Variance Application: 25-0796

LUHO Hearing Date: June 23, 2025

Case Reviewer: Wayne Doyon



Development Services Department

Applicant: Little Harbor Investments, LLC Zoning: PD

Location: Folios: 031587-0001, 031587-0002, 031646-0000 and 031587-0114, Ruskin, FL

Request Summary:

The applicant is requesting a variance from the 30-foot Wetland Conservation Area setback requirement, Section 4.01.07.B.4 of the Land Development Code (LDC). The applicant's specific request, as shown on the site plan submitted on 05/06/2025, is to allow for encroachment for asphalt, concrete, pool, pool equipment, fence, and a retaining wall to be within the 50-foot Wetland Preservation Area setback.

Requested Variances:			
LDC Requirement:	Variance:	Result:	
No filling, excavating, or placement of permanent structures or other impervious surfaces shall be allowed within a required 50-foot Wetland Preservation Area setback.	50-Foot max encroachment for asphalt, concrete, pool, pool equipment, fence, and a retaining wall in the Wetland Preservation Area setback.	0-foot remaining setback	
	No filling, excavating, or placement of permanent structures or other impervious surfaces shall be allowed within a required 50-foot Wetland	No filling, excavating, or placement of permanent structures or other impervious surfaces shall be allowed within a required 50-foot Wetland Preservation Area setback. S0-Foot max encroachment for asphalt, concrete, pool, pool equipment, fence, and a retaining wall in the Wetland Preservation Area	

Findings:	 The wetland setback compensation planting plan provided on site plans dated 05/06/2025 will be reviewed through commercial review during site construction intake process.
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Zoning Administrator Sign Off: Wayne a. Soyon

APPLICATION NUMBER:	VAR 25-0796	
LUHO HEARING DATE:	June 23, 2025	Case Reviewer: Wayne Doyon

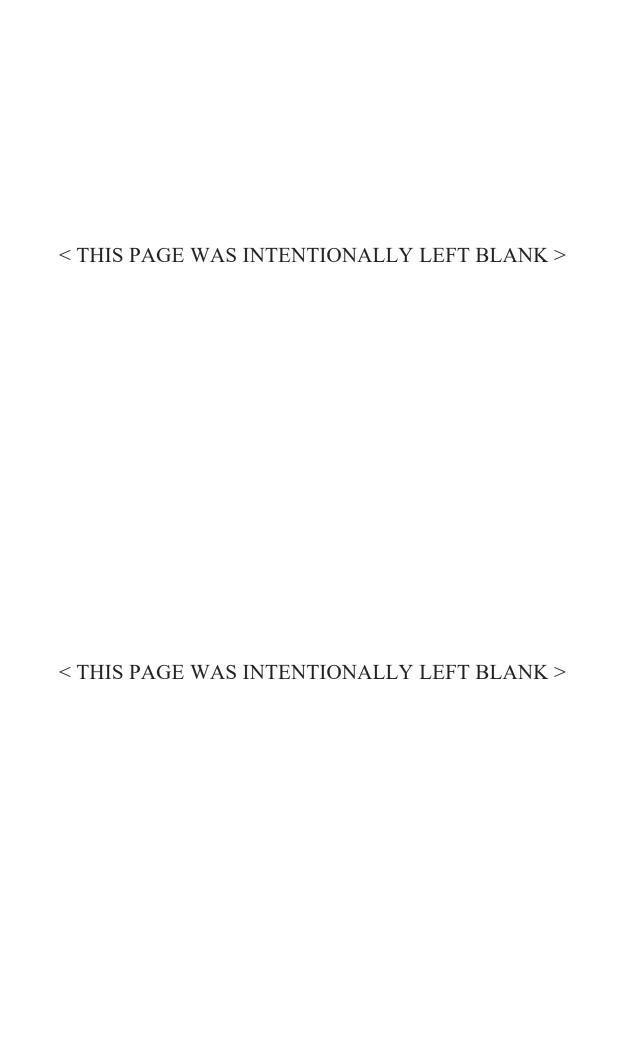
DISCLAIMER:

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.

Approval of this variance petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested environmental approvals.

SURVEY/SITE PLAN

LUHO HEARING DATE: June 23, 2025 Case Reviewer: Wayne Doyon BOHLER SEAGRAPE DRIVE PROFESOIONAL TO THE BY CONSTRUCTOR SOME 32ND STREET NW LEGEND 0 0 Ö 0 SEAGRAPE DR. HUSKIN, PL. 33629 802, T328, R15E IN THE CASE THAT A NEW SCHARLE WILL BE CONSTRUCTED IN THE ROW OF A SITE, THE ELEMENT SCHOOL OF THE SECTION IS SHALL WAS EXCEDED TO A FIRST BLOCKED SINGLE OF SHALL WIS EXCEDED A THE STRANGE WHERE TO CONSTRUKE OF THE OPERAN AS A VICEL AND HELD RESIDENT SCHOOL STEWNSON CHEMICS STRONG TO WHEE SLEE THE 26 CROSS SLOPE IS NOT IN THE CROSS SWALK. VILLEY DECORD ERWANDS NEL FEOURED FRIER TO PLACES THIS WATER AND MASTERNATER FACILIES AND SERVICE PLEASE SEE THE ACO DOMA! INFORMATION SECTION TO? INSTRUCTIONS! THE PROPOSED ACTIVITIES SHALL COME." WITHIN LISSONDUCK COUNTY EXPENDIMENT MANAGEMENT AND ACTIVITIES LISTON FOR LISTON WITHIN LISTONDUCK COUNTY EXPENDIMENT TO SHALL WITHIN ACTIVITIES AND ITVALES IN REPRESENTATION OF THE PRINCIPLE CONTROLLED TO SHALLES THAT HE PARTICLE HISPAN REPUBLIC ACCESSION REPORTS, AND REPORT EXCENSIONS IN APPLICATION OF THE APPLICATION REPUBLICATION. BOHLER/ ANY REQUIREMENTS LISTED ABOVE THAT CAN NOT SEISET SHALL SEISEN, OFF TO THE CHOICES ACTION CONTROL OF THE HIGH MOT BUILT TO THE AROUS STANDARDS BY, MESSURE RENYOUS AND REPLACEMENT OF THE BOX CONSTANT AROUS OF THE STRENG LOW PROCTORS GOOD SECTION ASSESSED OF CONTROL OF STATE OF CONTROL OF THE THREE OF THE THREE OF CONTROL OF CONTROL OF CONTROL OF THE CONTROL OF CONTROL OT CONTROL OF CONTROL OF CONTROL OT CONTROL OT CONTROL OT CONTROL ALL MADDLAFTED FARMING SPACES AND ACCESS ASSESSABLACENT TO THE HANDISAFT PARKING SPACES SHALL MADE AN ARTHUR OF DIS SECRE IN ALL DRUGGTONS THIS INCLUDES SUMMING SLOTE AND DRUGGE SLOTE. Moderne (except when the Little content of a SITE LAYOUT PLAN Scores and technique and faces to waith well, recover a findle product controller to the exponentiations recover control preparation current Landenian for Honey Steal, colored are are represent accordance and controllers. C-302 NOTE: The buffer enhancement area will be hand watered or watered necessary when the plants are installed and until the plants are established.



