

APPLICATION FOR A HARDSHIP VARIANCE
Levy County, Florida

Filing Date: _____
 Fee: \$150.00

Petition Number: HV 02-21
 Validation Number: _____

TO THE LEVY COUNTY BOARD OF COUNTY COMMISSIONERS:

This application is hereby made to the Board of County Commissioners of Levy County, Florida pursuant to the provisions of Chapter 163, Florida Statutes, the adopted Levy County Comprehensive Plan and the Levy County Zoning Ordinance petitioning for a Hardship Variance on the following described property. [Source: Levy County Land Development Code, Section 50-852]

I. OWNER/AGENT INFORMATION:

Applicant's Name <u>Carol Anderson</u>	Owner's Name <u>Loye Nell Batten</u>
Address <u>9239 Greenways Lane</u>	Address <u>15531 NW 40th Ave</u>
City <u>Fanning Sprgs</u> Zip <u>32193</u>	City <u>Trenton</u> Zip <u>32193</u>
Phone Number(s) <u>(352) 580-8810</u> <u>352-318-1786</u>	
Name of Person (s) Receiving Care <u>Loye Nell Batten</u> - owner	
Relationship to Applicant/Owner <u>Daughter-in-law</u> - applicant	

I. PARCEL INFORMATION:

Parcel Number (s)	Section/Township/Range	Acreage
a. <u>05-11-15-01491-000-60</u>	<u>S5, T11, R15</u>	<u>10</u>
b. _____		
Total Acreage _____		
Subdivision Name: _____	Lot (s) _____	Block _____

Current Use (Actual) and Improvements on the Property: (i.e. Single family home, well, septic, pole barn, etc....)
Single family home, well, septic, shed

Directions to the Property: (Please start directions from a State or County Road)
Hwy 129 Chiefland head north, turn left on NW 160th St., turn left on NW 40th Ave

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2. **TO BE SUPPLIED AT THE TIME OF SUBMISSION:** Attach the items in the order listed below. **The application will not be processed without these items.** Any information changes must be submitted, in writing to the Development Department and received one week prior to the Board of County Commissioners Public Hearing.

*** Upon completion of the above application, **please submit the original and 8 copies** to the Levy County Development Department, 622 East Hathaway Avenue, Bronson, Florida, for processing.

Property Description

- Property Deed or Tax Certificate:** The most recent one pertaining to the proposed amendment property; obtained from the Clerk of Circuit Court's Office or Tax Collector.
- Detailed Site Plan:** See Section 4 of this application for required information to be shown on the site plan.

Maps:

- Property Appraiser's Parcel Map:** Identify the proposed site clearly using a color or pattern. _____

Documentation:

- Identification:** **Must provide picture ID of the hardship recipient (person receiving care) [Current driver's license]**
- Medical Certification:** Letter obtained by a doctor or by the Florida Department of Health and Rehabilitative Services etc.
- Narrative:** Provide a letter for this application which documents in writing why the requested Hardship Variance is needed and what special conditions exist that justifies the Variance.

3. **DETAILED SITE PLAN:** Property owner/agent shall submit a site plan of his proposed Hardship Variance to be reviewed by the Board of County Commissioners. The site showing the relationship of the proposed use to the parcel on which it is located. Where a site plan approval is required the following shall be required:

- 1) **Position all existing criteria on the site plan.**
 - A. Dimensions of the entire property and the size of the parcel of land for which a hardship variance is requested, in square feet.
 - B. Name of road fronting property.

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- C. All existing structures, and the distance from such structures to:
 - 1) The property line.
 - 2) The setback lines required for that zoning district.
- D. All locations of any natural or topographical peculiarities. (i.e. sinkholes, water ways, marshland, etc.) [if applicable]
- E. Both the centerline and edge of the right-of-way of adjoining roads or easements. [if applicable]

4. The Applicant states that she/he has read and understands the instructions and submission requirements stated in this application. Approval granted by said Commission in no way constitutes a waiver from any applicable Local, State, or Federal regulation.

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner or authorized agent of the above described property.

Applicant/Owner (s) Signature Carol Anderson Date 3/16/21

6. APPLICATION INSTRUCTIONS: Loy Nell Batten

- a. An application for a Hardship Variance must be accompanied by a fee of \$150.00. Please note, application fee may be subject to change. **The filing fee will not be collected and the application will not be processed for a Public Hearing until staff has reviewed the application and found it complete.**
- b. If the applicant is not the owner of record of the property, the owner must agree to this application either by signing the application form, or by submitting a notarized letter authorizing the applicant to act as an agent. **Owner's authorization is required at the time this application is submitted.**
- c. All required documentation and submission material is required to accompany the application at the time the request is submitted. Applications are screened for completeness. Depending on the proposed use, additional information may be required. Failure to provide all information and submission material required shall delay the public review of the application until such time as all materials are received.
- e. The Hardship Variance applications are processed once a month. Applications received by the **first day** of the month will tentatively be scheduled, advertised and presented at a public hearing the following month. Applications received after the **first day** of the month will not be scheduled for the following month.

