP**

Planning Commission | Principal Planner

Comprehensive Plan Policy and Review

[lienhardm@plancom.org](mailto:lienhardm@plancom.org) • 813.273.3774 x364

[planhillsborough.org](http://planhillsborough.org)

*All incoming and outgoing messages are subject to public records inspection.*

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**From:** Pamela Hatley <[pamela@pamelajohatley.com](mailto:pamela@pamelajohatley.com)>  
**Sent:** Tuesday, April 16, 2019 11:47 AM  
**To:** Melissa Lienhard <[lienhardm@plancom.org](mailto:lienhardm@plancom.org)>  
**Subject:** Folio 082855-0501

Melissa,

I need to schedule a follow-up meeting with Planning Commission staff regarding a potential FLUM amendment on folio 082855-0501, at 13437 E. 92 Highway, Dover. The owner understands staff has indicated it will not support a FLUM amendment, but he wishes to move forward with a request.

Can we schedule something for next week on Thursday, April 25? I am open all that day.

Thank you,  
Pamela



Pamela Jo Hatley PhD, JD  
P. O. Box 47477  
Tampa, FL 33646-0113  
813-727-0672 (C)

[pamela@pamelajohatley.com](mailto:pamela@pamelajohatley.com)

Socially responsible, environmentally sustainable economic development.

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 Please consider the environment when printing this email.



**From:** [Pamela Jo Hatley](#)  
**To:** [Tony Garcia](#)  
**Subject:** Plan Amendment Pre-Application review submission for Unincorporated Hillsborough County  
**Date:** Wednesday, March 13, 2019 4:04:55 PM

---



### General Information

Requesting Party: Pamela Jo Hatley  
Phone: 813-727-0672  
Email: [pamela@pamelajohatley.com](mailto:pamela@pamelajohatley.com)  
Jurisdiction: Unincorporated Hillsborough County

### Proposed Change

Note: The purpose of the pre-application conference shall be to provide information to the prospective applicant related to: 1. Advising the applicant on the most appropriate land use classification for the subject property, based on the intended use as defined by the jurisdiction. 2. Facilitate the processing of an application to ensure data accuracy. 3. Identifying additional information needed when the Plan Amendment application is submitted This pre-application conference does not constitute a recommendation by staff to the Planning Commission.

Type of Amendment: **Map**

Address(es):

**082855.0501**

**13437 E. US 92, Dover, FL 33527**

Property Information		Future Land Use Designation	
Folio Numbers	Acres	Current	Requested
082855.0501	3.455	Res-1	SMU-6

**Purpose and Intent (Text Amendment Only) :** Property owner is a diesel mechanic. He constructed house and covered shed with the intent to live and work on site. Code enforcement issued notice of violation for improper use of zone. He is seeking PD zoning to allow mixed use for residential and major motor vehicle repair. He will need FLUM amendment to allow the rezoning.

**Applicable Element:**

**Is the subject site located in the: Coastal High Hazard Area Urban Service Area (Unincorporated Hillsborough County) : Y / N**

**Additional Information Needed :**

**Signatures :**

**Staff Counselor(s) :**

**Requesting Party :**

**Date:** \_\_\_\_\_ **Proposed Cycle:** \_\_\_\_\_



# THIS IS NOT A CERTIFIED COPY

Prepared by and return to:  
Grantee  
Doc Stamps: \$0.700

## WARRANTY DEED

This indenture made the 3 day of October, 2017, by, W.C. Smith, a single man, whose mailing address is: 5307 Bob Head Road, Plant City, Florida 33565, hereinafter Grantor, to, W.C. Smith, a single man, whose mailing address is: 5307 Bob Head Road, Plant City, Florida 33565, hereinafter called the Grantee:

Witnesseth: Grantors, for and in consideration of the sum of Ten Dollars and other good and valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, conveys, remises, releases, and transfers unto the grantee, that certain land situate in Hillsborough County, Florida, to-wit:

### PARENT PARCEL

LOT 1 OF CARYLWOOD SUBDIVISION AS RECORDED IN PLAT BOOK 79 PAGE 6 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

N/K/A

### PARCEL 2

LOT 1, OF CARYLWOOD SUBDIVISION AS RECORDED IN PLAT BOOK 79 PAGE 6 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA LESS THE FOLLOWING DESCRIBED:

AS A POINT OF REFERENCE BEGIN AT AN EXISTING 4"x4" CONCRETE MONUMENT MARKING THE NE CORNER OF LOT 1 OF SAID CARYLWOOD SUBDIVISION, THENCE S00°11'30"E ALONG THE EAST BOUNDARY OF SAID LOT 1 A DISTANCE OF 496.12 FEET MORE OR LESS TO AN EXISTING 5/8" IRON ROD MARKED LB6582 MARKING A POINT 190.00 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 1, THENCE S90°00'00"W, A DISTANCE OF 238.50 FEET TO AN EXISTING 5/8" IRON ROD MARKED LB6582, THENCE N00°11'30"W A DISTANCE OF 433.95 FEET TO AN EXISTING 5/8" IRON ROD MARKED LB 6582 AND TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF U.S. HIGHWAY 90 (STATE ROAD #600) THENCE N75°22'41"E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 246.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.455 ACRES MORE OR LESS

**This deed is given to satisfy the requirements of a property split as required by the Hillsborough County, Florida Property Appraiser. No further conveyance is intended. A copy of the approval letter is attached hereto as exhibit "A." This deed was prepared without the benefit of title search, examination or opinion.**

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any wise

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CERTIFIED COPY

appertaining. To Have and to Hold, the same in fee simple forever. And the Grantors do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, subject to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any, and terms conditions, reservations, rights, duties and easements of record and taxes for 2017 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

# THIS IS NOT A CERTIFIED COPY

Signed in the presence of:

Mackynzi Kelley  
witness

W.C. Smith  
W.C. Smith

mackynzi Kelley  
print name

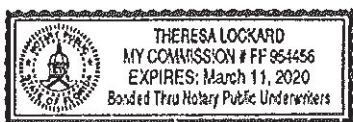
[Signature]  
witness

Theresa Lockard  
print name

State of Florida

County of Hillsborough

The foregoing Warranty Deed was acknowledged before me this 3 day of October, 2017 by W.C. Smith, who is personally known to me or who produce his driver's license as identification and who did not take an oath.



[Signature]  
Notary Public

My commission expires: 3-11-2020

# THIS IS NOT A CERTIFIED COPY

**DEVELOPMENT SERVICES**  
PO Box 1110 Tampa, FL 33601-1110

September 28, 2017

W.C Smith  
2610 Spruce Wood LN  
Plant City FL 33563

**SUBJECT: CERTIFIED PARCEL SUBDIVISION**  
Smith Property  
FOLIO # 82855.0501 Project ID#3890

**BOARD OF COUNTY COMMISSIONERS**  
Victor D. Crist  
Ken Hagan  
Al Higginbotham  
Pat Kemp  
Lesley "Les" Miller, Jr.  
Sandra L. Murman  
Stacy R. White  
**COUNTY ADMINISTRATOR**  
Michael S. Merrill  
**COUNTY ATTORNEY**  
Chip Fletcher  
**INTERNAL AUDITOR**  
Peggy Caskey  
  
**CHIEF DEVELOPMENT & INFRASTRUCTURE SERVICES ADMINISTRATOR**  
Lucia E. Garsys

Dear Mr.Smith,

The staff of the Development Department has completed its review of your request and it has been determined that the requirements have been met. The Certified Parcel Subdivision request complies with the Land Development Code as adopted by the Board of County Commissioners on April 1, 1997.

The approved one (1) lot indicated in Exhibit "A" and on the Certified Parcel Subdivision Survey submitted to the Development Services Department on August 18, 2017 has appropriate access. The property is located in Section 29, Township 28, Range 21.

The lot hereby described is part of a subdivision of a certified parcel as certified by the Administrator and may not be further subdivided under the provisions for subdividing a Certified Parcel.

Any further subdivision activity and/or creation of more than the lot described above shall require compliance with Section 10.01.05 and other applicable provisions of the Land Development Code.

Approval is granted with the following conditions:

1. Prior to the issuance of building permits, deeds shall be recorded for the new lot. (It is recommended that deeds be recorded within 30 days of this approval.)
2. Please be advised that this approval applies only to the development proposal as submitted, and in no way does it provide EPC approval to any other aspect of the EPC process. By this approval, EPC grants no reliance that wetlands may be developed within these parcels.
3. Where public water and/or wastewater service is supplied by Hillsborough County Water Resource Services, an application for service for each individual lot must be made to the Water Resources Department prior to the issuance of a building permit for construction. If served by private well and septic tank, each shall be located on the same parcel as the

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principal use per Section 2.02.04 (Accessory Uses) of the LDC.

