



LAND USE HEARING OFFICER AGENDA - FINAL

10:00 A.M. MONDAY, August 28, 2023

County Center 2nd Floor

WELCOME AND THANK YOU FOR YOUR PARTICIPATION IN COUNTY GOVERNMENT.

HEARING SCHEDULE:

The LUHO Hearing will Starts 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 August 28,2023

The following dates pertain only to applications heard at the August 28, 2023 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on September 19, 2023.

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 23-0005 Jon Grisar**

This application has been **WITHDRAWN** from the process.

Attachments: [23-0005](#)

A.2. SU-SCH 23-0219 Dean M. & Sonia C. Slaven

This application is out of order to be heard and is being **CONTINUED** to the **September 26, 2023** LUHO.

Attachments: [23-0219](#)

A.3. SU-CFW 23-0308 Gulfstream Towers LLC

This application is being **CONTINUED** by **STAFF** to the **September 26, 2023** LUHO.

Attachments: [23-0308](#)

A.4. VAR 23-0471 Melba Merced

This application is out of order to be heard and is being **CONTINUED** to the **September 26, 2023** LUHO.

Attachments: [23-0471](#)

A.5. SU-SCH 23-0481 David Wright/TSP Companies, Inc.

This application is out of order to be heard and is being **CONTINUED** to the **September 26, 2023** LUHO.

Attachments: [23-0481](#)

A.6. VAR 23-0497 Anthony & Carol Nofsinger

This application has been **WITHDRAWN** by the **PETITIONER**.

Attachments: [23-0497](#)

- A.7. SU-SCH 23-0586 Navigator Academy of Leadership Southshore**
This application is being **CONTINUED** by the **APPLICANT** to the **November 20, 2023** LUHO.

Attachments: [23-0586](#)

- A.8. VAR 23-0590 Yeny Giralt Perello**
This application is out of order to be heard and is being **CONTINUED** to the **September 26, 2023** LUHO.

Attachments: [23-0590](#)

- A.9. SU-AB 23-0605 Ian Lieberman/AJI Fowler LLC.**
This application is out of order to be heard and is being **CONTINUED** to the **September 26, 2023** LUHO.

Attachments: [23-0605](#)

- A.10. SU-AB 23-0631 Circle K Stores, Inc**
This application has been **WITHDRAWN** by the **PETITIONER**.

Attachments: [23-0631](#)

- A.11. SU-AB 23-0642 Christopher J Ciulla**
This application is out of order to be heard and is being **CONTINUED** to the **September 26, 2023** LUHO.

Attachments: [23-0642](#)

- A.12. VAR 23-0756 Maria Marriage**
This application has been **WITHDRAWN** by the **PETITIONER**.

Attachments: [23-0756](#)

A.13. VAR-WS 23-0763 William Lloyd/RKM Development

This application is out of order to be heard and is **CONTINUING** to the **September 26, 2023** LUHO.

Attachments: [23-0763](#)

B. VESTED RIGHTS**C. FEE WAIVER****D. REMANDS****E. RECONSIDERATION REQUESTS****F. SITE DEVELOPMENT VARIANCE REQUESTS****F.1. Application Number: VAR-WS 23-0751**

Applicant: Esther Cepero

Location: 15950 Rye Ln.

Folio Number: 016134.0050

Acreage (+/-): 1.71 acres, more or less

Comprehensive Plan: R-4

Service Area: Urban

Existing Zoning: RSC-4

Request: Requesting a Variance to Encroach into the Wetland Setback.

Attachments: [23-0751](#)

F.2. Application Number: VAR-WS 23-0754

Applicant: Keith & Rhonda Maule

Location: 1 Dickman Island

Folio Number: 031548.0300

Acreage (+/-): 4.34 acres, more or less

Comprehensive Plan: R-1

Service Area: Urban

Existing Zoning: PD (80-0175)

Request: Requesting a Variance to Encroach into the Wetland Setback.

Attachments: [23-0754](#)

G. SIGN VARIANCE REQUESTS

- G.1. Application Number:** VAR 23-0760
Applicant: Windsor Park of Tampa Homeowners Association, Inc.
Location: 16400 Windsor Way
Folio Number: 015649.0618
Acreeage (+/-): 0.079 acres, more or less
Comprehensive Plan: R-2
Service Area: Urban
Existing Zoning: PD (86-0144)
Request: Requesting a Variance to Sign Requirements.

