

LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 21-0269	
LUHO HEARING DATE: April 26, 2021	CASE REVIEWER: Colleen Marshall, AICP, CFM

REQUEST: The applicant is requesting variances to principal building setbacks, accessory structure setbacks and flag lot requirements to accommodate a proposed subdivision of property zoned ASC-1 that is located in the Urban Service Area.

VARIANCE(S):

Principal Building Setback on Proposed Eastern Lot

Per LDC Section 6.01.01, a minimum front yard setback of 50 feet is required in the ASC-1 district. Per LDC Section 6.01.03.F.9, required yards on flag lots and lots accessed by easements are oriented with respect to the roadway from which they are accessed, as if the lots abutted the roadway. In the subject case, the property is accessed from the west side via Sylvan Green Lane. Therefore, the required front yard for the proposed eastern lot is located along the proposed west lot line. The applicant requests a 20-foot reduction to the required front yard setback to allow a 30-foot front setback from the west property line for the existing home on the proposed eastern lot.

Principal Building Setback on Proposed Western Lot

Per LDC Section 6.01.01, a minimum rear yard setback of 50 feet is required in the ASC-1 district. Per LDC Section 6.01.03.F.9, required yards on flag lots and lots accessed by easements are oriented with respect to the roadway from which they are accessed, as if the lots abutted the roadway. In the subject case, the property is accessed from the west side via Sylvan Green Lane. Therefore, the required rear yard for the proposed western lot is located along the proposed east lot line. The applicant requests a 38-foot reduction to the required rear yard setback to allow a 12-foot rear setback from the east property line for the existing home on the proposed western lot.

Accessory Structure Setback on Proposed Eastern Lot

Per LDC Section 6.11.04.C.1, accessory structures shall be permitted in front yards at twice the depth of the required front yard or 50 feet, whichever is less. Per LDC Section 6.01.01, a minimum front yard setback of 50 feet is required in the ASC-1 district. The applicant requests a 30-foot reduction to the required front yard setback to allow a 20-foot front setback from the west property line for the existing accessory structure on the proposed eastern lot.

Flag Lot in Urban Service Area

Per LDC Section 6.02.01.B.4, a flag lot may be created to serve a single parcel provided the subdivision is located within the Rural Area and an agricultural zoning district. The applicant requests a variance to allow the creation of a new flag lot within the Urban Service Area.

FINDINGS/BACKGROUND:

• A Certified Parcel subdivision application for the subject property (PI 5220) was submitted on February 20, 2020 to create two lots. If the subject variances are approved, the applicant will then be able proceed with completing the proposed subdivision.

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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

