ZHM AGENDA
Zoning Hearing Master (ZHM)

Tuesday, February 19, 2019
County Center, 2nd Floor

WELCOME AND THANK YOU FOR YOUR PARTICIPATION IN COUNTY GOVERNMENT.

HEARING SCHEDULE:

- The Following Items on the ZHM Agenda Will Be Heard Beginning at 6:00 P.M. With No New Petitions Starting After 12:00 A.M.
  - Special Uses (SU) – Rezonings (RZ) – Major Modifications (MM) to Planned Developments

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.
HEARING AGENDA FOR  
February 19, 2019

The following dates pertain only to applications heard at the February 19, 2019 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on March 12, 2019.

For Appeals of Administrative Decisions (APP), the decision of the Hearing Officer is final.

For Special Use (SU) 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.

For Rezoning (RZ) and Major Modification (MM) applications, the Hearing Officer makes a recommendation to the Board of County Commissioners, which renders a final decision. Anyone who wishes to speak before the Board of County Commissioners will need to file a request for Oral Argument. All requests for Oral Argument must be filed with the Clerk to the BOCC at 419 Pierce St., Room #140 no later than close of business on March 22, 2019. These applications (RZ, MM) are currently scheduled to be heard by the Board of County Commissioners at the April 9, 2019 Land Use Meeting.

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 SPECIAL USE PERMIT REQUESTS, VARIANCE REQUESTS AND APPEALS OF ADMINISTRATIVE DECISIONS

The Land Use Hearing Officer Public Hearing for Special Use Permit Requests, 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.
The Land Development Code (LDC) requires that a public hearing be conducted on certain land development requests (RZ, MM) prior to final decision by the Hillsborough County Board of County Commissioners (BOCC). Land Use Hearing Officers (LUHOs) conduct hearings. LUHOs do not make final decisions, but instead render recommendations to the BOCC. Final decisions by the BOCC are made at a public meeting governed by the requirements of the LDC.

The BOCC considers the recommendation of the LUHO at a public meeting. The BOCC can, by law, consider only the record of the proceedings before the LUHO. Additional evidence requests and oral argument requests may be filed pursuant to the criteria in the LDC. The BOCC will consider the requests and may grant them if the appropriate criteria are met by the party making the requests.

Those persons wishing to speak before the BOCC at the public meeting may only do so by filing an oral argument request. Only persons that qualify as a Party of Record may file an oral argument request. A Party of Record is a person that meets one of the following criteria:

A. A person who was present at the hearing before the Land Use Hearing Officer (LUHO) and presented with oral testimony or documentary evidence.
B. A person who was notified by Proof of Mailing on the hearing before the LUHO. This includes the Designated Representative(s) of the registered Neighborhood Organizations within 1 mile of the site for which the request was made.
C. A person who submitted documentary evidence to the master file two (2) business days prior to the LUHO hearing or by proxy during the LUHO hearing.

Requests for Oral Argument must be filed on the appropriate forms within ten (10) calendar days after the date of the filing of the LUHO’s recommendation. The appropriate forms will be available at the LUHO Hearing.
WITHDRAWALS AND CONTINUANCES

A.1. MM 18-0946 RU Timothy H. Powell
This application is being withdrawn from the ZHM process.

A.2. SU-LE 19-0077 APB Tim Plate
This application is being withdrawn from the ZHM process.

A.3. RZ-STD 19-0280 EGL Marvin Zumbado
This application is being withdrawn from the ZHM process.

A.4. RZ-STD 18-1349 GB Bobby Ramey
This application is being continued by Staff to the March 18, 2019 Zoning Hearing Master Hearing.

A.5. RZ-PD 18-1366 RV Innovative Design Properties
This application is being continued by Staff to the March 18, 2019 Zoning Hearing Master Hearing.

A.6. SU-GEN 18-1438 GCN Steve Michelini
This application is being continued by Staff to the March 18, 2019 Zoning Hearing Master Hearing.

A.7. RZ-PD 18-1488 RV Timothy H. Powell
This application is out-of-order to be heard and is being continued to the March 18, 2019 Zoning Hearing Master Hearing.

A.8. MM 18-1493 APB Lee T. Kim
This application is being continued by the Applicant to the March 18, 2019 Zoning Hearing Master Hearing.

A.9. MM 18-1494 APB Lee T. Kim
This application is being continued by the Applicant to the March 18, 2019 Zoning Hearing Master Hearing.

A.10. RZ-PD 19-0083 LU Jono Legacy Livingston LLC
This application is being continued by the Applicant to the March 18, 2019 Zoning Hearing Master Hearing.