Orlando [Headquarters] 3025 East South Street Orlando, FL 32803

Cocoa 400 High Point Drive Suite 400 Cocoa, FL 32926

Jacksonville 11235 St. Johns Industrial Pkwy N Suite 2 Jacksonville, FL 32246

Key West 1107 Key Plaza Suite 259 Key West, FL 33040

Lantana 445 West Lantana Road Suite 5 Lantana, FL 33462

Tallahassee 2560-1 Barrington Circle Tallahassee, FL 32308

Tampa 6011 Benjamin Road Suite 101-B Tampa, FL 33634

Denver 10701 Melody Drive Suite 304 Northglenn, CO 80234

Raleigh 4338 Bland Road Raleigh, NC 27609

Charlotte 5105 Monroe Road Suite A Charlotte, NC 28205

East Syracuse 6700 Old Collamer Road Suite 112 East Syracuse, NY 13057

Bismarck 4501 Coleman Street Suite 103 Bismarck, ND 58503

Austin 3801 N Capital of TX Highway Suite E-240 Austin, TX 78746

Midland 5114 West County Road 12 Midland, TX 79706

San Antonio 7700 Broadway Street Suite 104 San Antonio, TX 78209

Orlando [Aquatic & Land Management Operations] 3825 Rouse Road Orlando, FL 32817



Variance Request

4/11/2025

Project: South Bay – Bahia Beach Parcel P (AKA Little Harbor Parcel P)

Specific Request – Amend wetland buffer requirements within the subject site to be in line with adjacent parcels.

Narrative – This request is being presented for Parcel P within the Bahia Beach CDD. Parcel P is located south of Seagrape Drive. The owner of the parcel is South Bay CDD Holdings Inc. Please see attached location map and Property Cards. Parcel P is bordered by a road to the north and west, a development to the east and a man made over grown earthen canal to the south. The applicant is planning to permit and construct a multi-family project. If the subject site were held to the 50' buffer requirements this project simply would not work.

When reviewing the project located to the south and the project located to the north (both of which are located adjacent to this man-made canal) it is clear that with no buffers or very little buffer requirements were placed on the parcels because of the canal. These projects have roads, infrastructure and buildings within 50 feet of the Top Of Bank (TOB) of the canal. EPC considers this canal to be a wetland due to it historically being excavated out of wetlands. The TOB is the established and approved wetland line. This has been approved by both EPC and SWFWMD. We respectfully request to be allowed to have the wetland buffer requirements for the subject site amended. There are a few things to consider.

- 1. This project could permit and construct a sea wall along the canal and be relieved from any buffer requirements, but in so doing there would be wetland impacts a loss of mangrove habitat. It is our opinion that saving mangrove habitat is more important than a buffer to a manmade canal/wetland.
- 2. The canal is owned by the current owners of Parcel P and have by way of this application given approval for this variance request.

South Bay – Bahia Beach Parcel P Variance Request – Wetland Buffer (Canal) BTC File 1103-06 Page 2 of 2

- 3. The applicant has committed to preserving as much buffer as possible and enhancing the buffer that will remain in post development, but in leu of a vegetated buffer the applicant will permit an at least 6' high, opaque fence to be installed along the boundary of the mangrove habitat. The mangrove habitat is located within the canal to the TOB of the canal. No mangroves or wetlands will be impacted by the fence installation. Along with the buffer plantings the opaque fence will also help to buffer the canal in the same way a 50' vegetated buffer would.
- 4. Within the buffer area that will remain in post development the buffer will be enhanced through planting of appropriate ground cover, mid-level, and canopy-level vegetation.
- 5. To stay consistent with the parcels to the north and south of this subject site we are of the opinion that the 50' buffer requirement is a candidate to have a variance approved.
- 6. We have had discussions with the Hillsborough County Environmental Protection Commission (EPC). EPC is in support of this variance request.

Should you have any questions please contact me directly at <u>dillon@bio-techconsulting.com</u> or via phone at (727) 742-0222.

Regards,

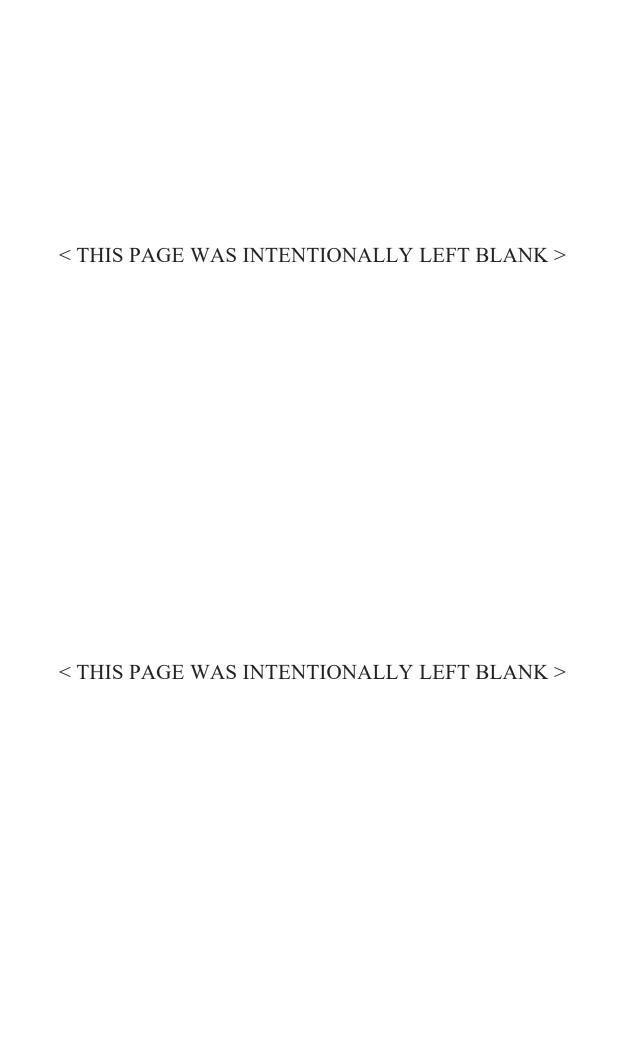
Dillon Reeves
Environmental Lead



Application No:	
, .pp	

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. Please see Variance Request 4.11.25. 2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code: Variance Criteria 4.01.07.B.4 **Additional Information** Yes 1. Have you been cited by Hillsborough County Code Enforcement? 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 If yes, please indicate the nature of the application and the case numbers assigned to the application (s): X Yes 3. Is this a request for a wetland setback variance? 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 Is the variance to allow a third lot on well or non-residential development with an intensity of three ERC's? 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 southern property line of the subject site is within a man-made canal. The Top of Bank of this canal is the wetland line approved by both EPC & SWFWMD. This canal does not have a sea wall. The adjacent sites have construction within the 50' buffer. If this variance is denied then what has occurred on adjacent parcels will be denied for this project. To stay consistent with the community and adjacent developments this variance is respectfully requested

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.

If we choose to apply for a permit to construct a seawall along the southern boundary then this project would not be required to have any wetland buffer. But in so doing all of the mangrove habitat that currently occupies the bank of the canal would be removed. So to save the mangrove habitat we think a variance from the wetland buffer is an appropriate request.

