

Variance Application: VAR 23-0962

LUHO Hearing Date: October 23, 2023

Case Reviewer: Isis Brown



**Hillsborough
County Florida**

Development Services Department

Applicant: Julio C. Rodriguez

Zoning:

RSC-4

Location: 12809 N Boulevard St, Tampa 33612; Parcel Folio(s): 21435.0000

Request Summary:

The applicant is requesting variances to accommodate a proposed two-lot subdivision of property zoned RSC-4.

Requested Variance(s):

LDC Section:	LDC Requirement:	Variance:	Result:
6.01.01	Within the RSC-4 zoning district, the required minimum lot width is 70 feet.	10 Feet	60-Foot Lot Width

Findings:

The proposed two-lot subdivision is in review under project ID 6610.

Zoning Administrator Sign Off:

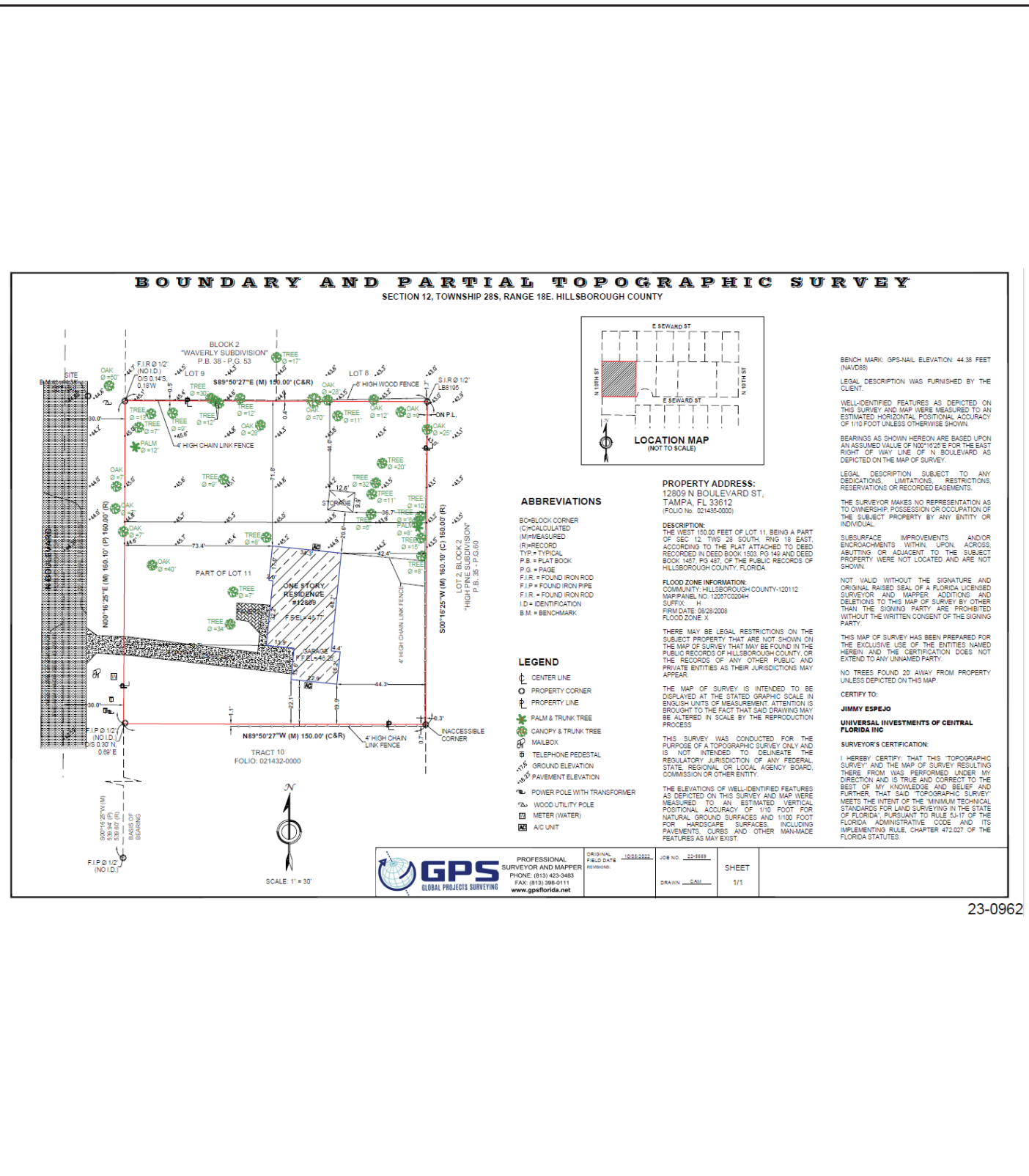
A handwritten signature in black ink that reads "Colleen Marshall".

