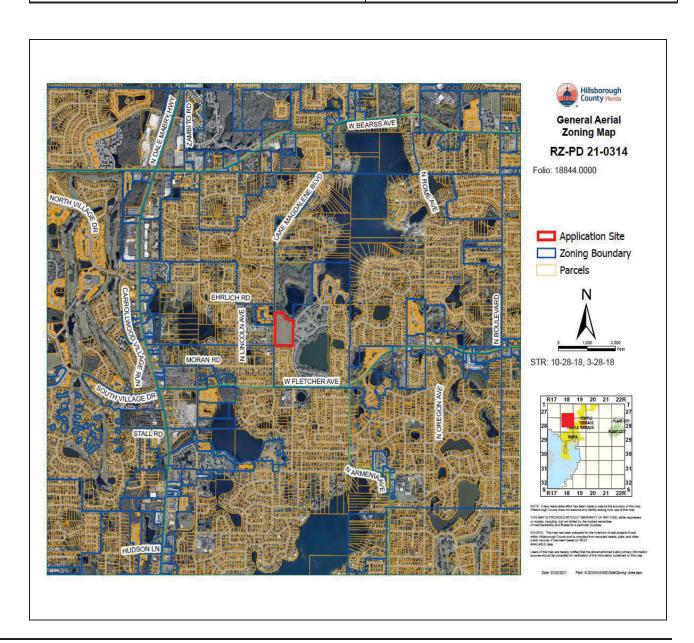


STAFF REPORT

SUBJECT:	RZ-PD 21-0314	PLANNING AREA:	Greater Carrollwood Northdale
REQUEST:	Rezone to Planned Development (PD) 21-0314	SECTOR:	Northwest
APPLICANT:	Gary Miller, David Weekley Homes		
Existing Zoning District: Residential, Single-Family Conventional (RSC-4) Future Land Use Category: Residential-9 (RES-9)			





STAFF REPORT



BOCC MEETING DATE: CASE REVIEWER: Kevie Defranc

Application Review Summary and Recommendation

1.0 Summary

1.1 Project Narrative

The request is to rezone a portion of parcel folio 18844.0000 totaling approximately 14 acres from the existing Residential, Single-Family Conventional (RSC-4) zoning district to the proposed Planned Development (PD) 21-0314 zoning district to provide for a one-fourth acre or larger lot single-family conventional detached residential subdivision development consisting of a maximum of 42 single-family conventional detached dwelling units. The site is located at 13515 Lake Magdalene Boulevard, which is on the east side of the Clay Mangum Lane and Lake Magdalene Boulevard intersection. The underlying future land use (FLU) category of the subject parcel is Residential-9 (RES-9).

1.2 Compliance Overview with Land Development Code and Technical Manuals

No variation or variances to the 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 located within the Urban Service Area where potable water and wastewater services are provided by Hillsborough County. An 8-inch potable water main exists and is located approximately 60 feet from the site. A 4-inch wastewater force main exists and is located approximately 530 feet from the site. Therefore, the site is required to connect to the publicly owned and operated potable water and wastewater systems in accordance with the requirements of the LDC. The 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.

Transit service is conveniently located to service this site. The closest transit stop is located 0.5 miles away just west of the intersection of West Fletcher Avenue and Tifton Drive / Lake Magdalene Boulevard.

The site is located on Lake Magdalene Boulevard, an undivided 2-lane substandard collector roadway. A sidewalk is present, however, no bicycle facilities, and paved shoulders are present on this roadway. The applicant is proposing to preserve seven (7) feet of right-of-way along the project frontage on Lake Magdalene Boulevard as depicted on the site plan.

Transportation staff has reviewed the application and offers no objections, subject to the condition proposed. Their review notes that the proposed rezoning is anticipated to decrease the number of trips potentially generated by development of the subject parcel. Given the relatively low trip generation potential of the project, turn lanes are not warranted per LDC Section 6.04.04.D.

The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Design Exception Request received March 1, 2021 from the LDC Section 6.02.07 requirement to improve the substandard roadway (between the project driveway and nearest standard roadway) to current Hillsborough County Transportation Technical Manual (TTM) standards. Based on factors presented in the Design Exception

BOCC MEETING DATE: CASE REVIEWER: Kevie Defranc

Request, the County Engineer found the request approvable on March 26, 2021. If this rezoning is approved, the County Engineer will approve the above referenced Design Exception Request. The Design Exception will result in construction of a 10-foot sidewalk on the eastside of Lake Magdalene Boulevard from the proposed project access to Fletcher Avenue.

The site plan submitted does not demonstrate future connection to the area to the north of the project area and the applicant provided the following justification: The land to the north of the Property (the remainder of the parent parcel) is being retained by the owner as a single-family residence and will remain at its current zoning of RSC-4 with no plans for further development at this time. It was a request of the property owner that there be no connection to that portion of their property. Topography in the area shows a gentle but obvious slope from south to north. Locating the stormwater conveyance at the north end of the property allows the developer to use existing topography to advantage but precludes any connection in that area due to the smaller size of the property.

Lake Magdalene Elementary School, Adams Middle School, and Chamberlain High School currently have capacity for the proposed project.

A calculation of the estimated fees has been performed based on the fees at the time the review was made. The estimated fees include a \$248,682.00 Mobility Fee, \$76,230.00 Parks Fee, \$345,534.00 School Fee, and \$14,070.00 Fire Fee for the proposed 42 single family residential units; based on a 2,000-square foot, 3-bedroom, single family detached dwelling unit. Actual fees will be based on permit applications received and based on the fee schedule at the time of building permit application.

1.5 Environmental/Natural Resources

The Environmental Protection Commission (EPC) reviewed the request and finds that West Lake is located outside of the project boundaries to the northeast and additional wetland areas exist in the northern portion of the folio. Knowledge of the actual extent of the wetland and other surface water (OSW) areas are necessary in order to verify the avoidance of wetland and OSW areas impact pursuant to Chapter 1-11, Rules of the EPC. Prior to issuance of any building or land alteration permits or other development, the wetland and OSW areas must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.

1.6 Comprehensive Plan Consistency

The site is located within the RES-9 FLU category and the Greater Carrollwood Northdale Community Plan Area. Planning Commission staff finds the request to be inconsistent with the minimum density policy of the Comprehensive Plan for Unincorporated Hillsborough County. Exceptions to the minimum density requirement can be granted based on compatibility, which the Planning Commission staff determined was not applicable given surrounding the development pattern.

The applicant's project narrative submitted argues that "the construction of at least ninety-four (94) residential units on the property, which is approximately fourteen (14) acres, would require construction of a multi-family product inconsistent with the character of existing development and the predominant development pattern" and notes the parcel is only in RES-9 as it is was part of an enclave created during zoning conformance to recognize the existing multi-family developments approved in 70's and 80's (with no new multi-family approved in the area since that time). The applicant further argues that transportation infrastructure to support the higher density is neither financially feasible, planned nor

BOCC MEETING DATE: CASE REVIEWER: Kevie Defranc

programmed. Staff is concurrence with the findings of the Planning Commission staff that given the surrounding development pattern a higher density residential project that conforms to the minimum density requirements would appear to be compatible with the surrounding development pattern, considering the fact there are existing higher density residential developments within the immediate area near the subject site. Furthermore, transportation staff advised that the increase in residential units (from 42 to 94) in order to meet minimum density requirements would not have a significant change in impacts on the functioning/capacity of the roadway system, nor would a townhome or multi-family project change the substandard road determination (and associated design exception as outlined in 1.4 herein). Staff noted that for a 94-unit single-family development road capacity would still be adequate and not change the substandard road determination. While, a 94-unit single-family project would require the addition of a left turn (which is not required for MF/TH) and which would be difficult given limited right-of-way, there was concurrence that constructing a 94 single-family development would be unlikely due to the size of the parcel and stormwater related challenges.

1.7 Compatibility

The site is located in an area comprised of cultural/institutional, residential, and agricultural uses. The site is within the RES-9 FLU category, which is suitable for low-medium density residential, urban scale neighborhood commercial, office, multi-purpose projects, and mixed-use developments. A portion of the area on the west side of Lake Magdalene Boulevard is within the P/Q-P (Public/Quasi-Public) FLU category, which recognizes areas where public facilities, public structures or grounds, regional, district or community recreation uses or facilities and other private establishments generally available to the public are located. The majority of the area is within the RES-4 (Residential-4) FLU category, which is also suitable for low density residential development. The proposed single-family is compatible with the surrounding development pattern, and as noted, a townhome/multi-family project is also potentially compatible given there are two existing multi-family residential developments immediately to the east and west of the subject site. The overall area is also within the Hillsborough County Urban Service Area.

As shown in Exhibit 2, the site is adjacent to properties zoned RSC-4 (to the north), PD (to the east and south), PD (to the south), but within the general area there are other properties zoned RSC-4, PD, and RSC-6 (to the west).

1.8 Agency/Department Comments

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

- Water Resource Services
- Environmental Protection Commission
- Conservation and Environmental Lands Management
- Hillsborough County School District
- Transportation

1.9 Exhibits

Exhibit 1: Project Aerial Exhibit 2: Zoning Map

Exhibit 3: Future Land Use Map

Exhibit 4: Site Plan

BOCC MEETING DATE: CASE REVIEWER: Kevie Defranc

2.0 Recommendation

Based on the above considerations and the inconsistency with the minimum density requirements of the Comprehensive Plan, staff finds the request not supportable.

Staff's Recommendation: Not Supportable

Zoning Administrator

J. Brian Grady Thu May 6 2021 09:34:38

APPLICATION: RZ-PD 21-0314 ZHM HEARING DATE: May 17, 2021 BOCC MEETING DATE:

CASE REVIEWER: Kevie Defranc

EXHIBIT 1



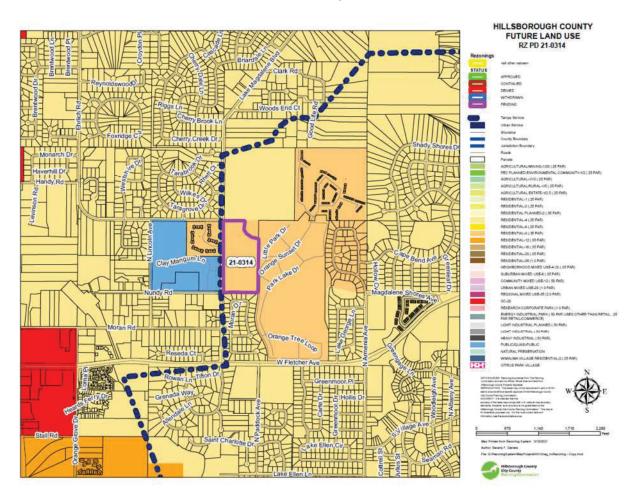
APPLICATION: RZ-PD 21-0314 ZHM HEARING DATE: May 17, 2021 BOCC MEETING DATE:

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EXHIBIT 2



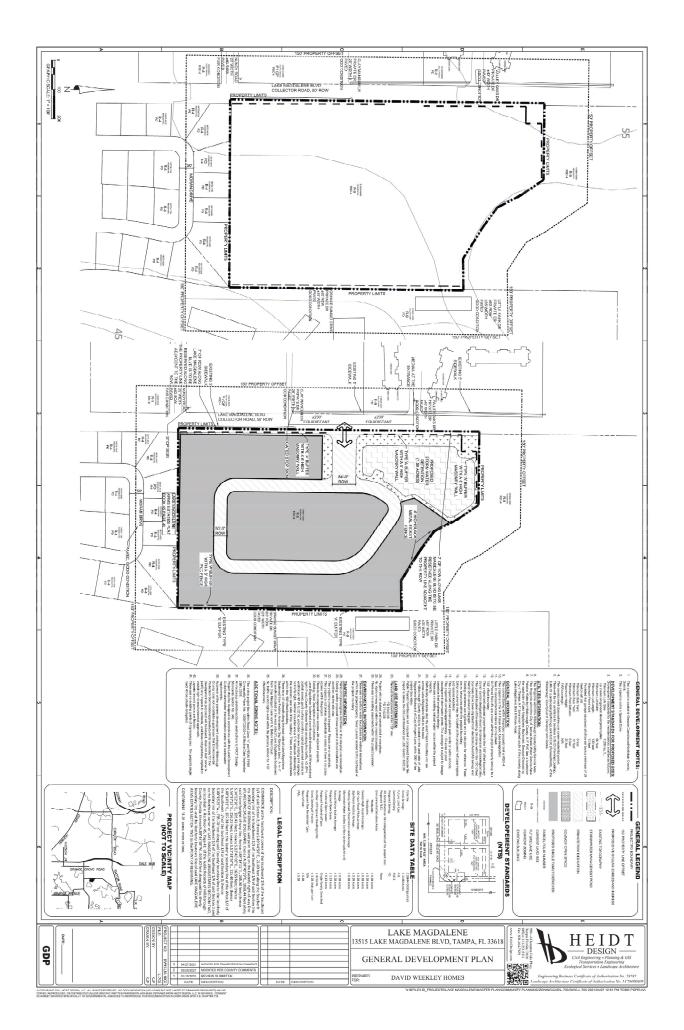
EXHIBIT 3



BOCC MEETING DATE: CASE REVIEWER: Kevie Defranc

EXHIBIT 4

SEE ATTACHED



COUNTY OF HILLSBOROUGH LAND USE HEARING OFFICER'S RECOMMENDATION

Application number:	RZ-PD 21-0314
Hearing date:	May 17, 2021
Applicant:	Gary Miller, David Weekley Homes
Request:	Rezone approximately 14 acres from Residential, Single-Family Conventional (RSC-4) to the proposed Planned Development (PD) 21-0314 to provide for a one-fourth acre or larger lot single-family conventional detached residential subdivision consisting of a maximum of 42 dwelling units.
Location:	13515 Lake Magdalene Boulevard, East of the Lake Magdalene Boulevard and Ehrlich Road intersection.
Parcel size:	14 acres +/-
Existing zoning:	RSC-4
Future land use designation:	Residential-9 (9 du/ga; 0.50 FAR)
Service area:	Urban
Community planning area:	Greater Carrollwood-Northdale

A. APPLICATION REVIEW

DEVELOPMENT SERVICES STAFF REPORT APPLICATION REVIEW SUMMARY AND RECOMMENDATION



STAFF REPORT



BOCC MEETING DATE: CASE REVIEWER: Kevie Defranc

Application Review Summary and Recommendation

1.0 Summary

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1.2 Compliance Overview with Land Development Code and Technical Manuals

No variation or variances to the 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

The proposed conditions of zoning incorporate the allowance for the new residential uses.

1.4 Evaluation of Existing and Planned Public Facilities

The site is located within the Urban Service Area where potable water and wastewater services are provided by Hillsborough County. An 8-inch potable water main exists and is located approximately 60 feet from the site. A 4-inch wastewater force main exists and is located approximately 530 feet from the site. Therefore, the site is required to connect to the publicly owned and operated potable water and wastewater systems in accordance with the requirements of the LDC. The 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.

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Transportation staff has reviewed the application and offers no objections, subject to the condition proposed. Their review notes that the proposed rezoning is anticipated to decrease the number of trips potentially generated by development of the subject parcel. Given the relatively low trip generation potential of the project, turn lanes are not warranted per LDC Section 6.04.04.D.

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BOCC MEETING DATE: CASE REVIEWER: Kevie Defranc

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The applicant's project narrative submitted argues that "the construction of at least ninety-four (94) residential units on the property, which is approximately fourteen (14) acres, would require construction of a multi-family product inconsistent with the character of existing development and the predominant development pattern" and notes the parcel is only in RES-9 as it is was part of an enclave created during zoning conformance to recognize the existing multi-family developments approved in 70's and 80's (with no new multi-family approved in the area since that time). The applicant further argues that transportation infrastructure to support the higher density is neither financially feasible, planned nor

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As shown in Exhibit 2, the site is adjacent to properties zoned RSC-4 (to the north), PD (to the east and south), PD (to the south), but within the general area there are other properties zoned RSC-4, PD, and RSC-6 (to the west).

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

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BOCC MEETING DATE: CASE REVIEWER: Kevie Defranc

2.0 Recommendation

Based on the above considerations and the inconsistency with the minimum density requirements of the Comprehensive Plan, staff finds the request not supportable.

Staff's Recommendation: Not Supportable

Zoning Administrator

J. Brian Grady Thu May 6 2021 09:34:38

B. HEARING SUMMARY

This case was heard by the Hillsborough County Land Use Hearing Officer on May 17, 2021. Mr. Brian Grady of the Hillsborough County Development Services Department introduced the petition.

Applicant

Ms. Rebecca Kert spoke on behalf of the applicant, David Weekley Homes. Mis Kert introduced her co-counsel, Michael Brooks, planner Christie Barreiro AICP of Heidt and Associates, Steve Henry of Lincks and Associates, and Gary Miller and Martin Frame of David Weekley Homes.

Ms. Kert stated the subject property is 14 acres east of Lake Magdalene Boulevard and south of Ehrlich Road. She stated the applicant has requested rezoning for 42 single-family lots. She stated the subject property is designated RES-9 on the Future Land Use Map and is part of a 60-acre parent parcel. She stated the north portion of the parent parcel is designated RES-4 on the Future Land Use Map. Ms. Kert stated most of the properties surrounding the subject property are designated RES-4 except for the subject property and the adjacent parcels to the east and west, both of which are older Planned Developments. Ms. Kert stated there are also some Public/Quasi-Public uses.

Ms. Kert stated the proposed PD poses a balancing of interests and a question of consistency with the comprehensive plan. She stated the Planning Commission found the request inconsistent based on an interpretation of Future Land Use Policy 1.3, which requires that rezonings meet a minimum density of at least 75 percent of the underlying land use designation. Ms. Kert stated the requested rezoning meets an exception to that policy and that it would be incompatible and inappropriate to put 94 or 100 units on the subject property in the middle of the Lake Magdalene neighborhood.

Ms. Kert explained the history of the subject property. She stated in the Horizon 2000 plan the subject property had a Suburban Development Area future land use. She stated the entire area was zoned R-1 on the 1980 to 1984 Hillsborough County zoning map except for the PDs to the east and west of the subject property. Ms. Kert stated the subject property was designated Suburban Density Residential in the 1989 comprehensive plan and the only area of high density residential was the PD to the west, which was the Carlton Arms apartment complex. She stated the subject property was down-zoned to RSC-4 in the 1991 zoning conformance, and at that time the R-1 zoning category went away so that the properties in the surrounding area were all changed to RSC-4 or RSC-6. She stated the subject property was zoned RSC-4. She stated that in connection with a subsequent comprehensive plan review and a Future Land Use Element Evaluation and Appraisal Report (EAR), the subject property was designated RES-9 land use category.

Ms. Kert stated the RES-9 designation is an anomaly on the subject property because the parcel is sandwiched between a 1971 rezoning on the east (PD 71-0236) and a 1983 rezoning on the west (PD 83-0036). Ms. Kert stated the 1971 rezoning for the Carlton

Arms apartment project was extremely controversial and over 600 people showed up in opposition according to newspaper articles at the time. She stated the Planning Commission at the time found the multi-family Euclidean rezoning was incompatible with development in the area and the developer withdrew the application prior to the hearing. She stated the developer came back a few months later with a PD that had substantial changes, and 798 multifamily units were approved for the area. She stated over 60 percent of the new PD consisted of single-family units, and direct access from the apartment project to Lake Magdalene Boulevard was eliminated. She stated the Carlton Arms project remains the most intensive development in the Lake Magdalene area.

Ms. Kert stated the 1980 rezoning west of the subject property was also extremely controversial. She stated there was significant opposition from surrounding single-family residents even though the project consisted of only 9 acres and 78 dwelling units. She stated that in 1980 under a special act in Florida law the Zoning Hearing Officer made final decisions on zoning cases. She stated this law was later found to be unconstitutional, but this project had already been approved. Ms. Kert stated that in 1979 the Horizon 2000 plan was amended to create areas of overlay for land potentially suited for high density residential development of up to 20 dwelling units per acre. She stated the subject property was part of that area and the Zoning Hearing Officer relied on that reasoning in approving the project. She stated this was short-lived and was gone by 1983 when the project came back for minor modifications.

Ms. Kert stated the applicant disagrees with Planning Commission's finding that property is per se compatible with surrounding areas if there is a similar use next to it. She stated the development of the area over time must be viewed to determine compatibility. She stated multifamily, if it was ever compatible in the area, is simply no longer compatible.

Ms. Kert called the applicant's planning expert to come forward.

Ms. Christie Barreiro stated she is with Heidt Design. She stated the applicant is proposing 42 single-family residential units with a minimum lot size of 7,200 square feet. She stated the subject property is 14 acres located on Lake Magdalene Boulevard south of Ehrlich Road and north of Fletcher Avenue. She stated the subject property is designated with the RES-9 Future Land Use category. Ms. Barreiro displayed the site plan the applicant submitted and pointed out the applicant is proposing a single access point at Lake Magdalene Boulevard.

Ms. Barreiro stated the applicant is proposing the project be gated with private internal streets. She stated she would submit into the record the proposed PD conditions the applicant submitted to staff. Ms. Barreiro stated the owner of the remaining parent parcel has written a letter in support of single-family development, and the applicant has a petition signed by residents on the west side of Lake Magdalene Boulevard in support of single-family development and in opposition to multifamily development.

Ms. Barreiro stated the applicant had a Zoom virtual meeting with homeowners' associations in the area and had discussions with multiple residents, including residents

adjacent to the southern property boundary. She stated the applicant agreed to allow only single-story single-family homes along the southern property boundary, which would be consistent with the homes that are existing.

Ms. Barreiro stated the Planning Commission staff found single-family use is consistent with the RES-9 Future Land Use category and that the proposed single-family detached residential development would allow development comparable to the development pattern in the surrounding area. She stated Planning Commission staff also found the proposal consistent with the neighborhood protection provisions of Objective 16 and Policies 16.1, 16.2, and 16.3 as well as Goal 2 of the Greater Carrollwood Northdale Community Plan, which seeks to reinforce community identity. She stated overall the Planning Commission staff found the proposed PD would encourage residential development that complements the character of the surrounding area.

Ms. Barreiro stated Planning Commission staff's only objection is that the proposed PD is inconsistent with Objective 1, Policy 1.2, which is the minimum density requirement because the subject property has a Future Land Use designation with density of greater than four dwelling units per acre. She stated the comprehensive plan requires that project density be at least 75 percent of allowable density. She stated the applicant believes the project complies with the Policy 1.3 exception, which states the minimum density provision does not apply if certain criteria are met.

Ms. Barreiro stated that except for the two multifamily zonings that were approved in 1971 and 1980, every other parcel in the vicinity of the subject property is lower density development. She explained that most of the properties in the area are zoned for between two and three dwelling units per acre. Ms. Barreiro stated she would submit copies of the plats into the record. Ms. Barreiro stated the proposed project is consistent with the predominantly single-family development pattern of Lake Magdalene and consistent with the plats she displayed. Ms. Barreiro stated that within a one-thousand-foot radius, there have not been any multifamily approvals in over 40 years. She added that the Lake Carlton Arms project required single-family subdivisions on the east and west of the apartment project to buffer impact on surrounding properties and the Planning Commission at the time recommended there be no multifamily access onto Lake Magdalene Boulevard. Ms. Barreiro stated the Greater Carrollwood-Northdale Community Plan seeks to preserve the existing suburban scale development pattern.

Ms. Barreiro stated the second bullet point of Policy 1.3 provides that if infrastructure is not planned or programmed to support the development, that would be another reason to not require density at 75 percent or greater. She stated one of the goals of the Greater Carrollwood-Northdale Community Plan is to preserve the existing suburban scale development pattern, and the plan identifies various activity centers and mobility corridors where higher density would be appropriate. Ms. Barreiro stated the subject property is not located near an existing or planned activity center or multilevel corridor. Ms. Barreiro stated higher density would not be appropriate since the subject property and surrounding areas are not in the activity center or mobility corridor necessitating future planned or programmed infrastructure for higher density.

Ms. Barreiro stated the third criteria for not requiring 75 percent density is if the development would have an adverse impact on environmental features on the site or adjacent to the property. She stated the subject property has no wetlands and the northeast corner of the property is the surveyed wetland boundary. She stated the subject property is adjacent to the wetland and to West Lake. She stated the proposed project would not affect the wetland area but any additional residential or development could have more environmental impacts than the existing uses today.

Ms. Barreiro stated the question is, "should the proposed PD be held to a minimum density required in the RES-9 Future Land Use category that has no basis in the Lake Magdalene area except for the two adjacent zonings to the east and west that were approved 40 and 50 years ago?" She stated alternatively, "should the Planned Development be evaluated on the consistency of the predominantly single-family development pattern and the density of the Greater Lake Magdalene area that exists today?" Ms. Barreiro stated the second standard is most appropriate and that the proposed PD density meets one or more of the Policy 1.3 exceptions.

Ms. Barreiro stated suburban scale density is desired and encouraged within the Greater Carrollwood-Northdale Community Plan and the applicant has received feedback from residents and associations in support of the proposed PD and opposed to higher density. She stated Planning Commission has found the proposed PD would be compatible with adjacent uses and the general development plan of the Lake Magdalene area. She stated the proposed PD would achieve a density closer to the minimum requirement under the current Future Land Use category than if the property were developed in its existing zoning designation of RSC-4. She stated in this regard the proposed PD demonstrates a greater consistency with the comprehensive plan than currently exists while still being compatible with the Greater Carrollwood-Northdale plan.

The hearing officer asked Ms. Barreiro about her credentials and whether she was a certified planner. Ms. Barreiro confirmed she was a certified planner. The hearing officer asked Ms. Barreiro whether, under the fifth bullet point of Policy 1.3, the rezoning is restricted to agricultural uses. Ms. Barreiro confirmed that bullet point was not applicable. The hearing officer asked Ms. Barreiro whether, under the fourth bullet point of Policy 1.3, the subject property is not in a Coastal High Hazard Area. Ms. Barreiro confirmed the subject parcel is not in a Coastal High Hazard Area.

The hearing officer asked Ms. Barreiro whether it was her testimony that, under the third bullet point of Policy 1.3, if development met the 75 percent minimum density it would likely have impacts on environmental features. Ms. Barreiro stated she is not an environmental scientist but was only stating that 42 residential units would have less of an impact than 94 or 126 residential units. The hearing officer asked why that would be the case and whether Ms. Barreiro was referring to drainage. Ms. Barreiro stated, "no" and explained that with proper planning and construction and other approvals the drainage would be consistent with all requirements.

The hearing officer asked Ms. Barreiro if the second bullet point of Policy 1.3 was applicable regarding whether infrastructure, including but not limited to water, sewer, stormwater, and transportation is not planned or programmed to support development. Ms. Barreiro stated there is water and sewer in the area and that Mr. Henry was present to answer any specific transportation questions. She stated she wanted to point out that in addition to the infrastructure elements she felt the Greater Carrollwood-Northdale Community Plan should also be considered because that plan states there should be compatible, comparable uses and in more recent history the area of Lake Magdalene has been built out as more single-family detached than multifamily.

The hearing officer asked Ms. Barreiro if the first bullet point of Policy 1.3 was applicable regarding whether density of at least 75 percent of the land use category or greater would not be compatible as defined in Policy 1.4 and would adversely impact the existing development pattern within a 1,000-foot radius. Ms. Barreiro stated the Planning Commission found single-family detached was not incompatible with the surrounding development but was not consistent with Policy 1.2. She stated since single-family is compatible with the area it is also consistent with Policy 1.3 for the reasons stated.

The hearing officer asked Ms. Barreiro to confirm she was not stating that development at a density of 75 percent would not be compatible but that single-family homes at the lower density is compatible. Ms. Barreiro confirmed that was correct.

The hearing officer asked Ms. Kert whether the applicant needed more time. Ms. Kert stated there were people present to speak on the project and the applicant would like the opportunity for rebuttal afterwards.

Development Services Department

Mr. Kevie Defranc, Hillsborough County Development Services Department, presented a summary of the findings and analysis as detailed in the staff report previously submitted into the record.

Planning Commission

Ms. Melissa Lienhard, Hillsborough County City-County Planning Commission, presented a summary of the findings and analysis as detailed in the Planning Commission report previously submitted into the record.

Proponents

The hearing officer asked whether there was anyone at the hearing in person or online to speak in support of the application.

Opponents

The hearing officer asked whether there was anyone at the hearing in person or online to speak in opposition to the application.

