

Variance Application: VAR 24-0998
LUHO Hearing Date: August 26, 2024
Case Reviewer: Jared Follin



**Hillsborough
 County Florida**

Development Services Department

Applicant: Max Chesler & Pamela Chesler **Zoning:** AI

Address/Location: Folio# 23851.0000 (6208 West Linebaugh Avenue, Tampa, FL 33625)
 Folio# 23851.0100 (6210 West Linebaugh Avenue, Tampa, FL 33625)


Request Summary:

The applicant is requesting a variance to allow two 140-foot-wide lots in order to move forward with a non-conforming special use expansion on both parcels.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.01.01	A minimum of 150 feet is the required width for lots in the AI zoning district.	10 feet	Two 140-foot-wide lots

Findings:	Subject parcels were created in 1996 when the parent parcel was subdivided into two lots. Parent parcel was 140 feet wide and was created in 1977.
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Zoning Administrator Sign Off:	 <small>Colleen Marshall Wed Aug 14 2024 10:04:19</small>
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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.

BOUNDARY SURVEY
 PORTION OF NW 1/4 SEC. 19, TWP. 28 S., RANG. 18 E.
 HILLSBOROUGH COUNTY, FLORIDA

SECTION 19, TOWNSHIP 28 S., RANGE 18 E.
 NORTH PER DEED



- CURVE DATA
- ① $\Delta = 0^{\circ}45'02''$ $R = 10708.88'$ $A = 140.29'$ $CH = 140.29'$ $CB = N85^{\circ}27'46''W$
 - ② $\Delta = 0^{\circ}46'23''$ $R = 10397.74'$ $A = 140.31'$ $CH = 140.31'$ $CB = S89^{\circ}21'07''E$

Handwritten notes:
 Chester Homestead Prop.
 Folio # 023881-0100
 Additional 50' portion as shown in deed recorded in Inst # 200413070

DETAIL

SOUTH 311.68'

UNLESS OTHERWISE SPECIFIED: ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF; ALL ANGLES ARE IN DEGREES, MINUTES AND SECONDS; ALL CURVES ARE TO BE LOCATED BY THE METHOD OF SIGHT SIGHTING; ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD; ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD; ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD; ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD.

MICHAEL BAKER ASSOCIATES, INC.
 LAND SURVEYORS AND PLANNERS

3 South Orange Avenue
 Orange Springs, Florida 32067
 (904) 238-0098 Fax (904) 238-7544
 MIBAK@aol.com

DATE: 12-15-98 SCALE: 1" = 40'

FILE: MW192818 SURVEYED BY: A.C.

F.S. 335 20 49 DRAWN BY: L.C.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL BOUNDARY MAP OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SEE SHEET #12 FOR PARENT TRACT AND DESCRIPTION.

NO.	REVISIONS



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.

Variance of 150 feet needed since we only have a 140 foot wide parcel. The request for the variance is to recognize the lot width of the 2 lots. The LDC section 6.010.01 require a minimum lot width of 150 feet in the AI zoning. The original lot was created with a width of a 140 feet and was deemed a legal non-conforming lot. The variance is needed in order to move forward with a non-conformig use special use expansion application for both parcels after the lot split.

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

6.010.01

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): Special Use Expansion
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

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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 lot was created prior to the rezoning in 1988. In 1996 the lot was deemed legal as a non-conforming when it was split into 2 parcels.

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.

Requires 150 foot width parcel but ours is only 140 feet in width. It limits our ability to build structures that other surrounding property owners can build without restrictions.

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.

Since both properties adjacent to ours are also 140 feet wide, we would not be making any impact on their manufacturing businesses.

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).

We are not changing the configuration or lot width and are not adding anything to change or impact the lot. The lot is currently a non-conforming lot as of 1996 when it was originally split into two parcels.

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.

Lot width was originally deeded at 140 feet. In 1996 the previous owner split the land into two parcels, with the width of the lot remaining the same 140 feet.

