



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 21-0586 (REMAND HEARING)

LUHO HEARING DATE: March 21, 2022

CASE REVIEWER: Colleen Marshall, AICP, CFM

BACKGROUND: The subject variance request was originally heard at the May 24, 2021 Land Use Hearing Officer meeting. The requested variance was approved by the hearing officer on June 14, 2021. An appeal was filed by a party of record and heard by the Land Use Appeals Board on December 10, 2021. The LUAB remanded the decision back to the Land Use Hearing Officer hearing to reconsider variance review criteria 1, 3, 5 and 6.

REQUEST: The applicant is requesting a variance for an access easement serving two existing lots on property zoned RSC-6 that are located in the Urban Service Area.

VARIANCE(S):

Per LDC Section 6.02.01.5.b, an access easement in the Urban Service Area may serve a maximum of three lots. Per LDC Section 6.02.01.B.5.C.2, a minimum width of 30 feet is required for an easement serving two or three dwelling units. The applicant requests a 10-foot reduction to the required easement width to allow a 20-foot wide easement to serve two dwelling units.

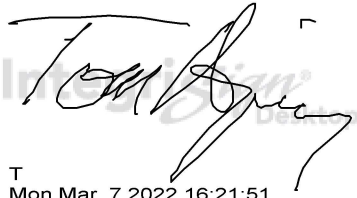
FINDINGS:

- The subject lots, 8404 and 8710 Hyder Jo Lane, are accessed from Sheldon Road via Hyder Jo Lane, a private road which crosses the adjacent parcel to the west under folio 4672.0000 that is zoned PD 18-0540, as most recently modified by PRS 19-1266.
- 8710 Hyder Jo Lane was the subject of a Code Enforcement citation issued in 2020 (CE20013594) for violation of subdivision standards due to the insufficient width of the access easement. The case was closed on June 21, 2021 following the variance approval.
- 8704 Hyder Jo Lane was the subject of a Code Enforcement citation issued in 2020 (CE20013593) for violation of subdivision standards due to the insufficient width of the access easement. The case was closed on June 21, 2021 following the variance approval.

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.

