

### LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 21-1248

LUHO HEARING DATE: March 21, 2022 CASE REVIEWER: Israel Monsanto

**REQUEST:** The applicant is requesting a setback variance to accommodate a covered patio attached to a single-family home on property zoned RSC-9.

### VARIANCE(S):

Per LDC Section 6.01.03.I.4, covered patios may intrude no more than 13 feet into the required rear yard and shall not intrude into the required side or front yards. Per LDC Sec. 6.01.01, a minimum side yard setback of 5 feet is required in the RSC-9 district. The applicant requests a 4-foot reduction to the required side yard setback to allow a setback of 1 foot from the east property line for the covered patio.

### FINDINGS:

• The principal structure is placed 9.75 feet from the east parcel line. The subject covered patio was added a long the east side and is 8.75 feet (8'9") wide by 40 feet long. It was built by the property owner without building permits. The owner has been issued a violation notice by Code Enforcement (CE20011039).







### DISCLAIMER:

The variances listed above are 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

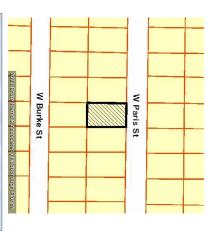
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**Attachments: Application** 

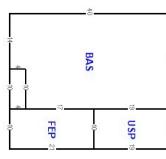
Site Plan

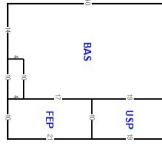
**Petitioner's Written Statement** 

**Current Deed** 









## DRAWINGS INDEX

ARCHITECTURAL

A-0.0 COVER SHEET

S-1.0 SURVEY

A-1.0 SITE PLAN

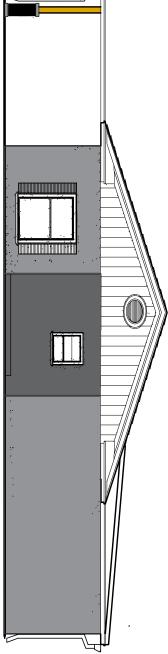
A-2.0 ELEVATION FRAMING/FOUNDATION ELEVATION

SCALE: 1/4" =1'.0"

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COVER SHEET 0 of 10



# 4528 W. PARIS ST. TAMPA,FL 33614 FOILO# 028939 MARIA DEL ROSARIO PEREZ

## SCOPE OF WORK: ADDITIONAL PATIO -

**ROOF & FOUNDATION** 

PROJECT SPECIFIC DATA

1 CODES:
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Year Built: 1962 Masonry Or Concrete Frame
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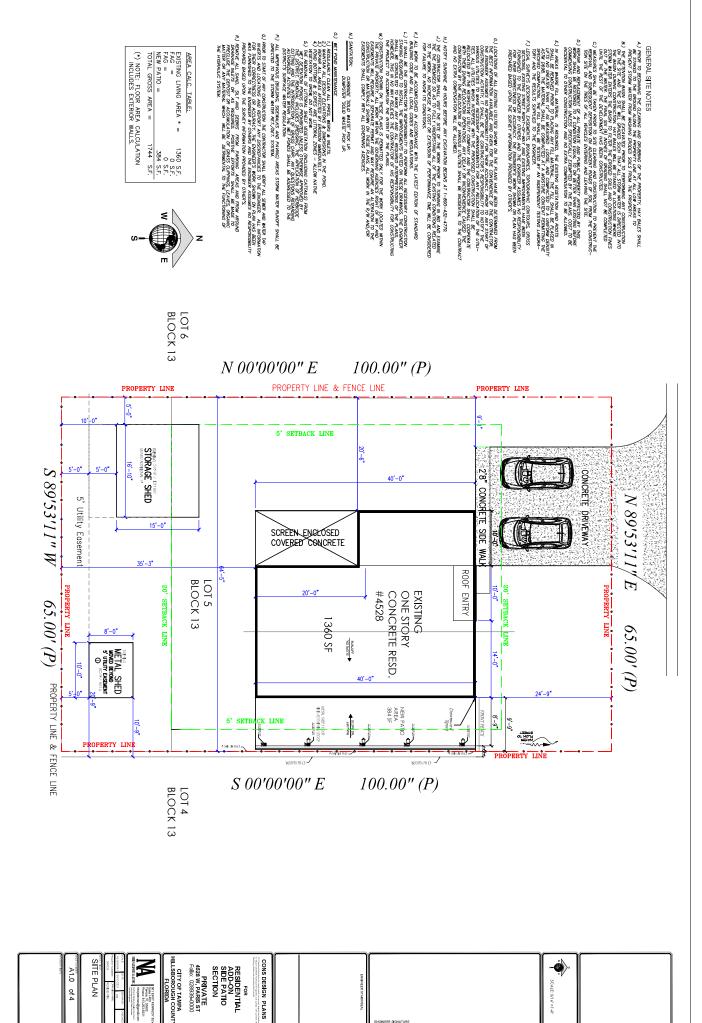
Pierre M. Valles, P.E. # 66356 Assured Development Group Inc. 5470 E. BUSH BL/VD SUITE 202 TEMPLE TERRACE, FL33617 813-506-1431

