

Variance Application: VAR 25-0783
LUHO Hearing Date: June 23, 2025
Case Reviewer: Michelle Montalbano



**Hillsborough
County Florida**

Development Services Department

Applicant: Palm Harbor Dermatology, P.A. **Zoning:** CN
Location: 11601 Sheldon Road, Tampa, FL 33626; Folio # 3997.0000

Request Summary:

The applicant is requesting a setback variance to accommodate a new pole sign utilizing the footer of an existing damaged sign.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
7.03.00.C.1.b	All ground signs shall be setback a minimum of ten feet from the right-of-way line and not within the required sight distance pursuant to Florida Department of Transportation Design Standard Index No. 546.	10-feet	0-foot front setback to the western property line along Sheldon Road.

Findings:	None.
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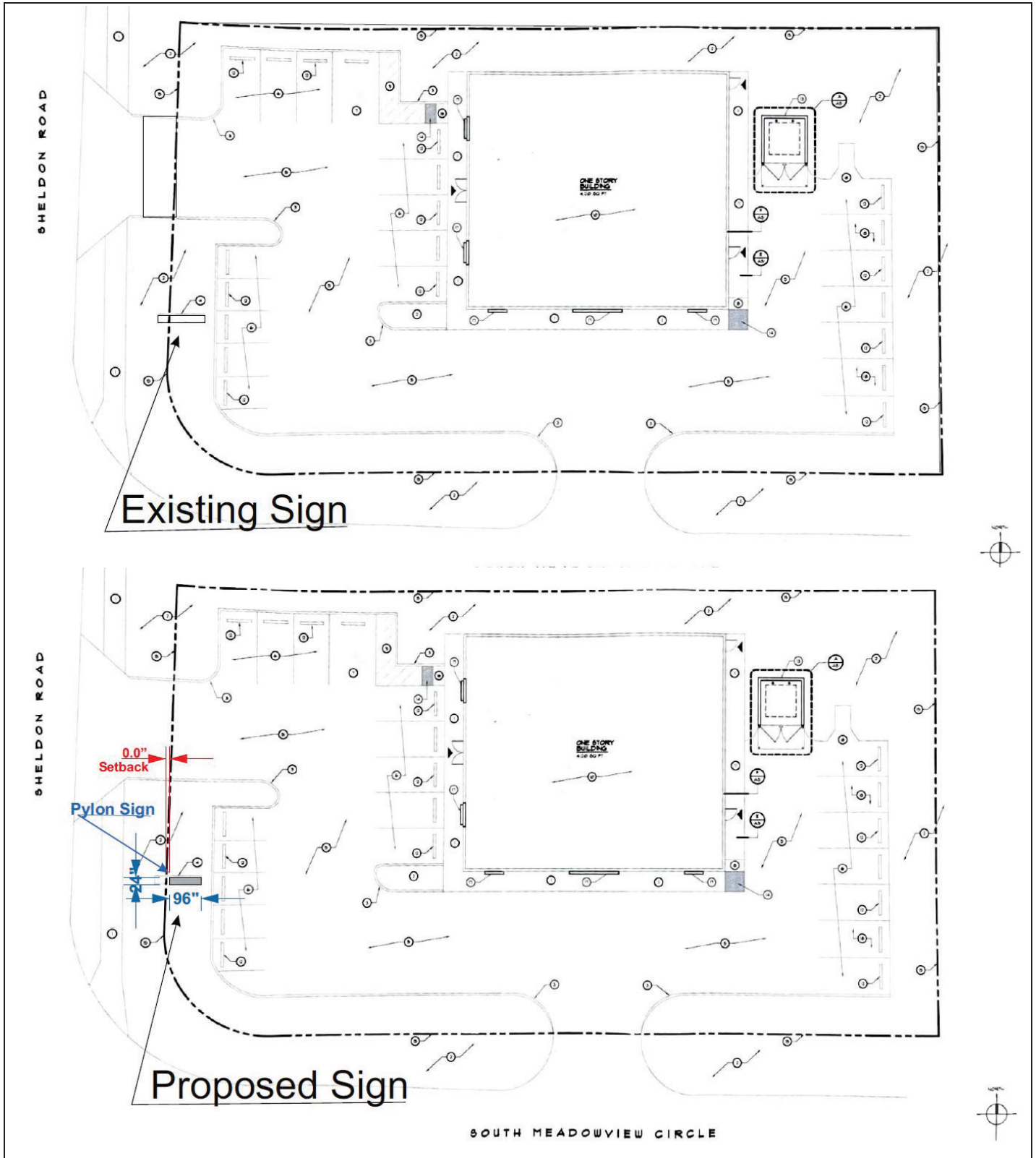
Zoning Administrator Sign Off:


Colleen Marshall
Fri Jun 6 2025 16:29:56

DISCLAIMER:

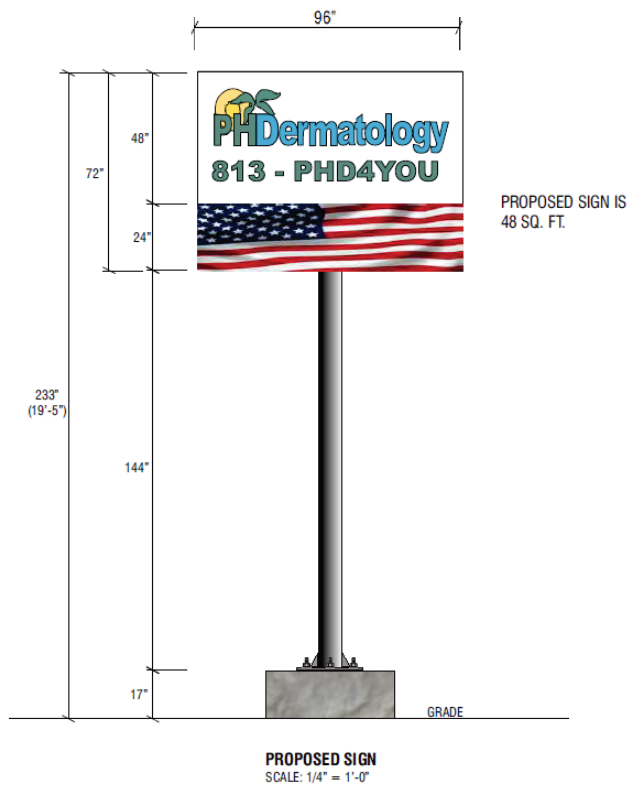
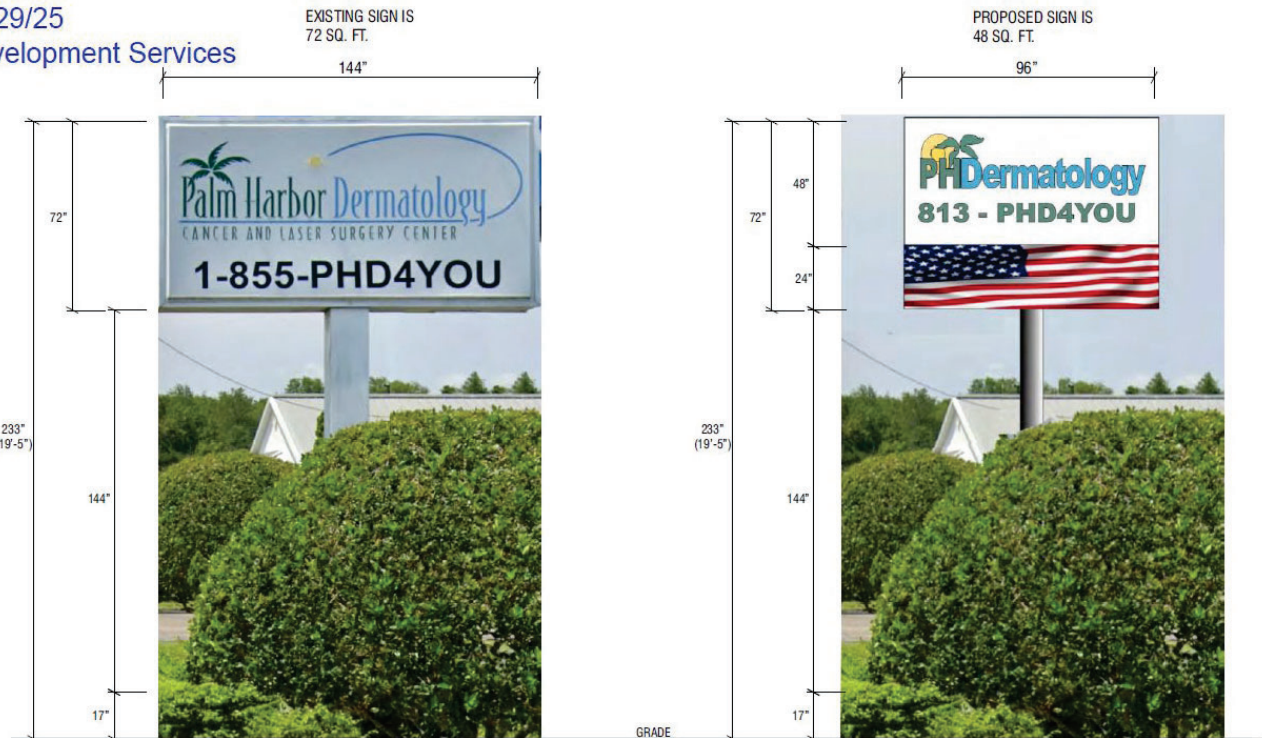
The variance(s) listed above is based on the information provided in the application by the applicant. Additional variances may be needed after the site has applied for development permits. The granting of these variances does not obviate the applicant or property owner from attaining all additional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

