

Variance Application: VAR 26-0134
LUHO Hearing Date: January 12, 2026
Case Reviewer: Cierra James



**Hillsborough
County Florida**
Development Services Department

Applicant: Melva Rodriguez **Zoning:** RSC-6
Location: 8511 Sunbeam Ln, Tampa, FL 33615; Folio: 7023.0100

Request Summary:

The applicant is requesting a variance to the front and side yard setbacks to accommodate the existing home.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.01.01	A minimum of 25-foot front yard setback is required in the RSC-6 zoning district.	5.14 feet	19.86-foot front yard setback
6.01.03.I.4 6.01.01	Covered patios shall not intrude into the required side yard. A minimum 7.5-foot side yard setback is required in the RSC-6 zoning district.	4.68 feet	2.82-foot side yard setback

Findings:

The property is under Code Compliance violation (HC-CMP-25-0000446) for failure to obtain a Residential New Construction and Additions permit.

Zoning Administrator Sign Off:

A digital signature of Colleen Marshall.

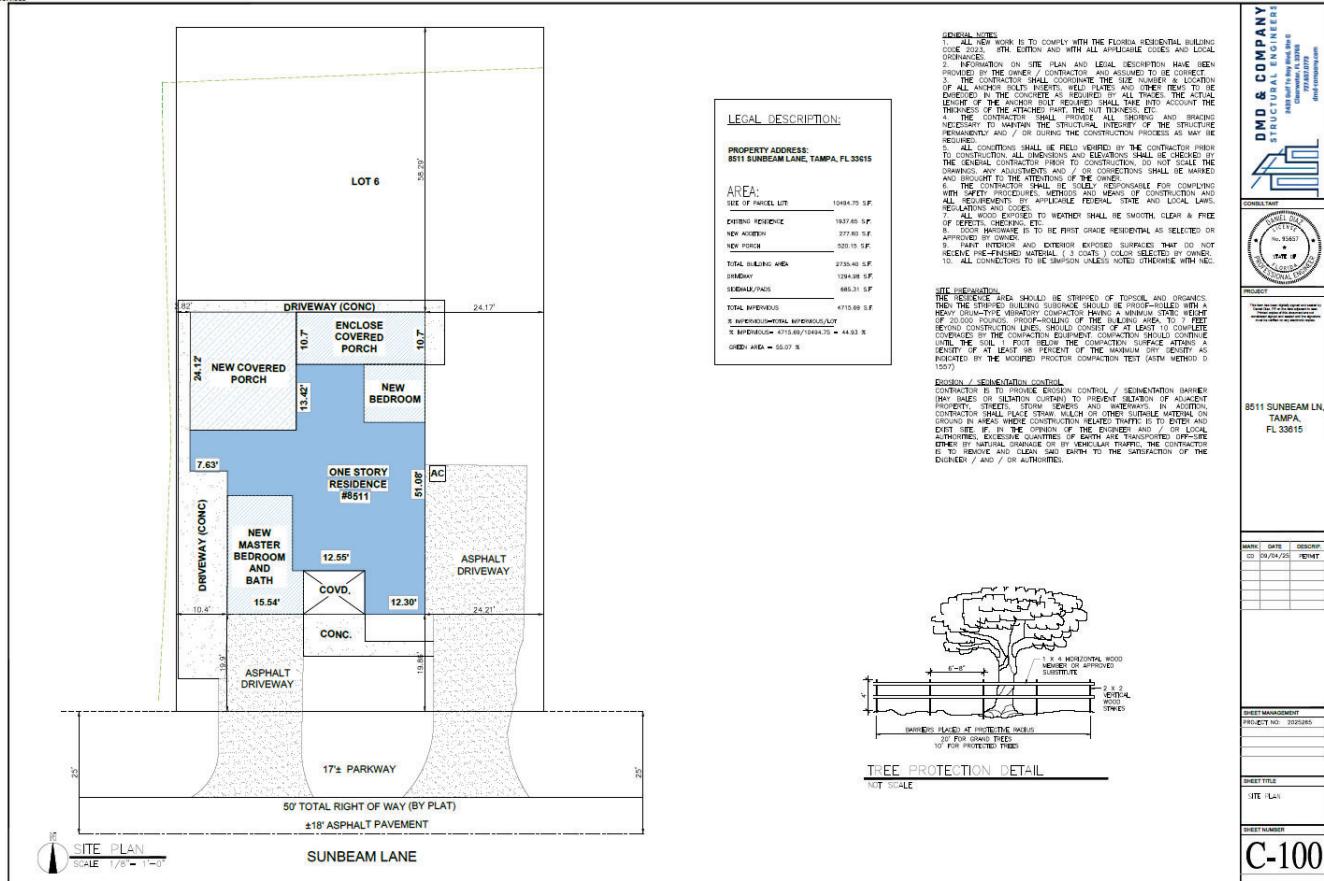
Colleen Marshall
Wed Dec 24 2025 11:26:32

DISCLAIMER:

The variance(s) 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.

SURVEY/SITE PLAN

Received
10/24/2025
Development Services





Additional / Revised Information Sheet

Office Use Only

Application Number:

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Application Number: VAR 26-0134 Applicant's Name: MELVA RODRIGUEZ

Reviewing Planner's Name: CIERRA JAMES Date: 12/11/2025

Application Type:

<input type="checkbox"/> Planned Development (PD)	<input type="checkbox"/> Minor Modification/Personal Appearance (PRS)	<input type="checkbox"/> Standard Rezoning (RZ)
<input checked="" type="checkbox"/> Variance (VAR)	<input type="checkbox"/> Development of Regional Impact (DRI)	<input type="checkbox"/> Major Modification (MM)
<input type="checkbox"/> Special Use (SU)	<input type="checkbox"/> Conditional Use (CU)	<input type="checkbox"/> Other _____

Current Hearing Date (if applicable): 01/12/2025

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Will this revision add land to the project? Yes No

If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

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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.

Melva Rodriguez

Signature

12/11/2025

Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

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Signature: Melva Rodriguez
(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



Additional / Revised Information Sheet

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

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1	<input type="checkbox"/>	Cover Letter*+ If adding or removing land from the project site, the final list of folios must be included
2	<input checked="" type="checkbox"/>	Revised Application Form*+
3	<input type="checkbox"/>	Copy of Current Deed* Must be provided for any new folio(s) being added
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5	<input type="checkbox"/>	Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6	<input type="checkbox"/>	Property Information Sheet*+
7	<input type="checkbox"/>	Legal Description of the Subject Site*+
8	<input type="checkbox"/>	Close Proximity Property Owners List*+
9	<input type="checkbox"/>	Site Plan*+ All changes on the site plan must be listed in detail in the Cover Letter.
10	<input type="checkbox"/>	Survey
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Hillsborough County Florida

Application No: _____

Project Description (Variance Request)

1. 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.

~~attach~~

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

Attach.

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.
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 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

1. The parcel is located within the **RSC-6 zoning district**, which requires a **minimum side yard setback of 7.5 feet**.

Per Section 6.01.03.I.4 of the LDC, **Covered Patios** (as defined in Article XII) **shall not intrude into the required side yard**. LDC Section Violated: LDC Sec. 6.01.01, A variance of 5.14 feet from the required 25 feet, resulting in a 19.86-foot front yard setback

The Variance Being Requested: A variance is being requested to allow an existing or proposed **covered patio** to encroach into the **required 7.5-foot side yard setback**. As well the front yard setback

• Specifically Identified Request: Variance of **4.68 feet** from the required **7.5-foot side yard setback** to accommodate a covered patio, resulting in a side yard of **4.68 feet**.

History and/or Related Facts: The need for this variance stems from the location and design of the covered patio, which, as currently configured, would violate the development code's prohibition against covered patios intruding into the required side yard. Analysis of History/Related Facts (The 'Pre-Existing' Condition) The argument being used to support the variance is based on a pre-existing condition or structure: The Conflict: LDC regulations generally treat a covered patio as part of the primary structure for setback purposes (prohibiting it from intruding into the required side yard). The Applicant's Claim: The location and design of the new covered patio are based on an "previously built area" from a "previous owner." Hardship Argument: The applicant is trying to argue that the design of the existing home (which incorporated that previous area) dictates the only practical location for the covered patio, thus creating the necessary "hardship" on the property.

2. The variance is requested from:

- **Section 6.01.03.I.4, LDC**
- This section prohibits **Covered Patios** from intruding into the required side yard setback.
- **The dimensional requirement for the Side Yard Setback in the RSC-6 zoning district.**
- This minimum side yard setback is **7.5 feet**.

The request is necessary because the proposed or existing covered patio violates the restriction in Section 6.01.03.I.4 by encroaching upon the **7.5-foot minimum side yard setback** required in the RSC-6 zoning district.

- **LDC Section Violated: LDC Sec. 6.01.01** (Schedule of District Area, Height, Bulk, and Placement Regulations)

Specific Regulation: Front Yard Setback

Required Setback (Code Standard): 25 feet

Variance Requested: 5.14 feet

Resulting Setback (Proposed): 19.86 feet

This means the applicant is seeking permission to build or place a structure (likely an addition, porch, or primary home) 5.14 feet closer to the street right-of-way than the Land Development Code normally allows in that zoning district. The new front of the structure would be at the 19.86-foot mark instead of the 25-foot mark.

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County Florida**
Development Services

Variance Criteria Response

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?

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.

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.

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*).

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.

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.

1. The alleged hardship is unique and singular to the subject property due to specific, unusual physical characteristics of the lot and/or the existing improvements, which are **not** suffered in common with other properties similarly located in the RSC-6 zoning district.

1. Unusual Lot Configuration (Physical Hardship)

The subject property possesses an **irregular or non-standard lot shape**, such as an extreme pie shape, a significant taper, or an unusually shallow depth that severely restricts the buildable area. This irregular shape **magnifies the impact** of the standard 7.5-foot side yard setback, making it mathematically infeasible to construct a reasonably sized covered patio that is functionally accessible from the existing home.

- **Why it's unique:** Most lots in RSC-6 are rectangular or follow a typical subdivision pattern, allowing a covered patio to be placed without encroaching. The subject property's specific, unique dimensions create the practical difficulty.

2. Placement of Existing Structures (Practical Difficulty)

The existing principal dwelling was constructed on the lot in a lawful manner **prior** to the current strict prohibition in **Section 6.01.03. I.4**. Due to the specific and precise location of the existing home on the narrowest portion of the lot or an unusual orientation required by previous site conditions (e.g., existing easements, wetlands, or topography), the **only structurally viable and logical location** for the covered patio falls partially within the required 7.5-foot side yard.

- **Why it's unique:** Properties in the RSC-6 district typically have enough room to add a covered patio either in the rear or side yard without intrusion. The subject property's difficulty arises from the **fixed, lawful placement of the existing home** that cannot be altered, forcing the accessory structure into the setback area.

2. The right being commonly enjoyed by other properties in the RSC-6 zoning district is the ability to construct a **covered patio** for residential use (e.g., outdoor living, dining, or shelter) as an accessory structure, subject to standard setbacks.

The literal enforcement of **Section 6.01.02.I.4, LDC**—which states that **Covered Patios...shall not intrude into the required side yard**—combined with a **unique physical constraint** of the subject property, effectively prevents the property owner from building a reasonably sized covered patio *anywhere* on their lot.

How the Hardship Deprives Rights

1. **Unique Constraint:** Because of a specific, non-standard condition (e.g., an unusually narrow lot, an oddly placed existing home, or an easement), the **only practical and viable location** for a covered patio is one that slightly encroaches into the 7.5-foot side yard setback.
2. **Code Interaction:** The strict interpretation of Section 6.01.02.I.4 acts as an absolute prohibition. If the property's unique geometry forces the patio to touch the setback line, the literal LDC requirements lead to an **effective denial** of the right to build a covered patio.
3. **Resulting Deprivation:** Other properties in the RSC-6 district, which do not have the same unique constraint, can easily comply with the side yard setback and construct a covered patio. Therefore, the literal requirements of the LDC, when applied to this specific property, result in a **special hardship** that denies the property owner the **reasonable and common use** of their land for a typical residential accessory structure.

3. The requested variance, which allows a minimal encroachment of a covered patio into the required side yard setback, will **not substantially interfere with or injure the rights** of neighboring property owners for the following reasons:

1. Minimal Nature of the Variance

The variance is only being requested for the **minimum relief necessary** (e.g., \$X\$ feet into the 7.5-foot setback). A minor intrusion of this nature does not significantly alter the overall density or spatial relationships established by the LDC. The bulk, height, and overall footprint of the structure remain consistent with the neighborhood standards.

2. Maintenance of Light, Air, and Privacy

The purpose of side yard setbacks is primarily to ensure adequate separation between structures for light, air, and fire safety, and to protect privacy.

- The covered patio is an **accessory structure**, typically open on at least two sides, which **does not create a solid, continuous wall** or a substantial obstruction to air circulation and light.
- Because the encroachment is minimal and the structure is generally low-profile, it will **not result in significant shadow-casting** or loss of light to the adjacent property.
- The variance does not involve windows or habitable space that would directly overlook the neighbor's private areas, thus **preserving the neighbor's right to privacy**.

3. Consistency with Neighborhood Character

The use being allowed—a **covered patio**—is a standard residential amenity common in the RSC-6 district. Allowing the minimal intrusion ensures that the subject property can enjoy a comparable amenity to those of its neighbors. This minor adjustment is necessary due to a unique property hardship and **will not degrade the established residential character** or property values of the surrounding area.

The rights of neighbors (e.g., the right to reasonable light, air, use of their property, and fire safety) will remain essentially unharmed, as the slight reduction in the side yard setback is **not substantial enough** to cause any measurable injury.

4. The LDC's general intent and purpose (as described in Sections 1.02.02 and 1.02.03) typically focus on promoting the public health, safety, and general welfare, securing appropriate development, and ensuring uniformity and consistency in land use.

The allowance of this minimal variance is in harmony with these goals as follows:

1. Promotes General Welfare (Reasonable Use)

The variance serves the general welfare by allowing the subject property to have a **reasonable use** of the land, specifically by accommodating a covered patio, which is a **common and fundamental amenity** in the residential **RSC-6** district.

- By mitigating a hardship caused by the lot's unique characteristics, the variance prevents the property owner from being effectively **denied the right** to construct a typical residential structure that their neighbors enjoy.

2. Maintains Orderly Development (Minimal Impact)

The variance is not for a significant change in use or density but for a **minimal dimensional adjustment** to an accessory structure.

- Since the encroachment into the $7.5\text{ foot side yard setback}$ is minimal and for a low-profile structure like a covered patio, it will **not disrupt the light, air, or open space** of the surrounding neighborhood.
- The essential residential character of the **RSC-6** district—low-density, single-family—is preserved, ensuring the orderly and harmonious development pattern of the area.

3. Secures Uniformity and Consistency (Addressing Hardship)

The variance procedure itself is designed to provide relief when the **literal application** of the LDC creates an **unnecessary and unique hardship** that was not intended by the Code's framers.

- Granting relief in this specific, unique circumstance ensures the Code is applied **fairly and equitably**, rather than rigidly, which serves the LDC's overall purpose of consistent application while accounting for specific on-the-ground realities.

Therefore, the variance serves the LDC's purpose by **tempering strict dimensional standards** to accommodate a unique property hardship, thereby maximizing the reasonable use of land without undermining the fundamental health, safety, and welfare goals of the community.

5. The situation sought to be relieved by the variance does not result from an illegal act or a self-imposed hardship resulting from the actions of the applicant.

1. No Illegal Act

The application for a variance itself confirms that the applicant is seeking relief *before* or *during* construction, acknowledging the existing prohibition in **Section 6.01.02.I.4** (which states that **Covered Patios...shall not intrude into the required side yard**). There is no history of intentional violation; rather, the applicant is following the legal process to address a conflict between the code and the physical realities of the lot.

2. Result of Pre-Existing Physical Constraints

The hardship is a result of **physical peculiarities singular to the subject property** that were present before the current plans were drawn. Examples of non-self-imposed hardships include:

- **Irregular Lot Shape:** The lot may have an unusual width, depth, or taper that drastically reduces the usable area, especially after accounting for the minimum **7.5-foot side yard setback**. This shape is a **pre-existing condition** of the land, not created by the applicant.
- **Location of Existing Lawful Structure:** If the existing principal dwelling was lawfully constructed **prior to the current LDC standards**, its fixed location may leave only a minimal, non-conforming area for the covered patio, forcing the necessary encroachment. The placement of the existing home is a **fixed constraint**, and the request is merely to add a minor, standard residential amenity.

3. Not Economic or Convenience-Based

The request for the variance is not driven by a desire for a larger, more expensive patio or for simple convenience. Instead, it is the minimum practical modification necessary to allow a **reasonable and functional use** of the property that is consistent with neighboring properties, despite the unique dimensional constraints of the lot.

Because the underlying difficulty (the lack of space to build the patio without encroachment) stems from the **inherent, non-changeable physical limitations of the parcel**, the hardship is not one of choice but one imposed by the literal application of the LDC to a unique piece of land.

6. Substantial justice is achieved when the outcome is fair, considering both the need to uphold the law and the individual's right to reasonable use of their property.

1. Individual Hardship Suffered Without Variance

A failure to grant the variance would result in substantial injustice to the property owner because:

- **Denial of Common Rights:** Due to a **unique, pre-existing physical condition** of the lot (e.g., unusual shape, fixed placement of existing home), the literal enforcement of **Section 6.01.02.I.4** (prohibiting covered patios in the side yard setback) effectively **denies the owner the right** to build a standard residential amenity—a covered patio—that is commonly enjoyed by other properties in the **RSC-6** district.
- **Unnecessary Burden:** This denial constitutes an unnecessary and **unique hardship** because the practical difficulty arises from the land itself, not the owner's voluntary actions. This is an inequitable outcome that was not the intent of the LDC.

2. Public Benefits Preserved by Granting Variance

Granting the variance, with its minimal encroachment, will **not substantially undermine** the public benefits intended by the LDC:

- **Health and Safety:** The variance is for a minor dimensional adjustment to a low-profile accessory structure. It is **not substantial enough** to compromise the primary functions of the **7.5-foot side yard setback**, such as adequate light, air circulation, or fire safety for the public good.
- **General Welfare:** By allowing the minimal encroachment, the variance promotes the **general welfare** by ensuring the property achieves **reasonable and beneficial use** without altering the essential low-density, residential character of the **RSC-6** zoning district.

In conclusion, **substantial justice is served** by granting the minimum variance necessary to resolve the unique hardship, as it corrects an inequity while simultaneously maintaining the core integrity and intent of the LDC to protect the surrounding public interest.

1.

1. Significant Environmental Constraints (Conservation Area)

Unlike many standard residential lots, 8511 Sunbeam Ln is designated with a **Conservation Area** and is located in a high-risk **Flood Zone**.

- **The Argument:** The rear of this property is encumbered by conservation restrictions or severe flood-plain risks that do not impact all neighbors equally. To avoid building in environmentally sensitive areas or to meet FEMA elevation requirements without significantly impacting the backyard's drainage, the home must be shifted forward.
- **Singularity:** "While other properties in the RSC-6 zone may have clear, buildable backyards, this parcel is uniquely restricted by [specific conservation/flood zone] at the rear, forcing the building envelope toward Sunbeam Lane."

2. Shallow "Net" Buildable Depth

The lot dimensions are approximately **75' x 140'**. While 140 feet seems deep, if the rear portion is unbuildable due to the conservation area mentioned in public records, the "actual" usable depth is much smaller than the 140 feet enjoyed by others.

- **The Argument:** If you apply a standard 25-foot front setback AND a 20-foot rear setback, plus additional environmental buffers, the remaining "middle" space is too narrow to accommodate a modern, functional home design (like the current 1,540 sq. ft. footprint).
- **Singularity:** "The unique convergence of a 25-foot front setback and the [X-foot] environmental buffer at the rear leaves this property with a net buildable depth of only [X] feet, a limitation not suffered by standard lots on the same street."

3. Pre-Existing Non-Conforming Structure (Built 1955)

This home was built in **1955**. At that time, zoning codes were different, and the house was likely positioned at its current 19.86-foot mark legally.

- **The Argument:** The hardship is "singular" because the home has existed in this exact location for 70 years. Forcing a renovation or addition to comply with the 25-foot rule would require tearing down a portion of the original, historically established structure.
- **Singularity:** "This structure was established in 1955 prior to the modern RSC-6 setback requirements. Unlike newer homes in the area that were built to current standards, this property suffers from a 'physical hardship' where the existing foundation—the very core of the home—is already situated within the required setback."

4. Dead-End Street Characteristics

Public records note that 8511 Sunbeam Ln sits near where the street terminates at a **dead end**.

- **The Argument:** Because the property is on a dead-end street with minimal through-traffic, a 5.14-foot variance does not create the safety or visibility issues it might on a major thoroughfare. This makes the property's location unique.
- **Singularity:** "The property's location on a dead-end street means the reduced setback does not impact the 'sight-triangle' or traffic safety in the way it would for

properties on through-streets, making this variance request specific to this quiet, terminal segment of the lane."

Comparison of Hardship Types

Hardship Factor	Unique to 8511 Sunbeam Ln	Common Neighborhood Issue
Environmental	Conservation area/flood zone at rear.	"It's hot in Tampa."
Historical	1955 original foundation location.	"I want a bigger house."
Geometry	Shallow buildable depth due to buffers.	"The 25ft setback is annoying."

Summary for your Application:

"The hardship is unique to 8511 Sunbeam Ln because it arises from the **1955 placement of the original structure** and the **specific conservation constraints** at the rear of the lot. These factors combine to create a buildable area that is significantly more restricted than neighboring parcels, making the 19.86-foot setback a practical necessity to maintain the integrity of the home without encroaching on protected environmental zones."

2.

1. Deprivation of a "Reasonable Building Envelope"

Under the RSC-6 (Single-Family Conventional) zoning common in this part of Tampa, property owners are entitled to a standard "building envelope" (the space where a house can legally sit).

- **The Argument:** Because your property is constrained by a **Conservation Area** or significant **environmental buffers** at the rear, the LDC's 25-foot front setback "squeezes" your buildable area from both sides.
- **The Deprivation:** "Literal enforcement of the 25-foot front setback, when combined with the rear environmental constraints unique to this parcel, deprives the owner of a building footprint comparable in depth and scale to those enjoyed by neighboring properties that do not have similar rear-yard restrictions."

2. Deprivation of the Right to Improve/Expand a Pre-Existing Structure

Most neighbors with homes built under modern codes can expand their homes "by right" because their original structures were set back 25 feet or more.

- **The Argument:** Since the home at 8511 Sunbeam Ln was built in 1955, the "literal" code forces you to either build an awkward, disjointed addition that doesn't align with your current walls or tear down perfectly good portions of the home to meet the 25-foot line.
- **The Deprivation:** "Strict adherence to the LDC deprives the applicant of the right to maintain a consistent building line. While neighbors can expand their homes along established architectural planes, the applicant is uniquely forced into a 'staggered' design that diminishes the home's utility and aesthetic value—a burden not shared by owners of newer conforming structures in the district."

3. Deprivation of Equivalent Floor Area Ratio (FAR)

Zoning districts are designed to allow a certain percentage of the lot to be covered by a home.

- **The Argument:** If the strict 25-foot setback makes it impossible for you to reach the same square footage as your neighbors (without building a second story, which may be cost-prohibitive), you are being deprived of your "development rights."
- **The Deprivation:** "The literal requirements of the LDC prevent the subject property from achieving a Floor Area Ratio (FAR) consistent with the surrounding neighborhood. Other properties in this district are able to utilize their full development potential; however, the strict 25-foot requirement on this specific lot renders a significant portion of the land unbuildable, effectively stripping the owner of square footage rights enjoyed by others."

Comparison of Rights

Right Enjoyed by Neighbors	Deprivation at 8511 Sunbeam Ln
Standard Footprint	Limited to a "shallow" footprint due to rear environmental buffers.
Architectural Continuity	Forced to "step back" any additions, ruining the 1955 design flow.
Full Lot Utilization	A larger percentage of the lot becomes "dead space" that cannot be built upon.

Suggested Drafting Language:

"Literal enforcement of the 25-foot front yard setback would deprive the owners of 8511 Sunbeam Ln of the right to a functional and harmonious residential floor plan. Due to the 1955 placement of the existing foundation and the environmental limitations at the rear of the property, the LDC creates a 'double-bind' that prevents the applicant from enjoying the same buildable depth and square footage commonly utilized by surrounding properties in the RSC-6 district."

3.

1. Maintenance of the "Prevailing Setback" Line

In many older Tampa neighborhoods, although the code says 25 feet, many homes were built before that code existed.

- **The Argument:** If other homes on Sunbeam Lane are already closer to the street than 25 feet, your variance actually *protects* the visual character of the street rather than injuring it.
- **Key Point:** "The proposed 19.86-foot setback is consistent with the established 'prevailing setback' of the block. Allowing this variance ensures the subject property remains in architectural alignment with existing neighboring structures, thereby preserving the aesthetic continuity of the streetscape."

2. Preservation of Sight Lines and Traffic Safety

The primary reason for front setbacks is "sight triangles"—ensuring drivers can see around corners and out of driveways.

- **The Argument:** Because 8511 Sunbeam Ln is located on a quiet residential street (near a dead end), a 5-foot encroachment does not create a blind spot for neighbors.
- **Key Point:** "The 5.14-foot variance does not impede the 'sight triangle' for adjacent driveways or the public right-of-way. Because Sunbeam Lane is a low-volume residential street, the variance poses no threat to pedestrian or vehicular safety, ensuring that neighbors' rights to safe transit are fully maintained."

3. No Encroachment on Light, Air, or Privacy

Neighbors have a right to "light and air"—meaning they don't want a massive wall blocking their sun or breeze.

- **The Argument:** A front yard variance is much less intrusive than a side yard variance. It doesn't move you closer to the neighbors' houses; it only moves you closer to the street.
- **Key Point:** "The variance is requested only for the front yard setback, which borders the public street, not the side yards bordering adjacent neighbors. As such, the proposed structure will not overshadow neighboring windows, obstruct natural airflow, or infringe upon the privacy of the abutting private properties."

4. Protection of Property Values

A variance that allows for a high-quality renovation or a more functional home typically increases the value of the subject property and, by extension, the surrounding neighborhood.

- **The Argument:** Denying the variance might result in a poorly designed, awkward home that hurts the street's appeal.
- **Key Point:** "By allowing a design that is architecturally sound and functionally modern, the variance supports the long-term market value of the street. It

prevents the development of a 'non-functional' layout that could become a blighting influence, thus protecting the economic interests of the surrounding property owners."

Summary Checklist for "No Injury to Others"

Potential Concern	Why 8511 Sunbeam Ln is Safe
Traffic Safety	No obstruction of views for drivers or pedestrians.
Drainage	The variance doesn't change the footprint's impact on neighbor runoff.
Visual/Aesthetic	Matches the "vibe" and alignment of a 1950s-era street.
Privacy	No closer to side neighbors than the law currently allows.

Suggested Drafting Language:

"The granting of this variance will not result in any injury to the rights of adjacent property owners. The 19.86-foot setback maintains the existing character of Sunbeam Lane and does not infringe upon the light, air, or safety of neighboring residents. Furthermore, by allowing for the reasonable improvement of the property, the variance serves to uphold the collective property values of the RSC-6 district."

4.

1. Consistency with Residential Character (LDC Intent)

The primary purpose of the RSC-6 district is to maintain a stable environment for single-family high-density residential development.

- **The Argument:** A 19.86-foot setback is harmoniously aligned with the neighborhood's "established character." Since the home was originally built in 1955, maintaining its current footprint prevents an architectural "mismatch" that would occur if a new addition was forced to sit 5 feet further back than the rest of the house.
- **Harmony:** By granting the variance, the city is actually preserving the "orderly" visual line of the street, which is a core goal of Section 1.02.02.

2. Protection of Natural Resources (Comprehensive Plan)

The Comprehensive Plan and LDC Section 1.02.03 place a high value on protecting environmentally sensitive areas.

- **The Argument:** Because the rear of 8511 Sunbeam Ln contains a **Conservation Area/Flood Zone**, the "intent" of the code is to keep development away from those sensitive back portions of the lot.
- **Harmony:** Moving the house 5.14 feet into the front setback is a "trade-off" that serves the greater good of environmental protection. You are following the LDC's intent to protect natural resources by concentrating development on the most "buildable" and least ecologically sensitive portion of the land.

3. Promotion of Redevelopment and Property Value

The LDC aims to ensure that land is used efficiently and that property values are protected through quality development.

- **The Argument:** Denying the variance would result in a "practical difficulty" that prevents modernizing a 70-year-old home. This leads to property stagnation, which contradicts the goal of encouraging high-quality residential growth.
- **Harmony:** Allowing the variance enables a functional and valuable improvement to the housing stock in Tampa, which supports the economic and social welfare goals found in Section 1.02.02.

Mapping Your Variance to LDC Goals

LDC Purpose (Section 1.02.02)	How Your Variance Complies
"Orderly and Harmonious Development"	Maintains the 1955 building line rather than creating an irregular "stepped" facade.
"Protection of Environment"	Shifts the building footprint away from the conservation area at the rear.
"Promote Public Welfare"	Increases property value and updates aging infrastructure without impacting safety.

Suggested Drafting Language:

"The requested variance is in harmony with the general intent and purpose of LDC Sections 1.02.02 and 1.02.03. Rather than seeking to circumvent the code, the applicant is attempting to balance two competing LDC goals: maintaining the established residential building line of a 1955 structure and protecting the environmentally sensitive conservation area at the rear of the lot. By allowing the 19.86-foot front setback, the Board will promote a more orderly and ecologically sound use of the land, consistent with the Tampa Comprehensive Plan's vision for stable, high-quality residential neighborhoods.

5.

1. The "Pre-Existing" Condition (Historical Hardship)

The primary argument is that the house was positioned on the lot in **1955**. The current owners did not choose where the foundation was poured; it was established nearly 70 years ago under a different regulatory framework.

- **The Argument:** The 19.86-foot setback is a physical reality created by the original builders decades before the current applicant took ownership.
- **Drafting Language:** "The situation sought to be relieved is a pre-existing physical condition of the property. The primary structure was erected in 1955, and the current 19.86-foot setback was established at that time. The applicant did not place the structure in its current location, nor did they have any influence over the lot's original platting or the house's initial orientation."

2. Environmental and Regulatory Constraints

The "hardship" (the lack of buildable space) is also caused by the **Conservation Area** and **FEMA Flood Zone** regulations at the rear of the property. These are "acts of nature" and "acts of government," not acts of the applicant.

- **The Argument:** If the applicant could build toward the back of the lot, they wouldn't need a front variance. However, environmental laws prevent building in the back. The applicant did not create the wetlands or the flood zone.
- **Drafting Language:** "The necessity for a front yard variance is driven by environmental constraints at the rear of the property, including [Conservation/Wetland/Flood] zones. These constraints are natural features of the land and are compounded by local and federal environmental regulations. The applicant did not create these environmental conditions, yet must comply with the restrictive 'rear-yard' requirements they impose."

3. Compliance with Legal Permitting

You must state clearly that you are going through the proper legal channels (the variance process) before starting work, which proves you are not trying to "legalize" an illegal act.

- **The Argument:** By applying for this variance, the applicant is following the LDC's prescribed legal process rather than building first and seeking forgiveness later.
- **Drafting Language:** "This request is not the result of an illegal act or unpermitted construction. The applicant is seeking this variance through the formal Board of Adjustment process to ensure that all future improvements align with the city's legal standards. The hardship is an inherent characteristic of the property's dimensions and historical placement, not a result of any action or negligence by the current owner."

Summary Table: Self-Imposed vs. Inherent Hardship

Scenario	Is it Self-Imposed?	Reasoning
I built a porch without a permit and now it's too close to the street.	YES	You performed an illegal act.
The house was built in 1955 and is already at 19.86 feet.	NO	This is a pre-existing condition of the land.
I bought a lot with a sinkhole and have to build closer to the road.	NO	The sinkhole is a natural physical hardship.
I want a giant 4-car garage that won't fit within the 25ft line.	YES	This is a personal preference/choice.

Final Summary for your Application:

"The hardship at 8511 Sunbeam Ln is entirely **inherent to the property**. It arises from the historical placement of the home in 1955 and the significant environmental restrictions at the rear of the lot. The applicant has taken no action to create these constraints; rather, the applicant is seeking relief from a 'double-bind' created by the lot's unique history and geography."

6.

1. Balancing Public Benefit with Private Right

The **public benefit** of a 25-foot setback is to ensure a uniform streetscape and traffic safety. However, when a property has unique constraints, "justice" requires the city to be flexible so the owner isn't unfairly penalized.

- **The Argument:** Granting the variance provides justice because the 5.14-foot difference is visually negligible to the public but functionally vital to the owner. Because the home was built in 1955, forcing it to comply with modern 25-foot setbacks would require a partial demolition or a disjointed addition that would lower the property's value and aesthetic.
- **Substantial Justice:** "Justice is served by allowing the owner to maintain the architectural integrity of a long-standing structure. The public loses nothing in safety or aesthetics, while the individual is spared the extreme financial and functional hardship of a forced, non-compatible design."

2. Avoiding an "Unnecessary Hardship"

The LDC is not intended to make a property unusable or un-improvable. If the strict application of the code creates a burden that doesn't actually help the public, it is considered "unnecessary."

- **The Argument:** Since the rear of your lot is restricted by a **Conservation Area**, you are being "squeezed" from both sides. Failing to grant the variance would effectively lock the property in its 1950s state, preventing modern improvements.
- **Substantial Justice:** "Failing to grant the variance would impose a 'double hardship' on the applicant—restricting development at the rear due to environmental laws and at the front due to zoning laws. Substantial justice is achieved by granting relief at the front to compensate for the legally mandated restrictions at the rear."

3. Promoting Equity in the Neighborhood

Justice also means "fairness" compared to your neighbors.

- **The Argument:** If other homes on Sunbeam Lane were built with similar setbacks or have larger buildable "envelopes" because they lack conservation areas, then forcing 8511 Sunbeam Ln to strictly follow the 25-foot rule is inequitable.
- **Substantial Justice:** "Granting the variance restores the applicant's right to a functional home footprint similar to those enjoyed by neighbors. It prevents a situation where the subject property is rendered 'lesser' than surrounding lots due to an inflexible application of the code to a uniquely restricted parcel of land."

Summary of Substantial Justice

The Public Benefit (LDC)	The Individual Hardship	The "Justice" Solution
Safety & Uniformity: Keep houses away from the street.	Physical Reality: The house has been at 19.86ft since 1955 without issue.	Allow the variance to maintain the existing, safe building line.
Environmental Protection: Protect the rear conservation area.	Loss of Land: Strict front setbacks leave no room to build/expand.	Shift the buildable area forward to protect the environment.
Orderly Development: Standardize the neighborhood.	Economic Loss: Cannot modernize the home, lowering its value.	Allow the 5.14ft relief to encourage investment in the home.

Suggested Drafting Language:

"Granting this variance results in substantial justice by resolving a conflict between the literal requirements of the LDC and the physical realities of a historic, environmentally-constrained lot. The public benefit of the 25-foot setback—safety and aesthetics—is not diminished by a 5.14-foot adjustment on this quiet, residential lane. Conversely, a failure to grant the variance would cause significant hardship to the applicant by rendering the

home nearly impossible to modernize or expand. Justice is found in a compromise that protects the environment at the rear of the lot while allowing reasonable residential use at the front."

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Prepared by and return to:
Nicole Rolf
Sapphire Title & Escrow Company
2313 W Violet Street
Tampa, FL 33603
Consideration \$420,000.00
File Number: 243039

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this **1st day of April, 2024**, between **Main Street Homes LLC, a Florida Limited Liability Company** whose post office address is **8817 West Paterson Street, Tampa, FL 33615**, grantor, and **Yordan Sabido Roque and Yunisleidy Gonzalez Rodriguez, husband and wife** whose post office address is **8511 Sunbeam Lane, Tampa, FL 33615**, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in the **Hillsborough County, Florida**, to-wit:

Lot 6, Rainbow Court Subdivision, according to the map or plat thereof as recorded in Plat Book 31, Page 94, Public Records of Hillsborough County, Florida.

Parcel ID Number: **U-35-28-17-0CJ-000000-00006.0**

Subject to easements, restrictions, reservations, and limitations of record, if any, and 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, 2023.

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

Signed, sealed and delivered in our presence:

Signature: John Cebolla
Printed name John Cebolla
Of Witness 1
Post office address
Of Witness 1 2313 W. Violet Street
Tampa, FL 33603

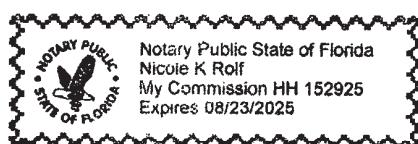
Main Street Homes LLC, a Florida Limited
Liability Company

by MARIO A. BAQUE
Mario A. Baque
as Sole Member

Signature: Neale K Rolf
Printed name Neale K Rolf
Of Witness 2
Post office address
Of Witness 2 2313 W. Violet Street
Tampa, FL 33603

**STATE OF FLORIDA
COUNTY OF HILLSBOROUGH**

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this **1st day of April, 2024**, by Mario A. Baque, as Sole Member of **Main Street Homes LLC, a Florida Limited Liability Company**, who is (are) personally known to me or has produced Drivers License as identification.



Yessica K. Foley Notary Public Signature

Print Notary Name: Nicole K. Rolf
My Commission Expires:

(Affix Notary Seal)

Received
10/24/2025

Development Services



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 26-0134

Intake Date: 10/24/25

Hearing(s) and type: Date: 01/12/2026

Type: LUHO

Receipt Number: 529902

Date: _____

Type: _____

Intake Staff Signature: *Charles Phillips*

Property Information

Address: 8511 SUNBEAM LN City/State/Zip: _____

TWN-RN-SEC: 35-28-17 Folio(s): 807023-0100 Zoning: QSC-1a Future Land Use: R-20 Property Size: 0.23 Acre

Property Owner Information

Name: YORDAN SABIDOR. YUNISLEY GONZALEZ R. Daytime Phone 813-680-4211
Address: 8511 SUNBEAM LN City/State/Zip: TAMPA, FL 33615
Email: yordan.sabido91@gmail.com Fax Number _____

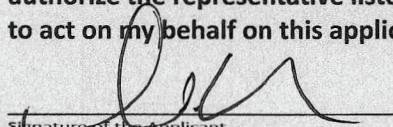
Applicant Information

Name: MELVA RODRIGUEZ Daytime Phone 813-279-9275
Address: 420 HAMILTON Ave City/State/Zip: TAMPA, FL 33614
Email: melvix79@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 the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.


Signature of the Applicant
Type or print name: MELVA RODRIGUEZ

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

Signature of the Owner(s) - (All parties on the deed must sign)

Type or print name: _____



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-6
Description	Residential - Single-Family Conventional
Flood Zone:AE	BFE = 9.0 ft
FIRM Panel	0327H
FIRM Panel	12057C0327H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	AE
Pre 2008 Firm Panel	1201120327C
County Wide Planning Area	Town and Country
Community Base Planning Area	Town and Country
Community Base Planning Area	Town and Country Focus
Census Data	Tract: 011613 Block: 2016
Future Landuse	R-20
Urban Service Area	USA
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 10
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	130' AMSL
Competitive Sites	NO
Redevelopment Area	NO

Folio: 7023.0100



EGIS, Esri Community Maps Contributors, University of South Florida, City of Tampa, County of Pinellas, FDEP, OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, Geotronics, Inc, METINASA, USGS, EPA, NPS, US Census Bureau, USDA, USGS, USGS

Hillsborough County Florida

Folio: 7023.0100
PIN: U-35-28-17-0CJ-000000-00006.0

Yordan Sabido Roque Et Al

Mailing Address:

8511 Sunbeam Ln

null

Tampa, Fl 33615-3217

Site Address:

8511 Sunbeam Ln

Tampa, Fl 33615

SEC-TWN-RNG: 35-28-17

Acreage: 0.23

Market Value: \$282,665.00

Landuse Code: 0100 SINGLE FAMILY

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



**Hillsborough
County Florida**

Building and Construction Services Division

NOTICE OF VIOLATION

DO NOT REMOVE

REINSPECTION FEE MAY BE REQUIRED - CORRECT VIOLATION WITHIN 30 DAYS AND CALL FOR REINSPECTION
BEFORE PROCEEDING

.....

PRINTED: **8/5/2025** **Project Number: HC-CMP-25-0000446**

ADDRESS: **8511 Sunbeam Ln, Tampa, FL 33615**

105.1 Permit required, failure to provide Residential New Construction and Additions permit for accessory structure, alterations to rear of home, garage conversion, and windows/doors replaced.

_____ STOP WORK ORDER

Please apply for Permit within 30 days
to avoid citations of \$500.00

Contact Permitting at (813) 272-5600, Option 1.

It is unlawful for any contractor, or other persons to cover or cause to be covered, any part of the work with flooring, lath, earth, or other material, until the inspector has approved the installation.

After additions and/or corrections have been made, please login to your HillsGovHub account to reschedule your inspection. If you need assistance rescheduling your inspection, please visit <https://www.HCFLGov.net/HillsGovHub>

INSPECTOR: Daniel Roman

EMAIL: romandy@hillsboroughcounty.org

Issues for record HC-BLD-25-0076515

Job Address: 8511 Sunbeam Ln, Tampa FL 33615

Job Description: **HC-CMP-25-0000446** AFTER THE FACT- SCOPE OF WORK: 1- ENCLOSE COVERED PORCH. (NEW ROOF) 2- NEW COVERED PORCH. 3- GARAGE CONVERSION TO BEDROOM AND BATH. 4- NEW BEDROOM. 5- NEW WINDOWS AND DOORS SIZE BY SIZE.

Discipline	Status	Details	Attached To	Created By	Last Updated By	Modification Required
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Side yard encroachment

The parcel is located within zoning district RSC-6 with a minimum side yard setback of 7.5 feet. Per Section 6.01.02.1.4, LDC, Covered Patios, as defined in Article XII, shall not intrude into the required side yard. Please contact a zoning counselor at 813-277-5600 (option 3) for further assistance.

Substantial improvement Worksheet

Existing Structure is located within Flood Zone AE, per HCCC section 301.2.2(4) any alteration, repair, addition, reconstruction or improvements to a building shall have a Substantial Improvement Worksheet completed and submitted with construction plans for review and recording with the permit application.

<https://assets.contentstack.io/v3/assets/bltcea73b27b731f985/blt50fc952cb84d735f/Substantial%20Damage%20and%20Improvement%20Guidelines.pdf>

ROQUE YORDAN SABIDO

RODRIGUEZ YUNISLEIDY GONZALEZ
8511 SUNBEAM LN, TAMPA FL 33615-3217

September 24, 2025

RE: FOLIO No.: 0070230100 Site: 8511 SUNBEAM LN, TAMPA 33615

Federal Emergency Management (FEMA) "50% Rule" The FEMA 50% Rule is a regulation, issued by the National Flood Insurance Program (NFIP). It requires any Substantial Improvements or repairs to Substantial Damage to be compliant with today's new flood regulations. Depending on the structure, this could include installing more drainage, elevating the building, or even rebuilding it with new materials.

For the purposes of making Substantial Damage determinations for FEMA, estimates of market value of the structure(s) can be determined two ways. The first and most accurate option is to use a Florida licensed or certified real estate appraiser. Secondly, while the Property Appraiser has no role in issuing building permits or determining flood zones, our values may be used in calculating the FEMA 50% rule. For the purposes of the FEMA 50% Rule, the value of all structure(s) on the property referenced above is: \$256,086.

Therefore, based on the Hillsborough County Property Appraiser's estimate of the market value for the structure(s) listed above, repairs and improvements of \$128,043 or greater is considered by FEMA to be Substantially Improved and must be brought into compliance with local floodplain management standards.

For more information regarding FEMA's "50% rule," please see FEMA's Answers to Questions About Substantially Improved/Substantially Damaged Buildings

Dean
Jones

Yes

Project Description and Zoning Issue Summary

Detail	Information Provided
Record Number	HC-BLD-25-0076515
Project Address	8511 Sunbeam Ln, Tampa FL 33615
Issue Type	Side yard encroachment
Zoning District	RSC-6
Minimum Side Yard Setback	7.5 feet
Violated Code Section	Section 6.01.02.I.4, LDC
Nature of Violation	A Covered Patio is intruding into the required 7.5-foot side yard setback. Per the code, covered patios are explicitly prohibited from intruding into the required side yard.

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