Mr. Stanley O'Neal stated he resides in one of the two original communities that were built in the area. He stated there is a proposed fire substation for the Lake Magdalene

area and that just goes to show the uncontrolled growth in the area. He stated he does not believe the Lake Magdalene area should be compared to Northdale or Carrollwood because it is more remote. He stated this is one of the last remaining undeveloped pieces of land in that area. He stated traffic will be negatively impacted and compared to what traffic was 50 years ago it is very dangerous even to walk on the sidewalk. He stated three weeks ago a car ran off the road and if there had been pedestrians there would have been deaths. He stated that is happening more frequently. He stated this is a pristine, beautiful area and we do not need continued development of this type in the area.

Ms. Pamela Hannam stated she is a professional athlete, and she walks past the subject property every day. She stated it is a beautiful old pasture with old growth and a tremendous amount of wildlife. She stated the developers feel everything should be under 6 inches of concrete and six stories high. She stated the subject property should be left as is and turned into a wildlife sanctuary where birds and animals actually live and can be viewed by the public who live in the neighborhood. She stated it is a quiet, beautiful neighborhood and it does not need 43 or 143 or a million and 43 ugly little houses stuck on a piece of property. She stated she understood the owners of the property need to be rightly compensated to leave their land pristine. She stated she just came out of San Diego and some of the most beautiful land there is now under 6 inches of concrete with houses that are a foot apart, and that has destroyed the place. She stated let's not destroy any more of Tampa and this is a beautiful neighborhood that needs to be left as is.

Ms. Madonna McDermott stated the orange grove is in her backyard. She stated she is not familiar with the numbers and it has been like watching paint dry. She stated no one contacted her. She stated her property borders the growth. She stated she has lived there since 1980. She stated there are gopher tortoise and sandhill cranes and coyotes and hawks. She stated it is a beautiful orange grove. She asked "Can't we put something there to fix this?" "How come the Halls aren't here, they are the owners?" She stated "they already have seven different places up by Northdale, why do they want ours?" She asked "why are they here and the Halls are not here" Have they already decided that they're going to develop it?" She stated she was confused and asked if someone could explain to her. The hearing officer told Ms. McDermott to state her testimony. Ms. McDermott stated she was finished.

Mr. Andrew R. Lavin stated he loves the orange grove. He stated he understood it is in decline and it used to be harvested but now is not. He stated there is a lot of wildlife there and it should be used as a public park.

Development Services Department

Mr. Grady stated Development Services Department had nothing further.

Applicant Rebuttal

Mr. Michael Brooks stated he is co-counsel with Rebecca Kert. He stated he wanted Steve Henry to make a presentation for the record and Mr. Henry is author of the design exception that is part of the application. Mr. Brooks stated none of the opponents spoke

about transportation, but they did talk about preservation. He stated he wanted Mr. Henry to be on the record.

Mr. Steve Henry stated the applicant submitted a design exception for Lake Magdalene Boulevard and that it does not meet the current transportation technical manual standards. He stated the exception has been deemed approvable. He stated the applicant is mitigating for the exception by constructing a 10-foot sidewalk on the east side of Lake Magdalene from the proposed project south the Fletcher Avenue. He stated if the road were widened to 12 feet and paved shoulders were added, that would increase the speed on the road. He stated the applicant did not want to increase the speeds. Mr. Henry stated instead of improving the road the applicant will add pedestrian features consisting of the 10-foot sidewalk on the east side of the road. He stated as part of the design exception the applicant looked at the level of service and found the roadway does operate at an acceptable level of service today and will continue to operate at an acceptable level of service with the proposed project.

Mr. Brooks stated he appreciated the questions the hearing officer asked the applicant's planning expert. He stated the applicant did a tremendous amount of digging into the history of the subject property. He stated the Hall family has owned the subject property for close to 100 years and were one of the primary opponents of the Carlton Arms project at the time. He stated they could have sold the subject property for more units and maximized that, but that is not their goal. He stated the Hall family does not believe that would be a compatible use of the property.

Mr. Brooks stated it is interesting to talk about the exceptions and the Planning Commission is looking east and west of the subject property. He stated the applicant is talking about whether anywhere in the area, all the subdivisions date back into the 1970s. He stated the applicant submitted a record of the plats under the original R-1 zoning designation, and into the Horizon plan there were 7,000-square-foot lot minimums. He stated most of those lots are a little larger than what the applicant is proposing. He stated looking north and south of the subject property there is a single-family subdivision to the south. He stated one of those residents was at the hearing and spoke. Mr. Brooks stated the applicant has been in contact with at least one other person. He stated to improve compatibility the applicant is proposing a condition to require single story along that boundary.

Mr. Brooks stated looking north of the subject property it is Residential-4. He stated this is the conundrum. He asked, "what is consistent—how do you achieve the greatest consistency of the Comp Plan?" He stated, "you build it at the RES-4 standards, or do you allow something that is closer to what the historical buildout of that area beginning back in the 1970s was?" He stated the applicant believes it is the latter.

Mr. Brooks stated north-south versus east-west is a very important point. He stated looking at Carlton Arms, it is adjacent, but Planning Commission stated that was a different time and a different code. He stated to get support for Carlton arms the developer

conceded to build single-family to buffer it from Lake Magdalene Boulevard and not have direct access.

Mr. Brooks stated sometimes the Planning Commission must take unpopular positions. He stated the applicant did not want to ask for 90 units on the subject property where many of the opponents have talked about preservation. He stated that is not an option. He stated what is an option is developing a consistent buildout. He stated the subject property is the last vacant tract in the greater area on that segment of Lake Magdalene. He stated where the hearing officer should look for consistency is the first bullet point, the development adjacent to the subject property.

Mr. Brooks stated there are 60 signatures in support that were submitted into the record. He stated the signers are not only in support but are specifically in opposition to multifamily. He stated one of those was from the Hall family. Mr. Brooks stated this is a difficult case and the only outcome that achieves the greatest consistency with the comprehensive plan is the applicant's proposal.

C. EVIDENCE SUMBITTED

Ms. Christie Barreiro submitted into the record at the hearing a copy of the conditions of approval; a letter from Hall Family Holdings, Ltd; a petition signed by neighboring property owners requesting the subject property be developed in single-family homes; a copy of the Greater Carrollwood-Northdale Community Plan; details of Lake Magdalene area historical development pattern with plat maps; presentation slides.

Mr. Steve Henry submitted into the record at the hearing an aerial view of the subject property showing an area of proposed 1,800 linear feet of 10-foot-wide sidewalk from the project access point on Lake Magdalene Boulevard south to West Fletcher Avenue.

D. FINDINGS OF FACT

- The subject property consists of approximately 14 acres located at 13515 Lake Magdalene Boulevard, east of the Ehrlich Road and Lake Magdalene Boulevard intersection.
- 2. The subject property is designated RES-9 on the *Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County* Future Land Use Map. The subject property is within the boundaries of the Greater Carrollwood-Northdale Community Plan and is in the Urban Services Area.
- 3. The applicant has requested to rezone the subject property from RSC-4 to PD 21-0314 to allow development of a residential subdivision with a maximum of 42 single-family detached dwellings on lots with a minimum area of 7,200 square feet.
- 4. The applicant has not requested variances to the Land Development Code (LDC).

- 5. The surrounding area consists of single-family detached and multi-family residential developments. The proposed rezoning to allow a residential subdivision with a maximum of 42 single-family detached dwellings is compatible with the surrounding development pattern and consistent with the vision of the Greater Carrollwood Community Plan.
- 6. The proposed rezoning is not consistent with comprehensive plan Future Land Use Policy 1.2, which requires new development in the Urban Services Area to occur at 75 percent of density allowed in the applicable land use category unless the development meets the criteria of Policy 1.3.
- 7. The minimum allowable density applicable to the subject property is 94 dwelling units. Future Land Use Policy 1.3 provides an exception to the minimum density provision of Policy 1.2 where one or more of the enumerated criteria are met.
- 8. The first criterion of Policy 1.3 provides "Development at a density of 75% of the category or greater would not be compatible (as defined in Policy 1.4) and would adversely impact with the existing development pattern within a 1,000 foot radius of the proposed development." Planning Commission staff and the applicant's expert opined that development at the proposed density of 42 single-family units would be compatible with surrounding development. However, this is not the standard set in the first criterion of Policy 1.3. The standard is not whether development lower than 75% of the land use category would be compatible with surrounding development; but rather whether development at 75% of the land use category or greater would not be compatible and would adversely impact surrounding development. Planning Commission staff opined that development at 75% of the future land use category would be compatible with surrounding development. The applicant's planning expert did not refute this. To the contrary, she testified she was not stating development at a density of 75 percent of the future land use category would not be compatible. There is no competent substantial evidence in the record demonstrating that development at a density of 75% of the future land use category or greater would not be compatible and would adversely impact the existing development pattern within a 1,000-foot radius of the proposed development. The proposed development does not meet this criterion.
- 9. The second criterion of Policy 1.3 provides "Infrastructure (including but not limited to water, sewer, stormwater and transportation) is not planned or programmed to support development." The staff report states potable water and wastewater are available to the subject property and the project will be required to connect. The applicant's planning expert agreed public water and sewer infrastructure exist. The staff report states transit service is conveniently located to serve the subject property. The applicant's transportation expert testified that Lake Magdalene Boulevard operates at an acceptable level of service and will continue to operate at an acceptable level of service with the proposed project of 42 single-family homes. The applicant's planning expert testified higher density would not be appropriate since the subject property and surrounding areas are not in an activity

center or mobility corridor that would necessitate future planned or programmed infrastructure for higher density. However, the Policy 1.3 exception a showing that infrastructure (including but not limited to water, sewer, stormwater and transportation) is not planned or programmed to support development. There is no competent substantial evidence in the record demonstrating that infrastructure is not planned or programmed to support development of the subject property at 75% of the future land use category. The proposed development does not meet this criterion.

- 10. The third criterion of Policy 1.3 provides "Development would have an adverse impact on environmental features on the site or adjacent to the property." The staff report stated the Environmental Protection Commission found West Lake is outside the project boundary and a wetland area exists in the northern portion of the folio. The applicant's planning expert testified there are no wetlands on the subject property within the project boundary. She stated she is not an environmental scientist, but she opined that 42 residential units would have less of an impact than 94 or 126 residential units. She stated with proper planning and construction the drainage will be consistent with all requirements. There is no competent substantial evidence in the record demonstrating that development of the subject property at 75% of the future land use category would have an adverse impact on environmental features on or adjacent to the subject property. The proposed development does not meet this criterion.
- 11. The fourth and fifth criteria of Policy 1.3 respectively provide an exception if the site is in the Coastal High Hazard Area or the rezoning is restricted to agricultural uses and would not permit the further subdivision for residential lots. The applicant's planning expert testified these two criteria do not apply to the proposed development or the subject property. There is no competent substantial evidence in the record demonstrating that the subject property is in the Coastal High Hazard Area or the rezoning is restricted to agricultural uses. The proposed development does not meet these two criteria.
- 12. A development meeting the Policy 1.2 minimum allowable density requirement would be compatible with the surrounding development pattern and would not adversely impact the existing development pattern within a 1,000-foot radius of the proposed development.

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

The rezoning request is not in compliance with, and does not further the intent of the Goals, Objectives, and Policies of the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County.

F. CONCLUSIONS OF LAW

A development order is consistent with the comprehensive plan if "the land uses, densities or intensities, and other aspects of development permitted by such order...are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government." § 163.3194(3)(a), Fla. Stat. (2020). Based on the evidence and testimony submitted in the record and at the hearing, including reports and testimony of Development Services Staff and Planning Commission staff, applicant's testimony and evidence, there is substantial competent evidence demonstrating the requested rezoning is inconsistent with the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County, and does not comply with the applicable requirements of the Hillsborough County Land Development Code.

G. SUMMARY

The applicant has requested to rezone the subject property from RSC-4 to PD 21-0314 to allow development of a residential subdivision with a maximum of 42 single-family detached dwellings on lots with a minimum area of 7,200 square feet. The rezoning request does not meet the minimum density requirements of Future Land Use Element Policy 1.2 and would undermine the intent of the Urban Service Area policies. The rezoning request does not meet the exception criteria of Policy 1.3.

H. RECOMMENDATION

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

Pamela Jo Hatley June 7, 2021 Date:

Pamela Jo Hatley PhD. 9D

Land Use Hearing Officer



Unincorporated Hillsborough County Rezoning			
Hearing Date: May 17, 2021	Petition: PD 21-0314		
Report Prepared: May 6, 2021	East of the Lake Magdalene Boulevard and Ehrlich Road intersection		
Summary Data:			
Comprehensive Plan Finding:	INCONSISTENT		
Adopted Future Land Use:	Residential-9 (9 du/ga; 0.50 FAR)		
Service Area:	Urban		
Community Plan:	Greater Carrollwood-Northdale		
Requested Zoning:	Residential Single-Family Conventional-4 (RSC-4) to Planned Development (PD) to allow for up to 42 detached single family lots with a minimum lot size of 7,200 sq. ft.		
Parcel Size (Approx.):	14.01 +/- acres		
Street Functional Classification:	Ehrilich Road– Local Lake Magdalene Boulevard – Local		
Locational Criteria:	N/A (requests residential development)		
Evacuation Area:	The site is not within an Evacuation Zone.		



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

Context

- The subject property is located on approximately 14.01 acres east of the Lake Magdalene Boulevard and Ehrlich Road intersection. The subject property is within the limits of the Greater Northdale Community Plan and the Urban Service Area.
- The subject property is designated as Residential-9 (RES-9) on the Future Land Use Map. Typical uses within the RES-9 Future Land Use category include residential, urban scale neighborhood commercial, office uses, multi-purpose projects and mixed-use development. Non-residential uses shall meet established locational criteria for specific land use. Agricultural uses may be permitted pursuant to policies in the agricultural objective areas of the Future Land Use Element.
- The Residential-9 (RES-9) Future Land Use category is located immediately to the east of the subject site. Residential-4 (RES-4) is located immediately north and immediately to the south. Residential-9 (RES-9) and Public/Quasi-Public (P/QP) are located to the west.
- The subject property and the site to the north are currently classified as agricultural with Residential Single-Family Conventional-4 (RSC-4) zoning. A multi-family development is located to the east with Planned Development (PD) zoning. Single-family lots with Planned Development (PD) are located to the south. Multi-family, public institution and a school are located to the west across Lake Magdalene Boulevard with Planned Development (PD) and Residential Single-Family Conventional-6 (RSC-6) zoning.
- The applicant requests to rezone the subject property from Residential Single-Family Conventional-6 (RSC-6) to Planned Development (PD) to allow for up to 42 single family lots with a minimum lot size of 7,200 sq. ft.

Compliance with Comprehensive Plan:

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

Future Land Use Element

Urban Service Area (USA)

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

Policy 1.2: 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 1.3: Within the USA and within land use categories permitting 4 du/ga or greater, new rezoning approvals for residential development of less than 75% of the allowable density of the land use category will be permitted only in cases where one or more of the following criteria are found to be meet:

- Development at a density of 75% of the category or greater would not be compatible (as defined in Policy 1.4) and would adversely impact with the existing development pattern within a 1,000 foot radius of the proposed development;
- Infrastructure (Including but not limited to water, sewer, stormwater and transportation) is not planned or programmed to support development.
- Development would have an adverse impact on environmental features on the site or adjacent to the property.
- The site is located in the Coastal High Hazard Area.
- The rezoning is restricted to agricultural uses and would not permit the further subdivision for residential lots.

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.

Objective 6: The concept plan is the overall, conceptual basis for the long range, Comprehensive Plan, and all plan amendments must be consistent with, and further the intent of the concept plan, which advocates focused clusters of growth connected by corridors that efficiently move goods and people between each of the activity centers.

Relationship to Land Development Regulations

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

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

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

Provision of Public Facilities-Transportation

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

Neighborhood/Community Development

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

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

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

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

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

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

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

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 16.13: Medium and high density residential and mixed-use development is encouraged to be located along transit emphasis corridors, potential transit corridors on the MPO 2050 Transit Concept Map and collector and arterial roadways within the Urban Service Area.

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 12-1.1: Lots on the edges of new developments that have both a physical and visual relationship to adjacent property that is parceled or developed at a lower density should mitigate such impact with substantial buffering and/or compatible lot sizes.

5.2 URBAN/SUBURBAN

Goal 13: Make it possible to develop in a traditional urban pattern in designated urbanizing areas of the County.

13-1.4: Where conditions permit, design communities around a grid network of streets, or a modified grid, which will improve interconnections between neighborhoods and surrounding neighborhood-serving uses.

Conservation and Aquifer Recharge Element

Wetlands and Floodplain Resources

Objective 4: The County shall continue to apply a comprehensive planning-based approach to the protection of wetland ecosystems assuring no net loss of ecological values provided by the functions performed by wetlands and other surface waters authorized for projects in Hillsborough County, consistent with the Uniform Mitigation Assessment Method. The County shall work with the Environmental Protection Commission, the Southwest Florida Water Management District, the Florida Department of Environmental Protection, and the Tampa Bay Estuary Program to achieve a measurable annual increase in ecological values provided by the functions performed by wetlands and other surface waters. It shall be the County's intent to maintain optimum wetland functions as well as acreage.

Policy 4.1: The County shall, through the land use planning and development review processes, and in cooperation with the Environmental Protection Commission, continue to conserve and protect wetlands from detrimental physical and hydrological alteration.

Policy 4.3: The County shall, through the land planning and development review processes, and in cooperation with the Environmental Protection Commission, continue to prohibit unmitigated encroachment into wetlands.

Policy 4.12: Priority shall be given to avoiding the disturbance of wetlands in the County and to encourage their use only for purposes which are compatible with their natural functions and environmental benefits.

Policy 4.13: Development which impacts wetlands may be deemed appropriate only as a last resort; where:

- 1. reasonable use of the property is otherwise unavailable and/or onsite preservation of a functioning wetland system is deemed unsustainable;
- 2. the adverse impact is offset by the benefit of the development to the public such that it is reasonable, in the public interest and an acceptable mitigation plan is proposed.

This determination shall be made by Hillsborough County and/or the Environmental Protection Commission of Hillsborough County.

Policy 4.14: The development review process, part of a comprehensive program for the protection of wetlands, shall make every effort to maintain natural undisturbed wetlands by way of a sequential review process that first evaluates all means of avoiding wetland impacts in regard to a particular

project; if necessary, secondly, evaluates and requires measures to minimize wetland impacts; and if necessary, thirdly, evaluates and requires the mitigation of wetland impacts.

Livable Communities Element

Greater Carrollwood-Northdale

2. Community Design/Culture

Maintain and enhance community pride by promoting the areas' history, culture and volunteerism while preserving each community's value and unique character. As the area redevelops it is important that the existing residential neighborhoods remain suburban in nature.

Goal 2: Reinforce community identity through maintenance and enhancement of the community's unique characteristics, assets and physical appearance.

Strategies:

- Promote focal points and landmarks that reflect the uniqueness of each neighborhood within community area.
- New development and redevelopment shall use compatibility design techniques to ensure the appearance (architectural style), mass and scale of development is integrated with the existing suburban nature of each neighborhood. (i.e. transitions, buffers etc).

Staff Analysis of Goals Objectives and Policies:

The subject property is located on approximately 14.01 acres east of the Lake Magdalene Boulevard and Ehrlich Road intersection. The subject property is within the limits of the Greater Northdale Community Plan and the Urban Service Area. The applicant requests to rezone the subject property from Residential Single-Family Conventional-4 (RSC-4) to Planned Development (PD) to allow for up to 42 single family lots with a minimum lot size of 7,200 sq. ft.

The subject property is designated Residential-9 (RES-9) on the Future Land Use Map. The intent of the RES-9 Future Land Use category is to designate areas that are suitable for low-medium density residential, as well as urban scale neighborhood commercial, office, multi-purpose projects, and mixed-use developments when in compliance with the Goals, Objectives, and Policies of the Future Land Use Element and applicable development regulations and locational criteria for specific land use.

The proposed single-family uses are consistent with the RES-9 Future Land Use category. The subject property is surrounded predominantly by single-family and multi-family development. However, RES-9 is designated as suitable for low-medium density residential development. The maximum allowable density for the subject property is 126 dwelling units. The minimum allowable density is 94 dwelling units. The applicant is proposing 42 single-family detached units. The subject property is located in the Urban Service Area, where 80% or more of new growth is directed per the Comprehensive Plan (Objective 1, FLUE). The application is not meeting minimum density requirements.

The applicant seeks an exception to the minimum density requirement as outlined in Policy 1.3 (FLUE). The applicant provides a significant amount of historical information concerning the land use categories in the area. The applicant also states that meeting minimum density requirements would result in a multi-family development that would not

be compatible with the residential development pattern in the area. Staff acknowledges that the proposed single-family detached residential development would allow development comparable to the development pattern in the surrounding area. However, multi-family is located immediately to the east and west across Lake Magdalene Boulevard to the west. Multi-family development would not be incompatible with the existing development pattern.

The proposed single-family residential development is consistent with Objective 16 and Policies 16.1, 16.2 and 16.3. The applicant also requests an access on to Lake Magdalene Boulevard and provides for internal circulation which is consistent with Policy 16.7 (FLUE). However, the application is not consistent with Objective 1 and Policy 1.2 (FLUE) because it does not meet minimum density requirements and does not satisfy the compatibility exception outlined in Policy 1.3 (FLUE).

The request is consistent with Goal 2 of the Greater Carrollwood-Northdale Community Plan which seeks to reinforce community identity through maintenance and enhancement of the community's unique characteristics, assets and physical appearance. New development and redevelopment are required to use compatibility design techniques to ensure the appearance (architectural style), mass and scale of development is integrated with the existing suburban nature of each neighborhood. The proposed residential development is comparable and compatible to the development pattern in the area and is consistent with the vision of the Community Plan.

The Environmental Protection Commission (EPC) Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again.

Overall, Planning Commission staff finds the proposed Planned Development would encourage residential development that complements the surrounding character and promotes the vision of the Greater Carrollwood Northdale Community Plan. However, the proposed Planned Development does not meet minimum density requirements and would directly undermine the intent of Urban Service Area (USA) policies in the Future Land Use Element of the *Unincorporated Hillsborough County Comprehensive Plan*.

Recommendation

Based upon the above considerations, Planning Commission staff finds the proposed Planned Development **INCONSISTENT** with the Future of *Hillsborough Comprehensive Plan for Unincorporated Hillsborough County*, subject to the conditions of the Development Services Department.

¹ CPA 10-17 - Clarification of Policies on Minimum Densities

HILLSBOROUGH COUNTY **FUTURE LAND USE**

RZ PD 21-0314

AGRICULTURAL ESTATE-1/2.5 (.25 FAR)

RESIDENTIAL-2 (.25 FAR)

RESIDENTIAL PLANNED-2 (.35 FAR) RESIDENTIAL-4 (.25 FAR)

RESIDENTIAL-6 (.25 FAR)

RESIDENTIAL-12 (.35 FAR)

RESIDENTIAL-20 (.35 FAR) RESIDENTIAL-35 (1.0 FAR)

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

COMMUNITY MIXED USE-12 (.50 FAR) SUBURBAN MIXED USE-6 (.35 FAR) URBAN MIXED USE-20 (1.0 FAR)

REGIONAL MIXED USE-35 (2.0 FAR)

RESEARCH CORPORATE PARK (1.0 FAR)

ENERGY INDUSTRIAL PARK (50 FAR USES OTHER THAN RETAIL, .: FAR RETAIL/COMMERCE)

LIGHT INDUSTRIAL PLANNED (.50 FAR)

WIMAUMA VILLAGE RESIDENTIAL-2 (.25 FAR) NATURAL PRESERVATION PUBLIC/QUASI-PUBLIC

1,710 1,140

2,280

Map Printed from Rezoning System: 3/10/2021

ake Ellen Ln

GENERAL SITE PLAN FOR CERTIFICATION



DEVELOPMENT SERVICES

PO Box 1110, Tampa, FL 33601-1110

HILLSBOROUGH COUNTY DEVELOPMENT SERVICES DEPARTMENT

GENERAL SITE PLAN REVIEW/CERTIFICATION

BOARD OF COUNTY COMMISSIONERS

Harry Cohen
Ken Hagan
Pat Kemp
Gwendolyn "Gwen" Myers
Kimberly Overman
Mariella Smith
Stacy R. White
COUNTY ADMINISTRATOR
Bonnie M. Wise
COUNTY ATTORNEY
Christine M. Beck

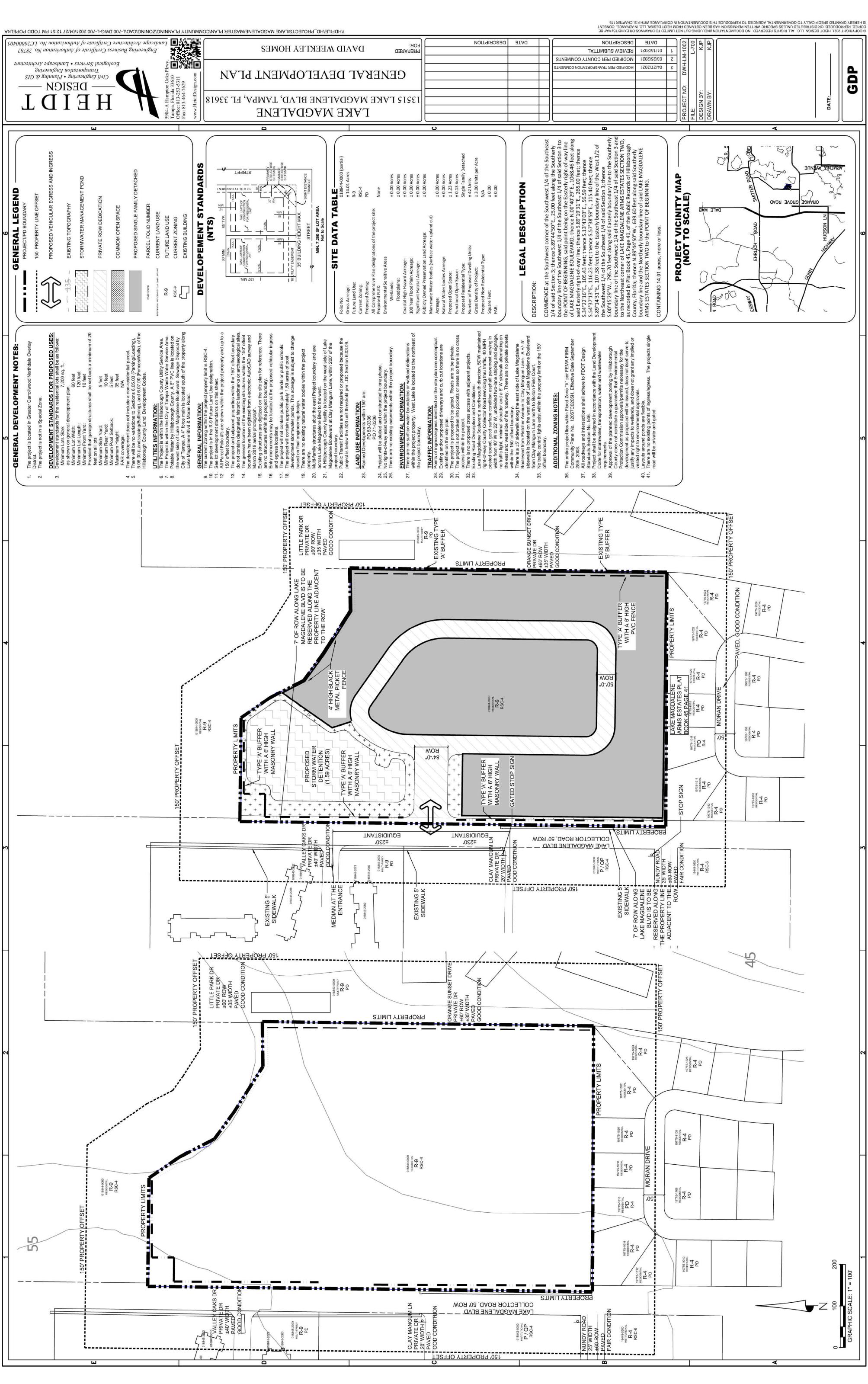
DEPUTY COUNTY ADMINISTRATOR

Lucia E. Garsys

Peggy Caskey

INTERNAL AUDITOR

Project Name:		_
Zoning File:	Modification:	_
Atlas Page:	Submitted:	_
To Planner for Review:	Date Due:	_
Contact Person:	Phone:	_
Right-Of-Way or Land Require	ed for Dedication: Yes No	
() The Development Services Do	epartment HAS NO OBJECTION to this General Site Plan.	
() The Development Services De following reasons:	epartment RECOMMENDS DISAPPROVAL of this General S	Site Plan for the
Reviewed by:	Date:	_
Date Agent/Owner notified of I	Disapproval:	



AGENCY COMMNENTS

AGENCY REVIEW COMMENT SHEET

DATE: 5/5/2021 Revised: 5/5/2021

AGENCY/DEPT: Transportation

TO: Zoning Technician, Development Services Department

PLANNING AREA/SECTOR: GCN/ Northwest PETITION NO: RZ 21-0314

	This agency has no comments.
	This agency has no objection.
X	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

REVIEWER: Richard Perez, AICP

- The proposed rezoning is anticipated to decrease the number of trips potentially generated by development of the subject parcel.
- Lake Magdalene Blvd. is a substandard collector roadway. The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. design exception request (on March 1, 2021). The request was found approvable by the County Engineer on March 26, 2021. If the design exception is approved, improvements will be limited to constructing a 10-foot sidewalk on the eastside of Lake Magdalene Blvd. from the proposed project access to Fletcher Ave. If the rezoning is approved, the County Engineer will approve the design exception.
- The applicant is preserving 7 feet of right-of-way along project frontage on Lake Magdalene Blvd.
- Transportation Review Section staff has no objection to the proposed rezoning, subject to the conditions proposed hereinbelow.

