



**LAND USE HEARING OFFICER VARIANCE REPORT**

<b>APPLICATION NUMBER:</b> VAR 21-1014	
<b>LUHO HEARING DATE:</b> August 23, 2021	<b>CASE REVIEWER:</b> Israel Monsanto

**REQUEST:** The applicant is requesting variances from the requirements found in Land Development Code Section 3.12.00, Brandon Main Street (BMS) Development Regulations. The applicant had originally requested a variance from Section 6.03.03, Guardhouses and Gates (Site Development Plan Design Standards). However, Transportation staff advised the applicant that a variance to the LUHO will not apply, since that standard applies to residential entrances (Subdivisions). Additionally, transportation staff indicated that the applicable LDC Sections are 6.04.03.G and 6.04.04.A, and any deviation to these Sections are handled as Administrative Variances, reviewed and approved by the County Engineer.

The parcel is located at the NE corner of Lakewood Dr. and Morrison Rd. in Brandon. The site is within the Town Center (TC-2) subdistrict of the BMS zoning district and is currently vacant. The applicant intends to develop the site with a new office building. The BMS Development Regulations requires specific Block design standards, including minimum building frontages and parking placement along roads designated as “A Streets”; and compatibility requirements for buildings types within the TC 1 and 2 subdistricts. The project will be fronting an A Street (Morrison Rd.) The proposed project would have access from Morrison Rd. to meet LDC Site Access standards. However, as proposed, the project would not be meeting minimum building frontage percentages, parking location for sites along “A Streets”, and the building type compatibility requirement. In order to accommodate the new site design, variances from the BMS requirements are needed. All other requirements of the BMS will be met. The variances requested are as follows:

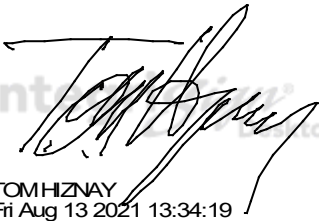
**VARIANCE(S):**

SUMMARY OF VARIANCES	REQUIREMENTS	VARIANCE	RESULT	APPLICABLE LDC SECTION
1. Variance to the Off-street surface parking location.	Off-street surface parking lots must be located behind "A" Street frontage buildings and shall not front on any "A" Street but may front "B" Streets.	To relocate the off-street surface parking areas in sites with an "A" Street frontage building (Morrison Rd.).	The off-street surface parking lot would be located to the side of "A" Street frontage buildings and will front an "A" Street (Morrison Rd.).	3.12.04.A.3.a.1 Off-street parking (surface parking lots)
2. Variance to building frontage requirements (along Morrison Rd).	Building frontages shall occupy no less than 75 percent of a project's "A" Street frontage.	To reduce the building frontage percentage by 19%	Building frontage would occupy 56% of the project's "A" Street frontage (Morrison Rd).	3.12.04.B.2.a Building Frontage
3. Variance to Building Type Compatibility for buildings in the Town Center II district.	Dissimilar building types, when adjacent in the Town Center I and Town Center II districts, shall a but a rear and/or side lot lines separated by a street, shared alley, service/parking drive or pedestrian way a minimum of 25 feet in width.	To eliminate the separation by a street, shared alley, service/parking drive or pedestrian way a minimum of 25 feet in width from adjacent dissimilar building types along the north and east.	No street, shared alley, service /parking drive or pedestrian way a minimum of 25 feet in width will be provided along the north and east, adjacent dissimilar building types.	3.12.04.3.f Compatibility

**DISCLAIMER:**

The variances listed above are 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.

**ADMINISTRATOR'S SIGN-OFF**



TOM HIZNAY  
Fri Aug 13 2021 13:34:19

**Attachments: Application**  
**Site Plan**  
**Petitioner's Written Statement**  
**Current Deed**



## VARIANCE REQUEST

1. Project Narrative: 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.

A variance allowing the location of the off-street parking; which is not behind an "A" street frontage.

A variance of compatibility separation by a street, shared alley, service/parking drive or pedestrian way a minimum of 25 feet in width.

A variance from the requirement that the proposed building front 75% of the "A" street frontage.

A variance from the requirement that a gate distance is compliant with the TTM.

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

3.12.04.A.3.a.1; Sec 3.12.04 A.3.f; 3.12.04.B.2.a; and Sec. 6.03.03.

