

Variance Application: VAR 24-0584

LUHO Hearing Date: May 20, 2024

Case Reviewer: Isis Brown



Hillsborough County Florida

Development Services Department

Applicant: Terry Martin

Zoning: RSC-3 (MH) Mobile Home Overlay

Address/Location: 2814 Charles Pathe Drive, Ruskin, FL 33570

Folio No: 32666.0006


Request Summary:

The applicant is requesting a setback variance to accommodate an existing accessory structure.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.11.04.C.1 6.01.01	Accessory structures shall not be erected in any required front yard. Accessory structures shall be permitted in front yards at twice the depth of the required front yard, or 50 feet, whichever is less. A minimum setback of 25 feet is required in the RSC-3 district. Therefore, the required front setback for the subject accessory structure, identified as "metal building" on the site plan submitted by the applicant, is 50 feet.	42 feet	8-foot front yard setback for an accessory structure

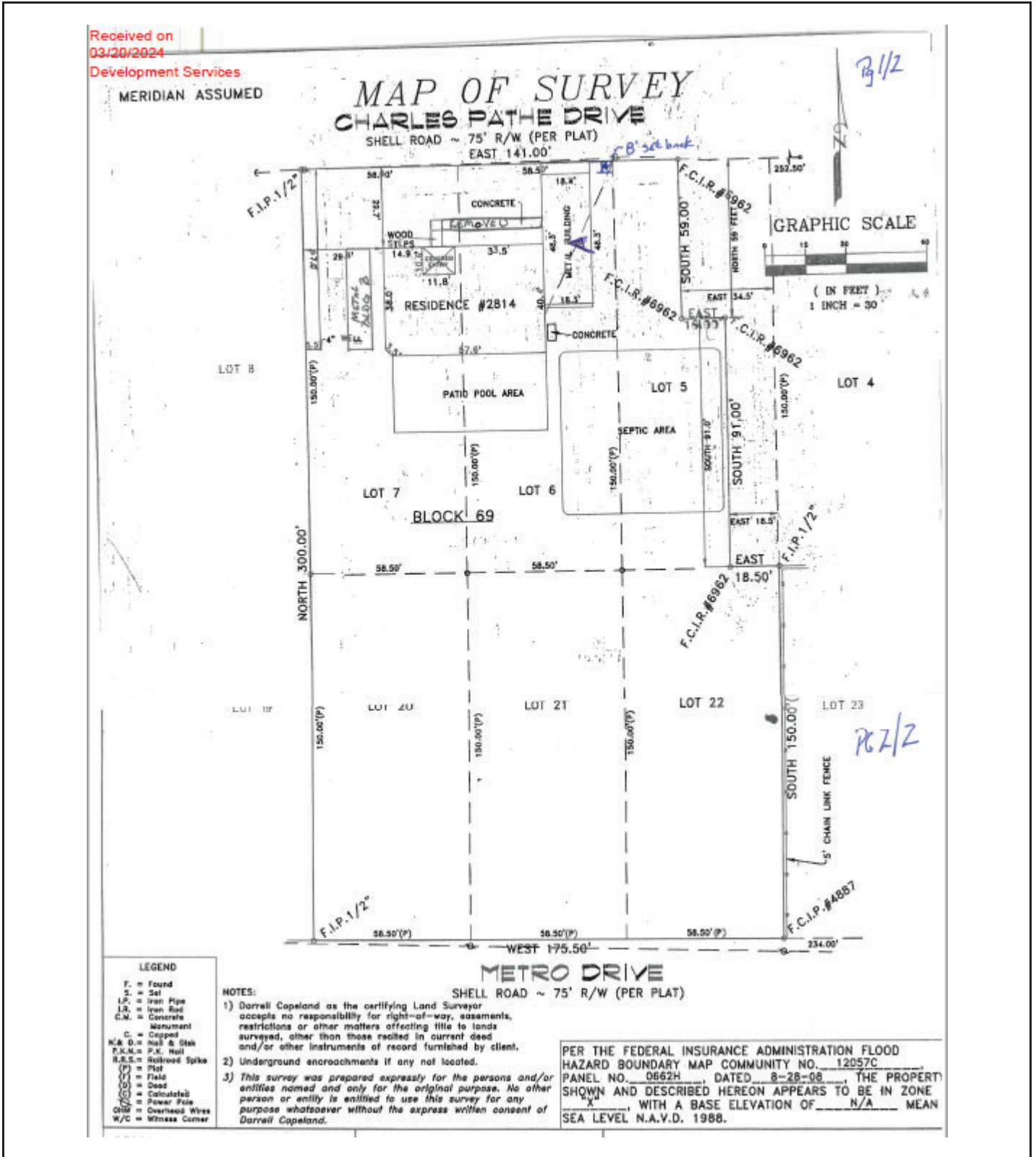
Findings:	None
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Zoning Administrator Sign Off:	 Colleen Marshall Fri May 3 2024 16:03:15
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DISCLAIMER:

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





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.

