



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-0851	
LUHO HEARING DATE: December 19, 2022	CASE REVIEWER: Israel Monsanto

REQUEST: The applicant is requesting variances from the requirements found in Land Development Code Section 3.10.00, Citrus Park Village Development Regulations. The site is located south of Ehrlich Rd and east of the Upper Tampa Bay trail in Tampa and is approximately 12 acres in size. The site is within the CPV A-6, A-1 and A-2 subdistricts and is mostly vacant. The applicant intends to develop the site with a multifamily residential project. The CPV Development Regulations requires specific site design standards, including block pattern, building placement and orientation, building design, street design and street connectivity ratio. The project will be adding internal driveways to serve as access to the multifamily units. Per the submitted site plan, the project would not be meeting the building orientation, block pattern requirements, street design and connectivity ratio. In order to accommodate the proposed project design, variances from three CPV standards are needed. All other requirements of the CPV will be met. The variances requested are as follows:

VARIANCE(S):

SUMMARY OF VARIANCES	REQUIREMENTS	VARIANCE	RESULT	APPLICABLE LDC SECTION
Variance to the Block Pattern.	New development shall occur in a block pattern. Each block shall be rectangular in shape and framed by public streets on at least three sides. The maximum length of any block face shall be 650 feet. Variances to these requirements may be allowed in accordance with Part 11.04.00 of this Code only to the minimum degree necessary to accommodate irregular parcel boundaries, natural features or existing development patterns on adjacent properties.	To eliminate the requirement for the rectangular shape and the block to be framed by public streets	The project would not have a block pattern with a rectangular shape with public streets framing the blocks. The project would consist of a one-way private driveway loop and with a public access easement.	3.10.06.01 Block Pattern
Variance to Street Connectivity	New streets within a project shall achieve a connectivity ratio of not less than 2.0. For purposes of this regulation, "connectivity ratio" is the number of street links divided by the number of nodes. A "link" is each portion of a street defined by a node at both ends or at one end. A "node" is the intersection of two (2) or more streets, a street corner, a cul-de-sac head or a dead-end. Notwithstanding, connections with existing streets and paved stubouts to adjacent properties to accommodate future street connections shall not be considered nodes.	To eliminate the requirement of the Connectivity Ratio	The Connectivity Ratio is undefined and, therefore, will not be met (1 link / 0 node). The project would consist of a single private driveway and a network of sidewalks with public access easements.	3.10.06.02 Street Connectivity
Variance to Street Design	New streets and improvements of existing streets, excluding regulated roadways as defined in the Hillsborough County Comprehensive Plan, shall conform to the design standards established in this Part and the Transportation Technical Manual cross sections and design criteria for Traditional Neighborhood Developments, henceforth identified as TND Street Standards. Development shall comply with standards for roadway access in the Transportation Technical Manual.	To vary the design standards of new streets and improvements of existing streets as established by the CPV standard and the Transportation Technical Manual cross sections and design criteria for TNDs per the LDC.	A single lane road would be allowed to be constructed in lieu of a two lane road as required by the Transportation Technical Manual cross sections and design criteria for Traditional Neighborhood Developments.	3.10.06.03 Street Design
Variance to Building Orientation	The front of all principal buildings shall face an improved street right-of-way and shall not be separated from the right-of-way by another building, storm water facility or common parking area or driveway serving more than one dwelling unit. On parcels with multiple street frontages, buildings shall front the street with the higher functional classification or block face with relatively greater length to the maximum extent possible before facing other streets.	To allow the front of buildings not to be facing an improved right of way.	A number of blocks would consist of buildings not facing an improved right of way. Buildings would be allowed to face a courtyard.	3.10.06.07 Building Orientation

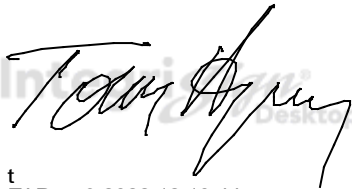
FINDINGS:

There are unimproved public rights-of-way within the project boundaries. Pursuant to LDC *Sec. 3.10.06.04. - Street Vacations*, existing street rights-of-way shall not be vacated where such action decreases through-route opportunities for vehicular traffic. The application is not requesting any such variances since the variance site plan does not require the vacation of any rights of way which would decrease through-route opportunities for vehicular traffic. The applicant's request for right of way vacation requires approval of the Board of County Commissioners (BOCC) and must be consistent with this plan if approved by this variance petition. However, approval of these variances does not guarantee that future right of way vacations would be approved by the BOCC. Additionally, the applicant has submitted conceptual street designs for review by the County Engineer. The County Engineer is not permitted to adjudicate such requests until and unless a variance approval from Sec 3.10.6.03 requirements is received.

DISCLAIMER:

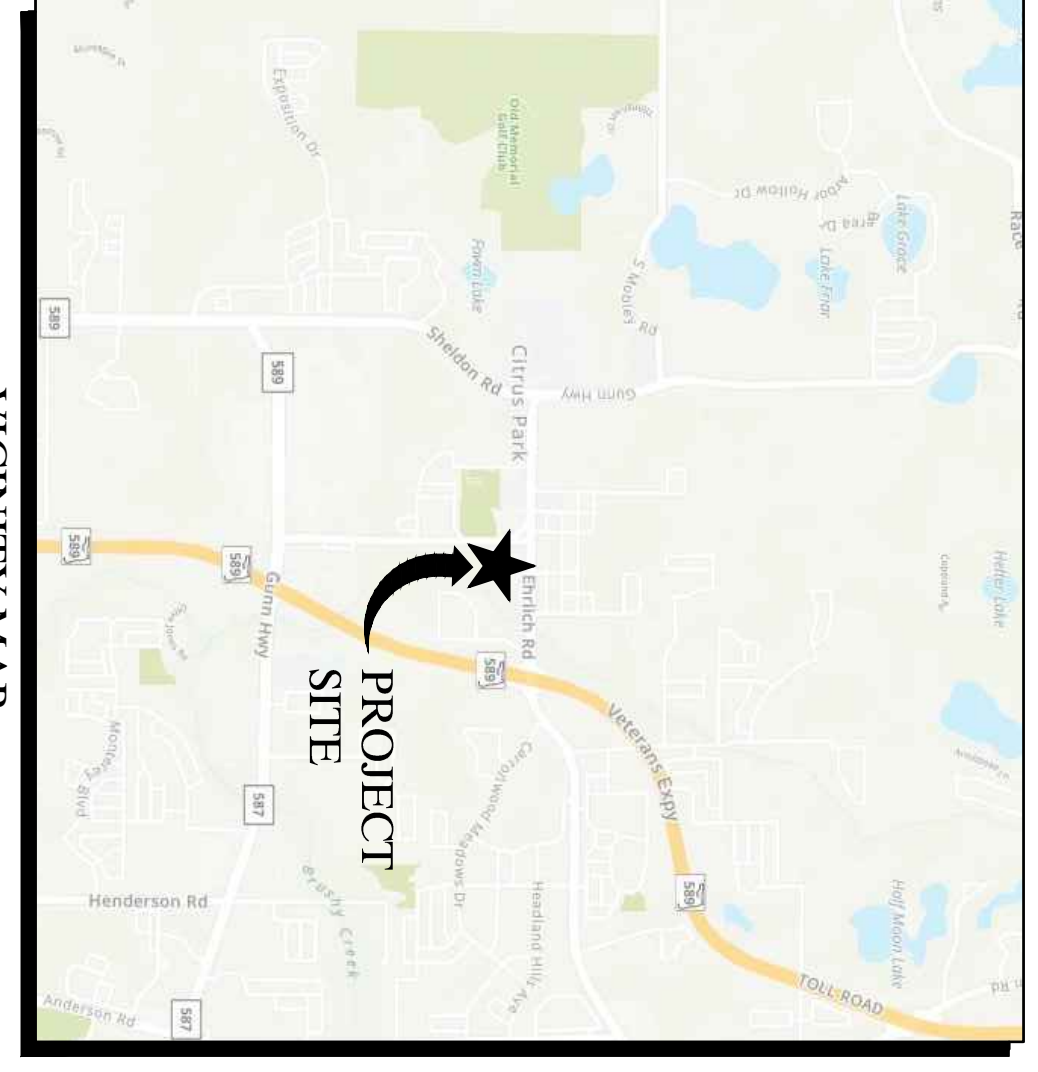
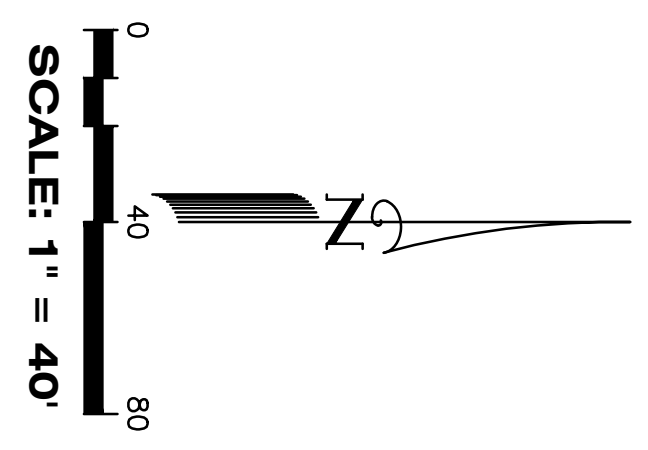
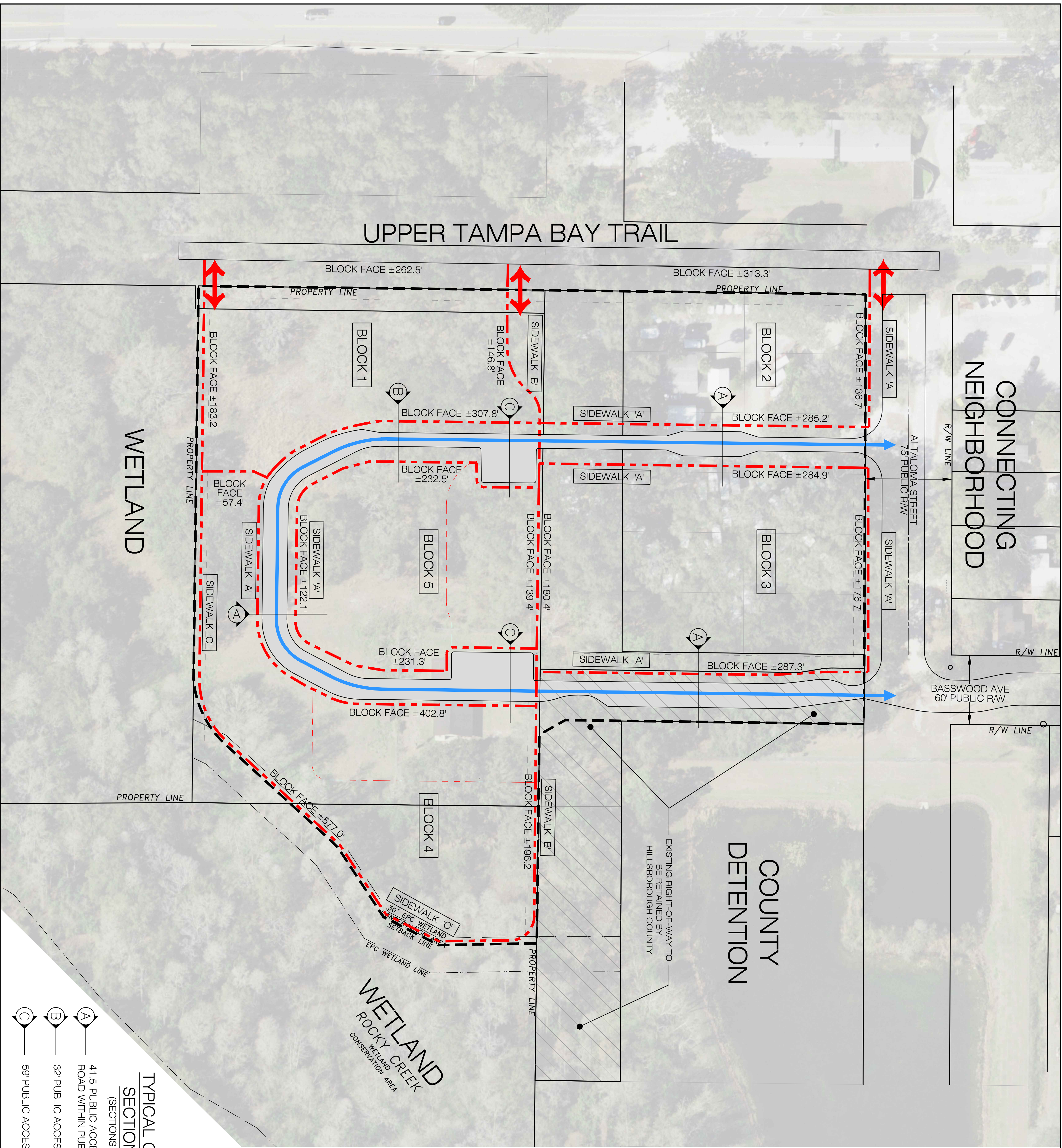
The variances listed above are based on the information provided in the application by the applicant. Additional variances may be needed after the site has applied for development permits. The granting of these variances does not obviate the applicant or property owner from attaining all additional required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