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f. Applications may be submitted as follows:

In Person: Levy County Zoning Department located on Alternate 27 , within the Levy County Building and Zoning Office.

By Mail: Levy County Zoning Department, Levy County Courthouse, Post Office Box 672, Bronson, Florida. 32621.

g. This office will prepare the poster and place it on the property involved in this request.

h. Abutting property owners will be notified by mail of the request. "Abutting property" is any property immediately adjacent or contiguous to the property which is the subject of this request or located within 300' (three hundred feet) of the subject property lines including, immediately across any road or public right-of-way for said property.

i. It is highly advised that the applicant or representative be present at the Public Hearing by the Board of County Commissioners. The Board, at its discretion, may defer action, or take decisive action, on any application, regardless of attendance by the applicant, owner or representative thereof.

Additional Assistance: If you require further information, please contact the Levy County Zoning Department at (352) 486-5203 or visit the above address in person.

OFFICE USE ONLY:

Board of County Commissioners Public Hearing Date: _____

Board of County Commissioners Action: Approval Denial

Notes, Instructions and Comments:

Return to and prepared by:
R. LUTHER BEAUCHAMP, Attorney at Law
Box 10, Chiefland, FL 32644
Property Appraiser Parcel Identification: 05-11-15-01491-000-00

THIS WARRANTY DEED made the 2nd day of July, 2003, by

**LOYE NELL BATTEN (formerly
LOYE NELL BENNET), a single woman**

whose mailing address is

15531 NW 40th Avenue
Trenton, Florida 32693

hereinafter called the *Grantor*, to

WILLIAM E. ANDERSON

whose mailing address is:

6425 Hendry Road
Charlotte, NC 28269

Hereinafter called the *Grantee*:

WITNESSETH: That the *Grantor*, for and in consideration of the sum of more than ten dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the *Grantee* all that certain land situated in *Levy County*, State of *Florida* viz:

The South ½ of the South ½ of the SW ¼ of the NW ¼ of Section 5, Township 11 South, Range 15 East, Levy County, Florida.

LESS AND EXCEPT public road rights of way.

TOGETHER with the 1990 Saber mobile home with ID #426102977 located on the above-described property.

Subject to a life estate reserved by the Grantor.

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, and hereby 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.

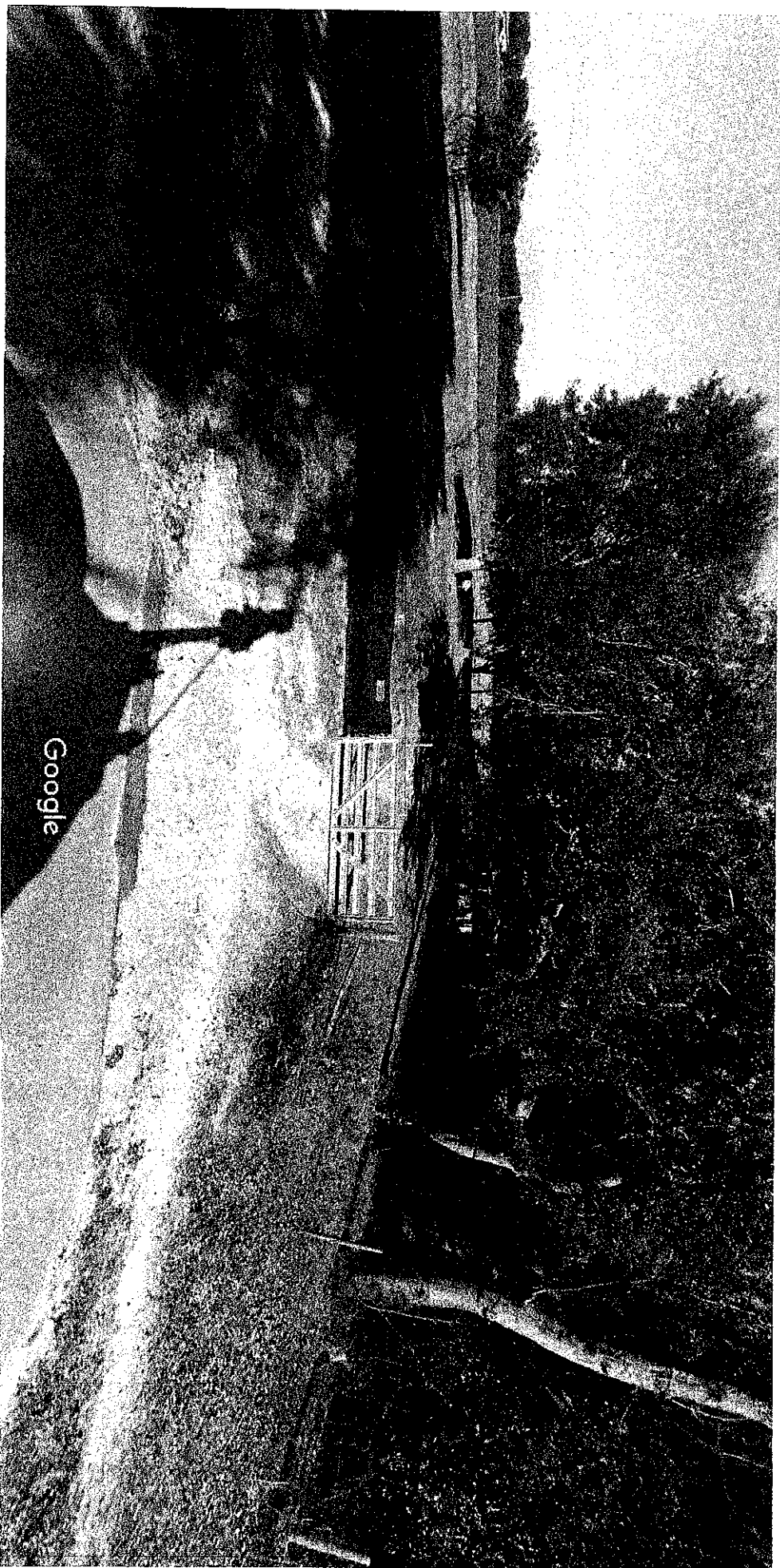
IN WITNESS WHEREOF, the said *Grantor* has signed and sealed these presents the day and year first above written