ADMINISTRATOR'S SIGN-OFF



T
Mon Mar 7 2022 16:21:51

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

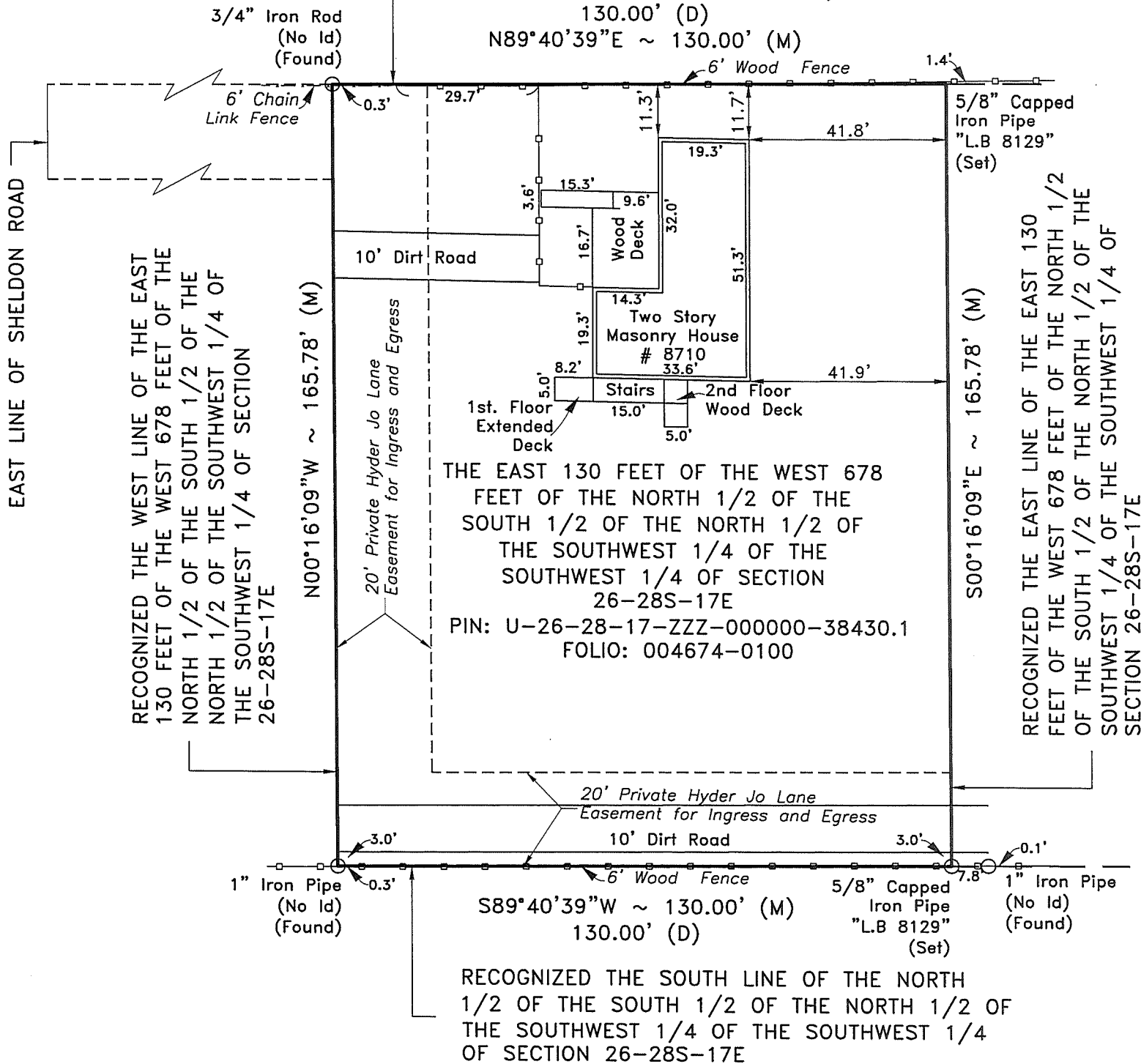
MAP OF SURVEY

RECOGNIZED THE NORTH LINE OF THE NORTH
1/2 OF THE SOUTH 1/2 OF THE NORTH 1/2 OF
THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4
OF SECTION 26-28S-17E

(ASSUMED ~ BASIS OF BEARINGS)
130.00' (D)
N89°40'39"E ~ 130.00' (M)



SCALE: ONE INCH = 30 FEET



RECOGNIZED THE WEST LINE OF THE EAST
130 FEET OF THE WEST 678 FEET OF THE
NORTH 1/2 OF THE SOUTH 1/2 OF THE
NORTH 1/2 OF THE SOUTHWEST 1/4 OF
THE SOUTHWEST 1/4 OF SECTION
26-28S-17E

RECOGNIZED THE EAST LINE OF THE EAST 130
FEET OF THE WEST 678 FEET OF THE NORTH 1/2
OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE
SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF
SECTION 26-28S-17E

DESCRIPTION: (O.R. Book 10513, Page 1965)

The East 130 feet of the West 678 feet of the North
One-Half of the South One-Half of the North
One-Half of the Southwest Quarter of the Southwest
Quarter of Section 26, Township 28 South, Range 17
East in Hillsborough County, Florida.

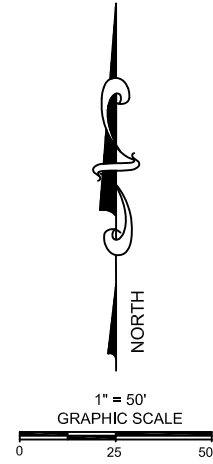
According to Flood Insurance Rate Map Community Panel
Number 12057C 0189H, Dated 8-28-08 issued by the
Federal Emergency Management Agency, the property
shown and described hereon appears to lie within Zone AE.
BASE FLOOD ELEVATION = 9 Feet (N.A.V.D. 1988 DATUM)

NOTES: Unless noted, this survey has been prepared without the benefit of a title search or title commitment, and therefore is subject to any dedications, restrictions, easements and/or other such items of record that a commitment or search may reveal. Building setback lines have not been shown on this map of survey, unless otherwise noted. To determine setback requirements, inquiries need to be made by the certified holders to the county or city zoning department. All distances shown, other than lot or boundary distances, are approximate only and should be assumed as such by the certificate holder(s). Structures, topography items and appurtenances shown are in approximate locations; their configurations are also approximated and could vary. Other utilities/items may be prevalent on this parcel, but might not be shown on this map.

