



**Hillsborough
County Florida**

LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 21-0500	
LUHO HEARING DATE: May 24, 2021	CASE REVIEWER: Kim King

REQUEST: The applicant is requesting additional square footage and a setback variance for an existing monument sign. This request is for Covenant Catalytic Church located at 6212 N. 47th St.

VARIANCE(S): The subject parcel is zoned RSC-9 which allows 1 monument sign for a residential support use at 16 sq. ft. per side/32 sq. ft. total with a maximum height of 8 ft per Section 7.03.00.C.3.b. of the LDC.

A monument sign at 4 ft high requires a 15 ft setback from the right-of-way line and for every 1 ft. you increase the height, you must increase the setback 1 ft. per Section 7.03.00.C.1.c of the LDC.

Variations: The applicant is requesting 34 sq. ft. of additional sign area for a total of 66 sq. ft. for the monument sign.

The applicant is also requesting a setback variance of 14 ft. from the right-of-way line placing the sign at a 4 ft. setback

FINDINGS:

None.

DISCLAIMER:

The variance 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.

ADMINISTRATOR'S SIGN-OFF

Attachments: Application
Site Plan
Petitioner's Written Statement
Current Deed



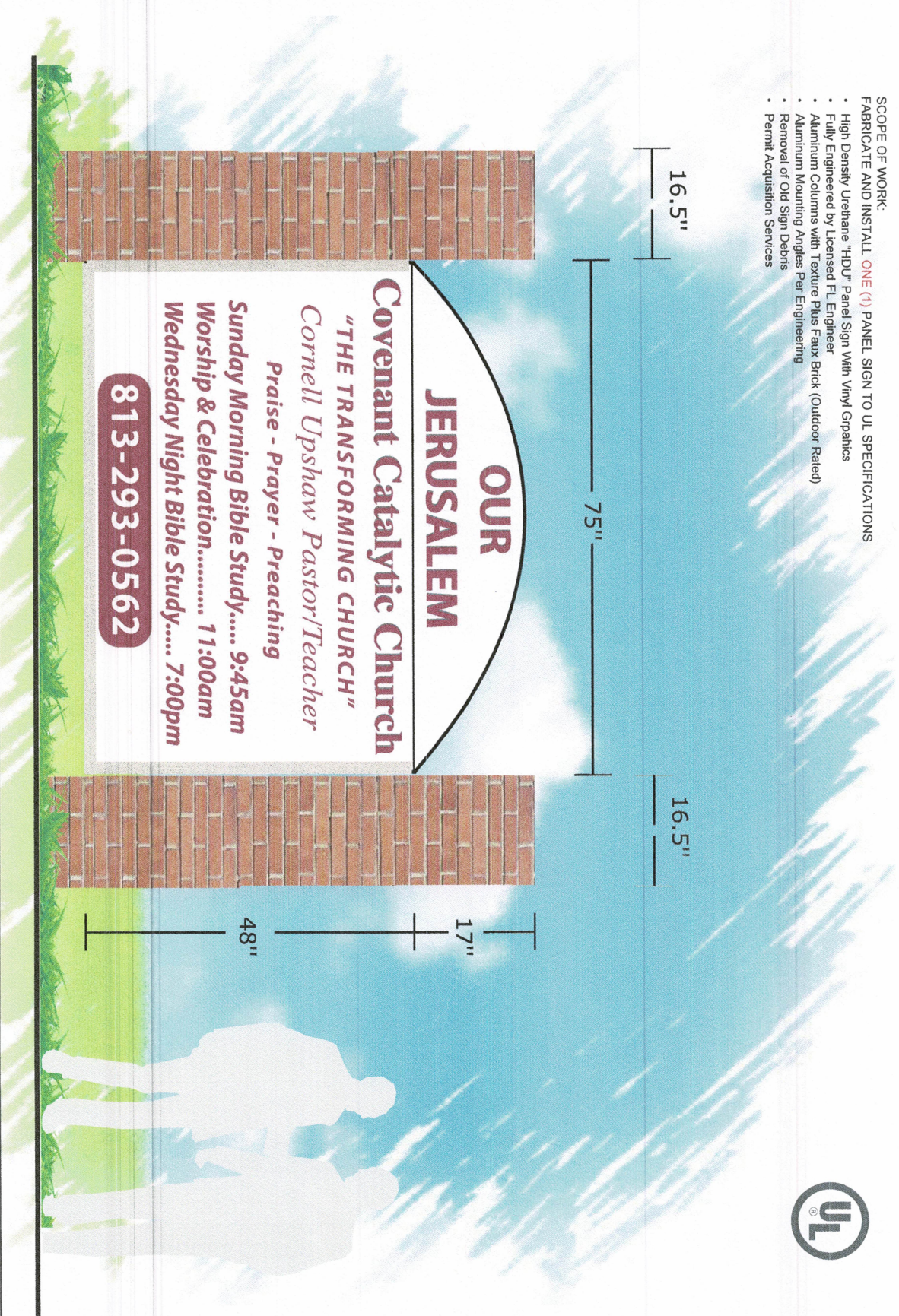
GUTHMAN SIGNS

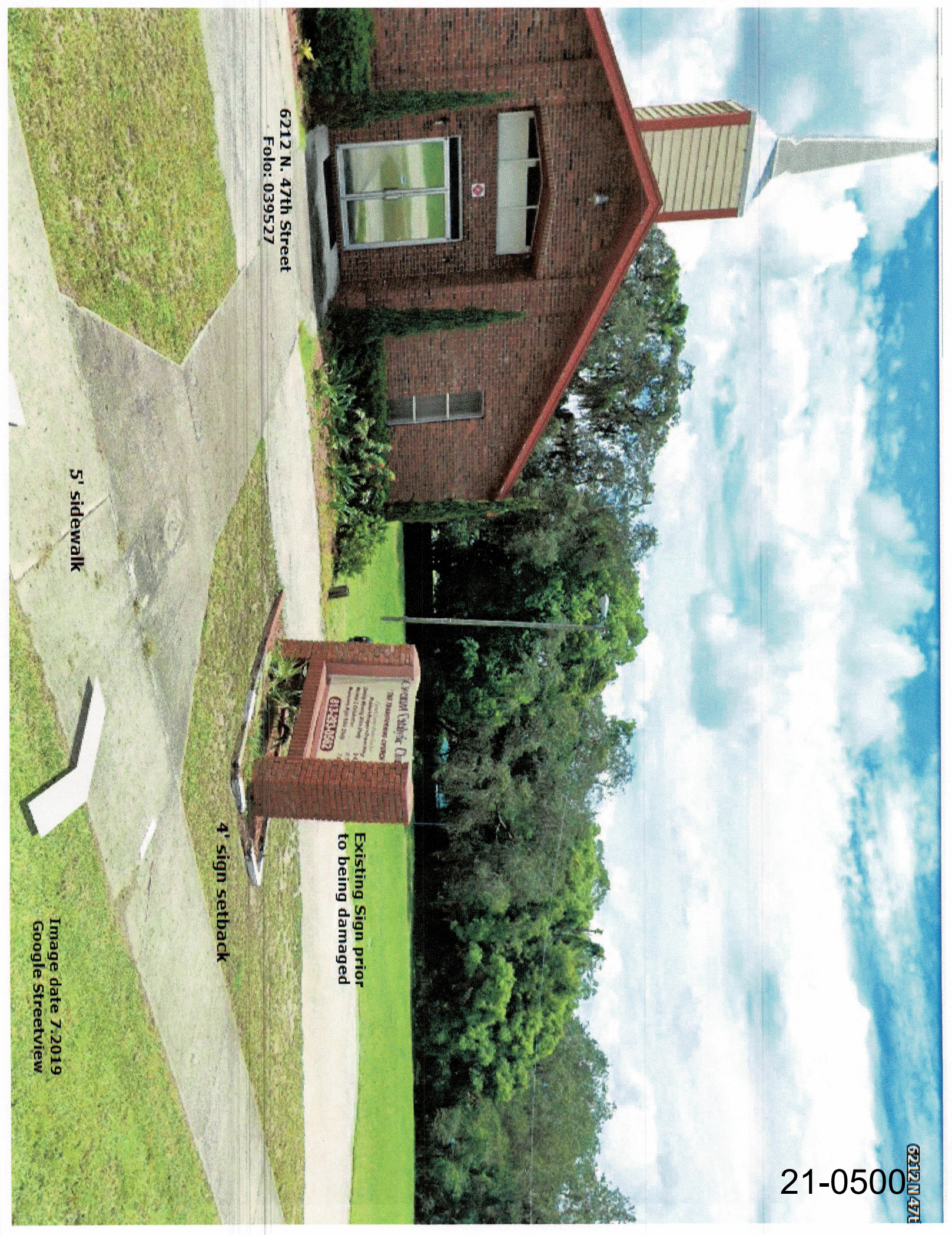
- SCOPE OF WORK:
 FABRICATE AND INSTALL **ONE (1)** PANEL SIGN TO UL SPECIFICATIONS
- High Density Urethane "HDU" Panel Sign With Vinyl Graphics
 - Fully Engineered by Licensed FL Engineer
 - Aluminum Columns with Texture Plus Faux Brick (Outdoor Rated)
 - Aluminum Mounting Angles Per Engineering
 - Removal of Old Sign Debris
 - Permit Acquisition Services



