

**Variance Application:**

VAR 24-0540

LUHO Hearing Date:

May 20, 2024

Case Reviewer:

Michelle Montalbano


**Hillsborough  
County Florida**

Development Services Department

Applicant: Pombo's Contracting Services Inc

Zoning:

PD 92-0382 (19-1447)

Location: 423 Van Reed Manor Dr., Brandon; Folio # 74743.6128

**Request Summary:**

The applicant is requesting a variance to reduce the required front setback on a corner lot for a proposed screened-in pool enclosure with a solid roof.

**Requested Variances:**

LDC Section:	LDC Requirement:	Variance:	Result:
6.11.94.B.2.	Swimming pools enclosed by a screen mesh with a solid roof shall be considered a building. If attached, they shall not intrude into the required side or front yards, with exceptions that do not apply to this case. PD 92-0382 requires a minimum front yard setback of 25 feet.	3-feet	22-foot front yard setback

**Findings:**

The building permit for the proposed screen enclosure, HC BLD-24-0056830, was denied by building reviewers due to the setback encroachment.

**Zoning Administrator Sign Off:**


 Colleen Marshall  
 Wed May 8 2024 16:34:53
**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

DESIGN CRITERIA:

Applicable Codes, Regulation and Standards

- 1. The Florida Building Code 8th Edition 2023, specifically Chapter 16 Structural Design, Chapter 20 Aluminum, and Chapter 23 Wood.
- 2. AA ASM 35 on Specifications for Aluminum Structures, Part 1-A and 1-B of the Aluminum Design Manual prepared by The Aluminum Association, Inc. Washington, D.C., 2020 Edition
- 3. ASCE 7-22.

Wind Loads

- 1. Building Occupancy Category, Paragraph 1604.5 and Table 1604.5, Category 1
- 2. Basic Wind Speed Table, Table 1609 State of Florida, District Region & Basic Wind Speed, Paragraph 1609.3 and Table 1609.3.1 Equivalent Basic Wind Speed 140MPH V=ultimate Exposure Category, Paragraph 1609.4.3, C
- 3. Building Category for Aluminum Structures, FBC 8th Edition 6.301.2.1.1 Sunroom Category 1.

Following Loads were used to Design/OK This Pool Cage:

- 1. Dead Load of 5 PSF (Which is on Higher Side)
- 2. Live Load of 5 PSF (Which is on Higher Side)
- 3. Wind Load of 140 MPH as per ASCE 7-22
- 4. Load Combinations as per FBC 2023 8th EDITION
- 5. Live loads for primary structural members 300 lb. - R2002.4 Building
- 6. Live loads for roof purlins 200 lb - R2002.4 Building

Specifications

The following specifications are applicable to this project:

- 1. Aluminum extrusions shall be 6005 T5 Alloy
- 2. Fasteners are required to be SAE Grade 2 or better zinc plated.
- 3. #10 screws 6" from ends and 24" center to center.
- 4. Door location shall be determined by contractor in the field.
- 5. All Screen - Type 18x14 (TYP.)

WIND ZONE FOR MANSARD BEAMS @ 140mph VULT

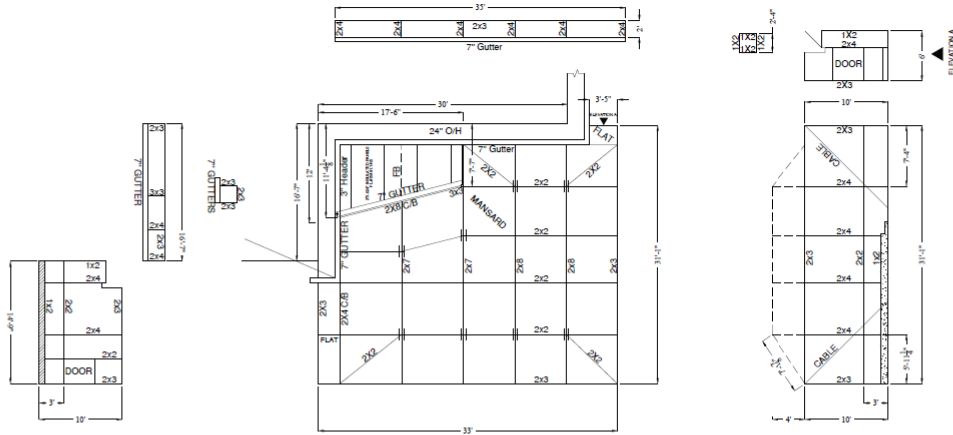
Self-Mating Beams	Gauge	Span	Support Spacing
2X4(M)	0.044	Up to 14'-8"	Up to 8'
2X5(M)	0.050	Up to 18'-2"	Up to 8'
2X6(M)	0.060	Up to 25'-4"	Up to 8'
2X7(M)	0.060	Up to 28'-4"	Up to 8'
2X8(M)	0.080	Up to 35'-6"	Up to 8'
2X9(M)	0.080	Up to 39'-4"	Up to 8'

