

Variance Application: VAR 25-0917
LUHO Hearing Date: July 28, 2025
Case Reviewer: Tim Lampkin, AICP



**Hillsborough
County Florida**

Development Services Department

Applicant: Roger & Jeannie Abreu **Zoning:** RSC-6
Address/Location: 114 Lake Drive, Lutz; Folio 15522.0000

Request Summary:

The applicant is requesting a variance to reduce the front yard setback of the property to accommodate a proposed new single-family located further away from Lake Chapman. The existing single-family home was rendered uninhabitable in October 2024, due to Hurricane Milton flooding damage.

Requested Variances:

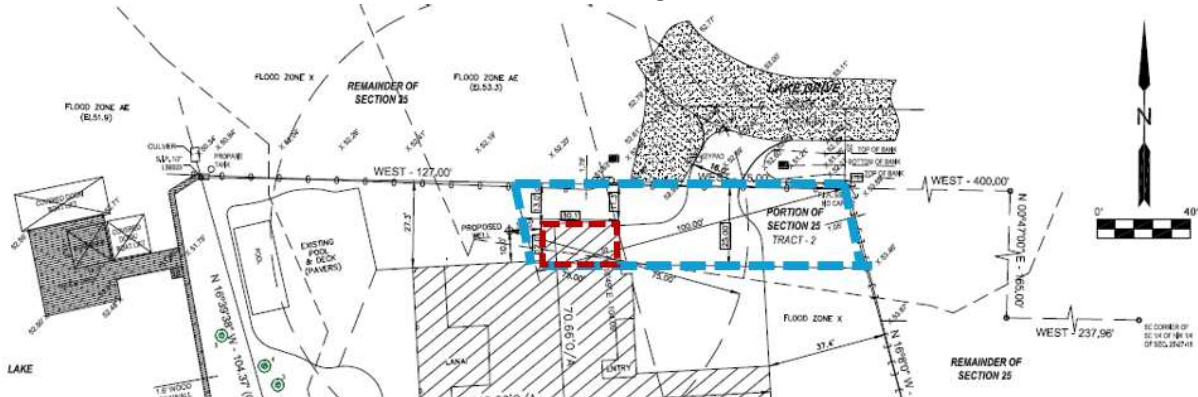
LDC Section:	LDC Requirement:	Variance:	Result:
6.01.01	A minimum 25-foot front yard setback is required in the RSC-6 zoning district.	13.7 feet	11.3-foot front yard setback

Findings:

In December 2024, the applicant submitted site plans to Development Services, PID 7344, and upon review, staff found that the property was not meeting the minimum requirements for the setbacks. Upon further review, it was found that a determination regarding Lot Orientation was rendered pursuant to VAR 06-1990 to allow a 6-ft. high fence in the required (north) front yard.

VAR 06-1990 established the front setback as extending +/-100 feet from the eastern property boundary, southward 25-feet from Lake Drive right-of-way. Due to the location of Lake Drive, the front setback consists of an irregular rectangular shaped area, as shown below, extending 25' from the Lake Drive right-of-way.

Partial Site Plan showing setback area



Zoning Administrator Sign Off:

