

LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-0620	
LUHO HEARING DATE: May 23, 2022	CASE REVIEWER: Tania C. Chapela

REQUEST:

The applicant is requesting variances to accommodate two accessory structures on a legal nonconforming lot zoned AR that is subject to the building coverage and setback requirements of the AS-1 district.

VARIANCES:

Storage Shed with Carport

Per LDC Section 6.11.04.B, accessory structures greater than 15 feet in height must meet principal building setbacks. Per LDC Section 6.01.01, a minimum side yard setback of 15 feet and minimum rear yard setback of 50 feet are required in the AS-1 district. In the subject case, the storage shed with carport is greater than 15 feet in height and therefore subject to principal building setbacks. The applicant requests:

- A 9-foot reduction to the required side yard setback to allow a side setback of 6 feet from the north property line; and.
- A 44-foot reduction to the required rear yard setback to allow a rear setback of 6 feet from the east property line.

Rear Yard Coverage

Per LDC Section 6.11.04.C.3, accessory structures may occupy required rear yards provided that such structures do not occupy more than 20 percent of the required rear yard and are not closer than 3 feet to any lot line. In the subject case, there are two accessory structures in the rear yard, a storage shed with carport and a barn. The required rear yard has 8,150 square feet of area of which 1,630 square feet may be covered by accessory structures. The shed/carport and barn cover a total of 2,210 square feet of the required rear yard. The applicant requests a 7.5 percent increase in the permitted rear yard coverage to allow 27.5 percent coverage.

FINDINGS:

• The AR district requires a minimum lot size of 5 acres. The subject parcel is approximately 0.95-acre in size. However, it has been certified as a legal nonconforming lot that is subject to the building coverage and setback requirements of the AS-1 district per NCL 20-0780, which has been placed in the case record for this variance.

-- Prepared: 05/13/2022

According to the applicant's representative, the barn on the property houses the owner's horse on occasion and during such visits, the horse is confined to the barn since there is no corral on the property. Per the site plan submitted by the applicant, the barn has 450 square feet of area. The AR district permits private stables, however, a minimum of 14,520 square feet of confined area is required for the keeping of one horse. Therefore, staff has advised the applicant's representative that the barn may not be utilized for a horse stable.

