



Hillsborough County Florida

LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 21-0022

LUHO HEARING DATE: January 25, 2021

CASE REVIEWER: Isis Brown

REQUEST: The applicant is requesting a variance to accommodate the conversion of an existing shed into an accessory dwelling on a lot zoned RSC-6 (Residential, Single-Family Conventional).

VARIANCE(S):

Per LDC Section 6.11.02.E, an accessory dwelling must meet principal building setbacks. Per LDC Section 6.01.01, a minimum side yard setback of 7.5 feet and minimum rear yard setback of 25 feet are required in the RSC-6 district.

- The applicant requests a 2.5-foot reduction to the required side yard setback to allow a 5-foot setback from the east property line.
- The applicant requests a 17.5-foot reduction to the required rear yard setback to allow a rear setback of 7.5 feet.

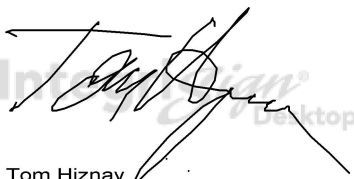
FINDINGS:

- The shed is approximately 213 square feet in size. The applicant has been advised that building permits are required for the proposed conversion and the accessory dwelling must include a bathroom and kitchen.

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.

ADMINISTRATOR'S SIGN-OFF


Tom Hiznay
Thu Jan 14 2021 11:53:39

Attachments: Application
Site Plan
Petitioner's Written Statement
Current Deed

ADAMO ACRES UNIT NO 5
LOT 11 BLOCK 15

ELIEZER SEYMORE MARTINEZ
7413 CELESTE LN
TAMPA, FL 33619-4103

2020

044248-0000
U-23-29-19-10J-20015-0001.0
PRINTED 10/19/2020
222006.00 0.95 Clair-Mel Area

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VALUE SUBJECT TO CHANGE
Page 1 of 1

Hillsborough County Property Appraiser
VALUE SUMMARY

01	EXT WALL	7	MASONRY FRM: STUCCO	100	
02	ROOF TYPE	3	GABLE OR HIP	100	
03	ROOF COVER	2	ROLLED COMPOSITION	100	
04	INT WALL	5	DRYWALL	100	
05	INT FLOOR	7	WOOD	70	
06	INT FLOOR	7	TILE	30	
07	HEAT/AC	2	CENTRAL	100	
08	ARC STYLE	2	UPDATED BASIC 1-	100	
09	CONDITION	4	GOOD	100	
CATEGORY	UNITS	DEPRECIATION ADJ	ADJ		
1 Bedrooms	3.00	1 Remodeled	1.0000		
2 Bathrooms	2.00				
3 Stories	1.00				
4 Units	1.00			0	

