



**LAND USE HEARING OFFICER VARIANCE REPORT**

**APPLICATION NUMBER:** VAR 22-0998

**LUHO HEARING DATE:** July 25, 2022

**CASE REVIEWER:** Tim Lampkin, AICP

**REQUEST:** The applicant is requesting a setback variance to accommodate a proposed single-family home on property zoned Agricultural, Single-Family Conventional (ASC-1).

**VARIANCE(S):**

Per LDC Section 6.01.01, Schedule of District Area, Height, Bulk, and Placement Regulations, a minimum front yard setback of 50 feet is required in the AR district. The applicant requests A 12-foot reduction to the required front yard setback to allow a front setback of 38 feet from the east property line.

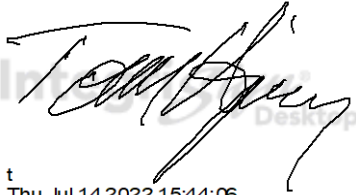
**FINDINGS:**

- The subject parcel is a corner lot with required front yard setbacks on the north and east sides, and required side yard setbacks on the south and west sides.
- The subject parcel's ASC-1 zoning requires a minimum lot size of one acre (43,560 square feet). The subject parcel is approximately 38,332 square feet in size, however, it has been certified as a legal nonconforming per NCL 10-0392 which has been placed in the case record for the subject variance.
- The applicant was issued an EPC violation (Case 2020-0225E) for unauthorized fill placement and unauthorized culvert installation with associated fill in wetlands and/or other surface waters on the property. The applicant has resolved the violation with EPC and has agreed to construct a retaining wall along the western property line. Consequently, the proposed house is no longer within a wetland or wetland setback area as shown on the site plan that was originally submitted with this variance 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**



Tim Lampkin

t  
Thu Jul 14 2022 15:44:06

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

**COPYRIGHT NOTICE**

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**DESIGNED BY:  
JES DRAFTING  
DESIGN**

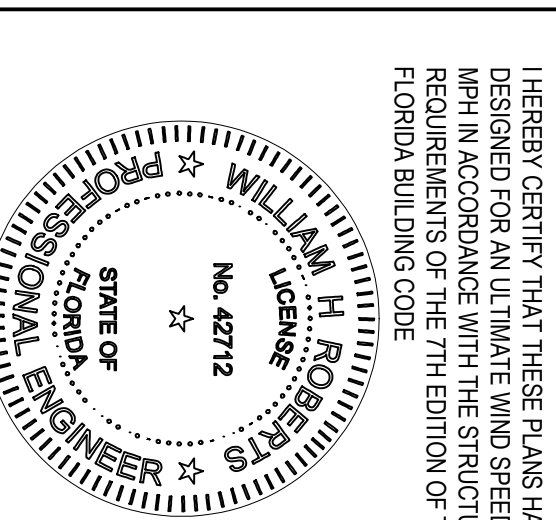
34 Unstine Palm  
P.O. Box 32164  
Palm Beach, FL 33432  
Palm Beach, FL 33432  
Owner:  
Justin Frankenberg  
Drawn By:  
Paola Garcia

IT IS THE CONTRACTOR AND SUB-CONTRACTORS RESPONSIBILITY TO REVIEW ALL INFORMATION CONTAINED HEREIN FOR ACCURACY AND TO CORRECT ANY ERRORS OR OMISSIONS PRIOR TO COMMENCEMENT OF WORK.

