



Hillsborough County Florida

LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-0460	
LUHO HEARING DATE: March 21, 2022	CASE REVIEWER: Sam Ball

REQUEST: The applicant is requesting a height variance for a proposed fence on property zoned RSC-4.

VARIANCE(S):

Per LDC Section 6.07.02.C.1.a., fences over four feet in height shall not be allowed within required front yards in residential districts, except under certain circumstances that do not apply to this case. Per LDC Section 6.01.01, a minimum front yard setback of 25 feet is required in the RSC-4 district. The applicant requests a 2-foot increase to the permitted fence height to allow a 6-foot-high fence in the required front yard on the south side of the property along Puritan Road

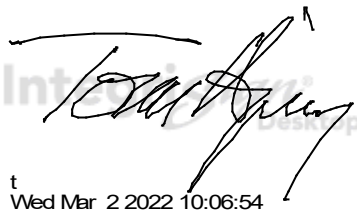
FINDINGS:

- As shown on the site plan submitted by the applicant, the majority of the proposed fence will be set back 12 feet from the south property line, while the gate will be set back 25 feet.

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



t
Wed Mar 2 2022 10:06:54

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

property line
fence 12ft
25ft gate
trees

PURITAN HEIGHTS
(P.B. 34, PG. 11)

PURITAN ROAD

P.O.B.

LABELED
trees

P.O.C.

SECTION 21, TOWNSHIP 28 SOUTH, RANGE 19 EAST
HILLSBOROUGH COUNTY, FLORIDA

LEGAL DESCRIPTION

NO.	BEARING	DISTANCE
1	S 89° 00' 00" W	12.00
2	S 00° 00' 00" W	12.00
3	S 89° 00' 00" E	12.00
4	S 00° 00' 00" E	12.00

NEIGHBOR'S ADDRESS

NEIGHBOR'S ADDRESS
[Detailed text describing adjacent property and survey details]

HILLSBOROUGH RIVER

Elizabeth Graham
5302 Puritan RD.
Tampa, FL. 33617
Variance request 22-0460

Thomas Monaweck
2021.11.01
12:21:46
-04'00"

BOUNDARY SURVEY

Prepared For: GLOBAL ENGINEERING ASSOCIATES, INC.
Client By: T.J.M.
Checked By: T.J.M.
Scale: 1"=50'
Job No: 21085.00
Date: 02/25/21
Sheet: 1 of 1



MONAWECK SURVEYING, INC.

22-0460

VARIANCE REQUEST

1. Project Narrative: 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.

Variance for a 6 ft high front and side fence from the required 25 ft. setback to allow the fence to be in the front of the existing oak and fruit trees on the property. The proposed front yard setback is 12 ft.

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

6.07.02 C4A

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 (Attachment A).
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 and/or septic 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 Reclaimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing (form may be obtained from 19th floor County Center).

VARIANCE CRITERIA RESPONSE

You must provide a response to each of the following questions. If additional space is needed, please attach extra pages to this application.

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?

I have had my fruit trees stolen from my property, and people come on my property without approval. There is an existing 4 ft fence which is not enough security or safety. In the front there are several oak trees as well that would not allow a 6 ft fence to be right at the 25 ft set back. The proposed 6 ft fence would be in compliance to the property to the east as well.

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 neighbor to the east has a 6 ft fence to the right a way and the neighbor to property over has a block 6 ft fence

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 6 ft fence would not injure anybody. It would secure my private property.

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 proposed 6 ft fence would be constructed of a black powder coated chain link on the front and a 6 ft black powder coated chain link on the sides that would be visual harmony with the existing landscapes and trees. Allowing the 6 ft black fence to blend in and disappear to ensure harmony and peaceful cooperation with the neighbors.

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.

I as an applicant I am the victim of theft and trespassing. People walk over my current fence steal my trees, walk their dogs, walk around, smoke pot, dump, go fishing. The list goes on. This is my private property. Not a park, dump or fishy boat ramp.

6. Explain how allowing the variance will result in substantial justice being done, considering both the public benefit intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.