20

BAS

20

10

8

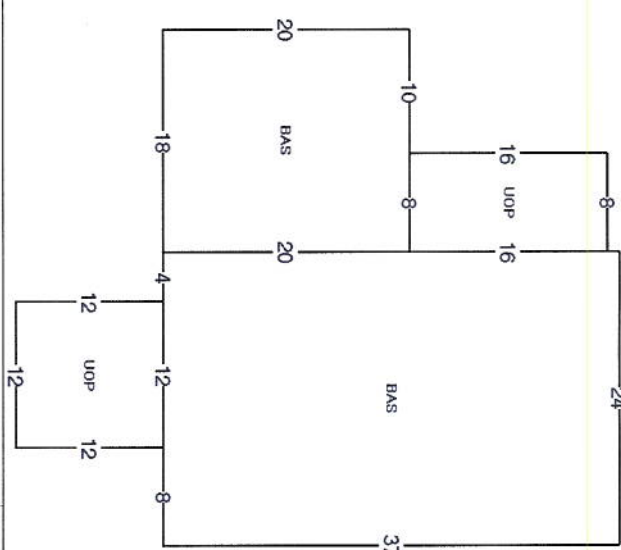
16

16

24

37

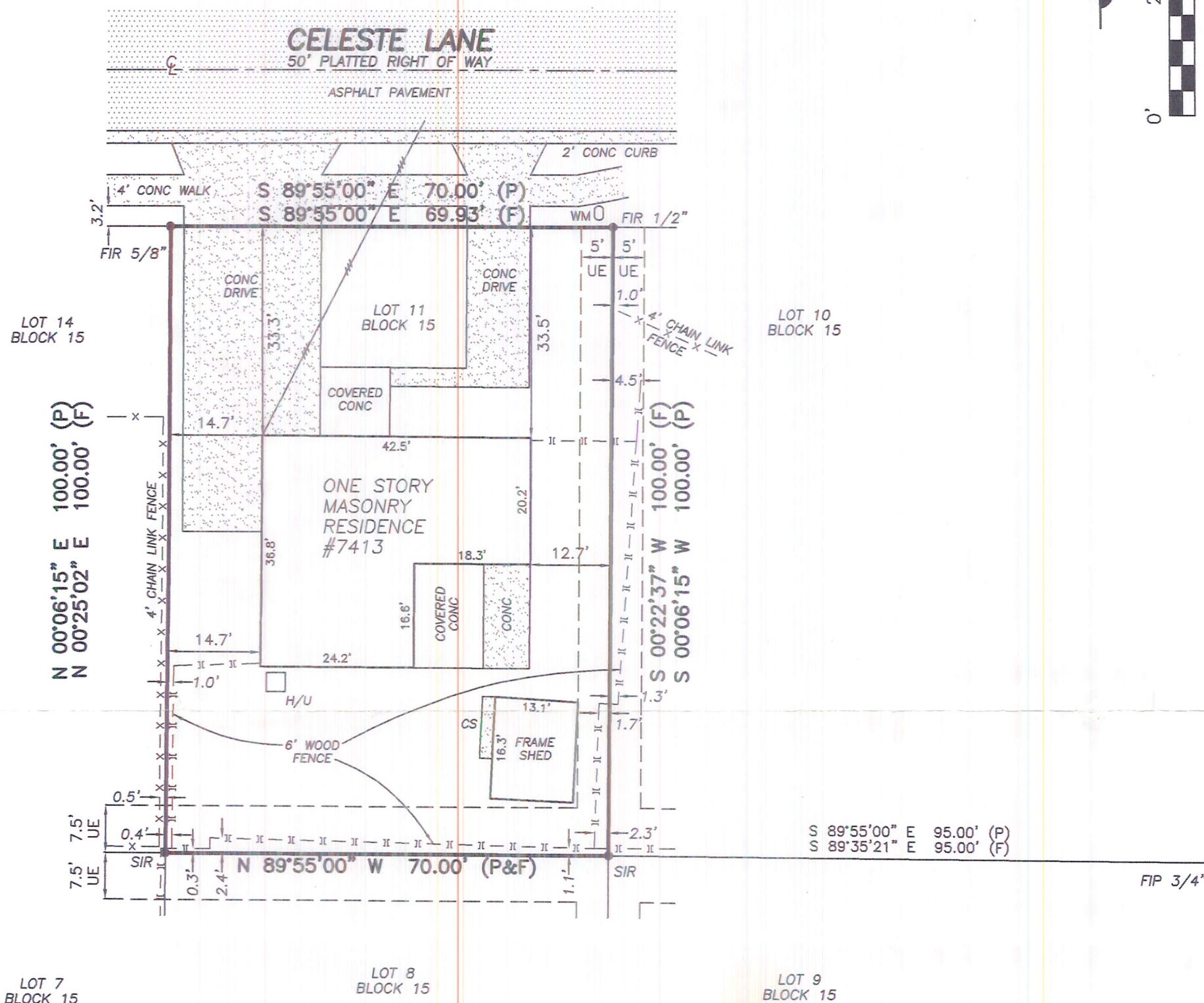
PRIMARY VALUATION		CHGR
BUILDING VALUE - PARCEL	185,453	
EXTRA FEATURE VALUE	995	
LAND VALUE - MARKET	24,038	
LAND VALUE - AGRICULTURE	0	
CAMA VALUE	130,986	
TOTAL JUST VALUE	130,986	
ASSESSED VALUE	76,659	
EXEMPT VALUE	50,000	
TAXABLE VALUE	26,659	
PREVIOUS YEAR VALUE	121,037	
TPP ACCOUNT #		
TPP ACCOUNT VALUE		
EXEMPTIONS	HB HX	
CAP BASE YEAR	2016	
HX OWNERSHIP %	100.00 %	
CONDO/PLAT INST NO	36 / 72	
BUILDING DIMENSIONS		