**Engineered By:  
EG-ENGINEERING  
GREAT IDEAS, INC.**

ENGINEERING BUSINESS CERT.  
OF ALTH. # 29098  
1003 SOUTH ALEXANDER  
STREET  
SUITE #5 PLANT CITY,  
HILLSBOROUGH COUNTY,  
FLORIDA 33563  
PHONE NO.: (813)52-7078  
EMAIL: roberts.esj@gmail.com  
William H. Roberts, P.E. #42712

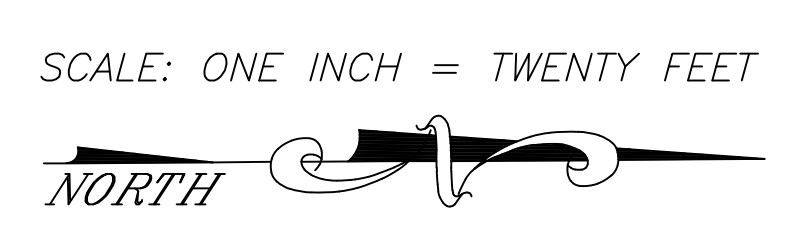
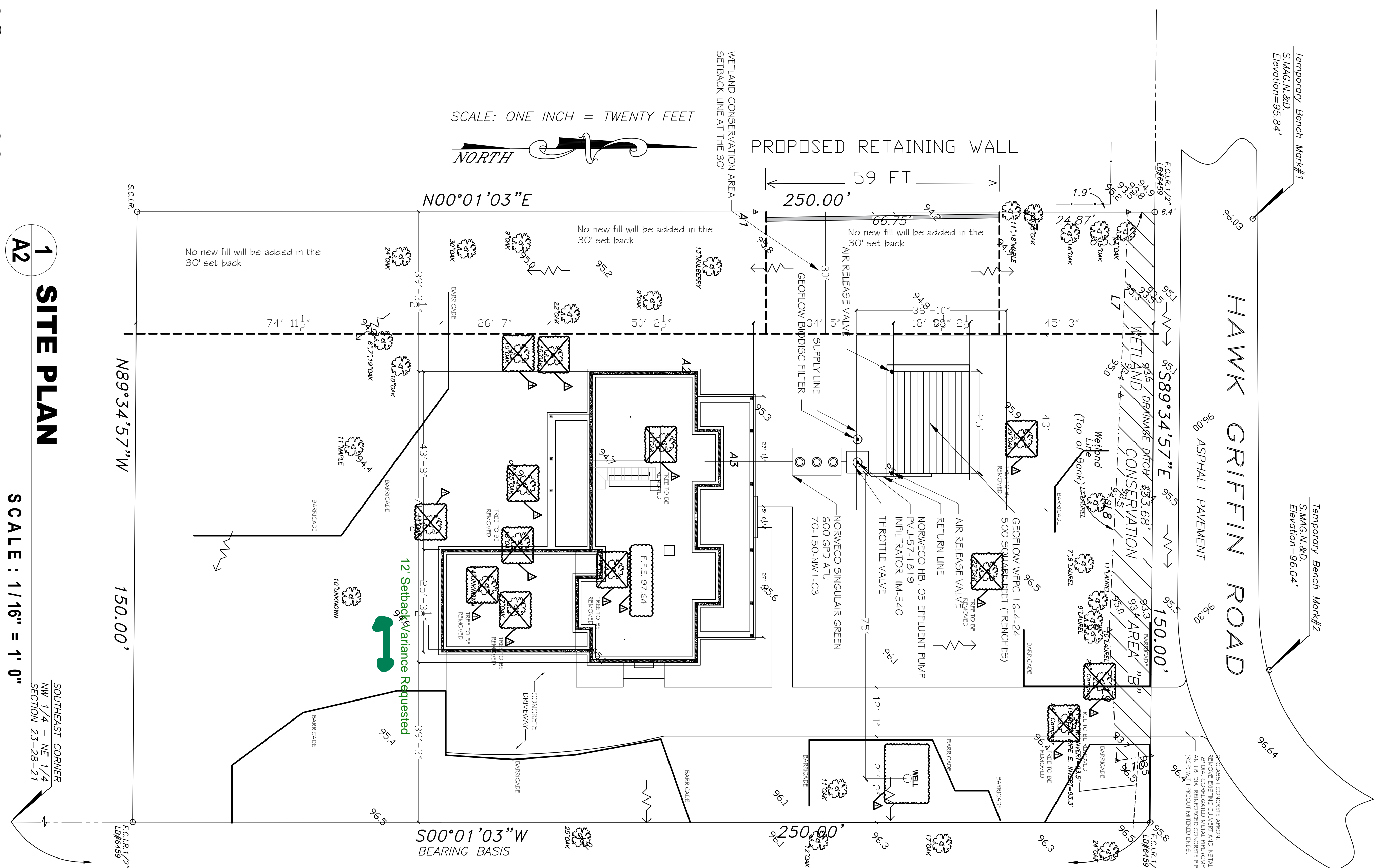
PROJECT: **KARYN A MATHURA-ARTHUR**  
PROJECT ADDRESS: **2590 HAWK GRIFFIN RD PLANT CITY, FL33565**  
SHEET NAME: **SITE PLAN/SEPTIC SYSTEM**



THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY WILLIAM H. ROBERTS, P.E. ON THE DATE ADJACENT TO THE SEAL. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE IS VALID ONLY ON THE ORIGINAL ELECTRONIC COPIES.  
**WILLIAM ROBERTS, P.E. #42712**

SHEET NO.:

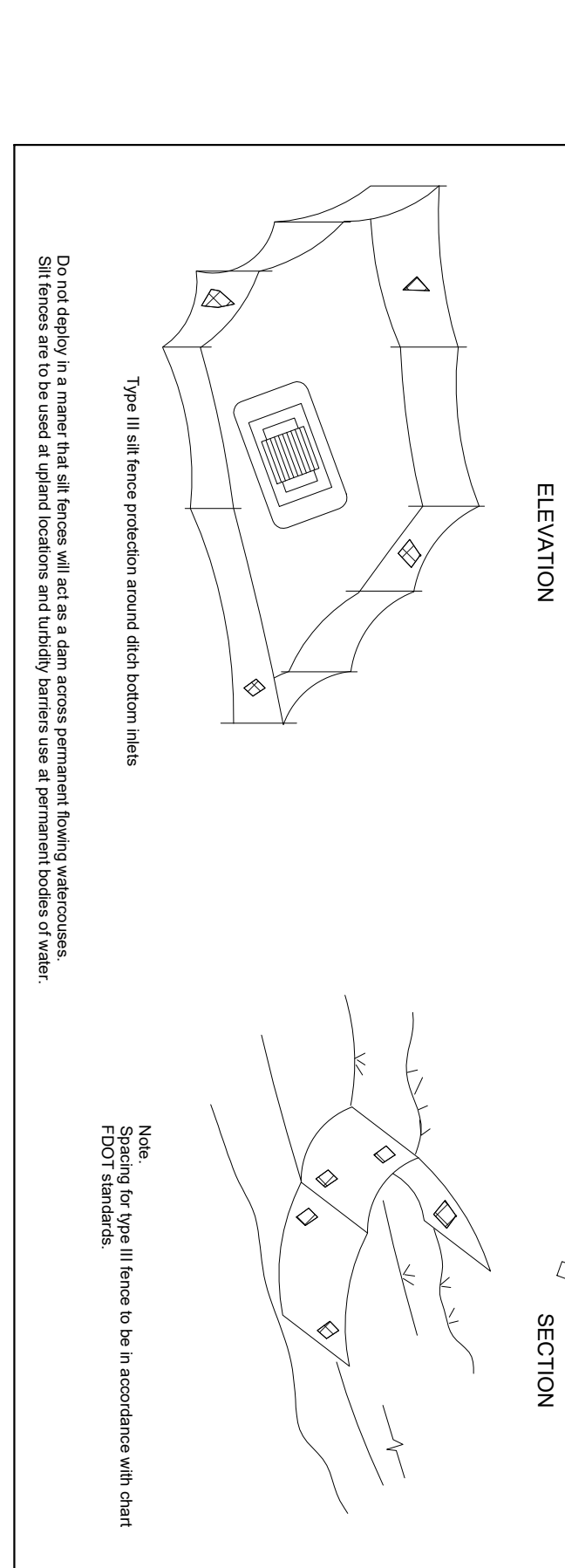
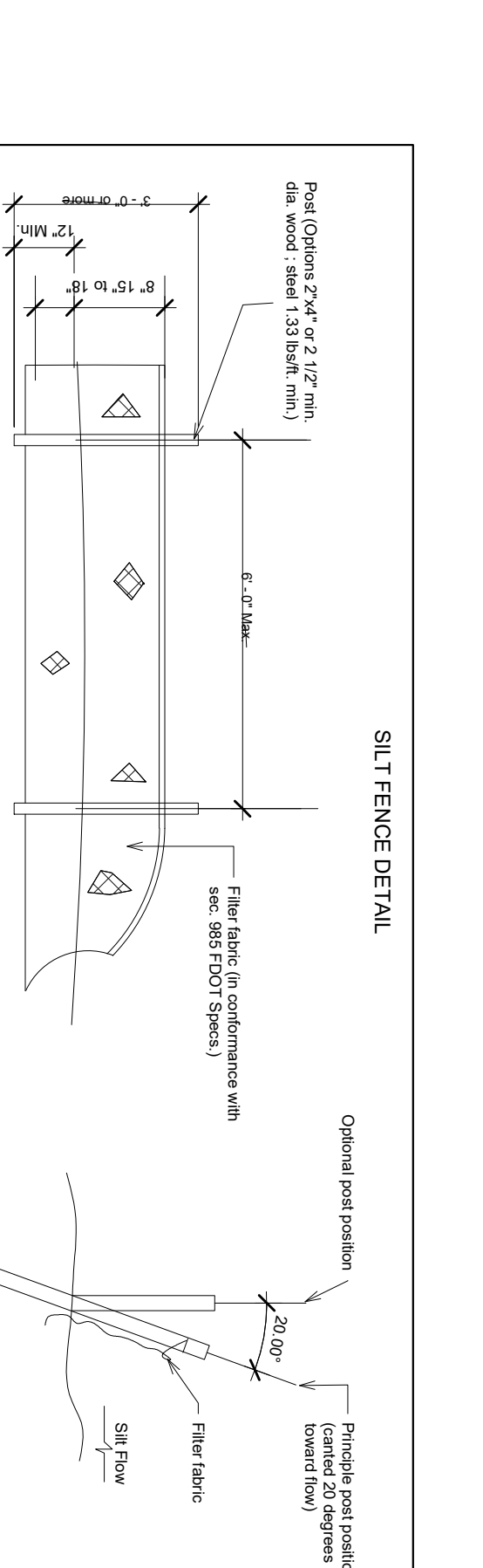
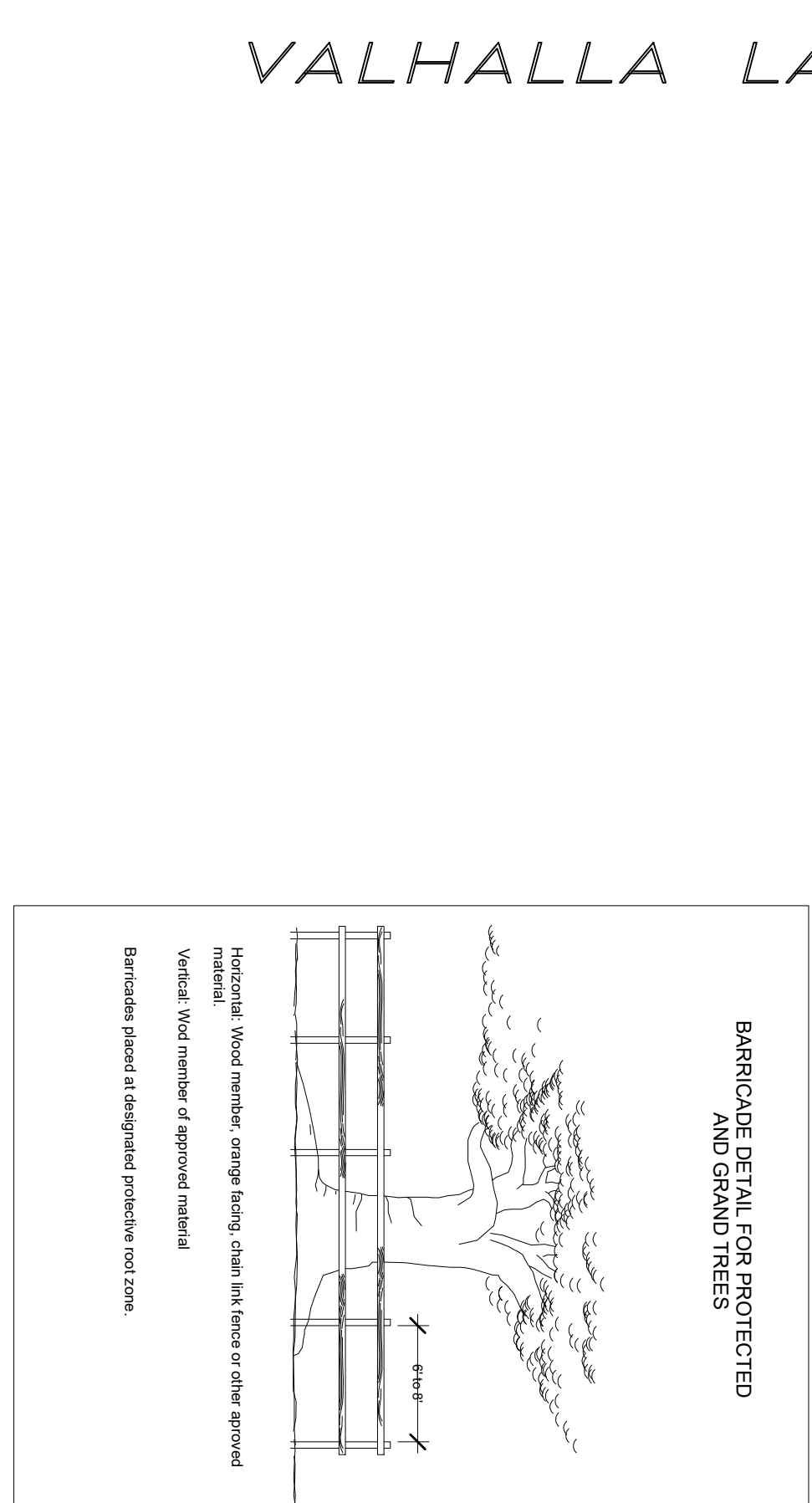
**A2**



