

# *Attachment “A”*

## *APPLICATION AND SUPPORTING DOCUMENTS*

*PETITION BA-16-09 VAR*

**Application Package**  
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- 1. Board of Adjustment Variance Application**
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**PETITION TO THE BOARD OF ADJUSTMENT**  
**Planning & Development Services Department**

**OFFICE USE ONLY**

Petition No. \_\_\_\_\_ Fee: \$ \_\_\_\_\_  
Hearing Date: \_\_\_\_\_ EZ Fee: \$ \_\_\_\_\_  
**Account No. 001-660-6680-3401 [ ]**  
**Account No. 001-660-6680-1124 (Enterprise Zone) [ ]**  
**Account No. 001-660-6680-1125 (Enterprise Zone Credit [ ]**

**CHECK ONE:**

☒ Variance      ☐ Appeal of Administrative Decision      ☐ Special Exception      ☐ Special Permit

*Please note that a pre-application conference is required before submitting this application*

Owner(s) of Record (please print)		Agent Authorized to Act on Owner Behalf	
Name:	Beville Holdings, LLC	Name:	CHW
Address:	6231 SW 37 <sup>th</sup> Way	Address:	132 NW 76 <sup>th</sup> Drive
	Gainesville, FL 32608		Gainesville, FL 32607
CONTACT AGENT			
E-mail Address:		E-mail Address:	walpole@chw-inc.com
Phone:		Phone:	(352) 331-1976
Fax:		Fax:	(352) 331-2476
<b>PROPERTY INFORMATION:</b>			
Street address: 4411 NW 8 <sup>th</sup> Avenue			
Tax parcel no(s): 06544-001-000			
Legal description (may be attached): Attached			
Existing Zoning:	CP	Lot size:	6.52 acres
Present use:	SFR	Proposed use:	Medical Office
Historic District or Landmark?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Present structures (type) and improvements upon the land: Single Family Residence			
<b>SURROUNDING PROPERTY INFORMATION:</b> (List all uses surrounding the subject property under "Existing use." Staff is available to supply zoning and land use information.)			
	<b>Zoning</b>	<b>Land Use</b>	<b>Existing Use</b>
North	RSF1	SF	Single Family Subdivision
South	CP	MU Medium	Office Buildings, non-professional services, multi-story/Professional Services Building
East	CP/RSF4	MU Medium/ Res Low Density	Vacant Commercial/Church
West	CP	MU Medium	Professional Services Building



**Certified Cashier's Receipt:**

### SIGNATURE PAGE

1. (a) I hereby attest to the fact that the above supplied parcel number(s) and legal description(s) is (are) the true and proper identification of the area of this petition.  
(b) I authorize staff from the Planning and Development Services Department to enter onto the property in question during regular city business hours in order to take photos which will be placed in the permanent file.
2. I/We understand that this petition becomes a part of the permanent records of the Board of Adjustment. I/We hereby certify that the above statements and the statements or showings made in any document or plans submitted herewith are true and correct to the best of my/our knowledge.

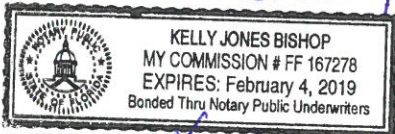
Property Owner Signature: \_\_\_\_\_

Date: 9/6/16

STATE OF FLORIDA

COUNTY OF Alachua

Sworn to and subscribed before me this 6<sup>th</sup> day of September 2016,  
by (Name) Robert S. Walpole



Kelly Jones Bishop  
Signature - Notary Public

Personally Known X OR Produced Identification \_\_\_\_\_ (Type) \_\_\_\_\_

## VARIANCE

*The process for requesting a variance is documented in the Land Development Code Chapter 30-354(d)(3).*

Indicate the specific code a variance is requested from and summarize the context:

Code source:	<input checked="" type="checkbox"/> Land Development Code	<input type="checkbox"/> Fire Code	<input type="checkbox"/> Building Code
Section:	30-78(d)(6)(a)		

The following questions must be answered to demonstrate the foundation for the variance request as specifically required by the Land Development Regulations. As the applicant, you bear the burden of proving the variance criteria.

(1) What special conditions and circumstances peculiar or unique to this land, structure or building exist that necessitate the variance?

See attached report

(2) Are these special conditions or circumstances applicable to other lands, structures, or buildings in the same district? ☒ YES ☐ NO

See attached report

(3) Does a literal enforcement of the provisions of the zoning or building code limit the use of the property or building in a manner unlike that of other properties in the same district? If so, please describe the limitation or hardship.

See attached report

(4) Were these special conditions or circumstances described in (1), above, the result of your actions?

See attached report

(5) Explain how the requested variance will not confer a special privilege on you that is not enjoyed by other properties in the same district.

See attached report

(6) Has an application for a variance been filed within the last 2 years in connection with these premises? Please note that the board will not entertain an application for a variance within two years of the board issuing a denial of the same variance request. ☐ Yes ☒ No

*Please continue on additional pages as needed*

(Variance, continued)

In addition to the above criteria, the Board of Adjustment will be required to make the following findings to authorize the variance request: *(please acknowledge by initialing each item)*



(a) That the applicant has met the requirements set forth in section 30-354(d)(3) of the Land Development Code



(b) That the reasons set forth in the application justify granting the variance



(c) That the variance is the minimum variance that will make possible the reasonable use of the land, structure, or building



(d) That granting the variance will be in harmony with the general intent and purpose of the land development code or building chapters



(e) That granting the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare

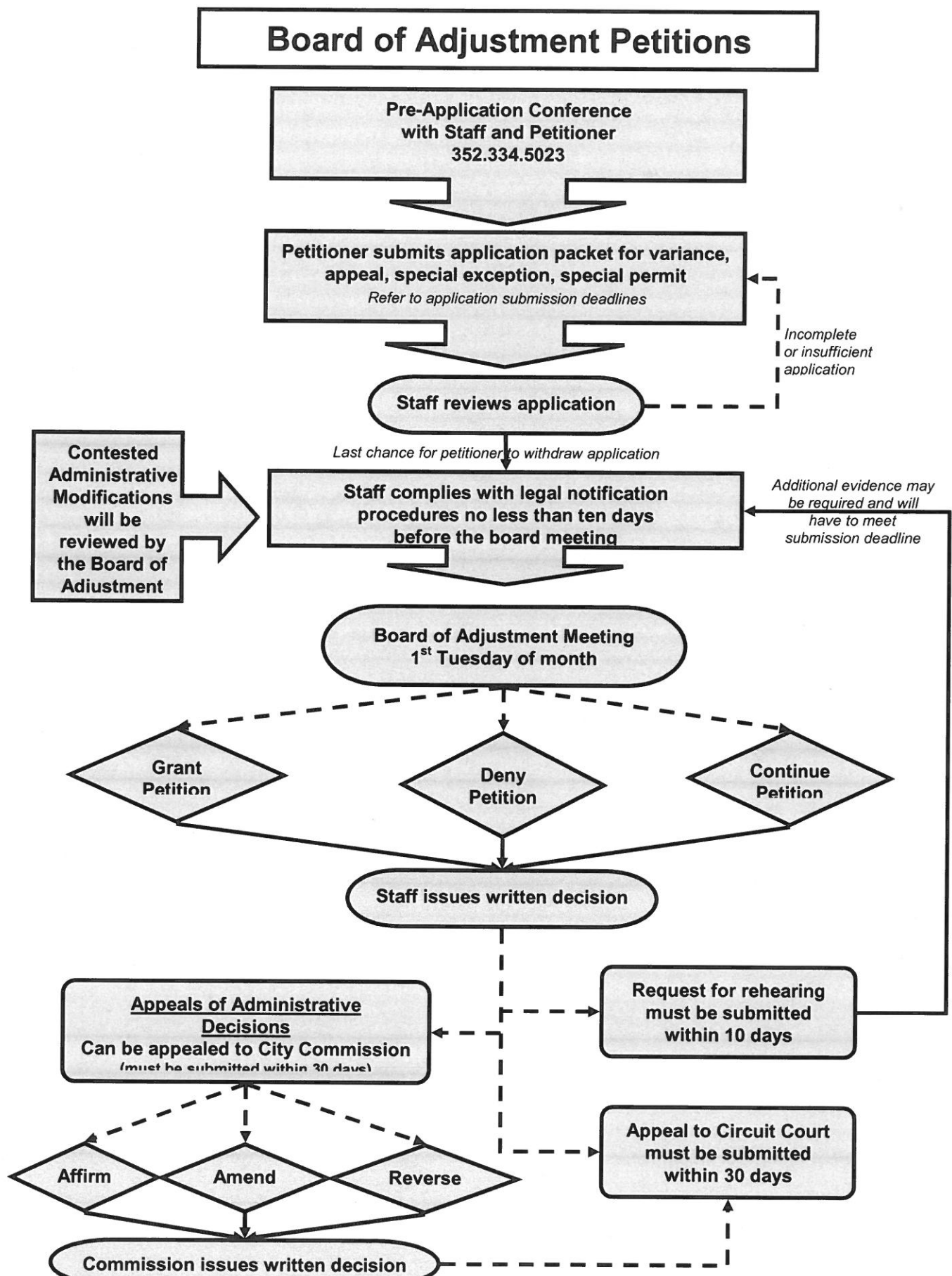
Check below that you have included these items with your application:

