



# Hillsborough County Florida

## LAND USE HEARING OFFICER VARIANCE REPORT

**APPLICATION NUMBER:** VAR 23-0786

**LUHO HEARING DATE:** August 28, 2023

**CASE REVIEWER:** Colleen Marshall, AICP, CFM

**REQUEST:** The applicant is requesting setback variances for a proposed covered patio on property zoned PD 95-1539.

### VARIANCE(S):

- 1) Per Condition 3.2 of PD 98-1539, as most recently modified by PRS 19-0646, the required rear yard setback for villas (duplexes) and townhomes shall be 10 feet. Per LDC Section 6.01.03.I.4, covered patios may intrude no more than 13 feet into the required rear yard, except that in no case shall the provided setback be less than 10 feet. The applicant requests a 6.1-foot reduction to the required rear yard setback to allow a setback of 3.9 feet from the southwest property line for the covered patio.

### FINDINGS:

- The subject property is developed with an attached single-family villa (duplex).

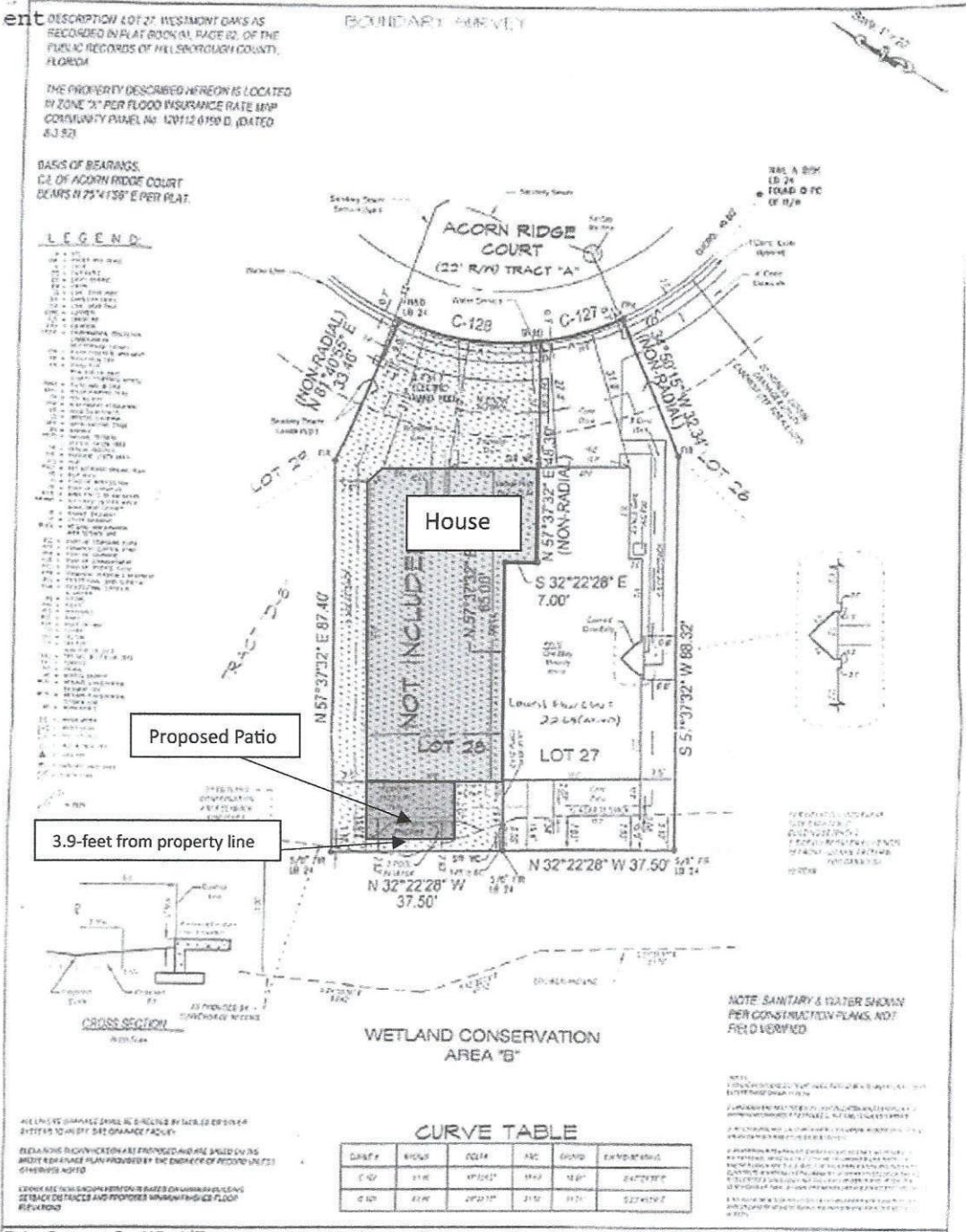
### DISCLAIMER:

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

Colleen Marshall  
Wed Aug 9 2023 10:53:26

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



Proposed Patio

3.9-feet from property line

This Survey Certified To : Edwin J. & Kelly J. Cassano; CTX Mortgage; Centax Homes, a Nevada general partnership; Commerce Title Company; Commerce Title Insurance Company

REVISIONS				
Description	Date	Drawn	Checked	Order No.
LOT & BUILDING STAKEOUT	08/20/09	DLG	DJR	20217027
Form Board Tie-in	7/18/02	SJ	DJR	20217011
Final Survey	01/21/02	JP	Fvb	20222415

**SURVEYORS CERTIFICATE**  
The survey represented hereon conforms to the requirements of Chapter 61G17, Florida Administrative Code.

*Scott R. Fowler*  
**SCOTT R. FOWLER**  
FLORIDA REGISTERED LAND SURVEYOR NO. 5185

Survey Date: 11/01/02

**LANDMARK**  
ENGINEERING & SURVEYING  
CORPORATION  
8515 Palm Beach Road  
Tampa, Florida 33619  
Tampa (813) 621-1941  
Fax (813) 684-1941

Drawn: SJ Checked: CJM  
Date: 03/16/2 Order No.: 20213275

Sec: Twp: Rge:

*Steve Gilman 7/27/23*



**Hillsborough  
County Florida**  
Development Services

# Additional / Revised Information Sheet

**Office Use Only**

**Application Number:**

**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 23-0786 Applicant's Name: Steven Gildar

Reviewing Planner's Name: Colleen Marshall Date: 07/27/23

**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): 08/26/23

### 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.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@hcf.gov.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.***

Signature

07/27/23  
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 \_\_\_\_\_

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: Steve Gledner    2/27/23  
(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 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.

*Steven Gelder* 7/27/23



**Hillsborough  
County Florida**  
Development Services

Application No: 23-0786

## 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.

Variance to the required rear yard setback for a proposed covered porch to reduce the required rear yard from 10 feet to 3.9 feet.

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

LDC Section 6.01.01 and 6.01.03.I.4

### 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): Permit request submitted HC-BLD-23-0046318
- 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 Reclaimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing

*Steve Giddan* 7/27/23



## 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?

WE ARE BUILDING A SCREENED PORCH ADDITION TO OUR HOME THAT WILL BE 12'X19'. OUR PROJECT PERMIT WAS REJECTED BECAUSE DIMENSION CANNOT EXCEED 11'X19'.

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.

AT LEAST 10 OTHER VILLAS IN OUR DEVELOPMENT HAVE VARIANCES APPROVED IN THE PAST FOR UP TO 13'. (IHC-LDC 6.01.03.1.4)

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 12'X19' DIMENSION IS DIRECTLY ATTACHED TO THE REAR OF OUR VILLA. IT DOES NOT INTERFERE ANY NEIGHBORS RIGHTS.

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).

OTHER ATTACHED SCREENED PORCHS ARE BUILT IN A SIMILAR MANNER AND SIZE. HOA HAS APPROVED CONSTRUCTION.

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 CONSTRUCTION DOES NOT RESULT FROM AN ILLEGAL ACT OR ANY ACTIONS WHICH RESULTS IN A SELF-IMPOSED HARDSHIP.

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 VARIANCE REQUEST WILL REFLECT A CONSISTENT LOOK TO THE NEIGHBORHOOD. IF WE CANNOT GET A 12X19 SIZE WE WILL NOT BE ABLE TO SPACE OUR CURRENT FURNITURE PROPERLY.

