Variance Application: VAR 25-0094

LUHO Hearing Date:

January 21, 2025

Case Reviewer: Sam Ball



Development Services Department

Applicant: Global Sign & Awning Zoning: PD

Address/Location: 10763 Big Bend Road (Folio 77721.0404)

Request Summary

The applicant is requesting an increase in allowable building signage for a new car wash facility.

Requested Variance					
LDC Section	LDC Requirement	Variance	Result		
7.03.00.A.2.a	The maximum building sign area for each premises, and in the case of multi-occupancy buildings, each unit, shall be permitted to display building sign(s), the aggregate sign area of which cannot exceed 1.25 feet per each linear foot of building frontage facing a public street or parking lot, but in no event more than 200 square feet of aggregate sign area.	97.83-square-foot increase.	145.43 square feet of sign area to be installed on the northern building elevation		

Findings	The applicant submitted a building permit (HC-BLD-24-0064004) to install a 145.43-square-foot sign on a 38-foot, 1-inch-wide building front, where the maximum building sign area is 47.6 square feet.
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Zoning Administrator Sign Off:

Colleen Marshall Fri Jan 3 2025 14:47:09

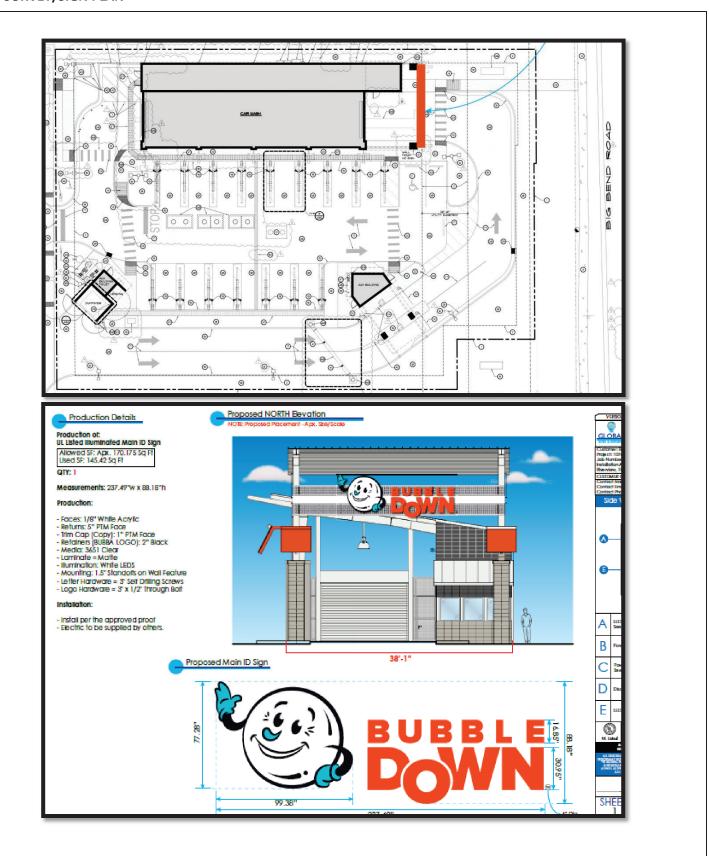
DISCLAIMER:

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.

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SURVEY/SIGN PLAN





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I certify that changes deso		_	been made t	o the submission. Any further changes
CO-	5//			11/19/2024
	Signature		<u> </u>	Date



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Additionally, parcels exempt under <u>Florida Statutes §119.071(4)</u> will need to contact <u>Hillsborough County Development Services</u> to obtain a release of exempt parcel information.

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Signature: (Must be signed by applicant or	authorized representative)
(ac. 20 3.802 2) app	
Intake Staff Signature:	Date:



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Project Description (Variance Request)

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. We are requesting a variance from Part 7.03.00.A.2 of the LDC to increase the allowable sign size by 97.83 sq. ft. Per the code, the maximum area for signage is 200 st. ft. The proposed sign is 145.43 sq. ft. 2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code: Code Section: Part 7.03.00.A.2 **Additional Information** Yes 1. Have you been cited by Hillsborough County Code Enforcement? If yes, you must submit a copy of the Citation with this Application. 2. Do you have any other applications filed with Hillsborough County that are related to the subject property? If yes, please indicate the nature of the application and the case numbers assigned to the application (s): 3. Is this a request for a wetland setback variance? If yes, you must complete the Wetland Setback Memorandum and all required information must be included with this Application Packet. 4. Please indicate the existing or proposed utilities for the subject property: Public Water ` Public Wastewater Private Well Septic Tank Is the variance to allow a third lot on well or non-residential development with an intensity of three ERC's?

claimed Water - Service Application Conditional Approval - Reservation of Capacity" prior to your public hearing

If yes, you must submit a final determination of the "Water, Wastewater, and/or Re-



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Variance Criteria Response

1.	explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not hose suffered in common with other property similarly located?			
	See attached			
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.			
	See attached			
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.			
	See attached			
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).			
	See attached			
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.			
	See attached			
5 .	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.			
	See attached			

Variance Criteria Responses

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.

