



**LAND USE HEARING OFFICER VARIANCE REPORT (REVISED)**

<b>APPLICATION NUMBER:</b> VAR 22-1038	
<b>LUHO HEARING DATE:</b> August 22, 2022	<b>CASE REVIEWER:</b> Chris Grandlienard

**REQUEST:** The applicant is requesting a setback variance to accommodate expansion of a screened enclosure with solid roof for a single-family home on a corner lot zoned RSC-4.

**VARIANCE(S):**


Per LDC Section 6.01.01, a minimum front yard setback of 25 feet is required in the RSC-4 district. The subject parcel is a corner lot with required front yards on the north and east sides. The applicant requests a 12.5-foot reduction to the required front yard setback to allow a setback of 12.5 feet from the east property line along 58<sup>th</sup> Street in the front yard which functions as a side yard.

**FINDINGS:**

- Per LDC Section 6.01.06, a minimum lot size of one-half acre of upland is required for use of a septic system. The subject property is served by a septic system and 0.29 acres in size, approximately. Therefore, it is nonconforming. However, it has been certified as a legal nonconforming lot per NCL 22-1227 in the case record.
- A metal storage container is located at the southwest corner of the subject property. The applicant has been advised the container is not a permitted use of the subject property unless building permits are obtained for it, at which time it will constitute an accessory structure and regulated accordingly.

**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.

<b>ADMINISTRATOR'S SIGN-OFF</b>	
	
<small>t Tue Aug 9 2022 13:40:14</small>	
<b>Attachments:</b> Application Site Plan Petitioner's Written Statement Current Deed	





## 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?  
Property is a corner lot resulting in one lot line being considered "front" with setbacks applied even though portion of property is directly behind footprint of the house. There is no other location to build the screen room due to location of septic system and drain field.  
\_\_\_\_\_  
\_\_\_\_\_
  
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.  
Permit would be within LDC setback rules if property was not a corner lot. Not granting the variance would be unfair to the property owners due to similar and greater impervious variances that have been granted.  
\_\_\_\_\_  
\_\_\_\_\_
  
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.  
Top portion of screen room will be visible above privacy fence which is consistent with other properties in the area that have screened pools or patios. Noise and light would be non-obtrusive and concentration of persons would be non-visible to Puritan Road. Screen room will be constructed using materials to blend with environment.  
\_\_\_\_\_  
\_\_\_\_\_
  
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 use for building setbacks is for private use only. It will improve the property and its value by creating a functional recreation and gathering space. It cannot be located elsewhere on site due to septic system, drain field, and plumbing to on-site well. Screen room would enable residents to enjoy the comfort and safety of an insect-free environment in a portion of their property year-round.  
\_\_\_\_\_  
\_\_\_\_\_
  
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.  
Screen-room addition is a voluntary home improvement for residents of Hillsborough County to enjoy the outdoors in an insect-free environment year-round.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
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.  
With your approval the owners of the property will be able to enjoy their home and recreational space that would be consistent in the residential zoning and comprehensive plan.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Prepared By:  
Aaron A. Blair  
AGS Title Agency  
3812 W. Linebaugh Ave.  
Tampa, Florida 33618  
File: 30249

## QUIT CLAIM DEED

Consideration: \$40,500.00  
State Documentary Stamps Paid: \$283.50  
Tax Collector's Folio Number: 038871-0000  
Property Appraiser's Parcel ID: U-27-28-19-1KM-000000-00013.0

**THIS INDENTURE**, made this 16 day of September, 2020, between **Steven R. Vickery**, whose address is 10024 N. Natural Wells Drive, Tallahassee, Florida 32305, Grantor, to **Katherine D. Vickery f/k/a Katherine V. Ringo and John Ruben Ceballo a/k/a John Ruben Ceballos, wife and husband**, whose address is 5709 Puritan Road, Tampa, Florida 33617, Grantee.

*(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and their heirs, legal representatives, successors and assigns. "Grantor" and "Grantee" are used for singular and plural, as the context requires and the use of any gender shall include all genders.)*

**WITNESSETH:** That the said grantor, for and in consideration of the sum of \$10.00 Dollars, to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has released, remised and quitclaimed, and by these presents does hereby remise, release, and quitclaim unto the said grantee, and grantee's successors and assigns forever, all the right, title and interest of grantor in and to the following described land situate, lying and being in Hillsborough County, Florida, to-wit:

**Lot 13, River Haven Estates Subdivision, a subdivision according to the plat thereof, as recorded in Plat Book 31, Page 38, of the Public Records of Hillsborough County, Florida.**

**This property is not the homestead property of the grantor, nor contiguous to homestead property, as such homestead is defined under Florida law.**

**TO HAVE AND TO HOLD** the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, law or equity, to the only proper use, benefit and behalf of the said grantee, its successors and assigns forever.

IN WITNESS WHEREOF the grantor has hereunto set grantor's hand and seal, the day and year first above written.

Signed, sealed and delivered in the presence of:

Jordan Mason  
(Signature of First Witness)

Jordan Mason  
(Printed, Typed or Stamped Name of First Witness)

Steven R. Vickery  
Steven R. Vickery

Shelby Berkin  
(Signature of Second Witness)

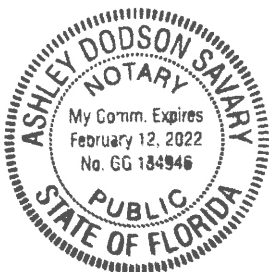
Shelby Berkin  
(Printed, Typed or Stamped Name of Second Witness)

STATE OF FLORIDA  
COUNTY OF Wakulla

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 16 day of September, 2020, by Steven R. Vickery. Such person (Notary Public must check applicable box):

- is personally known to me.
- produced a current driver license.
- or produced Drivers License as identification.

