

**Variance Application:** VAR 24-0244  
**LUHO Hearing Date:** February 26, 2024  
**Case Reviewer:** Chris Grandlienard, AICP



**Hillsborough County Florida**

Development Services Department

**Applicant:** Ireland O'Neill **Zoning:** RDC-12 & RSC-6  
**Location:** Folios#: 43528.0300, 43528.0000, 43528.0100, 43528.0200, 43503.0000

**Request Summary:**

The applicant is requesting a height variance for multiple parcels for an existing fence along Palm River Road.

**Requested Variances:**

LDC Section:	LDC Requirement:	Variance:	Result:
6.07.02.C.1.a.	Fences over four feet in height shall not be allowed within required front yards, except under certain circumstances that do not apply to this case.	2 feet	6-foot-high fence on multiple parcels along Palm River Road.

**Findings:** The fence on multiple parcels is the subject of Code Enforcement Cases # CE23005092, CE23005056, CE23005055, CE23005054, and CE23005053 which have been placed in the case file for this application.

**Zoning Administrator Sign Off:**

*Colleen Marshall*

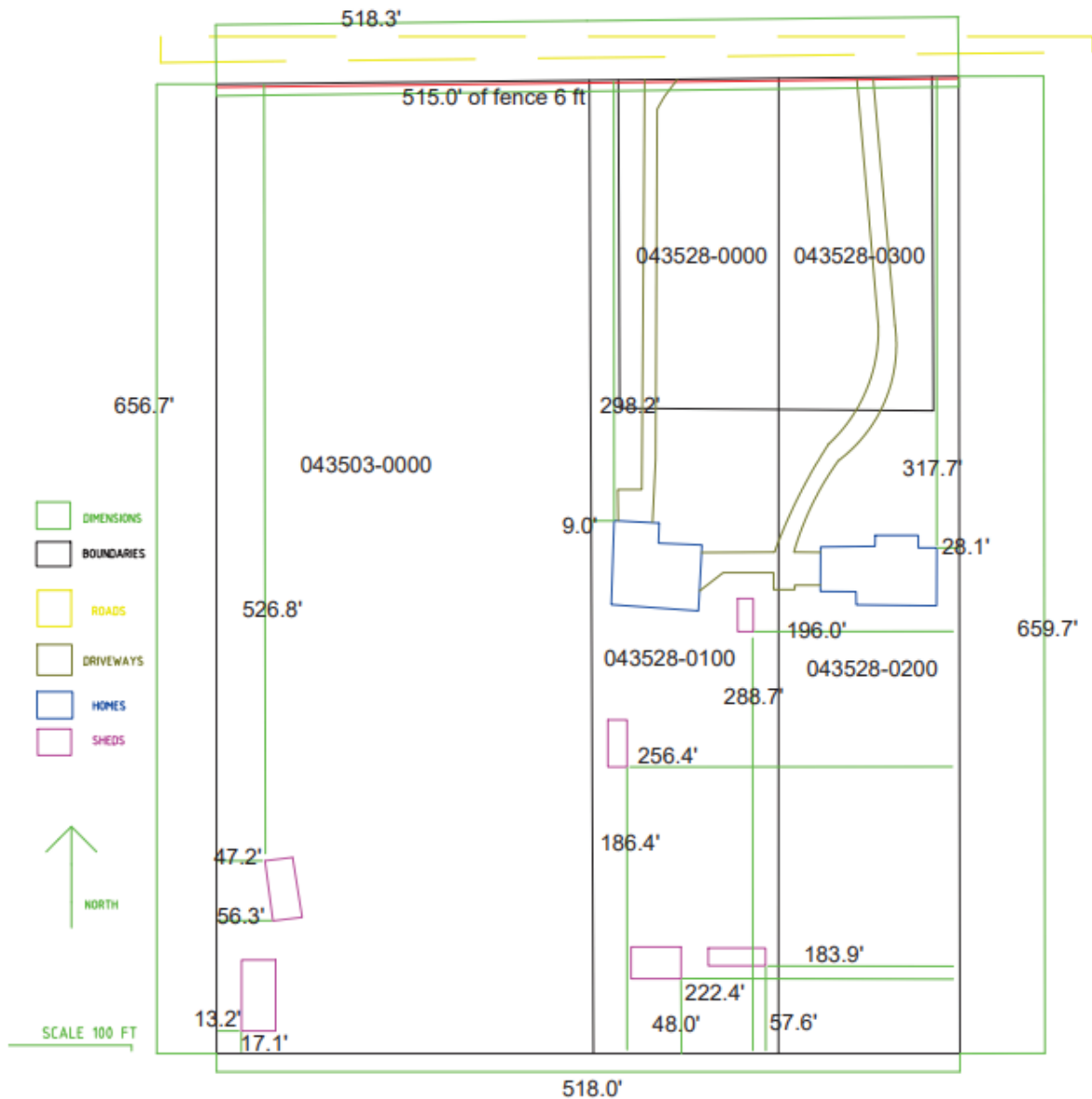
Colleen Marshall  
 Tue Feb 13 2024 09:59:35

**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**

Received  
12/14/2023  
Development Services



24-0244



# Project Description (Variance Request)

- 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 variance requested is to allow a six-foot fence along the north border of five parcels that borders Palm River Road, which is an additional two feet taller than the traditional fence height. The north border of the property has approximately 570-feet of road frontage along the busy street (deemed a collector road) and is situated between commercial/industrial/government properties, which is unique in the neighborhood. A lot of our borders have no supervising neighbors, including a railway line, an empty lot owned by the city, an industrial warehouse, and a large, multi-acre vacant church property with a few acres of pasture between us and the empty building. We also are direct neighbors to the famous Thai temple, Wat Mongkolratanaram, which attracts thousands of cars each week, and parking on our property is common. This, combined with many factors as described below, has made the property extremely attractive to trespassers in the area, with nearly daily incidents. We have tried shorter fences and barriers to no success. The sight line needs to be obstructed to deter people from determining what they can steal before we can catch them or where they can hide where we will not find them, and people easily have climbed over shorter fences in the past. In addition, our smaller fence was stolen.

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

Sec. 6.07.02.C.1.a Fences over four feet in height shall not be allowed within the required front yards, except as indicated in f, g, and h below.

## Additional Information

- Have you been cited by Hillsborough County Code Enforcement?  No  Yes  
If yes, you must submit a copy of the Citation with this Application.
- 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): \_\_\_\_\_
- 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.
- Please indicate the existing or proposed utilities for the subject property:  
 Public Water  Public Wastewater  Private Well  Septic Tank
- 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

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## 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?

Please see attached document.

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.

Please see attached document.

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.

Please see attached document.

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*).

Please see attached document.

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.

Please see attached document.

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.

Please see attached document.

Link to map of other fences in the area:

<https://earth.google.com/earth/d/1sm5Yr0D5DMUrcC1sqSXw1T2ddwkk-IGI?usp=sharing>

In addition, the trespassers who bring cars, or even once ATVs, risk hurting themselves and damaging our own personal utilities, which are scattered across the property to various structures. Some of the utilities are capped, and the cars pulling onto the property cannot easily locate these structure, potentially hurting themselves.

**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?**

The hardships are long and detailed due to a combination of factors singular to my property in this area, which have been unable to be solved with means as deemed permissible in the county code, leading us to pursue a variance. In later sections, you will read in more detail about these hardships, but this section will aim to explain what makes our property so attractive to such high rates of crime, trespassing, and all the problems that are related.

