

HILLSBOROUGH COUNTY

LAND USE HEARING OFFICER AGENDA - FINAL

10:00 A.M. MONDAY, August 22, 2022

R. W. Saunders Sr. Public Library Ada T. Payne Community Room 1505 N. Nebraska Ave.

WELCOME AND THANK YOU FOR YOUR PARTICIPATION IN COUNTY GOVERNMENT.

HEARING SCHEDULE:

The LUHO Hearing will Starts at 10:00 A.M., The Following Items on the Morning Agenda Will Be Heard Beginning at 10:00 A.M. With No New Petitions Starting After 5:00 P.M.: Special Uses (SU), Vested Rights (VR), Fee Waivers (FW), Reconsideration Requests, Appeals, Variances (VAR).

HEARING ORDER:

- CALL TO ORDER BY THE HEARING OFFICER
- CONSIDERATION OF CHANGES TO THE AGENDA
- HEARING FOR INDIVIDUAL CASES

WHEN ADDRESSING THE HEARING OFFICER, PLEASE STATE YOUR NAME AND ADDRESS INTO THE MICROPHONE.

IF YOU WISH TO SUBMIT ADDITIONAL MATERIALS REGARDING YOUR APPLICATION TO THE HEARING OFFICER, PLEASE PROVIDE A MINIMUM OF FIVE (5) COPIES OF EACH ITEM. PLEASE BE ADVISED THAT MATERIALS SUBMITTED BECOME PART OF THE PERMANENT RECORD AND CANNOT BE RETURNED.



In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the proceeding, and those seeking an interpreter, should contact the Customer Service Center at telephone number (813) 272-5900 or Hearing/Voice Impaired call 711 no later than 48 hours prior to the proceedings. This meeting is closed captioned for the hearing impaired.

LUHO Hearing Agenda For August 22, 2022

The following dates pertain only to applications heard at the August 22, 2022 hearing. The Hearing Officer shall file a Recommendation or Final Decision for each application on September 13, 2022.

For Appeals of Administrative Decisions (APP), the decision of the Hearing Officer is final.

For Variance (VAR) applications, the decision of the Hearing Officer may be appealed to the Land Use Appeals Board. An appeal of the Hearing Officer's decision must be filed with the Hillsborough County Development Services Department no later than 30 calendar days from the final decision date.

The participants at the LUHO public hearing shall consist of the Applicant, County Staff, County Agencies, Proponents, and Opponents, including the public and witnesses with relevant testimony. Each participant's presentation shall be limited in time as described below; however, the LUHO may grant additional time provided that good cause is shown.

The order of presentation for each petition is as follows:

- a. Applicant and witnesses; proposal: 15 minutes**
- b. Administrator, summary of the applicant, County Staff and department findings: 5 minutes**
- c. Planning Commission Staff; statement of compliance or non-compliance: 5 minutes
- d. Proponents; argument for the application: 15 minutes
- e. Opponents; argument against the application: 15 minutes
- f. Staff; amended recommendations, if any: 5 minutes
- g. Applicant; rebuttal and summation: 5 minutes

**For Variance (VAR) applications, County Staff presents its findings before Applicant testimony.

To the maximum extent practicable, the public hearing shall be informal. The LUHO's decision or recommendation must be filed with the Clerk of the BOCC within fifteen (15) working days after the conclusion of the public hearing. Anyone wishing to receive a copy of the recommendation or decision by mail must supply the Clerk of the BOCC with his/her name, address, and a stamped, self-addressed envelope for that purpose.

Please call 813-272-5600 for further information.

STANDING TO APPEAL AND ADDITIONAL EVIDENCE FOR VARIANCE REQUESTS AND APPEALS OF ADMINISTRATIVE DECISIONS

The Land Use Hearing Officer Public Hearing for Variance Requests and Appeals of Administrative Decisions is the time for all interested citizens to present evidence and testimony. This evidence and testimony will be the only evidence subject to review by the appeal board if an appeal is filed. This means that, at the end of today's Public Hearing, the record closes and no new evidence may be submitted as part of the record. Any decision of the Land Use Hearing Officer may be appealed to the Land Use Appeals Board, except Appeals of Administrative Decisions.

The Appeals Board will only consider the Land Use Hearing Officer's decision and the record of the public hearing in making a final decision on petitions. The hearing shall be limited to the record on appeal and shall consist of oral argument by the Administrator, the party appealing the decision, and any interveners, each of whom may be represented by legal counsel.

The following shall have standing to appeal a decision of the Land Use Hearing Officer or to intervene in an appeal:

- 1. The Applicant
- 2. Any person or entity which appeared before the Land Use Hearing Officer, presented testimony or other evidence, and is adversely affected by the decision of the Land Use Hearing Officer.

It is the County Attorney Office's role to assure that no new evidence or testimony is allowed before the Appeals Board or the Land Use Hearing Officer. The County Attorney will recommend that the Appeals Board or the Land Use Hearing Officer disregard evidence or testimony which is not contained in the record. Any evidence presented which is outside the record made at today's public hearing could jeopardize the legality of the Appeals Board's decision and the presenter of that evidence could hurt his/her own cause. The requirements and limitations listed above shall apply to all appeals of Administrative Decisions being reviewed by the Land Use Hearing Officer during today's hearing.

The safest course of action is for you to write down your comments today and repeat those to the Appeals Board. Therefore, please be sure that all information which you wish to be heard by the Appeals Board is contained in the record today.

A. LUHO WITHDRAWALS AND CONTINUANCES

A.1. VAR 22-0715 SL6 Hangar Court, LP

This application is out of order to be HEARD and is being CONTINUED to the September 26, 2022 LUHO.

Attachments: 22-0715

A.2. VAR 22-0722 Larry Albritton

This application is out of order to be HEARD and is being CONTINUED to the September 26, 2022 LUHO.

Attachments: 22-0722

A.3. SU-AB 22-0836 Vobre Altidor

This application is out of order to be heard and is being **CONTINUED** to the **September 26, 2022** LUHO.

Attachments: 22-0836

A.4. VAR 22-0843 Michael Brozack & Kristy Ansley

This application is being CONTINUED by STAFF to the September 26, 2022 LUHO.

Attachments: 22-0843

A.5. SU-GEN 22-0872 David Wright/TSP Companies, Inc.

This application is out of order to be HEARD and being CONTINUED to the September 26, 2022 LUHO.

Attachments: 22-0872

A.6. SU-GEN 22-0993 Cambridge Christian School, Inc.

This application has been CONTINUED by STAFF to the September 26, 2022 LUHO.

A.7. VAR 22-1016 Johnie & Debby Goodson

This application is being CONTINUED by STAFF to the September 26, 2022 LUHO.

Attachments: 22-1016

A.8. VAR 22-1065 Covelli Family Limited Partnership II

This application is out of order to be **HEARD** and is being **CONTINUED** to the **September 26, 2022** LUHO.

Attachments: 22-1065

A.9. VAR 22-1083 Todd Scime

This application is out of order to be **HEARD** and is being **CONTINUED** to the **September 26, 2022** LUHO.

Attachments: 22-1083

A.10. VAR 22-1121 Laurie Brantley

This application is out of order to be **HEARD** and is being **CONTINUED** to the **September 26, 2022** LUHO.

Attachments: 22-1121

A.11. SU-AB 22-1135 7720 Van Dyke Holdings LLC.

This application has been **CONTINUED** by **STAFF** to the **September 26, 2022** LUHO.

- B. VESTED RIGHTS
- C. FEE WAIVER
- D. REMANDS
- E. RECONSIDERATION REQUESTS
- F. SITE DEVELOPMENT VARIANCE REQUESTS

F.1. Application Number: VAR 22-1119

Applicant: Amanda Biship/Interplan LLC./Chick-fil-A, Inc.

Location: 11325 Causeway Blvd.

Folio Number: 072308.5656

Acreage (+/-): 0.87 acres, more or less

Comprehensive Plan: UMU-20 Service Area: Urban Existing Zoning: PD (88-0090)

Request: Requesting a Variance to LDC Code Section 6.06.04.C-

Buffer adjacent to ROW. Variance to LDC Code Section

6.06.04.E.1, Other perimeter buffer.

Attachments: 22-1119

F.2. Application Number: VAR-WS 22-1140

Applicant:Lelainya KouterebaLocation:19312 Holly Ln.Folio Number:012564.0000

Acreage (+/-): 1.3 acres, more or less

Comprehensive Plan: R-1
Service Area: Rural
Existing Zoning: RSC-2

Request: Requesting a Variance to Encroach into the Wetland Setback

And Variance to Accessory Structure Requirements.

- G. SIGN VARIANCE REQUESTS
- H. VARIANCE (VAR) REQUESTS

H.1. Application Number: VAR 22-0849

Applicant: Kendrick & Lisa Callwood **Location:** 5616 Joe Mar Garvin Way

Folio Number: 092915.0600

Acreage (+/-): 1.22 acres, more or less

Comprehensive Plan: R-1 Service Area: Rural Existing Zoning: AS-1

Request: Requesting a Variance to Lot Development Standards

Attachments: 22-0849

H.2. Application Number: VAR 22-0955

Applicant: Timothy J. Healey **Location:** 8706 Cobblestone Dr.

Folio Number: 011285.0053

Acreage (+/-): 0.23 acres, more or less

Comprehensive Plan: R-4
Service Area: Urban
Existing Zoning: RSC-6

Request: Requesting a Variance to Lot Development Standards.

Attachments: 22-0955

H.3. Application Number: VAR 22-1038

Applicant: Katherine Vickery & John Ceballos

Location: 5709 Puritan Rd. **Folio Number:** 038871.0000

Acreage (+/-): 0.29 acres, more or less

Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-4

Request: Requesting a Variance to Lot Development Standards.

H.4. Application Number: VAR 22-1060

Applicant:Toni SullivanLocation:401 Mahogany Dr.Folio Number:066883.2256

Acreage (+/-): 0.21 acres, more or less

Comprehensive Plan: R-6
Service Area: Urban
Existing Zoning: RSC-6

Request: Requesting a Variance to Distance Separation for Community

Residential Home.

Attachments: 22-1060

H.5. Application Number: VAR 22-1134

Applicant:Cypress Creek Golf LLC.Location:1003 Cypress Village Blvd.

Folio Number: 054248.1000

Acreage (+/-): 181.92 acres, more or less Comprehensive Plan: CMU-12, R-6 & SMU-6

Service Area: Urban
Existing Zoning: PD (73-0186)

Request: Requesting a Variance to Accessory Structure Requirements.

Attachments: 22-1134

J. SPECIAL USES

J.1. Application Number: SU-AB 22-1130

Applicant: Saikyo Kitchen/Ryan Nguyen

Location: 8709 Gunn Hwy **Folio Number:** 002847.0000

Acreage (+/-): 8.12 acres, more or less

Comprehensive Plan: R-2
Service Area: Urban
Existing Zoning: CG

Request: Requesting a Special Use 2-COP-R Alcoholic Beverage

Permit with separation waiver(s),

J.2. Application Number: SU-AB 22-1132

Applicant: 1 Up Entertainment Partners, Inc. **Location:** 11720 N. Dale Mabry Hwy.

Folio Number: 019426.0000

Acreage (+/-): 6.4 acres, more or less

Comprehensive Plan: OC-20 Service Area: Urban Existing Zoning: PD (99-0341)

Request: Requesting a Special Use 4-COP-RX Alcoholic Beverage Permit

With separation waiver(s).

Attachments: 22-1132

J.3. Application Number: SU-AB 22-1143

Applicant: Chateau Cellars, LLC **Location:** 14805 N. Dale Mabry Hwy.

Folio Number: 018898.0500

Acreage (+/-): 0.08 acres, more or less

Comprehensive Plan: OC-20 Service Area: Urban Existing Zoning: PD (78-0289)

Request: Requesting a Special Use 2-COP Alcoholic Beverage Permit with

Separation waiver(s).

Attachments: 22-1143

I. APPEAL (APP) REQUESTS



APPLICATION NUMBER: VAR 22-0715		
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER:	Israel Monsanto

ADMINISTRATOR'S SIGN-OFF	
1 AMA	
1 My May	
t Tue Aug 9 2022 10:48:14 -	

< THIS PAGE WAS INT	ENTIONALLY L	EFT BLANK >
< THIS PAGE WAS INT	ENTIONALLY L	.EFT BLANK >



APPLICATION NUMBER: VAR 22-0722	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Isis Brown

l	ADMINISTRATOR'S SIGN-OFF
	t Wed Aug 10 2022 09:17:49 t
ľ	Attachments: None

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >	>
< THIS PAGE WAS INTENTIONALLY LEFT BLANK >	>



APPLICATION NUMBER: SU-AB 22-0836	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Sam Ball

ADMINISTRATOR'S SIGN-OFF
1 / CMIP VI May
,
Fri Aug 5 2022 09:38:17

< THIS PAGE WAS INTENTIONALL	Y LEFT BLANK >
< THIS PAGE WAS INTENTIONALL	Y LEFT BLANK >



APPLICATION NUMBER: VAR 22-0843	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Tim Lampkin, AICP

This application is being continued by staff to the September 26, 2022, Land Use Hearing Officer meeting.

ADMINISTRATOR'S SIGN-OFF	
1. Out A	
/ MIV Due	
1 9 1	
. //	
Tue Aug 9 2022 15:00:58	

< THIS PAGE WAS INTENTIONALL	Y LEFT BLANK >
< THIS PAGE WAS INTENTIONALL	Y LEFT BLANK >



LAND USE HEARING OFFICER REPORT

APPLICATION NUMBER: SU 22-0872	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Colleen Marshall, AICP, CFM

DMINISTRATOR'S SIGN-OFF	
1 Mit All	
ue Aug 2 2022- 1 6:49:03	

< THIS PAGE WAS INTENTIONALL	Y LEFT BLANK >
< THIS PAGE WAS INTENTIONALL	Y LEFT BLANK >



LAND USE HEARING OFFICER SPECIAL USE REPORT

APPLICATION NUMBER: SU GEN 22-0993	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Israel Monsanto

Staff requests this application be continued to the September 26, 2022 Land Use Hearing Officer meeting.

ADMINISTRATOR'S SIGN-OFF
t Thu Aug 11 2022/10:22:37

< THIS PAGE WAS INTENTIONA	ALLY LEFT BLANK >
< THIS PAGE WAS INTENTION.	ALLY LEFT BLANK >



APPLICATION NUMBER: VAR 22-1016	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Tim Lampkin, AICP

This application is being continued by staff to the September 26, 2022, Land Use Hearing Officer meeting.

ADMINISTRA	TOR'S SIGN-OFF		
	a		
	_ // /		
1 and	/// /		
	THE		
1000	your		
t /	′ /		
Tue Aug 9 2022 1	5:01:48		

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >
< THIS PAGE WAS INTENTIONALLY LEFT BLANK >



APPLICATION NUMBER: VAR 22-1065	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Isis Brown

ADMINISTRATOR'S SIGN-OFF
Tellet files
Wed Aug 10 2022 09:18:43
Attachments: None

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >
< THIS PAGE WAS INTENTIONALLY LEFT BLANK >



APPLICATION NUMBER: VAR 22-1083	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Tania C. Chapela

ADMINISTRATOR'S SIGN-OFF	
Maria Sura	
t Fri Aug 5 2022 14:40:52	

⁻⁻ Prepared: 08/05/2022

< THIS PAGE W	AS INTENTIONA	LLY LEFT BLANK >
< THIS PAGE W.	AS INTENTIONA	LLY LEFT BLANK >



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

This application is out of order to be heard and is being continued to the September 26, 2022 Land Use Hearing Officer meeting.

ADMINISTRATOR'S SIGN-OFF	
Maly	
t t Fri Aug 12 2022 12:47:15	

Attachments: None

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >
< THIS PAGE WAS INTENTIONALLY LEFT BLANK >
< INIS PAGE WAS INTENTIONALLT LEFT BLANK >



LAND USE HEARING OFFICER SPECIAL USE REPORT

APPLICATION NUMBER: SU AB 22-1135	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Israel Monsanto

Staff requests this application be continued to the September 26, 2022 Land Use Hearing Officer meeting.

ADMINISTRATOR'S SIGN-OFF	
. 1	
1 / Sult	
1/ (M//) // My	
t Tue Aug 9 2022 15:14:22	
100 Aug 3 2022 13.14.22	

< THIS PAGE	WAS INTEN	ΓΙΟΝALLY Ι	LEFT BLANK	. >
< THIS PAGE	WAS INTEN	ΓΙΟΝΑLLY Ι	LEFT BLANK	. >



APPLICATION NUMBER: VAR 22-1119	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Ryan L. Joyce

REQUEST: The applicant is requesting a variance from the LDC code section 6.06.04.C- buffer adjacent to ROW and LDC section 6.06.04.E.1- other perimeter buffer. The applicant's specific request, as shown on the site plan submitted on July 28, 2022, is to allow for a reduction to the required buffer widths.

SUMMARY OF VARIANCE(S):

Landscaping Buffer requirements

- 1) Per LDC Sec. 6.06.04.C A strip of land, a minimum of 8 feet in width, shall be provided between off-street vehicular use areas and the right-of-way. At least one shade tree per 40 linear feet and screening shrubs shall be planted within this perimeter buffer. The applicant requests a reduction in the required width. The applicant requests a 1.4 ft reduction for approximately 50 percent of the frontage.
- Per LDC Sec. 6.06.04.E A strip of land, a minimum of 6 feet in width, shall be provided between all off street vehicular use areas and the property boundary where these areas abut a property boundary which does not front on road right-of-way. At least one shade tree per 40 linear feet and screening shrubs shall be planted within this perimeter buffer. The applicant requests a reduction to the required width for the East, West, and South property boundaries.

Findings

- East boundary would average a 3' reduction for an average width of 3'.
- West boundary would average a 4.4' reduction for a width if 1.6'
- North, and South boundary is undersized; therefore, landscaping is also not to code and is existing.
- This section of Causeway is a scenic urban corridor.
- The parcel to the west has additional greenspace for landscaping
- The submitted site plan would require additional requirements to meet landscaping code requirements, as there are deficiencies and will be addressed in site review. However, these deficiencies will not require a variance.

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.

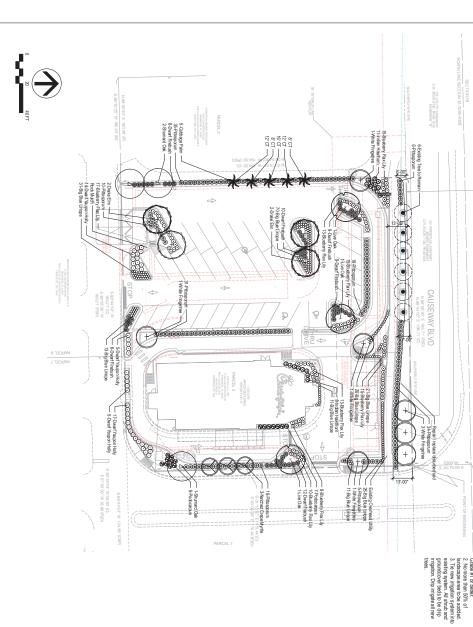
Approval of this variance petition by Hillsborough County does not constitute a guarantee that the Environmental

Protection Commission of Hillsborough County (EPC) approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impact to wetlands, and does not grant any implied or vested environmental approvals.

The Development Services Natural Resources Section has no objections with the result contingent upon the Land Use Hearing Officer's acceptance and referral to the submitted site plan.

Attachments: Site Plan

ADMINISTRATOR'S SIGN-OFF	
Ryffoy	



HILLSBOROUGH COUNTY NOTES:

LEGEND × •

EXISTING TREE TO BE REMOVED

All famming undertaken on a tree protected by the provisions of the Land Development Code shall be in accordance with the American National Stanzades Institute (ANSI) A-300 Pluming Stanzades. Stanzades Institute (ANSI) A-300 Pluming Stanzades. During afford the Stanzades Institute (ANSI) A-300 Pluming Stanzades, it shall be unfawful to remove vegetation by grubbing or to place solideposits, debrits, solvents, pontruction material, machinery or other equipment of any kind within the dripline of a tree to remain on the site unless otherwise approved by the

in order to comply with Section 40.105.A of the Hillsborough County Land Development Code to minimize soil erosion proposed land alteration activities shall not unnecessarily remove existing vegletion and after oskifing topography. Adequate protection measures (e.g., hay base, buffles, soudding and sandbagging) shall be provided, as necessary, to minimize erosion and downstream sedimentation caused by surface water nur-off or exposed land surfaces.

4. Any areas subject to erodor must be adequately stabilized with vegetative material that will, within a reasonable time frame, deter soll assistances discharge, bodings put grigory or seeding a conglicate for self-assistance discharge and proper production that the production of the self-assistance and reasonable or the self-assistance and the self-assistance

TREE PROTECTION FENCING

EXISTING TREE TO REMAIN

RETROFIT EXISTING IRRIGATION SYSTEM

PLANT LIST

* Only RainBird products are to be utilized * Mainline shall be 1.5" CLS200 PVC * Lateral lines shall be 1" CLS200 PVC

Prior to final completion the Irrigation Contractor shall perform a walk-firu inspection with the owner, or owners representative of the functioning system.

203

Rant 18" O.C.

manley

Landscape Architecture
770.442.8171 tel
770.442.1123 fax
Manley Land Design, Inc.
51.01d Canton Street
Alpharetta, Georgia 30009
manleylanddesign.com

ant 36" O.C.

SITE SPECIFIC NOTES 1. All plant material to be Florida

ANDSC/	Ó	ANDSCAPE REQUIREMENTS		
PERIMETER LANDSCAPING	ž	DSCAPING		
REQUIRED	-	(1) tree per 40 LF of perimeter; (2) palms per (1) tree	1) tree	
		West Property Line: 194 LF / 40 LF		5 trees required
		South Property Line: 189 LF / 40 LF		5 trees required
		East Property Line: 191 LF / 40 LF		5 trees required
PROVIDED	_	 West Property Line: 5 palm, 2 Shumard oak, 1 white fringetree due to existing overhead utility conflicts. 	white fringer	fringetree due to existing overhead utility conflicts

				= 5 m	5 trees provided
3. PARI	CING ISL	Š	PLANTING		
REQ	REQUIRED	-	Interior spaces: (1) shade tree per 10 parking spaces; trees shall be at least 2" calipe 30 interior spaces / 10 = 3 parking lot shade tree	10 parking spaces; trees shall = 3 p	hall be at least 2" caliper 3 parking lot shade trees required
PRO	PROVIDED	-	 2 live cak, 4 drake elm 	= 6 p	6 parking lot shade trees provided
IIRR	N SCEN	5	C ROADWAY PI ANTING		

PROVIDED	-	a. 5 axishing crepe myrte due to axishing overhead utility conflicts 5 axishing crepe myrte. 1 white fringetnee due to existing overhead utility conflicts b. 1 axishing crepe myrte. 1 white fringetnee due to existing overhead utility conflicts
		= 4 trees provided
D. SITE LANDSCAPING	API	6
REQUIRED		REQUIRED 1. Aminimum of (4) tree species must be specified
	Ņ	Each species shall comprise a minimum of 10% of the total trees required
		25 trees proposed x 10% = 2 trees minimum per species
	ω	75% of the landscaping trees required in the parking lot shall be shade trees
	44	9 trees proposed x 75% = 7 shade trees required 50% of proposed trees shall be native species
		25 trees proposed x 50% = 13 native trees required

GROW LODGE WALLE WAS A THE CONTROL OF THE LATER OF THE CONTROL OF

planting areas shall be killed and removed. Hand rake to remove all rocks and debris larger than 1 inch in diameter, prior to adding

ne fertilizer and lime requirements prior to laying sod. ; add min. 4 inch layer of organic material and till to a min. depth of 12 inches. Mulch a must and perennial beds with 2-3 inch depth lately after planting. Edge of

han 24 hours prior to arriving on site), laid immeda te)r, rolled, and watere enched: see Landscape Details.

2		
2	▻	
3	z	
h	▫	
200	S	
3	റ	
	Ď	
	ъ	
	IDSCAPE	
	-	
	-	
	Š.	
	TES	
	ım.	
	S	

or shall inspect the subgrade, general site conditions, verify elevations, utility locations, lingigition, approve bearine the site conditions under within the work is to be done. Notify the General Contract or dany unit such conditions have been corrected and are exceptable to the Landscape Contractor. to a min. 24" depth. Add topsoil to a 6"-8" berme to adding and spreading of the (dpsoil. areas. Graded areas to be held down the

to be muldhed with a min. 3 inch layer of mulch (double stredded hardwood mulch). n of wice the width of the cool ball, for both shrub and tree. Set plant material 2-3° above finish grade, Backfill planting pit

PERMIT Landscape Plan

L-100

FSU# 0562

EVISION SCHEDULE

IO DATE DESCRIPTION

429.22 County Comments

527.22 New Sta Plan

CHICK-FIL-A

LAKE BRANDON FSU 11325 CAUSEWAY BOULEVARD BRANDON, FL 33511



B&B, single straight leader, na Multi-trurked B &B: single straight leader, na B &B: single straight leader, na CT as shown; na the B &B: single straight leader

22-1119



Additional / Revised Information Sheet

Date Stamp Here

Application Number: VAR-22-1119 Applicant's Name	: Amanda Bishop; Interplan LLC c/o Chick-fil-A, In
Reviewing Planner's Name: Ryan Joyce / Sheida Tirado	Date: 07/28/2022
Application Type:	
Planned Development (PD) Minor Modification/Personal Appe	arance (PRS) 🔲 Standard Rezoning (RZ)
lacklacklacklacklacklacklacklack	DRI)
☐ Special Use (SU) ☐ Conditional Use (CU)	☐ Other
Current Hearing Date (if applicable): 08/22/2022	
The following must be attached	ed to this Sheet.
$oxed{\Delta}$ Cover Letter with summary of the changes and/or additional infor	mation provided. If a revised Site Plan is being
submitted, all changes on the site plan must be listed in detail in the C	
An updated Project Narrative consistent with the changes or additional Variance Narrative Letter updated to reflect the elimination of the Thro	
Submittal Via:	
Email (Preferred). Note that no follow up paper file is necessary. Pdf format	only Maximum attachment(s) size is 15 MR
Email this sheet along all the additional/revised submittal items in pdf	
Email this sheet along all the additionally revised submittal items in pur	to. <u>Zomingintance Dob emengovinet</u>
Mail or delivery. Number of Plans Submitted: Large Sm	all
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 sulfor Minor Change: 6 large copies. For Variances or Conditional Use permits: one 8.5"X11" or larger)	omitted.
Mail to:	Hand Deliver to:
Development Services Department	County Center
Community Development Division P.O. Box 1110	Development Services Department 19th Floor
Tampa, FL 33601-1110	601 E. Kennedy Blvd., Tampa
l certify that changes described above are the only changes that have changes will require an additional submission and certification.	e been made to the submission. Any further
Amanda Bishop Digitally signed by Amanda Bishop Date: 2022.07.28 12:28:51 -04'00'	07/28/2022
Signature	Date
FOR OFFICE USE ON	LY
☐ Notification E-Mail Sent ☐ Scanned into OPTIX	
☐ Transmittal Completed	In-Take Completed by:





407-645-5008 Interplanllc.com

July 28, 2022

Hillsborough County
Development Services Department
601 E. Kennedy Blvd,19th Floor
Tampa, FL 33602
813.274.6835
Zoning@HCFLGov.net

Reference: Chick-fil-A #00562 Lake Brandon Village

11325 Causeway Boulevard, Brandon, FL 33511

IP No.: 2021.0929

Application No.: VAR-22-1119

Revised Information Sheet Cover Letter

To whom it may concern,

Please use this cover letter as a summary of the changes and or additional information that has been provided in regards to the existing Chick-fil-A #00562 Lake Brandon Village referenced at the address listed above. It has been brought to our attention from Sheida Tirado that a throat depth variance is not required and we need to eliminate that request. Also, there was a very minor revision to the Site Plan. The only change that was made to the site plan, is the Drive Aisle located in the parking lot to the western side of the drive-thru has been changed from seventeen (17) feet to eighteen (18) feet. Please see the updated and attached Site Plan for your review.

Please feel free to contact me at 407-645-5008 or via email at abishop@interplanllc.com if you have any questions or require additional information. If I am not available, Nancy Carreras is the Permit Manager and Sean Hickman is the Civil Project Manager and will be able to assist you or answer any questions you may have.

I appreciate your time and consideration for this request. Thank you.

Sincerely,

Amanda Bishop

INTERPLAN LLC

Amanda Bishop Development Services/ Permit Coordinator

ec: A. Scott, Z. Awalt; Chick-fil-A, Inc.

C. Church, S. Connolly; JLL

N. Carreras, S. Hickman, T. Vu; Interplan LLC





407-645-5008 Interplanllc.com

July 28, 2022 **Hillsborough County Development Services Department**601 E. Kennedy Blvd, 19th Floor

Tampa, FL 33602

813.274.6835 **Zoning@HCFLGov.net**

Reference: Chick-fil-A #00562 Lake Brandon Village

11325 Causeway Boulevard, Brandon, FL 33511

IP No.: 2021.0929

Application No.: VAR-22-1119

Landscape Variance Narrative Letter updated

To Whom It May Concern,

Chick-fil-A, is proposing to make drive-thru modifications including restriping, adding new directional signage and adding a lane at the Order Meal Delivery (OMD) canopy side to help alleviate traffic congestion and circulation areas to the site, adjacent properties and planned development as a whole while maintaining necessary public safety measures. As part of the proposed improvements to the property, there is a lack of compliance with the Hillsborough County's Land Development Code. Please see the below information as Chick-fil-A, Inc. would like to ask for relief for the required landscape buffers for the offstreet vehicular use areas.

Chick-fil-A, Inc. (the petitioner) respectfully submits the following variance request for consideration to Hillsborough County:

Variance Request # 1: Section 6.06.04.C Off Street Vehicular Use Areas - Perimeter buffer Adjacent to Road Right of Way

A Variance is required as a landscaped buffer, a minimum of eight (8) feet in width must be provided between the off-street vehicular use area and the right of way to the North of the property. Due to the increased concern for public safety with increased traffic congestion to this site and the properties lack of dimension, the buffer itself maintains different widths but averages approximately eight (8) feet along Causeway Boulevard and is shown on the Landscape Plan (L-100) provided.



Chick-fil-A #00562 Lake Brandon Village July 28, 2022 Page 2 of 4

Variance Request #2: Section 6.06.04.E.1 Off-Street Vehicular Use Areas - Other Perimeter Buffer A variance is required for the landscape buffer requiring a minimum of six (6) feet in width provided between the off-street vehicular use areas and any boundary not fronted by a road right of way per the section referenced above. A six (6) foot buffer is required along the East, West and South property lines where Chick-fil-A in non-compliant but in an effort to maintain public safety measures to the East of the property landscaping was removed to maintain the sidewalk for employees, guest and pedestrians to the site.

Variance Request #3 Section 6.04.04.A.2 Design Standards - Throat Depth - 150 Feet Update - It has been determined by Sheida Tirado, Transportation Review Manager, that a throat depth Variance is not required to be done along with the LUHO Variance. At this time, the Throat Depth Variance is to be eliminated from the application. Please see the revised information sheet and cover sheet provided.

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 current Hillsborough County parcel lacks the dimension to be able to provide/meet all the required perimeter landscape buffer requirements of six (6) feet between the off-street vehicular use areas and the eight (8) feet between the off-street vehicular use area and the right of way. The Causeway Boulevard public right of way located on the North side of the Planned Development entrance is located approximately eighty-two (82) feet from the right turn only restaurant entrance leading vehicles to the parking lot and or drive through entrance causing traffic congestion and backup to Causeway Boulevard and the shopping center increasing concern for public safety.

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 literal requirements of the Land Development Code would deprive Chick-fil-A of the same rights commonly enjoyed by other properties in the same district and area under the terms of the LDC because unlike other everyday fast food restaurants in the area, Chick-fil-A typically generates substantially more business in there drive thru than other restaurants due to their limited menu and speed of service. The increased need to improve efficiency and increase the amount of stacking in the drive thru lanes due to traffic congestion, has prompted a reconfiguration of the site. Due, to the property parcel location, size of lot and the developed shopping center and adjacent properties, the proposed site modifications provide the best configuration of the site with the existing conditions and given square footage while maintaining compliance with all other parts of the LDC. Accommodating the literal requirements of the LDC would result in a substantial reduction in parking spaces, constrained or substandard queuing lanes and will not alleviate traffic circulation and congestion issues on site, to adjacent properties or roadways such as Causeway Boulevard or the Shopping Plaza entrance.



Chick-fil-A #00562 Lake Brandon Village July 28, 2022 Page 3 of 4

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. The Chick-fil-A parcel is located within the existing Planned Development and granting of the request would not interfere with or injure the rights of others as it would allow safer conditions for the site and adjacent properties. The Hillsborough County Land Development Code requirements would actually work against the integration and interaction of the site and the Planned Development as a whole verse providing better measures for public safety for the development while trying to maintain a positively functionable site for the company itself.

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 with and serves the general intent and purpose of the LDC as section 1.02.03.a, with the intent to preserve public health, safety, comfort and welfare, and to aid in harmonious, orderly and progressive development of the unincorporated areas of Hillsborough County. The redevelopment is bringing the overall site design much closer to the County's vision. The building was placed to face the right of way with most of the vehicular use and parking to the rear or lateral portions of the site. Priority over the reconfiguration of the site was given to vehicular circulation as that would highly impact the efficiency of operations, all while addressing the major concern of alleviating traffic congestion and circulation issues to the site, adjacent properties and planned development as a whole.

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. The variance request is not selfimposed; there is not enough space on the site to accommodate the required six (6) foot landscape buffer between the off-street vehicular use areas and any boundary not fronted by a road right of way, the required eight (8) foot buffer between vehicular use area and right-of-way without causing other deficiencies on the site by a vast reduction. For example, in the required parking, which is highly important for a restaurant use. By allowing the requests applied for, we were able to revise the plan set to show the required 42 parking spaces verses needing to apply for an additional variance for parking.

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 requested is approved, vehicular circulation and traffic congestion will be highly improved and more efficient for the site and adjacent properties. Employees, guests and pedestrians will also maintain safer measures when visiting the site and planned development as a whole. The commercial property's layout will be reconfigured and upgraded to reflect the quality of standards that Hillsborough County strives for today and in the future.



Chick-fil-A #00562 Lake Brandon Village July 28, 2022 Page 4 of 4

Please feel free to contact me at 407-645-5008 or via email at abishop@interplanllc.com if you have any questions or require additional information. If I am not available, Nancy Carreras is the Permit Manager and Sean Hickman is the Civil Project Manager and will be able to assist you or answer any questions you may have.

I appreciate your time and consideration for this request. Thank you.

Sincerely,

Amanda Bishop

INTERPLAN LLC

Amanda Bishop Development Services/ Permit Coordinator

enclosures

ec: A. Scott, Z. Awalt; Chick-fil-A, Inc.

C. Church, S. Connolly; JLL

N. Carreras, S. Hickman, T. Vu; Interplan LLC

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?		
	Please see the attached Variance Narrative Provided.		
2	. Describe how the literal requirem ents 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.		
	Please see the attached Variance Narrative Provided.		
3.	Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose propert y would be affected by allowance of the variance.		
	Please see the attached Variance Narrative Provided.		
4.	Explain how the variance is in harmon y 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). Please see the attached Variance Narrative Provided.		
	Please see the attached variance Narrative Provided.		
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.		
	Please see the attached Variance Narrative Provided.		
6.	Explain how allowing the variance will result in substantia l justice being done, consider ing both the public benefit s intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.		
	Please see the attached Variance Narrative Provided.		



407-645-5008 Interplanllc.com

June 22, 2022

Hillsborough County
Development Services Department
601 E. Kennedy Blvd,19th Floor
Tampa, FL 33602
813.274.6835
Zoning@HCFLGov.net

Reference: Chick-fil-A #00562 Lake Brandon Village

11325 Causeway Boulevard, Brandon, FL 33511

IP No.: 2021.0929

Landscape Variance Narrative Letter

To Whom It May Concern,

Chick-fil-A, is proposing to make drive-thru modifications including restriping, adding new directional signage and adding a lane at the Order Meal Delivery (OMD) canopy side to help alleviate traffic congestion and circulation areas to the site, adjacent properties and planned development as a whole while maintaining necessary public safety measures. As part of the proposed improvements to the property, there is a lack of compliance with the Hillsborough County's Land Development Code. Please see the below information as Chick-fil-A, Inc. would like to ask for relief for the required landscape buffers for the offstreet vehicular use areas and the throat depth requirements.

Chick-fil-A, Inc. (the petitioner) respectfully submits the following variance request for consideration to Hillsborough County:

Variance Request # 1: Section 6.06.04.C Off Street Vehicular Use Areas - Perimeter buffer Adjacent to Road Right of Way

A Variance is required as a landscaped buffer, a minimum of eight (8) feet in width must be provided between the off-street vehicular use area and the right of way to the North of the property. Due to the increased concern for public safety with increased traffic congestion to this site and the properties lack of dimension, the buffer itself maintains different widths but averages approximately eight (8) feet along Causeway Boulevard and is shown on the Landscape Plan (L-100) provided.



Chick-fil-A #00562 Lake Brandon Village June 22, 2022 Page 2 of 4

Variance Request #2: Section 6.06.04.E.1 Off-Street Vehicular Use Areas - Other Perimeter Buffer

A variance is required for the landscape buffer requiring a minimum of six (6) feet in width provided between the off-street vehicular use areas and any boundary not fronted by a road right of way per the section referenced above. A six (6) foot buffer is required along the East, West and South property lines where Chick-fil-A in non-compliant but in an effort to maintain public safety measures to the East of the property landscaping was removed to maintain the sidewalk for employees, guest and pedestrians to the site.

Variance Request #3 Section 6.04.04.A.2 Design Standards - Throat Depth - 150 Feet

A Variance is required for the minimum throat depth requirement to the Hillsborough County Land Development Code as this parcel is required to meet the 150 feet for Community Shopping Centers. Traffic congestion and circulation is a significant problem for this site and is cause for concern for the public safety of pedestrians, employees and clients. The proposed modifications will allow only one entrance access to the southwest of the property along the internal access road while making the existing entrance access to the Northeast, along the Shopping Plaza entrance road an exit only to prevent stopped vehicles along the Causeway Boulevard turning lane and plaza entrance. Please see the attached aerials provided as examples.

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 current Hillsborough County parcel lacks the dimension to be able to provide/meet all the required perimeter landscape buffer requirements of six (6) feet between the off-street vehicular use area and the eight (8) feet between the off-street vehicular use area and the right of way. The Causeway Boulevard public right of way located on the North side of the Planned Development entrance is located approximately eighty-two (82) feet from the right turn only restaurant entrance leading vehicles to the parking lot and or drive through entrance causing traffic congestion and backup to Causeway Boulevard and the shopping center increasing concern for public safety.

