



**LAND USE HEARING OFFICER VARIANCE REPORT**

**APPLICATION NUMBER:** VAR 21-0258

**LUHO HEARING DATE:** April 26, 2021

**CASE REVIEWER:** Tim Lampkin, AICP

**REQUEST:** The applicant is requesting setback variances for an existing accessory dwelling and covered patio on a corner lot zoned RSC-6 (Residential, Single-Family Conventional).

The public hearing for this variance request was opened on March 22, 2021 by the Land Use Hearing Officer. However, due to technical difficulties with the applicant's virtual participation, the LUHO continued the hearing to April 26, 2021.

**VARIANCE(S):**

**Accessory Dwelling**

Per LDC Section 6.11.02.E, accessory dwellings shall meet principal building setbacks. Per LDC Section 6.01.01, a minimum front yard setback of 25 feet and minimum side yard setback of 7.5 feet is required in the RSC-6 district. The applicant requests:

- A 15.1-foot reduction to the required front yard setback to allow a front setback of 9.9 feet; and,
- A 4.2-foot reduction to the required side yard setback to allow a side setback of 3.3 feet from the west property line.

**Covered Patio**

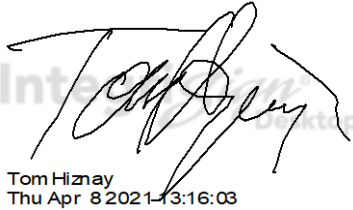
Per LDC Section 6.01.03.I.4, covered patios shall not intrude into the required front yard setback. Per LDC Sec. 6.01.01, a minimum front yard setback of 25 feet is required in the RSC-6 district. The applicant requests a 7.4-foot reduction to the required front yard setback to allow a front setback of 17.6 feet from the north property line.

**FINDINGS:**

- The subject property is a corner lot with required front yard setbacks on the north and east sides, and required side yard setbacks on the west and south sides.
- The accessory dwelling was converted from an existing garage without permits and the property owner has been cited by Code Enforcement (CE20002007). If the subject variances are approved, the property owner must obtain after-the-fact building permits and Certificate of Occupancy for the accessory dwelling.
- By definition in the LDC, an accessory dwelling must include sleeping, bathing, toilet and kitchen facilities, and the kitchen must have a sink, stove and refrigerator. The floor plan submitted by the applicant for the subject accessory dwelling shows a "kitchenette" with a sink but does not show a stove and refrigerator. Staff has advised the applicant the kitchen must include a stove and refrigerator, which may require revisions to the floor plan in order to obtain building permit approval.

**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**

Tom Hiznay  
Thu Apr 8 2021 13:16:03

**Attachments:** Application  
Site Plan  
Petitioner's Written Statement  
Current Deed

PROPERTY ADDRESS:  
7518 N SAINT VINCENT ST,  
TAMPA, FL 33614  
( FOLIO NO. 024957-0000 )

DESCRIPTION:  
LOT 1 OF BLOCK 1 OF "LAKE EGYPT ESTATES UNIT NO. 1" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 33 AT PAGE 61 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY , FLORIDA.

FLOOD ZONE INFORMATION:  
COMMUNITY: HILLSBOROUGH COUNTY - 120112  
MAP/PANEL NO. 12057C0213H  
SUFFIX: H  
FIRM DATE: 08/28/2008  
FLOOD ZONE: X

THERE MAY BE LEGAL RESTRICTIONS ON THE SUBJECT PROPERTY THAT ARE NOT SHOWN ON THE MAP OF SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY OR THE RECORDS OF ANY OTHER PUBLIC AND PRIVATE ENTITIES AS THEIR JURISDICTIONS MAY APPEAR.