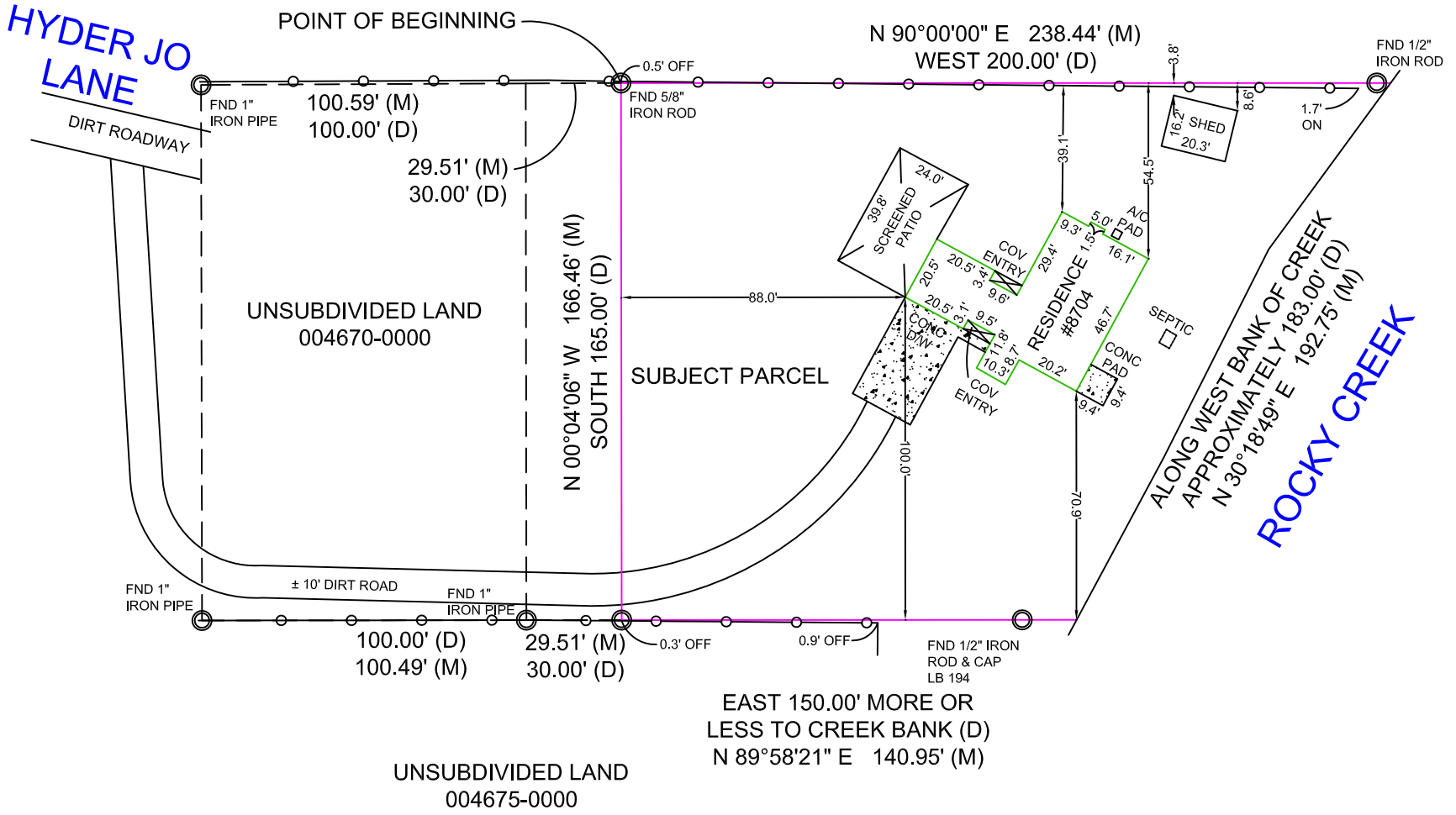
Legend PC :Point of Curvature PCP :Permanent Control Point PRM :Permanent Reference Monument O.R. :Official Records R/W :Right of Way Conc. :Concrete (C) :Calculated L.B. :Licensed Business (P) :Per Plot P.K. :Parker Kalon Nail PSM :Professional Surveyor and Mapper (M) :Field Measured (D) :Per Deed of Record (HCPAFL) :Information Obtained from the Hillsborough County Property Appraiser's Web Site (hcpafl.org)	Note: The signing surveyor or Gateway Land Surveying, LLC cannot be responsible for any additions, deletions or alterations to the subject property, to the improvements thereon, or to the survey monuments that may occur after he/she leaves the site. This survey map or report is the property of Gateway Land Surveying, LLC and any additions, deletions or alterations by any other than the signing surveyor is strictly prohibited. The re-use of this survey by any third party for purposes other than which it was intended is strictly prohibited without the written consent or verification of the original signing surveyor. Any re-user will be at sole risk and without any liability to the signing surveyor or their representing firm.	Surveyor's Report and Additional Notes 1. No underground installations or improvements have been located except as shown hereon. 2. Easements, other than shown on this map of survey, may also exist over, upon or across the land surveyed. 3. Unless otherwise shown hereon, no Jurisdictional Wetland Areas or other physical topographic features have been located. 4. This survey does not reflect nor determine ownership. 5. Structures, driveways, slabs, appurtenances and other related items shown on this map were located to the best of the ability of Gateway Land Surveying, LLC. We do not guarantee the exactness of their location or their dimensions. Other features not shown on this map that are related to items noted above may also exist. 6. Fences shown hereon may or may not meander along property lines; specific fence lines, as shown, are from specific locations. This surveyor makes no guarantee of the fence meander. This Survey does not represent a determination of whether this land will or will not flood or be subject to flooding.
	REVISIONS: SCALE: 1" = 30' FIELD DATE: 01/26/21 DWG. NO. 20-0938 PARTY CHIEF: BK DRAWN BY: Vily	
BOUNDARY SURVEY FOR AND CERTIFIED TO: April Lott		GATEWAY LAND SURVEYING, LLC 1081 East Brandon Boulevard Brandon, Florida 33511 Phone (813)643-2292 Fax (813)643-2293 License Business No. 8129 SURVEYOR'S CERTIFICATE I hereby certify that the survey represented hereon meets the requirements of Chapter 5J-17, Florida Administrative Code pursuant to Chapter 472.027 of the Florida Statutes. Unless it bears the signature and the original raised seal of a Florida licensed surveyor and mapper this drawing, sketch or map is for informational purposes only and is not valid. Signature: Ryan J. King, PSM Florida Registration No. 6753 01/29/2021

