

**Variance Application:** VAR 24-1359  
**LUHO Hearing Date:** November 20, 2024  
**Case Reviewer:** Tania C. Chapela



**Hillsborough  
 County Florida**

Development Services Department

**Applicant:** RU Project Management Group (Ruth P. Londono)      **Zoning:** RSC-9  
**Location:** 4501 W Lambright St, Tampa; Folio 28741.0000

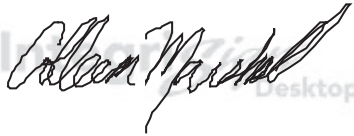
**Request Summary:**

The applicant is requesting variances to accommodate two existing structures, a principal dwelling and an accessory dwelling, and a variance to the maximum fence height within a front yard.

**Requested Variances:**

LDC Section:	LDC Requirement:	Variance:	Result:
6.11.02.A	A minimum lot area of 7,000 square feet is required for accessory dwellings.	500 square feet	Accessory dwelling to remain on a 6,500 square foot lot
6.11.02.E 6.01.01	The accessory dwelling shall meet principal building setbacks. The minimum front yard setback for property zoned RSC-9 is 20 feet.	5.37 feet	14.63-foot front yard setback for the accessory dwelling on front yard functioning as a side yard
6.11.02.E 6.01.01	The accessory dwelling shall meet principal building setbacks. The minimum side yard setback for property zoned RSC-9 is 5 feet.	0.48 feet	4.52-foot side yard setback for the accessory dwelling
6.01.01	The minimum front yard setback for property zoned RSC-9 is 20 feet.	9.9 feet	10.1-foot front yard setback
6.07.02.C.1.a	Fences over 4 feet in height shall not be located within the required front yards, except under certain circumstances which do not apply to this case.	2 Feet	6-Foot-High Fence

<b>Findings:</b>	The property is under a Code Enforcement violation (HC-CMP-24-0000236) for failure to provide a permit for the accessory dwelling.
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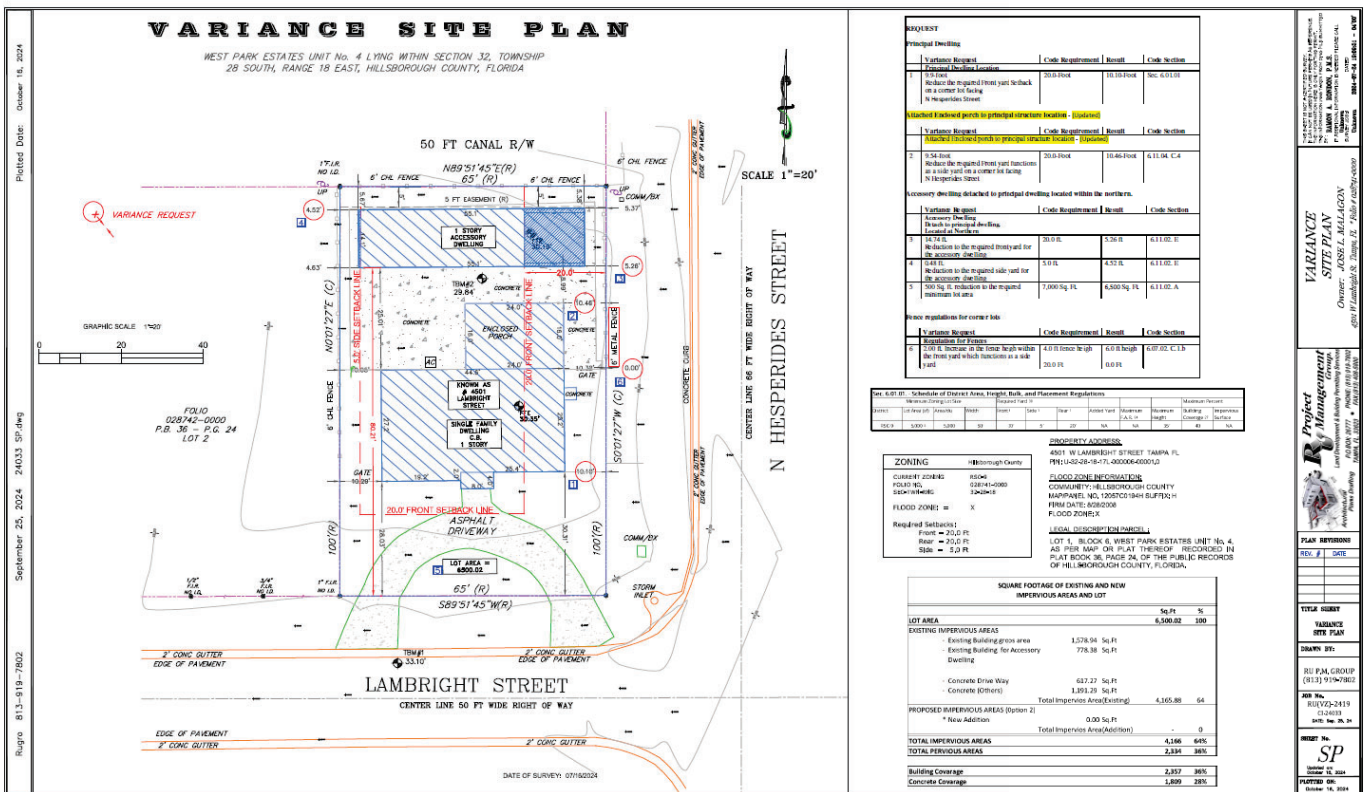
<b>Zoning Administrator Sign Off:</b>	 Colleen Marshall Tue Nov 5 2024 11:03:33
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**DISCLAIMER:**

