



**LAND USE HEARING OFFICER VARIANCE REPORT**

<b>APPLICATION NUMBER:</b> VAR 23-0560	
<b>LUHO HEARING DATE:</b> September 26, 2023	<b>CASE REVIEWER:</b> Carla Shelton Knight

**REQUEST:** The applicant is requesting a variance from the 30-foot Wetland Conservation Area setback requirement, Section 4.01.07B of the Land Development Code (LDC). The applicant’s specific request, as shown on the site plan submitted on August 21, 2023, is to allow for after-the-fact placement of asphalt and a chain fence within the 30-foot Wetland Conservation Area setback. The applicant also requests a variance from the 6-foot wide landscape buffer requirement, Section 6.06.04.E.1., along the western property line.

**SUMMARY OF VARIANCE(S):**

**Wetland Setback**

- 1) Per LDC Section 4.01.07.B.4, no filling, excavating or placement of permanent structures or other impervious surfaces shall be allowed within a required 30-foot wetland conservation area setback. The applicant requests after-the-fact placement of asphalt and a chain link fence within the 30-foot wetland conservation area setback. The applicant requests a 15-foot encroachment into the setback to allow for a remaining setback of 15 feet on the north side of the property, a 25.1-foot encroachment into the

**Landscape Buffer**

- 1) Per LDC Section 6.06.04.E.1, a landscaped buffer a minimum of six feet in width shall be required between the off-street vehicular use area and any property boundary not fronted by a road right-of-way. The applicant has placed asphalt all the way to the property line on the western side of the site, eliminating the buffer area for the placement of landscaping. The applicant is requesting a reduction in the buffer width from 6 feet to 0.

**Findings**

- 1) A wetland setback compensation planting plan has been provided on the site plan dated September 12, 2023, that provides equivalent square footage of compensation planting to the amount of encroachment.

**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.

Approval of this variance petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested environmental approvals.

**Attachments: Site Plan  
Compensation Planting Plan**

**ADMINISTRATOR'S SIGN-OFF**

A handwritten signature in black ink, appearing to read "C. S. Slater", is written within the sign-off box.



# Additional / Revised Information Sheet

Date Stamp Here

Application Number: VAR-WS 23-0560 Applicant's Name: RU Project Management Group, LLC

Reviewing Planner's Name: Carla Shelton Date: August 18th, 2023

Application Type:

- Planned Development (PD)
- Minor Modification/Personal Appearance (PRS)
- Standard Rezoning (RZ)
- Variance (VAR)
- Development of Regional Impact (DRI)
- Major Modification (MM)
- Special Use (SU)
- Conditional Use (CU)
- Other \_\_\_\_\_

Current Hearing Date (if applicable): 9/26/2023

Will this revision add land to the project?  Yes  No

**IMPORTANT:** If "Yes" is checked on the above, a Revised Application Sheet, Property Information Sheet, Affidavit to Authorize Agent, and additional Deeds must be filed immediately to ensure proper noticing and sign posting requirements are met.

Will this revision remove land from the project?  Yes  No

### The following must be attached to this Sheet.

- Cover Letter with summary of the changes and/or additional information provided. If a revised Site Plan is being submitted, all changes on the site plan must be listed in detail in the Cover Letter.
- An updated Project Narrative consistent with the changes or additional information provided, if applicable.

Submittal Via:

Email - Note that no follow up paper file is necessary. Files must be in pdf format and minimum resolution of 300 dpi. Maximum attachment(s) size is 15 MB.

Email this sheet along with all the additional/revised submittal items in pdf to: [ZoningIntake-DSD@hcflgov.net](mailto:ZoningIntake-DSD@hcflgov.net)

For additional help and submittal questions, please call (813) 277-1633 or email [ZoningIntake-DSD@hcflgov.net](mailto:ZoningIntake-DSD@hcflgov.net).

*I certify that changes described above are the only changes that have been made to the submission. Any further changes will require an additional submission and certification.*

Ruth P Londono

Digitally signed by Ruth P Londono  
Date: 2023.08.08 13:26:57 -04'00'

Signature

August 18th, 2023

Date

FOR OFFICE USE ONLY

- Notification E-Mail Sent
- Scanned into OPTIX
- Transmittal Completed

In-Take Completed by: \_\_\_\_\_

**VAR-WS 23-0560 Continuing 9/26/2023**  
To Wetland Setback

**August 18, 2023**

**Location:** 5707 W Sligh Ave. Tampa, FL 33634  
**Size of property:** 0.491 Acres +/-  
**Folio #:** 027515-0000  
**Zoning District** BPO  
**Future Land Use** LI  
**Urban Service Area** USA

