Variance Application: 24-0181

LUHO Hearing Date: February 26, 2024

Case Reviewer: Wayne Doyon



Development Services Department

Result:

Applicant: Lauren Hodjila and Paul Randall Zoning: PD

No filling, excavating, or placement of

Location: 15605 Hampton Village Drive., Tampa, FL 33618

LDC Requirement:

Request Summary:

Requested Variances:

LDC Section:

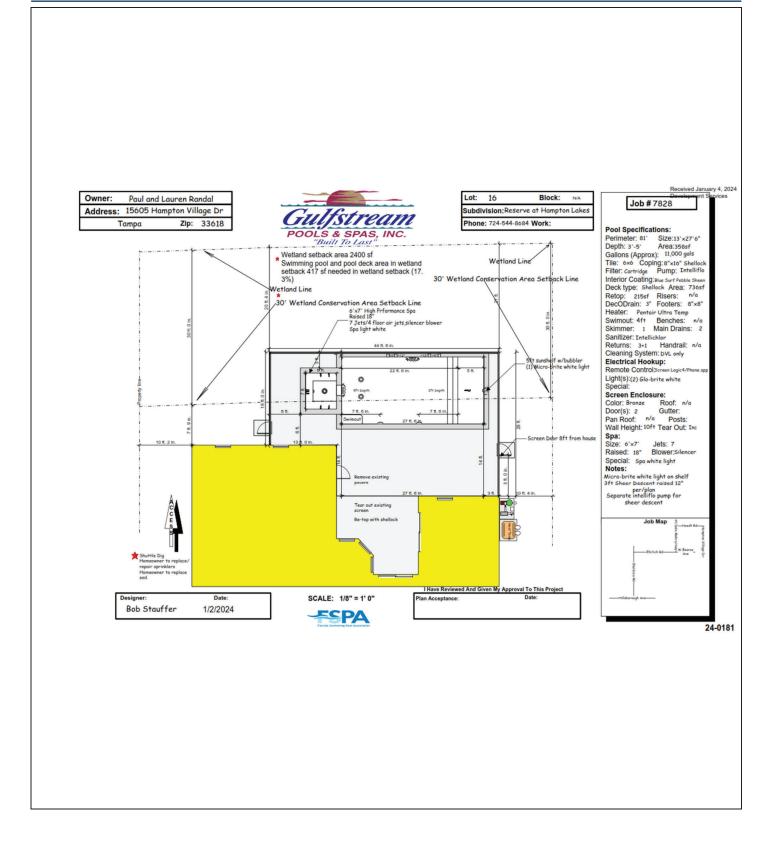
The applicant is requesting a variance from the 30-foot Wetland Conservation Area setback requirement, Section 4.01.07.B.4 of the Land Development Code (LDC). The applicant's specific request, as shown on the site plan submitted on 01/02/2024, is to allow for the construction of a pool/spa, decking, and screen enclosure within the 30-foot Wetland Conservation Area Setback.

Variance:

Section 4.01.07.B.4	No filling, excavating, or placement of permanent structures or other impervious surfaces shall be allowed within a required 30-foot wetland conservation area setback.	9-foot, 6-inch encroachment for the construction of a pool, decking, and screen enclosure.	20-foot, 6-inch setback
Findings:	None		

APPLICATION NUMBER:	VAR 24-0181	
LUHO HEARING DATE:	February 26, 2024	Case Reviewer: Wayne Doyon
		1
Zoning Administrator	Sign Off:	
DISCLAIMER:		
		information provided in the application by the applicant. Additional variances development permits. The granting of these variances does not obviate the
applicant or property or	wner from attaining al	l additional required approvals including but not limited to: subdivision or site
development approvals	and building permit a	pprovals.
Approval of this varian	ce petition by Hillsbor	rough County does not constitute a guarantee that the Environmental Protection
Commission of Hillsbor	rough County (EPC) a	pprovals/permits necessary for the development as proposed will be issued, does
not itself serve to justif	y any impact to wetlan	ds, and does not grant any implied or vested environmental approvals.
SURVEY/SITE PLAN		
JUNE 1/JILLI LAN		

LUHO HEARING DATE: February 26, 2024 Case Reviewer: Wayne Doyon



LUHO HEARING DATE:

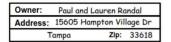
February 26, 2024

Case Reviewer: Wayne Doyon

Block:

16

Phone: 724-544-8684 Work:



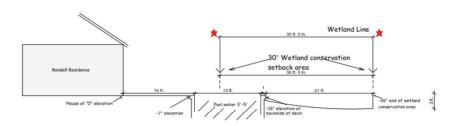


3916 Tampa Road Oldsmar, FL 34677

Tampa/Oldsmar (813) 925-9909 Pinellas (727) 787-9334 Fax (813) 925-0681

www.gulfstreampools.com e-mail: mail@gulfstreampools.com

★ Wetland setback area 2400 sf Swimming pool and pool deck area in wetland setback 417 sf needed in wetland setback (17.3%)



Date: Bob Stauffer 1/2/2024 SCALE: 1/8" = 1' 0" SPA

I Have Reviewed And Given My Approval To This Project





Application No: 24-0181

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. See narrative 2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code: See narrative. **Additional Information** Yes 1. 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? × No If yes, please indicate the nature of the application and the case numbers assigned to the application (s): X 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 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



813.229.7600 813.229.1660 fax



Stefan Beuge (813) 227-2229 sbeuge@shumaker.com

November 16, 2023

Variance Application

Address: 15605 Hampton Village Drive, Tampa, FL 33618

Folio: 016464-7172

Owner: Lauren Brooke Hojdila n/k/a Lauren Randall and Paul Francis Randall

Variance Request

1. Project Narrative: 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).

Lauren Brooke Hojdila n/k/a Lauren Randall and Paul Francis Randall ("Property Owners" or "Applicants") own the single-family residential property located at 15605 Hampton Village Drive, Tampa, FL 33618 ("Subject Property") and seek to construct a pool with a screened enclosure (no roof) in their backyard. The Subject Property is legally described as Lot 16 of a platted subdivision and the western property boundary abuts a wetland conservation area. The Plat depicts a 30-foot conservation setback along the western boundary of the Subject Property. The Property Owners seeks a variance pursuant to Section 4.01.07B.4 of the Land Development Code to allow for a 9-foot-and-6-inches encroachment of the pool into the wetland conservation area setback.

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

Applicant specifically requests a variance from Section 4.01.07B.4 of the Land Development Code (LDC), which reads:

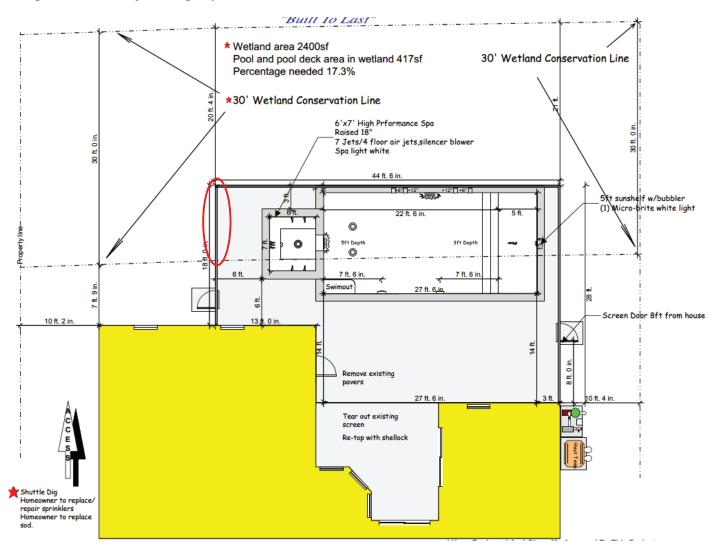
Setbacks

1.

Setbacks shall be required from those Conservation and Preservation Areas listed as wetlands or natural water bodies in the definition of environmentally sensitive areas. Setbacks shall be a minimum of 30 feet for Conservation Areas and a minimum of 50 feet for Preservation Areas.

Wider setbacks may be required by the EPC depending on the environmental sensitivity of the area and the intensity of the development proposed adjacent to the area. For example, a wider setback may be required for a large excavation proposed adjacent to a wetland in order to prevent dewatering of the wetland. Narrower setbacks may be allowed to preserve trees within the portion of the parcel to be developed, if specifically approved by the Administrator and the EPC..