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**

Received October 17, 2024  
 Development Services



Variance Request	Code Requirement	Result	Code Section
1. 0.0' Front Setback to the proposed front yard setback on a corner lot facing N Hesperides Street.	20.0' Front	10.0' Front	Sec. 6.01.01
2. 0.54' Side Setback to the proposed front yard setback on a side yard on a corner lot facing N Hesperides Street.	20.0' Front	10.46' Front	6.11.04, C.4
3. 0.0' Front Setback to the proposed front yard setback on a side yard on a corner lot facing N Hesperides Street.	20.0' Front	10.46' Front	6.11.04, C.4
4. 0.0' Front Setback to the proposed front yard setback on a side yard on a corner lot facing N Hesperides Street.	20.0' Front	10.46' Front	6.11.04, C.4
5. 0.0' Front Setback to the proposed front yard setback on a side yard on a corner lot facing N Hesperides Street.	20.0' Front	10.46' Front	6.11.04, C.4

Year	1st Year	2nd Year	3rd Year	4th Year	5th Year	6th Year	7th Year	8th Year	9th Year	10th Year	11th Year	12th Year
2024	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Category	Area	Percentage
EXISTING IMPERVIOUS AREAS	1,578.94	24%
EXISTING IMPERVIOUS AREAS (Including Building Footprint)	778.38	12%
EXISTING IMPERVIOUS AREAS (Including Concrete Driveway)	637.27	10%
EXISTING IMPERVIOUS AREAS (Including Concrete Sidewalk)	1,893.28	29%
TOTAL IMPERVIOUS AREAS	2,334	36%
PROPOSED IMPERVIOUS AREAS (Including New Addition)	0.00	0%
TOTAL IMPERVIOUS AREAS	2,334	36%

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TOTAL IMPERVIOUS AREAS	2,334	36%
PROPOSED IMPERVIOUS AREAS (Including New Addition)	0.00	0%
TOTAL IMPERVIOUS AREAS	2,334	36%

**VARIANCE SITE PLAN**

OWNER: JESSIE L. MALLON

PROJECT MANAGER: JESSIE L. MALLON

DATE: 07/15/2024

SCALE: 1"=20'

GRAPHIC SCALE: 1"=20'

