



**Hillsborough
County Florida**

LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 21-1154

LUHO HEARING DATE: November 15, 2021

CASE REVIEWER: Tania C. Chapela

REQUEST: The applicant is requesting a variance to the required rear yard setback for a proposed covered patio on a single-family lot zoned PD 98-1539, as most recently modified by PRS 19-0646.

VARIANCE(S):

Per LDC Sec. 6.01.03. I. 4, Permitted Projections into Required Yards, covered patios may intrude no more than 13 feet into the required rear yard; however, in no case shall the permitted intrusion of the covered patio reduce the yard that is provided to less than 10 feet. Per the current conditions of approval for PD 98-1539, the required rear yard setback on the subject property is 10-feet. The applicant requests a 7-foot reduction to the required rear setback to allow a setback of 3 feet.

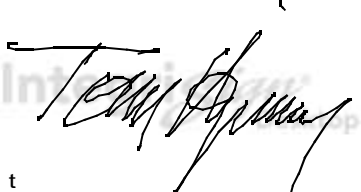
FINDINGS:

- Per the survey received September 22, 2021, the covered patio will be 338 square feet in size.
- The applicant states the sides of the covered patio will be made entirely of screen.

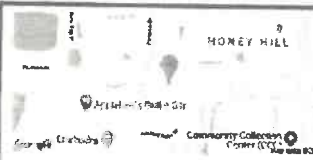
DISCLAIMER:

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


t
Mon Nov 1 2021 13:21:01

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

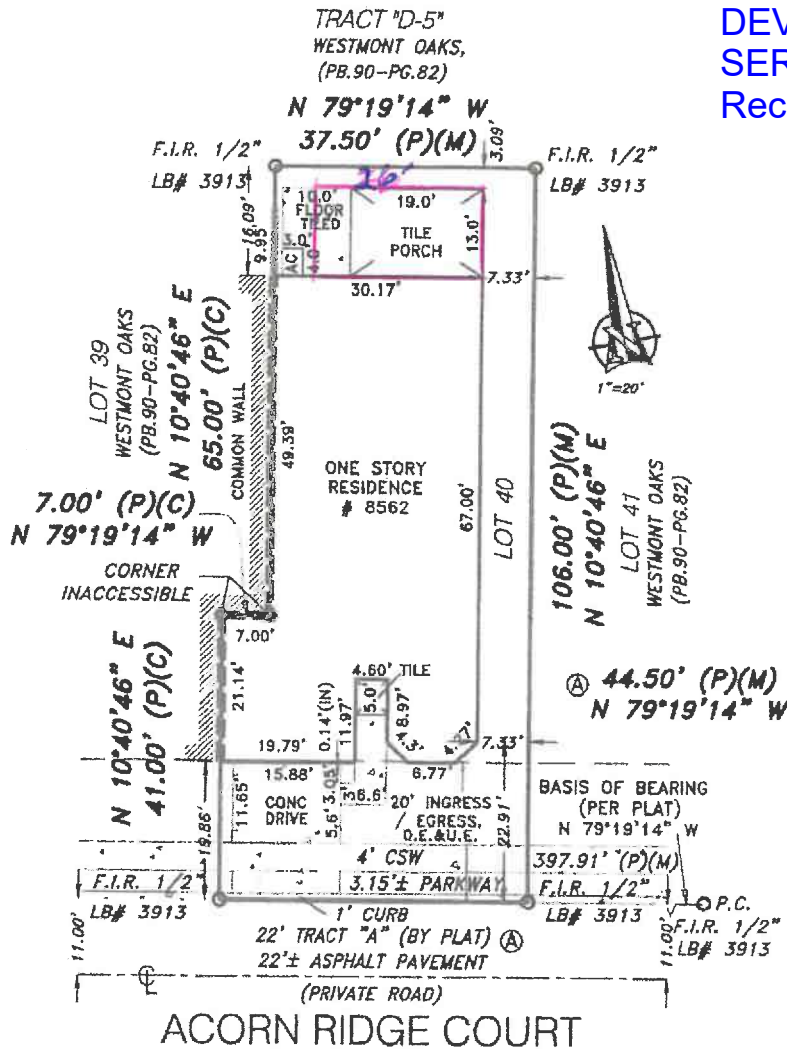


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the Florida Real
Estate Community
for Over 20 Years
WWW.MELANDSERVICES.COM

This survey shall not be used for construction/permitting purposes without written consent from the land surveyor who has signed and sealed this survey.

