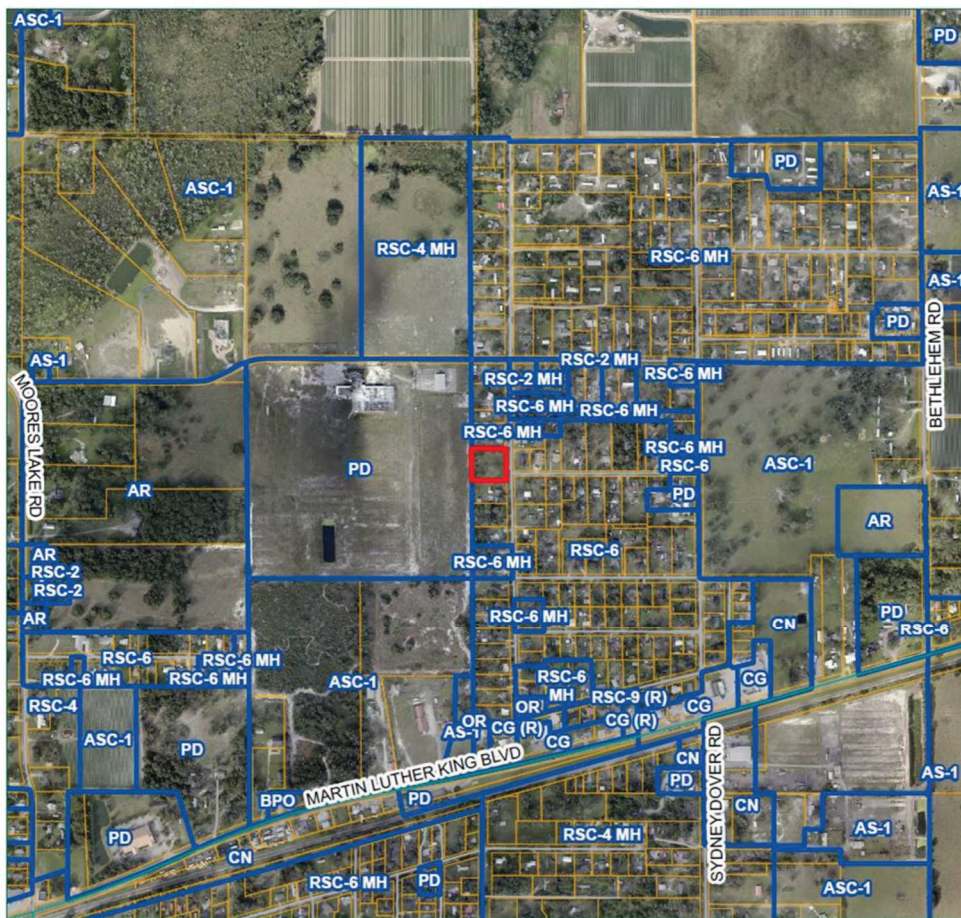




# Hillsborough County Florida

## STAFF REPORT

<b>SUBJECT:</b>	RZ 21-0129	<b>PLANNING AREA:</b>	EAST RURAL
<b>REQUEST:</b>	Rezone to Residential- Single-Family Conventional – 6 - Mobile Home Overlay (RSC-6 MH)	<b>SECTOR:</b>	Rural
<b>APPLICANT:</b>	Arturo Hernandez		
<b>Existing Zoning District:</b> Residential- Single-Family Conventional – 6 (RSC-6)		<b>Future Land Use Category:</b> Residential - 4 (Res-4)	

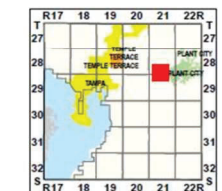


**Hillsborough County Florida**  
**General Aerial Zoning Map**  
**RZ-STD 21-0129**  
Folio: 83369.0000

- Application Site
- Zoning Boundary
- Parcels



STR: 33-28-21



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THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.  
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Users of this map are hereby notified that the aforementioned public information source should be consulted for verification of the information contained on the map.  
Date: 12/02/2020 Page: 0-1201010-010 Data Zoning - Area.aprx

## **Application Review Summary and Recommendation**

### **1.0 Summary**

#### **1.1 Project Narrative**

The request is to rezone one parcel totaling approximately 0.88 acres from the existing Residential- Single-Family Conventional – 6 (RSC-6) zoning district to the proposed Residential- Single-Family Conventional – 6 - Mobile Home Overlay (RSC-6 MH) zoning district. The site is located at 3538 Lindsey Street, which is approximately 1800feet north of the intersection of Lindsey Street and E Dr. Martin Luther King Jr. Blvd. The underlying future land use (FLU) category of the subject parcel is Residential 4 (Res -4).

#### **1.2 Compliance Overview with Land Development Code and Technical Manuals**

No variation or variances to the Hillsborough County Land Development Code (LDC) are being requested at this time. The site will comply with and conform to applicable policies and regulations, including but not limited to, the LDC, Site Development and Technical Manuals.

#### **1.3 Analysis of Recommended Conditions**

N/A

#### **1.4 Evaluation of Existing and Planned Public Facilities**

The site is currently serviced by well water and septic system. This site is located outside of the Hillsborough County Urban Service Area; therefore, Hillsborough County Water and/or Wastewater Service will not be available to serve the subject property. If the applicant feels the that the proposed development is located within the County Urban Service Area and can provide verification, then it's possible that Hillsborough County Water and Wastewater Service could be provided.

Transit service is not located to service this site.

The subject property is located on Lindsey Street, an undivided 2-lane local roadway. The roadway consists of approximately 10-foot-wide lanes. Based on the property appraiser linework, it appears there is +/- 30 feet of right-of-way.

Transportation staff has reviewed the application and offers no objections. Lindsey St. is a 2-lane, undivided, publically maintained, substandard, local roadway characterized by +/- 18 feet of pavement in average condition. Along the project frontage, the roadway lies within a +/- 45-foot wide right-of-way. There are no bicycle facilities on Lindsey St. in the vicinity of the proposed project. There are +/- 5-foot wide sidewalks on a portion of the east side of Lindsey St. in the vicinity of the proposed project.

Although Lindsey St. is a substandard roadway, it is not anticipated that the developer will be required to make any improvements to the roadway. By policy of the County Engineer, projects generating 10 or fewer peak hour trips are generally not required to make substandard road improvements provided the roadway meets minimum fire safety standards (i.e. 15 feet of pavement within a 20-foot-wide clear area). As this request seeks to rezone to a Euclidean rezoning district, site access will be reviewed at the time of plat/site/construction plan approval. It is anticipated that access to will be from Lindsey St.

The proposed site falls within Zone "A" on the Airport Height Zoning Map. Any structure including construction equipment that exceeds 250 feet Above Mean Sea Level may require an Airport Height Zoning Permit and must be reviewed by the Airport Zoning Director.

### **1.5 Environmental/Natural Resources**

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.

The property is also located within 500 feet of a mapped Potable Water Well; and therefore, allowable uses may be further prohibited or restricted in accordance with the requirements of Part 3.05.05 of the LDC. The site appears to have no wetland or other surface water areas exist on the site.

### **1.6 Comprehensive Plan Consistency**

The subject property is designated Residential-4 (RES-4) on the Future Land Use Map. Planning Commission staff sees no initial concerns with the proposed use and finds the proposed use consistent with Comprehensive Plan.

