



Hillsborough
County Florida

**HILLSBOROUGH COUNTY
BOCC LAND USE MEETING AGENDA
February 02, 2022**

CHANGES/CORRECTIONS/ADDITIONS

1. None

TIME CERTAIN

1. None

COMMISSIONERS' ITEMS

1. None

OFF-THE-AGENDA ITEM

1. Reject a Proposal for Settlement in Reed Fischbach, Christopher W. "Bear" McCullough, and Joseph B. Sumner, III v. Hillsborough County, Florida Division of Administrative Hearings Case No. 21-3467.

The item has been added to the consent section of the agenda.



HILLSBOROUGH COUNTY Board of County Commissioners

LAND USE AGENDA - FINAL

9:00 A.M. TUESDAY, February 8, 2022

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

Staff is requesting the item be continued to the March 08, 2022 Board of County Commissioners Land Use Meeting at 9:00 A. M.

Attachments: [18-0996](#)

A.2. SU-LE 21-1219 DIVERSIFIED PROFESSIONAL SERVICES CORP

This Application is out of order and is being continued to the March 08, 2022 Board of County Commissioners Land Use Meeting at 9:00 A.M.

Attachments: [21-1219](#)

A.3. SU-LE 21-1224 STEPHEN J. DIBBS

This Application is out of order and is being continued to the March 08, 2022 Board of County Commissioners Land Use Meeting at 9.00 A. M.

Attachments: [21-1224](#)

A.4. PRS 22-0042 VRE BEARSS VEG, LLC

This application is being Continued by the Applicant, as Matter of Right, to the March 08, 2022 Board of County Commissioners Land Use Meeting at 9.00 A. M.

Attachments: [22-0042](#)

A.5. PRS 22-0243 AARON SCHMALZLE

This Application is out of order and is being continued to the March 08, 2022 Board of County Commissioners Land Use Meeting at 9.00 A. M.

Attachments: [22-0243](#)

- A.6. **CDD 21-1210 HIDDEN CREEK COMMUNITY DEVELOPMENT DISTRICT**
Staff is requesting the item be continued to the March 08, 2022 Board of County Commissioners Land Use Meeting at 9:00 A. M.

Attachments: [21-1210](#)

- A.7. **CDD 22-0166 HAWKSTONE COMMUNITY DEVELOPMENT DISTRICT**
Staff is requesting the item be continued to the March 08, 2022 Board of County Commissioners Land Use Meeting at 9:00 A. M.

Attachments: [22-0166](#)

- A.8. **V21-0013 Vacate Platted Public Drainage Easements, Valencia Del Sol Phase 1 (Hillsborough County Associates IV, LLLP)**
This Petition is being continued to the March 8, 2022 Board of County Commissioners Land Use Meeting at 9:00 A.M.

B. CONSENT AGENDA

- B.1. **Application Number:** RZ-PD 21-0626
Applicant: FRANCISCO J. OTERO-COSSIO
Location: 7911 E. Dr Martin Luther King Jr Blvd.
Folio Number: 43260.0000
Acreage: 6.38 acres, more or less
Comprehensive Plan: OC-20 & RES-9
Service Area: Urban
Community Plan: East Lake Orient Park
Existing Zoning: RSC-9 & PD
Request: Rezone to PD
RECOMMENDATION:
Zoning Hearing Master: Approval
Development Services: Approvable, Subject to Conditions
Planning Commission: Consistent with Plan

Attachments: [21-0626](#)

B.2. Application Number: MM 21-1090
Applicant: BOOS DEVELOPMENT C/O JOSE MARTINEZ
Location: NE Corner of S US Highway 301 & County Rd 672.
Folio Number: 77779.0100, 77779.0300 & 77779.0400
Acreage: 14.98 acres, more or less
Comprehensive Plan: RES-4
Service Area: Urban
Community Plan: Riverview, Southshore Areawide Systems
Existing Zoning: PD (20-1270)
Request: Major Modification to PD
RECOMMENDATION:
Zoning Hearing Master: Approval
Development Services: Approvable, Subject to Conditions
Planning Commission: Consistent with Plan

Attachments: [21-1090](#)

B.3. Application Number: MM 21-1196
Applicant: AGENCY FOR COMMUNITY TREATMENT SERVICES, INC.
Location: 1229 E 131st Ave.
Folio Number: 35884.0000
Acreage: 0.94 acres, more or less
Comprehensive Plan: LI
Service Area: Urban
Community Plan: University Area
Existing Zoning: PD (08-0970)
Request: Major Modification to PD
RECOMMENDATION:
Zoning Hearing Master: Approval
Development Services: Approvable, Subject to Conditions
Planning Commission: Consistent with Plan

Attachments: [21-1196](#)

