



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 23-0038	
LUHO HEARING DATE: March 27, 2023	CASE REVIEWER: Tania C. Chapela

REQUEST:

The applicant is requesting a variance for an existing accessory structure on a single-family lot zoned PD 80-0067.

VARIANCE(S):

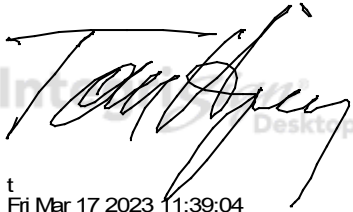
Per LDC Section 6.11.04.C.2, accessory structures that are 15 feet or less in height may occupy required side yards provided that such structures are more distant from the street than any part of the principal building on the same lot and any lot abutting said required side yard; provided, however, that such accessory structures are not closer than 3 feet from the side lot line. The applicant requests a 1.7-foot reduction to the required side setback to allow a 0.8-foot setback from the east property line.

FINDINGS:

- The subject parcel is a through lot with road frontages on the north and south sides (Standing Stone Drive and Ayersworth Glen Boulevard, respectively). Per LDC Sec. 6.11.04 .C.6., through lots may have accessory structures located in the front yard that functions as a rear yard provided the structure is screened from the rear street by a solid 6-foot-high fence or wall. In such case, no setback is required from the rear property line. The south side of the subject property functions as a rear yard and is screened from Ayersworth Glen Boulevard by a 6-foot-high PVC fence.
- The applicant has advised staff the subject accessory structure is under 15 feet height and does not have a kitchen.
- A portion of 10-foot-wide utility easement runs across the rear of the subject parcel. According to the survey submitted by the applicant on February 24, 2023, the subject accessory structure encroaches 0.4 feet into the easement. Staff has advised the applicant the encroachment must be removed and approval of this variance, if granted, will not affect that requirement. The survey also shows two other accessory structures encroaching into the easement. Staff has advised the applicants those encroachments must also be removed. Alternatively, the applicant may apply for a vacating of the easement.
- The survey submitted by the applicant shows a detached shed (“shed on conc”) between the house and the east side property line which does not meet setback requirements. The applicant has advised staff this structure has been removed and therefore is not included in this variance request.
- The survey submitted by the applicant shows a detached pavilion (“cov pavers”) in the rear yard that does not meet setback requirements from the west side property line. The applicant has advised staff this structure has been removed and therefore is not included in this variance request.

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.

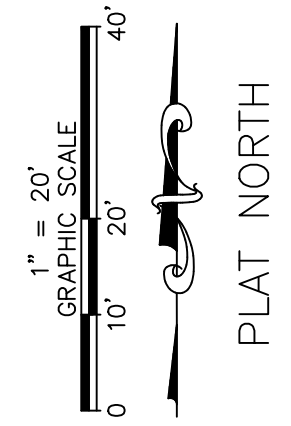
ADMINISTRATOR'S SIGN-OFF
 t Fri Mar 17 2023 11:39:04
Attachments: Application Site Plan Petitioner's Written Statement Current Deed

SECTION 29 - TOWNSHIP 31 SOUTH - RANGE 20 EAST
HILLSBOROUGH COUNTY - FLORIDA

BOUNDARY SURVEY Development Services
ADDRESS:
10839 STANDING STONE DRIVE
WIMAUMA, FLORIDA 33598

BEARINGS ARE BASED ON THE EASTERLY BOUNDARY LINE OF
SUBJECT PROPERTY. SAID LINE BEARS S27° 23' 16"W PER PLAT.

FND LB7295 PCP



CURVE DATA:

C-245:
RADIUS = 695.00'(P&M)
ARC = 58.34'(P) 58.36'(M)
CHORD = 58.32'(P) 58.35'(M)
CB = N65° 01' 01"W(P)
N65° 19' 32"W(M)