THE MAP OF SURVEY IS INTENDED TO BE DISPLAYED AT THE STATED GRAPHIC SCALE IN ENGLISH UNITS OF MEASUREMENT. ATTENTION IS BROUGHT TO THE FACT THAT SAID DRAWING MAY BE ALTERED IN SCALE BY THE REPRODUCTION PROCESS

THIS SURVEY WAS CONDUCTED FOR THE PURPOSE OF A TOPOGRAPHIC SURVEY ONLY AND IS NOT INTENDED TO DELINEATE THE REGULATORY JURISDICTION OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY BOARD, COMMISSION OR OTHER ENTITY.

THE ELEVATIONS OF WELL-IDENTIFIED FEATURES AS DEPICTED ON THIS SURVEY AND MAP WERE MEASURED TO AN ESTIMATED VERTICAL POSITIONAL ACCURACY OF 1/10 FOOT FOR NATURAL GROUND SURFACES AND 1/100 FOOT FOR HARDSCAPE SURFACES, INCLUDING PAVEMENTS, CURBS AND OTHER MAN-MADE FEATURES AS MAY EXIST.

BENCH MARK: GPS-NAIL ELEVATION: 46.45 FEET (NAVD88)

LEGAL DESCRIPTION WAS FURNISHED BY THE CLIENT.

WELL-IDENTIFIED FEATURES AS DEPICTED ON THIS SURVEY AND MAP WERE MEASURED TO AN ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 1/10 FOOT UNLESS OTHERWISE SHOWN.

BEARINGS AS SHOWN HEREON ARE BASED UPON AN ASSUMED VALUE OF S00°34'50"W FOR THE WEST RIGHT OF WAY LINE OF SAINT VINCENT ST AS DEPICTED ON THE MAP OF SURVEY.

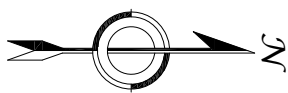
LEGAL DESCRIPTION SUBJECT TO ANY DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR RECORDED EASEMENTS.

