



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 23-0753	
LUHO HEARING DATE: August 28, 2023	CASE REVIEWER: Carolanne Peddle

REQUEST: The applicant is requesting a variance to the required setbacks for a proposed multi-family development on a property zoned RMC-20.

VARIANCE(S):

Multi-family Dwelling


Per LDC Sec. 6.01.01, a minimum side yard setback of 10 feet is required in the RMC-20 district. Per LDC Sec. 6.01.01 Endnote 8, structures with a permitted height greater than 20 feet shall be set back an additional two feet for every one foot of structure height over 20 feet. The additional setback shall be added to setbacks or buffers which function as a required rear and side yard as established in the Schedule of Area, Height, Bulk and Placement Regulations. A 16-foot side yard setback is required for the proposed 23-foot-tall multifamily structure. The applicant requests a 6-foot setback reduction to the required side yard setback to allow for a 10-foot setback from the west property line.

FINDINGS:

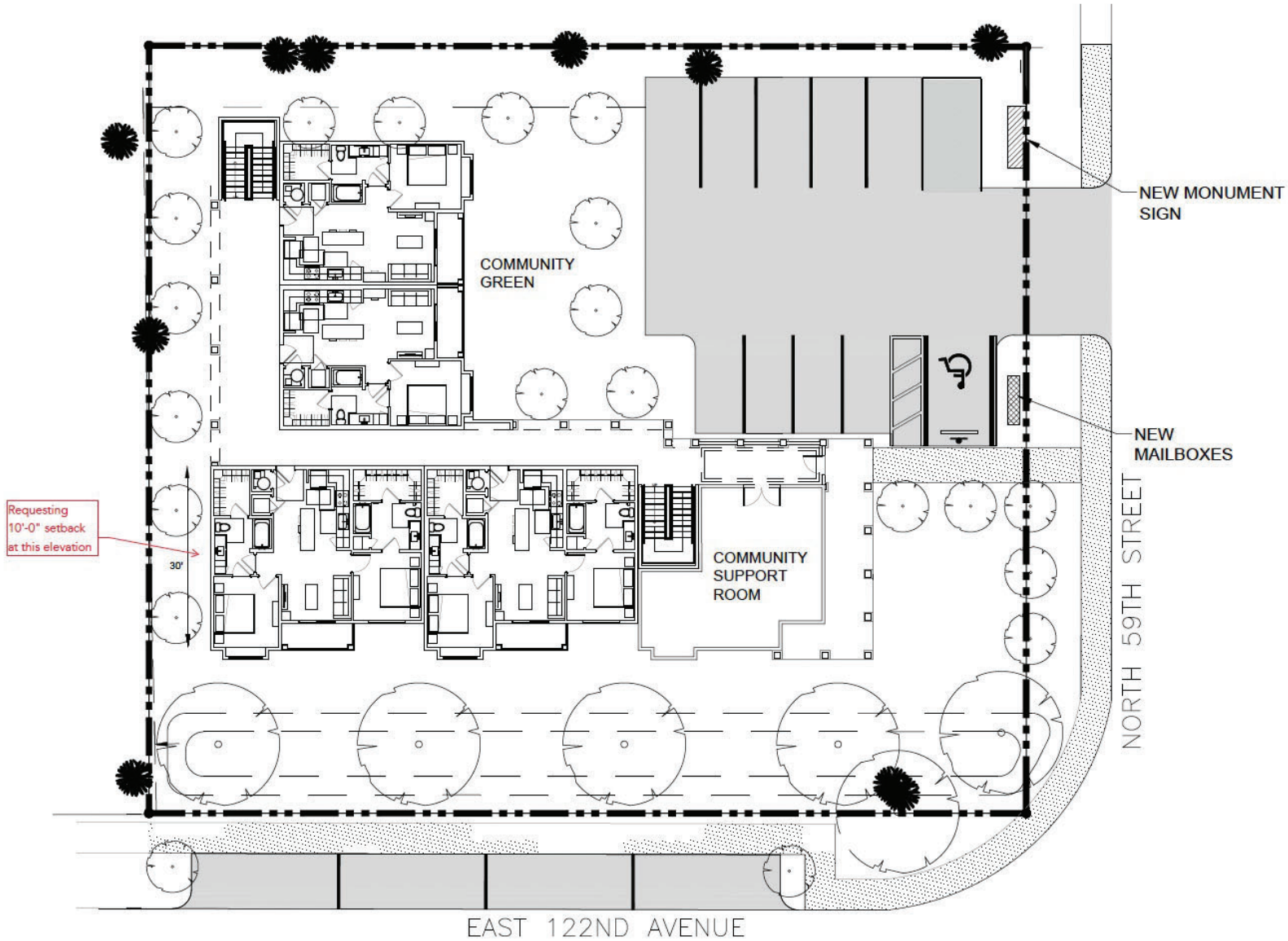
None.

