

LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 21-0305		
LUHO HEARING DATE: June 21, 2021	CASE REVIEWER: Kevie Defranc	

REQUEST: The applicant is requesting setback variances to accommodate existing additions to a single-family home on property zoned RMC-20.

VARIANCE(S):

Per LDC Section 6.01.01, Schedule of Area, Height, Bulk and Placement Regulations, the minimum required setbacks in the RMC-16 district are as follows: front yard, 25 feet; side yard, 10 feet; and rear yard, 20 feet. The applicant requests:

- 1) A 3-foot reduction to the required front yard to allow a setback of 22 feet from the north property line;
- 2) A 5.4-foot reduction to the required side yard to allow a setback of 4.6 feet from the west property line; and,
- 3) A 1.1-foot reduction to the required side yard to allow a setback of 8.9 feet from the east property line.

FINDINGS:

- The RMC-20 district requires a minimum lot width of 70 feet. The subject parcel has a width of 50.07 feet. However, it has been certified as legally nonconforming and subject to the building coverage and setback requirements of the RMC-20 district, per NCL 21-0784 in the case record for the subject variance.
- The applicant's home was the subject of Administrative Waiver application 20-0289 which sought to allow a reduced front yard setback of 22.17 feet and reduced west side yard setback of 4.5 feet. The waiver was denied per the decision letter in the case record for the subject variance.
- No variances have been requested by the applicant to other development requirements, including but not limited to maximum building coverage and maximum impervious area.

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.

LUHO HEARING DATE: June 21, 2021

ADMINISTRATOR'S SIGN-OFF

tom hiznay Tue Jun 8 2021 15:23:21

Attachments: Application

Site Plan

Petitioner's Written Statement

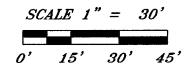
Current Deed

BOUNDARY SURVE

SECTION 6, TOWNSHIP 28 SOUTH, RANGE 19 EAST HILLSBOROUGH COUNTY, FLORIDA

LEGAL DESCRIPTION: PART OF LOT 6, REVISED MAP OF WANAKAH UNIT NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 25, PAGE 57, DESCRIBED AS: BEGINNING AT A POINT 115.50 FEET EAST OF NORTHWEST CORNER OF SAID LOT 6, RUN THENCE SOUTH 140 FEET, WEST 50 FEET, NORTH 140 FEET AND EAST 50 FEET TO THE POINT OF

BEGINNING, ALL LYING AND BEING IN HILLSBOROUGH COUNTY, FLORIDA.







EDGE OF PAVEMENT EAST 50' (D) F.I.P. 0: 3/4" = 115.50' (D) P.O.B. P.O.C. **EAST** 50.07'(F NW CORNER \$ F.I.P. 3/4" 65.5' (D) 450.06' (D) METAL FENCE OF LOT 6 65.25' (F) 4.9 COV- CÓNC $\widehat{\mathcal{E}}$ APPALACHE AVENUE-PER PLAT NOWOTHY AVENUE-PER PLAT E ONE STORY MAS. & 98, 139. FRAME 140. RES. #1109 REMAINDER OF LOT 36.5 S.0074'24"E. N.00°06'33"W. C-0-V. 281.95' (P) REMAINDER OF LOT 6 CONC NOT INCLUDED A.P.O. LOT 6 ^o LIGHT W.F. ŵ WELL 0.2 F.I.P. F.I.R. 1/2* LB 4503 S.89'34'09"W. 50.39' (F 50' (D) REMAINDER OF LOT 6 NOT INCLUDED

> CERTIFIED TO: ORLANDO HUERTAS

BEARINGS ARE BASED ON THE SOUTH R/W LINE OF E. 140th STREET AS BEING, "EAST", PER DEED.

gend

:Point of Curvature
:Point of Tangency
:Point of Reverse Curvature
:Point of Compound Curvature
:Point of Intersection
:Set Capped Iron Rod 1/2" #6962 :Plat (D) :Deed :Description :Calculation :Field Measured

Found Iron Pipe Found Concrete Monument :Set Concrete Monument :Set P-K Nail & Disk :Found P-K Nail & Disk :Found Railroad Spike :No Corner Found or Set :Permanent Reference Monument

PC PT PCC P.I. SIR FIP FCM S.C.M. SET DISK FND DISK FND RRS NCF :Overhead Wires :Chain Link Fence :Point of Beginning :Point of Commencement :Parker-Kalon : Official Records Book

PRM O/H

C.L.F. P.O.B. P.O.C. P.K O.R.B.

