

Variance Application:**VAR 25-1042****LUHO Hearing Date:**

August 25, 2025

Case Reviewer:

Michelle Montalbano

**Hillsborough
County Florida****Development Services Department****Applicant:** David Lee Fyre**Zoning:**

RSC-4

Address/Location: 204 Lentz Road, Brandon, FL 33510; Folio # 66094.0700**Request Summary:**

The applicant is requesting a variance to accommodate an existing accessory structure in the rear yard.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.11.04.C.3	Accessory structures may occupy required rear yards provided that such structures do not occupy more than 20 percent of the required rear yard and are not closer than 3 feet to any rear lot line.	25% percent	45% percent rear yard building coverage

Findings:

The subject accessory structure is subject to a Notice of Violation (HC-CMP-25-0000363) for failure to obtain a Residential New Construction permit for construction of accessory buildings/structures in the rear yard.

Zoning Administrator Sign Off:

Colleen Marshall
Tue Aug 12 2025 13:42:12

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.

Hillsborough
County Florida
Development Services

Additional / Revised Information Sheet

Office Use Only

Application Number: VAR 25-1042

Received Date:

Received By:

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, **the second page of this form must be included indicating the additional/revised documents being submitted with this form.**

Application Number: VAR 25-1042 Applicant's Name: David Lee Frye
Reviewing Planner's Name: Michelle Montalbano Date: 08/12/2025

Application Type:

- ☐ Planned Development (PD) ☐ Minor Modification/Personal Appearance (PRS) ☐ Standard Rezoning (RZ)
☒ Variance (VAR) ☐ Development of Regional Impact (DRI) ☐ Major Modification (MM)
☐ Special Use (SU) ☐ Conditional Use (CU) ☐ Other _____

Current Hearing Date (if applicable): _____

Important Project Size Change Information

Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.

Will this revision add land to the project? ☐ Yes ☒ No

If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

Will this revision remove land from the project? ☐ Yes ☒ No

If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

Email this form along with all submittal items indicated on the next page in pdf form to:

ZoningIntake-DSD@hcflgov.net

Files must be in pdf format and minimum resolution of 300 dpi. Each item should be submitted as a separate file titled according to its contents. All items should be submitted in one email with application number (including prefix) included on the subject line. Maximum attachment(s) size is 15 MB.

For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcflgov.net.

I certify that changes described above are the only changes that have been made to the submission. Any further changes will require an additional submission and certification.

/s/ Richard R. Kosan

08-12-2025

Signature

Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact [Hillsborough County Development Services](#) to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under [Florida Statutes §119.071\(4\)](#) will need to contact [Hillsborough County Development Services](#) to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? ☐ Yes ☒ No

VAR 25-1042

I hereby confirm that the material submitted with application _____

☐ Includes sensitive and/or protected information.

Type of information included and location _____

☒ Does not include sensitive and/or protected information.

Please note: Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature: /s/ Richard R. Kosan

(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



**Hillsborough
County Florida**
Development Services

Additional / Revised Information Sheet

Please indicate below which revised/additional items are being submitted with this form.

Included	Submittal Item
1 <input type="checkbox"/>	Cover Letter** If adding or removing land from the project site, the final list of folios must be included
2 <input type="checkbox"/>	Revised Application Form**
3 <input type="checkbox"/>	Copy of Current Deed* Must be provided for any new folio(s) being added
4 <input type="checkbox"/>	Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5 <input type="checkbox"/>	Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6 <input type="checkbox"/>	Property Information Sheet**
7 <input type="checkbox"/>	Legal Description of the Subject Site**
8 <input type="checkbox"/>	Close Proximity Property Owners List**
9 <input type="checkbox"/>	Site Plan** All changes on the site plan must be listed in detail in the Cover Letter.
10 <input type="checkbox"/>	Survey
11 <input type="checkbox"/>	Wet Zone Survey
12 <input type="checkbox"/>	General Development Plan
13 <input checked="" type="checkbox"/>	Project Description/Written Statement
14 <input type="checkbox"/>	Design Exception and Administrative Variance requests/approvals
15 <input checked="" type="checkbox"/>	Variance Criteria Response
16 <input type="checkbox"/>	Copy of Code Enforcement or Building Violation
17 <input type="checkbox"/>	Transportation Analysis
18 <input type="checkbox"/>	Sign-off form
19 <input checked="" type="checkbox"/>	Other Documents (please describe): <div style="border: 1px solid black; padding: 5px; min-height: 50px;"> Additional/Revised Information Sheet </div>

*Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

**Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.



**Hillsborough
County Florida**
Development Services

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.