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 literal requirements of the Land Development Code would deprive Chick-fil-A of the same rights commonly enjoyed by other properties in the same district and area under the terms of the LDC because unlike other everyday fast food restaurants in the area, Chick-fil-A typically generates substantially more business in there drive thru than other restaurants due to their limited menu and speed of service. The increased need



Chick-fil-A #00562 Lake Brandon Village June 22, 2022 Page 3 of 4

to improve efficiency and increase the amount of stacking in the drive thru lanes due to traffic congestion, has prompted a reconfiguration of the site. Due, to the property parcel location, size of lot and the developed shopping center and adjacent properties, the proposed site modifications provide the best configuration of the site with the existing conditions and given square footage while maintaining compliance with all other parts of the LDC. Accommodating the literal requirements of the LDC would result in a substantial reduction in parking spaces, constrained or substandard queuing lanes and will not alleviate traffic circulation and congestion issues on site, to adjacent properties or roadways such as Causeway Boulevard or the Shopping Plaza entrance.

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. The Chick-fil-A parcel is located within the existing Planned Development and granting of the request would not interfere with or injure the rights of others as it would allow safer conditions for the site and adjacent properties. The Hillsborough County Land Development Code requirements would actually work against the integration and interaction of the site and the Planned Development as a whole verse providing better measures for public safety for the development while trying to maintain a positively functionable site for the company itself.

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 with and serves the general intent and purpose of the LDC as section 1.02.03.a, with the intent to preserve public health, safety, comfort and welfare, and to aid in harmonious, orderly and progressive development of the unincorporated areas of Hillsborough County. The redevelopment is bringing the overall site design much closer to the County's vision. The building was placed to face the right of way with most of the vehicular use and parking to the rear or lateral portions of the site. Priority over the reconfiguration of the site was given to vehicular circulation as that would highly impact the efficiency of operations, all while addressing the major concern of alleviating traffic congestion and circulation issues to the site, adjacent properties and planned development as a whole.

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. The variance request is not self-imposed; there is not enough space on the site to accommodate the required six (6) foot landscape buffer between the off-street vehicular use areas and any boundary not fronted by a road right of way, the required eight (8) foot buffer between vehicular use area and right-of-way, and the required 150 feet throat depth minimum without causing other deficiencies on the site by a vast reduction. For example, in the required parking, which is highly important for a restaurant use. By allowing the requests applied for,



Chick-fil-A #00562 Lake Brandon Village June 22, 2022 Page 4 of 4

we were able to revise the plan set to show the required 42 parking spaces verses needing to apply for an additional fourth variance for parking.

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 requested is approved, vehicular circulation and traffic congestion will be highly improved and more efficient for the site and adjacent properties. Employees, guests and pedestrians will also maintain safer measures when visiting the site and planned development as a whole. The commercial property's layout will be reconfigured and upgraded to reflect the quality of standards that Hillsborough County strives for today and in the future.

Please feel free to contact me at 407-645-5008 or via email at abishop@interplanllc.com if you have any questions or require additional information. If I am not available, Nancy Carreras is the Permit Manager and Sean Hickman is the Civil Project Manager and will be able to assist you or answer any questions you may have.

I appreciate your time and consideration for this request.

Thank you.

Sincerely,

Amanda Bishop

INTERPLAN LLC

Amanda Bishop

Development Services/ Permit Coordinator

enclosures

ec: C. Baker; Chick-fil-A, Inc.

N. Carreras, T. Vu; Interplan LLC



Electronically Certified Official Record

6/22/2022 11:43:54 AM

Document information

Agency Name: Hillsborough Clerk of Circuit Court and Comptroller

Clerk of the Circuit Court: The Honorable Cindy Stuart

Unique Reference BAA-FBB-BCAFH-HGCDBBDFBBAFFDEJGGHC-

Number: BCCGEI-C

Certification ID: 76231135110553496672

Requesting Party Code: 511

Requesting Party

Date Issued:

Reference: 33704853

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://verify.clerkecertify.com/verifylmage.

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



^{**}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.

Return to: HBTitle of Florida, Inc.
5100 west Copans RQ \$600
Margate, Florida 33063
Athw. Harry Binnie
This instrument prepared by

Rosemarie McConnell, Esq. Troutman Sanders LLP 600 Peachtree Street, N.E., Suite 5200 Atlanta, GA 30308-2216 INSTR # 98060901
OR BK 8938 PG 0684
RECORDED 03/10/98 03:24 PM
RICHARD AKE CLERK OF COURT
HILLSBOROUGH COUNTY
DOC TAX PD(F, S, 201, 02) 4, 200, 0

DEPUTY CLERK L Evans

SPECIAL WARRANTY DEED

0

THIS SPECIAL WARRANTY DEED made this day of March, 1998, by JDN DEVELOPMENT COMPANY, INC., a Delaware corporation, having its principal place of business at 359 East Paces Ferry Road, N.E., Suite 400, Atlanta, Georgia 30305, hereinafter called "Grantor", to CHICK-FIL-A, INC., a Georgia corporation, having its principal place of business at 5200 Buffington Road, Atlanta, Georgia 30349, hereinafter called "Grantee".

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of the individuals, and the successors and assigns of corporations.)

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, the receipt and sufficiency whereof are hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land and easements appurtenant thereto situate in Hillsborough County, Florida (the "Land"), viz:

See Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER with (a) the easements and rights as set forth in Article X of that certain Declaration of Protective Covenants and Easements for Lake Brandon, dated as of April 22, 1997, by and among Richard R. Mulholland, JDN Development Company, Inc., JDN Realty Corporation and Lowe's Home Centers, Inc., recorded in Official Record Book 8539, page 165, of the Public Records of Hillsborough County, Florida; (b) the rights and easements set forth in that certain Declaration of Easements and Restrictive Covenants (Parcel 104 - Brandon, Florida) dated as of April 22, 1997, by and among JDN Development Company, Inc., Lowe's Home Centers, Inc. and JDN Realty Corporation, recorded in Official Record Book 8539, page 322 of the Public Records of Hillsborough County, Florida, as amended by that certain First Amendment to Declaration of Easements and Restrictive Covenants (Parcel 104 -Brandon, Florida), filed of record July 31, 1997, in Official Record Book 8657, page 1792, aforesaid Public Records, as further amended by that certain Second Amendment to Declaration of Easements and Restrictive Covenants (Parcel 104 - Brandon, Florida), filed November 18, 1997, recorded in Official Record Book 8797, page 1539, aforesaid Public Records, as further amended by that certain Third Amendment to Declaration of Easements and Restrictive Covenants (Parcel 104 - Brandon, Florida), dated December 12, 1997, filed December 23, 1997, recorded in Official Record Book 8842, page 179, aforesaid Public Records; and (c) any and all improvements, appurtenances, rights, privileges and easements benefiting, belonging or pertaining to the Land, and any right, title and interest of Grantor in and to any land lying in the bed of any street, road or highway directly abutting said Land, together with any strips or gores relating to said Land (the Land and the foregoing easements and interests being hereinafter referred to collectively as the "Property").

0224719.02

OR BOOK 8938 PAGE 0685

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 Property in fee simple; that the Grantor has good right and lawful authority to sell and convey said Property; that the Grantor hereby fully warrants the title to said Property and will defend the same against the lawful claims of all persons whomsoever claiming by, through or under Grantor; and that said Property is free of all encumbrances, except as set forth on Exhibit "B" attached hereto and by this reference made a part hereof.

Grantor hereby covenants and agrees that no building on the adjoining property of Grantor shown on Exhibit "C" attached hereto and incorporated herein by this reference (the "Adjoining Property") shall be leased, used or occupied as a quick-service restaurant deriving twenty-five percent (25%) or more of its annual gross receipts from the sale of chicken.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name, by its proper officers thereunto duly authorized, the day and year first above written.

"GRANTOR"

0224719.02

-2-

OR BOOK 8938 PAGE 0686

EXHIBIT "A"

A portion of land lying in Section 32, Township 29 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

Commence at the East Quarter (1/4) corner of said Section 32; thence along the Easterly line of said Section 32, North 01 degree 20 minutes 25 seconds East, for a distance of 2,694.72 feet to the Northeast corner of said Section 32; thence along the Northerly line of said Section South 89 degrees 55 minutes 30 seconds West, for a distance of 755.97 feet; thence South 00 degrees 04 minutes 30 seconds East, for a distance of 40.00 feet, to the POINT OF BEGINNING of the herein described parcel; thence South 00 degrees 04 minutes 30 seconds East, for a distance of 175.44 feet; thence South 57 degrees 55 minutes 30 seconds West, for a distance of 35.96 feet; thence South 89 degrees 55 minutes 30 seconds West, for a distance of 166.21 feet; thence North 00 degrees 04 minutes 30 seconds West, for a distance of 194.50 feet; thence North 89 degrees 55 minutes 30 seconds East, for a distance of 196.71 feet, to the POINT OF BEGINNING; said tract containing 37,984.32 square feet or 0.872 acre, and all as shown on that certain Boundary & Topographic Survey prepared for Chick-fil-A, Inc., by FLD&E Surveying, and bearing the certification of Charles David Feeraro, Florida Certification No. 4768, dated November 19, 1997, last revised January 15, 1998.

0225086.01

OR BOOK 8938 PAGE 0687

EXHIBIT "B"

- 1. Taxes and assessments for the year 1998 and subsequent years, not yet due and payable.
- 2. Notice of Adoption of Development Order filed of record February 3, 1984 in Official Record Book 4269, Page 344; Notice of Modification to Adopted Development Order filed of record August 10, 1990 in Official Record Book 6052, Page 1222; Notice of Modification to Adopted Development Order filed of record September 13, 1991 in Official Record Book 6378, Page 424 and Notice of Modification to Adopted Development Order filed of record November 22, 1994 in Official Record Book 7590, Page 1936; and Notice of Modification to Adopted Development Order filed of record January 19, 1996 in Official Record Book 8019, Page 1740, all of the Public Records of Hillsborough County, Florida.
- 3. Perpetual Sanitary Sewer Easement granted to County of Hillsborough as set forth in instrument filed of record September 1, 1993 in Official Record Book 7100, Page 926, Public Records of Hillsborough County, Florida.
- 4. Mitigation Agreement as set forth in instrument filed of record November 3, 1994 in Official Record Book 7573, Page 143, and Amendment Number 1 as set forth in instrument filed of record in Official Record Book 7691, Page 351, all of the Public Records of Hillsborough County, Florida.
- 5. Declaration of Protective Covenants and Easements for Lake Brandon, filed of record April 24, 1997, in Official Record Book 8539, page 165, Public Records of Hillsborough County, Florida.
- 6. Declaration of Easements and Restrictive Covenants (Parcel 104 Brandon, Florida), filed of record April 24, 1997, in Official Record Book 8539, page 322; as amended by First Amendment to Declaration of Easements and Restrictive Covenants (Parcel 104 Brandon, Florida), filed of record July 31, 1997, in Official Record Book 8657, page 1792, Public Records of Hillsborough County, Florida; as further amended by Second Amendment to Declaration of Easements and Restrictive Covenants (Parcel 104 Brandon, Florida), filed of record November 18, 1997, in Official Record Book 8797, page 1539, Public Records of Hillsborough County, Florida; as further amended by Third Amendment to Declaration of Easements and Restrictive Covenants (Parcel 104 Brandon, Florida), dated December 12, 1997, filed December 23, 1997, recorded in Official Record Book 8842, page 179, aforesaid Public Records
- 7. Terms, conditions and provisions as contained in that certain Special Warranty Deed between Richard R. Mulholland, an individual and JDN Development Company, Inc., a Delaware corporation, filed of record April 24, 1997, in Official Record Book 8539, page 256, Public Records of Hillsborough County, Florida.
- 8. Easement in favor of Tampa Electric Company, a Florida corporation, filed of record November 10, 1997, in Official Record Book 8787, page 1238, of the Public Records of Hillsborough County, Florida.
- Easement in favor of Tampa Electric Company, a Florida corporation, filed of record November 10, 1997, in Official Record Book 8787, page 1242, of the Public Records of Hillsborough County, Florida.
- Utility Easement Agreement in favor of Tampa Electric Company, a Florida corporation, filed of record November 10, 1997, in Official Record Book 8787, page 1246, of the Public Records of Hillsborough County, Florida.

0225079.01

EXHIBIT (

OR BOOK 8938 PAGE 0688

A PORTION OF LAND LYING IN SECTION 32, TOWNSHIP 29 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST QUARTER (1/4) CORNER OF SAID SECTION 32: THENCE ALONG THE EASTERLY LINE OF SAID SECTION 32. NORTH 01"20"25" EAST, FOR A DISTANCE OF 2,694.72 FEET TO THE NORTHEAST CORNER OF SAID SECTION 32: THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 32 SOUTH 89"55"30" WEST, FOR A DISTANCE OF 1,133.04 FEET; THENCE SOUTH 00"04"31" EAST, FOR A DISTANCE OF 40.00 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 00"04"30" EAST, FOR A DISTANCE OF 194.50 FEET; THENCE NORTH 00"04"30" WEST, FOR A DISTANCE OF 194.50 FEET; THENCE NORTH 89"55"30" WEST, FOR A DISTANCE OF 194.50 FEET; THENCE NORTH 89"55"30" EAST, FOR A DISTANCE OF 190.37 FEET, TO THE POINT OF BEGINNING:

PARCEL 4

A PORTION OF LAND LYING IN SECTION 32, TOWNSHIP 29 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST QUARTER (1/4) CORNER OF SAID SECTION 32; THENCE ALONG THE EASTERLY LINE OF SAID SECTION 32, NORTH 01°20'25" EAST, FOR A DISTANCE OF 2,694.72 FEET TO THE NORTHEAST CORNER OF SAID SECTION 32; THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 32; SOUTH 89°55'30" WEST, FOR A DISTANCE OF 400.40 FEET; THENCE SOUTH 00°04'30" EAST, FOR A DISTANCE OF 44.02 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 00°04'30" EAST, FOR A DISTANCE OF 190.48 FEET; THENCE SOUTH 89°55'30" WEST, FOR A DISTANCE OF 261.48 FEET; THENCE NORTH 57°04'30" WEST, FOR A DISTANCE OF 34.68 FEET; THENCE NORTH 00°04'30" WEST, FOR A DISTANCE OF 175.61 FEET; THENCE NORTH 89°55'30" EAST, FOR A DISTANCE OF 232.15 FEET; THENCE SOUTH 86°08'23" EAST, FOR A DISTANCE OF 58.55 FEET, TO THE POINT OF BEGINNING;



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

Property Information			
Address: 11325 Causeway Boulevard City/State/Zip: Bra	ndon, FL 33511 TWN-RN-SEC:		
Folio(s): 072308-5656 Zoning: PD 88-0090	Future Land Use: Property Size: <u>0.87 Acres</u>		
Property Owner Information			
Name: Chick-fil-A, Inc.	Daytime Phone: 407-765-8000		
Address: 5200 Buffington Road	City/State/Zip: Atlanta, GA 30349		
Email: chad.baker@cfacorp.com	FAX Number:		
Name: Amanda Bishop; Interplan LLC c/o Chick-fil-A, Inc. Daytime Phone: 407-645-5008			
Address: 220 East Central Parkway, Suite 4000	City/State/Zip: Altamonte Springs, FL 32701		
Email: abishop@interplanllc.com	FAX Number:		
Applicant's Representa	tive (if different than above)		
Name:	Daytime Phone:		
Address:City / State/Zip:			
Email:	FAX Number:		
I HEREBY'S WEAR OR AFFIRM THAT AL L THE INFORMATION PROVIDED IN THIS APP LICATION 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. Digitally signed by Amanda	I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BI NDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.		
Amanda Bishop Signature of Applicant Amanda Bishop Date: 2022.06.22 15:14:01 -04'00' Amanda Bishop	Signature of Property Owner		
Type or Print Name	Type or Print Name		
Intake Staff Signature: Clare Odell Office Use Only Intake Date: 6/24/2022			
Case Number: 22-1119	Public Hearing Date: 8/222022		
Receipt Number: 174028			



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	88-0090
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0387J
FIRM Panel	12057C0387J
Suffix	J
Effective Date	Fri Sep 27 2013
Pre 2008 Flood Zone	A
Pre 2008 Firm Panel	1201120387E
County Wide Planning Area	Brandon
Community Base Planning Area	Brandon
Planned Development	PD
Re-zoning	null
Major Modifications	90-0010,95-0045
Personal Appearances	96-0081
Census Data	Tract: 013318 Block: 1000
Future Landuse	UMU-20
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 7
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Folio: 72308.5656 PIN: U-32-29-20-2HU-000000-00003.0 CHICK FIL A Mailing Address: 5200 BUFFINGTON RD ATLANTA, GA 30349-2945 Site Address: 11325 CAUSEWAY BLVD BRANDON, Fl 33511 SEC-TWN-RNG: 32-29-20

Hillsborough County Fibrida

Acreage: 0.87164801 Market Value: \$1,558,144.00 Landuse Code: 2201 COMM./OFFICE

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.

2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

< THIS PAGE WAS INTENTIONALLY LEF	T BLANK >
< THIS PAGE WAS INTENTIONALLY LEF	T BLANK >



LAND USE HEARING OFFICER VARIANCE REPORT (REVISED)

APPLICATION NUMBER: VAR 22-1140	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWERS: Ryan L. Joyce Chris Grandlienard

REQUEST: The applicant is requesting setback variances to accommodate a proposed detached two-story garage on property zoned RSC-2.

VARIANCES:

Wetland Setback

Per LDC Section 4.01.07.B.4, no filling, excavating or placement of permanent structures or other impervious surfaces shall be allowed within a required 30-foot wetland conservation area setback. The applicant requests construction of a two-story garage within the 30-foot wetland conservation area setback. The applicant requests a 10-foot reduction of the setback to allow for a setback of 20 feet.

There is an existing encroachment of 2,061 square feet into the wetland conservation area setback. This existing encroachment includes the home and other structures. This home was built prior to the inception of the Land Development Code. The proposed new encroachment will be 239 square feet.

Accessory Structure Setback

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, and such structures shall not occupy required side yards. Per LDC Section 6.01.01, a minimum front yard setback of 25 feet is required in the RSC-2 district. Therefore, the required front setback for the subject garage is 50 feet. The applicant requests a 9-foot reduction to the required front setback to allow a setback of 41 feet from the easternly property line along Holly Lane.

The required side yard setback in the RSC-2 district is 10 feet. Per the site plan submitted by the applicant, the garage will be set back 11.3 feet from the northernly side property line.

FINDINGS:

• Per LDC Section 6.11.04, accessory structures which meet the primary building setbacks of the property's zoning are permitted the maximum height allowed in the district. Per LDC Section 6.01.01, the maximum building height allowed in the RSC-2 district is 35 feet. According to the applicant, the proposed garage will be 31 feet, 1.25 inches in height.

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

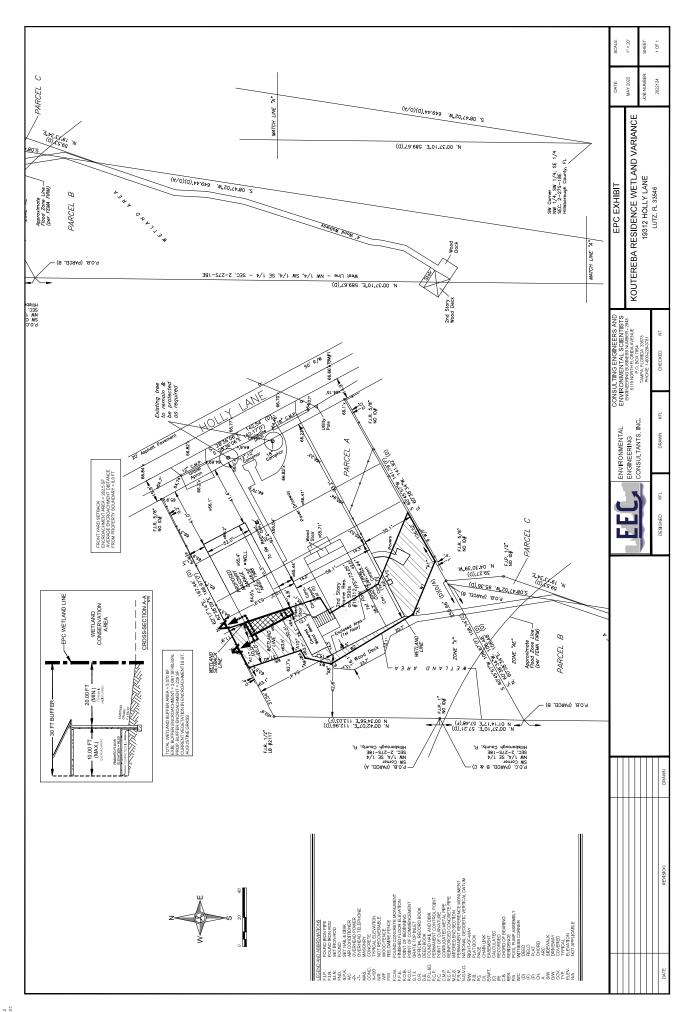
t Tue Aug 92022 14:50:52

Attachments: Application

Site Plan

Petitioner's Written Statement

Current Deed





Additional / Revised Information Sheet

Date Stamp Here

Application Number: VAR-WS-22-1140 Applicant's Name	. Michael Nolan
Reviewing Planner's Name: Christopher Grandlienard	Date:07/19/22
Application Type:	
Planned Development (PD) Minor Modification/Personal Appe	
✓ Variance (VAR) □ Development of Regional Impact (I☐ Special Use (SU) □ Conditional Use (CLI)	
	Other
Current Hearing Date (if applicable):	
The following must be attached	ed to this Sheet.
Cover Letter with summary of the changes and/or additional infor	mation provided If a various City Division
submitted, all changes on the site plan must be listed in detail in the C	over Letter
	over Letter.
An updated Project Narrative consistent with the changes or addit	ional information provided, if applicable.
Submittal Via:	
Email (Preferred). Note that no follow up paper file is necessary. Pdf format of	only. Maximum attachment(c) size is 15 MP
Email this sheet along all the additional/revised submittal items in pdf	
Mail or delivery. Number of Plans Submitted: Large Small Plans Submitted: Large Small Standard Submitted: Large Small 8.5X11".	all
For Minor Change: 6 large copies.	mitted.
For Variances or Conditional Use permits: one 8.5"X11" or larger)	
Mallan	
	Hand Deliver to: County Center
Community Development Division	Development Services Department
	19th Floor
	601 E. Kennedy Blvd., Tampa
certify that changes described above are the only changes that have changes will require an additional submission and certification.	been made to the submission. Any further
on I	
Withard In	7/10/1
Signature	Date Date
	Date
FOR OFFICE USE ONLY Notification E-Mail Sent Scanned into OPTIX	
Transmittal Completed	In-Take Completed by:
	John picted by.



Mr. Christopher Grandlienard Hillsborough County Development Services Department P.O. Box 1110 Tampa, FL 33601

Re: Variance Application Revision Request - 19312 Holly Lane in Lutz, FL 33548 VAR-WS-22-1140

To Whom It May Concern:

On behalf of the Lelainya Koutereba, Environmental Engineering Consultants, Inc. (EEC) is submitting a request to revise the Variance Application for 19312 Holly Lane in Lutz, FL 33548.

The following items are contained in this request package:

- 1. Cover Sheet (this letter)
- 2. Signed Additional/Revised Information Sheet
- 3. Updated Narrative (this letter)

This revision request is to update the "Nature of Request" to Variance to Encroach into the Wetland Setback, Variance to Accessory Structure Requirements

Updated Narrative (changes in **bold**):

Owners of the Property want to construct a 2,250-sf two-story masonry garage on the north side of the existing single-family residence. A building permit was submitted and upon review, it was determined a jurisdictional wetland line was needed. The wetland line was determined via EPC and found that current building and structures have encroached 2,061-sf or 40.65% of the wetland setback. The proposed masonry garage would encroach an additional 660.6-sf into the wetland setback. In order to limit the amount of wetland setback encroachment, the owners decided to move the masonry garage closer to Holly Lane.

This variance request is both a front-yard setback for the accessory **structure** and for the wetland setback encroachment. The request is for 239-sf of wetland buffer setback encroachment with a maximum distance of 10-ft and for a front yard accessory **structure** setback encroachment of 282.5-sf with an average distance of 8.8-ft. The proposed garage is designed to accommodate a garage, workshop, office and gym for the owners. The two-story design would have the office and gym on the second floor and the garage and workshop on the first floor.

If you have any questions, please contact us at 813-237-3781.

Sincerely,

Environmental Engineering Consultants, Inc.

Michael Nolan, Professional Engineer

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.

Please see attached document for responses

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?		
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.		
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.		
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).		
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.		
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.		

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 owners of the property at 19312 Holly Lane are proposing a 2,250-sf two-story masonry garage with an office, workshop and gym to be located on the north side of the existing single-family residence. The property is currently zoned RSC-2 and per Hillsborough County LDC Section 6.11.04, accessory structures are to be constructed at twice the front yard depth (25-ft). A building permit was applied for in April 2021. After review, Natural Resources required that a formal wetland delineation take place to determine the required setback. EPC placed six (6) flags running northwest to southeast to the rear of the current structure. The wetland has a 30-ft upland buffer which cover an area of 5,070-sf. The current footprint of the residence encroaches approximately 2,721.6-sf and the proposed new addition would encroach approximately 660.6-sf. After review of the plans, the owners decided to lessen the impact of the wetland buffer by shifting the building towards the Holly Lane. The updated proposed addition would now encroach 239-sf into the wetland buffer area. This new layout would now encroach approximately 282.5-sf into the front yard setback.

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 front-yard setback for accessory structures inhibits the owners from constructing the proposed garage without encroaching on the wetland buffer setback. Because of the stilted house, there is no enclosed area for vehicle storage, which is a concern for the owners. Because of the irregular lot shape, there are no other viable locations for the proposed garage.

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.

We do not foresee any interference or injury of rights to adjacent properties nor other neighborhood owners. The owners have re-configured the proposed garage to limit the total square footage of setback for both the wetland and front-yard accessory unit.

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).

We believe that the variance aligns with Section 1.02.02 as the request process and submittal is comprehensive and does not interfere with the goals and objectives of the Future of Hillsborough Comprehensive Plan. The variance is in harmony with Section 1.02.03 "in order to foster comfort and welfare, and to aid in the...orderly and progressive development of the unincorporated areas..." This variance would not conflict cause detrimental effects to the overall purpose and intent of the LDC.

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 have been no documented illegal acts nor self-imposed hardships in regards to this variance request. The owners are acting in good faith with direction from Hillsborough County Development Services and Natural Resources.

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.

This variance will not inhibit the purpose or intent of the LDC. The Property currently features a single-family residence with limited function for the owners. The variance will provide the current owners with multiple benefits including protection of vehicle assets, gymnasium, workshop and office space.

If the variance is not granted, the owners will suffer the costs and expense necessary to reach this point in the building process. The owners were not aware that a wetland delineation was required until after a building permit had been applied for and since that time, the project has been put on hold.

INSTRUMENT#: 2012278632, BK: 21292 PG: 1931 PGS: 1931 - 1933 08/07/2012 at 02:52:30 PM, DOC TAX PD(F.S.201.02) \$1470.00 DEPUTY CLERK:SSPENCER Pat

Frank, Clerk of the Circuit Court Hillsborough County

This document prepared by and return to:

Thomas Boyle ServiceLink 400 Corporation Drive Aliquippa, PA 15001

Parcel ID #: 12564-0000

SL # 2971382

Loan #: 11-0120353

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, dated 3/21/12 by The Bank of New York Mellon F/K/A The Bank of New York as Trustee for the Benefit of Alternative Loan Trust 2007-4CB Mortgage Pass-Through Certificates, Series 2007-4CB, whose post-office address is **2375 N**. **Glenville, Dr, Mail Code TX 29830101, Richardson, TX 75082,** hereinafter called the GRANTOR, to Lelainya Koutereba whose post-office address is 19312 Holly Lane, Lutz, FL. 33548 hereinafter called the GRANTEE:

(Wherever used herein the terms "Grantor" and "Grantee" include all 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 **Two Hundred Ten Thousand and 00/100 Dollars (\$210,00.00)**, 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, to wit:

The land referred to herein below is situated in the County of Hillsborough, State of Florida, and is described as follows:

PARCEL A

BEGIN AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 SECTION 2.

TOWNSHIP 27 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, AND RUN NORTH 00

DEG. 42'07" EAST 112.96 FEET; THENCE NORTH 62 DEG. 17'14" EAST, 167.44 FEET TO A POINT ON THE

WEST RIGHT-OF-WAY LINE OF HOLLY LANE (A 50.00 FOOT RIGHT-OF-WAY BY OCCUPATION); THENCE SOUTH 28 DEG. 36'06" EAST, 142.54 FEET; THENCE SOUTH 60 DEG. 38'34" WEST, 250.66 FEET;

THENCE NORTH 00 DEG. 37'10"EAST, 57.21 FEET TO THE POINT OF BEGINNING.

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF

SAID SECTION 2, THENCE SOUTH 00 DEG. 37'10" WEST, ALONG THE WEST BOUNDARY OF THE

NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 2, A DISTANCE OF 57.21 FEET TO THE

POINT OF BEGINNING; THENCE NORTH 60 DEG. 38'34" EAST, A DISTANCE OF 106.48 FEET; THENCE

SOUTH 8 DEG. 47'02" WEST, A DISTANCE OF 649.44 FEET TO THE SOUTHWEST CORNER OF THE

NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 2; THENCE

NORTH 00 DEG. 37'10" EAST ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF THE

SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 2, A DISTANCE OF 589.67 FEET TO THE

POINT OF BEGINNING.

PARCEL C

A PARCEL OF LAND IN THE NORTH ½ OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 2, TOWNSHIP 27 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼, THENCE RUN SOUTH 00 DEG. 37'10" WEST, 57.21 FEET; THENCE RUN NORTH 60 DEG. 38'34" EAST, 106.48 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 8 DEG. 47'02" WEST 95.36 FEET; THENCE RUN NORTH 19 DEG. 13"34" EAST 59.53 FEET; THENCE RUN NORTH 4 DEG. 30"39" WEST, 39.27 FEET; THENCE RUN SOUTH 60 DEG. 38'34" WEST, 2.26 FEET TO THE POINT OF BEGINNING.

Tax ID: 12564-0000

Commonly known as: 19312 Holly LN Lutz FL 33548-5053

Being the same property conveyed to The Bank of New York Mellon F/K/A The Bank of New York as Trustee for the Benefit of Alternative Loan Trust 2007-4CB Mortgage Pass-Through Certificates, Series 2007-4CB, by Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, FKA Countrywide Home Loans Servicing, LP, as attorney in fact.

GRANTOR HEREBY AFFIRMS THE PROPERTY DESCRIBED HEREIN IS NON-HOMESTEAD.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2012 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

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; and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

Signature:

Print Name:

Signature: Print Name: Cathy Davidson The Bank of New York Mellon F/K/A The Bank of New York as Trustee for the Benefit of Alternative Loan Trust 2007-4CB Mortgage Pass-Through Certificates, Series 2007-4CB, by Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, FKA Countrywide Hothe Loans Servicing, LP, as attorney in

fact. By:

Its:

Assistant Vice President

Arizona STATE OF

COUNTY OF Maricopa

THE FOREGOING INSTRUMENT was acknowledged before me this 22 day of March 2012 by Kerri Ryan AVP

of The Bank of New York Mellon F/K/A The Bank of New York as Trustee for the Benefit of Alternative Loan Trust 2007-4CB Mortgage Pass-Through Certificates, Series 2007-4CB, by Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, FKA Countrywide Home Loans Servicing, LP, as attorney in fact appearing on behalf of the corporation with full authority to act for said corporation. He/She is personally known to me or has produced

as identification.

(SEAL)

BOBBY MCCARTHER Notary Public - Arizona Maricopa County Commission Expires July 6, 2012

Notary Public

Print Name:

Bobby McCarther

My Commission Expires:

July 6, 2012

Received 06-28-2022 Development Services



VARIANCE APPLICATION

IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

You must schedule an appointment to submit this application by calling 813-277-1630.

All requirements listed on the submittal checklist must be met. Incomplete applications will not be accepted.

Property Information

•			
Address: 19312 Holly Lane City/State/Zip: L	utz, FL 33548 TWN-RN-SEC: 02-27-18		
Folio(s): 12564-0000 Zoning: RSC-2	Future Land Use: No Change Property Size: 1.3 acres		
Property Ow	ner Information		
Name: Lelainya Koutereba	Daytime Phone: 813-482-3741		
Address: 19312 Holly Lane	City/State/Zip: _Lutz, FL 33548		
Email: lelainya@gmail.com	FAX Number: N/A		
Name: Same as Property Owner Applicant Information Daytime Phone:			
Address:	City/State/Zip:		
Email:	FAX Number:		
Applicant's Represent Name: Michael Nolan of Environmental Engineering Address: 5119 N Florida Ave Email: mnolan@eec-tampabay.com 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. LELAINYA KOUTERESA Type or Print Name			
Intake Staff Signature: Clare Odell Office Use Only Intake Date: 6/28/2022			
Case Number: 22-1140 Receipt Number: 175052	Public Hearing Date: 8/22/2022		
Receipt Number: 1/5052			

Planning and Growth Management Department, 601 E Kennedy Blvd. 20th Floor



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-2
Description	Residential - Single-Family Conventional
RZ	84-0380
Flood Zone:AE	BFE = 65.5 ft
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0061H
FIRM Panel	12057C0061H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Α
Pre 2008 Firm Panel	1201120065D
County Wide Planning Area	Lutz
Community Base Planning Area	Lutz
Census Data	Tract: 011103 Block: 2001
Future Landuse	R-1
Mobility Assessment District	Rural
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO



Hillsborough County Forda

Folio: 12564.0000 PIN: U-02-27-18-ZZZ-000000-47450.0 LELAINYA KOUTEREBA TRUSTEE Mailing Address: 19312 HOLLY LN LUTZ, FL 33548 Site Address: 19312 HOLLY LN LUTZ, Fl 33548

SEC-TWN-RNG: 02-27-18 Acreage: 1.30189002 Market Value: \$490,533.00 Landuse Code: 0100 SINGLE FAMILY

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.

2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

< THIS PAGE WAS INTENTIONALLY LEFT BLANK	>
< THIS PAGE WAS INTENTIONALLY LEFT BLANK	>



LAND USE HEARING OFFICER VARIANCE REPORT

	APPLICATION NUMBER: VAR 22-0849	
ı	LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Colleen Marshall, AICP, CFM

REQUEST: The applicant is requesting setback variances to accommodate placement of a single-family dwelling on property zoned AS-1.

VARIANCE(S):

Per LDC Section 6.01.03.F.9, required yards on flag lots and lots accessed by easements are oriented with respect to the roadway from which they are accessed, as if the lots abutted the roadway. In the subject case, the property is accessed from the Joe King Road to the north. Therefore, the required front yard is located along the north lot line and the required rear yard setback is located along the south lot line. Per LDC Section 6.01.01, a minimum front yard setback of 50 feet and rear yard setback of 50 feet are required in the AS-1 district. The applicant requests:

- 1) A 21-foot reduction to the required front yard setback to allow a 29-foot setback from the north property line; and,
- 2) A 21.25-foot reduction to the required rear yard setback to allow a 28.75-foot setback from the south property line.

FINDINGS:

• Subdivision approval for the subject parcel was approved on February 7, 1994 under Parcel Certification/Subdivision Exemption #94-0495 and therefore the subject parcel is a lot of record. A copy of the approval letter has been provided by the applicant and is contained in the record for VAR 22-0849.

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

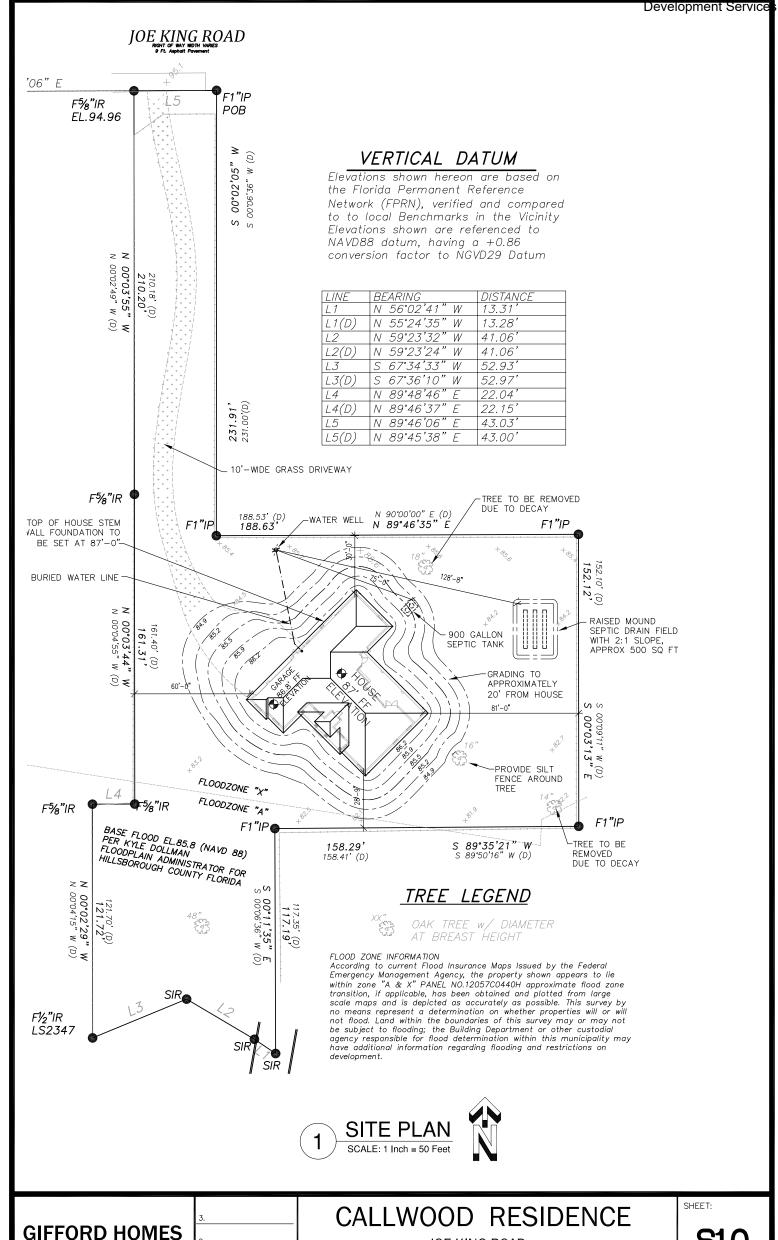
Tue Aug 2 2022 16:48:24

Attachments: Application

Site Plan

Petitioner's Written Statement

Current Deed



JOE KING ROAD

PLANT CITY, FLORIDA

SITE PLAN

1022 NORTH SWINDELL AVE,

LAKELAND, FL 33805

REVISIONS

DATE: 3/23/202**72 22-0849**

Application Number:	
11	

VARIANCE REQUEST

	ould like to request that front and Re
set	Dack be reduced to 29 feet.
Curr	ent set backs are 50 feet in front and Rec
	backs.
	227 These colleges of the Manual and part of the colleges of
	ADDITIONAL INFORMATION cen cited by Hillsborough County Code Enforcement? No Yes
If yes, you	een cited by Hillsborough County Code Enforcement? No Yes nust submit a copy of the Citation with this Application.
If yes, you Do you hav No	een cited by Hillsborough County Code Enforcement? No Yes
Do you have No. the applicate Is this a requirement.	een cited by Hillsborough County Code Enforcement? No Yes nust submit a copy of the Citation with this Application. e any other applications filed with Hillsborough County that are related to the subject property If yes, please indicate the nature of the application and the case numbers asson(s): nust submit a copy of the Citation with this Application. Yes If yes, please indicate the nature of the application and the case numbers asson(s): nust submit a copy of the Citation with this Application.
Do you have No the applicate Is this a required If yes, you	een cited by Hillsborough County Code Enforcement? No Yes nust submit a copy of the Citation with this Application. e any other applications filed with Hillsborough County that are related to the subject property If yes, please indicate the nature of the application and the case numbers asson(s):
Do you have No. The applicate Is this a required If yes, you this Applicate.	een cited by Hillsborough County Code Enforcement? No Yes nust submit a copy of the Citation with this Application. e any other applications filed with Hillsborough County that are related to the subject property Yes If yes, please indicate the nature of the application and the case numbers asson(s):

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 Front and back appears to be based upon access road. When property was divided that is what was explained to Buyer. Conflored Developing

2. Describe how the literal requirem ents 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 road frontage is east and west. The access road is North and South It meets requirements if access road is front of property.

