

Variance Application: VAR 24-1107
LUHO Hearing Date: September 23, 2024
Case Reviewer: Carolanne Peddle



Hillsborough County Florida

Development Services Department

Applicant: Scott D And Anissa A Johnson Zoning: PD 85-0150

Location: 1010 Peachwood Dr. Brandon, Fl 33510; Folio: 67284.3466


Request Summary:

The applicant requests a setback variance to allow for a proposed addition to the existing home on the subject property.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
5.03.07.B.2.i PD 85-0150	Changes to approved PD districts, Minor Modification: Any decrease in required yards, except that when such decrease is to apply to three or less single-family lots within the project, the change shall be reviewed per Section 11.04. A minimum 25-foot rear yard setback is required in the PD zoning district.	10 feet	15-foot rear yard setback

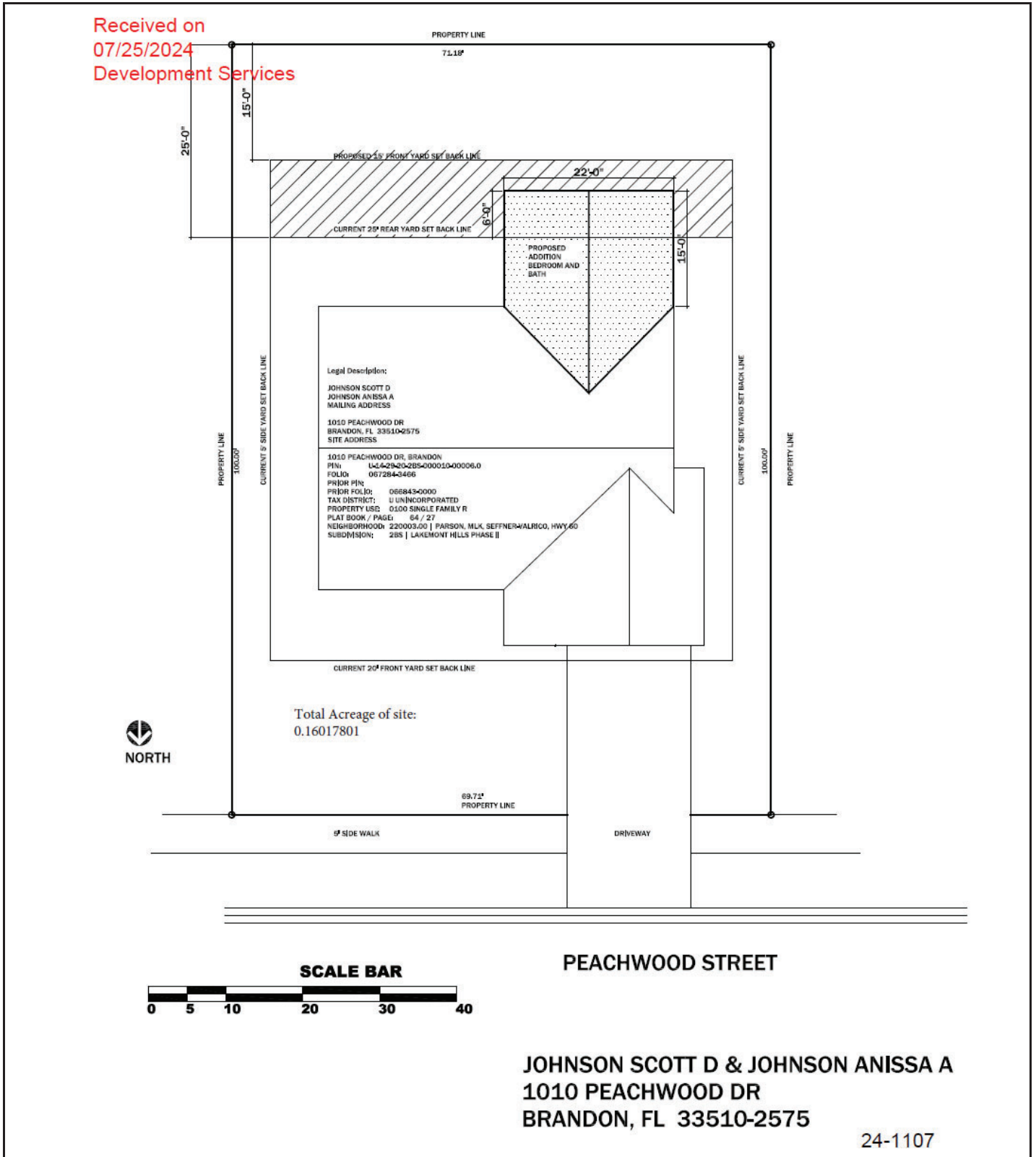
Findings:	None.
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Zoning Administrator Sign Off:	 Colleen Marshall Tue Sep 10 2024 13:23:44
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DISCLAIMER:
 The variance(s) listed above is based on the information provided in the application by the 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

