

Variance Application: VAR 25-1359
LUHO Hearing Date: January 12, 2026
Case Reviewer: Colleen Marshall, AICP, CFM



**Hillsborough
County Florida**

Development Services Department

Applicant: Magela Publes **Zoning:** RSC-6
Address/Location: 806 Gateway Ln., Tampa, FL 33613; folio: 17735.1232

Request Summary:

The applicant is requesting variances to the required front yard setbacks for an accessory structure and maximum height of a fence in the front yard.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.11.04.C.4 6.01.01	On corner lots, within the front yard functioning as a side yard, accessory structures shall be permitted to intrude up to ten feet into the required front yard functioning as a side yard. A minimum setback of 25 feet is required in the RSC-6 district. Therefore, a minimum 15-foot setback is required for an accessory structure within the front yard functioning as a side yard.	11 feet	4-foot front yard setback for an accessory structure
6.07.02.C.1.a	Fences over 4 feet in height shall not be located within the required front yards, except under certain circumstances which do not apply to this case.	2 Feet	6-foot-high fence in front yard

Findings:

Notice of violation, HC-CMP-25-0000084, was issued for failure to obtain a permit for an accessory structure.

Zoning Administrator Sign Off:

Colleen Marshall
Desktop

Colleen Marshall
Mon Dec 22 2025 17:07:04

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.



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.

- Fence variance allow 6ft fence in-front yard zero variance
 - asking for 13ft setback variance for the fence
 - 11 ft variance for the pre-fabricated shed

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

shed section of the code is 6.11.04
 fence section is 6.07.00

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 ☐ 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

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**Hillsborough
County Florida**
Development Services

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?

November of 2024 my mother (age 68) was diagnosed with Alzheimer's disease. I have been employed at my current employer for 12 years & work from home. I am the sole provider of my 2 sons who are both in college and live at home. I purchased a pre-fabricated shed for me to be able to work in. Licensed electrician were hired to provide electrical services and plumbing is not needed as the home has 2 baths.

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 have ugly sheds, multiple sheds on the side and back of their homes. And even in my community they have campers, that people rent out that go from 2 car home to 6 to 7 cars daily. that is not my situation. my mom does not deserve to be in a home, she needs to be with family and has even been approved by medicare to have a home health aide to help in the home. See pictures attached

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 shed being placed where it is does not affect, interfere or infringe upon the rights of anyone. I bought the pre-fabricated shed and put a lot of thought, time and pulled out of my 401K to provide a safe work area.

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).

I am not on the property line, I can enjoy property as I am the single owner and have one of the nicest houses on the block. this would keep my mom safe as I am the only living provider left. I can also happily continue to work and continue on with my employer of 12 years. Attached see pictures. My property is a little different as it sits over 54 feet from gateway lane.

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.

the variance would allow me as the homeowner to keep the shed. The property is uniquely situated in compliance with the codes inside the property.

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.

granting me this variance will allow me to continue to work remote with my employer of 12 years, with no worries that my mom will show up on video work calls. No one will suffer from this change. My property is one of the nicest one and taken care of in the neighborhood. the hardship will cost me way more to hire people to move the fence and losing property line and space.

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08:44:05 AM, DOC TAX PD(F.S.201.02) \$1708.00 DEPUTY CLERK:SCHRISTIAN Pat
Frank, Clerk of the Circuit Court Hillsborough County

INSTRUMENT#: 2017211459, BK: 24978 PG: 1772 PGS: 1772 - 1773 05/31/2017 at
12:31:29 PM, DEPUTY CLERK:SPENCER Pat Frank, Clerk of the Circuit Court
Hillsborough County

Prepared by:
Victoria Strickler
Royalty Title, LLC
3014 North US Highway 301, Suite 700
Tampa, Florida 33619

File Number: 17-1152

SALES PRICE: \$244,000.00

General Warranty Deed

Made this May 26, 2017 A.D. By Bond for Deed Management, LLC, a Florida Limited Liability Company, a Florida Limited Liability Company, whose address is: P O Box 7713, Lakeland, Florida 33807, hereinafter called the grantor, to Magela Publes, an unmarried woman, whose post office address is: 806 GATEWAY LN, Tampa, Florida 33613, hereinafter called the grantee:

(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 Ten Dollars, (\$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 1, Block 7, NORTH POINTE, a subdivision according to the plat thereof recorded at Plat Book 45, Page 5, in the Public Records of Hillsborough County, Florida.

