

Variance Application: VAR 24-1021
LUHO Hearing Date: August 26, 2024
Case Reviewer: Tania C. Chapela



**Hillsborough
 County Florida**

Development Services Department

Applicant: Luis C. Melo Fonseca, Adriana I. Perez **Zoning:** RSC-6
Location: 8404 Foxcroft Drive, Tampa; Folio 4392.0000

Request Summary:


The applicant is requesting a variance to accommodate a storage addition on the side of the existing home on the property.

Requested Variances:

| LDC Section: | LDC Requirement: | Variance: | Result: |
|--------------|--|------------------|----------------------------------|
| 6.01.01 | A minimum 7.5-foot side yard setback is required in the RSC-6 zoning district. | 4-feet 11-inches | 2-foot, 7-inch side yard setback |
| | | | |

Findings: A Notice of Violation and Stop Work Order, HC-CMP-24-0000210 was issued for the subject property for the storage addition on the west side of the existing home.

Zoning Administrator Sign Off:


Colleen Marshall
 Fri Aug 9 2024 16:27:28

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)

- 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 AM SEEN MYSELF IN A SITUATION TO SEND A VARIANCE APPLICATION DUE TO ADDING A NEW STORAGE SPACE ON THE WEST SIDE OF MY RESIDENCE. MY APOLOGIES FOR MY IGNORANCE ABOUT CONSTRUCTION RULES.THE SITUATION FOR WHAT MY WIFE AND I DECIDED TO BUILD THIS EXTRA SPACE STARTED WHEN COVID-19 PANDEMIC BECAUSE IN OUR LIVING SPACE WE DID NOT HAVE ENOUGH SPACE TO STORE ESSENTIALS SUPPLIES LIKE WATER , FOOD, AND MORE. IN LARGE QUANTITIES TO BE SAVE FOR A LONG PERIOD OF TIME.

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

A VARIANCE ON WEST SIDE OF MAIN DWELLING. 6.01.01

Additional Information

- Have you been cited by Hillsborough County Code Enforcement? No Yes
If yes, you must submit a copy of the Citation with this Application.
- 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): _____
- 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.
- Please indicate the existing or proposed utilities for the subject property:
 Public Water Public Wastewater Private Well Septic Tank
- 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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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?

THE VARIANCE FOR US IS UNIQUE DUE TO THE SPACE THAT PROVIDED FOR US IN THE SIDE OF THE HOUSE. OUR MAIN DWELLING INSIDE DOES NOT PROVIDED ENOUGH SPACE TO SAVE ESSENTIAL NEEDS IN LARGE QUANTITIES ON THE WAY THAT THE NEW STORAGE WILL.

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.

THE REQUIREMENTS WILL DEPRIVE ME SINCE IN OUR NEIGHBORHOOD WE HAVE SEEN ADDITIONS, SHEDS FROM THE MAIN DWELLING AND IT IS NOT A BOTHER TO ANYONE .

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.

IT WILL NOT INTERFERE OR INJURE THE RIGHTS OF OTHERS GIVEN TO A OPEN VERBAL OPEN COMMUNICATION THAT WE HAD WITH OUR NEXT DOOR NEIGHBOR TO MAKE SURE THAT IT WAS NOT A BOTHER TO THEM.
THE NEIGHBORS ZONE WILL NOT CHANGE AS A RESULT OF THE VARIANCE.

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 HARMONY BECAUSE IS NOT AFFECTING ANY PUBLIC HEALTH, SAFETY STANDARDS OR COMFORT.

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.

WHEN WE DECIDED TO BUILD THIS SPACE WE NEVER THOUGH THAT WE HAD TO REQUEST A PERMIT SINCE WE SAW A FEW ADDITIONS AROUND OUR NEIGHBORS, IT NEVER CROSS OUR MIND THAT THIS WAS AN ILLEGAL ACT.

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.

IN CASE OF A FAILURE OF THE VARIANCE, WE WILL BE AFFECTED EMOTIONALLY, BECAUSE WE DID IT FOR US TO FEEL SAFE THINKING THAT WE HAD THE SPACE TO SAVE ESSENTIALS NEEDS FOR OUR FAMILY IN CASE OF ANY OTHER PANDEMIC, HURRICANE... NEVERTHESS IT WILL ALSO AFFECT US FINANCIALLY DUE TO THE MONEY SPENT.

