

LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-0146	
LUHO HEARING DATE: January 24, 2022	CASE REVIEWER: Sam Ball

REQUEST:

The applicant is requesting a height variance for an existing fence on property zoned ASC-1.

VARIANCE(S):

Per LDC Section 6.07.02.C.2, fences in agricultural zoning districts are regulated in the same manner as fences in residential districts, except under certain circumstances that do not apply to this case. Per LDC Section 6.07.02.C.1.A, fences over 4 feet in height shall not be allowed within a required front yard that functions as a front yard. The applicant requests a 2-foot increase to the maximum permitted height to allow a 6-foot-high fence within the required 50-foot front yard along the south side of the subject property on Lowell Road.

FINDINGS:

- The applicant has advised staff they operate a home-based dog training business on the property. This activity is a permissible use of the property subject to the home-based business requirements found in LDC Section 6.11.48 and the kennel requirements found in LDC Section 6.11.52.
- The applicant has been cited by Code Enforcement for the fence (CE21014823).

DISCLAIMER:

ADMINISTRATOR'S SIGN-OFF

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.

TEMPALLE,	
t Wed Jan 12 2022 15:22:13	
Attachments: Application	
Site Plan	
Petitioner's Written Statement	
Current Deed	

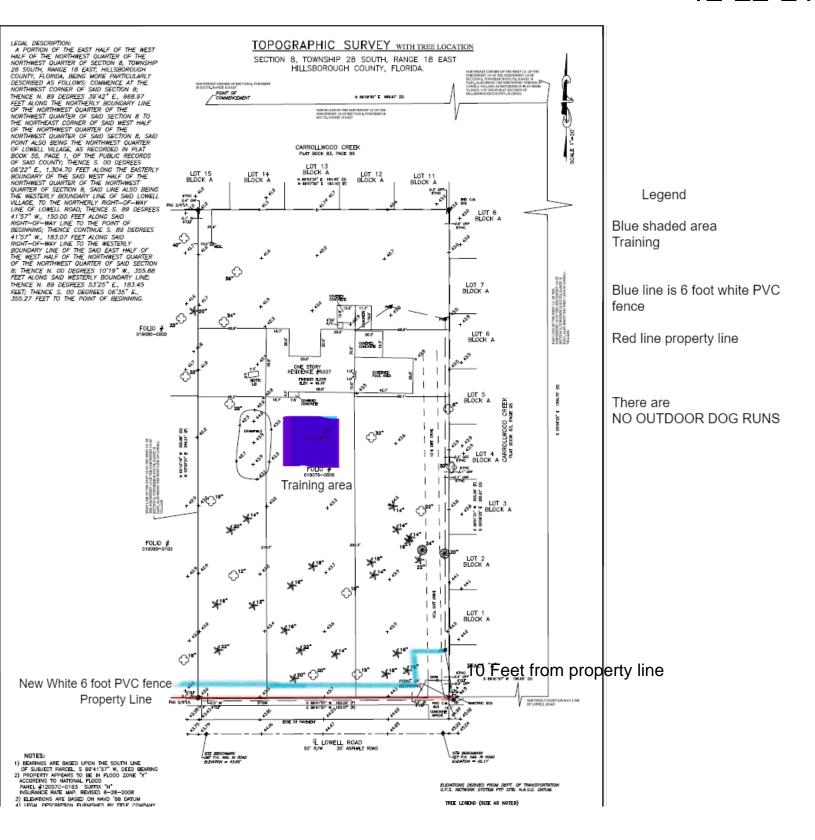


Additional / Revised Information Sheet

22-0146 RCVD

Date Stamp1efe2_22-21

Application Number: VAR 22-0146 Applicant's Name: Da	amien Alexander
Reviewing Planner's Name: Sam Ball	Date: 12/17/2021
Application Type:	a (DDC)
Planned Development (PD) Minor Modification/Personal Appearance	
Variance (VAR) Development of Regional Impact (DRI) Constitutional Man (CM)	Major Modification (MM)Other
Special Use (SU) Conditional Use (CU)	Other
Current Hearing Date (if applicable): 01/24/2021	
Will this revision add land to the project? Yes No IMPORTANT: If "Yes" is checked on the above, a Revised Application Sheet, Production, and additional Deeds must be filed immediately to ensure proper notice.	
Will this revision remove land from the project?	
The following must be attached to	this Sheet.
Cover Letter with summary of the changes and/or additional informatio	n provided. If a revised Site Plan is being
submitted, all changes on the site plan must be listed in detail in the Co	
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 f Maximum attachment(s) size is 15 MB.	ormat and minimum resolution of 300 dpi.
Email this sheet along with all the additional/revised submittal items	s in pdf to: ZoningIntake-DSD@hcflgov.net
For additional help and submittal questions, please call (813) 277-1633	or email ZoningIntake-DSD@hcflgov.net.
I certify that changes described above are the only changes that have bee changes will require an additional submission and certification.	n made to the submission. Any further
	12-22-202
Signature	Date
FOR OFFICE USE ONLY	
Notification E-Mail Sent Scanned into OPTIX Transmittal Completed In-	Take Completed by:





Additional / Revised Information Sheet

