

**Variance Application: VAR 25-0635****LUHO Hearing Date:** 06-23-2025**Case Reviewer:** Logan McKaig**Hillsborough  
County Florida**

Development Services Department

**Applicant:** Juan Madrid**Zoning:**

RSC-4

**Location:** 1605 Whitehurst Rd**Folio:** 82049.0000**Request Summary:**

The applicant is requesting a variance to the side yard setbacks for an existing accessory structure over 15 ft in height.

**Requested Variances:**

LDC Section:	LDC Requirement:	Variance:	Result:
6.11.04 6.01.01	Accessory structures over 15 feet in height shall meet the primary structure setback of the district. A 7.5 ft side yard setback is required in the RSC-4 zoning district	2.6 feet	4.9-foot side yard setback to the north

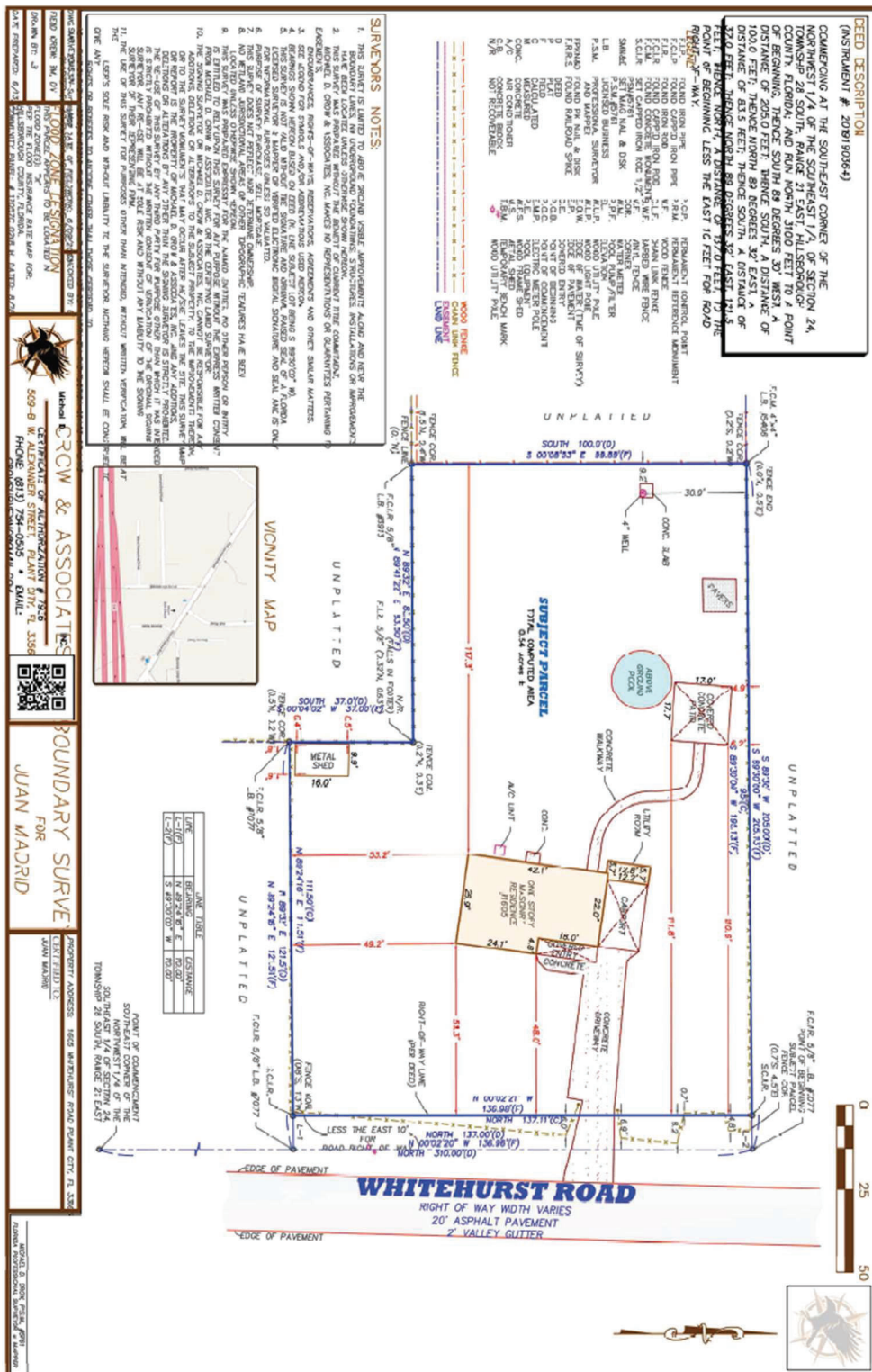
**Findings:**

The property received a citation from Building and Construction Services, HC-CMP-22-0000556, for failure to obtain permits for construction of an accessory building over 150 square feet. Building permit HC-BLD-24-0058702 is in review for the existing accessory structure, however, it cannot be approved currently due to the side yard setback encroachment.

**Zoning Administrator Sign Off:**Colleen Marshall  
Thu May 22 2025 10:06:39**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





## 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 just bought this home 6 years ago and we were unaware a permit was needed. Had we known believe us, we would have gone through the correct and right process, then to go through all this paperwork that we don't understand. And I'm sure it would had been cheaper. Our only neighbor next to us has no issue with the grilling patio we built and we have a letter from them. Hope we can the permit and pay all fines needed. Thank you so much.

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

6.11.4

## 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): above ground pool. HC BLD. 23-0044499
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?

We have spent over \$15,000 on building this structure. We are more than willing to pay the fine, then having to tear it down. Yes we are at complete fault but hope we can get approved.

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.

We don't want to get anyone in trouble as everyone was very welcoming when we moved in. In talking with different neighbors that's how we assumed no permit was needed. As to what they said they never applied for permits when adding to their home.

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.

We have a letter from our only closed next door neighbor stating they have no issue with the structure.

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).

6 inches above code

