

ZONING ANALYSIS KEYSTONE-ODESSA COMMUNITY PLAN

The following document summarizes zoning petitions in the Keystone –Odessa community plan area and is intended to act as background information that the citizens of the Keystone- Odessa Advisory Committee can use to review the history of the zonings that have taken place in their community from 2004 to 2010. 2004 was used as a base year when the Planning Commission began tracking rezoning petitions. The Planning Commission tracks zonings for reference only and the Hillsborough County Planning and Growth Management Department is the official administrators of zoning petitions. Other background documents that are attached include: a map of current zoning, a map of each zoning petition with its status and a zoning district definition section. Within this summary is an explanation of how the petition met or did not meet the community plan goals, objectives and policies.

Current Zoning of Planning Area

Keystone-Odessa planning area is largely defined by its natural features of pristine lakes and preservation areas. The three predominant land uses in the planning area include agricultural, planned developments and small pockets of commercial. Together the agricultural zoning designations of Agricultural Industrial, Agricultural Rural, Agricultural Single Family-1 and Agricultural Single Family Conventional-1 make up approximately 19,500 acres of the total planning area which equals 23,326 acres. Planned developments make up approximately 2,880 acres. Planned developments can either be residential or non-residential, but in this case single family residential developments such as Keystone Estates, Canterbury and Keystone Park are the predominant use. The commercial zoning designations of commercial neighborhood (CN) and commercial general (CG) include approximately 44 acres and are dispersed throughout the planning area on some of the major roadways of Gunn Highway, North Mobley and Tarpon Springs Road. These commercial designations serve daily needs of the residents with such services as convenience store and small service shops.



Zoning petitions are equal to four different categories. They include **Standard petitions** (where uses and development standards are defined by the Land Development Code), **Major Modifications** (changes regarding a "critical design feature), **Special Uses** (uses that require additional design standards) and **Planned Developments** (land under unified control to be planned and developed as a whole in a single development operation or a definitely programmed series of development operations or phases). A total of seventeen zoning petitions have been requested in the Keystone Odessa Planning Area since 2004, including six Standard, five Major Modifications and six Special Use petitions.

Standard Petitions

- Petition **(04-1684)** was approved for a dog training center and boarding facility, this petition was found consistent with policy E2-5.2 of the Future Land Use Element of the Hillsborough County Comprehensive Plan that states to integrate commercial development into rural settings which will enhance the quality of the rural environment and provide appropriately scaled local serving goods and services and small scaled employment. The Keystone-Odesa Community Plan desires to retain and support new agricultural uses, the proposed planned development will provide for an agriculturally related land use which follows the desires of the Keystone-Odesa Community Plan.
- Petition **(05-1218)** was approved to add 49-detached single family residential lots with lot sizes a minimum of 10,000 square feet. With some of those lots falling along Lake LeClare, stipulations were added due to its close proximity to environmental lands. The stipulations were that no lot should have a width less than 80 feet frontage and that open space and recreation areas needed to be provided within the project to serve the residents. This pattern of lot sizes would be reflective of the majority of single-family residential lots that were already developed adjacent to Lake LeClare and the approval met policy of the Keystone-Odesa Community Plan which states under the Residential subsection, that:

The established rural pattern of residential development will be continued and the intrusion of suburban style residential development will be prohibited by adopting land development regulations which:

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- *address situations where densities have been permitted greater than 1 du/5ga;*
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- *on lots smaller than 2 acres, develop building square footage to lot ratios or other tools to create compatible development between older, smaller lot developments and new developments;*
- *require minimum open space and varied setbacks for rural residential lots, and*
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- Petition **(04-0064)** was withdrawn. The request was to add a 9 acre parcel into the existing approved Mound Lake Planned Development. The Planning Commission staff found the petition consistent with Policy B-1.8 of the Hillsborough Comprehensive Plan which states:

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.

This petition is consistent with the Keystone-Odessa Community Plan which desires to retain the rural residential character of the area and encourages rural residential to be limited to will maintain low-density residential. The applicant is not required to give a reason for withdrawal.

- Petition **(05-2088)** was withdrawn. The request proposed a change from Agricultural Rural (AR) to Agricultural Single-Family Estate (AS-0.4). The requested rezoning was comparable with the existing zoning and development pattern in the immediate area. The proposed use of the site for conventional single family homes or manufactured homes on a minimum lot of 2 1/2 acres would be compatible with the adjacent agricultural/rural residential uses in the area. The Planning Commission found the petition consistent having met policy of the Keystone-Odessa Community Plan which states under the Residential subsection, that:

The established rural pattern of residential development will be continued and the intrusion of suburban stale residential development will be prohibited by adopting land development regulations which:

- *maintain low-density residential development of a minimum of one unit per 5 acres consistent with the comprehensive plan (unless otherwise permitted);*

The applicant is not required to give a reason for withdrawal, so that is unknown.