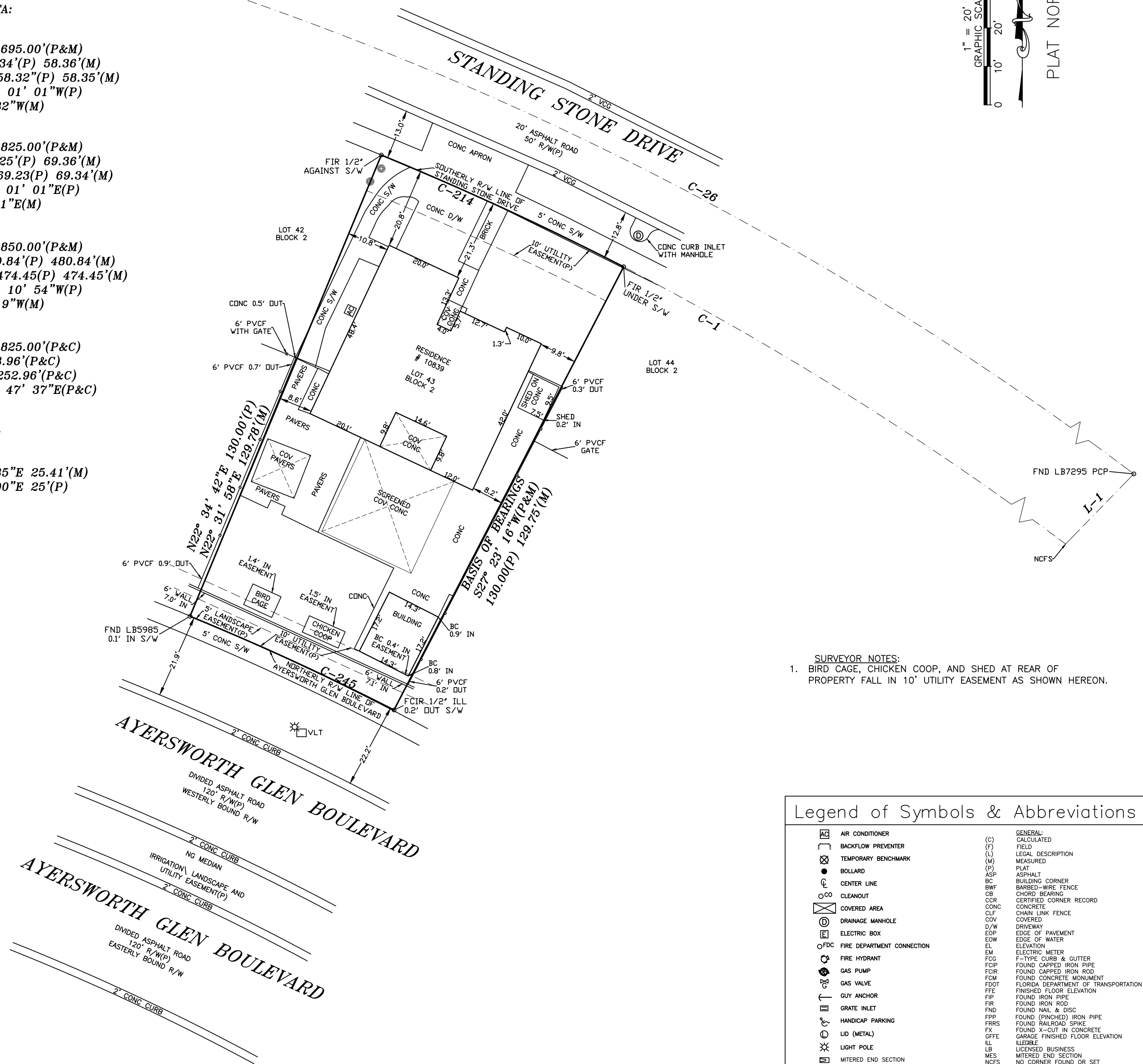
C-214:
RADIUS = 825.00'(P&M)
ARC = 69.25'(P) 69.36'(M)
CHORD = 69.23(P) 69.34'(M)
CB = S65° 01' 01"E(P)
S65° 15' 11"E(M)

C-26:
RADIUS = 850.00'(P&M)
ARC = 480.84'(P) 480.84'(M)
CHORD = 474.45(P) 474.45'(M)
CB = N61° 10' 54"W(P)
N61° 17' 19"W(M)

C-1:
RADIUS = 825.00'(P&C)
ARC = 253.96'(P&C)
CHORD = 252.96'(P&C)
CB = S53° 47' 37"E(P&C)

LINE DATA:

L-1:
N44° 12' 35"E 25.41'(M)
N45° 00' 00"E 25'(P)



SURVEYOR NOTES:
1. BIRD CAGE, CHICKEN COOP, AND SHED AT REAR OF PROPERTY FALL IN 10' UTILITY EASEMENT AS SHOWN HEREON.

