LUHO AGENDA
Land Use Hearing Officer (LUHO)

Tuesday, January 21, 2020 County Center, 2nd Floor

WELCOME AND THANK YOU FOR YOUR PARTICIPATION IN COUNTY GOVERNMENT.

HEARING SCHEDULE:

- LUHO Starts at 10:00 A.M.
- The Following Items on the Afternoon Agenda Will Be Heard Beginning at 10:00 A.M. With No New Petitions Starting After 5:00 P.M.:
  - Vested Rights (VR) - Fee Waivers (FW) - Reconsideration Requests – Appeals (APP) – Variances (VAR) – Special Uses (SU)

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.
LUHO HEARING AGENDA FOR
January 21, 2020

The following dates pertain only to applications heard at the January 21, 2020 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on February 11, 2020.

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.
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.
LUHO WITHDRAWALS AND CONTINUANCES

A.1. SU-LE 19-1026  Balm Grove, LLC  
This application is being CONTINUED by the APPLICANT to the February 18, 2020 Land Use Hearing Officer Hearing at 10:00 a.m.

A.2. SU-GEN 19-1174  Danice Donaldson  
The application is out of order to be heard and is being CONTINUED to the March 16, 2020 Land Use Hearing Officer Hearing at 10:00 a.m.

The application is out of order to be heard and is being CONTINUED to the February 18, 2020 Land Use Hearing Officer Hearing at 10:00 a.m.

A.4. VAR 19-1269  Francisco Semsch  
The application is WITHDRAWN from the hearing process.

A.5. VAR 20-0061  Roland D. Alfonso II  
This application is being CONTINUED by STAFF to the March 16, 2020 Land Use Hearing Officer Hearing at 10:00 a.m.

A.6. SU-AB 20-0073  O Tooles Irish Pub & Restaurant  
The application is out of order to be heard and is being CONTINUED to the February 18, 2020 Land Use Hearing Officer Hearing at 10:00 a.m.

A.7. SU-AB 20-0074  Lazy Gator  
The application is out of order to be heard and is being CONTINUED to the February 18, 2020 Land Use Hearing Officer Hearing at 10:00 a.m.

A.8. VAR 20-0091  Narcedalia Bravo-Barrios  
This application is being CONTINUED by the APPLICANT to the February 18, 2020 Land Use Hearing Officer Hearing at 10:00 a.m.

The application is out of order to be heard and is being CONTINUED to the February 18, 2020 Land Use Hearing Officer Hearing at 10:00 a.m.
A.10. **SU-AB 20-0233**  
   **Michael Richards**  
   This application is being **CONTINUED** by **STAFF** to the **May 18, 2020** Land Use Hearing Officer Hearing at 10:00 a.m.

A.11. **VAR 20-0235**  
   **Rosanne G. Clementi**  
   The application is out of order to be heard and is being **CONTINUED** to the **February 18, 2020** Land Use Hearing Officer Hearing at 10:00 a.m.

A.12. **VAR 20-0237**  
   **Linda Ward**  
   The application is **WITHDRAWN** from the hearing process.

A.13. **SU-AB 20-0248**  
   **Aldi Inc.**  
   This application is being **CONTINUED** by the **APPLICANT** to the **April 13, 2020** Land Use Hearing Officer Hearing at 10:00 a.m.

A.14. **SU-AB 20-0251**  
   **Play Ball FL Riverview OPCO LLC**  
   The application is out of order to be heard and is being **CONTINUED** to the **February 18, 2020** Land Use Hearing Officer Hearing at 10:00 a.m.

