



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 21-0803	
LUHO HEARING DATE: September 20, 2021	CASE REVIEWER: Steve Beachy, AICP

REQUEST: The applicant is requesting setback variances for an existing dwelling and to accommodate a proposed two-lot subdivision of property zoned ASC-1.

VARIANCE(S):

Rear Yard Setback, Parcel 1

Per LDC Section 6.01.01, the required minimum rear yard setback in the ASC-1 district is 50 feet. The existing home on the subject property will be located on the proposed Parcel 1 and will not meet the required rear yard setback from the new lot line created by the subdivision. The applicant requests a 5-foot reduction to the required 50-foot rear setback to allow a setback of 45 feet from the proposed south property line of Parcel 1.

Front Yard Setback, Existing Dwelling

Per LDC Section 6.01.01, the required minimum front yard setback in the ASC-1 district is 50 feet. The existing home on the property does not meet this requirement. The applicant requests a 3-foot reduction to the required front yard setback to allow a setback of 47 feet from the north property line.

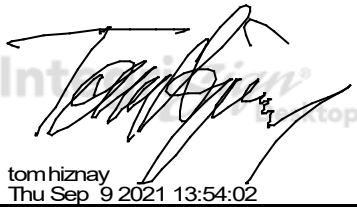
FINDINGS:

The subject property is accessed from Green Meadow Drive on the north property line. Therefore, the required front yard is along the north property line, the required rear yard is along the south property line, and the required side yards are along the east and west property lines. These yard orientations will also apply to the proposed lots.

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



tom hiznay
Thu Sep 9 2021 13:54:02

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



**Hillsborough
County Florida**
Development Services

601 E. Kennedy Blvd., 19th Floor | (813) 272 5600

Additional / Revised Information Sheet

Date Stamp Here

Application Number: VAR21-0803 Applicant's Name: Yemile Y Gonzalez

Reviewing Planner's Name: Steve Beachy Date: 06/27/2021

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): 07/26/2021

The following must be attached to this Sheet.

- Cover Letter with summary of the changes and/or additional information provided. If a revised Site Plan is being submitted, all changes on the site plan must be listed in detail in the Cover Letter.
- An updated Project Narrative consistent with the changes or additional information provided, if applicable.

Submittal Via:

- Email (Preferred). Note that no follow up paper file is necessary. Pdf format only. Maximum attachment(s) size is 15 MB.

Email this sheet along all the additional/revised submittal items in pdf to: ZoningIntake-DSD@hcflgov.net

- Mail or delivery. Number of Plans Submitted: Large _____ Small _____

For PD, MM, PRS and SU: 7 large copies 24"X36", one small 8.5X11".
 For RZ-Standard: if plot plan is larger than 8.5"X11", 7 large copies should be submitted.
 For Minor Change: 6 large copies.
 For Variances or Conditional Use permits: one 8.5"X11" or larger)

Mail to:
 Development Services Department
 Community Development Division
 P.O. Box 1110
 Tampa, FL 33601-1110

Hand Deliver to:
 County Center
 Development Services Department
 19th Floor
 601 E. Kennedy Blvd., Tampa

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.



 Signature

06/27/2021

 Date

FOR OFFICE USE ONLY

Notification E-Mail Sent Scanned into OPTIX

Transmittal Completed In-Take Completed by: _____

Cover Letter



June 27, 2021

On Point Surveying, Inc.
Douglas H. Negrón, President
2550 Egret Loop
Kissimmee, FL 34743

Hillsborough County Variance Application VAR21-0803

Please see enclosed the following documents:

1. Proof of Notice Affidavit
2. Letter of Notice
3. Additional-Revised Information Sheet
4. Revised Survey/ Site Plan
 - a. Site Plan has been revised to show all the distances from the existing house to all the property lines.
 - b. The Applicant need a Setback Variance on both sides of the existing house (North and South).
5. All the Certificate of Mailing stamped by the post office.

