

Variance Application: VAR 26-0381
LUHO Hearing Date: April 13, 2026
Case Reviewer: Colleen Marshall, AICP, CFM



**Hillsborough
 County Florida**

Development Services Department

Applicant: Burnadette Rodgers Revocable Trust **Zoning:** RDC-6
Address/Location: 5317 Orange Avenue, Seffner, FL 33584


Request Summary:

The applicant is requesting a setback variance to accommodate a new home on the subject property.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
6.01.01	A minimum 25-foot front yard setback is required in the RDC-6 zoning district.	5 feet	20-foot front yard setback

Findings:	Staff has determined that the subject property is a legal nonconforming lot of record. HC-CMP 25-0000604 was issued for a stop work order as building permit application HC-BLD-25-0073610 has not been issued.
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Zoning Administrator Sign Off:	 Colleen Marshall Tue Mar 17 2026 16:19:17
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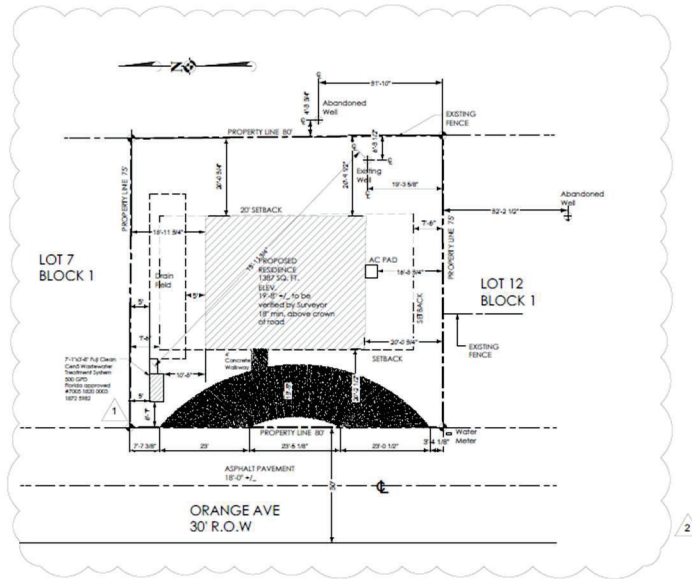
DISCLAIMER:
 The variance(s) listed above is based on the information provided in the application by the applicant. Additional variances may be needed after the site has applied for development permits. The granting of these variances does not obviate the applicant or property owner from attaining all additional required approvals including but not limited to: subdivision or site development approvals and building permit approvals.

SURVEY/SITE PLAN

Received
12/22/2025
Development Services



Vicinity Map
NTS



SITE PLAN
Scale: 1"=10'-0"

GRADING NOTES:

- CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES.
- PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING.
- FINAL GRADE TO CONVEY SURFACE DRAINAGE TOWARD ROCK CHANNELS AND DISPERSION TRENCHES.
- AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED TO REMOVE TREES, VEGETATION, ROOTS AND OTHER OBJECTIONABLE MATERIAL AND STRIPPED OF TOPSOIL.
- PLACE FILL SLOPES WITH A GRADIENT STEEPER THAN 3:1 IN LETS NOT TO EXCEED 4' INCHES, AND MAKE SURE EACH LIFT IS PROPERLY COMPACTED.

PROJECT STATISTICS:

LOT SIZE:	.15 acres
PROPOSED LIVING AREA:	1,200 SF
POORCH:	48.0 SF
TOTAL:	1,248 SF
SITE COVERAGE:	23.1%
IMPERVIOUS COVERAGE:	214.41 SQ. FT. (16.8%)
FRONT HEIGHT AT RIDGE:	15'-7"
REAR HEIGHT AT RIDGE:	15'-7"

SITE PLAN NOTES:

- SITE SURVEY TO BE CONSULTED WITH TO VERIFY PIN LOCATIONS AND HOME LOCATION PRIOR TO EXCAVATION.

