



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-1600	
LUHO HEARING DATE: January 23, 2023	CASE REVIEWER: Sam Ball

REQUEST: The applicant is requesting a setback variance to accommodate an existing carport attached to a single-family dwelling on property zoned RSC-6.

VARIANCE(S):

The subject parcel is a corner lot with frontage on two roads. Therefore, it has required front yards along both road frontages and required side yards along both interior lot lines. Per LDC Section 6.01.01, a minimum front yard setback of 25 feet is required in the RSC-6 district. The applicant requests a 5-foot decrease to the required front yard setback to allow a 20-foot setback for the carport from the southeasterly property line on Florida Drive.

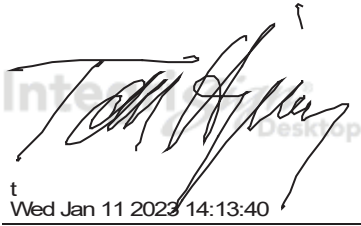
FINDINGS:

- A Code Enforcement Citation (Citation Number HC-CMP-22-0000091) for failure to obtain a building permit for the carport was issued on February 23, 2022.
- The applicant has submitted an after-the-fact building permit application (HC-BLD-22-0037481) for the carport. The site plan included with the application shows the carport set back 21 feet, 2 inches from the southeasterly property line.
- According to the applicant, the “Alum Shed on Wood” near the southwesterly property line that is shown on the site plan submitted for this variance request has been removed from the property.
- A variance (VAR 08-0717) was approved in 2008 to allow a 3-foot setback for the two-story accessory structure shown on the site plan in the functional rear yard of the subject property.

DISCLAIMER:

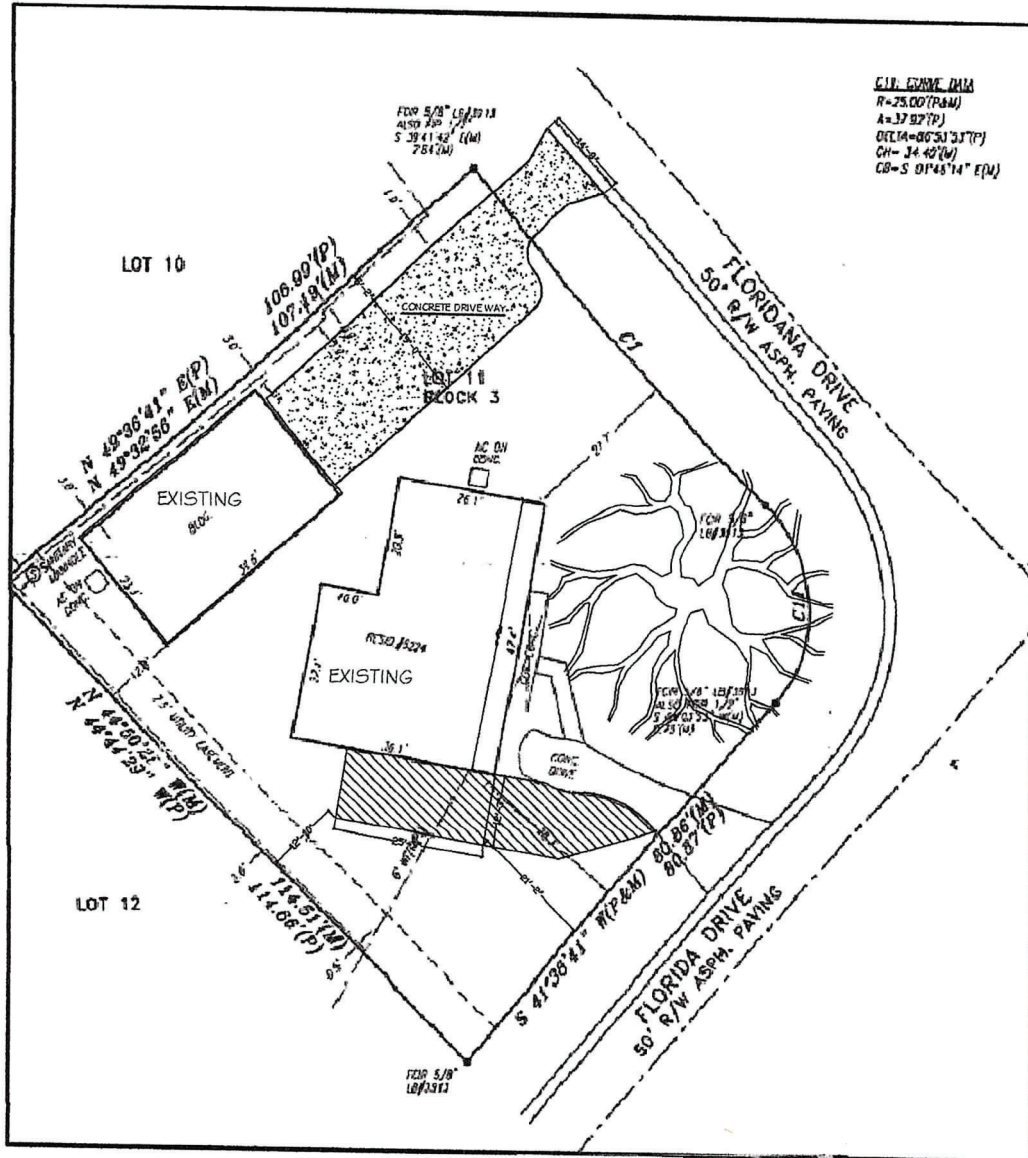
The variance listed above is based on the information provided in the application by the applicant. Additional variances may be needed after the site has applied for development permits. The granting of these variances does not obviate the applicant or property owner from attaining all additional required approvals including but not limited to subdivision or site development approvals and building permit approvals.