21-0500

PAGE 2 OF 2
 ART VERSION 180339-2
 DATE 5/26/20
 PM pm
 DESIGN CG
 DATE REVISION NOTE





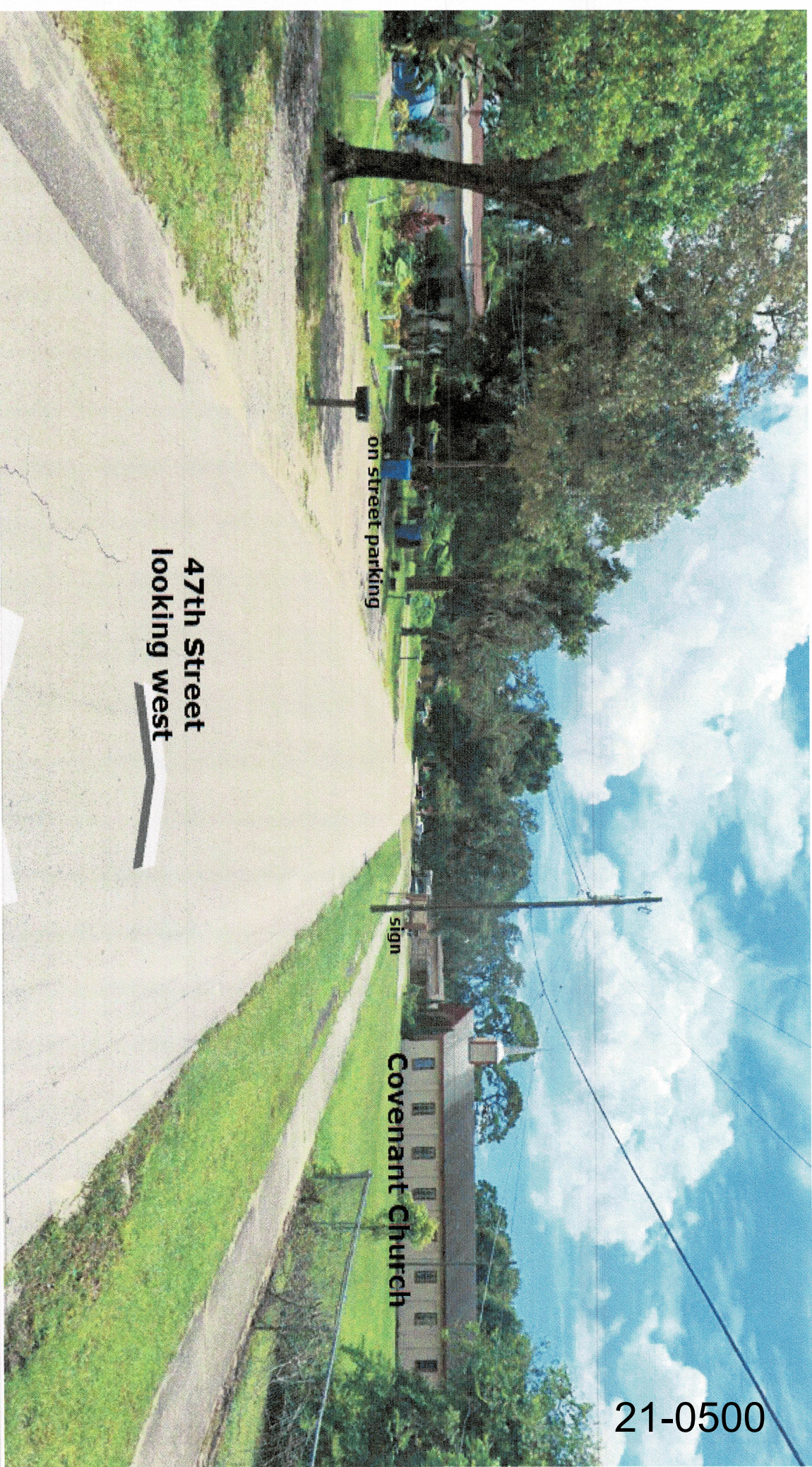
6212 N. 47th Street
Folio: 039527

5' sidewalk

4' sign setback

Existing Sign prior
to being damaged

Image date 7.2.2019
Google Streetview



21-0500

**47th Street
looking west**

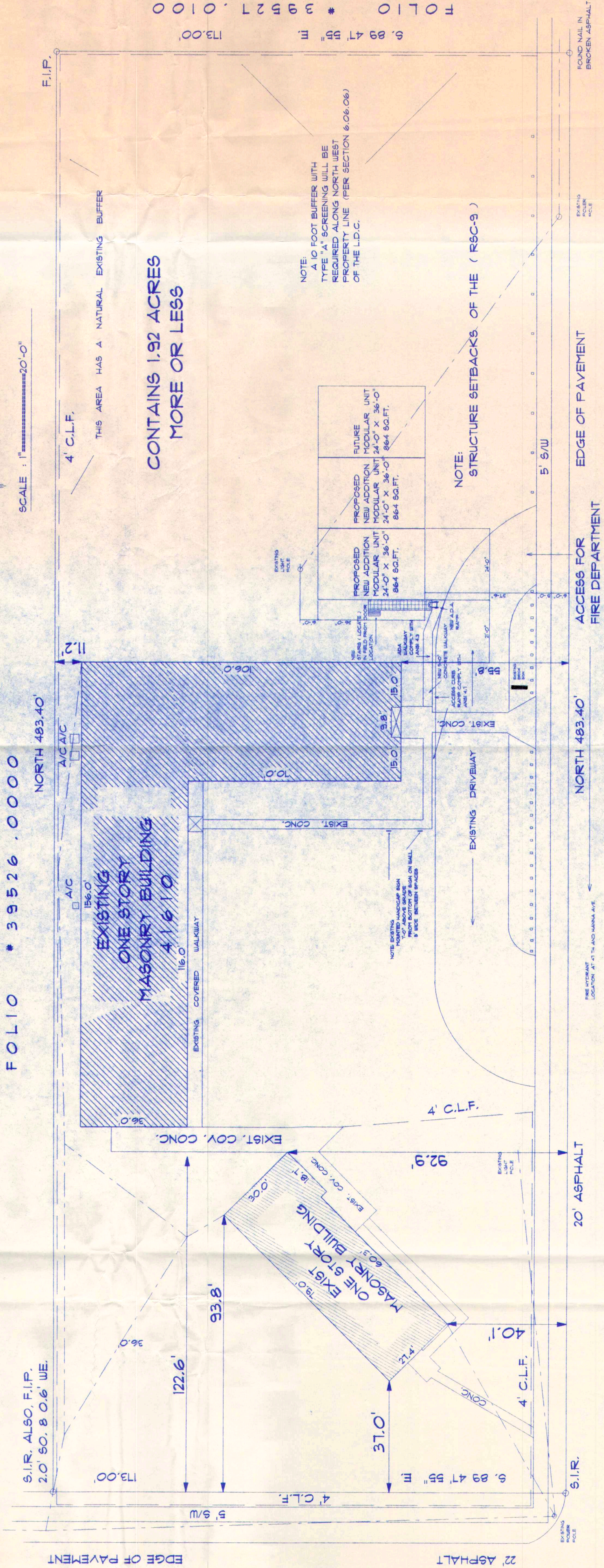
on street parking

sign

Covenant Church

E. HANNA AVENUE

SOUTH BOUNDARY 09 6E 1/4 OF SW 1/4 OF NE 1/4 OF SEC. 33, TWP. 28 S., RNG. 19 E.



EAST BOUNDARY OF SE 1/4 OF SW 1/4 OF NE 1/4 OF SEC. 33, TWP. 28 S., RNG. 19 E.

N. 47TH STREET

ACCESS FOR FIRE DEPARTMENT

