

Hillsborough County
Florida

Office of the County Administrator
Daniel A. Kleman
March 26, 2002

BOARD OF COUNTY COMMISSIONERS

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Beula H...
File
PD 01-0353

Flower Patch, Inc.
805 W. Bearss Avenue
Tampa, Florida 33613
Attention: Cheri Williams

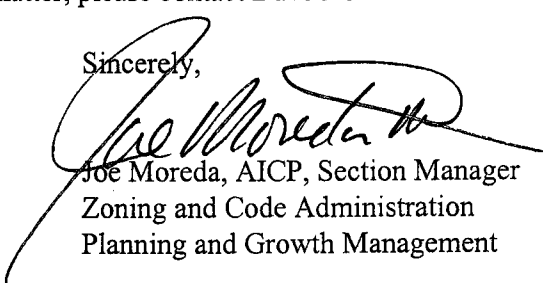
SUBJECT: Temporary Vendor Specified Use Permit 02-0710, Tax Folios #17179.0000, 17178.0000, 17177.0000, 17037.0000.

Dear Ms. Williams:

The above referenced parcels are currently zoned Planned Development (PD 01-353) and are governed by the zoning conditions approved by the Board of County Commissioners on November 13, 2001. According to condition 1.2 of the enclosed final conditions of approval, "the 'Existing Florist Use,' as depicted on the site plan dated September 13, 2001, shall not be permitted as an interim use." Therefore, because the use is prohibited as a temporary use on the properties identified above, this office has **DENIED** your request for a Temporary Vendor Permit for commercial flower sales.

If you have any questions regarding this matter, please contact Dave Borisenko at 279-8335.

Sincerely,


Joe Moreda, AICP, Section Manager
Zoning and Code Administration
Planning and Growth Management

Enclosure

cc: Don Shea, Code Enforcement
Dave Ford, Development Services
Don Goff, Fire Department
Irene Bairan, Development Services
Dave Borisenko, Planning and Growth Management

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FINAL CONDITIONS
OF APPROVAL

PETITION NUMBER: RZ 01-0130-US
BOCC MEETING DATE: March 13, 2001
DATE TYPED: March 21, 2001

Exhibit
3b.

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted January 11, 2001.

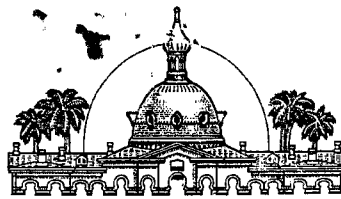
1. The planned development shall be permitted a maximum of 11,000 square feet of floor space for a pharmacy/drug store. A drive-through aisle for the primary building shall be permitted on its northern facade as generally shown on the site plan.
2. Unless otherwise provided herein, the project shall be developed in accordance with CG zoning district design standards, except that maximum building height shall be 35 feet. The project building shall be located as generally shown on the site plan. Hours of operation shall be limited to 7:00 a.m. to 12:00 a.m. (midnight), and deliveries to the site shall occur only between the hours of 6:30 a.m. and 10:00 p.m.
3. All project buildings shall be architecturally finished on all sides. At minimum, masonry exteriors shall include painted textured surfaces (e.g., stucco or precast concrete). No building shall have an uninterrupted length of any front facade in excess of 100 feet. The design of the facades for the building shall include such features as recesses for landscaping, projections, windows and separate entrances for individual uses as generally depicted on the section elevation received on January 11, 2001. The section elevation shall be submitted along with the revised general site plan for certification.
4. Buffering and screening shall be provided in accordance with Land Development Code standards except as otherwise stated herein. In the event the properties immediately east of the site are zoned for commercial uses prior to the date the applicant submits construction plans for preliminary site plan approval, no screening shall be provided along the eastern project boundary.
 - 4.1 A buffer area 20 feet in width shall be provided along the entire northern property boundary. A continuous evergreen hedge a minimum of four feet in height with an opacity of at least 75 percent shall be installed along the entire northern property boundary at the northern edge of the buffer area. Additionally, a berm/wall planting combination shall be installed, beginning 100 feet from the western property boundary and extending to the eastern edge of the northern property boundary as shown on the site plan. Said berm shall be a minimum of four feet in height and said wall shall extend two feet in height above the height of the berm. Evergreen shade trees a minimum of 10 feet in height with a minimum 2-inch caliper spaced not more than 20 feet apart shall be installed within the required buffer area.
5. The loading berth, trash compactor and dumpster shall be located along the eastern facade of the building as generally shown on the site plan.
6. Retention/detention areas shall be located as generally shown on the site plan unless alternative location(s) are required by EPC and/or SWFWMD. Retention is permissible within the required buffer area along the eastern property boundary and Berrys Avenue, but shall not conflict with the required screening. The retention pond(s) shall be sufficient distances from existing private wells in the area as prescribed by the Florida Department of Health.

