



**LAND USE HEARING OFFICER VARIANCE REPORT**

|   |                                |
|---|--------------------------------|
| <b>APPLICATION NUMBER:</b> VAR 22-0898  |                                |
| <b>LUHO HEARING DATE:</b> July 25, 2022 | <b>CASE REVIEWER:</b> Sam Ball |

**REQUEST:** The applicant is requesting a height variance for a proposed masonry wall on property zoned AR.

**VARIANCE(S):**


Per LDC Section 6.07.02.C.2, regulations for fences in agricultural districts shall be the same as for fences in residential districts, except under certain circumstances that don't apply to this case. Per LDC Section 6.07.02.C.1, the maximum height of any wall shall be six feet, except under certain circumstances that do not apply to this case. The applicant requests a 2-foot increase to the maximum permitted wall height to allow a height of 8 feet for a proposed masonry wall.

**FINDINGS:**

- The section of Gunn Highway that abuts the subject property is a designated Rural Scenic Corridor, which requires a 30-foot-wide scenic easement along the roadway that must be left in a natural state. Per the site plan submitted by the applicant, the wall will be set back 50 feet from the north property line along Gunn Highway.
- Because the proposed wall is not within the 50-foot front yard setback required by the property's AR zoning, it is not subject to the 4-foot maximum height limit for walls in required front yards.

**DISCLAIMER:**

The variance 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.

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| <b>ADMINISTRATOR'S SIGN-OFF</b>  |
|             |
| <small>t</small><br>Thu Jul 14 2022 16:40:03   |
| <b>Attachments:</b> Application<br>Site Plan<br>Petitioner's Written Statement<br>Current Deed |



8' High Precast Concrete Wall  
Wall to be Set Back 50' from Gunn Hwy.

BONNIE COVE RD  
(R/W UNKNOWN)

