



Hillsborough County Florida

LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-1472	
LUHO HEARING DATE: November 21, 2022	CASE REVIEWER: Kim King

REQUEST: The applicant is requesting a setback variance for a monument sign located at 8935 N. Dale Mabry Hwy. for Woodies Wash Shack.

VARIANCE(S):

Per Section 7.03.00.C.1.c of the LDC requires a monument sign at 4 ft. high to have a 15 ft. setback from the right-of-way line and for every 1 ft. you increase the height you must increase the setback 1 ft. The proposed monument sign is 15 ft. high.

Variance

The application is requesting a 16 ft. setback variance for the monument sign placing the sign with a 10 ft. setback from the right-of-way line.

FINDINGS:

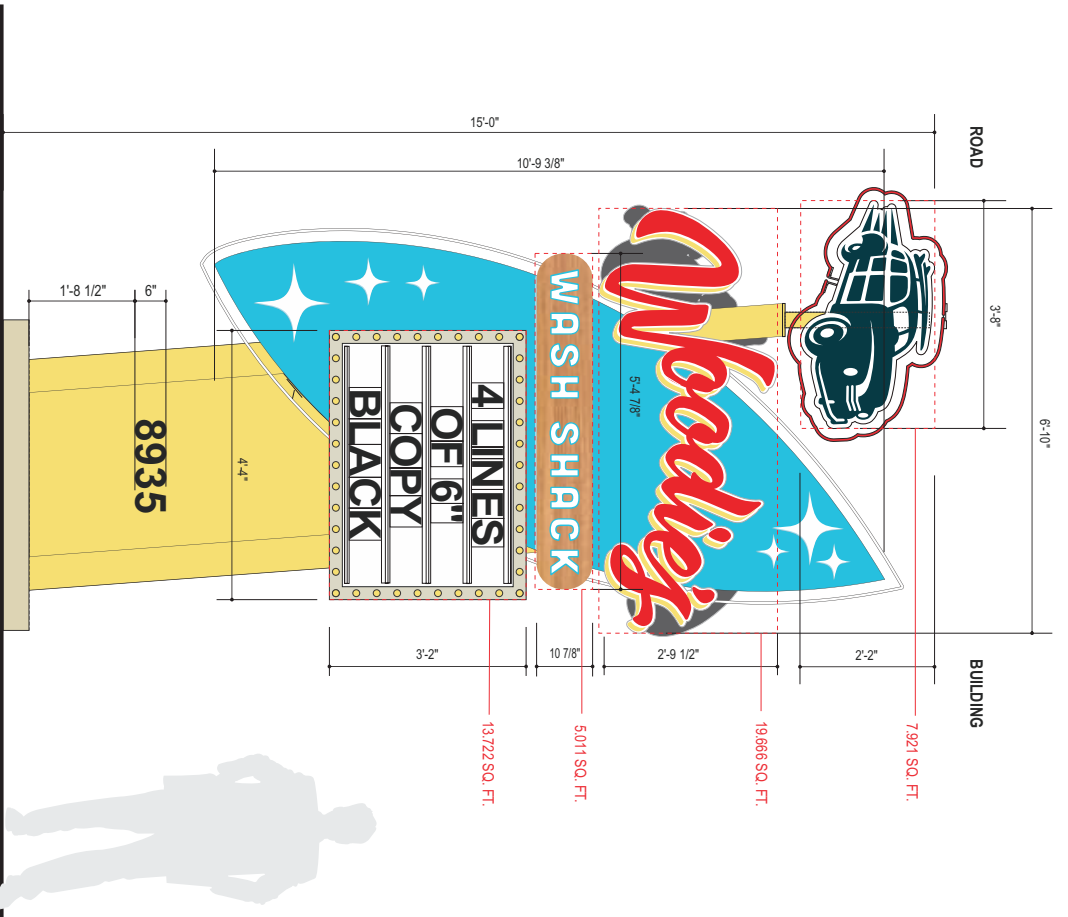
None.

DISCLAIMER:

The variance listed above is based on the information provided in the application by the applicant. Additional variances may be needed after the site has applied for development permits. The granting of these variances does not obviate the applicant or property owner from attaining all additional required approvals including but not limited to: subdivision or site development approvals and building permit approvals.

