



LAND USE HEARING OFFICER VARIANCE REPORT

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<b>APPLICATION NUMBER:</b> VAR 22-1670	
<b>LUHO HEARING DATE:</b> January 23, 2023	<b>CASE REVIEWER:</b> Tania C. Chapela

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**REQUEST:** The applicant requests multiple setback variances to accommodate an existing single-family house and three accessory structures on a corner lot zoned RSC-6.

**VARIANCE(S):**

**House:**

The subject property fronts Twin Lakes Boulevard on the west side and abuts platted unimproved right-of-way on the south side. Therefore, the parcel is a corner lot with required front yard setbacks on the west and south sides, and required side yards on the east and north sides. Per LDC Section 6.01.01, the required minimum front yard setback for property zoned RSC-6 is 25 feet. The applicant requests a 6.98-foot reduction to the required front yard setback to allow a front setback of 18.02 feet from the south property line.

**Accessory Structure on North Side of House:**

Per LDC Section 6.11.04.C.2, accessory structures that are 15 feet or less in height may occupy required side yards provided that such structures are more distant from the street than any part of the principal building on the same lot and any lot abutting said required side yard; provided, however, that such accessory structures are not closer than three feet from any side lot line. The subject shed is closer to Twin Lakes Boulevard than a portion of the house and therefore must meet principal building setbacks. Per LDC Section 6.01.01, the required minimum side yard setback for property zoned RSC-6 is 7.5 feet. The applicant requests a 5.25-foot reduction to the required side yard setback to allow a setback of 2.25 feet from the north property line.

**Accessory Structure at Northeast Corner of Parcel:**

Per LDC Section 6.11.04.C.2, accessory structures that are 15 feet or less in height may occupy required side yards provided that such structures are more distant from the street than any part of the principal building on the same lot and any lot abutting said required side yard; provided, however, that such accessory structures are not closer than 3 feet from the side lot line. Additionally, per LDC Section 6.11.04.C.3, accessory structures that are 15 feet or less in height may occupy required rear yards provided they are set back a minimum of 3 feet from the rear lot line. The applicant requests:

- ☐ A 0.47-foot reduction to the required side setback to allow a setback of 2.53 feet from the north property line; and,
- ☐ A 0.67-foot reduction to the required rear setback to allow a setback of 2.33 feet from the east property line.

**Accessory Structure at Southeast Corner of Parcel:**

Per LDC Sections 6.11.04.C.1, accessory structures that are 15 feet or less in height shall not be located in any required front yard, except as otherwise provided in certain circumstances, and shall not be located in required side yards. Per LDC Section 6.11.04.C, accessory structures on corner lots shall be permitted to intrude up to 10 feet into the required front

yard functioning as a side yard. Per LDC Section 6.01.01, the required minimum front yard setback for property zoned RSC-6 is 25 feet. Therefore, the required setback from the south property line, which functions as a side yard in the subject case, is 15 feet. The applicant requests:

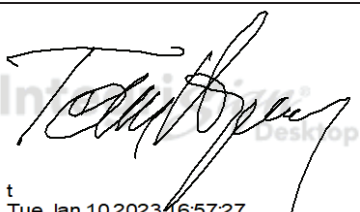
- A 10.99-foot reduction to the required front setback to allow a setback of 4.01 feet from the south property line; and,
- A 3.7-foot reduction to the required side yard setback to allow a setback of 3.8 feet from the east property line.

**FINDINGS:**

- According to the applicant, all of the accessory structures are 15 feet or less in height.

**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 Tue Jan 10 2023 16:57:27
<b>Attachments: Application</b> <b>Site Plan</b> <b>Petitioner's Written Statement</b> <b>Current Deed</b>





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.

I'm applying for a variance for 3 structures; following description: first one: 30x20 Carport Second one: 10x24 and Third One 10x19

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

8601 Twin Lake Blvd, Tampa, FL 33614
FBC 2020
ACC 0030

Additional Information

1. Have you been cited by Hillsborough County Code Enforcement? [X] 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?

[X] 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? [X] 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:

[X] 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?

[X] 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



## 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?

There will be no common properties suffered or affected because the variance is for the structures that are all located inside the property's backyard.

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.

Other properties in the same district have structures on their backyard.

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.

There will be no properties affected since the structures are inside the subject property backyard.

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 is in total harmony and serves the general intent and purpose of the LDC because the purpose it's only to have everything legal and in order.

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 is nothing illegal regarding this variance since I'm only requesting it to be in compliance with the Hillsborough County regulations.

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.

Approval of the variance will allowed myself to be in compliance with the regulations and will allowed me to enjoy extra storage in my backyard.

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Prepared by and return to:

Arlette Soler  
Milestone Title Services, LLC  
14310 North Dale Mabry Highway  
200  
Tampa, FL 33618  
(813) 513-9848  
File No 221578

Parcel Identification No 242890000

[Space Above This Line For Recording Data]

## WARRANTY DEED

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

This indenture made the **16th day of March, 2022** between **Armando A. Ruiz, an unmarried man**, whose post office address is **6411 Wingfoot Circle, Tampa, FL 33634**, of the County of Hillsborough, State of Florida, Grantor, to **Julio Matos Rodriguez, a married man, joined by his wife Zulay Garcia Ramos**, whose post office address is **2907 West Palmetto Street, Tampa, FL 33607**, of the County of Hillsborough, State of Florida, Grantees:

Witnesseth, that said Grantor, for and in consideration of the sum of TEN DOLLARS (U.S.\$10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantees, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantees, and Grantees' heirs and assigns forever, the following described land, situate, lying and being in Hillsborough, Florida, to-wit:

Beginning at a point 25 feet East of the Southwest corner of the Northwest 1/4 of the Southeast 1/4 of Section 22, Township 28 South, Range 18 East, run thence North 115 feet; thence East 200 feet; thence South 115.2 feet and thence West 200 feet to the Point of Beginning. Said land lying and situate in Hillsborough County, Florida.

