

Variance Application: VAR 26-0376

LUHO Hearing Date: 3/09/2026

Case Reviewer: Logan McKaig



**Hillsborough
County Florida**

Development Services Department

Applicant: Frank & Linda Wise

Zoning: RSC-4

Location: 4829 Troydale Road, Tampa, FL 33615

Folio: 11954.0800

Request Summary:

The applicant is requesting a variance to setbacks for pools enclosed by a screen-meshed structure without a solid roof.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.11.94	Swimming pools enclosed by a screen-meshed structure without a solid roof that is attached to the primary building may intrude into required rear and side yards provided a minimum setback of three feet is provided.	2.5 feet	6-inch side yard setback for screen-meshed pool enclosure

Findings:	None.
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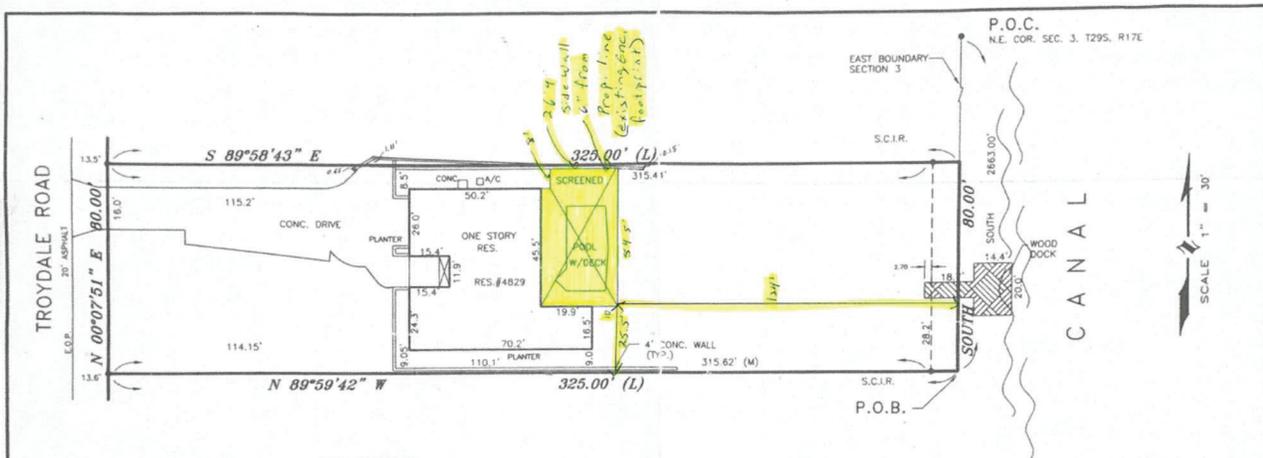
Zoning Administrator Sign Off:	 Colleen Marshall Tue Feb 24 2026 09:42:42
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DISCLAIMER:

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
2/22/2025
Development Services



LEGAL DESCRIPTION:

A tract of land in Section 3, Township 29 South, Range 17 East, Hillsborough County, Florida, being more particularly described as follows:
Commence at the Northeast corner of said Section 3; thence along the East boundary of said Section 3, South 00 degrees 05 minutes, 00 seconds West, 2663.00 feet to a point of beginning; thence continue along said East boundary, South 00 degrees, 06 minutes, 00 seconds West, 80.00 feet; thence North 89 degrees, 23 minutes, 00 seconds West 325.00 feet to a point on a line that is parallel with said East boundary; thence along said parallel line North 00 degrees, 08 minutes, 00 seconds East, 80.00'; thence South 89 degrees, 23 minutes, 00 seconds East 325.00 feet to the Point of Beginning. Being also known as Lot 3 of unrecorded plot of Mornera Cay.

BEARINGS BASED ON THE EAST BOUNDARY OF SEC. 3,
SAID LINE BEARS S 00°06'00" W, ASSUMED.

CERTIFIED TO:

Frank C. Wise
Linda Sierra Wise
Bank of America, FSB
Stewart Title Guaranty
PAN AMERICAN TITLE CO.

Rev. 11/17/97, Construction of south side of house - JONE CAB

Subject property shown hereon appears to lie in Flood Zone A10 according to the National Flood Insurance Rate Map Community Panel Number 120112 0327C, Revised 4-17-84.

