

Variance Application:

VAR 26-0256

LUHO Hearing Date:

February 9, 2026

Case Reviewer:

Michelle Montalbano

**Hillsborough
County Florida**

Development Services Department

Applicant: George E. Davis III

Zoning: PD 98-1513 (PRS 25-0426)

Location: 715 Pinckney Drive, Apollo Beach, FL 33572; Parcel Folio # 51638.0258

Request Summary:

The applicant is requesting a variance to the minimum side setback permitted for mechanical equipment and a variance to the side yard setback for an existing single-family residence.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.01.03.I.3 PD 98-1513	Mechanical equipment, including generators, may project three feet or no more than 50 percent of the required side yard(s), whichever is more restrictive. PD 98-1513 requires a minimum side yard setback of 7 feet. Therefore, a minimum setback of 4 feet is required for mechanical equipment.	1 foot	3-foot side yard setback for mechanical equipment
PD 98-1513	A minimum 7-foot side yard setback is required in the PD 98-1513 zoning district.	0.21 feet	6.79-foot side yard building setback

Findings:

Per LDC Section 5.03.07.B.2.i, when a decrease in required yards within a Planned Development is to apply to three or less single-family lots within the project, the change shall be reviewed per LDC Section 11.04.00 - Variances. The proposed setback reduction request is for one lot, therefore, it is reviewed as a variance request.

Zoning Administrator Sign Off:

Colleen Marshall
Mon Jan 26 2026 12:13:52**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
11/21/2022

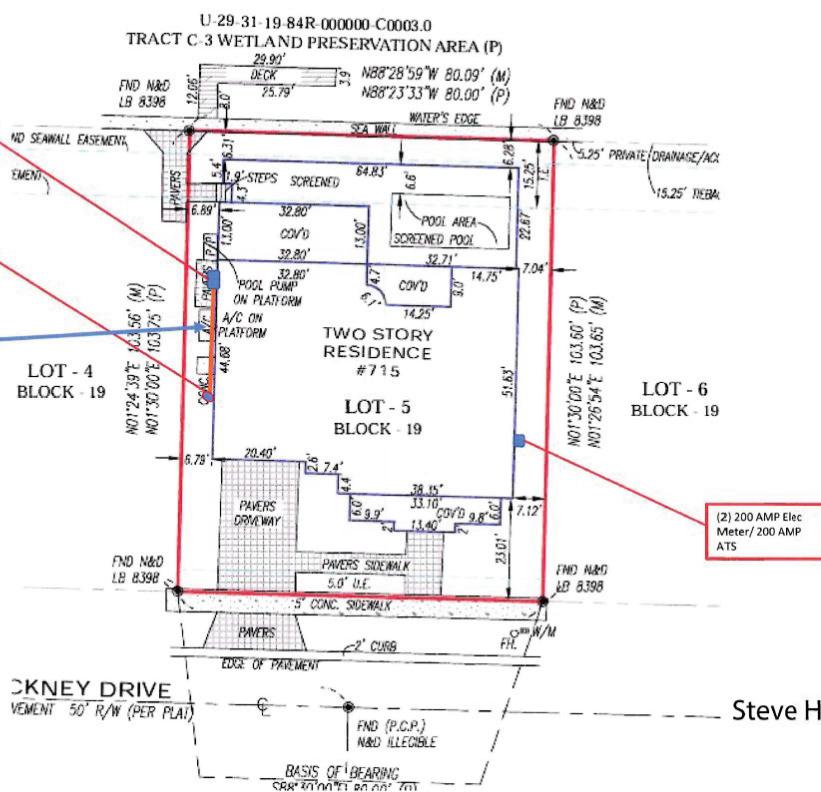
715 Pinckney Drive
Apollo Beach, FL 33572

Proposed Location 24 KW Generac
W / 10lb to 11"-14" WC Regulator
Model: # R622DFF (Fisher)

Existing 2lb Gas Meter (2lb to 6" - 14" WC) – Regulator

45' galvanized piping
along wall

Thank you for contacting Hillsborough County Zoning. The primary setbacks are front 15', side 7', and rear 15'.