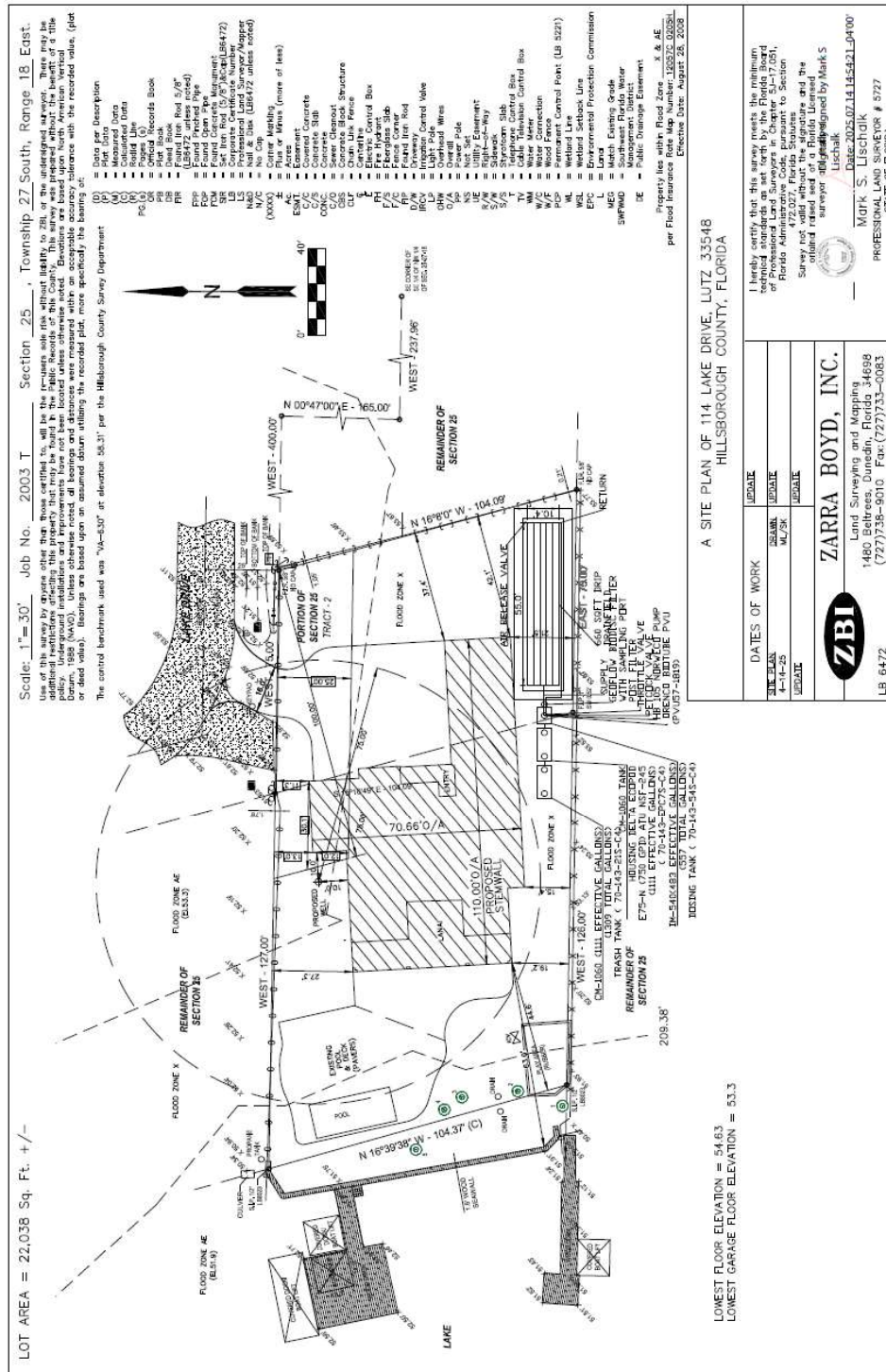


Colleen Marshall
Tue Jul 15 2025 15:17:32

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.

See attached.

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

Sec 6.01.01 Schedule of District Area, Height, Bulk, and Placement Regulations

Additional Information

1. Have you been cited by Hillsborough County Code Enforcement? ☒ No ☐ 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 ☒ Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): New Construction Permit - HC-BLD-25-0070827 / DEMO Permit HC-BDE-25-007
3. 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.
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?
☒ No ☐ Yes If yes, you must submit a final determination of the "Water, Wastewater, and/or Re-claimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing

On October 9, my home sustained significant flooding due to rising waters from Lake Chapman, caused by Hurricane Milton. Exhibit A illustrates my home at the time of the hurricane. The floodwaters reached a depth of 8 inches and remained stagnant for nearly a week, as the lake levels did not recede in a timely manner. Consequently, FEMA has deemed my home to be substantially damaged, necessitating that it be brought up to current FEMA standards. In addition to the required updates to meet FEMA standards, the prolonged exposure to standing water has compromised the foundation in the area that I had previously permitted for construction five years ago. This foundation now requires repair. After evaluating all options and consulting directly with FEMA, the best course of action has been determined to be the demolition of the existing home and the construction of a new one that meets all current FEMA standards. Furthermore, relocating the new home away from the lake is essential to minimize future flood risks. This proposed new construction is outlined in Exhibit B (attached). The septic system for the new home has already been approved and permitted. The proposed location for the home is sufficiently distant from both the lake and any wetlands, being set 75 feet away from the east lot line at the corner of the proposed new home. Upon submitting my completed building plans, I was informed that the north lot line would be considered my front yard, and the south lot line would be considered the rear, requiring a 25-foot setback on both the front and rear. This determination was based on the fact that my lot sits on a curve, unlike the other lots along the lake. As we continued the review process, and in consultation with Israel Monsanto and Tim Lampkin, it was confirmed that a 2006 fence variance issued for the property allows for a 25x100-foot rectangle starting at the northeast corner of my lot, extending 100 feet westward along the north lot line. This area is considered my front yard, as illustrated in Exhibit C (attached), with "X"s marking the rectangle. However, relocating the home 25 feet further back, towards the water's edge, would place it within 10 feet of a 100-foot-tall cypress tree and within the delineated wetlands of the lake as well as the flood waters. Additionally, the extra 25 feet beyond the 75-foot dotted line is necessary to comply with my northern neighbor's 25-foot front yard setback.



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?

My home is situated on a curve of a dead end road & have an applied wetland setback in the rear. Looked at and determined that it is an irregular lot shape. The determination of the set back is a disadvantage.

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.

Property is unique due to shape & location. No other similarly shaped properties.

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.

It will not interfere as it does not obstruct the use of their property.

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*).

Never intended to penalize a singular property with conditions like this and the application of this code has made a distinct disadvantage.

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 shape of the lot and the application of the codes including the new FEMA codes and flood codes.

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.

The codes were never intended to be punishing uniquely situated lots, curve, irregular lot shape, application of the land development codes and wetland setbacks.

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Prepared By:

Eric S. Zufelt, Esq.
Florida Bar ID # 479659
Zufelt Law Offices, LLC
630 Riverfront Drive, Suite 230
Sheboygan, WI 53081

Record and Return To:

First American Mortgage Solutions
Attn: Recording Team
1500 Solana Blvd. Bldg. 6, Suite 6200
Westlake, TX 76262

Parcel I.D. Number: 015522-0000
File #: 8857521N

QUITCLAIM DEED

THIS INDENTURE, made on this 22 day of MAY, 2017, by and between
ROGER ABREU and JEANNIE S. ABREU *l/k/a* JEANIE SAMANTHA ICKOVIC *a/k/a*
JEANNIE SAMANTHA ICKOVIC, husband and wife, who acquired title without marital status,
whose mailing address is 114 Lake Drive, Lutz, FL 33538, hereinafter referred to as "GRANTOR,"
whether one or more, and ROGER ABREU and JEANNIE S. ABREU, husband and wife, as joint
tenants with full right of survivorship, whose mailing address is 114 Lake Drive, Lutz, FL 33538,
hereinafter referred to as "GRANTEE," whether one or more.

PROPERTY IDENTIFICATION #: 015522-0000

WITNESSETH, That said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00)
Dollars, and other good and valuable consideration to said Grantor in hand paid by said Grantee, the
receipt of which is hereby acknowledged, has remised, released, and quitclaimed to the Grantee
and Grantee's heirs forever the following described land located in the County of Hillsborough,
State of Florida, to wit:

Tract 1

A tract lying in the South 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 25, Township
27 South, Range 18 East, Hillsborough County, Florida, described as follows: from the Southeast
corner of the Northwest 1/4 of said Section 25, run on an assumed bearing of West along the
South boundary of said Northwest 1/4 of Section 25, a distance of 237.96 feet to point on the
West right-of-way line of State Road #685, run thence North 0°47' East, along said West right-of-
way line a distance of 165.0 feet; run thence West parallel to the South boundary of the
Northwest 1/4 of Section 25, a distance of 475.0 feet to a point of beginning; run thence
continuing West approximately 127.0 feet to a point hereby designated point "X" at the water's
edge of Lake Chapman, beginning again at the point of beginning, run South 16°08' East, a
distance of 104.09 feet to a point which is 65.0 feet North of the South boundary of the Northwest
1/4 of Section 25, run thence West a distance of approximately 126.0 feet to the water's edge of
Lake Chapman; run thence Northwesterly along the water's edge of Lake Chapman
approximately 104.09 feet to the aforementioned point "X"

Tract 2

A tract of land in the South 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 25, Township
27 South, Range 18 East, Hillsborough County, Florida, described as follows: from the Southeast
corner of the Southeast 1/4 of the Northwest 1/4 of said Section 25, run West along the South
boundary of said Southeast 1/4 of the Northwest 1/4 of Section 25, a distance of 237.96 feet to a
point on the Westerly right-of-way line of State Road #685 (Florida Avenue); run thence North
0°47' East along said Westerly right-of-way line of State Road #685, a distance of 165.0 feet; run
thence West parallel to the South boundary of the Southeast 1/4 of the Northwest 1/4 of Section
25, a distance of 400.0 feet to a point of beginning; run thence continuing West, a distance of 75.0
feet; run thence South 16°08' East, a distance of 104.09 feet; run thence East, parallel to and 65.0
feet North of the South boundary of the Southeast 1/4 of the Northwest 1/4 of Section 25, a
distance of 75.0 feet; run thence North 16°08' West, a distance of 104.09 feet to the point of
beginning.

Being that same property conveyed from TURNER D. EARNEST JR., a single man, by deed to
ROGER ABREU, a single man, and JEANIE SAMANTHA ICKOVIC *a/k/a* JEANNIE
SAMANTHA ICKOVIC, dated May 31, 2006, recorded June 8, 2006 in Hillsborough County
Records, as Instrument No. 2006277542, in Book 16570, Page 1057.

Subject to easements, restrictions, reservations, and limitations of record, if any.

AKA: 114 Lake Drive, Lutz, FL 33538

SUBJECT TO (1) Zoning and/or restrictions and prohibitions imposed by governmental authority; (2) Restrictions, Easements and other matters appearing on the Plat, Declaration of Condominium and/or common to the subdivision; and (3) Taxes for the year 2016 and subsequent years.

In all references herein to any parties, persons, entities or corporations, the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the text of the within instrument may require.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal on this 22 day of

May, 2017.

 Witness 1 Signature

Carolyn Stacey
 Printed Name

Alex Sutton
 Witness 2 Signature

Alex Sutton
 Printed Name


 ROGER ABREU

114 Lake Drive, Lutz, FL 33538
 Post Office Address


 Witness 1 Signature

Carolyn Stacey
 Printed Name

Alex Sutton
 Witness 2 Signature

Alex Sutton
 Printed Name


 JEANNIE S. ABREU
 f/k/a JEANIE SAMANTHA ICKOVIC
 a/k/a JEANNIE SAMANTHA ICKOVIC

114 Lake Drive, Lutz, FL 33538
 Post Office Address

STATE OF FLORIDA)
) ss.
 COUNTY OF Hillsborough

This instrument was acknowledged before me by ROGER ABREU and JEANNIE S. ABREU f/k/a JEANIE SAMANTHA ICKOVIC a/k/a JEANNIE SAMANTHA ICKOVIC on this 22 day of May, 2017, who () is personally known to me OR () who produced Driver's License Passport as identification and who did take an oath.