Thank you,

Douglas Negrón, PSM
President
Florida Survey License No. 6901
Cell: 407-989-8102
douglas.negron@on-pointsurveying.com

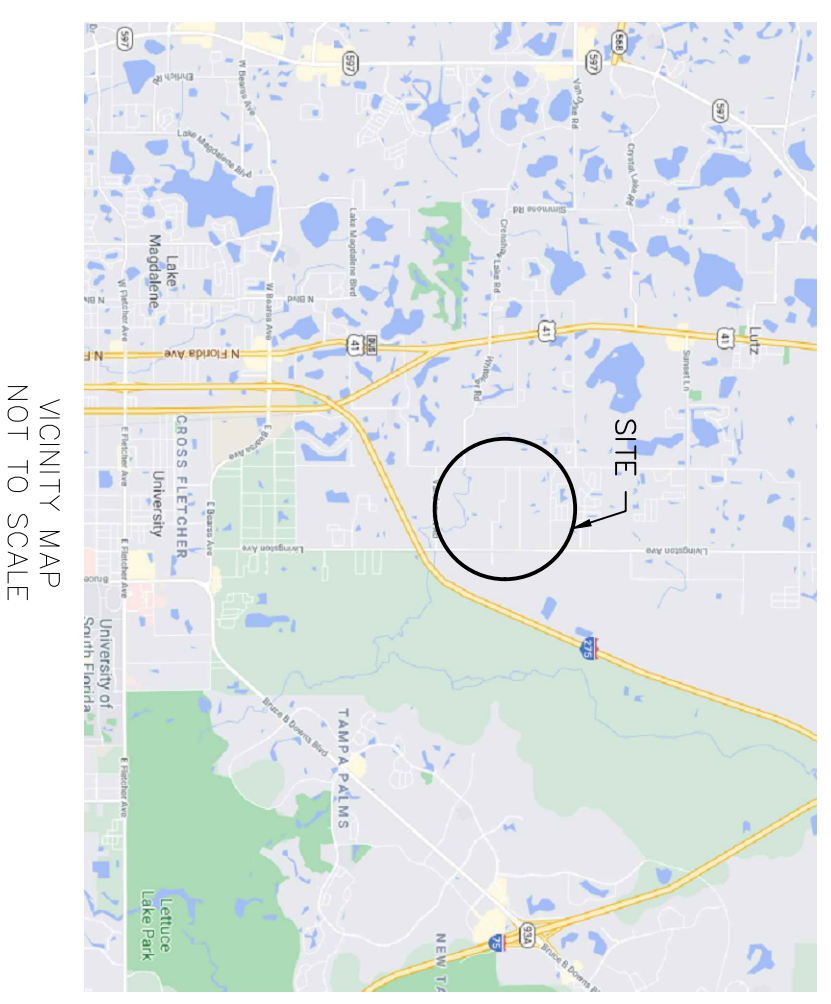
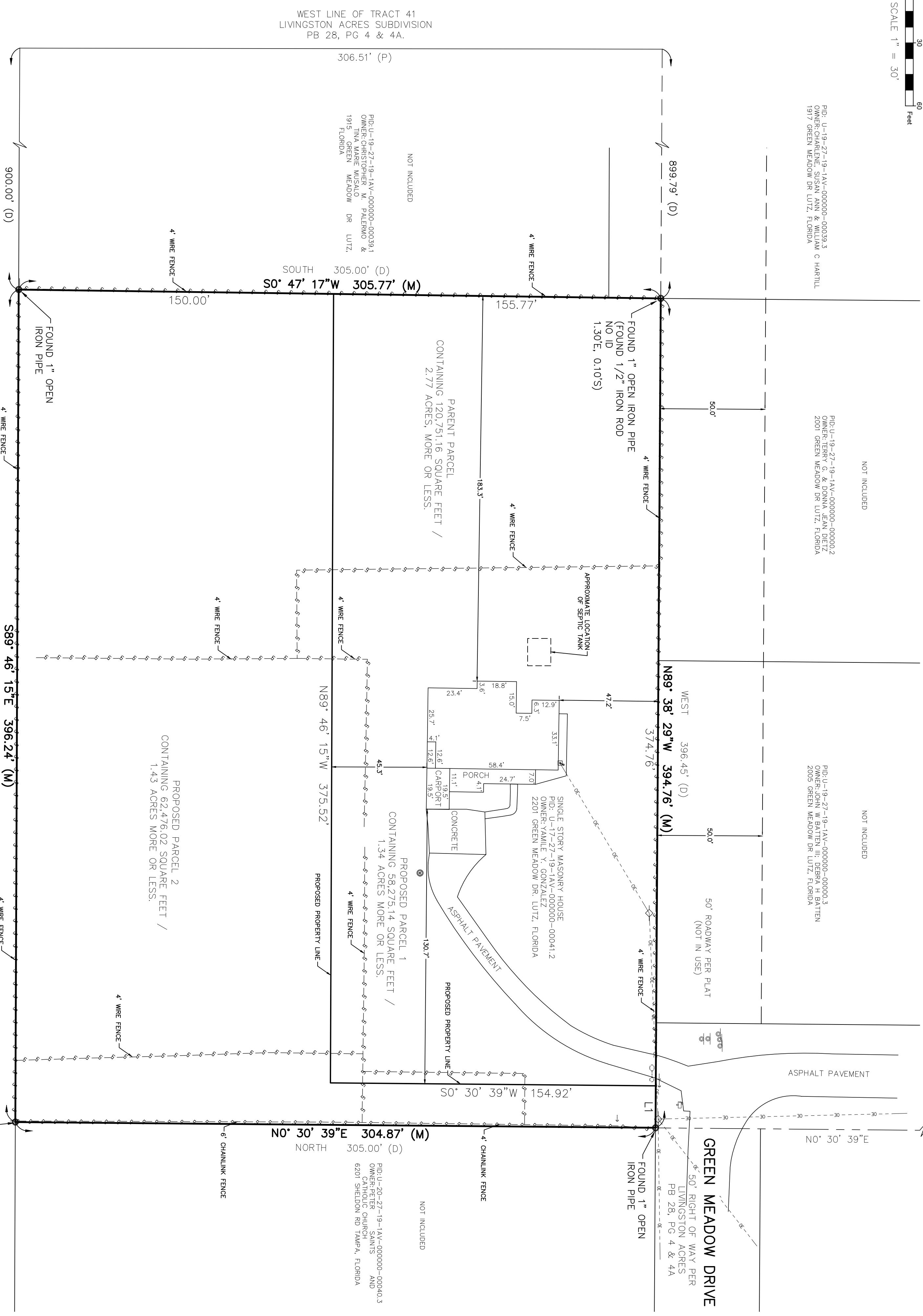
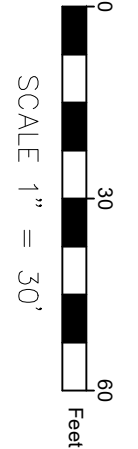
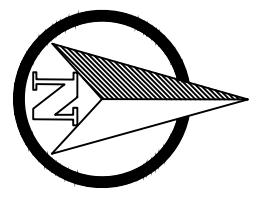
P.O. Box 770931
Winter Garden, FL 34777
Phone: 407-989-8102
marketing@on-pointsurveying.com
on-pointsurveying.com