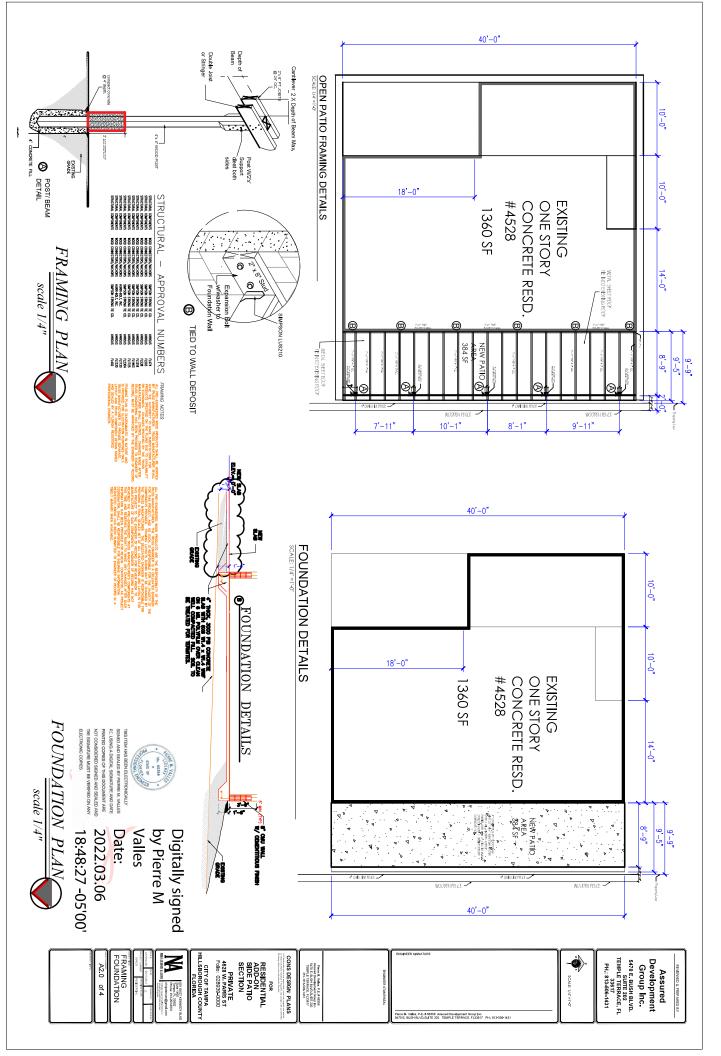
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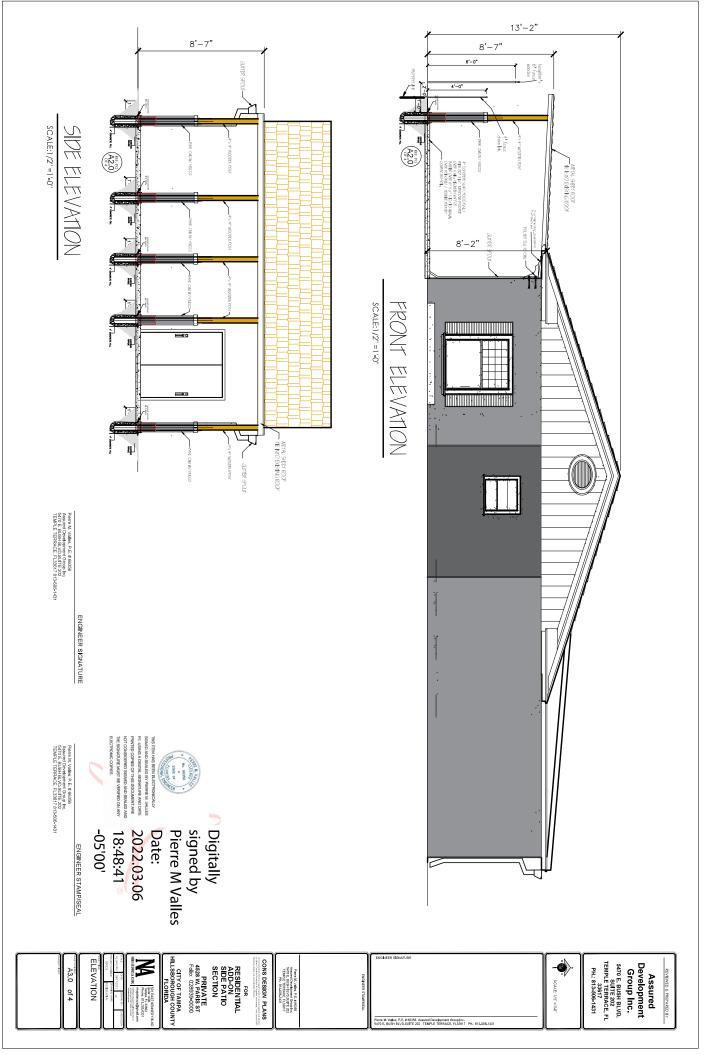
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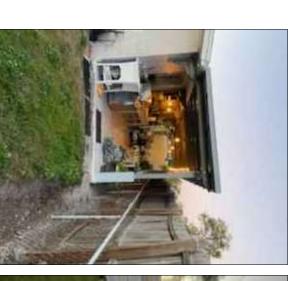
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REVIEWED & PREPARED BY















