



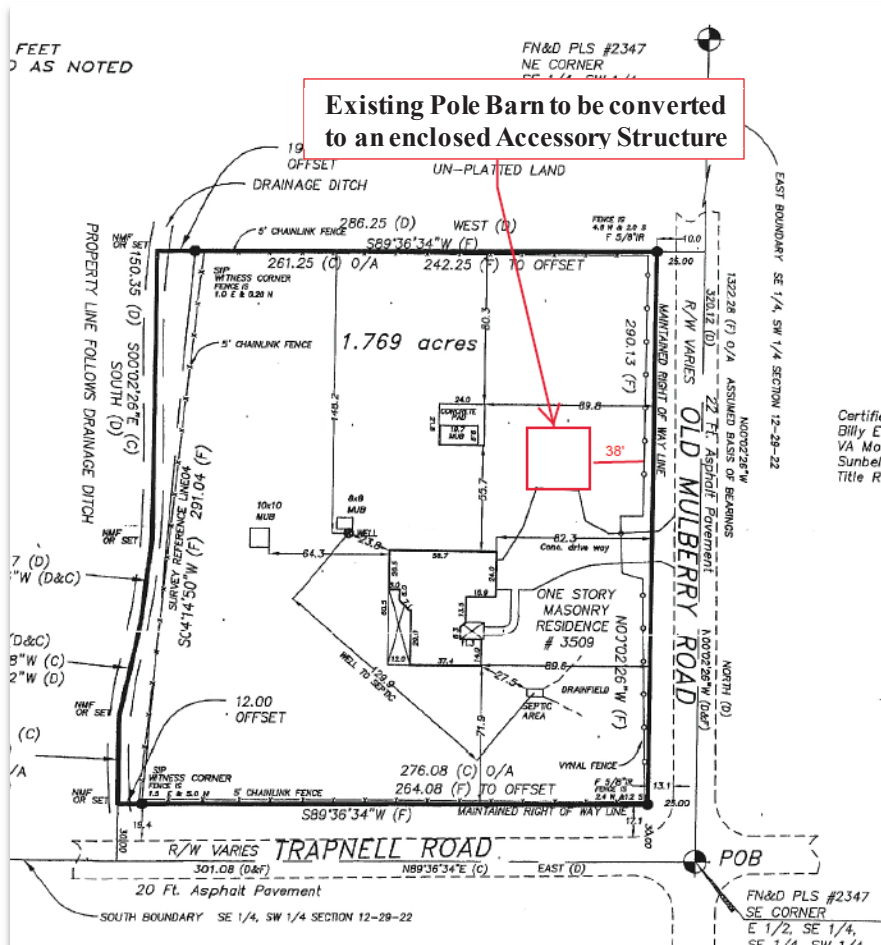
LAND USE HEARING OFFICER VARIANCE REPORT

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| APPLICATION NUMBER: VAR 22-1121 | |
| LUHO HEARING DATE: November 21, 2022 | CASE REVIEWER: Isis Brown |

REQUEST: The applicant is requesting variances for an accessory structure on a corner lot zoned AS-1 (Agricultural, Single-Family-1).

VARIANCE(S):

- 1) Per LDC Section 6.11.04.C.1, accessory structures shall be permitted in front yards at twice the depth of the required front yard, or 50 feet, whichever is less. Per LDC Section 6.06.01, a minimum front yard setback of 50 feet is required in the AS-1 district. The subject parcel is a corner lot with required front yards on the east and south sides. The applicant requests a 12-foot reduction to the required front yard setback to allow a 38-foot setback from the east property line along Old Mulberry Road.
- 2) Per LDC Section 6.11.04.B, accessory structures shall not exceed 15 feet in height except where they meet primary structure setbacks of the zoning district. The subject accessory structure does not meet the required 50-foot front yard setback required by the property's zoning. The applicant requests a 3-foot increase in the permitted structure height to allow a height of 18 feet.



Certified
Billy E.
VA Mort
Sunbelt
Title Res

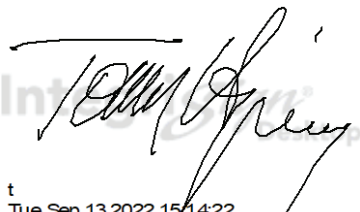
FINDINGS:

- The applicant wishes to convert an existing pole barn into an enclosed storage building and workshop. She has applied for a building permit (HC-BLD-22-0034258).