ADMINISTRATOR'S SIGN-OFF

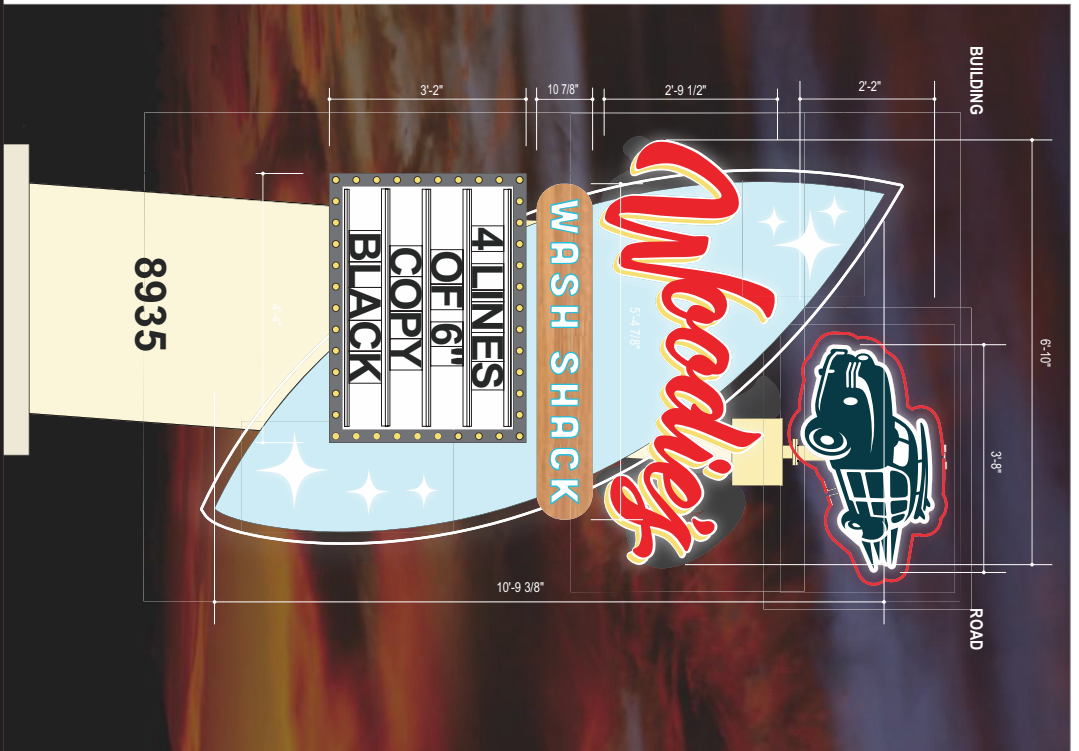
Attachments: Application
Site Plan
Petitioner's Written Statement
Current Deed



A FRONT VIEW D/F MONUMENT SIGN

Scale: 1/2"=1'-0"

7,921 SQ. FT.
 19,686 SQ. FT.
 5,011 SQ. FT.
 13,722 SQ. FT.
 46,320 TOTAL SQ. FT.



A FRONT VIEW D/F MONUMENT SIGN

Scale: 1/2"=1'-0"