(NOTARY SEAL)



Ashley Dodson Savary  
Notary Public - State of Florida  
Printed Name of Notary: ASHLEY SAVARY  
Commission Number: GG 184946  
My Commission Expires: 2-12-22



# 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: 5709 Puritan Road City/State/Zip: Tampa, Florida 33617 TWN-RN-SEC: \_\_\_\_\_

Folio(s): 038871-0000 Zoning: X Future Land Use: \_\_\_\_\_ Property Size: 12,929 sqf

### Property Owner Information

Name: Katherine Vickery and John Ceballos Daytime Phone: 813-505-2285

Address: 5709 Puritan Road City/State/Zip: Tampa, Florida 33617

Email: magnoliafly@gmail.com FAX Number: \_\_\_\_\_

### Applicant Information

Name: Katherine Vickery and John Ceballos Daytime Phone: 813-505-2285

Address: 5709 Puritan Road City/State/Zip: Tampa, Florida 33617

Email: magnoliafly@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 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.

Katherine Vickery  
Signature of Applicant

Katherine Vickery  
Type or Print Name

John Ceballos  
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.

Katherine Vickery  
Signature of Property Owner

Katherine Vickery  
Type or Print Name

John Ceballos  
Type or Print Name

Intake Staff Signature: Clare Odell Office Use Only Intake Date: 6 6 22

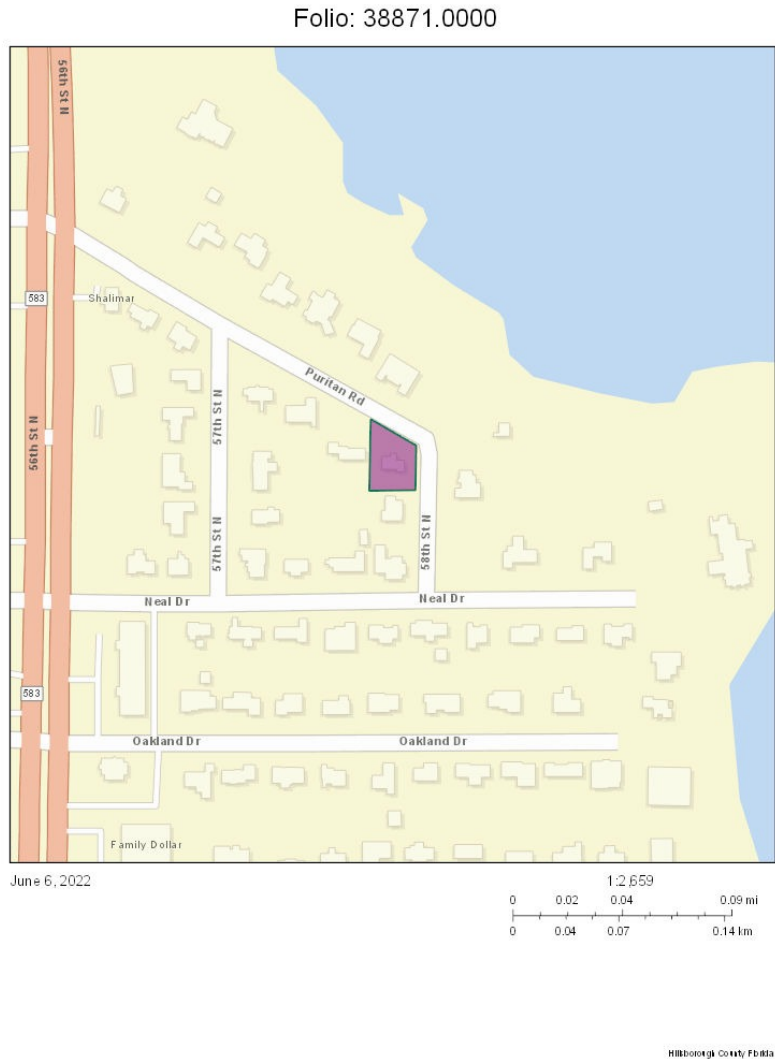
Case Number: 22108 Public Hearing Date: 8 22 22

Receipt Number: 166288



# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-4
Description	Residential - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0219H
FIRM Panel	12057C0219H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201150005E
County Wide Planning Area	East Lake Orient Park
Community Base Planning Area	East Lake Orient Park Area
Census Data	Tract: 010402 Block: 1011
Future Landuse	R-6
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 4
Wind Borne Debris Area	Outside 140 MPH Area
Aviation Authority Height Restrictions	150' AMSL
Competitive Sites	NO
Redevelopment Area	NO



**Folio:** 38871.0000  
**PIN:** U-27-28-19-1KM-000000-00013.0  
**KATHERINE DENISE VICKERY ET AL**  
**Mailing Address:**  
 5709 PURITAN RD  
 TAMPA, FL 33617-7722  
**Site Address:**  
 5709 PURITAN RD  
 TAMPA, FL 33617  
**SEC-TWN-RNG:** 27-28-19  
**Acreage:** 0.28806099  
**Market Value:** \$192,999.00  
**Landuse Code:** 0100 SINGLE FAMILY

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