A.11. RZ-PD 19-0092 GPR David M. Mechanik
This application is being continued by Staff to the March 18, 2019 Zoning Hearing Master Hearing.
A.12. **SU-LE 19-0095 SR**  
**Razorback Ranch II LLC**  
This application is out-of-order to be heard and is being continued to the March 18, 2019 Zoning Hearing Master Hearing.

A.13. **RZ-PD 19-0102 WM**  
**Eisenhower Property Group**  
This application is being continued by the Applicant to the March 18, 2019 Zoning Hearing Master Hearing.

A.14. **SU-AB 19-0173 GCN**  
**Francisco J. Otero-Cossio**  
This application is being continued by Staff to the March 18, 2019 Zoning Hearing Master Hearing.

A.15. **SU-GEN 19-0178 USF**  
**American Youth Academy Inc.**  
This application is out-of-order to be heard and is being continued to the March 18, 2019 Zoning Hearing Master Hearing.

A.16. **RZ-PD 19-0183 WM**  
**William Warren Group**  
This application is being continued by Staff to the March 18, 2019 Zoning Hearing Master Hearing.

A.17. **RZ-PD 19-0184 NWH**  
**Bay Bayou Florida RV Resort, LLC**  
This application is out-of-order to be heard and is being continued to the March 18, 2019 Zoning Hearing Master Hearing.

A.18. **SU-AB 19-0327 TNC**  
**USA Skateworld, LLC**  
This application is out-of-order to be heard and is being continued to the March 18, 2019 Zoning Hearing Master Hearing.

A.19. **RZ-STD 19-0335 LU**  
**Lutz Montessori School LLC**  
This application is out-of-order to be heard and is being continued to the March 18, 2019 Zoning Hearing Master Hearing.

**HEARING**

**REMANDS:**

B.1. **Application Number:** RZ-STD 17-0416 LU (Remand)  
**Applicant:** D. R. Lutz, LLC  
**Location:** 5307 Lutz Lake Fern Rd.  
**Folio Number:** 12975.0000  
**Sec/Twn/Rng:** 08/27/18  
**Acreage:** 1.96 acres, more or less  
**Comprehensive Plan:** RES-4  
**Community Plan Area:** Lutz  
**Service Area:** Urban  
**Existing Zoning:** AR  
**Request:** Rezone to BPO (R)
## SPECIAL USES (SU):

### C.1.
- **Application Number:** SU-AB 19-0203 GB
- **Applicant:** Alafia Brewing Company LLC
- **Location:** 11106 U.S. Hwy. 41 S.
- **Folio Number:** 50609.0000
- **Sec/Twn/Rng:** 26/30/19
- **Acreage:** 10,672 sq. ft., more or less
- **Comprehensive Plan:** OC-20
- **Community Plan Area:** Gibsonton & SouthShore Areawide Systems Plan
- **Service Area:** Urban
- **Existing Zoning:** CG
- **Request:** Special Use Permit for a distance separation waiver for an Alcoholic Beverage 2 COP Development

### C.2.
- **Application Number:** SU-AB 19-0276 GPR
- **Applicant:** Moran Foods, LLC
- **Location:** 7430 Palm River Rd.
- **Folio Number:** 43790.0100
- **Sec/Twn/Rng:** 23/29/19
- **Acreage:** 15,186.78 sq. ft., more or less
- **Comprehensive Plan:** RES- 9
- **Community Plan Area:** Greater Palm River
- **Service Area:** Urban
- **Existing Zoning:** CG
- **Request:** Special Use Permit for a distance separation waiver for an Alcoholic Beverage 2-APS Development Permit

## REZONING STANDARD (RZ-STD):

### D.1.
- **Application Number:** RZ-STD 19-0205 BR
- **Applicant:** Eva D. Weathers
- **Location:** 1110 Lithia Pinecrest Rd.
- **Folio Number(s):** 71157.0000
- **Sec Twn Rng:** 36/29/20
- **Acreage:** .87 acres, more or less
- **Comprehensive Plan:** RES- 4
- **Community Plan Area:** Brandon
- **Service Area:** Urban
- **Existing Zoning:** ASC-1
- **Request:** Rezone to BPO
D.2. Application Number: RZ-STD 19-0304 GB  
Applicant: Timothy H. Powell  
Location: 6156 Isabel Ave.  
Folio Number(s): 51147.0000  
Sec Twn Rng: 35/30/19  
Acreage: 1.62 acres, more or less  
Comprehensive Plan: OC-20  
Community Plan Area: Gibsonton & SouthShore Areawide Systems Plan  
Service Area: Urban  
Existing Zoning: CI (R)  
Request: Rezone to CI (R)