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

Fri May 13 2022 14:59:28

Attachments: Application

Site Plan

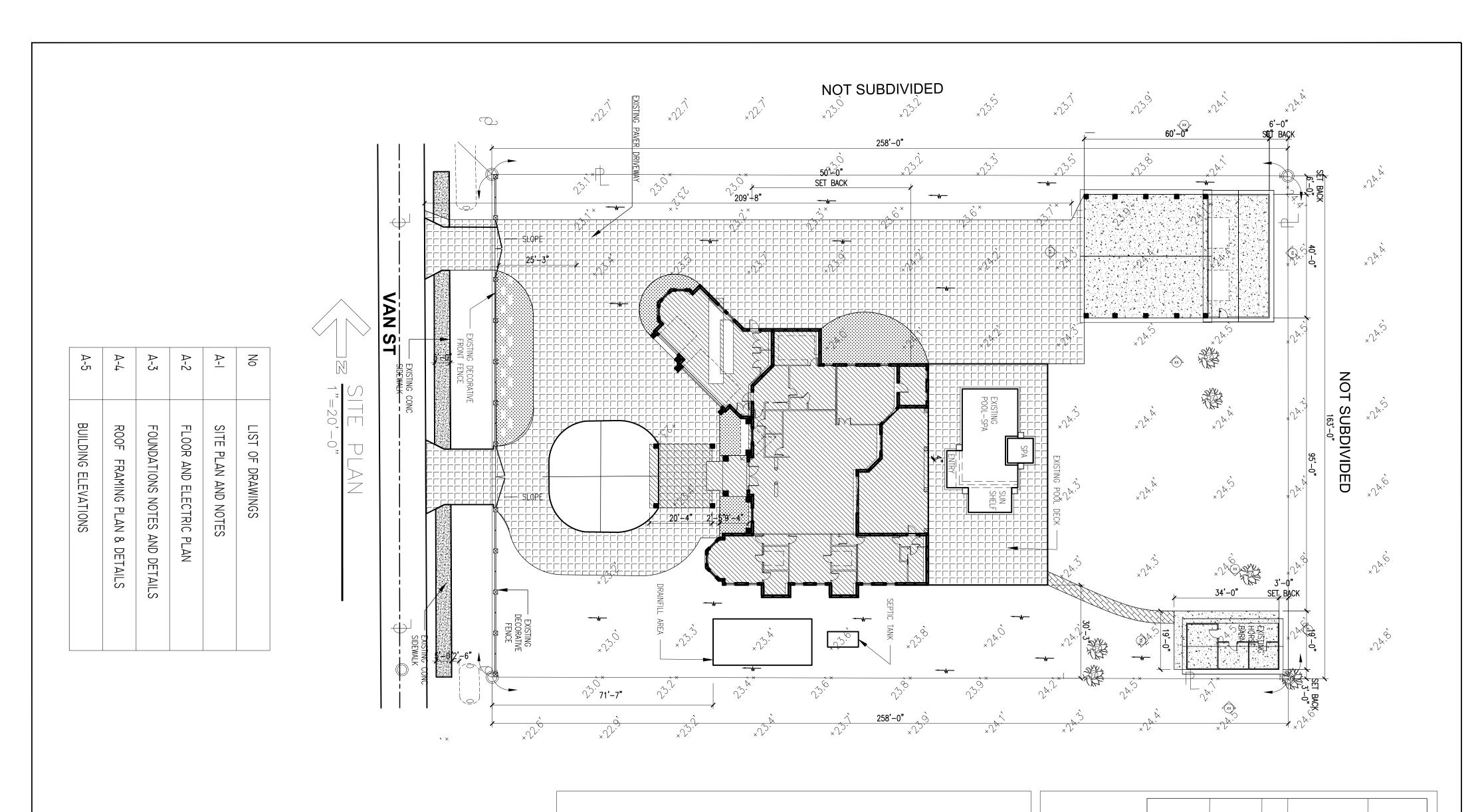
