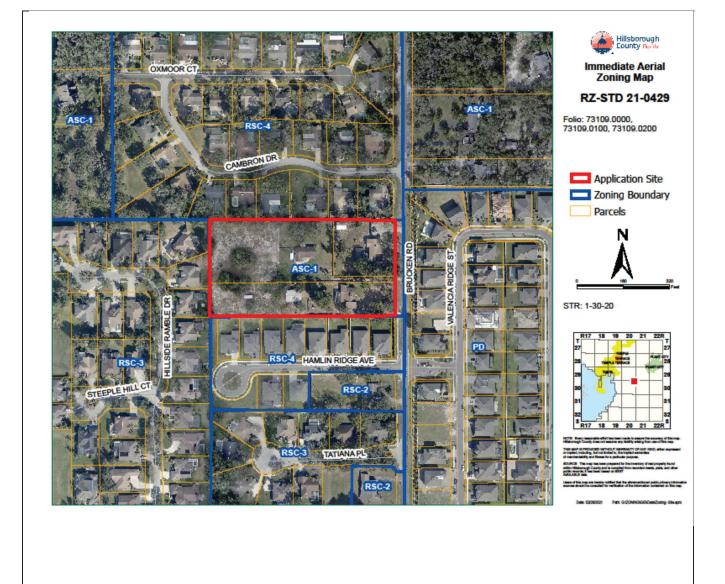
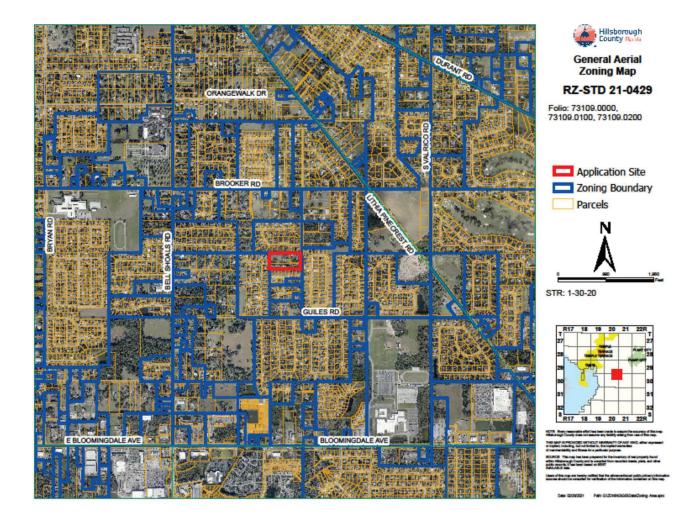


#### STAFF REPORT

SUBJECT:	RZ 21-0429	PLANNING AREA:	Brandon
<b>REQUEST:</b>	Rezone to Residential, Single-Family Conventional	SECTOR:	Central
	(RSC-4)		
APPLICANT:	William L. Brown III		
Existing Zonin	ng District:	Future Land Use Ca	tegory:
Agricultural –	Single-Family Conventional (ASC-1)	Residential-4 (RES-4	1)





#### **Application Review Summary and Recommendation**

#### 1.0 Summary

#### **1.1 Project Narrative**

The request is to rezone is to rezone three contiguous parcels totaling 4.85-acres more or less from ASC-1 (Agricultural, Single-Family Conventional) to RSC-4 (Residential, Single Family Conventional). The parcels are located at 2806, 2808 & 2810 Brucken Road at the northwest corner of Brucken Road and Hamlin Ridge Avenue. The underlying future land use (FLU) category of the subject parcels are Residential-4 (RES-4). The applicant has indicated the purpose of the rezoning is to sell the properties together to a residential developer. There are existing single-family residences on the site.

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

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

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

The site is located in the Urban Service Area; therefore, Hillsborough County Water and/or Wastewater Service will be available to serve the subject property.

Estimated impact and mobility fees are as follows:

(Fee estimate is based on a 2,000 square foot, 3-bedroom, Single Family Detached) \*

Mobility:	\$ 9,183
Parks:	\$ 2,475
School:	\$ 8,227
Fire:	\$ 335
Total per new home:	\$ 20,220
*assumes Construction Pe	rmit application on or after June 30, 2021

\*assumes Construction Permit application on or after June 30, 2021

Transportation staff has reviewed the application and offers no objections. Brucken Rd. is a 2-lane, undivided, publicly maintained, substandard, local roadway characterized by +/- 20 feet of pavement in average condition. Along the project frontage, the roadway lies within a +/- 60-foot wide right-of-way. There are sidewalks along the east and west side of portions of Brucken Rd. in the vicinity of the proposed project. There are not no bicycle facilities on Brucken Rd.

Since Brucken Rd. is a substandard roadway, and provided the developer constructs all units permitted under the proposed zoning, the developer will be required to make improve the roadway (between the project access and nearest standard roadway) to current County standards for the applicable Typical Section, as found within the Transportation Technical Manual (TTM), or otherwise obtain a Section 6.04.02.B. Administrative Variance from the Section 6.04.03.L requirement. Deviations from TTM requirements may be considered in accordance with Section 1.7.2. and other applicable sections of the TTM.

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 will be from Brucken Rd. The proposed

rezoning could increase the number of trips potentially generated by development of the subject parcel at buildout (by 141 average daily trips, 11 a.m. peak hour trip, and 15 p.m. peak hour trips).

#### **1.4 Comprehensive Plan Consistency**

The subject property is designated Residential-4 (RES-4) on the Future Land Use Map. Planning Commission staff do not see any major concerns with the request, the applicant is advised to consider a slightly bigger lot size (12,000 sq. ft) to meet the desired residential development pattern of the Garden Estates district. Staff finds the proposed use consistent with Comprehensive Plan.

#### **1.5 Compatibility**

The adjacent properties contain a mix of residential PD (Planned Development), RSC-3 (Residential, Single Family Conventional) and RSC-4 (Residential, Single Family Conventional) zoning districts.

To the north of 2806 Brucken Road are single-family residential homes zoned RSC-4. To the south and west it is adjacent to 2808 Brucken Road which is part of this application. To the east across Brucken Road it is adjacent to single-family homes zoned PD 04-0461.