REVISION TABLE			
NO.	DATE	BY	DESCRIPTION
1	11/27/25	RP	ISSUE FOR PERMIT
2	12/22/25	RP	ISSUE FOR PERMIT
3	12/22/25	RP	ISSUE FOR PERMIT
4	12/22/25	RP	ISSUE FOR PERMIT
5	12/22/25	RP	ISSUE FOR PERMIT
6	12/22/25	RP	ISSUE FOR PERMIT
7	12/22/25	RP	ISSUE FOR PERMIT
8	12/22/25	RP	ISSUE FOR PERMIT
9	12/22/25	RP	ISSUE FOR PERMIT
10	12/22/25	RP	ISSUE FOR PERMIT

CONSULTANTS	
ARCHITECT:	BERNARDETTE RODGERS ARCHITECTURE
ENGINEER:	BERNARDETTE RODGERS ARCHITECTURE
LANDSCAPE ARCHITECT:	BERNARDETTE RODGERS ARCHITECTURE
PLANNING:	BERNARDETTE RODGERS ARCHITECTURE
SOILS:	BERNARDETTE RODGERS ARCHITECTURE
UTILITY ENGINEER:	BERNARDETTE RODGERS ARCHITECTURE
WATER ENGINEER:	BERNARDETTE RODGERS ARCHITECTURE
WIND ENGINEER:	BERNARDETTE RODGERS ARCHITECTURE
WOOD PRESERVATION:	BERNARDETTE RODGERS ARCHITECTURE
YARD DESIGN:	BERNARDETTE RODGERS ARCHITECTURE
YARD LIGHTING:	BERNARDETTE RODGERS ARCHITECTURE
YARD PAVING:	BERNARDETTE RODGERS ARCHITECTURE
YARD TREES:	BERNARDETTE RODGERS ARCHITECTURE
YARD WALLS:	BERNARDETTE RODGERS ARCHITECTURE
YARD FENCES:	BERNARDETTE RODGERS ARCHITECTURE

CLIENT/PROJECT NAME:
Bernadette Rodgers
Revocable Trust
5317 E. Orange Ave
Seffner Florida 33554

RPJ DESIGN DRAFTING SERVICE
3000 Highway 100
Suite 100
Tampa, FL 33610
Phone: (813) 988-1111
www.rpjdesign.com

DRAWING TITLE:
SITE PLAN

PROJECT: 25-0003
DATE: 12/15/2025
DRAWN: RP
CHECKED: RP
DRAWING #: A3
SCALE: AS SHOWN



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.

**Front yard Setback
Septic replacement**

**This is a non-conforming lot
with a single family duplex
zoning RDC-6.**

zoning could be RDC-12

for a single family house.

Error by staffer wrong

permit type and zoning.

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

**Land development sections: N
on Conforming Small lots and
Zoning codes for Small lots**

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): **Owner Permit HC-Bld-25-0073610 and Septic**

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 Re-claimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing



Project Description (Variance Request)

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made a mistake in permitting type and zoning. Request approval for 20 feet setback and septic.

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

Land development Nonconforming lot and Zoning

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).
Owner Permit
HC-Bld-25-0073610
and Septic permit
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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. 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. 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?

based on a small nonconforming lot and multiple surveyors were told by staffer at zoning the setback was 20 feet from property line or foundation. All the houses have the same setback and septic are on lots smaller than mine. A previous single family house now demolished was on my lot with a well and septic. We were also told by staffer there was county sewer. After digging unable to locate sewer we had to go with sewer.

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.

LDC RDC-6 is really for minimum lots size of 7200 and above for residential duplex. This may deprive my smaller lot size from completion of my home due to a staffer erroneous zoning.
LDC RDC-12 minimum Lot size is 3500 and above for Single family house that setback is 20.
Set back for current zoning

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.

Front yard
Variance given would not harm anyone.

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).

Sec. 1.02.02 Purpose
It is the purpose of the Board of County Commissioners of Hillsborough County to establish the standards, regulations and procedures for review and approval of all proposed development of property in unincorporated Hillsborough County, and to provide a development review process that will be void of costly errors and mistakes by performing in time, comprehensive, consistent, and EFFICIENT in the implementation to meet Permit Owners and Zoning goals Equitable.

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.

Greenside up Nahu Jaimes and Engineer Michael staked out location for foundation. Not myself as the general contractor with Owner Permit.
The zoning staff created hardship and the harm by giving erroneous information surveyor myself and Hillsborough county Code Inspector Jim Blinken assigned to my incorrect permit type.

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.