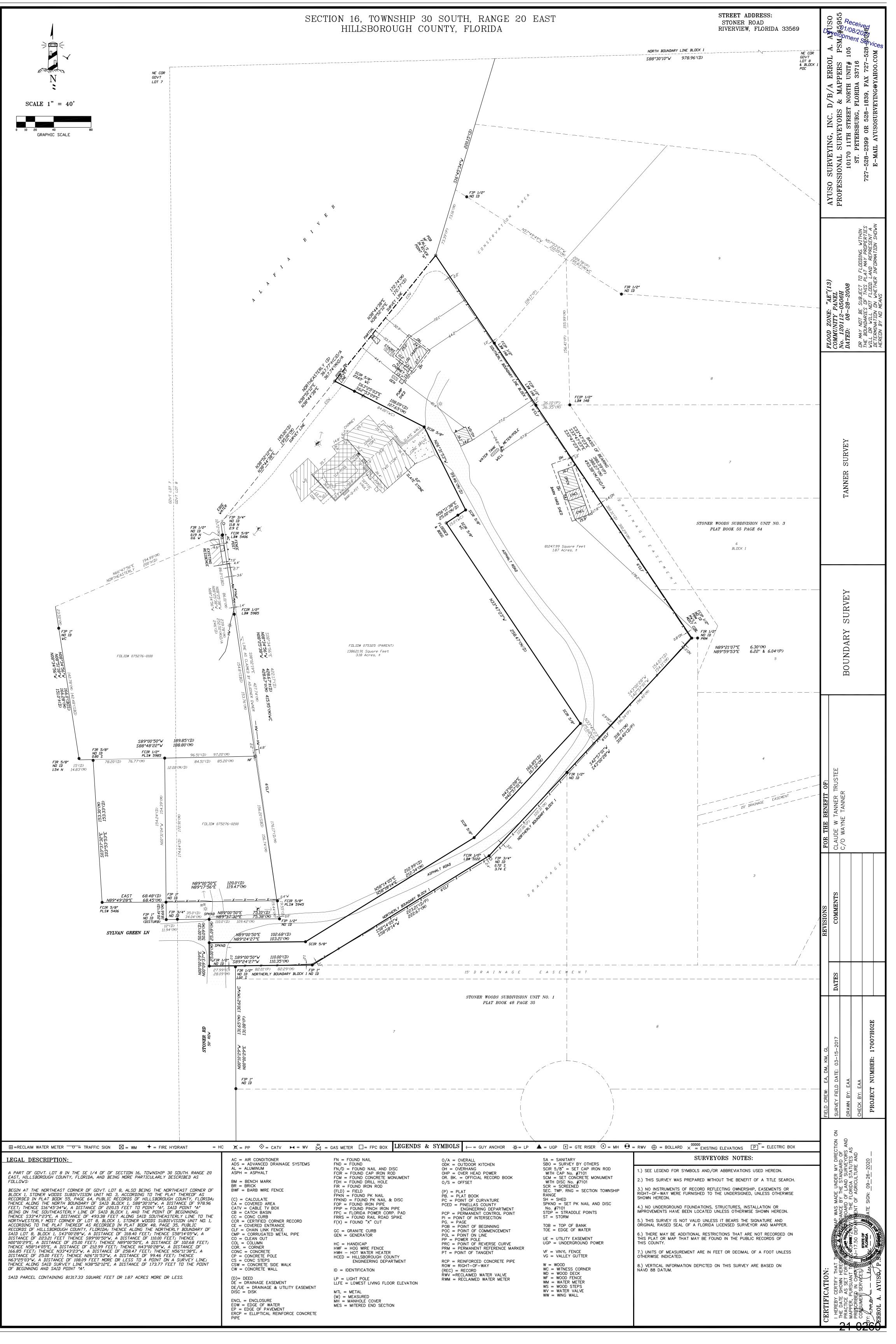
Tom Hiznay Thu Apr 8 2021 12:14:40

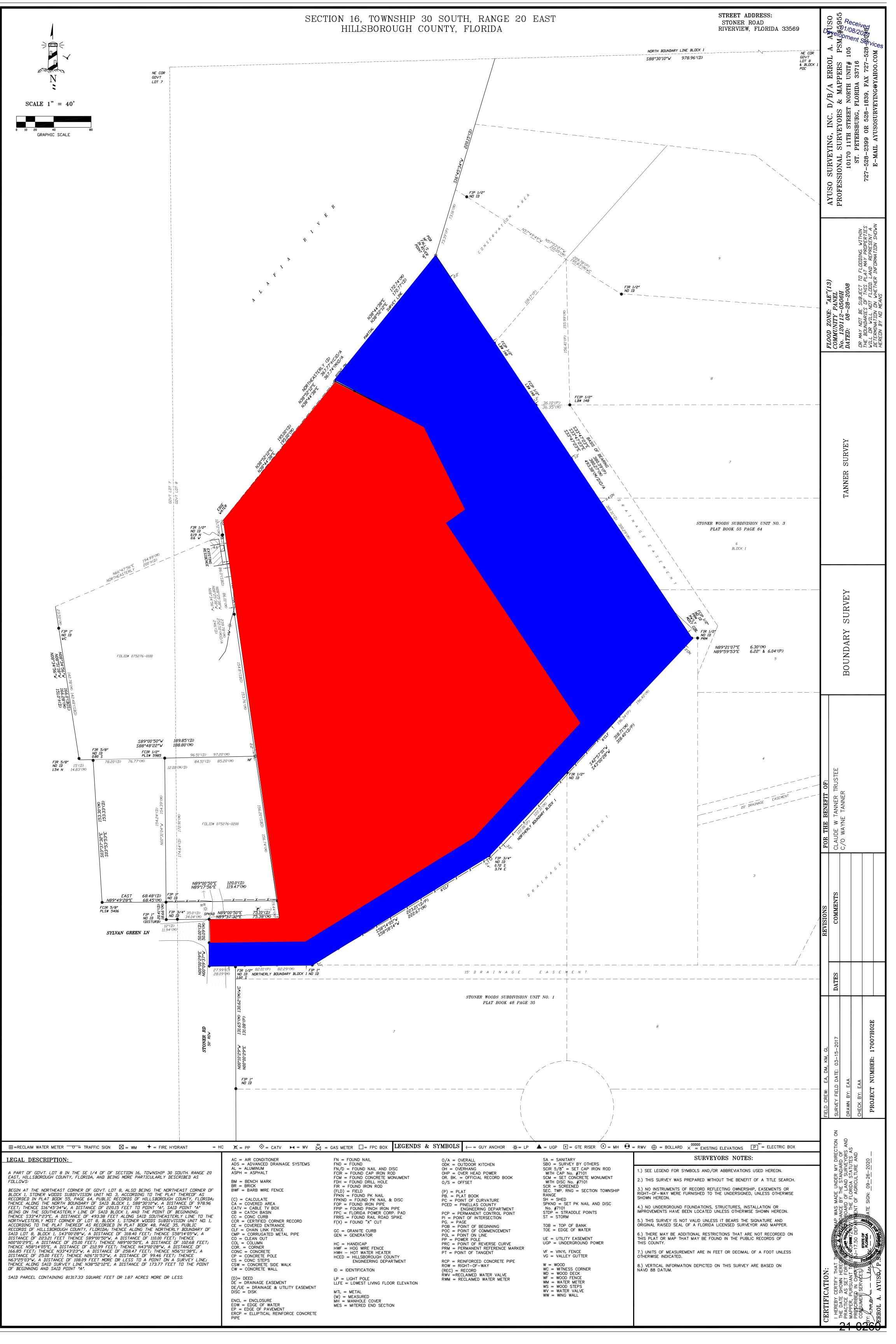
Attachments: Application

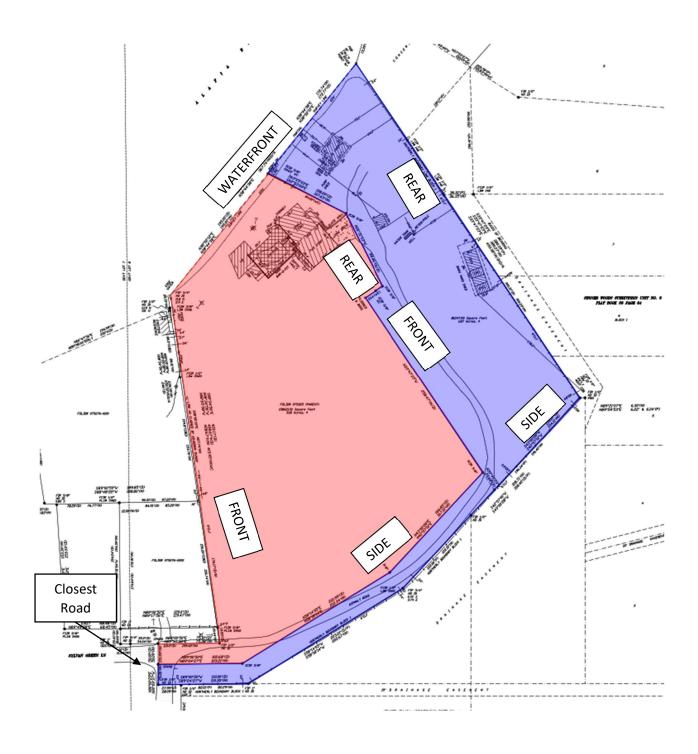
Site Plan

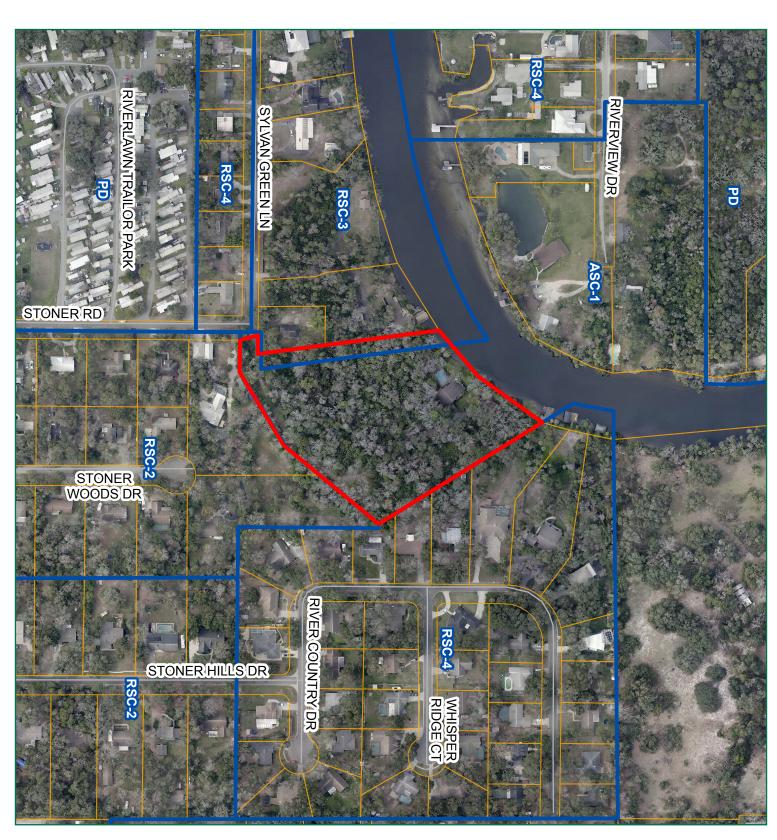
Petitioner's Written Statement

Current Deed







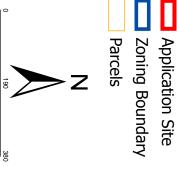




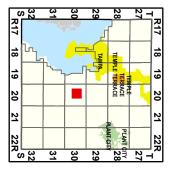
Immediate Aerial Zoning Map

VAR 21-0269

Folio: 75325.0000



STR: 16-30-20



NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this rabe. Hillsborough County does not assume any liability arising from use of this resp. THIS MAP IS PROVIDED WITHOUT WARRANITY OR ANY KIND, either expressed or implied, including, but not limited to, the implied warranties.

SOURCE: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and oth public records; thas been based on BEST AVAILABLE data.