- ☒ Scaled drawing, site plan, or survey depicting property boundaries, easements, existing and proposed structures shown with their distance to the property line and existing building setback lines. The requested variance should be clearly illustrated with respect to each of these features.
- ☒ Reduced images or digital submission for oversized paper documents (greater than 11x17)
- ☒ Legal description, if not entered on front page
- ☒ Any other supporting materials you wish to provide

Variances are only authorized for height of structures, size of yard setbacks, driveway widths, street line corner clearances, and property line edge clearances as provided in section 30-336(15); and landscape and tree management and flood control provisions as provided in section 30-310.

A variance may not be granted for the following reasons:

- For establishment or expansion of a use otherwise prohibited
- Because of the presence of nonconformities in the zoning district or adjoining districts
- Because of financial loss or business competition
- Because the property was purchased with the intent to develop or improve the property, and the intended development or improvement would violate the restrictions of the land development code or building chapter, whether or not it was known at the time of purchase that such development would be a violation



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## Board of Adjustment Variance Supporting Information

- (1) What special conditions and circumstances peculiar or unique to this land, structure or building exist that necessitate the variance?

The subject property is located within the Corporate Park zoning district and has frontage on an arterial/collector road, which requires a minimum building setback of 40 feet. The special conditions and circumstances unique to this land that necessitate the variance is that the increased building setback further restricts on-site development which is also restricted by wetland buffers. In addition, the required building setback will prohibit future buildings proposed along this road from aligning with the newly constructed building adjacent to the subject property.

This property is in compliance with and meets the intent of the build-to lines outlined in the Central Corridors Special Area Plan, provided below. The reduction of the minimum building setback on the subject property from 40 feet to 25 feet will fall within the required build-to range of 14 feet to 80 feet from back of curb. Further, the Central Corridors plan desires to pull building facades closer to the street, prevent overly large setbacks, allow new buildings to align with existing buildings, and to provide building frontage rather than parking area frontage. Thus, the reduced building setback will meet the intent and desire of the Central Corridors plan.

### SECTION 5. - SPECIAL AREA PLAN FOR CENTRAL CORRIDORS

Exhibit B. Special Area Plan for the Central Corridors

Minimum Development Standards

#### (k) Build-to line.

(1) *Intent.* The intent of the *build-to line* is to define the relationship between the building *facade* and the street and streetside sidewalk. The distance between the buildings and the street edge should preserve the neighborhood as a place sheltered by large trees. Because of the transitional nature of these corridors, the *build-to line* is more flexible than in the Traditional City. The *build-to line* allows new buildings to be aligned with existing buildings, or, in the future, allows a building to be built in front of the building and allows this future building to abut the streetside sidewalk. Over time, building *facades* along a block face should be aligned to form a *street edge* that frames the public realm, while retaining sufficient width for people to walk, and sufficient space to provide a *formal landscape* created by street trees. Over time, the intent is to pull building *facades* close to the street and streetside sidewalk, frame a comfortable public realm, and prevent overly large setbacks.

Overly large setbacks are inconvenient and unpleasant for pedestrians. They can significantly increase walking distances from the public sidewalk. They prevent the pedestrian on the public sidewalk from enjoying building details and activity within the building. Similarly, overly large setbacks contribute to sign proliferation and visual blight because a building set back a large distance often needs to "shout," with signs, at passing motorists, transit users, bicyclists and pedestrians in order to be noticed. Buildings pulled up to the street sidewalk have more of a human scale and allow for the construction of canopies which shield the pedestrian from wet weather.

(2) *Standard.* The *build-to line* shall be that which achieves the above-stated intent, as determined by the appropriate reviewing board, city manager or designee, and shall apply even if the *facade* faces a street outside of the overlay affected area. Building walls along a street that is not within the overlay affected area that are entirely more than 250 feet from the regulated corridor shall be exempt from the Build-to Line standard. If a portion of the wall along a street is within 250 feet, all of the wall is affected by the standard. In most instances, the *build-to line* shall be 80 feet from the curb or edge of pavement for at least 70 percent of the building *facade*. Factors to be considered for variations to this *build-to line* shall be as follows:

- When considering a closer *build-to line*, the building *facade* shall, in most instances, be no closer than 14 feet from the curb or edge of pavement along an arterial, 12 feet along a collector,



## Board of Adjustment Variance Supporting Information

and 11 feet along a local street, in order to leave space for adequate sidewalks, required utility separations and street trees (see Map A).

- When the proposed building is *adjacent* to existing buildings on an abutting property the *facade* shall, in most instances, be built at the *facade* of the *adjacent* building closest to the street, or the 80-foot *build-to line*, whichever is closer to the street. In all cases, however, space shall be created for street trees of high quality species on private property or in the public right-of-way.
- The appropriate reviewing board, city manager or designee can approve a *facade* closer to the curb or edge of pavement than the previously listed distances so that a consistent *street edge* of *adjacent* buildings can be maintained.
- Buildings on corner lots or buildings on more than one street *frontage* shall, in most instances, have the 80-foot *build-to line* requirement on the more primary *streetfrontage* area.
- The appropriate reviewing board, city manager or designee may approve a greater *build-to line* (farther from the street) than the required *build-to line* when site constraints such as significant tree features or significant design features warrant it. If such approval by the appropriate reviewing board, city manager or designee is granted, the front yard area must be landscaped to provide shade for pedestrians with tree plantings and to establish the *street edge* articulation.
- The standards described in this subsection shall supersede any landscape buffer width requirements found in Article VIII of the Land Development Code for *frontage* areas, except in front of surface parking lots.

Stoops, stairs, chimneys, and bay windows are allowed to extend beyond the *build-to line* as long as they do not exceed more than 25 percent of the front *facade*. Open porches, projecting signs, balconies, *arcades*, awnings and outdoor cafes may also extend beyond the *build-to line*. However, at least 5 feet of unobstructed sidewalk width and room for any required tree strip must be retained.

### (I) *Parking.*

(1) *Intent.* Parking is one component of the successful commercial area, but should not dominate the streetscape or degrade the public realm. Parking areas located in front of buildings are inconvenient and unpleasant for pedestrians. They significantly increase walking distances from the public sidewalk. They create hot expanses of asphalt, and prevent the pedestrian on the public sidewalk from enjoying building details and activity within the building. In addition, they prevent the building from contributing to an intimate, comfortable *street edge*. Buildings pulled up to the street without intervening motor vehicle parking have more of a human scale. A larger curb turning radius at a parking area ingress and egress point allows vehicles to negotiate a turn rapidly, whereas a smaller radius forces a vehicle to slow down.

#### (2) *Standard.*

- a. No motor vehicle parking is required. All motor vehicle parking except a double-loaded row of parking is to be located in the rear or interior side, or both, of the building, unless topography, stormwater retention, or significant trees, as determined by the appropriate reviewing board, city manager or designee, prevent such a location. In no case shall more than 50 percent of the parking be located between the front *facade* and the primary abutting street. However, driveway entrances and exits to parking areas shall be allowed on the front side of the building. The minimum number of motor vehicle parking spaces required by [section 30-332](#) is the maximum allowed. However, there shall be no limit on the number of parking spaces in *parking structures*.
- b. Bicycle parking spaces shall be installed as called for by [section 30-332](#). Such parking may encroach into the public right-of-way or beyond the *build-to line* provided that at least 5 feet of unobstructed sidewalk width and any required tree strip is retained. Bicycle parking requirements may be waived if public bicycle parking exists to serve the use.