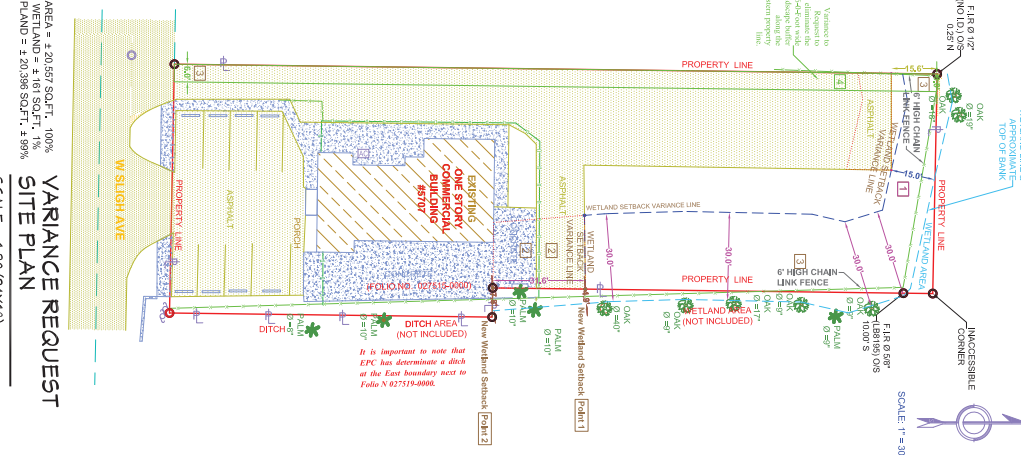
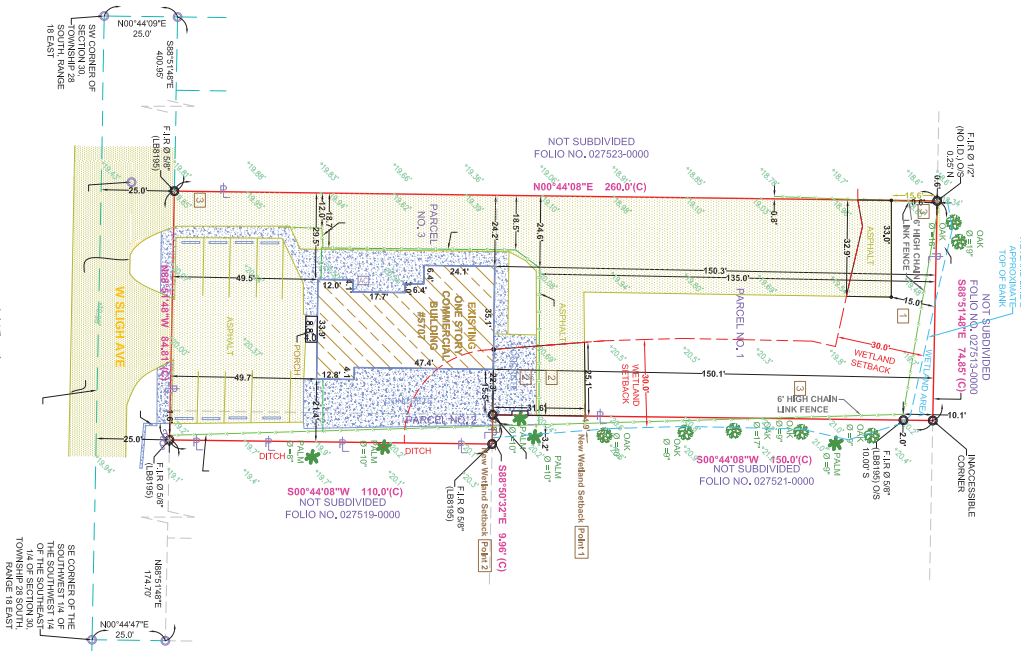
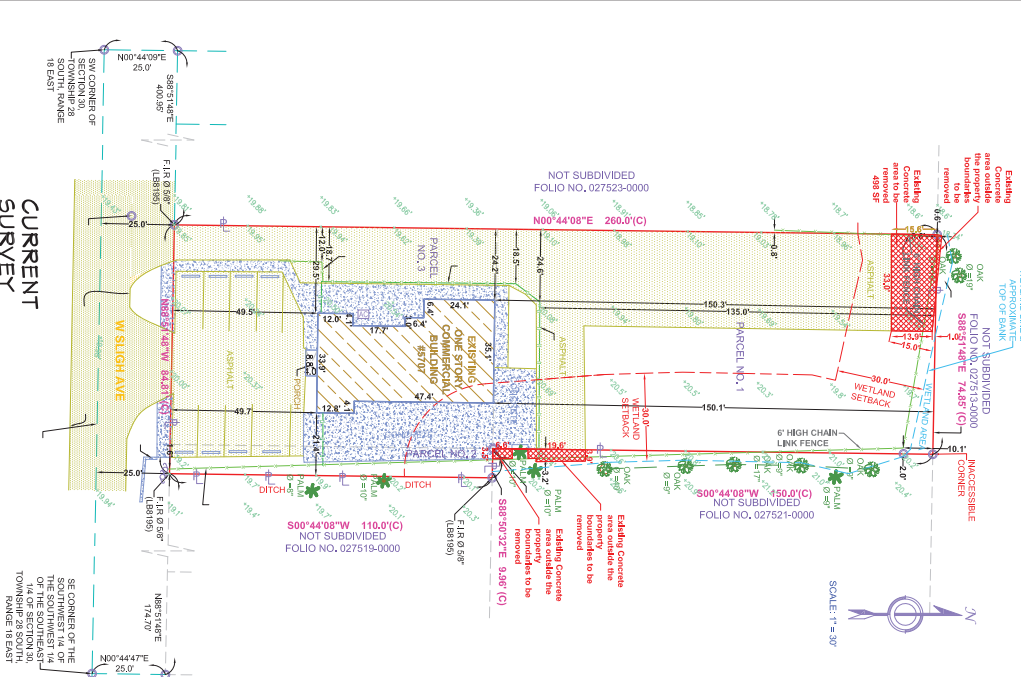
### **COVER SHEET**

The variance request #4 was added

Request to eliminate the 6-0-Foot wide landscape buffer along the western property line. According to the section of the LDC for the landscape buffer 6.06.04.E.1.

Site plan is updated according to the Variance request. See sheet SP-1

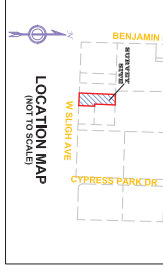
**STEP PLAN FOR WETLAND SETBACK VARIANCE**  
SECTION 30, TOWNSHIP 28S, RANGE 18E, HILLSBOROUGH COUNTY



- LEGEND**
- CENTER LINE
  - PROPERTY CORNER
  - PROPERTY LINE
  - PALM & TRUNK TREE
  - CANOPY & TRUNK TREE
  - GROUND ELEVATION
  - PAVEMENT ELEVATION
  - UTILITY POLE
  - AC UNIT

- ABBREVIATIONS**
- BENCH MARK
  - BENCH CORNER
  - (P) PAVEMENT
  - (T) TYPICAL
  - T.B. TYPICAL
  - P.L. = ROUND IRON ROD
  - B.D. = BENCHMARK
  - P.C. = PROPERTY CORNER

- LEGEND**
- EXISTING ASPHALT
  - EXISTING CONCRETE
  - FENCE



**PROPERTY ADDRESS:**  
5707 W SLIGH AVE.  
TAMPA, FL 33634  
(FOLIO NO. 027515-0000)

**DESCRIPTION:**  
PARCEL NO. 176 WEST 74.0 FEET OF THE EAST 280.23 FEET OF THE NORTH 150.0 FEET OF THE PARCEL, NO. 271E, WEST 160 FEET OF THE EAST 182.23 FEET OF THE SOUTH 150.0 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 28S, RANGE 18E, HILLSBOROUGH COUNTY, FLORIDA.  
PARCEL NO. 271E, WEST 160 FEET OF THE EAST 182.23 FEET OF THE SOUTH 150.0 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 28S, RANGE 18E, HILLSBOROUGH COUNTY, FLORIDA, LESS THE SOUTH 62.0 FEET THEREOF.  
PARCEL NO. 376E, WEST 74.0 FEET OF THE EAST 280.23 FEET OF THE SOUTH 150.0 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 28S, RANGE 18E, HILLSBOROUGH COUNTY, FLORIDA, LESS THE SOUTH 62.0 FEET THEREOF.  
**FLOOD ZONE INFORMATION:**  
COMMITTEE HILLSBOROUGH COUNTY -- 120112  
MANUAL NO. 1209070103  
FINAL DATE: 10/07/2021  
FLOOD ZONE: X

- WETLAND SETBACK VARIANCE REQUEST**
1. Reduce the required 30.0-foot wetland setback at North to 15.0-foot (Variance of 15.0 feet) to keep the existing Asphalt
  2. Reduce the required 30.0-foot wetland setback at East in the area between two(2) points as described below:
    - Point 1 Reducing to 4.9-foot at Point 1 located 31.6-foot at north of the northeast boundary corner of parcel N02. (Reduction of 25.1-foot to keep existing asphalt area)
    - Point 2 Reducing to 7.8-foot at point 2 located on the northeast boundary corner of parcel N02. (Reduction of 22.2-foot to keep existing concrete area)
  3. Allow Existing 6.0-foot High Chain Link Fence to be located inside required wetland setback at North and East property boundaries
  4. Request to eliminate the 6.0-foot wide landscape buffer along the western property line. According to the section of the LDC for the landscape buffer 6.06(04).E.1.