Colleen Marshall
Tue Oct 10 2023 17:33:05

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



23-0962



**Hillsborough
County Florida**
Development Services

601 E. Kennedy Blvd., 19th Floor | (813) 272 5600

Additional / Revised Information Sheet

Date Stamp Here

Application Number: VAR 23-0962 Applicant's Name: GLOBAL PROJECTS SURVEYING

Reviewing Planner's Name: ISIS BROWN Date: 09/18/2023

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): 10/23/2023

Will this revision add land to the project? Yes No

IMPORTANT: If "Yes" is checked on the above, a Revised Application Sheet, Property Information Sheet, Affidavit to Authorize Agent, and additional Deeds must be filed immediately to ensure proper noticing and sign posting requirements are met.

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- An updated Project Narrative consistent with the changes or additional information provided, if applicable.

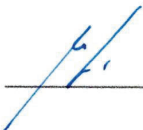
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Email this sheet along with all the additional/revised submittal items in pdf to: ZoningIntake-DSD@hcflgov.net

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.



Signature

09/18/2023

Date

FOR OFFICE USE ONLY

- Notification E-Mail Sent
- Transmittal Completed

Scanned into OPTIX

In-Take Completed by: _____



COVER SHEET

To: Hillsborough County Development Services. Site and Subdivision review intake.

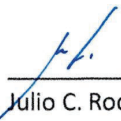
REF. VAR 23-0962 FOLIO# 021435-0000

This submittal of documents is for the issuance of a VARIANCE, for the project referenced above, as follows:

DESCRIPTION	#PAGES	FORMAT	
- VARIANCE APPLICATION PACKAGE	13	PDF	(SIGNED&NOTORIZED)
- ADDITIONAL / REVISED INFORMATION SHEET	1	PDF	(SIGNED)

The Authorized agent has been modified on all sheets such that it should be "GLOBAL PROJECTS SURVEYING".

If you have any questions on these matters, please contact Julio Rodriguez at 813-423-3483. Or via email to plats@gpsflorida.net



Julio C. Rodriguez
Profesional Land Surveyor.

09-18-2023
Date





**Hillsborough
County Florida**
Development Services

Application No: _____

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.

SEE EXTRA PAGE 1

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

Sec. 6.01.01. - Schedule of District Area, Height, Bulk, and Placement Regulations

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): Split - Project ID # 6610
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

Extra page

APPLICATION NO.

PROJECT DESCRIPTION (VARIANCE REQUEST)

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Proposed lot one requests a variance of 10 feet from the required front lot width of 70 feet resulting in a front lot width of 60 feet.

The property has 0.55 acres of extension and currently has a house with access from the right of way N Boulevard. The owners are carrying out a split process.

In presentation, it was expressed by zoning that to divide the property into 2 lots, a variance is required to reduce the width of lot 1 and comply with the setback standards in lot 2 due to the existence of a building.

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?

Considering that there is an existing building, almost in the center of the lot, a lot width of 60 feet and the second lot of 100 feet can be preserved.

The existing home has existed since 1959 and neighbors have not provided complaints.

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 existing home on the property is from 1959 and the owners wish to preserve that home whilst owning less land to maintain. The lot requirements on sec. 6.01.01 do not allow the front width of the property to be less than 70 feet, however, to respect the setbacks on the property both are not possible without a variance.

There also is a neighboring property with front lot width less than 70 feet – folio # 021533-0000).

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.

Since a reduction in the lot width is requested in this variance, all other requirements for the proposed zoning will be met so that neighboring lots are not impeded. The minimum spacing access to the right of way from the divided lots will be respected.



