

**Variance Application:** VAR 25-0242

**LUHO Hearing Date:** February 24, 2025

**Case Reviewer:** James E. Baker, AICP



**Hillsborough  
County Florida**

**Development Services Department**

**Applicant:** Justin Vowles and Kristal Shaffer **Zoning:** AS-1

**Address/Location:** 4120 Swindell Road, Plant City, FL 33565; Folio: 89764.1300

**Request Summary:**

Property is a flag lot shaped like a flag, with a long, narrow strip of land extending from the street to a rectangular main section. The applicant is requesting a variance to the front yard setback to build a storage shed for the property located at 4120 Swindell Road in Plant City, FL.


**Requested Variances:**

LDC Section:	LDC Requirement:	Variance:	Result:
6.11.04.C.1 6.01.01	Accessory structures shall not be erected in any required front yard. Accessory structures shall be permitted in front yards at twice the depth of the required front yard, or 50 feet, whichever is less. A minimum setback of 50 feet is required in the AS-1 district.	44 feet	6-foot front yard setback for an accessory structure

**Findings:**

None.

**Zoning Administrator Sign Off:**

  
Colleen Marshall  
Wed Jan 22 2025 17:13:02

**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

25-0242  
RCVD  
1-13-25

Office Use Only		
Application Number: VAR-25-0242	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: \_\_\_\_\_ Applicant's Name: Kristal Shaffer & Justin Vowles  
 Reviewing Planner's Name: James Baker Date: 01/13/2025

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): 02/24/2025

## 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](mailto: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](mailto: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.***

Justin Vowles Kristal Shaffer  
Signature

01/13/2025  
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: Justin Vowles Kristal Shaffer

(Must be signed by applicant or authorized representative)

Intake Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# Additional / Revised Information Sheet

25-0242  
RCVD  
1-13-25

Please indicate below which revised/additional items are being submitted with this form.

Included	Submittal Item
1 <input type="checkbox"/>	<b>Cover Letter**</b> If adding or removing land from the project site, the final list of folios must be included
2 <input checked="" type="checkbox"/>	<b>Revised Application Form**</b>
3 <input type="checkbox"/>	<b>Copy of Current Deed*</b> Must be provided for any new folio(s) being added
4 <input type="checkbox"/>	<b>Affidavit to Authorize Agent*</b> (If Applicable) Must be provided for any new folio(s) being added
5 <input type="checkbox"/>	<b>Sunbiz Form*</b> (If Applicable) Must be provided for any new folio(s) being added
6 <input type="checkbox"/>	<b>Property Information Sheet**</b>
7 <input type="checkbox"/>	<b>Legal Description of the Subject Site**</b>
8 <input type="checkbox"/>	<b>Close Proximity Property Owners List**</b>
9 <input checked="" type="checkbox"/>	<b>Site Plan**</b> All changes on the site plan must be listed in detail in the Cover Letter.
10 <input type="checkbox"/>	<b>Survey</b>
11 <input type="checkbox"/>	<b>Wet Zone Survey</b>
12 <input type="checkbox"/>	<b>General Development Plan</b>
13 <input type="checkbox"/>	<b>Project Description/Written Statement</b>
14 <input type="checkbox"/>	<b>Design Exception and Administrative Variance requests/approvals</b>
15 <input type="checkbox"/>	<b>Variance Criteria Response</b>
16 <input type="checkbox"/>	<b>Copy of Code Enforcement or Building Violation</b>
17 <input type="checkbox"/>	<b>Transportation Analysis</b>
18 <input type="checkbox"/>	<b>Sign-off form</b>
19 <input type="checkbox"/>	<b>Other Documents</b> (please describe): <div></div>

\*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.



# Project Description (Variance Request) 1-13-25

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.

Due to the flagpole layout of our property, what the city considers our "front" yard is in reality the rear of our home. There are no entrances to our home that face Swindell road. The proposed garage will really be located behind our home and behind that of our neighbors, who also have a garage in the back. If we were to build this garage anywhere else on the property it will significantly impede our view and actual front yard which is comprised of grass and wetlands. A variance of 41 feet from the required front yard setback of 50 feet resulting in a front yard of 9 feet. Both sheds located on the property are dilapidated and will be removed so no additional variance is requested.

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

Section 6.11.04- Accessory Structures

## 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): HC-BLD-24-0065709 , building permit for shed
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?

Our property is quite unique in that it is a flagpole in which our front and side yard actually face 260 acres of wetlands and what the county considers the "back" of our house is where our front doors, and covered veranda where we sit and look out every morning over the beautiful expanse are located. If we were to build the garage anywhere other than where we have proposed it would severely inhibit our view and the peace that we experience living here. We are trying to

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.

According to the 50 foot setback requirements for buildings in the "front" yard and our property's north-facing orientation, we are trying to build a garage in what is actually the backyard of our home. In accordance with the other property buildouts in our neighborhood, their garages and carports are often located behind their home as ours will be also.

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.

Because of the flag pole design of our property and the fact that our home faces north, the placement of the building would not injure or interfere in any way with another property's view and would actually mirror their property's layout and design. We have spoken with the surrounding neighbors and included letters of support from anyone in close proximity to the project.

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 unique design and orientation of the home built 40 years ago was placed north-facing in harmony with the natural slope and elevation. The building will not inhibit the view or the flow of water to the low-lying natural wetlands. In fact, the building location will enhance the beauty of the property and add safety to the exposed parking of residents' cars, lawnmower and tractor which as of now have no protection during storms. The northwest corner of our property so we

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 requested is not necessitated by the result of any illegal actions whatsoever. We want to maintain the integrity of the property's beauty and usefulness with further expansion of a future garden and maintain the available space for a few small farm animals around the existing horse stables.