22-0146 RCVD

Date Stamp 1 efe _ 22 - 21

Application Number: VAR 22-0146 Applicant's Name: Damien Alexander
Reviewing Planner's Name: Sam Ball Date: 12/17/2021
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): 01/24/2021
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?
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
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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.
12-22-202
Signature Date
FOR OFFICE USE ONLY
☐ Notification E-Mail Sent ☐ Scanned into OPTIX ☐ Transmittal Completed ☐ In-Take Completed by:

December 20, 2021

Re: Request Notice VAR 22-0146
5207 Lowell Road
Tampa, Fl 33624
Cover letter
To whom it may concern
The residence of 5207 Lowell road is seeking a dimensional variance for height and setback. We site the below reasons and will justify this in the project narrative.
 Uariance to Fence Requirements □ Future use plan □ Hardship
We have a detailed plan for this property. Any changes to this plan would put us off that plan and cause a financial hardship.
Thank you
Damien Alexander

December 20, 2021

Re: Request Notice VAR 22-0146

foundations

5207 Lowell Road

Tampa, FL 33624

5207 Lowell Project narrative

Variance to Fence Requirements
 ○□ The Alexander household is seeing a dimensional variance for height and setback. ○□ The current height is 6ft ○□ We would like to obtain a variance for ■□ Height – 6 feet ■□ Setback – 10 feet
Property description and use
 ○□ This particular property is 1.51 acres. We purchased this property to expand, increase property value and equip the space to serve the owner's small business purposes. ○□ When rehabbing this property, the utmost care was taken to preserve mature trees and other attractive property features.
Business use
 □ The current use is for dog training. The existing fence structure allows for privacy and limits distractions. ■ There is no outdoor dog run. ■ The training area is outside and 50 feet from any residence in compliance with zoning requirements.
Setback location consideration
 □ This fence follows the lines of symmetry and aesthetics of the neighborhood. □ It is a NEW white PVC fence in proper working order and professionally □ installed, reasonably customary, and consistent with other properties on Lowell Road and the surrounding neighborhood. □ Supporting exhibits are submitted to demonstrate how the fence is nearly indistinguishable from the current area and was seamlessly added without being ostentatious.
The fence location was chosen with the following considerations:
1. ☐ The best continual line across the property without destroying mature trees or their root

- 2. ☐ The current fence location, material, and height were chosen because it is reasonable, 12-22-21 customary, and consistent with Lowell Road and the surrounding area.
- 3. ☐ Planned features for property development and increased property value.
 - ■□ Addition of a detached three-car garage structure
 - ■□ Addition of separate in-law suite

Both structures would fit the guidelines and use for this particular location and zoning, for increased property value.