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.

We have filed a general special use application and was advised that we needed a variance because of the lot width, to correct the problem that was not created by us when the lot was split in 1996.

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This Instrument Prepared By and
Please Return To
Pam Chesler
6210 W. Linebaugh Avenue
Tampa, FL 33625

10/11

INSTR # 2001290297
OR BK 11056 PG 0690
RECORDED 09/10/2001 11:20 AM
RICHARD RISE CLERK OF COURT
HILLSBOROUGH COUNTY
DOC TAX PD (F. S. 201.02) 0.70
DEPUTY CLERK S Spencer

QUIT-CLAIM DEED

THIS INDENTURE, made this 18th day of AUGUST, A.D. 2001, between JOSE MORGADO and SUZANNE MORGADO, his wife, and MAX S. CHESLER and PAMELA D. CHESLER, his wife, each as to an undivided 1/4 interest, whose address is 6210 W. Linebaugh Avenue, Tampa, FL 33625, grantor, and JOSE MORGADO and SUZANNE MORGADO, his wife, and MAX S. CHESLER and PAMELA D. CHESLER, his wife, as joint tenants with full rights of survivorship, whose address is 6210 W. Linebaugh Avenue, Tampa, FL 33625, grantee,

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and their heirs, legal representatives, successors and assigns "Grantor" and "grantee" are used for singular and plural, as the context requires and the use of any gender shall include all genders.)

WITNESSETH: That the said grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations, to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's successors and assigns forever, the following described land situate, lying and being in Hillsborough County, Florida, to-wit:

The South 311 14 feet of the following described tract The East 140 feet of the West 1192 05 feet of that part of the Northwest 1/4 lying North of Seaboard Atlantic Railroad, less the North 25 feet for road, Section 19, Township 28 South, Range 18 East, Map 7A, Hillsborough County, Florida, together with an easement for ingress and egress, described as follows: An ingress/egress easement over the Westerly 20 feet of the East 140 feet of the West 1192 05 feet of that part of the Northwest 1/4 lying North of the Seaboard Atlantic Railroad, less the North 25 feet and less the South 311 14 feet thereof

Tax Folio Identification Number 023851 0100

This conveyance is subject to easements, restrictions, limitations and conditions of record if any now exist, but any such interests that may have been terminated are not hereby re-imposed

This property is the homestead property of Max S. Chesler and Pamela D. Chesler, his wife.

AND the said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever

IN WITNESS WHEREOF the grantor has hereunto set grantor's hand and seal, the day and year first above written

Signed, sealed and delivered in the presence of

Joseph M. Robaldo Jr
(Signature of first Witness)

Joseph M. Robaldo Jr
(Printed) typed or stamped name of first Witness.)

Dollie D. Robaldo
(Signature of second Witness)

DOLLIE D. ROBALDO
(Printed, typed or stamped name of second witness)

(As to both Jose & Suzanne Morgado)

Jose Morgado
JOSE MORGADO

Suzanne Morgado
SUZANNE MORGADO

Joseph M. Robaldo Jr
(Signature of first Witness)

Joseph M. Robaldo Jr
(Printed, typed or stamped name of first Witness.)

Dollie D. Robaldo
(Signature of second Witness)

DOLLIE D. ROBALDO
(Printed, typed or stamped name of second witness)

(As to both Max and Pamela Chesler)

Max S. Chesler
MAX S. CHESLER

Pamela D. Chesler
PAMELA D. CHESLER

STATE OF Florida
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 18 day of AUGUST, 2001, by JOSE MORGADO AND SUZAANE MORGADO, his wife, and MAX S. CHESLER and PAMELA D. CHESLER, his wife. Such person(s) (Notary Public must check applicable box)

- are personally known to me
- produced a current driver license
- produced _____ as identification

Mary Colette Hill
Notary Public

MARY Colette Hill
(Printed, Typed or Stamped Name of Notary Public)