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 adjacent canal to the south if owned by the current owner of the parcels within this application. If the variance is approved this project will not need to permit and construct a seawall and thus mangrove habitat will be saved. This variance will not interfere with or injure the rights of others whose property would be affected by the allowance of the variance. In Fact, allowing this variance will help protect those native areas by not requiring a seawall permit and the removal of

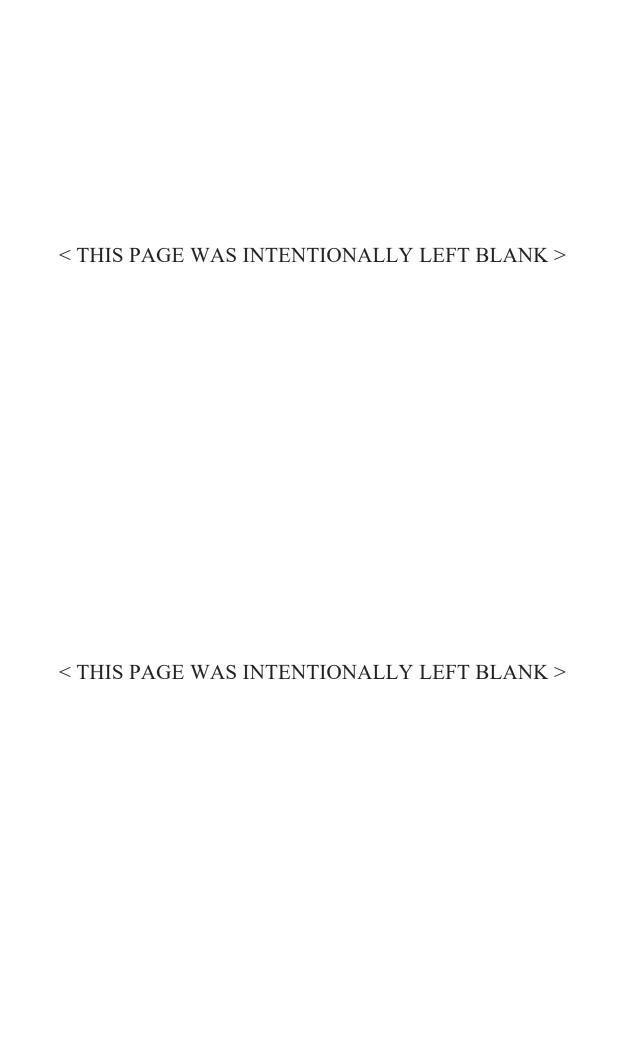
4. Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose).

This variance generally serves the intent of maintaining protection for environmentally sensitive lands as well as promotes continuity of development within the same master development.

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.

Approving the variance will not create an illegal act nor will it create a self-imposed hardship. there is nothing illegal about constructing a development in an area with a reduced buffer. There have been no listed species observed and none are anticipated within the subject site. Approval of this variance also does not create a situation that negatively affects the flood zone not imposes and additional restrictions and/or encumbrances to any other parcels

- 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. By Approving this variance justice will be done because this site will be held to the same standards as adjacent parcels and many of the parcel within the master development. If this variance is denied then this site would be held to a different, more strict standard than the adjacent sites.
 - 2 By approving this variance justice will be done to the mangrove habitat and environmentally



INSTRUMENT#: 2016115762, BK: 23964 PG: 1894 PGS: 1894 - 1901 03/25/2016 at 03:31:37 PM, DOC TAX PD(F.S.201.02) \$0.70 DEPUTY CLERK: HHILLIARY Pat Frank, Clerk of the Circuit Court Hillsborough County

Prepared by and Return to:

David L. Smith, Esquire GrayRobinson, P.A. 401 East Jackson Street, Suite 2700 Tampa, Florida 33602

Property Appraiser's Parcel I.D.: A portion of Folio No. 031587-0113; A portion of Folio No. 031587-0017; A portion of Folio 031587-0016; A portion of Folio No. 031587-0015; A portion of Folio No. 031587-0012; A portion of Folio No. 031587-0014; Folio No. 031587-0010.

NOTE TO RECORDER: THE PURPOSE OF THIS CORRECTIVE SPECIAL WARRANTY DEED IS TO CORRECT AND REPLACE THE LEGAL DESCRIPTION DESCRIBED UPON EXHIBIT A OF THAT CERTAIN SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 23196, PAGE 232, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA ON APRIL 8, 2015, ON WHICH DOCUMENTARY STAMP TAXES WERE PAID IN THE AMOUNT OF \$11,513.60 BASED ON A CONSIDERATION OF \$1,644,800.00. NO ADDITIONAL TAXES ARE DUE ON THIS CORRECTIVE INSTRUMENT.

CORRECTIVE SPECIAL WARRANTY DEED

THIS CORRECTIVE SPECIAL WARRANTY DEED (this "Deed"), is made as of the day of March, 2016, by SOUTH BAY COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, whose address is 2501A Burns Road, Palm Beach Gardens, Florida 33410 ("Grantor"), in favor of SOUTH BAY CDD HOLDINGS, INC., a Florida corporation ("Grantee"), whose address is 5020 West Linebaugh Avenue, Suite 250, Tampa, Florida 33624.

(Wherever used herein the term "grantee" includes the party named as such above, and its successors and assigns)

WITNESSETH:

That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all of the Grantor's interest in that certain land situate in Hillsborough County, Florida, viz:

See attached Exhibit A.

Subject to: (i) all reservations, covenants, conditions, restrictions, liens, and easements of record; (ii) all matters that could be determined with an accurate survey; (iii) all leases and rights of persons in possession; (iv) all ad valorem and non-ad valorem taxes and assessments (whether general, special, or otherwise) of special districts or community development districts; (v) all applicable zoning, land use, and other laws and ordinances; and (vi) all restrictions and requirements imposed by governmental authorities.

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

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

AND, the Grantor warrants title to said land and will defend the same against only the lawful claims of all persons claiming by, through or under grantor, and no others.

IN WITNESS THEREOF, Grantor has hereunto set its hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE:

SOUTH BAY COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190 *Florida Statutes*

Printed Name

Jane S. LaRose

William Thomas Grimm

Chairman, Board of Supervisors

Printed Name:

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

[SEAL]

TAMARA L. TODD
Commission # EE 846708
Expires October 25, 2016
Bonded Thru Troy Fain Insurance 800-385-7019

Signature of Notary Public

Name of Notary Public (Typed, Printed or Stamped)

EXHIBIT A

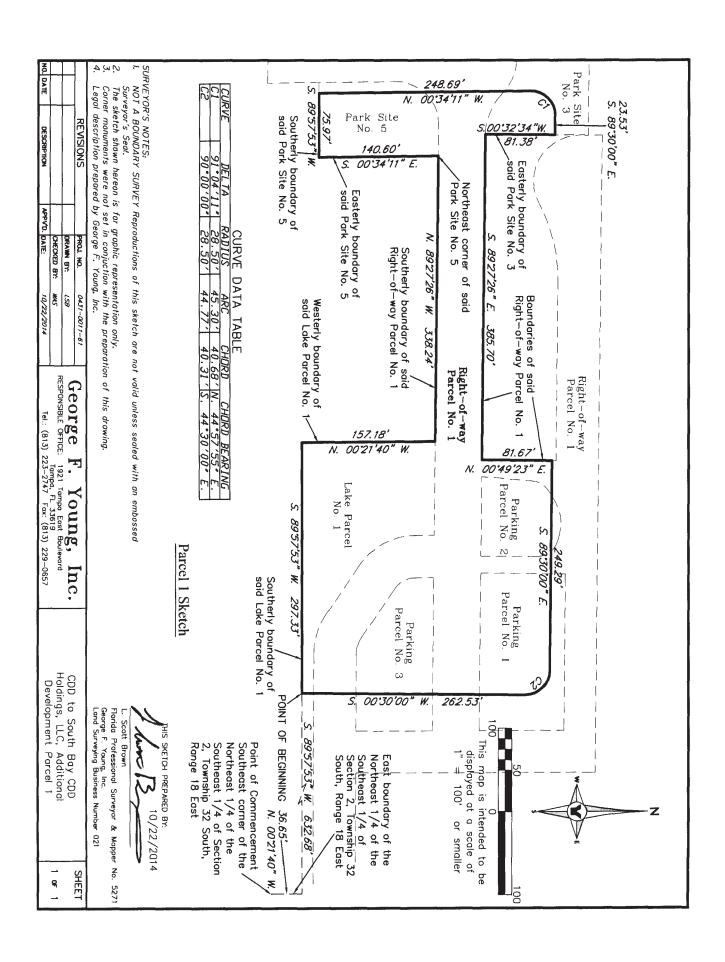
Legal Description

Parcel 1

DESCRIPTION (CDD to South Bay CDD Holdings, LLC, Additional Development Parcel 1)

