



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:

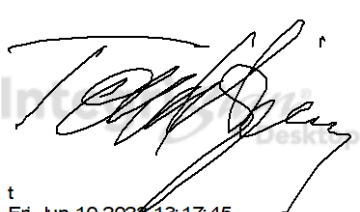
Per LDC Section 6.01.01, a minimum lot width of 150 feet is required in the AS-1 district. The applicant requests a 0.51-foot reduction to the minimum lot width to allow a width of 149.49 feet for both of the proposed lots in the subdivision.

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	
	
<small>t Fri Jun 10 2022 13:17:45</small>	
Attachments: Application Site Plan Petitioner’s Written Statement Current Deed	



Additional / Revised Information Sheet

Date Stamp Here

Application Number: VAR 22-0846 Applicant's Name: Michael Penrose and Phillip Perose

Reviewing Planner's Name: Chris Grandlienard Date: 05/17/2022

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): 05/17/2022

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.

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.

Signature

05/17/2022

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 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.

2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:
Section 6.01.01 - Schedule of District Area, Height, Bulk, and Placement Regulations
-
-

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): Certified Parcel Review PID #5638
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 **19th floor County Center**).

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?

Other lot width deficiencies may exist with other surrounding properties but none were noticed on any of the immediate abutting properties.

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.

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.

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.

If the variance is approved, no adjoining property owners will be affected whatsoever.

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 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.

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.

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.

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.

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.

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.

22-0846

Signed, sealed and delivered in our presence:

Daniel M Penrose
Witness Signature

Emily K Crain
Printed name of witness

Gabriella L Hurtado
Witness Signature

GABRIELLA L HURTADO
Printed name of witness

Daniel M Penrose
DANIEL M. PENROSE

STATE OF FLORIDA
COUNTY OF POLK

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



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

Emily K. Crain
Notary Public, State of Florida

EMILY CRAIN
Printed Name of Notary
My Commission Expires:

22-0846

Emily K. Crain
Witness Signature

EMILY CRAIN
Printed name of witness


Gabriella L. Hurtado
Witness Signature

GABRIELLA L. HURTADO
Printed name of witness

Genevieve E. Penrose
GENEVIEVE E. PENROSE

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 13 day of November, 2021, by GENEVIEVE E. PENROSE, who is personally known to me or who has produced Florida Driver's License as identification.

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

Emily K. Crain
Notary Public, State of Florida

EMILY CRAIN
Printed Name of Notary
My Commission Expires:

22-0846

Exhibit A

The North 1/4 of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 11, Township 28 South, Range 21 East, LESS the North 30 feet thereof.

22-0846



Received
04/27/22
Development Services

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: 3909 Cork Rd City/State/Zip: Plant City, Florida 33565 TWN-RN-SEC: 11/28/21
Folio(s): 080989-0000 Zoning: AS-1 Future Land Use: AS-1 Property Size: 9.18

Property Owner Information

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: _____

Applicant Information

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: _____

Applicant's Representative (if different than above)

Name: Amber Tew Daytime Phone: 813-967-2015
Address: 212 N Collins St City / State/Zip: Plant City, Florida 33563
Email: APTewServices@gmail.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.

Michael B. Penrose
Signature of Applicant
Michael Penrose
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.

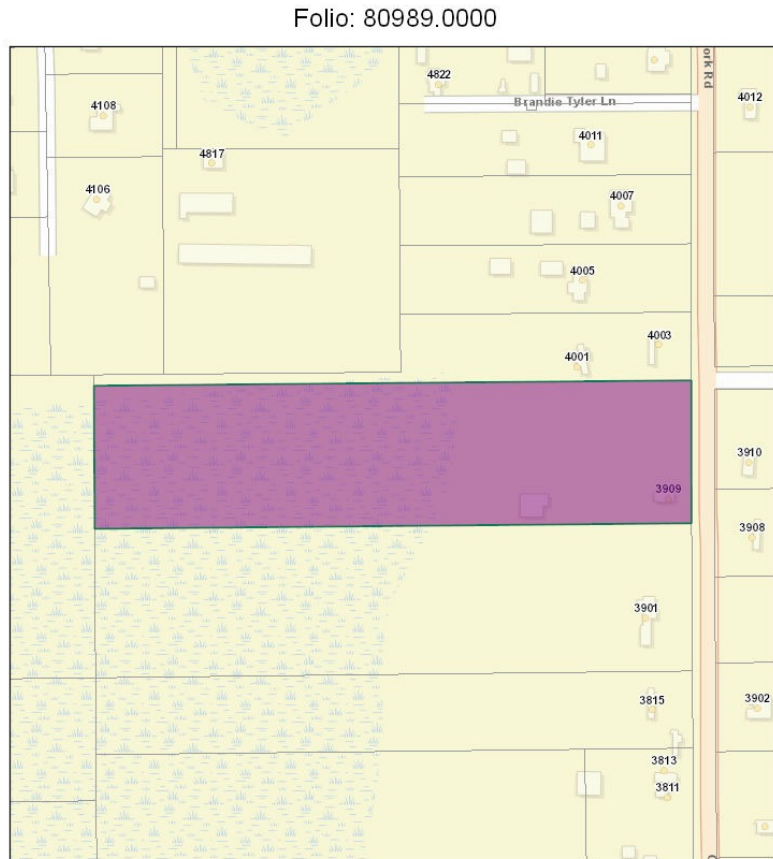
Phillip Penrose
Signature of Property Owner
Phillip Penrose
Type or Print Name

Intake Staff Signature: Ana Lizardo Office Use Only Intake Date: 04/27/22
Case Number: 22-0846 Public Hearing Date: 06/21/22
Receipt Number: 153866

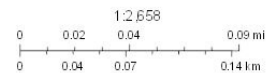


PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

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	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
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



April 27, 2022



RS, Hillsborough County - Public Works - Geomatics - Streets & Addresses

Hillsborough County Florida

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, FL 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.

22-0846

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