Homelessness Loss of monies expended for materials in storage and Paid subcontractors
This will show how county workers are human not robots. We all make mistakes and should be able to move forward with our building and staffer need to learn from their errors and mistakes for their wages.



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Prepared by
Carol Cahill, an employee of
First American Title Insurance Company
13901 Carrollwood Village Run
Tampa, Florida 33618
(813)440-5770

Return to: Grantee

File No.: 12656-2807852

WARRANTY DEED

THIS INDENTURE, executed on **September 27, 2024**, between

Fausto Efrain Gutierrez Resendiz, a married man

whose mailing address is: 16604 Foothill Dr, Tampa, FL 33624,
hereinafter called the "grantor", and

Bernadette Rodgers, as Trustee of the Bernadette Rodgers Revocable Trust dated January 6, 2021

whose mailing address is: 5317 Orange Ave, Seffner, FL 33584,
hereinafter called the "grantee":

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

WITNESSETH: The grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration, receipt whereof is hereby acknowledged, by these presents does grant, bargain, release, convey and confirms unto the grantee, their heirs and assigns, all that certain land situate in **Hillsborough County, FL**, to-wit:

Lots 8, 9, 10 and 11, Block I, MANGO HILLS ADDITION NO. 1, a subdivision according to the plat thereof recorded at Plat Book 15, Page 9, in the Public Records of Hillsborough County, Florida.

Parcel Identification Number: **643840000**

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

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

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

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2023.

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

[Signature]
Fausto Efrain Gutierrez Resendiz

Signed, sealed and delivered in our presence:

[Signature]
Witness Signature

CAROL CAHILL
Print Name

[Signature]
Witness Signature

K. Stewart
Print Name

Print Post Office Address: 3901 CANNONWOOD VILLAGE RUN TAMPA FL 33618

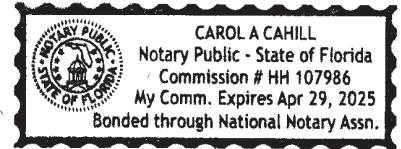
Print Post Office Address: 3901 CANNONWOOD VILLAGE RUN TAMPA FL 33618

State of FLORIDA
County of HILLSBOROUGH

The Foregoing Instrument Was Acknowledged before me by means of physical presence or online notarization, on 9/24/24, by **Fausto Efrain Gutierrez Resendiz, a married man.**

[Signature]
Notary Public

CAROL CAHILL
(Printed Name)



My Commission expires: _____

{Notarial Seal}

Personally Known OR Produced Identification
Type of Identification Produced a valid driver's license



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 26-0381 Intake Date: 12/22/2025
Hearing(s) and type: Date: 02/09/2026 Type: LUHO Receipt Number: N/A
Date: _____ Type: _____ Intake Staff Signature: Charles Phillips

Property Information

Address: 5317 Orange Ave City/State/Zip: Seffner, Florida 33584
TWN-RN-SEC: 03-29-20 Folio(s): 0643840000 Zoning: RDC-6/RDC-12 Future Land Use: R4 Property Size: .15 acres

Property Owner Information

Name: Bernadette Rodgers Daytime Phone 813.924.5260
Address: 5317 Orange Ave City/State/Zip: Seffner, Florida 33584
Email: [prettyfeetmobile@protonmail.com] Fax Number N/A

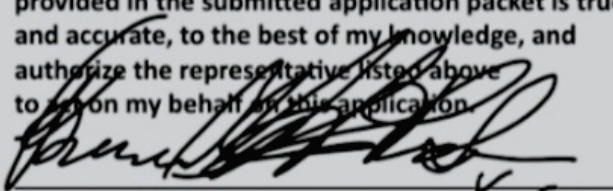
Applicant Information

Name: Bernadette Rodgers Revocable Trust Daytime Phone 8139245260
Address: 5317 Orange Ave City/State/Zip: 33584
Email: prettyfeetmobile@protonmail.com Fax Number N/A

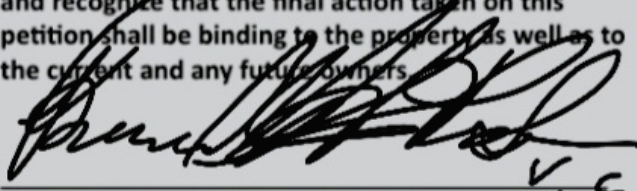
Applicant's Representative (if different than above)

Name: N/A Daytime Phone _____
Address: _____ City/State/Zip: _____
Email: _____ Fax Number _____

I hereby swear or affirm that all the information provided in 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 _____
Bernadette Rodgers
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.