ARPON SPRINGS RD



WETLAND  
SET BACK

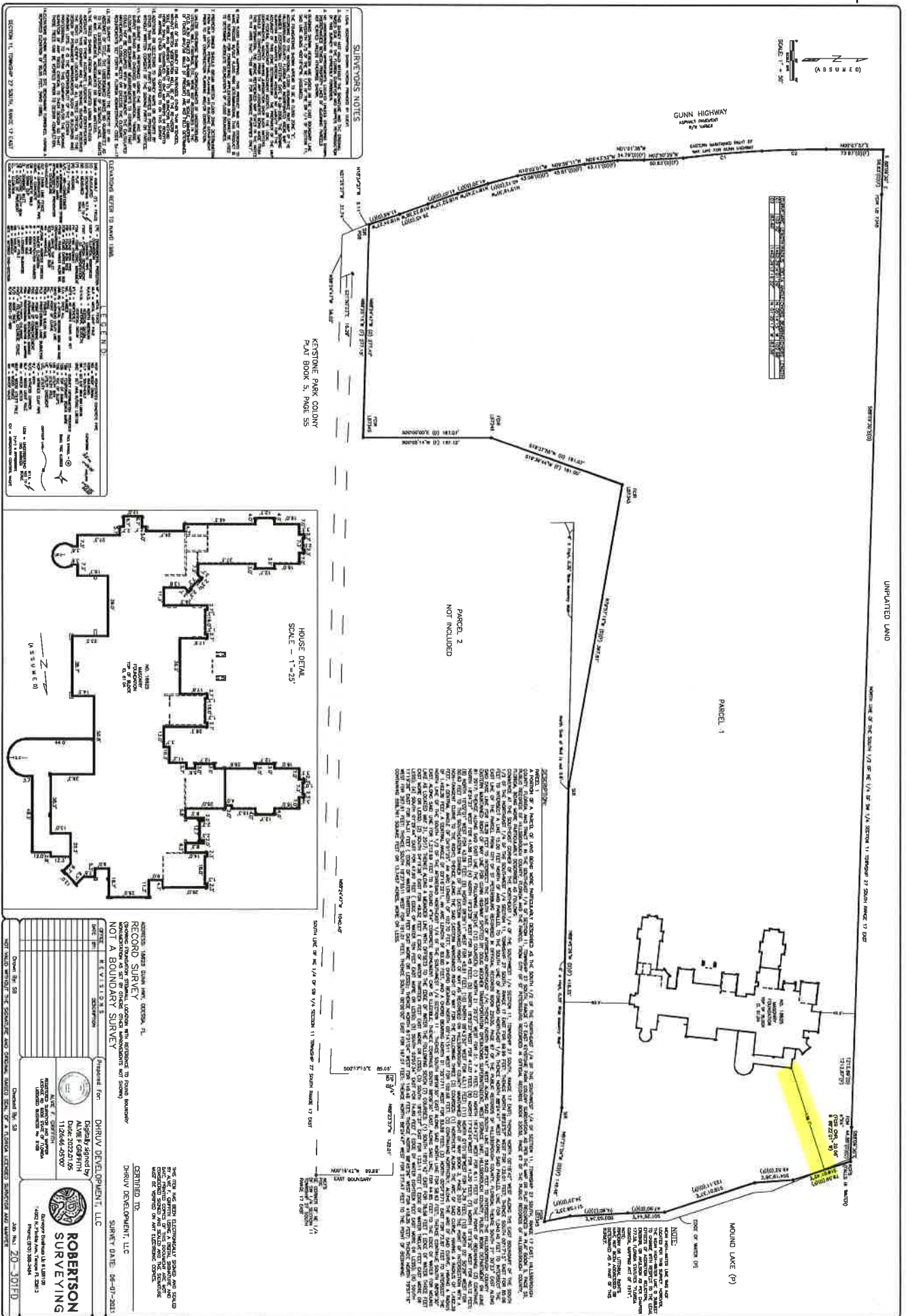
8' High Precast Concrete Wall

High Precast Concrete Wall

BOTH WALLS TO END BEFORE THE 30' WETLAND SETBACK

THIS IS  
SUGGESTED OUTDOOR  
GARDEN/POOL -  
TO BE PERMITTED LATER

SEE TIE-IN SURVEY



## VARIANCE REQUEST

1. Project Narrative: 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.

*This variance request is to be granted the permit to build our surrounding wall system on all sides of the property to be at a height of 8 feet. The current code allows for 4 foot fence/wall height along Gunn Hwy and a 6 foot wall height along the sides, etc.*

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

*Part 6.07.00 - Fences and Walls*

## ADDITIONAL INFORMATION

1. Have you been cited by Hillsborough County Code Enforcement? No  Yes \_\_\_\_\_  
If yes, you must submit a copy of the Citation with this Application.
2. Do you have any other applications filed with Hillsborough County that are related to the subject property?  
No  Yes \_\_\_\_\_ If yes, please indicate the nature of the application and the case numbers assigned to the application(s): \_\_\_\_\_
3. Is this a request for a wetland setback variance? No  Yes \_\_\_\_\_  
If yes, you must complete the *Wetland Setback Memorandum* and all required information must be included with this Application Packet (Attachment A).
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 and/or septic 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 (form may be obtained from 19<sup>th</sup> floor County Center).

## VARIANCE CRITERIA RESPONSE

You must provide a response to each of the following questions. If additional space is needed, please attach extra pages to this application.

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?

This is a very substantial estate which warrants taller wall heights

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.

We need full privacy and security

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.

It has no negative effects or impacts on others

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).

It is an enhancement to Hillsborough County

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.

We are an estate looking for privacy

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.

The wall is just for all

Prepared by and return to:

Stephanie Rosario  
Frank Charles Miranda, P.A.  
3226 W Cypress St  
Tampa, FL 33607  
(813) 254-2637  
File No 17-073

Parcel Identification No U112717ZZZ000000081400

[Space Above This Line For Recording Data]

## WARRANTY DEED

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

This indenture made the 29th day of June, 2018 between Duane L. Erbaugh and Cinda L. Erbaugh, husband and wife, whose post office address is 18825 Gunn Highway, Odessa, FL 33556, of the County of Hillsborough, State of Florida, Grantors, to Vijay Patel, a married man whose post office address is 14106 US Highway 19, Hudson, FL 34667, of the County of , State of Florida, Grantee:

Witnesseth, that said Grantors, for and in consideration of the sum of TEN DOLLARS (U.S.\$10.00) and other good and valuable considerations to said Grantors in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Hillsborough, Florida, to-wit:

**\*\* SEE ATTACHED EXHIBIT "A & B" \*\***

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

"SUBJECT to any and all taxes and assessments for the year 2018, and subsequent years, and to matters set forth on Exhibit "B" attached hereto and made a part hereof by this reference ("Permitted Encumbrances")

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

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

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

Signed, sealed and delivered in our presence:

*[Signature]*  
WITNESS STEPHANIE ROSARIO  
*[Signature]*  
WITNESS Kateelyn Hatfield

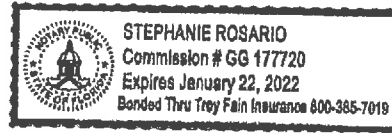
*[Signature]*  
Duane L. Erbaugh

*[Signature]*  
Cinda L. Erbaugh

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 29th day of June, 2018, by Duane L Erbaugh and Cinda L. Erbaugh, husband and wife.

