



**Hillsborough
County Florida**

**HILLSBOROUGH COUNTY
BOCC LAND USE MEETING AGENDA
JANUARY 13, 2026
REVISED
CHANGES/CORRECTIONS/ADDITIONS**

1. **Agenda Page 04, Item B-01-MM-25-1081-SJB VENTURES LLC / XLM MANAGEMENT LLC**

Existing condition 3 is being modified to correct a scrivener's error:

3. ~~Prior to the issuance of certificates of occupancy, the applicant may be required to provide documentation at Preliminary Site Plan submittal regarding the existing pavement width and right of way along 14th Avenue. Subject to the results, the developer may be required to improve/widen 14th Avenue adjacent to the site to Hillsborough County Transportation Technical Manual standards. If the Developer can provide signed and sealed documentation that the current pavement and right of way width on 14th Avenue meets the current standards for a two lane collector roadway, based on the Hillsborough County Transportation Technical Manual, then the Developer may not be required to dedicate right-of-way or upgrade a portion and/or widen the roadway. As N 78th St is a substandard local roadway, the developer will be required to improve the roadway, between the E. Elm St and E. Sligh Ave, to current County standards unless otherwise approved in accordance with Sec. 6.04.02.B of the Hillsborough County LDC. Design Exceptions (DEs) and Design Deviation Memoranda (DDM) from Transportation Technical Manual (TTM) standards may be considered in accordance with Sec. 1.7 and other applicable sections of the TTM. As 14th Ave SE is a substandard local roadway, the developer will be required to improve the roadway to current County standards from the project's access to the next roadway that meets current County standards, unless otherwise approved in accordance with Sec. 6.04.02.B of the Hillsborough County LDC. Design Exceptions (DEs) and Design Deviation Memoranda (DDM) from Transportation Technical Manual (TTM) standards may be considered in accordance with Sec. 1.7 and other applicable sections of the TTM.~~

2. **Agenda Page 04, Item B-01-MM-25-1081-SJB VENTURES LLC / XLM MANAGEMENT LLC**

The applicant is requesting a continuance to February 10, 2026, BOCC Land Use Meeting at 9:00 am.

3. **Agenda Page 14, Item E-08-PRS 26-0179- LANETTE GLASS WITH HABITAT FOR HUMANITY OF HILLSBOROUGH COUNTY FL, INC**

The applicant is requesting a continuance to the March 10, 2026, BOCC Land Use Meeting at 9:00 am.

TIME CERTAIN

1. None

COMMISSIONERS' ITEMS

1. COMMISSIONER WOSTAL ITEM

Direct staff to prepare recommend amendments to the Hillsborough County Consolidated Impact Assessment Program Ordinance and Mobility Fee Program Ordinance to address impact fee and mobility fee assessments for minor increases in living area for existing homes.

OFF-THE-AGENDA ITEM

1. None



Commissioner's Request for Agenda Item

Agenda Item N°. _____

Requested Meeting Date January 13, 2026

Consent Section

Regular Section

Commissioner Name:	Joshua Wostal
Date Submitted:	January 9, 2026
Nature of Request: (check one)	<input checked="" type="checkbox"/> Action by the BOCC <input type="checkbox"/> Identification of issue and referral to staff <input type="checkbox"/> Referral to staff for review and scheduling at a subsequent BOCC meeting
Request for Waiver of Rules due to: (check one)	<input type="checkbox"/> Health, Safety , or Welfare Emergency <input type="checkbox"/> Schedule an off-the-agenda item <input type="checkbox"/> Deadline requires action prior to next scheduled BOCC meeting
Commissioner's Recommended Board Motion: Direct staff to prepare recommend amendments to the Hillsborough County Consolidated Impact Assessment Program Ordinance and Mobility Fee Program Ordinance to address impact fee and mobility fee assessments for minor increases in living area for existing homes.	

Staff Requested for Agenda Item:

- County Administrator
- County Attorney's Office
- Constitutional Officer
- Other: _____

Material requested to be provided by staff:

Background:

Assessments of impact fees and mobility fees for homes are currently based on the amount of square feet of living area. The assessments are based on tier consisting of a range of square feet. Additions to existing homes that bring the living area to the next higher tier of assessments can result in substantial impact fee and/or mobility fee assessments for relatively small increases. The purpose of this item is to direct staff to identify alternatives to the current assessment structure to more equitably address minor additions to existing homes.

List Attachments: Communication from Eric Daignault

**Eric C Daignault
4019 Peek Street
Seffner, FL 33585
602-463-1400
agentericd@hotmail.com**

**FOLIO: 064967-0000
HC-BLD-24-0058297**

APPEAL TO IMPACT FEE

On 12/1/23 I purchased 4019 Peek Street, Seffner, FL 33584 with the intent to remodel this home due to its poor interior condition. I'm a single male, 55 YOA, with no other occupants of the home.

