

Variance Application: VAR 25-0273**LUHO Hearing Date:** February 24, 2025**Case Reviewer:** Jared Follin**Hillsborough
County Florida****Development Services Department****Applicant:** William Ryan Homes Florida Inc. **Zoning:** PD**Address/Location:** 3711 Nandina Circle, Sun City; Folio: 54953.0840**Request Summary:**

The applicant is requesting a variance to the required rear yard setback to allow for a proposed townhome villa.

Requested Variances:

LDC Section:	LDC Requirement:	Variance:	Result:
5.03.07.B.2.i PD 73-0186 (PRS 24-0064)	Changes to approved PD districts, Minor Modification: Any decrease in required yards, except that when such decrease is to apply to three or less single-family lots within the project, the change shall be reviewed per Section 11.04. A minimum 20-foot rear yard setback is required in the PD zoning district.	1 foot	19-foot rear yard setback

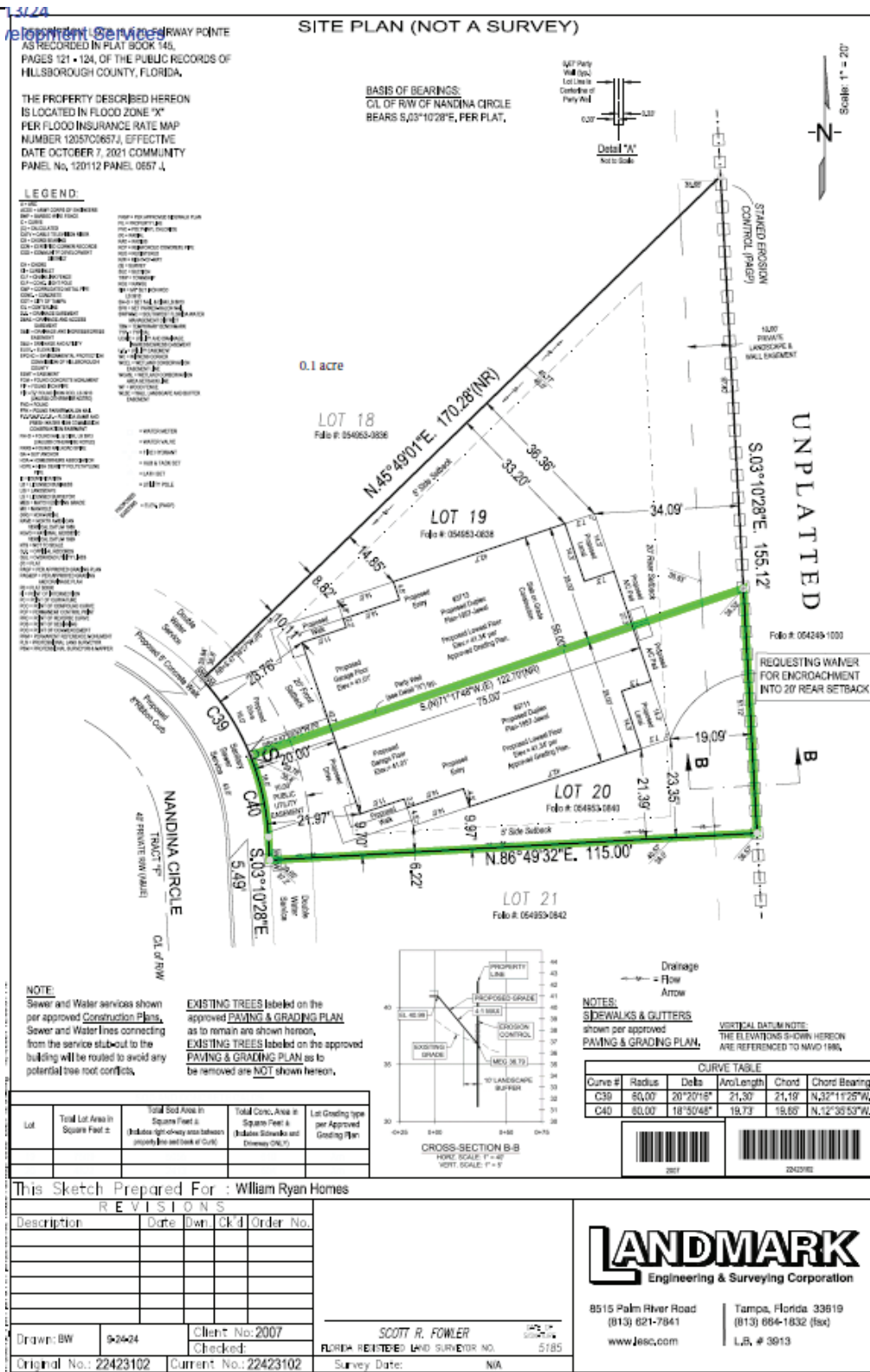
Findings:

None.

Zoning Administrator Sign Off:Colleen Marshall
Mon Feb 10 2025 16:42:51**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





Project Description (Variance Request)

1. In the space below describe the variance including any history and/or related facts that may be helpful in understanding the request. This explanation shall also specifically identify what is being requested (e.g. Variance of 10 feet from the required rear yard setback of 25 feet resulting in a rear yard of 15 feet). If additional space is needed, please attach extra pages to this application.

Fairway Palms subdivision (private paired villa project) designed, permitting & built under PI#5559. Platted as "Fairway Pointe" in PB 145 / Pg 121.

Lot 20: Variance of 1 foot from the required rear yard setback of 20 feet; resulting in a rear yard of 19 feet (external project boundary).

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

Section 6.01.03.F

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.
4. Please indicate the existing or proposed utilities for the subject property:
☒ Public Water ☒ Public Wastewater ☐ Private Well ☐ Septic Tank
5. Is the variance to allow a third lot on well or non-residential development with an intensity of three ERC's?
☐ No ☐ Yes If yes, you must submit a final determination of the "Water, Wastewater, and/or Re-claimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >



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?

This project proposes a "paired villa" product, which is a unique townhome product created specifically for this project. Additionally, the yard encroachments occur on non-standard (irregularly) shaped lots.

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 Final Plat is recorded and therefore the lot lines cannot change to accommodate the unique homes on the irregularly shaped lots. In other words, the building size & shape is identical for every lot.

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.

One of the main functions of building setbacks is to create a reasonable degree of separation between properties. Lot 20 is a rear setback to an external boundary, where the neighboring property is an existing golf course. Therefore neither instance will substantially interfere with the adjacent property.

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*).

Variances to the required yards are allowed for some purposes (IE patios without roofs), and accessory structures are allowed in the rear yard. Lot 20 is a rear setback to an external boundary (golf course).

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.

The need for this variance was created by irregularly shaped lots; 52 of the 54 lots are standard (rectangular) and do not have the same setback issues.

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.

Without the variance, the irregularly shaped lots cannot be developed with a product that matches the other lots.

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >

Prepared by and Return To:
Deanna Tucker
Fidelity National Title of Florida, Inc.
13463 Fishhawk Blvd
Lithia, FL 33547

Order No.: FTPA24-144774

APN/Parcel ID(s): 549530826
549530828
549530838
549530840
549530886
549530888

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this September 27, 2024 by HDP Fairway Palms LLC, a Delaware limited liability company having its principal place of business at 1316 Sherman Avenue, Suite 215, Evanston, IL 60201, hereinafter called the grantor, and William Ryan Homes Florida, Inc. whose post office address is 3925 Coconut Palm Drive, Suite 117, Tampa, FL 33619, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representative and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all the certain land situated in County of Hillsborough, State of Florida, viz:

Lot(s) 13, 14, 19 and 20, 43 and 44, Fairway Pointe, according to the map or plat thereof, as recorded in Plat Book 145, Page(s) 121 through 124, inclusive, of the Public Records of Hillsborough County, Florida.

Subject to encumbrances, easements and restrictions of record and taxes accruing subsequently to 2023.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

AND subject to the PERMITTED EXCEPTIONS, 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; and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

PERMITTED EXCEPTIONS are attached hereto as Exhibit "A".