s of this map are hereby notified that the aforementioned public primary inforness should be consulted for verification of the information contained on this m



Additional / Revised Information Sheet

Date Stamp Here

Application Number:	21-0269	Applicant's Name:	Tanner			
Reviewing Planner's Name.	leen Marshall		Date: 2/9/21			
Application Type:						
)	tion/Personal Appearance (PRS	s) Standard Rezoning (RZ)			
XVariance (VAR)	✓ Variance (VAR) ☐ Development of Regional Impact (DRI) ☐ Major Modification (MM)					
Special Use (SU)	Conditional Use 3/22	(CU)	Other			
Current Hearing Date (if applic						
	The following m	nust be attached to this	Sheet.			
Cover Letter with summan submitted, all changes on the			vided. If a revised Site Plan is being			
XXAn updated Project Narra	tive consistent with th	ne changes or additional infor	mation provided, if applicable.			
Submittal Via:						
Email (Preferred). Note that	t no follow up paper file is	necessary. Pdf format only. Maximu	m attachment(s) size is 15 MB.			
		bmittal items in pdf to: ZoningIn				
_						
·		Large Small	-			
For PD, MM, PRS and SU: 7 larg For RZ-Standard: if plot plan is I For Minor Change: 6 large copie For Variances or Conditional Us	arger than 8.5"X11", 7 larg	ge copies should be submitted.				
Mail to:		Hand Deliv	er to:			
Developme	nt Services Department	County Cer	nter			
Community P.O. Box 111	Development Division	Developme 19th Floor	ent Services Department			
Tampa, FL 3			nedy Blvd., Tampa			
I certify that changes describe changes will require an addit	-	•	de to the submission. Any further			
1	Tallfree		2/9/21			
	 Signature	·······	Date			
	F(OR OFFICE USE ONLY				
Notification E-Mail Sen		l into OPTIX				
☐ Transmittal Completed		In-Take C	Completed by:			