WIND ZONE FOR METAL COLUMNS @ 140mph VULT

Self-Mating/Allow	Gauge	Column Height Range
2X4	0.050	Up to 10'-4"
2X5	0.050	Up to 12'-8"
2X6(M)	0.055	Up to 16'-5"
2X7(M)	0.062	Up to 19'-8"
2X8(M)	0.072	Up to 23'-6"

WIND ZONE FOR PURLINS AND RAILS @ 140mph VULT

Flange Sections	Gauge	Span
2X2	0.044	Up to 7'-10"
2X3	0.045	Up to 9'-1"
2X4	0.050	Up to 10'-4"
2X5	0.050	Up to 12'-8"



Acreage: 0.23  
Folio: 074743-6128



LAYOUT

This item has been electronically signed and sealed by Ram Goel using a Digital Signature and date. Printed copies of this document are not considered signed and sealed and signature must be verified on any electronic copies.

I HEREBY CERTIFY THAT I HAVE REVIEWED AND SUPERVISED THE ATTACHED DESIGN AND FOUND IT TO BE IN COMPLIANCE WITH THE 2023 F.B.C. RESIDENTIAL 8TH EDITION

Additional Options Selected	Quantity
Billy Bib	✓
Ceiling Fan Beams	✓
6 in. of Insulation	✓

CONTRACTOR

**POMBOS**  
CONSTRUCTION ASSOCIATES  
1700 W. BAYVIEW AVE  
TAMPA, FL 33606  
TEL: 813-973-1111

RAM GOEL, P.E. (#47431)  
SONEY FM LLC, CA#9746  
CORY LAKE PROFESSIONAL CENTER  
10329 CROSS CREEK BLVD, STE P  
TAMPA, FL 33647  
Ph.# 727-420-4796

PROJECT ADDRESS

OWNER: DEAY BRIAN  
ADDRESS: 423 VAN REED MANOR DR  
CITY: TAMPA  
STATE: FL 33606

RAM GOEL, P.E. (#47431)  
SONEY FM LLC, CA#9746  
CORY LAKE PROFESSIONAL CENTER  
10329 CROSS CREEK BLVD, STE P  
TAMPA, FL 33647  
Ph.# 727-420-4796

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DETAILS

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Amendment to the Land Development Code (LDC):

Section(s) to be Amended: Section 6.11.94.B (Setback Requirements)

Revised Language:

Section 6.11.94.B Setback Requirements:

Corner Lots: On the property located at 423 Van Reed Manor Dr, Brandon, FL 33511, the setback requirement shall be a minimum of 22 feet from the property line instead of the standard 25 feet.

Detailed Statement and Public Purpose:

We propose an amendment to Section 6.11.94.B of the Land Development Code (LDC) specifically for the property situated at 423 Van Reed Manor Dr, Brandon, FL 33511, to allow for a reduced setback requirement of 22 feet on corner lots for the construction of a screen enclosure around the pool area. The primary reason for this amendment is to enhance safety around the pool by maximizing the space available for the enclosure, ensuring adequate room for necessary safety measures and activities for the residents of this property.