I hereby certify that this survey was made under my direction and complies with the Minimum Technical Standards as set forth in Chapter 61G17-6 F.A.C. pursuant to Section 472027, Florida Statutes effective Sept. 1, 1981. Reproductions of this plan are not valid unless embossed with the Surveyors seal #5465.

Timothy C. Leal P.L.S. #5465 Date: 12/17/27
COPYRIGHT 1995 BY M. MOONEY & ASSOCIATES, SURVEYORS INC.

- | | |
|-----------------------------|------------------------|
| (P) PLAT | (M) Measured |
| (F) Found Iron Pipe | FN/D Found Nail & Disc |
| FCIP Found Capped Iron Pipe | CLF Chain Link Fence |
| FCIR Found Capped Iron Rod | WF Wood Fence |
| SCR Set Capped Iron Rod | (O) Original Elev. |
| FCM Found Concrete Monument | (Pa) Proposed Elev. |
| POB Point of Beginning | R/W Right of Way |

		333 Falkenberg Rd. C-305	
		Tampa, Florida 33619	
M. Mooney & Associates Surveyors, Inc. (813) 881-4481 Fax 888-0630		DRAWN: JA DATE: 12/17/97 JOB NO. 972108	
SCALE: 1"=30' CHECKED:		S. 3 T. 29S. R. 17E	



Project Description (Variance Request)

- 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 variance to replace my 39 year old pool screen enclosure on the existing footprint. Our contractor stated that the current screened enclosure could not be economically repaired and needed replacement. There is buckling of the aluminum footers on the screen (photos attached). The current structure is attached to a retaining wall on the property line between 4829 Troydale Road and 4841 Troydale Road.

Current code requires a 3 foot setback from the retaining wall/property line, but this would limit good ingress/egress from the pool area, and adversely affect the appearance of the enclosure as there would be an empty, unusable 3 foot gap between the retaining wall and the enclosure.

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

Sec. 6.11.94

Additional Information

- Have you been cited by Hillsborough County Code Enforcement? No Yes
If yes, you must submit a copy of the Citation with this Application.
- Do you have any other applications filed with Hillsborough County that are related to the subject property?
 No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): _____
- 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.
- Please indicate the existing or proposed utilities for the subject property:
 Public Water Public Wastewater Private Well Septic Tank
- 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



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?

The existing enclosure is built on top of, and attached to a poured concrete retaining wall. The pool area was designed accordingly. Relocating the enclosure 2 feet in would reduce the pool enclosure space, adversely affect the appearance of the pool area and the ingress/egress from the pool area.

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.

The design and construction of the pool area was done prior to the 3 foot setback requirement, to implement this new 3 foot setback would adversely affect the use and appearance of the pool area.

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 screened enclosure is built on a retaining wall, with an iron fence extending from the neighbor's ground level and 2 feet above the retaining wall (see photo), so there is no practical use of the increased setback and it would be visually detrimental. The wall and fence limit any use of an additional setback and moving the enclosure would add a visual obstructions at the property line.

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).

No impact to the general intent as this variance is simply allowing a replacement of an existing structure with a corresponding aesthetic and safety benefit to the affected properties. The new structure will be more storm resistant and therefore safer.

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.

This is effectively a repair of the existing enclosure, so there is no hardship. The new structure will be more storm resistant and therefore safer.

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.

Justice is done by allowing the structure to be replaced to current wind standards. This improves the appearance of the pool area, without the detrimental effects of implementing an additional setback which wasn't part of the original design and construction. Reworking the entire enclosed area would be a significant expense. The new structure will be more storm resistant and safer.

