



Columbia County Gateway to Florida

641514

FOR PLANNING USE ONLYApplication # V 240301Application Fee \$950.00Receipt No. 766 541Filing Date 3-12-2024Completeness Date 3-28-2024

Variance Application

A. PROJECT INFORMATION

1. Project Name: Cody Burnham
2. Address of Subject Property: TBD
3. Parcel ID Number(s): 11-45-15-00336-019
4. Future Land Use Map Designation: Agriculture
5. Zoning Designation: Ag 3
6. Acreage: 5.11
7. Existing Use of Property: Agriculture
8. Proposed use of Property: Residential
9. Section of the Land Development Regulations ("LDRs") for which a Variance is requested
(Provide a Detailed Description): I received the property through probate. I was unaware that it had been illegally subdivided. I'm requesting a variance so a single-family home can be built on property.

B. APPLICANT INFORMATION

1. Applicant Status Owner (title holder) Agent
2. Name of Applicant(s): Cody Burnham Title: _____
Company name (if applicable): _____
Mailing Address: 275 SW Arrowbnd dr
City: Lake City State: FL Zip: 32024
Telephone: (386) 965-3683 Fax: () Email: Cody.Burnham1@yahoo.com
3. If the applicant is agent for the property owner*.
Property Owner Name (title holder): _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone: () Fax: () Email: _____

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from government officials regarding government business is subject to public records requests. Your e-mail address and communications may be subject to public disclosure.

*Must provide an executed Property Owner Affidavit Form authorizing the agent to act on behalf of the property owner.

The Board of Adjustment requires that the applicant or representative be present at the public hearing to address and answer any questions the Board may have during the public hearing. The application may be continued to future dates if the applicant or representative is not present at the hearing.

For submittal requirements, please see the Columbia County Building and Zoning Development Application Submittal Guidelines.

The Columbia County Land Development Regulations require that a sign must be posted on the property ten (10) days prior to the Board to Adjustment hearing date. Once a sign has been posted, it is the property owner's responsibility to notify the Planning and Zoning Department if the sign has been moved, removed from the property, torn down, defaced or otherwise disturbed so the property can be reposted. If the property is not properly posted until all public hearings before the Board of Adjustment are completed, the Board reserves the right to continue such public hearing until such time as the property can be properly posted for the required period of time.

There is a thirty (30) day appeal period after the date of the decision. No additional permitting will be issued until that thirty (30) day period has expired.

I (we) hereby certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true and correct to the best of my (our) knowledge and belief.

APPLICANT ACKNOWLEDGES THAT THE APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT THE PUBLIC HEARING BEFORE THE BOARD OF ADJUSTMENT, OTHERWISE THE REQUEST MAYBE CONTINUED TO A FUTURE HEARING DATE.

cody Burnham
Applicant/Agent Name (Type or Print)

cody Burnham
Applicant/Agent Signature

3-8-24

Date

Variance Application Section 9 subsection 9

Section of Land Development Regulations ("LDRs") for which a Variance is requested

1. Analysis of Section 12.3 1.2 of LDR

A. The Special Conditions and circumstances do not result from actions of applicant.

When property was initially purchased to our adjacent property, seller stated he was to build home on property, but after accident was unable to do so, he proceeded to split off 5 acres connected to his current home. We were unaware the property could not be built on since all residences in area are 5 acre or more.

B. Granting the variance requested will confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district.

No there will no special privilege in changing the parcel from 5 acre to 5 acre, From timberland to single family residence.

C. Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of land development and would work unnecessary and undue hardship on the applicant.

It is my understanding that LDRs states homes under this property's legal description be a minimum of 5 acres, this property is 5.01 acres. The same 5 acres would just change from timberland to single family residence with timberland.

D. The variance granted is the minimum variance that will make possible the reasonable use of the land.

E. The variance granted is minimum variance that will make possible the reasonable use of the land, building or structure.

