

SURVEY/SITE PLAN





Project Description (Variance Request)

1. In the space below describe the variance including any history and/or related facts that may be helpful in understanding the request. This explanation shall also specifically identify what is being requested (e.g. Variance of 10 feet from the required rear yard setback of 25 feet resulting in a rear yard of 15 feet). If additional space is needed, please attach extra pages to this application.

Brandon Subaru is proposing to construct a new Subaru automobile Sales & Service dealership on the 10.24 acre parcel of land located at 9209 E. Adamo Dr. in Hillsborough County. The parcel is zoned C1, the Folio Number is 68042.0210 and the PIN number is U-19-29-20-ZZZ-000002-51840.0. Subaru North America requires the dealership to provide suitable square footage for sales, service and showroom; parking spaces for customers, employees, and service and parking spaces for vehicle inventory storage. Due to the limited size of undeveloped land on the 10.24 acre parcel it is necessary to construct a multi-level building to accommodate these requirements. This building will have a footprint of approximately 46,943 S.F. and elevated parking with a maximum height of 75 feet and contain 6 levels excluding the open ground floor. It is proposed to be setback 96 feet from the front property line and 35.5 feet from the side property lines. The CI Zoning Designation allows the building height to be 50 feet without an approval variance and requires the the side and rear setbacks to be 60 feet and 118 feet without an approved variance and requires setback for buildings higher than 20 feet to increase by 2 feet for every one foot the height exceeds 20 feet. A variance of 25 feet is requested to allow the maximum building height to increase from 50 feet to 75 feet and a variance to waive the requirement to increase the building setback for buildings higher than 20 feet.

The Hillsborough LDC does not contain any specific requirements for the development of parking garages which have unique characteristics that allow vertical storage of vehicles rather than constructing expansive surface lots. Increased setbacks because of the building height greater than 20 feet are counter productive to the needs to construction buildings to at least 75 feet high in order to meet development requirements. In particular the need for this multi-story building is driven by the lack of developable land on which to construct the dealership including the sales, service and the required inventory vehicle storage.

2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:

A variance is requested from section 6.01.01 of the LDC for the height.
A variance is requested from section 6.01.01 of the LDC for the setback.

Additional Information

1. Have you been cited by Hillsborough County Code Enforcement? No Yes
If yes, you must submit a copy of the Citation with this Application.
2. Do you have any other applications filed with Hillsborough County that are related to the subject property?
 No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): _____
3. Is this a request for a wetland setback variance? No Yes
If yes, you must complete the Wetland Setback Memorandum and all required information must be included with this Application Packet.
4. Please indicate the existing or proposed utilities for the subject property:
 Public Water Public Wastewater Private Well Septic Tank
5. Is the variance to allow a third lot on well or non-residential development with an intensity of three ERC's?
 No Yes If yes, you must submit a final determination of the "Water, Wastewater, and/or Re-claimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing

January 30, 2024

Hillsborough County Development Services
601 East Kennedy Blvd. 22nd Floor
Tampa, FL 33602

REFERENCE: Brandon Subaru
SEI Project No. 2023-19

SUBJECT: Variance Application

On behalf of our client, Spring Engineering, Inc. has enclosed the following information for a Variance Application for the Brandon Subaru:

1. One (1) copy of the completed Variance Application Package.
2. One (1) copy of the Property Information (obtained from Hillsborough County Map Viewer).
3. One (1) copy of the Sunbiz form obtained from (Subiz.org).
4. One (1) copy of current recorded deed (obtained from HCPAFL.org)
5. One (1) copy of the Close Proximity Owners List obtained from gisdept.hcpafl.org.
6. One (1) copy of the proposed site plan.
7. One (1) copy of proposed building elevations.

Brandon Automotive Management, LLC (Applicant) is proposing development of the property located at 9209 E. Adamo Drive, Tampa, FL 33619. The purpose of this letter is to formally request two (2) variances to the property setbacks and building height requirements per the Hillsborough County Development Code Section 6.01.01. The requested variances and justifications are listed below:

- A variance for height to increase the maximum height to 75 feet high to meet Subaru's development requirements and lack of developable land.
- A variance to the setback requirements is requested to a 35.5-foot setback due to the lack of developable land.

Please review these variance requests and give our office a call if you have any questions or need additional information.

Very truly yours,

SPRING ENGINEERING, INC.



Roland P. Dove, P.E.
Director of Engineering
RPD/js

Enclosures

cc: Larry Morgan (Sent Via Email)

Tampa Bay:

3014 US Highway 19
Holiday, FL 34691
Tel: 727-938-1516
Fax: 727-942-4174

sei@springengineeringinc.com
www.springengineeringinc.com

Atlanta:

1320 Ellsworth Industrial Blvd.
Suite A-1800
Atlanta, GA 30318
Tel: (404) 881-8370



Variance Criteria Response

1. Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located?

