



HILLSBOROUGH COUNTY Land Use Hearing Officer

LUHO RESULTS - FINAL

10:00 A.M. MONDAY, November 15, 2021

**R. W. Saunders Sr. Public Library
Ada T. Payne Community Room
1505 N. Nebraska Ave.**

WELCOME AND THANK YOU FOR YOUR PARTICIPATION IN COUNTY GOVERNMENT.

HEARING SCHEDULE:

The LUHO Hearing will Start at 10:00 A.M., The Following Items on the Morning Agenda Will Be Heard Beginning at 10:00 A.M. With No New Petitions Starting After 5:00 P.M.: Special Uses (SU), Vested Rights (VR), Fee Waivers (FW), Reconsideration Requests, Appeals, Variances (VAR).

HEARING ORDER:

- CALL TO ORDER BY THE HEARING OFFICER
- CONSIDERATION OF CHANGES TO THE AGENDA
- HEARING FOR INDIVIDUAL CASES

WHEN ADDRESSING THE HEARING OFFICER, PLEASE STATE YOUR NAME AND ADDRESS INTO THE MICROPHONE.

IF YOU WISH TO SUBMIT ADDITIONAL MATERIALS REGARDING YOUR APPLICATION TO THE HEARING OFFICER, PLEASE PROVIDE A MINIMUM OF FIVE (5) COPIES OF EACH ITEM. PLEASE BE ADVISED THAT MATERIALS SUBMITTED BECOME PART OF THE PERMANENT RECORD AND CANNOT BE RETURNED.



In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the proceeding, and those seeking an interpreter, should contact the Customer Service Center at telephone number (813) 272-5900 or Hearing/Voice Impaired call 711 no later than 48 hours prior to the proceedings. This meeting is closed captioned for the hearing impaired.

LUHO Hearing Agenda For November 15,2021

The following dates pertain only to applications heard at the November 15, 2021 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on December 08, 2021.

For Appeals of Administrative Decisions (APP), the decision of the Hearing Officer is final.

For Variance (VAR) applications, the decision of the Hearing Officer may be appealed to the Land Use Appeals Board. An appeal of the Hearing Officer's decision must be filed with the Hillsborough County Development Services Department no later than 30 calendar days from the final decision date.

The participants at the LUHO public hearing shall consist of the Applicant, County Staff, County Agencies, Proponents, and Opponents, including the public and witnesses with relevant testimony. Each participant's presentation shall be limited in time as described below; however, the LUHO may grant additional time provided that good cause is shown.

The order of presentation for each petition is as follows:

- a. Applicant and witnesses; proposal: 15 minutes**
- b. Administrator, summary of the applicant, County Staff and department findings: 5 minutes**
- c. Planning Commission Staff; statement of compliance or non-compliance: 5 minutes
- d. Proponents; argument for the application: 15 minutes
- e. Opponents; argument against the application: 15 minutes
- f. Staff; amended recommendations, if any: 5 minutes
- g. Applicant; rebuttal and summation: 5 minutes

**For Variance (VAR) applications, County Staff presents its findings before Applicant testimony.

To the maximum extent practicable, the public hearing shall be informal. The LUHO's decision or recommendation must be filed with the Clerk of the BOCC within fifteen (15) working days after the conclusion of the public hearing. Anyone wishing to receive a copy of the recommendation or decision by mail must supply the Clerk of the BOCC with his/her name, address, and a stamped, self-addressed envelope for that purpose.

Please call 813-272-5600 for further information.

**STANDING TO APPEAL AND ADDITIONAL EVIDENCE FOR VARIANCE REQUESTS
AND APPEALS OF ADMINISTRATIVE DECISIONS**

The Land Use Hearing Officer Public Hearing for Variance Requests and Appeals of Administrative Decisions is the time for all interested citizens to present evidence and testimony. This evidence and testimony will be the only evidence subject to review by the appeal board if an appeal is filed. This means that, at the end of today's Public Hearing, the record closes and no new evidence may be submitted as part of the record. Any decision of the Land Use Hearing Officer may be appealed to the Land Use Appeals Board, except Appeals of Administrative Decisions.

