**Variance Application:** VAR 24-0698

LUHO Hearing Date:

June 24, 2024

Case Reviewer: Chris Grandlienard, AICP



**Development Services Department** 

Applicant: Rafael and Meilie Oliva Zoning: RSC-6

Location: 6769 Ralston Beach Circle Tampa; Folio: 31249.0000

#### Request Summary:

The applicant is requesting multiple variances to accommodate an existing corner lot single-family residence with addition and an accessory structure on property zoned RSC-6.

Requested Variances:				
LDC Section:	LDC Requirement:	Variance:	Result:	
6.01.01	A minimum front yard setback of 25 feet is required in the RSC-6 zoning district. A corner lot has two fronts and two side yards.	1-inch	24-foot 11-inch front yard setback (Ralston Beach Circle)	
6.01.01	A minimum front yard setback of 25 feet is required in the RSC-6 zoning district.	9-feet 1 inch	15-foot 11-inch front yard setback (N Habana Avenue)	
6.11.04	Accessory structures may occupy required side yards provided that such structures are not closer than three feet from any side lot line, including architectural features such as cornices, eaves, and gutters.	1-foot	2-foot side yard setback for the accessory structure garage (west)	
6.11.04	Accessory structures may occupy required side yards provided that such structures are not closer than three feet from any side lot line, including architectural features such as cornices, eaves, and gutters.	8-inches	2-foot 4-inch side yard setback for the accessory structure garage (south)	

	Per the applicant, the height of the accessory structure garage is 12 feet.
Findings:	The accessory structure garage is located in a drainage and utility easement. The applicant has been advised that the easement will need to be vacated in the area of the structure to bring the structure into full compliance.

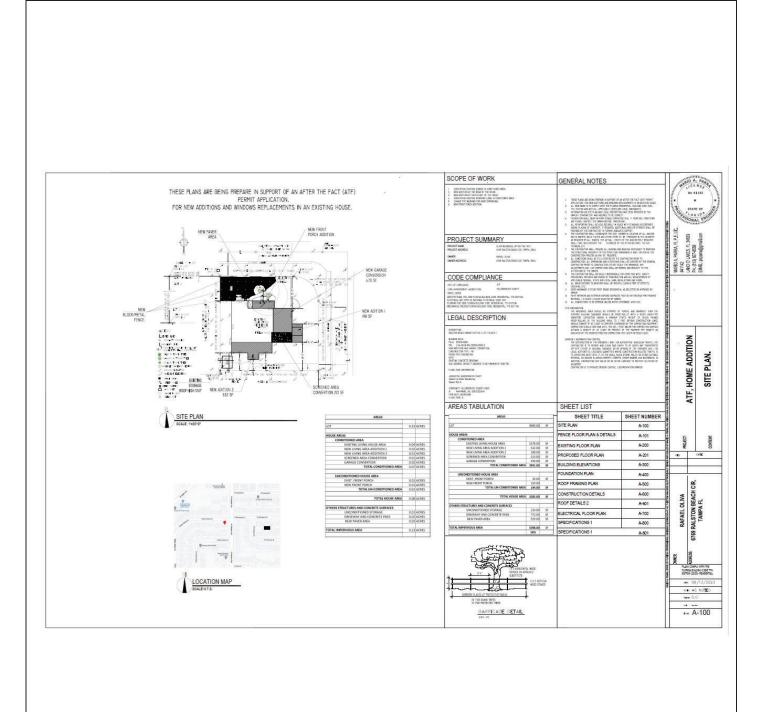
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Zoning Administrator	Sign Off:	Colleen Marshall Wed Jun 12 2024 13:06:50

#### 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**





Application No:	24-0698
Application iso.	