NOTE: STRUCTURE SETBACKS OF THE (RSC-9)

NOTE: A 10 FOOT BUFFER WITH TYPE "A" SCREENING WILL BE REQUIRED ALONG NORTH WEST PROPERTY LINE (PER SECTION 6.06.06) OF THE L.D.C.

CONTAINS 1.92 ACRES MORE OR LESS

THIS AREA HAS A NATURAL EXISTING BUFFER

4' C.L.F.

SCALE: 1" = 20'-0"



CUSTOMER NAME

DRAWING: 1 OF 1

SHEET NO.

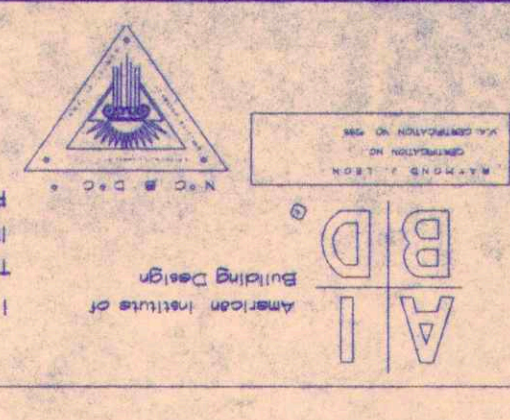
BUILDER:

CARL BAGAN ACADEMY
4610 E. HANNA AVENUE
TAMPA, FL. 33610

DATE: MAY-17-2006
JOB NO.:

REVISION DATE: JUNE-12-2006

RJ LEON & ASSOCIATES
RESIDENTIAL AND COMMERCIAL DESIGN
4339 HONEY VISTA CIR.
TAMPA FL. 33624
PH. 813 968-5779 FAX. 968-5779

