



LAND USE HEARING OFFICER AGENDA - FINAL

10:00 A.M. MONDAY, July 25, 2022

**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 July 25, 2022

The following dates pertain only to applications heard at the July 25, 2022 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on August 15, 2022.

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-CFW 22-0368 Tampa Electric Company**

This application has been **WITHDRAWN** by the **PETITIONER**.

A.2. VAR 22-0715 SL6 Hangar Court, LP

This application is out of order to be **HEARD** and is being **CONTINUED** to the **August 22, 2022 LUHO**.

A.3. VAR 22-0722 Larry Albritton

This application is out of order to be **HEARD** and is being **CONTINUED** to the **August 22, 2022 LUHO**.

A.4. SU-AB 22-0836 Vobre Altidor

This application is out of order to be heard and is being **CONTINUED** to the **August 22, 2022 LUHO**.

A.5. VAR 22-0849 Kendrick & Lisa Callwood

This application is out of order to be heard and is being **CONTINUED** to the **August 22, 2022 LUHO**.

A.6. VAR 22-0851 Bricklemyer Law Group

This application has been **CONTINUED** by **STAFF** to the **September 26, 2022 LUHO**.

A.7. VAR 22-0930 Drs. Kiran and Pallavi Patel 2017 Foundation

This application has been **WITHDRAWN** by the **PETITIONER**.

A.8. SU-AB 22-1010 Agincourt Industries, LLC.

This application has been **WITHDRAWN** by the **PETITIONER**.

A.9. VAR 22-1012 Sentosa Riverview Owner, LLC.

The **APPLICANT** has requested a **CONTINUANCE** to the **October 24, 2022 LUHO**.

B. VESTED RIGHTS**C. FEE WAIVER****D. REMANDS****E. RECONSIDERATION REQUESTS****F. SITE DEVELOPMENT VARIANCE REQUESTS**

- F.1. Application Number: VAR 22-0716**
Applicant: David Wright/TSP Companies, Inc
Location: 12207 Adventure Dr.
Folio Number: 077452.5630
Acreage (+/-): 0.14 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: PD (85-0139)
Request: Requesting a Variance to Encroach into the 30' Wetland Conservation Setback Area and Variance to Lot Development Standards.

G. SIGN VARIANCE REQUESTS

H. VARIANCE (VAR) REQUESTS

- H.1. Application Number: VAR 22-0761**
Applicant: Deidra Hickcox
Location: 10124 E. Columbus Dr.
Folio Number: 065678.0000
Acreage (+/-): 0.34 acres, more or less
Comprehensive Plan: UMU-20
Service Area: Urban
Existing Zoning: CN
Request: Requesting a Variance to buffering and Screening Requirements.
- H.2. Application Number: VAR 22-0855**
Applicant: Michael & Dolores Morris
Location: 1110 Samy Dr.
Folio Number: 018705.5044
Acreage (+/-): 0.27 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: RSC-4
Request: Requesting a Variance to Lot Development Standards.

- H.3. Application Number: VAR 22-0890**
Applicant: Laura Goldhamer
Location: West side of McIntosh Rd and McIntosh Lakes Ln. Intersection
Folio Number: 084712.0300
Acreage (+/-): 7.78 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: AS-1
Request: Requesting Variances to Scenic Roadway and Fence Requirements.
- H.4. Application Number: VAR 22-0898**
Applicant: John Whitehead
Location: 70 Ft South of Valhalla Ln. & Hawk Griffin Rd. Intersection
Folio Number: 000837.0000 & 000838.0000
Acreage (+/-): 20 acres, more or less
Comprehensive Plan: A/R
Service Area: Rural
Existing Zoning: AR
Request: Requesting a Variance to Fence Requirements.
- H.5. Application Number: VAR 22-0910**
Applicant: Nguyen Kupia Tri & Trough Sinh
Location: 1700 Ft North of Causeway Blvd and West side of S. 86th St.
Folio Number: 044614.0000 & 044614.0005
Acreage (+/-): 3.1 acres, more or less
Comprehensive Plan: R-9
Service Area: Urban
Existing Zoning: ASC-1 & AS-1
Request: Requesting a Variance to Fence Requirements

H.6. Application Number: VAR 22-0932
Applicant: Christopher Larson
Location: 8014 Linesider Dr.
Folio Number: 075959.0112
Acreage (+/-): 1.07 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a Variance to Accessory Structure Requirements.

H.7. Application Number: VAR 22-0955
Applicant: Timothy J. Healey
Location: 8706 Cobblestone Dr.
Folio Number: 011285.0053
Acreage (+/-): 0.23 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a Variance to Lot Development Standards.

H.8. Application Number: VAR 22-0998
Applicant: Karyn Mathura-Arthur
Location: 2590 Hawk Griffin Rd.
Folio Number: 081800.0000
Acreage (+/-): 0.88 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: ASC-1
Request: Requesting Variance to Lot Development Standards.

- H.9. Application Number: VAR 22-1009**
Applicant: Hamid Kashani
Location: 2036 Gregory Dr.
Folio Number: 035392.5312
Acreege (+/-): 0.17 acres, more or less
Comprehensive Plan: R-20
Service Area: Urban
Existing Zoning: PD (80-0046)
Request: Requesting Variance to Accessory Structure Requirements
And Variance to Lot Development Standards.
- H.10. Application Number: VAR 22-1055**
Applicant: Mike and Luann Leahy
Location: West side of N. Dover Rd and 1050 Ft North of Walden Sheffield Rd.
Folio Number: 084648.0020 & 084648.0060
Acreege (+/-): 2.38 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: ASC-1
Request: Requesting Variance to Fence Requirements.

J. SPECIAL USES

- J.1. Application Number: SU-AB 22-0476**
Applicant: Fat Beet Farm Marketplace and Bakery, LLC.
Location: 13830 W. Hillsborough Ave.
Folio Number: 004102.0000
Acreege (+/-): 11.51 acres, more or less
Comprehensive Plan: OC-20 &R-4
Service Area: Urban
Existing Zoning: PD (18-0681)
Request: Special Use 2-COP Alcoholic Beverage Permit w/waiver(s).

- J.2.** **Application Number:** **SU-AB 22-0861**
Applicant: Amvets Post #26 Valrico Inc
Location: 221 S. Dover Rd.
Folio Number: 086147.0000
Acreage (+/-): 2.6 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: BPO
Request: Requesting a Special Use 11-C Alcoholic Beverage Permit with Separation waiver(s).
- J.3.** **Application Number:** **SU-CFW 22-0826**
Applicant: James Johnston/Shutts & Bowen LLP.
Location: 1017 Kingsway Rd.
Folio Number: 066843.0200
Acreage (+/-): 26.25 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: (PD 97-0084), RSC-9 & ASC-1
Request: Requesting a Special Use for a Communication Facilities, Wireless (LDC Sec. 6.11.29) and Variance to Buffering and Screening Requirements.

I. APPEAL (APP) REQUESTS

- I.1.** **APP 22-1146 Linda Stephens**
Appeal of Non-Conforming Use NCU- 22-0762.