



AGENDA

ORMOND BEACH BOARD OF ADJUSTMENT AND APPEALS

September 7, 2016

ORMOND BEACH CITY COMMISSION CHAMBERS

7:00 P.M.

I. ROLL CALL

II. APPROVAL OF THE MINUTES

A. August 3, 2016

III. NEW BUSINESS

A. Case 2016-097: 30 Bosarvey Circle, screened room rear yard variance

This is a request for a rear yard variance submitted by David and Kim Winbigler, property owners of 30 Bosarvey Circle. The applicants seek to replace an existing deteriorated deck and add a hard roof and screening that will encroach into the required rear yard setback. The property at 30 Bosarvey Circle is zoned R-2 and Section 2-13(B)(9)(b), Ormond Beach Land Development Code, requires a 25' rear yard setback. The variance seeks to allow an 11' by 39' screened room with a rear yard setback of 14', requiring a variance of 11' to the required 25' rear yard setback.

B. Case 2016-0104: 42 N. Beach Street, Anderson Price Memorial Building, locally designated historic landmark, sidewalk side yard variance

This is a request for a variance to construct a sidewalk, submitted by the Ormond Beach Historical Society, Inc., property owner of 42 N. Beach Street, Anderson-Price Memorial Building. The property is zoned as R-3 (Single-Family Medium Density) and the applicant is seeking a variance to allow the installation of a sidewalk. Section 2-50(w) of the Ormond Beach Land Development Code requires a 5' setback to the side interior property line for a sidewalk. The applicant is seeking to allow a 5' wide sidewalk at a 1.8' side yard setback, a 3.2' variance to the required 5' setback along the south property line, abutting 40 N. Beach Street.

C. Case 2016-105: 124 Ann Rustin Drive, pool screen enclosure, rear yard variance

This is a request for a rear yard variance submitted by Alphonse Sidoti, property owner of 124 Ann Rustin Drive. The applicant seeks to extend an existing pool screen enclosure at a 2' rear yard setback, an additional 10' east towards Holly Circle. Section 2-50(X)(1)(c)(2) of the Land Development Code requires a 10' setback for a pool screen enclosure to the rear property line. The total pool screen enclosure expansion is 360 square feet, of which 80 square feet is located within the required rear yard setback. The variance application seeks to allow an expansion of the pool screen enclosure with a rear yard setback of 2', requiring a variance of 8' to the required 10' rear yard pool screen enclosure setback for a total variance encroachment of 80 square feet.

IV. OTHER BUSINESS

V. ADJOURNMENT

MINUTES
BOARD OF ADJUSTMENT

August 3, 2016

7:00 p.m.

HR Training Room
22 South Beach Street
Ormond Beach, Florida

I. ROLL CALL

Members Present

Staff Present

Ryck Hundredmark
Stan Driscoll (Alternate)
Norman Lane
Tony Perricelli
Dennis McNamara, Chairman
Jean Jenner (excused)

Steven Spraker, Senior Planner
Melanie Nagel, Minutes Technician

II. APPROVAL OF THE MINUTES

A. June 1, 2016 Minutes

Mr. Hundredmark moved to approve the June 1, 2016 Minutes as submitted. Mr. Lane seconded the motion. Vote was called, and the motion was approved.

III. NEW BUSINESS

A. Case No. 2016-095: 202 Summerhaze Court, Side Yard Variance

Mr. Steven Spraker, Senior Planner, City of Ormond Beach stated that 202 Summerhaze is located in the Tymber Creek subdivision. It was originally built in Volusia County in 1980, and was annexed into the City of Ormond Beach in 1996. Ormond Beach placed a Single Family zoning district on the subdivision. The subject property had an existing screen room on it, and over time it became unsafe, and it was removed. The variance is seeking to put the screen room back.

Mr. Spraker continued that the side yard setback would be 15.3', requiring a variance of 4.7'. The homeowner has talked to the neighbors, who signed the application as a statement of no objection. The screen room will follow where the deck already is, and won't encroach the side yard any further. Staff is recommending approval and will address any questions that the Board may have.

Mr. Lane verified that the screen room won't run the full length of the existing deck, and wondered if the screen room would end where the roof overhang ends.

Mr. Arnold Dodson, 202 Summerhaze Court, stated that the screen room will be 8' x 10' and will come out about 2' past the roof overhang. It will be going back in where the previous screen room was at. The only thing different is that it will be built on a concrete slab.

Mr. Perricelli asked if the deck was being torn out. Mr. Dodson stated that most of the deck will stay, but the 8' x 10' section where the room will be built, the deck will be torn out and the cement slab put down. The general contractor who is doing the job says that it will be better if it is placed on a slab, rather than on the deck.

Mr. Perricelli asked how wide the deck is now. Mr. Dodson stated 8'. Mr. Perricelli confirmed that the screen room wouldn't be coming out any further than the existing deck. Mr. Dodson stated that the slab would come out only as far as the deck is now.

Mr. Lane asked if the screen was going all the way to the ground. Mr. Dodson stated that there would be kick plates along the bottom, which will be fastened to the cement slab.

Mr. McNamara stated that basically the room is going over the front door. Mr. Dodson stated that yes it was, and it will give weather protection to the front door.

Mr. Driscoll asked if there would be a hard roof on the structure. Mr. Dodson stated that it would be a solid aluminum roof.

Mr. Lane inquired that if it was just a screen structure going in, without the hard roof, would it have needed a variance. Mr. Spraker stated that if it were a screen roof, then it would not need a variance. Ms. Charlotte Dodson, applicant, stated that the hard roof will add some protection if someone is putting up an umbrella or bringing in groceries. It will also add to the look of the home, and add value to the neighborhood.

Mr. Driscoll asked if the roof had not extended beyond the setback, in other words if the hard roof had extended to the setback, and then the roof continued as screen, then they would not have needed a variance? Mr. Spraker stated that they could have done a hard roof for 3 or 4 feet, then continue with the screen, but that wouldn't have given them much protection.

Following discussion, Mr. Perricelli moved to approve the variance as submitted. Mr. Hundredmark seconded the motion. Vote was called and the Board unanimously approved the variance application (5-0).

IV. OTHER BUSINESS

None.

V. ADJOURNMENT

As there was no other business, the meeting was adjourned at 7:09 p.m.

Respectfully submitted,

Steven Spraker, AICP, Senior Planner

ATTEST:

Dennis McNamara, Chairman

Minutes prepared by Melanie Nagel.

Pursuant to section 286-0105, Florida Statutes, if any person decides to appeal any decision made by the board of adjustment with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

All persons appealing to the board of adjustment must be present, or represented at the public hearing scheduled for the consideration of his request. Failure to be present or to be represented, results in the automatic refusal by this board to grant permission for any variance. In order to allow the meeting to proceed in an orderly fashion, the board, by motion, may limit the time allowed for remarks concerning a specific agenda item to a maximum of thirty (30) minutes for city staff, the designated representative of the applicant and the designated representative of any organized group and to five (5) minutes for members of organizations and other individual speakers. Additional time shall be allowed to respond to questions from the board.

Persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance and who wish to attend city commission meetings or any other board of committee meeting may contact the city clerk in writing, or may call 677-0311 for information regarding available aids and services.

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: August 31, 2016

SUBJECT: 30 Bosarvey Circle

APPLICANT: David and Kim Winbigler

FILE NUMBER: 2016-097

PROJECT PLANNER: Becky Weedo, AICP, CFM, Senior Planner

INTRODUCTION:

This is a request for a rear yard variance submitted by David and Kim Winbigler, property owners of 30 Bosarvey Circle. The applicants seek to replace an existing deteriorated deck and add a hard roof and screening that is proposed to encroach into the required 25' rear yard setback.

BACKGROUND:

The property is designated as "Low Density Residential" on the City's Future Land Use Map (FLUM) and is zoned R-2 (Single Family Low Density) on the City's Official Zoning Map. The existing use of the property is consistent with the FLUM designation and zoning district. The existing residence was built in 1965 according to the Volusia County Property Appraiser's records.

The deck was originally built in 1995 which has now deteriorated. The new owners would like to replace the deck and add a screened room with a hard roof to provide protection from environmental hazards such as sun exposure and disease transmitting insects. Because of the irregular angle of the house on the lot about half of the proposed screened room will not meet the 25' required setback. There is no other conforming location on the lot with existing direct access to the house.

ANALYSIS:

The property at 30 Bosarvey Circle is zoned R-2 and Section 2-13(B)(9)(b) of the Ormond Beach Land Development Code requires a 25' rear yard setback. The variance seeks to allow an 11' by 39' screened room with a rear yard setback of 14', requiring a variance of 11' to the required 25' rear yard setback. The area of the variance is shown in the picture below:

Exhibit 3: Area of proposed screened room



Exhibit 4: View of variance area looking southwest



Within the submitted application form, the property owners have obtained the signatures in support of the variance from both abutting owners located at 25 and 40 Bosarvey Circle. Currently, this office has received no opposition to the applicants' request.

Chapter 1, Article II, Section 1-16.D.2, of the Land Development Code states, "The Board of Adjustment and Appeals shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved and are not the result of the actions of the applicant. If the basis for the request is the unique quality of the site, the Board shall make the following required findings based on the granting of the variance for that site alone. If, however, the condition is common to numerous sites so that requests for similar variances are likely to be received, the Board shall base its findings on the cumulative effect of granting the variance to all who may apply."

The Board must consider the following criteria established in Chapter 1, Article II, Section 1-16.D.3, of the Land Development Code for the expansion of a non-conforming structure:

1. **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.**

Case for the variances: The special condition relates to the location of the house on the lot which limits the use of the rear yard. The house sits at an angle with an existing front setback of 41' and a rear yard setback of 21' at the closest point to the property line. There is no other conforming location that has access into the house.

Case against the variances: Given the location of the existing house and the regulations in the Land Development Code, the property owners could potentially reduce the proposed screened room size to meet the rear setback.

2. **The special conditions and circumstances do not result from the actions of the applicant.**

Case for the variances: The applicants purchased the property recently this year after the home and deck were constructed. The placement of the house on the lot in 1965 leaves little space to accommodate a reasonable covered and screened room which will provide protection from environmental hazards. The special conditions did not result from the actions of the applicant.

Case against the variances: The property owners purchased the home knowing that the deck was in a deteriorated condition and was not screened or shaded. The property owner did not consider setbacks of adding a screen enclosure over the existing.

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

Case for the variances: The literal interpretation of the zoning regulations would prevent the construction of the proposed screened room. Meeting the 25' rear setback would restrict the construction of about half of the proposed screened room. The applicants would like to continue the integrity of the line of the house and square up the screened room with access into the living room. This condition is a direct cause of the location of the existing house. Screened rooms on the back of the home are commonly enjoyed by other properties in the City of Ormond Beach in the same zoning district.

Case against the variances: Compliance with the setbacks would recognize the setbacks that other properties in the same zoning district are required to meet when screened rooms are approved by the city.

4. **No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building, or structure.**

Case for the variances: There is no practical alternative if a screened room is to be constructed that will provide integrity with the line of the home and square up with the rear of the house. As stated previously, applying the setbacks would allow only half of the deck to be screened with a hard roof.

Case against the variances: Approximately half of the screened room could be constructed without a variance.

5. **The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship.**

Case for the variances: The variance is not sought to reduce the cost of the construction of the screened room. The applicants plan to build the screened room squaring up with the rear of the house and preserving the character of the neighborhood.

Case against the variances: None.

6. **The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.**

Case for the variances: The request will not increase congestion, fire danger or public hazards.

Case against the variances: Denial of the case and placing the screened room where a variance would not be needed would also not increase congestion, fire danger, or public hazards.

7. **The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.**

Case for the variances: The request will not diminish property values or alter the character of the surrounding area. One purpose of the variance process is to measure the impact of the improvement subject to the variance on adjoining properties. Staff has not received any objections from the adjoining property owners who have responded. It is believed that the screened room will not alter the character of the neighborhood. In fact, the room is in keeping with the way the area was developed in the 1960s and the structures that were built.

Case against the variances: None.

8. **Granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings, or structures in the same zoning district.**

Case for the variances: By approving the subject variance, the city is not conferring a special privilege on the applicant that is denied by other property owners in the same zoning district.

Case against the variances: Each application is a unique situation that must be reviewed independently based on the variance criteria, input from the required notification, and testimony at the public hearing. If the Board does not believe the variance criteria have been met, then the application should be denied.

RECOMMENDATION: It is recommended that the Board of Adjustments and Appeals **APPROVE** the application for a variance to allow an 11' by 39' screened room with a rear yard setback of 14', requiring a variance of 11' to the required 25' rear yard setback established in the R-2 zoning district.