Yes, nothing about the property would change except for residential property, one driveway, septic and water.

F. The grant of variance will be in harmony with the general intent and purpose of these land development regulations, and such variance will not be injurious to the area involved or detrimental to public welfare.

Yes, it will be utilized for a single-family residential property.

G. Limitations on subsequent written petitions for variance. No written by owner of real property for a variance for a particular parcel of property or part thereof, shall be filed with the land development regulation administrator until the expiration of 12 calendar months from date of denial of a written petition for a variance for such property, or part thereof, unless the board of adjustment specially waives said period based upon a consideration of the following factors:

The new written petition constituting a proposed variance different from the one proposed in the denied written petition.

H. Failure to waive said 12-month waiting period constitutes a hardship to the applicant resulting from mistake, inadvertence, or newly matters or consideration.

Not Applicable

Vicinity map indicating general location of the site, abutting streets, existing utilities, complete legal description of the property in question and adjacent land use.

See attached maps.

1. **Land Use: Residential Home zoned A-3**
2. **Site Plan -Not Applicable**
3. **Storm Water-Storm water Management Plan—Not Applicable**

Nothing about this proposed change would make a change in zoning density or intended use of land. This property will be continued be zoned A-3 and utilized for single family residential living space.

I am requesting a variance for the property I received through probate to build a house on. Originally my dad's property, he did not know this property was illegally subdivided when it was sold to him.

COLUMBIA COUNTY Property Appraiser

Parcel 11-4S-15-00336-019 <https://search.ccpafl.com/parcel/00336019154S11>

Owners

BURNHAM CODY M
BURNHAM KIMBERLY
911 NW WHITE SPRINGS AVE
WHITE SPRINGS, FL 32096

Use: 0000: VACANT

Subdivision: DIST 3

Legal Description

COMM NE COR OF SEC, S 58.11 FT TO S R/W LINE OF
COUNTY ROAD 252, W 649.85 FT, S 499.18 FT TO
POB, E 216.68 FT, S 327.02 FT, W 888.42 FT TO E
MAINTAINED R/W OF SW GOLDBOLD AVE, N 223.18
FT,...



C. ADDITIONAL INFORMATION

1. Is there any additional contract for the sale of, or options to purchase, the subject property?
If yes, list the names of all parties involved: _____
If yes, is the contract/option contingent or absolute: Contingent Absolute
2. Has a previous application been made on all or part of the subject property:
Future Land Use Map Amendment: Yes _____ No _____
Future Land Use Map Amendment Application No. CPA _____
Rezoning Amendment: Yes _____ No _____
Rezoning Amendment Application No. Z _____
Site Specific Amendment to the Official Zoning Atlas (Rezoning): Yes _____ No _____
Site Specific Amendment to the Official Zoning Atlas (Rezoning) Application No. Z _____
Variance: Yes _____ No _____
Variance Application No. V _____
Special Exception: Yes _____ No _____
Special Exception Application No. SE _____

D. ATTACHMENT/SUBMITTAL REQUIREMENTS

1. Analysis of Section 12.3.1.2 of the Land Development Regulations ("LDRs"):
 - 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. The special conditions and circumstances do not result from the actions of the applicant.
 - c. Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district.
 - d. Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development 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.
 - f. The grant of the variance will be in harmony with the general intent and purpose of these land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
 - g. Limitations on subsequent written petition for a variance. No written petition by an owner of real property for a variance for a particular parcel of property, or part thereof, shall be filed with the land development regulation administrator until the expiration of 12 calendar months from the date of denial of a written petition for a variance for such property, or part thereof, unless the board of adjustment specially waives said waiting period based upon a consideration of the following factors:

- i. The new written petition constituting a proposed variance different from the one proposed in the denied written petition.
 - ii. Failure to waive said 12-month waiting period constitutes a hardship to the applicant resulting from mistake, inadvertence, or newly discovered matters of consideration.
2. Vicinity Map – Indicating general location of the site, abutting streets, existing utilities, complete legal description of the property in question, and adjacent land use.
3. Site Plan – Including, but not limited to the following:
 - a. Name, location, owner, and designer of the proposed development.
 - b. Present zoning for subject site.
 - c. Location of the site in relation to surrounding properties, including the means of ingress and egress to such properties and any screening or buffers on such properties.
 - d. Date, north arrow, and graphic scale not less than one inch equal to 50 feet.
 - e. Area and dimensions of site (Survey).
 - f. Location of all property lines, existing right-of-way approaches, sidewalks, curbs, and gutters.
 - g. Access to utilities and points of utility hook-up.
 - h. Location and dimensions of all existing and proposed parking areas and loading areas.
 - i. Location, size, and design of proposed landscaped areas (including existing trees and required landscaped buffer areas).
 - j. Location and size of any lakes, ponds, canals, or other waters and waterways.
 - k. Structures and major features fully dimensioned including setbacks, distances between structures, floor area, width of driveways, parking spaces, property or lot lines, and percent of property covered by structures.
 - l. Location of trash receptacles.
 - m. For multiple-family, hotel, motel, and mobile home park site plans:
 - i. Tabulation of gross acreage.
 - ii. Tabulation of density.
 - iii. Number of dwelling units proposed.
 - iv. Location and percent of total open space and recreation areas.
 - v. Percent of lot covered by buildings.
 - vi. Floor area of dwelling units.
 - vii. Number of proposed parking spaces.
 - viii. Street layout.
 - ix. Layout of mobile home stands (for mobile home parks only).

4. Stormwater Management Plan—Including the following:
 - a. Existing contours at one foot intervals based on U.S. Coast and Geodetic Datum.
 - b. Proposed finished elevation of each building site and first floor level.
 - c. Existing and proposed stormwater management facilities with size and grades.
 - d. Proposed orderly disposal of surface water runoff.
 - e. Centerline elevations along adjacent streets.
 - f. Water management district surface water management permit.
5. Legal Description with Tax Parcel Number.
6. Proof of Ownership (i.e. deed).
7. Agent Authorization Form (signed and notarized).
8. Proof of Payment of Taxes (can be obtained online via the Columbia County Tax Collector's Office).
9. Fee. The application fee for a Variance Application is \$950. No application shall be accepted or processed until the required application fee has been paid.

NOTICE TO APPLICANT

The Board of Adjustment shall have the power to authorize, upon appeal, such variance from the terms of the Land Development Regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these land development regulations will result in unnecessary and undue hardship.

In granting any variance to the provisions of Article 4 of these land development regulations, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with such regulations, including but not limited to, reasonable time limits within which the action for which variance is requested shall be begun or completed, or both. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of these land development regulations.

Under no circumstances shall the Board of Adjustment grant a variance to permit a use not permitted under the terms of the Land Development Regulations in the Zoning District involved, or any use expressly or by implication prohibited by the terms of the Land Development Regulations in the Zoning District. No nonconforming use of neighboring lands, structures, or buildings in the same Zoning District and no permitted use of lands, structures, or buildings in other Zoning Districts shall be considered grounds for the authorization of a variance.

Columbia County, FLA - Building & Zoning Property Map

Printed: Fri Mar 08 2024 14:38:48 GMT-0500 (Eastern Standard Time)



Parcel No: 11-4S-15-00336-019

Owner: BURNHAM CODY M, BURNHAM KIMBERLY

Subdivision:

Lot:

Acres: 5.11948347

Deed Acres: 5.11

District: District 2 Rocky Ford

Future Land Uses: Agriculture - 3

Flood Zones:

Official Zoning Atlas: A-3

THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:

Rose Decker Chauncey
The Chauncey Law Firm, P. A.
Post Office Box 548
Live Oak, Florida 32064
(386) 364-4445

Inst: 202412003829 Date: 02/26/2024 Time: 9:43AM
Page 1 of 3 B: 1508 P: 2457, James M Swisher Jr, Clerk of Court
Columbia, County, By: VCR
Deputy ClerkDoc Stamp-Deed: 0.70

The Preparer of this Instrument has Performed No Title Examination nor has the Preparer Issued any Title Insurance or Furnished any Opinion Regarding the Title, Existence of Liens, the Quantity of Lands included, or the Location of the Boundaries. The Names, Addresses, Tax Identification Numbers and Legal Description Furnished by Parties to this Instrument.