LEGEND

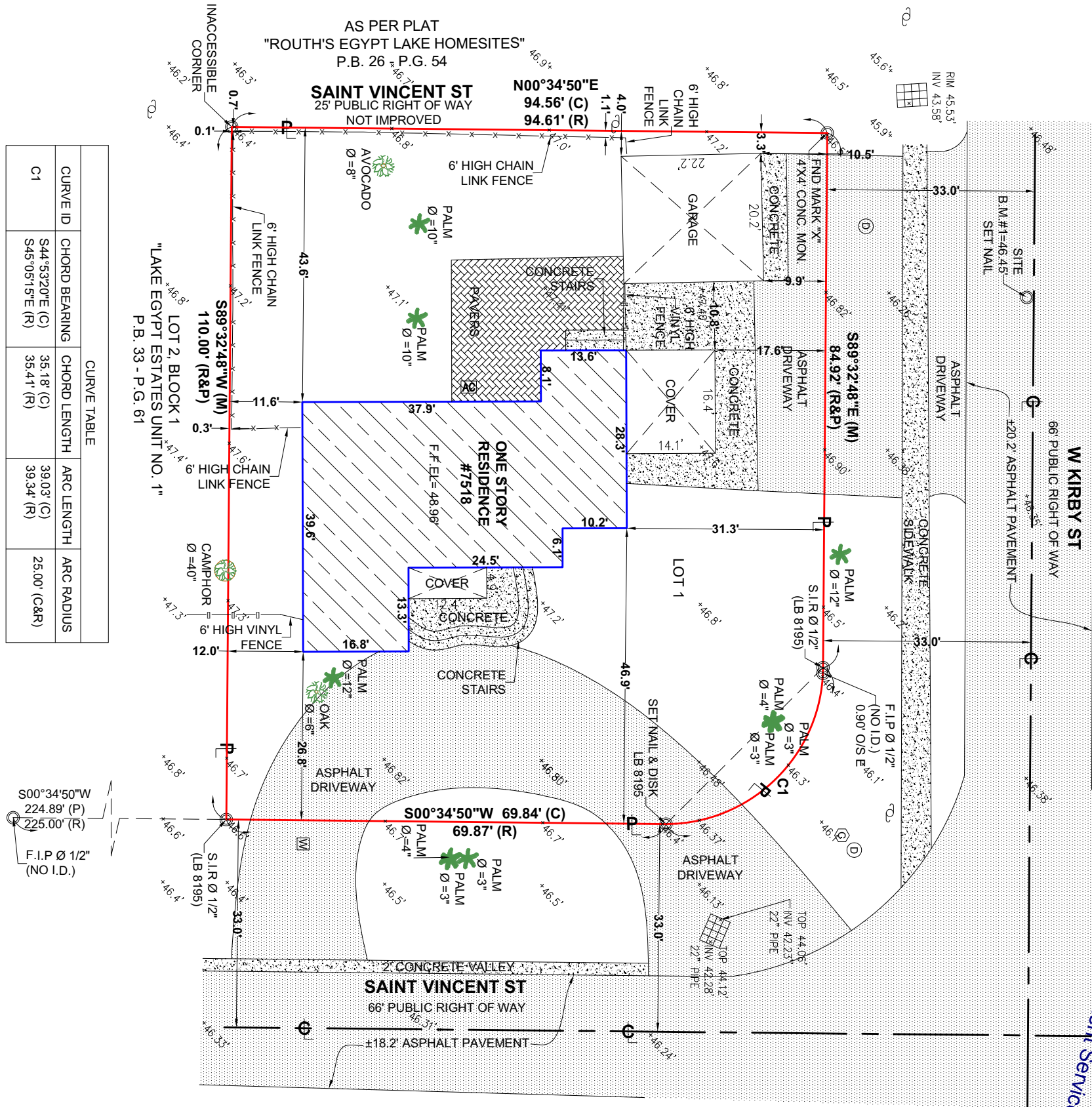
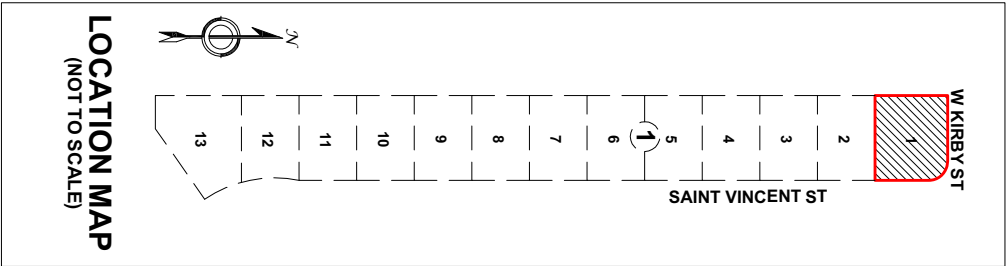
- CENTER LINE
- PROPERTY CORNER
- ▭ PROPERTY LINE
- ✱ PALM & TRUNK TREE
- ✱ CANOPY & TRUNK TREE
- CLEANOUT
- ⊕ MANHOLE (DRAINAGE)
- ⊕ GROUND ELEVATION
- ⊕ PAVEMENT ELEVATION
- ▭ CATCH BASIN
- UTILITY POLE
- ▭ METER (WATER)
- ▭ A/C UNIT

ABBREVIATIONS

- BC=BLOCK CORNER
- (C)=CALCULATED
- (M)=MEASURED
- (R)=RECORD
- (P)=PRORATED
- TYP = TYPICAL
- P.B. = PLAT BOOK
- P.G. = PAGE
- F.I.R. = FOUND IRON ROD
- F.I.P. = FOUND IRON PIPE
- S.I.R. = SET IRON ROD
- I.D. = IDENTIFICATION
- F/C = FENCE CORNER
- B.M. = BENCHMARK



SCALE: 1" = 20'



CURVE TABLE			
CURVE ID	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	S44°53'20"E (C)	35.18 (C)	39.03 (C)
	S45°05'15"E (R)	35.41 (R)	39.34 (R)

S00°34'50"W  
224.89' (P)  
225.00' (R)  
F.I.P Ø 1/2"  
(NO I.D.)



