

Application: VAR 24-1061
LUHO Hearing Date: September 23, 2024
Case Reviewer: Michelle Montalbano




**Hillsborough
County Florida**

Development Services Department

This application has been withdrawn by the petitioner.

Zoning Administrator Sign Off:


Colleen Marshall
Fri Aug 30 2024 11:50:59

From: [Montalbano, Michelle](mailto:Montalbano,Michelle)
To: tduggan.rotundahomes.com
Cc: Masson, Carmen; Marshall, Colleen
Subject: RE: VAR 24-1061- Accessory Dwelling Unit
Date: Tuesday, August 13, 2024 3:33:29 PM
Attachments: [image001.png](#)
[image002.png](#)

Good afternoon,

I'm happy to hear. I will include Carmen on this email who can process the withdrawal for you.

Best regards,

Michelle Montalbano
Planner
Development Services Department
E: MontalbanoM@hcfl.gov
P: (813) 276-8490
601 E. Kennedy Blvd., Tampa, FL 33602

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Hillsborough County Florida

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From: tduggan.rotundahomes.com <tduggan@rotundahomes.com>
Sent: Tuesday, August 13, 2024 3:12 PM
To: Montalbano, Michelle <MontalbanoM@hcfl.gov>
Subject: RE: VAR 24-1061- Accessory Dwelling Unit

External email: Use caution when clicking on links, opening attachments or replying to this email.

Hi, Michelle,
We have good news. The property appraiser is changing the property card as the Accessory Structure.
Thanks for all your help.
How do we withdraw the Variance Request?
Terri Duggan

From: Montalbano, Michelle <MontalbanoM@hcfl.gov>
Sent: Friday, August 9, 2024 3:35 PM
To: tduggan.rotundahomes.com <tduggan@rotundahomes.com>; bobpalm2@gmail.com; catrecepalm@gmail.com
Cc: Marshall, Colleen <MarshallC@hcfl.gov>
Subject: VAR 24-1061- Accessory Dwelling Unit

Good afternoon,

The variance request for 5406 Peebles Road (folio 80648.0000) is to accommodate an accessory dwelling with the proposed addition of a single-family home . Per [Land Development Code \(LDC\) Section 12.01.00 – Definitions](#), for a structure to be defined as an accessory dwelling it requires each the following: an individual kitchen, sleeping area, bathing, and toilet facilities. The LDC definition of kitchen requires all three of the following: a fridge, stove, and sink. See below.

Accessory Dwelling: A second dwelling unit that may be attached to owner-occupied single-family detached home, or may be a separate detached structure on the same lot as an owner-occupied single-family detached home. An accessory dwelling unit shall contain its own sleeping, individual kitchen, as defined herein, bathing and toilet facilities. The facilities may be of efficient design but shall be adequate for independent residential use. Occupancy of the accessory dwelling and principal dwelling by members of the same family or other related persons shall have no bearing on the applicability of this definition. Any detached structure, or any portion of a structure or dwelling that cannot be accessed internally from within the structure or dwelling, which does not meet the facilities requirements for an accessory dwelling unit as described herein shall not be utilized for independent living quarters or for sleeping purposes, including guest visits, at any time.

Kitchen/Individual: Facilities for preparation of meals which includes a sink, stove and refrigerator. A dwelling unit shall have only one kitchen with the exception of: 1) an accessory kitchen approved in accordance with the Special Use requirements of [Section 6.11.107](#) of this Code; or, 2) cooking facilities located on screened porches or other exterior areas which are not used to serve a separate family or to function independently from the primary kitchen. In no case shall these restrictions be waived by administrative staff action.

Based on our conversations, the building does not have a stove or fridge in the kitchen. If so, per the LDC, the building cannot be classified as an accessory dwelling since it does not have a full individual kitchen. We would consider it an accessory structure.

Please confirm if the building can be considered as an accessory dwelling per the information above. If not, we would not be able proceed with the variance requested, because the building does not have all the elements to make it an accessory dwelling. After confirming the elements in the building, we can withdraw the variance application with your authorization.

To clarify the structure is not an accessory dwelling for future building permit reviewers, please reach out to the Property Appraiser's office to change the listed use of the building in their records. [In the County property records](#), the building is listed as a single-family home. It should be listed as some type of accessory structure. I would also keep this correspondence as record of Zoning's determination regarding a variance. Keep in mind for the future, per [LDC Section 6.11.02](#), if the structure cannot be considered an accessory dwelling, it cannot be utilized as living quarters or for sleeping purposes, including guests, at any time.

Please reach out with any questions.

Thank you,

Michelle Montalbano
Planner
Development Services Department
E: MontalbanoM@hcfl.gov
P: (813) 276-8490
601 E. Kennedy Blvd., Tampa, FL 33602