

**Variance Application:** 23-1058  
**LUHO Hearing Date:** November 20, 2023  
**Case Reviewer:** Sam Ball



**Hillsborough  
 County Florida**

Development Services Department

<b>Applicant:</b> Pet Paradise-Apollo Beach, LLC	<b>Zoning:</b> PD
<b>Address/Location:</b> 6340 30 <sup>th</sup> Street NE, Apollo Beach, FL; Folio: 53975.2434	

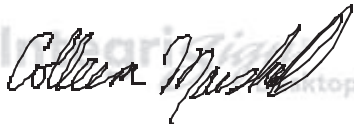
**Request Summary**

The applicant is requesting a sign variance to accommodate sign replacements for non-conforming signs.

**Requested Variances**

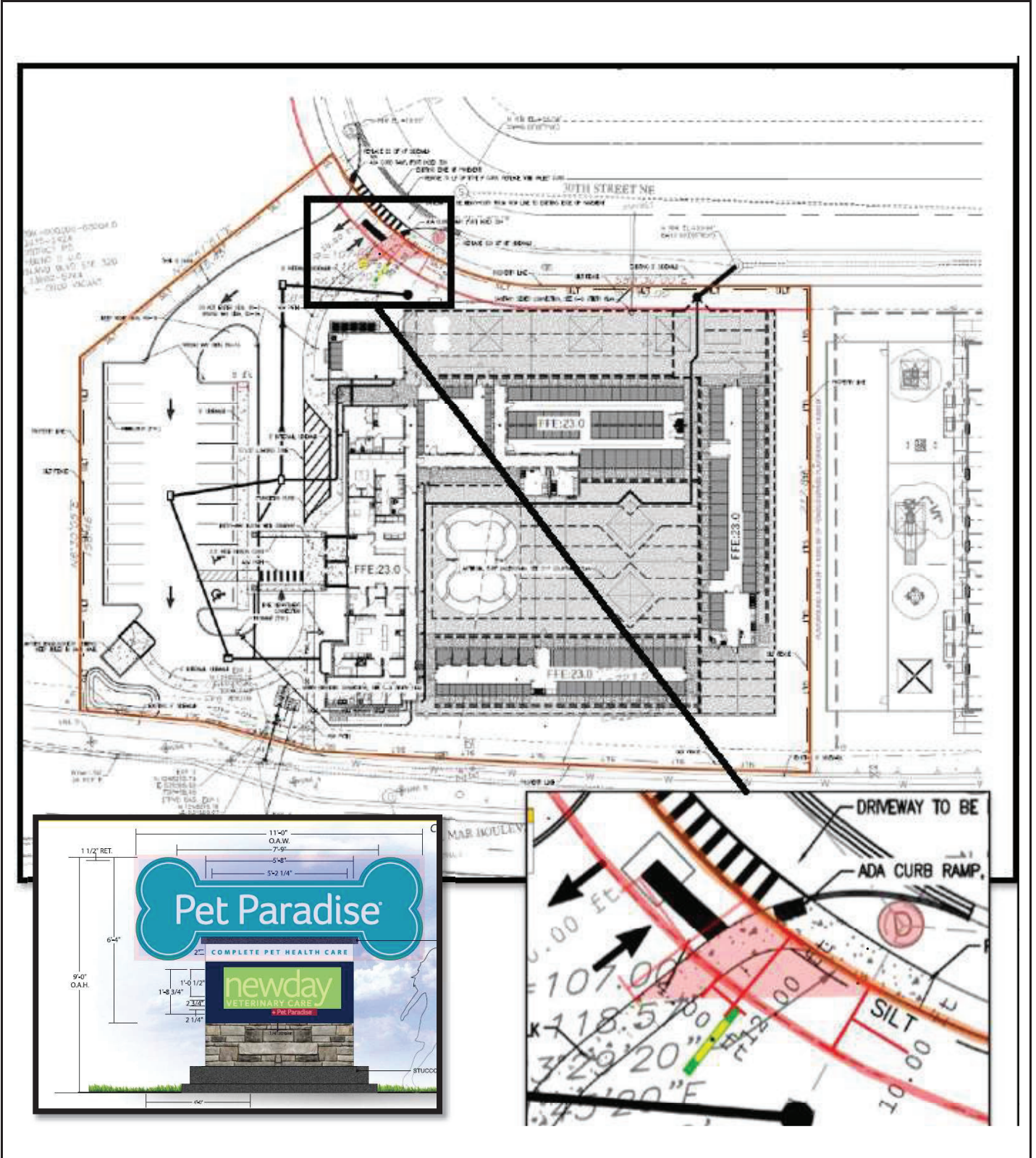
LDC Section	LDC Requirement	Variances	Results
7.03.00.C.1.c	Per LDC Section 7.03.00.C.1.c, concerning minimum setbacks, monument signs shall be set back a minimum of 15 feet from the right-of-way line, but shall be permitted an increase in height of one foot for each one foot of additional setback provided from the right-of-way line up to a maximum height of 30 feet when adjacent to expressways and arterials or 15 feet when adjacent to collectors and local roads.	The applicant requests an eight-foot decrease to the minimum 20-foot setback from the 30 <sup>th</sup> Street NE Right-of-Way.	9-foot-tall monument sign with a 12-foot setback from the 30 <sup>th</sup> Street NE Right-of-Way

<b>Findings</b>	The subject property is required to comply with PD 14-0815 (PRS 20-0004) condition of approval #59, which limits ground signs to monument style signs.
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<b>Zoning Administrator Sign Off:</b>	 Colleen Marshall Thu Oct 26 2023 09:06:18
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**DISCLAIMER:**  
 The variance(s) 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.