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	Office Use Only	
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I hereby confirm that the material subm protected information.	itted with this application Includ	es Does not include sensitive and/or
<b>Please note:</b> Sensitive/protected informa certificates, bank statements, and docum	tion may include documents such as reserts containing social security numb	medical records, income tax returns, death
		public information if not required by law
I certify that changes described above are will require an additional submission an	e the only changes that have been m d certifica <del>tion.</del>	ade to the submission. Any further changes
mh the	Euto	02-11-2022
Signature		Date



Restaures.	ncluded	Submittal Item
1	A	Cover Letter** If adding or removing land from the project site, the final list of folios must be included
2	T	Revised Application Form*+
3	X	Copy of Current Deed* Must be provided for any new folio(s) being added
4	<b>\D</b>	Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5		Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6	<b>DC</b>	Property Information Sheet**
7		Legal Description of the Subject Site**
8		Close Proximity Property Owners List*+
9	X	Site Plan** All changes on the site plan must be listed in detail in the Cover Letter.
10	X	Survey
11		Wet Zone Survey
12	DEC.	General Development Plan
13	X	Written Statement
14	X	Design Exception and Administrative Variance requests/approvals
15		Variance Criteria Response
16	X	Copy of Code Enforcement or Building Violation
17		Transportation Analysis
18		Sign-off form
19		Other Documents (please describe):

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

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

Application Number: VAR-21-1248

### 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). If additional space is needed, please attach extra pages to this application.