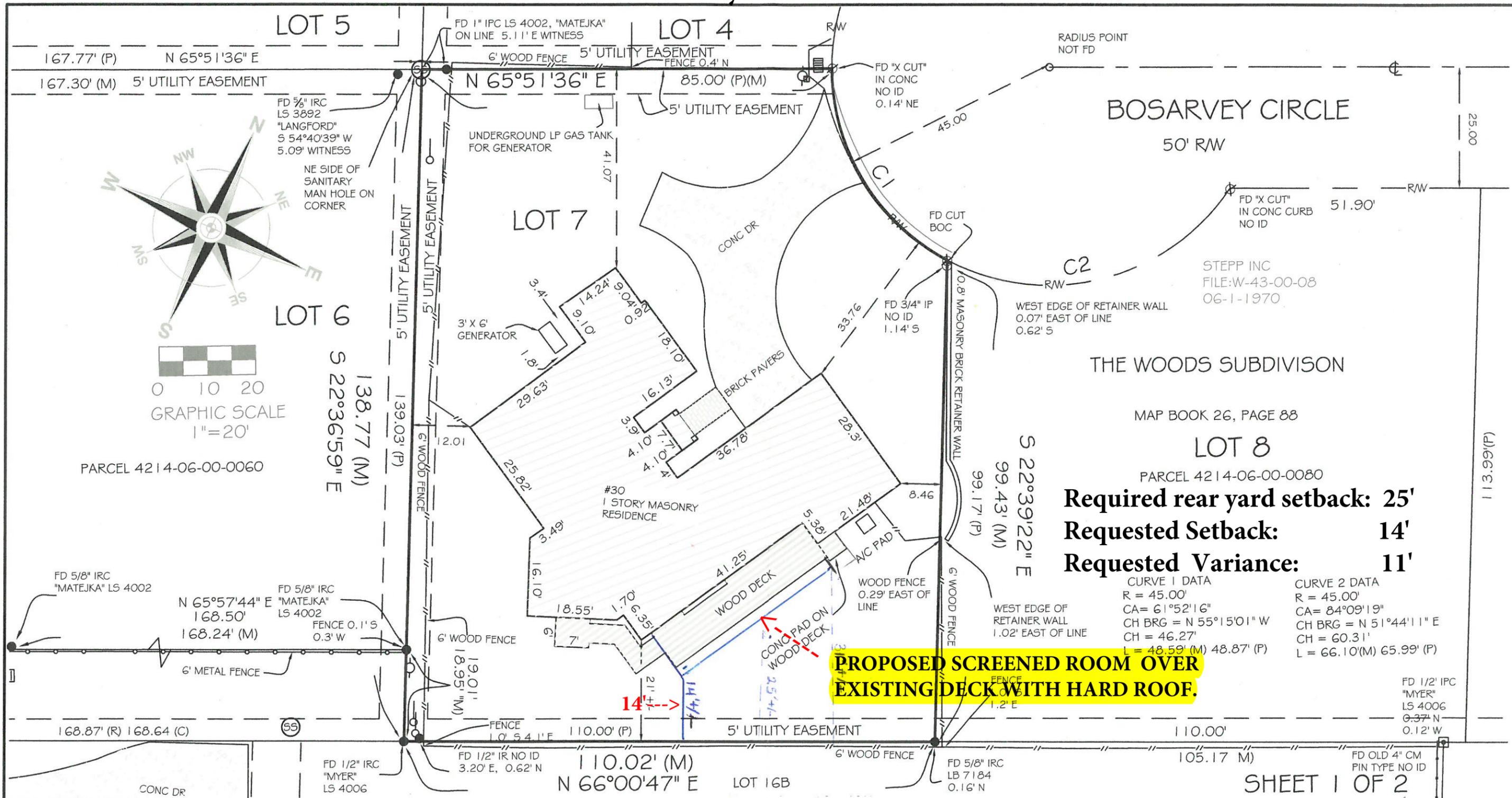
Attachments:

- 1: Variance Exhibit
- 2: Maps and Photos
- 3: Applicant Provide Information

ATTACHMENT 1

Variance Exhibit

30 Bosarvey Circle



Required rear yard setback: 25'
Requested Setback: 14'
Requested Variance: 11'

CURVE 1 DATA
 R = 45.00'
 CA = 61°52'16"
 CH BRG = N 55°15'01" W
 CH = 46.27'
 L = 48.59' (M) 48.87' (P)

CURVE 2 DATA
 R = 45.00'
 CA = 84°09'19"
 CH BRG = N 51°44'11" E
 CH = 60.31'
 L = 66.10' (M) 65.99' (P)

PROPOSED SCREENED ROOM OVER EXISTING DECK WITH HARD ROOF.

REVISIONS:

OFFICE WORK BY: WSH	FIELD WORK BY: WSH	PROJECT# H160603
DATE: 06/10/2016	DATE: 06/10/2016	FIELD BOOK 13 PG 38

TYPE OF SURVEY:
BOUNDARY

SUBJECT:
 #30 BOSARVEY CIRCLE
 ORMOND BEACH, FL 32176
 TAX ID: 4214-06-00-0070



Harts Progressive Enterprise Inc.
 Land Surveyors * Mappers * Drafting

629 Overlook Trail, Port Orange, FL 32127
 (386)767-2776 FAX (386)767-2776 LB# 7743
 William S Hart PSM 3905
 Visit us at: www.hartsprogressive.com

© 2009

SEE SURVEY REPORT TITLE: #30 BOSARVEY CIRCLE ORMOND BEACH, FL 32176

REPORT DATED: 06/10/2016

THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1"=20' OR SMALLER ANY USE OF THIS FILE AT A SCALE LARGER THAN STATED SHALL BE AT YOUR RISK.

THIS MAP IS NEITHER FULL AND COMPLETE WITHOUT THE REPORT

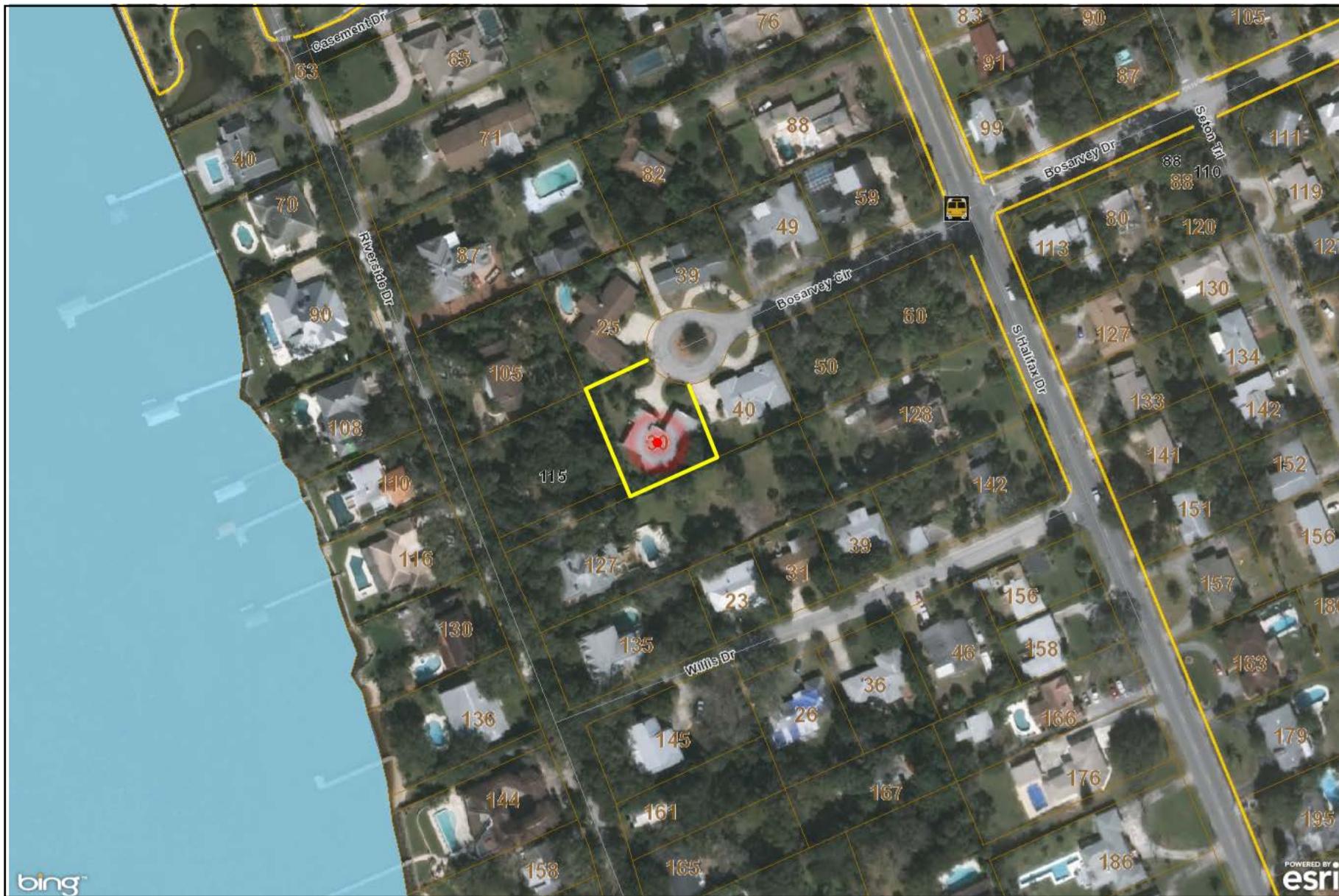
SURVEY MAP

FILE: ORMOND BEACH W-43-00-07

ATTACHMENT 2

Maps and Photos

30 Bosarvey Cir.



191 ft



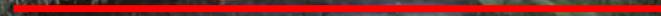
GIS data is provided on an "as is" basis. The accuracy or reliability of the data is not guaranteed or warranted in any way. The City of Ormond Beach specifically disclaims any warranty either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular use. The entire risk as to quality and performance of the data is with the end user. In no event will the City, its staff or it's representatives be liable for any direct, indirect, incidental, special, consequential, or other damages, including loss of profit, arising out of the use of this data even if the City has been advised of the possibility of such



Proposed Location of Screened Room



**Proposed Location of
11' Variance Request.**



ATTACHMENT 3

Applicant provided
information



CITY OF ORMOND BEACH

v3.2013

Planning Department

22 South Beach Street, Ormond Beach, FL 32174

Tel: (386) 676-3238

www.ormondbeach.org

comdev@ormondbeach.org

VARIANCE - APPLICATION

For Planning Department Use

Application Number

16-097

Date Submitted

7/26/16

APPLICATION TYPE AND FEES

	Application	Advertising Deposit for Advisory Board	Advertising Deposit for Commission	Total*
<input checked="" type="checkbox"/> Residential or Commercial	350	350	N/A	700
<input type="checkbox"/> After the Fact Residential or Commercial	700	350	N/A	1050

*The total is calculated as the Application plus approximate Advisory Board and Commission Public Notification Fees. Depending on the actual costs, Staff shall refund any remaining balance or require additional payment.

APPLICANT INFORMATION

This application is being submitted by Property Owner Agent, on behalf of Property Owner**

Name David and Kim Winbigler

Full Address 30 Bosarvey Circle, Ormond Beach, FL 32176

Telephone 410-353-6929 Email dgwinbigler@aol.com

* If this application is being submitted by a person other than the property owner, please provide the following Property Owner Information as well as a notarized letter designating you as agent.

PROPERTY OWNER INFORMATION***

Name

Full Address

Telephone Email

***If the property owner does not reside on the property for which the application refers, please provide the following Property Details.

PROPERTY DETAILS

Full Address 30 Bosarvey Circle, Ormond Beach, FL 32176

Parcel ID Number 4214-06-00-0070

Legal Description LOT 7, THE WOODS SUBDIVISION, ACCORDING TO MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 26, PAGE 88, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA

REQUEST

For the Board of Adjustment and Appeals to grant a variance, there must be special conditions or circumstances existing which are peculiar to a particular piece of land, structure or building. The variance should not request special privilege denied to other lands, buildings or structures, and must prove deprivation of rights commonly enjoyed by other property owners in the subject property area that results in an unnecessary hardship. The request should be the minimum possible to make reasonable use of the land and, if granted, should not be injurious to the area or materially diminish the value of the surrounding properties, alter the essential characteristics of the neighborhood or otherwise be detrimental to the public welfare or create a public nuisance. A purely financial hardship does not, except under extreme circumstances, constitute sufficient grounds for hardship.

Request:

We are requesting a variance to rear set back in south east corner of lot. Variance is requested to facilitate replacement of rotting rear wood patio decking to permeable pavers with the addition of a solid roof and screening. The location of the rear patio is the only location on the property with existing access to the house. Request is also in order to allow the reasonable use of the backyard property in a covered, environmentally safe environment. In order to provide required roof pitch/height the 8'9" deep by 39' long deck will be replaced with a 11' deep by 39' deck comprised of a linear footing and pavers.

ABUTTING PROPERTY OWNERS

Please provide abutting property owner signatures or provide letters indicating position toward the request.

Signature	Street Address	For	Against
<i>Glynneth B Russell</i>	<i>25 Bosarvey Circle</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

CRITERIA: CONFORMING

Section 1-16.D.3 of the Land Development Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 8 criteria. Additional pages, photographs, surveys, plot plans or other materials may be attached as exhibits.

1. 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:

The placement of the house on the lot limits the use of the rear yard. There is a 41' front set back, and the rear setback is 21' at it's shallowest point. The current location of the deck is the only location on the property with existing direct access to the house. In addition, the placement and size of the hurricane shutter housings dictate the placement of the attachment of the proposed solid roof to the structure, thereby dictating the pitch/height of the roof and therefore width of the "decking".

2. The special conditions and circumstances do not result from the actions of the applicant:

We purchased the house 3/30/16 and the placement on lot and the hurricane shutters were existing.

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

The placement of the house on the lot in the 1960s leaves little space to accomodate a reasonable covered and screened porch which we feel is necessary to protect ourselves and our family from environmental hazards such as sun exposure and disease tranmitted by insects.

Request:

We are requesting a variance to rear set back in south east corner of lot. Variance is requested to facilitate replacement of rotting rear wood patio decking to permeable pavers with the addition of a solid roof and screening. The location of the rear patio is the only location on the property with existing access to the house. Request is also in order to allow the reasonable use of the backyard property in a covered, environmentally safe environment. In order to provide required roof pitch/height the 8'9" deep by 39' long deck will be replaced with a 11' deep by 39' deck comprised of a linear footing and pavers.

ABUTTING PROPERTY OWNERS

Please provide abutting property owner signatures or provide letters indicating position toward the request.

Signature	Street Address	For	Against
<i>Shirley Dupree</i>	40 BOSARVEY CIR	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

CRITERIA: CONFORMING

Section 1-16.D.3 of the Land Development Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 8 criteria. Additional pages, photographs, surveys, plot plans or other materials may be attached as exhibits.

1. 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:

The placement of the house on the lot limits the use of the rear yard. There is a 41' front set back, and the rear setback is 21' at it's shallowest point. The current location of the deck is the only location on the property with existing direct access to the house. In addition, the placement and size of the hurricane shutter housings dictate the placement of the attachment of the proposed solid roof to the structure, thereby dictating the pitch/height of the roof and therefore width of the "decking".

2. The special conditions and circumstances do not result from the actions of the applicant:

We purchased the house 3/30/16 and the placement on lot and the hurricane shutters were existing.

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

The placement of the house on the lot in the 1960s leaves little space to accomodate a reasonable covered and screened porch which we feel is necessary to protect ourselves and our family from environmental hazards such as sun exposure and disease tranmitted by insects.

4. No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building or structure:

No practical alternative exists to replace rotting decking and to provide for a safe screened and covered usable space. Because of the shallow depth of the rear yard due to the placement of the primary structure the requested variance is the minimum possible to make reasonable use of the land. There is no other conforming location on the lot with existing direct access to the house. In addition, the design of the covered porch is in keeping with the integrity of the original design of the house.

5. The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship:

The request is not based on a desire to reduce the cost of developing the site.

6. The proposed variance will not substantially increase congestion on surrounding streets, or the danger of fire or other hazard to the public:

The proposed variance will not increase congestion on surrounding streets, or increase the danger of fire or other hazards to the public.

7. The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site:

The effect of the proposed variance is in harmony with the general intent of this Code and the variance is required in order to not alter the essential character of the existing home and the area surrounding the site.

8. Granting this variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings or structures in the same zoning district:

Granting this variance will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings or structures in the same zoning district.

CRITERIA: NONCONFORMING

Section 1-16.D.4 of the Land Development Code establishes separate criteria for the expansion of an existing nonconforming structure or portion of that structure. The Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 6 criteria. Additional pages, photographs, surveys, plot plans or any other materials may be attached as exhibits.

