



# Easement Access Instruction Sheet

The Hillsborough County Board of County Commissioners adopted lobbying ordinance No# 8 as amended. Prior to meeting privately with a board member, county attorney, chief assistant county attorney, county administrator, assistant county administrator or department head, you may be required to register as a lobbyist.

### OFFICIAL USE ONLY

Application # \_\_\_\_\_ - \_\_\_\_\_ Folio # \_\_\_\_\_  
 Zhm Date: \_\_\_\_\_ Sec: \_\_\_\_\_ Twn: \_\_\_\_\_ Rng: \_\_\_\_\_  
 Bocc Date: \_\_\_\_\_ Atlas Page: \_\_\_\_\_

General: Acreage: \_\_\_\_\_ Zoning: \_\_\_\_\_ Lu: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Psc Tech: \_\_\_\_\_ Gz: \_\_\_\_\_ Receipt # \_\_\_\_\_

Development Services Planner Who Provided Land Use Counseling: \_\_\_\_\_

### Types of Application:

#### BOCC Action

- Rezoning
- Personal Appearance
- Major Modifications
- Other

#### Administrative Action

- Administrative Waiver
- Administrative Review
- Specified Use
- Alcoholic Beverage Zoning (No Waivers)
- Non-Conforming Lot (NCL)
- Non-Conforming Use (NCU)
- Other

#### LUHO Action

- Special Use Permit
- Alcoholic Beverage Zoning
- Other

Site Information: Tax Folio # \_\_\_\_\_

Street Address: \_\_\_\_\_

Current Use: \_\_\_\_\_

(Additional information, see Exhibit "A")

### Representative/Primary Contact:

Phone: Daytime (\_\_\_\_) \_\_\_\_\_ Evening (\_\_\_\_) \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Is this application accompanied by other applications?  Yes  No

If yes, what are the application numbers? \_\_\_\_\_

If this is a DRI, list the project name and number: \_\_\_\_\_

If this is an Annual Report Submittal: Anniversary Date: \_\_\_\_\_ Reporting Period \_\_\_\_\_ to \_\_\_\_\_

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 petition.

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 Applicant

\_\_\_\_\_  
Signature of the Applicant



# Exhibit A

Application # \_\_\_\_\_ Type : \_\_\_\_\_

## Site Information

Folio # \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Acreage \_\_\_\_\_

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**Applicant** \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone (\_\_\_\_\_) \_\_\_\_\_

Evening Phone (\_\_\_\_\_) \_\_\_\_\_

**Property Owner** \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone (\_\_\_\_\_) \_\_\_\_\_

Evening Phone (\_\_\_\_\_) \_\_\_\_\_

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## Utilities To Be Utilized

Water:  Public Water  Private Water (well)

Wastewater:  Public Sewer  Septic Tank  Interim Treatment Plant

## Zoning Violations

Are you in zoning violation?  Yes  No

Have you been issued a citation?  Yes  No

If so, when were you cited? \_\_\_\_\_

Are you scheduled for the Code Enforcement Board?  Yes  No

If a DRI, is the Project in noncompliance with the terms of the Development Order?  Yes  No

## Zoning History

Has the property received an approval as a Non-Conforming Lot (NCL) or a Non-Conforming Use (NCU)?  Yes  No

If yes, please list the petition number: \_\_\_\_\_

If a Zoning or Special Use petition has been heard on the property in the past year, please provide the petition number:

\_\_\_\_\_



## Easement Access Review

There are three situations requiring an easement access review:

1. Any lot within the unincorporated areas of Hillsborough County that does not front on a publicly owned and maintained road right-of-way is required to show proof of an “Easement Access Agreement” prior to the issuance of any permits by the Hillsborough County Building Department.
2. If the lot or parcel in question fronts on a County owned but not maintained road right-of-way, the Easement Access Review is still necessary to ensure there is sufficient ingress and egress for the fire trucks, ambulances, police cars and other emergency vehicles.
3. If the lot or parcel in question has a recorded easement of fifteen (15) feet recorded prior to July 11, 1986, then the fifteen (15) feet will be allowed for an easement. The easement shall still be required to undergo the easement access review, however, to ensure that the easement legally connects the lot or parcel in question to a County owned and maintained road right-of-way.

\*The proposed easement shall first be reviewed to ensure that it meets the requirements established by the Board of County Commissioners in Resolution Number R86-0156. Approval shall be granted upon finding the easement to have: sufficient egress and ingress for vehicles of any branch of the Emergency services of Hillsborough County in the event of an emergency; and the legal sufficiency of access to prevent the lot or parcel from being landlocked. The easement shall also be clear of trees, water, environmentally sensitive lands and existing structures.