Summary of Hardships

- ☐ This fence was completed in 06-2020 The price at the time was \$5k+
- ■□ Reconstructing the fence at the prescribed location would require the destruction of
- mature trees, among other unjust hardships the property owner is investing in to increase property value in the area. Specifically:
 - o□ Over \$8,000 for removal and disposal of the existing fence
 - o□ \$25,000 for removal of 10 mature trees at \$2,500 per tree
 - o☐ Loss of revenue and property values as the new dimensions will not allow the planned features to be added to the property.
- Inability to add the planned detached three-car garage = decreased property values
- Inability to add the detached in-law suite = loss of rental revenue and decreased property values
- □ Loss of business revenue due to decreased training area the property can support while meeting the zoning requirements.

Concluding Summary

Granting the variance will support the financial growth potential of the property and the property value of the area.

Complying would represent significant financial hardship to the property owner of upwards of \$30,000. In addition, it will negatively impact the property value due to the destruction or demolition of attractive property features and the prevention of future planned enhancement. It will also represent a significant agricultural upset due to the number of mature trees that would require removal.

December 20, 2021

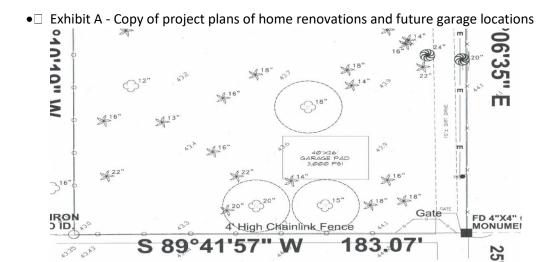
Re: Request Notice VAR 22-0146

5207 Lowell Road

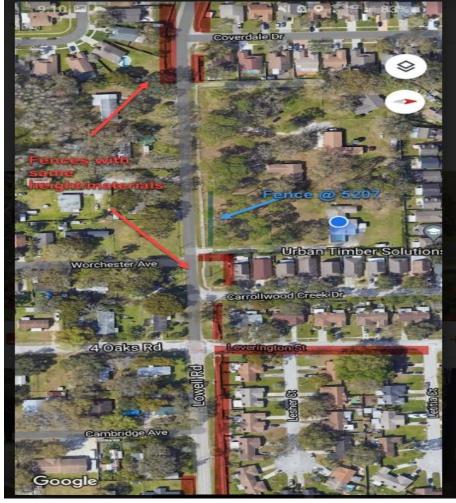
Tampa, Fl 33624

Exhibit descriptions

- •□ Exhibit A Copy of project plans of home renovations and future garage locations
- •□ Exhibit B Picture 1 Neighborhood aerial photo showing fence locations similar height and material
- •□ Exhibit C Picture 2 Arial view fence and mature trees
- •□ Exhibit D Picture 3 Road showing front of the fence
- Exhibit E Picture 4 West view of property showing how property conforms to current area
- □ Exhibit F Picture 5 East facing view showing how fence conforms to current area
- □ Exhibit G Picture 6 Front(inside) pic of location of projected garage
- □ Exhibit H-L Pictures of other fences on Lowell road within 1000 feet of property



•□ Exhibit B – Picture 1 - Neighborhood aerial photo showing fence locations similar height and 12–22–21



material

■ Exhibit C - Picture 2 - Arial view fence and mature trees

22-0146 RCVD 12-22-21



ullet Exhibit D - Picture 3 - Road showing front of the fence



•□ Exhibit E - Picture 4 - West view of property showing how property conforms to current area



