

HILLSBOROUGH COUNTY Board of County Commissioners

LAND USE AGENDA - FINAL

9:00 A.M. TUESDAY, October 12, 2021

R. W. Saunders Sr. Public Library Ada T. Payne Community Room 1505 N. Nebraska Ave.

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. Thi 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. RZ-PD 18-0996 STREETFRONT COMMERCIAL PROPERTIES LLC

Staff is requesting the item be continued to the November 09, 2021 Board of County Commissioners Land Use Meeting at 9:00 A. M.

Attachments: 18-0996

A.2. RZ-PD 21-0422 CLINT CUFFLE, P.E.

Staff is requesting the item be continued to the November 09, 2021 Board of County Commissioners Land Use Meeting at 9:00 A. M.

Attachments: 21-0422

A.3. PRS 21-0474 SALEM HOLDINGS LLC

The Applicant is requesting the item be continued, as a Matter of Right, to the November 09, 2021 Board of County Commissioners Land Use Meeting at 9.00 A. M.

Attachments: 21-0474

A.4. PRS 21-0695 CLINT CUFFLE, P.E.

Staff is requesting the item be continued to the November 09, 2021 Board of County Commissioners Land Use Meeting at 9:00 A.M.

Attachments: 21-0695

A.5. PRS 21-0696 CLINT CUFFLE, P.E.

This Application is out of order and is being continued to the November 09, 2021 Board of County Commissioners Land Use Meeting at 9:00 A.M.

A.6. PRS 21-0840 JUGGERKNOT, LLC

The Applicant is requesting the item be continued, as a Matter of Right, to the November 09, 2021 Board of County Commissioners Land Use Meeting at 9.00 A. M.

Attachments: 21-0840

A.7. PRS 21-0918 SACRED HEART KNANAYA CATHOLIC MISSION OF TAMPA FL

This Application is out of order and is being continued to the November 09, 2021 Board of County Commissioners Land Use Meeting at 9.00 A. M.

Attachments: 21-0918

A.8. PRS 21-1034 EQUITAS MANAGEMENT GROUP

The Applicant is requesting the item be continued, as a Matter of Right, to the November 09, 2021 Board of County Commissioners Land Use Meeting at 9.00 A. M.

Attachments: 21-1034

A.9. PRS 21-1136 QUETZAL MEXICAN CUISINE LLC DBA GRAND HACIENDA

The Applicant is requesting the item be continued, as a Matter of Right, to the November 09, 2021 Board of County Commissioners Land Use Meeting at 9.00 A. M.

Attachments: 21-1136

A.10. PRS 21-1137 ERTHEL E. HILL, CAPITAL PROJECTS MANAGER

This Application is out of order and is being continued to the November 09, 2021 Board of County Commissioners Land Use Meeting at 9:00 A.M.

Attachments: 21-1137

A.11. PRS 21-1153 WOODIES WASH SHAK

This Application is out of order and is being continued to the November 09, 2021 Board of County Commissioners Land Use Meeting at 9.00 A. M.

A.12. PRS 21-1155 BIG BEND MEDICAL PARK, LLC

Staff is requesting the item be continued to the November 09, 2021 Board of County Commissioners Land Use Meeting at 9:00 A. M.

Attachments: 21-1155

B. CONSENT AGENDA

B.1. Application Number: RZ-PD 21-0554

Applicant:FREDERICK & BARBARA PATRICKLocation:SE Corner of E US Highway 92 & Anna Dr.

Folio Number: 65056.0000 & 65057.0100 **Acreage:** 16.14 acres, more or less

Comprehensive Plan: UMU-20 Service Area: Urban

Community Plan: Seffner Mango

Existing Zoning: AR

Request: Rezone to PD

RECOMMENDATION:

Zoning Hearing Master: Denial

Development Services:Planning Commission:
Not Supported
Inconsistent with Plan

Attachments: 21-0554

B.2. Application Number: RZ-PD 21-0558

Applicant: AMQ INTERNATIONAL CORP

Location: W Side of S Parsons Ave & Laws Ln Intersection.

