

Variance Application: VAR 25-0912
LUHO Hearing Date: July 28, 2025
Case Reviewer: Michelle Montalbano



**Hillsborough
County Florida**

Development Services Department

Applicant: Burlington Stores, Inc. **Zoning:** PD 89-0077 (PRS 18-0158)
Address/Location: 13121 N Dale Mabry Hwy, Tampa, FL; Folio 19381.0000

Request Summary:

The applicant is requesting a sign variance to accommodate a proposed building sign.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
7.03.00.A.2.a	The maximum building sign area for each premises, and in the case of multi-occupancy buildings, each unit, shall be permitted to display building sign(s), the aggregate sign area of which cannot exceed 1.25 feet per each linear foot of building frontage facing a public street or parking lot, but in no event more than 200 square feet of aggregate sign area. A building frontage of 115' is permitted a maximum sign aggregate sign area of 143.75 square feet.	288.25 square feet	A wall sign with an aggregate sign area of 432 square feet on the southern building elevation.

Findings:	The building signs were originally applied for under building permit HC-BLD-25-0072917. The client reduced the size of those signs to be permissible with the sign code so the location can have signage at the time of grand opening. They are seeking to replace these signs in the long term with the sign package proposed with the variance request.
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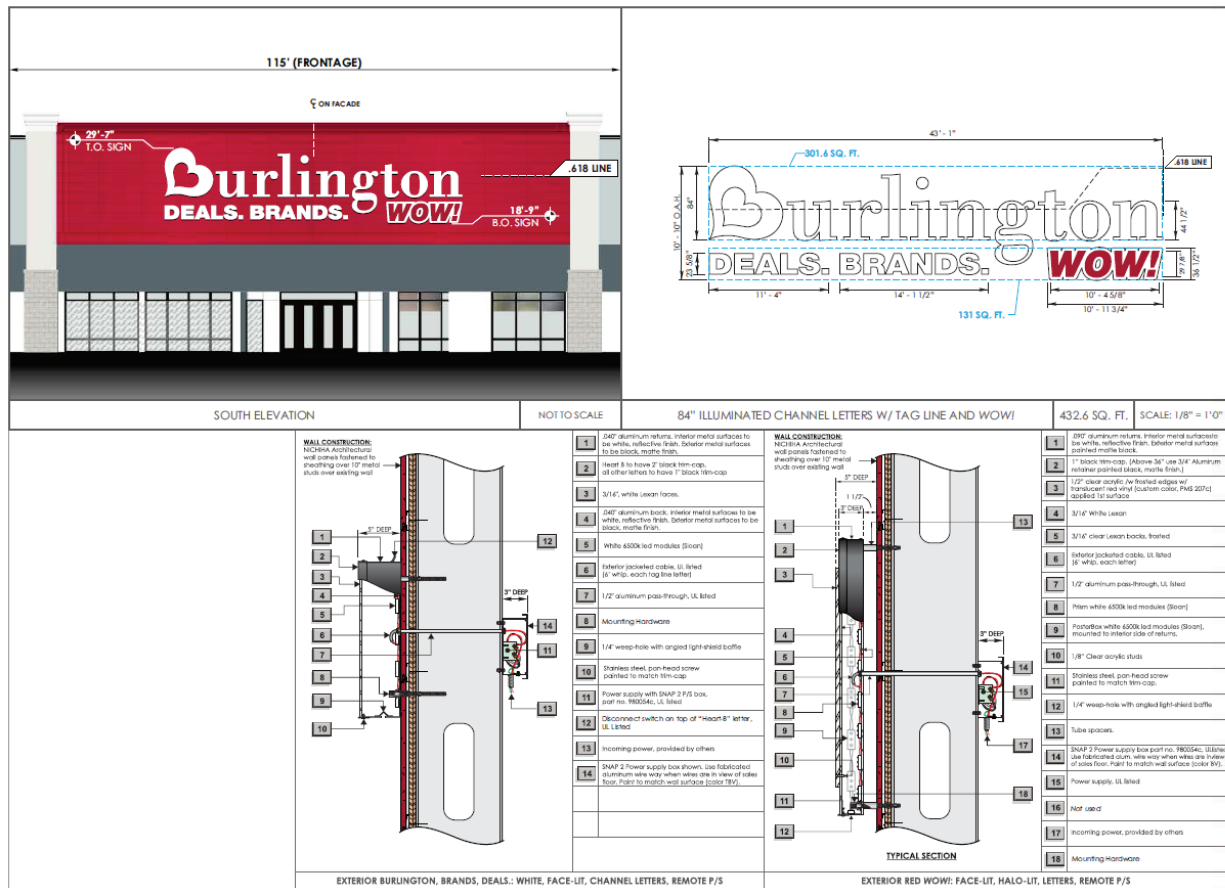
Zoning Administrator Sign Off:	 Colleen Marshall Tue Jul 15 2025 09:11:01
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DISCLAIMER:
The variance(s) listed above is based on the information provided in the application by the applicant. Additional variances may be needed after the site has applied 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