8.0 SURVEY/SITE PLAN

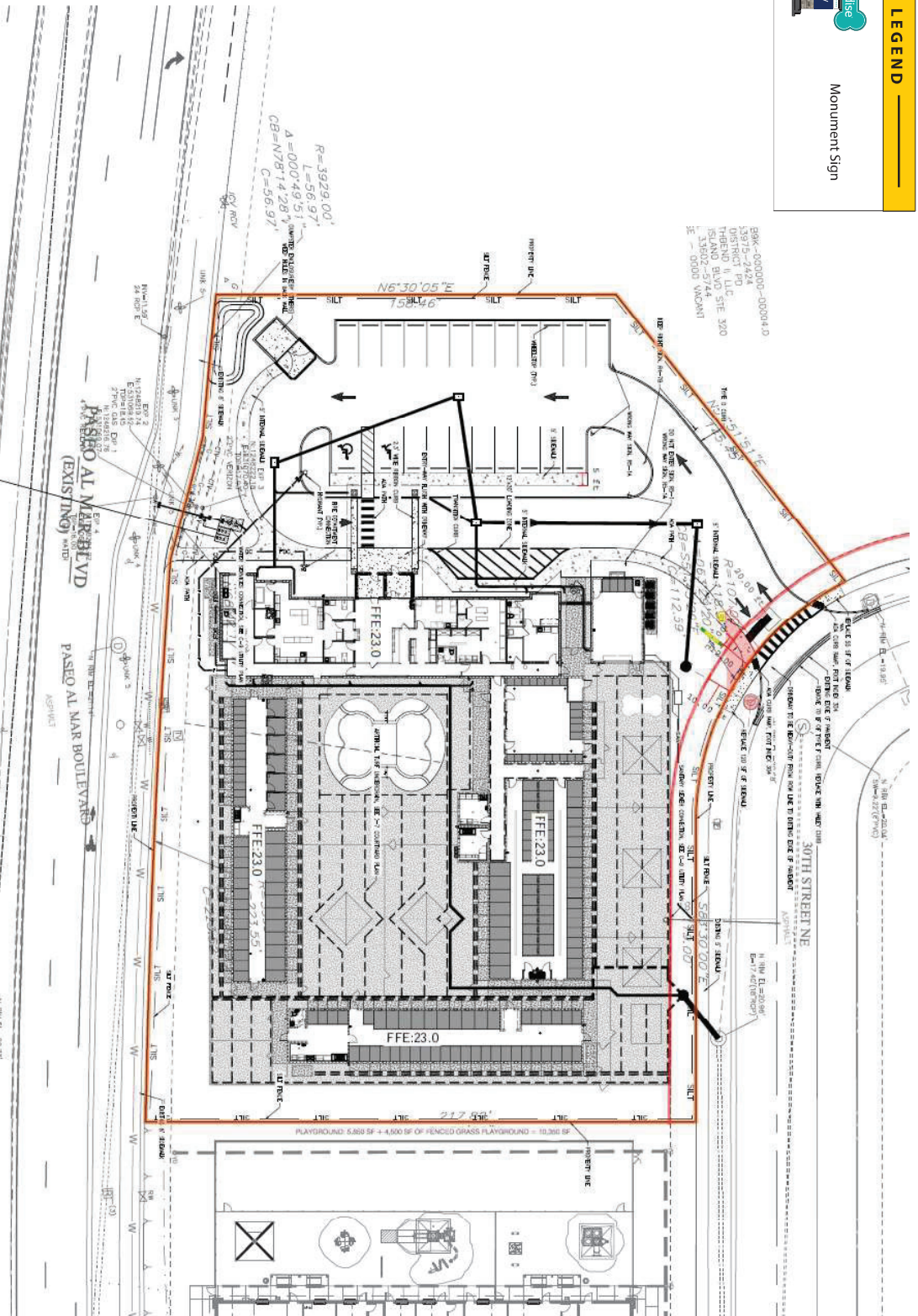






**LEGEND**

**A** Monument Sign



Site Map

N.T.S.



**THOMAS**  
SIGN & AWNING CO INC  
4590 118TH Avenue North  
Clearwater, Florida 33762  
800-526-3325

www.thomassign.com

**CLIENT**

Pet Paradise

Design Number:  
98974

Installation Address:  
6340 30th Street NE  
Apollo Beach, FL 33572

Project Identity Number:  
99004

Sales Associate: Project Team:

RW X Date:

Designer: Date: 01/22/2023

Project Updates:

**Underwriters**  
Laboratories, Inc.  
LISTING 88914  
**ELECTRIC SIGN**  
COMPLIES TO UL 48

**3M™ MCS™ Warranty**

Approved

Approved as noted

Revise & Re-Submit

DATE:

DATE:

Page 1 Sheet

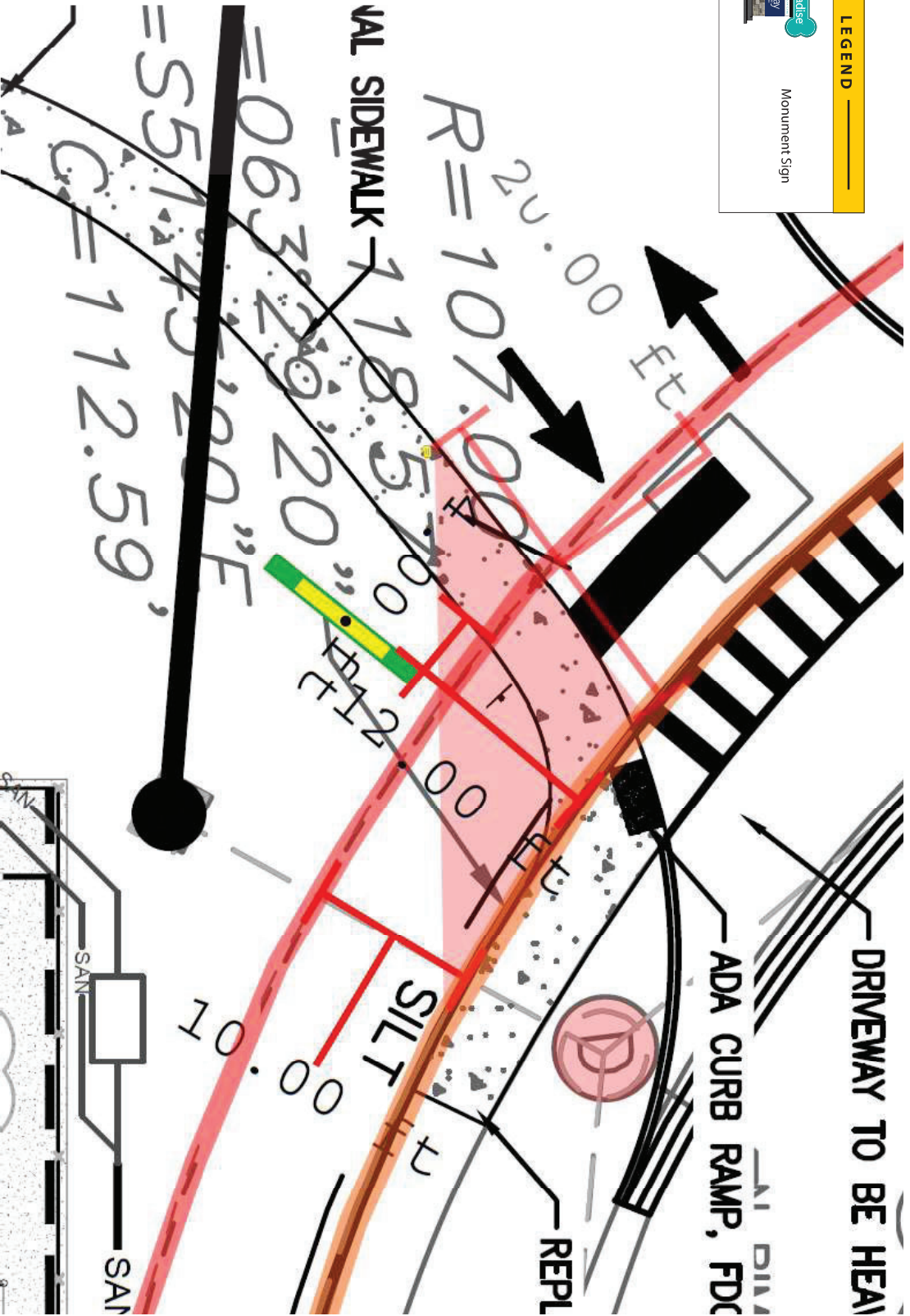
1 of 2

Local: 727-573-7757  
Fax: 727-573-0328



**LEGEND**

- Pet Paradise
- Monument Sign



Site Map

NTS

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 SIGN & AWNING CO INC  
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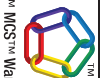
**Sales Associate:** Project Team:

**RW:** X

**Designer:** Date: 01.12.2023

**Project Dates:**  
 Nbr 065.1023 - Connected & Updated Site Map

**Underwriters Laboratories, Inc.**  
 LISTING 888314  
 ELECTRIC SIGN  
 COMPLIES TO UL 48



**3M™ MCS™ Warranty**

Approved:

Approved

Approved as noted

Revise & Resubmit

DATE:

DATE:



*Celebrating 53 Years of Quality Manufacturing and Service*



**A S/F Illuminated Wall Sign**

**Scope of Work:** Manufacture & install (1) internally illuminated monument sign. All aluminum construction with retainer system, painted to match 326C / satin finish. Faces to be 3/16" thick white acrylic with 3M vinyl applied front surface. Top to be internally illuminated with energy efficient white LEDs. Base to be stone with (1) trimless face internally illuminated cabinet & (1) routed and backed with plex. Illuminated cabinet. Stone veneer to match with Fleming Island Stone Veneer location - by others.

**Total Square Feet = 69.66sf**  
 Scale: 1/2" = 1'0"



NTS

**Color Reference**

- MATTHEWS WHITE/ SATIN FINISH REVERSE WEDED WHITE
- MATTHEWS PAINT/ SATIN FINISH 3M DIGITAL PRINT & LAM VINYL TO MATCH 326C
- SW 7674 PEPPERCORN/ STUCCO FINISH
- PAINT TO MATCH 654C "NAVY"/ SATIN FINISH

**THOMAS SIGN & AWNING CO INC**  
 4590 1181TH Avenue North  
 Clearwater, Florida 33762  
 800-526-3325  
 www.thomassign.com

**CLIENT**  
 Pet Paradise  
 Design Number: 98974  
 Installation Address: 6340 30th Street NE, Apollo Beach, FL 33572  
 Project Identity Number: 99004  
 Sales Associate: R/W  
 Designer: JVA  
 Date: 6/12/23

**Underwriters Laboratories, Inc. ELECTRIC SIGN COMPLETS TO UL 48**

**3M™ MCS™ Warranty**

Approval:  Approved  
 DATE:   
 Approved as noted   
 DATE:   
 Review & Re-Submit   
 DATE:   
 3M warrants the performance of the products and materials specified in this document for the life of the product. The warranty is void if the product is not installed, used, or maintained in accordance with the instructions provided in the literature. The warranty is void if the product is used for any purpose other than that intended by the manufacturer. The warranty is void if the product is used in any environment where the manufacturer has not tested the product. The warranty is void if the product is used in any environment where the manufacturer has not tested the product. The warranty is void if the product is used in any environment where the manufacturer has not tested the product.

Local 727-573-7157  
 Fax: 727-573-0328

4 of 7  
 Page Sheet

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**Hillsborough  
County Florida**  
Development Services

# Additional / Revised Information Sheet

**Office Use Only**

**Application Number:** 23-1058

**Received Date:**

**Received By:**

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, the **second page of this form must be included indicating the additional/revised documents being submitted with this form.**

Application Number: 23-1058 Applicant's Name: Gregory T. Davis, Thomas Sign & Awning Co.

Reviewing Planner's Name: Sam Ball Date: 10/04/2023

**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): 11/20/2023

**Important Project Size Change Information**

Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.

