



**Hillsborough
County Florida**

LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 20-0244

LUHO HEARING DATE: January 25, 2021

CASE REVIEWER: Steve Beachy, AICP

REQUEST: The applicants request access variances to accommodate a proposed three-lot subdivision of property zoned AS-1. The property is comprised of two parcels, 80817.0100 and 80817.0110, which were divided without subdivision approval. The proposed subdivision will remedy the improper split and also divide the larger parcel, 80817.0100, into two lots.

VARIANCE(S):

Flag Lot Access Width

Per LDC Section 6.02.01.B.4.a.2, a private drive serving a flag lot shall be a minimum of 20 feet in width. The applicant requests a 5-foot-reduction to the required width to allow a 15-foot-width for the private drive.

Flag Lot Serving More than Parcel

Per LDC Section 6.02.01.B.4.a.2, a private drive serving a flag lot shall only provide access for a single parcel. The applicant seeks a variance to allow the private drive to serve three parcels.

Easement Width

Per LDC Section 6.02.01.B.5.c.2, if an easement serves two or three dwelling units, a minimum width of 30 feet shall be required. The applicant requests a 15-foot-reduction to the required easement width to allow a width of 15 feet.

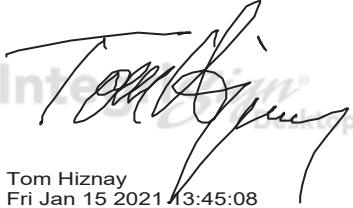
FINDINGS:

None.

DISCLAIMER:

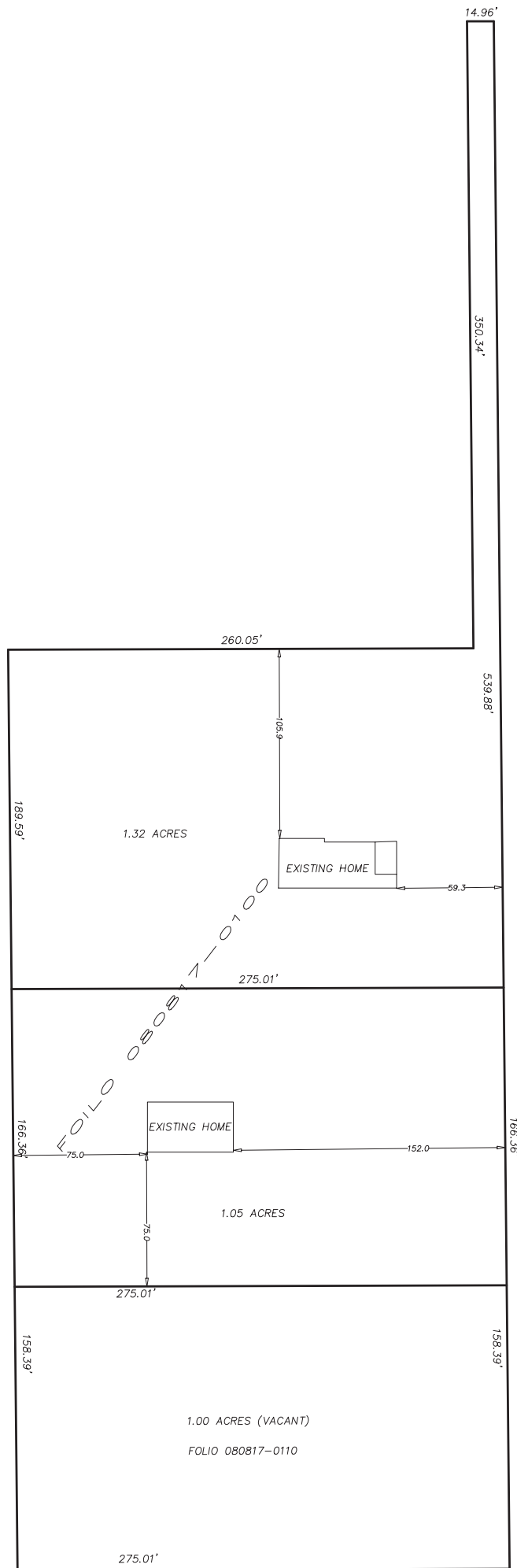
The variance listed above is based on the information provided in the application by the applicant. Additional variances may be needed after the site has applied for development permits. The granting of these variances does not obviate the applicant or property owner from attaining all additional required approvals including but not limited to: subdivision or site development approvals and building permit approvals.

