



**Hillsborough
County Florida**

LAND USE HEARING OFFICER REPORT

APPLICATION NUMBER: FW 23-0274

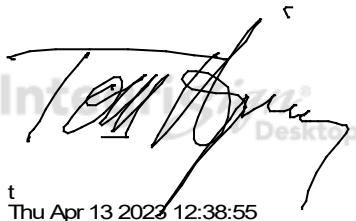
LUHO HEARING DATE: April 24, 2023

CASE REVIEWER: Tom Hiznay, AICP

REQUEST: Pursuant to Section 9.7.D of the Development Review Procedures Manual, the applicant requests consideration of an Exception by the Land Use Hearing Officer for a fee waiver application that cannot be approved by the Administrator. The fee waiver is requested by the applicant on the basis of staff error in connection with the improper issuance of a building permit (HC-BLD-22-0039955) and subsequent construction of a shed located within a wetland setback area.

The LUHO shall conduct an independent review of the request based on the fee waiver criteria found in the DRPM and the testimony at today's hearing. In granting an Exception, the LUHO shall be required to find extraordinary financial circumstances, emergency, catastrophe or staff error which are outside the scope of the Administrator's authority to consider.

ADMINISTRATOR'S SIGN-OFF



Thu Apr 13 2023 12:38:55

Attachments: FW 23-0274 Administrative Decision Letter



Hillsborough County Florida

DEVELOPMENT SERVICES

PO Box 1110, Tampa, FL 33601-1110
(813) 272-5600

April 11, 2023

REFERENCE: FW 23-0274

Michael Aziz
6803 Spencer Cir
Tampa, FL 33610

Dear Mr. Aziz:

This letter is in response to your fee waiver application, FW 23-0274, which seeks to waive the application fee for a variance request for property located at 6803 Spencer Cir, Tampa, with folio# 41361.0000, on the basis of staff error.

Please be advised that pursuant to Section 9.7 of the Development Review Procedures Manual, staff may not approve any fee waivers requested on the basis of staff error. Additionally, such requests are automatically scheduled for review by a Land Use Hearing Officer at a public hearing.

Accordingly, your fee waiver application has been scheduled for review by a hearing officer on **April 24, 2023**. The meeting will begin at 10:00 am in the 2nd Floor Boardroom at County Center, 601 E. Kennedy Blvd., in downtown Tampa. At that time, you may present testimony and evidence to the hearing officer on the matter. Please note that failure to appear at the hearing, unless you request a continuance in advance, will result in denial of your fee waiver request.

Please contact our office if you have any questions.

Sincerely,

J. Brian Grady, Director
Community Development Division
Development Services Department

CC: Israel Monsanto, Executive Planner, Development Services
Tom Hiznay, Executive Planner, Development Services
Maricela Medrano, Executive Planner, Development Services
Carmen Mason, Planning and Zoning Technician II, Development Services

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Peggy Caskey

DEPUTY COUNTY ADMINISTRATOR

Gregory S. Horwedel

Michael Aziz

From: Shelton, Carla <SheltonC@HillsboroughCounty.ORG>
Sent: Tuesday, March 7, 2023 7:59 PM
To: aziz@azizcycle.com
Subject: Fee Waiver for Variance Fee RE: Permit for Shed HC-BLD-22-0039955

Mr. Aziz,

You were recently issued a permit from the Building Department to install a shed in your back yard, Building Permit HC-BLD-22-0039955. After the permit was issued and the shed installed, County staff noticed that the shed had been erroneously permitted to be installed within the 30' wetland setback from the lake located at the rear of your property. Your options to remedy this situation are to remove the shed from the property, obtain a revised permit to relocate the shed out of the wetland setback, or obtain a variance from the Land Use Hearing Officer to allow it to remain in its current location.

You have opted to request a variance from the Land Use Hearing Officer to allow the shed to remain where it has already been constructed. Since a staff error caused this requirement to obtain a variance approval, you may apply for a fee waiver for the variance fee of \$2245.87.

Thank you,

Carla Shelton Knight
Natural Resources Review Manager, Certified Arborist
Natural Resources, Development Services Dept.

P: (813) 276-8404
E: sheltonc@HillsboroughCounty.org
W: HCFLgov.net

Hillsborough County
601 E. Kennedy Blvd., Tampa, FL 33602

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Please note: All correspondence to or from this office is subject to Florida's Public Records law.

Hi,

My name is Michael Aziz, and The owner of the house located at 6803 Spencer Cir Tampa FL, I applied for a utility shed permit, permit got approved indicating all shed details such as Location, size, design, and the way it will be anchored to the ground, once I got the permit I ordered the shed, shed been installed and anchored.

I got multiple inspections, first one was for not having stairs to get in and out of the shed, and that was added after, another one was for adding sliding doors instead of windows and I had to revise the permit.

After full filling all county requirements I received a certificate of completion. And i thought that i was finally done with this project, but i was wrong

1 week after the county issuing me a certificate of completion, I received an email from environmental stating that the shed is located too close to the water and that it must clear 30 feet from the water.

They asked me to call the environmental to indicate a wet line which I did and it cost me \$200, then I have to provide a new survey showing the wet line on it which cost me \$180.

After getting the new survey with the wet line, Due to my lot size i noticed that there won't be enough space, where I can move the shed and please note that the shed is 32x12 which makes moving it is a very hard process and very costly too.

The environmental department advise me to apply for a variant which cost \$2245.87

I am requesting fee removal

Now I am paying \$164.96 to apply for fee removal, since it wasn't my mistake to start with.

If I knew this from the beginning when I applied, I would of considered a smaller size shed.