PROFESSIONAL  
SURVEYOR AND MAPPER  
PHONE: (813) 423-3483  
FAX: (813) 398-0111  
www.gpsflorida.net

ORIGINAL: 08/24/2020  
FIELD DATE: \_\_\_\_\_  
REVISIONS: \_\_\_\_\_

JOB NO. 20-2276  
DRAWN: VJZ

SHEET 1/1



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TAMPA, FL 33614  
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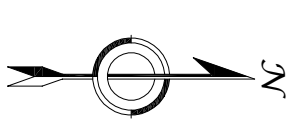
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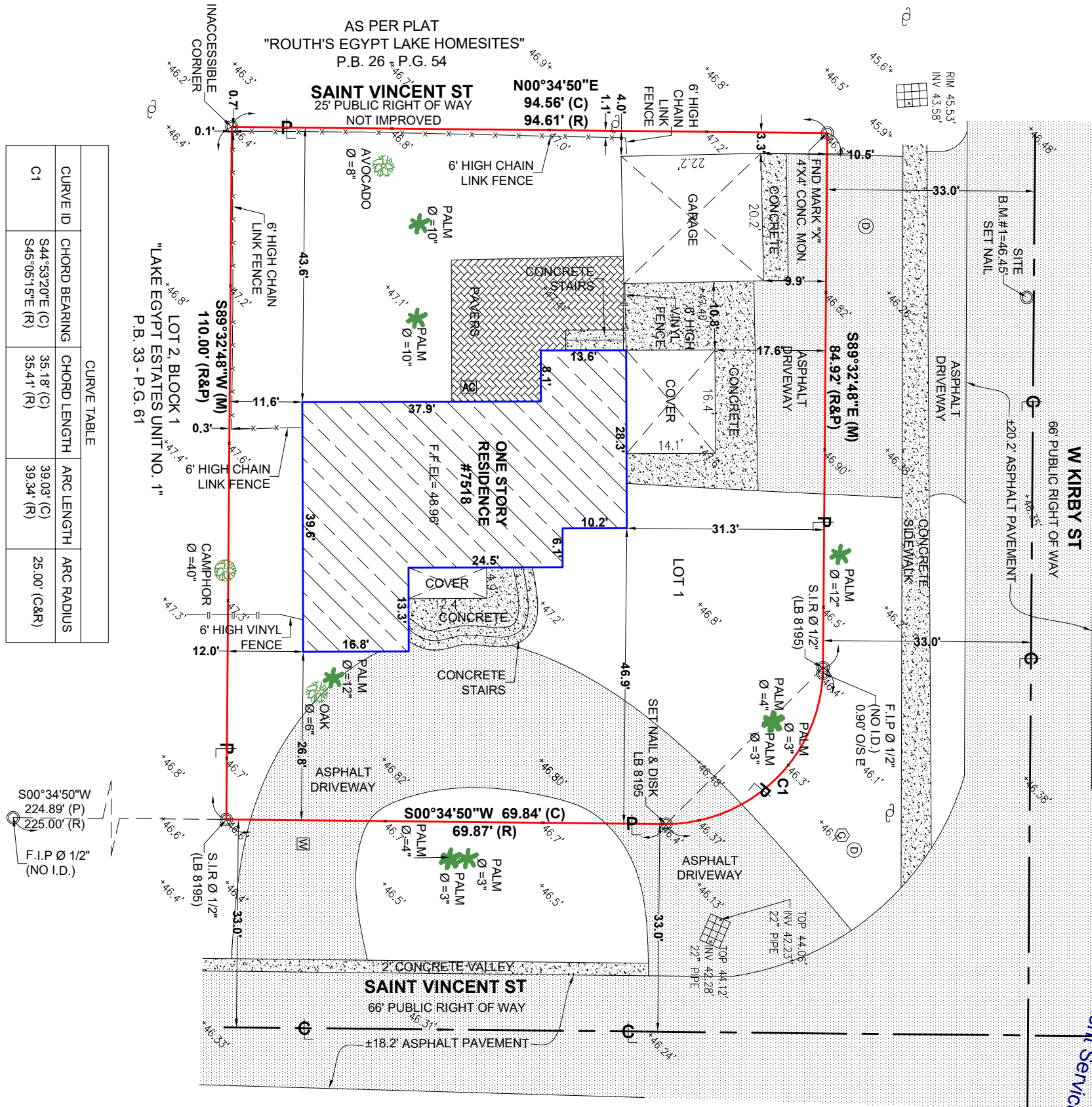
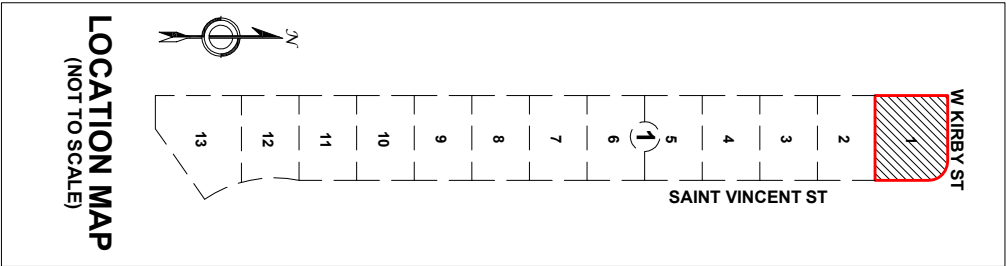
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- CLEANOUT
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- +17.6 GROUND ELEVATION
- +16.23 PAVEMENT ELEVATION
- ▭ CATCH BASIN
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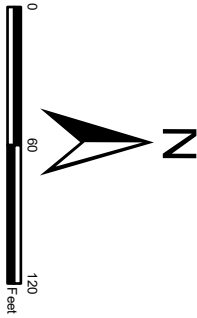