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

**Subject to** taxes for 2021 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** Grantor hereby covenants with the Grantees that the Grantor is lawfully seized of said land in fee simple, that Grantor has good right and lawful authority to sell and convey said land and that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

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  
PRINT NAME: Michelle Columbie

[Signature]  
Armando A. Ruiz

[Signature]  
WITNESS  
PRINT NAME: Traci Sartorius

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of () physical presence or ( ) online notarization this 16th day of March, 2022, by Armando A. Ruiz.

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



Personally Known: \_\_\_\_\_ OR Produced Identification:   
Type of Identification  
Produced: FL DL



Folio # 024289-0000



**Hillsborough  
County Florida**  
Development Services

### Property/Applicant/Owner Information Form

Application No: <u>22100</u>	Official Use Only	Intake Date: <u>11/2/2022</u>
Hearing(s) and type: Date: <u>01/2/2022</u>	Type: <u>    </u>	Receipt Number: <u>219802</u>
Date: <u>    </u>	Type: <u>    </u>	Intake Staff Signature: <u>Clare Odell</u>

#### Property Information

Address: 8601 Twinlake BLVD City/State/Zip: Tampa FL 33614

TWN-RN-SEC:      Folio(s): 024289-0000 Zoning: RSC-6 Future Land Use:      Property Size:     

#### Property Owner Information

Name: Julio Matos and Zulay Garcia Daytime Phone 813-260-6133

Address: 8601 Twinlake BLVD City/State/Zip: Tampa FL 33614

Email: Zulyrealtyservices@gmail.com Fax Number     

#### Applicant Information

Name: Zulay Garcia Daytime Phone 813-260-6133

Address: 8601 Twinlake BLVD City/State/Zip: Tampa FL 33614

Email: Zulyrealtyservices@gmail.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]

Signature of the Applicant

Zulay Garcia

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]

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

Julio Matos Rodriguez

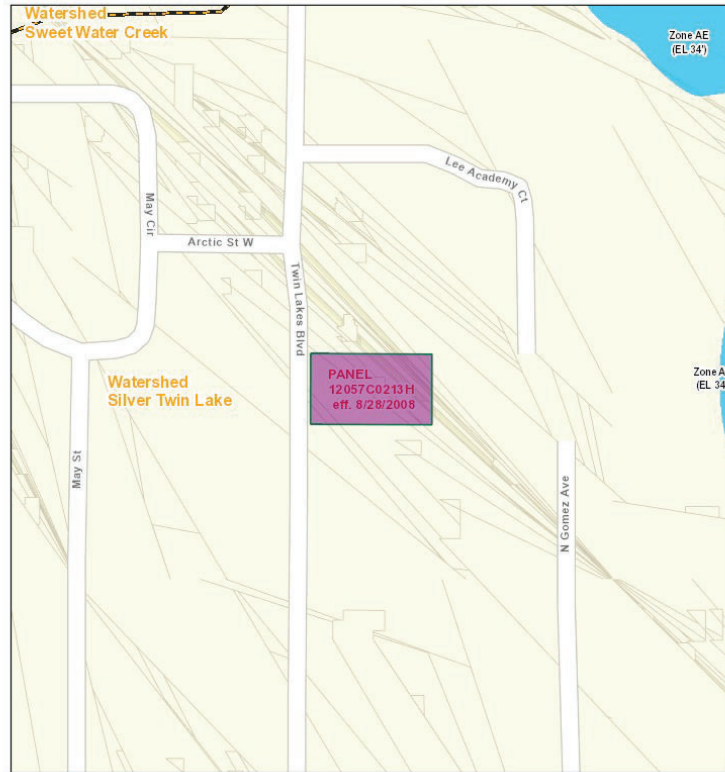
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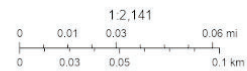
# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
INFL	i
Zoning	RSC-6
Description	Residential - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0213H
FIRM Panel	12057C0213H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120213C
County Wide Planning Area	Egypt Lake
Census Data	Tract: 011901 Block: 2000
Future Landuse	R-6
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 10
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	190' AMSL
Competitive Sites	NO
Redevelopment Area	NO

Folio: 24289.0000



November 27, 2022



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Hillsborough County Florida

**Folio: 24289.0000**  
**PIN: U-22-28-18-ZZZ-000000-96580.0**  
**JULIO MATOS RODRIGUEZ AND ZULAY GARCIA RAMOS**  
**Mailing Address:**  
 2907 W PALMETTO ST  
 TAMPA, FL 33607  
**Site Address:**  
 8601 TWIN LAKES BLVD  
 TAMPA, FL 33614  
**SEC-TWN-RNG: 22-28-18**  
**Acreage: 0.52715802**  
**Market Value: \$476,754.00**  
**Landuse Code: 0100 SINGLE FAMILY**

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Or

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