**1 SITE PLAN**  
SCALE: 1/16" = 1' 0"

**SOUTH EAST CORNER**  
NW 1/4 - NE 1/4  
SECTION 23-28-21

A Variance application has been applied for the building set back issue off of Valhalla Lane.



**General Legend**

Symbol	Description
[Symbol]	Survey Point
[Symbol]	Proposed Structure
[Symbol]	Existing Structure
[Symbol]	Proposed Septic System
[Symbol]	Existing Septic System
[Symbol]	Proposed Retaining Wall
[Symbol]	Existing Retaining Wall
[Symbol]	Proposed Wetland Conservation Area
[Symbol]	Existing Wetland Conservation Area
[Symbol]	Proposed Wetland Buffer
[Symbol]	Existing Wetland Buffer
[Symbol]	Proposed Wetland Conservation Area Buffer
[Symbol]	Existing Wetland Conservation Area Buffer
[Symbol]	Proposed Wetland Conservation Area Buffer Extension
[Symbol]	Existing Wetland Conservation Area Buffer Extension
[Symbol]	Proposed Wetland Conservation Area Buffer Extension Extension
[Symbol]	Existing Wetland Conservation Area Buffer Extension Extension



# Additional / Revised Information Sheet

Date Stamp Here

Application Number: VAR 22-0998 Applicant's Name: Karyn Mathura-Arthur

Reviewing Planner's Name: Timothy Lampkin Date: 07/07/2022

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): 07/25/2022

### 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](mailto: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

07/07/2022  
Date

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

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

Re: Variance Application VAR 22-0998

Hello,

Based on the information provided by the Planner, Tim Lampkin updating the application to reflect the following:

**Variance to Lot Development Standards**

The setback variance is to Sec. 6.01.01

The site plan has been updated to remove Wetland A. Wetland B has been marked as a Drainage Ditch. A new wetland line has been drawn accordingly to reflect the wetland delineation letter issued by the EPC on July 6<sup>th</sup>

Please note that I have requested a revised survey per wetland delineation letter. New survey will be submitted for all to review prior the hearing if required.

**Importation Deadlines:**

Letter of mailings	No later than June 24	Completed June 23
Revised Plan Deadline for the July 25 LUHO	July 5	Submitted July 5 <sup>th</sup>
Continuance Request deadline	July 8	Not requested

Thank you,

Karyn Mathura-Arthur





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Thank you,

Karyn Mathura-Arthur



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?

House has 2 front yard setbacks. Asking for a 12 foot variance to the side yard (considered at 50 ft) setback in order to place the house in the middle of the lot

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- 2. Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC.

Currently other homes have only 1 front yard and the private road of Valhalla veers off at the point that the home is being built

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

As mentioned above, the road veers off. No other home is directly impacted.

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- 4. Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose).

The home will look visably better placed in the center of the lot where chosen.

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- 5. Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship.

There was not an illegal act on behalf of the applicant that caused a hardship.

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- 6. Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.

If the variance is not granted, it would cost a considerable amount of money to redesign a home that is very suitable to the area given lot size.

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## Electronically Certified Official Record

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### Document information

**Agency Name:** Hillsborough Clerk of Circuit Court and Comptroller  
**Clerk of the Circuit Court:** The Honorable Cindy Stuart  
**Date Issued:** 5/24/2022 1:25:03 PM  
**Unique Reference Number:** BAA-FBB-BCAFH-GBCACEIGFGAIFABCAGDH-BBICBF-C  
**Certification ID:** 61202486560850120637  
**Requesting Party Code:** 511  
**Requesting Party Reference:** 33604040

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### CERTIFICATION

Pursuant to Sections 90.955(1) and 90.902(1), Florida Statutes, and Federal Rules of Evidence 901(a), 901(b)(7), and 902(1), the attached document is electronically certified by The Honorable Cindy Stuart, Hillsborough County Clerk of the Circuit Court and Comptroller, to be a true and correct copy of an official record or document authorized by law to be recorded or filed and actually recorded or filed in the office of the Hillsborough County Clerk of the Circuit Court. The document may have redactions as required by law.

### HOW TO VERIFY THIS DOCUMENT

This document contains a Unique Reference Number for identification purposes and a tamper-evident seal to indicate if the document has been tampered with. To view the tamper-evident seal and verify the certifier's digital signature, open this document with Adobe Reader software. You can also verify this document by scanning the QR code or visiting <https://www.Clerkecertify.com/VerifyImage>.

\*\*The web address shown above contains an embedded link to the verification page for this particular document.

\*If you are a person with a disability who needs an accommodation, you are entitled, at no cost to you, to the provision of certain assistance. To request such an accommodation please contact the Clerk's ADA Coordinator within seven working days of the date the service is needed; if you are hearing or voice impaired, call 711.