### **1.7 Compatibility**

The site is located in an area comprised of rural low-density Residential, rural low-density Residential with Mobile Home Overlay and planned development with Mobile Home Overlay. A majority of the area surrounding the site is of residential uses with Mobile Home Overlay; and thus, the proposed rezoning is consistent with the surrounding development pattern.

As shown in Exhibit 2, the site is adjacent to properties zoned RSC-6 & RSC-6 MH (to the north), RSC-6(to the east) Planned Development PD 83-0099 (to the west), and RCS-6 MH (to the south).

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

Based on the above considerations, staff finds the proposed RSC-6 MH zoning district is compatible with the existing zoning districts and development pattern in the area.

### **1.8 Agency/Department Comments**

The following agencies and departments reviewed the request and offer no objections:

- Water Resource Services
- Conservation and Environmental Lands Management
- Environmental Protection Commission
- Hillsborough County Aviation Authority
- Transportation

### **1.9 Exhibits**

Exhibit 1: Project Aerial

Exhibit 2: Zoning Map

Exhibit 3: Future Land Use Map

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APPLICATION: RZ 21-0129

ZHM HEARING DATE: March 15, 2021

BOCC MEETING DATE: May 11, 2021

CASE REVIEWER: Isis Brown

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## **2.0 Recommendation**

Based on the above considerations, staff recommends approval of the request.

<b>Staff's Recommendation: Approvable</b>	
Zoning Administrator Sign-off:	 J. Brian Grady Tue Mar 2 2021 15:36:30

APPLICATION: RZ 21-0129

ZHM HEARING DATE: March 15, 2021

BOCC MEETING DATE: May 11, 2021

CASE REVIEWER: Isis Brown

## EXHIBIT 1



### Project Location Map

**RZ-STD 21-0129**

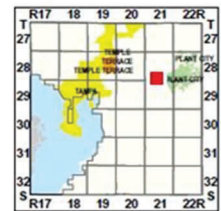
Folio: 83369.0000

- Application Site
- Parcels



0 60 120 Feet

STR: 33-28-21



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Date: 12/02/2020 File: 0-2019-0129-City-01.apr

