



Marion County
Board of County Commissioners

Growth Services

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2600
Fax: 352-438-2601

ZONING SECTION STAFF REPORT
July 1, 2024
BOARD OF ADJUSTMENT PUBLIC HEARING

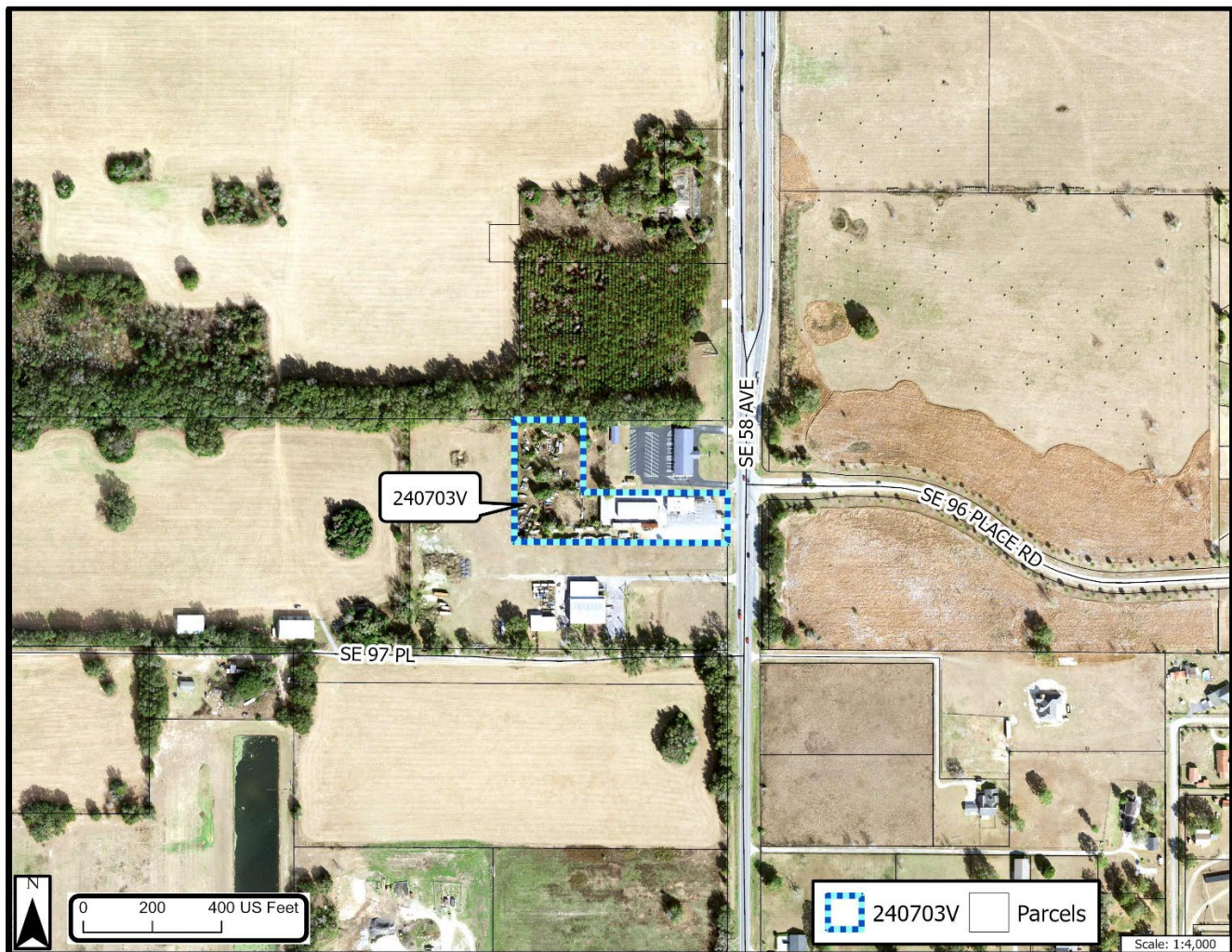
Case Number	240703V
Type of Case	Variance to reduce the North side setback from 25' to 13' for an existing Pergola, a trellis type of shade structure, in a Light Industrial (M-1) and General Agricultural (A-1) zoning classification.
Owner	Robert Paul Howes
Applicant	William Bow
Street Address	9672 SE 58 th Ave, Belleview, Florida 34420
Parcel Number	36967-002-00
Property Size	±2.76-acres
Future Land Use	Employment Center (EC)
Zoning Classification	Light Industrial (M-1) and General Agriculture (A-1)
Overlay Zone/Scenic Area	Urban Growth Boundary (UGB), Primary Springs Protection Overlay Zone (PSPOZ)
Project Planner	Lynda Smith, Zoning Technician I Cindy Gaughf, Zoning Technician III
Related Case(s)	Open Code Case 935384 - Detached covered seating area without permits.