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

It would meet requirements if access road is front of property.

4. Explain how the variance is in harmon y 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).

This property would require a very small house or mobile home to make existing set backs work. A larger home is better for community.

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.

This property if conforming to neighboring properties.

6. Explain how allowing the variance will result in substantia l justice being done, consider ing both the public benefit s intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.

This is a custom home with a much greater value than a smaller home.

07/02/2014



Additional / Revised Information Sheet

Office Use Only	
Received Date:	Received By:
	same of party of the party of the state of the same of

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.

included indicating the additional/revised documents being submitted with this form.
Application Number: VAR 22-0849 Applicant's Name: Ron Gifford
Reviewing Planner's Name: Colleen Marshall Date: 6-17-2022
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) Current Hearing Date (if applicable): Other O7/25/2022
Important Project Size Change Information Changes to project size may result in a new hearing date as all reviews will be subject to the established cut-off dates.
Will this revision add land to the project?
Will this revision remove land from the project?
Email this form along with all submittal items indicated on the next page in pdf form to: ZoningIntake-DSD@hcflgov.net
Files must be in pdf format and minimum resolution of 300 dpi. Each item should be submitted as a separate file titled according to its contents. All items should be submitted in one email with application number (including prefix) included on the subject line. Maximum attachment(s) size is 15 MB.
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.
Signature 6-17-2022 Date



Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to <u>Chapter 119 Florida Statutes</u>, 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 <u>Florida Statutes §119.071(4)</u> will need to contact <u>Hillsborough County Development</u> <u>Services</u> to obtain a release of exempt parcel information.

Are you seek to Chapter 1		ed information submitted with your application pursuant
	firm that the material submitted with application _ Includes sensitive and/or protected information.	VAR 22-0849
	Type of information included and location	
	Does not include sensitive and/or protected infor	
Please note: Se	ensitive/protected information will not be accepted/requested	unless it is required for the processing of the application.
If an exempt being held f	tion is being sought, the request will be reviewed to from public view. Also, by signing this form I ackn	determine if the applicant can be processed with the data owledge that any and all information in the submittal will
	olic information if not required by law to be protect	
Signature:	(Must be signed by applicant or	authorized representative)
Intake Staff	Signature:	Date:



Additional / Revised Information Sheet

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

Incl	uded	Submittal Item
1		Cover Letter*+ If adding or removing land from the project site, the final list of folios must be included
2		Revised Application Form*+
3		Copy of Current Deed* Must be provided for any new folio(s) being added
4		Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5		Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6		Property Information Sheet*+
7		Legal Description of the Subject Site*+
8		Close Proximity Property Owners List*+
9		Site Plan*+ All changes on the site plan must be listed in detail in the Cover Letter.
10	\boxtimes	Survey
11		Wet Zone Survey
12		General Development Plan
13		Project Description/Written Statement
14		Design Exception and Administrative Variance requests/approvals
15		Variance Criteria Response
16		Copy of Code Enforcement or Building Violation
17		Transportation Analysis
18		Sign-off form
19	\times	Other Documents (please describe):
		Subdivision Approval Documents

^{*}Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

^{*}Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.

HILLSBOROUGH COUNTY

Florida

Office of the County Administrator Frederick B. Karl

BOARD OF COUNTY COMMISSIONERS
Phyllis Busansky
Joe Chillura
Sylvia Kimbell
Lydia Miller
Jim Norman
Jan Platt
Ed Turanchik



Senior Assistant County Administrator Patricia Bean

Assistant County Administrators
Edwin Hunzeker
Cretta Johnson (Interim Appointment)
Jimmie Keel
Robert Taylor (Interim Appointment)

February 7, 1994

Joseph Garvin 2706 Sam Hicks Road Plant City 33567

SUBJECT: Parcel Certification/Subdivision Exemption #94-495

Folio Number: 92915.0000

Dear Mr. Garvin:

The staff of the Permit Services Center has reviewed your Parcel Certification/Subdivision Exemption application for compliance with the Land Development Code, Section 3.3.4 Policy of the Hillsborough County Subdivision Regulations and has found that your request is in accordance with the subdivision regulations.

The approved two (2), (Parcel A), (Parcel B), lots submitted to the Permit Services Center January 13,1993 is located in Section 26, Township 29, and Range 22 East.

When applying for permits for the approved lots, please submit a copy of this letter along with the application for a permit. Failure to do so may cause unnecessary delays in the permit review process.

Please note that this approval does not release the developer from any requirements established by other ordinances or any subsequent review by other governmental agencies. It is the applicant's responsibility to comply with all applicable rules and regulations of Hillsborough County.

as of march 1994 mr. Duane Stelle required Joseph Darvier to use different folio number on each track of land 120 that he Could better eldentify each parkel. mrs. Sudan ponseteria added the folio Number Doss Office Box 1110. Tampa, Florida 33601 - see page Two for Number An Affirmative Action/Equal Opportunity Employer

Original Printed On Recycled Paper

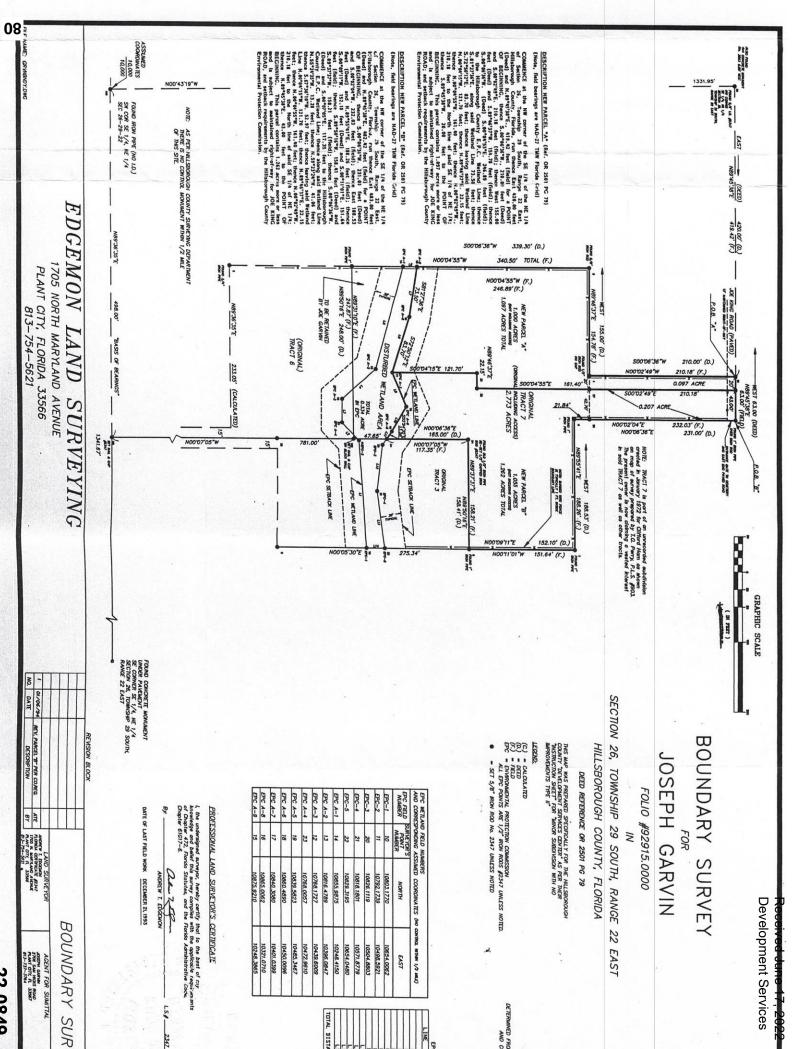
Page 2 of 2 Mr. Joseph Garvin Certification # 94-495 February 7, 1994

For further information, please call the Permit Services Center at 272-5330.

Sincerely,

Rick Harcrow AICP

Manager, Permit Services Center



Prepared By and Return To:

KIMBERLY GROOMS United Title Group of Lakeland, LLC 2000 E. Edgewood Dr., Suite # 107 Lakeland, FL 33803 File # 0 JOE MAR Tax ID: 092915-0600

WARRANTY DEED

THIS WARRANTY DEED Made this day of February, A.D. 2022, Gifford Developing, LLC, a Florida Limited Liability Company, whose mailing address is 2424 Ewell Rd, Lakeland, FL 33811, hereinafter called the Grantor,

AND

Kendrick Callwood and Lisa Callwood, husband and wife, whose mailing address 544 Lindsay Anne Ct, Plant City, FL 33563, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" 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 grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, 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:

See Attached Exhibit "A"

Property Address: 0 Joe Mar Way, Plant City, FL 33563

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 and assessments accruing subsequent to December 31, 2021, and conditions, restrictions, reservations, limitations, easements of record, if any, zoning and other governmental regulations and other matters of record, provided, however, this reference shall not serve to reimpose same.

IN WITNESS WHEREOF, the said Grantor has executed this Warranty Deed on the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Signature	Gifford Developing, LLC
Rimberly Grooms Print Name Witness Signature	Ronald D. Gifford, Manager
Erin to Cocytical Print Name	
STATE OF FLORIDA COUNTY OF POLK I HEREBY CERTIFY that the foregoing instrume physical presence or online notarization, this of Manager of Gifford Developing, LLC, a Florida personally known to me or has (have) produce who did not take an oath.	day for February, 2022, Ronald D. Gifford, as Limited Liability Company () who is (are)
Notary Public State of Florida Notary Grooms Kimberly Grooms HH 156889	otary Public

Exhibit "A" Legal Description

Description NEW PARCEL "B" (Ref. OR 18764, pg, 550 and OR 2501, PG 79) (Note, field bearings are NAD-27 TMW Florida Grid) COMMENCE at the NW corner or the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 29 South, Range 22 East, Hillsborough County, Florida, run thence East 483.00 feet (Deed) and N 89° 45' 38" E 482.42 feet (field) for a Point or beginning, thence S 00° 06' 36" W 231.00 feet Deed) and S 00° 02' 04" W 232.03 feet (field); thence East 188.53 feet (Deed) and N 89° 55' 41" E 188.26 feet (field); thence S 00° 09' 11" W 152.10 feet (Deed) and S 00° 11' 01" E 151.64 feet (field); thence S 89° 50' 16" W 158.41 feet (deed) and S 89° 37' 37" W 158.21 feet (field); thence South 00° 06' 36" W 117.35 feet (Deed) and S 00° 07' 05" E 117.35 feet to the Hillsborough County E.P.C. Wetland Line; thence along said Wetland Line North 55° 24' 35" W 13.28 feet; thence N 59° 23' 24" W 41.06 feet; thence South 67° 36' 10" W 52.97 feet; thence leaving said Wetland Line N 00° 04' 15" W 121.70 feet; thence N 89° 46' 37" E 22.15 feet; thence N 00° 04' 55" W 161.40 feet; thence N 00° 02' 49" W 210.18 feet to the North line of said SE 1/4 of NE 1/4; thence N 89° 45' 38" E 43.00 feet to the point or beginning. This parcel is subject to maintained right-of-way for JOE KING ROAD, and setback requirements by the Hillsborough County Environmental Commission.



VARIANCE APPLICATION

IMPORTANT INSTRUCTIONS TO ALL APPLICANTS:

Solve you must schedule an appointment to submit this application by calling 813-272-5600.

All regarrements listed on the submittal checklist must be met. Incomplete applications will not be accepted.

Jelophi. Property I	nformation
Address: 566 Joe Mar Gaywall City/State/Zip:	NACAY, FL.335107 TWN-RN-SEC:
Folio(s): 092915 - 0000 Zoning:	_Future Land Use: Property Size:
Property Own	er Information
Name: hendrick & Lisa Callwood	Daytime Phone:
Address: 544 Undsay Anne Ct	A :
	FAX Number:
Applicant I	
Address:	City/State/Zip:
Email:	FAX Number:
Name: Non Gifford Construction, I Address: POBOX 703,	
Email: rongifford 12 gmail. com	
I HEREBY S WEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APP LICATION 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. Signature of Applicant LEMBEC CALL WOOD Type or Print Name	I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BI NDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS. Signature of Property Owner LISA CALWOO Type or Print Name
Intake Staff Signature: Ana Lizardo	//se Only Intake Date: 04/27/22
Case Number: 22-0849	Public Hearing Date: 06/21/22
Receipt Number:	

Development Services Department, 601 E Kennedy Blvd. 20th Floor

Opage 1 of 1

PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDAN

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	0440H
FIRM Panel	12057C0440H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Х
Pre 2008 Flood Zone	А
Pre 2008 Firm Panel	1201120440B
County Wide Planning Area	East Rural
Census Data	Tract: 013004 Block: 2002
Census Data	Tract: 013004 Block: 2009
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



Hillsborough County Forda

Folio: 92915.0600 PIN: U-26-29-22-ZZZ-000005-08830.0 KENDRICK AND LISA CALLWOOD Mailing Address: **544 LINDSAY ANNE CT** PLANT CITY, FL 33563 Site Address:

0 1

PLANT CITY, FI 33567 SEC-TWN-RNG: 26-29-22

Acreage: 1.21695006

Market Value: \$50,520.00

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.

2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-0955	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Tania Chapela

REQUEST:

The applicant is requesting setback variances to accommodate a proposed addition for a single-family dwelling on property zoned RSC-6.

VARIANCES:

- 1) Per LDC Section 6.01.01, the required minimum rear yard setback for property zoned RSC-6 is 25 feet. The applicant requests:
 - An 11.4-foot reduction to the required rear yard setback to allow a rear setback of 13.6 feet from the south property line for the proposed addition, excluding the chimney; and,
 - A 14.3-foot reduction to the required rear yard setback to allow a rear setback of 10.7 feet from the south property line for the chimney.
- 2) Per LDC Section 6.01.01, the required minimum side yard setback for property zoned RSC-6 is 7.5 feet. The applicant requests a 0.4-foot reduction to the required side yard setback to allow a side setback of 7.1 feet from the east property line for the proposed addition.

FINDINGS:

• Natural Resources has confirmed that due to the permitted seawall along the rear of the subject property, no conservation/preservation area setback is required from the adjacent waterway, pursuant to LDC Section 4.01.07.B.2.

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.

⁻⁻ Prepared: 08/08/2022

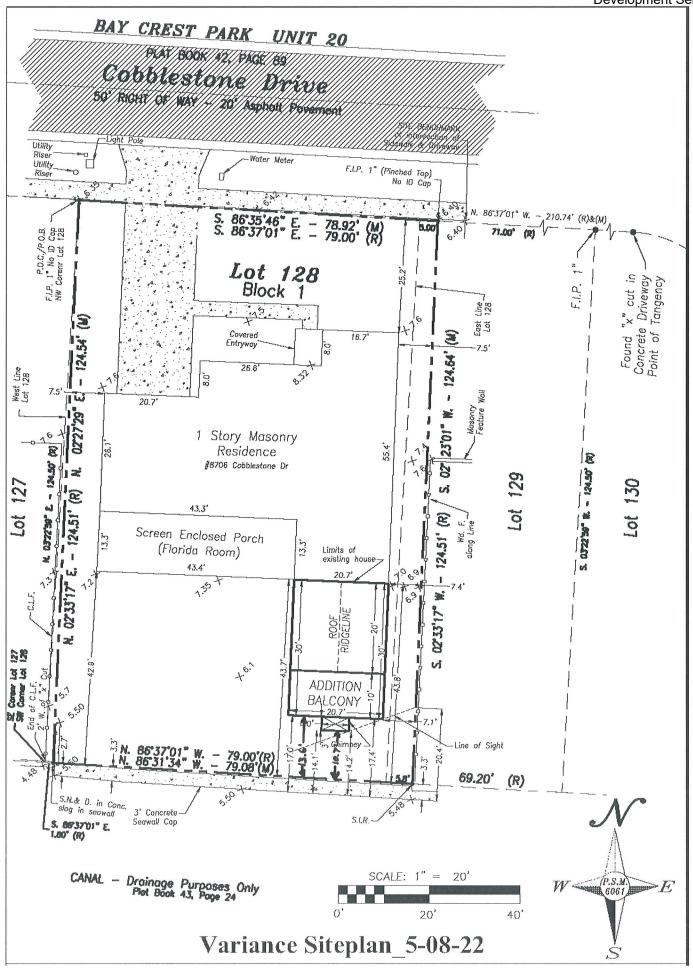
ADMINISTRATOR'S SIGN-OFF

t Mbn Aug 8 2022 14:49:08

Attachments: Application Site Plan

Petitioner's Written Statement

Current Deed





Additional / Revised Information Sheet

Office	Use	Only	

\	•		
Application Number: VAR 22-0955	Received Date:	Received By:	

е

must be submitted providing a summary of the changes and/or additional information provided. If there is a change project size the cover letter must list any new folio number(s) added. Additionally, the second page of this form must being submitted with this form.			
Application Number: VAR 22-0955 Applican	Timothy Healey		
Reviewing Planner's Name: Tania Chapela			
Application Type: Planned Development (PD) Minor Modification/Person			
✓ Variance (VAR) ☐ Development of Regional I ☐ Special Use (SU) ☐ Conditional Use (CU)	mpact (DRI)		
Current Hearing Date (if applicable): August 22, 202			
Important Project Size Change Information Changes to project size may result in a new hearing date as all r Will this revision add land to the project? Yes If "Yes" is checked on the above please ensure you include all ite	× No		
Will this revision remove land from the project?	No ems marked with *on the last page.		
Email this form along with all submittal items ZoningIntake-DSE			
Files must be in pdf format and minimum resolution of 300 dpi. Each item should be submitted as a separate file titled according to its contents. All items should be submitted in one email with application number (including prefix) included on the subject line. Maximum attachment(s) size is 15 MB.			

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.

Ja	im	e	R.	M	ai	er
v		\sim			$\mathbf{\alpha}$	\mathbf{v}

Digitally signed by: Jaime R. Maier DN: CN = Jaime R. Maier email = jaime.maier@hwhlaw.com C = US O = Hill Ward Henderson OU = Attorney
Date: 2022.08.04 14:59:31 -04'00'

Signature



Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to <u>Chapter 119 Florida Statutes</u>, 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 <u>Hillsborough County Development Services</u> to determine what information will need to be disclosed as part of the public hearing process.

Additionally, parcels exempt under <u>Florida Statutes §119.071(4)</u> will need to contact <u>Hillsborough County Development</u> <u>Services</u> to obtain a release of exempt parcel information.

Are you seeking an exemption from public disclosure of selected information submitted with your application pursua to Chapter 119 FS? Yes No			
I hereby cor	onfirm that the material submitted with application Includes sensitive and/or protected information.	VAR 22-0955	
	Type of information included and location		
×	Does not include sensitive and/or protected infor	mation.	
Please note: S	Sensitive/protected information will not be accepted/requested	d unless it is required for the processing of the application.	
•		o determine if the applicant can be processed with the data owledge that any and all information in the submittal will	
become pul	iblic information if not required by law to be protect	ed.	
Signature:	(Must be signed by applicant or	authorized representative)	
Intake Staff	f Signature:	Date:	



Additional / Revised Information Sheet

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

	and and —	Colorative III
Inc	luded	Submittal Item
1	\boxtimes	Cover Letter*+ If adding or removing land from the project site, the final list of folios must be included
2		Revised Application Form*+
3		Copy of Current Deed* Must be provided for any new folio(s) being added
4		Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5		Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6		Property Information Sheet*+
7		Legal Description of the Subject Site*+
8		Close Proximity Property Owners List*+
9	\boxtimes	Site Plan*+ All changes on the site plan must be listed in detail in the Cover Letter.
10		Survey
11		Wet Zone Survey
12		General Development Plan
13	\boxtimes	Project Description/Written Statement
14		Design Exception and Administrative Variance requests/approvals
15		Variance Criteria Response
16		Copy of Code Enforcement or Building Violation
17		Transportation Analysis
18		Sign-off form
19		Other Documents (please describe):

^{*}Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

^{*}Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.





SENDER'S DIRECT DIAL: 813-506-5184

SENDER'S E-MAIL: jaime.maier@hwhlaw.com

August 4, 2022

Tania Chapela Development Services Department County Center 601 E. Kennedy Blvd., 19th Floor Tampa, FL 33602

Re: VAR 22-0955 – Revised Materials

Dear Ms. Chapela:

Please find enclosed under cover of this letter the following revised materials in connection with the above-referenced application:

- Revised site plan to show distances from structure and chimney to boundary line, in addition to prior measurements of distances from structure and chimney to seawall
- Revised narrative to reflect updated distances per above, as the variance request

Please accept these revised materials for filing in the application record, and please contact our office with any questions.

Thank you.

Sincerely,

HILL WARD HENDERSON

Jaime R. Maier, Esq.

JRM

cc: Tom Hiznay

Variance Hardship Narrative 8706 Cobblestone Drive

Request for Reduced Rear and Side Setback

General Request

This is a request for a reduction of the rear yard setback from 25.0' to 13.6' to edge of new structure and 10.7' to edge of chimney, and a reduction to the side yard setback from 7.5' to 7.1' to edge of new structure, for the property located at 8706 Cobblestone Drive, Tampa (the "Property). The applicant, Timothy Healey (the "Applicant"), owns the Property. The Applicant has lived at the Property since 2013, as his primary residence. The home on the Property was built in 1970, and its layout and design reflect its outdated age. Especially in the pandemic era 2020s' decade, where the Applicant, like many individuals, spends significantly more time at home and is in need of home office space, modern standards of living influenced by modern standards such as the effects of COVID-19 render older structures obsolete and untenable.

The Property is zoned RSC-6, therefore the standard setbacks are 25' for the front and rear yards, and 7.5' for the side yards. The Property was platted in 1969, with lot dimensions of approximately 75' in width and 125' in length. With 25' setbacks on either end, that leaves approximately 75' of buildable length area. The home was constructed almost in the exact center of the Property, and therefore, due to its siting, and the other factors described more fully herein, any current or future owner of the Property is significantly constrained from making any meaningful improvement to the home thereon without a request for a variance from setbacks. The siting of the home relative to the Property's boundary lines also result in a slight angle, with the eastern boundary line veering closer to the home structure than the western line.

The layout of the home is such that the small, single-window master bedroom is tacked on at the southeastern corner of the home, next to a large, concrete "Florida Room" that spans the southwest corner to middle of the home's rear facade. The Florida Room has its own roofline, different from the rest of the home's roof. The location and structural uniqueness of the Florida Room prevent expansion of the Home to the southwest.

Expanding into the north/front yard of the Property is prevented by the location of the garage and access drive on the northwest side of the home, and the front entryway/front room on the northeast side of the home. The front room itself has a front setback of 25.2' from the edge of the front entry room, therefore any expansion in this direction would require a variance, and would significantly alter the flow and layout of the home. Therefore, in order to expand the master bedroom, the only direction the Applicant can build is outward into the rear yard setback.

Variance Criteria

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?

Built in 1970, the siting of the home relative to its position on the Property, and the home structure's outdated and unique layout as described above, result in a practical difficulty that is unique to the

Property. Any current or future owner of this Property is constrained in their ability to make meaningful improvements to it without a variance request, since the southeast corner is the only feasible location on the home to make structural improvements. Many other properties in the immediately surrounding area have structures additions to their homes in their rear yards, whether by encroaching into the setbacks or because the home structures were sited such that more room for expansion was feasible without a variance.

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.

Many of the property owners in the surrounding area have full enjoyment of their property by adding pools, Florida Rooms, patios, and other features on the rear of their homes. The Applicant cannot fully enjoy his property in the same way as these surrounding owners, because the as-built siting of the home is essentially in the middle of the Property, constraining him both in the front and the back. In addition, the slight angle of the home relative to the Property line results in a need for a variance for any addition to the southeast side of the home. The structure was not built exactly parallel with the boundary lines and the side yard narrows towards the south end of the Property. Without the requested variances, the Applicant cannot make meaningful improvements to his home similar to what other properties in the surrounding area enjoy.

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.

The variance request will not interfere with surrounding owners. The adjacent property owner to the east is the property owner with the potential to be affected by the variance request. That property owner has been provided the details of this variance request and, as of the date of filing, has no objection to the request. The adjacent owner's own rear yard contains various patio additions, which project into the rear setback at a degree similar to that of the Applicant's proposed structural addition. Therefore, this variance request will be compatible with the adjacent neighbor's own existing setbacks, and in fact may have the added privacy benefit of "buffering" the neighbor's patio space from the Applicant's backyard with the proposed structure.

Moreover, the surrounding area is a canalfront neighborhood. The rear yards abut the canal, and many of the lots have individual docks and other waterfront uses. Unlike waterfront lots in lake or beachfront communities, which tend to have "large estate" patterns of development, where a deeper rear yard setback is desirable, the canalfront community has a very active waterfront, where the rear yards are integral to the canalfront lifestyle, and living "up close" to the canal is desirable and expected. Therefore, bringing a portion of the home structure closer to the waterfront, encroaching into the standard rear yard setback, is appropriate and is not a negative interference with the character of the area. The side yard setback encroachment of 0.4' reflects the existing siting of the home relative to its slight skew on the Property line, and for the same reasons as described above and herein, does not produce a negative impact.

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 requested variance is in harmony with the intent and purposes of the LDC, because it aids in the orderly and harmonious development of the surrounding area, by being consistent with the many

additions of surrounding houses to their rear yards. It respects the rights of the Applicant as a property owner to the full enjoyment of his property, and respects the rights of surrounding property owners by making a proposal that will not be detrimental to the value of their own homes.

The requested variance is also in harmony with the goals of the Comprehensive Plan Future Land Use Element. It ensures optimization of both the potential for economic benefit (by improving the Property and modernizing the home with a larger master bedroom that is in line with 21st century standards of living) and the Applicant's enjoyment of his Property. The proposed addition to the home is consistent with the character of the surrounding area, and the active canalfront community. The requested variance poses no threat to health, safety, or welfare as it does not constitute a hazard, nuisance, incompatible land use, or cause environmental degradation.

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.

The existing layout, siting, and design of the home was in place before the Applicant purchased the Property, therefore the situation sought to be relieved is of no fault of the Applicant and is therefore not a self-imposed hardship.

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.

Allowing this variance request will result in substantial justice being done by allowing the Applicant to make a meaningful improvement to his Property, and to gain the full enjoyment of the use of his home. The surrounding property owners will not be negatively impacted by this proposal and, in fact, the upgrading of the Property will increase its value, which will positively affect value of the surrounding area. The requested variance is in line with the pattern of development of rear yards of the canalfront lots in the surrounding area similar to the Applicant's, and is therefore an appropriate request.

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? Please see attached narrative.
2	Describe how the literal requirem ents 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. Please see attached narrative.
3.	Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose propert y would be affected by allowance of the variance. Please see attached narrative.
4.	Explain how the variance is in harmon y 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). Please see attached narrative.
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. Please see attached narrative.
6.	Explain how allowing the variance will result in substantia l justice being done, consider ing both the public benefit s intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance. Please see attached narrative.

Variance Hardship Narrative

8706 Cobblestone Drive

Request for Reduced Rear and Side Setback

General Request

This is a request for a reduction of the rear yard setback from 25.0' to 17.0' to edge of new structure and 14.1' to edge of chimney, and a reduction to the side yard setback from 7.5' to 7.1' to edge of new structure, for the property located at 8706 Cobblestone Drive, Tampa (the "Property). The applicant, Timothy Healey (the "Applicant"), owns the Property. The Applicant has lived at the Property since 2013, as his primary residence. The home on the Property was built in 1970, and its layout and design reflect its outdated age. Especially in the pandemic era 2020s' decade, where the Applicant, like many individuals, spends significantly more time at home and is in need of home office space, modern standards of living influenced by modern standards such as the effects of COVID-19 render older structures obsolete and untenable.

The Property is zoned RSC-6, therefore the standard setbacks are 25' for the front and rear yards, and 7.5' for the side yards. The Property was platted in 1969, with lot dimensions of approximately 75' in width and 125' in length. With 25' setbacks on either end, that leaves approximately 75' of buildable length area. The home was constructed almost in the exact center of the Property, and therefore, due to its siting, and the other factors described more fully herein, any current or future owner of the Property is significantly constrained from making any meaningful improvement to the home thereon without a request for a variance from setbacks. The siting of the home relative to the Property's boundary lines also result in a slight angle, with the eastern boundary line veering closer to the home structure than the western line.

The layout of the home is such that the small, single-window master bedroom is tacked on at the southeastern corner of the home, next to a large, concrete "Florida Room" that spans the southwest corner to middle of the home's rear facade. The Florida Room has its own roofline, different from the rest of the home's roof. The location and structural uniqueness of the Florida Room prevent expansion of the Home to the southwest.

Expanding into the north/front yard of the Property is prevented by the location of the garage and access drive on the northwest side of the home, and the front entryway/front room on the northeast side of the home. The front room itself has a front setback of 25.2' from the edge of the front entry room, therefore any expansion in this direction would require a variance, and would significantly alter the flow and layout of the home. Therefore, in order to expand the master bedroom, the only direction the Applicant can build is outward into the rear yard setback.

Variance Criteria

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?

Built in 1970, the siting of the home relative to its position on the Property, and the home structure's outdated and unique layout as described above, result in a practical difficulty that is unique to the

Property. Any current or future owner of this Property is constrained in their ability to make meaningful improvements to it without a variance request, since the southeast corner is the only feasible location on the home to make structural improvements. Many other properties in the immediately surrounding area have structures additions to their homes in their rear yards, whether by encroaching into the setbacks or because the home structures were sited such that more room for expansion was feasible without a variance.

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.

Many of the property owners in the surrounding area have full enjoyment of their property by adding pools, Florida Rooms, patios, and other features on the rear of their homes. The Applicant cannot fully enjoy his property in the same way as these surrounding owners, because the as-built siting of the home is essentially in the middle of the Property, constraining him both in the front and the back. In addition, the slight angle of the home relative to the Property line results in a need for a variance for any addition to the southeast side of the home. The structure was not built exactly parallel with the boundary lines and the side yard narrows towards the south end of the Property. Without the requested variances, the Applicant cannot make meaningful improvements to his home similar to what other properties in the surrounding area enjoy.

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.

The variance request will not interfere with surrounding owners. The adjacent property owner to the east is the property owner with the potential to be affected by the variance request. That property owner has been provided the details of this variance request and, as of the date of filing, has no objection to the request. The adjacent owner's own rear yard contains various patio additions, which project into the rear setback at a degree similar to that of the Applicant's proposed structural addition. Therefore, this variance request will be compatible with the adjacent neighbor's own existing setbacks, and in fact may have the added privacy benefit of "buffering" the neighbor's patio space from the Applicant's backyard with the proposed structure.

Moreover, the surrounding area is a canalfront neighborhood. The rear yards abut the canal, and many of the lots have individual docks and other waterfront uses. Unlike waterfront lots in lake or beachfront communities, which tend to have "large estate" patterns of development, where a deeper rear yard setback is desirable, the canalfront community has a very active waterfront, where the rear yards are integral to the canalfront lifestyle, and living "up close" to the canal is desirable and expected. Therefore, bringing a portion of the home structure closer to the waterfront, encroaching into the standard rear yard setback, is appropriate and is not a negative interference with the character of the area. The side yard setback encroachment of 0.4' reflects the existing siting of the home relative to its slight skew on the Property line, and for the same reasons as described above and herein, does not produce a negative impact.

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 requested variance is in harmony with the intent and purposes of the LDC, because it aids in the orderly and harmonious development of the surrounding area, by being consistent with the many

additions of surrounding houses to their rear yards. It respects the rights of the Applicant as a property owner to the full enjoyment of his property, and respects the rights of surrounding property owners by making a proposal that will not be detrimental to the value of their own homes.

The requested variance is also in harmony with the goals of the Comprehensive Plan Future Land Use Element. It ensures optimization of both the potential for economic benefit (by improving the Property and modernizing the home with a larger master bedroom that is in line with 21st century standards of living) and the Applicant's enjoyment of his Property. The proposed addition to the home is consistent with the character of the surrounding area, and the active canalfront community. The requested variance poses no threat to health, safety, or welfare as it does not constitute a hazard, nuisance, incompatible land use, or cause environmental degradation.

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.

The existing layout, siting, and design of the home was in place before the Applicant purchased the Property, therefore the situation sought to be relieved is of no fault of the Applicant and is therefore not a self-imposed hardship.

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.

Allowing this variance request will result in substantial justice being done by allowing the Applicant to make a meaningful improvement to his Property, and to gain the full enjoyment of the use of his home. The surrounding property owners will not be negatively impacted by this proposal and, in fact, the upgrading of the Property will increase its value, which will positively affect value of the surrounding area. The requested variance is in line with the pattern of development of rear yards of the canalfront lots in the surrounding area similar to the Applicant's, and is therefore an appropriate request.

INSTRUMENT#: 2017031806, BK: 24687 PG: 309 PGS: 309 - 310 01/25/2017 at 09:01:44 AM, DOC TAX PD(F.S.201.02) \$0.70 DEPUTY CLERK:AHOLTZMAN1 Pat

Frank, Clerk of the Circuit Court Hillsborough County

Return original to: Timothy Healey 8706 Cobblestone Dr. Tampa, FL 33615

[Space Above	is Line For Recording data]
--------------	-----------------------------

Quit Claim Deed

This Quit Claim Deed made this 2 day of 6CT, 2016, between NHUNG HEALEY, whose post office address is 8706 Cobblestone Dr. Tampa, FL 33615 as GRANTOR, and TIMOTHY HEALEY, whose post office address is 8706 Cobblestone Dr. Tampa, FL 33615, as GRANTEE.

Witnesseth, that said Grantor, in conjunction with the dissolution of her marriage to Grantee and in accordance with the terms of their Marital Settlement Agreement, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the Grantees, all the right, title, interest, claim and demand which Grantor has in and to the following described land, situate, lying and being in Hillsborough County, Florida to wit:

That part of Lots 128 and 129, Block 1, BAY CREST PARK, UNIT NO. 20, a subdivision according to the plat thereof recorded at Plat Book 42, Page 89, in the Public Records of Hillsborough County, Florida; being described as follows:

Beginning at the Northwest corner of Lot 128, and run Easterly 79 feet along the Northerly boundaries of said Lots 128 and 129; thence Southerly in a straight line to a point on the Southerly boundary of said Lot 129, 5.8 feet Easterly from the Soutwest corner of said Lot 129; thence Westerly 79.0 feet along the Southerly boundaries of said Lots 128 and 129, and thence Northerly in a straight line to the Point of Beginning.

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 grantor, either in law or equity, for the use, benefit and profit of said
grantees forever.
In Witness Whereof, Grantors have hereunto set their hand and seal the day and
year first above written.
Signed, sealed and delivered in our presence:
X NHUNG HEALEY
Witness Name: JASON KEATING HEADEY
* De Roue (1997)
Witness Name: MARTHA-TIELE WEED
STATE OF FLORIDA) COUNTY OF HILLSBOROUGH)
Before me and the two witnesses identified above personally appeared NHUNG
HEALEY, Grantor, who was personally known to me or who has produced
as identification.
SUBSCRIBED BEFORE ME ON
NOTARY - STATE OF FLORIDA
BETH G. REINEKE NOTARY PUBLIC STATE OF FLORIDA Comm# FF184472 Expires 1/2/2019

[Space Above This Line For Recording data]_

INSTRUMENT#: 2014038622, BK: 22395 PG: 1520 PGS: 1520 - 1522 02/03/2014 at DEPUTY CLERK: LPERTUIS Pat Frank, Clerk of the Circuit Court 03:43:00 PM,

Hillsborough County

KEN BURKE, CLERK OF COURT AND COMPTROLLER PINELLAS COUNTY, FL INST# 2013388240 12/09/2013 at 08:56 AM OFF REC BK: 18246 PG: 1824-1826 DocType:DEED RECORDING: \$27.00 D DOC STAMP: \$2093.00

Prepared by and return to: Donna Bernard Title Insurors of Florida 221 Second Avenue N. St. Petersburg, Florida 33701 File Number: STP-13-0462 Documentary Stamps: \$2,093.00

★ General Warranty Deed

Made this ____ day of December, 2013 A.D. By Kevin M. Blithe, and Sarah J. Blithe, husband and wife, and Richard Blithe, a married man, whose address is: 4445 Wild Eagle Terrace, Reno, Nevada 89511, hereinafter called the grantor, to Timothy J. Healey and Nhung T. Healey, husband and wife, whose post office address is: 805 N. Howard, Tampa, FL 33606, 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:

That part of Lots 128 and 129, Block 1, BAY CREST PARK, UNIT NO. 20, a subdivision according to the plat thereof recorded at Plat Book 42, Page 89, in the Public Records of Hillsborough County, Florida; being described as follows:

Beginning at the Northwest corner of Lot 128, and run Easterly 79 feet along the Northerly boundaries of said Lots 128 and 129; thence Southerly in a straight line to a point on the Southerly boundary of said Lot 129, 5.8 feet Easterly from the Southwest corner of said Lot 129; thence Westerly 79.0 feet along the Southerly boundaries of said Lots 128 and 129, and thence Northerly in a straight line to the Point of Beginning.