**This variance is requested to reduce the minimum building setback along arterial/collector roadways as outlined in the Corporate Park zoning district for the subject property. The specific request is to reduce the minimum setback from 40 feet to 25 feet. The attached proposed site layout illustrates compliance with the intent of the Central Corridor plan regarding build-to lines, building alignment, and parking areas. Please note that this request is being made for the subject property which may include future development along NW 43<sup>rd</sup> Street, as shown on the attached site layout.**



## Board of Adjustment Variance Supporting Information

- (2) Are these special conditions or circumstances applicable to other lands, structures, or buildings in the same district?

**This variance was requested for an adjacent parcel at the SW corner of NW 8<sup>th</sup> Avenue and NW 43<sup>rd</sup> Street. The City of Gainesville Board of Adjustment approved the request to reduce the minimum building setback along arterial/collector roadways from the required 40 feet to 25 feet. The justification for the request included site constraints and compliance with the intent of the Central Corridors design standards.**

- (3) Does a literal enforcement of the provisions of the zoning or building code limit the use of the property or building in a manner unlike that of other properties in the same district? If so, please describe the limitation or hardship.

**The literal enforcement of the provisions related to the minimum building setback limits the use of the property in a manner unlike that of other properties in the same district. The adjacent parcel is developed with a building which is held to a reduced building setback of 25 feet, allowing for placement closer to the existing street. The future development for the subject property, as well as the existing adjacent development, represent compliance with the intent of the Central Corridors design standards. The intent of the Central Corridors plan includes pulling building facades closer to the street, preventing overly large setbacks, aligning new buildings with existing buildings, and providing building frontage rather than parking area frontage.**

- (4) Were these special conditions or circumstances described in (1), above, the result of your actions?

**The special conditions described in (1) are not the result of any action by the applicant. The restraints are existing site features and increased setbacks associated with the adjacent roadways. The applicant requests the variance for this property to allow a site development which will meet the intent of the Central Corridors design standards.**

- (5) Explain how the requested variance will not confer a special privilege on you that is not enjoyed by other properties in the same district.

**This request will not confer a special privilege that is not enjoyed by other properties as it is adjacent to a property which has been granted the reduced building setback request for reasons similar to those provided with this request.**

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## PROPERTY OWNER AFFIDAVIT

Owner Name: Beville Holdings, LLC			
Address: 6231 SW 37 <sup>th</sup> Way Gainesville, FL 32608		Phone:	
Agent Name: CHW			
Address: 132 NW 76 <sup>th</sup> Drive Gainesville, FL 32607		Phone: (352) 331-1976	
Parcel No.: 06544-001-000			
Acreage: ±6.52	S: 03	T: 10	R: 19

Requested Action:

Authorization to apply for and obtain permits and approvals from the City of Gainesville, Gainesville Regional Utilities, St. Johns River Water Management District, and the Florida Department of Environmental Protection.

**I hereby certify that:**

I am the property owner of record. I authorize the above listed agent to act on my behalf for the purposes of this application.

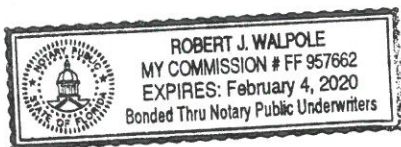
Property owner signature: \_\_\_\_\_

Printed name: \_\_\_\_\_

Date: 9/6/16

The foregoing affidavit is acknowledged before me this 6 day of September, 2016, by Robert S. Johnson, who is/are personally known to me, or who has/have produced \_\_\_\_\_ as identification.

NOTARY SEAL



Signature of Notary Public, State of FL

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FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS



## Detail by Entity Name

### Florida Limited Liability Company

BEVILLE HOLDINGS LLC

### Filing Information

<b>Document Number</b>	L15000005383
<b>FEI/EIN Number</b>	47-2769312
<b>Date Filed</b>	01/09/2015
<b>State</b>	FL
<b>Status</b>	ACTIVE
<b>Last Event</b>	LC STMNT OF AUTHORITY 21
<b>Event Date Filed</b>	01/26/2015
<b>Event Effective Date</b>	NONE

### Principal Address

6231 SW 37TH WAY  
GAINESVILLE, FL 32608

### Mailing Address

6231 SW 37TH WAY  
GAINESVILLE, FL 32608

### Registered Agent Name & Address

JOHNSON, ROBERT S  
6231 SW 37TH WAY  
GAINESVILLE, FL 32608

### Authorized Person(s) Detail

#### **Name & Address**

Title AMBR

JOHNSON, ROBERT S  
6231 SW 37TH WAY  
GAINESVILLE, FL 32608

Title AMBR

JOHNSON, ERICA  
6231 SW 37TH WAY  
GAINESVILLE, FL 32608

**Annual Reports**

Report Year	Filed Date
2016	02/10/2016

**Document Images**[02/10/2016 -- ANNUAL REPORT](#)[View image in PDF format](#)[01/26/2015 -- CORLCAUTH](#)[View image in PDF format](#)[01/26/2015 -- LC Amendment](#)[View image in PDF format](#)[01/09/2015 -- Florida Limited Liability](#)[View image in PDF format](#)

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State of Florida, Department of State

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## DESCRIPTION

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**DATE:** 12 September 2016

**CLIENT:** Ponikvar

**PROJECT NAME:** NFWMC

**PROJECT NO:** 16-0260

**A PORTION OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 19 EAST, CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCE AT THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, AND RUN THENCE NORTH 89°59'03" WEST, ALONG THE NORTH BOUNDARY OF SAID SECTION 3, A DISTANCE OF 832.24 FEET; THENCE SOUTH 00°00'57" WEST, 50.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF N.W. 8TH AVENUE (100' RIGHT-OF-WAY), AND THE POINT OF BEGINNING; THENCE SOUTH 00°03'12" EAST, 50.00 FEET; THENCE SOUTH 89°56'48" WEST, 18.00 FEET; THENCE SOUTH 00°03'12" EAST, 83.05 FEET; THENCE SOUTH 37°40'48" WEST, 163.96 FEET; THENCE SOUTH 00°00'28" WEST, 19.76 FEET TO THE CENTERLINE OF A CREEK; THENCE SOUTH 39°18'36" WEST, ALONG SAID CENTERLINE OF A CREEK, 0.99 FEET; THENCE SOUTH 80°34'57" EAST, 46.33 FEET; THENCE SOUTH 65°10'48" EAST, 20.50 FEET; THENCE SOUTH 71°23'14" EAST, 25.76 FEET; THENCE SOUTH 84°11'24" EAST, 18.15 FEET; THENCE NORTH 75°11'43" EAST 29.00 FEET; THENCE SOUTH 88°07'36" EAST, 29.89 FEET; THENCE NORTH 68°35'06" EAST, 21.24 FEET; THENCE SOUTH 66°30'48" EAST, 43.93 FEET; THENCE SOUTH 75°54'24" EAST, 26.83 FEET; THENCE NORTH 77°10'05" EAST, 37.33 FEET; THENCE NORTH 65°08'20" EAST, 27.52 FEET; THENCE NORTH 79°00'00" EAST, 36.46 FEET; THENCE SOUTH 00°45'29" WEST, 236.66 FEET TO A POINT LYING ON THE ARC OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 4225.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°55'32", AN ARC DISTANCE OF 215.74 FEET TO THE END OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 77°18'16" EAST, 215.71 FEET, THE END OF SAID CURVE BEING THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2029.74 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°29'44", AN ARC DISTANCE OF 194.68 FEET TO THE END OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 76°01'10" EAST, 194.61 FEET, THE END OF SAID CURVE BEING THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°02'39", AN ARC DISTANCE OF 39.29 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF N.W. 43RD STREET (100' R/W), SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 61°42'22" EAST, 35.37 FEET, SAID POINT LYING ON THE ARC OF A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 2241.83 FEET; THENCE NORTHERLY, ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°08'37", AN ARC DISTANCE OF 357.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD, HAVING A BEARING AND DISTANCE OF NORTH 12°06'44" EAST, 357.39 FEET; THENCE NORTH 89°59'03" WEST, 244.66 FEET; THENCE NORTH 00°00'57" EAST, 257.29 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF N.W. 8TH AVENUE; THENCE NORTH 89°59'03" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 486.90 FEET TO THE POINT OF BEGINNING.**