Applicants seek a variance to allow a 9-foot-and-6-inches encroachment of the pool into the wetland conservation area setback. A portion of the proposed site plan depicting the location of the future pool on the Subject Property is shown below:





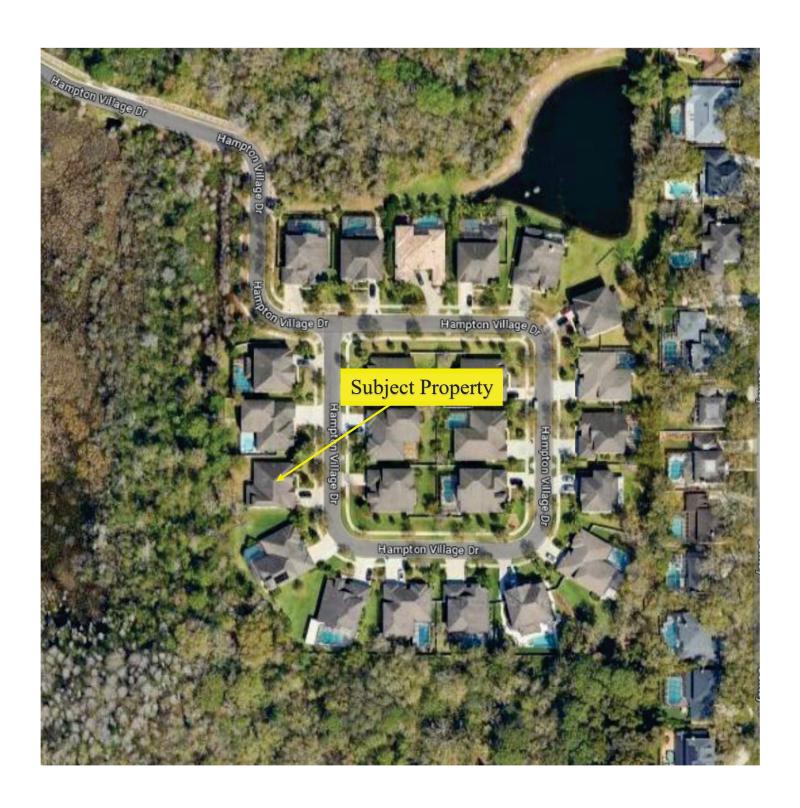


Variance Criteria Response

- 1	See narrative.
	Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonl enjoyed by other properties in the same district and area under the terms of the LDC.
	See narrative.
	Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose propert would be affected by allowance of the variance.
	See narrative.
	Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensiv Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose).
	See narrative.
	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.
	See narrative.
	Explain how allowing the variance will result in substantial justice being done, considering both the public benefit intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.
-	See narrative.

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?
 - 15605 Hampton Village Drive has approximately 80.02' linear feet along its western property boundary. The property to the west of the Subject Property is a wetland conservation area. As such, the westernmost 30 feet of the Subject Property are subject to the Conservation Area setback.
- 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 majority of residential lots along Scott Road have their shorter dimension along Scott Road, with the longer dimension extending perpendicular to Scott Road. As such, the proportion of residential fencing that can be 6 feet in height is significantly greater than that of the subject property, again with 305 linear feet of frontage on Scott Road that functions as a side yard.
- 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.
 - If allowed, this variance would afford the Property Owners the same benefit of being able to enjoy a backyard pool as their other neighbors. A review of the 2023 aerial image depicted below shows that the vast majority of the properties on Hampton Village Drive have all been improved with a pool. The variance will not interfere with the rights of surrounding property owners who have been affordable the ability to improve their property. Notably, the adjacent neighbors to the North and the South of the Subject Property have pools in their backyards.



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 or description of intent/purpose).

Hillsborough County Land Development Code Sec. 1.02.03, Intent, reads: "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."

Approval of this variance request would serve to foster safety, comfort and welfare of the neighborhood. Moreover, approval of the variance would allow the Property Owners to benefit from the same improvements to their Property as the majority of their neighbors.