*NFPA 37 compliant, no openings in 5 ft.
*Generator 18' from building property line and 70' from the front property line
*CO detector installed and working in residence (Existing)
*Generator is mounted on a 36" stand
*Generator will not be closer than manufacturer's recommendations and 5' from any door, window, or opening
*Gas installation will be in accordance to NFPA 58 and NFPA 1.69
*Generator will be placed 1' above BFE

Steve Haydon

Digitally signed by Steve
Haydon
Date: 2025.10.31 10:53:26
-04'00'





Hillsborough
County Florida
Development Services

Additional / Revised Information Sheet

Office Use Only

Application Number: VAR 26-0256

Received Date:

Received By:

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, the second page of this form must be included indicating the additional/revised documents being submitted with this form.

Application Number: VAR 26-0256 Applicant's Name: George Davis
Reviewing Planner's Name: Michelle Montalbano Date: 01/23/2026

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): 02/09/2026

Important Project Size Change Information

Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.

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.

Will this revision remove land from the project? Yes No

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

Email this form along with all submittal items indicated on the next page in pdf form to:
ZoningIntake-DSD@hcflgov.net

Files must be in pdf format and minimum resolution of 300 dpi. Each item should be submitted as a separate file titled according to its contents. All items should be submitted in one email with application number (including prefix) included on the subject line. Maximum attachment(s) size is 15 MB.

For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcflgov.net.

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.

A handwritten signature in black ink, appearing to read "George Davis".

Signature

01/23/26

Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact [Hillsborough County Development Services](#) to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under [Florida Statutes §119.071\(4\)](#) will need to contact [Hillsborough County Development Services](#) to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? Yes No

I hereby confirm that the material submitted with application VAR 26-0256

Includes sensitive and/or protected information.

Type of information included and location _____

Does not include sensitive and/or protected information.

Please note: Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature: _____

A handwritten signature in black ink, appearing to read 'John W. [Signature]'

(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.

	Included	Submittal Item
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
4	<input type="checkbox"/>	Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
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
11	<input type="checkbox"/>	Wet Zone Survey
12	<input type="checkbox"/>	General Development Plan
13	<input checked="" type="checkbox"/>	Project Description/Written Statement
14	<input type="checkbox"/>	Design Exception and Administrative Variance requests/approvals
15	<input type="checkbox"/>	Variance Criteria Response
16	<input type="checkbox"/>	Copy of Code Enforcement or Building Violation
17	<input type="checkbox"/>	Transportation Analysis
18	<input type="checkbox"/>	Sign-off form
19	<input type="checkbox"/>	Other Documents (please describe): <div style="border: 1px solid black; height: 100px; width: 100%;"></div>

*Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

+Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.

I am the owner of 715 Pinckney Drive in Apollo Beach, purchased in July 2025. I have made a significant investment in this property, and in order to safeguard it during and after storm events, I am seeking to install a whole-house generator.

This home was constructed in 2021, and all existing mechanical equipment—including the (2) air conditioning units and pool equipment—was installed in its current location by the original builder. When measured, both existing components extend more than three feet into the required seven-foot side yard setback.

While walking through the neighborhood, it is evident that all homes have similar metal equipment platforms that extend beyond three feet. This demonstrates that the requested variance is consistent with the existing built character of the community and will not introduce any new or unusual condition.

The proposed generator will be installed in the same general area and will not extend beyond the footprint of the existing air conditioner (45") or pool equipment (48").

Therefore, I respectfully request ~~a variance to allow a side setback of 3.39 feet from the property line to permit the installation of the whole home generator and to recognize the placement of the existing mechanical equipment.~~

- A side setback of 6.79 feet in lieu of the required 7-feet, as the survey shows the home was built just shy of the 7-foot requirement as to memorialize the existing setback and
- To allow a 4-foot projection for all mechanical equipment on the western property line to memorialize the placement of the existing equipment and to permit the installation of a new generator.

Thank you for your consideration.

See photos:

Existing side yard photos





Air conditioner measurement:



Pool equipment measurement:





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?