PERSONAL REPRESENTATIVE'S DEED

THIS WARRANTY DEED made this 16th day of February, 2024, by Cody M. Burnham, as the Personal Representative of the Estate of Timothy D. Burnham, whose address is 911 NW White Springs Avenue, White Springs, Florida 32096, as Grantor, to Cody M. Burnham, whose address is 911 NW White Springs Avenue, White Springs, Florida 32096, and Kimberly Burnham, whose address is 714 E. 14th Street, Roanoke Rapids, North Carolina 27870, as joint tenants with rights of survivorship, as Grantees.

WITNESSETH:

THAT THE GRANTOR, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, to said Grantor in hand paid by the Grantees, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, and sold to the said Grantees, and Grantees' heirs, successors and assigns forever all of Grantor's interest in and to the following described land, lying, situate and being Columbia County, Florida, to wit:

See Exhibit A attached thereto

N.B. Cody M. Burnham is the duly appointed Personal Representative of the Estate of Timothy D. Burnham, pursuant to the Order Appointing Personal Representative and Letters of Administration entered by Judge Mark E. Feagle, on October 31, 2023 in the Circuit Court, Third Judicial Circuit in and for Columbia County, Florida, Case Number 2023-CP-330.

TOGETHER with all 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 grantees 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 warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereto set his hand and seal the day and year first above written.

**Signed, sealed and delivered in
the presence of these witnesses:**

Cody M. Burnham
CODY M. BURNHAM
Personal Representative of the Estate of
Timtohy D. Burnham
911 NW White Springs Avenue
White Springs, Florida 32096

[Signature]

Witness Signature

Type Name: Kristin Ford
Address: 320 White Avenue
Live Oak, Florida 32064
Phone: [REDACTED]
Presence: Physical Presence

Witness Signature

Type Name: Rose Decker Chauncey
Address: 320 White Avenue
Live Oak, Florida 32064
Phone: [REDACTED]
Presence: Physical Presence

**STATE OF FLORIDA
COUNTY OF SUWANNEE**

I CERTIFY that the foregoing instrument was acknowledged before me by means of physical presence on the 16th day of February, 2024 by **Cody M. Burnham**, Personal Representative of the Estate of Timothy D. Burnham, who produced a Florida Driver's License as identification and acknowledged before me that he executed the same for the purposes expressed therein.

WITNESS MY HAND AND OFFICIAL SEAL in the County and State last of aforesaid this 16th day of February, 2024.

[Signature]
Type Name: KRISTIN FORD
Notary Public, State of Florida

Exhibit A

A parcel of land lying in the NE 1/4 of Section 11, Township 4 South, Range 15 East, Columbia County, Florida, explicitly described as follows:

Commence at the NE corner of said Section 11; thence on the East boundary thereof S 00°41'00"E, a distance of 58.11 feet to the South right-of-way line of County Road No. 252; thence on said right-of-way line S 88°47'19" W, a distance of 649.85 feet; thence S 00°38'31" E, a distance of 499.18 feet to the POINT OF BEGINNING; thence N 88°10'04" E, a distance of 216.68 feet; thence S 00°40'29" E, a distance of 327.02 feet; thence S 88°10'02" W, a distance of 888.42 feet to the East maintained right-of-way line of SW Godbold Avenue; thence on said right-of-way line N 00°23'48" W, a distance of 223.18 feet; thence N 88°47'19" E, a distance of 670.48 feet; thence N 00°38'30" W, a distance of 111.14 feet to the POINT OF BEGINNING.