4. Prior to construction of a driveway connection to a County roadway, a right-of-way use permit must be obtained from the Public Works Right-of Way Management Office.

When applying for permits for the approved lot, please submit a copy of this letter along with the application for a permit. Failure to do so may cause unnecessary delays in the permit review process.

In addition, a copy of this Certified Parcel Approval letter is required to be attached as an exhibit to your deed when recorded.

You may be required to apply for a permit from the Southwest Florida Water Management District (SWFWMD) prior to initiating any activity on site.

Please note that this approval does not release the developer from any requirements established by other ordinances nor does it imply exemption from obtaining all proper permits from other governmental agencies. It is the applicant's responsibility to comply with all applicable rules and regulations of Hillsborough County.

If you have any questions concerning this matter please e-mail Yarlene Valle at [valley@hillsboroughcounty.org](mailto:valley@hillsboroughcounty.org) or call at (813) 276-8340.

Sincerely,

Signature Date: 9/28/17



Lee Ann Kennedy

General Manager I

Site and Subdivision Intake

The Center for Development Services

OR, HEREBY CERTIFY  
D UNDER MY DIRECT  
KNOWLEDGE,  
D ACCURATE  
NO DESCRIBED, AND  
STANDARDS FOR LAND  
CHAPTER 5-J 17.050  
ODE (F.A.C.)  
H SURVEYING, INC.

NOT VALID WITHOUT THE SIGNATURE AND  
RACKED SEAL OF A FLORIDA LICENSED  
ENGINEER AND ARCHITECT

THIS IS NOT A

## MAP OF SURVEY

Section 29, Township 28 South, Range 21 East  
Hillsborough County, Florida

Section 29, Township 28 South, Range 21 East  
Hillsborough County, Florida

BEARINGS BASED AS NOTED  
DRAWING SCALE 1"=50'

US HIGHWAY 92  
RIGHT OF WAY MARK MARKS  
32 FT Asphalt Pavement

POB  
7'6" x 6" CW  
LBS 582  
NE CORNER  
LOT 1

N75°22'41"E (P)

PLATTED R/R LINE  
245.27

425.97 (P)

#### 4J3.5

578.33 (P)

2 107

LOT 1

**NOOTRIX™**

2.546 ACRES

REMAINDER OF LOT 1

PARCEL 1  
(NOT INCLUDED)

EAST BOUNDARY LOT 7 CARNWOOD SUBDIVISION

50017305

FBI  
156

50071307E (P)

190.00

50 C  
101  
5-8

50 C  
101  
5-8

50 C  
101  
5-8

3.455 ACRES  
PARCEL 2  
PART OF LOT 1

236.50

590'00'00" W

251

251

413.50 (P)

N90°00'00"W (P)

LONG PINE SUBREGION PHASE  
FLAT BOOK 85 PAGE 3

AT CORNER  
LONG AVE  
SUBDIVISION  
71' x 4' CM  
PLS 285

74°  
FLS

PRODUCT OF HILLSBOROUGH SURVEYING  
(813) 707-9086 PROJECT 17-24

SHEET 2 OF 2

SHEET 2 OF 2

NOT VALID UNLESS ATTACHED WITH SHEET 1



LOT 1, OF CARYLWOOD SUBDIVISION AS RECORDED IN PLAT BOOK 79 PAGE 6 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA LESS THE FOLLOWING DESCRIBED:

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CONTAINING 3.455 ACRES MORE OR LESS.



# MAP OF SURVEY

Section 29, Township 28 South, Range 21 East  
Hillsborough County, Florida

BEARINGS BASED AS NOTED  
DRAWING SCALE 1"=50'



US HIGHWAY 92 (STATE ROAD 900)  
RIGHT OF WAY WITH VARIES  
32 FT. Asphalt Pavement

