



Hillsborough County Florida

LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-0234	
LUHO HEARING DATE: January 24, 2022	CASE REVIEWER: Kim King

REQUEST: The applicant is requesting variances to the Keystone-Odesa Rural Development Standards for an existing monument sign serving a church that is located in the rural area of the Keystone-Odesa Community Plan.

VARIANCE(S):

Per LDC Section 3.08.06.C.2 of the Keystone-Odesa Rural Development Standards, all monument signs shall be externally illuminated only. Additionally, per LDC Section 3.06.06.C.3, the use of plastic display panels on all ground signs is prohibited. The applicant is requesting variances to allow a plastic display panel with internal illumination on the top portion of the sign, and a changeable copy panel with internal illumination on the bottom portion of the sign.

FINDINGS:

- A sign permit (NSG22917) was issued in error on July 29, 2020 to replace the existing sign on the property.
- The property is under Code Enforcement citation (CE21011516) for the sign.

DISCLAIMER:

The variance listed above is 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



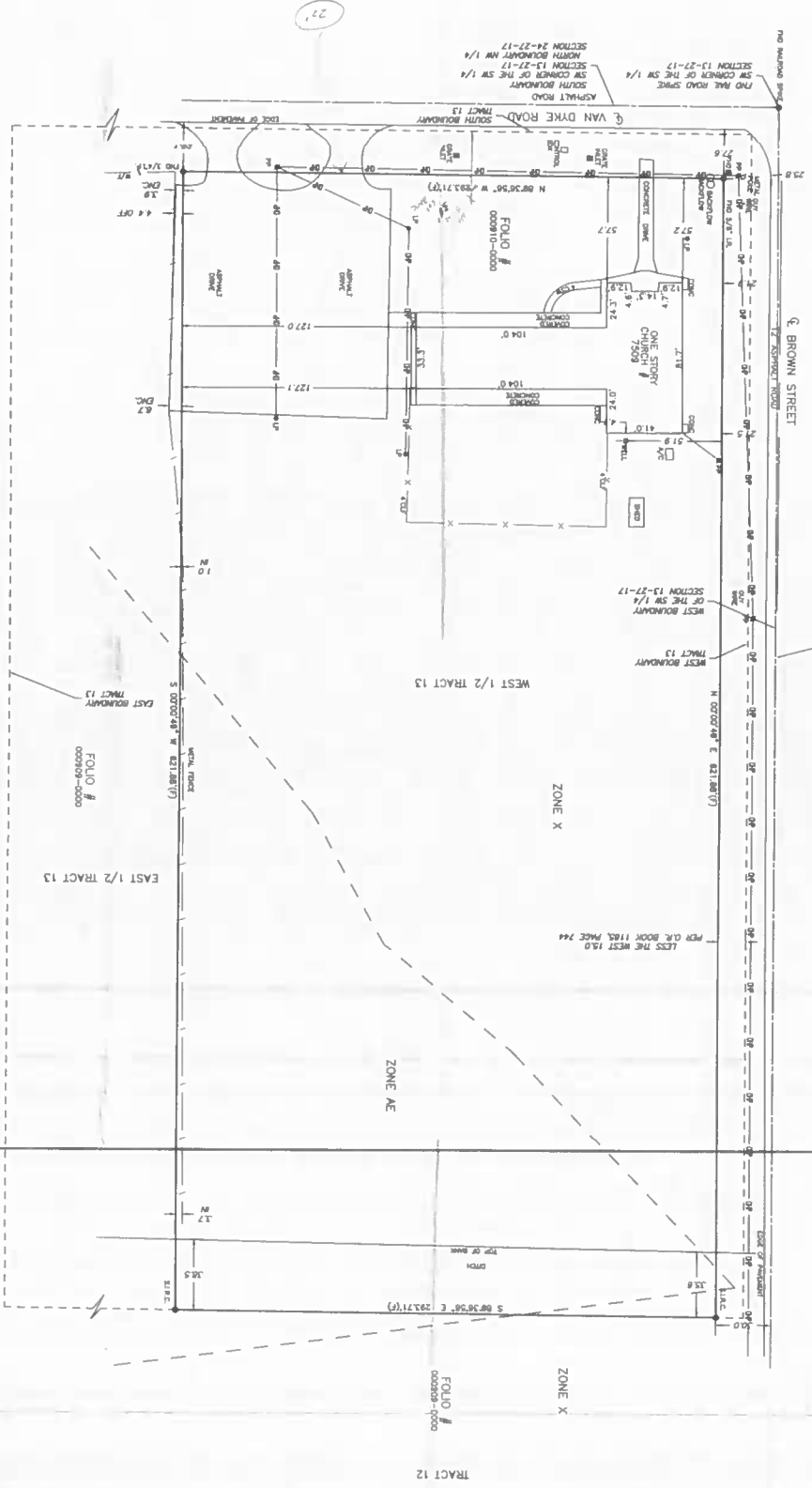
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Wed Jan 12 2022 12:20:46

