



# **LAND USE HEARING OFFICER AGENDA - FINAL**

**10:00 A.M. MONDAY, November 21, 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 November 21,2022

The following dates pertain only to applications heard at the November 21, 2022 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on December 14, 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. VAR 22-0722 Larry Albritton**

This application is out of order to be heard and is being **CONTINUED** to the **December 19, 2022** LUHO.

**Attachments:** [22-0722](#)

**A.2. SU-AB 22-0836 Vobre Altidor**

This application is out of order to be heard and is being **CONTINUED** to the **December 19, 2022** LUHO.

**Attachments:** [22-0836](#)

**A.3. VAR 22-0851 Clayton Bricklemyer, Hill Ward Henderson**

This application is being **CONTINUED** by **STAFF** to the **December 19, 2022** LUHO.

**Attachments:** [22-0851](#)

**A.4. SU-GEN 22-0872 David Wright/TSP Companies, Inc.**

This application is out of order to be heard and is being **CONTINUED** to the **December 19, 2022** LUHO.

**Attachments:** [22-0872](#)

**A.5. SU-CFW 22-1019 APC Towers III c/o Mattaniah S. Jahn**

This application is out of order to be heard and is being **CONTINUED** to the **December 19, 2022**, LUHO.

**Attachments:** [22-1019](#)

**A.6. SU-CFW 22-1188 CitySwitch II-A, LLC.**

This application is being **CONTINUED** by the **APPLICANT** to the **January 23, 2023** LUHO.

**Attachments:** [22-1188](#)

- A.7. **VAR-WS 22-1271 Stuart Kaufman**  
This application is out of order to be heard and is being **CONTINUED** to the **December 19, 2022 LUHO**.

**Attachments:** [22-1271](#)

- A.8. **VAR 22-1361 Navigator Academy of Leadership Southshore**  
This application is out of order to be heard and is being **CONTINUED** to the **December 19, 2022 LUHO**.

**Attachments:** [22-1361](#)

- A.9. **VAR 22-1380 Orlando & Joy Collazo**  
This application has been **WITHDRAWN** by the **PETITIONER**.

**Attachments:** [22-1380](#)

- A.10. **VAR 22-1402 Rafel A. Perez Sanchez**  
This application has been **WITHDRAWN** by the **PETITIONER**.

**Attachments:** [22-1402](#)

- A.11. **VAR 22-1422 Mike & Nicole Mezrah**  
This application is out of order to be heard and is being **CONTINUED** to the **December 19, 2022 LUHO**.

**Attachments:** [22-1422](#)

- A.12. **SU-AB 22-1475 Jaroli Casso**  
This application is being **CONTINUED** by **STAFF** to the **December 19, 2022 LUHO**.

**Attachments:** [22-1475](#)

**B. VESTED RIGHTS**

**C. FEE WAIVER**

**D. REMANDS**

**E. RECONSIDERATION REQUESTS**

- E.1. 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.

**Attachments:** [22-1009](#)

**F. SITE DEVELOPMENT VARIANCE REQUESTS**

- F.1. Application Number:** VAR-WS 22-1167  
**Applicant:** Mario A. Parra  
**Location:** 3105 W. Jean St.  
**Folio Number:** 031276.0000  
**Acreege (+/-):** 0.4 acres, more or less  
**Comprehensive Plan:** R-6  
**Service Area:** Urban  
**Existing Zoning:** RSC-6  
**Request:** Requesting a Variance to Encroach into the Wetland Setback.

**Attachments:** [22-1167](#)

- F.2. Application Number:** VAR-WS 22-1255  
**Applicant:** Jennifer K James Dampier  
**Location:** 17907 Crescent Way  
**Folio Number:** 014388.0000  
**Acreage (+/-):** 1.14 acres, more or less  
**Comprehensive Plan:** R-1  
**Service Area:** Rural  
**Existing Zoning:** RSC-2  
**Request:** Requesting a Variance to Encroach into the Wetland Setback.