1. The property where the structure is located meets the minimum lot area standard for the zoning district, as specified in Chapter 2, Article II:

N/A

2. There are no other ways of altering the structure that will not result in increasing the nonconforming cubic content of the structure:

N/A

3. The proposed expansion will be consistent with the use of the structure and surrounding structures, given the use is permitted by right, conditional use or special exception in the zoning district within which the structure is located:

N/A

4. The proposed expansion effectively "squares-off" an existing building, or does not extend beyond the furthest point of an adjacent building on the site:

N/A

5. The proposed expansion is in scale with adjacent buildings:

6. The proposed expansion will not impact adjacent properties by limiting views or increasing light and/or noise:

N/A

CERTIFICATION

By submitting this application, I hereby certify that the information provided above is true and correct to the best of my knowledge and that I am aware of the application submittal requirements and review process for this application. I hereby authorize City of Ormond Beach Staff to place legal notice on my property and to take pictures pertaining to my request. I am aware of the required pre-application meeting and am aware that if all the submittal requirements are not provided, my application will be continued to the next regularly scheduled hearing.

Signature: David G. Winbigler

STATE OF FLORIDA
COUNTY OF Volusia

The foregoing instrument was acknowledged before me this 25th day of July, 2016, by David G. Winbigler as owner 364-D (title*) for 30 Rosarvey Cir (name of corporation*), who provided FLD#WS12467-52 as identification, or who is personally known to me.



Leslie Mezie
Notary Public, State of Florida
My Commission Expires:

* If you are executing this document on behalf of a corporation please complete the spaces with your title and the name of your company as indicated.

4. The proposed expansion effectively "squares-off" an existing building, or does not extend beyond the furthest point of an adjacent building on the site:

N/A

5. The proposed expansion is in scale with adjacent buildings:

6. The proposed expansion will not impact adjacent properties by limiting views or increasing light and/or noise:

N/A

CERTIFICATION

By submitting this application, I hereby certify that the information provided above is true and correct to the best of my knowledge and that I am aware of the application submittal requirements and review process for this application. I hereby authorize City of Ormond Beach Staff to place legal notice on my property and to take pictures pertaining to my request. I am aware of the required pre-application meeting and am aware that if all the submittal requirements are not provided, my application will be continued to the next regularly scheduled hearing.

Signature: Kim Thomas Winbiger

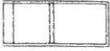
STATE OF FLORIDA
COUNTY OF Volusia

The foregoing instrument was acknowledged before me this 25th day of July, 2016, by Kim Thomas Winbiger, as Owner (title*) for 30 Bosarvey Cir (name of corporation*), who provided FDL#WS12-518-57-716 as identification, or who is personally known to me.



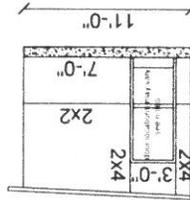
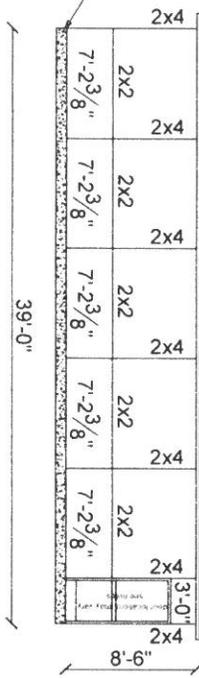
Leslie E Mezie
Notary Public, State of Florida
My Commission Expires:

* If you are executing this document on behalf of a corporation please complete the spaces with your title and the name of your company as indicated.

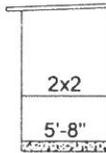
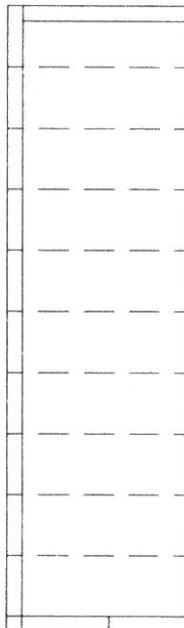


MODEL ENCLOSURE MUST BE PERMITTED BY LOCAL BUILDING DEPARTMENT
 EXISTING MODEL ATTACHED TO HOUSE UNDER OVERHANG
 THIS DRAWING IS FOR INFORMATION ONLY
 THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION

NEW CONCRETE PATIO W/
 THICKENED EDGE & REBAR



NEW 3" INSULATED ROOF ATTACHED
 TO HOUSE UNDER OVERHANG



CONTRACTOR:
 A CERTIFIED SCREEN
 WINBIGLER
 JOB:
 30 BOSARVEY CIR.
 ORMOND BEACH
 COLOR: BRONZE

NOTE: DOOR LOCATIONS MAY VARY AND WILL NOT EFFECT STRUCTURAL INTEGRITY OF ENCLOSURE



ROBERT GEORGE MORGAN JR.
 1828 RIVER LAGOON TRACE
 ST. AUGUSTINE, FLORIDA 32082
 904-814-7633
 PE950118



Pool Enclosures
 Screen Rooms
 Soffit, Fascia & Siding
 Hurricane Panels
 Impact Glass
 Phone No: 386-9017

460 Young Street
 Ormond Beach, FL 32174
 Ormond Beach (386) 737-0714
 New Smyrna (386) 424-0760
 Palm Coast (386) 445-7629
 St. Augustine (904) 287-0060
 Fax (386) 671-0885

Date: 7-8-16
 Scale: 1/8" = 1'
 Drawn By: Bobby York
 bobby@certifiedscreens.com

Building Category: 1
 WIND ZONE 140mph
 IMP= .77 EXP=C
 FBC, 5th Edition 2014
 POOL ENCLOSURE

Sheet
 1
 1 of 3
 © 2011

Record and Return to:
Southern Title Holding Company, LLC
2335 Beville Road
Daytona Beach, FL 32119

Prepared by:
Andrea M. Jaeger, C.L.C.
Southern Title Holding Company, LLC
400 Seabreeze Blvd
Daytona Beach, FL 32118

File Number: **SB161093**

(Space Above This Line For Recording Data)

Warranty Deed

This **Warranty Deed** made this 30th day of March, 2016, between **Constance W. Treloar, a single woman, Individually and as Trustee of The Treloar Family Trust U/A dated 11th day of July, 2002**, whose post office address is 161 Deer Lake Circle, Ormond Beach FL 32174, grantor, and **David G. Winbigler and Kim T. Winbigler, as Co-Trustees of The David G. Winbigler Revocable Trust Agreement, dated September 17, 2013**, and **Kim T. Winbigler and David G. Winbigler, as Co-Trustees of The Kim T. Winbigler Revocable Trust Agreement, dated September 17, 2013**, whose post office address is 30 Bosarvey Circle, Ormond Beach, FL 32176, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

SOUTHERN TITLE

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in the **Volusia County, Florida**, to-wit:

LOT 7, THE WOODS SUBDIVISION, ACCORDING TO MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 26, PAGE 88, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

Parcel Identification Number: 4214-06-00-0070

Together with all the 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 grantee 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 fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2016.

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:

W. Dennis Stelley
Witness Signature
Witness Name: W. Dennis Stelley
Andrea M. Jaeger
Witness Signature
Witness Name: Andrea M. Jaeger

The Treloar Family Trust U/A dated 11th day of July, 2002

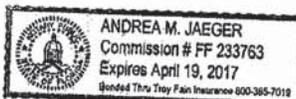
Constance W. Treloar
By Constance W. Treloar, Individually and as Trustee

State of Florida

County of Volusia

The foregoing instrument was acknowledged before me this 30th day of March, 2016, by **Constance W. Treloar, Individually and as Trustee of The Treloar Family Trust U/A dated 11th day of July, 2002**, she () is personally known to me or () has produced Driver(s) License as identification.

Andrea M. Jaeger
Notary Public
Printed Name:
My Commission Expires:



STAFF REPORT

City of Ormond Beach Department of Planning

DATE: August 29, 2016

SUBJECT: 42 N. Beach Street, Anderson Price Memorial Building,
locally designated historic Landmark

APPLICANT: Ormond Beach Historical Society (applicant), property
owner

FILE NUMBER: VAR 2016-104

PROJECT PLANNER: S. Lauren Kornel, AICP, Senior Planner

INTRODUCTION:

This is a request for a variance to construct a sidewalk, submitted by Dr. Philip J. Shapiro, on behalf of the Ormond Beach Historical Society, Inc., property owner of 42 N. Beach Street, Anderson-Price Memorial Building. The property is zoned as R-3 (Single-Family Medium Density) and the applicant is seeking a variance to allow the installation of a sidewalk. Section 2-50(w) of the Ormond Beach Land Development Code requires a 5' setback to the side interior property line for a sidewalk. The applicant is seeking to allow a 5' wide sidewalk at a 1.8' side yard setback, a 3.2' variance to the required 5' setback along the south property line, abutting 40 N. Beach Street.

BACKGROUND:

The property is designated as "Public Institutional" on the City's Future Land Use Map (FLUM) and is zoned R-3 (Single Family Medium Density) on the City's Official Zoning Map. The existing public institutional use by the Ormond Beach Historical Society of the property is consistent with the FLUM designation and zoning district. The adjacent land uses and zoning for the surrounding properties are as follows.

Adjacent land uses and zoning:

	Current Land Uses	Future Land Use Designation	Zoning
North	Church	"Public Institutional"	R-3 (Single Family Medium Density)
South	Day Spa	"Residential, Office, Retail"	B-1 (Professional Office/Hospital)
East	Vacant Land	"Low Density Residential"	R-2 (Single Family Low Density)
West	Proposed City parking lot	"Public Institutional"	R-3 (Single Family Medium Density)

Site aerial of proposed sidewalk addition:

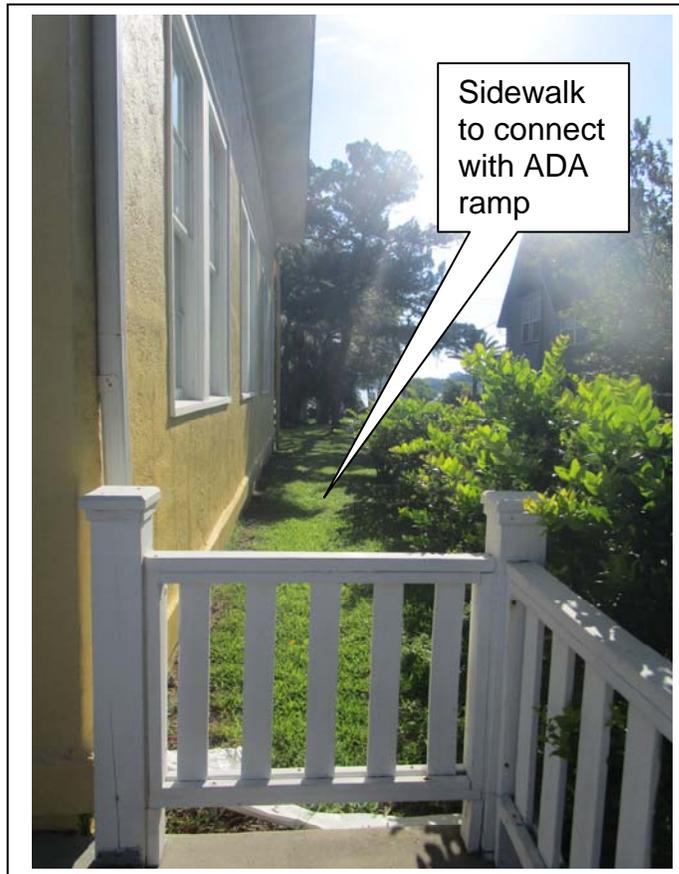


Source: <http://explorer.pictometry.com/index.php>

Picture of proposed sidewalk addition facing west:



Picture of proposed sidewalk addition facing east:



The applicant is the Ormond Beach Historical Society, Inc., a private non-profit organization, working to preserve and share the history of Ormond Beach. The scope of the sidewalk improvement involves the required 5' sidewalk setback which is required to ensure that run-off from human made improvements do not flow onto adjacent property. The improvement is to provide a 5' American Disability Act (ADA) sidewalk access abutting the south side of the building to line up and connect with an ADA ramp at the southwest corner of the building. The improvement involves the removal of a portion of the existing sidewalk located at the south side of the front of the building as shown in the attached Variance Exhibit. The existing sidewalk will be replaced and slightly widened. In addition, new sidewalk is proposed along the south side of the building.

The applicant has advised that the widening and extension of the sidewalk is the most desirable option available to provide an equal opportunity for access from the front yard to rear yard for disabled persons. Any run-off associated with the improvement will be directed away from the adjacent property to the south. The other entrance points at the front of the building are not viable options because they do not provide direct ADA access to the hall area. The intent of the Historical Society is to create the most equal opportunity possible for a disabled person that any able bodied person would have in accessing the facility from the front to the rear of the facility. The applicant is requesting to be allowed to

remove, replace and widen a portion of the existing sidewalk and install new sidewalk at a 1.8' minimum setback to the interior side yard property line.

According to the subject property Nomination Proposal dated October 20, 1983, the structure was built in 1916 long before there were ADA standards. The property is a locally designated historic landmark. The analysis portion of this report shall analyze the variance.

ANALYSIS:

Chapter 1, Article II, Section 1-16.D.2, of the Land Development Code states, "The Board of Adjustment and Appeals shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved and are not the result of the actions of the applicant. If the basis for the request is the unique quality of the site, the Board shall make the following required findings based on the granting of the variance for that site alone. If, however, the condition is common to numerous sites so that requests for similar variances are likely to be received, the Board shall base its findings on the cumulative effect of granting the variance to all who may apply."

Potential Alternatives:

- 1. Grant the applicant's request and permit a 1.8' final setback for the construction of a 5' ADA compliant sidewalk, granting a 3.2' variance to the required 5' interior sidewalk setback.**

The requested ADA compliant sidewalk variance would allow access from the front of the structure to the rear of the structure thereby connecting the proposed sidewalk to an existing ADA ramp leading into the rear of the building.

- 2. Deny the request as presented and not allow the construction of the sidewalk.**

This option would not allow the construction of the sidewalk.

Neighbor Input:

The abutting neighbors at 40 and 56 North Beach Street both signed the application as being for the requested variance.

The Board must consider the following criteria established in Chapter 1, Article II, Section 1-16.D.4, of the Land Development Code for a conforming structure:

- 1. 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.**

Case for the variance: The existing building location which was constructed in 1916 during a period of time when no ADA regulations existed preclude the installation of an ADA sidewalk that would meet a 5'

setback. The applicant, a private non-profit organization, desires to construct ADA access from the front of the property to the rear of the property as close to an equal front yard experience for a disabled person as is enjoyed by an able bodied person. The existing setback of the building is the special conditional that prevents the sidewalk from meeting the required 5' setback.