A parcel of land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, being a portion of the area designated as "Future Development", together with a portion of Mangrove Point Drive, all as shown on BAHIA BEACH SOUTH UNIT No. 1, as per the map or plat thereof recorded in Plat Book 40, Page 81, of the Public Records of Hillsborough County, Florida, said parcel being portions of Lake Parcel No. 1, Parking Parcels No. 1, No. 2, and No. 3, Park Sites No. 3 and No. 5, and Right-of-way Parcel No. 1, the same being described in Official Records Book 13842, Page 1124 and Official Records Book 13842, Page 1172, of the Public Records of Hillsborough County, Florida (the "CDD Deeds"), being more particularly described as follows:

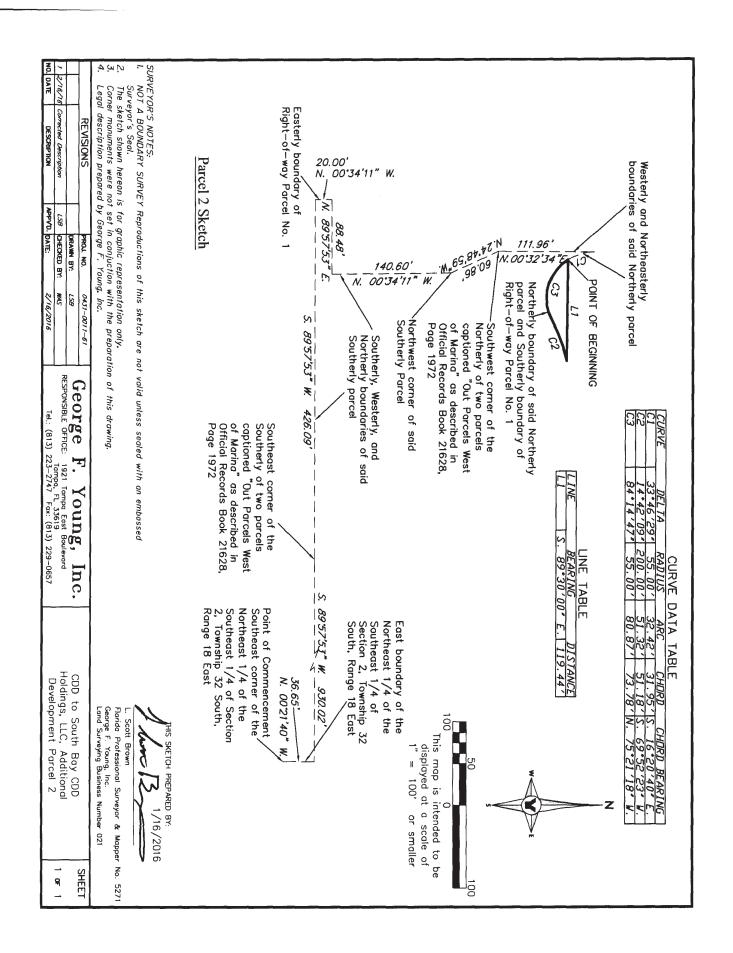
Commence at the Southeast corner of the Northeast 1/4 of the Southeast 1/4 of Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida; thence on the East boundary of the Northeast 1/4 of the Southeast 1/4 of said Section 2, North 00°21'40" West, a distance of 36.65 feet to a point on the Southerly boundary of said Lake Parcel No. 1; thence on said Southerly boundary, South 89°57'53" West, a distance of 632.68 feet to the POINT OF BEGINNING; thence continue on said Southerly boundary, South 89°57'53" West, a distance of 297.33 feet; thence on the Westerly boundary of said Lake Parcel No. 1, North 00°21'40" West, a distance of 157.18 feet to a point on the Southerly boundary of said Right-of-way Parcel No. 1; thence North 89°27'26" West, a distance of 338.24 feet to the Northeast corner of said Park Site No. 5; thence on the Easterly boundary of said Park Site No. 5, South 00°34'11" East, a distance of 140.60 feet; thence on the Southerly boundary of said Park Site No. 5, South 89°57'53" West, a distance of 75.97 feet; thence departing said Southerly boundary, North 00°34'11" West, a distance of 248.69 feet to a point of curvature; thence Northeasterly 45.30 feet along the arc of a curve to the right, said curve being concave Southeasterly, having a radius of 28.50 feet, a central angle of 91°04'11", and a chord bearing and distance of North 44°57'55" East, 40.68 feet to a point of tangency; thence South 89°30'00" East, a distance of 23.53 feet to a point on the Easterly boundary of said Park Site No. 3; thence on said Easterly boundary, South 00°32'34" West, a distance of 81.38 feet to a point on the Northerly boundary of said Right-of-way Parcel No. 1; thence on said Northerly boundary, South 89°27'26" East, a distance of 385.70 feet; thence on the Easterly boundary of said Right-of-way Parcel No. 1, North 00°49'23" East, a distance of 81.67 feet; thence departing said Easterly boundary, South 89°30'00" East, a distance of 249.29 feet to a point of curvature; thence Southeasterly 44.77 feet along the arc of a curve to the right, said curve being concave Southwesterly, having a radius of 28.50 feet, a central angle of 90°00'00", and a chord bearing and distance of South 44°30'00" East, 40.31 feet to a point of tangency; thence South 00°30'00" West, a distance of 262.53 feet to the POINT OF BEGINNING.



Parcel 2

DESCRIPTION (CDD to South Bay CDD Holdings, LLC, Additional Development Parcel 2) A parcel of land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, lying within the area designated as "Future Development", as shown on BAHIA BEACH SOUTH UNIT No. 1, as per the map or plat thereof recorded in Plat Book 40, Page 81, of the Public Records of Hillsborough County, Florida, said parcel being a portion of Right-of-way Parcel No. 1, the same being described in Official Records Book 13842, Page 1124 and Official Records Book 13842, Page 1172, of the Public Records of Hillsborough County, Florida (the "CDD Deeds"), being more particularly described as follows:

Commence at the Southeast corner of the Northeast 1/4 of the Southeast 1/4 of Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida; thence on the East boundary of the Northeast 1/4 of the Southeast 1/4 of said Section 2, North 00°21'40" West, a distance of 36.65 feet to a point on the Southerly boundary of Lake Parcel No. 1 as described in the CDD Deeds; thence on said Southerly boundary, South 89°57'53" West, a distance of 930.02 feet to the Southeast corner of the Southerly of two parcels captioned "Out Parcels West of Marina" as described in Official Records Book 21628, Page 1972 of the Public Records of Hillsborough County, Florida; thence the following four (4) courses on the Southerly, Westerly, and Northerly boundaries of said Southerly parcel: (1) continue South 89°57'53" West, a distance of 426.09 feet to a point on the Easterly boundary of Right-of-way Parcel No. 1 as described in the CDD Deeds; (2) on said Easterly boundary, North 00°34'11" West, a distance of 20.00 feet; (3) departing said Easterly boundary, North 89°57'53" East, a distance of 88.48 feet; (4) North 00°34'11" West, a distance of 140.60 feet to the Northwest corner of said Southerly parcel; thence departing the boundaries of said Southerly parcel, North 24°48'59" West, a distance of 60.86 feet to the Southwest corner of the Northerly of two parcels captioned "Out Parcels West of Marina" as described in Official Records Book 21628, Page 1972 of the Public Records of Hillsborough County, Florida; thence the following two (2) courses on the Westerly and Northeasterly boundaries of said Northerly parcel: (1) North 00°32'34" East, a distance of 111.96 feet to a point on a non-tangent curve; (2) on the Southerly boundary of said Right-of-way Parcel No. 1, Southerly 32.42 feet along the arc of a curve to the left, said curve being concave Easterly, having a radius of 55.00 feet, a central angle of 33°46'29", and a chord bearing and distance of South 16°20'40" East, 31.95 feet to the POINT OF BEGINNING; thence departing the boundaries of said Northerly parcel, South 89°30'00" East, a distance of 119.44 feet to a point on a non-tangent curve, said point being on the Northerly boundary of said Northerly parcel being the Southerly boundary of said Right-of-way Parcel No. 1; thence the following two (2) courses on said boundary: (1) Westerly 51.32 feet along the arc of a curve to the left, said curve being concave Southerly, having a radius of 200.00 feet, a central angle of 14°42'09", and a chord bearing and distance of South 69°52'23" West, 51.18 feet to a point of reverse curvature; (2) Westerly 80.87 feet along the arc of a curve to the right, said curve being concave Northerly, having a radius of 55.00 feet, a central angle of 84°14'47", and a chord bearing and distance of North 75°21'18" West, 73.78 feet to the POINT OF BEGINNING.



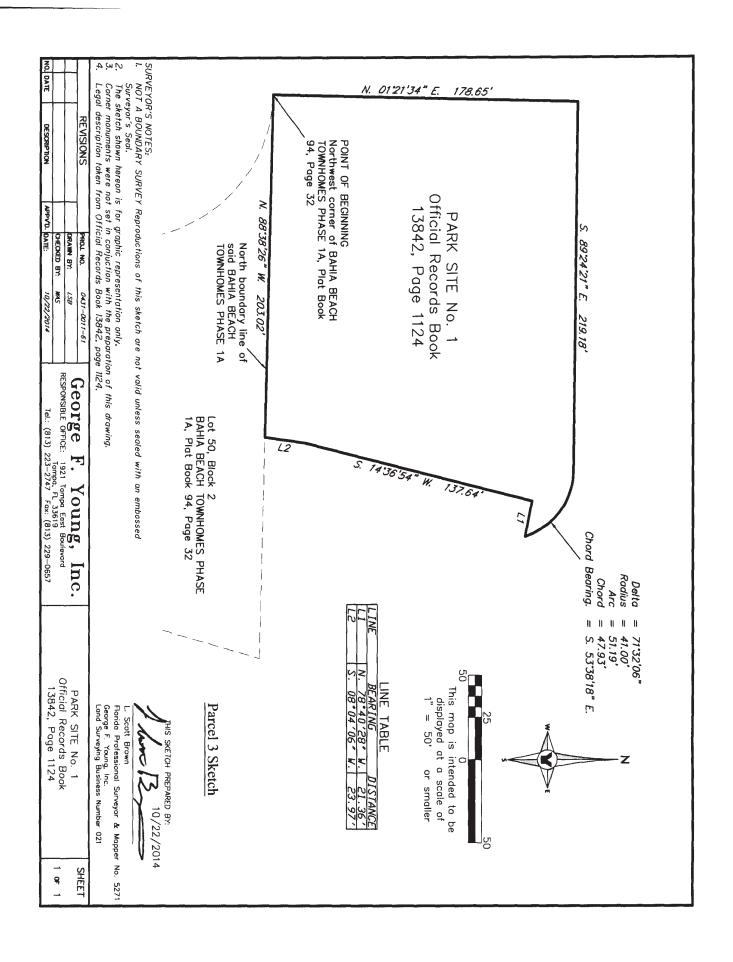
Parcel 3

PARK SITE No. 1 (Taken from Official Records Book 13842, Page 1124)

DESCRIPTION: A portion of land designated as "Future "Development" as shown on the plat of BAHIA BEACH SOUTH UNIT No. 1, as recorded in Plat Book 40, Page 81, of the Public Records of Hillsborough County, Florida, said land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Northwest corner of BAHIA BEACH TOWNHOMES PHASE 1A, according to the plat thereof as recorded in Plat Book 94, Page 32, of the Public Records of Hillsborough County, Florida, said point also being the POINT OF BEGINNING; thence N.01°21'34"E., 178.65 feet; thence S.89°24'21"E., 219.18 feet to a point of curvature; thence Southeasterly, 51.19 feet along the arc of a curve to the right having a radius of 41.00 feet and a central angle of 71°32'06" (chord bearing S.53°38'18"E., 47.93 feet); thence N.78°40'28"W., 21.36 feet; thence S.14°36'54"W., 137.64 feet; thence S.08°04'06"W., 23.97 feet to a point on the North boundary line of said BAHIA BEACH TOWNHOMES PHASE 1A; thence along said North boundary line, N.88°38'26"W., 203.02 feet to the POINT OF BEGINNING.

Containing 0.921 acres, more or less.



INSTRUMENT#: 2013030207, BK: 21628 PG: 1972 PGS: 1972 - 1981 01/22/2013 at 02:04:25 PM, DOC TAX PD(F.S.201.02) \$0.70 DEPUTY CLERK:LPERTUIS Pat Frank, Clerk of the Circuit Court Hillsborough County

Prepared by and return to:

Jason E. Merritt, Esquire Hopping Green & Sams, P.A. 119 South Monroe Street, Suite 300 Tallahassee. FL 32301

Tax Parcel Folio Nos. 031641-0400 (portion thereof); 031646-0000 (portion thereof); and 031647-0000 (portion thereof)

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this "Deed"), is made as of the <u>5</u> day of November, 2012, by BF-Negev, LLC, a Minnesota limited liability company ("BF-Negev"), whose address is 800 Washington Avenue North, Suite 501, Minneapolis, Minnesota 55401 ("Grantor"), in favor of SOUTH BAY CDD HOLDINGS, INC., a Florida corporation ("Grantee"), whose address is 5020 West Linebaugh Avenue, Suite 250, Tampa, Florida 33624.

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, by these presents does hereby convey, bargain and sell unto Grantee, its successors and assigns, the following described property (the "Property"):

- A. All of that certain land (the "Land") situated in Hillsborough County, Florida, more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.
- B. All right, title and interest of Grantor in and to the improvements of any nature whatsoever situate on the Land as of the date hereof.
- C. All rights, privileges, tenements, hereditaments, rights-of-way, easements, appendages, appurtenances, reversions, remainders, riparian or littoral rights belonging or in any wise appertaining to the Land or any improvements thereon and all right, title and interest of Grantor in and to any streets, ways, alleys, strips or gores of land adjoining the Land.

