



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 23-0396	
LUHO HEARING DATE: June 26, 2023	CASE REVIEWER: Chris Grandlienard, AICP

REQUEST: The applicant is requesting variances to provide access for two lots on property zoned AS-1.

The subject lots are located in the Cato Platted Subdivision, No Improvements, that was approved in 1995. They are Lot 8 and an adjacent portion of Lot 9. Lot 8 is a flag lot with a 20-foot private driveway extension connecting to Williams Road to the west. The adjacent portion of Lot 9 was divided from the remaining portion of Lot 9 to the south lot in 2007 through a certified parcel subdivision. The south portion of Lot 9 had existing access through a private driveway extension to Williams Road, but the subdivision left the north portion of Lot 9 without access. It appears from the certified parcel records that the north portion of Lot 9 was to be merged with Lot 8, but that did not occur.

The purpose of the subject variance is to provide access to the north portion of Lot 9 via an easement over the driveway extension on Lot 8. If the variance is approved, the applicant will be required to get approval of a Minor Subdivision Plat for the two lots.

VARIANCE(S):

Flag Lot Driveway Extension

Per LDC Section 6.02.01.B.4.A.2., the driveway extension on a flag lot shall serve a single parcel. The applicant requests a variance to allow the driveway extension to serve two parcels.

Access Easement Width

Per LDC Section 6.02.01.B.5.C.2., a minimum width of 30 feet is required for an access easement that will serve two or three dwelling units. The applicant requests a 10-foot reduction to the required minimum width of the access easement to allow an easement width of 20 feet for two dwelling units.

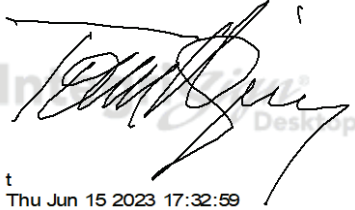
FINDINGS:

None.

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



Handwritten signature of Chris Grandlienard, AICP, in black ink. The signature is stylized and includes a small 'f' above the end. A faint 'InkScape Desktop' watermark is visible behind the signature.

t
Thu Jun 15 2023 17:32:59

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

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Additional / Revised Information Sheet

Date Stamp Here

Application Number: VAR 23-0396 Applicant's Name: Stanley Bruce and Tammy Gail Mitchell

Reviewing Planner's Name: Chris Grandlienard Date: 05/31/2023

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): 06/26/2023

Will this revision add land to the project? Yes No

IMPORTANT: If "Yes" is checked on the above, a Revised Application Sheet, Property Information Sheet, Affidavit to Authorize Agent, and additional Deeds must be filed immediately to ensure proper noticing and sign posting requirements are met.

Will this revision remove land from the project? Yes No

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 - Note that no follow up paper file is necessary. Files must be in pdf format and minimum resolution of 300 dpi. Maximum attachment(s) size is 15 MB.

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

For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcflgov.net.

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.

Jesus A Merly
'00'04- 16:34:39 2023.05.31

Signature

05/31/2023

Date

FOR OFFICE USE ONLY

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

In-Take Completed by: _____



**Hillsborough
County Florida**
Development Services

Application No: _____

Project Description (Variance Request)

1. 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 project consists of a replat of Lots 8 and 9 of the Cato Platted-No Improvements Subdivision (PB 76/PG 3). Lots 8 and 9 would be accessed by a 20 foot wide easement.

A variance allowing an easement to serve 2 lots.

A variance of 10 feet from the required 30 foot easement width resulting in an access easement of 20 feet.