DISCLAIMER:

The variance(s) listed above are 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.

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|---|
| ADMINISTRATOR'S SIGN-OFF |
|  t Tue Sep 13 2022 15:14:22 |
| Attachments: Application Site Plan Petitioner's Written Statement Current Deed |

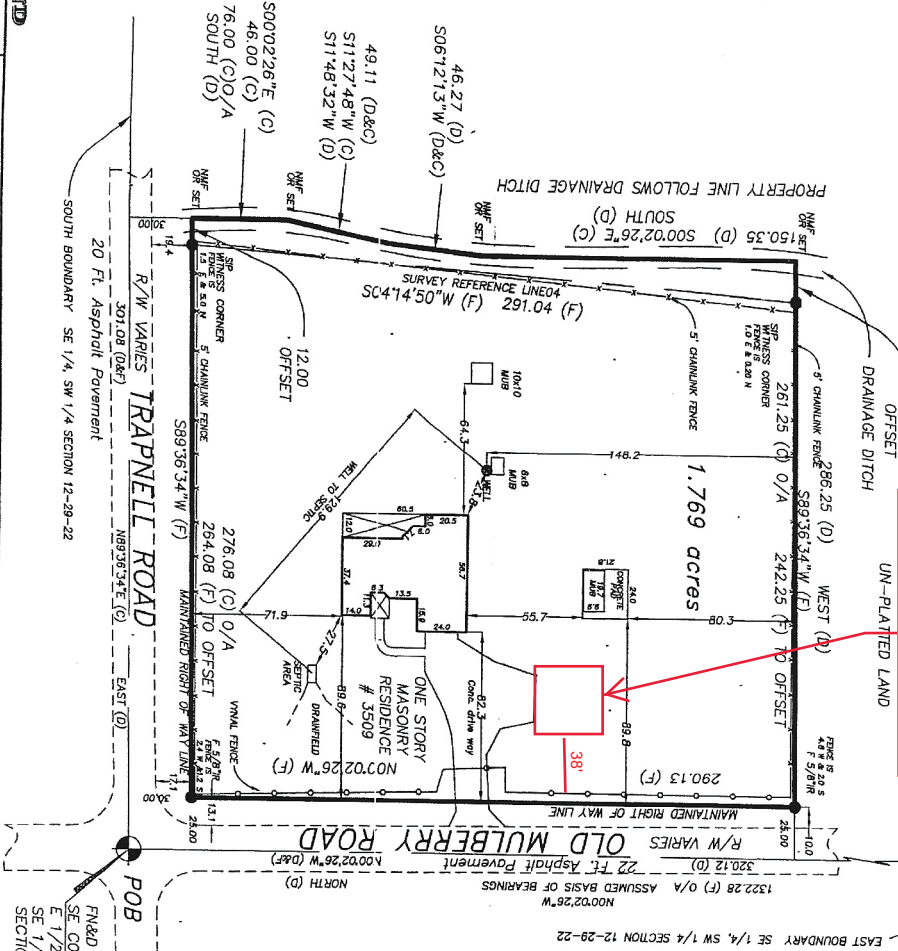
BOUNDARY SURVEY & REPORT



SCALE 1"=60' FEET
BEARINGS BASED AS NOTED

FN&D PLS #2347
NE CORNER
SE 1/4, SW 1/4
SECTION 12-29-22

Existing Pole Barn to be converted to an Accessory Structure
UN-PLATTED LAND



Certified To:
Billy E. Brantley Jr.
VA Mortgage Center, Com
Sunbelt Title Agency
Title Resources Guaranty Company

