



HILLSBOROUGH COUNTY Land Use Hearing Officer

LUHO RESULTS - FINAL

10:00 A.M. MONDAY, March 22, 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 Start 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 March 22,2021

The following dates pertain only to applications heard at the March 22, 2021 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on April 12, 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-GEN 21-0003 Danice M. Donaldson & Alan Jones**

This application is being **CONTINUED** by **STAFF** to the **April 26, 2021** LUHO.

Attachments: [21-0003](#)

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 4/26/2021

A.3. VAR 21-0247 Cheryl C. Kilcoyne, Double E Land Company, LLC & Currie Investments, Inc.

This application is out of order to be heard and is being **CONTINUED** to the **May 24, 2021** LUHO.

Attachments: [21-0247](#)

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 4/26/2021

A.4. VAR 21-0262 Billy & Donna Doughty

This application is out of order to be heard and being **CONTINUED** to the **April 26, 2021** LUHO.

Attachments: [21-0262](#)

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 4/26/2021

A.5. VAR 21-0269 Claude W. Tanner

This application is out of order to be heard and is being **CONTINUED** to the **April 26, 2021** LUHO.

Attachments: [21-0269](#)

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 4/26/2021

A.6. VAR 21-0275 Stephen J. Dibbs

This application is being **CONTINUED** by **STAFF** to the **April 26, 2021** LUHO.

Attachments: [21-0275](#)

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 4/26/2021

A.7. SU-AB 21-0306 Constanera Peruvian Cuisene

This application is out of order to be heard and is being **CONTINUED** to the **June 21, 2021** LUHO.

Attachments: [21-0306](#)

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 4/26/2021

A.8. SU-AB 21-0331 Finn’s AB, LLC.

This application is being **CONTINUED** by **STAFF** to the **April 26, 2020** LUHO.

Attachments: [21-0331](#)

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 4/26/2021

A.9. SU-AB 21-0351 Zurie Holdings LLC.

This application has been **WITHDRAWN** by the **APPLICANT**.

Attachments: [21-0351](#)

Result: Withdrawn

Motion: Withdrawn.

B. VESTED RIGHTS

C. FEE WAIVER

D. RECONSIDERATION REQUESTS

E. SITE DEVELOPMENT VARIANCE REQUESTS

F. SIGN VARIANCE REQUESTS

F.1. Application Number: VAR 21-0181

Applicant: Complete Signs LLC

Location: East side of Ramble Creek Dr. approximately 400 feet south of Symmes Rd.

South side of Symmes Rd. at Palm Island Ave.

NW corner of Symmes Rd. and Balm Riverview Rd.

East side of Ramble Creek Dr. Approximately 1500 feet north of Rhodine Rd.

Folio Number: 077285.0806, 077285.0790, 077286.0474

Acreage (+/-): 30.19 acres, more or less

Comprehensive Plan: R-6 & R-4

Service Area: Urban

Existing Zoning: PD (00-0047)

Request: Requesting a sign variance.

Attachments: [21-0181](#)

Result: Approved

Motion: Approved.

G. VARIANCE (VAR) REQUESTS

- G.1. Application Number:** VAR 21-0149
Applicant: Olga Zarza
Location: 7705 W. Henry Ave.
Folio Number: 007278.0000
Acreage (+/-): 0.16 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a variance to the distance separation for community residential home.

Attachments: [21-0149](#)

Result: Approved

Motion: Approved.

- G.2. Application Number:** VAR 21-0226
Applicant: Cheryne Hyatt
Location: 6701 Bobwhite Ct.
Folio Number: 061835.5144
Acreage (+/-): 0.99 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: PD, ZC
Request: Requesting a variance to fence requirements.

Attachments: [21-0226](#)

Result: Approved

Motion: Approved.

- G.3. Application Number:** VAR 21-0246
Applicant: Syed Laeq Ali
Location: 3617 W. Idlewild Ave.
Folio Number: 029232.0000
Acreage (+/-): 0.43 acres, more or less
Comprehensive Plan: R-20
Service Area: Urban
Existing Zoning: RMC-20
Request: Requesting a variance to lot development standards.

Attachments: [21-0246](#)

Result: Approved

Motion: Approved.