ADMINISTRATOR'S SIGN-OFF

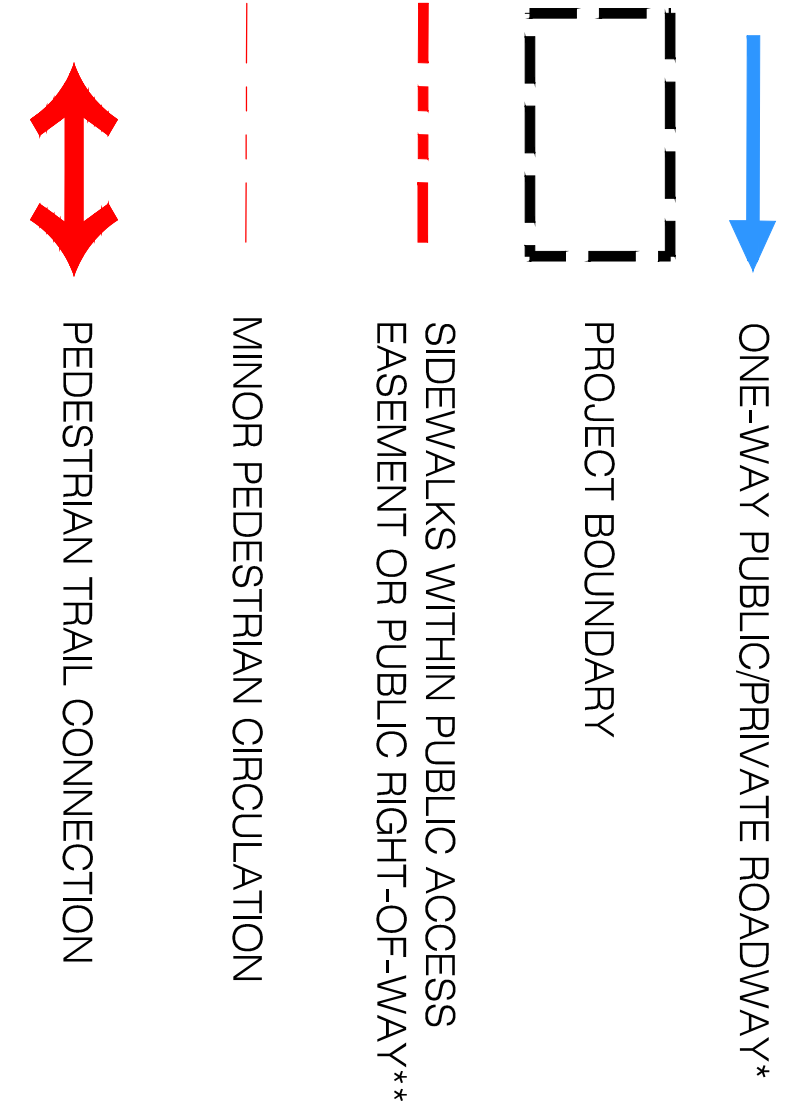


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Fri Dec 9 2022 12:10:44

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



CONNECTION DIAGRAM



* PUBLIC ACCESS EASEMENT WILL BE DEDICATED AND CONVEYED TO THE COUNTY FOR THOSE PORTIONS OF THE ROADWAY NOT WITHIN PUBLIC RIGHT-OF-WAY.

** DEVELOPER TO PROVIDE PUBLIC ACCESS EASEMENTS AT THE TIME OF PLATSITE CONSTRUCTION PLAN SUBMITTAL FOR ALL SIDEWALKS SHOWN.