CONDITIONS OF APPROVAL

1. If the RZ 21-0314 is approved, the County Engineer will approve a Section 6.04.02. B. Design Exception (dated March 1, 2021) from the Section 6.02.07 requirement to improve certain portions of Lake Magdalene Blvd., a substandard collector roadway, to current County standards. Approval of the Design Exception, which was found approvable by the County Engineer on March 26, 2021, will result in improvements limited to constructing a 10-foot sidewalk on the eastside of Lake Magdalene Blvd. from the proposed project access to Fletcher Ave.

PROJECT SUMMARY AND ANALYSIS

The applicant is requesting a rezoning of a portion of a single parcel, totaling +/- 14 ac., from Residential, Single-Family Conventional – 4 (RSC-4) to Planned Development (PD). The applicant is seeking entitlements for up to 42 single-family detached dwelling units.

As required by the Development Review Procedures Manual (DRPM), the applicant submitted a transportation analysis for the subject property. Utilizing data from the Institute of Transportation Engineer's <u>Trip Generation Manual</u>, 10th Edition, and based upon a generalized worst-case scenario, staff

has prepared a comparison of the trip generation potential at project buildout under the existing and proposed zoning designations.

Existing Use:

Land Use/Size	24 Hour Two-Way	Total Peak hour Trips	
	Volume	AM	PM
RSC-4, 56 Single Family Detached Dwelling Units (ITE LUC 210)	529	42	55

Proposed Use:

Land Use/Size	24 Hour Two-Way	Total Peak Hour Trips	
2440 330 320	Volume	AM	PM
PD, 42 Single Family Detached Dwelling Units (ITE LUC 210)	369	31	42

Trip Generation Difference:

Land Use/Size	24 Hour Two-Way	Total Peak Hour Trips	
Edita 650/612	Volume	AM	PM
Difference	(-) 160	(-) 11	(-) 13

TRANSPORTATION INFRASTRUCTURE SERVING THE SITE

Lake Magdalene Blvd. is a 2-lane, undivided, substandard, collector roadway characterized by +/- 10 to 11-foot wide travel lanes in good condition. Along the project's frontage, the roadway lies within a +/- 60-foot wide right-of-way. There is a +/- 5-foot wide sidewalk along the west of the project frontage along Lake Magdalene Blvd. There are no bicycle facilities (or paved shoulders) along Lake Magdalene Blvd. in the vicinity of the proposed project.

The applicant is preserving 7 feet of right-of-way along project frontage on Lake Magdalene Blvd as depicted on the PD site plan.

SITE ACCESS AND CONNECTIVITY

Access to site will be via a single access connection to Lake Magdalene Blvd. Given the relatively low trip generation potential of the project, turn lanes are not warranted per Section 6.04.04.D. of the LDC.

REQUESTED DESIGN EXCEPTION

Lake Magdalene Blvd. is a substandard collector roadway. The applicant's Engineer of Record (EOR) submitted a Section 6.04.02.B. Design Exception Request (dated March 1, 2021) from the Section 6.02.07 LDC requirement to improve the roadway (between the project driveway and nearest standard roadway) to current Hillsborough County Transportation Technical Manual (TTM) standards. Based on factors presented in the Design Exception Request, the County Engineer found the request approvable on March 26, 2021. If this rezoning is approved, the County Engineer will approve the above referenced Design Exception request. The Design Exception will result in construction of a 10-foot sidewalk on the eastside of Lake Magdalene Blvd. from the proposed project access to Fletcher Ave.

ROADWAY LEVEL OF SERVICE

Level of Service (LOS) information for adjacent roadway sections is reported below.

Roadway	From	То	LOS Standard	Peak Hour Directional LOS
Lake Magdalene Blvd.	Bearss Ave.	Ehrlich Rd.	D	С

Source: Hillsborough County 2019 Level of Service Report.

From: Williams, Michael

Sent: Thursday, May 6, 2021 8:34 AM **To:** Grady, Brian; Moreda, Joe

Cc: Defranc, Kevie

Subject: RE: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314

Brian – you are correct, I should have said DE.

From: Grady, Brian < GradyB@HillsboroughCounty.ORG>

Sent: Thursday, May 6, 2021 8:15 AM

To: Williams, Michael < Williams M@Hillsborough County. ORG>; Moreda, Joe < Moreda J@Hillsborough County. ORG>

Cc: Defranc, Kevie < Defranck@hillsboroughcounty.org>

Subject: RE: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314

Mike,

I assume the reference to Variance below, you meant DE as the staff report indicates DE. Thanks.

J. Brian Grady

Executive Planner

Development Services Department

P: (813) 276-8343

E: GradyB@HCFLGov.net

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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From: Williams, Michael < Williams M@Hillsborough County. ORG >

Sent: Wednesday, April 28, 2021 6:54 PM

To: Grady, Brian < GradyB@HillsboroughCounty.ORG >; Moreda, Joe < MoredaJ@HillsboroughCounty.ORG >

Cc: Defranc, Kevie < Defranck@hillsboroughcounty.org >

Subject: RE: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314

Joe,

For 94 SFD they would be required to build a left turn lane into the site in accordance with the LDC. Capacity of the road would be good and the Variance would likely still be acceptable. The left turn lane would be difficult to build as there is limited ROW in that corridor. Also, it is very unlikely they could build 94 SFD lots with the size of the site and the stormwater challenges.

Townhomes and multifamily (2-story) are classified the same in ITE for trip generation purposes. When 94 TH/MF units were calculated the numbers were a little bit higher than 42 SFD (35 versus 28 entering vehicles in the PM peak), but not enough to require turn lanes or to change the substandard road determination.

Mike

From: Grady, Brian < GradyB@HillsboroughCounty.ORG>

Sent: Wednesday, April 28, 2021 4:37 PM

To: Moreda, Joe < MoredaJ@HillsboroughCounty.ORG>; Williams, Michael < WilliamsM@HillsboroughCounty.ORG>

Cc: Defranc, Kevie < DefrancK@hillsboroughcounty.org >

Subject: RE: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314

Mike,

The Planning Commission as advised that for consistency purposes the application need another 52 units for a total of 94 units. Therefore, please advise on impacts for a project with a total of 94 units versus the 42 requested. Right now they are asking for single-family detached. Realistically, Townhomes would seem to be the more viable option for a 94 unit project. Not sure what, if any, difference there would be between 94 SFD, 94 TH or 94 multi-family, but we probably need to know if it does make a difference. Thanks.

J. Brian Grady

Executive Planner

Development Services Department

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W: HCFLGov.net

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From: Moreda, Joe < <u>MoredaJ@HillsboroughCounty.ORG</u>>

Sent: Wednesday, April 28, 2021 4:05 PM

To: Williams, Michael < Williams M@Hillsborough County. ORG >

Cc: Grady, Brian < GradyB@HillsboroughCounty.ORG>; Defranc, Kevie < DefrancK@hillsboroughcounty.org>

Subject: RE: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314

Hi Mike. I stand corrected. The unit count to meet min density is more like 50. I'll ask Brian / Kevie to provide more detail. The applicant is asserting the higher number to meet min density of the Comp Plan may/will generate transportation issues. It will be critical to understand the transportation elements of the added density. Thank you for your assistance.

From: Williams, Michael < Williams M@Hillsborough County. ORG >

Sent: Tuesday, April 27, 2021 6:00 PM

To: Moreda, Joe < MoredaJ@HillsboroughCounty.ORG >

Cc: Gormly, Adam < <u>Gormlya@HillsboroughCounty.ORG</u>>; Grady, Brian < <u>GradyB@HillsboroughCounty.ORG</u>>; Perez, Richard < <u>PerezRL@hillsboroughcounty.org</u>>; Defranc, Kevie < <u>DefrancK@hillsboroughcounty.org</u>>; Tirado, Sheida < <u>TiradoS@hillsboroughcounty.org</u>>

Subject: RE: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314

Joe,

According to the Level of Service Report, Lake Magdalene Blvd. operates at LOS C, meaning there is excess capacity since the standard for that road is LOS D. Adding 20 units would be approximately 48% more units than what is currently proposed. With these additional units, turn lanes into the project would still not be required and the number of access connections required by the LDC would be unchanged. Substandard road improvements, that were the subject of a design exception that was found to be Approvable, would not be impacted by 20 additional units.

One concern may be stormwater. This site will be challenging from a stormwater perspective because there are floodplain impacts that need to be addressed and could prevent getting certain densities.

Mike

From: Moreda, Joe < MoredaJ@HillsboroughCounty.ORG >

Sent: Tuesday, April 27, 2021 4:30 PM

To: Williams, Michael < Williams M@Hillsborough County. ORG >

Cc: Gormly, Adam < Gormlya@HillsboroughCounty.ORG >; Grady, Brian < GradyB@HillsboroughCounty.ORG >; Perez,

Richard < PerezRL@hillsboroughcounty.org>; Defranc, Kevie < DefrancK@hillsboroughcounty.org>

Subject: PC is finding the proposed RZ inconsistent / FW: Discuss RZ-PD 21-0314

Hi Mike. Generally speaking, I noticed for this case the roads are substandard and require DE.

We are trying to determine the implementation concerns that could arise if we conclude the case needs to be intensified with more dwellings to recommend approval (which would be in the vicinity of 20 plus additional dwelling units).

Can you provide a brief summary of what (if anything) could be exacerbated with the additional unit count. Also, do we know if there are congestion concerns with this location?

Thank you -JM

From: Defranc, Kevie < <u>DefrancK@hillsboroughcounty.org</u>>

Sent: Tuesday, April 27, 2021 2:00 PM

To: Moreda, Joe < MoredaJ@HillsboroughCounty.ORG>
Cc: Grady, Brian < GradyB@HillsboroughCounty.ORG>

Subject: RE: Discuss RZ-PD 21-0314

Please see the attached Planning Commission review comments, Transportation review comments, and maps for RZ-PD 21-0314, as requested.

Kevie Defranc

Senior Planner

Community Development Division Development Services Department

P: (813) 274-6714

E: DefrancK@HCFLGov.net

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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From: Grady, Brian < GradyB@HillsboroughCounty.ORG>

Sent: Tuesday, April 27, 2021 10:23 AM

To: Norris, Marylou < NorrisM@hillsboroughcounty.org>

Cc: Moreda, Joe < MoredaJ@HillsboroughCounty.ORG >; Defranc, Kevie < DefrancK@hillsboroughcounty.org >

Subject: RE: Discuss RZ-PD 21-0314

You are correct, sorry for the confusion. Guess I should look at my calendar. Thanks.

J. Brian Grady

Executive Planner

Development Services Department

P: (813) 276-8343

E: GradyB@HCFLGov.net

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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From: Norris, Marylou < NorrisM@hillsboroughcounty.org >

Sent: Tuesday, April 27, 2021 10:22 AM

To: Grady, Brian < GradyB@HillsboroughCounty.ORG >

Subject: RE: Discuss RZ-PD 21-0314

On your calendar, you have a meeting at 10:30am already.

Marylou Norris

Administrative Specialist

Community Development Section Development Services Department

P: (813) 276-8398

E: NorrisM@HCFLGov.net

W: HCFLGov.net

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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-



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----Original Appointment-----

From: Grady, Brian < GradyB@HillsboroughCounty.ORG>

Sent: Tuesday, April 27, 2021 10:20 AM

To: Norris, Marylou

Cc: Moreda, Joe; Defranc, Kevie

Subject: Accepted: Discuss RZ-PD 21-0314

When: Tuesday, April 27, 2021 1:30 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

Hi Marylou,

Joe's e-mail indicated he wanted to have this meeting at 10:30. Did that change?

Rome, Ashley

From: Clock, Dessa <clockd@epchc.org> Sent: Thursday, May 6, 2021 12:04 PM Defranc, Kevie; Rome, Ashley To:

Subject: RZ PD 21-0314

[External]

Good Afternoon,

The revised documents/plans do not change the previously issued comments by EPC Wetlands Division.

Thank you,

Dessa Clock

Environmental Supervisor I Wetlands Division

(813) 627-2600 ext. 1158 | www.epchc.org

Environmental Protection Commission

3629 Queen Palm Drive, Tampa, FL 33619 Our mission is "to protect our natural resources, environment, and quality of life in Hillsborough County." Follow us on: <u>Twitter | Facebook | YouTube</u> **Track Permit Applications**

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Mariella Smith CHAIR
Pat Kemp VICE-CHAIR
Harry Cohen
Ken Hagan
Gwendolyn "Gwen" W. Myers
Kimberly Overman
Stacy White

WETLANDS PRESENT

SITE INSPECTION DATE

WETLAND LINE VALIDITY

SOILS SURVEY, EPC FILES)

WETLANDS VERIFICATION (AERIAL PHOTO,



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 PETITION NO.: 21-0314 EPC REVIEWER: Dessa Clock CONTACT INFORMATION: (813) 627-2600 X1158 EMAIL: clockd@epchc.org	COMMENT DATE: 2/9/2021 PROPERTY ADDRESS: 13515 Lake Magdalene Blvd, Tampa, FL 33618 FOLIO #: 018844-0000 STR: 03-28S-18E	
REQUESTED ZONING: PD		
FINDINGS		

The EPC Wetlands Division has reviewed the proposed rezoning. In the site plan's current configuration, a resubmittal is not necessary. If the zoning proposal changes and/or the site plans are altered, EPC staff will need to review the zoning again. This project as submitted is conceptually justified to move forward through the zoning review process as long as the following conditions are included:

YES

10/4/2018

No valid wetland line

West Lake is located outside of the project

boundaries to the northeast. Additional wetland areas exist in the northern portion of the folio.

- Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- The construction and location of any proposed wetland impacts are not approved by this correspondence, but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
- Prior to the issuance of any building or land alteration permits or other development, the approved wetland / other surface water (OSW) line must be incorporated into the site plan. The wetland/ OSW line must appear on all site plans, labeled as "EPC Wetland Line", and the wetland

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

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

INFORMATIONAL COMMENTS:

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

- The subject property contains wetland/OSW areas, which have not been delineated. Knowledge of the actual extent of the wetland and OSW are necessary in order to verify the avoidance of wetland impacts pursuant to Chapter 1-11. Prior to the issuance of any building or land alteration permits or other development, the wetlands/OSWs must be field delineated in their entirety by EPC staff or Southwest Florida Water Management District staff (SWFWMD) and the wetland line surveyed. Once delineated, surveys must be submitted for review and formal approval by EPC staff.
- Chapter 1-11, prohibits wetland impacts unless they are necessary for reasonable use of the property. Staff of the EPC recommends that this requirement be taken into account during the earliest stages of site design so that wetland impacts are avoided or minimized to the greatest extent possible. The size, location, and configuration of the wetlands may result in requirements to reduce or reconfigure the improvements depicted on the plan.
- The Hillsborough County Land Development Code (LDC) defines wetlands and other surface waters as Environmentally Sensitive Areas. Pursuant to the LDC, wetlands and other surface waters are further defined as Conservation Areas or Preservation Areas and these areas must be designated as such on all development plans and plats. A minimum setback must be maintained around the Conservation/Preservation Area and the setback line must also be shown on all future plan submittals.
- Any activity interfering with the integrity of wetland(s) or other surface water(s), such as clearing, excavating, draining or filling, without written authorization from the Executive Director of the EPC or authorized agent, pursuant to Section 1-11.07, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11.

Dc/mst



8

Acreage: 14.01 (+/- acres)

Adequate Facilities Analysis: Rezoning

Jurisdiction: Hillsborough County Proposed Zoning: Planned Development

Case Number: RZ 21-0314 Future Land Use: R-9

HCPS #: RZ-349 Maximum Residential Units: 42 Units

Address: 13515 Lake Magdalene Blvd., Tampa Residential Type: Single-Family Detached

Parcel Folio Number(s): 018844.0000

School Data	Lake Magdalene Elementary	Adams Middle	Chamberlain High
FISH Capacity	1110	1460	1991
2020-21 Enrollment	693	710	1391
Current Utilization	62%	49%	70%
Concurrency Reservations	4	11	24
Students Generated	9	4	6
Proposed Utilization	64%	50%	71%

Sources: 2020-21 40th Day Enrollment Count with Updated Concurrency Reservation as of

2/22/2021

Date: March 5, 2021

NOTE: Lake Magdalene Elementary, Adams Middle, and Chamberlain High currently have capacity for the proposed project.

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

Matthew Pleasant

Department Manager, Planning & Siting Growth Management Department Hillsborough County Public Schools

E: matthew.pleasant@hcps.net

Matthew Pleasant

P: 813.272.4429



AGENCY REVIEW COMMENT SHEET

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: 05/05/2021

REVIEWER: Ron Barnes, Impact & Mobility Fee Coordinator

APPLICANT: Gary Miller, David Weekley Homes PETITION NO: 21-0314

LOCATION: 13515 Lake Magdalene Blvd

FOLIO NO: 18844.0000

Estimated Fees:

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

Mobility: \$5,921.00 * 42 units = \$248,682.00 Parks: \$1,815 * 42 units = \$76,230.00 School: \$8,227.00 * 42 units = \$345,534.00 Fire: \$335.00 * 42 units = \$14,070.00 Total Single Family Detached = \$684,516.00

Project Summary/Description:

Urban Mobility, Northwest Park/Fire - 42 Single Family Units

AGENCY REVIEW COMMENT SHEET

TO:	ZONING TECHNICIAN, Planning Growth Manag	gement	DATE: 22 Feb. 2021
REV	TEWER: Bernard W. Kaiser, Conservation and E	nvironmer	ntal Lands Management
APP	LICANT: Dianne Fenech	PETITIO	ON NO: <u>RZ-PD 21-0314</u>
LOC	CATION: 13515 Lake Magdalene Blvd, Tampa, FL 3	<u> 33618</u>	
FOL	IO NO: <u>18844.0000</u>	SEC: <u>03</u>	TWN: <u>28</u> RNG: <u>18</u>
\boxtimes	This agency has no comments.		
	This agency has no objection.		
П	This agency has no objection, subject to listed o	r attached	d conditions.
_	, ,		
	This agency objects, based on the listed or attac	ched cond	litions.
COM	MENTS:		
COMMENTS:			

VERBATIM TRANSCRIPT

HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

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

ZONING HEARING MASTER HEARING
TRANSCRIPT OF TESTIMONY AND PROCEEDINGS

BEFORE:

PAMELA JO HATLEY

Land Use Hearing Master

DATE:

Monday, May 17, 2021

TIME:

Commencing at 6:00 p.m.

Concluding at 10:31 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

Executive Reporting Service

	Page 123
1	HILLSBOROUGH COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS
2	
3	ZONING HEARING MASTER HEARINGS May 17, 2021
4	ZONING HEARING MASTER: PAMELA JO HATLEY
5	D5:
6	Application Number: RZ-PD 21-0314 Applicant: Gary Miller, David Weekley
7	Homes
8	Location: 13515 Lake Magdalene Blvd. Folio Number: 18844.0000
0	Acreage: 14 acres, more or less
9	Comprehensive Plan: R-9 Service Area: Urban
10	Existing Zoning: RSC-4 Request: Rezone to Planned Development
11	Regarde. Rezone to France beveropment
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Executive Reporting Service

	Page 124
1	MR. GRADY: The next item is agenda item
2	D-5, Rezoning-PD 21-0314. The applicants are Gary
3	Miller and David Weekley Homes.
4	The request is to rezone from RSC-4 to
5	Planned Development. Kevie Defranc with County
6	Staff will provide staff recommendation after
7	presentation by the applicant.
8	HEARING MASTER HATLEY: All right.
9	Applicant, please.
10	MS. KERT: Thank you, Madam
11	HEARING MASTER HATLEY: I'm sorry. You
12	might want to pull it down a little bit, please.
13	Thank you.
14	MS. KERT: Sure. Rebecca Kert from 606 East
15	Madison Avenue. I'm here on behalf of David
16	Weekley Homes for item D-5.
17	I have with me tonight my co-counsel,
18	Michael Brooks; Christie Barreiro who is an AICP
19	planner with Heidt & Associates; Steve Henry with
20	Lincks & Associates, and from David Weekley Homes,
21	we have Gary Miller and Martin Frame.
22	I'm going to give the introduction to this
23	presentation and then turn it over to our expert
24	planners for the testimony. Next slide, please.
25	I'm going to go over the slide quickly

Executive Reporting Service

because you're going to see it again when she's

going over the details of the project. I did want

to orient you. This subject parcel is 14 acres to

the east of Lake Magdalene Boulevard and to the

5 south of Ehrlich Road.

The request is for 42 single-family lots.

The property has a RES-9 designation on the Future

Land Use Map. It is part of a larger parent

parcel, which is 60 acres; and interestingly, this

one parcel has a split land use designation with

R-4 to the north and the subject parcel having

RES-9.

Next slide, please. Have to click a few times. So this next slide you can see that the parent parcel to the north is RES-4 as is most of the surrounding land use except for our parcel, the parcel to the east and the parcel to the west which are older Planned Development, which are the RES-9; and there is some Public/Quasi-Public.

The proposed Planned Development poses a balancing of interest and a question of consistency with the Comprehensive Plan. The Planning Commission has found the petition inconsistent based on an interpretation of Policy 1.3 of the Future Land Use Element, which requires that

1 rezonings meet a minimum density of at least

2 75 percent of the underlining land use designation.

of Lake Magdalene neighborhood.

There are exceptions to that policy and not only do we believe that we meet those exceptions, we believe that we're actually exemplified the reason that you have those exemptions because it would be completely incompatible and inappropriate to put 94 or 100 units on this parcel in the middle

Next slide, please. We have a lot of history on this project that I'm going to go over quickly to provide some context. The circle is our subject parcel in the Horizon 2000 plan. It has suburban development area future land use.

Next slide, please. This is the 1980 to 1984 county zoning map. You can see that the entire area around us is R-1, except for the Planned Development to east and the Planned Development to the west of our property.

Next slide, please. This is a 1989

Comprehensive Plan, and you can see even in this plan our property was still suburban density residential. And the only area of high density residential was the Planned Development to the west, which was the Carlton Arms apartment project.

Next slide, please. So this is 1991 zoning conformance; and interestingly, our property was down-zoned to RSC-4. At this time the R-1 category went away, and the properties in the surrounding area were all changed to RSC-4 or RSC-6. And our property actually got the lower designation.

However, at some point during an EM amendment our property was actually up-planned on the Comprehensive Plan to the RES-9 land use category.

Next slide, please. So we believe that the RES-9 is an anomaly on this property, and it's because we are sandwiched between on the east, 1971 rezoning and on the west, 1983 Planned Development.

Next slide, please. So this is -- the 1971 rezoning was the Carlton Arms apartment project, and it was extremely controversial. It came in, in the summer of 1971, and there were over 600 people showed up in opposition according to the newspaper articles at the time.

The Planning Commission found that multifamily Euclidean rezoning was incompatible with the development in the area, and the developer actually withdrew it prior to the hearing.

They did come back a few months later with a

Planned Development that had some substantial changes, although it did approve 798 multifamily units in this area.

However, it did add significant amounts of single-family units. In fact, over 60 percent of the new Planned Development was single-family, and it also removed access from the multifamily to make Lake Magdalene.

It previously had the apartments having access to Lake Magdalene, and based upon those changes, the Planning Commission changed its original recommendation and did find it approvable.

However, this project remains today the most intensive development in the Lake Magdalene area. The 1980 rezoning on the other -- on the west side of the property was also extremely controversial. Even though it was only on 9 acres, it still had significant opposition from the surrounding single-family residents.

And there are two important things to note from that. It was approved during 1980, which was a very different time. Under a state law that was in effect for a very brief time, a special act, the Zoning Hearing Officer actually made the final decisions on zoning cases.

That was actually found to be unconstitutional, but this project had already been approved. The other thing that's very interesting is in 1979, the Horizon 2000 plan was amended to create areas of overlay for a potentially suited for high density residential development of up to 20 dwelling units an acre.

This property was part of that area and was actually part of the reasoning it was relied upon by the Zoning Hearing Officer in approving it.

That was very short-lived. That was actually gone by 1983, when this project came back for some minor modifications.

In short, we respectfully disagree with the Planning Commission that the property is per se compatible with surrounding areas if there is a similar use next to it. We believe that you have to view the development of the area over time to determine the compatibility.

And then multifamily, if it was ever compatible in this area, is simply no longer compatible. At this point I'm going to turn it over to our planning expert.

MS. BARREIRO: Good evening. Christie
Barreiro with Heidt Design. My address is 5904

Page 130 Hampton Oaks Parkway, Tampa, Florida 33610. 1 2 Next slide, please. Next slide. Next slide. 3 Next slide. So these are just some of the article 4 that Rebecca mentioned. The opposition to the 1980 5 plan. So as Rebecca mentioned, you've seen this 6 slide previously. We are proposing 42 8 single-family residential units with a minimum lot size of 7200 square feet. The property is 9 14 acres. It's located on Lake Magdalene 10 11 Boulevard, south of Ehrlich, and north of Fletcher. 12 And the property has a Residential-9 Future Land 13 Use category. Next slide. So this is the Planned 14 15 Development that was submitted to the County. 16 Again, we are proposing a single access point at 17 Lake Magdalene Boulevard. 18 We're proposing that the property be gated 19 with private internal streets, and we would also 20 like to submit into the record proposed Planned 21 Development conditions that were submitted to staff 22 on Friday. And I'll do that at the end of the 23 presentation. 24 Next slide, please. In addition to the 25 conditions of approval, I wanted to mention that

Page 131 the owner of the remaining parent property has 1 2 written a letter in support of the single-family development. We've also had a petition signed by 4 multiple residents on the west side of Lake 5 Magdalene Boulevard, again, in support of 6 single-family development and opposing multifamily development. 8 We also had a Zoom virtual meeting with homeowners associations in the vicinity and have 9 10 had discussions with multiple residents in the area about this application, including residents located 11 12 adjacent to the southern property boundary. 13 And the applicant has agreed to only allow for single-story, single-family homes along the 14 15 southern property boundary, which would be 16 consistent with the homes that are existing. 17 Again, we are opposed to Planning Commission 18 staff report. They do find that the single-family 19 use is consistent with the Residential-9 Future 20 Land Use category. 21 They acknowledge that the proposed Future 22 Land Use -- the proposed single-family detached residential development would allow development 23

Executive Reporting Service

surrounding area.

comparable to the development pattern in the

24

They also say that we are consistent with

Objective 16, which is the neighborhood protection

objective, including Policy 16.1, 16.2, and 16.3.

Again, they believe we're consistent with Goal 2,

which is the Greater Carrollwood and Northdale

Community Plan, which seeks to reinforce community

identity.

And overall, the Planning Commission staff finds that the proposed Planned Development would encourage residential development that complements the surrounding character.

Next slide, please. Next slide. So

Planning Commission's only objection is that we are
inconsistent with Objective 1, Policy 1.2, which is
the minimum density requirement because we have a

Future Land Use greater than four dwelling units
per acre.

The Comprehensive Plan requires that the density be at least 75 percent of the allowable density. We believe that we fall into Policy 1.3, which says if we meet certain criteria that that 75 percent minimum density doesn't apply.

Next slide, please. Next slide. So I'm going to go through a couple of slides very quickly. This graphic shows the parcel lines in

the surrounding area. So our property is on the
eastern side of the plan here. There's a very
small red star in West Lake, and our project is
just south of that.

As Rebecca mentioned earlier, there are two multifamily zonings that were approved in 1971 and 1980. Everything else in the vicinity of this property is lower density development.

Next slide, please. And as you can see from this list here, most of the approved zonings are between two and three dwelling units per acre, and I will also be submitting those plats into the record as well.

