

LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-0846	
LUHO HEARING DATE: June 21, 2022	CASE REVIEWER: Chris Grandlienard

REQUEST: The applicant is requesting a variance to allow a 149.49-foot lot width for a proposed two-lot subdivision of a property zoned AS-1.

VARIANCE:

Per LDC Section 6.01.01, a minimum lot width of 150 feet is required in the AS-1 district. The applicant requests a 0.51-foot reduction to the minimum lot width to allow a width of 149.49 feet for both of the proposed lots in the subdivision.

FINDINGS:

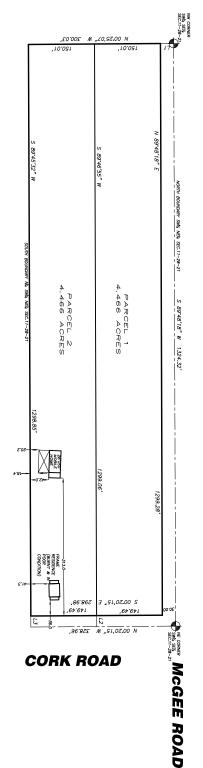
- •□ Each of the proposed lots are required to have a minimum area of 1 acre with at least .80 acre of uplands. The applicant has not requested a variance to this requirement.
- •□ The survey submitted by the applicant shows a frame residence that is "burnt & in poor condition" at the southeast corner of the subject property that does not meet the minimum front yard setback of 50 feet that is required in the AS-1 district. The applicant has not requested a variance to the setback as part of this application.

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	
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Fri Jun 10 2022 13:17:45	
Attachments: Application	
Site Plan	
Petitioner's Written Statement	
Current Deed	

11 Township Township <u>28</u> South, Rang Hillsborough County, Florida Range



3) THERE MAY BE ADDITIONAL ENSEMBNIS AND/OR RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY NOT BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
4) NO INFORMATION ON ADJACENT PROPERTY OWNERS OR ADJANIANG PROPERTY RECORDING INFORMATION MAS PROVIDED TO THIS SIRVEYOR.

THIS SURFEY HAS BEEN PREPARED THE BENEFIT OF AN ABSTRACT OR TITLE COMMINENT AND IS SUBJECT TO ANY DEDICATIONS, LIMITATIONS, RESERVATIONS AND/OR EASTMENTS OF RECORD, NO INSTRUMENTS OF RECORD REFLECTING EASTMENTS, RIGHTS OF MAY, AND/OR OWNERSHIP WERE FURNISHED THAS SURVEYOR EXCEPT AS SHOWN.

I) BEARINGS SHOWN HEREON ARE BASED AS NOTED ON THE MAP

5) THE SUPPLYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SCHRCH FOR EASEMINTS OF RECORD, ENCLUBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

7) UNLESS OTHERWISE SHOWN HEREOM, NO JURISDICTIONAL WETLAND AREAS OR OTHER PHYSICAL TOPOGRAPHIC FEATURES HAVE BEEN LOCATED.

6) THE BOUNDARY CORNERS AND LINES DEPICTED BY THIS SURVEY WERE ESTABLISHED PER INFORMATION AS FURNISHED.

DESCRIPTION

ABERNI PARCEL.
THE MORTH ¼ OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 11, TOWNSHIP 28
SOUTH, FANGE 21 EAST HEABERDER COUNTY, FLORIDA,
LESS THE MORTH 300 FEET THEREOF FOR ROAD RIGHT OF WAY
AND LESS THE EAST 25.00 FEET THEREOF FOR ROAD RIGHT OF WAY

PARCEL 1
THE NORTH IS OF THE FOLLOWING DESCRIBED
THE NORTH IS OF THE SOUTHWEST IS, OF THE SOUTHEAST IS OF SECTION 11, TOWNSHIP 28
SOUTH, RANGE 21 EAST HILLSBEDGIOG COUNTY, FLORIDA,
LESS THE NORTH JOAD FEET THEREOF
CONTAINING 4-466 ACRES MORE OR LESS
CONTAINING 4-466 ACRES MORE OR LESS

NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



SURVEYING, INC

HILLSBOROUGH

1912 HOLLOWAY ROAD PLANT CITY, FLORIDA 33567 (813) 707-9086 (813) 717-9017 FAX TIM GHILLSBOROUGHSUR VERNG.COM LICENSED BUSINESS 6582