REZONING-PLANNED DEVELOPMENT (RZ-PD) & MAJOR MODIFICATION (MM):

E.1. Application Number: RZ-PD 18-1051 SM  
Applicant: Charles E. & Louise W. Springer, Trustees  
Location: 119' NE/O intersection of E. Martin Luther King Blvd. & Williams Rd.  
Folio Number: 64822.0000 & 64830.0300  
Sec/Twn/Rng: 04/29/20  
Acreage: 15.34 acres, more or less  
Comprehensive Plan: UMU-20  
Community Plan Area: Seffner - Mango  
Service Area: Urban  
Existing Zoning: PD (06-1681)  
Request: Rezone to Planned Development

E.2. Application Number: RZ-PD 18-1153 SM  
Applicant: Richard L. & Teresa A. Gonzalez  
Location: 1208 N. Parsons Ave.  
Folio Number: 63816.0000  
Sec/Twn/Rng: 02/29/20  
Acreage: 1.69 acres, more or less  
Comprehensive Plan: RES- 4  
Community Plan Area: Seffner - Mango  
Service Area: Urban  
Existing Zoning: RDC-12  
Request: Rezone to Planned Development
E.3. Application Number: RZ-PD 18-1373 SM  
Applicant: David B. Singer  
Location: 35' E/O Intersection: Magnolia Ln. & Williams Rd.  
Folio Number: 64823.0000, 64819.0000, 64809.0000, 64823.0010, & 64830.0000  
Sec/Twn/Rng: 04/29/20  
Acreage: 64.37 acres, more or less  
Comprehensive Plan: RES- 9 & UMU-20  
Community Plan Area: Seffner - Mango  
Service Area: Urban  
Existing Zoning: PD (06-1681)  
Request: Rezone to Planned Development

E.4. Application Number: RZ-PD 19-0062 EGL  
Applicant: DANVA Real Estate LLC  
Location: 7811 N. Manhattan Ave.  
Folio Number: 27285.0000  
Sec/Twn/Rng: 28/28/18  
Acreage: 1.16 acres, more or less  
Comprehensive Plan: RES- 9  
Community Plan Area: Egypt Lake  
Service Area: Urban  
Existing Zoning: RSC-6  
Request: Rezone to Planned Development

E.5. Application Number: RZ-PD 19-0067 RU  
Applicant: Artesian Farms, Inc & Dickman Investments LLC  
Location: 70' S/O intersection of 19th Ave. NE & 30th St. NE  
Folio Number: 54955.0100 + multiple  
Sec/Twn/Rng: 03, 04, 09, 10, & 32/32/19  
Acreage: 1002.68 acres, more or less  
Comprehensive Plan: SMU-6, CMU-12, & P/Q-P  
Community Plan Area: Ruskin & SouthShore Areawide Systems Plan  
Service Area: Urban  
Existing Zoning: AR & PD (01-1160)  
Request: Rezone to Planned Development
### E.6

**Application Number:** RZ-PD 19-0093 WM  
**Applicant:** Eisenhower Property Group LLC  
**Location:** 5' N/O intersection of 9th St. & Register Farms Rd.  
**Folio Number:** 78005.0100, 78008.0500, 78010.0120, 78010.0122, 78010.0118, & 78010.0116  
**Sec/Twn/Rng:** 03 & 04/32/20  
**Acreage:** 439.18 acres, more or less  
**Comprehensive Plan:** WVR-2  
**Community Plan Area:** Wimauma  
**Service Area:** Rural  
**Existing Zoning:** PD (10-0147) & AR  
**Request:** Rezone to Planned Development

### E.7

**Application Number:** RZ-PD 19-0185 USF  
**Applicant:** School District of Hillsborough County  
**Location:** 1806 E. Bearss Ave.  
**Folio Number:** 35185.0000  
**Sec/Twn/Rng:** 06/28/19  
**Acreage:** 19.84 acres, more or less  
**Comprehensive Plan:** P/Q-P  
**Community Plan Area:** University Area Community  
**Service Area:** Urban  
**Existing Zoning:** RSC-6  
**Request:** Rezone to Planned Development

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**ADJOURNMENT**

PLEASE NOTE: Future zoning application information can be accessed directly on the Internet at the following web address: [http://www.hillsboroughcounty.org/index.aspx?nid=904](http://www.hillsboroughcounty.org/index.aspx?nid=904)