## 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 (Attachment A).
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 and/or septic 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 Reclaimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing (form may be obtained from **19<sup>th</sup> floor County Center**).



# Additional / Revised Information Sheet

Date Stamp Here

Application Number: 21-1014 Applicant's Name: Bradley Herremans

Reviewing Planner's Name: Israel Monsanto Date: 08/04/2021

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): 08/23/2021

### The following must be attached to this Sheet.

Cover Letter with summary of the changes and/or additional information provided. If a revised Site Plan is being submitted, all changes on the site plan must be listed in detail in the Cover Letter.

An updated Project Narrative consistent with the changes or additional information provided, if applicable.

Submittal Via:

Email (Preferred). Note that no follow up paper file is necessary. Pdf format only. Maximum attachment(s) size is 15 MB.

Email this sheet along all the additional/revised submittal items in pdf to: [ZoningIntake-DSD@hcflgov.net](mailto:ZoningIntake-DSD@hcflgov.net)

Mail or delivery. Number of Plans Submitted: Large \_\_\_\_\_ Small \_\_\_\_\_

For PD, MM, PRS and SU: 7 large copies 24"X36", one small 8.5X11".  
For RZ-Standard: if plot plan is larger than 8.5"X11", 7 large copies should be submitted.  
For Minor Change: 6 large copies.  
For Variances or Conditional Use permits: one 8.5"X11" or larger)

**Mail to:**  
Development Services Department  
Community Development Division  
P.O. Box 1110  
Tampa, FL 33601-1110

**Hand Deliver to:**  
County Center  
Development Services Department  
19th Floor  
601 E. Kennedy Blvd., Tampa

*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.*

Jesus A Merly  
00'04- 16:20:18 2021.08.04

Signature

08/04/2021

Date

FOR OFFICE USE ONLY

- Notification E-Mail Sent
- Scanned into OPTIX
- Transmittal Completed

In-Take Completed by: \_\_\_\_\_

August 4, 2021



5M Civil LLC

12506 Bronco Drive

Tampa, FL 33626

t: 813.404.8872

www.5mcivil.com

Mr. Israel Monsanto  
Development Services Department  
Post Office Box 1110  
Tampa, FL 33601

**Subject: Variance 21-1014 Additional Information**

Dear Mr. Monsanto:

Pursuant to our conversation, please find the attached:

1. Revised Variance Criteria Responses for each variance.

I trust the above is sufficient. Should you have any questions during review, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jesús Merly', with a long, sweeping flourish extending to the right.

5M Civil LLC  
Jesús Merly, P.E.  
Manager

21-1014

**VARIANCE 1**  
**LDC 3.12.04.A.3.a.1;**  
**PARKING LOT FRONTS TYPE "A" STREET**  
**CRITERIA RESPONSE**

1. The hardships are unique to this lot because of its size and location on a corner adjacent to a residential property. For vehicular safety reasons, and understandably so, an access from Lakewood Dr. is not supported by County transportation staff. This requires access from Narwood Lane. To provide sufficient parking, it is necessary to provide parking along the eastern side of the property, which fronts a Type "A" street.
2. The literal requirements of the LDC would prohibit parking along the eastern perimeter of the property. This would result in a substantial reduction in the size of any structure built on this property, making the property unfeasible for development because of insufficient parking.
3. The variance will not interfere with the rights of others because the proposed building, wall facade, and required landscaping will screen the parking area fronting Narwood Lane.
4. The variance serves the general intent, as the proposed facade wall, gates, and landscaping are intended to comply with parking lot screening requirements.
5. There are no code violations on the property. The previous commercial building was dilapidated and abandoned. That building has been demolished. The proposed redevelopment of the parcel will enhance the community. The proposed new site design and structure will comply with the aesthetic requirements of the Design District.
6. Suncoast Community Health Centers provides medical services throughout Hillsborough County, and the extension of their facilities on this lot will increase the public benefit by providing administrative / business services to support the medical care services provided at their nearby Brandon facility and other Suncoast Community Health Centers facilities located throughout Hillsborough County. Failure to provide such a variance will reduce the public medical service benefit.

