



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.

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

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

Wimauma Opportunity Center

5128 State Road 674

Folio: 078892-0100

Project Description (Variance Request)

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.

In response to Sec. 3.23.02.C.4, the applicant acknowledges that the proposed development is subject to the requirements of the Mixed-Use Building Lot standards and the applicable provisions of the Wimauma Downtown Overlay Standards (Sec. 3.23.06) for new construction.

The project proposes two new buildings on a parcel currently occupied by an existing building and associated parking, both of which are proposed to remain. Given this existing development pattern, including the retained structure and parking layout, strict compliance with certain dimensional and design standards is constrained by practical limitations. Therefore, the applicant is requesting the following variances:

Front Setback Variance: (Sec. 3.23.06)

A variance from the maximum front setback requirement is requested due to the presence of the existing building and parking area that will remain on site. Maintaining these elements limits the ability to reposition new buildings closer to the frontage without disrupting established circulation and parking functionality.

Building Frontage Percentage Variance: (Sec. 3.23.06)

A variance from the required building frontage percentage is requested as the retained building and parking configuration reduce the available frontage area for new construction. The site layout must accommodate existing improvements while still providing safe access, circulation, and operational functionality.

Minimum Stories Variance: (Sec. 3.23.06) (if applicable):

A variance from the minimum story requirement may be necessary for the daycare facility, as a single-story building is operationally appropriate and preferred for child safety, accessibility, and

supervision. Additionally, integrating a multi-story structure with the existing single-story development would create design and functional inconsistencies on the site.

Parking in Rear and/or Side of Building Variance (Sec. 3.23.06C)

A variance from rear or side parking requirements is requested to ensure an efficient site layout with appropriate drop-off lanes and improved child safety, circulation, and parking.

Variance Criteria Response

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 hardship is not self-created, as it arises from the intent to retain and utilize the existing building and parking infrastructure, which were legally established. The applicant is not creating the constraint but is instead working within the limitations of the existing site conditions.

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.

Properties within the district are generally able to develop or redevelop in a manner that complies with setback, frontage, and building form standards due to having unconstrained or vacant sites. In contrast, the subject property is uniquely impacted by the presence of an existing building and associated parking that are proposed to remain, which significantly limits the flexibility to reposition new structures in full compliance with current standards.

If the literal requirements of the LDC were applied without relief:

- The applicant would be forced to remove or significantly alter the existing building and parking, despite these being lawful and functional improvements
- The property would be at a disadvantage compared to similarly zoned parcels that do not have such constraints and can more easily meet current design standards
- The ability to reasonably develop the property in a manner consistent with permitted uses would be restricted

As a result, the subject property would be denied the same opportunity for reasonable development and reinvestment that is afforded to other properties in the district.

Granting the requested variances ensures that the applicant is not disproportionately burdened due to existing site conditions and allows the property to enjoy development rights comparable to

those of surrounding properties, while still maintaining consistency with the overall intent of the LDC.

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 requested variances will not negatively impact adjacent properties or the surrounding area. The development will maintain compatibility with the existing character of the site and nearby uses, particularly by preserving the existing building and parking configuration and ensuring safe circulation.

All efforts have been made to be kind neighbors, and the new development of the site will maintain and improve the conditions between this lot and its neighbors.

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 requested variances are in harmony with and serve the general intent and purpose of the Land Development Code, as described in Sections 1.02.02 and 1.02.03, as well as the goals and objectives of the Comprehensive Plan. The primary intent of the LDC is to promote orderly, compatible, and sustainable development, while protecting public health, safety, and welfare. The proposed development advances these objectives by facilitating reinvestment in an already developed site while maintaining the existing building and associated parking. This approach promotes efficient land use, minimizes unnecessary demolition, and supports the continued viability of existing improvements.

The requested variances allow for reasonable redevelopment of the property despite site constraints created by the retained building and parking configuration. While deviations from strict dimensional standards are requested, the overall design maintains the spirit and intent of the Code, including:

- Providing a functional and safe site layout with appropriate circulation
- Incorporating required landscaping, screening, and architectural elements
- Supporting a mixed-use development pattern consistent with the zoning district and overlay standards

Additionally, the Comprehensive Plan encourages infill development, redevelopment of underutilized properties, and efficient use of existing infrastructure. The proposal is consistent with these policies by:

- Utilizing an existing developed parcel rather than expanding into undeveloped areas
- Maintaining existing infrastructure and reducing environmental and economic impacts associated with site clearance
- Introducing a compatible use (daycare) that serves the surrounding community

The variance requests do not undermine the intent of the LDC or Comprehensive Plan but instead enable a context-sensitive design solution that balances regulatory requirements with real-world site constraints. The development will remain compatible with surrounding uses and contribute to the planned character of the Wimauma Downtown area.

