

Hillsborough County

*601 E. Kennedy Blvd.
Tampa, FL 33602*



Results

Tuesday, May 9, 2023

9:00 AM

County Center 2nd Floor

BOCC Land Use

LAND USE RESULTS

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

Present: Commissioner Ken Hagan, Commissioner Gwen Myers, Commissioner Donna Cameron Cepeda, Commissioner Harry Cohen, Commissioner Pat Kemp, Commissioner Michael Owen, and Commissioner Joshua Wostal

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 June 13, 2023, Board of County Commissioners Land Use Meeting at 9:00 A. M.

Attachments: [18-0996-05-09-23](#)

Result: Continued

Motion: A motion was made by Commissioner Kemp, seconded by Commissioner Cohen, that this agenda item be Continued to the BOCC Land Use, due back on 06/13/2023. The motion carried by the following vote:

In Favor: Hagan, Myers, Cameron Cepeda, Cohen, Kemp, Owen, and Wostal

A.2. PRS 22-1504 SHUMAKER, LOOP & KENDRICK, LLP, DAVID B. SINGER

This Application is out of order and is being continued to the June 13, 2023, Board of County Commissioners Land Use Meeting at 9:00 A.M.

Attachments: [22-1504-05-09-23](#)

Result: Continued

Motion: A motion was made by Commissioner Kemp, seconded by Commissioner Cohen, that this agenda item be Continued to the BOCC Land Use, due back on 06/13/2023. The motion carried by the following vote:

In Favor: Hagan, Myers, Cameron Cepeda, Cohen, Kemp, Owen, and Wostal

A.3. PRS 23-0136 6400 Apollo Beach Blvd Holdings, LLC

This application is being Continued by the Applicant, as Matter of Right, to the June 13, 2023, Board of County Commissioners Land Use Meeting at 9.00 A. M.

Attachments: [23-0136-05-09-23](#)

Result: Continued

Motion: A motion was made by Commissioner Kemp, seconded by Commissioner Cohen, that this agenda item be Continued to the BOCC Land Use, due back on 06/13/2023. The motion carried by the following vote:

In Favor: Hagan, Myers, Cameron Cepeda, Cohen, Kemp, Owen, and Wostal

A.4. PRS 23-0210 GTIS METRO DG LLC

This Application is out of order and is being continued to the July 18, 2023, Board of County Commissioners Land Use Meeting at 9:00 A.M.

Attachments: [23-0210-05-09-23](#)

Result: Continued

Motion: A motion was made by Commissioner Kemp, seconded by Commissioner Cohen, that this agenda item be Continued to the BOCC Land Use, due back on 07/18/2023. The motion carried by the following vote:

In Favor: Hagan, Myers, Cameron Cepeda, Cohen, Kemp, Owen, and Wostal

A.5. PRS 23-0317 ROBERT J NORTON PE

Staff is requesting the item be continued to the June 13, 2023, Board of County Commissioners Land Use Meeting at 9:00 A. M.

Attachments: [23-0317-05-09-23](#)

Result: Continued

Motion: A motion was made by Commissioner Kemp, seconded by Commissioner Cohen, that this agenda item be Continued to the BOCC Land Use, due back on 06/13/2023. The motion carried by the following vote:

In Favor: Hagan, Myers, Cameron Cepeda, Cohen, Kemp, Owen, and Wostal

A.6. V22-0019 Touchstone CDD and Lennar Homes LLC

Staff is requesting the item be continued to the June 13, 2023, Board of County Commissioners Land Use Meeting at 9:00 A. M.

Result: Continued

Motion: A motion was made by Commissioner Kemp, seconded by Commissioner Cohen, that this agenda item be Continued to the BOCC Land Use, due back on 06/13/2023. The motion carried by the following vote:

In Favor: Hagan, Myers, Cameron Cepeda, Cohen, Kemp, Owen, and Wostal

B. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Commissioner Cohen, seconded by Commissioner Myers, to approve the Consent Agenda. The motion carried by the following vote:

Approved the Consent Agenda

In Favor: Hagan, Myers, Cameron Cepeda, Cohen, Kemp, Owen, and Wostal

B.1. Application Number: **MM 22-0686**
Applicant: RYAN PLATE, 2022 BALM RIVERVIEW, LLC
Location: SE Corner of S US Hwy 301 & County Rd 672.
Folio Number: 77781.0000, 77781.0025, 77781.0200, 77783.0000 & 77786.0000
Acreage: 15.54 acres, more or less
Comprehensive Plan: RES-4
Service Area: Urban
Community Plan: Southshore Areawide Systems
Existing Zoning: PD (17-1402)
Request: Major Modification to PD
RECOMMENDATION:
Zoning Hearing Master: Approval
Development Services: Approvable, subject to conditions
Planning Commission: Consistent with the Plan