*[Signature]*  
Signature of Notary Public  
Print, Type/Stamp Name of Notary



Personally Known: \_\_\_\_\_ OR Produced Identification:   
Type of Identification  
Produced: A drivers license

FILE NO.: 17037218

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EXHIBIT A

Parcel 1:

A parcel of land being more particularly described as the South 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 27 South, Range 17 East, Hillsborough County, Florida; and Tract 5 in the Southeast 1/4 of Section 11, Township 27 South, Range 17 East KEYSTONE PARK COLONY SUBDIVISION as per the map or plat recorded in Plat Book 5, Page 55, Public Records of Hillsborough County, Florida;

LESS and EXCEPT

A parcel lying in the Northeast 1/4 of the Southwest 1/4 and in the Northwest 1/4 of the Southeast 1/4 of Section 11, Township 27 South, Range 17 East, Hillsborough County, Florida, described as follows: From the Southeast corner of said Northeast 1/4 of the Southwest 1/4 of Section 11, run West along the South boundary of said Northeast 1/4 of the Southwest 1/4 of Section 11, a distance of 1215.6 feet to a point on the Easterly right-of-way line of Gunn Highway; run thence Northwesterly along said Easterly right-of-way line, a distance of 15.98 feet to a point which is 15.0 feet North of the South boundary of said Northeast 1/4 of the Southwest 1/4 of Section 11; run thence East, parallel to the South boundary of said Northeast 1/4 of the Southwest 1/4 of Section 11, a distance of 1088.62 feet to a point which is 132.0 feet West of the East boundary of said Northeast 1/4 of the Southwest 1/4 of Section 11; run thence North, parallel to the East boundary of said Northeast 1/4 of the Southwest 1/4 of Section 11, a distance of 85.0 feet; run thence East, parallel to the South boundary of the Northeast 1/4 of the Southwest 1/4 and the South boundary of the Northwest 1/4 of the Southeast 1/4 of Section 11, approximately 301 feet to the water's edge of Mound Lake; run thence Southerly along said water's edge approximately 102 feet to intersection with the South boundary of said Northwest 1/4 of the Southeast 1/4 of Section 11; run thence West along South boundary approximately 180 feet to the Point of Beginning; LESS that part thereof in right-of-way of Seaboard Coast Line Railroad; and

LESS and EXCEPT

A parcel lying in the Northeast 1/4 of the Southwest 1/4 and in the Northwest 1/4 of the Southeast 1/4 of Section 11, Township 27 South, Range 17 East, Hillsborough County, Florida, described as follows: From the Southeast corner of said Northeast 1/4 of the Southwest 1/4 of Section 11, run North along the East boundary of said Northeast 1/4 of the Southwest 1/4 of Section 11, a distance of 100.0 feet to a Point of Beginning; From said Point of Beginning, run West, parallel to the South boundary of said Northeast 1/4 of the Southwest 1/4 of Section 11, a distance of 132.0 feet; run thence South, parallel to the East boundary of said Northeast 1/4 of the Southwest 1/4 of Section 11, a distance of 85.0 feet; run thence West, parallel to and 15.0 feet North of the South boundary of said Northeast 1/4 of the Southwest 1/4 of Section 11, a distance of 1088.62 feet to a point on the Easterly right-of-way line of Gunn Highway; run thence Northwesterly along said Easterly right-of-way line, a distance of 15.98 feet to a point which is 30.0 feet North of the South boundary of said Northeast 1/4 of the Southwest 1/4 of Section 11; run thence East, parallel to said South boundary, a distance of 1078.64 feet to a point which lies 147.0 feet West of the East boundary of said Northeast 1/4 of the Southwest 1/4 of Section 11; run thence North, parallel to the East boundary of said Northeast 1/4 of the Southwest 1/4 of Section 11, a distance of 170.0 feet; run thence East, parallel to the South boundary of the Northeast 1/4 of the Southwest 1/4 and the South boundary of the Northwest 1/4 of the Southeast 1/4 of Section 11, approximately 269 feet to the water's edge of Mound Lake; run thence Southerly along said water's edge approximately 110 feet to a point which lies 100.0 feet North of the South boundary of said Northwest 1/4 of the Southeast 1/4 of Section 11; run thence West, parallel to said South boundary, approximately 169 feet to the Point of Beginning; LESS that part thereof in right-of-way of Seaboard Coast Line Railroad; and

LESS and EXCEPT

That portion deeded to the City of St. Petersburg (formerly a Seaboard Coast Line Railroad right-of-way) as per O.R. Book 3672, Page 105, 106 and 107, Public Records of Hillsborough County, Florida.