Folio Number: 66042.0000 & 66044.0000 **Acreage:** 5.5 acres, more or less

Comprehensive Plan: RES-4
Service Area: Urban

Community Plan: Seffner Mango

Existing Zoning: ASC-1

Request: Rezone to PD

RECOMMENDATION:

Zoning Hearing Master: Approval

Development Services: Approvable, Subject to Conditions

Planning Commission: Consistent with Plan

B.3. Berry Bay Villages E, G & L

Accept the plat for recording for Berry Bay Villages E, G & L, located in Section 29, Township 32, and Range 20, and grant permission to the Development Review Division of Development Services Department to administratively accept the On-Site & Off-Site Improvement Facilities (roads, drainage, 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 \$253,966.00, a Warranty Bond in the amount of \$1,065,3 I 5.00, 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 \$31,403.00 and authorize the Chairman to execute the Subdivider's Agreement for Performance - Placement of Lot Corners.

Attachments: Berry Bay Villages E, G & L

B.4. Berry Bay Villages Ph I

Accept the plat for recording for Berry Bay Villages Ph I, located in Section 19, Township 32, and Range 20, and grant permission to the Development Review Division of Development Services Department to administratively accept the Improvement Facilities (roads, drainage, 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 \$482,400.00, a Warranty Bond in the amount of \$154,790.00, 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\$19,033.00 and authorize the Chairman to execute the Subdivider's Agreement for Performance - Placement of Lot Corners.

Attachments: Berry Bay Villages Ph I

B.5. Big Bend Logistics Off-Site

Grant permission to the Development Review Division of Development Services Department to administratively accept the Required Off-Site Improvement Facilities (roadway & turn lanes, water main and force main) for Maintenance upon proper completion, submittal and approval of all required documentation, and construction final acceptance by the Development Review Division of Development Services Department to serve Big Bend Logistics, located in Section 14, Township 31, and Range 19. 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 \$39,415.70 and authorize the Chairman to execute the Agreement for Warranty of Required Off-Site Improvements.

Attachments: Big Bend Logistics Off-Site

B.6. Dollar General Store #21929

Grant permission to the Development Review Division of Development Services Department to administratively accept the Required Off-Site Improvement Facilities (off-site water, roadway, drainage and sidewalks) for Maintenance upon proper completion, submittal and approval of all required documentation, and construction final acceptance by the Development Review Division of Development Services Department to serve Dollar General Store #21929, located in Section 07, Township 29, and Range 21. 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 Check in the amount of\$7,348.55 and authorize the Chairman to execute the Agreement for Warranty of Required Off-Site Improvements.

Attachments: Dollar General Store #21929

B.7. Easthaven Townhomes aka Harney Road Townhomes

Accept the plat for recording for Easthaven Townhomes aka Harney Road Townhomes, located in Section 19, Township 28, and Range 20. Accept a Performance Bond in the amount of \$524,164.00 and authorize the Chairman to execute the Subdivider's Agreement for Construction of Required Improvements. Also accept a Performance Bond for Placement of Lot Corners in the amount of \$5,850.00 and authorize the Chairman to execute the Subdivider's Agreement for Performance -Placement of Lot Corners.

<u>Attachments</u>: Easthaven Townhomes aka Harney Road Townhomes

B.8. Ferraro/Antonella Pirrone & Adena Group LLC

Grant permission to the Development Review Division of Development Services Department to administratively accept the Required Off-Site Improvement Facilities (off-site wastewater) for Maintenance upon proper completion, submittal and approval of all required documentation, and construction final acceptance by the Development Review Division of Development Services Department to serve Ferraro/ Antonella Pirrone & Aderra Group LLC, located in Section 22, Township 27, and Range 18. 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 Check in the amount Of \$1,925.00 and authorize the Chairman to execute the Agreement for Warranty of Required Off:Site Improvements.