The parcel before being merged was narrow in the east and west dimension. Merging the parcel to the Honda parcel did not remove this constraint because of the already fully developed state of the Honda parcel. This unique constraint along with the building and inventory requirements of the automobile manufacturer (Subaru) necessitates this variance. The parcel was also further reduced in size to the S.R. 60 widening.

2. Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC.

A literal interpretation of the LDC, in reference to the site's setback requirements would prevent the applicant from achieving the automobile manufacturer's (Subaru) requirements for the size of the showroom, number of service bays and required inventory to adequately serve the market area. These rights are enjoyed by the numerous automobile dealerships on both sides of Adamo and east and west of the proposed automobile dealership.

3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.

Granting of this variance to allow an increase in building height by 25' to 75' and to allow the multi-level elevated parking to extend vertically from 20' to 75' with only a 35.5' plus or minus setback on the east and south property line would have no adverse impact on the rights of others since all variations are internal to the site. In addition, the zoning to the north and the south allows a maximum building height of 110' and the added 6' landscape buffer on the east is an improvement to the nonexistent landscape buffer. Lastly there is already a nearby building measuring over 75' in height.

4. Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose).

This proposed development will occur on a parcel that is zoned CI and there are numerous automobile dealerships on both sides of Adamo and east and west of the proposed automobile dealership which are in harmony with the proposed dealership. The intent of the Comprehensive Plan will be met because granting this variance request would promote (i) infill development, (ii) that creates jobs, (iii) in an areas where the surrounding uses are compatible. Setbacks were created to separate incompatible land uses and enhance visibility and navigability for ingress and egress.

5. Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship.

The need for the variances was brought about by the building and vehicle inventory requirements of Subaru/Honda and by the narrow dimension of the parcel, not an illegal act or the actions of the applicant.

6. Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.

Granting of these two variances will allow reasonable use of the land consistent with the LDC and the comprehensive Plan since the growing density along the corridor requires vertical construction. Hillsborough County does not have a mechanism other than through this variance to allow tall domestic automobile sales buildings unlike the nearby City of Tampa since domestic car sales are not permitted in zone M which is supported by the underlying future land use. Failure to grant this variance will prevent an opportunity for economic development consistent with the surrounding properties and the requirements of Subaru the automobile manufacturer. This project will create a substantial number of jobs which comes with a public benefit and have little to no negative impact to neighboring property owners or the citizens of the county at large.

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PREPARED BY AND RETURN TO:

Michael D. Karsch, Esquire
Rice Pugatch Robinson Storfer & Cohen, PLLC
101 NE Third Avenue, Suite 1800
Ft. Lauderdale, FL 33301
Folio Numbers: 159642-0000

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 23 day of December, 2016, between **BVGM I, LLC**, a Florida limited liability company, whose address is 204 West Woodlawn Road, Suite 3, Charlotte, NC 28217 ("**Grantor**") and **Brandon Automotive Management, LLC**, a Florida Limited Liability Company, whose address is 3031 North Rocky Point Drive, Suite 770, Tampa, Florida 33607 ("**Grantee**").

WITNESSETH THAT:

Grantor, for and in consideration of the sum of Ten and No/100 U.S. Dollars (\$10.00), lawful money of the United States of America, to it in hand paid by Grantee, at or before the ensembling and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold, alienated, remised, released, conveyed and confirmed and by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee and its successors and assignees forever, the following described real property, situate, lying and being in the County of Hillsborough, State of Florida, and more particularly described as follows:

See attached Exhibit "A" (the "**Property**").

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property hereby conveyed in fee simple; that it has good right and lawful authority to sell and convey the Property; that it hereby specially warrants the title to the Property and will defend the same against the lawful claims of any person claiming by, through or under Grantor and that said property is free of all encumbrances except for all matters set forth on Exhibit B attached hereto and made a part hereof (the listing of any matters on such Exhibit B not being intended to create, republish, reimpose, reinstate or extend any of same which were not valid against the Property prior to this deed).

[TEXT AND SIGNATURES FOLLOW]

EXHIBIT "A"

Parcel 1:

A parcel of land lying in Tract A of Tampa Central Park Phase One Subdivision as recorded in Plat Book 44, Page 83, of the Public Records of Hillsborough County, Florida, more particularly described as follows:

Commence at the Northwest corner of said Tampa Central Park Phase One Subdivision, said corner being on the South right of way line of State Road 60 (Adamo Drive); from a tangent bearing North 84°42'22" East, run thence along arc of a curve to the right with a radius of 2732.79 feet, said curve being the South right of way line of State Road 60, a distance of 115.84 feet through a central angle of 2°25'44" to the Point of Beginning; continue thence along the arc of said curve, a distance of 220.00 feet through a central angle of 4°36'45" run thence South 0°07'54" East, a distance of 301.62 feet; run thence South 89°52'06" West a distance of 219.93 feet; run thence North 0°07'54" West, a distance of 300.00 feet to the Point of Beginning;