Case against the variance: None. The existing configuration of the structure makes installation of an ADA sidewalk impossible at a 5' setback.

2. **The special conditions and circumstances do not result from the actions of the applicant.**

Case for the variance: The Ormond Beach Historical Society, Inc. has owned the property since 2002 when the Women's Club deeded the property to the Society at that time. As previously stated, the structure was constructed in 1916. The special conditions of this property are not the result from actions of the applicant.

Case against the variance: None.

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

Case for the variance: Sidewalks and particularly handicapped accessible sidewalks are required with all new construction. The location of the existing building prevents the construction of the ADA sidewalk to allow access to the historic structure. Applying the Land Development Code sidewalk setbacks would be an unnecessary and undue hardship that would prevent the historic landmark from updating there sidewalk access.

Case against the variance: None.

4. **No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building, or structure.**

Case for the variance: There is no practical alternative to the installation of the 5' sidewalk at a 1.8' setback to the side property line based on the location of the historic structure. The requested 3.2' variance is the minimum to allow access for a disabled individual from the front of the house to the rear.

Case against the variance: None. The sidewalk that would meet the Land Development Code setback would only be 1.8' in width and would not be ADA accessible.

5. **The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or**

physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship.

Case for the variance: The variance is not sought to reduce the cost of the construction of the sidewalk.

Case against the variance: None.

6. **The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.**

Case for the variance: The request will not increase congestion, fire danger or public hazards. The request is specifically designed to aid in a disabled person exit the house in the case of an emergency.

Case against the variance: None.

7. **The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.**

Case for the variance: The proposed request would not impact the character of the neighborhood. The adjoining property owners have signed the application supporting the variance. Stormwater at the south east corner of the building will be diverted to the east along the south side of the property. Stormwater at the southwest corner of the building will be diverted to the west also along the south side of the property. The abutting property owner has a paved driveway to the property line.

Case against the variance: None.

8. **Granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings, or structures in the same zoning district.**

Case for the variance: The purpose of the variance process is to confer rights that are denied to a particular applicant because of a special condition or unique circumstance for their property. Staff believes that the existing historic building location and non-conforming lot size are unique conditions that are worthy of a variance.

Case against the variance: Each application is a unique situation that must be reviewed independently based on the variance criteria, input from the required notification, and testimony at the public hearing. If the Board does not believe the variance criteria have been met, then the application should be denied.

RECOMMENDATION:

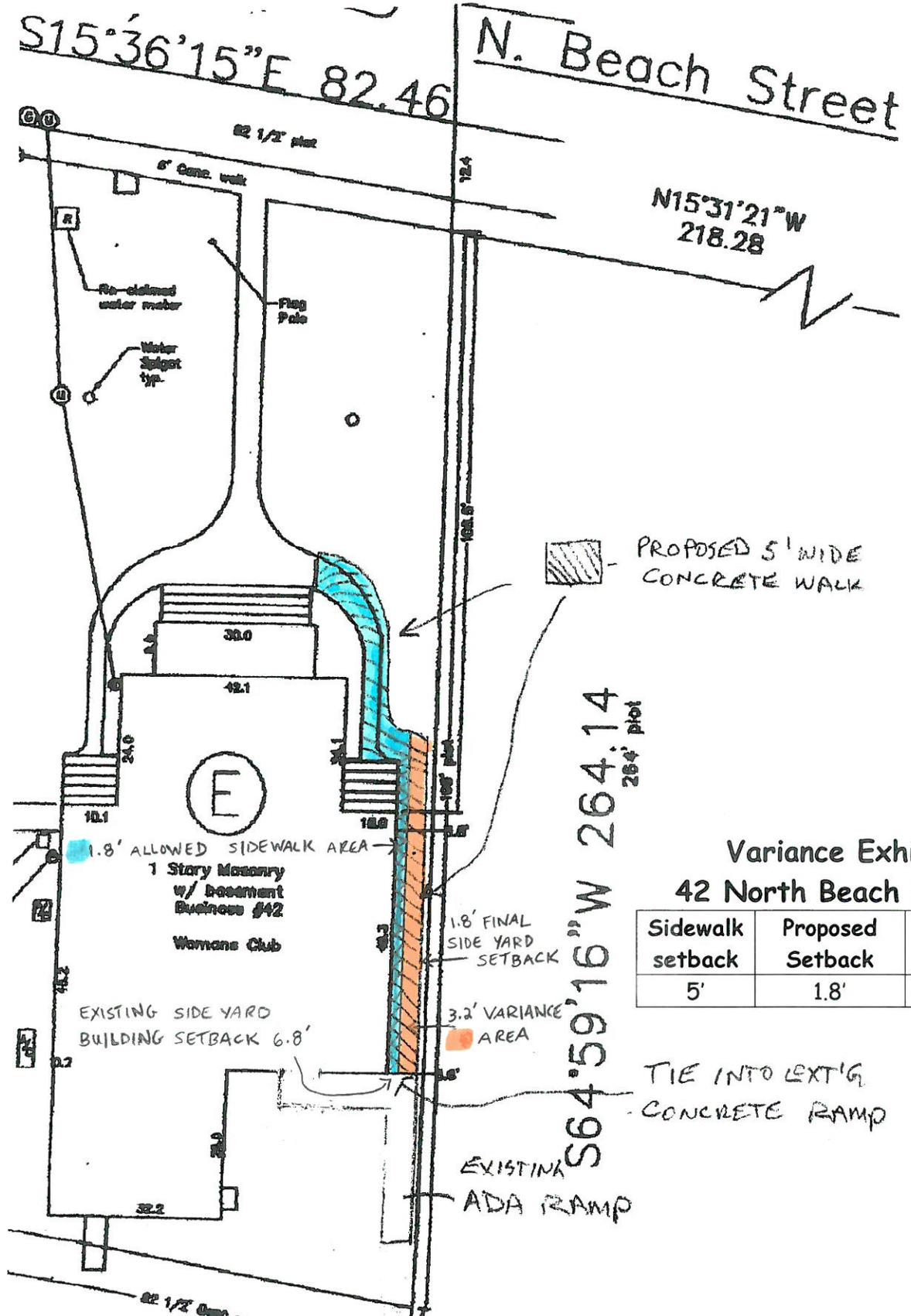
It is recommended that the Board of Adjustments and Appeals **APPROVE** the sidewalk widening and installation for a 3.2' variance to the required 5' setback, Section 2-50(w) of the Ormond Beach Land Development Code, with a remaining 1.8' setback along the south property line, abutting 40 North Beach Street.

- Attachments:
1. Variance Exhibit
 2. Location Aerial
 3. Applicant's Submittal

ATTACHEMENT 1

Variance Exhibit

SURVEY/SITE PLAN



PROPOSED 5' WIDE CONCRETE WALK

Variance Exhibit
42 North Beach Street

Sidewalk setback	Proposed Setback	Proposed Variance
5'	1.8'	3.2'

TIE INTO EXIST'G CONCRETE RAMP

EXISTING ADA RAMP

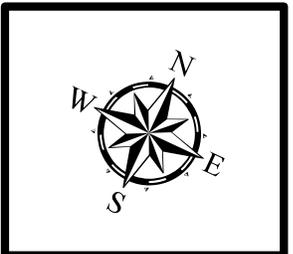
ATTACHEMENT 2

Location Aerial



42 North Beach Street
4215-14-01-0020

The City of Ormond Beach G.I.S. Deaprtment
Prepared By: Eric Dickens 09-10-2012



ATTACHEMENT 3

Applicant Submittal



CITY OF ORMOND BEACH

v3.2013

Planning Department
22 South Beach Street, Ormond Beach, FL 32174
Tel: (386) 676-3238

www.ormondbeach.org comdev@ormondbeach.org

16-0104

VARIANCE - APPLICATION

For Planning Department Use

Application Number

Date Submitted

July 28, 2016

APPLICATION TYPE AND FEES

Table with 5 columns: Application, Advertising Deposit for Advisory Board, Advertising Deposit for Commission, Total*. Rows include Residential or Commercial and After the Fact Residential or Commercial.

*The total is calculated as the Application plus approximate Advisory Board and Commission Public Notification Fees. Depending on the actual costs, Staff shall refund any remaining balance or require additional payment.

APPLICANT INFORMATION

DR. PHILIP J. SHAPIRO, VICE PRESIDENT, OBHS, INC.

This application is being submitted by

Property Owner PS, DPM Agent, on behalf of Property Owner**

Name

ORMOND BEACH HISTORICAL SOCIETY INC

Full Address

38 E. GRANADA BLVD ORMOND BEACH FL 32176

Telephone

386 677-7005

Email

ORMOND HISTORY.ORG

* If this application is being submitted by a person other than the property owner, please provide the following Property Owner Information as well as a notarized letter designating you as agent.

PROPERTY OWNER INFORMATION***

Name

ORMOND BEACH HISTORICAL SOCIETY INC

Full Address

42 N. BEACH ST ORMOND BEACH FL 32174

Telephone

386 677-7005

Email

ORMOND HISTORY.ORG

***If the property owner does not reside on the property for which the application refers, please provide the following Property Details.

PROPERTY DETAILS

Full Address

42 N BEACH ST. ORMOND BEACH FL 32174

Parcel ID Number

4215-14-01-0020

Legal Description

LOTS B & E AND INC 582.5 FT OF LOT F AND RIP RTS SUB RIVER LOT 1 ORMOND MB 3 PG 124 PER OR 431 PG 631 PER OR 4888 PG 2553 PER OR 6468 PG 4504

REQUEST

For the Board of Adjustment and Appeals to grant a variance, there must be special conditions or circumstances existing which are peculiar to a particular piece of land, structure or building. The variance should not request special privilege denied to other lands, buildings or structures, and must prove deprivation of rights commonly enjoyed by other property owners in the subject property area that results in an unnecessary hardship. The request should be the minimum possible to make reasonable use of the land and, if granted, should not be injurious to the area or materially diminish the value of the surrounding properties, alter the essential characteristics of the neighborhood or otherwise be detrimental to the public welfare or create a public nuisance. A purely financial hardship does not, except under extreme circumstances, constitute sufficient grounds for hardship.

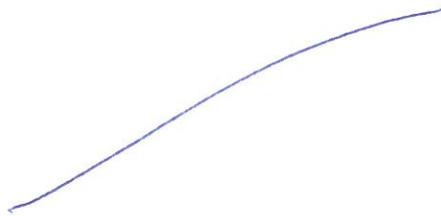
8. Granting this variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings or structures in the same zoning district:

CORRECT

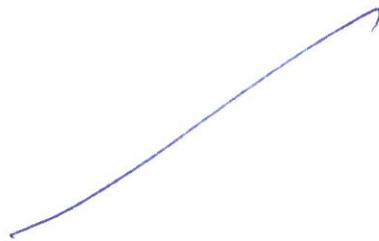
CRITERIA: NONCONFORMING

Section 1-16.D.4 of the Land Development Code establishes separate criteria for the expansion of an existing nonconforming structure or portion of that structure. The Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 6 criteria. Additional pages, photographs, surveys, plot plans or any other materials may be attached as exhibits.

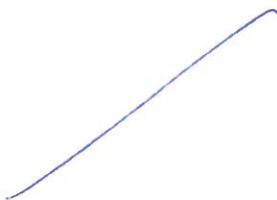
1. The property where the structure is located meets the minimum lot area standard for the zoning district, as specified in Chapter 2, Article II:



2. There are no other ways of altering the structure that will not result in increasing the nonconforming cubic content of the structure:



3. The proposed expansion will be consistent with the use of the structure and surrounding structures, given the use is permitted by right, conditional use or special exception in the zoning district within which the structure is located:



4. No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building or structure:

YES

5. The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship:

CORRECT

6. The proposed variance will not substantially increase congestion on surrounding streets, or the danger of fire or other hazard to the public:

NO HAZARDS OF ANY TYPE

7. The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site:

CORRECT

Request:

A VARIANCE TO CONSTRUCT A CONCRETE WALKWAY 5' WIDE IN ACCORDANCE WITH ADA STANDARDS. THE WALKWAY IS TO PROVIDE ACCESS FROM THE FRONT OF THE BUILDING TO THE EXISTING ADA RAMP IN THE REAR. THIS IS TO CONVEY EQUAL OPPORTUNITY TO ALLOW ALL GUESTS THE SAME FRONT YARD EXPERIENCE.

ABUTTING PROPERTY OWNERS

Please provide abutting property owner signatures or provide letters indicating position toward the request.

Signature	Street Address	For	Against
SEE LETTER	40 N. BEACH ST.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SEE LETTER	56 N BEACH ST.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

CRITERIA: CONFORMING

Section 1-16.D.3 of the Land Development Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 8 criteria. Additional pages, photographs, surveys, plot plans or other materials may be attached as exhibits.

