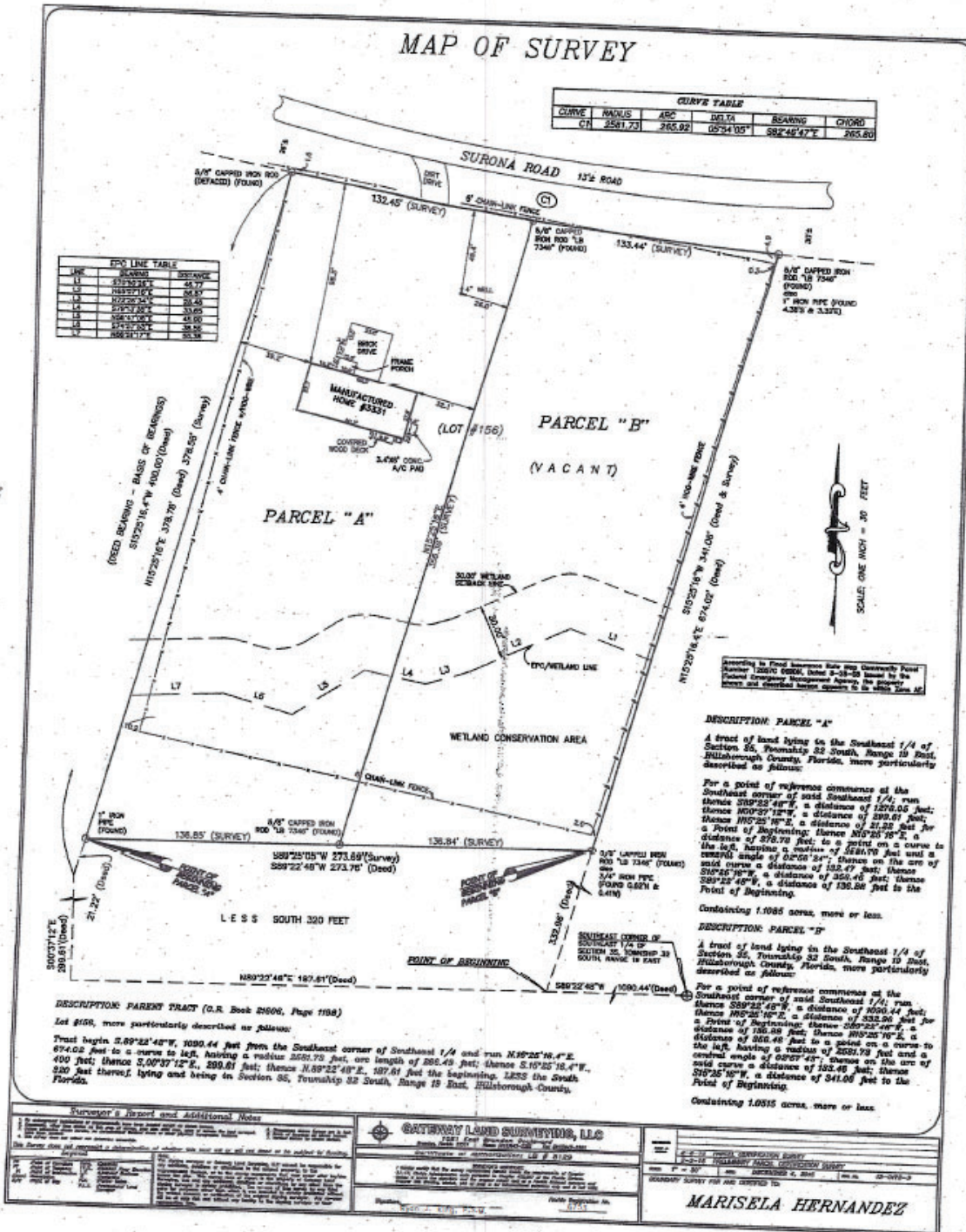


SURVEY/SITE PLAN



Additional / Revised Information Sheet

Office Use Only

Application Number: 24-0989 Received Date: 08/06/2024 Received By: Alejandra Prado