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
 Colleen Marshall Mon Aug 14 2023 17:13:46
Attachments: Application Site Plan Request

PORCHLIGHT ALPHA





Additional / Revised Information Sheet

Office Use Only		
Application Number:	Received Date:	Received By:

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, **the second page of this form must be included indicating the additional/revised documents being submitted with this form.**

Application Number: 23-0753 Applicant's Name: The Porchlight Foundation, Inc.

Reviewing Planner's Name: _____ Date: 07/25/23

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): 08/28/23

Important Project Size Change Information

Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.

Will this revision add land to the project? Yes No

If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

Will this revision remove land from the project? Yes No

If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

Email this form along with all submittal items indicated on the next page in pdf form to:
ZoningIntake-DSD@hcflgov.net

Files must be in pdf format and minimum resolution of 300 dpi. Each item should be submitted as a separate file titled according to its contents. All items should be submitted in one email with application number (including prefix) included on the subject line. Maximum attachment(s) size is 15 MB.

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.

Hannah French
Signature

07/25/23
Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact [Hillsborough County Development Services](#) to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under [Florida Statutes §119.071\(4\)](#) will need to contact [Hillsborough County Development Services](#) to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? Yes No

I hereby confirm that the material submitted with application _____

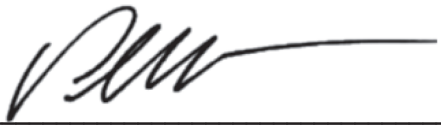
Includes sensitive and/or protected information.

Type of information included and location _____

Does not include sensitive and/or protected information.

Please note: Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature: 

(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



Additional / Revised Information Sheet

Please indicate below which revised/additional items are being submitted with this form.

Included	Submittal Item
----------	----------------

1 **Cover Letter**** If adding or removing land from the project site, the final list of folios must be included

2 **Revised Application Form****

3 **Copy of Current Deed*** Must be provided for any new folio(s) being added

4 **Affidavit to Authorize Agent*** (If Applicable) Must be provided for any new folio(s) being added
Request to withdraw; Owner acting on own behalf.

5 **Sunbiz Form*** (If Applicable) Must be provided for any new folio(s) being added

6 **Property Information Sheet****

7 **Legal Description of the Subject Site****

8 **Close Proximity Property Owners List****

9 **Site Plan**** All changes on the site plan must be listed in detail in the Cover Letter.

10 **Survey**

11 **Wet Zone Survey**

12 **General Development Plan**

13 **Project Description/Written Statement**

14 **Design Exception and Administrative Variance requests/approvals**

15 **Variance Criteria Response**

16 **Copy of Code Enforcement or Building Violation**

17 **Transportation Analysis**

18 **Sign-off form**

19 **Other Documents** (please describe):

*Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

+Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.



Development Services Department
Hillsborough County
601 E. Kennedy Blvd.
Tampa, FL 33602

July 25, 2023

RE: Variance Application 23-0753 | Folio #36948-0000

To Whom It May Concern:

I am writing to amend the nature of the above referenced variance application.

In support of this request, I've enclosed the following documents:

- Additional/Revised Information Sheet
- General Development Plan – this illustrates the area impacted by the setback waiver
- Project Description (Variance Request)
- Variance Criteria Response

Please review and confirm that all documents are in order and that nothing additional is required in order to make this change.

Kind regards,

A handwritten signature in black ink that reads "hannahfrench".