SECTION 19, TOWNSHIP 27 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA

PARENT PARCEL DESCRIPTION:
FROM THE SOUTHEAST CORNER OF TRACT 41 OF LIVINGSTON ACRES SUBDIVISION ACCORDING TO MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGES 4 & 4A OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA; RUN THENCE NORTH 305.00 FEET; THENCE WEST 396.45 FEET; THENCE SOUTH 303.00 FEET; THENCE EAST 396.45 FEET TO POINT OF BEGINNING; ALL LYING AND BEING IN HILLSBOROUGH COUNTY, FLORIDA.

PROPOSED PARCEL 1 DESCRIPTION:
FROM THE SOUTHEAST CORNER OF TRACT 41 OF LIVINGSTON ACRES SUBDIVISION ACCORDING TO MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGES 4 & 4A OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA; RUN THENCE NORTH 303.00 FEET; THENCE WEST 396.45 FEET; THENCE SOUTH 303.00 FEET; THENCE EAST 396.45 FEET TO POINT OF BEGINNING; ALL LYING AND BEING IN HILLSBOROUGH COUNTY, FLORIDA.

PROPOSED PARCEL 2 DESCRIPTION:
FROM THE SOUTHEAST CORNER OF TRACT 41 OF LIVINGSTON ACRES SUBDIVISION ACCORDING TO MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGES 4 & 4A OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA; RUN THENCE NORTH 303.00 FEET; THENCE WEST 396.45 FEET; THENCE SOUTH 303.00 FEET; THENCE EAST 396.45 FEET TO POINT OF BEGINNING; ALL LYING AND BEING IN HILLSBOROUGH COUNTY, FLORIDA.



NOTES:

1. THIS MAP REPRESENTS A BOUNDARY SURVEY.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE.
3. MORE INTERIOR FENCES MIGHT EXIST IN THE PROPERTY.
4. BEARINGS SHOWN HEREON ARE BASED ON THE EAST BOUNDARY LINE OF LOT 41 PER "LIVINGSTON ACRES" AS RECORDED IN PLAT BOOK 28, PAGE 4 & 4A OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA SAID LINE BEING N 00°30'39\"/>
- 5. UNDERGROUND UTILITIES WERE NOT LOCATED.
- 6. THE EXISTING WELL LOCATION SHOWN HEREON IS APPROXIMATE, AND WAS FOUND PER THE OWNERS KNOWLEDGE OF LOCATION; THE SURVEYOR DID NOT HAVE A VISUAL OF THE WELL AS IT WAS UNDERGROUND.
- 7. THE SEPTIC TANK LOCATION SHOWN HEREON IS APPROXIMATE, AND WAS FOUND PER THE OWNERS KNOWLEDGE OF LOCATION; THE SURVEYOR DID NOT HAVE A VISUAL OF THE TANK AS IT WAS UNDERGROUND.
- 8. ADDITIONAL INFORMATION SHOWN HEREON WAS TAKEN OUT OF THE HILLSBOROUGH COUNTY PROPERTY APPRAISER'S WEBSITE ON FEBRUARY 15, 2021.
- 9. FEMA FLOOD MAP: PROPERTY LIES WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FIRM MAP NUMBER 12057C0210H, WITH AN EFFECTIVE REVISION DATE OF AUGUST 28, 2008.
- 10. LAST FIELD DAY, JANUARY 2, 2021.

Parcel Line #	Length	Direction
L1	20.00	N89° 36' 29\"/>

- ABBREVIATIONS**
- (D) DEED
 - (P) PLAT
 - (M) MEASURED
 - PB PLAT BOOK
 - PG PAGE
- LEGEND**
- ▲ - SIGN
 - - UTILITY POLE
 - - LIGHT POLE
 - ⊙ - GUY ANCHOR
 - ⊞ - MAIL BOX
 - - EXISTING WELL
 - - OVERHEAD POWER

I HEREBY CERTIFY THAT THIS "BOUNDARY SURVEY" WAS PREPARED UNDER MY DIRECTION AND IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF AND FURTHER, THAT SAID SURVEY MEETS THE INTENT OF THE APPLICABLE PROVISIONS OF THE "STANDARD PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA," PURSUANT TO RULE 5A-17 OF THE FLORIDA ADMINISTRATIVE CODE AND ITS IMPLEMENTING CHAPTER 472.027 OF THE FLORIDA STATUTES.

