

Application # 7 516

COLUMBIA COUNTY
LAND DEVELOPMENT REGULATIONS AMENDMENT
APPLICATION

Name of Applicant(s): Monada Morrell Barwick
Address: 366 SW Cottage Ln
City, State, Zip Code: Lake City FL 32024
Telephone: 386 397 0827 FAX: _____

Name of Applicant's Agent (if applicable): _____
Address: _____
City, State, Zip Code: _____
Telephone: _____ FAX: _____

Please complete the following for proposed amendments to the Official Zoning Atlas.
For amendments to the text of the Land Development Regulations, which do not require an Official Zoning Atlas amendment, please omit responses to Part I and complete Part II of this Application.

PART I

Legal Description (Include Copy of Deed):

see attached deed

Total acreage of land to be considered under this amendment: 30.590

Present Use: AG/Residential
(commercial, industrial, residential, agricultural, vacant, etc.)

Zoning District: Present: RSF-2 Requested: RSF/MT 2

Future Land Use Plan Map Category: RLD

Tax Parcel ID #: 2-45-16-02716-001

PART I - Continued

Previous Application for Amendment of the Property or a Part of the Property:

Land Use Amendment, Yes _____ No X
Land Use Amendment Application No. CPA -

Land Development Regulations (Zoning) Amendment, Yes _____ No X
Land Development Regulations (Zoning) Amendment, Application No. Z -

PART II

For amendments to the text of the Land Development Regulations, please provide in the space provided below (or on separate pages to be attached and made a part herewith) the text of the proposed amendment.

APPLICATION FOR AMENDMENT
OF THE LAND DEVELOPMENT REGULATIONS

I hereby certify that all of the above statements and statements contained in any documents or plans submitted herewith are true and accurate to the best of my knowledge and belief.

If title holder(s) are represented by an agent, a letter of such designation from the title holder(s) addressed to the Land Development Regulations Administrator must be attached.

X VONADA BARWICK
Applicant/Agent Name (Type or Print)

Vonada Barwick
Applicant/Agent Signature

MARCH 23, 2009
Date

FOR OFFICE USE ONLY

Date Filed: 23 MARCH 09 Application No: Z 0516
Fee Amount: \$1,250.00 Receipt No. 3962
Date of Planning and Zoning Board Public Hearing: 4-23-09
Date notice published: _____
Newspaper: Lake City Reporter
Date of Local Planning Agency Public Hearing: Planning and Zoning Board acting as L.P.A.
Date notice published: _____
Newspaper: _____
Date(s) of Board of County Commissioners Public Hearing(s): (1) _____ (2) _____
Date(s) notice published: (1) _____ (2) _____
Newspaper: _____
Date Notice of Enactment of Ordinance published: _____
Newspaper: Lake City Reporter

Board of County Commissioners decision: _____
(Granted/Denied)

SIGNS POSTED FOR BOARD HEARINGS

The Columbia County Land Development Regulations require that properties for which a Land Use Change, Zoning Change, Special Exception or Variance is requested must be posted by the Zoning Department for a minimum period of ten (10) days prior to the Board of Adjustment or Planning and Zoning Board hearing. Once the property is posted, it is the property owner's responsibility to keep the property posted until after the final hearing of the Planning and Zoning Board. If the request is one that must also be heard by the Board of County Commissioners, then it continues to be the property owner's responsibility to keep the property posted until after the final hearing of the Board.

In the event the signs are moved, removed from the property, torn down, defaced, or otherwise disturbed, the applicant/property owner must immediately notify the Zoning Department so the property can be re-posted. If the property is not properly posted until all hearings of the Board of Adjustment, Planning and Zoning and/or the Board of County Commissioners are completed, all Boards reserve the right to table a discussion on the request or continue the hearing until such time as the property is properly posted for the required period of time.

I have read the above statement and understand that I am responsible for keeping my property properly posted until all hearings are completed.

Ursula Boweik

Title Holder/Agent Signature

MARCH 23, 2009

Date

VONADA MORRELL BARWICK
366 S W COTTAGE GLEN
LAKE CITY, FL 32024

Inst: 200912003869 Date: 3/11/2009 Time: 12:05 PM
Doc Stamp-Deed: 0.70
CC, P DeWitt Cason Columbia County Page 1 of 3 B: 1168 P: 2492

TRUSTEE'S DEED

THIS DEED, Made this 5th day of March, 2009, by LENVIL CREWS, as Trustee, Grantor, to VONADA MORRELL, whose mailing address is 366 South West Cottage Glen, Lake City, Florida 32024, Grantee. Barwick

WHEREAS, by Irrevocable Trust Indenture dated December 30, 1976, and Irrevocable Trust Agreement dated December 28, 1982, between H. WAYNE MORRELL and his wife, EMMA JEAN MORRELL, and Grantor, the land hereby conveyed was conveyed to Grantor in trust for the uses and purposes in the said Trusts declared and with power of sale as therein set forth.

