



LAND USE HEARING OFFICER AGENDA - FINAL

10:00 A.M. MONDAY, August 23, 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 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 23,2021

The following dates pertain only to applications heard at the August 23, 2021 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on September 14, 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. SU-LE 21-0375 Trademark Metals Recycling, LLC.**

This application is being **CONTINUED** by the **APPLICANT** to the **September 20, 2021** LUHO.

Attachments: [21-0375](#)

A.2. VAR 21-0532 Nick Brackin

This application has been **WITHDRAWN** by the **APPLICANT**.

Attachments: [21-0532](#)

A.3. SU-GEN 21-0743 The Paideia School of Tampa Bay, Inc./Debbie Coad

This application is being **CONTINUED** by **STAFF** to the **September 20, 2021** LUHO.

Attachments: [21-0743](#)

A.4. VAR 21-0803 Douglas H. Negron

This application is out of order to be heard and is being **CONTINUED** to the **September 20, 2021** LUHO.

Attachments: [21-0803](#)

A.5. VAR 21-0838 Sign Systems and Graphic Designs, Inc.

This application is out of order to be heard and is being **CONTINUED** to the **September 20, 2021** LUHO.

Attachments: [21-0838](#)

A.6. VAR 21-0902 David Wright

This application is being **CONTINUED** by the **APPLICANT** to the **September 20, 2021** LUHO.

Attachments: [21-0902](#)

A.7. VAR 21-0935 Anthony & Britt Diaz

This application is out of order to be heard and is being **CONTINUED** to the **September 20, 2021** LUHO.

Attachments: [21-0935](#)

A.8. VAR 21-0938 Dwayne Wilson

This application is being **CONTINUED** by **STAFF** to the **September 20, 2021** LUHO.

Attachments: [21-0938](#)

A.9. VAR 21-0958 RU Project Management Group, LLC.

This application is being **CONTINUED** by **APPLICANT** to the **September 20, 2021** LUHO.

Attachments: [21-0958](#)

A.10. SU-AB 21-1003 Miguel Ramos

This application is out of order to be heard and is being **CONTINUED** to the **September 20, 2021** LUHO.

Attachments: [21-1003](#)

A.11. SU-AB 21-1022 Sushi Yama FL Inc.

This application has been **WITHDRAWN**.

Attachments: [21-1022](#)

A.12. VAR 21-1026 Fletcher Professional Center LLC.

This application has been **WITHDRAWN**.

Attachments: [21-1026](#)

B. VESTED RIGHTS**C. FEE WAIVER****D. REMANDS**

E. RECONSIDERATION REQUESTS**F. SITE DEVELOPMENT VARIANCE REQUESTS**

- F.1. Application Number:** VAR 21-0940
Applicant: Furman Construction and Development Inc.
Location: 7905 Colley Rd
Folio Number: 000100.0000
Acreage (+/-): 0.53 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: [21-0940](#)

- F.2. Application Number:** VAR 21-1032
Applicant: Rhodine Lake, LLC
Location: 1130 Rhodine Rd.
Folio Number: 077345.9382
Acreage (+/-): 31.5 acres, more or less
Comprehensive Plan: R-6 & R-4
Service Area: Northeast corner of Ramble Creek Dr. & Chilly Water Ct.
Existing Zoning: PD (18-1491)
Request: Requesting a Reduction in Wetland setback from 30 feet to an average of (+/-) 20 feet.

Attachments: [21-1032](#)

G. SIGN VARIANCE REQUESTS

- G.1. Application Number:** VAR 21-0914
Applicant: Ronald A. Fair
Location: 1616 Allison Woods Ln.
Folio Number: 067950.0200
Acreage (+/-): 3.9 acres, more or less
Comprehensive Plan: UMU-20
Service Area: Urban
Existing Zoning: PD (00-1236)
Request: Requesting a Sign Variance.

Attachments: [21-0914](#)

- G.2. Application Number:** VAR 21-0991
Applicant: Ed Morse Mitsubishi Motors
Location: 101 E. Fletcher Ave.
Folio Number: 017959.0000
Acreage (+/-): 14.4 acres, more or less
Comprehensive Plan: OC-20 & R-12
Service Area: Urban
Existing Zoning: CN & CG
Request: Requesting a Sign Variance.

Attachments: [21-0991](#)

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](#)

- H.2. Application Number:** VAR 21-0893
Applicant: Austin Coats
Location: 8220 Crenshaw Cir.
Folio Number: 004751.0000
Acreage (+/-): 0.64 acres, more or less
Comprehensive Plan: R-2
Service Area: Urban
Existing Zoning: RSC-3
Request: Variance to Accessory Dwelling Requirements.

Attachments: [21-0893](#)

H.3. Application Number: VAR 21-0928
Applicant: Ann Hurley
Location: 9574 Mcintosh
Folio Number: 081599.5000
Acreage (+/-): 5.97 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: AS-1 & ASC-1
Request: Requesting a Variance to Access Requirements.

Attachments: [21-0928](#)

H.4. Application Number: VAR 21-0998
Applicant: Matthew O. & Kacy M. Oleson
Location: 65 FT South of W. Windhorst Rd/Amaryllis Dr. Intersection
Folio Number: 067618.0000
Acreage (+/-): 1.09 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-4
Request: Requesting a Variance to Fence Requirements.

Attachments: [21-0998](#)

H.5. Application Number: VAR 21-0999
Applicant: Donald F. & Sharon L. Oleson
Location: 150 FT Southeast of W. Windhorst Rd/Amaryllis Dr. Intersection
Folio Number: 067617.0000
Acreage (+/-): 1.17 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-4
Request: Requesting a Variance to Fence Requirements.

Attachments: [21-0999](#)

- H.6. Application Number: VAR 21-1014**
Applicant: Bradley Herremans
Location: 321 S. Lakewood Dr.
Folio Number: 071844.0000
Acreage (+/-): 0.46 acres, more or less
Comprehensive Plan: CMU-12
Service Area: Urban
Existing Zoning: BMS-TC2
Request: Requesting a Variance to Main Street Regulations, LDC Part 3.12.00; and Variance to Guardhouse and Gate Requirements, LDC Section 6.03.03 .

Attachments: [21-1014](#)

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](#)

- J.2. Application Number: SU-GEN 21-0897**
Applicant: Mark Bentley
Location: 1313 Brandonwood Dr.
Folio Number: 067659.0000
Acreage (+/-): 0.64 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a Special Use for a Professional Residential Facility.

Attachments: [21-0897](#)

I. APPEAL (APP) REQUESTS