



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-0239	
LUHO HEARING DATE: February 21, 2022	CASE REVIEWER: Tania C. Chapela

REQUEST:

The applicant is requesting two variances to accommodate an existing room addition and a detached shed for a single-family home on property zoned PD 73-0197, as most recently modified by PRS 20-0332.

VARIANCES:

Room Addition

The conditions of approval for PD 73-0197 do not address setback requirements for the subject lot. In such cases, development standards are determined by the Zoning Administrator per the certified site plan, approved plat or other means. It has been determined the required minimum side yard setback for the subject lot is 7.5 feet. The applicant requests a 4-foot reduction to the required side setback to allow a setback of 3.5 feet from the east property line.

Detached Shed

Per LDC, Sec. 6.11.04, accessory structures 15 feet or less in height may occupy required side yards provided that such structures are not closer than three feet to any rear lot line. In the subject case, the shed is closer to the street than a portion of the house. Therefore, the shed is required to meet principal building setbacks. The required side yard setback is 7.5 feet. The applicant requests a 5.37-foot reduction to the required side setback to allow a setback of 2.13 feet from the east property line. The applicant states the shed is less than 15 feet height.

FINDINGS:

- A portion of the subject shed encroaches into an existing utility easement on the rear of the property. As shown on the site plan, that portion of the shed will be demolished to eliminate the encroachment.
- The survey shows that a portion of the house is 6.33 feet from the west property line and therefore does not meet the required side yard setback of 7.5 feet. However, the applicant has elected to not include the encroachment in the subject variance.

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



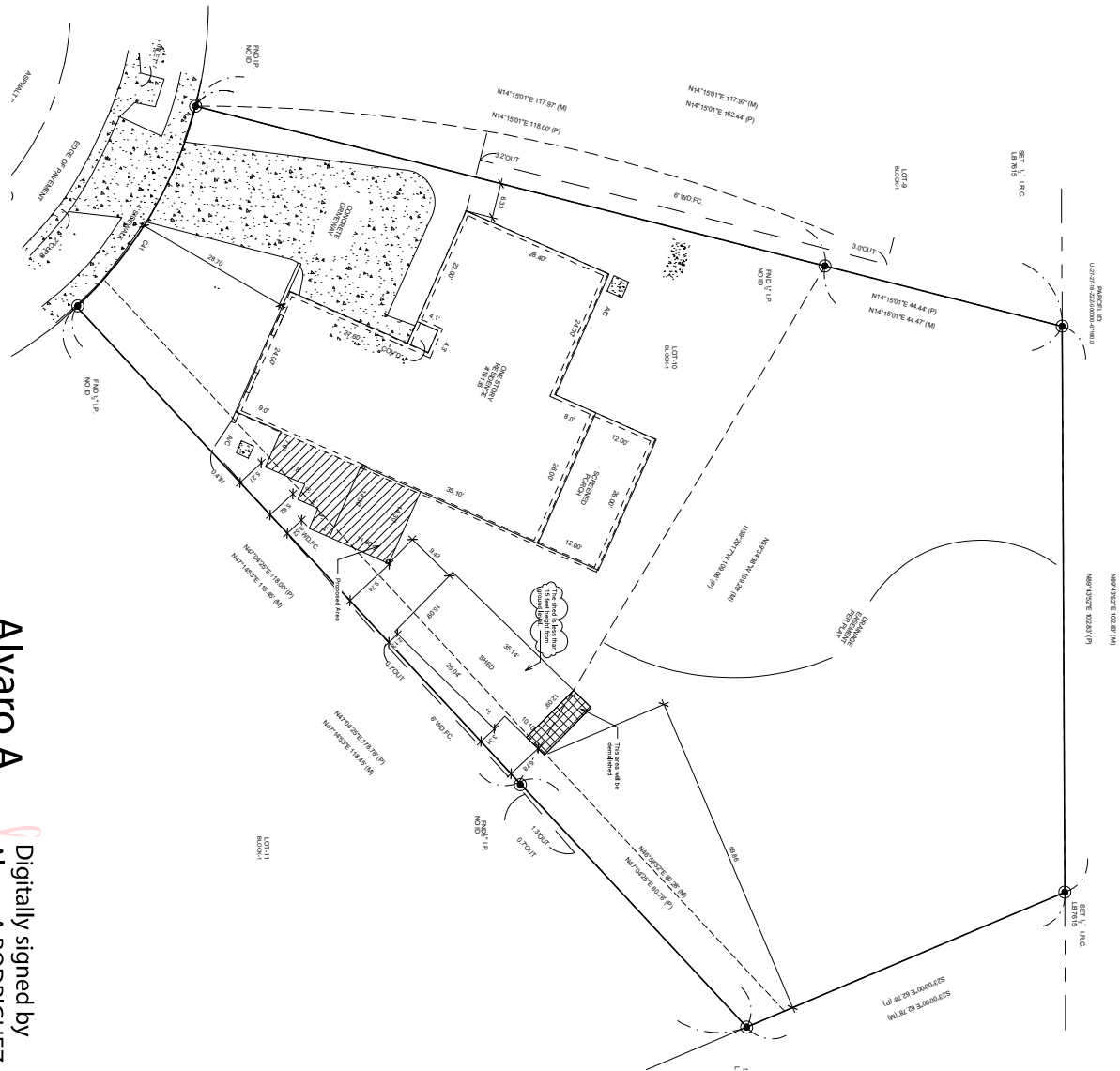
The image shows a handwritten signature in black ink. The signature is cursive and appears to read 'Tania C. Chapela'. There is a faint, semi-transparent watermark in the background that says 'Integrity'.