Next slide, please. So as you can see, we believe that we are consistent with Policy 1.3. The proposed project is consistent with the predominantly single-family development pattern of Lake Magdalene; and our application proposing three dwelling units per acre, which, again, is consistent with the plats that I was showing you previously.

Within the thousand foot radius, there has not been any multifamily approvals in over 40 years. It's all been single-family since those 1971 and 1980 approvals. In fact, the connection

Page 134 in Lake Carlton Arms project required single-family 1 2 subdivisions added to the east and west of the proposed apartment project to buffer this impact on 4 the surrounding properties, and at the time the 5 Planning Commission recommended there should be no 6 multifamily access onto Lake Magdalene Boulevard. Again, the Greater Carrollwood Northdale 8 Community Plans expressly seek to preserve the existing suburban scale development pattern. And there's a couple of bullet points there 10 11 that we believe state the case of compatible uses, 12 maintaining individual neighborhood 13 characteristics, remain suburban in nature, and new 14 development and redevelopment shall use 15 compatibility design techniques to ensure the 16 appearance, mass, scale of the development is 17 integrated into the existing suburban nature of 18 each development. 19 Next slide, please. The second bullet point 20 of Policy 1.3 states that if the structure is not 21 planned or programmed to support the development, that'd be another reason not to have the density at 2.2 23 75 percent or greater. 24 So, again, going back to the Greater 25 Carrollwood and Northdale Community Plan, one of

the goals is to preserve the existing suburban scale development pattern, and it identifies various activity centers and mobility corridors where higher density would be appropriate.

If you can go to the next slide. This is the concept plan of the Greater Carrollwood

Northdale Community Plan, and there's a red circle around our property. And so you can see, it's not located near an existing or planned activity center or multilevel corridor.

So we don't believe that higher density would be appropriate in this location of the plan. Neither the adjacent site of Lake Magdalene Boulevard, nor the surrounding area of the subject property is identified, again, in the activity center or the mobility corridor necessitating the future planned or programmed infrastructures for higher density.

Next slide, please. So the third criteria for not requiring 75 percent density in the Future Land Use category is if the development would have an adverse impact on environmental features on the site or adjacent to the property.

Our site actually has no wetlands on it. The northeast corner of the site is the surveyed

Page 136 wetland boundary. So we are adjacent to the 1 2 wetland and also adjacent to West Lake. That's the water body that's northeast of the property. 4 So we're not adversely affecting that 5 wetland, but any additional residential or 6 development could have more environmental impacts than the existing uses today. 8 So next slide. In conclusion, I just had two statements. So, again, Rebecca mentioned balancing 9 interest. So the question here tonight is should 10 11 the Planned Development be held to a minimum 12 density required in Residential-9 Future Land Use 13 that has no basis in the Lake Magdalene area except 14 for the two adjacent zonings to the east and west 15 that were approved 40 and 50 years ago. 16 Alternatively, should the Planned 17 Development be evaluated on the consistency of the 18 predominantly single-family development pattern and 19 the density of the Greater Lake Magdalene area that 20 exists today. 21 Next slide, please. So as the applicant, we 22 believe that the second standard is most 23 appropriate. As previously demonstrated, the

Executive Reporting Service

the exceptions in Policy 1.3.

Planned Development density meets one or more of

24

Page 137 Suburban scale density is desired and 1 2 encouraged within the Greater Carrollwood Northdale Community Plan. And feedback from -- that the 4 applicant has received from residents and 5 associations are supportive of the proposed Planned 6 Development and opposed to higher density. Next slide, please. So as discussed, the 8 Planning Commission has found that the proposed subdivision would be compatible with adjacent uses 10 and the general development plan of the Lake 11 Magdalene area. 12 The proposed Planned Development would 13 achieve a density closer to the minimum requirement 14 under the current Future Land Use category than if 15 the property were developed in its existing zoning 16 designation of RSC-4. 17 In this regard, the Planned Development 18 demonstrates a greater consistency with the 19 Comprehensive Plan than currently exists while 20 still being compatible with the Greater Carrollwood 21 and Northdale plan. And that concludes my 2.2 presentation. 23 HEARING MASTER HATLEY: All right. 24 some questions. 25 MS. BARREIRO: Okay.

	Page 138
1	HEARING MASTER HATLEY: Thank you. First of
2	all, your credentials, are you a certified planner?
3	MS. BARREIRO: I am, yes.
4	HEARING MASTER HATLEY: All right. Thank
5	you. And under Policy 1.3 and I know you
6	discussed all of these, but starting with the fifth
7	bullet point, the rezoning is restricted to
8	agricultural uses. That's not applicable here.
9	Right?
10	MS. BARREIRO: That is correct.
11	HEARING MASTER HATLEY: Okay. Then the
12	fourth bullet point, we're not in a Coastal High
13	Hazard Area, is this
14	MS. BARREIRO: That is correct also.
15	HEARING MASTER HATLEY: So the third bullet
16	point, you discussed the development would have an
17	adverse impact on environmental features. And is
18	it your testimony that if you if this
19	development met the 75 percent minimum, that it
20	would likely have impacts on environmental
21	features?
22	MS. BARREIRO: So I am not an environmental
23	scientist. So I was only stating that 42
24	residential units would have less of an impact than
25	94 or 126 residential units.

Page 139 HEARING MASTER HATLEY: And why is that? 1 In 2 other words, are you talking about drainage or --MS. BARREIRO: No. So with proper planning 4 and proper construction, of course, all of the 5 other approvals will need to go through, the 6 drainage will be consistent with all the requirements and go through those approvals as well. 9 HEARING MASTER HATLEY: Okay. And so then 10 infrastructure -- infrastructure including but not 11 limited to water, sewer, stormwater, and 12 transportation is not planned or programmed to 13 support development. Is that applicable? 14 MS. BARREIRO: So it says -- it states, 15 Water, sewer, and transportation, but it says other 16 issues as well. So there is water and sewer in the 17 area. 18 We do have Steve Henry here with Lincks & 19 Associates if you have any specific transportation 20 questions. But really, we wanted to point out 21 that, you know, in addition to those three that are 22 specifically mentioned, that we felt that Greater 23 Carrollwood and Northdale Community Plan should be considered also. 24 25 Because, again, that plan states that it

Page 140 should be compatible uses, comparable uses, and we 1 2 feel that in more recent history Lake Magdalene has been built out as more single-family detached than 4 multifamily. 5 HEARING MASTER HATLEY: Okay. Thank you. 6 And then the first one, development added a density of at least 75 percent of the category or greater 8 would not be compatible as defined in Policy 1.4 and would adversely impact existing development 9 pattern within a 1,000-foot radius. 10 So is it your testimony that that provision 11 12 applies? 13 MS. BARREIRO: So it was very interesting. 14 Planning Commission staff report, which I'm sure 15 they'll explain in more detail, found that we were 16 not -- that single-family detached was not 17 incompatible with the surrounding development, but 18 it wasn't consistent with Policy 1.2. 19 So they were acknowledging that 20 single-family is compatible with the area, and so we believe that it's also consistent with the 21 2.2 Comprehensive Plan Policy 1.3 for all those reasons 23 that I've stated. 24 HEARING MASTER HATLEY: Okay. So you aren't 25 stating then that development in a density of

	Page 141
1	75 percent would not be compatible, but what you're
2	stating is that the single-family homes, the lower
3	density is compatible?
4	MS. BARREIRO: Correct.
5	HEARING MASTER HATLEY: Okay. I understand.
6	Thank you. That's all my questions.
7	All right, ma'am, I need please sign in
8	with the clerk, please. Thank you.
9	Ms. Kert, do you-all need more time?
10	MS. KERT: No. I realize that we are
11	thank you, Madam Hearing Officer. I realize that
12	we are at the end of our time, but we do believe
13	that there are some people to speak on this
14	project, and we would like the opportunity for
15	rebuttal afterwards.
16	HEARING MASTER HATLEY: Okay. Thank you.
17	All right. So we'll go to Development
18	Services.
19	MR. DEFRANC: Good evening again, Kevie
20	Defranc with Development Services.
21	So for this rezoning application and as the
22	applicant's representative stated, it's to rezone
23	the subject property from the existing RSC-4 zoning
24	district to a new PD zoning district.
25	And the subject property is approximately

Page 142 located on the east side of Lake Magdalene 1 2 Boulevard. And the property associated with this rezoning application has a Future Land Use designation of RES-9, and this category permits 4 5 consideration of residential densities up to a 6 maximum of nine units per acre and on residential intensities of up to a maximum FAR of .5. 8 A nearby food categories include PQP, Public/Quasi-Public, and RES-4. And, again, 9 10 Planning Commission will go into further detail on their review. 11 12 As you see, the surrounding zoning consists 13 of adjacent properties zoned RSC-4 to the north, PD 14 to the east and south; but within the general area, 15 there are other properties zoned RSC-4, PD, and 16 RSC-6 to the west. 17 And the surround development pattern 18 comprises of existing Agricultural Residential, 19 which includes single-family and multifamily and cultural institution uses. 20 21 And, specifically, the proposed PD requested 22 uses include a maximum of 42 single-family 23 conventional detached residential lots that have a 24 minimum lot area of 7,200 square feet each and an

interim agricultural, slash, low scale passive

25

1 agricultural use.

2.2

Now I would like to highlight that staff -Development Services staff is in concurrence with
the Planning Commission staff that given the
surrounding development pattern, a higher density
residential project that conforms to the minimum
density requirements would appear to be compatible
with the surrounding development pattern
considering the fact that, as you can see, there
are existing higher density residential
developments in the immediate area near the subject
site.

In addition, Transportation Staff finds that the increased residential units from 42 to 94 in order to meet the minimum density requirements would not have a significant change in impacts on the functioning and capacity of the roadway system, nor would a townhome or multifamily project change the substandard road determination.

And based on the RES-9 Future Land Use classification, the surrounding zoning and development -- and the development pattern, and the proposed uses, and the development standards for the proposed PD, staff finds the request not supportable.

	Page 144			
1	And that concludes my report and I'm			
2	available for questions.			
3	HEARING MASTER HATLEY: Thank you.			
4	All right. We'll go to Planning Commission.			
5	MS. LIENHARD: Thank you. Melissa Lienhard,			
6	Planning Commission staff.			
7	The subject property is located in the			
8	Residential-9 Future Land Use category. It is in			
9	the Urban Service Area and also within the limits			
10	of the Greater Carrollwood Northdale Community			
11	Plan.			
12	The subject property is designated			
13	Residential-9, and the intent of this district is			
14	to designate areas that are suitable for low to			
15	medium density residential, as well as urban scale			
16	neighborhood commercial office, multipurpose			
17	projects, and mixed-use developments that are in			
18	compliance with the Comprehensive Plan's goals,			
19	objectives, and policies.			
20	The proposed single-family use is consistent			
21	with the Residential-9 Future Land Use category.			
22	The subject property is surrounded predominantly by			
23	single-family and multifamily development.			
24	However, Residential-9 is designated as			
25	suitable for low to medium density residential			

Page 145 development. The maximum allowable density for the 1 2 subject property is 126 dwelling units. minimum allowable density is 94 dwelling units. 4 The applicant is proposing 42 single-family 5 detached dwelling units. The subject property is 6 located in the Urban Service Area where 80 percent or more of new growth is directed per Comprehensive 8 Plan Objective 1. The application is not meeting minimum 9 10 density requirements as outlined in Policy 1.2. 11 The applicant's seeks an exception to minimum 12 density requirements as outlined in Future Land Use 13 Element Policy 1.3. The applicant provides a significant amount 14 15 of historical information concerning the land use 16 categories in the area. The applicant is also 17 stating that meeting minimum density requirements 18 would result in a multifamily development that 19 would not be compatible with the residential 20 development pattern in the area. Staff acknowledges that the proposed 21 22 single-family detached residential development 23 would allow development comparable to the 24 development pattern in the surrounding area. 25 However, multifamily is located immediately

Page 146 to the east of the subject property, immediately to 1 2 the west of the subject property, as well as further west along Fletcher Avenue, and further east north of Fletcher Avenue. 4 5 Multifamily development would not be 6 incompatible with the existing development pattern. The proposed single-family residential development 8 is consistent with Objective 16 and the compatibility policies that are listed under that objective. 10 11 The applicant also requests access onto Lake 12 Magdalene Boulevard and provides for internal 13 circulation, which is consistent with Future Land 14 Use Element Policy 16.7. 15 However, the application is not consistent 16 with Objective 1 and Policy 1.2 because it does not 17 meet minimum density requirements and does not 18 satisfy the compatibility exception as outlined in 19 Policy 1.3. 20 The request is consistent with Goal 2 of the 21 Greater Carrollwood Northdale Community Plan, which 22 is to reinforce community identities where 23 maintenance and enhancements of the community 24 unique characteristics outside from physical 25 appearance.

New development and redevelopment are required to use compatibility design techniques to ensure the appearance, mass, scale of development as integrated with the existing suburban nature of each neighborhood.

The proposed residential development is comparable and compatible to the development pattern in the area and is consistent with the vision of the community plan.

Overall, Planning Commission staff finds the proposed Planned Development would encourage residential development that complements the surrounding character and promotes the vision of the community plan.

However, the proposed Planned Development does not meet minimum density standards and would directly undermine the intent of the Urban Service Area policy in the Future Land Use Element of the Comprehensive Plan.

Based upon those considerations, Planning
Commission staff finds the proposed Planned
Development inconsistent with the Future of
Hillsborough Comprehensive Plan for unincorporated
Hillsborough County. Thank you.

HEARING MASTER HATLEY: Thank you.

Executive Reporting Service

All right. Are there any persons here or online who wish to speak in support of this application? All right. I don't see any.

Are there any persons here or online who wish to speak in opposition to this application? Please come forward and all together -- I don't know how many there are of you, but all together you'll have 15 minutes.

Please speak into the microphone. Pull it down to meet your mouth, if you need to, and we need your name and your address.

MR. O'NEAL: Thank you for having me. My name is Stanley O'Neal, 13801 Cherry Brook Lane at the corner of Cherry Brook Lane and Lake Magdalene Boulevard.

I reside in one of the two original communities that were built in that area. We do now know -- I think you-all know there is a proposed fire substation for Lake Magdalene area, and that just goes to show of the uncontrolled growth in that area.

I don't believe that Lake Magdalene area should be compared to Northdale, nor Carrollwood.

This is definitely more remote, and this is one of the last remaining, you know, undeveloped pieces of

1 land in that area.

Traffic will be negatively impacted. The traffic now compared to what it was 50 years ago, it's very dangerous even to walk on the sidewalk.

Just three weeks ago, a car ran off the road and had there been pedestrians, there would have been deaths. And that's happening more and more frequently.

And this is a pristine, beautiful area. We just don't need continued development of this type in this area. And I appreciate you listening to my comments, and I'll come forth and give you my name.

HEARING MASTER HATLEY: Thank you.

MS. HANNAM: Yes. Good evening. My name is Pamela Hannam and I live at 13802 Orange Sunset Drive.

I'm a professional athlete. I walk past this property every single day. It is a beautiful old pasture with old growth, with a tremendous amount of wildlife.

Contrary to what the developers here feel that everything should be under 6 inches of concrete and six stories high, this land should be left as is and should be turned into some sort of a wildlife sanctuary where birds and animals actually

Page 150 live in that area can be viewed by the public that 1 2 lives in that neighborhood. It's a quiet, beautiful neighborhood. does not need 43 or 143 or a million and 43 ugly 4 5 little houses stuck on a piece of property. Now, I 6 understand that the owners of this property probably need to be rightly compensated to leave 8 their land pristine. I just came out of San Diego and some of the 9 10 most beautiful land in San Diego is now under 6 inches of concrete with houses that are a foot 11 apart, and they've destroyed that place. Let's not 12 13 destroy any more of Tampa. This is a beautiful 14 neighborhood that needs to be left as is. 15 HEARING MASTER HATLEY: Thank you. All 16 right. Any -- any other persons, please come forward. 17 18 MS. MCDERMOTT: Hi. My name is Madonna 19 McDermott, and I'm new to all this. And for the past two hours, it's --20 21 MR. GRADY: Ma'am, can you provide your 22 address for the record? 23 MS. MCDERMOTT: Sure. 24 MR. GRADY: And you also need to pull your 25 mask up, please.

Page 151 1 MS. MCDERMOTT: Okay. 2 MR. GRADY: Thank you. 3 MS. MCDERMOTT: My address is 13322 Moran Drive. And I live on the corner of -- the orange 4 5 grove is my backyard. So I -- I'm not familiar with all your 6 numbers. It's -- to me it's been like watching 8 paint dry. Let me just say no one contacted me. Okay. My property borders the growth. 9 I've lived there since 1980. Now, in your 10 letter said about the gopher --11 MR. GRADY: Ma'am, could you speak in the 12 13 microphone? MS. MCDERMOTT: The gopher tortoise. 14 15 have sandhill cranes. We have gopher tortoise. We 16 have coyotes. We have hawks. Like I said, 17 40 years I have lived there and my -- I love it. 18 It's a beautiful orange grove. Why -- don't we 19 have climate change? 20 Can't we put something there to fix this? 21 And how come the holes aren't here? They're the 22 Why is this one -- what is it? owners. 23 Holmes or something? They already have seven 24 different places up by Northdale. Why do they want 25 ours?

Page 152 Why -- why are they here and the halls are 1 2 not here? Have they already decided that they're going to to develop it? I'm confused. Can someone explain to me? 4 5 HEARING MASTER HATLEY: Ms. McDermott, we're 6 here to hear your testimony. Thank you. 7 MS. MCDERMOTT: Okay. Well, I guess I'm 8 over. That's it. 9 HEARING MASTER HATLEY: Thank you, ma'am. 10 MS. MCDERMOTT: Okay. 11 HEARING MASTER HATLEY: Are there any other 12 persons who wish to speak in opposition to this 13 application? 14 MR. LAVIN: Good evening, Hearing Master. My name is Andrew R. Lavin and I live at 13322 15 16 Moran Drive. And I -- I love that orange grove. 17 It's in decline and I understand, and it used to be 18 harvested. It's not now harvested, but still there's a lot of wildlife there, like my wife said, 19 20 and I think it should be -- we could use that as a 21 public -- public park. That would be awesome. 22 HEARING MASTER HATLEY: Thank you, sir. 23 MR. LAVIN: Thank you. 24 HEARING MASTER HATLEY: Please sign in with 25 the clerk. Thank you.

Executive Reporting Service

	Page 153
1	Are there any more persons who wish to speak
2	in opposition to this application?
3	Okay. Thank you. We will hear then from
4	Development Services. Any additional comments?
5	MR. GRADY: Nothing further.
6	HEARING MASTER HATLEY: All right. The
7	applicant?
8	MR. BROOKS: Madam Hearing Officer, for the
9	record, Michael Brooks, 606 East Madison. I am
10	co-counsel with Rebecca Kert.
11	I do want to ask Steve Henry to come up just
12	to just for the record make a presentation. He is
13	the author of the design exception that's part of
14	this application.
15	None of these none of the folks who just
16	spoke specifically specifically talked about
17	transportation. They really talked about
18	preservation. But I want Mr. Henry to be on the
19	record.
20	HEARING MASTER HATLEY: Thank you.
21	MR. HENRY: Steve Henry, Lincks &
22	Associates, 5023 West Laurel, Tampa, 33607.
23	HEARING MASTER HATLEY: Mr. Brooks, we need
24	you to okay. Thank you.
25	MR. HENRY: As indicated, we have received a

Executive Reporting Service

Page 154 and submitted a design exception for Lake Magdalene 1 2 Boulevard. It doesn't meet the current transportation technical manual standards. 4 We -- it has been deemed approvable. One of 5 the things that we're doing to help mitigate for 6 that -- basically what we're doing is we are constructing a 10-foot sidewalk on the east side of 8 Lake Magdalene from our project down to Fletcher 9 Avenue. 10 What we looked at on this road, as far as that it is if we widened it to 12 feet and we added 11 12 the paved shoulders, you're going to increase the 13 speed on the road. There's already speed bumps 14 there. 15 So we didn't really want to improve the 16 roads, increase the speeds. I'm sorry. There's no 17 speeds bumps in this one. I'm sorry. I apologize, 18 but we didn't want to increase the speed on the 19 roadway. 20 So what we did instead was added the 21 pedestrian features, which is the 10-foot sidewalk on the east side of the road. We also as a part of 22 23 design exception, we did look at the level of 24 service, although that's not required with today 25 with mobility fees. But it does operate at

	Page 155				
1	acceptable level of service today and will continue				
2	to operate at acceptable level of service with our				
3	project.				
4	That concludes my presentation, unless you				
5	have any questions.				
6	HEARING MASTER HATLEY: Thank you,				
7	Mr. Henry.				
8	MR. BROOKS: Ms. Hearing Officer, I will be				
9	fairly brief. I want to from a lawyer's				
10	perspective, because I can appreciate the questions				
11	that you were asking of the planner sorry, my				
12	glasses are fogging.				
13	The Planning Commission, as we were				
14	discussing and I appreciate the acknowledgement,				
15	we did a tremendous amount of digging in the				
16	history of this property. The Hall family has				
17	owned it for close to 100 years, and they were one				
18	of the primary opponents of the Carlton Arms				
19	project at the time.				
20	And, obviously, they could have sold the				
21	property for more units and maximized that, but				
22	that is not their goal. And they don't believe, as				
23	we do, that that would be a compatible use of the				
24	property.				
25	What gets interesting as we talk about those				

exceptions that the Planning Commission looks -- is looking at the east and the west of the subject property.

And, obviously, we're talking about whether anywhere in this area, all of these subdivisions date back into the '70s. We gave you into the record a list of all the plats, all of those plats under the original R-1 zoning designation into the horizon plan were 7,000-square-foot lot minimums.

Frankly, most of those lots are a little bit larger than what's being proposed. But back to the point, if you look north and south, right, you got a single-family subdivision to the south. One of those residents is here and spoke.

We have been in contact with at least one other person. I'm not sure if that's the same person or not, but in order to -- to improve compatibility, one of the conditions that we're proposing is to actually do single story along that boundary.

So the other thing -- and if you look to the north, it's Residential-4. So which is the -- this is the conundrum. What is consistent -- how do you achieve the greatest consistency of the Comp Plan? You build it at the RES-4 standards, or do you

Executive Reporting Service

Page 157 allow something that is closer to what the 1 2 historical buildout of that area beginning back in the 1970s was? And we think it's the latter. 4 Again, north/south versus east/west, and I 5 think it's a very important point. When you look 6 at Carlton Arms, yes, it is adjacent, but the Planning Commission can't -- you know, their answer 8 was that, well, it was a different time and a different code. Well, yes, true. 10 But the Planning Commission as -- in order 11 to get the support for the Carlton Arms, one of the 12 developer concessions was they built single-family 13 to buffer it from -- in particular from Lake 14 Magdalene Boulevard. And it was not to have 15 access -- direct access, which is why you don't --16 you don't see any developments along that way. I, 17 you know --18 HEARING MASTER HATLEY: Can you finish up in 19 one minute? 20 MR. BROOKS: Yeah. The -- the conclusion 21 was is that the Planning Commission, you know, 22 sometimes has to take unpopular positions. Well, 23 I'm not in a position where I really want to take a 24 position nor is my client where we want to stand up 25 here and ask for 90 units on that piece of property

	Page 158				
1	that many of these folks have talked about				
2	preservation. Well, that's not an option.				
3	But what is an option is developing a				
4	consistent with buildout. It is it is if you				
5	look a map, the Hall property is the last vacant				
6	tract in that greater area on that segment of Lake				
7	Magdalene.				
8	And we believe that is where you need to				
9	look for the consistency, particularly that first				
10	bullet point you were talking about. The stuff				
11	that is adjacent to us, it has no access to Lake				
12	Magdalene Boulevard.				
13	There are 60 signatures in support that were				
14	put into the record, not only in support but				
15	specifically in opposition to multifamily. One of				
16	those was also from the Hall family.				
17	So with that, I know this is a difficult				
18	I know this is a difficult case for everyone, but				
19	the only the only outcome that achieves the				
20	greatest consistency with the Comp Plan is one that				
21	is the proposal before you. Thank you.				
22	HEARING MASTER HATLEY: Thank you.				
23	All right. That closes the hearing on				
24	application PD 21-0314.				
25					

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, 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

Executive Reporting Service

Page 8 1 This application is being withdrawn from the Zoning 2 Hearing Master process. 3 Item A-17, Major Mod Application 21-0310. This application is out of order to be heard and is 4 being continued to the May 17th, 2021, Zoning 5 Hearing Master Hearing. Item A-18, Major Modification 21-0312. application is being continued by the applicant to the May 17th, 2021, Zoning Hearing Master Hearing. Item A-19, Rezoning-PD 21-0314. 10 application is out of order to be heard and is 11 12 being continued to the May 17th, 2021, Zoning 13 Hearing Master Hearing. Item A-20, Rezoning-PD 21-0315. 14 This 15 application is continued by the applicant to the 16 May 17th, 2021, Zoning Hearing Master Hearing. 17 Item A-21, Major Modification Application 18 21-0316. This application is out of order to be 19 heard and is being continued to the May 17th, 2021, 20 Zoning Hearing Master Hearing. 21 Item A-22, Rezoning-PD 21-0318. application is being continued by the applicant to 22 23 the May 17th, 2021, Zoning Hearing Master Hearing. 24 Item A-23, Rezoning-PD 21-0319. 25 application is out of order to be heard and is

EXHIBITS SUBMITTED DURING THE ZHM HEARING

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO PAGE OF OF			
DATE/TIME: $\frac{5/17/21}{}$	HEARING MASTER: Pamela Jo Harley		
PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING			
APPLICATION# RZ 21-0371	MAILING ADDRESS OCO DEL TION THOSE TOTAL CITY STATE TO ZIP 33 CHONE 7 207		
APPLICATION# RZ 21-037/	PLEASE PRINTULAN MOYEN MAILING ADDRESS 6 1223 US 144 9 2 EAST CITY Soften STATE \$\frac{1}{2} \zip \frac{3358}{2358} \frac{9049}{25} = \frac{1}{2} \frac{3358}{2} \frac{1}{2} \frac{1}{2} \frac{3358}{2} \frac{1}{2} \frac{1}		
APPLICATION# RZ 21-0371	MAILING ADDRESS 901 US 91 E CITY Seffer STATE ZIP 3592 PHONE 2995038		
APPLICATION# RZ-21-0371	PLEASE PRINT NAME Stephanie Mortellaro MAILING ADDRESS 705 Bryan Rd CITY Brandon STATE F (ZIP 3351/PHONE 813-997-8675		
APPLICATION# RZ 21-0110	PLEASE PRINT NAME SAME STATE ZIP ZIP ZPHONE CITY STATE ZIP		
APPLICATION# RZ 21-0110	MAILING ADDRESS 811-B Cypres Villege Blul. CITY Riskin STATE FC ZIP 32573 PHONE 634-5425		

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

DATE/TIME: 6:00pm 5/17/2/ HEARING MASTER: Pamela Ja Harley

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING PLEASE PRINT **APPLICATION #** NAME RZ-PD-21-0123 MAILING ADDRESS 1450 STATE ZIP336 PLEASE PRINT PLANE NAME NAME **APPLICATION #** RZ-PD-21-0123 MAILING ADDRESS 2220 BOW LARCE CITY Satety Horod-STATE E ZIP 34695 PHONE 727-638-3369 NAME Gre Sollie **APPLICATION #** MAILING ADDRESS 1727 Angles CL RZ-PD-21-0123 CITY S947 464 STATE P ZIP 3 X85 PHONE 727 418/475 PLEASE PRINT / NAME **APPLICATION #** RZ-PD-21-0123 MAILING ADDRESS 811 Knowles Rd CITY Brancon STATE 7 ZIP335/ PHONES 13-7/6 NAME CARON BRUCKEMIER **APPLICATION #** MM 21-0312 MAILING ADDRESS 601 N. Astres 1 CITY JAMES STATEST ZIP 3360 PHONE (813) 229 - 7700 PLEASE PRINT Reporta Kert APPLICATION # RZ 21-0314 MAILING ADDRESS 606 E Madison CITY TAMPA STATE L ZIP 33/00 PHONE _____