Legend of Symbols & Abbreviations

	AIR CONDITIONER	(C)	GENERAL: CALCULATED
	BACKFLOW PREVENTER	(F)	FIELD
	TEMPORARY BENCHMARK	(L)	LEGAL DESCRIPTION
	BOLLARD	(M)	MEASURED
	CENTER LINE	(P)	PLAT
	CLEANOUT	ASP	ASPHALT
	COVERED AREA	BC	BUILDING CORNER
	DRAINAGE MANHOLE	CB	CHORD BEARING
	ELECTRIC BOX	CCR	CERTIFIED CORNER RECORD
	FIRE DEPARTMENT CONNECTION	CLF	CHAIN LINK FENCE
	FIRE HYDRANT	COV	COVERED
	GAS PUMP	D/W	DRIVEWAY
	GAS VALVE	EDP	EDGE OF PAVEMENT
	GUY ANCHOR	EDW	EDGE OF WATER
	GRATE INLET	EL	ELEVATION
	HANDICAP PARKING	EM	ELECTRIC METER
	LID (METAL)	F-CG	F-TYPE CURB & GUTTER
	LIGHT POLE	FCB	FOUND CAPPED IRON PIPE
	MITERED END SECTION	FCR	FOUND CAPPED IRON ROD
	MONITORING WELL	FCM	FOUND CONCRETE MONUMENT
	PAINT MARK	FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION
	RECLAIMED WATER METER	FFE	FINISHED FLOOR ELEVATION
	RECLAIMED WATER VALVE	FIP	FOUND IRON PIPE
	SANITARY MANHOLE	FIR	FOUND IRON ROD
	SIGN	FND	FOUND NAIL & DISC
	SPOT ELEVATION	FNP	FOUND (FINISHED) IRON PIPE
	STREET LIGHT BOX	FRRS	FOUND RAILROAD SPIKE
	TELEPHONE BOX	FX	FOUND X-CUT IN CONCRETE
	TRANSFORMER	GFTE	GARAGE FINISHED FLOOR ELEVATION
	UTILITY POLE	LESRE	LESSEE
	UTILITY RISER	LB	LICENSED BUSINESS
	VERIZON BOX	MES	MITERED END SECTION
	WATER METER	NCFS	NO CORNER FOUND OR SET
	WATER VALVE	O/A	OVERALL
	WELL	OHL	OVERHEAD UTILITY LINE
	YARD DRAIN	ORB	OFFICIAL RECORDS BOOK
	YARD LIGHT	PA	PROPERTY APPRAISER
	NOT TO SCALE	PB	PLAT BOOK
		PC	POINT OF CURVATURE
		PCP	PERMANENT CONTROL POINT
		PG	PAGE
		PLS	PROFESSIONAL LAND SURVEYOR
		POB	POINT OF BEGINNING
		POC	POINT OF COMMENCEMENT
		PRM	PERMANENT REFERENCE MONUMENT
		PSM	PROFESSIONAL SURVEYOR AND MAPPER
		PVCF	PVC FENCE
		RLS	REGISTERED LAND SURVEYOR
		R/W	RIGHT-OF-WAY
		SCR	SET CAPPED IRON ROD (1/2" LB 8207)
		S.F.	SQUARE FEET
		SND	SET NAIL & DISK (LB 8207)
		S/W	TEMPORARY BENCHMARK
		TEM	TEMPORARY BENCHMARK
		TOB	TOP OF BANK
		TOS	TOP OF SLOPE
		TYP	TYPICAL
		VLT	VAULT
		WC	WITNESS CORNER
		WF	WOOD FENCE
			UNDERGROUND PIPES:
		INV	PIPE INVERT
		CMP	CORRUGATED METAL PIPE
		CPP	CORRUGATED PLASTIC PIPE
		DIP	DUCTILE IRON PIPE
		ERCIP	ELLIPTICAL REINFORCED CONCRETE PIPE
		HDP	HIGH DENSITY POLYETHYLENE PIPE
		PVC	POLYVINYL CHLORIDE PIPE
		RCP	REINFORCED CONCRETE PIPE