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

LEGAL DESCRIPTION:
THE WEST 1/4 OF TRACT 13 OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 27 SOUTH, RANGE 17 EAST, OF KERSTOME PARK COLONY SUBDIVISION, AS PER MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 53, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, LESS THAT PORTION DESCRIBED IN DEED RECORDED IN DEED RECORDS BOOK 1185, PAGE 744, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.



SECTION 13, TOWNSHIP 27 SOUTH, RANGE 17 EAST
HILLSBOROUGH COUNTY, FLORIDA



- SURVEYOR'S NOTES:
- 1) ALL MEASUREMENTS ARE IN U.S. FEET
 - 2) NO UNDERGROUND UTILITIES WERE LOOKED AT THIS TIME
 - 3) BEARINGS ARE BASED UPON THE SOUTHERLY LINE OF LOT, N. 89°36'50" E., ASSUMED BEARING
 - 4) PROPERTY IS IN RTRM ZONE "A", "E", & "X"
 - 5) ACCORDING TO NATIONAL FLOOD INSURANCE RATE MAP, REVISED 9-27-2013 ELEVATIONS ARE BASED ON NAVD 88 DATUM
 - 6) LEGAL DESCRIPTION FURNISHED BY CLIENT
 - 7) ALL MEASUREMENTS ARE IN U.S. FEET

LEGEND:

ASB = AIR CONDITIONER	LB = ROOM NO.
CL = COMMON WALL	LB = UNLICENSED BUSINESS
CL = COMMON WALL	OU = OVER HEAD UTILITY
CON = CONCRETE	P.O.B. = POINT OF BEGINNING
CON = CONCRETE	PC = POINT OF COMMENCEMENT
CS = CONCRETE SIDEWALK	PL = PLANT
CP = CURB	PP = POWER POLE/POLE
F = FIELD MEASUREMENT	PR = POWER POLE/POLE
HD = FENCE	SR = SET 3/4" IN. & CAP. LB9945
HP = FENCE POST	SR = SET 3/4" IN. & CAP. LB9945
IP = IRON PIPE	W/ = WOOD FENCE

CERTIFIED TO:
L. WILLIAMSON
DATE: 11/24/2021

NOT VALID WITHOUT SIGNATURE WITH SURVEYOR SEAL

CERTIFICATION

WILLIAMSON & ASSOCIATES, INC.
PROFESSIONAL SURVEYORS
MAPPERS & LB # 6945
5020 GINN HIGHWAY SUITE 220 A
TAMPA, FL 33624
TEL: (813) 285-4958
FAX: (813) 285-0562

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.

decided

In early 2020 the Church of the Resurrection a sign was needed at our property at 7509 Van Dyke Rd. Hillsborough County. The sign would help the church ministering to the local community with public service announcements, service times, bible passages etc. The church ~~exp~~ contracted with Robson Corporation, one of the most popular and respected sign companies in Hillsborough County. Robson designed the sign ~~for~~ and submitted application for Permit NS622917 which was approved by Hillsborough County on 07/22/20. The sign was built as designed and installed on 11/2/20. The church received a Notice of Violation from Hillsborough County regarding NS622917 on 3/4/21, four months after the sign was installed. The sign was planned, constructed and is being used in complete good faith with the community and permitting authority.

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

Section 3.08.06.C. 2 & 3

ADDITIONAL INFORMATION

1. Have you been cited by Hillsborough County Code Enforcement? No _____ Yes X
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 X 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 X 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 X
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 X 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 19th floor County Center).

