Variance Application: VAR 25-0638

**LUHO Hearing Date:** 

May 27, 2025

Case Reviewer: Joseph Reinbold



**Development Services Department** 

Applicant: Thomas E. Marvin III & Casey L. Marvin Zoning: ASC-1

Address/Location: 3311 Pearson Rd., Valrico, FL 33596; Folio #'s 87251.4000 & 87251.4025

#### Request Summary:

The applicant is requesting a variance to flag lot access requirements to allow for a flag lot in the Urban Service Area.

Requested Variances:			
LDC Section:	LDC Requirement:	Variance:	Result:
6.02.01.B.4	A flag lot may be created to serve a single parcel provided the subdivision is located within the Rural Area and an agricultural zoning district.	Allow the creation of a new flag lot within the Urban Service Area	New flag lot within the Urban Service Area

Findings:

The subject parcels are part of the certified parcel subdivision application, PI 6055. Folio 87251.4025 requires a variance for a flag lot in the Urban Service Area.

**Zoning Administrator Sign Off:** 

Colleen Marshell

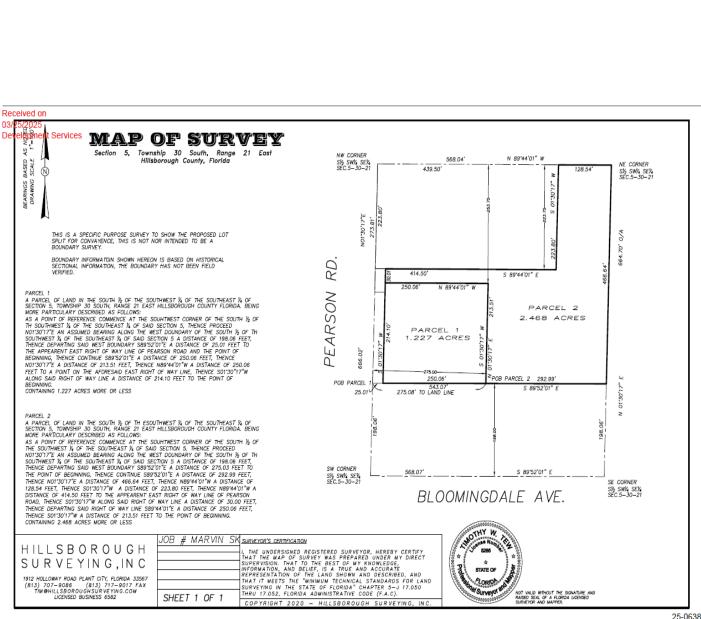
Colleen Marshall Tue Apr 22 2025 09:48:37

#### **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.

LUHO HEARING DATE: May 27, 2025 Case Reviewer: Joseph Reinbold

#### SURVEY/SITE PLAN





## **Project Description (Variance Request)**

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. Variance to allow a flag lot within the urban service area. The Marvin's purchased Folio no. 087251.2000 in 2015 with the intention of expanding/purchasing surrounding property to build homes for family. Bivins & Hemenway, P.A. submitted for the Certified Parcel on November 16, 2021 - PI#6055 - Zoning comment response did not mention the flag lot as an issue in comments issued on December 2, 2021, Bivins & Hemenway, P.A. never resubmitted and the project lagged until another surveyor / submittal agent was retained. Price recorded the deed for the Certified Parcel (087251.4000-Parent Tract / 087251.4025) 04/25/2023. Landmark Engineering & Surveying Corp. was contracted to take over the project from Bivins & Hemenway, P.A. and we resubmitted, per Site In-Take's email from April 2024. 2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code: LDC Sec. 11.04.02 Additional Information 1. Have you been cited by Hillsborough County Code Enforcement? If yes, you must submit a copy of the Citation with this Application. 2. Do you have any other applications filed with Hillsborough County that are related to the subject property? If yes, please indicate the nature of the application and the case numbers assigned to the application (s): PI#6055 Yes If yes, you must complete the Wetland Setback Memorandum and all required information must be included with this Application Packet. 4. Please indicate the existing or proposed utilities for the subject property: Public Wastewater Private Well Septic Tank 5. Is the variance to allow a third lot on well or non-residential development with an intensity of three ERC's? If yes, you must submit a final determination of the "Water, Wastewater, and/or Reclaimed Water - Service Application Conditional Approval - Reservation of Capacity" prior to your public hearing

1. In the space below describe the variance including any history and/or related facts that may be helpful in understanding





Application N	lo:	

### **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?
	Several surrounding properties have flag lots and shared driveways (as recent as 2019)

Several surrounding properties have flag lots and shared driveways, (as recent as 2019).

When initially submitted flag lot was not commented on.

Please see attached aerial.

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.

Several surrounding properties have flag lots and shared driveways, (as recent as 2019). When initially submitted flag lot was not commented on.
Please see attached aerial.

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 would allow the property to be cohesive with surrounding properties.

The homes within perimeter of Falling Oaks Drive, Little Road and between Bloomingdale Ave to the Cul-de-sa named Cinnamon Trace Drive have shared driveways on flag lots and have harmoniously maintained these drives on the these lots. Cascio Way, Carpe Diem Court, Family Court and Rockin J Court included.

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

The flag lot was in apparent harmony in when initially submitted in 2021. The variance would allow for the property to be aligned with the surrounding communities and equivalent to businesses along Bloomingdale Ave and homes along Pearson Road. This particular flag lot is not secluded in nature and does not posses a visibility disadvantage. Parking is not an issue.

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 Marvin's purchased Folio no. 087251.2000 in 2015 with the intention of expanding/purchasing surrounding property to build homes for family.

-Bivins & Hemenway, P.A. submitted for the Certified Parcel on November 16, 2021 - PI#6055 - Zoning comment response did not mention the flag lot as an issue in comments issued on December 2, 2021, Bivins & Hemenway, P.A. never resubmitted and the project lagged until another surveyor / submittal agent was retained.

-Price recorded the deed for the Certified Parcel (087251.4000-Parent Tract / 087251.4025) 04/25/2023.

-Landmark Engineering & Surveying Corp. was contracted to take over the project from Bivins & Hemenway, P.A. and we resubmitted, per Site In-Take's email from April 2024.

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.

Was ok in 2019 submittal, several other flag lots in the vicinity, aerial attached. Neither owner currently has issue with driveway access on Pearson Road.



Instrument #: 2020497153, Pg 1 of 2, 11/30/2020 12:07:46 PM DOC TAX PD(F.S. 201.02) \$0.70, INT. TAX PD (F.S. 199) \$0.00, DOC TAX PD (F.S. 201.08) \$0.00, Deputy Clerk: TJOHNSON Pat Frank, Clerk of the Circuit Court Hillsborough County

This document prepared by And after recording return to:

Emma Hemness, Esquire Hemness Faller Elder Law 309 North Parsons Avenue Brandon, Florida 33510

Property Appraiser's Folio Number(s): 087251-4000

#### **QUIT CLAIM DEED**

(As to Enhanced Life Estate Interest)

THIS INDENTURE, made this November 5, 2020, by and between GRANTOR, NOLAN T. PRICE, a married man, whose mailing address is 3311 Pearson Road, Valrico, Florida 33596, and GRANTEE, MARY L. PRICE, a married woman, whose mailing address is 3311 Pearson Road, Valrico, Florida 33596, of the County of Hillsborough, State of Florida,

WITNESSETH: That the said GRANTOR, for and in consideration of the sum of \$10.00 Dollars, and other valuable consideration, lawful money of the United States of America, to him in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, have remised, released and quitclaimed to the GRANTEE, her heirs and assigns forever, all the right, title, interest and claim of the GRANTOR in and to the following described real property in Hillsborough County, Florida, to-wit:

The West 567.91 feet of the South ½ of the SW ¼ of the SE ¼ of Section 5, Township 30 South, Range 21 East Less the South 198.00 feet thereof and Less the North 208.75 feet of the West 233.71 feet and Less the West 25.00 feet thereof for road all lying and being in Hillsborough County, Florida.

#### **LESS**

A parcel of land lying in Section 5, Township 30 South, Range 21 East, Hillsborough County, Florida, described as follows: The North 223.75 feet of the West 439.40 feet of the S. ½ of the SW ¼ of the SE ¼ of said Section 5, LESS the North 208.75 feet of the West 233.71 feet of the S ½ of the SW ¼ of the SE ¼ of said Section 5. AND LESS the West 25.00 feet thereof for road right-of-way.

# THIS PROPERTY IS THE HOMESTEAD PROPERTY OF THE GRANTOR AND GRANTEE.

N.B. Grantor, NOLAN T. PRICE, and Grantee, MARY L. PRICE, previously reserved, as Life Tenants, an enhanced life estate with a contingent remainder interest subject to divestment, in a conveyance dated April 16, 2013, recorded in BK 21818, PG 0610 on 04/16/2013. The sole purpose of this deed is to convey all of the Grantor's interest in the enhanced life estate he previously reserved to the Grantee. Henceforth, the Grantee shall hold such subject property in fee simple subject to divestment.

By execution of this deed the GRANTOR, NOLAN T. PRICE, irrevocably waives, releases and renounces any and all rights of marital election and/or homestead which he could have or enjoy by reason of him surviving his spouse, MARY L. PRICE; and he does further appoint MARY L. PRICE as his Agent under a limited Durable Power of Attorney provision: to make, execute and deliver any and all further instruments or documents necessary to effectuate the intent and purposes of the above noted waiver, release and renunciation; this provision of power of attorney shall not be affected by the subsequent incapacity or disability of NOLAN T. PRICE 1 [initial]

TO HAVE AND TO HOLD the above described premises, with the appurtenances, unto the GRANTEE, her heirs and assigns forever.

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

Signed, sealed and delivered in the presence of:

3311 Pearson Road Valrico, Florida 33596

of Prese

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of X physical presence or online notarization November 5, 2020 by NOLAN T. PRICE, who has produced as identification.

Personally Known

Produced Identification

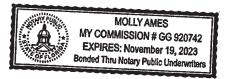
トレのし Type of Identification

Notary Public--State of Florida

Print Notary Name:

My Commission Number is:

My Commission Expires:



Instrument #: 2023186405, Pg 1 of 2, 5/2/2023 12:23:31 PM DOC TAX PD(F.S. 201.02) \$0.70, INT. TAX PD (F.S. 199) \$0.00, DOC TAX PD (F.S. 201.08) \$0.00, Deputy Clerk: EWYCHE Cindy Stuart, Clerk of the Circuit Court Hillsborough County

Ę

Prepared by:	
Record and Return to: Thomas Edward Marvin III	
3710 Bloomingdale Avenue Valrico, FL 33596	<del></del>
Quit Claim DEED	
This Quit Claim Deed made on the 28th day of April	, 20_23_
Between Mary L Price & Jujuan L Doyle Whose mailing address is: 3311 Pearson Road Valrico, FL Hereinafter called the first party,	33596
and Thomas Edward Marvin III & Casey Lynn Marvin Whose mailing address is: 3710 Bloomingdale Avenue Valrice Hereinafter called the second party,	o, FL 33596
WITNESSETH, that the first party, for and in consideration of the in hand paid by the said second party, the receipt whereof is he remise, release, and quit-claim unto the said second party forever,	e sum of \$10.00 reby acknowledged, does hereby
as joint tenants with right of survivorship if creating a right of survivorship]	[check and initial this line ONLY
all the right, title, interest, claim and demand which the said following described lot, piece or parcel of land, situate, lyin Hillsborough, State of FLORIDA to wit:	I first party has in and to the g and being in the County of
SEE SCHEDULE A, LEGAL DESCRIPTION ATTACHED.	
Subject to covenants, restrictions, easements of record and taxes for	r the current year.
TAX FOLIO NUMBER: 0872514000	
To have and to hold the same together with all and singular the a or in anywise appertaining, and all the estate, right, title, i whatsoever of the said first party either in law or equity, to behoof of the said second party.	nterest, lien, equity, and claim
IN WITNESS WHEREOF, the first party has caused these preser name this 28th day of Acci , 20.23.	ats to be executed in his or her
(Wit.) Jones Bullard (Grantor)	lary f. Opice
(Wit.) Aligail Sanchez (Grantor)	figuran Doyle
State of Florida } County of Hillshorough }	
The foregoing instrument is acknowledged before me by means [] online notarization on this 28th day of Accidentification and did take an oath.	, 20 23 by the first party, and as Witnesses, who is are
Witness my signature and official seal in the aforesaid state and	county.
Notary Public (Affix Notar	sion expires <u>D</u> 3/17/2024 (is 新聞 Gornik OTARY PUBLIC TATE OF FLORIDA omm# GG951575 expires 3/17/2024

# SCHEDULE A LEGAL DESCRIPTION

A PARCEL OF LAND IN THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 21 EAST HILLSBOROUGH COUNTY FLORIDA. BEING MORE PARTICULARY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE COMMENCE AT THE SOUHTWEST CORNER OF THE SOUTH 1/2 OF TH SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 5, THENCE PROCEED N01°30'17"E AN ASSUMED BEARING ALONG THE WEST DOUNDARY OF THE SOUTH 1/2 OF TH SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 5 A DISTANCE OF 198.06 FEET, THENCE DEPARTING SAID WEST BOUNDARY S89°52'01"E A DISTANCE OF 275.03 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE S89°52'01"E A DISTANCE OF 292.99 FEET, THENCE N01°30'17"E A DISTANCE OF 466.64 FEET, THENCE N89°44'01"W A DISTANCE OF 128.54 FEET, THENCE S01°30'17"W A DISTANCE OF 223.80 FEET, THENCE N89°44'01"W A DISTANCE OF 414.50 FEET TO THE APPEARENT EAST RIGHT OF WAY LINE OF PEARSON ROAD, THENCE S01°30'17"W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 30.00 FEET, THENCE DEPARTING SAID RIGHT OF WAY LINE S89°44'01"E A DISTANCE OF 250.06 FEET, THENCE S01°30'17"W A DISTANCE OF 213.51 FEET TO THE POINT OF BEGINNING. CONTAINING 2.468 ACRES MORE OR LESS

Received on 03/25/2025 Development Services
Hillsborough
County Florida
Development Services

# **Property/Applicant/Owner Information Form**

25-0638	Official Use Only	03/25/2025	
Application No: 25-0638 Hearing(s) and type: Date: 05/27/2025	Type: LUHO	03/25/2025 Intake Date: 462957 Receipt Number: 462957	
Date:			
	Property Information		
3311 Pearson Road Address:	City/State/Zi	Valrico, Florida 33596 p:	
3311 Pearson Road  Address:	5 ASC-1 Futur	e Land Use:Property Size:	95-acres
Р	roperty Owner Informati	on	
Mary L Price & Jujuan L. Do	pyle	Daytime Phone	2
Address:	City/State/Zip:	Valrico, Florida 33596	
Email: jujuandoyle@rocketmail.com		. 1 -	
	Applicant Information		
Thomas E. Marvin III & Casey L. Marvir	• •	(813)-525-4: Daytime Phone	387
3710 Bloomingdale Avenue Address:		Valrico Florida 33596	
nmarvin@sitelinebuilding.com Email:			
Scott R. Fowler, LS of Landmark Engine	Representative (if difference eering & Surveving Corp.	·	41 Ext.124
Name: 8515 Palm River Road		Daytime Phone (813)-621-784 Tampa, Florida 33619	
Address:	City/State/Zip:	Tampa, Florida 33013	
srf@lesc.com & comments@lesc.com Email:		Fax Number	1
I hereby swear or affirm that all the information provided in the submitted application packer and accurate, to the best of my knowledge, authorize the representative listed above to act on mybehialf onthis application.  Signature of the Applicant  Thomas E. Marvin III & Casey L. Marvin	et is true and reconstruction the current signature of Mary L.	y authorize the processing of this appropriate that the final action taken on a shall be binding to the property as tent and any future owners.  Shall be binding to the property as tent and any future owners.  Of the Owner(s) – (All parties of the deed must significant to the property as the deed must significant to the owner of	n this
Type or print name	Type or pr	nt name	
∕AR	3 of 11		10/202



## PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	ASC-1
Description	Agricultural - Single-Family Conventional
Flood Zone:A	
FIRM Panel	0415H
FIRM Panel	12057C0415H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120415C
County Wide Planning Area	Valrico
Census Data	Tract: 013206 Block: 3000
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation	ZONE 7
Impact Fee	
	Outside 140 MPH Area
Impact Fee	Outside 140 MPH Area



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, EGIS

Hisborough County Florida

Folio: 87251.4000
PIN: U-05-30-21-ZZZ-000004-27560.0
Mary L Price /Life Estate
Mailing Address:
3311 Pearson Rd
null
Valrico, Fl 33596-6054
Site Address:
3311 Pearson Rd

Valrico, Fl 33596 SEC-TWN-RNG: 05-30-21 Acreage: 1.21

Market Value: \$318,602.00 Landuse Code: 0100 SINGLE FAMILY

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



## PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	ASC-1
Description	Agricultural - Single-Family Conventional
Flood Zone:A	
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0415H
FIRM Panel	12057C0415H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Х
Pre 2008 Firm Panel	1201120415C
County Wide Planning Area	Valrico
Census Data	Tract: 013206 Block: 3000
Future Landuse	R-4
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 7
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMa; contributors, and the GIS User Community, EGIS

Folio: 87251.4025 PIN: U-05-30-21-ZZZ-000004-27560.1 Thomas Edward Iii And Casey Lynn Marvin Mailing Address: 3710 Bloomingdale Ave null Valrico, Fl 33596-6005 Site Address:

null, FI null SEC-TWN-RNG: 05-30-21

Acreage: 2.33 Market Value: \$241,196.00 Landuse Code: 0000 VACANT RESIDENT

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