FIELD CREW LASI DATE IN FIELD: MAPPING DATE: 06/10/2022 PROJECT NAME

JOB # PENROSE CP SURVEYOR'S CERTIFICATION

SHEET 1 OF 1 I. THE UNDERSIONED REGISTERED SURVEYOR, HERBY CERTIFY THAT THE MAP OF SURVEY WAS PERPARD UNDER MY DRECT SUPERVISION. THAT TO THE BEST OF MY KNOWLEDGE, UNDERSMATION, AND BELLEF, IS A TRUE AND ACCURATE, AND REPRESENTATION OF THE LAND SHOWN AND DESCRIBED, AND TERPRESENTATION OF THE LAND SHOWN AND DESCRIBED, AND THAT IT MEETS THE "WINDOWN TECHNICAL STANDARDS FOR LAND SURVEY ON MY THE STATE OF TEORDIA" CHAPTER 5—17.050 HAVO 17.055. PEORDIA CHAPTER 5—17.050

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Prostic Fonce 21) THE DATE OF SIGNATURE DOES NOT UPDATE OR SUPERSEDE THE DATE OF SURVEY. 20) THIS SURVEY IS A REPRESENTATION OF EXISTING FIELD CONDITIONS AT THE TIME OF THE FIELD SURVEY DATE AND IS BASED ON FOUND EXISTING MONUMENTATION IN THE FIELD. 19) THE WORD "CERTIFIED" IS UNDERSTOOD TO BE AN EXPRESSION OF THE PROFESSIONAL SURVEYOR'S OPINION BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, AND THAT II THUS CONSTITUTES NETTHER A GUARANTEE NOR A MARRANTY, EITHER EXPRESSED OR MIPLIED. 18) REPRODUCTION OF THIS SURVEY IS EXPRESSLY FORBIDDEN WITHOUT THE WRITTEN PERMISSION FROM THE SIGNING SURVEYOR.

17) PRINTED DIMENSIONS SHOWN ON THE MAP OF SURVEY SUPERSEDE SCALED DIMENSIONS. THERE MAY BE ITEMS DRAWN OUT OF SCALE TO GRAPHICALLY SHOW THEIR LOCATION.

16) FENCE OWNERSHIP NOT DETERMINED. THE FENCES ALONG BOUNDARY LINES SHOWN HEREON (IF ANY) MAY BE DRAWN EXAGGERATED FOR CLARITY. 15) NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO ON THIS SURVEY. 14) <u>THIS IS A SPECIFIC PURPOSE (SKETCH) SURVEY.</u> TO SHOW THE PROPOSED LOT DENSION FOR COUNTY REVIEW. THIS IS NOT NOR INTENDED TO BE A BOUNDARY SURVEY. 13) ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS MADE BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROMBITED WITHOUT IMPITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

12) TIES FROM BUILDING CORNERS, FENCE CORNERS, SHED CORNERS, ETC., ARE NOT TO BE USED TO REESTABLISH PROPERTY BOUNDARIES.

11) THE MEASURED MATHEMATICAL CLOSURE OF THE SURVEYED BOUNDARY EXCEEDS THE ACCURACY STANDARDS FOR AN URBAN CLASS SURVEY AS DETNED BY THE AMERICAN CONGRESS ON SURVEYING AND THE AMERICAN LAND TITLE ASSOCIATION. 10) UNDERGROUND UTLITY LOCATIONS AND IDENTIFICATIONS SHOWN HEREON ARE BASED UPON INSIBLE ABOVE GROUND. APPURTENANCES AND DO NOT NECESSARLY SHOW ALL UTLITY LOCATIONS, NO SUBTERMANEAN EXCANATION HAS BEEN MADE TO DETENDINE UNDERGROUND UTLITY LOCATIONS. 9) THIS MAP DOES NOT DETERMINE OR REFLECT OMMERSHIP OF PROPERTY, BOUNDARY UNES AFFECTED BY ADNERSE USE, LINES OF CONFLICTING DEEDS, OR OTHER UNES THAT MAY OTHERWISE BE DETERMINED BY A COURT OF LAW. 6) UNDERGROUND ENGROACHMENTS, SUCH AS UTILITIES, STRUCTURES, INSTALLATIONS, IMPROVEMENTS AND FOUNDATIONS THAT MAY EXST, HAVE NOT BEEN FIELD LOCATED EXCEPT AS SHOWN.

22) ATTENTION IS DIRECTED TO THE FACT THAT THIS MAP(S) MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA

23) HILLSDHOUGH SURVEYING INC. RESERVES THE RIGHT TO RENSIT THE SITE AND RENSE THIS MAP AND OR BOUNDARY AS ANY NEED MAY ARISE , THE FEES (IF ANY) MILL BE ASSIST AT THE TIME OF DISCOVERYY) de ladesond egisterd simplyk efebt cepty that the lap of sirket has beenad judge at dhet faffrisch. That to the est of at konkens Towardan, and eiter is a the lan occated terrestriking of the Laus some and designed, that it let's the "annum texneul standars for Lau Retaig in the state of floria" orapiex 5-J 17.050 thau 17.052, floria administrative cose (F.A.C.).