- NOTES:
- THE BOUNDARY SURVEY AS SHOWN HEREON, WAS MADE WITHOUT BENEFIT OF ABSTRACT OF TITLE. THE UNDERSIGNED AND TERMINUS SURVEYING LLC, MAKES NO GUARANTEES OR REPRESENTATIONS REGARDING EASEMENTS, CLAIMS OF BOUNDARY LINE DISPUTES, AGREEMENTS, RESERVATIONS OR ANY OTHER SIMILAR MATTERS WHICH MAY APPEAR IN THE PUBLIC RECORDS OF THE LOCAL COUNTY COURTHOUSE.
 - THIS BOUNDARY SURVEY WAS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
 - ADDITIONS OR DELETIONS TO SURVEY MAP OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
 - THIS BOUNDARY SURVEY DOES NOT DEPICT OWNERSHIP. THE PURPOSE OF THIS BOUNDARY SURVEY IS TO ESTABLISH THE PERIMETER BOUNDARY LINES OF THE LAND OR LANDS DESCRIBED IN THE LEGAL DESCRIPTION AS SHOWN ON THIS BOUNDARY SURVEY AND IS NOT TO ESTABLISH OWNERSHIP.
 - BOUNDARY SURVEYS BY NO MEANS REPRESENT A DETERMINATION ON WHETHER PROPERTIES WILL OR WILL NOT FLOOD. THE LAND WITHIN THE BOUNDARIES OF THIS BOUNDARY SURVEY MAY OR MAY NOT BE SUBJECT TO FLOODING. THE LOCAL COUNTY/CITY BUILDING DEPARTMENT HAS INFORMATION REGARDING FLOODING AND RESTRICTIONS ON DEVELOPMENT.
 - NO UNDERGROUND FOUNDATIONS, INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
 - THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN SHOWN.
 - OWNERSHIP OF FENCES WERE NOT VERIFIED AT TIME OF SURVEY.
 - ALL MEASUREMENTS ARE IN FEET AND TENTHS, UNLESS OTHERWISE NOTED.
 - MEAN HIGH WATER LINE WAS NOT DETERMINED AT TIME OF SURVEY. (ONLY APPLICABLE WHEN ABUTTING BODIES OF WATER)

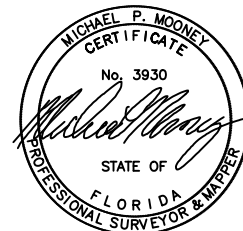
LEGAL DESCRIPTION:
(INSTRUMENT# 2020287016)

LOT 43, BLOCK 2, AYERSWORTH GLEN, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 111, PAGE(S) 166 THROUGH 212, INCLUSIVE, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

FLOOD ZONE INFORMATION
SUBJECT PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE(S) "X", ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP, COMMUNITY 120112 PANEL NUMBER 12057C0515H, EFFECTIVE 8/28/2008

THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND COMPLIES WITH THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER SJ-17 FLORIDA ADMINISTRATIVE CODE. PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

Michael P. Mooney 2/23/2023
MICHAEL P. MOONEY DATE
PROFESSIONAL SURVEYOR & MAPPER #3930
THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR & MAPPER.



CERTIFIED TO:

- JOHNNY MAI
- VI LE
- CHASE BANK, N.A.
- FIDELITY NATIONAL TITLE INSURANCE COMPANY



TERMINUS SURVEYING LLC.

