

Variance Application: VAR 25-0210

LUHO Hearing Date: January 21, 2025

Case Reviewer: Isis Brown



**Hillsborough
County Florida**

Development Services Department

Applicant: Pasquale and Allison Cuffaro

Zoning: RSC-2

Address/Location: 905 Hillary Circle, Lutz, FL; Folio: 12606.7526


Request Summary:

The applicant is requesting a variance to the required side yard setback to accommodate a proposed addition to an existing single-family home on property zoned RSC-2 (Residential, Single-Family Conventional).

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.01.01	A minimum 10-foot side yard setback is required in the RSC-2 zoning district.	1 foot 11 inches	8-foot 1 inch side yard setback

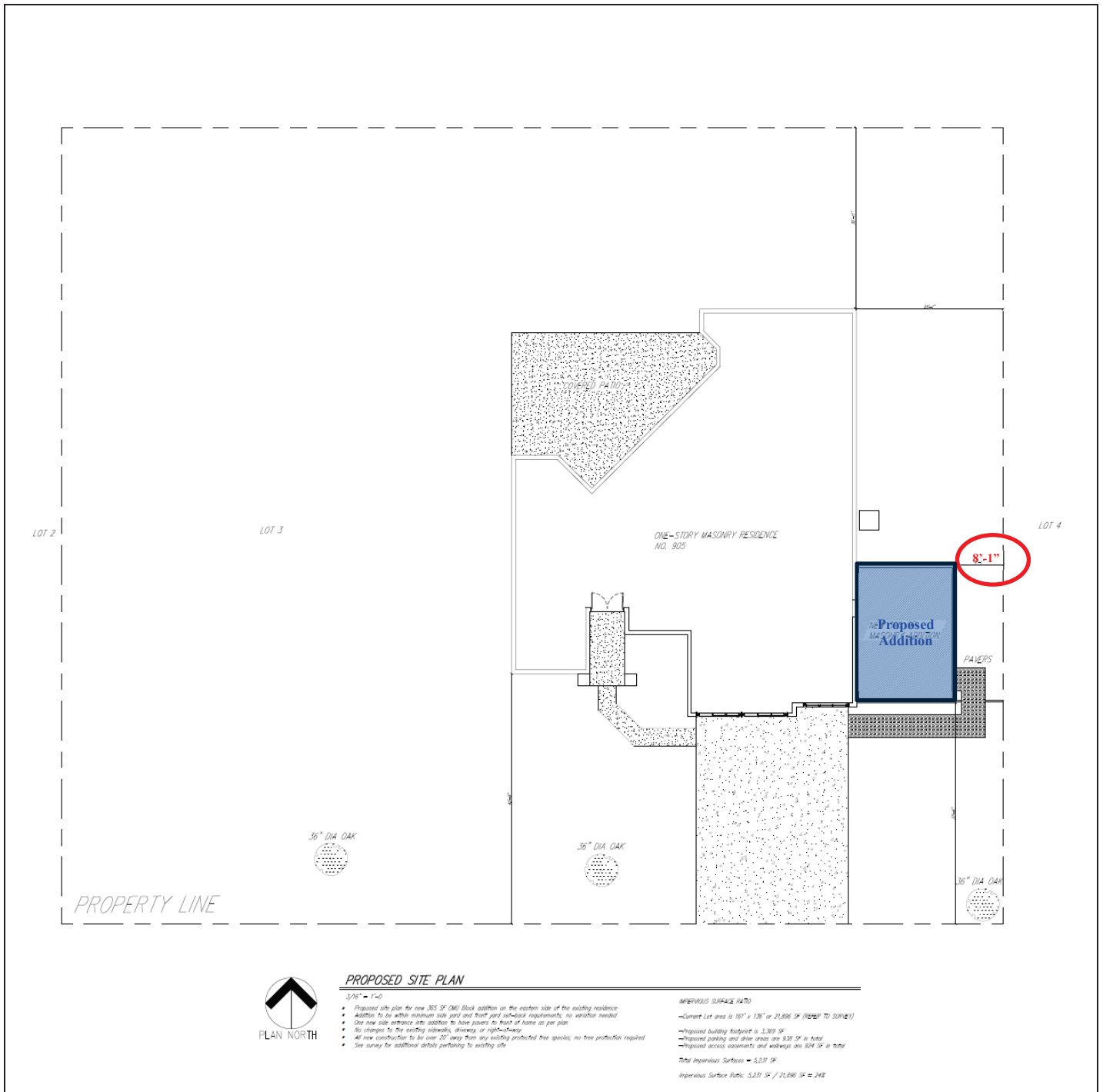
Findings:	Building permit HC-BLD-24-0064695 is in review for the proposed addition to principal dwelling. The side yard setback as indicated on the building permit plans is 8 feet and 1 inch.
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Zoning Administrator Sign Off:	 <small>Colleen Marshall Fri Jan 3 2025 09:42:59</small>
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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.

