

Variance Application: VAR 24-0287
LUHO Hearing Date: February 26, 2024
Case Reviewer: Isis Brown



Hillsborough County Florida

Development Services Department

Applicant: Oscar Lopez **Zoning:** RSC-6
Address/Location: 8518 Claonia Street, Tampa FL 33614; Folio: 24555.1000

Request Summary:


The applicant is requesting a variance to accommodate two existing accessory structures on property zoned RSC-6.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.11.04.C.3	Accessory structures may occupy required rear yards provided that such structures do not occupy more than 20 percent of the required rear yard and are not closer than 3 feet to any rear lot line.	13 percent	33 percent rear yard building coverage

Findings: The subject parcel received a citation, HC-CMP-22-0000615 for failure to obtain a permit for an accessory structure over 150 square feet in size. A copy of the citation has been placed into the case file for this application. Building permit, HC-BLD-23-0043315 was submitted for the accessory structure, however, it was discovered to be exceeding the maximum rear yard building coverage, thus necessitating the need for the variance request.

Zoning Administrator Sign Off:

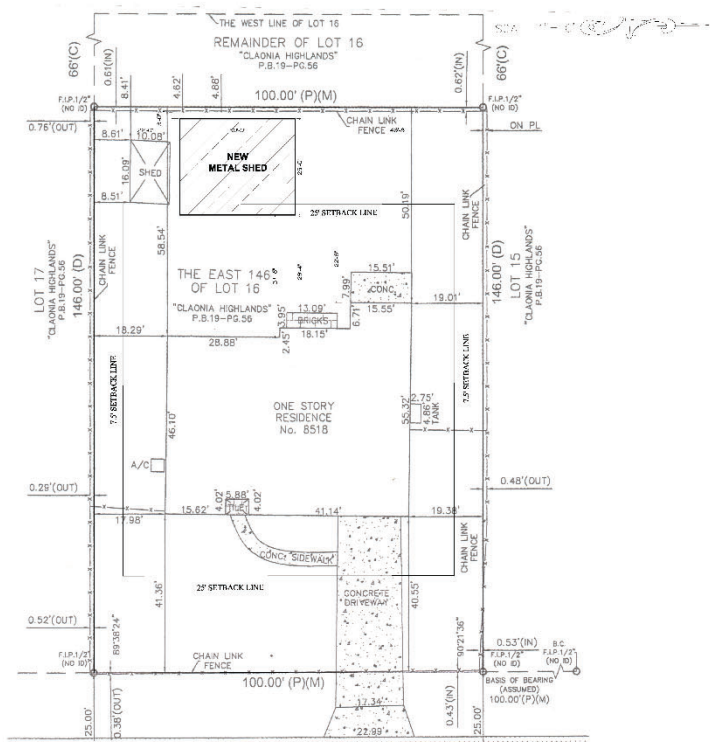


Colleen Marshall
 Tue Feb 13 2024 14:03:11

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
 01/02/2024
 Development Services



SITE PLAN FOR:
 8518 CLAONIA ST
 TAMPA, FL 33614
 OWNER
 JORGE HERNANDEZ LINARES

AREA CALCULATIONS FOR PROPOSED IMPROVEMENTS

LOT AREA -	14728 S.F.	(100%)
MAIN HOUSE -	3096 S.F.	(21%)
CONCRETE AREA -	797 S.F.	(5.4%)
METAL SHED AREA -	160 S.F.	(1.1%)
NEW METAL SHED AREA -	790 S.F.	(5.4%)
TOTAL METAL SHED AREA -	950 S.F.	(6.5%)
PERVIOUS AREA -	28605 S.F.	(67.4%)
IMPERVIOUS AREA -	28605 S.F.	(32.6%)

SQUARE FOOTAGE

MAIN HOUSE	3096 S.F.
NEW METAL SHED AREA	790 S.F.

LEGAL DESCRIPTION:

CLAONIA HIGHLANDS E 146 FT OF LOT 16, HILLSBOROUGH COUNTY

NOTE

ALL HISTORICAL DRAINAGE PATTERNS MUST BE MAINTAINED.

LEGEND

- CENTER LINE
- PROPERTY CORNER
- PROPERTY LINE
- ✳ PALM & TRUNK TREE
- ✳ CANDY & TRUNK TREE
- ✳ PALM & TRUNK THILL
- ▲ GROUND ELEVATION
- ▲ PAVEMENT ELEVATION
- ▲ OPTICAL FIBER

ABBREVIATIONS

- BC - BLOCK CORNER
- CD - CALCULATED
- CR - RECORD
- OP - OBSERVED
- TR - TYPICAL
- PL - PLAT
- PG - PAGE
- FI - FOUND IRON ROD
- FI - FOUND IRON PIPE
- SL - SET CONCRETE
- ID - IDENTIFICATION
- TC - TENCH CORNER
- BM - BENCH MARK
- UT - UTILITY PULL
- M - METER (WATER)
- A/C - A/C UNIT
- X - TREE TO REMOVE

AS-BUILT METAL SHED
 JORGE HERNANDEZ LINARES
 8518 CLAONIA ST
 TAMPA, FL 33614
 SITE PLAN



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.

