

Variance Application: VAR 24-0911

LUHO Hearing Date: July 29, 2024

Case Reviewer: Michelle Montalbano



Hillsborough County Florida

Development Services Department

Applicant: Chad Langford

Zoning: ASC-1

Address/Location: 2834 Mystic Oaks Drive, Plant City; Folio #: 89918.0114


Request Summary:

The applicant is requesting side yard setback variances to accommodate a proposed principal dwelling and an accessory structure.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.01.01	A minimum 15-foot side yard setback is required in the ASC-1 zoning district.	5 feet	10-foot side yard setback for a principal dwelling
6.11.04.C.2 6.01.01	<p>Accessory structures may occupy required side yards provided that such structures are more distant from the street than any part of the principal building on the same lot. The subject accessory structure does not meet this requirement; therefore, it is subject to principal structure setbacks.</p> <p>A minimum 15-foot side yard setback is required in the ASC-1 zoning district.</p>	5 feet	10-foot side yard setback for an accessory structure

Findings:	None.
------------------	-------

Zoning Administrator Sign Off:	 Colleen Marshall Tue Jul 9 2024 12:28:08
---------------------------------------	---

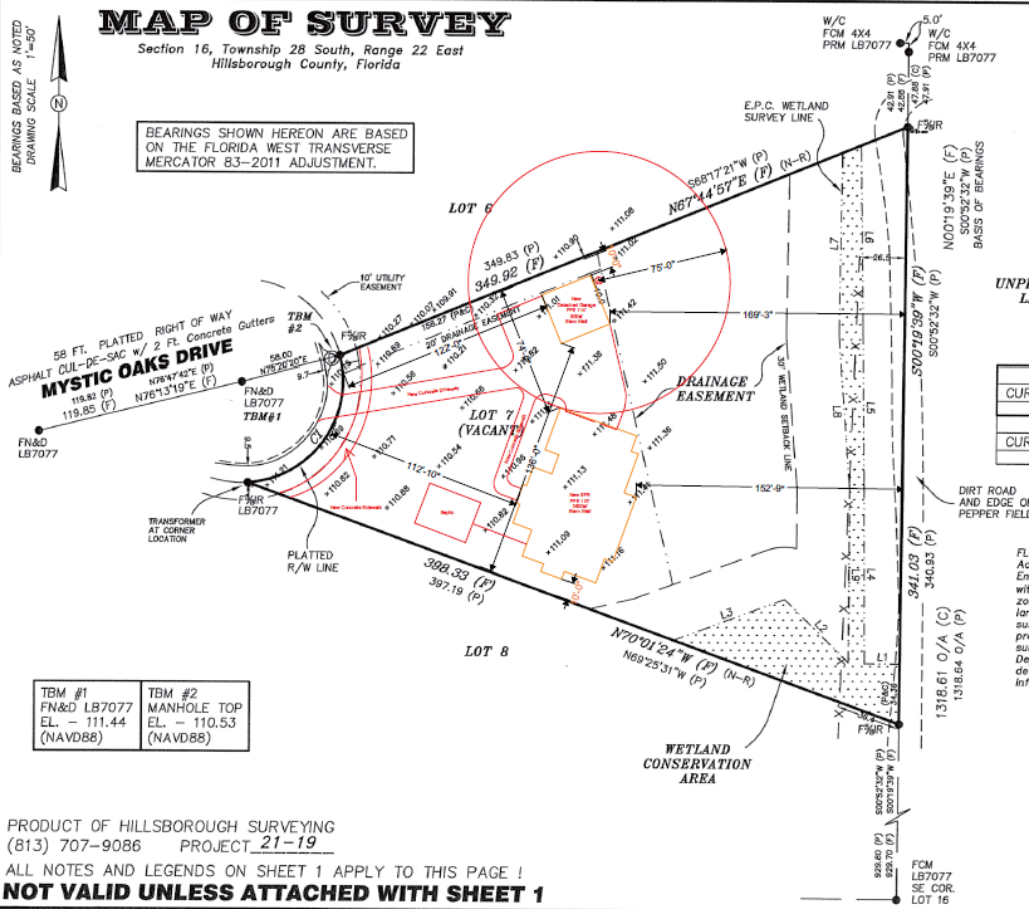
DISCLAIMER:
The variance(s) listed above is based on the information provided in the application by the applicant. Additional variances may be needed after the site has applied for development permits. The granting of these variances does not obviate the applicant or property owner from attaining all additional required approvals including but not limited to: subdivision or site development approvals and building permit approvals.