Petitioner's Written Statement

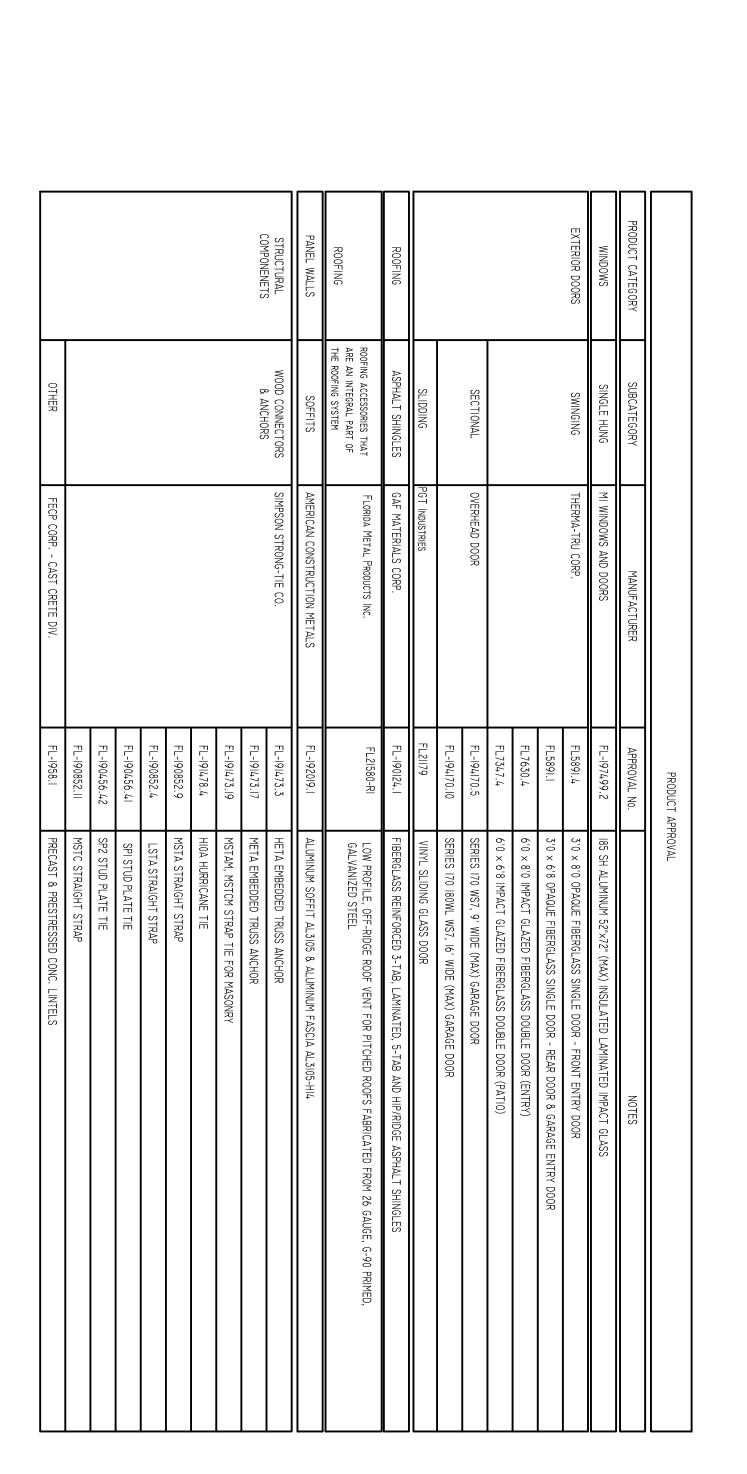
Current Deed

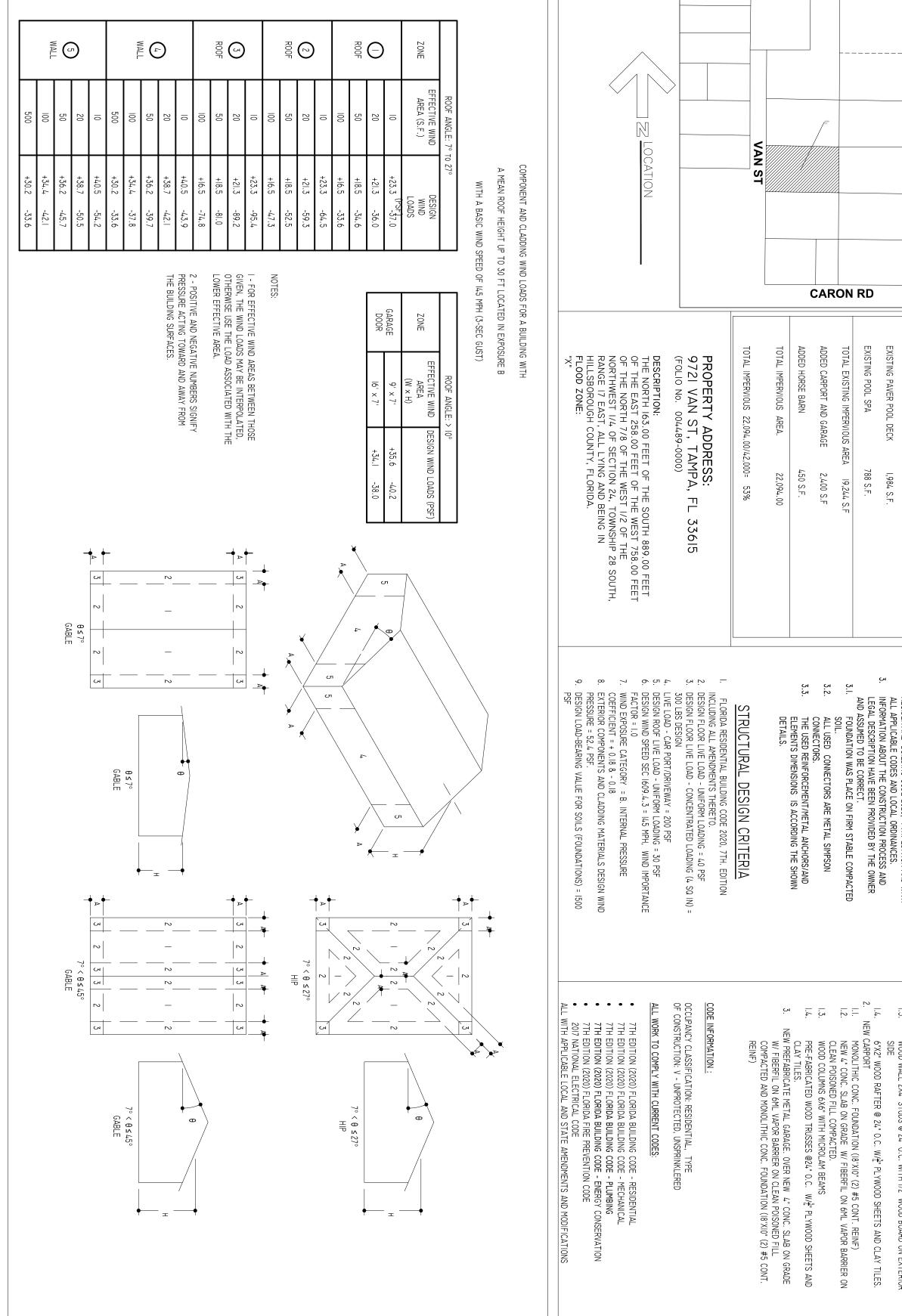
LOT:

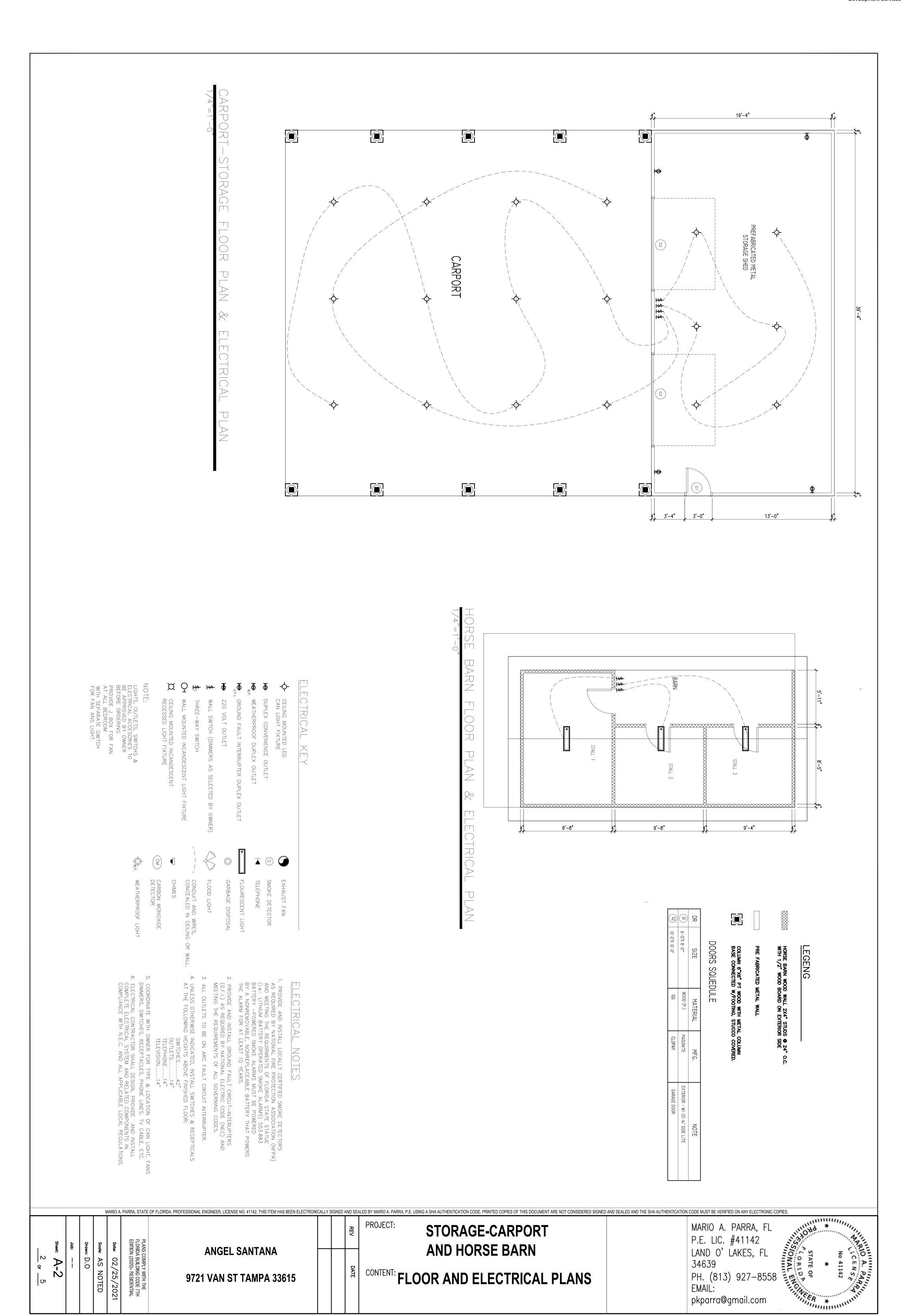
EXISTING PAVER DRIVEWAY