WITNESSETH, that Grantor under and acting by virtue and in pursuance of the powers in him vested by the said Trusts, in consideration of the sum of \$10.00 to him in hand by Grantee, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell and convey unto Grantee, all those pieces or parcels of land situate in Columbia County, Florida, described in Schedule "A" attached hereto.

TO HAVE AND TO HOLD the above described premises, together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining, unto the Grantee, her heirs and assigns, forever.

AND the Grantor, for himself and his heirs, executors and administrators, does covenant with Grantee, her heirs and assigns, that he has not made, done, executed or suffered any act or thing whatsoever, whereby the above described premises or any part thereof now or at any time

hereafter shall be imperiled, charged or encumbered in any manner whatsoever; and the title to the above granted premises against all persons lawfully claiming the same from, through or under him the Grantor will forever warrant and defend.

IN WITNESS WHEREOF, Grantor has executed this Deed on the date first above written.

Signed, sealed and delivered in the presence of:

Neil K. Bishop

Print Name: NEIL K. BISHOP

Lenvil Crews
Lenvil Crews, as Trustee

Ruth J. Graff

Print Name: RUTH J. GRAFF

State of Florida
County of Sarasota

The foregoing instrument was acknowledged before me this 5th day of March, 2009, by LENVIL CREWS, personally known to me or who produced _____ as identification and who did/did not take an oath.

Sherri Tsonas
Notary Public - State of Florida

(NOTARIAL SEAL)

SHERRI TSONAS
(Print Name)



SCHEDULE "A"

BEGIN at the Southwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 2, Township 4 South, Range 16 East, Columbia County, Florida and run N.02°28'44" W. along the West line of said Southwest 1/4 of Northwest 1/4 a distance of 50.23 feet to a point on the South Right-of-Way line of a 60 foot road; thence N.87°43'04" E. along said South Right-of-Way line 834.14 feet; thence continue N.87°43'04" E. 494.20 feet to a point on the East line of said Southwest 1/4 of Northwest 1/4; thence S.02°28'18" E. along said East line 36.99 feet to the Southeast corner of said Southwest 1/4 of Northwest 1/4; thence continue S.02°28'18" E. along the East line of the Northwest 1/4 of the Southwest 1/4 of Section 2 a distance of 960.44 feet; thence S.87°12'58" W. 1328.23 feet to a point on the West line of said Northwest 1/4 of Southwest 1/4; thence N.02°28'44" W. along said West line 958.82 feet to the POINT OF BEGINNING. Containing 30.59 acres, more or less.

APPEAL FOR VARIANCE

TO

BOARD OF ADJUSTMENT

DO NOT WRITE IN THIS SPACE-FOR OFFICE USE ONLY

Date Filed 3-16-09 Variance Request No. v- 271 Received By CFS

Date Set for Hearing 4-23-09 Date Hearing Held _____

Published Notice Made 10 APRIL 2009 Newspaper LAKE CITY REPORTER

Fee Paid--Receipt No. 3961 Amount 750.00 Date 3-16-09

Comments: (indicate other actions such as continuances) _____

Action by Board On Request for a Variance _____
(granted, denied, other)

SECTION TO BE COMPLETED BY APPLICANT

Information concerning Title Holder(s) and Agent

Name of Title Holder(s) Joseph L DuPree Jr.

Address 290 NW Clubview Circle LAKE CITY

Zip 32055 Phone 386-754-5678

Any other persons having any ownership, interest in subject property? Yes No

If Yes, list such persons Sandra DuPree

NOTE: If the Title Holder(s) of the subject property of this application is appointing an agent to represent him/her, a letter from the Title Holder(s) addressed to the Chairman, Board of Adjustment, MUST be attached to this application at the time of submittal stating such appointment.

Title Holders Representative (Agent), if applicable _____

Address _____

Zip _____ Phone _____

A variance is requested in conformity with the powers vested in the Board to permit the

Warehouse

(Insert use or construction proposed)

on the property described below, and in conformity with the plans on permit number _____, dated _____.