FINAL CONDITIONS
OF APPROVAL

PETITION NUMBER: RZ 01-0353 LU
BOCC MEETING DATE: November 13, 2001
DATE TYPED: November 14, 2001

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted September 13, 2001.

1. Development shall be restricted to 7,200 square feet of floor area for BP-O uses and the following specialty retail uses: florist; gift shop; hobby/toys/craft shop; musical instruments; news stand; books/cards/stationary; delicatessen; bicycle sales; locksmith; watch/clock/jewelry sales and repair.
 - 1.1 Outdoor vending machines, outdoor displays and outdoor storage shall be prohibited.
 - 1.2 The "Existing Florist Use", as depicted on the site plan dated September 13, 2001, shall not be permitted as an interim use. Any florist use on the site shall be in compliance with the zoning conditions of approval herein and/or all applicable LDC regulations. The "Existing Florist Use" as depicted on the site plan dated September 13, 2001 shall be removed from the site plan submitted for certification.
2. Unless otherwise provided herein, the project shall be developed in accordance with BP-O zoning district design standards, except that maximum building height shall be one story with a maximum height of 35 feet. The project building shall be located as generally shown on the site plan. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. and deliveries to the site shall occur only between the hours of 6:30 a.m. and 10:00 p.m.
3. All project buildings shall be architecturally finished on all sides. At minimum, masonry exteriors shall include painted textured surfaces (e.g., stucco or precast concrete). The design of the facades for the building shall include such features as recesses for landscaping, projections, windows and separate entrances for individual uses. Building structures of the project shall be provided to include, but not be limited to, architectural design to incorporate residential-style pitched roofs.
4. Buffering and screening shall be provided in accordance with Land Development Code standards except as otherwise stated herein.
 - 4.1 A 20-foot buffer containing Type "B" screening, excluding the wall or fence option, shall be required along Monaco Drive. An 8 (eight) foot buffer containing a Type "B" screen, excluding the wall or fence option, shall be required along Monet Drive and Bearss Avenue. Parking and/or retention is permissible within the southern 10 feet of the required buffer yard along Monaco Drive, but shall not conflict with the required screening. This requirement shall be shown on the General Site Plan for certification.
 - 4.2 Existing mature vegetation, excluding nuisance vegetation within the required buffers shall be preserved.
5. Dumpster(s) shall be completely enclosed and the dumpster shelter(s) shall be finished in like material to the principal structures they serve. Dumpsters shall not be emptied between the hours of 7:00 p.m. and 6:30 a.m. Dumpsters shall not be located within required buffers and shall be located as generally depicted on the site plan received September 13, 2001.



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November 14, 2001

Mary Jo Castro
Busch Junction Enterprises
1701 E Busch Blvd
Tampa, FL 33612

RE: PETITION NO. RZ 01-0353 LU

Dear Ms. Castro:

At the regularly scheduled public meeting on November 13, 2001, the Board of County Commissioners granted your request for rezoning of the tract of land described in your application from RSC-6 to PD, with the attached conditions.

The approval of a planned development rezoning requires the developer submit a revised General Site Plan reflecting all conditions, within 90 days of zoning approval. Failure to submit the site plans within the time period will place your rezoning in violation.

To comply with this requirement, please complete and submit the enclosed application for General Site Plan Review/Certification, to the Planning and Zoning Division, 20th floor of the County Center, 601 East Kennedy Boulevard. For information concerning the certification process, please contact Rosa Suescun at 272-5920.