VAR 21-1154

DEVELOPMENT
SERVICES
Received 09/22/21



Accepted By: _____

Property Address:
8562 Acorn Ridge Court
Tampa, FLORIDA 33625

Notes: CONCRETE ENCROACHES INTO EASEMENT ALONG SOUTH LOT LINE.

SURVEYOR'S CERTIFICATION: I, MIGUEL ESPINOSA, being duly sworn, depose and say that this SOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECTION. THIS CERTIFIES WITH THE MINIMUM TECHNICAL STANDARDS OF THE STATE OF FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTERS 461.03 THROUGH 461.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO 427.027 FLORIDA STATUTES.

SIGNED
MIGUEL ESPINOSA
STATE OF FLORIDA

NO. 5101
STATE OF
02/16/2021

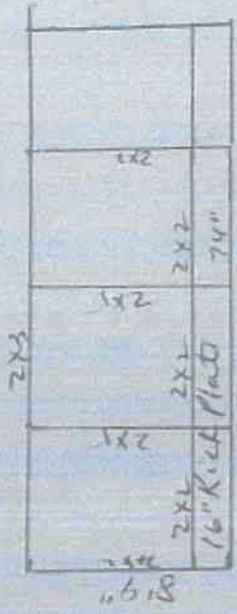
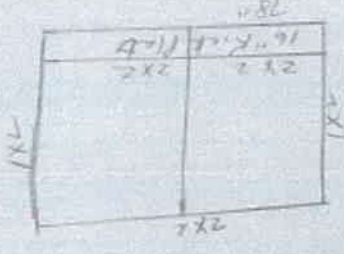
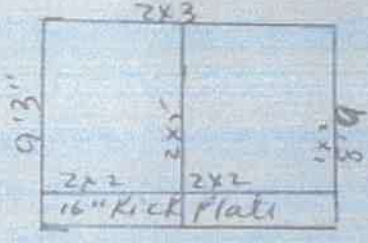
FOR THE FIRM
R.S.M. NO. 5101

NOT VALID WITHOUT AN AUTHENTIC ELECTRONIC SEAL AND OR THIS MAP IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER

M.E. Land Surveying, Inc.
10665 SW 190th Street
Suite 3110
Miami, FL 33157
Phone: (305) 740-3319
Fax: (305) 669-3190
LB#: 7989



12-11-81
KOH



VAR 21-1154

26' x 13' Screen Room
26' x 13' 3" Compos + Roof
16" Kick Plate
6'8" to 8'9" TAIL

Rene Rodriguez
8562 Acorn Ridge Ct.
A



**Hillsborough
County Florida**
Development Services

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

Additional / Revised Information Sheet

Date Stamp Here

Application Number: VAR 21-1154 Applicant's Name: Rene & Maria Rodriguez

Reviewing Planner's Name: Tania C. Chapela Date: 9/10/2021

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): 10/25/2021

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.

☒ An updated Project Narrative consistent with the changes or additional information provided, if applicable.
Please see attachment, page 3 of the original variance request with a modified project narrative.

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@hcfilgov.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.

Maria E. Rodriguez
Signature

9-10-21
Date

FOR OFFICE USE ONLY

- ☐ Notification E-Mail Sent
☐ Transmittal Completed

☐ Scanned into OPTIX

In-Take Completed by: _____

Tania C. Chapela
Senior Planner
Development Services

P: (813) 635-7302
E: chapelat@HCFLGov.net
W: HCFLGov.net

Rene & Maria Rodriguez – VAR 21-1154
8562 Acorn Ridge Ct
Tampa, FL 33625

Ms. Chapela,

Per our phone conversation I am enclosing the additional information sheet where we have changed the setback being requested.

The requirement is 10 feet and we only have 3 feet, therefore we need a variance for 7 feet.

The total square footage for the covered patio is 247 Sq. Ft.

Sincerely,

 Maria & Rodriguez 9/10/2021
Rene & Maria Rodriguez

Application Number: VAR 21-1154

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.

Requesting a set back variance to add a covered patio with screened walls on an existing slab.

A set back of 10 ft is required and we only have 3 ft. so we need a variance for 7 ft. Totals square footage of the patio is 247 sq ft.

as shown on the submitted plans.

2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:
6.01.03

ADDITIONAL INFORMATION

1. Have you been cited by Hillsborough County Code Enforcement? No ☒ Yes _____
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 _____ 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 ☒ 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 ☒ 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 ☒ 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 19th floor County Center).

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?

Roughly 30% of the homes in the community already have a covered screen lanai and have obtained variances.

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.

Many homes in this community have been granted variances for a covered screened lanai which is a necessity with the rainfall amounts we experience.

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 covered screened lanai sits only on our property directly on a slab that was put in place by the builder of the property. It does not injure the rights of others.

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 total harmony with allowing year round enjoyment of our backyard.

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 is no illegal act or action, we simply would like to enjoy the benefits shared by many other homes in our community.

6. Explain how allowing the variance will result in substantial 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.

Allowing the variance will allow use of the backyard under a covered porch during inclement weather and help keep mosquitos away from us.

Prepared by:
Jeffrey D. Fishman
Investors Title & Settlement Services
413 S. MacDill Avenue
Tampa, Florida 33609-3036

File Number: 2021-1011
Property Address: 8562 Acorn Ridge Court, Tampa, Florida 33625

General Warranty Deed

Made this February 26, 2021 A.D. By **Jeanette L Ytuarte, an unmarried woman**, whose address is: 8562 Acorn Ridge Court, Tampa, Florida 33625, hereinafter called the grantor, to **Rene Rodriguez and Maria Rodriguez, husband and wife**, whose post office address is: 8562 Acorn Ridge Court, Tampa, FL 33625, 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 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, viz:

Lot 40, WESTMONT OAKS, according to map or plat thereof as recorded in Plat Book 90, Page 82 of the Public Records of Hillsborough County, Florida.

Parcel ID Number: U-14-28-17-5TZ-000000-00040.0

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 except taxes accruing subsequent to December 31, 2020.

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

Signed, sealed and delivered in our presence:

Joni L Holt
Witness Printed Name Joni L Holt

Jeanette L Ytuarte (Seal)
Jeanette L Ytuarte
Address: 8562 Acorn Ridge Court, Tampa, Florida 33625

Avita R Roederer
Witness Printed Name Avita R Roederer

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me by means of physical presence, this 25th day of February, 2021, by Jeanette L Ytuarte, an unmarried woman, who is/are personally known to me or who has produced Fla. D.L. as identification.

(Seal)

Joni L Holt
Notary Public



JONI L. HOLT
Commission # GG 231995
Expires August 9, 2022
Bonded thru Budget Notary Service



Received
08/03/2021
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.**

Property Information

Address: 8562 Acorn Ridge Ct City/State/Zip: Tampa, FL 33625 TWN-RN-SEC: 28-17-14
Folio(s): 004016-0230 Zoning: PD Future Land Use: PD Property Size: 4262

Property Owner Information

Name: Rene & Maria Rodriguez Daytime Phone: 813-781-0774 (Rene)
Address: 8562 Acorn Ridge Ct City/State/Zip: Tampa, FL 33625
Email: Themrodfamily@gmail.com FAX Number: N/A

Applicant Information

Name: Rene Rodriguez Daytime Phone: 813-781-0774
Address: 8562 Acorn Ridge Ct City/State/Zip: Tampa, FL 33625
Email: Themrodfamily@gmail.com FAX Number: N/A

Applicant's Representative (if different than above)

Name: N/A 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.

Signature of Applicant

Type or Print Name

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.

Maria E Rodriguez
Signature of Property Owner

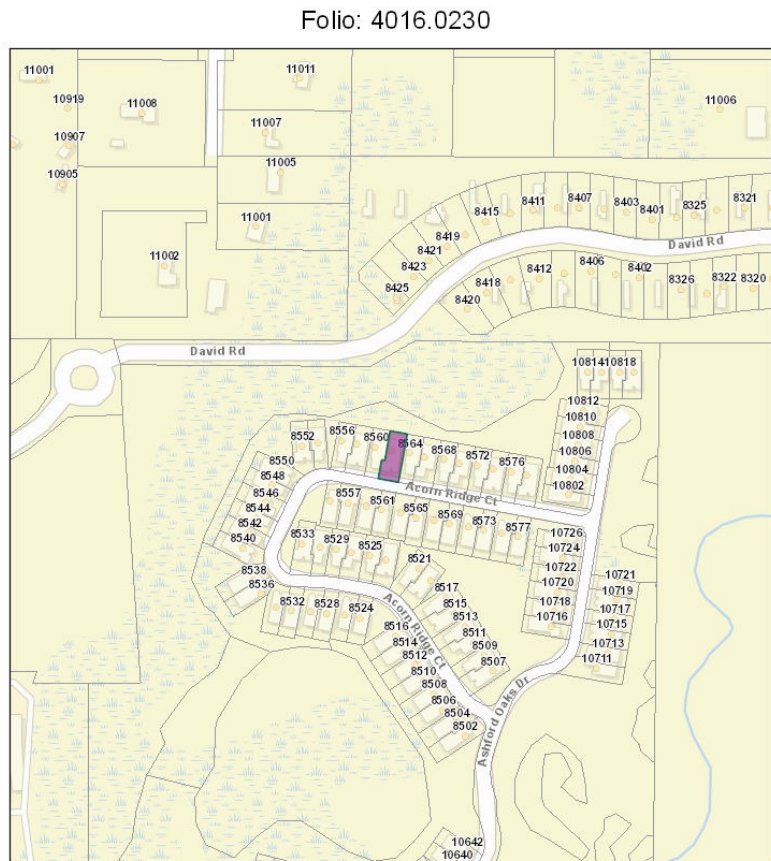
Rene Rodriguez
Type or Print Name

Intake Staff Signature: Ana Lizardo Office Use Only Intake Date: 08/03/21
Case Number: 21-1154 Public Hearing Date: 10/25/2021
Receipt Number: _____



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	98-1539
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0187H
FIRM Panel	12057C0187H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120190D
County Wide Planning Area	Northwest Hillsborough
Community Base Planning Area	Northwest Hillsborough
Planned Development	PD
Re-zoning	null
Note	
Personal Appearances	07-1994,03-0929,00-1045, 99-1288, 16-1271, 19-0646
Census Data	Tract: 011412 Block: 2010
Census Data	Tract: 011412 Block: 2011
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



August 3, 2021

1:2658
0 0.02 0.04 0.09 mi
0 0.04 0.07 0.14 km

PG, Hillsborough County - Public Works - Geomatics - Streets & Addresses

Hillsborough County Florida

Folio: 4016.0230
PIN: U-14-28-17-5TZ-000000-00040.0
RENE AND MARIA RODRIGUEZ
Mailing Address:
 8562 ACORN RIDGE CT
 TAMPA, FL 33625-3707
Site Address:
 8562 ACORN RIDGE CT
 TAMPA, FL 33625
SEC-TWN-RNG: 14-28-17
Acreage: 0.0978419
Market Value: \$255,051.00
Landuse Code: 0106 SINGLE FAMILY

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1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.
2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

21-1154

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