SURVEY/SITE PLAN



SURVEY/SITE PLAN

Received
04/29/25
Development Services



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Additional / Revised Information Sheet

25-0783
RCVD
5-8-25

Office Use Only

Application Number: HC-ADM-25-0001796/VAR 25-0783

Received Date:

Received By:

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, **the second page of this form must be included indicating the additional/revised documents being submitted with this form.**

Application Number: HC-ADM-25-0001796/VAR 25-0783

Applicant's Name: LEDtampa/James Ullery

Reviewing Planner's Name: Michelle Montalbano

Date: 05/08/2025

Application Type:

- ☐ Planned Development (PD) ☐ Minor Modification/Personal Appearance (PRS) ☐ Standard Rezoning (RZ)
- ☒ Variance (VAR) ☐ Development of Regional Impact (DRI) ☐ Major Modification (MM)
- ☐ Special Use (SU) ☐ Conditional Use (CU) ☐ Other _____

Current Hearing Date (if applicable): 06/23/2025

Important Project Size Change Information

Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.

Will this revision add land to the project? ☐ Yes ☒ No

If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

Will this revision remove land from the project? ☐ Yes ☒ No

If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

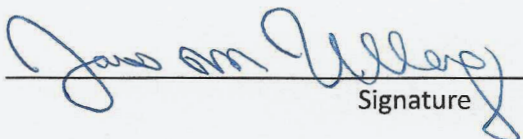
Email this form along with all submittal items indicated on the next page in pdf form to:

ZoningIntake-DSD@hcflgov.net

Files must be in pdf format and minimum resolution of 300 dpi. Each item should be submitted as a separate file titled according to its contents. All items should be submitted in one email with application number (including prefix) included on the subject line. Maximum attachment(s) size is 15 MB.

For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcflgov.net.

I certify that changes described above are the only changes that have been made to the submission. Any further changes will require an additional submission and certification.


Signature

MAY 8, 2025

Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

RCVD

5-8-25

Pursuant to Chapter 119 Florida Statutes, all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact Hillsborough County Development Services to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under Florida Statutes §119.071(4) will need to contact Hillsborough County Development Services to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? ☐ Yes ☒ No

HC-ADM-25-0001796/VAR 25-0783

I hereby confirm that the material submitted with application _____

☐ Includes sensitive and/or protected information.

Type of information included and location _____

☒ Does not include sensitive and/or protected information.

Please note: Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature: _____

(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____

Date: _____



Additional / Revised Information Sheet

25-0783
RCVD
5-8-25

Please indicate below which revised/additional items are being submitted with this form.