The proposed modification serves a public purpose by promoting pool safety standards and providing homeowners with the ability to maximize their outdoor living space without compromising safety. This amendment is relevant to this specific property while also aligning with broader county-wide safety regulations and standards.

Consistency with the Hillsborough County Comprehensive Plan:

The proposed amendment aligns with the intent and purpose of the Hillsborough County Comprehensive Plan, specifically addressing the following goals, objectives, and policies in relation to the property at 423 Van Reed Manor Dr, Brandon, FL 33511:

Goal 1: Promote Public Health, Safety, and Welfare

Objective 1.3: Enhance Safety Standards for Residential Structures

Policy 1.3.2: Encourage the implementation of safety measures around residential pools to prevent accidents and injuries.

Goal 4: Ensure Compatibility of Land Uses

Objective 4.1: Encourage Development Patterns that Promote Compatibility

Policy 4.1.3: Support reasonable modifications to zoning regulations to accommodate safety features and enhance property usability while maintaining compatibility with surrounding development.

By allowing a reduced setback for the screen enclosure specifically on 423 Van Reed Manor Dr, Brandon, FL 33511, the proposed amendment supports the Comprehensive Plan's goals of promoting safety, enhancing property usability, and fostering compatibility among residential developments in Hillsborough County.

This application for variance seeks to balance safety considerations with the specific requirements and characteristics of the property at 423 Van Reed Manor Dr, Brandon, FL 33511, ensuring that residents can enjoy their outdoor spaces while maintaining adherence to established safety standards and regulations.



# Project Description (Variance Request)

- 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.

We are requesting a variance to a front yard setback from 25' to 22'. The variance is for a pool screen enclosure over an existing deck. The property is located on a corner lot where the side of the proposed screen enclosure falls within the 2nd front yard setback of 25'.

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

LDC 6.11.94.B

## Additional Information

- Have you been cited by Hillsborough County Code Enforcement?  No  Yes  
If yes, you must submit a copy of the Citation with this Application.
- Do you have any other applications filed with Hillsborough County that are related to the subject property?  
 No  Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): HC-BLD-24-0056830 building permit
- 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.
- Please indicate the existing or proposed utilities for the subject property:  
 Public Water  Public Wastewater  Private Well  Septic Tank
- Is the variance to allow a third lot on well 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

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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?

The property, situated on a corner lot, has a side yard treated as a front yard by LDC. Unlike neighboring properties, there's a 20' difference in side yard setbacks. An existing pool, constructed in 1994, sits 22' from the side yard. Placing the cage 3' from the concrete edge meets setback rules but poses a hazard, hindering a pool walkway. A variance would allow safe use of the walkway

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.

Treating the side yard as a front yard limits full property use, unlike interior properties. Without the variance, a cage built closer to the pool edge could create hazards unique to corner lots.

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.

The property, situated on a corner lot, would maintain a 22' distance from its property line for the cage installation. Moreover, the cage will be positioned within the property's fenced yard, ensuring it doesn't obstruct easements or neighboring 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).

Granting the variance ensures property safety and functionality, especially on corner lots where side yards are treated as front yards. By allowing adjustments like positioning the cage within the fenced yard, it upholds responsible land use principles outlined in the Comprehensive Plan, enabling property owners to enhance usability while respecting neighboring properties and easements, fostering safe and harmonious community development

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 need for the variance arises solely from the unique configuration of the property as a corner lot, navigating distinct regulatory challenges under the LDC, thereby excluding any self-imposed hardship or illegal acts by the applicant.

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.

Granting the variance balances public benefits under the LDC with individual hardships, enabling responsible development while respecting property rights; denying it would unfairly restrict the property owner's use due to the corner lot's unique configuration, undermining equitable land use and development.

