

Variance Application: VAR 25-1450

LUHO Hearing Date: 11/17/2025

Case Reviewer: Cierra James



**Hillsborough
County Florida**

Development Services Department

Applicant: Lisa Gurton

Zoning:

RDC-12

Address/Location: 1301 Valley Groves Dr., Seffner, FL 33584; Folio # 64679.0502

Request Summary:

The applicant is requesting a variance to the required fence standards to allow for an 8-foot fence along the entire perimeter of their property.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.07.02.C.1.f	The maximum fence height shall be 6 feet, except under certain circumstances that do not apply to this case.	2 Feet	8-Foot-High Fence

Findings:

The property received a Code Enforcement notice (HC-CE-25-012000) for installing an 8-foot chain link fence with barbed wire. The applicant seeks to replace the 8-foot fence without the barbed wire.

Zoning Administrator Sign Off:

Colleen Marshall
Mon Nov 3 2025 13:45:31

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





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.

The 8' chain link fence that was in place for over 10 years along the perimeter (border) of the property suffered irreparable damage during Hurricane Milton from large trees on neighboring properties.

We are asking to replace this fence with a new chain link design at the same height, WITHOUT barb wire use. We have had numerous instances of homeless trespassing and increased car break ins and vandalism over the past couple of years. While a 6' fence would deter willful trespassers, we have found from experience that they are easily crossed by those wishing to trespass on other communities we manage. The former fence was included during our CPTED assessment score. See Variance Criteria Response for detailed items.

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

Land Development Code (LDC), Article VI (Design Standards and Improvement Requirements), Part 6.07.00 (Fences and Walls), Section 6.07.02 (Regulations)

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

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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?

The surrounding trees and foliage that border Valley View allow for trespassers to cross into our community unseen due to the brush and tree growth of most of its perimeter. Some of this perimeter borders commercial property with higher foot traffic. In our CPTED (See FL Statute 768.0706) assessment it was noted the fences playing a large role in the Natural Access Control, Territory Boundary, and Transition Zones between the commercial border properties

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.

CPTED assessment scoring is believed to be compromised by allowing a lesser fence height than what was there previously. Having an extra 2' in fence height would deter most trespassers to move on to easier entrances and keep our CPTED assessment in harmony.

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.

It would have no effect on surrounding communities since it serves as a border fence to our property that runs parallel to many of our neighboring property fences, some which are 8' or taller. The fence being replaced was 8' tall and had barbed wire at the top, in which this one will NOT have.

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).

It is in harmony with the LDC 1.02.02 part B without interfering with any of the other parts. It enhances LDC 1.02.03 Part D while supporting all other parts including the comprehensive plan.

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.

Since it is replacing the existing damaged border fence with the same minus the barbed wire, there are no hardships or illegal acts to contend.

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 current CPTED assessment will stay in fact and true to its original report for the safety of our residents and guests.

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910.50
Documentary Tax Pd - F.S. 201.02 \$ 9,300.00
Documentary Tax Pd - F.S. 201.08 \$ 7
Intangible Tax Pd - F.S. 199 \$ 7
Richard Ake, Clerk Hillsborough County
By: JBC/ Deputy Clerk

O.R.
BOOK 6656 PAGE 0627

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2

SPECIAL WARRANTY DEED

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

This WARRANTY DEED is made this 24th day of JUNE 1992 by and between **FEDERAL NATIONAL MORTGAGE ASSOCIATION**, a corporation organized and existing under the laws of the United States, as **Grantor**, whose post office address is 950 East Paces Ferry Road, Atlanta, Georgia 30326-1161, and **VALLEY VIEW GARDEN HOMES, L.C.**, whose post office address is P.O. Box 23800, Ft. Lauderdale, Florida 33307, as **Grantee**. (All references to the parties herein shall include their heirs, personal representatives, successors, and assigns; and when applicable the singular shall include the plural, and the masculine shall include the feminine and neuter).

WITNESS: That Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), to him in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained, and sold to Grantee forever, the real property situated in Hillsborough County Florida, legally described as follows:

Lots 1 to 14, inclusive in Block 1; Lots 1 to 16, inclusive in Block 2; and Lots 1 to 18, inclusive in Block 3, Valley View Garden Homes, according to the Plat thereof on file in the office of the Clerk of the Circuit Court in and for Hillsborough County, Florida recorded in Plat Book 53, Page 64, said lands situate, lying and being in Hillsborough County, Florida.

TO HAVE AND TO HOLD the above described property, with all improvements thereon, unto Grantee in fee simple forever.

AND Grantor does hereby covenant with Grantee that said described property is free from all liens and encumbrances except (a) conditions, restrictions, limitations, and easements of record, if any, but this provision shall not operate to reimpose the same; (b) zoning and other governmental regulations; (c) taxes and assessments for 1992 and subsequent years; and (d) the "Permitted Title Exceptions" as shown on Commitment for Title Insurance number TP217828 issued by Commonwealth Land Title Insurance Company, dated March 3, 1992 at 8:00 a.m.

AND the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons claiming by, through or under said Grantor, but not otherwise.

EXECUTED the date first stated above.

Grantor

Signed, Sealed and Delivered
in the presence of:

FEDERAL NATIONAL MORTGAGE
ASSOCIATION

George R. Manheimer
George R. Manheimer (typed name)

By: Robert A. Hunter
Robert A. Hunter

ELINOR A. GRAER
ELINOR A. GRAER (typed name)

As its Vice President

(Affix Corporate Seal Here)

1992 JUL - 1 PM 1:41
92145017

STATE OF GEORGIA

COUNTY OF FULTON

The foregoing instrument was acknowledged before me this 24th day of June, 1992 by Robert A. Hunter, as Vice President of FEDERAL NATIONAL MORTGAGE ASSOCIATION, on behalf of the corporation. He is personally known to me and did not take an oath.

Janice C. Crisp
Janice C. Crisp (typed name)
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires October 1, 1993

Prepared by and return to:

Richard S. McIver, Esq.
McWhirter, Grandoff & Reeves
P.O. Box 3350
Tampa, FL 33601-3350



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