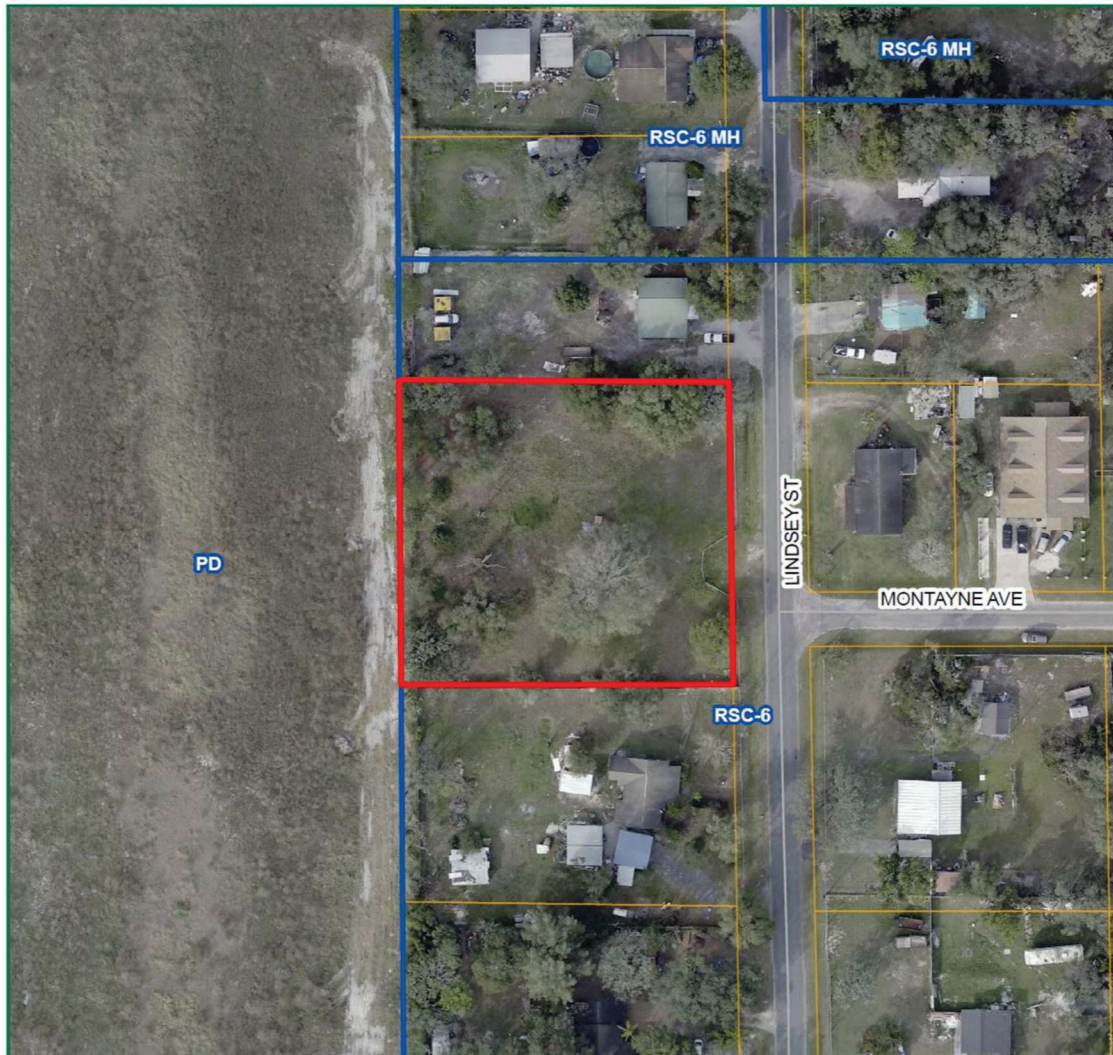
APPLICATION: RZ 21-0129

ZHM HEARING DATE: March 15, 2021

BOCC MEETING DATE: May 11, 2021

CASE REVIEWER: Isis Brown

## EXHIBIT 2



### Immediate Aerial Zoning Map

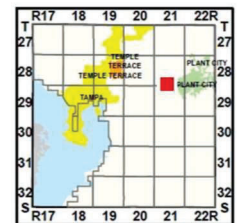
**RZ-STD 21-0129**

Folio: 83369.0000

- Application Site
- Zoning Boundary
- Parcels



STR: 33-28-21



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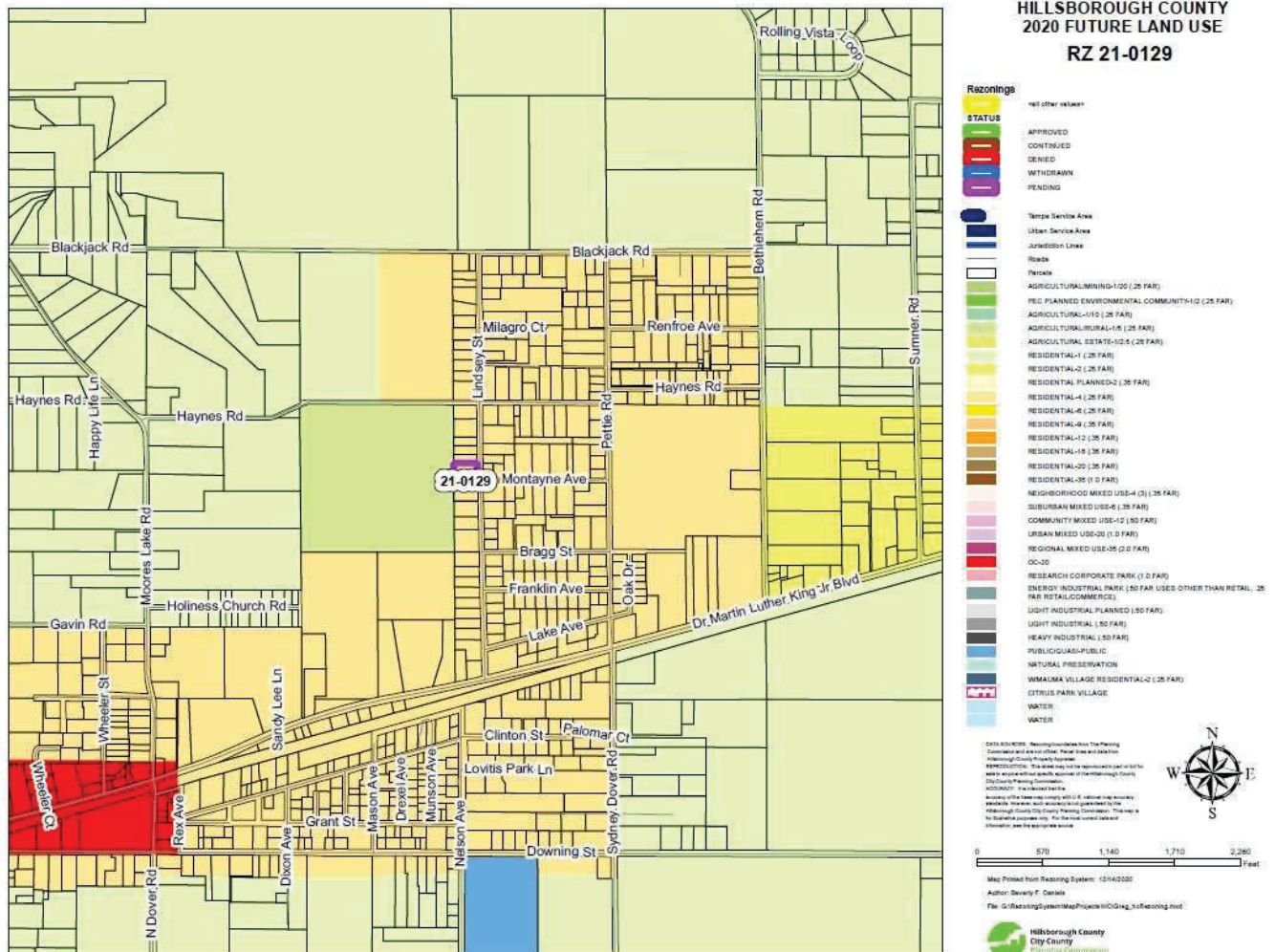
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Date: 12/02/2020 Path: G:\ZONING\GIS\Data\Zoning\_Site.aprx

### EXHIBIT 3



**COUNTY OF HILLSBOROUGH**

**RECOMMENDATION OF THE  
LAND USE HEARING OFFICER**

<b>APPLICATION NUMBER:</b>	RZ STD 21-0129
<b>DATE OF HEARING:</b>	March 15, 2021
<b>APPLICANT:</b>	Cherie Howington
<b>PETITION REQUEST:</b>	The request is to rezone a parcel of land from RSC-6 to RSC-6 MH
<b>LOCATION:</b>	3538 Lindsey Street
<b>SIZE OF PROPERTY:</b>	0.88 acres m.o.l.
<b>EXISTING ZONING DISTRICT:</b>	RSC-6
<b>FUTURE LAND USE CATEGORY:</b>	RES-4
<b>SERVICE AREA:</b>	Rural

## **DEVELOPMENT REVIEW STAFF REPORT**

### **1.0 Summary**

#### **1.1 Project Narrative**

The request is to rezone one parcel totaling approximately 0.88 acres from the existing Residential- Single- Family Conventional – 6 (RSC-6) zoning district to the proposed Residential- Single-Family Conventional – 6 - Mobile Home Overlay (RSC-6 MH) zoning district. The site is located at 3538 Lindsey Street, which is approximately 1800 feet north of the intersection of Lindsey Street and E Dr. Martin Luther King Jr. Blvd. The underlying future land use (FLU) category of the subject parcel is Residential 4 (Res -4).

#### **1.2 Compliance Overview with Land Development Code and Technical Manuals**

No variation or variances to the Hillsborough County Land Development Code (LDC) are being requested at this time. The site will comply with and conform to applicable policies and regulations, including but not limited to, the LDC, Site Development and Technical Manuals.

#### **1.3 Analysis of Recommended Conditions**

N/A

#### **1.4 Evaluation of Existing and Planned Public Facilities**

The site is currently serviced by well water and septic system. This site is located outside of the Hillsborough County Urban Service Area; therefore, Hillsborough County Water and/or Wastewater Service will not be available to serve the subject property. If the applicant feels that the proposed development is located within the County Urban Service Area and can provide verification, then it's possible that Hillsborough County Water and Wastewater Service could be provided.

Transit service is not located to service this site.

The subject property is located on Lindsey Street, an undivided 2-lane local roadway. The roadway consists of approximately 10-foot-wide lanes. Based on the property appraiser linework, it appears there is +/- 30 feet of right-of-way.

Transportation staff has reviewed the application and offers no objections. Lindsey St. is a 2-lane, undivided, publicly maintained, substandard, local roadway characterized by +/- 18 feet of pavement in average condition. Along the project frontage, the roadway lies within a +/- 45-foot wide right-of-way. There are

no bicycle facilities on Lindsey St. in the vicinity of the proposed project. There are +/- 5-foot wide sidewalks on a portion of the east side of Lindsey St. in the vicinity of the proposed project.

Although Lindsey St. is a substandard roadway, it is not anticipated that the developer will be required to make any improvements to the roadway. By policy of the County Engineer, projects generating 10 or fewer peak hour trips are generally not required to make substandard road improvements provided the roadway meets minimum fire safety standards (i.e. 15 feet of pavement within a 20-foot-wide clear area). As this request seeks to rezone to a Euclidean rezoning district, site access will be reviewed at the time of plat/site/construction plan approval. It is anticipated that access to will be from Lindsey St.

The proposed site falls within Zone "A" on the Airport Height Zoning Map. Any structure including construction equipment that exceeds 250 feet Above Mean Sea Level may require an Airport Height Zoning Permit and must be reviewed by the Airport Zoning Director.

#### 1.5 Environmental/Natural Resources

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.

The property is also located within 500 feet of a mapped Potable Water Well; and therefore, allowable uses may be further prohibited or restricted in accordance with the requirements of Part 3.05.05 of the LDC. The site appears to have no wetland or other surface water areas exist on the site.

#### 1.6 Comprehensive Plan Consistency

The subject property is designated Residential-4 (RES-4) on the Future Land Use Map. Planning Commission staff sees no initial concerns with the proposed use and finds the proposed use consistent with Comprehensive Plan.

#### 1.7 Compatibility

The site is located in an area comprised of rural low-density Residential, rural low-density Residential with Mobile Home Overlay and planned development with Mobile Home Overlay. A majority of the area surrounding the site is of

residential uses with Mobile Home Overlay; and thus, the proposed rezoning is consistent with the surrounding development pattern.