^t
Wed Feb 9 2022 10:31:54

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

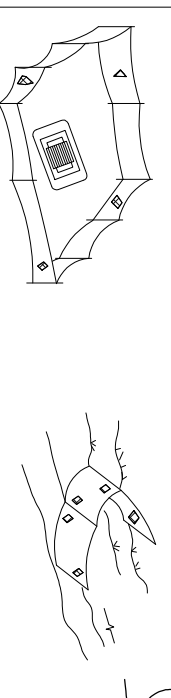
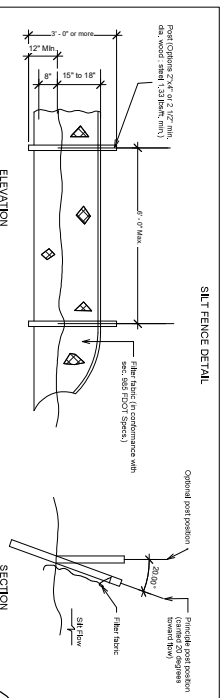
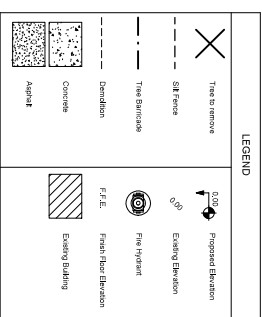
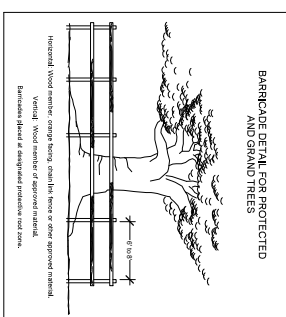


Alvaro A RODRIGUEZ
 Digitally signed by Alvaro A RODRIGUEZ
 Date: 2022.01.13 13:16:11 -05'00'



NUMBER	NAME	AREA
1	DATA AREA LOT	
2	EXISTING DRIVEWAY AND SIDEWALK	2,017 SF
3	EXISTING DRIVEWAY	91 SF
4	EXISTING A/C PAD	91 SF
5	EXISTING DRIVEWAY	462 SF
6	EXISTING DRIVEWAY	50 SF
7	EXISTING DRIVEWAY	13,300 SF
8	CONCRETE DRIVEWAY	17,000 SF

PERVIOUS AND IMPERVIOUS CALCULATIONS		
Lot Area	17,000 SF	100%
Impervious Area	4,380 SF	24.4%
Pervious Area	12,620 SF	75.6%



REVISIONS		
DATE	No.	DESCRIPTION
Date 1	1	Revision 1

PROPOSED PROJECT FOR:
DIANELY CASTRO
 16135 RAVENDALE DR. TAMPA, FL. 33618.