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FILE NO.: 17037218

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and

**TOGETHER WITH an easement for ingress and egress:**

A parcel of land lying in the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 27 South, Range 17 East, Hillsborough County, Florida, being more particularly described as follows: Commence at the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of said Section 11; thence on the South boundary thereof North 88°02'34" West, a distance of 1166.30 feet to a point on the East boundary of a parcel deeded to the City of St. Petersburg as per O.R. Book 3672, Pages 105, 106 and 107, Public Records of Hillsborough County, Florida, (formerly a Seaboard Coast Line Railroad right of way) thence on said East boundary North 21°15'19" West, a distance of 31.96 feet to the Point of Beginning; thence departing said East boundary North 88°02'34" West, a distance of 49.30 feet to a point on the East right of way line of Gunn Highway, (C.R. 587); thence on said right of way line North 21°15'19" West, a distance of 15.98 feet; thence departing said East right of way line South 88°02'34" East, a distance of 49.30 feet to a point on the East boundary of said City of St. Petersburg property; thence on said East boundary South 21°15'19" East, a distance of 15.98 feet to the Point of Beginning.

Parcel 2:

That portion of 60 foot Railroad right-of-way owned by the City of St. Petersburg lying in and to the West of Parcel #U-11-27-17-ZZZ-000000-08140.0 of the Public Records of Hillsborough County, Florida, lying within Section 11, Township 27 South, Range 17 East, being more particularly described as follows:

Commencing at the Southeast corner of the South 1/2 of the Southwest 1/4 of Section 11, Township 27 South, Range 17 East, thence coincident with the South line of the South 1/2 of the Southwest 1/4 of Section 11, Township 27 South, Range 17 East, said line being the South line of said Parcel, N.89°14'55"W., 1,169.54 feet to a point on the East line of the said Railroad right-of-way for a Point of Beginning; thence coincident with the said East line of the Railroad right-of-way N.21°52'28"W., 21.33 feet to a curve to the right, having a radius of 1,402.40 feet, an arc length of 538.52 feet, a chord length of 535.02 feet, and a chord bearing of N.10°53'18"W., thence coincident with the said East line of the said Railroad right-of-way N.00°07'00"E., 143.34 feet to a point on the North line of said Parcel; thence N.89°53'29"W., 60 feet to a point on the West line of the said Railroad right-of-way; thence coincident with the said West line of the said Railroad right-of-way S.00°06'31"W., 143.33 feet to a curve to the left, having a radius of 1,462.40 feet, an arc length of 557.67 feet, a chord distance of 554.30 feet, and a chord bearing of S.10°48'58"E.; thence S.89°14'55"E., 65 feet to the Point of Beginning.

**AS SURVEYED:**

**PARCEL 1:**

**A PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 27 SOUTH, RANGE 17 EAST, HILLSBOROUGH COUNTY, FLORIDA; AND TRACT 5 IN THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 27 SOUTH, RANGE 17 EAST, KEYSTONE PARK COLONY SUBDIVISION AS PER THE MAP OR PLAT RECORDED IN PLAT BOOK 5, PAGE 55, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA AND THE PARCEL FROM CITY OF ST. PETERSBURG RECORDED IN OFFICIAL RECORDS BOOK 22030, PAGE 67 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 SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 27 SOUTH, RANGE 17 EAST; THENCE NORTH 88°24'47" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4 SECTION 11 FOR**