The following form is required when submitted changes for any application that was previously submitted. A cover letter must be submitted providing a summary of the changes and/or additional information provided. If there is a change in project size the cover letter must list any new folio number(s) added. Additionally, **the second page of this form must be included indicating the additional/revised documents being submitted with this form.**

Application Number: 24-0989 Applicant's Name: Marisela & Martha Hernandez
& Hector Rodriquez
Reviewing Planner's Name: Chris Grandlienard Date: 7/31/2024

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): 9/23/24 (expected)

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Will this revision add land to the project? Yes No
If "Yes" is checked on the above please ensure you include all items marked with * on the last page.

Will this revision remove land from the project? Yes No
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ZoningIntake-DSD@hcfgov.net

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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

7/31/24

Date



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Please indicate below which revised/additional items are being submitted with this form.

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2	<input checked="" type="checkbox"/> Revised Application Form** +
3	<input type="checkbox"/> Copy of Current Deed* Must be provided for any new folio(s) being added
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**Hillsborough
County Florida**
Development Services

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Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? Yes No

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Type of information included and location _____

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Signature: _____

(Must be signed by applicant or authorized representative)

Intake Staff Signature: Alejandra Prado Date: 08/07/2024

SECTION 2: NARRATIVE

I. Property Location and Details

The property consist of two (2) parcels located at 3331 Surona Road, Wimauma, FL 33598, bearing Folio Numbers 058393-0000 and 058392-0000 (the “**Property**”). The Subject Properties are zoned AS-1 for the County of Hillsborough. The property location is depicted in **Figure 1**.



Figure 1

The Property is zoned AS-1, which requires a minimum lot area of one (1) acre, 1DU/acre, minimum lot width of 150', a front and rear setback of 50', and a 15' side setback. Also of note the entire south end of the Property has been determined to be wetland per the survey prepared by Gateway Land Surveying, LLC dated December 4, 2015 and reviewed and approved by the Environmental Protection Agency on February 14, 2024, included in this application package.

II. Background

The Property was originally one parcel in common ownership in 1993 when the current owners' father purchased it. It was always the father's intent to have his daughters share the property. As such, when the property was conveyed to the daughters, the property was divided so that it could accommodate two homes. The only way to do this was to split the property vertically because of the wetlands located on the south of the

Property. The Property as configured meets all development standards of the AS-1 zoning district except for the minimum lot width.

III. Summary of Request

This is a request for a variance from the Section 6.01.01 minimum lot width requirements for AS-1 zoning of 150' as follows :

Parcel Folio Number	Owner	Acreage	Lot Width Required	Lot Width Provided	Total Variance
058393-0000	Marisela Hernandez	1.11	150'	132.45'	17.55'
058392-0000	Martha & Hector Hernandez	1.05	150'	133.44'	16.56'

This is the minimum variance required for reasonable use of the Property. Please see the following section for revised answers to the criteria responses.

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Signature: _____

(Must be signed by applicant or authorized representative)

Intake Staff Signature: Alejandra Prado Date: 08/07/2024



Variance Criteria Response

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?

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.

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.

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*).

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.

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.

See Attached

Revised Criteria Responses – Sec. 11.04.02 (B)

This application requests a variance from the minimum lot width in the AS-1 zoning district. Please see responses to land use compatibility of Section 11.01.02(B)1-6 in **bold** below:

1. That the alleged hardships or practical difficulties are unique and singular as regards the property of the person requesting the variance and are not those suffered in common with other property similarly located.

Response: The Property is unique in the fact that the back portion of the Property is wetlands and not buildable. See Wetlands Survey prepared by Gateway Land Surveying, LLC dated February 13, 2024 and approved by EPA attached hereto as Composite Exhibit A.