SURVEY/SITE PLAN

MAP OF SURVEY
 Section 16, Township 28 South, Range 22 East
 Hillsborough County, Florida

BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA WEST TRANSVERSE MERCATOR 83-2011 ADJUSTMENT.

BEARINGS BASED AS NOTED
 DRAWING SCALE: 1"=50'



LINE TABLE (C)		
LINE	LENGTH	BEARING
L1	20.40	S89°40'21"E
L2	51.16	S45°40'35"E
L3	67.94	N69°40'09"E
L4	102.07	N00°32'25"E
L5	88.68	N00°55'19"W
L6	104.99	N01°04'52"W
L7	103.80	N02°40'15"W
L8	87.13	N04°27'20"W
L9	100.19	N00°02'48"E

LINE TABLE (P)		
LINE	LENGTH	BEARING
L1	20.40	S89°07'28"E
L2	51.16	S45°07'42"E
L3	67.74	N70°13'02"E
L4	102.07	N00°00'28"E
L5	88.68	N02°22'26"W
L6	104.88	N00°31'59"W
L7	103.67	N01°13'08"E
L8	87.13	N03°54'27"W
L9	100.19	N00°30'05"E

CURVE TABLE (F)					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
CI	102.12	58.00	100°53'00"	89.43	N35°54'11"E

CURVE TABLE (P)					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
CI	101.06	58.00	99°50'40"	88.77	N35°54'19"E

TBM #1 FN&D LB7077 EL. - 111.44 (NAVD88)	TBM #2 MANHOLE TOP EL. - 110.53 (NAVD88)
---	---

FLOOD ZONE INFORMATION
 According to current Flood Insurance Maps issued by the Federal Emergency Management Agency, the property shown appears to lie within zone " X " PANEL NO. 1205700286H approximate flood zone transition, if applicable, has been obtained and plotted from large scale maps and is depicted as accurately as possible. This survey by no means represent a determination on whether properties will or will not flood. Land within the boundaries of this survey may or may not be subject to flooding; the Building Department or other custodial agency responsible for flood determination within this municipality may have additional information regarding flooding and restrictions on development.

VERTICAL DATUM
 ELEVATIONS SHOWN HEREON ARE BASED ON FLORIDA DEPARTMENT OF TRANSPORTATION, FLORIDA PERMANENT REFERENCE NETWORK CONFIRMED TO BE ON NAVD88 OF 1988.

PRODUCT OF HILLSBOROUGH SURVEYING
 (813) 707-9086 PROJECT 21-19
 ALL NOTES AND LEGENDS ON SHEET 1 APPLY TO THIS PAGE!
NOT VALID UNLESS ATTACHED WITH SHEET 1



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.

We are requesting a variance of the side yard setbacks of 5 feet from the required side yard setbacks of 15 feet resulting in side yard setbacks of 10 feet on each side. The lot is pie-shaped, being narrow in the front and wide in the rear. The rear two-thirds of the property is taken up by protected wetlands and a large drainage easement. We are trying to build a home that meets the 2,500sf minimum living area required by the HOA rules with a detached garage/workshop. Due to the drainage easement, we cannot put the garage/workshop behind the home. Since we have to push the home and garage/workshop toward the front, narrow, part of the lot, there is not enough space between them with the current side setbacks to allow sufficient space for a driveway to go between the garage on the home and the side of the detached garage/workshop and still make the turn into the garage on the home (please see site plan). If the current side setbacks were reduced by 5 feet each, that would allow for 10 additional feet of space between the home and the detached garage/workshop to put a driveway with enough room to turn into the garage.

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

Setback Variance from Section 6.01.01

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): _____
- 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

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >



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 lot is pie-shaped, being narrow in the front and wide in the back. Approximately two thirds of the property is located in a drainage easement/wetland area, causing the home to be built on the front, narrow third of the property. The adjacent properties are more rectangular shaped and do not have such large drainage easements or wetland areas, if any.

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.

Other properties in the area may have the ability to build a detached structure behind the backline of the main house. Doing so would reduce the setback requirement to 3 feet, which would allow for plenty of space for the driveway. However, due to the wetlands and drainage easement, this is not possible on this lot. The home and detached garage must be built side by side.

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.

I have already spoken with the neighbor to the West. He has no issues with building 5' closer to his property line. The shape of the lot to the East prohibits building near the rear part of the side lot line (where the side of my house would be located), so this would not interfere with any future construction plans on the adjacent property to the East.

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).