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147.06 FEET; THENCE NORTH 00°17'22" WEST ON A LINE 147 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4 SECTION 11 FOR 30.09 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°25'44" WEST ALONG A LINE 30 FEET NORTH OF AND PARALLEL TO THE AFORESAID SOUTH LINE FOR 1,031.20 FEET TO THE POINT OF INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,402.39 FEET, A CENTRAL ANGLE OF 00°20'08", AN ARC LENGTH OF 8.21 FEET, AND A CHORD BEARING SOUTH 21°00'28" EAST FOR 8.21 FEET; THENCE SOUTH 21°50'23" EAST FOR 24.20 FEET TO INTERSECT THE AFORESAID SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11; THENCE NORTH 88°24'47" WEST ALONG SAID LINE FOR 56.02 FEET TO INTERSECT THE HILLSBOROUGH COUNTY EASTERN MAINTAINED RIGHT OF WAY LINE FOR GUNN HIGHWAY SPOTTED BY DOUG MEIGHEN TRANSPORTATION OPERATIONS SUPERINTENDENT, WEST SERVICE UNIT, HILLSBOROUGH COUNTY, PUBLIC WORK DEPARTMENT ON JUNE 8, 2017, THENCE ALONG SAID EASTERN LINE FOR THE FOLLOWING ELEVEN (11) COURSES: (1) NORTH 21°25'27" WEST FOR 31.74 FEET; (2) NORTH 18°34'27" WEST FOR 47.76 FEET; (3) NORTH 19°23'28" WEST FOR 39.45 FEET; (4) NORTH 18°52'37" WEST FOR 41.07 FEET; (5) NORTH 17°43'40" WEST FOR 41.20 FEET; (6) NORTH 15°19'30" WEST FOR 40.12 FEET; (7) NORTH 10°02'01" WEST FOR 43.06 FEET; (8) NORTH 09°59'11" WEST FOR 45.61 FEET; (9) NORTH 06°43'52" WEST FOR 43.11 FEET; (10) NORTH 01°01'38" WEST FOR 34.79 FEET; (11) NORTH 02°50'29" WEST FOR 50.63 FEET TO THE SOUTHEASTERN CORNER OF THE EASTERN MAINTAINED RIGHT OF WAY AS RECORDED ON HILLSBOROUGH COUNTY MAINTAINED RIGHT OF WAY BOOK 3, PAGE 207 AND THE POINT OF INTERSECTION WITH A NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG SAID EASTERN MAINTAINED RIGHT-OF-WAY FOR THE FOLLOWING THREE (3) COURSES: (1) NORTHERLY ALONG THE ARC OF A CURVE, HAVING A RADIUS OF 1,462.39 FEET, A CENTRAL ANGLE OF 04°01'25", AN ARC LENGTH OF 102.70 FEET, AND A CHORD BEARING NORTH 05°14'15" WEST FOR 102.68 FEET; (2) CONTINUING NORTHERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,462.39 FEET, A CENTRAL ANGLE OF 03°16'32", AN ARC LENGTH OF 83.60 FEET, AND A CHORD BEARING NORTH 01°35'17" WEST FOR 83.59 FEET; (3) NORTH 00°07'57" EAST FOR 73.87 FEET TO INTERSECT THE NORTH LINE OF THE SOUTH 1/2 OF THE AFORESAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4 SECTION 11; THENCE SOUTH 88°09'30" EAST ALONG SAID NORTH LINE FOR 58.63 FEET; THENCE CONTINUE SOUTH 88°09'30" EAST, ALONG SAID LINE FOR 1,212.69 FEET TO A FOUND 4"X4" CONCRETE MONUMENT, CAP IS ILLEGIBLE; THENCE CONTINUE SOUTH 88°09'30" EAST, ALONG SAID LINE, FOR 44.85 FEET TO THE EDGE OF WATER FOR MOUND LAKE AS LOCATED MAY 31, 2017; THENCE ALONG THE EDGE OF WATER AND A MEANDER LINE WITH OFFSETS TO THE WATER THE FOLLOWING SEVEN (7) COURSES: (1) SOUTH 18°01'42" EAST FOR 78.59 FEET (EDGE OF WATER THREE FEET EAST MORE OR LESS); (2) SOUTH 04°19'38" EAST FOR 49.52 FEET (EDGE OF WATER THIRTEEN FEET EAST MORE OR LESS); (3) SOUTH 18°01'37" EAST FOR 123.11 FEET (EDGE OF WATER TWELVE FEET EAST MORE OR LESS); (4) SOUTH 01°29'44" EAST FOR 47.90 FEET (EDGE OF WATER TEN FEET EAST MORE OR LESS); (5) SOUTH 03°03'34" EAST FOR 74.80 FEET (EDGE OF WATER EIGHTEEN FEET EAST MORE OR LESS); (6) SOUTH 11°19'36" EAST FOR 42.62 FEET (EDGE OF WATER TWELVE FEET EAST MORE OR LESS); (7) THENCE SOUTH 27°31'55" EAST FOR 63.77 FEET (EDGE OF WATER THIRTEEN FEET EAST MORE OR LESS); THENCE SOUTH 33°18'16" EAST FOR 43.42 FEET TO A FOUND 4"X4" CONCRETE MONUMENT, CAP IS ILLEGIBLE (EDGE OF WATER EIGHT FEET EAST MORE OR LESS); THENCE NORTH 88°29'27" WEST FOR 263.20 FEET; THENCE SOUTH 00°17'22" EAST FOR 169.94 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH

PARCEL 2:

THE REMAINING PORTION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 27 SOUTH, RANGE 17 EAST, HILLSBOROUGH COUNTY, FLORIDA LYING WEST OF THE WESTERN MAINTAINED RIGHT OF WAY FOR GUNN HIGHWAY AND

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**BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGIN AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 27 SOUTH, RANGE 17 EAST, SAID POINT IS NORTH 88°24'47" WEST 1338.67 FEET FROM THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 1; THENCE NORTH 00°21'52" WEST ALONG THE WEST LINE OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 1 FOR 154.33 FEET TO INTERSECT THE WESTERN MAINTAINED RIGHT OF WAY LINE FOR GUNN HIGHWAY SPOTTED BY DOUG MEIGHEN TRANSPORTATION OPERATIONS SUPERINTENDENT, WEST SERVICE UNIT, HILLSBOROUGH COUNTY, PUBLIC WORKS DEPARTMENT ON JUNE 8, 2017; THENCE ALONG SAID WESTERN MAINTAINED RIGHT OF WAY THE FOLLOWING TWO COURSES: (1) SOUTH 18°52'47" EAST FOR 149.22 FEET TO THE CENTERLINE OF THE EXISTING POWER POLE; (2) SOUTH 22°02'21" EAST FOR 15.76 FEET TO INTERSECT THE SOUTH LINE OF THE AFORESAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 1, THENCE ALONG SAID SOUTH LINE NORTH 88°24'47" WEST FOR 53.24 FEET TO THE POINT OF BEGINNING.**