B.4. Application Number: **RZ-STD 22-0069**
Applicant: Phillip W. & Mary J. Broughton
Location: NE Corner of Camp St & 4th St.
Folio Number: 79229.0000 & 79229.0500
Acreage: 0.43 acres, more or less
Comprehensive Plan: OC-20
Service Area: Urban
Community Plan: Wimauma Village & Southshore Areawide Systems Plan
Existing Zoning: RSC-6
Request: Rezone to CG (R)
RECOMMENDATION:
Zoning Hearing Master: Approval
Development Services: Approval
Planning Commission: Consistent with Plan

Attachments: [22-0069](#)

B.5. Application Number: **RZ- STD 22-0070**
Applicant: JOSEPH L. LANCASTER
Location: 10105 E 92 Hwy.
Folio Number: 65103.0000
Acreage: 1.67 acres, more or less
Comprehensive Plan: UMU-20
Service Area: Urban
Community Plan: East Lake Orient Park
Existing Zoning: CG
Request: Rezone from CG to CI(R)
RECOMMENDATION:
Zoning Hearing Master: Approval
Development Services: Approvable with Restrictions
Planning Commission: Consistent with Plan

Attachments: [22-0070](#)

B.6. Alina Townhomes

Accept the plat for recording for Alina Townhomes, located in Section 28, Township 28, and Range 18, and grant permission to the Development Review Division of Development Services Department to administratively accept the Improvement Facilities (forcemain) 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 Check in the amount of \$4,375.00, a Warranty Check in the amount of \$1,122.00, and authorize the Chairman to execute the Subdivider's Agreement for Construction and Warranty of Required Improvements. Also accept a Performance Check for Placement of Lot Comers in the amount of \$3,750.00 and authorize the Chairman to execute the Subdivider's Agreement for Performance - Placement of Lot Comers.

Attachments: [Alina Townhomes](#)

B.7. B & D Ranch Phase 3

Accept the plat for recording for B & D Ranch Phase 3, located in Section 4, Township 31, and Range 21, 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 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 \$375,462.50, a Warranty Bond in the amount of \$25,473.45, 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 \$2,937.50 and authorize the Chairman to execute the Subdivider's Agreement for Performance - Placement of Lot Comers.

Attachments: [B-07](#)

B.8. Boyette Shell #447 Off-Site aka Boyette Chevron

Grant permission to the Development Review Division of Development Services Department to administratively accept the Required Off-Site Improvement Facilities (roadway, drainage, water and 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 Boyette Shell #447 Off-Site located in Section 22, Township 30, and Range 20. 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 Letter of Credit in the amount of \$11,944.88 and authorize the Chairman to execute the Agreement for Warranty of Required Off-Site Improvements.

Attachments: [Boyette Shell #447 Off-Site](#)

B.9. Mirabay Townhomes Phase 1

Accept the plat for recording for Mirabay Townhomes Phase 1, located in Section 28, Township 31, and Range 19. Accept a Performance Bond in the amount of \$2,002,468.63 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 \$5,062.50 and authorize the Chairman to execute the Subdivider's Agreement for Performance - Placement of Lot Corners.

Attachments: [Mirabay Townhomes Phase 1](#)

C. VACATION OF RIGHTS-OF-WAY, EASEMENTS, & PLATS**C.1. Public Hearing - "Vacating Petition V21-0011, by Starlight Homes Florida L.L.C. to vacate and replace a public lift station tract, and vacate portions of a private landscape area, private drainage area, and a Public drainage easement, lying within Folios 56773-0200 and 56773-0202, in Ruskin.**

a) Adopt a resolution vacating all of tract 400 (public lift station tract), a portion of tract 105 (private landscape area), and a portion of tract 500 (private drainage area and public drainage easement) within the plat of Ruskin Reserve, as recorded in Plat Book 140, Page 1, of the public records of Hillsborough County, and being more particularly described in the Resolution. b) Accept a warranty deed for a new public lift station over the entirety of the vacate area. The purpose of this vacating petition is to accommodate a larger public lift station and rededicate the area to Hillsborough County (as explained further in the background). The proposed vacate area consists of approximately 6,318 square feet (.15 acres) and is generally located west of 9th Street Southeast and north of 14th Avenue Southeast, in Ruskin.

Reviewing departments, agencies, and utility providers have raised no objections to the vacate and replacement of the public lift station. The Water Resources Department recommends acceptance of the warranty deed. 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: [V21-0011](#)

D. PHOSPHATE ITEMS

E. PUBLIC HEARING-LAND USE

E.1. Application Number: PRS 21-1184
Applicant: THREE STAR FARMS, INC
Location: 2800 Pamela Persona.
Folio Number: 85556.0000
Acreage: 2.58 acres, more or less
Comprehensive Plan: RES-4
Service Area: Urban
Community Plan: None
Existing Zoning: PD (93-0124)
Request: Minor Modification to PD
 • Reduce setback for accessory structure
RECOMMENDATION: Approvable, Subject to Proposed Conditions

Attachments: [21-1184](#)