THIS IS A DEED IN LIEU OF FORECLOSURE OF SPECIAL ASSESSMENTS IN WHICH THE LIEN OF THE SPECIAL ASSESSMENTS IS NOT MERGED WITH THE FEE AND DISCHARGED AT THE TIME OF TRANSFER BUT INSTEAD REMAINS OUTSTANDING.

TO HAVE AND TO HOLD the Property unto the Grantee in fee simple forever.

And Grantor does hereby covenant with Grantee, except as to matters hereinafter set forth, that at the time of the execution of this Deed, Grantor is lawfully seized of the Property in fee simple, Grantor has good and lawful authority to sell and convey the Property to Grantee, and that Grantor warrants and will defend the title to the Property against the lawful claims and demands of others claiming by, through or under Grantor only; provided, however, that this conveyance and title to the Property is subject to rights, interests, covenants and conditions, if any, set forth in the following:

- 1. Taxes and assessments.
- 2. Matters of record and matters that would be shown by an accurate survey.
- 3. Grantee and Grantor mutually agree that the delivery from Grantor and acceptance by Grantee of this Deed, shall not constitute or result in a merger of the fee interests conveyed thereby with the existing rights held by Grantee or any related party or agent of Grantee with respect to enforcement of the Special Assessment Liens associated with the South Bay Community Development District established by Ordinance Number 04-17 of the Board of County Commissions of Hillsborough County, Florida, effective March 1, 2004 (the "Special Assessment Liens"). Grantor and Grantee specifically confirm their intention and agree that the rights created under the Special Assessment Liens shall survive and be enforceable upon and after the delivery of this Deed.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name the day and year first above written.

Attest:

(Print Name of Witness)

BF-NEGEV, LLC,

a Minnesota limited liability company

By: Brian Dougherty

Its: Authorized Representative

STATE OF MINNESOTA COUNTY OF HOLD FILE

The foregoing instrument was acknowledged before me this 5 day of NOVEW 2012, by Brian Dougherty, as Authorized Representative of BF-Negev, LLC, a Minnesota limited liability company, who [X] is personally known to me or [] has produced as identification.



Print Name: KATIC NI SON

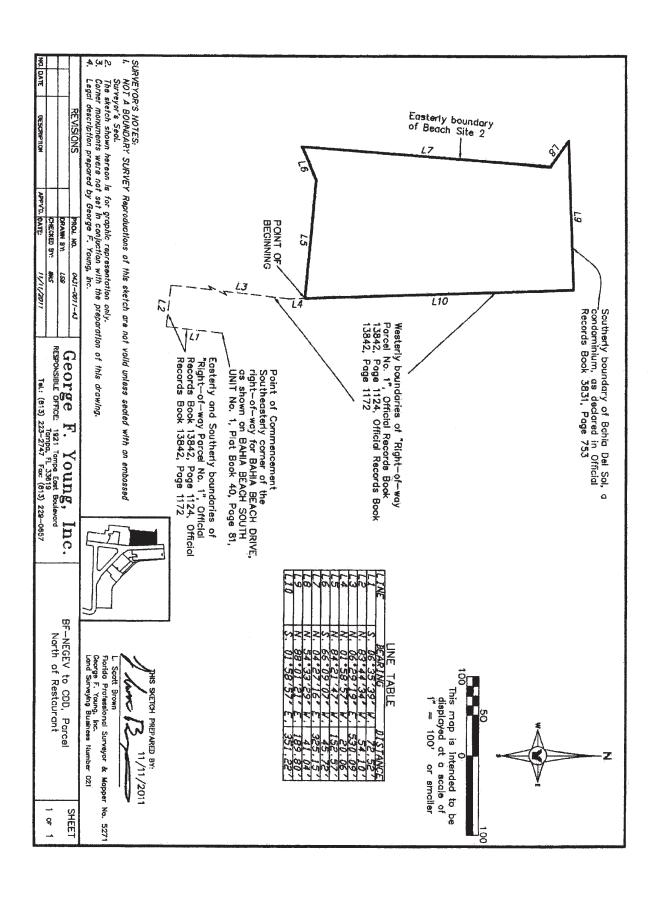
Notary Public
Commission No.: 20404716

My Commission Expires: 1-31-15

(Notarial Seal)

DESCRIPTION (BF-NEGEV to CDD, Parcel North of Restaurant)
A parcel of land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County,
Florida, being more particularly described as follows:

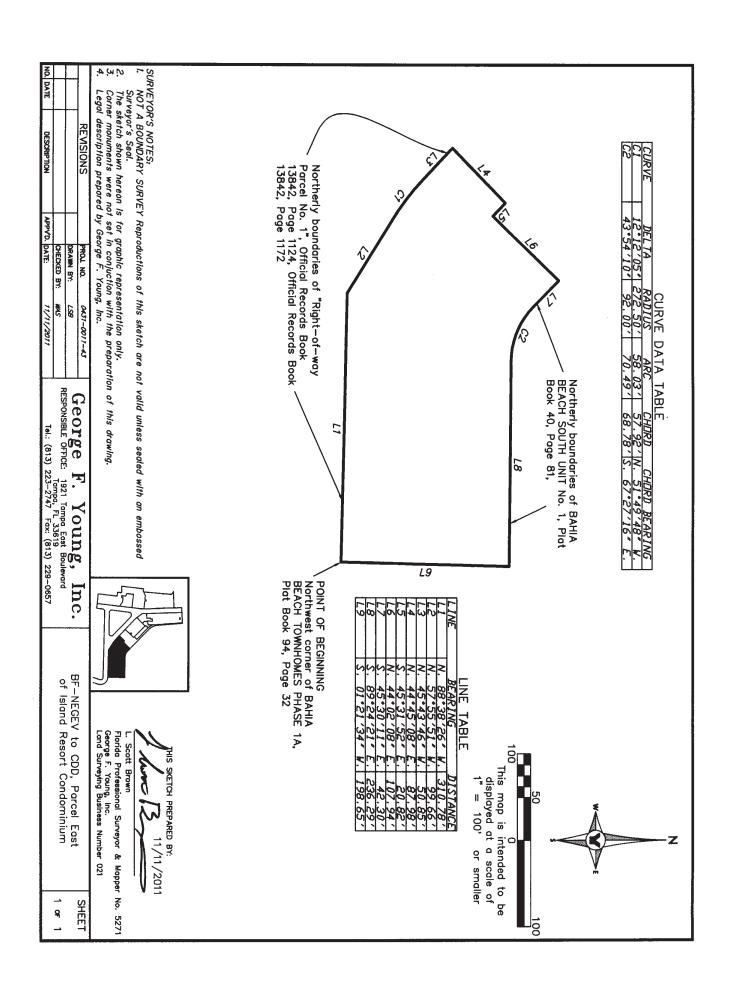
Commence at the Southeasterly corner of the right-of-way for BAHIA BEACH DRIVE, as shown on BAHIA BEACH SOUTH UNIT No. 1, as per the map or plat thereof recorded in Plat Book 40, Page 81, of the Public Records of Hillsborough County, Florida; thence the following four (4) courses on the boundaries of that certain parcel described as Right-of-way Parcel No. 1 in Official Records Book 13842, Page 1124, and Official Records Book 13842, Page 1172, of the Public Records of Hillsborough County, Florida (the "CDD Deeds"): (1) South 06°35'39" West, a distance of 72.52 feet; (2) North 83°44'34" West, a distance of 54.10 feet; (3) North 06°29'19" East, a distance of 530.09 feet; (4) North 01°58'57" West, a distance of 20.06 feet to the POINT OF BEGINNING; thence North 84°21'47" West, a distance of 152.57 feet to a point on the Easterly boundary of Beach Site No. 2 as described in the CDD deeds; thence on said Easterly boundary, North 04°27'16" East, a distance of 325.15 feet; thence on the Northeaster boundary of said Beach Site No. 2, North 54°33'29" West, a distance of 41.04 feet to a point on the Southerly boundary of Bahia Del Sol, a condominium, as declared in Official Records Book 3831, Page 753 of the Public Records of Hillsborough County, Florida; thence on said Southerly boundary, North 88°01'21" East, a distance of 189.80 feet; thence on the Westerly boundary of said Right-of-way Parcel No. 1, South 01°58'57" East, a distance of 351.22 feet to the POINT OF BEGINNING.