**CONTAINING 6.960 ACRES (303,169 SQUARE FEET), MORE OR LESS.**



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RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2980920 5 PG(S)  
March 11, 2016 03:29:15 PM  
Book 4414 Page 2139  
J. K. IRBY Clerk Of Circuit Court  
ALACHUA COUNTY, Florida

Doc Stamp-Deed: \$12,250.00



Prepared by and return to:

James D. Salter, Esq.  
Attorney at Law  
Salter Feiber, P.A.  
3940 NW 16th Blvd. Bldg B  
Gainesville, FL 32605  
352-376-8201

File Number: 15-0694.2 JB

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made as of **March 10, 2016** between **Virginia G. Beville, the unmarried widow of Jack L. Beville, Sr., Individually and as Personal Representative, Mary M. Beville-Lambert and Travis Harper Beville** whose post office address is **P. O. Box 186, Steinhatchee, FL 32359**, grantor, and **Beville Holdings LLC, a Florida limited liability company** whose post office address is **6231 SW 37th Way, Gainesville, FL 32608**, 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)

**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 **Alachua County, Florida** to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.**

**Parcel Identification Number: 06544-001-000**

**Mary M. Beville-Lambert and Travis Harper Beville warrant that at the time of this conveyance, the subject property was not their homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.**

**Virginia G. Beville, as Personal Representative covenants with Grantee that she conveys the property free and clear of any personal representative's lien or any other right, claim, or demand which the personal representative now has, or may have, in the property.**

**Subject to covenants, conditions, restrictions, easements, reservations, and limitations of record, if any.**

**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, 2015**.

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:

Michael Smith  
MICHAEL S. SMITH

Witness Name: \_\_\_\_\_

Lana Logan

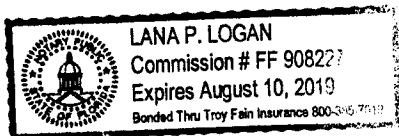
Witness Name: Lana Logan

Virginia G. Beville (Seal)  
Virginia G. Beville, Individually and  
as Personal Representative

State of Florida  
County of Alachua

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of March, 2016 by Virginia G. Beville, Individually and as Personal Representative, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]



Lana P. Logan  
Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

[Intentionally Left Blank]

**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:

Witness JAMES D. SALTER

Witness Name: Jenese Bolduc

Mary M. Beville-Lambert  
(Seal)  
Mary M. Beville-Lambert

State of Florida  
County of Alachua

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of March, 2016 by Mary M. Beville-Lambert, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]



**JAMES D. SALTER**  
MY COMMISSION # FF 112690  
EXPIRES: May 30, 2018  
Bonded Thru Budget Notary Services

J. Salter  
Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

[Intentionally Left Blank]

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:

Witness Name: Richard Withers  
Sherri Hollinshead  
 Witness Name: Sherri Hollinshead

Travis Harper Beville (Seal)  
 Travis Harper Beville

State of Florida  
 County of Alachua

The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of March, 2016 by Travis Harper Beville, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]

Sherri Hollinshead  
 Notary Public



**Sherri Hollinshead**  
 Commission #FF094308  
 Expires: MAR. 10, 2018  
 WWW.AARONNOTARY.com

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

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## Exhibit A

A PORTION OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 19 EAST, CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, AND RUN THENCE NORTH 89°59'03" WEST, ALONG THE NORTH BOUNDARY OF SAID SECTION 3, A DISTANCE OF 832.24 FEET; THENCE SOUTH 00°00'57" WEST, 50.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF N.W. 8TH AVENUE (100' RIGHT-OF-WAY), AND THE POINT OF BEGINNING; THENCE SOUTH 00°03'12" EAST, 50.00 FEET; THENCE SOUTH 89°56'48" WEST, 18.00 FEET; THENCE SOUTH 00°03'12" EAST, 83.05 FEET; THENCE SOUTH 37°40'48" WEST, 163.96 FEET; THENCE SOUTH 00°00'28" WEST, 19.76 FEET TO THE CENTERLINE OF A CREEK; THENCE SOUTH 39°18'36" WEST, ALONG SAID CENTERLINE OF A CREEK, 0.99 FEET; THENCE SOUTH 80°34'57" EAST, 46.33 FEET; THENCE SOUTH 65°10'48" EAST, 20.50 FEET; THENCE SOUTH 71°23'14" EAST, 25.76 FEET; THENCE SOUTH 84°11'24" EAST, 18.15 FEET; THENCE NORTH 75°11'43" EAST 29.00 FEET; THENCE SOUTH 88°07'36" EAST, 29.89 FEET; THENCE NORTH 68°35'06" EAST, 21.24 FEET; THENCE SOUTH 66°30'48" EAST, 43.93 FEET; THENCE SOUTH 75°54'24" EAST, 26.83 FEET; THENCE NORTH 77°10'05" EAST, 37.33 FEET; THENCE NORTH 65°08'20" EAST, 27.52 FEET; THENCE NORTH 79°00'00" EAST, 36.46 FEET; THENCE SOUTH 00°45'29" WEST, 236.66 FEET TO A POINT LYING ON THE ARC OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 4225.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°55'32", AN ARC DISTANCE OF 215.74 FEET TO THE END OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 77°18'16" EAST, 215.71 FEET, THE END OF SAID CURVE BEING THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2029.74 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°29'44", AN ARC DISTANCE OF 194.68 FEET TO THE END OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 76°01'10" EAST, 194.61 FEET, THE END OF SAID CURVE BEING THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°02'39", AN ARC DISTANCE OF 39.29 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF N.W. 43RD STREET (100' R/W), SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 61°42'22" EAST, 35.37 FEET, SAID POINT LYING ON THE ARC OF A CURVE. CONCAVE WESTERLY, HAVING A RADIUS OF 2241.83 FEET; THENCE NORTHERLY, ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°08'37", AN ARC DISTANCE OF 357.77 FEET, SAID ARC BEING SUBTENDED BY A CHORD, HAVING A BEARING AND DISTANCE OF NORTH 12°06'44" EAST, 357.39 FEET; THENCE NORTH 89°59'03" WEST, 244.66 FEET; THENCE NORTH 00°00'57" EAST, 257.29 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF N.W. 8TH AVENUE; THENCE NORTH 89°59'03" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 486.90 FEET TO THE POINT OF BEGINNING.

**Application Package**  
**Table of Contents**

1. Board of Adjustment Variance Application
2. Board of Adjustment Variance Supporting Information
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4. Sunbiz Documentation
5. Legal Description
6. Warranty Deed
7. **Proof of Tax Payment**
8. Survey
9. Site Plan
10. Map Set



## 2015 Roll Details — Real Estate Account At 4411 NW 8TH AVE

Real Estate Account #06544 001 000

Parcel details

Latest bill

Full bill history

Print this page

2015	2014	2013	2012	...	2002
PAID	PAID	PAID	PAID		PAID

Get Bills by Email

**PAID** 2016-03-15 \$10,504.55

Receipt #15-0113835

Owner: BEVILLE JR HEIRS &amp; BEVILLE &amp; LAMBERT

PO BOX 186

C/O VIRGINIA G BEVILLE

STEINHATCHEE, FL 32359

Situs: 4411 NW 8TH AVE

Account number: 06544 001 000

Alternate Key: 1048846

Millage code: 3600

Millage rate: 23.5605

Assessed value: 478,610

School assessed value: 478,610

## Exemptions

WIDOWS: 500

HOMESTEAD: 50,000

Property  
Appraiser

Location is not guaranteed to be accurate.