Location and Use

Legal Description All of lot 6 50 F us. 90 & lots 7, 8 & 9 B1K10
Country club estates

Tax Parcel Number 34-35-17-07068-000

Location or Address of Property 1944 E. Duval St. Lake City Fla 32055

Size of Property .516

Present Use Commercial
(commercial, industrial, residential, agricultural, etc.)

Land Use Plan Map Category ~~A-3~~ COMMERCIAL

Zoning District ~~A-3~~ COMMERCIAL INTENSIVE (CI)

Actions by Applicant on Property

Permit applied for and denied? YES NO Permit Application No. BPA- N/A

A previous appeal _____ was made with respect to these premises,
X was not Appeal Application No. _____

Reasons for Request for a Variance

Please note that the following questions must be answered completely. If additional space is needed, attach extra pages to application.

Before answering read the attached Notice to Applicants.

I need to add additional Warehouse Space and
The only way to accomplish this is to match the
Building elevations to the Existing Building.

1. What characteristics of your property prevent its being used for any of the uses permitted in your zone.

Too narrow _____

Elevation _____

Other Existing Conditions
(specify)

Too small _____

Slope _____

Too shallow _____

Shape _____

2. Describe the items checked, giving dimensions where appropriate: "SEE ATTACHED DRAWING"

3. How do the above stated conditions prevent any reasonable use of your land under the terms of the Zoning Regulations? _____

Will not be able to add on to Building if not allowed to match Building Elevation to the existing structure

4. To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having property interests in the land after the Zoning Regulations or applicable part thereof became effective? YES _____ NO X

If "NO" explain why the hardship should not be regarded as self-imposed (self-imposed hardships are not entitled to a variance)

5. Are the conditions on your property the result of other man-made changes (such as relocation of a road or highway)

YES _____ NO X If "YES", Please describe _____

6. Which of the following types of modifications will allow you a reasonable use of your land?

Change in setback requirement? X

Change in lot coverage requirement? _____

Change in side yard requirement? X

Change in offstreet parking requirement? _____

Change in area requirement? _____ Other _____

7. State the section of the Zoning Regulations for which a Variance is requested. SECTION 4.14.7

West Front setback from 20' to 3.9' as indicated on attached drawing

8. State what is the Variance requested, giving distances where appropriate. "SEE Attached drawing"

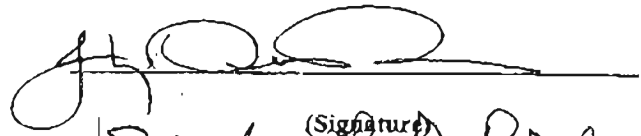
Reduce setback req. on West side from 20' to 16.7'
in front & reduce further to 3.9' in rear of bldg.

9. Are the conditions of hardship for which you request a Variance true only of your property? Yes X No If not, how many other properties are similarly affected?

10. Will the grant of a Variance in the form requested be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Regulations? yes Elaborate I will only be extending
the existing Building to the South thereby not creating a
New look or Condition

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

APPLICANT ACKNOWLEDGES THAT EITHER APPLICANT OR A REPRESENTATIVE MUST BE PRESENT AT THE PUBLIC HEARINGS BEFORE THE BOARD, OTHERWISE THE REQUEST WILL NOT BE CONSIDERED


(Signature)
Sandra L. Duprel
Title Holder(s) or Authorized Agent

Date

NOTICE TO APPLICANTS

A Variance is a zoning adjustment which permits minor changes or dimensional requirements where individual properties are both harshly and uniquely burdened by the strict application of the Zoning Regulations. The power to vary is restricted and degree of Variance is limited to the minimum change necessary to overcome the inequality inherent in the property. Use Variance are specifically prohibited. "Variance" means the modification of the dimensional requirements of a zoning district and does not include the substitution of uses assigned to other districts.