BY: **DOUGLAS H. NEAGON, P.S.M., P.**
Professional Surveyor and Mapper,
Florida Certificate No. 8901



JUNE 27, 2021

NOTICE: NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS AND REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES. THIS NOTICE IS REQUIRED PURSUANT TO RULE 5A-17 OF THE FLORIDA ADMINISTRATIVE CODE.

BOUNDARY SURVEY
PREPARED FOR AND CERTIFIED TO:
YEMILE GONZALEZ

ON POINT SURVEYING, INC.
2550 EURET LOOP
KISSIMEE, FLORIDA 34743
407-989-8102
WWW.ON-POINTSURVEYING.COM
LICENSE BUSINESS NUMBER 8319



DATE	REV. BY	REV. NO.	REVISION
06-25-21	DHN	1	ADDED DISTANCES FROM EXISTING HOUSE TO ALL THE PROPERTY LINES

SHEET
OF 1 SHEET
20-0002-01

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.

THE OWNER OF 2201 GREEN MEADOW DR, FOLIO 033702-0000
FILED FOR A LOT SPLIT OF HER PROPERTY
WHERE SHE CURRENTLY HAS A HOUSE. UPON
ADDING THE NEW BOUNDARY LINE, WHICH WOULD
SPLIT THE LOT INTO TWO, IT WILL MEASURE 45.33'
FROM THE EXISTING HOUSE. WE ARE REQUESTING A
VARIANCE OF 5 FEET FROM THE REQUIRED REAR YARD
SETBACK OF 50 FEET RESULTING IN A REAR YARD
SETBACK OF 45 FEET.

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

THE LOT IS WITHIN ZONING ASC-1. THE REAR
YARD (OPPOSITE END OF THE LOT IN THE FRONT YARD) HAS
A MINIMUM SETBACK OF 50 FEET. THE EXISTING HOUSE IS WITHIN 45.33 FEET
OF THE NEW BOUNDARY
LINE.

ADDITIONAL INFORMATION

1. Have you been cited by Hillsborough County Code Enforcement? No X 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 X If yes, please indicate the nature of the application and the case numbers assigned to the application(s): WE FILED A LOT SPLIT
3. Is this a request for a wetland setback variance? No X 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 X Septic Tank X
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 X 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 19th 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 HARDSHIP IS UNIQUE GIVEN THAT THE EXISTING HOUSE IS ALREADY IN PLACE AND THE PROPOSED PROPERTY LINE, WHICH WILL DIVIDE THE LOT INTO TWO, NEEDS TO FOLLOW SPECIFIC MINIMUM GUIDELINES WHICH, IN TURN, WILL LOCATE THE LINE INSIDE THE REQUIRED MINIMUM SETBACK.

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.

WITHOUT THE VARIANCE, THE OWNER WILL NOT BE ABLE TO SPLIT HER LOT AND WILL DEPRIVE HER FROM SELLING IT.

3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.

THE ONLY NEIGHBOR THAT WOULD BE AFFECTED BY THIS VARIANCE WOULD BE THE "FUTURE LOT OWNER" OF THE BACK OF THE PROPERTY. THIS FUTURE LOT OWNER IS AWARE, AND IN AGREEMENT OF SAID CHANGES. THE FUTURE LOT OWNER ALSO HAS AGREED TO PAY FOR ANY CHARGES RELATED TO THE VARIANCE.

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

THIS VARIANCE WOULD NOT INTERFERE WITH THE INTENT AND THE PURPOSE OF THE LDC IN ANY WAY. THE SOLE PURPOSE OF THIS VARIANCE IS TO BE ABLE TO SPLIT THE LOT INTO 2.

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.

THIS VARIANCE IS BEING REQUESTED TO BE ABLE TO SPLIT THE LOT. NO SELF-IMPOSED HARDSHIP WILL TAKE PLACE.

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 OWNER WANTS TO SPLIT THE LOT AND SELL THE BACK LOT TO HER PASTOR/DOCTOR. THE ONLY WAY TO MAKE THE SALE HAPPEN IS WITH A VARIANCE.