12801 Commodity Place
 Tampa, Florida 33626
 Phone: 800-804-4809
 Fax: 813-749-2311
 www.creativesigndesigns.com

PROJECT:
 WOODIES WASH SHACK
 (PHILLIPS DEVELOPMENT)
 SITE ADDRESS:
 8935 N. DALE MABRY HWY.,
 TAMPA, FL 33614

CRM / QUOTE:
26912-204129

ACCOUNT MANAGER:
 JOSH SCHOCH

PROJECT MANAGER / PROJECT LEADER
 ALENA WEISS

DESIGNER: DATE:
 DRF 11/10/2021

NO.	DATE	DESCRIPTION
01	11/16/2021	REV / DWF
02	10/30/2022	REV / DWF
03		
04		



ALL ELECTRICAL COMPONENTS SHALL BE LISTED TO THE NATIONAL ELECTRICAL CODE (NEC) AND APPROVED BY THE STATE OF FLORIDA. ALL WIRING SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND APPROVED BY THE STATE OF FLORIDA. ALL SIGNAGE SHALL BE IN ACCORDANCE WITH THE FLORIDA SIGNAGE ACT AND APPROVED BY THE STATE OF FLORIDA. ALL SIGNAGE SHALL BE IN ACCORDANCE WITH THE FLORIDA SIGNAGE ACT AND APPROVED BY THE STATE OF FLORIDA. ALL SIGNAGE SHALL BE IN ACCORDANCE WITH THE FLORIDA SIGNAGE ACT AND APPROVED BY THE STATE OF FLORIDA.

Approval:
 Approved
 Approved as noted
 Not used and required
 Date: _____

This Drawing and all specifications are the property of Creative Sign Designs. No part of this drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, without written consent.

SHEET: PERMIT

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 22-1472
 FILE NAME: 26912-204129-DRAWING_SHEET PERMIT 10/2022

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Hillsborough County Variance Application
PROJECT DESCRIPTION – SUPPLEMENTAL PAGES

- 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.

Request: Variance for setback reduction of 16' from the required 26' setback for monument sign being installed for Woodie's Wash Shack.

Justification: Woodie's Wash Shack has acquired this property and is currently in the construction process for a new car wash. Along with Woodie's being a new brand, the identification and advertising for a new construction site is crucial to the success of the business. With that, the ground signage for vehicular traffic is one of the most important parts of identification. Woodie's is proposing a 15' monument sign for their dedicated ground sign. With proposing a monument sign, the sign code stipulates a minimum setback is 15' at a 4' overall height. From there setback should be increased by 1 ft for each 1 ft height increase. With the proposed 15' sign, a 26' setback is required for the proposed ground sign. If Woodie's met this setback, there are multiple hindrances in regard to visibility, future development, and traffic access. Along with the aforementioned hinderances, visibility studies have shown that the reduced setback location meets congruency with ground signage through out the corridor of Dale Mabry.

- 2.) A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:
- a. **7.03.C.(c)** - Monument Signs: Monument signs shall be set back a minimum of 15 feet from the right-of-way line, but shall be permitted an increase in height of one foot for each one foot of additional setback provided from the right-of-way line up to a maximum height of 30 feet when adjacent to expressways and arterials or 15 feet when adjacent to collectors and local roads.



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?

See attached sheet.

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.

See attached sheet.

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.

See attached sheet.

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).

See attached sheet.

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.

See attached sheet.

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.

See attached sheet.

Hillsborough County Variance Application

VARIANCE RESPONSE CRITERIA SUPPLEMENTAL PAGES

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?
 - a. If the proposed monument sign were to be placed at the required setback, it hinders visibility, traffic flow and would need to be removed for future development. This site is located in a corridor of Dale Mabry that is 3 lanes of traffic each way and is 45 MPH. The sites also have an approx. 40' right of way buffer before the property lines start. With the congestion of traffic and buildings, and the 40' buffer, if the sign is not located at the proposed 10' setback travelers will not be able to maneuver through traffic fast enough to see and enter the driveway, posing potential life safety risks. We believe with the monument's substantial base structure and 10' setback, the visibility for signage is enough that it will be visible from the intersection of Humphrey & Dale Mabry from the South, and it will be visible by ~500' from the North. Another factor that plays into the proposal is the site configuration. Due to the construction of site and required equipment for the car wash use, there is limited available spots to install the monument site at that will conform to code. With those locations, they are outside of normally visibility and with one, the sign would need to be removed when future development is in progress. Neither confirming spot, provides Woodie's with appropriate visibility or long-term solution for identification.
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. Meeting requirements of the LDC would hinder visibility and in turn interfere with the with the success of the business. Our request is congruent with other business(es) ground sign locations, and we do not believe we are asking for specialized approval that will detract from neighboring business(es). We believe our request is within the intent of the code and the justification supports the wish even the visibility with neighboring developments.
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.
 - a. We believe the request will not interfere or injure the rights of others, but actually helps with life safety or vehicular traffic and traffic flow. With the Dale Mabry corridor being 45 MPH, an average moving at that pace travels 16' per second. We believe the conforming setback of 2' hinders the ability for drivers to appropriately maneuver to find the entrance and could result in severe traffic malfunctions. With the proposed location, we believe we are inviting a fair opportunity and visibility for drivers to appropriately see the entrances and properly maneuver to the entrance of the site.
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).
 - a. We believe a request like this is harmonious with the intent of the LDC. The intent in 1.02.03 specifically calls out the purpose to "foster and preserve public safety..." We believe the setback reduction will aid in safe passage through traffic for drivers.