VAR MY LOT HAS A 10' REAR YARD SETBACK. MY REQUEST FOR 9 of 11 02/2023 A VARIANCE IS TO INTRUDE WITHIN 9.1' OF THE REAR LOT LINE. (IHC-LDC 6.01.03.1.9)

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This instrument prepared by:  
JOSEPH R. KALISH, P.A.  
18960 N. Dale Mabry Highway  
Lutz, FL 33548

**LIFE ESTATE QUIT CLAIM DEED**  
(Contingent Remainder Deed)

THIS INDENTURE, made this 16<sup>th</sup> day of May, 2022, by and between the below parties; for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, STEVEN I. GILDAR and ENID S. GILDAR, husband and wife, 8538 Acorn Ridge Court, Tampa, Florida 33625, "Grantors", do hereby remise, release and quit claim unto STEVEN I. GILDAR and ENID S. GILDAR, husband and wife, as to a Life Estate for and during their natural lives, and upon their death, a remainder interest to LOREN SETH GILDAR and CARA NICOLE MEIER, 8538 Acorn Ridge Court, Tampa, Florida 33625, as tenants-in-common, all of their right, title, interest, claim and demand, which the Grantors have in and to the following lot, piece or parcel of land situate, lying and being in Hillsborough County, Florida, to wit:

Lot 28, WESTMONT OAKS, according to the plat thereof, as recorded in Plat Book 90, Page 82, of the Public Records of Hillsborough County, Florida.  
Parcel ID No. U-14-28-17-5TZ-000000-00028.0

This is the homestead property of Grantors and Life Tenants.

Grantors reserve unto themselves for and during their lifetime, the exclusive possession, use and enjoyment of the rents and profits of the property described herein. Grantors further reserve unto themselves, for and during their lifetime, the right to sell, lease, encumber by mortgage, pledge, lien or otherwise manage and dispose, in whole or in part, or grant any interest therein, of the aforesaid premises by gift, sale or otherwise so as to terminate the interests of the Grantees, as Grantors in their sole discretion shall decide, except to dispose of said property, if any, by devise upon their death. Grantors retain the power to make the aforesaid dispositions, with or without consideration, without joinder by any of the remaindermen, and to retain absolutely any and all proceeds derived therefrom. Grantors further reserve the right to cancel this deed by further conveyance which may destroy any and all rights which the Grantees may possess under this deed. Grantees' remaindermen shall hold a remainder interest in the property described herein and upon the death of the Grantors, if the property described herein has not been previously disposed of prior to Grantors' death, all right and title to the property remaining shall fully vest in said remaindermen subject to such liens and encumbrances existing at that time.

This instrument has been prepared solely from information given by the parties hereto. There are no express or implied guarantees as to marketability of title, accuracy of the description or quantity of land described, as no examination of title to the property was requested or conducted. The preparer has not been requested to provide, nor has the preparer provided, advice on the tax, legal or non-legal consequences that may arise as a result of the conveyance or verified the accuracy of the amount of consideration stated to have been paid in connection with the conveyance or upon which any tax may have been calculated.

Subject to restrictions, reservations, easements and limitations of record, if any, provided that this shall not serve to reimpose same, zoning ordinances, and taxes for the current year and subsequent years.

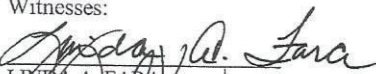
To have and to hold the same together with all and singular the appurtenances thereto belonging or in anywise appertaining and all of the estate right, title, interest, lien, equity and claim whatsoever of the said Grantor either in law or equity to the only proper use, benefit and behalf of the Grantees forever.

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

IN WITNESS WHEREOF, Grantors have hereunto set Grantors' hands and seals the day and year first above written.

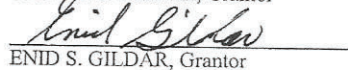
Signed, sealed and delivered in our presence:

Witnesses:

  
LINDA A. FARA

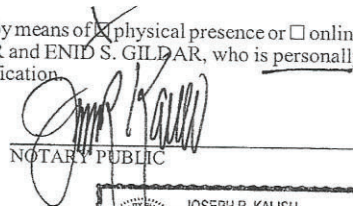
  
JOSEPH R. KALISH

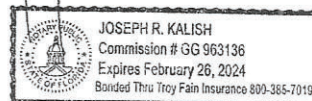
  
STEVEN I. GILDAR, Grantor

  
ENID S. GILDAR, Grantor

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 16<sup>th</sup> day of May, 2022, by STEVEN I. GILDAR and ENID S. GILDAR, who is personally known to me or who has produced \_\_\_\_\_ as identification.