Will this revision add land to the project?  Yes  No  
If "Yes" is checked on the above please ensure you include all items marked with \* on the next page.

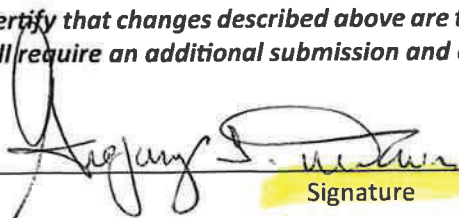
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For additional help and submittal questions, please call (813) 277-1633 or email [ZoningIntake-DSD@hcf.gov.net](mailto:ZoningIntake-DSD@hcf.gov.net).

***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.***

  
Signature

10/4/23  
Date



**Hillsborough  
County Florida**  
Development Services

# Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers. While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications.

Additionally, parcels exempt under [Florida Statutes §119.071\(4\)](#) will need to contact [Hillsborough County Development Services](#) to obtain a release of exempt parcel information.

**Are you seeking an exemption from public scrutiny of selected information submitted with your application pursuant to Chapter 119 FS?**     Yes     No

I hereby confirm that the material submitted with application 23-1058

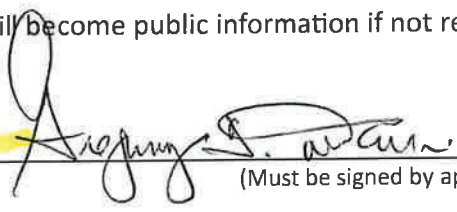
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Type of information included and location \_\_\_\_\_

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Signature:   
(Must be signed by applicant or authorized representative)

Intake Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_





**Hillsborough  
County Florida**  
Development Services

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9	<input type="checkbox"/> <b>Site Plan**</b> All changes on the site plan must be listed in detail in the Cover Letter.
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**Hillsborough  
County Florida**  
Development Services

Application No: \_\_\_\_\_

## Project Description (Variance Request)

1. 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.

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

Part 7.03.00.C.1.c

### Additional Information

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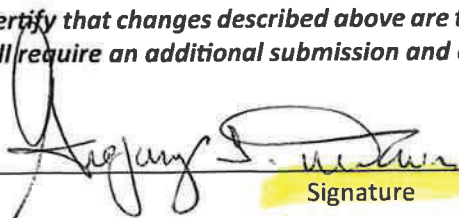
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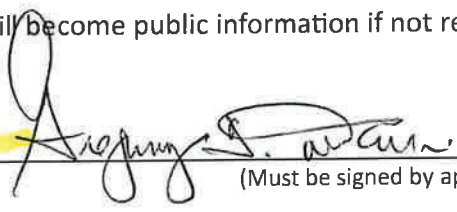
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 No  Yes If yes, you must submit a final determination of the "Water, Wastewater, and/or Re-claimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing



## Variance Criteria Response

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 alleged hardships and/ or practical difficulties that are unique and singular to the subject property are related to the Ground Sign setback/ placement and overall copy square footage of said monument. Due to the incredibly unique layout of the parcel and the final placement of the drainage system we are extremely limited in the final placement of said Ground Sign for this commercial development.

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.

According to the literal requirements of the Land Development Code (LDC) the overall height of said ground sign, will require a 20' setback, which would put us directly over the existing drainage system that is connected to the Hillsborough County approved and allocated water management system.

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.

We believe that the variance, if allowed, will not substantially interfere with or injure the rights of others due to the unique layout of said parcels and would greatly enhance visibility. Also, this would open the conversation to consider to allow other properties, as well as ours in this unique situation to allow the permitted ground sign to be placed properly in order to accommodate for the already approved drainage layouts.

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*).

The general intent of the LDC is to allow signage for each business that is architecturally pleasing to the eye, proportional to it's location and provide the general public with identification for safe access to property. In our proposal we are complying with the intent with a minimum request.

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.

The situation sought to be relieved by this variance is not a result from an illegal act or results of the applicant or resulting in a self-imposed hardship due to the existing infrastructure already in place well before the start of construction of the parcel build-out.

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.

By allowing the Variance, this would result in substantial justice being done with consideration of both the public benefit secured by the LDC and the individual hardship that would be suffered by not taking into account the present infrastructure for this parcel.

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Consideration Paid: \$950,000.00  
Documentary Transfer Taxes: \$6,650.00

This instrument prepared by  
and return to:

Megan J. Ellis, Esq.  
MAHONEY LAW GROUP, P.A.  
2240 Belleair Road, Suite 210  
Clearwater, Florida 33764

**SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED is made the 15<sup>th</sup> day September 2022, by **NNP-SOUTHBEND II, LLC**, a Delaware limited liability company ("**Grantor**"), whose address is **3162 South Falkenburg Road, Riverview, Florida 33578**, to **CVVF PP-APOLLO BEACH, LLC**, a Delaware limited liability company ("**Grantee**"), whose address is 3807 Cleghom Avenue, Suite 903, Nashville, Tennessee 37215.

**WITNESSETH:**

That Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, remise, transfer and convey unto Grantee and Grantee's successors and assigns, the following described land in Hillsborough County, Florida (the "**Property**"):

See **Exhibit "A"** attached hereto and incorporated herein by reference for the description of the Property conveyed herein.

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

TO HAVE AND TO HOLD the same unto Grantee and Grantee's successors and assigns in fee simple forever.

This conveyance is made subject to those matters described in **Exhibit "B"** attached hereto and incorporated herein by reference and the restriction set forth in **Exhibit "C"** attached hereto and incorporated herein by reference (collectively, the "**Permitted Exceptions**").

And Grantor does hereby covenant with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property, and, subject to the Permitted Exceptions, that Grantor will warrant and defend the title to the Property against the lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has executed this deed on the day and year first above written.