To the north of 2808 Brucken Road are single-family residential homes zoned RSC-4. To the south it is adjacent to 2810 Brucken Road which is part of this application. To the east it is adjacent to 2806 Brucken Road which is part of this application and across Brucken Road it is adjacent to single-family homes zoned PD 04-0461. To the west it is adjacent to single-family residential homes zoned RSC-3.

To the north of 2810 Brucken Road it is adjacent to 2808 Brucken Road which is part of this application. To the east across Brucken Road it is adjacent to single-family homes zoned PD 04-0461. To the south it is adjacent to single-family homes zoned RSC-4. To the west it is adjacent to single-family residential homes zoned RSC-3.

The surrounding uses in the area consist of single-family lots; therefore, the rezoning of the subject parcel from ASC-1 to RSC-4 would be consistent with the existing zoning pattern of the area.

Based on the above considerations staff finds the requested RSC-4 zoning district compatible with the existing zoning and development pattern in the area.

#### **1.6 Agency/Department Comments**

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

- Water Resource Services
- Impact & Mobility Fee Assessment

**1.7 Exhibits** Exhibit 1: Project Aerial Exhibit 2: Zoning Map Exhibit 3: Future Land Use Map APPLICATION: RZ 21-0429 ZHM HEARING DATE: April 19, 2021 BOCC MEETING DATE: June 8, 2021

#### 2.0 Recommendation

Based on the above considerations, staff finds the request approvable.

Staff's Recommendation: Approvable		
Zoning Administrator Sign-off:	J,Brian Grady Fri Apr 9 2021 08:58:36	

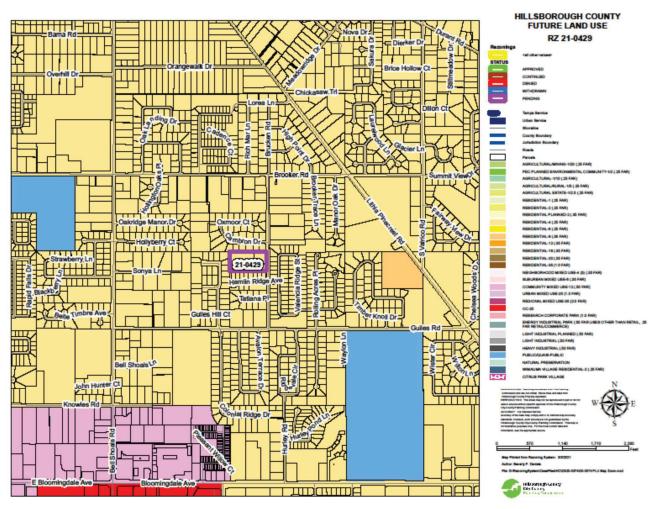
**EXHIBIT 1** 



EXHIBIT 2



**EXHIBIT 3** 



### COUNTY OF HILLSBOROUGH

#### RECOMMENDATION OF THE LAND USE HEARING OFFICER

APPLICATION NUMBER:	RZ STD 21-0429
DATE OF HEARING:	April 19, 2021
APPLICANT:	William L. Brown III
PETITION REQUEST:	The request is to rezone a parcel of land from ASC-1 to RSC-4
LOCATION:	Northwest Corner of Brucken Road and Hamlin Ridge Avenue
SIZE OF PROPERTY:	4.85 acres m.o.l.
EXISTING ZONING DISTRICT:	ASC-1
FUTURE LAND USE CATEGORY:	RES-4
SERVICE AREA:	Urban

#### DEVELOPMENT REVIEW STAFF REPORT

#### 1.0 Summary

#### 1.1 Project Narrative

The request is to rezone is to rezone three contiguous parcels totaling 4.85-acres more or less from ASC- 1 (Agricultural, Single-Family Conventional) to RSC-4 (Residential, Single Family Conventional). The parcels are located at 2806, 2808 & 2810 Brucken Road at the northwest corner of Brucken Road and Hamlin Ridge Avenue. The underlying future land use (FLU) category of the subject parcels are Residential-4 (RES-4). The applicant has indicated the purpose of the rezoning is to sell the properties together to a residential developer. There are existing single-family residences on the site.

1.2 Compliance Overview with Land Development Code and Technical Manuals

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

1.3 Evaluation of Existing and Planned Public Facilities

The site is located in the Urban Service Area; therefore, Hillsborough County Water and/or Wastewater Service will be available to serve the subject property.

Estimated impact and mobility fees are as follows: (Fee estimate is based on a 2,000 square foot, 3-bedroom, Single Family Detached) \*

Mobility: \$ 9,183 Parks: \$ 2,475 School: \$ 8,227 Fire: \$ 335 Total per new home: \$ 20,220

\*assumes Construction Permit application on or after June 30, 2021

Transportation staff has reviewed the application and offers no objections. Brucken Rd. is a 2-lane, undivided, publicly maintained, substandard, local roadway characterized by +/- 20 feet of pavement in average condition. Along the project frontage, the roadway lies within a +/- 60-foot wide right-of-way. There are sidewalks along the east and west side of portions of Brucken Rd. in the vicinity of the proposed project. There are not no bicycle facilities on Brucken Rd. Since Brucken Rd. is a substandard roadway, and provided the developer constructs all units permitted under the proposed zoning, the developer will be required to make improve the roadway (between the project access and nearest standard roadway) to current County standards for the applicable Typical Section, as found within the Transportation Technical Manual (TTM), or otherwise obtain a Section 6.04.02.B. Administrative Variance from the Section 6.04.03.L requirement. Deviations from TTM requirements may be considered in accordance with Section 1.7.2. and other applicable sections of the TTM.

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 will be from Brucken Rd. The proposed rezoning could increase the number of trips potentially generated by development of the subject parcel at buildout (by 141 average daily trips, 11 a.m. peak hour trip, and 15 p.m. peak hour trips).

#### 1.4 Comprehensive Plan Consistency

The subject property is designated Residential-4 (RES-4) on the Future Land Use Map. Planning Commission staff do not see any major concerns with the request, the applicant is advised to consider a slightly bigger lot size (12,000 sq. ft) to meet the desired residential development pattern of the Garden Estates district. Staff finds the proposed use consistent with Comprehensive Plan.

#### 1.5 Compatibility

The adjacent properties contain a mix of residential PD (Planned Development), RSC-3 (Residential, Single Family Conventional) and RSC-4 (Residential, Single Family Conventional) zoning districts.