Received on
07/25/2024
Development Services





Additional / Revised Information Sheet

Office Use Only		
Application Number: <u>Var-24-1107</u>	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-24-1107 Applicant's Name: Bobby Hall

Reviewing Planner's Name: Carolanne Peddle Date: 08/27/2024

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): 09/23/2024

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@hcf.gov

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@hcf.gov.

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.


Bobby Keith Hall
 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-24-1107

I hereby confirm that the material submitted with application _____


Includes sensitive and/or protected information.

Type of information included and location Variance type change/
1010 Peachwood Dr. Brandon FL 33510

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: _____  Bobby Keith Hall
(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



Additional / Revised Information Sheet

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

Included	Submittal Item
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1 **Cover Letter**** If adding or removing land from the project site, the final list of folios must be included

2 **Revised Application Form****

3 **Copy of Current Deed*** Must be provided for any new folio(s) being added

4 **Affidavit to Authorize Agent*** (If Applicable) Must be provided for any new folio(s) being added

5 **Sunbiz Form*** (If Applicable) Must be provided for any new folio(s) being added

6 **Property Information Sheet****

7 **Legal Description of the Subject Site****

8 **Close Proximity Property Owners List****

9 **Site Plan**** All changes on the site plan must be listed in detail in the Cover Letter.

10 **Survey**

11 **Wet Zone Survey**

12 **General Development Plan**

13 **Project Description/Written Statement**

14 **Design Exception and Administrative Variance requests/approvals**

15 **Variance Criteria Response**

16 **Copy of Code Enforcement or Building Violation**

17 **Transportation Analysis**

18 **Sign-off form**

19 **Other Documents** (please describe):

Revised # 2 in Project Description page

*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)

- 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.

A VARIANCE OF 10 FEET FROM THE REQUIRED REAR YARD SETBACK OF 25 FEET RESULTING IN A REAR YARD SETBACK OF 15 FEET.

This is a much needed variance in order to prevent an already sad situation from becoming a very tough choice for two elderly parents and their family. .

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

Variance for LDC Sec. 6.01.01
Schedule of District Area, Height, Bulk, and Placement Regulations

Additional Information

- Have you been cited by Hillsborough County Code Enforcement? No Yes
If yes, you must submit a copy of the Citation with this Application.
- 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): _____
- 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.
- Please indicate the existing or proposed utilities for the subject property:
 Public Water Public Wastewater Private Well Septic Tank
- 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



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?

Due to the declining health of her Parents, Anissa and her husband Scott Johnson have become full time care takers. A 79 Year old man with Prostate cancer and treatments, and a 75 year old mother with numerous Spinal, and Neck Injuries. Both parents have frequent incidents of falling , causing injuries and hospitalization. Financially , the Johnsons can not sustain private health care or private care. They simply have the parents at their home trying to do what they can to make them comfortable.

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 current 25 ' set backs will not allow for a sensible lay out or space for the parents. If we are granted this permission, we would be able to add 335 sf , giving the parents a bedroom, and an ADA bathroom. This would only impact the rear set back and not the sides.

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 addition would not have adverse impact on neighbors on either side , and still give adequate distance on the rear fence line. There would not be an increase in noise, or disturbance due to the addition. Therefore , we feel it would not have a negative impact.

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 Variance will allow the family to have a comfortable place to be able to monitor, and care for the elderly parents. This will allow Anissa to continue to make sure her parents are safe, clean, fed, and cared for in the best way possible. Also making sure they are properly taking meds.

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.

There are no illegal acts in this case. We have a family who has been faced with unfortunate , but difficult circumstances , and some tough decisions. Not only is this not illegal, it is highly respectable for Mr. And Mrs. Johnson to take this responsibility and not depend, on the system to take care of their loved ones .They simply need to utilize a small portion more of their property to make this achievable.