Signed, sealed and delivered
In the presence of:





Google Maps 15531 NW 40th Ave



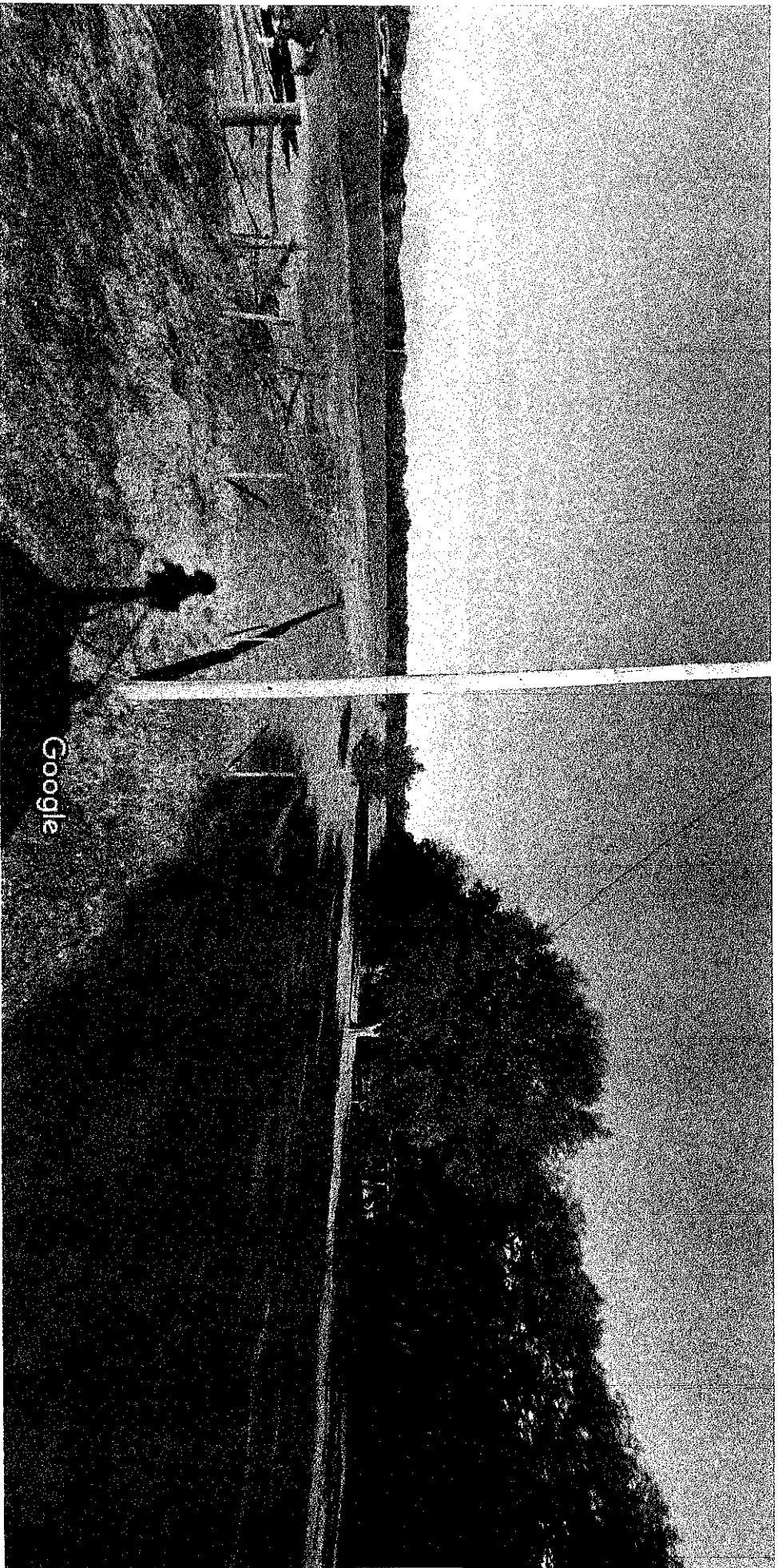
Trenton, Florida



Street View

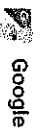
Image capture: Feb 2014 © 2021 Google

Google Maps 15531 NW 40th Ave



Google

Trenton, Florida






Street View


Image capture: Feb 2014 © 2021 Google

NW 40th Ave

325' across the front and rear of the property


Original Dwelling
140' from road frontage


Sink Hole
