

Variance Application: VAR 24-0575
LUHO Hearing Date: August 26, 2024
Case Reviewer: Michelle Montalbano



Applicant: Veterans Construction LLC **Zoning:** ASC-1
Address/Location: 13210 Elm Street, Odessa, FL 33556; Folio #: 396.9000

Request Summary:


The applicant is requesting a variance to accommodate the existing front yard setbacks of a single-family dwelling.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.01.01	A minimum 50-foot front yard setback is required in the ASC-1 zoning district.	7.3 feet	42.7-foot front yard setback

Findings: The variance application initially included a second setback variance request for a proposed addition in the required rear yard. However, per LDC Section 6.01.01.F.3, on corner lots the two sides not adjacent to the streets are both side yards and the lot has no rear yard. Therefore, the setback requirement for the proposed addition is a 15-foot side yard setback in the ASC-1 district. Since the applicant proposed a 35.2-foot setback, the variance request was not required.

Zoning Administrator Sign Off:


Colleen Marshall
Fri Aug 9 2024 14:53:11

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.



Additional / Revised Information Sheet

Office Use Only		
Application Number: <u>24-0575</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: 24-0575 Applicant's Name: Veterans Construction LLC

Reviewing Planner's Name: Michelle Montalbano Date: 06/24/2024

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): 07/29/2024

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@hcflgov.net

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@hcflgov.net.

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.

Roy L. Shell
Signature

06/24/2024
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 24-0575

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: Roy L Shell
(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
----------	----------------

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.

We are requesting a variance to the current ASC-1 zoning set backs. Current set back for ASC-1 is 50' from the property line in front. We would like to erect an addition to the current property that will support their growing family. The existing structure is currently 43' 3" from the front property line with no proposed changes. We are requesting a variance to current setbacks in front of home to keep the existing structure.

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

Requesting a variance from LDC section 6.01.01 (ASC-1 setback standards).

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): addition permit HC-BLD-24-0056258
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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Application Number: <u>24-0575</u>	Received Date:	Received By:

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Application Number: 24-0575 Applicant's Name: Veterans Construction LLC

Reviewing Planner's Name: Michelle Montalbano Date: 06/24/2024

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): 07/29/2024

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If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

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Roy L. Shell
Signature

06/24/2024
Date



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Signature: Roy L Shell
(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



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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 property lot lines and dimensions are abnormal. The neighborhood was platted 100 years ago. Original lot sizes were not designed for current ASC-1 zoning. Setbacks are reducing ability that is commonly enjoyed by adjoining neighbors.

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.

Many of the neighbors through the process of nonconforming lot reviews have built closer to property line than the current 50' setback required by ASC-1 zoning. We were unaware of nonconforming lot review process prior to merging to the neighboring lot.

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.

Neighbors that would be affected by variance will be notified, this will not substantially interfere with the rights of others. No structure will be erected more than one story tall or within 30' of front property lines.

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 is in harmony with the land development code and comprehensive plan. All proposed development in unincorporated Hillsborough County will be built in accordance with good planning and design practices and meet all code standards.

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 variance is to gain permission to keep existing structure that is not approved by ASC-1 zoning on front of existing structure.

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 would be beneficial, it will allow public safety and be consistent with the intent of the ordinance. If there is failure to grant the variance the individuals will suffer hardship because the existing structure does not support their growing family.



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Application Number: VAR 24-0575 Applicant's Name: Veterans Construction

Reviewing Planner's Name: Colleen Marshall Date: 04/05/2024

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 Minor Modification/Personal Appearance (PRS)
 Standard Rezoning (RZ)
- Variance (VAR)
 Development of Regional Impact (DRI)
 Major Modification (MM)
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 Conditional Use (CU)
 Other _____

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Roy L Shell
Signature

04/05/2024
Date



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VAR 24-0575

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Signature: Ray J. Shell
(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: 04/05/2024



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Electronically Certified Official Record