  
NOTARY PUBLIC



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**Hillsborough  
County Florida**  
Development Services

# Property/Applicant/Owner Information Form

**Official Use Only**

Application No: FT- 23-0786 Intake Date: 07/06/2023  
 Hearing(s) and type: Date: 08/28/2023 Type: LUHO Receipt Number: 284103  
 Date: \_\_\_\_\_ Type: \_\_\_\_\_ Intake Staff Signature: Clare Odell

### Property Information

Address: 8538 ACORN RIDGE CT City/State/Zip: TAMPA, FL 33625  
 TWN-RN-SEC: 14-28-17 Folio(s): 40160206 Zoning: PD Future Land Use: R-4 Property Size: .10 ACRES

### Property Owner Information

Name: STEVEN AND ENID GILDAR Daytime Phone 813 8571046  
 Address: 8538 ACORN RIDGE CT. City/State/Zip: TAMPA, FL 33625  
 Email: SGILDAR117@GMAIL.COM Fax Number 813 9333550

### Applicant Information

Name: STEVEN GILDAR Daytime Phone 813 8571046  
 Address: 8538 ACORN RIDGE CT City/State/Zip: TAMPA, FL 33625  
 Email: SGILDAR117@GMAIL.COM Fax Number 813 9333550

### 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.

Steven Gildar Enid Gildar  
 Signature of the Applicant

STEVEN GILDAR

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.

Steven Gildar Enid Gildar  
 Signature of the Owner(s) - (All parties on the deed must sign)

STEVEN GILDAR

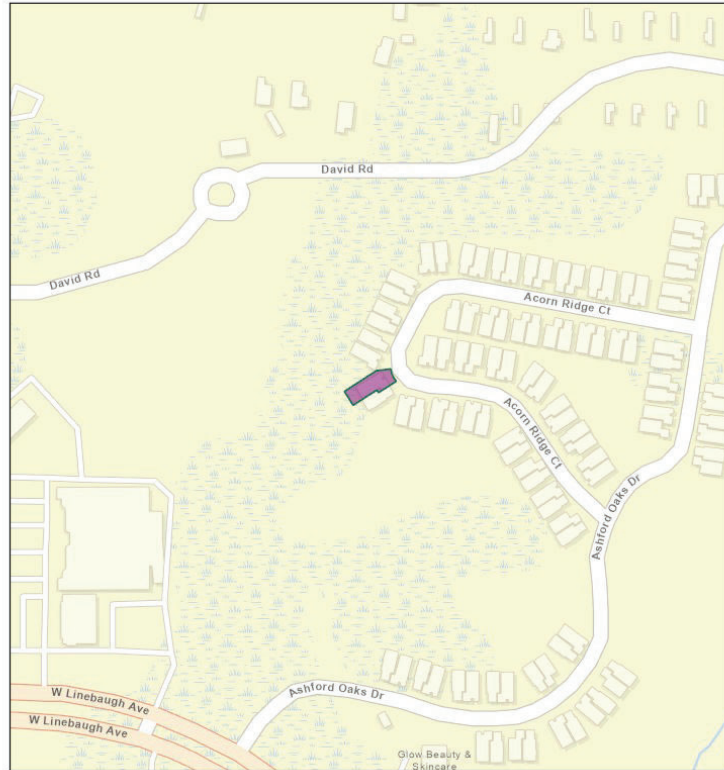
Type or print name



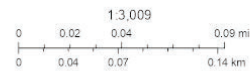
# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	98-1539
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0187H
FIRM Panel	12057C0187H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X500
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120190D
County Wide Planning Area	Northwest Hillsborough
Community Base Planning Area	Northwest Hillsborough
Planned Development	PD
Re-zoning	null
Note	
Personal Appearances	07-1994,03-0929,00-1045, 99-1288, 16-1271, 19-0646
Census Data	Tract: 011412 Block: 2008
Census Data	Tract: 011412 Block: 2011
Future Landuse	R-4
Future Landuse	R-4
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
Competitive Sites	NO
Redevelopment Area	NO

Folio: 4016.0206



July 7, 2023



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Hillsborough County Florida

**Folio:** 4016.0206  
**PIN:** U-14-28-17-5TZ-000000-00028.0  
 Enid S And Steven I Gildar Life Estate  
**Mailing Address:**  
 8538 Acorn Ridge Ct  
 null  
 Tampa, FL 33625-  
**Site Address:**  
 8538 Acorn Ridge Ct  
 Tampa, FL 33625  
**SEC-TWN-RNG:** 14-28-17  
**Acreage:** 0.103109  
**Market Value:** \$337,549.00  
**Landuse Code:** 0106 Single Family

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.