## TREE LEGEND

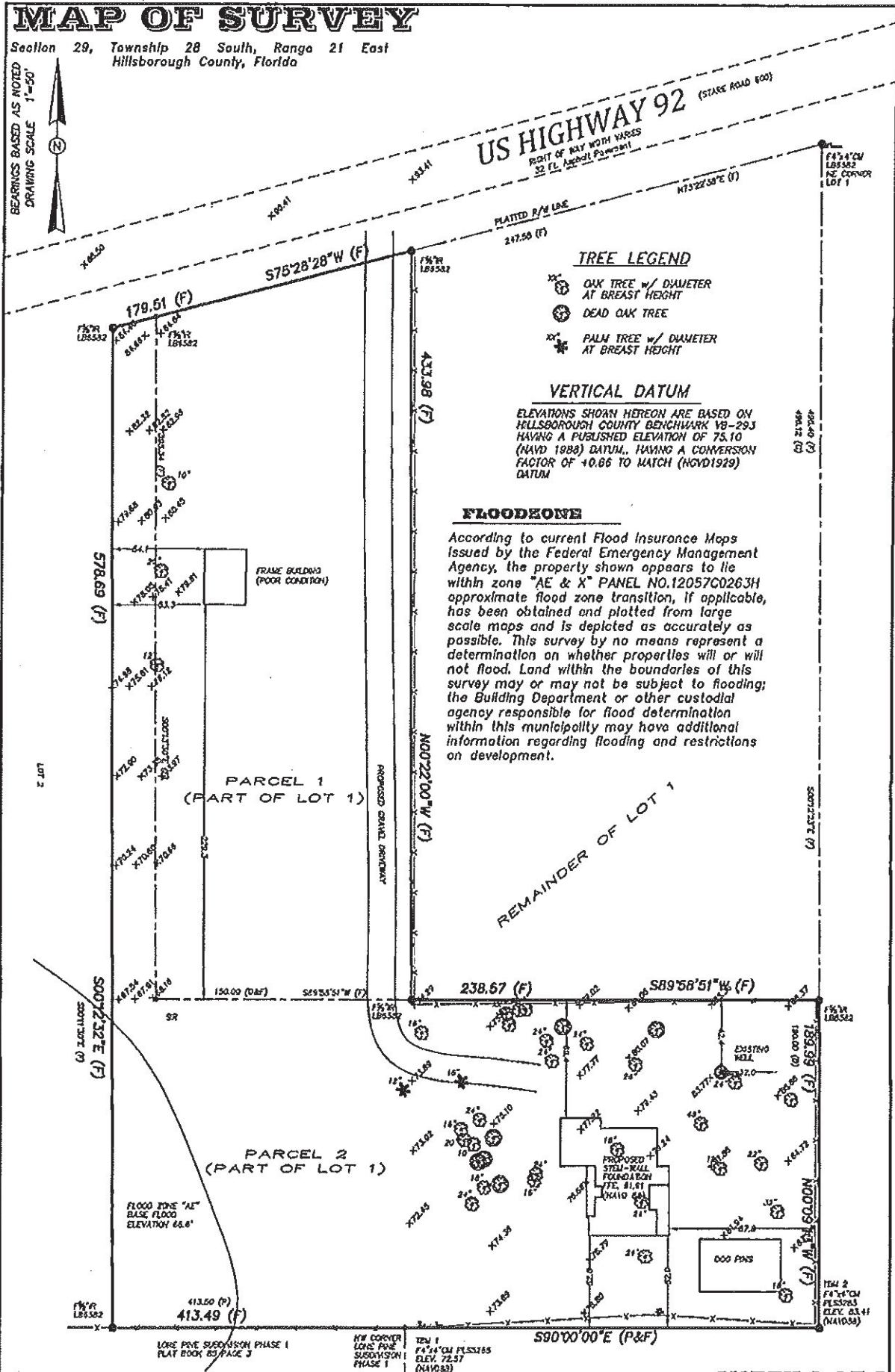
- ⊗ OAK TREE w/ DIAMETER AT BREAST HEIGHT
- ⊙ DEAD OAK TREE
- ⊗ PALM TREE w/ DIAMETER AT BREAST HEIGHT

## VERTICAL DATUM

ELEVATIONS SHOWN HEREON ARE BASED ON HILLSBOROUGH COUNTY BENCHMARK VB-29J HAVING A PUBLISHED ELEVATION OF 75.10 (NAVD 1988) DATUM, HAVING A CONVERSION FACTOR OF +0.66 TO MATCH (NGVD1929) DATUM