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.

The justice being done is allowing a daughter to care for her parents instead of trying to place them in assisted or nursing homes. Her parents have grown old together , and by allowing this variance to move forward, will allow them to spend their last years together, and with their daughter who is willing to do whatever it takes to make them comfortable. The Hardship, or injustice would be to allow 10' of grass and dirt to prevent this family from doing the honorable and right thing. Your consideration is Greatly Appreciated.

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This Indenture

Return to:
Fidelity National Title
5810 W. Cypress St., Suite E
Tampa, Florida 33607

Made this 30th day of September, A. D. 1994

Whichever word herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties herein; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders.

1994 OCT -4 AM 8:35 94245880

Between McDILL COLUMBUS CORPORATION, A FLORIDA CORPORATION a corporation existing under the laws of the State of FLORIDA having its principal place of business in the County of HILLSBOROUGH State of FLORIDA party of the first part, and

Scott D. Johnson and Anissa A. Johnson, Husband and Wife 1010 Peachwood Drive, Brandon, Florida 33510 OFF. 7541196 994 REC. of the County of HILLSBOROUGH and State of FLORIDA party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of TEN AND 00/100----- Dollars, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part forever, the following described land, situate, lying and being in the County of HILLSBOROUGH, State of Florida, to wit:

Lot 6 in Block 10 of LAKEMONT HILLS PHASE II, according to the Plat thereof, as recorded in Plat Book 64, on page 27, of the Public Records of HILLSBOROUGH County, Florida.

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

Documentary Tax Pd - F.S. 201.02 \$ 594.30
Documentary Tax Pd - F.S. 201.08 \$ 6
Intangible Tax Pd - F.S. 199 \$ 0
Richard Ake, Clerk Hillsborough County
By: Jensen Deputy Clerk

SUBJECT TO TAXES FOR THE YEAR 1994 AND THEREAFTER AND EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has caused these presents to be signed in its name by its President, and its corporate seal to be affixed, attested by its the day and year above written.

(Corporate Seal)

Attest: _____

McDILL COLUMBUS CORPORATION
By Maynard Fernandez
MAYNARD FERNANDEZ, President.
P.O. BOX 4116
Tampa, FL 33607

Signed, Sealed and Delivered in Our Presence:

Virginia A. Grigsby
Virginia A. Grigsby
Robert A. Roberts
State of Florida

County of HILLSBOROUGH

I Hereby Certify, That on this 30th day of September A. D. 1994 before me personally appeared MAYNARD FERNANDEZ, who is personally known to me and did not take an oath respectively of McDILL COLUMBUS CORPORATION, A FLORIDA CORPORATION, a corporation under the laws of the State of FLORIDA, to me known to be the persons described in and who executed the foregoing conveyance to Scott D. Johnson and Anissa A. Johnson

and severally acknowledged the execution thereof to be their free act and deed as such officers, for the uses and purposes therein mentioned; and that they affixed thereto the official seal of said corporation, and the said instrument is the act and deed of said corporation.

Witness my signature and official seal at BRANDON in the County of HILLSBOROUGH and State of Florida, the day and year last aforesaid.



VIRGINIA A. GRIGSBY
MY COMMISSION # 0632478 EXPIRES
October 10, 1997
BONDED THRU TROY FAIR INSURANCE, INC

Virginia A. Grigsby
Notary Public Virginia A. Grigsby
My Commission Expires _____

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**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 24-1107 Intake Date: 07/25/2024
Hearing(s) and type: Date: 09/23/2024 Type: LUHO Receipt Number: 392099
Date: _____ Type: _____ Intake Staff Signature: Alejandra Prado

Property Information

Address: 1010 Peachwood Dr City/State/Zip: Brandon, FL 33510-2575
TWN-RN-SEC: 29-20-1 Folio(s): 67284.3466 Zoning: PD Future Land Use: R-6 Property Size: 0.16017801

Property Owner Information

Name: Scott D And Anissa A Johnson Daytime Phone: 813-446-5715
Address: 1010 Peachwood Dr City/State/Zip: Brandon, FL 33510
Email: Bkhhomesllc@outlook.com Fax Number: _____

Applicant Information

Name: Scott D And Anissa A Johnson Daytime Phone: 813 446 5715
Address: 1010 Peachwood Dr City/State/Zip: Brandon, FL 33510
Email: Bkhhomesllc@outlook.com Fax Number: _____

Applicant's Representative (if different than above)

Name: KEITH HALL Daytime Phone: 813-446-5715
Address: 605 Campbell Ave. City/State/Zip: Plant City, FL 33563
Email: Bkhhomesllc@outlook.com 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.