Mr. & Mrs. Maria Perez request a variance for the newly constructed addition of an open patio adjacent to there home. The Open patio was constructed during the height of the coronavirus epidemic as an additional area to enjoy, subject to being confined in the home. Mrs. Perez's neighbor located @ 4526 W PARIS ST, TAMPA (MARTINEZ FRANCISCO) approved the request to construct the open patio next to their home since it would be only 1 feet from the property fence line. Mr. & Mrs Perez assume they did not need any permit due to the size on the project and which several residence on their block that have constructed similar structures. We request a variance of 1 feet from the required 5' feet required.

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

RSC-9 – property zone ITEM: Z601: Primary Structure Setback (to relocate structure or obtain approval)
Sec. 6.01.01. - Schedule of District Area, Height, Bulk, and Placement Regulations – required 20' front setbacks and 5' per side and 20' per rear

### ADDITIONAL INFORMATION

If yes, you must submit a copy of the Citation with this Application.			
if yes, you must submit a copy of the Chadron with this Application.			
2. Do you have any other applications filed with Hillsborough County that are related to the subject property?			
No X Yes If yes, please indicate the nature of the application and the case numbers assigned to			
the application(s):			
3. Is this a request for a wetland setback variance? No X Yes			
If yes, you must complete the Wetland Setback Memorandum and all required information must be included with			
this Application Packet (Attachment A).			
4. Please indicate the existing or proposed utilities for the subject property:			
Public Water X Public Wastewater Private Well Septic Tank			
5. Is the variance to allow a third lot on well and/or septic or non-residential development with an intensity of three			
ERC's? No X Yes If yes, you must submit a final determ ination of the "Water, Wastewater,			
and/or Reclaimed Water - Service Application Conditional Approval - Reservation of Capacity" prior to your			
public hearing (form may be obtained from 19th floor County Center).			



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3	X	Copy of Current Deed* Must be provided for any new folio(s) being added
4	<b>\D</b>	Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5		Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
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7		Legal Description of the Subject Site**
8		Close Proximity Property Owners List*+
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### 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?

The open patio was constructed during the height of the coronavirus epidemic as an additional area to enjoy, subject to being confined in the home. If they are required to move or remove it, the additional cost of this would affect the household finances and they would lose additional space the open patio provides. This benefits the house by giving much need relaxing space to full household.

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 open patio was constructed during the height of the coronavirus epidemic as an additional area to enjoy, subject to being confined in the home. If they are required to move or remove it, the additional cost of this would affect the household finances and they would lose additional space the open patio provides. This benefits the house by giving much need relaxing space to full household.

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 the variance is allowed, it would not interfere or injure any other property or property owners. We asked the permission of our neighbors before we constructed the open patio. They approved.

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 with general intent & purpose because it does not do harm or interfere with our neighbors or neighborhoods property. The project is in consistency with established regulations and procedures, and respect for the rights of its neighbors (property owners).

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 applicant had no knowledge of and was unaware of any form of permit was needed to constructure this small open patio structure and also requested approval from next door neighbor. Relieving any/all intent or suggestion of illegal acts. The variance would relieve the hardship of addition cost in moving or removing it.

6. Explain how allowing the variance will result in substantia l 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.

Secures the family from financial burdens of moving or removing the structure. The neighbor agreed & approved the location of the structure and it poses no threat to and is secure by 6' fence from public view. By failure to grant this variance will result in additional financial burdens and it will cost the lost of addition outdoor space needed for a full household.