**EXHIBIT "B"**

**Permitted Exceptions**

1. Taxes and assessments for the year 2018 and subsequent years, which are not yet due and payable.
2. Easement to Tampa Electric Company recorded in OR Book 2504, Page 269.
3. Easement to Tampa Electric Company recorded in OR Book 2504, Page 272.
4. Easement to General Telephone Company recorded in OR Book 2539, Page 126.
5. Easement for ingress and egress recorded in OR Book 5616, Page 1601.
6. Corrective Wellfield and Water Withdrawal Restrictive Covenant for Cosme-Odessa Wellfield recorded in OR Book 9834, Page 1788.
7. Perpetual and Exclusive Easement by and between Duane L. Erbaugh and Cinda L. Erbaugh, husband and wife and City of St. Petersburg, Florida, a municipal corporation recorded in OR Book 22030, Page 71.
8. Subject to any rights of way or lakefront reservations as shown on plat of KEYSTONE PARK COLONY SUBDIVISION (Plat Book 5, Page 55, as affected by that Resolution of the Board of County Commissioners of Hillsborough County, Florida recorded in O.R. Book 2461, Page 958), which have not been properly vacated or conveyed to W. Kenneth Barnes, JR. or Jane L. Barnes in the following described parcel:

A parcel of land lying in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 11, Township 27 South Range 17 East, Hillsborough County, Florida described as follows:

From the Southeast corner of said NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 11, run North along the East boundary of said NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 11, a distance of 200.0 feet to a Point of Beginning; From said Point of Beginning, run West, parallel to the South boundary of said NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 11, a distance of 147.0 feet; run thence South, parallel to the East boundary of said NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 11, a distance of 170.0 feet; run thence West, parallel to and 30.0 feet North of the South boundary of said NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 11, a distance of 1078.64 feet to a point on the Easterly right-of-way line of Gunn Highway; run thence Northwesterly along said Easterly right-of-way line a distance of 15.98 feet to a point which is 45.0 feet North of the South boundary of said NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 11; run thence East, parallel to said South boundary, a distance of 1068.66 feet to a point which lies 162.0 feet West of the East boundary of said NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 11, a distance of 255.0 feet; run thence East, parallel to the South boundary of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and the South boundary of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 11, approximately 330 feet to the water's edge of Mound Lake; run thence Southerly along said water's edge approximately 110 feet to a point which lies 200.0 feet North of the South boundary of said NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 11; run thence West, parallel to said South boundary, approximately 122 feet to the Point of Beginning; Less that part thereof in right-of-way of Seaboard Coast Line Railroad.

Prepared by and return to:  
This instrument prepared by: Reid McCullough  
McCullough Legal Services  
1630 Morrill Street  
Sarasota, FL 34236  
(941) 484-9714  
File No.: 2020-444

\_\_\_\_\_[Space Above This Line For Recording Data]\_\_\_\_\_

## WARRANTY DEED

**This Warranty Deed** Made this 22nd day of February, 2021 by JJT LLC, a Florida Limited Liability Company hereinafter called the grantor, whose post office address is: 17993 Spencer Rd, Odessa, FL 33556

to: Vijay Patel, a married man whose post office address is: 6903 Congress ST, New Port Richey, FL 34653 hereinafter called the grantee,

**WITNESSETH:** That said grantor, for and in consideration of the sum of \$1,200,000.00 Dollars, and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situated in Hillsborough County, Florida, viz:

**The South 1/2 of the North 1/2 of the Northeast 1/4 of the Southwest 1/4, LESS railroad right-of way, in Section 11, Township 27 South, Range 17 East, lying and being in Hillsborough County, Florida.**

**Parcel Identification Number: 0008380000**

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 12/31/2020, reservations, restrictions and easements of record, if any.

(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates)

**IN WITNESS WHEREOF**, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

[Signature]  
Witness  
Printed Name: Wesley Hooper

[Signature]  
Witness  
Printed Name: GARY SAMANTE

State of Florida  
County of Hillsborough

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 22nd day of February, 2021 by Joseph Telese, Manager of JJJT LLC, a Florida Limited Liability Company who  is personally known or  has produced a driver's license as identification.

