



## HILLSBOROUGH COUNTY Board of County Commissioners

# LAND USE AGENDA - FINAL

**9:00 A.M. TUESDAY, March 7, 2023**

**County Center 2nd Floor**

WELCOME to a meeting with your Board of County Commissioners. Your participation in County government is appreciated. All Board land use meetings are open to the public and are held at 9:00 a.m., unless otherwise indicated.

The Hillsborough County Lobbying Ordinance requires that ALL LOBBYISTS REGISTER at the time of any private meeting with a member of the Board of County Commissioners, the County Administrator, any Assistant County Administrator, any Department Director, the County Attorney, or any Chief Assistant County Attorney, regarding any item which is pending before the Board of County Commissioners or being considered by the aforementioned County employees for presentation or recommendation to the County Commissioners.

Any person who might wish to appeal any decision made by the Board of County Commissioners regarding any matter considered at the forthcoming public hearing or meeting is hereby advised that he or she will need a record of the proceedings, and for such purpose he or she may need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which such appeal is to be based.

A ten-minute break may be taken mid-morning during each Board meeting. Should the Board determine that a meeting will last beyond noon; the chair may announce a recess from 12:00 noon until 1:30 p.m.

WHEN ADDRESSING THE BOARD, please state your name and address and speak clearly into the microphone. If distributing additional backup materials, please have sufficient copies to include the seven Commissioners, the Development Services Director and two for the Clerk/BOCC (10 copies).

This meeting will be telecast live on the Hillsborough County television channel on cable countywide: Comcast and Frontier Ch. 22 and Spectrum 637.

All cellular phones and pagers must be turned off while in the Boardroom.



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.

9:00 A.M.

1. CALL TO ORDER BY THE CHAIRMAN
2. PLEDGE OF ALLEGIANCE
3. INVOCATION
4. APPROVE CHANGES TO THE AGENDA, AS REQUESTED BY THE DEVELOPMENT SERVICES DIRECTOR OR BOARD MEMBERS
5. APPROVAL OF CHANGES TO THE AGENDA
6. APPROVAL OF CONSENT AGENDA
7. LIST OF ITEMS SCHEDULED FOR A TIME CERTAIN

**PUBLIC MEETING**

**LIST OF PUBLIC HEARINGS, MEETINGS AND WORKSHOPS NOTICED FOR A TIME CERTAIN**

9:00 A.M.

- PUBLIC HEARINGS – VACATION OF RIGHTS-OF-WAY, EASEMENTS & PLATS
- PHOSPHATE ITEMS
- PUBLIC HEARINGS – LAND USE
- REGULAR AGENDA
- PUBLIC HEARINGS – RELATED ITEMS
- STAFF ITEM
- COMMISSONERS' ITEMS

**A. WITHDRAWALS, CONTINUANCES AND REMANDS**

**A.1. PRS 22-0043 S&H MATHIS LLC C/O CHRIS FALTER**

This application is being Continued by the Applicant, as Matter of Right, to the April 11, 2023, Board of County Commissioners Land Use Meeting at 9.00 A. M.

**Attachments:** [23-0043](#)

**A.2. V21-0003 29:11 County Line LLC**

Staff is requesting the item be continued to the April 11, 2023, Board of County Commissioners Land Use Meeting at 9.00 A. M.

**A.3. V22-0019 Touchstone CDD and Lennar Homes LLC**

Staff is requesting the item be continued to the April 11, 2023, Board of County Commissioners Land Use Meeting at 9:00 A. M.