PLAN REVISIONS	DATE
REV. #	

TITLE SHEET  
WETLAND SETBACK VARIANCE

DRAWN BY: RUI PAI GROUP  
(813) 919-7802

JOB No. RU(VZ)-2306  
DATE: 08/18/2023

SHEET No. SP-1  
SHEET 1 OF 2

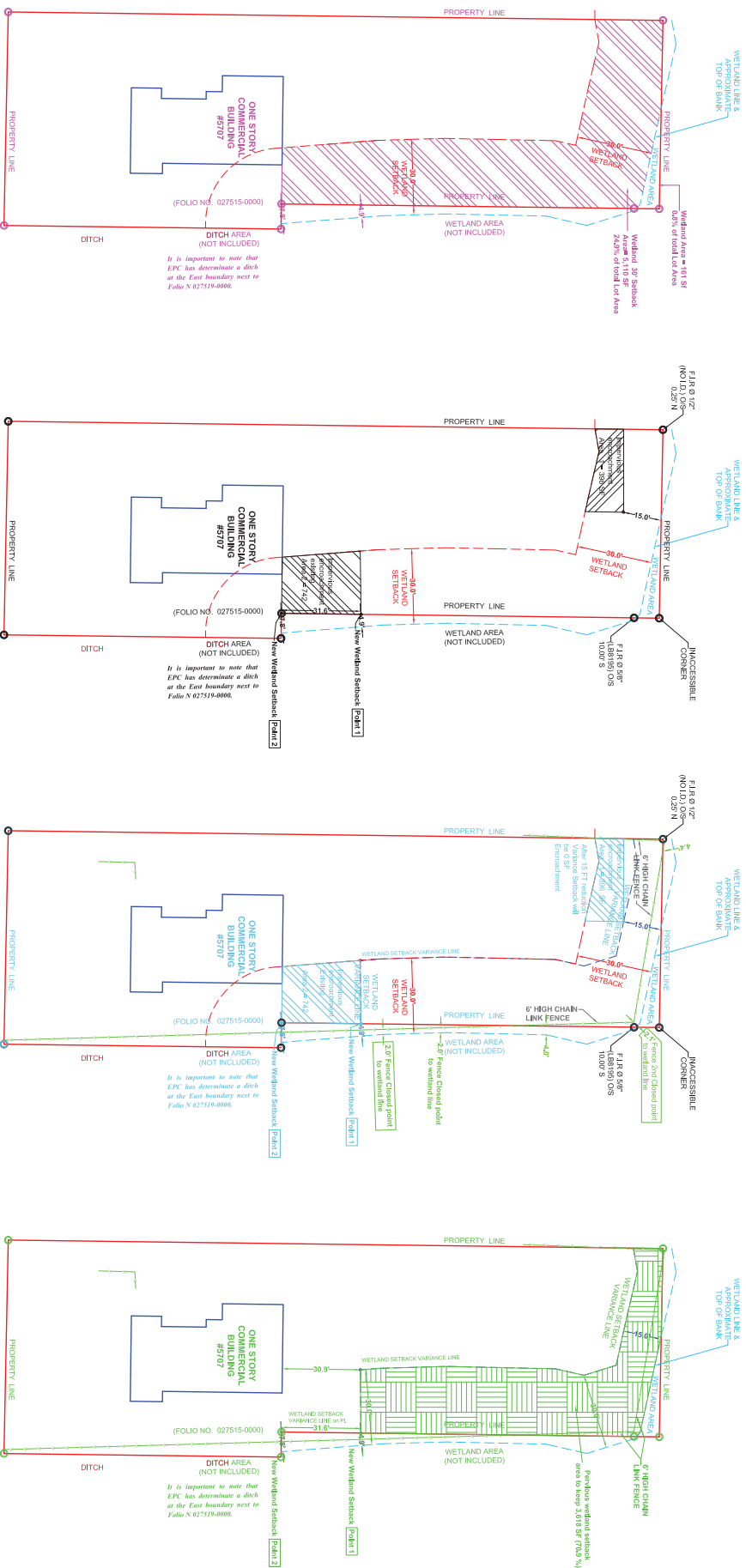
PLOTTED ON: August 18, 2023

**Project Management Group**  
Land Development & Building Permitting Services  
P.O. BOX: 26777 PHONE: (813) 919-7802  
TAMPA, FL 33623 FAX: (813) 408-5800

**Wetland Setback Variance SITE PLAN**  
Owner: Entreprises Global Investments, LLC  
5707 W. Sligh Ave. Tampa, FL # Folio # 027515-0000

THIS SHEET IS NOT A CERTIFIED SURVEY. IT CAN NOT BE USED IN FUTURE PERMITS AS REFERENCE. THE INFORMATION HERE IS ONLY FOR THIS PERMIT. THE INFORMATION WAS TAKEN FROM DWS FILE SUBMITTED BY: JULIO C RODRIGUEZ #1256701010  
(813) 424-3483  
SURVEY JOB # 22-4478

DATE: 08/19/2023



**WETLAND AREA AND 30 FT SETBACK AREA**  
SCALE: 1/30 (24X10)

**EXISTING IMPERVIOUS ENCROACHMENT AREAS**  
SCALE: 1/30 (24X10)

**PROPOSED IMPERVIOUS ENCROACHMENT AREAS**  
SCALE: 1/30 (24X10)

**PROPOSED PERVIOUS WETLAND SETBACK AREAS**  
SCALE: 1/30 (24X10)

**WETLAND SETBACK VARIANCE REQUEST**

1. Reduce the required 30'-0" wetland setback at North to 15'-0" (Variance of 15.0 feet) to keep the existing Asphalt
2. Reduce the required 30'-0" wetland setback at East in the area between two(2) points as described below:
  - Point 1 Reducing to 4.0-foot at point 1 located 31.6-foot at north of the western property line.
  - Point 2 Reducing to 7.8-foot at point 2 located on the northeast boundary corner of parcel No.2 (Reduction of 22.2-foot to keep existing asphalt area)
3. Allow Existing 6'-0" High Chain Link Fence to be located inside required wetland setback at North and East property boundaries (Reduction of 22.2-foot to keep existing concrete area)
4. Request to eliminate the 6'-0" wide landscape buffer along the western property line. According to the section of the LDC for the landscape buffer 6.06.04.E.1.