## 2015 Annual bill

View

Ad valorem: \$10,295.05

Non-ad valorem: \$209.50

Total Discountable: 10504.55

No Discount NAVA: 0.00

Total tax:

## Legal description

COM 450 FT W OF NE COR SEC RUN W ALG RD 150 FT S 150 FT E 150 FT N 150 FT POB PER OR 242/151) ALSO NE1/4 OF SR-26 & S OF SR-338 LESS FOLLOWING DEEDS DB 306/ 227 DB 307/154 DB 308/343 DB 316/37 DB 320/157 DB 323/387 DB 335/468 DB 351/250 OR 78/367 OR 212/621 OR 242/151 OR 386/ 398 OR 416/256 LESS N 250 FT OF E 450 FT LESS W 188 FT OF NE1/4 N OF DB 323/387 ALL PER OR 821/168 LESS OR 835/326 LESS R/W PER OR 1865/2649 LESS R/W PER OR 1957/1358 LESS OR 2004/1886 LESS PARCEL E OF E R/W NW 43RD ST PER OR 2040/1513) (LESS PARCEL PER OR 2215/1394-1404)(LESS PARCEL IN SE COR ADJ TO SR 26 ON S & NW 43RD ST ON E PER OR 2269/1427) LESS R/W PER OR 2302/163) LESS R/W PER OR 2302/ 163) Location

Book, page, item: —

Geo number: 03-10-19-06544001000

Range: 19

Township: 10

Section: 03







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1. BEARINGS SHOWN HEREON ARE BASED ON A VALUE OF N 89°59'03" W FOR THE SOUTH R/W LINE OF NW 8TH AVENUE.
2. BOUNDARY INFORMATION SHOWN HEREON IS FROM A PREVIOUS SURVEY BY ENG. DENMAN & ASSOCIATES UNDER PROJECT NO. 15-0277, DATED 1/27/2016 AND LAST REVISED 3/28/2016; CERTIFIED BY ROBERT W. GRAVER, PROFESSIONAL SURVEYOR & MAPPER NUMBER 4239. NOT VERIFIED BY THIS SURVEY.
3. OBSERVED EVIDENCE OF UTILITIES HAS BEEN SHOWN. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER BE ABOVE OR BELOW GROUND. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NO PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
4. THE SURVEYOR HAS NO KNOWLEDGE OF UNDERGROUND FOUNDATIONS WHICH MAY ENCROACH.
5. INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE NOT FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN. SEARCH OF THE PUBLIC RECORDS HAS NOT BEEN DONE BY THE SURVEYOR.
6. INFORMATION FROM FEDERAL EMERGENCY MANAGEMENT AGENCY, (F.E.M.A) FLOOD INSURANCE RATE MAP(S), SHOWN ON THIS MAP WAS CURRENT AS OF THE REFERENCED DATE. MAP REVISIONS AND AMENDMENTS ARE PERIODICALLY MADE BY LETTER AND MAY NOT BE REFLECTED ON THE MOST CURRENT MAP.
7. FENCES, SYMBOLS, MONUMENTATION AND UTILITIES SHOWN HEREON MAY BE EXAGGERATED FOR PICTORIAL PURPOSES ONLY AND MAY NOT BE SHOWN TO SCALE.
8. ELEVATIONS SHOWN HEREON ARE BASED ON BENCHMARKS FOUND FROM THE PREVIOUS SURVEY BY EDA, INC. PROJECT NUMBER 15-0277, DATED 1/27/2016 AND LAST REVISED 3/28/2016, PURPORTING TO BE ON THE NORTH AMERICAN VERTICAL DATUM OF 1988, AS DERIVED FROM A BENCH MARK OF THE U.S. DEPARTMENT OF TRANSPORTATION BENCHMARK "TP31", BEING A MAGNOLIA WITH ALUMINUM WAHER, "NO ID" LOCATED APPROXIMATELY ±250' WEST OF THE INTERSECTION OF STATE ROAD NO. 26 AND NW 43RD STREET.
9. ADDITIONAL POINTS MAY BE FOUND BY TURNING ON THE NODE\* AND Z\*-LAYERS IN THE SUPPLIED DIGITAL FILE.
10. THIS SURVEY IS COMPRISED OF TWO SHEETS. NO ONE SHEET IS COMPLETE WITHOUT ALL OTHERS. THIS IS NOT A BOUNDARY SURVEY!

THIS PROPERTY IS LOCATED IN FEDERAL FLOOD  
ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE  
0.2% ANNUAL CHANCE FLOODPLAIN, AS  
INTERPOLATED FROM F.I.R.M. PANEL NO.  
12001C0292D, EFFECTIVE DATE: JUNE 16, 2006.

(M) = INFORMATION BASED ON MEASURED DATA  
WO = WATER OAK  
LO = LIVE OAK  
LAO = LAUREL OAK  
MAG = MAGNOLIA  
SYG = SYCAMORE  
SG = SWEET GUM  
SCO = SWAMP CHESTNUT OAK  
LOB = LOBLOLLY PINE  
HICK = HICKORY  
TALL = CHINESE TALLOW  
HACK = HACKBERRY  
RW = RIVER ELEVATION  
NRE = NORTH RIM ELEVATION  
CONC = CONCRETE  
RW = RIGHT OF WAY  
PVC = POLYVINYL CHLORIDE  
HDE = HIGH DENSITY POLYETHYLENE  
RCF = REINFORCED CONCRETE PIPE  
F.F.E. = FINISH FLOOR ELEVATION  
NAVDB8 = NORTH AMERICAN VERTICAL DATUM OF 1988  
x114.5 = SPOT ELEVATION (PERVIOUS)  
x115.54 = SPOT ELEVATION (IMPERVIOUS)

SHEET NO.:  
1 OF 2

TOPOGRAPHIC SURVEY  
LOCATED IN SECTION 3, TOWNSHIP 10 SOUTH, RANGE 19 EAST,  
CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA

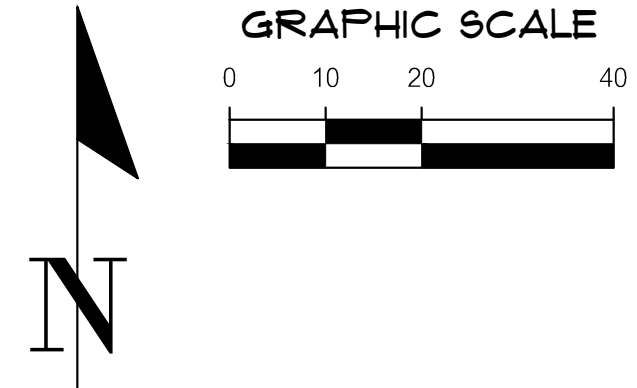
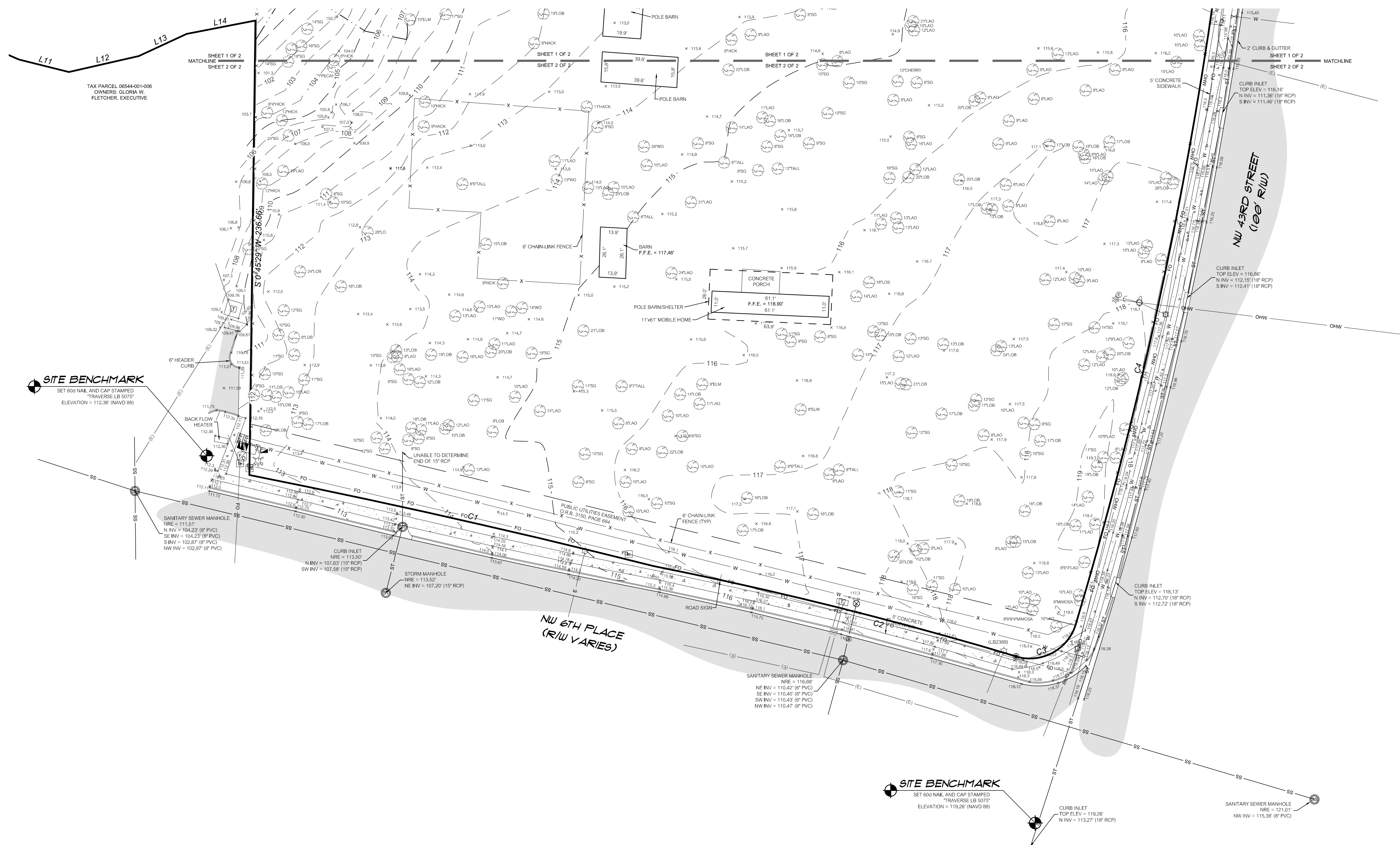
LEGEND:

(M) = INFORMATION BASED ON MEASURED DATA  
WO = WATER OAK  
LO = LIVE OAK  
LAO = LAUREL OAK  
MAG = MAGNOLIA  
SYC = SYCAMORE  
SG = SWEET GUM  
SCO = SWAMP CHESNUT OAK  
LOB = LOBLOLLY PINE  
HICK = HICKORY  
TALL = CHINESE TALLOW  
HACK = HACKBERRY  
INV = INVERT ELEVATION  
NRE = NORTH RIM ELEVATION  
CONC = CONCRETE  
R/W = RIGHT OF WAY  
PVC = POLYVINYL CHLORIDE  
HDPE = HIGH DENSITY POLYETHYLENE  
RCP = REINFORCED CONCRETE PIPE  
F.F.E. = FINISH FLOOR ELEVATION  
NAVD88 = NORTH AMERICAN VERTICAL DATUM OF 1988  
x114.5 = SPOT ELEVATION (PERVIOUS)  
x115.54 = SPOT ELEVATION (IMPERVIOUS)

● = FOUND 5/8" STEEL REBAR & CAP MARKED "CHW INC LB 5075"  
△ = FOUND NAIL AND DISK STAMPED MARKED AS NOTED  
⊠ = BACKFLOW PREVENTOR  
⊙ = BENCHMARK  
⊕ = CONCRETE LIGHT POLE  
⊖ = CLEANOUT  
⊗ = CONCRETE POWER POLE  
⊘ = ELECTRIC METER  
⊙ = FIRE HYDRANT  
⊗ = FIBER OPTIC BOX  
⊕ = GUY ANCHOR  
⊖ = SIGN  
⊗ = TREE (SIZE AND TYPE AS NOTED)  
⊘ = SANITARY SEWER MANHOLE  
⊙ = STORM SEWER MANHOLE  
⊗ = TELEPHONE JUNCTION BOX  
⊕ = TELEPHONE PEDESTAL  
⊖ = TRANSFORMER  
⊗ = WELL  
⊘ = METAL LIGHT POLE  
⊙ = WOOD LIGHT POLE  
⊗ = WOODEN POWER POLE  
⊕ = WATER VALVE  
⊖ = WATER METER

(E) = ELECTRIC LINE (PER GRU PLANS)  
(W) = WATER LINE (PER GRU PLANS)  
E = UNDERGROUND ELECTRIC LINE  
OHW = OVERHEAD WIRE  
SS = SANITARY SEWER LINE  
W = UNDERGROUND WATER LINE  
X = FENCE (SIZE AND TYPE AS NOTED)  
ST = STORM SEWER LINE  
FO = FIBER OPTIC LINE  
--- = CONTOUR LINE

--- = END OF FEATURE  
NOT DETERMINED  
= ASPHALT SURFACE  
= CONCRETE SURFACE



132 NW 75th Drive  
Gainesville, Florida 32607  
(850) 331-1976 / (850) 331-2476  
www.chw-inc.com  
CHW INC. FLORIDA  
LB-5075

CHW  
Professional Consultants

SCALE: 1" = 20'  
VERIFY SCALE  
BASED ON  
ORIGINAL DRAWING  
0 IN ANY CASE, INQUIRY  
THIS SHEET, ADJUST  
SCALES ACCORDINGLY.

PONIKVAR & ASSOCIATES

CERTIFIED TO:  
SURVEY DATE: 7/25/2016  
REVISION DATE: N/A  
PROJECT NUMBER: 16-0260  
FIELD BOOK & PAGE: 502/63, 64, 75, 5111.3

Michael L. Harbert  
SEE SHEET 1 OF 2  
Professional Surveyor & Mapper Fla. License No. 4995

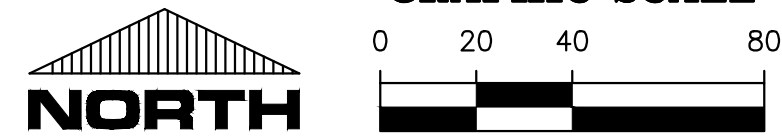
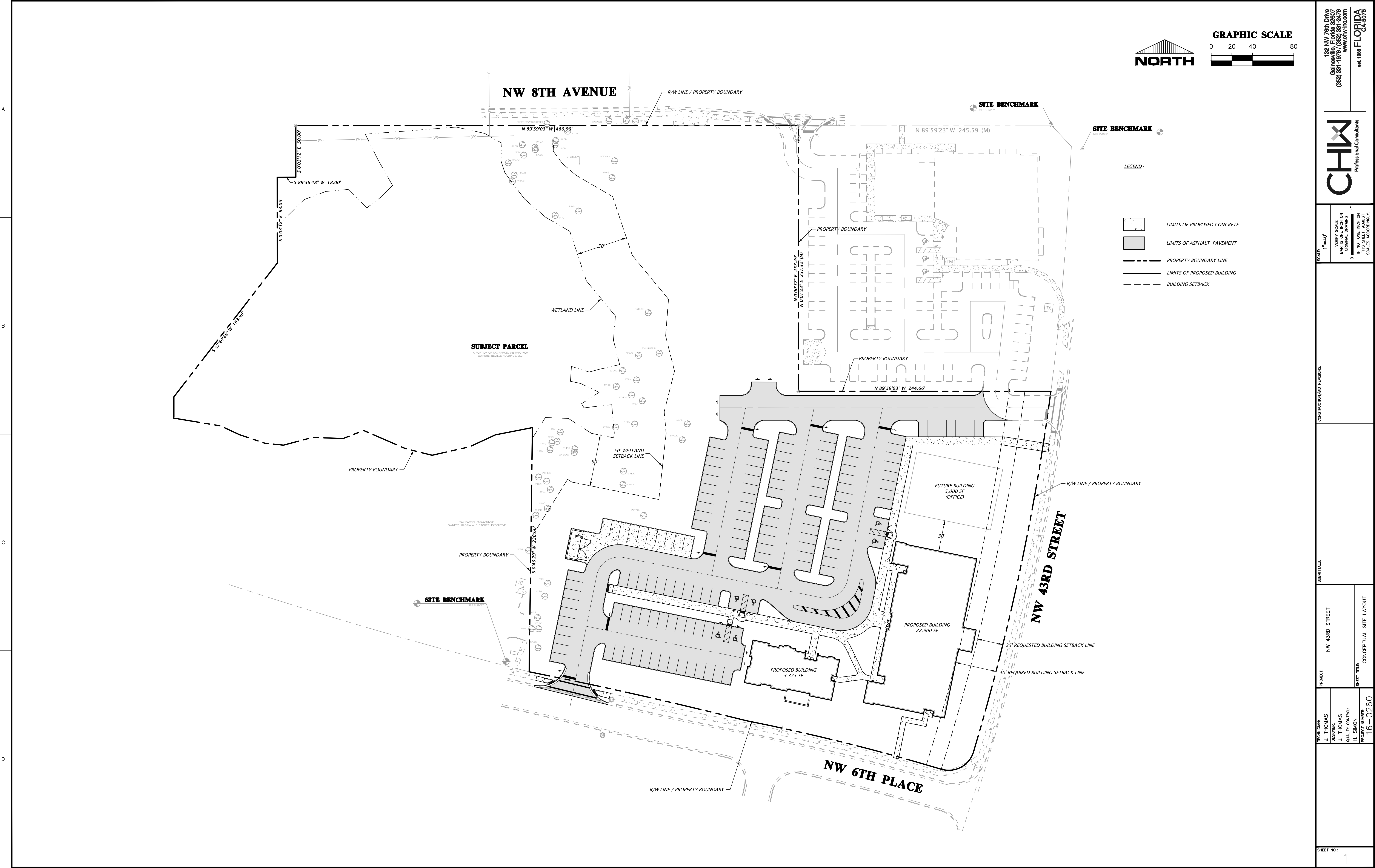
This map prepared by:  
Certificate of Authorization No. LB 5075  
NOT VALID WITHOUT THE SIGNATURE AND  
ORIGINAL RAISED SEAL OF A FLORIDA  
LICENSED SURVEYOR AND MAPPER