ALVARO RODRIGUEZ ARCHITECTS
 3603 W. Flora Street, Suite 101, Tampa Florida 33614
 Tel. (813) 369-0082 - alvaro@ararchitects.net
 ARARCHITECTS.NET

ALVARO RODRIGUEZ ARCHITECT ARCHITECT 4895833
 3603 W. FLORA STREET SUITE 101 TAMPA FLORIDA 33614
 DATE: 01/13/2021
 JOB NO: 23621

SHEETS: A-1
 SITE PLAN

Received January 13, 2022
 Development Services



**Hillsborough
County Florida**
Development Services

601 E. Kennedy Blvd., 19th Floor | (813) 272 5600

Additional / Revised Information Sheet

Date Stamp Here

Application Number: VAR 22-0239 Applicant's Name: Alvaro Rodriguez

Reviewing Planner's Name: MS. Tania C. Chapela Date: 1/19/2022

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): 02/21/2022

The following must be attached to this Sheet.

Cover Letter with summary of the changes and/or additional information provided. If a revised Site Plan is being submitted, all changes on the site plan must be listed in detail in the Cover Letter.

An updated Project Narrative consistent with the changes or additional information provided, if applicable.

Submittal Via:

Email (Preferred). Note that no follow up paper file is necessary. Pdf format only. Maximum attachment(s) size is 15 MB.

Email this sheet along all the additional/revised submittal items in pdf to: ZoningIntake-DSD@hcflgov.net

Mail or delivery. Number of Plans Submitted: Large _____ Small _____

For PD, MM, PRS and SU: 7 large copies 24"X36", one small 8.5X11".
For RZ-Standard: if plot plan is larger than 8.5"X11", 7 large copies should be submitted.
For Minor Change: 6 large copies.
For Variances or Conditional Use permits: one 8.5"X11" or larger)

Mail to:
Development Services Department
Community Development Division
P.O. Box 1110
Tampa, FL 33601-1110

Hand Deliver to:
County Center
Development Services Department
19th Floor
601 E. Kennedy Blvd., Tampa

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.

Signature

1/20/2022

Date

FOR OFFICE USE ONLY

- Notification E-Mail Sent Scanned into OPTIX
- Transmittal Completed

In-Take Completed by: _____

January 19, 2022

MS. Tania C. Chapela
Senior Planner
Development Services
Hillsborough County

VAR: 22-0239

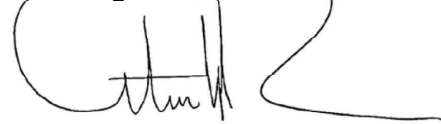
Dear MS. Chapela:

In the following two pages you would find the revised pages from the Variance Application. Please find below a summary of the changes:

- Variance Request – Page 3 – Item 1:
A third variance of 1.17' needs to be requested to the western side setback of 7.5' of the existing home, resulting in a side yard setback of 6.33'.
- Variance Request – Page 3 – Item 2:
Section 6.11.04 has been added.
- Variance Criteria Response:
Every item explains the reason why the third/new variance is being requested.
- New Hearing date: 02/21/2022

Thank you for your assistance in this process. Please let us know if you need any additional information.

Best regards,

A handwritten signature in black ink, appearing to read 'Alvaro Rodriguez', with a large, stylized flourish extending to the right.

Alvaro Rodriguez, Architect.