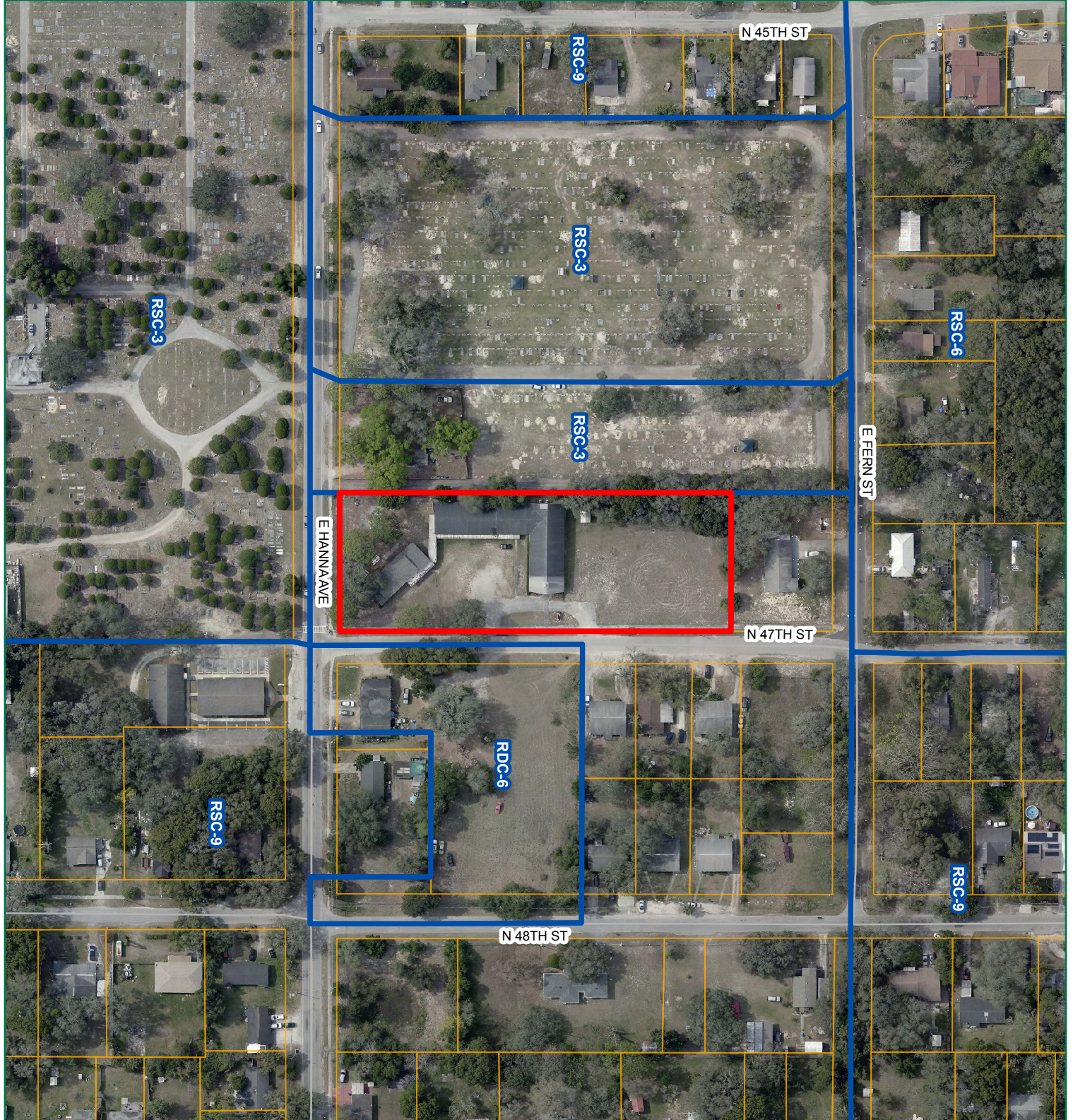


I HEREBY CERTIFY THAT I HAVE REVIEWED THE ATTACHED DESIGN AND FOUND IT TO BE IN COMPLIANCE WITH SECTION 9003 OF THE FLORIDA BUILDING CODE, 9004 B.D.
RICHARD M. AMKENAZ, P.E.
*3201

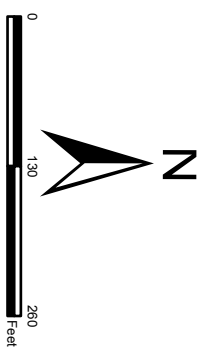
Immediate Aerial Zoning Map

VAR 21-0500

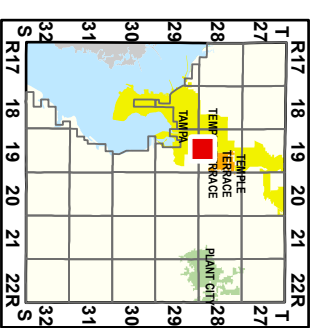
Folio: 39527.0000



- Application Site
- Zoning Boundary
- Parcels



STR: 33-28-19



NOTE: Every reasonable effort has been made to ensure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map.

THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

SOURCE: This map has been prepared for the hierarchy of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other AVM/ADEL data.

Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

Date: 04/06/2021 Path: G:\ZONING\GIS\Data\Zoning - Site.aprx

VARIANCE REQUEST

- Project Narrative: 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.

~~Replacement of a damaged existing monument sign that has existed for several years in front of the Covenant Church and before the church, a charter school. The sign was damaged in late 2019 when it was hit by a vehicle. Applicant desires to install a 5'5" replacement sign on the existing foundation which only has a 4 foot setback. A 13 foot setback variance is required as the required setback is 17 foot to the leading edge of the sign pursuant to 7.03.00.C.1.c. Hillsborough County Land Development Code. A sign of this type is considered a "residential support use" and is limited to 16 SF per face or 32 SF counting both sides. The proposed sign is 34 SF per face/68SF total requiring a variance of 18 SF per face/36 SF total.~~

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

~~Part 7.03.00.C. Ground Signs:~~

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 (Attachment A).
- 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 and/or septic 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 Reclaimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing (form may be obtained from **19th floor County Center**).

VARIANCE CRITERIA RESPONSE

You must provide a response to each of the following questions. If additional space is needed, please attach extra pages to this application.

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?

~~This church sign is an important way-finding and identification landmark for this street and neighborhood of modest homes. The existing church's front yard is relatively close to the street and much of said front yard is developed into a circular driveway which provides easy drop off for the elderly and disabled. Replacing the damaged sign at its current location in front of the driveway is the most reasonable use of the land as well as the most reasonable location for maximum sign visibility. Locating the sign at the 15 foot setback destroys the functionality of the driveway and is not practical.~~

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.

~~While there are no other properties in the same district that provide religious or institutional assemblies, the literal sign requirements imposed on the church will make said property less consistent with the overall streetscape of not only 47th St, but the whole neighborhood served by 47th St where many residential lots have parking areas directly abutting the street. Typical setbacks for vehicles and accessory buildings are reduced and in some cases non-existent as shown in Google Streetview photographs attached with the application.~~

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.

~~Approving the variance will continue to allow an identification sign which has essentially existed over a decade so it is correct to say that continuing the sign placement will not interfere with or injure the rights of others whose properties might be affected as history shows that those properties have not been adversely affected.~~

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 general intent and purpose of the land development code is to establish regulations and procedures which address the natural resources and cultural (public facility) implications of development and in terms of consistency, establish regulations that respect the rights of property owners and considers the interests of all citizens of Hillsborough County. The purpose and intent of the sign (Sec. 7.00.02) expands that even further by enacting sign regulations that promote the health, safety and welfare by preserving property values, preventing unsightly and detrimental signs that would detract from the aesthetic appeal of the county by ensuring good and attractive design considerations that would strengthen the county's appearance. Said replacement of this damaged sign which has served as a landmark, of sorts to 47th Street will promote that purpose and intent.~~

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 sign was installed by the previous Charter School administration, reimaged by the church for its identification purposes as it was located in the most reasonable location on the site. The car accident which basically destroyed the sign was not a self-imposed hardship, but a hardship imposed on the applicant church.~~

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.

~~Substantial justice will triumph if the variance is approved. The public benefit intended to be secured by the Land Development Code will be protected as well as the individual property rights and benefits of a reasonable ability of the church to identify its services and location. The aesthetic improvement to the property and neighborhood will be pronounced.~~

Return to
Name STEWART TITLE OF TAMPA
Address 3401 West Cypress Street
Tampa, FL 33607
This Instrument Prepared by Janice Coulton
STEWART TITLE OF TAMPA
3401 West Cypress Street
Tampa, FL 33607

INSTR # 99312845
OR BK 09863 PG 1520
RECORDED 10/28/1999 09:24 AM
RICHARD ABE CLERK OF COURT
HILLSBOROUGH COUNTY
DOC #01 PD (F.S. 201.02) 875.00
DEPUTY CLERK K Lapeer

as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it
Property Appraiser's Parcel Identification (Folio) Number(s)
039527.0000
Grantee(s) ID # [REDACTED]
FILE NO 99090250

**CORRECTIVE
WARRANTY DEED**

This Warranty Deed Made this 29th day of September , 19 99,
by Tampa Bay Baptist Foundation, Inc.

a corporation existing under the laws of Florida , and having its place of business at
1060 W Busch Boulevard, #101, Tampa, FL 33612

hereinafter called the grantor, to Covenant Missionary Baptist Church, Inc , a Florida
corporation

whose post office address is 4610 E Hanna Avenue, Tampa, FL 33610

hereinafter called the grantee,

WITNESSETH: That grantor, for and in consideration of the sum of \$10 00 Dollars, and other valuable considerations, receipt
whereof is hereby acknowledged, by these presents does grant, bargain sell, alien, remise, release, convey and confirm unto grantee
all that certain land situate in Hillsborough County, Florida, viz