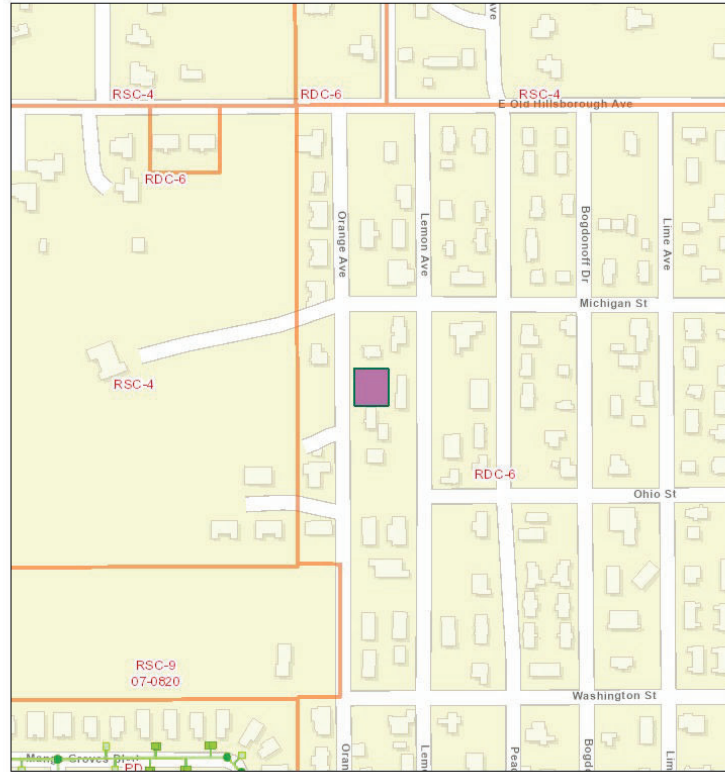

Signature of the Owner(s) - (All parties on the deed must sign) _____
Bernadette Rodgers
Type or print name



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

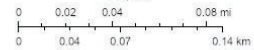
Jurisdiction	Unincorporated County
Zoning Category	Residential
INFL	i
Zoning	RDC-6
Description	Residential - Duplex Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0385H
FIRM Panel	12057C0385H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120385E
County Wide Planning Area	Seffner Mango
Community Base Planning Area	Seffner Mango
Census Data	Tract: 012107 Block: 3016
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Northeast
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 4
Wind Borne Debris Area	Outside 140 MPH Area
Aviation Authority Height Restrictions	170' AMSL
Competitive Sites	NO
Redevelopment Area	NO

Folio: 64384.0000



December 18, 2025

1:2,934



Esri Community Maps Contributors, University of South Florida, City of Tampa, FDEP, OpenStreetMap, Microsoft, Esri, TomTom, Garmin, Satelligence, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NOAA, US Census Bureau, USDA, USFWS, EGIS

Hillsborough County Florida

Folio: 64384.0000
PIN: U-03-29-20-275-100000-00008.0

Bernadette Rodgers /Trustee

Mailing Address:

5317 Orange Ave

null

Seffner, FL 33584

Site Address:

5317 Orange Ave

Seffner, FL 33584

SEC-TWN-RNG: 03-29-20

Acreage: 0.15

Market Value: \$52,020.00

Landuse Code: 0000 VACANT RESIDENT

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: _____ Receipt Number: _____
 Date: _____ Type: _____ Intake Staff Signature: _____

Applicant/Representative: Bernadette Rodgers Phone: [8139245260]

Representative's Email: prettyfeetmobile@protonmail.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
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Applicant/Owner Information Form</u>
<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.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Sunbiz Form</u> (if applicable). This can be obtained at Sunbiz.org .
<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.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Current Recorded Deed(s)</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Close Proximity Property Owners List</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Legal Description</u> for the subject site
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
<input checked="" type="checkbox"/>	<input 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)