AREA	TOTAL GROSS AREA	PCT OF BASE	TOTAL ADJUSTED AREA	HEATED AREA	SUBAREA MARKET VALUE	Property Name:	BUILDING: 1	
							SINGLE	FAMILY
BUILDING NOTES								
BAS	888	100	888	888	73,336	10/26/15 UPDATED ARCH REVIEWED-#492		
UOP	128	15	19	0	1,569			
BAS	360	100	360	360	29,731			
UOP	144	15	22	0	1,817			
SITE REVIEW								
INSR DT								
INSR BY								
3/7/2012								
156								
PERMIT								
VALUE REV.								
5/8/2000								
141								
AERIAL REV.								
7/19/2016								
235								
EX USE								
PARCEL NOTES								
THIS YEAR 2020								
NEXT YEAR 2021								
PERMITS								
PENDING								
ASSIGNED								

SURVEY OF: (DESCRIPTION AS FURNISHED)
LOT 11, BLOCK 15, ADAMO ACRES UNIT NO. 5, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED
IN PLAT BOOK 36, PAGE 72, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

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CERTIFIED TO:
ELIEZER SEYMORE MARTINEZ;
CALIBER HOME LOANS, INC., ISAOA/ATIMA;
GULFATLANTIC TITLE & APPRAISAL, INC.;
STEWART TITLE GUARANTY COMPANY

SUBJECT PARCEL APPEARS TO LIE IN FLOOD ZONE(S) X PER THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 120112 0378 J DATED: 8/28/08 F.B.# N/A

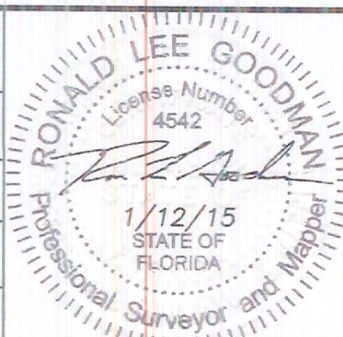
TYPICAL LEGEND

WV = WATER VALVE	P/E = POOL EQUIPMENT	H/U = HEATING AND/OR COOLING UNIT
GI = GRATE INLET	W/E = WELL EQUIPMENT	--- = OVERHEAD LINES
WP = WELL PIPE	WM = WATER METER	PLS = PROFESSIONAL LAND SURVEYOR
CO = CLEAN OUT	CL = CENTERLINE	SIR = SET 1/2" IRON ROD & CAP LB #7767
SE = SCREENED ENCLOSURE	(D) = DEED/DESCRIPTION	PSM = PROFESSIONAL SURVEYOR AND MAPPER
CONC = CONCRETE	(P) = PLAT	DE = DRAINAGE EASEMENT
MH = MANHOLE	(F) = FIELD DIMENSION	UE = UTILITY EASEMENT
CS = CONCRETE SLAB	FCM = FOUND CONC MONUMENT	EUE = ELECTRIC UTILITY EASEMENT
UP = UTILITY POLE	FIP = FOUND IRON PIPE	EPUE = ELECTRIC POWER UTILITY EASEMENT
SN&D = SET NAIL & DISK PLS #4542	FIR = FOUND IRON ROD	PUE = PUBLIC UTILITY EASEMENT
LP = LIGHT POLE	FN = FOUND NAIL	CMP = CORRUGATED METAL PIPE
MP = METER POLE	FN&D = FOUND NAIL & DISK	RCP = REINFORCED CONCRETE PIPE
UB = UTILITY BOX	FH = FIRE HYDRANT	PVC = POLYVINYL CHLORIDE
W/C = WITNESS CORNER	GW = GUY WIRE	ELEV. = ELEVATION
EB = ELECTRIC BOX	LB = LICENSED BUSINESS	CC = COVERED CONCRETE
ET = ELECTRIC TRANSFORMER	XO = EXISTING ELEVATION	R = RADIUS A = ARC CH = CHORD
		CB = CHORD BEARING

