



LAND USE HEARING OFFICER AGENDA - FINAL

10:00 A.M. MONDAY, September 20, 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 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 September 20,2021

The following dates pertain only to applications heard at the September 20, 2021 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on October 11, 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. VAR 21-0902 David Wright**

This application is out of order to be heard and is being **CONTINUED** to the **October 25, 2021** LUHO.

Attachments: [21-0902](#)

A.2. SU-GEN 21-0915 Regional Properties, Inc.

This application is being **CONTINUED** by **STAFF** to the **October 25, 2021** LUHO.

Attachments: [21-0915](#)

A.3. SU-GEN 21-1001 David Mechanik

This application is out of order to be heard and is being **CONTINUED** to the **October 25, 2021** LUHO.

Attachments: [21-1001](#)

A.4. VAR 21-1054 NRS LLC

This application is out of order to be heard and is being **CONTINUED** to the **October 25, 2021** LUHO.

Attachments: [21-1054](#)

A.5. VAR 21-1116 Hydrologic Distribution Company

This application is out of order to be heard and is being **CONTINUED** to the **October 25, 2021** LUHO.

Attachments: [21-1116](#)

A.6. VAR 21-1123 David Wright/TSP Companies, Inc.

This application is out of order to be heard and is being **CONTINUED** to the **October 25, 2021** LUHO,

Attachments: [21-1123](#)

B. VESTED RIGHTS**C. FEE WAIVER**

D. REMANDS

E. RECONSIDERATION REQUESTS

F. SITE DEVELOPMENT VARIANCE REQUESTS

G. SIGN VARIANCE REQUESTS

- G.1. Application Number:** VAR 21-0838
Applicant: Sign Systems and Graphic Designs, Inc.
Location: 13618 N. Florida Ave.
Folio Number: 018173.0050
Acreage (+/-): 13.4 acres, more or less
Comprehensive Plan: OC-20 & R-4
Service Area: Urban
Existing Zoning: PD (91-0034)
Request: Requesting a Sign Variance.

Attachments: [21-0838](#)

- G.2. Application Number:** VAR 21-1122
Applicant: Seminole Presbyterian Church In America Inc.
Location: West side of N. Himes Ave and W. Paris St. Intersection
Folio Number: 029219.0000 & 029221.0000
Acreage (+/-): 6.02 acres, more or less
Comprehensive Plan: R-20
Service Area: Urban
Existing Zoning: RMC-20
Request: Requesting a Sign Variance

Attachments: [21-1122](#)

H. VARIANCE (VAR) REQUESTS

H.1. Application Number: VAR 21-0803
Applicant: Douglas H. Negron
Location: 2201 Green Meadow Dr.
Folio Number: 033702.0000
Acreege (+/-): 2.77 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: ASC-1
Request: Requesting a Variance to Lot Development Standards.

Attachments: [21-0803](#)

H.2. Application Number: VAR 21-0935
Applicant: Anthony & Britt Diaz
Location: 4137 Saltwater Blvd
Folio Number: 012193.0952
Acreege (+/-): 0.31 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a Variance to Accessory Structure Regulations.

Attachments: [21-0935](#)

H.3. Application Number: VAR 21-0938
Applicant: Dwayne Wilson
Location: 11648 Timber Ridge Dr.
Folio Number: 004008.0000
Acreege (+/-): 0.54 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: AS-1
Request: Requesting a Variance to Accessory Structure Requirements, Accessory Dwelling Requirements, Lot Development Standards and Fence Requirements.

Attachments: [21-0938](#)

H.4. Application Number: VAR 21-0958
Applicant: RU Project Management Group, LLC.
Location: 7812 N. Church Ave.
Folio Number: 026684.0000
Acreage (+/-): 0.14 acres, more or less
Comprehensive Plan: R-9
Service Area: Urban
Existing Zoning: RSC-9
Request: Requesting a Variance to Accessory Structure Requirements and Variance to Lot Development Standards.

Attachments: [21-0958](#)

H.5. Application Number: VAR 21-1094
Applicant: Karen Wagner
Location: 2240 Ft North of Thompson Rd and East Side of Bryant Rd.
Folio Number: 087591.0116
Acreage (+/-): 10 acres, more or less
Comprehensive Plan: AR
Service Area: Rural
Existing Zoning: AR
Request: Requesting a Variance to Accessory Structure Requirements.

Attachments: [21-1094](#)

H.6. Application Number: VAR 21-1121
Applicant: Jason Moss
Location: 1714 S. Miller Rd.
Folio Number: 086682.0100
Acreage (+/-): 0.52 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: RSC-3
Request: Requesting a Variance to Accessory Structure Requirements.

Attachments: [21-1121](#)

- H.7. Application Number:** VAR 21-1125
Applicant: Sitikantha Panigrahy & Laura C. OConnel
Location: 402 Westbrook Ave.
Folio Number: 070825.0000
Acreage (+/-): 2 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a Variance to Fence Requirements.

Attachments: [21-1125](#)

J. SPECIAL USES

- J.1. Application Number:** SU-LE 21-0375
Applicant: Trademark Metals Recycling, LLC.
Location: SW Corner of N Kingsway Rd and Harold Dangler Dr.
Folio Number: 062053.0000 & 062060.0100
Acreage (+/-): 28.66 acres, more or less
Comprehensive Plan: AE
Service Area: Rural
Existing Zoning: AR
Request: Requesting a Special Use for Land Excavation and variance to fence requirements.

Attachments: [21-0375](#)

- J.2. Application Number:** SU-AB 21-1003
Applicant: SU-AB 21-1003 Miguel Ramos
Location: Northeast corner of W. Hillsborough Ave and Standish Bend Dr.
Folio Number: 006732.0000
Acreage (+/-): 1.46 acres, more or less
Comprehensive Plan: OC-20
Service Area: Urban
Existing Zoning: CG
Request: Requesting a Special Use 2-COP-R beer and wine for sale and consumption on and off the permitted premises (package sales) in connection with a restaurant with separation waiver(s).

Attachments: [21-1003](#)

- J.3.** **Application Number:** **SU-AB 21-1124**
Applicant: Northdale, LLC
Location: Northwest corner of Northdale Blvd and Premiere Dr.
Folio Number: 016353.5050
Acreage (+/-): 2.86 acres, more or less
Comprehensive Plan: OC-20
Service Area: Urban
Existing Zoning: PD (76-0166)
Request: Requesting a Special Use 2-COP-R beer and wine for sale and consumption on and off the permitted premises (package sales) in connection with a restaurant, with separation waiver(s).

Attachments: [21-1124](#)

I. APPEAL (APP) REQUESTS