To meet the minimum lot width the only option would be to split the property horizontally running east and west. However, if this is done, then there will not be enough property on the back parcel to build a home. A rendering of how the Property would look if split horizontally is attached hereto as Exhibit B. As you can see, if the Property were split horizontally running east and west, the south parcel would only be 885 square feet, which is not large enough for a homesite. Additionally, it would create an encroachment into the rear setback of the current existing structure on the Property. Therefore, in order for the Owners to split the parcels in a configuration that will allow for a home on both parcels, the property must be divided in half vertically running north and south on the property. This creates two lots that are approximately 132.5' and 133.5' and meet all other zoning development standards in the AS-1 zoning district accept the minimum lot width.

The variance request is unique to the property and other properties nearby do not suffer common issue.

2. That literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district and area under the terms of this Code.

Response: The literal interpretation of the Code will deprive the Applicants of rights commonly enjoyed by other properties in the same district and area under the terms of this Code because if the Applicants cannot obtain the variance than the sister that owns parcel bearing folio number 058392-0000 will be deprived of her right to have a home on the Property.

3. That 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.

Response: The variance, if allowed, will no substantially interfere with or injure the rights of others because this variance does not affect any other properties nearby. In fact, the majority of properties nearby are owned by other relatives of the Applicants who support the configuration of the Property.

4. That the variance is in harmony with and serves the general intent and purpose of this Code and the Comprehensive Plan.

Response: the variance is in harmony with and serves the general intent and purpose of this Code and the Comprehensive Plan. The Property and any improvements thereon will meet all other requirements of the AS-1 zoning district.

5. That 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.

Response: The Applicants did not create the wetlands on the Property and the presence of wetlands on the Property did not result from any illegal acts by the Applicants.

6. That allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by this Code 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 because the Applicants will not be deprived of a home, and will instead be able to build a home on the parcel bearing folio number 058392-0000.

Prepared by:

Karen LoMoglio
Savvy Title Company, LLC
710 Oakfield Dr., Suite 158
Brandon, Florida 33511

File Number: 20-01713

This Deed was prepared as incident to the issuance of title insurance

Warranty Deed

Made this March 10, 2021

BY

Marisela Hernandez, an unmarried woman, whose post office address is: 3309 Surona Road, Wimauma, Florida 33598-7405, hereinafter called the grantor.

TO

Hector Rodriguez and Martha Hernandez, husband and wife, whose post office address is: 3219 Surona Road, Wimauma, Florida 33598, 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 and no cents NO/100 DOLLARS (\$10.00) and other valuable considerations of love and affection, 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:

A tract of land lying in the Southeast 1/4 of Section 35, Township 32 South, Range 19 East, Hillsborough County, Florida, more particularly described as follows:

For a Point of Reference commence at the Southeast corner of said Southeast 1/4; run thence South 89 degrees 22 minutes 48 seconds West, a distance of 1090.44 feet; thence North 15 degrees 25 minutes 16 seconds East, a distance of 332.96 feet for a Point of Beginning; thence South 89 degrees 22 minutes 48 seconds West, a distance of 136.88 feet; thence North 15 degrees 25 minutes 16 seconds East, a distance of 356.46 feet to a point on a curve to the left, having a radius of 2581.73 feet and a central angle of 02 degrees 57 minutes 43 seconds; thence on the arc of said curve a distance of 133.46 feet; thence South 15 degrees 25 minutes 16 seconds West, a distance of 341.06 feet to the Point of Beginning.

Property Known as: Surona Road (Folio 058392-0000), Wimauma, Florida 33598

Parcel ID Number: U-35-32-10-ZZZ-000001-85175.0

Said property is not the homestead of the Grantor under the laws and constitution of the State of Florida in that neither Grantor nor any members of the household of Grantor reside thereon.

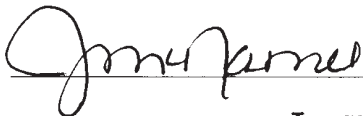
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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.