I. ITEM SUMMARY

This is a request filed by the applicant William Bow, for owner Robert Paul Howes, for a variance from Land Development Code (LDC) Section 4.2.27(E) to reduce the north side setback from 25' to 13' for an existing pergola, a trellis type structure for shade, in a Light Industrial (M-1) and General Agriculture (A-1) zoning classification.

Figure 1 is an aerial photograph displaying the general location of the subject property.

FIGURE 1
GENERAL LOCATION MAP



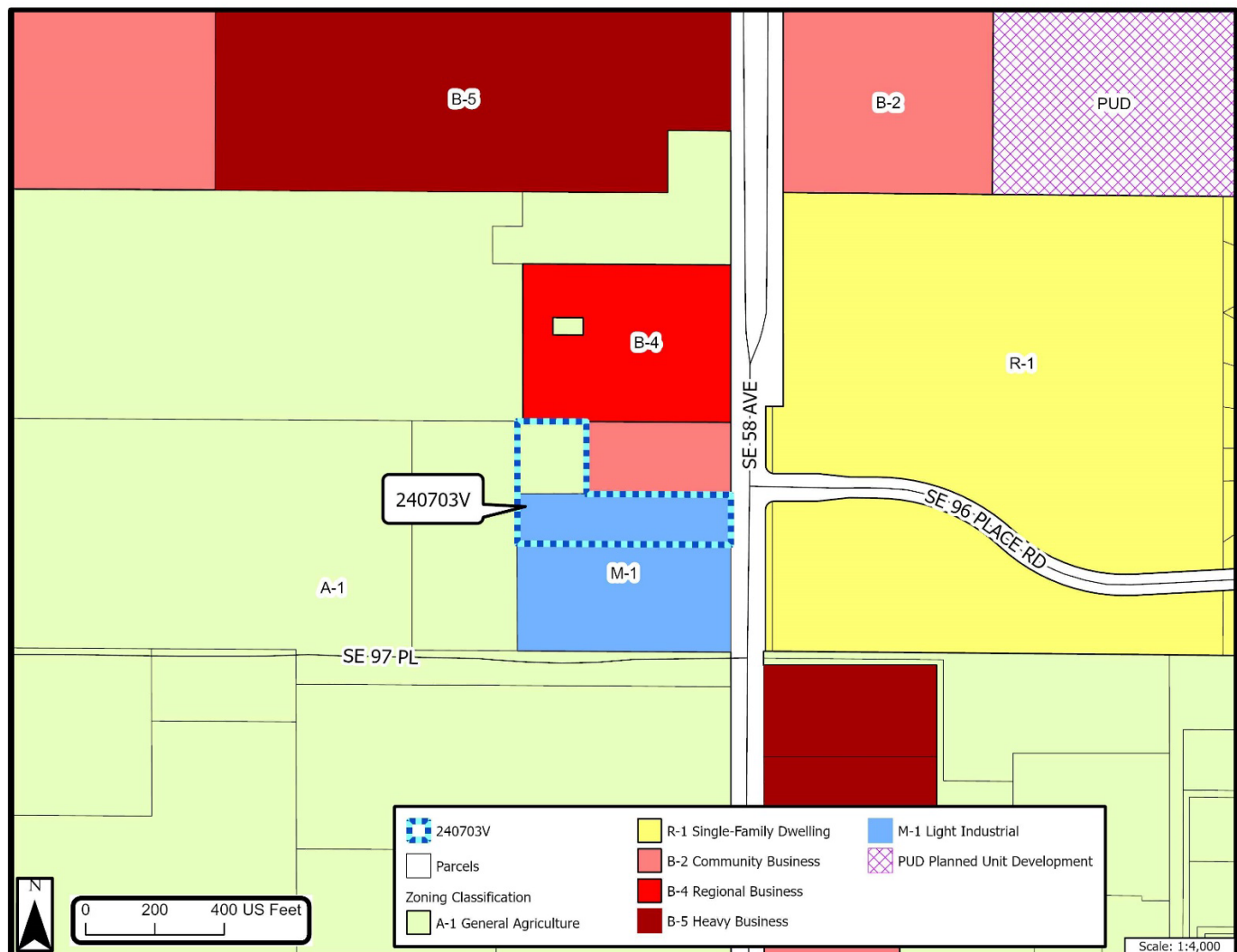
II. PUBLIC NOTICE

Notice of public hearing was mailed to 7 property owners within 300-feet of the subject property on June 14, 2024. A public notice sign was posted on the subject property on May 23, 2024 and notice of the public hearing was published in the Star Banner on June 17, 2024. Evidence of the public notice requirements are on file with the Department and are incorporated herein by reference.

III. PROPERTY CHARACTERISTICS

This parcel is ± 2.76 -acres and located within the Employment Center Future Land Use Map Series (FLUMS) designation with an M-1 and A-1 zoning classification.

FIGURE 2
AERIAL



IV. REQUEST STATEMENT

Applicant, William Bow, for owner, Robert Paul Howes, requests a variance from LDC Section 4.2.27(E), to reduce the north side setback from 25' to 13' for an existing pergola.

V. ANALYSIS

LDC Section 2.9.2.E provides the Board of Adjustment shall not grant a variance unless the petition demonstrates compliance with the six (6) criteria. The six (6) criteria and staff's analysis of compliance with those criteria are provided below.

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 with the same zoning classification and land use area.

Analysis: The Applicant states the existing restaurant building was constructed in 1987, with a 13' side setback which was a legal and conforming side setback. Customers awaiting seating routinely are seated outside near the entrance, which is the only available area in the front which is not existing parking area. This area is located 70' from front property line. The proposed pergola is the minimum type structure that will provide for those waiting to be seated. The minimum side setback on M-1 zoned property dramatically increased from 0' to 25' in the current code adopted in 1992.

