



LAND USE HEARING OFFICER AGENDA - FINAL

10:00 A.M. MONDAY, October 25, 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 October 25,2021

The following dates pertain only to applications heard at the October 25, 2021 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on November 16, 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-AB 21-0606 Dune FL Land 1 Sub LLC and Southshore Bay Club LLC.**

This application is being **CONTINUED** by **STAFF** to the **November 15, 2021 LUHO**.

Attachments: [21-0606](#)

A.2. VAR 21-0902 David Wright

This application is being **CONTINUED** by **STAFF** to the **November 15, 2021 LUHO**.

Attachments: [21-0902](#)

A.3. APP 21-0907 Todd Pressman

This application has been **WITHDRAWN** by the **APPLICANT**.

Attachments: [21-0907](#)

A.4. VAR-WS 21-1054 NRS LLC

This application is out of order to be heard and is being **CONTINUED** to the **November 15, 2021 LUHO**.

Attachments: [21-1054](#)

A.5. VAR 21-1151 Stacey Friello

This application has been **WITHDRAWN** by the **APPLICANT**.

Attachments: [21-1151](#)

A.6. VAR 21-1154 Rene Rodriguez

This application is out of order to be **HEARD** and is being **CONTINUED** to the **November 15, 2021 LUHO**.

Attachments: [21-1154](#)

- A.7. VAR-WS 21-1223 William Alvarodiaz**
This application is out of order to be heard and is being **CONTINUED** to the **November 15, 2021** LUHO.

Attachments: [21-1223](#)

- A.8. VAR-WS 21-1230 Vivian & Eddie Suarez**
This application is out of order to be heard and is being **CONTINUED** to the **November 15, 2021** LUHO.

Attachments: [21-1230](#)

- A.9. VAR 21-1248 Mariadel Rosario Perez & Guillermo Del Rio**
This application is out of order to be heard and is being **CONTINUED** to the **November 15, 2021** LUHO.

Attachments: [21-1248](#)

- A.10. VAR 21-1256 Jerrie & Patrick Pellize**
This application is being **CONTINUED** by **STAFF** to the **December 13, 2021** LUHO.

Attachments: [21-1256](#)

B. VESTED RIGHTS

C. FEE WAIVER

- C.1. FW 21-0372 Chris Kenrick**
LUHO Exception for Fee Waiver.

Attachments: [21-0372](#)

D. REMANDS

E. RECONSIDERATION REQUESTS

F. SITE DEVELOPMENT VARIANCE REQUESTS

- F.1. Application Number:** VAR-WS 21-1116
Applicant: Hydrologic Distribution Company
Location: 1270 ft East of S. Falkenburg Rd and North Side of Horace Ave.
Folio Number: 68056.0125 & 68070.0000
Acreege (+/-): 15.56 acres, more or less
Comprehensive Plan: UMU-20
Service Area: Urban
Existing Zoning: IPD-2, PD (09-0082) & M
Request: Requesting a Variance to Encroach into the Wetland Conservation Area Setback.

Attachments: [21-1116](#)

- F.2. Application Number:** VAR-WS 21-1123
Applicant: David Wright/TSP Companies, Inc.
Location: 11424 Donneymoor Dr.
Folio Number: 76828.6220
Acreege (+/-): 0.9 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: RSC-2
Request: Requesting a Variance to Encroach into the Wetland Conservation Area Setback.

Attachments: [21-1123](#)

G. SIGN VARIANCE REQUESTS

H. VARIANCE (VAR) REQUESTS

- H.1. Application Number:** VAR 21-1207
Applicant: Christy Burkhead/Alignment Construction
Location: 8602 Beth Ct.
Folio Number: 000987.5054
Acreege (+/-): 0.5 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: ASC-1
Request: Requesting a Variance to Lot Development Standards.

Attachments: [21-1207](#)

H.2. Application Number: VAR 21-1211
Applicant: Belvedere Builders
Location: 6713 Collins Spring Cv.
Folio Number: 074148.0050
Acreege (+/-): 0.94 acres, more or less
Comprehensive Plan: R-2
Service Area: Urban
Existing Zoning: AS-1
Request: Requesting a Variance to Accessory Structures Regulations, LDC Section 6.11.04

Attachments: [21-1211](#)

H.3. Application Number: VAR 21-1278
Applicant: Candice & Christopher Perez
Location: 1101 Swiley Rd.
Folio Number: 093154.0000
Acreege (+/-): 0.83 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: AS-1
Request: Requesting a Variance to Accessory Dwelling Requirements, Variance to Accessory Structure Requirements and Variance To Lot Development Standards.

Attachments: [21-1278](#)

J. SPECIAL USES

J.1. Application Number: SU-LE 21-0375
Applicant: Trademark Metals Recycling, LLC.
Location: SW Corner of N Kingsway Rd and Harold Dangler Dr.
Folio Number: 062053.0000 & 062060.0100
Acreege (+/-): 28.66 acres, more or less
Comprehensive Plan: AE
Service Area: Rural
Existing Zoning: AR
Request: Requesting a Special Use for Land Excavation and variance to fence requirements .

Attachments: [21-0375](#)

- J.2. Application Number:** SU-GEN 21-0915
Applicant: Regional Properties, Inc.
Location: West side of Pearson Rd and 270 Ft South of Bloomingdale Ave.
Folio Number: 087455.0000 & 087459.0100
Acreage (+/-): 4.28 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: AS-1
Request: Requesting a Special Use for Community Residential Home Type B.

Attachments: [21-0915](#)

- J.3. Application Number:** SU-GEN 21-1001
Applicant: David Mechanik
Location: West side of N. Hubert Ave and 450 ft South of W. Humphrey St.
Folio Number: 24183.0000, 24184.0000 & 24186.0000
Acreage (+/-): 1.46 acres, more or less
Comprehensive Plan: R-12
Service Area: Urban
Existing Zoning: RMC-12 & RSC-6
Request: Requesting a Special Use for a Community Residential Home, Type C and Variance to Lot Development Standards.

Attachments: [21-1001](#)

I. APPEAL (APP) REQUESTS

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

Attachments: [21-1295](#)