25) THIS MAP AND REPORT ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RUSED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, ADDITIONS OR DELETIONS TO SURVEY SAFED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, ADDITIONS OR DELETIONS TO SURVEY SAFED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, ADDITIONS OR DELETIONS TO SURVEY SAFED SEAL OF A FLORIDA LICENSED FOR THE SOUNG PARTY OR PARTIES.



Additional / Revised Information Sheet

Date Stamp Here

Application Number: VAR 22	2-0846 App	licant's Name: Mich	nael Penrose and Phillip Perose
Reviewing Planner's Name: Ch	ris Grandlienard		Date: 05/17/2022
Application Type: Planned Development (PD) Variance (VAR) Special Use (SU) Current Hearing Date (if applications)	Development of Region Conditional Use (CU)		PRS) Standard Rezoning (RZ) Major Modification (MM) Other
	able): <u></u>		
	The following must	be attached to t	his Sheet.
submitted, all changes on the s	ite plan must be listed in o	detail in the Cover Le	provided. If a revised Site Plan is being tter. formation provided, if applicable.
Submittal Via:			
Email (Preferred). Note that	no follow up paper file is necess	sary. Pdf format only. Max	imum attachment(s) size is 15 MB.
Email this sheet along all the			
☐ Mail or delivery. Number o	f Plans Submitted: Larg	e Small	
For PD, MM, PRS and SU: 7 large For RZ-Standard: if plot plan is la For Minor Change: 6 large copies For Variances or Conditional Use	rger than 8.5"X11", 7 large copics.	es should be submitted.	
· · · · · · · · · · · · · · · · · · ·		County Develo _l 19th Flo	pment Services Department
I certify that changes describe changes will require an additio	•	-	made to the submission. Any further
			05/17/2022
S	ignature		Date
☐ Notification E-Mail Sent	FOR OF	FICE USE ONLY	
☐ Transmittal Completed			ke Completed by:

pplication 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 Penrose family is seeking a variance from section 6.01.01 of the Land Development Code.
A variance of 0.51 feet is being requested from the 150 feet lot width standard. The family is
is needing to split the property in half so that their son is able to build his home on the new lot.
If the variance is granted, both lots will have a road frontage width of 149.49 feet and the rear
lot width for each lot will be 150 feet.
ADDITIONAL INFORMATION
Have you been cited by Hillsborough County Code Enforcement? No X 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? NoYesX If yes, please indicate the nature of the application and the case numbers assigned to the application(s): Certified Parcel Review PID #5638
Is this a request for a wetland setback variance? 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 Well X Septic Tank X
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 you public hearing (form may be obtained from 19 th floor County Center).

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07/02/2014

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.

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? Other lot width deficiencies may exist with other surrounding properties but none were noticed on any of the immediate abutting properties.
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. The current lot width requirement would deprive the property owner the right to use his property density and would not allow his son to build his home next door to his.
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. If the variance is approved, no adjoining property owners will be affected whatsoever.
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 is in harmony and serves the general intent and purpose of the LDC and the comprehensive plan because this request does not hinder public interest.
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. To our knowledge this variance does not result from an illegal act. The hardship was created when the property owner submitted for a certified parcel review and the lot width deficiency was then noted
Explain how allowing the variance will result in substantia I 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. We feel an injustice would be done if the variance is not approved and the Penrose's son would not be able to build his house and the property density would not be utilized.

Instrument #: 2021558909, Pg 1 of 4, 11/3/2021 11:36:01 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 Cindy Stuart, Clerk of the Circuit Court Hillsborough County

PREPARED BY AND RETURN TO: Keith C. Smith, Esq. GRAYROBINSON, P.A. One Lake Morton Drive Lakeland, Florida 33801

Property Appraisers Folio Number: 080989-0000

[Space Above This Line For Recording Data]

FEE SIMPLE DEED

THIS INDENTURE made this 1st day of November, 2021, by **DANIEL M. PENROSE** and **GENEVIEVE E. PENROSE**, husband and wife, whose address is 3909 Cork Rd., Plant City, Florida 33565-3849, hereinafter called Grantor(s), to **MICHAEL B. PENROSE**, a single man, as to a one-half interest, whose address is 3901 Cork Rd., Plant City, Florida 33565-3849 and to **PHILLIP J. PENROSE**, a single man, as to a one-half interest, whose address is 10816 W. Beach Pkwy, Lake Wales, Florida 33898-8335, hereinafter called Grantee(s):

(Wherever used herein the terms "Grantor(s)" and "Grantee(s)" 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(s), for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases and transfers unto the Grantee(s), all of Grantor's undivided interest in that certain land situated in Hillsborough County, Florida, to-wit:

See Attached Exhibit A

Subject to taxes for 2021 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

THE PREPARER, AT THE REQUEST OF THE PARTIES, HAS NOT VERIFIED THE LEGAL DESCRIPTION, EXAMINED CURRENT TITLE INFORMATION, ZONING REGULATIONS, APPLICABLE USE RESTRICTIONS, OR DETERMINED AVAILABILITY OF LEGAL ACCESS.