WITNESSES:

*Deneen Klenke*  
Print Name: Deneen Klenke

*Judy Joseph*  
Print Name: Judy Joseph

GRANTOR:

**NNP-SOUTHBEND II, LLC,**  
a Delaware limited liability company

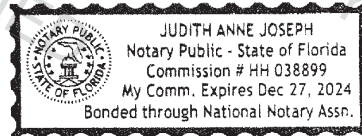
By: *Alex McLeod*  
Alex McLeod, Regional President

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 14 day of September, 2022, by Alex McLeod, as Regional President of NNP-SOUTHBEND II, LLC, a Delaware limited liability company. He  is personally known to me or  has produced \_\_\_\_\_ as identification.

*Judith Anne Joseph*  
Signature of Notary Public, State of Florida  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



**Exhibit "A"**  
(Legal Description of Property)

Lot 4B, according to the plat of WATERSET TOWN CENTER PHASES 1 AND 2 LOT 4 REPLAT, as recorded in Plat Book 143, Pages 49 through 54, inclusive, of the Public Records of Hillsborough County, Florida.

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**Exhibit "B"**  
(Exceptions to Title)

1. Taxes and assessments for the year 2022 and subsequent years, which are not yet due and payable.
2. All matters, including easements, dedications and restrictions contained on the Plat of Waterset Town Center Phases 1 and 2 Lot 4 Replat, as recorded in Plat Book 143, Page 49, Public Records of Hillsborough County, Florida.
3. All matters, including easements, dedications and restrictions contained on the Plat of WATERSET TOWN CENTER PHASES 1 AND 2, as recorded in Plat Book 136, Page 234, Public Records of Hillsborough County, Florida.
4. Charter for Waterset Commercial Properties recorded in O.R. Book 27137, Page 773, together with First Amendment to The Charter for Waterset Commercial Properties in Instrument #2022114650; Amended and Restated Supplement to The Charter for Waterset Commercial Properties in Instrument #2022114651 and Second Amendment to The Charter for Waterset Commercial Properties in Instrument #2022152832, Public Records of Hillsborough County, Florida, which contains provisions for restrictions, use limitations, easements, liens, and private charges and assessments.
5. Notice of Assessments recorded in O.R. Book 18463, Page 1780, Public Records of Hillsborough County, Florida.
6. Notice of Adoption of the Amended and Restated Development Order for the Wolf Creek Branch (DRI #266) recorded in O.R. Book 18681, Page 543, together with Notice of Adoption of the Development Order for the Waterset Development of Regional Impact (DRI #266) f.k.a. the Wolf Creek Branch Development of Regional Impact recorded in O.R. Book 20368, Page 278 and Notice of Adoption of the Amended and Restated Development Order for the Waterset Development of Regional Impact (DRI #266) recorded in O.R. Book 22982, Page 1795, together with Notice of Adoption of the Amended and Restated Development Order for the Waterset Development of Regional Impact (DRI #266) recorded in O.R. Book 24483, Page 124, Public Records of Hillsborough County, Florida.
7. Development Rights Agreement and Post-Closing Agreement between NNP-Southbend II, LLC and CVVF PP-Apollo Beach, LLC, recorded simultaneously with the Deed, in the Public Records of Hillsborough County, Florida.
8. Access Easement Agreement (Driveway) between CVVF PP-Apollo Beach, LLC and Southbend II, LLC, recorded simultaneously with the Deed, in the Public Records of Hillsborough County, Florida.
9. Memorandum of Lease by and between American Pet Resort, LLC, a Florida limited liability company and CVVF PP-Apollo Beach, LLC, a Delaware limited liability company, recorded simultaneously with the Deed, in the Public Records of Hillsborough County, Florida.



**Exhibit "C"**  
(Repurchase Right)

**1. Right to Repurchase Property for Failure to Timely Commence Construction.**

a. Grantee acknowledges that it is currently Grantor's policy to sell land only to grantees who intend to promptly commence construction of improvements on the property and who are not purchasing land primarily for speculative investment. To protect Grantor in this regard, Grantee agrees that if Commencement of Construction (as defined below) on the Property has not occurred on or before the Construction Commencement Deadline (as defined below), then at any time after the Construction Commencement Deadline and prior to Grantee's Commencement of Construction on the Property, Grantor shall have the right to require the conveyance of the Property back to Grantor, or to any third party designated by Grantor, for a total consideration equal to the lesser of (i) the Purchase Price that Grantee paid to Grantor for such Property, or (ii) the Fair Market Value (as defined in subsection 1(b) below) of the Property determined in accordance with subsection 1(b) below (the "**Option Repurchase Price**"). Grantor shall make such election, if at all, by delivering written notice to Grantee or the then owner of the Property ("**Repurchase Notice**"), and specifying the date for closing, which is within forty-five (45) days after Grantor's delivery of the Repurchase Notice. At any time after the Construction Commencement Deadline and prior to Commencement of Construction Grantor, its agents and consultants, shall have the right and license to enter the Property to inspect the condition of the Property for purposes of deciding whether to exercise the right to repurchase the Property pursuant to this subsection.

b. Within ten (10) business days after Grantor's delivery of the Repurchase Notice, Grantee and Grantor shall meet to endeavor in good faith to agree upon the fair market value of the Property ("**Fair Market Value**"). If Grantee and Grantor cannot mutually agree upon the Fair Market Value of the Property, then, within five (5) business days after the expiration of the aforesaid 10-business days period, Grantor shall furnish Grantee in writing the name of a person who has experience in appraising the value of commercial real property in Hillsborough County, Florida and who has been engaged by Grantor to determine the Fair Market Value of the Property and any improvements on the Property (hereinafter the "**Grantor's Appraiser**"). Within five (5) business days after Grantee's receipt of the name of Grantor's Appraiser, Grantee shall furnish Grantor in writing the name of a person who has expertise in appraising the value of commercial real property in Hillsborough County, Florida and who has been engaged by Grantee to determine the Fair Market Value of the Property and any improvements on the Property (hereinafter the "**Grantee's Appraiser**"). Within ten (10) days after Grantee furnishes the name of Grantee's Appraiser pursuant to this section, Grantee's Appraiser and Grantor's Appraiser shall meet and set a Fair Market Value for the Property and any improvements on the Property, which Fair Market Value is mutually agreeable to both appraisers. Such mutually agreeable Fair Market Value as determined by the appraisers shall constitute the Fair Market Value for purposes of determining the Option Repurchase Price pursuant to subsection 1(a) above. In the event that Grantor's Appraiser and Grantee's Appraiser cannot mutually agree upon the Fair Market Value of the Property and the improvements on the Property within said 10-day period, then in such event Grantor's Appraiser and Grantee's Appraiser shall, within five (5) business days after the expiration of