To the north of 2806 Brucken Road are single-family residential homes zoned RSC-4. To the south and west it is adjacent to 2808 Brucken Road which is part of this application. To the east across Brucken Road it is adjacent to single-family homes zoned PD 04-0461.

To the north of 2808 Brucken Road are single-family residential homes zoned RSC-4. To the south it is adjacent to 2810 Brucken Road which is part of this application. To the east it is adjacent to 2806 Brucken Road which is part of this application and across Brucken Road it is adjacent to single-family homes zoned PD 04-0461. To the west it is adjacent to single-family residential homes zoned RSC-3.

To the north of 2810 Brucken Road it is adjacent to 2808 Brucken Road which is part of this application. To the east across Brucken Road it is adjacent to single-family homes zoned PD 04-0461. To the south it is adjacent to single-family

homes zoned RSC-4. To the west it is adjacent to single-family residential homes zoned RSC-3.

The surrounding uses in the area consist of single-family lots; therefore, the rezoning of the subject parcel from ASC-1 to RSC-4 would be consistent with the existing zoning pattern of the area.

Based on the above considerations staff finds the requested RSC-4 zoning district compatible with the existing zoning and development pattern in the area.

1.6 Agency/Department Comments

The following agencies and departments reviewed the request and offer no objections: • Water Resource Services • Impact & Mobility Fee Assessment

1.7 Exhibits

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

2.0 Recommendation

Based on the above considerations, staff finds the request approvable.

#### SUMMARY OF HEARING

THIS CAUSE came on for hearing before the Hillsborough County Land Use Hearing Officer on April 19, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Mr. William L. Brown, III 2810 Brucken Road Valrico testified as the applicant and stated that he has previously testified to the Board of County Commissioners to argue against the small lot, big house development that has now surrounded his tiny farm. He argued that the agricultural land was prevalent in the neighborhood. He stated that he was ignored every time. Mr. Brown stated that the development around him is now small lots with big houses. He added that he feels like he's living in a fishbowl. Therefore, he and two neighbors envision changing their property to the same RSC-4 zoning that surrounds them. He testified that he appreciates the staff recommendation for approval but disagrees with two recommendations. The first is under paragraph 1.3 regarding the statement that the developer will be required to improve the roadway between the project access and the nearby standard roadway. Mr. Brown stated that recent development of almost 70 homes was not required to make roadway improvements. He would like the same treatment for his potential development

of possibly 14 homes.

Hearing Master Finch asked Mr. Brown if he plans to development the property or sell it. Mr. Brown replied it was for the potential development.

Mr. Brown continued his testimony by stating that his second objection was under Section 1.4 regarding the statement that the Planning Commission would like a slightly bigger lot size of 12,000 square feet however the RSC-4 zoning district requires a minimum lot size of 10,000 square feet. He concluded his remarks by stating that none of the surrounding developments were required to provide a larger lot size.

Mr. Chris Grandlienard, Development Services staff, testified regarding the County's staff report. Mr. Grandlienard stated that the request to rezone three contiguous parcels totaling 4.58 acres from ASC-1 to RSC-4. He identified the addresses of the parcels and their location in the RES-4 land use category. The applicant indicated that the purpose of the rezoning is to sell the properties together to a residential developer. He described the surrounding development and applicable zoning districts and stated that staff recommends approval.

Hearing Master Finch asked Mr. Grandlienard if the staff report mention of the requirement to improve Brucken Road is a requirement and not a condition. Mr. Grandlienard replied that the question was more of a transportation question.

Hearing Master Finch asked Mr. Grandlienard about his staff report comment that the Planning Commission would prefer a larger lot size than required by the RSC-4 zoning district. Mr. Grandlienard replied that the question should be answered by the Planning Commission.

Mr. Grady of the Development Services Department testified that the RSC-4 zoning district requires a minimum lot size of 10,000 square feet and added that Mr. Ratliff is available to comment on the improvements for the substandard Brucken Road.

Mr. Ratliff of the County's Transportation Review section testified that the requirement for the improvement is not a zoning condition but rather included for informational purposes. The site will be treated the same as other projects. The applicant may apply for an administrative variance if they would like to leave the road in its existing condition.

Ms.Jiwuan Haley, Planning Commission staff testified regarding the Planning Commission staff report. Ms. Haley stated that the subject property is within the Residential-4 Future Land Use classification. It is also located in the Brandon Community Planning Area and the Urban Service Area. Ms. Haley stated that the request is consistent with Policies 1.3 and 1.4 regarding the minimum density required of four dwelling units per acre and compatibility. She stated that the

request meets the intensity of Objective 16 that requires new development and infill and redevelopment projects be compatible with the surrounding area in terms of character, lot size and density. She concluded her remarks by stating that the Planning Commission finds the proposed rezoning consistent with the Brandon Community Plan as the property is located in the Garden Estates district and also the Future of Hillsborough Comprehensive Plan.

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

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

County staff and Mr. Brown 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 4.85 acres in size and is currently Agricultural Single Family-Conventional (ASC-1) and is designated Residential-4 (RES-4) by the Comprehensive Plan. The property is located within the Brandon Community Planning Area and the Urban Service Area.
- 2. The applicant is requesting a rezoning to the Residential Single-Family-4 (RSC-4) zoning district.
- 3. The subject property is the combination of three lots with single-family homes on large lots.
- 4. The Planning Commission staff supports the request. The Planning Commission found the application consistent with Policies 1.3 and 1.4 regarding the minimum density required of four dwelling units per acre and compatibility. She stated that the request meets the intensity of Objective 16 that requires new development and infill and redevelopment projects be compatible with the surrounding area in

terms of character, lot size and density. The Planning Commission found the application to be consistent with the Brandon Community Plan and the Future of Hillsborough Comprehensive Plan.

- 5. The properties immediately adjacent to the subject property are zoned RSC-4 and RSC-3.
- 6. The applicant testified regarding concerns with the Development Services Department staff report which state that road improvements will be required to Brucken Road as it is considered substandard. County Transportation Review staff testified that the improvements are required by County process similar to other developments and not considered a zoning condition.
- 7. The applicant also expressed a concern that the Planning Commission expressed a desire for lots 12,000 square feet in size rather than the 10,000 square feet minimum lot size required by the proposed RSC-4 zoning district. County staff testified that the request for the standard RSC-4 zoning district requires a minimum lot size of 10,000 square feet.
- 8. The proposed rezoning will result in development that is consistent with the surrounding development pattern and zoning.

