

District No. 1 - Ronald Williams
District No. 2 - Rocky Ford
District No. 3 - Robby Hollingsworth
District No. 4 – Everett Phillips
District No. 5 - Tim Murphy

BOARD OF COUNTY COMMISSIONERS • COLUMBIA COUNTY



August 28, 2023

VIA ELECTRONIC MAIL

Re: BA V - 0344
Determination Letter

Dear Mr. Sparks at the August 24, 2023 Columbia County Board of Adjustment, the Board approved applications (V- 0344) for allowing a Variance of Subdivision regulations for a property that was improperly subdivided and purchased by Mr. Todman who was unaware attached are copies of the resolutions for your records.

If you have any questions, please do not hesitate to contact me at troy_crews@columbiacountyfla.com (386) 758-1040.

Sincerely,

A handwritten signature in blue ink, appearing to read "Troy Crews", is written above the typed name.

Troy Crews Interim
Community Development Coordinator
Land Development Regulations Admin.

BOARD MEETS FIRST AND THIRD THURSDAY AT 5:30 P.M.

P.O. BOX 1529

LAKE CITY, FLORIDA 32056-1529

PHONE (386) 755-4100

RESOLUTION NO. BA V 0344

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF COLUMBIA COUNTY, FLORIDA, GRANTING A VARIANCE AS AUTHORIZED UNDER SECTION 3.2 OF THE COLUMBIA COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED; PROVIDING FOR A VARIANCE FROM THE REQUIREMENTS OF SECTION 4.19 OF THE LAND DEVELOPMENT REGULATIONS, AS AMENDED, TO ALLOW FOR APPROVAL OF A LOT DIVIDED OUT OF THE SUBDIVISION RULES UPON CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF COLUMBIA COUNTY, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Columbia County Land Development Regulations, as amended, hereinafter referred to as the Land Development Regulations, empowers the Board of Adjustment of Columbia County, Florida, hereinafter referred to as the Board of Adjustment, to grant or to deny variances as authorized under Section 3.2 of the Land Development Regulations;

WHEREAS, a petition for a variance, as described below, has been filed with the County;

WHEREAS, pursuant to the Land Development Regulations, the Board of Adjustment, held the required public hearing, with public notice having been provided, on said petition for a variance, as described below, and reviewed and considered all comments received during said public hearing, including the Concurrency Management Assessment concerning said petition for a variance, as described below;

WHEREAS, the Board of Adjustment, has found that they are empowered under Section 3.2 of the Land Development Regulations to grant or to deny said petition for a variance, as described below;

WHEREAS, the Board of Adjustment, has determined and found that the granting of said petition for a variance, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare; and

WHEREAS, the Board of Adjustment has determined and found that:

- a. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
- b. Such special conditions and circumstances do not result from the actions of the applicant;
- c. Granting the variance requested will not confer on the applicant a special privilege that is denied by the Land Development Regulations to other lands, buildings or structures in the same zoning district;
- d. Literal interpretation of the provisions of the Land Development Regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Regulations and would work unnecessary and undue hardship on the applicant;
- e. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and
- f. Granting of the variance will be in harmony with the general intent and purpose of the Land Development Regulations, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF COLUMBIA COUNTY, FLORIDA, THAT:

Section 1. Pursuant to a petition, V 0346, a petition by Josh Sparks, agent for Wilbert Todman, owner, to request a variance be granted from section 4.19 of the Land Development Regulations to allow for a variance to subdivision rules for an owner that unknowingly bought a property that was divided in violation. The variance has been filed in accordance with and submitted as part of a petition filed July 28, 2023, to be located on property described, as follows:

A part of the NW 1/4 of Section 23, Township 4 South, Range 17 East, Columbia County, Florida being more particularly described as follows:

Commence at the Northwest corner of said Section 23 and run thence S 01 degrees 21'02" E 1054.58 feet; thence N 87 degrees 16'30" E 16.79 feet to a point on the East right-of-way line of Press-Ruth Road (a county maintained grade road), said point being the point of beginning; thence continue N 87 degrees 16'30" E 468.84 feet; thence S 07 degrees 22'30" W 598.72 feet to a point on the North right of way line of County Road No. 252; thence N 68 degrees 44'26" W along said North right-of-way line 409.34 feet to a point on the East right-of-way line of Press - Ruth Road (a county maintained grade road); thence N 01 degrees 21 '02" W 423.17 feet to the point of beginning.

LESS and EXCEPT any part of those lands lying within road right of way, if any.

Subject to taxes for 2020 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Containing 5.01 ACRES

Tax Parcel Number 24-4 S-17-08710-007

Section 2. All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 3. Pursuant to Section 12.1 of the Land Development Regulations, the effective date of this resolution, BA V 0344, shall be 31 days after adoption, unless an appeal is filed pursuant to Section 12.1.1(1) of the Land Development Regulations. No development orders, development permits or land uses dependent on this resolution may be issued or commence before it has become effective.

PASSED AND DULY ADOPTED, in special session with a quorum present and voting,

By the Board of Adjustment this 24 th day of August 2023.

Attest:

BOARD OF ADJUSTMENT OF
COLUMBIA COUNTY, FLORIDA



Troy Crews, Secretary to the
Board of Adjustment



Teona Ruffo, Chairman