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.

We did not know about a permit being needed.

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 did our own hardship. We understand this is all our fault, with the structure being only 6 inches above code. We are really kicking ourselves.

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This instrument prepared by:

Name: C. Leiman an employee of  
Executive Title of Florida, Inc.  
Address: 170 E. Bloomingdale Ave.  
Brandon, FL 33511

Return to: Executive Title of Florida, Inc.  
FILE NO. 190375  
Address: 170 E. Bloomingdale Ave.  
Brandon, FL 33511

Property Appraisers Parcel Identification Number(s): 082049-0000  
Grantee(s) S.S #'s:

SPACE ABOVE THIS LINE FOR RECORDING DATA

**THIS WARRANTY DEED** Made the 26th day of April, 2019 by STEVEN J. LAW, A SINGLE MAN, whose post office address is 2277 STATE HIGHWAY 3, HARRISVILLE, NY 13648, hereinafter called the grantor, to JUAN MADRID and SILVIA MADRID, HUSBAND & WIFE whose post office address is 1605 WHITEHURST ROAD, PLANT CITY, FL 33565-6011 hereinafter called the grantee:

(Wherever used herein the terms "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 \$10.00 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, State of FLORIDA, viz:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, OF SECTION 24, TOWNSHIP 28 SOUTH, RANGE 21 EAST, HILLSBOROUGH COUNTY, FLORIDA; AND RUN NORTH 310.0 FEET TO A POINT OF BEGINNING, THENCE SOUTH 89 DEGREES 30' WEST, A DISTANCE OF 205.0 FEET; THENCE SOUTH, A DISTANCE OF 100.0 FEET; THENCE NORTH 89 DEGREES 32' EAST, A DISTANCE OF 83.5 FEET; THENCE SOUTH, A DISTANCE OF 37.0 FEET; THENCE NORTH 89 DEGREES 32' EAST, 121.5 FEET; THENCE NORTH, A DISTANCE OF 137.0 FEET, TO THE POINT OF BEGINNING, LESS THE EAST 10 FEET FOR ROAD RIGHT-OF-WAY.

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

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

And the grantor hereby covenants with the 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, and hereby 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<sup>ST</sup>, 2018. FURTHER SUBJECT TO restrictions, reservations, covenants and easements of record, if any, however this reference shall not operate to reimpose same.

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

Signed, sealed and delivered in the presence of:



Signature  
Madison Nelson

Printed Signature



Signature  
Cheryl A. Leiman

Printed Signature

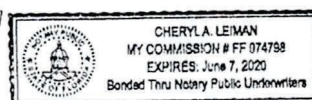
  
STEVEN J. LAW

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 26th day of April, 2019 by STEVEN J. LAW, who is personally known to me or who produced driver's license as identification and who did/did not take an oath.