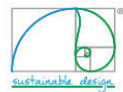


SURVEY/SITE PLAN



BLAIR SIGN
PROGRAMS

(619) 792-1600
www.blairsign.net
CA License # 677503



CLIENT:

Burlington

PROJECT:
Tampa, FL #1730
Exterior Sign Design

ADDRESS:
13123 N Dale Marby Hwy
Tampa, FL 33618

DATE/ REVISIONS:	BY:
05/20/2025 - V	KB
06/16/2025 - V: 1	KB
06/19/2025 - V: 2	KB

SIGN(S) TYPE: A

SECTION I
SHEET 1

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Additional / Revised Information Sheet

25-0912
RCVD
6-20-25

Office Use Only

Application Number: VAR25-0912

Received Date:

Received By:

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

Application Number: VAR25-0912 Applicant's Name: Burlington

Reviewing Planner's Name: Michelle Montalbano Date: 06/20/2025

Application Type:

- ☐ Planned Development (PD) ☐ Minor Modification/Personal Appearance (PRS) ☐ Standard Rezoning (RZ)
☒ Variance (VAR) ☐ Development of Regional Impact (DRI) ☐ Major Modification (MM)
☐ Special Use (SU) ☐ Conditional Use (CU) ☐ Other _____

Current Hearing Date (if applicable): 07/28/2025

Important Project Size Change Information

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

Will this revision add land to the project? ☐ Yes ☒ No

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

Will this revision remove land from the project? ☐ Yes ☒ No

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

Email this form along with all submittal items indicated on the next page in pdf form to:

ZoningIntake-DSD@hcflgov.net

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

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

I certify that changes described above are the only changes that have been made to the submission. Any further changes will require an additional submission and certification.

Kaitlyn Forbes
Signature

6.20.2025

Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

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

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

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

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

I hereby confirm that the material submitted with application

VAR25-0912



Includes sensitive and/or protected information.

Type of information included and location



Does not include sensitive and/or protected information.

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

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

Signature: _____

Kaitlyn Forbes

(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____

Date: _____



Additional / Revised Information Sheet

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RCVD
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Please indicate below which revised/additional items are being submitted with this form.

Included	Submittal Item
1 ☒	Cover Letter** If adding or removing land from the project site, the final list of folios must be included
2 ☐	Revised Application Form**
3 ☐	Copy of Current Deed* Must be provided for any new folio(s) being added
4 ☐	Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5 ☐	Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6 ☐	Property Information Sheet**
7 ☐	Legal Description of the Subject Site**
8 ☐	Close Proximity Property Owners List**
9 ☐	Site Plan** All changes on the site plan must be listed in detail in the Cover Letter.
10 ☐	Survey
11 ☐	Wet Zone Survey
12 ☐	General Development Plan
13 ☐	Project Description/Written Statement
14 ☐	Design Exception and Administrative Variance requests/approvals
15 ☒	Variance Criteria Response
16 ☐	Copy of Code Enforcement or Building Violation
17 ☐	Transportation Analysis
18 ☐	Sign-off form
19 ☒	Other Documents (please describe): Sign design package.

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

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



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A. PROJECT DESCRIPTION

(13121 N. Dale Mabry Hwy, Burlington Sign Area Variance)

1. Describe variance and related facts including any history and/or related facts that may be helpful in understanding the request.

Response: Burlington is located in the Palms of Carrollwood Shopping Center, generally located at the northeast corner of Dale Mabry Highway and W. Fletcher Avenue, on approximately fifteen (15) acres. Burlington is a new anchor tenant to the center, relocating to the previous Bed Bath and Beyond bay. The primary store entrance will face south, toward Fletcher Avenue, with a façade length of 115 feet. The tenant bay is setback approximately 360 feet from the Fletcher Avenue right of way, separated by a large surface parking field and required landscaping.