**Immediate Aerial  
Zoning Map**

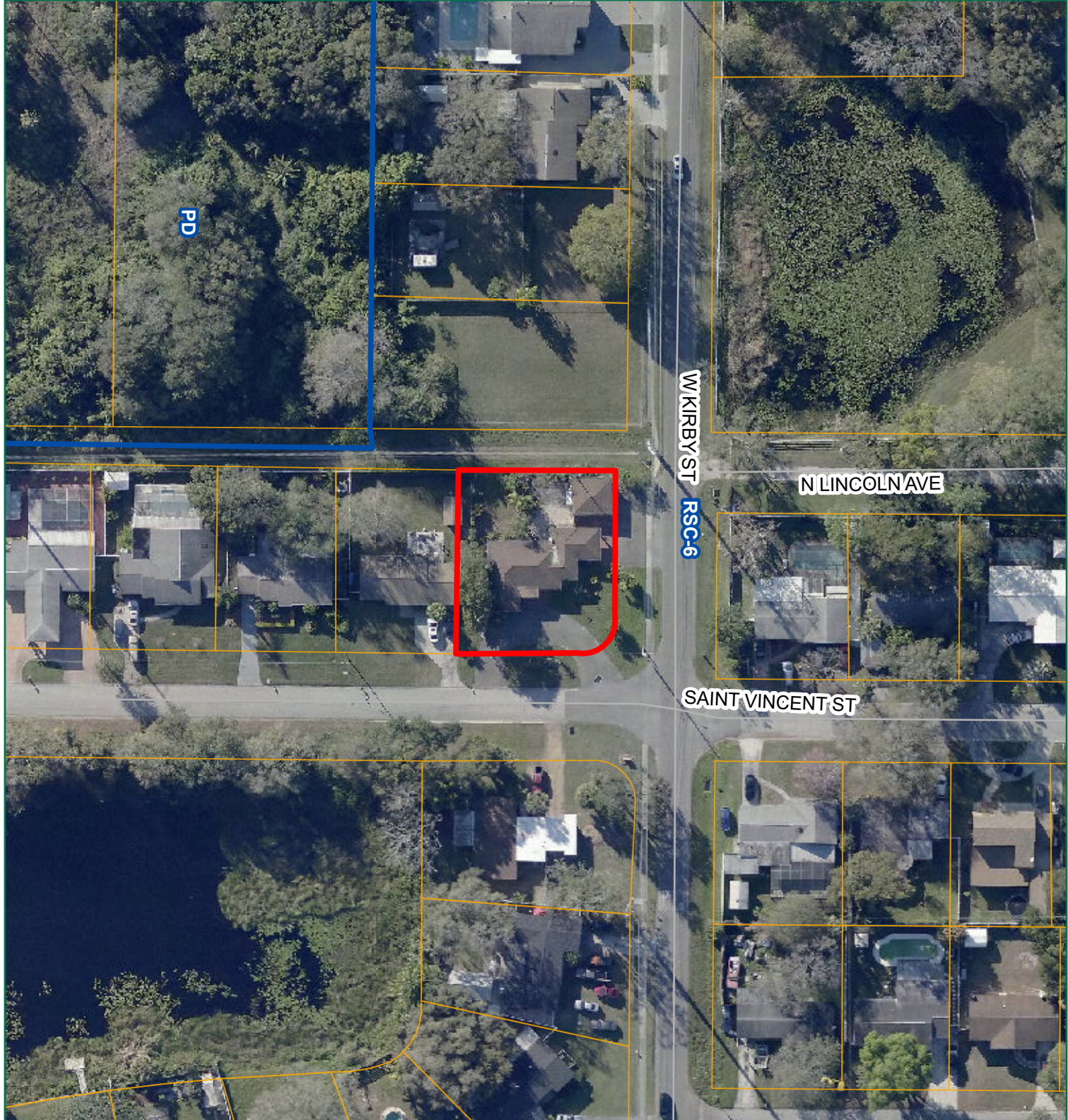
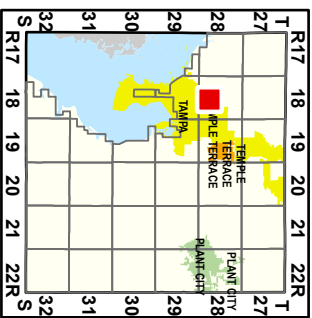
**VAR 21-0258**

Folio: 24957.0000

- Application Site
- Zoning Boundary
- Parcels



STR: 27-28-18



NOTE: Every reasonable effort has been made to ensure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map.

THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, and is not intended to be used for any purpose other than for informational purposes only. The map is not intended to be used for any purpose other than for informational purposes.

SOURCE: This map has been prepared for the property of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other AVAILABLE data.

Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

Date: 07/29/2021    Path: G:\ZONING\GIS\Data\Zoning\_Site.aprx



Application Number: VAR-21-0258

## 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.

BACKGROUND INFORMATION: The owner adapted a detached garage structure that was constructed in 1966 into a dwelling. A set of plans was prepared to request an ATF construction permit (ATF03226). Said plans are being submitted as an attachment to this application.

This is a corner lot that sits on the SW quadrant of the intersection of N Saint Vincent St. and Kirby St. The west boundary line is the high-power line TECO easement

The detached structure (built in 1966) does not meet current setback requirements. The existing structure has a **9.9' separation from the north boundary line and a 3.3' separation from the west property line.**

As per the reviewer's comments the setbacks from the north and west should be 25'

This variance request is to allow the existing setbacks conditions to remain for the new use of the structure.

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

the RSC-6 zoning, the setbacks of accessory dwelling and  
Lot Development Standards

## ADDITIONAL INFORMATION

1. Have you been cited by Hillsborough County Code Enforcement? No \_\_\_\_\_ Yes X  
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 \_\_\_\_\_ Yes X If yes, please indicate the nature of the application and the case numbers assigned to the application(s): an ATF construction permit (ATF03226)
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 X 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 determination 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 **19<sup>th</sup> floor County Center**).