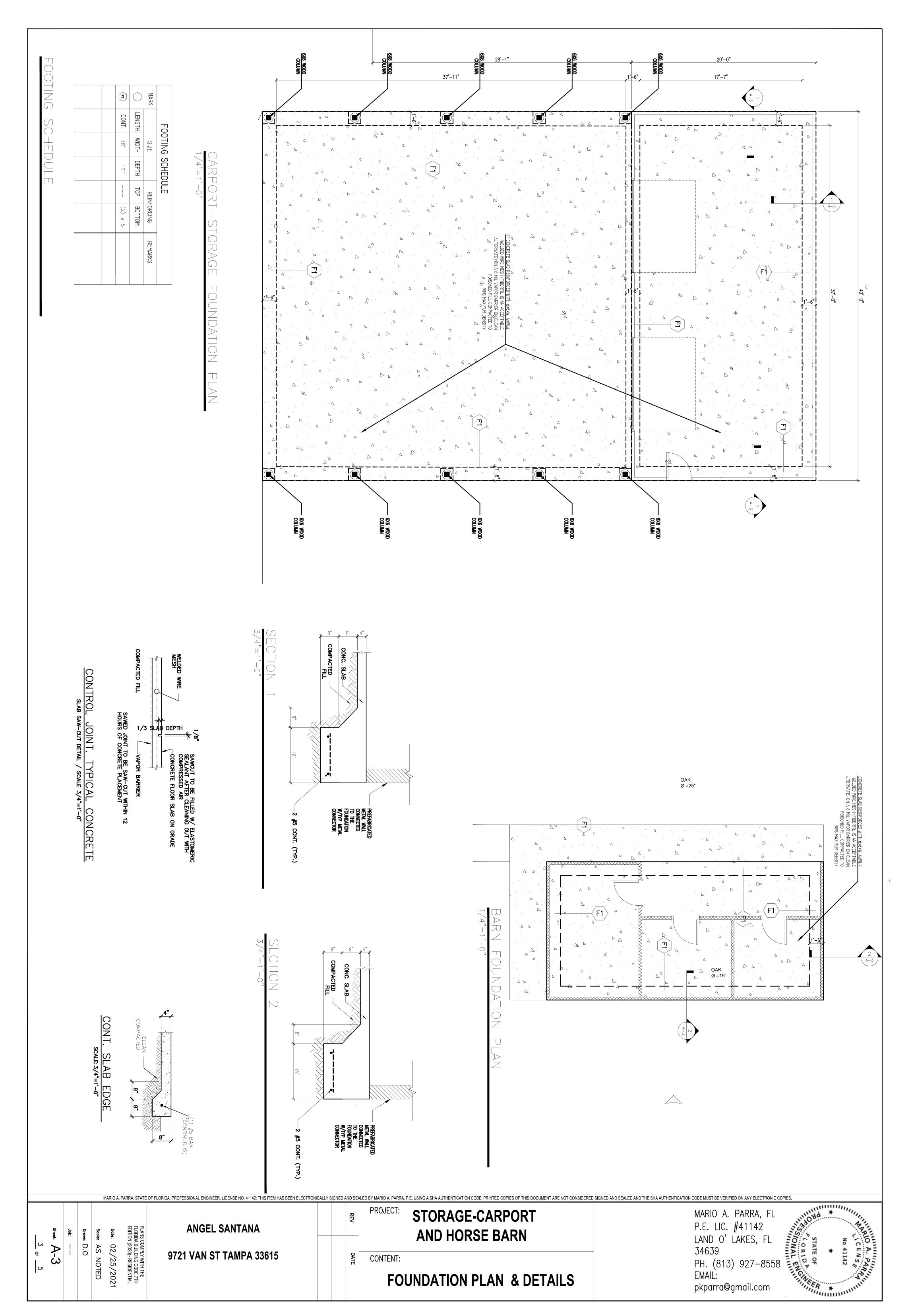
10,856 S.F.