Attachments: [23-0760](#)

H. VARIANCE (VAR) REQUESTS

- H.1. Application Number:** VAR 23-0624
Applicant: Jeff Bessey/Harpro LLC.
Location: 14209 Shady Stream Dr.
Folio Number: 084962.0104
Acreeage (+/-): 1.587 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: AS-1
Request: Requesting a Variance to Lot Development Standards and Variance to Accessory Structure Requirements.

Attachments: [23-0624](#)

H.2. Application Number: VAR 23-0648
Applicant: David Wright
Location: 800 FT West of Cliffdale Dr and Saint Cloud Ave Intersection
Folio Number: 086467.0030
Acreage (+/-): 1.09 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: ASC-1
Request: Requesting a Variance to Lot Development Standards

Attachments: [23-0648](#)

H.3. Application Number: VAR 23-0681
Applicant: Costco Wholesale Corporation
Location: 10921 Causeway Blvd
Folio Number: 072304.0501
Acreage (+/-): 14.36 acres, more or less
Comprehensive Plan: RMU-35, UMU-20
Service Area: Urban
Existing Zoning: PD (98-0826)
Request: Requesting a Variance to sidewalk requirements (LDC Section 6.03.02)

Attachments: [23-0681](#)

H.4. Application Number: VAR 23-0752
Applicant: David Wright/TSP Companies, Inc.
Location: North Side of Thonotosassa Rd and Ohio St Intersection
Folio Number: 081933.0000 & 081933.0050
Acreage (+/-): 2.9 acres, more or less
Comprehensive Plan: R-2
Service Area: Rural
Existing Zoning: ASC-1
Request: Requesting a Variance to Easement Width Requirements.

Attachments: [23-0752](#)

H.5. Application Number: VAR 23-0753
Applicant: The Porchlight Foundation, Inc.
Location: 5808 E. 122nd Ave
Folio Number: 036948.0000
Acreage (+/-): 0.41 acres, more or less
Comprehensive Plan: R-20
Service Area: Urban
Existing Zoning: RMC-20
Request: Requesting a Variance to Lot Development Standards

Attachments: [23-0753](#)

H.6. Application Number: VAR 23-0786
Applicant: Steven Gildar
Location: 8538 Acorn Ridge Ct.
Folio Number: 004016.0206
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: [23-0786](#)

I. SPECIAL USES

I.1. Application Number: SU-SCH 22-1657
Applicant: Todd Scime
Location: 6801 N. Orient Rd
Folio Number: 040119.0000
Acreage (+/-): 10.6 acres, more or less
Comprehensive Plan: CMU-12
Service Area: Urban
Existing Zoning: ASC-1
Request: Requesting a Special Use for a School.

Attachments: [22-1657](#)

- I.2. Application Number:** SU-AB 23-0747
Applicant: Family Dollar Stores of Florida
Location: 1026 78th Street
Folio Number: 044550.0050
Acreage (+/-): 0.231 acres, more or less
Comprehensive Plan: CMU-12
Service Area: Urban
Existing Zoning: PD (15-1141)
Request: Requesting a Special Use 2-APS Alcoholic Beverage Permit with Separation Waiver(s).

Attachments: [23-0747](#)

- I.3. Application Number:** SU-AB 23-0755
Applicant: Shops at Stelling North, LLC.
Location: Northwest Corner of S US Highway 301 and Stelling Dr Intersection
Folio Number: 077486.0100
Acreage (+/-): 0.09 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: PD (20-0182)
Request: Requesting a Special Use 2-COP-R Alcoholic Beverage Permit With Separation Waiver(s).

Attachments: [23-0755](#)

- I.4. Application Number:** SU-AB 23-0759
Applicant: Liquor N Brothers LLC.
Location: 8542 Gunn Highway
Folio Number: 002853.0000
Acreage (+/-): 0.03 acres, more or less
Comprehensive Plan: R-2, CPV
Service Area: Urban
Existing Zoning: CPV-G-1
Request: Requesting a Special Use 3-PS Alcoholic Beverage Permit With Separation Waiver(s).

J. APPEAL (APP) REQUESTS

- J.1. APP 23-0644 Toni Sullivan
Appeal to an administrative decision, ZI 23-0370

Attachments: [23-0644](#)