**B. CONSENT AGENDA**

<b>B.1. Application Number:</b>	<b>SU-GEN 22-1222</b>
<b>Applicant:</b>	DOUGLAS GEORGE DENBOER
<b>Location:</b>	8919 Rocky Creek.
<b>Folio Number:</b>	6560.0000
<b>Acreage:</b>	0.28 acres, more or less
<b>Comprehensive Plan:</b>	RES-6
<b>Service Area:</b>	Urban
<b>Community Plan:</b>	Town 'N Country
<b>Existing Zoning:</b>	RSC-6
<b>Request:</b>	Nonconformity Special Use Permit to allow for the rebuilding of a legally non-conforming use and 50% expansion of a legally nonconforming density

<b>RECOMMENDATION:</b>	
<b>Zoning Hearing Master:</b>	Approval
<b>Development Services:</b>	Approvable, subject to conditions
<b>Planning Commission:</b>	Consistent with Plan

**Attachments:** [22-1222-03-07-23](#)

**B.2. Application Number:** RZ-PD 22-1226  
**Applicant:** DRURY DEVELOPMENT CORPORATION  
**Location:** 10277 E Adamo Dr.  
**Folio Number:** 68042.1400  
**Acreage:** 5.43 acres, more or less  
**Comprehensive Plan:** RMU-35  
**Service Area:** Urban  
**Community Plan:** Brandon  
**Existing Zoning:** CG & CI  
**Request:** Rezone to PD  
**RECOMMENDATION:**  
**Zoning Hearing Master:** Approval  
**Development Services:** Approvable, subject to conditions  
**Planning Commission:** Consistent with Plan

**Attachments:** [22-1226-03-07-23](#)

**B.3. Application Number:** RZ-PD 22-1499  
**Applicant:** SHRUTE FERN, LLC  
**Location:** 500ft NW of N Church Ave & Legends Villa Dr Intersection.  
**Folio Number:** 29194.0000 & 29195.0000  
**Acreage:** 2.59 acres, more or less  
**Comprehensive Plan:** RES-12  
**Service Area:** Urban  
**Community Plan:** None  
**Existing Zoning:** RDC-12  
**Request:** Rezone to PD  
**RECOMMENDATION:**  
**Zoning Hearing Master:** Approval  
**Development Services:** Approvable, subject to conditions  
**Planning Commission:** Consistent with Plan

**Attachments:** [22-1499-03-07-23](#)

- B.4. Application Number:** RZ-STD 22-1642
- Applicant:** MASCHMEYER CONCRETE COMPANY OF FLORIDA
- Location:** 5217 S 36th Ave.
- Folio Number:** 47130.0000
- Acreage:** 1.04 acres, more or less
- Comprehensive Plan:** LI
- Service Area:** Urban
- Community Plan:** Greater Palm River Area
- Existing Zoning:** AI
- Request:** Rezone to M
- RECOMMENDATION:**
- Zoning Hearing Master:** Approval
- Development Services:** Approval
- Planning Commission:** Consistent with Plan

**Attachments:** [22-1642-03-07-23](#)

- B.5. Release of Reclamation Bond for Land Excavation**  
Release the reclamation bond for land excavation operating permit 05-3-LE, located at 16410 Balm Wimauma Road, Wimauma.

**Attachments:** [3-LE Memo for Bond Release](#)

- B.6. La Belle Amour Off-Site PI# 5194**  
Grant permission to the Development Services Department to administratively accept the Required Off-Site Improvement Facilities to serve La Belle Amour Off-Site located in Section 35, Township 29, and Range 19 (paving and drainage) for Maintenance upon proper completion, submittal and approval of all required documentation. Also provide the administrative rights to release the warranty security upon expiration of the warranty period, warranty inspection and correction of any failure, deterioration or damage to the Improvement Facilities. Accept a Warranty Bond in the amount of \$5,137.00 and authorize the Chair to execute the Agreement for Warranty of Required Off-Site Improvements.