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INSTRUMENT#: 2017385006, BK: 25268 PG: 1315 PGS: 1315 - 1315 10/03/2017 at 12:08:20 PM, DOC TAX PD(F.S.201.02) \$1197.00 DEPUTY CLERK: PSAINON Development Services



Prepared by: Ken Kordelski Sunbelt Title Agency

Return to: 1715 N. Westshore Blvd., Suite 190

Tampa, FL 33607

File Number: 1782217-04806

[Space Above This Line For Recording Data]

### This Warranty Deed

Made this 28th day of September, 2017 by Waltraut M. Garcia, A Single Woman, hereinafter called the Grantor, to Guillermo Del Rio Espinosa and Maria Del Rosario Perez Gomez, Husband And Wife, whose post office address is: 4528 West Paris Street, 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 individuals, and the successors and assigns of corporations)

Witnesseth, that the Grantor, for and in consideration of the sum of Ten Dollars (\$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 that certain land situated in Hillsborough County, Florida, viz:

### EXHIBIT A

Lot 5, Block 13, WEST PARK ESTATES UNIT NO. 4, according to the plat thereof, recorded in Plat Book 36, Page(s) 24-1 through 24-4, inclusive, of the Public Records of Hillsborough County, Florida.

Parcel Identification Number: U-32-28-18-17L-000013-00005.0

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) nor any member of the household of Grantor(s) reside thereon.

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 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. Subject to covenants, restrictions, easements of record and taxes for the current year and subsequent years.

In Witness Whereof, the said Grantor has signed and sealed these presents the day and year first above written.

Signed sealed and deliveration our presence

Witness: (Signature)

P<del>ri</del>nt Name:

Waltraut M. Garcia
521 Terrace Hill Drive
Tampa, FL 33617

\_

ess: (Sig

State of Florida County of Hillsborough

The foregoing instrument was acknowledged before me this 28th day of September, 2017, by Waltraut M. Garcia, who:

[ ] is personally known to me or [ ] produced PIINOR 1/COUSE as identification.

NOTARY PUBLIC (signature)
Print Name: Ken Kordelski
My Commission Expires:

Stamp/Seal:

Ken A. Kordelski
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF943868
Expires 12/15/2019



	Office Use Only	
Application Number:	Received Date:	Received By:
The following form is required when submust be submitted providing a summar project size the cover letter must list any	y of the changes and/or additional i	hat was previously submitted. A cover letter nformation provided. If there is a change in
Application Number:VAR 21-		
Reviewing Planner's Name:	el Monsanto	Date:
Application Type:		
Planned Development (PD) Mino	or Modification/Personal Appearance	(PRS) Standard Rezoning (RZ)
	elopment of Regional Impact (DRI)	
Special Use (SU)	litional Use (CU)	Other
Current Hearing Date (if applicable):		
Important Project Size Change Info Changes to project size may result in a new Will this revision add land to the project? If "Yes" is checked on the above please ens	w hearing date as all reviews will be su	
		on the next page.
Will this revision remove land from the p If "Yes" is checked on the above please en	roject?	a <sup>+</sup> on the next page.
Email this form along with	all submittal items indicated on t ZoningIntake-DSD@hcflgov.net	he next page in pdf form to:
Files must be in pdf format and minim titled according to its contents. All items included on the subject line. Maximum a	s should be submitted in one email w	n should be submitted as a separate file vith application number (including prefix)
For additional help and submittal que	estions, please call (813) 277-1633 or	email ZoningIntake-DSD@hcflgov.net.
Identification of Sensitive/Pro	tected Information and Ackno	wledgement of Public Records
I hereby confirm that the material subm protected information.	itted with this application Includ	es Does not include sensitive and/or
<b>Please note:</b> Sensitive/protected informa certificates, bank statements, and docum	tion may include documents such as reserts containing social security numb	medical records, income tax returns, death
		public information if not required by law
I certify that changes described above are will require an additional submission an	e the only changes that have been m d certifica <del>tion.</del>	ade to the submission. Any further changes
mh the	Euto	02-11-2022
Signature		Date



Restaures.	ncluded	Submittal Item
1	A	Cover Letter** If adding or removing land from the project site, the final list of folios must be included
2	T	Revised Application Form*+
3	X	Copy of Current Deed* Must be provided for any new folio(s) being added
4	<b>\D</b>	Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5		Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6	<b>DC</b>	Property Information Sheet**
7		Legal Description of the Subject Site**
8		Close Proximity Property Owners List*+
9	X	Site Plan** All changes on the site plan must be listed in detail in the Cover Letter.
10	X	Survey
11		Wet Zone Survey
12	DEC.	General Development Plan
13	X	Written Statement
14	X	Design Exception and Administrative Variance requests/approvals
15		Variance Criteria Response
16	X	Copy of Code Enforcement or Building Violation
17		Transportation Analysis
18		Sign-off form
19		Other Documents (please describe):