SHEET NO.:  
2 OF 2

SEE SHEET 1 OF 2 FOR ADDITIONAL INFORMATION

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LEGEND

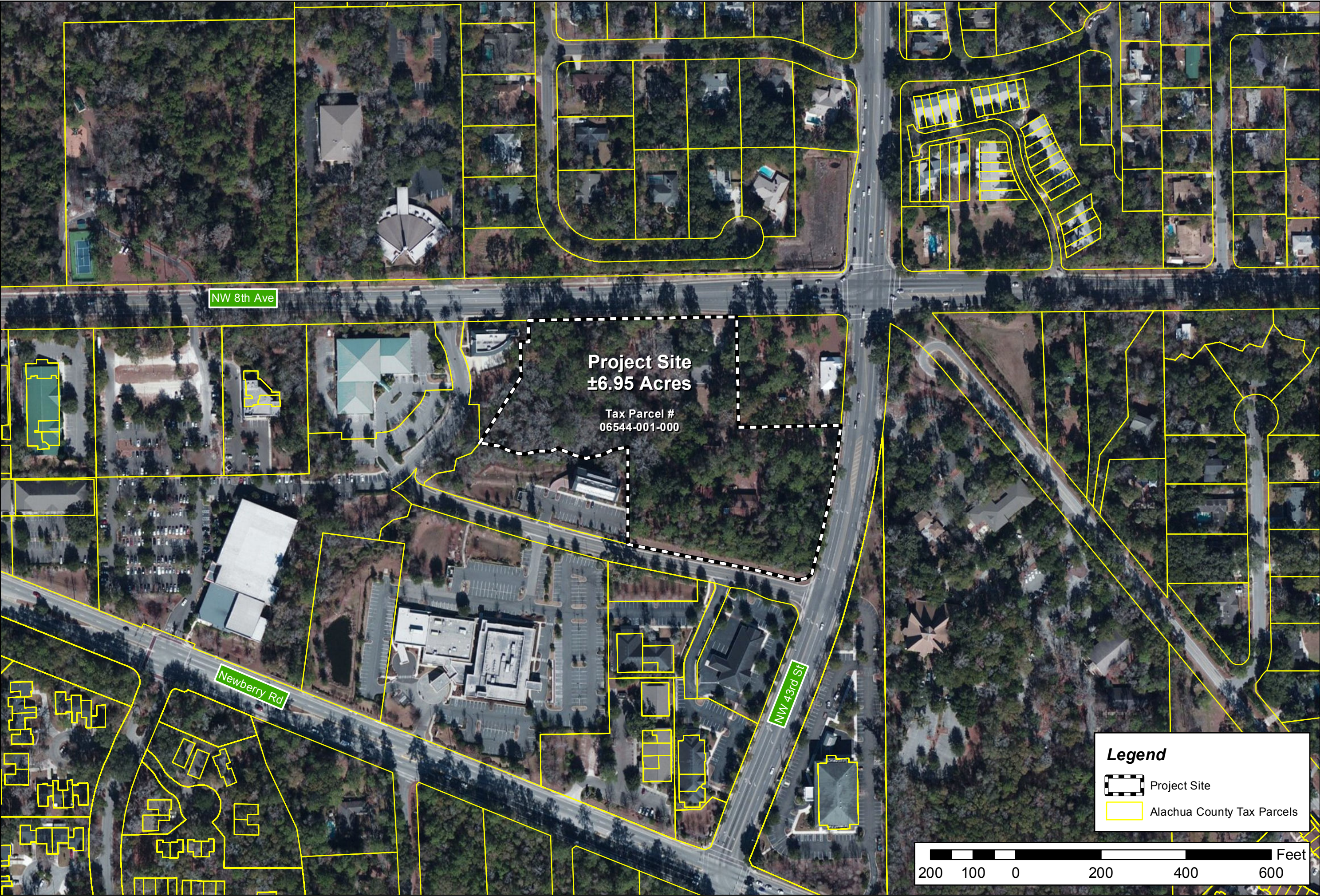
- LIMITS OF PROPOSED CONCRETE
- LIMITS OF ASPHALT PAVEMENT
- PROPERTY BOUNDARY LINE
- LIMITS OF PROPOSED BUILDING
- BUILDING SETBACK

132 NW 78th Drive Gainesville, FL 32609 (352) 331-1575 / (352) 331-2478 www.dwn-inc.com		est. 1988 FLORIDA CA 0075	
CHW Professional Consultants		SCALE: 1"=40' VERIFY SCALE ON EACH DRAWING ORIGINAL DRAWING 0 1" 1'	
SUBMITTALS		CONSTRUCTION/REVISIONS	
PROJECT: NW 43RD STREET		SHEET TITLE: CONCEPTUAL SITE LAYOUT	
TECHNICAL: J. THOMAS	QUALITY CONTROL: J. THOMAS	PROJECT NUMBER: H. SIMON	16-0260
SHEET NO.: 1			

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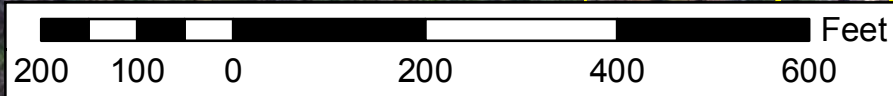
**06544-001-000**  
**Aerial Map**



Projection: NAD\_1983\_StatePlane  
Florida\_North\_Arrow\_Lambert  
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False Northing: 1608500.000000  
Central Meridian: -84.500000  
Standard Parallel 1: 29.563333  
Standard Parallel 2: 29.563333  
Latitude of Origin: 29.000000  
GCS: North\_American\_1983  
Prepared by: Employee 427  
Date: August 26, 2016

