

Variance Application: VAR 26-0018

LUHO Hearing Date: January 12, 2026

Case Reviewer: Cierra James

**Hillsborough
County Florida**

Development Services Department

Applicant: Eleazar Garza Zapata

Zoning: AS-1

Location: 11905 Baytree Drive, Riverview, FL 33569; Folio 77361.0228

Request Summary:

The applicant is requesting a variance to front porch standards to accommodate an existing front porch structure.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.01.03.I.7 6.01.01	Front porches, inclusive of architectural features such as cornices, may project into the required front yard no more than ten feet or 50 percent of the required front yard setback whichever is less. A 50-foot front yard setback is required in the AS-1 zoning district. Therefore, a 40-foot setback is required for a front porch, or 10-foot intrusion into the front yard.	5.5 feet	15.5-foot intrusion into required front yard (34.5-foot front yard setback) for front porch.

Findings:

The home is setback 51 feet from the property line and the roof of the front porch is 16.5 feet deep, intruding 15.5 feet into the required front yard.

The property is under Code Compliance violation (HC-CMP-25-0000004) for failure to obtain a Residential Miscellaneous Permit.

Zoning Administrator Sign Off:


Colleen Marshall
Wed Dec 24 2025 11:43:46

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.



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.

Front porch which is under violation was constructed before knowing a permit was needed and is around 3ft to close to the property line we do not wish to reshape the porch and take off 3ft as it does not harm or endanger anyone driving into the property and would take to much labor to reshape the columns supporting the porch are not only several feet underground but are also stabilized and held down by concrete making reshaping the porch immensely difficult and would most likely require a complete demolition to reduce the size

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

Land development code 6.01.03.I(7) The property is zoned AS-1, with front setback of 50', however, the porch is not allowed to encroach more than 10' into the front yard. Hence the want for a variance

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): 6.01.03.i.7
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. 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?

To not reshape the porch

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.

Would not allow us to have a porch like other similar properties near by

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.

No this variance will not injure anyone

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*).

Only asking for 3ft

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.

Father built the porch not knowing we needed a permit/permission

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.

Having a variance would allow us to keep the shape of the porch as is without any additional labor being done unfortunately the columns supporting the porch are buried and stabilized by concrete which would make reshaping the porch immensely difficult and laborious for the builder who is also the applicant

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Prepared By and Return To:

Foundation Title & Trust, LLC
14016 Spector Road
Lithia, FL 33547

Order No.: FH-0522-18

Property Appraiser's Parcel I.D. (folio) Number:
U-34-30-20-2U3-000002-00027.0

WARRANTY DEED

THIS WARRANTY DEED dated March 9, 2018, by **Marvin D Ferrera and Floridalma O Ferrera, husband and wife**, whose post office address is 12346 Siltan Peace Drive, Riverview, Florida 33579 (the "Grantor"), to **Eleazar Garza Zapata and Aide E. Flores, husband and wife**, whose post office address is 11905 Baytree Drive, Riverview, Florida, 33569 (the "Grantee").

(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 No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in County of Hillsborough, State of Florida, viz:

Lot 27, Block 2, Tropical Acres, Unit No. 4, according to the map or plat thereof as recorded in Plat Book 43, Page 20, Public Records of Hillsborough County, Florida, together with that certain 2004 Oak Springs Doublewide Mobile Home attached thereto, having VIN#G2620150SA, Title #89001921 and VIN# G2620150SB, Title #89002385.

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

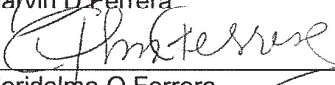
TO HAVE AND TO HOLD the same in Fee Simple forever.

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, 2017.**

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

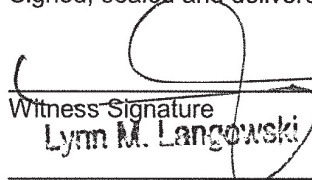


Marvin D. Ferrera


Floridalma O. Ferrera

Grantor Address:
12346 Siltan Peace Drive
Riverview, FL 33579

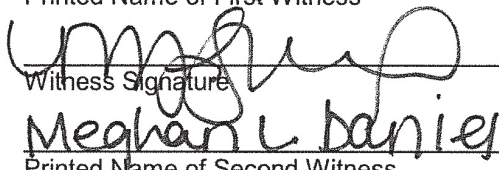
Witness Signature



Lynn M. Langowski

Printed Name of First Witness

Witness Signature



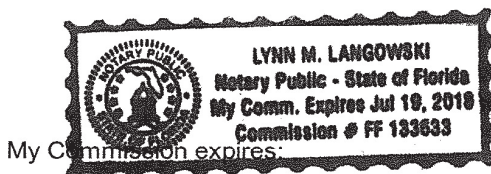
Meghan L. Danie

Printed Name of Second Witness

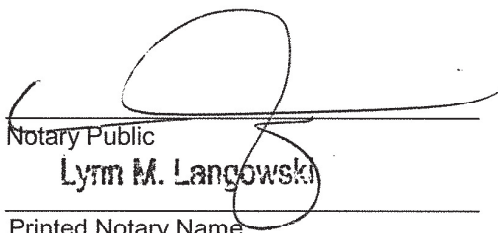
STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 9th day of March, 2018, by Marvin D Ferrera and Floridalma O Ferrera who are personally known to me or have produced Driver Licenses as identification and did not take an oath.