As shown in Exhibit 2, the site is adjacent to properties zoned RSC-6 & RSC-6 MH (to the north), RSC-6(to the east) Planned Development PD 83-0099 (to the west), and RCS-6 MH (to the south).

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

Based on the above considerations, staff finds the proposed RSC-6 MH zoning district is compatible with the existing zoning districts and development pattern in the area.

#### 1.8 Agency/Department Comments

The following agencies and departments reviewed the request and offer no objections:

Water Resource Services  
Conservation and Environmental Lands Management Environmental Protection  
Commission  
Hillsborough County Aviation Authority Transportation

#### 1.9 Exhibits

Exhibit 1: Project Aerial  
Exhibit 2: Zoning Map  
Exhibit 3: Future Land Use Map

#### 2.0 Recommendation

Based on the above considerations, staff recommends approval of the request.

### **SUMMARY OF HEARING**

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on March 15, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Ms. Cherie Howington testified on behalf of Mr. and Mrs. Hernandez regarding the rezoning application. Ms. Howington stated that her clients purchased the

property that had a condemned manufactured home on-site. Her clients paid approximately \$7,000 to \$10,000 to have the home demolished several years ago. The property has been vacant since. Ms. Howington stated that her clients would like to put a mobile home on the property. They did not realize that the property was zoned for single-family homes. Therefore, they would like to rezone the property to have the Mobile Home Overlay.

Ms. Isis Brown, Development Services staff, testified regarding the County's staff report. Ms. Brown stated that the request is to rezone 0.88 acres from Residential Single-Family Conventional-6 to Residential Single-Family-6 with the Mobile Home Overlay. The property is located at 3538 Lindsey Street which is approximately 1,800 feet north of the intersection of Lindsey Street and East Dr. Martin Luther King Jr. Blvd. The property is designated Residential 4 by the Comprehensive Plan. Ms. Brown described the surrounding area and zoning districts. She concluded her presentation by stating that staff supports the rezoning request.

Ms. Yeneka Mills, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Mills stated that the subject property is within the Residential-4 Future Land Use classification. It is also located in the Rural Service Area. Ms. Mills testified that the request meets Objective 4 of the Future Land Use Element as well as Objective 20 and Policy 20.3 regarding redevelopment of residential housing. She concluded his remarks by stating that the Planning Commission finds the proposed rezoning consistent with the Future of Hillsborough Comprehensive Plan.

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

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

County staff and Ms. Howington did not have additional comments.

The hearing was then concluded.

### **EVIDENCE SUBMITTED**

No documents were submitted into the record.

### **PREFACE**

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

## **FINDINGS OF FACT**

1. The subject property is 0.88 acres in size and is currently Residential Single-Family-6 (RSC-6) and is designated Residential-4 (RES-4) by the Comprehensive Plan. The property is located within the Rural Service Area.
2. The applicant is requesting a rezoning to the Residential Single-Family-6 with the Mobile Home Overlay (RSC-6 MH) zoning district.
3. The Planning Commission staff supports the request. The Planning Commission found that the request is compatible with the surrounding development pattern and Objective 4 and 20 and Policy 20.3 regarding the redevelopment of residential housing and found the application consistent with the Comprehensive Plan.
4. The property is bordered by properties zoned RSC-6 MH thereby representing like zoning and uses in the area.
5. The proposed rezoning will result in development that is consistent with the Comprehensive Plan and the surrounding area.

## **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**

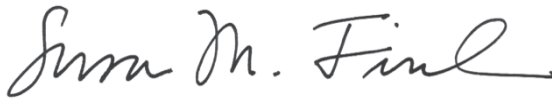
The applicant is requesting a rezoning to the RSC-6 MH zoning district. The property is 0.88 acres in size and is currently zoned RSC-6 and designated RES-4 by the Comprehensive Plan.

The Planning Commission supports the request.

Properties in the area are zoned RSC-6 MH. The request for a rezoning to RSC-6 MH is compatible with the surrounding zoning pattern and existing development.

### **RECOMMENDATION**

Based on the foregoing, this recommendation is for **APPROVAL** of the RSC-6 MH rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above.

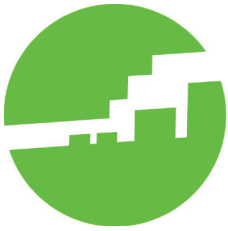


April 5, 2021

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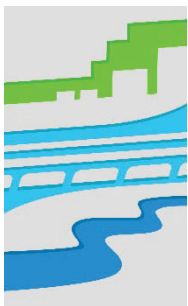
**Susan M. Finch, AICP**  
**Land Use Hearing Officer**

**Date**



**Hillsborough County  
City-County  
Planning Commission**

Unincorporated Hillsborough County Rezoning	
<b>Hearing Date:</b> March 15, 2021	<b>Petition: 21-0129</b>
<b>Report Prepared:</b> March 2, 2021	<b>3538 Lindsey Street</b>  <i>West of Lindsey Street and Montayne Avenue intersection</i>
<b>Summary Data:</b>	
<b>Comprehensive Plan Finding:</b>	<b>CONSISTENT</b>
<b>Adopted Future Land Use:</b>	<b>Residential-4 (4 du/ga; 0.25 FAR)</b>
<b>Service Area</b>	<b>Rural</b>
<b>Community Plan:</b>	<b>N/A</b>
<b>Requested Zoning:</b>	Residential - Single-Family Conventional – 6 (RSC-6) to Residential - Single-Family Conventional – 6 Mobile Home Overlay (RSC-6 MH)
<b>Parcel Size (Approx.):</b>	0.884 +/- acres (38,333 square feet)
<b>Street Functional Classification:</b>	Lindsey Street – <b>Local</b>
<b>Locational Criteria</b>	N/A
<b>Evacuation Zone</b>	The subject property is not in an Evacuation Zone



## **Context**

- The 0.884 +/- acre subject site is located approximately 1/3 of a mile north of the East Dr. Martin Luther King Jr. Blvd. and Lindsey Street intersection. It is in the Rural Area and the site does not fall within the limits of a Community Plan. The applicant has indicated that the purpose of the rezoning is to allow for the addition of a mobile home to the parcel.
- The subject site is designated as Residential-4 (RES-4) on the Future Land Use Map. Typical allowable uses within the RES-4 Future Land Use category include residential, suburban scale neighborhood commercial, office uses, multi-purpose projects. Non-residential uses must meet established locational criteria for specific land use.
- RES-4 surrounds the subject site to the north, east and south. Immediately to the west is the Agriculture/Rural 1/5 (AR 1/5) Future Land Use category. The Residential-2 (RES-2) Future Land Use category is located further to the east of the subject property. Further west along Dr. Martin Luther King Jr. Boulevard, the Future Land Use categories start to intensify and include the Office Commercial (OC-20) and the Light Industrial (LI) Future Land Use categories.
- The subject site is currently zoned Residential – Single-Family Conventional-6 (RSC-6). RSC-6 is located to the north, east and south of the site. The Planned Development (PD), RSC-6 and Agricultural Single-Family Conventional – 1 (ASC-1) zoning districts are located to the east of the site.
- The subject property currently is vacant. Adjacent and to the north and south of the site are single family homes. Single family homes are located further east of the subject property. To the north are single family homes. West of the subject property, and immediately adjacent is a large tract zoned PD. It is currently classified as pasture by the Hillsborough County Property Appraiser. Further to the east are single family homes and a large vacant parcel across Pettie Road. There are single family homes and mobile homes located to the south of Montayne Avenue. Overall, the immediate area is characterized by large lot residential uses, agricultural uses and mobile homes.
- The applicant is requesting to rezone the subject site from Residential – Single-Family Conventional-6 (RSC-6) to Residential – Single-Family Conventional-6, Mobile Home Overlay (RSC-6 MH).