Width requirements for easement are determined as follows:

1. If the easement is to be used for access by one (1) residential lot or parcel only, a minimum easement width of twenty (20) feet is required for a single family residence (either a fixed dwelling or a mobile home).
2. If the easement is to serve two (2) or three (3) dwelling units, a minimum easement width of thirty (30) feet, is required.

If there are no problems with your application or easement, the reviewer will render a decision regarding your application for an easement access review within twenty (20) working days after the date of filing the completed application. Appeals of this decision may be made to the Board of County Commissioners, and must be filed with the Development Services Department within thirty (30) days of the date of the reviewer’s decision. Further information on the easement access procedure may be obtained from the Development Services Department.

All easements must be recorded in the Clerk’s Office prior to the issuance of any permits. A copy of the easement access agreement (approval Letter) must be submitted to the Hillsborough County Building Department prior to the issuance of any permits.

# Easement Access Instruction Sheet

If your property does not front on a County owned and maintained right-of-way, you are required to provide, or obtain, an easement from a County owned and maintained right-of-way to your lot or tract of land.

**The following documents shall be submitted with the application for easement access.**

1. A Current Deed for the lot or tract of land requiring an easement to a County owned and maintained road.
2. Affidavit Acknowledging Easement Restrictions (The legal description for the lot and the legal description for the easement must be typed, or printed in black ink only on the affidavit in the space provided and continued on the reverse side.)
3. Affidavit Acknowledging an Agreement for Ingress and Egress of an Easement (not required if on County owned but not maintained right-of-way, or if the easement is listed on the applicant's deed.
4. Complete Application. All information must be typed or printed in black ink only.
5. Check for Filing Fee. The fee is \$100. Make check or money order payable to the Board of County Commissioners (BOCC).
6. Survey showing number of lots.

Approval of this request does not exempt the applicant from complying with all other County and State laws, regulations, or ordinances, as may be required. The attached pages contain the application for Easement Access Review. Any questions regarding this information should be directed to the Hillsborough County Development Services Department at (813) 272.5920.

## Required Easement Widths

(For All Easements Being Recorded After July 11, 1986)

<u>USE</u>	<u>SIZE</u>
Access by one (1) lot for single family residence (fixed dwelling or mobile home) . . . . .	20 feet
Access by two (2) or three (3) dwelling units . . . . .	30 feet



# Affidavit Acknowledging Easement Restriction

Before me, the Undersigned Authority in and for Hillsborough County and the State of Florida, personally appeared \_\_\_\_\_, who being by me first duly sworn, deposes and says:

That I do swear on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, that as the owner of the property described in the affidavit, I hereby acknowledge that access to the property provided by the described easement does not conform to the Hillsborough County engineering standards.

I do further acknowledge that Hillsborough County does not have any obligation of responsibility to improve, maintain or otherwise alter the described access easement.

I do further acknowledge that the access easement shall be maintained so as to allow the passage of any and all vehicles of the Emergency Services of the Hillsborough County Government.

Legal Description of Property and easement:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Property Owners: \_\_\_\_\_  
\_\_\_\_\_

**STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH**

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_.

(day) (month) (year) (name of person acknowledging)

Personally Known OR  Produced Identification

\_\_\_\_\_  
(Signature of Notary Public - State of Florida)

\_\_\_\_\_  
Type of Identification Produced

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name of Notary Public)

(Notary Seal)

\_\_\_\_\_  
(Commission Number)

\_\_\_\_\_  
(Expiration Date)



# Affidavit Acknowledging an Agreement of Easement

This easement made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by and between \_\_\_\_\_ as the first party, and \_\_\_\_\_ as the second party.

WITNESSETH:

That the First party, for and in consideration of the sum of \_\_\_\_\_ dollars and other valuable considerations paid, receipt of which is hereby acknowledged, do (does) hereby grant unto the second party \_\_\_\_\_, its successors and assigns a perpetual easement (said easement is run with land of the second party) through and across lands of the first party in Hillsborough County, Florida.

Legal Description as Follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of First Party

Signature of Second Party

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by

(name of person acknowledging)

(name of person acknowledging)

Personally Known OR  Produced Identification

Personally Known OR  Produced Identification

Type of Identification Produced \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

(Signature of Notary taking acknowledgment)

(Signature of Notary taking acknowledgment)

Type or Print Name of Notary Public

Type or Print Name of Notary Public

Commission number

Expiration date

Commission number

Expiration date