Attachments: Ferraro-Antonella Pirrone & Aderra Group LLC

B.9. Parkway Center Amenity Facility

Grant permission to the Development Review Division of Development Services Department to administratively accept the Required Off-Site Improvement Facilities (off-site water, wastewater and sidewalks) for Maintenance upon proper completion, submittal and approval of all required documentation, and construction final acceptance by the Development Review Division of Development Services Department to serve Parkway Center Amenity Facility, located in Section 13, Township 30, and Range 19. 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 Check in the amount of\$15,838.00 and authorize the Chairman to execute the Agreement for Warranty of Required Off-Site Improvements.

Attachments: Parkway Center Amenity Facility

B.10. Williams Pointe aka Folsom Property

Accept the plat for recording for Williams Pointe aka Folsom Property, located in Section 20, Township 28, and Range 20, and grant permission to the Development Review Division of Development Services Department to administratively accept the On-site and off-Site Improvement Facilities (roads, drainage, 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\$2,140,299.64, a Warranty Bond in the amount of\$171,223.975, 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\$15,625.00 and authorize the Chairman to execute the Subdivider's Agreement for Performance -Placement of Lot Corners.

<u>Attachments</u>: Williams Pointe aka Folsom Property

B.11. Approve a resolution providing for the rendition of the denial of application RZ 21-0700, an application for rezoning from Planned Development (PD) zoning district to AS-1 (Agricultural Single Family). The Board of County Commissioners voted to deny this application during the August 10, 2021 BOCC Land Use Meeting.

Adopt a resolution providing for the rendition of the denial of application RZ 21-0700, an application for Rezoning from Planned Development (PD) zoning district to AS-1 (Agricultural Single Family).

C. VACATION OF RIGHTS-OF-WAY, EASEMENTS, & PLATS

- C.1. Public Hearing Vacating Petition V20-0012, a Petition by Stephen D. Steen, Diana Marie & Kenneth Marlow Vance, Jacob Miller & Lisa Stockton, and Peter D. & Alison S. Farnan to vacate a portion of a 50-foot wide unimproved platted public right-of-way, in Riverview, abutting Folios 075894-5000, 075891-0100, 075892-0000, and 075893-0000, in Riverview.
 - (a) Adopt a resolution vacating that east 25-foot wide portion of a 50-foot wide unimproved platted public right-of-way known as Morrison Avenue, lying between lots 7-11, block 1 and lots 5-8, block 2, within the Copeland And Morrison Subdivision of Lot 2 Plat, as recorded in Plat Book 1, Page 48, of the public records of Hillsborough County, and being more particularly described in the Resolution. (b) Accept a drainage easement over an existing ditch that flows to the Alafia River within the subject vacate area and within Folio No. 075894-5000 (as further detailed in the Background).

The Petitioners desire to vacate the area to allow for future use and to allow compliance with setback requirements. The proposed vacate area consists of approximately 5,250 square feet (.12 acres) and is generally located west of US Highway 301, south of Riverview Drive, and east of Moody Road, in Riverview (as further detailed in the Background).

Reviewing departments, agencies, and utility providers have raised no objections, with the exception of Public Works whose consent is conditioned upon (i) the reservation of a drainage easement over a portion of the vacate

area, and (ii) the conveyance of a new drainage easement by one of the Petitioners, both of which the requestor has agreed to (as further explained in the Background).

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: V20-0012

D. PHOSPHATE ITEMS

E. PUBLIC HEARING-LAND USE

E.1. Application Number: PRS 21-0699

Applicant: LANDMYND SERVICES, LLC

Location: E Side of 4th St SW & 720ft S of W College Ave.

Folio Number: 55263.0000 & 55264.0000 **Acreage:** 9.02 acres, more or less

Comprehensive Plan: SMU-6 **Service Area:** Urban

Community Plan: Ruskin & Southshore Areawide Systems Plan

Existing Zoning: PD (05-1786) & CI **Request:** Minor Modification to PD

• Eliminate uses and operating hour restrictions, modify building

envelopes and adding access points

RECOMMENDATION: Approvable, subject to Revised Conditions

E.2. Application Number: PRS 21-1039

Applicant: MARK BENTLEY, ESQ, B.C.S, AICP

Location: S Side of E Hillsborough Ave & 500ft W of Orient RD.