WETLAND SETBACK VARIANCE REQUEST		PROPOSED PERVIOUS WETLAND SETBACK AREAS	
LOT AREA	%	WETLAND SETBACK AREA	%
20,577	100.0	5,108	24.8
15,469	75.2	3,618	17.0
<b>REQUIRES 30 FT WETLAND SETBACK AREA</b>	<b>5,104</b>	<b>3,618</b>	<b>17.0</b>
<b>EXISTING IMPERVIOUS ENCROACHMENT AREAS*</b>			
Existing Encroachment Area 1	742 Sq.Ft	742 Sq.Ft	3.6%
Existing Encroachment Area 2	386 Sq.Ft	386 Sq.Ft	1.9%
Encroachment Area Total (Existing)*	1,128	1,128	5.5%
<b>PROPOSED IMPERVIOUS ENCROACHMENT AREAS*</b>			
Proposed Encroachment Area 1	742 Sq.Ft	742 Sq.Ft	3.6%
Proposed Encroachment Area 2	386 Sq.Ft	386 Sq.Ft	1.9%
Encroachment Area Total (Proposed)*	1,128	1,128	5.5%
<b>PROPOSED IMPERVIOUS ENCROACHMENT AREAS**</b>			
Previous wetland setback area to keep	3,618	3,618	17.6%
Keep area	3,618	3,618	17.6%

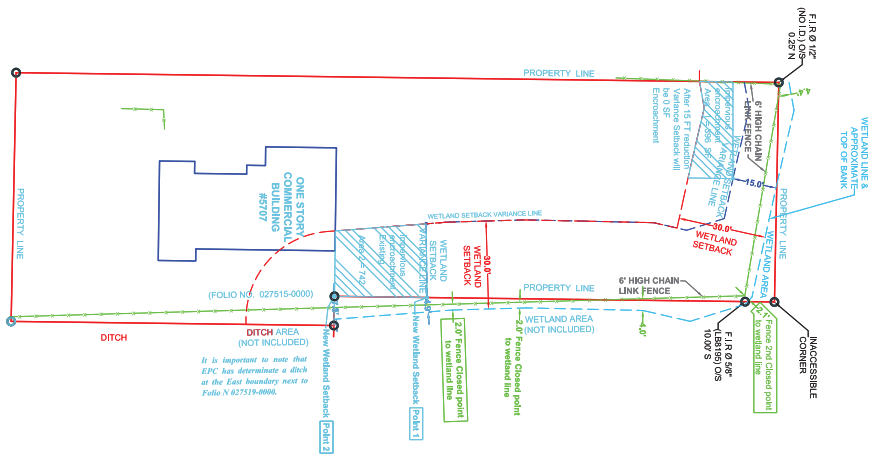
PLAN REVISIONS	
REV. #	DATE

**TITLE SHEET**  
**PREPARED BY:** J. RODRIGUEZ  
**DRAWN BY:** J. RODRIGUEZ  
**DATE:** 08/18/2023  
**PROJECT:** RU(VZ)-2306  
**DATE:** 08/18/2023  
**SHEET:** 2 OF 2  
**PROJECT NO.:** SP-2  
**DATE:** August 18, 2023

**Project Management Group**  
 Land Development & Building Permitting Services  
 P.O. BOX: 26777 PHONE: (813) 919-7802  
 TAMPA, FL 33623 FAX: (813) 408-5800

**Wetland Setback Variance SITE PLAN**  
 Owner: Enterprises Global Investments, LLC  
 5707 W. Sligh Ave. Tampa, FL \* Folio # 027515-0000

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**JULIO C. RODRIGUEZ**  
 SURVEY JOB # 22-4478  
 DATED: 08/18/2023



**PROPOSED IMPERVIOUS ENCROACHMENT AREAS**  
SCALE: 1:30 (24X18)

SQUARE FOOTAGE OF WETLAND AND 30 FT WETLAND SETBACK		Sq.Ft.	%
LOT AREA		20,577	100.0
Wetland Area		1,801	8.8
Wetland 30 Ft Setback Area		5,104	24.8
SQUARE FOOTAGE OF IMPERVIOUS ENCROACHMENT		5,104	100.0
EXISTING IMPERVIOUS ENCROACHMENT AREAS*			
Existing Encroachment Area 1		396	5.4
Existing Encroachment Area 2		742	10.2
Existing Encroachment Area 3		205	2.8
Encroachment Area Total (existing)**		1,138	22.3
PROPOSED IMPERVIOUS ENCROACHMENT AREAS*			
Proposed Encroachment Area 1		396	5.4
Proposed Encroachment Area 2		742	10.2
Proposed Encroachment Area 3		205	2.8
Encroachment Area Total (proposed)**		1,138	22.3
PROPOSED IMPERVIOUS ENCROACHMENT AREAS*			
Proposed Encroachment Area 1		3,018	39.6
Proposed Encroachment Area 2		3,618	47.2
Proposed Encroachment Area 3		3,618	47.2
Encroachment Area Total (proposed)**		10,254	100.0
PROPOSED IMPERVIOUS ENCROACHMENT AREAS*			
Proposed Encroachment Area 1		3,018	39.6
Proposed Encroachment Area 2		3,618	47.2
Proposed Encroachment Area 3		3,618	47.2
Encroachment Area Total (proposed)**		10,254	100.0

\*\* The percentage is based on the area within 30 ft wetland setback required and the area within 15 ft wetland setback required.

**WETLAND SETBACK ENCROACHMENT COMPENSATION PLANTING REQUIREMENTS:**

- The area of required planting will be a minimum 1:1 ratio for the area of encroachment which is not exempt. No more than a 1:1 ratio shall be required. Additional compensation may be proposed.
- Compensation plantings will consist of native shrubs with no less than two species and each species will comprise no less than 30% of the total number of required shrub plantings. See Table 1 for suggested species.

**TABLE 1**

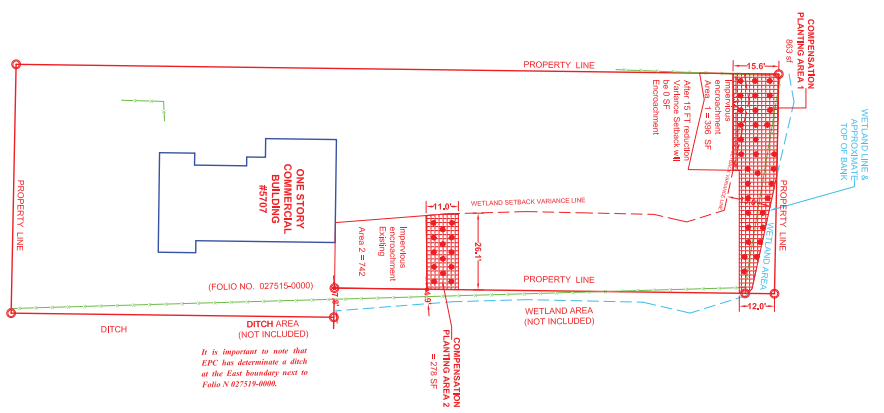
Species	Height	Spread
American heavy berry	3 to 8 feet	4 to 8 feet
Batonwood	30 to 45 feet	20 to 30 feet
Burubush	6 to 12 feet	5 to 8 feet
Flaxwood Plum	12 to 20 feet	12 to 20 feet
Gallberry	6-12 ft tall	2-3 feet
Hog Plum	10-20 (25) ft tall	10-20 feet
Rusty Lyonia	6-15 ft tall	5 to 8 feet

- All shrub plantings will be evenly spaced on 5 foot centers with a minimum size of 3 gallon or #3 size material.
- Plantings will be located within any suitable, open areas of the remaining setback abutting the area of encroachment or if these areas do not exist the plantings may be located within or adjacent to another portion of the site's wetland setback. If no suitable planting areas exist on site, a wetland and/or wetland setback enhancement plan, nuisance species control program or other suitable compensation alternative may be proposed.
- The installation of a suitable irrigation system is recommended to ensure plant establishment and fulfillment of the required survival criteria.