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\$270,000

Prepared by and Return to:
Tim O'Neill
Coastal Security Title, Inc
3670 North Access Road
Englewood, FL 34224

File Number: 2a6465
Parcel ID: 004392-0000

Warranty Deed

THIS WARRANTY DEED dated July 8, 2020, by
CENTRAL PROPERTIES, INC., TRUSTEE OF THE 8404 FOXCROFT DR TRUST, whose address is 8405 North Edison Avenue, Tampa, FL 33604, (hereinafter referred to as "Grantor"), to

LUIS CARLOS MELO-FONSECA, an unmarried man and ADRIANA ISABEL PEREZ PEREZ, an unmarried woman, as Joints Tenants With Rights of Survivorship, whose address is 8404 Foxcroft Dr., Tampa, FL 33615, (hereinafter referred to as "Grantee"):

(Wherever used herein the terms "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 \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in Hillsborough County, Florida to wit:

Lot 10, Block 1, RIVER OAKS ESTATES UNIT NO. 1, according to the plat thereof as recorded in Plat Book 36, Page 53, of the Public Records of Hillsborough County, Florida, LESS the South 16 feet thereof for right of way per OR Book 5754, Page 74, Public Records of Hillsborough County, Florida.

Said property is not the homestead of the Grantor under the laws and constitution of the State of Florida in that neither the Grantor nor any members of the household of Grantor reside thereon.

Grantor's Trust if in full force and effect, has not been amended or revoked and said Trustee has full authority to execute this deed pursuant to F.S. 689.071(1).

Subject to easements, restrictions, reservations and limitations of record, if any.

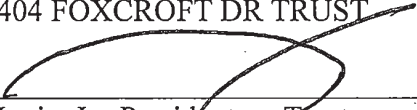
TO HAVE AND TO HOLD the same in Fee Simple forever.

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, 2019.

IN WITNESS WHEREOF, the said **Grantor**, has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

CENTRAL PROPERTIES, INC., TRUSTEE
OF THE 8404 FOXCROFT DR TRUST

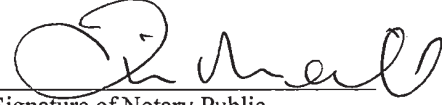

by Tony Muniz, Jr., President, as Trustee


Witness: Valerie Wallace


Witness: Tim O'Neill

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of () physical presence or () online notarization this 8th day of July 2020 by Tony Muniz, Jr., President of CENTRAL PROPERTIES, INC., TRUSTEE OF THE 8404 FOXCROFT DR TRUST.


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



Personally Known: OR Produced Identification: _____
Type of Identification Produced: _____



Property/Applicant/Owner Information Form

| | | | |
|--|-------------------|-------------------------------|---|
| Application No: <u>VAR 24-1021</u> | | Official Use Only | Intake Date: <u>07/01/2024</u> |
| Hearing(s) and type: Date: <u>08/26/2024</u> | Type: <u>LUHO</u> | Receipt Number: <u>380696</u> | Intake Staff Signature: <u>Keshia Rivas</u> |
| Date: _____ | Type: _____ | | |

Property Information

Address: 8404 Foxcroft dr. City/State/Zip: Tampa/ FL/ 33615

TWN-RN-SEC: 28-17-23 Folio(s): 004392-0000 Zoning: RSC-6 Future Land Use: R-9 Property Size: 10,371 s.f

Property Owner Information

Name: Luis C. Melo Fonseca/ Adriana I. Perez Perez Daytime Phone 502-468-2005

Address: 8404 Foxcroft dr. City/State/Zip: Tampa/ FL/ 33615

Email: luiscarlos294@gmail.com/ perezadriana629@gmail.com Fax Number _____

Applicant Information

Name: Luis C Melo Fonseca/ Adriana I. Perez Perez Daytime Phone 502-468-2005

Address: 8404 Foxcroft dr. City/State/Zip: Tampa/ FL/ 33615

Email: luiscarlos294@gmail.com/ perezadriana629@gmail.com Fax Number _____

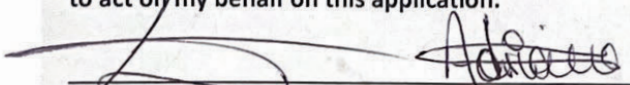
Applicant's Representative (if different than above)

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
Luis C. Melo Fonseca/Adriana I.Perez Perez
Type or print name