My property's distinct location along a busy road next to popular designations combined with its unique size and history has caused it to be a nuisance property. Our property is five parcels acting as one single property, totaling up to nearly 8 acres. Our extensive land, largely open and visible, has unfortunately become a magnet for trespassers involved in theft, littering, vandalism, drug use, and violence against our animals that have not been solved despite years of attempts, including shorter fences. The property is unusual in that it is surrounded by commercial, government, and industrial properties rather than solely residential. It borders a railway, an empty lot owned by the city designated as a future public park, a vacant multi-acre Baptist Church campus, and the industrial Lynx Warehouse with a railway spoke, ensuring that my immediate residential neighbors are nearly none with almost entirely unsupervised borders. Multiple of these properties directly bordering us have approved fencing height variances due to the problems listed throughout this application, and many of the similar properties found throughout the area have strong, effective barriers, some of which also mean height or setback variances, making our property particularly attractive due to the lack of other options along this popularly traveled route for pedestrians, cyclists, and vehicles alike (we are even known in this area for a few people who travel by horse).

We have only a single direct residential neighbor across the road who uses two homes in the front that he rents out to protect his own property from view; the renters change often and even so, cannot view our entire property well enough to deter crime as they do for him.

Also unlike other properties in the area, we are direct neighbors to one of the top tourist attractions in Tampa, the Wat Mongkolrata Temple (aka the "Thai Temple"), listed #28 on Tripadvisor as "Things To Do in Tampa", attracting sometimes thousands of visitors each week.

The property has been plagued with illegal parking, from both the Thai Temple and trespassers who park for hours at a time alone for various reasons, which is hazardous as the property is not built to support this traffic and someone could be hit at night. It also further attracts other trespassers or potential thieves who see the regular access by these cars. There have been costs to the county too. Our property is the location of important water pipes and storm drainage for the county. If you look at repair records, you will see our property stands out for the amount of visits. Cement is often used to try to address a worsening sinkhole in front of our homes along the county's portion of road property. However, the dozens of cars, including semi-trailers that park for days at a time, are causing repeated damage and undoing the work done by the county. Litter from these trespassers and individuals who are encouraged by the littering of others also gets into the drains. When signs, fences, obstacles, or traffic cones have been placed before, the items would be vandaized, stolen, or removed.

The property also struggles with a history and reputation as being a good location for these activities. Before we owned a property, there was a condemned house directly off of the main road (5207). It used to be an antique shop, but we were told a truck ran into it, and it was never repaired but left empty for many years with a gaping hole where the truck had come through. Our area, unfortunately, already has a severe addiction and related homelessness issue with many various encampments among abandoned or empty, unoccupied lots throughout the area. Due to this history, our property developed a reputation as a place for shooting up or loitering. Despite us removing the condemned home, the reputation still remains, driving the need for a stronger barrier than what is currently allowed by my zoning.

The property currently has great sightlines that are attractive to people, both for loitering, crime, or less malicious reasons like kids who may want to explore our pasture. In an attempt to reduce crime, we cleaned (pictures included of befor and after) the property and created these sightlines, unfortunately worsening issues. A taller fence would obstruct the view into our property, reducing the incentive for spontaneous trespassing and theft. The absence of effective boundaries directly correlates with the frequency and audacity of these acts. Criminal activities often stem from opportunistic individuals who spot something of interest.

**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 4-foot fence standard, as dictated by the Land Development Code (LDC), has proven to be ineffective in ensuring safety and preventing prevalent issues such as trespassing, theft, and loitering on the property. The shorter stature of this fence not only fails to obstruct sightlines, which is a driving factor in causing trespassing, but it also doesn't deter opportunistic individuals, given the ease with which they can climb or jump over it. Garbage and dumped items are easily thrown over or placed over shorter fences. Just as problematic, our attempt at a shorter fence, a four foot livestock fence, was stolen. This area is known to steal material and items not well-set into the ground without proper deterrents.

The property is surrounded by neighbors with fences greater than 4 feet or without setbacks, including the government-owned lot directly across from us, which has similar issues and found the solution to be a taller fence. Overall, three of our direct neighbors have approved height variances to their fences and many in our area have similar fencing, and one has a variance to the setback.

The direct neighbors include the Thai Temple, which has a large 6-8 foot wall (which was given an approved variance), the closed Bell Shoal Baptist Church, which has its short fence against the sidewalk with no setback (variance approved in the setback, as otherwise people would illegally park and loiter for hours along their property as they do for ours), the government-owned lot designated as a future park has a 6-foot fence with visibility-blocking fabric (approved variance), and the Lynx warehouse that has a 8-foot tall barbed wire fence along our entire southern property border (approved due to being an industrial zone).

Along Palm River/Clair-Mel, many homes have fencing similar to the fencing we are seeking, especially those with large amounts of land, animals, or near commercial properties. We have attached a document with photos of these directly neighboring fences that are over four feet, and other nearby fences, as well as a map of some of the similar fencing in the area that we are continuing to update as we locate more examples. We did not in this map include all the properties with fencing under 5 feet (as we did not want to accidentally include a legal fence) nor all the properties that have normal fencing with or without a setback.

A 6-foot fence not only eliminates the trespasser by physically blocking them but it eliminates the sight lines that tempted them to do so. The 6-foot fence also prevents pedestrians, as well as passing and illegally parked vehicles, from throwing trash onto our property. I can not reasonably let children play in my yard when they are a risk of being injured by needles, condoms, human feces, broken glass from beer bottles, and other detritus. These activities pose a significant threat to both my property and personal safety, making it hard to live due to the regular financial hardships imposed in managing the damage caused, as well as time loss in meeting the police due to regular 911 calls to address incidents, which often take hours of waiting due to the priority of more serious crimes in the same area.

In light of these compelling factors and the provided evidence, it's clear that an unwavering adherence to the literal stipulations of the Land Development Code (LDC) in relation to fencing height would unjustly strip me of the rights and security provisions that other properties within the same district and area routinely enjoy. Granting our request for a variance to allow a taller fence would not only align with the prevailing characteristics of the neighborhood but would also address genuine security concerns, reduce the drain on resources for law enforcement, and ensure equity in the property owner's rights.



**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**

This variance will not affect the rights enjoyed by other property owners in the area. It is in line with other properties in our area (which is one of the reasons we thought the 6-foot fence would be within code in addition to a misinterpretation of the allowance of six-foot fences for collector roads). Neighbors express support for the variance. Our property was considered a nuisance property before the fence, bringing in crime and trespassers that put other properties at risk. It has made for a more attractive neighborhood and pleasurable walk, especially due to the reduced dumping and littering, which also posed a hazard to the community. Children and adults walking were exposed to higher rates of human feces, needles, broken glass, and used condoms. Illegally parked cars would block the sidewalk. This variance will help protect neighboring properties' rights by reducing crime and the use of emergency resources.

The Baptist Church, which borders my property, has expressed support for the proposed fence. They have faced similar security issues, although now no longer have services and are currently closed down, making security worse for our property which borders their approximately five-acre empty lot. Their backing underscores the shared recognition of the need for heightened security measures in the area to mitigate criminal activities. We also have support from the other neighbors in the area, who experience problems from our property's daily trespassers. Our sole direct residential neighbor, a man who owns the entire acreage across from us and between the Thai Temple and the government-owned lot, also benefits him, as he has complained to the government and to us about the crime and trespassing originating from our property.