**COMPENSATION PLANTING**

PROPOSED IMPERVIOUS ENCROACHMENT AREAS*	Sq.Ft.	30%
Proposed Encroachment Area 1	396 Sq.Ft.	119 Sq.Ft.
Proposed Encroachment Area 2	742 Sq.Ft.	223 Sq.Ft.
Proposed Encroachment Area 3	205 Sq.Ft.	61 Sq.Ft.
<b>Total Compensation Planting square footage</b>	<b>1,138 Sq.Ft.</b>	

The percentage is based on the area within 30 ft wetland setback required.



**PROPOSED COMPENSATION PLANTING**  
SCALE: 1:30 (24X18)

**MONITORING REQUIREMENTS:**

Monitoring of planted areas shall consist of the following:

- A time-zero report, listing species and its planted, upon completion of the plantings shall be provided to the Natural Resources Section of PGMD no later than 30 days following planting completion.
- Two annual reports that list survival % per species and any required replants shall be provided to the Natural Resources Section of PGMD no later than 30 days following data collection, replanting if needed.
- Planted shrub species must maintain a minimum 95% survival rate with annual exotic and nuisance species (reference most current Florida Exotic Pest Plant Council lists) cover within the planting zones must be maintained below 10%.
- For nuisance species control programs areas, all exotic and nuisance species must be removed during the initial control event(s) and total nuisance species coverage must be maintained below 10% for 2 years thereafter.

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# Additional / Revised Information Sheet

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Application Number: VAR-WS 23-0560 Applicant's Name: RU Project Management Group, LLC

Reviewing Planner's Name: Carla Shelton Date: August 18th, 2023

Application Type:

- Planned Development (PD)
- Minor Modification/Personal Appearance (PRS)
- Standard Rezoning (RZ)
- Variance (VAR)
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**VAR-WS 23-0560 Continuing 9/26/2023**  
To Wetland Setback

**August 18, 2023**

**Location:** 5707 W Sligh Ave. Tampa, FL 33634  
**Size of property:** 0.491 Acres +/-  
**Folio #:** 027515-0000  
**Zoning District** BPO  
**Future Land Use** LI  
**Urban Service Area** USA

### **COVER SHEET**

The variance request #4 was added

Request to eliminate the 6-0-Foot wide landscape buffer along the western property line. According to the section of the LDC for the landscape buffer 6.06.04.E.1.

Site plan is updated according to the Variance request. See sheet SP-1

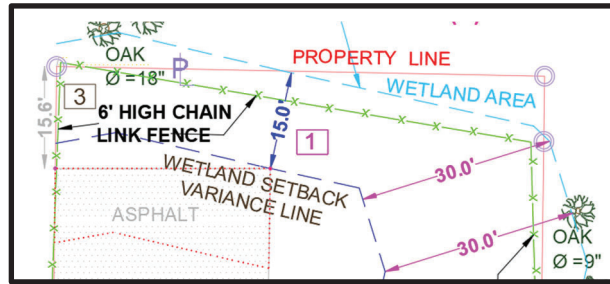
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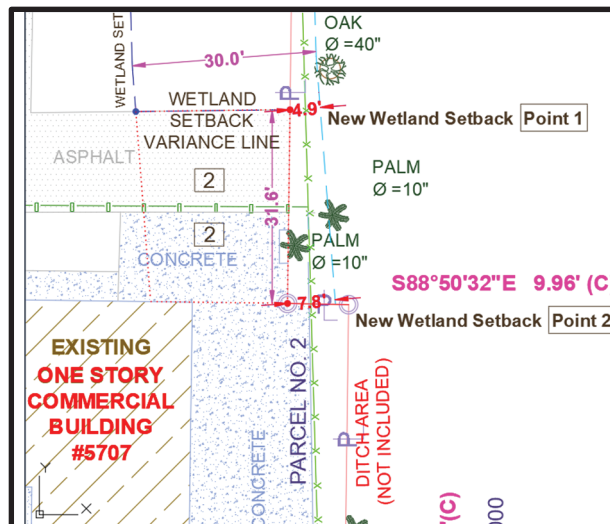
**Location:** 5707 W Sligh Ave. Tampa, FL 33634  
**Size of property:** 0.491 Acres +/-  
**Folio #:** 027515-0000  
**Zoning District:** BPO  
**Future Land Use:** LI  
**Urban Service Area:** USA

**PROJECT DESCRIPTION (VARIANCE REQUEST):**

1. Reduce the required 30.0-Foot wetland setback at North to 15.0-foot to keep the existing asphalt.  
 (Variance of 15.0 feet)



2. Reduce the required 30.0-Foot wetland setback at East in the area between two (2) points
  - Point 1 Reducing to 4.9-Foot at point 1 located 31.6-foot at north of the northeast boundary corner of parcel No2.  
 (Reduction of 25.1-Foot to keep existing asphalt area)
  - Point 2 Reducing to 7.8-Foot at point 2 located on the northeast boundary corner of parcel No2.  
 (Reduction of 22.2-Foot to keep existing concrete area)



- 3 Allow Existing 6.0-Foot high chain link Fence to be located inside required wetland setback at North and East property boundaries

**Code Section 4.01.07.B Environmentally Sensitive Areas—Wetland and Natural Water Bodies  
\*Setbacks**

- 4 Request to eliminate the 6-0-Foot wide landscape buffer along the western property line.

**Code Section 6.06.04.E.1. Landscape buffer**

**NARRATIVE**

The regular shaped lot (subject property) is located within the BPO zoning district and is identified by folio number 027515.0000. Unplatted subdivision. More generally, the site is located at 5707 W Sligh Ave., within the area known as NW Sligh & Dale Mabry, S of Waters.

The site is located north of W. Sligh Ave., south of W. Water Ave., east of Benjamin Rd. and west of Anderson Rd

The structure was built in 1977 according to the Hillsborough County Property Appraiser information. The current owner purchased this property in February 2021 and has occupied the property since he bought it. At that time a fence was there on the rear and side yards of the property.

The owner replaced the existing fences with 6.0-Foot high chain link Fence type.

The 6.0-Foot high chain link Fence is around 7-inch above ground

Also, the owner extended the concrete driveway to the end of the property without a permit.



Owner received a NOV (Notice of Violation) in 2021.