 Folio Number:
 41188.0000 & 41191.0000

 Acreage:
 2.72 acres, more or less

Comprehensive Plan: OC-20 Service Area: Urban

Community Plan: East Lake Orient Park

Existing Zoning: PD (18-0404)

Request: Minor Modification to PD

• Increase maximum building height from 50 feet to 64 feet and modify

number and location of access and cross access points

RECOMMENDATION: Approvable, Subject to Proposed Conditions

Attachments: 21-1039

E.3. Application Number: PRS 21-1114

Applicant: CLINT CUFFLE, P. E
Location: 6619 Krycul Ave
Folio Number: 74089.0000

Acreage: 9.82 acres, more or less

Comprehensive Plan: SMU-6
Service Area: Urban
Community Plan: Riverview
Existing Zoning: PD (19-0549)

Request: Minor Modification to PD

• Reduce Townhome minimum lot width from 22 to 20 feet

RECOMMENDATION: Approvable, Subject to Proposed Conditions

Attachments: 21-1114

E.4. CDD 21-1080 PETITION TO CONTRACT THE BOUNDARIES OF THE SOUTH BAY COMMUNITY DEVELOPMENT DISTRICT (CDD)

Approve the South Bay Community Development District (CDD) boundary modification in accordance with the attached ordinance subject to any changes by the County Attorney's Office.

F. REGULAR AGENDA

F.1. Application Number: RZ-PD 20-1253

Applicant: RKM DEVELOPMENT CORP C/O WILLIAM LOYD **Location:** 500ft N of Intersection: N US Hwy 41. / Cristal Grove Blvd.

Folio Number: 13693.0000

Acreage: 2.6 acres, more or less

Comprehensive Plan:

Service Area:

Community Plan:

Existing Zoning:

RES-2

Rural

Lutz

ASC-1

Request: Rezone to PD

RECOMMENDATION:

Zoning Hearing Master: Approval

Development Services: Approval, Subject to Conditions

Planning Commission: Consistent with Plan

Attachments: 20-1253

F.2. Application Number: MM 21-0116

Applicant: 7720 VAN DYKE HOLDINGS LLC

Location: 7720 Van Dyke Rd.

Folio Number: 2100.0000

Acreage: 2.72 acres, more or less

Comprehensive Plan: RES-1 Service Area: Rural

Community Plan: Keystone Odessa

Existing Zoning: PD (92-0009) & PD (93-0196) **Request:** Major Modification to PD

RECOMMENDATION:

Zoning Hearing Master: Approval in Part

Development Services: Approvable in Part, Subject Conditions

Planning Commission: Consistent with Plan in Part

F.3. Application Number: RZ-PD 21-0222

Applicant: RRGG LLC/ FIRST RATE PROPERTIES, LLC

Location: 430ft E of Intersection: Bloomingdale Ave./ Watson Rd.

Folio Number: 73713.0000 + Multiple **Acreage:** 14.45 acres, more or less

Comprehensive Plan:RES-6Service Area:UrbanCommunity Plan:Brandon

Existing Zoning: AS-1, AS-1, PD (17-0068)

Request: Rezone to PD

RECOMMENDATION:

Zoning Hearing Master: Approval

Development Services: Approvable, Subject Conditions

Planning Commission: Inconsistent with Plan

Attachments: 21-0222

F.4. Application Number: MM 21-0227

Applicant: MALHI FAMILY BUSINESS, LLC
Location: NW Corner of Gunn Hwy & N Mobley Rd.

Folio Number: 1916.0100, 1916.0110 **Acreage:** 54.16 acres, more or less

Comprehensive Plan: RES-1 Service Area: Rural

Community Plan: Keystone Odessa

Existing Zoning: PD (98-0503), PD (98-0503) & KCAC

Request: Major Modification to PD

RECOMMENDATION:

Zoning Hearing Master: Approval

Development Services: Supportable with conditions

Planning Commission: Consistent with Plan

F.5. Application Number: MM 21-0417

Applicant: DUNE FL LAND I SUB LLC AND SOUTHSHORE BAY CLUB LLC **Location:** Approximately 1550ft S of Lagoon Shore Blvd & Jackel Chase Dr

Intersection.