DATE OF SURVEY: 07/15/2024

24-1359

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**REQUEST**

**Principal Dwelling**

	Variance Request	Code Requirement	Result	Code Section
	<b>Principal Dwelling Location</b>			
1	9.9-foot Reduce the required Front yard Setback on a corner lot facing N Hesperides Street	20.0-Foot	10.10-Foot	Sec. 6.01.01

**Accessory Structure location**

	Variance Request	Code Requirement	Result	Code Section
	<b>Accessory Structure Location</b>			
2	9.54-foot Reduce the required Front yard functions as a side yard on a corner lot facing N Hesperides Street	20.0-Foot	10.46-Foot	6.11.04. C.4

**Accessory dwelling detached to principal dwelling located within the northern.**

	Variance Request	Code Requirement	Result	Code Section
	<b>Accessory Dwelling Detach to principal dwelling. Located at Northern</b>			
3	14.74 ft. Reduction to the required front yard for the accessory dwelling	20.0 ft.	5.26 ft	6.11.02. E
4	0.48 ft. Reduction to the required side yard for the accessory dwelling	5.0 ft.	4.52 ft.	6.11.02. E
5	500 Sq. ft. reduction to the required minimum lot area	7,000 Sq. Ft.	6,500 Sq. Ft.	6.11.02. A

**Fence regulations for corner lots**

	Variance Request	Code Requirement	Result	Code Section
	<b>Regulation for Fences</b>			
6	2.00 ft. Increase in the fence heigh within the front yard which functions as a side yard	4.0 ft fence heigh 20.0 Ft	6.0 ft heigh 0.0 Ft	6.07.02. C.1.b

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# Additional / Revised Information Sheet

Office Use Only		
Application Number: VAR 24-1359	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 24-1359 Applicant's Name: RU Project Management Group /Ruth P Londono

Reviewing Planner's Name: Tania Chapela Date: 10/16/2024

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): 11/20/2024

### 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@hcf.gov](mailto:ZoningIntake-DSD@hcf.gov)**

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@hcf.gov](mailto:ZoningIntake-DSD@hcf.gov).

***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.***

**Ruth P Londono** Digitally signed by Ruth P Londono  
Date: 2024.10.16 15:19:27 -04'00'

Signature

**Oct 16, 2024**

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 24-1359**

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: Ruth P Londono

Digitally signed by Ruth P Londono  
Date: 2024.10.16 15:21:57 -04'00'

(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 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.

**VARIANCE APPLICATION**

**Oct 16, 2024**

**Additional / Revised  
 Cover Letter**

**Location:** 4501 W Lambright St. Tampa, FL 33614  
**Owners** Jose L Malagon  
**Size of property:** 0.149 Acres +/- (Per Survey)  
**Folio #:** 028741-0000  
**Zoning District** RSC-9  
**Future Land Use** R-9  
**Urban Service Area** USA

Based on the email received Tue, Oct 15, 4:16 pm  
 from Hillsborough County Ms Marshall, Colleen

“ In reviewing your application, it also appears that the area labeled as “enclosed porch” is the area that you are requesting a variance to the accessory structure setbacks for. Please confirm if this is attached to the primary home or if it is detached from the primary home. If it is attached to the primary home, it would be subject to primary structure setbacks and would not be considered an accessory structure. By definition, an accessory structure must be detached from the principal structure.”

**We confirmed that** “enclosed porch” is attached to Primary Structure. Revising as follow:

**1. SITE PLAN**

A Variance REQUEST has been updated. See Chat on the Site Plan under: **REQUEST**

**Attached Enclosed porch to principal structure location - (Updated)**

Variance Request	Code Requirement	Result	Code Section
Attached Enclosed porch to principal structure location	(Updated)		

**2. REVISED APPLICATION FORM**

Sheet 9 of 11  
 Variance Criteria Response has been updated on Oct 16, 2024

Attached Variance criteria have been updated on Oct 16, 2024 as well as you can see yellow highlighter on pages:

1 of 6 , 2 of 6, 3 of 6 and 4 of 6



**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 Attachment  
Updated on Oct 16, 2024

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

See Attachment  
Updated on Oct 16, 2024

### 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-CMP-24-0000236
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?