157' from Original Dwelling
137' from 


New Dwelling
60' from left side property line
120' from road frontage
115' from sink hole

1330' from front of property to the rear of the property

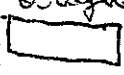
NW 40th Ave

Right Side Property Line 1300'

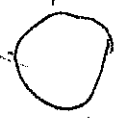
Left Side Property Line 1300'

Rear Property Line 300'

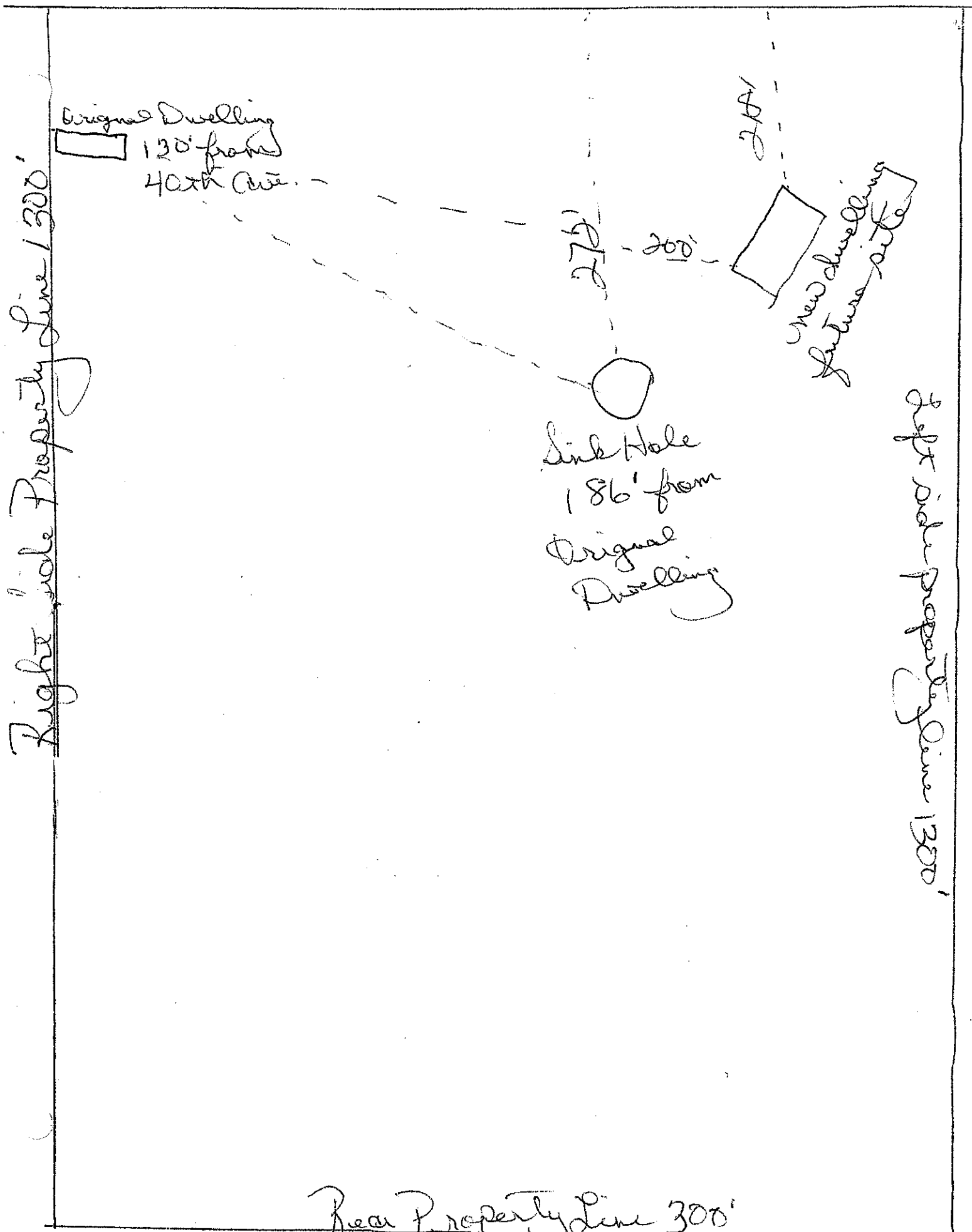
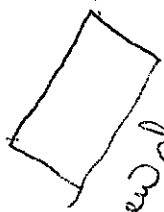
Original Dwelling
130' from
40th Ave.