Folio Number: 78878.0000 & 78878.0010
Acreage: 46 acres, more or less
Comprehensive Plan: RES-6 & RES-4

Service Area: Urban

Community Plan: Wimauma & Southshore Areawide Systems Plan

Existing Zoning: PD (05-0210)

Request: Major Modification to PD

RECOMMENDATION:

Zoning Hearing Master: Approval

Development Services: Approvable, Subject to Conditions

Planning Commission: Inconsistent with the Plan

Attachments: 21-0417

F.6. Application Number: RZ-PD 21-0742

Applicant: IPS ENTERPRISES, INC

Location: SW Corner of Skewlee Rd & Hart Pond Dr.

Folio Number: 60819.0000 & 60821.0000 **Acreage:** 15.1 acres, more or less

Comprehensive Plan: RES-1 Service Area: Rural

Community Plan: Thonotosassa
Existing Zoning: AS-1 & AR
Request: Rezone to PD

RECOMMENDATION:

Zoning Hearing Master: Approval

Development Services: Approvable, Subject to Conditions

Planning Commission: Consistent with Plan

F.7. Application Number: MM 21-0747

Applicant: ELLIS NATIONAL BANK OF W. HILLSBOROUGH C/O BANK OF

AMERICA NC 1

Location: 8302 W Hillsborough Ave.

Folio Number: 10237.0000

Acreage: 2.27 acres, more or less

Comprehensive Plan: OC-20 Service Area: Urban

Community Plan: Town N Country
Existing Zoning: PD (78-0249) HAOD
Request: Major Modification to PD

RECOMMENDATION:

Zoning Hearing Master: Approval

Development Services: Approvable, Subject to Conditions

Planning Commission: Consistent with Plan

Attachments: 21-0747

F.8. Application Number: RZ-PD 21-0749

Applicant: CHERYL CURRIE KILCOYNE, DOUBLE E LAND COMPANY, LLC,

CURRIE INVESTMENTS, INC

Location: SE Corner of N Dale Mabry Hwy & W Idlewild Ave.

 Folio Number:
 29247.0000 & 29248.0000

 Acreage:
 6.5 acres, more or less

Comprehensive Plan:
Service Area:
Urban
Community Plan:
None
Existing Zoning:
CG & CG
Request:
Rezone to PD

RECOMMENDATION:

Zoning Hearing Master: Approval

Development Services: Approvable, Subject to Conditions

Planning Commission: Consistent with Plan

F.9. Application Number: RZ-STD 21-0942

Applicant: MICHAEL G. TAYLKOR AND DENNIS M. TAYLOR

Location: 2909 N Wilder Rd. **Folio Number:** 89867.0000

Acreage: 6.45 acres, more or less

Comprehensive Plan:RES-1Service Area:RuralCommunity Plan:NoneExisting Zoning:AR

Request: Rezone from AR to ASC-1

RECOMMENDATION:

Zoning Hearing Master: Approval **Development Services:** Approval

Planning Commission: Consistent with Plan

Attachments: 21-0942

F.10. Application Number: RZ-STD 21-0970

Applicant: CHASE CLARK

Location: 13201 Lewis Gallagher Rd.

Folio Number: 82777.0000

Acreage: 4.85 acres, more or less

Comprehensive Plan:

Service Area:

Community Plan:

Existing Zoning:

RES-1

Rural

None

AR

Reguest: Rezone from AR to ASC-1

RECOMMENDATION:

Zoning Hearing Master: Approval **Development Services:** Approval

Planning Commission: Consistent with Plan

- G. PUBLIC HEARINGS RELATED ITEMS
- H. LAND DEVELOPMENT CODE AMENDMENTS
- I. COMMISSIONERS' ITEMS
- J. STAFF ITEMS
- K. COUNTY ATTORNEY'S ITEMS
- L. OFF THE AGENDA ITEMS

ADJOURNMENT