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RESOLUTION NO. BA V 0323

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 YARD REQUIREMENTS OF SECTION 4.5.9 OF THE LAND DEVELOPMENT REGULATIONS, AS AMENDED, TO ALLOW FOR A DEVIATION IN THE REQUIRED 25 FOOT WEST SIDE YARD SETBACKS TO ALLOW FOR A 20 FOOT WEST SIDE YARD SETBACK ON 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. V 0323, a petition by Dan Trimble of Lakeside Aluminum, agent for Belinda Kay O'Steen, owner, to request a variance be granted from the minimum yard requirements of Section 4.5.9 of the Land Development Regulations to allow for a deviation from the required 25-foot west side yard setback to allow for a 20-foot west side yard setback. The variance has been filed in accordance with a site plan dated March 12, 2020, and submitted as part of a petition filed March 12, 2020, to be located on property described, as follows:

Lot 6 of "Cloverdale" as per plat thereof recorded in Plat Book 6, Page 8 of the Public Records of Columbia County, Florida.

Containing 1.0 acres, more or less

Tax Parcel Number 34-4s-16-03272-106

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 0323, 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.

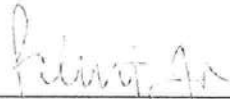
PASSED AND DULY ADOPTED, in special session with a quorum present and voting,
by the Board of Adjustment this 28th day of May 2020.

Attest:

BOARD OF ADJUSTMENT OF
COLUMBIA COUNTY, FLORIDA



Brandon M. Stubbs, Secretary to the
Board of Adjustment



Robert F. Jordan, Chairman