#### 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-4 zoning district. The property is 4.85 acres in size and is currently zoned ASC-1 and designated RES-4 by the Comprehensive Plan. The subject property is the combination of three lots with single-family homes on large lots.

The Planning Commission staff supports the request and found it to be compatible with the surrounding development pattern as well as the Brandon Community Plan and Future Land Use Plan.

The properties immediately adjacent to the subject property are zoned RSC-4 and RSC-3.

The rezoning request is consistent and compatible with the surrounding zoning and development pattern.

#### RECOMMENDATION

Based on the foregoing, this recommendation is for **<u>APPROVAL</u>** of the RSC-4 rezoning request as indicated by the Findings of Fact and Conclusions of Law stated above including the restriction prepared by the Development Services Department.

Sum M. Fine

Susan M. Finch, AICP Land Use Hearing Officer

May 10, 2021

Date



### Hillsborough County City-County Planning Commission

Unincorporated Hillsborough County Rezoning		
Hearing Date: April 19, 2021 Report Prepared: April 9, 2021	Petition: RZ 21-0429 2806 Brucken Road South west of Cambron Drive and Brucken Road, north of Guiles Road	
Summary Data:		
Comprehensive Plan Finding:	CONSISTENT	
Adopted Future Land Use:	Residential-4 (4 du/ga; 0.25 FAR)	
Service Area	Urban	
Community Plan:	Brandon	
Requested Zoning:	Agricultural Single-Family Conventional-1 (ASC-1) to Residential Single-Family Conventional-4 (RSC-4)	
Parcel Size (Approx.):	0.95 +/- acres (41,530.1 sq. ft.)	
Street Functional Classification:	Brucken Road – <b>Local</b> Cambron Drive – <b>Local</b> Guiles Road – <b>County Collector</b>	
Locational Criteria	N/A	
Evacuation Zone	The subject property is not in an Evacuation Zone	

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

#### <u>Context</u>

- The approximately 0.95+/- acre subject property is located on the west side of Brucken Road, south of Cambron Drive, and north of Guiles Road. The subject property is in the Urban Service Area (USA). It falls within the limits of the Brandon Community Plan and is in the Garden Estates Character District.
- The subject site's Future Land Use designation is Residential-4 (RES-4). Typical allowable uses in the RES-4 Future Land Use category include residential, suburban scale neighborhood commercial, office uses, and multi-purpose projects. RES-4 surrounds the subject property on all sides.
- The subject property is zoned Agricultural Single-Family Conventional-1 (ASC-1). ASC-1 surrounds the property to the south and west. Residential Single-Family Conventional-4 (RSC-4) is located to the north. ASC-1, RSC-4 and Planned Development (PD) zoned parcels are located north east and east of the subject site. Residential Single-Family Conventional-2 (RSC-2), RSC-4, PD and ASC-1 zoned parcels are located to the south east, south and southwest of the subject site.
- There is one single-family dwelling on the subject site and there are single-family residential homes that surround the subject site on all sides.
- The applicant is requesting to rezone the property from Agricultural Single-Family Conventional-1 (ASC-1) to Residential Single-Family Conventional-4 (RSC-4).

#### Compliance with Comprehensive Plan:

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

#### Future Land Use Element

#### Urban Service Area (USA)

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

#### **Policy 1.2:** *Minimum Density*

All new residential or mixed-use land use categories within the USA shall have a density of 4 du/ga or greater unless environmental features or existing development patterns do not support those densities.

Within the USA and in categories allowing 4 units per acre or greater, new development or redevelopment shall occur at a density of at least 75% of the allowable density of the land use category, unless the development meets the criteria of Policy 1.3.

**Policy 1.4:** Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements

affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as." Rather, it refers to the sensitivity of development proposals in maintaining the character of existing development.

#### Neighborhood/Community Development

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

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

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

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

**Policy 16.8:** The overall density and lot sizes of new residential projects shall reflect the character of the surrounding area, recognizing the choice of lifestyles described in this Plan.

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

#### **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.

#### Livable Communities Element: Brandon Community Plan

**Goal 6:** Re-establish Brandon's historical, hospitable, and family oriented character through thoughtful planning and forward thinking development practices by concentrating density in certain areas to preserve the semi-rural lifestyle of other areas. Attempt to buffer and transition

uses in concentric circles where possible with most intense uses in an area at a node (intersection) and proceeding out from there. Create a plan for how areas could be developed and redeveloped for the future. Each of these areas would have potential for different building heights, parking configurations, fencing, buffering, landscape requirements, special use limitations, and design standards. These standards apply to new construction on infill property, redevelopment of undesirable areas and renovation of existing buildings. The primary consideration of all changes should be compatibility with existing structures to ensure neighborhood preservation.

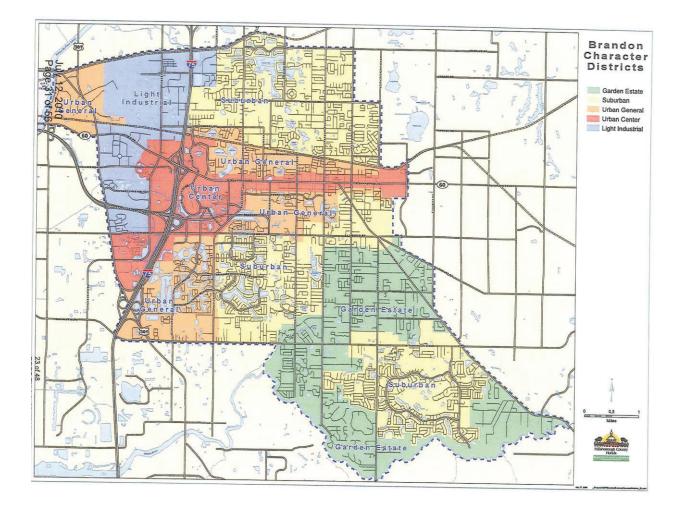
#### Strategies:

**3.** Implement Brandon Character Districts to protect established neighborhoods and historic patterns of development.

**4.** Consistent with the Brandon Character Districts Map, develop design guidelines for the Brandon Character Districts to address at a minimum building height, density and intensity, building types, bulk, mass, parking location, access, frontage, setbacks, buffers, landscape, streetscape and signage. Consistent with the general design characteristics listed in the Brandon Community Plan document, develop specific standards for adoption into the Land Development Code.