- 1. A Variance recognizes that the same district requirements do not affect all properties equally; it was invented to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. You must prove that your land is affected by special circumstances or unusual conditions. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Regulations. Where hardship conditions extend to other properties a Variance cannot be granted. The remedy for general hardship is a change of the map or the text of the Zoning Regulations.**
- 2. You must prove that the combination of the Zoning Regulations and the uncommon conditions of your property prevents you from making any reasonable use of your land as permitted by your present zoning district. Since zoning regulates land and not people, the following conditions cannot be considered pertinent to the application for a Variance: (1) Proof that a Variance would increase the financial return from the land, (2) Personal hardship, (3) Self-imposed hardship. In the last case, the recognition of conditions created after the enactment of the Zoning Regulations would encourage and condone violation of the law.**
- 3. No Variance may be granted which adversely affect surrounding property or the general neighborhood. All Variances must be in harmony with the intent and purposes of the Zoning Regulations.**
- 4. An appeal from a decision of the Board of Adjustment may be taken to the circuit court having jurisdiction in the County for judicial relief within thirty (30) days after the rendition of the decision by the Board of Adjustment.**

SIGNS POSTED FOR BOARD HEARINGS

The Columbia County Zoning Regulations require that properties for which a Land Use Change, Zoning Change, Special Exception or Variance is requested must be posted by the Building and Zoning Department for a minimum period of one week prior to the Planning and Zoning Board's hearing. Once the property is posted, it is the property owner's responsibility to keep the property posted until after the final hearing of the Planning and Zoning Board. If the request is one that must also be heard by the Board of County Commissioners, then it continues to be the property owner's responsibility to keep the property posted until after the final hearing of that Board.

In the event the signs are moved, removed from the property, torn down, defaced, or otherwise disturbed, the applicant/property owner must immediately notify the Building and Zoning Department so that the property can be reposted. If the property is not properly posted until all hearings of the Planning and Zoning Board and/or the Board of County Commissioners are completed, both Boards reserve the right to table a discussion on the request or continue the hearing until such time as the property is properly posted for the required period.

I have read the above statement and understand that I am responsible for keeping my property properly posted until all hearings on my requested are completed.



Applicant's Signature

3-10-09
Date

THIS INSTRUMENT WAS PREPARED BY:

TERRY McDAVID
POST OFFICE BOX 1328
LAKE CITY, FL 32056-1328

Recording Fee \$ 10.50
Documentary Stamp \$ 1050.00

RETURN TO:

TERRY McDAVID
POST OFFICE BOX 1328
LAKE CITY, FL 32056-1328
02-04
Grantee #1 S.S. No. [REDACTED]

Inst:2002001601 Date:01/23/2002 Time:09:40:22

Doc Stamp-Deed : 1050.00

MLK DC, P. Dewitt Cason, Columbia County 8:9% P:2325

Grantee #2 S.S. No. [REDACTED]

Property Appraiser's
Parcel Identification No.
07069-000 and 07068-000

WARRANTY DEED

THIS INDENTURE, made this 19th day of January, 2002, BETWEEN DAVID E. MANGRUM and his wife, MARY A. MANGRUM, whose post office address is Post Office Box 533, Lake City, Florida 32056, of the County of Columbia, State of Florida, grantor*, and JOSEPH LAMAR DUPREE, JR. and his wife, SANDRA LYNETTE DUPREE, whose post office address is Route 1, Box 598-7, Lake City, Florida 32055, of the County of Columbia, State of Florida, grantees*.

WITNESSETH: that said grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable considerations to said grantor in hand paid by said grantees, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantees, and grantees' heirs and assigns forever, the following described land, situate, lying and being in Columbia County, Florida, to-wit:

All of Lot 6 as lies South of State Road No. 10, also better known as U.S. Highway No. 90 and all of Lots 7, 8, 9, 10 and N 1/2 of Lot 11, all in Block No. 10 of COUNTRY CLUB ESTATES, a subdivision as per Map filed in the Office of the Clerk of the Circuit Court of Columbia County, Florida, on October 26, 1925, the parcel of land described above situate in SW 1/4 of NW 1/4 of Section 34, Township 3 South, Range 17 East.


SUBJECT TO: Restrictions, easements and outstanding mineral rights of record, if any, and taxes for the current year.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

*"Grantor" and "grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.


Signed, sealed and delivered in our presence:



(First Witness)
Terry McDavid
Printed Name



DAVID E. MANGRUM (SEAL)



(Second Witness)
DeEtte P. Brown
Printed Name



MARY A. MANGRUM (SEAL)


Inst: 20020011A01 Date: 01/21/2002 Time: 09:40:22
Doc Stamp-Deed : 1050.00
~~1000~~ DC, P. DeWitt Casco, Columbia County #: 944 P: 2326

STATE OF FLORIDA
COUNTY OF COLUMBIA

The foregoing instrument was acknowledged before me this 18th day of January, 2002, by DAVID E. MANGRUM and his wife, MARY A. MANGRUM, who are personally known to me and who did not take an oath.

My Commis[ion] Expires:





Notary Public
Printed, typed, or stamped name:

