

Variance Application: VAR 24-0692

LUHO Hearing Date: June 24, 2024

Case Reviewer: Jared Follin



Hillsborough County Florida

Development Services Department

Applicant: Todd Pressman

Zoning: RSC-6

Address/Location: Ameila Circle, Lutz; Folio 12813.0040


Request Summary:

The applicant is requesting variances for an existing property in order to allow a reduced lot width and allow a flag lot in the Urban Service Area on property zoned RSC-6. Property was deemed illegal non-conforming due to various subdivisions not reviewed or approved by the County.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.02.01.B.4	A flag lot may be created to serve a single parcel provided the subdivision is located within the Rural Area and an agricultural zoning district.	Allow a flag lot within the Urban Service Area in a non-agricultural zoning district	Flag lot within the Urban Service Area on property zoned RSC-6.
6.01.01	Within the RSC-6 zoning district, the required minimum lot width is 70 feet.	45.55 feet	24.45-foot lot width

Findings:	Nonconforming lot determination application NCL 24-0419 was submitted in February 2024, however it was determined that the subject folio is not a legal nonconforming lot of record, as the property legal description has changed after July 26, 1989. If the variances are approved, subdivision review will be required to memorialize the subdivision/reconfiguration of the parent parcel.
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Zoning Administrator Sign Off:	 Colleen Marshall Wed Jun 12 2024 11:32:32
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DISCLAIMER:
The variance(s) listed above is based on the information provided in the application by the applicant. Additional variances may be needed after the site has applied for development permits. The granting of these variances does not obviate the applicant or property owner from attaining all additional required approvals including but not limited to: subdivision or site development approvals and building permit approvals.

SURVEY/SITE PLAN

Received June 12, 2024
Development Services

SKETCH OF SURVEY
TYPE OF SURVEY: BOUNDARY

Legal Description:
THAT PART OF Lot 16 of Block 3 of SUNLAKE PARK SUBDIVISION, UNIT No. 1, as per map or plat thereof, as recorded in Plat Book 38 on Page 51 of the Public Records of Hillsborough County, Florida.

Lying within the following metes and bounds description:
Commence at the Northeast corner of Lot 2, Block 3 of the SUNLAKE PARK SUBDIVISION, UNIT No. 1, thence N. 08°20'53" East, a distance of 81.47 feet, to the Easterly extension of the Southerly boundary of Lot 15, Block 3; thence on said Easterly extension S. 81°36'55" East, a distance of 24.00 feet; thence N. 08°20'53" East, a distance of 82.00 feet to the Southerly boundary of Lot 13 of said Block 3, said point also being the point of curvature of a curve concave to the North, having a radius of 3450.00 feet, a delta of 03°26'49", a chord of 207.53 feet, and a chord bearing of N. 78°46'37" East; thence on the Southerly boundary of said Lot 13 and Lots 12 and 11 on the arc of said curve, a distance of 207.56 feet to the Westerly right-of-way line of Amelia Circle; thence on said Westerly right-of-way line, S. 20°14'38" East, a distance of 21.68 feet to the Northeast corner of Lot 10 of said Block 3, thence to the Northerly boundary of said Lot 10, S. 68°42'27" West, a distance of 99.77 feet to the Northwest Corner of Lot 10 of said Block 3; thence on the Westerly boundaries of Lots 10, 9 and 8, S. 21°12'07" East, a distance of 188.52 feet to the Northerly boundary of Lot 6 of said Block 3; thence on the Northerly boundaries of Lots 6, 5, 4 and 3, N. 81°47'50" West, a distance of 2361.7 feet to the POINT OF BEGINNING.