NOTES:

1. NO EXCAVATION WAS PERFORMED TO VERIFY THE LOCATION OR EXISTENCE OF ANY UNDERGROUND IMPROVEMENTS, STRUCTURES, OR FOUNDATIONS.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO OR PURSUED BY THE UNDERSIGNED OTHER THAN THOSE SHOWN HEREON.
3. NOT VALID UNLESS EMBOSSED WITH THE SURVEYOR'S SEAL.
4. PARTS OF THIS DRAWING MAY NOT BE TO SCALE, DIMENSIONS HOLD OVER SCALE.
5. ELEVATIONS (IF SHOWN) ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
6. RE-USE OF THIS SURVEY FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR, NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
7. BEARINGS ARE BASED ON THE NORTH BOUNDARY OF LOT 11, BLOCK 15 ASSUMED TO BE S 89°55'00" E.

DRAWN BY	CHECKED BY	TYPE OF WORK PERFORMED	DATE OF FIELD WORK
RG	ND	BOUNDARY SURVEY	1/9/15



RONALD LEE GOODMAN
SURVEYING AND MAPPING
7944 TERRACE RIDGE DRIVE
TEMPLE TERRACE, FLORIDA 33637
(813) 948-3893
FAX: (813) 315-6124

SCALE: 1" = 20'

JOB # 1501-04




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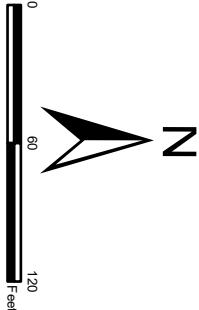
21-0022

Immediate Aerial
Zoning Map

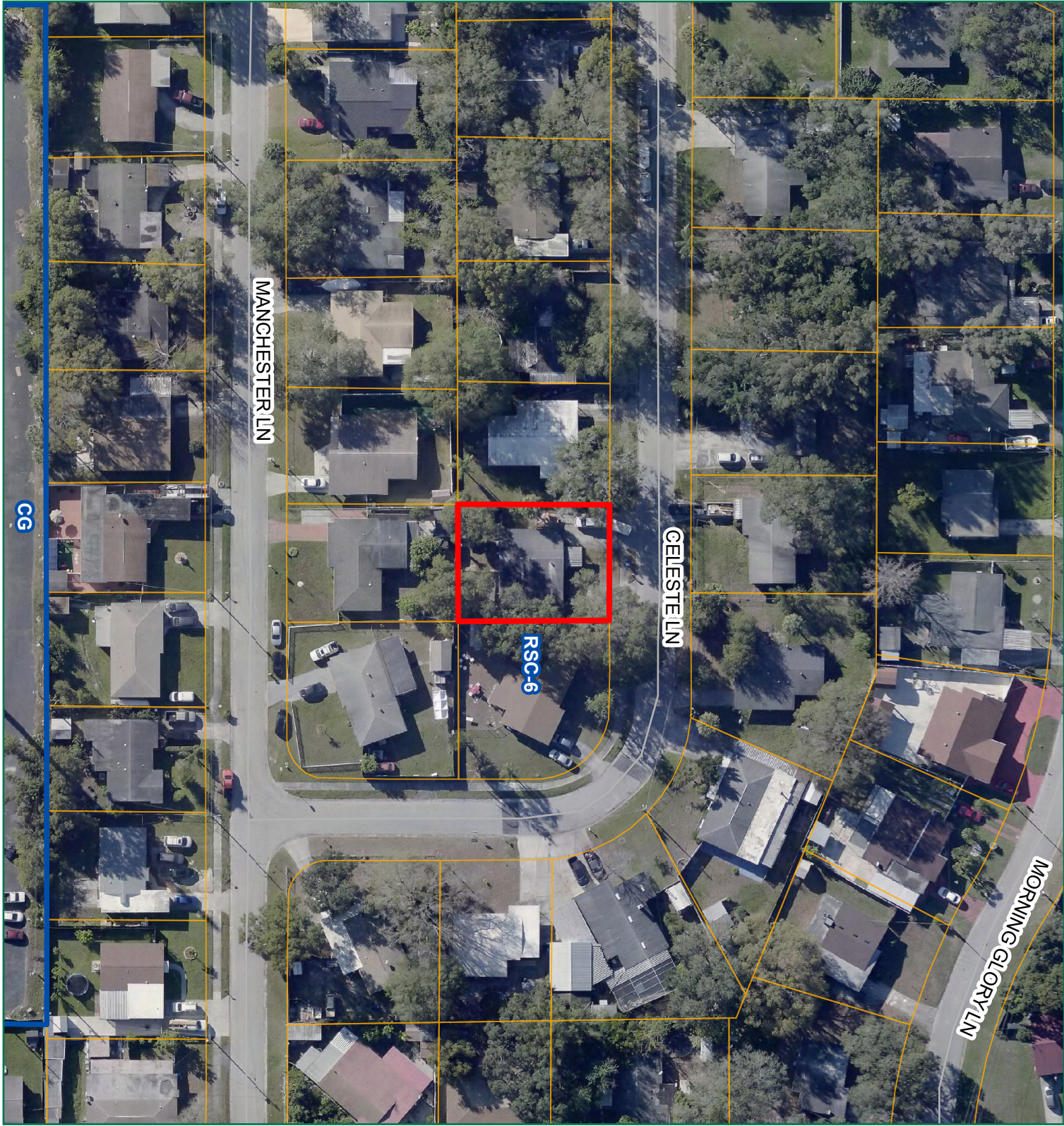
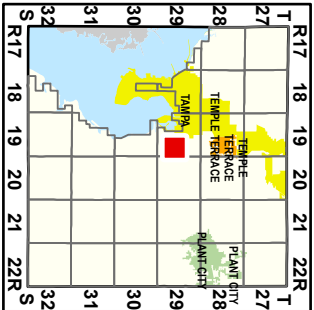
VAR 21-0022