It will also help the county with a proposed park on a plot of land directly across from 5207 Palm River Rd. 5207 Palm River Rd is one of the primary pastures on our property. Without a 6-foot fence, the sight line provides a tempting target for trespassing. A young child or teen could easily cross over a 4-foot fence, as happened to us before with older trespassers. Trespassers, whether curious children or homeless persons face a variety of hazards on our property that would be diminished if we made the property less accessible to them. For example, due to downed timber, the property commonly has a problem with hornets who use the old wood as nesting material. This property owner was once stung 59 times by hornets along the wooded border where people love to enter from. The nests were professionally sprayed, and it was discovered to have thousands of hornets. However, due to the size of the property, it is common for new nests to come up without the owner's knowledge. Another example of the hazards of the property are the animals commonly on the property. The owner uses pet goats to keep undergrowth down and four pet dogs. Those not used to being around animals can be injured. There are also capped utility lines, farm tools, and areas of broken glass or nails from the previous owners.

Overall, this variance will only improve the neighborhood and thus help to protect the rights of other properties not harm them. It will also help facilitate better use of other properties in the area by ensuring that visitors to the proposed park or Thai Temple will be safe.

**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 lines up with all the major purposes of the LDC. The LDC is in place to ensure the development of Hillsborough County is efficient: in time and cost, to address the impacts of development on natural resources and public facilities, to ensure property rights, and to take into account the interest of the Hillsborough County citizens.

Time and cost: This variance seeks to resolve the problems faced by this property in the most efficient means possible. Many other strategies, including shorter fences, that have been attempted to prevent the nuisances facing this property all have failed. This variance will not only reduce cost to the property owner through lower maintenance cost, lower loss do the theft, and damage to property, but will also lower the cost to the county in 911 usage and damage to infrastructure, as well as make for a safer future park in the lot owned by the government across from us.

Natural resources and public facilities: The variance will lower the property owner's reliance on 911 service thus making them more available to the citizens of Hillsborough County. It will also help to prevent damage to county utilities by improperly parked vehicles.

To ensure property rights: This variance will allow me the property owner and the person filling for this variance to finally utilize my property. I have had my animals hurt/killed, my property trespassed on, crimes committed on the property, and had to deal with a never-ending stream of trash. All of this is particularly localized at unusually high rates to my property. This variance will allow me to safely utilize the land I have been so lucky to take care of.

The interest of the Hillsborough County citizens: As the property owner, I have engaged with my immediate and some of my less immediate neighbors. They have all expressed support for this variance. This variance helps the citizens the citizen of Hillsborough County by lowering 911 usage and increasing safety. It also fits with many other properties in the neighborhood. This neighborhood is a mix of land uses and taller fence variances are not uncommon.

**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 primary need for the proposed variance is not a result of any illegal act or actions taken by me, the applicant. Rather, it is a response to a series of challenges that have emerged on my property due to its unique characteristics and circumstances. I would like to outline the extensive efforts I have made to address these challenges without resorting to the variance request:

1. **Property Cleanup and Maintenance:** I have invested substantial funds in cleaning up my property to mitigate the impact of criminal activities, including the removal of multiple derelict buildings, one of which was a popular shoot-up area after being condemned, and the clearing of overgrown forests, as inherited from the previous owner. Despite these efforts, the recurring nature of the issues has made it difficult to maintain a clean and safe environment, and while these improvements were made with the intention of enhancing the property's appeal and safety, as we hoped the property being cared for would show it is supervised and give people less areas to hide, they unintentionally improved sightlines and further attracted trespassers.
2. **Moving Outbuildings:** We moved two of our large sheds out of the pasture at 5207 Palm River Road to directly behind our home in order to allow better supervision and reduce attraction to our property. Despite this, we still have theft.
3. **Attempted Deterrent Measures:** I initially installed a four-foot or less fence, which was unfortunately removed and stolen. Similarly, traffic cones, roadblocks, and no-trespassing signs were stolen.
4. **Surveillance and Security:** To enhance security, I installed a camera system, but it was also stolen. Additionally, I have taken the proactive step of implementing security alarms, utilizing lights, and even employing dogs as a deterrent. We also have dogs. However, these measures have not been effective in preventing unwanted activities due to the large scope of the property among commercial properties. This property is multiple folios operating as one property.
5. **Engagement with Law Enforcement:** I have consistently collaborated with local law enforcement agencies, attempting to understand and navigate the enforcement processes, including using "No Trespass" orders. Despite these efforts, the challenges persist due to the unique nature and location of my property. I also volunteer intensely with local non-profits and have taken some of the local homeless to rehabilitation programs or hospitals.
6. **Direct Interaction with Offenders:** I have personally engaged with individuals involved in criminal activities or illegal parking, urging them to refrain and using "No Trespass" orders. Moreover, I have strategically placed obstacles to deter unauthorized parking and attempted to move my animals out of sight from the roads. However, we have continued to have incidents like cars being left on the property and the railway company damaging things by parking on our property using our cement pads. We still faced violence, including the murder and theft of our goats from within their goat barn close to our home. This was despite us having a partial fence up at the time; they went around.
7. **Litter Mitigation Attempts:** Hiring landscaping help to pick up litter and illegal dumping is yet another attempt to manage the property's cleanliness and safety, in addition to my own regular pick-ups. I have also made collaborative efforts with litter non-profits (like

Keep Tampa Beautiful), organized clean-ups, and collaborated with local businesses like 7/11 to provide disposal options for pedestrians from the corner of Palm River/50th, which can be a large source of trash.

8. Recommendations from Authorities: Local law enforcement and government officials from the county have recommended the installation of a high fence as an effective means to address the ongoing issues. This recommendation has led me to pursue the variance application.

In summary, my pursuit of the variance is not a result of any actions that I have taken to create a self-imposed hardship, although I was entirely naive in interpreting the exception already allowing 6-foot fences along collector roads (which we are on). My decision to construct the fence was based on a misinterpretation of the collector road section of the code that allows 6-foot fences (I misunderstood that you cannot have a driveway per this part of the code). We even called the zoning counselor line to clarify some of the code with regards to our plans and carefully measured the setback to ensure we were within the code standard. I believed I was within compliance and would have never built it without first approaching the zoning board for a permit. For this, truly my deepest apologies. I was shocked and then embarrassed once I realized my mistake. I have proudly attended many local meetings as a volunteer in various non-profits and love being a participant in my community. Honestly, my main concern is not the cost or headache of removing the fence (which would be devastating), but the inability to continue living and managing the property safely, as the needs are insurmountable, and we would do anything to make it so we can fix these issues that seem to be attracted to our 570ish feet of road frontage. The presence of a fence has reduced our problems from daily to practically none. We only had a couple of incidents of two trucking companies owned by neighbors once again trying to store the semi-trucks for days at a time along the fence, but we were able to show them the sinkholes they were causing and they stopped. The litter and dumping have also drastically been reduced to a manageable amount due to people no longer parking daily or trespassing/loitering.

The granting of the requested variance would allow for an effective and lasting resolution to these issues, benefiting both me as the property owner and the broader community.

**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.**

This variance will not just provide justice to the property owner but to the community as well. The property owner will finally be able to enjoy the rights commonly enjoyed by their neighbors. The community will also see a decrease in emergency service usage and less risk from illegal activity as evidenced by the included 911 calls which have dropped since the taller fence was installed.

Trespassing has caused great hardship for the owner, who has to deal with parked cars on a nearly daily basis, in addition to regular trespassers on foot. The owner has had to spend substantial time deterring people and waiting on law enforcement to file reports or to address trespassers who are unsafe to approach. People use the pasture as a meeting location and people have brought ATVs, getting angry when we ask them to leave. There are several sheds spread out across the property that provide ideal targets for crime due to the obvious sightline from the road. We have many times woken to go to work in the morning to find the doors popped open. Twice we have found people squatting in the outbuildings using drugs with sleeping bags and paraphernalia.

