



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-0577	
LUHO HEARING DATE: April 25, 2022	CASE REVIEWER: Tania C. Chapela

REQUEST:

The applicant is requesting variances to accommodate new living area, garage and mud room that are proposed for an existing single-family home on property zoned RSC-6. Additionally, the applicant is requesting a variance for an existing elevated deck that is attached to the home.

VARIANCES:

New Living Space

Per LDC Section 6.01.01, the required minimum side yard setback in the RSC-6 district is 7.5 feet. The applicant requests a 4.5-foot reduction to the required side yard setback to allow a side setback of 3 feet from the north property line.

New Garage and Mud Room

Per LDC Section 6.01.01, the required minimum side yard setback in the RSC-6 district is 7.5 feet. The applicant requests a 4.5-foot reduction to the required side yard setback to allow a side setback of 3 feet from the south property line.

Existing Deck

Per LDC Section 6.01.01, the required minimum side yard setback in the RSC-6 district is 7.5 feet. The applicant requests a 4.9-foot reduction to the required side yard setback to allow a side setback of 2.6 feet from the south property line.

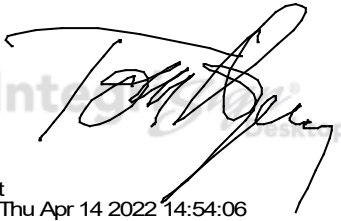
FINDINGS:

- Per LDC Section 6.01.01, a maximum building coverage of 40 percent is allowed in the RSC-6 district. Based on the site plan submitted by the applicant, the building coverage for the subject home with the proposed additions will be approximately 33 percent.
- The applicant also requested a variance to impervious surface restrictions for a new driveway. However, LDC Section 6.01.01 does not include impervious surface restrictions for the RSC-6 district. Therefore, no variance is needed to accommodate the proposed driveway.

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
Thu Apr 14 2022 14:54:06

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



**Hillsborough
County Florida**
Development Services

Additional / Revised Information Sheet

Office Use Only

Application Number: 22-0577 **Received Date:** _____ **Received By:** _____

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Application Number: 22-0577 **Applicant's Name:** Fortner, Chris
Reviewing Planner's Name: Chapela, Tania **Date:** 03/30/2022

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): 04/25/2022

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Will this revision add land to the project? Yes No
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For additional help and submittal questions, please call (813) 277-1633 or email 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.



Signature

3/30/2022

Date



**Hillsborough
County Florida**
Development Services

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Type of information included and location _____

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Signature: _____
(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: 3/30/2022



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2	<input checked="" type="checkbox"/> Revised Application Form**
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15	<input type="checkbox"/> Variance Criteria Response
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+Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.

Application Number: _____

VARIANCE REQUEST

1. Project Narrative: 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.

We are respectfully requesting to increase the area of our property on which we can build. We want to add on to the north and south sides of our property, enabling us to build a garage and space for a family member; adjusting our "set backs" would allow for this. Having a garage would allow me to conceal my work vehicle (our property has been vandalized multiple times), and the additional space would allow for room for my mother. My architect advised having three (3) foot set backs on the north and south sides would allow for our desired construction project. We would also request to increase our allowable "impervious" building area to 50%, in order to keep our driveway. The final request to keep our wooden deck, on the south side of our home. It is a "floating deck", but my yard is sloped, and at the low side of the yard the deck is approximately three (3) feet from the ground. Our yard has eroded some, low side is ground level.

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

RSC-6

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): Our permit to remove a tree was approved, and the tree was removed.
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 (Attachment A).
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 and/or septic 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 (form may be obtained from 19th floor County Center).



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VARIANCE CRITERIA RESPONSE

You must provide a response to each of the following questions. If additional space is needed, please attach extra pages to this application.

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 home was constructed in a manner that makes it nearly impossible to add a garage and addition. Our property has been bulldozed and it is important that I protect my work vehicle in a garage. Our floor plan did not account for additional space for a family member, and an addition would enable us to remain in this home and accommodate a family member in need.

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.

Homes in this area are situated on conducive properties and have garages, and allow for additions on the property. Our situation is unique to our property, given the setbacks and wetland behind us.

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.

Neighbors on the north and south sides of us approve of this request. There will remain adequate space on both sides of the property, and the additions will not impact their properties. Our wood deck is "perched" and hovers above the ground. Due to erosion, the higher-standing side of the deck is now approximately 3 feet from the ground. This deck is not visible to the south neighbors.

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).