 NOTARY PUBLIC, STATE OF Florida

My commission expires: 3/11/19





**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 25-0917

Intake Date: 06/04/2025

Hearing(s) and type: Date: 07/28/2025

Type: LUHO

Receipt Number: 487077

Date: _____

Type: _____

Intake Staff Signature: Charles Phillips

Property Information

Address: 114 Lake Drive City/State/Zip: Lutz/FL/33548

TWN-RN-SEC: 25/27/18 Folio(s): 015522-0000 Zoning: RSC-6 Future Land Use: R-4 Property Size: .51 —

Property Owner Information

Name: Roger & Jeannie Abreu Daytime Phone: 813-433-4786

Address: 114 Lake Drive City/State/Zip: Lutz/FL/33548

Email: rabreu@mgqassociates.com Fax Number: _____

Applicant Information

Name: Roger Abreu Daytime Phone: 813-433-4786

Address: 114 Lake Drive City/State/Zip: Lutz/FL/33548

Email: rabreu@mgqassociates.com Fax Number: _____

Applicant's Representative (if different than above)

Name: Steve Micheline Daytime Phone: 813-390-7956

Address: 2407 Sunset Drive City/State/Zip: Tampa/FL/33629

Email: smicheline@msn.com 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

Roger Abreu

Type or print name

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

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

Jeannie Abreu

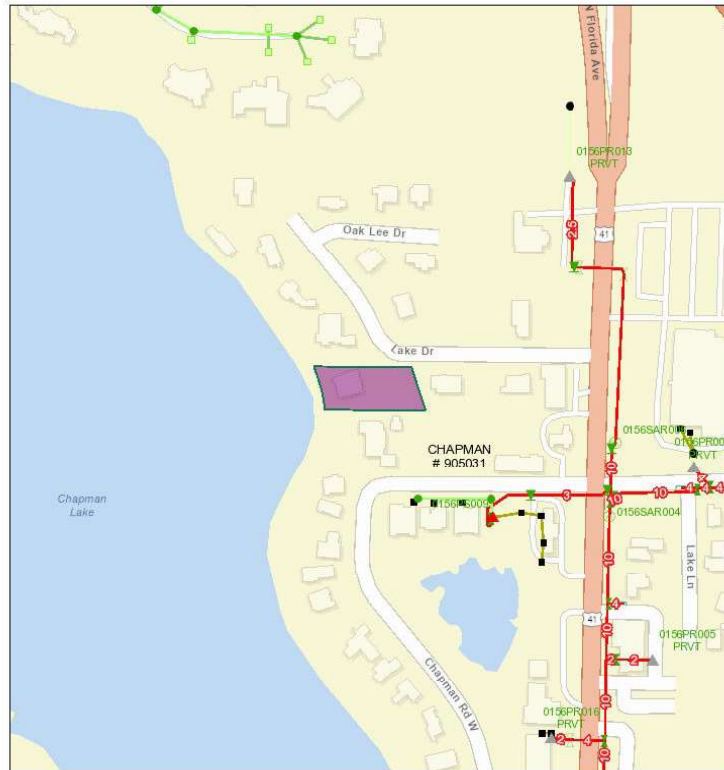
Type or print name



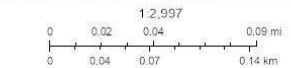
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
INFL	i
Zoning	RSC-6
Description	Residential - Single-Family Conventional
Flood Zone:AE	BFE = 53.3 ft
Flood Zone:AE	BFE = 51.9 ft
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0205H
FIRM Panel	12057C0205H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Flood Zone	AE
Pre 2008 Firm Panel	1201120205D
County Wide Planning Area	Greater Carrollwood Northdale
Community Base Planning Area	Greater Carrollwood Northdale
Census Data	Tract: 011107 Block: 2003
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO

Folio: 15522.0000



June 4, 2025



Sources: Esri, TomTom, Garmin, FGA, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, ESRI

Hillsborough County Florida

Folio: 15522.0000
PIN: U-25-27-18-ZZZ-000000-65070.0
Roger And Jeannie S Abreu
Mailing Address:
 114 Lake Dr
 null
 Lutz, FL 33548-6145
Site Address:
 114 Lake Dr
 Lutz, FL 33548
SEC-TWN-RNG: 25-27-18
Acreage: 0.51
Market Value: \$577,087.00
Landuse Code: 0100 SINGLE FAMILY

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