VARIANCE FOR BACKSET OF ACCESSORY building A.
REQUEST VARIANCE OF ACCESSORY building EXTENDING INTO FRONT YARD OF RESIDENCE

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

Sec 6.11.04 ACCESSORY STRUCTURES

Additional Information

1. Have you been cited by Hillsborough County Code Enforcement? [] No [x] 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 [x] Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): PERMIT HC-BLD-23-0052865

3. Is this a request for a wetland setback variance? [x] 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?
[x] 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

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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?

Building existing at time of purchase of property
unable to relocate building due to location of septic tank/field
Residence located on single lane private dead end road

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.

unable to relocate building due to septic field
Building is in line with neighbors structures

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.

Neighbors not affected by build location, building was erected
in 2002 and has not created or been the source of any
issues or hindrance to emergency response teams, or adjacent
properties.

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).

Variance does not interfere with or any possible future developments
of the unincorporated area of Hillsborough County. Structure
does not constitute a nuisance to adjacent property owners

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.

Building was in place at time of purchase of property,
and was part of assessed tax value of property

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.

will allow covered and secure parking of vehicles, storage
of household goods. Building has been part of taxable
value of property

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Prepared by:
Michelle Anthony
South Bay Title Insurance Agency, Inc.
936 Cypress Village Blvd. - Suite A
Ruskin, Florida 33573

File Number: 13037334

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 28th DAY OF February 2024



Hillsborough County, State of Florida
Clerk of the Circuit Court and Comptroller
By: [Signature]
Print: _____ As Deputy Clerk

General Warranty Deed

Made this April 22, 2013 A.D. By **JACOB GARTEL and HELEN GARTEL, husband and wife** whose address is: 2420 Richmond Greens Court, Sun City Center, Florida 33573, hereinafter called the grantor, to **KERRY ANN PETERS, a single woman**, whose post office address is: 2814 Charles Pathe Drive, Ruskin, Florida 33570, 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:

The West 40.0 feet of Lot 5 and all of Lots 6, 7, 8, 20, 21 and 22, Block 69, SUN CITY, as per plat thereof, recorded in Plat Book 17, Page 21, of the Public Records of HILLSBOROUGH County, Florida.

Parcel ID Number: 032666.0006

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, 2012.

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:

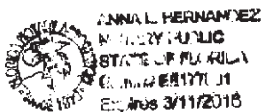
Witness Signature [Signature]
Witness Printed Name Branne Westbrook

Witness Signature [Signature]
Witness Printed Name Anna L. Hernandez

[Signature]
JACOB GARTEL
Address: 2420 Richmond Greens Court, Sun City Center, Florida 33573
[Signature]
HELEN GARTEL
Address: 2420 Richmond Greens Court, Sun City Center, Florida 33573

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 22nd day of April, 2013, by **JACOB GARTEL and HELEN GARTEL**, who is/are personally known to me or who has produced Drivers License as identification.



[Signature]
Stamp/Seal Notary Public

Prepared By:
First Integrity Title Company
4610 S. Ulster Street, Suite 100
Denver, CO 80237

Return To:
Kerry Ann Peters
2814 Charles Pathe Drive
Ruskin, FL 33570-5990

Order No.: 103-2151880-FL

Property Appraiser's Parcel I.D. (folio) Number:
U-24-32-18-196-000069-00006.0

QUIT CLAIM DEED

THIS QUIT CLAIM DEED executed **December 22, 2021**, by **Kerry Ann Peters**, a married woman who acquired title as a single woman, (the "First Party"), to Kerry Ann Peters and Terry Martin, a married couple as joint tenants with right of survivorship, whose post office address is 2814 Charles Pathe Drive, Ruskin, Florida 33570-5990, (the "Second Party") (wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that the said first party, for and in consideration of the sum of \$0.00 in hand by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land situate, lying and being in the County of Hillsborough, State of Florida, to-wit:

Lot 5, less the North 59.00 feet of the East 34.50 feet thereof and less the East 18.50 feet of the South 91.00 feet thereof and all of Lots 6, 7, 8, 20, 21 and 22, Block 69, Sun City, as per Plat thereof, recorded in Plat Book 17, Page 21, of the public records of Hillsborough County, Florida.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Kerry Ann Peters
Kerry Ann Peters

Latrice A Bryant
Witness Signature

Latrice A Bryant
Printed Name of First Witness

William C Bryant II
Witness Signature

William C Bryant II
Printed Name of Second Witness

Grantor Address:
2814 Charles Pathe Drive
Ruskin, FL 33570

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this 22 day of December 2021, by Kerry Ann Peters

(Notary Seal) Latrice A Bryant
Notary Public (Printed Name)

Latrice A Bryant
Notary Public (Signature)

Personally Known _____ OR Produced Identification

Type of Identification Produced
FL Drivers License



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 28th DAY OF February, 20 24

Hillsborough County, State of Florida
Clerk of the Circuit Court and Comptroller
By: [Signature]
Print: _____ As Deputy Clerk

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Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