Application Number:	

VARIANCE REQUEST

	1) This request seeks to allow a new flag lot, or second flag lot in the USA.
	The parent parcel seeks to be spilt for a second separate lot.
	2) Variances to lot development standards
A V	ariance is requested from the following Section(s) of the Hillsborough County Land Development Code:
	6.02.01 4 & 6.01.01
	ADDITIONAL INFORMATION
Hav If y	ADDITIONAL INFORMATION e you been cited by Hillsborough County Code Enforcement? NoXX Yes es, you must submit a copy of the Citation with this Application.
If y Do No	e you been cited by Hillsborough County Code Enforcement? NoXX Yeses, you must submit a copy of the Citation with this Application. you have any other applications filed with Hillsborough County that are related to the subject property?
Do No the Is the If y	e you been cited by Hillsborough County Code Enforcement? NoXX Yes es, you must submit a copy of the Citation with this Application. you have any other applications filed with Hillsborough County that are related to the subject property? XXYes If yes, please indicate the nature of the application and the case numbers assigned t

07/02/2014

Application Number:	
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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.

١.	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? 1) The topographical and geographical relationship of the lot (or lots) in relation to the access point
	forces the access to be located at the current location and thus requires a second flag lot. Of
	course, the parent parcel is an existing flag lot. 2, 3, 4 &5) The shape configuration and location of lots and then the homes
d	ictates the lot standards variances & new setbacks, but these are setbacks for the existing structures in the same family. The
	conditions on the
2	site will remain the same and to anyone else there will be appear to be no changes on the site. 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. The code does not allow flag lots in the USA, but the current scenario of the parent lot is a flag lot at a long time access
po	pint, so the split must follow the same access point. 2, 3 4 &5) The applicants deserve to be able to spit the lot amid family
•	members as others do and enjoy as is found throughout Hillsborough County.
3.	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. The same access point will be used. The parent lot has been a long time flag lot. This will only allow one more
	residential unit for the same family. There is no real increase in intensity. 2, 3, 4 & 5) The only ones effected are these property owners. The conditions & structures on the site will remain exactly the same.
ŧ.	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).
	It allows the use of the new lot for another of the family's member and the resulting lot will exceed other
	dimensional requirements. 2,3, 4 & 5) The applicants seek to have 2 separate lots as found all throughout
	Hillsborough County and recognize existing structures. There are no variations to lot sizes.
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.
	Not applicable - the lot split has not occurred yet, the same for the 2nd set of variances.
ĺ.	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.
	The variance will allow the use of two lots for 2 family homes, as do all the other lots in the vicinity
	allows for single family homes and recognize existing structure.
	2, 3 4 & 5) This will allow typical family lot splitting and effects no one in the public whatsoever.

Cover Letter for 21-0269

Changes include 3 new setback variances and also earlier a change for lot dimensions is also a part of the variance submittal. A variance response has been provided for each. A correction to the correct zoning designation has been made.

Thank you.

21-0269 Stoner Road Additional Variances Requested

Variance #3) In regard to the "red" highlighted proposed lot, we are requesting a reduction of the required rear yard setback, where 50' is required and a 12' rear setback is proposed. The structure is existing.

Variance #4) On the "purple" highlighted lot, we are requesting a reduction of the 50' front required setback to allow a structure at 30' to exist. The structure is existing.

Variance #5) On the "purple" highlighted lot, we are requesting to allow an existing accessory structure in the front yard at 20' to remain where 50' is required.