## **Compliance with Comprehensive Plan:**

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

### ***Future Land Use Element***

#### ***Rural Area***

***Objective 4:*** *The Rural Area will provide areas for long term, 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.

**Policy 4.2:** For the purpose of this Plan, planned villages shall be considered areas identified as Residential Planned-2 or Wimauma Village-2 on the Future Land Use Map within the Rural Area. Rural communities are generally existing areas shown on the Future Land Use map at densities higher than 1 du/5ga and up to 1 du/ga outside the USA. Suburban enclaves are those existing areas shown on the Future Land Use Map as higher than 1 du/ga outside the USA.

**Policy 4.4:** Private wells and septic tanks are permitted for use in accordance with all adopted health regulations and the goals, objectives and policies of this Plan.

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

### **Residential-Targeted Groups & Incentives**

**Objective 20:** *The County shall encourage new development and redevelopment of residential housing for special target groups of people. The provisions specified within the Housing Element of the Comprehensive Plan shall be applied with respect to the following policies.*

**Policy 20.3:** *Manufactured housing shall be recognized as a viable means to provide affordable housing.*

### **Innovative Housing Options**

**Objective 21:**

*The County will encourage innovative means of providing housing.*

**Policy 21.1:**

*The County shall continue to allow for an accessory dwelling unit associated with an owner occupied single family residence to be built on the single deeded lot*

### **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 12-1.3:** *New development in existing, lower density communities should utilize the planned development process of rezoning in order to fully address impacts on the existing community. Additionally, pre-application conferences are strongly encouraged with the staffs of the Planning Commission and Hillsborough County Planning and Growth Management Department.*

### **Staff Analysis of Goals, Objectives and Policies:**

The applicant is requesting to rezone the subject site from Residential - Single-Family Conventional – 6 (RSC-6) to Residential - Single-Family Conventional – 6 Mobile Home Overlay (RSC-6 MH).

Regarding the Rural Area, Objective 4 provides for the Rural Area long term, agricultural uses and large lot rural residential uses. The established standard is that no more than 20% of all population growth within the County is to occur in the Rural Area. This is to prevent the encroachment of urban or suburban development.

Objective 16 and its accompanying policies require the protection of existing neighborhoods through various mechanisms (Future Land Use Element, or FLUE, Policies 16.1, 16.3). FLUE Policy 16.2 states that gradual transitions between intensities are necessary as new developments are proposed and developed. In this case, a rezoning to Residential - Single-Family Conventional – 6 Mobile Home Overlay (RSC-6 MH) would provide for a transition between residential single-family homes and mobile homes

allowing for a creation of complementary uses. As a result, this use is compatible with the surrounding area and meets the intent of FLUE Policy 16.10.

Objective 20 and its accompanying Policy 20.3 encourages new development and redevelopment of residential housing for special target groups of people, and additionally identifies manufactured housing as a suitable use for affordable housing. Since a Planned Development (PD) with single-family residential dwellings and mobile homes occurs directly to the east and south of Montayne Avenue, this rezoning proposal to RSC-6 MH would be compatible with the surrounding single family-residential character of the area. The proposed use of manufactured housing on the site is encouraged by the Comprehensive Plan (*FLUE Policy 20.3*) as a viable means to provide affordable housing.

Under Innovative Housing Options, Objective 21 directs the County to encourage innovation in providing housing needs. Policy 21.1, allows for the construction of an accessory dwelling unit that is associated with an owner occupied single family residence.

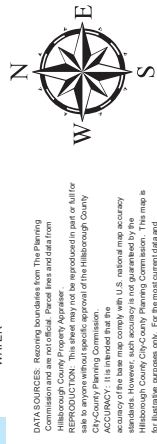
Looking at the Community Design Component, this rezoning proposal is further supported with Objective 12-1, which recognizes an existing community and the need of compatibility of any new development. Furthermore, Policy 12-1.3 clarifies that new development in existing, lower density communities, utilize the planned development process of rezoning to fully address impacts on the community.

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

#### **Recommendation**

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

## RZ 21-0129



Author: Beverly F. Daniels



# **AGENCY COMMENTS**

## AGENCY REVIEW COMMENT SHEET

**TO:** Zoning Technician, Development Services Department  
**REVIEWER:** James Ratliff, AICP, PTP  
**PLANNING AREA:** ER

**DATE:** 1/11/2021  
**AGENCY/DEPT:** Transportation  
**PETITION NO.:** PD 21-0129

- ☐ This agency has no comments.
- ☒ This agency has no objection.
- ☐ This agency has no objection, subject to the listed or attached conditions.
- ☐ This agency objects for the reasons set forth below.

### **REPORT SUMMARY AND CONCLUSIONS**

- The proposed rezoning is anticipated to have no change in the maximum trip generation potential of the subject property.
- Transportation Review Section staff has no objection to the proposed rezoning.

### **PROJECT SUMMARY AND ANALYSIS**

The applicant is requesting to rezone a +/- 0.88 ac parcel from Residential Single-Family Conventional -6 (RSC-6) to Residential Single-Family Conventional -6 with Mobile Home Overlay (RSC-6/MH). In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 10<sup>th</sup> Edition. Maximum residential density was restricted by the underlying Future Land Use designation of R-4.

#### **Approved Zoning:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-6, 3 Single Family Detached Dwelling Units (ITE Code 210 )	28	2	3

#### **Proposed Zoning:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-6/MH, 3 Single Family Detached Dwelling Units (ITE Code 210 )	28	2	3

#### **Trip Generation Difference:**

Zoning, Land Use/Size	24 Hour Two-Way Volume	Total Peak Hour Trips	
		AM	PM
<b>Difference</b>	<b>No Change</b>	<b>No Change</b>	<b>No Change</b>

### **TRANSPORTATION INFRASTRUCTURE SERVING THE SITE**

Lindsey St. is a 2-lane, undivided, publically maintained, substandard, local roadway characterized by +/- 18 feet of pavement in average condition. Along the project frontage, the roadway lies within a +/- 45-foot wide right-of-way. There are no bicycle facilities on Lindsey St. in the vicinity of the proposed project. There are +/- 5-foot wide sidewalks on a portion of the east side of Lindsey St. in the vicinity of the proposed project.

Although Lindsey St. is a substandard roadway, it is not anticipated that the developer will be required to make any improvements to the roadway. By policy of the County Engineer, projects generating 10 or fewer peak hour trips are generally not required to make substandard road improvements provided the roadway meets minimum fire safety standards (i.e. 15 feet of pavement within a 20-foot-wide clear area).

### **SITE ACCESS**

As this request seeks to rezone to a Euclidean rezoning district, site access will be reviewed at the time of plat/site/construction plan approval. It is anticipated that access to will be from Lindsey St.