Staff: finds that there are no special conditions or circumstances that exist which are peculiar to the land, structure or buildings involved and which are not applicable to other lands, structures or buildings with the same zoning classification and land use area. The main structure was built in 1987 which "grandfathered" it in to our current Land Development Code to allow for the 13' setback. The pergola in question was built about 3 years ago and must adhere to the current LDC required setbacks.

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

Analysis: The applicant states the existing restaurant building was constructed in 1987 with a 13' side setback which they wish to maintain for this additional trellis structure.

Staff: finds the special conditions and circumstances do result from the actions of the applicant. The main building was built in 1987 with setbacks being 70' in the front and 13' on the sides. The pergola was built about 3 years ago without a permit. If this had been permitted, the permit would have been rejected due to not meeting the current setbacks of 25' from the side property lines.

3. Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use area under the terms of said regulations and would work unnecessary and undue hardship on the applicant.

Analysis: Applicant states that Article 4, section 4.4.27 regarding side setbacks in M-1 Zoning, changed in 1992 from 0' to 25', making the existing building non-conforming with regards to side setbacks. The applicant's hardship is that the proposed pergola (trellis shade structure) is to be located with the same setback as the restaurant, over an existing seating area, in the only location outside the parking area and 70' from the front of the property and well beyond the current front setback of 40'.