I attached a letter from Shelton, Carla stating what happened she is the natural resources, review manager

Thanks

Michael Aziz

Name:

Signature

HILLSBOROUGH COUNTY DEVELOPMENT SERVICES DEPARTMENT
FEE WAIVER APPLICATION



Shaded Area For Official Use Only

APPLICATION PREFIX & NUMBER: FW _____ - 23 _____ - 0274 _____

HEARING(S) & TYPE: DATE: _____ TYPE: _____
(If Applicable)

DATE: _____ TYPE: _____

RECEIPT NUMBER: 248679 _____

APPLICATION TYPE AS REFERENCED IN LDC: Fee Waiver _____

INTAKE DATE: 03/09/2023 _____ INTAKE TECHNICIAN SIGNATURE: *Clare Odell*

APPLICANT'S REPRESENTATIVE

Name: Michael Aziz

Address: 6803 Spencer cir

City / State / Zip: Tampa FL 33610 Daytime Phone: (813) 7088889

E-mail Address: aziz@azizcycle.com Fax Number: (813) 6664503

APPLICANT

Name: Michael Aziz

Address: 6803 spencer cir

City / State / Zip: Tampa Daytime Phone: (813) 7088889

E-mail Address: aziz@azizcycle.com Fax Number: (813) 6664503

PROPERTY OWNER

Name: Michael Aziz

Address: 6803 spencer cir

City / State / Zip: Tampa FL 33610 Daytime Phone: (813) 7088889

E-mail Address: aziz@azizcycle.com Fax Number: (813) 6664503

PROPERTY ADDRESS OR GENERAL LOCATION: 6803 Spencer cir , Tampa FL 33610
located on East lake

NATURE OF REQUEST: waving variance fee

RELATED APPLICATIONS: _____

PROPOSED UTILITIES: Public Water Private Well Public Wastewater Septic Tank
(Additional Information Required On "Property Information Sheet")

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.

Michael Mahrous
Signature of the Applicant
Michael Aziz
Type or Print Name

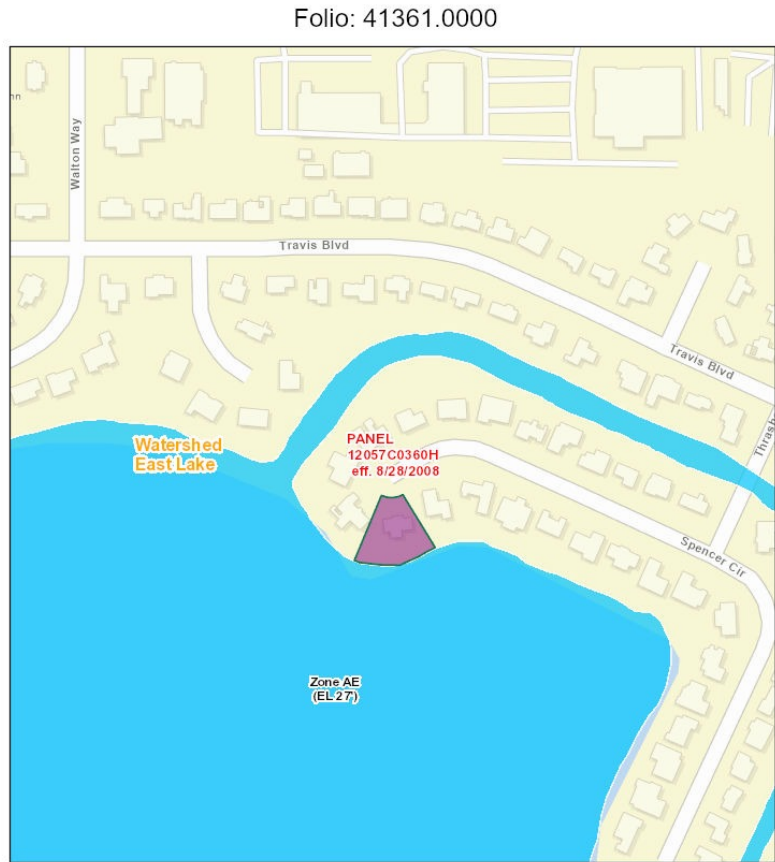
I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION TAKEN ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO THE CURRENT AND ANY FUTURE OWNERS.

Michael Mahrous
Signature of the Owner
Michael Aziz
Type or Print Name

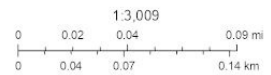


PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-6
Description	Residential - Single-Family Conventional
Flood Zone:AE	BFE = 27.0 ft
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0360H
FIRM Panel	12057C0360H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120357B
County Wide Planning Area	East Lake Orient Park
Community Base Planning Area	East Lake Orient Park Area
Census Data	Tract: 012001 Block: 2024
Future Landuse	R-6
Future Landuse	R-6
Future Landuse	R-6
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Northeast
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 4
Wind Borne Debris Area	Outside 140 MPH Area
Aviation Authority Height Restrictions	110' AMSL
Competitive Sites	NO
Redevelopment Area	NO



March 9, 2023



egis. Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Hillsborough County Florida

Folio: 41361.0000
PIN: U-02-29-19-1MO-000000-00240.0
Michael Adel Mahrous Aziz Etal
Mailing Address:
 6803 Spencer Cir
 null
 Tampa, FL 33610-5613
Site Address:
 6803 Spencer Cir
 Tampa, FL 33610
SEC-TWN-RNG: 02-29-19
Acreage: 0.381428
Market Value: \$332,683.00
Landuse Code: 0100 Single Family

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