Subject to an ingress-egress easement over and across the South 30.00 feet thereof.

Columbia County Tax Collector

generated on 3/8/2024 2:33:54 PM EST

Tax Record

Last Update: 3/8/2024 2:32:31 PM EST

[Register for eBill](#)

Ad Valorem Taxes and Non-Ad Valorem Assessments

The information contained herein does not constitute a title search and should not be relied on as such.

Account Number	Tax Type	Tax Year			
R00336-019	REAL ESTATE	2023			
Mailing Address	Property Address				
BURNHAM TIMOTHY DALE 5045 SW PINEMOUNT RD LAKE CITY FL 32024					
GEO Number	114S15-00336-019				
Exempt Amount See Below	Taxable Value See Below				
Exemption Detail NO EXEMPTIONS	Millage Code 003	Escrow Code			
Legal Description (click for full description) 11-4S-15 0000/5.11 Acres COMM NE COR OF SEC, S 58.11 FT TO S R/W LINE OF COUNTY ROAD 252, W 649.85 FT, S 499.18 FT TO POB, E 216.68 FT, S 327.02 FT, W 888.42 FT TO E MAINTAINED R/W OF SW GOLDBOLD AVE, N 223.18 FT, E 670.48 FT, N 111.14 FT TO POB. WD 1199-834, See Tax Roll For Extra Legal					
Ad Valorem Taxes					
Taxing Authority	Rate	Assessed Value	Exemption Amount	Taxable Value	Taxes Levied
BOARD OF COUNTY COMMISSIONERS	7.8150	40,370	0	\$40,370	\$315.49
COLUMBIA COUNTY SCHOOL BOARD					
DISCRETIONARY	0.7480	40,370	0	\$40,370	\$30.20
LOCAL	3.2170	40,370	0	\$40,370	\$129.87
CAPITAL OUTLAY	1.5000	40,370	0	\$40,370	\$60.55
SUWANNEE RIVER WATER MGT DIST	0.3113	40,370	0	\$40,370	\$12.57
LAKE SHORE HOSPITAL AUTHORITY	0.0001	40,370	0	\$40,370	\$0.00
Total Millage	13.5914			Total Taxes	\$548.68

Non-Ad Valorem Assessments

Code	Levying Authority	Amount
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Total Assessments	\$0.00
Taxes & Assessments	\$548.68
If Paid By	Amount Due
3/31/2024	\$548.68
4/30/2024	\$565.14
5/20/2024	\$602.39
5/31/2024	\$602.39

Prior Years Payment History

Prior Year Taxes Due

NO DELINQUENT TAXES

[Click Here To Pay Now](#)



Building and Zoning Department

Variances Application

Invoice

64514

Applicant Information

Invoice Date

Permit

Amount Due

03/12/2024

V240301

TBD

Job Location

Parcel: 11-4S-15-00336-019
Owner:
Address: TBD

\$950.00

Contractor Information

Invoice History

Date	Description	Amount
03/12/2024	Fee: Variance	\$950.00
Amount Due:		\$950.00

Contact Us

Phone:
(386) 758-1008

Customer Service Hours:
Monday-Friday
From 8:00 A.M. to 4:30 P.M.

Email:
bldginfo@columbiacountyfla.com

Website:
<http://www.columbiacountyfla.com/BuildingandZoning.asp>

Address:
Building and Zoning Ste. B-21
135 NE Hernando Ave.
Lake City, FL 32055

Credit card payments can be made online here (fees apply)

***Fee balances are not immediately updated using online Credit Card.
If you have paid permit fees using the online application site or by another
method such as check or cash, please allow time for your payment to be
processed.***

Inspection Office Hours

Monday - Friday
From 8:00 AM to 10:00 AM
and
From 1:30 PM to 3:00 PM

Inspection Requests

Online: (Preferred Method)
www.columbiacountyfla.com/InspectionRequest.asp

Voice Mail: 386-719-2023 or Phone: 386-758-1008

All Driveway Inspections: 386-758-1019

Septic Release Inspections: 386-758-1058

IMPORTANT NOTICE:

Any inspection requested after 4:30 pm, no matter the method, will be received the next business day and will be scheduled by the earliest time slot.