Property Address:
Amelia Circle
Lutz, Florida 33558

24-0363
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GENERAL NOTES:

- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS
2) UNDERGROUND UTILITIES, SUCH AS IMPROVEMENTS, ENCROACHMENTS, FOUNDATIONS OR UTILITIES, IF EXISTENT, WERE NOT LOCATED AS A PART OF THIS SURVEY
3) BUILDING TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES. THE DIMENSIONS OF BUILDINGS AS SHOWN HEREON DO NOT INCLUDE AN EAVE OVERHANG UNLESS NOTED.
4) NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS OTHERWISE SHOWN.
5) DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
6) BEARINGS SHOWN HEREON ARE REFERENCED TO THE LINE NOTED & R.
7) THE SURVEY DEPICTED HEREON FORMS A CLOSED GEOMETRIC FIGURE.
8) THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.
9) THIS DRAWING MAY NOT BE TO SCALE DUE TO ELECTRONIC TRANSFER OR COPY.
10) THIS SURVEY DOES NOT REFLECT OR DETERMINE PROPERTY OWNERSHIP, OWNERSHIP OF EASES, IF ANY, WERE NOT DETERMINED AS A PART OF THIS SURVEY.
11) THE SURVEY DEPICTED HEREON IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY WETLAND OR JURISDICTIONAL AREAS. THERE MAY BE AREAS WITHIN THE BOUNDARIES OF THIS SURVEY THAT MAY BE CONSIDERED JURISDICTIONAL BY VARIOUS AGENCIES.
12) THIS SURVEY IS VALID IN ACCORDANCE WITH F.S. 627.7042 FOR A PERIOD OF 90 DAYS FROM THE DATE OF CERTIFICATION.
13) THIS SURVEY IS INTENDED FOR MORTGAGE OR REFERENCE PURPOSES ONLY, AND IS EXCLUSIVE FOR THIS USE BY THOSE TO WHOM IT IS CERTIFIED. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION, PERMITTING, DESIGN OR ANY OTHER USE WITHOUT THE WRITTEN CONSENT OF THE ATTESTING SURVEYOR.
14) THIS IS NOT AN A/T/C/S/LAND TITLE SURVEY. NO EXAMINATION OF TITLE WAS MADE BY THE SURVEYOR.
15) THESE LANDS MAY BE SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS, AND/OR OTHER RECORDS ENCUMBRANCES NOT SHOWN ON THE PLAT.

LEGEND & ABBREVIATIONS

- AC AIR CONDITIONER
B.B. BEARING REFERENCE
C. CALCULATED
C.M. CONCRETE MONUMENT
CONC. CONCRETE
CALC. CALCULATED
CATV CABLE TELEVISION RISER
CB CHORD BEARING
CH CHORD
COK. CORNER
D. DESCRIPTION ON DEED
D.E. DRAINAGE EASEMENT
ELEV. ELEVATION
E.O.P. EDGE OF PAVEMENT
E.O.W. EDGE OF WATER
E.P.L.E. ELECTRIC POWER
UTILITY EASEMENT
ESMT. EASEMENT
F.F. FINISHED FLOOR
FOUN. FOUNDATION
F.H. FIRE HYDRANT
F.S. FOUNDATION
I.R. IRON ROD
L. LENGTH
M. MEASURED
M.E. MAINTENANCE EASEMENT
N. NORTH
N.M.D. NAIL & DISC
N.R. NON-RADIAL
O.H.L. OVERHEAD LINES
O.P.B. OPTICAL RECORDS BOOK
P. PLAT
P.B. PLAT BOOK
P.C. POINT OF CURVATURE
COK. CORNER
P.C.C. POINT OF COMMENCEMENT
P.M. PERMANENT MONUMENT
P.C.P. PERMANENT CONTROL POINT
P.C. PAGE
P.I. POINT OF INTERSECTION
P.K. PAVEMENT KEY ON NAIL
P.L. PLAT
P.P. POINT OF BEGINNING
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT
P.O.C. POINT OF REVERSE CURVE
P.P.M. PERMANENT REFERENCE MONUMENT
P.T. POINT OF TANGENCY
R. RADIAL
R. RADIUS
R.A.D. RAD. PT.
R.C. RIGHT-OF-WAY
S. SOUTH