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This Instrument prepared by and Return To:

Brian Okay, Esq.,  
908 River Rapids Avenue,  
Brandon, Florida 33511

Parcel ID No: 074743-6128

\_\_\_\_\_SPACE ABOVE THIS LINE FOR RECORDING DATA\_\_\_\_\_

**QUIT CLAIM DEED**

**THIS QUIT CLAIM DEED** Made this 19th day of December, 2016 between **Bedii S. Okay**, a single man, hereinafter called the **Grantor**, whose mailing address is: 908 River Rapids Avenue, Brandon, Florida 33511, and **Brian B. Okay**, a single man, whose mailing address is 908 River Rapids Avenue, Brandon, Florida 33511, hereinafter called the **Grantee**:

**WITNESSETH:** That the Grantor, for and in consideration of the sum of **\*\*TEN AND 00/100's---**  
**-- DOLLARS**, in hand paid by the Grantee, the receipt of whereof is hereby acknowledged, has remised and quit claimed, and by these presents does remise, release and quitclaim unto the said party of the second part all the right, title, interest, claim and demand which the said party of the first part has in and to the following described lot, piece or parcel of land, situate and lying and being in the County of Hillsborough, State of Florida, to-wit:

Lot 12, Block 9, of BLOOMINGGALE SECTION H UNIT NO. 1, according to the Map or Plat thereof as recorded in Plat Book 54, Page 54, of the Public Records of Hillsborough County, Florida

Parcel ID No.: 074743-6128

Commonly Known As: 423 Van Reed Manor Drive, Brandon FL 33511

Subject to taxes for the current year and all subsequent years; and conditions, restrictions, easements, limitations, reservations and zoning ordinances of record.

**TO HAVE AND TO HOLD** the same, together with all and singular the appurtenances thereunto belonging or in any way appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only property use, benefit and behoof of the Grantee.

IN WITNESS WHEREOF the Grantor has hereunto set their hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]  
Bedii S. Okay

Witness #1 Signature: [Signature]

Witness #1 Name Printed: Janelle Gosa

Witness #2 Signature: [Signature]

Witness #2 Name Printed: Fred Smith

STATE OF FLORIDA, COUNTY OF HILLSBOROUGH

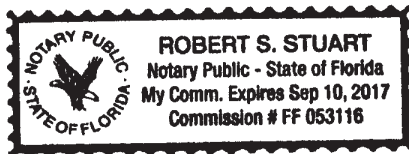
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared **Bedii S. Okay** who identified themselves to be the person described by means of F.D.C. and who executed the foregoing instrument.

WITNESS my hand and official seal in the county and State last aforesaid this 19 day of December, 2016.

[Signature]  
Notary Public

My Commission Expires: 9.10.2017

(SEAL)





# Submittal Requirements for Applications Requiring Public Hearings

**Official Use Only**

Application No: 24-0540 Intake Date: 03/08/2024  
 Hearing(s) and type: Date: 05/20/2024 Type: LUHO Receipt Number: 347750  
 Date: \_\_\_\_\_ Type: \_\_\_\_\_ Intake Staff Signature: Alejandra Prado

Applicant/Representative: Alfredo Santana Phone: 813-323-7433

Representative's Email: ascpomboscontracting@gmail.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 type="checkbox"/>	<input type="checkbox"/>	<u>Property/Applicant/Owner Information Form</u>
2	<input type="checkbox"/>	<input 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 type="checkbox"/>	<u>Sunbiz Form</u> (if applicable). This can be obtained at <a href="http://Sunbiz.org">Sunbiz.org</a> .
4	<input 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 type="checkbox"/>	<input type="checkbox"/>	<u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
6	<input type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Current Recorded Deed(s)</u>
7	<input type="checkbox"/>	<input type="checkbox"/>	<u>Close Proximity Property Owners List</u>
8	<input type="checkbox"/>	<input type="checkbox"/>	<u>Legal Description</u> for the subject site
9	<input type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
10	<input type="checkbox"/>	<input 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: 24-0540  
Hearing(s) and type: Date: 05/20/2024  
Date: \_\_\_\_\_

Type: LUHO  
Type: \_\_\_\_\_

Intake Date: 03/08/2024  
Receipt Number: 347750  
Intake Staff Signature: Alexandra Prado

**Property Information**

Address: 423 Van Reed Manor Dr, City/State/Zip: Brandon, FL  
TWN-RN-SEC: 30-20-11 Folio(s): 074743-6128 Zoning: PD Future Land Use: R-4 Property Size: .23 ACRES