AND;

A perpetual, non-exclusive easement for ingress and egress, over, across and upon the following parcel of land to wit; an easement 20 feet wide in Tract A of Tampa Central Park Phase One Subdivision as recorded in Plat Book 44, Page 83, of the Public Records of Hillsborough County, Florida, 10 feet right and left of the following described centerline:

Commence at the Northwest corner of said Tampa Central Park Phase One Subdivision, said corner being on the South right of way line of State Road 60 (Adamo Drive); from a tangent bearing North 84°42'22" East run thence along the arc of a curve to the right having a radius of 2732.79 feet, said curve being the South right of way line State Road 60, a distance of 115.84 feet through a central angle of 2°25'44" run thence South 0°07'54" East, a distance of 300.00 feet; run thence North 89°52'06" East, a distance of 10.00 feet to the Point of Beginning; run thence South 13°54'16" West a distance of 41.23 feet; run thence S 0°07'54" East a distance of 179.43 feet to the North right of way line of Lunar Drive, being the end of said easement.

Together with a Non-Exclusive Easement for the purpose of providing ingress and egress as set forth in Grand of Easement recorded in O.R. Book 3630, Page 1820, Public Records of Hillsborough County, Florida.

AND

A parcel of land lying and being in Section 19, Township 29 South, Range 20 East, Hillsborough County, Florida, more particularly described as follows:

A portion of Tract A, Tampa Central Park Phase One, according to the plat thereof as recorded in Plat Book 44, Page 83, Public Records of Hillsborough County, Florida, described as commencing at the Northwest corner of said Tract A, thence Easterly along the Northerly boundary an arc distance of 335.85 feet; thence South 77.5 feet to the Point of Beginning; thence East .7 feet; thence South 47 feet; thence West .7 feet; thence North 47 feet to the Point of Beginning.

Together with an easement for the purpose of permitting the encroachment of a roof overhang as more particularly described in Grant of Easement filed June 14, 1982 and recorded in O.R. Book 3960, Page 1629, Public Records of Hillsborough County, Florida.

EXHIBIT "A"

Parcel 2:

Part of Tract A, Tampa Central Park Phase One Subdivision as recorded in Plat Book 44, Page 83, of the Public Records of Hillsborough County, Florida, more particularly described as follows:

From the NW corner of said subdivision, said corner being on the South right of way line of State Road 60 (Adamo Drive); run thence S 00°07'54" E, 292.02 feet along said West boundary of Tract A; thence N 89°52'06" E, 125.57 feet to the Point of Beginning; thence N 89°52'06" E, 209.93 feet; thence S 00°07'54" E, 217.41 feet to a point on the North right of way line of Lunar Drive; thence Southwesterly along the North right of way line along the arc of a curve concave to the South having a radius of 2214.09 ft., 219.80 feet; thence leaving said right of way line, N 00°07'54" West, 179.43 feet; thence North 13°34'16" East, 41.23 feet to the Point of Beginning.

EXHIBIT "B"

1. All matters contained on the Plat of Tampa Central Park - Phase One, as recorded in Plat Book 44, Page 83, Public Records of Hillsborough County, Florida.
2. Grant of Easement recorded in O.R. Book 3529, Page 572, Public Records of Hillsborough County, Florida.
3. Terms and Conditions of Grant of Easement recorded in O.R. Book 3529, Page 581, Public Records of Hillsborough County, Florida.
4. Grant of Easement recorded in O.R. Book 3529, Page 584, Public Records of Hillsborough County, Florida.
5. Reciprocal Easement Agreement recorded in O.R. Book 11132, Page 1234, Public Records of Hillsborough County, Florida.
6. Subject to easement as recited in Warranty Deeds recorded in O.R. Book 5821, Page 340 and O.R. Book 5821, page 342, Public Records of Hillsborough County, Florida.
7. Terms and Conditions of Grant of Easement recorded in O.R. Book 3313, Page 912, Public Records of Hillsborough County, Florida. (as to Parcel 1)
8. Subject to Grant of Easement recorded in O.R. Book 3313, Page 912, Public Records of Hillsborough County, Florida. (as to Parcel 2)
9. Deed recorded in O.R. Book 15628, Page 1424, Public Records of Hillsborough County, Florida. Subject to automatic phosphate, metals, minerals and petroleum reservations by virtue of Sec. 270.11(1), F.S.
10. Any invalidity of or avoidance of the transfer of title to the insured premises pursuant to the provisions of the Bankruptcy Code (11 U.S.C.) or similar state insolvency or debtor and creditor law. (per deeds in lieu of foreclosure)