See Attachment  
Updated on Oct 16, 2024

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 Attachment  
Updated on Oct 16, 2024

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 Attachment  
Updated on Oct 16, 2024

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 Attachment  
Updated on Oct 16, 2024

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 Attachment  
Updated on Oct 16, 2024

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 Attachment  
Updated on Oct 16, 2024

**VARIANCE APPLICATION**

September 26, 2024 Updated on Oct 16, 2024

**“Variance to Principal Dwelling Requirements, Accessory Dwelling Requirements, Lot Development Standards and to Fence Requirements”**

**Location:** 4501 W Lambright St. Tampa, FL 33614  
**Owners** Jose L Malagon  
**Size of property:** 0.149 Acres +/- (Per Survey)  
**Folio #:** 028741-0000  
**Zoning District** RSC-9  
**Future Land Use** R-9  
**Urban Service Area** USA

**VARIANCE REQUEST:** To reduce the required setback of:

- Principal Dwelling
  - Front setback reduction on a Corner Lot facing N Hesperides Street
  - Attached Enclosed Porch at rear of Principal Dwelling on a Corner Lot facing N Hesperides Street
- Accessory Dwelling
  - Front setback reduction on a Corner Lot facing N Hesperides Street
  - Side Setback Reduction at Westside
  - Reduce min lot requirements for Acc. Dwelling on RSC-9 Zoning District
- Fence on front yard acting as side yard increase high

**Code Sections**

- Sec. 6.01.01. - Schedule of District Area, Height, Bulk, and Placement Regulations**
- Sec. 6.11.02. - Accessory Dwelling Standards**
- ~~Sec. 6.11.04. - Accessory Structures~~ (Removed)**
- Sec. 6.07.02. – Regulations for Fences**

**NARRATIVE**

The regular shaped lot (subject property) is located within the RSC-9 zoning district and is identified by folio number 028741-0000. Platted subdivision of **West Park Estates Unit No 4**. More generally the site is located

at 4501 W Lambright St. Tampa, FL within the area generally known as NW Hillsborough & Dale Mabry, S of Sligh according with property appraiser public record information.

The site is located north of W Hillsborough Ave, south of W Sligh Ave, west of N Manhattan Ave, and east of N Occident St.

This Principal dwelling was built in 1963. The current owners purchased this property on the 1<sup>st</sup> day of November, 2016 and occupied the property by Jose L Malagon (owner), since he got it.

Property had a Side detached structure (At North of the property) which owner remodeled without permit changing from un-conditioned area to conditioned area and increasing the square footage with the intension to be used as living area for his son and his son's fiancée.

Owners received a residential building code compliance case, record **HC-CMP-24-0000236** (See Attached Document)

Mr. Malagon would like to bring his son to live on the property as independently as possible.

Apply for accessory dwelling detach structure to the Single-Family dwelling that is allowable use per RSC-9 Zoning District

The first step was ordering a survey to verify the location of the current buildings and structures. Attached is the most current survey signed and digitally sealed on July 24<sup>th</sup>, 2024.

The Current Survey depicts:

- A. **Principal dwelling** was built on 1963 according with Hillsborough County Property Appraiser records.
  - a. The current survey depicts building is enclosing the Front yard facing N Hesperides Street 9.9-foot which request a variance Front setback reduction. **(See variance request Item 1)**
- B. **Accessory Structure**. The attached to principal dwelling, **enclosed rear porch** is enclosing the Front yard facing N Hesperides Street 9.54-foot which request a variance Front setback reduction. ***It is subject to principal structure setbacks*** **(See variance request Item 2)** (Updated)
- C. **Accessory Dwelling**. On rear, north side, there is a 1-Story Metal structure 55.1-Foot by 14.1-Foot. Owner, without permit converted with interior insulated framing walls and Ceiling. Note that on same place was a smaller Structure before current owner got the property. Currently Mr. Malagon made the decision to bring his son to live on the property and the intension is to provide him with this space as independent as possible from the principal dwelling.