**Attachments:** [22-1255](#)

- F.3. Application Number:** VAR-WS 22-1354  
**Applicant:** Mike Sutton  
**Location:** 401 W. Chapman Rd.  
**Folio Number:** 015761.0000  
**Acreage (+/-):** 0.2 acres, more or less  
**Comprehensive Plan:** R-4  
**Service Area:** Urban  
**Existing Zoning:** RSC-6  
**Request:** Variance to District Performance and Dimensional Standards from LDC Part 6.01.00, Variances to Fences and Walls from Part 6.07.00 and Variance To Encroach into the Wetland Conservation Area Setback.

**Attachments:** [22-1354](#)

## **G. SIGN VARIANCE REQUESTS**

- G.1. Application Number:** VAR 22-1467  
**Applicant:** Angela Swartz, DeNyse Companies  
**Location:** 5102 Belmere Pkwy.  
**Folio Number:** 018956.0660  
**Acreage (+/-):** 14.9 acres, more or less  
**Comprehensive Plan:** R-4  
**Service Area:** Urban  
**Existing Zoning:** PD (74-0004)  
**Request:** Requesting a Sign Variance

**Attachments:** [22-1467](#)

- G.2. Application Number:** VAR 22-1472  
**Applicant:** Creative Sign Designs/Addie Mentry  
**Location:** 8935 N. Dale Mabry Hwy.  
**Folio Number:** 024149.5555  
**Acreage (+/-):** 2.56 acres, more or less  
**Comprehensive Plan:** R-20  
**Service Area:** Urban  
**Existing Zoning:** CN  
**Request:** Requesting a Sign Variance

**Attachments:** [22-1472](#)

## H. VARIANCE (VAR) REQUESTS

- H.1. Application Number:** VAR 22-0843  
**Applicant:** Michael Brozack & Kristy Ansley  
**Location:** 3918 Henry Rowell Rd.  
**Folio Number:** 087581.0400  
**Acreage (+/-):** 0.96 acres, more or less  
**Comprehensive Plan:** R-1  
**Service Area:** Rural  
**Existing Zoning:** AS-1 & RS  
**Request:** Requesting a Variance to Lot Development Standards and Variance to Accessory Dwelling Requirements.

**Attachments:** [22-0843](#)

- H.2. Application Number:** VAR 22-1016  
**Applicant:** Johnie & Debby Goodson  
**Location:** 7111 Charles Humphrey Rd.  
**Folio Number:** 080182.0050  
**Acreage (+/-):** 5.02 acres, more or less  
**Comprehensive Plan:** AE  
**Service Area:** Rural  
**Existing Zoning:** AS-0.4 & RS  
**Request:** Requesting a Variance to Lot Development Standards.

**Attachments:** [22-1016](#)



**H.3. Application Number:** VAR 22-1065  
**Applicant:** Covelli Family Limited Partnership II  
**Location:** 3422 Lithia Pinecrest Rd.  
**Folio Number:** 087386.0000  
**Acreage (+/-):** 11.2 acres, more or less  
**Comprehensive Plan:** R-4  
**Service Area:** Urban  
**Existing Zoning:** PD (88-0111)  
**Request:** Requesting a Variance to LDC Section 6.11.35, Eating Establishment Requirements.

**Attachments:** [22-1065](#)

**H.4. Application Number:** VAR 22-1083  
**Applicant:** Todd Scime  
**Location:** 11204 Winn Rd.  
**Folio Number:** 075125.0000  
**Acreage (+/-):** 0.49 acres, more or less  
**Comprehensive Plan:** R-2  
**Service Area:** Urban  
**Existing Zoning:** RSC-2  
**Request:** Requesting a Variance to Lot Development Standards.