East 198 feet of the Southeast 1/4 of the Southwest 1/4 of
Northeast 1/4 of Section 33, Township 28 South, Range 19 East,
less the North 150 feet and less the East 25 feet and less the
South 30 feet, Hillsborough County, Florida

The property conveyed herein shall be owned and used for church
related purposes by a Southern Baptist Church only, which
church must be a member of the Tampa Bay Baptist Association
Continued on next page

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 19 98, reservations, restrictions and easements of record, if any
(Wherever used herein the terms "grantor" and "grantee" included all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the
successors and assigns of corporation)

IN WITNESS WHEREOF, the grantor has caused these presents to be executed
in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto
duly authorized, the day and year first above written

ATTEST

Secretary
Signed, sealed and delivered in the presence of

[Signature]

Witness Signature
Kymette M. D. Gross

Witness Printed Name
Kymette M. D. Gross

Witness Signature
Carla B. Mera

Witness Printed Name
Carla B. Mera

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 29th day of September , 19 99 by
Jeffrey W Warren as President of Tampa Bay Baptist Foundation, Inc ,
a Florida corporation,

on behalf of the corporation He/she is personally known to me or has produced driver license(s)
as identification

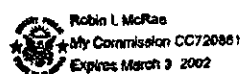
My Commission expires 3/3/02

Tampa Bay Baptist Foundation, Inc.

BY Jeffrey W Warren, President

[Signature]

Printed Name
Notary Public
Serial Number



*This deed being re-recorded to add
restrictive covenant with vested interest*

OR BK 10683 PG 0294

CONTINUATION OF DEED

20
READY

If the Grantee herein, its successors and assigns, or any of them, shall fail to comply with the above conditions, they agree to vacate the property immediately and the title to the property conveyed shall immediately, automatically, and without notice, revert to the Grantor

If the Grantee herein, its successors or assigns, shall fail to comply with the above conditions, the Grantor herein shall, after giving 30 days written notice to the Grantee, or it's successors or assigns, by registered mail, have the right to re-enter the property and take possession of the same with full title in fee simple, together with all improvements thereon

OR BK 10683 PG 0295

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE IN MY OFFICE WITNESS MY HAND AND OFFICIAL SEAL THIS DAY OF

March 20 01..



RICHARDAKE, CLERK
BY *Deby Harris* c.

21-0500

RESTRICTIVE COVENANT WITH VESTED INTEREST

Pursuant to its ownership of a parcel of real property in Hillsborough County, Florida, as legally described in Exhibit "A" attached (or description below), by virtue of a Warranty Deed recorded in Official Record Book 9863, page 1520, Public Records of Hillsborough County, Florida, Covenant Missionary Baptist Church, Inc, a Florida corporation not-for-profit, hereby acknowledges its acceptance of grant funds from the Florida Baptist Convention Church Site Fund and in return declares the following restrictive covenant upon the subject parcel (legal description follows ~~or attach~~ as Exhibit A)

East 198 feet of the Southeast 1/4 of the Southwest 1/4 of Northeast 1/4 of Section 33, Township 28 South, Range 19 East, less the North 150 feet and less the East 25 feet and less the South 30 feet, Hillsborough County, Florida

And further to have and to hold said tract or parcel of land, with the appurtenances, estate, title and interest thereto, belonging to the Covenant Missionary Baptist Church, Inc, a nonprofit corporation, its successors and assigns, forever, for the use and benefit of those of the membership, even though they may be a minority, who adhere to, maintain and propagate the doctrines, faith and practices of the missionary Baptist churches which cooperate with the Florida Baptist Convention and the Southern Baptist Convention, and failure or refusal of the membership of said church, even though they be a majority, to adhere to, maintain and propagate the doctrines, faith and practices of missionary Baptist churches and to cooperate with the Florida Baptist Convention and the Southern Baptist Convention, shall constitute such a deviation from the accepted usages, practices and beliefs of Baptists, that said majority shall no longer constitute the true congregation of said church, the title to the property hereinabove described shall vest in, and be held for, the use and benefit of the minority who do adhere to, maintain and propagate the doctrines, faith and practices of the members of missionary Baptist churches which cooperate with the Florida Baptist Convention and the Southern Baptist Convention, and, in the event the entire membership of the Covenant Missionary Baptist Church, Inc should fail or refuse to follow, or should renounce the doctrines, faith and practices of members of Baptist churches which cooperate with said Conventions, then the title to the above described property shall at the option of the Florida Baptist Convention, or its successor, become vested in the Florida Baptist Convention, or its successor, to be used for church and mission purposes

Declared this 7th day of March, 2001

Edwin B. Grant
Witness Signature
Type Name Edwin Grant
LAMARCUS LARRY
Witness Signature
Type Name LAMARCUS LARRY