Commission No _____

My Commission Expires _____

(NOTARY PUBLIC SEAL)



This Instrument Prepared By:
Pam Chesler
6210 W. Linebaugh Avenue
Tampa, FL 33625-5640

Quit Claim Deed

A portion of Property Appraiser's Parcel ID: 19-28-18-ZZZ-000000-91720.0

THIS INDENTURE, made this 25th day of March 2024, from **Pamela Morgado Chesler**, joined by her spouse, **Max S. Chesler**, whose address is 6210 W. Linebaugh Avenue, Tampa, FL 33625-5640, Grantor, to **Max S. Chesler and Pamela D. Chesler, husband and wife**, whose address is 6210 W. Linebaugh Avenue, Tampa, FL 33625-5640, Grantee.

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and their heirs, legal representatives, successors and assigns. "Grantor" and "grantee" are used for singular and plural, as the context requires and the use of any gender shall include all genders.)

WITNESSETH: That the said grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations, to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said grantee and grantee's successors and assigns forever, all the right, title, interest and claim, which the said grantor has in and to the following described land situate, lying and being in Hillsborough County, Florida, to-wit:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 19, THENCE SOUTH 88°52'16" EAST, 1052.05 FEET; THENCE SOUTH 00°49'59" WEST, 25.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF WEST LINEBAUGH AVENUE; THENCE DEPARTING SAID RIGHT OF WAY LINE, CONTINUE SOUTH 00°49'59" WEST, 356.13 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 85°18'00" EAST, 140.32 FEET; THENCE SOUTH 00°49'59" WEST, 50.00 FEET TO A POINT ON A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 10397.74 FEET; A CENTRAL ANGLE OF 00°46'24", A CHORD BEARING NORTH 85°18'00" WEST AND A CHORD DISTANCE OF 140.32 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 140.32 FEET; THENCE NORTH 00°49'59" EAST, 50.00 FEET TO THE POINT OF BEGINNING, ALL LYING AND BEING IN HILLSBOROUGH COUNTY, FLORIDA.

This conveyance is subject to easements, restrictions, limitations, and conditions of record if any now exist, but any such interests that may have been terminated are not hereby re-imposed.

IN WITNESS WHEREOF the grantor has hereunto set grantor's hand and seal, the day and year first above written.

Signed, sealed and delivered in the presence of:

Wendy McAleese
(Signature of First Witness)

Pamela Morgado Chesler
Pamela Morgado Chesler

WENDI MCALEESE
(Printed Name of First Witness)

Address: 3812 W. Linebaugh Ave
Lampa, FL 33618

Caron Blair
(Signature of Second Witness)

Max S. Chesler
Max S. Chesler

Raon Blair
(Printed Name of Second Witness)

Address: 3812 W. Linebaugh Ave.
Lampa, FL 33618

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of physical presence on this 05th day of March, 2024, by Pamela Morgado Chesler and Max S. Chesler. Such persons, (Notary Public must check applicable box):

- are personally known to me.
- produced a current driver license.
- produced _____ as identification.



(NOTARY SEAL)

Notary Public Signature: Wendy McAleese
Printed Name of Notary: _____
Commission Number: _____
My Commission Expires: _____



Property/Applicant/Owner Information Form

Official Use Only

Application No: VAR 24-0998 Intake Date: 06/26/2024
Hearing(s) and type: Date: 08/26/2024 Type: LUHO Receipt Number: 379589
Date: Type: Intake Staff Signature: Keshia Rivas

Property Information
1 6208 W. Linebaugh Ave Tampa, FL 33625
2 6210 W. Linebaugh Ave Tampa, FL 33625
Address: City/State/Zip:
1+2 19-28-18 023851-0000 1+2 1+2 1.2107
TWN-RN-SEC: 023851-0100 Zoning: AI Future Land Use: LI Property Size: 1.1765