Included	Submittal Item
1 <input checked="" type="checkbox"/>	Cover Letter** If adding or removing land from the project site, the final list of folios must be included
2 <input type="checkbox"/>	Revised Application Form**
3 <input type="checkbox"/>	Copy of Current Deed* Must be provided for any new folio(s) being added
4 <input type="checkbox"/>	Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5 <input type="checkbox"/>	Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6 <input type="checkbox"/>	Property Information Sheet**
7 <input type="checkbox"/>	Legal Description of the Subject Site**
8 <input type="checkbox"/>	Close Proximity Property Owners List**
9 <input type="checkbox"/>	Site Plan** All changes on the site plan must be listed in detail in the Cover Letter.
10 <input type="checkbox"/>	Survey
11 <input type="checkbox"/>	Wet Zone Survey
12 <input type="checkbox"/>	General Development Plan
13 <input checked="" type="checkbox"/>	Project Description/Written Statement
14 <input type="checkbox"/>	Design Exception and Administrative Variance requests/approvals
15 <input type="checkbox"/>	Variance Criteria Response
16 <input type="checkbox"/>	Copy of Code Enforcement or Building Violation
17 <input type="checkbox"/>	Transportation Analysis
18 <input type="checkbox"/>	Sign-off form
19 <input checked="" type="checkbox"/>	Other Documents (please describe): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Scaled plot plan of existing and proposed location with a 0-foot front setback requested.</div>

*Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

+Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.

25-0783
RCVD
5-8-25



May 8, 2025

**Michelle Montalbano
Planner
Developmental Services Department
Hillsborough County Florida
601 E. Kennedy Blvd
Tampa, Florida 33602**

Dear Ms. Montalbano

This shall function as a cover letter referencing Var 25-0783/HC-ADM-25-0001796.

We are submitting changes to two documents in Variance application VAR-25-0783 as follows:

Document "Project Description (Variance Request)" Page 8, Paragraph 1, Page 8 Attachment. On Page 8 Attachment we added the clarification statement to read " We are requesting a 0-foot front setback from the property line"

Document "Scaled Plot Plan of Existing and Proposed sign." We modified the wording on the Proposed Sign Plot Plan to read " 0.0" Setback."

The Additional / Revised Information Sheet pages 1, 2, and 3 are attached and contain appropriate signatures.

Sincerely,

James M. Ullery

President

Enclosures:

2170 Sunnydale Blvd., Ste U
Clearwater, FL 33765
www.ledtampa.com

PH: (727) 442-4533

FX: (727) 442-4543



Project Description (Variance Request)

RCVD
5-8-25

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.

See attached Project Description(Variance Request) page 8

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

ARTICAL VII, SIGNS1, PART 7.00.03 PERMITTED SIGNS, C, 1., b. 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

1. Project Description (Variance Request)

Variance is being requested so the leading edge of the sign does not have a setback of Ten Feet from the property line. The existing sign footer and steel pylon is within the property line; however, a portion of the current sign overhangs the property line into the Right-Of-Way on the front of the property.

A new sign will be manufactured and when installed the leading edge of the new sign will not overhang the Right-Of Way. The leading edge of the new sign will not be setback 10-feet from the front property line, the variance we are seeking provides relief from the 10-foot set back stipulation. We are requesting a 0-foot front setback from the property line.

To comply with the current sign code, it would be necessary to install a new sign footer which will require the loss of a parking space on the property. Parking on the property is busy and having to lose at least one parking space for a sign footer would not be beneficial to anyone and will be a hardship for the property owner and patients visiting Palm Harbor Dermatology.

Property History related to this Variance Request - During the Storms in 2024 the Plastic Identification faces were blown out of the existing sign cabinet and were broken into many pieces. The owner wishes to fabricate a new sign that is suitable for the wind load and is slightly smaller than the existing sign. This process requires a sign permit because the structure is modified to receive the new sign cabinet. The Current Sign Code requires the leading edge of the sign to be set back 10-feet from the property line. A variance is requested so the existing sign footer can be utilized for the new sign and a parking space does not have to be utilized for the new sign.



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 Variance Criteria Response page 9

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 Variance Criteria Response page 9

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 Variance Criteria Response page 9

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 Variance Criteria Response page 9

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 Variance Criteria Response page 9

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 Variance Criteria Response page 9