### **ROADWAY LEVEL OF SERVICE**

Lindsey St. is not a regulated roadway and is not included within the Hillsborough County 2019 Level of Service Report. As such, roadway Level of Service (LOS) data cannot be provided.

## COMMISSION

Mariella Smith CHAIR  
Pat Kemp VICE-CHAIR  
Harry Cohen  
Ken Hagan  
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Rick Muratti, Esq. LEGAL DEPT  
Andy Schipfer, P.E. WETLANDS DIVISION  
Sterlin Woodard, P.E. AIR DIVISION

### AGENCY COMMENT SHEET

REZONING	
<b>HEARING DATE:</b> 01/19/2021	<b>COMMENT DATE:</b> 12/22/2020
<b>PETITION NO.:</b> 21-0129	<b>PROPERTY ADDRESS:</b> 3538 Lindsey St, Dover, FL 33527
<b>EPC REVIEWER:</b> Chantelle Lee	<b>FOLIO #:</b> 083369-0000
<b>CONTACT INFORMATION:</b> (813) 627-2600 X 1358	<b>STR:</b> 33-28S-21E
<b>EMAIL:</b> <a href="mailto:leec@epchc.org">leec@epchc.org</a>	
<b>REQUESTED ZONING:</b> From RSC-6 to PD for mobile home overlay	
FINDINGS	
<b>WETLANDS PRESENT</b>	NO
<b>SITE INSPECTION DATE</b>	12/16/2020
<b>WETLAND LINE VALIDITY</b>	N/A
<b>WETLANDS VERIFICATION (AERIAL PHOTO, SOILS SURVEY, EPC FILES)</b>	N/A
<b>INFORMATIONAL COMMENTS:</b>  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.	

Cl/mst

*Environmental Excellence in a Changing World*

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

## AGENCY REVIEW COMMENT SHEET

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**TO: ZONING TECHNICIAN, Planning Growth Management**

**DATE:** 14 Dec 2020

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

**APPLICANT:** Arturo Hernandez

**PETITION NO:** RZ-STD 21-0129

**LOCATION:** 3538 Lindsey St. Dover, FL 33527

**FOLIO NO:** 83369.0000

**SEC:** 33 **TWN:** 28 **RNG:** 21

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

COMMENTS: \_\_\_\_\_.



## AVIATION AUTHORITY LAND USE REVIEW

### Hillsborough County - OPTIX

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**DATE:** December 4, 2020

**PROPOSED USE INFORMATION:**

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Case No.: 21-0129 Reviewer: Tony Mantegna

Location: 3538 Lindsey st

Folio: 83369.0000

Current use of Land: Residential - single family

Zoning: PD

REQUEST: Mobile Home

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**COMMENTS:**

The proposed site falls within Zone "A" on the Airport Height Zoning Map. Any structure including construction equipment that exceeds 250 feet Above Mean Sea Level may require an Airport Height Zoning Permit and must be reviewed by the Airport Zoning Director.

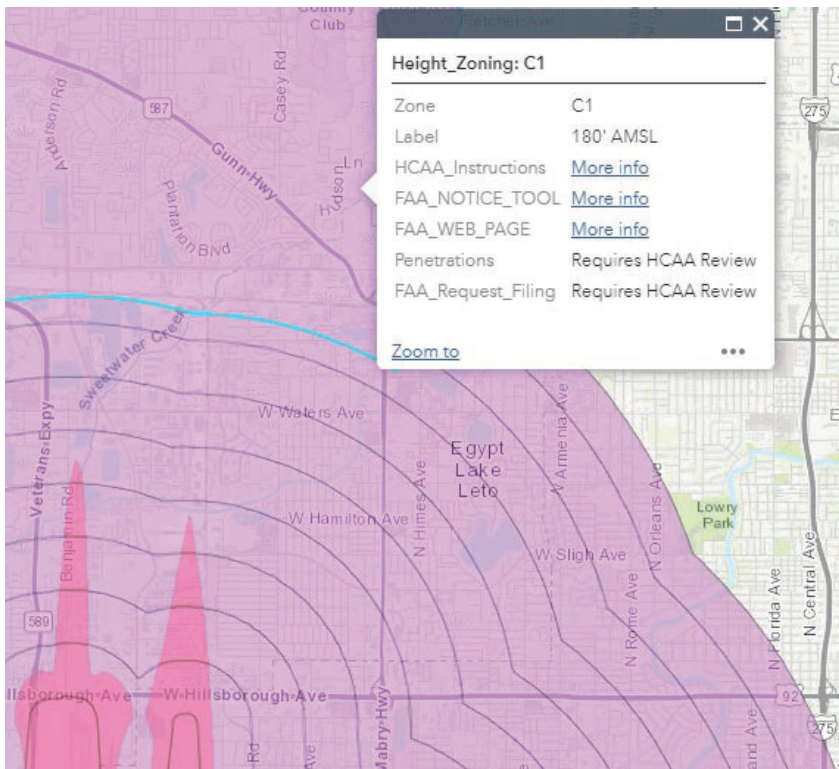
☐ Compatible without conditions (see comments above) - \_\_\_\_\_

☐ Not compatible (comments) - \_\_\_\_\_

☒ Compatible with conditions (see comments above) – Potential buyers should be informed this location is within the flight path of Plant City Airport and will be subject to aircraft overflight. The property falls outside of the 65 dnl noise contour around the airport and is a compatible but occupants may be subjected to noise from aircraft operating to and from the airport.

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cc: Aviation Authority Zoning Director/Legal/Records Management/Central Records



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

**PETITION NO.:** STD20-0129    **REVIEWED BY:** Randy Rochelle    **DATE:** 12/3/2020

**FOLIO NO.:** 83369.0000

☒ This agency would ☒ (support), ☐ (conditionally support) the proposal.

**WATER**

- ☐ The property lies within the \_\_\_\_\_ Water Service Area. The applicant should contact the provider to determine the availability of water service.
- ☐ No Hillsborough County water line of adequate capacity is presently available.
- ☐ A \_\_\_\_ inch water main exists ☐ (adjacent to the site), ☐ (approximately \_\_\_\_ feet from the site) \_\_\_\_\_.
- ☐ Water distribution improvements may be needed prior to connection to the County's water system.
- ☐ No CIP water line is planned that may provide service to the proposed development.
- ☐ The nearest CIP water main (\_\_\_\_ inches), will be located ☐ (adjacent to the site), ☐ (feet from the site at \_\_\_\_). Expected completion date is \_\_\_\_\_.

**WASTEWATER**

- ☐ The property lies within the \_\_\_\_\_ Wastewater Service Area. The applicant should contact the provider to determine the availability of wastewater service.
- ☐ No Hillsborough County wastewater line of adequate capacity is presently available.
- ☐ A \_\_\_\_ inch wastewater force main exists ☐ (adjacent to the site), ☐ (approximately \_\_\_\_ feet from the site) \_\_\_\_\_.
- ☐ Wastewater distribution improvements may be needed prior to connection to the County's wastewater system.
- ☐ No CIP wastewater line is planned that may provide service to the proposed development.
- ☐ The nearest CIP wastewater main (\_\_\_\_ inches), will be located ☐ (adjacent to the site), ☐ (feet from the site at \_\_\_\_). Expected completion date is \_\_\_\_\_.

**COMMENTS:** This site is located outside of the Hillsborough County Urban Service Area, therefore Hillsborough County Water and/or Wastewater Service will not be available to serve the subject property. If the applicant feels the that the proposed development is located within the County Urban Service Area and can provide verification then it's possible that Hillsborough County Water and Wastewater Service could be provided .