The reason for this variance request is as follows,
 I Built a shed stucture in my back yard to add a much needed space for my family and I to gather outdoors.

Not being familiar with process,shed was built without permit.Upon notice I went to apply for permit.After that was told I needed plans from an engineer,so I got someone to help me in this process.Submitted paper work and paid fees. I did not recieve any more notices and did not follow up on this any further assuming all was well.

Recieved a citation and confussed,I went to counties office to get clarification and was told,seems permit was never finalized due to shed structure not meeting requirements at yard setback and may need to be removed and corrected. I was then suggested to apply for Variance Request.

My Variance request is for an Increase to occupy 33% of the rear yard area for shed structure,which exceeds 13% more than the maximum of the 20% required.

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

HC-LDC 6.11.04.C.3 REAR YARD ENCROACHMENTS

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): HC-BLD-23-0043315
- 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?

Have a small lot of 0.33 acres as opposed to others that have larger lots which gives them many options as for me the shed structure to have a place to relax and spend time with family outdoors is much needed

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 LDC requires the use of a maximum of 20% of rear yard coverage, but in my case I have a coverage of 33% which puts me 13% over the maximum required and the LDC allows this type of variance based on a case to case basis.

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 shed structure is in the rear of home and neighbors home is approximate distance of 115 ft from shed.

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).

An approval of this variance request will provide a better quality of life, because it will provide a covered space for me and my family to gather and relax outdoors.

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.

Request for this variance was not to have done anything illegal, I just was unfamiliar with process and as soon as I was notified I took action and went to county office to inform myself on how to move forward

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.

I believe allowing this request will not affect or harm anyone but if result will be to remove structure it will affect my family which is a place we really need and enjoy.

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After Recording Return to:
Chris Hemmings
Anchor Title & Associates
1510 South Clark Avenue
Tampa, FL 33629

This Instrument Prepared by:
Chris Hemmings
Anchor Title & Associates
1510 South Clark Avenue
Tampa, FL 33629
as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):
024555-1000
File No.: 20210087

WARRANTY DEED

This Warranty Deed, Made the 17th day of June, 2021, by **Deborah S. Palladini, a married woman, joined by her spouse Rosemarie Ann Durant**, whose post office address is: **8518 Claonia Street, Tampa, FL 33614**, hereinafter called the "Grantor", to **Jorge Hernandez Linares**, whose post office address is: **8518 Claonia St., Tampa, FL 33614**, hereinafter called the "Grantee".

WITNESSETH: That said Grantor, for and in consideration of the sum of **Three Hundred Ninety Five Thousand Dollars and No Cents (\$395,000.00)** 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**, to wit:

The East 146 feet of Lot 16, Claonia Highlands, according to the map or plat thereof as recorded in Plat Book 19, Page 56, of the Public Records of Hillsborough County, Florida.

The property is the homestead of the Grantor(s).
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 2020, reservations, restrictions and easements of record, if any.

(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES
TWO SEPARATE DISINTERESTED WITNESSES REQUIRED

Witness Signature: [Signature] [Signature]
Printed Name: Chris Hemmings Deborah S. Palladini

Witness Signature: [Signature] [Signature]
Printed Name: Yerin Ross Rosemarie Ann Durant

Witness Signature: _____
Printed Name: _____

Witness Signature: _____
Printed Name: _____

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 17th day of June, 2021 by Deborah S. Palladini, a married woman, ~~joined by her spouse~~ **Rosemarie Ann Durant** who is/are personally known to me or has/have produced driver license(s) as identification.

[Signature]
Notary Public Signature (SEAL)
Printed Name: Chris Hemmings
My Commission Expires: _____



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Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

Application No: 24-0287 Intake Date: 01/02/2024
Hearing(s) and type: Date: 02/26/2024 Type: LUHO Receipt Number: 331150
Date: _____ Type: _____ Intake Staff Signature: Alejandra Prado

Applicant/Representative: OSCAR LOPEZ Phone: (224) 388-9567

Representative's Email: lpzosc71@gmail.com

The following information is used by reviewing agencies for their comments and should remain constant, with very few exceptions, throughout the review process. Additional reviews, such as legal description accuracy, compatibility of uses, agency reviews, etc., will still be conducted separately and may require additional revisions.

The following ownership information must be provided and will be verified upon submission initial submittal. If you are viewing this form electronically, you may click on each underlined item for additional information.