- ### SURVYORS NOTES AND REPORT
- 1) THE SIGNING SURVEYOR OR HILLSBOROUGH SURVEYING INC. CANNOT OR WILL NOT BE RESPONSIBLE FOR ANY ADDITIONS, DELETIONS OR ALTERATIONS TO THIS MAP OR THE SURVEY DATA HEREON, OR TO THE SURVEY MONUMENTS THAT MAY OCCUR AFTER THE COMPLETION OF THIS SURVEY. ANY ADDITIONS, DELETIONS OR ALTERATIONS TO THIS SURVEY BY ANY OTHER PARTY IS STRICTLY PROHIBITED. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ALTERATIONS MADE BY ANY OTHER PARTY TO THE SURVEY DATA HEREON, OR TO THE SURVEY MONUMENTS THAT MAY OCCUR AFTER THE COMPLETION OF THIS SURVEY. ANY ADDITIONS, DELETIONS OR ALTERATIONS TO THIS SURVEY BY ANY OTHER PARTY IS STRICTLY PROHIBITED. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ALTERATIONS MADE BY ANY OTHER PARTY TO THE SURVEY DATA HEREON, OR TO THE SURVEY MONUMENTS THAT MAY OCCUR AFTER THE COMPLETION OF THIS SURVEY. ANY ADDITIONS, DELETIONS OR ALTERATIONS TO THIS SURVEY BY ANY OTHER PARTY IS STRICTLY PROHIBITED.
 - 2) NO EXCAVATION WAS PERFORMED TO VERIFY THE LOCATION OR EXISTENCE OF ANY UNDERGROUND UTILITIES, ENCROACHMENTS, STRUCTURES OR FOUNDATIONS. UTILITY LINE LOCATIONS (IF SHOWN HEREON) WILL BE BASED ON INFORMATION PROVIDED OR WILL BE SUPPORTED BY VISUAL EVIDENCE IN THE FIELD. THERE MAY BE RECORDS OF RECORD BOOKS TO SUPPORT THE FIELD FINDINGS THAT SHOULD BE ADDRESSED WITH THE GOVERNING AGENCIES.
 - 3) UNLESS OTHERWISE NOTED OR SHOWN, THE PROPERTY DESCRIPTION AND EASEMENTS HEREON ARE BASED ON THE HILLSBOROUGH SURVEYING INC. AND ARE ASSUMED TO BE CORRECT. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ENCROACHMENTS, DEBTS, ETC. WAS PERFORMED BY ANY OTHER PARTY TO THE SURVEY.
 - 4) THE FENCES ALONG BOUNDARY LINES SHOWN HEREON (IF ANY) MAY BE DRAWN ENLARGED FOR CLARITY.
 - 5) THERE MAY BE CERTAIN SMALLER UTILITY BUILDINGS, SMALL CONCRETE WALKWAYS AND CERTAIN STRUCTURES IN POOR REPAIR THAT MAY NOT BE SHOWN FOR THE PURPOSE OF THIS SURVEY.
 - 6) ALL ITEMS CONTAINED WITHIN THE LEGEND MAY NOT APPLY TO THIS SURVEY.
 - 7) THERE WERE NO ATTEMPTS MADE TO SEARCH FOR OR LOCATE ANY ENDANGERED SPECIES WITHIN THE BOUNDARIES OF THIS SURVEY.
 - 8) ANY ZONING REGULATIONS, SIGN OR NOTED HEREON IS BASED ON THE PUBLIC INFORMATION AVAILABLE TO THE SURVEYOR AT THE TIME OF THE SURVEY. THE SURVEYOR SHOULD BE VERIFIED WITH THE GOVERNING AUTHORITY PRIOR TO ANY DETERMINATIONS OR DECISIONS.
 - 9) UNLESS OTHERWISE INDICATED, ALL BEARINGS, DISTANCES AND ANGLES SHOWN ON THIS SURVEY ARE BASED ON MEASUREMENTS OBTAINED IN THE FIELD.
 - 10) ALL FOUND MARKERS WERE UNMARKED UNLESS OTHERWISE NOTED.
 - 11) ALL DIMENSIONS TIES SHOWN HEREON ARE FULLY SUPPORTED BY ACTUAL FIELD MEASUREMENTS. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ENCROACHMENTS, DEBTS, ETC. WAS PERFORMED BY ANY OTHER PARTY TO THE SURVEY.
 - 12) THE CORNER MARKERS FOUND AND HELD TO FOR CONTROLLING FACTORS IN THE PROPERTY ARE SHOWN HEREON. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ENCROACHMENTS, DEBTS, ETC. WAS PERFORMED BY ANY OTHER PARTY TO THE SURVEY.
 - 13) THIS SURVEY MAP IS CERTIFIED TO ONLY THOSE LISTED AS THE OWNERS. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ENCROACHMENTS, DEBTS, ETC. WAS PERFORMED BY ANY OTHER PARTY TO THE SURVEY.