- Petition **(05-1119)** was found inconsistent. The request was to allow commercial development outside the intersection at Gunn Highway and North Mobley Road which the Keystone-Odessa plan designates as the rural activity center of the community, This intersection to called to be designed to serve the majority of the community's daily shopping needs such as groceries, post office, animal supplies, etc. This petition, not within the rural activity center at the Gunn Highway and North Mobley Road intersection did not otherwise meet locational criteria set forth in the Hillsborough County Comprehensive Plan.
- Petition **(06-1731)** was approved and requested a change from Commercial Neighborhood (CN) and Agricultural Rural (AR) to Commercial Neighborhood (CN). This petition added an additional 6,500 sq. ft of commercial as a zoning conformance action. This parcel had been operating since the 1950's as a neighborhood commercial use so it was rezoned to create a unified zoning district. The Keystone-Odessa community desires to have uses that are geared to serving the daily needs of area residents, in a scale and design that

complements the character of the community, which makes this petition consistent with the community plan.

Major Modifications

- Petition **(04-0061)** was approved and was found consistent by Planning Commission staff for an addition of the 950 student elementary school site into this planned development; it also reduced the number of single family residential lots from 26 on 44 acres to 11 on 25.46 acres. The addition of an elementary school at this location enhanced the sense of community that is created at this activity center consistent with the community plan, which explains their intention about schools as

“...educational needs of the children in the Keystone-Odessa community are a high priority, and that the schools design should reflect the rural character of the community as well as at the time of development that meaningful public input is sought.”

During the original petitioning process citizens were concerned with the water quality impacts to Lake Keystone that the petition might bring and believed they came to an agreement that the lake would be protected, with the major modification citizens believed that was no longer the case, and so citizens objected to this petition.

- Petition **(05-0405)** was approved to modify for the allowance of 43 single family units. This application was an addition to an already approved planned development. The planned development was comparable to the semi-rural development pattern in this area of lot sizes at $\frac{1}{4}$ and greater. Planning Commission staff found this petition consistent based on Policy B-1.8: 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. The petition is consistent with the Keystone Odessa community plan based their desire to retain the rural residential character of the area and encourages rural residential to be limited that will maintain low-density residential.
- Petition **(06-0976)** was approved and allowed for commercial development in an existing planned development on the western and eastern portion of the site. It was approved for 8,500 square feet of residential support uses and public uses. The request was to amend this to 7,200 square feet of office uses. This petition was found consistent due to it serving as a transitional use between the commercial center to the west at the intersection of Gunn Highway and Van Dyke Road and a property zoned Office Residential. The proposed office-residential use of the site would be consistent with the adjacent non-residential land uses. It was also consistent with policy of the Keystone Odessa Community Plan which

states the Keystone-Odesa community desires to have uses that are geared to serving the daily needs of area residents, in a scale and design that complements the character of the community.

- Petition **(10-0157)** was denied and was found consistent with specific conditions by Planning Commission staff. The subject property was zoned for a Planned Development (PD) allowing for a total of 49 residential units with minimum lot size of 10,000 square feet. The applicant was seeking to add a second development option to allow for interim uses, including a golf driving range and accessory recreation uses. The subject site is located adjacent to Lake Leclare and contains a wetland associated with the lake. This petition is inconsistent with the Keystone-Odesa plan, which calls for protection of these unique lake associated wetlands; therefore with the proximity to the lake it may have had an adverse impact. Planning Commission staff found this petition consistent, but with specific conditions to protect the wetland. With the large number of opposition, the petition was denied.
- Petition **(10-0694)** was withdrawn. Planning Commission staff did not review the petition due to its being withdrawn shortly after the application was filed.

Special Uses

- Petition **(06-0975)** was approved to allow land excavation activities proposed approximately 2.5 million cubic yards to be removed from the site, with a maximum excavation depth of 35 feet. Planning Commission staff does not provide consistency findings on land excavations. The applicant stated that when the borrow pit was completed; it would be converted to a single family residential community. Keystone Odessa citizens objected to this petition, based on its detriment to the wetlands, and that it was in violation of the Keystone – Odessa Community plan which states:

New lakefront development shall be required to retain a natural vegetative buffer, for the water quality and wildlife benefits it affords. New hardened shoreline is prohibited, and existing hardened shoreline shall not preclude the requirement for the preservation of a vegetative buffer. However, these requirements should recognize the provision for recreational access which minimizes impacts to these natural resources.

- Petition **(07-1748)** was withdrawn. The Planning Commission found it inconsistent with the Hillsborough County Comprehensive Plan based on Policy A-2.10:

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

The proposed special use was to allow for a helistop on this residential zoned property. This site is located within a single family detached residential area. The future helistop pad was proposed adjacent to Lake Keystone. Due to the width of the subject site, such a use would have a number of negative externalities; one such negative impact is noise. The proposed helistop would be inconsistent with the comprehensive plan due to public safety and compatibility concerns with regards to this use being located in an area surrounded by residential homes and neighborhoods. The Land Development Code (LDC) outlines a number of standards for helistops if they are to be located within residential areas, including the size of the parcel. The LDC also provides a number of standards with regards to separation of a helistop from other uses. Specifically, it states that it must be 500 feet from any dwelling unit or residentially zoned property, which this parcel does not meet those standards.