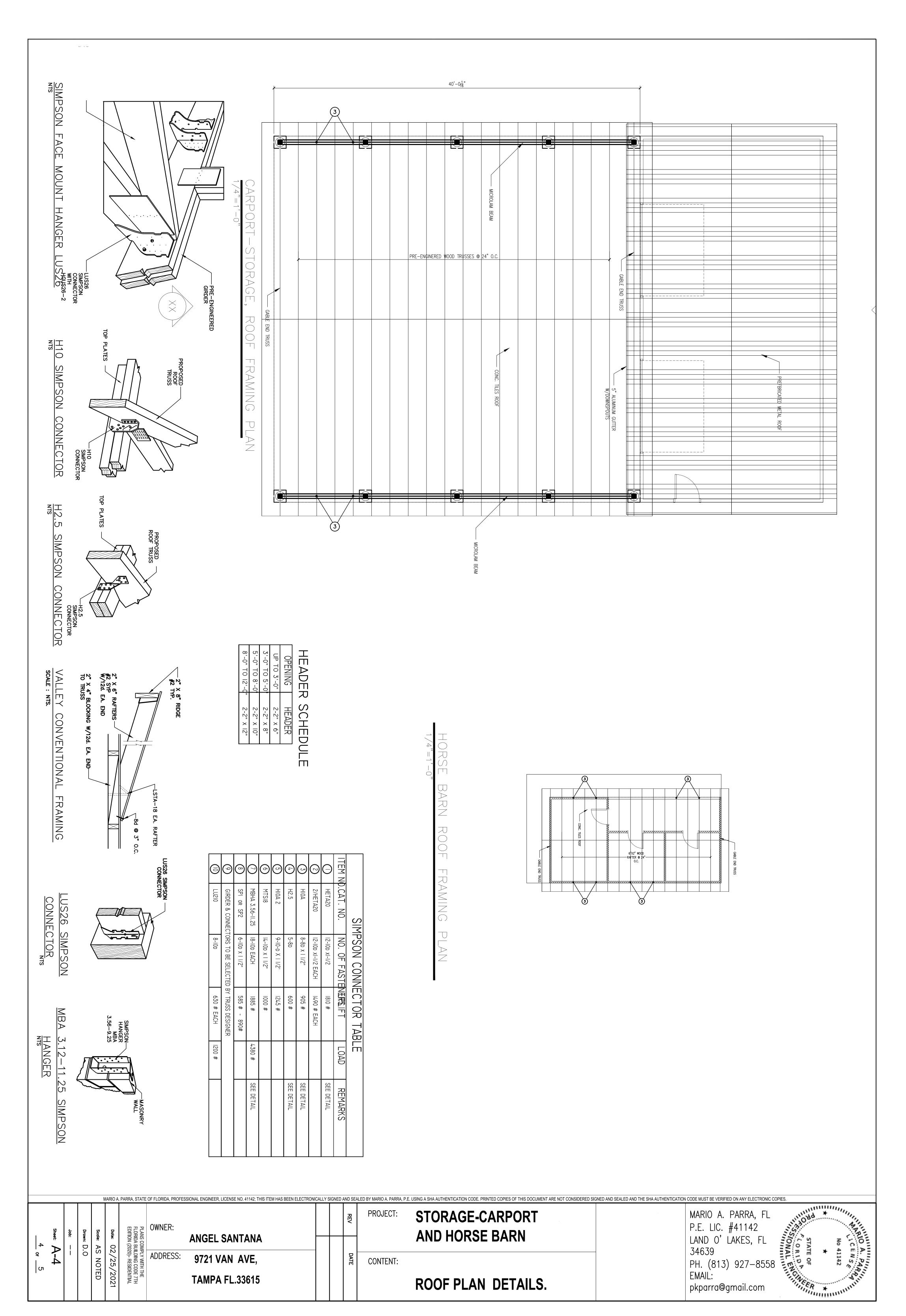


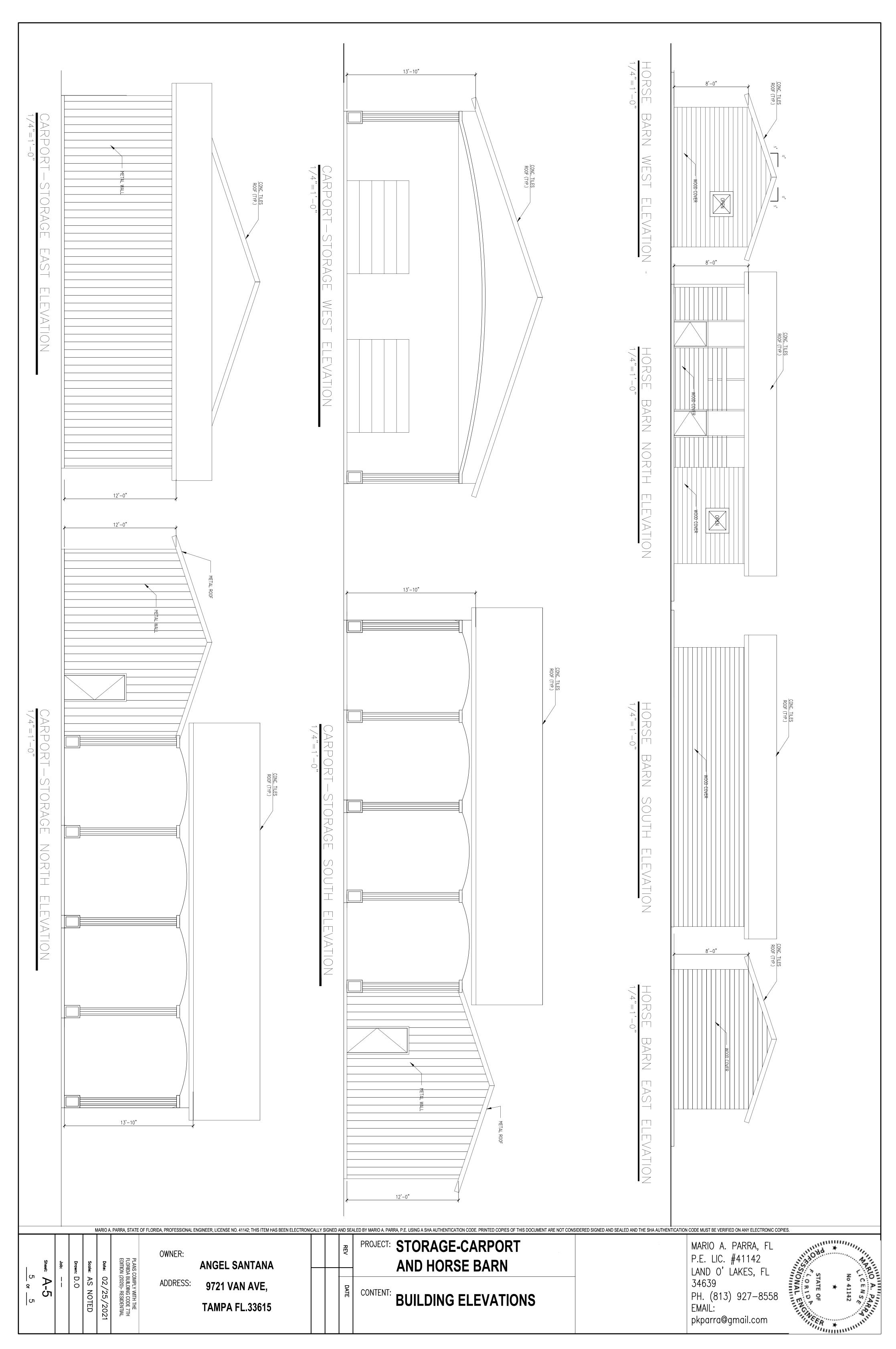














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	Office Use Only	
Application Number:	Received Date:	Received By:
must be submitted providing a project size the cover letter mu included indicating the additio	when submitted changes for any application the summary of the changes and/or additional in st list any new folio number(s) added. Addition nal/revised documents being submitted with	formation provided. If there is a change in nally, the second page of this form must be this form.
Application Number: VAR-	22-0620 Applicant's Name:	elya Rodriguez
Reviewing Planner's Name:	AMA CHAPELA	Date: 4 25 2022
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 applica	able): 5/23/2022	
Important Project Size Cha	ange Information	
Changes to project size may resu	ult in a new hearing date as all reviews will be su	bject to the established cut-off dates.
Will this revision add land to th If "Yes" is checked on the above.	e project? Yes No please ensure you include all items marked with	* on the last page.
Will this revision remove land for "Yes" is checked on the above	rom the project?	†on the last page.
Email this form alo	ong with all submittal items indicated on the ZoningIntake-DSD@hcflgov.net	he next page in pdf form to:
titled according to its contents	nd minimum resolution of 300 dpi. Each item a. All items should be submitted in one email w laximum attachment(s) size is 15 MB.	
For additional help and sub	mittal questions, please call (813) 277-1633 or	email ZoningIntake-DSD@hcflgov.ne <u>t</u> .
l certify that changes described will require an additional sybn	above are the only changes that have been minission and certification.	ade to the submission. Any further changes

1 of 3



Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to <u>Chapter 119 Florida Statutes</u>, 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 <u>Florida Statutes §119.071(4)</u> will need to contact <u>Hillsborough County Development</u> <u>Services</u> to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuan to Chapter 119 FS? Yes No
I hereby confirm that the material submitted with application $\sqrt{AR-22-0620}$
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 wil
become public information if not required by law to be protected.
Signature:
(Must be signed by applicant or authorized representative)
Intake Staff Signature: Date:



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

Inc	luded	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
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	Li-	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.

Application	Number:	
Therion	I (CHILLO GI .	

VARIANCE REQUEST

the application(s): HC-BCD 21-0010300 Is this a request for a wetland setback variance? No Yes		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.
AVariance is requested from the following Section(s) of the Hillsborough County Land Development Code: ACCESSIRY STRUCTURES 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 assig the application(s): Yes If yes, you must complete the Wetland Setback Memorandum and all required information must be included this Application Packet (Attachment A).		I am completing the application for a