Please keep this letter for your records. If we may be of service to you in the future, feel free to contact me at 272-5920.

Sincerely,

Paula M. Harvey, AICP, Director
Planning and Zoning Division

Attachments

cc: Richard C. Bennett

Post Office Box 1110 • Tampa, Florida 33601

Web Site: www.hillsboroughcounty.org

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FINAL CONDITIONS
OF APPROVAL

PETITION NUMBER: RZ 01-0353 LU
BOCC MEETING DATE: November 13, 2001
DATE TYPED: November 14, 2001

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted September 13, 2001.

1. Development shall be restricted to 7,200 square feet of floor area for BP-O uses and the following specialty retail uses: florist; gift shop; hobby/toys/craft shop; musical instruments; news stand; books/cards/stationary; delicatessen; bicycle sales; locksmith; watch/clock/jewelry sales and repair.
 - 1.1 Outdoor vending machines, outdoor displays and outdoor storage shall be prohibited.
 - 1.2 The "Existing Florist Use", as depicted on the site plan dated September 13, 2001, shall not be permitted as an interim use. Any florist use on the site shall be in compliance with the zoning conditions of approval herein and/or all applicable LDC regulations. The "Existing Florist Use" as depicted on the site plan dated September 13, 2001 shall be removed from the site plan submitted for certification.
2. Unless otherwise provided herein, the project shall be developed in accordance with BP-O zoning district design standards, except that maximum building height shall be one story with a maximum height of 35 feet. The project building shall be located as generally shown on the site plan. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. and deliveries to the site shall occur only between the hours of 6:30 a.m. and 10:00 p.m.
3. All project buildings shall be architecturally finished on all sides. At minimum, masonry exteriors shall include painted textured surfaces (e.g., stucco or precast concrete). The design of the facades for the building shall include such features as recesses for landscaping, projections, windows and separate entrances for individual uses. Building structures of the project shall be provided to include, but not be limited to, architectural design to incorporate residential-style pitched roofs.
4. Buffering and screening shall be provided in accordance with Land Development Code standards except as otherwise stated herein.
 - 4.1 A 20-foot buffer containing Type "B" screening, excluding the wall or fence option, shall be required along Monaco Drive. An 8 (eight) foot buffer containing a Type "B" screen, excluding the wall or fence option, shall be required along Monet Drive and Bearss Avenue. Parking and/or retention is permissible within the southern 10 feet of the required buffer yard along Monaco Drive, but shall not conflict with the required screening. This requirement shall be shown on the General Site Plan for certification.
 - 4.2 Existing mature vegetation, excluding nuisance vegetation within the required buffers shall be preserved.
5. Dumpster(s) shall be completely enclosed and the dumpster shelter(s) shall be finished in like material to the principal structures they serve. Dumpsters shall not be emptied between the hours of 7:00 p.m. and 6:30 a.m. Dumpsters shall not be located within required buffers and shall be located as generally depicted on the site plan received September 13, 2001.

FINAL CONDITIONS
OF APPROVAL

PETITION NUMBER: RZ 01-0353 LU
BOCC MEETING DATE: November 13, 2001
DATE TYPED: November 14, 2001

