



HILLSBOROUGH COUNTY Land Use Hearing Officer

LUHO RESULTS - FINAL

10:00 A.M. MONDAY, July 26, 2021

R. W. Saunders Sr. Public Library
Ada T. Payne Community Room
1505 N. Nebraska Ave.

WELCOME AND THANK YOU FOR YOUR PARTICIPATION IN COUNTY GOVERNMENT.

HEARING SCHEDULE:

The LUHO Hearing will Start at 10:00 A.M., The Following Items on the Morning Agenda Will Be Heard Beginning at 10:00 A.M. With No New Petitions Starting After 5:00 P.M.: Special Uses (SU), Vested Rights (VR), Fee Waivers (FW), Reconsideration Requests, Appeals, Variances (VAR).

HEARING ORDER:

- CALL TO ORDER BY THE HEARING OFFICER
- CONSIDERATION OF CHANGES TO THE AGENDA
- HEARING FOR INDIVIDUAL CASES

WHEN ADDRESSING THE HEARING OFFICER, PLEASE STATE YOUR NAME AND ADDRESS INTO THE MICROPHONE.

IF YOU WISH TO SUBMIT ADDITIONAL MATERIALS REGARDING YOUR APPLICATION TO THE HEARING OFFICER, PLEASE PROVIDE A MINIMUM OF FIVE (5) COPIES OF EACH ITEM. PLEASE BE ADVISED THAT MATERIALS SUBMITTED BECOME PART OF THE PERMANENT RECORD AND CANNOT BE RETURNED.

Present Hearing Officer Susan Finch



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 26, 2021

The following dates pertain only to applications heard at the July 26, 2021 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on August 16, 2021.

For Appeals of Administrative Decisions (APP), the decision of the Hearing Officer is final.

For Variance (VAR) applications, the decision of the Hearing Officer may be appealed to the Land Use Appeals Board. An appeal of the Hearing Officer's decision must be filed with the Hillsborough County Development Services Department no later than 30 calendar days from the final decision date.

The participants at the LUHO public hearing shall consist of the Applicant, County Staff, County Agencies, Proponents, and Opponents, including the public and witnesses with relevant testimony. Each participant's presentation shall be limited in time as described below; however, the LUHO may grant additional time provided that good cause is shown.

The order of presentation for each petition is as follows:

- a. Applicant and witnesses; proposal: 15 minutes**
- b. Administrator, summary of the applicant, County Staff and department findings: 5 minutes**
- c. Planning Commission Staff; statement of compliance or non-compliance: 5 minutes
- d. Proponents; argument for the application: 15 minutes
- e. Opponents; argument against the application: 15 minutes
- f. Staff; amended recommendations, if any: 5 minutes
- g. Applicant; rebuttal and summation: 5 minutes

**For Variance (VAR) applications, County Staff presents its findings before Applicant testimony.

To the maximum extent practicable, the public hearing shall be informal. The LUHO's decision or recommendation must be filed with the Clerk of the BOCC within fifteen (15) working days after the conclusion of the public hearing. Anyone wishing to receive a copy of the recommendation or decision by mail must supply the Clerk of the BOCC with his/her name, address, and a stamped, self-addressed envelope for that purpose.

Please call 813-272-5600 for further information.

STANDING TO APPEAL AND ADDITIONAL EVIDENCE FOR VARIANCE REQUESTS AND APPEALS OF ADMINISTRATIVE DECISIONS

The Land Use Hearing Officer Public Hearing for Variance Requests and Appeals of Administrative Decisions is the time for all interested citizens to present evidence and testimony. This evidence and testimony will be the only evidence subject to review by the appeal board if an appeal is filed. This means that, at the end of today's Public Hearing, the record closes and no new evidence may be submitted as part of the record. Any decision of the Land Use Hearing Officer may be appealed to the Land Use Appeals Board, except Appeals of Administrative Decisions.

The Appeals Board will only consider the Land Use Hearing Officer's decision and the record of the public hearing in making a final decision on petitions. The hearing shall be limited to the record on appeal and shall consist of oral argument by the Administrator, the party appealing the decision, and any interveners, each of whom may be represented by legal counsel.