- 1) That on 3/14/24 I applied for HC-BLD-24-0058297 to remodel the kitchen and to remodel the Finished Screen Porch to make it a 'mud room'.
- 2) That over the following 14 months I personally remodeled the kitchen, I remodeled the Finished Utility Room and changed a single screen wall into a solid stud/sheetrock wall. During this time, I had numerous Hillsborough County inspections.
- 3) That on 5/9/25 I submitted REVISION plans to remodel the back BASE AREA 361 sq feet area (current bedroom into a remodeled bedroom).
- 4) On 7/15/25, some **16 MONTHS post my building permit application**, I received an invoice for over \$4,600 as an IMPACT FEE.
- 5) That on 7/15/25 I called the permitting office and spoke with Twonda 'Lori' Ball who told me that the Impact fee was because I changed my finished porch into a mud room. She told me there was an error and it was reduced to \$3,291.
- 6) That this approximately 90 sq foot finished porch was under the existing roof of the home and had three solid block walls (one to the kitchen, one to the utility room, and one to the back BAS (361 sq feet) bedroom). This room is also on the existing slab of the home. Essentially you were in the home when you entered the screen door. (See addendum #2)
- 7) That I emailed my frustration of the 16 month delay and especially that my situation does not fit the Impact Fee CHAPTER 40 – Planning and Development and there are even exceptions that my project should not be assessed Impact Fees.
- 8) That on 7/16/25 I received an email from Fiscal Analyst Ron Barnes. He blamed this delay on the "Building Division". He said the fee was due because of the increase in

“LIVING AREA”. I spoke with Mr. Barnes on the phone on 7/16/25 and he continued to cite the ‘ESTIMATED RESIDENTIAL IMPACT/MOBILITY FEE ASSESSMENT BY ZONE PER DWELLING UNIT fee schedule. I pointed out the actual statute (Chapter 40) says nothing about LIVING AREA; that it talks about increasing SQUARE FOOTAGE, which I had not done. He said if I wanted to escalate the matter I should speak to Director Gormly.

- 9) That on 7/18/25 I emailed Director Adam Gormly citing that Under Chapter 40-51 it refers to NEW RESIDENTAL or commercial construction. My project was a remodel. I cited that the impact fee has to be reasonably connected to, or have a rational nexus with, revenue generation benefiting the NEW residential or commercial construction. I cited the actual Exemptions in the statute that fit my remodel to make me exempt. I then stressed that the statute Section 40-57 COMPUTATION OF ASSESSMENT refers to expansions of existing dwellings that “INCREASE THE SIZE OF SAID DWELLING” and talks about adding a bedroom as an example and that my project was not an expansion and did not add square footage. My EXACT square footage before the project is my exact square footage after the project. The fee schedule may talk about ‘living space’ but the law/statute/ordinace does not. He never replied back. (See Addendum #1).
- 10) That on 7/31/25 I emailed Director Gormly again asking if my email was received.
- 11) That on 8/1/25 Director Gormly acknowledged my email and said he would review my request.
- 12) That by 9/10/25 I had received no response from Director Gormly and emailed him again.
- 13) That by 11/6/25 I had not received a response from Director Gormly and emailed him yet again.
- 14) That on 11/12/25 I finally received a response from Director Gormly citing that my project ‘became conditioned space’ and the ordinance requires the impact fee.
- 15) That on 11/23/25 I emailed Director Gormly asking him to cite which section of the ordinance applies to my remodel.
- 16) That on 11/23/25 I emailed the county asking about the appeal process and if there are required specific forms and as of 12/7/25 I’ve received no response.
- 17) That on 11/25/25 I had not received a response and emailed again asking him to cite which section applies to my remodel.
- 18) That on 12/3/25 I emailed Director Gormly asking him to cite what section of Chapter 40 applies to my remodel and got no response.
- 19) That as of 12/7/25 I still have not received a response from Director Gormly to which section of the statute/ordinance applies to my project. No where in the Chapter does it reference “conditioned space”.

THEREFORE, I am filing an Appeal Under Chapter 40-53 (a) and Chapter 40-55 (b) that my projects parameters do not constitute a **reasonably connected to, or have a rational nexus to**, assess the impact fee. My remodeling project was not 'new construction' and does not add 'square footage'.

ADDITIONALLY, I request to exercise my right to be heard and present all relevant evidence in a public meeting as provided under Chapter 40-55 (b).

This appeal is being emailed through the Contact Your Counter Commissioner and also forwarded by **United States Postal Service mail to:**

Hillsborough Board of County Commissioners

601 E. Kennedy Blvd

Tampa, FL 33602

Addendum #1: Letter to Director Gormly

Director Gormly
Hillsborough County Development Services

7/18/25

Greetings Director Gormly,

Yesterday I was able to talk to Ron Barnes. I wanted to take some time to have you review my situation as I strongly believe the statutes under Code of Ordinances; Chapter 40 are incorrectly being applied to my recent building permit. Chapter 40 not only does not apply to my building permit, but I actually fit under one of the Exemptions in Section 40-55 and am excluded under computation section.