The applicant, David Frye, requests this variance in order to maintain the current development on the property he owns located at 204 Lentz Road, Brandon, FL 33510. Specifically, Mr. Frye is the owner of a company that installs screen enclosures around swimming pools. In order to store inventory, Mr. Frye constructed a storage barn on his property. In keeping with the current development standards in the neighborhood around the subject property, Mr. Frye set the structure back 3 feet from the eastern property line and 7 feet from the northern property line, noting that there is also a small portion of the structure on the north side that extends to within 4 feet of the boundary. Hillsborough County Code Compliance has initiated case HC-CMP-25-0000363 due to the construction of the accessory structure without first obtaining the required construction permits. In order to correct this inadvertence, Mr. Frye is first requesting a variance to the requirement that an accessory structure occupy no more than 20% of the required rear yard to up to 45% of the required rear yard as set forth on the site plan.

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

The applicant is seeking a variance for purposes of obtaining an after the fact permit for the accessory structure in Code Compliance case HC-CMP-25-0000363 for the violation of Land Development Code Section 6.11.04. – Accessory Structures.

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: Private well is for irrigation only
☒ 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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County Florida**
Development Services

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Office Use Only**Application Number:** VAR 25-1042**Received Date:****Received By:**

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Application Number: VAR 25-1042 Applicant's Name: David Lee Frye
Reviewing Planner's Name: Michelle Montalbano Date: 08/12/2025

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/s/ Richard R. Kosan08-12-2025

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County Florida**
Development Services

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VAR 25-1042

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Signature: /s/ Richard R. Kosan

(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



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County Florida**
Development Services

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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 alleged hardships/practical difficulties are unique and singular to the subject property because the surrounding properties were developed prior to a reduction in the setbacks that are applicable to the subject property. Accordingly, the subject property is now prevented from the same use and development as the neighboring properties. Accordingly, the hardship is not suffered in common with the properties immediately adjacent to the subject property.

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.

The literal requirements of the LDC would prevent the construction of a storage shed with similar setbacks already and commonly enjoyed by other properties in the same district and area under the terms of the LDC.

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.

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 because the adjacent and nearby properties are currently developed with similar setbacks as the subject property.

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).

The application fosters and preserves public health, safety, comfort and welfare, and aids in the harmonious, orderly, and progressive development of the general area of the subject property by permitting development that is consistent with and in keeping with current, long-term development in the area. The proposal does not negatively affect natural resources or public facilities and equitably permits development of the property.

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 construction of the structure was in keeping with the nature of the surrounding properties as it sought to duplicate the existing setbacks of the neighborhood. Specifically, the adjacent property to the north of the subject property and the adjacent property to the west have similar structures and uses on the adjacent properties.

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.

Substantial justice will be done in granting this variance by permitting the continuation of a pattern of development adjacent to and in the general area of the subject property. The public benefits of limited required rear yard coverage is unnecessary when similar to prior surrounding development. Substantial justice will be served by obviating the need to reconstruct the development on the subject property.