- N.A.V.D. 1988 NORTH AMERICAN VERTICAL DATUM 1988
N.G.S.V.D. 1985 NATIONAL GEODESIC VERTICAL DATUM 1985
G.P.S. GLOBAL POSITIONING SYSTEM
N.A.D. 83 NORTH AMERICAN HORIZONTAL DATUM 1983
N.A.D. 01 NORTH AMERICAN HORIZONTAL DATUM 2011
S.W. SIDEWALK
S.E.S. SECTION
T.E. TELEPHONE FACILITIES
T.O.B. TOP OF BANK
T.R. TRANSFORMER
TYP. TYPICAL
U.E. UTILITY EASEMENT
W. WEST
W.M. WATER METER
W.V. WATER VALVE
STABILE
CONCRETE
CENTRAL ANGLE/DETA
CONCRETE
CONC. BLOCK WALL TYPICAL
COVERED AREA
EXISTING ELEVATION
P.O.C. POINT OF COMMENCEMENT
PROPERTY CORNER
SITE BENCH MARK
WELL
WIRE FENCE
WOOD DECK
WOOD FENCE

NOTES:
IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE SJ 17.002 (2)(4), IF LOCATION OF EASEMENTS OR RIGHT-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLAT IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER

FLOOD ZONE
(FOR INFORMATIONAL PURPOSES ONLY.)

SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE 'H'. PER F.I.R.M. COMMUNITY & PANEL NUMBER 120112-0361 H, LAST REVISION DATE 08/28/2008. THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. IT IS SUGGESTED THAT A FLOOD ZONE DETERMINATION BE VERIFIED FROM THE COUNTY IN WHICH THE SUBJECT PROPERTY LIES.

CERTIFIED TO:

Amick's Arctic Air And Service

THIS SURVEY SKETCH IS COPYRIGHTED MATERIAL. SHEET 1 OF 2

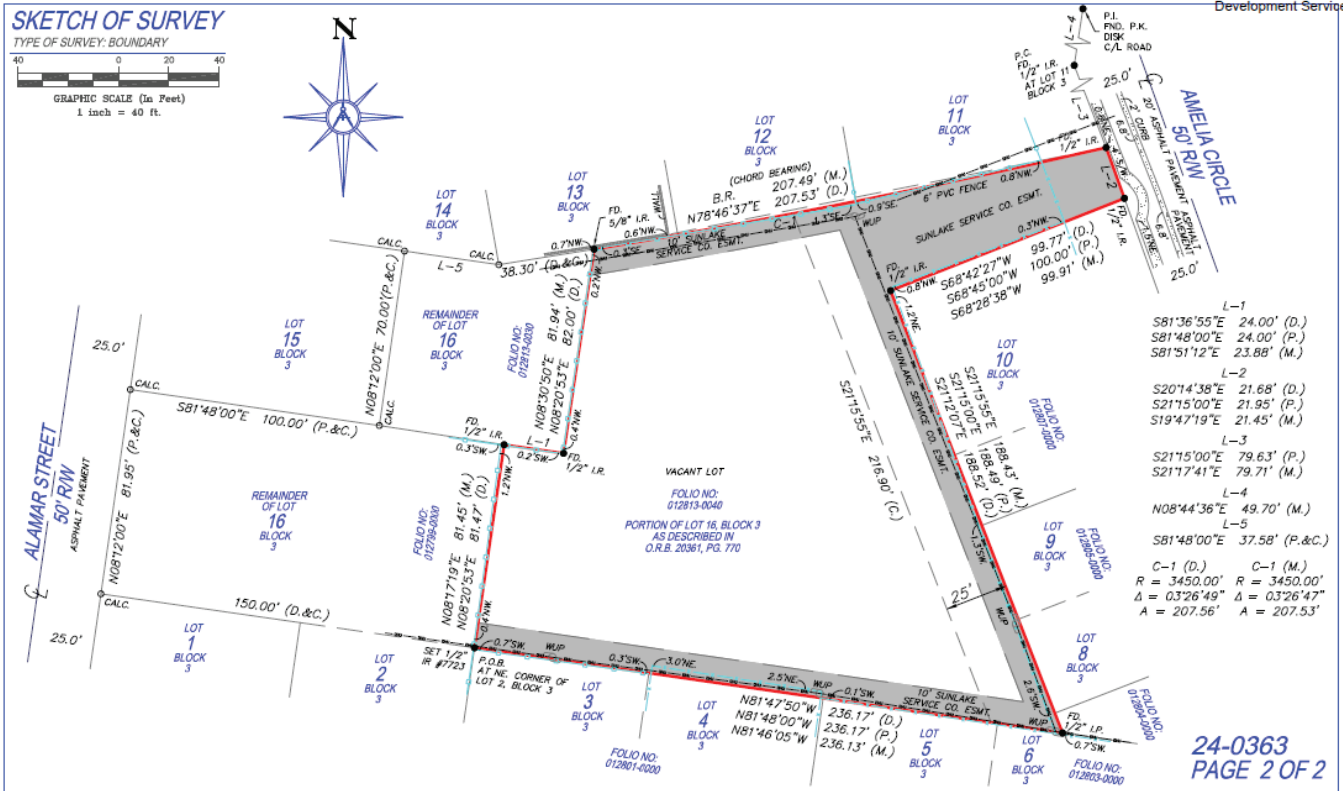
Table with columns: Section 03, Township 27 South, Range 18 East; Drawn By: AV; Survey Number: 24-0363; Revisions table with columns NO, REVISIONS, BY, DATE; Prepared By: LakeRidge Surveying & Mapping, LLC; 17916 DEER ISLAND ROAD, DEER ISLAND, FL 32778; PHONE 407-385-3151; FAX 1-888-941-8789