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: 011285-0053

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.

* Deed being Re-recorded in Correct County. All State

Documentary Stamps have been paid in full in O.R. Book 18246,

Pages 1824-1826 in Pinellas County, Florida.

DEED Individual Warranty Deed - Letter - Legal on Face Closers' Choice

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, 2013.

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 KASSANDRA WAIGHT

Witness Printed Name Blance Van Dyne

M B M (Scal)

Kevin M. Blithe

Address: 4445 Wild Eagle Terrace, Reno, Nevada 89511

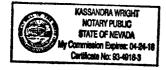
Sarah J. Blithe

Address: 4445 Wild Eagle Terrace, Reno, NV 89511

State of NEVANA

County of <u>WAGHOR</u>

The foregoing instrument was acknowledged before me this \triangle day of December, 2013, by Kevin M. Blithe and Sarah J. Blithe, who is/are personally known to me or who has produced \triangle ORIVERS LICENSE as identification.



ROSSANDRA WRIGHT

Notary Public
Print Name: KASSANDRA WRIGHT

My Commission Expires: 04-24-16

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 Linda Arnold

Richard Blithe

Address: 20720 Ventura Boulevard, Ste 160, Woodland Hills, CA 91364

Witness Printed Name Gail Royal

State of California

County of Los Angeles

The foregoing instrument was acknowledged before me this 4th day of December, 2013, by Richard Blithe, who is/are personally known to me or who has produced a CA Driver License as identification.

GAIL ROYAL
Commission # 1941845
Notary Public - California
Los Angeles County
My Comm. Expires Jun 23, 2015

Notary Public

Print Name: Gail Royal

My Commission Expires: June 23, 2015



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.

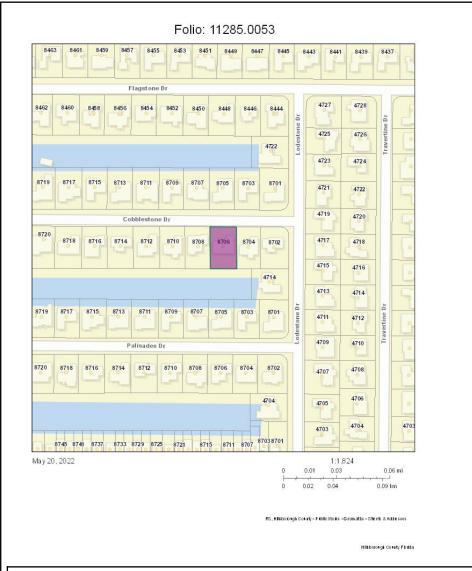
Property Information

- 10 post 5	
Address: 8706 Cobblestone DriveCity/State/Zip: _T	TampaTWN-RN-SEC: _29 South, 17 East, 2
Folio(s): 011285-0053 Zoning: RSC-6	Future Land Use: R-4 Property Size: 9,875 sq. ft., r
Property Ow	vner Information
Name: _Timothy J. Healey	Daytime Phone:
Address: 8706 Cobblestone Drive	City/State/Zip:Tampa, FL 33615
Email:	FAX Number:
7 OAME ACCUMUED	t InformationDaytime Phone:
Address:	City/State/Zip:
Email:	FAX Number:
Applicant's Represen	tative (if different than above)
Name: Kami Corbett, Esq. / Jaime Maier, Esq. / Hill Ward Hende	rson, P.A. Daytime Phone: 813-227-8421
Address: 101 E. Kennedy Blvd., Ste. 3700	City / State/Zip: _Tampa, FL 33602
	FAX Number:
I HEREBY S WEAR OR AFFIRM THAT AL L THE INFORMATION PROVIDED IN THIS APP LICATION PACKET IS TRU E AND ACCURATE, TO THE BEST OF M Y KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF FOR THIS APPLICATION.	I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BI NDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.
Signature of Applicant	Signature of Property Owner
Type or Print Name	Type or Print Name
Office	e Use Only
Intake Staff Signature: Ana Lizardo	Intake Date: 05/19/22
Case Number: 22-0955	Public Hearing Date: 07/25/2022
Receipt Number:	



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
INFL	i
Zoning	RSC-6
Description	Residential - Single-Family Conventional
Flood Zone:AE	BFE = 9.0 ft
FIRM Panel	0327H
FIRM Panel	12057C0327H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	AE
Pre 2008 Firm Panel	1201120327C
County Wide Planning Area	Town and Country
Community Base Planning Area	Town and Country
Community Base Planning Area	Town and Country Focus
Census Data	Tract: 011712 Block: 3000
Future Landuse	R-4
Urban Service Area	USA
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 10
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	130' AMSL
Competitive Sites	NO
Redevelopment Area	NO



Folio: 11285.0053 PIN: U-02-29-17-0FA-000001-00128.0 TIMOTHY J HEALEY Mailing Address: 8706 COBBLESTONE DR TAMPA, FL 33615-4914 Site Address: 8706 COBBLESTONE DR TAMPA, Fl 33615

SEC-TWN-RNG: 02-29-17 Acreage: 0.22579201 Market Value: \$467,489.00 Landuse Code: 0100 SINGLE FAMILY

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.

2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder

< THIS PAGE WAS	SINTENTIONALLY	Y LEFT BLANK >
< THIS PAGE WAS	SINTENTIONALLY	Y LEFT BLANK >



LAND USE HEARING OFFICER VARIANCE REPORT (REVISED)

APPLICATION NUMBER: VAR 22-1038	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Chris Grandlienard

REQUEST: The applicant is requesting a setback variance to accommodate expansion of a screened enclosure with solid roof for a single-family home on a corner lot zoned RSC-4.

VARIANCE(S):

Per LDC Section 6.01.01, a minimum front yard setback of 25 feet is required in the RSC-4 district. The subject parcel is a corner lot with required front yards on the north and east sides. The applicant requests a 12.5-foot reduction to the required front yard setback to allow a setback of 12.5 feet from the east property line along 58th Street in the front yard which functions as a side yard.

FINDINGS:

- Per LDC Section 6.01.06, a minimum lot size of one-half acre of upland is required for use of a septic system. The subject property is served by a septic system and 0.29 acres in size, approximately. Therefore, it is nonconforming. However, it has been certified as a legal nonconforming lot per NCL 22-1227 in the case record.
- A metal storage container is located at the southwest corner of the subject property. The applicant
 has been advised the container is not a permitted use of the subject property unless building permits
 are obtained for it, at which time it will constitute an accessory structure and regulated accordingly.

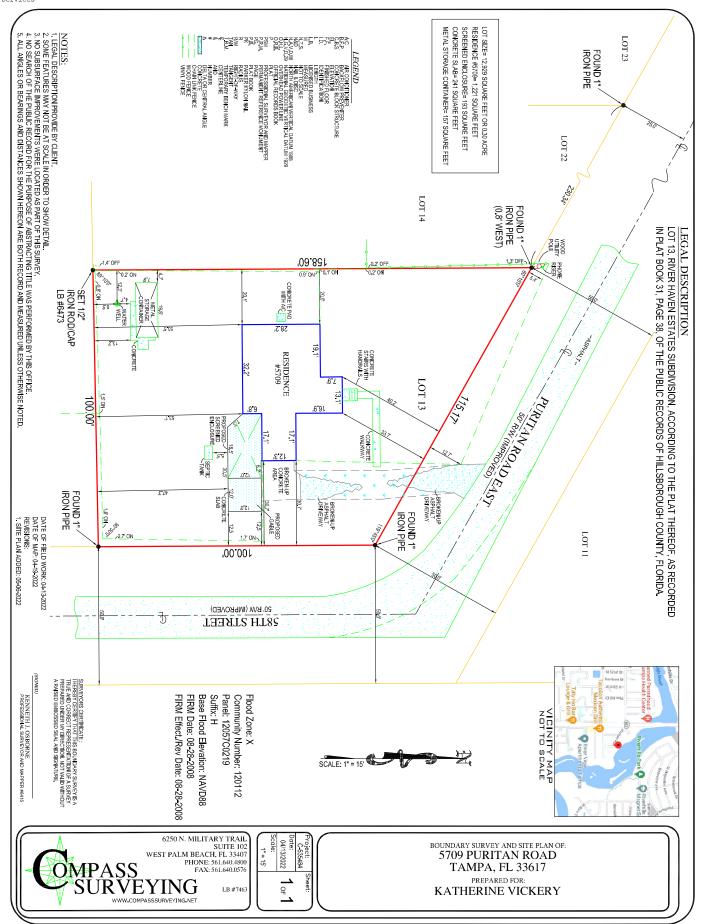
DISCLAIMER:

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

t Tue Aug 92022 1340:14

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



Application Number:	
---------------------	--

VARIANCE REQUEST

-	Variance of 12.5 feet from the east front yard setback of 25 feet resulting in a front yard of 12.5 feet
_	to allow for expansion of existing screen room onto patio.
_	Lot is a corner lot with two fronts and two sides.
_	
-	
-	
_	
<i>P</i>	Variance is requested from the following Section(s) of the Hillsborough County Land Development Cod HC-L DC. Sec 6.01.01
- -	Variance is requested from the following Section(s) of the Hillsborough County Land Development Cod HC-LDC Sec 6.01.01 ADDITIONAL INFORMATION
- -	HC-LDC Sec 6.01.01
I	ADDITIONAL INFORMATION ave you been cited by Hillsborough County Code Enforcement? No X Yes
- History Islands	ADDITIONAL INFORMATION ave you been cited by Hillsborough County Code Enforcement? No X Yes yes, you must submit a copy of the Citation with this Application. o you have any other applications filed with Hillsborough County that are related to the subject property? o X Yes If yes, please indicate the nature of the application and the case numbers assigned.
History Islands	ADDITIONAL INFORMATION ave you been cited by Hillsborough County Code Enforcement? No X Yes Yes, you must submit a copy of the Citation with this Application. o you have any other applications filed with Hillsborough County that are related to the subject prop o X Yes If yes, please indicate the nature of the application and the case numbers e application(s): this a request for a wetland setback variance? No X Yes Yes yes, you must complete the Wetland Setback Memorandum and all required information must be in

110

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.

Explain how the alleged hardships or practical difficulties—are unique and singular to the subject those suffered in common with other property similarly located? Property is a corner lot resulting in one lot line being considered "front" with setbacks applied to the subject	ed even though
portion of property is directly behind footprint of the house. There is no other location to bu due to location of septic system and drain field.	ild the screen room
2. Describe how the literal requirem ents of the Land Development Code (LDC) would deprive ye enjoyed by other properties in the same district and area under the terms of the LDC. Permit would be within LDC setback rules if property was not a corner lot. Not granting unfair to the property owners due to similar and greater impervious variances that have	the variance would be
. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of would be affected by allowance of the variance.	others whose propert y
Top portion of screen room will be visible above privacy fence which is consistent with other have screened pools or patios. Noise and light would be non-obtrusive and concentration of non-visible to Puritan Road. Screen room will be constructed using materials to blend with e	of persons would be
Explain how the variance is in harmon y with and serves the general intent and purpose Comprehensive Plan (refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/pu	
The use for building setbacks is for private use only. It will improve the property and its val a functional recreation and gathering space. It cannot be located elsewhere on site due to drain field, and plumbing to on-site well. Screen room would enable residents to enjoy the of an insect-free environment in a portion of their property year-round.	septic system,
Explain how the situation sought to be relieved by the variance does not result from an illega actions of the applicant, resulting in a self-imposed hardship. Screen-room addition is a voluntary home improvement for residents of Hillsborough Co outdoors in an insect-free environment year-round.	
Explain how allowing the variance will result in substantia l justice being done, consider ing be intended to be secured by the LDC and the individual hardships that will be suffered by a failure	both the public benefit s to grant a variance. tional space that

07/02/2014

Prepared By: Aaron A. Blair AGS Title Agency 3812 W. Linebaugh Ave. Tampa, Florida 33618 File: 30249

QUIT CLAIM DEED

Consideration: \$40,500.00

State Documentary Stamps Paid: \$283.50 Tax Collector's Folio Number: 038871-0000

Property Appraiser's Parcel ID: U-27-28-19-1KM-000000-00013.0

THIS INDENTURE, made this _____ day of September, 2020, between Steven R. Vickery, whose address is 10024 N. Natural Wells Drive, Tallahassee, Florida 32305, Grantor, to Katherine D. Vickery f/k/a Katherine V. Ringo and John Ruben Ceballo a/k/a John Ruben Ceballos, wife and husband, whose address is 5709 Puritan Road, Tampa, Florida 33617, Grantee.

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and their heirs, legal representatives, successors and assigns. "Grantor" and "Grantee" are used for singular and plural, as the context requires and the use of any gender shall include all genders.)

WITNESSETH: That the said grantor, for and in consideration of the sum of \$10.00 Dollars, to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has released, remised and quitclaimed, and by these presents does hereby remise, release, and quitclaim unto the said grantee, and grantee's successors and assigns forever, all the right, title and interest of grantor in and to the following described land situate, lying and being in Hillsborough County, Florida, to-wit:

Lot 13, River Haven Estates Subdivision, a subdivision according to the plat thereof, as recorded in Plat Book 31, Page 38, of the Public Records of Hillsborough County, Florida.

This property is not the homestead property of the grantor, nor contiguous to homestead property, as such homestead is defined under Florida law.

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, law or equity, to the only proper use, benefit and behalf of the said grantee, its successors and assigns forever.

IN WITNESS WHEREOF the grantor has hereunto set grantor's hand and seal, the day and year first above written. Signed, sealed and delivered in the presence of: (Printed, Typed or Stamped Name of First Witness) (Printed, Typed or Stamped Name of Second Witness) STATE OF FLORIDA Wakula The foregoing instrument was acknowledged before me by means of physical presence or online notarization this day of steven R. Vickery. Such person (Notary Public must check applicable box): is personally known to me. produced a current driver license. (NOTARY SEAL) or produced as identification. Notary Public - State of Florida Printed Name of Notary: Commission Number: My Commission Expires: _

Received 06-06-2022 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.

Propert	y Information		
Address: 5709 Puritan Road City/State/Zip:	Tampa, Florida 33617TWN-RN-SEC:		
	Future Land Use: Property Size: 12,929 sqf		
Property O	wner Information		
Name: Katherine Vickery and John Ceballos	Daytime Phone:813-505-2285		
Address: 5709 Puritan Road			
	FAX Number:		
Name: Katherine Vickery and John Ceballos Daytime Phone: 813-505-2285			
Address: 5709 Puritan Road	City/State/Zip:Tampa, Florida 33617		
man and lieft. O am all some	FAX Number:		
Applicant's Represe	entative (if different than above)		
Name:	Daytime Phone:		
Address:	City / State/Zip:		
Email:	FAX Number:		
I HEREBY'S WEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THIS APP LICATION 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. Signature of Applicant Type or Print Name	AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BI NDING TO THE PROPERTY AS WELL AS TO		
Intake Staff Signature: Clare Odell of	fice Use Only Intake Date: 06/06/2022		
Case Number: 22-1038	Public Hearing Date: 08/22/2022		
Receipt Number: 166288			

Development Services Department, 601 E Kennedy Blvd. 20th Floor

07/02/2014



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
Zoning	RSC-4
Description	Residential - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0219H
FIRM Panel	12057C0219H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Х
Pre 2008 Firm Panel	1201150005E
County Wide Planning Area	East Lake Orient Park
Community Base Planning Area	East Lake Orient Park
Census Data	Tract: 010402 Block: 1011
Future Landuse	R-6
Urban Service Area	TSA
Waste Water Interlocal	City of Tampa Waste Water
Water Interlocal	City of Tampa Water
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Northeast
Parks/Schools Impact Fee	NORTHEAST
ROW/Transportation Impact Fee	ZONE 4
Wind Borne Debris Area	Outside 140 MPH Area
Aviation Authority Height Restrictions	150' AMSL
Competitive Sites	NO
Redevelopment Area	NO



Folio: 38871.0000 PIN: U-27-28-19-1KM-000000-00013.0 KATHERINE DENISE VICKERY ET AL Mailing Address: 5709 PÜRITAN RD TAMPA, FL 33617-7722 Site Address: 5709 PURITAN RD TAMPA, FI 33617

SEC-TWN-RNG: 27-28-19 Acreage: 0.28806099 Market Value: \$192,999.00 Landuse Code: 0100 SINGLE FAMILY

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.

2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-1060	
LUHO HEARING DATE: August 22, 2022	CASE REVIEWER: Tania C. Chapela

REQUEST: The applicant is requesting a variance to allow a proposed Community Residential Home, Type A, with six or fewer placed residents at 401 Mahogany Drive to be located within 1,000 feet of an existing Community Residential Home, Type A.

VARIANCE(S):

Per LDC Section 6.11.28, a Community Residential Home, Type A shall not be located within a radius of 1,000 feet of another such existing home with six or fewer residents, as measured from property line to property line. According to state licensing data submitted by the applicant, there is an existing Community Residential Home, Type A, at 416 Mahogany Drive that is 368 feet to the north of the proposed home. The applicant requests a 632-foot reduction to the required separation from the existing home to allow a separation of 368 feet.

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

t Thu Aug 11 2022 10:07:35

Attachments: Application Site Plan

Petitioner's Written Statement

Current Deed

SECTION 14, TOWNSHIP 29 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA. SURVEY BOUNDARY LEGAL DESCRIPTION: LEVAL VESCRIPTION: LOT 28, BLOCK E, BRANDON GROVES SECTION TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 52, PAGE 3, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, & MAHOGANY DRIVE 50'PLATTED R/W 20' ASPHALT ROAD 2' VALLEY GUTTER N 89'57'48" E WATER METER (F) 74.85 14.0 13.8 - 4" N 89'57'48" E 75.00 FND 1/2"I.R. FND 1/2"LR. FND 1/2"LR. 89'14'52" E 8.00' (F) 89'57'48" E 8.00' (P) 26.4 CONCRETE DRIVE SECTION ONE - 7.6 EE 115.00 EASEMENT - 0.1 OFF 6'W/F in 13.6 37 (F&P) PAGE 38.7 COVERED ONE STORY RESIDENCE # ш≽ 7.5'UTILITY 00.02'24" BRANDON GROVES 52.8 LOT 27 401 BOOK 49. BLOCK E 12" SCREENED COVERED PATIO 28.5 1.3 IN 5'CLF LOT 1 BLOCK E A/C 000 LOT 28 BLOCK E 5'CLF 6'WVF 0.2 0.8 OFF TN 7.5 UTILITY EASEMENT S.I.R.C. S.I.R.C. \$ 89"57"48" W 75.00" (F&P) 0.7 LOT 9 OFF LOT 8 6'W/F BLOCK E BLOCK BRANDON GROVES SECTION ONE PLAT BOOK 49, PAGE 37 NOTES:

1) BEARINGS ARE BASED UPON THE NORTHERLY LINE LOT 28, N 89*57*48" E PLATTED BEARING

2) PROPERTY APPEARS TO BE IN ELOOD ZONE "X" PANEL #12057C-0385 SUFFIX H" ACCORDING TO NATIONAL FLOOD INSURANCE RATE MAP. REMSED 8-28-2008

3) ELEVATIONS ARE BASED ON NAVO '88 DATUM H) LEGAL DESCRIPTION FURNISHED BY TITLE COMPANY

5) ALL MEASUREMENTS ARE IN U.S. FEET 6) THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, THEREFORE, THERE MAY BE OTHER EASEMENTS, RIGHT—OF—WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS OF PUBLIC RECORD, NOT DEPICTED ON THIS SURVEY.
7) FENCE LOCATION DOES NOT DETERMINE OWNERSHIP, OFF MEANS THE FENCE IS OFF OF THE PROPERTY, IN MEANS FENCE IS INSIDE THE PROPERTY. Certificate of Authorization "LB #6945" LEGEND:

A/G = NR CONDITIONER

(C)=ALCULATE

CL=CHAIN LINK FENCE

CLM = CONCRETE MONIMENT

CONC = CONCRETE MONIMENT

CON = CONCRETE MEMBERS

(C) = FELD MEASUREMENT

(PVC= PLASTIC VANY, FENCE ASH = ASPHALT PCP = PERMANENT CONTROL PONT LR. = IRON PROBLEM | PLOP = IRON PROBLEM | PLOP = IRON PCD | PLOP = IR CERTIFIED TO: PATRICK JONES JP MORGAN CHASE BANK, N.A. ALL AMERICAN TITLE STEWART TITLE GUARANTY COMPANY Digitally signed by MARK A.

JOHNSON
DN: CrisiMARK A. JOHNSON,
OHING, JOHNSON
OHING, JOHNSON
OHING, JOHNSON
OHING, JOHNSON
Date: 2017.12.07 11.49.28 CERTIFICATION DON WILLIAMSON ASSOCIATES, INC. I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE FLORIDA STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS. THE SEAL AND UNDUE SIGNATURE APPEARING ON THIS DOCUMENT IS AUTHORIZED BY MARK A. JOHNSON PSM 6572 AND IS COMPLIAN WITH F.S. BIG17-7.0025(3) (a) (b) (c) (d) 6572 STATE OF FLORIDA I HEREBY CERTIFY THAT THIS SUR UNDER MY RESPONSIBLE CHARGE : FLORIDA STANDARDS OF PRACTICE A THE BOARD OF PROFESSIONAL LAND SEAL AND UNIQUE SIGNATURE APP DOCUMENT IS AUTHORIZED BY MARK PROFESSIONAL SURVEYORS
&
MAPPERS LB # 6945 MARK A. JOHNSON
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NUMBER 6572
NOT VALID WITHOUT THE ELECTRONIC
SICHATURE AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER 5020 GUNN HIGHWAY SUITE 220 A TAMPA, FL 33624 (B13) 265-4795 FAX (B13) 264-6062 WILLIAMSONSURVEYING@YERIZON.NET DATE: F.B. / PG. 12-6-2017 27 / 37 FIELD WORK BY: J.W. DATE: 12-7-2017 JOB # 17-1205 DRAFTED 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.
	Tam Requesting a Variance between 401 Mahagany DR and 416 Mahagany DR. Seffner FL 33584. There is approximately 485 feet in distance from the Front of 416 Mahagany DR. to the Pront of 411 Mahagany DR.
	It has been proven that youth with a stable home, and structure
	pave abetter Chance of becoming a productive member of Society;
	youth at 461 Mahugany DR will Range in age from 13-17 years of age, and finally have a stable home.
2.	A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code: Section (0.11-28 of the land Development Code, for austance)
	Separation between type A Community Residential Home Facilities
	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? NoYes 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 <i>Wetland Setback Memorandum</i> 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 19 th floor County Center).

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?

 [Will Offer Shelter to homeless youth as to the property at

 4110 Mahagany De. Offer Shelter to disabled adults. My property

 at 401 Mahagany Dr. we only house youth between the ages 13 17.

 Mate youth own at 401 mahagany Dr.
- 2. Describe how the literal requirem ents 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.

 There are over 3000 kids in foster case the LDC would deprive me of offerings some kids a save place to live. They would have a place to enjoy and Call fume.
- 3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose propert y would be affected by allowance of the variance.

 The youth will be under constant adult trained supervision. We have also placed surveillance cameras on the outside of the home I camera in the their front I on each side of the home, and I to cover the packyard. The youth will never leave the home or be outside without an adult who has been they intensive training to were see them.
- 4. Explain how the variance is in harmon y 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 intent to provide the applicate use of the land will be meet by giving youth a place to live.
- 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.

 Theleas no illegal act(s) being pelformed at the peoperty nor is the hardship self-imposed. I befree purchasing the property I used www. Florida health findled. Gov to search for other Facility [Ployidel (s) on the area and non appeared on the site within 1000 et of 401 managany dr. in Settrer, Fr 33584. Otherwise I would have searched for another peoperty. I am only looking to provide shelter for the youth that have been awarded to the state.
- 6. Explain how allowing the variance will result in substantia I justice being done, consider ing both the public benefit s intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.

 Justice will be done by allowing me to Shelter youth with no home of these own or no plane to call hance. Fairure to grant the variance will leave those loads still without a stable home environment.

Instrument #: 2022068923, Pg 1 of 2, 2/8/2022 8:30:02 AM DOC TAX PD(F.S. 201.02) \$2625.00, INT. TAX PD (F.S. 199) \$0.00, DOC TAX PD (F.S. 201.08) \$0.00, Deputy Clerk: O Cindy Stuart, Clerk of the Circuit Court Hillsborough County



Prepared by Elizabeth Knightly, an employee of First American Title Insurance Company 1731 South Kings Avenue Brandon, Florida 33511 (813)514-2828

Return to: Grantee

File No.: 13579-2729224

WARRANTY DEED

THIS INDENTURE, executed on February 04, 2022, between

Patrick Jones married man, joined by spouse Elaine Jones

whose mailing address is: 3465 Seneca Club Loop Unit #A, Orlando, FL 32808, hereinafter called the "grantor", and

Toni Vonshaye Sullivan, an unmarried person

whose mailing address is: 421 Country Vineyard Dr, Valrico, FL 33594, hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

WITNESSETH: The grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration, receipt whereof is hereby acknowledged, by these presents does grant, bargain, release, convey and confirms unto the grantee, their heirs and assigns, all that certain land situate in **Hillsborough** County, **FL**, to-wit:

Lot 28, Block E, BRANDON GROVES SECTION TWO, according to the map or plat thereof, as recorded in Plat Book 52, Page(s) 3-1, of the Public Records of Hillsborough County, Florida.

Parcel Identification Number: 668832256

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way 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 31st of 2021.

In Witness Whereof , the grantor has hereunto set t above written.	heir hand(s) and seal(s) the day and year first
Patrick Jones	
Elaine Jones	
Signed, sealed and delivered in our presence: Witness Signature	Kristino Butino Witness Signature
Print Name	Kristina Butera Print Name
State of FURINA County of HUSBUROUGH	
The Foregoing Instrument Was Acknowledged by online notarization, on, by Jones.	pefore me by means of prophysical presence or prophysi
Notary Public (Printed Name)	DARCIE JARRETT State of Florida-Notary Public Commission # GG 188099 My Commission Expires February 20, 2022
My Commission expires: 2 20 2022 Personally Known □ OR Produced Identification ☑	{Notarial Seal}
Type of Identification Produced a valid driver's license	

Received 06-10-2022 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: 401 Mahagany DeCity/State/Zip: Seffner, FL 33584TWN-RN-SEC:		
Folio(s): Oble 883 - 2256 Zoning: RSC-6	Future Land Use: Property Size:	
Property Owner		
Name: Toni Sullivan		
Address: 421 Courtry Uneyard Sil	City/State/Zip: ValRico, FZ 33594	
Email: Mother of Nees place @ gmail. com	FAX Number:	
*		
Name: Same as above Applicant Inf	Daytime Phone:	
Address:	City/State/Zip:	
Email:	FAX Number:	
Applicant's Representative	ve (if different than above)	
Name:	Daytime Phone:	
Address:	City / State/Zip:	
Email:	FAX Number:	
I HEREBY S WEAR OR AFFIRM THAT AL L THE INFORMATION PROVIDED IN THIS APP LICATION 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.	I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BI NDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS.	
Signature of Applicant Toni V. Sull Nan	Signature of Property Owner	
Type or Print Name	Type or Print Name	
	٤	
Intake Staff Signature: Clare Odell Office Us	e Only Intake Date: 06/10/22	
Case Number: 22-1060	Public Hearing Date: 8/22/2022	
Receipt Number: 168212		

Development Services Department, 601 E Kennedy Blvd. 20th Floor

07/02/2014



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Residential
INFL	i
Zoning	RSC-6
Description	Residential - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0385H
FIRM Panel	12057C0385H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Х
Pre 2008 Firm Panel	1201120385E
County Wide Planning Area	Brandon
Community Base Planning Area	Brandon
Census Data	Tract: 012207 Block: 3009
Future Landuse	R-6
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 4
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Hillsborough County Fibrida

Folio: 66883.2256 PIN: U-14-29-20-2B4-E00000-00028.0 TONI VONSHAYE SULLIVAN Mailing Address: 421 COUNTRY VINEYARD DR VALRICO, FL 33594 Site Address: 401 MAHOGANY DR SEFFNER, FI 33584 SEC-TWN-RNG: 14-29-20

Acreage: 0.20942301 Market Value: \$307,437.00 Landuse Code: 0100 SINGLE FAMILY

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.

2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-1134

REQUEST: The applicant is requesting setback and height variances for a proposed golf driving range barrier net on property zoned PD 73-0186, as last modified by PRS 22-0357 (Villages of Cypress Creek).

VARIANCE(S):

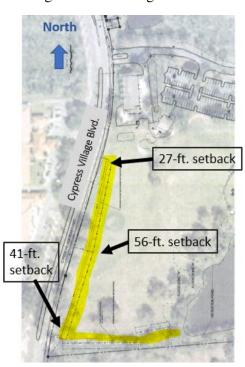
- 1. Per LDC Section 6.11.04.C, accessory structures shall be permitted in front yards at twice the depth of the required front yard, or 50 feet, whichever is less. The conditions of approval for PD 73-0186, as modified, do not expressly address setback requirements for the subject property. However, staff has determined that the required front yard is 20 feet. Therefore, a minimum front setback of 40 feet must be provided for the proposed barrier net. The applicant requests a 13-foot reduction to the required front setback to allow a setback of 27 feet from the west property line along Cypress Creek Boulevard.
- 2. Per LDC Section 6.11.04.B, accessory structures shall not exceed 15 feet in height, except where the accessory structure meets the primary building setbacks of the district, in which case the maximum permitted height of the district is allowed. The conditions of approval for PD 73-0186, as modified, do not expressly address setback and height requirements for the subject property. However, staff has determined that the required front yard is 25 feet and the required side yard is 10 feet. Additionally, the maximum permitted structure height is 45 feet. As proposed, the subject barrier net will be set back 27 feet from the front property line along Cypress Creek Boulevard and 41 feet from the south property line, which is a side lot line, and therefore meets primary building setbacks and is permitted a height of 45 feet. The applicant requests a 15-foot increase in the permitted height to allow a height of 60 feet.

FINDINGS:

• As shown on the site plan submitted by the applicant, the subject barrier net will have a setback ranging from 27 feet to 41 feet from the west property line, and from 41 feet to 53 feet from the south property line.

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.



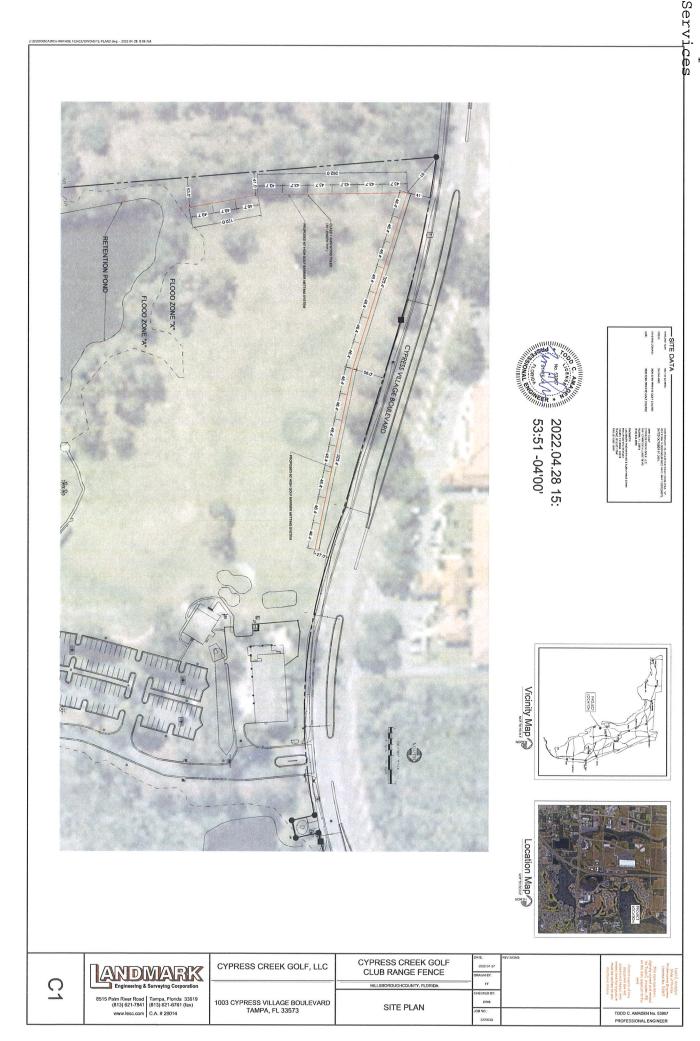
ADMINISTRATOR'S SIGN-OFF

Attachments: Application Site Plan

Petitioner's Written Statement

Current Deed

126



Application Number: _	
-----------------------	--

VARIANCE REQUEST

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.		
Please see attached narrative.		
Section 6.11.04		
ADDITIONAL INFORMATION		
Have you been cited by Hillsborough County Code Enforcement? NoX Yes If yes, you must submit a copy of the Citation with this Application.		
Do you have any other applications filed with Hillsborough County that are related to the subject property? NoYes X If yes, please indicate the nature of the application and the case numbers assigned to the application(s): Minor Site Development Review		
Is this a request for a wetland setback variance? No Yes Yes If yes, you must complete the <i>Wetland Setback Memorandum</i> and all required information must be included with this Application Packet (Attachment A).		
Please indicate the existing or proposed utilities for the subject property: Public WaterX Public WastewaterX Private Well Septic Tank		
Is the variance to allow a third lot on well and/or septic or non-residential development with an intensity of thre ERC's? NoX 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 you public hearing (form may be obtained from 19 th floor County Center).		

3 07/02/2014

Variance Application 1003 Cypress Village Blvd.

The Applicant seeks to install a golf barrier netting system in conjunction with development of a driving range, which will complement the contiguous golf course. The barrier is comprised of a system of poles and netting, making it largely transparent, while protecting adjacent rights of way and properties from the range's golf balls. County staff has determined that this system constitutes an accessory structure, and that, as proposed, it requires a front yard setback variance and a height variance. Please see the below responses to the variance criteria and attached pictures of a similar existing netting system.

- 1. Unique and Singular: The hardship is unique and singular due to the fact that the use is a driving range situated parallel to a large road, which obviously requires additional, specific safety precautions above and beyond other uses. In order to prevent golf balls from impacting neighboring landowners (not to mention cars on the adjacent road), a barrier system must be constructed that is quite tall and located just as proposed. Additionally, the geometry of the adjacent road is such that the fence needs to encroach somewhat into the ordinarily-required 50' front yard setback.
- 2. Literal Requirements of the LDC would deprive Applicant of rights commonly enjoyed: Other properties in the district do not have the unique safety requirements as the Applicant. Neighboring property owners and drivers on Cypress Village Boulevard would not like it if the barrier were not as tall and located the way the barrier is proposed to be located, as they would continue to run the risk of being struck by golf balls.
- 3. The variance will not substantially interfere with rights of others: First, the proposed barrier is primarily composed of netting, thus rendering it largely transparent (see the attached pictures). But more importantly, to not erect the barrier as proposed would absolutely interfere with the rights of those neighbors in the path of the golf balls. Obtaining this variance will ensure that no one's rights are interfered with. It is also worth pointing out that Applicant's golf course is located to the north and east of the barrier system. Properties to the west are developed as an ALF and medical uses and are buffered by Cypress Village Blvd. There is multifamily residential to the south, which is buffered by a large stand of trees.
- 4. The variance is in harmony with the LDC and Comprehensive Plan: The LDC and Comprehensive Plan are primarily concerned with the health, safety and welfare of the public, which is precisely why these variances are needed. Further, the location of the barrier system is appropriate to the recreational use with which it is associated and located in such a way as to maximally ensure harmony with its neighbors. It is worth noting that Applicant has actually already received approval from the Villages at Cypress Creek HOA to install the system.
- 5. The variance is not due to a self-imposed hardship: The hardship is a result of the nature of the use and the geometry of the road, and the Applicant is requesting these variances to ensure that the use may be conducted safely. Applicant purchased this golf course in February 2022, and the driving range was already located exactly where it is without these important safety features.
- 6. The variance will result in substantial justice being done: Given the lack of harm to any neighboring properties and the necessity of a tall, well-located barrier system to ensure the safety

of those neighboring property owners, granting the requested variances would result in substantial justice being done.

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.

	Please see attached narrative.
2	Describe how the literal requirem ents 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. Please see attached narrative.
3.	Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose propert y would be affected by allowance of the variance.
	Please see attached narrative.
4.	Explain how the variance is in harmon y 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). Please see attached narrative.
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. Please see attached narrative.
6.	Explain how allowing the variance will result in substantia l justice being done, consider ing both the public benefit s intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.
	Please see attached narrative.