TRAILSIDE

Hillsborough County, Florida

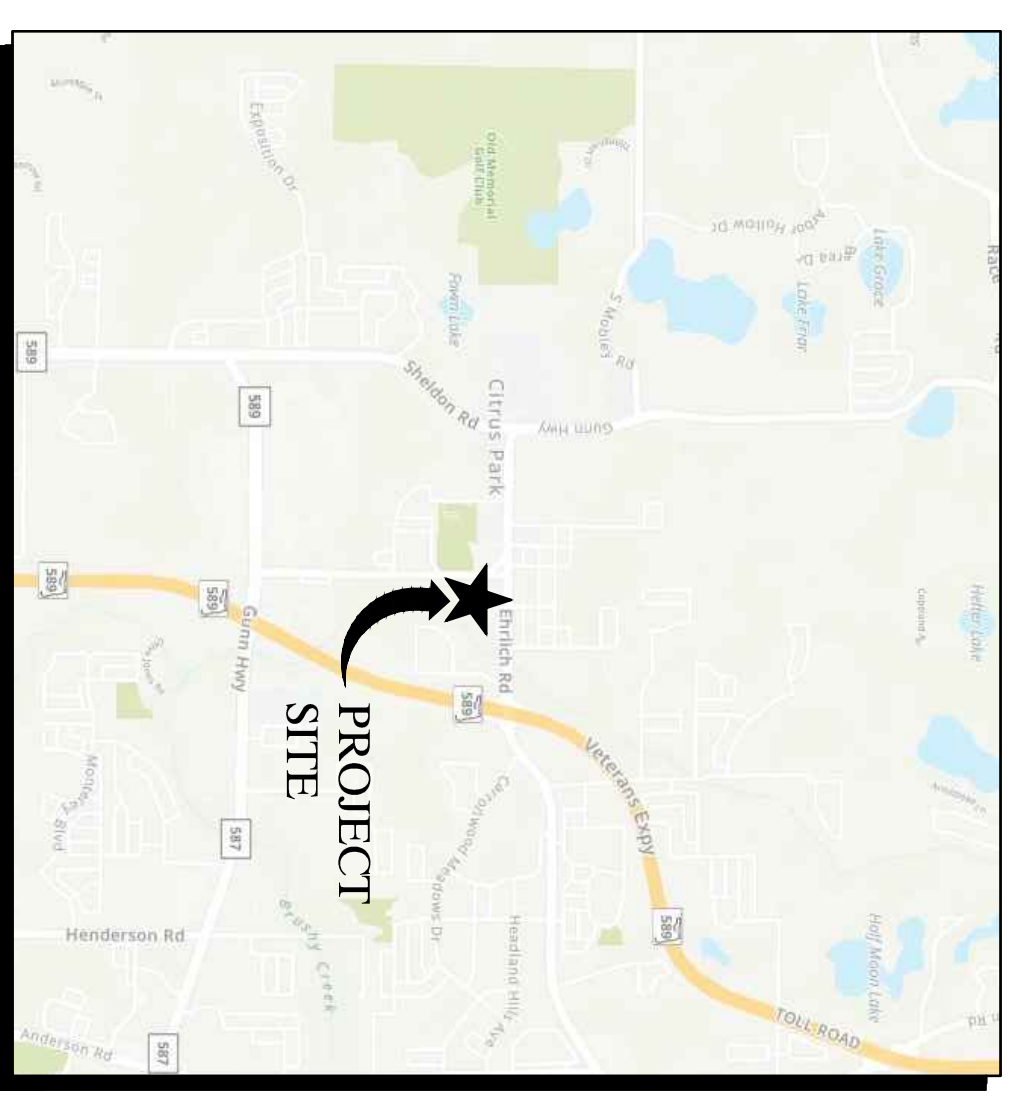
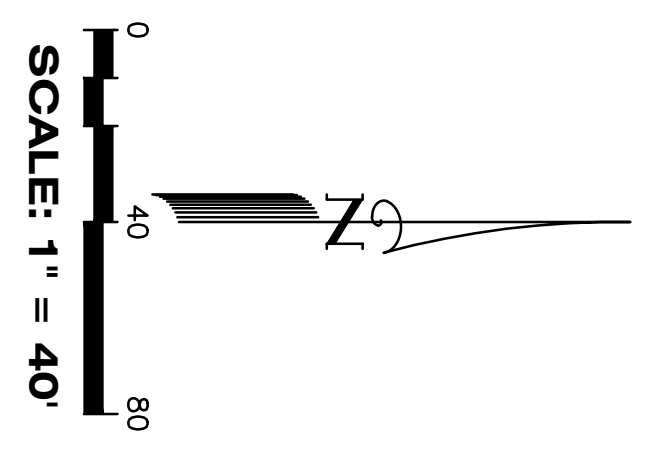
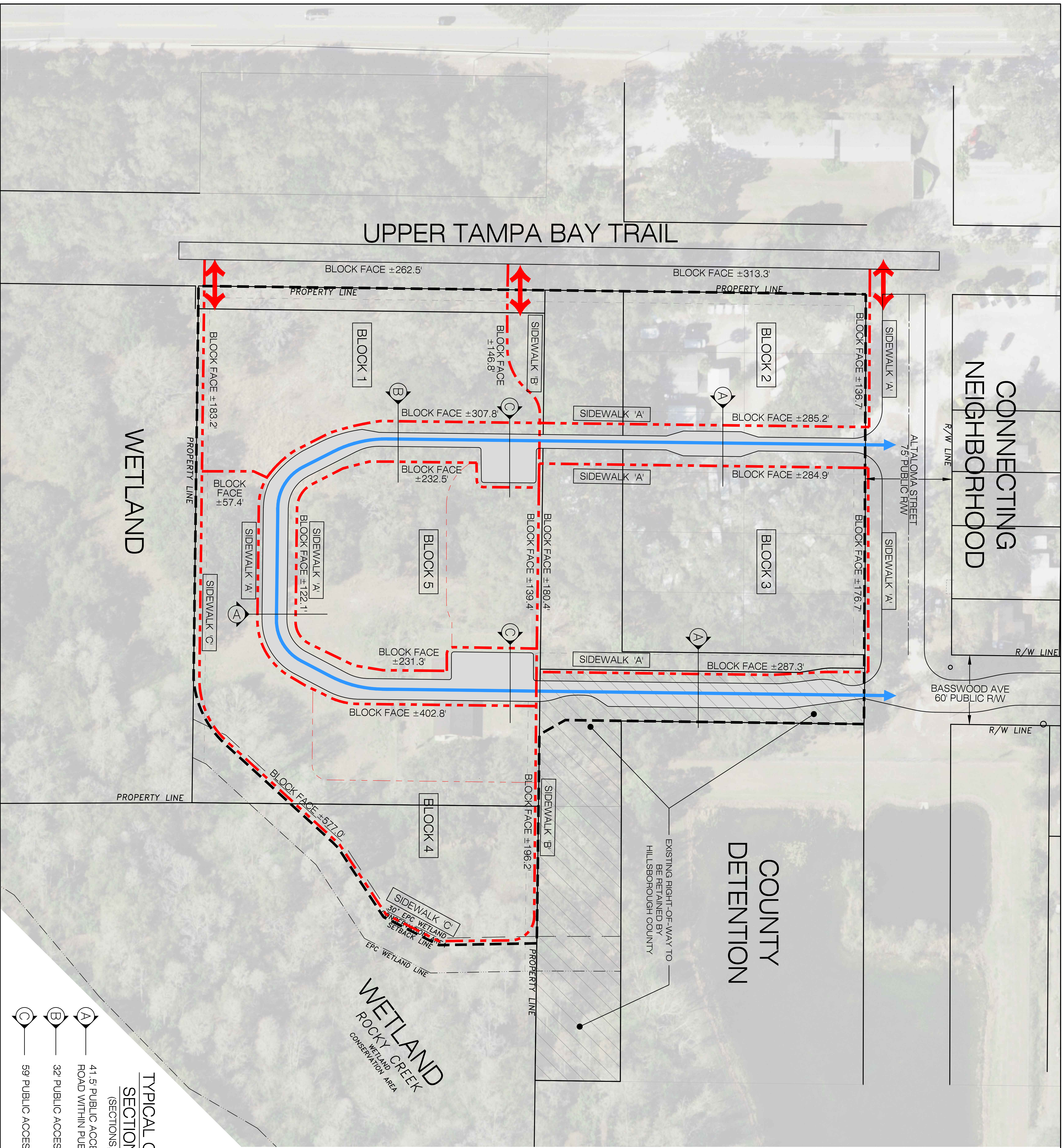
PREPARED FOR:
WOLF DEVELOPMENT PARTNERS, LLC
 3715 E 7th Ave
 Tampa, Florida 33605
 Phone: (813) 557-9041

PREPARED BY:
Fuxan Engineering, Inc.
 15018 Maurine Cove Ln.
 Odessa, Florida 33556
 Phone: 813-244-6194
 Engineering Business Certificate of Authorization No. 26548

TYPICAL ONSITE ROAD SECTIONS LEGEND

(SECTIONS, SHEET 2 OF 2)

- 41.5' PUBLIC ACCESS EASEMENT/ ROAD WITHIN PUBLIC RIGHT-OF-WAY
- 32' PUBLIC ACCESS EASEMENT
- 59' PUBLIC ACCESS EASEMENT



CONNECTION DIAGRAM



** PUBLIC ACCESS EASEMENT WILL BE DEDICATED AND CONVEYED TO THE COUNTY FOR THOSE PORTIONS OF THE ROADWAY NOT WITHIN PUBLIC RIGHT-OF-WAY.

** DEVELOPER TO PROVIDE PUBLIC ACCESS EASEMENTS AT THE TIME OF PLATSITE CONSTRUCTION PLAN SUBMITTAL FOR ALL SIDEWALKS SHOWN.

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TYPICAL ONSITE ROAD SECTIONS LEGEND

(SECTIONS: SHEET 2 OF 2)

-
-
-

This instrument was prepared by:
PLEASE RETURN TO: C Porto
410 South Ware Boulevard, Suite 105
Tampa, FL 33619

Property Appraiser's
Parcel Identification No: 003159-2000 (Parcel 1);
003009-0000 (Parcel 2); 003157-0000 (Parcel 3)

WARRANTY DEED

This Warranty Deed, made this 20 day of August 2021, Between **Burdette W. Docter, as Personal Representative of the Estate of Rebecca V. Docter and Burdette W. Docter, as an individual and as heir and beneficiary of the Estate of Rebecca V. Docter** whose post office address is 14302 Basswood Ave., Tampa, FL 33625, (hereinafter "Grantor(s)*"), and **Trailside Citrus Park, LLC, (Document No. L21000287641), a Limited Liability Company** (hereinafter "Grantee(s)*", whose post office address is 214 Blanca Ave., Tampa, FL 33606.

