



BOARD OF COUNTY COMMISSIONERS • COLUMBIA COUNTY

March 26, 2021

VIA ELECTRONIC MAIL

Daniel Young, P.E.
CHW, Inc.
11801 Research Drive
Alachua, FL 32615

Re: SE 0629 "Dollar General"
Determination Letter

Dear Mr. Young,

At the March 25, 2021 Board of Adjustment ("Board") hearing, the Board approved your application for a Special Exception for a General Store use as permitted in Section 4.12.5 of the County's Land Development Regulations ("LDRs") in accordance with Section 12.2 of the County's LDRs. Per Section 12.1.1 of the County's LDRs, there is a thirty (30) day appeal period for all Special Exceptions. If no appeal is filed within thirty (30) days, the decision of the Board shall become final. No permits shall be issued until the thirty (30) day appeal period has expired. Please note the condition of approval as reflected in Exhibit "A" of the Board of Adjustment resolution.

Attached for your records is a copy of Resolution BA SE 0629.

If you have any questions, please do not hesitate to contact me at bstubbs@columbiacountyfla.com or (386) 754-7119.

Sincerely,

Brandon
M. Stubbs

Digitally signed by
Brandon M. Stubbs
Date: 2021.03.26
10:50:22 -04'00'

Brandon M. Stubbs
Community Development Coordinator
Land Development Regulations Admin.

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

RESOLUTION NO. BA SE 0629

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF COLUMBIA COUNTY, FLORIDA, GRANTING A SPECIAL EXCEPTION WITH APPROPRIATE CONDITIONS AND SAFEGUARDS AS AUTHORIZED UNDER SECTION 4.12.5 OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW FOR A GENERAL STORE USE WITHIN THE COMMERCIAL, NEIGHBORHOOD ("CN") ZONE DISTRICT ON CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF COLUMBIA COUNTY, FLORIDA; PROVIDING FOR REVOCATION OF THE SPECIAL EXCEPTION; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Columbia County Land Development Regulations, 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, to grant with appropriate conditions and safeguards or to deny special exceptions as authorized under Section 3.2 of the Land Development Regulations;

WHEREAS, a petition for a special exception, 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 special exception, as described below, and considered all comments received during said public hearing and the Concurrency Management Assessment concerning said petition for a special exception, 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, to grant with appropriate conditions and safeguards or to deny said petition for a special exception, as described below;

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

WHEREAS, the Board of Adjustment has determined and found that the special exception is generally compatible with adjacent properties, other property in the district and natural resources; and

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

- (a) The proposed use would be in conformance with the Comprehensive Plan and would not have an undue adverse effect on the Comprehensive Plan;
- (b) The proposed use is compatible with the established land use pattern;
- (c) The proposed use will not materially alter the population density pattern and thereby increase or overtax the load on public facilities such as schools, utilities, and streets;
- (d) The proposed use will not have an undue adverse influence on living conditions in the neighborhood;
- (e) The proposed use will not create or excessively increase traffic congestion or otherwise affect public safety;
- (f) The proposed use will not create a drainage problem;
- (g) The proposed use will not seriously reduce light and air to adjacent areas;
- (h) The proposed use will not adversely affect property values in the adjacent areas;

- (i) The proposed use will not be a deterrent to the improvement or development of adjacent property in accord with existing regulations; and
- (j) The proposed use is not out of scale with the needs of the neighborhood or the community.

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

Section 1. Pursuant to a petition SE 0629, a petition by Daniel Young, P.E., of CHW, Inc., agent for Ralph Norris Revocable Trust, owner, to request a special exception be granted as provided for in Section 4.12.5(6) of the Land Development Regulations to allow for a General Store use within the Commercial, Neighborhood ("CN") Zone District. The special exception has been filed in accordance with a site plan dated February 23, 2021 and submitted as part of a petition dated February 23, 2021, as amended, to be located on property described, as follows:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 16 EAST, COLUMBIA COUNTY, FLORIDA AND RUN THENCE N 1°04'48" W ALONG THE EAST LINE OF SAID SECTION 20, 3.57 FEET TO THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. C- 242; THENCE S 89°03'30" W ALONG SAID NORTH RIGHT-OF-WAY LINE, 225.51 FEET TO THE SOUTHWEST CORNER OF SADDLE RIDGE, A SUBDIVISION ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 67 OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA AND TO THE POINT OF BEGINNING; THENCE CONTINUE S 89°03'30" W ALONG SAID NORTH RIGHT-OF-WAY LINE 385.92 FEET TO A POINT OF CURVE; THENCE NORTHWESTERLY ALONG SAID CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 50 FEET AND A TOTAL CENTRAL ANGLE OF 132°26'30", AN ARC DISTANCE OF 115.58 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 247, THENCE N 41°30' E ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, 626.55 FEET TO THE NORTHWEST CORNER OF SAID SADDLE RIDGE SUBDIVISION; THENCE S 0°56'30" E ALONG THE WEST LINE OF SAID SUBDIVISION, 546.11 FEET TO THE POINT OF BEGINNING.

Containing 3.07 acres, more or less.

Tax Parcel Number 20-4s-16-03077-002

Section 2. The Planning and Zoning Board, hereby approves the above referenced Special Exception subject to any conditions and safeguards, if any, hereinafter attached in Exhibit "A".

Section 3. A site and development plan made a part of this resolution by reference, shall govern the development of the above described property. Any deviation determined to be a major variation from the site and development plan submitted as part of this application shall be deemed a violation of the Land Development Regulations.