**Property Owner Information**

Name: Okay, Brian Daytime Phone 305-332-8667  
Address: 423 VAN REED MANOR DR City/State/Zip: Brandon, FL 33511  
Email: Brianokayesq@gmail.com Fax Number \_\_\_\_\_

**Applicant Information**

Name: Pombo's Contracting Services INC Daytime Phone 813-323-7433  
Address: 5704 W Sligh Ave City/State/Zip: Tampa, FL 33634  
Email: pomboscontracting@gmail.com Fax Number \_\_\_\_\_

**Applicant's Representative (if different than above)**

Name: Alfredo Santana Daytime Phone 813-599-1325  
Address: 5704 W Sligh Ave City/State/Zip: Tampa, FL 33634  
Email: ascpomboscontracting@gmail.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]  
Signature of the Applicant  
ALFREDO SANTANA  
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.

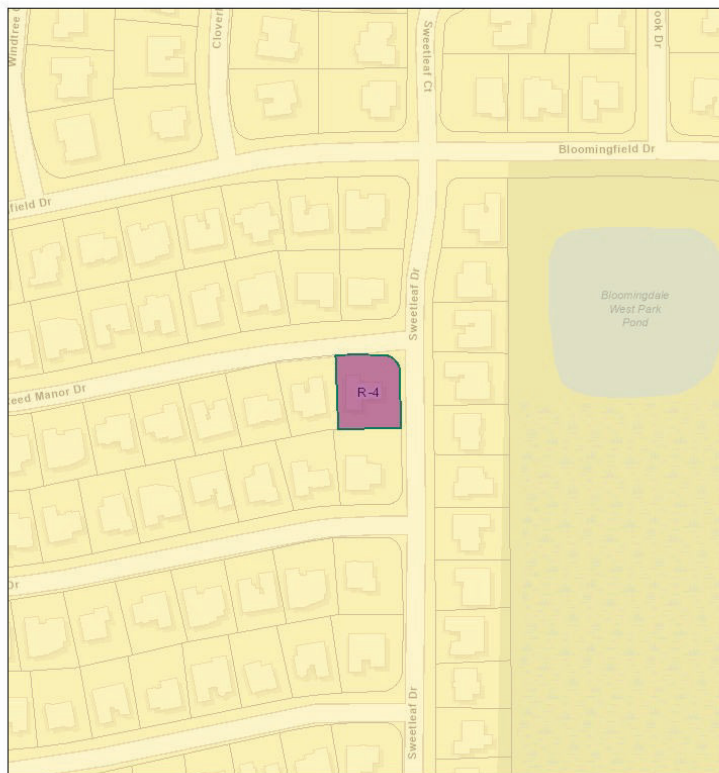
[Signature]  
Signature of the Owner(s) - (All parties on the deed must sign)  
Brian Okay  
Type or print name



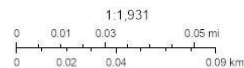
# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	ZC
ZC	92-0382
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0394H
FIRM Panel	12057C0394H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120395E
County Wide Planning Area	Brandon
Community Base Planning Area	Brandon
Planned Development	PD
Re-zoning	null
Note	OLD RZ 74-0010, 75-0021, 81-0228
Minor Changes	null
Major Modifications	93-0343
Personal Appearances	08-1205,03-0139,00-0261, 97-0047,98-1205,98-1400, 97-0143,98-0595, 18-0510, 19-1447
Census Data	Tract: 013407 Block: 3008
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 7
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO

Folio: 74743.6128



March 8, 2024



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Hillsborough County Florida

**Folio: 74743.6128**  
**PIN: U-11-30-20-2PB-000009-00012.0**  
**Brian B Okay**  
**Mailing Address:**  
 908 River Rapids Ave  
 null  
 Brandon, FL 33511-8080  
**Site Address:**  
 423 Van Reed Manor Dr  
 Brandon, FL 33511  
**SEC-TWN-RNG: 11-30-20**  
**Acreage: 0.231227**  
**Market Value: \$258,123.00**  
**Landuse Code: 0100 Single Family**

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 1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.  
 Or  
 2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

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