



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 23-0807

LUHO HEARING DATE: September 26, 2023

CASE REVIEWER: Chris Grandlienard, AICP

REQUEST: The applicant is requesting a setback variance to accommodate an existing room addition for a single-family home on a corner lot zoned RSC-9. Additionally, the applicant is requesting a height variance for an existing fence.

VARIANCE(S):

Room Addition

Per LDC Section 6.01.01, a minimum front yard setback of 20 feet is required in the RSC-9 district. The subject parcel is a corner lot with required front yards on the property lines abutting Amundson Street and Johns Road. The applicant requests a 1.8-foot reduction to the required front yard setback to allow a setback of 18.2 feet from the southeast property line along Johns Road.

Existing Fence

Per LDC Section 6.07.02.C.1.a., fences over four feet in height shall not be allowed within required front yards, except under certain circumstances that do not apply to this case. The applicant requests a 2-foot increase in the permitted fence height to allow a height of 6 feet for an existing fence located on the southeast property line along Johns Road in the front yard which functions as a side yard.

FINDINGS:

- The existing fence located on the southeast property line along Johns Road is located on the public right of way, outside the property line. The applicant has confirmed that the fence will be moved to the property line within the subject property.
- The subject fence is the subject of a Building Services Notice of Violation # HC-CMP-23-0000041 which has been placed in the case file for this application.

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.