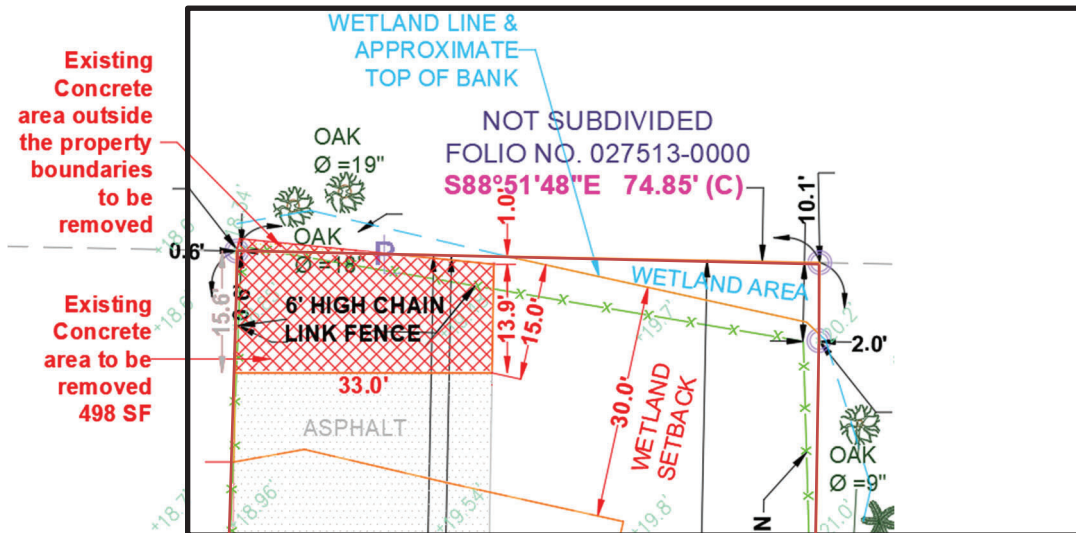
Code Enforcement Case Number (CE227386). See copy of the Code Enforcement Board Order.

The first step the owner took was to request the wetland delineation in April 2022. Owner got the approved wetland delineation survey dated on August 8<sup>th</sup>, 2022 (See attached Approved Survey)

The current Survey depicts the wetland area as well as the required 30.0-foot wetland setback line.

The owner will remove a portion area of concrete at rear yard boundary inside the property as well outside it.

Our request is to Reduce the required 30.0-Foot wetland setback at North to allow 15.0-foot wetland setback to keep the remaining existing asphalt after remove portion of the asphalt area described above.



A Variance is requested from **Code Section 4.01.07.B Environmentally Sensitive Areas—Wetland and Natural Water Bodies \*Setbacks** to:

1. Reduce the required 30.0-Foot wetland setback at North to 15.0-foot to keep the existing asphalt.  
 (Variance of 15.0 feet)
2. Reduce the required 30.0-Foot wetland setback at East in the area between two (2) points
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- 3 Allow Existing 6.0-Foot high chain link Fence to be located inside required wetland setback at North and East property boundaries
- 4 Request to eliminate the 6-0-Foot wide landscape buffer along the western property line.

**Land Development Code Section 4.01**

Variance Request	Code Requirement	Result	Code Section
15 ft. reduction to the required wetland setback at North Boundary	30.0 ft.	30.0 ft.	<b>4.01.07.B</b>
25.1 ft. reduction to the required wetland setback at East Boundary Point 1	30.0 ft.	4.9 ft.	<b>4.01.07.B</b>
22.2 ft. reduction to the required wetland setback at New Building corner point 2	30.0 ft.	7.8 ft	<b>4.01.07.B</b>
Allow Existing 6.0-Foot high chain link Fence to be located inside required wetland setback at North and East property boundaries	30.0 ft	2.0 ft (Closed Fence point to wetland line)	<b>4.01</b>

**Land Development Code Section 6.06.04.E.1. Landscape buffer**

Variance Request	Code Requirement	Result	Code Section
6 ft. reduction to the required landscape buffer along the western property line	6.0 ft	0.0 ft	<b>6.06.04.E.1.</b>

The Lot area is approximately 20,557 Square Feet (SF), only at the Northeast corner has a 161 SF wetland area that represents less than 1 percentage of the total lot area. (0.8%)

The required 30 Feet Setback area is around 5,104 Sf that is less than 25% of the total lot area.

On the following chart the Square Footage of the Existing and proposed Impervious encroachment Percentage is based on the total 30Ft required Wetland setback area

**EXISTING IMPERVIOUS ENCROACHMENT AREAS \***

SQUARE FOOTAGE OF IMPERVIOUS ENCROACHMENT			
<b>REQUIRES 30 FT WETLAND SETBAK AREA</b>		<b>5,104</b>	<b>100.0</b>
EXISTING IMPERVIOUS ENCROACHMENT AREAS *			
Existing Encroachment Area 1	396 Sq.Ft		
Existing Encroachment Area 2	742 Sq.Ft		
Encroachment Area Total (Existing)* Before variance		1,138	22.3

Existing Encroachment Area 1: 396 SF Asphalt Material.

We are proposing to remove 497 SF and keep 396 Sf (See Proposed Encroachment area “1”)

Existing Encroachment Area 2: 742 SF Asphalt and Concrete Material. We are proposing to keep the Area ”2”

**PROPOSED IMPERVIOUS ENCROACHMENT AREAS \* will remain as described above.**

PROPOSED IMPERVIOUS ENCROACHMENT AREAS *			
* Proposed Encroachment Area 1	396 Sq.Ft		
* Proposed Encroachment Area 2	742 Sq.Ft		
Encroachment Area Total (proposed)* After variance		1,138	22.3
<b>PROPOSED IMPERVIOUS ENCROACHMENT AREAS *</b>		<b>1,138</b>	<b>22.3%</b>

The total Percentage of the of the proposed Impervious encroachment Area is less than 23% of the required 30Ft Wetland Setback Area

We are proposing to keep around 70% of the 30Ft wetland Setback area as Pervious Area.

<b>Pervious wetland setback area to keep</b>			
Keep area			
**	3,618	Sq.Ft	
	Keep Area Total (proposed)**	3,618	70.9

- \* The percentage is based on the area within 30 ft wetland setback required
- \*\* The percentage is based on the area within 15 ft variance at north of property and after remove Asphalt show on sheet SP-1 (Current Survey)

***It is important to note that EPC has determinate a ditch at the East boundary next to Folio N 027519-0000.***

Only the East boundary next to Folio Number 027521-0000 has been determined as wetland outside the subject property, but with required 30 ft wetland setback inside the subject property.

At the North boundary (Rear of the subject Property) is 160 SF wetland area plus the 30ft required setback.

Also, we are proposing to keep the Existing Fence at East and North boundaries as Existing Encroachments.

**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 property is approximately 0.491 acre and exceeds the minimum lot size of the BPO zoning district. Lot has 160 Sq. Ft of Wetland, that is around 1% of the total lot area. The hardship is the lot area, which is 20,557 square foot that exceeds the 7,000 sq. ft required on BPO zoning district. Also, the wetland Line is unique with respect to the subject property. The wetland area is minimum located only at the Northeast corner of the property, but the 30.0-foot required wetland setback brings a big impact to the subject property. All these difficulties made unique and singular to the subject property.