•□ Exhibit F - Picture 5 – East facing view showing how fence conforms to current area



ullet Exhibit G - Picture 6 — Front(inside) pic of location of projected garage



Exhibit H-L Pictures of other fences on Lowell road within 1000 feet of property





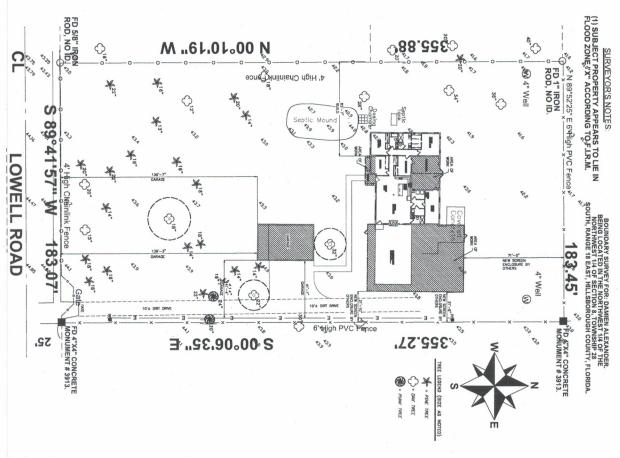


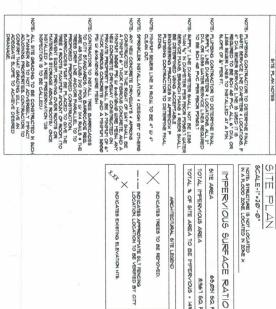


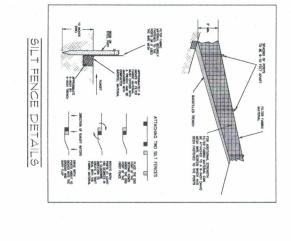
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9		A COARGE GROUT SHALL CONFORM TO ASTIT CATE WITH A MAXITUM ACCREGATE SIZE OF 3/8" AND A MINIMUM COMPRESSIVE STREMATH OF 36666 PBI SLUMP 8" TO IT.	S. PLL COMPACTION SLAB PILL TO BE COMPACTED IN C'LAYERS TO A MINITUM DENSITY NOT	
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A		_	A, MINITURY DESIGN SOIL BELARING TO BE 2000 PLAT. SOIL CAPACITY TO BE VERRIED BY	TYPICA SECTIONS AND DETAILS.
RC		LYPONE MATERIAL CONSTRUCTION	3. ALL WORK TO BE IN COMPLIANCE WITH THE RESIDENTIAL PLONDA BUILDING COOS (FECR), THE EDITION (1828)	ELEVATIONS.
:HI		CONSTRUCTION NOTES.	ALL DEBOOKS AND BLEVATIONS SHOW ON THE STRUCTURAL DRAWNOS SHALL BE VENETED AND SHALL CONFORM TO THE BUILDING DESIGN DRAWINGS.	6) FLOOR PLA
		THE PROJECT TO THE THE PROJECT TO THE PROJECT TO ANY JUDGE CONSTRUCTION BEGINS AND ANY JULE CONSECUTIONS, IF NEEDED, TO BE HADE PROJECT TO ANY JUDGE CONSTRUCTION BEGINS AND ANY JUDGE CONSTRUCTIONS, IF NEEDED, TO BE HADE PROJECT TO ANY JUDGE.	AND SHALL REMAN THE PROPERTY OF THE CONTRACTOR AFTER CONFILETION OF THE PROJECT.	A) FOUND ON PLAN.
TL		TICK STOP AND CALL THE DESIGNER LISTED	PRECION THE NOTICE FOR MAY BE INCREASED TO THE ADDITION OF SHATED PROBABLY MAY BE ADDITION OF SHATED FOR MAY BE ADDITION OF SHATENESS TO THE ADDITION OF SHATENES	2. SITE PLAN
	NOTE: ALL WIND PRESSURES ARE BASED ON NOMINAL WIND VELOCITY AS PER ASCE 1-16	NO PLANS ARE ACQUIRATE AND ARE CLEAR IN	CIT IS THE CONTRACTOR'S SOLIS RESPONSIBILITY TO DETERMINE EMECTION PROCEDURE AND CIT IS THE CONTRACTOR'S SOLIS RESPONSIBILITY TO DETERMINE EMECTION PROCEDURE AND	D WIND DATA AND DIAGRAM GENERAL NOTES & VICINITY MAD
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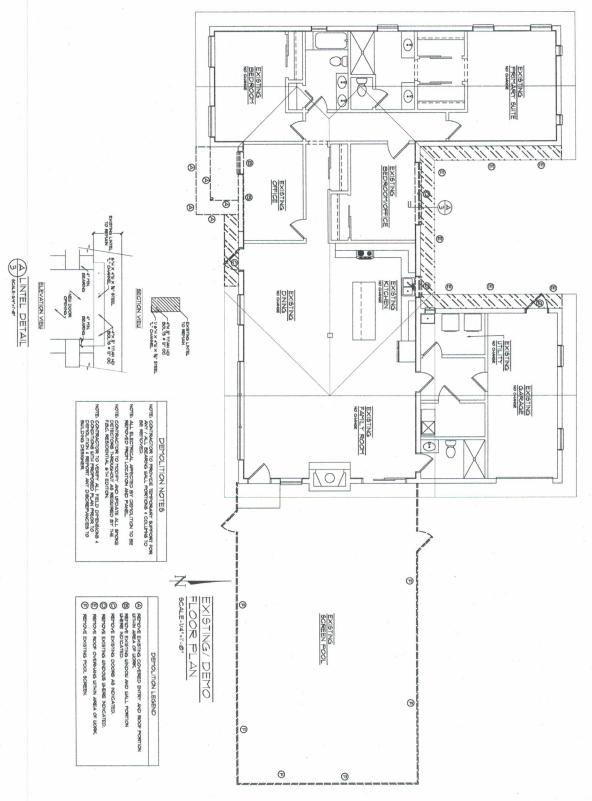