Attachments: [22-0686-05-09-23](#)

Result: Approved

B.2. Application Number: **RZ-PD 22-0856**
Applicant: MARK BENTLEY, ESQ, B.C.S, AICP
Location: E Corner of Citrus Park Dr. & Easy St.
Folio Number: Portion of 3565.5000, 3566.0000, 3570.0000, 3570.0100
 3570.0150, 3606.0000, 3566.0015 & 3570.0300
Acreage: 9.17 acres, more or less
Comprehensive Plan: RES-9 & UMU-20
Service Area: Urban
Community Plan: Northwest Hillsborough
Existing Zoning: PD (89-0111) & PD (08-0087)
Request: Rezone to PD
RECOMMENDATION:
Zoning Hearing Master: Approval
Development Services: Approvable, Subject to Conditions
Planning Commission: Consistent with Plan

Attachments: [22-0856-05-09-23](#)

Result: Approved

B.3. Application Number: **MM 22-1086**
Applicant: M & T ASSET MANAGEMENT LLC.
Location: 8502 N Ladue Ln.
Folio Number: 24168.0200
Acreage: 1.41 acres, more or less
Comprehensive Plan: OC-20

Service Area: Urban
Community Plan: None
Existing Zoning: PD (17-0625)
Request: Major Modification to PD
RECOMMENDATION:
Zoning Hearing Master: Approval
Development Services: Approval
Planning Commission: Consistent with Plan

Attachments: [22-1086-05-09-23](#)

Result: Approved

B.4. Application Number: **MM 22-1340**
Applicant: RK DEVELOPMENT PARTNERS, LLC
Location: 1046 Cypress Village Blvd.
Folio Number: 54245.0630
Acreage: 3.31 acres, more or less
Comprehensive Plan: SMU-6
Service Area: Urban
Community Plan: Southshore Areawide Systems
Existing Zoning: PD (73-0186)
Request: Major Modification to PD
RECOMMENDATION:
Zoning Hearing Master: Approval
Development Services: Approvable, Subject to Conditions
Planning Commission: Consistent with Plan

Attachments: [22-1340-05-09-23](#)

Result: Approved

B.5. Application Number: **RZ-PD 22-1705**
Applicant: CUTLER MARTIN
Location: 850ft SE of E Martin Luther King Blvd & N US Hwy 301 Intersection.
Folio Number: 42878.0000 & 42885.0000
Acreage: 4.79 acres, more or less
Comprehensive Plan: CMU-12
Service Area: Urban
Community Plan: East Lake-Orient Park
Existing Zoning: AS-1 & CI
Request: Rezone to PD
RECOMMENDATION:
Zoning Hearing Master: Approval
Development Services: Approvable, Subject to Conditions
Planning Commission: Consistent with Plan

Attachments: [22-1705-05-09-23](#)

Result: Approved

**B.6. Historic Preservation Grant Award Agreement for Grant Application # 2023-01 ,
 Costa-Chandra House Designated Historic Landmark, 16116 Lake Magdalene Boulevard**
 Approve the attached Historic Preservation Grant Award Agreement in an amount not to exceed

\$12,500.00 for structural stabilization of the Costa-Chandra House Designated Historic Landmark located at 16116 Lake Magdalene Boulevard in the Lutz area (property folio 17008.0000).

Attachments: [grant.award.agreement.2023-01.agenda.item.AG.NT](#)

Result: Approved

B.7. Balm Grove West PI#5542

Accept the plat for recording for Balm Grove West, located in Section 25, Township 31, and Range 20, and grant permission to the Development Review Division of Development Services Department to administratively accept the Improvement Facilities (roads, drainage, sidewalks, water and wastewater and off-site roadway) 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 \$2,469,332.00, a Warranty Bond in the amount of \$755,141.00 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 \$39,560.00 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: [Balm Grove West](#)

Result: Approved

B.8. Bell Shoals Church of Christ Off-Site PI# 3671

Grant permission to the Development Services Department to administratively accept the Required Off-Site Improvement Facilities to serve Bell Shoals Church of Christ Off-Site located in Section 08, Township 30, and Range 21 (water main, force main and sidewalk) 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 \$16,700.00 and authorize the Chair to execute the Agreement for Warranty of Required Off-Site Improvements.

Attachments: [Bell Shoals Church of Christ Off-Site](#)

Result: Approved

B.9. Belmond Reserve Tract AC Retail PI#4999

Accept the plat for recording for Belmond Reserve Tract AC Retail, located in Section 2, Township 31, and Range 20. Construction has been completed and has been certified by Ely Payne, a Florida Professional Engineer, with LevelUp Consulting, LLC. Improvements for this plat were accepted with Belmond Reserve Phase 1 on September 27, 2021. This plat is a commercial plat and has no school concurrency.