(Wherever used herein, the terms "grantor" and "grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations wherever the context so admits or requires.)

Witnesseth that said Grantor(s), for and in consideration of the sum of Ten Dollars, (\$10.00) and other good and valuable consideration to said Grantor(s) in hand paid by said Grantee(s), the receipt whereof is hereby acknowledged, has granted, bargained and sold or otherwise transferred to the said Grantee(s), the following described land, situate, lying and being in the following county, to-wit:

Legal Description Attached as Exhibit "A"

**Parcel ID No.: 003159-2000 (Parcel 1); 003009-0000 (Parcel 2);
003157-0000 (Parcel 3)
A/K/A Property Address: 14302 Basswood Ave., Tampa, FL 33625**

This is not the Homestead Property of the Grantor(s).

To have and to hold, the same in fee simple forever.

And the grantor hereby, covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except for real estate taxes for the year 2021 and subsequent years.

*"Grantor(s)" and "Grantee(s)" are used for singular or plural, as context requires.

In Witness Whereof, Grantor(s) has hereunto set Grantor(s)' hand and seal the day and year first above written.
Signed, sealed, and delivered in our presence:

TL ER
(First Witness)
Printed name: Thomas E Brocknell

Burdette W. Docter
Grantor
Printed name: Burdette W. Docter, as an individual and heir and beneficiary of The Estate of Rebecca V. Docter

Gracen M. Barfoot
(Second Witness)
Printed Name: Gracen M. Barfoot

STATE OF ~~FLORIDA~~ Alabama

COUNTY OF ~~HILLSBOROUGH~~ Elmore

THE FOREGOING INSTRUMENT was acknowledged before me, by means of physical presence or online notarization this 20 day of August, 2021, by Burdette W. Docter, as an individual and heir and beneficiary of The Estate of Rebecca V. Docter, who is (or are) personally known to me or who has (have) produced _____ as identification.



Ashley Strength
Notary Public
Printed Name: Ashley Strength
My Commission Expires: 9-18-23

Thomas F. Bracknell
(First Witness)
Printed name: Thomas F. Bracknell

Burdette W. Docter
Grantor
Printed name: Burdette W. Docter, as Personal Representative
of The Estate of Rebecca V. Docter

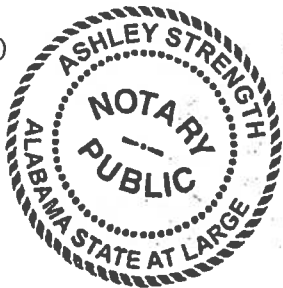
Gracen M Barkoot
(Second Witness)
Printed Name: Gracen M Barkoot

STATE OF ~~FLORIDA~~ Alabama

COUNTY OF ~~HILLSBOROUGH~~ Elmore

THE FOREGOING INSTRUMENT was acknowledged before me, by means of physical presence or online notarization this 30 day of August, 2021, by Burdette V. Docter, as Personal Representative of The Estate of Hollie Carter, who is (or are) personally known to me or who has (have) produced _____ as identification.

(SEAL)



Ashley Strength
Notary Public
Printed Name: Ashley Strength
My Commission Expires: 9-18-23

All of the above being in Township 28 South, Range 17 East, Hillsborough County, Florida.

LESS AND EXCEPT that portion thereof as conveyed to Hillsborough County by Joint Motion for Stipulated Order of Taking recorded in Official Records Book 7348, Page 885, of the Public Records of Hillsborough County, Florida.

Situate in the County of Hillsborough, State of Florida.

Prepared by:
Dean W. Birch, Esq.
12633 Bassbrook LN
Tampa, FL 33626

Return to:
Fidelity National Title of Florida, Inc.
11423 N Dale Mabry Highway
Tampa, FL 33618
F.L.# FT 2021-107876

Parcel I.D. Numbers: 003469-0000,
003469-0100, 003470-0000,
003471-0000 and 003472-0000

Consideration: \$815,000.00
Doc. Stamps: \$5,705.00

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 28th day of July, 2021, by and between **FRANK J. GLAVAN (a/k/a Frank Glavan) and CAROLYN GLAVAN (a/k/a Carolyn S. Glavan)**, husband and wife, as "Grantor", whose post office address is: 19331 Ranch View Ct., Land O'Lakes, FL 34628, and **TRAILSIDE CITRUS PARK, LLC**, a Florida limited liability company, herein referred to as the "Grantee", whose post office address is: 214 Blanca Ave., Tampa, FL 33606.

WITNESSETH: That Grantor, for and in consideration of the sum of \$10.00, and other good and valuable consideration, to Grantor in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, sell, remise, release, convey and confirm to Grantee and its successors and assigns forever, all of the right, title, interest and claim of Grantor in and to the following described land in Hillsborough County, Florida, to wit:

Lot 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 68, MAP OF THE TOWN OF CITRUS PARK FLORIDA, according to the map or plat thereof as recorded in Plat Book 1, Page 130, of the Public Records of Hillsborough County, Florida.

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

This conveyance is subject to the following items to the extent they now exist, and any of the following items that have previously terminated or become unenforceable are not hereby re-imposed: (a) property taxes and assessments for the year 2021 and all subsequent years; (b) covenants, restrictions and public utility easements of record; (c) existing zoning and governmental regulations; (d) all matters shown on the plat of MAP OF THE TOWN OF CITRUS PARK FLORIDA, as recorded in Plat Book 1, Page 130, of the Public Records of Hillsborough County, Florida, as well as all matters otherwise common to the subdivision; and (e) all gas, oil and/or mineral rights without right of entry or where right of entry has been terminated including, but not limited to, those recorded in Deed Book 1391, Page 29 (but excluding therefrom any right of entry therein which has been released pursuant to F.S. Section 270.11), as subsequently affected by Release of Road Reservation recorded in Official Records Book 9623, Page 1878, both of the Public Records of Hillsborough County, Florida. This conveyance is also made by Grantor, and accepted by Grantee, on an "AS-IS" basis except as to warranties of title set forth herein.

This instrument is based solely on facts and documentation provided by the parties hereto and the title company, and pursuant to their instructions, and the preparer has not verified anything regarding the property including, without limitation, the legal description or the availability of legal access to the property described above.

GRANTOR covenants that the premises are free from all encumbrances of record or known to Grantor; that it is lawfully seized of the premises in fee simple; that Grantor has good right and lawful authority to sell and convey the premises; and the Grantor hereby fully warrants the title to the premises, and will defend the same, against the lawful claims of all persons claiming by, through or under said Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has executed this deed under seal on the date aforesaid.