The sign code allows for building wall signage to be applied to facades that face a public street or parking lot, at a rate of 1.25 SF per linear foot, up to a maximum of 200 square feet. Accordingly, Burlington is proposing wall signs on its southern and western facades, both of which face public streets and parking lots and are therefore eligible for signage. Each sign has an important role. While the southern sign is primarily intended for the retail visitor, the western sign serves a dual purpose and also serves as a wayfinding sign for delivery drivers. The western sign will meet the established criteria and is not included in this variance application.

The proposed variance request is to increase the maximum wall sign area for the southern façade, from a permitted 143.75 SF (115 LF x 1.25) to 432.6 SF. It is important to note Burlington has recently revised its branding to better convey its offerings and target market. As such, the tag line plays an increasingly important role in corporate branding. The proposed sign on the southern façade was strategically designed to meet the aesthetic goals of the county sign code while also meeting the functional requirements of the tenant based on its specific location and the adjacent roadway context.



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Of note, the sign area calculation for the primary sign (Burlington) includes a significant amount of “white space” that contributes to the overall measurement. Burlington utilizes a mix of upper- and lower-case letters for aesthetic reasons, and in this case, the use of lower-case letters creates additional white space that is included in the overall sign area calculation. The tag line, a critical component due to the rebranding, adds an additional, approximately 131 SF to the overall southern sign. The tag line is designed to be proportionate to the primary sign and maintain legibility from adjacent rights-of-way.

2. A variance is required from the following section of the Hillsborough County Land Development Code:

Response: Part 7.03.00.A.2, which states: “Maximum sign area: Each Premises, and in the case of multi-occupancy buildings, each unit, shall be permitted to display Building Sign(s), the Aggregate Sign Area of which shall not exceed 1¼ square feet per each linear foot of building frontage facing a public street or parking lot, but in no event more than 200 square feet of Aggregate Sign Area. For each unit not facing a public street or parking lot, the Aggregate Sign Area shall not exceed 1¼ square feet for each lineal foot of unit frontage for the elevation on which the building sign will be installed, but in no event more than 200 square feet of Aggregate Sign Area. Each Premises shall be entitled to a minimum Aggregate Sign Area of 20 square feet.”

B. 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?**



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Response: The Burlington tenant bay includes a mix of unique circumstances that necessitate an increase in total sign area allowance on the southern facade, including the following:

- Use of lowercase letters in primary sign (Burlington) incorporates a significant amount of white space into the sign area calculation that is not beneficial to the tenant, but benefits the appearance of the overall sign, as compared to an all upper-case sign that maxed out the sign area.
- Recent corporate rebrand relies on the tag line of the sign to convey new messaging and branding, which contributes to total sign area.
- The monument sign allowance for a jr. anchor is minimal in the current design and is blocked from view on Fletcher Avenue by required landscaping (see image below). This places additional emphasis on the role and importance of the proposed wall sign to ensure visibility and brand awareness.
- Driveway access and the adjacent Fletcher Ave. right-of-way design, combined with monument sign location and landscape screening, reduces effect of monument sign and therefore places additional emphasis on wall sign – necessitating larger sign that is visible from right-of-way.
 - The available monument sign is only visible to west-bound lanes (no east-bound median break) after a west-bound driver clears the corner of the shopping center building, and then approaches the monument sign. This reduces the existing monument sign effectiveness based on limited visibility.
 - The distance from eastern building corner (Fresh Market) to the shopping center's access driveway is minimal. Additionally, as noted, the monument sign is blocked by required landscaping for a majority of this road segment. These factors compound to make the wall sign's visibility from the right-of-way more important.
 - The wall sign, when appropriately scaled as proposed, can be viewed from a wider view, and therefore provides for additional



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maneuvering time on Fletcher Ave. for a driver to identify the tenant and enter the shopping center.

- Once the monument sign becomes visible (past Fresh Market building corner and landscape screen), a driver's time to maneuver into the site, could cause patrons to miss the driveway and center.
- To proportionately reduce the sign area to 200 SF or less, the wall sign would become aesthetically disproportionate and inconsistent with both its role as a junior anchor in the center, and the signage standards established by the USSC Foundation (Refer to criterion #2 response below).

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.

Response: The code allows a maximum of 1.25 SF of signage per linear foot of building façade, up to 200 SF of wall signage per facade. Based on the sign area calculation methodology, which incorporates a significant amount of white space around the sign letters, Burlington is negatively impacted for the use of lower-case letters, which includes hanging letters. The use of both uppercase and lowercase letters is typically preferred from an aesthetic perspective. When measured without the additional white area, the primary sign "Burlington" complies the maximum 200 SF requirement and is approximately 190 SF.