Attachments: [Belmond Reserve Tract AC Retail](#)

Result: Approved

B.10. Berry Bay Village I-2 PI#5076

Accept the plat for recording for Berry Bay Village I-2, 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 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 \$42,654.00, a Warranty Bond in the amount of \$18,456.00 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 \$3,350.00 and authorize the Chairman to execute the Subdivider's Agreement for Performance - Placement of Lot Corners.

School Concurrency was approved based on a Developer Agreement and a payment of \$174,900.00 was made on April 25, 2023.

Attachments: [Berry Bay Village I-2](#)

Result: Approved

B.11. Hartford Street @ South 70th Street Off-Site PI# 3967

Grant permission to the Development Services Department to administratively accept the Required Off-Site Improvement Facilities to serve Hartford Street@ South 70th Street Off-Site located in Section 35, Township 29, and Range 19 (roadway improvements, turn lanes and access to Tower Dairy) 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 \$106,695.00 and authorize the Chair to execute the Agreement for Warranty of Required Off-Site Improvements.

Attachments: [Hartford Street @ South 70th Street Off-Site](#)

Result: Approved

B.12. Mirabay Townhomes Phase 2 PI#4494

Accept the plat for recording for Mirabay Townhomes Phase 2, located in Section 28, Township 31, and Range 19. Construction has been completed and has been certified by Christopher N. O'Kelley, a Florida Professional Engineer, with Clearview Land Design. Improvements for this phase were accepted with Mirabay Townhomes Phase 1.

School Concurrency was approved based on a Developer Agreement and a payment of \$39,604.00 was made on April 18, 2023.

Attachments: [Mirabay Townhomes Phase 2](#)

Result: Approved

B.13. Tesla Collision Center Off-Site PI# 6143

Grant permission to the Development Services Department to administratively accept the Required Off-Site Improvement Facilities to serve Tesla Collision Center Off-Site located in Section 32, Township 28, and Range 18 (forcemain) 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 \$6,789.00 and authorize the Chair to execute the Agreement for Warranty of Required Off-Site Improvements.

Attachments: [Tesla Collision Center Off-Site](#)

Result: Approved

B.14. Triple Creek Village Q PI#5002

Accept the plat for recording for Triple Creek Village Q, located in Section 01, Township 371, 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, wastewater and sidewalks and off-site roads, drainage and sidewalks) 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 for Colonnade Vista Drive, in the amount of \$1,187,967.00, a Performance Bond in the amount of \$1,505,363.00 for the remaining on and off-site improvements, a Warranty Bond in the amount of \$442,019.00 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 \$25,740.00 and authorize the Chairman to execute the Subdivider's Agreement for Performance - Placement of Lot Corners.

School Concurrency was approved based on a Developer Agreement and a payment of \$669,301.00 was made on December 8, 2022.

Attachments: [Triple Creek Village Q](#)

Result: Approved

B.15. Approve 6 month extensions to the Agreements for Services for Susan M Finch and Pamela Jo Hatley to serve as Land Use Hearing Officers providing for continuity of service while an official solicitation for Land Use Hearing Officers is conducted.

Attachments: [Extension of Finch & Hatley as LUHO.AG](#)

Result: Approved

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

D. PHOSPHATE ITEMS

E. PUBLIC HEARING-LAND USE

E.1. Application Number: PRS 23-0154
Applicant: EPG 1, LLC
Location: 1600ft S of Bonita Dr & Crestview Rd Intersection.
Folio Number: Portion of 79710.0586
Acreage: 13 acres, more or less
Comprehensive Plan: WVR-2
Service Area: Rural
Community Plan: Wimauma
Existing Zoning: PD (19-0102)
Request: Minor Modification to PD
 • Increase the maximum range of units from 80-100
RECOMMENDATION: Approvable, Subject to Conditions

Attachments: [23-0154-05-09-23](#)

Result: Approved

Motion: A motion was made by Commissioner Cohen, seconded by Commissioner Myers, that this agenda item be Approved. The motion carried by the following vote:

In Favor: Hagan, Myers, Cameron Cepeda, Cohen, Kemp, Owen, and Wostal

E.2. Application Number: PRS 23-0223
Applicant: LCS COMMUNICATIONS, LLC
Location: 11499 Big Bend Rd.
Folio Number: 77716.0001
Acreage: 1 acre, more or less
Comprehensive Plan: RES-4
Service Area: Urban
Community Plan: Riverview
Existing Zoning: PD (81-0339A)
Request: Minor Modification to PD
 • Add allowance for Wireless Communication Facility to a Development Pod
RECOMMENDATION: Approvable, Subject to Conditions