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:



Witness Printed Name Jacquelyn McNamee



Marisela Hernandez (Seal)
Address: 3309 Surona Road
Wimauma, Florida 33598-7405

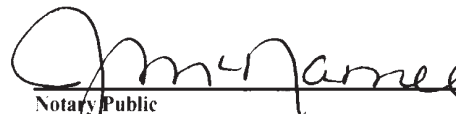


Witness Printed Name Karen LoMoglio

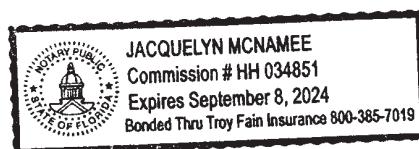
State of Florida

County of Hillsborough

The foregoing instrument was acknowledged before me by means of [XX] physical presence or [] online notarization, this 10th day of March, 2021, by Marisela Hernandez, who is/are personally known to me or who has produced Driver's License as identification.



Notary Public
Print Name: Jacquelyn McNamee
My Commission Expires: _____



PREPARED BY AND RETURN TO:

Name	<u>Nancy G. Hubbell, Esquire</u>	Property Appraiser's
Address	<u>1511A Sun City Center Plaza</u>	Parcel Identification
	<u>Sun City Center, FL 33573</u>	No.: <u>058393.0000</u>
	<u>813-633-1461</u>	

QUIT CLAIM DEED

THIS INDENTURE made this 9th day of January, 2013, between JUAN HERNANDEZ and ISIDRA HERNANDEZ, husband and wife, whose address is 3309 Surona Road, Wimauma, FL 33598, to MARISELA HERNANDEZ, a single woman, whose address is 3309 Surona Road, Wimauma, FL 33598, as Grantee.

WITNESSETH that said Grantors, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), in hand paid by said Grantee, the receipt whereof is hereby acknowledged by Grantors, have remised, released and quit-claimed and by these presents does remise, release and quit claim unto the said Grantee and her heirs and assigns forever the following describe real estate, situated, lying and being in Hillsborough County, Florida, to wit:

Lot #156, more particularly described as follows:
Tract beg S. 89 deg. 22 min. 48 sec. 1090.44 ft. W. of SE cor of SE 1/4 and run N. 15 deg. 25 min. 16.4 sec. E. 674.02 ft. to curve to left rad. 2581.73 ft. arc 266.49 ft. S. 15 deg. 25 min. 16.4 sec. W. 400 ft. S. 0 deg 37 min. 12 sec. E. 299.61 ft. and N. 89 deg. 22 min. 48 Sec. E. 187.61 ft. to beg. less S. 320 ft. thereof, lying and being in Section 35, Township 32 S., Range 19 E, Hillsborough County, FL.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantors, either in law or equity, to the only proper use, benefit and behoof of the said Grantee, her successors and assigns forever.

IN WITNESS WHEREOF, the Grantors have hereunto set their hand and seal the first day and year above written.

Signed, sealed and delivered in the presence of:

Kathryn Denise Chestnut
Witness
Kathryn Denise Chestnut

Juan Hernandez
JUAN HERNANDEZ

(typed/printed name of witness)
Lori L. Johnson
Witness
Lori L. Johnson

Isidra Hernandez
ISIDRA HERNANDEZ

(typed\printed name of witness)

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this day before me, an officer, duly authorized in the county and state named above to take acknowledgments, personally appeared JUAN HERNANDEZ and ISIDRA HERNANDEZ who are personally known to me, or produced _____ as identification, who did not take an oath, and who acknowledged before me the execution of the foregoing instrument freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal this 9th day of January, 2013.



Lori L. Johnson

Notary Public - State of Florida

Lori L. Johnson

(Typed or Printed Name of Notary)

My Commission Expires: 04/27/2013

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Office Use Only

Application Number: 24-0989 Received Date: 08/06/2024 Received By: Alejandra Prado

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Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers.

