



**LAND USE HEARING OFFICER VARIANCE REPORT**

<b>APPLICATION NUMBER:</b> VAR 22-1666	
<b>LUHO HEARING DATE:</b> January 23, 2023	<b>CASE REVIEWER:</b> Tim Lampkin, AICP

**REQUEST:** The applicant is requesting a height variance for a proposed single-family house on property zoned PD 91-0150.

**VARIANCE(S):**

The conditions of approval for PD 91-0148 do not address permitted building height for residential uses. However, based on the setbacks for residential uses found in the PD conditions which reflect RSC-6 standards, staff has determined the maximum permitted building height is likewise that of the RSC-6 district. Per LDC Section 6.01.01, Schedule of District Area, Height, Bulk, and Placement Regulations, a maximum building height of 35 feet is allowed. The applicant requests a 9-foot increase to the maximum permitted height to allow a height of 44 feet as measured from Base Flood Elevation.

**FINDINGS:**

- This parcel is mapped within the Special Flood Hazard Area (SFHA), flood zone AE, with a current effective base flood elevation (BFE) of 9 feet, NAVD1988.
- The Land Development Code defines “height” as “The vertical distance measured from the lowest proposed finished grade of the structure vertically beneath the highest point of the structure. Elevated structures within the designated Special Flood Hazard Area will have the vertical elevation measured from the Base Flood Elevation to the highest point of the structure. Finished grade shall be determined using all applicable regulations of the County, State and Federal governments.”
- The applicant’s architectural rendering submitted January 11, 2023, shows the proposed house will have a height of 41 feet, 4 inches as measured from the Base Flood Elevation, with a total height of 44 feet, 8 inches above grade.

**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  
Thu Jan 12 2023 15:57:45

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



# Additional / Revised Information Sheet

Office Use Only

Application Number: VAR 22-1666

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Received By:

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Application Number: VAR 22-1666 Applicant's Name: Brad Ahlgren

Reviewing Planner's Name: Tim Lampkin Date: 01/11/2023

Application Type:

- Planned Development (PD)
- Minor Modification/Personal Appearance (PRS)
- Standard Rezoning (RZ)
- Variance (VAR)
- Development of Regional Impact (DRI)
- Major Modification (MM)
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- Other \_\_\_\_\_

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***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.***

Brad Ahlgren  
Signature

1/12/2023  
Date



**Hillsborough  
County Florida**  
Development Services

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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.

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**VAR 22-1666**

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Signature: Brad Ahlgrun  
(Must be signed by applicant or authorized representative)

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Revised building elevation drawing with relation to BFE in Special Flood Hazard Area.

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Brad Ahlgren

6432 Lake Sunrise Dr. ♦ Apollo Beach FL 33572 ♦ Phone: 813-645-2800 ♦ Mobile: 813-645-2810

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January 12, 2023

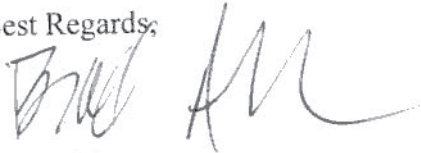
Tim Lampkin,  
Senior Planner  
Community Development Section  
Hillsborough County

Subject: Var 22-1666

Dear Tim :

I have revised my Variance request Var 22-1666 to include an elevation drawing that shows the elevation of the proposed structure above the current BFE level of 9'. I have also revised pages 8 and 9 of the variance request to reflect the 9' BFE, remove the septic tank. I tried to check the public wastewater option but the fillable form did not respond.

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**Hillsborough  
County Florida**  
Development Services

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#### Additional Submittal Requirements for a Variance

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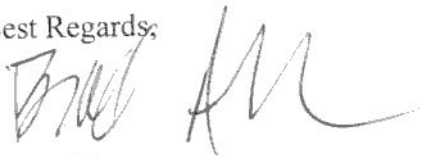
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## Project Description (Variance Request)

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.

We are requesting a variance to a home height restriction from the current 35' above base elevation to 44' above base elevation.

2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:  
Sec 6.01.01 Schedule of District Are, Height, Bulk and Placement Regulations.

Reference, FBC-R 7th Edition (2020), R322.2.1, structures in special flood hazard areas shall have the lowest floor elevated to or above the BFE plus 1 foot.

### 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.
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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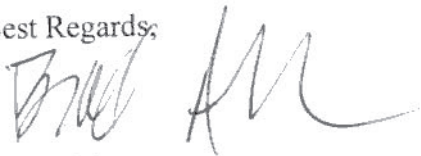
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## Variance Criteria Response

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?

The proposed project is on the Little Manatee River with a base flood elevation of 9'. With the recent hurricane Ian, a 12' - 15' storm surge is probable for the Tampa Bay area in the coming years. To reasonably elevate the proposed home above a 15' level and work within the lot width, the design is based on a garage under the house. The resultant design exceeds the 35' restriction however the next door property exceeds the same 35' restriction and is about 50' +

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 immediate next door property is 4 levels and exceeds the current 35' restriction. The first finished floor starts at 15'. Overall height is about 45' above base elevation. The town homes and condos farther down Shell point are also 4 stories at about 45' of height

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 variance requested will not exceed any immediate neighbor's present building heights.