Staff: Zoning was changed in 1992. Setbacks for M-1 are now 25' from any side property line. The main structure built in 1987 was grandfathered in and accepted as legally non-conforming. The pergola was not permitted when built about 3 years ago. If it had been permitted, it would have been rejected because it did not meet the setbacks of 25' from the side property line. The pergola currently provides shade and a seating area while awaiting a table for inside the restaurant. Requiring the pergola to adhere to current code requirements would not deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification as any permitted structure of the same zoning classification would be required to meet the same setbacks.

4. The variance, if granted, is the minimum variance that will allow the reasonable use of the land, building or structure.

Analysis: The request is for a pergola (trellis shade structure) over an existing outside seating area. It represents the minimum type of structure for this purpose as it is open and continues to provide for light and air circulation.

Staff: finds that for the proposed reduction of the setback from 25' to 13 is the minimum setback needed as requested by the applicant. It also is in an area close to the main building and on the side of the parking area.

5. Granting the variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning classification and land use area.

Analysis: As stated above, with the increase in code required setbacks in M-1, many properties have existing structures that are now non-conforming.

Staff: finds that granting of the request will confer on the applicant special privilege. If applicant had contacted Building or Zoning departments to see what the requirements are for accessories, they would have been advised of the current side setbacks of 25' and the need to apply for a permit.

6. The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Analysis: The requested structure will be located 70' from the front and 13' from the side property lines. Adjacent property to the north includes a guard rail and active driveway adjacent to the property lines supporting the Disabled American Veterans (DAV) Lodge Chapter #85 which is more than 80' from property line and has provided a letter of support for this application

Staff: finds that if the variance is granted, it would not be injurious to the neighborhood as long as the applicant pulls the correct permits and gets them approved.

VI. LIST OF ATTACHMENTS

- A. Application
- B. Marion County Property Appraiser Property Record Card, 2024 Certified Assessment Roll
- C. Site Plan
- D. Deed
- E. 300' Mailing Map
- F. Aerial View
- G. Photos
- H. Code Case Information



Marion County
Board of County Commissioners

Growth Services ♦ Zoning

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2675
Fax: 352-438-2676

APPLICATION COMPLETE

DATE COMPLETED 4/25/24

INITIALS OWS

TENTATIVE MEETING DATES

7/01/24

OFFICE USE ONLY

Received By: [Signature]

Date Received: 4/23/24

240703V

VARIANCE APPLICATION - AR#: 31477

Application #: 240703V
FOR COUNTY USE ONLY

PA#: 36967-002-00

Parcel Account Number of Subject Property

THE UNDERSIGNED REQUESTS A VARIANCE AS REFERENCED IN SECTION 2.9 OF THE MARION COUNTY LAND DEVELOPMENT FOR THE PURPOSE OF:

Reducing the side setback in M-1 (light industrial) zoning from 25' to 13' for ^{an existing} pergola (trellis shade structure) addition to customer seating area at existing restaurant which was constructed 13' from north property boundary in 1987 when code required 0' side setback.

Section of Code requesting variance from:

4.2.27 Light Industrial (M-1)

Legal Description (Please attach a copy of deed). Total Acreage of subject property: 2.76 +/- acres

Directions to subject property:

East on Maricamp to Baseline Rd (SE 58th Ave) turn right, proceed south to 9673 SE 58th Ave on right next to Disabled American Veterans (DAV) Chapter #85

M-1 and A-1

Situa: 9672 SE 58th Ave, Belleview, FL

Please Note: Property owner must sign this application: Otherwise he/she must attach to this application written authorization naming an agent to act in his/her behalf.