While neighboring homes are also situated close together, their mechanicals appear to have similar metal equipment platforms that extend beyond three feet. Because this property did not include a generator at that time, we now face unique placement challenges that those homes may not have encountered.

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.

Strict application of the land development code would prevent the installation of a standby generator, a feature that neighboring homeowners already enjoy. Because their air conditioners, pool equipment, and generators were installed either during construction or via a variance, enforcing the setback requirements now would deprive this property of the same reasonable residential use and an important safety feature that provides reliable backup power during outages—a benefit other properties in the area already possess.

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 proposed variance will not interfere with or injure the rights of any neighboring property owners. The generator will be placed within the same general mechanical area as the existing air conditioner and pool equipment, and it will not extend beyond their current footprint. Its placement will not reduce usable yard space, obstruct access, create visibility issues, or impact neighboring properties in any meaningful way.

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 requested variance is fully in harmony with the purpose and intent of the Land Development Code. Allowing the installation of a generator supports public health, safety, and welfare by ensuring reliable backup power during outages. The generator will be placed within the existing mechanical equipment area, maintaining an orderly and efficient use of the property consistent with the goals of the County's development standards. The variance does not undermine the comprehensive, consistent, or equitable application of the Code; rather, it provides a reasonable accommodation for a modern safety feature that neighboring properties already possess, thereby respecting both the rights of the property owner and the interests of the surrounding community.

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.

The situation prompting this variance request did not result from any illegal act or action by the applicant. The home was constructed in 2021, with all mechanical equipment installed in compliance with the approved plans. The applicant purchased the property in 2025, after all site conditions and equipment placements had already been established. The need for a variance arises solely from the original layout of the property—not from any action taken by the current owner.

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 this variance results in substantial justice by balancing the public purposes of the Land Development Code with the unique hardships faced by the applicant. The Code is intended to protect public health, safety, and welfare—objectives that are fully supported by permitting the installation of a generator, a modern safety feature that ensures reliable power during emergencies. Denying the variance would prevent the applicant from accessing a protection that neighboring homeowners already enjoy, despite identical lot conditions. Granting the variance therefore upholds the Code's public goals while preventing an unnecessary and disproportionate hardship to the property owner.

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Prepared by and return to:

Anthony Fowkes
Milestone Title Services, LLC
14310 North Dale Mabry Highway
200
Tampa, FL 33618

File No 258692

Parcel Identification No 051638-0258

[Space Above This Line For Recording Data]

WARRANTY DEED
(STATUTORY FORM - SECTION 689.02, F.S.)

This indenture made the 31st day of July, 2025 between Isaac A. Madera aka Isaac Antonio Madera and Erika Guerra Madera, husband and wife, whose post office address is 2450 Rock Haven Drive, Flower Mound, TX 75022, of the County of Denton, Texas, Grantor, to Robert Strickland, Trustee, or his successors in interest, of the George E. Davis, III Ohio Legacy Trust dated January 31, 2022, whose post office address is 7565 Painesville Ravenna Road, Concord Township, OH 44077, of the County of Lake, Ohio, Grantee:

Witnesseth, that said Grantor, for and in consideration of the sum of TEN DOLLARS (U.S.\$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 Hillsborough, Florida, to-wit:

Lot 5, Block 19, Mirabay Phase 2A-3, according to the map or plat thereof, as recorded in Plat Book 105, Page(s) 12 through 19, inclusive, of the Public Records of Hillsborough County, Florida.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Subject to taxes for 2025 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any.

TO HAVE AND TO HOLD the same in fee simple forever.

And Grantor hereby covenant with the Grantee that the Grantor is lawfully seized of said land in fee simple, that Grantor have good right and lawful authority to sell and convey said land and that the Grantor hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Warranty Deed

Page 1 of 2

File No.: 258692

In Witness Whereof, Grantors have hereunto set Grantors' hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Isaac Antonio Madera
Erika Guerra Madera

Isaac A. Madera aka Isaac Antonio Madera

Erika Guerra Madera

Erika Guerra Madera

Juan Pache

WITNESS

PRINT NAME: JUAN PACHE

Ruth Debra Colunga

WITNESS

PRINT NAME: Ruth Debra Colunga

STATE OF TEXAS
COUNTY OF DENTON

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 29th day of July, 2025, by Isaac A. Madera aka Isaac Antonio Madera and Erika Guerra Madera, who is/are personally known to me or who has/have produced TXQCDI as identification.