**5.** General design characteristics for each Brandon Character District are described below. The design characteristics are descriptive as to the general nature of the vicinity and its surroundings and do not affect the Future Land Use or zoning of properties in effect at the time of adoption of the Brandon Community Plan. Any proposed changes to the zoning of property may proceed in accordance with the Land Development Code.

**e.** Garden Estates – Usually adjacent to "Suburban" districts or agriculturally zoned properties including a few small working farms. These areas consist predominantly of single-family homes with lot sizes of at least half-acre. They may retain agricultural zoning including related horse and farm animal ownership rights, giving the feel of a semi-rural lifestyle. Blocks may be large and the roads irregular to accommodate existing site conditions such as flag lots or large, grand oak trees. Although located within the Urban Service Area, homes may have been constructed with private wells and septic systems so that County water may or may not be available in these areas. Demand for neighborhood serving uses like Childcare and Adult Day Care is minimal. As a result, special uses should be located at intersections and would not be deemed compatible unless they meet the locational criteria for a neighborhood serving commercial use in the Land Development Code.



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

The applicant is requesting to rezone the approximately 0.95 +/- acre property from Agricultural Single-Family Conventional-1 (ASC-1) to Residential Single-Family Conventional-4 (RSC-4). The Future Land Use designation of the subject property is Residential-4 (RES-4).

The proposal meets the intent of Objective 1 and Policies 1.3 and 1.4 of the Future Land Use Element of the Comprehensive Plan (FLUE) by providing growth within the Urban Service Area that meets the minimum density of 4 du/ga. The proposal meets the compatibility requirements of Policy 1.4 as the predominant character of the area is single-family residential dwellings at comparable densities.

The proposal also meets the intent of Objective 16 and its accompanying policies (16.2, 16.3, 16.8 and 16.10) that require new development, infill and redevelopment to be compatible with the surrounding area in character, lot size and density. In this case, the proposal is consistent with the general character of the surrounding area which is low-density single-family residential dwellings.

Goal 12 and Objective 12-1 of the Community Design Component (CDC) in the FLUE requires new developments to recognize the existing community and be designed to relate

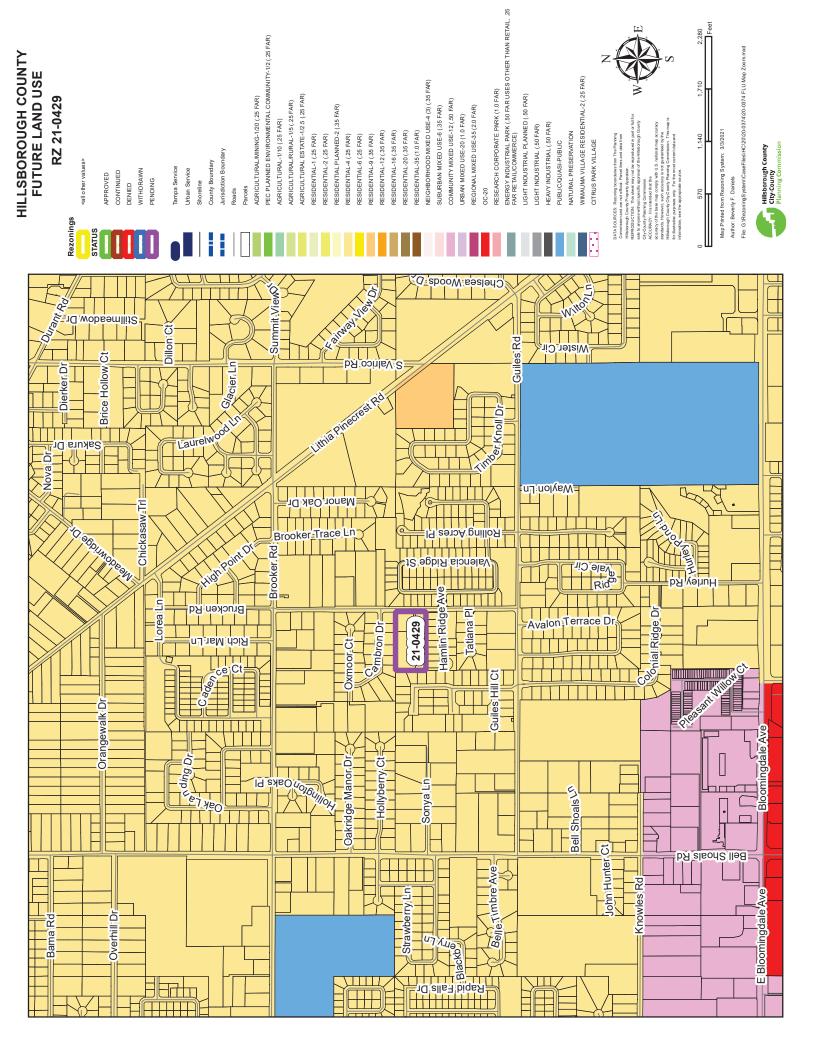
to and be compatible with the predominant character of the surrounding area. In this case, the surrounding land-use pattern is medium to low density single-family residential and the proposal would be compatible with the existing development pattern.

The proposed development is also consistent with the Brandon Community Plan in the Livable Communities Element of the Comprehensive Plan. It meets the intent of Goal 6, Strategies 3, 4 and 5 which require each of the character districts to follow a specific development pattern and be compatible with the surrounding area. Although, the subject property is located in the Garden Estates district of the Brandon community Plan where the predominant residential style is dwellings on half acre lots or more, the proposed rezoning is compatible with the development pattern of the surrounding area which contains a large number of parcels with RSC-3 and RSC-4 zoning designations.

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 and planned development pattern found in the surrounding area.

