



Project Description (Variance Request)

1. In the space below describe the variance including any history and/or related facts that may be helpful in understanding the request. This explanation shall also specifically identify what is being requested (e.g. Variance of 10 feet from the required rear yard setback of 25 feet resulting in a rear yard of 15 feet). If additional space is needed, please attach extra pages to this application.

See attached

2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:

Article 6 of the LDC, part that refers to the accessory dwelling setbacks.

Additional Information

1. Have you been cited by Hillsborough County Code Enforcement? No Yes
If yes, you must submit a copy of the Citation with this Application.
2. Do you have any other applications filed with Hillsborough County that are related to the subject property?
 No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): _____
3. Is this a request for a wetland setback variance? No Yes
If yes, you must complete the Wetland Setback Memorandum and all required information must be included with this Application Packet.
4. Please indicate the existing or proposed utilities for the subject property:
 Public Water Public Wastewater Private Well Septic Tank
5. Is the variance to allow a third lot on well or non-residential development with an intensity of three ERC's?
 No Yes If yes, you must submit a final determination of the "Water, Wastewater, and/or Re-claimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing

Written Statement

Dear Madam Officer,

I would appreciate the approval of this variance request to convert an accessory structure I have on my property, to an accessory dwelling. My parents are planning to move to Tampa from Cuba soon and will be occupying this accessory dwelling. This will allow them to have a place to live next to mine so I can help them with their daily activities and be there for them in case of an emergency.

The variance requested is to reduce the side and rear setback required for the accessory dwelling. The request is as follows:

- A reduction of 4.8' on the side setback resulting in a 2.7' setback.
- A reduction of 20' on the rear yard resulting in a rear yard of 5'.

The subject structure is screened from the neighbor's view by a 6' privacy fence and several trees surrounding my property boundary. After approval of this variance request, a building permit will be obtained to convert the structure into a living space.

Thanks in advance for your consideration.

Sincerely,

Yosvany Ruiz Capote



Variance Criteria Response

1. Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located?

I plan to convert an existing accessory structure into an accessory dwelling. A variance is requested to reduce two of the structure setbacks to be able to convert it into a living space. Since the lot is small, it is not possible to build an accessory dwelling meeting the required setbacks.

2. Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC.

The current LDC requirements would deprive me from converting my accessory structure into an accessory dwelling for my parents to live. Other setback variances, some for accessory dwellings setbacks have been approved in my neighborhood. These variances include 19-0108, 08-0059, 10-0256, 22-1167, 16-1531, and 07-1048.

3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.

Approval of this variance will not substantially interfere with or injure the rights of my neighbors. The subject structure is screened from the neighbor's view by a 6' privacy fence and some trees. Having an accessory dwelling is something typical in my neighborhood.

4. Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose).

This variance request is in harmony and serves the general intent and purpose of the LDC and the Comprehensive Plan since the variance is allowed for a residential use to be sustained in a residential zoning district and with a residential plan category. The LDC allows for a variance to the setbacks on a case by case basis.

5. Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship.

The variance is not a result of an illegal act since I have not converted the accessory structure into an accessory dwelling.

6. Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.

Granting this variance will not have a negative impact on the value of other properties in the area and will result in justice being done considering the size of the lot. There are other properties in the area with accessory dwellings. The approval of this variance will represent the possibility to have a place for my parents to live. Denial of this variance will not allow me to offer them their own home. They do not have the resources to rent a place to live and also I would like to have them near me to help them with any health issue or emergency.

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Prepared by
Elizabeth Knightly, an employee of
First American Title Insurance Company
1731 South Kings Avenue
Brandon, Florida 33511
(813)514-2828

Return to: Grantee

File No.: 13579-2761940

WARRANTY DEED

THIS INDENTURE, executed on **November 23, 2022**, between

Todd Kiefer, an unmarried man

whose mailing address is: 3816 Farthing Rd, Cheyenne, WY 82001-9225,
hereinafter called the "grantor", and

Yosvany Ruiz Capote, an unmarried man

whose mailing address is: 2918 W Fern St, Tampa, FL 33614-4220,
hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

WITNESSETH: The grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration, receipt whereof is hereby acknowledged, by these presents does grant, bargain, release, convey and confirms unto the grantee, their heirs and assigns, all that certain land situate in **Hillsborough** County, FL, to-wit:

Lots 18 and 19, of PARKWAY ESTATES, according to the Map or Plat thereof, as recorded in Plat Book 36, Page 15, of the Public Records of Hillsborough County, Florida.

Parcel Identification Number: **030706-0000**

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2022.

In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.

