Variance Application: VAR 23-0908

LUHO Hearing Date:

November 20, 2023

Case Reviewer: Chris Grandlienard, AICP



Development Services Department

Applicant: Deborah Madvig Zoning: PD 75-0059

Location: 11045 Springridge Dr. Tampa, Fl 33624; Folio: 23742.2652

Request Summary:

The applicant is requesting multiple variances to accommodate an existing accessory dwelling on property zoned PD 75-0059.

Requested Variances:			
LDC Section:	LDC Requirement:	Variance:	Result:
6.11.02.E PD 75-0059	The accessory dwelling shall meet principal building setbacks of 15 feet for required rear yard.	10.6 feet	4.4-foot rear yard setback for the accessory dwelling along the southern property line.
6.11.02.A.	A minimum lot area of 7,000 square feet is required to allow an accessory dwelling.	3,400 square foot reduction to the minimum lot area	Accessory dwelling on a 3,600 square foot lot.

Findings:	During staff review, it was discovered that the principal building side yard setbacks which requires 0 feet on one side and 10 feet on the other side, would require a variance to allow a 7.6-foot setback for the existing home. The applicant advised staff that they did not wish to add the side yard setback to the variance application.
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Zoning Administrator Sign Off:

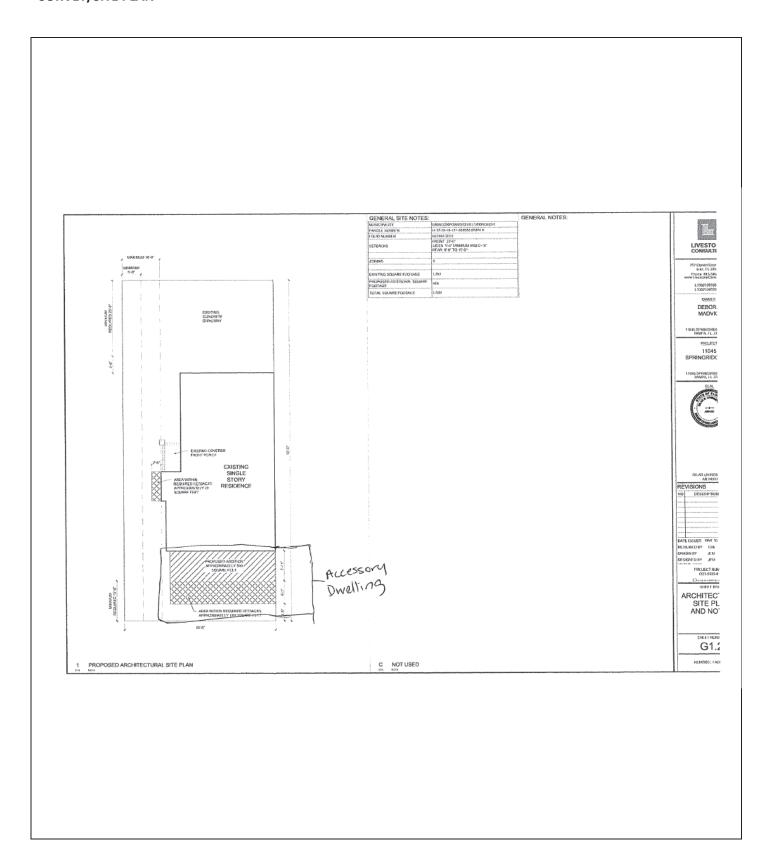
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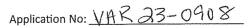
DISCLAIMER:

The variance(s) 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.

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SURVEY/SITE PLAN







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.
	Request a variance for an accessory dwelling (mother-n-law suite) which is attached to the rear of the house. The owner bought the house without knowledge of the non-permitted build. Also, an 8'-0" wide room is not useful. Please note, the homes in general are all directly on the setbacks or further into the setbacks. The owner wishes to keep the equivalent modifications her neighbors aparently also previously had done. Variance to rear yard setback (15ft. required) for the accessory dwelling to allow for a 4.4 foot setback (4'5"). Variance to the minimum lot size required for the accessory dwelling (minimum 7000ft) to allow an accessory dwelling on a 3,600 sq.ft. lot.
2.	A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:
	LDC Section 6.11.02
	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 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:
	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. 15 yes 15 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



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?

I purchased the home with the mother-n-law suite not permitted and not being made aware that this would have any ill affects on me. I need to obtain a permit to make the situation right by law. This property is not affecting any of my neighbors.

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.

My neighbors have additions to the backs of their homes that are like mine so if I am denied this permit then I would be deprived of the same rights that they have. I did not build this addition. I am only trying to do the right thing by getting it permitted. From what I can tell, the addition was built about 16-20 years ago and several owners before me.

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 is a lot of unused space behind my lot and all of the back yards are fenced in. None of this structure protrudes outside of my fenced in property so no one is affected by it.