CODES TIME 11 21A
11550290 101 0006 28AG05
RECORDED 038228 A
CK 430.00
A. D. 19 85, 430.00

This Indenture, Made this 26 day of August, A. D. 19 85,
BETWEEN TONY MILITELLO and wife, FRANCES MILITELLO
OFF. REC. 4627 1028

of the County of Hillsborough and State of Florida

parties of the first part, and ADOLFO GONZALEZ and wife, YEMILE Y. GONZALEZ,
whose post office address is: 2201 Green Meadow DR, Lutz, 33549

of the County of Hillsborough and State of Florida parties of the

second part, WITNESSETH, that the said parties of the first part, for and in consideration of the sum of

TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS -----XXXXXXXXXX

to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and transferred, and by these presents do grant, bargain, sell and transfer unto the said parties of the second part and their heirs and assigns forever, all that certain parcel of land lying and being in the County

of Hillsborough, and State of Florida, more particularly described as follows:

From the Southeast corner of Tract 41 of LIVINGSTON ACRES SUBDIVISION according to map or plat thereof as recorded in Plat Book 28, Pages 4 and 4-A of the Public Records of Hillsborough County, Florida, run thence North 305 feet; thence West 396.45 feet; thence South 305 feet thence East 396.45 feet to the point of beginning, all lying and being in Hillsborough County, Florida; TOGETHER WITH shades, drapes, rods, stove, refrigerator, washer, dryer and wall-to-wall carpeting in livingroom and hall.

TOGETHER with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining: TO HAVE AND TO HOLD the same in fee simple forever.

And the said parties of the first part covenant with the said parties of the second part that they are lawfully seized of the said premises that they are free from all encumbrances save and except covenants, reservations and restrictions of record, if any; taxes and assessments for 1985 and subsequent years

and that they have good right and lawful authority to sell the same; and that the said parties of the first part do hereby fully warrant the title to the said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seal the day and year above written.

Signed, Sealed and Delivered in Our Presence:

Raul Roque
Dulena Alloway

Tony Militello (SEAL)
Tony Militello
Frances Militello (SEAL)
Frances Militello

REC. FEE	5.00
James F. Taylor, Jr.	
CLERK CIRCUIT COURT	
HILLSBOROUGH CO.	
TOTAL	430.00
REG. CLK.	2.00

State of FLORIDA
County of HILLSBOROUGH

Intangible Tax P. \$ _____
Documentary Tax P. \$ 425.00
James F. Taylor, Jr. Clerk Hillsborough County
By: *A. Mason* Deputy Clerk

I HEREBY CERTIFY, That on this 26 day of August, A. D. 19 85 before me personally appeared TONY MILITELLO and wife, FRANCES MILITELLO

to me known to be the persons described in and who executed the foregoing conveyance to ADOLFO GONZALEZ and wife, YEMILE Y. GONZALEZ and severally acknowledge the execution thereof to be their free act and deed for the uses and purposes therein mentioned; ~~XXXXXXXXXX~~ ~~XXXXXXXXXXXXXXXXXXXX~~

by and before me, and separately and apart from her said husband, did acknowledge that she made herself a party to the said Deed of Conveyance for the purpose of renouncing, relinquishing and conveying all her right, title and interest, whether of dower or of separate property, statutory or equitable, in and to the lands therein described, and that she executed said deed freely and voluntarily, and without any constraint, fear, apprehension or compulsion of or from her said husband.