**Hillsborough
County Florida**
Development Services

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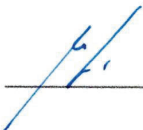
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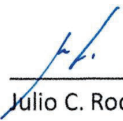
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09-18-2023
Date





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?

SEE EXTRA PAGE 1

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.

SEE EXTRA PAGE 1

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.

SEE EXTRA PAGE 1

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*).

SEE EXTRA PAGE 2

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.

SEE EXTRA PAGE 2

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.

SEE EXTRA PAGE 2

Extra page

APPLICATION NO.

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Extra page

APPLICATION NO.

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 proposal should only change the lot width to meet the requirements for division and still respect the rights of all subject matter stakeholders.

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.

There has only been a process to request a split of the property and no other work has been processed to assure the split division has any measurements that are just or approved by Hillsborough county. The split process has been suspended until we complete the variance request such that we continue to comply with the LDC.

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 completion considers that both the public and the owner of the property rights be respected. The owner will be able to divide the property and keep an existing home with less land to care for, all the while the public rights as per the LDC requirements are to be met and respected; along with notice letters to be sent that assure the public is comfortable with the division and variances.

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Prepared By and Return To:
Michele Diglio-Benkiran, Esquire
Legal Counsel PA
13330 W. Colonial Drive Unit 110
Winter Garden, FL 34787
407-982-4321
Consideration: \$272,000.00

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Warranty Deed

This Warranty Deed made this 24th day of August, 2022 between **Protected Property, LLC, a Florida limited liability company**, whose post office address is **13330 W. Colonial Drive, Unit 110, Winter Garden, FL 34787**, grantor, and **Universal Investments of Central Florida, Inc., a Florida profit corporation**, whose post office address is **4113 Carrollwood Village Forest Drive, Tampa, FL 33618**, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Hillsborough County, Florida** to-wit:

The West 150 feet of Lot 11, being a part of Section 12, Township 28 South, Range 18 East, according to the plat attached to deed recorded in Deed Book 1503, page 149 and Deed Book 1457, page 487, of the Public Records of Hillsborough County, Florida.

Parcel Identification Number: 021435-0000

Subject to taxes for 2022 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, 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; 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 **December 31, 2021**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Signature Witness 1:  Protected Property, LLC,
a Florida limited liability company

Print Name Witness 1: Turnisha Akins as witness

By: Lake Side SH, LLC,
a Wyoming limited liability company

Signature Witness 2: *Shelly Solchenberger*

Anthony Prisciandaro

Print Name Witness 2: Shelly Solchenberger

By: Anthony Prisciandaro, Manager
Its: Manager

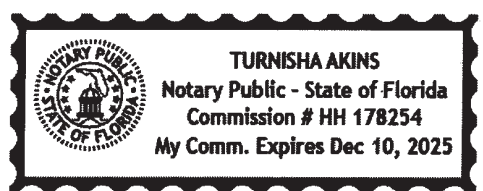
STATE OF FLORIDA)
COUNTY OF Osceola

The foregoing instrument was sworn to and subscribed before me by means of physical presence or online notarization, this 24th day of August, 2022, by Anthony Prisciandaro, Manager of Lake Side SH, LLC, a Wyoming limited liability company, the Manager of Protected Property, LLC, a Florida limited liability company, on behalf of said LLC. He is personally known to me or has produced a Florida driver's license as identification.



Notary Public, State of Florida

[Notary Seal]



Remote Online Notary



**Hillsborough
County Florida**
Development Services

601 E. Kennedy Blvd., 19th Floor | (813) 272 5600

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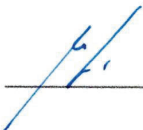
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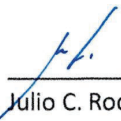
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Date



Variance Application Package



**Hillsborough
County Florida**
Development Services

Instructions to Applicants for Requests Requiring Public Hearing:

I. Prior to completing this application:

If you have any questions regarding your proposed project prior to submittal of this application, please email ZoningIntake-DSD@HCFLGov.net.