Response #1: Due to the unique architectural design of our carwash brand our buildings are very narrow and long. This design allows for ample space for exterior vacuum stations used by our business, which is not typical of other retail businesses coupled with the fact that this particular location is untraditionally placed to meet all requested setbacks from adjacent properties. Thus, our buildings are usually placed perpendicularly to the roadway for maximum exposure.

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.

Response # 2: During our initial construction and our planning due diligence, our interpretation of the code would allow us 200 total sq. ft. of signage. This interpretation played a significant role in the design of the building facade which has been proportionally designed to accommodate a sign size that is comparable to neighboring businesses. Unfortunately, during our plan review process, we have been denied our initial request. As we mentioned before, our building is long and narrow to accommodate the parcel size and shape. Thus, our submission of this variance application.

3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by the allowance of the variance.

Response #3: Granting of this variance would have no negative impact on surrounding businesses or neighborhoods. As the sign size and location is in accordance with neighborhoods and businesses and proportional to the architecture and land development code.

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).

Response #4: As per CODE PART 7.03.33 - We agree with this section of the code as it makes it clear we are limited by the "Aggregate" area and not limiting the SqFt per the face of the building the sign is installed on. Both elevations that are being used to calculate our Sq Ft face a street and/or parking lot.

- The limitation of Sq Ft to the liner distance of the building is ONLY applied on elevations that DO NOT face a public road or parking lot.

Please see the highlighted section of the code below.

- It clearly defines the calculation for each elevation type determined by the environment the elevation faces. All elevations are not treated the same. Thus, the reason for defining it in two separate sections of the code while still using the same linear SqFt calculation and Max allowed sign size.

-There is only one difference between the code sections, and that is the allocation of the sq. ft. to separate elevations, not being limited to elevations that face public roads and parking lots. The full code section is highlighted below.

CODE PART 7.03.33

Maximum sign area: Each Premises, and in the case of multi-occupancy buildings, each unit, shall be permitted to display Building Sign(s), the Aggregate Sign Area of which shall not exceed 1¼ square feet per each linear foot of building frontage facing a public street or parking lot, but in no event more that 200 square feet of Aggregate Sign Area. For each unit not facing a public street or parking lot, the Aggregate Sign Area shall not exceed 1¼ square feet for each lineal foot of unit frontage for the elevation on which the building sign will be installed, but in no event more than 200 square feet of Aggregate Sign Area.

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.

Response #5: The position of our building is situated in such a way that it meets all applicable land development criteria. It was designed and built with consideration for the size and shape of the parcel. The design wouldn't have fit in this particular parcel which would've given us a longer elevation to use for sign frontage.

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.

Response#6: By granting us this variance it will ensure proper and safe identification of the business from the primary roadway. By allowing this variance justice will be served to the owner of this property. If the variance is not granted, it will be of detrimental nature and possible closure of this location. Bubble Down hopes that it can continue to grow and flourish in Hillsborough County, create a brand image, and expand to other parts of the Southeastern region of the US. Signage square footage and placement are critical to the success of this brand.

We also wish to reference variance application: VAR21-1345 as it is similar in nature and was accepted by the LUHO for Hillsborough County.



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Instrument #: 2020352713, Pg 1 of 4, 8/28/2020 2:57:42 PM DOC TAX PD(F.S. 201.02) \$7350.0 (Redefive T. November 20, 2024 (F.S. 199) \$0.00, DOC TAX PD (F.S. 201.08) \$0.00, Deputy Clerk: SMEANY Pat Frank, Clerk of Prescriptes Hillsborough County

This instrument prepared by and return to:

Preston O. Cockey, Jr., Esquire Preston O. Cockey, Jr., P.A. 110 E. Madison Street Suite 204 Tampa, Florida 33602

Folio Nos.:

077721-0404; 077721-0418; and

a part of 077721-0416; a part of 077721-0419

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made effective this I day of August, 2020, by DAN B. MCKENZIE and MARTHA W. MCKENZIE, husband and wife ("Grantor"), to BIG BEND RIVERVIEW WASH, LLC, a Florida limited liability company, whose address is 936 S. Howard Avenue, Suite 201, Tampa, Florida 33606 ("Grantee").