WITNESS my signature and official seal at TAMPA in the County of HILLSBOROUGH and State of FLORIDA, the day and year last aforesaid.
Notary Public, State Of Florida At Large
My Commission Expires Aug. 5, 1988
Bonded By SAFECO Insurance Company of America
Raul Roque (SEAL)
Notary Public



Received
05/06/2021
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: 2201 GREEN MEADOW DR City/State/Zip: LOTZ, FL 33549 TWN-RN-SEC: 19-27S-19E
Folio(s): 033702-0000 Zoning: ASC-1 Future Land Use: RESIDENTIAL Property Size: 2.77 Ac

Property Owner Information

Name: YEMILE Y. GONZALEZ Daytime Phone: _____
Address: 2201 GREEN MEADOW DR City/State/Zip: LOTZ, FL 33549
Email: yyadid@hotmail.com FAX Number: _____

Applicant Information

Name: DOUGLAS H. NEGRON, PSM Daytime Phone: 407-989-8102
Address: 2550 EGRET LOOP City/State/Zip: KISSIMMEE FL 34743
Email: douglas.negron@on-pointsurveying.com FAX Number: _____

Applicant's Representative (if different than above)

Name: N/A 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
DOUGLAS H. NEGRON
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

Type or Print Name

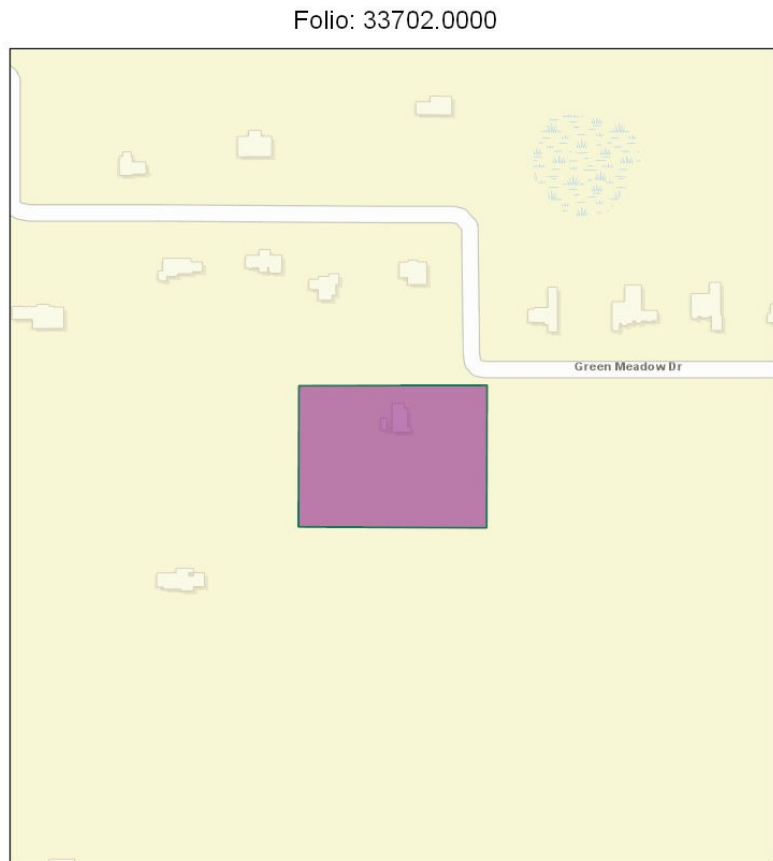
Office Use Only

Intake Staff Signature: Ana Lizardo Intake Date: 05/06/21
Case Number: 21-0803 Public Hearing Date: 07/26/21
Receipt Number: 21-0803

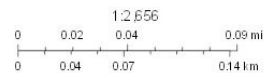


PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	ASC-1
Description	Agricultural - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0210H
FIRM Panel	12057C0210H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	A
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120210E
County Wide Planning Area	Lutz
Community Base Planning Area	Lutz
Census Data	Tract: 011007 Block: 3001
Future Landuse	R-1
Mobility Assessment District	Rural
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



May 10, 2021



Hillsborough County, Florida

Folio: 33702.0000
PIN: U-17-27-19-1AV-000000-00041.2
YEMILE Y GONZALEZ
Mailing Address:
 2201 GREEN MEADOW DR
 LUTZ, FL 33549-5568
Site Address:
 2201 GREEN MEADOW DR
 LUTZ, FL 33549
SEC-TWN-RNG: 17-27-19
Acreage: 2.86933994
Market Value: \$278,261.00
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.

21-0803