- 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 literal requirements of the Land Development Code allow on BPO zoning district locate fences and impervious area. The required 30.0Ft wetland setback deprives the right to use the whole property.

- 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.**

Approval of the requested variance will not substantially interfere with or injure the rights of others.

- 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 requested variances are in harmony with and serve the general intent and purpose of the Land Development Code, and 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.**

The owner began renovation of the existing site replacing the existing fences and extended concrete. An old fence was replaced inside the required wetland setback. The property owner was not aware of the property constraints and wetland setbacks. After variance is approved, the owner will bring the property to the land development code.

- 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.**

Allowing the variance will result in substantial justice. The proposed reduction of the wetland setback is the better solution to allow existing concrete and fence location.

The variances petition will not be jeopardized with the variance approval. Impacts associated with the request are minimal considering the character of the site and the general area.

Approval will allow the existing fence and concrete to remain in place. Giving to the property a substantial justice

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# Additional / Revised Information Sheet

Date Stamp Here

Application Number: VAR-WS 23-0560 Applicant's Name: RU Project Management Group, LLC

Reviewing Planner's Name: Carla Shelton Date: August 18th, 2023

Application Type:

- Planned Development (PD)
- Minor Modification/Personal Appearance (PRS)
- Standard Rezoning (RZ)
- Variance (VAR)
- Development of Regional Impact (DRI)
- Major Modification (MM)
- Special Use (SU)
- Conditional Use (CU)
- Other \_\_\_\_\_

Current Hearing Date (if applicable): 9/26/2023

Will this revision add land to the project?  Yes  No

**IMPORTANT:** If "Yes" is checked on the above, a Revised Application Sheet, Property Information Sheet, Affidavit to Authorize Agent, and additional Deeds must be filed immediately to ensure proper noticing and sign posting requirements are met.

Will this revision remove land from the project?  Yes  No

### The following must be attached to this Sheet.

- Cover Letter with summary of the changes and/or additional information provided. If a revised Site Plan is being submitted, all changes on the site plan must be listed in detail in the Cover Letter.
- An updated Project Narrative consistent with the changes or additional information provided, if applicable.

Submittal Via:

Email - Note that no follow up paper file is necessary. Files must be in pdf format and minimum resolution of 300 dpi. Maximum attachment(s) size is 15 MB.

Email this sheet along with all the additional/revised submittal items in pdf to: [ZoningIntake-DSD@hcflgov.net](mailto:ZoningIntake-DSD@hcflgov.net)

For additional help and submittal questions, please call (813) 277-1633 or email [ZoningIntake-DSD@hcflgov.net](mailto:ZoningIntake-DSD@hcflgov.net).

*I certify that changes described above are the only changes that have been made to the submission. Any further changes will require an additional submission and certification.*

Ruth P Londono

Digitally signed by Ruth P Londono  
Date: 2023.08.08 13:26:57 -04'00'

Signature

August 18th, 2023

Date

FOR OFFICE USE ONLY

- Notification E-Mail Sent
- Scanned into OPTIX
- Transmittal Completed

In-Take Completed by: \_\_\_\_\_

**VAR-WS 23-0560 Continuing 9/26/2023**  
To Wetland Setback

**August 18, 2023**

**Location:** 5707 W Sligh Ave. Tampa, FL 33634  
**Size of property:** 0.491 Acres +/-  
**Folio #:** 027515-0000  
**Zoning District** BPO  
**Future Land Use** LI  
**Urban Service Area** USA

### **COVER SHEET**

The variance request #4 was added

Request to eliminate the 6-0-Foot wide landscape buffer along the western property line. According to the section of the LDC for the landscape buffer 6.06.04.E.1.

Site plan is updated according to the Variance request. See sheet SP-1

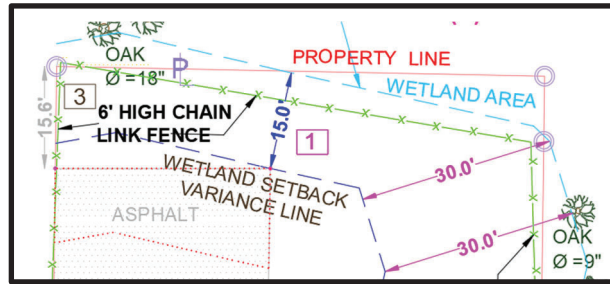
**VAR-WS 23-0560 Continuing 9/26/2023  
 To Wetland Setback**

**August 18, 2023**

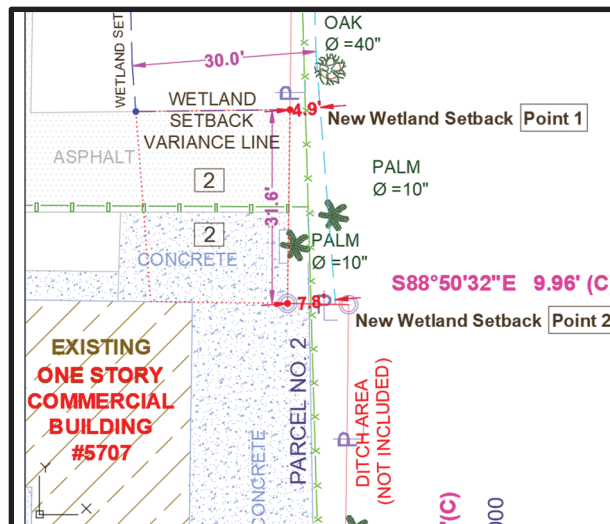
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**Size of property:** 0.491 Acres +/-  
**Folio #:** 027515-0000  
**Zoning District:** BPO  
**Future Land Use:** LI  
**Urban Service Area:** USA

**PROJECT DESCRIPTION (VARIANCE REQUEST):**

1. Reduce the required 30.0-Foot wetland setback at North to 15.0-foot to keep the existing asphalt.  
 (Variance of 15.0 feet)



2. Reduce the required 30.0-Foot wetland setback at East in the area between two (2) points
  - Point 1 Reducing to 4.9-Foot at point 1 located 31.6-foot at north of the northeast boundary corner of parcel No2.  
 (Reduction of 25.1-Foot to keep existing asphalt area)
  - Point 2 Reducing to 7.8-Foot at point 2 located on the northeast boundary corner of parcel No2.  
 (Reduction of 22.2-Foot to keep existing concrete area)



- 3 Allow Existing 6.0-Foot high chain link Fence to be located inside required wetland setback at North and East property boundaries

**Code Section 4.01.07.B Environmentally Sensitive Areas—Wetland and Natural Water Bodies  
\*Setbacks**

- 4 Request to eliminate the 6-0-Foot wide landscape buffer along the western property line.

**Code Section 6.06.04.E.1. Landscape buffer**

**NARRATIVE**

The regular shaped lot (subject property) is located within the BPO zoning district and is identified by folio number 027515.0000. Unplatted subdivision. More generally, the site is located at 5707 W Sligh Ave., within the area known as NW Sligh & Dale Mabry, S of Waters.