**Attachments:** [22-1083](#)

**H.5. Application Number:** VAR 22-1121  
**Applicant:** Laurie Brantley  
**Location:** 3509 Old Mulberry Rd.  
**Folio Number:** 092034.0000  
**Acreage (+/-):** 1.77 acres, more or less  
**Comprehensive Plan:** R-1  
**Service Area:** Rural  
**Existing Zoning:** AS-1  
**Request:** Requesting a Variance to Accessory Structure Requirements.

**Attachments:** [22-1121](#)

**H.6. Application Number:** VAR 22-1211  
**Applicant:** Stephen & Eva White  
**Location:** 605 Blue Gill Ct.  
**Folio Number:** 017170.4056  
**Acreage (+/-):** 0.35 acres, more or less  
**Comprehensive Plan:** R-4  
**Service Area:** Urban  
**Existing Zoning:** RSC-6  
**Request:** Requesting a Variance to Lot Development Standards and Variance To Fence Requirements.

**Attachments:** [22-1211](#)

**H.7. Application Number:** VAR 22-1249  
**Applicant:** Robert Cairns  
**Location:** 5814 Theresa St.  
**Folio Number:** 006725.0000  
**Acreage (+/-):** 0.57 acres, more or less  
**Comprehensive Plan:** R-20  
**Service Area:** Urban  
**Existing Zoning:** RMC-20  
**Request:** Requesting a Variance to Lot Development Standards.

**Attachments:** [22-1249](#)

**H.8. Application Number:** VAR 22-1261  
**Applicant:** Vigo Importing Company  
**Location:** 4702 Tony Alessi Sr. FKA 4702 Comanche Ave.  
**Folio Number:** 028156.0000  
**Acreage (+/-):** 6.6 acres, more or less  
**Comprehensive Plan:** LI  
**Service Area:** Urban  
**Existing Zoning:** M  
**Request:** Requesting a Variance to LDC Section 6.06.04 Landscape Buffers And Parking Islands, and Variance to Lot Development Standards.

**Attachments:** [22-1261](#)

**H.9. Application Number:** VAR 22-1262  
**Applicant:** Russell Lees Jr.  
**Location:** 11602 Innfields Dr.  
**Folio Number:** 002692.3054  
**Acreage (+/-):** 5.94 acres, more or less  
**Comprehensive Plan:** A/R  
**Service Area:** Rural  
**Existing Zoning:** AR  
**Request:** Requesting a Variance to Accessory Structure Requirements.

**Attachments:** [22-1262](#)

**H.10. Application Number:** VAR 22-1370  
**Applicant:** Leslie Van Trump  
**Location:** 1400 ft Northwest of E. Old Hillsborough Ave and N. Smokey Mountain Rd. Intersection  
  
**Folio Number:** 063688.0800 & 063694.0000  
**Acreage (+/-):** 13.71 acres, more or less  
**Comprehensive Plan:** R-1  
**Service Area:** Rural  
**Existing Zoning:** AR  
**Request:** Requesting a Variance to Accessory Dwelling Requirements.

**Attachments:** [22-1370](#)

**H.11. Application Number:** VAR 22-1373  
**Applicant:** Alex Omar Wright  
**Location:** 8615 Jackson Springs Rd.  
**Folio Number:** 007008.0000  
**Acreage (+/-):** 0.33 acres, more or less  
**Comprehensive Plan:** R-4  
**Service Area:** Urban  
**Existing Zoning:** RSC-6  
**Request:** Requesting a Variance to Fence Requirements.

**Attachments:** [22-1373](#)

**H.12. Application Number:** VAR 22-1428  
**Applicant:** Alex Nappi  
**Location:** 3902 Americana Dr.  
**Folio Number:** 012161.0020  
**Acreage (+/-):** 0.67 acres, more or less  
**Comprehensive Plan:** R-4  
**Service Area:** Urban  
**Existing Zoning:** RSC-6  
**Request:** Requesting a Variance to Accessory Dwelling Requirements and Lot Development Standards.