Please ensure you gather items that will need to be submitted prior to submitting your application as incomplete applications will not be accepted. Some of the items necessary may be obtained as follows:

- **Property information** such as folio numbers, future land use, current zoning, section/township/range and other information may be obtained by using the [Hillsborough County Map Viewer](#) and searching for the necessary address in the search bar at the top.
- **Sunbiz Forms** may be obtained by visiting Sunbiz.org.
- **A Copy of the Current Recorded Deed(s)** may be obtained by visiting the Hillsborough County Property Appraiser's website at HCPAFL.org and conducting a Property Search. Search by folio number or property address and select the correct result. Scroll down to 'Sales History' and select the most recent 'Instrument Number'. Select one of the results to view and save the current recorded deed.
- **Close Proximity Property Owners List** may be requested by emailing gisdept@hcpafl.org. Include all folio numbers and the buffer area in the request. *Please Note:* If your property has an Agricultural Future Land Use Designation or a Future Land Use Designation of RES-1 you must obtain a list of all property owners within 500 feet of the subject property. For all other Future Land Use Categories you must obtain a list of all property owners within 300 feet of the subject property.

II. Application submittal:

Part A and Part B of the submittal requirements include specific requirements and their requisite forms necessary for a complete and sufficient application submission.

- **Part A** will verify the property owner has authorized the application and includes forms and documents needed to verify the area for the proposed change.
- **Part B** includes the specific additional submittal requirements for the type of application being submitted.

Documents must be submitted as separate PDF documents with a minimum image resolution of 300 dpi labeled according to their contents and submitted in a single email to ZoningIntake-DSD@HCFLGov.net. Incomplete submittals will receive an email indicating the documents that are missing and will require a full resubmittal.

IMPORTANT: Review the entire application (both Parts A and B) for completeness prior to submission. Ensure you have your complete application submitted by 3:00 PM on the [cut-off day for your desired hearing](#) or your application will miss the cut-off and be continued to the next hearing date. Incomplete applications will not be accepted.

III. Post-application submittal:

Complete submittals will receive a payment request email. The deadline to make the payment is **one business day** after you receive this request. Failure to complete the payment by the deadline will result in application delays and/or additional Fastrack fees. Please view our [current fee schedule](#) for a list of zoning fees. Payments must be made through the [HillsGovHub portal](#). Instructions on how to [create an account](#) and [how to make a payment](#) are also available.

Remember, the Hillsborough County Land Development Code requires public notice for this category of application. After payment is received, you will receive a Letter of Notice that must be sent to all addresses on the Adjacent Property Owners List and/or HOA list. A Certificate of Mailing must also be provided. Instructions on completing your Letter of Notice and obtaining a Certificate of Mailing, will be sent with the Letter of Notice via email. Mailing deadlines and the deadline to submit the certificate of mailing will also be included on this email.



**Hillsborough
County Florida**
Development Services

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: GLOBAL PROJECTS SURVYEING Phone: (813)423-3483

Representative's Email: plats@gpsflorida.net

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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Close Proximity Property Owners List</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Legal Description for the subject site
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Copy of Code Enforcement/Building Code Violation(s) (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fastrack Approval (if applicable)

Additional application-specific requirements are listed in Part B.



**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: 12809 N BOULEVARD ST City/State/Zip: TAMPA, FL 33612
TWN-RN-SEC: 12/28/18 Folio(s): 021435-0000 Zoning: RSC-6 Future Land Use: _____ Property Size: 0.55

Property Owner Information

Name: UNIVERSAL INVESTMENTS OF CENTRAL FLORIDA INC Daytime Phone 8132994242
Address: 4113 CARROLLWOOD VILLAGE FOREST DR City/State/Zip: TAMPA, FL 33618
Email: jimmyespejo0117@gmail.com Fax Number _____

Applicant Information

Name: GLOBAL PROJECTS SURVEYING Daytime Phone 8134233483
Address: 6528 US HWY 301 S, UNIT 106 City/State/Zip: RIVERVIEW, FL 33578
Email: plats@gpsflorida.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.

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 Applicant

RONIEL A VASQUEZ

Type or print name

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

RONIEL A VASQUEZ

Type or print name



**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 _____

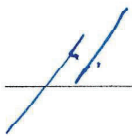
Includes sensitive and/or protected information.

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:  _____
(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____