**VESTED RIGHTS**

B.1. None

**FEE WAIVER**

C.1. None

**RECONSIDERATION REQUESTS**

D.1. None
SITE DEVELOPMENT VARIANCE REQUESTS

E.1.  Application Number: VAR 20-0245
Applicant: Roy Mazur
Location: 6619 Krycul Ave
Folio Number: 074089.0000
Sec/Twn/Rng: 08/30/20
Acreage: 9.85 ac +/-
Comprehensive Plan: SMU-6
Service Area: Urban
Existing Zoning: PD (19-0549)
Request: Variance to Encroach into the 30’ Wetland Conservation Area Setback

SIGN VARIANCE REQUESTS

F.1.  Application Number: VAR 20-0128
Applicant: Van Dyke Farms HOA Inc.
Location: 75°SW of Inter:Van Dyke Farms Blvd / Van Dyke Rd.
Folio Number: 002269.0180
Sec/Twn/Rng: 24/27/17
Acreage: 0.28 ac +/-
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: PD (86-0132)
Request: Sign Variance

VARIANCE (VAR) REQUESTS

G.1.  Application Number: VAR 19-1469
Applicant: RU Project Management Group, LLC.
Location: 4706 Eldorado Dr
Folio Number: 011411.0000
Sec/Twn/Rng: 02/29/17
Acreage: 0.14 ac +/-
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-9
Request: Variance to Lot Development Standards & to Accessory Structure Requirements
<table>
<thead>
<tr>
<th>G.2.</th>
<th><strong>Application Number:</strong></th>
<th>VAR 19-1471</th>
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<tbody>
<tr>
<td><strong>Applicant:</strong></td>
<td>RU Project Management Group, LLC.</td>
<td></td>
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<tr>
<td><strong>Location:</strong></td>
<td>9156 Otter Pass</td>
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<td><strong>Folio Number:</strong></td>
<td>003544.</td>
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<tr>
<td><strong>Sec/Twn/Rng:</strong></td>
<td>10/28/17</td>
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<td><strong>Acreage:</strong></td>
<td>0.14 ac +/-</td>
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<td><strong>Comprehensive Plan:</strong></td>
<td>R-20</td>
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<td><strong>Service Area:</strong></td>
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<td><strong>Existing Zoning:</strong></td>
<td>PD (77-0174)</td>
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<td><strong>Request:</strong></td>
<td>Variance to Lot Development Standards &amp; to Accessory Structure Requirements</td>
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<th>G.3.</th>
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<th>VAR 20-0078</th>
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<td><strong>Applicant:</strong></td>
<td>Edward W. &amp; Maria T. Kirkconnell</td>
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<tr>
<td><strong>Location:</strong></td>
<td>16004 Sharewood Dr</td>
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<td><strong>Folio Number:</strong></td>
<td>015908.7124</td>
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<td><strong>Sec/Twn/Rng:</strong></td>
<td>27/27/18</td>
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<td><strong>Acreage:</strong></td>
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<td><strong>Comprehensive Plan:</strong></td>
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<td><strong>Service Area:</strong></td>
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<td><strong>Existing Zoning:</strong></td>
<td>PD (16-1217)</td>
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<td><strong>Request:</strong></td>
<td>Variance to Lot Development Standards</td>
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<td><strong>Applicant:</strong></td>
<td>Francisco J. Otero-Cossio</td>
<td></td>
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<tr>
<td><strong>Location:</strong></td>
<td>7915 Pat Blvd</td>
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<td><strong>Folio Number:</strong></td>
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<td><strong>Sec/Twn/Rng:</strong></td>
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<td><strong>Acreage:</strong></td>
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<td><strong>Service Area:</strong></td>
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<td><strong>Existing Zoning:</strong></td>
<td>RSC-3</td>
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<td><strong>Request:</strong></td>
<td>Variance to Accessory Dwelling Requirements</td>
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<td>G.5.</td>
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<td></td>
<td>Applicant:</td>
<td>Matthew Simpson &amp; Sara Tomalesky</td>
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<td></td>
<td>Location:</td>
<td>13425 White Elk Loop</td>
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<td>Folio Number:</td>
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<td>Existing Zoning:</td>
<td>PD (96-0376)</td>
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<td>Variance to Lot Development Standards and Permitted Projections into Required Yards</td>
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<td></td>
<td>Applicant:</td>
<td>Gladys Pineer</td>
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<tr>
<td></td>
<td>Location:</td>
<td>14930 W. Hardy Dr</td>
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<td>Folio Number:</td>
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<td>Sec/Twn/Rng:</td>
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<td>Acreage:</td>
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<td>Request:</td>
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<td>Applicant:</td>
<td>Gloria J. &amp; Steven M. Latter</td>
</tr>
<tr>
<td></td>
<td>Location:</td>
<td>139 Melanie Ln</td>
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<td>Folio Number:</td>
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<td>15/29/20</td>
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<td>Acreage:</td>
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<td>Comprehensive Plan:</td>
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<td>Request:</td>
<td>Variance to the Distance Seperation for Community Residential Home</td>
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G.8. Application Number: VAR 20-0234  
Applicant: Katty Calderon  
Location: 9725 Alsobrook Ave  
Folio Number: 076095.0000  
Sec/Twn/Rng: 18/30/20  
Acreage: 0.21 ac +/-  
Comprehensive Plan: SMU-6  
Service Area: Urban  
Existing Zoning: RSC-6  
Request: Variance to Lot Development Standards, to Minimum Lot Size by Available Utilities, to Accessory Dwelling, Accessory Structure and Fence Requirements