Description: (AS FURNISHED)
Begin at the SE corner of the East 1/2 of the SE 1/4 of the SE 1/4 of Section 12, Township 29 South, Range 21 East, and run thence North 320.12 feet; thence West 288.25 feet; thence South 150.35 feet; thence S61°12'13"W, 46.27 feet; thence East 301.08 feet to the Point of Beginning. LESS right of way for Tropical Road on the South side thereof and LESS right of way for Old Mulberry Road on the East side thereof, of the public records of Hillsborough County, FL.

PLANT CITY, FLORIDA, 33567
REGISTRATION NO. 5285
TIMOTHY W. TEW
REGISTERED SURVEYOR

| LEGEND | |
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| CO = UTILITY POLE | CS = SANITARY MANHOLE |
| CB = PROPERTY CORNER | CC = STORMWATER MANHOLE |
| CA = CATCH BASIN | CD = CONTROL POINT |
| CC = WATER VALVE | CE = SCALE BREAK |
| CD = WOOD DECKING | CF = OVERHEAD LINES |
| CE = CONCRETE AREA | CG = OVERHEAD BARN |
| CF = PAINT | CH = PRIVATE |
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Application Number: VAR 22-1121

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.

I am requesting a Variance to enclose an existing pole barn into an enclosed storage/workshop. I've been trying since February and have done all that has been asked of me. My husband (late) hired a company to erect the pole barn in 2018. He had just retired from a long career in law enforcement and it was originally built to store a toy hauler and we were planning on traveling and riding around the country as we had been doing for the previous 10 years. I know he did everything by the book and I assumed, and I'm quite certain that he did, too, that the company hired had pulled permits to build it. Billy went to the doctor for what he thought was a Sinus infection and was told he had a rare cancer. He started chemo in Nov 2018, followed by radiation for 7 weeks in June 2019. →

2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:
Section 6.11.04.C.1.

ADDITIONAL INFORMATION

1. 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.
2. Do you have any other applications filed with Hillsborough County that are related to the subject property?
No _____ Yes X If yes, please indicate the nature of the application and the case numbers assigned to the application(s): Requests for permitting - HC-BLD-22-0034258
3. Is this a request for a wetland setback variance? No X 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 X
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 X 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).

The radiation destroyed his ability to make platelets and the following months were spent going to the cancer center for blood and platelets. We were eventually told that there was nothing more that they could do. We spent his last time here looking for a clinical trial but the 15 I spoke to would not take him because of the low platelet and inability to regenerate them. Billy passed on Nov. 4, 2019, less than a year of his first chemo treatment. I look at that pole barn and it reminds me of an erased future. I want him to be proud of me and make it something else that makes me feel happy, strong and not sad when I see it. It's solid and strong and I thought at first, a nice little guesthouse. I've changed my plans 4 times now at a cost of over \$5000⁰⁰. It's just going to be enclosed and have my gym equipment, my crafting table, a small bathroom and a sink (for when I'm lucky enough to paint with my granddaughter) I've jumped through every hoop required of me, I've compromised on what I had imagined I could build on my property, and I was just informed that the "Christian" contractor that my late husband hired, did not pull permits. It's disheartening. But I don't want to quit. I was advised to ask for a variance because the site is only 38 ft off the road (Old Mulberry) and it should be 50 ft* I live in a rural area, have just 2 neighbors and there are tons of homes in the area that are much closer to the road than 38 ft. The many little farmers houses that the strawberry growers use to house farm families are about 10 ft off the road. Please consider allowing me to enclose this existing structure into an enclosed "shed/workshop" and turn my view from an erased future to a beautiful little space.

Thank You for reading — Laurie Brantley

*The building is 18' tall and I need a variance for 3' of height, as well.