#### **Recommendation**

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



# AGENCY COMMNENTS

#### AGENCY REVIEW COMMENT SHEET

#### TO: Zoning Technician, Development Services Department **REVIEWER:** Richard Perez, AICP PLANNING AREA: BR

**DATE:** 4/08/2021 **AGENCY/DEPT:** Transportation **PETITION NO.:** RZ 21-0429

	This agency has no comments.
Х	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 could increase the number of trips potentially generated by development • of the subject parcel at buildout (by 141 average daily trips, 11 a.m. peak hour trip, and 15 p.m. peak hour trips).
- Brucken Rd is a substandard local roadway and will require improvements at the time of site construction plan approval.
- Transportation Review Section staff has no objection to the proposed rezoning. •

#### PROJECT SUMMARY AND ANALYSIS

The applicant is requesting to rezone a +/- 4.84 ac site from Agricultural Single-Family Conventional -1 (ASC-1) to Residential Single-Family Conventional -4 (RSC-4). In accordance with the Development Review Procedures Manual (DRPM), no transportation analysis was required to process the proposed rezoning. Staff has prepared a comparison of the trips potentially generated under the existing and proposed zoning designations, utilizing a generalized worst-case scenario. Data presented below is based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition.

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
		AM	PM
ASC-1, 4 Single Family Detached Dwelling Units (ITE Code 210)	38	3	4

Proposed Zoning:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
		AM	PM
RSC-4, 19 Single Family Detached Dwelling Units (ITE Code 210)	179	14	19

#### Trip Generation Difference:

Zoning, Land Use/Size	24 Hour Two- Way Volume	Total Peak Hour Trips	
		AM	PM
Difference	(+) 141	(+) 11	(+) 15

#### TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Brucken Rd. is a 2-lane, undivided, publicly maintained, substandard, local roadway characterized by +/-20 feet of pavement in average condition. Along the project frontage, the roadway lies within a +/- 60-foot wide right-of-way. There are sidewalks along the east and west side of portions of Brucken Rd. in the vicinity of the proposed project. There are not no bicycle facilities on Brucken Rd.

Since Brucken Rd. is a substandard roadway, and provided the developer constructs all units permitted under the proposed zoning, the developer will be required to make improve the roadway (between the project access and nearest standard roadway) to current County standards for the applicable Typical Section, as found within the Transportation Technical Manual (TTM), or otherwise obtain a Section 6.04.02.B. Administrative Variance from the Section 6.04.03.L requirement. Deviations from TTM requirements may be considered in accordance with Section 1.7.2. and other applicable sections of the TTM.

#### 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 will be from Brucken Rd.

#### ROADWAY LEVEL OF SERVICE

Bruken Rd. 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 Gwendolyn "Gwen" W. Myers Kimberly Overman Stacy White



#### DIRECTORS

Janet L. Dougherty EXECUTIVE DIRECTOR Hooshang Boostani, P.E. WASTE DIVISION Elaine S. DeLeeuw ADMIN DIVISION Sam Elrabi, P.E. WATER DIVISION Rick Muratti, Esq. LEGAL DEPT Andy Schipfer, P.E. WETLANDS DIVISION Sterlin Woodard, P.E. AIR DIVISION

#### AGENCY COMMENT SHEET

REZONING		
HEARING DATE: 4/19/2021	<b>COMMENT DATE:</b> 4/2/2021	
<b>PETITION NO.:</b> 21-0429	<b>PROPERTY ADDRESS:</b> 2806, 2808, 2810 Brucken Rd, Valrico, FL 33596	
EPC REVIEWER: Melissa Yanez	FOLIO #: 0731090000, 0731090100, 0731090200	
<b>CONTACT INFORMATION:</b> (813) 627-2600 X1360	STR: 01-30S-20E	
EMAIL: YanezM@epchc.org		
REQUESTED ZONING: From ASC-1 to RSC-4		
FINDINGS		
WETLANDS PRESENT	NO	
SITE INSPECTION DATE	N/A	
WETLAND LINE VALIDITY	N/A	
WETLANDS VERIFICATION (AERIAL PHOTO,	N/A – Aerial Historic Soil Survey and EPC File	
SOILS SURVEY, EPC FILES)	Review conducted. No wetlands apparent within	
parcel.		

#### INFORMATIONAL COMMENTS:

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

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

My/mst

#### AGENCY REVIEW COMMENT SHEET

TO: ZONING TECHNICIAN, Planning Growth Manag	pement DATE: <u>2 April 2021</u>			
<b>REVIEWER:</b> Bernard W. Kaiser, Conservation and Environmental Lands Management				
APPLICANT: William Brown	<b>PETITION NO:</b> <u>RZ 21-0429</u>			
LOCATION: 2806 Brucken Rd., Valrico, FL 33569				
FOLIO NO: <u>73109.0000</u> , 73109.0100, 73109.0200	<b>SEC:</b> <u>01</u> <b>TWN:</b> <u>30</u> <b>RNG:</b> <u>20</u>			

 $\square$  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: \_\_\_\_\_.



**NOTE:** THIS IS ONLY FOR ESTIMATE PURPOSES, BASED ON THE FEES AT THE TIME THE REVIEW WAS MADE. ACTUAL FEES WILL BE ASSESSED BASED ON PERMIT APPLICATIONS RECEIVED AND BASED ON THE FEE SCHEDULE AT THE TIME OF BUILDING PERMIT APPLICATION.

TO:	Zoning Review, Development Services	DATE: 04/01/2021
<b>REVIEWER:</b>	Ron Barnes, Impact & Mobility Fee Coordinator	
APPLICANT:	William L Brown III	PETITION NO: 21-0429
LOCATION:	2806, 2808, 2810 Brucken Rd	
FOLIO NO:	73109.0000; 73109.0100; 73109.0200	

#### **Estimated Fees:**

(Fee estimate is based on a 2,000 square foot, 3 bedroom, Single Family Detached) \*

Mobility:	\$9,183
Parks:	\$2,475
School:	\$8,227
Fire: \$335	
Total per new home: \$20,22	