RESERVING UNTO THE GRANTOR(S) THE USE, OCCUPANCY, AND PROFITS OF THE LAND ABOVE DESCRIBED FOR AND DURING THE TERM OF THEIR NATURAL LIVES.

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.

IN WITNESS WHEREOF, the said Grantor(s) have hereunto set their hand and seal the day and year first above written.

Instrument #: 2021558909, Pg 2 of 4

Signed, sealed and delivered in our presence:

Witn ss Signature

Crave

Printed name of witness

Dadulla

Witness Signature GABRIELLA L HURTADO

Printed name of witness

STATE OF FLORIDA COUNTY OF POLK

Emily K. Crain
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG975104
Expires 4/1/2024

Notary Public, State of Florida

EMILY CRAIN

Printed Name of Notary My Commission Expires:

DANIEL M. PENROSE

Instrument #: 2021558909, Pg 3 of 4

Witness Signature

EMILY CRAIN

Printed name of witness

Witness

GABRIELLA L. HURTADO

Printed name of witness

STATE OF FLORIDA COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of [7] physical presence or [7] online notarization, this 2 day of November, 2021, by GENEVIEVE E. PENROSE, [7] who is personally known to me or 1 who has produced Florida Driver's License as identification.

Emily K. Crain
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG975104
Expires 4/1/2024

Notary Public, State of Florida

EMILY CRAIN

Printed Name of Notary My Commission Expires: Instrument #: 2021558909, Pg 4 of 4

Exhibit A

The North 1/4 of the SWk of the SEk of Section 11, Township 28 South, Range 21 East, LESS the North 30 feet thereof.



Development Set

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.

Address: 3909 Cork Rd City/State/Zip: Pla	nt City, Florida 33565 TWN-RN-SEC: 11/28/21
And the second s	Future Land Use: AS-1 Property Size: 9.18
Property Own	er Information
Name: Michael Penrose and Phillip Penrose	Daytime Phone: 813-763-5844
Address: 3909 Cork Rd	_City/State/Zip: Plant City, Florida 33565
ADT O	FAX Number:
Name: Michael Penrose and Phillip Penrose	Daytime Phone: 813-763-5844
Address: 3909 Cork Rd	City/State/Zip: Plant City, Florida 33565
Email: APTewServices@gmail.com	FAX Number:
Name: Amber Tew Address: 212 N Collins St	Daytime Phone: 813-967-2015 City / State/Zip: Plant City, Florida 33563
Email: APTewServices@gmail.com	FAX Number:
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. Monacl B. Signature of Applicant Michael Penrose	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 Phillip Penrose Type or Print Name
	Use Only
Intake Staff Signature: Ana Lizardo	Intake Date:
Case Number: 153866	Public Hearing Date: 06/21/22

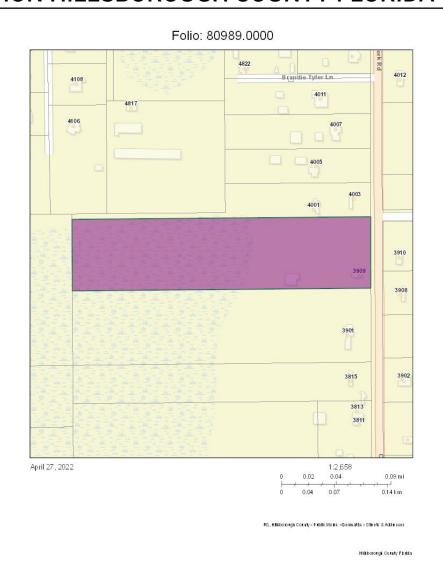
Development Services Department, 601 E Kennedy Blvd. 20th Floor

07/02/2014



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
INFL	f
Zoning	AS-1
Description	Agricultural - Single-Family
Flood Zone:AE	BFE = 95.5 ft
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0266H
FIRM Panel	12057C0266H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Х
Pre 2008 Flood Zone	A
Pre 2008 Firm Panel	1201120270D
County Wide Planning Area	East Rural
Census Data	Tract: 010106 Block: 1002
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 3
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Folio: 80989.0000
PIN: U-11-28-21-ZZZ-000003-52400.0
MICHAEL B AND PHILLIP J PENROSE
Mailing Address:
3909 CORK RD
PLANT CITY, FL 33565-3849
Site Address:
3909 CORK RD
PLANT CITY, FI 33565

SEC-TWN-RNG: 11-28-21 Acreage: 9.18270969 Market Value: \$159,654.00 Landuse Code: 0100 SINGLE FAMILY

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1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.

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

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