1. 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:

NONE

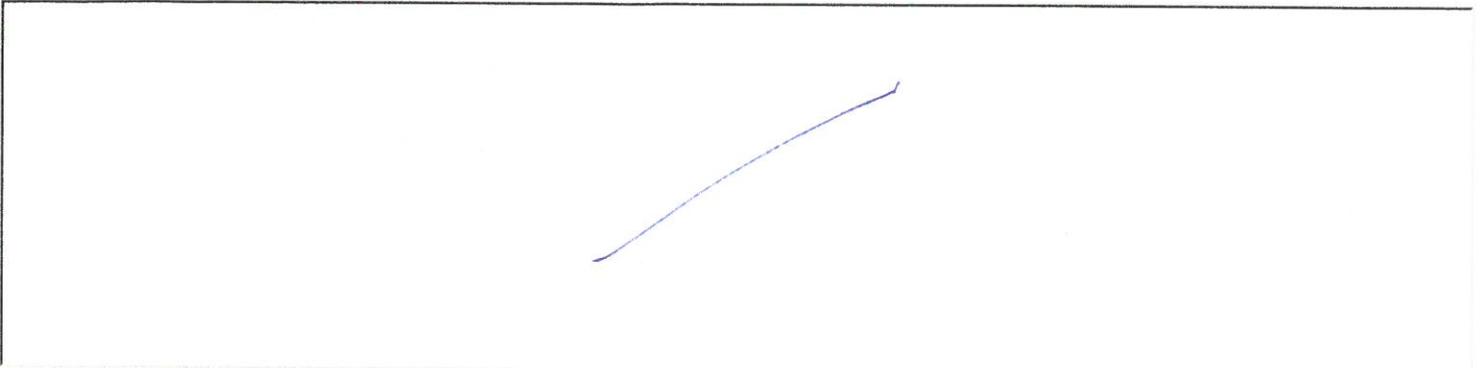
2. The special conditions and circumstances do not result from the actions of the applicant:

CORRECT

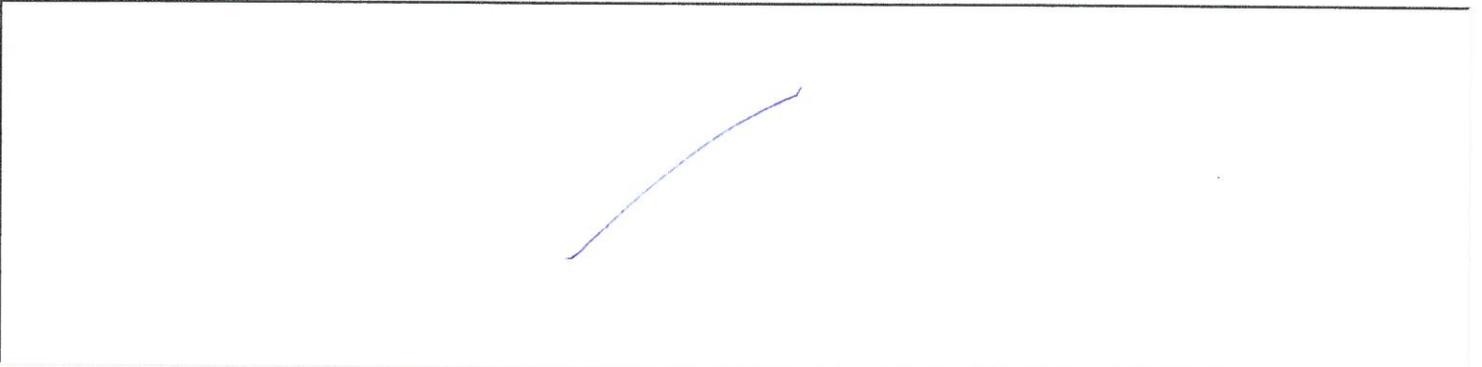
3. Literal interpretation of the provisions of these zoning regulations deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these zoning regulations and would work unnecessary and undue hardship on the applicant:

VARIANCE NEEDED DUE TO PROXIMITY OF PROPERTY LINE RESTRICTIONS

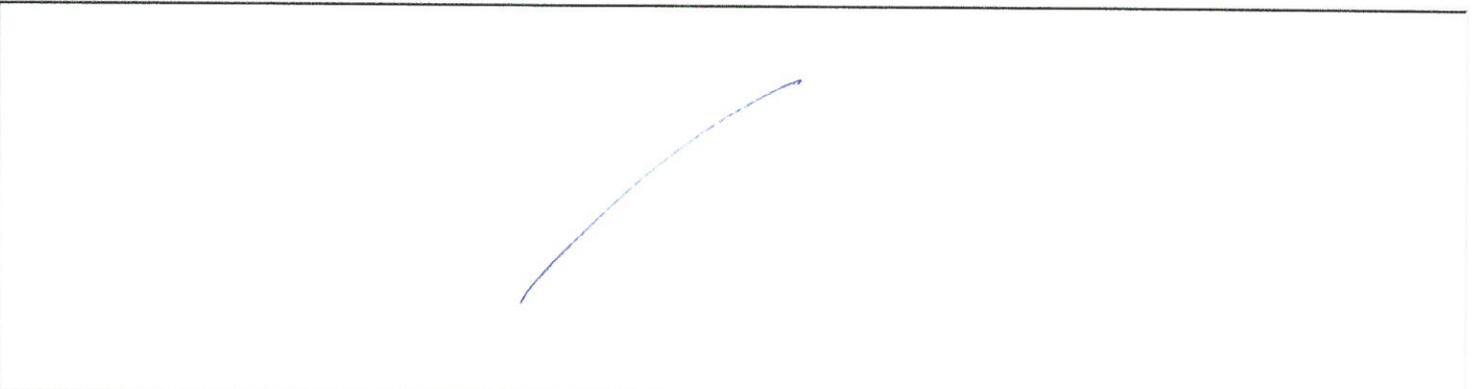
4. The proposed expansion effectively "squares-off" an existing building, or does not extend beyond the furthest point of an adjacent building on the site:



5. The proposed expansion is in scale with adjacent buildings:



6. The proposed expansion will not impact adjacent properties by limiting views or increasing light and/or noise:



CERTIFICATION

By submitting this application, I hereby certify that the information provided above is true and correct to the best of my knowledge and that I am aware of the application submittal requirements and review process for this application. I hereby authorize City of Ormond Beach Staff to place legal notice on my property and to take pictures pertaining to my request. I am aware of the required pre-application meeting and am aware that if all the submittal requirements are not provided, my application will be continued to the next regularly scheduled hearing.

Signature: Dr. Philip J. Shapiro

STATE OF FLORIDA
COUNTY OF Volusia

The foregoing instrument was acknowledged before me this 28th day of July, 2016, by Philip J. Shapiro as Representative (title*) for OB Historical Society (name of corporation*), who provided FLD64# 5160-670-51-005-0 as identification, or who is personally known to me.



[Signature]
Notary Public, State of Florida
My Commission Expires:

* If you are executing this document on behalf of a corporation please complete the spaces with your title and the name of your company as indicated.

RABBIT & SONS CONSTRUCTION CO. INC.

CERTIFIED BUILDING CONTRACTOR #CB C 057393

CERTIFIED ROOFING CONTRACTOR #CC C1325705

22 Rio Pinar Trail

Ormond Beach, Florida 32174

Telephone (386) 673-0802

Cellphone (386) 547-3960

Fax (386) 673-0009

RabbitConstruction.com

July 25, 2016

Ormond Beach Riverside
56 N. Beach Street
Ormond Beach, Fl. 32174

To Whom it may concern,

We have no objection to the Ormond Beach Historical Society constructing a 5 foot wide concrete sidewalk along the south side of the building. This will create access from the front of the building to the rear by connecting with an existing ADA concrete ramp at the southwest corner in the back of the building.

This will convey to all guests an equal opportunity to enjoy the front yard experience.

Handwritten signature in blue ink that reads "E. Amuthess, Pastor".

RABBIT & SONS CONSTRUCTION CO. INC.

CERTIFIED BUILDING CONTRACTOR #CB C 057393

CERTIFIED ROOFING CONTRACTOR #CC C1325705

22 Rio Pinar Trail

Ormond Beach, Florida 32174

Telephone (386) 673-0802

Cellphone (386) 547-3960

Fax (386) 673-0009

RabbitConstruction.com

July 25, 2016

Richard Carbonell

40 N. Beach Street

Ormond Beach, Fl. 32174

To Whom it may concern,

We have no objection to the Ormond Beach Historical Society constructing a 5 foot wide concrete sidewalk along the south side of the building. This will create access from the front of the building to the rear by connecting with an existing ADA concrete ramp at the southwest corner in the back of the building.

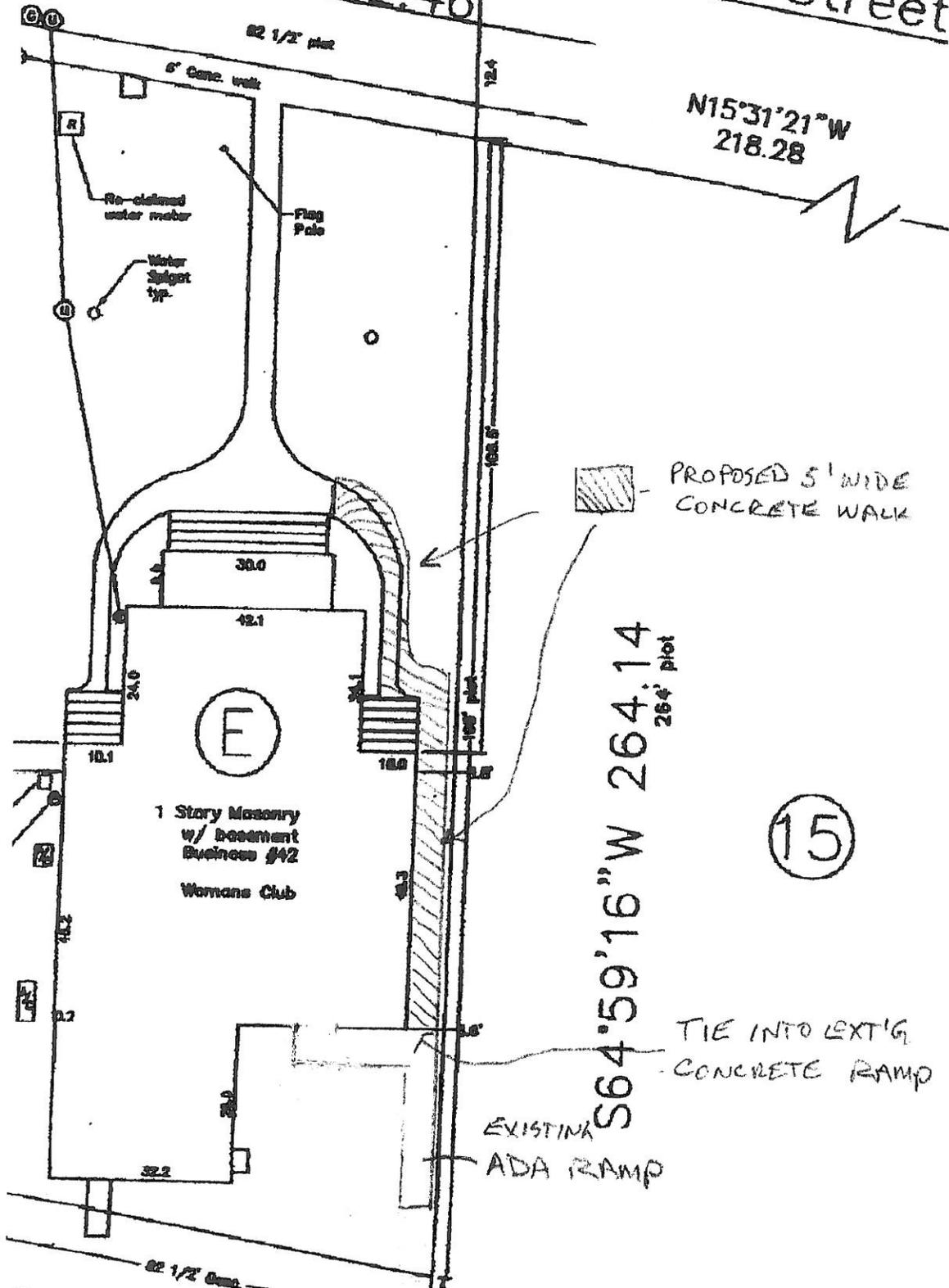
This will convey to all guests an equal opportunity to enjoy the front yard experience.

 owner

SURVEY/SITE PLAN

S15°36'15"E 82.46
N. Beach Street

N15°31'21"W
218.28



15

Kornel, Laureen

From: Dr. Philip J. Shapiro [pjsdpm@yahoo.com]
Sent: Thursday, July 28, 2016 11:46 AM
To: Kornel, Laureen
Cc: Dr. Philip J. Shapiro
Subject: FW: OBHS Representative at City Hall (A-P Sidewalk Project)

Dear Ms. Kornel:

Diana Simmons is the Immediate Past President of the Historical Society, and is temporarily covering for the President, Pat Sample, who is out of the community.

Thank you.

Dr. Philip Shapiro

From: diana simmons [mailto: disimmons@hotmail.com]
Sent: Thursday, July 21, 2016 5:38 PM
To: Dr. Philip J. Shapiro <pjsdpm@yahoo.com>; Abbe Letendre <abbebythesea@gmail.com>; Mary-Lu Leveroni <mleveroni@cfl.rr.com>; OBHT Office <office@ormondhistory.org>; Patricia Sample <psampleone@cfl.rr.com>; Shannon Julien <slrjulien@yahoo.com>; Ann Eifert <eifert1186@bellsouth.net>; Ann Kashmer <annkashmer@aol.com>; Bobbi Coleman <bobbi@bobbi Coleman.com>; Dan Smith <fishwdan@att.net>; Greig Rabitaille <greigrab@gmail.com>; John Anglea <john.anglea@gmail.com>; Ron Howell <rhowell2272@msn.com>
Subject: RE: OBHS Representative at City Hall (A-P Sidewalk Project)

I think you have the best overall knowledge. Diana

From my Android phone on T-Mobile. The first nationwide 4G network.

----- Original message -----

From: "Dr. Philip J. Shapiro"
Date: 07/21/2016 5:35 PM (GMT-05:00)
To: Abbe Letendre ,Diana Simmons ,Mary-Lu Leveroni ,OBHT Office ,Patricia Sample ,Shannon Julien ,Ann Eifert ,Ann Kashmer ,Bobbi Coleman ,Dan Smith ,Diana Simmons ,"Dr. Philip J. Shapiro" ,Greig Rabitaille ,John Anglea ,Mary-Lu Leveroni ,OBHT Office ,Patricia Sample ,Ron Howell ,Shannon Julien
Cc: "Dr. Philip J. Shapiro"
Subject: OBHS Representative at City Hall (A-P Sidewalk Project)

To the Museum Committee and the Executive Board:

Folks, the message below from City Hall is important, and I need your response.

Based on my ongoing communications with City Hall on this project, it would be logical for me to represent OBHS at the Public Hearing before the Board of Appeals on the proposed sidewalk project.

Are you okay with my being the representative?

Please reply ASAP, as I need to know if I need to be in the community on Wednesday, September 7th.

Thank you.

Dr. Philip Shapiro

From: Kornel, Laureen [mailto: Laureen.Kornel@ormondbeach.org]

Sent: Thursday, July 21, 2016 2:30 PM

To: 'Dr. Philip J. Shapiro' <pjsdpm@yahoo.com>

Subject: RE: A-P Sidewalk - where are we? (reply all)

Dear Dr. Shapiro,

Since no application has been submitted yet, I am attaching a BOAA calendar for your reference. I have been advised that the Historical Society will be the applicant. As such, a representative of the Society will need to be at the meeting to answer any questions the Board may have. The format is the same for BOAA as it is for HLPB. Staff makes a presentation and then the applicant has an opportunity to be heard through the public hearing. Thank you.

Laureen

Kornel, Laureen

From: Dr. Philip J. Shapiro [pjsdpm@yahoo.com]
Sent: Thursday, July 28, 2016 11:44 AM
To: Kornel, Laureen
Cc: Dr. Philip J. Shapiro
Subject: FW: OBHS Representative at City Hall (A-P Sidewalk Project)

Dear Ms. Kornel:

In follow-up to our conversation this morning regarding the ADA-compliant sidewalk at the A-P Building, below is a response from the Museum Committee's Co-Chair, Shannon Julien, who also serves on the Historical Society's Executive Board.

All of the e-mails that I received from my inquiry below were in accord on my serving as the representative to City Hall regarding our application process.

Please let me know if you require further documentation.