Sec. 1.02.03(B) reads: "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 Property Owners are under contract with a licensed pool builder to construct the pool and pool enclosure, which ensure that the minimum standards are met. The variance is in harmony with the LDC, as it allows for the Property Owners to be treated equally as their neighbors, who already have a pool.

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 hardship is born of neighborhood conditions, more specifically the Subject Property's location adjacent to a conservation area. The conservation area setback is inherent to the Subject Property and the Property Owner's have not engaged in illegal act resulting in this hardship. To the contrary, the variance is being requested in furtherance of obtaining a construction permit to build a pool.

6. Explain how allowing the variance will result in substantial justice being done, considering both the public benefit intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.

The westernmost 30 feet of the Subject Property's backyard are subject to the conservation setback. Allowing the variance will all the Property Owners to construct a pool, just like their immediate neighbors have been able to do as well. The Subject Property is located in a platted subdivision that abuts a conservation area. Allowing for the variance will provide justice to the Property Owners and allow substantially the same improvements to the property to be made as the surrounding properties, without disturbing the conservation area. The Property Owners will suffer the benefits from enjoying a pool on their property, if a request for a variance will not be granted.

INSTRUMENT#: 2013123438, BK: 21775 PG: 1663 PGS: 1663 - 1664 03/29/2013 at 02:26:03 PM, DOC TAX PD(F.S.201.02) \$2900.80 DEPUTY CLERK:SSPENCER Pat

Frank, Clerk of the Circuit Court Hillsborough County

Prepared by: Sharon Foster M/I Title Agency, LTD, L.C. 4343 Anchor Plaza Parkway, Suite 200 Tampa, FL 33634

Folio/Parcel ID#: 016464.7172

File/Case No: 101863-TMP

After recording return to: M/I Title Agency, LTD, L.C. 4343 Anchor Plaza Parkway, Suite 200 Tampa, FL 33634

\$414,310.00

(Space Above This Line for Recording Data)

CORPORATE WARRANTY DEED

This Warranty Deed made this March 29, 2013,

Between M/I Homes of Tampa, LLC., a Florida Limited Liability Company

whose mailing address is: 4343 Anchor Plaza Parkway, Suite 200, Tampa, FL 33634

hereinafter called the Grantor, and

Lauren Brooke Hojdila , Unmarried and Paul Francis Randall, Unmarried, as joint tenants with full rights of survivorship and not as tenants in common.

Whose mailing address is: 15605 Hampton Village Drive, Tampa, FL 33618,

hereinafter called the Grantee,

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration the receipt of which is hereby acknowledged does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, and the Grantee's successors, and assigns forever, all that certain parcel of land in the County of Hillsborough, State of Florida to wit:

Lot 16, Reserve at Hampton Lakes, according to the map or plat thereof, as recorded in Plat Book 117, Pages 278 through 284, inclusive, of the Public Records of Hillsborough County, Florida.

SUBJECT TO easements, restrictions and reservations of record, and real property taxes and assessments for the year 2013 and subsequent years, which are not yet due and payable.

File/Case No: 101863-TMP

And the said Grantor hereby conveys with the Grantee that the Grantee is lawfully seized of said land in Fee Simple; that the Grantor has good right and lawful authority to sell and convey said land and does hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that the land is free of all encumbrances, except taxes for the current year and subsequent years, restrictions, limitations, covenants, and easements of record if any. ("Grantor and Grantee" are used herein for singular or plural, the singular shall include plural, and any gender shall include all genders, as context requires.)

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, Sealed and Delivered in the presence of:

M/I Homes of Tampa, I	LLC, a	a Florida	Limited
Liability Company			

Witness #)

Print Name: Karla M Hampton

Witness #2

Print Name: Sharon Foster

State of Florida

County of Hillsborough

The foregoing instrument was sworn to, subscribed and acknowledged before me this

| Solid | S

Florida Limited Liability Company, on behalf of the limited liability company. He/She is personally known to me or has produced a Driver's License as identification.