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

PAGE
OF 6

DATE/TIME: 5/17/21 6pm HEARING MASTER: Pamela To Harley

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING NAME Christic Barrein APPLICATION # R7 21-0314 MAILING ADDRESS 5904-A HAMPTON Oaks Parkway CITY TAMPA STATE PL ZIP 3361 OPHONE 813 253 . 53/1 NAME Styley ON89C **APPLICATION #** RZ 21-0314 MAILING ADDRESS KUSOBORSMAILEOM STATE CZIP3348 PHONE 81395 482 8160 NAME AM HANNAM APPLICATION # RZ 21-0314 MAILING ADDRESS 13802 Ocense Sunsef SMP9 STATETL ZIP 336 EPHONE 539-3121 NAME MADOUNA M DERMOTT **APPLICATION #** RZ 21-0314 MAILING ADDRESS 13322 MORAD (DR) . CITY 1PA STATE FL ZIP 336/8 PHONE 8/3 961-963 NAME A WORFW **APPLICATION #** MAILING ADDRESS 13317 MOMAN RZ 21-0314 APPLICATION # MAILING ADDRESS 5023 BZ 21-0314

SIGN-IN SHEET: RFR, ZHM, PHM, LUHO PAGE 7 OF 6				
DATE/TIME:	1 6m HEARING MASTER: Pamela Jo Hartley			
PLEASE PRINT CLE	PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING			
APPLICATION #	NAME MICHAEL BROWN			
RZ				
21-0314	MAILING ADDRESS 606 F Midisol Avz			
•	CITYSTATE FL ZIPS ZOZ PHONE 543.5900			
APPLICATION #	PLEASE PRINT NAME			
21-0315	MAILING ADDRESS 523 W. LAMET ST			
	CITY TPA STATE ZIP 3360 PHONE CC39			
	CITY STATES ZIN STATES ,			
APPLICATION #	NAME Kami Cer bett 3500			
RZ 21-0315	MAILING ADDRESS 101 E Kennedy Blvd, Ste 300			
01	27/02			
	CITY THE STATE ZIP STATE PHONE 13-227 8421			
APPLICATION #	NAME LAND SEICKLENTER			
RZ				
21-0319	MAILING ADDRESS 601 N ASHER DR			
	CITY STATE ZIP 3360 PHONE (\$13) 229-7200			
APPLICATION#	PLEASE PRINT NAME hameyah Francis			
RZ 21-0319	MAILING ADDRESS 9501 Torobaga Place Riverylew, FC			
21-0211	CITY RIVERVIEW STATE FL ZIP 33578 PHONE 8/3-504-9560			
	CITY NOT VIEW STATE 1 - ZIP 200 /9 PHONE 5/3 307 1500			
APPLICATION#	PLEASE PRINTULEVA WALLER			
21-0319	MAILING ADDRESS 9901 as 20th SV.			
	CITY Tamph STATE 22 ZIP 334 PHONE 813 - 863-4693			
	803701			

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

PAGE 5 OF 6

DATE/TIME: 5/17/21 Gpm HEARING MASTER: Pamela To Hatley

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING NAME WUL ON ATOWSKY APPLICATION # RZ MAILING ADDRESS 10445 FIVE COEST DRIVE 21-0319 CITY HVECVIES STATE PI ZIP3878 PHONE 6329798 NAME Edith Salter APPLICATION # RZ MAILING ADDRESS 9606 Mothog Rd 21-03/9 CITY RIVERVIEW STATE PC ZIP 35 8 PHONE GIL 0907 NAME CONO Strachan APPLICATION # RZ MAILING ADDRESS 9345 MATHOG RD 21-0319 CITYRYFW STATE F ZIP 33578 PHONE 5625 APPLICATION# NAME Wich Ael SAlter 21-03/9 MAILING ADDRESS 9606 MATHOC DO CITY TAMPA STATE AN ZIPSS 78 PHONE 404-2135 PLEASE PRINT NAME JAMPS LADNER **APPLICATION #** R7 MAILING ADDRESS 33578 9345 MATHOG RP 21-01319 CITY RIVER VIRGSTATE FL ZIP PHONE 813 319 3282 NAME PETER PENSA, AICH, AVID FROUP APPLICATION # MAILING ADDRESS 2300 CURLEW RD, STE 201, PALM HARROR 34683 2-0319 CITY______ STATE____ZIP____PHONE 727- 234-8015

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

PAGE 6 OF 6

DATE/TIME: 3/17/21 600 HEARING MASTER: Pamela, Jo Harley

PLEASE PRINT CLEARLY, THIS INFORMATION WILL BE USED FOR MAILING PLEASE PRINT NAME APPLICATION # RZ MAILING ADDRESS 523 21-0319 CITY TPA STATE ZIP 3360) PHONE PLEASE PRINT **APPLICATION #** NAME Elizabeth Belcher (virrual) 21-0371 MAILING ADDRESS 617 Penn National Road CITY Seffrer STATE FL ZIP 33584PHONE PLEASE PRINT **APPLICATION #** NAME Grace Mc Comas (virrual) R7 MAILING ADDRESS 805 Old Darby Street 21-0371 CITY Seffner STATE FL ZIP 33584PHONE PLEASE PRINT **APPLICATION #** NAME Edgardo Hernandez (virrual) RZ-PD MAILING ADDRESS 971 Knowles Road 21-0123 CITY Brandon STATE FL ZIP 33511 PHONE APPLICATION # NAME Tyler Hudson (virrual) RZ 21-0577 MAILING ADDRESS 400 North Ashley Drive CITY Tampa STATE FL ZIP 35602PHONE PLEASE PRINT **APPLICATION #** NAME Tyler Hudson (Virtual) MM 21-0344 MAILING ADDRESS 400 North Ashley Drive. CITY Tampa STATE FL ZIP 33602 PHONE

HEARING TYPE: ZHM, PHM, VRH, LUHO DATE: 5-17-2021

HEARING MASTER: Pamela Jo Hatley PAGE: 1 OF 1

APPLICATION #	SUBMITTED BY	EXHIBITS SUBMITTED	HRG. MASTER YES OR NO
RZ 21-0371	Todd Pressman	Applicant Rep Presentation Packet	No
MM 21-0312	Clayton Bricklemyer	Applicant Rep Presentation Packet	No
MM 21-0312	Clayton Bricklemyer	2. Applicant Rep Presentation Packet	No
RZ 21-0110	Todd Pressman	Applicant Rep Presentation Packet	No
RZ 21-0110	Scott Fitzpatrick	2. Applicant Rep Presentation Packet	No
RZ 21-0123	Michael Horner	Applicant Rep Presentation Packet	No
RZ 21-0314	Christie Barreiro	1. Applicant Rep Presentation Packet	No
RZ 21-0314	Steve Henry	2. Applicant Rep Presentation Packet	No
RZ 21-0315	Steve Henry	1. Applicant Rep Presentation Packet	No
RZ 21-0315	Kami Corbett	2. Applicant Rep Presentation Packet	No

MAY 17, 2021 - ZONING HEARING MASTER

The Zoning Hearing Master (ZHM), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, May 17, 2021, at 6:00 p.m., held virtually.

Pamela Jo Hatley, ZHM, called the meeting to order and led in the pledge of allegiance to the flag.

A. WITHDRAWALS AND CONTINUANCES

Brian Grady, Development Services, reviewed changes/withdrawals/continuances.

D.3. MM 21-0169

- Pamela Jo Hatley, ZHM, sought verification of continued agenda item D.3. MM 21-0169.
- Pamela Jo Hatley, ZHM, announced D.3 MM 21-0222 was continued to June 14, 2021.
- Brian Grady, Development Services, made comments on how to proceed.
- Pamela Jo Hatley, ZHM, calls proponents/opponents on MM 21-0169.
- Pamela Jo Hatley, ZHM, continued MM 21-0169 to June 14, 2021.
- Brian Grady, Development Services, reviewed withdrawals/continuances.
- Pamela Jo Hatley, ZHM, reviewed the meeting procedures.
- Assistant County Attorney Mary Dorman overview of oral argument/ZHM process.
- Pamela Jo Hatley, ZHM, oath.
- B. REMANDS Not Addressed.
- C. REZONING STANDARD (RZ-STD):

C.1. RZ-STD 21-0371

- Brian Grady, Development Services, calls RZ 21-0371.
- Todd Pressman, applicant rep, presents testimony, submitted exhibits.
- lacktrianglePamela Jo Hatley, ZHM, questions to applicant rep.

MONDAY, MAY 17, 2021

- Todd Pressman, applicant rep, answers questions and continues testimony.
- Christopher Grandlienard, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls proponents.
- Alan Moyer, proponent, presents testimony.
- David Schanz, proponent, presents testimony.
- Stephanie Mortellaro, proponent, presents testimony.
- Pamela Jo Hatley, ZHM, calls opponents.
- Elizabeth Belcher, opponent, presents testimony.
- Grace McComas, opponent, presents testimony.
- Pamela Jo Hatley, ZHM, calls for Development Services.
- Brian Grady, Development Services, made remarks.
- Pamela Jo Hatley, ZHM, called for applicant rep.
- Brian Grady, Development Services, added comments.
- Todd Pressman, applicant rep, gave rebuttal.
- Pamela Jo Hatley, ZHM, closes RZ 21-0371

C.2. RZ-STD 21-0577

- Brian Grady, Development Services, calls RZ 21-0577.
- Tyler Hudson, applicant rep, presents testimony.
- Pamela Jo Hatley, ZHM, questions to applicant rep.
- Egyler Hudson, applicant rep, answers questions and continues testimony.
- Christopher Grandlienard, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.

MONDAY, MAY 17, 2021

- Pamela Jo Hatley, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 21-0577.
- D. REZONING-PLANNED DEVELOPMENT (RZ-PD) & MAJOR MODIFICATION (MM):

D.1. RZ-PD 21-0110

- Brian Grady, Development Services, calls RZ 21-0110.
- Todd Pressman, applicant rep, presents testimony.
- Michelle Heinrich, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls for proponents/opponents.
- Scott Fitzpatrick, opponent, presents testimony.
- Pamela Jo Hatley, ZHM, calls for Development Services/applicant rep.
- James Ratliff, Development Services, transportation staff report.
- Brian Grady, Development Services, made remarks.
- Pamela Jo Hatley, ZHM, calls applicant rep.
- Todd Pressman, applicant rep, gave rebuttal.
- Pamela Jo Hatley, ZHM, closes RZ 21-0110.

D.2. RZ-PD 21-0123

- Brian Grady, Development Services, calls RZ 21-0123.
- Michael Horner, applicant rep, presents testimony.
- Scott Hinrichs, applicant rep, presents testimony.
- Gregory Soulliere, applicant rep, presents testimony.
- Kevie Defranc, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls proponents/opponents
- Edgardo Hernandez, opponent, presents testimony.

- Myrtle Cail, opponent, presents testimony.
- Pamela Jo Hatley, ZHM, calls Development Services/applicant rep.
- Michael Horner, applicant rep, gave rebuttal.
- Pamela Jo Hatley, ZHM, closes RZ 21-0123.
- ZHM Breaks
- ZHM Resumes Hearing

D.4. MM 21-0312

- Brian Grady, Development Services, calls MM 21-0312.
- Clayton Bricklemyer, applicant rep, presents testimony.
- Tania Chapela, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls proponents/opponents/Development Services/applicant rep/closes MM 21-0312.

D.5. RZ-PD 21-0314

- Brian Grady, Development Services, calls RZ 21-0314.
- Rebecca Kert, applicant rep, presents testimony.
- Christie Barreiro, applicant rep, presents testimony.
- Pamela Jo Hatley, ZHM, questions to applicant rep.
- Rebecca Kert, applicant rep, answers ZHM questions.
- E Kevie Defranc, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls proponents/opponents.
- Stanley O'Neal, opponent, presents testimony.
- Pamela Hannam, opponent, presents testimony.

MONDAY, MAY 17, 2021

- Madonna McDermott, opponent, presents testimony.
- Andrew Lavin, opponent, presents testimony.
- Pamela Jo Hatley, ZHM, call Development Services/applicant rep.
- Michael Brooks, applicant rep, gave rebuttal.
- Steve Henry, applicant rep, gave rebuttal.
- Michael Brooks, applicant rep, gave rebuttal.
- Pamela Jo Hatley, ZHM, closes RZ 21-0314.

D.6. RZ-PD 21-0315

- Brian Grady, Development Services, calls RZ 21-0315.
- Kami Corbett, applicant rep, presents testimony.
- Steve Henry, applicant rep, presents testimony.
- Kami Corbett, applicant rep, presents testimony.
- Israel Monsanto, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls for proponents/opponents/Development Services/applicant rep.
- Kami Corbett, applicant rep, made rebuttal.
- 🖺 Pamela Jo Hatley, ZHM, closes RZ 21-0315.

D.7. RZ-PD 21-0319

- Brian Grady, Development Services, calls RZ 21-0319.
- Clayton Bricklemyer, applicant rep, presents testimony.
- Pamela Jo Hatley, ZHM, questions to application rep.
- Clayton Bricklemyer, applicant rep, answers question.
- Michelle Heinrich, Development Services, staff report.

MONDAY, MAY 17, 2021

- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls for proponents/opponents
- Shameyah Francis, opponent, presents testimony.
- Andrea Waller, opponent, presents testimony.
- Brian Grady, Development Services, made comments.
- Rick Gnatowsky, opponent, presents testimony.
- Edith Salter, opponent, presents testimony.
- Carol Strachan, opponent, presents testimony.
- Michael Salter, opponent, presents testimony.
- Dim Ladner, opponent, presents testimony.
- Pamela Jo Hatley, ZHM, call Development Services
- James Ratliff, Development Services, transportation staff report.
- Pamela Jo Hatley, ZHM, calls applicant rep.
- Clayton Bricklemyer, applicant rep, gave rebuttal.
- Peter Pensa, applicant rep, gave rebuttal.
- Steve Henry, applicant rep, gave rebuttal.
- Pamela Jo Hatley, ZHM, closes RZ 21-0319.

D.8. MM 21-0344

- Brian Grady, Development Services, calls RZ 20-1282.
- Tyler Hudson, applicant rep, presents testimony.
- Steven Beachy, Development Services, staff report.
- Melissa Lienhard, Planning Commission, staff report.
- Pamela Jo Hatley, ZHM, calls proponents/opponents/Development Services/applicant rep/closes RZ 20-1282

ADJOURNMENT

Pamala Jo Hatley, ZHM, adjourns the meeting.

Application No. 21-0314
Name: Christie Basseica
Entered at Public Hearing: ZHM
Exhibit # / Date: 5-17-21

Approval of the request, subject to the conditions listed below, is based on the revised general plan submitted March 29, 2021.

- 1. The project shall be developed with up to 42 single-family conventional detached residential units. Interim agricultural use and low scale passive agricultural uses shall be permitted.
- 2. Development standards shall be as follows:

Minimum lot area: 7,200 sq. ft. Minimum lot width: 60 feet

Maximum building height: 35 feet*

Minimum front yard: 10 feet (20 feet from garage)**

Minimum side yard setback: 5 feet Minimum rear yard setback: 10 feet*** Maximum lot coverage: 55 percent

- *All buildings on lots that abut the south project boundary shall be one-story.
- ** Side facing/loading garages shall be permitted a minimum front yard setback of 10 feet. The front facing façade of the side facing/loading garage shall be architecturally finished with the same material/style as the main dwelling and shall have at least two windows.
- *** Minimum rear setback of 5 feet for accessory structures and 3 feet for pool enclosures.
- 3. The internal roadways shall be private and may be gated.
- 4. The internal roadways and stormwater ponds shall be developed in substantial conformance with the layout depicted on the General Site Plan. Minor deviations may be permitted when based upon engineering needs.
- 5. Buffer and screening shall consist of the following:
 - A 5 foot wide buffer with Type A screening shall be provided along the northern, eastern and southern PD boundaries, as depicted on the General Site Plan.
 - A 10 foot wide buffer with Type A screening shall be provided along the western PD boundary, as depicted on the General Site Plan.
 - A 4 foot high black metal, picket fence shall be provided along the northeast PD boundary adjacent to the offsite wetland/lake, as depicted on the General Site Plan.
- 6. If RZ-PD 21-0314 is approved, the County Engineer will approve a Design Exception dated February 26, 2021, and found approvable on March 26, 2021, for Lake Magdalene Boulevard substandard roadway improvements. As Lake Magdalene Boulevard is a substandard collector roadway, the developer will be required to make certain improvements to Lake Magdalene Boulevard consistent with the Design Exception.

- 7. Approval of this zoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested right to environmental approvals.
- 8. The construction and location of any proposed wetland impacts are not approved by this correspondence but shall be reviewed by EPC staff under separate application pursuant to the EPC Wetlands rule detailed in Chapter 1-11, Rules of the EPC, (Chapter 1-11) to determine whether such impacts are necessary to accomplish reasonable use of the subject property.
- 9. Final design of buildings, stormwater retention areas, and ingress/egresses are subject to change pending formal agency jurisdictional determinations of wetland and other surface water boundaries and approval by the appropriate regulatory agencies.
- 10. If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.
- 11. The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.

Hall Family Holdings, LTD. 1103 South Dakota Avenue Tampa, Florida 33606 (813) 254-7003

May 14, 2021

VIA EMAIL: grady b@hillsboroughcounty.org AND FEDEX

Mr. J. Brian Grady
Executive Planner
Development Services Department
601 E. Kennedy Blvd., Tampa, FL 33602

RE: Planned Development Petition 21-0314 13135 Lake Magdalene Boulevard

I am writing this letter on behalf of Hall Family Holdings, LTD, owner of an approximately 21-acre parcel of land that has been in the Hall family for nearly 100 years. A portion of our family property is the subject of Rezoning Petition No. 21-0314.

We want it to be known that our family supports the development of single-family homes on the subject property. Weekley Homes has done a thoughtful job designing an attractive single-family subdivision that is consistent with the character of the neighborhood and minimizes noise and congestion.

Our family would prefer single family development to multi-family development on the subject land, and feels that it is more compatible with the neighborhood.

We appreciate consideration of our family's support for the Weekley project, and respectfully request that Hillsborough County favorably review and approve their lower density, single family project proposed by Rezoning Petition No. 21-0314.

Respectfully,

HALL FAMILY HOLDINGS, LTD.

I an CK Hal CILL

By: JCHW, INC.

David R. Hall, III

President

Building 1.

PETITION

We, the undersigned residents residing at the specified and listed addresses below, would like to request that the land at 13515 Lake Magdalene Boulevard, Tampa, FL 33618 be developed specifically for single family homes. David Weekly Homes is currently requesting zoning for this property to build single family homes and Hillsborough County is requesting that the land be used to build multi-family homes. We live across the street from the above referenced property and foresee problems arising with traffic on the already heavily traveled and congested roads.

Please sign this petition to request that the land at 13515 Lake Magdalene Blvd. Tampa FL 33618 be developed for single family homes ONLY!

SIGNATURE	NAME	ADDRESS		
Vinfler	Wiek Middlebo	ook 3109	- Valley Oc	iks Dr.
(2) Berlin Cuer	well Borboro Cur	CC16514 3111	- 10	10 11
3) Ruhaed Ma	Jan Rickard	BARGII -	3108	и и
9 This 3	2 NKI	BEER	3115- Valley	Wall D1
3 Jarolin Zab	wind Cosoline	Robbins	3119-11	<i>t</i> (<i>t</i> (
@ BOONE NO	Melly Brook	e Monakey	3121-11	11 (1
5 Sally 5-	tson Sarry	Kilson	305-11	11 11
8) pardu Kin	Traida 14	Puiz 3	101 -11	11 10
2 Lillian 1	Cokenzie Lillian M	Jekenzie 3	3117 -11	11 11
(10)			- 1	1 11 11
			-1	(1)) i)

We, the undersigned residents residing at the specified and listed addresses below, would like to request that the land at 13515 Lake Magdalene Boulevard, Tampa, FL 33618 be developed specifically for single family homes. David Weekly Homes is currently requesting zoning for this property to build single family homes and Hillsborough County is requesting that the land be used to build multi-family homes. We live across the street from the above referenced property and foresee problems arising with traffic on the already heavily traveled and congested roads.

Please sign this petition to request that the land at 13515 Lake Magdalene Bivd. Tampa FL 33618 be developed for single family homes ONLY!

•							
SIGNATURE	Ja. so	NAME	4.4	ADDRESS	Valley Da	npa F1 336	18
Satricia	Mitally	Patricia	McNally	3204	Valley Da	cks Dr	
John -	650als		7-00000		- C VOLICE	, Daks Dr	PI
Stepho	me Kojin	na Step	hanie t	Colina.	3200 Valley (alcs Dr	336
Mickel	e Baughn	_ 3Mich		3210 Vall	ey oaks I	Tanya +	341
Regna	Garvey	KESINA	SARVEY 3	202 Valle	Dakson C	James 330	618
Danne	- Douglass	DONNA	- DOUGLASS		Mey Oaks h	r Janpa	531 336
1 Musa	- Julia	leresa	Gulic	3208 No	My Oaks Dr	Tamps 33618	
num	My M	ISKENI	P GOUG	+ 3222 V	ALLEY OAK DE	-TAMA 33	8/6/8
Grabe	Hersta	Isabe	1 ACOSTO	2 3220	VALLY DAKE	DY Jampa	7/3¥
Dear	ie aswor	the DIAM	E NASWIR	K132/4	Valley ?	Take Or	
MAS	Karyo,	J.M.SK	CAN	3214	Valerdare	3-3348 ,	1.
_ Spa	Nendfilds	Darbaro	3 PHM				1361
1540	tx	Kathe I	Sur	3218 V	alley oard la	tpa 33418	

We, the undersigned residents residing at the specified and listed addresses below, would like to request that the land at 13515 Lake Magdalene Boulevard, Tampa, FL 33618 be developed specifically for single family homes. David Weekly Homes is currently requesting zoning for this property to build single family homes and Hillsborough County is requesting that the land be used to build multi-family homes. We live across the street from the above referenced property and foresee problems arising with traffic on the already heavily traveled and congested roads.

Please sign this petition to request that the land at 13515 Lake Magdalene Blvd. Tampa FL 33618 be developed for single family homes ONLY!

SIGNATURE	NAME A	DDRESS
Paulia Burges	Cecelia Buecco	3225 Valley Oaks DR
Bart By	Harold Burger	3225 1/1/6 Cake Dr.
Claudia Steinbe	ng CLAUDIN STETNED	/
Sough Stenders	SANFOLD STEIN	BERG 3215 VALLEY DAKS DE FL
All Lotte	CHRISTOLINER GORTON	3221 VALLEY OAKS DE 33618
Framine Loton	Francine Gorton	3221 Valley Oaks Drive 35/18
adrione Gude	Adrigar Erickson	3201 Valley Oaks Blud 33618
michael Fredo	Michael Field	3203 Valley oak 33618
aush	Matthew Prado	
Talls	John WILLIAM TAYO	1 339/0
Duris yarell	Rosty yours	3227 Inter OAKS
Log Stell	Lisa Little	3227 Valley Oaks Dr. TRAFL
Vinntella	CHRIS LITTLE	3223 VALLEY DAILS DR 33618
Densy	Amy Little	3223 valley own
Carol Taylor	Carol Taylor	323 Valley Oaks Dr. Tampa H
Dentido	John Drain	3213 Valley Baks Dr. TammFL 33618
Delada Kacino	CLENDA PACINE	5217 Vally On Jan 21 336/8
TO MAN LEWIN	7	
Belle Mes	BELKYS NUWEZ	3209 Valley OAK, MILL 1994, 336/8
	7 ,	10/01 336/8

We, the undersigned residents residing at the specified and listed addresses below, would like to request that the land at 13515 Lake Magdalene Boulevard, Tampa, FL 33618 be developed specifically for single family homes. David Weekly Homes is currently requesting zoning for this property to build single family homes and Hillsborough County is requesting that the land be used to build multi-family homes. We live across the street from the above referenced property and foresee problems arising with traffic on the already heavily traveled and congested roads.

	Please sign this petition to request that the land at 13515 Lake Magdalene Blvd. Tampa FL 33618 be developed for single family homes ONLY!
	SIGNATURE ADDRESS
	Sandra Hammeken 3112 Valley Oaks Dk 33618
	Jana Hourell 3168 Vally onto Dr. 33618
	Mary Baninati 3184 Valley Dako D1. 33618
•	Chuptal Panneth 3110 Valley Oak D 33(0/8)
	Danie Lett 3/14/6/04/04/04/04 Dn 336/8
	Man Duncan 3120 VAlley OAKS DR. 33618
	Pha H 3116 Valley Oaks Dr 33618

Blog of

PETITION

We, the undersigned residents residing at the specified and listed addresses below, would like to request that the land at 13515 Lake Magdalene Boulevard, Tampa, FL 33618 be developed specifically for single family homes. David Weekly Homes is currently requesting zoning for this property to build single family homes and Hillsborough County is requesting that the land be used to build multi-family homes. We live across the street from the above referenced property and foresee problems arising with traffic on the already heavily traveled and congested roads.

Please sign this petition to request that the land at 13515 Lake Magdalene Blvd. Tampa FL 33618 be developed for single family homes ONLY!

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GREATER CARROLLWOOD-NORTHDALE COMMUNITIES PLAN

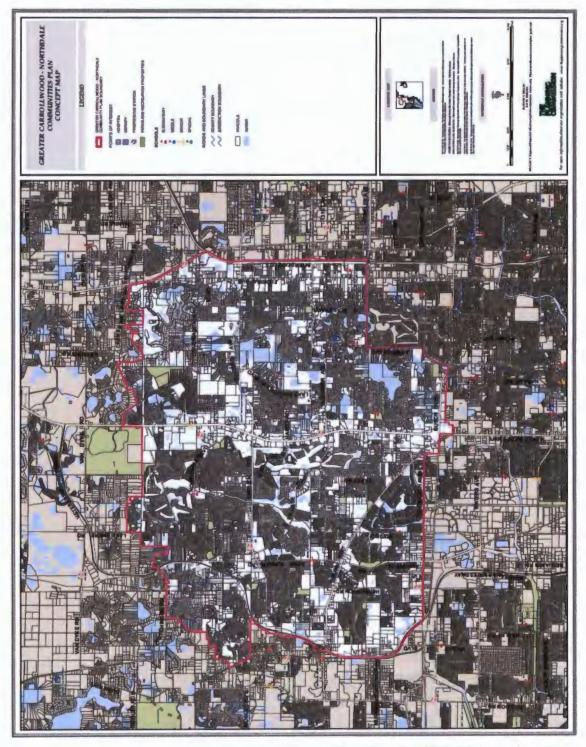


Figure 22- Greater Carrollwood - Northdale Boundary Map

This Community Plan was prepared by the citizens of greater Carrollwood-Northdale area in an era of constrained government funding. Today, it takes far more than government to improve a

community. Improvements start with the residents themselves, requiring local organization and leadership in defining needs, priorities and actions. Our Community Plan is our first and major step in this process. The goals, strategies, projects contained within are for planning purposes only and reflect the expressed desires of the community. These do not become part of Hillsborough County's program or budget until specifically adopted or funded by the Board of County Commissioners. It is our intent to investigate and identify funding opportunities both private and public in the implementation of our vision.

HISTORY

The history of the Community Plan is best considered when placed in context with the character of the distinct neighborhoods of Carrollwood, Carrollwood Village, Northdale and Lake Magdalene.

Lake Magdalene is surrounded by, and takes its name from, a 206-acre freshwater lake. As a northwestern suburb of Tampa, Lake Magdalene welcomed enough residents to receive its first post office in 1888, followed by a scattering of schools and churches. Most notably the United Brethren Church (now Lake Magdalene United Methodist) started in 1895 by Reverend Isaac W. Bearss. The rustic qualities of Lake Magdalene remained until the 1960s when residential construction in Tampa pushed northward. By 1990 almost 16,000 people lived in Lake Magdalene.

In approximately 1957, the first pioneer planned development was built as original Carrollwood: 983 homes were built with access to 200-acre Lake Carroll. The area boasted amenities unheard of at the time: a planned school, neighborhood parks, lake access, winding roads, and lake views. Until the 1980's, Carrollwood was known as Lake Carroll being named after the lake located at the eastern edge of the community. The founder, Matt Jetton, purchased approximately 325 acres of citrus nursery land with a vision of creating housing to relieve crowding in south Tampa. The community spread westward during the 1970's and 80's when Mr Jetton decided to purchase 2,000 more acres today known as Carrollwood Village. The first single-family homes in Carrollwood Village, were all custom-built around the golf course near Carrollwood Village Drive.

Carrollwood Village was unique in that it was one of the first building projects in Hillsborough County to involve study and planning by such experts as traffic engineers, school planners, and environmentalists, to determine its regional impact upon the community.

Sometime around 1946 Walter Wyman "Willie" Ragg, Sr. purchased 1,300 acres of land known today as Northdale. Willie maintained the dairy farm until the early 1960's when he closed that portion of the farm and from then on ran it purely as a cattle ranch.

In 1949 Walter Wyman "Wy" Ragg, Jr. was born and lived in a log cabin on the property along with three generations of Raggs.