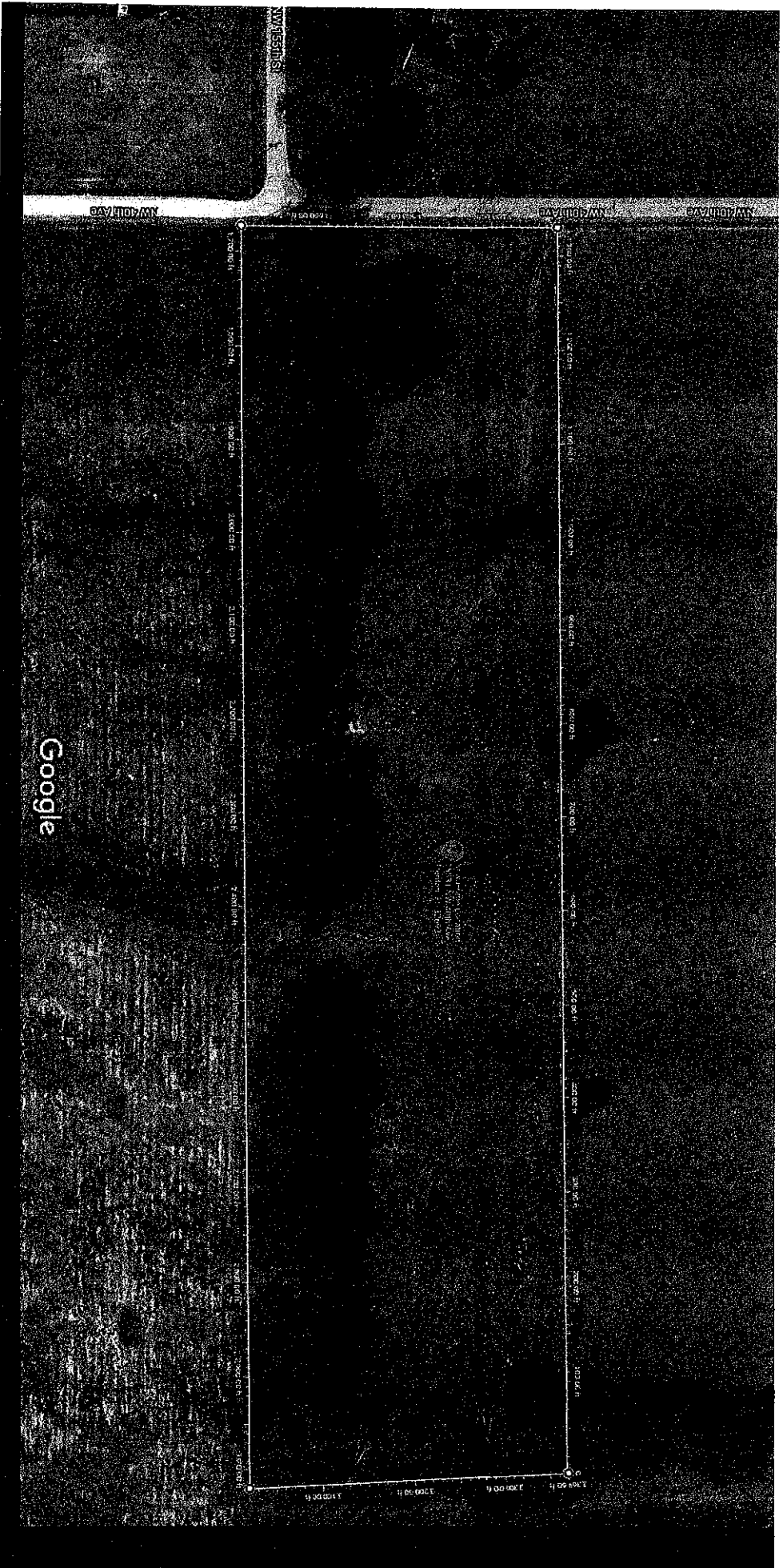
Sink Hole
186' from
Original
Dwelling



275'
200'
275'
New dwelling
future site



Google Maps 15531 NW 40th Ave



