



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-1055

LUHO HEARING DATE: April 25, 2022

CASE REVIEWER: Isis Brown

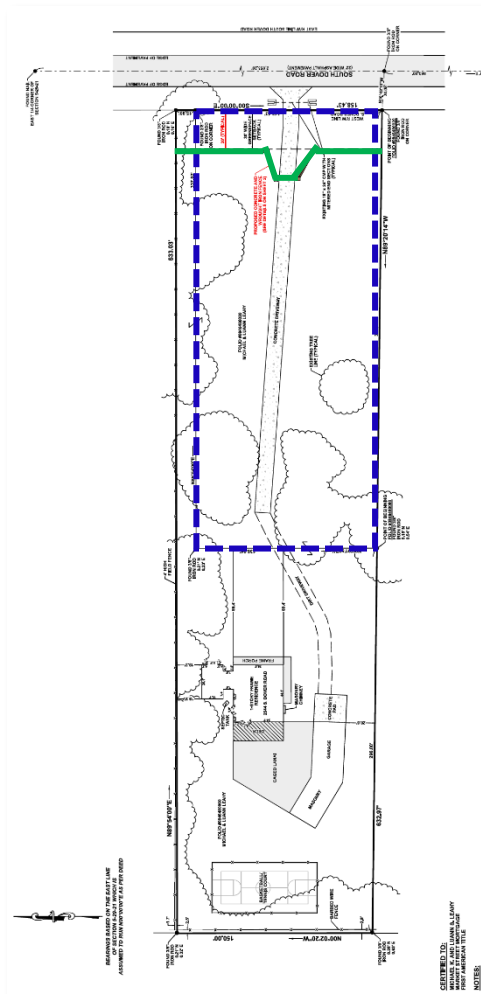
**REQUEST:** The applicant requests a height variance to accommodate a proposed fence on property zoned ASC-1.

**VARIANCE(S):**

Per LDC Section 6.07.02.C.2, fences in agricultural districts shall be regulated in the same manner as fences in residential districts, except under certain circumstances that do not apply to this case. Per LDC Section 6.07.02.C.1., a maximum height of 6 feet is permitted for fences, excluding those located in required front yards and under certain circumstances that do not apply to this case. The applicant requests a 2-foot increase to the maximum permitted height to allow a height of 8 feet for a proposed concrete and wrought iron fence in existing fence located in the required front yards (green line on graphic).

**FINDINGS:**

- The subject property is located along a portion of Dover Road that is a designed Rural Scenic Corridor. Per LDC Section, 6.06.06.I.2.a, a 30-foot-wide scenic easement must be left in a natural state along the roadway frontage. The applicant has not requested a variance to this requirement and, as shown on the revised site plan, the proposed wall will be constructed outside of the scenic easement area.
- The subject property is comprised of two parcels that are zoned ASC-1 (Agricultural Single-Family, Conventional) which requires a minimum lot size of one acre and minimum lot width of 150 feet. However, the eastern parcel (blue line on graphic) under folio number 84648.0020 is approximately 1.17 acres in size and 143 feet in width and therefore is nonconforming. However, it has been certified as a legal nonconforming lot, per NCL 22-1056 in the case record.

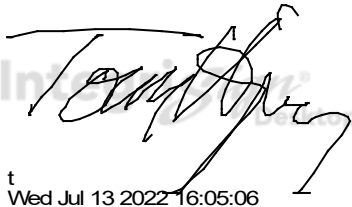


**DISCLAIMER:**

The variance(s) 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 and building permit approvals.

**ADMINISTRATOR'S SIGN-OFF**



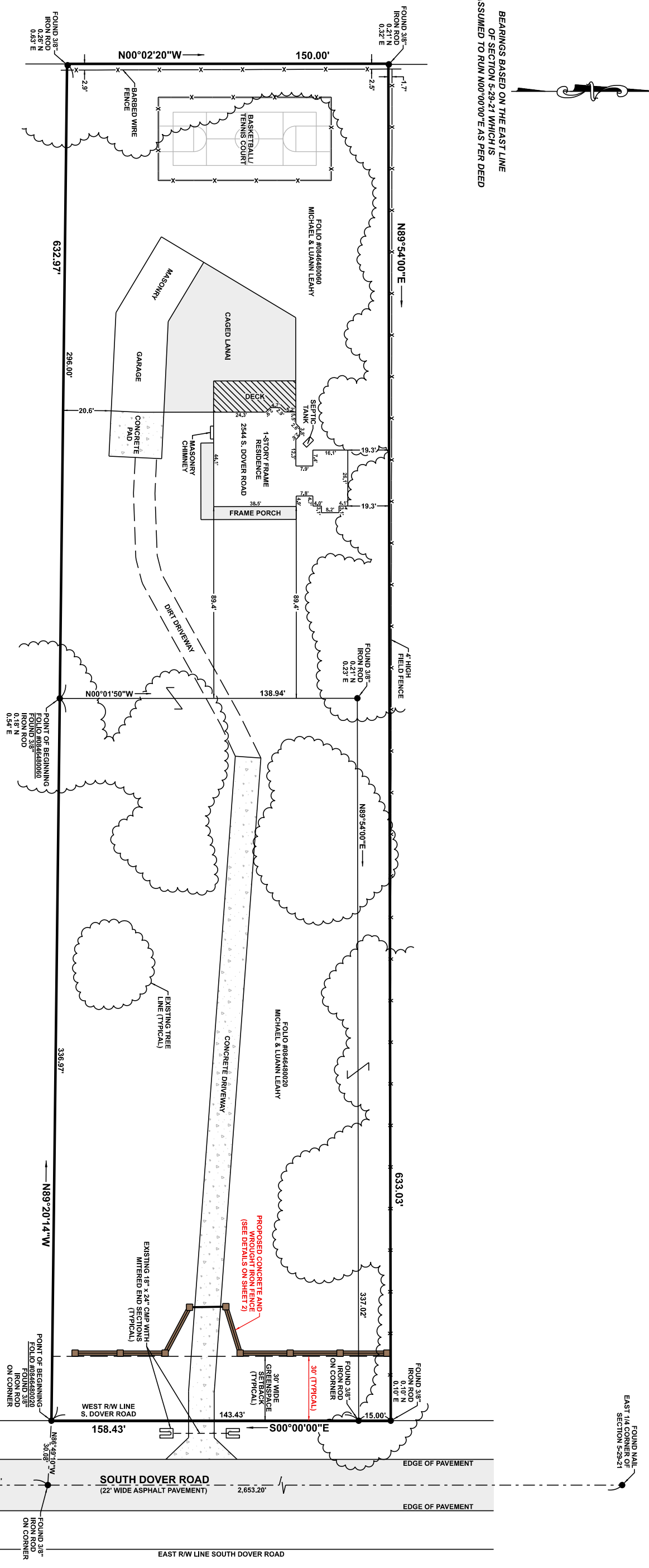
Handwritten signature of Tom H. Brown in black ink. The signature is cursive and includes the first and last names. A faint 'Info' watermark is visible behind the signature.