Notary Public

My commission expires:

(Notary Seal)



Α



Submittal Requirements for Applications Requiring Public Hearings

		Official Use Only	
	Application No: 24-0181 Hearing(s) and type: Date: 01/22/024 Date:	Type:	Intake Date: 11/20/2024 Receipt Number: 321634 Intake Staff Signature: Alejandra Prac
Αŗ	oplicant/Representative: Paul and Lauren	Randall / Stefan Beug	le_Phone:813.227.2229
Re	epresentative's Email: SBeuge@shumal	ker.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 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

In	cluded	N/A	Requirements
1	X		Property/Applicant/Owner Information Form
2	X		Affidavit(s) to Authorize Agent (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		\times	<u>Sunbiz Form</u> (if applicable). This can be obtained at <u>Sunbiz.org</u> .
4	X		<u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
5	X		Identification of Sensitive/Protected Information and Acknowledgement of Public Records
6	X		Copy of Current Recorded Deed(s)
7	X		Close Proximity Property Owners List
8	X		Legal Description for the subject site
9		X	Copy of Code Enforcement/Building Code Violation(s) (if applicable)
10		X	Fastrack Approval (if applicable)

Additional application-specific requirements are listed in Part B.



Property/Applicant/Owner Information Form

	Official Use Only	11/02/0202
Application No: 24-0181	LUHO	Intake Date: 11/20/2023
Hearing(s) and type: Date: 01/22/2024		Receipt Number: 321634 Intake Staff Signature: Alejandra Prac
Date:	Type:	Intake Staff Signature.
	Property Informati	on
Address: 15605 Hampton Village	Drive City/Stat	_{e/Zip:} Tampa, FL 33618
TWN-RN-SEC: 34/27/18 Folio(s): 016464-7172	Zoning: PD F	uture Land Use: R-4 Property Size: 0.23 acre
Pr	operty Owner Inforn	nation
Name: Lauren Randall f/k/a Lauren F	łodjila and Pau	Randall Daytime Phone 724.544.8684
Address: 15605 Hampton Village	Drive City/State/	_{Zip:} Tampa, FL 33618
Email: Lauren.Randall.13@	gmail.com	Fax Number
	Applicant Informati	ion
Name: Lauren Randall f/k/a Lauren F	• •	Randall Daytime Phone 724.544.8684
Address: 15605 Hampton Village		
Email: Lauren.Randall.13@	gmail.com	Fax Number
Applicant's R	epresentative (if diffe	erent than above)
Stefan Beuge, Esq.		Daytime Phone 813.227.2229
Address: 101 E. Kennedy Blvd., Suit	e 2800 City/State/	Tampa, FL 33602
Email: sbeuge@shumaker.c	om	Fax Number
I hereby swear or affirm that all the informat provided in the submitted application packet		eby authorize the processing of this application recognize that the final action taken on this
and accurate, to the best of my knowledge, a		ion shall be binding to the property as well as to
authorize the representative listed above	the c	current and any future owners.
to act on my behalf on this application.	2011)	1/100-
Xamen andal 7 min	X ODAY	rema formall to the
algnature of the Applicant).	Signatu	ure of the Owner(s) - (All parties on the deed must sign)
Type or print name	Type of	en Randall f/ka Lauren Hodjita and Paul Randall
	MA CONTROL OF THE PARTY OF THE	



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD PD
Description	Planned Development
RZ BZ	02-0790
Flood Zone:X	AREA OF MINIMAL FLOOD
Flood Zone.x	HAZARD
FIRM Panel	0205H
FIRM Panel	12057C0205H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	A
Pre 2008 Flood Zone	Х
Pre 2008 Firm Panel	1201120205D
County Wide Planning Area	Greater Carrollwood Northdale
Community Base Planning Area	Greater Carrollwood Northdale
Planned Development	PD
Re-zoning	null
Minor Changes	null
Major Modifications	null
Personal Appearances	null
Census Data	Tract: 011107 Block: 3009
Future Landuse	R-4
Future Landuse	R-4
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Folio: 16464.7172 PIN: U-34-27-18-906-000000-00016.0 Lauren Brooke Hojdila Et Al Mailing Address: 15605 Hampton Village Dr null Tampa, Fl 33618-1616 Site Address: 15605 Hampton Village Dr Tampa, Fl 33618

SEC-TWN-RNG: 34-27-18 Acreage: 0.236929 Market Value: \$601,192.00 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.



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