Signed, sealed, and delivered in the presence of:

Hilke Jorces
Witness as to all Grantors

[Signature]
GRANTOR - FRANK J. GLAVAN a/k/a Frank Glavan

Hilke Jorces
Printed name

[Signature]
GRANTOR - CAROLYN GLAVAN a/k/a Carolyn S. Glavan

[Signature]
Witness as to all Grantors
MARYANNE P. MCCARN
Printed name

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 28 day of July, 2021, by FRANK J. GLAVAN a/k/a Frank Glavan, and who (Check One Please) is personally known to me; or Has produced Driver's license as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 28 day of July, 2021.

(Seal) [Signature]
MARYANNE P. MCCARN
MY COMMISSION # GG 323920
EXPIRES: May 4, 2023
Bonded Thru Notary Public Underwriters
NOTARY PUBLIC-STATE OF FLORIDA

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 28 day of July, 2021, by CAROLYN GLAVAN a/k/a Carolyn S. Glavan, and who (Check One Please) is personally known to me; or Has produced Driver's license as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 28 day of July, 2021.

(Seal) [Signature]
MARYANNE P. MCCARN
MY COMMISSION # GG 323920
EXPIRES: May 4, 2023
Bonded Thru Notary Public Underwriters
NOTARY PUBLIC-STATE OF FLORIDA

Prepared by and return to:
DAVID J PLANTE, ESQ
Attorney at Law
The Plante Law Group, PLC
806 N. ARMENIA AVENUE
Tampa, FL 33609
813-875-5297
File Number: 21CitrusPark

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 23 day of July, 2021 between CBCD Investment Group, LLC, Michael Whitt and Gary D Kelly and Sharon Kelly, Trustees, under the Gary D. Kelly Living Trust, dated February 26, 2014 whose post office address is 12318 Olive Jones Rd, Carrollwood, FL 33625, grantor, and Trailside Citrus Park, LLC, a Florida limited liability company whose post office address is 214 Blanca Ave, Tampa, FL 33606, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) 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:

Lot 1, Block 68, Towns of Citrus Park according to the map or plat thereof recorded in Plat Book 1, Page 130, of the Public Records of Hillsborough County, Florida.

Parcel Identification Number: U-02-28-17-03V000068-00001.0

Vacant Land - This is not the homestead property of the grantors -

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

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

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

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:

Witness Name: DAVID WAYNE MORRIS
Witness Name: JUNE J. PLANTE

CBCD Investment Group, LLC, a Florida Limited Liability Company

By: [Signature]
Christopher M Daye, Manager

Witness Name: DAVID WAYNE MORRIS
Witness Name: JUNE J. PLANTE

(Corporate Seal)
[Signature] (Seal)
Michael White

Witness Name: DAVID WAYNE MORRIS
Witness Name: JUNE J. PLANTE

[Signature]
Gary Kelly, Trustee of the Gary D. Kelly Living Trust
dated February 26, 2014

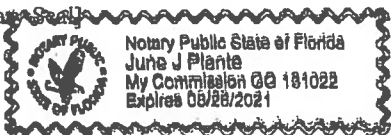
Witness Name: DAVID WAYNE MORRIS
Witness Name: JUNE J. PLANTE

[Signature]
Sharon Kelly, Trustee of the Gary D. Kelly Living Trust
dated February 26, 2014

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 23 day of July, 2021 by Michael Whitt, who is personally known or has produced a driver's license as identification.

[Notary Seal]



Notary Public

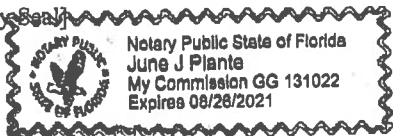
Printed Name: JUNE J PLANTE

My Commission Expires: August 26, 2021

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 23 day of July, 2021 by Christopher M Daye, Mananger of CBCD Investment Group, LLC, a Florirda Limited Liability Company, on behalf of the corporation. He is personally known to me or has produced a driver's license as identification.

[Notary Seal]



Notary Public

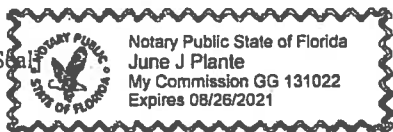
Printed Name: JUNE J PLANTE

My Commission Expires: August 26, 2021

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 23 day of July, 2021 by Gary Kelly, Trustee, who is personally known or has produced a driver's license as identification.

[Notary Seal]



Notary Public

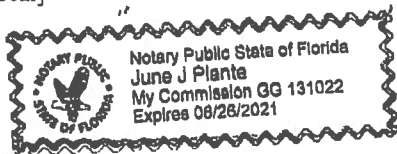
Printed Name: JUNE J PLANTE

My Commission Expires: August 26, 2021

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 23 day of July, 2021 by Sharon Kelly, Trustee, who is personally known or has produced a driver's license as identification.

[Notary Seal]



Notary Public

Printed Name: JUNE J PLANTE

My Commission Expires: August 26, 2021

[from Instrument # 2021472254]

LEGAL DESCRIPTION

PARCEL 1:

The North 300 feet of the West 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 2, Township 28 South, of Range 17 East, Hillsborough County, Florida.

PARCEL 2:

That part of S 1/2 of W 3/4 of the SW 1/4 of the NW 1/4 and W 1/2 of the NW 1/4 of the SW 1/4 described as: Begin at the intersection of the centerline of Ehrlich Road and West boundary and run East 552.14 feet; South 36°39.85' West 222.01 feet; South 74°39.8' West 143.03 feet; South 175.17 feet; South 30°27.4' West 199 feet; South 58°23.8' West to West boundary and North to Beginning. LESS North 25 feet for road and LESS additional right of way - begin at the intersection of the East right of way of Del Valle Road and centerline of Ehrlich Road, run South 34 feet to South maintained right of way and Point of Beginning, thence South 89°20'35" East 299.07 feet, South 84°11'51" East 211.85 feet, South 87°56'57" East 4.60 feet, South 37°40' West 18.64 feet (point A), North 89°20'35" West 430.9 feet, West 72.77 feet, and North 34.97 feet to Point of Beginning. LESS Tract - Begin at point A run South 37°40' West 140.44 feet, South 75°31'45" West 234.95 feet, North 21°55'13" East 186.13 feet and South 89°20'35" East 243.84 feet to Point of Beginning, all in Section 1, Township 28 South, Range 17 East, Hillsborough County, Florida.

PARCEL 3:

That part of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 lying Northwesterly of a line described as: Beginning 753.86 feet North of the Southwest corner and run North 44°44.32' East 622.99 feet, East 129 feet, and North 58°23.8' East to East boundary of Section 2, Township 28 South, Range 17 East, Hillsborough County, Florida.