The applicant is not required to give a reason for withdrawal, so that is unknown.

- Petition **(08-1261)** was denied and was found inconsistent by Planning Commission staff. This petition requested an Outdoor Paintball facility. The proposed special use did not meet the minimum Land Development Code requirements, and as such, did not provide for a comparable development with the area's rural development pattern or a compatible development with adjacent large lot rural residential uses. The proposed special use was also not consistent with a number of strategies outlined within the Keystone-Odessa Community Plan. Specifically, the adopted Community Plan seeks "to maintain the scenic visual quality of open and agricultural lands in the Keystone-Odessa community."
- Petition **(08-1435)** was denied. The Planning Commission staff found this petition inconsistent based on Policy 11.1:

The County shall continue to prohibit land excavation activities that adversely impact surface or groundwater levels or wetlands on surrounding property.

This petition was to amend conditions for an approved Land Excavation (06-0975). The petition was to amend conditions to allow access west along Lutz Lake Fern Road. This proposed routing westward along portions of Lutz Lake Fern Road and Gunn Highway, which was not an approved truck route and had potential negative impacts on residential uses located along these roadways.

- Petition **(09-0811)** was approved. Planning Commission staff found this petition consistent based on Objective 46:

To ensure that telecommunications facilities are located in a manner that is compatible (as defined in Policy 1.4) with surrounding land uses and compliant with State and Federal law.

The request was for a telecommunications tower and related facility. The petition is compatible with the current use of the site as a church and the church future expansion plans. The tower would be compatible with the surrounding residential development and residential support uses.

- Petition **(10-0547)** is pending, but the special use request is to amend the conditions related to an approved land excavation **(06-0975)**. As approved, conditions were placed that required trucks to only travel eastward along Lutz Lake Fern Road, toward the Suncoast Parkway and Dale Mabry Highway. Trucks were prohibited traveling west along Lutz Lake Fern Road or accessing the site from the west. The opening of the Suncoast Parkway interchange has provided a truck route within approximately $\frac{3}{4}$ of a mile from the main access point of the excavation site. The routing eastward currently avoids large residential areas found to the west of the subject site. The applicant is seeking to amend these conditions to allow access west along Lutz Lake Fern Road, which would provide for shorter trip lengths in accessing the Tarpon Springs widening project. This proposed routing westward along portions of Lutz Lake Fern Road and Gunn Highway, consisting of a distance of approximately 2.5 miles on portions of roadways which are not approved for truck traffic, has the potential of creating negative impacts on residential uses located along these roadways. It should be noted that there are a number of residential lots, some with structures less than 60 feet off the roadway, fronting onto portions of Gunn Highway and Lutz Lake Fern Road. This petition would not be consistent with the Keystone Odessa community plan due to Keystone – Odessa Community plan which states that “New lakefront development shall be required to retain a natural vegetative buffer, for the water quality and wildlife benefits it affords. New hardened shoreline is prohibited, and existing hardened shoreline shall not preclude the requirement for the preservation of a vegetative buffer. However, these requirements should recognize the provision for recreational access which minimizes impacts to these natural resources.”

Fox's Corner

A major zoning action that was identified as an implementation strategy in the adopted plan addressed the intersection of Van Dyke Road and North Mobley Boulevard, known as Fox's Corner. The adopted community plan described the area as a rural activity center "designed to serve the majority of the community's daily shopping needs such as groceries, post office, animal supplies, etc.". The study was completed and adopted June 10, 2004 as the Keystone Community Activity Center Overlay district in Hillsborough County's Land Development Code (Part 3.08.00 – Keystone-Odesa Rural Development Standards; Sec. 3.08.06 - Design). The area is in the Residential-1 plan category. Existing land uses include agriculture, schools, Mobile Home Park, light commercial, single family, water, vacant and public lands.

Figure 3.35.2
Community Activity Center



Summary of Findings

The Keystone Odessa community plan has been the guiding document for upholding the goals, objectives and policies of its community and has proved to be quite effective. Keystone Odessa remains much the same as when it was adopted back in 2001. The involvement of the stakeholders using their community plan as a tool in the rezoning process, along with the residents and stakeholders of Keystone Odessa continuing to be persistent in embracing their vision of remaining a rural community has contributed to achieving the goal of little change through rezoning petitions.

The small number of petition applications in itself speaks to the success of the Keystone-Odesa Community Plan adopted in January 9, 2001. The petitions overall met the intent of the community plan with a few exceptions. For the petitions that were denied they were inconsistent due to compatibility of density, which Keystone would like to remain a 1/5 acre density community keeping its rural nature or the petition may have posed a threat to the natural assets in which the citizens would like to keep protected. The petitions that were approved were proposing either residential or commercial that was in character with and supported the community daily service needs of the residents. The two exceptions were petition 04-0061 and 06-0975 which were approved but at the dissatisfaction of the citizens.