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 would allow the home to stay current with the surrounding neighborhood. If removed, this home will seem smaller that anything else around it. It would no longer fit into the neighborhood.

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 purchased this home when people were getting in bidding wars to obtain a home. I was not made aware that the addition was not permitted until 2 days before closing when the title company sent the papers to sign. The listing agent did not disclose this information. I had a new realtor who was not aware that there would be consequences for me being that it was not permitted. If I had known what I know now, I would have made the previous owner pay to have it

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.

Justice will be done by allowing the variance because my due dilligence in abiding by the law will be done. I want to do the right thing. Although it will cost me a huge amount of money to get the addition permitted, it would be detrimental if i cannot. I overpaid for the home because of the housing market. If I have to tear it down it would cost a lot of money. Also, I would lose square footage if I try to sell my home, therefore losing another substancial amount of money.



Prepared by and Return to:

Tracey Spanola Brokers Title of Tampa, LLC 3644 Madaca Lane, Tampa, FL 33618 incidental to the issuance of a title insurance policy.

File No.: TS-1497 Parcel ID #: 023742-2652

WARRANTY DEED

This WARRANTY DEED, dated 2nd day of December, 2021 by Elcio Mardegan, a married man, whose post office address is 7007 Mintwood Court, Tampa, FL 33615, hereinafter called the GRANTOR, to Deborah Madvig, a married woman, whose post office address is 3723 Village Estates Place, Tampa, FL 33618, hereinafter called the GRANTEE: (Wherever used herein the terms "Grantor" and "Grantee" shall include all 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**, Florida, viz:

Lot 76, Springwood Village, according to the map or plat thereof, as recorded in Plat Book 49, Page(s) 75, of the Public Records of Hillsborough County, Florida.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year **2021** and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by 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 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.

IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above			
SIGNED IN THE PRESENCE OF THE FOLLOWIN	IG WITNESSES:		
WITNESS PRINT NAME: WORLD AND A	Elcio Mardeg	Mandedon	
WITNESS Korrie Lionare	d.		
STATE OF HIS horosch			
	by Elcio Marde	eans of \(physical presence or [] gan who is/are personally known as identification.	
Aud	—	TRACEY SPANOLA Notary Public – State of Florida Commission = GG 191974	
Notary Public Signature My Commission Expires:	(Seal)	My Comm. Expires Apr 13, 2022 Bonded through National Notary Assn.	

Received 08-09-23

Development

Services

Hillsborough
County Florida

Property/Applicant/Owner Information Form

Development Services	
Application No: VAR 23-0908 Hearing(s) and type: Date: 10/23/2023 Type: Date: Type:	일을 하는 것이 있다면 있다면 있다면 있다면 있는 것은 것은 것은 것이 되었다면 한 것이 없었다면 하면 함께 되었다면 함께 되었다면 함께 되었다면 함께 보고 있다면 보고
	y Information City/State/7in: Tampa, FI 33624
TWN-RN-SEC: Caroll 1000 Folio(s): 023742- Zoning: 17-28-18 2652 010 PD	City/State/Zip: Tampa, FI 33624 PDFuture Land Use: R-6Property Size: 3600 SGF
	wner Information
Name: Deborah Madvig	Daytime Phone
Address: 11045 Springridge Dr	City/State/Zip: Tampa,FI 33624
Email: debmadvig@yahoo.com	Fax Number
Applican	nt Information
Name: Deborah Madvig	Daytime Phone
Address: 11045 Springridge Dr	
	Fax Number
Applicant's Representa	ative (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. Deborah Madvig	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) Deborah Madvig
Type or print name	Type or print name



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
INFL	i
Zoning	PD
Description	Planned Development
RZ	75-0059
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0192H
FIRM Panel	12057C0192H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Х
Pre 2008 Firm Panel	1201120192D
County Wide Planning Area	Greater Carrollwood Northdale
Community Base Planning Area	Greater Carrollwood Northdale
Planned Development	PD
Re-zoning	null
Note	OLD PD 73-0562
Personal Appearances	96-0342,92-0003,91-0055, 90-0004
Census Data	Tract: 011416 Block: 2001
Future Landuse	R-6
Future Landuse	R-6
Future Landuse	R-6
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	180' AMSL
Aviation Authority	Non-Compatible Use (Schools)
Competitive Sites	NO
Redevelopment Area	NO



Folio: 23742.2652 PIN: U-17-28-18-131-000000-00076.0 Deborah Madvig Mailing Address: 11045 Springridge Dr null Tampa, Fl 33624-Site Address:

11045 Springridge Dr Tampa, Fl 33624 SEC-TWN-RNG: 17-28-18

Acreage: 0.0848762 Market Value: \$297,903.00 Landuse Code: 0100 Single Family

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