ALL OF THE ABOVE DESCRIBED PARCELS 2 AND 3 BEING ALSO DESCRIBED AS FOLLOWS:

That part of:

- (a) The West 3/4 of the South 1/2 of the Southwest 1/4 of the Northwest 1/4, LESS the East 33.0 feet, and LESS that part North of the South right-of-way line of Ulrich Road, of Section 1; AND
- (b) The West 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 1; AND
- (c) The East 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 2;

LYING NORTHWESTERLY of the following described line:

From the point of intersection of the West boundary of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 2 and the South boundary of CITRUS PARK, according to the map or plat thereof recorded in Plat Book 1, Page 130, Public Records of Hillsborough County, Florida, run South 0°23.68' East along said West boundary of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 2 a distance of 557.30 feet to a Point of Beginning; from said Point of Beginning, run North 44°44.32' East a distance of 622.99 feet; run thence South 89°37.9' East a distance of 129.0 feet; run thence North 58°23.8' East a distance of 319.06 feet; run thence North

30°27.4' East a distance of 199.0 feet; run thence North 0°26.3' East a distance of 175.17 feet; run thence North 74°39.8' East a distance of 143.03 feet; run thence North 36°39.85' East a distance of 222.01 feet to a point of termination of said line, said point of termination being on the centerline of Ulrich Road at a point 552.14 feet Easterly from the West boundary of the Northwest 1/4 of Section 1.

All of the above being in Township 28 South, Range 17 East, Hillsborough County, Florida.

LESS AND EXCEPT that portion thereof as conveyed to Hillsborough County by Joint Motion for Stipulated Order of Taking recorded in Official Records Book 7348, Page 885, of the Public Records of Hillsborough County, Florida.

Situate in the County of Hillsborough, State of Florida.

from Instrument # 20213700924 and Instrument #2021380466:

Also includes:

Lot 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 68, MAP OF TOWN OF CITRUS PARK, FLORIDA, according to the map or plat thereof s recorded in Plat Book 1, Page 130 of the Pubic Records of Hillsborough County, Florida.

Also includes:

Lot 1, Block 68, Towns of Citrus Park according to the map or plat thereof recorded in Plat Book 1, Page 130 of the Pubic Records of Hillsborough County, Florida.



Additional / Revised Information Sheet

Office Use Only		
Application Number: VAR 22-0851	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: VAR 22-0851 Applicant's Name: Hill Ward Henderson

Reviewing Planner's Name: Israel Monsanto Date: 12/12/2022

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): 12/19/2022

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.

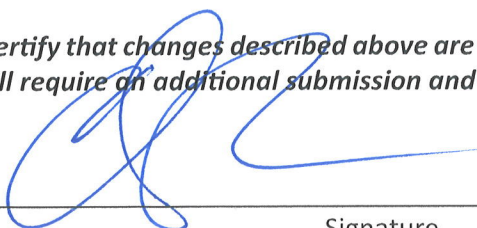
Will this revision remove land from the project? Yes No
If "Yes" is checked on the above please ensure you include all items marked with + on the last page.

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.



Signature

12/12/22

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

VAR 22-0851

I hereby confirm that the material submitted with application _____

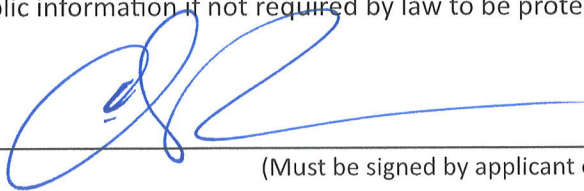
Includes sensitive and/or protected information.

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:  _____
(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



Additional / Revised Information Sheet

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

Included	Submittal Item
1	<input checked="" type="checkbox"/> Cover Letter**+ If adding or removing land from the project site, the final list of folios must be included
2	<input checked="" type="checkbox"/> Revised Application Form**+
3	<input type="checkbox"/> Copy of Current Deed* Must be provided for any new folio(s) being added
4	<input type="checkbox"/> Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5	<input type="checkbox"/> Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6	<input type="checkbox"/> Property Information Sheet**+
7	<input type="checkbox"/> Legal Description of the Subject Site**+
8	<input type="checkbox"/> Close Proximity Property Owners List**+
9	<input checked="" type="checkbox"/> Site Plan**+ All changes on the site plan must be listed in detail in the Cover Letter.
10	<input type="checkbox"/> Survey
11	<input type="checkbox"/> Wet Zone Survey
12	<input type="checkbox"/> General Development Plan
13	<input type="checkbox"/> Project Description/Written Statement
14	<input type="checkbox"/> Design Exception and Administrative Variance requests/approvals
15	<input checked="" type="checkbox"/> Variance Criteria Response
16	<input type="checkbox"/> Copy of Code Enforcement or Building Violation
17	<input type="checkbox"/> Transportation Analysis
18	<input type="checkbox"/> Sign-off form
19	<input checked="" type="checkbox"/> Other Documents (please describe): <div style="border: 1px solid black; padding: 5px; min-height: 50px;">Revised Narrative</div>

*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.

VIA EMAIL TO: ZoningIntake-DSD@hcflgov.net

December 12, 2022

Hillsborough County
Attn.: Israel Monsanto
601 E. Kennedy Blvd., 20th Floor
Tampa, FL 33602

Re: VAR 22-0851

Please find enclosed the Additional/Revised Information, Revised Application Form, Revised Narrative, Revised Variance Criteria Response and Revised Variance Exhibit for the above referenced project.

Yours truly,

HILL WARD HENDERSON

By: K. Clayton Bricklemyer

KCB/jld
Enclosures



Property/Applicant/Owner Information Form

Official Use Only

Application No: _____ Intake Date: _____
 Hearing(s) and type: Date: _____ Type: _____ Receipt Number: _____
 Date: _____ Type: _____ Intake Staff Signature: _____

Property Information

Address: South Ehrlich Road and East of Upper Tampa Bay Trail City/State/Zip: Tampa, FL 336256
 TWN-RN-SEC: 28-17-1 and 2 Folio(s): 003009.0000; 003157.0000; 0031E Zoning: CPV Future Land Use: CPV Property Size: 123.056

Property Owner Information

Name: Trailside Citrus Park, LLC Daytime Phone 813-557-9041
 Address: 214 Blanca Avenue City/State/Zip: Tampa, FL 33606
 Email: jnicholson@wolfpartnersbuild.com Fax Number _____

Applicant Information

Name: Hill Ward Henderson Daytime Phone 813-221-3900
 Address: 101 E. Kennedy Blvd, Suite 3700 City/State/Zip: 33602 Tampa, FL
 Email: Clayton.Bricklemyer@hwlaw.com Fax Number _____

Applicant's Representative (if different than above)

Name: _____ Daytime Phone _____
 Address: _____ City/State/Zip: _____
 Email: _____ Fax Number _____

I hereby swear or affirm that all the information provided in 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 of the Applicant

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 of the Owner(s) – (All parties on the deed must sign)

Type or print name

REVISED NARRATIVE

Applicant is proposing a residential project on an assemblage of parcels bounded by the Upper Tampa Bay Trail to the west and wetlands to south and east. The property is zoned CPV-A-2 and is, therefore, subject to the Citrus Park Village Development Standards. Despite the best efforts of both Applicant and County staff, development of the site requires four variances from the following CPV Standards:

Sec 3.10.06.01 to allow for relief from the block length, shape and public street framing requirements.