**VARIANCE 2**  
**LDC 3.12.04.B.2.a**  
**BUILDING DOES NOT FRONT 75% OF NARWOOD LANE**  
**CRITERIA RESPONSE**

1. The hardships are unique to this lot because of its size and location on a corner adjacent to a residential property. For vehicular safety reasons, and understandably so, an access from Lakewood Dr is not supported by County transportation staff. This requires access from Narwood Lane. Construction of this access does not allow for 75% frontage along Narwood Lane.
2. Since access from Lakewood Dr. is not supported by County staff, compliance with the literal requirements of the LDC would eliminate access to the property. This would deprive the owner of vehicular access to the property.
3. The variance will not interfere with the rights of others because the proposed building, wall facade, and gate will front more than 75% of Narwood Lane.
4. A variance granted for the proposed plan would be in harmony with the LDC since the general intent of the proposed features are to front 75% of Narwood Lane.
5. There are no code violations on the property. The previous commercial building was dilapidated and abandoned. That building has been demolished. The proposed redevelopment of the parcel complying with the frontage requirements of the LDC will enhance the community. The proposed new site design and structure will comply with all aesthetic requirements of the Design District.
6. Suncoast Community Health Centers provides medical services throughout Hillsborough County, and extension of their facilities on this lot will increase the public benefit by providing administrative / business services to support the medical care services provided at their nearby Brandon facility and other Suncoast Community Health Centers facilities located throughout Hillsborough County. Failure to provide such a variance will reduce the public medical service benefit.



**VARIANCE 3**  
**LDC 3.12.04.3.f;**  
**COMPATIBILITY SEPARATION REQUIREMENTS**  
**CRITERIA RESPONSE**

1. The hardships are unique to this lot because of its size and location on a corner adjacent to residential properties on the north and east sides. The proposed site and the adjacent residential properties are zoned within the Brandon Main Street special zoning district. The required compatibility separation would eliminate parking spaces along the perimeter of the site and effectively render the development on the property unfeasible.
2. The literal requirements of the LDC would prohibit parking along the perimeter of the property. This would result in a substantial reduction in the size of any structure built on this property, making it impossible to meet the owner's square footage requirements based on the anticipated functions that will take place within the building. Furthermore, the resulting building configuration would be too narrow to accommodate an office building with a double-loaded central corridor as required to satisfy the owner's programmatic needs.
3. The variance will not interfere with the rights of others because in lieu of a parking drive or street providing separation, parking spaces and green space will be provided to function as separation from adjacent properties. This condition would result in less impact to adjacent properties than with the strict requirements of the LDC.
4. The variance serves the general intent, as the separation between incompatible land uses will be mitigated by landscaping buffers and parking.
5. There are no code violations on the property. The previous commercial building was dilapidated and abandoned. That building has been demolished. The proposed redevelopment of the parcel complying with the frontage requirements of the LDC will enhance the community. The proposed new site design and structure will comply with all aesthetic requirements of the Design District.
6. Suncoast Community Health Centers provides medical services throughout Hillsborough County, and the extension of their facilities on this lot will increase the public benefit by providing administrative / business services to support the medical care services provided at their nearby Brandon facility and other Suncoast Community Health Centers facilities located throughout Hillsborough County. Failure to provide such a variance will reduce the public medical service benefit.

## **VARIANCE 4**

### **LDC Sec. 6.03.03; GATE DISTANCE DOES NOT MEET TTM CRITERIA RESPONSE**

1. The hardships are unique to this lot because of its size and location on a corner adjacent to residential properties on the north and east sides. The proposed site and the adjacent residential properties are zoned within the Brandon Main Street (BMS) special zoning district. The building's L-shape (made necessary by the Design District's 75% frontage requirement along the south) creates an internal blind spot within the property such that passing police vehicles will not be able see into the site. To provide security and comply with the required minimum setback requirement and frontage requirements of the BMS district, a gate, even with the building setback, is needed.
2. Since sight lines into the parking area are blocked, the literal requirements of the LDC would prohibit providing sufficient security. Cars will never obstruct the right-of-way due to these gates because they will always be open when the building is open.
3. The variance will not interfere with the rights of others because the gates will be open during business hours. There will be no obstruction into the right of way.
4. By providing a gate to establish frontage along Narwood Lane, a variance for the gate is in general harmony with the design intent of the BMS special zoning. The gates will be closed after hours to establish building frontage along Narwood Lane.
5. There are no code violations on the property. The previous commercial building was dilapidated and abandoned. That building has been demolished. The proposed redevelopment of the parcel complying with the frontage requirements of the LDC will enhance the community. The proposed new site design and structure will comply with all aesthetic requirements of the Design District.
6. Suncoast Community Health Centers provides medical services throughout Hillsborough County, and the extension of their facilities on this lot will increase the public benefit by providing administrative / business services to support the medical care services provided at their nearby Brandon facility and other Suncoast Community Health Centers facilities located throughout Hillsborough County. Failure to provide such a variance will reduce the public medical service benefit.