24-0586

Boundary Survey



UNSUBDIVIDED LAND
004671-0000



LEGAL DESCRIPTION: (AS FURNISHED)

BEGIN AT A POINT 678 EAST OF THE NORTHWEST CORNER OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE RUN SOUTH 165 FEET; THENCE RUN EAST 150 FEET, MORE OR LESS TO THE WEST BANK OF ROCKY CREEK APPROXIMATELY 183 FEET TO A POINT EXACTLY EAST OF THE POINT OF BEGINNING; THENCE WEST APPROXIMATELY 200 FEET TO THE POINT OF BEGINNING IN SECTION 26, TOWNSHIP 28 SOUTH, RANGE 17 EAST, ALL LYING AN BEGINNING IN HILLSBOROUGH COUNTY, FLORIDA.

ADDRESS

8704 HYDER JO LANE
TAMPA, FLORIDA 33615

LEGAL DESCRIPTION: (AS FURNISHED)

SEE ABOVE

BASIS OF BEARINGS: BEARINGS SHOWN HEREON ARE ASSUMED BASED ON THE NORTH LINE OF THE SUBJECT PARCEL, BEING N 90°00'00" E

LIST OF POSSIBLE ENCROACHMENTS: FENCES AS SHOWN

DLS #: 17-09-0169
CLIENT #: HYDER JOE
SCALE: 1" = 50'

FIELD DATE: 02/12/21
DRAFTER: KAD
APPROVED: BHH

CERTIFIED TO: (AS FURNISHED)

IREEN SANTANA DE JESUS

NOTES

1. Abutting properties have not been researched for gaps, overlaps, and/or hiatus
2. In compliance with F.A.C. 61G17-6.0031-4-E, if location of easements or rights-of-way of record, other than those on recorded plats, is required, this information must be furnished to the surveyor and mapper
3. Fence ownership is not determined
4. No underground improvements or structures were located by this survey, unless otherwise noted
5. This survey should not be used for construction purposes
6. Any septic tank or drainfield locations (if found) are approximate
7. Property lines and or improvements shown were physically located by field survey
8. Monuments found or set are shown
9. Calculated lines and information are noted by (C)
10. Computations of lines and or data not found are shown as (C)
11. Accuracies obtained in this survey are greater than (rural) 1' in 5000', (suburban) 1' in 7500', (commercial) 1' in 10,000'
12. Prior to survey, information obtained was legal description provided by client or from publicly published county tax collector site, recorded plats and/or section corner records, if applicable
13. If only a digital survey copy is required, a survey report will be placed in file. The digital survey is not full and complete without the survey report file.

THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.

LEGEND

- | | |
|--------------------------------|------------------------------------|
| A/C - Air Conditioner | PB - Flat Book |
| C - Calculated | PC - Point of Curvature |
| CL - Centerline | PI - Point of Intersection |
| CB - Concrete Block | POB - Point of Beginning |
| CM - Concrete Monument | POC - Point of Commencement |
| CONC - Concrete | PP - Power Pole |
| COV - Covered | PRC - Point of Reverse Curvature |
| D - Description | PRM - Permanent Reference Monument |
| DE - Drainage Easement | |
| DUE - Drainage & Utility Esmt | R - Radius |
| D/W - Driveway | RAD - Radial |
| ESMT - Easement | R&C - Rebar & Cap |
| FFE - Finished Floor Elevation | RFD - Roofed |
| FND - Found | UE - Utility Easement |
| IP - Iron Pipe | WM - Water Meter |
| L - Length (Arc) | Δ - Delta (Central Angle) |
| M - Measured | -W- - Wood/PVC Fence |
| N&D - Nail & Disk | -C- - Chain Link Fence |
| NR - Non-Radial | -P- - Wood Power Pole |
| OHU - Overhead Utility Line | PP - Well |
| ORB - Official Records Book | |

FLOOD ZONE INFORMATION

(FOR INFORMATIONAL PURPOSES ONLY)

SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE X, AREA OUTSIDE OF THE 100 YEAR FLOODPLAIN, PER F.I.R.M. PANEL NUMBER 12095C 0240F
LAST REVISION DATE 09/25/09

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND TO THE BEST OF MY KNOWLEDGE AND BELIEF SAID SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE. FURTHER, THIS DOCUMENT IS ELECTRONICALLY SIGNED AND SEALED PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES AND CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