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Please indicate the existing or proposed utilities for the subject property: Public Water Public Wastewater Private Well Septic Tank		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
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ERC's? No Yes If yes, you must submit a final determination of the "Water, Waste		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 the application(s):
and/or Reclaimed Water - Service Application Conditional Approval - Reservation of Capacity" prior to public hearing (form may be obtained from 19 th floor County Center).		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 the application(s):



Office Use Only		
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Application Number:	-22-0620 Applicant's Name: L ALIA CHAPELA	elya Rodeiguez	
Reviewing Planner's Name:	AMA CHAPELA	Date: 428/2022	
	☐ 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): $\frac{5}{23}$ $\frac{22}{2022}$			
Important Project Size Changes to project size may res	ange Information ult in a new hearing date as all reviews will be su	bject to the established cut-off dates.	
Will this revision add land to the If "Yes" is checked on the above	ne project? Yes No please ensure you include all items marked with	* on the last page.	
Will this revision remove land from the project?			
Email this form alo	ong with all submittal items indicated on the ZoningIntake-DSD@hcflgov.net	he next page in pdf form to:	
titled according to its contents	and minimum resolution of 300 dpi. Each items. All items should be submitted in one email waximum attachment(s) size is 15 MB.		
For additional help and sub	mittal questions, please call (813) 277-1633 or	email ZoningIntake-DSD@hcflgov.ne <u>t</u> .	
I certify that changes described will require an additional subm	d above are the only changes that have been m nission and certification.	ade to the submission. Any further changes	

certify that changes described above are the only ch	anges that have been made to the submission. Any further cha
vill require an additional sybmission and certification	on.
	4/25/2022
Signature	Date
	1 of 3



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Additionally, parcels exempt under <u>Florida Statutes §119.071(4)</u> will need to contact <u>Hillsborough County Development</u> <u>Services</u> 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 \(\frac{\frac{1}{4} \frac{2}{2} - \frac{2}{6} \frac{2}{2} \) 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 wil
become public information if not required by law to be protected.
Signature:
(Must be signed by applicant or authorized representative)
Intake Staff Signature: Date:



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

Incl	uded	Submittal Item
1		Cover Letter*+ If adding or removing land from the project site, the final list of folios must be included
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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.