SPECIAL WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Signed, Sealed and Delivered in the presence of:

Christie Capale
Witness Signature

Christie Capale
Print Name

Address: 825 Beach Ave
Lakeview Park IL 60210

Amy Baumert
Witness Signature

Amy Baumert
Print Name

Address: 340 W 9th St
OSwego IL 60543

HDP Fairway Palms LLC, a Delaware limited liability company

HDP Fairway Palms LLC,
a Delaware limited liability company

BY: HDP Blue Investments LLC,
a Delaware limited liability company
Its: Manager

BY: HDP Blue Holdings LLC,
a Delaware limited liability company
Its: Manager

BY: Grass Lake Capital LLC,
a Delaware limited liability company
Its: Manager

BY: John Mudro
John Mudro, its Secretary

Address: 1316 Sherman Avenue, Suite 215
Evanston, IL 60201

State of IL
County of DuPage

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 27 day of Sept, 2024, by John Mudro, Secretary of Grass Lake Capital LLC, a Delaware limited liability company, Manager of HDP Blue Holdings LLC, a Delaware limited liability company, Manager of HDP Blue Investments LLC, a Delaware limited liability company, Manager of HDP Fairway Palms LLC, a Delaware limited liability company, to me known to be the person(s) described in or who has/have produced DIL as identification and who executed the foregoing instrument and he/she/they acknowledged that he/she/they executed the same

Amy Baumert
Name: Amy Baumert
Notary Public in and for the State of IL
My Commission Expires: 11-10-2024

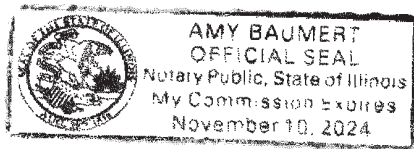


EXHIBIT "A"

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2024 and subsequent years, which are not yet due and payable.
2. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Fairway Pointe, recorded in Plat Book 145, Page 121 through 124, inclusive, of the Public Records of Hillsborough County, Florida.
3. Terms, conditions, and provisions of Section 10, 11 and 12 of that unrecorded Settlement Agreement by and between Fairway Palms Condominium Association, Inc., a Florida not-for-profit corporation ("Condo Association") and Fairway Palms, Ltd., a Florida limited partnership, Fairway Palms Development Corporation, a Florida corporation, Philip G. Fankhauser and Edward A. Bacome, both individually and in their fiduciary capacity as past officers and directors of the board of the Condo Association (collectively referred to as "Developer"), dated March 30, 2000 ("Settlement Agreement") as disclosed by that certain Notice of Settlement Agreement, recorded in Official Records Book 10130, Page 1132, as assigned by Assignment of Settlement Agreement Development Rights recorded in Official Records Instrument No: 2022563497 in the Public Records of Hillsborough County, Florida.
4. Terms, conditions, and provisions of Recorded Notice of Environmental Resource Permit, recorded in Official Records Instrument No: 2023176811 in the Public Records of Hillsborough County, Florida.
5. Restrictions, covenants, conditions and easements, which include provisions for A. an easement on the land; B. a lien for liquidated damages; C. a private charge or assessment, as contained in that certain Community Declaration for Fairway Pointe recorded in Official Records Instrument No: 2023187918; and as may be subsequently amended in the Public Records of Hillsborough County, Florida.

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: 25-0273Intake Date: 12/16/24Hearing(s) and type: Date: 02/24/25Type: LUHOReceipt Number: 431158

Date: _____

Type: _____

Intake Staff Signature: Cierra James

Property Information

Address: 3711 Nandina Circle City/State/Zip: Sun City, FL 33573TWN-RN-SEC: S02/T32/R19 Folio(s): 54953.0840 Zoning: PD (73-0186) Future Land Use: SMU-6 Property Size: 1 acre

Property Owner Information

Name: William Ryan Homes Florida Inc. Daytime Phone: (813) 293-0977Address: 3925 Coconut Palm Drive Suite 117 City/State/Zip: Tampa, FL 33619Email: starts@WmRyan.com Fax Number: _____

Applicant Information

Name: same Daytime Phone: _____

Address: _____ City/State/Zip: _____

Email: _____ Fax Number: _____

Applicant's Representative (if different than above)

Name: Todd C. Amaden, P.E. / Landmark Engineering & Surveying Daytime Phone: 813-621-7841Address: 8515 Palm River Rd. City/State/Zip: Tampa, FL 33619Email: comments@lesc.com 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.