4





EXHIBIT "A" (LEGAL DESCRIPTION)

A parcel of land lying in Sections 1, 2 and 11, all being in Township 32 South, Range 19 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

Commence at the Southwest corner of CYPRESS CREEK VILLAGE "A", as recorded in Plat Book 63, Page 8, of the public records of Hillsborough County, Florida, for a Point of Beginning; thence along the Southerly boundary of said CYPRESS CREEK VILLAGE "A" the following ten (10) courses: (1) North 74°27'00" East, 259.30 feet; (2) North 06°30'19" West, 568.37 feet; (3) North 83°29'41" East, 292.80 feet; (4) North 45°00'00" East, 191.81 feet; (5) North 32°00'00" East, 719.92 feet; (6) North 77°00'00" East, 379.58 feet; (7) North 65°30'00" East, 261.42 feet; (8) North 34°17'52" East, 201.04 feet; (9) North 03°05'45" East, 226.46 feet; (10) North 58000'00" East, 100.21 feet to the Southeast corner of said CYPRESS CREEK VILLAGE "A"; thence the following thirty-five (35) courses: (1) North 58000'00" East, 455.00 feet; (2) North 79°07'47" East, 58.65 feet; (3) North 89°44'04" East, 162.94 feet; (4) North 87°32'52" East, 113.08 feet; (5) North 84°18'09" East, 135.13 feet; (6) North 81°03'26" East, 135.13 feet; (7) North 77°48'43" East, 135.13 feet; (8) North 74°33'59" East, 140.85 feet; (9) South 75° 04'40" East, 347.09 feet; (10) South 76°53'54" East, 491.58 feet; (11) North 90°00'00" East, 297.12 feet; (12) South 03°33'09" East, 614.42 feet; (13) South 49°45'48" West, 216.75 feet; (14) South 77 °36'15" West, 346.52 feet; (15) North 79049'36" West, 230.09 feet; (16) North 47°21'01" West, 708.63 feet; (17) South 67°36'48" West, 537.91 feet; (18) South 60°31'40" West, 250.20 feet; (19) South 17°47'20" West, 470.56 feet; (20) South 65°43'17" West, 629.33 feet; (21) North 83°57'58" West, 364.65 feet; (22) South 08°25'57" West, 81.08 feet; (23) South 76°30'41" East, 199.98 feet; (24) South 42°54'15" West, 282.81 feet; (25) South 86°18'53" West, 445.04 feet; (26) South 24°48'03" West, 143.02 feet; (27) South 88°52'49" East, 367.46 feet; (28) South 05°18'54" East, 845.90 feet; (29) South 48°36'57" West, 307.67 feet; (30) South 01°09'42" West, 153.02 feet; (31) North 70°31'19" East, 349.66 feet; (32) South 78°20'16" East, 399.88 feet; (33) South 83°37'53" East, 821.00 feet; (34) North 72°54'10" East, 856.39 feet; (35) North 01°54'03" East, 269.84 feet to a point on the environmental line as surveyed; thence along said surveyed environmental line the following three (3) courses: (1) North 03°47'49" West, 133.14 feet; (2) North 59°25'37" East, 49.40 feet; (3) North 60°13'05" East, 10.85 feet; thence South 21°03'06" East, 258.03 feet to a point on the centerline of Cypress Creek; thence along said centerline the following four (4) courses: (1) South 07°33'32" East, 362.22 feet; (2) South 20°12'20" East, 371.35 feet to a point on a nontangent curve; (3) Southeasterly, 1134.28 feet along the arc of a curve to the right having a radius of 3200.00 feet and central angle of 20°18'33" (chord bearing and distance South 10°53'50" East, 1128.35 feet) to a point of tangency; (4) South 00°44'33" East, 1385.15 feet to a point on the Northerly right-of-way line of Upper Creek Drive as recorded in Official Records Book 5361, Page 240, of the public records of Hillsborough County, Florida; thence continue along said Northerly right-of-way line the following two (2) courses: (1) South 89°15'27" West, 200.02 feet to a point of curvature; (2) Northwesterly, 95.04 feet along the arc of a curve to the right having a radius of 966.00 feet and central angle of 050°8'13" (chord bearing and distance North 87°55'12" West, 95.00 feet); thence departing said right-of-way line run thence the following seven (7) courses: (1) North 01°39'28" West, 185.89 feet; (2) North 24°32'13" West, 330,61 feet; (3) North 54°50'28" West, 769.89 feet; (4) North 62°44'24" West, 322.24 feet; (5) South 66°19'47" West, 357.06 feet; (6) South 64°51'36" West, 727.22 feet; (7) North 70°17'20" West, 80.63 feet to a point on the Easterly right-of-way line of La Paloma Drive in LA PALOMA VILLAGE, UNIT 1, as recorded in Plat Book 65, Page 24, of the public records of Hillsborough County, Florida; said point also being on the arc of a curve; thence along said Easterly right-of-way line the following seven (7) courses: (1) Northeasterly, 48.07 feet along the arc of said curve to the left having a radius of 360.00 feet and central angle of 07°39'04" (chord bearing and distance North 03°49'34" East, 48.04 feet) to a point of tangency; (2) North, 102.74 feet to a point of curvature; (3) Northeasterly, 22.41 feet along the arc of a curve to the right having a radius of 100.00 feet and central angle of 12°50'19" (chord bearing and distance North 06°25'09" East, 22.36 feet) to a point of reverse curvature; (4) Northeasterly, 22.41 feet along the arc of a curve to the left having a radius of 100.00 feet and a central angle of 12°50'19"

(chord bearing and distance North 06°25'09" East, 22.36 feet) to a point of tangency; (5) North, 55.00 feet to a point of curvature; (6) Northwesterly, 31.76 feet along the arc of a curve to the left having a radius of 100,00 feet and central angle of 18 011'42" (chord bearing and distance North 09°05'51" West, 31.62 feet) to a point of reverse curvature; (7) Northwesterly, 31.76 feet along the arc of a curve to the right having a radius of 100,00 feet and central angle of 18° 11'42" (chord bearing and distance North 09°05'51" West, 31.62 feet) to a point of tangency, said point also being on the Southerly boundary of said LA PALOMA VILLAGE, UNIT 1; departing said La Paloma Drive run thence along said Southerly boundary of LA PALOMA VILLAGE, UNIT 1 the following two (2) courses: (1) East, 123.48 feet; (2) North 58°18'53" East, 109,19 feet to the Southeast corner of said LA PALOMA VILLAGE, UNIT 1; thence the following thirty (30) courses: (1) North 58°18'53" East, 400.00 feet; (2) North 67°51'05" East, 69.84 feet; (3) North 88°54'43" East, 75.70 feet; (4) North 90°00'00" East, 559.38 feet; (5) South 40°53'56" East, 174.78 feet; (6) South 85°53'56" East, 113,14 feet; (7) North 49°06'04" East, 143.52 feet to a point on a curve; (8) Northeasterly, 117.32 feet along the arc of said curve to the left, having a radius of 50.00 feet and central angle of 134°26'26" (chord bearing and distance North 50°15'51' East, 92.20 feet); (9) North 61°18'35" East, 123,55 feet; (10) North 40°53'56" West, 355.00 feet; (11) North 21°32'07" West, 71.77 feet; (12) North, 170.00 feet; (13) South 90°00'00" East, 200.00 feet; (14) North, 160.43 feet; (15) South 90000'00" East, 248,87 feet; (16) North 31°53'48" West, 70.00 feet; (17) North 33°46'14" West, 85,76 feet; (18) North 12° 24'49" West, 99.08 feet; (19) North 18°03'30" East, 55.24 feet; (20) North 07°04'02" West, 178.27 feet; (21) North 85°45'38" West, 194.66 feet; (22) South 80°09'32" West, 549.03 feet; (23) South 90°00'00" West, 831.97 feet; (24) North 36°30'43" West, 316,89 feet; (25) North 66°06'48" West, 95.00 feet; (26) South 84°03'10" West, 270.00 feet; (27) South 42°39'09" West, 367.00 feet; (28) South 33°06'11" East, 350.00 feet; (29) South 28°01'02" West, 253.93 feet; (30) South 00°31'00" East, 122.16 feet to the Northwest corner of LA PALOMA VILLAGE UNIT 2 PHASE 1A, as recorded in Plat Book 80, Page 25, of the public records of Hillsborough County, Florida; thence along the Westerly boundary of said LA PALOMA VILLAGE UNIT 2 PHASE 1A, continue South 00°31'00" East, 261.38 feet to the Northwest corner of said LA PALOMA VILLAGE, UNIT 1; thence along the Westerly boundary of said LA PALOMA VILLAGE, UNIT 1, the following four (4) courses: (1) South 00°31'00" East, 213.95 feet; (2) South 18°29'08" East, 98.09 feet; (3) South 40°52'28" East, 162.42 feet; (4) South 47°13'50" East, 74.11 feet to a point on the Southerly boundary of said LA PALOMA VILLAGE, UNIT 1; thence along said Southerly boundary South 77°05'40" East, 61,34 feet; thence departing said Southerly boundary South 12°54'20" West, 15.00 feet; thence South 77°05'40" East, 50.10 feet; thence South 90°00'00" East, 48.97 feet; thence North 00°18'24" West, 15.00 feet to a point on the aforesaid Southerly boundary of LA PALOMA VILLAGE UNIT 1; thence along said Southerly boundary North 90°00'00" East, 25.74 feet to a point on the arc of a curve, said point also being on the Westerly boundary of said La Paloma Drive; thence along said Westerly boundary line the following eight (8) courses: (1) Southwesterly, 31.76 feet along the arc of said curve to the right having a radius of 100.00 feet and central angle of 18°11'42" (chord bearing and distance South 09°05'51" West, 31.62 feet) to a point of reverse curvature; (2) Southwesterly, 31.76 feet along the arc of a curve to the left having a radius of 100.00 feet and central angle of 18°11'42" (chord bearing and distance South 09°05'51" West, 31.62 feet) to a point of tangency; (3) South, 55.00 feet to a point of curvature; (4) Southeasterly, 22.41 feet along the arc of a curve to the left having a radius of 100.00 feet and central angle of 12°50'19" (chord bearing and distance South 06°25'09" East, 22.36 feet) to a point of reverse curvature; (5) Southeasterly, 22.41 feet along the arc of a curve to the right having a radius of 100.00 feet and central angle of 12°50'19" (chord bearing and distance South 06°25'09" East, 22.36 feet) to a point of tangency; (6) South, 102.74 feet to a point of curvature; (7) Southwesterly, 101.41 feet along the arc of a curve to the right having a radius of 290,00 feet and central angle of 20°02'12" (chord bearing and distance South 10°01'06" West, 100.90 feet) to a point of reverse curvature; (8) Southeasterly, 95,85 feet along the arc of a curve to the left having a radius of 260.00 feet and central angle of 21°07'22" (chord bearing and distance South 09°28'31" West, 95.31 feet); departing said Westerly boundary run thence the following six (6) courses: (1) North 03°19'41" West, 107.19 feet; (2) North 48°36'57" West, 537.36 feet; (3) North 66°28'01" West, 242.90 feet; (4) North 09°02'38" East, 307.21 feet; (5) North 03°57'49" West, 907.37 feet; (6) South 84°21'33" West, 747,10 feet to a point on the Easterly right-of-way

line of Cypress Village Boulevard, as recorded in Official Records Book 5361, Page 243, of the public records of Hillsborough County, Florida, said point also being on the arc of a curve; thence along said Easterly boundary the following three (3) courses: (1) Northeasterly, 294.25 feet along the arc of said curve to the right having a radius of 1805.00 feet and central angle of 09°20'26" (chord bearing and distance of North 11°12'17" East, 293.93 feet) to a point of tangency; (2) North 15°52'30" East, 455.03 feet to a point of curvature; (3) Northeasterly, 443.29 feet along the arc of a curve to the left having a radius of 895.00 feet and central angle of 28°22'42" (chord bearing and distance North 01°41'09" East, 438.77 feet) to the Southwest corner of Pump Station No. 2 as recorded in Official Records Book 5361, Page 246, of the public records of Hillsborough County, Florida; departing said Easterly boundary of Cypress Village Boulevard run thence along the boundary of Pump Station No. 2 the following three (3) courses: (1) North 76°28'20" East, 41.00 feet; (2) North 13°31'40" West, 32.00 feet; (3) South 76°28'20" West, 41.00 feet to a point on the aforementioned Easterly boundary of Cypress Village Boulevard said point also being on the arc of a curve; thence along said Easterly boundary the following two (2) courses: (1) Northwesterly, 15.59 feet along the arc of a curve to the left having a radius of 895.00 feet and central angle of 00°59'54" (chord bearing and distance North 15°03'03" West, 15.59 feet) to a point of tangency; (2) North 15°33'00" West, 197.70 feet to the Point of Beginning.

AND TOGETHER WITH THE FOLLOWING LANDS:

A parcel of land lying in the Northwest 1/4 of Section 1 and in the North 1/2 of Section 2 in Township 32 South, Range 19 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

Commence at the most Northeast corner of CYPRESS CREEK - VILLAGE "A", according to the map or plat thereof as recorded in Plat Book 63, Page 8, Public Records of Hillsborough County, Florida, also being the intersection of the East right-of-way line of Palmas Lane and the Southerly right-of-way line of 19th Avenue Northwest as recorded in Official Records Book 3931, Page 1227, Public Records of Hillsborough County, Florida, run thence along the said Southerly right-of-way line of 19th Avenue Northwest the following six (6) courses: 1) North 89°44'04" East, 884.92 feet to a point of curvature; 2) Northeasterly 557.55 feet along the arc of a curve to the left having a radius of 1862.21 feet and a central angle of 17°09'16" (chord bearing North 81°09'26" East, 555.47 feet; 3) South 17°25'12" East, 10.00 feet to a point on a curve; 4) Northeasterly 92.98 feet along the arc of a curve to the left having a radius of 1872.21 feet and a central angle of 02°50'44" (chord bearing North 71°09'26" East, 92.97 feet; 5) North 20°15'56" West, 10.00 feet to a point on a curve; 6) Northeasterly, 894.29 feet along the arc of a curve to the left having a radius of 1862.21 feet and a central angle of 27°30'55" (chord bearing of North 55°58'36" East, 885.72 feet; thence South 14°55'26" East, 41.41 feet; thence South 01°23'19" West, 43.57 feet; thence South 26°04'52" East, 27.10 feet; thence South 70°25'15" East, 37.50 feet; thence South 39°43'00" East, 28.64 feet; thence South 44°22'12" East, 43.19 feet; thence South 19°35'59" East, 23.12 feet; thence South 63°41'54" East, 24.99 feet; thence North 54°00'32" East, 20.58 feet; thence North 77°04'18" East, 36.72 feet; thence South 58°44'49" East, 42.24 feet; thence South 14°05'49" East, 19.22 feet; thence North 80°44'50" East, 47.99 feet; thence North 16°32'19" East, 41.68 feet; thence North 66°09'53" East, 34.73 feet; thence South 81°35'17" East, 36.97 feet; thence South 28°10'33" East, 25.84 feet; thence South 67°13'15" East, 30.48 feet; thence South 49°08'22" East, 25.09 feet; thence South 17°05'28" East, 25.00 feet; thence South 05°52'10" West, 23.13 feet; thence South 73°05'11" West, 32.79 feet; thence South 68°04'48" West, 23.07 feet; thence South 12°02'45" West, 89.70 feet; thence South 10°32'37" West, 62.17 feet; thence South 16°14'56" East, 34.02 feet, thence South 42°00'14" East, 17.25 feet; thence South 17°20'19" East, 18.81 feet; thence South 86°13'22" West, 25.67 feet; thence South 48°24'29" West, 27.11 feet; thence South 15°02'40" West, 31.28 feet; thence South 52°51'36" West, 30.32 feet; thence South 61°35'40" West, 37.12 feet; thence South 18°04'11" West, 18.52 feet; thence South 00°16'44" East, 23.81 feet; thence South 24°20'57" East, 18.82 feet; thence South 37°35'15" West, 37.18 feet; thence South 71°01'50" East, 93,00 feet; thence South 64°32'16" West, 37.51 feet; thence South 55°26'30" East, 40.86 feet; thence South 39°10'09" East, 57.51 feet; thence South 02°18'47" West, 126.59 feet; thence South 44°02'55" East, 108.69 feet; thence South 68°19'00" West, 68.68 feet; thence South 10°25'52" West, 79.80 feet; thence South 20°45'54" East, 60.37 feet; thence South 00°24'40" East, 61.04 feet; thence South 47°28'06" West, 24.39 feet; thence West, 212.72 feet to the Point of Beginning; thence North 12°14'27" East, 83.02 feet; thence Northwesterly, 54.25 feet along the arc of a curve to the right having a radius of 50.00 feet, a central angle of 62°09'55" (a chord bearing and distance of North 46°40'35" West, 51.63 feet); thence West, 111.84 feet; thence North, 113.07 feet; thence South 60°09'23" West, 229.44 feet; thence South 82°46'45" West, 93.39 feet; thence North 82°04'00" West, 55.87 feet; thence South 76°53'54" East, 491.58 feet to the Point of Beginning.

AND

A parcel of land lying in the North 1/2 of Section 2 in Township 32 South, Range 19 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

Commence at the most Northeast corner of CYPRESS CREEK - VILLAGE "A", according to the map or plat thereof as recorded in Plat Book 63, Page 8, Public Records of Hillsborough County, Florida, also being the intersection of the East right-of-way line of Palmas Lane and the Southerly right-of-way line of 19th Avenue Northwest as recorded in Official Records Book 3931, Page 1227, Public Records of Hillsborough County, Florida, run thence along the said Southerly right-of-way line of 19th Avenue Northwest the following six (6) courses: 1) North 89°44'04" East, 884.92 feet to a point of curvature; 2) Northeasterly 557.55 feet along the arc of a curve to the left having a radius of 1862.21 feet and a central angle of 17°09'16" (chord bearing North 81°09'26" East, 555.47 feet; 3) South 17°25'12" East, 10.00 feet to a point on a curve; 4) Northeasterly 92.98 feet along the arc of a curve to the left having a radius of 1872,21 feet and a central angle of 02°50'44" (chord bearing North 71°09'26" East, 92.97 feet; 5) North 20°15'56" West, 10.00 feet to a point on a curve; 6) Northeasterly, 894.29 feet along the arc of a curve to the left having a radius of 1862.21 feet and a central angle of 27°30'55" (chord bearing of North 55°58'36" East, 885.72 feet; thence South 14°55'26" East, 41.41 feet; thence South 01°23'19" West, 43.57 feet; thence South 26°04'52" East, 27.10 feet; thence South 70°25'15" East, 37.50 feet; thence South 39°43'00" East, 28.64 feet; thence South 44°22'12" East, 43.19 feet; thence South 19°35'59" East, 23.12 feet; thence South 63°41'54" East, 24.99 feet; thence North 54°00'32" East, 20.58 feet; thence North 77°04'18" East, 36.72 feet; thence South 58°44'49" East, 42.24 feet; thence South 14°05'49" East, 19.22 feet; thence North 80°44'50" East, 47.99 feet; thence North 16°32'19" East, 41.68 feet; thence North 66°09'53" East, 34.73 feet; thence South 81°35'17" East, 36.97 feet; thence South 28°10'33" East, 25.84 feet; thence South 67°13'15" East, 30.48 feet; thence South 49°08'22" East, 25.09 feet; thence South 17°05'28" East, 25.00 feet; thence South 05°52'10" West, 23.13 feet; thence South 73°05'11" West, 32.79 feet; thence South 68°04'48" West, 23.07 feet; thence South 12°02'45" West, 89.70 feet; thence South 10°32'37" West, 62.17 feet; thence South 16°14'56" East, 34.02 feet, thence South 42°00'14" East, 17.25 feet; thence South 17°20'19" East, 18.81 feet; thence South 86°13'22" West, 25.67 feet; thence South 48°24'29" West, 27.11 feet; thence South 15°02'40" West, 31.28 feet; thence South 52°51'36" West, 30.32 feet; thence South 61°35'40" West, 37.12 feet; thence South 18°04'11" West, 18.52 feet; thence South 00°16'44" East, 23.81 feet; thence South 24°20'57" East, 18.82 feet; thence South 37°55'15" West, 37.18 feet; thence South 71°01'50" East, 93.00 feet; thence South 64°32'16" West, 37.51 feet; thence South 55°26'30" East, 40.86 feet; thence South 39°10'09" East, 57.51 feet; thence South 02°18'47" West, 126.59 feet; thence South 44°02'55" East, 108.69 feet; thence South 68°19'00" West, 68.68 feet; thence South 10°25'52" West, 79.80 feet; thence South 20°45'54" East, 60.37 feet; thence South 00°24'40" East, 61.04 feet; thence South 47°28'06" West, 24.39 feet; thence West, 212.72 feet; thence North 12°14'27" East, 83.02 feet; thence Northwesterly, 54.25 feet along the arc of a curve to the right having a radius of 50.00 feet, a central angle of 62°09'55" (a chord bearing and distance of North 46°40'35" West, 51.63 feet); thence West, 111.84 feet; thence North, 113.07 feet; thence South 60°09'23" West, 229.44 feet; thence South 82°46'45" West, 93.39 feet; thence North 82°04'00" West, 55.87 feet to the Point of Beginning; thence North 66°54'46' West, 55.87 Instrument #: 2022063617, Pg 7 of 9

feet; thence North 51°45'32" West, 55.87 feet; thence North 36°36'17" West, 115.50 feet; thence South 69°08'56" West, 29.10 feet; thence South 71°02'47" West, 152.30 feet; thence South 75°04'40" East 347.09 feet to the Point of Beginning.

Instrument #: 2022063617, Pg 1 of 9, 2/4/2022 9:50:28 AM DOC TAX PD(F.S. 201.02) \$9100.00, INT. TAX PD (F.S. 199) \$0.00, DOC TAX PD (F.S. 201.08) \$0.00, Deputy Clerk: O Cindy Stuart, Clerk of the Circuit Court Hillsborough County

Prepared by and return to; Jeffrey C. Shannon P.A. 2025 E. 7th Ave. Tampa, FL 33605

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made this _____ day of February, 2022, by DF CYPRESS CREEK PROPERTIES, LLC, a Florida limited liability company, whose address is 3225 S. MacDill Ave., Suite 129-110, Tampa, FL 33629 ("Grantor"), to CYPRESS CREEK GOLF, LLC, a Florida limited liability company ("Grantee"), whose post office address is 10688 Crestwood Drive, Suite D, Manassas, VA 20109.

WITNESSETH:

That Grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto Grantee and to Grantee's heirs, successors and assigns all of Grantor's right, title and interest in and to the following described land (the "Property") located in Hillsborough County, Florida:

See Exhibit "A" attached hereto and made a part hereof for the legal description of the Property.

NOTE: THE PROPERTY IS NOT THE HOMESTEAD PROPERTY OF GRANTOR HEREIN.

TOGETHER with all the tenements, hereditaments, and appurtenances thereto.

TO HAVE AND TO HOLD the same unto Grantee and Grantee's heirs, successors, and assigns in fee simple forever.

This conveyance is made subject to applicable zoning ordinances, matters appearing on any recorded plat of the Property, taxes for 2022 and subsequent years, and those matters listed on **Exhibit "B"** attached hereto (collectively, the **"Permitted Exceptions"**); provided, however, that neither Grantor nor Grantee intend to reimpose any Permitted Exceptions nor shall this conveyance operate to reimpose or extend any Permitted Exceptions.

And Grantor does hereby covenant with Grantee that, except as noted above, title to the Property is free from all encumbrances made by Grantor, and that Grantor will warrant and defend the same against the lawful claims and demands of all persons claiming by, through or under Grantor (except as noted above), but against none other.

IN WITNESS WHEREOF, Grantor has executed this deed the day and year first above written.

Witnesses

GRANTOR:

DF CYPRESS CREEK PROPERTIES, LLC, a Florida limited liability company

By: DF Management, Inc., a Florida corporation, as manager

Name:

By:

Kevin M. Dutkowsky, Director

Name:

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 3 day of February 2022, by Kevin M. Dutkowsky, as a Director of DF Management, Inc., a Florida corporation, which is the manager of DF Cypress Creek Properties, LLC, a Florida limited liability company, on behalf of the limited liability company, and who is personally known or produced as identification.

(AFFIX NOTARY SEAL)

Print Name: la mare (Notary Public)

My Commission Expires:

EXHIBIT "A" (LEGAL DESCRIPTION)

A parcel of land lying in Sections 1, 2 and 11, all being in Township 32 South, Range 19 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

Commence at the Southwest corner of CYPRESS CREEK VILLAGE "A", as recorded in Plat Book 63, Page 8, of the public records of Hillsborough County, Florida, for a Point of Beginning; thence along the Southerly boundary of said CYPRESS CREEK VILLAGE "A" the following ten (10) courses: (1) North 74°27'00" East, 259.30 feet; (2) North 06°30'19" West, 568.37 feet; (3) North 83°29'41" East, 292.80 feet; (4) North 45°00'00" East, 191.81 feet; (5) North 32°00'00" East, 719.92 feet; (6) North 77°00'00" East, 379.58 feet; (7) North 65°30'00" East, 261.42 feet; (8) North 34°17'52" East, 201.04 feet; (9) North 03°05'45" East, 226.46 feet; (10) North 58000'00" East, 100.21 feet to the Southeast corner of said CYPRESS CREEK VILLAGE "A"; thence the following thirty-five (35) courses: (1) North 58000'00" East, 455.00 feet; (2) North 79°07'47" East, 58.65 feet; (3) North 89°44'04" East, 162.94 feet; (4) North 87°32'52" East, 113.08 feet; (5) North 84°18'09" East, 135.13 feet; (6) North 81°03'26" East, 135.13 feet; (7) North 77°48'43" East, 135.13 feet; (8) North 74°33'59" East, 140.85 feet; (9) South 75° 04'40" East, 347.09 feet; (10) South 76°53'54" East, 491.58 feet; (11) North 90°00'00" East, 297.12 feet; (12) South 03°33'09" East, 614.42 feet; (13) South 49°45'48" West, 216.75 feet; (14) South 77 °36'15" West, 346.52 feet; (15) North 79049'36" West, 230.09 feet; (16) North 47°21'01" West, 708.63 feet; (17) South 67°36'48" West, 537.91 feet; (18) South 60°31'40" West, 250.20 feet; (19) South 17°47'20" West, 470.56 feet; (20) South 65°43'17" West, 629.33 feet; (21) North 83°57'58" West, 364.65 feet; (22) South 08°25'57" West, 81.08 feet; (23) South 76°30'41" East, 199.98 feet; (24) South 42°54'15" West, 282.81 feet; (25) South 86°18'53" West, 445.04 feet; (26) South 24°48'03" West, 143.02 feet; (27) South 88°52'49" East, 367.46 feet; (28) South 05°18'54" East, 845.90 feet; (29) South 48°36'57" West, 307.67 feet; (30) South 01°09'42" West, 153.02 feet; (31) North 70°31'19" East, 349.66 feet; (32) South 78°20'16" East, 399.88 feet; (33) South 83°37'53" East, 821.00 feet; (34) North 72°54'10" East, 856.39 feet; (35) North 01°54'03" East, 269.84 feet to a point on the environmental line as surveyed; thence along said surveyed environmental line the following three (3) courses: (1) North 03°47'49" West, 133.14 feet; (2) North 59°25'37" East, 49.40 feet; (3) North 60°13'05" East, 10.85 feet; thence South 21°03'06" East, 258.03 feet to a point on the centerline of Cypress Creek; thence along said centerline the following four (4) courses: (1) South 07°33'32" East, 362.22 feet; (2) South 20°12'20" East, 371.35 feet to a point on a nontangent curve; (3) Southeasterly, 1134.28 feet along the arc of a curve to the right having a radius of 3200.00 feet and central angle of 20°18'33" (chord bearing and distance South 10°53'50" East, 1128.35 feet) to a point of tangency; (4) South 00°44'33" East, 1385.15 feet to a point on the Northerly right-of-way line of Upper Creek Drive as recorded in Official Records Book 5361, Page 240, of the public records of Hillsborough County, Florida; thence continue along said Northerly right-of-way line the following two (2) courses: (1) South 89°15'27" West, 200.02 feet to a point of curvature; (2) Northwesterly, 95.04 feet along the arc of a curve to the right having a radius of 966.00 feet and central angle of 050°8'13" (chord bearing and distance North 87°55'12" West, 95.00 feet); thence departing said right-of-way line run thence the following seven (7) courses: (1) North 01°39'28" West, 185.89 feet; (2) North 24°32'13" West, 330,61 feet; (3) North 54°50'28" West, 769.89 feet; (4) North 62°44'24" West, 322.24 feet; (5) South 66°19'47" West, 357.06 feet; (6) South 64°51'36" West, 727.22 feet; (7) North 70°17'20" West, 80.63 feet to a point on the Easterly right-of-way line of La Paloma Drive in LA PALOMA VILLAGE, UNIT 1, as recorded in Plat Book 65, Page 24, of the public records of Hillsborough County, Florida; said point also being on the arc of a curve; thence along said Easterly right-of-way line the following seven (7) courses: (1) Northeasterly, 48.07 feet along the arc of said curve to the left having a radius of 360.00 feet and central angle of 07°39'04" (chord bearing and distance North 03°49'34" East, 48.04 feet) to a point of tangency; (2) North, 102.74 feet to a point of curvature; (3) Northeasterly, 22.41 feet along the arc of a curve to the right having a radius of 100.00 feet and central angle of 12°50'19" (chord bearing and distance North 06°25'09" East, 22.36 feet) to a point of reverse curvature; (4) Northeasterly, 22.41 feet along the arc of a curve to the left having a radius of 100.00 feet and a central angle of 12°50'19"

(chord bearing and distance North 06°25'09" East, 22.36 feet) to a point of tangency; (5) North, 55.00 feet to a point of curvature; (6) Northwesterly, 31.76 feet along the arc of a curve to the left having a radius of 100,00 feet and central angle of 18 011'42" (chord bearing and distance North 09°05'51" West, 31.62 feet) to a point of reverse curvature; (7) Northwesterly, 31.76 feet along the arc of a curve to the right having a radius of 100.00 feet and central angle of 18° 11'42" (chord bearing and distance North 09°05'51" West, 31.62 feet) to a point of tangency, said point also being on the Southerly boundary of said LA PALOMA VILLAGE, UNIT 1; departing said La Paloma Drive run thence along said Southerly boundary of LA PALOMA VILLAGE, UNIT 1 the following two (2) courses: (1) East, 123.48 feet; (2) North 58°18'53" East, 109.19 feet to the Southeast corner of said LA PALOMA VILLAGE, UNIT 1; thence the following thirty (30) courses: (1) North 58°18'53" East, 400.00 feet; (2) North 67°51'05" East, 69.84 feet; (3) North 88°54'43" East, 75.70 feet; (4) North 90°00'00" East, 559.38 feet; (5) South 40°53'56" East, 174.78 feet; (6) South 85°53'56" East, 113,14 feet; (7) North 49°06'04" East, 143.52 feet to a point on a curve; (8) Northeasterly, 117.32 feet along the arc of said curve to the left, having a radius of 50.00 feet and central angle of 134°26'26" (chord bearing and distance North 50°15'51' East, 92.20 feet); (9) North 61°18'35" East, 123,55 feet; (10) North 40°53'56" West, 355.00 feet; (11) North 21°32'07" West, 71.77 feet; (12) North, 170.00 feet; (13) South 90°00'00" East, 200.00 feet; (14) North, 160.43 feet; (15) South 90000'00" East, 248,87 feet; (16) North 31°53'48" West, 70.00 feet; (17) North 33°46'14" West, 85,76 feet; (18) North 12° 24'49" West, 99.08 feet; (19) North 18°03'30" East, 55.24 feet; (20) North 07°04'02" West, 178.27 feet; (21) North 85°45'38" West, 194.66 feet; (22) South 80°09'32" West, 549.03 feet; (23) South 90°00'00" West, 831.97 feet; (24) North 36°30'43" West, 316,89 feet; (25) North 66°06'48" West, 95.00 feet; (26) South 84°03'10" West, 270.00 feet; (27) South 42°39'09" West, 367.00 feet; (28) South 33°06'11" East, 350.00 feet; (29) South 28°01'02" West, 253.93 feet; (30) South 00°31'00" East, 122.16 feet to the Northwest corner of LA PALOMA VILLAGE UNIT 2 PHASE 1A, as recorded in Plat Book 80, Page 25, of the public records of Hillsborough County, Florida; thence along the Westerly boundary of said LA PALOMA VILLAGE UNIT 2 PHASE 1A, continue South 00°31'00" East, 261.38 feet to the Northwest corner of said LA PALOMA VILLAGE, UNIT 1; thence along the Westerly boundary of said LA PALOMA VILLAGE, UNIT 1, the following four (4) courses: (1) South 00°31'00" East, 213.95 feet; (2) South 18°29'08" East, 98.09 feet; (3) South 40°52'28" East, 162.42 feet; (4) South 47°13'50" East, 74.11 feet to a point on the Southerly boundary of said LA PALOMA VILLAGE, UNIT 1; thence along said Southerly boundary South 77°05'40" East, 61,34 feet; thence departing said Southerly boundary South 12°54'20" West, 15.00 feet; thence South 77°05'40" East, 50.10 feet; thence South 90°00'00" East, 48.97 feet; thence North 00°18'24" West, 15.00 feet to a point on the aforesaid Southerly boundary of LA PALOMA VILLAGE UNIT 1; thence along said Southerly boundary North 90°00'00" East, 25.74 feet to a point on the arc of a curve, said point also being on the Westerly boundary of said La Paloma Drive; thence along said Westerly boundary line the following eight (8) courses: (1) Southwesterly, 31.76 feet along the arc of said curve to the right having a radius of 100.00 feet and central angle of 18°11'42" (chord bearing and distance South 09°05'51" West, 31.62 feet) to a point of reverse curvature; (2) Southwesterly, 31.76 feet along the arc of a curve to the left having a radius of 100.00 feet and central angle of 18°11'42" (chord bearing and distance South 09°05'51" West, 31.62 feet) to a point of tangency; (3) South, 55.00 feet to a point of curvature; (4) Southeasterly, 22.41 feet along the arc of a curve to the left having a radius of 100.00 feet and central angle of 12°50'19" (chord bearing and distance South 06°25'09" East, 22.36 feet) to a point of reverse curvature; (5) Southeasterly, 22.41 feet along the arc of a curve to the right having a radius of 100.00 feet and central angle of 12°50'19" (chord bearing and distance South 06°25'09" East, 22.36 feet) to a point of tangency; (6) South, 102.74 feet to a point of curvature; (7) Southwesterly, 101.41 feet along the arc of a curve to the right having a radius of 290,00 feet and central angle of 20°02'12" (chord bearing and distance South 10°01'06" West, 100.90 feet) to a point of reverse curvature; (8) Southeasterly, 95,85 feet along the arc of a curve to the left having a radius of 260.00 feet and central angle of 21°07'22" (chord bearing and distance South 09°28'31" West, 95.31 feet); departing said Westerly boundary run thence the following six (6) courses: (1) North 03°19'41" West, 107.19 feet; (2) North 48°36'57" West, 537.36 feet; (3) North 66°28'01" West, 242.90 feet; (4) North 09°02'38" East, 307.21 feet; (5) North 03°57'49" West, 907.37 feet; (6) South 84°21'33" West, 747,10 feet to a point on the Easterly right-of-way

line of Cypress Village Boulevard, as recorded in Official Records Book 5361, Page 243, of the public records of Hillsborough County, Florida, said point also being on the arc of a curve; thence along said Easterly boundary the following three (3) courses: (1) Northeasterly, 294.25 feet along the arc of said curve to the right having a radius of 1805.00 feet and central angle of 09°20'26" (chord bearing and distance of North 11°12'17" East, 293.93 feet) to a point of tangency; (2) North 15°52'30" East, 455.03 feet to a point of curvature; (3) Northeasterly, 443.29 feet along the arc of a curve to the left having a radius of 895.00 feet and central angle of 28°22'42" (chord bearing and distance North 01°41'09" East, 438.77 feet) to the Southwest corner of Pump Station No. 2 as recorded in Official Records Book 5361, Page 246, of the public records of Hillsborough County, Florida; departing said Easterly boundary of Cypress Village Boulevard run thence along the boundary of Pump Station No. 2 the following three (3) courses: (1) North 76°28'20" East, 41.00 feet; (2) North 13°31'40" West, 32.00 feet; (3) South 76°28'20" West, 41.00 feet to a point on the aforementioned Easterly boundary of Cypress Village Boulevard said point also being on the arc of a curve; thence along said Easterly boundary the following two (2) courses: (1) Northwesterly, 15.59 feet along the arc of a curve to the left having a radius of 895.00 feet and central angle of 00°59'54" (chord bearing and distance North 15°03'03" West, 15.59 feet) to a point of tangency; (2) North 15°33'00" West. 197.70 feet to the Point of Beginning.

AND TOGETHER WITH THE FOLLOWING LANDS:

A parcel of land lying in the Northwest 1/4 of Section 1 and in the North 1/2 of Section 2 in Township 32 South, Range 19 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

Commence at the most Northeast corner of CYPRESS CREEK - VILLAGE "A", according to the map or plat thereof as recorded in Plat Book 63, Page 8, Public Records of Hillsborough County, Florida, also being the intersection of the East right-of-way line of Palmas Lane and the Southerly right-of-way line of 19th Avenue Northwest as recorded in Official Records Book 3931, Page 1227, Public Records of Hillsborough County, Florida, run thence along the said Southerly right-of-way line of 19th Avenue Northwest the following six (6) courses: 1) North 89°44'04" East, 884.92 feet to a point of curvature; 2) Northeasterly 557.55 feet along the arc of a curve to the left having a radius of 1862.21 feet and a central angle of 17°09'16" (chord bearing North 81°09'26" East, 555.47 feet; 3) South 17°25'12" East, 10.00 feet to a point on a curve; 4) Northeasterly 92.98 feet along the arc of a curve to the left having a radius of 1872.21 feet and a central angle of 02°50'44" (chord bearing North 71°09'26" East, 92.97 feet; 5) North 20°15'56" West, 10.00 feet to a point on a curve; 6) Northeasterly, 894.29 feet along the arc of a curve to the left having a radius of 1862.21 feet and a central angle of 27°30'55" (chord bearing of North 55°58'36" East, 885.72 feet; thence South 14°55'26" East, 41.41 feet; thence South 01°23'19" West, 43.57 feet; thence South 26°04'52" East, 27.10 feet; thence South 70°25'15" East, 37.50 feet; thence South 39°43'00" East, 28.64 feet; thence South 44°22'12" East, 43.19 feet; thence South 19°35'59" East, 23.12 feet; thence South 63°41'54" East, 24.99 feet; thence North 54°00'32" East, 20.58 feet; thence North 77°04'18" East, 36.72 feet; thence South 58°44'49" East, 42.24 feet; thence South 14°05'49" East, 19.22 feet; thence North 80°44'50" East, 47.99 feet; thence North 16°32'19" East, 41.68 feet; thence North 66°09'53" East, 34.73 feet; thence South 81°35'17" East, 36.97 feet; thence South 28°10'33" East, 25.84 feet; thence South 67°13'15" East, 30.48 feet; thence South 49°08'22" East, 25.09 feet; thence South 17°05'28" East, 25.00 feet; thence South 05°52'10" West, 23.13 feet; thence South 73°05'11" West, 32.79 feet; thence South 68°04'48" West, 23.07 feet; thence South 12°02'45" West, 89.70 feet; thence South 10°32'37" West, 62.17 feet; thence South 16°14'56" East, 34.02 feet, thence South 42°00'14" East, 17.25 feet; thence South 17°20'19" East, 18.81 feet; thence South 86°13'22" West, 25.67 feet; thence South 48°24'29" West, 27.11 feet; thence South 15°02'40" West, 31.28 feet; thence South 52°51'36" West, 30.32 feet; thence South 61°35'40" West, 37.12 feet; thence South 18°04'11" West, 18.52 feet; thence South 00°16'44" East, 23.81 feet; thence South 24°20'57" East, 18.82 feet; thence South 37°35'15" West, 37.18 feet; thence South 71°01'50" East, 93.00 feet; thence South 64°32'16" West, 37.51 feet; thence South 55°26'30" East, 40.86

feet; thence South 39°10'09" East, 57.51 feet; thence South 02°18'47" West, 126.59 feet; thence South 44°02'55" East, 108.69 feet; thence South 68°19'00" West, 68.68 feet; thence South 10°25'52" West, 79.80 feet; thence South 20°45'54" East, 60.37 feet; thence South 00°24'40" East, 61.04 feet; thence South 47°28'06" West, 24.39 feet; thence West, 212.72 feet to the Point of Beginning; thence North 12°14'27" East, 83.02 feet; thence Northwesterly, 54.25 feet along the arc of a curve to the right having a radius of 50.00 feet, a central angle of 62°09'55" (a chord bearing and distance of North 46°40'35" West, 51.63 feet); thence West, 111.84 feet; thence North, 113.07 feet; thence South 60°09'23" West, 229.44 feet; thence South 82°46'45" West, 93.39 feet; thence North 82°04'00" West, 55.87 feet; thence South 76°53'54" East, 491.58 feet to the Point of Beginning.