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 variance will allow the home to be at a reasonably safe level above the majority of tidal surges thereby reducing the chances of destruction and waste of resources.

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.

Variance requested due to potential tidal surge from more frequent and destructive hurricanes and not any illegal act of 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 would provide an equal opportunity as that enjoyed by the neighboring property - Lamb Manor.

Return to: Grace Way  
Name: Commerce Title Services, Inc.  
Address: 218 APOLLO BEACH BLVD.  
APOLLO BEACH, Florida 33572

This Instrument Prepared by:  
Grace Way  
Commerce Title Services, Inc.  
218 APOLLO BEACH BLVD.  
APOLLO BEACH, Florida 33572

as a necessary incident to the fulfillment of conditions contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):  
32124-0000  
Grantee(s) I.D.#(s):  
File No: 201202914

**WARRANTY DEED**  
(CORPORATION)

**This Warranty Deed** Made the 17th day of August, 2012, by BALTD INVESTMENT, LLC, a corporation existing under the laws of Maryland, and having its place of business at 500 Main St., Reisterstown, Maryland 21136, hereinafter called the grantor,

to BRAD KEVIN AHLGREN and ANNA MARIA AHLGREN, Trustees of the Ahlgren Revocable Trust dated February 14, 2008, whose post office address is: 6432 Lake Sunrise Dr., Apollo Beach, Florida 33572, hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of \$185,000.00 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, by these presents grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Hillsborough County, Florida, viz:

THE WEST 178 FEET OF THE EAST 536.8 FEET OF GOVERNMENT LOT 3 IN SECTION 12, TOWNSHIP 32 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise 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 2011, reservations, restrictions and easements of record, if any.

*(Wherever used herein the terms "grantor" and "grantee" included all the parties to this instrument, and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation.)*

**In Witness Whereof**, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Signature: Grace Way  
Printed Name: Grace Way

Witness Signature: Debrah P. White  
Printed Name: Debrah P. White

BALTD INVESTMENT, LLC

BY: [Signature]  
BENJAMIN LYONS, Sole Managing Member

STATE OF FLORIDA  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 17th day of August, 2012, by BENJAMIN LYONS as Sole Managing Member of BALTD INVESTMENT, LLC, on behalf of the corporation. He/she is personally known to me or who has produced driver license(s) as identification.

My Commission Expires:

Grace E. Way  
Printed Name: \_\_\_\_\_  
Notary Public  
Serial Number





# Additional / Revised Information Sheet

Office Use Only

Application Number: VAR 22-1666

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 22-1666 Applicant's Name: Brad Ahlgren

Reviewing Planner's Name: Tim Lampkin Date: 01/11/2023

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): 01/23/2023

### 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**

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.

***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.***

Brad Ahlgren  
Signature

1/12/2023  
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

**VAR 22-1666**

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: Brad Ahlgrun  
(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 building elevation drawing with relation to BFE in Special Flood Hazard Area.

\*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.



Brad Ahlgren

6432 Lake Sunrise Dr. ♦ Apollo Beach FL 33572 ♦ Phone: 813-645-2800 ♦ Mobile: 813-645-2810

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January 12, 2023

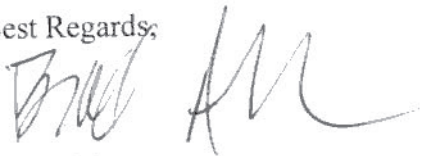
Tim Lampkin,  
Senior Planner  
Community Development Section  
Hillsborough County

Subject: Var 22-1666

Dear Tim :

I have revised my Variance request Var 22-1666 to include an elevation drawing that shows the elevation of the proposed structure above the current BFE level of 9'. I have also revised pages 8 and 9 of the variance request to reflect the 9' BFE, remove the septic tank. I tried to check the public wastewater option but the fillable form did not respond.

Best Regards;



Brad Ahlgren



**Hillsborough  
County Florida**  
Development Services

# Property/Applicant/Owner Information Form

### Official Use Only

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

### Property Information

Address: 2316 West Shell Point Rd City/State/Zip: Ruskin FL 33570  
 TWN-RN-SEC: 32.18.12 Folio(s): 032124-0000 Zoning: PD Future Land Use: R12 Property Size: 4.4 acres

### Property Owner Information

Name: Brad and Anna Ahlgren Revocable Trust Daytime Phone 8136452810  
 Address: 6432 Lake Sunrise Dr. City/State/Zip: Apollo Beach, FL 33572  
 Email: bahlgren@verizon.net Fax Number \_\_\_\_\_

### Applicant Information

Name: Brad Ahlgren Daytime Phone 8136452810  
 Address: 6432 Lake Sunrise Dr. City/State/Zip: Apollo Beach, FL 33572  
 Email: bahlgren@verizon.net 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

Brad Ahlgren

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)

Brad and Anna Ahlgren

Type or print name