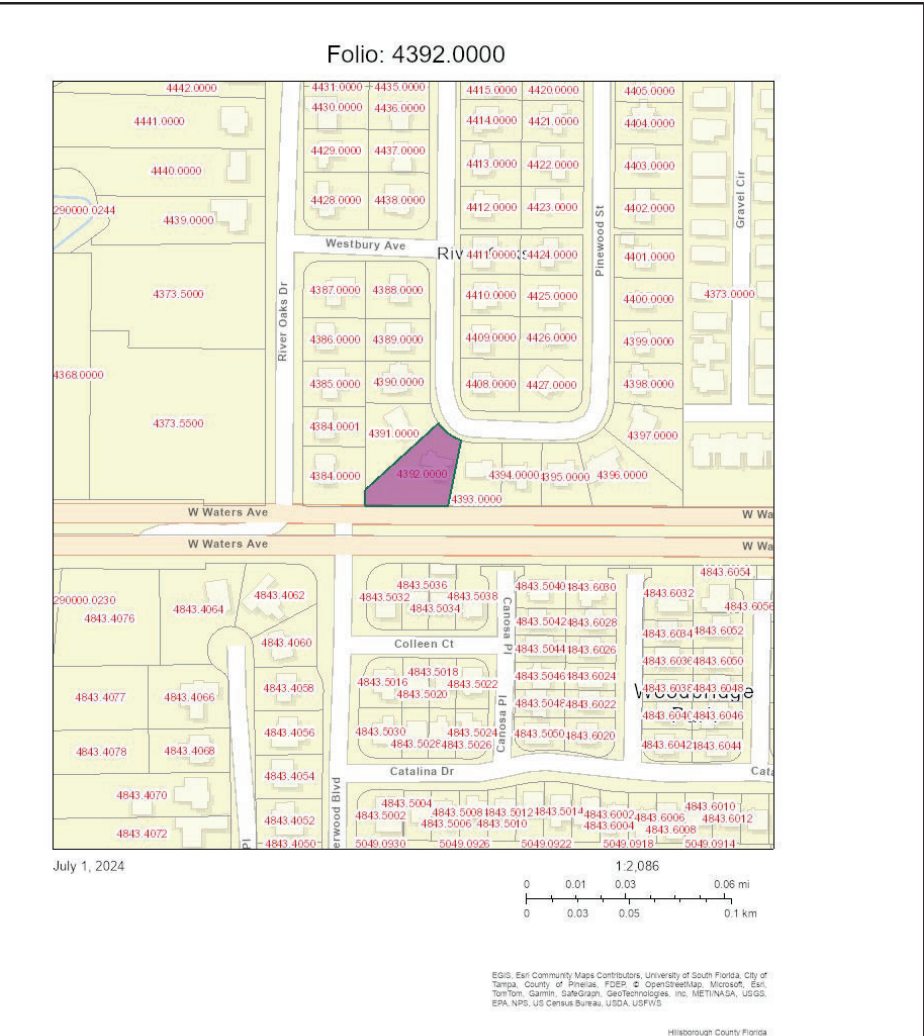
I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.


Signature of the Owner(s) – (All parties on the deed must sign)
Luis C. Melo Fonseca/ Adriana I. Perez Perez
Type or print name



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

| | |
|--|--|
| Jurisdiction | Unincorporated County |
| Zoning Category | Residential |
| Zoning | RSC-6 |
| Description | Residential - Single-Family Conventional |
| Flood Zone:X | AREA OF MINIMAL FLOOD HAZARD |
| FIRM Panel | 0189H |
| FIRM Panel | 12057C0189H |
| Suffix | H |
| Effective Date | Thu Aug 28 2008 |
| Pre 2008 Flood Zone | X |
| Pre 2008 Firm Panel | 1201120190D |
| County Wide Planning Area | Town and Country |
| Community Base Planning Area | Town and Country |
| Community Base Planning Area | Town and Country Focus |
| Census Data | Tract: 011610 Block: 4013 |
| Future Landuse | R-9 |
| 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 10 |
| Wind Borne Debris Area | 140 MPH Area |
| Aviation Authority Height Restrictions | 170' AMSL |
| Competitive Sites | NO |
| Redevelopment Area | NO |



Folio: 4392.0000
PIN: U-23-28-17-080-000001-00010.0
Luis Carlos Melo-Fonseca Et Al
Mailing Address:
 8404 Foxcroft Dr
 null
 Tampa, Fl 33615-1402
Site Address:
 8404 Foxcroft Dr
 Tampa, Fl 33615
SEC-TWN-RNG: 23-28-17
Acreage: 0.284219
Market Value: \$402,903.00
Landuse Code: 0100 Single Family

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