Hannah French
813-725-3911
hfrench@theporchlightfoundation.org



**Hillsborough
County Florida**
Development Services

Application No: 23-0753

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.

Porchlight Foundation is a 501(c)(3) non-profit organization which develops affordable housing for very low income residents. The subject property is being developed for an 8-unit apartment community.

The overall building height is planned to be 23'-0". We are requesting a waiver of the additional 6'-0" setback requirement that would normally be required, and instead maintain the typical 10'-0" side yard setback. The portion of the building that exceeds maximum allowable height is 30'-0" long, which is less than one-quarter of the overall depth of the property (125'-0").

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

SECTION 6.01.01 - End note #8

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

23-0753

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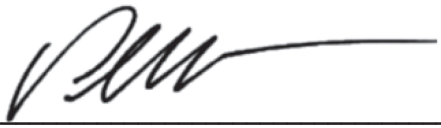
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Development Services Department
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July 25, 2023

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Kind regards,

A handwritten signature in black ink that reads "hannahfrench".

Hannah French
813-725-3911
hfrench@theporchlightfoundation.org



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 property is located on a corner and already has 25'-0" setbacks on two sides of the property. Encroaching an additional 6'-0" on a third side reduces the ability to deliver two bedroom apartments as currently designed. The other option of reducing the building height to 20'-0" would result in ceiling heights of less than 9'-0", which is suboptimal for the resident.

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.

Again, because the property is on a corner, it is already subject to deeper setbacks on two sides, reducing the possible area for development.

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 portion of the building that would exceed 20'-0" in height is on the western property border, which is adjacent to a parking lot. An additional 3'-0" in height would not negatively impact this neighbor's rights or use of this property.

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).

By waiving the additional setback requirement, we will be able to spread 6'-0" across the width of six units (three units wide x 2 stories), providing each with a larger living area and bedroom. Similarly, we are able to achieve 10'-0" ceiling heights allowing for larger windows and more daylight. Both of these improve the comfort and welfare of occupants.

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.

Since we are approaching this variance proactively, there is no illegal act we are attempting to remedy.

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.

We are seeking to deliver the best quality experience for these low income residents, which means maximizing unit size and quality of light. By denying the request, we will be forced to reduce the overall building length, and therefore each unit size, as well as reduce ceiling height below 9'-0".

23-0753

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Prepared by and return to:

Coastline Title of Pinellas
8550 Blind Pass Road
St. Pete Beach, FL 33706
(727) 363-1000
File No: SPB-2022-1940
Consideration: \$290,000.00
Parcel Identification No: Property 1:
036948-0000

[Space Above This Line For Recording Data]

WARRANTY DEED

(STATUTORY FORM – SECTION 689.02, F.S.)

This indenture made the 12 day of June, 2022 between Amelia Le, a single woman, Grantor, to The Porchlight Foundation, Inc., a Florida Corporation, whose post office address is 1211 N. Westshore Blvd. Suite 802, Tampa FL 33607, Grantee:

Witnesseth, that said Grantor, for and in consideration of the sum of TEN DOLLARS (U.S.\$10.00) and other good and valuable considerations to said Grantor in hand paid by said 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 Hillsborough, Florida, to-wit:

The East 143 feet of Tract 50, W.E. HAMNER'S 56TH STREET ESTATES, according to the map or plat thereof as recorded at Plat Book 31, Page 65, in the Public Records of Hillsborough County, Florida.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Subject to taxes for 2022 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any.

TO HAVE AND TO HOLD the same in fee simple forever.

And Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple, that Grantor has good right and lawful authority to sell and convey said land and that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

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Property/Applicant/Owner Information Form

Official Use Only

Application No: VAR 23-0753 Intake Date: 07/03/2023
 Hearing(s) and type: Date: 08/28/2023 Type: LUHO Receipt Number: 283096
 Date: _____ Type: _____ Intake Staff Signature: Keshia Rivas

Property Information

Address: 5808 E. 122nd Ave City/State/Zip: Tampa, FL 33617
 TWN-RN-SEC: 28S-19E-10 Folio(s): 036948-0000 Zoning: RMC-20 Future Land Use: R-20 Property Size: .41 ac