# **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. A NEW LAUNDRY ROOM HAS BEEN CONSTRUCTED IN THE SPACE PREVIOUSLY BY THE OLD ONE. THIS NEW ROOM MAINTAINS THE EXISTING SANITARY AND PLUMBING INSTALLATIONS FROM ITS PREDECESSOR. FORMERLY HOUSED IN SMALL PLASTIC SHED, THE UPGRADED LAUNDRY ROOM NOW BOASTS A MORE REFINED AND INTEGRATED DESIGN, SEAMLESSLY BLENDING INTO THE HOUSE AS SMALL DEDICATED SPACE. THIS IMPROVEMENT NOT ONLY ENHANCES THE FUNCTIONALITY OF THE LAUNDRY AREA BUT ALSO ADDS AESTHETIC VALUE TO THE OVERALL STRUCTURE OF THE HOUSE. THE ENHANCED LAUNDRY ROOM OFFERS SEVERAL BENEFITS OVER ITS PREDECESSOR. FIRSTLY, ITS INTEGRATION INTO THE HOUSE PROVIDES GREATER CONVENIENCE, ELIMINATING THE NEED TO TRAVEL OUTSIDE TO DO LAUNDRY, THIS INDOOR LOCATION ALSO ENSURES YEAR-ROUND ACCESSIBILITYREGARDLESS OF WEATHER CONDITIONS. ADDITIONALLY, THE IMPROVED DESIGN ALLOWS FOR BETTER ORGANIZATION AND UTILIZATION OF SPACE, FACILITATING MORE EFFICIENT LAUNDRY ROUTINES. 2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code: 6.01.01 **Additional Information** X Yes Have you been cited by Hillsborough County Code Enforcement? 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? If yes, please indicate the nature of the application and the case numbers assigned to X No the application (s): 3. Is this a request for a wetland setback variance? 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: Septic Tank Private Well X Public Wastewater 5. Is the variance to allow a third lot on well or non-residential development with an intensity of three ERC's? If yes, you must submit a final determination of the "Water, Wastewater, and/or Reclaimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing X No

02/2023

#### CONTINUATION..(PAG 8)

THE SPACE USED FOR THE NEW LAUNDRY ROOM IS NOT A NEW ADDITION, AND SPACE USED IS NOT AFFECTING AT ALL ANY OTHER ROOMS OR SPACES NEEDED SUCH AS SIDEWALKS AROUND THE HOUSE OR THOSE SPACES THAT BELONG TO THE CITY.

FURTHERMORE, BY UTILIZING THE EXIXTING SANITARY AND PLUMBING INSTALATIONS, THE RENOVATIONS MINIMIZES COST AND CONTRUCTION TIME WHILE STILL PROVIDING MODERN AMENITIES. OVERALL, THE NEW ENHANCED LAUNDRY ROOM OFFERS HOMEOWNERS INCREASED CONVENIENCE, EFFICIENCY, AND VALUE



## Variance Criteria Response

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#### Variance Criteria Response:

 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 subject property, 6769 Ralston Beach Circle, Tampa, FL 33614, is a corner lot situated between Ralston Beach Circle and North Habana Ave. The area of contention faces the south-east side of the home which faces Habana Ave.

We, as the homeowners of the above-mentioned property, respectfully request a variance from the 25' front-yard setback that is required by RSC-6 zoning district in which the parcel is located per Hillsborough County Land Development Code [HC-LDC] Sec.6.01.01.

Specifically, we request that the 25' front-yard setback be reduced to allow for a variance of 11' for a new setback of 14'. Our reasons for the request for a variance are herein detailed below:

At the time of purchase of the home, there was not an interior area for a laundry room. The prior owner created an outdoor laundry plastic shed on the side yard. Please see attached photo referred to as EXHIBIT A, B, C, & D.

Practical difficulties arose with maintaining the home's laundry outside due to the excessive Florida heat, inclement weather, and the environmental damage suffered by the appliances.

As a result, a new laundry room has been constructed in the space previously occupied by the outside laundry room. The new laundry room maintains the existing sanitary and plumbing installations from its predecessor. The upgraded laundry room now boasts a more refined and integrated design, seamlessly blending into the house as a small, dedicated space. This improvement not only enhances the functionality and accessibility of the laundry area but also adds aesthetic value to the overall structure of the house.

We do not believe that any other property in the area suffers from the abovementioned issue. 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.