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 condition necessitating the requested variances does not result from any illegal act or from actions of the applicant, and therefore does not constitute a self-imposed hardship. The subject property contains an existing building and associated parking area that were lawfully established under prior approvals and regulations. The applicant is proposing to retain these existing improvements as part of a cohesive redevelopment plan. The constraints affecting compliance with current setback, frontage, and building height (story) requirements arise directly from these pre-existing, legally permitted site conditions.

The applicant has not created or intensified the hardship; rather, the limitation is inherent to the property due to the configuration and placement of the existing structure and parking that are proposed to remain. Requiring full compliance with current standards would necessitate removal or significant alteration of these lawful improvements, which is not the intent of the Code and would be inconsistent with principles of efficient redevelopment and resource conservation.

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.

Granting the requested variances will result in substantial justice being done by balancing the public benefits intended by the Land Development Code (LDC) with the practical difficulties imposed by the unique conditions of the property.

The LDC is intended to promote orderly development, compatibility, safe site design, and efficient land use. The proposed development advances these public objectives by:

- Maintaining an existing, legally established building and parking area, thereby supporting sustainable redevelopment and efficient use of existing infrastructure
- Providing a safe and functional site layout, particularly for the daycare use, including appropriate circulation and drop-off/pick-up areas
- Incorporating landscaping, screening, and design elements consistent with the character of the Wimauma Downtown Overlay District
- Supporting mixed-use development patterns that serve the surrounding community

Strict enforcement of the Code requirements in this case would create an undue hardship by effectively requiring the removal or significant reconfiguration of the existing building and parking, which are integral to the site's functionality. This would impose unnecessary economic and operational burdens on the applicant without a corresponding public benefit.

Conversely, granting the variances allows the property to be reasonably developed while still achieving the intent of the code. The requested deviations are limited and driven by existing site constraints, and they do not compromise public health, safety, or welfare.

Denying the variances would hinder reinvestment in the property and limit the ability to provide a beneficial community-serving use, while granting them enables a balanced outcome where:

- The public benefits of the LDC are substantially upheld
- The applicant is afforded reasonable use of the property given its existing conditions

Therefore, approval of the variances represents a fair and equitable resolution that achieves substantial justice for both the public and the property owner.



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?

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.

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.

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*).

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.

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.

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Prepared by and return to:

Christina M. Swan
First Title Source, LLC
13033 West Linebaugh Ave Suite Y101
Tampa, FL 33626
(813) 749-7179
File No 2-2017-158

Recording Fee: 18.50
Doc Stamps: 5,145.00
Consideration: 735,000.00

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WARRANTY DEED

(STATUTORY FORM - SECTION 689.02, F.S.)

This indenture made the 8th day of January, 2018 between Roydon H. Loker, Individually and as Trustee of The Loker Family Living Trust Dated The 30th day of March, 2010, and Rachel B. Loker, Individually and as Trustee of The Loker Family Living Trust Dated The 30th day of March, 2010, Husband and Wife, with the power and authority to protect, to conserve, to sell, to lease, to encumber, or otherwise to manage and dispose of the Property pursuant to Section 689.073, Florida Statutes, whose post office address is P.O. Box 158, Wimauma, FL 33598-0158, of the County of Hillsborough, State of Florida, Grantors, to Wimauma Opportunity Center, LLC., a Florida Limited Liability Company, whose post office address is 5128 Florida 674, Wimauma, FL 33598, of the County of Hillsborough, State of Florida, Grantee:

Witnesseth, that said Grantors, for and in consideration of the sum of TEN DOLLARS (U.S.\$10.00) and other good and valuable considerations to said Grantors 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, Florida, to-wit:

The East 1/2 of the East 1/2 of Block 15, in the Northeast 1/4 of Section 8, Township 32 South, Range 20 East of Davis & Dowdell Addition to Town of Wimauma, according to the Plat thereof recorded in Plat Book 1, Page 136, of the Public Records of Hillsborough County, Florida, LESS that part taken as right-of-way for State Road 674 by judgment recorded in Minute Book 97, Page 92.

Parcel ID # U-08-32-20-2XN-000000-00015.2

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

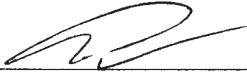
Subject to taxes for 2018 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any.

TO HAVE AND TO HOLD the same in fee simple forever.