This variance will not harm our neighbors, and the additions to our property would make our property more similar to those around us, having a garage and additional space. Being able to keep our driveway would also be more similar to other homes in the area.

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.

Our title is in good order, and we are good-standing community members. The relief sought by this variance would enable us to meet our living needs while remaining in this home. This addition will drastically improve the property and appeal of the community. The hardship is not self-imposed, rather, imposed by the layout of the land and pre-existing home. The hardships of protecting my work vehicle and provide space for a family member are imposed by circumstances.

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.

This variance will allow us to correct some of the pitfalls of the original construction, and will benefit the appeal of our community. This would enable us to improve our property, making it more compatible with other homes in the area.

44

Suzanne M. Fortner
Rachelle M. Fortner

Recording requested by: Suzanne M. Fortner Space above reserved for use by Recorder's Office
When recorded, mail to: _____ Document prepared by: _____
Name: Suzanne Fortner Name Suzanne Fortner
Address: 7845 SW 120th St. Address 7845 SW 120th St.
City/State/Zip: Miami, FL 33156 City/State/Zip Miami, FL 33156
Property Tax Parcel/Account Number: Folio # 022222030 H HX PD HB
Pin # 4 122818 10X 000001 00015.6

Quitclaim Deed

This Quitclaim Deed is made on Aug. 19, 2014, between
Suzanne M. Fortner and Rachelle M. Fortner, Grantor, of 12505 N. Boulevard
Tampa, City of Tampa, State of Florida
and Christopher E. Fortner, Grantee, of Hillsborough
Tampa, City of Tampa, State of Florida
Suzanne M. Fortner
Christopher E. Fortner

For valuable consideration, the Grantor hereby quitclaims and transfers all right, title, and interest held by the Grantor in the following described real estate and improvements to the Grantee, and his or her heirs and assigns, to have and hold forever, located at 12505 N. Boulevard
Tampa, City of Tampa, State of Florida 33617

There is no lein on this property
or mortgage

Subject to all easements, rights of way, protective covenants, and mineral reservations of record, if any.
Taxes for the tax year of 2014 shall be prorated between the Grantor and Grantee as of the date of recording of this deed.

Dated: 8/19/2014

Rachelle Fortner
Signature of Grantor

Rachelle M. Fortner
Name of Grantor

Adrienne Kleier
Signature of Witness #1

ADRIENNE KLEIER
Printed Name of Witness #1

Donald P. Labadie
Signature of Witness #2

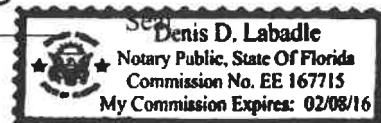
DONALD P. LABADIE
Printed Name of Witness #2

State of FLORIDA County of HILLSBOROUGH

On AUGUST 19TH, 2014, the Grantor, RACHELLE M. FORTNER
personally came before me and, being duly sworn, did state and prove that he/she is the person described
in the above document and that he/she signed the above document in my presence.

D. J. Labadie
Notary Signature

Notary Public,
In and for the County of HILLSBOROUGH State of FLORIDA
My commission expires: 02/08/16



Send all tax statements to Grantee.



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VARIANCE APPLICATION

IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

You must schedule an appointment to submit this application by calling 813-272-5600.
All requirements listed on the submittal checklist must be met. **Incomplete applications will not be accepted.**

Property Information

Address: 12505 North Blvd. City/State/Zip: Tampa FL 33612 Township: 28
Folio(s): 222220300 Zoning: Single Residential Future Land Use: Residential Range: 18
Property Size: 8,690 Section: 12

Property Owner Information

Name: Christopher and Suzanne Fortner Daytime Phone: 813-340-4696
Address: 12505 North Blvd City/State/Zip: Tampa FL 33612
Email: IMCWIS@HOTMAIL.COM FAX Number: _____

Applicant Information

Name: Christopher Fortner Daytime Phone: 813-340-4696
Address: 12505 North Blvd City/State/Zip: Tampa FL 33612
Email: IMCWIS@HOTMAIL.COM FAX Number: _____

Applicant's Representative (if different than above)

Name: N/A Daytime Phone: N/A
Address: N/A City / State/Zip: N/A
Email: N/A FAX Number: N/A

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.

Signature of Applicant

Christopher Fortner
Type or Print Name

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.

Signature of Property Owner

Christopher Fortner
Type or Print Name

Office Use Only

Intake Staff Signature: _____ Intake Date: _____
Case Number: _____ Public Hearing Date: _____
Receipt Number: _____