SURVEY/SITE PLAN



PROPOSED SITE PLAN

3/16" = 1'-0"

- Proposed site plan for new 365 SF CMU Block addition on the eastern side of the existing residence
- Addition to be within minimum side yard and front yard set-back requirements, no variances needed
- One new side entrance into addition to have access to front of home as per plan
- No changes to the existing sidewalks, driveway, or right-of-way
- All new construction to be over 20' away from any existing protected tree species; no tree protection required
- See survey for additional details pertaining to existing site

IMPERVIOUS SURFACE (ASPH)

Current Lot area is 167' x 136' or 22,892 SF (PERMIT TO SURVEY)

Proposed Building Footprint is 1,369 SF

Proposed parking and other areas are 838 SF in total

Proposed access easements and walkways are 824 SF in total

Total Impervious Surface = 3,221 SF

Impervious Surface Ratio: 5,231 SF / 22,892 SF = 24%

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 submitted plans for permitting thinking we were RSC-3 which does have 7.5' side setback, so for over 10 months we were making the plans with our engineer thinking all was perfect. We are actually RSC-2 which requires 10'. I was just informed of this on 11/19/24.

Our plans currently provide an 8' side setback, so we are 1.9ft over for the length of the addition, which is 23ft 8". Our engineer never caught the error, or this never would have been planned this way.

-We had to build on the East side of our property, as the West side is our septic drain field
- the small 396sq addition on the east side of the house make the addition seamless and consistent design with our house layout.

- The one neighbor on the East side signed a statement saying he does not object to this variance.

Therefore we are asking for a variance of 1.9ft of the east side yard setback, to allow a 8.1ft variance.

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

Variance to Lot Development Standards
Variance to Land Development Code (LDC) 6.01.01

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-24-0064695
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 Reclaimed 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?

The proposed addition cannot be placed anywhere else on the property due to septic drainfield on the west side, the pool and cage on the north side and the bedroom window cannot be blocked directly north of the proposed addition, as seen on the exhibit attachments.

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 10ft required side-yard setback would limit the engineered design of the proposed addition.

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.

Neighbor directly to the east has no objection of the variance. See attachment.

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 look and feel of the proposed addition does not disrupt other residential properties or the integrity of the neighborhood.

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 proposed addition for a 396sf office does not break any laws and no illegal activity will transpire. Our intent was to add a small addition to allow for an office expansion for online/virtual College and Career Counseling, and keep the integrity of the property design and enhance the neighborhood.

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.

We were unaware of the design flaw encroaching the setback, and our engineering company did not catch this error, nor did we. The cost of applying for this variance is significant. Failure to grant this variance would send us back to re-design adding thousands in costs as well as having to scale back the size, which is already 396sf. This was a huge undertaking for us and additional costs would be financially overwhelming.

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Return to: (enclosed self addressed stamped envelope)

Name: Universal Title Insurers, Inc.

Address: 10815 N. 56th Street
Temple Terrace, FL 33617

This Instrument Prepared by: E. VICTORIA HOFFMAN
Universal Title Insurers, Inc.

Address: 10815 N. 56th Street
Temple Terrace, FL 33617
Property Appraiser's Parcel Identification (Police) Number(s):

Grantor(s) S.S.#(s):

WARRANTY DEED
INDIVID. TO INDIVID.

OFF: 7562 PG 472

94262830
1994 OCT 24 PM 4: 54

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

This Warranty Deed Made the 11th day of October A.D. 1994 by
WILLIAM MARTINEZ AND GAIL ANNE MARTINEZ, HUSBAND AND WIFE

hereinafter called the grantor, to PASQUALE A. CUFFARO AND ALLISON J. CUFFARO, HUSBAND AND WIFE
whose post office address is 3005 W. Osborne
hereinafter called the grantee: Tampa, FL 33614

(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 \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in Hillsborough County, State of Florida, viz:
LOT 3, LAKE BROOKER NORTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 64, PAGE 11, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

Documentary Tax Pd - F.S. 201.02 \$ 185.50
Documentary Tax Pd - F.S. 201.08 \$ 0
Intangible Tax Pd - F.S. 199 \$ 0
Richard Ake, Clerk Hillsborough County
By: *J. Ake* Deputy Clerk

Subject To covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 1994 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

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, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

E. Victoria Hoffman
Signature

E. VICTORIA HOFFMAN
Printed Signature

William V. Stanton
Signature

William V. Stanton
Printed Signature

Signature

Printed Signature

Signature

Printed Signature

William Martinez
Signature

WILLIAM MARTINEZ
Printed Signature

19310 HOLLY LANE
Post Office Address

LUTZ, FL 33549

Gail Anne Martinez
Signature

GAIL ANNE MARTINEZ
Printed Signature

19310 HOLLY LANE
Post Office Address

LUTZ, FL 33549

STATE OF Florida
COUNTY OF Hillsborough

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared WILLIAM MARTINEZ AND GAIL ANNE MARTINEZ, HUSBAND AND WIFE (identified by personally known, being duly sworn) to me known to be the person described in and who executed the foregoing instrument and who take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 11th day of October, A.D. 1994.