Application Number:	

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? Base on the zoning of the property is AR. Most have something similar or alike of what i have in my property.			
2	Describe how the literal requirem ents 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. Currently there is a barn, carport and metal storage.			
,				
	Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose propert y would be affected by allowance of the variance. None of our neighbors have complaint or inform us that it bother them. We have no injury in the property.			
1.	Explain how the variance is in harmon y 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). Is in harmony base on the area zoning; AR-Agricultural Rural. Only a metal storage, carport and barn			
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. Most of the neighbor or parcel in our are have similar structure.			
	Explain how allowing the variance will result in substantia l justice being done, consider ing both the public benefit s intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance. This variance is needed to comply with Hillsborough height of the structure.			

INSTRUMENT#: 2019324329, BK: 26824 PG: 1016 PGS: 1016 - 1016 07/29/2019 at 01:58:40 PM, DOC TAX PD(F.S.201.02) \$980.00 DEPUTY CLERK: ADELCUADRO Pat Frank, Clerk of the Circuit Court Hillsborough County

THIS INSTRUMENT PREPARED BY AND RETURN TO:

All Real Estate Title Solutions, Inc.

1430 W. Busch Blvd, Suite D

Tampa, FL 33612

Property Appraisers Parcel Identification (Folio) Numbers: 004489.0000

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UNCERTIFIED Space Above This Line For Recording Data

THIS WARRANTY DEED, made the 26th day of July, 2019 by Alfonso Hebra and Maria Santos, Husband and Wife, herein called the grantors, to Angel Santana, a Married Man, whose post office address is 9803 Long Meadow Dr. Tampa, FL 33615, hereinafter called the Grantee:

(Wherever used herein the terms "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 grantors, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in HILLSBOROUGH County, State of Florida, viz.:

The North 163 feet of the South 889 feet of the East 258 feet of the West 758 feet of the North 7/8 of the West 1/2 of the Northwest 1/4 of Section 24 Township 28 South, Range 17 East, all lying and being in Hillsborough County, Florida.

ALSO DESCRIBED AS:

The North 326 feet of the South 1052 feet of the East 258 feet of the West 758 feet of the North 7/8 of the West 1/2 of the Northwest 1/4 of Section 24 Township 28 South, Range 17 East, Less the North 163 feet thereof, all lying and being in Hillsborough County, Florida.

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 grantee that the grantors 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, 2018.

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

ealed and delivered in the presence of: Signed.

Witness #1 Signature

bulle Witness #1 Printed Name

Witness #2 Signature

Witness #2 Printed Name

Alfonso Hebra

4531 W Hanna Ave, Tampa, FL 33614

ia Santós

4531 W Hanna Ave, Tampa, FL 33614

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

BRIELA GERA

The foregoing instrument was acknowledged before me this 26th day of July, 2019 by Alfonso Hebra and Maria Santos who are personally known to me or have produced ____ as identification.

Notary Public

Gabr Printed Notary Name

File No.: A19469



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

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: VAR-22-0620 Applicant's Name: Wella RODEIGUEZ Reviewing Planner's Name: TAMA CHAPELA Date: 4/25/2022					
Reviewing Planner's Name:	AMA CHAPELA	Date: 428/2022			
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): $\frac{5 23 2022}{}$					
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?					
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 sub	mittal questions, please call (813) 277-1633 or	email ZoningIntake-DSD@hcflgov.ne <u>t</u> .			
I certify that changes described will require an additional subm	d above are the only changes that have been m nission and certification.	ade to the submission. Any further changes			

certify that changes described above are the only ch	anges that have been made to the submission. Any further cha
vill require an additional sybmission and certificatio	n.
	4/25/2022
Signature	Date
	1 of 3



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: 9721 Van ST City/State/Zip:	Tampa/14/33615 TWN-RN-SEC: 24-28-17		
Folio(s): 004489 - 0000 Zoning: AR	Future Land Use: Property Size:Property Size:		
Property Owner Information (41, 382 sq			
Name: Angel Santana	Daytime Phone: 813-448-4589		
Address: 9721 Van ST	_City/State/Zip: Tampa / FL / 33.6/		
Email: Santana foam@yahoo.	COMFAX Number:		
0			
Name: Angel Santana Applicant			
Address: 9721 Van ST	_City/State/Zip: Tampa FL 33615		
Email: Santana Joan @ yahoo.	FAX Number:		
Applicant's Representa	ative (if different than above)		
	Daytime Phone: 8/3-243-8725		
Address: 8013 Benjamin Rd	City/State/Zip: (AmpA, FL 33634)		
Email: Magni fygroup @ yahoo	FAX Number:		
I HEREBY S WEAR OR AFFIRM THAT AL L THE INFORMATION PROVIDED IN THIS APP LICATION PACKET IS TRU E AND ACCURATE, TO THE BEST OF M Y KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.	I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BI NDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.		
Signature of Applicant	Signature of Property Owner		
Angrel Sourtaina	Angel Santana.		
Type or Print Name	Type or Print Name		
	,		
Office Intake Staff Signature:	Use Only Intake Date:		
Case Number:	Public Hearing Date:		
Receipt Number:			

Development Services Department, 601 E Kennedy Blvd. 20th Floor

07/02/2014