Document information

Agency Name: Hillsborough Clerk of Circuit Court and Comptroller
Clerk of the Circuit Court: The Honorable Cindy Stuart
Date Issued: 3/27/2024 8:49:24 AM
Unique Reference Number: BAA-FBB-BCAFH-HFGCEBAAJAADHIFFBHJ-DBEGGB-A
Certification ID: 75624100900378559179
Requesting Party Code: 511
Requesting Party Reference: 35450534

CERTIFICATION

Pursuant to Sections 90.955(1) and 90.902(1), Florida Statutes, and Federal Rules of Evidence 901(a), 901(b)(7), and 902(1), the attached document is electronically certified by The Honorable Cindy Stuart, Hillsborough County Clerk of the Circuit Court and Comptroller, to be a true and correct copy of an official record or document authorized by law to be recorded or filed and actually recorded or filed in the office of the Hillsborough County Clerk of the Circuit Court. The document may have redactions as required by law.

HOW TO VERIFY THIS DOCUMENT

This document contains a Unique Reference Number for identification purposes and a tamper-evident seal to indicate if the document has been tampered with. To view the tamper-evident seal and verify the certifier's digital signature, open this document with Adobe Reader software. You can also verify this document by scanning the QR code or visiting

<https://www.Clerkecertify.com/VerifyImage>.

**The web address shown above contains an embedded link to the verification page for this particular document.

*If you are a person with a disability who needs an accommodation, you are entitled, at no cost to you, to the provision of certain assistance. To request such an accommodation please contact the Clerk's ADA Coordinator within seven working days of the date the service is needed; if you are hearing or voice impaired, call 711.

Clerk of Court & Comptroller's Office ADA Coordinator

601 E. Kennedy Blvd., Tampa, FL 33602

Phone: (813) 276-8100, extension 4347

Email: recording@hillsclerk.com



Prepared By:
SingleSource Property Solutions
333 Technology Drive, Suite 102
Canonsburg, PA 15317

When recorded mail to:
Michael S. Lockhart and Angelique Lockhart
3161 Roxbury Drive
Holiday, FL 34691

Parcel ID No.: U-07-27-17-00D-000011.0
Purchase Price Paid: \$36,200.00
Other Consideration: \$0.00
Documentary Stamp Tax: \$

Special Warranty Deed

THIS SPECIAL WARRANTY DEED is made on February 19th 2015, by Arch Bay Holdings, LLC-Series 2010 A, whose address is 15490 Laguna Canyon Rd, Ste 210, Irvine, CA 92618 (herein, "Grantor"), to Michael S. Lockhart and Angelique Lockhart, married, whose address is 3161 Roxbury Drive, Holiday, FL 34691 (herein, "Grantee").

GRANTOR, in consideration of THIRTY SIX THOUSAND, TWO HUNDRED DOLLARS AND 0/100 (\$36,200.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby conveys to Grantee, all of Grantor's interest in and to the following described real property located in the County of Hillsborough, State of Florida:

SEE EXHIBIT A ATTACHED HERETO.

Property street address: 13210 Elm Street, Odessa, FL 33556

TOGETHER WITH all of the easements, rights, privileges and appurtenances thereto belonging and all of the estate, right, title, interest and claim, either at law or in equity, of Grantor of, in, to or out of such real property.

TO HAVE AND TO HOLD the above-described real property in fee simple with all appurtenances and for the purposes set forth herein, subject to all matters of record, if any. Grantor hereby fully warrants title to said property and will defend the same against the lawful claims of all persons claiming by and through Grantor.

IN WITNESS WHEREOF, Grantor signed and sealed this Special Warranty Deed on the date first above written.