INSTRUMENT#: 2009203671, BK: 19320 PG: 1098 PGS: 1098 - 1098 06/23/2009 at 08:59:12 AM, DEPUTY CLERK:AHOLTZMAN Pat Frank, Clerk of the Circuit Court Hillsborough County

PREPARED BY and RETURN TO: William H. Cauthen, Esq. CAUTHEN & FELDMAN, P.A. 215 North Joanna Avenue Tavares, FL 32778-3200

Parcel ID No. U-16-30-20-ZZZ-000002-94320.0

This document was prepared on information furnished by Grantor. No examination of title was requested by Grantee and no title examination has been made on the subject property.

WARRANTY DEED

THIS WARRANTY DEED is made the 10th day of June, 2009,

BY: CLAUDE W. TANNER, whose address is P.O. Box 3348, Riverview, FL 33568-3348, ("Grantor"),

TO: CLAUDE W. TANNER, TRUSTEE OF THE CLAUDE W. TANNER FAMILY TRUST DATED January 12, 2006, whose address is P.O. Box 3348, Riverview FL 33568-3348, ("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 Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises. releases, conveys and confirms unto Grantee, all that certain land situate in Hillsborough County, Florida, viz:

Part of Govt. Lot 8 in the SE ¼ of Section 16, Township 30 South, Range 20 East, Hillsborough County, Florida, and being more particularly described as follows: From the NE corner of the said Govt. Lot 8, run thence S 88°30'10" W, along the N. boundary line thereof, 978.96 ft.; thence S 16°45'34" W, 220.15 ft., for a p.o.b.; thence S 33°47'23" E, 493.38 ft.; thence S 43°00'28" W, 318.40 ft., thence S 58°14'05" W, 223.21 ft.; thence S 89°00'50" W, 110.00 ft.; thence N 00°00'29" E, 50.00 ft.; thence N 89°00'50" E, 75.10 ft.; thence N 08°34'56" W, 428.67 ft., more or less, to the waters edge of the Alafia River; thence Northeasterly along said waters edge to the p.o.b.

Subject to easements, restrictions, reservations and mortgages of record, if any, but not to reimpose any void or lapsed restrictions or easements.

This is a conveyance to a Trustee not pursuant to a sale. Legal description provided by Grantor. Full power and authority is granted to Grantee and the Successor Trustee(s), to protect, conserve, sell, lease, encumber or otherwise to manage and dispose of the land or any of it; no person dealing with the Trustee(s) or the Successor Trustee(s) shall be bound to see to the application of any purchase money mortgage or inquire into the validity, expediency or propriety of such sale or disposition.

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 Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said land in fee simple; that Grantor has good right and lawful authority to sell and convey said land; that 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, except taxes accruing subsequent to December 31, 2008.

IN WITNESS WHEREOF, Grantor has signed an	nd sealed these presents the day and year first ab	oove written.
Signed in the Preserve of	Mugfam_	
Print or Type Name Marylee Bitner Print or Type Name Carolyn A. Baker	CLAU S EW. TANNER	
STATE OF FLORIDA COUNTY OF LAKE		
The foregoing instrument was acknowledged before TANNER, who is personally known to me or who has produced		by CLAUDE W.
NOTARY PUBLIC-STATE OF FLORIDA William H. Cauthen Commission # DD718354 Expires: DFC. 01, 2011 BONDED THRU ATLANTIC BONDING CO., INC.	Print or Type Name William H. Cauthen Notary Public My Commission Expires:	21-0269





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.