DESCRIPTION (BF-NEGEV to CDD, Parcel East of Island Resort Condominium)

A parcel of land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, being a part of the area designated as "Future Development", as shown on BAHIA BEACH SOUTH UNIT No. 1, as per the map or plat thereof recorded in Plat Book 40, Page 81, of the Public Records of Hillsborough County, Florida, being more particularly described as follows:

Begin at the Northwest corner of BAHIA BEACH TOWNHOMES PHASE 1A as per the map or plat thereof recorded in Plat Book 94, Page 32 of the Public Records of Hillsborough County. Florida; thence the following four (4) courses on the Northerly boundaries of that certain parcel described as Right-of-way Parcel 1 in Official Records Book 13842, Page 1124, and Official Records Book 13842, Page 1172, of the Public Records of Hillsborough County, Florida (the "CDD Deeds"): (1) North 88°38'26" West, a distance of 310.78 feet; (2) North 57°55'51" West, a distance of 99.66 feet to a point of curvature; (3) Northwesterly 58.03 feet along the arc of a curve to the right, said curve being concave Northeasterly, having a radius of 272.50 feet, a central angle of 12°12'05", and a chord bearing and distance of North 51°49'48" West, 57.92 feet to a point of tangency; (4) North 45°43'46" West, a distance of 50.85 feet; thence departing the boundaries of said Right-of-way Parcel 1, North 44°45'08" East, a distance of 87.98 feet; thence South 45°31'52" East, a distance of 20.82 feet; thence North 44°02'08" East, a distance of 107.94 feet to a point on the Northerly boundary of said BAHIA BEACH SOUTH UNIT No. 1; thence the following three (3) courses on the Northerly boundaries of said BAHIA BEACH SOUTH UNIT No. 1: (1) South 45°30'11" East, a distance of 42.30 feet to a point of curvature; (2) Southeasterly 70.49 feet along the arc of a curve to the left, said curve being concave Northeasterly, having a radius of 92.00 feet, a central angle of 43°54'10", and a chord bearing and distance of South 67°27'16" East, 68.78 feet to a point of tangency; (3) South 89°24'21" East, a distance of 236.29 feet; thence the Westerly boundary of Park Site No. 1 as described in the CDD deeds, and the Northerly extension thereof, South 01°21'34" West, a distance of 198.65 feet to the POINT OF BEGINNING.



DESCRIPTION (BF-NEGEV to CDD, Out Parcels West of Marina)

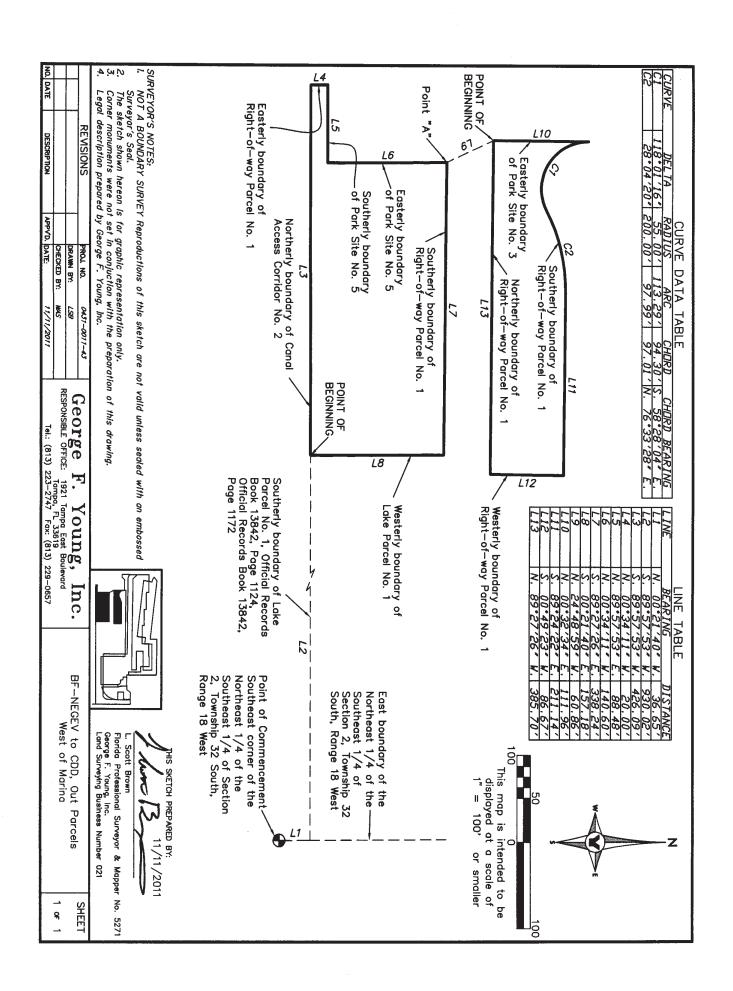
A parcel of land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, lying within the area designated as "Future Development", as shown on BAHIA BEACH SOUTH UNIT No. 1, as per the map or plat thereof recorded in Plat Book 40, Page 81, of the Public Records of Hillsborough County, Florida, being more particularly described as follows:

Commence at the Southeast corner of the Northeast 1/4 of the Southeast 1/4 of Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida; thence on the East boundary of the Northeast 1/4 of the Southeast 1/4 of said Section 2, North 00°21'40" West, a distance of 36.65 feet to a point on the Southerly boundary of Lake Parcel No. 1 in Official Records Book 13842, Page 1124, and Official Records Book 13842, Page 1172, of the Public Records of Hillsborough County, Florida (the "CDD Deeds"); thence on said Southerly boundary, South 89°57'53" West, a distance of 930.02 feet to the POINT OF BEGINNING; thence on the Northerly boundary of Canal Access Corridor No. 2 as described in the CDD Deeds, South 89°57'53" West, a distance of 426.09 feet; thence on the Easterly boundary of Right-of-way Parcel No. 1 as described in the CDD Deeds, North 00°34'11" West, a distance of 20.00 feet; thence on the Southerly boundary of Park Site No. 5 as described in the CDD Deeds, North 89°57'53" East, a distance of 88.48 feet; thence on the Easterly boundary of said Park Site No. 5, North 00°34'11" West, a distance of 140.60 feet to a point hereinafter referred to as POINT "A": thence on the Southerly boundary of said Right-of-way Parcel No. 1, South 89°27'26" East, a distance of 338.24 feet; thence on the Westerly boundary of said Lake Parcel No. 1, South 00°21'40" East, a distance of 157.18 feet to the POINT OF BEGINNING.