Hillsborough County Variance Application

VARIANCE RESPONSE CRITERIA SUPPLEMENTAL PAGES

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.
 - a. We do not believe this variance request is as a result of the application. The site configuration and available locations for ground signage would not have been available to the time of acquisition for the site. It was not until construction was being processed that this was found out. Due to that, we do not believe the business should be in fault of the hardship.
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.
 - a. We believe that without the approved variance for setback, there is a opportunity for traffic malfunctions and possible accidents for drivers trying to maneuver quickly through traffic. Woodie's seeks to find relief for drivers coming from both northern and southern traffic. We believe that the economic influence Woodie's has will bring traffic to this area and we seek to bring relief to travelers through ample visibility of identification for the site.

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Prepared by and Return to:
Quin K. Stevens
Town Title, Inc.
651 W. Indiantown Road, Suite M
Jupiter, Florida 33458

Parcel Identification Number:
A0241495555

SPECIAL WARRANTY DEED

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS **SPECIAL WARRANTY DEED**, made and executed this 2nd day of September, 2021 by **Yoland 8935, Inc., a Florida Corporation, and Briny Land Company L.C., a Florida Limited Liability Company A/K/A Briny Land Co., L.C., a Florida Limited Liability Company**, having its principal place of business at P.O. Box 880727, Boca Raton, FL 33488-0727, herein called the Grantor, to **WWS 21.020 N. Dale Mabry LLC, a Delaware limited liability company**, whose post office address is 142 W. Platt Street, Tampa, FL 33606, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of Corporations)

W I T N E S S E T H: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in HILLSBOROUGH County, State of Florida,
viz:

See Exhibit "A" attached hereto and made a part hereof (but not including any billboard sign)

Subject to easements, restrictions and reservations of record and to taxes for the year 2021 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

AND, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor fully warrants the title to said land and will defend the same against the

lawful claims of all persons claiming by, through or under Grantor; that except as above noted, at the time of delivery of this Special Warranty Deed the premises were free of all encumbrances made by them.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Barbara D. Cohn
Witness #1 Signature

Barbara S. Cohn
Witness #1 Printed Name

BSCD
Witness #2 Signature

Bennett S. Cohn
Witness #2 Printed Name

Yoland 8935, Inc., a Florida Corporation

I Segal
By: Ivan Segal, President

Briny Land Company L.C., a Florida Limited Liability Company

I Segal
By: Ivan Segal, Manager

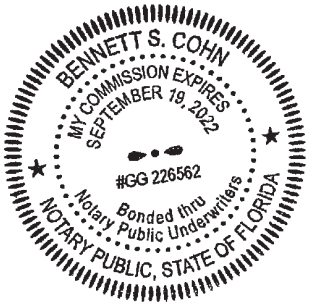
State of FLORIDA

County of PAIM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 2nd day of September, 2021, by Ivan Segal, President of Yoland 8935, Inc., a Florida Corporation, on behalf of the Corporation, and Briny Land Company L.C., a Florida Limited Liability Company on behalf of the Limited Liability Company, who is personally known to me or has produced Florida Driver's License as identification.