This **Accessory Dwelling** is located enclosed in the required front yard setbacks, 14.74-foot which request a variance front setback reduction. **(See variance request Item 3)**

And, enclosed in the required side yard setbacks, 0.48-foot which request a variance Side setback reduction. **(See variance request Item 4)**

The total lot area per survey is 6,500 Square feet.

Five hundred and two (500) square feet less than the minimum lot of 7,000 square feet required for an **accessory dwelling**. A variance to reduce to 6,500 Square feet. **(See variance request Item 5)**

This building will be the Accessory dwelling once the variance be approved as well the building permit

- D. **Fence.** A 6 ft high **metal fence** is located within the 20.0-foott required front yard. (LDC Sec.6.07.02.C.1.a).

Property is a **corner lot**, the fence 6 ft in height is in the **front yard which functions as a side yard**. The fence is located 0.0 feet from the property boundary at N Hesperides Street. Fences are regulated by (LDC Sec.6.07.02. C.1.b) **See Site plan (See Variance request item 6)**

A Variance has been requested from (3) three Code Sections:

<p><b>Sec. 6.01.01. - Schedule of District Area, Height, Bulk, and Placement Regulations</b></p> <ul style="list-style-type: none"> <li>Reduce required Front setback for the principal dwelling</li> <li>Reduce required Front setback for the attached enclosed porch to primary structure. (Updated)</li> </ul>
<p><del>Sec. 6.11.04. - Accessory Structures</del></p> <ul style="list-style-type: none"> <li><del>Reduce required side setback for a Enclosed Porch attached to the principal dwelling</del> (Updated)</li> </ul>
<p><b>Sec. 6.11.02. - Accessory Dwelling Standards</b></p> <ul style="list-style-type: none"> <li>Sec. 6.11.02. Reduce front required setback on a corner lot</li> <li>Reduce side required setback on a corner lot</li> <li>Reduce Five hundred (500) square feet to minimum lot of 7,000 square feet required for an accessory dwelling.</li> </ul>
<p><b>Sec. 6.07.02. – Regulations for Fences</b></p> <ul style="list-style-type: none"> <li>Increase in the fence heigh within the front yard which functions as a side yard from 4.0 feet to 6.0 feet.</li> </ul>

Approval of the requests will allow the owner to bring to LDC setback requirement the principal dwelling, keep Enclosed Porch attached to the principal dwelling on the current location, use the structure as an accessory dwelling for his family member, as well as keep the fence at current locations.

**REQUEST**

**Principal Dwelling**

	Variance Request	Code Requirement	Result	Code Section
	<b>Principal Dwelling Location</b>			
1	9.9-foot Reduce the required Front yard Setback on a corner lot facing N Hesperides Street	20.0-Foot	10.10-Foot	Sec. 6.01.01

**Attached Enclosed porch to principal structure location - (Updated)**

	Variance Request	Code Requirement	Result	Code Section
	<b>Attached Enclosed porch to principal structure location - (Updated)</b>			
2	9.54-foot Reduce the required Front yard functions as a side yard on a corner lot facing N Hesperides Street	20.0-Foot	10.46-Foot	6.11.04. C.4

**Accessory dwelling detached to principal dwelling located within the northern.**

	Variance Request	Code Requirement	Result	Code Section
	<b>Accessory Dwelling Detach to principal dwelling. Located at Northern</b>			
3	14.74 ft. Reduction to the required front yard for the accessory dwelling	20.0 ft.	5.26 ft	6.11.02. E
4	0.48 ft. Reduction to the required side yard for the accessory dwelling	5.0 ft.	4.52 ft.	6.11.02. E
5	500 Sq. ft. reduction to the required minimum lot area	7,000 Sq. Ft.	6,500 Sq. Ft.	6.11.02. A

**Fence regulations for corner lots**

	Variance Request	Code Requirement	Result	Code Section
	<b>Regulation for Fences</b>			
6	2.00 ft. Increase in the fence height within the front yard which functions as a side yard	4.0 ft fence height 20.0 Ft	6.0 ft height 0.0 Ft	6.07.02. C.1.b



**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?**

Per plat the property is 65'(R) x100' (R) 6,500 Sq ft, 0.149 acre approximately

Per most current survey signed on July 24<sup>th</sup>, 2024, per Ramon A. Rondon, PSM. Property is 6,500 Square feet (SF) = 0.149 Acre.