Prepared by & Return to:  
Shayla Payson  
All American Title Affiliates, LLLP  
679 West Lumsden Road  
Brandon, Florida 33511

File Number: LP180237P

## General Warranty Deed

Made this **June 4, 2018** A.D. By **Kim T. Buchanan, unmarried**,  
whose address is: 1104 Metwood Court, Brandon, Florida 33511,  
hereinafter called the grantor, to **Suncoast Community Health Centers, Inc.**,  
whose post office address is: Attn: Jeb S. Kelly, 13110 Elk Mountain Drive, Riverview, Florida 33579,  
hereinafter called the grantee:

(Whenever used herein the term "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)

**Witnesseth**, that the grantor, for and in consideration of the sum of Ten Dollars and no cents, ( 10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Hillsborough County, Florida, viz:

From the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of Section 28, Township 29 South, Range 20 East, Hillsborough County, Florida; run South 00° 17' 17" West, 840.38 feet along the West boundary of said Southwest 1/4 of the Northeast 1/4 to the Point of Beginning; thence continue South 00° 00' 17" West, 130.38 feet; thence South 89° 48' 39" East, 152.50 feet; thence North 00° 00' 17" East, 130.88 feet; thence North 89° 59' 43" West, 152.50 feet to the Point of Beginning. Less and except road right of ways.

Parcel ID Number: **071844-0000**

**Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.**

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**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 said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2017.


**In Witness Whereof**, the said grantor has signed and sealed these presents the day and year first above written.


Prepared by & Return to:  
Shayla Payson  
All American Title Affiliates, LLLP  
679 West Lumsden Road  
Brandon, Florida 33511

File Number: LP180237P

*Signed, sealed and delivered in our presence:*

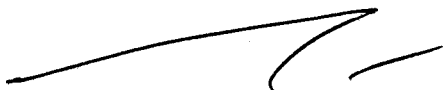
  
\_\_\_\_\_  
Witness #1 signature  
Witness #1 Printed Name Susan H. Luther

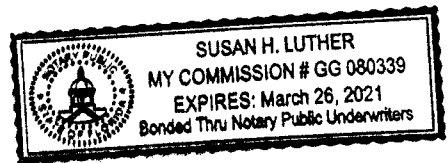
  
\_\_\_\_\_  
Witness #2 signature  
Witness #2 Printed Name Shayla Payson

 (Seal)  
**Kim T. Buchanan**  
Address: 1104 Metwood Court, Brandon, Florida 33511

State of Florida  
County of Hillsborough

The foregoing instrument was acknowledged before me this June 4, 2018, by Kim T. Buchanan, unmarried, who is/are personally known to me or who has produced Driver's License as identification.

  
\_\_\_\_\_  
Notary Public Signature  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_





Received  
06/29/2021  
Development Services

# VARIANCE APPLICATION

## IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

You must schedule an appointment to submit this application by calling 813-272-5600.  
All requirements listed on the submittal checklist must be met. **Incomplete applications will not be accepted.**

### Property Information

Address: 321 S Lakewood Dr City/State/Zip: Bra;ndon, FL 33511 TWN-RN-SEC: 28-29-20  
Folio(s): 71844.0000 Zoning: BMS-TC2 Future Land Use: CMU-12 Property Size: 0.46 ac

### Property Owner Information

Name: Suncoast Community Health Centers, Inc. c/o Bradley Herremans Daytime Phone: (813) 653-6268  
Address: 313 S Lakewood Dr City/State/Zip: Brandon FL 33511  
Email: bherremans@suncoast-chc.org FAX Number: n/a

### Applicant Information

Name: Bradley Herremans Daytime Phone: (813) 653-6268  
Address: 313 S Lakewood Dr City/State/Zip: Brandon FL 33511  
Email: bherremans@suncoast-chc.org FAX Number: n/a

### Applicant's Representative (if different than above)

Name: Jesus Merly Daytime Phone: 813-404-8872  
Address: 12506 Bronco Dr City / State/Zip: Tampa, FL 33626  
Email: jesus.merly@5mcivil.com FAX Number: n/a

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE. TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.

