

**Variance Application:** VAR 24-0915  
**LUHO Hearing Date:** August 26, 2024  
**Case Reviewer:** Tania C. Chapela



**Hillsborough  
 County Florida**

Development Services Department

**Applicant:** Jaime M. Batista, Rosalba Lopez      **Zoning:** RSC-6  
**Location:** 10715 Tabor Drive, Tampa; Folio 3730.4050

**Request Summary:**


The applicant is requesting a variance to allow a porch roof extension on the front of the existing home on the property.

**Requested Variances:**

LDC Section:	LDC Requirement:	Variance:	Result:
6.01.01	A minimum 25-foot front yard setback is required in the RSC-6 zoning district.	5.3 feet	19.7-foot front yard setback

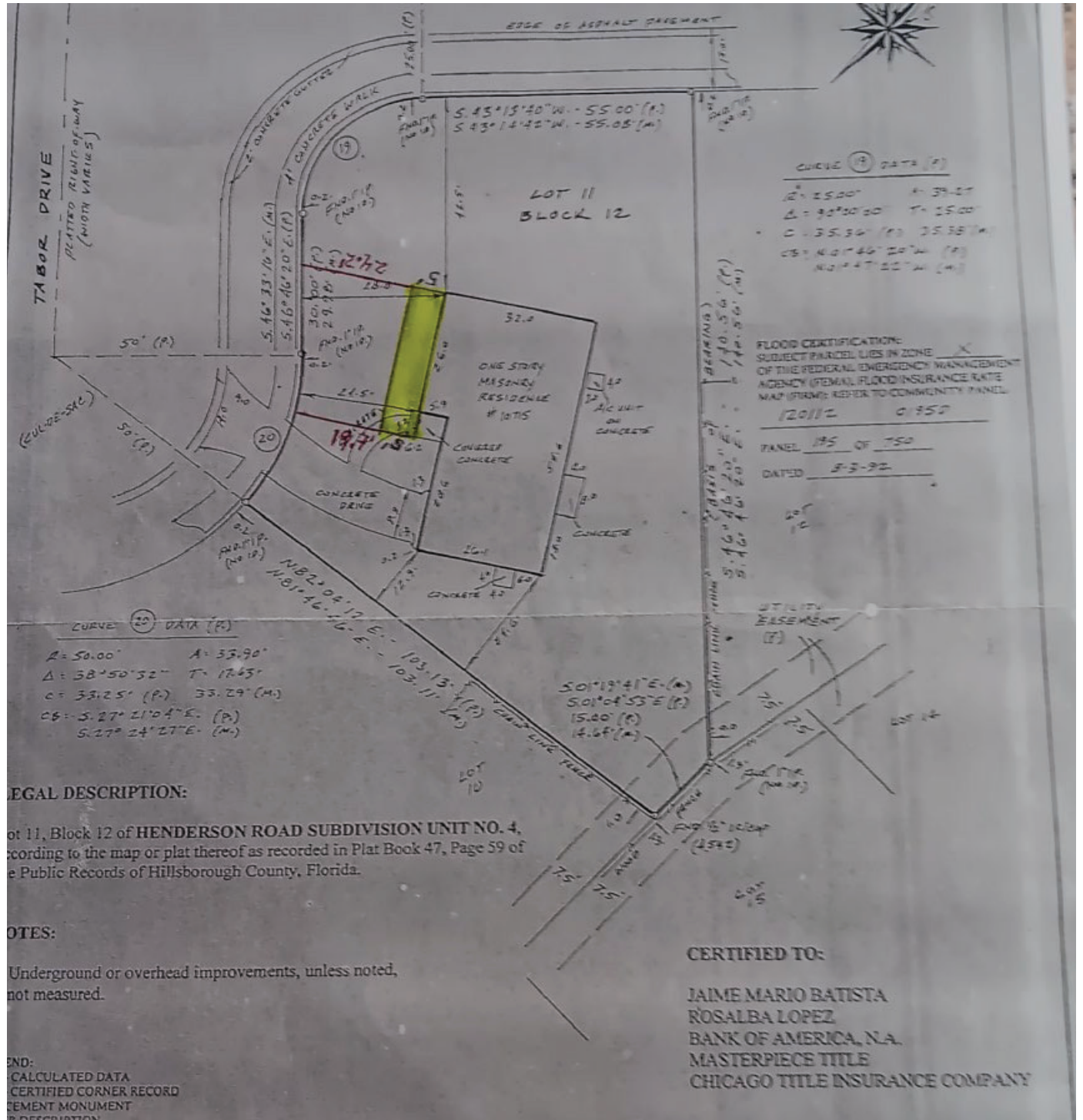
**Findings:** This application is related to a Code Violation case CN0121883, and project #HC-CMP-23-0000668. The violation includes several detached accessory structures that do not meet RSC-6 setbacks. In conversation with Staff, the applicant stated those structures would be removed from the property.