This sign was designed with both form and function in mind. The sign is designed to be proportionate to the tenant bay and façade design while also ensuring legibility from the adjacent right-of-way and its context (setback distance, travel speeds, etc.). The tag line is a supplemental, but necessary, component to the overall sign - especially given the retailer's recent rebranding. The tag line, which must retain proportionality for aesthetics and legibility increases the overall sign size by approximately 131 SF.

Additional standards and best practices provided by the United States Sign Council (USSC) Foundation are included below to demonstrate how the proposed



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sign package meets the USSC suggestions and is designed to foster safe and effective signage.

Along Fletcher Avenue, at an average driving speed of 45 mph, the window of detection for the wall sign is just over 3.5 seconds heading westbound, as measured from the interior edge of the eastern-most tenant building (where the Burlington wall sign becomes visible and unobstructed) and the shopping center's driveway (where motorists would need to maneuver to gain access to site). This direction of travel is used as an example based on the dividing median and right-of-way design. Based on Table 2, below, provided in the USSC On-Site Premise Sign Standards, a driver's reaction time after reading a sign can be four seconds even in simple driving scenarios. The existing Fletcher Ave. right-of-way (ROW) design would require approximately six (6) seconds based on Table 2. The On-Premise Sign Standards also describes "Glance Frequency". The analysis indicates drivers typically glance at a sign one to two times, and each glance lasts for approximately two seconds. The conclusion is that parallel signs (the proposed wall sign) must be visible and legible within a two second glance for motorist safety.

Table 2. Computation of Viewer Reaction Time

Viewer Reaction Time Computation Relative to Primary Message			
Task	Driving Environment		
	Simple	Complex ¹	Multi Lane ²
Detection	0.5 Second	1 Second	1 Second
Message Scan	0.1 Sec / Letter 0.5 Sec / Symbol	0.1 Sec / Letter 0.5 Sec / Symbol	0.1 Sec / Letter 0.5 Sec / Symbol
Re-Orientation Scan	0.02 Sec / Letter 0.1 Sec / Symbol	0.04 Sec / Letter 0.2 Sec / Symbol	0.04 Sec / Letter 0.2 Sec / Symbol
Maneuver	4 Seconds	5 Seconds	6 Seconds

1. Developed town or city commercial areas. Single or multi-lane travel under 35 mph

2. Developed urban/suburban commercial areas. Multi-lane travel over 35 mph

While the shopping center includes a monument sign, the visibility of this monument sign is impaired for motorists heading westbound is impeded by



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intervening trees. As such, the visibility of the wall sign is increasingly important for Burlington. See image below:



Table 7 below, also from the USSC On-Premise Sign Standards, provides suggested wall sign letter sizes based on the total number of lanes within a right-of-way. Based on the number of travel lanes within Fletcher Avenue and setback distance, anywhere from 80 – 85-inch letters are suggested. The proposed sign design includes a range of letters, from 44 inches to 84 inches in the primary sign.



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Table 7. Parallel sign letter height lookup table

Offset from Curb (ft)	Letter Height in Inches				
	Number of Lanes				
	1	2	3	4	5
10	4	6	8	10	12
20	6	8	10	12	14
40	10	12	14	16	18
60	14	16	18	20	22
80	18	20	22	24	26
100	22	24	26	28	30
125	27	29	31	33	35
150	32	34	36	38	40
175	37	39	41	43	45
200	42	44	46	48	50
225	47	49	51	53	55
250	52	54	56	58	60
275	57	59	61	63	65
300	62	64	66	68	70
325	67	69	71	73	75
350	72	74	76	78	80
375	77	79	81	83	85
400	82	84	86	88	90

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.

Response: The granting of the proposed variance has no impact on other properties, nor does it interfere with other's property rights. The sign design has been approved by the landlord of the subject site. There is no negative impact on adjacent residential properties as the proposed sign is not visible from such sites. Further, the increased sign allowance has no negative impact on other non-residential properties. The proposed sign design ensures legibility and supports safe motor maneuverability.

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).



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Response: Consistent with the land development code and comprehensive plan, motorist safety and welfare were a priority in the overall sign design process—ensuring legibility and functionality. However, both form and function were key, and the aesthetics and proportionality were also critical considerations. Refer to criterion #2 response above, which includes design standards and best practices from the USSC, supporting the proposed sign size and design. Combined, the considerations ensured a harmonious and orderly approach to development, as required.