As shown by the theft of animals and most tragically the bludgeoned to death of one of the owner's pet goats, a mere 4-foot fence provides little protection from trespassers as it can easily be climbed and would not block sight lines. If the trespasser had been unable to see the goats they attacked they may have never targeted them. A 6-foot fence's ability to block sight lines is critical to preventing incidents like this. It also prevents them from trying to break into sheds or targeting our farm tools. Another such incident happened while contractors were working on the property. A person ran onto the property to hide from the cops after crashing their car on Palm River Rd. The person showed obvious signs of intoxication. These incidents do not happen at the same rate further down Palm River Rd where houses are close together with most borders being shared by other homes, as people do not believe they will be able to hide on these properties without being quickly noticed.

Without this variance, the property owner will experience an increase in the cost of ownership and a decrease in safety. While the cost is a factor, the major concern is the decreased safety and substantial costs that occur each month in addressing these problems. It is a substantial injustice to face regular trespassing, illegal parking, stolen fencing, stolen packages, stolen property, hazardous trash, large dumped items, criminal activity such as drug usage or dealing, and goat murders. This will deprive the owner of their right to safely live on this property.

However, this variance will solve this problem. A taller fence makes a clear statement - this property is safeguarded. Its mere presence can significantly deter potential trespassers, as scaling it would require more effort and risk. The evidence of this as a solution is looking at the rate of 911 calls to the properties before a six-foot fence and after.

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*Prepared by and return to:*

Kristin K. Morris, Esq.  
Shutts & Bowen, LLP  
4301 W Boy Scout Blvd., Suite 300  
Tampa, Florida 33607

**Deed for 43503.0000**

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## Quit Claim Deed

THIS QUIT CLAIM DEED, made the 21<sup>th</sup> day of February, 2019, by **DESIREE O'NEILL**, an unmarried widow and a resident of the State of Florida ("Grantor") with a mailing address of 6401 E. Maclaurin Drive, Tampa, Florida 33647, and **IRELAND O'NEILL**, an unmarried woman and a resident of the State of Florida ("Grantee"), with a mailing address of 5229 Palm River Road, Tampa, FL 33619.

Whenever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and their successors and assigns.

**WITNESSETH** that Grantor, for and in consideration of the sum of Ten AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to Grantor, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release and quit-claim any and all interest of the Grantor unto Grantee forever, all the right, title, interest, claim and demand which Grantor has in and to the following described land, situated, lying and being in the County of Hillsborough County, State of Florida, as described on attached **Exhibit A** (the "Property"), which is incorporated herein by this reference.

**TOGETHER** with all the tenements, hereditaments, and appurtenances thereto.

**TO HAVE AND TO HOLD**, the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest and claim whatsoever of said Grantor, either in law or equity, is hereby conveyed to Grantee forever.

**[SIGNATURE PAGE TO FOLLOW]**

**NOTE TO CLERK:** THIS DEED IS A CONVEYANCE REPRESENTING A GIFT OF UNENCUMBERED PROPERTY FOR NO CONSIDERATION. ONLY MINIMUM DOCUMENTARY STAMP TAX IN THE AMOUNT OF \$ .70 IS BEING PAID HEREON.

**EXHIBIT "A"**

That part of the West 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 22 , Township 29 South, Range 19 East, Hillsborough County, Florida, lying South of Palm River Road described as follows:

Commence at the SW corner of the NE 1/4 of the SW 1/4 of said Section 22 and run thence N 89°26'33" E., along the South boundary of said NE 1/4 of the SW 1/4 143.5 feet to the point of beginning, said point also being 65 feet East, measured at right angles from the center line of Tampa Southern Railroad Company's main line tract; from the point of beginning thus described, run thence N 0°31'14" W., parallel with said center line 653.63 feet to the South line of Palm River Road (a 60 foot right of way); thence N 88°41'31" E., along said South line 192.54 feet to the East boundary of the W 1/4 of the NE 1/4 of the SW 1/4 of Section 22; thence S 0°13'02" E., along said East boundary 656.16 feet to the South boundary of the NE 1/4 of the SW 1/4 of said Section 22; thence S 89°26'33" W. along said South boundary 189.24 feet to the point of beginning.

AND

The West 75 feet of the South 1/2 of the East 1/2 of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 22, Township 29 South, Range 19 East, Hillsborough County, Florida.

THE ABOVE LAND ALSO BEING DESCRIBED AS:

That part of the West 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 22, Township 29 South, Range 19 East, Hillsborough County, Florida, lying South of Palm River Road and East of the East right-of-way line of the Seaboard Systems Railroad (formerly the Seaboard Coast Line Railroad), said East right-of-way line being a line parallel to and 65.0 feet East of the centerline of the existing tracks of said Seaboard Systems Railroad.

AND

The West 75 feet of the South 1/2 of the East 1/2 of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 22, Township 29 South, Range 19 East, Hillsborough County, Florida.

AND BEING NEWLY DESCRIBED IN A SURVEY BY DAVID L. SMITH SURVEYING & MAPPING, DATED 4/17/2015, JOB #1504-002 & 1504-003, AS FOLLOWS:

That part of the NE 1/4 of the SW 1/4 of Section 22, Township 29 South, Range 19 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the Southwest corner of the NE 1/4 of the SW 1/4 of said Section 22; and run N89°24'02" E., along the South boundary of said NE 1/4 of the SW 1/4, a distance of 143.42 feet to a point, said point being 65 feet East, measured at right angles, from the centerline of Tampa Southern Railroad Company's main line track; from the point thus described, run thence N00°28'41" W., parallel with said centerline, a distance of 653.36 feet to the South right of way line of Palm River Road; thence N88°39'00" E., along said South right of way line, a distance of 50.00 feet for a Point of Beginning; thence continue N88°39'00" E., along said South right of way line, a distance of 217.82 feet to the East line of the East 1/2 of the West 1/2 of the NE 1/4 of the SW 1/4 of said Section 22; thence S00°09'47" E., a distance of 190.00 feet; thence S88°39'00" W., a distance of 216.78 feet; thence N00°28'41" W., a distance of 189.98 feet to the Point of Beginning.

AND



That part of the NE 1/4 of the SW 1/4 of Section 22, Township 29 South, Range 19 East, Hillsborough County, Florida; being more particularly described as follows:

Commence at the Southwest corner of the NE 1/4 of the SW 1/4 of said Section 22; and run N89°24'02" E., along the South boundary of said NE 1/4 of the SW 1/4, a distance of 143.42 feet for a Point of Beginning, said point being 65 feet East, measured at right angles from the centerline of Tampa Southern Railroad Company's main line tract; from the point thus described, run thence N00°28'41" W., parallel with said centerline, a distance of 653.36 feet to the South right of way line of Palm River Road; thence N88°39'00" E., along said South right of way line, a distance of 50.00 feet; thence S 00°28'41" E., a distance of 189.98 feet; thence N88°39'00" E., a distance of 216.78 feet to the East line of the East 1/2 of the West 1/2 of the NE 1/4 of the SW 1/4 of said Section 22; thence S00°09'47" E., along said East line, a distance of 467.45 feet to the South line of the NE 1/4 of the SW 1/4 of said Section 22; thence S89°31'24" W., along said South line, a distance of 264.18 feet to the Point of Beginning.


IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hands and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Graham Peterson  
By: Graham Peterson

Debra L. Lopez  
By: Debra L. Lopez

"GRANTOR"

By:   
**DESIREE O'NEILL**, an unmarried widow  
Date: 02/27/2019

STATE OF FLORIDA )  
COUNTY OF Hillsborough )

The foregoing instrument was executed and acknowledged before me this 27<sup>th</sup> day of February, 2019, by Desiree O'Neill, an unmarried widow. She is either [ ] personally known to me or [X] has produced a Florida state driver's license as identification.

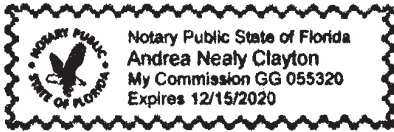
[Signature page to Quit Claim Deed, \_\_\_\_\_, \_\_\_\_\_, 2019]

State of FLORIDA

County of Hillsborough

Sworn to (or affirmed) and subscribed before me this 27<sup>th</sup> day of February, 2019 by Desiree Cooper Callen-O'Neill, who  is personally known to me or  produced a Florida Driver License as identification, regarding the attached instrument described as: \_\_\_\_\_

Quit Claim Deed  
and to whose signature this notarization applies.



Andrea Nealy Clayton  
notary public signature

ANDREA NEALY CLAYTON  
notary public printed name

FL-2003-JUR

[www.NotaryFL.com](http://www.NotaryFL.com) provides this form pursuant to Florida Statutes §117.05(13)(a)

PREPARED BY AND RETURN TO:  
DEBBIE H. WHITTAKER  
Members Title Agency, LLC  
6810 E. Hillsborough Avenue, Tampa, FL 33610  
File Number 01-45190  
Parcel ID#: 043528-0000 & 043528-0100

**WARRANTY DEED**  
(Individual)

This Warranty Deed, dated this 31st day of August, 2016

By **RODNEY D. CRIBBS and MARTHA H. CRIBBS, Husband and Wife**

whose post office address is: 1467 WALDEN OAKS PLACE, PLANT CITY, FL 33563  
hereinafter called the GRANTOR,

To **IRELAND O'NEILL**

whose post office address is: 5229 PALM RIVER ROAD, 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 representatives, 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 considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases conveys, and confirms unto the Grantee, all that certain land situate in Hillsborough County, Florida, viz:

**The East 129.5 feet, of the West 204.5 feet, of the East 1/2, of the Southwest 1/4, of the Northeast 1/4, of the Southwest 1/4 of Section 22, Township 29 South, Range 19 East, Hillsborough County, Florida. LESS the North 255.0 feet of the East 109.5 feet thereof. LESS Right of Way for Palm River Road.**

ALSO:

**The East 109.5 feet, of the North 255 feet, of the West 204.5 feet, of the East 1/2, of the Southwest 1/4, of the Northeast 1/4, of the Southwest 1/4 of Section 22, Township 29 South, Range 19 East, Hillsborough County, Florida. LESS Right of Way for Palm River Road.**

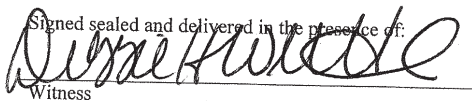
SUBJECT TO taxes and assessments for the year 2016 and subsequent years.


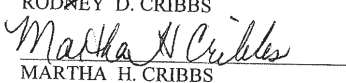
TOGETHER with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

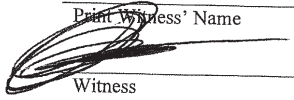
TO HAVE AND TO HOLD, the same in fee simple forever.

AND THE GRANTOR HEREBY covenants with said Grantee that except as above noted, 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.

IN WITNESS WHEREOF, Grantor has signed and sealed this presents the date set forth above.

Signed sealed and delivered in the presence of:  
  
Witness  
**DEBBIE H. WHITTAKER**

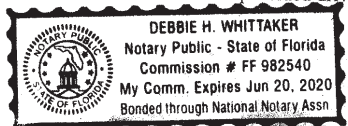
  
RODNEY D. CRIBBS  
  
MARTHA H. CRIBBS

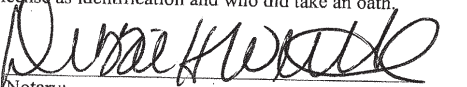
Print Witness' Name  
  
Witness  
**BRADFORD P. MONROE**  
Print Witness' Name

STATE OF: FLORIDA  
COUNTY OF: HILLSBOROUGH

The foregoing instrument was acknowledged before me this 31st day of August, 2016, by **RODNEY D. CRIBBS and MARTHA H. CRIBBS, Husband and Wife** who is personally known to me or who has provided driver's license as identification and who did take an oath.

(Seal)



  
Notary:  
My Commission Expires: **DEBBIE H. WHITTAKER**

PREPARED BY AND RETURN TO:  
DEBBIE H. WHITTAKER  
Members Title Agency, LLC  
6810 E. Hillsborough Avenue, Tampa, FL 33610  
File Number 01-45191  
Parcel ID#: 043528-0200 & 043528-0300

**WARRANTY DEED**  
(Individual)

This Warranty Deed, dated this 31st day of August, 2016

**By** JUDITH A. SHEHAN, an unmarried widow, as to her Life Estate Interest and JUDITH A. SHEHAN, an unmarried widow, individually and as TRUSTEE OF THE JUDITH SHEHAN REVOCABLE TRUST, DATED MAY 6, 2015, as to the remainder interest whose post office address is: 1515 MEADOWRIDGE DRIVE, VALRICO, FL 33596 hereinafter called the GRANTOR,

**To** IRELAND O'NEILL

whose post office address is: 5229 PALM RIVER ROAD, 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 representatives, 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 considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases conveys, and confirms unto the Grantee, all that certain land situate in Hillsborough County, Florida, viz:

The East 1/2, of the Southwest 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 22, Township 29 South, Range 19 East, Hillsborough County, Florida; LESS the West 204.5 feet thereof, ALSO LESS that portion thereof described in Official Records Book 23263, Page 261.

Together with the East 20.0 feet of the East 1/2, of the Southwest 1/4, of the Northeast 1/4, of the Southwest 1/4, of Section 22, Township 29 South, Range 19 East, Hillsborough County, Florida; lying South of Palm River Road.

AND

The North 255.0 feet of the East 1/2, of the Southwest 1/4, of the Northeast 1/4, of the Southwest 1/4, of Section 22, Township 29 South, Range 19 East, Hillsborough County, Florida; LESS the East 20.00 feet thereof, LESS the West 204.5 feet thereof, LESS right of way for Palm River Road.

SUBJECT TO taxes and assessments for the year 2016 and subsequent years.


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

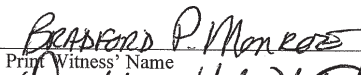
TO HAVE AND TO HOLD, the same in fee simple forever.

AND THE GRANTOR HEREBY covenants with said Grantee that except as above noted, 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.

IN WITNESS WHEREOF, Grantor has signed and sealed this presents the date set forth above.

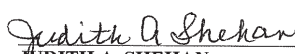
Signed, sealed and delivered in the presence of:

  
Witness

  
Print Witness' Name

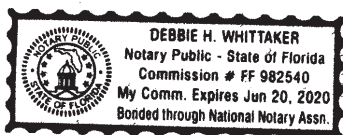
  
Witness  
DEBBIE H. WHITTAKER

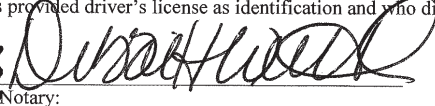
Print Witness' Name  
STATE OF: FLORIDA  
COUNTY OF: HILLSBOROUGH

  
JUDITH A. SHEHAN, an unmarried widow, as to her Life Estate Interest and JUDITH A. SHEHAN, an unmarried widow, individually and as TRUSTEE OF THE JUDITH SHEHAN REVOCABLE TRUST, DATED MAY 6, 2015, as to the remainder interest

The foregoing instrument was acknowledged before me this 31st day of August, 2016, by JUDITH A. SHEHAN, an unmarried widow, as to her Life Estate Interest and JUDITH A. SHEHAN, an unmarried widow, individually and as TRUSTEE OF THE JUDITH SHEHAN REVOCABLE TRUST, DATED MAY 6, 2015, as to the remainder interest who is personally known to me or who has provided driver's license as identification and who did take an oath.

(Seal)



  
Notary:

My Commission Expires:

DEBBIE H. WHITTAKER

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# Submittal Requirements for Applications Requiring Public Hearings

**Official Use Only**

Application No: 24-0244 Intake Date: 12/15/2023  
Hearing(s) and type: Date: 02/26/2024 Type: LUHO Receipt Number: 327996  
Date: \_\_\_\_\_ Type: \_\_\_\_\_ Intake Staff Signature: Alejandra Prado

Applicant/Representative: Ireland O'Neill Phone: 813-464-1686

Representative's Email: irelandoneill.tpz@gmail.com

The following information is used by reviewing agencies for their comments and should remain constant, with very few exceptions, throughout the review process. Additional reviews, such as legal description accuracy, compatibility of uses, agency reviews, etc., will still be conducted separately and may require additional revisions.

The following ownership information must be provided and will be verified upon submission initial submittal. If you are viewing this form electronically, you may click on each underlined item for additional information.

## Part A: Property Information & Owner Authorization Requirements

Included	N/A	Requirements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Applicant/Owner Information Form</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Affidavit(s) to Authorize Agent</u> (if applicable) NOTE: All property owners must sign either the Application form or the Affidavit to Authorize Agent. If property is owned by a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Sunbiz Form</u> (if applicable). This can be obtained at <a href="http://Sunbiz.org">Sunbiz.org</a> .
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Current Recorded Deed(s)</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Close Proximity Property Owners List</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Legal Description</u> for the subject site
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Fastrack Approval</u> (if applicable)

**Additional application-specific requirements are listed in Part B.**



# Property/Applicant/Owner Information Form

Application No: <u>24-0244</u>	Official Use Only	Intake Date: <u>12/15/2023</u>
Hearing(s) and type: Date: <u>02/26/2024</u>	Type: <u>LUHO</u>	Receipt Number: <u>327996</u>
Date: _____	Type: _____	Intake Staff Signature: <u>Alejandra Prado</u>

### Property Information

Address: 5217 Palm River Road Plus Multiple City/State/Zip: Tampa/FL/33619

TWN-RN-SEC: 22-29-19 Folio(s): See all 5 below Zoning: RDC-6/RDC-12 Future Land Use: R-9 Property Size: 7.77 Acres

### Property Owner Information

Name: Ireland O'Neill Daytime Phone 813-464-1686

Address: 5217 Palm River Road City/State/Zip: Tampa/FL/33619

Email: irelandoneill.tpz@gmail.com Fax Number N/A

### Applicant Information

Name: Ireland O'Neill Daytime Phone 813-464-1686

Address: 5217 Palm River Road City/State/Zip: Tampa/FL/33619

Email: irelandoneill.tpz@gmail.com Fax Number N/A

### 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.

Ireland O'Neill  
Signature of the Applicant

Ireland O'Neill  
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.

Ireland O'Neill  
Signature of the Owner(s) – (All parties on the deed must sign)

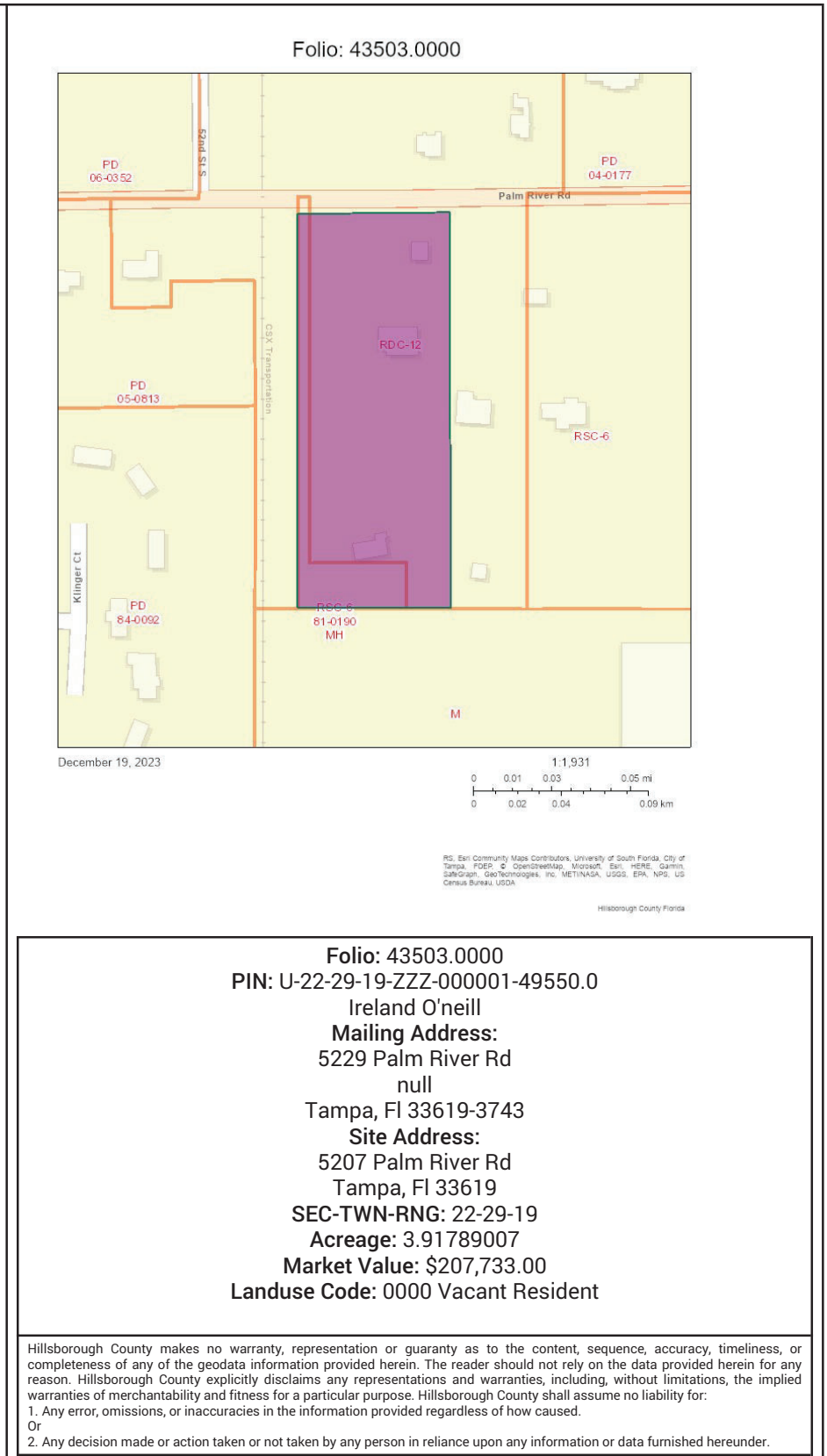
Ireland O'Neill  
Type or print name





# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-6
Description	Residential - Single-Family Conventional
Overlay	MH
RZ	81-0190
Zoning Category	Residential
Zoning	RDC-12
Description	Residential - Duplex Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0359H
FIRM Panel	12057C0359H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	AE
Pre 2008 Flood Zone	X500
Pre 2008 Firm Panel	1201120359E
County Wide Planning Area	Greater Palm River
Community Base Planning Area	Greater Palm River
Census Data	Tract: 013501 Block: 2004
Future Landuse	R-9
Future Landuse	R-9
Future Landuse	R-9
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 8
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	190' AMSL
Aviation Authority Height Restrictions	170' AMSL
Competitive Sites	NO
Redevelopment Area	NO

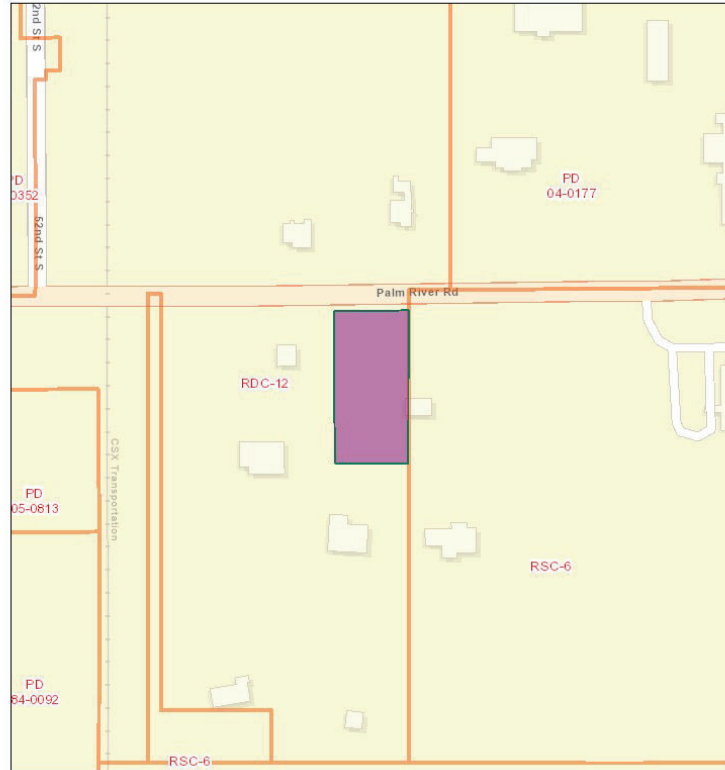




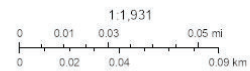
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Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 8
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	190' AMSL
Competitive Sites	NO
Redevelopment Area	NO

Folio: 43528.0000



December 19, 2023



RS: Esri Community Maps Contributors, University of South Florida, City of Tampa, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, Swirecity, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Hillsborough County Florida

**Folio: 43528.0000**  
**PIN: U-22-29-19-ZZZ-000001-49670.0**

**Mailing Address:**  
 Ireland Oneill  
 5229 Palm River Rd  
 null  
 Tampa, FL 33619-3743

**Site Address:**  
 5215 Palm River Rd  
 Tampa, FL 33619  
**SEC-TWN-RNG: 22-29-19**  
**Acreage: 0.56621701**

**Market Value: \$117,028.00**  
**Landuse Code: 0000 Vacant Resident**

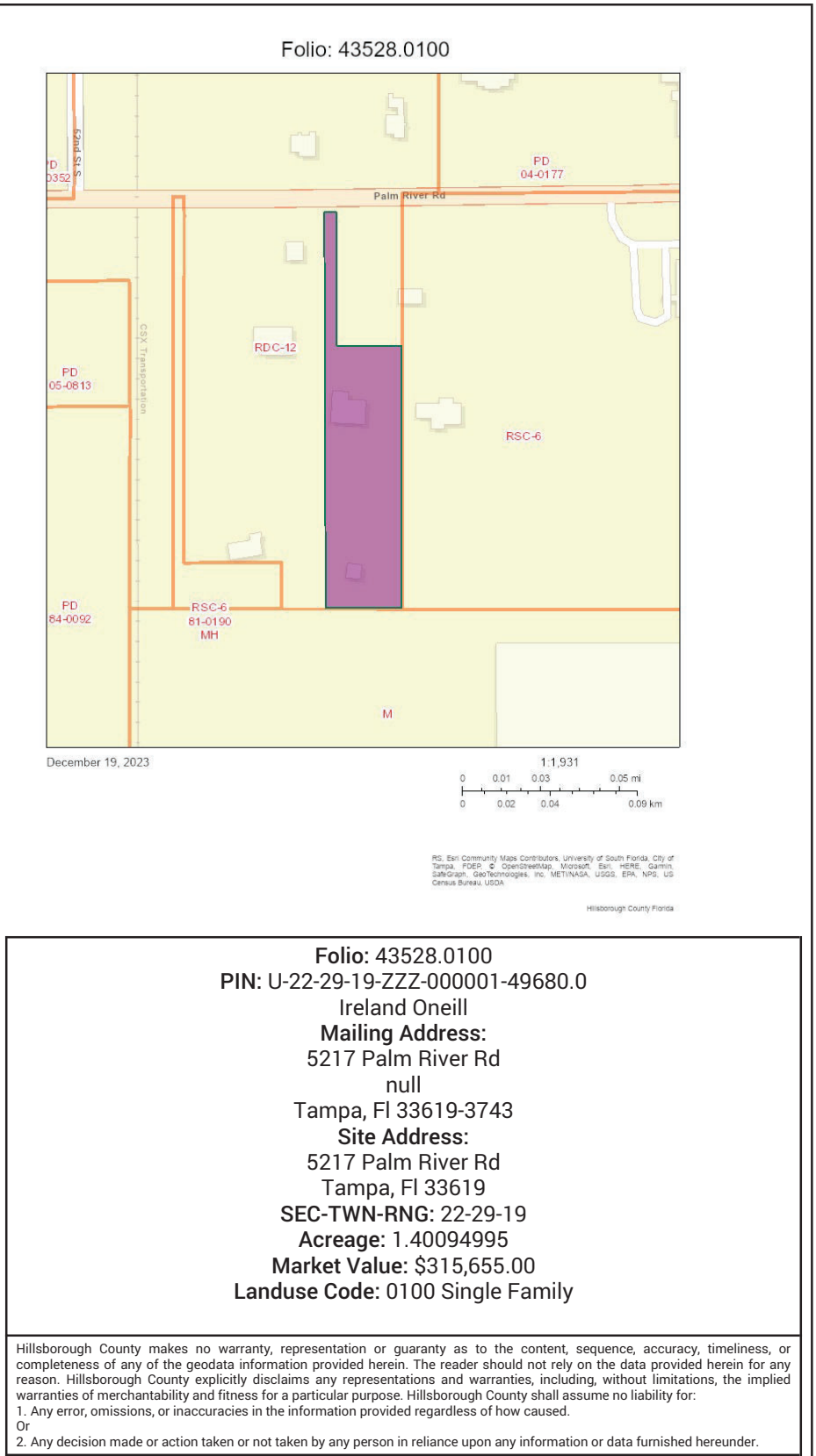
Hillsborough County makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any of the geodata information provided herein. The reader should not rely on the data provided herein for any reason. Hillsborough County explicitly disclaims any representations 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.



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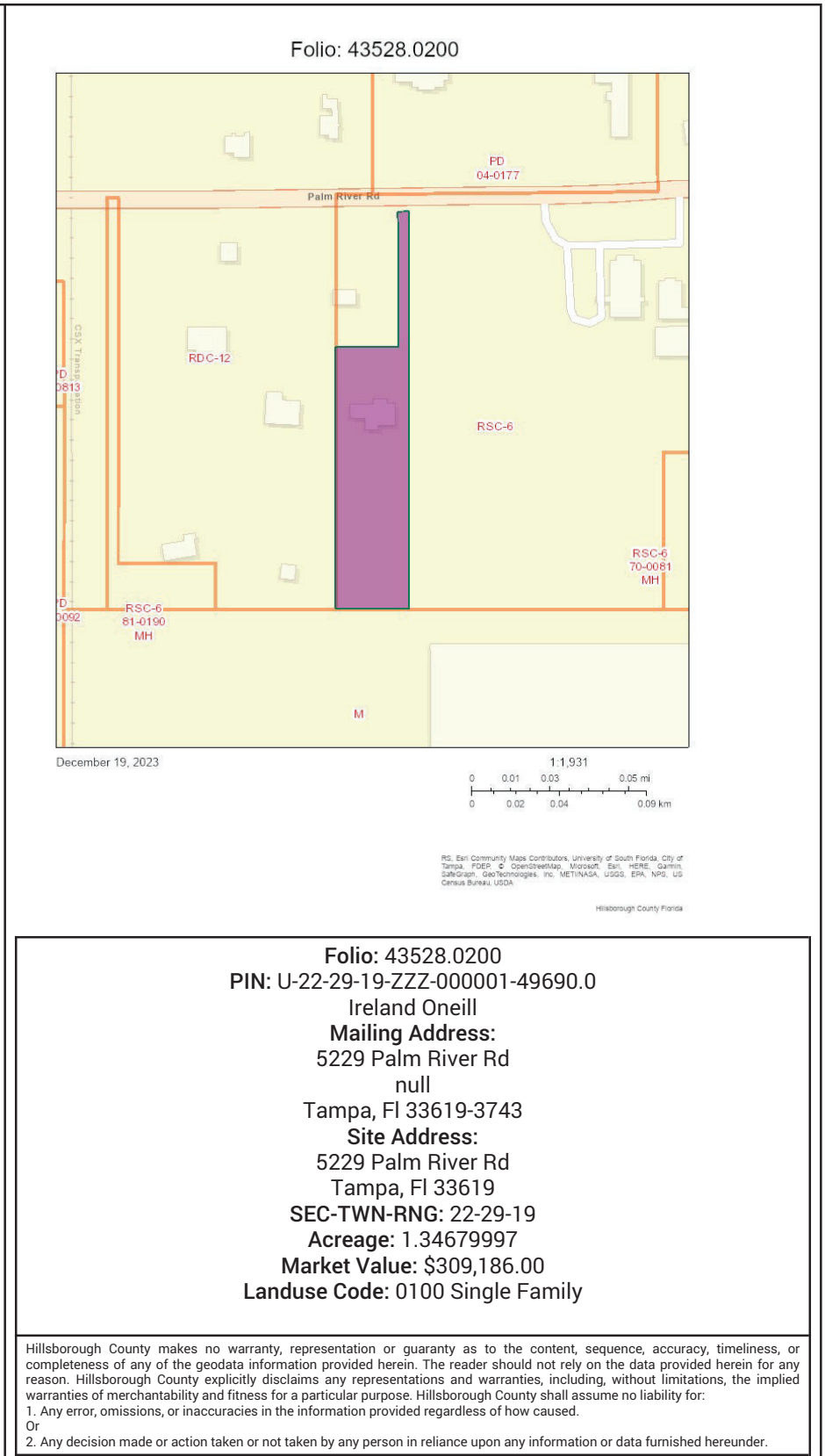
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Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 8
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	190' AMSL
Competitive Sites	NO
Redevelopment Area	NO





# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

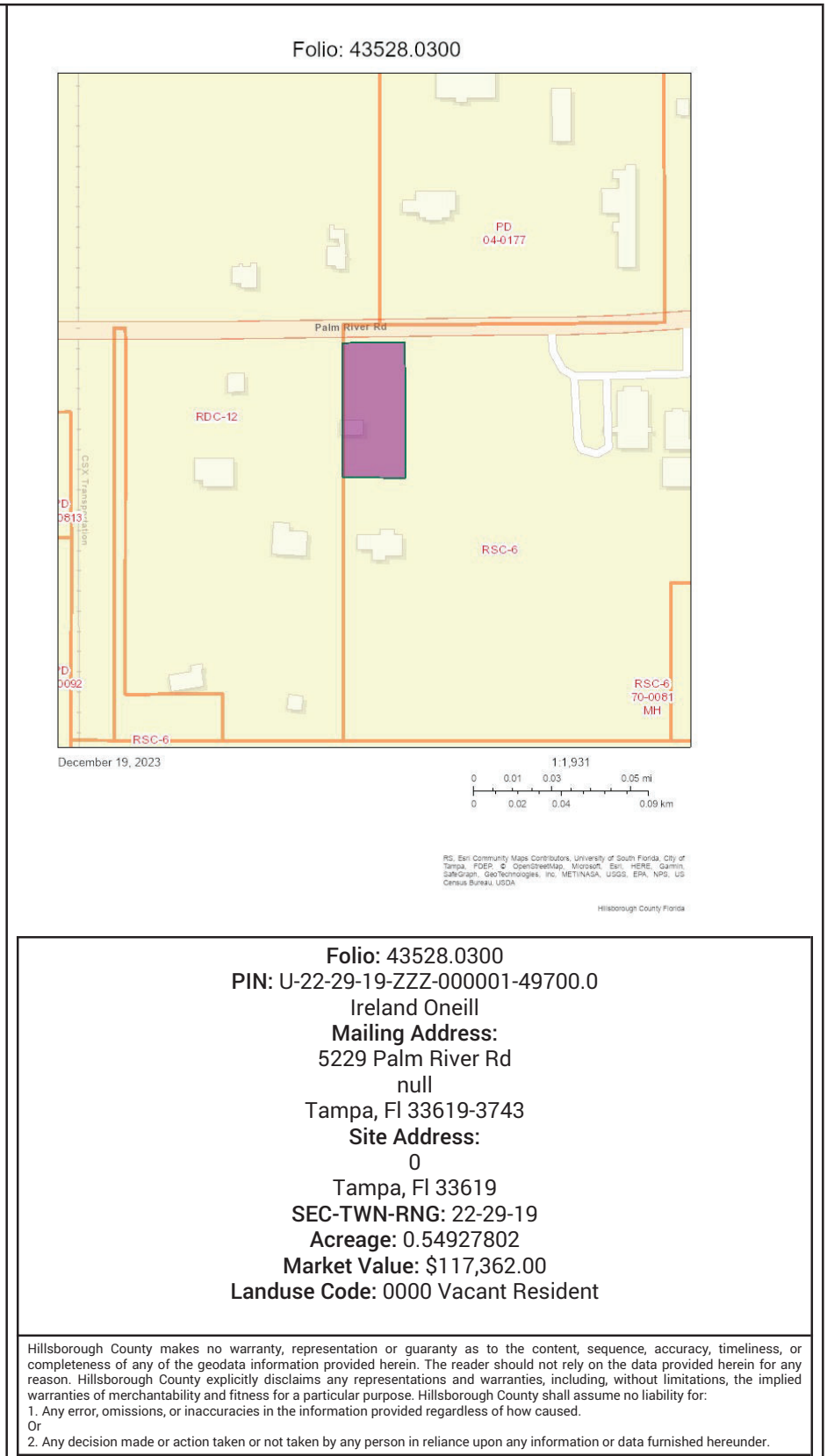
Jurisdiction	Unincorporated County
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Redevelopment Area	NO





# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

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