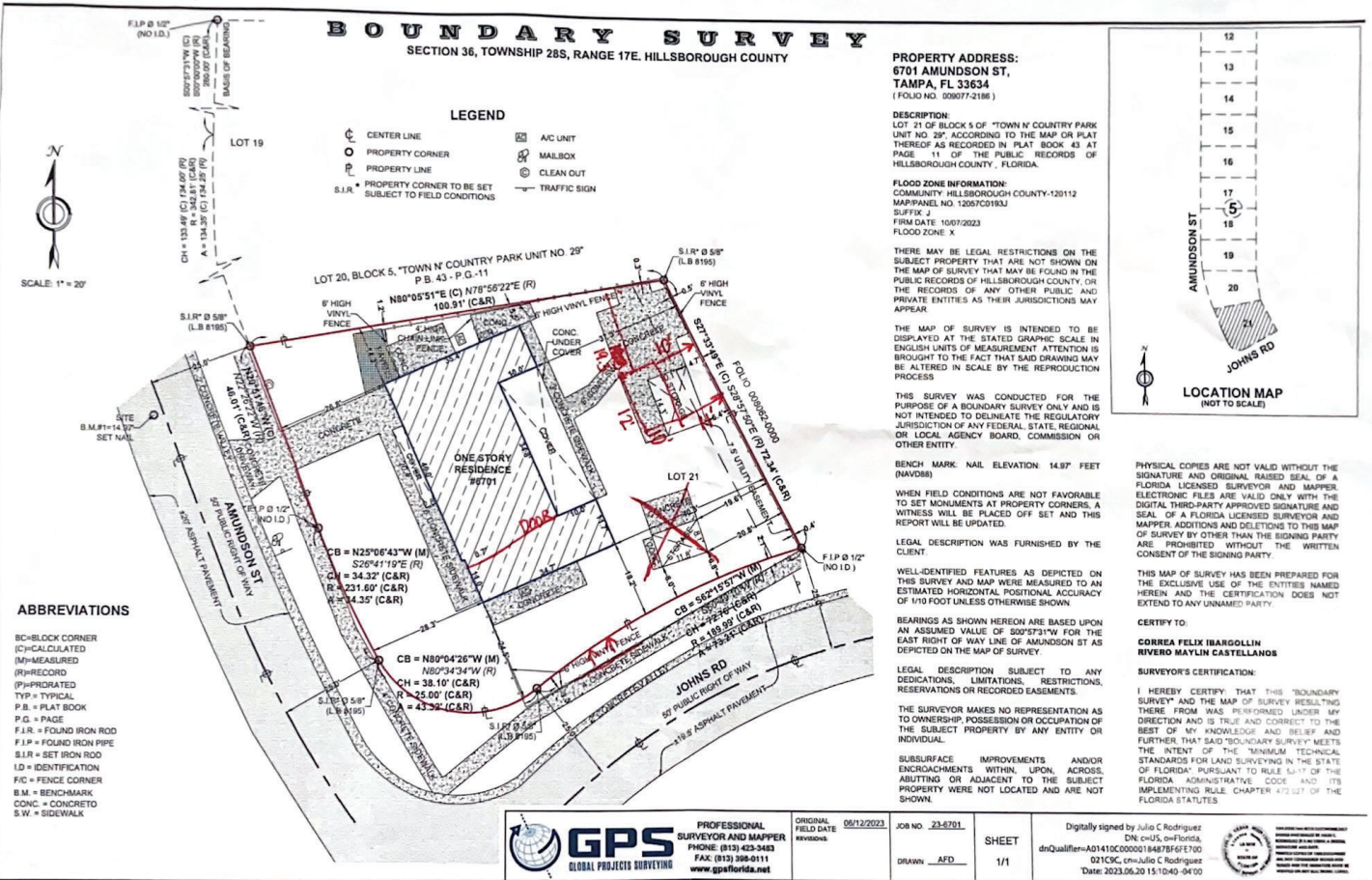
ADMINISTRATOR'S SIGN-OFF



Colleen Marshall
Tue Sep 12 2023 11:59:27

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

Project: Addition Corner fence will be moved to sit on boundary line



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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.

Property on a corner lot; I am applying for a variance of 2 feet from the required setback of 18.2 ft, resulting in a side yard of 20.2 ft facing right side of the property that works as a front setback

(which is a characteristic of corner lots in the area)

Additionally, I need another variance for the left fence (on the same corner of Johns Rd. street facing right side) that needs to be there for the safety of my family, including my pet & grand-daughter. They both enjoy the backyard & need to be safe & protected from danger.

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

RSC-9

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): open rear porch & room addition / HC-BLD-23-0040132
- 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 of 2

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 2ft variance request is unique to the subject property in that it has been requested to comply & adhere to the zoning codes of the property & area in which it is requested.

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.

Section 16.11.02 F-1 describes that existing attached accessory dwellings permitted shall be exempt for properties which have a rear yard serving as a front yard, characteristic of corner lots

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 shall not interfere with or injure the rights of neighboring properties. It is requested to comply with the Land Development Code & will not impose on any property in this area.

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).

According to Section 1.02.03; this variance will foster & preserve public health, safety & comfort & wellfare to those that reside in the neighboring areas.

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 addition of a room for my mother-in-law, which is elderly & needed constant care, was needed for my family. Thus, the 2ft variance would be done in order to comply with the Land Development Code

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.

Allowing the variance will result in substantial justice being done in that it will not interfere with public benefits of the neighboring properties, since it is requested for the right side backyard.



Variance Criteria Response 2 of 2

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 practical difficulty of owning a corner lot encompass the fences put up for the safety & privacy of my family, my granddaughter & pets require a safe area to play.

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.

Since the left fence is needed for safety, according to LDC Sec 6.07.02 The fence (6ft) was built to match the average height of the fences on the left side & back side.

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 left fence variance would just be to provide privacy & security for all of my family. It will not interfere with the rights of others, since the fence would be there for security reasons.

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).

Per the LDC, this left fence variance is in harmony & does not interfere with/or impose the rights and liberty of the homeowners in my area.

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.

Similar corner lots in the area have a left fence as well due to heavy traffic (cars & pedestrian). This was a safety & privacy concern. The fence needs to be left tall because of this security issue.

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.

For general safety of surrounding neighbors/ safety for my dog who needs a high enclosed area to run/live. Hardships such as being deprived of protection against theft or harm

This Instrument Prepared by and Return to:

ALL REAL ESTATE TITLE SOLUTIONS, INC.
1430 W. BUSCH BLVD, SUITE D
TAMPA, FLORIDA 33612

Property Appraisers Parcel Identification (Folio) Numbers:
009077-2186

Consideration: \$120,000.00

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS SPECIAL WARRANTY DEED, made and executed the 31st day of October, 2014 by FAST HOUSE ASSISTANCE, INC., A FLORIDA CORPORATION, having its principal place of business at PO BOX 341077, TAMPA, FL 33694, herein called the grantor, to FELIX IBARGOLLIN CORREA and MAYLIN CASTELLANOS RIVERO, HUSBAND AND WIFE, whose post office address is: 6701 AMUNDSON ST., TAMPA, FL 33634, hereinafter called the Grantees:
(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 00/100'S (\$10.00) Dollars 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:

LOT 21, BLOCK 5, TOWN N' COUNTRY PARK UNIT NO. 29, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN PLAT BOOK 43, PAGE 11, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

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 grantees that except as above noted, at the time of delivery of this Special Warranty Deed the premises were free of all encumbrances made by them, and they will warrant and defend the same against the lawful claims of all persons claiming by, through or under grantor.

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:

FAST HOUSE ASSISTANCE, INC.

Roxana Rosa
Witness Signature
Roxana Rosa

Printed Witness Signature

[Signature]
Witness Signature

Gabriela J. Germino
Printed Witness Signature

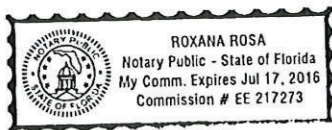
By: [Signature]
YOSVANI ALVAREZ, PRESIDENT
PO BOX 341077, TAMPA, FL 33694

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 31st day of October, 2014, by YOSVANI ALVAREZ, PRESIDENT of FAST HOUSE ASSISTANCE, INC. on behalf of the corporation. He/she is personally known to me or has produced **Drivers License** as identification.