Application Number: _____

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.
- Request Variance of 4' from the required side yard setback of 7.5' resulting in a side yard setback of 3.5'. On the same side of the house, there is an accessory structure that requires to request a second variance 0.87' from the setback of 3' resulting in a side yard setback of 2.13'.
- A third variance of 1.17' needs to be requested to the western side setback of 7.5' of the existing home resulting in a side yard set back of 6.33'.
- Due to the health condition of Mrs. Dianely's mom, Dianely was forced to make an accommodation in their home so she and her sister must always be able to supervise their mother. They created a living space in the garage and small addition on the side of the house. It will not have any cooking devices/appliances or cooking area. This small addition encroaches the side setback to 4'.
- Ms. Avila's health condition has been incredibly difficult for their entire family because her Alzheimer condition has worsened so much to the point that they can never leave her without any supervision at any minute. Mrs. Dianely and her sister must always take turns to work, to eat, and even to sleep. Her situation has developed to be so chronic that her mom does not recognize herself in the mirror, forget where the bathroom is, and she is incapable of performing any regular life task. Attached to this application is Ms. Avila's medical records that detail her current situation and clinical history. (Alzheimer's disease and Neurocognitive disorder). We hope you can understand the gravity of this situation and the need for both sisters and the rest of their family to always take care of and oversee Ms. Avila and her health. Dianelys never pretended go over any county regulations, she was only trying to make a reasonable addition for her mom.
2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:
- 6.01.01 and 6.11.04.

ADDITIONAL INFORMATION

1. Have you been cited by Hillsborough County Code Enforcement? No _____ Yes X
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 X 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 X 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 X Public Wastewater X 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 X 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**).



**Hillsborough
County Florida**
Development Services

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January 19, 2022

MS. Tania C. Chapela
Senior Planner
Development Services
Hillsborough County

VAR: 22-0239

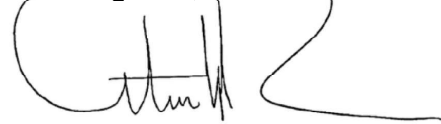
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Alvaro Rodriguez, Architect.

Application Number: _____

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 addition of 4' was done by the garage so it would involve less construction work and cost. They only needed the additional 4' to fit a living space for her mom. It will not have any cooking devices or cooking area.

In regards to the accessory structure (shed), it has 2' that encroaches into the drainage easement in the back of the property. This 2' encroachment will be removed. In regards to the second variance requested, they are only asking for 0.87' variance to keep the only storage they currently have.

In regards to the third variance, the setback of 6.33' has not changed since they bought the house. They were not aware that this setback was smaller than it was supposed to be.

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 addition on the side was only for 4' and the 3.5' space between the addition and the property line will not deprive the right of owners in other properties. In regards to the second variance requested, this extra space would allow them to store household items for their own use. They do not have enough space to store inside of their house. In regards to the third variance, the setback of 6.33' has not changed since they bought the house.

Type text here

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.

This was small addition of 4' in the garage area to fit an extra living space to accommodate Dianel's mom. It will not affect the other owners in any way. It will not have any cooking devices or cooking area.

Neither are the second and third variance requested.

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 addition is just a small corner in front of the house. It is good and necessary for this family to be together at this time. The addition has provided them the possibility to help each other. In regards to the second variance, this extra space would allow them to store household items for their own use. This setback has been the same since they moved. In that part of the house they have the master bedroom and bathroom.

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 only purpose for this addition has been to take care of their mother all the time. She has lived in that area of the home since then. That is the only way Daniely has to take care of her mother and her own family. In regards to the second variance requested, they never pretend to go over the setbacks. They were only looking to find a solution to store everyday items for their own use. The setback of 6.33' has not changed since they bought the house. They were never informed when they bought the house.

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.

Daniely and her family are only requesting this variance to take care of her mother specially now that her Alzheimer conditions increases with the time. Her situation has developed to be so chronic that her mom is incapable of performing any regular life task. She depends on their daughters 100% of the time. In regards to the second variance, it is very important for them to have an extra space to store their everyday items.

Prepared by and Return to:
Michelle V. Salvato, CLC
Masterpiece Title
15302 Casey Road
Tampa, FL 33624

150602

2550

General Warranty Deed

Made this January 29, 2016 A.D. By **David Drake and Kevin Drake and Raymond Drake and Timothy Drake and Michael Drake and Jeffrey Drake and Kathryn Drake-Lopez and Kara McKee and Rebecca Rivera**, whose addresses are listed below their signatures, hereinafter called the grantors, to **Dianely Castro Avila and Ernesto Moreira Fernandez**, whose post office address is: 16135 Ravendale Drive, Tampa, Florida 33618, 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 \$152,900.00 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 10, Block 1, North Lakes Section "C" Unit 1, according to the Plat thereof as recorded in Plat Book 50, page(s) 29-1 and 29-2, of the Public Records of Hillsborough County, Florida.