Prepared by and return to:

Rachael Alexander
Attorney at Law
Law Office of Elizabeth Devolder
5383 Primrose Lake Circle, Suite C
Tampa, FL 33647

[Space Above This Line For Recording Data]

Deed to Trust

This Deed to Trust made this 20 June 2025 between Frank C. Wise and Linda M. Sierra Wise, husband and wife, whose post office address is 4829 Troydale Road, Tampa, FL 33615, **Grantor(s)**, and:

Frank C. Wise, Trustee of the Frank C. Wise Revocable Living Trust dated May 14, 2005, and Linda M. Wise, Trustee of the Linda M. Sierra Revocable Living Trust dated May 14, 2005, whose post office address is 4829 Troydale Road, Tampa, FL 33615, **Grantee(s)**:

(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 TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does convey and warrant to the Grantee, and Grantee's heirs and assigns forever, all Grantor's interest in the following described land, situated in **Hillsborough County, Florida** to-wit:

A tract of land in Section 3, Township 29 South, Range 17 East, Hillsborough County, Florida, being more particularly described as follows: Commence at the Northeast corner of said Section 3; thence along the East boundary of said Section 3, South 00 degrees, 06 minutes, 00 seconds West, 2,653.00 feet for a Point of Beginning; thence continue along said East boundary, South 00 degrees, 06 minutes, 00 seconds West, 80.00 feet; thence North 89 degrees, 23 minutes, 00 seconds West, 325.00 feet to a point on a line that is parallel with said East boundary; thence along said parallel line North 00 degrees, 09 minutes, 00 seconds East, 80.00 feet; thence South 89 degrees, 23 minutes, 00 seconds East, 325.00 feet to the Point of Beginning. Being also known as Lot 3 of unrecorded plat of Marinera Cay.

SUBJECT TO all easements, restrictions, assessments, and conditions of record;

TOGETHER WITH all the tenements, hereditaments and appurtenances, belonging or in any way appertaining to any road or rights-of way, adjacent, or appurtenant to the Property, and together with all improvements, including, but not limited to all fixtures, plumbing, appliances, heating, ventilation and air conditioning equipment, all furniture and furnishings, and all personal property located on the Property, to have and to hold, the same in fee simple forever;

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

GRANTORS COVENANT with Grantees that Grantors are lawfully seized of said land in fee simple; that the Grantors have full right and power to convey the land; that Grantors will make such further assurances to perfect the fee simple title to said land in the Grantees as may reasonably be required.

FULL POWER AND AUTHORITY is granted by this deed to said Trustee or the Successor Trustee of the said Trust Agreement to protect, conserve, sell, lease, improve, encumber, or otherwise manage and dispose of the real property conveyed by this deed. It is the intent of this deed to vest in the Trustee full rights of ownership authorized and contemplated by Florida Statutes §689.071.

I hereby certify that this instrument was prepared from information given to me on behalf of the parties, and I do not guarantee the marketability of title or accuracy of the description, as I did not examine the title of the property involved.

Elizabeth G. Devolder
Elizabeth G. Devolder, Esq.

In Witness Whereof, Grantor has set their hand and seal the day and year first above written.

Frank C. Wise
Grantor, Frank C. Wise

Linda M. Sierra Wise
Grantor, Linda M. Sierra Wise

Signed, sealed and delivered in our presence:

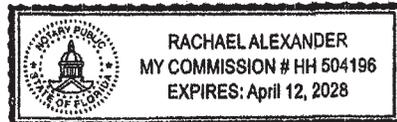
Emily Padgett
Emily Padgett, Witness
Law Office of Elizabeth Devolder, PLLC
5383 Primrose Lake Circle, Suite C
Tampa, FL 33647

Camelia Howard
Camelia Howard, Witness
Law Office of Elizabeth Devolder, PLLC
5383 Primrose Lake Circle, Suite C
Tampa, FL 33647

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

Sworn to (or affirmed) and acknowledged before me 20 June 2025 by Frank C. Wise by means of physical presence or online notarization, who is personally known to me or who produced FL Drivers License as identification and Linda M. Sierra Wise by means of physical presence or online notarization, who is personally known to me or who produced FL Drivers License as identification

Rachael Alexander
Notary Public SEAL



foregoing recitals are true and correct.

2. CREATION OF EASEMENT. The Grantor, for itself and its respective successors and assigns, does hereby grant and convey to Grantee an easement under, across and above the following described land, lying and being situate in Hillsborough County, Florida (hereinafter referred to as the "Easement Premises")

A parcel of Land in Section 3, Township 29 South, Range 17 East, being more particularly described as follows: Commence at the Northeast corner of said Section 3, and run thence South along the East Boundary of said Section 3, 2663.00 feet; run thence North 89°58'43" West 119.0 feet to the Point of Beginning. Continue thence North 89°58'43" West, 111.10 feet; run thence North 89°14'37" East, 73.66 feet run thence South 88°26'57" East, 37.47 feet; to the Point of Beginning.