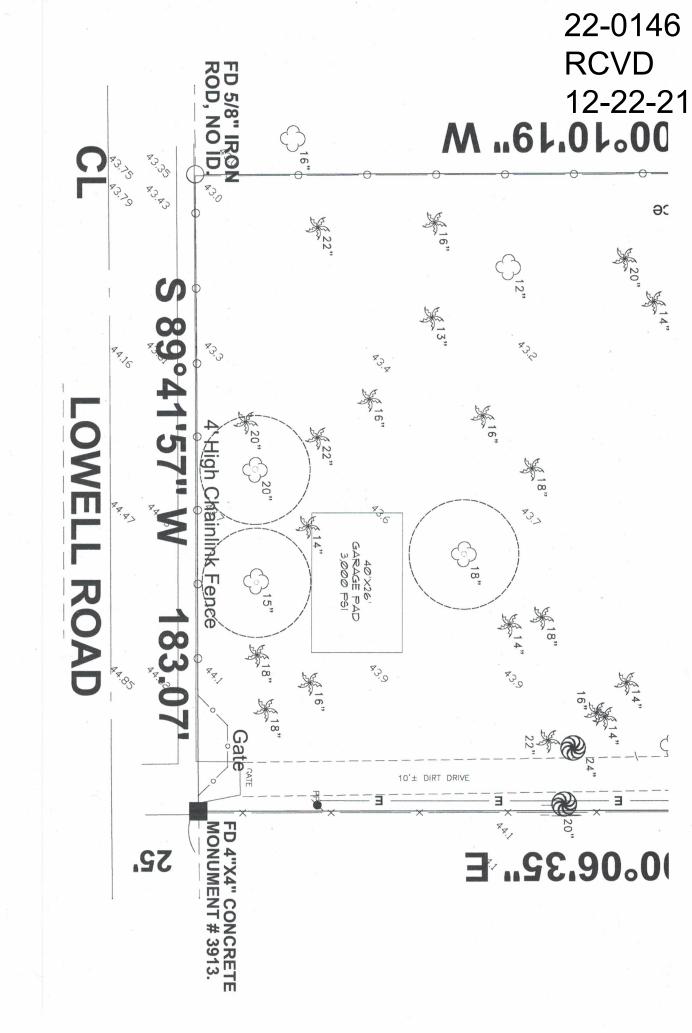


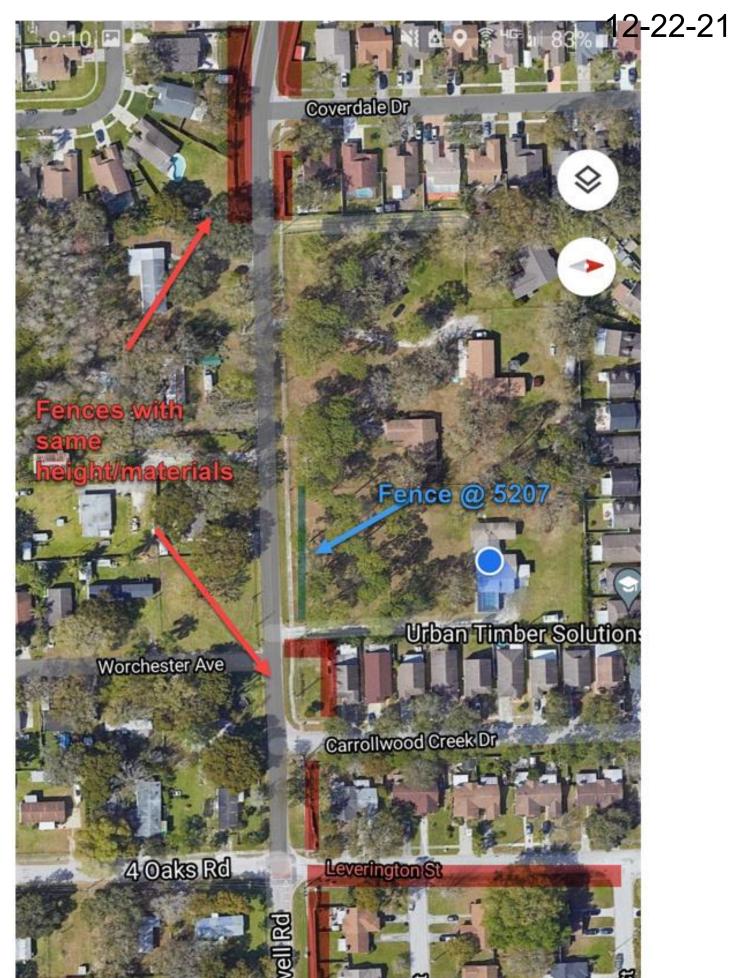