2752 JASON STREET
TAMPA, FLORIDA 33619
(813) 681-4481
www.TerminusSurveying.com
FrontDesk@TeamTerminus.com

COPYRIGHT 2023 BY TERMINUS SURVEYING, LLC CERTIFICATE OF AUTHORIZATION: LB #8207

JOB INFORMATION:

CREW CHIEF: TR
FIELD DATE: 2/21/2023
FIELD BOOK: T73 PAGE: 128
DRAFTER: KJM
DRAWING DATE: 2/23/2023
CHECKED BY: JSM

JOB#
230173

REVISIONS

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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 wish to erect a 14x17' shed to serve as a man cave with foundation made of side walls (style of roofing) and shingles, galvanized hurricane ties all around bar receipts copy. Shed sitting in the back corner east side lot 16" inches from neighbor fence (Attached note permission from the neighbor allowed no problem being sitting in the corner rear) Shed are sitting 2' feet out from the concrete fence back road rear. Shed roughly sitting 30-40 feet from my home structure Also 50 feet out from the west.

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

Blank lines for listing code sections.

Additional Information

- 1. Have you been cited by Hillsborough County Code Enforcement? [X] No [] Yes
2. Do you have any other applications filed with Hillsborough County that are related to the subject property? [X] No [] Yes
3. Is this a request for a wetland setback variance? [X] No [] Yes
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

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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?

No singular or unique hardships to subject property or those 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.

N/A

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.

No interference or injuries to rights of others by allowance of variance.

(See attached Document - Statement from adjacent neighbor)

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).

How I will follow in harmony the Rules set out in the code and how I intend to use the addition and it's intended 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.

I intend to follow all code Requirement and will not cause 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.

Allowing variance will result in improvement to subject property thus enhancing value of subject property and those similarly located.

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This document returns to:
Vi M. Le
10839 Standing Stone Dr.
Wimauma FL 33598

Parcel/Folio ID No.: U-29-31-20-98M-000002-00043.0

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, dated 12/12/ 2016, by Vi M. Le, an Umarried Woman, and Leighton Tran, a married man, whose post-office address is 10839 Standing Stone Dr. Wimauma FL 33598, of the County of Hillsborough, State of Florida, hereinafter called the Grantor, to Vi M. Le, an unmarried woman, and Johnny Mai, an unmarried man, Joint Tenants with Full Rights of Survivorship, whose mailing address is 10839 Standing Stone Dr. Wimauma FL 33598, of the County of Hillsborough, State of Florida, hereinafter called the Grantee(s).

(Wherever used herein the terms "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation.)

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration to Grantor in hand paid by 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 the County of Hillsborough, State of Florida, to wit:

All that certain parcel of land situated in the County of Hillsborough, State of Florida, more particularly describe as follows:

Lot 43, Block 2, Ayersworth Glen, according to the map or plat thereof as recorded in Plat Book 111, Pages 166 through 212, inclusive, of teh Public Records of Hillsborough County, Florida.

Tax ID: U-29-31-20-98M-000002-00043.0

Property Address is: 10839 Standing Stone Dr. Wimauma FL 33598

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreement of record, if any; taxes and assessments for the year 2016 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by the governmental authorities, if any.

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 except as above noted, the GRANTOR is lawfully seized of said land in fee simple; that the GRANTOR has goo right and lawful authority to sell and convey said land; that the GRANTOR hereby lawfully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor (s) has/have hereunto set their hand (s) and seal (s) the day and year first above written.

Signed, sealed and delivered in our presence:

Chelsea Coleman
Witness:

[Signature]
Witness: Venise Hines Jr.

[Signature]
Vi M. Le

[Signature]
Leighton Tran

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 9 day of January, 2016, by Vi M. Le and Leighton Tran, wha (se) is/are personally known to me or has produced identification in the form of Florida Drivers Lic

My commission expires: 4/14/2019

[Signature]
Notary Public Signature



THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE IN MY OFFICE IN WITNESS MY HAND AND OFFICIAL SEAL THIS 20 DAY OF December, 2016

Hillsborough County, State of Florida
Clerk of the Circuit Court and Comptroller
By: [Signature]
Print: Shania Ferrer Deputy Clerk



23-0038

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**Property/Applicant/Owner
Information Form**