Todd C. Amaden
Signature of the Applicant

Todd C. Amaden, P.E.

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.

Jeffrey D. Thorson
Signature of the Owner(s) - (All parties on the deed must sign)

Jeffrey D. Thorson

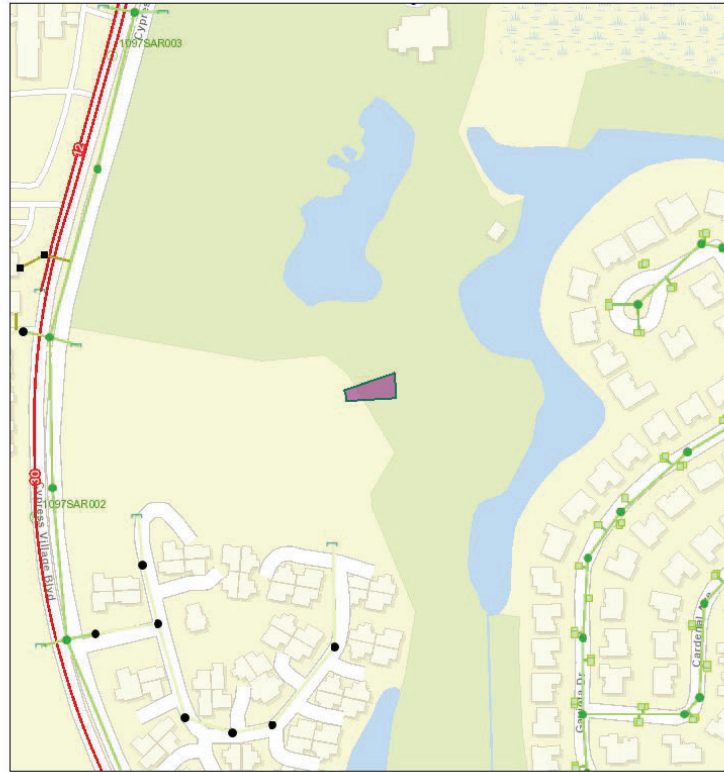
Type or print name



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	73-0186
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0657H
FIRM Panel	12057C0657H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120660C
County Wide Planning Area	Sun City Center
Community Base Planning Area	SouthShore
Planned Development	PD
Re-zoning	73-0186
Note	01-1436 DENIED
Minor Changes	20-0605
Major Modifications	93-0338,96-0244, 93-0179, 22-1340
Personal Appearances	10-0403,09-0835,08-0999, 07-1758,06-0814,05-1002, 97-0329,96-0227,90-0081, 99-0010,00-0260,00-1331, 03-0516,04-1026,01-0192, 99-1096,13-0465, 96-0227, 90-0081S,10-1011,11-0397, 03-1575,06-0064,99-1395, 98-1322, 22-0243, 22-0357, 24-0064
Census Data	Tract: 014009 Block: 1001
Future Landuse	SMU-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: 54953.0840



December 16, 2024

1:2,997

0 0.02 0.04 0.09 mi
0 0.04 0.07 0.14 km

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

Hillsborough County Florida

Folio: 54953.0840
PIN: U-02-32-19-D2R-000000-00020.0

William Ryan Homes Florida Inc

Mailing Address:

3925 Coconut Palm Dr Ste 117
null

Tampa, FL 33619-1303

Site Address:

3711 Nandina Cir
Sun City Center, FL 33573

SEC-TWN-RNG: 02-32-19

Acreage: 0.11

Market Value: \$4,992.00

Landuse Code: 0006 VACANT TOWNHOME

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