In the 1970's Mr. Ragg decided to sell the ranch. Criterion Corporation purchased the entire acreage of Ragg Ranch with the exception of 10 acres where the family continued to live in the log cabins that today are occupied by Bob Sierra Family YMCA. In 1977, after development had started, the log cabins were relocated on Lake Shore Drive. Ragg Road which leads to the YMCA pool campus was named in Willie's honor.

VISION

The Greater Carrollwood-Northdale Communities Plan completed in 2009 resulted in development and redevelopment opportunities reflected our vision for an aesthetically pleasing, well designed, transit supported, mixed use activity centers and residential neighborhoods which created our vibrant and economically sustainable community.

We continue to protect and maintain our suburban lifestyle while also maintaining our individual neighborhood characteristics. We continue to recognize and preserve our assets such as pristine lakes, parks and our community golf courses. As we have grown, we built our community in a smart manner where land use and infrastructure grew together.

Each community kept its character through continued enforcement of regulations. Protection of our residential areas is maintained by not allowing the proliferation of commercial into the residential areas, but rather focusing it into community activity centers. We continue to keep each neighborhood interconnected by way of sidewalks, landscaped trails, bicycle paths and pedestrian overpasses/underpasses.

We enjoy our walkable, family friendly, community focal points at the community activity centers that bring everyone together from their distinct communities; they include landscaped open space, shops, offices, parking on upper floors, and entertainment opportunities.

Our major corridors, especially North Dale Mabry Highway and Florida Avenue, transformed into vibrant pedestrian friendly environments that serve as gathering places for adjacent neighborhoods. Now our transportation system better serves us with safe and timed signalization on our major highways as well as alternative modes of transportation such as a light rail system that connect us to the rest of the Tampa Bay area.

Our Carrollwood-Northdale community pride remains strong by promoting the areas' history, culture and volunteerism while preserving each community's value and unique character.

The following themes and goals are listed in order of priority.

1. Community Growth/Revitalization

Encourage development and redevelopment opportunities that reflect the citizens' vision for an aesthetically pleasing, well designed, transit supported, mixed use activity centers and residential neighborhoods which promote a vibrant and economically sustainable community.

Goal 1: Establish sustainable community activity centers that allow the citizens to live, work and play all within walking distance.

Strategies:

- Discourage new development of strip commercial in our community, mixed use development and redevelopment shall be focused at identified community activity center or intersections complying with the locational criteria.
- Priority shall be given to the following locations as community activity centers
 identified for revitalization and redevelopment using Transit Oriented
 Development (TOD) techniques: near the intersections of North Dale Mabry
 Highway and Handy Road, North Dale Mabry Highway, Florida Avenue and
 Fletcher Avenue/ Bearss Avenue, and at the intersections of Lynn Turner Road
 and Erhlich Road, and Gunn Highway and Nixon Road. (see concept map)
- Establish incentives for redevelopment and revitalization programs (i.e. façade enhancement) for community activity centers, especially within non-residential portions along North Dale Mabry Highway and Florida Avenue.
- Encourage higher density development and redevelopment to coordinate with the adopted transit plans (TBARTA Master Plan) at community activity centers, especially along Dale Mabry Highway and Florida Avenue.
- At Handy Road along Dale Mabry Highway, allow expansion of existing commercial and residential uses; encourage hotels with family-friendly amenities; and multi-story buildings designed with retail and restaurants on ground floor and offices or residential on the upper floors.
- Create and adopt a redevelopment overlay for North Dale Mabry and Florida Avenue Corridors. Features of these overlays include:
 - o Improve address numbering and readability.

- Traditional neighborhood development (TND) standards or form based codes to the extent possible for development and redevelopment projects.
- o Architectural design standards for the redevelopment of the corridors.
- Sustainable building practices such as green roofs, cisterns, Florida Friendly landscaping, etc.
- Community facilities and residential support uses with appropriate parking and functional open space.
- Incentives for adaptive reuse of existing facilities and redevelopment activities.
- Explore transportation methods to improve cross access between businesses and to connect the network along Dale Mabry instead of single access points directly from Dale Mabry.
- Transportation planning methods to discourage traffic on North Dale Mabry Highway and Florida Avenue, especially circulator busses, or through identification of alternative network of parallel alleys or feeder/frontage roads.

(Below) The TOD principle of designing places for people—a pleasant walking environment is created with street trees and human-scaled building elements.



- Support nonresidential architectural design that is consistent throughout the community.(i.e. appearance of a simple upscale professional area, not rural setting)
- Discourage
 expansion of commercial along North Dale Mabry
 Highway when not located in an identified activity center or redevelopment overlay area.

Transit Oriented Development (TOD) is:

Dense – Higher densities should be concentrated within walking distance (¼ to ½ mile) of stations

- Designed for people All transit users are pedestrians at one end of their trip, so transit oriented development is by necessity pedestrian friendly in its design
- Diverse Providing a variety of uses within walking distance of the transit station allows transit riders to complete their daily activities without use of an automobile



(Above) The TOD principle of diversity promotes vertical mixed use, such as buildings with retail on the bottom and office or residential on the upper levels.

Community Activity Centers shall be designed for people and:

- · Offer a variety of uses
- · Focus around existing and planned infrastructure and transit
- Provide access across property lines with interconnected parking areas that allow cross traffic of people and cars
- Encourage the location of buildings that are highly accessible to pedestrians, bicyclists and other forms of transportation
- Encourage the development of parking garages

Commercial Redevelopment and Revitalization areas shall be designed with the pedestrian in mind, allowing people to walk and bike to their destinations. Another component of redevelopment is the provision of functional public open space. As

redevelopment intensifies, additional public open space needs to be provided to accommodate meeting and recreation needs of the areas as well as providing an



aesthetic quality to the area.

(Above) The integration of retail uses on the lower level with office uses on the upper floors is one local example (Main Street at Hampton Lakes off Race Track Road) of vertically-integrated mixed use.

2. Community Design/Culture

Maintain and enhance community pride by promoting the areas' history, culture and volunteerism while preserving each community's value and unique character. As the area redevelops it is important that the existing residential neighborhoods remain suburban in nature.





Goal 2: Reinforce community identity through maintenance and enhancement of the community's unique characteristics, assets and physical appearance.

Strategies:

 Promote focal points and landmarks that reflect the uniqueness of the each neighborhood within community area.

- New development and redevelopment shall use compatibility design techniques to ensure the appearance (architectural style), mass and scale of development is integrated with the existing suburban nature of each neighborhood. (i.e. transitions, buffers etc).
- Preserve the character and integrity of existing neighborhoods through increased code enforcement.





 Streetscapes along our roadways shall be consistent with the adopted <u>Livable</u> <u>Roadways Guidelines</u> document.

Livable Roadways provide:

- Active uses that promote pedestrian activity and offer a balance to meet peoples' daily needs
- Safe, continuous sidewalks on both sides of the street
- Street furnishings such as benches, trash receptacles, pavement treatment such as brickwork, texture, pavers, landscaping, transit shelters and lighting appropriate to the setting
- Direct routes between destinations that minimize conflicts between pedestrians and automobiles
- Designate and establish gateways/community entry signs at specific points that identify each neighborhood within the area's boundary consistent with the county's sign ordinance.
- Reduce illegal signage by enforcing sign ordinance along North Dale Mabry Highway and Florida Avenue.
- Define a standard set of measurements for the display of commercial signage i.e.
 type, height, size, colors, lighting, style, etc., which shall reflect the character of
 the area and minimize obstructions of views especially along major corridors
 such as Dale Mabry Highway, Bearss Avenue, Handy Road, Florida Avenue and
 Fletcher Avenue.

• Encourage the integration of active and passive open spaces within the residential and commercial areas that enhance the community's livability.

Goal 3: Support historic preservation efforts as a means of adding economic, social and educational value to our community.

Strategies:

 Preserve our historic landmark site; the 1948 Hamner Fire Tower at W Fletcher Ave & N Boulevard.



Hamner Tower Park

- Build on our strengths such as our educational, cultural, recreational assets (e.g. tight knit communities with several outside walkways)
- Preserve and expand each neighborhood's culture and traditions (i.e. parades in old Carrollwood, Village Fest and the Northdale Family Fun Festival & Parade.)
- Ensure that each neighborhood's historic resources are protected, preserved and enhanced.

3. Transportation/Walkability

Plan and implement transportation concurrent with development, which provides connectivity, and promotes transit-friendly, safe, efficient design, emphasizing alternative modes of transportation thus meeting the needs of all citizens.

Goal 4: Provide a well maintained, safe and efficient road and street network.

Strategies:

- Relieve traffic congestion by improving the timing of signalization along Dale Mabry Highway and other major corridors (Erhlich/Bearss, Florida, Fletcher, Linebaugh/Busch, and Lynn Turner) to be uniform and consistent with real time control, traffic surveillance cameras at major intersections along Dale Mabry Highway, etc.
- Install Intelligent Transportation Systems (ITS) to improve transportation safety and mobility through the integration of a broad range of wireless advanced communications technologies. Familiar ITS technologies include electronic toll collection, in-vehicle navigation systems; rear-end collision avoidance systems and dynamic message signs.
- Identify opportunities and support the construction of a north/south route corridor to relieve congestion. Study Lynn Turner/Anderson Road and North

- Boulevard Avenue as potential alternatives. (see concept map) Implement by adding this corridor to the adopted Corridor Preservation Map.
- Enhance traffic safety features of the roadway network to relieve traffic accidents, in particular those involving pedestrians and bicycles. Special consideration should be given to the intersections along Dale Mabry Highway such as Handy Road and to intersections along Florida Avenue, such as Bearss and Fletcher Avenues. Methods could include additional signage, traffic calming techniques, stricter enforcement of red light violations, cameras and/or a pedestrian over/underpass.
- Design roadways in a manner that incorporates the multimodal concepts expressed by the Livable Roadway Guidelines to the fullest. (i.e. use traffic calming techniques in appropriate locations such as Northdale Blvd. and Brushy Creek Road from Lynn Turner to Carrollwood Meadows to reduce vehicle speed and discourage cut through traffic.) Traffic calming, through design alternatives rather than speed humps should be incorporated in new developments and redevelopment.

"First fix the streets, then the people and businesses will follow."

- Dan Burden, Walkable Communities, Inc. (Above and below)





The Livable Roadway concepts of active uses, continuous sidewalks and street furnishings are highlighted.





- Provide traffic congestion relief to those areas that are high volume during peak hours. (i.e. Sheriff directing traffic at churches and schools, additional traffic signals where warranted, etc).
- Study opportunities to improve traffic flow on Lynn Turner Road; consider adding a center turn lane.
- Construct pedestrian/bicycle overpasses/underpasses along North Dale Mabry Highway at community activity centers. (see concept map)
- Construct pedestrian refuge islands in Florida Avenue at bus stops to facilitate safe crossing of the road by bus patrons and others.
- Improve safe turning movements along Dale Mabry Highway. (e.g. consider adding a left turn arrow on northbound Dale Mabry Highway at Northdale Boulevard and addition of turn arrows at Northdale Boulevard/Hoedt Road.)
- Implement community preferred traffic calming techniques along Northdale Boulevard and Brushy Creek Blvd. The community prefers traffic calming through design alternatives, speed limits, enforcement, or technology such as cameras over the use of speed humps/tables.
- Implement street and multi-modal improvements as the area redevelops such as benches, covered bus stops, improved cross walks, pedestrian over/underpasses
- Provide adequate roadway network, bicycle lanes and sidewalks to ensure appropriate capacity to the neighborhoods (such as Lake Magdalene, Carrollwood, and Northdale).
- · Provide maintenance of the major corridors and roadway network.
- Improve traffic flow and circulation near schools (e.g. EJ Essrig) by increasing and/or lengthening the drop off/pick up lanes, improving enforcement of the speed limit, and preventing school overflow traffic from blocking through traffic on the perimeter roadways.

- · Support the "Adopt a Road" program.
- Improve ingress and egress to Jimmy B Keel Library.

Goal 5: Create a walkable environment that is safe and convenient through the connection of sidewalks, crosswalks, paths and trails that link both natural and built environments.

Strategies:

- New development will provide pedestrian infrastructure and amenities that
 connect to existing facilities along roadway network. Priority shall be given to
 designing in a manner that fosters safe walkable/biking along Dale Mabry
 Highway, Bearss Ave, Fletcher Ave. Linebaugh Ave, Gunn Hwy and Handy
 Road.
- Use the adopted <u>Livable Roadways Guidelines</u> to maximum extent possible to accomplish Goal 5.
- Provide interconnected system of parks, open spaces and other amenities that
 is easily accessible and pedestrian friendly, with special attention to the
 Upper Tampa Bay trail and other greenways/trails on the adopted Greenways
 and Trails Master Pan.
- Provide sidewalks along both sides of roadways connecting to public parks.
 (such as along Four Oaks Road to Timberlane Park, Lake Park etc).
- Ensure that pedestrian facilities such as sidewalks and trails are implemented concurrent with or before the vehicular improvements. Prioritize pedestrian circulation and facilities over vehicular improvements.
- Provide direct and multiple street and sidewalk connections within development projects and their building entrances as well as to adjacent projects to form a cohesive connected and integrated development pattern.
- Provide pedestrian access to the cultural amenities and other assets within the neighborhoods such as the Carrollwood Cultural Center, parks such as Northdale Park and Lake Park, libraries, existing shopping areas and future community activity centers.
- Focus efforts on building facilities that will complete the existing sidewalk, bicycle, pedestrian and trail network.

Goal 6: Improve and expand public transportation opportunities, which allow convenient access throughout the area and region. Ensure that these facilities are attractive, maintained and meets the needs of its users.

Strategies:

- Endorse and implement the Tampa Bay Area Regional Transportation Authority (TBARTA) Master Plan adopted May 22, 2009 (including mid-term and long-term regional networks and long-term vision network).
- Provide effective public transportation throughout the area (service that frequent e.g. 20 minute stops).
- Increase transit along the Dale Mabry corridor at the intersections of Northdale Boulevard, Fletcher Avenue, Handy Road, Linebaugh Avenue and Bearss Avenue and Hudson Lane (entrance to Old Carrollwood.)
- Provide different modes of transportation in a system that is functional and supports all the neighborhoods within the community. Addition of pedestrian connections, electric cart paths, trails, bike lanes, and HOV lanes are strongly desired.
- Support the provision for high frequency light rail transit along the North Dale Mabry Highway corridor. Light rail is ultimately preferred; bus rapid transit at a minimum.
- Support future expansion of Bus Rapid Transit service on North Florida Avenue.
- Support the development of bus or rail transportation to the Tampa International Airport, University of South Florida, Hillsborough Community College, Downtown (including Channelside and Ybor City), and Westshore district.
- Design and locate transit stops consistent with the Livable Roadway Guidelines throughout the community. Prioritize locating transit stops within proposed community activity centers. (See concept map).

Goal 7: Ensure that new development is compact, contiguous, and concurrent with available public facilities and services and promotes the integration of uses to provide increased connectivity thereby discouraging sprawl and maximizing the use of public infrastructure.

Strategies:

- Provide for Transit Oriented Development, as mentioned in Goal 1, built in character with our neighborhoods and allows residents to live, work and play in close proximity.
- Explore establishing a Multimodal District along North Dale Mabry including the community activity centers.
- Ensure the area has adequate density to accommodate the future transit system.

4. Recreation/Leisure/Environment

Enhance and protect the scenic value of environmental and recreational assets. Provide adequate opportunities for open space, recreation and leisure activities now and in future. Ensure these connect to other systems outside of the community.

Goal 8: Preserve and maintain sufficient open space to serve the recreational needs of the community and to protect the environment and natural resources.

Strategies:

- Prioritize the continued management and maintenance of parks, trails and recreational facilities as it is critically important to the community.
- · Maintain the scenic value of the many community lakes.
- Preserve and improve all of the existing recreational facilities and park space with special attention to Roy Haynes Park, Lake Park and Northdale Park.
- To ensure future recreational enjoyment, explore acquisition of Lake Park by Hillsborough County from City of St. Petersburg.
- Implement the county's adopted Greenways and Trails Master plan.
- Promote adding a connection between the Upper Tampa Bay Trail and the Northdale Lake Park Trail.
- · Explore the creation of a new greenway link or trail along Brushy Creek.
- To ensure an efficient and safe network of public walking trails with detailed directional and identification signage, especially in relation to the Upper Tampa Bay Trail and the proposed Brushy Creek Trail.
- Link local bicycle routes with the routes of neighboring areas where feasible.
- Ensure access and adequate parking for all public open spaces and trail facilities.
- Maintain a management program for water quality of community lakes, creeks and waterways including improved stormwater management control and debris removal in storm inlet system. Provide maintenance through the continued support of the Pond Watch, Lake Management Program and Stream

Water watch programs and the Adopt a Pond program that also helps volunteers clean up and restore the natural habitat in their stormwater ponds.

 Continue to develop new community parks and neighborhood parks with desired recreational facilities and programs (including dog parks and community gardens) as well as trails connecting neighborhoods within our community to the park facilities.

New development and redevelopment should integrate

recreation and open space into projects.

- Support the continued operation of the Northdale Golf Course. In the alternative, encourage another recreational use.
- Protect and preserve the communities' natural and environmental assets (i.e. lakes, creeks, tree canopies).

Goal 9: Facilitate the provision and maintenance of public facilities to serve every neighborhood in the community plan area.

Strategies:

- Continue to promote, maintain and support existing assets in the community such as: Jimmy. B. Keel Library, Carrollwood Cultural Center, and area golf courses.
- Support the continued enhancement of programs and services at the Carrollwood Cultural Center; explore the addition of library services.
- Develop design standards for public use/facilities which provide open space, attractive landscaping and encourage design features that are considerate of the existing environment.

5. Government Services/Support

Provide high quality, safe, public services and adequate infrastructure for our community.

Goal 10: Provide consistent, adequate and high quality public services equally through our service area.

Strategies:

<u>Infrastructure</u>

- Ensure that services are provided and maintained such as water, sewer, roadways etc.
- When redevelopment occurs provide connections to reclaimed water when capacity is available.
- Provide basic infrastructure (i.e. sidewalks, street lighting, reclaimed water, water, and wastewater) to the Four Oaks neighborhood, and any other area with the same sort of infrastructure deficiencies, such as neighborhoods along the North Florida Avenue corridor and east of North Boulevard. Explore the establishment of a Special Assessment District to finance the implementation.
- Require the use of underground electrical in all new construction in the community plan area.

Provide sidewalks on both sides of the road; make those along Casey and Lowell
a priority for access to the Carrollwood Cultural Center.

Public Safety

- Support the creation of a neighborhood crime watch program in each neighborhood.
- Increase the presence of law enforcement personnel to ensure a safer environment for the citizens.
- Implement Crime Prevention through Environmental Design standards into all new development and redevelopment to provide safer neighborhoods.

Services

 Maintain adequate level of services such as sheriff, fire rescue, and libraries, and a community center for the entire community plan area. Emphasize programs

over physical facilities.

- Increase code enforcement in the upkeep of properties.
- Maintain and preserve our natural resources such as Sweetwater Creek and along Casey Road.
- Locate a senior center in the Northdale neighborhood.

Education

- Promote and enhance educational opportunities for students and adults with appropriate funding, advertising, and access.
- Support continued funding of educational opportunities offered at all community and library facilities (e.g. Jimmy B. Keel Library).

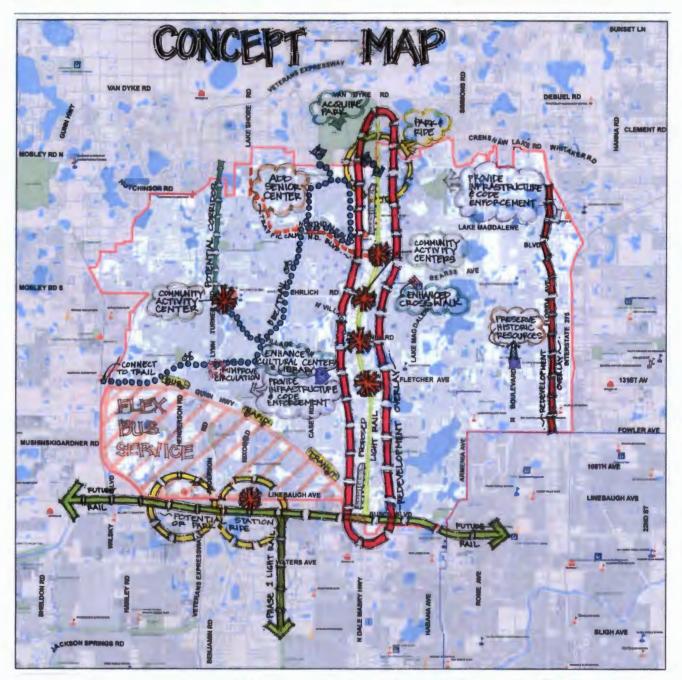


Figure 22A - Greater Carrollwood-Northdale Communities Plan Concept Map

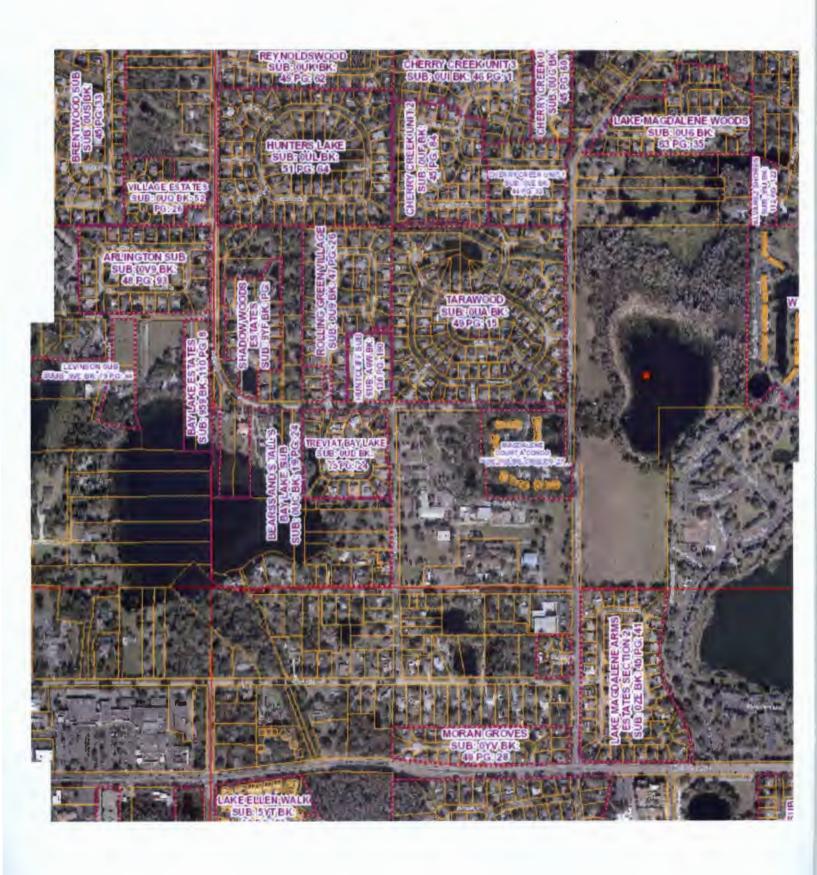
Actual Buildout Lake Magdalene

(predominantly suburban style low density single family)

Exhibits

- Plat Map copy
- Cherry Creek Unit 1 Plat (24 SF on 8.9 acres: 2.69 DU/acre) 1972
- Lake Magdalene Arms Estates Section 1 Plat (59 SF on 21.6 acres: 2.73 DU/acre)
 1973
- Lake Magdalene Arms Estates Section 2 Plat (59 SF on 21.58 acres: 2.73 DU/acre)
 1973
- Cherry Creek Unit 2 Plat (43 SF on 14 acres: 3.07 DU/acres) 1974
- Cherry Creek Unit 3 Plat (109 SF on 42.42 acres: 2.569 DU/acre) 1974
- Rolling Green Village Plat (29 SF on 14.87 acres: 1.95 DU/acre) 1976
- Tarawood Plat (104 SF on 38.88 acres: 2.68 DU/acre) 1978
- Lake Magdalene Woods Plat (33 SF on 13.32 acres: 2.47 DU/acre) 1987
- Huntcliff Subdivision Plat (10 SF on 3.87 acres: 2.58 DU/acre) 2017

PLAT MAP



LAKE MAGDALENE ARMS ESTATES - SECTION ONE

SHEET I OF 3 SHEETS

Million Character Comments DEDICATION: The undersigned, as owners of all lands herein platted, hereby declicate this plat for record, and all streets shown hereon to public use this first any of August 2000 of Aug State of Florida
County of Hillsborough <u>And Nw America</u> of Stockton, Whatley, Dovin and Company, a corporation, to me well
County of Hillsborough are to be the person described in and who executed the foreagoing joinaer and consent
from and known to me to be the person described in and who executed the foreagoing joinaer and consent
from the consent and and other and the control of the contro BOARD OF COUNTY COMMISSIONERS. Dedication of streets, roads, of less and control country country that this plat configures in a street of four of the street o Chtt Bouc DESCRIPTION: Beginning at the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of Section 10. Township 28. South, Range 18 East, HI/Boorough County, Florido; run thence West (assumed bearing), along the 28. South, Range 18 East, HI/Boorough County, Florido; run thence West (assumed bearing), along the 28 South, Boundary of the Northeast 1/4, the South County of the Northeast 1/4, the South County 1/4 share 1/4 sh Part of the Southeast 1/4 of Section 3 and part of the Northeast 1/4 of Section 10, Township 28 South, Range 18 East, Hillsborough County, Florida. JONDER AND CONSENT TO DEDICATION: The undersigned thereby certifies that it is the holder of a mortgoge upon the above described property and that the undersigned the reby joins in and consents to the above declication and agrees that its mortgode, recorded in O.K.Book 1466, Page 6/3, of the Public Records of Hillsbarough County, Florida, shall be subordinated to the above dedication.

| Indian | Described | County | Indian | County Indian | Indian | County ZONING DIRECTOR: This plat is mereby approved by the Zoning Director Hill Book push County, Florida. ACKNOWLEDGENII:

Before me, the undersigned authority, personally appeared the above stated awners, to me State of Figure 15, to me State of Figure 16, the foregoing dedication of Figure 16, the foregoing dedication of Figure 16, the foregoing dedication and thrown and further 16 be the indication of the foregoing dedication and fill state of the same of Cartificial sea and purposes set out the reliance of the same of All state of Ficial sea and official sea out the county, Figure 16, this all day of Thurst 1973. Notice Public, State of Ficial and at Large 18. Notory Public, State of Florida at Large 18 COUNTY ENGINEER: This plat is hereby approximately the County Engineer Hills becounty County County County County County County County County Engineer Before me, the undersigned authority, personally appeared Pallyl Busher Withous Chair Mines Lieber Mert J. Mallottey ATTORNEY'S CERTIFICATE: I. C.R. Tal (ex, on ottorney at law licensed in Florida, do hereby certify that as of the configuration as in the configuration of hereby certify that as of the configuration of herein planted as Lake apparent hereby certification of herein planted as the configuration of the co C.R. Talley, Attorney at Law Johnson Walletery William Charles ACKNOWLEDGMENT: ACKNOWL EDGMENT:

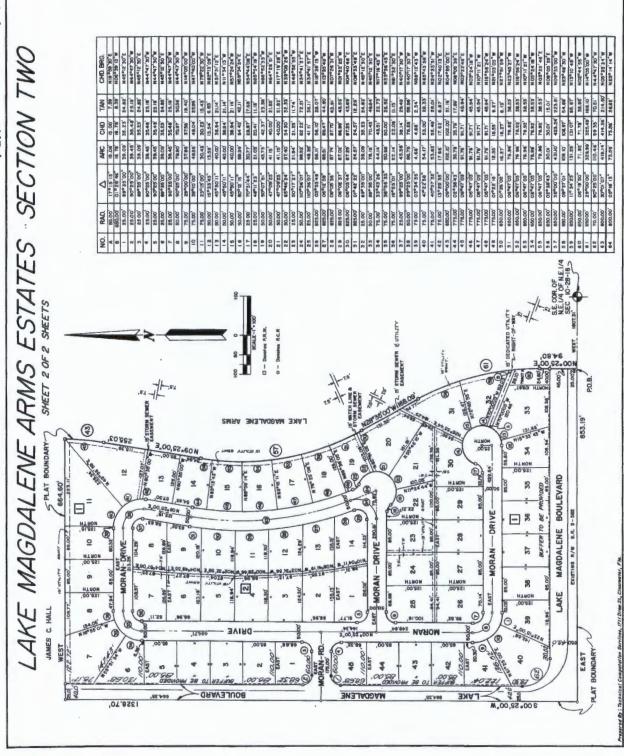
Matter C. Coldwell, Fla Reg. Surveyor Nº 850, Eng. Nº 7156 SURVEYOR'S CERTIFICATE: / hereby certify that the writinin plat was arown from a survey made under my supervision in June and Juny 1993 that said after the size of a life is a life is considered from the first of the land old free of and the first of a life is a life is considered from the land old free of a life is a life is a life in a life is a life in a life in a life is a life in a life i LAKE MAGDALENE ARMS ESTATES - SECTION ONE 5.53-47-30.5 PLAT BOOK 45 P340-2 66.01 33.10' | 97.56 64.22 | 97.56 64.22 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 98.03 42.64 | 9 30.66 12.78 6.39 SHEET 2 OF 3 SHEETS 63:00:00 5000 97:18:00 5000 15:13:49:31,833 188:85:44:35 188:25:44:38:88 20 25.00 57: 16: 150.00 323.92 25.00 929.33 479.34 479.34 200100400 MAG BESTONED Sec. 0, 7.285, R.BE. O. PLACE GEORGE CANEL # 2000. 20.00 EXISTING RIW S.R. S-583 (A) GEORGE 50 = Sheet 3 LAKE 2017 100 m Match LAKE # B BROBE IL FAKE J.00:009 JUDIDBOW JYDT ,02 -1

LAKE MAGDALENE ARMS ESTATES - SECTION ONE 205.22 105.60° N.18=08:33"N RAT BOOK 45 1940-3 20.28 73.70° 75.00° 71.10° 24.07° 36.75 | 2:32:00" 20.12 | 20.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15.12 | 15. SHEET 3 OF 3 SHEETS Q27.20 DELTA | 1/3 CO | 1 50.00° 50.00° 50.00° 75.00° 75.00° 85.00° 883 8888 o denotes PCR MAGDALENE Lake Magdalene Arms 77285, Sheet Sec. 10, 1 40 LAKE \$ 50 mm GEOMBE BYAT SULY SUSIOPEON SYOT

LAKE MAGDALENE ARMS ESTATES - SECTION TWO

LYING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 28 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA.