All Inspections require 24 hours notice.

Emergencies will be inspected as soon as possible.

Regular Inspection Schedules

All areas North of County Road 242
From 10:00 AM to Noon

All areas South of County Road 242
From 3:00 PM to 5:00 PM



Zoning Department

Receipt Of Payment

Applicant Information	Method	Date of Payment	Payment #	Amount of Payment
TBD	Credit Card 12420535	03/14/2024	766541	\$950.00

ApplID: 64514 Development #: V240301
Variances
Parcel: 11-4S-15-00336-019;
Address: TBD

Contact Us

Phone:
(386) 719-1474
Customer Service Hours:
Monday-Friday
From 8:00 A.M. to 5:00 P.M.

Email:
zoneinfo@columbiacountyfla.com

Website:
<http://www.columbiacountyfla.com/BuildingandZoning.asp>

Address:
Building and Zoning
135 NE Hernando Ave.
Lake City, FL 32055

Payment History

Date	Description	Amount
03/12/2024	Fee: Variance	\$950.00
03/14/2024	Payment: Credit Card 12420535	(\$950.00)
		\$0.00

Merchant Copy

Zoning Department

Receipt Of Payment

Applicant Information	Method	Date of Payment	Payment #	Amount of Payment
TBD	Credit Card 12420535	03/14/2024	766541	\$950.00 AppID: 64514 Permit #: V240301 Variances Parcel: 11-4S-15-00336-019; Address: TBD

Payment Details

<u>Date</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
03/14/2024	Variance	102-0000-329.10-00	 \$950.00 <hr/> \$950.00

**COLUMBIA COUNTY
BOARD OF ADJUSTMENT
March 28, 2024 MEETING AGENDA
Tourist Development Office
971 West Duval Street Suite 145
Lake City, Florida 5:30 P.M.**

Pledge to the U.S. Flag

Invocation

Public Comments

Public Hearings

V240301 - a petition by Cody Burnham for a variance from Section 5 of the Land Development Regulations regarding a subdivision of lands for the land described as PARCEL # 11-4S-15-00336-019. Parcels were created through probate without the knowledge of having been a result of an improper division of land.

V2240302 – a petition by Phillis Skinner (owner) for a variance from Section 5 of the Land Development Regulations regarding a subdivision of lands for the land described as PARCEL # 23-3S-16-02272-203. Parcel was modified due to placement utilities without the knowledge of having been a result of an improper division of land.

V240303 – A request by Toni Dunaway (owner) requesting relief of setbacks from 25' on the side of the parcel to 10' located at 303 NW Null Rd. White Springs on parcel # 11-2S-15-00010-002.

SE240301 – a petition by Lance Jones (agent for JJ Stillwater, LLC) requesting approval of special exception for an RV Campground per Article 4.5.7.8 of LDR's on PARCEL #'s 16-6S-16-03837-003 & 16-6S-16-03837-004 located on SR 47 north of SW Elim Church Rd.

SE0647 – a petition by Joeseph and Stanley Redd (owners) requesting the approval of a Special Exception for a Junkyard per Article 4.17.5 of LDR's on 35-3S-07278-000 located at 275 NE Osburn Way, Lake City.

Staff Matters

Adoption of the February 22, 2024 Board of Adjustment Meeting Minutes.

NOTE: All persons are advised that if they decide to appeal any decision made at the above referenced public hearings, they may need a record of the proceedings, and that, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.