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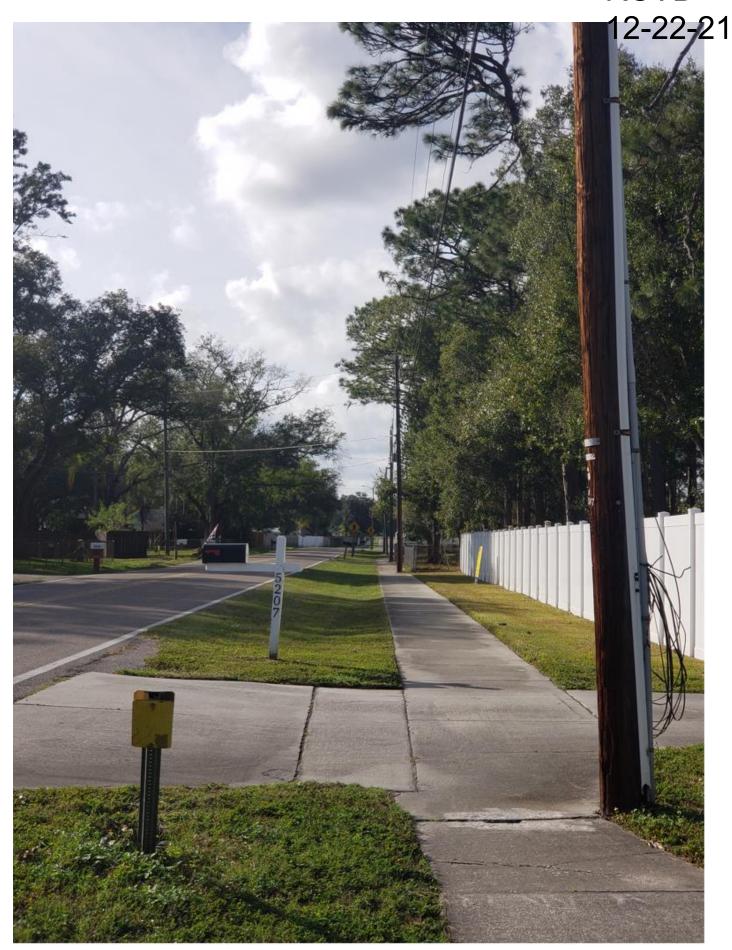