t  
Wed Jul 13 2022 16:05:06

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



BEARINGS BASED ON THE EAST LINE  
OF SECTION 5-29-21 WHICH IS  
ASSUMED TO RUN N00°00'00"E AS PER DEED



- CERTIFIED TO:**  
MICHAEL K. AND LUANN S. LEAHY  
MARKET STREET MORTGAGE  
FIRST AMERICAN TITLE
- NOTES:**
1. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
  2. PICKETT AND ASSOCIATES, LLC MAKES NO GUARANTEES PERTAINING TO OWNERSHIP, EASEMENTS, RIGHTS-OF-WAY, SET BACK LINES, RESERVATIONS, AGREEMENTS, OR OTHER SIMILAR MATTERS.
  3. THE HERON DESCRIBED PROPERTIES APPEAR TO LIE IN FLOOD ZONE "X", ACCORDING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 120112 0425 C, REVISED 08/03/92.
  4. FLOOD ZONE DETERMINED BY SCALED DATA, NO ELEVATION SURVEY PERFORMED.

**LAND DESCRIPTION: FOLIO #0846480020**  
COMMENCE AT THE SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 29 SOUTH, RANGE 21 EAST, HILLSBOROUGH COUNTY, FLORIDA; RUN THENCE NORTH ALONG THE EAST BOUNDARY OF SAID SECTION 5 A DISTANCE OF 863.00 FEET; THENCE NORTH 86°49'10" WEST A DISTANCE OF 30.08 FEET TO THE WEST RIGHT-OF-WAY LINE OF SOUTH DOVER ROAD; THENCE CONTINUE NORTH 89°20'14" WEST A DISTANCE OF 336.97 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE NORTH 89°20'14" WEST A DISTANCE OF 296.00 FEET; THENCE NORTH 00°02'20" WEST A DISTANCE OF 150.00 FEET; THENCE NORTH 89°34'00" EAST A DISTANCE OF 633.03 FEET TO THE WEST RIGHT-OF-WAY LINE OF SOUTH DOVER ROAD; THENCE SOUTH ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 15.00 FEET; THENCE SOUTH 89°54'00" WEST A DISTANCE OF 337.02 FEET; THENCE SOUTH 00°01'50" EAST A DISTANCE OF 138.94 FEET TO THE POINT OF BEGINNING, CONTAINS 1.02 ACRES MORE OR LESS.

**LAND DESCRIPTION: FOLIO #0846480060**  
COMMENCE AT THE SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 29 SOUTH, RANGE 21 EAST, HILLSBOROUGH COUNTY, FLORIDA; RUN THENCE NORTH ALONG THE EAST BOUNDARY OF SAID SECTION 5 A DISTANCE OF 863.00 FEET; THENCE NORTH 86°49'10" WEST A DISTANCE OF 30.08 FEET TO THE WEST RIGHT-OF-WAY LINE OF SOUTH DOVER ROAD; THENCE CONTINUE NORTH 89°20'14" WEST A DISTANCE OF 336.97 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE NORTH 89°20'14" WEST A DISTANCE OF 296.00 FEET; THENCE NORTH 00°02'20" WEST A DISTANCE OF 150.00 FEET; THENCE NORTH 89°34'00" EAST A DISTANCE OF 633.03 FEET TO THE WEST RIGHT-OF-WAY LINE OF SOUTH DOVER ROAD; THENCE SOUTH ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 15.00 FEET; THENCE SOUTH 89°54'00" WEST A DISTANCE OF 337.02 FEET; THENCE SOUTH 00°01'50" EAST A DISTANCE OF 138.94 FEET TO THE POINT OF BEGINNING, CONTAINS 1.02 ACRES MORE OR LESS.