6. Retention/detention areas shall be located as generally shown on the site plan unless an alternative location is required by EPC and/or SWFWMD. The retention pond(s) shall be sufficient distances from existing private wells in the area as prescribed by the Florida Department of Health.
7. Signage shall be approved through a Master Sign Plan in accordance with the Land Development Code. Project signage shall be mounted on or supported by materials that are consistent in color and material with design elements and finishes of the primary structure. Signage shall only be permitted along Bearss Avenue and along the southern fifty feet of the eastern property boundary measured from the Bearss Avenue existing right-of-way.
8. The height of security/parking lot light poles shall not exceed 18 feet in height. Lights shall be oriented internally and shall be fully shielded to reduce off-site illumination.
9. Approval of this application does not ensure that water will be available at the time when the applicant seeks approval to actually develop.
10. If feasible (feasibility to be determined by the County), the developer shall provide cross access to the commercial parcel to the west.
11. The general location, design and number of access points, except where otherwise restricted by these conditions, shall be as shown on the general site plan, subject to compliance with Hillsborough County Access Management regulations as found in the Land Development Code. The design and construction of curb cuts shall be subject to approval of the Hillsborough County Public Planning and Growth Management Department. Final design may include, but is not limited to, left turn lanes, acceleration lanes and deceleration lanes. Access points may be restricted in movements.
12. 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.
13. Within ninety days of approval of RZ 01-0353 by the Hillsborough County Board of County Commissioners, the developer shall submit to the County Planning and Growth Management Department a revised General Development Plan for certification reflecting all the conditions outlined above, including the buffer requirement of Condition 4.1.
14. Effective as of February 1, 1990, this development order/permit shall meet the concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities in place at the time of application for subsequent development orders or permits to allow issuance of such development orders or permit.

FINAL CONDITIONS
OF APPROVAL

PETITION NUMBER:
BOCC MEETING DATE:
DATE TYPED:

RZ 98-0826-BR
January 12, 1999
January 25, 1999

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted April 17, 1998

1. The development of the project shall proceed in strict accordance with the terms and conditions contained in the DRI Development Order the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations and ordinances of Hillsborough County.

2. The PD district shall develop in accordance with the following development schedule:

2,618,000 square feet of Research Corporate Park uses defined as those of the BPO zoning district, plus warehousing, light industrial and truck terminals within completely enclosed buildings

1,442,000 square feet of office uses defined as those of the BPO zoning district

As an alternative, up to 402,098 square feet of commercial uses defined as those of the C-I zoning district through the use of a trade-off mechanism

Plus infrastructure to serve the project, public uses facilities and public service facilities.

In order to maintain consistency between these zoning conditions and the DRI development order applicable to this project, any hotel/motel uses which are constructed shall be deducted from the allowed square footage totals of office uses. Any movie theater uses shall be deducted from the commercial uses. In the case of uses other than hotel/motel the developer shall declare which of the square footage totals shall be reduced whenever the use in question is allowed in more than one of the above referenced use categories.

The Gross F.A.R. for the site shall be limited to a maximum of 0.25.

The maximum gross density for the site shall be 20 dwelling units per acre.

In addition to the uses above an interim tree landscape nursery (established solely to provide landscaping for the development), necessary infrastructure for permitted development and interim agricultural uses including fish hatcheries or fish pools, hazing, grassing, and seeding, cattle and horse grazing, horse boarding, and accessory agricultural structures shall be permitted. A maximum of one cow shall be allowed per acre of designated pasture area. Structures including trailers utilized by security, maintenance and construction personnel shall be permitted.

Land uses may be substituted pursuant to the equivalency matrix contained in the DRI Development Order, as amended and including multi-family residential uses and movie theater uses.

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3. The developer shall have the option to convert the square footage of one use for residential uses in accordance with the following conditions:

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FINAL CONDITIONS
OF APPROVAL

PETITION NUMBER: RZ 98-0826-BR
BOCC MEETING DATE: January 12, 1999
DATE TYPED: January 25, 1999

- 3.1 In order to convert one land use for another, the developer shall submit a calculation consistent with the equivalency matrix in the DRI Development Order, as amended.
- 3.2 Residential conversions shall be allowed up to a maximum of 2,376 multi-family units.
- 3.3 Prior to the issuance of Certificates of Occupancy for any residential development within pods 109, 110, or the eastern half of pod 111, the developer shall design and install, when warranted, a traffic signal with interconnections and design and construct a southbound to eastbound left turn lane of an adequate length and width to accommodate Providence Lakes project traffic at the intersection of Providence Road and Providence Lakes Boulevard (a northbound to westbound turn lane(s) shall be required at the time the east/west collector is connected to Providence Road). In the event that the traffic signal is not warranted at the time of Certificate of Occupancy issuance, the signal shall not be required subject to its installation within six months after a determination is made by Hillsborough County that such a signal is warranted.
4. Permitted land use locations shall be as listed in each pod pursuant to the General Site Plan.
5. For locational purposes, the pods designated as RCP shall permit office uses and warehousing, light industrial and truck terminals within completely enclosed buildings.
6. The project shall develop in accordance with the conditions listed below. This shall serve as a satisfactory replacement for the requirements of the IPD zoning district performance standards.
 - 6.1 Bus bays and/or shelters, including benches, lighting and trash receptacles, of a design and location acceptable to Hartline, shall be required and shall be the responsibility of the developer. They shall be installed by the developer in the following pods at the specified locations. Bus bays and shelters are required in the following pods: pod 109/111 at Providence and Sweetridge, and in pod 110, a bus stop on the proposed East West collector. The exact location, design, landscaping, and size of each of the above referenced facilities shall be approved by Hartline prior to the applicable site development plan approval.