Received
01/04/2023
Development Services

Official Use Only

Application No: 23-0038 Intake Date: 01/04/2023

Hearing(s) and type: Date: 03/27/2023 Type: LUHO Receipt Number: _____

Date: _____ Type: _____ Intake Staff Signature: Ana Lizardo

Property Information

Address: 10839 Standing Stone DR City/State/Zip: Wimauma

TWN-RN-SEC: 29-31-20 Folio(s): 077952 Zoning: PD Future Land Use: R-4 Property Size: 0.19033

Property Owner Information

Name: Johnny Mai Daytime Phone: 813-816-6666

Address: 10839 Standing Stone DR City/State/Zip: Wimauma

Email: Jmai727@yahoo.com Fax Number: _____

Applicant Information

Name: Johnny Mai Daytime Phone: 813-816-6666

Address: 10839 Standing Stone DR City/State/Zip: Wimauma

Email: Jmai727@yahoo.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

Johnny Mai
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.

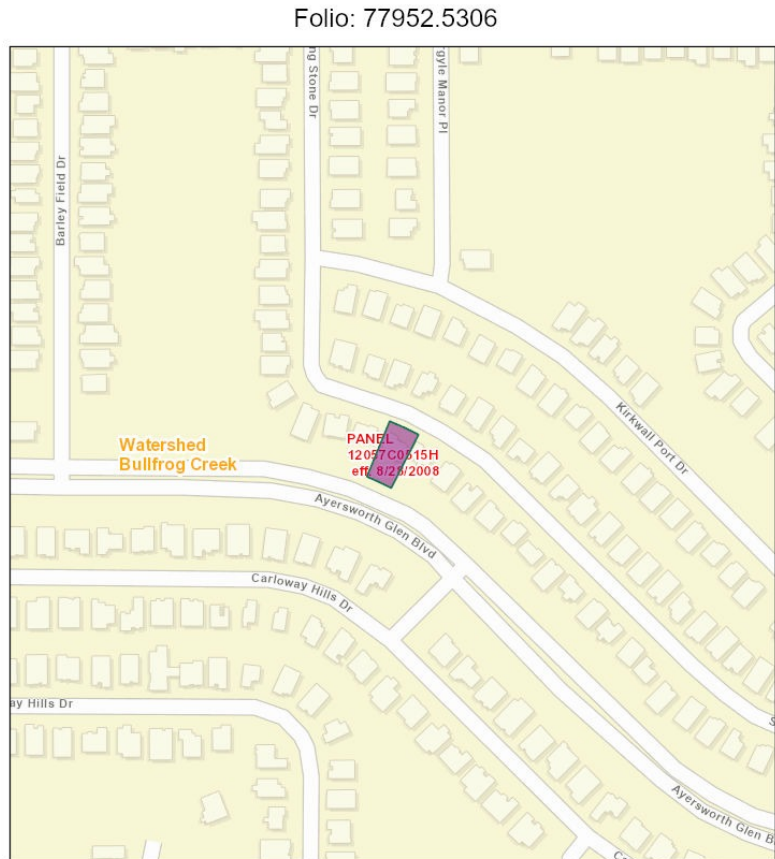
[Signature]
Signature of the Owner(s) - (All parties on the deed must sign)

Johnny Mai VILE
Type or print name

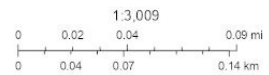


PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	80-0067
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0515H
FIRM Panel	12057C0515H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120515B
County Wide Planning Area	Apollo Beach
Community Base Planning Area	SouthShore
Planned Development	PD
Re-zoning	null
Major Modifications	05-2211 WD
Personal Appearances	03-0440,15-0161,15-0826,16-0553,16-0399
Census Data	Tract: 013913 Block: 1026
Future Landuse	R-4
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
Competitive Sites	NO
Redevelopment Area	NO



January 5, 2023



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

Hillsborough County Florida

Folio: 77952.5306
PIN: U-29-31-20-98M-000002-00043.0
VI M LE AND JOHNNY MAI ET AL
Mailing Address:
 10839 STANDING STONE DR
 WIMAUMA, FL 33598-6162
Site Address:
 10839 STANDING STONE DR
 WIMAUMA, FL 33598
SEC-TWN-RNG: 29-31-20
Acreage: 0.19033
Market Value: \$260,656.00
Landuse Code: 0100 SINGLE FAMILY

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- Or
2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

23-0038