V.G. TBM

PSM LB

A TIMA

R.C.P.

PARTY CHIEF:

DRAWN BY:

J.S.

: Concrete Valley Gutter : Temporary Benchmark :Power/Utility Pole :Professional Surveyor & Mapper :Licensed Rusiness :Registered Land Surveyor

:As Their Interests May Appear :It's Successors And/Or Assigns :Reinforced Concrete Pipe :United States

C.B.

SEC. TWP. RGE :Section :Township :Range :Centerline :Air Conditioner C/L A/C O/A :Overall :Concrete : A Part Of A.P.O. COV. MAS. : Covered : Masonry :Residence :Plat Book RES. P.B. PG. :Page TYP. W.F. : Typical : Wood Fence : Elevation ASPH. W.C. : Asphalt :Witness Corner R/W ESMT. :Right Of Way :Easement S/W : Sidewalk :Chord Bearing C.B. : Column SQ. : Square : Diameter

1) Property shown hereon appears to be located in Flood Zone "X" per F.I.R.M. No. 12057C 0204H Dated 8–28–08. This surveyor makes no guarantees as to the accuracy of the above information. Local F.E.M.A. agent should be contacted for verification.

Surveyor's Notes:

No underground utilities, underground encroachments or building foundations were measured or located as part of this survey. Trees and shrubs were not located unless otherwise shown.

3) This survey was conducted without the benefit of an abstract of title, therefore there may be other easements, rights of way, setback lines, agreements, reservations, restrictions or other similar matters of public record, not shown

4) Unless otherwise noted, distances shown hereon refer to plat and field measurements and are measured in U.S. feet. 5) Re-use of this survey for purposes other than it was intended, without written verification, will be the re-users sole risk and without liability to the surveyor. Nothing herein shall be construed to convey any rights or benefits to anyone other than those to whom this survey was originally certified.



DAVID L. SMITH

SURVEYING AND MAPPING,

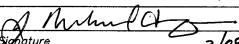
1406 W. LINEBAUGH AVE. Tampa, Fl. 33612 Phone (813) 935-1960 Fax (813) 933-9446

Certificate of Authorization "L.B. #6962"

SURVEYOR'S CERTIFICATE

I hereby certify that the survey represented hereon meets the requirements of Florida Administrative code pursuant to Chapter 5J-17.050.051.052, of the Florida Statutes. Unless it bears the signature and the original raised seal of this Florida licensed surveyor and mapper this drawing, sketch, plat or map is for informational purposes only and is not valid.

J. MICHAEL FUQUA P.S.M. 4192



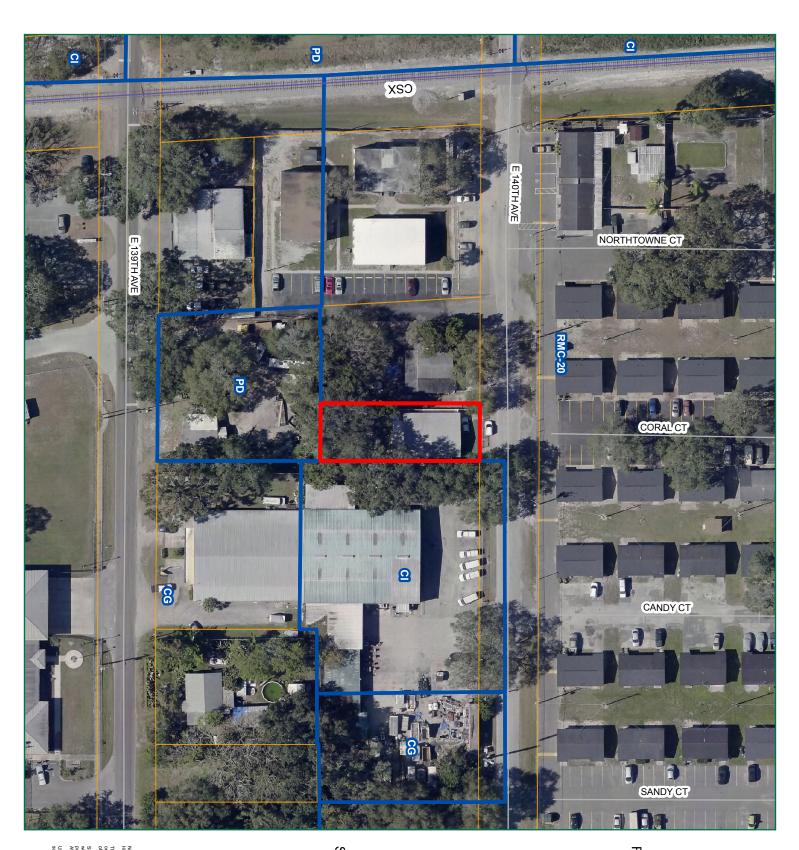
02/05/21 Date:

2101-095

551.47' (P)

Date 2/08/21 Job

Number





Immediate Aerial Zoning Map

Folio: 35467.0000

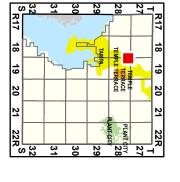
VAR 21-0305

Application Site

Zoning Boundary Parcels



STR: 6-28-19



NOTE: Every reasonable effort has been made to assire the accuracy of this map. Historough County does not assume any usality airstight muse of this map. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed of merged-industright, but not limited to, the implied warrantability and thress to a planticular purpose.

OURCE: This map has been prepared for the inventory of real property four ithin Hillsborough County and is compiled from recorded deeds, plats, and o ublic records; it has been based on BEST

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

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Additional / Revised Information Sheet

Received June 8, 2021 Development Services

Date Stamp Here

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Application Number:	2/- 0305 Applicant's N	Vame: Orlando	Huertas	
Reviewing Planner's Name	: Kevie Defranc	Date:	6/8/2021	
Application Type:	45 To 10 To		/ /	
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Variance (VAR)	Development of Regional Impa	act (DRI)		
Special Use (SU)	Conditional Use (CU)	Othe	er	
Current Hearing Date (if ap	plicable): 06-21-203)			
	The following must be atta	ched to this Sheet.		
Cover Letter with summ	mary of the changes and/or additional i	information provided. If a	revised Site Plan is being	
	he site plan must be listed in detail in t			
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An updated Project Na	rrative consistent with the changes or a	additional information are	wided if applicable	
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Email this sheet along all	the additional/revised submittal items in	pdf to: ZoningIntake-DSD@	hcflgov.net	
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P.O. Box 1	ity Development Division	Development Services	Department	
	L 33601-1110	19th Floor 601 E. Kennedy Blvd.,	Tampa	
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Application Number: 21-0305

VARIANCE REQUEST

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.
Variance of 3 feet from the required front yard sethack
from 25 feet resulting the front yard of 22 feet.
A Variance of 5.4 Feet from the required side yard
setback of 10 feet resulting in a side yard of
4.6 feet from the west property line. also a
Variance of 1.1 foot from the required side yard
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from the east property line.
A Variance is requested from the following Section(s) of the Hillshown b County Lond Development County
A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:
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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 X If yes, please indicate the nature of the application and the case numbers assigned to
the application(s): Administrative Walver Application 20-0289
Is this a request for a wetland setback variance? No Yes
If yes, you must complete the Wetland Setback Memorandum and all required information must be included with
this Application Packet (Attachment A).
this Application Packet (Attachment A).
this Application Packet (Attachment A). Please indicate the existing or proposed utilities for the subject property:
this Application Packet (Attachment A). Please indicate the existing or proposed utilities for the subject property: Public Water Public Wastewater Y Private Well Septic Tank
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Please indicate the existing or proposed utilities for the subject property: Public Water Public Wastewater Y Private Well Septic Tank Is the variance to allow a third lot on well and/or septic or non-residential development with an intensity of three ERC's? NoX 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
this Application Packet (Attachment A). Please indicate the existing or proposed utilities for the subject property: Public Water Public Wastewater X Private Well X Septic Tank 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 Yes If yes, you must submit a final determination of the "Water, Wastewater"



Additional / Revised Information Sheet

Received June 8, 2021 Development Services

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Application Number: 21-0305

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.