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.**

Response: The proposed sign design does not result from an illegal act nor is the request self-imposed. The building to be occupied is an existing building as are the site conditions (building setbacks, shopping center configuration, location of monument sign, size of monument sign, landscaping, and adjacent ROW conditions, etc.).

As noted, when measured without the additional white space that is created by using lower-case letters, the primary “Burlington” sign is less than 200 SF. The tag line adds additional square footage but is increasingly important due to a recent rebrand. The southern sign was designed with legibility and proportionality in mind – serving both form and function. To proportionately reduce the sign to less than 200 aggregate SF, the sign would become inconsistent with that of a junior anchor of this size and disproportionate to the tenant bay. Importantly, the wall sign for this tenant is increasingly important due to the limited visibility of the monument sign and the limited maneuvering time motorist have once the monument sign becomes visible, to enter the shopping center site.



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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.

Response: The proposed variance will allow for:

- 1) Legible signage that promotes motorist safety and effective circulation.
- 2) An aesthetically pleasing sign package to be applied to the center that is consistent with the tenant's role as a junior anchor in the shopping center,
- 3) Mitigation of factors affecting the effectiveness of the monument sign, and
- 4) An important tag line to be accommodated without negatively impacting the overall sign legibility, effectiveness, or aesthetics (proportionality).

As noted above, the wall sign inclusive of the tagline plays an increasingly important role for westbound traffic on Fletcher Avenue. Failure to grant a variance would negatively impact the effectiveness of the tenant's signage and maneuverability into the center for potential patrons.

THIS INSTRUMENT WAS PREPARED BY

Weingarten Realty
2600 Citadel Plaza Drive, #125
Houston, Texas 77008
Attn: John R. Hohlt

AFTER RECORDING RETURN TO:

Please Return To: First American Title Co.
601 Travis, Suite 1875
Houston, TX 77002
Attn: Lisa Aguilar

Tax Folio Number: 19381-0000 and 42003-2665

SPECIAL WARRANTY DEED

STATE OF FLORIDA §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF HILLSBOROUGH §

THAT, **WEINGARTEN REALTY INVESTORS**, a Texas real estate investment trust ("**Grantor**"), whose mailing address is 2600 Citadel Plaza Drive, Houston, Texas 77008, Attn: Paul Wilke, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid to Grantor by **MAGNOLIA PALMS DAPHNE, LLC**, a Georgia limited liability company as to a 42.554% undivided interest, **MAGNOLIA AT PALMS, LLC**, a Georgia limited liability company as to a 8.654% undivided interest, **CARROLLWOOD TALZ, LLC**, a Georgia limited liability company as to a 30.902% undivided interest, and **JWS CARROLLWOOD, LLC**, a Georgia limited liability company as to a 17.89% undivided interest(collectively the "**Grantee**"), whose mailing address is 5370 Oakdale Road, Smyrna, Georgia 30082, and other good and valuable consideration, the receipt and sufficiency of which considerations are hereby acknowledged, has GRANTED, SOLD and CONVEYED and by these presents does GRANT, SELL and CONVEY unto Grantee the tract or parcel of Land situated in Hillsborough County, Florida, described in Exhibit "A" attached hereto, incorporated herein and made a part hereof for all purposes (the "**Land**"), together with all buildings, structures, and improvements owned by Grantor situated on the Land and all fixtures and other property owned by Grantor and affixed thereto (the "**Improvements**") (the Land and Improvements being herein collectively referred to as the "**Property**"), and all of Grantor's right, title and interest in and to (but without warranties, whether statutory, express or implied) all rights, privileges, easements, and interests appurtenant thereto, adjacent streets, alleys, rights-of-ways, any adjacent strips and gores of real estate relating to the Land.

TO HAVE AND TO HOLD the Property together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns, forever, subject to the matters herein stated; and Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the

same or any part thereof by, through or under Grantor but not otherwise; provided that this conveyance and the warranty of Grantor herein contained are subject to the matters described in Exhibit "B" attached hereto, incorporated herein and made a part hereof.

All ad valorem taxes and assessments for the Property for the current year have been prorated and Grantee has assumed liability for the payment thereof and for subsequent years. If such proration was based upon an estimate of such taxes and assessments for the current year, then upon demand Grantor and Grantee shall promptly and equitably adjust all such taxes and assessments as soon as actual figures for these items for the current year are available.

[Remainder of page intentionally left blank; signature page(s) to follow.]

EXECUTED on the date of the acknowledgment herein below, to be effective however as of the 14 day of February, 2017.

WITNESSES:

Barbara McKinney
Signature

Barbara McKinney
Printed Name

Tami Edwards
Signature

Tami Edwards
Printed Name

GRANTOR:

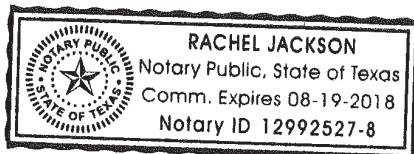
WEINGARTEN REALTY INVESTORS,
a Texas real estate investment trust

By: [Signature]
Name: Mark D. Stout
Title: Sr. Vice President/General Counsel



STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 10th day of February, 2017, by Mark D. Stout, Sr. Vice President of Weingarten Realty Investors, a Texas real estate investment trust, on behalf of said trust. He is personally known to me or has produced _____ as identification.



[Signature]
Notary Public in and for the State of Texas

EXHIBIT "A"**LEGAL DESCRIPTION OF LAND**

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 28 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY FLORIDA; THENCE PROCEED SOUTH 89°41'20" WEST (BEARINGS BASED ON PARENT DEED), ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 9, A DISTANCE OF 206.94 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF FLETCHER AVENUE, SAID POINT BEING SITUATED NORTH 89°41'20" EAST 1139.85 FEET FROM THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 9 SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE SOUTH 89°41'20" WEST, ALONG THE AFORESAID NORTHERLY RIGHT OF WAY LINE OF FLETCHER AVENUE, AND ALONG THE 1/4 1/4 SECTION LINE A DISTANCE OF 951.82 FEET; THENCE DEPARTING FROM SAID RIGHT OF WAY LINE ALONG SAID 1/4 1/4 SECTION LINE, NORTH 00°18'40" WEST A DISTANCE OF 238.00 FEET; THENCE SOUTH 89°41'20" WEST A DISTANCE OF 215.88 FEET TO THE EASTERLY RIGHT OF WAY LINE OF DALE MABRY HIGHWAY (STATE ROAD NO. 597); THENCE NORTH 17°33'27" WEST A DISTANCE OF 94.35 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE; THENCE DEPARTING FROM SAID RIGHT OF WAY LINE NORTH 89°38'19" EAST A DISTANCE OF 60.00 FEET; THENCE SOUTH 00°21'41" EAST A DISTANCE OF 20.00 FEET, THENCE NORTH 89°38'19" EAST A DISTANCE OF 115.00 FEET; THENCE NORTH 58°49'23" EAST A DISTANCE OF 71.08 FEET; THENCE NORTH 00°21'41" WEST A DISTANCE OF 103.00 FEET; THENCE SOUTH 89°38'19" WEST A DISTANCE OF 28.45 FEET; THENCE NORTH 00°05'06" WEST, A DISTANCE OF 190.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF MORAN ROAD; THENCE NORTH 89°38'19" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 914.87 FEET TO A POINT SITUATED SOUTH 89°38'19" WEST 281.81 FEET FROM THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 9; THENCE DEPARTING FROM SAID RIGHT OF WAY LINE, SOUTH 00°18'40" EAST, A DISTANCE OF 143.92 FEET; THENCE NORTH 89°39'10" EAST, A DISTANCE OF 1.50 FEET; THENCE SOUTH 00°18'40" EAST, A DISTANCE OF 192.65 FEET; THENCE SOUTH 67°46'15" EAST, A DISTANCE OF 30.00 FEET, THENCE NORTH 89°41'20" EAST, A DISTANCE OF 79.15 FEET; THENCE SOUTH 00°18'40" EAST, A DISTANCE OF 66.42 FEET; THENCE NORTH 89°41'20" EAST, A DISTANCE OF 46.35 FEET; THENCE NORTH 00°18'40" WEST, A DISTANCE OF 12.50 FEET; THENCE NORTH 89°41'20" EAST, A DISTANCE OF 22.00 FEET; THENCE NORTH 00°18'40" WEST, A DISTANCE OF 359.42 FEET; THENCE SOUTH 89°41'20" WEST, A DISTANCE OF 26.50 FEET; THENCE NORTH 00°18'40" WEST, A DISTANCE OF 42.70 FEET TO THE SOUTH RIGHT OF WAY LINE OF MORAN ROAD; THENCE NORTH 89°38'19" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 101.60 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF ORANGE GROVE DRIVE; THENCE SOUTH 00°06'16" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 356.26 FEET; THENCE CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, SOUTH 05°36'22" WEST, A DISTANCE OF 145.72 FEET, THENCE CONTINUE ALONG SAID WESTERLY RIGHT OF WAY LINE, SOUTH 00°06'16" EAST, A DISTANCE OF 104.52 FEET TO A POINT ON THE NORTHWESTERLY INTERSECTION RIGHT OF WAY LINE OF ORANGE GROVE DRIVE AND FLETCHER AVENUE; THENCE SOUTH 38°48'51" WEST, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 39.77 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF FLETCHER AVENUE, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 4,409.80 FEET; THENCE ALONG THE ARC OF SAID CURVE WHICH HAS A CHORD OF 137.48 FEET, CHORD BEARING SOUTH 88°47'45" WEST, A DISTANCE OF 137.49 FEET, TO THE END OF SAID CURVE AND TO THE POINT OF BEGINNING.