**Hillsborough  
County Florida**  
Development Services

601 E. Kennedy Blvd., 19th Floor | (813) 272 5600

# Additional / Revised Information Sheet

Received Feb 26, 2021  
Development Services

Date Stamp Here

Application Number: VAR-21-0258 Applicant's Name: Mario A. Parra

Reviewing Planner's Name: Timothy Lampkin Date: \_\_\_\_\_

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): March 22, 2021

## The following must be attached to this Sheet.

☒ Cover Letter with summary of the changes and/or additional information provided. If a revised Site Plan is being submitted, all changes on the site plan must be listed in detail in the Cover Letter.

n/a ☐ An updated Project Narrative consistent with the changes or additional information provided, if applicable.

Submittal Via:

☒ Email (Preferred). Note that no follow up paper file is necessary. Pdf format only. Maximum attachment(s) size is 15 MB.

Email this sheet along all the additional/revised submittal items in pdf to: [ZoningIntake-DSD@hcfllgov.net](mailto:ZoningIntake-DSD@hcfllgov.net)

☐ Mail or delivery. Number of Plans Submitted: Large \_\_\_\_\_ Small \_\_\_\_\_

For PD, MM, PRS and SU: 7 large copies 24"X36", one small 8.5X11".  
 For RZ-Standard: if plot plan is larger than 8.5"X11", 7 large copies should be submitted.  
 For Minor Change: 6 large copies.  
 For Variances or Conditional Use permits: one 8.5"X11" or larger)

**Mail to:**  
**Development Services Department**  
**Community Development Division**  
**P.O. Box 1110**  
**Tampa, FL 33601-1110**

**Hand Deliver to:**  
**County Center**  
**Development Services Department**  
**19th Floor**  
**601 E. Kennedy Blvd., Tampa**

*I certify that changes described above are the only changes that have been made to the submission. Any further changes will require an additional submission and certification.*

**Mario A Parra**

Digitally signed by Mario A Parra  
 DN: c=US, o=Unaffiliated,  
 ou=A01427E00000169318D5DB100006786, cn=Mario A Parra  
 Date: 2021.02.26 10:13:49 -05'00'

Signature

2/26/2021

Date

### FOR OFFICE USE ONLY

- ☐ Notification E-Mail Sent ☐ Scanned into OPTIX  
☐ Transmittal Completed

In-Take Completed by: \_\_\_\_\_

PLEASE NOTE THAT WE HAVE REVISED P-4 OF OUR Application Number: VAR-21-0258  
TO INCLUDE VARIANCE TO LOT DEVELOPMENT STANDARDS AS FOLLOWS:

## **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?

This is a lot with three frontages and the existing configuration  
has been the same since 1966

This situation affects both the detached structure and the carport  
on the north side of the main house.

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 property appears to be a corner-through lot, with frontage on 3 sides.

The west property line abuts a TECO easement not a public R/W

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 general configuration of the site will not change. It has been the  
same since 1966. There is no and there will not be injury to the rights of  
others.

Both the accessory and the carport are less conspicuous than the  
6' privacy fence across the street.

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).

In appearance it is not different than any other detached garage arrangement.  
Even the garage door has been kept. There is no break in the harmony of  
the neighborhood or other similar structures.

The carport sits further back than the accessory structure.

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.

There will be architectural change, the garage conversion is for the  
personal use of the owner. No change on the footprint of the existing  
structures as it has been for the past 64 years.

That included the carport.

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.

It would deprive the owner from the full use of his property by  
having to comply to setback requirements that none of the neighbors  
have to comply. Most other properties have a single frontage.