the 10-day period, agree upon the name of a third person who has experience in appraising the value of commercial real property in Hillsborough County, Florida and such name shall be submitted to Grantor and Grantee. Grantor and Grantee shall immediately engage said third appraiser (hereinafter the "**Third Appraiser**") with the expense of such employment being equally shared by Grantor and Grantee. The Third Appraiser shall be engaged by the parties within ten (10) days after the Third Appraiser's name is furnished to Grantor and Grantee by Grantor's Appraiser and Grantee's Appraiser. Within thirty (30) days after the Third Appraiser is engaged, the Third Appraiser shall review the appraisals of Grantor's Appraiser and Grantee's Appraiser and/or meet with them and determine from the information provided by Grantor's Appraiser and Grantee's Appraiser and from his own examination, a Fair Market Value for the Property and the improvements on the Property. The Third Appraiser's determination of the Fair Market Value of the Property and the improvements thereon shall constitute the Fair Market Value for purpose of establishing the Option Repurchase Price in accordance with subsection 1(a) above. In the event that Grantee's Appraiser and Grantor's Appraiser are unable to agree upon the name of a Third Appraiser or in the event the Third Appraiser is unwilling or unable to determine the Fair Market Value of the Property and the improvements on the Property, then in such event Grantor and Grantee shall submit the issue of the Fair Market Value of the Property and the improvements on the Property to binding arbitration with the American Arbitration Association (hereinafter the "**AAA**") in accordance with the AAA's Commercial Rules of Arbitration. Either party may submit the petition for such arbitration and the arbitration fees and arbitration costs shall be shared equally between the parties. The arbitrator's decision as to the Fair Market Value shall be binding on Grantor and Grantee and shall constitute the Fair Market Value for the purposes of subsection 1(a) above.

c. The right to repurchase provided in subsection 1(a) above shall terminate automatically upon the earlier of: (i) Commencement of Construction on the Property prior to Grantee's receipt of the Repurchase Notice; or (ii) Grantor's waiver or termination of its repurchase option in writing.

## **2. Right to Repurchase Property Prior to Resale.**

a. Grantee agrees that until Commencement of Construction on the Property, Grantee may not transfer or convey such Property to any third party without first offering to sell such Property to Grantor for the lesser of: (i) the Purchase Price that Grantee paid to Grantor for such Property; or (ii) the purchase price that Grantee is willing to accept from a third party purchaser for such Property (the lesser of (i) and (ii) being referred to as the "**ROFR Repurchase Price**"). Grantee hereby grants to Grantor an exclusive right of first refusal to purchase the Property on the terms and conditions set forth in this Section 2 and Section 3 below.

b. If Grantee desires to sell or otherwise transfer any portion of the Property under circumstances triggering Grantor's rights hereunder, Grantee shall deliver to Grantor written notice of such intent ("**ROFR Notice**"). Grantor shall have thirty (30) days after receipt of the ROFR Notice to elect whether to exercise its right to purchase such Property by written notice to Grantee ("**ROFR Repurchase Notice**"). During such 30-day period, Grantor, its agents and consultants, shall have the right and license to enter the Property to inspect the condition

of the Property for purposes of deciding whether to execute the right of first refusal set forth herein

c. In the event that Grantor does not exercise its right to purchase the Property, or cancels the repurchase prior to the closing of the same, Grantee may thereafter sell the Property, provided that Grantee shall pay to Grantor the total consideration Grantee receives from such sale in excess of the sum of: (i) the ROFR Repurchase Price; plus (ii) the documented direct out-of-pocket costs associated with Grantee's ownership of such Property; plus (iii) interest on the ROFR Repurchase Price equal to ten percent (10%) per annum from the date Grantee took title to such Property until the closing of the sale thereof (such excess being referred to herein as the "**Excess Consideration**"), and Grantee shall instruct the closing agent for such transaction to remit any such Excess Consideration to Grantor immediately upon closing of such sale to the third party. Grantee shall provide the name, address, phone number and contact information of the closing agent to Grantor prior to the Closing, and Grantee hereby gives Grantor permission to contact such closing agent. Failure of the closing agent for such transaction to remit such Excess Consideration to Grantor as provided above shall not relieve Grantee of its obligation to pay the same to Grantor, and Grantee shall remain liable for the payment of such Excess Consideration to Grantor.

d. The provisions for repurchase in this Section 2 shall terminate upon Commencement of Construction.