Property Owner Information

Name: The Porchlight Foundation, Inc. Daytime Phone 813-725-3911
 Address: 1211 N. Westshore Blvd. Suite 802 City/State/Zip: Tampa, FL 33607
 Email: psmith@theporchlightfoundation.org Fax Number N/A

Applicant Information

Name: The Porchlight Foundation, Inc. Daytime Phone 813-725-3911
 Address: 1211 N. Westshore Blvd. Suite 802 City/State/Zip: Tampa, FL 33607
 Email: hfrench@theporchlightfoundation.org Fax Number N/A

Applicant's Representative (if different than above)

Name: Housh Ghovae Daytime Phone 727-443-2869
 Address: 300 S. Belcher Road City/State/Zip: Clearwater, FL 33765
 Email: housh@northsideengineering.net Fax Number N/A
 CC: sandy@northsideengineering.net

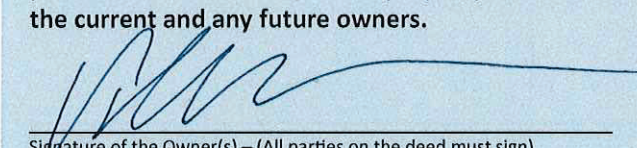
I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.



 Signature of the Applicant
Phillip A. Smith

 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)
Phillip A. Smith

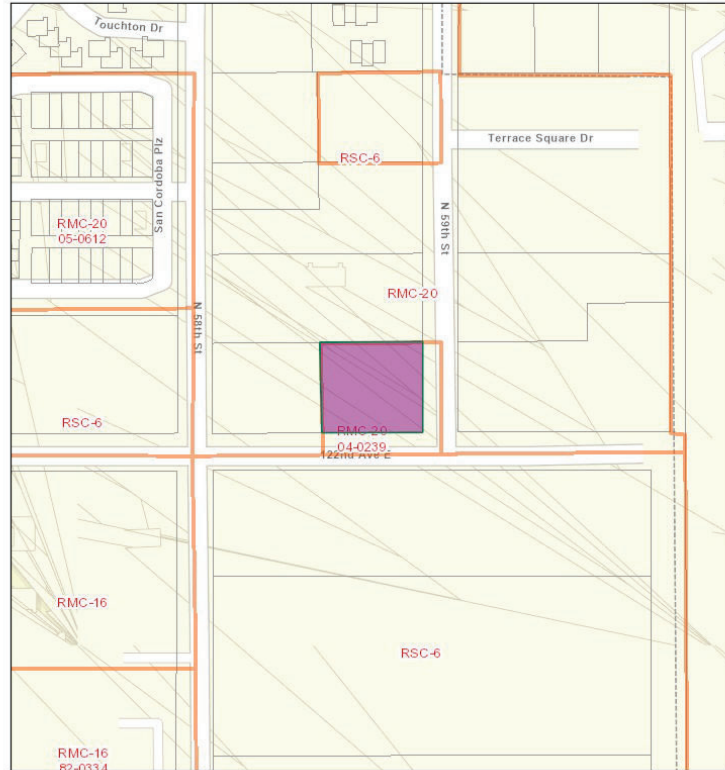
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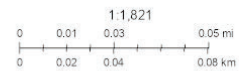
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RMC-20
Description	Residential - Multi-Family Conventional
RZ	04-0239
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0217H
FIRM Panel	12057C0217H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120217B
County Wide Planning Area	University Area Community
Community Base Planning Area	University Area Community
Census Data	Tract: 010811 Block: 2006
Future Landuse	R-20
Future Landuse	R-20
Future Landuse	R-20
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Northeast
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 2
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO

Folio: 36948.0000



July 3, 2023



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

Hillsborough County Florida

Folio: 36948.0000
PIN: U-10-28-19-1HO-000000-00050.1
Porchlight Foundation Inc
Mailing Address:
 1211 N Westshore Blvd Ste 802
 null
 Tampa, FL 33607
Site Address:
 5808 E 122nd Ave
 Tampa, FL 33617
SEC-TWN-RNG: 10-28-19
Acreage: 0.410739
Market Value: \$100,914.00
Landuse Code: 0000 Vacant Resident

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1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.
2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.