People would continue come on my property and steal and trespass. Walk their dogs without cleaning after them. Go in the back of my property and go fishing off my dock which puts me at risk for a liability and do illegal activities on my property.

Prepared by and return to:

Hobbs and Hobbs, P.L.
3818 W. Azeele Street
Tampa, FL 33609
813-879-8333
File Number: **18-115**

Parcel Identification No. **U-27-28-19-ZZZ-000001-37660.0**

[Space above This Line for Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this **6th** day of **November, 2018** between **Puritan Road, LLC, a Florida limited liability company** whose post office address is **3818 W. Azeele St., Tampa, FL 33609** of the County of **Hillsborough, State of Florida**, grantor*, and **Elizabeth Graham**, whose post office address is **5135 N. Florida Ave., Tampa, FL 33603** of the County of **Hillsborough, State of Florida**, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Hillsborough County, Florida**, to-wit:

From the Northwest corner of the Southwest ¼ of the Northwest ¼ of Section 27, Township 28 South, Range 19 East, Hillsborough County, Florida, run thence South 475 feet, thence East 1299 feet to the Point of Beginning; continue thence East 100 feet, thence North to the River, thence Westerly along the river to a point North of the Point of Beginning, thence South to the Point of Beginning;

AND

Beginning at a point 475 feet South and 1199 feet East of the Northwest corner of the Southwest quarter of the Northwest quarter of Section 27, Township 28 South, Range 19 East, thence East 100 feet, thence North to the waters of Hillsborough River, thence meander Southwesterly along the waters edge to a point due North of the Point of Beginning; thence due South to the Point of Beginning.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever, except for easements, restrictions, and reservations of record and taxes for the year 2019 and subsequent years.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Witness Name: Erin Hobbs

[Signature]
Witness Name: ROBERT S. HOBBS

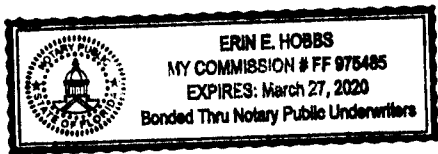
PURITAN ROAD, LLC

By: [Signature]
Robert S. Hobbs, Manager

**STATE OF FLORIDA
COUNTY OF HILLSBOROUGH**

The foregoing instrument was acknowledged before me this 6 day of November, 2018 by Robert S. Hobbs, Manager of Puritan Road, LLC, on behalf of the limited liability company. He/she is personally known to me or has produced a driver's license as identification.

[Notary Seal]



[Signature]
Notary Public

Printed Name: Erin Hobbs

My Commission Expires: 03/27/2020



VARIANCE APPLICATION

IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

You must schedule an appointment to submit this application by calling 813-272-5600.
All requirements listed on the submittal checklist must be met. **Incomplete applications will not be accepted.**

Property Information

Address: 5302 Puritan RD City/State/Zip: Tampa, FL 33617 TWN-RN-SEC: 27/28/19
Folio(s): 038463-0000 Zoning: RSC-6 Future Land Use: Res-6 & R-35 Property Size: 5.38 acres

Property Owner Information

Name: Elizabeth Girham Daytime Phone: 813-389-2090
Address: 5002 Puritan RD City/State/Zip: Tampa, FL 33617
Email: forever beautiful@verizon.net FAX Number: N/A

Applicant Information

Name: SAM E Daytime Phone: _____
Address: _____ City/State/Zip: _____
Email: _____ FAX Number: _____

Applicant's Representative (if different than above)

Name: self Daytime Phone: _____
Address: _____ City / State/Zip: _____
Email: _____ FAX Number: _____

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.