Parcel ID Number: U-01-28-18-0SY-000007-00001.0
Property Address: 806 GATEWAY LN, TAMPA, Florida 33613

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 to December 31, [user input prior year].

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK, SIGNATURE ON FOLLOWING PAGE)

**This deed is being re-recorded to pay for doc stamps*

Prepared by:
Victoria Strickler
Royalty Title, LLC
3014 North US Highway 301, Suite 700
Tampa, Florida 33619

File Number: 17-1152

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:

1st Witness Name:

SHERBY OWENS

2nd Witness Name:

VICTORIA STRICKLER

Bond for Deed Management, LLC

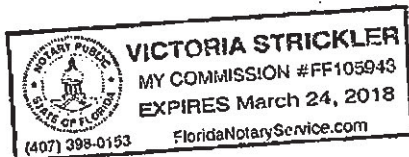
Holly Cuthbertson AMBR by [Signature] as Attorney in Fact

Holly Cuthbertson AMBR

by Gene Morales as Attorney-in-Fact

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 26th day of May, 2017, by **Holly Cuthbertson AMBR** by **Gene Morales as Attorney-in-Fact** for Bond for Deed Management, LLC, a Florida Limited Liability Company, a Florida Limited Liability Company, who is/are personally known to me or who has produced FL Drivers License as identification.



Notary Public

Print Name:

Victoria Strickler

My Commission Expires:

3-24-18

Prepared by:
Victoria Strickler
Royalty Title, LLC
3014 North US Highway 301, Suite 700
Tampa, Florida 33619

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**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

25-1359

Official Use Only

Application No: Permit HC-BLD-25-0069246

Hearing(s) and type: Date: 11/17/2025

Date: _____

Type: LUHO

Type: _____

Intake Date: 09/04/2025

Receipt Number: 515644

Intake Staff Signature: Julie Boatright

Property Information

Address: 806 Gateway Lane

City/State/Zip: Tampa, FL 33613

TWN-RN-SEC: 28-16-01 Folio(s): 017735-1232

Zoning: RSC-6

Future Land Use: R-4

Property Size: 9,200 sq ft. or 0.21

Property Owner Information

Name: Magela Publes

Daytime Phone: 8139246926

Address: 806 Gateway Lane

City/State/Zip: Tampa, FL 33613

Email: mymagela@gmail.com

Fax Number _____

Applicant Information

Name: Magela Publes

Daytime Phone: 8139246926

Address: 806 Gateway Lane

City/State/Zip: Tampa, FL 33613

Email: mymagela@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 of the Applicant

Magela Publes

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

Magela Publes

Type or print name



Submittal Requirements for Applications Requiring Public Hearings

25-1359

Official Use Only

Application No: Permit HC-BLD-25-0069246

Hearing(s) and type: Date: 11/17/2025

Date: _____

Type: LUHO

Type: _____

Intake Date: 09/04/2025

Receipt Number: 515644

Intake Staff Signature: Julie Boatright

Applicant/Representative: Magela Publes

Phone: 8139246926

Representative's Email: mymagela@gmail.com

The following information is used by reviewing agencies for their comments and should remain constant, with very few exceptions, throughout the review process. Additional reviews, such as legal description accuracy, compatibility of uses, agency reviews, etc., will still be conducted separately and may require additional revisions.

The following ownership information must be provided and will be verified upon submission initial submittal. If you are viewing this form electronically, you may click on each underlined item for additional information.