E.2. Application Number: PRS 22-0028
Applicant: RD MANAGEMENT LLC
Location: 450 ft NE of E fowler Ave & 19th St Intersection.
Folio Number: 35921.0000, 35921.0005, 35921.0025, 35921.0050, 35921.0075, 35921.008
 35921.0100, 35921.0110, 35921.0200, 36283.0000 & 36298.0300
Acreage: 83.63 acres, more or less
Comprehensive Plan: ICMU-35
Service Area: Urban
Community Plan: University
Existing Zoning: PD (19-1443)
Request: Minor Modification to PD
 • Reconfigure internal block/district boundaries, modify internal street design and modify the timing of redevelopment improvements to allow for an interim development design.
RECOMMENDATION: Supportable, with Conditions

Attachments: [22-0028](#)

E.3. Application Number: PRS 22-0232
Applicant: WENDOVER HOUSING PARTNERS, LLC/ JONATHAN L. WOLF
Location: 470ft S of Gibsonton Dr & E Side of Mathog Rd.
Folio Number: 76621.2048
Acreage: 6.11 acres, more or less
Comprehensive Plan: SMU-6
Service Area: Urban
Community Plan: Riverview & Southshore Areawide Systems Plan
Existing Zoning: PD (02-0060)
Request: Minor Modification to PD
 • Modify building setbacks/footprint, parking and sidewalk layout and access location
RECOMMENDATION: Approvable, subject to proposed conditions

Attachments: [22-0232](#)

E.4. Application Number: PRS 22-0303
Applicant: POTOMAC LAND COMPANY
Location: 724 n Saint Cloud Ave.
Folio Number: 85480.0000
Acreage: 20.66 acres, more or less
Comprehensive Plan: RES-4
Service Area: Urban
Community Plan: None
Existing Zoning: PD (20-0173)
Request: Minor Modification to PD
 • Increase fence height from 6 to 15 feet along CSX railroad right-of-way
RECOMMENDATION: Approval

Attachments: [22-0303](#)

F. REGULAR AGENDA

F.1. Application Number: **RZ-PD 21-0222**
Applicant: RRGG LLC/ FIRST RATE PROPERTIES, LLC
Location: 430ft E of Intersection: Bloomingdale Ave/ Watson Rd.
Folio Number: 73778.7452, 73778.7454, 73778.7456, 73778.7458
73778.7460, 73778.7462 & 73713.0000
Acreage: 14.45 acres, more or less
Comprehensive Plan: RES-6
Service Area: Urban
Community Plan: Brandon
Existing Zoning: AS-1, AS_1, PD (17-0068)
Request: Rezone to PD
RECOMMENDATION:
Zoning Hearing Master: Approval
Development Services: Approvable, Subject to Conditions
Planning Commission: Consistent with Plan

Attachments: [21-0222](#)

F.2. Application Number: **RZ-PD 21-1092**
Applicant: PPF SS 1601 SOUTH KINGSWAY ROAD LLC
Location: 1601 s Kingsway Rd.
Folio Number: 63836.0000
Acreage: 5.05 acres, more or less
Comprehensive Plan: RES-4
Service Area: Urban
Community Plan: Seffner-Mango
Existing Zoning: PD (20-0118)
Request: Rezone to PD
RECOMMENDATION:
Zoning Hearing Master: Denial
Development Services: Not Supportable
Planning Commission: Inconsistent with the Plan

Attachments: [21-1092](#)

F.3. Application Number: RZ-STD 21-1208
Applicant: GRACELAND REAL ESTATE INVESTMENT, CORP.
Location: 7510 Gibsonton Dr.
Folio Number: 49841.0000
Acreage: 2.31 acres, more or less
Comprehensive Plan: RES-4
Service Area: Urban
Community Plan: Gibsonton
Existing Zoning: RSB
Request: Rezone from RSB to CG (R)
RECOMMENDATION:
Zoning Hearing Master: Denial
Development Services: Not Supportable
Planning Commission: Inconsistent with the Plan

Attachments: [21-1208](#)

F.4. Application Number: RZ-PD 21-1235
Applicant: ADVANCED ENGINEERING CONSULTANTS
Location: 400 E Bearss Ave.
Folio Number: 17070.0000
Acreage: 4.26 acres, more or less
Comprehensive Plan: OC-20
Service Area: Urban
Community Plan: Greater-Carrollwood Northdale
Existing Zoning: CN
Request: Rezone to PD
RECOMMENDATION:
Zoning Hearing Master: Approval
Development Services: Approvable, Subject to Conditions
Planning Commission: Consistent with Plan

Attachments: [21-1235_RZ-PD_Q](#)

G. PUBLIC HEARINGS - RELATED ITEMS

H. COMMISSIONERS' ITEMS

I. STAFF ITEMS

J. COUNTY ATTORNEY'S ITEMS

K. OFF THE AGENDA ITEMS

ADJOURNMENT