Paul R Howes

(Print/Signature) Property Owner

P.O. Box 1359

Address

Belleview, FL 34421

City, State, Zip Code

cell 352.553.6808

Contact Info: Phone, cell, e-mail address

William Bow, applicant

(Print) Applicant or Agent

9672 SE 58th Ave.

Address

Belleview, FL 34420

City, State, Zip Code

cell 352.406.1021, bowing74@gmail.com

Contact Info: Phone, cell, e-mail address

THE FILING FEE IS \$ 550 NON-REFUNDABLE. WE RECOMMEND THAT THE OWNER, APPLICANT OR AGENT BE PRESENT AT THE HEARING. IF NO REPRESENTATIVE IS PRESENT AND THE BOARD REQUIRES ADDITIONAL INFORMATION, THEY MAY DECIDE TO POSTPONE OR DENY THE REQUEST. NOTICE OF SAID HEARING WILL BE MAILED TO THE ABOVE ADDRESS. ALL INFORMATION GIVEN MUST BE CORRECT AND LEGIBLE TO BE PROCESSED. PLEASE NOTE THAT A WRITTEN PETITION (REFER TO PAGE 2 & 3) MUST BE PROVIDED WITH THIS APPLICATION, ALONG WITH A SITE PLAN IN ORDER TO BE CONSIDERED COMPLETE. FOR FURTHER INFORMATION CONTACT THE MARION COUNTY GROWTH SERVICES.

PROJECT: 2005030084
AR: 31477

Sec. 24-16-22
Code Case #: 935384 -

"Meeting Needs by Exceeding Expectations"

JR
2024.04.23

WRITTEN PETITION FOR VARIANCE

WRITE YOUR ANSWERS IN THE SPACE PROVIDED AFTER EACH STATEMENT. PLEASE COMPLETE ALL REPLIES USING A SENTENCE FORM. A VARIANCE FROM THE TERMS OF THESE REGULATIONS SHALL NOT BE GRANTED BY THE BOARD OF ADJUSTMENT UNLESS A WRITTEN PETITION FOR A VARIANCE IS SUBMITTED JUSTIFYING THE FOLLOWING:

A. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings with the same zoning classification and land use area.

Applicant's justification:

The existing restaurant building was constructed in 1987, with a 13' side setback which was a legal and conforming side setback. Customers awaiting seating routinely are seated outside near the entrance, which is the only available area in the front which is not existing parking area. This area is located 70' from front property line. The proposed pergola is the minimum type structure that will provide shade for those waiting to be seated. The minimum side setback on M-1 zoned property dramatically increased from 0' to 25' in the current code adopted in 1992. Many properties with the same zoning classifications had pre-existing improvements which have required setback variances for additions such as this. This request will include the same side setback as the existing building's location.

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

Applicant's justification:

The existing restaurant building was constructed in 1987, with a 13' side setback which we wish to maintain for this additional trellis structure.

C. Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use are under the terms of said regulations and would work unnecessary and undue hardship on the applicant.

Applicant's justification:

Article 4 Section 4.4.27, regarding side setbacks in M-1 zoning, changed in 1992 from 0' to 25', making the existing building non-conforming with regards to side setbacks. The applicants hardship is that the proposed trellis shade structure is to be located with the same setback as the restaurant, over an existing seating area, in the only location outside the parking area and 70' from the front of the property and well beyond the current front setback (40').

D. The Variance, if granted, is the minimum Variance that will allow the reasonable use of the land, building or structure.

Applicant's justification:

The request is for a trellis shade structure over existing outside seating area. It represents the minimum type of structure for this purpose as it is open and continues to provide for light and air circulation.

E. Granting the Variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning classification and land use area.

Applicant's justification:

As stated before, with the increase in code required setbacks in M-1 many properties have existing structures that are now non-conforming.

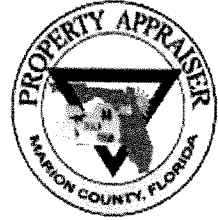
F. The granting of the Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Applicant's justification:

The requested structure will be located 70' from the front and 13' from the side. Adjacent property to the north includes a guard rail and active driveway adjacent to the property line supporting the Disabled American Veterans (DAV)Lodge Chapter #85 which is more than 80' from property line and has provided a letter of support for this application.