We have been informed by Code Enforcement that "the proposed South-East addition encroaches into the minimum 25' front-yard setback that is required by RSC-6 zoning district in which the parcel is located per Hillsborough County Land Development Code [HC-LDC] Sec.6.01.01.

If the variance is not allowed, we would directly suffer injury as our home would no longer have an interior laundry. We would be required to again have a laundry shed. We would have to do laundry outside our home subject to weather concerns and our appliances destroyed by the Florida Sun.

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 variance, if allowed, does not cause harm to, or hinder the property rights of any of the surrounding homes in the area. The variance sought seeks to put the subject property in parity with the area neighbors.

The granting of the variance does not substantially interfere with or injure the property rights of the area neighbors in that the variance would not directly or indirectly cause any changes that would affect area homes. The variance, if granted allows for a better use of the land and appreciates the value of the property.

Additionally, the variance does not create any obstacles, obstructions, distractions, or dangerous situations, to foot or vehicle traffic on either side of Habana Ave.

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).

Hillsborough County Land Development Code:

#### Sec. 1.02.02. - Purpose

It is the purpose of the Board of County Commissioners of Hillsborough County to establish the standards, regulations and procedures for review and approval of all proposed development of property in unincorporated Hillsborough County, and to provide a development review process that will be comprehensive, consistent, and efficient in the implementation of the goals, objectives, and policies of the Future of Hillsborough Comprehensive Plan.

#### Sec. 1.02.03. Intent

- A. In order to foster and preserve public health, safety, comfort and welfare, and to aid in the harmonious, orderly, and progressive development of the unincorporated areas of Hillsborough County, it is the intent of this Code that the development process in Hillsborough County be efficient, in terms of time and expense; effective, in terms of addressing the natural resource and public facility implications of proposed development; and equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and consideration of the interests of the citizens of Hillsborough County.
- B. The Board of County Commissioners deems it to be in the best public interest for all development to be conceived, designed, and built in accordance with good planning and design practices and the minimum standards set forth in this Code.

The enhanced laundry room offers several benefits over its predecessor. First, its integration into the house provides for greater convenience and thus eliminating the need to travel outside to do laundry.

Second, the indoor location also ensures year-round accessibility regardless of weather conditions.

Third, the improved design allows for better organization and utilization of space, facilitating more efficient laundry routines.

Fourth, the variance allows for a better and more esthetic use of the land in contrast to its prior presentation.

Fifth, by utilizing the existing sanitary and plumbing installations, the renovation minimizes costs and construction time while still providing modern amenities. Overall, the new enhanced laundry. room offers homeowners increased convenience, efficiency, and value.

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 self-imposed hardship.

We made the mistake of not asking for permission but in no way is it a disrespectful act, the intention all along was to try to ensure that the space we had was not prepared and we thought of putting it so that we went out to wash

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.

The granting of the variance is not so much as a question of justice but of the best possible use of the land for the benefit of the property as a whole and the homeowners.

The granting of the variance does not in any way cause a detriment to the public. The granting of the variance does not create any obstacles, obstructions, distractions, or dangerous situations, to foot or vehicle traffic on either side of Habana Ave.

The homeowners would suffer a hardship of the variance was not granted as the best use of the land would not be optimized, the home would not be in parity with the other homes in the area. The home would no longer have an interior laundry and would consequently require the homeowners to again have a laundry shed. The homeowners would be required to do laundry outside our home



Instrument #: 2022119591, Pg 1 of 1, 3/7/2022 10:24:07 AM DOC TAX PD(F.S. 201.02) \$2800.00, INT. TAX PD (F.S. 199) \$0.00, DOC TAX PD (F.S. 201.08) \$0.00, Deputy Clerk: O Cindy Stuart, Clerk of the Circuit Court Hillsborough County

Prepared by and return to: American Closing Svces LLC (813-885-4195) 8220 Hanley Road Tampa, FL 33634 FILE # AC22-676