DATE OF FIELD WORK: 02/12/21
DATE SIGNED: 02/15/21

SURVEYOR'S NAME: BILL H. HYATT LS4636

DEAL LAND SURVEYING, LLC LB 8121

NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL

DATE	REVISION	DATE	REVISION

21-0586



FOR ALL INQUIRIES CONTACT:
Deal Land Surveying, LLC
804 S French Avenue
Sanford, FL 32771
407-878-3796
INFO@deallandsurveying.com



Additional / Revised Information Sheet

Date Stamp Here

Application Number: VAR21-0586 Applicant's Name: Alejandro Djuric

Reviewing Planner's Name: Colleen Marshall Date: 1-13-2022

Application Type:

- Planned Development (PD) Minor Modification/Personal Appearance (PRS) Standard Rezoning (RZ)
- Variance (VAR) Development of Regional Impact (DRI) Major Modification (MM)
- Special Use (SU) Conditional Use (CU) Other _____

Current Hearing Date (if applicable): 2-21-2022

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.
Revised application - Additional Information section

An updated Project Narrative consistent with the changes or additional information provided, if applicable.

Submittal Via:

Email (Preferred). Note that no follow up paper file is necessary. Pdf format only. Maximum attachment(s) size is 15 MB.

Email this sheet along all the additional/revised submittal items in pdf to: ZoningIntake-DSD@hcflgov.net

Mail or delivery. Number of Plans Submitted: Large _____ Small _____

For PD, MM, PRS and SU: 7 large copies 24"X36", one small 8.5X11".
For RZ-Standard: if plot plan is larger than 8.5"X11", 7 large copies should be submitted.
For Minor Change: 6 large copies.
For Variances or Conditional Use permits: one 8.5"X11" or larger)

Mail to:
Development Services Department
Community Development Division
P.O. Box 1110
Tampa, FL 33601-1110

Hand Deliver to:
County Center
Development Services Department
19th Floor
601 E. Kennedy Blvd., Tampa

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.

Isabelle Albert

Digitally signed by Isabelle Albert
Date: 2022.01.21 14:11:36 -05'00'

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.

The request is to allow a 20-foot easement to serve 2 dwelling units from the required 30-feet, a variance of 10-feet.

2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:
Section 6.02.01.B.5.C.2
- _____
- _____
- _____

ADDITIONAL INFORMATION REVISED 1/21/2022

1. Have you been cited by Hillsborough County Code Enforcement? No _____ Yes X
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 X Yes _____ If yes, please indicate the nature of the application and the case numbers assigned to the application(s): _____
3. Is this a request for a wetland setback variance? No X 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 X Public Wastewater _____ Private Well _____ Septic Tank X
5. Is the variance to allow a t hird lot on well and/or septic or non-residential development with an intensity of three ERC's? No X Yes _____ If yes, you must submit a final determ ination 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 **19th floor County Center**).



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Reviewing Planner's Name: Colleen Marshall Date: 1-13-2022

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Signature

Date

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In-Take Completed by: _____



January 13, 2022

Ms. Colleen Marshall
Principal Planner
Development Services Department
Hillsborough County
601 E Kennedy Boulevard
Tampa, FL 33602

Sent via: MarshallC@hillsboroughcounty.org

RE: VAR 21-0586

Dear Ms. Marshall:

Please find attached revised and updated information related to application VAR 21-0586, including updated property owner and signed and notarized affidavit.

Should you have any additional questions, please let me know.

Thank you.

Sincerely,

Isabelle Albert

Isabelle Albert, AICP

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?

Please see attached.

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.

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.

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.

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.

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.

VARIANCE CRITERIA RESPONSE APPLICATION

VAR 21-0586 REMAND

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?

Both properties are adjacent to privately owned properties to the north, east, south, and to a creek to the west. Their only access is from a 20-foot easement, which was created by agreement between the property owners of record in 1996 at the time the easement was granted. The said 20-foot easement is found in Official Record (OR) 8276 and Page (PG) 1554 from Hillsborough County public records (attachment 1). Prior to this 20-foot easement, both parcels were accessed by a 30-foot easement that has been cancelled and relocated to the current location (OR 8276 PG 1554). Unlike the surrounding property owners which has direct access to a public road, both subject properties would be landlock with no direct access to a public road if not for this easement. The hardship and practical difficulties are unique and singular to both properties and are not suffered in common with other property similarly located.

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.

Per Section 6.02.01.B.5.C.2, a 30-foot easement is required to serve two or three dwelling units. However, in this instance, there was only a 20-foot easement that was created by agreement between both property owners and recorded in OR 8276 PG 1554 in 1996. Unlike the surrounding property owners which has direct access to a public road, both subject properties would be landlock with no direct access to a public road if not for not for this easement. The literal requirement of the Land Development Code would deprive the applicants of the right to continue enjoying their long-standing access and use of their residential units.

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 20-foot easement at its current location has been serving these lots since 1996. This 20-foot easement is a replacement of a 30-foot easement that was serving said lots. The owners whose easement is located on is the same owners who voluntarily granted the easement and conveyed the use rights that the easement entails. By allowing the variance, the easement will remain in its configuration and use since 1996 and will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.