RSC-9 zoning district.

The hardship is the lot exceed the 5,000 SF minimum lot area required per RSC-9 zoning lot Size.

- 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 Accessory Dwelling Standards of the LDC allows “The residential lot that shall be occupied by a principal detached single-family dwelling that is owner occupied” Proposed Accessory dwelling meet some criteria as well all others requirement.

- 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.**

Approval of the requested variance will not substantially interfere with or injure the rights of others in this area.

- 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 requested variance “Front yard principal dwelling setback reduction”, “Accessory Located attached to the rear of principal dwelling”, Accessory Dwelling for family members, that has been approved thru a variance on the same community, and increase fence height on a corner lot on the subject lot is in harmony with and serves the general intent and purpose of the Land development code, and the Comprehensive Plan. The RSC-9 zoning provides the opportunity for maximum of 900 square foot living space on RSC-9 district principal dwelling owner occupied. The accessory dwelling will meet this requirement on the same lot for single-family conventional development of the county in a manner that is equitable and respectful of the property rights of others.

- 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 existing structures (principal dwelling as well some structure was built around 1963 according with the public records. Current owners changed the un-conditioned space to conditioned area (Living area)

and increased the gross area without the required building permit. If the variances are approved the applicant will be required to go through the after the fact building permit process to finish with the remodeling, as well as request the approval for the accessory dwelling. And bring to code all on the property that was added without building permit

**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.**

Allowing the variance will result in substantial justice. The proposed yard setback reductions are the better solution to allow the structure conversion into living area. As well the location of the structure attached to the principal dwelling at rear. And keep existing fence on place. The addition requirements will not be jeopardized with the variance approval. Impacts associated with the request are minimal considering the character of the site and the general area.

Approval will allow:

Meet LDC setback requirement the principal dwelling as well the attached enclosed Porch

Allow the owner the accessory dwelling for a family member, 'and keep in place the existing fence

After Recording Return to:  
Chris Hemmings  
Anchor Title & Associates  
1510 South Clark Avenue  
Tampa, FL 33629

This Instrument Prepared by:  
Chris Hemmings  
Anchor Title & Associates  
1510 South Clark Avenue  
Tampa, FL 33629  
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):  
028741-0000  
File No.: 20161205

**WARRANTY DEED**

**This Warranty Deed**, Made the 1st day of November, 2016, by **Hazel Ann Taylor aka Hazel Ann Taylor Vanderford, an unmarried widow**, whose post office address is: **11214 Indian Oaks Dr, Tampa, FL 33625**, hereinafter called the "Grantor", to **Jose L. Malagon**, whose post office address is: **4501 W. Lambright Street, Tampa, FL 33614**, hereinafter called the "Grantee".

**WITNESSETH:** That said Grantor, for and in consideration of the sum of **One Hundred Seventeen Thousand Dollars and No Cents (\$117,000.00)** 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, Florida**, to wit:

Lot 1, Block 6, West Park Estates Unit No 4, as per map or Plat thereof recorded in Plat Book 36, Page 24, of the Public Records of Hillsborough County, Florida

The property is the homestead of the Grantor(s).

**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 2015, reservations, restrictions and easements of record, if any.