**Attachments:** [B-07 La Belle Amour Off-Site](#)

**B.7. Magnolia Creek Phase 1 and Off-Site Road Improvements PI#5855**

Accept the plat for recording for Magnolia Creek Phase 1 and Off-Site Road Improvements, located in Section 31, Township 30, and Range 20, and grant permission to the Development Review Division of Development Services Department to administratively accept the Improvement Facilities ( on-site roads, drainage, water and wastewater and off-site roads and drainage) for Maintenance upon proper completion, submittal and approval of all required documentation. Also provide the administrative rights to release the performance securities for construction and lot comers upon final acceptance by the Development Review Division of Development Services Department and also provide the administrative rights to release the warranty security upon expiration of the warranty period, warranty inspection and correction of any failure, deterioration or damage to the Improvement Facilities. Accept a Performance Bond in the amount of \$3,785,094.09, a Warranty Bond in the amount of \$286,238.88 and authorize the Chairman to execute the Subdivider's Agreement for Construction and Warranty of Required Improvements. Also accept a Performance Bond for Placement of Lot Comers in the amount of \$8,625.00 and authorize the Chairman to execute the Subdivider's Agreement for Performance Placement of Lot Comers.

School Concurrency was approved and there is existing capacity for the subdivision .

**Attachments:** [Magnolia Creek Phase 1 and Off-site Road Improvement](#)

**B.8. Waterset Wolf Creek Phase Gland 30th Street Phase G1 PI#5502**

Accept the plat for recording for Waterset Wolf Creek Phase Gland 30th Street Phase G1, located in Section 26, Township 31, and Range 19, and grant permission to the Development Review Division of Development Services Department to administratively accept the Improvement Facilities (roads, drainage, water, reclaimed water and wastewater) for Maintenance upon proper completion, submittal and approval of all required documentation. Also provide the administrative rights to release the performance securities for construction and lot corners upon final acceptance by the Development Review Division of Development Services Department and also provide the administrative rights to release the warranty security upon expiration of the warranty period, warranty inspection and correction of any failure, deterioration or damage to the Improvement Facilities. Accept a Performance Bond in the amount of \$9,333,243.66, a Warranty Bond in the amount of \$709,171.99 and authorize the Chairman to execute the Subdivider's Agreement for Construction and Warranty of Required Improvements . Also accept a Performance Bond for Placement of Lot Corners in the amount of \$32,250.00 and authorize the Chairman to execute the Subdivider's Agreement for Performance - Placement of Lot Corners.

School Concurrency was approved and there is existing capacity for the subdivision .

**Attachments:** [Waterset Wolf Creek Phase G1 and 30th Street Phase G1](#)

**C. VACATION OF RIGHTS-OF-WAY, EASEMENTS, & PLATS****C.1. Public Hearing Vacating Petition by G-I Holdings Inc., Madison Montgomery Tamiami LLC, and Standard Industries Inc. to vacate a portion of a 30-foot-wide unimproved platted public right-of-way within Folio No. 048901-0010 in Greater Palm River.**

Adopt a resolution vacating a portion of a 30-foot-wide unimproved platted public right-of-way, as recorded in the South Tampa Plat, Plat Book 6, Page 3, of the public records of Hillsborough County, and being more particularly described in the Resolution. The proposed vacate area is located within Folio No. 048901-0010, generally lying east of South 50th Street, north of Madison Avenue, and west of the CSX railroad right-of-way, in Greater Palm River, and consists of approximately 14,598 square feet (0.34 acres). The Petitioners, G-I Holdings Inc., (as successor-in-interest to GAF Corporation), Madison Montgomery Tamiami LLC, and Standard Industries Inc., (f/k/a Building Materials Corporation of America) are all related entities and they have submitted this request to unite the parcels for improved functionality. The Planning Commission finds the proposed vacating consistent with the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County. Reviewing departments, agencies, and utility providers have raised no objections. The financial impact associated with this item consisted of required advertising per statute, recording fees and processing, estimated to be less than \$175.00, which are paid for by the Petitioners.