Prepared by and Return To:

Anne Belisle
Majesty Title Services, a division of LandCastle Title
Group, LLC
915 Oakfield Drive, Suite B
Brandon, FL 33511

Order No.: BN052106011

APN/Parcel ID(s): U-10-29-20-ZZZ-000002-43720.0

Tax/Map ID(s): 066094-0700

WARRANTY DEED

THIS WARRANTY DEED dated July 1, 2021, by Donna George Moskovitz, a married woman f/k/a Donna G. Hardin joined by her husband Danny Jay Moskovitz, hereinafter called the grantor, to David Lee Frye, a married man, whose post office address is 204 Lentz Rd., Brandon, FL 33510, 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 of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in the County of Hillsborough, State of Florida, to wit:

The East 100.0 feet of the West 830 feet of the South 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 10, Township 29 South, Range 20 East, Hillsborough County, Florida, Less the South 30 feet thereof for road right of way.

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise 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, 2020.

WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Signed, Sealed and Delivered in the presence of:

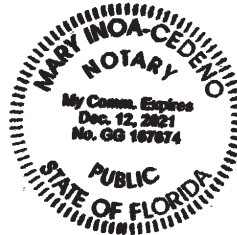
Robert W. Cedeno
Witness Signature
Robert W. Cedeno
Print Name
Melissa Cedeno
Witness Signature
Mary Inoa Cedeno
Print Name

Donna George Moskovitz
Donna George Moskovitz
Danny Jay Moskovitz
Danny Jay Moskovitz
Address: 10 Indian Trail
Ormond Beach, FL 32174

State of Florida
County of Volusia

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 7th day of June, 2021 by Donna George Moskovitz and Danny Jay Moskovitz, to me known to be the person(s) described in or who has/have produced Q FL DL as identification and who executed the foregoing instrument and he/she/they acknowledged that he/she/they executed the same.

Melissa Cedeno
NOTARY PUBLIC Mary Inoa Cedeno
My Commission Expires: Dec. 12, 2021





**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 25-1042

Hearing(s) and type: Date: 08/25/2025

Date: _____

Type: LUHO

Type: _____

Intake Date: 07/01/2025

Receipt Number: 495891

Intake Staff Signature: Charles Phillips

Property Information

Address: 204 Lentz Road City/State/Zip: Brandon, FL 33510

TWN-RN-SEC: 10-29-20 Folio(s): 66094.0700 Zoning: RSC-4 Future Land Use: R-4 Property Size: 0.68 acres

Property Owner Information

Name: David Lee Frye Daytime Phone: 813-867-9679

Address: 204 Lentz Road City/State/Zip: Brandon, FL 33510

Email: tgfscreens@yahoo.com Fax Number: none

Applicant Information

Name: David Lee Frye Daytime Phone: 813-867-9679

Address: 204 Lentz Road City/State/Zip: Brandon, FL 33510

Email: tgfscreens@yahoo.com Fax Number: _____

Applicant's Representative (if different than above)

Name: Richard R. Kosan, Esq. Daytime Phone: 813-653-3800

Address: 330 Pauls Dr., Ste. 100 City/State/Zip: Brandon, FL 33511

Email: rkosan@pilka.com Fax Number: 813-651-0710

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.

Richard R. Kosan

Signature of the Applicant

Richard R. Kosan

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.

David Lee Frye

Signature of the Owner(s) – (All parties on the deed must sign)

David Lee Frye

Type or print name



Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

Application No: _____ Intake Date: _____
Hearing(s) and type: Date: _____ Type: _____ Receipt Number: _____
Date: _____ Type: _____ Intake Staff Signature: _____

Applicant/Representative: Richard R. Kosan Phone: 813-653-3800

Representative's Email: rkosan@pilka.com

The following information is used by reviewing agencies for their comments and should remain constant, with very few exceptions, throughout the review process. Additional reviews, such as legal description accuracy, compatibility of uses, agency reviews, etc., will still be conducted separately and may require additional revisions.

The following ownership information must be provided and will be verified upon submission initial submittal. If you are viewing this form electronically, you may click on each underlined item for additional information.