Section 4. The Land Development Regulation Administrator is hereby authorized to issue building permits pursuant to this resolution approving with conditions said Special Exception.

Section 2. A site plan, as described above, is herewith incorporated into this resolution by reference, shall govern the development and use of the above described property. Any deviation from the site plan shall be deemed a violation of the Land Development Regulations.

Section 3. The use of land approved by this special exception shall be in place, or a valid permit shall be in force for the construction of such land use within twelve (12) months of the effective date of this resolution. If such land use is not in place or if a valid permit for the construction of such land use is not in effect, within twelve (12) months of the effective date of this resolution, this resolution granting with appropriate conditions and safeguards such special exception is thereby revoked and of no force and effect.

Section 4. If the use of land approved by this special exception ceases for any reason for a period of more than six (6) consecutive months, this resolution shall be thereby revoked and of no force and effect.

Section 5. All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 6. This resolution shall become effective upon adoption.

PASSED AND DULY ADOPTED, in special session with a quorum present and voting, by the Board of Adjustment this 25th day of March 2021.

Attest:

BOARD OF ADJUSTMENT OF
COLUMBIA COUNTY, FLORIDA



Brandon M. Stubbs, Secretary to the
Board of Adjustment



Teena Ruffo, Chair



BOARD OF COUNTY COMMISSIONERS • COLUMBIA COUNTY

March 26, 2021

VIA ELECTRONIC MAIL

Daniel Young, P.E.
CHW, Inc.
11801 Research Drive
Alachua, FL 32615

Re: V 0329 – Dollar General Variance Application
Board of Adjustment Determination Letter

Dear Mr. Young,

At the March 25, 2021 Board of Adjustment (“Board”) hearing, the Board approved your application for a Variance be granted from the “Minimum Off-Street Parking Requirements” of Section 4.12.11 of the Land Development Regulations (“LDRs”) to allow for a deviation from the required one (1) parking space per 150 square feet of non-storage floor area to allow for one (1) parking space per 265 square feet of non-storage floor area in accordance with Section 12.3 of the County’s LDRs. Per Section 12.1.1 of the County’s LDRs, there is a thirty (30) day appeal period. If no appeal is filed within thirty (30) days, the decision of the Board shall become final. No permits shall be issued until the thirty (30) day appeal period has expired.

Attached for your records is a copy of Resolution BA V 0329.

If you have any questions, please do not hesitate to contact me at bstubbs@columbiacountyfla.com or (386) 754-7119.

Sincerely,

Brandon M. Stubbs Digitally signed by
Brandon M. Stubbs
Date: 2021.03.26
10:41:50 -04'00'

Brandon M. Stubbs
Community Development Coordinator
Land Development Regulations Admin.

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

RESOLUTION NO. BA V 0329

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 MINIMUM OFF-STREET PARKING REQUIREMENTS OF SECTION 4.12.11 OF THE LAND DEVELOPMENT REGULATIONS, AS AMENDED, TO ALLOW FOR A DEVIATION FROM THE REQUIRED ONE (1) PARKING SPACE PER 150 SQUARE FEET OF NON-STORAGE FLOOR AREA AND TO ALLOW FOR ONE (1) PARKING SPACE PER 265 SQUARE FEET OF NON-STORAGE FLOOR AREA ON 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 0329, a petition by Daniel Young, P.E., of CHW, Inc., agent for Ralph Norris Revocable Trust, owner, to request a variance be granted from the minimum off-street parking requirements of Section 4.12.11 of the Land Development Regulations to allow for a deviation from the required one (1) parking space per 150 square feet of non-storage floor area and to allow for one (1) parking space per 265 square feet of non-storage floor area. The variance has been filed in accordance with a site plan dated February 23, 2021 and submitted as part of a petition filed February 23, 2021, to be located on property described, as follows:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 16 EAST, COLUMBIA COUNTY, FLORIDA AND RUN THENCE N 1°04'48" W ALONG THE EAST LINE OF SAID SECTION 20, 3.57 FEET TO THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. C- 242; THENCE S 89°03'30" W ALONG SAID NORTH RIGHT-OF-WAY LINE, 225.51 FEET TO THE SOUTHWEST CORNER OF SADDLE RIDGE, A SUBDIVISION ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 67 OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA AND TO THE POINT OF BEGINNING; THENCE CONTINUE S 89°03'30" W ALONG SAID NORTH RIGHT-OF-WAY LINE 385.92 FEET TO A POINT OF CURVE; THENCE NORTHWESTERLY ALONG SAID CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 50 FEET AND A TOTAL CENTRAL ANGLE OF 132°26'30", AN ARC DISTANCE OF 115.58 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 247, THENCE N 41°30' E ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, 626.55 FEET TO THE NORTHWEST CORNER OF SAID SADDLE RIDGE SUBDIVISION; THENCE S 0°56'30" E ALONG THE WEST LINE OF SAID SUBDIVISION, 546.11 FEET TO THE POINT OF BEGINNING.

Containing 3.07 acres, more or less.

Tax Parcel Number 20-4s-16-03077-002

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 0329, 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 25th day of March 2021.

Attest:

BOARD OF ADJUSTMENT OF
COLUMBIA COUNTY, FLORIDA



Brandon M. Stubbs, Secretary to the
Board of Adjustment



Teena Ruffo, Chair