**Attachments:** [C-01\\_V22-0002 Agenda Package Fully Signed pdf](#)

**C.2. Public Hearing - Vacating Petition by Alafia Crossing Acquisition LLC to vacate a portion of unimproved deeded public right-of-way abutting Folio No. 076343-1000, in Riverview.**

Adopt a Resolution vacating a portion of unimproved deeded public right-of-way know as Ida Street, according to Deed Book 1730, Page 399, and Deed Book 1730, Page 401, of the public records of Hillsborough County, and being more particularly described in the Resolution. The proposed vacate area is abutting Folio No. 076343-1000 (no physical address), generally lying north of Gibsonton Drive, and east of Interstate 75, in Riverview, and consists of approximately 310 square feet (0.01 acres). The petitioner, Alafia Crossing Acquisition LLC, has submitted this vacate request to provide for a more continuous edge of the property line. Reviewing departments, agencies, and utility providers have raised no objections to this request. The Planning Commission finds the proposed vacating consistent with the Unincorporated Hillsborough County Comprehensive Plan. The financial impact associated with this item consists of required advertising per statute, recording fees and processing, estimated to be less than \$175.00, which are paid by the Petitioners.

**Attachments:** [V22-0017 Agenda Package Fully Signed pdf](#)

**C.3. Public Hearing - Vacating Petition by Turner Hines Richardson and Taylor Richardson to vacate a portion of a 7.5-foot-wide platted public utility easement within Folio No. 019664-0810, in Greater Carrollwood Northdale.**

Adopt a Resolution vacating a portion of a 7.5-foot-wide platted public utility easement, lying within Lot 21, Block 25, of the plat of Carrollwood Subdivision Unit 27, as recorded in Plat Book 43, Page 81, of the public records of Hillsborough County, and being more particularly described in the Resolution. The proposed vacate area is located at 11710 Plumosa Road, within Folio No. 019664-0810, generally lying east of North Dale Mabry Highway and west of Armenia Avenue in Greater Carrollwood Northdale and consists of approximately 214 square feet (0.005 acres). The Petitioners, Turner Hines Richardson and Taylor Richardson, have submitted this request to resolve the encroachment of a pool and pool deck constructed in 1972 into a portion of the utility easement. Reviewing departments, agencies, and utility providers have raised no objections to this request. The financial impact associated with this item consists of required advertising per statute, recording fees and processing, estimated to be less than \$175.00, which are paid by the Petitioners.

**Attachments:** [V23-0001 Agenda Package Fully Signed pdf](#)

**C.4. Public Hearing Vacating Petition by Jay and Valerie Johnson to vacate a portion of a 7.5-foot-wide platted public utility easement within Folio No 18363-0202, in Greater Carrollwood Northdale.**

Adopt a Resolution vacating a portion of a 7.5-foot-wide platted public utility easement, lying within Lot 10, Block 2, of the plat of Magdalene Shores Estates Unit No 6, as recorded in Plat Book 43, Page 48, of the public records of Hillsborough County, and being more particularly described in the Resolution. The proposed vacate area is located at 1908 Cape Bend Avenue, within Folio No 18363-0202, generally lying north of Fletcher Avenue and east of Lake Magdalene Boulevard, in Greater Carrollwood Northdale, and consists of approximately 81 square feet (0.002 acres). The Petitioners, Jay and Valerie Johnson, have submitted this request to resolve the encroachment of a pool and pool deck into a portion of the utility easement. Reviewing departments, agencies, and utility providers have raised no objections to this request. The financial impact associated with this item consisted of required advertising per statute, recording fees and processing, estimated to be less than \$175.00, which are paid for by the Petitioners.

**Attachments:** [C-04\\_V23-0004 Agenda Package Fully Signed pdf](#)

**D. PHOSPHATE ITEMS**



**E. PUBLIC HEARING-LAND USE**

**E.1. Application Number:** PRS 22-1174  
**Applicant:** BIG BEND LA LLC  
**Location:** 500ft SW of Big Bend Rd & Simmons Loop Intersection.  
**Folio Number:** 77731.0000 & 77734.0000  
**Acreage:** 11.74 acres, more or less  
**Comprehensive Plan:** UMU-20  
**Service Area:** Urban  
**Community Plan:** Riverview  
**Existing Zoning:** PD (16-0209)  
**Request:** Minor Modification to PD  
 • Modify conditions and site plan to address revised design  
 Of access and timing of construction of public dog park  
**RECOMMENDATION:** Approvable, subject to conditions