**Zoning Administrator Sign Off:**

  
Colleen Marshall  
 Thu Aug 15 2024 12:36:46

**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





# Additional / Revised Information Sheet

Office Use Only		
Application Number: 24-0915	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: 24-0915 Applicant's Name: Rosalba Lopez & Jaime Batista

Reviewing Planner's Name: Odell, Clare Date: 06/04/2024

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): 08/26/2024

### 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](mailto: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](mailto: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.***

Jaime Batista Rosalba Lopez  
Signature

07/22/2024  
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

I hereby confirm that the material submitted with application 24-0915

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: Jaime Batista Rosalba Lopez  
(Must be signed by applicant or authorized representative)

Intake Staff Signature: \_\_\_\_\_ Date: 07/22/2024



# 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 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 variants we are applying for is the extension of the portal that we built in the front of the house that consists of 5" wide X 32" long, with 3 columns. And of the 25 feet of front limit that we have, the first column from left to right, we violate the code by being within 5 feet inside the boundary, the 2nd column is 2.5 feet inside the boundary and the last one on the right only penetrates 1 foot into the boundary. Total into boundary are 25 square feet.  
In summary, the 5-foot wide portal reduces the setback on the left column to 19.7 feet, and the right column on the other end reduces the setback to 24.2 feet.

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

LDC Sec. 6.01.01 Front Setbacks for Property zoned RSC-6.

## 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:  
 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



## 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 hardships of our property are due to the construction of a portal in the front and a Lanai in the back, which include factors such as zoning, access problems, environmental considerations and economic limitations and our age. Our problem is only our property and we made it to protect ourselves from the sun heating on the front wall, as well as  
~~to protect ourselves from the rain but out of unknown we did them without permits we are also~~

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.

We now know the objectives, rules and regulations of the LCD better, the codes about the setback affect us because our property is in a cul de sac and the position of the house on the land is not rectangular so we are looking for a setback in the limit for our development. These Hardships are ours and different from those of our community.

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 not cause harm to neighboring, it shouldn't obstruct sunlight, views, serve a broader public interest without disproportionately change individual property rights.  
or access to air and space for neighboring properties and align with the character of the area, still adhere to other relevant regulations, such as safety codes, environmental standards, or  
~~accessibility requirements~~

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 variation allows flexibility in the use and development of the land, which allows us landowners adapt to changing circumstances or seek innovative approaches that align with the overall vision of the community and can facilitate the development of projects that promote these principles by allowing higher densities, reduced setbacks or mixed-use  
~~configurations that encourage pedestrian activity~~

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 difficulties we face are due to the position of the house on the land that is on the edge of the cul-de-sac and the position of the front facing south west so the sun is direct for more than 6 hours, the strong Rains have an impact on us when we get off and get home, so it affects our old age and health. other inherent characteristics of the property or other circumstances beyond the  
~~control of the owner are the little education we had of the purpose of the Territorial Development~~

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, considering both the public benefits that the LDC seeks to secure and the individual hardships that will be suffered if it is not granted, granting a variance will result in substantial justice, it is important to balance the specific individual hardships with broader public interests as outlined in the Land Development Code (LDC). This involves a careful assessment of how the variation would alleviate the owner's

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**Prepared by and Return to:**

**Karen Carranza  
Masterpiece Title  
15302 Casey Road  
Tampa, FL 33624**

**070314**

**General Warranty Deed**

Made this July 20, 2007 A.D. By **Elizabeth A. Scheidter, a single man**, whose address is: 16116 Craigend Place, Odessa, FL. 33556, hereinafter called the grantor, to **Jaime Mario Batista, a single man and Rosalba Lopez, a single woman, as joint tenants with full rights of survivorship**, whose post office address is: 10715 Tabor Dr, Tampa, Florida 33625, 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 Ten Dollars, (\$10.00) 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 11, Block 12, Henderson Road Subdivision Unit No. 4, according to the map or plat thereof as recorded in Plat Book 47, Page 59 of the Public Records of Hillsborough County, Florida.

Parcel ID Number: **3730.4050**

**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, 2006.

**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:*

*Clarissa Sissel*  
\_\_\_\_\_  
Witness Printed Name *Clarissa Sissel*

*Elizabeth A. Scheidter* (Seal)  
\_\_\_\_\_  
**Elizabeth A. Scheidter**  
Address: 16116 Craigend Place, Odessa, FL. 33556

*Juan S. Carranza*  
\_\_\_\_\_  
Witness Printed Name *Karen E. Carranza*

\_\_\_\_\_  
(Seal)

State of Florida  
County of Hillsborough

The foregoing instrument was acknowledged before me this July 20, 2007, by Elizabeth A. Scheidter, a single man, who is/are personally known to me or who has produced a drivers license as identification.