# **VERBATIM TRANSCRIPT**

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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IN RE: )  
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ZONE HEARING MASTER )  
HEARINGS )  
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ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: SUSAN FINCH  
Land Use Hearing Master

DATE: Monday, March 15, 2021

TIME: Commencing at 6:00 p.m.  
Concluding at 10:35 p.m.

PLACE: Webex Videoconference

Reported By:

Christina M. Walsh, RPR  
Executive Reporting Service  
Ulmerton Business Center  
13555 Automobile Blvd., Suite 100  
Clearwater, FL 33762  
(800) 337-7740

HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

ZONING HEARING MASTER HEARINGS  
March 15, 2021  
ZONING HEARING MASTER: SUSAN FINCH

C2:

Application Number: RZ-STD 21-0129  
Applicant: Cherie Howington  
Location: 3538 Lindsey St.  
Folio Number: 083369.0000  
Acreage: .88 acres, more or less  
Comprehensive Plan: R-4  
Service Area: Rural  
Existing Zoning: RSC-6  
Request: Rezone to RSC-6 MH

1 MR. GRADY: The next item is agenda item C-2  
2 Rezoning-Standard 21-0129. The applicant is Cherie  
3 Howington. The request is to rezone from RSC-6 to  
4 RSC-6 with a Mobile Home Overlay.

5 Isis Brown will provide staff recommendation  
6 after presentation by the applicant.

7 HEARING MASTER FINCH: All right. Is the  
8 applicant here? If you could please come forward.

9 MR. GRADY: Ma'am, when you come to the  
10 podium, put your mask up. Thank you.

11 HEARING MASTER FINCH: It's a good mask to  
12 have it on. Good evening.

13 MS. HOWINGTON: Hi. I'm Cherie Howington.  
14 I am the applicant for this rezoning. I'm just  
15 representing Mr. and Mrs. Hernandez in this. We're  
16 just asking that we get a Mobile Home Overlay on  
17 their current zoning.

18 The clients purchased this property unaware  
19 that they were not able to put a manufactured home  
20 on there. It had a -- abandoned or condemned home  
21 on there. So they paid, roughly, 7 to \$10,000 to  
22 have it demolished a few years ago.

23 And so it's been sitting empty after they  
24 had everything demoed on it, and they're wanting to  
25 put a mobile home on there, but only to find out

1           that it was zoned for single-family residence. And  
2           they couldn't put a mobile home, but there are  
3           mobile homes all around there. So we were hoping  
4           to be able to get the RSC-6 with an RSC MH Overlay.

5           HEARING MASTER FINCH: All right.  
6           Understood. Thank you so much. If you could  
7           please sign with the clerk's office. I appreciate  
8           it.

9           All right. Development Services.

10          MS. BROWN: Good evening. Isis Brown,  
11          Development Services, reporting for 21-0129.

12          The request is to rezone one parcel  
13          totalling approximately 0.88 acres from the  
14          existing Residential Single-Family Conventional-6,  
15          RSC-6 zoning district, to the proposed Residential  
16          Single-Family Conventional-6 with a Mobile Home  
17          Overlay. So that's RSC-6 MH zoning district.

18          The site is located at 3538 Lindsey Street,  
19          which is approximately 1800 feet north of the  
20          intersection of Lindsey Street and East Martin  
21          Luther King Boulevard. The underlaying Future Land  
22          Use is Residential-4, RES-4.

23          Currently, there are no variations or  
24          variances to the Hillsborough County development  
25          code being requested at this time. The site is

1 located at an area compromised of rural low density  
2 residential, rural low density residential with  
3 Mobile Home Overlay, and Planned Development with  
4 Mobile Home Overlay.

5 A majority of the area is surrounding the  
6 site is of residential uses with Mobile Home  
7 Overlays. And as the proposed rezoning is  
8 consistent with the surrounding development  
9 pattern.

10 The site is adjacent to property zoned RSC-6  
11 and RSC-6 MH to the north. RSC-6 to the east. A  
12 Planned Development, PD 83-0099 to the west, and  
13 RSC-6 MH -- with the mobile overlay to the south.

14 Based on the above considerations, staff  
15 finds the proposed RSC-6 MH zoning district is  
16 compatible with the existing zoning districts and  
17 development pattern in the area. I'm available for  
18 any questions.

19 HEARING MASTER FINCH: I don't have any at  
20 this time, but thank you very much.

21 Planning Commission, please.

22 MS. MILLS: Yeneka Mills, Planning  
23 Commission staff.

24 The subject property is located in the  
25 residential Future Land Use classification in the

1 Rural Area. Objective 4 provides for the Rural  
2 Area long-term agricultural uses and large lot  
3 residential uses. The established standard is no  
4 more than 25 percent -- 20 percent, excuse me, of  
5 all population growth within the county should  
6 occur within the Rural Area.

7 The proposed use meets Objective 4 of the  
8 Future Land Use Element. Objective 20 is  
9 accompanying policies 20.3, impervious new  
10 development and redevelopment of residential  
11 housing for special target rooms.

12 People additionally identifies manufactured  
13 housing as a suitable use for affordable housing.  
14 Since Planned Development (unintelligible)  
15 residential dwelling and mobile home directly to  
16 the east and south of Montayne Avenue, this  
17 rezoning proposal to RSC-6 mobile home would make  
18 it compatible with the area.

19 And based on those considerations, Planning  
20 Commission staff finds the proposed rezoning  
21 consistent with Future of Hillsborough Comp Plan.  
22 Thank you.

23 HEARING MASTER FINCH: Thank you for your  
24 testimony. I appreciate it.

25 All right. Is there anyone that would like

1 to speak in support? Anyone in favor either here  
2 in the room or virtually?

3 All right. Seeing no one, anyone in  
4 opposition to this request? No one.

5

6 All right. County Staff, anything else?  
7 Mr. Grady?

8 MR. GRADY: Nothing further.

9 HEARING MASTER FINCH: All right. Ma'am, if  
10 you have anything else; otherwise, we'll close the  
11 hearing. All right. Thank you so much.

12 Then with that, we'll close Rezoning 21-0129  
13 and go to the next case.

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HILLSBOROUGH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

-----X  
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IN RE: )  
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ZONE HEARING MASTER )  
HEARINGS )  
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ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: PAMELA JO HATLEY  
Land Use Hearing Master

DATE: Monday, February 15, 2021

TIME: Commencing at 6:00 p.m.  
Concluding at 11:35 p.m.

PLACE: Appeared via Cisco Webex  
Videoconference

Reported By:

Christina M. Walsh, RPR  
Executive Reporting Service  
Ulmerton Business Center  
13555 Automobile Blvd., Suite 100  
Clearwater, FL 33762  
(800) 337-7740

1 rezoning?

2 All right. Development Services, anything  
3 else?

4 MR. GRADY: Nothing further.

5 HEARING MASTER HATLEY: Okay. Applicant,  
6 did you have anything further to add? Okay. Thank  
7 you.

8 That will close the hearing on item 21-0047.  
9 Thank you.

10 MR. GRADY: Madam Hearing Officer, it's my  
11 understanding that the applicant for C-4 is not  
12 here. I would ask is the applicant for C-4, which  
13 is the Rezoning-Standard 21-0129 -- is he in the  
14 audience or online? Or she. Sorry. He or she.  
15 Ms. Howington?