Signature of Applicant

Bradley Herremans

Type or Print Name

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.

Signature of Property Owner

Bradley Herremans

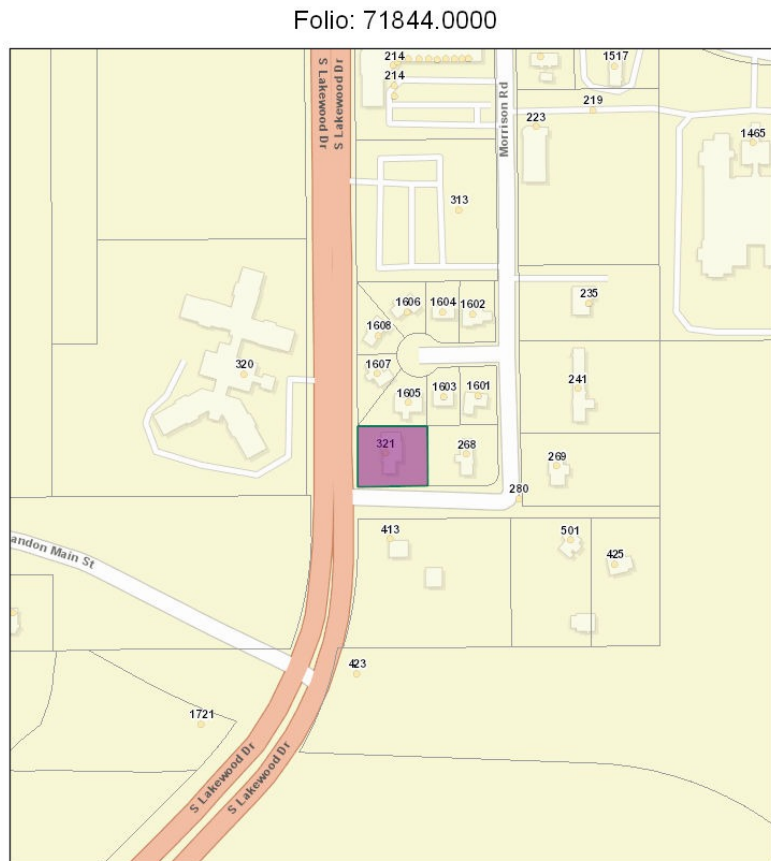
Type or Print Name

Intake Staff Signature: Ana Lizardo Office Use Only Intake Date: 06/29/2021  
Case Number: 21-1014 Public Hearing Date: 08/23/2021  
Receipt Number: HC-ADM-21-0001976

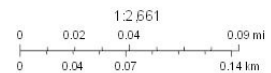


# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Community Based
Zoning	BMS-TC2
Description	Brandon Main Street
RZ	04-0318
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0391H
FIRM Panel	12057C0391H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120395E
County Wide Planning Area	Brandon
Community Base Planning Area	Brandon
Community Base Planning Area	Brandon Main Street
Census Data	Tract: 013307 Block: 1007
Future Landuse	CMU-12
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 7
Wind Borne Debris Area	Outside 140 MPH Area
Overlay District	Brandon Main Street
Competitive Sites	NO
Redevelopment Area	NO



June 30, 2021



RS, Hillsborough County - Public Works - Geomatics - Streets &amp; Addresses

Hillsborough County, Florida

**Folio:** 71844.0000  
**PIN:** U-28-29-20-ZZZ-000002-68100.0  
**SUNCOAST COMMUNITY HEALTH CENTERS INC**  
**Mailing Address:**  
 C/O JEB S KELLY  
 13110 ELK MOUNTAIN DR  
 RIVERVIEW, FL 33579-7182  
**Site Address:**  
 321 S LAKEWOOD DR  
 BRANDON, FL 33511  
**SEC-TWN-RNG:** 28-29-20  
**Acreage:** 0.45355901  
**Market Value:** \$181,472.00  
**Landuse Code:** 1000 VACANT COMM.

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

21-1014