	SHEEL I OF & SHEELS
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THIS SCREET BAY OF THE UNDERSHOURS, AS THOSE AS THOSE AS A BANK OF THE AREA OF	THE UNDERSTONED, AS OWNERS OF ALL LANDS HEREIN PLATTED, HEREON DEDICATE THIS PLAT FOR PECOND, AND ALL STREETS, ROADS, ALLEYS, RIGHTS-OF-WAY AND OTHER EASEMENTS SHOWN HEREON TO PUBLIC USE THE MAN AND THE ALLEYS TO ALLEYS, ROADS ALLEYS, ROADS ALLEYS, RIGHTS-OF-WAY AND OTHER EASEMENTS FOR DELIC USE THE WAS ALLEYS, ROADS AND SHOWED TO ALLEYS, ROADS ALL
SMENT: SIDA LSBOROUGH SS	BEFORE WE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED THE ABOVE STATED OWNERS, TO WE KNOWN AND KNOWN TO ME TO BE THE INDIVIDUALS WHO EXECUTED THE FORESCHIS DESIGNED DESIGNED. AS PARTHERS OF IS D, A PARTHERSHIP, AND ACKNOWLEDSED THAT THEY EXECUTED. THE LABOROUGH COUNTY, FLORIDA, THIS, A PARTHERSHIP, AND AND AND ACKNOWLEDS. THE RESORD HE USES AND PURPOSES BET OUT THEREIN. AND ACKNOWLED THE MONTH OF THE LABOROUGH COUNTY, FLORIDA, THIS, A PARTHERSHIP, AND ACKNOWLED. AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS, A PARTHERSHIP, AND ACKNOWLED. AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS, A PARTHERSHIP, AND ACKNOWLED. AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS, A PARTHERSHIP, AND ACKNOWLED. AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS, A PARTHERSHIP, AND ACKNOWLED. AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS, A PARTHERSHIP, AND ACKNOWLED. AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS, A PARTHERSHIP, AND ACKNOWLED. AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS, A PARTHERSHIP, AND ACKNOWLED. AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS AND ACKNOWLED. AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS AND ACKNOWLED. AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS AND ACKNOWLED. AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS AND ACKNOWLED. AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS AND ACKNOWLED THE LABOROUGH COUNTY, FLORIDA, THIS ACKNOWLED THE LABOROUGH COUNTY, FLORIDA THIS ACKNOWLED THE LABO
SURVETORY'S CERTIFICATE. HEREN CERTIFY PLATTED AND THAT PERMANENT REFERENCE MONUMEN	HEREN CERTIFY THAT THE WITHIN PLAY WAS DRAWN FROM A SUINVEY MADE UNDER MY SUPERVISION ON LUDG OND UNIT ON LUNG 1973, THAT SAID PLAY IS A TRUE REPRESENTATION OF THE LAND HERBIN. THE CLAY OF THE LAND HERBIN. WALTER CALDWELL, RES SINNYTON NO. 880
ATTORNEY'S CEPTIFICATE. I CRITALEY, AN A ARMS STATES - SECTION TWO'IS IN THE MANES OF TEXCUTED BY THE OWNERS OF RECORD MANED ABOVE, UNIT	TRALEY, AN ATTORNEY AT LAW LICENSED IN FLORIDA, DO HEREBY CERTIFY THAT AS OF MATCH 6. 1973, THE APPARENT RECORD TILLE TO THE LAND HEREIN PLATTED AS LAND HEREIN
JOINDER AND CONSENT TO DEDICATION: THE AND ASPRESS THAT IT 8 MONTOWAR, RECORDED	OR. TALLEY, ATT
ACKNOWLEDGMENT: STATE OF FLORIDA SCHOOL STATE OF FLORIDA	SECORE WE THE UNGERSHAMED AUTHORITY, PERSONALLY APPEARED FOR DESCRIPTION WHILLIES OF THE WEST A DEED OF SAID CONFIGURATION OF THE USES AND PURPOSED THE EXECUTION THEREOF TO BE THE ACT A DEED OF SAID CONFIGURATION FOR THE USES AND PURPOSED ON WITHERS BY HAND AND PURPOSED THE EXECUTION THEREOF TO BE THE ACT A DEED OF SAID CONFIGURATION FOR THE USES AND PURPOSED ON THEREIN.
BOARD OF COUNTY COMMISSIONERS: STATE OF FLORIDA COUNTY OF HILLSBOROUGH \$ 5.5. RES	LATION OF STREETS, ROADS, ALLEYS, RIGHTS-OF-WAY, AND OTHER EASEWENTS ACCEPTED, AND SHOWNING OF GALDES AND ELEVATION BY STREETS, ROADS, ALLEYS, RIGHTS COMMISSIONERS, ADOPTED AREA! 1573, GRADES & ELEVATIONS SHOWN ON
CLERK OF CIRCUIT COURT: STATE OF FLORIDA COUNTY OF HILLSBOROUGH \(\) S.S.	HOPENST TATES THE PLAT COMPLES IN FORM WITH ALL REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, FILED FOR RECORDS OF HILLSBOROUGH COUNTY, FLORIDA. JAMES F. 707LOR JR. CLERK OF CHOUST COUNTY
COUNTY ENGINEER:	THIS PLAT IS HENEBY APPRIONED BY THE COUNTY ENGINEER, HILLSBOROUGH COUNTY, PLORIDA. HUG 157 Z., 197 3 DATE ONTE COUNTY ENGINEER
ZONING DIRECTOR:	THIS PLAT IS HEREBY APPROVED BY THE ZONING DIRECTOR, HILLSBOROUGH COUNTY, FLORIDA. Rugust 1, 1923 AND STATE SONING DIRECTOR, HILLSBOROUGH COUNTY, FLORIDA.



MAGDALENE WOODS A Portion Of The Southwest 1/4 Of The Northeast 1/4 Of Section 3, Township 28 South, Range 18 East. Hillsborough County, Florida.

COC 22 | 16 East, close the West boundary of the Southwest I.A. of the Northwest I.A. of said Section 5. The State than Northwest Country of the South I.Z. of the Southwest I.A. of the Northwest I.A. of said Section 5. The South 8.9° 50 '15' 'East, other than Northwest I.A. of the Northwest I.A. of the Northwest I.A. of the Southwest I.A. of the Northwest I.A. of the Southwest I.A. of the Northwest I.A. of the Northwest I.A. of the Southwest I.A. of the Northwest I.A. of the Southwest I.A. of the Northwest I.A. of the Southwest I.A. of the Southwest I.A. of the Northwest I.A. of the Southwest I.A. of the Southwest I.A. of the Northwest I.A. of the Southwest I.A. of the SouthI.Z. of the SouthWest I.A. of the SouthWest I.A. of the SouthI.Z. of the SouthWest I.A. of the SouthWest I.A. of the SouthI.Z. of the SouthWest I.A. of the SouthI.Z. of the SouthWest I.A. of the SouthI.A. of the SouthI at the Center of Section 3, Tewnship 28 Seath, Range is East, Hillsborough County, Florida.; Thence North

DEDICATION

The andersigned as center or markpogees of the herein described loads withh are being subdivided and pictred into a described by a confined or Labs bapadams by bedge week perceit." And call roads, press, and rights -of-way shown thereon for police use, for trilly and detained by proposes anderes it baryer and truther paddones all assessments shown thereon for decempes and utility perposes incidented thereto, on this Actual or Actual Confidence of the confide

ACKNOWLEDGEMENT

COUNTY OF HILLSBOROUGH

12 Comhasion Expires.

MORTGAGEES

ark Bank of Tompo. Now Inown es. The Citizens

COUNTY OF HILLSBOROUGH ACKNOWLEDGEMENT

STATE OF FLORIDA. Personally appeared before my his selectinghed bank Brown Seri...
Vios Predegeses, Tomar will bown on's Interference of Series and Series of Series of Series and Series of Series

10

NOTE: The 3D-foot selected from the Conservejion Ares boundary along lots 6-12 has been warved by E.P.C. as long as slocked hay bates remain along his evitland line during home - she construction.

GENERAL NOTES

recoverable services, petitos, decta, poste, der conditioners, diresteres, utility states, petitos, petitotis riperses, frees, shrubs, shrubs, harden and tested services and ements including but not limited to eidewalke, driveway. te, Ditches and Swales, shall not contain permanent impre

only. Elevations shown an based on National Geodetia vertical datum of 1929 and the sevations of the PRMs are to Stud ander conserving as defined by the Netional Cosanic and Almospherito Alministration. Originating coordinates Traverse Stations H.C.—0468 & Mer—D. Traverse Stationary of the Stationary of the Stationary and the Stationary of the Stationary and the Stationary and the Stationary of the Stationary and Stationary and Stationary of Stationary and Stationary and Stationary of Stationary and Stationary of Stationary and Stationary of Stationary and Stationary of Stationar may or may not be authent to flooding; the Hills barough County Bullding Department has information regarding flooding and restrictions on development. X-Y coordinates shown are tred to the Florida Coordinate System by third order accuracy and is supplemental data

Descripts are bosed on the West boundary of the Southwest LA of the Northeast 1.A of Section 3,Township 28 South, Range 16. East seld line bears North CO*23 is "East".

Indicates (P.R.M.) Permanent Reference Montement.

N.R. Indicates non-radial line. Ask Appliane Machael shall sowerfy with Hillmiserough County Fire Disportment Shandrade for rural and exturton sabilableions yribr to leasures or Dubling permits.

ZONING DIRECTOR.

This piet is hereby approved for record by the County Zoning Director of Hillsborough County, Florida. October 20, 1907

COUNTY ENGINEER.

This plat is hereby approved for record by the County Engineer of Hillsberough County, Florida.

County Engineer

Date

BOARD OF COUNTY COMMISSIONERS COUNTY OF HILLSBOROUGH

STATE OF FLORIDA.

Dedication of parcel TXT roads, thresh consens and rights of -very accepted and showing of the grades and elevations in plat by bestaries instrument weekly resolution of this Board of County Counts instrument schoping. TXT IXT ISTAL. Grades and Elevations are, shown in instrument filed in County Engineers Office. This plat is hereby approved for record by the Board, of County Counts.

CLERK OF CIRCUIT COURT COUNTY OF HILLSBOROUGH

STATE OF FLORIDA.
I certify that the plot complies in form with all the requirements of Chapter ITT of the Floride Shall contributed to a contribute of the floride Shall contribute for a CALD on the Place, 1887 A.D. in Place Book 6.3. Prop. 3.5. is the Place, 1887 and 1890 for the contribute for t 87247781 Denny Clerk AKE

SURVEYORS CERTIFICATE:

lowering than the within plat sets drown from a survey mode under my supervigion on, the in 2-4, in 988 and

Plat is a correct representation of the load platted and that the survey compiles with all his requirements of loan in the Flonda Stathwas and that permonent reference monements have been set and permonent central popers set.

Since Since MORRIS LAND SURVEYING PAGE William Kemp Morris

Florida Registered Lend Surveyor Nº 2678.

SHEET I of 4 SHEETS

KE MAGDALENE WOODS

A Portion Of The Southwest 1/4 Of The Northeast 1/4 Of Section 3, Township 28 South, Range 18 East. Hillsborough County, Florida.

PARCEL "A" DESCRIPTION

And the form of the East Right—of "Ney I lies of take Magademe Bouleverd, a county meterated Right—of "Ney; thance and the Right—of "Ney; thance county in the second of the Right—of "Ney I lies, Bank 260°C East, 140°C East 140°C Ea 25/19/28/19 county in West boundary of the South LP2 of the doctment Left of the Morthwest I As of add Section 3; TAA35 feet to the Morthwest commer of the South LP2 of the Southwest LA9 of the Morthwest IA4 of reliad Section 3; these Southwest Section (18 Morthwest commerce) and the South LP2 of the Southwest LA4 of the Morthwest LA4 of seld Section 3; 2059.33 mence of the Center of Section 3, Themselip 28 South, Ronge 18 East Hilhsborough County, Florida; Thance North

DEDICATION:
The Undersponded on Comman or Mortgogers of the hearth described lends which are baing subdivided and Printed the o subdivided or LAKE MARDOALENE WOODS, beneby dedicates proved? M. Toods, afracts, essenants and rights -of-way shown thereon for Public use, for drelings and drillity purposes incidentel theretto and affairst electrical and regimes described the annual and argument adversary. Now thereto on the Administration of Martines of Administration of Martines and Martines

Lillie P. Charbonier Marie & Charboner Clarence O. Renner.

Willens Bourn Witness

ACKNOWLEDGEMENT

COUNTY OF HILLSBOROUGH BTATE OF FLORIDA

red before ma,the unfersigned Clarence O.S Darothy C.Renner, Marie P. B. Lille P. Charbooler Blay B. & Lectilitie, C. Turner, helpfoldush, to served therein and better the services described in ord who executed the behaviour and who executed the execution — thereof to be held free ord deed as such helpfoldush for the ord the proplets phrein expressed on the history of the ord ord to the contract of t

A C KNOWL EDGEMENT

R. W. Homes , Inc.

OWNER :

COUNTY OF HILLSBOROUGH BTATE OF FLORIDA Personally appeared before me the undersigned Robert E. Spongfer, President, R. W. Homes, Inc., Camer, 15 metall his free set and deed for the uses and purposes herein expressed. Withese my hand and off brown by one in larthe person described in and who essented the "trrepoling instrument and who estinourisidand the ex 19 37 AD.

Herary Public, State of Physics of Large

407 of Baroling

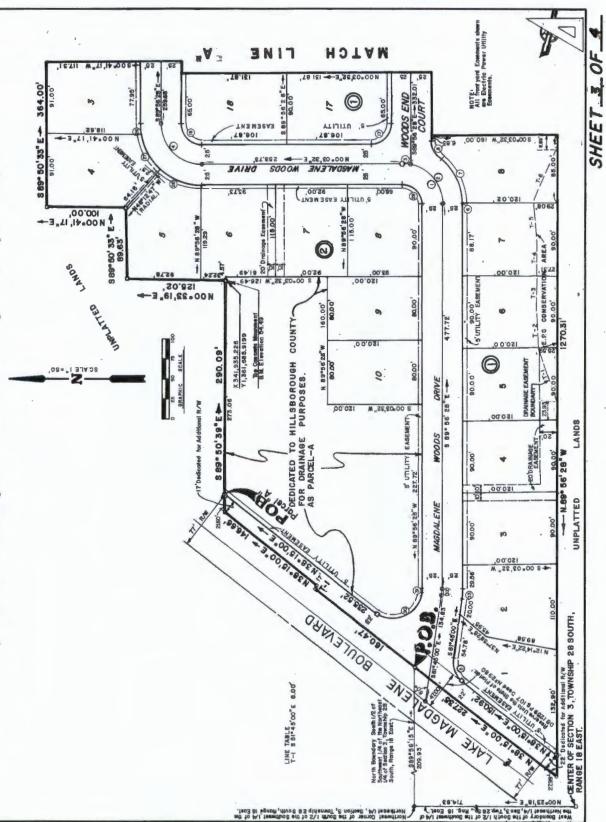
NOTICE

There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.



E MAGDALEN

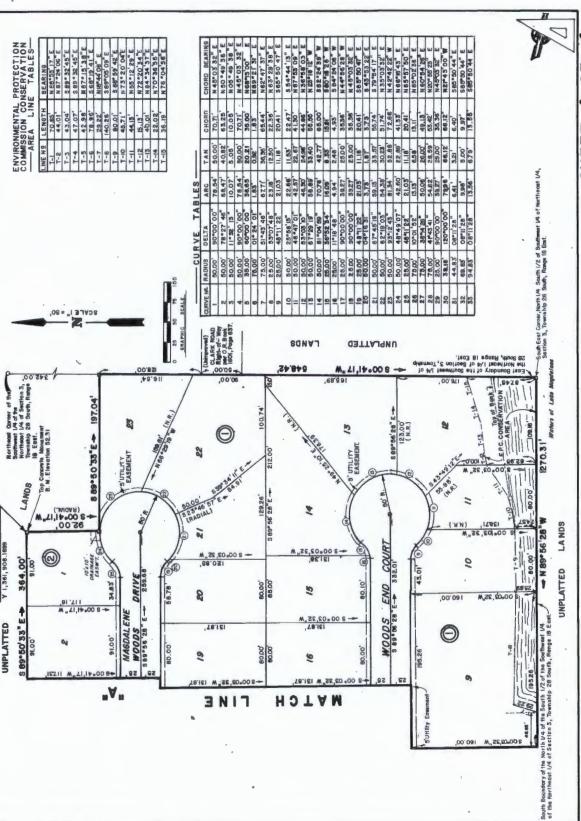
A Portion Of The Southwest 1/4 Of The Northeast 1/4 Of Section 3, Township 28 South, Range 18 East. Hillsborough County, Florida



MAGDALE

A Portion Of The Southwest 1/4 Of The Northeast 1/4 Of Section 3 Township 28 South, Range 18 East. Hillsborough County, Florida

ſ:



SHEET & OF

CHERRY CREEK UNIT 3 SECTION S. TOWNSHIP 28 SOUTH, RANGE 18 EAST — HILLSBORDIGH COUNTY, FLORIDA

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SHEET I OF 2 SWEETS

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1.Symbol | molizotto Pero

Trans I Wood II - Las Main louise

Jely B. Callylly June L. Wagner

OKATION W

PL-OLTA >

BOAKD OF COUNTY COMMISSIONERS

Speril 8, 1974

COUNTY ENGINEER AND ZONING DIRECTOR: The publishmen by q Milherweys County, Florids April 8,1974

April 8 1924 <u>CLERX OF CIRCUIT COURT</u>; state of Parish, Camity of Hills becoming to camity of Hills becoming to an information of the Parish of the Parish

April 9, 1924 April 9,1974-

NOTES: Lightnico | Indicality Personal Reference Mountain (FFHs) Eliquidas | o malauta Personal Carlos Maria (FFF)

DESCRIPTION: Than the Best theories of the Oberhand is of the Northwood is a second of the Second of Secon

..., 1872. , thu! and plat is a correct excremibline of the land platfied, and that aureup ..., 1872. , ASSOCIATIOS INC. BURVENOR'S CERTIFICATE: cortif that the mills that the mills that have been from a correst made may experiment as. Liesembar. Als, requirembar a Compley TI of the Titate statebook and that Titamond Reference Administrately to the base set

Land State Control Company of 1888

DEDICATION: The acceptagement as a nomenees, as now relative partial descript closecate distance from free versacial and all always, consists all closures, and allow one

CORF

ACKATIO

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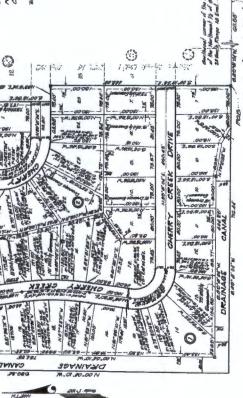
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BOARD OF COUNTY COMMISSIONERS Delication of races, afterly, and other rights of usey comepted and obtaining of the grades on plot or by separate instrument unived by the Board of County Commissioners odested and approved for record by the Board of County Commissioners odested and approved for record by the Board of County Commissioners, the plot is hereby completed and approved for record by the Board of County of Hillsborough County, Floride.

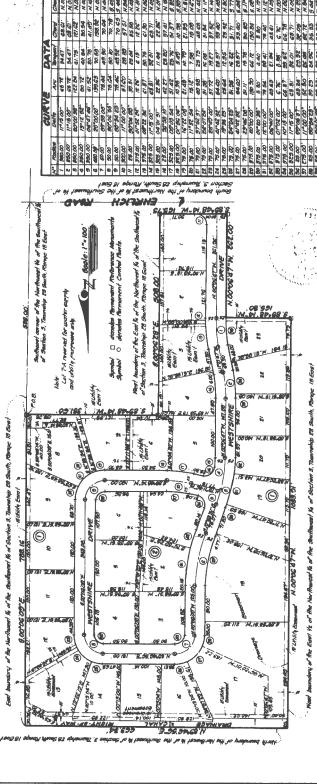
Kut & Celo Aug. 19,1976 COUNTY ENGINEER AND ZONING DIRECTOR: This plot is treety appoined for rocard by the County Engineer and Zoning Director of Hills borough County, Florida

TOUR S

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CLERK OF CIRCUT COUNTY : County of Hillsborough, 3tole of Floride, 1 certify that the within plat complies in form with all the requirements of Chapter 177 of the Floride Statutes. Floride Statutes. Floride Statutes.

81.9/x Pelas X. Hung Danes E. Tornor JR. 8/12/76







Barbara a deland Many By Her Lo-

HUNTCLIFF

A Subdivision of a Portion of the Southwest 1/4 of Section 3, Township 28 South, Range 18 East Hillsborough County, Florida

DEDICATION

where agreed, an overen and, or identifies of the hands painted have where dedicates this plat of NURTCLEF STREATERN, as deserthed more in the hasel description which is part of this paint for record. Further, see hereby dedicate to public one all assistential designated on the in "public", and makes the following dedications and reservations:

parents roads and private rights of way shown hereon as Tract. 1st sevel dedicated to the public, but are private, and are breish researed by at for correspanse to a Remewraer Jancelston. Community Development circ, or object controlled and marketnessee entity subsequent to that existing of this part, for the benefit of the ist evenes within the subdivision, account for lighten and operate of the for contra and that general and invites. In right of scores but ingress and agrees with extend to lot overers within all see and units, both existing and inture, of this development.

Fee interest in Tracia 'A' and 'B' are hereby reserved by Owiner for contrapients on an lower Association on other metachs until maintenance was the state of the second state of this pair and Tracia 'A' and 'The lat-the reproduction to second state of the pair and Tracia 'A' and 'The liber the reproduction of the process is reconserved and on the state 'Bell Tracia 'B' and 'T' and all Princip Demonstrate are subject to into and all sememble.

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The undersigned also hereby confirms the limits of the public right of way shown between.

12.C. a Floride Lamited Liability Company Charles Foods Lots,

Land Lieron 8/1/2017 33

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see my hand and official seed on this ... 7/05

Hotary Fublic, State of Storida at Large

LEGAL DESCRUPTION:

A percel of lend fring within the Northwest 1/4 of the Escalarest 1/4 of Scotion 3, Treaship 25 Secula, Range 18 East, Billsborough Comity, Florida, Point particularly described as follows:

For a FAGIN OF REGIONING commence as it in Southern corner of lot 64, and the country of the cou

Containing 5.67 acres, more or best.

MORTGAGER: CONSENT TO DEDICATION

Mathaway Investments, LLC, a Forden limited hebility company, as Merigages hereby companis to 2nd joins in the recording of this instrument and the dedication alorem ferrors.

Sathaway Investments, LLC

Buston yn Brown Klaus W. Woods 90 Sami & Goodna Just Kame

ACETROWILEDGLICHT

Personally appared before me, the undergened subscribe, Benry W.
Berrger, Manager, Etchberry Brestinaste, U.E. who has destribled honself to
me at the person described in said who envested the freepong instrument
and who acclarateled the exhibition become to be his free out and deed
as a fully estimated agent, fer the uses and purpose harms expressed. Witness my hand and official seel on this & day of

Notary Mibile, State of Florida at Large 2017

SURVEYOR'S CERTIFICATE

Les undersigned surveys, hearty certify that his printed shadkines is a correct representation of the instal being methyded; that this platt was a correct representation of the instal being methyded; that this platt certifies with the state of the correct representation of the platter if it, bert if Fordes Statista, and the shadkeneugh Courty Land Development Godes; and that permanent reference measurements (Fiftel, were found on the 19th day of March, 2017, as allower thereus. Permanent Courty Statist (Phys.) and old overmore with Fordes and platter of the platter of the platter of platter of the property of the platter of platter of platter of platter of platter of platter of platter.

Daniel C. Johnson (Momes No. 3853) Plerida Professional Land Surveyor

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- 1. Bearings shown hereon are based on the Parish State Plans Coordinate System. Proteits were Zoos, as retremesed to the North American Button Vision (Muddo), adjustment of 2011. The West boundary of Highe. It was the Control of the Coordinate of the Coordinate and Califold.

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BOARD OF COUNTY CONDISSIONERS

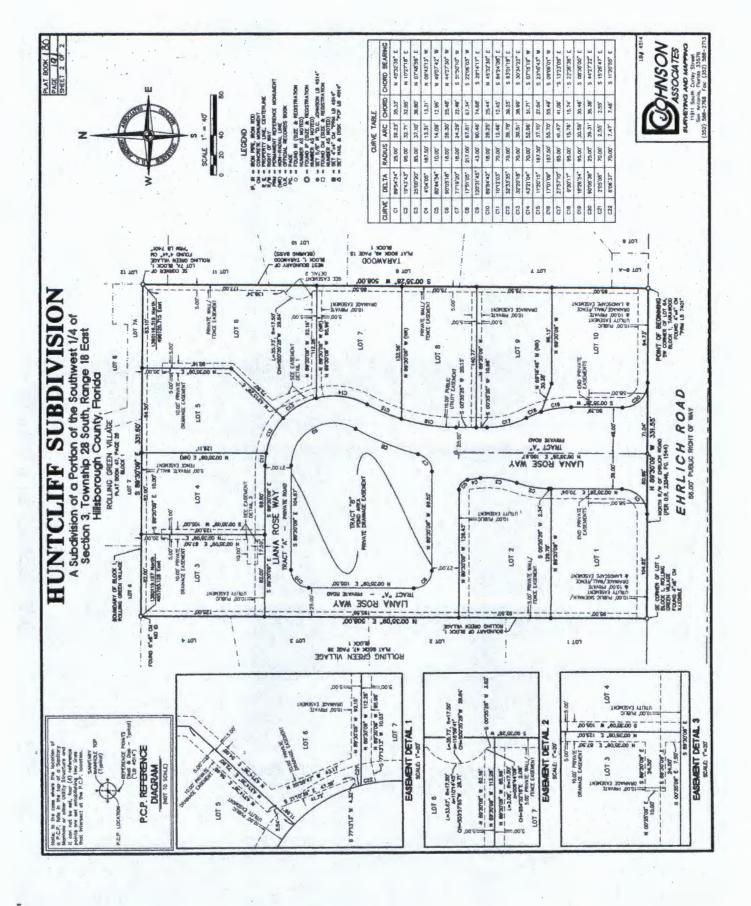


REVIEWING AGENCY SURVEYOR'S CERTIFICATE

PLT APPROVAL: This yiel has been reviewed in accordance with the foreign Statutes, Section 177.081 for Chapter comformity. The geomet After has not been verified. Berieved By: Chank. Charles for the St. M. S



SURVEYING AND MAPPING



SHEET I OF S SHEETS

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SECTION

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Horron Clork, Secretory Casa Struct

HABITAT BUILDERS, INC.

