



LAND USE HEARING OFFICER AGENDA - FINAL

10:00 A.M. MONDAY, May 23, 2022

**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 May 23,2022

The following dates pertain only to applications heard at the May 23, 2022 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on June 14, 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 22-0350 Go Permit/Jennifer Ronneburger**

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

Attachments: [22-0350](#)

A.2. SU-CFW 22-0368 Tampa Electric Company

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

Attachments: [22-0368](#)

A.3. VAR 22-0446 David Wright/TSP Companies, Inc.

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

Attachments: [22-0446](#)

A.4. SU-CFW 22-0466 Vertex Development LLC - Alan Ruiz

This application is being **CONTINUED** by the **APPLICANT** to the **June 21, 2022** LUHO.

Attachments: [22-0466](#)

A.5. SU-AB 22-0476 Fat Beet Farm Marketplace and Bakery, LLC.

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

Attachments: [22-0476](#)

A.6. VAR 22-0715 SL6 Hangar Court, LP

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

Attachments: [22-0715](#)

A.7. VAR-WS 22-0716 David Wright/TSP Companies, Inc.

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

Attachments: [22-0716](#)

A.8. VAR 22-0722 Larry Albritton

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

Attachments: [22-0722](#)

A.9. SU-AB 22-0723 Winn-Dixie Supermarkets, Inc.

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

Attachments: [22-0723](#)

B. VESTED RIGHTS**C. FEE WAIVER****D. REMANDS****E. RECONSIDERATION REQUESTS****F. SITE DEVELOPMENT VARIANCE REQUESTS****F.1. Application Number: VAR-WS 22-0665**

Applicant: GC Tampa Linebaugh Owner, LLC - Eric Freeman

Location: Southeast corner of W. Linebaugh Ave. and Merchants Center Dr. Intersection

Folio Number: 023909.0000 & 023940.0100

Acreage (+/-): 10.16 acres, more or less

Comprehensive Plan: LI

Service Area: Urban

Existing Zoning: M & CI

Request: Requesting a Variance to Encroach into the Wetland Setback.

Attachments: [22-0665](#)

- F.2. Application Number:** VAR-WS 22-0710
Applicant: David Wright/TSP Companies, Inc.
Location: 6932 Silver Sage Cir.
Folio Number: 004530.0042
Acreage (+/-): 0.38 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: AR & PD (04-0404)
Request: Requesting a Variance to Encroach into the 30' Wetland Conservation Area Setback.

Attachments: [22-0710](#)

- F.3. Application Number:** VAR-WS 22-0737
Applicant: David Wright/TSP Companies, Inc.
Location: 13518 Lake Magdalene Dr.
Folio Number: 018845.1058
Acreage (+/-): 0.25 acres, more or less
Comprehensive Plan: R-9
Service Area: Urban
Existing Zoning: PD (71-0236)
Request: Requesting a Variance to Encroach into the 30' Wetland Conservation Area Setback.

Attachments: [22-0737](#)

G. SIGN VARIANCE REQUESTS

H. VARIANCE (VAR) REQUESTS

- H.1. Application Number: VAR 22-0079**
Applicant: John Saldana
Location: 300 ft Northeast of W.Waters Ave and N. Lois Ave. Intersection
Folio Number: 024123.0050 & 024123.0075
Acreage (+/-): 1.62 acres, more or less
Comprehensive Plan: R-12
Service Area: Urban
Existing Zoning: RMC-16
Request: Requesting a Variance to Lot Development Standards, Buffer And Screening, Accessory Structures and Wetlands Provisions.

Attachments: [22-0079](#)

- H.2. Application Number: VAR 22-0550**
Applicant: Hulbert Homes, Inc.
Location: 12906 Star Country Ln.
Folio Number: 083066.6012
Acreage (+/-): 1.02 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: ASC-1
Request: Requesting a Variance to Lot Development Standards.

Attachments: [22-0550](#)

- H.3. Application Number: VAR 22-0620**
Applicant: Angel Santana
Location: 9721 Van St.
Folio Number: 004489.0000
Acreage (+/-): 0.95 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: AR
Request: Requesting a Variance to Lot Development Standards and to Accessory Structure Requirements.

Attachments: [22-0620](#)

- H.4. Application Number: VAR 22-0644**
Applicant: Todd Pressman
Location: 520 E. Brandon
Folio Number: 069455.0000
Acreage (+/-): 0.89 acres, more or less
Comprehensive Plan: OC-20
Service Area: Urban
Existing Zoning: CG
Request: Requesting a Variance to Lot Development Standards and Variance to Buffering and Screening Requirements.

Attachments: [22-0644](#)

- H.5. Application Number: VAR 22-0672**
Applicant: Edunys Perez Sarmiento
Location: 780 Ft West of Black Swan Ct. and Williams Rd. Intersection
Folio Number: 065563.0000
Acreage (+/-): 0.26 acres, more or less
Comprehensive Plan: UMU-20
Service Area: Urban
Existing Zoning: AR
Request: Requesting a Variance to Lot Development Standards.

Attachments: [22-0672](#)

- H.6. Application Number: VAR 22-0680**
Applicant: Jason Volm
Location: 8712 Driftwood Dr.
Folio Number: 010407.0000
Acreage (+/-): 0.22 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a Variance to Lot Development Standards, Accessory Structure Requirements and to Encroach into the Wetland Setback Area.

Attachments: [22-0680](#)

- H.7. Application Number: VAR 22-0724**
Applicant: Forestar USA Real Estate Group Inc.
Location: 187 Mangrove Manor Dr.
Folio Number: 051616.0538
Acreage (+/-): 0.11 acres, more or less
Comprehensive Plan: SMU-6
Service Area: Urban
Existing Zoning: PD (04-0057)
Request: Requesting a Variance to Lot Development Standards.

Attachments: [22-0724](#)

J. SPECIAL USES

- J.1. Application Number: SU-AB 22-0656**
Applicant: Jonathan Moreno
Location: 11801 E. 92 Hwy.
Folio Number: 063370.0000
Acreage (+/-): 1 acre, more or less
Comprehensive Plan: CMU-12
Service Area: Urban
Existing Zoning: CG
Request: Requesting a 4-COP Alcoholic Beverage Permit with Separation waiver(s).

Attachments: [22-0656](#)

- J.2. Application Number: SU-AB 22-0511**
Applicant: Vic Granowicz
Location: 900Ft Northwest of Dolphin Cove Dr. & Apollo Beach Blvd.
Folio Number: 052054.0300 & 052066.2000
Acreage (+/-): 3.55 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: PD (77-0123)
Request: Special Use 4-COP Alcoholic Beverage Permit with Separation waiver(s).

Attachments: [22-0511](#)

J.3. **Application Number:** **SU-AB 22-0628**
 Applicant: Tracey Adelhouser
 Location: 221 E. Brandon
 Folio Number: 070488.0050
 Acreage (+/-): 0.31 acres, more or less
 Comprehensive Plan: UMU-20
 Service Area: Urban
 Existing Zoning: CG
 Request: Requesting a Special Use 4-COP-X Alcoholic Beverage
 Permit with Separation Waiver(s).

Attachments: [22-0628](#)

I. APPEAL (APP) REQUESTS