ADMINISTRATOR'S SIGN-OFF

A handwritten signature in black ink, appearing to read "Tom Hiznay", is written over a faint, light gray watermark that says "InterCity".

Tom Hiznay
Fri Jan 15 2021 13:45:08

Attachments: Application
Site Plan
Petitioner's Written Statement
Current Deed



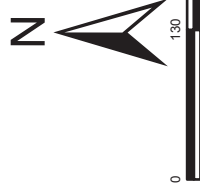


Immediate Aerial Zoning Map

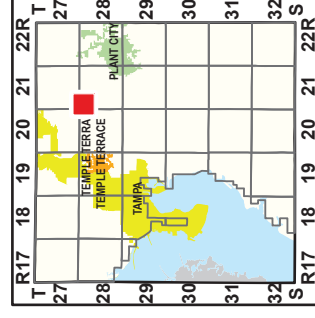
VAR 20-0244

Folio: 80817.0100

- Application Site
- Zoning Boundary
- Parcels



STR: 6-28-21



NOTE: Every reasonable effort has been made to ensure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map.

THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

SOURCE: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other public records; it has been based on BEST AVAILABLE data.

Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

APTew Services, LLC
2002 Holloway Rd
Plant City, Florida 33567
813-967-2015 APTewServices@gmail.com

Cover Letter for Additional/ Revised Information Sheet

VAR 20-0244

The revised application packet is now going to include the parcel folios 080817-0110 & 080817-0100. There is survey attached to be included for folio 080817-0110. The original application was for 080817-0100 only.

Thank you,
Amber Tew

APTew Services, LLC
2002 Holloway Rd
Plant City, Florida 33567
813-967-2015 APTewServices@gmail.com

Project Narrative

VAR 20-0244

A variance to subdivision standards is being requested for the following folios 080817-0100 and 080817-0110. The folios were split as non-conforming lots and the goal here is to obtain the variance and bring each folio to a conforming status.

Thank you,
Amber Tew

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?

Other access and lot requirements may exist with other surrounding properties but none were noticed on any of the immediate abutting properties.

2. Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC.

The current rule for a flag lot in the LDC would deprive the land owner access to the secondary residence.

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.

If the variance is approved, no adjoining property owners will be affected whatsoever.

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).

The variance is in harmony and serves the general intent and purpose of the LDC and the Comprehensive plan because this request does not hinder public interest.

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.

To our knowledge this variance does not result from an illegal act. The hardship was created by the property owner being unfamiliar with the current rules of the land development code concerning flag lot requirements.

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.

We feel an injustice would be done if the variance is not allowed and the property is not able to be split into two separate lots and the 15 foot access is not allowed. The denial of the variance could cause the removal of a home and financial loss. Granting this variance will allow the home owner to keep his home and have his own separate lot.

IN THE CIRCUIT COURT FOR HILLSBOROUGH
COUNTY, FLORIDA PROBATE DIVISION

IN RE: ESTATE OF

File No. 19-CP-911
HELEN E. CAPLE A/K/A
HELEN FERGUSON CAPLE Division U
Deceased.

LETTERS OF ADMINISTRATION
(single personal representative)

TO ALL WHOM IT MAY CONCERN

WHEREAS, Helen E. Caple a/k/a Helen Ferguson Caple, a resident of Hillsborough County, Florida, died on March 14, 2018, owning assets in the State of Florida, and

WHEREAS, Russell A. Caple has been appointed personal representative of the estate of the decedent and has performed all acts prerequisite to issuance of Letters of Administration in the estate,

NOW, THEREFORE, I, the undersigned circuit judge, declare Russell A. Caple duly qualified under the laws of the State of Florida to act as personal representative of the estate of Helen E. Caple a/k/a Helen Ferguson Caple, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive the property of the decedent; to pay the debts of the decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

ORDERED on ^{April 3} _____, 2019.