Variance Criteria Response

1. The current sign location is unique to this property as this property does not provide a place for a new sign footer without having to utilize an existing parking space.
2. The literal requirements stipulate that the leading edge of a sign must be 10-feet back from the Right of Way. Parking spaces have been created within the property boundaries and thus parking would need to be reduced to comply with the current sign code. Reducing parking spaces would cause a hardship in the day-to-day operation of Palm Harbor Dermatology as well as a hardship for the patients and staff members of Palm Harbor Dermatology.
3. The granting of the variance would allow for the continuance of business as usual at this property. The location of the existing sign structure would not change, the sign size will be reduced by twenty-four square feet, and the sign itself will be brought up to the current code requirements for wind load compliance. The rights of others will not be negatively affected, the result will be a smaller sign located in the same place as the existing sign has been for a number of years.
4. The Variance will be in harmony with the LDC as the location of the current signage on the property will not change, will not overhang the right of way and the overall land use of the current property will not change.
5. The situation sought to be relieved by the variance results from the existing sign being damaged from storms and not by any illegal action caused by the applicant. The applicant wishes to be in harmony and compliance with the LDC thus resulting in a Variance Request and a proper sign permit.
6. Allowing the variance will allow for substantial justice as the applicant will not need to undertake substantial construction expenses, lose a parking space, and the public will be able to recognize the location with signage being in the same place it has been for a number of years.

Prepared by and return to:
Neil S. Schecht, P.A.
3630 W. Kennedy Blvd.
Tampa, Florida 33609

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made this 10th day of May, 2013, between **CHIARITO ENTERPRISES, INC.**, a Florida corporation, whose address is P.O. Box 638, Odessa, FL 33556, hereinafter ("Grantor") and **ROSS REAL ESTATE, LLC**, a Florida limited liability company, whose address is 4197 Woodlands Parkway, 2nd Floor, Palm Harbor, FL 34685, hereinafter ("Grantee").

(Whenever 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, trusts and trustees)

Witnesseth, that said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt and sufficiency of which is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto Grantee, their successors and assigns forever, all that certain land situate in Hillsborough County, Florida, as more particularly described as follows:

Parcel 1:

Lot 70 of GREEN GRASS ACRES FIRST ADDITION, according to the plat thereof as recorded in Plat Book 41, Page 59, of the public records of Hillsborough County, Florida, LESS the following:

Beginning at the Northeast corner of said Lot 70, GREEN GRASS ACRES, RUN THENCE S00°32'55"W, 218.03 feet along the East line of Lot 70, to the Southeast corner of said Lot 70, said point also being on the North right-of-way line of South Meadow View Circle; thence along said North right-of-way line of South Meadow View Circle, N89°25'00"W, 98.05 feet; thence along a line lying 10.00 feet East of and parallel with the Easterly side of an existing 1-story masonry commercial building, N00°32'59"E, 109.0 feet to a point on the South line of the North 1/2 of aforesaid Lot 70; thence along said South line of the North 1/2 of said Lot 70, N89°25'26"W, 121.89 feet to a point on the East right-of-way line of Sheldon Road, said point also being on the West boundary line of said Lot 70; thence along West boundary of said Lot 70, N01°10'33"E, 109.02 feet to the Northwest corner of said Lot 70, said point also being on the North boundary of said Lot 70; thence along said North boundary of Lot 70, S89°25'26"E, 218.75 feet to the Point of Beginning.

Parcel 2:

Beginning at the Northeast corner of Lot 70, GREEN GRASS ACRES FIRST ADDITION, according to the plat thereof as recorded in Plat Book 41, Page 59, of the public records of Hillsborough County, Florida; run thence South 00 degrees 32'59"

West, 109.015 feet along the East line of Lot 70, said point also being the South line of the North 1/2 of Lot 70; thence along said South line of the North 1/2 of Lot 70, North 89 degrees 25'26" West, 30.05 feet to the Point of Beginning; thence South 00 degrees 32'59" West, 109.01 feet to the North right-of-way line of South Meadow View Circle and the South line of said Lot 70; thence along said North right-of-way line and South line of Lot 70, North 89 degrees 25'00" West, 68.00 feet; thence along a line 10.00 feet East of and parallel with the Easterly side of an existing one-story masonry commercial building, North 00 degrees 32'59" East, 109.00 feet to a point on the South line of the North 1/2 of the aforesaid Lot 70; thence along said South line of the North 1/2 of said Lot 70, South 89 degrees 25'26" East, 68.00 feet to the Point of Beginning.

Parcel # U-14-28-17-05G-000000-00070.0

Together with all the tenements, hereditaments and appurtenances belonging or in anywise appertaining thereto (collectively the "Property").

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 the land in fee simple; that Grantor has good right and lawful authority to sell and convey said land; that Grantor hereby 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, but against none other, subject, however, to the following:

- All assessments and taxes for the year 2013 and all subsequent years, which are not yet due and payable.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in manner and form sufficient to bind it as of the day and year first written above.