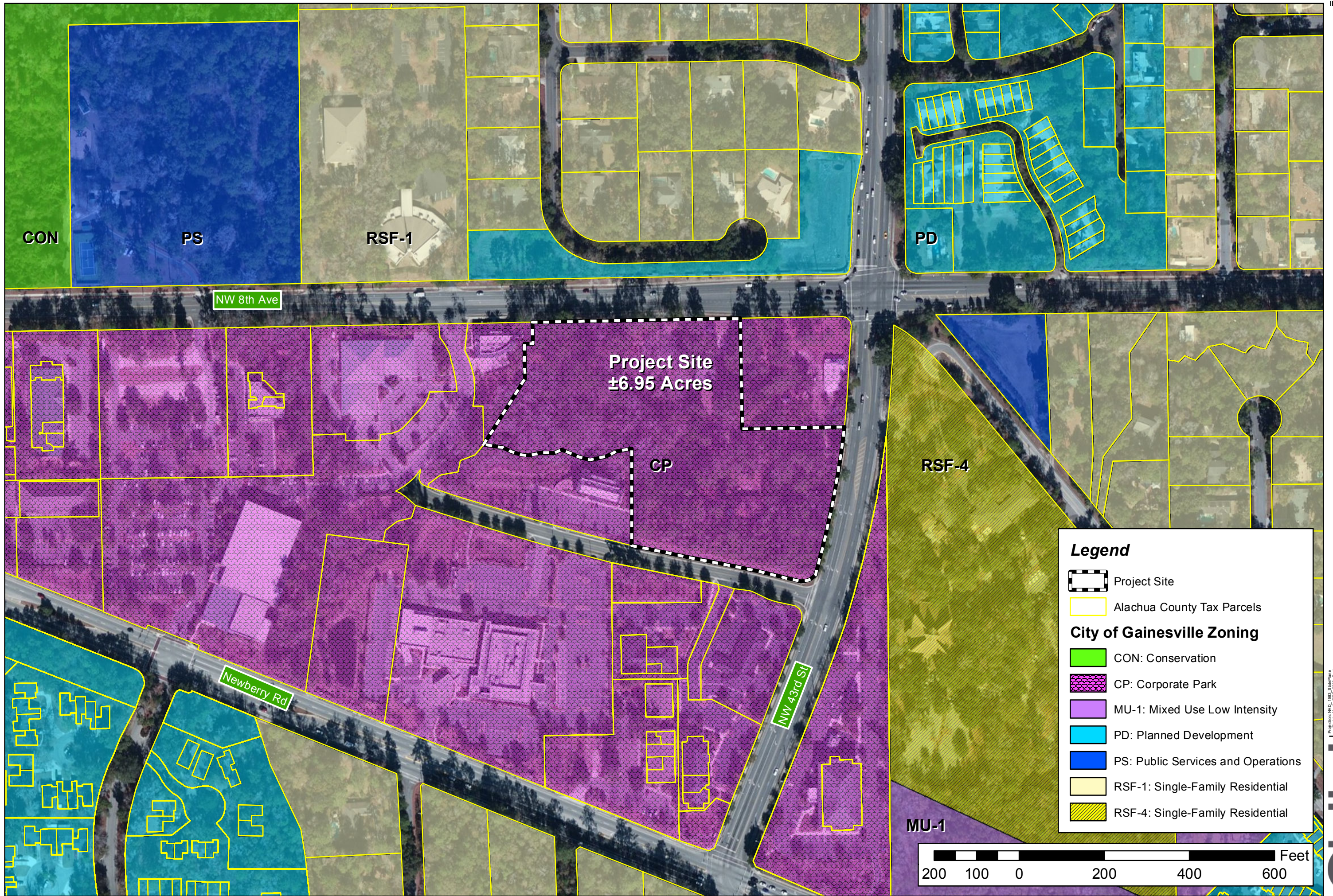
**Legend**

-  Project Site
-  Alachua County Tax Parcels





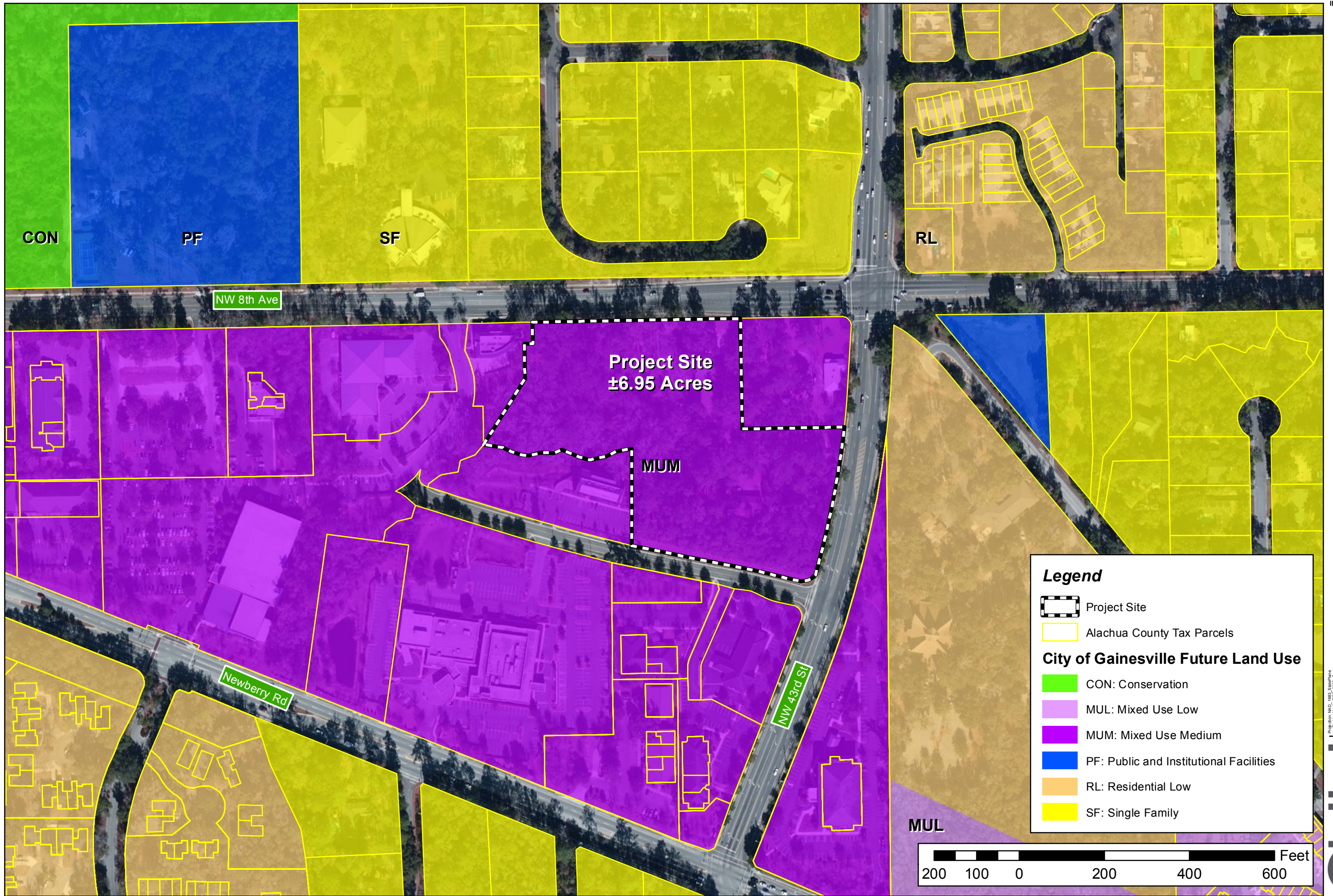
06544-001-000  
Zoning Map



Projection: NAD 1983, StatePlane  
Florida North, FWS 3600, Feet  
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False Northing: 1568500.0000 00  
Central Meridian: -84.500000  
Standard Parallel 1: 29.583333  
Standard Parallel 2: 29.583333  
Latitude of Origin: 28.000000  
GCS: North American, 1983  
Prepared by: Employee 427  
Date: August 26, 2016



06544-001-000  
Future Land Use Map



Projection: NAD 1983, StatePlane  
Florida North Zone, 5000 Feet  
False Easting: 1000000.000000  
False Northing: 0.000000  
Central Meridian: -84.500000  
Standard Parallel 1: 29.583333  
Standard Parallel 2: 29.583333  
Latitude of Origin: 28.000000  
GCS: North\_American\_1983  
Prepared by: Employee 427  
Date: August 26, 2016