The Appeals Board will only consider the Land Use Hearing Officer's decision and the record of the public hearing in making a final decision on petitions. The hearing shall be limited to the record on appeal and shall consist of oral argument by the Administrator, the party appealing the decision, and any interveners, each of whom may be represented by legal counsel.

The following shall have standing to appeal a decision of the Land Use Hearing Officer or to intervene in an appeal:

1. The Applicant
2. Any person or entity which appeared before the Land Use Hearing Officer, presented testimony or other evidence, and is adversely affected by the decision of the Land Use Hearing Officer.

It is the County Attorney Office's role to assure that no new evidence or testimony is allowed before the Appeals Board or the Land Use Hearing Officer. The County Attorney will recommend that the Appeals Board or the Land Use Hearing Officer disregard evidence or testimony which is not contained in the record. Any evidence presented which is outside the record made at today's public hearing could jeopardize the legality of the Appeals Board's decision and the presenter of that evidence could hurt his/her own cause. The requirements and limitations listed above shall apply to all appeals of Administrative Decisions being reviewed by the Land Use Hearing Officer during today's hearing.

The safest course of action is for you to write down your comments today and repeat those to the Appeals Board. Therefore, please be sure that all information which you wish to be heard by the Appeals Board is contained in the record today.

A. LUHO WITHDRAWALS AND CONTINUANCES**A.1. VAR 21-0902 David Wright**

This application is being **CONTINUED** by **APPLICANT** to the **December 13, 2021** LUHO.

Attachments: [21-0902](#)

Result: Continued

Motion: Opened and Continued.to the Land Use Hearing Officer due back on 12/13/2021

A.2. VAR 21-1248 Mariadel Rosario Perez & Guillermo Del Rio

This application is being **CONTINUED** by **STAFF** to the **February 21, 2022** LUHO.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 12/13/2021

A.3. SU-AB 21-1374 Shaunessy Dobish

This application is out of order to be heard and is being **CONTINUED** to the **December 13, 2021** LUHO.

Attachments: [21-1374](#)

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 12/13/2021

B. VESTED RIGHTS**C. FEE WAIVER****D. REMANDS****E. RECONSIDERATION REQUESTS****F. SITE DEVELOPMENT VARIANCE REQUESTS****F.1. Application Number: VAR 21-1054**

Applicant: NRS LLC

Location: 11512 N. Armenia Ave

Folio Number: 022328.0000

Acreage (+/-): 6.29 acres, more or less

Comprehensive Plan: R-4

Service Area: Urban

Existing Zoning: RSC-4

Request: Encroachment into the Wetland Conservation Area Setback.

Attachments: [21-1054](#)

Result: Denied

Motion: Approved.

- F.2. Application Number:** VAR-WS 21-1223
Applicant: William Alvarodiaz
Location: 18107 Jorene Rd.
Folio Number: 001342.0300
Acreage (+/-): 1.74 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: ASC-1
Request: Requesting a Variance to Encroach into the Wetland Setback.

Attachments: [21-1223](#)

Result: Denied

Motion: Approved.

- F.3. Application Number:** VAR-WS 21-1230
Applicant: Vivian & Eddie Suarez
Location: 160 ft West of N. Hubert Ave. and 300 ft South of W. Idell St.
Folio Number: 027281.0200
Acreage (+/-): 0.46 acres, more or less
Comprehensive Plan: R-9
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a Variance to Encroach into the Wetland Setback.

Attachments: [21-1230](#)

Result: Approved

Motion: Approved.

G. SIGN VARIANCE REQUESTS

- G.1. Application Number:** VAR 21-1345
Applicant: Creative Sign Designs/Addie Mentry
Location: 400 Ft Southeast of Big Bend Rd and Ketchum Valley Dr Intersection
Folio Number: 077721.0404
Acreage (+/-): 0.72 acres, more or less
Comprehensive Plan: OC-20
Service Area: Urban
Existing Zoning: PD (89-0339A)
Request: Requesting a Sign Variance

Attachments: [21-1345](#)

Result: Approved

Motion: Approved.