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 variance will allow the continued existence and use of the long-standing access easement serving the subject properties, which does not interfere with other properties. The variance is in harmony with and serves the general intent of the and purpose of the LDC and Comprehensive Plan for providing a development that is efficient, effective and equitable, as well as taking into account consideration of the interest of the citizen of Hillsborough County.

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 20-foot wide access easement was created by agreement between the property owners of record in 1996 at the time the easement was granted to serve both parcels. The said 20-foot easement is found in Official Record (OR) 8276 and Page (PG) 1554 from Hillsborough County public records (attachment 1). The applicants, current (Mr. Djuriscic and Mr. and Mrs. De Jesus) and original (Mrs. Lott) were not parties to the instrument creating the easement, nor were they owners of these parcels at the time of development of the residents back in 1959 and 2003. Therefore, the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicants.

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.

Allowing the variance will result in substantial justice being done by allowing the applicants to continue enjoying access to and use of their homes and properties, which does not interfere with other properties.



Additional / Revised Information Sheet

Date Stamp Here

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Reviewing Planner's Name: Colleen Marshall Date: 1-13-2022

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Signature

Date

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In-Take Completed by: _____



January 13, 2022

Ms. Colleen Marshall
Principal Planner
Development Services Department
Hillsborough County
601 E Kennedy Boulevard
Tampa, FL 33602

Sent via: MarshallC@hillsboroughcounty.org

RE: VAR 21-0586

Dear Ms. Marshall:

Please find attached revised and updated information related to application VAR 21-0586, including updated property owner and signed and notarized affidavit.

Should you have any additional questions, please let me know.

Thank you.

Sincerely,

Isabelle Albert

Isabelle Albert, AICP

Prepared by:
Alexandra Martinez
AMZ Title, LLC
6402 E. Fowler Avenue
Tampa, Florida 33617

File Number: 21-1937A

SALES PRICE: \$290,000.00

General Warranty Deed

Made this August 13, 2021 A.D. By Graystone Investment Group LLC, a Florida Limited Liability Company, whose address is: 3001 N Rocky Point Dr E Suite 200, Tampa, Florida 33607, hereinafter called the grantor, to Alejandro Djurisic, a married man, whose post office address is: 199 N Hazelcrest Cir Spring TX 77382, hereinafter called the grantee:

(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 the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$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 130 FEET OF THE WEST 678 FEET OF THE NORTH ONE-HALF OF THE SOUTH ONE-HALF OF THE NORTH ONE-HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 28 SOUTH, RANGE 17 EAST, ALL LYING AND BEING IN HILLSBOROUGH COUNTY, FLORIDA.

Parcel ID Number: U-26-28-17-ZZZ-000000-38430.1,
Property Address: 8710 Hyder Jo Lane, Tampa, Florida 33615

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

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

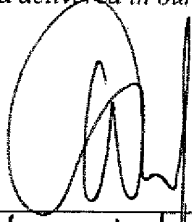
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful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

Prepared by:
Alexandra Martinez
AMZ Title, LLC
6402 E. Fowler Avenue
Tampa, Florida 33617

File Number: 21-1937A

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:



Alexandra Martinez - Witness Signature
- Witness Name Printed

Keith Johnson - Witness Signature
- Witness Name Printed

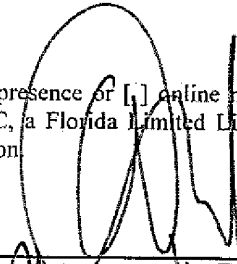
Graystone Investment Group LLC

Jorge Vazquez - Seller
Its: AMBR

- Seller

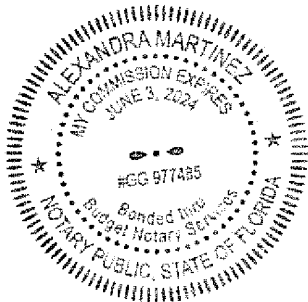
State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this 13th day of August, 2021, by Jorge Vazquez as AMBR for Graystone Investment Group LLC, a Florida Limited Liability Company, who is/are personally known to me or who has produced FID as identification



Notary Public
Print Name: Alexandra Martinez

My Commission Expires: _____



This Document Prepared By:

Curphey & Badger, P.A.
Shauna Curphey
25400 US Hwy 19 North, Ste 236
Clearwater, Florida 33763

**After Recording Return To &
Mail Tax Statements To:**

Jose David Santana De Jesus and Ireen Santana De Jesus
8704 Hyder Jo Lane
Tampa, FL 33615

Order #: 21373T

Parcel ID #: U-26-28-17-ZZZ-000000-38430.0

WARRANTY DEED

This WARRANTY DEED is made this 12th day of October, 2017, by APRIL LOTT, a married woman whose address is 218 W. Minnehaha Street, Tampa, FL 33604, hereinafter "Grantor," and JOSE DAVID SANTANA DE JESUS and IREEN SANTANA DE JESUS, husband and wife, as joint tenants, whose address is 8704 Hyder Jo Lane, Tampa, FL 33615, hereinafter "Grantee." The words "Grantor" and "Grantee" include their respective heirs, legal representatives, successors, and assigns where the context requires or permits.