Elizabeth Girham
Signature of Applicant

Elizabeth Girham
Type or Print Name

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

Signature of Property Owner

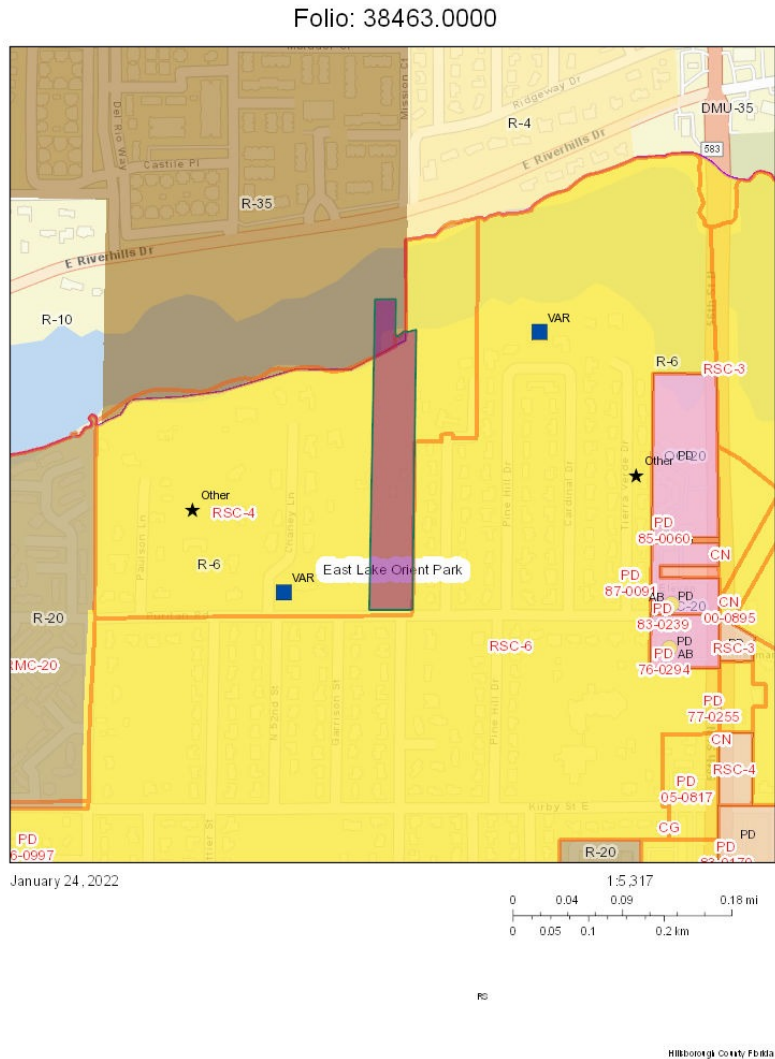
Type or Print Name

Intake Staff Signature: Clare Odell Office Use Only Intake Date: 01/24/2022
Case Number: 22-0460 Public Hearing Date: 03/21/2022
Receipt Number: 123135



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-4
Description	Residential - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
Flood Zone:AE	
Flood Zone:AE	FLOODWAY
FIRM Panel	0219H
FIRM Panel	12057C0219H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Flood Zone	AE FW
Pre 2008 Flood Zone	AE
Pre 2008 Flood Zone	AE FW
Pre 2008 Firm Panel	1201150005E
County Wide Planning Area	East Lake Orient Park
Community Base Planning Area	East Lake Orient Park Area
Census Data	Tract: 010502 Block: 1002
Census Data	Tract: 000902 Block: 3013
Census Data	Tract: 010502 Block: 1001
Future Landuse	R-35
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	170' AMSL
Competitive Sites	NO
Redevelopment Area	NO



Folio: 38463.0000
PIN: U-27-28-19-ZZZ-000001-37660.0
ELIZABETH GRAHAM
Mailing Address:
5135 N FLORIDA AVE
TAMPA, FL 33603-2137
Site Address:
5302 PURITAN RD
TAMPA, FL 33617
SEC-TWN-RNG: 27-28-19
Acreage: 5.38149023
Market Value: \$508,330.00
Landuse Code: 6600 AGRICULTURAL

Hillsborough County makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any of the geodata information provided herein. The reader should not rely on the data provided herein for any reason. Hillsborough County explicitly disclaims any representations and warranties, including, without limitations, the implied warranties of merchantability and fitness for a particular purpose. Hillsborough County shall assume no liability for:

1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.
2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.