Jimmy H. Cowan, Jr., CFA

Marion County Property Appraiser



501 SE 25th Avenue, Ocala, FL 34471 Telephone: (352) 368-8300 Fax: (352) 368-8336

2024 Property Record Card

Real Estate

36967-002-00 ✓

GOOGLE Street View

Prime Key: 1887381

Beta MAP IT+

Current as of 4/25/2024

Property InformationM.S.T.U.

PC: 48

✓ Acres: 2.76

HOWES ROBERT PAUL ✓
PO BOX 1359
BELLEVIEW FL 34421-1359

Taxes / Assessments:

Map ID: 216

Millage: 9001 - UNINCORPORATEDMore Situs

Situs: Situs: 9672 SE 58TH AVE
BELLEVIEW

2023 Certified Property Value by Income

Land Just Value	N/A	
Buildings	N/A	
Miscellaneous	N/A	
Total Just Value	\$393,594	
Total Assessed Value	\$393,594	<u>Ex Codes:</u>
Exemptions	\$0	
Total Taxable	\$393,594	

History of Assessed Values

Year	Land Just	Building	Misc Value	Mkt/Just	Assessed Val	Exemptions	Taxable Val
2023	\$132,666	\$392,189	\$15,594	\$393,594	\$393,594	\$0	\$393,594
2022	\$88,444	\$351,315	\$18,153	\$370,871	\$370,871	\$0	\$370,871
2021	\$88,444	\$168,569	\$19,262	\$240,881	\$240,881	\$0	\$240,881

Property Transfer History

Book/Page	Date	Instrument	Code	Q/U	V/I	Price
5094/0680	09/2008	08 CORRECTIVE	0	U	I	\$100
3578/1277	06/2003	26 TRUSTEE	8 ALLOCATED	U	V	\$100
2866/0031	11/2000	60 CRT ORD	0	U	V	\$100
2754/1805	02/2000	60 CRT ORD	0	U	V	\$100
2749/0683	01/2000	06 SPECIAL WARRANTY	0	U	V	\$100
2754/1767	10/1998	74 PROBATE	0	U	V	\$100
1244/0742	09/1984	07 WARRANTY	0	U	V	\$100

Property Description

SEC 24 TWP 16 RGE 22 ✓

S 104.36 FT OF E 467.42 FT OF N 313.07 FT OF S 3/4 OF SE 1/4

EX E 50 FT THEREOF &

N 353.07 FT OF E 666.50 FT OF S 1/2 OF N 1/2 OF SE 1/4 LESS

& EXC E 50 FT FOR RD ROW & EXC E 467.42 FT OF N 313 FT

Parent Parcel: 36967-000-00

Land Data - Warning: Verify Zoning

Use	CUse	Front	Depth	Zoning	Units Type	Rate	Loc	Shp	Phy	Class	Value	Just Value
GISF	4860	.0	.0	M1	54,377.00	SF						
GCAC	4950	.0	.0	A1	.96	AC						
GISF	2130	.0	.0	M1	24,467.00	SF						