WITNESSETH, that said Grantor, for in consideration of the sum of TWO HUNDRED TEN THOUSAND and 00/100 (\$210,000.00) DOLLARS, to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and conveyed unto the said Grantee forever, all the right, title, interest, claim and demand which the Grantor has in and to the following described lot, piece or parcel of land in Hillsborough County, State of Florida, to-wit:

SEE COMPLETE LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

Parcel ID: U-26-28-17-ZZZ-000000-38430.0
Commonly known as: 8704 Hyder Jo Lane, Tampa, FL 33615

TO HAVE AND TO HOLD, the same together with all and singular improvements and appurtenances thereunto belonging or in anywise appertaining thereto, in fee simple forever.

SUBJECT TO: Taxes and assessments for the year ~~2016~~ and all subsequent years; all applicable governmental, zoning and land use ordinances, restrictions, and prohibitions and other requirements imposed by governmental authority; agreements and easements of record.

And the said Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple, and has good right, full power, and lawful authority to sell and convey said land, and hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever.

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

Signed, sealed and delivered in our presence:

Witnesses:

[Handwritten signature]

Witness

[Handwritten signature]

APRIL LOTT

MICHAEL EMBURY

Print Name

[Handwritten signature]

Witness

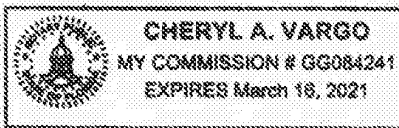
P. Adam Petric

Print Name

STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 12th day of October, 2017 by APRIL LOTT, who is personally known to me or who has produced an ID (type of identification) as identification.



[Handwritten signature]

Notary Public

My commission expires:

DISCLAIMER: The preparer makes no representation other than the validity of the form of this instrument. Preparer did not perform a title search on, or a boundary survey of, the property conveyed and makes no representation as to status of the title, property use or zoning regulations. Preparer has offered no legal advice to the Grantor or Grantee on: the type of deed to use, the tenancy created, nor any other legal or tax implication of this conveyance. If Grantor or Grantee want this advice, they should seek independent legal counsel.

EXHIBIT A

THE FOLLOWING DESCRIBED LOT, PIECE OR PARCEL OF LAND, SITUATE LYING AND BEING IN THE COUNTY OF HILLSBOROUGH, STATE OF FLORIDA TO WIT:

BEGIN AT POINT 678 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE RUN SOUTH 165 FEET; THENCE EAST 150 FEET, MORE OR LESS TO THE WEST BANK OF ROCKY CREEK THENCE NORTHEASTERLY ALONG THE WEST BANK OF ROCKY CREEK, APPROXIMATELY 183 FEET TO A POINT EXACTLY EAST OF THE POINT OF BEGINNING; THENCE WEST APPROXIMATELY 200 FEET TO THE POINT OF BEGINNING IN SECTION 26, TOWNSHIP 28 SOUTH, RANGE 17 EAST, ALL LYING AND BEGINNING IN HILLSBOROUGH COUNTY, FLORIDA.

AND

A PERPETUAL BUT NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE NORTH 20 FEET AND THE EAST 10 FEET OF THE WEST 648 FEET OF THE NORTH 1/2 OF OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 28 SOUTH, RANGE 17 EAST, LESS THE EAST 100 FEET AND LESS THE WEST 80 FEET THEREOF FOR ROAD RIGHT-OF-WAY, ALL LYING AND BEING IN HILLSBOROUGH COUNTY, FLORIDA.



Additional / Revised Information Sheet

Application Number: VAR21-0586 Applicant's Name: Alejandro Djuric

Reviewing Planner's Name: Colleen Marshall Date: 1-13-2022 revised 3/2/2022

Application Type:

- Planned Development (PD) Minor Modification/Personal Appearance (PRS) Standard Rezoning (RZ)
Variance (VAR) Development of Regional Impact (DRI) Major Modification (MM)
Special Use (SU) Conditional Use (CU) Other

Current Hearing Date (if applicable): 2-21-2022 3-21-2022

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. revised 1st page application

An updated Project Narrative consistent with the changes or additional information provided, if applicable.

Submittal Via:

Email (Preferred). Note that no follow up paper file is necessary. Pdf format only. Maximum attachment(s) size is 15 MB.

Email this sheet along all the additional/revised submittal items in pdf to: ZoningIntake-DSD@hcflgov.net

Mail or delivery. Number of Plans Submitted: Large Small

For PD, MM, PRS and SU: 7 large copies 24"X36", one small 8.5X11".
For RZ-Standard: if plot plan is larger than 8.5"X11", 7 large copies should be submitted.
For Minor Change: 6 large copies.
For Variances or Conditional Use permits: one 8.5"X11" or larger)

Mail to: Development Services Department Community Development Division P.O. Box 1110 Tampa, FL 33601-1110

Hand Deliver to: County Center Development Services Department 19th Floor 601 E. Kennedy Blvd., Tampa

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.