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Additional / Revised Information Sheet

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Application Num	ber: 81-03	05	Applicant's Name	Ocla	indo Huertas
Reviewing Planne	er's Name: Ke	vie De	tranc		Date: 4/6/2021
Application Type:					
☐ Planned Deve	lopment (PD)] Minor Modifica	ition/Personal Appea	arance (PRS	Standard Rezoning (RZ)
☑ Variance (VAR	i)] Development c	of Regional Impact (D	RI)	Major Modification (MM)
Special Use (S	200940	Conditional Use	e (CU)		Other
Current Hearing Date (if applicable): 04-26-2021					
	Th	e following r	nust be attache	d to this	Sheet.
Cover Letter v	vith summary of	the changes and	I/or additional infor	mation pro	vided. If a revised Site Plan is being
•			ed in detail in the C		
An updated Pr	roject Narrative	consistent with t	he changes or addit	ional inforr	mation provided, if applicable.
ubmittal Via:					
Email (Preferr	ed). Note that no f	ollow up paper file is	s necessary. Pdf format o	only. Maximu	m attachment(s) size is 15 MB.
Email this shee	t along all the add	litional/revised su	ubmittal items in pdf	to: <u>ZoningIn</u>	take-DSD@hcflgov.net
Mail or deliver	y. Number of Pl	ans Submitted:	Large Sm	all	-
For RZ-Standard:	if plot plan is larger o: 6 large copies.	ies 24"X36", one sm than 8.5"X11", 7 lar mits: one 8.5"X11" (ge copies should be sub	omitted.	
	Mail to:			Hand Deliv	ver to:
	Development Ser	vices Departmen		County Ce	nter
	Community Deve P.O. Box 1110	lopment Division		Developm 19th Floor	ent Services Department
	P.O. BOX 1110 Tampa, FL 33601-	1110			nnedy 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.

Signature

I, Orlando Huertas, owner of the property located at 1109 E. 140th Ave Tampa FL 33613, under the circ of this property has a setback reference to parcel is zoned RMC-20 which requires a minimum lot size of 6,540 square feet and minimum lot width of 70 feet. However, the dimension are approximately 50 feet

I purchased the property December 27th, 2017 and being a first-time home buyer, was ignorant to the existing setback issues that I inherited from the previous owners. Due to my daughter's health conditions (Sever Cerebral palsy), soon after purchasing the property I encountered mold and mildew

Therefore, without being aware of any setbacks or procedures required to replace or do any remodeling, I felt obligated to make this home fit for my daughter's and family's well-being. Once aware of these setbacks I immediately submitted the required paperwork and fees to resolve this issue.

Since then, it's been approximately a year and a half with the never-ending submitting of paperwork and over a couple thousand dollars in fees. With this being said I ask the Hillsborough county staff to find it in their hearts to make a decision and finalize this matter so we can move forward.

Thank you Sincerely,

Orlando Huertas

Ostando Muertas

Received May 10, 2021 Development Services

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Prepared by and Return to Melisa Moisa , an employee of First International Title, Inc. 4414 Florida National Dr. Lakeland, Fl. 33813

File No.: 113820-80

WARRANTY DEED

This indenture made on December 26, 2017, by Jose A. Martin Castellanos a single man and Jose Martin Ruiz and Orlanda Castellanos Chacon husband and wife whose address is:

1109 E. 140 Avenue, Tampa, FL 33613 hereinafter called the "grantor",

to **Orlando Huertas** whose address is: 1801 E. 143rd Ave, Tampa, FL 33613 hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) 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, Florida, to-wit:

Part of Lot 6, of REVISED MAP OF WANAKAH UNIT NO. 1, according to the map or plat thereof, as recorded in Plat Book 25, Page 57, described as: Beginning at a point 115.50 feet East of the Northwest corner of said Lot 6, run thence South 140 feet, West 50 feet, North 140 feet and East 50 feet to the Point of Beginning, all lying and being in Hillsborough County, Florida.

Parcel Identification Number: A0354670000

The land is not the homestead of the Grantor under the laws and Constitution of the State of Florida and neither the Grantor nor any person(s) for whose support the Grantor is responsible reside on or adjacent to the land.

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

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way 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 except taxes accruing

Received May 10, 2021

Subsequent to December 31st of 2016.

Development Services

In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.

27	
Jose A. Martin Castellanos	
1	
p-	
Jose Martin Ruiz	
Kisa i	
Clas 1 /4	
Orlanda Castellanos Chacon	
	1
Signed, sealed and delivered in our presenc	e:
orginal, believe and democratic in our process	
	/
Webby But	Witness Signature, Print Name:
Witness Signature	Witness Signature,
Print Name: DP DDIE BOUD	Print Name: 100 00 00 como
State of FLORIDA County of HIBBOTOUT	
County of HINDOVOUS	
	No. 1 E. 1 Th. Marie I
The Foregoing Instrument Was Acknowledg	ged before me on <u>Dellance Chasen</u> who is/are
A. Martin Castellanos and Jose Martin Ruiz perspnally known to me or who has/have produce	and Orlanda Castellanos Chacon, who is/are
Oriver Littings as	s identification.
	150 MAR- 150 M
(1)(1)	
Without TOU	
Notary Public	DEBORAH F. BOYD
Printed Name:	Commission # GG 096948 My Comm
My Commission explres:	My Comm. Expires Jun 11, 2021 Bonded through National Notary Asso