The Easement shall continue in force until such time as it is terminated by the removal of the wall (either voluntarily or by casualty or other force) or by written agreement signed by the Grantor and the Grantee.

3. MAINTENANCE. The Grantee shall be responsible for maintaining the Easement Premises.

4. RUNNING OF BENEFITS AND BURDENS. All provisions of this instrument, including the benefits and burdens, run with the land and are binding upon and enure to the heirs, assigns, successors and personal representatives of the Grantor and Grantee.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Easement on the date and year first above written.

Signed, sealed and delivered in the presence of:

Karen A. King
(please sign your name above and print it below)

Karen A. King
Cheryl A. Beavens
(please sign your name above and print it below)

Cheryl A. Beavens

Rodolfo Vidal
Rodolfo Vidal

Julie A. Vidal
Julie A. Vidal

"GRANTOR"

Address: 7205 N. Blossom Avenue
Tampa, FL 33615

Karen A. King
(please sign your name above and print it below)

Karen A. King

Cheryl A. Beavens
(please sign your name above and print it below)

Cheryl A. Beavens

Frank C. Wise
Frank C. Wise

Linda S. Wise
Linda S. Wise

"GRANTEE"

Address: 4829 Troydale Road
Tampa, FL 33615

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

Acknowledged before me this 4th day of April 2000 ^{King & Wise} of October, 1999, by Rodolfo Vidal and Julie A. Vidal, who are personally known to me or have produced Driver License and Driver License, respectively, as identification.

(SEAL)

Diana F. Jordan

Notary Public-State of FL
Commission Number: _____



Diana F. Jordan
Notary Public-State of Florida
Commission # CC 875424
Expires Sep. 29, 2003

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

Acknowledged before me this 4th day of April 2000 ^{R. Wise & L. Wise} of October, 1999, by Frank C. Wise and Linda S. Wise, who are personally known to me or have produced Driver License and Driver License, respectively, as identification.

(SEAL)

Diana F. Jordan

Notary Public-State of FL
Commission Number: _____



Diana F. Jordan
Notary Public-State of Florida
Commission # CC 875424
Expires Sep. 29, 2003

EXHIBIT "A"

A tract of land in Section 3, Township 29 South, Range 17 East, Hillsborough County, Florida, being more particularly described as follows: Commence at the NE corner of said Section 3; thence along the east boundary of said Section 3, South 00°08'00" West, 2673.00 feet for a Point of Beginning; thence continue along said east boundary South 00°06'00", 80.00 feet, thence North 89°23'00" West, 325.00 feet to a point on a line that is parallel with said east boundary; thence along said parallel line North 00°54'00" East, 80.00 feet; thence South 89°23'00" East, 325.00 feet to the Point of Beginning, being also known as Lot 4 of "Unrecorded Plat of Mariners Cay".

EXHIBIT "B"

A tract of land in Section 3, Township 29 South, Range 17 East, Hillsborough County, Florida, being more particularly described as follows: Commence at the northeast corner of said Section 3, thence along the east boundary of said Section 3, South 00 degrees, 05 minutes, 00 seconds West, 2,663.00 feet for a Point of Beginning; thence continue along said east boundary, South 00 degrees, 06 minutes, 00 seconds West 80.00 feet; thence North 89 degrees, 23 minutes, 00 seconds West, 325.00 feet to a point on a line that is parallel with said east boundary; thence along said parallel line North 00 degrees, 06 minutes, 00 seconds East, 80.00 feet, thence South 89 degrees, 23 minutes, 00 seconds East, 325.00 feet to the Point of Beginning, being also known as Lot 3 of Unrecorded Plat of Mariners Cay.