Electronically Conformed 4/3/2019

Artemeus McNeil Circuit Judge

Copy to:

Benjamin C. Sperry, Esquire
Sperry Law Firm
1607 S. Alexander Street, Suite 101
Plant City, Florida 33563-8421

20 - 0244

3 2 6 1 4 5

STATE OF FLORIDA
DOCUMENTARY STAMP TAX
DEPT. OF REVENUE
NOV-9-81
00.45

REC. 3877 PG 1682

This instrument was prepared by:
ERIC S. RUFF, ESQUIRE

TRINKLE & REDMAN, P.A.
Attorneys at Law
206 West Reynolds Street
PLANT CITY, FLORIDA 33646

Warranty Deed

(STATUTORY FORM—SECTION 689.02 F.S.)

THIS IS NOT A
CERTIFIED COPY

This Indenture, Made this 4th day of November 1981, Between
HOWARD L. CAPLE and his wife HELEN E. CAPLE, and
WILLIAM B. CAPLE and his wife MARTHA CAPLE

of the County of Hillsborough, State of Florida, grantor*, and
HOWARD L. CAPLE and his wife HELEN E. CAPLE

CODES TIME 04 34P
11221705 105 0006 06N081
RECORDED 050740 A
CK 4.45

whose post office address is Route 2, Box 2991, Plant City

of the County of Hillsborough, State of Florida, grantee*,

Witnesseth, That said grantor, for and in consideration of the sum of

TEN and NO/100's (\$10.00) Dollars,

and other good and valuable considerations to said grantor 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 County, Florida, to-wit:

The South 864.24 feet of the East 290 feet of the West 900 feet of the Northwest quarter of the Southeast quarter of Section 6, Township 28 South, Range 21 East, LESS the South 432.12 feet thereof, and LESS the East 15 feet thereof

TOGETHER WITH the West 15 feet of the East 30 feet of the following described property:

The East 290 feet of the West 900 feet of the Northwest quarter of the Southeast quarter of Section 6, Township 28 South, Range 21 East, LESS the South 864.24 feet thereof,

SUBJECT to Easements, Restrictions, and Reservations of Record.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

* "Grantor" and "grantee" are used for singular or plural, as context requires.

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:

Eric S. Ruff
As to all four grantors
Brenda L. Trinkle
As to all four grantors

Howard L. Caple (Seal)
HOWARD L. CAPLE
Helen E. Caple (Seal)
HELEN E. CAPLE
William B. Caple (Seal)
WILLIAM B. CAPLE
Martina Caple (Seal)
MARTHA CAPLE

JAMES F. TAYLOR, JR.
CLERK CIRCUIT COURT
RECORDING DEPT.
HILLSBOROUGH CO.
TAMPA, FL 33601

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared
HOWARD L. CAPLE, HELEN E. CAPLE, WILLIAM B. CAPLE and MARTHA CAPLE

to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

Witness my hand and official seal in the County and State last aforesaid this 4th day of November

Ann J. Brim
My commission expires 1/16/83

Notary Public

INT TAX
SURTAX
DOC STP
REC FEE
ACC NUM
TOT DUE
REC CLK

20-0244



RECEIVED
DEC 06 2019
Development Services

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: 8609 W Knights Griffin Rd City/State/Zip: Plant City, Florida 33565 TWN-RN-SEC: 06-28-21
Folio(s): 080817-0100 Zoning: AS-1 Future Land Use: R-1 Property Size: 2.24+/-

Property Owner Information

Name: Estate of Helen Caple (Russell A. Caple, Personal Representative) Daytime Phone: 813-703-7476
Address: 8609 W Knights Griffin Rd City/State/Zip: Plant City, Florida 33565
Email: deanwilliams99@yahoo.com FAX Number: _____