Folio: 44248.0000

-  Application Site
-  Zoning Boundary
-  Parcels



STR: 23-29-19



VARIANCE REQUEST

1. Project Narrative: 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.
Per deed and plat (PB 36, Page 72) The lot is 70 ft by 100 ft, which
meets the minimum lot size of 7,000 sqft. and minimum lot width of
40 ft. Site is zoned RSC-1e allowing 1 unit and 1 accessory dwelling unit.
This is a petition for variance needed for setback requirements for an
accessory dwelling unit.

2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:
Sec. 2.02.01 From Article II - Statement of Intent

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 (Attachment A).

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 and/or septic 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 Reclaimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing (form may be obtained from 19th floor County Center).

VARIANCE CRITERIA RESPONSE

You must provide a response to each of the following questions. If additional space is needed, please attach extra pages to this application.

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 practical difficulty to this property: As a first time home buyer it was not disclosed that shed was not within setback requirements when owner, who does not originate from this county, was told about zoning laws, he was quick to take action and wants to comply with current zoning codes.

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.

To our understanding, house is zoned as RSC-6 allowing 1 unit and 1 accessory dwelling. When property was purchased in 2015 property had come with shed in place.

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.

If variance is approved, it would not interfere with parking or street way. Property already has 2 drive ways. Shed has been there for some time and would not affect neighbors or neighborhood.

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).

Any and all modifications were made or plan to be made in accordance to Hillsborough county codes. General contractor will provide designs and plannings.

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.

Variance would allow owners to not worry about having control over their property or personal space. It would allow owners to make use of their property.

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 would allow owners to create an accessory dwelling which would benefit public and would help ensure that what used to be on the property is now up to county codes. Failure to grant variance would create a financial hardship.