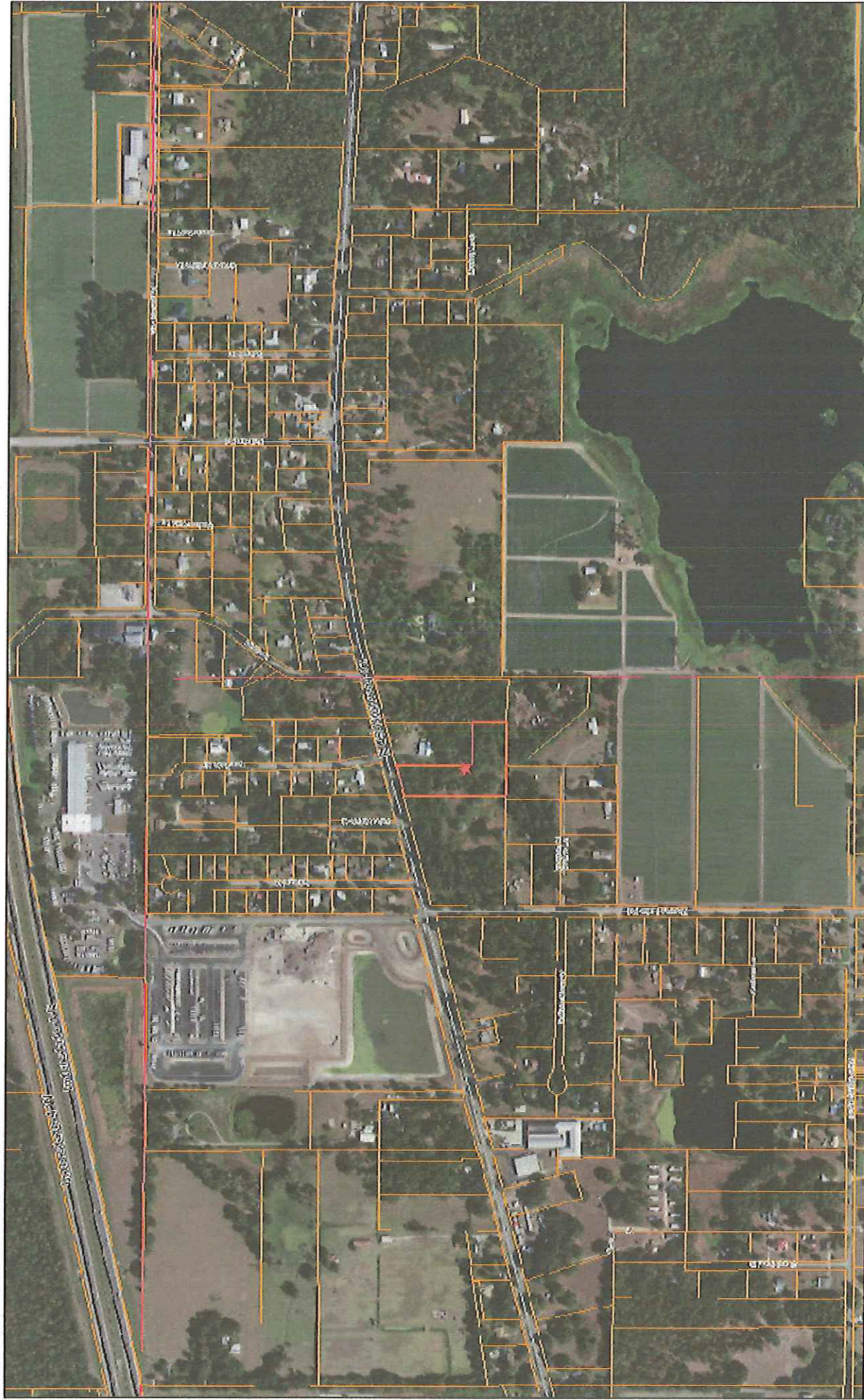
## FLOODZONE

According to current Flood Insurance Maps Issued by the Federal Emergency Management Agency, the property shown appears to lie within zone "AE & X" PANEL NO.12057C0263H approximate flood zone transition, if applicable, has been obtained and plotted from large scale maps and is depicted as accurately as possible. This survey by no means represent a determination on whether properties will or will not flood. Land within the boundaries of this survey may or may not be subject to flooding; the Building Department or other custodial agency responsible for flood determination within this municipality may have additional information regarding flooding and restrictions on development.