Prepared by and Return to:  
Coastal Security Title of Florida, Inc.  
Susanne M. Meyer  
3750 Gunn Highway, Suite 2C  
Tampa, Florida 33624-4905  
Our File Number: 2A3715

**INSTR # 2003167949**

**O BK 12597 PG 1001**

RECORDED 05/02/2003 12:00:27 PM  
RICHARD AKE CLERK OF COURT  
HILLSBOROUGH COUNTY  
DOC TAX PD(F.S.201.02) 783.30  
DEPUTY CLERK D LeDuc

**TAX ID NO. 024957.0000**

**For official use by Clerk's office only**

STATE OF Florida ) **SPECIAL WARRANTY DEED**  
COUNTY OF Hillsborough ) (Corporate Seller)  
)

THIS INDENTURE, made this April 24, 2003, between SPRING PROPERTIES, INC., a Florida corporation, whose mailing address is: 8405 N. Edison Avenue, Tampa, Florida 33604, party of the first part, and JOSE SARQUIS and MAYTE SARQUIS, husband and wife, whose mailing address is: 7518 N. SAINT VINCENT STREET, Tampa, Florida 33614, party/parties of the second part,

**WITNESSETH:**

First party, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, aliens, remises, releases, conveys and confirms unto second party/parties, his/her/their heirs and assigns, the following described property, to wit:

Lot 1, Block 1, LAKE EGYPT ESTATES UNIT NO. 1, according to plat thereof as recorded in Plat Book 33, Page 61 of the Public Records of Hillsborough County, Florida.

Subject, however, to all covenants, conditions, restrictions, reservations, limitations, easements and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

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 party of the first part hereby covenants with said party of the second part, that it is lawfully seized of said land in fee simple: that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the party of the first part.

IN WITNESS WHEREOF, first party has signed and sealed these present the date set forth on April 24, 2003.

Signed, sealed and delivered  
in the presence of:

SPRING PROPERTIES, INC.

Witness signature SUSANNE M MEYER

By:

Print Name: JOHN C. GARCIA, V.P.  
8405 N Edison Avenue, Tampa, Florida 33604

Witness signature JOAN K WARDEN

(Corporate Seal)

State of Florida  
County of Hillsborough

THE FOREGOING INSTRUMENT was acknowledged before me this April 24, 2003 by JOHN C. GARCIA, V.P. of SPRING PROPERTIES, INC. who is personally known to me.

Notary Public

Print Notary Name

**SUSANNE M. MEYER**  
Notary Public, State of Florida  
My Comm. Expires Nov. 28, 2006  
No. DD167861

My Commission Expires:

Notary Seal



## 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: 7518 N Saint Vincent St. City/State/Zip: Tampa, FL 33614 TWN-RN-SEC: 27/28/18  
Folio(s): 024957-0000 Zoning: RSC-6 Future Land Use: \_\_\_\_\_ Property Size: 10,406 SF

### Property Owner Information

Name: Jose Sarquis & Mayte Sarquis Daytime Phone: 813-802-4247  
Address: 7518 N Saint Vincent St. City/State/Zip: Tampa, FL 33614  
Email: 7sarquis@gmail.com FAX Number: \_\_\_\_\_

### Applicant Information

Name: Mario A. Parra Daytime Phone: 813-927-8558  
Address: 3019 Banyan Hill Lane City/State/Zip: Land O' Lakes, FL 34639  
Email: pkparra@gmail.com FAX Number: \_\_\_\_\_

### Applicant's Representative (if different than above)

Name: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ City / State/Zip: \_\_\_\_\_  
Email: \_\_\_\_\_ FAX Number: \_\_\_\_\_

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.

**Mario A Parra**


Signature of Applicant

Mario A. Parra

Type or Print Name

Digitally signed by Mario A Parra  
DN: c=US, o=Unaffiliated, ou=A01427E00000169318D5DB100006786,  
cn=Mario A Parra  
Date: 2020.12.30 21:10:38 -05'00'

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.

  
Signature (Property Owner)

Jose Sarquis

Type or Print Name

### Office Use Only

Intake Staff Signature: \_\_\_\_\_ Intake Date: \_\_\_\_\_  
Case Number: \_\_\_\_\_ Public Hearing Date: \_\_\_\_\_  
Receipt Number: \_\_\_\_\_