16 I would -- I would recommend we go to the  
17 next agenda item, and I'll ask the case planner  
18 who's online, Ms. Brown, to see if she can contact  
19 the applicant to find out the status of -- if  
20 whether or not she's planning on coming tonight and  
21 we'll get back with -- we'll reassess once we hear  
22 back from the applicant.

23 So with that, we'll move to agenda item C-5,  
24 which is Rezoning-Standard 21-0130. The applicant  
25 is Rest Haven Memorial Park, Incorporated.

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

ZONING HEARING MASTER HEARING  
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE: DWIGHT WELLS  
Land Use Hearing Master

DATE: Tuesday, January 19, 2021

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

PLACE: Appeared via Webex Videoconference

Reported By:

Christina M. Walsh, RPR  
Executive Reporting Service  
Ulmerton Business Center  
13555 Automobile Blvd., Suite 100  
Clearwater, FL 33762  
(800) 337-7740

Executive Reporting Service

1 P R O C E E D I N G S

2 HEARING MASTER WELLS: Zoning Hearing Master  
3 Dwight Wells. We were here for the scheduled  
4 meeting of the Zoning Hearing program, and it's my  
5 understanding this hearing has in effect been  
6 continued.

7 MR. GRADY: Good evening, Mr. Hearing  
8 Officer. Brian Grady, Hillsborough County  
9 Development Services Department.

10 As noted, tonight's scheduled Zoning Hearing  
11 Master meeting is being continued, rescheduled to  
12 the February 15th, 2021, Zoning Hearing Master  
13 Hearing beginning at 6:00 p.m.

14 I will first read into the record the items  
15 that were scheduled to be heard at tonight's  
16 hearing that will be continued by staff to the  
17 February 15th, 2021, Zoning Hearing Master Hearing  
18 at 6 p.m.

19 Those items begin on page 6 of the agenda.  
20 The first item is agenda item C-1,  
21 Rezoning-Standard 21-0047. This is being continued  
22 by staff to the February 15th, Zoning Hearing  
23 Master Hearing beginning at 6:00 p.m.

24 The next item is item C-2, Rezoning-Standard  
25 21-0129. This application is being continued by

1 staff to the February 15th Zoning Hearing Master  
2 Hearing beginning at 6:00 p.m.

3 The next item is item D-1, Rezoning-PD  
4 20-0382. This item is also being continued by  
5 staff to the February 15th Zoning Hearing Master  
6 Hearing beginning at 6:00 p.m.

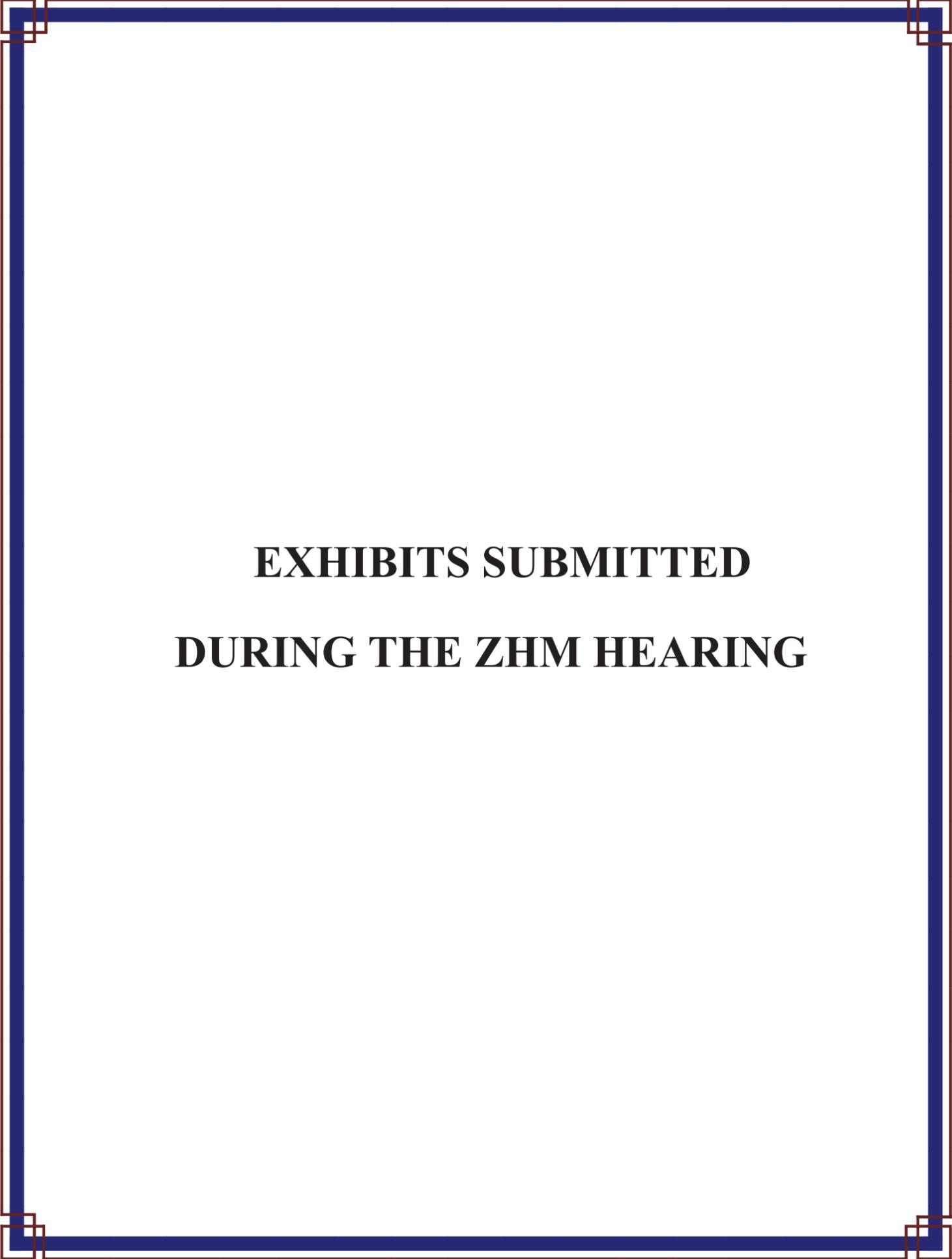
7 The next item then is item D-2, Rezoning-PD  
8 20-0394. This application is being continued by  
9 staff to the February 15th Zoning Hearing Master  
10 Hearing beginning at 6:00 p.m.

11 Then item D-3, Rezoning-PD 20-0985. This  
12 application is being continued by staff to the  
13 February 15th Zoning Hearing Master Hearing  
14 beginning at 6:00 p.m.

15 Item D-4, Rezoning-PD 20-1149. This  
16 application is being continued by staff to the  
17 February 15th Zoning Hearing Master Hearing  
18 beginning at 6:00 p.m.

19 And item D-5, Rezoning-PD 20-1248. This  
20 item is being continued by staff to the  
21 February 15th Zoning Hearing Master Hearing  
22 beginning at 6:00 p.m.

23 And then item D-6, Major Mod Application  
24 20-1258. This is being continued by staff to the  
25 February 15 Zoning Hearing Master Hearing beginning



**EXHIBITS SUBMITTED  
DURING THE ZHM HEARING**

**NONE**



# **PARTY OF RECORD**

**NONE**