Thank you.

Dr. Philip Shapiro
First Vice President
Ormond Beach Historical Society Inc.

From: Shannon Julien [<mailto:slrjulien@yahoo.com>]
Sent: Friday, July 22, 2016 9:13 AM
To: Dr. Philip J. Shapiro <pjsdpm@yahoo.com>
Subject: Re: OBHS Representative at City Hall (A-P Sidewalk Project)

I am good with it. Thank you for carrying this load. Shannon

Sent from my iPhone

On Jul 21, 2016, at 5:35 PM, Dr. Philip J. Shapiro <pjsdpm@yahoo.com> wrote:

To the Museum Committee and the Executive Board:

Folks, the message below from City Hall is important, and I need your response.

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Laureen

<2016 BOAA Calender, V2.pdf>

PREPARED 7/28/16, 12:21:57
City of Ormond Beach

PAYMENTS DUE INVOICE
PROGRAM PZ821L

PROJECT NUMBER: 16-00000104 42 N. BEACH STREET SIDEWALK VARIANCE

FEE DESCRIPTION	AMOUNT DUE
VARIANCE	700.00
TOTAL DUE	700.00

Please present this invoice to the cashier with full payment.

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: August 31, 2016

SUBJECT: 124 Ann Rustin Drive

APPLICANT: Alphonse Sidoti, property owner

FILE NUMBER: VAR 2016-105

PROJECT PLANNER: Steven Spraker, AICP, Senior Planner

INTRODUCTION:

This is a request for a rear yard variance submitted by Alphonse Sidoti, property owner of 124 Ann Rustin Drive. The applicant seeks to extend an existing pool screen enclosure at a 2' rear yard setback, an additional 10' east towards Holly Circle. Section 2-50(X)(1)(c)(2) of the Land Development Code requires a 10' setback for a pool screen enclosure to the rear property line. The total pool screen enclosure expansion is 360 square feet, of which 80 square feet is located within the required rear yard setback. The variance application seeks to allow an expansion of the pool screen enclosure with a rear yard setback of 2', requiring a variance of 8' to the required 10' rear yard pool screen enclosure setback for a total variance encroachment of 80 square feet.

BACKGROUND:

The property is designated as "Low Density Residential" on the City's Future Land Use Map (FLUM) and is zoned R-2.5 (Single Family Low-Medium Residential) on the City's Official Zoning Map. The existing use of the property is consistent with the FLUM designation and zoning district.

EXHIBIT 1: Adjacent land uses and zoning:

	Current Land Uses	Future Land Use Designation	Zoning
North	Single Family House	"Low Density Residential"	R-2.5 (Single Family Low-Medium Density)
South	Single Family House	"Low Density Residential"	R-2.5 (Single Family Low-Medium Density)
East	Single Family House	"Low Density Residential"	R-2.5 (Single Family Low-Medium Density)
West	Single Family House	"Low Density Residential"	R- 2.5 (Single Family Low-Medium Density)

EXHIBIT 2: Site Aerial



Source: <http://explorer.pictometry.com/index.php>

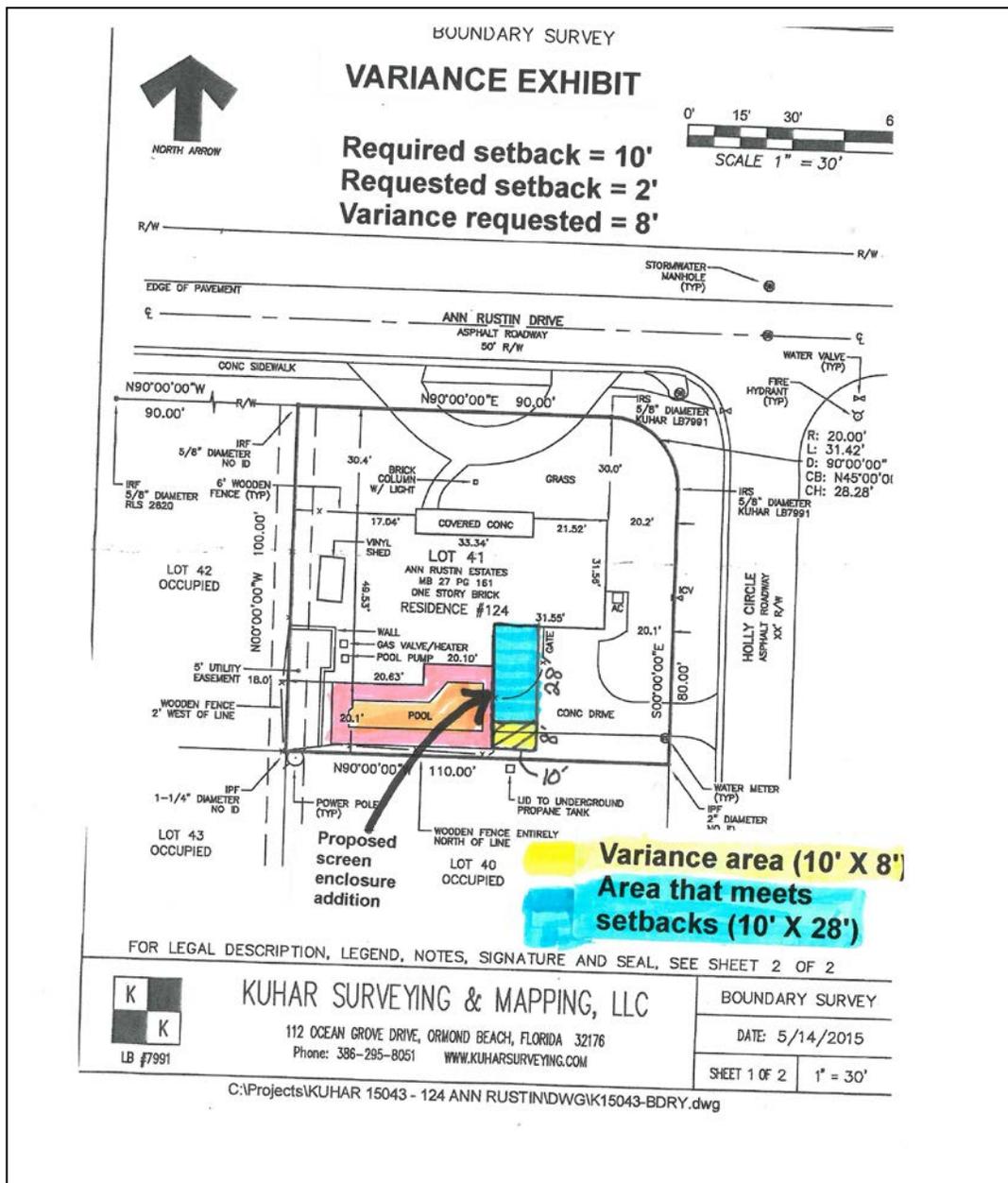
EXHIBIT 3: Existing site photograph



ANALYSIS:

The property at 124 Ann Rustin Drive was built in 1966 per the Volusia County Property Appraiser's website and has 100' of width and 110' in depth. The Volusia County Property Appraiser's website lists the pool and screen enclosure improvements were constructed in 1988. The existing pool screen enclosure is located at 2' setback to the rear property line. The current property owner purchased the property in February of this year and is seeking to expand the deck area around the pool based on the limited width of the deck along the east end of the screen enclosure. The applicant is seeking a total pool screen enclosure addition of 10' by 36' or 360 square feet, of which 10' by 8' or 80 square feet is located within the rear yard setback as shown in the variance exhibit below:

EXHIBIT 4: requested variance



The applicant has stated that the deck around the pool is very limited and there is a desire to increase the deck width for the enjoyment of the pool. The proposed expansion meets the side corner yard setback and does not extend any further east than the garage, approximately 40' from Holly Street. The applicant has coordinated with the abutting property owner at 956 Holly Circle who has provided a signature for the variance encroachment of 8' by 10' or 80 square feet.

CONCLUSION:

Chapter 1, Article II, Section 1-16.D.2, of the Land Development Code states, "The Board of Adjustment and Appeals shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved and are not the result of the actions of the applicant. If the basis for the request is the unique quality of the site, the Board shall make the following required findings based on the granting of the variance for that site alone. If, however, the condition is common to numerous sites so that requests for similar variances are likely to be received, the Board shall base its findings on the cumulative effect of granting the variance to all who may apply."

1. **The property where the structure is located meets the minimum lot area standards for the zoning district, as specified in Chapter 2, Article II.**

Argument for the variance: The R-2.5 zoning classification requires a minimum lot area of 8,750 square feet for single family lots. The subject property is approximately 11,000 square feet and exceeds the minimum lot area of the R-2.5 zoning district. The subject property is a corner lot and the zoning district setbacks impact the location of the house and accessory structures.

Argument against the variance: None. The lot area exceeds the standards of the zoning district.

2. **There are no other ways of altering the structure that will not result in increasing the nonconforming cubic content of the structure.**

Argument for the variance: The existing screen enclosure has a 2' setback to the rear property and the desire is to widen the existing pool decking which is approximately 2' in width. The variance area is a total of 80 square feet of the proposed expansion of 360 square feet. There is no ability to alter the structure that would not result in increasing the cubic content of the pool screen enclosure.

Argument against the variance: The property could construct the portion of the pool screen enclosure that meets the setback and offset the screen enclosure by 8'. The concern with this option is that the 8' within the setback area is the most crucial of the project based on its location around the existing pool and the limited 2' width.

3. **The proposed expansion will be consistent with the use of the structure and surrounding structures, given that the use is permitted by right,**

conditional use or Special Exception in the zoning district within which the structure is located.

Argument for the variance: Pool screen enclosures are a common improvement in residential zoning districts and are consistent with the purpose of this zoning district.

Argument against the variance: None.

4. **The proposed expansion effectively “squares-off” an existing building, or does not extend beyond the furthest point of an adjacent building.**

Argument for the variance: The addition maintains the existing 2’ setback abutting 956 Holly Circle and does not extend beyond the leading edge of the house. The expansion exceeds the required side corner setback abutting Holly Circle.

Argument against the variance: None, the proposed screen enclosure does not extend beyond the principal house structure.

5. **The proposed expansion is in scale with adjacent buildings.**

Argument for the variance: The existing screen enclosure and proposed screen enclosure has a 2’ setback and abuts primarily the side yard of 956 Holly Circle. The proposed expansion is in scale with the abutting properties.

Argument against the variance: None.

6. **The proposed expansion will not impact adjacent properties by limiting views or increasing light and/or noise.**

Argument for the variance: The proposed screen enclosure will not impact adjacent properties by limiting view or increasing light or noise.

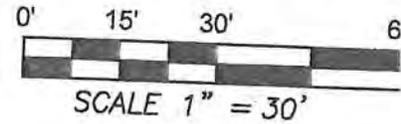
Argument against the variance: None.

RECOMMENDATION: It is recommended that the Board of Adjustments and Appeals **APPROVE** an expansion of the existing pool screen enclosure with a rear yard setback of 2’, requiring a variance of 8’ to the required 10’ rear yard pool screen enclosure setback for a total variance encroachment of 80 square feet at 124 Ann Rustin Drive.

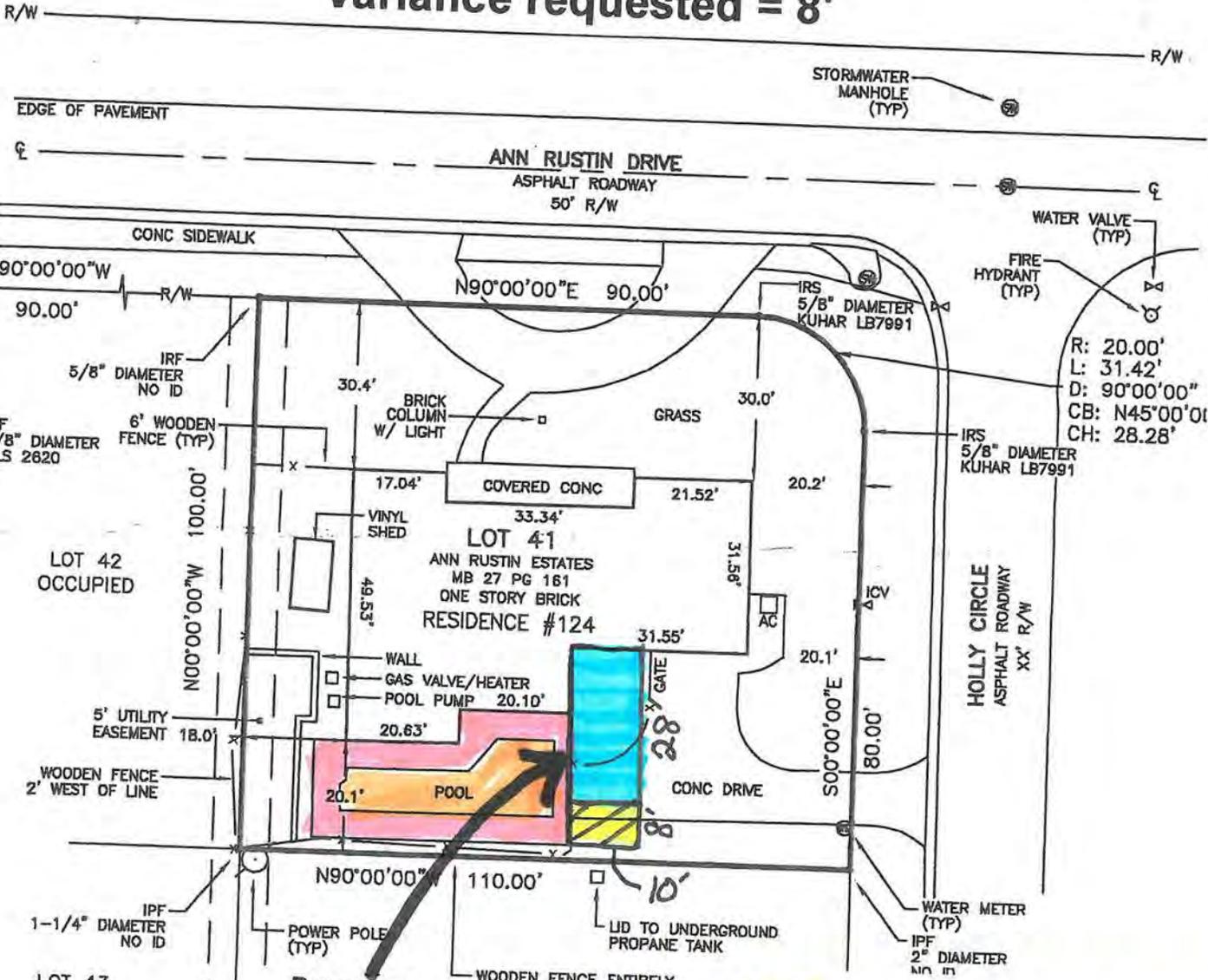
ATTACHMENT 1

Variance Exhibit

VARIANCE EXHIBIT



Required setback = 10'
Requested setback = 2'
Variance requested = 8'