Christina R. Kolasz

Signature of Notary Public

Christina R. Kolasz

Print, Type/Stamp Name of Notary



Warranty Deed

File No.: 258692

Page 2 of 2



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

26-0256

Application No: _____
Hearing(s) and type: Date: 02/09/2026
Date: _____

Official Use Only

Type: LUHO
Type: _____

Intake Date: 11/21/25
Receipt Number: 537820
Intake Staff Signature: *Charles Phillips*

Property Information

Address: 715 Pinckney Drive City/State/Zip: Apollo Beach, FL 33572
TWN-RN-SEC: 29-31-19 Folio(s): 051638-0258 Zoning: PD Future Land Use: R-6 Property Size: 190404 acres

Property Owner Information

Name: Robert Strickland, Trustee, of the George E. Davis, III Ohio Legacy Trust Daytime Phone 440-223-2812
Address: 7565 Painesville Ravenna Rd City/State/Zip: Concord Twp. OH 44077
Email: rstrickland@snfbcpa.com Fax Number _____

Applicant Information

Name: George E. Davis III Daytime Phone 440-223-2812
Address: 7565 Painesville Ravenna Rd City/State/Zip: Concord Twp. OH 44077
Email: georgedavis3rd@gmail.com Fax Number _____

Applicant's Representative (if different than above)

Name: same as above 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

George E. Davis III

Type or print name

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)

