



LAND USE HEARING OFFICER AGENDA - FINAL

10:00 A.M. TUESDAY, December 19, 2023

County Center 26th Floor

WELCOME AND THANK YOU FOR YOUR PARTICIPATION IN COUNTY GOVERNMENT.

HEARING SCHEDULE:

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

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.



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.

LUHO Hearing Agenda For December 19, 2023

The following dates pertain only to applications heard at the December 19, 2023 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on January 12, 2024.

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.

**STANDING TO APPEAL AND ADDITIONAL EVIDENCE FOR VARIANCE REQUESTS
AND APPEALS OF ADMINISTRATIVE DECISIONS**

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.

A. LUHO WITHDRAWALS AND CONTINUANCES**A.1. SU-CFW 23-0308 Gulfstream Towers LLC**

This application is being **WITHDRAWN** by the **APPLICANT**.

Attachments: [23-0308](#)

A.2. VAR 23-0471 Melba Merced

This application has been **WITHDRAWN** from the process.

Attachments: [23-0471](#)

A.3. VAR-WS 23-0560 RU Project Management Group, LLC (Ruth Londono)

This application is out of order to be heard and is being **CONTINUED** to the **January 22, 2024** LUHO.

Attachments: [23-0560](#)

A.4. SU-SCH 23-0586 Navigator Academy Of Leadership Southshore

This application is being **CONTINUED** by the **APPLICANT** to the **January 22, 2024** LUHO.

Attachments: [23-0586](#)

A.5. VAR 23-0590 Yeney Giralt Perello

This application is out of order to be heard and is being **CONTINUED** to the **January 22, 2024** LUHO.

Attachments: [23-0590](#)

A.6. VAR-WS 23-0829 Tim & Jackie Dixon

This application has been **WITHDRAWN** by the **APPLICANT**.

Attachments: [23-0829](#)

- A.7. **SU-AB 23-0966 Thanh Loc LLC d/b/a Thinh An French Bakery**
This application is being **CONTINUED** by **STAFF** to the **January 22, 2024 LUHO**.

Attachments: [23-0966](#)

- A.8. **VAR 24-0057 Dailin Rojas**
This application is out of order to be heard and is being **CONTINUED** to the **January 22, 2024 LUHO**.

Attachments: [24-0057](#)

B. VESTED RIGHTS

C. FEE WAIVER

D. REMANDS

- D.1. **Application Number:** VAR 22-1060
Applicant: Toni Sullivan
Location: 401 Mahogany Dr.
Folio Number: 066883.2256
Acreage (+/-): 0.21 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a Variance to Distance Separation for Community Residential Home.

Attachments: [22-1060](#)

E. RECONSIDERATION REQUESTS

F. SITE DEVELOPMENT VARIANCE REQUESTS

- F.1. Application Number:** VAR-WS 24-0079
- Applicant:** Edunys Perez Sarmiento
- Location:** 2407 S. 46th St
- Folio Number:** 046774.0000
- Acreage (+/-):** 0.37 acres, more or less
- Comprehensive Plan:** R-9
- Service Area:** Urban
- Existing Zoning:** RSC-9
- Request:** Requesting a Variance to Encroach into the Wetland Setback.

Attachments: [24-0079](#)

G. SIGN VARIANCE REQUESTS

H. VARIANCE (VAR) REQUESTS

- H.1. Application Number:** VAR 23-0949
- Applicant:** VIJAY PATEL
- Location:** 18825 Gunn Highway
- Folio Number:** 000837.0000
- Acreage (+/-):** 33.57 acres, more or less
- Comprehensive Plan:** A/R
- Service Area:** Rural
- Existing Zoning:** AR
- Request:** Variance to Maximum Wall Height.

Attachments: [23-0949](#)

H.2. Application Number: VAR 23-1018
Applicant: Michael J. Stokes
Location: 3505 Lone Oak Rd
Folio Number: 085189.0000
Acreage (+/-): 6.14 acres, more or less
Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: AS-1
Request: Requesting a Variance to Landscape Buffering and Screening Requirements.

Attachments: [23-1018](#)

H.3. Application Number: VAR 23-1039
Applicant: Francisco J. Otero-Cossio
Location: 8910 Plum Grove
Folio Number: 004529.8150
Acreage (+/-): 0.12 acres, more or less
Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: PD (79-0098)
Request: Requesting a Variance to Swimming Pool Requirements.

Attachments: [23-1039](#)

H.4. Application Number: VAR 24-0038
Applicant: RU Project Management Group, LLC (Ruth Londono)
Location: 4537 W. Paris St
Folio Number: 028923.0000
Acreage (+/-): 0.15 acres, more or less
Comprehensive Plan: R-9
Service Area: Urban
Existing Zoning: RSC-9
Request: Variance to Accessory Dwelling Standards,, Variance to Lot Development Standards and Variance to Accessory Structure Standards.

Attachments: [24-0038](#)

- H.5. Application Number: VAR 24-0089**
Applicant: RU Project Management Group, LLC.(Ruth P. Londono)
Location: 11025 Airview Dr
Folio Number: 003730.4272
Acreage (+/-): 0.23 acres, more or less
Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: RSC-6
Request: Requesting a Variance to Lot Development Standards, Variance to Accessory Dwelling and Fence Requirements.

Attachments: [24-0089](#)

- H.6. Application Number: VAR 24-0118**
Applicant: Michelle & Ryan Harolle
Location: 11612 Jefferson Rd
Folio Number: 061153.0000
Acreage (+/-): 2.21 acres, more or less
Comprehensive Plan: SMU-6
Service Area: Urban
Existing Zoning: CG 87-0002
Request: Requesting a Variance to Lot Development Standards.

Attachments: [24-0118](#)

I. SPECIAL USES

- I.1. Application Number: SU-SCH 23-0746**
Applicant: Diocese Of St. Petersburg, Inc.
Location: 1131 N 41 Hwy
Folio Number: 055694.0000
Acreage (+/-): 11.85 acres, more or less
Comprehensive Plan: OC-20, R-12
Service Area: Urban
Existing Zoning: CN, RMC-12
Request: Requesting a Special Use for School.

Attachments: [23-0746](#)

J. APPEAL (APP) REQUESTS