1 of 2
Prepared by & Return to:
Bryce Farrar, Title Agent
GulfAtlantic Title & Appraisal, Inc.
14502 N. Dale Mabry Hwy., Suite 314
Tampa, Florida 33618

* 14-1234 *
AFTER RECORDING RETURN TO:
GulfAtlantic Title and Appraisal, Inc.
14502 North Dale Mabry Hwy. Suite 314
Tampa, Florida 33618-2072

General Warranty Deed

Made this January 16, 2015 A.D. By **Joseph H. Willoughby and Candice Willoughby, husband and wife**, whose forwarding address is: 3306 Azalea Blossom Dr, Plant City, Florida 33567, hereinafter called the grantor, to **Eliezer Seymore Martinez, a single man**, whose post office address is: 7413 Celeste Lane, Tampa FL 33619, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ninety Five Thousand dollars & no cents (\$95,000.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Hillsborough County, Florida, viz:

Lot 11, Block 15, ADAMO ACRES UNIT 5, according to the plat thereof as recorded in Plat Book 36, Page(s) 72, of the Public Records of Hillsborough County, Florida

Parcel ID Number: 044248-0000

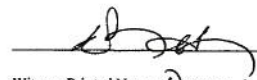
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.


To Have and to Hold, the same in fee simple forever.

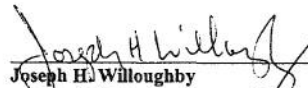
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2014.

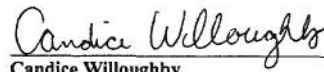
In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:


Witness Printed Name Dawn L. Wiser

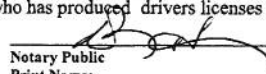

Witness Printed Name Kevin Brinson


Joseph H. Willoughby (Seal)
Address: 3306 Azalea Blossom Dr, Plant City, Florida 33567

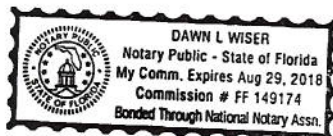

Candice Willoughby (Seal)
Address: 3306 Azalea Blossom Dr, Plant City, Florida 33567

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 16th day of January, 2015, by Joseph H. Willoughby and Candice Willoughby, husband and wife, who is/are personally known to me or who has produced drivers licenses as identification.


Notary Public
Print Name: _____

My Commission Expires: _____





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OCT 20, 2020
DEVELOPMENT
SERVICES

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

Address: 7413 Celeste Lane City/State/Zip: Tampa FL 33619 TWN-RN-SEC: 29-19-23
Folio(s): 044248-0000 Zoning: RSC-6 Future Land Use: RES-9 Property Size: _____

Property Owner Information

Name: Eliezer Seymore Martinez Daytime Phone: 813-361-8370
Address: 7413 Celeste Lane City/State/Zip: Tampa FL 33619
Email: eliezerseymore@gmail.com FAX Number: _____

Applicant Information

Name: Same as Owner Daytime Phone: _____
Address: _____ City/State/Zip: _____
Email: _____ FAX Number: _____

Applicant's Representative (if different than above)

Name: Analia Leon-Figuerola Daytime Phone: 813-412-0305
Address: 6333 Open Pasture Ct City / State/Zip: Westley Chapel FL 33545
Email: realtorleon@yahoo.com FAX Number: _____

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.

Analia Leon-Figuerola
Signature of Applicant

Analia Leon Figuerola
Type or Print Name

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.

Eliezer Seymore Martinez
Signature of Property Owner

Eliezer Seymore Martinez
Type or Print Name

Office Use Only

Intake Staff Signature: Bianca Vazquez

Intake Date: 10/20/20

Case Number: 21-0022

Public Hearing Date: 12/14/20

Receipt Number: 21-0022



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-6
Description	Residential - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0378J
FIRM Panel	12057C0378J
Suffix	J
Effective Date	Fri Sep 27 2013
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120378E
County Wide Planning Area	Greater Palm River
Community Base Planning Area	Greater Palm River
Census Data	Tract: 013503 Block: 2012
Future Landuse	R-9
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 8
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Folio: 44248.0000
PIN: U-23-29-19-10J-000015-00011.0
ELIEZER SEYMORE MARTINEZ
Mailing Address:
7413 CELESTE LN
TAMPA, FL 33619-4103
Site Address:
7413 CELESTE LN
TAMPA, FL 33619
SEC-TWN-RNG: 23-29-19
Acreage: 0.152806
Market Value: \$130,986.00
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.

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