The Church of the Resurrection is requesting a variance on Section 3.08.06.C.2+3 for the following reasons:

- ① Our sign was legally permitted by Hillsborough County on 07/22/20. It was built and installed as approved by Permit NS622917 on 11/02/20.
- ② The sign has been in use for almost a year and has proven very useful for community outreach and spiritual messages.
- ③ We turn ~~it~~ ^{the sign} off every night at 9 pm
- ④ The sign was designed using LED panels which are externally illuminated. The church would be amenable to modifying the top portion of the sign which is ~~is~~ static but is internally illuminated. The LED portion is exterior illumination, is connected to ~~the~~ wifi and allows us to quickly and effectively change the sign's message when necessary. It has a lower light pollution rating than other types of illumination.
5. The sign was purchased by the church with a memorial gift by a parishoner who's father passed away. It cost the church over \$24,000.00 and left no money for modifications.

VARIANCE CRITERIA RESPONSE

You must provide a response to each of the following questions. If additional space is needed, please attach extra pages to this application.

1. Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located?

The sign was completely permitted. Its been operating for almost a year. The church and local community need this sign for public service announcements and spiritually uplifting messages.

2. Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC.

The requirements are extremely outdated. The church needs the LED panel to effectively communicate quickly changing information for the community.

3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.

The sign is currently set back 25' from the right of way. We turn it off at 9pm every night. The LED panels emit less light pollution than older methods of illumination (spots etc.)

4. Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose).

① It's a monument sign

② Only the top static part of the sign is internally illuminated. The LED panels are externally illuminated.

③ The church is willing to work with Robson and Hillsborough County to modify the top/static portion of the sign to ~~comply~~ comply with restrictions even though its permitted.

5. Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship.

Church of the Resurrection hired a very reputable sign company who designed the sign, ~~and~~ filed and received full approval for the permit from Hillsborough County. The sign was constructed, installed, signed off by Hillsborough County and has been in operation for almost a year.

6. Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.

The church paid over \$24,000.00 for the sign. It was completely permitted by ~~the~~ Hillsborough County. The church operated in good faith with Robson and Hillsborough County. The church and local community need this sign and Church of the Resurrection should not be financially or otherwise harmed by a mistake made by Hillsborough County permitting.

Prepared without the benefit of title search and without opinion as to title by and return to:
Marsha G. Rydberg
The Rydberg Law Firm P.A.
701 S. Howard Avenue #106-334
Tampa FL 33606

WARRANTY DEED

THIS INDENTURE, made this 23rd day of September 2016, by and between PRESBYTERY OF TAMPA BAY, INC. a Florida not-for-profit corporation, whose mailing address is 455 Scotland St. #1, Dunedin FL 34698, Grantor, and CHURCH OF THE RESURRECTION TAMPA, INC., a Florida not-for-profit corporation, whose mailing address is P. O. BOX 341106, TAMPA, FL 33694, Grantee.

WITNESSETH: That Grantor, for and in consideration of the sum of TEN AND NO/ 100 DOLLARS (\$10.00), in lawful money of the United States of America, and other valuable consideration, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and conveyed to Grantee, its successors and assigns forever, all of the following described property in Hillsborough County, Florida, to-wit:

The West one-half of Tract 13 of the SW ¼ of Section 13, Township 27 South, Range 17 East, of Keystone Park Colony Subdivision, as per map or plat thereof recorded in Plat Book 5 Page 55 of the Public Records of Hillsborough County Florida LESS the portion described in the deed recorded in Official Records Book 1165 Page 744, of the Public Records of Hillsborough County Florida.

Hillsborough County Property Appraiser's Parcel Identification No. 000910-0000.

in fee simple forever.

And Granter does hereby covenant with Grantee that said described property is free from all liens and encumbrances except: Taxes and assessments for the year 2016 and all subsequent years and easements, restrictions and mortgages of record.

And Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has executed this deed under seal on the date aforesaid.

Signed, sealed and delivered in the presence of:

PRESBYTERY OF TAMPA BAY, INC. a Florida not for profit corporation

Print Name: Heidi A. Palmer

By [Signature]
Print Name: DAN JOHNSON

Print Name: Gary A. Gibbons

Its President

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 23rd day of September, 2016 by Dan Johnson as President of PRESBYTERY OF TAMPA BAY, INC. a Florida not for profit corporation who is personally known to me or who [1] has produced a Florida Driver License as identification, and who did not take an oath.