Todd Kieler
Todd Kieler

Signed, sealed and delivered in our presence:

Michael H. Sitzman
Witness Signature
Michael H. Sitzman
Print Name

Kathryn E. B. Elison
Witness Signature
Kathryn E. B. Elison
Print Name

State of Colorado
County of Larimer

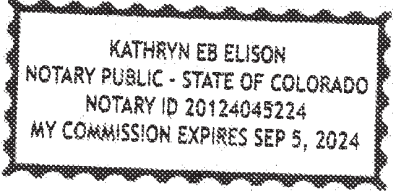
The Foregoing Instrument Was Acknowledged before me by means of physical presence or online notarization, on 11-23-2022, by **Todd Kieler, an unmarried man**.

Kathryn E. B. Elison
Notary Public
Kathryn E. B. Elison
(Printed Name)

My Commission expires: 9-5-2024

Personally Known OR Produced Identification
Type of Identification Produced a valid driver's license
WYOMING DL

{Notarial Seal}





Additional / Revised Information Sheet

Office Use Only		
Application Number: VAR 24-1029	Received Date:	Received By:

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, **the second page of this form must be included indicating the additional/revised documents being submitted with this form.**

Application Number: VAR 24-1029 Applicant's Name: Yosvany Ruiz Capote

Reviewing Planner's Name: unknown Date: 9.9.24

Application Type:

- Planned Development (PD) Minor Modification/Personal Appearance (PRS) Standard Rezoning (RZ)
- Variance (VAR) Development of Regional Impact (DRI) Major Modification (MM)
- Special Use (SU) Conditional Use (CU) Other _____

Current Hearing Date (if applicable): 9/23/2024

Important Project Size Change Information

Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.

Will this revision add land to the project? Yes No

If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

Will this revision remove land from the project? Yes No

If "Yes" is checked on the above please ensure you include all items marked with + on the last page.

Email this form along with all submittal items indicated on the next page in pdf form to:

ZoningIntake-DSD@hcflgov.net

Files must be in pdf format and minimum resolution of 300 dpi. Each item should be submitted as a separate file titled according to its contents. All items should be submitted in one email with application number (including prefix) included on the subject line. Maximum attachment(s) size is 15 MB.

For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcflgov.net.

I certify that changes described above are the only changes that have been made to the submission. Any further changes will require an additional submission and certification.

9.9.24

Signature

Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact [Hillsborough County Development Services](#) to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under [Florida Statutes §119.071\(4\)](#) will need to contact [Hillsborough County Development Services](#) to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? Yes No

I hereby confirm that the material submitted with application VAR 24-1029

Includes sensitive and/or protected information.

Type of information included and location _____

Does not include sensitive and/or protected information.

Please note: Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature: _____

(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



Additional / Revised Information Sheet

Please indicate below which revised/additional items are being submitted with this form.

Included	Submittal Item
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1 **Cover Letter**** If adding or removing land from the project site, the final list of folios must be included

2 **Revised Application Form****

3 **Copy of Current Deed*** Must be provided for any new folio(s) being added

4 **Affidavit to Authorize Agent*** (If Applicable) Must be provided for any new folio(s) being added

5 **Sunbiz Form*** (If Applicable) Must be provided for any new folio(s) being added

6 **Property Information Sheet****

7 **Legal Description of the Subject Site****

8 **Close Proximity Property Owners List****

9 **Site Plan**** All changes on the site plan must be listed in detail in the Cover Letter.

10 **Survey**

11 **Wet Zone Survey**

12 **General Development Plan**

13 **Project Description/Written Statement**

14 **Design Exception and Administrative Variance requests/approvals**

15 **Variance Criteria Response**

16 **Copy of Code Enforcement or Building Violation**

17 **Transportation Analysis**

18 **Sign-off form**

19 **Other Documents** (please describe):

adding agent authorization info on application

*Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

**Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: _____ Intake Date: _____
 Hearing(s) and type: Date: _____ Type: _____ Receipt Number: _____
 Date: _____ Type: _____ Intake Staff Signature: _____

Property Information

Address: 2918 W. Fern Street City/State/Zip: Tampa, FL 3361`
 TWN-RN-SEC: 28-18-34 Folio(s): 30706.0000 Zoning: RSC-6 Future Land Use: R-6 Property Size: .375 Acres

Property Owner Information

Name: Yosvany Ruiz Capote Daytime Phone 813-679-8004
 Address: 2918 W. Fern Street City/State/Zip: Tampa, FL
 Email: yosvanyr1987@gmail.com Fax Number n/a

Applicant Information

Name: Yosvany Ruiz Capote Daytime Phone 813-679-8004
 Address: 2918 W. Fern St. City/State/Zip: Tampa, FL
 Email: yosvanyr1987@gmail.com Fax Number _____

Applicant's Representative (if different than above)

Name: todd pressman Daytime Phone 727-804-1760
 Address: 200 2nd ave., south, #451 City/State/Zip: st. petersburg, FL 33701
 Email: todd@pressmaninc.com Fax Number _____

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.

Signature of the Applicant

todd pressmnan, pressman & Assoc., Inc,

Type or print name

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

Signature of the Owner(s) – (All parties on the deed must sign)

todd pressman, pressman & assoc., Inc

Type or print name