SURVEYOR'S CERTIFICATION: I THE UNDERSIGNED REGISTERED SURVEYOR, HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF IS A TRUE AND ACCURATE PRESENTATION OF THE INFORMATION SHOWN HEREON. DATE OF FIELD SURVEY: 02-05-2024. Signature of Robert W. Richmond, Professional Land Surveyor & Mapper No. 6616, State of Florida.

SURVEY/SITE PLAN

Received June 12, 2024
 Development Services

SKETCH OF SURVEY
 TYPE OF SURVEY: BOUNDARY
 GRAPHIC SCALE (in Feet)
 1 inch = 40 ft.



24-0363
 PAGE 2 OF 2

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Project Description (Variance Request)

- 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.

1) Allow a flag lot in the urban service area
 2) allow a lot width of 24.45' where 70' is required

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

1) 6.01.03
 2) 6.0101

Additional Information

- Have you been cited by Hillsborough County Code Enforcement? No Yes
 If yes, you must submit a copy of the Citation with this Application.
- 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): _____
- 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.
- Please indicate the existing or proposed utilities for the subject property:
 Public Water Public Wastewater Private Well Septic Tank
- 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

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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?

According to the applicant: 'History: This "irregular lot" was created by Hillsborough county. They owned Lot 16, Block 3 which they subdivided and sold to private owners'. The bottom line is that this is the last lot of which was formed by the many surrounding it and is a victim of the many differing lot configurations that were established.

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 code requirements render this lot unusable and unable to be developed with a single family home...or any other use.

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.

The lot will allow a single family home - exactly as all the surrounding property's have been developed and will present itself in the same manner and use.

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).

The resulting variance will allow a single family home to be built, as all others in the vicinity.

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.

As stated, the variance is required due to the act of others in the creation of the abutting lots

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.

The variance will allow the same type development of single family homes on this site

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\$22,500.00

Prepared by and Return to:
Heather Raisler
Alday-Donalson Title Agencies of America, Inc.
13920 N. Dale Mabry Highway
Tampa, Florida 33618
File Number: 4-11-0080

This Warranty Deed

Made this February ^{9th} 8, 2011 A.D. By

Oscar L. Crouch, Jr.

hereinafter called the grantor,

to Peggy T. Roberts,

whose post office address is: ,
hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Hillsborough County, Florida, viz:

THAT PART OF Lot 16 of Block 3 of SUNLAKE PARK SUBDIVISION, UNIT No. 1, as per map or plat thereof, as recorded in Plat Book 38 on Page 51 of the Public Records of Hillsborough County, Florida.