WITNESSETH: That Grantor for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains and sells to Grantee all of Grantor's interest in that certain land situate in Hillsborough County, Florida, (the "Land"), more particularly described as:

See Exhibit "A"

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

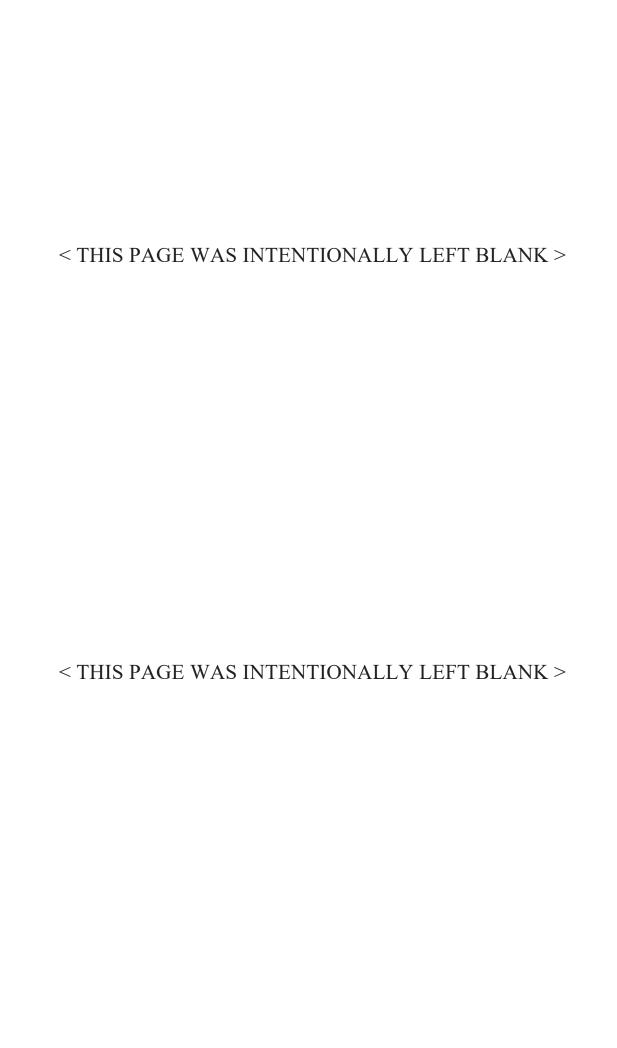
TO HAVE AND TO HOLD, the same in fee simple forever.

AND Grantor hereby covenants with Grantee that Grantor is lawfully seized of its interest in the Land in fee simple; that Grantor has good right and lawful authority to sell and convey its interest in the Land; that Grantor hereby specially warrants the title to its interest in the Land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor but not otherwise; and that its interest in the Land is free of all encumbrances, except taxes accruing subsequent to December 31, 2019, and all declarations, covenants, easements and restrictions of record, none of which shall be deemed re-imposed hereby.

[signature appears on following page]

348239-1 Special Warranty Deed

	has executed this instrument on the date set forth
above.	
Witnesses as to Both:	,
Kally Brown Print Name: Kathy Brown	Dan B. McKenzie
Print Name: Jaime L. Daniels	Martha W. McKenzie Martha W. McKenzie
	Address: 222 N. Eufaula Avenue Eufaula, Alabama 36027
STATE OF ALABAMA. COUNTY OF BANDER	<u>-</u>
The foregoing instrument was acknowledged on-line notarization, this 15 day of Au McKenzie. They are personally known to licenses as identification.	d before me by means of physical presence or gust, 2020, by Dan B. McKenzie and Martha W. o me or have produced their driver's
	NOTARY PUBLIC A A C
(Affix Seal)	Print Name: Gloria A- Hagler





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4		Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added			
5		Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added			
6		Property Information Sheet*+			
7		Legal Description of the Subject Site*+			
8		Close Proximity Property Owners List*+			
9	\boxtimes	Site Plan*+ All changes on the site plan must be listed in detail in the Cover Letter.			
10		Survey			
11		Wet Zone Survey			
12		General Development Plan			
13		Project Description/Written Statement			
14		Design Exception and Administrative Variance requests/approvals			
15	\boxtimes	Variance Criteria Response			
16		Copy of Code Enforcement or Building Violation			
17		Transportation Analysis			
18		Sign-off form			
19		Other Documents (please describe):			

^{*}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.

Variance Application Package



Instructions to Applicants for Requests Requiring Public Hearing:

I. Prior to completing this application:

If you have any questions regarding your proposed project prior to submittal of this application, please email ZoningIntake-DSD@HCFLGov.net.