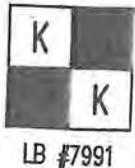


R: 20.00'
L: 31.42'
D: 90°00'00"
CB: N45°00'01"
CH: 28.28'

Proposed screen enclosure addition

Variance area (10' X 8')
Area that meets setbacks (10' X 28')

FOR LEGAL DESCRIPTION, LEGEND, NOTES, SIGNATURE AND SEAL, SEE SHEET 2 OF 2



KUHAR SURVEYING & MAPPING, LLC

112 OCEAN GROVE DRIVE, ORMOND BEACH, FLORIDA 32176
Phone: 386-295-8051 WWW.KUHARSURVEYING.COM

BOUNDARY SURVEY

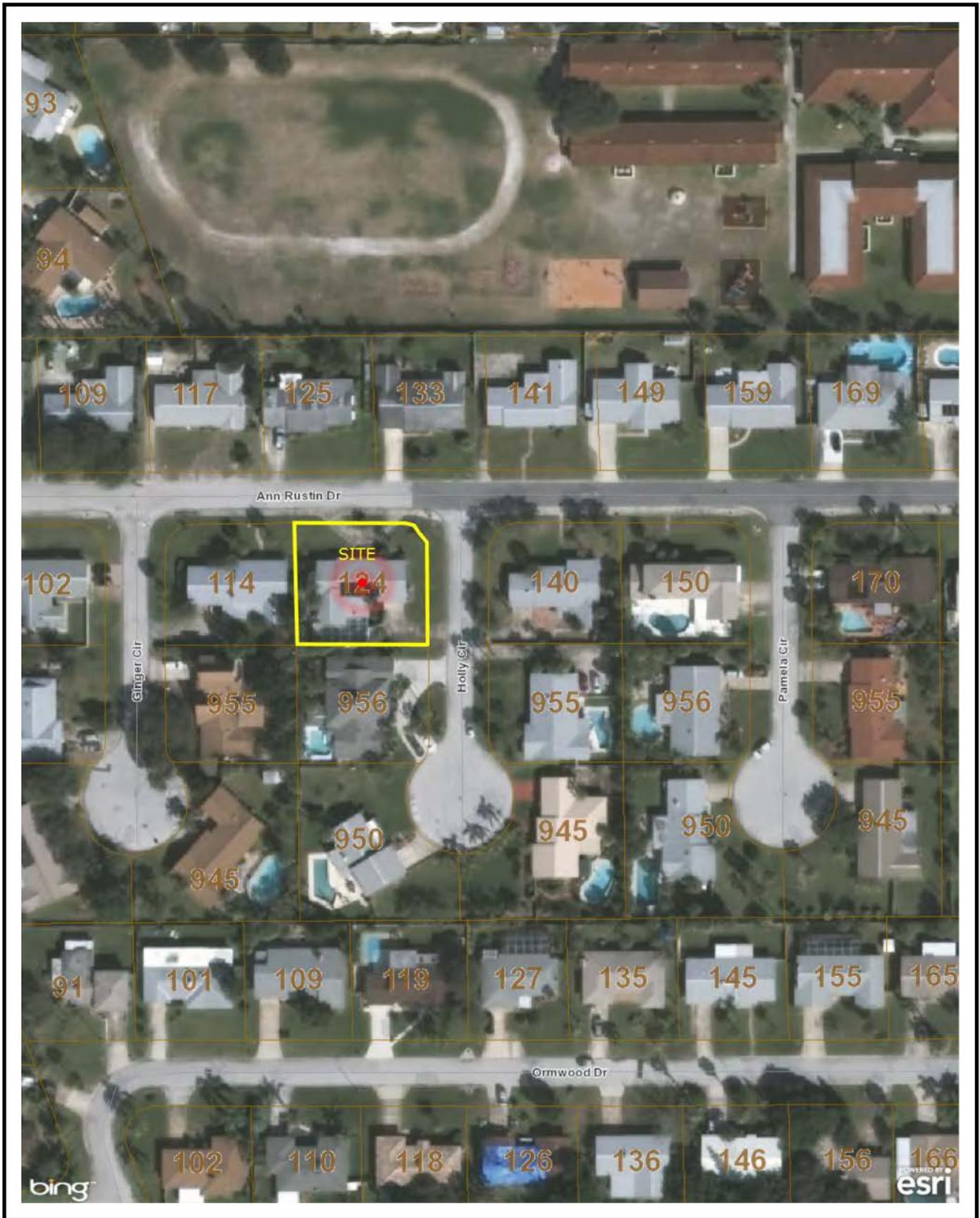
DATE: 5/14/2015

SHEET 1 OF 2

1" = 30'

ATTACHMENT 2

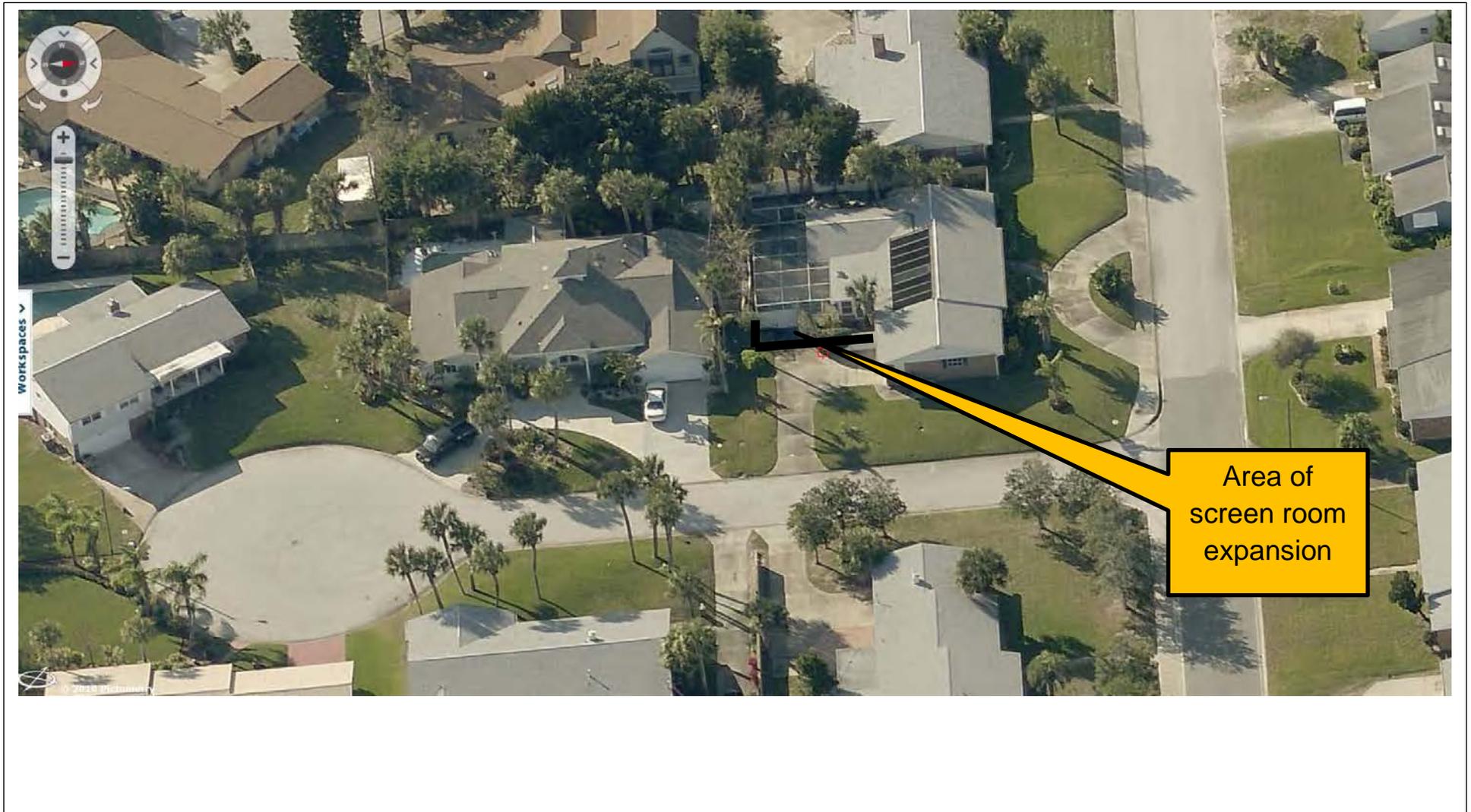
- Maps and pictures

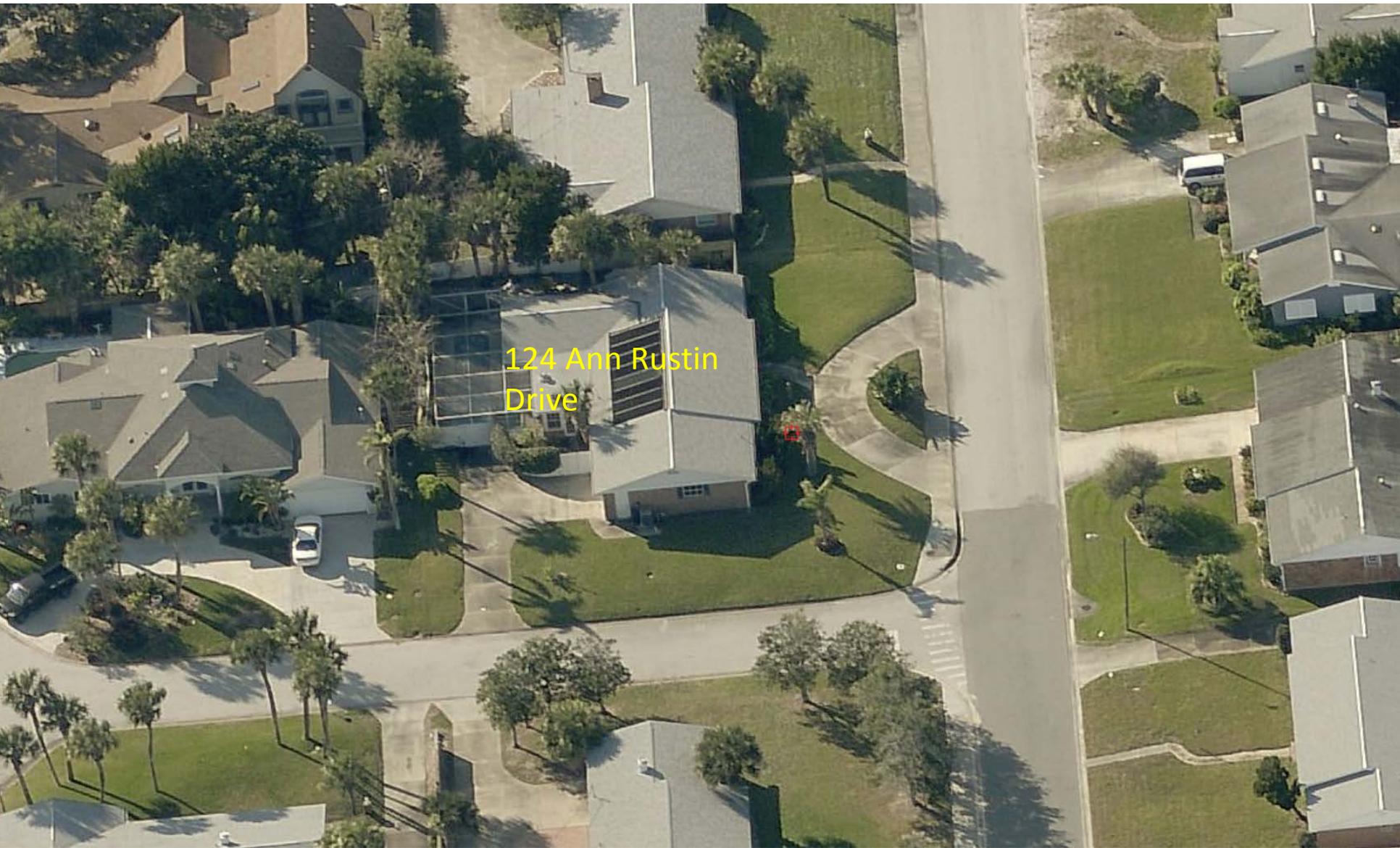


LOCATION MAP
124 Ann Rustin Drive



124 Ann Rustin Drive, screen enclosure expansion





124 Ann Rustin
Drive



Existing pool and decking

East end pool deck,
approximately
2' in width



Enclosure to maintain existing 2' rear yard setback

Enclosure to be located at edge of house line (west of garage door)

Proposed screen enclosure



ATTACHMENT 3

Applicant provided
information



CITY OF ORMOND BEACH

v3.2013

Planning Department

22 South Beach Street, Ormond Beach, FL 32174

Tel: (386) 676-3238

www.ormondbeach.org

comdev@ormondbeach.org

VARIANCE - APPLICATION

For Planning Department Use

Application Number

Date Submitted

APPLICATION TYPE AND FEES

	Application	Advertising Deposit for Advisory Board	Advertising Deposit for Commission	Total*
<input checked="" type="checkbox"/> Residential or Commercial	350	350	N/A	700
<input type="checkbox"/> After the Fact Residential or Commercial	700	350	N/A	1050

*The total is calculated as the Application plus approximate Advisory Board and Commission Public Notification Fees. Depending on the actual costs, Staff shall refund any remaining balance or require additional payment.

APPLICANT INFORMATION

This application is being submitted by Property Owner Agent, on behalf of Property Owner**

Name ALPHONSE + LORRI SIDOTI

Full Address 124 ANN RUSTIN DR, ORMOND BEACH, FL 32176

Telephone 404 610 6259 Email ALSIDOTI@BELLSOUTH.NET

* If this application is being submitted by a person other than the property owner, please provide the following Property Owner Information as well as a notarized letter designating you as agent.

PROPERTY OWNER INFORMATION***

Name _____

Full Address _____

Telephone _____ Email _____

***If the property owner does not reside on the property for which the application refers, please provide the following Property Details.