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Property/Applicant/Owner Information Form

Official Use Only

Application No: VAR 24-0379 Intake Date: 01/30/2024
Hearing(s) and type: Date: 03/25/2024 Type: LUHO Receipt Number: 337930
Date: Type: Intake Staff Signature: Keshia Rivas

Property Information

Address: 9209 E ADAMO DR City/State/Zip: Tampa, FL 33619
TWN-RN-SEC: 29,20,19 Folio(s): 068042-0210 Zoning: CI Future Land Use: UMU-20 Property Size: 10.240

Property Owner Information

Name: BRANDON AUTOMOTIVE MANAGEMENT LLC Daytime Phone
Address: 1101 E FLETCHER AVE City/State/Zip: TAMPA, FL 33612-3666
Email: Fax Number

Applicant Information

Name: SPRING ENGINEERING, INC Daytime Phone 727-938-1516
Address: 3014 US HWY 19 City/State/Zip: HOLIDAY, FL 34691
Email: SEI@SPRINGENGINEERINGINC.COM Fax Number

Applicant's Representative (if different than above)

Name: YANCEY B. ABUTON, SPRING ENGINEERING, INC. Daytime Phone 727-938-1516
Address: 3014 US HWY 19 City/State/Zip: HOLIDAY, FL 34691
Email: SEI@SPRINGENGINEERINGINC.COM Fax Number

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.

Roland Dove

Digitally signed by Roland Dove Date: 2024.01.30 14:22:44 -05'00'

Signature of the Applicant

Type or print name

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

Signature of the Owner(s) - (All parties on the deed must sign)

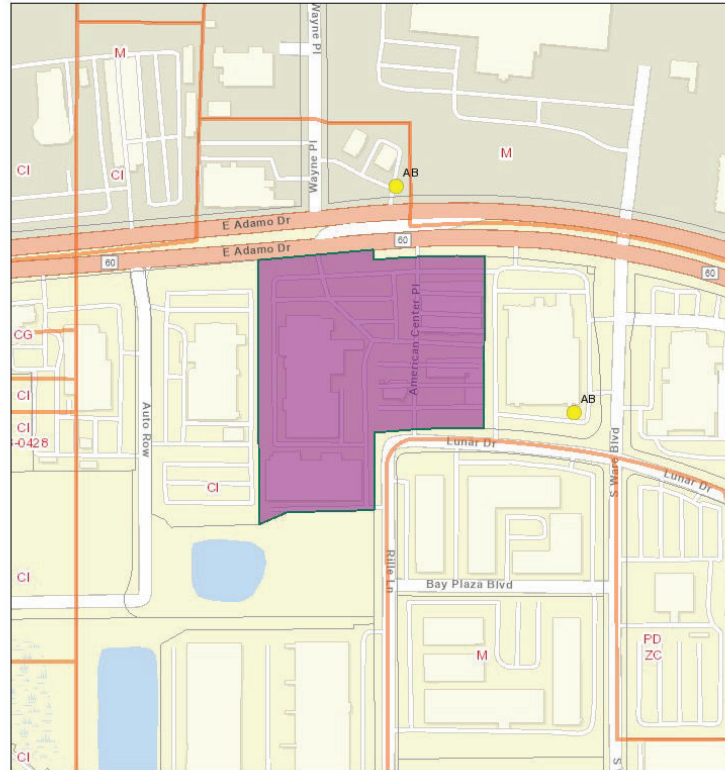
Type or print name



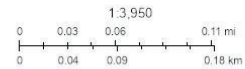
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Commercial/Office/Industr
Zoning	CI
Description	Commercial - Intensive
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0378J
FIRM Panel	12057C0378J
Suffix	J
Effective Date	Fri Sep 27 2013
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120378E
County Wide Planning Area	Brandon
Community Base Planning Area	Brandon
Census Data	Tract: 013315 Block: 1004
Census Data	Tract: 013315 Block: 1005
Future Landuse	UMU-20
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 7
Wind Borne Debris Area	Outside 140 MPH Area
Wind Borne Debris Area	140 MPH Area
Aviation Authority	Non-Compatible Use (Schools)
Competitive Sites	NO
Redevelopment Area	NO

Folio: 68042.0210



January 30, 2024



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Hillsborough County Florida

Folio: 68042.0210
PIN: U-19-29-20-ZZZ-000002-51840.0
Brandon Automotive Management Llc
Mailing Address:
 1101 E Fletcher Ave
 null
 Tampa, Fl 33612-3666
Site Address:
 9209 E Adamo Dr
 Tampa, Fl 33619
SEC-TWN-RNG: 19-29-20
Acreage: 10.24030018
Market Value: \$16,838,084.00
Landuse Code: 2701 Comm./office

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