THIS IS NOT THE HOMESTEAD PROPERTY OF THE GRANTORS, NOR IS IT CONTIGUOUS WITH THEIR HOMESTEAD. THEY RESIDE AT THE ADDRESSES LISTED BENEATH THEIR SIGNATURES.

Parcel ID Number: 015908-6520

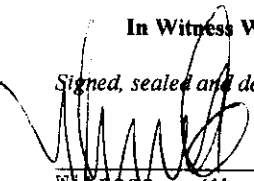

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.


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

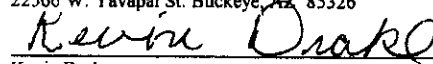
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2015.

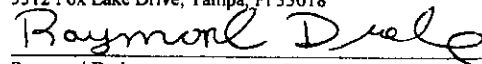
In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

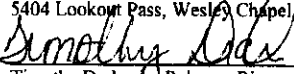
Signed, sealed and delivered in our presence:

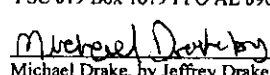

Witness Michelle V. Salvato

Witness Carmen M. Curbelo


David Drake *atly in fact*
David Drake, by Rebecca Rivera, attorney in fact
22566 W. Yavapai St. Buckeye, AZ 85326


Kevin Drake
Kevin Drake
3312 Fox Lake Drive, Tampa, FL 33618


Raymond Drake
Raymond Drake
5404 Lookout Pass, Wesley Chapel, FL 33544


Timothy Drake *atly in fact*
Timothy Drake, by Rebecca Rivera, attorney in fact
PSC 819 Box 1619 FPO AE 09645


Michael Drake *attorney in fact*
Michael Drake, by Jeffrey Drake, attorney in fact
215 S. Roby Dr. Anderson, IN 46016

[Signature]
Jeffrey Drake
16733 Whirley Road, Lutz, Florida 33558

[Signature]
Kathryn Drake-Lopez
11780 Country Club Place, Tampa, Fl 33612

[Signature]
Kara McKee
16733 Whirley Rd. Lutz, Florida 33558

[Signature]
Rebecca Rivera
29813 Boyette Oaks Pl. Wesley Chapel, Fl 33545

STATE OF Florida
COUNTY OF Hillsborough

I HEREBY CERTIFY that the foregoing instrument was acknowledged, sworn to and subscribed before me this January __, 2016, by David Drake (by Rebecca Rivera, atty in fact) , Kevin Drake, Raymond Drake, Timothy Drake, (by Rebecca Rivera, atty in fact) Michael Drake, (by Jeffrey Drake, atty in fact) Jeffrey Drake, Kathryn Drake-Lopez, Kara McKee and Rebecca Rivera, Whom I do personally know or who has produced drivers license as identification and who did take an oath.



Notary Public
My Commission Expires: _____



Received
11/24/2021
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: 16135 Ravendale Dr. City/State/Zip: Tampa, FL 33618-1143 TWN-RN-SEC: 27-18-27
Folio(s): 159086520 Zoning: PD Future Land Use: Res SF Property Size: 62 X 118

Property Owner Information

Name: Ernesto Moreira Fernandez and Dianely Castro Avila Daytime Phone: 813.298.5769
Address: 16135 Ravendale Dr. City/State/Zip: Tampa, FL 33618-1143
Email: dianelyca@gmail.com FAX Number: _____


Applicant Information

Name: Alvaro Rodriguez Daytime Phone: 813.389.8082
Address: 3603 W. Flora St. City/State/Zip: Tampa, FL 33614
Email: ~~alvaro@ararchitects.net~~
alvaro@ararchitects.net FAX Number: _____

Applicant's Representative (if different than above)

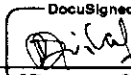

Name: _____ Daytime Phone: _____
Address: _____ City / State/Zip: _____
Email: _____ FAX Number: _____

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN 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.