[NOTARY SEAL]



NOTARY PUBLIC
PRINT NAME: Heidi A. Palmer
MY COMMISSION EXPIRES: 12/31/2017



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: 7509 Van Dyke Rd City/State/Zip: 33556 ODESSA FL TWN-RN-SEC: 27-17-13
Parcel(s): 000910-0000 Zoning: X Future Land Use: _____ Property Size: 4.155 acres

Property Owner Information

Name: Church of the Resurrection, Inc. Daytime Phone: 813 261-0799
Address: 7509 Van Dyke Road City/State/Zip: Odeessa, FL 33556
Email: cotr.tampa@gmail.com FAX Number: NONE

Applicant Information

Name: Steve Phillips Daytime Phone: 813 417 8295
Address: 94 Columbia Dr Apt A City/State/Zip: Tampa, FL 33606
Email: stave tpa@yahoo.com FAX Number: NONE

Applicant's Representative (if different than above)

Name: _____ Daytime Phone: _____
Address: _____ City / State / Zip: _____
Email: _____ FAX Number: _____

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]
Signature of Applicant
Steve Phillips
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]
Signature of Property Owner
Amy Faulkner
Type or Print Name

Intake Staff Signature: Clare Odell Office Use Only Intake Date: 11-24-21
Case Number: 22-0234 Public Hearing Date: 01/24/2022
Receipt Number: 107316

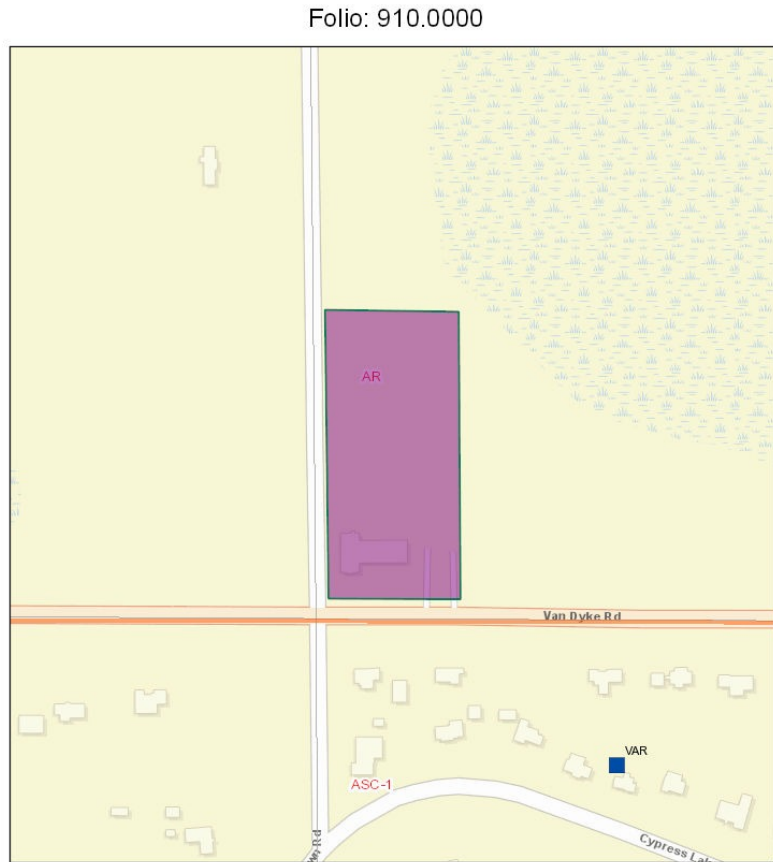
Development Services Department, 601 E Kennedy Blvd, 20th Floor

07/02/2014



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	AR
Description	Agricultural - Rural
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
Flood Zone:AE	BFE = 55.5 ft
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0039H
FIRM Panel	12057C0039H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	A
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120040D
County Wide Planning Area	Keystone Odessa
Community Base Planning Area	Keystone Odessa
Census Data	Tract: 011509 Block: 4007
Future Landuse	N
Future Landuse	A/R
Mobility Assessment District	Rural
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



November 24, 2021

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0 0.02 0.04 0.09 mi
0 0.04 0.07 0.14 km

Hillsborough County Florida

Folio: 910.0000
PIN: U-13-27-17-001-000000-08770.0
CHURCH OF THE RESURRECTION TAMPA INC
Mailing Address:
 7509 VAN DYKE RD
 ODESSA, FL 33556-4619
Site Address:
 7509 VAN DYKE RD
 ODESSA, FL 33556
SEC-TWN-RNG: 13-27-17
Acreage: 4.11151981
Market Value: \$497,913.00
Landuse Code: 7100 INSTITUTIONAL

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

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