Application No: 24-0584

Intake Date: 03/20/2024

Hearing(s) and type: Date: 05/20/2024 Type: LUHO

Receipt Number: 351027

Date: _____ Type: _____

Intake Staff Signature: Alejandra Prado

Applicant/Representative: TERRY MARTIN Phone: 813-760-3041

Representative's Email: TERRY.MARTIN@YAHOO.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
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Applicant/Owner Information Form</u>
2	<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.
3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Sunbiz Form</u> (if applicable). This can be obtained at Sunbiz.org .
4	<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.
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Current Recorded Deed(s)</u>
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Close Proximity Property Owners List</u>
8	<input type="checkbox"/>	<input type="checkbox"/>	Legal Description for the subject site
9	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
10	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Fastrack Approval</u> (if applicable)

Additional application-specific requirements are listed in Part B.



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 24-0584

Intake Date: 03/20/2024

Hearing(s) and type: Date: 05/20/2024 Type: LUHO

Receipt Number: 351027

Date: _____ Type: _____

Intake Staff Signature: Alejandra Prado

Property Information

Address: 2814 CHARLES PATHE DR City/State/Zip: RUSKIN, FL 33570

TWN-RN-SEC: 32-18-24 Folio(s): 32666,0006 Zoning: RSC-3 Future Land Use: P-2 Property Size: 1.31 ACRE

Property Owner Information

Name: TERRY & KERRY MARTIN Daytime Phone: 813-760-3041

Address: 2814 CHARLES PATHE DR City/State/Zip: RUSKIN, FL 33570

Email: TERRY_MARTIN88@YAHOO.COM Fax Number: N/A

Applicant Information

Name: SAME Daytime Phone: _____

Address: _____ City/State/Zip: _____

Email: _____ Fax Number: _____

Applicant's Representative (if different than above)

Name: N/A 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.

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 Applicant

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

TERRY MARTIN
Type or print name

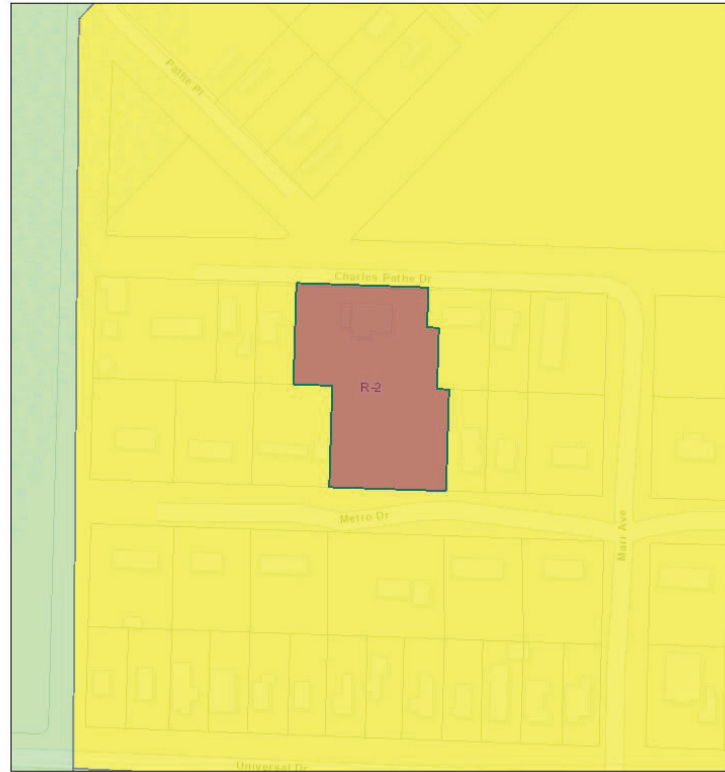
Terry Martin / Kerry Peters
Type or print name



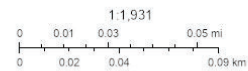
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
INFL	i
Zoning	RSC-3
Description	Residential - Single-Family Conventional
Overlay	MH
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0662H
FIRM Panel	12057C0662H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120665D
County Wide Planning Area	Little Manatee South
Community Base Planning Area	SouthShore
Community Base Planning Area	Little Manatee South
Census Data	Tract: 014002 Block: 1063
Future Landuse	R-2
Mobility Assessment District	Rural
Mobility Benefit District	5
Fire Impact Fee	South
Parks/Schools Impact Fee	SOUTH
ROW/Transportation Impact Fee	ZONE 9
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO

Folio: 32666.0006



March 21, 2024



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Hillsborough County Florida

Folio: 32666.0006
PIN: U-24-32-18-196-000069-00006.0
 Kerry A Peters And Terry Martin
Mailing Address:
 2814 Charles Pathe Dr
 null
 Ruskin, FL 33570-5990
Site Address:
 2814 Charles Pathe Dr
 Ruskin, FL 33570
SEC-TWN-RNG: 24-32-18
Acreage: 1.30709004
Market Value: \$453,880.00
Landuse Code: 0100 Single Family

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