AND

A parcel of land lying in the North 1/2 of Section 2 in Township 32 South, Range 19 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

Commence at the most Northeast corner of CYPRESS CREEK - VILLAGE "A", according to the map or plat thereof as recorded in Plat Book 63, Page 8, Public Records of Hillsborough County, Florida, also being the intersection of the East right-of-way line of Palmas Lane and the Southerly right-of-way line of 19th Avenue Northwest as recorded in Official Records Book 3931, Page 1227, Public Records of Hillsborough County, Florida, run thence along the said Southerly right-of-way line of 19th Avenue Northwest the following six (6) courses: 1) North 89°44'04" East, 884.92 feet to a point of curvature; 2) Northeasterly 557.55 feet along the arc of a curve to the left having a radius of 1862.21 feet and a central angle of 17°09'16" (chord bearing North 81°09'26" East, 555.47 feet; 3) South 17°25'12" East, 10.00 feet to a point on a curve; 4) Northeasterly 92.98 feet along the arc of a curve to the left having a radius of 1872.21 feet and a central angle of 02°50'44" (chord bearing North 71°09'26" East, 92.97 feet; 5) North 20°15'56" West, 10.00 feet to a point on a curve; 6) Northeasterly, 894.29 feet along the arc of a curve to the left having a radius of 1862.21 feet and a central angle of 27°30'55" (chord bearing of North 55°58'36" East, 885.72 feet; thence South 14°55'26" East, 41.41 feet; thence South 01°23'19" West, 43.57 feet; thence South 26°04'52" East, 27.10 feet; thence South 70°25'15" East, 37.50 feet; thence South 39°43'00" East, 28.64 feet; thence South 44°22'12" East, 43.19 feet; thence South 19°35'59" East, 23.12 feet; thence South 63°41'54" East, 24.99 feet; thence North 54°00'32" East, 20.58 feet; thence North 77°04'18" East, 36.72 feet; thence South 58°44'49" East, 42.24 feet; thence South 14°05'49" East, 19.22 feet; thence North 80°44'50" East, 47.99 feet; thence North 16°32'19" East, 41.68 feet; thence North 66°09'53" East, 34.73 feet; thence South 81°35'17" East, 36.97 feet; thence South 28°10'33" East, 25.84 feet; thence South 67°13'15" East, 30.48 feet; thence South 49°08'22" East, 25.09 feet; thence South 17°05'28" East, 25.00 feet; thence South 05°52'10" West, 23.13 feet; thence South 73°05'11" West, 32.79 feet; thence South 68°04'48" West, 23.07 feet; thence South 12°02'45" West, 89.70 feet; thence South 10°32'37" West, 62.17 feet; thence South 16°14'56" East, 34.02 feet, thence South 42°00'14" East, 17.25 feet; thence South 17°20'19" East, 18.81 feet; thence South 86°13'22" West, 25.67 feet; thence South 48°24'29" West, 27.11 feet; thence South 15°02'40" West, 31.28 feet; thence South 52°51'36" West, 30.32 feet; thence South 61°35'40" West, 37.12 feet; thence South 18°04'11" West, 18.52 feet; thence South 00°16'44" East, 23.81 feet; thence South 24°20'57" East, 18.82 feet; thence South 37°55'15" West, 37.18 feet; thence South 71°01'50" East, 93.00 feet; thence South 64°32'16" West, 37.51 feet; thence South 55°26'30" East, 40.86 feet; thence South 39°10'09" East, 57.51 feet; thence South 02°18'47" West, 126.59 feet; thence South 44°02'55" East, 108.69 feet; thence South 68°19'00" West, 68.68 feet; thence South 10°25'52" West, 79.80 feet; thence South 20°45'54" East, 60.37 feet; thence South 00°24'40" East, 61.04 feet; thence South 47°28'06" West, 24.39 feet; thence West, 212.72 feet; thence North 12°14'27" East, 83.02 feet; thence Northwesterly, 54.25 feet along the arc of a curve to the right having a radius of 50.00 feet, a central angle of 62°09'55" (a chord bearing and distance of North 46°40'35" West, 51.63 feet); thence West, 111.84 feet; thence North, 113.07 feet; thence South 60°09'23" West, 229.44 feet; thence South 82°46'45" West, 93.39 feet; thence North 82°04'00" West, 55.87 feet to the Point of Beginning; thence North 66°54'46' West, 55.87

feet; thence North $51^\circ 45'32''$ West, 55.87 feet; thence North $36^\circ 36'17''$ West, 115.50 feet; thence South $69^\circ 08'56''$ West, 29.10 feet; thence South $71^\circ 02'47''$ West, 152.30 feet; thence South $75^\circ 04'40''$ East 347.09 feet to the Point of Beginning.

PERMITTED EXCEPTIONS

- Easement(s) granted to Tampa Electric Company, recorded in Official Records Book 3082, Page 466; as modified by Partial Release recorded in Official Records Book 5703, Page 1684.
- 2. Easements and restrictions contained in Special Warranty Deed recorded in Official Records Book 4735, Page 1595.
- 3. Terms, covenants, conditions, restrictions, easements, assessments and possible liens created by and set forth in the Declaration recorded April 3, 1987, in Official Records Book 5084, Page 5; Amendment recorded in Official Records Book 5730, Page 1630; Amendment recorded In Official Records Book 5757, Page 1945; Second Amendment recorded In Official Records Book 6145, Page 218; Amended and Restated Second Amendment recorded in Official Records Book 6245, Page 1253; Assignment and Assumption Agreement recorded in Official Records Book 9095, Page 1647; Assignment of Easement recorded in Official Records Book 9533, Page 629; Final Judgment recorded in Official Records Book 13762, Page 499 and Notice of Preservation Declaration of Covenants, Conditions and Restrictions for The Villages at Cypress Creek recorded in Official Records Book 24973, Page 220 as corrected by Instrument # 2021428580, as assigned by Assignment and Delegation of Rights of the Declarant under the Declaration of Covenants, Conditions and Restrictions for The Villages at Cypress Creek and all amendments thereto recorded in Official Records Book 26266, Page 821.
- 4. Easement(s) granted to Hillsborough County, recorded in Official Records Book 5293, Page 1290.
- 5. Easement(s) granted to Hillsborough County, recorded in Official Records Book 5293, Page 1307.
- Easement(s) granted to Hillsborough County, recorded in Official Records Book 5361, Page 248.
- 7. Easement(s) granted to Hillsborough County, recorded in Official Records Book 5389, Page 949.
- 8. Easement(s) granted to La Paloma Village Homeowners' Association, Inc., recorded in Official Records Book 5601, Page 507.
- 9. Reservations, covenants and restrictions as contained in Special Warranty Deed recorded in Official Records Book 5601, Page 511; as modified by Amendment recorded in Official Records Book 5803, Page 1499.
- 10. Declaration of Golf Course Covenants recorded in Official Records Book 5601, Page 544.
- 11. Memorandum of Cable Agreement recorded In Official Records Book 5610, Page 763.
- 12. Easement(s) granted to Tampa Electric Company, recorded in Official Records Book 5745, Page 677.
- 13. Easement(s) granted to Tampa Electric Company, recorded in Official Records Book 5745, Page 680 and re-recorded in Official Records Book 5793, Page 637.

- 14. Easement(s) granted to Tampa Electric Company, recorded in Official Records Book 5754, Page 1664.
- 15. Terms and conditions of Memorandum of Agreement recorded in Official Records Book 5803, Page 1527, except that the limited first right of refusal to purchase the property contained in the Memorandum of Agreement has expired and is hereby deleted.
- 16. Easement(s) granted to Environmental Protection Commission of Hillsborough County, recorded In Official Records Book 5911, Page 1021.
- 17. Easement(s) granted to Environmental Protection Commission of Hillsborough County, recorded in Official Records Book 5967, Page 1126.
- 18. Terms, covenants, conditions and other matters contained in the Conservation Easement and Declaration of Restrictions and Covenants recorded in Official Records Book 12226, Page 1859.
- 19. Rights of tenants as tenants only, with not right to purchase or right of first refusal.

Received 06-28-2022 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: 1003 Cypress Village Blvd. City/State/Zip: Ruskin, FL 33573 TWN-RN-SEC: 32-19-01 Suburban Mixed US-6, Community Mixed Use Folio(s): 54248.1000 Zoning: PD Future Land Use: Residential 6 Property Size: 181.923 Property Owner Information Name: Cypress Creek Golf LLC Daytime Phone: (813) 634-8888 Address: 10688 Crestwood Dr. Suite D City/State/Zip: Manassas, VA 20109 Email: CSTAP3@aol.com FAX Number: Applicant Information Name: same as above Daytime Phone: FAX Number: Address: City/State/Zip: FAX Number:				
Polio(s): 54248.1000 Zoning: PD Future Land Use: & Residential 6 Property Size: 181.923 Property Owner Information Name: Cypress Creek Golf LLC Daytime Phone: (813) 634-8888 Address: 10688 Crestwood Dr. Suite D City/State/Zip: Manassas, VA 20109 Email: CSTAP3@aol.com FAX Number: Name: same as above Daytime Phone: City/State/Zip: FAX Number: Address:				
Name: Cypress Creek Golf LLC Address: 10688 Crestwood Dr. Suite D City/State/Zip: Manassas, VA 20109 Email: CSTAP3@aol.com FAX Number: Applicant Information Name: same as above Address: City/State/Zip: Email: FAX Number: Applicant's Representative (if different than above)				
Address: 10688 Crestwood Dr. Suite D City/State/Zip: Manassas, VA 20109 Email: CSTAP3@aol.com FAX Number: Name: same as above Daytime Phone: Address: City/State/Zip: Email: FAX Number: Applicant's Representative (if different than above)				
Email: CSTAP3@aol.com FAX Number: Name: same as above Daytime Phone: Address: City/State/Zip: Email: FAX Number: Applicant's Representative (if different than above)				
Name: same as above				
Name: same as above Daytime Phone: Address:				
Email:FAX Number: Applicant's Representative (if different than above)				
Applicant's Representative (if different than above)				
(* (*) **)				
Name: Clayton Bricklemyer, Hill Ward Henderson, P.A. Daytime Phone: (813) 221-3900				
Address: 101 E Kennedy Blvd., Suite 3700 City / State/Zip: Tampa, FL 33602				
Email: clayton.bricklemyer@hwhlaw.com FAX Number:				
I HEREBY S WEAR OR AFFIRM THAT AL L THE INFORMATION PROVIDED IN THIS APP LICATION PACKET IS TRUE AND ACCURATE TO THE DEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHAVE FOR THIS APPLICATION. Signature of Applicant Clayton Bricklemyer, As Agent Type or Print Name I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION ON THIS PETITION SHALL BE BI NDING TO THE PROPERTY AS WELL AS TO CURRENT AND ANY FUTURE OWNERS. Signature of Property Owner CHARLES K. STAPLES Type or Print Name				
Intake Staff Signature: Clare Odell Intake Date: 6/28/2022				
Case Number: 22-1134 Public Hearing Date: 8/22/2022				
Receipt Number: 174638				

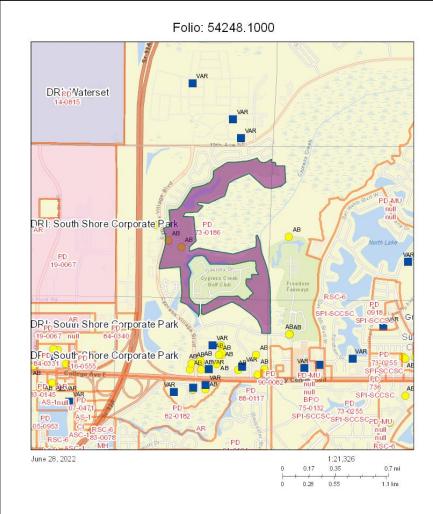
Development Services Department, 601 E Kennedy Blvd. 20th Floor

07/02/2014



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

IANUL	L IIVI OIVIMA	
Jurisdiction	Unincorporated County	
Zoning Category	Planned Development	
Zoning	PD	
Description	Planned Development	
RZ	73-0186	
Flood Zone:AE	FLOODWAY	
Flood Zone:AE	BFE = 37.1 ft	
Flood Zone:AE	BFE = 37.0 ft	
Flood Zone:A		
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD	
Flood Zone:AE	BFE = 36.5 ft	
Flood Zone:AE	BFE = 38.6 ft	
Flood Zone:AE	BFE = 38.7 ft	
Flood Zone:A		
Flood Zone:AE		
FIRM Panel	0657H	
FIRM Panel	12057C0657H	
Suffix	Н	
Effective Date	Thu Aug 28 2008	
FIRM Panel	0676H	
FIRM Panel	12057C0676H	
Suffix	Н	
Effective Date	Thu Aug 28 2008	
FIRM Panel	0659H	
FIRM Panel	12057C0659H	
Suffix	Н	
Effective Date	Thu Aug 28 2008	
FIRM Panel	0678H	
FIRM Panel	12057C0678H	
Suffix	Н	
Effective Date	Thu Aug 28 2008	
Pre 2008 Flood Zone	А	
Pre 2008 Flood Zone	Х	
Pre 2008 Flood Zone	Х	
Pre 2008 Flood Zone	Α	
Pre 2008 Flood Zone	Х	
Pre 2008 Firm Panel	1201120680B	
County Wide Planning Area	Sun City Center	
Community Base Planning Area	SouthShore	
Planned Development	PD	
Re-zoning	73-1086	
Note	01-1436 DENIED	
Minor Changes	20-0605	
Major Modifications	93-0338,96-0244, 93-0179	
Personal Appearances	10-0403,09-0835,08-0999, 07-1758,06-0814,05-1002, 97-0329,96-0227,90-0081, 99-0010,00-0260,00-1331, 03-0516,04-1026,01-0192, 99-1096,13-0465, 96-0227, 90-00815,10-1011,11-0397, 03-1575,06-0064,99-1395, 98-1322, 22-0243, 22-0357	
Census Data	Tract: 014009 Block: 1010	
Census Data	Tract: 014009 Block: 1009	
Census Data	Tract: 014009	



Hillsborough County Fbrida

Folio: 54248.1000
PIN: U-01-32-19-ZZZ-000001-76490.0
CYPRESS CREEK GOLF LLC
Mailing Address:
10688 CRESTWOOD DR STE D
MANASSAS, VA 20109-3464
Site Address:
1003 CYPRESS VILLAGE BLVD
RUSKIN, FI 33573

SEC-TWN-RNG: 01-32-19 Acreage: 183.16999817 Market Value: \$1,231,313.00 Landuse Code: 3820 SEMI PRIVATE GC

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.

148

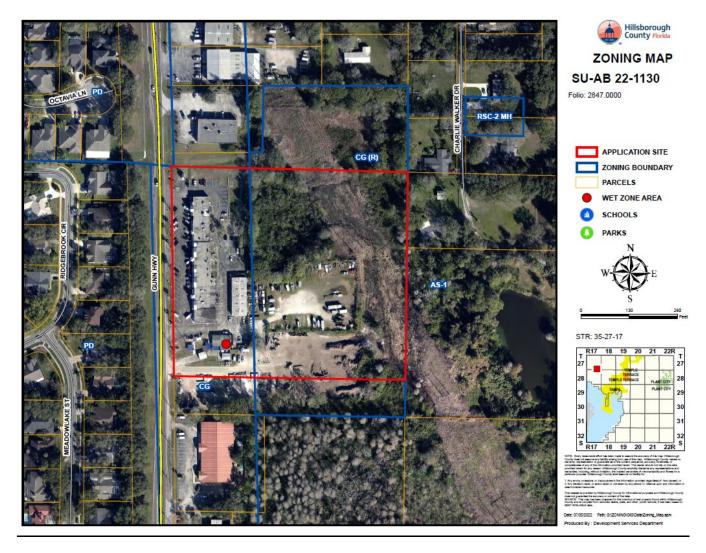
^{2.} Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder

	Block: 1001	
Census Data	Tract: 014009 Block: 1005	
Census Data	Tract: 014009 Block: 1003	
Census Data	Tract: 014009 Block: 1025	
Census Data	Tract: 014009 Block: 1018	
Census Data	Tract: 014009 Block: 1000	
Census Data	Tract: 014009 Block: 1017	
Census Data	Tract: 014009 Block: 1016	
Future Landuse	SMU-6	
Future Landuse	CMU-12	
Future Landuse	R-6	
Urban Service Area	USA	
Mobility Assessment District	Urban	
Mobility Benefit District	4	
Fire Impact Fee	South	
Parks/Schools Impact Fee	SOUTH	
ROW/Transportation Impact Fee	ZONE 9	
Wind Borne Debris Area	140 MPH Area	
Competitive Sites	NO	
Redevelopment Area	NO	



Land Use Application Summary Report

Application Number:	SU-AB 22-1130	Adjacent Zoning and Land Uses:		
	0.000 0.40 0	North:	CG: Vacant	
Request:	2-COP-R AB Permit with Distance Separation Waiver	South:	CG & AS-1:	
			Child Care Center	
Comp Plan Designation:	R-2	East:	AS-1: Single-Family Residence & Agriculture	
Service Area:	Urban	West:	PD: Single-Family Residence	



Request Summary

Pursuant to Land Development Code (LDC) Section 6.11.11, the request is for a distance separation waiver for a 2-COP-R Alcoholic Beverage Development Permit (AB) for sale and consumption of beer and wine on and off the permitted premises (package sales) in connection with a restaurant with at least 51 percent of the restaurant's total biannual sales derived from the sale of food and non-alcoholic beverages. The wet zoning is requested by an existing restaurant tenant space located at 8741 Gunn Highway. The wet zoned area will comprise a footprint of 2,593 square feet of indoor area and no outdoor area, as shown on the revised wet zone survey stamped received June 28, 2022.

The subject property is zoned CG (Commercial, General) which permits an easting establishment and consideration of the proposed wet zoning.

Distance Separation Requirements for a 2-COP-R Permit

Per LDC Section 6.11.11.D.2, the following distance separation requirements apply to the proposed wet zoning:

- The distance from the proposed structure to certain community uses shall be 500 feet. According to the survey submitted by the applicant, the request **does not** comply with this requirement. The proposed wet zoning is 447 feet from Keystone Children's Academy located at 8643 Gunn Highway.
- The distance from the proposed structure to residentially zoned property shall be 150 feet. According to the survey submitted by the applicant, the request <u>does</u> comply with this requirement.

Per LDC Section 6.11.11.E., waivers to the required separation distances may be requested by applicants at a noticed public hearing. The hearing officer may consider such requests on the basis of whether special or unique circumstances exist such that the proposed alcoholic beverage use does not pose significant impacts on the surrounding uses, and whether certain circumstance exist such that the necessity for the separation requirement(s) is negated.

Requested Separation Waiver

The applicant requests a 53-foot waiver to the required 500-foot separation from certain community use property to allow a separation of 477 feet from Keystone Children's Academy. The applicant's justification for the waiver includes the following:

- There are several businesses located in between the shopping center and community use.
- No live music and no outdoor seating, so noise impact is minimal.
- The restaurant has never been open past 9:00 pm.
- The community use is a daycare center which operates Monday to Friday and closes at 6:00 p.m. Additionally, the center's back yard is fenced.
- There are other businesses with fences in between our establishment and daycare center.
- Also, there are no pedestrian walkways from the daycare center to our establishment.

Staff Findings

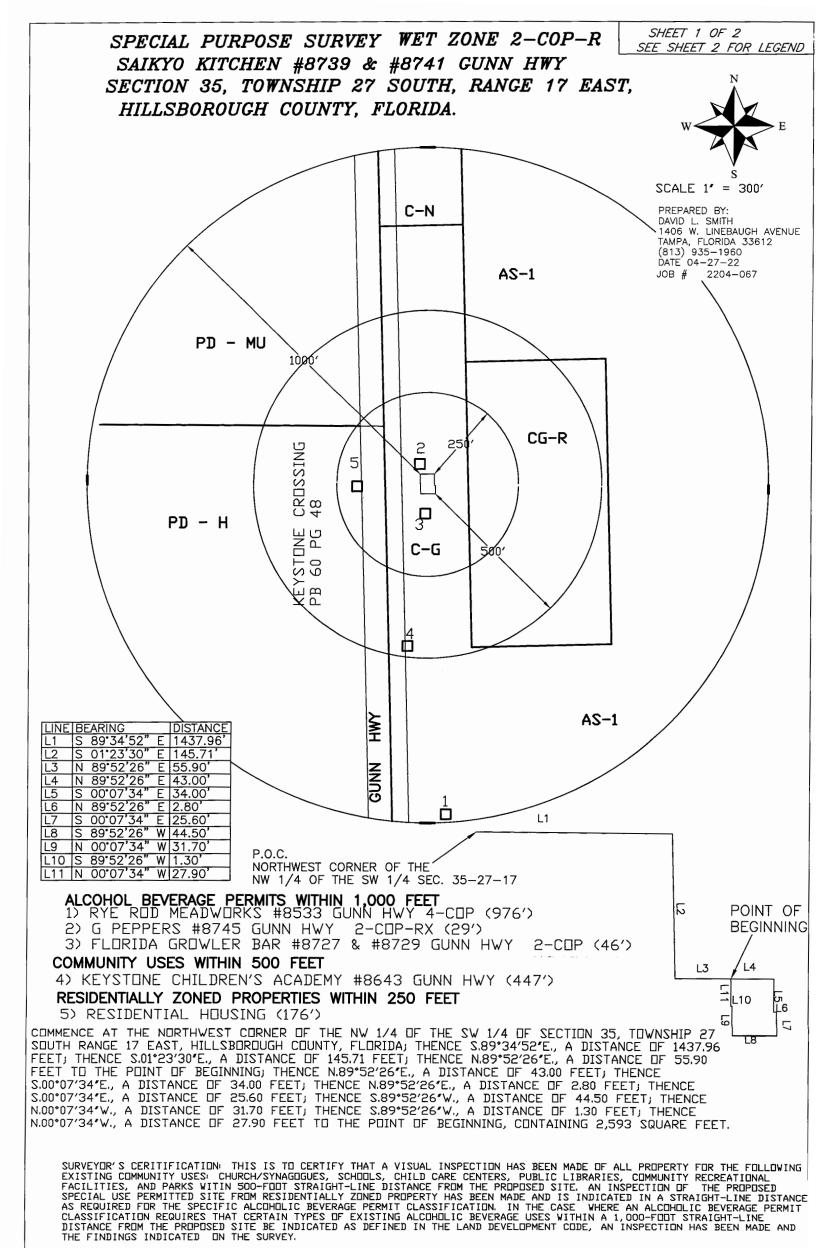
- LDC Section 6.11.11.E.3 provides for approval of separation waivers where there are "special or unique circumstances where the alcoholic beverage use applied for does not have significant impacts on surrounding land uses and certain circumstances negate the necessity for the specified distance requirements."
- The pedestrian and vehicular route of travel from the entrance of the restaurant to the nearest entrance to the Keystone Children's Academy, located to the south on Gunn Highway, is approximately 605 feet in length. Additionally, the segment of Gunn Highway between Keystone Academy and the restaurant does not have a sidewalk.

- The proposed wet zoning will be limited to restaurant use and is comprised of indoor area only. Additionally, the subject premises is located near the north end of the host shopping center and is separated from Keystone Academy to the south by a number of other businesses in the center.
- Staff received no objections from the child care center operator, property owner or other parties.
- For the reasons discussed above, staff finds the proposed wet zoning does not pose significant impacts on the child care center or other surrounding land uses, thereby negating the necessity for the prescribed separation requirements.

Recommendation

Staff finds the proposed 2-COP-R Alcoholic Beverage Permit to be **APPROVABLE**. Approval is based upon the revised wet zone survey reflecting a total wet zone footprint of 2593 square feet (+/-), as shown on the revised wet zone survey received June 28, 2022.

Staff's Recommendation	Approvable
	18M Aguan
Zoning Administrator's Sign-Off	t Mon Aug 8 2022 14:18:49



J MICHAEL FUQUA P.S.M. 4192

Signature

Job
Number: 2204-067

Legend

```
Petition Prefixes
RZ Rezoning
MM Major M
                                                                                                                               Rezoning
Major Modification
Personal Appearance
Special Use
Variance
          PRS
SU
VAR
APP
Comprehensive Plan Categories
AM Agricultural/Mining (1 unit per 20 acres)
AR Agriculture (1 unit per 10 acres)
AR Agriculture Estate (1 unit per 5 acres)
AE Agriculture Estate (1 unit per 2.5 acres)
AE Agriculture Estate (1 unit per 1 acres)
Res-1
Res-1 Residential-1 (1 unit per 1 acre)
Res-2 RP-2 Residential Planned-1 (1 unit per acre)
Res-4 Res-4 Residential-2 (2 units per acre)
Residential-1 (4 units per acre)
Residential-4 (4 units per acre)
Residential-5 (6 units per acre)
Residential-9 (9 units per acre)
Residential-9 (1 units per acre)
Residential-9 (2 units per acre)
Residential-9 (2 units per acre)
Residential-9 (2 units per acre)
Residential-10 (20 units per acre)
Residential-10 (10 units per acr
                                                                                                                                    Appeal
          Service Areas
USA Urban Service Area
UEA Urban Expansion Area
RSA Rural Service Area
Zoning Districts
AM Agricultural Mining (1 unit per 20 acres)
A Agriculture (1 unit per 10 acres)
AR Agriculture (1 unit per 10 acres)
ARS-0.4
AS-0.4
AS-0.4
AS-0.5
AS-0.4
AS-0.5
AS-0.4
AS-0.4
AS-0.1
AS-0.1
AS-0.1
AS-0.1
AI Agricultural, Single-Family Estate (1 unit per 2.5 acres)
Agricultural, Single-Family Conventional (1 unit per acre)
Agricultural, Single-Family Conventional (2 units per acre)
Agricultural Industrial
RSC-2
Residential, Single-Family Conventional (3 units per acre)
RSC-3
RSC-4
RESIdential, Single-Family Conventional (3 units per acre)
RESC-6
RESC-6
RESC-7
RESIdential, Single-Family Conventional (4 units per acre)
RESC-9
RESIdential, Single-Family Conventional (9 units per acre)
RESC-9
RESIdential, Juplex Conventional (6 units per acre)
RESIdential, Juplex Conventional (2 units per acre)
RESIdential, Multi-Family Conventional (9 units per acre)
RESIdential, Multi-Family Conventional (9 units per acre)
RESIdential, Multi-Family Conventional (12 units per acre)
RESIdential, Multi-Family Conventional (14 units per acre)
RESIdential, Multi-Family Conventional (15 units per acre)
RESIdential, Multi-Family Conventional (16 units per acre)
RESIdential, Multi-Family Conventional (17 units per acre)
RESIdential, Multi-Family Conventional (18 units per acre)
RESIdential, Multi-Family Conventional (19 units pe
                Zoning Districts
     Definitions for Special Uses (alcoholic beverages):

1-APS

Beer to be sold in sealed containers only for consumption off the licensed premises (package sales). Not withstanding the provisions of general law, vendors holding malt beverage off-premises sales licenses under State

Beverage laws shall be subject to alcoholic beverage regulations of Hillsborough County, Florida (Ch. 81-385 S 1, Laws of Florida).

2-APS

Beer and wine to be sold in sealed containers only for consumption off the Licensed premises (package sales).

Beer, wine and liquor to be sold in sealed containers only for consumption off the licensed premises (package sales).

2-CIP-X

Beer and wine for sale and consumption on and off the licensed premises.

2-CIP-X

Beer and wine for sale and consumption on the licensed premises only.

2-CIP-X

Beer and wine for sale and consumption on and off the licensed premises (package sales) in connection with a restaurant. The combined gross sales of the restaurant shall be verififed by a bi-annual report to be at least fifty-
                                                              fifty
          fifty-
one (51) percent from to the sale of food and non-alcoholic beverages.

2-CIP-RX Beer and wine for sale and consumption on the licensed premises only in connection with a restaurant, see (6) above.

4-CIP Beer, wine and liquor for sale and consumption on and off the licensed premises (package sales).
```

UCA-MS: UNIVERSITY COMMUNITY AREA — MAIN STREET UNIVERSITY COMMUNITY AREA —NEIGHBORHOOD OFFICE UCA-NHO UNIVERSITY COMMUNITY AREA —NEIGHBORHOOD OFFICE DISTRICT

```
PC :Point of Curvature
PT :Point of Tangency
PRC :Point of Compound Curvature
PCC :Point of Compound Curvature
PC :Point of Intersection
(P) :Point of Intersection
(C) :Colculation
(C) :Colculat
```

Surveyor's Notes:

WRITTEN STATEMENT:

- a. The minimum distance between the area to be wet zoned and the closest residential property line is approximately 100 feet. There are 6 residential properties that fall within the 250 feet boundary.
- b. There is only 1 community use property within 500 feet of the location. It is a day care center for children. The name of the children's day care is Keystone Children's Academy, owned by Sunshine Children's Learning Center, LLC, located at 8643 Gunn Highway, Odessa, FL 33556.
- c. There are only three wet zoned properties within the 1,000 feet of the location. G. Peppers is located in the same plaza (Village Shoppes of Keystone) at 8745 Gunn Highway, Odessa, FL 33556, and holds a 2-COP RX license. Florida Growler Bar is located in the same plaza (Village Shoppes of Keystone) at 8729 Gunn Highway, Odessa, FL 33556, and holds a 2-COP license. Pye Road Meadworks is located at 8533 Gunn Highway, Odessa, FL 33556, and holds a 4-COP license.

LEGAL DESCRIPTION:

Saikyo Kitchen, LLC (Tenant) will open for business, pending approval of wet zoning, at property address 8741 Gunn Hwy, Odessa, FL, and Folio #2847.0000. Property is in Section 35, Township 27 South, Range 17 East, Hillsborough County, Florida.

The property will commence at the northwest corner of the NW % of the SW % of Section 35, Township 27 South Range 17 East, Hillsborough County, Florida; thence run S.89°34′52″E., a distance of 1437.96 feet; thence S.01°23′30″E., a distance of 145.71 feet; thence N89°52′26″E., a distance of 55.90 feet to the point of beginning; thence run N89°52′26″E., a distance of 43 feet; thence N.00°0′34″W., a distance of 27.90 feet to the point of beginning.

CODE COMPLIANCE / PROJECT DESCRIPTION STATEMENT:

Saikyo Kitchen, LLC (tenant), leasing property address 8741 Gunn Highway, Odessa, FL will operate as a Vietnamese and Japanese Cuisine, will selling most popular dishes and would like our guest to enjoy some of the best sake and beer from Japan for on-site consumption. Saikyo Kitchen, LLC will be in compliance with all the standards within the Land Development Coe and is seeking approval of waivers for the residentially zoned areas within 250 feet and the daycare center within 500 feet.



Additional / Revised Information Sheet

	Office Use Only	
Application Number:	Received Date:	Received By:
must be submitted provid project size the cover lette	uired when submitted changes for any application the ling a summary of the changes and/or additional in must list any new folio number(s) added. Additional/revised documents being submitted with	nformation provided. If there is a change in nally, the second page of this form <u>must</u> b o
Application Number: <u>SU</u>	-AB 22 - 1130 Applicant's Name:St	HIKYD KITCHEN
Reviewing Planner's Name	e: SAM BALL	Date: 8/8 2022
Application Type:		
Planned Development	(PD)	(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 a	pplicable): 8/22/2022	
	e Change Information	
Changes to project size ma	y result in a new hearing date as all reviews will be su	ubject to the established cut-off dates.
Will this revision add land		
f "Yes" is checked on the a	bove please ensure you include all items marked with	* on the next page.
Will this revision remove Is f "Yes" is checked on the a	and from the project?	on the next page.
Email this form	m along with all submittal items indicated on t ZoningIntake-DSD@hcflgov.net	
titled according to its con	nat and minimum resolution of 300 dpi. Each iten tents. All items should be submitted in one email v ne. Maximum attachment(s) size is 15 MB.	
For additional help and	d submittal questions, please call (813) 277-1633 or	email ZoningIntake-DSD@hcflgov.ne <u>t</u> .
-7-1	the delegation and the section of th	anda ta tha sub-visit of the Coulomb
certify that changes desc vill require an additional :	ribed above are the only changes that have been n submission and certification.	idde to the submission. Any further chang
11/		8/8/2022
// //	Signature	Date
	1 of 3	02/2



Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to <u>Chapter 119 Florida Statutes</u>, 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.

Additionally, parcels exempt under <u>Florida Statutes §119.071(4)</u> will need to contact <u>Hillsborough County</u> Development Services to obtain a release of exempt parcel information.

Developme	ent Services to obtain a release of exempt parcel information.
	eking an exemption from public scrutiny of selected information submitted with your application of Chapter 119 FS? Yes No
I hereby co	onfirm that the material submitted with application
	Includes sensitive and/or protected information.
	Type of information included and location
Please note: S	Does not include sensitive and/or protected information. Sensitive/protected information will not be accepted/requested unless it is required for the processing of the application.
the data be	ption is being sought, the request will be reviewed to determine if the applicant can be processed with eing held from public view. Also, by signing this form I acknowledge that any and all information in the
Signature:	will become public information if not required by law to be protected.
orginature.	(Must be signed by applicant or authorized representative)
Intake Staff	f Signature: Date:



Additional / Revised Information Sheet

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

Inc	luded	Submittal Item
1		Cover Letter*+ If adding or removing land from the project site, the final list of folios must be included
2		Revised Application Form*+
3		Copy of Current Deed* Must be provided for any new folio(s) being added
4		Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
5		Sunbiz Form* (If Applicable) Must be provided for any new folio(s) being added
6		Property Information Sheet*+
7		Legal Description of the Subject Site*+
8		Close Proximity Property Owners List*+
9		Site Plan*+ All changes on the site plan must be listed in detail in the Cover Letter.
10		Survey
11		Wet Zone Survey
12		General Development Plan
13	\boxtimes	Project Description/Written Statement
14		Design Exception and Administrative Variance requests/approvals
15		Variance Criteria Response
16		Copy of Code Enforcement or Building Violation
17		Transportation Analysis
18		Sign-off form
19		Other Documents (please describe):

3 of 3

^{*}Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

⁺Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.



Alcoholic Beverage Special Use Distance Waiver Request

The Land Use Hearing Officer shall consider a waiver of the distance requirements from certain existing community uses and residentially zoned property, and/or from the maximum number of alcoholic beverage establishments within 1000 feet of the proposed Alcoholic Beverage Special Use. The Land Use Hearing Officer shall consider in connection with each waiver whether special or unique circumstances exist such that the proposed use does not have significant negative impacts on surrounding land uses and whether certain circumstances exist such that the necessity for the specified distance requirement is negated.

distance requirement is negated.
This request does not meet the following locational requirements:
FOR THE 2-COP-R, THE DISSMANCE BETWEEN THE PERMITTED
STRUCTURE AND COMMUNITY USE IS LESS THAN 500 FEET.
The special or unique circumstances that cause the proposed use to not have a significant negative impact on surrounding land uses are: THERE ARE SEVERAL BUSINESSES LOCATED IN BETWEEN
THE SHOPPING CENTER AND COMMUNITY USE. No LIVE MUSIC
AND NO OUTDOOR SEATING, SO NOISE IMPACT IS MINIMAL.
PRIMARY FOCUS, ESPECIALLY TO HAVE OUR GUESTS ENJOY
BEVERAGES WHILE DINING IN WITH SUSHI AND SAKE, THE
RESTAURANT NEVER BEEN OPEN PAST 9 pm.
The circumstances that negate the need for the specified distance requirement are:
THE COMMUNITY USE WHICH IS A DAYCARE CENTER, OPERATES
MONDAY TO FRIDAY AND CLOSES AT 6 PM, WHOSE FISTIRE BACKYAR
15 FENCES, THERE ARE OTHER BUSINESS WITH FENCES IN RETWEEN
DUR ESTABLISHMENT AND DAYCARE CENTER. ALSO, THERE ARE
MO PEDESTRIAN CROSSWALKS FROM A DAYCARE CENTER TO OUR
ESTABLISH MENT.

If more than one waiver is required the applicant shall provide a separate Attachment B for each waiver

INSTRUMENT#: 2016170411, BK: 24053 PG: 74 PGS: 74 - 78 05/03/2016 at 11:25:17 MM, DOC TAX PD(F.S.201.02) \$0.70 DEPUTY CLERK: SCHRISTIAN Pat Frank, Clerk of the Circuit Court Hillsborough County

PREPARED BY AND AFTER RECORDING

RETURN TO:
J. Eric Taylor, Esq.
Trenam, Kemker, Scharf, Barkin,
Frye, O'Neill & Mullis
Post Office Box 1102
Tampa, FL 33601-1102
(813) 223-7474

Sales Price:

\$10.00

Documentary Stamp Tax: \$.70

Folio No.: 002830-0000

PIN No.: U-35-27-17-001-000000-23550.0

[Space Above This Line for Recording Data]

TRUSTEES' DEED

THIS TRUSTEES' DEED is entered into this 5th day of April, 2016, from SUSANNE F. SANDERS, NADINE A. MAMONTOFF, AND DIMITRI ARTZIBUSHEV, as Successor Co-Trustees of that certain unrecorded Trust Agreement dated October 25, 1979 (hereinafter referred to collectively as "Grantor"), whose post office address is 1525 W. Hillsborough Avenue, Tampa, Florida 33603, having full power and authority to convey the property herein described to THE VILLAGE SHOPPES OF KEYSTONE ODESSA, LLC, a Florida limited liability company (the "Grantee"), whose post office address is 8709 Gunn Highway, Tampa, Florida 33556.

WITNESSETH:

THAT, GRANTOR, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed, and confirmed, and does hereby grant, bargain, sell, alien, remise, release, convey, and confirm to Grantee, Grantee's successors and assigns forever, all of Grantor's interest in and to that certain real property (the "Real Property") situate, lying, and being in the County of Hillsborough, State of Florida, to-wit:

SEE <u>EXHIBIT "A"</u> ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

THIS DEED IS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH.

THIS PROPERTY IS NOT THE HOMESTEAD PROPERTY OF THE GRANTOR.

TOGETHER WITH all the tenements, hereditaments and appurtenances with every privilege, right, title, interest and estate, legal or equitable, reversion, remainder and easement thereto belonging or in anywise appertaining, SUBJECT TO all restrictions, reservations and easements of record, if any, and ad valorem taxes for the current year.

TO HAVE AND TO HOLD the same unto Grantee and Grantee's successors and assigns, and to their proper use, benefit and behoof in fee simple forever.