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?
 The structure was built where the driveway ended and there are many homes in the rural area that have outbuildings. I think enclosing it will look beautiful and add value to my space.
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 requirements are it should be 50-ft from the road - it is 38 ft. If you drive through the area, you'll see many homes that have built out buildings and many that are much closer to the road than this will be.
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.
 It would not interfere in any way with any property owners near me. I only have a neighbor across the street and he owns the entire block. His mother's house is still there along with his sons. The neighbor to my right is pretty far away and I have none to the left.
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).
 Because of the open rural area, I think it would not affect or be any issue to anyone else who lives near or drives by. I know it will be beautiful, like my home.
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.
 I honestly know that my late husband would have never done anything that was not legal. I believe the company that built that pole barn for him was dishonest by not pulling a permit. But it's there. And tearing it down would be impossible and a waste of money.
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 allowed, it will allow me to go ahead with a dream of enclosing it and making a beautiful space out of a sad reminder. It will not affect anyone around me and actually, they will most likely be happy to see me accomplish this project.

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Prepared by and return to:

Lucy C. Collins
The Law Office of Lucy C. Collins, P.A.
14101 Panama City Beach Parkway
Suite 310
Panama City Beach, FL 32413
(850) 588-6018
Consideration: \$10.00
Parcel Number: 092034-000

[Space Above This Line For Recording Data]

Kaw **WARRANTY DEED**

This indenture made the 26 day of ~~July~~^{October}, 2018 between Billy Brantley, Jr. a/k/a Billy E. Brantley, Jr., a married man, whose post office address is 3509 Old Mulberry Road, Plant City, FL 33566, Grantor, to Billy E. Brantley, Jr. and Laurie J. Brantley, husband and wife, whose post office address is 3509 Old Mulberry Road, Plant City, FL 33566, Grantee:

Witnesseth, that said Grantor, for and in consideration of the sum of TEN DOLLARS (U.S.\$10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Hillsborough County, Florida, to-wit:

Begin at the Southeast corner of the East 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 12, Township 29 South, Range 22 East and run thence North 320.12 feet; thence West 286.25 feet; thence South 150.35 feet; thence South 6°12'13" West; 46.27 feet; thence South 11 °48'32" West, 49.11 feet; thence South 76.0 feet; thence East 301.88 feet to the Point of Beginning. Less right of way for Trapnell Road on the South side thereof and Less right of way for Wiggins Road on the East side thereof, of the Public Records of Hillsborough County, Florida.

Parcel Number: 092034-000

Grantor warrants that at the time of this conveyance, the subject property is the Grantor's homestead within the meaning set forth in the constitution of the State of Florida.

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

Subject to taxes for 2018 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any.

TO HAVE AND TO HOLD the same in fee simple forever.

And Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple, that Grantor has good right and lawful authority to sell and convey said land and that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Legal Description furnished by parties and not verified by drafter. This document prepared without the benefit of a title search or title opinion and is based solely on facts provided by the parties hereto.

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Jessica Waters
Witness Name: Jessica Waters

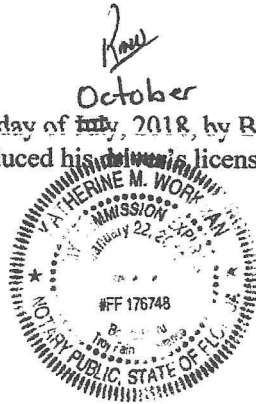
Billy Brantley, Jr.
Billy Brantley, Jr. a/k/a Billy E. Brantley, Jr.

Sierra Waters
Witness Name: Sierra Waters

STATE OF FLORIDA
COUNTY OF Polk

The foregoing instrument was acknowledged before me this 26 day of ^{Nov}~~July~~, 2018, by Billy Brantley, Jr. a/k/a Billy E. Brantley, Jr., who is personally known to me or who produced his ~~driver's~~ license as identification.

Katherine M. Workman
Signature of Notary Public
Name of Notary Katherine M. Workman





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: 3509 Old Mulberry Rd City/State/Zip: Plant City FL 33566 TWN-RN-SEC: 29S-22E-12
Folio(s): 092034-0000 Zoning: AS-1 Future Land Use: 99FB Property Size: 2.15 acres

Property Owner Information

Name: Laurie Brantley Daytime Phone: 407.506.9543
Address: 3509 Old Mulberry Rd City/State/Zip: Plant City FL 33566
Email: Laurie.todd Couples@yahoo.com FAX Number: none

Applicant Information

Name: Laurie Brantley Daytime Phone: 407.506.9543
Address: 3509 Old Mulberry Rd City/State/Zip: Plant City FL 33566
Email: Laurie.todd Couples@yahoo.com FAX Number: none