Folio 082855.0501



April 22, 2019



**Bob Henriquez, CFA**  
Hillsborough County Property Appraiser  
This map is for assessment purposes only.  
It is not a survey.  
2017 Aerials





View from subject site to east



View from subject site to west



View from subject site to north





Pamela Jo Hatley PhD, JD  
Real Estate and Land Use  
P. O. Box 47477 · Tampa, FL 33646-0113  
813-727-0672  
pamela@pamelajohatley.com · www.pamelajohatley.com

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Socially Responsible, Environmentally Sustainable Economic Development

May 17, 2019

To: Hillsborough County City-County Planning Commission  
From: Pamela Jo Hatley PhD, JD  
Re: Future Land Use Map Amendment  
Folio 082855-0501  
13437 E. US 92, Dover, FL

**Justification for the proposed map amendment:**

The subject parcel is located at 13437 E. U.S. 92 Highway, south of Interstate 4, east of the I-4 McIntosh Road exit and west of the Branch Forbes Road exit. Highway 92 is a principle arterial roadway. The property owner lives onsite in an existing single-family home and operates a major engine repair business in an adjacent covered shop facility. The purpose of the requested map amendment is to support a mixed-use planned development rezoning that will allow the property owner to use a portion of the parcel for his residence and another portion of the parcel for his major engine repair shop. The parcel is at a lower elevation than U.S. 92 and the improvements are situated so that the business activity occurs some 300 feet internal to the parcel and is not easily visible from the public roadway. Hence, the non-residential use has very little visual or other impact on surrounding uses.

The map amendment will support and further Hillsborough County's growth management goal of ensuring that the character and location of land uses optimizes the combined potentials for economic benefit and the enjoyment and protection of natural resources, while minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation. The map amendment also supports and furthers Hillsborough County's economic growth strategy by encouraging a small, home-based business that fills a need in the local economy.

The request is consistent with and furthers the following provisions of the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County:

- Objective 10: The development is suitable for the physical conditions of the land.
- Policy 11.1: The development meets adopted levels of service for public facilities as established by the Future of Hillsborough Comprehensive Plan
- Objective 12: The development is serviced by transportation systems that meet or exceed the adopted levels of service established by Hillsborough County.

- Objective 13: The development does not adversely impact environmentally sensitive areas or other significant natural systems as described and required within the Conservation and Aquifer Recharge Element and Coastal Management Element of the Comprehensive Plan.
- Policy 16.5: The development is located on a principle arterial roadway and is external to established and developing neighborhoods.

**Development trends in the area (within five miles of the site):**

Development along East U.S. 92 Highway from the subject site to McIntosh Road consists of mixed residential, agricultural, commercial, and institutional uses on both the north and south sides of U.S. 92. Immediately adjacent to the subject parcel are residential and agricultural uses. The General RV Center is approximately 750 feet west of the subject parcel on the north side of U.S. 92. From General RV Center west to McIntosh Road on the north side of U.S. 92 there is an automotive and RV detailing business, an automotive transmission repair shop, Strawberry Crest High School, Bailey Elementary School, a landscape and plant nursery, a charter school, and residential uses. On the south side of U.S. 92 there are agricultural and residential uses, a roofing business, a Volkswagen engine and body repair shop, a Family Dollar Store, and a utility building sales business.

East of the subject parcel on U.S. 92 are primarily agricultural and residential uses. There is a grocery store and restaurant approximately 2,000 feet east of the subject parcel, and a landscaping business approximately 6,200 feet east of the subject parcel, both on the north side of U.S. 92.

North of the subject parcel are residential and agricultural uses, General RV Center, and Interstate 4. South of the subject parcel are agricultural and residential uses.



CPA 19-06

CPA CYCLE: July 2019

Request: Residential-1 (RES-1) to Suburban Mixed Use-6 (SMU-6)

Photographs of US Highway 92 are provided below.