Furthermore, in accordance with design plans contained in The South Brandon Corridor Study, provisions shall be made for a future light rail corridor and facilities until January 2004. The developer shall reserve, as needed, a corridor 40 feet wide along applicable portions of the western project boundary (the east side of the Interstate Highway) for light rail track and a bicycle/pedestrian path. Within pod 106, the developer shall reserve a parcel of sufficient size (estimated at 3.5 acres) for a rail transit pick-up/drop-off ("Kiss and Ride") station with access to the East - West Collector. The area reserved for the Kiss and Ride station may be relocated at the Developer's option, anywhere along the reserved rail corridor. Alternatively, the Kiss

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PETITION NUMBER:
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January 12, 1999
January 25, 1999

and Ride station may be relocated within Parce #118 on condition that pedestrian access to the corridor is secured. If the County abandons light rail for this area, such a reservation shall automatically terminate.

The imposition of this condition and the Developer's acquiescence thereto is not intended to limit the Developer's right to seek and obtain just compensation for any land which is acquired and/or compensation for damages, including damages to Developer's remainder property, in the event that the areas reserved under this condition are ever acquired by any governmental authority.

- 6.2 A master landscaping, lighting, pedestrian/ bicycle/vehicular circulation, signage, and drainage plan shall be provided for the entire project.
- 6.3 Sidewalks shall be six feet in width along Causeway Blvd., Providence Road, the North - South Arterial and the East - West Arterial. All other sidewalks shall be a minimum of 4 feet in width. Widths and location shall be shown on the submitted sidewalk plan. This plan shall be submitted prior to construction plan approvals and shall indicate a tie in with the large lake in the center of the project as well as various parks as applicable.
- 6.4 A 4 foot wide bicycle lane on both sides shall be required along the full extent of the North-South arterial.
- 6.5 A walkway for occupants of the Lake Brandon project shall be provided along the edge of the central lake within pods # 105, 108, 112, and 113. This walkway for occupants of the Lake Brandon project is only required for each pod that is developed in a non-residential pattern. Under such circumstances, the developer shall install a six foot wide sidewalk, tying into the larger sidewalk system to gain access to the lake.
- 6.6 Street furniture, including benches, trash receptacles, and bike racks, shall be provided at all commercial and office developments.
7. Structures which facilitate the pasturing of cattle (e.g. cow pens or barns) shall be a minimum of 1,200 feet from the perimeter of the project site's boundary. All other interim agricultural structures (e.g. security trailers, maintenance barns) shall be a minimum of 150 feet from the perimeter of the project site's boundary.

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RZ 98-0826-BR
January 12, 1999
January 25, 1999

8. The following shall be the maximum height table for the various pods:

<u>Pod Number</u>	<u>Maximum Height</u>
101, 102, 105, 106, 107, 108, 111, 112, 113, 117, 118	60'
109, 110, 114, 115, 116, 118	45'