Part A: Property Information & Owner Authorization Requirements

Included	N/A	Requirements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Applicant/Owner Information Form</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Affidavit(s) to Authorize Agent</u> (if applicable) NOTE: All property owners must sign either the Application form or the Affidavit to Authorize Agent. If property is owned by a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Sunbiz Form</u> (if applicable). This can be obtained at Sunbiz.org .
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Current Recorded Deed(s)</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Close Proximity Property Owners List</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Legal Description</u> for the subject site
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Fastrack Approval</u> (if applicable)

Additional application-specific requirements are listed in Part B.



Property/Applicant/Owner Information Form

Official Use Only

Application No: 24-0287 Intake Date: 01/02/2024
Hearing(s) and type: Date: 02/26/2024 Type: LUHO Receipt Number: 331150
Date: _____ Type: _____ Intake Staff Signature: Alejandra Prado

Property Information

Address: 8518 Claonia St. City/State/Zip: Tampa, FL 33614
22-28-18 24555-1000 RSC-6 R-6 0.33
TWN-RN-SEC: _____ Folio(s): _____ Zoning: _____ Future Land Use: _____ Property Size: _____

Property Owner Information

Name: JORGE HERNANDEZ LINARES Daytime Phone: (305)741-8790
Address: 8518 CLAONIA ST. City/State/Zip: TAMPA, FL 33614
Email: jorgitojld25@yahoo.es Fax Number: N/A


Applicant Information

Name: OSCAR LOPEZ Daytime Phone: (224)899-8366
Address: 11387 CAY SPRUCE WAY City/State/Zip: SAN ANTONIO, FL 33576
Email: lpzosc71@gmail.com Fax Number: N/A

Applicant's Representative (if different than above)

Name: _____ Daytime Phone: _____
Address: _____ City/State/Zip: _____
Email: _____ Fax Number: _____

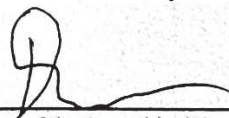
I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.



Signature of the Applicant
OSCAR LOPEZ

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)
JORGE HERNANDEZ LINARES

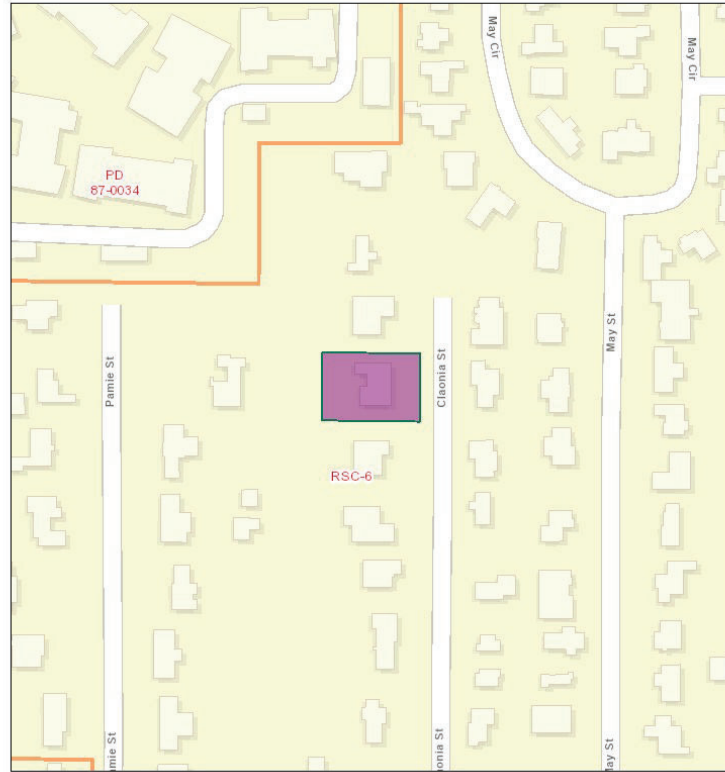
Type or print name



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
INFL	i
Zoning	RSC-6
Description	Residential - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0213H
FIRM Panel	12057C0213H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120213C
County Wide Planning Area	Egypt Lake
Census Data	Tract: 011901 Block: 3000
Future Landuse	R-6
Future Landuse	R-6
Future Landuse	R-6
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 10
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	190' AMSL
Competitive Sites	NO
Redevelopment Area	NO

Folio: 24555.1000



January 3, 2024

1:1,931
0 0.01 0.03 0.05 mi
0 0.02 0.04 0.09 km

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Hillsborough County Florida

Folio: 24555.1000
PIN: U-22-28-18-159-000000-00016.0
Jorge Hernandez Linares
Mailing Address:
 8518 Claonia St
 null
 Tampa, Fl 33614-1704
Site Address:
 8518 Claonia St
 Tampa, Fl 33614
SEC-TWN-RNG: 22-28-18
Acreage: 0.33464801
Market Value: \$384,537.00
Landuse Code: 0100 Single Family

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