Sec 3.10.06.02 to allow for relief from the street connectivity requirement.

Sec 3.10.06.03 to allow for a road section outside of those prescribed.

Sec 3.10.06.07 to allow for the front of a small number of buildings to face improved street Right-of-Way.

Justification for each of these variances is provided herein.

REVISED

VARIANCE CRITERIA RESPONSE

VARIANCE: 3.10.06.01 (Blocks no more than 650', framed by public streets on 3 sides, rectangular in shape)

Unique and singular: The subject site is bounded by the Upper Tampa Bay Trail to the west, a County-owned wetland to the south, and a wetland and County-owned detention pond to the east. The gross density of the proposed plan is just over 7 units/acre where 12 are allowed. In order to achieve even the reduced density in the proposed plan while maintaining the Code-intended block pattern, a private, one way loop road is needed. The need for the private loop road prevents the development from meeting the block length or public street framing requirements, despite the obvious appearance of a block pattern as intended by the Code. The irregular shape of the parcel prevents perfectly rectangular blocks throughout, although it is obvious that the "blocks" established by the private roads, alleys and sidewalks are very much rectangular.

Deprived of rights commonly held: The Trail and wetlands on three sides of the property deprive Applicant of the commonly enjoyed system of public streets in Citrus Park. The compromise has been to design the project with a block pattern that would be deemed desirable were the roads and alleys able to be public roads.

Does not substantially interfere: A layman looking at the proposed plan would assume that it complies with the block length, framing and shape requirements. And since these requirements exist to promote a certain aesthetic (as well as maximum connectivity), no one's rights are affected at all, much less negatively, by this variance request.

In harmony: As previously stated, the proposed design provides the exact intended design for a development in Citrus Park, with the only difference being that the road cross sections are not able to be dedicated to the County.

No illegal act: Applicant's actions are not the reason a variance is necessary. The reasons for these variances are the natural features and configuration of the site and neighboring sites.

Substantial justice: These variances allow for the reasonable development of the property while harming no one and adhering as closely as possible to the spirit of the Code requirements. Therefore, an approval would result in substantial justice being done.

VARIANCE: 3.10.06.02 (Connectivity Ratio 2.0 or more)

Unique and singular: The subject site is bounded by the Upper Tampa Bay Trail to the west, a County-owned wetland to the south, and a wetland and County-owned detention pond to the east. As there is not a public road on the site, there isn't an opportunity for a single "node." Therefore, the connectivity ratio is either 1/0 or 2/0, depending on whether the loop road is counted as one link or two. Either way, the ratio is "undefined." Applicant maintains that "undefined" should be more than the required 2.0, but so far, staff has disagreed. It is arguable that the project could be designed in such a way that it provides stubouts into wetlands or Trail property that will never be crossed, but the result would be less density, less green space and a generally inferior project at no gain to the public.

Deprived of rights commonly held: The Trail and wetlands on three sides of the property deprive Applicant of the commonly enjoyed system of public streets in Citrus Park, which, relevant to this variance, would provide the

opportunity to create the requisite number of nodes. The inability to connect in three directions by natural features and the Trail is a unique hardship.

Does not substantially interfere: A layman looking at the proposed plan would assume that it complies with the connectivity ratio, as it promotes maximum connectivity within the constraints of the Trail and the wetlands bounding the property. Again, no one's rights are affected at all, much less negatively, by this variance request.

In harmony: It is only the technical definitions of "link" and "node" that prevent the proposed design from meeting the Code requirement. The proposed design serves the general intent and purpose of providing the maximum possible connectivity for the site.

No illegal act: Applicant's actions are not the reason a variance is necessary. The reason for this variances are the natural features and configuration of the site and neighboring sites.

Substantial justice: These variances allow for the reasonable development of the property while harming no one and adhering as closely as possible to the spirit of the Code requirements. Therefore, an approval would result in substantial justice being done.

VARIANCE: 3.10.06.03 (Street typical sections conform to the design standards in the Citrus Park Plan and TTM)

Unique and singular: The subject site is bounded by the Upper Tampa Bay Trail to the west, a County-owned wetland to the south, and a wetland and County-owned detention pond to the east. The gross density of the proposed plan is just over 7 units/acre where 12 are allowed. In order to achieve even the reduced density in the proposed plan, a private, one way loop road is needed. The road cross sections needed to safely circulate traffic are not currently provided for in the Citrus Park Development Plan. Underscoring the reasonableness of this request, Applicant expects that the County Engineer will have deemed the design exceptions necessary to allow for the proposed cross sections "approvable."

Deprived of rights commonly held: The Trail and wetlands on three sides of the property deprive Applicant of the commonly enjoyed system of public streets in Citrus Park. Reasonable development of this site does not allow for utilization of any of the prescribed cross sections.

Does not substantially interfere: No one's rights are affected at all, much less negatively, by this variance request.

In harmony: The Code requirement at issue is concerned with health and safety, as well as adopting some favored items, such as green space, sidewalks and on-street parking. The fact that the proposed cross-sections will have been deemed "approvable" by the County Engineer by the date of the hearing is clear evidence that Applicant's proposal is in harmony with the LDC.

No illegal act: Applicant's actions are not the reason a variance is necessary. The reasons for these variances are the natural features and configuration of the site and neighboring sites.

Substantial justice: These variances allow for the reasonable development of the property while harming no one and adhering as closely as possible to the spirit of the Code requirements. Therefore, an approval would result in substantial justice being done.

VARIANCE: 3.10.06.07 (Building Orientation)

Unique and singular: The site is constrained as discussed above. As a result of the natural topography of the site, the stormwater pond must be located in the southeastern portion of the site. Taking that pond location into account, in combination with the need for the loop road, there is not room to fit an alley that would allow rear loaded garages for the units on the eastern side of the loop road. The only solution is to locate the garages on the loop road and have the front entrances overlook the pond.

Deprived of rights commonly held: The location of the trail and the wetlands constrain the site in a way that is unique and deprives the Applicant of the commonly enjoyed ability to lay out the site in a way that would comply precisely with the CPV plan.

Does not substantially interfere: No one's rights are affected at all, much less negatively, by this variance request.

In harmony: The Code specifically allows for variances to this section "for projects with unusual site constraints which restrict the number and/or shape of blocks which may be created. In such cases, however, the developer shall be required to create the maximum number of blocks possible to provide the greatest amount of street frontage for the proposed principal structures." Applicant complies with this language, and is, therefore, in harmony with the Code.

No illegal act: Applicant's actions are not the reason a variance is necessary. The reasons for these variances are the natural features and configuration of the site and neighboring sites.

Substantial justice: These variances allow for the reasonable development of the property while harming no one and adhering as closely as possible to the spirit of the Code requirements. Therefore, an approval would result in substantial justice being done.

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