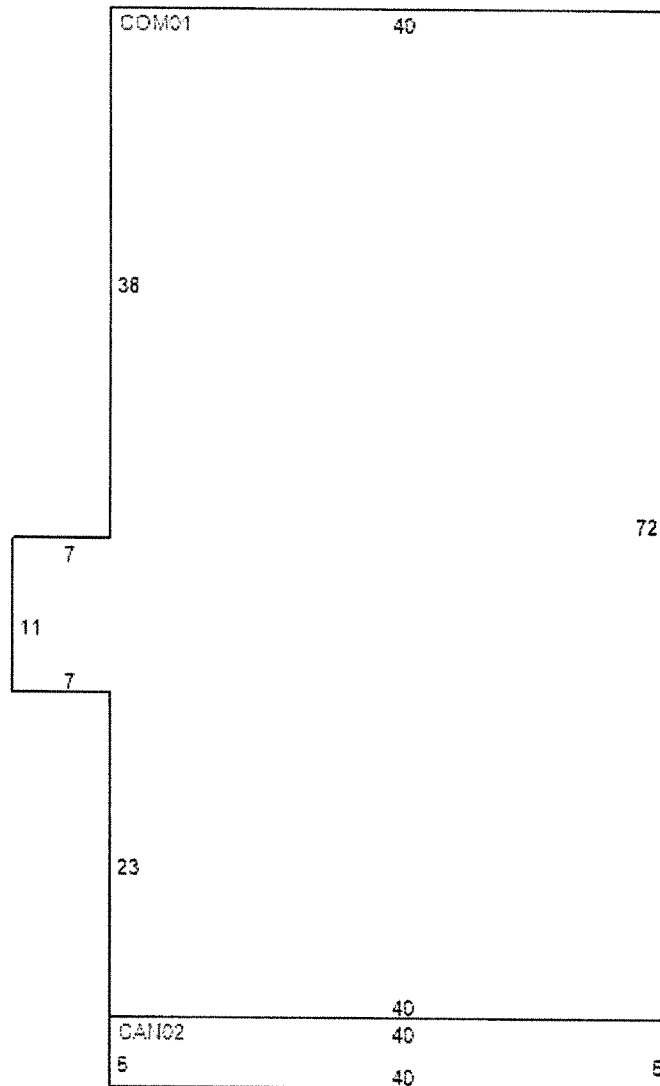
Neighborhood 9913 - COMM BASELINE R S OF MARICAMP

Mkt: 2 70

Traverse**Building 1 of 3**

COM01=R40U72L40D38L7D11R7D23.

CAN02=D5R40U5L40.



Building Characteristics

Structure	1 - WH STL FR	Year Built 1987
Effective Age	3 - 10-14 YRS	Physical Deterioration 0%
Condition	2	Obsolescence: Functional 0%
Quality Grade	500 - FAIR	Obsolescence: Locational 0%
Inspected on	8/20/2021 by 117	Base Perimeter 238

Exterior Wall 18 PREFINISHED MTL68 STONE VEN-WD

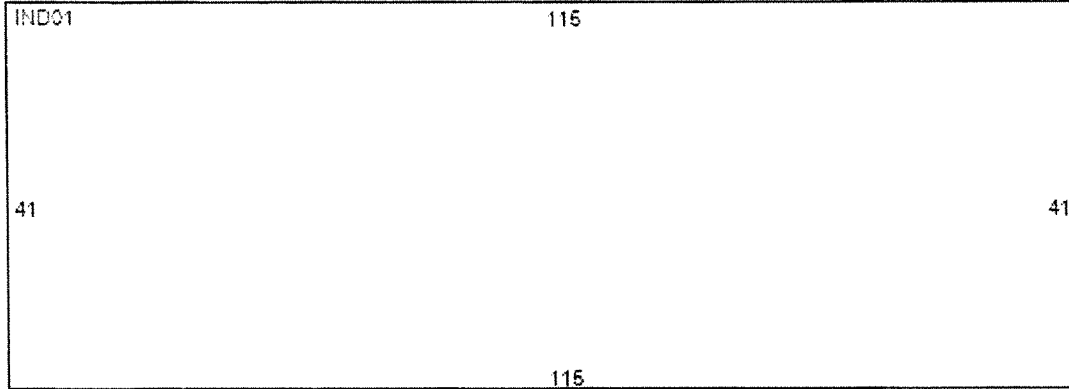
Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish	Sprinkler	A/C
1	13.5	1.00	1987	0	2,957	F21 RESTAURANT	100 %	N Y
2	13.0	1.00	1987	0	200	CAN CANOPY-ATTACHD	100 %	N N

Section: 1

Elevator Shafts: 0	Apmtments: 0	Kitchens: 0	4 Fixture Baths: 0	2 Fixture Baths: 2
Elevator Landings: 0	Escalators: 0	Fireplaces: 0	3 Fixture Baths: 0	Extra Fixtures: 8

TraverseBuilding 2 of 3

IND01=R115U41L115D41.