The following shall have standing to appeal a decision of the Land Use Hearing Officer or to intervene in an appeal:

1. The Applicant
2. Any person or entity which appeared before the Land Use Hearing Officer, presented testimony or other evidence, and is adversely affected by the decision of the Land Use Hearing Officer.

It is the County Attorney Office's role to assure that no new evidence or testimony is allowed before the Appeals Board or the Land Use Hearing Officer. The County Attorney will recommend that the Appeals Board or the Land Use Hearing Officer disregard evidence or testimony which is not contained in the record. Any evidence presented which is outside the record made at today's public hearing could jeopardize the legality of the Appeals Board's decision and the presenter of that evidence could hurt his/her own cause. The requirements and limitations listed above shall apply to all appeals of Administrative Decisions being reviewed by the Land Use Hearing Officer during today's hearing.

The safest course of action is for you to write down your comments today and repeat those to the Appeals Board. Therefore, please be sure that all information which you wish to be heard by the Appeals Board is contained in the record today.

A. LUHO WITHDRAWALS AND CONTINUANCES

A.1. SU-LE 21-0375 Trademark Metals Recycling, LLC.

This application is being **CONTINUED** by the **APPLICANT** to the **September 20, 2021** LUHO.

A.2. VAR 21-0532 Nick Brackin

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

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 08/23/2021

A.3. SU-AB 21-0606 Dune FL Land 1 Sub LLC and Southshore Bay Club LLC.

This application is being **CONTINUED** by the **APPLICANT** to the **August 23, 2021** LUHO.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 08/23/2021

A.4. SU-GEN 21-0743 The Paideia School of Tampa Bay, Inc./Debbie Coad

This application is being **CONTINUED** by **STAFF** to the **September 20, 2021** LUHO.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 08/23/2021

A.5. VAR 21-0803 Douglas H. Negron

This application is out of order to be heard and is being **CONTINUED** to the **September 20, 2021** LUHO.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 08/23/2021

A.6. VAR 21-0838 Sign Systems and Graphic Designs, Inc.

This application is out of order to be heard and is being **CONTINUED** to the **September 20, 2021** LUHO.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 08/23/2021

A.7. Application Number: VAR 21-0853

Applicant: Wesley Harrell

Location: 9910 Alavista Dr.

Folio Number: 049991.0110

Acreage (+/-): 0.26 acres, more or less

Comprehensive Plan: R-4

Service Area: Urban

Existing Zoning: RSC-6, MH

Request: Requesting a Variance to Accessory Structure Requirements.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 08/23/2021

A.8. VAR 21-0893 Gustavo Alcala

This application is out of order to be heard and is being **CONTINUED** to the **August 23, 2021** LUHO.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 08/23/2021

A.9. VAR 21-0902 David Wright

This application is being **CONTINUED** by the **APPLICANT** to the **September 20, 2021** LUHO.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 08/23/2021

A.10. VAR 21-0928 Ann Hurley

This application is out of order to be heard and is being **CONTINUED** to the **August 23, 2021** LUHO.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 08/23/2021

B. VESTED RIGHTS

C. FEE WAIVER

D. REMANDS

E. RECONSIDERATION REQUESTS

F. SITE DEVELOPMENT VARIANCE REQUESTS

G. SIGN VARIANCE REQUESTS

H. VARIANCE (VAR) REQUESTS

H.1. Application Number: VAR 21-0338
Applicant: Keith Bolton
Location: Approximately 380 Ft North of Brinwood Dr. and Charlton Ct. Intersection
Folio Number: 063500.0001 & 063500.0025
Acreage (+/-): 0.92 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: RSC-6 & MH
Request: Requesting a variance to lot size by utilities, lot development standards and accessory structure requirements.

Result: Approved

Motion: Approved.

H.2. Application Number: VAR 21-0573
Applicant: Brandon RE Holdings, LLC.
Location: 520 E. Brandon Blvd
Folio Number: 069455.0000
Acreage (+/-): 0.89 acres, more or less
Comprehensive Plan: OC-20
Service Area: Urban
Existing Zoning: CG, SR60
Request: Requesting a variance to buffer & screening requirements in addition to site development standards.

Result: Denied

Motion: Denied.

H.3. Application Number: VAR 21-0607
Applicant: Nvirotect Pest Control Services, Inc.
Location: 16210 N. Florida Ave.
Folio Number: 015670.0000
Acreage (+/-): 0.44 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: CG
Request: Requesting a variance to buffering and screening requirements.