Signature of Applicant
Alvaro Rodriguez
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.

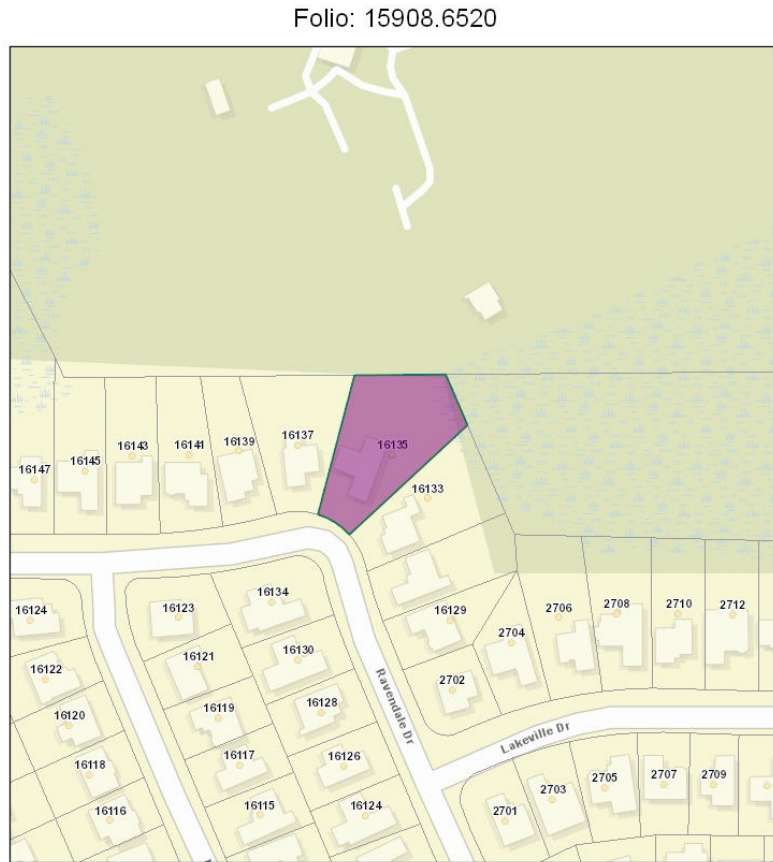
DocuSigned by:  _____
Signature of Property Owner
DocuSigned by:  _____
Signature of Property Owner
Dianely Castro Avila Ernesto Moreira Fernandez
Type or Print Name

Intake Staff Signature: ANA LIZARDO Office Use Only Intake Date: 11/24/21
Case Number: 22-0239 Public Hearing Date: 01/24/2022
Receipt Number: _____



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
FLX	f
INFL	i
Zoning	PD
Description	Planned Development
RZ	16-1217
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
Flood Zone:AE	BFE = 52.7 ft
Flood Zone:AE	BFE = 54.2 ft
FIRM Panel	0205H
FIRM Panel	12057C0205H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	A
Pre 2008 Firm Panel	1201120205D
County Wide Planning Area	Greater Carrollwood Northdale
Community Base Planning Area	Greater Carrollwood Northdale
Planned Development	PD
Re-zoning	16-1217
Note	73-0197
Major Modifications	95-0195
Personal Appearances	06-0971,07-1305,98-1053 WD,93-0415,91-0003,88-0064, 20-0332
Census Data	Tract: 011107 Block: 3005
Census Data	Tract: 011107 Block: 3006
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



November 24, 2021

1:1,395
0 0.01 0.02 0.04 mi
0 0.02 0.04 0.07 km

RS, Hillsborough County - Public Works - Geomatics - Streets & Addresses

Hillsborough County Florida

Folio: 15908.6520
PIN: U-27-27-18-00J-000001-00010.0
DIANELY CASTRO AVILA ET AL
Mailing Address:
 16135 RAVENDALE DR
 TAMPA, FL 33618-1143
Site Address:
 16135 RAVENDALE DR
 TAMPA, FL 33618
SEC-TWN-RNG: 27-27-18
Acreage: 0.413113
Market Value: \$197,641.00
Landuse Code: 0100 SINGLE FAMILY

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