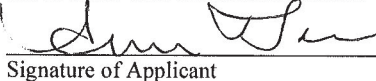
Applicant Information

Name: Russell Caple Daytime Phone: 813-703-7476
Address: 8609 W Knights Griffin Rd City/State/Zip: Plant City, Florida 33565
Email: deanwilliams99@yahoo.com FAX Number: _____

Applicant's Representative (if different than above)

Name: Amber Tew Daytime Phone: 813-967-2015
Address: 2002 Holloway Rd City / State/Zip: Plant City, Florida 33567
Email: APTewServices@gmail.com FAX Number: _____

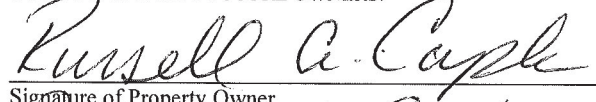
I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.



Signature of Applicant

Amber Tew
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 of Property Owner

Russell A. Caple
Type or Print Name

Office Use Only

Intake Staff Signature: TSJ Intake Date: 12-06-19
Case Number: 20-0244 Public Hearing Date: 2-18-20
Receipt Number: PCR 76558



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	AS-1
Description	Agricultural - Single-Family
RS	95-0092
RZ	RS
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0253H
FIRM Panel	12057C0253H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120255C
County Wide Planning Area	East Rural
Census Data	Tract: 010105 Block: 1003
Future Landuse	R-1
Mobility Assessment District	Rural
Mobility Benefit District	3
Fire Impact Fee	Northeast
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 3
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



FD, Hillsborough County - Public Works - Geomatics - Check & Address, E/D

HILLSBOROUGH COUNTY FD-003

Folio: 80817.0100
PIN: U-06-28-21-ZZZ-000003-46720.0
ESTATE OF HELEN E CAPLE
Mailing Address:
8609 W KNIGHTS GRIFFIN RD
PLANT CITY, FL 33565-3077
Site Address:
8609 W KNIGHTS GRIFFIN RD
PLANT CITY, FL 33565
SEC-TWN-RNG: 06-28-21
Acreage: 2.39184999
Market Value: \$168,690.00
Landuse Code: 0100 SINGLE FAMILY

Hillsborough County makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any of the geodata information provided herein. The reader should not rely on the data provided herein for any reason. Hillsborough County explicitly disclaims any representations and warranties, including, without limitations, the implied warranties of merchantability and fitness for a particular purpose. Hillsborough County shall assume no liability for:

1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.
Or

2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

20-0244

AFFIDAVIT TO AUTHORIZE AGENTSTATE OF FLORIDA
COUNTY OF HILLSBOROUGH

Steven and Emily Cavanah

(NAME OF ALL PROPERTY OWNERS), being first duly sworn, depose(s) and say(s):

1. That (I am/we are) the owner(s) and record title holder(s) of the following described property, to wit:
ADDRESS OR GENERAL LOCATIONS: W Knights Griffin Rd Folio No: 080817-0110
2. That this property constitutes the property for which a request for a:
Variance for a 15 foot flag access to serve 3 lot minor subdivision (NATURE OF REQUEST) is being applied to the Board of County Commissioners, Hillsborough County.
3. That the undersigned (has/have) appointed Amber Tew as (his/their) agent(s) to execute any permits or other documents necessary to affect such permit.
4. That this affidavit has been executed to induce Hillsborough County, Florida, to consider and act on the above-described property;
5. That (I/we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature (Property Owner)

Signature (Property Owner)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before

me this 2/12/2020 by Emily Cavanah
Date Property Owner

Who:

☒ Personally known to me _____ Florida Drivers License
____ Other Type of Identification

And Who:

☒ did _____ did not take an oath

Signature of Notary taking acknowledgement

Gloria Silva
Type/Print Name of NotaryFF 976326
Commission Number03/28/2020
Expiration DateSTATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before

me this 2/12/2020 by Steven Cavanah
Date Property Owner

Who:

☒ Personally known to me _____ Florida Drivers License
____ Other Type of Identification

And Who:

☒ did _____ did not take an oath

Signature of Notary taking acknowledgement

Gloria Silva
Type/Print Name of NotaryFF 976326
Commission Number03/28/2020
Expiration Date