Notary Public  
My Commission Expires:

[seal]



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**Hillsborough  
County Florida**  
Development Services

## Property/Applicant/Owner Information Form

### Official Use Only

Application No: 25-0635

Hearing(s) and type: Date: 05/27/2025

Date: \_\_\_\_\_

Type: LUHO

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

Intake Date: 03/25/2025

Receipt Number: 462888

Intake Staff Signature: Alejandra Prado

### Property Information

Address: 1605 Whitehurst Rd City/State/Zip: Plant City FL 33525

TWN-RN-SEC: 24-28-21 Folio(s): 82049.000 Zoning: RSC-4 Future Land Use: R-4 Property Size: 0.54

### Property Owner Information

Name: Juan + Silvia Madrid Daytime Phone: 863-234-1723

Address: 1605 Whitehurst Rd City/State/Zip: Plant City FL 33525

Email: syebres14@hotmail.com Fax Number: \_\_\_\_\_

### Applicant Information

Name: Juan Madrid Daytime Phone: 863-234-1723

Address: 1605 Whitehurst Rd City/State/Zip: Plant City FL 33525

Email: syebres14@hotmail.com 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

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)

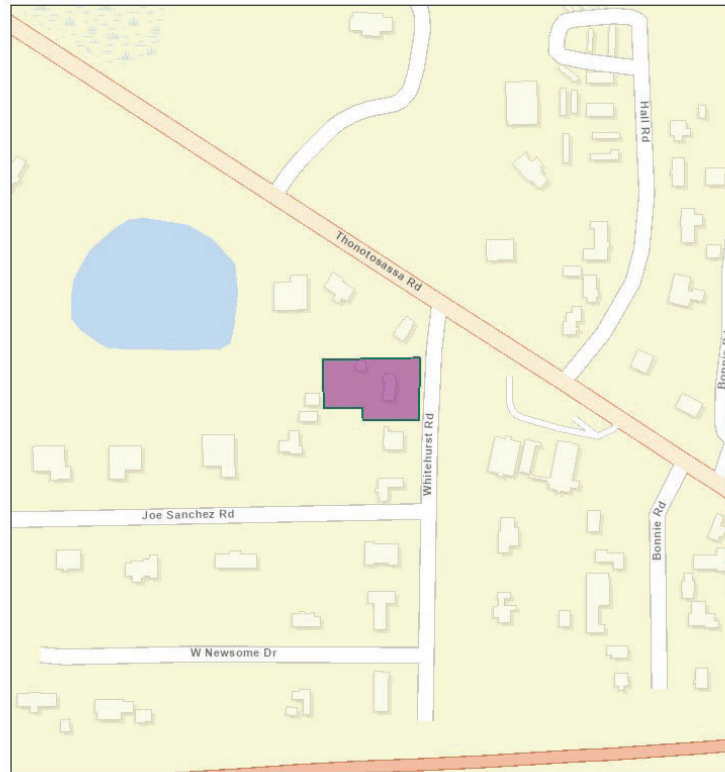
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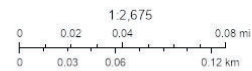
# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-4
Description	Residential - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0268H
FIRM Panel	12057C0268H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120270D
County Wide Planning Area	East Rural
Census Data	Tract: 010106 Block: 3015
Future Landuse	R-4
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
Aviation Authority Height Restrictions	230' AMSL
Aviation Authority Height Restrictions	250' AMSL
Competitive Sites	NO
Redevelopment Area	NO

Folio: 82049.0000



March 25, 2025



Esri Community Maps Contributors, University of South Florida, City of Plant City, GIS, FDEP, OpenStreetMap, Microsoft, Esri, TomTom, Garmin, California, GeoTechniques, Inc, MET/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, EGIS

Hillsborough County Florida

**Folio:** 82049.0000  
**PIN:** U-24-28-21-ZZZ-000003-70580.0  
**Juan And Silvia Madrid**  
**Mailing Address:**  
 1605 Whitehurst Rd  
 null  
 Plant City, FL 33565-6011  
**Site Address:**  
 1605 Whitehurst Rd  
 Plant City, FL 33565  
**SEC-TWN-RNG:** 24-28-21  
**Acreage:** 0.52  
**Market Value:** \$196,154.00  
**Landuse Code:** 0100 SINGLE FAMILY

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