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.

Scott D Johnson Anissa A Johnson
Signature of the Applicant

Scott D. Johnson/ Anissa A Johnson
Type or print name

Scott D Johnson Anissa A Johnson
Signature of the Owner(s) - (All parties on the deed must sign)

Scott D And Anissa A Johnson
Type or print name



Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

Application No: 24-1107 Intake Date: 07/25/2024
Hearing(s) and type: Date: 09/23/2024 Type: LUHO Receipt Number: 392099
Date: _____ Type: _____ Intake Staff Signature: _____

Applicant/Representative: Keith Hall Phone: 813-446-5715

Representative's Email: BKHhomesllc@outlook.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
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Applicant/Owner Information Form</u>
<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.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Sunbiz Form</u> (if applicable). This can be obtained at Sunbiz.org .
<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.
<input type="checkbox"/>	<input type="checkbox"/>	<u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Current Recorded Deed(s)</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Close Proximity Property Owners List</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Legal Description</u> for the subject site
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Fastrack Approval</u> (if applicable)

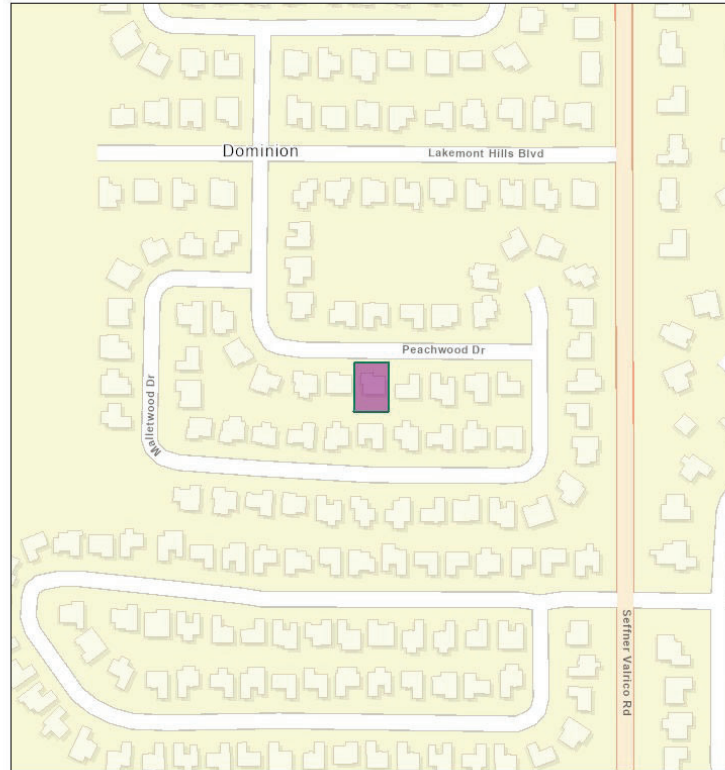
Additional application-specific requirements are listed in Part B.



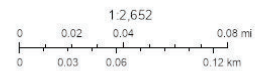
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	85-0150
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0385H
FIRM Panel	12057C0385H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120385E
County Wide Planning Area	Brandon
Community Base Planning Area	Brandon
Planned Development	PD
Re-zoning	null
Minor Changes	null
Major Modifications	null
Personal Appearances	93-0016,88-0008,86-0027
Census Data	Tract: 012208 Block: 4007
Future Landuse	R-6
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 4
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO

Folio: 67284.3466



July 25, 2024



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Hillsborough County Florida

Folio: 67284.3466
PIN: U-14-29-20-2BS-000010-00006.0
Scott D And Anissa A Johnson
Mailing Address:
 1010 Peachwood Dr
 null
 Brandon, FL 33510-2575
Site Address:
 1010 Peachwood Dr
 Brandon, FL 33510
SEC-TWN-RNG: 14-29-20
Acreage: 0.16017801
Market Value: \$231,403.00
Landuse Code: 0100 Single Family

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2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

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