- G.4. Application Number:** VAR 21-0248
Applicant: Jason Pociask
Location: 8501 W. Hillsborough Ave.
Folio Number: 006993.0000 & 006994.0000
Acreage (+/-): 1.19 acres more or less

Comprehensive Plan: OC-20
Service Area: Urban
Existing Zoning: CG, HAOD
Request: Requesting a variance to the Hillsborough Avenue Overlay District development standards, LDC Part 3.15.00.

Attachments: [21-0248](#)

Result: Approved

Motion: Approved.

G.5. Application Number: VAR 21-0258
Applicant: Mario A. Parra
Location: 7518 Saint Vincent St.
Folio Number: 024957.0000
Acreage (+/-): 0.248536 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a variance to accessory dwelling.

Attachments: [21-0258](#)

Result: Opened and Continued

Motion: Opened and Continued.to the Land Use Hearing Officer due back on 4/26/2021

G.6. Application Number: VAR 21-0261
Applicant: Matthew Monroe
Location: 16302 Mcglamery Rd.
Folio Number: 002596.0300
Acreage (+/-): 0.918203 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: ASC-1
Request: Requesting a variance to accessory dwelling requirements and accessory structure requirements.

Attachments: [21-0261](#)

Result: Approved

Motion: Approved.

G.7. Application Number: VAR 21-0272
Applicant: Mike Kildow-Belvedere Builders
Location: 3506 Stearns Park Rd.
Folio Number: 087498.8022
Acreage (+/-): 1.046211 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: AS-1

Request: Requesting a variance to lot development standards.

Attachments: [21-0272](#)

Result: Approved

Motion: Approved.

G.8. Application Number: VAR 21-0329
Applicant: Valerie Sexsmith
Location: 15904 Timberwood Dr.
Folio Number: 002944.0000
Acreeage (+/-): 0.974248 acres more or less
Comprehensive Plan: R-2
Service Area: Urban
Existing Zoning: ASC-1
Request: Requesting a variance to lot development standards.

Attachments: [21-0329](#)

Result: Approved

Motion: Approved.

G.9. Application Number: VAR 21-0330
Applicant: Pedro Dumenigo
Location: 8508 N. Gomez Ave.
Folio Number: 024633.0000
Acreeage (+/-): 0.394152 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a variance to accessory dwelling requirements.

Attachments: [21-0330](#)

Result: Approved

Motion: Approved.

H. SPECIAL USES

H.1. Application Number: SU-AB 21-0092
Applicant: Gasparilla Pizzeria LLC
Location: 1028 Bloomingdale Ave.
Folio Number: 073176.9214
Acreeage (+/-): 0.21 acres, more or less
Comprehensive Plan: CMU-12
Service Area: Urban
Existing Zoning: PD (03-0861)
Request: Requesting a Special Use 2-COP-R Beer and wine for sale and consumption on and off the permitted premises (package sales) in connection with a restaurant, with separation waiver(s).

Attachments: [21-0092](#)

Result: Approved

Motion: Approved.

- H.2. Application Number:** **SU-LE 21-0144**
Applicant: Razorback Ranch, LLC.
Location: 16410 Balm Wimauma Rd
Folio Number: 079437.0000
Acreage (+/-): 453 acres, more or less
Comprehensive Plan: AR, RP-2
Service Area: Rural
Existing Zoning: AR
Request: Requesting a Special Use for Land Excavation.

Attachments: [21-0144](#)

Result: Approved

Motion: Approved.

- H.3. Application Number:** **SU-AB 21-0322**
Applicant: First Watch Restaurants, Inc.
Location: 13023A S. US Highway 301
Folio Number: 077556.0050
Acreage (+/-): 1.720106 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: PD (14-0198)
Request: Requesting Special Use 4-COP-RX beer, wine, and liquor for sale and consumption on the permitted premises only in connection with a restaurant, with separation waiver(s).

Attachments: [21-0322](#)

Result: Approved

Motion: Approved.

- H.4. Application Number:** **SU-AB 21-0364**
Applicant: Zaid Al Ramadhani
Location: NW Corner of E Bearss Ave and N 30th St.
Folio Number: 034916.0050
Acreage (+/-): 2.99 acres, more or less
Comprehensive Plan: R-20
Service Area: Urban
Existing Zoning: PD (85-0355)
Request: Requesting a Special Use 2-COP beer and wine for sale and consumption on and off the permitted premises, with separation waiver(s).

Attachments: [21-0364](#)

Result: Approved

Motion: Approved.

I. APPEAL (APP) REQUESTS