Isabelle Albert 3-2-2022

Signature

Date

FOR OFFICE USE ONLY

- Notification E-Mail Sent
Transmittal Completed

Scanned into OPTIX

In-Take Completed by: CM

21-0586
RCVD
3-3-22



January 13, 2022

Ms. Colleen Marshall
Principal Planner
Development Services Department
Hillsborough County
601 E Kennedy Boulevard
Tampa, FL 33602

Sent via: MarshallC@hillsboroughcounty.org

RE: VAR 21-0586

Dear Ms. Marshall:

Please find attached revised and updated information related to application VAR 21-0586, including updated property owner and signed and notarized affidavit.

Should you have any additional questions, please let me know.

Thank you.

Sincerely,

Isabelle Albert

Isabelle Albert, AICP



21-0586

RCVD

3-3-22

VARIANCE APPLICATION **REVISED**

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: 8704 & 8710 Hyder Jo Lane City/State/Zip: Tampa, FL 33615 TWN-RN-SEC: 17-26-28

Folio(s): 4674.0000 & ~~4374.0100~~ Zoning: RSC-6 Future Land Use: CMU-12 Property Size: 0.79 & 0.47 ac.
4674.0100

Property Owner Information

Name: See Attached Daytime Phone: _____

Address: _____ City/State/Zip: _____

Email: _____ FAX Number: _____

Applicant Information

Name: Same as above Daytime Phone: _____

Address: _____ City/State/Zip: _____

Email: _____ FAX Number: _____

Applicant's Representative (if different than above)

Name: Isabelle Albert, Halff Associates Daytime Phone: 813-331-0976

Address: 1000 N Ashley Dr. City / State/Zip: Tampa, FL 33602

Email: ialbert@halff.com 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.

Isabelle Albert

Signature of Applicant

Isabelle Albert

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

Type or Print Name

Office Use Only

Intake Staff Signature: _____ Intake Date: _____

Case Number: _____ Public Hearing Date: _____

Receipt Number: _____

21-0586
RCVD
3-3-22

PROPERTY OWNER INFORMATION

Folio: 4674.0000
Owner: Ireen and Jose David Santana De Jesus
Address: 8704 Hyder Joe Lane
City/State/Zip: Tampa, FL 33615

Folio: 4674.0100
Owner: Alejandro Djuric
Address: 8710 Hyder Joe Lane
City/State/Zip: Tampa, FL 33615

VARIANCE APPLICATION SUBMITTAL CHECKLIST

The checklist below includes items and information that must accompany all variance requests. The applicant must fill out the checklist by placing a check mark in each box indicating the information has been provided and sign below certifying that the application is complete. Failure to submit accurate data may require the application to be continued to a later public hearing date.

Incomplete applications will not be accepted.

Remand:

No fees applies



Application Fee - Check made payable to Hillsborough County Board of County Commissioners.

Updated



Completed Variance Application with Affidavit to Authorize Agent, if applicable.

Updated



Completed Variance Request and Additional Information Sheet.

Updated



Adjacent Property Owners List. The list must be obtained from the Property Appraisers Office located on the 15th floor of the County Center Bldg (601 E. Kennedy Boulevard). **Do not retype the list.**

- o If your property has an Agricultural Future Land Use Designation or a Future Land Use Designation of RES-1 you must obtain a list of all property owners within **500 feet** of the subject property. For all other Future Land Use Categories you must obtain a list of all property owners within **300 feet** of the subject property.

Updated



Completed Variance Criteria Response Form.

Updated



Recorded Deed for the Subject Property. This can be obtained from the Clerk of the Circuit Court Recording Library located at 419 Pierce Street.

Updated



Legal Description of Subject Property. This information can be found on your deed or on the property survey.

Remand:
Already in the record



Property Survey. The survey (Occupational Survey) must have been done within the last two years and must be to scale. At least one copy must be 8 ½ X 11 inches in size. At a minimum, the survey must include the following information:

- 1) North arrow and Folio number, property owner's name, and address of subject site;
- 2) Dimensions of the property;
- 3) All road frontage, driveways, and easements;
- 4) All existing and proposed buildings and structures on the property, the square footage of these structures, and the distance from said structures, fences to all property lines;
- 5) Location of any on-site wetlands;
- 6) Height of all existing and proposed structures;
- 7) Information relevant to the specific variance requested.

Remand:
Already in the record



Copy of any citations issued by Code Enforcement for the subject property, if applicable.



Wetland Setback Variance Memorandum – Attachment A - This memo must be complete for all requests for a variance to the wetland setback.

If property owner is a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit. This can be obtained at <http://sunbiz.org/>

Applicant Signature: **Isabelle Albert**

I certify that I have completed the application and have included all material checked above.

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