**Attachments:** [22-1428](#)

**H.13. Application Number:** VAR 22-1434  
**Applicant:** WPG-Hilltop LLC.  
**Location:** 1449 Brandon Blvd.  
**Folio Number:** 071800.0000  
**Acreage (+/-):** 1.21 acres, more or less  
**Comprehensive Plan:** OC-20  
**Service Area:** Urban  
**Existing Zoning:** CG  
**Request:** Requesting Variances to the State Road 60 Overlay District Regulations (Part 3.14.00)

**Attachments:** [22-1434](#)

## **J. SPECIAL USES**

**J.1. Application Number:** SU-CFW 22-0610  
**Applicant:** 1 Source Towers, LLC  
**Location:** 5241 Lithia Springs Rd.  
**Folio Number:** 087689.0000  
**Acreage (+/-):** 15 acres, more or less  
**Comprehensive Plan:** R-2  
**Service Area:** Urban  
**Existing Zoning:** PD (16-0913)  
**Request:** Requesting a Special Use for Wireless Communication Tower.

**Attachments:** [22-0610](#)

- J.2. Application Number:** SU-GEN 22-0993  
**Applicant:** Cambridge Christian School, Inc.  
**Location:** 6101 N. Habana Ave.  
**Folio Number:** 030558.0000  
**Acreage (+/-):** 13.44 acres, more or less  
**Comprehensive Plan:** R-6  
**Service Area:** Urban  
**Existing Zoning:** RSC-6, MH  
**Request:** Requesting a Special Use for a school.

**Attachments:** [22-0993](#)

- J.3. Application Number:** VAR 22-1135  
**Applicant:** Van Dyke Holdings LLC.  
**Location:** 7720 Van Dyke Rd.  
**Folio Number:** 002100.0000  
**Acreage (+/-):** 2.73 acres, more or less  
**Comprehensive Plan:** R-1  
**Service Area:** Rural  
**Existing Zoning:** PD (93-0196)  
**Request:** Requesting a Special Use 2-COP Alcoholic Beverage Permit  
With separation waiver(s).

**Attachments:** [22-1135](#)

- J.4. Application Number:** SU-AB 22-1173  
**Applicant:** Hill Ward Henderson/Clayton Bricklemyer  
**Location:** 606 Seagrape Dr.  
**Folio Number:** 031647.0000  
**Acreage (+/-):** 8.7 acres, more or less  
**Comprehensive Plan:** R-6  
**Service Area:** Urban  
**Existing Zoning:** PD (05-1779)  
**Request:** Requesting a Special Use 2-APS Alcoholic Beverage Permit  
With separation waiver(s).

**Attachments:** [22-1173](#)

- J.5.**    **Application Number:**    **SU-AB 22-1260**  
**Applicant:**                    Rajesh Pathak  
**Location:**                     10044-10046 Cross Creek Blvd  
**Folio Number:**                059247.0030  
**Acreage (+/-):**                3.11 acres, more or less  
**Comprehensive Plan:**        R-4  
**Service Area:**                 Urban  
**Existing Zoning:**             PD (89-0045)  
**Request:**                     Requesting a Special Use 2-COP-R Alcoholic Beverage  
                                      Permit with separation waiver(s)

**Attachments:**    [22-1260](#)

- J.6.**    **Application Number:**    **SU-AB 22-1379**  
**Applicant:**                    Restaurant Kikiriki Inc.  
**Location:**                     1402 E. Fletcher Ave.  
**Folio Number:**                035256.0100  
**Acreage (+/-):**                1.6 acres, more or less  
**Comprehensive Plan:**        OC-20 & R-20  
**Service Area:**                 Urban  
**Existing Zoning:**             CG  
**Request:**                     Requesting a Special Use 2-COP Alcoholic Beverage Permit  
                                      With Separation Waiver(s).

**Attachments:**    [22-1379](#)

## **I.            APPEAL (APP) REQUESTS**