SEAL

My Commission Expires:



BSCD
Notary Signature

Exhibit "A"

A portion of the Southeast 1/4 of Section 21, Township 28 South, Range 18 East, Hillsborough County, Florida, and more particularly described as follows:

Parcel I:

The North One-Third of the Northwest Quarter of the Northeast Quarter of the Southeast Quarter of Section 21, Township 28 South, Range 18 East, Hillsborough County, Florida, less the North 130.00 feet and less right of way for Dale Mabry Highway (State Road No. 597); and the North One-Half of the South Two-Thirds of the Northwest Quarter of the Northeast Quarter of the Southeast Quarter of Section 21, Township 28 South, Range 18 East, Hillsborough County, Florida; less the South 130.00 feet thereof and less right of way for Dale Mabry Highway (State Road No. 597); more particularly described as follows: From the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 21; thence North 89 degrees 51 minutes 49 seconds East, 68.62 feet to the East right of way of said Dale Mabry Highway; thence along said right of way South 00 degrees 08 minutes 48 seconds West, 130.00 feet to a Point of Beginning, thence North 89 degrees 51 minutes 49 seconds East 587.53 feet; thence South 00 degrees 05 minutes 19 seconds East, 188.36 feet; thence South 89 degrees 54 minutes 42 seconds West 588.31 feet to said Easterly right of way of Dale Mabry Highway; thence along said right of way North 00 degrees 08 minutes 48 seconds East, 187.87 feet to the Point of Beginning; and

Parcel II:

Together with an ingress-egress easement described as follows: Commence at the Northwest corner of the Northeast Quarter of the Southeast Quarter of Section 21, Township 28 South, Range 18 East, Hillsborough County, Florida; thence along the North boundary of the Northeast Quarter of the Southeast Quarter of said Section 21, North 89 degrees 51 minutes 49 seconds East, 68.62 feet to the Easterly right of way boundary for Dale Mabry Highway (State Road No. 597); thence along said Easterly right of way boundary, South 00 degrees 08 minutes 48 seconds West, 85.00 feet for a Point of Beginning, thence continue along said Easterly right of way boundary, South 00 degrees 08 minutes 48 seconds West, 30.00 feet; thence North 89 degrees 51 minutes 49 seconds East, 20.00 feet; thence South 00 degrees 08 minutes 48 seconds West, 15.00 feet; thence North 89 degrees 51 minutes 49 seconds East, 25.00 feet; thence North 00 degrees 08 minutes 48 seconds East, 45.00 feet; thence South 89 degrees 51 minutes 49 seconds West, 45.00 feet to the Point of Beginning. Said easement was created by instruments recorded in Official Records Book 3491 on Page 946 and in Official Records Book 3532 on Page 1536 of the Public Records of Hillsborough County, Florida.

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**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Received
09/26/2022
Development Services

Official Use Only

Application No: VAR 22-1472 Intake Date: 09/26/2022
 Hearing(s) and type: Date: 11/21/22 Type: LUHO Receipt Number: _____
 Date: _____ Type: _____ Intake Staff Signature: Ana Lizardo

Property Information

Address: 8935 N DALE MABRY HWY City/State/Zip: TAMPA, FL
 TWN-RN-SEC: 21-28-18 Folio(s): 024149-5555 Zoning: CN Future Land Use: R-20 Property Size: 2.56 Acres

Property Owner Information

Name: WWS 21 020 N DALE MABRY LLC Daytime Phone _____
 Address: 142 W PLATT ST City/State/Zip: TAMPA, FL 33606
 Email: _____ Fax Number _____

Applicant Information

Name: Creative Sign Designs / Addie Mentry Daytime Phone 813.749.8549
 Address: 12801 Commodity Place City/State/Zip: Tampa, FL 33626
 Email: amentry@creativesigndesigns.com Fax Number _____

Applicant's Representative (if different than above)

Name: _____ Daytime Phone _____
 Address: _____ City/State/Zip: _____
 Email: _____ 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.

Addie Mentry
 Signature of the Applicant
 Addie Mentry
 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.

Ronald N. Weisser
 Signature of the Owner(s) – (All parties on the deed must sign)
 Ronald N. Weisser
 Type or print name



Bob Henriquez Hillsborough County Property Appraiser

<https://www.hcpafl.org/>
15th Floor County Ctr.
601 E. Kennedy Blvd, Tampa, Florida 33602-4932
Ph: (813) 272-6100