Additional / Revised Information Sheet

Received June 8, 2021 Development Services

Date Stamp Here

		_	0.000	
Application Number:	2/- 0305 Applicant's N	Vame: Orlando	Huertas	
Reviewing Planner's Name	: Kevie Defranc	Date:	6/8/2021	
Application Type:	45 To 10 To		/ /	
	(DD) Aliner Medification (Danson L)	(PDC)	1. 10	
Annal Control	(PD) Minor Modification/Personal A	- 100 mily 1	dard Rezoning (RZ)	
Variance (VAR)	Development of Regional Impa	act (DRI)		
Special Use (SU)	Conditional Use (CU)	Othe	er	
Current Hearing Date (if ap	plicable): 06-21-203)			
	The following must be atta	ched to this Sheet.		
Cover Letter with summ	mary of the changes and/or additional i	information provided. If a	revised Site Plan is being	
	he site plan must be listed in detail in t			
	provide a distanti de cui il c	THE SOUTH LECTER.		
An updated Project Na	rrative consistent with the changes or a	additional information are	wided if applicable	
	the consistent with the changes of the	additional information pro	учией, п аррпсавле.	
Submittal Via:				
Fmail (Preferred) Note t	that no follow up paper file is necessary. Pdf for	emak anki Marijarrini akkaskiri	W. 1 . 1 . 1 . 1 . 1 . 1 . 1 . 1 . 1 . 1	
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Email this sheet along all	the additional/revised submittal items in	pdf to: ZoningIntake-DSD@	hcflgov.net	
Mail or delivery. Number	er of Plans Submitted: Large	Small		
For PD, MM, PRS and SU: 7 I For RZ-Standard: if plot plan For Minor Change: 6 large co	large copies 24"X36", one small 8.5X11". is larger than 8.5"X11". 7 large copies should b			
Mail to:		Hand Deliver to:		
	nent Services Department	County Center		
P.O. Box 1	ity Development Division	Development Services	Department	
	L 33601-1110	19th Floor 601 E. Kennedy Blvd.,	Tampa	
certify that changes doser	ibad abasa ara tha ank ak ara a a that		3 654	
hanaes will require an ada	ibed above are the only changes that a ditional submission and certification.	nave been made to the si	ubmission. Any further	
11/1	1			
U Wards 1/0		06-	-08-2021	
	Signature		Date	
	FOR OFFICE USE	ONLY		
☐ Notification E-Mail Se				
☐ Transmittal Complete		In Take Consolidated		
- manamittal complete		In-Take Completed	by:	



Received 01/19/2021 Development Services

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.

	operty Information
Address: 1109 E 140 th Are City/State	Zip: TAMPA, FL 33613TWN-RN-SEC: 6-28-19
Folio(s): 035 467 -0000 Zoning: RA	4C-20 Future Land Use: B-20 Property Size: 7,000 Sq
	rty Owner Information
Name: Orlando Huertas	Daytime Phone: 813 850-1326
Address: 1109 E 140th Are	City/State/Zip: TAMPA, FL 33613
	FAX Number: \sqrt{A}
Name: Orlando Huertas	Daytime Phone: 813-850-1326
Address: 1109 E 140th Are	City/State/Zip: Temper FL 33613
Email: pulpo 80073@ gmail.	Com FAX Number:
Applicant's Rep	resentative (if different than above)
Name: N/A	Daytime Phone:
Address:	City / State/Zip:
Email:	FAX Number:
I HEREBY S WEAR OR AFFIRM THAT ALL THE INFORMAT PROVIDED IN THIS APP LICATION PACKET IS TRUE ACCURATE, TO THE BEST OFM Y KNOWLEDGE, AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT MY BEHALEFOR THIS APPLICATION. Signature of Applicant Oclando Huertas Type or Print Name	AND AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION
Intake Staff Signature: Ana Lizardo	Office Use Only Intoka Data: 01/19/2021
Case Number: 21-0305	Intake Date: 01/19/2021 Public Hearing Date: 04/26/2021
Receipt Number: 21-0305	a done Atoming Date,