12-22-21 Vorchester Ave 5210 12924 5212 Fence Lowell Rd 13004 13006 18003 18010 8012 18014

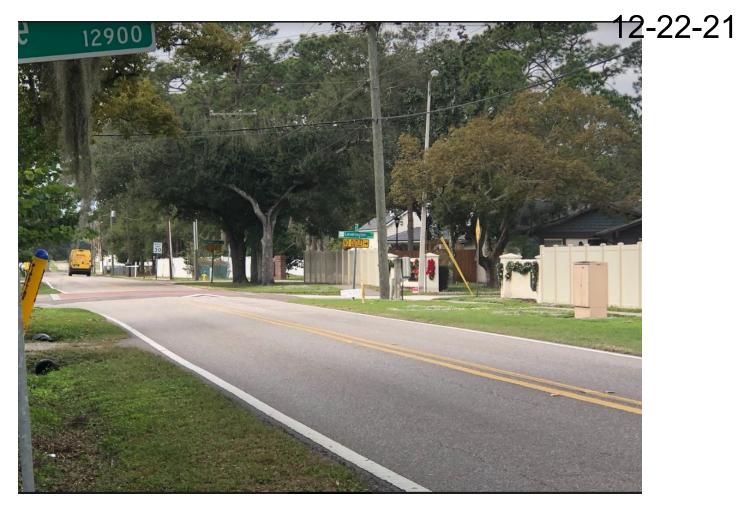


















INSTRUMENT#: 2019067887, BK: 26400 PG: 1682 PGS: 1682 - 1684 02/15/2019 at 12:56:28 PM, DOC TAX PD(F.S.201.02) \$0.70 DEPUTY CLERK: VBEECHER Pat

Frank, Clerk of the Circuit Court Hillsborough County

*Documentary Stamps: \$0.70

Recording Fee: \$27.00

Prepared by and return to: Damien Alexander 5207 Lowell Road Tampa, FL 33624

Property Appraiser's Parcel ID No: 019079-0000 (FOR INFORMATIONAL PURPOSES ONLY) Prepared without the benefit of Title examination

QUIT CLAIM DEED

THIS WARRANTY DEED, is made this 7th day of February 2019, by and between DAMIEN ALEXANDER, A SINGLE MAN whose address is 5207 Lowell Road, Tampa, FL 33624 (hereinafter collectively, "GRANTOR"), and DAMIEN ALEXANDER, A SINGLE MAN, AND FANNY LEAL, A SINGLE WOMAN, AS JOINT TENANTS WITH THE RIGHT OF SURVIVORSHIP, whose address is 5207 Lowell Road, Tampa, FL 33624, (hereinafter "GRANTEE"):