Clerk of Court & Comptroller's Office ADA Coordinator

601 E. Kennedy Blvd., Tampa, FL 33602

Phone: (813) 276-8100, extension 4347

Email: [recording@hillsclerk.com](mailto:recording@hillsclerk.com)



Instrument #: 2020403838, Pg 1 of 2, 9/30/2020 4:34:09 PM DOC TAX PD(F.S. 201.02) \$322.00, INT. TAX PD (F.S. 199) \$0.00, DOC TAX PD (F.S. 201.08) \$0.00, Deputy Clerk: MTERRELL Pat Frank, Clerk of the Circuit Court Hillsborough County

Prepared by:  
Victoria Strickler  
Royalty Title, LLC  
3014 North US Highway 301, Suite 700  
Tampa, Florida 33619  
File Number: 20-3848

**SALES PRICE: \$46,000.00**

## General Warranty Deed

Made this September 18, 2020 A.D. By Edris L Lawson, a unmarried woman and Melissa R Surrency, a married woman, , whose address is: 9937 S County Road 39, Lithia, Florida 33547, hereinafter called the grantor, to Karyn A Mathura-Arthur, a married woman, whose post office address is: 20401 Harvest Oak Court, Tampa, Florida 33647, 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 North 250 feet of the South 594 feet of East 150 feet of West 660 feet of Northwest 1/4 of Northeast 1/4 of Section 23, Township 28 South, Range 21 East.

**\*\*Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.\*\***

Parcel ID Number: A0818000000  
Property Address: 0 Valhalla Lane, Plant City, Florida 33565

**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, 2019.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK, SIGNATURE ON FOLLOWING PAGE)

Unique Code : BAA-FBB-BCAFH-GBCACEIGFGAIFABCAGDH-BBICBF-C Page 2 of 2

Prepared by:  
Victoria Strickler  
Royalty Title, LLC  
3014 North US Highway 301, Suite 700  
Tampa, Florida 33619  
File Number: 20-3848

**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:

[Signature]  
Janine Morris, Witness  
[Signature]  
Victoria Strickler - Witness

[Signature]  
Edris L Lawson - Seller  
[Signature]  
Melissa R Surrency - Seller

State of Florida  
County of Hillsborough

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 18th day of September, 2020, by Edris L Lawson, a married woman Melissa R Surrency, a married woman, who is/are personally known to me or who has produced [Signature] as identification.

[Signature]  
Notary Public  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_





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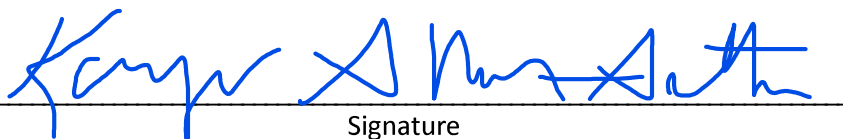
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Continuance Request deadline	July 8	Not requested

Thank you,

Karyn Mathura-Arthur



# 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: 2590 Hawk Griffin Road City/State/Zip: Plant City, FL 33565 TWN-RN-SEC: 23-28-21  
Folio(s): 081800-0000 Zoning: ASC-1 Future Land Use: R-1 Property Size: 0.88

### Property Owner Information

Name: Karyn Mathura-Arthur Daytime Phone: 813-610-2810  
Address: 2590 Hawk Griffin Road City/State/Zip: Plant City, FL 33565  
Email: karynanjali@gmail.com FAX Number: N/A

### Applicant Information

Name: Karyn Mathura-Arthur Daytime Phone: 813-610-2810  
Address: 2590 Hawk Griffin Road City/State/Zip: Plant City, FL 33565  
Email: karynanjali@gmail.com FAX Number: N/A

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

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

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.

Karyn A. Mathura-Arthur  
Signature of Applicant

Karyn Mathura-Arthur  
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.

Karyn A. Mathura-Arthur  
Signature of Property Owner

Karyn Mathura-Arthur  
Type or Print Name

### Office Use Only

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

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