



LAND USE HEARING OFFICER VARIANCE REPORT (REVISED)

APPLICATION NUMBER: VAR 22-1712	
LUHO HEARING DATE: February 27, 2023	CASE REVIEWER: Chris Grandlienard, AICP

REQUEST: The applicant is requesting a variance to accommodate a proposed addition to an existing family home zoned RSC-4.

VARIANCE:

Per LDC Section 6.01.01, a rear yard setback of 25 feet is required in the RSC-4 district. The applicant requests a 10-foot reduction to the required rear yard setback to allow a setback of 15 feet from the east property line for the addition.


FINDINGS:

None

DISCLAIMER:

The variance listed above is based on the information provided in the application by the applicant. Additional variances may be needed after the site has applied for development permits. The granting of these variances does not obviate the applicant or property owner from attaining all additional required approvals including but not limited to: subdivision or site development approvals and building permit approvals.

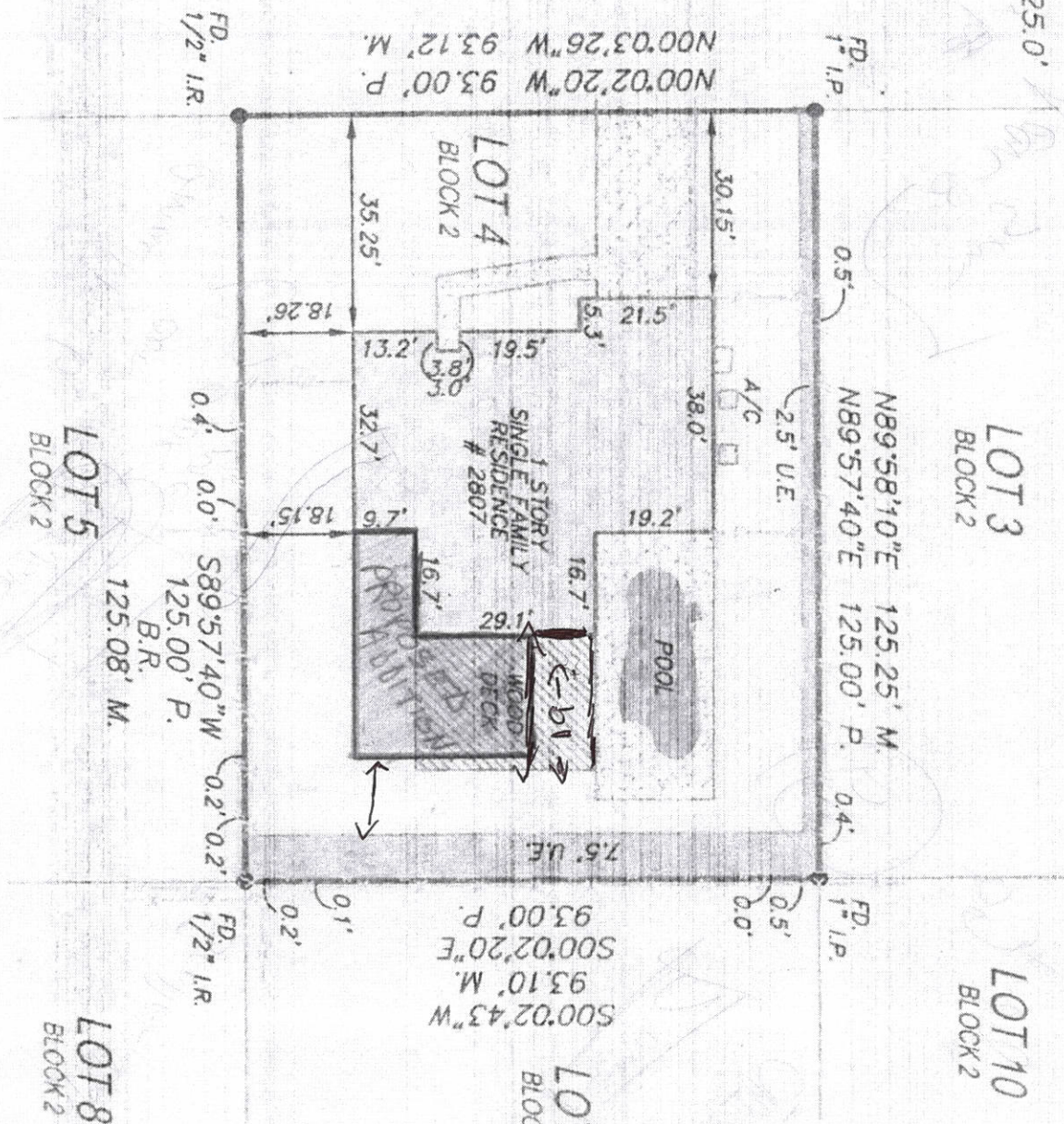
ADMINISTRATOR'S SIGN-OFF



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Fri Feb 17 2023 10:15:15

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

RASPBERRY PLACE
(ASPHALT)
50' RW



NOTE
BEARINGS SHOWN ARE BASED UPON
RECORD PLAT OR DEED DESCRIPTION



1"=40'
PER PLAT

10' from 95' required



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.