THE GRANTOR, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations to said GRANTOR in hand paid by said GRANTEE, the receipt and adequacy of which is hereby acknowledged, has granted, bargained aliened, remised, released, conveyed confirmed and sold to said GRANTEE and GRANTEE'S successors, and assigns forever, the following described real property, including improvements thereon, situated in **Hillsborough County**, **Florida**, to wit:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

Together with appurtenances, privileges, rights, interests, dower, reversions, riparian rights, remainders and easements thereunto appertaining. GRANTOR hereby covenants with GRANTEE that GRANTOR is lawfully seized of fee simple; that it is free of encumbrances except for taxes for the current and subsequent years, easements, reservations, and restrictions of record, if any, which reference thereto shall not serve to re-impose same; that GRANTOR has good right and lawful authority to convey same; and that GRANTEE shall have quiet enjoyment thereof. GRANTOR does hereby fully warrant the title to said property and will defend the same against the lawful claims of all persons whomsoever.

*THE SUBJECT CONVEYANCE involves the transfer of unencumbered real property for nominal consideration, and will not result in a change of beneficial ownership. Therefore, minimum documentary stamp taxes are due thereon.

IN WITNESS WHEREOF, the GRANTOR has hereunto set its hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

WITNESSE

Printed Name Michael Gumino

Printed Name Michell

GRANTOR:

Damien Alexander

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 7th day of February 2019, by Damien Alexander, who is personally known to me or who has produced a Florica Driver's License as identification.

MICHELLE KONECNY tate of Florida-Notary Public commission # GG 039389 My Commission Expires October 17, 2020

Notary Public

My Commission Expires:



Hillsborough County
Florida

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

	operty information
Address: 5207 Lowell Road City/State/Zip: Tampa, FL 33624 TWN-RN-SEC: 212006.00	
Folio(s): 019079-0000 Zoning: AS	Future Land Use: Property Size: 1.5 ac
Prope	rty Owner Information
Name:	Daytime Phone: 813-731-4216
Address: 5207 Lowell Road	City/State/Zip:Tampa, FL 33624
Email: <u>Damien.Alexander@hotmail.com</u>	FAX Number: <u>866-859-3426</u>
Name: Damien Alexander	plicant Information Daytime Phone: 813-731-4216
Address: 5207 Lowell Road	City/State/Zip:Tampa, FL 33624
Email: Damien.Alexander@hotmail.com	FAX Number: <u>866-859-3426</u>
Applicant's Representative (if different than above)	
Name:	Daytime Phone:
Address:	City / State/Zip:
Email:	FAX Number:
I HEREBY'S WEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APP LICATION PACKET IS TRUE ACCURATE, TO THE BEST OF MY KNOWLEDGE, AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACCOMING THE APPLICATION Signature of Applicant Type or Print Name 813 - 731 - 4216	AND AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION AND SHALL BE BI NOTING TO THE PROPERTY AS WELL AS TO
Intake Staff Signature: ANA LIZARDO	Office Use Only Intake Date: 11/01/21
Case Number: 22-0146	Public Hearing Date: 01/24/2022
Receipt Number: 100788	



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Unincorporated County
Agricultural
ASC-1
Agricultural - Single-Family Conventional
AREA OF MINIMAL FLOOD HAZARD
0183H
12057C0183H
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Thu Aug 28 2008
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1201120185F
Greater Carrollwood Northdale
Greater Carrollwood Northdale
Tract: 011417 Block: 2000
R-6
USA
Urban
1
Northwest
NORTHWEST
ZONE 1
140 MPH Area
180' AMSL
Non-Compatible Use (Schools)



Folio: 19079.0000 PIN: U-08-28-18-ZZZ-000000-82170.0 DAMIEN ALEXANDER AND FANNY LEAL Mailing Address: 5207 LOWELL RD TAMPA, FL 33624-4119 Site Address: 5207 LOWELL RD

> TAMPA, Fl 33624 SEC-TWN-RNG: 08-28-18 Acreage: 1.51662004 Market Value: \$281,143.00

Landuse Code: 0100 SINGLE FAMILY

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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