Covenant Missionary Baptist Church, Inc
Church Name
Carl W. Larry
Signature By
Title CHAIRMAN OF DEACONS
BOBBY PATTON
Signature By
Title PASTOR

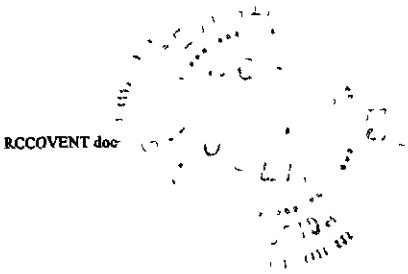
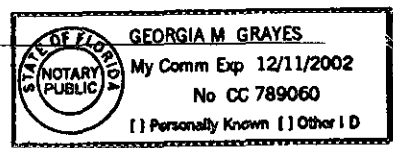
State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me on March 7, 2001 by Edwin B. Grant and LAMARCUS LARRY. They produced as identification DL # G530-202-64957-D, and DL# L600-539-491690 or each is personally known to me

(AFFIX SEAL)

Georgia M. Grayes
Notary Public/State of Florida

Printed Name of Notary
My Commission Expires



OR BK 10683 PG 02960

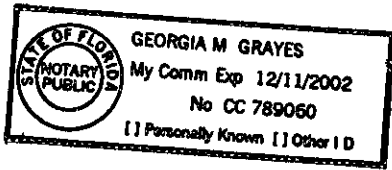
ATTACHMENT

RESTRICTIVE COVENANT WITH VESTED INTEREST

The foregoing instrument was acknowledged by Carl W. Lacey and Bobby Dutton on March 23, 2001. They produced as identification DL # L600-139-23-029-0 and DL# P350-076-52-046-D or each is personally known to the Notary.

Georgia M. Grayes
Notary Public, State of Florida

Printed Name of Notary: _____
My Commission Expires: _____



STATE OF FLORIDA
NOTARY PUBLIC
COMM. # 789060



Received
03/10/21
Development Services

VARIANCE APPLICATION

IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

You must schedule an appointment to submit this application by calling 813-272-5600.
All requirements listed on the submittal checklist must be met. **Incomplete applications will not be accepted.**

Property Information

Address: 6212 N. 47th Street City/State/Zip: Tampa, FL 33610 TWN-RN-SEC: 33-28-19
Folio(s): 039527-0000 Zoning: RSC-9 Future Land Use: Property Size: 1.88 AC

Property Owner Information

Name: Covenant Missionary Baptist Church Inc. (Covenant Catalytic Church) Daytime Phone:
Address: 10536 San Travano Dr. City/State/Zip: Tampa, FL 33647
Email: FAX Number:

Applicant Information

Name: Covenant Catalytic Church Daytime Phone: 435.512.6833
Address: 6212 N. 47th St. City/State/Zip: Tampa, FL 33610
Email: wcfpermits.markb@gmail.com FAX Number: n/a

Applicant's Representative (if different than above)

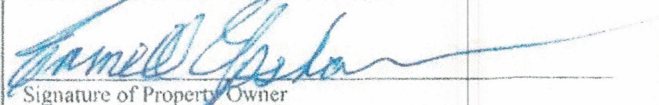
Name: Mark Brencley Daytime Phone: 435.512.6833
Address: 3790 Beacon Ridge Way City / State/Zip: Clermont, FL 34711
Email: wcfpermits.markb@gmail.com FAX Number: n/a

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.


Signature of Applicant

Type or Print Name

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.


Signature of Property Owner

CARNELL UPSHAW
Type or Print Name

Intake Staff Signature: Ana Lizardo Office Use Only Intake Date: 03/10/2021
Case Number: 21-0500 Public Hearing Date: 05/24/21
Receipt Number: 21-0500



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
INFL	i
Zoning	RSC-9
Description	Residential - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0218H
FIRM Panel	12057C0218H
Suffix	H
Effective Date	Thu Aug 28 2008
FIRM Panel	0219H
FIRM Panel	12057C0219H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120218B
County Wide Planning Area	East Lake Orient Park
Community Base Planning Area	East Lake Orient Park Area
Census Data	Tract: 010501 Block: 3014
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	2
Fire Impact Fee	Northeast
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 4
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	190' AMSL
Competitive Sites	NO
Redevelopment Area	NO



Folio: 39527.0000
PIN: U-33-28-19-ZZZ-000001-39800.0
COVENANT MISSIONARY BAPTIST CHURCH INC
Mailing Address:
 PO BOX 310416
 TAMPA, FL 33680-0416
Site Address:
 6212 N 47TH ST
 TAMPA, FL 33610
SEC-TWN-RNG: 33-28-19
Acreage: 1.88142002
Market Value: \$722,380.00
Landuse Code: 7100 INSTITUTIONAL

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2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

21-0500