This request is for a variance to allow for a 15' rear yard setback in lieu of the requisite 25' : a reduction of 10 feet.

The requested variance would allow for an expansion to the existing building for the sole purpose of providing additional living quarters for the owners elderly parents. The expansion would be fully integrated into the existing structure and in no way "standard" for future use.

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

S 6.01.01
RSC - 4 Required yards

Additional Information

- Have you been cited by Hillsborough County Code Enforcement? No Yes
If yes, you must submit a copy of the Citation with this Application.
- 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): _____
- 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.
- Please indicate the existing or proposed utilities for the subject property:
 Public Water Public Wastewater Private Well Septic Tank
- Is the variance to allow a third lot on well or non-residential development with an intensity of three ERC's?
 No Yes If yes, you must submit a final determination of the "Water, Wastewater, and/or Reclaimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing

WRITTEN STATEMENT

SPONAUGLE / RASBERRY PLACE

Attached please find a *variance application* to allow for s reduction of the rear yard setbacks at 2807 Raspberry Berry Place.

The variance, if granted, would allow for a 15' setback where a 25' exists. The sole purpose of the encroachment is to provide for the construction of a "mother in law" suite for occupation by an elderly parent.



Variance Criteria Response

1. Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located?

The applicant has found an artful way to incorporate a new "mother in law" suite to the existing footprint up to the structure , by building over an existing deck. Other properties may not have the same dedication to design and family housing.

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.

A 25' rear yard is quite reasonable as is a 15' where done so in advancing the interests in housing our older population. A 15' yard would not allow for a usable suite size. While 15' would.

3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.

The addition which encroaches will be fully integrated with the existing structure and entirely aesthetically pleasing. The property rights of the rear neighbour is in no way impugned.

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 LDC and FLU fundamentally support good planning practices allowing for a "mother in law" suite in this instance advances the intent and thoughtful planning for the housing and Hillsborough County residents.

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.

No action has been taken yet. We are asking first.

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.

Giving the variance will obviously displace a well contrived plan for family care and housing that otherwise is fully supported by the intent of the LDC.

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**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 22-1712 Intake Date: 12/14/2022
Hearing(s) and type: Date: 02/27/2023 Type: LUHO Receipt Number: 225296
Date: _____ Type: _____ Intake Staff Signature: Clare Odell

Property Information

Address: 2807 Raspberry Place City/State/Zip: Brandon, FL 33511
TWN-RN-SEC: _____ Folio(s): 73318.2062 Zoning: RSC-4 Future Land Use: R-4 Property Size: 0.24851701

Property Owner Information

Name: Robert E. Sponaugle Jr., and Virginia Jonsed Daytime Phone _____
Address: 2807 Raspberry Place City/State/Zip: Brandon, FL 33511
Email: _____ Fax Number _____

Applicant Information

Name: same as property owner Daytime Phone _____
Address: _____ City/State/Zip: _____
Email: _____ Fax Number _____

Applicant's Representative (if different than above)

Name: William J Molloy Daytime Phone 813.254.7157
Address: 325 South Blvd. City/State/Zip: Tampa, FL 33606
Email: wmolloy@mjlaw.us 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.

William J Molloy
Signature of the Applicant
William J Molloy
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)

Type or print name



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-4
Description	Residential - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0394H
FIRM Panel	12057C0394H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120395E
County Wide Planning Area	Brandon
Community Base Planning Area	Brandon
Census Data	Tract: 013314 Block: 2005
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 7
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Folio: 73318.2062
PIN: U-02-30-20-2LU-000002-00004.0
ROBERT E SPONAUGLE JR AND VIRGINIA JONESD
Mailing Address:
 2807 RASPBERRY PL
 BRANDON, FL 33511-7531
Site Address:
 2807 RASPBERRY PL
 BRANDON, FL 33511
SEC-TWN-RNG: 02-30-20
Acreage: 0.24851701
Market Value: \$295,014.00
Landuse Code: 0100 SINGLE FAMILY

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