H. VARIANCE (VAR) REQUESTS

- H.1. Application Number:** VAR 21-0853
Applicant: Wesley Harrell
Location: 9910 Alavista Dr.
Folio Number: 049991.0110
Acreage (+/-): 0.26 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: RSC-6, MH
Request: Requesting a Variance to Accessory Structure Requirements.

Attachments: [21-0853](#)

Result: Approved

Motion: Approved.

- H.2. Application Number:** VAR 21-1154
Applicant: Rene Rodriguez
Location: 8562 Acorn Ridge Ct.
Folio Number: 004016.0230
Acreage (+/-): 0.1 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: PD (98-1539)
Request: Requesting a Variance to Lot Development Standards.

Attachments: [21-1154](#)

Result: Approved

Motion: Approved.

- H.3. Application Number:** VAR 21-1303
Applicant: Darrell Haun
Location: 13208 Oak St.
Folio Number: 000447.0000
Acreage (+/-): 1acre, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: ASC-1
Request: Requesting a Variance to Accessory Structure Requirements.

Attachments: [21-1303](#)

Result: Denied

Motion: Approved.

- H.4. Application Number:** VAR 21-1305
Applicant: KBAK Corp/Diana Turner
Location: 1014 Telfair Rd.
Folio Number: 067615.0000
Acreage (+/-): 1.56 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: ASC-1
Request: Requesting a Variance to Fence Requirements.

Attachments: [21-1305](#)

Result: Denied

Motion: Approved.

- H.5. Application Number:** VAR 21-1312
Applicant: Aurea B. Larralde/Larralde Investments, Inc.
Location: 15120 Pennington Rd.
Folio Number: 016238.0000
Acreage (+/-): 0.68 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a Variance to Allow a Flag Lot in the Urban Service Area.

Attachments: [21-1312](#)

Result: Approved

Motion: Approved.

- H.6. Application Number:** VAR 22-0016
Applicant: Diana Street Partners, LLC
Location: 5251 E. Diana St.
Folio Number: 039897.5562
Acreage (+/-): 2 acres, more or less
Comprehensive Plan: LI
Service Area: Urban
Existing Zoning: M
Request: Requesting a Variance to District Performance and Dimensional Standards, LDC Part 6.01.00.

Attachments: [22-0016](#)

Result: Continued

Motion: Continued to the Land Use Hearing Officer due back on 12/13/2021

- H.7.** **Application Number:** **VAR 22-0031**
Applicant: Sanora Tampa Bay, LLC
Location: 1719 Clement Rd.
Folio Number: 033680.0000
Acreage (+/-): 5.01 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: ASC-1
Request: Requesting a Variance to Lot Development Standards and Fence Requirements.

Attachments: [22-0031](#)

Result: Denied

Motion: Approved.

- H.8.** **Application Number:** **VAR 21-1317**
Applicant: Jennifer Bliss/Tailor-Made Structures, LLC
Location: 6002 Knights Griffin Rd.
Folio Number: 080665.0000
Acreage (+/-): 0.44 acres, more or less
Comprehensive Plan: AE
Service Area: Rural
Existing Zoning: AS-0.4 & RS
Request: Requesting a Variance to Accessory Structure Requirements.

Attachments: [21-1317](#)

Result: Approved

Motion: Approved.

J. SPECIAL USES

- J.1.** **Application Number:** **SU-AB 21-0606**
Applicant: Dune FL Land 1 Sub LLC and Southshore Bay Club LLC.
Location: Approximately 1550 ft Southwest of Lagoon Shore Blvd and Jackel Chase Dr.
 Intersection
Folio Number: 078878.0000 & 078878.0010
Acreage (+/-): 36.41 acres, more or less
Comprehensive Plan: R-6 & R-4

Service Area: Urban
Existing Zoning: PD (05-0210)
Request: Requesting a Special Use 4-COP-X beer, wine, and liquor for sale and consumption on the permitted premises, with separation waiver(s).

Attachments: [21-0606](#)

Result: Approved

Motion: Approved.

I. APPEAL (APP) REQUESTS

I.1. Application Number: APP 21-1295
Applicant: Lennar Homes
Request: Appeal of Administrative Decision.

Attachments: [21-1295](#)

Result: Approved

Motion: Approved.