11 x 17 Scale: 1" = 50'

**PROFESSIONAL SURVEYOR**  
MICHAEL K. LEAHY  
STATE OF FLORIDA  
No. 42827  
DATE 06/16/22

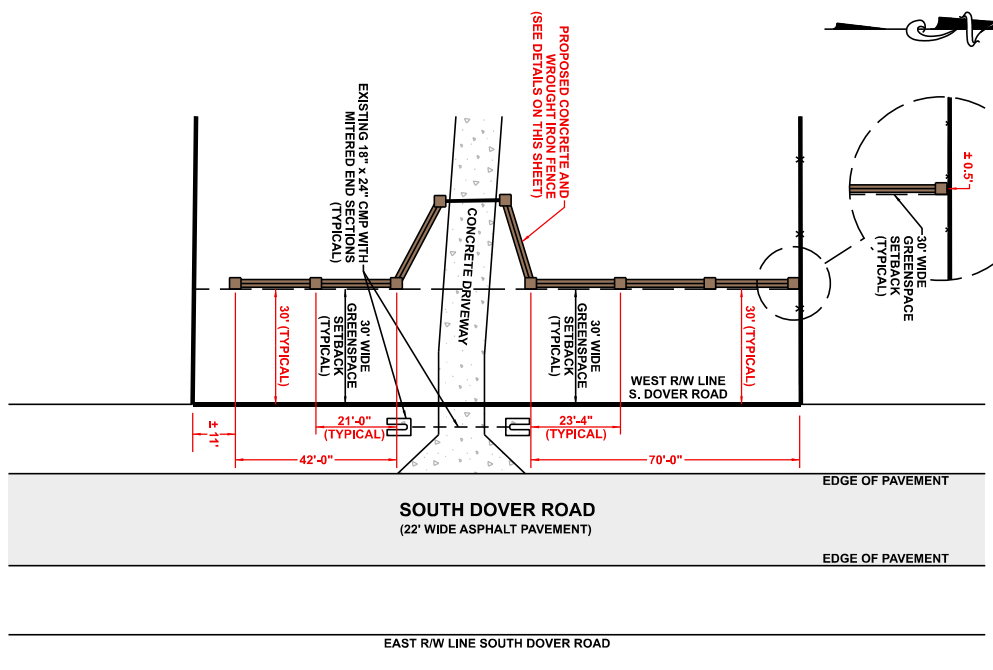
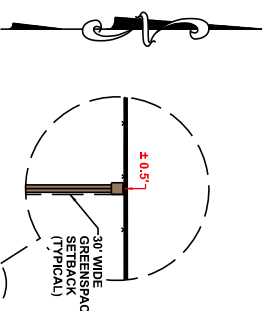
**MAP OF SURVEY**  
FOLIO #0846480020 & FOLIO #0846480060  
SECTION 5, TOWNSHIP 29 SOUTH, RANGE 21 EAST  
HILLSBOROUGH COUNTY, FLORIDA  
PREPARED FOR: MICHAEL & LUANN LEAHY

**PICKETT SURVEYING • ENGINEERING**  
PICKETT AND ASSOCIATES, LLC  
5010 W. NASSAU STREET  
TAMPA, FLORIDA 33607  
PHONE: (813) 877-7770  
LICENSED BUSINESS NO. LB364

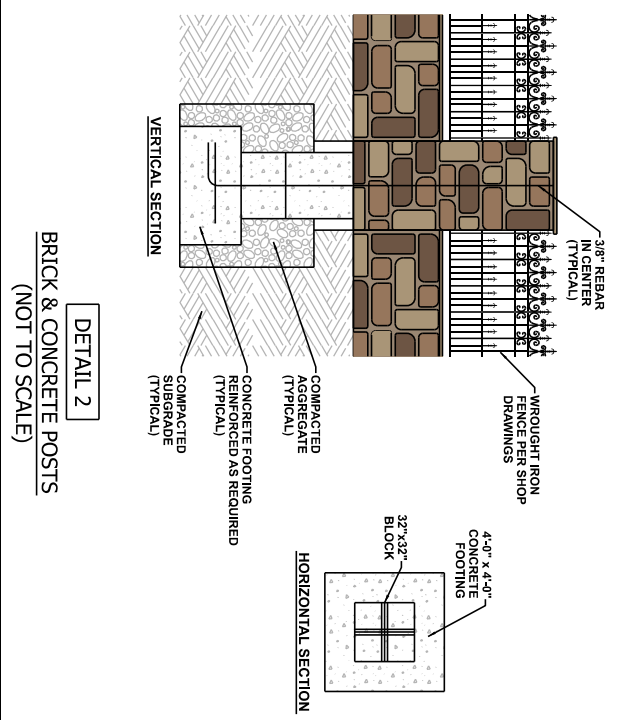
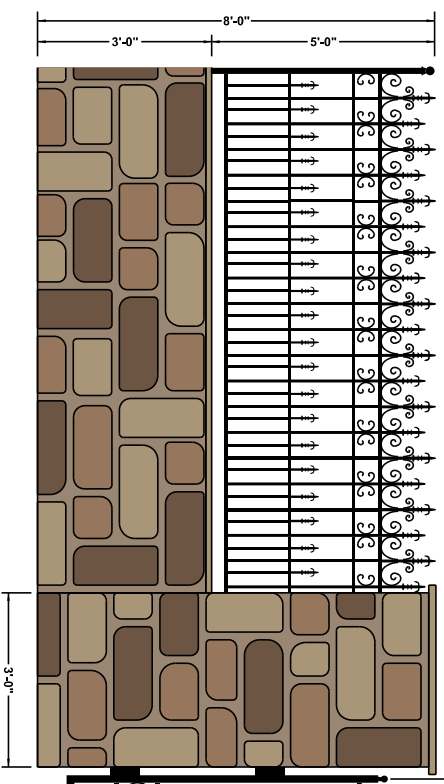
HORIZ. SCALE: 1"=50'	FIELD BOOK:	N/A	CHECKED: MKL	DRAWING NAME
CONTOUR INTERVAL: N/A	SHEET:	1 OF 2	DRAWN: JB	LEAHY SURVEY.DGN

NO.	DATE	APPROVED	REVISION
1	06/16/22	MKL	REVISED SETBACK FOR GREENSPACE

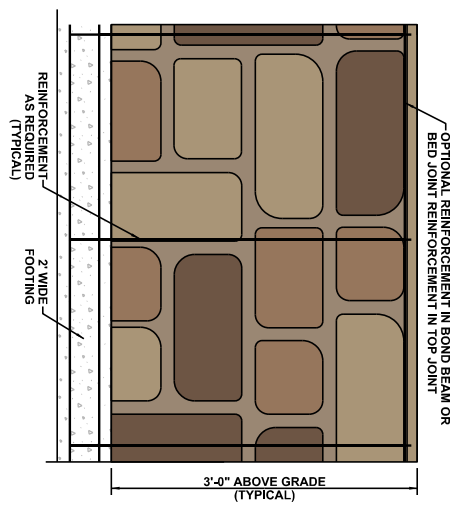
NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE RAISED SEAL OR THE ELECTRONIC SIGNATURE AND COMPUTER GENERATED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER



**DETAIL 1**  
PROPOSED FENCE AND GATE LOCATION  
SCALE: 1"=50'



**DETAIL 2**  
BRICK & CONCRETE POSTS  
(NOT TO SCALE)



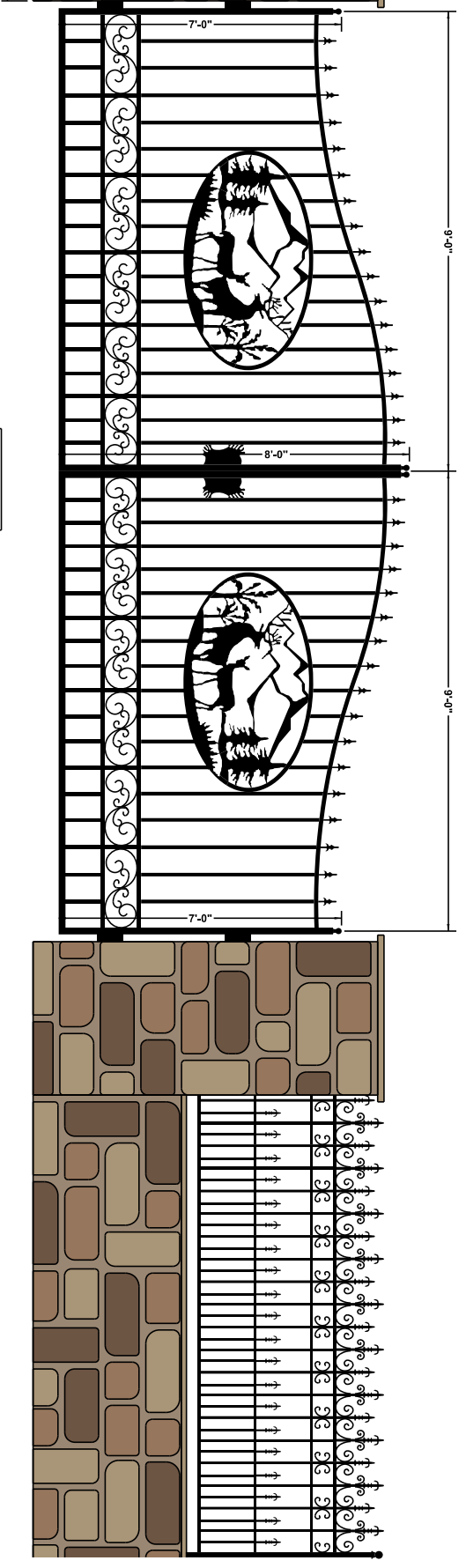
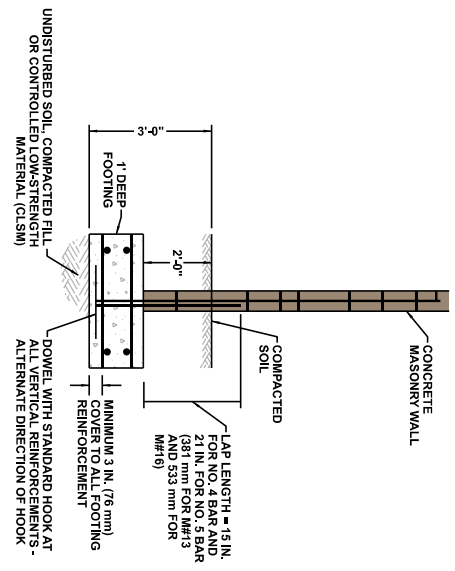
**DETAIL 3**  
REBAR SPACING  
(NOT TO SCALE)

WALL HEIGHT (MAX)	VERTICAL BAR SPACING	FOOTING WIDTH	FOOTING DEPTH	FOOTING HORIZONTAL BAR
5'-0"	48"	18"	12"	2 #4



**DETAIL 4**  
ELECTRONIC GATE OPENER  
(NOT TO SCALE)

**DETAIL 5**  
BRICK AND CONCRETE WALL  
(NOT TO SCALE)



**DETAIL 6**  
PROPOSED FENCE AND GATE  
(NOT TO SCALE)

**PROFESSIONAL SURVEYOR**  
MICHAEL & LUANN LEAHY  
FLORIDA LICENSED PROFESSIONAL ENGINEER NO. 48287  
PROFESSIONAL SURVEYOR & MAPPER NO. 9898  
STATE OF FLORIDA  
DATE: 06/16/22

**MAP OF SURVEY**  
FOLIO #0846480020 & FOLIO #0846480060  
SECTION 5, TOWNSHIP 29 SOUTH, RANGE 21 EAST  
HILLSBOROUGH COUNTY, FLORIDA  
PREPARED FOR: MICHAEL & LUANN LEAHY

**PICKETT SURVEYING • ENGINEERING**  
PICKETT AND ASSOCIATES, LLC  
5010 W. NASSAU STREET  
TAMPA, FLORIDA 33607  
PHONE: (813) 877-7770  
LICENSED BUSINESS NO. LB364

SCALE: AS SHOWN	FIELD BOOK:	N/A	CHECKED: MKL	DRAWING NAME
CONTOUR INTERVAL: N/A	SHEET:	2 OF 2	DRAWN: JB	LEAHY SURVEY.DGN

NO.	DATE	APPROVED	REVISION
1	06/16/22	MKL	REVISED SETBACK FOR GREENSPACE

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE RAISED SEAL OR THE ELECTRONIC SIGNATURE AND COMPUTER GENERATED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER



# Additional / Revised Information Sheet

Date Stamp Here

Application Number: \_\_\_\_\_ Applicant's Name: \_\_\_\_\_

Reviewing Planner's Name: \_\_\_\_\_ Date: \_\_\_\_\_

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): \_\_\_\_\_

Will this revision add land to the project?     Yes     No

**IMPORTANT:** If "Yes" is checked on the above, a Revised Application Sheet, Property Information Sheet, Affidavit to Authorize Agent, and additional Deeds must be filed immediately to ensure proper noticing and sign posting requirements are met.

Will this revision remove land from the project?     Yes     No

### The following must be attached to this Sheet.

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

Submittal Via:

Email - Note that no follow up paper file is necessary. Files must be in pdf format and minimum resolution of 300 dpi. Maximum attachment(s) size is 15 MB.

**Email this sheet along with all the additional/revised submittal items in pdf to: [ZoningIntake-DSD@hcflgov.net](mailto:ZoningIntake-DSD@hcflgov.net)**

**For additional help and submittal questions, please call (813) 277-1633 or email [ZoningIntake-DSD@hcflgov.net](mailto: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

\_\_\_\_\_ Date

FOR OFFICE USE ONLY

- Notification E-Mail Sent     Scanned into OPTIX
- Transmittal Completed

In-Take Completed by: \_\_\_\_\_

Application Number: \_\_\_\_\_

## VARIANCE REQUEST

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

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Requesting a variance to allow for an 8 foot tall masonry / wrought iron security fence / gate at the front of the property. Current regulations allow for a 4 foot fence. The primary reason for the fence is security and a 4 foot tall fence simply does not provide enough protection. We're out in the country and have been broken into. The response time from the Sheriff was 30 minutes which does not provide adequate protection. The fence will be set back 30 feet from the west R/W of N. Dover Road to comply with the 30 foot greenspace easement required by part 6.06.03.I of the Land Development Code. Dover Road is a rural scenic corridor which requires a 30 foot wide greenspace easement along the parcel frontage.

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

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Section 6.07.02.C.1.a & j

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## ADDITIONAL INFORMATION

1. Have you been cited by Hillsborough County Code Enforcement? No  Yes \_\_\_\_\_  
If yes, you must submit a copy of the Citation with this Application.
2. Do you have any other applications filed with Hillsborough County that are related to the subject property? No \_\_\_\_\_ Yes  If yes, please indicate the nature of the application and the case numbers assigned to the application(s): HC-BLD-22-0033389
3. Is this a request for a wetland setback variance? No  Yes \_\_\_\_\_  
If yes, you must complete the *Wetland Setback Memorandum* and all required information must be included with this Application Packet (Attachment A).
4. Please indicate the existing or proposed utilities for the subject property:  
Public Water \_\_\_\_\_ Public Wastewater \_\_\_\_\_ Private Well  Septic Tank
5. Is the variance to allow a third lot on well and/or septic 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 Reclaimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing (form may be obtained from **19<sup>th</sup> floor County Center**).





# Additional / Revised Information Sheet

Date Stamp Here

Application Number: \_\_\_\_\_ Applicant's Name: \_\_\_\_\_

Reviewing Planner's Name: \_\_\_\_\_ Date: \_\_\_\_\_

Application Type:

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Current Hearing Date (if applicable): \_\_\_\_\_

Will this revision add land to the project?     Yes     No

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Will this revision remove land from the project?     Yes     No

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*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

\_\_\_\_\_ Date

FOR OFFICE USE ONLY

- Notification E-Mail Sent     Scanned into OPTIX
- Transmittal Completed

In-Take Completed by: \_\_\_\_\_

Application Number: \_\_\_\_\_

## VARIANCE CRITERIA RESPONSE

*You must provide a response to each of the following questions. If additional space is needed, please attach extra pages to this application.*

1. Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located?

We are in the country and need the additional security of a fence that someone can't just hop over. A 4 foot tall fence just doesn't provide the appropriate level of protection.

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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.

Other properties may or may not be in the country. I think that's the main difference between our property and a similarly zoned property elsewhere.

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

The fence as designed has a 3 foot tall masonry wall with a 5 foot wrought iron panel above. The fence is mostly opaque and would not interfere with any other property owners.

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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 fence is consistent in style and construction with many other fences in the area.

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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.

Nothing here is the result of an illegal act.

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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.

Granting the variance will allow us to properly protect our home.

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084648-0020 Current Deed

**WARRANTY DEED**

**THIS INDENTURE**, made this 22 day of Feb., 2013, Between **LUANN SULLIVENT LEAHY and MICHAEL K. LEAHY, wife and husband**, (hereinafter jointly called "**Grantor**"), whose address is 2544 North Dover Road Dover, FL 33527, and **LUANN SULLIVENT LEAHY and MICHAEL K. LEAHY, as Trustees of the Luann Sullivent Leahy Trust dated 2013**, (hereinafter called "**Grantee**"), whose post office address is 2544 North Dover Road Dover, FL 33527.

**WITNESSETH:** That the **Grantor**, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other valuable consideration to **Grantor** in hand paid by the **Grantee**, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the **Grantee**, and **Grantee's** successors and assigns forever, the following described land, lying and being in the **Hillsborough County, Florida**, (herein the "**Property**") to wit:

**Commence at the SE corner of Section 5, Township 29 South, Range 21 East, Hillsborough County, Florida, run thence N along the E boundary of said Section 5, a distance of 863.00 feet; thence N 86 deg. 49'10" W a distance of 30.08 feet to the W right of way line of South Dover Road for a POB; thence N 89 deg. 20' 14" W a distance of 336.97 feet; thence N 00deg. 01' 50" W a distance of 138.94 feet; thence N 89 deg. 54' 00" E a distance of 337.02 feet to the W right of way line of South Dover Road; thence S along said W right of way line a distance of 143.43 feet to the POB, LESS the N 15 feet thereof. Parcel # 84648.0020**

**TOGETHER WITH** all the tenements, hereditaments and appurtenances with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining;

**TO HAVE AND TO HOLD** the same in fee simple forever, subject to covenants, restrictions, and easements of record, if any.

**AND THE SAID GRANTOR** covenants with the said **GRANTEE** that **GRANTOR** is / are lawfully seized of the said premises and that it is free from all encumbrances and that **GRANTOR** has / have good right and lawful authority to sell the same: and that the said **GRANTOR** does hereby fully warrant the title and to said land, and will defend the same against the lawful claims of all persons whomsoever.

\*\*\*\*\*

**Prepared By and Return to:**  
**Stephen C. Preuss, Esq. 13004 Shadow Run Blvd. Riverview, FL 33569**

GRANTEE shall have full power and authority to deal in and with the property including the power and authority to protect, conserve, sell, lease or encumber and otherwise manage and dispose of the Property, or any part thereof, it being the intent to vest in Grantee full rights as grantee of the Property as authorized and contemplated by Section 689.071, Florida Statutes.

No party dealing with the Grantee in relation to this Deed or to the Property, in any manner whatsoever, and (without limiting the foregoing) no party to whom the Property, or any part thereof or any interest therein, shall be conveyed, encumbered, leased or contracted to be sold by the Grantee, shall be obligated (a) to see the application of any purchase money, rent, or money borrowed or advanced with respect to the Property, or (b) to see that the terms of the Luann Sullivent Leahy Trust dated 2013, (hereinafter the "TRUST"), have been complied with, or (c) to inquire into the authority, necessity or expediency of any act of the Grantee, or (d) be privileged to inquire into any of the terms of the TRUST.

Every deed, mortgage, lease or other instrument executed by the Grantee in relation to the Property shall be conclusive evidence, in favor of every person claiming any right, title or interest thereunder that: (a) at the time of delivery thereof the trust created under the TRUST, was in full force and effect; (b) such instrument was executed in accordance with the terms and conditions of the TRUST, and all amendments thereof, if any, and is binding upon the beneficiaries thereunder; (c) the Grantee was thereunder duly authorized and empowered to execute and deliver every such instrument; (d) if a conveyance of the Property has been made to a successor or successors in trust, that such successor or successors have been properly appointed and are fully vested with all the title, estates rights, powers, duties and obligations of its, his or their predecessor in trust.

IN WITNESS WHEREOF, the Grantor has executed this instrument under seal the day and year first above written.

Signed, Sealed and Delivered  
in the Presence of:

Theresa S. Hodge (sign)  
Theresa S. Hodge (print)

David S. Hodge (sign)  
DAVID S. HODGE (print)

Luann Sullivent Leahy  
LUANN SULLIVENT LEAHY

Michael K. Leahy  
MICHAEL K. LEAHY

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

THE FOREGOING INSTRUMENT, was acknowledged before me this 22 day of Feb, 2013, by Luann Sullivent Leahy and Michael K. Leahy, wife and husband, who are personally known to me or who have produced \_\_\_\_\_ as identification and who did/did not take an oath.

[Signature]  
Notary Public:



*Handwritten initials*

*Handwritten mark*

Printed for Lawyers' Title Guaranty Fund, Orlando, Florida

This instrument was prepared by:

OFF. REC. 4255 781887

Paul S. Buchman  
BUCHMAN AND BUCHMAN  
Attorneys at Law  
212 North Collins Street  
PLANT CITY, FLORIDA 33666

# Warranty Deed

(STATUTORY FORM—SECTION 689.02 F.S.)

This Indenture, Made this 10th day of January 1984, Between  
JAMES HARRY SULLIVENT and his wife, ANNA S. SULLIVENT,

of the County of Hillsborough, State of Florida, grantor\*, and  
JAMES HARRY SULLIVENT, JR.

whose post office address is Route 4, Box 596, Dover, Florida 33527

12413280 CODES TIME 08 35A  
104 0006 13JAB4  
RECORDED 002245 B  
CK 5.45

of the County of Hillsborough, State of Florida, grantee\*.

Witnesseth, That said grantor, for and in consideration of the sum of Ten and No/100-----

----- Dollars,  
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:

Commence at the Southeast corner of Section 5, Township 29 South, Range 21 East, Hillsborough County, Florida; run thence North along the East boundary of said Section 5 a distance of 863.00 feet; thence North 86°49'10" West, a distance of 30.08 feet to the West right of way line of South Dover Road for a Point of Beginning; thence North 89°20'14" West a distance of 336.97 feet; thence North 00°01'50" West a distance of 138.94 feet; thence North 89°54'00" East a distance of 337.02 feet to the West right of way line of South Dover Road; thence South along said West right of way line a distance of 143.43 feet to the Point of Beginning, less the North 15 feet thereof.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.  
\* "Grantor" and "grantee" are used for singular or plural, as context requires.

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:

*Fluore Gray*  
\_\_\_\_\_  
Fluore Gray

*James Harry Sullivent*  
\_\_\_\_\_  
James Harry Sullivent (Seal)  
*Anna S. Sullivent*  
\_\_\_\_\_  
Anna S. Sullivent (Seal)

JAMES F. TAYLOR, JR.,  
CLERK CIRCUIT COURT  
RECORDING DEPT.  
HILLSBOROUGH CO.,  
TAMPA, FL 33601

HILLSBOROUGH COUNTY  
066103  
STATE OF FLORIDA  
DOCUMENTARY STAMP TAX  
DEPT. OF REVENUE  
JAN 1984  
00.45  
11449

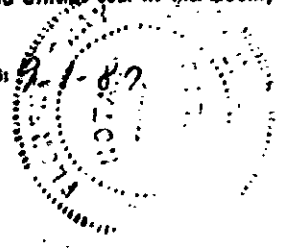
STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared  
JAMES HARRY SULLIVENT and his wife, ANNA S. SULLIVENT,

to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 10th day of January, 1984.

My commission expires: 7-1-87



*Fluore Gray*  
\_\_\_\_\_  
Notary Public

INT TAX  
SUR TAX  
ODE STP 45  
REC FEE 2.00  
ACC NUM  
TOTAL DUE 2.45  
REC CLK J.C.  
S. G. W.

084648-0060 Current Deed

**WARRANTY DEED**

THIS INDENTURE, made this 22 day of Feb., 2013, Between LUANN S. LEAHY and MICHAEL K. LEAHY, wife and husband, (hereinafter jointly called "Grantor"), whose address is 2544 North Dover Road Dover, FL 33527, and LUANN SULLIVENT LEAHY and MICHAEL K. LEAHY, as Trustees of the Luann Sullivent Leahy Trust dated 2013, (hereinafter called "Grantee"), whose post office address is 2544 North Dover Road Dover, FL 33527.

WITNESSETH: That the Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the Grantee, and Grantee's successors and assigns forever, the following described land, lying and being in the Hillsborough County, Florida, (herein the "Property") to wit:

Commence at the SE corner of Section 5, Township 29 South, Range 21 East, Hillsborough County, Florida, run thence N along the E boundary of said Section 5, a distance of 863.00 feet; thence N 86 deg. 49'10" W a distance of 30.08 feet to the W right of way line of South Dover Road; thence N 89 deg. 20' 14" W a distance of 336.97 feet for a POB; thence continue N 89 deg. 20' 14" W a distance of 296.00 feet; thence N 00deg. 02' 20" W a distance of 150.00 feet; thence N 89 deg. 54' 00" E a distance of 633.03 feet to the W right of way line of South Dover Road; thence S along said W right of way line a distance of 15.00 feet; thence S 89 deg. 54' 00" W a distance of 337.02 feet; thence S 00 deg. 01' 50" E a distance of 138.94 feet to the POB. Parcel # 84648.0060

Reserving unto Grantors a Life Estate.

TOGETHER WITH all the tenements, hereditaments and appurtenances with every privilege, right, title, interest and estate, dower and right of dower, reversion, remainder and easement thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the same in fee simple forever, subject to covenants, restrictions, and easements of record, if any.

AND THE SAID GRANTOR covenants with the said GRANTEE that GRANTOR is / are lawfully seized of the said premises and that it is free from all encumbrances and that GRANTOR has / have good right and lawful authority to sell the same: and that the said GRANTOR does hereby fully warrant the title and to said land, and will defend the same against the lawful claims of all persons whomsoever.

\*\*\*\*\*

Prepared By and Return to:

Stephen C. Preuss, Esq. 13004 Shadow Run Blvd. Riverview, FL 33569

GRANTEE shall have full power and authority to deal in and with the property including the power and authority to protect, conserve, sell, lease or encumber and otherwise manage and dispose of the Property, or any part thereof, it being the intent to vest in Grantee full rights as grantee of the Property as authorized and contemplated by Section 689.071, Florida Statutes.

No party dealing with the Grantee in relation to this Deed or to the Property, in any manner whatsoever, and (without limiting the foregoing) no party to whom the Property, or any part thereof or any interest therein, shall be conveyed, encumbered, leased or contracted to be sold by the Grantee, shall be obligated (a) to see the application of any purchase money, rent, or money borrowed or advanced with respect to the Property, or (b) to see that the terms of the Luann Sullivent Leahy Trust dated 2013, (hereinafter the "TRUST"), have been complied with, or (c) to inquire into the authority, necessity or expediency of any act of the Grantee, or (d) be privileged to inquire into any of the terms of the TRUST.

Every deed, mortgage, lease or other instrument executed by the Grantee in relation to the Property shall be conclusive evidence, in favor of every person claiming any right, title or interest thereunder that: (a) at the time of delivery thereof the trust created under the TRUST, was in full force and effect; (b) such instrument was executed in accordance with the terms and conditions of the TRUST, and all amendments thereof, if any, and is binding upon the beneficiaries thereunder; (c) the Grantee was thereunder duly authorized and empowered to execute and deliver every such instrument; (d) if a conveyance of the Property has been made to a successor or successors in trust, that such successor or successors have been properly appointed and are fully vested with all the title, estates rights, powers, duties and obligations of its, his or their predecessor in trust.

IN WITNESS WHEREOF, the Grantor has executed this instrument under seal the day and year first above written.

Signed, Sealed and Delivered  
in the Presence of:

Theresa S. Hodge (sign)  
Theresa S. Hodge (print)

David S. Hodge (sign)  
DAVID S. HODGE (print)

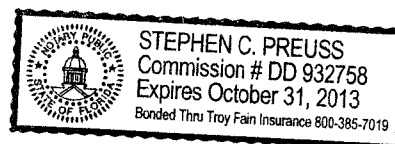
Luann Sullivent Leahy  
LUANN S. LEAHY

Michael K. Leahy  
MICHAEL K. LEAHY

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

THE FOREGOING INSTRUMENT, was acknowledged before me this 22 day of Feb, 2013, by Luann S. Leahy and Michael K. Leahy, wife and husband, who are personally known to me or who have produced \_\_\_\_\_ as identification and who did/did not take an oath.

Notary Public:



lsl

State \$ .45  
Rec. 5.00  
#5.45

Printed for Lawyers' Title Guaranty Fund, Orlando, Florida

This instrument was prepared by:

OFF. REC. 4255 PD 1886

Paul S. Buchman  
BUCHMAN AND BUCHMAN  
Attorneys at Law  
212 North Collins Street  
PLANT CITY, FLORIDA 33646

# Warranty Deed

(STATUTORY FORM—SECTION 689.02 F.S.)

This Indenture, Made this 10th day of January 1984, Between  
JAMES HARRY SULLIVENT and his wife, ANNA S. SULLIVENT,

of the County of Hillsborough, State of Florida, grantor<sup>s</sup>, and  
LUANN ALMON,

whose post office address is Route 4, Box 596, Dover, Florida 33527

CODES TIME 08.34A  
12413279 104 0006 13JA84  
RECORDED 002244 B  
CK 5.45

of the County of Hillsborough, State of Florida, grantee<sup>s</sup>.

Witnesseth, That said grantor, for and in consideration of the sum of Ten and No/100-----

----- Dollars,  
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:

Commence at the Southeast corner of Section 5, Township 29 South, Range 21 East, Hillsborough County, Florida; run thence North along the East boundary of said Section 5 a distance of 863.00 feet; thence North 86°49'10" West a distance of 30.08 feet to the West right of way line of South Dover Road; thence North 89°20'14" West a distance of 336.97 feet for a Point of Beginning; thence continue North 89°20'14" West a distance of 296.00 feet; thence North 00°02'20" West a distance of 150.00 feet; thence North 89°54'00" East a distance of 633.03 feet to the West right of way line of South Dover Road; thence South along said West right of way line a distance of 15.00 feet; thence South 89°54'00" West a distance of 337.02 feet; thence South 00°01'50" East a distance of 138.94 feet to the Point of Beginning.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

\* "Grantor" and "grantee" are used for singular or plural, as context requires.

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:

*[Signature]*  
*Flora Gray*

*James Harry Sullivent* (Seal)  
James Harry Sullivent  
*Anna S. Sullivent* (Seal)  
Anna S. Sullivent

JAMES F. TAYLOR, JR.  
CLERK CIRCUIT COURT  
RECORDING DEPT.  
HILLSBOROUGH CO.  
TAMPA, FL 33601

HILLSBOROUGH COUNTY

066102

STATE OF FLORIDA  
DOCUMENTARY STAMP TAX  
DEPT. OF REVENUE  
JAN 1984  
00.45

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

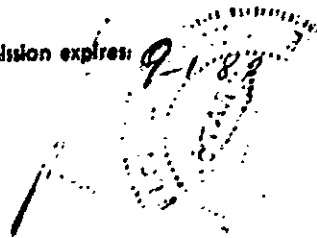
I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared  
JAMES HARRY SULLIVENT and his wife, ANNA S. SULLIVENT,

to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 10th day of January, 1984.

My commission expires: 9-1-88

*Flora Gray*  
Notary Public



INT TAX  
SUR TAX  
DOC STP  
R/C FEE  
C NUM  
0.45  
2.00  
2.45





# VARIANCE APPLICATION

## IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

You must schedule an appointment to submit this application by calling 813-272-5600.  
All requirements listed on the submittal checklist must be met. **Incomplete applications will not be accepted.**

### Property Information

Address: 2544 N Dover Road City/State/Zip: Dover, FL 33527 TWN-RN-SEC: 29S / 21E / 05  
Folio(s): 084648-0060 & 084648-0020 Zoning: ASC-1 Future Land Use: Vacant Residential Property Size: 1.21 + 1.17 Acre

### Property Owner Information

Name: Mike and Luann Leahy, Trustees Daytime Phone: (813) 659 - 0181  
Address: 2544 N Dover Road City/State/Zip: Dover, FL 33527  
Email: mleahy3@tampabay.rr.com FAX Number: N/A

### Applicant Information

Name: Same as above Daytime Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
Email: \_\_\_\_\_ FAX Number: \_\_\_\_\_

### Applicant's Representative (if different than above)

Name: N/A Daytime Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ City / State/Zip: \_\_\_\_\_  
Email: \_\_\_\_\_ FAX Number: \_\_\_\_\_

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.

Signature of Applicant

Mike Leahy

Type or Print Name

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.

Signature of Property Owner

Luann Leahy

Type or Print Name

### Office Use Only

Intake Staff Signature: \_\_\_\_\_ Intake Date: \_\_\_\_\_  
Case Number: \_\_\_\_\_ Public Hearing Date: \_\_\_\_\_  
Receipt Number: \_\_\_\_\_



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