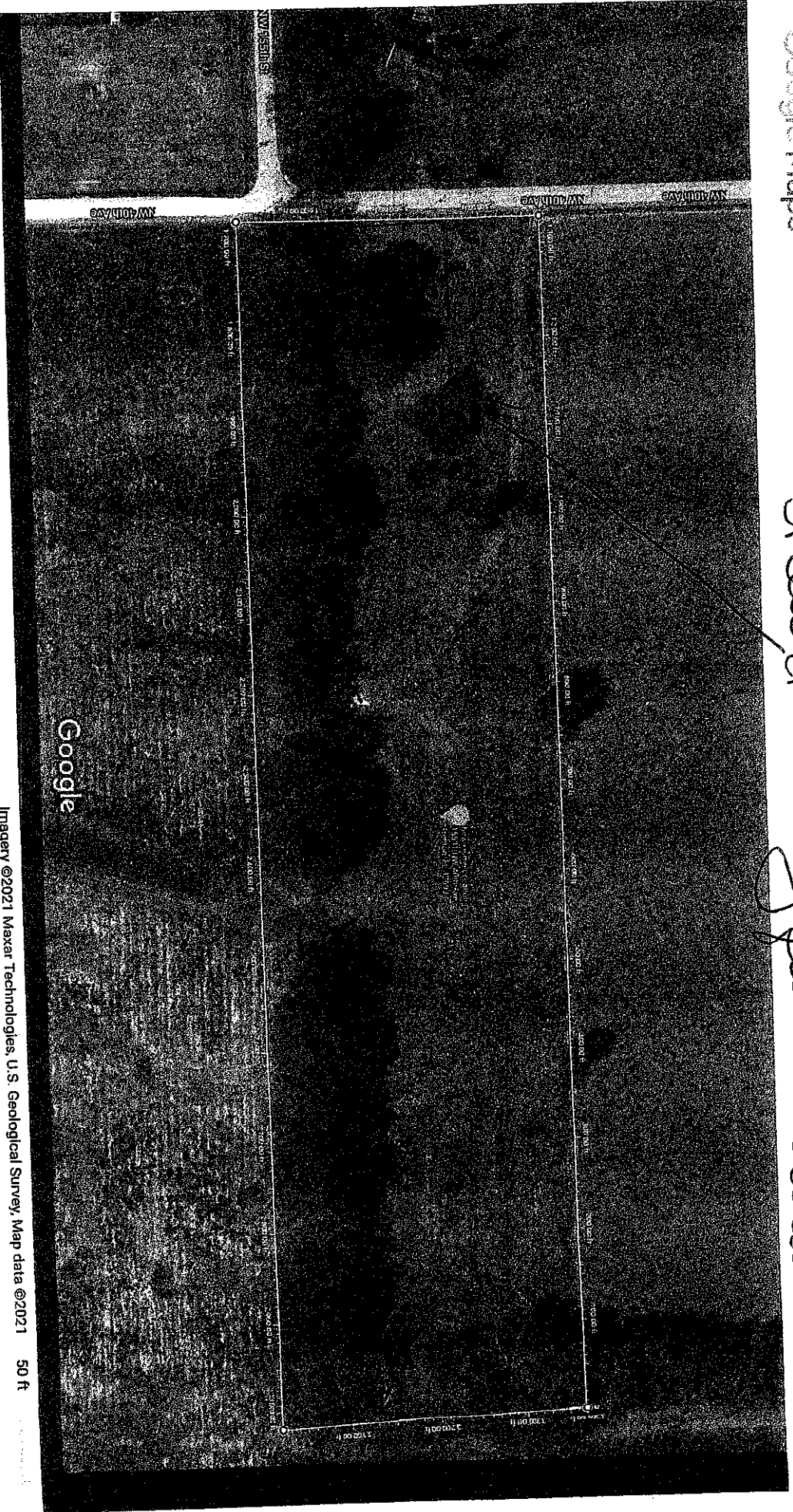
Measure distance

Total area: 462,116.36 ft² (42,932.01 m²)

Total distance: 3,369.60 ft (1.03 km)