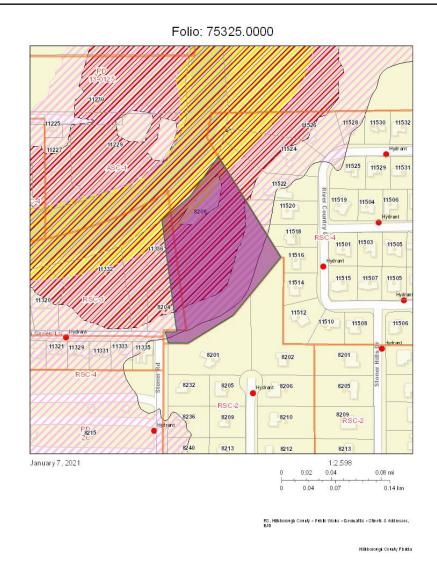
Property Information

Address: _	8208 Stoner	Rd.	_City/State/Zip: _	Rivervie	ew, FL	TWN-F	RN-SEC: <u>16/30/20</u>)
			Zoning: RSC-2	Fut	ture Land Use:	R-2	Property Size:	5.27
			Property O	wner In	formation			
Name:	Claude W Tann	ner/Trustee			Day	time Phone:	use agent	
Address: _	Use	agent		Cit	y/State/Zip:		u	
		u						
Name:	Same as	owner	Applica			rtime Phone:		
Address: _				Cit	y/State/Zip:			
Email:					FA	X Number:		
		App	licant's Represe	ntative (if different than :	above)		
Name:	Todd F	Pressman			Day	time Phone:	727-804-1760	
			Petersburg, FL 337	701				
Email:	Todd@Pressm	aninc.com						
PROVIDEI ACCURAT AUTHORIZ MY BEHA Signature	D IN THIS APP TE, TO THE ZE THE REPRES LET OR THE Of Applicant essman, Pres.,	LICATION PACKI BEST OF M Y K ENTATIVE LISTED	THE INFORMATION ET IS TRU E AND NOWLEDGE, AND ABOVE TO ACT ON	Si Si	ND RECOGNIZE HALL BE BI NDI URRENT AND AN	THAT THE FIN NG TO THE Y FUTURE OWN ty Owner , Pres., Pressr	CESSING OF THIS APP AL ACTION ON THIS PROPERTY AS WELL PRS. W	PETITION LL AS TO
Intake Sta	ff Signature:	Ana Lizard	Offi ○	ice Use On	ly Intake Date	e:01/0	8/2021	
Case Num	nber:	21-0269			Public Hea	ring Date: _	03/22/202	1
Receipt N	umber:	21-0269						



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County		
Zoning Category	Residential		
Zoning	RSC-3		
Description	Residential - Single-Family Conventional		
Zoning Category	Residential		
Zoning	RSC-2		
Description	Residential - Single-Family Conventional		
Zoning Category	Agricultural		
Zoning	ASC-1		
Description	Agricultural - Single-Family Conventional		
Flood Zone:AE	FLOODWAY		
Flood Zone:AE			
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD		
FIRM Panel	0506H		
FIRM Panel	12057C0506H		
Suffix	Н		
Effective Date	Thu Aug 28 2008		
Pre 2008 Flood Zone	X500		
Pre 2008 Flood Zone	AE FW		
Pre 2008 Flood Zone	AE		
Pre 2008 Flood Zone	Х		
Pre 2008 Firm Panel	1201120506C		
County Wide Planning Area	Riverview		
Community Base Planning Area	SouthShore		
Community Base Planning Area	Riverview		
Census Data	Tract: 013412 Block: 1013		
Census Data	Tract: 013412 Block: 1011		
Census Data	Tract: 013412 Block: 1002		
Future Landuse	R-2		
Urban Service Area	USA		
Mobility Assessment District	Urban		
Mobility Benefit District	2		
Mobility Benefit District	4		
Fire Impact Fee	South		
Parks/Schools Impact Fee	CENTRAL		
Parks/Schools Impact Fee ROW/Transportation Impact Fee	CENTRAL ZONE 7		
ROW/Transportation			
ROW/Transportation Impact Fee	ZONE 7		



Folio: 75325.0000 PIN: U-16-30-20-ZZZ-000002-94320.0 CLAUDE W TANNER/ TRUSTEE Mailing Address: C/O WAYNE TANNER 5243 GALL BLVD STE 7 ZEPHYRHILLS, FL 33542-4065 Site Address: 8208 STONER RD RIVERVIEW, FI 33569

SEC-TWN-RNG: 16-30-20 Acreage: 5.27381992 Market Value: \$843,749.00 Landuse Code: 0100 SINGLE FAMILY

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2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder