

#### LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-0296	
LUHO HEARING DATE: March 21, 2021	CASE REVIEWER: Tim Lampkin, AICP

**REQUEST:** The applicant is requesting setback variances to accommodate a proposed single-family home on property zoned Agricultural Rural (AR).

#### **VARIANCE(S):**

Per LDC Section 6.01.01, Schedule of District Area, Height, Bulk, and Placement Regulations, a minimum side yard setback of 25 feet is required in the AR district. The applicant requests:

- 1) A 15-foot reduction to the required side yard to allow a setback of 10 feet from the east property line; and,
- 2) A 15-foot reduction to the required side yard to allow a setback of 10 feet from the west property line.

#### **FINDINGS:**

- The subject parcel's AR zoning requires a 5-acre minimum lot size and 150-foot minimum lot width. The dimensions of the subject parcel are approximately 2.83 acres in size and 105 feet in width. However, the lot has been certified as legally nonconforming per NCL 21-1265 which has been placed in the case record for the subject variance.
- The survey submitted by the applicant on December 14, 2021, shows several detached structures on the property that do not meet setback requirements. However, the applicant has advised staff the detached structures have since been removed from the property and therefore no variances are requested for those structures.
- The survey submitted by the applicant on December 14, 2021 shows concrete areas within the required 30-foot wetland setback along Lake Thonotosassa. However, the applicant has advised staff the concrete areas will be removed from the wetland setback as shown on the revised site plan submitted January 27, 2022, and therefore no variance is requested to the required wetland setback.

#### **DISCLAIMER:**

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

**APPLICATION: VAR 22-0296** 

LUHO HEARING DATE: March 21, 2022 CASE REVIEWER: Tim Lampkin, AICP

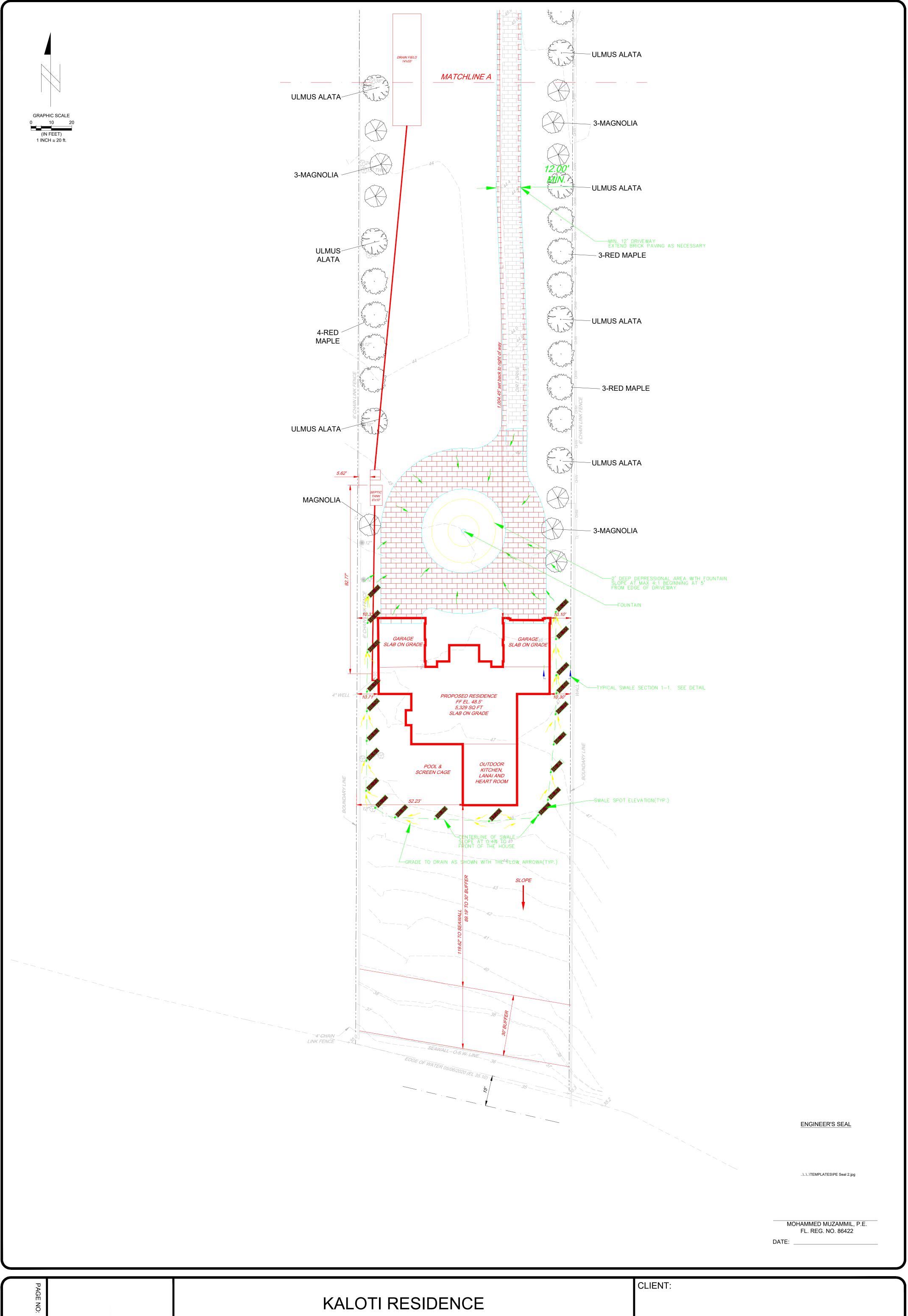
ADMINISTRATOR'S SIGN-OFF

t V Tue Mar 8 2022 12:36:35

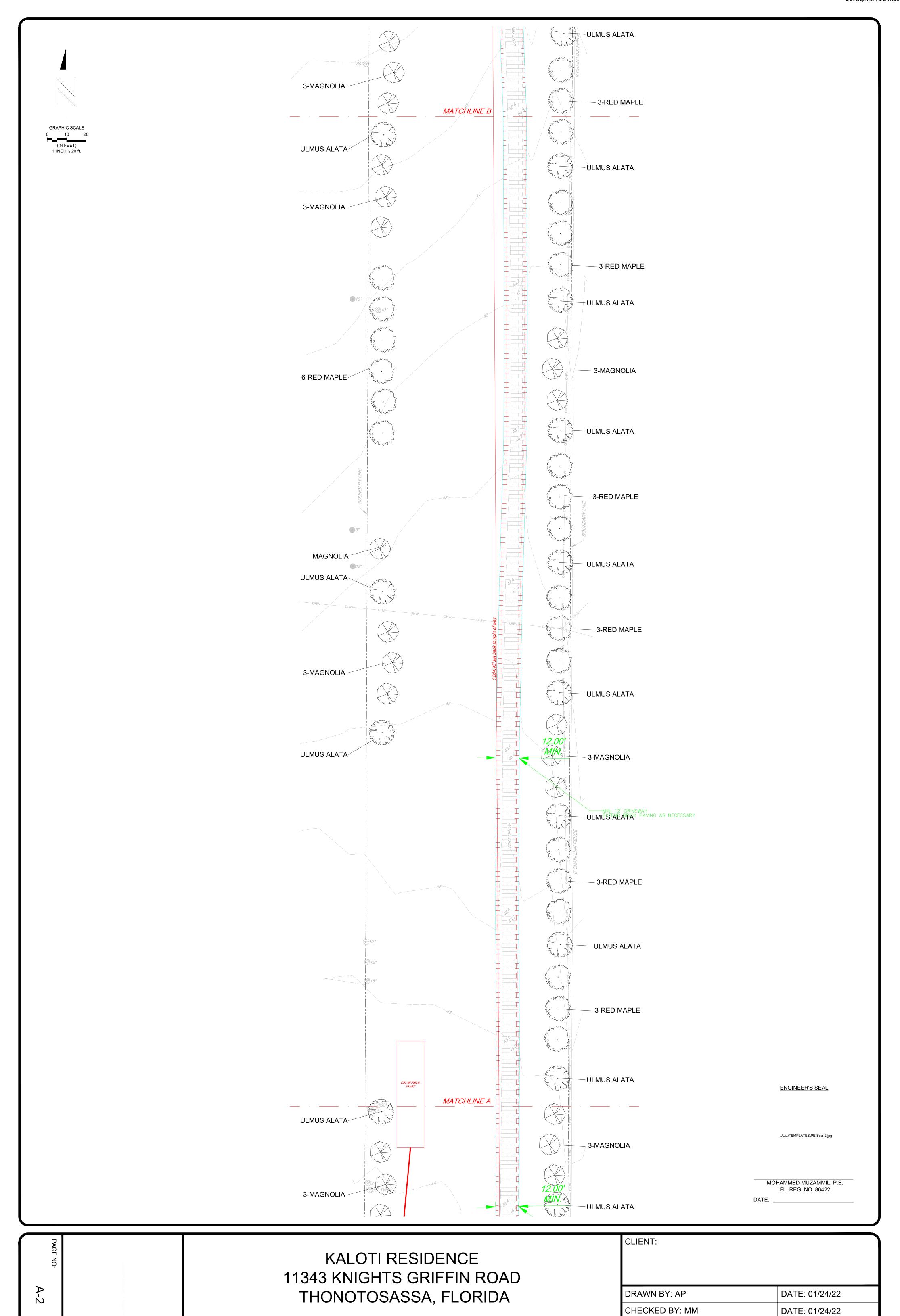
Attachments: Application

**Petitioner's Written Statement** 

Site Plan Current Deed NCL 21-1265



PAGE NO:	. L.	KALOTI RESIDENCE 11343 KNIGHTS GRIFFIN ROAD	CLIENT	
A-3	(%) 27 3	THONOTOSASSA, FLORIDA	DRAWN BY: AP	DATE: 01/27/22
	8 0 0 0		CHECKED BY: MM	DATE: 01/27/22
	iý g	VARIANCE SITE PLAN	SCALE: 1" = 20'	
		VAINIANCE SITE PLAIN	PROJECT NO:	REPORT NO:

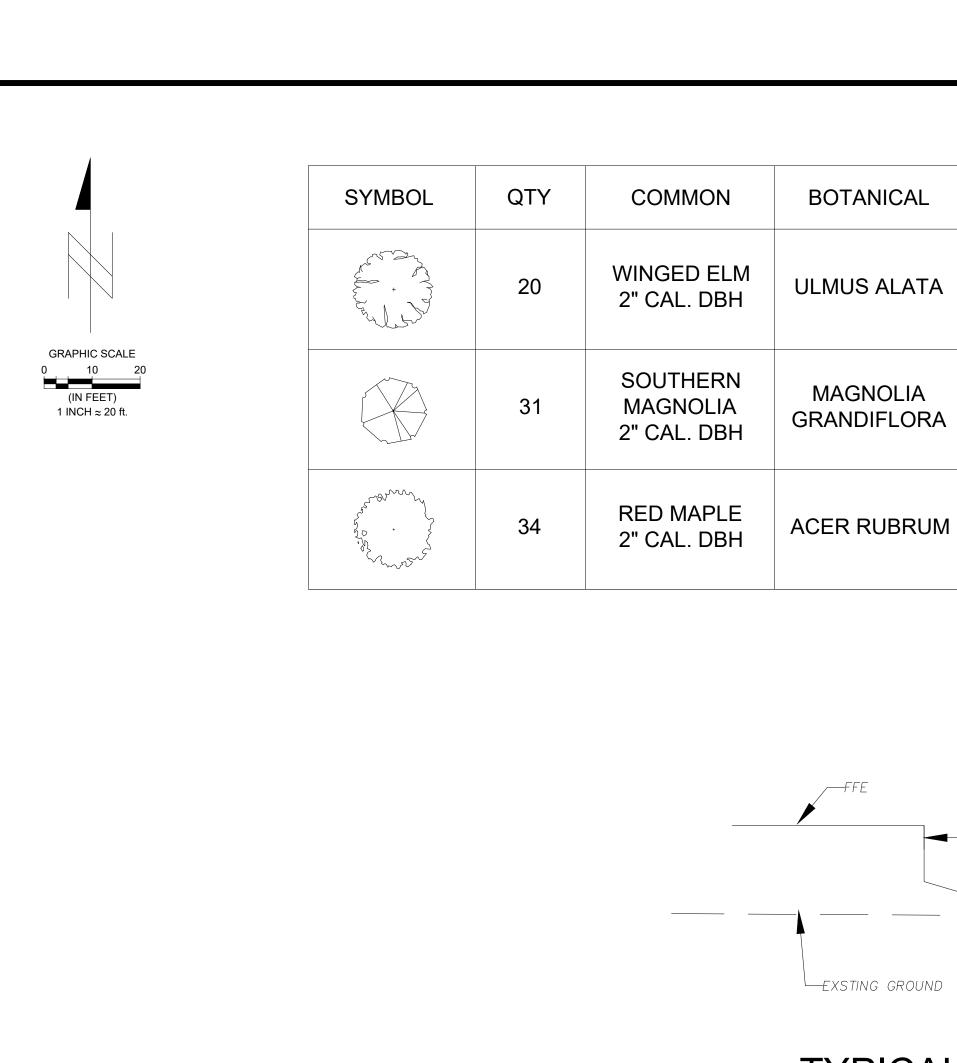


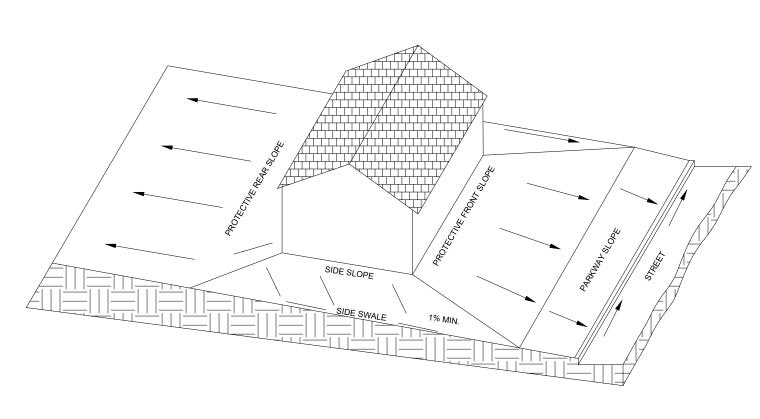
VARIANCE SITE PLAN

REPORT NO:

SCALE: 1" = 20'

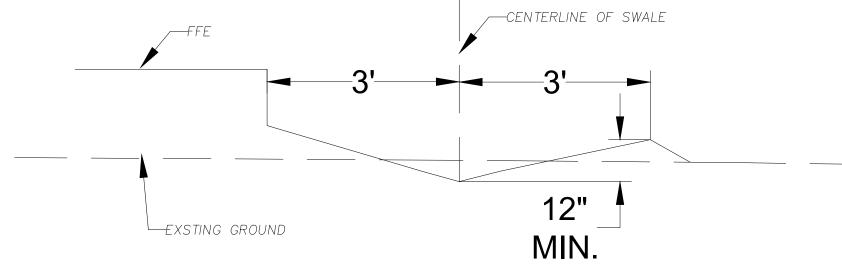
PROJECT NO:





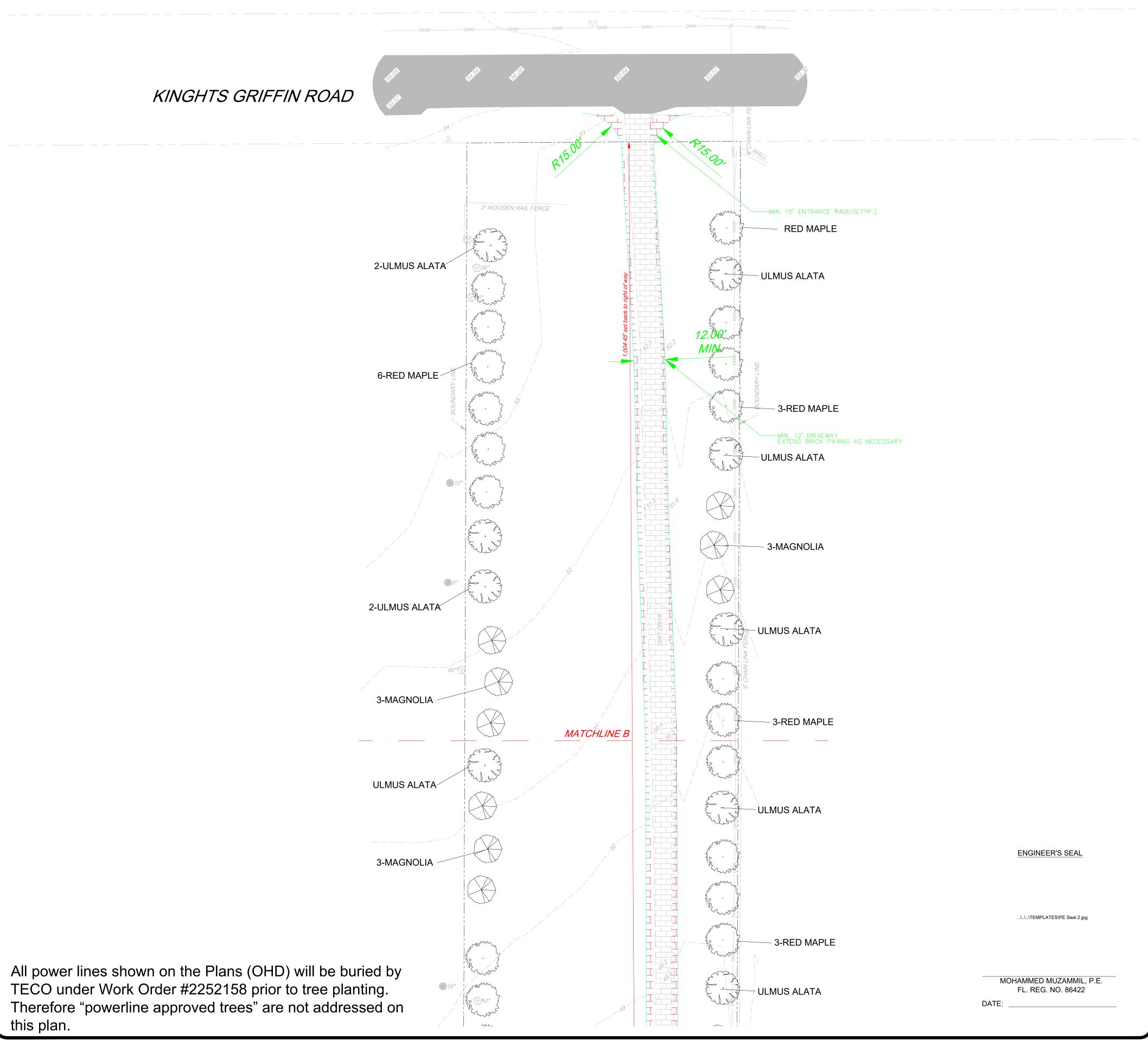
TYPE "B" LOT GRADING

NOT TO SCALE



# TYPICAL SWALE SECTION 1-1

NOT TO SCALE



PAGE NO:	DOWN TY	KALOTI RESIDENCE	CLIENT:	
<b>&gt;</b> -1	0A 81205_SR(1) or	11343 KNIGHTS GRIFFIN ROAD THONOTOSASSA, FLORIDA	DRAWN BY: AP	DATE: 01/24/22
	93 80. 81 93		CHECKED BY: MM	DATE: 01/24/22
	VARIANCE SITE PLAN		SCALE: 1" = 20'	
		VAINANCE STIET LAIN	PROJECT NO:	REPORT NO:



# Additional / Revised Information Sheet

Date Stamp Here

Application Number: 22-0296 Applicant's Name:	Ruba Ghassan Reyal			
Reviewing Planner's Name: Clare O'Dell	Date: 01/27/2022			
Application Type:				
☐ Planned Development (PD) ☐ Minor Modification/Personal Appeara	ance (PRS) 🔲 Standard Rezoning (RZ)			
✓ Variance (VAR) ☐ Development of Regional Impact (DR				
☐ Special Use (SU) ☐ Conditional Use (CU)	Other			
Current Hearing Date (if applicable): 02/22/2022				
Will this revision add land to the project? Yes No IMPORTANT: If "Yes" is checked on the above, a Revised Application Sheet, Agent, and additional Deeds must be filed immediately to ensure proper r	Property Information Sheet, Affidavit to Authorize			
Will this revision remove land from the project?				
The following must be attached  Cover Letter with summary of the changes and/or additional informations.				
submitted, all changes on the site plan must be listed in detail in the				
An updated Project Narrative consistent with the changes or addition	nal information provided, if applicable.			
Submittal Via:  Email - Note that no follow up paper file is necessary. Files must be in p Maximum attachment(s) size is 15 MB.  Email this sheet along with all the additional/revised submittal its For additional help and submittal questions, please call (813) 277-16	ems in pdf to: ZoningIntake-DSD@hcflgov.net			
I certify that changes described above are the only changes that have changes will require an additional submission and certification.	been made to the submission. Any further			
01/27/2022				
Signature	Date			
FOR OFFICE USE ONLY  Notification E-Mail Sent  Scanned into OPTIX  Transmittal Completed	In-Take Completed by:			



January, 27, 2022

Clare Odell
Planning and Zoning Technician
Development Services Department
Hillsborough County, Florida

RE:

Variance 22-0296 - Ruba Ghassan Reyal

Mrs. Odell:

A revised site plan has been provided. The changes to the site plan were the removal of future site amenities, existing site conditions that are not part of this site plan and addition of the wetland/other surface water setbacks. The future site amenities removed were a proposed shed and basketball court. Existing items removed from the site plan consist of fencing and gates, that have already been removed, and existing concrete to be demolished.

The update to the project narrative was to remove language regarding other zoning categories within the Land Development Code and to simplify the narrative to address only the specific detail of the variance requested.

Best regards,

LEADERS LAND MANAGEMENT LLC

Adrian C. Parker, CPM CFM

CEO

4702 Cypress Serenity Drive, Plant City, FL 33565

352.516.5228

Application Number:	
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### **VARIANCE REQUEST**

	Project Narrative: In the space below describe the variance including any history and/or related facts that may be helpful in understanding the request. This explanation shall also specifically identify what is being requested (e.g. Variance of 10 feet from the required rear yard setback of 25 feet resulting in a rear yard of 15 feet). If additional space is needed, please attach extra pages to this application.
	The property is currently in the "AR" zoning district per Section 6.01.01 of the Land Development Code.
	This request is for a variance of 15 feet from the required side yard setback of 25 feet, resulting in a
	side yard setback of 10 feet.
	A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:
	LDC Sec. 6.01.01 Schedule of District Area, Height, Bulk, and Placement Regulations
	ADDITIONAL INFORMATION
	Have you been cited by Hillsborough County Code Enforcement? No Yes 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?  NoYes _YES _ If yes, please indicate the nature of the application and the case numbers assigned to the application(s): Please see attached Exhibits -A-1, A-2 Additional Information, Question 2
	Is this a request for a wetland setback variance? No NO Yes If yes, you must complete the <i>Wetland Setback Memorandum</i> and all required information must be included with this Application Packet (Attachment A).
	Please indicate the existing or proposed utilities for the subject property:  Public Water Public Wastewater Private WellX Septic TankX
•	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 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).

3

07/02/2014

### Exhibit A-1 to Hillsborough County Variance Application Folio #00059784-0000 | 11343 Knights Griffin Rd, Thonotosassa, FL 33592 Page 1 of 1

#### Additional Information. Question 2.

"Do you have any other applications filed with Hillsborough County that are related to the subject property?"

#### Answer

#### Yes, listed here:

- Hillsborough County Non-Conforming Lot Review Approval #21-1265 dated 09/01/21 (Attached as Exhibit A-1)
- Hillsborough County Residential New Construction and Additions, Record #HC-BLD-21-0008897
- Hillsborough County Residential Demolition Permit, Record #HC-BDE-21-0006085. Status: Complete.
- Hillsborough County Right of Way or Driveway Permit. Record #HC-ROW-21-0000849.
   Status: Withdrawn. (driveway access approval is currently being processed under Record #HC-BLD-21-0008897)

EPC Hillsborough County Application to Perform Delineation of Wetlands and Other Surface Waters. EPC Form #12691487. Remittance ID # EPC 082021085117076VRE

- o Survey Approval dated 11/01/21, EPC #73037 (Attached as Exhibit A-2).
- o Approved signed and sealed survey under EPC #73037 (Attached as Exhibit A-2).

Application Number:	
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### 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?

  The Subject Property's hardship is that the property is an existing non-conforming lot in the AR zoning district. The practical hardship
  - In Subject Property's hardship is that the property is an existing non-conforming lot in the AR zoning district. The practical hardship is that the Property Owner purchased the lot with the intention of building a new home that is conducive to the area, rather than maintaining the dilapidated home and several ancillary structures. The AR zoning requires a 25' side yard setback. This lot is unique as it is only 105' in width. To meet the requirements of AR zoning with a 25' side yard setback, the buildable width of the new construction would be 55' or less. A home with a buildable width of 55' would not be conducive to the new homes in the area.
- 2. Describe how the literal requirem ents 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.

A literal interpretation of the provision of the LDC would deprive Ms. Reyal from building a home that is conducive to the area and of the size and configuration granted to other property owners in the area whose lots are of conforming and non-conforming size.

A literal interpretation would place unnecessary and undue hardship on Ms. Reyal, since Ms. Reyal has already incurred great expense toward improving the property to bring the property to a standard that is conducive to the area.

- 3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose propert y would be affected by allowance of the variance.
  - Other non-conforming properties currently enjoy the rights requested under this variance. (Please see attached Exhibits B-1, B-2 and B-3.)

    If the variance is allowed, there would be no injury or interference with the rights of others and the allowance would permit

    Ms. Reyal to enjoy the same rights as other property owners in the area, while creating the effect of cohesiveness in the surrounding area. The variance, if granted, is the minimum variance that would make possible the reasonable use of the land, while maintaining status quo through adherence to the minimum standards for this lot size as defined in LDC Section 06.01.01 RCS-2 zoning.
- 4. Explain how the variance is in harmon y 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 variance request is to allow for the building of a home that is conducive with the surrounding area and to meet the intent of Sections 1.02.02 and 1.02.03 by meeting the minimum requirements of Section 6.01.01 of the LDC for site design standards.

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 lot has been of the same configuration since 1968 and no action by Ms. Reyal has resulted in the hardship placed by the LDC AR designation.

6. Explain how allowing the variance will result in substantia l justice being done, consider ing both the public benefit s 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 be substantially justified by allowing the property to be reviewed for conformity with the applicable zoning for its configuration under Sec 6.01.01 of the LDC as RSC-2. If the variance is not granted, the hardship will be placed on Ms. Reyal to build a conforming dwelling that is not in line with the intent of the LDC for such lot configuration. Additionally, the public will benefit from the approval of the variance, as - in the spirit of Hillsborough County's Operation Fight the Blight initiative - Ms. Reyal is contributing to the area by demolishing the dilapidated home and several ancillary structures and improving the lot to be conducive to neighboring properties, thereby increasing property values and making for a more pleasing aesthetic appearance.

Instrument #: 2020559882, Pg 1 of 4, 12/31/2020 6:14:06 AM 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: O Pat Frank, Clerk of the Circuit Court Hillsborough County

Prepared by and Return to: H. James Stadelman, Esq. Interval Title Services, Inc. 604 Courtland Street, Suite 131 Orlando, Florida 32804 File No 20-0756 Prior Deeds: O.R. Book 05997, Page 1760 O.R. Book 11064, Page 0850

### **QUITCLAIM DEED**

THIS QUITCLAIM DEED, executed this day of da

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

WITNESSETH, That the said grantor, for and in consideration of the sum of TEN AND NO/100THS (\$10.00) DOLLARS, in hand paid by the said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said grantee forever all the right, title, interest, claim and demand which the said grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of **Hillsborough**, State of Florida, towit:

Begin 165 feet West of the Northeast (NE) corner of Government Lot 3 in Section 2, Township 28 South, Range 20 East, for a point of beginning, and run thence West 105 feet, and thence South to Lake Thonotosassa and thence Easterly along the waters of Lake Thonotosassa 105 feet, more or less to a point South of the point of beginning, and run thence North to the point of beginning.

Property Address: 11343 Knights Griffin Road, Thonotosassa, Florida 33592

PIN: U-02-28-20-ZZZ-000001-94580.0

Folio: 059784-0000

THIS PROPERTY IS NOT HOMESTEAD OF GRANTORS OR GRANTORS' SPOUSES, FAMILY OR DEPENDENTS, NOR IS IT CONTIGUOUS TO ANY HOMESTEAD PROPERTY OF THE SAME.

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

belonging or in any wise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the grantor, either in law or equity, to the only proper use, benefit and behoof of the said grantee forever.

IN WITNESS WHEREOF, The said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Witness signature)

Print Name: J

BRUCE E. LUZIER

Grantor

(Witness signature)

Print Name: Automor R Martin

STATE OF SOUTH CAROLINA COUNTY OF BERKELEY

(SEAL)

Print Name: Autumn R. Martin

Notary Public South Corolline.
My Commission Expires: 9/14/24

Commission No.

SO PURCO

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in any wise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the grantor, either in law or equity, to the only proper use, benefit and behoof of the said grantee forever.

IN WITNESS WHEREOF, The said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

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				,	•	

GLENN C. LUZHEI
Grantor

(Witness signature)

Print Name: Johnice Sibley

STATE OF LOUISIANA PARRISH OF LIVINGSTON

THE	<b>FOREGOING</b>	INSTRUMENT	was	acknowledged	before	me	this	15	day	of
D.	ec , 2020,	by GLENN C. LU	UZIE	R, who has prod	uced	<u> </u>	A	DL		
				ification.						

(SEAL)

Print Name: Rita Stewart JP32-09

Notary Public

My Commission Expires:

Commission No. 12-31-2026

Document not prepared by notary. Parties herein agree to hold notary harmless for any errors and omissions.

IN WITNESS WHEREOF, The said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

(Witness signature)

Print Name: Vasid

Grantor

STATE OF SOUTH CAROLINA **COUNTY OF BERKELEY** 

THE FOREGOING INSTRUMENT was acknowledged before me this

\_\_\_\_, 2020, by GWEN E. LUZIER, who has produced \_

as identification.

(SEAL)

Public-State of South Carolin. May 19, 2030

Notary Public
My Commission Expires: Way 19, 2036
Commission No.

## # 1984 pc 196

THIS INDENTURE, Made this 16th day of October

by and between

WILLIAM LEROY WILKES, JR. and wife GENE ANDERSON of the County of , in the State of Illinois Cook /

part ies of the first part, and

1 22 PM '68

RECEIVED

PAUL N. DERVAES and DORIS DERVAES, his wife, whose post office address is: 5635 E. Powhattan Ave, Tampa of the County of , in the State of Hillsborough Florida part ies of the second part,

WITNESSETH: That the said part ies of the first part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) ------Dollars, and other valuable considerations, lawful money of the United States of America, to in hand paid by the said part iesof the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed to the said parties of the second part, their heirs and assigns forever, all of the following described land in Hillsborough County, Florida, to-wit:

Begin 165 feet West of the Northeast (NE) corner of Government Lot 3 in Section 2, Township 28 South, Range 20 East, for a point of beginning, and run Thence West 105 feet, and thence South to Lake Thonotosassa and thence Easterly along the waters of Lake Thonotosassa 105 feet, more or less to a point South of the point of beginning, and run thence North to the point of beginning.

This is an absolute conveyance and is not given as additional security.

TO HAVE AND TO HOLD the above described premises, with the appurtenances, unto the said part ies of the second part, their heirs and assigns, in fee simple forever.

And the said part ies of the first part do hereby covenant with the said part 1es of the second part that said described property is free from all liens and encumbrances except that certain note and mortgage payable to Farmers Home Administration, dated May 8, 1964 , in the principal sum of \$12,820.00

And the said part ies of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have executed this deed under seal on the date aforesaid.

Signed, sealed and delivered in the presence of:

WILLIAM LEROY WILKES, JR.

Gen and GENE ANDERSON WILKES

(SEAL)

This Instrument prepared by

DAVID G. HANLON

Shackleford, Farrior, Stallings & Evans

P. O. Box 3324, Tampa, Florida

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COUNTY нопочоватлін

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STATE OF FLORIDA COUNTY OF HILLSBOROUGH

REE 1984 PG 197

I HEREBY CERTIFY, That on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

#### GENE ANDERSON WILKES

to me known to be the person described in and who executed the foregoing instrument, and acknowledged before me that she executed the same as her free act and deed for the uses and purposes therein stated.

WITNESS my hand and official seal in the County and State last aforesaid this day of November A. D. 19 68.

Notary Public, State of Florida at

My Commission Expires:...

Notary Public State of Florida en Large My Commission Expires, Apr. 15, 1972

STATE OF ILLINOIS COUNTY OF COOK

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that WILLIAM LEROY WILKES, JR. personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 16th day of October, Worked

TIFIED

UNCERTIFIED

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Commission expires 4/13/

RTIFIED

UNCERTIFIED

UNCERTIFIED

COPL

COPY

TIFIEC

UNCERTIFIED

JOPH



### **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.

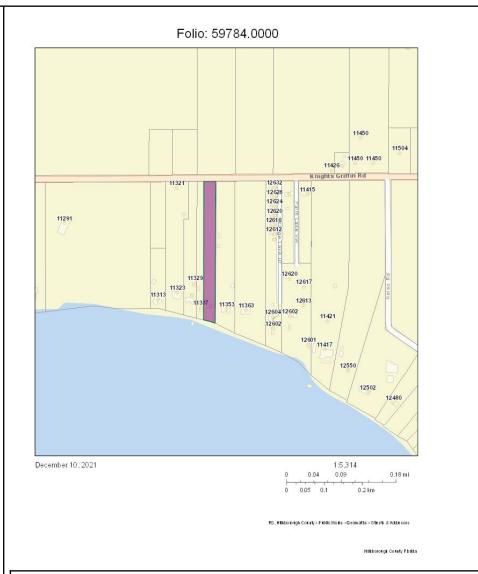
#### **Property Information**

- Topony				
Address: 11343 Knights Griffin Rd. City/State/Zip: Tho	onotosassa, FL 33592 TWN-RN-SEC: 02-28-20			
Folio(s): 059784-0000 Zoning: AR	Future Land Use: R-1 Property Size: 2.84 acres			
Property Own	er Information			
Name: Ruba Ghassan Reyal	Daytime Phone: 352-516-5228			
Address: 11343 Knights Griffin Rd. City/State/Zip: Thonotosassa, FL 33592				
Email: adrian@leadersdevelopers.com	FAX Number: Not applicable			
Applicant	Information			
Name: Ruba Ghassan Reyal	Daytime Phone: 352-516-5228			
Address: 11343 Knights Griffin Rd.	City/State/Zip:Thonotosassa, FL 33592			
Email: _adrian@leadersdevelopers.com	FAX Number: Not applicable			
Applicant's Representa	ative (if different than above)			
Name: Adrian Parker, CPM, CFM	Daytime Phone: <u>352-516-5228</u>			
Address: 18048 Java Isle Dr.	City / State/Zip:Tampa, FL 33647			
Email: _adrian@leadersdevelopers.com	FAX Number: Not Applicable			
I HEREBY'S WEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APP LICATION 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  Ruba Ghassan Reyal Type or Print Name	I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BI NDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.  Signature of Property Owner  Ruba Ghassan Reyal Type or Print Name			
	Use Only			
Intake Staff Signature:	Intake Date: 12/09/21			
Case Number: 22-0296	Public Hearing Date: 02/21/2022			
Receipt Number: 111781				



### PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	AR
Description	Agricultural - Rural
Flood Zone:AE	BFE = 38.1 ft
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0234H
FIRM Panel	12057C0234H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	AE
Pre 2008 Flood Zone	Х
Pre 2008 Firm Panel	1201120235D
County Wide Planning Area	Thonotosassa
Community Base Planning Area	Thonotosassa
Census Data	Tract: 010304 Block: 3020
Future Landuse	R-1
Mobility Assessment District	Rural
Mobility Benefit District	3
Fire Impact Fee	Northeast
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 2
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Folio: 59784.0000 PIN: U-02-28-20-ZZZ-000001-94580.0 **RUBA REYAL** Mailing Address: 11343 KNIGHTS GRIFFIN RD THONOTOSASSA, FL 33592-2624 Site Address: 11343 KNIGHTS GRIFFIN RD THONOTOSASSA, FI 33592 SEC-TWN-RNG: 02-28-20

Acreage: 2.83801007 Market Value: \$439,675.00 Landuse Code: 0100 SINGLE FAMILY

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