011196 0006 . DAA-TDB-BUAFH-HFGCEBAAJAADHIFFBHJ-DBEGGB-A Page 1 of 3

Witnesses:

Grantor:

Arch Bay Holdings, LLC-Series 2010 A

[Signature]
Witness #1 signature

By: [Signature]

Annie Hsieh
Printed name of witness #1

Printed Name: Claudio Chavez

[Signature]
Witness #2 signature

Title: CEO

Elijah Pallante
Printed name of witness #2

STATE OF California
COUNTY OF Orange

This instrument was acknowledged before me on February 19, 2013, by

Claudio Chavez, as CEO of Arch Bay Holdings, LLC-Series 2010 A, [] who is personally known to me or

who has produced California DMV identification.

[Affix Notary Seal]

[Signature]
SIGNATURE OF NOTARY PUBLIC
My commission expires: 6/4/14



U:\11496 0006 . DAA\F00B-DC\AFH-HF-GCEBAAJAADHIFFBHJ-DBEGGB-A Page 2 of 3

Unique Code : BAA-1BB-BCAFH-HFGCEBAAJAADHIFFBHJ-DBEGGB-A Page 3 of 3

EXHIBIT A

The following property located in Hillsborough County, Florida, to-wit: Lots 11, 12, 13 and 14, Block 15, Keystone Park, according to the map or plat thereof as recorded in Plat Book 5, Page 68, Public Records of Hillsborough County, Florida.

This property is not the homestead real property of Grantor.

MAIL FUTURE TAX STATEMENT TO:

Michael S. Lockhart and Angelique Lockhart
3161 Roxbury Drive
Holiday, FL 34691

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE IN MY OFFICE AS REDACTED PURSUANT TO COURT RULE. WITNESS MY HAND AND OFFICIAL SEAL.



THE HONORABLE CINDY STUART, CLERK OF THE CIRCUIT COURT

Cindy Stuart
Cindy Stuart, CLERK

24-0575

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**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 24-0575 Intake Date: 03-18-24
Hearing(s) and type: Date: 05/20/2024 Type: LUHO Receipt Number: 350386
Date: _____ Type: _____ Intake Staff Signature: Clare Odell

Property Information

Address: 13210 Elm St City/State/Zip: ODESSA, FL 33556
TWN-RN-SEC: 27-17-7 Folio(s): 000396-9000 Zoning: ASC-1 Future Land Use: ~~R-4~~ R-1 Property Size: 1.08

Property Owner Information

Name: Michael and Angelique Lockhart Daytime Phone 727-243-9394
Address: 13210 Elm St City/State/Zip: Odessa, FL, 33556
Email: _____ Fax Number _____

Applicant Information

Name: Veterans Construction LLC Daytime Phone 727-748-8387
Address: 419 S Pinellas Ave City/State/Zip: Tarpon Springs, FL 34689
Email: Roy@veteransconstructionfl.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.

Roy L Shell
Signature of the Applicant

Roy L. Shell
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)

Type or print name



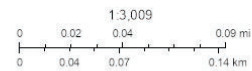
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	ASC-1
Description	Agricultural - Single-Family Conventional
Zoning Category	Agricultural
Zoning	ASC-1
Description	Agricultural - Single-Family Conventional
Flood Zone:A	
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0019H
FIRM Panel	12057C0019H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Flood Zone	A
Pre 2008 Firm Panel	1201120040D
County Wide Planning Area	Keystone Odessa
Community Base Planning Area	Keystone Odessa
Census Data	Tract: 011504 Block: 1003
Future Landuse	R-1
Mobility Assessment District	Rural
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
Competitive Sites	NO
Redevelopment Area	NO

Folio: 396.9000



March 19, 2024



ESRI, Esri Community Maps Contributors, City of Tampa, County of Pinellas, FDEP, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, MET/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Hillsborough County Florida

Folio: 396.9000
PIN: U-07-27-17-00D-000015-00011.0
Michael S And Angelique Lockhart
Mailing Address:
 13210 Elm St
 null
 Odessa, Fl 33556-5622
Site Address:
 13210 Elm St
 Odessa, Fl 33556
SEC-TWN-RNG: 07-27-17
Acreage: 1.08015001
Market Value: \$449,268.00
Landuse Code: 0100 Single Family

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