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 26-0376 Intake Date: 12/22/2025
Hearing(s) and type: Date: 03/09/2026 Type: LUHO Receipt Number: 544611
Date: _____ Type: _____ Intake Staff Signature: Charles Phillips

Property Information

Address: 4829 Troydale Road City/State/Zip: Tampa, FL 33615
TWN-RN-SEC: 03-29-17 Folio(s): 11954.0800 Zoning: RSC-4 Future Land Use: R-6 Property Size: .61

Property Owner Information

Name: Frank Wise Trustee, Linda Wise Trustee Daytime Phone (813)417-5743
Address: 4829 Troydale Road City/State/Zip: Tampa, FL 33615
Email: fcwise@aol.com Fax Number 833-952-0748

Applicant Information

Name: Frank & Linda Wise Daytime Phone (813)417-5743
Address: 4829 Troydale Road City/State/Zip: Tampa, FL 33615
Email: fcwise@aol.com Fax Number 833-952-0748

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]
Signature of the Applicant
FRANK WISE LINDA WISE
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.

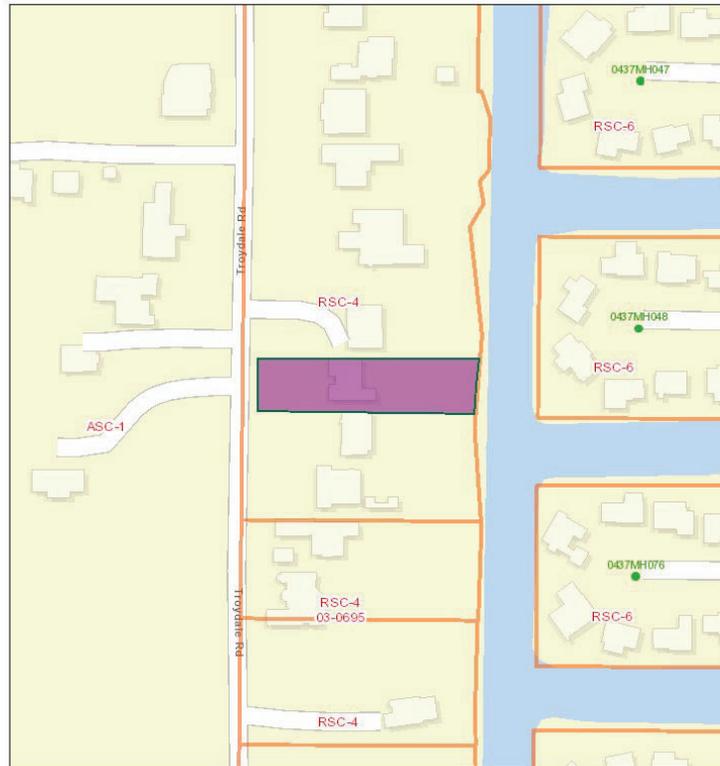
[Signature] [Signature]
Signature of the Owner(s) - (All parties on the deed must sign)
FRANK WISE LINDA WISE
Type or print name



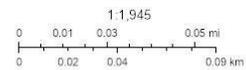
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-4
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	Northwest Hillsborough
Community Base Planning Area	Town and Country
Community Base Planning Area	Town and Country Focus Area
Community Base Planning Area	Northwest Hillsborough
Census Data	Tract: 011710 Block: 2014
Future Landuse	R-6
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
Aviation Authority Height Restrictions	150' AMSL
Competitive Sites	NO
Redevelopment Area	NO

Folio: 11954.0800



December 22, 2025



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Hillsborough County Florida

Folio: 11954.0800
PIN: U-03-29-17-ZZZ-000000-44760.0
Frank C And Linda M Wise /Trustees
Mailing Address:
4829 Troydale Rd
null
Tampa, Fl 33615-4801
Site Address:
4829 Troydale Rd
Tampa, Fl 33615
SEC-TWN-RNG: 03-29-17
Acreage: 0.61
Market Value: \$747,495.00
Landuse Code: 0100 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.



Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

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

Applicant/Representative: Frank & Linda Wise Phone: (813) 417-5743, (813) 727-8393

Representative's Email: fcwise@aol.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 type="checkbox"/>	<input checked="" 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"/> Legal Description for the subject site
9	<input type="checkbox"/>	<input checked="" type="checkbox"/> <u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
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)