G.9. Application Number: VAR 20-0236  
Applicant: Gyongyi Szalteleki  
Location: 11930 Riverhills Dr  
Folio Number: 037169.0100  
Sec/Twn/Rng: 11/28/19  
Acreage: 0.16 ac +/-  
Comprehensive Plan: R-6  
Service Area: Urban  
Existing Zoning: RSC-6  
Request: Variance to Lot Development Standards

G.10. Application Number: VAR 20-0240  
Applicant: Harry Heuman  
Location: 6810 Williams Rd  
Folio Number: 062531.5000  
Sec/Twn/Rng: 29/28/20  
Acreage: 0.9 ac +/-  
Comprehensive Plan: R-1  
Service Area: Rural  
Existing Zoning: ASC-1 & PD (73-0207)  
Request: Variance to Lot Development Standards, to Accessory Structure and Accessory Dwelling Requirements
G.11. Application Number: VAR 20-0243
Applicant: Vernon M. Fitch II
Location: 4817 Justin Ln
Folio Number: 080121.0050
Sec/Twn/Rng: 23/27/21
Acreage: 2.07 ac +/-
Comprehensive Plan: A/R
Service Area: Rural
Existing Zoning: AR
Request: Variance to Fence and to Accessory Structure Requirement

SPECIAL USES (SU)

H.1. Application Number: SU-GEN 19-1383
Applicant: APC Towers III, LLC
Location: 9811 E. US Highway 92
Folio Number: 065240.0000
Sec/Twn/Rng: 06/29/20
Acreage: 1.31 ac +/-
Comprehensive Plan: CMU-12
Service Area: Urban
Existing Zoning: CG
Request: Special Use for Communication Tower and Variance to Buffer/Screening Requirements

H.2. Application Number: SU-GEN 19-1523
Applicant: Mattaniah S. Jahn
Location: 3725 Smith Tree St
Folio Number: 041783.0000
Sec/Twn/Rng: 10/29/19
Acreage: 6.32 ac +/-
Comprehensive Plan: R-12, OC-20
Service Area: Urban
Existing Zoning: CI, RSC-9, AI
Request: Special Use for Communication Tower
H.3.  
Application Number: SU-AB 20-0174  
Applicant: Ivan Colina  
Location: 701 W. Lumsden Rd  
Folio Number: 072334.0300  
Sec/Twn/Rng: 34/29/20  
Acreage: 11.29 ac +/-  
Comprehensive Plan: R-6  
Service Area: Urban  
Existing Zoning: PD (81-0234)  
Request: Special Use Permit for a distance separation waiver for an Alcoholic Beverage 4-COP Development Permit

H.4.  
Application Number: SU-AB 20-0225  
Applicant: Ian Lieberman  
Location: 10240 Big Bend Rd  
Folio Number: 077552.1050 & 077552.1040  
Sec/Twn/Rng: 07/31/20  
Acreage: 0.11 ac +/-  
Comprehensive Plan: UMU-20  
Service Area: Urban  
Existing Zoning: PD (16-1339)  
Request: Special Use Permit for a distance separation waiver for an Alcoholic Beverage 4-COP-RX Development Permit

APPEAL (APP) REQUESTS

I.1. None

5.30 P.M.  
BREAK