TOGETHER WITH ALL OF THE RIGHT, TITLE AND INTEREST OF THE "SHOPPING CENTER PARCEL OWNER" (AS SUCH TERM IS DEFINED IN THE DECLARATION HEREINAFTER DESCRIBED) PURSUANT TO THAT CERTAIN AMENDED AND RESTATED DECLARATION OF CROSS-EASEMENTS, COVENANTS AND RESTRICTIONS DATED DECEMBER 28TH, 1989, RECORDED DECEMBER 29, 1989, IN

OFFICIAL RECORDS BOOK 5867, PAGE 1952, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

TOGETHER WITH EASEMENT RIGHTS AS SET FORTH IN THAT CERTAIN RECIPROCAL EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 4295, PAGE 266 AS AMENDED IN OFFICIAL RECORDS BOOK 5348, PAGE 357, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

EXHIBIT "B"

PERMITTED ENCUMBRANCES

1. The lien of the taxes and special assessments for the year 2017 and all subsequent years, which are not yet due and payable.
2. Easement Grant for constructing and maintaining pipelines and appurtenances recorded in Book 234, Page 109, as affected by Book 2326, Page 734 and Book 4161, Page 1981.
3. The terms, provisions and conditions contained in that certain Reciprocal Easement Agreement recorded in Book 4295, Page 266, as affected by Book 5348, Page 357.
4. Easement Grant for driveway and utility easements recorded in Book 4363, Page 26, rerecorded in Book 4428, Page 995.
5. Telephone Distribution Easement recorded in Book 4401, Page 1829.
6. The terms, provisions and conditions contained in that certain Agreement recorded in Book 4602, Page 1970.
7. The terms, provisions and conditions contained in that certain Amended and Restated Declaration of Cross-Easements, Covenants and Restrictions recorded in Book 5867, Page 1952, as affected by Book 10477, Page 452 and Book 20268, Page 55.
8. Grant of Easement for a transit stop recorded in Book 5850, Page 915.
9. Easement for Sidewalk Purposes recorded in Book 6051, Page 1344.
10. Easement for utility lines recorded in Book 6076, Page 1407.
11. All of the terms and provisions set forth and contained in that certain Memorandum of Lease between John Hancock Realty Income Fund, Lessor, and Bed Bath & Beyond of Carrollwood Inc., Lessee, a memorandum of which is recorded in Book 7858, Page 208, as affected by Book 20282, Page 1465 and Book 23711, Page 1166.
12. Rights of the tenants under the leases described in Exhibit B, of the Assignment and Assumption of Tenant Leases, dated of even date herewith, without rights of first refusal or options to purchase the property.

13. All of the terms and provisions set forth and contained in that certain Lease between Carrollwood Palms Center, L.L.C., Lessor, and The Fresh Market, Inc., Lessee, a memorandum of which is recorded in Book 10892, Page 1853, Amended and Restated in Book 10892, Page 1861.