*Juan S. Carranza*  
\_\_\_\_\_  
Notary Public  
Print Name: *Karen E. Carranza*  
My Commission Expires: \_\_\_\_\_

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**Hillsborough  
County Florida**  
Development Services

# Property/Applicant/Owner Information Form

Application No: <u>24-0915</u>	Official Use Only	Intake Date: <u>06/04/2024</u>
Hearing(s) and type: Date: <u>08/26/2024</u>	Type: <u>LUHO</u>	Receipt Number: <u>373817</u>
Date: _____	Type: _____	Intake Staff Signature: <u>Clare Odell</u>

### Property Information

Address: 10715 TABOR DR City/State/Zip: TAMPA, FL 33625-4939

TWN-RN-SEC: 20-17-13 Folio(s): 003730-4050 Zoning: RSC-6 Future Land Use: R-4 Property Size: 0.25

### Property Owner Information

Name: BATISTA JAIME M. & LOPEZ ROSALBA Daytime Phone 8134204487

Address: 10715 TABOR DR City/State/Zip: TAMPA, FL 33625-4939

Email: Jbamito12@gmail.com Fax Number \_\_\_\_\_

### Applicant Information

Name: BATISTA JAIME M. & LOPEZ ROSALBA Daytime Phone 8134204487

Address: 10715 TABOR DR City/State/Zip: TAMPA, FL 33625-4939

Email: Jbamito12@gmail.com 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 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.

Rosalba Lopez      Jaime Batista  
Signature of the Applicant

Rosalba Lopez Jaime Batista  
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.

Rosalba Lopez      Jaime Batista  
Signature of the Owner(s) – (All parties on the deed must sign)

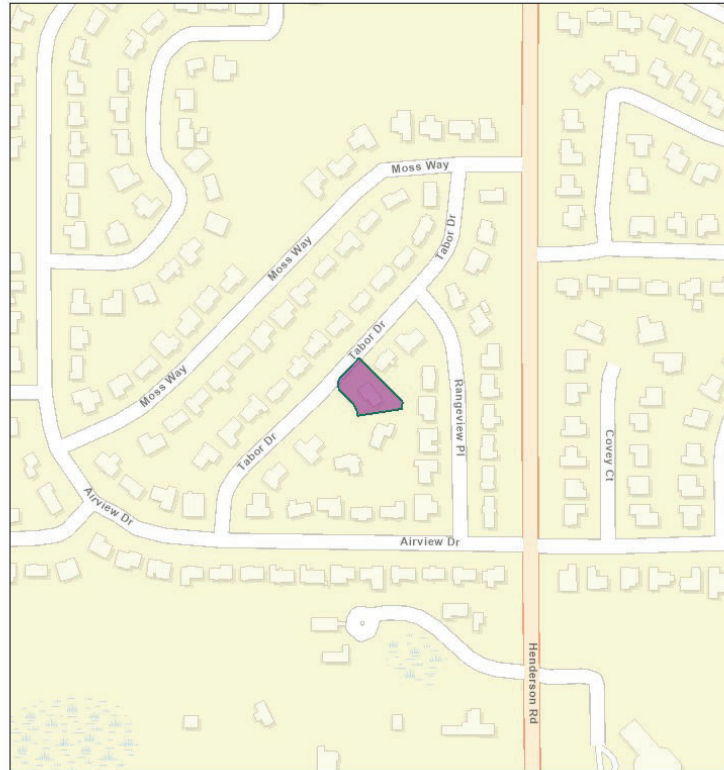
Rosalba Lopez & Jaime Batista  
Type or print name



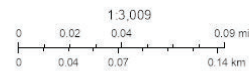
# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
INFL	I
Zoning	RSC-6
Description	Residential - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0191H
FIRM Panel	12057C0191H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120195D
County Wide Planning Area	Greater Carrollwood Northdale
Community Base Planning Area	Greater Carrollwood Northdale
Census Data	Tract: 011414 Block: 3026
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	180' AMSL
Competitive Sites	NO
Redevelopment Area	NO

Folio: 3730.4050



June 3, 2024



ESRI, Esri Community Maps Contributors, University of South Florida, City of Tampa, County of Pinellas, FDEP © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, Cedarapex, GeoTechnologies, Inc., METI/NAUSA, USDA, EPA, NPS, US Census Bureau, USDA, USFWS

Hillsborough County Florida

**Folio: 3730.4050**  
**PIN: U-13-28-17-05B-000012-00011.0**  
**Rosalba Lopez And Jaime Mario Batista**  
**Mailing Address:**  
 10715 Tabor Dr  
 null  
 Tampa, Fl 33625-4939  
**Site Address:**  
 10715 Tabor Dr  
 Tampa, Fl 33625  
**SEC-TWN-RNG: 13-28-17**  
**Acreage: 0.248586**  
**Market Value: \$291,254.00**  
**Landuse Code: 0100 Single Family**

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