### General Warranty Deed

Made this 3 day of March 2022, By Verny G. Mena Molina and Luz Yolima Londono, Husband and Wife, whose address is: 7210 N Manhattan Ave., Unit # 1611, Tampa, FL 33614, hereinafter called the grantor, to Meilie Barbara Oliva and Rafael Oliva, Wife and Husband, whose address is: 6769 Ralston Beach Circle, Tampa, FL 33614, 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 individual s, and the successors and assigns of corporations)

WITNESSETH: that the grantors, for an in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, here by grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in Hillsborough County, Florida, to wit:

Lot 1, Block C, RALSTON BEACH MANOR UNIT NO. 3, according to the map or plat thereof, recorded in Plat Book 38, Page(s) 57, Public Records of Hillsborough County, Florida.

ACCT NO: A0312490000

Property Address: 6769 Ralston Beach Circle, Tampa, FL 33614

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 grantors hereby covenant with said grantees that the grantors is/are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant 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, 2021 zoning restrictions imposed by governmental authority; restrictions and matters appearing on the Plat or otherwise common to the subdivision; utility easement of record, and any easements, restrictions, reservations of record.

IN WITNESS WHEREOF, the said grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Jena Molina

Luz Yolima Londono

STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of 

physical presence or □ online notarization, this 3 day of March 2022 by Verny G. Mena Molina and Luz Yolima Londono who is personally known to me or who has produced driver's license as identification.

Printed Name and Title or Rank





# Property/Applicant/Owner Information Form

Application No: 24-0698  Hearing(s) and type: Date: 06/24/2024  Date: Type: Type:	HO Intake Date: 04/16/2024  Receipt Number: 358495
Property In	
Address: 6769 Ralston Beach Cir	
TWN-RN-SEC: 34-28-18 Folio(s): 0312490000 Zoning: RS	Future Land Use: Property Size: U.23
Property Owner	
Rafael and Meilie Oliva	Daytime Phone 813-370-8888
Address: 6769 Ralston Beach Cir Cir	y/State/Zip: Tampa, Florida 33614
meiliesanchez@aol.com	Fax Number 813-915-0524
Rafael And Meilie Oliva  Address: 6769 Ralston Beach Cir_Cit  Email: meiliesanchez@aol.com  Applicant's Representativ	Fax Number 813-915-0524
Name:	Daytime Phone
Address:Ci	ry/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  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)  Type or print name

VAR

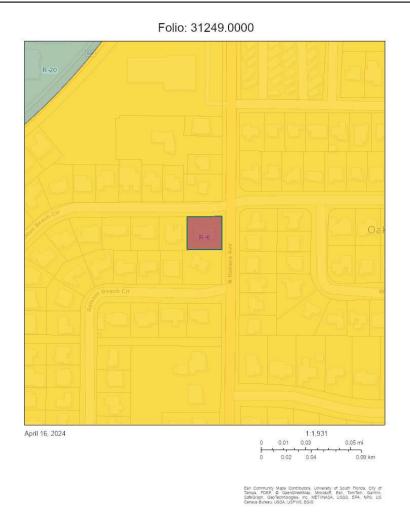
3 of 11

02/2023



## 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	0213H
FIRM Panel	12057C0213H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Х
Pre 2008 Firm Panel	1201120213C
County Wide Planning Area	Egypt Lake
Census Data	Tract: 011906 Block: 1001
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	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	150' AMSL
Competitive Sites	NO
Redevelopment Area	NO



Folio: 31249.0000 PIN: U-34-28-18-18G-C00000-00001.0 Rafael And Meilie Barbara Oliva Mailing Address: 6769 Ralston Beach Cir null Tampa, Fl 33614-4207 Site Address: 6769 Ralston Beach Cir Tampa, Fl 33614

SEC-TWN-RNG: 34-28-18 Acreage: 0.23049501 Market Value: \$314,988.00 Landuse Code: 0100 Single Family

Hillsborough County makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any of the geodata information provided herein. The reader should not rely on the data provided herein for any reason. Hillsborough County explicitly disclaims any representations and warranties, including, without limitations, the implied warranties of merchantability and fitness for a particular purpose. Hillsborough County shall assume no liability for: 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.