Part A: Property Information & Owner Authorization Requirements

Included	N/A	Requirements
1	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Property/Applicant/Owner Information Form</u>
2	<input type="checkbox"/>	<input checked="" type="checkbox"/> <u>Affidavit(s) to Authorize Agent</u> (if applicable) NOTE: All property owners must sign either the Application form or the Affidavit to Authorize Agent. If property is owned by a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit.
3	<input type="checkbox"/>	<input checked="" type="checkbox"/> <u>Sunbiz Form</u> (if applicable). This can be obtained at Sunbiz.org .
4	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
5	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
6	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Copy of Current Recorded Deed(s)</u>
7	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Close Proximity Property Owners List</u>
8	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Legal Description</u> for the subject site
9	<input checked="" type="checkbox"/>	<input type="checkbox"/> <u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
10	<input type="checkbox"/>	<input checked="" type="checkbox"/> <u>Fastrack Approval</u> (if applicable)

Additional application-specific requirements are listed in Part B.



Specific Submittal Requirements for Variances

This section provides information on items that must be addressed/submitted for a Special use - Land Excavation permit and will be subsequently reviewed when the application is assigned to a planner. Where certain information does not apply to a project, a notation shall appear on the plan stating the reason, for example, "No existing water bodies within project." Additionally, the explanations and justifications for when certain information does not apply to the project shall be included in the Narrative. If Hillsborough County determines the submitted plan lacks required information, the application shall not proceed to hearing as provided for in Section 6.2.1.1.A. Additionally, the required information is only the minimum necessary to schedule an application for hearing and Hillsborough County reserves the right to request additional information during review of the application.

If you are viewing this form electronically, you may click on each underlined item for additional information.

For any items marked N/A, justification must be provided as to why the item is not included.

Part B: Project Information

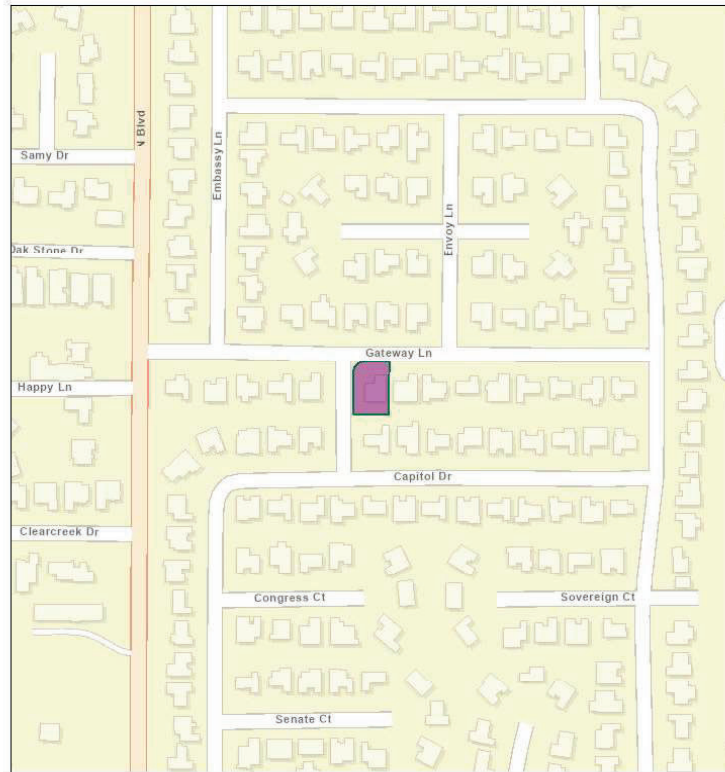
Additional Submittal Requirements for a Variance

- 1 ☒ Project Description/Written Statement of the Variance Request
- 2 ☒ Variance Criteria Response
- 3 ☒ Attachment A (if applicable)
- 4 ☒ Survey/Site Plan
- 5 ☒ Supplemental Information (optional/if applicable)

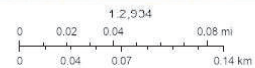


PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Folio: 17735.1232



September 3, 2025



ESRI Community Maps contributors, University of South Florida, City of Tampa, FDOT, OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SatNav, GeoTechnologies, Inc., METI/NAIS, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, EGIS

Hillsborough County Florida

Folio: 17735.1232
PIN: U-01-28-18-OSY-000007-00001.0
Magela Publes
Mailing Address:
 806 Gateway Ln
 null
 Tampa, FL 33613-2138
Site Address:
 806 Gateway Ln
 Tampa, FL 33613
SEC-TWN-RNG: 01-28-18
Acreage: 0.21
Market Value: \$383,976.00
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.