Please ensure you gather items that will need to be submitted prior to submitting your application as incomplete applications will not be accepted. Some of the items necessary may be obtained as follows:

- Property information such as folio numbers, future land use, current zoning, section/township/range and other
 information may be obtained by using the <u>Hillsborough County Map Viewer</u> and searching for the necessary
 address in the search bar at the top.
- Sunbiz Forms may be obtained by visiting Sunbiz.org.
- A Copy of the Current Recorded Deed(s) may be obtained by visiting the Hillsborough County Property Appraiser's
 website at <u>HCPAFL.org</u> and conducting a Property Search. Search by folio number or property address and select
 the correct result. Scroll down to 'Sales History' and select the most recent 'Instrument Number'. Select one of
 the results to view and save the current recorded deed.
- Close Proximity Property Owners List may be requested by emailing gisdept@hcpafl.org. Include all folio numbers
 and the buffer area in the request. Please Note: If your property has an Agricultural Future Land Use Designation
 or a Future Land Use Designation of RES-1 you must obtain a list of all property owners within 500 feet of the
 subject property. For all other Future Land Use Categories you must obtain a list of all property owners within 300
 feet of the subject property.

II. Application submittal:

Part A and Part B of the submittal requirements include specific requirements and their requisite forms necessary for a complete and sufficient application submission.

- Part A will verify the property owner has authorized the application and includes forms and documents needed to verify the area for the proposed change.
- Part B includes the specific additional submittal requirements for the type of application being submitted.

Documents must be submitted as separate PDF documents with a minimum image resolution of 300 dpi labeled according to their contents and submitted in a single email to ZoningIntake-DSD@HCFLGov.net. Incomplete submittals will receive an email indicating the documents that are missing and will require a full resubmittal.

IMPORTANT: Review the entire application (both Parts A and B) for completeness prior to submission. Ensure you have your complete application submitted by 3:00 PM on the <u>cut-off day for your desired hearing</u> or your application will miss the cut-off and be continued to the next hearing date. Incomplete applications will not be accepted.

III. Post-application submittal:

Complete submittals will receive a payment request email. The deadline to make the payment is **one business day** after you receive this request. Failure to complete the payment by the deadline will result in application delays and/or additional Fastrack fees. Please view our <u>current fee schedule</u> for a list of zoning fees. Payments must be made through the <u>HillsGovHub portal</u>. Instructions on how to <u>create an account</u> and <u>how to make a payment</u> are also available.

Remember, the Hillsborough County Land Development Code requires public notice for this category of application. After payment is received, you will receive a Letter of Notice that must be sent to all addresses on the Adjacent Property Owners List and/or HOA list. A Certificate of Mailing must also be provided. Instructions on completing your Letter of Notice and obtaining a Certificate of Mailing, will be sent with the Letter of Notice via email. Mailing deadlines and the deadline to submit the certificate of mailing will also be included on this email.



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: Global Sign & Awr	Phone:727-724-4169		
Representative's Email: Vince@globalsigncompany.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 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 Inf Included N/A		N/A	Requirements
1	X		Property/Applicant/Owner Information Form
2	X		<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.
3	X		<u>Sunbiz Form</u> (if applicable). This can be obtained at <u>Sunbiz.org</u> .
4	X		<u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
5	X		Identification of Sensitive/Protected Information and Acknowledgement of Public Records
6	X		Copy of Current Recorded Deed(s)
7	X		Close Proximity Property Owners List
8	X		Legal Description for the subject site
9		X	Copy of Code Enforcement/Building Code Violation(s) (if applicable)
10		X	Fastrack Approval (if applicable)

Additional application-specific requirements are listed in Part B.



Property/Applicant/Owner Information Form

	Official	Use Only
Application No:		Intake Date:
Hearing(s) and type: Date;	Type:	Receipt Number:
Date:	Type:	Intakë Staff Signature:
	Property I	nformation
Address: 10763 Big Bend R		City/State/Zip: Riverview, FL 33579
TWN-RN-SEC: 31-20-17 Folio(s):	21-0404 Zoning: <u></u>	Future Land Use: CC-2 Property Size: .72 acres
	Property Owr	ner Information
Name: Big Bend Riverview	Wash LLC	Daytime Phone 813-468-0663
Address: 936 S. Howard Av	e. Ste. 201 _c	Sity/State/Zip: Tampa, FL 33606
Emall: chris.duncan@bubb	ledown.con	1 Fax Number N/A
	Applicant	Information
_{Name:} Global Sign & Awni	ng	Daytime Phone
		City/State/Zip: Tarpon Springs, FL 34689
Vince@globalsigncompany.com Fax Number N/A		
Appli	cant's Representati	ve (if different than above)
Name:		Daytime Phone
Address:		Sity/State/Zip:
Email:		Fax Number
I hereby swear or affirm that all the inprovided in the submitted application and accurate, to the best of my know authorize the representative listed all to act on my behalf out this application. Signature of the Applicable Vincent Leonardo	n packet is true iledge, and pove	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)
Турв ог print name		Түре or print name