And Grantors hereby covenant with the Grantee that the Grantors are lawfully seized of said land in fee simple, that Grantors have good right and lawful authority to sell and convey said land and that the Grantors hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

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 Printed Name Gregory Woodcock

Roydon Loker individually and as Trustee (Seal)
Roydon H. Loker, Individually and as Trustee of The Loker
Family Living Trust, Dated the 30th day of March, 2010.




Witness Printed Name THOMAS BRUBAKER

Rachel B. Loker individually and as Trustee (Seal)
Rachel B. Loker, Individually and as Trustee of The Loker
Family Living Trust, Dated the 30th day of March, 2010.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this **8th day of January, 2018**, by Roydon H. Loker, Individually and as Trustee of The Loker Family Living Trust, Dated the 30th day of March, 2010, and Rachel B. Loker, Individually and as Trustee of The Loker Family Living Trust, Dated the 30th day of March, 2010, who is personally known to me or who produced a FLDL as identification.



Signature of Notary Public
Print, Type/Stamp Name of Notary



Personally known: _____
OR Produced Identification: X

Type of Identification Produced: DL



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 26-0695 Intake Date: 03/18/2026
 Hearing(s) and type: Date: 05/11/2026 Type: LUHO Receipt Number: 578523
 Date: _____ Type: _____ Intake Staff Signature: Julia Boatright

Property Information

Address: 5128 State Road 674 City/State/Zip: Wimauma, FL 33598
 TWN-RN-SEC: 32-20-08 Folio(s): 078892-0100 Zoning: CG AND AS-1 Future Land Use: OC - 20 Property Size: 2.28 AC

Property Owner Information

Name: Wimauma Opportunity Center LLC Daytime Phone: (813)699-5811
 Address: 5128 State Road 674 City/State/Zip: Wimauma, FL 33598
 Email: liz.gutierrez@enterprisinglatinas.org Fax Number: NA

Applicant Information

Name: Elizabeth Gutierrez Daytime Phone: (813)699-5811
 Address: 5128 State Road 674 City/State/Zip: Wimauma, FL 33598
 Email: liz.gutierrez@enterprisinglatinas.org Fax Number: NA

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.

Elizabeth Gutierrez
 Signature of the Applicant
Elizabeth Gutierrez
 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.

Elizabeth Gutierrez
 Signature of the Owner(s) – (All parties on the deed must sign)
Elizabeth Gutierrez
 Type or print name



Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

Application No: 26-0695 Intake Date: 03/18/2026
 Hearing(s) and type: Date: 05/11/2026 Type: LUHO Receipt Number: 578523
 Date: _____ Type: _____ Intake Staff Signature: Julie Boatright

Applicant/Representative: Enterprising Latinas, Inc - Elizabeth Gutierrez Phone: (813)699-5811

Representative's Email: liz.gutierrez@enterprisinglatinass.org

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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Close Proximity Property Owners List</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Legal Description</u> for the subject site
<input type="checkbox"/>	<input checked="" 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.



Specific Submittal Requirements for Variances

This section provides information on items that must be addressed/submitted for a Special use - Land Excavation permit and will be subsequently reviewed when the application is assigned to a planner. Where certain information does not apply to a project, a notation shall appear on the plan stating the reason, for example, "No existing water bodies within project." Additionally, the explanations and justifications for when certain information does not apply to the project shall be included in the Narrative. If Hillsborough County determines the submitted plan lacks required information, the application shall not proceed to hearing as provided for in Section 6.2.1.1.A. Additionally, the required information is only the minimum necessary to schedule an application for hearing and Hillsborough County reserves the right to request additional information during review of the application.

If you are viewing this form electronically, you may click on each underlined item for additional information.

For any items marked N/A, justification must be provided as to why the item is not included.

Part B: Project Information

Additional Submittal Requirements for a Variance

- 1 Project Description/Written Statement of the Variance Request
- 2 Variance Criteria Response
- 3 Attachment A (if applicable)
- 4 Survey/Site Plan
- 5 Supplemental Information (optional/if applicable)



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	AS-1
Description	Agricultural - Single-Family
RZ	
Zoning Category	Agricultural
Zoning	AR
Description	Agricultural - Rural
Zoning Category	Commercial/Office/Industr
Zoning	CG
Description	Commercial - General
RZ	
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0680H
FIRM Panel	12057C0680H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120680B
County Wide Planning Area	Sun City Center
County Wide Planning Area	Wimauma
Community Base Planning Area	SouthShore
Community Base Planning Area	Wimauma
Community Base Planning Area	Sun City Center
Census Data	Tract: 013913 Block: 1021
Future Landuse	OC-20
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
Overlay District	Wimauma Downtown Subdistrict B – Downtown Center
Competitive Sites	NO
Redevelopment Area	NO