3. **General Provisions Regarding Repurchase of Property.** If Grantor elects to exercise any right to repurchase any of the Property under Sections 1 or 2 above, the following provisions shall apply:

a. Grantee shall convey such Property to Grantor by special warranty deed, subject only to the same exceptions to title as set forth in the applicable Deed to Grantee, within forty-five (45) days after the date of receipt of Grantor's Repurchase Notice or ROFR Repurchase Notice, as applicable (the exact date of closing of the repurchase to be selected by Grantor). The Property shall be conveyed to Grantor in the same physical condition as existed on the date it was conveyed to Grantee.

b. At the repurchase closing, Grantee shall execute and deliver to Grantor: (i) the special warranty deed referenced in 3(a) above; (ii) a non-foreign (FIRPTA) affidavit; (iii) an owner's no-lien affidavit; (iv) an affidavit (A) representing and warranting to Grantor that there has been no change in the environmental condition of the Property during Grantee's ownership thereof, and (B) agreeing to indemnify, defend (with counsel acceptable to Grantor) and hold Grantor and **Grantor's Affiliates** harmless from and against any and all claims, losses, liabilities, costs, damages, causes of action, demands, and proceedings arising out of, or directly or indirectly related to, any condition of the Property which is not in compliance with this provision; (v) a counterpart closing statement in form approved by Grantor; (vi) appropriate evidence to establish the authority of Grantee to enter into and close the transaction; (vii) a re-assignment of such Impact Fee Credits to Grantor executed by Grantee; (viii) at Grantor's option, a termination of the Development Rights Agreement; and (ix) any



other documents reasonably necessary or appropriate to complete and evidence the transaction to take place at such repurchase closing.

c. Grantee shall pay the cost of obtaining a title insurance policy in favor of Grantor and all other closing costs. Grantor shall pay the Option Repurchase Price or the ROFR Repurchase Price, as applicable, in immediately available funds. Real estate taxes and assessments and Commercial Association assessments shall be prorated as of the date of such reconveyance. If the title proposed to be conveyed is subject to any lien, encumbrance or defect which is not permitted in this Section 3, then Grantor, in addition to all other rights and remedies which it may have at law or in equity, may remove any such lien, encumbrance or defect and deduct all costs and expenses incurred by Grantor (including, but not limited to, attorneys' and legal assistants' fees and costs) from the amount of the Option Repurchase Price or the ROFR Repurchase Price, as applicable, otherwise payable as provided in this Section 3.

d. Notwithstanding anything to the contrary contained herein, Grantor retains the right, at any time prior to closing any repurchase, to cancel such repurchase without explanation or liability to the owner of the applicable Property.

4. **Acknowledgement of Termination**. Within ten (10) days after request of Grantee or its successor-in-title, at any time after Grantor's repurchase rights set forth in Sections 1 and/or 2 hereof have expired or been waived in writing by Grantor, Grantor shall deliver to Grantee a document in recordable form acknowledging such termination.

5. **Defined Terms**. For purposes of this Exhibit C, the following capitalized terms have the following meanings:

(a) **"Construction Commencement Deadline"** shall mean the date that is nine (9) months after the date of this Deed.

**"Commencement of Construction"** shall mean the occurrence of all of the following: (i) issuance of a building permit by the appropriate governmental entity authorizing the construction of the Intended Use on the Property in accordance with the approved Plans; and (ii) the completion of footings, site grading, and a foundation or slab for the building on the Property substantially in accordance with the approved Plans; and (iii) physical commencement of construction of vertical components of a building on the Property.





**Hillsborough  
County Florida**  
Development Services

# Additional / Revised Information Sheet

**Office Use Only**

**Application Number:** 23-1058

**Received Date:**

**Received By:**

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, the **second page of this form must be included indicating the additional/revised documents being submitted with this form.**

Application Number: 23-1058 Applicant's Name: Gregory T. Davis, Thomas Sign & Awning Co.

Reviewing Planner's Name: Sam Ball Date: 10/04/2023

**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): 11/20/2023

### Important Project Size Change Information

Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.

Will this revision add land to the project?  Yes  No  
If "Yes" is checked on the above please ensure you include all items marked with \* on the next page.

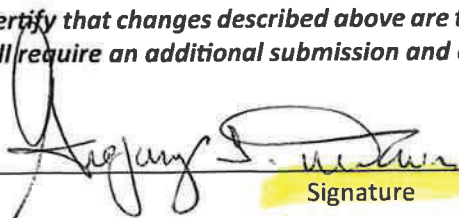
Will this revision remove land from the project?  Yes  No  
If "Yes" is checked on the above please ensure you include all items marked with \* on the next page.

**Email this form along with all submittal items indicated on the next page in pdf form to:  
[ZoningIntake-DSD@hcf.gov.net](mailto:ZoningIntake-DSD@hcf.gov)**

Files must be in pdf format and minimum resolution of 300 dpi. Each item should be submitted as a separate file titled according to its contents. All items should be submitted in one email with application number (including prefix) included on the subject line. Maximum attachment(s) size is 15 MB.

For additional help and submittal questions, please call (813) 277-1633 or email [ZoningIntake-DSD@hcf.gov.net](mailto:ZoningIntake-DSD@hcf.gov.net).

***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.***

  
Signature

10/4/23  
Date



**Hillsborough  
County Florida**  
Development Services

# Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers. While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications.

Additionally, parcels exempt under [Florida Statutes §119.071\(4\)](#) will need to contact [Hillsborough County Development Services](#) to obtain a release of exempt parcel information.

**Are you seeking an exemption from public scrutiny of selected information submitted with your application pursuant to Chapter 119 FS?**     Yes     No

I hereby confirm that the material submitted with application 23-1058

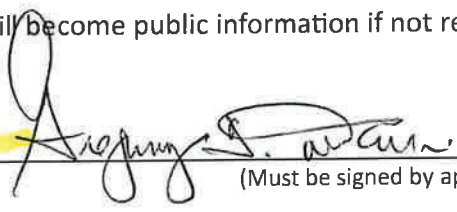
Includes sensitive and/or protected information.

Type of information included and location \_\_\_\_\_

Does not include sensitive and/or protected information.

**Please note:** Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature:   
(Must be signed by applicant or authorized representative)

Intake Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**Hillsborough  
County Florida**  
Development Services

# Additional / Revised Information Sheet

Please indicate below which revised/additional items are being submitted with this form.