Google Maps 15531 NW 40th Ave

new dwelling future location



Measure distance
Total area: 462,116.36 ft² (42,932.01 m²)
Total distance: 3,369.60 ft (1.03 km)

Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 50 ft

Summary

Parcel ID 0149100000
 Location Address 15531 NW 40 AVE
 TRENTON 32693-
 Neighborhood 03.00 (3)
 Legal Description* 05-11-15 0010.00 ACRES S1/2 OF S1/2 OF SW1/4 OF NW1/4 OR BOOK 844 PAGE 60
 *The legal description shown here may be condensed, a full legal description should be obtained from a recorded deed for legal purposes.
 Property Use Code PASTURE LAND 1 (6000)
 Subdivision N/A
 Sec/Twp/Rng 05-11-15
 Tax District SUWANNEE RIVER WT (District SR)
 Millage Rate 15.6225
 Acreage 10.000
 Homestead Y
 Ag Classification Yes

[View Map](#)

Owner

Owner Name Batten Loye Nell Bennett Life Est 100%
 Anderson William 100%
 Mailing Address 15531 NW 40TH AVE
 TRENTON, FL 32693

Valuation

	2021 Preliminary Value
	Summary
Building Value	\$16,433
Extra Features Value	\$701
Market Land Value	\$40,380
Ag Land Value	\$7,368
Just (Market) Value	\$57,514
Assessed Value	\$20,630
Exempt Value	\$20,630
Taxable Value	\$0
Cap Differential	\$3,872
Previous Year Value	\$53,709

Exemptions

Homestead	2nd Homestead	Widow/er	Disability	Seniors	Veterans	Other
18362	0			2268		

Building Information

Building	1	Roof Cover	GALV METAL
Actual Area	1564	Interior Flooring	CARPET
Conditioned Area	700	Interior Wall	DRYWALL
Actual Year Built	1989	Heating Type	CONVECTION
Use	MOBILE FAMILY	Air Conditioning	NONE
Exterior Wall	ALUMINUM SIDING	Baths	1
Roof Structure	GABLE OR HIP		

Description	Conditioned Area	Actual Area
UNFINISHED CARPORT	0	400
UNFINISHED OPEN PORCH	0	64
MOBILE HOME BASE	700	700
FINISHED OPEN PORCH	0	96
UNFINISHED STORAGE	0	64
FINISHED ENCLOSED PORCH	0	240
Total SqFt	700	1564