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

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



### 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** 

**Property Owner Information** Name: MARIA DEL ROSARIO PEREZ Daytime Phone: 813-775-8969 Address: 4528 W. PARIS STREET

**Applicant Information** Name: MARIA DEL ROSARIO PEREZ Daytime Phone: 813-775-8969 Address: 4528 W. PARIS STREET

Applicant's Representative (if different than above)

Address: 4528 W. PARIS STREET City/State/Zip: TAMPA, FL 33614 TWN-RN-SEC: \_ Folio(s): 028939.0000 Zoning: RSC-9 Future Land Use: Property Size: 6500

City/State/Zip: TAMPA, FL 33614 Email: perezmariadelrosario70@gmail.com

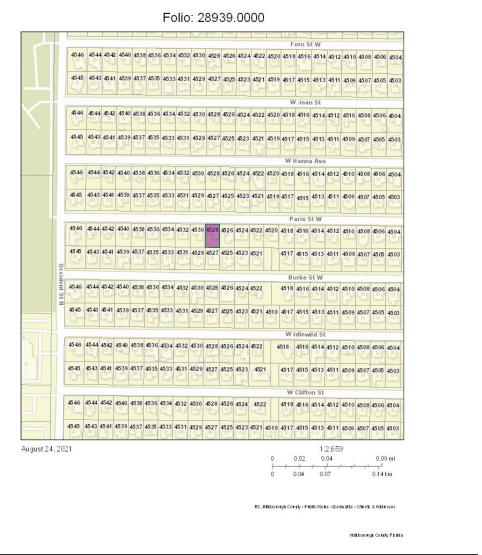
City/State/Zip: TAMPA, FL 33614 Email: perezmariadelrosario70@gmail.com

Name: <u>John Zonata'</u> Daytime Phone: <u>813-203-6331</u> City / State/Zip: <u>Tampa, FL 33602</u> Email: <u>nhojatanozs</u>	Address: <u>503 E. Jackson Street</u> @gmail.com	
HEREBY SWEAR OR AFFIRM THAT AL L THE INFORMATION PROVIDED IN THIS APP LICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHAD FOR THIS APPLICATION  Signature of Applicant  MARIA DEL ROSARIO PEREZ Type or Print Name	HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APP LICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BELL OF FOR THIS APPLICATION  Signature of Property Owner  MARIA DEL ROSARIO PEREZ Type or Print Name	
	es Use Only	
Intake Staff Signature: Intake Date: Public Hearing Date:		
Receipt Number:		
Development Services Department, 601 E. Kennedy Blvd. 20 <sup>th</sup> Floor		



### PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
INFL	i
Zoning	RSC-9
Description	Residential - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0194H
FIRM Panel	12057C0194H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Х
Pre 2008 Firm Panel	1201120195D
County Wide Planning Area	Town and Country
Community Base Planning Area	Town and Country
Census Data	Tract: 011802 Block: 3011
Future Landuse	R-9
Urban Service Area	TSA
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	50' AMSL
Aviation Authority	Landfill Notification Area
Aviation Authority	Non-Compatible Use (Schools)
Competitive Sites	NO
Redevelopment Area	NO



Folio: 28939.0000 PIN: U-32-28-18-17L-000013-00005.0 GUILLERMO DEL RIO ESPINOSA ET AL Mailing Address: 4528 W PARIS ST TAMPA, FL 33614-5410 Site Address: 4528 W PARIS ST TAMPA, Fl 33614

SEC-TWN-RNG: 32-28-18 Acreage: 0.14195 Market Value: \$164,770.00 Landuse Code: 0100 SINGLE FAMILY

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1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.