

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.

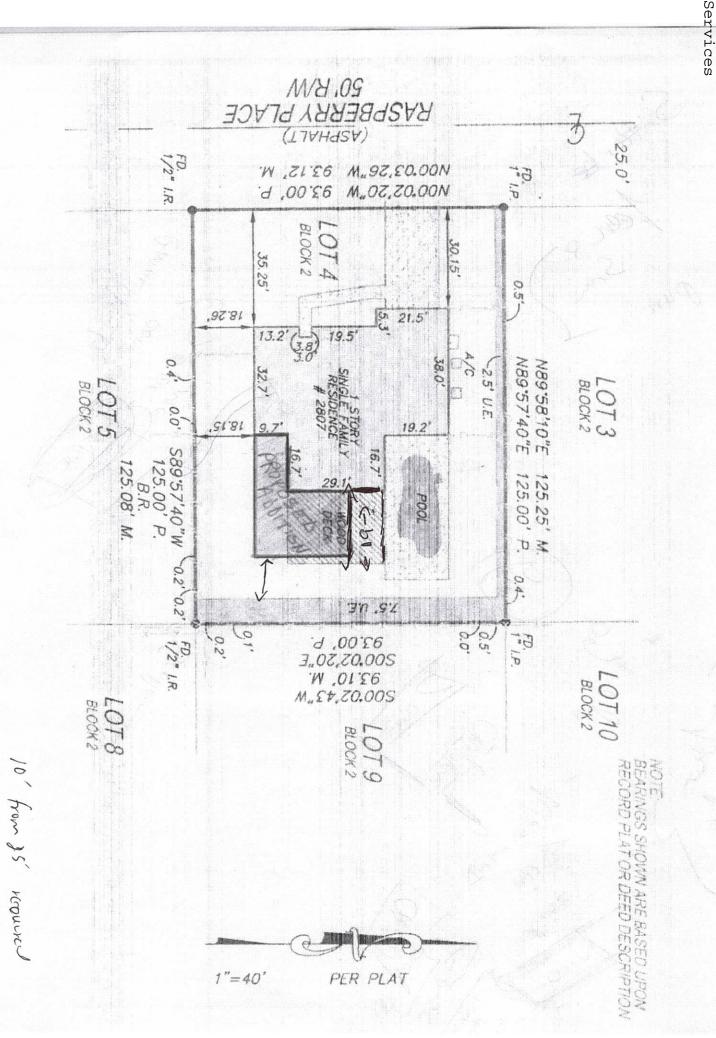
FINDINGS:

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	
t Fri Feb 17 2023 10:15:15	
Attachments: Application	
Site Plan	
Petitioner's Written Statement	
Current Deed	



	Hillsborough
EST. 1834	County Florida Development Services
	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.
	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 exisiting 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.
2.	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
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
	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

WRITTEN STATEMENT

SPONAUGLE / RASBERRY PLACE

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

Application No:	
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Variance Criteria Response

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

Made this 20th day of January, 2006 by MOSES KIPI AND KARLA KIPI, HUSBAND AND WIFE

hereinafter called the grantor, to

ROBERT E SPONAUGLE JR., A SINGLE MAN and VIRGINIA JONES, A SINGLE WOMAN TOGETHER AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP

whose post office address is:

2807 RASPBERRY PLACE **BRANDON, FL 33511-7531**

INSTR # 2006062024 O BK 16081 PG 0182 Pg 0182: (1pg)

RECORDED 02/06/2006 12:03:30 PM PAT FRANK CLERK OF COURT HILLSBOROUGH COUNTY DOC TAX PD(F.S.201.02) 1,785.00 DEPUTY CLERK P Beckhas

hereinafter called the grantee:

EST IMAGE(S)

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in HILLSBOROUGH County, Florida, viz:

LOT 4 IN BLOCK 2 OF BURLINGTON HEIGHTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, ON PAGE 14, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

Subject to covenants, restrictions, easements of record and taxes for the current year.

Parcel Identification Number:

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

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 (Signature) Print Name: Susan Stabler	Mour Liji
Print Name: Susan Stahler	MO6ES KIPI
	PO BOX 465
	DURANT, FL 33530
Witness: (Signature)	
Print Name: edstem (laucy	Lorle Ly
Witness: (Signature)	KARLA KIPI
Print Name:	PO BOX 465
rinic Name.	DURANT, FL 33530
Witness: (Signature) Print Name:	

State of Florida County of HILLSBOROUGH

The foregoing instrument was acknowledged before me this 20th day of January, 2006, by MOSES KIPI AND KARLA KIPI, HUSBAND AND WIFE, who is personally known to me or who has produced drivers license as identification. oh

NOTARY PUBLIC (signature)

My Commission Expires:

Stamp/Seal:

SUSAN STAHLER Prepared by: Notary Public, State of Florida Susan Stahler My comm. exp. July 14, 2006 Sunbelt Title Agency Comm. No. 89 133892 1755 W. Brandon Blvd., Suite A

Brandon, FL 33511 File Number: 776050393

Incident to the issuance of a title Insurance contract.

RETURN TO: **Sunbelt Title Agency** 809 South Orlando Avenue Suite K-O Winter Park, Florida 32789

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Property/Applicant/Owner Information Form

Official Use Only	12/14/2022 Intake Date:
Type: LUHO	Receipt Number: 225296
Туре:	
Property Information	_{e/Zip:} Brandon, Fl 33511
2Zoning: RSC-4_Fu	uture Land Use: R-4 Property Size: 0.24851701
Property Owner Inform	
id Virginia Jonsed	Daytime Phone
lacecity/State/Z	Brandon, Fl 33511
	Fax Number
Applicant Informati	
wner	Daytime Phone
City/State/2	Zip:
	Fax Number
Representative (if diffe	
City/State/	_{zip:} Tampa, Fl 33606
	Fax Number
ket is true and petit the c	reby authorize the processing of this application recognize that the final action taken on this tion shall be binding to the property as well as to current and any future owners.
7	or print name
	Type: LUHO Type: Property Information ICE



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	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Х
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, FI 33511 SEC-TWN-RNG: 02-30-20

Acreage: 0.24851701 Market Value: \$295,014.00 Landuse Code: 0100 SINGLE FAMILY

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