Part A: Property Information & Owner Authorization Requirements

Included	N/A	Requirements
1	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Property/Applicant/Owner Information Form</u>
2	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Affidavit(s) to Authorize Agent</u> (if applicable) NOTE: All property owners must sign either the Application form or the Affidavit to Authorize Agent. If property is owned by a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit.
3	<input type="checkbox"/>	<input checked="" type="checkbox"/> <u>Sunbiz Form</u> (if applicable). This can be obtained at Sunbiz.org .
4	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
5	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
6	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Copy of Current Recorded Deed(s)</u>
7	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Close Proximity Property Owners List</u>
8	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Legal Description</u> for the subject site
9	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
10	<input type="checkbox"/>	<input checked="" type="checkbox"/> <u>Fastrack Approval</u> (if applicable)

Additional application-specific requirements are listed in Part B.



Specific Submittal Requirements for Variances






This section provides information on items that must be addressed/submitted for a Special use - Land Excavation permit and will be subsequently reviewed when the application is assigned to a planner. Where certain information does not apply to a project, a notation shall appear on the plan stating the reason, for example, "No existing water bodies within project." Additionally, the explanations and justifications for when certain information does not apply to the project shall be included in the Narrative. If Hillsborough County determines the submitted plan lacks required information, the application shall not proceed to hearing as provided for in Section 6.2.1.1.A. Additionally, the required information is only the minimum necessary to schedule an application for hearing and Hillsborough County reserves the right to request additional information during review of the application.

If you are viewing this form electronically, you may click on each underlined item for additional information.

For any items marked N/A, justification must be provided as to why the item is not included.

Part B: Project Information

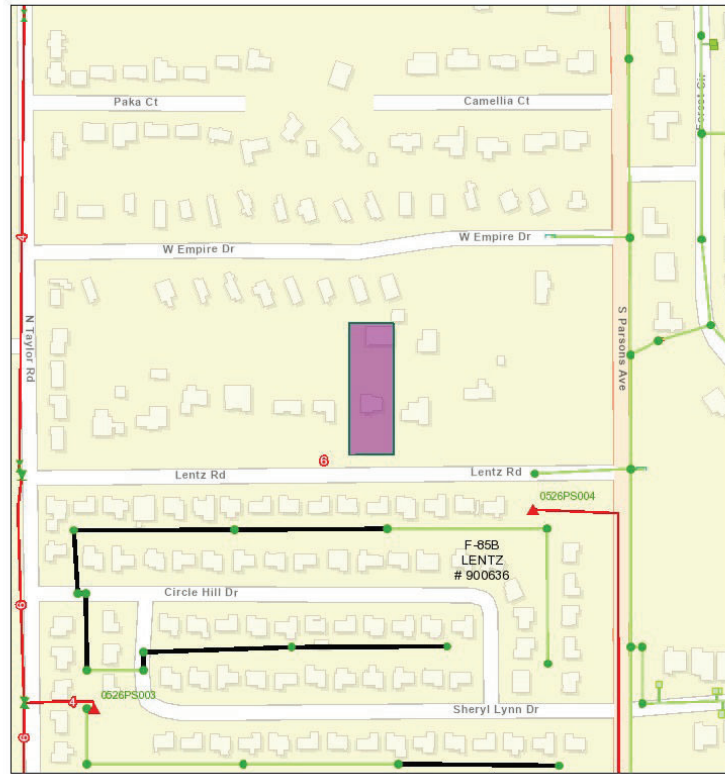
Additional Submittal Requirements for a Variance

- 1  Project Description/Written Statement of the Variance Request
- 2  Variance Criteria Response
- 3  Attachment A (if applicable)
- 4  Survey/Site Plan
- 5  Supplemental Information (optional/if applicable)



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Folio: 66094.0700



July 1, 2025

1:2,934
0 0.02 0.04 0.08 mi
0 0.04 0.07 0.14 km

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, EGIS

Hillsborough County Florida

Folio: 66094.0700
PIN: U-10-29-20-ZZZ-000002-43720.0
David Lee Frye
Mailing Address:
 204 Lentz Rd
 null
 Brandon, FL 33510-2116
Site Address:
 204 Lentz Rd
 Brandon, FL 33510
SEC-TWN-RNG: 10-29-20
Acreage: 0.68
Market Value: \$320,905.00
Landuse Code: 0100 SINGLE FAMILY

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.