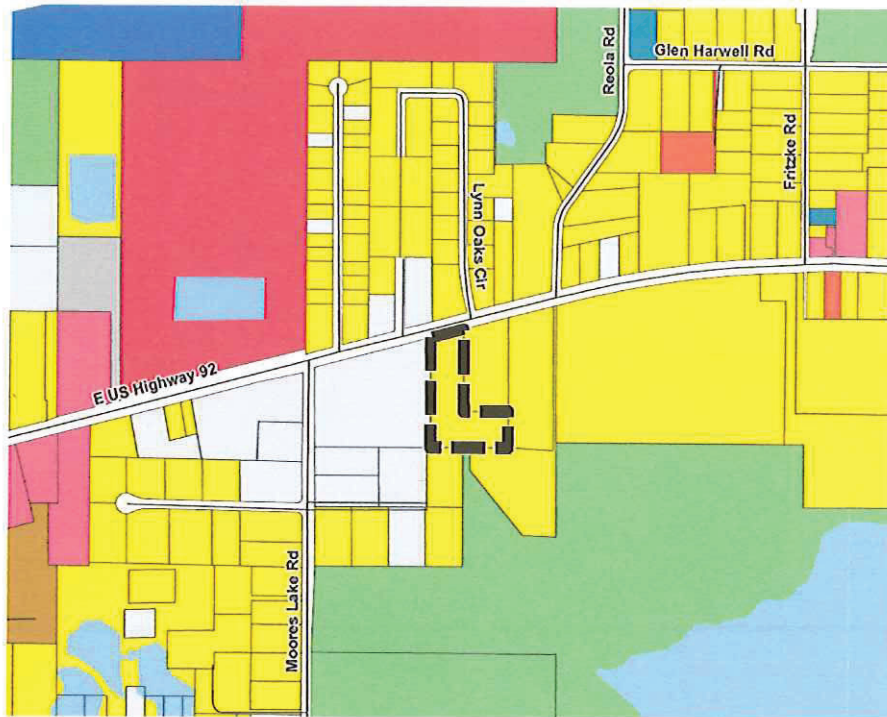


US Highway 92 Road Looking East (Parcel on the right side).



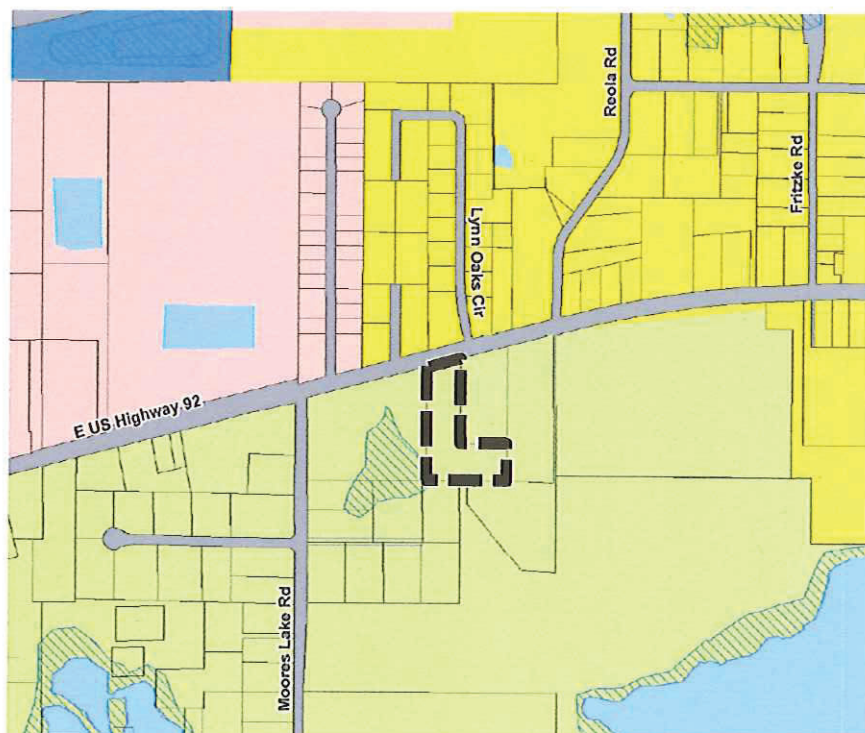
US Highway 92 Looking West (Parcel on the left side).

## Existing Land Uses and Typical Development in the Area



The subject site surrounding area is developed with a mixture of **single-family homes**, vacant parcels, **heavy commercial** and agriculture.