Included	Submittal Item
1	<input type="checkbox"/> <b>Cover Letter**</b> If adding or removing land from the project site, the final list of folios must be included
2	<input type="checkbox"/> <b>Revised Application Form**</b>
3	<input type="checkbox"/> <b>Copy of Current Deed*</b> Must be provided for any new folio(s) being added
4	<input type="checkbox"/> <b>Affidavit to Authorize Agent*</b> (If Applicable) Must be provided for any new folio(s) being added
5	<input type="checkbox"/> <b>Sunbiz Form*</b> (If Applicable) Must be provided for any new folio(s) being added
6	<input type="checkbox"/> <b>Property Information Sheet**</b>
7	<input type="checkbox"/> <b>Legal Description of the Subject Site**</b>
8	<input type="checkbox"/> <b>Close Proximity Property Owners List**</b>
9	<input type="checkbox"/> <b>Site Plan**</b> All changes on the site plan must be listed in detail in the Cover Letter.
10	<input type="checkbox"/> <b>Survey</b>
11	<input type="checkbox"/> <b>Wet Zone Survey</b>
12	<input type="checkbox"/> <b>General Development Plan</b>
13	<input type="checkbox"/> <b>Project Description/Written Statement</b>
14	<input type="checkbox"/> <b>Design Exception and Administrative Variance requests/approvals</b>
15	<input checked="" type="checkbox"/> <b>Variance Criteria Response</b>
16	<input type="checkbox"/> <b>Copy of Code Enforcement or Building Violation</b>
17	<input type="checkbox"/> <b>Transportation Analysis</b>
18	<input type="checkbox"/> <b>Sign-off form</b>
19	<input type="checkbox"/> <b>Other Documents</b> (please describe): <div style="border: 1px solid black; height: 60px; width: 100%; margin-top: 5px;"></div>

\*Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

+Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.



**Hillsborough  
County Florida**  
Development Services

# Submittal Requirements for Applications Requiring Public Hearings

**Official Use Only**

Application No: \_\_\_\_\_ Intake Date: \_\_\_\_\_  
 Hearing(s) and type: Date: \_\_\_\_\_ Type: \_\_\_\_\_ Receipt Number: \_\_\_\_\_  
 Date: \_\_\_\_\_ Type: \_\_\_\_\_ Intake Staff Signature: \_\_\_\_\_

Applicant/Representative: Gregory T. Davis Phone: 727-573-7757 x241

Representative's Email: greg.davis@thomassign.com

The following information is used by reviewing agencies for their comments and should remain constant, with very few exceptions, throughout the review process. Additional reviews, such as legal description accuracy, compatibility of uses, agency reviews, etc., will still be conducted separately and may require additional revisions.

The following ownership information must be provided and will be verified upon submission initial submittal. If you are viewing this form electronically, you may click on each underlined item for additional information.

## Part A: Property Information & Owner Authorization Requirements

Included	N/A	Requirements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Applicant/Owner Information Form</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Affidavit(s) to Authorize Agent</u> (if applicable) NOTE: All property owners must sign either the Application form or the Affidavit to Authorize Agent. If property is owned by a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Sunbiz Form</u> (if applicable). This can be obtained at <a href="http://Sunbiz.org">Sunbiz.org</a> .
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
<input type="checkbox"/>	<input type="checkbox"/>	<u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Current Recorded Deed(s)</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Close Proximity Property Owners List</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Legal Description</b> for the subject site
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Copy of Code Enforcement/Building Code Violation(s)</b> (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Fastrack Approval</b> (if applicable)

**Additional application-specific requirements are listed in Part B.**





**Hillsborough  
County Florida**  
Development Services

# Property/Applicant/Owner Information Form

### Official Use Only

Application No: \_\_\_\_\_ Intake Date: \_\_\_\_\_  
Hearing(s) and type: Date: \_\_\_\_\_ Type: \_\_\_\_\_ Receipt Number: \_\_\_\_\_  
Date: \_\_\_\_\_ Type: \_\_\_\_\_ Intake Staff Signature: \_\_\_\_\_

### Property Information

Address: 6340 30th St NE City/State/Zip: Apollo Beach, FL  
TWN-RN-SEC: 22-31-19 Folio(s): 053975-2434 Zoning: PD 14-0815 Future Land Use: SMU-6 Property Size: 1.64ACRES

### Property Owner Information

Name: CVVF PP-APOLLO BEACH LLC Daytime Phone 805-453-1453  
Address: 3807 Cleghorn Ave, Ste 903 City/State/Zip: Nashville, TN 37215-2549  
Email: bjoel@petparadise.com Fax Number \_\_\_\_\_

### Applicant Information

Name: Pet Paradise-Apollo Beach, LLC Daytime Phone 904-363-3330  
Address: 1551 ATLANTIC BLVD., STE. #200 City/State/Zip: JACKSONVILLE, FL 32207  
Email: jhenderson@petparadise.com Fax Number \_\_\_\_\_

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

Name: Gregory T. Davis, Thomas Sign & Awning Co. Daytime Phone 727-573-7757  
Address: 4590 118th Ave N City/State/Zip: Clearwater, FL 33762  
Email: greg.davis@thomassign.com Fax Number \_\_\_\_\_

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.

William L. Joel  
Signature of the Applicant

WILLIAM L. JOEL  
Type or print name

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

\_\_\_\_\_  
Signature of the Owner(s) – (All parties on the deed must sign)

\_\_\_\_\_  
Type or print name



**Hillsborough  
County Florida**  
Development Services

# Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact [Hillsborough County Development Services](#) to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under [Florida Statutes §119.071\(4\)](#) will need to contact [Hillsborough County Development Services](#) to obtain a release of exempt parcel information.

**Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS?**     Yes     No

I hereby confirm that the material submitted with application \_\_\_\_\_

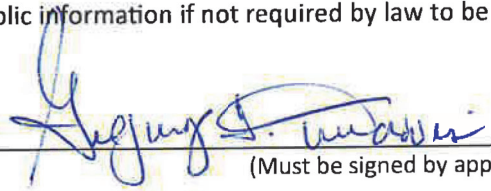
Includes sensitive and/or protected information.

Type of information included and location \_\_\_\_\_

Does not include sensitive and/or protected information.

**Please note:** Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature:   
(Must be signed by applicant or authorized representative)

Intake Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_