



HILLSBOROUGH COUNTY Land Use Hearing Officer

LUHO RESULTS - FINAL

10:00 A.M. MONDAY, December 13, 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.



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 December 13,2021

The following dates pertain only to applications heard at the December 13, 2021 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on January 06, 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 21-1248 Mariadel Rosario Perez & Guillermo Del Rio**

This application is being **CONTINUED** by **STAFF** to the **February 21, 2022** LUHO.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 01/24/2022

A.2. SU-GEN 21-1344 Crown Castle USA, Inc.

This application is out of order to be heard and is being **CONTINUED** to the **March 21, 2022** LUHO.

Attachments: [21-1344](#)

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 03/21/2022

A.3. VAR 21-1372 Alliance Realty Partners, LLC

This application is out of order to be heard and is being **CONTINUED** to the **March 21, 2022** LUHO.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 02/21/2022

A.4. Application Number: VAR 22-0009

Applicant: Annie Mintze-Simmons

Location: 9838 Rockhill Rd.

Folio Number: 060219.0000

Acreage (+/-): 0.15 acres, more or less

Comprehensive Plan: R-4

Service Area: Rural

Existing Zoning: RSC-6(MH)

Request: Requesting a Variance to Lot Development Standards.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 02/21/2022

A.5. SU-AB 22-0027 Moca Asian Cuisine, Inc.

This application is out of order to be heard and is being **CONTINUED** to the **March 21, 2022** LUHO.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 01/24/2022

A.6. SU-AB 22-0063 SRJ Restaurants, Inc.

This application is being **CONTINUED** by **STAFF** to the **February 21, 2022** LUHO.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 01/24/2022

A.7. VAR 22-0065 Donald A. & Paula K. Riley

This application is out of order to be heard and is being **CONTINUED** to the **January 24, 2022** LUHO.

Attachments: [22-0065](#)

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 01/24/2022

A.8. VAR 22-0079 John Saldana

This application is being **CONTINUED** by **STAFF** to the **February 21, 2022** LUHO.

Result: Continued

Motion: Continued.to the Land Use Hearing Officer due back on 01/24/2022

A.9. SU-AB 22-0082 Ross Investment Group of Tampa LLC.

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

Attachments: [22-0082](#)

Result: Withdrawn

Motion: Withdrawn.

B. VESTED RIGHTS

C. FEE WAIVER

D. REMANDS

E. RECONSIDERATION REQUESTS

E.1. VAR 21-0914 Ronald A. Fair

This application is being **CONTINUED** to the **February 21, 2022** LUHO.

Result: Opened and Continued

Motion: Opened and Continued.to the Land Use Hearing Officer due back on 01/24/2022

F. SITE DEVELOPMENT VARIANCE REQUESTS

G. SIGN VARIANCE REQUESTS

H. VARIANCE (VAR) REQUESTS

- H.1. Application Number:** VAR 21-0902
- Applicant:** David Wright
- Location:** 10713 Carroll Lake Dr.
- Folio Number:** 023373.0000
- Acreege (+/-):** 0.2 acres, more or less
- Comprehensive Plan:** R-4

Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a variance to lot development standards and to encroach wetland into the conservation area setback.

Attachments: [21-0902](#)

Result: Approved

Motion: Continued to the Land Use Hearing Officer due back on 01/24/2022

H.2. Application Number: VAR 21-1256
Applicant: Jerrie & Patrick Pellize
Location: Southwest corner of Lake Magdalene Blvd. and Floresta Dr.
Folio Number: 016640.0000 & 016661.0100
Acreeage (+/-): 1.01 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: ASC-1
Request: Requesting a Variance to Lot Development Standards and Variance to Accessory Structure Requirements.

Attachments: [21-1256](#)

Result: Denied

Motion: Denied.

H.3. Application Number: VAR 22-0016
Applicant: Diana Street Partners, LLC
Location: 5251 E. Diana St.
Folio Number: 039897.5562
Acreeage (+/-): 2 acres, more or less
Comprehensive Plan: LI
Service Area: Urban
Existing Zoning: M
Request: Requesting a Variance to District Performance and Dimensional Standards, LDC Part 6.01.00.

Attachments: [22-0016](#)

Result: Withdrawn

Motion: Withdrawn.

H.4. Application Number: VAR 22-0066
Applicant: Adrian Madhosingh
Location: 14003 Middle Park Dr.
Folio Number: 018959.3108
Acreeage (+/-): 0.39 acres, more or less
Comprehensive Plan: R-4

Service Area: Urban
Existing Zoning: PD (74-0004)
Request: Requesting a Variance to Lot Development Standards.

Attachments: [22-0066](#)

Result: Denied

Motion: Denied.

H.5. Application Number: VAR-WS 22-0068
Applicant: Brent & Kelly Blankenship
Location: 12808 Royal George Ave.
Folio Number: 002680.1744
Acreage (+/-): 0.26 acres, more or less
Comprehensive Plan: R-2
Service Area: Urban
Existing Zoning: PD (86-0118)
Request: Requesting a Variance to Encroach into the Wetland Setback.

Attachments: [22-0068](#)

Result: Approved

Motion: Approved.

J. SPECIAL USES

J.1. Application Number: SU-GEN 21-0915
Applicant: Regional Properties, Inc.
Location: West side of Pearson Rd and 270 Ft South of Bloomingdale Ave.
Folio Number: 087455.0000 & 087459.0100
Acreage (+/-): 4.28 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: AS-1
Request: Requesting a Special Use for Community Residential Home Type B.

Attachments: [21-0915](#)

Result: Approved

Motion: Approved.

J.2. Application Number: SU-GEN 21-1333
Applicant: Hindu Temple of Florida
Location: North side of Lynn Rd/Williams Rd. intersection and Southwest corner of Lynn Rd/Williams Rd.
Folio Number: 023779.0100 & 023824.0000

Acreage (+/-): 3.75 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: AS-1, RSC-2
Request: Special Use to allow a church with more than 300 members to be Located on a local road, Variance to Lot Development Standard Fence Requirements.

Attachments: [21-1333 Rev S Rep](#)

Result: Approved

Motion: Approved.

J.3. Application Number: SU-AB 21-1374
Applicant: Shaunessy Dobish
Location: 10522 39 Hwy.
Folio Number: 093937.0200
Acreage (+/-): 1.32 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: CN
Request: Requesting a Special Use 2-COP beer and wine for sale and consumption on and off the permitted premises, with separation waiver(s).

Attachments: [21-1374](#)

Result: Approved

Motion: Approved.

J.4. Application Number: SU-AB 22-0081
Applicant: UBC Bikes Inc.
Location: Northeast Side of S. County Road 39 and Gray Rd. Intersection
Folio Number: 094205.0000 & 094209.0000
Acreage (+/-): 959 acres, more or less
Comprehensive Plan: N
Service Area: Rural
Existing Zoning: AM
Request: Requesting a Special Use 2-COP-X beer and wine for sale and consumption on the permitted premises only, with separation waiver(s).

Attachments: [22-0081](#)

Result: Approved

Motion: Approved.

I. APPEAL (APP) REQUESTS