

## **Sec. 27- 467. Parkland Estates Overlay District.**

### **(a) Area Description and Boundaries.**

The Parkland Estates Overlay District is comprised of the Revised Plat of Parkland Estates, a subdivision of record as recorded in Plat Book 1, Page 156, of the Public Records of Hillsborough County, Florida.

### **(b) Purpose and Intent.**

The purpose and intent of the Parkland Estates Overlay is to ensure that infill development and additions thereto are in compliance with Chapter 29126 Laws of Florida, as amended by House Bill 0731 enacted by the Florida Legislature in 2003, hereafter referred to as the "Amended Act," relating to the Parkland Estates Subdivision and the underlying zoning district regulations.

### **(c) Compliance**

Every application for new construction or additions to existing structures shall comply with the overlay district standards and requirements, underlying zoning district standards and requirements, and the Amended Act standards or those standards outlined in their city council approved site plans. In cases of conflict, the provisions of the Amended Act shall apply. These are the minimum requirements that must be met in order to obtain approval.

### **(d) Review Procedures**

Final compliance with all site and building design standards will be determined during the site plan review permit process.

### **(e) Conforming and Nonconforming Uses, Lots and Structures.**

#### **(1) Single-family residential.**

a. All lots within Parkland Estates as platted per Plat Book 1, Page 156 shall be used and are zoned for use as a single-family residential dwelling purpose only, unless otherwise noted in the Parkland Estates Overlay District and the Amended Act. Any lot that is not as originally platted must meet the underlying residential zoning district regulations regarding lot size.

b. In the Parkland Estates Overlay District all platted lots as recorded in Plat Book 1, Page 156 can be developed as a single-family residential detached dwelling regardless of the underlying zoning district lot size standards, provided they meet the setback requirements of the District. All other non-conforming lots must comply with Article XII, section 27-295 of the Zoning Code regarding nonconforming lots.

c. If substantial and competent evidence is provided to city council at the time of the Parkland Estates Area Rezoning regarding nonconforming single-family residential structures that existed as of December 31, 2002, then those structures shall be granted legal conforming status through an approved PD site plan. All other nonconforming single-family residential structures must comply with Article XII, Section 27-298 of the Zoning Code regarding nonconforming structures.

(2) Non Single-Family Residential.

a. Lots 1, 2, 3, 4, 5, 31, 32, 33, 34, 35, 36, and 37 of Block 16 of Parkland Estates as platted per Plat Book 1, Page 156 may be developed and used for church purposes by the erection of places of religious assembly buildings and other improvements. Said lots shall conform either to the conditions as set forth under Article XI, "Special Use Permits" pertaining to "Places of Religious Assembly" in Chapter 27 of the Code, or any PD site plan approved for the church by city council in connection with said lots during the Parkland Estates Area Rezoning. Existing church structures shall conform to the conditions as set forth in Article XII "Nonconformities," Section 27-294 if no PD site plan is approved.

b. Any property on Block B of Parkland Estates as platted per Plat Book 1, Page 156 that was developed and was of existence as of July 1, 1953, for anything other than a single-family residential dwelling shall constitute a legal conforming structure and/or use on the condition that city council finds and approves, based on substantial and competent evidence provided at the Parkland Estates Area Rezoning, that said structure and/or use is consistent with the structure and/or use existing as of July 1, 1953 (including the existence, specific nature and the extent of any use, and the configuration and dimensions of any structure). The non single-family residential use and/or structures on any property in Block B existing as of July 1, 1953 must be indicated in a PD site plan approved by city council at the Parkland Estates Area Rezoning; and shall conform to the provisions outlined on the city council approved PD site plan.

c. Any property on Block B of Parkland Estates as platted per Plat Book 1, Page 156 that was developed with non single family residential uses and/or structures between July 1, 1953 and December 31, 2000, shall constitute a legal nonconforming use and/or structure on the condition that substantial and competent evidence of the foregoing (including the existence, specific nature and the extent of any use, and the configuration and dimensions of any structure) is provided and approved by city council in accordance with a PD site plan approved by city council as part of the Parkland Estates Area Rezoning. If approved by city council, said properties shall conform to the provisions outlined in the city council approved PD site plan; however the legal nonconforming uses and/or structures must comply with all other applicable regulations provided in Article XII, sections 27-296, 27-297, and 27-299, "Nonconformities," and cannot at any time be enlarged, extended, intensified, or changed, except for a change to a residential single-family use, only. If the specific legal nonconforming use and/or structure identified for each property ceases for 180 days or more then the property must revert back to the underlying zoning district regulations.

d. Any non single-family residential uses and/or structures developed on any portion of Block B after December 31, 2000 are declared illegal in conformance with the Amended Act; and no PD site plan, rezoning, variance or other approval may be given in connection with said uses and/or structures.

**(f) Setbacks.**

(1) Minimum main structure setbacks required per the Amended Act.

Front: Thirty (30) feet; however a porch may setback twenty (20) feet from the front property line.

Side:	Seven and one-half (7.5) feet
Rear:	Per underlying zoning district
Corner:	Per underlying zoning district
No variances are permitted to the front or side yard minimum setback requirements for the main dwelling or structure per the Amended Act.	

(2) All other structures and equipment shall maintain the required setbacks established in this chapter. The variance review board may consider variances consistent with the provisions in Chapter 17.5.