[Seal]

JJJT LLC [Signature]  
Joseph Telese, as duly authorized manager

[Signature]  
Notary Public  
Print Name: April Burkett  
My Commission Expires: 7-7-23





# VARIANCE APPLICATION

**IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:**  
You must schedule an appointment to submit this application by calling 813-272-5600.  
All requirements listed on the submittal checklist must be met. *Incomplete applications will not be accepted.*

### Property Information

Address: 18825E18915 Gunn Hwy City/State/Zip: Odessa, FL 33556 TWN-RN-SEC: ~~000000~~  
Folio(s): 000837-000/000838-000 Zoning: AR Future Land Use: SFR Property Size: 20 +/-

0-11-27-17-2020

### Property Owner Information

Name: Vijay Patel Daytime Phone: 813-360-8995  
Address: 6903 Congress St City/State/Zip: New Port Richey, FL 34653  
Email: john@dhrvdevelopment.com FAX Number: N/A

### Applicant Information

Name: John Whitehead Daytime Phone: 813-360-8995  
Address: 6903 Congress St City/State/Zip: New Port Richey, FL 34653  
Email: john@dhrvdevelopment.com FAX Number: N/A

### 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 THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.

[Signature]  
Signature of Applicant  
John Whitehead  
Type or Print Name

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.

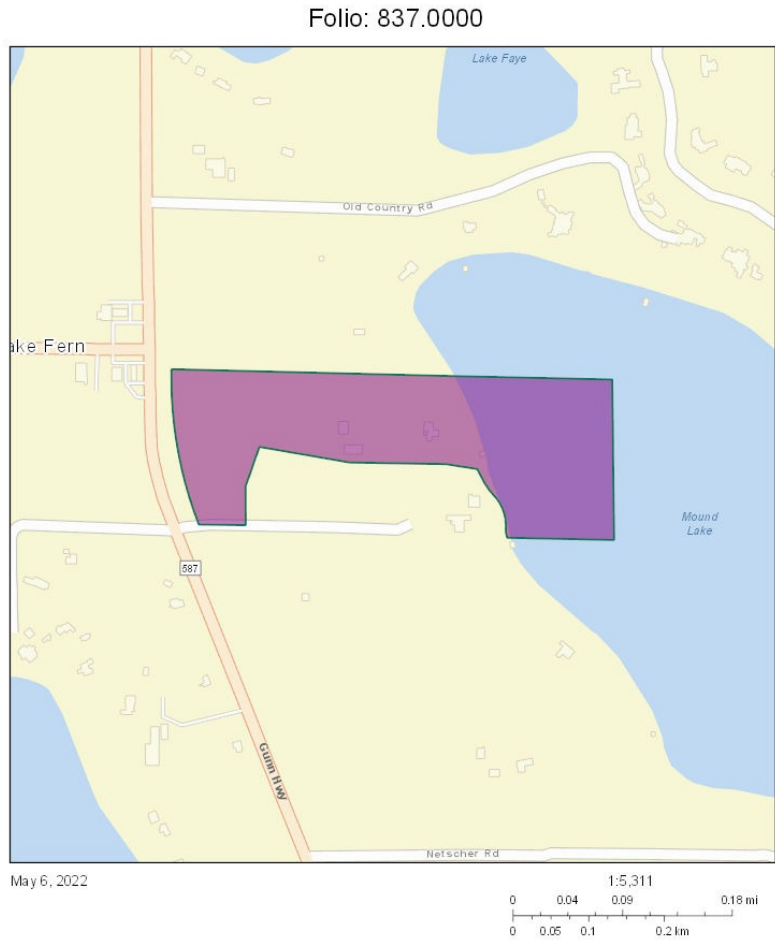
[Signature]  
Signature of Property Owner  
Vijay Patel  
Type or Print Name

Intake Staff Signature: Clare Odell *Office Use Only* Intake Date: 05/06/2022  
Case Number: 22-0898 Public Hearing Date: 07/25/2022  
Receipt Number: 157098



# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

|                               |                              |
|-------------------------------|------------------------------|
| Jurisdiction                  | Unincorporated County        |
| Zoning Category               | Agricultural                 |
| Zoning                        | AR                           |
| Description                   | Agricultural - Rural         |
| Flood Zone:AE                 | BFE = 50.3 ft                |
| Flood Zone:X                  | AREA OF MINIMAL FLOOD HAZARD |
| FIRM Panel                    | 0039H                        |
| FIRM Panel                    | 12057C0039H                  |
| Suffix                        | H                            |
| Effective Date                | Thu Aug 28 2008              |
| Pre 2008 Flood Zone           | X                            |
| Pre 2008 Flood Zone           | AE                           |
| Pre 2008 Firm Panel           | 1201120040D                  |
| County Wide Planning Area     | Keystone Odessa              |
| Community Base Planning Area  | Keystone Odessa              |
| Census Data                   | Tract: 011509<br>Block: 4006 |
| Future Landuse                | A/R                          |
| Mobility Assessment District  | Rural                        |
| Mobility Benefit District     | 1                            |
| Fire Impact Fee               | Northwest                    |
| Parks/Schools Impact Fee      | NORTHWEST                    |
| ROW/Transportation Impact Fee | ZONE 1                       |
| Wind Borne Debris Area        | 140 MPH Area                 |
| Competitive Sites             | NO                           |
| Redevelopment Area            | NO                           |