2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:

LDC Sec. 6.02.01.B.4 – Flag Lot & LDC Sec. 6.02.01.B.5 Easement

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): _____
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.
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 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 Re-claimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing



Additional / Revised Information Sheet

Date Stamp Here

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Reviewing Planner's Name: Chris Grandlienard Date: 05/31/2023

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05/31/2023

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**Hillsborough
County Florida**
Development Services

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VARIANCE 1
LDC Sec. 6.02.01.B.4
CRITERIA RESPONSE

1. The hardship is unique to this lot because of the size of the wetland within the existing Lot 9. Most of the wetland must be included in Lot 8, so Lot 9 can be used effectively for a single family dwelling. Upon replatting, the only available access is through the already established 20 foot wide access to Williams Road.
2. The literal requirements of the LDC would eliminate significant available upland land for single family dwelling.
3. The proposed lot is intended for use by family members that currently reside on the existing property. Therefore, there will be no additional traffic. This variance would not interfere with the rights of adjacent property owners because there is no additional traffic.
4. The variance serves the general intent, as there is only two lots proposed that will use the easement. A 20 foot width is sufficient for low volume access (two lots) and will allow for 2 vehicles to pass.
5. There are no code violations on the property. This is not a self-imposed hardship. The intent is to provide a legal lot for the daughter of the owner.
6. Issuance of the variance will allow for a single family dwelling which results in no additional traffic. The width is sufficient for two lots. Failure to provide a variance will render a substantially wetland encumbered lot as undevelopable.

VARIANCE 1
LDC Sec. 6.02.01.B.5
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QUIT CLAIM DEED

THIS QUIT CLAIM DEED is executed this 17th day of May, 2007 by MAXINE TRAWICK CATO, A SINGLE WOMAN, whose post office address is 1206 WILLIAMS RD, PLANT CITY, FLORIDA 33565, first party to STANLEY BRUCE MITCHELL AND TAMMY GAIL MITCHELL, HUSBAND AND WIFE, and whose post office address is 1302 WILLIAMS RD, PLANT CITY, FLORIDA 33565, second party:

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

WITNESSETH, THAT the said first party, for and in consideration of the sum of Ten Dollars (\$10.00), in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and Quit-claim unto the said second party forever, all the right, title, interest, claim and demand which said first party has in and to the following described lot, piece or parcel of land, situated, lying and being in the County of HILLSBOROUGH, State of FL to wit:

LOT 9, CATO PLATED SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 0076, PAGE 0003, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, LESS THE SOUTH 290.00 FEET THEREOF.

PARCEL ID# 89426.7518

This is a Deed of Convenience.

TO HAVE AND TO HOLD, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

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

Signed, Sealed and delivered in the presence of:

Lynn M. Ziegler

Witness Lynn M. Ziegler

Marion F. Hale

Witness MARION F. HALE

Maxine Trawick Cato
Signature MAXINE TRAWICK CATO
1206 WILLIAMS RD, PLANT CITY, FLORIDA 33565

Signature

State of Florida

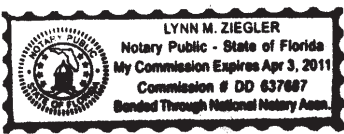
County of HILLSBOROUGH

The foregoing instrument was executed before me this 17th day of May, 2007, by MAXINE TRAWICK CATO who is personally known to me or who has produced a Florida Driver's License Passport - _____ as identification.

Lynn M. Ziegler
NOTARY PUBLIC (signature)

Print Name: Lynn M. Ziegler

My Commission Expires: _____
Stamp/Seal:



Prepared by: Lynn M Ziegler
Sunbelt Title Agency
1514 South Alexander St. Suite #205
Plant City, FL 33566
File Number: 7962070049

RETURN TO:
Sunbelt Title Agency
809 South Orlando Avenue
Suite K-O 7962070049
Winter Park, Florida 32789

Return to:
Name:

Address: **TRINKLE, REDMAN, MOODY, SWANSON & BYRD, P.A.**
POST OFFICE BOX TT
PLANT CITY, FL 33564-9040

This Instrument Prepared By:

Address:

THIS INSTRUMENT WAS PREPARED BY:
JAMES L. REDMAN, Attorney at Law
E. O. DRAWER TT, PLANT CITY, FLA. 33564

Property Appraiser Folio Number(s):
89411.0000

Grantee(s) S.S. #(s):

OFF. REC. 7290 PE 1534

Red

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

Documentary Tax Pd - F.S. 201.02 \$ - 70
Documentary Tax Pd - F.S. 201.08 \$
Intangible Tax Pd - F.S. 199 \$ 0
Richard Ake, Clerk Hillsborough County
by: [Signature] Deputy Clerk

FEE SIMPLE DEED

THIS INDENTURE, Made this 4th day of February 19 94, by and between
MAXINE TRAWICK CATO, a widow and now unmarried
of the County of Hillsborough, in the State of Florida party of the first part, and
STANLEY BRUCE MITCHELL and wife, **TAMMY GAIL MITCHELL**,
whose post office address is: 1302 Williams Road, Plant City, FL 33565
of the County of Hillsborough, in the state of Florida parties of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of
-----Ten and no/100-----
DOLLARS,
and other valuable considerations, lawful money of the United States of America, to her
paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained,
sold and conveyed to the said parties of the second part, their heirs and assigns forever all the right, title,
interest and claim of the said party of the first part in and to the following described land in Hillsborough
County, Florida, to-wit:

The East 150.00 feet of the West 947.00 feet of the South
300.00 feet of the North 969.00 feet of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$
of Section 4, Township 28 South, Range 22 East. TOGETHER WITH
an easement for ingress and egress over and upon the East
20.00 feet of the West 817.00 feet of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of
said Section 4, LESS the North 969.00 feet thereof, AND LESS
the South 300.00 feet thereof; AND the North 20.00 feet of the
South 320.00 feet of the West 797.00 feet of the NW $\frac{1}{4}$ of the
SE $\frac{1}{4}$ of said Section 4.

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

IN WITNESS WHEREOF, the said party of the first part has executed this deed under seal on the date aforesaid.
Signed, sealed and delivered in the presence of:

[Signature]
Witness Signature (as to first Grantor)
James L. Redman
Printed Name
John Russell
Witness Signature (as to first Grantor)
John Russell
Printed Name

[Signature] (Seal)
Grantor Signature
Maxine Trawick Cato
Printed Name
1206 Williams Road
Plant City, FL 33565
Post Office Address

Witness Signature (as to second Grantor, if any)
Printed Name
Witness Signature (as to second Grantor, if any)
Printed Name

Grantor Signature (Seal)
Printed Name
Post Office Address

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 2th day of February
and now unmarried
19 94 by MAXINE TRAWICK CATO, a widow who is (or are) personally known to me or who has
produced _____ as identification and who did (did not) take an oath.

[Signature]
Notary Signature
James L. Redman
Printed Notary Name
My commission expires: 11-12-96

1994 FEB 15 PM 4: 01
94039291



Hillsborough County Florida Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: VAR 23-0396 Intake Date: 04/12/2023
Hearing(s) and type: Date: 06/26/2023 Type: LUHO Receipt Number: 259235
Date: Type: Intake Staff Signature: Keshia Rivas

Property Information

Address: 1302 WILLIAMS RD City/State/Zip: PLANT CITY, FL 33565
TWN-RN-SEC: 04-28-22 Folio(s): 89426.7516 89426.7518 Zoning: AS-1 Future Land Use: R-1 Property Size: 1.38 10.18

Property Owner Information

Name: STANLEY BRUCE AND TAMMY GAIL MITCHELL Daytime Phone (813) 478-2841
Address: 1302 WILLIAMS RD City/State/Zip: PLANT CITY, FL 33565
Email: tmitchell@suncoast-chc.org Fax Number

Applicant Information

Name: WAYNE AND ROSEMARY E CURTISS/LIFE ESTATE Daytime Phone (813) 478-2841
Address: 1302 WILLIAMS RD City/State/Zip: PLANT CITY, FL 33565
Email: tmitchell@suncoast-chc.org Fax Number

Applicant's Representative (if different than above)

Name: Jesus Merly Daytime Phone 813-404-8872
Address: 12506 Bronco Dr City/State/Zip: Tampa, FL 33626
Email: jesus.merly@5mcivil.com Fax Number

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.

