



**Hillsborough
County Florida**

LAND USE HEARING OFFICER VARIANCE REPORT


APPLICATION NUMBER: VAR 23-0395

LUHO HEARING DATE: June 26, 2023

CASE REVIEWER: Tom Hiznay, AICP

This application has been withdrawn from further processing by the Administrator.

ADMINISTRATOR'S SIGN-OFF


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Tue May 30 2023 09:53:23

Attachments:
Notice of Withdrawal for VAR 23-0395



**Hillsborough
County Florida**

DEVELOPMENT SERVICES

PO Box 1110, Tampa, FL 33601-1110
(813) 272-5600

May 18, 2023

Jarek Wylegala
6903 Congress Street
New Port Richey, FL 34653

**Subject: Variance Application VAR 23-0395
18825 and 18915 Gunn Highway, Odessa, FL**

Dear Mr. Wylegala,

This letter is to inform you that your variance application, VAR 23-0395, was submitted prematurely pursuant to Land Development Code Section 10.00.04, Reapplication After Denial by the Board or Appropriate Final Review Body, and therefore cannot be scheduled for hearing by the Land Use Hearing Officer.

VAR 23-0395 requests a variance to allow a height of 8 feet for a proposed masonry wall on "all sides" of three commonly owned parcels (folios 837.0000, 837.0010 and 838.0000) with addresses of 18825 and 18915 Gunn Highway in Odessa. However, in 2022, a variance application, VAR 22-0898, was submitted for the same properties. That application requested a variance to allow a height of 8 feet for a proposed masonry wall on the west side of the parcels near Gunn Highway and was denied by the Land Use Hearing Officer on August 15, 2022.

Under LDC Section 10.00.04.A (attached), requests that are denied by the LUHO shall not be resubmitted for review and consideration until a minimum of one full year has passed, measured from the date the request was denied. An exception is provided for new but similar requests that are submitted prior to completion of the one period year, provided the Administrator determines the request meets certain criteria.

The Administrator has reviewed VAR 23-0395 and finds it does not meet the exception criteria for submittal prior to August 15, 2023. Therefore, the application cannot be scheduled for hearing by the Land Use Hearing Officer and is being withdrawn from further processing by the Administrator. A refund of your application fee will be processed. If you have any questions about this letter, please call me at (813) 307-4504.

Sincerely,

Tom Hiznay, AICP, Executive Planner
Community Development Section

Attch

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LDC Sec. 10.00.04. Reapplication After Denial By the Board or Appropriate Final Review Body

A. General Reapplication Requirements

Any request for amendment to the text of this Code, the Schedule of District Regulations, or the Zoning Atlas, that was denied by the Board or Land Use Hearing Officer, shall not be resubmitted for review and consideration until a minimum of one full year has passed, measured from the date the request was denied. Unless waived by the Board of County Commissioners, the one year prohibition on such resubmission shall be extended by any period during which the denial is subject of litigation or appeal initiated by the applicant. If a new but similar request is submitted for review and consideration prior to the completion of the year, the Administrator shall review the request to determine if the following changes have been made:

1. The request is a minimum of 25 percent less intense in terms of fewer units, if residential, or contains a minimum of 25 percent less square footage or a 25 percent lower floor area ratio of nonresidential;
2. If the same intensity as described in 1. above, the project height and/or lot coverage has been reduced;
or
3. The concerns raised by staff, the public, and/or the reviewing body as reasons for the denial, may have been corrected.

The determination by the Administrator shall be in writing.