While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications. If your application requires a public hearing and contains sensitive/protected information, please contact [Hillsborough County Development Services](#) to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under [Florida Statutes §119.071\(4\)](#) will need to contact [Hillsborough County Development Services](#) to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursuant to Chapter 119 FS? Yes No

I hereby confirm that the material submitted with application 24-0989

Includes sensitive and/or protected information.

Type of information included and location _____

Does not include sensitive and/or protected information.

Please note: Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.

If an exemption is being sought, the request will be reviewed to determine if the applicant can be processed with the data being held from public view. Also, by signing this form I acknowledge that any and all information in the submittal will become public information if not required by law to be protected.

Signature: _____

(Must be signed by applicant or authorized representative)

Intake Staff Signature: Alejandra Prado Date: 08/07/2024



Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

Application No: VAR 24-0989 Intake Date: 08/07/2024
 Hearing(s) and type: Date: 08/26/2024 Type: LUHO Receipt Number: _____
 Date: _____ Type: _____ Intake Staff Signature: _____

Applicant **Representative:** Melissa Strassner, Esq. Phone: 941-954-9991

Representative's Email: mstrassner@berlinpatten.com / landuse@berlinpatten.com

The following information is used by reviewing agencies for their comments and should remain constant, with very few exceptions, throughout the review process. Additional reviews, such as legal description accuracy, compatibility of uses, agency reviews, etc., will still be conducted separately and may require additional revisions.

The following ownership information must be provided and will be verified upon submission initial submittal. If you are viewing this form electronically, you may click on each underlined item for additional information.

Part A: Property Information & Owner Authorization Requirements

Included	N/A	Requirements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Property/Applicant/Owner Information Form</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Affidavit(s) to Authorize Agent</u> (if applicable) NOTE: All property owners must sign either the Application form or the Affidavit to Authorize Agent. If property is owned by a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Sunbiz Form</u> (if applicable). This can be obtained at Sunbiz.org .
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Copy of Current Recorded Deed(s)</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Close Proximity Property Owners List</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Legal Description</u> for the subject site
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Copy of Code Enforcement/Building Code Violation(s)</u> (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Fastrack Approval</u> (if applicable)

Additional application-specific requirements are listed in Part B.



Property/Applicant/Owner Information Form

Official Use Only

Application No: _____ Intake Date: _____
 Hearing(s) and type: Date: _____ Type: _____ Receipt Number: _____
 Date: _____ Type: _____ Intake Staff Signature: _____

Property Information

Address: 3331 Surona Road & Vacant land immediately to the east City/State/Zip: **Wimauma, FL 33598**
 TWN-RN-SEC: **35-32-19** Folio(s): ~~XXXXXXXXXXXX~~ **058393-0000** Zoning: **AS-1** Future Land Use: **R-1** Property Size: ~~XXXXXXXX~~
058392-0000 1.11 ac & 1.05 ac

Property Owner Information

Name: **Marisela Hernandez & Martha Hernandez/ Hector Rodriguez** Daytime Phone _____
 Address: **3309 Surona Rd/ 3331 Surona Rd** City/State/Zip: **Wimauma, Florida 33598**
 Email: _____ Fax Number _____

Applicant Information

Name: **Martha Hernandez** Daytime Phone **813-333-8218**
 Address: **3331 Surona Rd** City/State/Zip: **Wimauma, FL 33598**
 Email: **mherns22@icloud.com** Fax Number _____

Applicant's Representative (if different than above)

Name: **Melissa Strassner, Esq.** Daytime Phone **941-954-9991**
 Address: **3700 S. Tamiami Trail** City/State/Zip: **Sarasota, FL 34239**
 Email: **mstrassner@berlinpatten.com / landuse@berlinpatten.com** Fax Number **941-954-9992**

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

Melissa Strassner, Esq.

Type or print name

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)

Type or print name

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