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ACKNOWLEDGENENT: State of Florida, County of Hillsborough.
Ferenonlity appeared before me, the understand authority, Malter J. Wright, President and Marren Clark, Secretary of M.M.M. Company, Ind., Ind.
The me well known and known to me to be the persons described in and who executed the Paregoing instrument and severally extrawledged the execution thereof to be their free or and deed as such officers for the uses and purposes when it is not to be their free or and deed as such officers for the uses and purpose.

Witness my hand and official seal on this Libbay of Quin.

ACKNOWLEDGENENT: State of Florida, County of Millebarough.
Personally appeared before me, the undersiqued outhority, Richard II. Dunn, Fresident and Kenneth Mones, Secretary of Habitat Builders, Inc., form well known and known to me to be the persons described in and who executed the Poregoing instrument and severally acknowledged the secution thereof has been and deed as such afficiens for the uses and distinction is when it is a such afficience to the sea and distinction.

ACKNONLEDGENERY: State or Flanda, County or Hillsbarough.
Personally appeared before me, the undersigned authority, Robert A. Sasse, Sr. Wer President and Bennie K. Bray, Lendrigo Gyfface of the First Marinal Bank of Flanda, to me well known and known to me to be the persons described in and who executed the foregoing unstrument and severally acknowledged the execution thereof to be their free act and deed as such different for the uses and purposes wherein expressed and that they affixed thereto the seal of said copporation.

Wilness my hand and official seal on this " day of JUNE 1878.

New Albert State of Flands Williams My commission expires JUNIAMS Set. Alla.



OF & SHEETS ¢, SHEET

TARAWOOD

SECTION 3,

TOWNSHIP 28 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA

BOARD OF COUNTY CONNISSIONERS: Dedication of roads, streets, alleys, and other rights of way accepted and showing of the grades and elevations on plot instrument waived by resolution of the Board of County Commissioners adopted orders. At Mark and elevations are shown in separate instrument filed in the County Engineers Office. This plot is hereby accepted and approved for record by the Board of County Commissioners of Hillsborough... County, Florida.

Jun 17,1978

Souther Mr. Mennin.

COUNTY ENGINEER AND ZONING DIRECTOR: This plot is hereby approved for record by the County Engineer and Zoning Director of Hillsborough County, Florida.

CLERK OF CIRCUIT COURT: State of Florida County of Hillsborough. I certify that the within plat complies in form with all the requirements of Chapter 171.031 of the Florida Statutes.

Deputy Clork Collection No. of the last of

56 4. 845T 16, 1978

Clerk of Creat Court To 1/08, Je.

19 32 $CHERRY \ CREEK \ UNITIFOLD BOOK 44$ In the Northwest 1/4 of Section 3, Township 28 South, Range 18 East, Hillsbarough County, Florida

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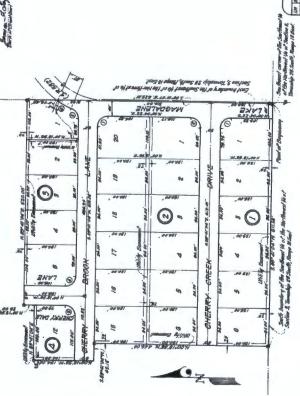
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COUNTY ENGINEER and ZONING DIRECTOR; This part is through

of Hilstowaugh County, Florado. Jennay, A.G. 1972 /



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REZ 21-0314

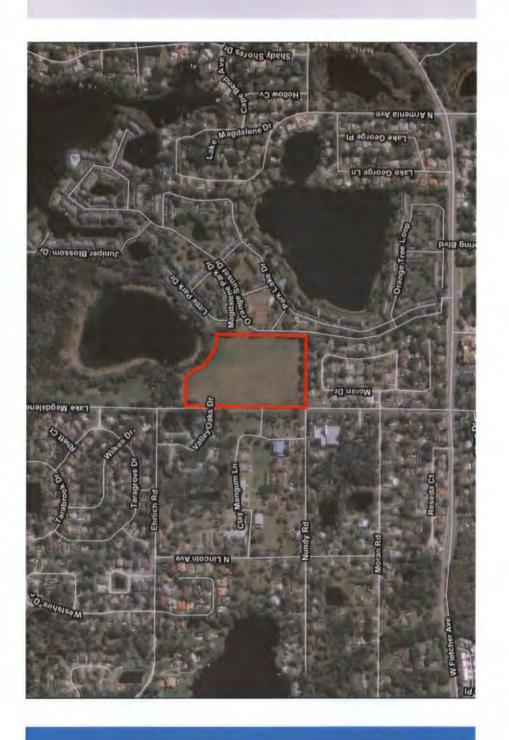
13515 Lake Magdalene Boulevard

Single-Family Conventional-4 (RSC-4) to Planned Development (PD) to allow up to forty-two (42) single family lots with a minimum lot size of 7,200 sq. ft.

The property contains approximately fourteen acres and is located east of Lake Magdalene Boulevard and south of Ehrlich Road.

The property has a Residential-9 (RES-9) designation on the Future Land Use Map.

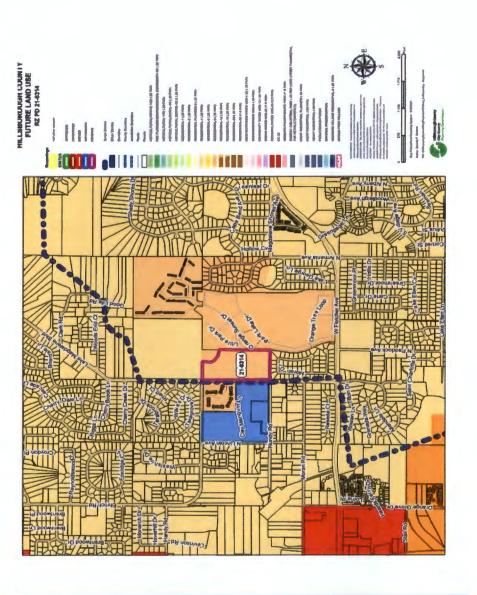
The subject property is part of an approximately sixty (60) acre parent parcel that the Planning Commission assigned two different Land Use categories. Residential-4 (RES-4) and Residential-9 (RES-9).



The proposed planned development poses a balancing of interests and a question of consistency with the Comprehensive Plan.

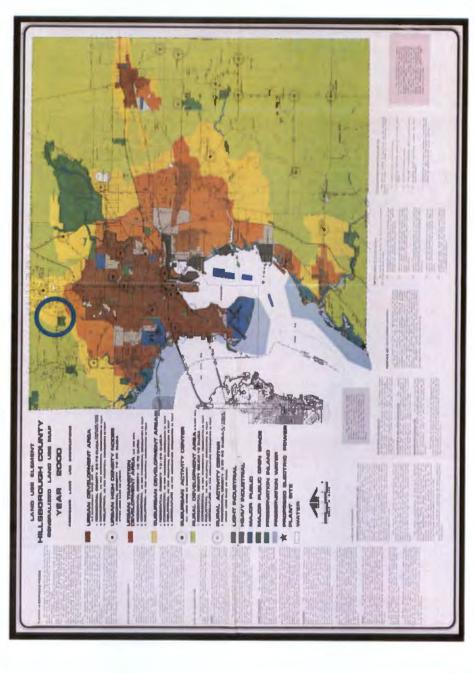
The Planning Commission has found the petition INCONSISTENT based on an interpretation of Policy 1.3 of the FLUE, which requires (with exceptions) that rezonings meet a minimum density of at least 75% of the underlying land use designation.

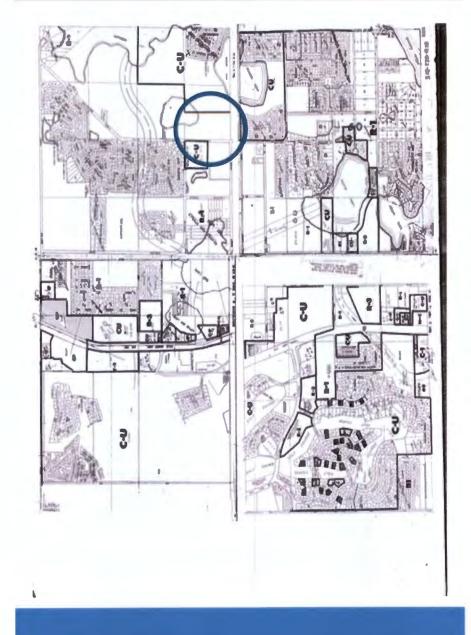
The Applicant's position is that the property's RES-9 land use category is a planning anomaly, but that the proposed planned development meets one of more of the exceptions to Policy 1.3.



Horizon 2000 Plan

Subject Property located in Suburban Development Area Future Land Use Area.

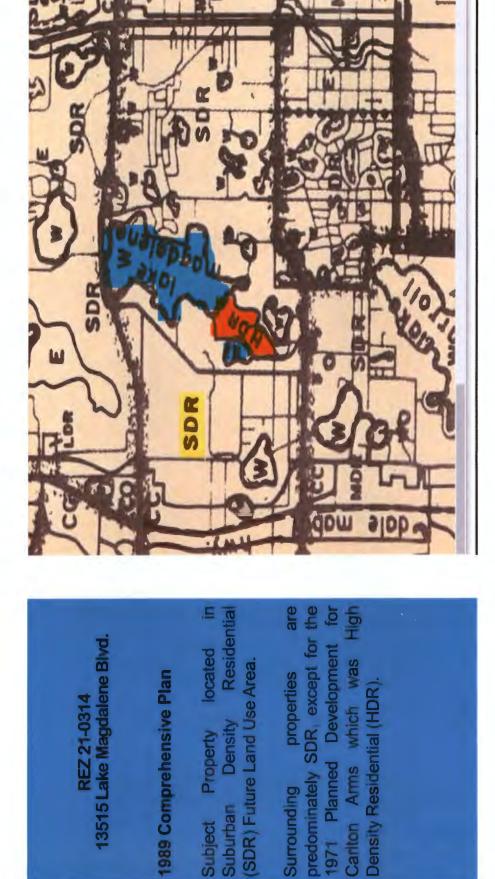




1980-84 County Zoning Map

Subject Property is zoned R-1

Surrounding Property is R-1 except for the 1971 Planned Development for Carlton Arms and 1980 Planned Development for Lake Magdalene Court.



located

1989 Comprehensive Plan

REZ 21-0314

(SDR) Future Land Use Area.

Density Property

Suburban Subject

which was

Carlton Arms

1971

Density Residential (HDR).

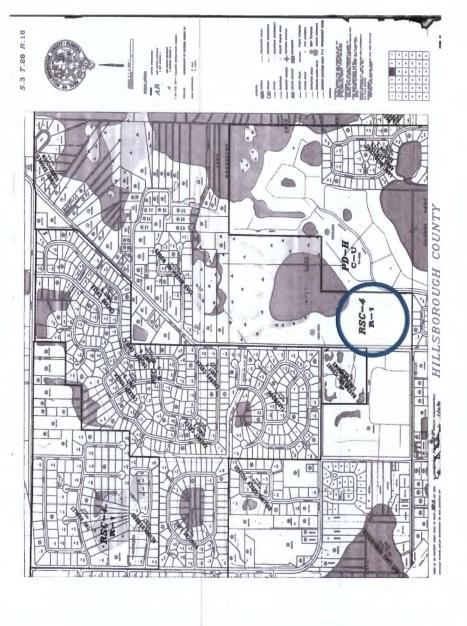
1991 Zoning Conformance

Subject Property is RSC-4. This was effectively a "downzoning" from the prior R-1 zoning category.

R-1 in surrounding areas changed to RSC-4 and RSC-6.

The Subject Property has remained vacant subject to the RSC-4 zoning since 1991 Zoning Conformance.

However, in connection with a subsequent EAR amendment to the FLUE, the Subject Property was "upplanned" to RES-9 land use category.

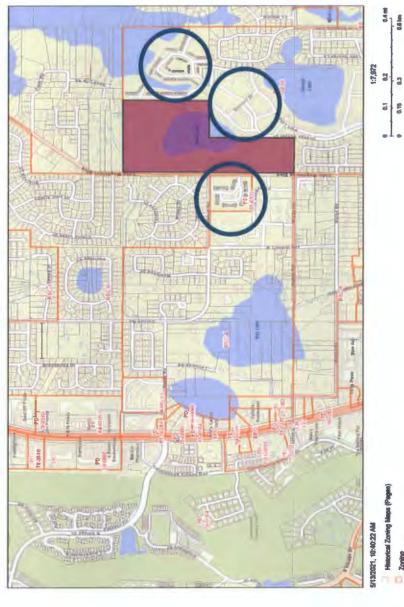


13515 Lake Magdalene Blvd. REZ 21-0314

71-02361 and one to the west of the The previously mentioned anomaly is a result of two rezonings - one to the east of the subject property (PD subject property (PD 83-0036)

use category, which permitted density equivalent to the current at this time under the old R-1 land zoning Each of these rezonings occurred under the Horizon 2000 Plan and are developed at a higher density development pattern that occurred than the predominately single-famil and RSC-6 designation today

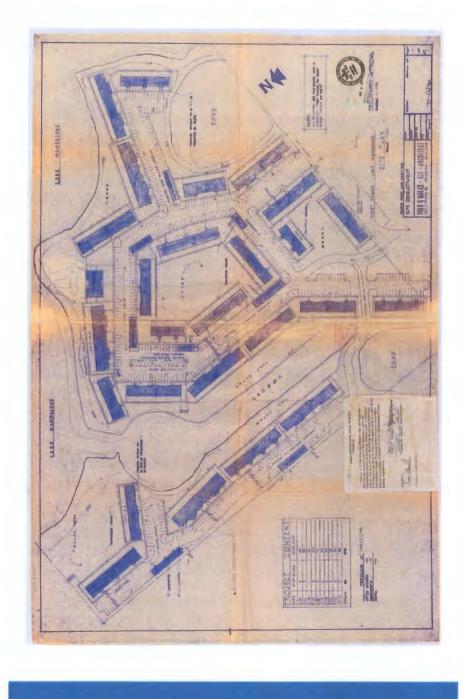
ArcGIS Web Map



Zoring

The 1971 Rezoning (Original)

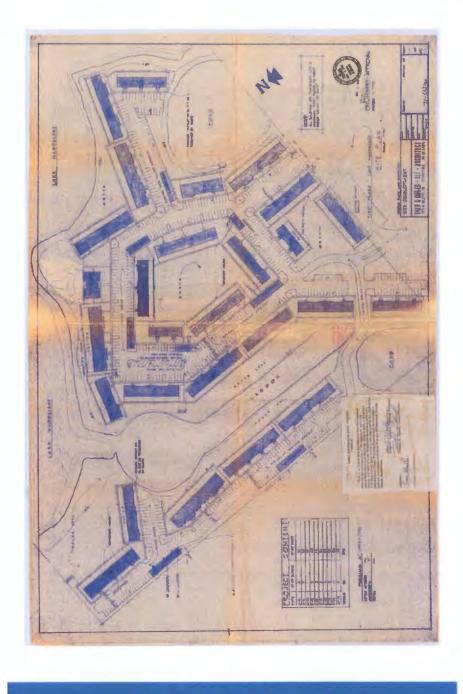
- The 1971 Carlton Arms rezoning to the east of the subject property was highly controversial at time.
- The applicant withdrew the original proposal after 600 people showed up in opposition to a multi-family rezoning in the area.
- Eventually, a planned development of the property was approved with 798 MF units on 76 acres.



The 1971 Rezoning (Revised)

The subsequent revised rezoning request included two single-family subdivisions to the east and west of the apartment project to serve as buffer from existing single-family development in the area. Direct access from the apartment project to Lake Magdalene Blvd. was also eliminated.

With these revisions, the Planning Commission changed its original recommendation of denial to the rezoning. However, the project remains today the most intensive development in the Lake Magdalene





. All Fights Faserved.

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REZ 21-0314 13515 Lake Magdalene Blvd.

The 1980 Rezoning

The 1980's approval of Lake Magdalene Court was also controversial, with opposition from the surrounding single family residents.

The rezoning allowed 78 DU on 9.31 acres, or 8.38 DU/acre.

The rezoning was approved in 1980 during a time when final zoning decisions were made by a Zoning Hearing Officer.

The area west of Lake Magdalene was briefly designated as "potentially suited" for high density residential development of up to 20 DU/acre on the Horizon 2000 Plan.

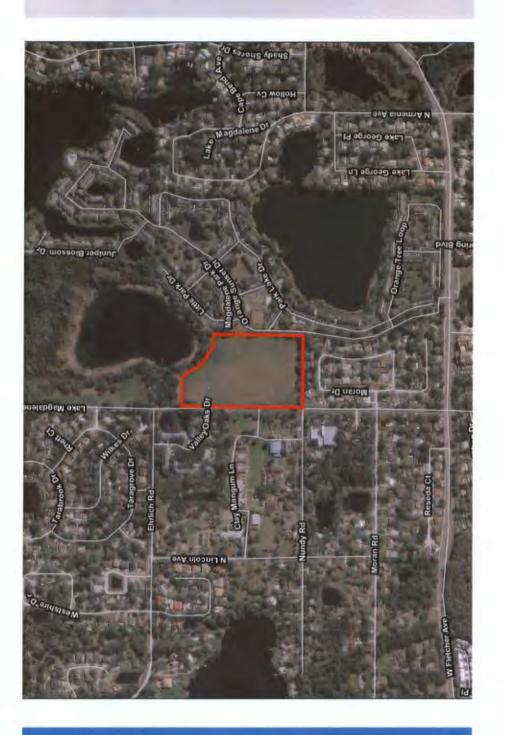
The area was zoned R-1, which required a minimum of 6,000 foot lots with a minimum width of 60 feet, and would have allowed 7.08 DU/acre.

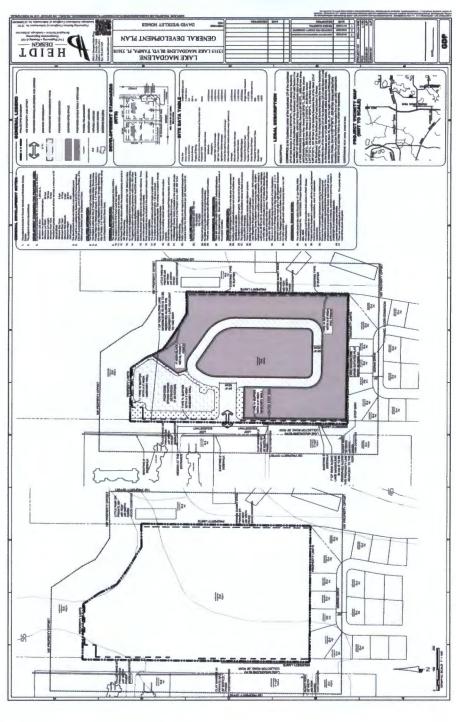
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The subject property is part of an approximately sixty (60) acre parent parcel that the Planning Commission assigned two different Land Use categories: Residential-4 (RES-4) and Residential-9 (RES-9).





13515 Lake Magdalene Blvd.



Hillsborough County City County Planning Commission staff report:

- · The proposed single-family uses are consistent with the RES-9 Future Land Use
- The proposed single-family residential development is consistent with Objective 16 and Policies 16.1, 16.2 and 16.3. The applicant also requests an access on to Lake Magdalene Boulevard and provides for internal circulation which is consistent with Policy
- appearance. New development and redevelopment are required to use compatibility design techniques to ensure the appearance (architectural style), mass and scale of development is integrated with the existing suburban nature of each neighborhood. The proposed residential development is comparable and compatible to the development The request is consistent with Goal 2 of the Greater Carrollwood-Northdale Community of the community's unique characteristics, assets and physical Plan which seeks to reinforce community identity through maintenance and pattern in the area and is consistent with the vision of the Community Plan. enhancement
- Overall, Planning Commission staff finds the proposed Planned Development would encourage residential development that complements the surrounding character and promotes the vision of the Greater Carrollwood Northdale Community Plan.

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 1.3: Within the USA and within land use categories permitting 4 du./ga. or greater, new rezoning approvals for residential development of less than 75% of the allowable density of the land use category will be permitted only in cases where one or more of the following criteria are found to be meet:

- Development at a density of 75% of the category or greater would not be compatible (as
 defined in Policy 1.4) and would adversely impact with the existing development pattern
 within a 1,000-foot radius of the proposed development;
- Infrastructure (Including but not limited to water, sewer, stormwater and transportation) is not planned or programmed to support development.
- Development would have an adverse impact on environmental features on the site or adjacent to the property.
- The site is located within the Coastal High Hazard Area.
- The rezoning is restricted to agricultural uses and would not permit the further subdivision for residential lots.

PLAT MAP

REZ 21-0314 3515 Lake Magdalene Bivd.

Except for the 1971 and 1980 rezonings, the sumounding area has built out at a lower density development pattern.

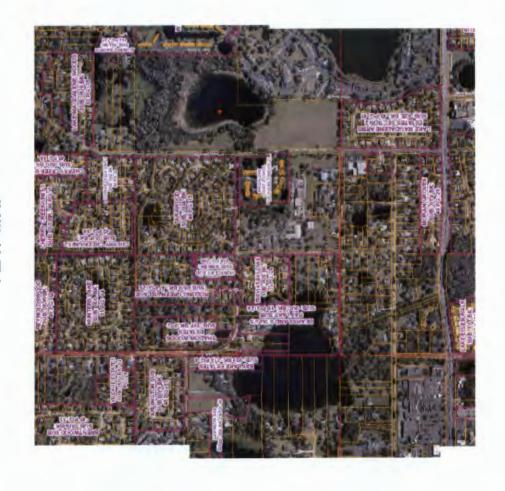
Land abutting West Lake is predominately under control by a single owner.



Plats in the surrounding area:

- Cherry Creek Unit 1 Plat (24 SF on 8.9 acres 2.69 DU/acre | 1972
 - Lake Magdalene Arms Estates Section 1 Plat (59 SF on 21 6 acres 2.73 DU/acre)
- Lake Magdalene Arms Estates Section 2 Plat (59 SF on 2: 58 acres 2.73 DU acre)
- Cherry Creek Unit 2 Plat (43 SF on 14 acres:
- Cherry Creek Unit 3 Plat (109 SF on 42.42 scres: 2.569 DU/acre) 1974
 - tolling Green Village Plat (29 SF on 14 87
- arawood Plat (104 SF on 38 88 acres: 2.68 icres: 195 DU/acre) 1976
- -ake Magdalene Woods Plat 33 SF on 13 32 DU/acre) 1978
 - Huntdiff Subdivision Plat (10 SF on 3.87 acres: 2.47 DU/acre) 1987
 - acres: 2.58 DU/acre 2017

PLAT MAP



CONSISTENCY WITH FLUE POLICY 1.3

The Proposed Development is consistent with the following exceptions to Policy 1.3:

- Development at a density of 75% of the category or greater would not be compatible (as defined in Policy 1.4) and would adversely impact with the existing development pattern within a 1,000-foot radius of the proposed development.
- The proposed project is consistent with the predominant single-family development pattern of the Lake Magdalene area of 3-units per gross acre or less.
- Within the 1,000 radius and beyond, there has not been a multi-family or small lot single-family rezoning approved in 40 + years.
- In fact, in connection with the 1971 Carlton Arms project, single-family subdivisions were added to the east and west of the proposed apartment project to buffer its impact on the surrounding properties. At the time, the Planning Commission recommended there should be no direct multi-family access onto Lake Magdalene Boulevard.
- The GREATER CARROLLWOOD-NORTHDALE COMMUNITIES PLAN expressly seeks to preserve this existing suburban scale development pattern:
- "We continue to protect and maintain our suburban lifestyle while also maintaining our individual neighborhood characteristics."
- "As the area redevelops it is important that the existing residential neighborhoods remain suburban in nature. 0
- "New development and redevelopment shall use compatibility design techniques to ensure the appearance (architectural style), mass and scale of development is integrated with the existing suburban nature of each neighborhood. (i.e. transitions, buffers etc...)"

stormwater and transportation) is not planned or programmed Infrastructure (Including but not limited to water, sewer, to support development.

- Plan Concept Map) identifies various activity centers and scale development pattern, Figure 22A of the GREATER CARROLLWOOD-NORTHDALE COMMUNITIES PLAN Consistent with goals to preserve the existing suburban i.e., the Greater Carrollwood-Northdale Communities mobility corridors where higher density would be appropriate.
- is identified as either an activity center or mobility corridor Boulevard nor the area surrounding the subject property necessitating future planned or programmed infrastructure to support higher density development. Neither the adjacent segment of Lake Magdalene

Figure 22A - Greater Carrollwood-Northdale Communities Plan Concept Map

environmental features on the site or adjacent to the property. ▶Development would have an adverse impact on

While the subject property does not directly touch West Lake, majority of the land is under single ownership.

CONCLUSIONS

This rezoning is about a balancing of interests:

- density requirements of a RES-9 FLU designation that has rezonings to the east and west that were approved over 50 Should the planned development be held to minimum no basis in the Lake Magdalene area except for adjacent years ago?
- on its consistency with the predominant single-family development pattern and density of the greater Lake Alternatively, should the planned development be evaluated Magdalene area?

most <u>S</u> standard second believes this The Applicant appropriate:

- >As previously demonstrated, the planned development density meets one or more of the exceptions to Policy
- >Suburban scale density is desired and encouraged within GREATER CARRÓLLWOÓD-NORTHDALE COMMUNITIES PLAN. with the neighborhood existing
- Feedback received by the Applicant from residents and associations are supportive of the proposed planned development and opposed to higher density.

- □ As discussed, the Planning Commission found that the proposed subdivision would be compatible with adjacent uses and the general development patten in the Lake Magdalene
- development demonstrates a greater consistency with the density closer to the minimum requirement under the current future land use category than if the property were developed under its existing RSC-4 zoning. In this regard, the planned proposed planned development would achieve Comprehensive Plan than currently exists. The



PARTY OF RECORD

Rome, Ashley

From: Hearings

Sent: Monday, April 19, 2021 1:34 PM

To: Timoteo, Rosalina
Cc: Rome, Ashley

Subject: FW: ZHM application number RZ-PD21-0314

Connor MacDonald, MURP

Planning & Zoning Technician

Development Services Department (DSD)

P: (813) 829-9602 | VoIP: 39402

M: (813) 272-5600

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W: HillsboroughCounty.Org

Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

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From: Roni Lacuesta <tccmaint@tampacovenant.org>

Sent: Monday, April 19, 2021 1:14 PM

To: Hearings Hearings@HillsboroughCounty.ORG> **Subject:** RE: ZHM application number RZ-PD21-0314

[External]

To: Zoning Hearing Master

Re: Public Hearing to rezone property at 13515 Lake Magdalene Blvd

Ref: App # RZ-PD21-0314
Date: 4/19/2021 at 6:00pm
From: Ronaldo Lacuesta
Facilities Supervisor
Tampa Covenant Church
13320 Lake Magdalene Blvd.
Tampa, Florida 33618

(813) 217-1896

Dear Zoning Hearing Master,

My name is Ronaldo Lacuesta, I am the Facilities Supervisor for Tampa Covenant Church which is located at 13320 Lake Magdalene Blvd. Tampa, Florida 33618. I represent our church community that meets at this address and the entity of

Tampa Covenant Church in regards to concerns to this application to rezone the property located at 13515 Lake Magdalene Blvd. Tampa, Florida 33618. We would like to officially log our concerns to said rezoning and consequent construction of residences that the said development might incur unwanted additional input of stormwater towards the stormwater drain system of Nundy Rd from Lake Magdalene to the entire length of the drainage to Bay lake. Our neighborhood has a history of flooding during the rainy season due to the increment of residences around our area and the inadequate provision and distribution of the stormwater drain. We have worked to mitigate this issue over the last decade however flooding is still an issue. We are concerned if the proposed construction by the developer has a built in provision for their drainage that would not overwhelm our already current problematic drainage system? Will they guarantee that they will be responsible in mitigating the whole Nundy drain system if they will use our drainage as part of their plan to alleviate runoff water from their development? As it stands we have indication that runoff water on the eastside of the property maybe draining towards the west unto the Nundy rd. drain system. We would like to go on record of these concerns and ask that the developer would put in contingencies in their development plan to expand and resolve this drainage issue without adding to the overwhelmed drainage system of Nundy Rd. and Bay Lake.

Sincerely,

Ronaldo Lacuesta Facilities Supervisor Tampa Covenant Church 13320 Lake Magdalene Blvd. Tampa, Florida 33618

(813)217-1896

Sent from Mail for Windows 10

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