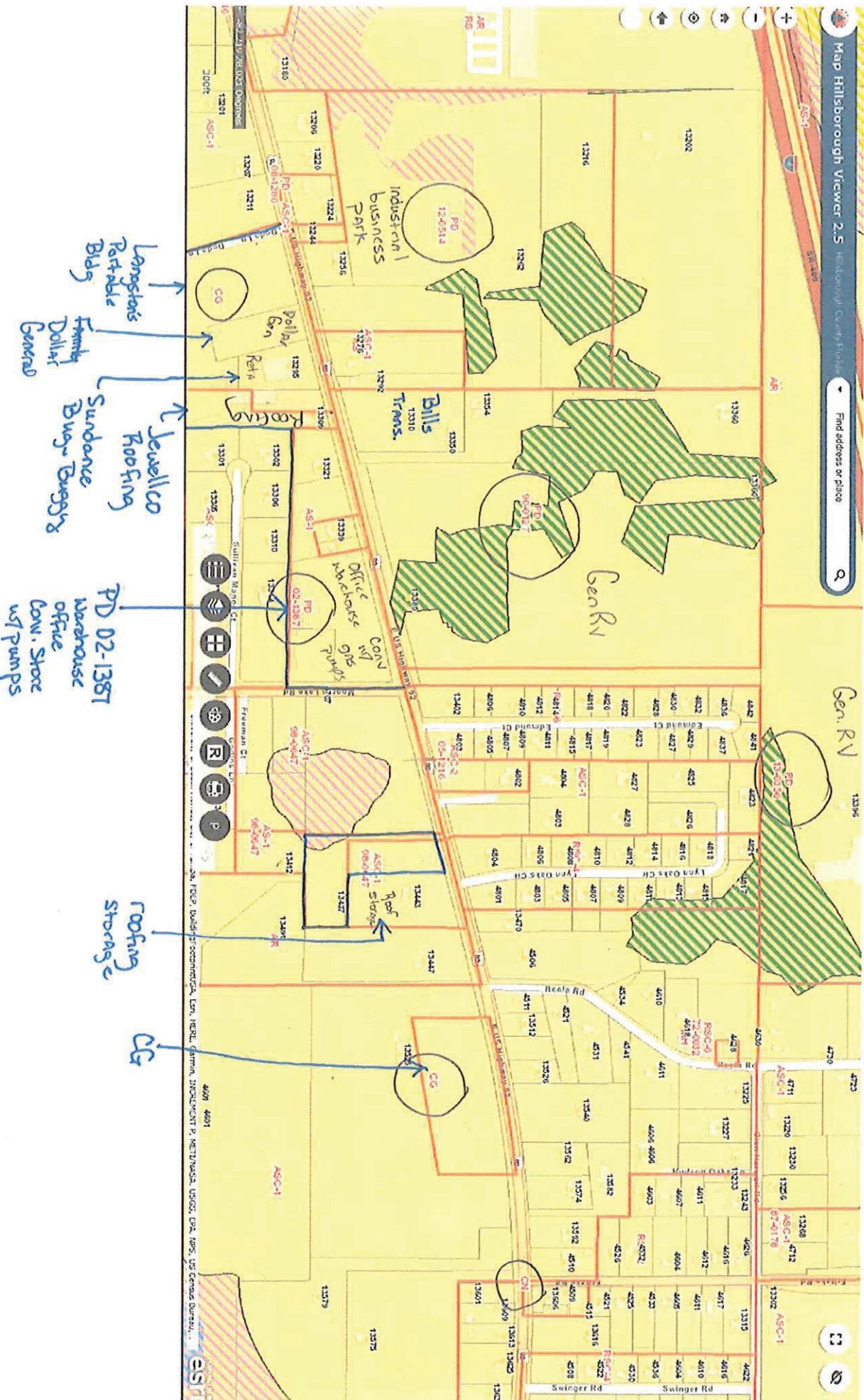
## Current Future Land Uses



The subject site is in the Rural Service Area and is designated **Residential-1 (RES-1)**. This land use category allows up to 1 dwelling unit per acre as well as suburban scale, neighborhood scale, commercial and light industrial uses. The surrounding area is suburban in scale.

The surrounding area reflects a mixture of **Residential-1 (RES-1)**, **Residential-2 (RES-2)**, and **Suburban Mixed Use-6 (SMU-6)**.







HC CPA 19-06: South View Property Entrance





HC CPA 19-06: South View of Commercial Engine Repair Business



HC CPA 19-06: Southeast View Adjacent Property Along Highway 92





HC CPA 19-06: Southeast View of Residence on Property

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