Attachments: [23-0223-05-09-23](#)

Result: Approved

Motion: A motion was made by Commissioner Owen, seconded by Commissioner Cameron Cepeda, that this agenda item be Approved. The motion carried by the following vote:

In Favor: Hagan, Myers, Cameron Cepeda, Kemp, Owen, and Wostal

Opposed: Cohen

F. REGULAR AGENDA

F.1. Application Number: MM 22-1126
Applicant: WOS PROPERTIES 1, INC
Location: 10717 E 92 Hwy.
Folio Number: 62821.0000
Acreage: 6.88 acres, more or less
Comprehensive Plan: UMU-20
Service Area: Urban
Community Plan: Seffner-Mango
Existing Zoning: PD (15-1034)
Request: Major Modification to PD
RECOMMENDATION:
Zoning Hearing Master: Denial
Development Services: Not supportable
Planning Commission: Inconsistent with the Plan

Attachments: [22-1126-05-09-23](#)

Result: Approved

Motion: A motion was made by Commissioner Myers, seconded by Commissioner Cohen, that this agenda item be Approved. The motion carried by the following vote:

In Favor: Myers, Cameron Cepeda, Cohen, and Wostal
Opposed: Hagan, Kemp, and Owen

F.2. Application Number: RZ-STD 23-0035
Applicant: AMQ INTERNATIONAL CORP
Location: 1406 S Taylor Rd.
Folio Number: 64279.0500
Acreage: 5.53 acres, more or less
Comprehensive Plan: RES-9
Service Area: Urban
Community Plan: Seffner-Mango
Existing Zoning: RMC-9 (R)
Request: Rezone to RMC-9(R)
RECOMMENDATION:
Zoning Hearing Master: Approval
Development Services: Approvable with Restrictions
Planning Commission: Consistent with Plan

Attachments: [23-0035-05-09-23](#)

Result: Approved

Motion: A motion was made by Commissioner Owen, seconded by Commissioner Myers, that this agenda item be Approved. The motion carried by the following vote:

In Favor: Hagan, Myers, Cohen, and Owen
Opposed: Cameron Cepeda, Kemp, and Wostal

F.3. Application Number: RZ-STD 23-0063
Applicant: KALBANI MERVAT
Location: N Side of Main St & Flint Ave Intersection.
Folio Number: 60452.0100

Acreage:	1.93 acres, more or less
Comprehensive Plan:	RES-6
Service Area:	Rural
Community Plan:	Thonotosassa
Existing Zoning:	CN & RSC-6
Request:	Rezone to CG (R)
RECOMMENDATION:	
Zoning Hearing Master:	Denial
Development Services:	Approval
Planning Commission:	Inconsistent with the Plan

Attachments: [23-0063-05-09-23](#)

Result: Approved with Conditions

Motion: Approved with Amended Restrictions.

In Favor: Hagan, Myers, Cameron Cepeda, Cohen, Kemp, Owen, and Wostal

G. PUBLIC HEARINGS - RELATED ITEMS

H. COMMISSIONERS' ITEMS

I. STAFF ITEMS

J. COUNTY ATTORNEY'S ITEMS

- J.1. RZ-PD 20-1265, pursuant to Mattamy Tampa/Sarasota, LLC, et al v. Hillsborough County**
 Approve rezoning RZ-PD 20-1265, pursuant to the court's ruling in Mattamy Tampa/Sarasota, LLC, et al v. Hillsborough County, Case No. 21-CA-3990, which granted the petition for certiorari filed by Mattamy Tampa/Sarasota, LLC ("Mattamy") and quashed the Board's denial of RZ-PD 20-1265. On April 3, 2023, Judge Gabbard in her Order Granting Petition for Writ of Certiorari found that Mattamy had met their burden of proof to show that RZ-PD 20-1265 was compatible with the Comprehensive Plan and met procedural requirements, and the judge further ruled that the record on appeal did not contain competent, substantial evidence that RZ-PD 20-1265 was inconsistent with the Comprehensive Plan or that maintaining the existing zoning classification accomplished a legitimate public purpose.

Attachments: [Backup for CAO Item edited](#)

Result: Approved

Motion: A motion was made by Commissioner Owen, seconded by Commissioner Myers, that this agenda item be Approved. The motion carried by the following vote:

In Favor: Hagan, Myers, Cameron Cepeda, Cohen, Owen, and Wostal

Opposed: Kemp

K. OFF THE AGENDA ITEMS

ADJOURNMENT