**Attachments:** [22-1174-03-07-23](#)

**E.2. Application Number:** PRS 23-0030  
**Applicant:** TC VENTURE 2, LLC  
**Location:** 570ft E of Lynnetree Ln & Colonial Manor Pl Intersection.  
**Folio Number:** Portion of 77420.5000  
**Acreage:** 8.12 acres, more or less  
**Comprehensive Plan:** RP-2  
**Service Area:** Rural  
**Community Plan:** Riverview  
**Existing Zoning:** PD 919-1172)  
**Request:** Minor Modification to PD  
 • Modify design/ construction phasing of access road  
**RECOMMENDATION:** Approvable, subject to conditions

**Attachments:** [23-0030](#)

**F. REGULAR AGENDA**

**F.1. Application Number:** **RZ-PD 22-0075 Remand**  
**Applicant:** MATMATTAMY TAMPA/ SARASOTA, LLC  
**Location:** 12910 Boyette Rd.  
**Folio Number:** 76763.1500  
**Acreage:** 17.67 acres, more or less  
**Comprehensive Plan:** RES-4  
**Service Area:** Urban  
**Community Plan:** Riverview  
**Existing Zoning:** AR  
**Request:** Rezone to PD  
**RECOMMENDATION:**  
**Zoning Hearing Master:** Approval  
**Development Services:** Approvable, subject to conditions  
**Planning Commission:** Consistent with Plan

**Attachments:** [22-0075-03-07-23](#)

**F.2. Application Number:** **RZ-PD 22-0719**  
**Applicant:** SUNNY SIA  
**Location:** 250ft NW of E US Hwy 92 & Air Stream Ave Intersection.  
**Folio Number:** 82912.0000  
**Acreage:** 3.94 acres, more or less  
**Comprehensive Plan:** SMU-6  
**Service Area:** Rural  
**Community Plan:** Seffner-Mango  
**Existing Zoning:** RSC-4  
**Request:** Rezone to PD  
**RECOMMENDATION:**  
**Zoning Hearing Master:** Denial  
**Development Services:** Not supportable  
**Planning Commission:** Inconsistent with the Plan

**Attachments:** [22-071903-07-23](#)

**F.3. Application Number:** RZ-PD 22-0857  
**Applicant:** ROGER GRUNKE  
**Location:** 400ft SE of Davis Rd & Cindy Way Intersection.  
**Folio Number:** 37509.0000, 37509.0100, 37510.0000 & 37511.0500  
**Acreage:** 4.57 acres, more or less  
**Comprehensive Plan:** RES-6  
**Service Area:** Urban  
**Community Plan:** East Lake Orient Park  
**Existing Zoning:** RSC-4, RSC-2 & 82-0213  
**Request:** Rezone to PD  
**RECOMMENDATION:**  
**Zoning Hearing Master:** Approval  
**Development Services:** Approvable, subject to conditions  
**Planning Commission:** Consistent with Plan

**Attachments:** [22-0857-03-07-23](#)

**F.4. Application Number:** RZ-PD 22-0866  
**Applicant:** CIRCLE K/ SCHAFFER CONSTRUCTION  
**Location:** 12001 E Big Bend Rd.  
**Folio Number:** 77690.5320  
**Acreage:** 3.82 acres, more or less  
**Comprehensive Plan:** RP-2  
**Service Area:** Rural  
**Community Plan:** Riverview & SouthShore Areawide Systems  
**Existing Zoning:** AS-1  
**Request:** Rezone to PD  
**RECOMMENDATION:**  
**Zoning Hearing Master:** Approval  
**Development Services:** Approvable, subject to conditions  
**Planning Commission:** Consistent with Plan

**Attachments:** [22-0866-03-07-23](#)

**F.5. Application Number:** MM 22-1228  
**Applicant:** COUNCIL BAY FARMS, LTD  
**Location:** 5591 N 41 Hwy.  
**Folio Number:** 54191.0100  
**Acreage:** 66.83 acres, more or less  
**Comprehensive Plan:** OC-20 & SMU-6  
**Service Area:** Urban  
**Community Plan:** Apollo Beach & Southshore Areawide Systems  
**Existing Zoning:** PD (06-1035)  
**Request:** Major Modification to PD  
**RECOMMENDATION:**  
**Zoning Hearing Master:** Approval  
**Development Services:** Approvable, subject to conditions  
**Planning Commission:** Consistent with Plan