SEAL



Notary Public



Lynn M. Langowski

Printed Notary Name



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 26-0018

Intake Date: 10/03/2025

Hearing(s) and type: Date: 12/15/2025

Type: LUHO

Receipt Number: 524144

Date: _____

Type: _____

Intake Staff Signature: _____

Julie Boatright

Property Information

Address: 11905 Baytree Dr City/State/Zip: Riverview/FL/33569

TWN-RN-SEC: 30-20-34 Folio(s): 77361.0228 Zoning: As1 Future Land Use: R-1 Property Size: .98 acres

Property Owner Information

Name: Eleazar garza zapata and Aide Flores Daytime Phone: 8134463407

Address: 11905 baytree dr City/State/Zip: Riverview/FL/33569

Email: floresaide@yahoo.com Fax Number: _____

Applicant Information

Name: Eleazar garza zapata Daytime Phone: 8134463407

Address: 11905 baytree dr City/State/Zip: Riverview/FL/33569

Email: floresaide@yahoo.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.

Signature of the Applicant

Eleazar garza zapata

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)

Eleazar garza zapata & Aide flores

Type or print name



Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

Application No: 26-0018 Intake Date: _____
Hearing(s) and type: Date: 12/15/2025 Type: LUHO Receipt Number: _____
Date: _____ Type: _____ Intake Staff Signature: _____

Applicant/Representative: Eleazar garza zapata Phone: 813-446-3407

Representative's Email: floresaide@yahoo.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
1	☒	☐ <u>Property/Applicant/Owner Information Form</u>
2	☐	☒ <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.
3	☐	☒ <u>Sunbiz Form</u> (if applicable). This can be obtained at Sunbiz.org .
4	☒	☐ <u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
5	☒	☐ <u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
6	☒	☐ <u>Copy of Current Recorded Deed(s)</u>
7	☒	☐ <u>Close Proximity Property Owners List</u>
8	☒	☐ <u>Legal Description</u> for the subject site
9	☐	☒ <u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
10	☐	☒ <u>Fastrack Approval</u> (if applicable)

Additional application-specific requirements are listed in Part B.



Specific Submittal Requirements for Variances

This section provides information on items that must be addressed/submitted for a Special use - Land Excavation permit and will be subsequently reviewed when the application is assigned to a planner. Where certain information does not apply to a project, a notation shall appear on the plan stating the reason, for example, "No existing water bodies within project." Additionally, the explanations and justifications for when certain information does not apply to the project shall be included in the Narrative. If Hillsborough County determines the submitted plan lacks required information, the application shall not proceed to hearing as provided for in Section 6.2.1.1.A. Additionally, the required information is only the minimum necessary to schedule an application for hearing and Hillsborough County reserves the right to request additional information during review of the application.

If you are viewing this form electronically, you may click on each underlined item for additional information.

For any items marked N/A, justification must be provided as to why the item is not included.

Part B: Project Information

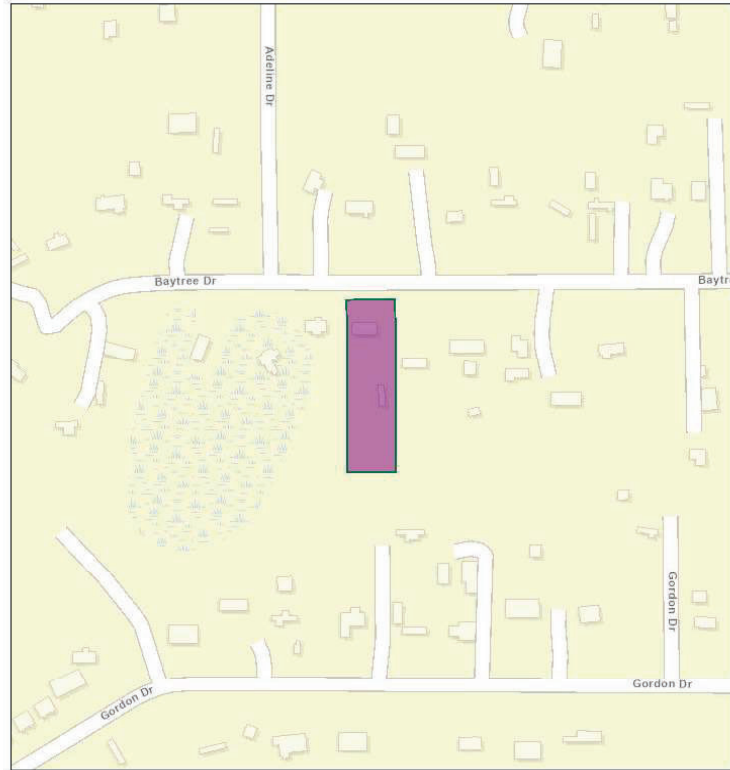
Additional Submittal Requirements for a Variance

- 1  Project Description/Written Statement of the Variance Request
- 2  Variance Criteria Response
- 3  Attachment A (if applicable)
- 4  Survey/Site Plan
- 5  Supplemental Information (optional/if applicable)



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Folio: 77361.0228



September 30, 2025

1:2,934
0 0.02 0.04 0.08 mi
0 0.04 0.07 0.14 km

ESRI Community Maps Contributors, University of South Florida, City of Tampa, FDOT, OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SatNav, GeoTechnologies, Inc, METANAS, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, EGIS

Hillsborough County Florida

Folio: 77361.0228

PIN: U-34-30-20-2U3-000002-00027.0

Eleazar Garza Zapata And Aide E Flores

Mailing Address:

11905 Baytree Dr
null

Riverview, FL 33569-6646

Site Address:

11905 Baytree Dr
Riverview, FL 33569

SEC-TWN-RNG: 34-30-20

Acreage: 0.98

Market Value: \$205,667.00

Landuse Code: 0200 MOBILE HOMES

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Or

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