9. The non-residential uses shall follow applicable performance standards identified in the Land Development Code except as modified in the site plan and these conditions.
10. The multi-family use shall be in accordance with applicable standards of the RMC-20 district of the Land Development Code except as modified in the site plan and these conditions.
11. The developer shall be required to re-certify the General Site Plan for Lake Brandon (AKA Florida Corporate Center) as part of any Site Plan Approvals. The updated plan shall include an accounting for all the square footage and/or residential unit amounts that have been utilized to that point in each land use category, and delineate the areas on the site plan where development has occurred with the commensurate square footage and/or residential units.
12. Prior to the issuance of Certificates of Occupancy for any residential development exceeding 594 units, the developer shall designate on the General Site Plan, one 5 acre neighborhood park site at a site either on or off-site acceptable to and meeting the requirements of the Parks and Recreational Department. This park shall be donated prior to the issuance of Certificates of Occupancy for residential development in excess of 1,188 units. Prior to the issuance of Certificates of Occupancy for residential development in excess of 1,782 units, the developer shall designate the second 5 acre neighborhood park site on the General Site Plan (to be donated prior to exceeding 2,300 units). If build-out reflects a strictly non-residential development pattern or residential development of less than the above thresholds, designation of the applicable parks are not required. If either of the required parks is proposed off-site, each shall be located south of Causeway Blvd, east of I-75, north of Bloomingdale Ave, and west of Providence Road.

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PETITION NUMBER.
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RZ 98-0826-BR
January 12, 1999
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13. To promote connectivity and ensure completion of both the North-South Arterial and East-West Collector, prior to Certificates of Occupancy for any development within a pod adjacent to either road, the developer shall design and construct to County standards, and dedicate to the County applicable North-South Arterial/East West Collector road improvements with rights-of-way widths as defined immediately below. Such improvements shall be for the total length of the subject development pod except when adjacent pods are divided by conservation/mitigation/lake/retention areas in which case the road shall be completed to the middle of the conservation/mitigation/ lake/retention area. Prior to any certificates of occupancy within pod 111, the developer shall design, construct, and dedicate the full length of the East-West Collector from Providence Road to the North-South Arterial/East West Collector road intersection.
14. The applicant shall dedicate to Hillsborough County, prior to detailed site plan approval, or within 90 days from the request of the County to coincide with roadway improvements, whichever comes first, the following amount of right-of-way.
 - 14.1 Providence Road - 102 feet along the eastern portion of the project site.
 - 14.2 North - South Arterial - 52 feet from the centerline along the west side of the road, throughout the site.
 - 14.3 North - South Arterial - 52 feet from the centerline along the east side of the road, throughout the site.
 - 14.4 East - West Collector - Total of 104 feet, west of the North - South Corridor, throughout the site.
15. Each full and limited (right-in/right-out) access point is defined as shown on the site plan date stamped April 17, 1998.
16. The developer shall design and construct left turn lanes for project traffic on Providence Road as part of any development along Providence Road.
17. The developer shall design and construct left turn lanes for project traffic on Causeway Blvd. as part of any development along Causeway Blvd.
18. The developer shall provide cross access from the East - West Collector via the road labeled "Street A" to the off-site parcel south and west of pod # 114. Notwithstanding the above, cross access shall not be required if development pods are consolidated and developed for non-residential uses in such a way that "Street A" is not constructed.

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19. The developer shall show on the Revised General Development Site Plan the approximate boundaries of all environmentally sensitive area(s) and shall label the area(s) therein "Wetland Conservation Area", "Wetland Preservation Area" or "Sand Pine Scrub Preservation Area". The boundaries of any on site environmentally sensitive area(s) shall be delineated in the field by EPC or County staff and shown on the applicable submitted Site Plan. The developer shall submit to the County evidence of approval from the EPC of the Wetland Conservation Area boundaries prior to Preliminary Site Plan approval.
20. All on site Conservation Area(s), Wetland Preservation Area(s) and Sand Pine Scrub Preservation Area(s) shall be preserved unless a mitigation plan is approved by the EPC and submitted to the County prior to Preliminary Site Plan approval.
21. The area defined as pods 114, 117 and 118 shall be bound by the requirements of the Essential and Significant Upland Wildlife Habitat ordinance. The location of any required minimum significant habitat set aside, if any, shall be shown on the General Site Development Plan prior to site plan approval of any development within these pods.
22. Within ninety days of RZ 98-0826 approval by the Hillsborough County Board of County Commissioners, the developer shall submit to the Planning and Growth Management Department a revised General Development Site Plan for certification reflecting all the conditions outlined above.

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