IN WITNESS WHEREOF, GRANTOR has caused this Trustee's Deed to be executed as of the day and year first above written.

Signed and delivered in the presence of:

Frint Name: 1 Ever Taylor

Print Name: Arm Jourshing

SUSANNE F. SANDERS, as Successor Co-Trustee of that certain unrecorded Trust Agreement dated

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

THE FOREGOING INSTRUMENT was acknowledged before me this 5th day of April, 2016, by SUSANNE F. SANDERS, as Successor Co-Trustee of that certain unrecorded Trust Agreement dated October 25, 1979, who is [check one] ______ personally known to me, or _____ has produced a valid Plorido driver's license as identification.

NOT RY PUBLIC (Signature

State of Florida

October 25, 1979

Print Name: Tiffany M. Adelstein

My Commission Expires: August 21, 2016

(NOTARIAL SEAL)



(SIGNATURE BLOCK CONTINUED ON NEXT PAGE)

IN WITNESS WHEREOF, GRANTOR has caused this Trustee's Deed to be executed as of the day and year first above written.

Signed and delivered in the presence of:

Print Name: J, EV, c Tangler

Print Name: Hrw To Wester

NADINE A. MAMONTOYF, as

Successor Co-Trustee of that certain unrecorded Trust Agreement dated

October 25, 1979

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

THE FOREGOING INSTRUMENT was acknowledged before me this 5th day of April, 2016, by NADINE A. MAMONTOFF, as Successor Co-Trustee of that certain inrecorded Trust Agreement dated October 25, 1979, who is *[check one]* personally known to me, or $\sqrt{}$ has produced a valid Florida driver's license as identification.

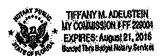
NOTARY PUBLIC (Signature Above)

State of Florida

Print Name: Tiffany M. Adelstein

My Commission Expires: August 21, 2016

(NOTARIAL SEAL)



(SIGNATURE BLOCK CONTINUED ON NEXT PAGE)

IN WITNESS WHEREOF, GRANTOR has caused this Trustee's Deed to be executed as of the day and year first above written.

Signed and delivered in the presence of

Print Name: J. E. C. Realow

Print Name: Ann J's (Assling...

DIMITRIARTZIBUSHEV, as.
Successor Co-Trustee of that certain unrecorded Trust Agreement dated
October 25, 1979

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

THE FOREGOING INSTRUMENT was acknowledged before me this 5th day of April, 2016, by DIMITRI ARTZIBUSHEV, as Successor Co-Trustee of that certain unrecorded Trust Agreement dated October 25, 1979, who is [check one] _____ personally known to me, or ____ has produced a valid Florida driver's license as identification.

NOTANY PULLIC (Signature Above)

State of Florida

Print Name: Tiffany M. Adelstein

My Commission Expires: August 21, 2016

(NOTARIAL SEAL)



EXHIBIT "A"

The South 215.0 feet of Tract 15 in the Northwest ¼ of Section 35, Township 27 South, Range 17 East, KEYSTONE PARK COLONY, according to map or plat thereof, recorded in Plat Book 5, Page 55, Public Records of Hillsborough County, Florida, LESS AND EXCEPT that portion thereof taken for right of way for Gunn Highway; and ALSO LESS AND EXCEPT that portion conveyed by Warranty Deed recorded in Official Records Book 5612, page 1694, of the public records of Hillsborough County, Florida.

AND

The Northwest ¼ of the Northeast ¼ of the Southwest ¼ of Section 35, Township 27 South, Range 17 East, Hillsborough County, Florida, LESS that portion thereof taken for right of way for Gunn Highway.

CTATE OF FLORIDA

GOUNTY OF INLL SHOPPUCH)

THIS IS TO CHETTRY THAT THE FOREGOING IS A TRUE AND COFFICE WITHERS MY, HAND THE OFFICIAL SEAL

THIS DOAY OF OUT OF THE POSITION OFFICIAL SEAL

PROPERTY OF THE PR



Property/Applicant/Owner Information Form

22 4420	Official Use Only	6/00/000
Application No: 22-1130		Intake Date: 6/28/2022
Hearing(s) and type: Date: 8/22/2022	LUHO	Receipt Number: 174712
	pe:	Intake Staff Signature: Clare Odel
	Property Information	n
Address: 8741 GUNN HWY	City/State/	Zip: DDESSA, FL 33556
TWN-RN-SEC: 27-17-35 Folio(s): 2847, 0000	Zoning: <u>CG</u> Fut	ure Land Use: R-2 Property Size: 8.12
	perty Owner Informa	
Name: The Village Shopper & K	Legstone Ode	554, Haytime Phone 213-237-05 2
Address: 1525 W. Hillsborn	City/State/Zi	Tampe, FL. 33603
Email accounting @ first tan	pa-lon	Fax Number 813-239-2587
	Applicant Informatio	n
Name: SAIKYO KITCHEN, LLC (R	YAN NGUYEN	Daytime Phone <u>813 - 382 - 5499</u>
		O: LAND O' LAKES FL 34638
Email: SAIKYOKITCHEN @ GMAIL.	com	Fax Number
Applicant's Rep	presentative (if differ	ent than above)
Name:		Daytime Phone
Address:	City/State/Zi	p:
Email:		Fax Number
I hereby swear or affirm that all the information provided in the submitted application packet is 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 Type or print name	true and rec petition the cur	y authorize the processing of this application cognize that the final action taken on this in shall be binding to the property as well as to rent and any future owners. Of the Owner(s) (All parties on the deed must sign)
	3 of 9	



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County	
Zoning Category	Commercial/Office/Industr	
Zoning	CG	
Description	Commercial - General	
Zoning Category	Commercial/Office/Industr	
Zoning	CG	
Description	Commercial - General	
RZ	08-1299	
Restr	(R)	
Flood Zone:AE	BFE = 40.7 ft	
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD	
FIRM Panel	0179H	
FIRM Panel	12057C0179H	
Suffix	Н	
Effective Date	Thu Aug 28 2008	
Pre 2008 Flood Zone	Х	
Pre 2008 Flood Zone	A	
Pre 2008 Firm Panel	1201120180F	
County Wide Planning Area	Northwest Hillsborough	
Community Base Planning Area	Northwest Hillsborough	
Census Data	Tract: 011410 Block: 3033	
Future Landuse	R-2	
Urban Service Area	USA	
Mobility Assessment District	Urban	
Mobility Benefit District	1	
Fire Impact Fee	Northwest	
Parks/Schools Impact Fee	NORTHWEST	
ROW/Transportation Impact Fee	ZONE 1	
Wind Borne Debris Area	140 MPH Area	
Competitive Sites	NO	
Redevelopment Area	NO	



Hillsborough County Fbilda

Folio: 2847.0000 PIN: U-35-27-17-ZZZ-000000-23800.0 VILLAGE SHOPPES OF KEYSTONE ODESSA LLC Mailing Address: 1525 W HILLSBOROUGH AVE TAMPA, FL 33603-1207 Site Address: 8709 GUNN HWY **ODESSA, FI 33556** SEC-TWN-RNG: 35-27-17

Acreage: 8.1164999 Market Value: \$2,103,433.00 Landuse Code: 1211 STORE/SHP CENTE

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.

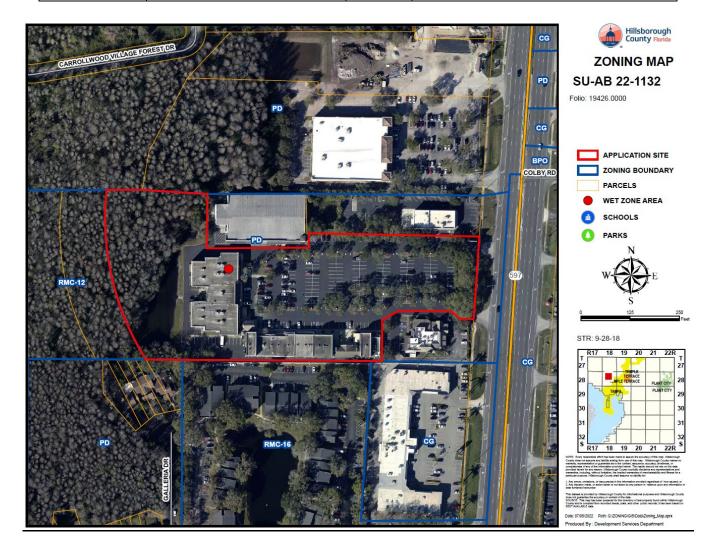
2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

< THIS PAGE	WAS INTENT	TONALLY LEI	FT BLANK >
< THIS PAGE	WAS INTENT	TONALLY LEI	FT BLANK >



Land Use Application Summary Report

Application Number:	SU-AB 22-1132	Adjacent Zoning and Land Uses:		
Request:	4-COP-RX AB Permit with Distance Separation Waiver	North:	PD: Multi-Tenant Retail & Financial	
		South:	RMC-16: Multi-Family PD: Single-Family, Attached	
Comp Plan Designation:	OC20 (Office Commercial)	East:	PD 13-0328/ROW & Single-Family (130 lots)	
Service Area:	Urban	West:	RMC-12: County Owned - Vacant	



Request Summary

Pursuant to Land Development Code (LDC) Section 6.11.11, the request is for a distance separation waiver for an 4-COP-RX Alcoholic Beverage (AB) Permit for sale and consumption of beer, wine, and liquor on the permitted premises only in connection with a restaurant having a patron seating capacity of at least 100 seats and a gross floor capacity (gross floor area plus covered patio area) of at least 2,500 square feet. Additionally, at least 51 percent of the restaurant's total biannual sales shall be derived from the sale of food and non-alcoholic beverages to be located at 11778 North Dale Mabry Highway.

As shown on the wet zone survey received July 28, 2022, the proposed wet zone footprint is 21,500 square feet in size, all of which is indoor area. The wet zoning is sought for an indoor leisure and entertainment facility with restaurant that is under development in a former dinner theater. According to the applicant, there will be multiple dining areas in the facility with a total of more than 150 patron seats.

The parcel is zoned PD 99-0341 which allows for the host use and consideration of the proposed wet zoning.

Distance Separation Requirements for an 11-C AB Permit:

Per LDC Section 6.11.11.D.5, the following distance separation requirements apply to the proposed wet zoning:

- The distance from the proposed structure to certain community uses shall be 500 feet. According to the survey submitted by the applicant, the request **does** comply with this requirement.
- The distance from the proposed structure to residentially zoned property shall be 150 feet.

 According to the survey submitted by the applicant, the request **does not** comply with this requirement.

 There is a multi-family community zoned RMC-16 located 67 feet south of the proposed wetzoning footprint.

Per LDC Section 6.11.11.E, waivers to the required distance separations may be requested by the applicant at a noticed public hearing. The hearing officer may consider such requests on the basis of whether special or unique circumstances exist such that the proposed alcoholic beverage use does not pose significant impacts on the surrounding uses, and whether certain circumstances exist such that the necessity for the separation requirement(s) is negated.

Required Separation from Residentially Zoned Property

As shown on the wet-zone survey provided, there is a residentially zoned property developed with multi-family dwellings 67 feet to the south of the proposed wet zoning. The applicant requests an 83-foot distance separation waiver to the required 150-foot distance separation. The applicant has submitted the following justification for the waiver:

Special or unique circumstances that make the specified distance requirements unnecessary.

- The establishment will be a family entertainment center.
- The structure maintained a liquor license since 2013 (or earlier) without any disruption to the community.
- The structure is not within 500 feet of "community uses".

Staff Findings:

LDC Section 6.11.11.E.3 provides for the approval of separation waivers where there are "special or unique circumstances where the alcoholic beverage use applied for does not have significant impacts on surrounding land uses and certain circumstances negate the necessity for the specified distance requirements."

• The host use for the proposed wet zoning is located at the west end of a shopping center on North Dale Mabry Highway. The pedestrian and vehicular route of travel from the entrance of the facility to the

LUHO HEARING DATE: AUGUST 22, 2022

nearest entrance to the multi-family property, located to the south of the shopping center, is approximately 1,150 feet in length.

- The host use for the proposed wet zoning is oriented to the east, away from the multi-family community to the south, and there are no public entrances or windows facing the multi-family dwellings. Furthermore, the multi-family site is screened from the proposed wet zoning by a 6-foot-high PVC fence.
- The premises for which the proposed wet zoning is sought has been licensed in past years for 4-COP-RX use due to in part to a County mapping error which incorrectly identified the premises as being wet zoned 4-COP-RX, when in fact the premises has no wet zoning. The proposed wet zoning reflects the alcohol use that has operated on the premises and will rectify the mapping error.
- Staff has received no objections to the proposed wet zoning from residents of the multi-family community or other parties.
- For the reasons discussed above, staff finds the proposed wet zoning does not pose significant impacts on the surrounding area and the necessity for the required separation from the subdivision is negated.

Recommendation:

Staff finds the proposed 4-COP-RX Alcoholic Beverage Permit to be **APPROVABLE**. Approval is based upon the revised wet zone survey reflecting a total wet zone footprint of 21,500 square feet, as shown on the revised wet zone survey received July 28, 2022.

Staff's Recommendation	Approvable
Zoning Administrator's Sign-Off	t Wed Aug 10 2022 16:22:32

SHEET NO. 1 OF 5

SPECIFIC PURPOSE SURVEY ALCOHOLIC BEVERAGE SURVEY

(NOT A BOUNDARY SURVEY)

4-COP-RX

11778 North Dale Mabry Highway

PARCEL TO BE WET ZONED 4-COP

DESCRIPTION: A parcel of land lying in the Southeast 1/4 of Section 9, Township 28 South, Range 18 East, Hillsborough County, Florida, and being more particularly described as follows:

Commence at the intersection of the South boundary of said Southeast 1/4 of Section 9 and the West right-of-way line of NORTH DALE MABRY HIGHWAY (State Road No. 597), run thence along the aforesaid South boundary of the Southeast 1/4 of Section 9, N.89°56'28"W., a distance of 594.50 feet; thence N.00°03'32"E., a distance of 66.69 feet, to the POINT OF BEGINNING; thence N.89°24'50"W., a distance of 44.51 feet; thence N.00°35'10"E., a distance of 9.47 feet; thence N.89°24'50"W., a distance of 43.53 feet; thence N.00°35'10"E., a distance of 10.03 feet; thence N.89°24'50"W., a distance of 31.96 feet; thence N.00°35'10"E., a distance of 63.56 feet; thence S.89°24'50"E., a distance of 39.69 feet; thence N.00°35'10"E., a distance of 40.58 feet; thence N.89°24'50"W., a distance of 39.70 feet; thence N.00°35'10"E., a distance of 63.63 feet; thence S.89°24'50"E., a distance of 31.97 feet; thence N.00°35'10"E., a distance of 10.05 feet; thence S.89°24'50"E., a distance of 43.55 feet; thence N.00°35'10"E., a distance of 9.47 feet; thence S.89°24'50"E., a distance of 44.50 feet; thence S.00°35'10"W., a distance of 76.00 feet; thence S.89°24'50"E., a distance of 6.67 feet; thence S.00°35'10"W., a distance of 54.96 feet; thence N.89°24'50"W., a distance of 6.66 feet; thence S.00°35'10"W., a distance of 75.84 feet, to the POINT OF BEGINNING.

Containing 21,500 square feet, more or less.

"This is to certify that a visual inspection has been made of all property for the following existing community uses: church/synagogues, schools, child care centers, public libraries, community recreational facilities, and parks within 500 feet straight-line distance from the proposed site. A visual inspection of the apparent proposed special use permitted site from residentially zoned property has been made and is indicated in a straight line distance as required for the specific Alcoholic Beverage Permit classification. In the case where an Alcoholic Beverage Permit classification requires that certain types of existing alcoholic beverage uses within a 1000 straight-line distance from the proposed site be indicated as defined in the Land Development Code, a visual inspection has been made and the findings indicated on the survey."

NOTE:

See Sheet No. 2 for Sketch; See Sheet No. 3 for Detail; See Sheet No. 4 for Measurement Locations; See Sheet No. 5 for Measurements

inia Survey i repuis	00 101 7170	· ~ ~ ~ ·	<i>-9u1</i>	
	REVISI			
Description	Date	Dwn. C	k'd P.C.	Order No.

This Survey Prepared For Alex Sequi

This certifies that a survey of the hereon described property was made under my supervision and meets the Minimum Jechnica Standartis set forth by the Floytic Board of Professiona Stundartis set forth by the Floytic Board of Professiona Stundartis et al. (1997). Florida Administrative code, persuant-to Seetion 412.027, Florida Statutes.

Jack M. Greene CONTURN NO. 6506

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

GeoPoint Surveying, Inc.

213 Hobbs Street Tampa, Florida 33619 www.geopolntsurvey.com Phone: (813) 248-8888 Fax: (813) 248-2266 Licensed Business Number LB 7768

 Drawn: JMG
 Checked:
 SEC
 P.C.: BR
 11778.tbt

 Date: 6/22/22
 Dwg:11778 AB
 Order No.: ~~~~~~

 Section
 9, Township
 28 South, Range
 18 East

200

Scale:

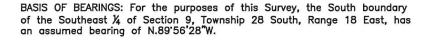
SHEET NO. 2 OF 5

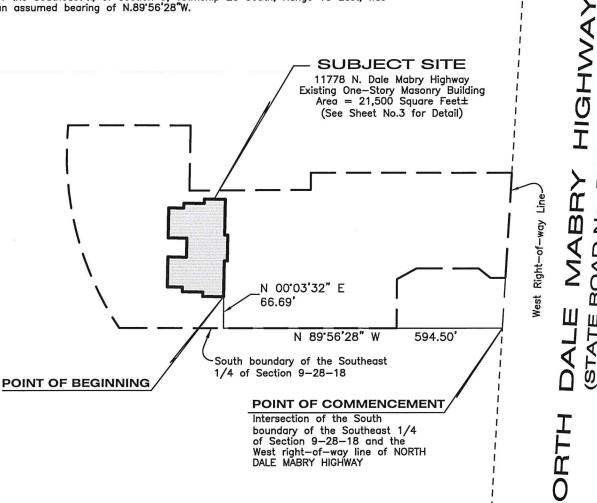
SPECIFIC PURPOSE SURVEY ALCOHOLIC BEVERAGE SURVEY

(NOT A BOUNDARY SURVEY)

4-COP-RX

11778 North Dale Mabry Highway





NOTE:

See Sheet No. 1 for Legal Description and Certificate, See Sheet No. 3 Detail; See Sheet No. 4 for for Measurement Locations; See Sheet No. 5 for Measurements

Inis Survey Prepare	a FOF A/E	x seg	ui		
	REVISI				
Description	Date	Dwn. Ck'c	P.C.	Order	No.
			1		\neg
					- 1

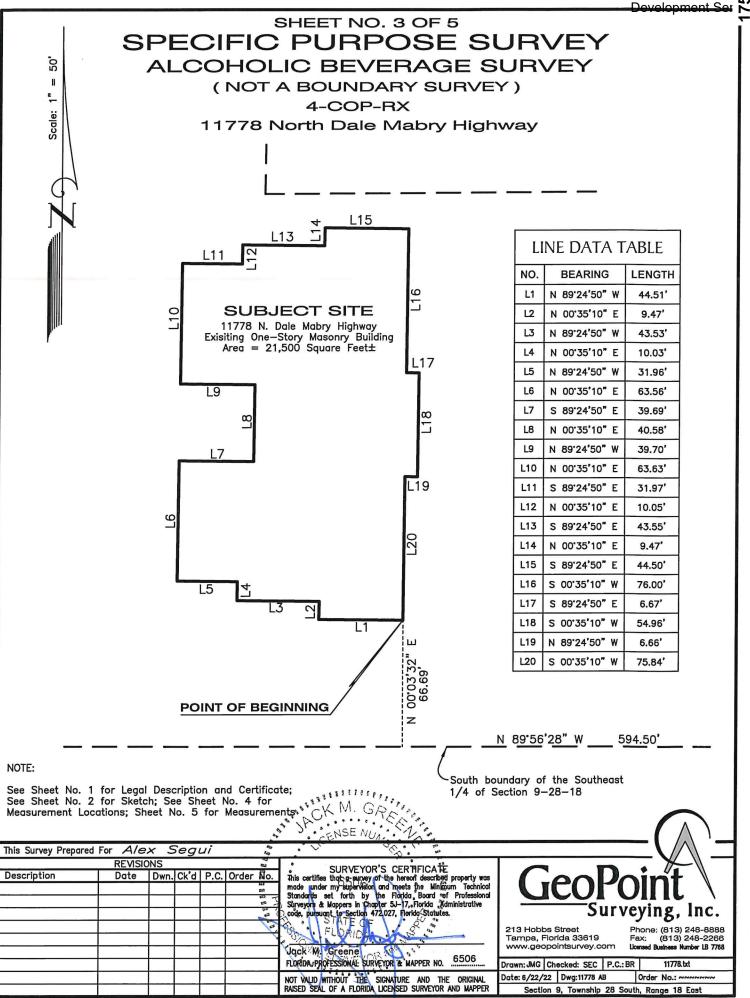
SURVEYOR'S CERTIFICATE.
This certifies that a survey of the hereon described properly was made, under my supervision and meets the Minimum Technical Standards set forth by the Professional Board of Professional Surveyors & Mappers in Chapter 53-17, Florida Administrative code, pursuant to Section 472,027, Florida Statutes.

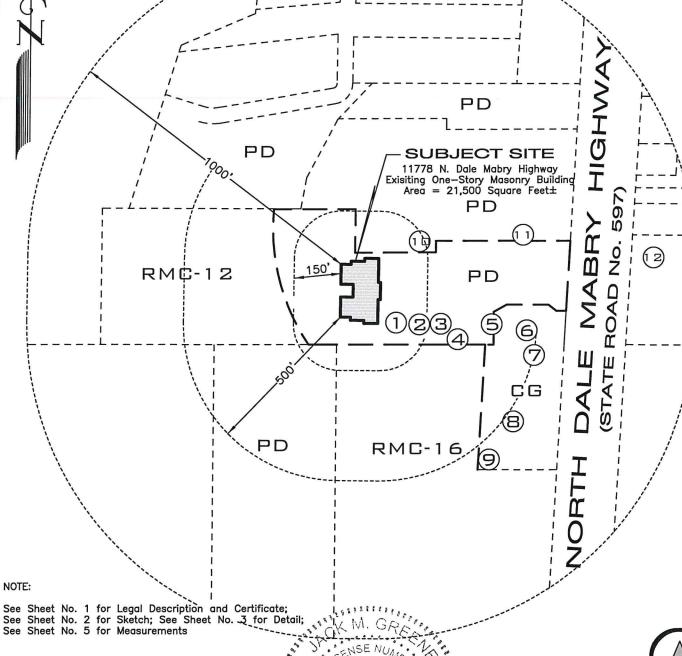
Jack M. Greene T. T. FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6506

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR, AND MAPPER

GeoPoint Surveying, Inc.

213 Hobbs Street Tampa, Florida 33619 www.geopointsurvey.com Phone: (813) 248-8888 Fax: (813) 248-2266 Ucensed Business Number LB 7768





SHEET NO. 4 OF 5
SPECIFIC PURPOSE SURVEY

ALCOHOLIC BEVERAGE SURVEY

(NOT A BOUNDARY SURVEY) 4-COP-RX

11778 North Dale Mabry Highway

300

11

Scale:

REVISIONS

Date Dwn. Ck'd P.C. Order No.

This certifies that a supply of the hereon described property was made under my supervision and meets the Minimum Jechnical Standards set forth by the Rolda Board of Professional Supervision and meets the Minimum Jechnical Standards set forth by the Rolda Board of Professional Supervision and meets the Minimum Jechnical Standards set forth by the Rolda Board of Professional Supervision and meets the Minimum Jechnical Standards set forth by the Rolda Board of Professional Supervision and Profession and Professional Super

Segui

This Survey Prepared For Alex

GeoPoint Surveying, Inc.

213 Hobbs Street Tampa, Florida 33619 www.geopointsurvey.com

Phone: (813) 248-8888 Fax: (813) 248-2266 Licensed Business Number LB 7768

SHEET NO. 5 OF 5

SPECIFIC PURPOSE SURVEY ALCOHOLIC BEVERAGE SURVEY

(NOT A BOUNDARY SURVEY)

4-COP-RX

11778 North Dale Mabry Highway

MEASUREMENT LIST

(See Sheet No. 4 for Locations)

SUBJECT SITE 11778 N. Dale Mabry Highway 4-COP-RX 0 (zero) feet

- Cayman's Cove 1) 11742 N. Dale Mabry Highway 4-COP 66 feet
- Main Street Medical 2) 11732 N. Dale Mabry Highway 2-COP-R 154 feet
- 3) Yoga Bar 11734 N. Dale Mabry Highway 2-COP-R 179 feet
- The Wine Shop 4) 11724 N. Dale Mabry Highway 2-COP 273 feet
- Michael Grill 5) 11500 N. Dale Mabry Highway 4-COP-RX 341 feet
- Black Rock Bat & Grill 11702 N. Dale Mabry Highway 4-COP-RX 480 feet

- 7) Cupcake Shop 11638-A N. Dale Mabry Highway 2-COP-R 516 feet
- 88) Noble Crust 11618 N. Dale Mabry Highway 4-COP-SRX 534 feet
- VACANT 9) 111612 N. Dale Mabry Highway 2-COP-R 563 feet
- 10) Multiple Businesses 11790 N. Dale Mabry Highway 4-COP 142 feet
- 11) Cadence Bank 11790 N. Dale Mabry Highway 4-COP 470 feet

Nearest Residential Zoning is 67 feet to RMC-16.

NOTE:

See Sheet No. 1 for Legal Description and Certificate; See Sheet No. 2 for Sketch; See Sheet No. 3 for Detail; See Sheet No. 3 for Measurement Locations

inis Survey Preparea	FOR A/E	X S	egi	ui –		
	REVISI	ONS				Ī
Description	Date	Dwn.	Ck'd	P.C.	Order No.	
					-	
					#	ĺ
						1
		$\overline{}$				

SURVEYOR'S CERTIFICATE set forth by the Florid Board of Proc. Mappers in Chapter 5J-17, Florida Administration of Proceedings of the Chapter SJ-17, Florida Administration of the C

Jack M. Green's Comment of the Per No.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER



213 Hobbs Street Tampa, Florida 33619 www.geopointsurvey.com Phone: (813) 248-8888 (813) 248-2266

Drawn: JMG | Checked: SEC | P.C.: BR Date: 6/22/22 | Dwg:11778 AB Order No.: ~~~ Section 9, Township 28 South, Range 18 East

Part B. 1. - Written Description

1UP Entertainment Partners, Inc., DBA, 1UP Entertainment + Social

A. Business Location Intended USE and Operating Concept

OPERATING CONCEPT

1UP Entertainment + Social will deliver family and community fun by being the premiere bowling-anchored leisure and entertainment destination in Carrollwood, FL. In addition to our anchor attraction- 10 lanes of upscale, boutique bowling, we will offer five additional cutting-edge entertainment attractions, chef-inspired food with craft beverage and endless social experiences all under one industrial-chic design inspired roof. Whether you come for bowling, Axe-throwing, interactive virtual reality, amusement games, Golf/eSports or just for great food and drink, you will find yourself at a premiere destination where new age playability + today's FUN becomes tomorrow's best memories! Main attractions and features of 1UP include:

- Boutique bowling experience featuring 10 bowling lanes with lounge seating and lane-side food and beverage service
- ❖ 7D Interactive XD VR Theatre
- Golf Simulators and Lounges
- OmniVerse Arena/Esports Gaming Lounge
- **♦** 50 Amusement Games
- 6 lane Axe Throwing

- Chef-inspired menu with full-service restaurant dishing out local and regional scratch food in a private dining area
- Full-service Bar featuring houseinfused spirits and craft beers
- Private, multi-purpose, flexible corporate event space
- Birthday and celebration space

Vision

Be a positive catalyst in the community and premiere social destination that brings people together + enables them to have fun + create memories that they tell others about.

MISSION

Deliver Positivity + Memorable Moments

(the kind you never forget and want to tell over +over again)

B. Business Location QUESTIONS and ANSWERS

For all Wetzone questions, please see response below or refer to document "Part B. 2 Site Plan" which includes both visual and written wetzone details.

- The minimum distance indicated between the area to be wet-zoned and any residentially zoned property boundary line.
- Answer: 300 Feet per Site plan. Please see Part B. 2 for the Site Plan document.
- The type and number of community uses within 500 feet of the proposed wet-zoning.

 Answer:Uses within 300 feet include 15 distinct residential, business, and an apartment complex use. There are no "community uses".
- The type and number of existing wet-zonings within 1,000 feet of the proposed wet-zoning.
 - Answer: In addition to 11778 North Dale Mabry (applicant) which has been operating under the assumption that a 4COP was granted since 1989, there are several other surrounding businesses with wet zoning in the same shopping plaza and an adjacent plaza. Please see Part B 3. Wetzone Survey OR "Reference A" below for an excerpt from Part B 3. Wetzone Survey.

REFERENCE A: an excerpt from Part B 3. Wetzone Survey:

SHEET NO. 5 OF 5

SPECIFIC PURPOSE SURVEY ALCOHOLIC BEVERAGE SURVEY

(NOT A BOUNDARY SURVEY)

4-COP

11778 North Dale Mabry Highway

MEASUREMENT LIST

(See Sheet No. 4 for Locations)

SUBJECT SITE 11778 N. Dale Mabry Highway 4-COP-RX 0 (zero) feet

- 1) Cayman's Cove 11742 N. Dale Mabry Highway 4-COP 66 feet
- Main Street Medical 2) 11732 N. Dale Mabry Highway 2-COP-R 154 feet
- 3) Yoga Bar 11734 N. Dale Mabry Highway 2-COP-R 179 feet
- 4) The Wine Shop 11724 N. Dale Mabry Highway 2-COP 273 feet
- Michael Grill 11500 N. Dale Mabry Highway 4-COP-RX 341 feet
- Black Rock Bat & Grill 11702 N. Dale Mabry Highway 4-COP-RX 480 feet

- Cupcake Shop 11638-A N. Dale Mabry Highway 2-COP-R 516 feet
- Noble Crust 11618 N. Dale Mabry Highway 4-COP-SRX 534 feet
- VACANT 111612 N. Dale Mabry Highway 2-COP-R 563 feet
- Multiple Businesses 11790 N. Dale Mabry Highway 4-COP 142 feet
- 11) Cadence Bank 11790 N. Dale Mabry Highway 4-COP 470 feet

Nearest Residential Zoning is 67 feet to RMC-16.

NOTE:

See Sheet No. 1 for Legal Description and Certificate; See Sheet No. 2 for Sketch; See Sheet No. 3 for Detail; See Sheet No. 3 for Measurement Locations

This Survey Prepared For Alex Segui REVISIONS

Description Date Dwn. Ck'd P.C. Order No.

SURVEYOR'S CERTIFICATE
This certifies that a survey of the hereon described
ripide under my supervision and meets the Minimum
Standards set forth by the Florida Board of
Signeyors at Mappers in Chapter 51-17, Florida Adv

CY M. GREEN





Alcoholic Beverage Special Use Distance Waiver Request

<u>Land Development Code Section 6.11.11.D</u> prescribes separation requirements for proposed Alcoholic Beverage Permits, which are:

- (1) 1-APS and 2-APS
 - A. The distance from the "permitted" structure to certain community uses² shall be at least 500 feet.
 - B. The distance from the "permitted" structure to residentially zoned property shall be at least 50 feet from the side yard(s) and 20 feet from the functional rear yard.
- (2) 1-APS-IS and 2-APS-IS
 - A. The distance from the proposed structure to schools shall be 500 feet.
- (3) 2-COP-R, 2-COP-RX, 4-COP-RX, AND 11C (Golf Clubs, Tennis and Racquetball Clubs, Wedding and Special Occasion Reception Halls)
 - A. The distance from the "permitted" structure to certain community uses shall be at least 500 feet.
 - B. The distance from the "permitted" structure to residentially zoned property shall be at least 150 feet.
- (4) 3-P S, 2-COP, 2-COP-X, 4-COP, 4-COP-X, 4-COP-SX, 4-COP-SBX, 11-C (Social Clubs) and Bottle Clubs
 - A. The distance from the "permitted" structure to certain community uses shall be at least 500 feet.
 - B. The distance from the "permitted" structure to residentially zoned property shall be at least 250 feet.
 - C. There shall be no more than three approved 3-PS, 2-COP, 2-COP-X, 4-COP, 4- COP-X, 4-COP-SX, 4-COPSBX, 11-C (Social Club) or Bottle Club Alcoholic Beverage Use Permits within 1,000 feet of the proposed Special Use as measured from the "permitted" structure to the existing Alcoholic Beverage Conditional Use or wet-zoning approved under previous zoning regulations as well as nonconforming wet-zoned establishments.

²"Certain community uses" shall include churches/synagogues, schools, child care centers, public libraries, community recreational facilities and parks.

04/2022



Alcoholic Beverage Special Use Distance Waiver Request

The Land Use Hearing Officer shall consider a waiver of the distance requirements from certain existing community uses and residentially zoned property, and/or from the maximum number of alcoholic beverage establishments within 1000 feet of the proposed Alcoholic Beverage Special Use. The Land Use Hearing Officer shall consider in connection with each waiver whether special or unique circumstances exist such that the proposed use does not have significant negative impacts on surrounding land uses and whether certain circumstances exist such that the necessity for the specified distance requirement is negated.

This request does not meet the following locational requirements:
- Distance to residentially Zoned property
- District Property
The special or unique circumstances that cause the proposed use to not have a significant negative impact on surrounding land uses are:
= New establishment will be a sample saled insuent (e)
NEW ESTEDIIS IME IT WIT DE IT PAINTY CITO PAINTO IT CO
- New establishment WIII be A FAMILY Entertainment Cer- - Structure MAINTAINED LIQUOR License Since 2013 (oren
William La distribution la li
without dry disruption to the community
- Structure is not within 500 Feet OF "community us
The circumstances that negate the need for the specified distance requirement are:
in a second second second second
- phore use without one dishiption
- prior use without ony disruption - "No community uses" within specified radius
If more than one waiver is required the applicant shall provide a separate Attachment B for each waiver
9 of 9 04/2022
04/2022

Instrument #: 2021570225, Pg 1 of 5, 11/9/2021 9:40:18 AM DOC TAX PD(F.S. 201.02) \$53760.00, INT. TAX PD (F.S. 199) \$0.00, DOC TAX PD (F.S. 201.08) \$0.00, Deputy Clerk: O Cindy Stuart, Clerk of the Circuit Court Hillsborough County

Prepared by and Return to upon recording:

Meridian Partners Law P.A. 4923 W. Cypress Street Tampa, FL 33607

Folio Number: 019426-0000

Consideration: \$7,680,000.00

SPACE ABOVE RESERVED FOR RECORDING INFORMATION

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED is executed this _______ day of November, 2021, by 11720 MAIN STREET PLAZA LLC, a Florida limited liability company, having an address of 4805 W. Laurel Street, Suite 100, Tampa, Florida 33607 (hereinafter called "Grantor"), to MAIN STREET PLAZA HOLDINGS, LLC, a Florida limited liability company, having an address of 1003 West Cleveland Street, Tampa, Florida 33606 (hereinafter called "Grantee"), the foregoing sometimes being referred to herein as the "Parties".

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and/or other valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee, all that certain land lying and situate in Hillsborough County, Florida, to-wit:

SEE ATTACHED EXHIBIT A.

Subject to taxes in subsequent years and all easements, restrictions, reservations, and limitations of record, if any, existing as of the date of this conveyance and those permitted exceptions set forth on **Exhibit** B hereof.

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. Grantor hereby covenants with Grantee that Grantor is lawfully seized of the aforesaid land in fee simple, that Grantor has good right and lawful authority to sell and convey said land and Grantor hereby warrants title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise.

SIGNATURE PAGE IMMEDIATELY FOLLOWS THIS PAGE

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

Witnesses:

GRANTOR:

11720 MAIN STREET PLAZA LLC,

a Florida limited liability company

By:

Thomas T. Frederick, Manager

Name: Aurelle M. Ross

STATE OF Florida
COUNTY OF HILLS BOVEN

this day of November, 2021, by Thomas T. Frederick, in his capacity as Manager of 11720 MAIN STREET PLAZA LLC, a Florida limited liability company. He (check one): T is personally known to me; or produced ______ as identification.