Result: Denied

Motion: Denied.

H.4. Application Number: VAR 21-0652
Applicant: Laura Burda
Location: 10717 Ashford Oaks Dr.
Folio Number: 004016.0272
Acreage (+/-): 0.08 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: PD (98-1539)
Request: Requesting a variance to lot development standards.

Result: Approved

Motion: Approved.

H.5. Application Number: VAR 21-0713
Applicant: William & Paula Hernandez
Location: 8314 Flowerfield Dr.
Folio Number: 004843.0066
Acreage (+/-): 0.62 acres, more or less
Comprehensive Plan: R-2
Service Area: Urban
Existing Zoning: RSC-3
Request: Requesting a variance to accessory structure requirements.

Result: Approved

Motion: Approved.

H.6. Application Number: VAR 21-0714
Applicant: Michelle Anderson
Location: 6336 Flamingo Dr.
Folio Number: 052877.0000
Acreage (+/-): 0.27 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a variance to lot development standards and variance to natural resource regulations.

Result: Approved

Motion: Approved.

H.7. Application Number: VAR 21-0802
Applicant: Ronald C. Wang
Location: 1601 Seffner Valrico Rd.
Folio Number: 066618.0000
Acreage (+/-): 4.95 acres more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: ASC-1
Request: Requesting a variance to lot development standards.

Result: Denied

Motion: Denied.

H.8. Application Number: VAR 21-0900
Applicant: Luisa Alonso
Location: 9605 Kingsburgh Ct.
Folio Number: 005231.7280
Acreege (+/-): 0.11 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: PD (83-0200)
Request: Requesting a variance to lot development standards.

Result: Approved

Motion: Approved.

H.9. Application Number: VAR 21-0905
Applicant: TM Crowley & Associates
Location: 550 Ft North of Bloomingdale Ave and Blowing Oak St intersection
Folio Number: 087348.8738
Acreege (+/-): 13.89 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: TND 03-1432
Request: Requesting variances from LDC part 5.08.00 mixed-use and infill TND code; LDC section 6.11.04 accessory structures; LDC section 6.11.52 kennel; and LDC part 6.07.00 fences and walls.

Result: Approved

Motion: Approved.

H.10. Application Number: VAR 21-0906
Applicant: WMG Development, LLC
Location: West side of S US Highway 301 and 1200 ft South of Paseo Al Mar Blvd.
Folio Number: 077775.2925
Acreege (+/-): 1.1 acres, more or less
Comprehensive Plan: SMU-6
Service Area: Urban
Existing Zoning: PD (04-0558)
Request: Requesting a variance to eating establishment standards.

Result: Approved

Motion: Approved.

J. SPECIAL USES

- J.1. Application Number:** SU-AB 21-0711
Applicant: Northdale Tampa, Inc.
Location: Northwest corner of Northdale Blvd and Premiere Dr.
Folio Number: 016353.5050
Acreage (+/-): 2.85 acres, more or less
Comprehensive Plan: OC-20
Service Area: Urban
Existing Zoning: PD (76-0166)
Request: Requesting a Special Use 4-COP-X beer, wine and liquor for sale and consumption on the permitted premises, with separation waiver(s).

Result: Approved

Motion: Approved.

- J.2. Application Number:** SU-AB 21-0910
Applicant: Hillsborough County Associates IV, LLLP
Location: 5010 Sevilla Shores Dr.
Folio Number: 077959.2564
Acreage (+/-): 1.14 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: PD (89-0097)
Request: Requesting a Special Use 4-COP-X beer, wine, and liquor for sale and consumption on the permitted premises, with separation waiver(s).

Result: Approved

Motion: Approved.

J.3. Application Number: SU-AB 21-0912
Applicant: Kennys Liquors
Location: 5622 Lithia Pinecrest Rd.
Folio Number: 088087.0000
Acreage (+/-): 0.58 acres, more or less
Comprehensive Plan: R-2
Service Area: Urban
Existing Zoning: CN
Request: Requesting a Special Use 4-COP beer, wine, and liquor for sale and consumption on and off the permitted premises (package sales) with separation waiver(s).

Result: Approved

Motion: Approved.

I. APPEAL (APP) REQUESTS