Lying within the following metes and bounds description:

Commence at the Northeast corner of Lot 2, Block 3 of the SUNLAKE PARK SUBDIVISION, UNIT No. 1, thence N. 08°20'53" East, a distance of 81.47 feet, to the Easterly extension of the Southerly boundary of Lot 15, Block 3; thence on said Easterly extension S. 81°36'55" East, a distance of 24.00 feet; thence N. 08°20'53" East, a distance of 82.00 feet to the Southerly boundary of Lot 13 of said Block 3, said point also being the point of curvature of a curve concave to the North, having a radius of 3450.00 feet, a delta of 03°26'49", a chord of 207.53 feet, and a chord bearing of N. 78°46'37" East; thence on the Southerly boundary of said Lot 13 and Lots 12 and 11 on the arc of said curve, a distance of 207.56 feet to the Westerly right-of-way line of Amelia Circle; thence on said Westerly right-of-way line, S. 20°14'38" East, a distance of 21.68 feet to the Northeast corner of Lot 10 of said Block 3, thence to the Northerly boundary of said Lot 10, S. 68°42'27" West, a distance of 99.77 feet to the Northwest Corner of Lot 10 of said Block 3; thence on the Westerly boundaries of Lots 10, 9 and 8, S. 21°12'07" East, a distance of 188.52 feet to the Northerly boundary of Lot 6 of said Block 3; thence on the Northerly boundaries of Lots 6, 5, 4 and 3, N. 81°47'50" West, a distance of 236.17 feet to the POINT OF BEGINNING.

THIS IS NOT THE HOMESTEAD PROPERTY OF THE GRANTOR NAMED HEREIN

SUBJECT TO covenants, restrictions, easements of record and taxes for the current year.

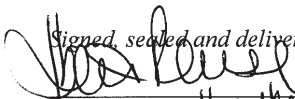
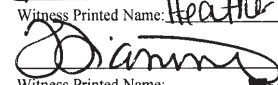
Parcel ID Number: 012813-0040

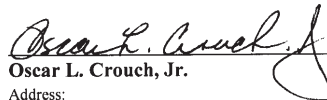
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. **To Have and to Hold**, the same in fee simple forever.

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 31, 2009.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:


Witness Printed Name: Heather Raisler

Witness Printed Name: Tomi Gianino


Oscar L. Crouch, Jr. (Seal)
Address: _____ (Seal)
Address: _____ (Seal)

Witness Printed Name: _____

Address: _____ (Seal)

Witness Printed Name: _____

Address:

State of: Florida

County of: Hillsborough

15 9th

The foregoing instrument was acknowledged before me this 15th day of February, 2011, by Oscar L. Crouch, Jr., who is/are personally known to me or who has produced a valid drivers license as identification.

Heather Raisler

Notary Public

Printed Name: _____

(Seal) My Commission Expires: _____



HEATHER RAISLER
Notary Public, State Of Florida
My Commission Exp. 12/10/2013
Commission No. #DD940021



Property/Applicant/Owner Information Form

Official Use Only

Application No: VAR 24-0692 Intake Date: 04/15/2024
Hearing(s) and type: Date: 06/24/2024 Type: LUHO Receipt Number: 358298
Date: Type: Intake Staff Signature: Keshia Rivas

Property Information

Address: n/a City/State/Zip: lutz
TWN-RN-SEC: 03/27/18 Folio(s): 12813.0040 Zoning: RSC-6 Future Land Use: R-4 Property Size: .78 acres

Property Owner Information

Name: Peggy T. Roberts Daytime Phone: 940-453-1118
Address: 3313 Alamar St. City/State/Zip: Lutz, FL 33558
Email: peggy_t_roberts@uhc.com Fax Number:

Applicant Information

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:

Applicant's Representative (if different than above)

Name: todd pressman Daytime Phone: 727-804-1760
Address: 200 2nd ave., south, m #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 Todd Pressman]

Signature of the Applicant

todd pressman, 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 Todd Pressman]

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

todd pressman, pressman & assoc., inc.

Type or print name