(seal)

Notary Public State of Florida Azurede M Ross My Commission GG 195294 Expires 05/21/2022 Notary Public State of Florida

Exhibit A Legal Description

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 28 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF SAID SECTION 9, AND WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 597 (DALE MABRY HIGHWAY); THENCE NORTH 89° 56' 28" WEST ALONG THE SOUTH BOUNDARY OF SAID SOUTHEAST 1/4, 816.14 FEET TO THE EAST BOUNDARY OF CHANNEL "G" OF THE UPPER TAMPA BAY WATERSHED; THENCE NORTHERLY ALONG THE EASTERLY OF SAID CHANNEL "G", 453.34 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 661.78 (A CHORD OF 444.53 FEET BEARING NORTH 14° 38' 06" WEST, DELTA OF 39° 14' 59"); THENCE SOUTH 89° 56' 28" EAST, 511.82 FEET; THENCE SOUTH 00° 10' 32" WEST, 100.00. FEET, THENCE SOUTH 89° 56' 28" EAST; 435.60 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 597 (DALE MABRY HIGHWAY); THENCE SOUTH 03° 13' 14" WEST, ALONG THE SAID WEST RIGHT-OF-WAY, 330.50 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING: A PORTION OF LAND IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 28 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF SAID SECTION 9 AND WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 597 (DALE MABRY HIGHWAY); THENCE NORTH 89° 56' 28" WEST ALONG THE SOUTH BOUNDARY OF SAID SOUTHEAST 1/4, 225.00 FEET; THENCE NORTH 00° 03' 32" EAST, 104.00 FEET; THENCE NORTH 61° 24' 20" EAST, 47.97 FEET; THENCE SOUTH 89° 56' 28" EAST, 132.00 FEET; THENCE SOUTH 50° 50' 24" EAST, 31.97 FEET; THENCE SOUTH 89° 56' 28" EAST, 32.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 597 (DALE MABRY HIGHWAY); THENCE SOUTH 03° 13' 14" WEST, ALONG THE SAID WEST RIGHT-OF-WAY LINE. 107.00 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT: LOT 1, RMC MAIN STREET, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 102, PAGE 133, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

TOGETHER WITH NON-EXCLUSIVE EASEMENTS AS CREATED BY THE FOLLOWING:

- A) MAINTENANCE AND RECIPROCAL EASEMENT AGREEMENT BETWEEN MAINDALE SC COMPANY, LTD., AND BRINKER FLORIDA, INC., DATED MARCH 15, 1994, AND RECORDED IN OFFICIAL RECORDS BOOK 7328, PAGE 1106, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.
- B) GRANTS OF EASEMENT BETWEEN MAINDALE SC COMPANY, LTD., CARROLL W. GLEATON, AS TRUSTEE OF THE CARROLL W. GLEATON 1996 TRUST DATED OCTOBER 15, 1996, AND GULF FLA. DOUGHNUTS HILLSBOROUGH DATED MAY 17, 2002, AND RECORDED IN OFFICIAL RECORDS BOOK 11685, PAGE 955, AS AMENDED BY FIRST AMENDMENT TO GRANT OF EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 14187, PAGE 838, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

C) DRIVE ISLE EASEMENT DATED OCTOBER 7, 2004, AND RECORDED OCTOBER 8, 2004, IN OFFICIAL RECORDS BOOK 14286, PAGE 296, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

D) MAINTENANCE AND RECIPROCAL EASEMENT AGREEMENT BETWEEN MAINDALE SC COMPANY, LTD., AND RMC MAIN STREET, L.L.C., DATED DECEMBER 2, 2004, AND RECORDED IN OFFICIAL RECORDS BOOK 14459, PAGE 1390, AS AMENDED BY FIRST AMENDMENT TO MAINTENANCE AND RECIPROCAL EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 16732, PAGE 517, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, AS AMENDED BY CORRECTIVE AMENDMENT TO MAINTENANCE AND RECIPROCAL EASEMENT AGREEMENT RECORDED AUGUST 8, 2008, IN OFFICIAL RECORDS BOOK 18799, PAGE 69, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, AS AMENDED BY THIRD AMENDMENT TO MAINTENANCE AND RECIPROCAL EASEMENT RECORDED OCTOBER 15, 2010, IN OFFICIAL RECORDS BOOK 20142, PAGE 1904 AND AS AMENDED BY FOURTH AMENDMENT TO MAINTENANCE AND RECIPROCAL EASEMENT AGREEMENT RECORDED MARCH 3, 2021 IN INSTRUMENT # 2021105355, ALL OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

Exhibit B Permitted Exceptions

- 1. Taxes and assessments for the year 2022 and subsequent years, which are not yet due and payable.
- 2. Terms and conditions of the Declaration of Easement, which provides a non-exclusive easement for ingress and egress, recorded August 25, 1983 in Official Records Book 4170, Page 2000.
- 3. Easement in favor of Tampa Electric Company, recorded November 29, 1983 in Official Records Book 4226, Page 16.
- 4. Terms and conditions of that certain Maintenance and Reciprocal Easement Agreement between Maindale SC Company, Ltd., a Florida limited partnership, and Brinker Florida, Inc., a Delaware corporation, recorded March 18, 1994 in Official Records Book 7328, Page 1106.
- 5. Terms and conditions of the Grant of Easements between Maindale SC Company, Ltd., a Florida limited partnership, and Carroll W. Gleaton, as Trustee of the Carroll Gleaton 1996 Trust dated October 15, 1996, recorded in Official Records Book 11685, Page 955, as amended by First Amendment to Grant of Easements recorded in Official Records Book 14187, Page 838.
- 6. Terms and conditions of Drive Isle Easement recorded October 8, 2004 in Official Records Book 14286, Page 296.
- 7. Terms and conditions of that certain Maintenance and Reciprocal Easement Agreement between Maindale SC Company, Ltd., and RMC Main Street, L.L.C., dated December 2, 2004 and recorded in Official Records Book 14459, Page 1390, as amended by First Amendment to Maintenance and Reciprocal Easement Agreement recorded in Official Records Book 16732, Page 517, as amended by Corrective Amendment to Maintenance and Reciprocal Easement Agreement recorded August 8, 2008, in Official Records Book 18799, Page 69, as amended by Third Amendment to Maintenance and Reciprocal Easement Agreement recorded October 15, 2010, in Official Records Book 20142, Page 1904 and as amended by Fourth Amendment to Maintenance and Reciprocal Easement Agreement recorded March 3, 2021 in Instrument # 2021105355.
- 8. Rights of tenants in possession, as tenants only, pursuant to written but unrecorded lease agreement, without rights or options to purchase.

Note: All recording references shall refer to the public records of Hillsborough County, Florida, unless otherwise noted.

Received
06-28-2022
Development
Services
Hillsborough
County Florida

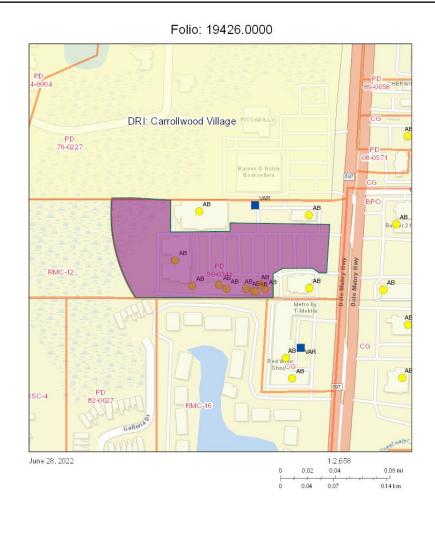
Property/Applicant/Owner Information Form

Development Services	
Application No 22-1132 Hearing(s) and type: Date:	Intake Date: 6/28/2022 Receipt Number: 174766
Property Owner	City/State/Zip: 1PA , FV 33618 Future Land Use: OC-20 Property Size: 27184 Prinformation Clings, LLC Daytime Phone 813559-9500 Cy/State/Zip: 1PA , FV 33606
Applicant Ir	Ners, INC Daytime Phone 813 760-597 Cry/State/Zip: TPA FV 33624
Applicant's Representativ	Daytime Phone
Address:Ci	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 Truet Guss Alexander Type or print name Segue	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
3 0	04/2022



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County		
Zoning Category	Planned Development		
Zoning	PD		
Description	Planned Development		
RZ	99-0341		
Zoning Category	Planned Development		
Zoning	PD		
Description	Planned Development		
RZ	79-0227		
Flood Zone:AE	BFE = 40.3 ft		
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD		
FIRM Panel	0192H		
FIRM Panel	12057C0192H		
Suffix	Н		
Effective Date	Thu Aug 28 2008		
Pre 2008 Flood Zone	Х		
Pre 2008 Firm Panel	1201120192D		
County Wide Planning Area	Greater Carrollwood Northdale		
Community Base Planning Area	Greater Carrollwood Northdale		
Planned Development	PD		
Re-zoning	null		
Planned Development	PD		
Re-zoning	null		
Major Modifications	01-0635 WD, 18-0584, 18- 0584, 19-1462		
Personal Appearances	08-1166,12-0766		
Census Data	Tract: 011409 Block: 2007		
Census Data	Tract: 011409 Block: 2002		
Future Landuse	OC-20		
Urban Service Area	USA		
Mobility Assessment District	Urban		
Mobility Benefit District	1		
Fire Impact Fee	Northwest		
Parks/Schools Impact Fee	NORTHWEST		
ROW/Transportation Impact Fee	ZONE 1		
Wind Borne Debris Area	140 MPH Area		
Aviation Authority Height Restrictions	180' AMSL		
Competitive Sites	NO		
Redevelopment Area	NO		



Folio: 19426.0000 PIN: U-09-28-18-ZZZ-000000-83950.0 MAIN STREET PLAZA HOLDINGS LLC Mailing Address: 1003 W CLEVELAND ST **TAMPA, FL 33606** Site Address: 11720 N DALE MABRY HWY TAMPA, FI 33618

Hillsborough County Forda

SEC-TWN-RNG: 09-28-18 Acreage: 6.40317011 Market Value: \$6,004,000.00 Landuse Code: 1630 STORE/SHP CENTE

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.

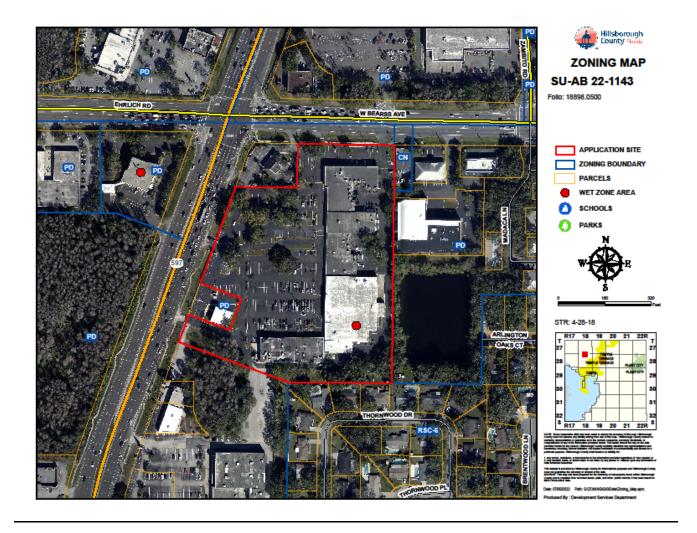
2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder

< THIS PAGE WAS INTENTI	ONALLY LEFT BLANK >
< THIS PAGE WAS INTENTI	ONALLY LEFT BLANK >



Land Use Application Summary Report

Application Number:	SU-AB 22-1143	Adjacent Zoning and Land Uses:		
	2-COP AB Permit with	North: PD 89-0029 (PRS 19-0762)		
Request:	Distance Separation Waivers	South:	PD 78-0289/RSC-6 (Residential Single Family Conventional)	
Comp Plan Designation:	OC-20 (Office Commercial)	East:	PD 96-0352 (PRS 98-0942)	
Service Area:	Urban Service Area	West:	PD 78-0310/PD 80-0221	



APPLICATION: SU-AB 22-1143

LUHO HEARING DATE: August 22, 2022 CASE REVIEWER: Colleen Marshall, AICP, CFM

Request Summary

Pursuant to Land Development Code (LDC) Section 6.11.11, the request is for a distance separation waiver for a 2-COP Alcoholic Beverage Development Permit (AB) for the sale and consumption of beer and wine on and off the permitted premises (package sales).

The wet zoning is sought by an existing wine store, Chateau Cellars, located at 14821-14823 N. Dale Mabry Highway. The wet zoned area will comprise a footprint of 3,280 square feet of indoor area, as shown on the revised wet zone survey received July 22, 2022, with no outdoor area.

The property is zoned Planned Development district PD 78-0289, which allows consideration of the proposed wet zoning. The wine store is located in the Market Place North shopping center at the southeast corner of N. Dale Mabry Highway and Bearss Avenue. The store currently has a 2-APS wet zoning (SU-AB 22-0382) for the sale of beer and wine in sealed containers only for consumption off the licensed premises (package sales). Prior to approval of the 2-APS wet zoning, the premises had a 2-COP-R wet zoning (SU-AB 82-0919) which allowed beer and wine sales for consumption on and off the permitted premises in conjunction with a restaurant.

Distance Separation Requirements for a 2-COP AB Permit:

Per LDC Section 6.11.11.D.5, the following distance separation requirements apply to the proposed wet zoning:

- The distance from the proposed structure to residentially zoned property shall be 250 feet. According to the survey submitted by the applicant, the request **does NOT** comply with this requirement.
- There shall be no more than three approved 3-PS, 2-COP, 2-COP-X, 4-COP, 4-COP-X, 4-COP-SX, 4-COP COP-SBX, 11-C (Social Club) or bottle club alcoholic beverage uses within 1,000 feet of the proposed alcoholic beverage use as measured from the proposed structure to the existing alcoholic beverage use. According to the survey submitted by the applicant, the request **does NOT** comply with this requirement. There are seven existing wet zonings of the specified types within 1,000 feet of the proposed wet zoning.
- The distance from the proposed structure to certain community uses shall be 500 feet. According to the survey submitted by the applicant, the request **does** comply with this requirement.

Per LDC Section 6.11.11.E., waivers to the required separation distances may be requested by applicants at a noticed public hearing. The hearing officer may consider such requests on the basis of whether special or unique circumstances exist such that the proposed alcoholic beverage use does not pose significant impacts on the surrounding uses, and whether certain circumstance exist such that the necessity for the separation requirement(s) is negated.

Requested Separation Waivers

The applicant requests a 185-foot waiver to the required 250-foot separation from the residentially zoned property to allow a separation of 65 feet. The applicant's justification for the waiver includes the following:

- The proposed wet zoning to 2-COP is of similar or lower intensity than the historic 2-COP-R alcoholic beverage permit that existed in the subject location from 1982 to 2022 when the 2-APS alcoholic beverage permit replaced the 2-COP-R for the wine shop.
- While there is a residential neighborhood located immediately south of the strip center, the neighborhood is separated from the strip center by an approximately six-foot-high wall, large trees, and other vegetation.

• While the residentially zoned property is 65 feet away from the back of the premises, the entrance to the neighborhood in which that property is located is approximately 3,500 feet away from the premises.

- The shopping center is located to the north of the backyards of the neighborhood. The business is not accessible to the neighborhood and traffic to and from the premises will not travel through the neighborhood.
- The neighborhood is adjacent to the back portion of the strip center, which is behind the front entrances to the business. Thus, there is less traffic and activity in the part of the premises that is closer to the nearby neighborhood.

The applicant requests a waiver to the required maximum of three approved AB permits falling with the same wet zone classification. According to the wet zone survey there are seven approved AB permits in the same classification. The applicant's justification for the waiver includes the following:

- Because the proposed use is that of a high-end wine shop selling wine for consumption on and off
 premises, the proposed use is unlikely to generate a large volume of customers or generate significant
 noise.
- The shopping center is located on a busy arterial highway, making it unlikely that the proposed use will meaningfully affect traffic.
- Several of the nearby wet zoning approvals are currently not being used and it would seem unlikely they
 would revert to serving alcohol. The structure zoned for SU-AB 81-0904, which is located in the parking
 lot of the strip center has been converted to a bank building currently used by Bank Ozark. SU-AB 051667 and 11-0185 are both located within the strip center and are currently occupied by a Jersey Mike's
 franchise which does not sell alcohol and an Autozone auto parts store.
- The other wet zoned properties within 1,000 feet are located to the south in a separate shopping center and have little or no functional relationship with the premises.

Staff Findings:

- LDC Section 6.11.11.E.3 provides for approval of separation waivers where there are "special or unique circumstances where the alcoholic beverage use applied for does not have significant impacts on surrounding land uses and certain circumstances negate the necessity for the specified distance requirements."
- The single-family residential homes that are located within 250 feet of the proposed wet zoning are screened from the shopping center and wine shop by an existing masonry wall and vegetation. Additionally, the proposed wet zoning does not include any outdoor area.
- The wine shop entrance is oriented towards Dale Mabry Highway and does not face the single-family homes. Additionally, the fronts of the houses face away from the proposed wet zoning and their back yards are screened by the masonry wall and vegetation.
- The normal route of travel from the entrance of the wine store to the single-family lots within 250 feet is more than 4,000 feet.
- The present 2-APS wet zoning for the wine store allows the sale of beer and wine for consumption off-premises from 7:00 a.m. to 3:00 a.m. the next day, Monday through Saturday, and 11:00 a.m. to 3:00 a.m. the next day on Sunday. The same hours are permitted by Code for the proposed 2-COP use. However, to promote compatibility with the neighboring homes, the applicant has agreed to stop the sale and on-premises

APPLICATION: SU-AB 22-1143

CASE REVIEWER: Colleen Marshall, AICP, CFM **LUHO HEARING DATE: August 22, 2022**

consumption of alcoholic beverages at 9:00 p.m. Sunday through Thursday, and 11:00 p.m. Friday and Saturday.

- Staff recognizes there is a direct pedestrian connection from the wine store entrance to a small number of parking spaces on the south side of the shopping center, near the single-family homes. However, as noted above, the present 2-APS wet zoning of the premises allows package sales to occur until 3:00 a.m. every day, whereas the proposed alcoholic beverage use will cease at 9:00 p.m. Sunday through Thursday, and 11:00 p.m. Friday and Saturday, thereby limiting potential impacts of vehicular traffic associated with the wine store, or future tenants of the premises, on the neighboring homes.
- As shown on the wet zone survey received July 22, 2022, only four of the seven wet zonings of the specified types within 1,000 feet of the proposed wet zoning are located in Market Place North, and three of those are not utilized by the uses which currently occupy those locations. These include:
 - o Jersey Mike's Subs, 2-COP, (SU-AB 05-1667).
 - o Autozone Autoparts store, 2-COP, (SU-AB 11-0185)
 - o Riviera Restaurant, 2-COP, (SU-AB 81-0860)

Therefore, within the subject shopping center there is only one wet zoning of the specified types, a 4-COP, that is actively utilized by the current occupant of the premises, the Gallery Chophouse restaurant. Staff recognizes that all of these wet zonings could be actively utilized at the same time by future tenants of the shopping center, but finds the addition of the proposed wet zoning does not pose a significant increase in the potential cumulative effects of the wet zonings in the center and is consistent with the highly commercialized character of the North Dale Mabry corridor in the vicinity and pattern of existing alcoholic beverage uses.

For the reasons discussed above, staff finds the proposed wet zoning with the proposed condition of approval does not pose significant impacts on surrounding land uses and the necessity for the specified distance requirements is negated.

Recommendation:

Staff finds the proposed 2-COP Alcoholic Beverage Permit to be APPROVABLE subject to conditions. Approval is based upon the revised wet zone survey reflecting a total wet zone footprint of 3,280 square feet, as shown on the revised wet zone survey received July 22, 2022.

- 1. The sale and on-premises consumption of alcoholic beverages shall not be permitted after 9:00 p.m. Sunday through Thursday, and 11:00 p.m. Friday and Saturday.
- 2. Upon approval of SU-AB 22-1143, the existing 2-APS wet zoning of the premises, SU-AB 22-0382 shall be rescinded.

LUHO	HEARING DATE:	August 22	2022
LUNU	HEARING DATE:	August 44.	, ZUZZ

Staff's Recommendation	Approvable, Subject to Conditions
Zoning Administrator's Sign-Off	t Fri Aug 12 2022 14:36:57

SHEET NO. 1 OF 4 SPECIFIC PURPOSE SURVEY ALCOHOLIC BEVERAGE SURVEY

(NOT A BOUNDARY SURVEY) 2-COP

DESCRIPTION: A parcel of land lying in the Northeast 1/4 of Section 4, Township 28 South, Range 18 East, Hillsborough County, Florida, and being more particularly described as follows:

Commence at the Northwest corner of the Northeast 1/4 of said Northeast 1/4 of Section 4, run thence along the North boundary thereof, S.89°29'01"E., a distance of 358.00 feet; thence S.00°42'39"W., a distance of 797.08 feet; thence N.89°17'21"W., a distance of 142.76 feet, to the POINT OF BEGINNING; thence S.00°20'53"W., a distance of 40.80 feet; thence N.89°39'07"W., a distance of 80.40 feet; thence N.00°20'53"E., a distance of 40.80 feet; thence S.89°39'07"E., a distance of 80.40 feet, to the POINT OF BEGINNING.

Containing 3280 square feet, more or less.

"This is to certify that a visual inspection has been made of all property for the following existing community uses: church/synagogues, schools, child care centers, public libraries, community recreational facilities, and parks within 500 feet straight-line distance from the proposed site. A visual inspection of the apparent proposed special use permitted site from residentially zoned property has been made and is indicated in a straight line distance as required for the specific Alcoholic Beverage Permit classification. In the case where an Alcoholic Beverage Permit classification requires that certain types of existing alcoholic beverage uses within a 1000 straight-line distance from the proposed site be indicated as defined in the Land Development Code, a visual inspection has been made and the findings indicated on the survey."

NOTE: See Sheet No. 2 for Sketch, see Sheet No. 3 for Measurements.

Last Date of Field Survey: 12/15/21

This Survey Prepared i	or: C//C	1100	JU	C 81	iurs,	١٠٠	
	REVISIO					,	
Description	Date	Dwn.	Ck'd	P.C.	Order No	o.	
add to measurments	7/14/22	JMG	SEC	22	เรียกก	\neg	
					174 CA	\neg	
					SCS SEC	\Box	
					get U		
						10	
						7	
						1	
						T	
		-		$\overline{}$		_	

SURVEYOR'S CERTIFICATE
This certifies that a survey of the hereon described property was
made under my supervision and meets the Minifigum Technical
Standards set (36/th) 6y the Florida Board of Professional
Surveyors & Mappers in Chapter 54-17, Florida Ædministrative
cade pairsuant to Section 472.027, Florida Statutes.

Jack M. Greene Juneyor & Mapper No. 6506

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

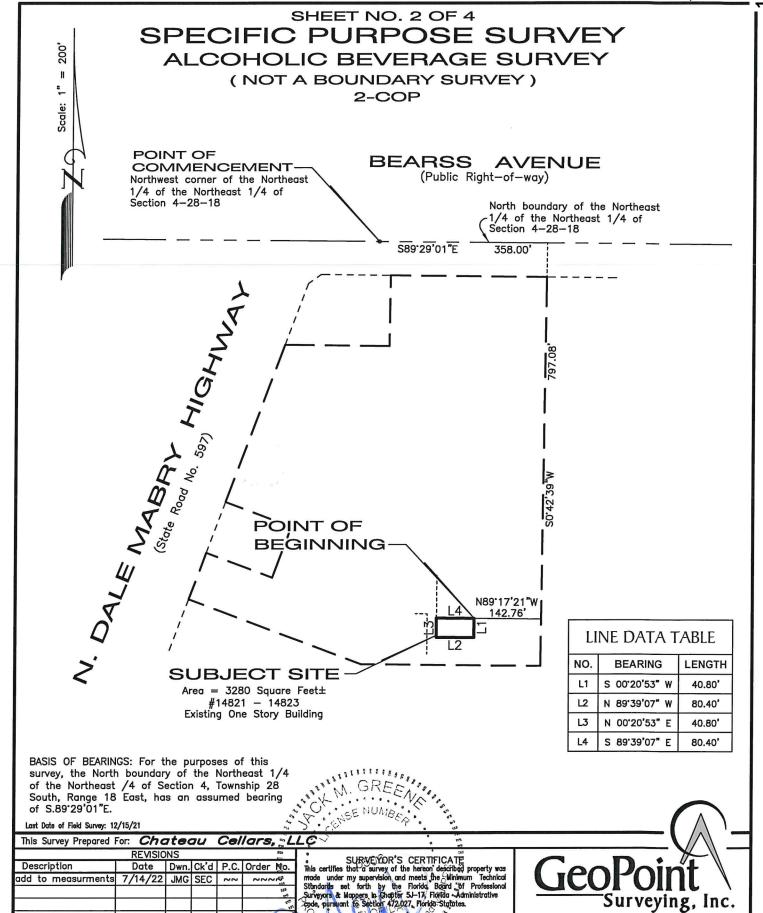
GeoPoint Surveying, Inc.

213 Hobbs Street Tampa, Florida 33605 www.geopointsurvey.com Phone: (813) 248-8888 Fax: (813) 248-2266 Ucensed Business Number LB 7768

 Drawn: JMG
 Checked: PAD
 P.C.: JMG
 Data: N/A

 Date: 12/15/21
 Dwg: Market Place North AB

 Section
 4, Township 28 South, Range 18 East



Jack M. Greene

FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6506

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

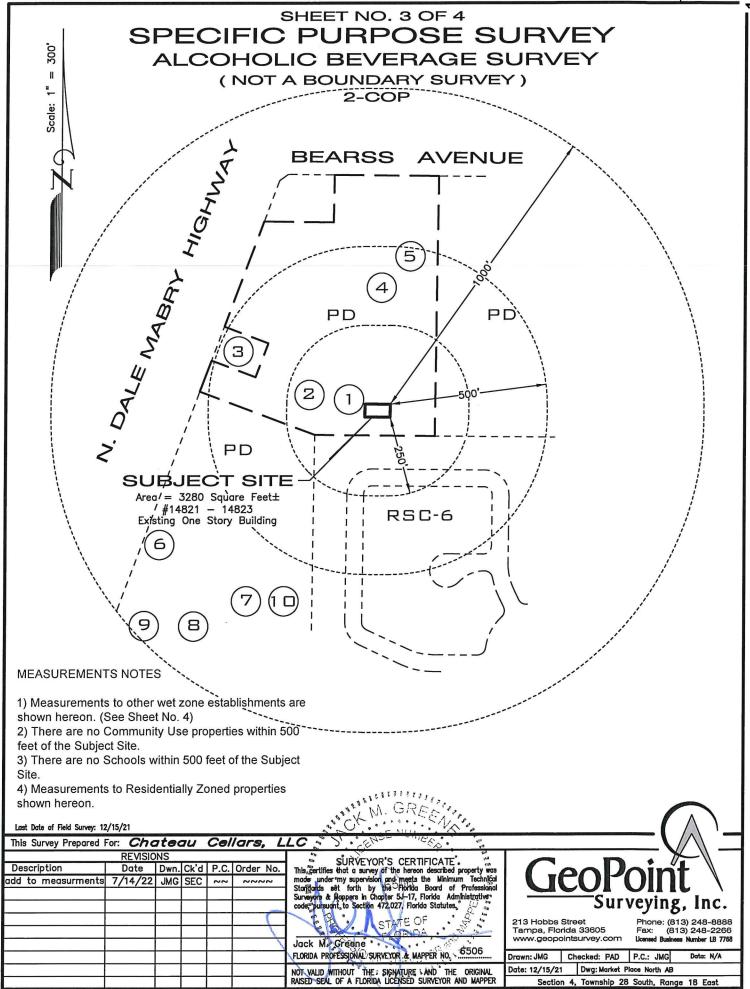
Phone: (813) 248-8888 Fax: (813) 248-2266

213 Hobbs Street Tampa, Florida 33605 www.geopolntsurvey.com

Checked: PAD P.C.: JMG

Section 4, Township 28 South, Range 18 East

Date: 12/15/21 Dwg: Market Place North AB



SHEET NO. 4 OF 4

SPECIFIC PURPOSE SURVEY ALCOHOLIC BEVERAGE SURVEY

(NOT A BOUNDARY SURVEY) 2-COP

MEASUREMENTS

Subject Site 14821 - 14823 North Dale Mabry Highway 2-APS 0 (zero) feet

- 1 Riviera Restaurant14819 North Dale Mabry Highway2-COP10 feet
- 2 AB98-404 4-COP 157 feet
- 3 AB81-904 2-COP-R 362 feet
- 4 AB05-1667 2-COP 300 feet
- 5 AB11-185 2-COP 380 feet

- 6 AB82-960 2-COP-R 750 feet
- 7 AB09-0667 2-COP 658 feet
- 8 AB01-1016 2-COP 788 feet
- 9 AB82-956 4-COP-SRX 859 feet
- 10 Best NY Pizza 14743 N. Dale Mabry Highway 2-COP 646 feet
- 11 Nearest residentially Zoned
 Property is 65 feet to RSC-6

Last Date of Field Survey: 12/15/21

This Survey Prepared For: Chateau Cellars, LLC

REVISIONS

Description Date Dwn. Ck'd P.C. Order No. add to measurments 7/14/22 JMG SEC ~~ ~~~~

SURVEYOR'S CERTIFICATE
This certifies that a survey of the fercon described property was made under my supervision and meets the Minimum Technical Standards set forth by the Florida Board of Professional Surveyors Magners in Chapter 53-17, Florida Administrative code-pursuant to Section 472.027 Florida Statutes.

Jack M. Greene

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER



213 Hobbs Street Tampa, Florida 33605 www.geopointsurvey.com Phone: (813) 248-8888 Fax: (813) 248-2266 Ucensed Business Number LB 7768

 Drawn: JMG
 Checked: PAD
 P.C.: JMG
 Date: N/

 Date: 12/15/21
 Dwg: Market Place North AB

 Section
 4, Township
 28 South, Range
 18 East

22 114

Barnett Kirkwood Koche Long & Foster sbagge@barnettbolt.com 813-253-2020

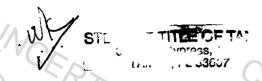
Re: Chateau Cellars Special Use (Alcoholic Beverage Permit) Application Written Statement

To whom it may concern.

This law firm represents Chateau Cellars, LLC. Chateau Cellars is filing an Alcohol Beverage Special Use Permit Application to utilize the premises at 14821-14823 N. Dale Mabry Highway in Tampa as a wine store with on site consumption. Chateau Cellars is seeking a 2-COP license. It will sell wine for on and off premises consumption. It currently has permission to sell to wine for off premises consumption. The premises is located within the Market Place North shopping plaza. Please contact the undersigned with any questions or concerns.

Sincerely,

Stephen J. Bagge



PREPARED BY AND AFTER RECORDING **RETURN TO**

JAY ZEIGER, Esq. PO BOX 30 - CHURCH STREET **WOODBURNE, NEW YORK 12788**

Tax Id. # 18898.0500

A 1801 III 184 II 185 II 185 II 188 II 188 II 186 II

INSTR # 99035004 OR BK 09466 PG 1487

RECORDED 02/05/99 04:28 PM RICHARD AKE CLERK OF COURT HILLSBOROUGH COUNTY DOC TAX PD(F.S.201.02) 52,500.00 DEPUTY CLERK S Spencer

SPECIAL WARRANTY DEED

ERTIFIEL THIS SPECIAL WARRANTY DEED made the / day of 40/). 1999 by INSTITUTIONAL REAL ESTATE FUND III (formerly known as Equitec Institutional Real Estate Fund III), a Group Trust under Agreement dated June 30, 1986, whose address is 800 Newport Center Drive, Suite 300, Newport Beach, California 92660, hereinafter called the Grantor, to MPN ASSOCIATES LIMITED PARTNERSHIP, a Florida limited partnership, whose address is 415 Highland Avenue, Ridgewood, New Jersey, 07459, hereinafter called the Grantee

(wherever used herein the terms "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 \$10 00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, demises, releases, conveys and confirms unto the Grantee, all that certain land situate in the County of Hillsborough, State of Florida, viz

SEE ATTACHED SCHEDULE "1"

TOGETHER, with all improvements thereon and all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining

TO HAVE AND TO HOLD, the same in fee forever

AND that Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee, that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor, but against none other, subject to taxes accruing subsequent to December 31, 1998, and easements, restrictions, reservations and encumbrances of public record, provided, however, reference thereto shall not serve to reimpose same, and matters which would be disclosed by an accurate survey

SERTIFIEL

LA990290 117/TJM/P6674-028/01-29-99/kah

OR BK 09466 PG 1488

IN WITNESS WHEREOF, the said Grantor has hereunder to its hand and seal the day and year first above written

WITNESSED

Signed, sealed and delivered in our presence

INSTITUTIONAL REAL ESTATE FUND III,

a Group Trust

PMRealty Advisors, Inc., a California corporation,

Its Investment Manager

By

Printed Name Loretta

Name LAWRENCE K. SULLIVAN Title MANAGING DIRECTOR

By: DAVID R. BRUSH

ts: Assistant secretary

OR BK 09466 PG 1489

	UNCA
STATE OF CALIFORNIA COUNTY OF ORANGE	Sop ERTIFIED
•	

On <u>February 1, 1999</u>, before me, <u>the undersigned</u>, a Notary Public in and for said state, personally appeared <u>Lawrence K. Sullivan and David R. Brush</u> personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons, or the entity upon behalf of which the persons acted, executed the instrument

WITNESS my hand and official seal

KATHLEEN CRAIG
Commission # 1084659
Notary Public — California
Orange County
My Comm. Expires Jan 28,2000

Jotary Public in and for said State

LA990290 117/TJM/P6674-028/01-29-99/kah

PARCEL "A"

NCERTIFIE

Portion of the Northeast 1/4, lying East of State Road No (Dale Mabry Highway), in Section 4, Township 28 South, Range 18 East, Hillsborough County, Florida, more particularly described as follows:

Begin at the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of stated Section 4, thence East (assumed bearing) along the North boundary of the Northeast 1/4 of the Northeast 1/4 of stated Section 4, a distance of 358.00 feet; thence South 00°11'40" West along the East boundary of the West 358.00 feet of the Northeast 1/4 of the Northeast 1/4 of stated Section 4. a distance of 72.15 feet for a Point of Beginning.

Thence continue South 00°11'40" West along the East boundary of the West 358.00 feet of the Northeast 1/4 of the Northeast 1/4 of Section 4 a distance of 824.24 feet to a point on the North boundary of Brentwood Subdivision, as recorded in Plat Book 45, Page 33, of the Public Records of Hillsborough County, Florida, thence North 89°53'00" West along the North boundary of Brentwood Subdivision and the Westerly extension thereof a distance of 382.00 feet; thence North 69°58'00" West, a distance of 391.79 feet to a point on the Easterly right-of-way of Dale Mabry Highway (State Road No 597), having a 200 foot right-of-way; thence North 20°02'00" East along the stated Easterly right-of-way boundary of Dale Mabry Highway (State Road No. 597) a distance of 105.0 feet; thence South 69°58'00" East, a distance of 150.00 feet, thence North 20°02'00" East, along a line 150.00 feet Easterly of and parallel to the Easterly right-of-way boundary of Dale Mabry Highway (State Road No. 597) a distance of 115 00 feet, thence North 69°58'00" West, a distance of 150.00 feet to a point on the Easterly right-of-way boundary of Dale Mabry Highway (State Road No 597); thence North 20°02'00" East along the Easterly right-of-way boundary of Dale Mabry Highway (State Road No. 597) a distance of 355.71 feet, thence South 89°49'55" East, a distance of 222.18 feet; thence North 00°11'40" East a distance of 150.0 feet thence South 89°49'55" East, a distance of 333.00 feet to the Point of Beginning.

AND

PARCEL B.

A nonexclusive easement for the benefit of Parcel "A" as created by drainage water retention pond easement dated August 2, 1979, recorded December 4, 1979, in Official Record Book 3597, Page 830, of the Public Records of Hillsborough County, Florida for ICERTIFIEL the purposes described in that easement over, under and across -1-ERTIFIED Continued on next page

OR BK 09466 PG 1491

UNCERTIFIED UNCERTIFIE CONTINUATION OF EXHIBIT "A"

the land described as follows: .

Begin at the Southwest corner of the East 310.00 feet of the West 668.00 feet of the North 3/4 of the Northeast 1/4 of the West 668.00 feet of the North 3/4 of the Northeast 1/4; Less the South 260 0 feet thereof, Section 4, Township 28 South, Range 18 East, Hillsborough County, Florida, and run North 00°11'40" East (assumed bearing) along the West boundary of the East 310.00 feet of the West 668 00 feet of the Northeast 1/4 of the Northeast 1/4 of Section 4, a distance of 467 29 feet; thence South 89°53'00" East a distance of 135.00 feet; thence South 00°11'40" West a distance of 31 24 feet; thence South 89°53'00" East a distance of 175 00 feet to a point on the East boundary of the East 310.00 feet of the West 668.00 feet of the Northeast 1/4 of the Northeast 1/4 of Section 4; thence South 00°11'40" West along the stated East Section 4; thence South of the West along the South boundary of the East 310.00 feet of the West 668 00 feet of the Northeast 1/4 of the Northeast 1/4 of Section 4, a distance of 436.05 feet; thence North 89°53'00" West a distance of 310.00 feet to the Point of Beginning

Received
06-29-2022
Development
Services
Hillsborough
County Florida
Development Services

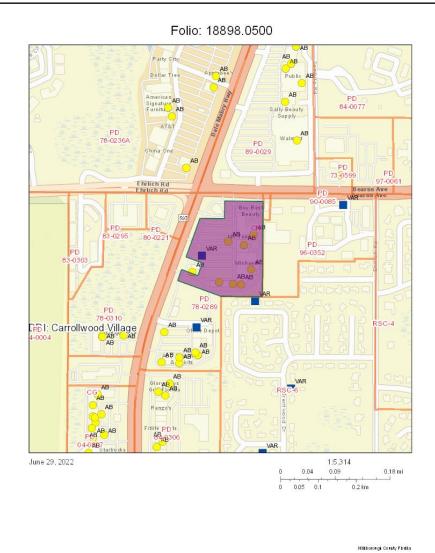
Property/Applicant/Owner Information Form

·	
Application No: 22-1143 Hearing(s) and type: Date: 8/22/2022 Date: Type: LUH Type:	O Receipt Number: 175604
Property In	formation
Address: 14821-23 N. Dale Mabry Hwy	City/State/7in: Tampa, FL 33618
Address: 14821-23 N. Dale Mabry Hwy TWN-RN-SEC: 04-28-18 Folio(s): 018898-0500 Zoning: P[Property Size: 3, 280 sq feet
Property Owner	er Information
Name: MPN, LLC f/k/a MPN Associates Limite	ed Partnership Daytime Phone 727-449-2020
Address: C/O Bruce Strumpf Inc. 2120 Drew St	
Email: jillstrumpf@brucestrumpf.com	
Applicant Ir	
Name: Chateau Cellars, LLC	Daytime Phone 813-391-0070
Address: 10014 N. Dale Mabry Hwy Suite 100 Circ	
sean@chateaucellars.com	
Applicant's Representativ	
Name: Stephen Bagge	
Address: 601 Bayshore Blvd.	ty/State/Zip: Tampa, FL 33618
	Fax Number 813-251-6711
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. SEA	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 Gwnerial - (All parties or the decomposition) Type or print name



PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County	
Zoning Category	Planned Development	
Zoning	PD	
Description	Planned Development	
RZ	78-0289	
Flood Zone:AE	BFE = 55.6 ft	
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD	
FIRM Panel	0184H	
FIRM Panel	12057C0184H	
Suffix	Н	
Effective Date	Thu Aug 28 2008	
Pre 2008 Flood Zone	X	
Pre 2008 Flood Zone	А	
Pre 2008 Firm Panel	1201120185F	
County Wide Planning Area	Greater Carrollwood Northdale	
Community Base Planning Area	Greater Carrollwood Northdale	
Planned Development	PD	
Re-zoning	null	
Census Data	Tract: 011301 Block: 1001	
Future Landuse	OC-20	
Urban Service Area	USA	
Mobility Assessment District	Urban	
Mobility Benefit District	1	
Fire Impact Fee	Northwest	
Parks/Schools Impact Fee	NORTHWEST	
ROW/Transportation Impact Fee	ZONE 1	
Wind Borne Debris Area	140 MPH Area	
Aviation Authority Height Restrictions	180' AMSL	
Competitive Sites	NO	
Redevelopment Area	NO	



Folio: 18898.0500 PIN: U-04-28-18-ZZZ-000000-79610.0 MPN ASSOCIATES LIMITED PARTNERSHIP Mailing Address: 17 SUNSET PARK MONTCLAIR, NJ 07043-1938 Site Address: 14805 N DALE MABRY HWY TAMPA, FI 33618

SEC-TWN-RNG: 04-28-18 Acreage: 10.38920021 Market Value: \$10,405,500.00 Landuse Code: 1620 STORE/SHP CENTE

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.

2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder

< THIS PAGE WAS INTENTIONALLY LEFT BLANK >
< THIS PAGE WAS INTENTIONALLY LEFT BLANK >