Folio: 024149-5555

Owner Information	
Owner Name	WWS 21 020 N DALE MABRY LLC
Mailing Address	142 W PLATT ST TAMPA, FL 33606-2315
Site Address	8935 N DALE MABRY HWY, TAMPA
PIN	U-21-28-18-ZZZ-000000-94940.0
Folio	024149-5555
Prior PIN	
Prior Folio	024149-5500
Tax District	U - UNINCORPORATED
Property Use	2103 RESTAURANT C
Plat Book/Page	/
Neighborhood	206017.00 NW Waters & Armenia to Dale Mabry
Subdivision	ZZZ UNPLATTED

Value Summary				
Taxing District	Market Value	Assessed Value	Exemptions	Taxable Value
County	\$1,385,888	\$1,385,888	\$0	\$1,385,888
Public Schools	\$1,385,888	\$1,385,888	\$0	\$1,385,888
Municipal	\$1,385,888	\$1,385,888	\$0	\$1,385,888
Other Districts	\$1,385,888	\$1,385,888	\$0	\$1,385,888

Note: This section shows Market Value, Assessed Value, Exemptions, and Taxable Value for taxing districts. Because of changes in Florida Law, it is possible to have different assessed and taxable values on the same property. For example, the additional \$25,000 Homestead Exemption and the non-homestead CAP do not apply to public schools, and the Low Income Senior Exemption only applies to countywide and certain municipal millages.

Sales Information							
Book / Page	Instrument	Month	Year	Type Inst	Qualified or Unqualified	Vacant or Improved	Price
	2021448617	09	2021	WD	Qualified	Improved	\$1,795,000
7655 / 1922	95022009	01	1995	WD	Unqualified	Improved	\$179,100
7655 / 1920	95022008	01	1995	WD	Unqualified	Improved	\$291,000
6328 / 0842	91144116	07	1991	WD	Qualified	Improved	\$985,000

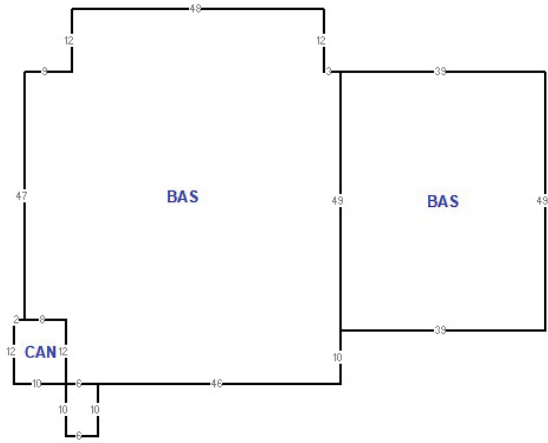
Building Information

Building 1

Type 56 | RESTAURANT
Year Built 1980

Building 1 Construction Details

Element	Code	Construction Detail
Class	C	Masonry or Concrete Frame
Exterior Wall	7	Masonry Frm: Stucco
Roof Structure	9	Rigid Frame/Barjoist
Roof Cover	4	Blt.up Tar & Gravel
Interior Walls	5	Drywall
Interior Flooring	7	Tile
Interior Flooring	8	Carpet
Heat/AC	2	Central
Plumbing	3	Typical
Condition	3	Average
Stories	1.0	
Units	1.0	
Wall Height	12.00	



Building 1 subarea

Area Type	Gross Area	Heated Area	Depreciated Value
BAS	1,911	1,911	\$63,206
BAS	4,020	4,020	\$132,962
CAN	120		\$1,191
CNB	60		\$198
Totals	6,111	5,931	\$197,557

Extra Features

OB/XF Code	Description	Building	Year On Roll	Length	Width	Units	Value
0020	ASPHALT PAVING	1	1980	0	0	33,000.00	\$36,729
0060	CONCRETE PAVEMENT	1	1980	0	0	1,700.00	\$5,923

Land Information

Use Code	Description	Zone	Front	Depth	Land Type	Total Land Units	Land Value
TF07	Dale Mabry Central 1	CN	0.0	0.0	SF SQUARE FEET	56,178.00	\$1,144,509
9610	LOWLANDS	CN	0.0	0.0	AC ACREAGE	1.56	\$1,170

Legal Description

N 2/3 OF NW 1/4 OF NE 1/4 OF SE 1/4 OF LESS N 130 FT & LESS S 130 FT & LESS R/W FOR DALE MABRY HWY

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