Just under two years ago I purchased 4019 Peek Street, Seffner, FL. A bit more than a year ago I applied for permit HC-BLD-24-0058297 to remodel my kitchen and convert a finished covered porch (Inside the home) and recently did a permit revision to include remodeling a bedroom.

The home is somewhat of a rectangle. On the right side of my rectangular house, in the middle of the right side, was a 9-foot screen wall that included a screen door. It ran perpendicular with the right-side house wall. When you entered this screen door you were in a 10x8 room that was under the roof of the home, had a ceiling, and was on top of the existing slab.... You were in the home.

My permit included changing that screen wall to a permanent solid wall with an insulated exterior door. It turned that finished porch into a finished 'mud room' that is now heated space. That's the only difference is its heated space where it wasn't before. Same ceiling, same slab coverage, same roof, same dwelling size.

Under Chapter 40-51 the Impacts Fees are to apply to **NEW RESIDENTAL** or Commercial Construction and this is not new construction.

CHAPTER 40-51 Operational Definitions:

- 1) The impact fee must be reasonably connected to, or have a rational nexus with, the need for additional capital facilities and the increased impact generated by **new residential** or commercial construction; and
- 2) The impact fee must be reasonably connected to, or have a rational nexus with, the expenditures of the revenues generated and the benefits accruing to the **new residential** or commercial construction.

I would also argue that under the Rational Nexus Test that me changing the material of a wall from screen to wood/sheetrock does NOT fit the need for additional capital facilities as cited in this same sub section. You cannot argue that this wall impacts the schools or parks.

Under Exemptions and Existing Uses it also does not fit my changes.

CHAPTER 40-55 **Exemptions and existing uses.**

(a)

Exemptions. The following shall be exempted from payment of impact assessment under this article:

(1) ***Certain alterations to dwellings.*** Alteration or expansion of an existing dwelling unit where said alteration or expansion will not increase the impacts assessed by this article for the existing dwelling unit; **(I changed a finished covered porched to an enclosed mudroom – this does not impact the school/parks system)**

(3) ***Certain alterations to other structures.*** Alteration or expansion of a structure other than a dwelling unit where such alteration or expansion does not increase the impacts assessed by this article for the existing structure; **(I changed a finished covered porched to an enclosed mudroom – this does not impact the school/parks system)**

Also, under the Computation section it says the Impact Fees are to ONLY be assessed when it “INCREASES THE SIZE OF SAID DWELLING (e.g. ADDING ONE OR MORE BEDROOMS)”

Sec. 40-57. - Computation of assessment.

(d) ***Expansion of existing residential dwellings.*** Alteration of an existing residential dwelling that increases the size of said dwelling (e.g. adding one or more bedrooms) shall be assessed at the rate that is applicable to the expanded dwelling minus the rate that would be applicable to the existing dwelling. **This is not an Expansion. This is not an Alteration that increases the size of the dwelling. I am not adding bedrooms. It says nothing about increasing “Living area”.**

Also, the “Estimated Residential Impact/Mobility Fee Assessment by Zone per Dwelling Unit (Effective October 1, 2022)” may refer to “LIVING AREA” but that fee schedule is not the written law/ordinance. It could say you could assess me a \$100 fee if I wear a yellow shirt but if the code/ordinance doesn’t make wearing a yellow shirt a violation then it’s not a violation. The letter of the law in Chapter 40 says NEW RESIDENTIAL CONSTRUCTION, which I am not. It has an EXEMPTION for alterations that do not increase the impacts on Parks, School or mobility (I simply changed the make up a 9-foot existing wall). Even under COMPUTATION OF ASSESSMENT under Chapter 40-57 it says the calculations are based on INCREASES THE SIZE OF SAID DWELLING and gives the example of adding one or more bedrooms). It does not refer to increasing LIVING SPACE.

Sir, I plead with you to reconsider the decision to impose these Impact Fees. There is no way that the intent of the law/ordinance was to make a resident pay over \$3,000 for changing the make up of an existing wall. The intent of the law/ordinance was to charge fees for NEW construction or NEW additions that add DWELLING SIZE like adding on another bedroom where more people would be living in the home. This porch, now mudroom, will not add more people living in this home. The fees are to pay for impact to county provided services of which this change will NOT affect one bit.

Thank you in advance for your consideration

Eric Daignault
4019 Peek Street
Seffner, FL 33584
agentericd@hotmail.com
602-463-1400

Addendum #2: 2019 Peek Street Square Footage *UNCHANGED*