**Attachments:** [22-1228-03-07-23](#)

**F.6. Application Number:** RZ-PD 22-1229  
**Applicant:** JACOB EGAN-ONYX & EAST  
**Location:** E Side of Anthony Dr & Bryan Rd Intersection.  
**Folio Number:** 70641.0200 & 70655.0000  
**Acreage:** 8.14 acres, more or less  
**Comprehensive Plan:** RES-6  
**Service Area:** Urban  
**Community Plan:** Brandon  
**Existing Zoning:** RSC-6  
**Request:** Rezone to PD  
**RECOMMENDATION:**  
**Zoning Hearing Master:** Approval  
**Development Services:** Approvable, subject to conditions  
**Planning Commission:** Consistent with Plan

**Attachments:** [22-1229-03-07-23](#)

**F.7. Application Number:** **RZ-PD 22-1338**  
**Applicant:** A & V DEVELOPMENT, LLC  
**Location:** W Side of N 50th St & Kirby St.  
**Folio Number:** 39016.0120, 39016.0200, 39018.0000, 39019.0000, 39020.0000  
 39021.0000, 39023.0000, 39025.0000 & 39029.0000  
**Acreage:** 17.78 acres, more or less  
**Comprehensive Plan:** RES-20 & RES-6  
**Service Area:** Urban  
**Community Plan:** East Lake Orient Park  
**Existing Zoning:** RSC-6 & PD (06-0997)  
**Request:** Rezone to PD  
**RECOMMENDATION:**  
**Zoning Hearing Master:** Approval  
**Development Services:** Not supportable  
**Planning Commission:** Inconsistent with the Plan

**Attachments:** [22-1338-03-07-23](#)

**F.8. Application Number:** **RZ-PD 22-1387**  
**Applicant:** WIMAUMA COMMERCIAL, LLC  
**Location:** 5201 674 Hwy.  
**Folio Number:** 78982.0020  
**Acreage:** 3.58 acres, more or less  
**Comprehensive Plan:** OC-20  
**Service Area:** Urban  
**Community Plan:** Wimauma & SouthShore Areawide Systems  
**Existing Zoning:** CI  
**Request:** Rezone to PD  
**RECOMMENDATION:**  
**Zoning Hearing Master:** Approval  
**Development Services:** Approvable, subject to conditions  
**Planning Commission:** Consistent with Plan

**Attachments:** [22-1387-03-07-23](#)

**F.9.**    **Application Number:**                    **RZ-STD 22-1591**  
**Applicant:**                                        NIGEL PORTER  
**Location:**                                        3920 Broad St.  
**Folio Number:**                                65740.0000  
**Acreage:**                                        0.49 acres, more or less  
**Comprehensive Plan:**                        RES-9  
**Service Area:**                                 Urban  
**Community Plan:**                            Seffner Mango  
**Existing Zoning:**                            RDC-12  
**Request:**                                        Rezone to CG(R)  
**RECOMMENDATION:**  
**Zoning Hearing Master:**                    Approval  
**Development Services:**                    Supportable  
**Planning Commission:**                    Inconsistent with the Plan

**Attachments:**    [22-1591-03-07-23](#)

**G.            PUBLIC HEARINGS - RELATED ITEMS**

**H.            COMMISSIONERS' ITEMS**

**I.            STAFF ITEMS**

**I.1.**    **Report from Development Services Department and Planning Commission Staff regarding Pine Key**

**Attachments:**    [Pine Key Staff Report BOCC 03.07.23](#)

**J.            COUNTY ATTORNEY'S ITEMS**

**K.            OFF THE AGENDA ITEMS**

**ADJOURNMENT**