Signed, sealed and delivered in our presence:

CHIARITO ENTERPRISES, INC., a Florida corporation

Witness: MB Purcell, Jr.
Printed Name: MB PURCELL, JR.

BY: Christine M Chiarito Pres
CHRISTINE M. CHIARITO, President

Witness: Neil J. Schen
Printed Name: Neil J. Schen

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 10th day of March, 2013, by CHRISTINE M. CHIARITO as President of CHIARITO ENTERPRISES, INC., a Florida corporation, who is personally known to me or did produce *Dr. h* as identification and did / did not take an oath.

(Seal)

NS
NOTARY PUBLIC
Print Name of Notary: NEIL S. SCHECHT
My commission expires: 10/8/13



Prepared by and return to:
Neil S. Schecht, P.A.
3630 W. Kennedy Blvd.
Tampa, Florida 33609

SPECIAL WARRANTY DEED

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Witnesseth, that said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt and sufficiency of which is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto Grantee, their successors and assigns forever, all that certain land situate in Hillsborough County, Florida, as more particularly described as follows:

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Parcel # U-14-28-17-05G-000000-00070.0

Together with all the tenements, hereditaments and appurtenances belonging or in anywise appertaining thereto (collectively the "Property").

To Have and to Hold, the same in fee simple forever.

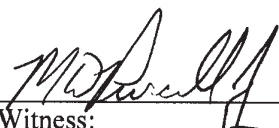
And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of the land in fee simple; that Grantor has good right and lawful authority to sell and convey said land; that Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through, or under Grantor, but against none other, subject, however, to the following:

- All assessments and taxes for the year 2013 and all subsequent years, which are not yet due and payable.

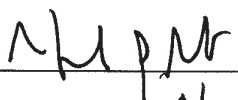
IN WITNESS WHEREOF, Grantor has caused these presents to be executed in manner and form sufficient to bind it as of the day and year first written above.

Signed, sealed and delivered in our presence:

CHIARITO ENTERPRISES, INC., a Florida corporation


 Witness:
 Printed Name: M.D. PURCELL, JR.

BY: 
 CHRISTINE M. CHIARITO, President


 Witness:
 Printed Name: Neil J. Schen

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 10th day of March, 2013, by CHRISTINE M. CHIARITO as President of CHIARITO ENTERPRISES, INC., a Florida corporation, who is personally known to me or did produce DM hu as identification and did / did not take an oath.

(Seal)

NS
NOTARY PUBLIC
Print Name of Notary: NEIL S. SCHECHT
My commission expires: 10/8/13





**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only		
Application No: <u>25-0783</u>		Intake Date: <u>04/29/25</u>
Hearing(s) and type: Date: <u>06/23/25</u>	Type: <u>LUHO</u>	Receipt Number: <u>475490</u>
Date: _____	Type: _____	Intake Staff Signature: <u>Cierra James</u>

Property Information

Address: 11601 Sheldon Road City/State/Zip: Tampa, FL 33626
TWN-RN-SEC: 14-28-17 Folio(s): 003997-0000 Zoning: CN Future Land Use: R-4 Property Size: 20.645.05Q FT

Property Owner Information

Name: Ross Real Estate, LLC Daytime Phone: _____
Address: 4028 Rocky Shores Dr City/State/Zip: Tampa, FL 33634
Email: amyrossmd@gmail.com Fax Number: _____

Applicant Information

Name: Palm Harbor Dermatology, P.A. Daytime Phone: c 813-856-7771
Address: 4919 Memorial Highway, Suite 150 City/State/Zip: Tampa, FL 33634
Email: austin.chapman@dermedpartners.com Fax Number: _____

Applicant's Representative (if different than above)

Name: LEDtampa Daytime Phone: o 727-442-4533
Address: 2170 Sunnydale Blvd., Suite U City/State/Zip: Clearwater, FL 33765
Email: debbis@ledtampa.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.

Austin Chapman
Signature of the Applicant

Austin Chapman
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.

Amy Ross
Signature of the Applicant

Amy Ross
Type or print name

Folio: 3997.0000

Hillsborough County Florida

Hillsborough County makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any of the geodata information provided herein. The reader should not rely on the data provided herein for any reason. Hillsborough County explicitly disclaims any representations and warranties, including, without limitations, the implied warranties of merchantability and fitness for a particular purpose. Hillsborough County shall assume no liability for:

1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.

Or

2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.