Signature of the Applicant (Handwritten: Stanley B Mitchell)

Type or print name: STANLEY B MITCHELL

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

Signature of the Owner(s) - (All parties on the deed must sign) (Handwritten: Stanley B Mitchell)

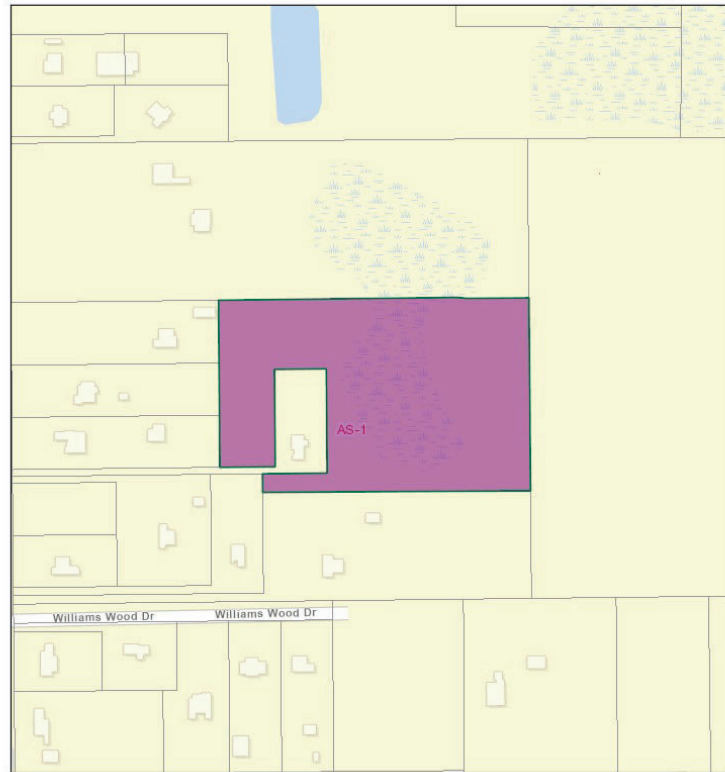
Type or print name: Tammy Mitchell



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

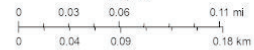
Jurisdiction	Unincorporated County
Zoning Category	Agricultural
INFL	f
Zoning	AS-1
Description	Agricultural - Single-Family
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
Flood Zone:AE	BFE = 103.6 ft
FIRM Panel	0280H
FIRM Panel	12057C0280H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Flood Zone	X500
Pre 2008 Firm Panel	1201120280C
County Wide Planning Area	East Rural
Census Data	Tract: 010107 Block: 1000
Future Landuse	R-1
Future Landuse	R-1
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: 89426.7518



April 17, 2023

1:3,774



RS: Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Hillsborough County Florida

Folio: 89426.7518
PIN: U-04-28-22-38R-000000-00009.0
 Stanley Bruce And Tammy Gail Mitchell
Mailing Address:
 1302 Williams Rd
 null
 Plant City, FL 33565-2455
Site Address:
 1302 Williams Rd
 Plant City, FL 33565
SEC-TWN-RNG: 04-28-22
Acreage: 10.18879986
Market Value: \$235,871.00
Landuse Code: 0000 Vacant Resident

Hillsborough County makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness, or completeness of any of the geodata information provided herein. The reader should not rely on the data provided herein for any reason. Hillsborough County explicitly disclaims any representations and warranties, including, without limitations, the implied warranties of merchantability and fitness for a particular purpose. Hillsborough County shall assume no liability for:

1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.
- Or
2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.



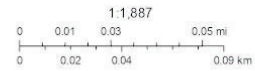
PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
INFL	f
Zoning	AS-1
Description	Agricultural - Single-Family
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
Flood Zone:AE	BFE = 103.6 ft
FIRM Panel	0280H
FIRM Panel	12057C0280H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X500
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120280C
County Wide Planning Area	East Rural
Census Data	Tract: 010107 Block: 1000
Future Landuse	R-1
Future Landuse	R-1
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: 89426.7516



April 17, 2023



RS: Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Hillsborough County Florida

Folio: 89426.7516
PIN: U-04-28-22-38R-000000-00008.0
Stanley B And Tammy G Mitchell
Mailing Address:
 1302 Williams Rd
 null
 Plant City, FL 33565-2455
Site Address:
 1302 Williams Rd
 Plant City, FL 33565
SEC-TWN-RNG: 04-28-22
Acreage: 1.38198996
Market Value: \$331,666.00
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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