\*assumes Construction Permit application on or after June 30, 2021

**Project Summary/Description:** 

Urban Mobility, Central Park/Fire - ASC-1 to ASC-4

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

PETITION NO.: <u>STD21-0429</u> REVIEWED BY: <u>Randy Rochelle</u>

PETITION NO.: STD21-0429REVIEWED BY: Randy RochelleDATE: 3/2/2021		
FOLI	O NO.: 73109.0000, plus Multiple More	
$\square$	This agency would $\Box$ (support), $\boxtimes$ (conditionally support) the proposal.	
	WATER	
$\square$	The property lies within the <u>Hillsborough County</u> 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.	
$\square$	A <u>8</u> inch water main exists 🛛 (adjacent to the site), 🗌 (approximately feet from the site) <u>and is located within the west Right-of-Way of Brucken Road</u> .	
	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		
$\boxtimes$	The property lies within the <u>Hillsborough County</u> 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 <u>4</u> inch wastewater force main exists [] (adjacent to the site), [] (approximately <u>500</u> feet from the site) and is located south of the subject property within the east Right-of-Way of Brucken Road.	
	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 within the Hillsborough County Urban Service Area, therefore the subject property should be served by Hillsborough County Water and Wastewater Service. This comment sheet does not guarantee water or wastewater service or a point of connection. Developer is responsible for submitting a utility service request at the time of development plan review and will be responsible for any on-site improvements as well as possible off-site improvements.		

# VERBATIM TRANSCRIPT

X IN RE: ZONE HEARING MASTER HEARINGS HEARINGS CONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS BEFORE: SUSAN FINCH Land Use Hearing Master DATE: Monday, April 19, 2021 TIME: Commencing at 6:00 p.m. Concluding at 8:03 p.m. PLACE: Cisco Webex 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	Page
) ZONING HEARING MASTER HEARING TRANSCRIPT OF TESTIMONY AND PROCEEDINGS BEFORE: SUSAN FINCH Land Use Hearing Master DATE: Monday, April 19, 2021 TIME: Commencing at 6:00 p.m. Concluding at 8:03 p.m. PLACE: Cisco Webex Reported By: Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762	IN RE: ZONE HEARING	) )	
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Christina M. Walsh, RPR Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762	PLACE:	Cisco Webex	
Executive Reporting Service Ulmerton Business Center 13555 Automobile Blvd., Suite 100 Clearwater, FL 33762		Reported By:	
	13	Executive Reporting Service Ulmerton Business Center 3555 Automobile Blvd., Suite 100 Clearwater, FL 33762	

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1	HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS		
2	ZONING HEARING MASTER HEARINGS		
3	April 19, 2021		
4	ZONING HEARIN	G MASTER: SUSAN FINCH	
5	<b>QQ</b> .		
6	C2: Application Number:		
7	Applicant: Location:	William L. Brown, III Northwest corner of Brucken Rd.	
8	Folio Number:	& Hamlin Ridge Ave. 073109.0000, 073109.0100 & 073109.0200	
9	Acreage: Comprehensive Plan:	4.85 acres, more or less R-4	
10	Service Area:	Urban	
11	Existing Zoning: Request:	ASC-1 Rezone to RSC-4	
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Page 43 MR. GRADY: The next item is agenda item 1 2 C-2, Rezoning-Standard 21-0429. The applicant is 3 William L. Brown, the third. 4 The request is to rezone from ASC-1 to Residential Single-Family Conventional-4, RSC-4. 5 Chris Grandlienard will provide staff 6 7 recommendation after presentation by the applicant. 8 HEARING MASTER FINCH: All right. Is the applicant here? Good evening. 9 MR. BROWN: Good evening. William L. Brown, 10 the third. 2810 Brucken Road, Valrico, 33596. 11 12 First, I'll need to give you a little bit of background. I've been in front of this office and 13 14 the Board of County Commissioners several times to 15 argue against the small lot, big houses that have 16 become to surround my tiny farm. 17 My logic was the prevalence of agricultural 18 land and large single-family lots in our 19 neighborhood. I was ignored every time, and the 20 houses were built on smaller and smaller lots. The 21 math that I used to argue against them no longer 22 holds true because now the prevalence of lots 23 around me are small lots, big houses. 24 So now I feel like I live in a fish bowl, and 25 so myself and my two neighbors envision changing

Page 44 our property to the very same zoning that has been 1 2 happening around us, which is RSC-4. Some day we 3 hope to sell this to a developer, and he'll do something to duplicating the cul-de-sac right next 4 5 door to us on Hamlin Ridge. We do appreciate the staff's recommended 6 7 approval, but we would like to voice our disagreement with two recommendations for the 8 record. 9 The first one is under paragraph 1.3. 10 There's a statement, the developer will be required 11 12 to improve the roadway between the project access 13 and the near standard roadway. Recent development 14 of almost 70 homes resulted in no improvements to 15 the roadway. 16 So we are asking for similar treatment of 17 our potential development of possibly 14 homes. 18 HEARING MASTER FINCH: Do you plan to 19 develop it yourself or you said you're going to 20 sell it? 21 MR. BROWN: Potential development. HEARING MASTER FINCH: I see. 22 23 MR. BROWN: Second, under 1.4, there's a 24 statement that says the applicant is advised to 25 consider a slightly bigger lot size, 12,000 square

Page 45 feet, to meet the desire of residential development 1 2 pattern of the Garden Estates district. 3 We are requesting a zoning change. We're not trying to define lot sizes. RSC-4 allows for 4 lots of 10,000 square feet. We just want to be 5 bound to RSC-4 zoning designation. Nothing more or 6 7 less. Furthermore, my research into Garden Estates 8 indicates that this designation preceded the 9 current Future Land Use of RES-4. It is what was 10 used to create our small farm and the ones around 11 12 us, and it is now a moot point. None of the 13 developments around us were held to this standard 14 and so, therefore, we would like that 15 recommendation ignored. Thank you very much. 16 HEARING MASTER FINCH: Thank you for your 17 time. If you could please sign in with the clerk's office. 18 19 Development Services, please. 20 MR. GRANDLIENARD: Good evening. Chris 21 Grandlienard, Development Services. 22 The request is to rezone to a -- rezone three 23 contiguous parcels totalling 4.58 acres, more or 24 less, from ASC-1, Agricultural Single-Family 25 Conventional, to RSC-4, Residential Single-Family

Page 46

Conventional.