If I built the detached workshop behind the back line of the house, the setback would be 3', but I can't due to drainage easement. Reducing the side setbacks on the East and West sides of my lot from 15' to 10' allows me 5' on either side to spread the two structures apart, allowing a detached workshop to be constructed and enough room to enter and exit the garage on the home

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 variance is requested in order to build the required size home (minimum 2500 square feet of living space) with a side entry garage and detached workshop. The shape of the lot and the location and size of the drainage easement prevent this from being possible.

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 workshop needs to be detached so that the noise produced by running loud equipment wouldn't cause a hardship to the residents of the home, which include a wife, a young son, and a 15 month old baby. In addition, my wife has asthma and cannot be subjected to the dust created by the activities in the workshop.

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >

Prepared By

Name: Chad Langford
Address: 5821 Eight Point Ln
Lakeland, FL 33811

After Recording Return To

Name: Chad Langford
Address: 5821 Eight Point Ln
Lakeland, FL 33811

TAX PARCEL ID # 089918-0114

Space Above This Line for Recorder's Use

FLORIDA QUIT CLAIM DEED

STATE OF FLORIDA

HILLSBOROUGH COUNTY

THIS QUIT CLAIM DEED, executed this **11th day of October 2022**, between first party, as Grantor, **Elliot N Mintzer and Victoria R Mintzer**, husband and wife, whose post office address is 719 Tower Grove Dr, Plant City, Florida 33567, and second party, as Grantee, **Chad A Langford and Kayla R Langford**, husband and wife, whose post office address is 5821 Eight Point Ln, Lakeland, Florida 33811.

WITNESSETH, that Grantor, and in consideration of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, does hereby remise, release and forever quitclaim unto the Grantee, all the rights, title, interest, and claim in or to the following described parcel of land, and improvements and appurtenances thereto, in Hillsborough County, Florida, to-wit:

Lot 7, MYSTIC OAKS SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 105, Pages 116 through 119, Public Records of Hillsborough County, Florida.

Property Appraiser's Parcel ID #089918-0114

Subject to taxes and assessments for the year 2023 and thereafter.

Note: the aforementioned property is not the homestead property of said Grantors.

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

IN WITNESS WHEREOF, Grantor has executed and delivered this Quit Claim Deed under seal as of the day and year first above written.

[Signature]
Grantor's Signature

Elliot Mintzer
719 Tower Grove Dr
Plant City, FL 33567

[Signature]
Grantor's Signature

Victoria Mintzer
719 Tower Grove Dr
Plant City, FL 33567

[Signature]
Witness's Signature

Chad Langford
Witness's Name

[Signature]
Witness's Signature

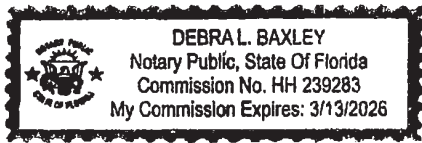
Harley C. Langford, Jr
Witness's Name

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was executed and acknowledged before me this 11th day of October, 2022, by **Elliot Mintzer**, a married man, []who is personally known to me or []who has produced _____ as identification.

[Notary Seal]



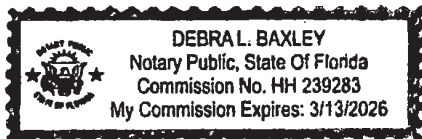
[Signature]
Notary Public

Debra L. Baxley
Printed Name

My Commission Expires: 3/13/26

The foregoing instrument was executed and acknowledged before me this 11th day of October, 2022, by **Victoria Mintzer**, a married man, []who is personally known to me or []who has produced _____ as identification.

[Notary Seal]



[Signature]
Notary Public

Debra L. Baxley
Printed Name

My Commission Expires: 3/13/26



Property/Applicant/Owner Information Form

Official Use Only
Application No: VAR 24-0911
Hearing(s) and type: Date: 07/29/2024
Type: LUHO
Intake Date: 06/04/2024
Receipt Number: 372675
Intake Staff Signature: Keshia Rivas

Property Information

Address: 2834 Mystic Oaks Dr City/State/Zip: Plant City, FL 33563
TWN-RN-SEC: 28-22-16 Folio(s): 089918-0114 Zoning: ASC-1 Future Land Use: R-1 Property Size: 1.63 Acres

Property Owner Information

Name: Chad Langford Daytime Phone: 813-716-4966
Address: 5821 Eight Point Ln City/State/Zip: Lakeland, FL 33811
Email: chad@langfordhomes.net Fax Number:

Applicant Information

Name: Chad Langford Daytime Phone: 813-716-4966
Address: 5821 Eight Point Ln City/State/Zip: Lakeland, FL 33811
Email: chad@langfordhomes.net Fax Number:

Applicant's Representative (if different than above)

Name:
Daytime Phone:
Address: City/State/Zip:
Email: Fax Number:

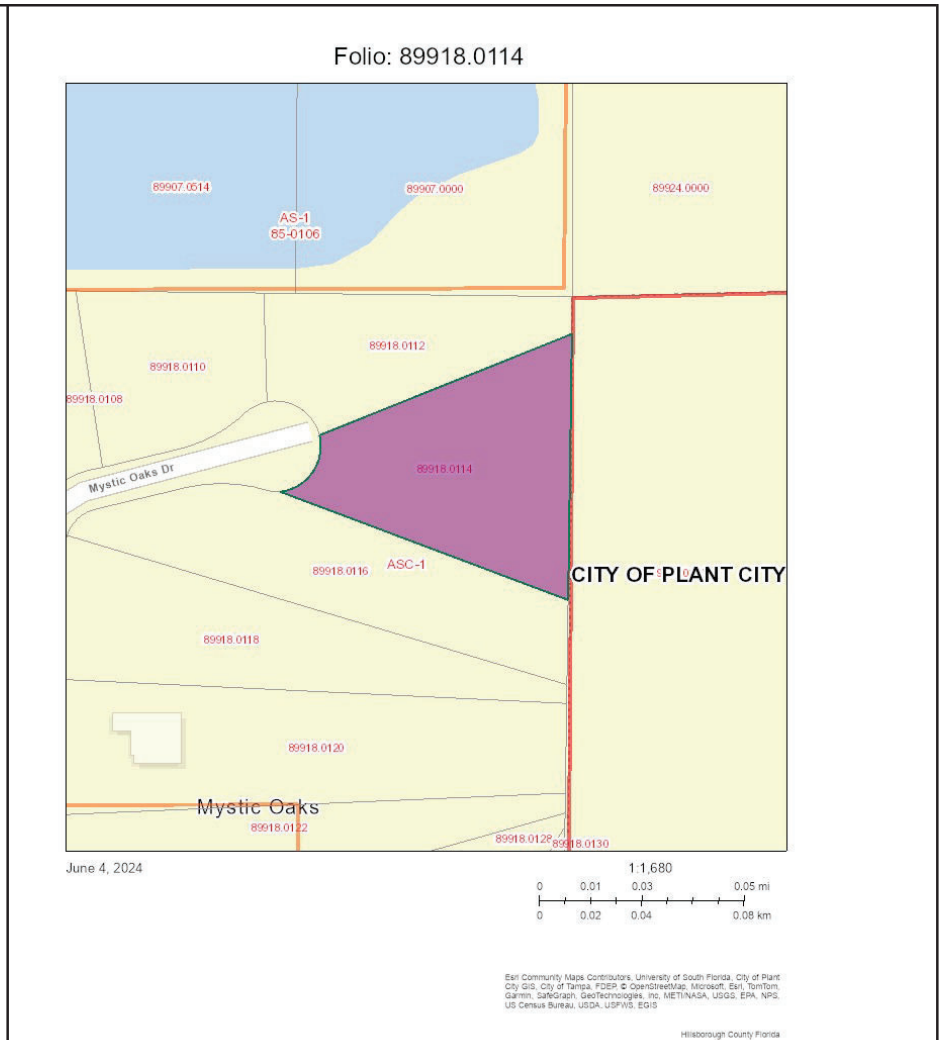
I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.
Signature of the Applicant
Chad Langford
Type or print name

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)
Chad Langford/Kayla Langford
Type or print name



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	ASC-1
Description	Agricultural - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0286H
FIRM Panel	12057C0286H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120290C
County Wide Planning Area	East Rural
Census Data	Tract: 010107 Block: 3010
Census Data	Tract: 010107 Block: 3007
Future Landuse	R-1
Mobility Assessment District	Rural
Mobility Benefit District	3
Fire Impact Fee	Northeast
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 3
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Folio: 89918.0114
PIN: U-16-28-22-850-000000-00007.0
Chad A And Kayla R Langford
Mailing Address:
 5821 Eight Point Ln
 null
 Lakeland, FL 33811
Site Address:
 2834 Mystic Oaks Dr
 Plant City, FL 33563
SEC-TWN-RNG: 16-28-22
Acreage: 1.62502003
Market Value: \$86,013.00
Landuse Code: 0000 Vacant Resident

Hillsborough County makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any of the geodata information provided herein. The reader should not rely on the data provided herein for any reason. Hillsborough County explicitly disclaims any representations and warranties, including, without limitations, the implied warranties of merchantability and fitness for a particular purpose. Hillsborough County shall assume no liability for:
 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.