Extra Features

Code Description	BLD	Length	Width	Height	Units
DU-C STORAGE	1	12	10	0	120

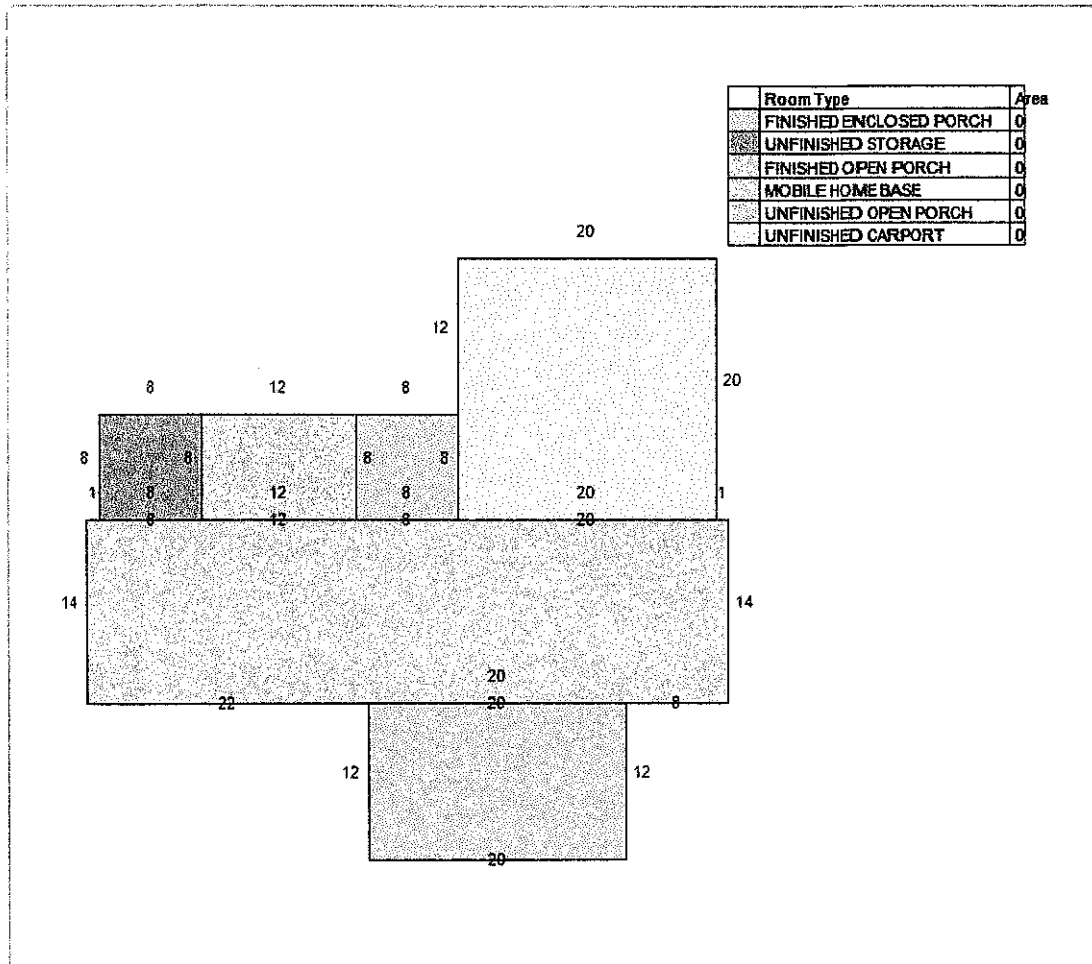
Land Line

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Home Site 3 Non Ag	0	0	1	AC	\$5,100
PASTURE	0	0	9	AC	\$2,268
HOUSE	0	0	9	AC	\$35,280

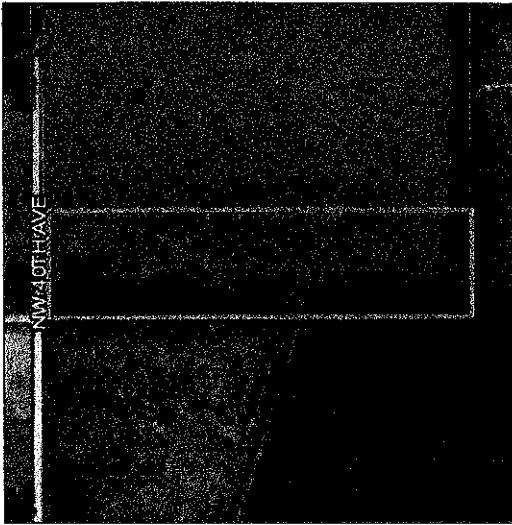
Sales

Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
7/1/2003	\$100.00	WD	<u>844</u>	<u>60</u>	U	I	BATTEN LOYEN B	

Building Sketch



Map



No data available for the following modules: Photos.

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Last Data Upload: 4/7/2021, 7:19:39 PM

Version 2.3.115

Developed by
 **Schneider**
GEO SPATIAL

To Whom This Mat Concern,

Mrs. Batten is an 84 y/o female, DOB 06/29/1936 patient under my care with multiple medical issues including,

- 1.) History of Circulatory disease
- 2.) Amnesia
- 3.) Anxiety/Depression
- 4.) Cardiac Disease (Atrial Fibrillation)
- 5.) Osteoporosis
- 6.) Diabetes
- 7.) Abnormal (Fall Risk)

With this being said we feel that it would be in her best interest if she was able to reside next to her family members due to the fact that she is at a high risk for their immediate assistance. If you should have any questions or concerns please contact our office.

Regards,

A handwritten signature in black ink, appearing to read 'Jaime Pedersen', written in a cursive style.

Jaime Pedersen APRN

To Whom This May Concern,

My name is Carol Anderson, daughter-in-law to Ms. Loye Nell Batten. Her son is William Anderson. My husband and I vacationed to Florida in July of 2020 to visit his mom, Ms. Batten. At that point in time it was noticed that Ms. Batten was struggling to complete normal daily activities without exertion. Her walking was imbalanced and prior to our coming to visit she had been admitted into the hospital for her heart having some irregular beats while at the doctors office. Ms. Batten does have a pace maker but apparently the pace maker was not regulating the beats like it was supposed to. After visiting with Ms. Batten, her son and I decided it would be best to move to Florida to be near her. We left Charlotte, NC approximately 2 weeks after the visit to move to Florida. We purchased the first home available and moved in. Since that time it has been noticed that Ms. Batten is struggling with keeping her home clean and having some issues with driving. Myself and one other lady friend has been transporting Ms. Batten to her doctor appointments. It is to the greatest benefit of Ms. Batten that her son and I place a home on the property to live closer so that we may assist with her daily needs on a permit basis while still allowing Ms. Batten some sense of independent living by her staying in her home. When the time deems necessary we would have Ms. Batten come to live with us in our home on the property at which time we would remove her dwelling from the property. I really hope and pray you will vote in favor of us having the 2nd dwelling on the property.

Sincerely



Carol Anderson