ADMINISTRATOR'S SIGN-OFF



Inte... Desktop
t
Wed Jan 11 2023 14:13:40

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



6224 FLORIDA Dr

SITE PLAN

SCALE 1:10



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.

Reduction front yard setback from 25' to 20' in County District RSC-6, Florida Dr., Apollo Beach.

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

Section 1.02.02 and 1.02.03 of the LDC.

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): Residential Building Alterations (Renovations) HC-BLD-22-0037833
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 difficulty is unique and singular because the house is positioned differently on the ground property since the road access configured determine the carport placement. The fact that the carport indicates an encroachment into the required front yard setback. The setbacks for the corner lot are 25' for 2 fronts (Floridina Dr and Florida Dr), I am requesting this variance to reduce the setback to 20' in Florida Dr. to have the carport in line with the house.

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.

A result of this variance would not barge into public health safety, comfort and welfare, and to aid in the armonious orderly, doesn't affect in the future of Hillsborough County Plan.

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.

By allowing this variance, it would not interfere with the right of others in the neighborhood. I ask the neighbors adjacent to the south side of the lot for their view and they mentioned that they don't have any problem with the approval to this request. The neighbor directly across the street, currently has his house 30' from his front property boundary.

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 LDC and the Comprehensive Plan allows for changes in the variance applications on a case by case basis; in this case, providing a method to reduce the front setbacks on Florida Dr.

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 situation was a result of an illegal act because, of not having knowledge resulting in a self imposed hardship. I am seeking approval of the variance.

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, if granted, will not interfere with or injure the health safety, or welfare of others whose property would be affected by allowance of the variance. Will allow the house a continuing design and the safety of an elderly person. This will allow a common residential used to be placed int the most pratical location on the property while not injuring any adjoining properties.

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >

Prepared by ~~and Return to:~~
Jenny Portes
1028 Apollo Beach Blvd, Unit 19
Apollo Beach, FL 33572

wlc

Dolphin Title Of Brandon, Inc. **Quit Claim Deed**
1520 Bloomingdale Ave
Valrico, FL 33596

Made this April 1, 2019 A.D. by **Jenny Flores, a single woman and Jenny Portes, a single woman**, hereinafter called the grantor, to **Jenny Portes, a single woman** whose post office address is: **1028 Apollo Beach Blvd, Unit 19, Apollo Beach, FL 33572** hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal re-presentatives 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 considerations, receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the grantee forever, all the right, title, interest, claim and demand which the said grantor has in and to, all that certain land situate in Hillsborough County, Florida, viz:


Lot 11, Block 3, Apollo Beach Unit One, Part One, according to the Plat thereof, as recorded in Plat Book 34, on page 40-1 through 40-6, of the Public Records of Hillsborough County, Florida.


Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

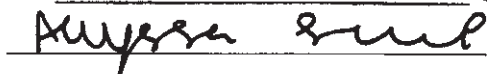
To Have and to Hold, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behoof of the said grantee forever.


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:


Witness Name Janet Martin


Printed **Jenny Flores** (Seal)
Address: 1028 Apollo Beach Blvd, Unit 19, Apollo Beach, FL 33572


Witness Name Alyssa Savacool


Printed **Jenny Portes** (Seal)
Address: (Same)



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 22-1600 Intake Date: 11/01/2022
Hearing(s) and type: Date: 01/23/2023 Type: LUHO Receipt Number: 213420
Date: _____ Type: _____ Intake Staff Signature: Clare Odell

Property Information

Address: 6224 Florida Dr City/State/Zip: Apollo Beach, FL 33572
TWN-RN-SEC: 21/31/19 Folio(s): 053258-0000 Zoning: RSC-6 Residential Future Land Use: _____ Property Size: 0.25 acres

Property Owner Information

Name: PORTES JENNY Daytime Phone: 813 802 4405
Address: 1028 APOLLO BEACH BLVD APT 19 City/State/Zip: APOLLO BEACH, FL 33572-2028
Email: jenny_portes@hotmail.com Fax Number: _____

Applicant Information

Name: PORTES JENNY Daytime Phone: 813 802 4405
Address: 1028 APOLLO BEACH BLVD APT 19 City/State/Zip: APOLLO BEACH, FL 33572-2028
Email: jenny_portes@hotmail.com Fax Number: _____

Applicant's Representative (if different than above)

Name: CARLOS ARTURO CASTILLA Daytime Phone: 813 294 1594
Address: 1936 W MLK Jr Blvd City/State/Zip: TAMPA, FL 33607
Email: carlos-a-castilla@hotmail.com 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.

Carlos A. Castilla
Signature of the Applicant
CARLOS A. CASTILLA
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.

Jenny Portes
Signature of the Owner(s) - (All parties on the deed must sign)
JENNY PORTES
Type or print name

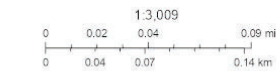


PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-6
Description	Residential - Single-Family Conventional
Flood Zone:AE	BFE = 9.0 ft
FIRM Panel	0494H
FIRM Panel	12057C0494H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	AE
Pre 2008 Firm Panel	1201120494C
County Wide Planning Area	Apollo Beach
Community Base Planning Area	SouthShore
Community Base Planning Area	Apollo Beach
Census Data	Tract: 014106 Block: 2020
Future Landuse	R-6
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	4
Fire Impact Fee	South
Parks/Schools Impact Fee	SOUTH
ROW/Transportation Impact Fee	ZONE 9
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



November 1, 2022



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

Hillsborough County Florida

Folio: 53258.0000
PIN: U-21-31-19-1TM-000003-00011.0
JENNY PORTES
Mailing Address:
 1028 APOLLO BEACH BLVD APT 19
 APOLLO BEACH, FL 33572-2028
Site Address:
 6224 FLORIDA DR
 APOLLO BEACH, FL 33572
SEC-TWN-RNG: 21-31-19
Acreage: 0.24062601
Market Value: \$340,708.00
Landuse Code: 0100 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.
- Or
2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.



Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

Application No: _____ Intake Date: _____
 Hearing(s) and type: Date: _____ Type: _____ Receipt Number: _____
 Date: _____ Type: _____ Intake Staff Signature: _____

Applicant/Representative: Carlos Arturo Castilla Phone: 813 294 1594

Representative's Email: carlos-a-castilla@hotmail.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
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Applicant/Owner Information Form</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Sunbiz Form</u> (if applicable). This can be obtained at Sunbiz.org .
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Current Recorded Deed(s)</u>
<input type="checkbox"/>	<input type="checkbox"/>	<u>Close Proximity Property Owners List</u>
<input type="checkbox"/>	<input type="checkbox"/>	<u>Legal Description</u> for the subject site
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Fastrack Approval</u> (if applicable)

Additional application-specific requirements are listed in Part B.