The site is located north of W. Sligh Ave., south of W. Water Ave., east of Benjamin Rd. and west of Anderson Rd

The structure was built in 1977 according to the Hillsborough County Property Appraiser information. The current owner purchased this property in February 2021 and has occupied the property since he bought it. At that time a fence was there on the rear and side yards of the property.

The owner replaced the existing fences with 6.0-Foot high chain link Fence type.

The 6.0-Foot high chain link Fence is around 7-inch above ground

Also, the owner extended the concrete driveway to the end of the property without a permit.



Owner received a NOV (Notice of Violation) in 2021.

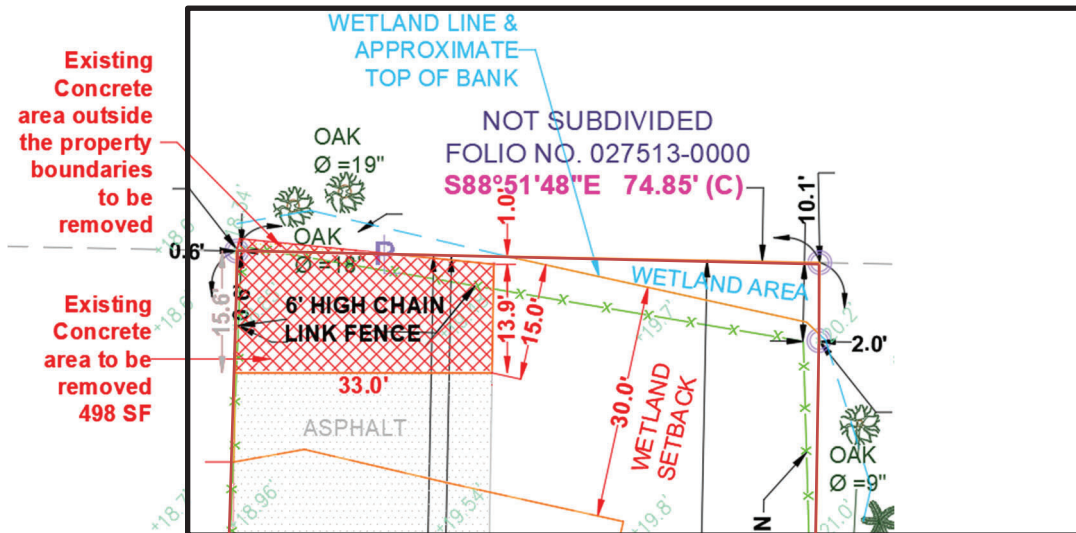
Code Enforcement Case Number (CE227386). See copy of the Code Enforcement Board Order.

The first step the owner took was to request the wetland delineation in April 2022. Owner got the approved wetland delineation survey dated on August 8<sup>th</sup>, 2022 (See attached Approved Survey)

The current Survey depicts the wetland area as well as the required 30.0-foot wetland setback line.

The owner will remove a portion area of concrete at rear yard boundary inside the property as well outside it.

Our request is to Reduce the required 30.0-Foot wetland setback at North to allow 15.0-foot wetland setback to keep the remaining existing asphalt after remove portion of the asphalt area described above.



A Variance is requested from **Code Section 4.01.07.B Environmentally Sensitive Areas—Wetland and Natural Water Bodies \*Setbacks** to:

1. Reduce the required 30.0-Foot wetland setback at North to 15.0-foot to keep the existing asphalt.  
 (Variance of 15.0 feet)
2. Reduce the required 30.0-Foot wetland setback at East in the area between two (2) points
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- 3 Allow Existing 6.0-Foot high chain link Fence to be located inside required wetland setback at North and East property boundaries
- 4 Request to eliminate the 6-0-Foot wide landscape buffer along the western property line.

**Land Development Code Section 4.01**

Variance Request	Code Requirement	Result	Code Section
15 ft. reduction to the required wetland setback at North Boundary	30.0 ft.	30.0 ft.	<b>4.01.07.B</b>
25.1 ft. reduction to the required wetland setback at East Boundary Point 1	30.0 ft.	4.9 ft.	<b>4.01.07.B</b>
22.2 ft. reduction to the required wetland setback at New Building corner point 2	30.0 ft.	7.8 ft	<b>4.01.07.B</b>
Allow Existing 6.0-Foot high chain link Fence to be located inside required wetland setback at North and East property boundaries	30.0 ft	2.0 ft (Closed Fence point to wetland line)	<b>4.01</b>

**Land Development Code Section 6.06.04.E.1. Landscape buffer**

Variance Request	Code Requirement	Result	Code Section
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# Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact [Hillsborough County Development Services](#) to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under [Florida Statutes §119.071\(4\)](#) will need to contact [Hillsborough County Development Services](#) to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS?  Yes  No

I hereby confirm that the material submitted with application \_\_\_\_\_

Includes sensitive and/or protected information.

Type of information included and location \_\_\_\_\_

Does not include sensitive and/or protected information.

**Please note:** Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature: *Aulondano*  
(Must be signed by applicant or authorized representative)

Intake Staff Signature: *Keshia Rivas* Date: 05/24/2023

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Property/Applicant/Owner Information Form

Official Use Only

Application No: VAR-WS 23-0560

Intake Date: 05/24/2023

Hearing(s) and type: Date: 07/31/2023

Type: LUHO

Receipt Number: 271819

Date:

Type:

Intake Staff Signature: Keshia Rivas

Property Information

Address: 5707 W Sligh Ave City/State/Zip: Tampa, FL 33634

TWN-RN-SEC: 28-18-30 Folio(s): 027515-0000 Zoning: BPO Future Land Use: LI Property Size: 0.49 acre

Property Owner Information

Name: Enterprises Global Investments LLC Daytime Phone (813) 900-8649

Address: 7915 Pat Blvd City/State/Zip: TAMPA, FL 33615-2112

Email: Jorgerl74@yahoo.es Fax Number

Applicant Information

Name: RU Project Management Group, LLC ( Ruth Londono) Daytime Phone (803) 919-7802

Address: 1502 W. Busch Blvd. Suite D City/State/Zip: Tampa, FL 33612

Email: ruth@rupmg.com Fax Number

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

Signature of the Applicant

Ruth P. Londono

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)

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

Jorge Rodriguez Longo

Type or print name



# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Commercial/Office/Industr
Zoning	BPO
Description	Business - Professional Office
RZ	00-0994
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0193H
FIRM Panel	12057C0193H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120195D
County Wide Planning Area	Town and Country
Community Base Planning Area	Town and Country
Census Data	Tract: 011605 Block: 3015
Future Landuse	LI
Future Landuse	LI
Future Landuse	LI
Urban Service Area	USA
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	70' AMSL
Aviation Authority	Landfill Notification Area
Aviation Authority	Non-Compatible Use (Schools)
Competitive Sites	NO
Redevelopment Area	North Airport Redevelopment Area