Robert Strickland, Trustee, of the
George E. Davis III Ohio Legacy Trust

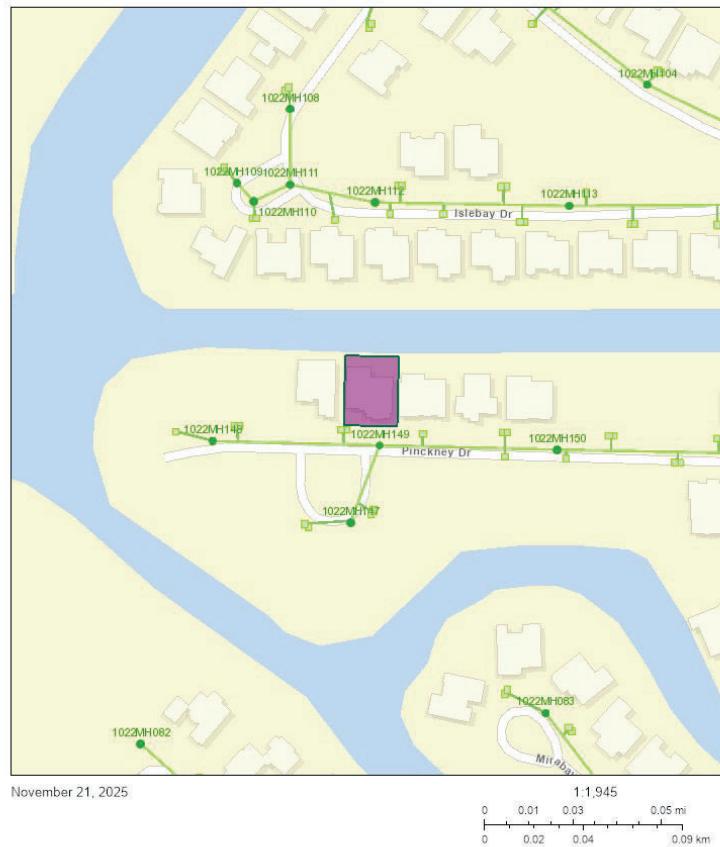
Type or print name



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	98-1513
Flood Zone:AE	BFE = 10.0 ft
FIRM Panel	0493H
FIRM Panel	12057C0493H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	AE
Pre 2008 Firm Panel	1201120493D
County Wide Planning Area	Apollo Beach
Community Base Planning Area	SouthShore
Community Base Planning Area	Apollo Beach
Planned Development	PD
Re-zoning	null
Note	OLD RZ 77-0123
Minor Changes	09-0488,01-1129
Major Modifications	null
Personal Appearances	07-0815,07-0526,05-1560, 05-0710,00-1138,01-1259, 98-1514,01-1129,13-0591, 25-0426
Census Data	Tract: 014118 Block: 1036
Future Landuse	R-6
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	4
Fire Impact Fee	South
Parks/Schools Impact Fee	SOUTH
ROW/Transportation Impact Fee	ZONE 9
Wind Borne Debris Area	140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO

Folio: 51638.0258



ESRI, Esri Community Maps Contributors, University of South Florida, FDEP, OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, Geo Technologies, Inc., METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Hillsborough County, Florida

Folio: 51638.0258
PIN: U-29-31-19-84R-000019-00005.0

Robert Strickland /Trustee

Mailing Address:

7565 Painesville Ravenna Rd

null

Concord Township, Oh 44077-8934

Site Address:

715 Pinckney Dr

Apollo Beach, Fl 33572

SEC-TWN-RNG: 29-31-19

Acreage: 0.19

Market Value: \$1,207,333.00

Landuse Code: 0100 SINGLE FAMILY

Hillsborough County makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any of the geodata information provided herein. The reader should not rely on the data provided herein for any reason. Hillsborough County explicitly disclaims any representations and warranties, including, without limitations, the implied warranties of merchantability and fitness for a particular purpose. Hillsborough County shall assume no liability for:

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.



Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

Application No: _____	Intake Date: _____
Hearing(s) and type: Date: _____	Type: _____
Date: _____	Receipt Number: _____
	Type: _____
	Intake Staff Signature: _____

Applicant/Representative: George E. Davis III Phone: 440-223-2812

Representative's Email: georgedavis3rd@gmail.com

The following information is used by reviewing agencies for their comments and should remain constant, with very few exceptions, throughout the review process. Additional reviews, such as legal description accuracy, compatibility of uses, agency reviews, etc., will still be conducted separately and may require additional revisions.

The following ownership information must be provided and will be verified upon submission initial submittal. If you are viewing this form electronically, you may click on each underlined item for additional information.

Part A: Property Information & Owner Authorization Requirements

	Included	N/A	Requirements
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Applicant/Owner Information Form</u>
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Affidavit(s) to Authorize Agent</u> (if applicable) NOTE: All property owners must sign either the Application form or the Affidavit to Authorize Agent. If property is owned by a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit.
3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Sunbiz Form</u> (if applicable). This can be obtained at Sunbiz.org .
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Current Recorded Deed(s)</u>
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Close Proximity Property Owners List</u>
8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Legal Description</u> for the subject site
9	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable) - Should be N/A per applicant
10	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Fastrack Approval</u> (if applicable)

Additional application-specific requirements are listed in Part B.



Specific Submittal Requirements for Variances

This section provides information on items that must be addressed/submitted for a Special use - Land Excavation permit and will be subsequently reviewed when the application is assigned to a planner. Where certain information does not apply to a project, a notation shall appear on the plan stating the reason, for example, "No existing water bodies within project." Additionally, the explanations and justifications for when certain information does not apply to the project shall be included in the Narrative. If Hillsborough County determines the submitted plan lacks required information, the application shall not proceed to hearing as provided for in Section 6.2.1.1.A. Additionally, the required information is only the minimum necessary to schedule an application for hearing and Hillsborough County reserves the right to request additional information during review of the application.

If you are viewing this form electronically, you may click on each underlined item for additional information.

For any items marked N/A, justification must be provided as to why the item is not included.

Part B: Project Information

Additional Submittal Requirements for a Variance

- 1 Project Description/Written Statement of the Variance Request
- 2 Variance Criteria Response
- 3 Attachment A (if applicable)
- 4 Survey/Site Plan
- 5 Supplemental Information (optional/if applicable)