Property Owner Information

1 Pamela Morgado Chesler Daytime Phone 813-205-5121
Address: 6210 W. Linebaugh Ave City/State/Zip: Tampa, FL 33625
Email: pamaxinc1@yahoo.com Fax Number
2 Pamela + Max Chesler 6210 W. Linebaugh Ave, Tpa, FL 33625
813-205-5121 (PAM)

Applicant Information

Name: Max & Pamela Chesler Daytime Phone 813-230-2600 (MAX)
Address: 6210 W. Linebaugh Ave City/State/Zip: Tampa, FL 33625
Email: pamaxinc1@yahoo.com Fax Number

Applicant's Representative (if different than above)

Name: N/A 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: Pamela Morgado Chesler

Type or print name: PAMELA MORGADO CHESLER

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.

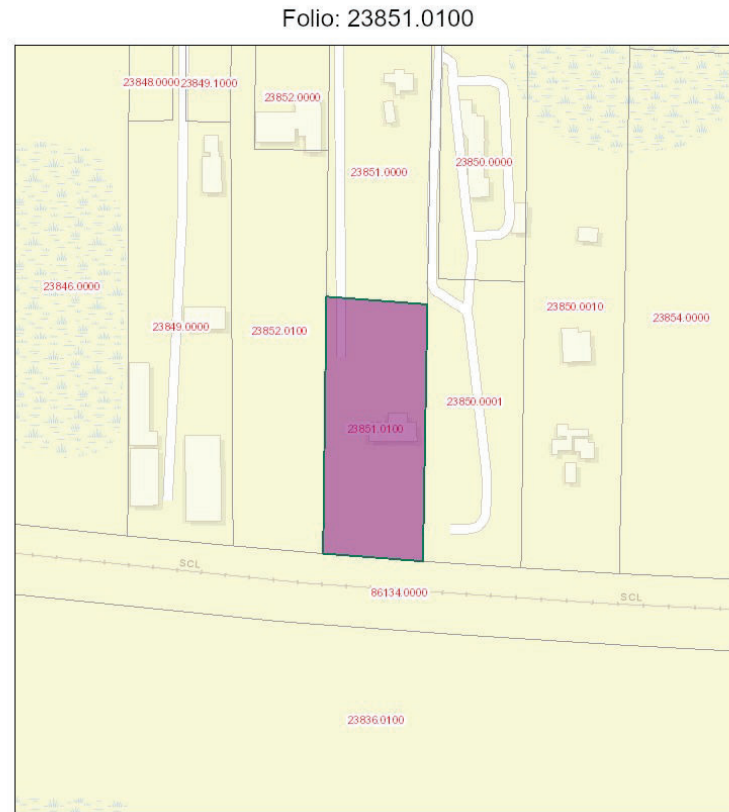
Signature of the Owner(s) - (All parties on the deed must sign): Max S. Chesler

Type or print name: MAX S. CHESLER

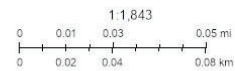


PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	AI
Description	Agricultural - Industrial
RZ	80-0001
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0191H
FIRM Panel	12057C0191H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120195D
County Wide Planning Area	Egypt Lake
Census Data	Tract: 011414 Block: 3023
Future Landuse	LI
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	170' AMSL
Aviation Authority	Non-Compatible Use (Schools)
Competitive Sites	NO
Redevelopment Area	North Airport Redevelopment Area



June 27, 2024



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Hillsborough County Florida

Folio: 23851.0100
PIN: U-19-28-18-ZZZ-000000-91730.0
Max S And Pamela D Chesler
Mailing Address:
 6210 W Linebaugh Ave
 null
 Tampa, Fl 33625-5640
Site Address:
 6210 W Linebaugh Ave
 Tampa, Fl 33625
SEC-TWN-RNG: 19-28-18
Acreage: 1.17650998
Market Value: \$353,346.00
Landuse Code: 0200 Mobile Homes

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