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2 The parcels are located at 2806, 2808, and 3 28810 Brucken Road at the northwest corner of Brucken Road and Hamlin Ridge Avenue. 4 The 5 underlining Future Land Use category of the subject parcels are Residential-4, RES-4. 6 7 The applicant has indicated the purpose of the rezoning is to sell the properties together to 8 a residential developer. There are existing 9 single-family residences on the site. 10 The site is located in the Urban Service 11 12 Area. Therefore, Hillsborough County water and/or 13 wastewater will be available to serve the subject 14 property. The adjacent properties contain a mix of residential, PD, RSC-3, and RSC-4 zoning districts. 15 16 The surrounding uses in the area consist of 17 single-family lots. Therefore, the rezoning of the 18 subject parcel from ASC-1 to RSC-4 would be 19 consistent with the existing zoning pattern of the 20 area. 21 Based on the above considerations, the staff finds the requested RSC-4 zoning district 22 23 compatible with the existing zoning and development 24 pattern in the area. There are no agency 25 objections. Staff finds the request approvable.

Page 47 I'll be glad to answer any questions you may have. 1 2 HEARING MASTER FINCH: Just two quick 3 questions based on the applicant's testimony. He mentioned in your staff report, Section 1.3, that 4 5 section that says the developer will be required to make improvements to the roadway because Brucken is 6 7 substandard. 8 Is that -- you don't consider that a condition; that's a requirement; is that correct? 9 MR. GRANDLIENARD: Be more of a 10 transportation question. 11 12 HEARING MASTER FINCH: Okay. And then the 13 second one -- while I have you, the second one is 14 regarding the Planning Commission's comment that 15 they would prefer a larger lot size, but the RSC --16 RSC-4 district requires 10,000 square feet; is that 17 correct? 18 MR. GRANDLIENARD: Yeah. Again, that would 19 probably be best answered by the Planning 20 Commission as well. 21 HEARING MASTER FINCH: All right. Thank 22 you. 23 MR. GRADY: You are correct. RSC-4 does 24 require a minimum lot size of 10,000. 25 HEARING MASTER FINCH: Thank you so much.

Page 48 Planning Commission, please. 1 All right. 2 MR. GRADY: And Mr. Ratliff is available if 3 you want to ask the question regarding the road improvement. 4 5 HEARING MASTER FINCH: All right. Before we go to the Planning Commission -- thank you -- we'll 6 7 go to Mr. Ratliff regarding the applicant's concern about improvements to the substandard Brucken Road. 8 MR. RATLIFF: Yes, ma'am. For the record, 9 James Ratliff, Transportation Review section. 10 11 The -- the requirement is, again, as you 12 pointed out, these are not zoning conditions; this 13 is just an informational comment. The site will be 14 treated the same way as any other project in that 15 process. 16 There would have to go to through the --17 there is some bad feedback. Sorry about that. I'm 18 going to slip off my ears and talk. Essentially, 19 the applicant would have to go through the same 20 process as everyone else, which would be to obtain 21 administrative variance if they wanted to leave the 22 road in the existing condition or if they were able 23 to make some improvements but something less than 24 the full typical section that would be through the 25 design exception process.

Page 49 Because this is a Euclidean project, the 1 2 current process is that those reviews have to 3 happen at the time of site plan review. So, you 4 know, there really would be no affect of, you 5 know -- there really is no requirement being 6 imposed at this time. We're simply informing them 7 of a procedural, you know -- of a procedural 8 process there. HEARING MASTER FINCH: All right. Thank you 9 so much. 10 11 Now we'll go back to the Planning 12 Commission, please. 13 MS. HALEY: Jiwuan Haley, Planning 14 Commission. 15 The subject property is designated 16 Residential-4 in the Future Land Use Map. It is 17 within the limits of the Brandon Community Plan, 18 within the Garden Estates district, and within the 19 Urban Service Area. 20 The proposal meets the intent of Objective 1 and Policies 1.3 and 1.4 of the Future Land Use 21 22 Element by providing growth within the Urban 23 Service Area that meets the minimum density 24 requirement of four dwelling units per gross acre. 25 The proposal meets the compatibility

Page 50 requirements of Policy 1.4 as the predominant 1 2 character of the area is single-family residential 3 dwellings at comparable densities. The proposal also meets the intensity of 4 5 Objective 16 and its accompanying policies, 16.2, 16.3, 16.8, and 16.10 that require new development 6 7 and infill and redevelopment to be compatible with the surrounding area in character, lot size, and 8 density. 9 In this case, the proposal is consistent 10 11 with the general character of the surrounding area, 12 which is low density, single-family, residential 13 dwelling. Both 12 and Objective 12, one of the 14 Community Design Component in the Future Land Use 15 Element requires new development to recognize the 16 existing community and be designed to relate to and 17 be compatible with the predominant character of the 18 surrounding area. 19 In this case, the surrounding Land Use 20 pattern is medium to low density, single-family, 21 residential; and the proposal would be compatible with the existing development pattern. 22 23 The proposed development is also consistent 24 with the Brandon Community Plan and the liveable 25 communities element of the Comprehensive Plan. Ιt

Page 51 meets the intent of Goal 6. Strategies 3, 4, and 1 2 5, which require each of the -- which require each 3 of the character districts to follow a specific 4 development pattern and be compatible with the 5 surrounding area. 6 Although the subject property is located in the Garden Estates district of the Brandon 7 8 Community Plan where the predominant residential 9 style is dwellings on half-acre lots or more, the 10 proposed rezoning is compatible with the 11 development pattern of the surrounding area which 12 contains a large number of parcels with RSC-3 and 13 RSC-4 zoning designations. 14 Based upon these considerations, Planning 15 Commission staff finds the proposed rezoning 16 consistent with the Future of Hillsborough 17 Comprehensive Plan for unincorporated Hillsborough 18 County. Thank you, and I'm available for any 19 questions if you have them. 20 HEARING MASTER FINCH: All right. Thank you 21 so much. 22 We'll turn to anyone that would like to 23 speak in favor? Anyone in support of this 24 application? 25 Seeing no one in the room, no one online,

	Page 52
1	anyone in opposition to the request? No one.
2	All right. Development Services, anything
3	else?
4	MR. GRADY: Nothing further.
5	HEARING MASTER FINCH: All right. The
6	applicant, you have five minutes if you'd like to
7	say anything. All right. Thank you then.
8	With that, we'll close Rezoning 21-0429 and
9	go to the next case.
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### EXHIBITS SUBMITTED DURING THE ZHM HEARING



# PARTY OF RECORD