My Commission Expires: September 5, 1995
E. VICTORIA HOFFMAN
BY COMMISSION EXPIRES
September 5, 1995
E. Victoria Hoffman
Signature



BOUNDED THRU NOTARY PUBLIC AND RECORDS
E. Victoria Hoffman
Printed Notary Signature

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**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 25-0210 Intake Date: 11/26/2024
 Hearing(s) and type: Date: 01/21/2025 Type: LUHO Receipt Number: 425977
 Date: _____ Type: _____ Intake Staff Signature: Alejandra Prado

Property Information

Address: 905 Hillary Circle City/State/Zip: Lutz, Fl. 33548
 TWN-RN-SEC: 02-27-18 Folio(s): 12606.7526 Zoning: RSC-2 Future Land Use: R-1 Property Size: .470

Property Owner Information

Name: Pasquale and Allison Cuffaro Daytime Phone 813-205-7113
 Address: 905 Hillary Circle City/State/Zip: Lutz, Fl. 33548
 Email: allisoncuffaro@gmail.com Fax Number _____

Applicant Information

Name: Pasquale and Allison Cuffaro Daytime Phone 813-205-7113
 Address: 905 Hillary Circle City/State/Zip: Lutz, Fl. 33548
 Email: allisoncuffaro@gmail.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.

Allison Cuffaro Digitally signed by Allison Cuffaro
Date: 2024.11.25 10:40:49 -05'00'

Signature of the Applicant PASQUALE CUFFARO

Allison Cuffaro
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.

Allison Cuffaro Digitally signed by Allison Cuffaro
Date: 2024.11.25 10:41:08 -05'00'

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

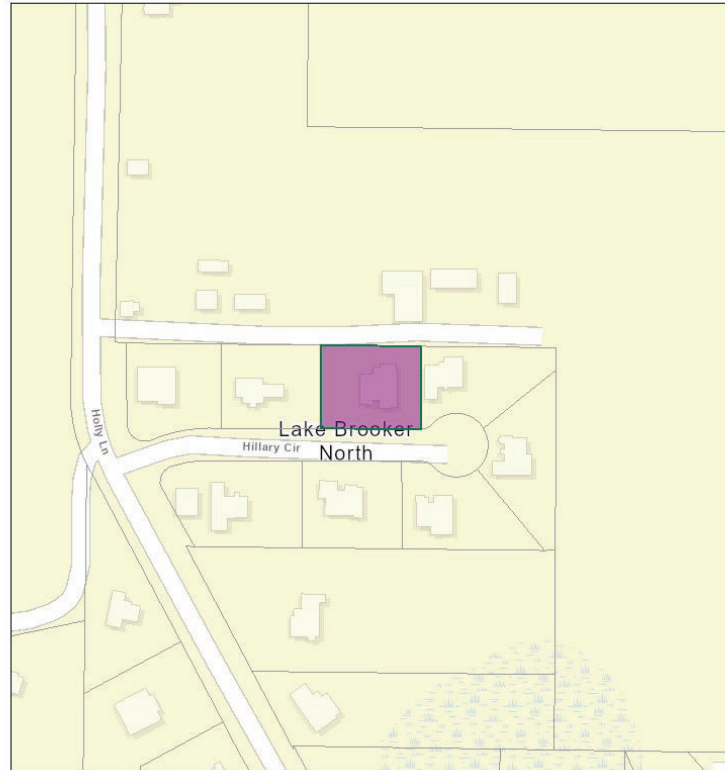
Allison Cuffaro
Type or print name



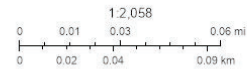
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-2
Description	Residential - Single-Family Conventional
RZ	84-0380
Zoning Category	Agricultural
Zoning	ASC-1
Description	Agricultural - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0061H
FIRM Panel	12057C0061H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	A
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120065D
County Wide Planning Area	Lutz
Community Base Planning Area	Lutz
Census Data	Tract: 011103 Block: 1002
Future Landuse	R-1
Mobility Assessment District	Rural
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO

Folio: 12606.7526



November 26, 2024



Sources: Esri, TomTom, Garmin, FAD, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, EGIS

Hillsborough County Florida

Folio: 12606.7526
PIN: U-02-27-18-0H0-000000-00003.0
Pasquale A And Allison J Cuffaro
Mailing Address:
 905 Hillary Cir
 null
 Lutz, FL 33548-5052
Site Address:
 905 Hillary Cir
 Lutz, FL 33548
SEC-TWN-RNG: 02-27-18
Acreage: 0.470237
Market Value: \$492,095.00
Landuse Code: 0100 SINGLE FAMILY

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