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.
Laurie Brantley
Signature of Applicant
Laurie Brantley
Type or Print Name

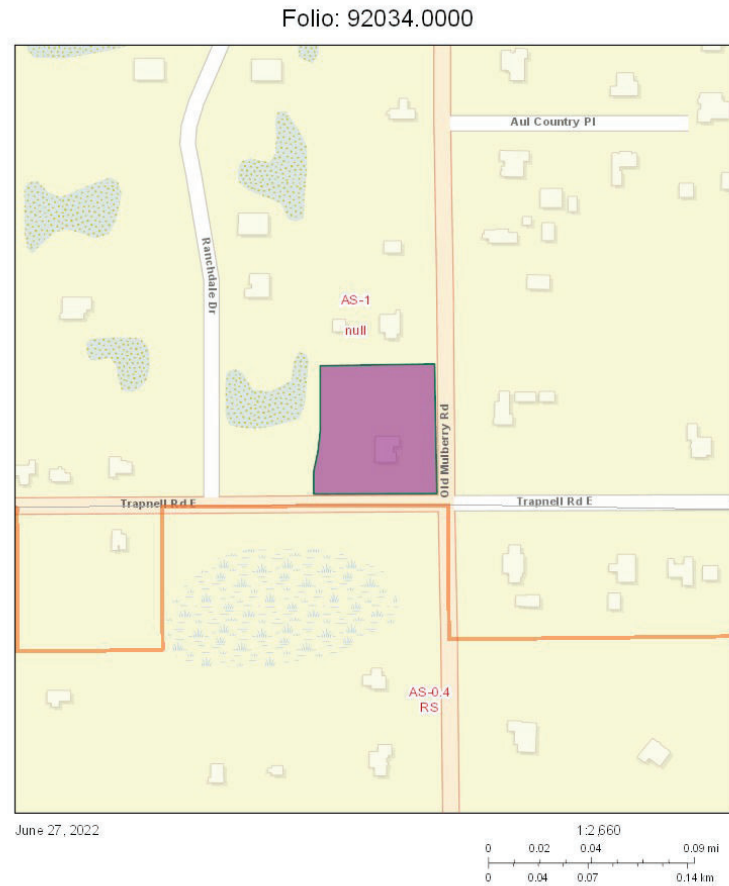
I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.
Laurie Brantley
Signature of Property Owner
Laurie Brantley
Type or Print Name

Intake Staff Signature: Clare Odell Office Use Only Intake Date: 27 22
Case Number: 221121 Public Hearing Date: 22 22
Receipt Number: 174127



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

| | |
|-------------------------------|------------------------------|
| Jurisdiction | Unincorporated County |
| Zoning Category | Agricultural |
| Zoning | AS-1 |
| Description | Agricultural - Single-Family |
| Overlay | null |
| Restr | null |
| Flood Zone:A | |
| Flood Zone:X | AREA OF MINIMAL FLOOD HAZARD |
| FIRM Panel | 0430H |
| FIRM Panel | 12057C0430H |
| Suffix | H |
| Effective Date | Thu Aug 28 2008 |
| Pre 2008 Flood Zone | X |
| Pre 2008 Firm Panel | 1201120450B |
| County Wide Planning Area | East Rural |
| Census Data | Tract: 013002 Block: 2014 |
| Future Landuse | R-1 |
| Mobility Assessment District | Rural |
| Mobility Benefit District | 3 |
| Fire Impact Fee | Central |
| Parks/Schools Impact Fee | NORTHEAST |
| ROW/Transportation Impact Fee | ZONE 5 |
| Wind Borne Debris Area | Outside 140 MPH Area |
| Competitive Sites | NO |
| Redevelopment Area | NO |



Folio: 92034.0000
PIN: U-12-29-22-ZZZ-000004-92970.0
BILLY E JR AND LAURIE J BRANTLEY
Mailing Address:
 3509 OLD MULBERRY RD
 PLANT CITY, FL 33566-4594
Site Address:
 3509 OLD MULBERRY RD
 PLANT CITY, FL 33566
SEC-TWN-RNG: 12-29-22
Acreage: 1.84256995
Market Value: \$306,592.00
Landuse Code: 0100 SINGLE FAMILY

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