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**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: VAR 25-0912

Intake Date: 06/03/2025

Hearing(s) and type: Date: 07/28/2025

Type: LUHO

Receipt Number: 486789

Date: _____

Type: _____

Intake Staff Signature: Keshia Rivas

Property Information

Address: 13121 N Dale Mabry Hwy City/State/Zip: Tampa, FL 33618

TWN-RN-SEC: 28-18-09 Folio(s): 019381-0000 Zoning: PD Future Land Use: OC-20 Property Size: 15.37 ac

Property Owner Information

Name: Magnolia Palms Daphne, LLC - Managing Co-Owner Daytime Phone: _____

Address: 5370 Oakdale Road City/State/Zip: Smyrna, GA 30082

Email: Trey@wredev.com Fax Number: _____

Applicant Information

Name: BUKINGTON STORES, INC. Daytime Phone: 800.781.7800 EXT 93570

Address: 1820 ROUTE 170 NORTH City/State/Zip: BUKINGTON, NJ 08016

Email: KAREN.WEIDENBACH@BUKINGTON.COM Fax Number: _____

Applicant's Representative (if different than above)

Name: Complete Cities Planning Group, LLC c/o Kaitlyn Forbes, AICP Daytime Phone: 954.372.6767

Address: 200 S. Andrews Ave. Ste 504 City/State/Zip: Fort Lauderdale, FL 33301

Email: Kaitlyn@CompleteCities.net Fax Number: _____

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.

[Signature]
Signature of the Applicant

Karen Weidenbach
Type or print name

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

[Signature]
Signature of the Owner(s) - (All parties on the deed must sign)

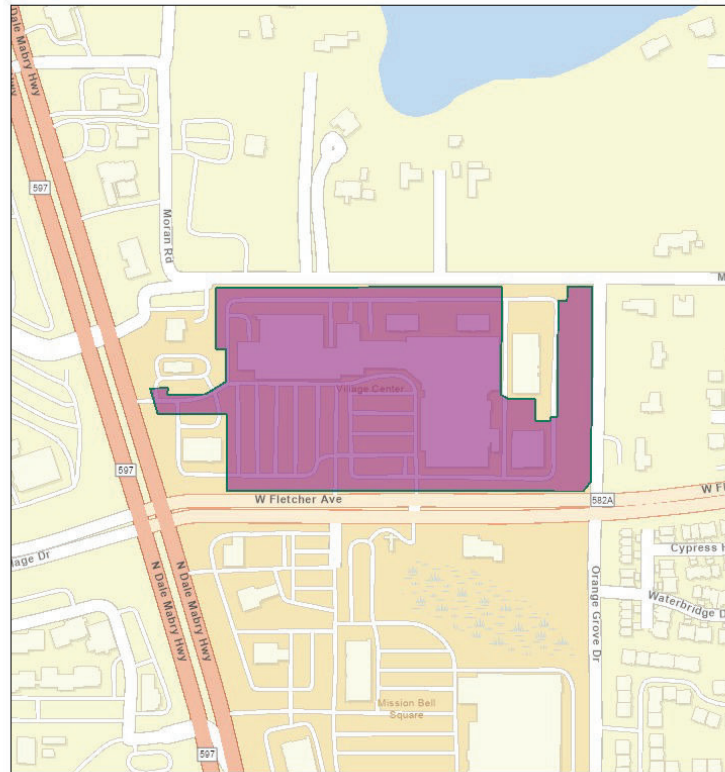
James C. Wallace III
Type or print name



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	89-0177
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0184H
FIRM Panel	12057C0184H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120185F
County Wide Planning Area	Greater Carrollwood Northdale
Community Base Planning Area	Greater Carrollwood Northdale
Planned Development	PD
Re-zoning	null
Minor Changes	null
Major Modifications	null
Personal Appearances	98-0479,94-0204, 18-0158
Census Data	Tract: 011301 Block: 1023
Future Landuse	OC-20
Urban Service Area	USA
Mobility Assessment District	Urban
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
Aviation Authority Height Restrictions	180' AMSL
Competitive Sites	NO
Redevelopment Area	NO

Folio: 19381.0000



June 3, 2025

1:4,050
0 0.03 0.06 0.12 mi
0 0.05 0.1 0.19 km

RS: Esri Community Maps Contributors, University of South Florida, City of Tampa, FDOT, Q OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SatNav, GeoTechnologies, Inc, METANASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Hillsborough County Florida

Folio: 19381.0000
PIN: U-09-28-18-ZZZ-000000-83190.0

Magnolia Palms Daphne Llc / Et Al

Mailing Address:

5370 Oakdale Rd Se
null

Smyrna, Ga 30082-5218

Site Address:

13121 N Dale Mabry Hwy
Tampa, Fl 33618

SEC-TWN-RNG: 09-28-18

Acreage: 15.37

Market Value: \$26,435,600.00

Landuse Code: 1610 STORE/SHP CENTE

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