SEAL



Roxana Rosa
Notary Signature, State of HILLSBOROUGH
Roxana Rosa
Printed Notary Name

My Commission Expires:

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Property/Applicant/Owner Information Form

Official Use Only

Application No: VAR 23-0807
Hearing(s) and type: Date: 09/26/2023
Date:

Type: LUHO

Intake Date: 07/12/2023
Receipt Number: 285666
Intake Staff Signature: Keshia Rivas

Property Information

Address: 6701 Amundson St. City/State/Zip: TAMPA/FL/33634
TWN-RN-SEC: 28S-17E-36009077-2196 Zoning: RSC-9 Future Land Use: R-6 Property Size: 2,170ft

Property Owner Information

Name: Felix Ibargollin Correa & Maylin Castellanos Rivero Daytime Phone 813-500-4351
Address: 6701 Amundson St. City/State/Zip: Tampa / FL / 33634
Email: placetas2001@hotmail.com Fax Number

Applicant Information

Name: Felix Ibargollin Correa Daytime Phone 813-500-4351
Address: 6701 Amundson St. City/State/Zip: Tampa / FL / 33634
Email: placetas2001@hotmail.com Fax Number

Applicant's Representative (if different than above)

Name:
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
Felix Ibargollin Correa
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.

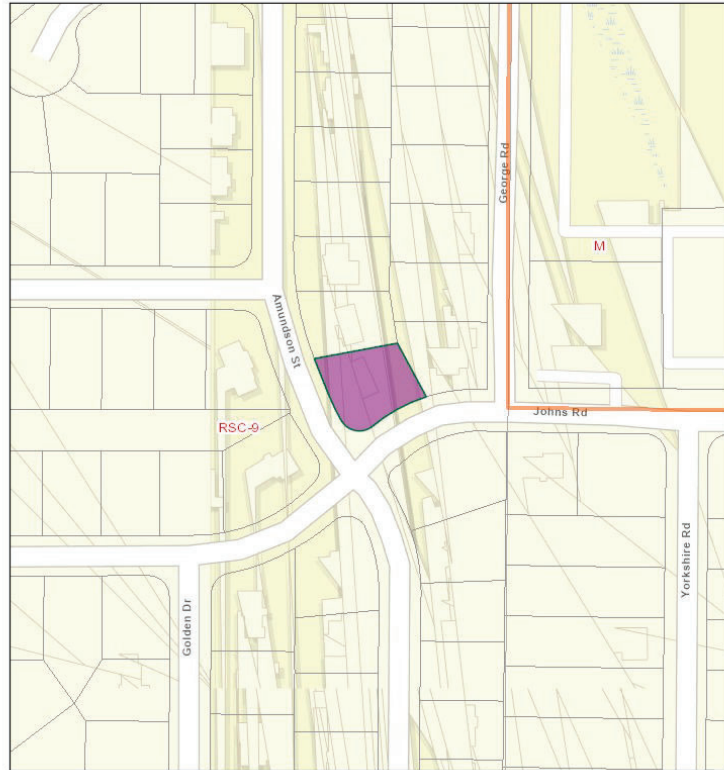
Signature of the Owner(s) - (All parties on the deed must sign)
Felix Ibargollin Correa & Maylin Castellanos Rivero
Type or print name



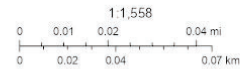
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-9
Description	Residential - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0193H
FIRM Panel	12057C0193H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120195D
County Wide Planning Area	Town and Country
Community Base Planning Area	Town and Country
Community Base Planning Area	Town and Country Focus Area
Census Data	Tract: 011605 Block: 2002
Future Landuse	R-6
Future Landuse	R-6
Future Landuse	R-6
Urban Service Area	USA
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 10
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	70' AMSL
Aviation Authority	Landfill Notification Area
Aviation Authority	Non-Compatible Use (Schools)
Competitive Sites	NO
Redevelopment Area	NO

Folio: 9077.2186



July 11, 2023



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

Hillsborough County Florida

Folio: 9077.2186

PIN: U-36-28-17-0DO-000005-00021.0

Felix Ibarrollin Correa Et Al

Mailing Address:6701 Amundson St
null

Tampa, FL 33634-4729

Site Address:6701 Amundson St
Tampa, FL 33634**SEC-TWN-RNG: 36-28-17****Acreage: 0.198799****Market Value: \$228,829.00****Landuse Code: 0100 Single Family**

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