**Folio:** 837.0000  
**PIN:** U-11-27-17-ZZZ-000000-08140.0  
**VIJAY PATEL**  
**Mailing Address:**  
 14106 US HIGHWAY 19  
 HUDSON, FL 34667-1167  
**Site Address:**  
 18825 GUNN HWY  
 ODESSA, FL 33556  
**SEC-TWN-RNG:** 11-27-17  
**Acreage:** 21.8064003  
**Market Value:** \$1,597,109.00  
**Landuse Code:** 0100 SINGLE FAMILY

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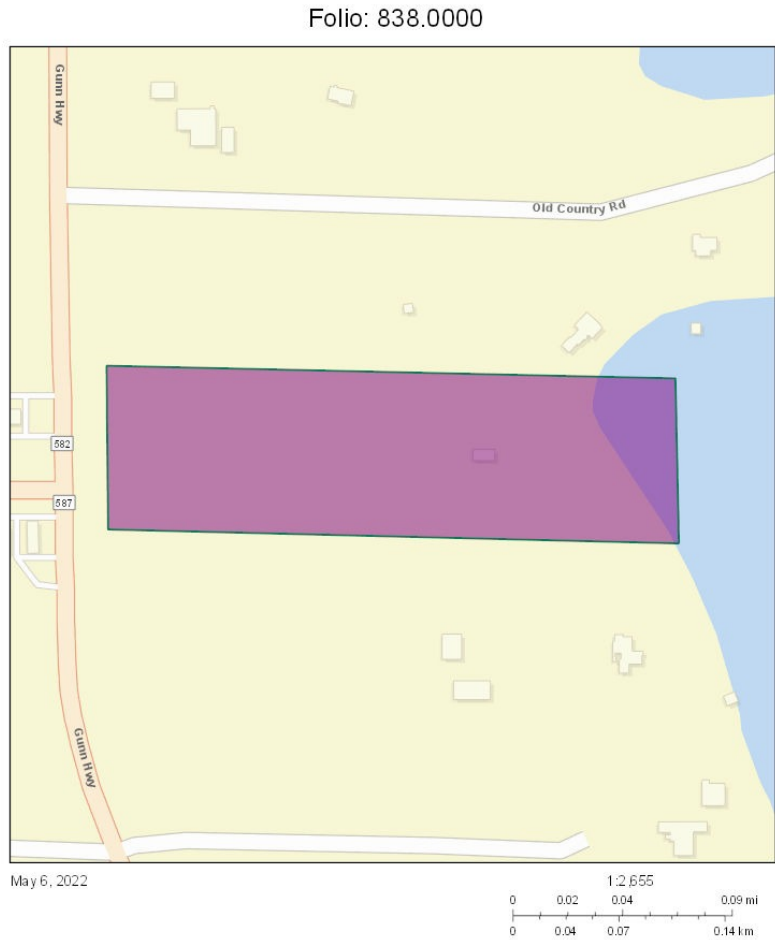
1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.
2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.





# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

|                               |                              |
|-------------------------------|------------------------------|
| Jurisdiction                  | Unincorporated County        |
| Zoning Category               | Agricultural                 |
| Zoning                        | AR                           |
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| Community Base Planning Area  | Keystone Odessa              |
| Census Data                   | Tract: 011509<br>Block: 4006 |
| Future Landuse                | A/R                          |
| Mobility Assessment District  | Rural                        |
| Mobility Benefit District     | 1                            |
| Fire Impact Fee               | Northwest                    |
| Parks/Schools Impact Fee      | NORTHWEST                    |
| ROW/Transportation Impact Fee | ZONE 1                       |
| Wind Borne Debris Area        | 140 MPH Area                 |
| Competitive Sites             | NO                           |
| Redevelopment Area            | NO                           |



**Folio: 838.0000**  
**PIN: U-11-27-17-ZZZ-000000-08170.0**  
**VIJAY PATEL**  
**Mailing Address:**  
 6903 CONGRESS ST  
 NEW PORT RICHEY, FL 34653-2704  
**Site Address:**  
 18915 GUNN HWY  
 ODESSA, FL 33556  
**SEC-TWN-RNG: 11-27-17**  
**Acreage: 10.05700016**  
**Market Value: \$1,077,916.00**  
**Landuse Code: 0200 MOBILE HOMES**

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