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.

This is my dream come true retirement property and the culmination of 25 years of work in the aviation industry in which I travel to TPA airport daily. I am able to stay active and have a wonderful relationship with nature to decompress from the hustle and bustle of my workplace. This proposed garage is not only necessary for storage space (of which we have none) but an outlet for my creativity where i can do woodworking and sharpen my homestead skills. There are

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**Survivorship Deed**

RETURN TO: Kristal Shaffer

ADDRESS: 4120 Swindell Rd, Plant City, FL 33565, USA

THIS INSTRUMENT PREPARED BY: Kristal Shaffer of 4120 Swindell Rd, Plant City, FL 33565, USA

AS A NECESSARY INCIDENT TO THE FULFILLMENT OF CONDITIONS CONTAINED  
IN A TITLE INSURANCE COMMITMENT ISSUED BY IT.

PROPERTY APPRAISERS PARCEL IDENTIFICATION (FOLIO) NUMBER: U-13-28-  
22ZZZ-000004-10350.0

**THIS INDENTURE**, made this 23 day of May, 2024, by and between Kristal Shaffer, not married, of 4120 Swindell Rd, Plant City, FL 33565, USA, (the "Grantor"), and Kristal Shaffer, not married, of 4120 Swindell Rd, Plant City, FL 33565, USA, and Justin Vowles, not married, of 4120 Swindell Rd, Plant City, FL 33565, USA, (collectively the "Grantee"), in the state of Florida.

**WITNESSETH:** that said Grantor, for and in consideration of the sum of 1.00 Dollars, and other valuable considerations, lawful money of the United States of America, to the Grantee in

hand paid by the Grantee, the receipt whereof is hereby acknowledged, remises and releases, with general warranty covenants, unto the Grantee, as joint tenants with full right of survivorship, the Grantee's heirs and assigns forever, all the rights, title, interest and claim of the Grantor in and to the following described land in Hillsborough County, Florida, to-wit:

West 399.56 feet of the SW 1/4 of the SW 1/4 of the SE 1/4  
of Section 13, Township 28 South, Range 22 East Hillsborough County, FL Less the south  
436 feet thereof, ALSO the East 24.56 ft of the West 399.56 feet of the south 436 ft of the SW 1/4  
of the SE 1/4 of the Section 13, Township 28 South, Range 22 East, Hillsborough County, Florida

Being the same property conveyed to the Grantor by the deed of \_\_\_\_\_,

dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, previously referenced as follows:

Book/Volume \_\_\_\_\_, Page \_\_\_\_\_ of the Recorder of Hillsborough County.

This property is the homestead of the Grantor.

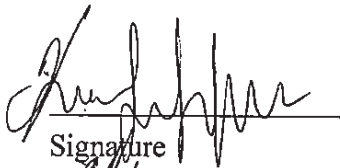
**To Have and to Hold** the above described premises, with the appurtenances, unto the Grantee, the Grantee's heirs and assigns forever.

And the Grantor hereby covenants with the 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 the date of the transfer, reservations, restrictions and easements of record, if any.

**IN WITNESS WHEREOF**, Grantor has executed this deed under seal on the date aforesaid.

Signed in the presence of:

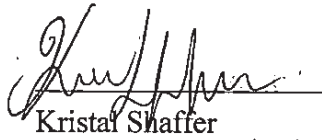
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Signature

Anthony Reyes

Witness Name



Kristal Shaffer

4120 Swindell Rd,  
Plant City FL 33565

2626 Preserve View Loop Lakeland FL 33810

Witness Address

By: 

Signature

LYDIA ORTIZ

Witness Name

1508 21ST ST SE, Ruskin, FL 33570

Witness Address

**Grantor Acknowledgement**

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or  
\_\_\_\_ online notarization, this 23<sup>rd</sup> day of MAY, 2024, by Kristal  
Shaffer, who is personally known to me or who has produced FL DL  
as identification.

Notary Public Signature: Everett Wyche

Notary Public Name: EVERETT WYCHE

Serial Number: HH 275041

My commission expires: 6/12/2026





**Hillsborough  
County Florida**  
Development Services

## Property/Applicant/Owner Information Form

25-0242  
RCVD  
1-20-25

### Official Use Only

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

### Property Information

4120 SWINDELL RD  
Address: \_\_\_\_\_ City/State/Zip: **PLANT CITY, FL 33565-2561**  
TWN-RN-SEC: **28-22-13** Folio(s): **089764-1300** Zoning: **AS-1** Future Land Use: **0100 SINGLE FAMILY R** Property Size: **1.96**

### Property Owner Information

SHAFER KRISTAL  
Name: **VOWLES JUSTIN** Daytime Phone **(281)300-9904**  
4120 SWINDELL RD  
Address: **PLANT CITY, FL 33565-2561** City/State/Zip: **plant city fl 33565-2561**  
**shaffervowles@gmail.com**  
Email: \_\_\_\_\_ Fax Number \_\_\_\_\_

### Applicant Information

SHAFER KRISTAL  
Name: **VOWLES JUSTIN** Daytime Phone **(281)300-9904**  
4120 SWINDELL RD  
Address: **PLANT CITY, FL 33565-2561** City/State/Zip: **plant city fl 33565-2561**  
**shaffervowles@gmail.com**  
Email: \_\_\_\_\_ 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.

*Justin Vowles Kristal Shaffer*

Signature of the Applicant

Jus tin Vowles and Kris tal Shaffer

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.

**DRAFT** *Justin Vowles Kristal Shaffer*

Signature of the Owner(s) – (All parties on the deed must sign)

Jus tin Vowles and Kris tal Shaffer

Type or print name

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