*(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)*

**IN WITNESS WHEREOF**, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES  
**TWO SEPARATE DISINTERESTED WITNESSES REQUIRED**

Witness Signature: \_\_\_\_\_ *Hazel Ann Taylor Vanderford*  
Printed Name: \_\_\_\_\_ Hazel Ann Taylor aka Hazel Ann Taylor Vanderford

Witness Signature: \_\_\_\_\_ *Chris Hemmings*  
Printed Name: \_\_\_\_\_ Chris Hemmings

Witness Signature: \_\_\_\_\_ *Dianne M Berman*  
Printed Name: \_\_\_\_\_ Dianne M Berman

Witness Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_

State of Florida  
County of Hillsborough

The foregoing instrument was acknowledged before me this 1st day of November, 2016 by Hazel Ann Taylor aka Hazel Ann Taylor Vanderford, an unmarried widow, who is/are personally known to me or has/have produced driver license(s) as identification.

Notary Public Signature: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_  
Printed Name: Chris Hemmings (SEAL)



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# Additional / Revised Information Sheet

Office Use Only		
Application Number: VAR 24-1359	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 24-1359 Applicant's Name: RU Project Management Group /Ruth P Londono

Reviewing Planner's Name: Tania Chapela Date: 10/16/2024

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): 11/20/2024

### 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.***

**Ruth P Londono** Digitally signed by Ruth P Londono  
Date: 2024.10.16 15:19:27 -04'00'

Signature

**Oct 16, 2024**

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 VAR 24-1359

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: Ruth P Londono

Digitally signed by Ruth P Londono  
Date: 2024.10.16 15:21:57 -04'00'

(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
----------	----------------

- 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 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.

**VARIANCE APPLICATION**

**Oct 16, 2024**

**Additional / Revised  
 Cover Letter**

**Location:** 4501 W Lambright St. Tampa, FL 33614  
**Owners** Jose L Malagon  
**Size of property:** 0.149 Acres +/- (Per Survey)  
**Folio #:** 028741-0000  
**Zoning District** RSC-9  
**Future Land Use** R-9  
**Urban Service Area** USA

Based on the email received Tue, Oct 15, 4:16 pm  
 from Hillsborough County Ms Marshall, Colleen

“ In reviewing your application, it also appears that the area labeled as “enclosed porch” is the area that you are requesting a variance to the accessory structure setbacks for. Please confirm if this is attached to the primary home or if it is detached from the primary home. If it is attached to the primary home, it would be subject to primary structure setbacks and would not be considered an accessory structure. By definition, an accessory structure must be detached from the principal structure.”

**We confirmed that** “enclosed porch” is attached to Primary Structure. Revising as follow:

**1. SITE PLAN**

A Variance REQUEST has been updated. See Chat on the Site Plan under: **REQUEST**

**Attached Enclosed porch to principal structure location - (Updated)**

Variance Request	Code Requirement	Result	Code Section
Attached Enclosed porch to principal structure location	(Updated)		

**2. REVISED APPLICATION FORM**

Sheet 9 of 11  
 Variance Criteria Response has been updated on Oct 16, 2024

Attached Variance criteria have been updated on Oct 16, 2024 as well as you can see yellow highlighter on pages:

1 of 6 , 2 of 6, 3 of 6 and 4 of 6





**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: RU Project Management Group /Ruth P Londono Phone: 813-919-7802

Representative's Email: ruth@rupmg.com

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Sunbiz Form</u> (if applicable). This can be obtained at <a href="http://Sunbiz.org">Sunbiz.org</a> .
<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 checked="" type="checkbox"/>	<input 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.**



**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: 4501 W Lambright St City/State/Zip: Tampa, FL 33614  
TWN-RN-SEC: 28/18/32 Folio(s): 028741-0000 Zoning: RSC-9 Future Land Use: R-9 Property Size: 0.143768

### Property Owner Information

Name: Jose L Malagon Daytime Phone (813) 390-7064  
Address: 4501 W Lambright St City/State/Zip: Tampa, FL 33614  
Email: \_\_\_\_\_ Fax Number \_\_\_\_\_

### Applicant Information

Name: RU Project Management Group /Ruth P Londono Daytime Phone (813) 919-7802  
Address: 1502 W. Busch Blvd. Suite D. City/State/Zip: Tampa, FL 33612  
Email: ruth@rupmg.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.

Signature of the Applicant

RUth P Londono

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)

Jose L Malagon

Type or print name