PROPERTY DETAILS

Full Address 124 ANN RUSTIN DR OB, FL 32176

Parcel ID Number 03-14-32-21-00-0410

Legal Description LOT 41 - ANN RUSTIN ESTATES

REQUEST

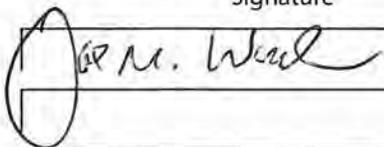
For the Board of Adjustment and Appeals to grant a variance, there must be special conditions or circumstances existing which are peculiar to a particular piece of land, structure or building. The variance should not request special privilege denied to other lands, buildings or structures, and must prove deprivation of rights commonly enjoyed by other property owners in the subject property area that results in an unnecessary hardship. The request should be the minimum possible to make reasonable use of the land and, if granted, should not be injurious to the area or materially diminish the value of the surrounding properties, alter the essential characteristics of the neighborhood or otherwise be detrimental to the public welfare or create a public nuisance. A purely financial hardship does not, except under extreme circumstances, constitute sufficient grounds for hardship.

Request:

TO EXTEND THE EXISTING POOL DECK AND SCREEN ENCLOSURE WHICH IS TWO FEET FROM THE PROPERTY LINE. WE ARE REQUESTING A VARIANCE TO REDUCE THE SETBACK TO TWO FEET. ENCROACHMENT IS EIGHT FEET.

ABUTTING PROPERTY OWNERS

Please provide abutting property owner signatures or provide letters indicating position toward the request.

Signature	Street Address	For	Against
	956 HOLLY LIRCLE DR.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

CRITERIA: CONFORMING

Section 1-16.D.3 of the Land Development Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 8 criteria. Additional pages, photographs, surveys, plot plans or other materials may be attached as exhibits.

1. 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:

THE POOL IS LONG + NARROW WITH ONLY 4 FEET OF SPACE AROUND THE POOL AND NO ROOM FOR A TABLE + CHAIRS AND GRILL.

2. The special conditions and circumstances do not result from the actions of the applicant:

WE PURCHASED THIS HOUSE IN FEB OF 2016. CONDITIONS DID NOT RESULT FROM MY ACTIONS.

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

WE SEEK TO HAVE USABLE SPACE AROUND OUR POOL THE SAME AS MANY OF OUR NEIGHBORS.

4. No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building or structure:

THERE IS NO PRACTICAL WAY TO MAKE SPACE AVAILABLE OTHER THAN THIS VARIANCE.

5. The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship:

THE COST OF THE PROJECT WILL NOT CHANGE DUE TO THE VARIANCE REQUEST

6. The proposed variance will not substantially increase congestion on surrounding streets, or the danger of fire or other hazard to the public:

THE PROPOSED VARIANCE WILL NOT INCREASE CONGESTION OR HAZARD TO THE PUBLIC

7. The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site:

THIS PROPOSED VARIANCE WILL NOT DIMINISH PROPERTY VALUES NOR DIMINISH THE CHARACTER OF THE NEIGHBORHOOD.

8. Granting this variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings or structures in the same zoning district:

NO SPECIAL PRIVILEGES WILL BE GAINED.
OUR NEIGHBORS HAVE AGREED TO
THIS PROJECT.

CRITERIA: NONCONFORMING

Section 1-16.D.4 of the Land Development Code establishes separate criteria for the expansion of an existing nonconforming structure or portion of that structure. The Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 6 criteria. Additional pages, photographs, surveys, plot plans or any other materials may be attached as exhibits.

1. The property where the structure is located meets the minimum lot area standard for the zoning district, as specified in Chapter 2, Article II:

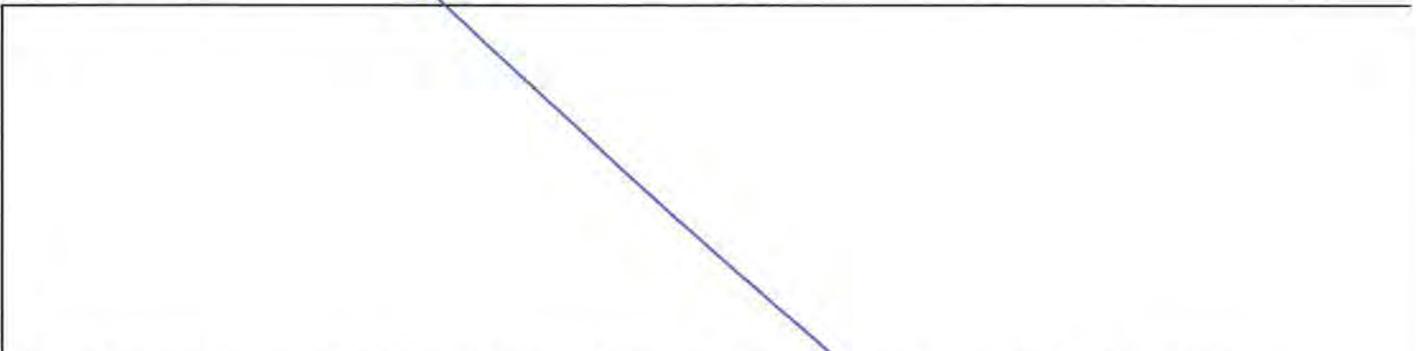
2. There are no other ways of altering the structure that will not result in increasing the nonconforming cubic content of the structure:

3. The proposed expansion will be consistent with the use of the structure and surrounding structures, given the use is permitted by right, conditional use or special exception in the zoning district within which the structure is located:

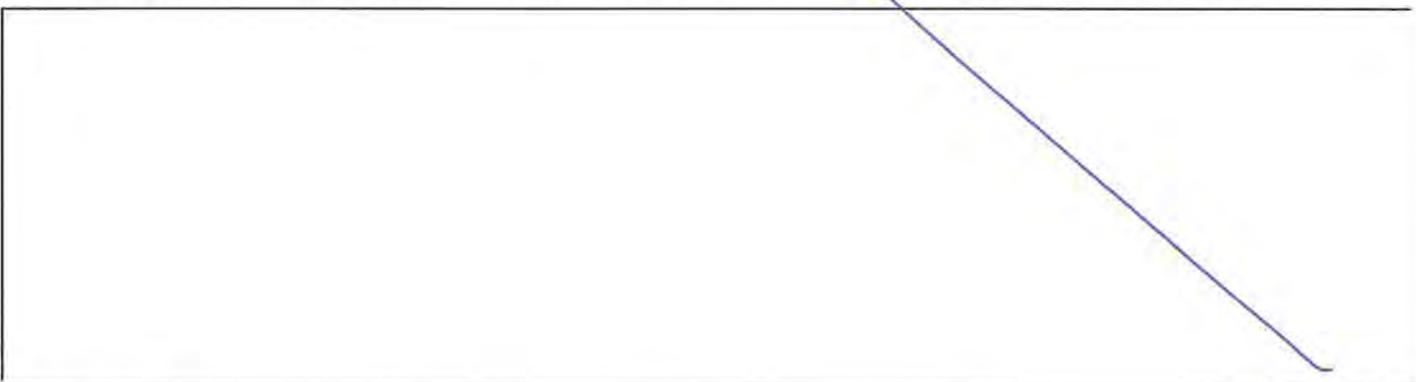
4. The proposed expansion effectively "squares-off" an existing building, or does not extend beyond the furthest point of an adjacent building on the site:



5. The proposed expansion is in scale with adjacent buildings:

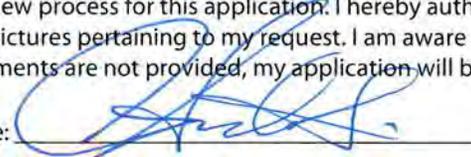


6. The proposed expansion will not impact adjacent properties by limiting views or increasing light and/or noise:



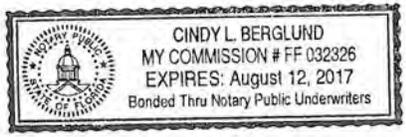
CERTIFICATION

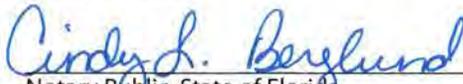
By submitting this application, I hereby certify that the information provided above is true and correct to the best of my knowledge and that I am aware of the application submittal requirements and review process for this application. I hereby authorize City of Ormond Beach Staff to place legal notice on my property and to take pictures pertaining to my request. I am aware of the required pre-application meeting and am aware that if all the submittal requirements are not provided, my application will be continued to the next regularly scheduled hearing.

Signature: 

STATE OF FLORIDA
COUNTY OF Volusia

The foregoing instrument was acknowledged before me this 28th day of July, 2016, by Alphonse Alan Sidoti as Owner (title*) for _____ (name of corporation*), who provided FL DL as identification, or () who is personally known to me.




Notary Public, State of Florida
My Commission Expires: 8/12/17

* If you are executing this document on behalf of a corporation please complete the spaces with your title and the name of your company as indicated.

RECORDED ELECTRONICALLY

BOOK 7217 PAGE 2516

COUNTY: Volusia

DATE: 2/15/16 TIME: 11:55 AM

ID: 2016024988

Prepared by and return to:
Matthew S. Welch, Esq

Cobb Cole, P. A.
149 South Ridgewood Avenue Suite 700
Daytona Beach, FL 32114
386-255-8171
File Number: 044295-003
Will Call No.:

Parcel Identification No. 420321000410

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 12th day of February, 2016 between William L. Anderson and Chelsea J. Anderson whose post office address is 1431 Riverplace Blvd, Unit 2002, Jacksonville, FL 32207 of the County of Duval, State of Florida, grantor*, and Alphonse Sidoti and Lorri Sidoti, husband and wife whose post office address is 124 Ann Rustin Drive, Ormond Beach, FL 32176 of the County of Volusia, State of Florida, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Volusia County, Florida, to-wit:

Lot 41, Ann Rustin Estates, according to the map or plat thereof as recorded in Plat Book 27, Page 161, Public Records of Volusia County, Florida.

and said grantor does hereby fully warrant the title to said land, and will defend the same against 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:

Paula L. Delaney

Witness Name: Paula L. Delaney

Diane W. Djanati nedjad

Witness Name: Diane W. Djanati nedjad

Paula L. Delaney

Witness Name: Paula L. Delaney

Diane W. Djanati nedjad

Witness Name: Diane W. Djanati nedjad

(Seal)

William L. Anderson

Chelsea J. Anderson

Chelsea J. Anderson

State of Florida
County of ~~Volusia~~ Duval

The foregoing instrument was acknowledged before me this 12th day of February, 2016 by William L Anderson and Chelsea J. Anderson, who are personally known or have produced a driver's license as identification.

[Notary Seal]

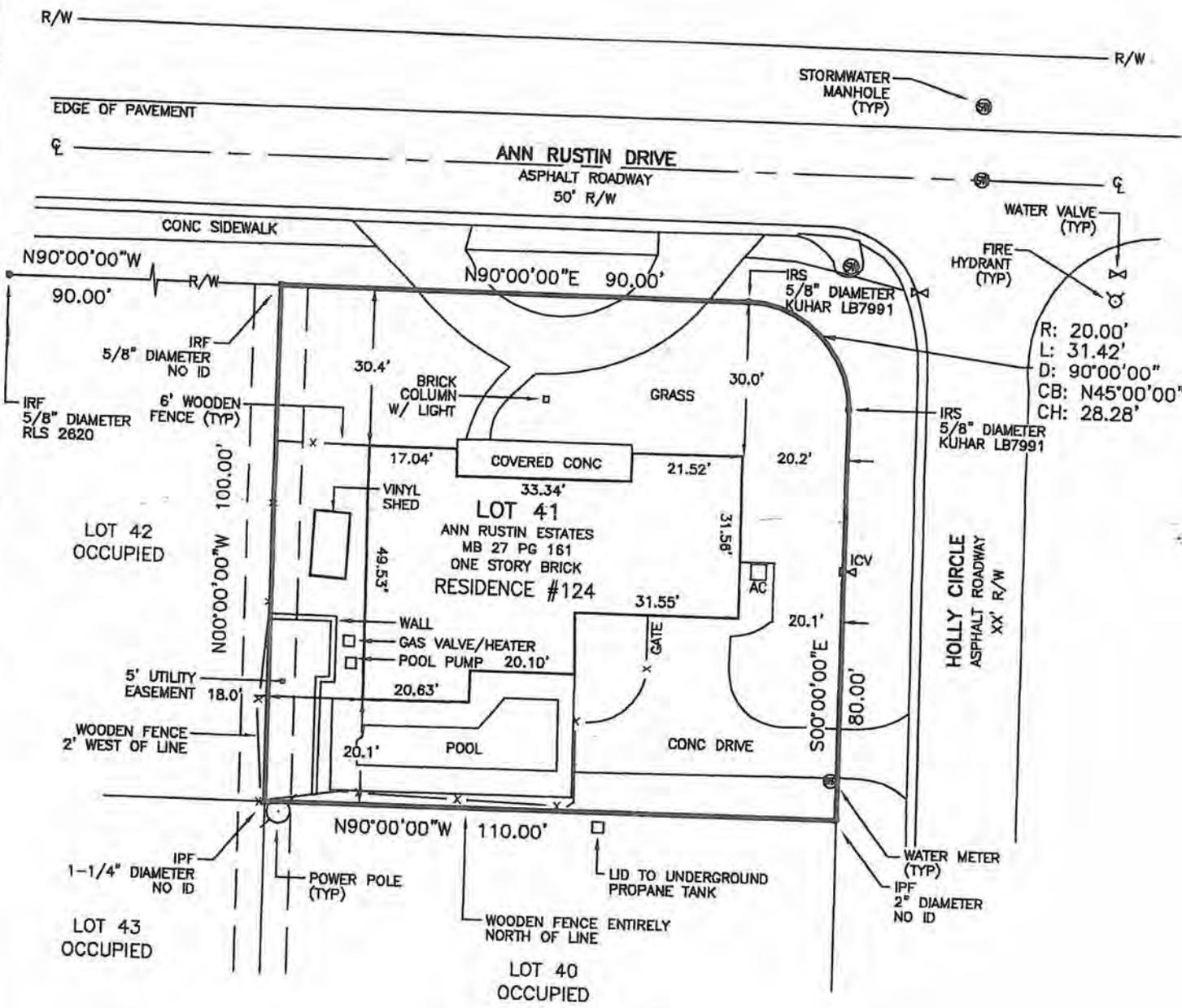
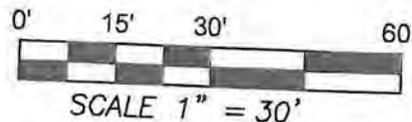


Diane W. Djanatinedjad
Notary Public

Printed Name: Diane W. Djanatinedjad

My Commission Expires: 3-25-17

BOUNDARY SURVEY



FOR LEGAL DESCRIPTION, LEGEND, NOTES, SIGNATURE AND SEAL, SEE SHEET 2 OF 2



LB #7991

KUHAR SURVEYING & MAPPING, LLC

112 OCEAN GROVE DRIVE, ORMOND BEACH, FLORIDA 32176

Phone: 386-295-8051 WWW.KUHARSURVEYING.COM

BOUNDARY SURVEY

DATE: 5/14/2015

SHEET 1 OF 2

1" = 30'