AND:

Commence at aforementioned POINT "A"; thence North 24°48'59" West, a distance of 60.86 feet to the POINT OF BEGINNING; thence, on the Easterly boundary of Park Site No. 3 as described in the CDD Deeds, North 00°32'34" East, a distance of 111.96 feet to a point on a nontangent curve; thence the following five (5) courses on the Southerly, Westerly, and Northerly boundaries of said Right-of-way Parcel No. 1: (1) Southeasterly 113.29 feet along the arc of a curve to the left, said curve being concave Northeasterly, having a radius of 55.00 feet, a central angle of 118°01'16", and a chord bearing and distance of South 58°28'04" East, 94.30 feet to a point of reverse curvature; (2) Easterly 97.99 feet along the arc of a curve to the right, said curve being concave Southerly, having a radius of 200.00 feet, a central angle of 28°04'20", and a chord bearing and distance of North 76°33'28" East, 97.01 feet to a point of tangency; (3) South 89°24'22" East, a distance of 211.14 feet; (4) South 00°49'23" West, a distance of 86.67 feet; (5) North 89°27'26" West, a distance of 385.70 feet to the POINT OF BEGINNING.

N.43°00'00"W., 324.63 feet; thence N.41°00'00"E., 69.34 feet; thence S.68°00'00"E., 277.41 feet; thence N.69°00'00"E., 419.74 feet to the POINT OF BEGINNING.



Development Services

Hillsborough
County Florida
Development Services

Property/Applicant/Owner Information Form

Application No: 25-0796	Official Use Only	Intake Date: 05/06/25
Hearing(s) and type: Date: 06/23/25	Type: LUHO	
Date:	Type:	Intake Staff Signature: Cierra Jam
	Property Information	
dress: Ruskin	City/State/Z	Ruskin, Hillsborough County, Florida
/N-RN-SEC: 32-18-02 Folio(s): SEE IN	PISzoning: PD Futu	re Land Use: R6 Property Size; 4.85
	Property Owner Informat	tion
South Bay CDD Holdin	igs	
Idress: 5711 Yeats Manor Dr		
nail: scambell@lerneradvice	ors com	Fax Number
Applicant*	s Representative (if differe	Fax NumberFax Number
6011 Benjamin Dr, Su	ite 101B City/State/Zip	Tampa, FL 33634
mail: dillon@bio-techconsult		Fax Number
illali.		Pax Nulliber



Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	05-1779
Flood Zone:AE	BFE = 10.0 ft
FIRM Panel	0651H
FIRM Panel	12057C0651H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	AE
Pre 2008 Firm Panel	1201120651D
County Wide Planning Area	Ruskin
Community Base Planning Area	SouthShore
Community Base Planning Area	Ruskin
Planned Development	PD
Re-zoning	null
Minor Changes	null
Major Modifications	07-1430,04-1067,03-1611, 98-0434
Personal Appearances	07-1429 WD,04-1655,05- 1003,95-0264,93-0416,13- 0375, 16-1360, 23-0509
Census Data	Tract: 014121 Block: 1034
Census Data	Tract: 014121 Block: 1038
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: 31587.0001 PIN: U-02-32-18-ZZZ-000001-07264.0 South Bay Cdd Holdings Mailing Address: 5711 Yeats Manor Dr #401 null

Tampa, Fl 33616-Site Address:

Ruskin, FI 33570 SEC-TWN-RNG: 02-32-18

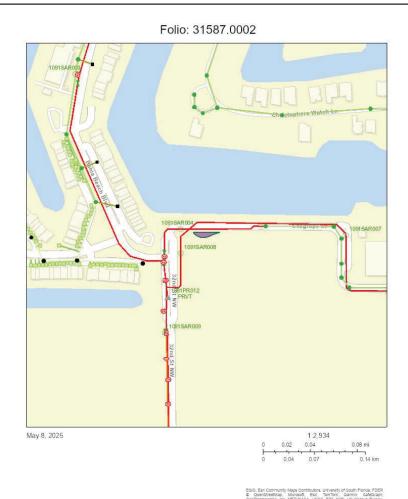
Acreage: 2.83 Market Value: \$1,625,000.00

Landuse Code: 0006 VACANT TOWNHOME

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Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	05-1779
Flood Zone:AE	BFE = 10.0 ft
FIRM Panel	0651H
FIRM Panel	12057C0651H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	AE
Pre 2008 Firm Panel	1201120651D
County Wide Planning Area	Ruskin
Community Base Planning Area	SouthShore
Community Base Planning Area	Ruskin
Planned Development	PD
Re-zoning	null
Minor Changes	null
Major Modifications	07-1430,04-1067,03-1611, 98-0434
Personal Appearances	07-1429 WD,04-1655,05- 1003,95-0264,93-0416,13- 0375, 16-1360, 23-0509
Census Data	Tract: 014121 Block: 1034
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: 31587.0002 PIN: U-02-32-18-ZZZ-000001-07264.6 South Bay Cdd Holdings Inc Mailing Address: 5711 Yeats Manor Dr #401 null Tampa, Fl 33616-Site Address:

Ruskin, FI 33570 SEC-TWN-RNG: 02-32-18 Acreage: 0.04 Market Value: \$20.00 Landuse Code: 9400 UTILITY, R/W

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Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	05-1779
Flood Zone:AE	BFE = 10.0 ft
FIRM Panel	0651H
FIRM Panel	12057C0651H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	AE
Pre 2008 Firm Panel	1201120651D
County Wide Planning Area	Ruskin
Community Base Planning Area	SouthShore
Community Base Planning Area	Ruskin
Planned Development	PD
Re-zoning	null
Minor Changes	null
Major Modifications	07-1430,04-1067,03-1611, 98-0434
Personal Appearances	07-1429 WD,04-1655,05- 1003,95-0264,93-0416,13- 0375, 16-1360, 23-0509
Census Data	Tract: 014121 Block: 1034
Census Data	Tract: 014121 Block: 1038
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
Hedevelopine	110



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMa; contributors, and the GIS User Community, EGIS

Folio: 31646.0000 PIN: U-02-32-18-18N-000000-00000.5 South Bay Cdd Holdings Inc Mailing Address: 3014 W Palmira Ave Ste 301 null Tampa, Fl 33629-

Site Address:

Ruskin, FI 33570 SEC-TWN-RNG: 02-32-18

Acreage: 1.26 Market Value: \$500,000.00

Landuse Code: 0006 VACANT TOWNHOME

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Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	05-1779
Flood Zone:AE	BFE = 10.0 ft
FIRM Panel	0651H
FIRM Panel	12057C0651H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	AE
Pre 2008 Firm Panel	1201120651D
County Wide Planning Area	Ruskin
Community Base Planning Area	SouthShore
Community Base Planning Area	Ruskin
Planned Development	PD
Re-zoning	null
Minor Changes	null
Major Modifications	07-1430,04-1067,03-1611, 98-0434
Personal Appearances	07-1429 WD,04-1655,05- 1003,95-0264,93-0416,13- 0375, 16-1360, 23-0509
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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: 31587.0114 PIN: U-02-32-18-18N-000000-00114.0 South Bay Cdd Holdings Inc Mailing Address: 5711 Yeats Manor Dr #401 null Tampa, Fl 33616-

Site Address:

Ruskin, FI 33570 SEC-TWN-RNG: 02-32-18

Acreage: 0.68

Market Value: \$500,000.00

Landuse Code: 0006 VACANT TOWNHOME

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