Building Characteristics

Structure	4 - MASONRY NO PILAST	Year Built 1989
Effective Age	6 - 25-29 YRS	Physical Deterioration 0%
Condition	0	Obsolescence: Functional 0%
Quality Grade	400 - FAIR	Obsolescence: Locational 0%
Inspected on	8/20/2021 by 117	Base Perimeter 312

Exterior Wall 24 CONC BLK-PAINT

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish	Sprinkler	A/C
1	10.0	1.00	1989	0	4,715	S48 MINI STORAGE	100 %	N N

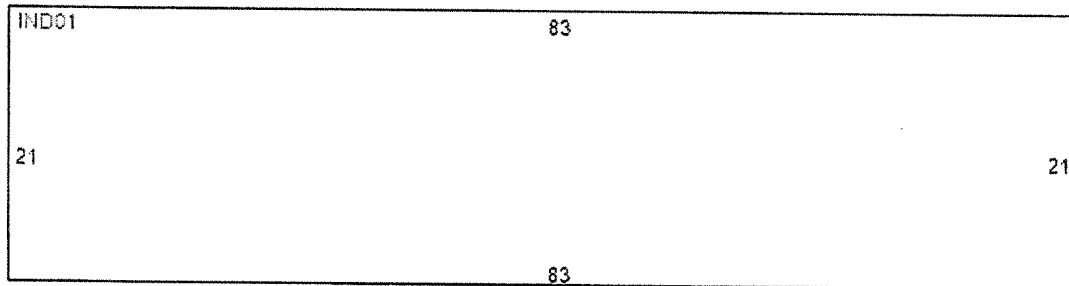
Section: 1

Elevator Shafts: 0	Aprtments: 0	Kitchens: 0	4 Fixture Baths: 0	2 Fixture Baths: 0
Elevator Landings: 0	Escalators: 0	Fireplaces: 0	3 Fixture Baths: 0	Extra Fixtures: 0

Traverse

Building 3 of 3

IND01=R83U21L83D21.

Building Characteristics

Structure 4 - MASONRY NO PILAST
Effective Age 6 - 25-29 YRS
Condition 0
Quality Grade 400 - FAIR
Inspected on 8/20/2021 by 117

Year Built 1989
Physical Deterioration 0%
Obsolescence: Functional 0%
Obsolescence: Locational 0%
Base Perimeter 208

Exterior Wall 24 CONC BLK-PAINT

Section	Wall Height	Stories	Year Built	Basement %	Ground Flr Area	Interior Finish	Sprinkler	A/C
1	9.0	1.00	1989	0	1,743	S48 MINI STORAGE	100 %	N N

Section: 1

Elevator Shafts: 0	Aprtments: 0	Kitchens: 0	4 Fixture Baths: 0	2 Fixture Baths: 0
Elevator Landings: 0	Escalators: 0	Fireplaces: 0	3 Fixture Baths: 0	Extra Fixtures: 0

Miscellaneous Improvements

MCPA Property Record Card

Type	Nbr Units	Type	Life	Year In	Grade	Length	Width
190 SEPTIC 1-5 BTH	1.00	UT	99	1987	2	0.0	0.0
256 WELL 1-5 BTH	1.00	UT	99	1987	2	0.0	0.0
144 PAVING ASPHALT	10,585.00	SF	5	1987	3	0.0	0.0
144 PAVING ASPHALT	7,708.00	SF	5	2021	3	0.0	0.0
105 FENCE CHAIN LK	460.00	LF	20	1990	4	0.0	0.0

Appraiser Notes

BASELINE STORAGE

BLDG #1=FLYING BOAT TAP ROOM ✓

-

BLDG #2= MINI WAREHOUSE/ VACANT

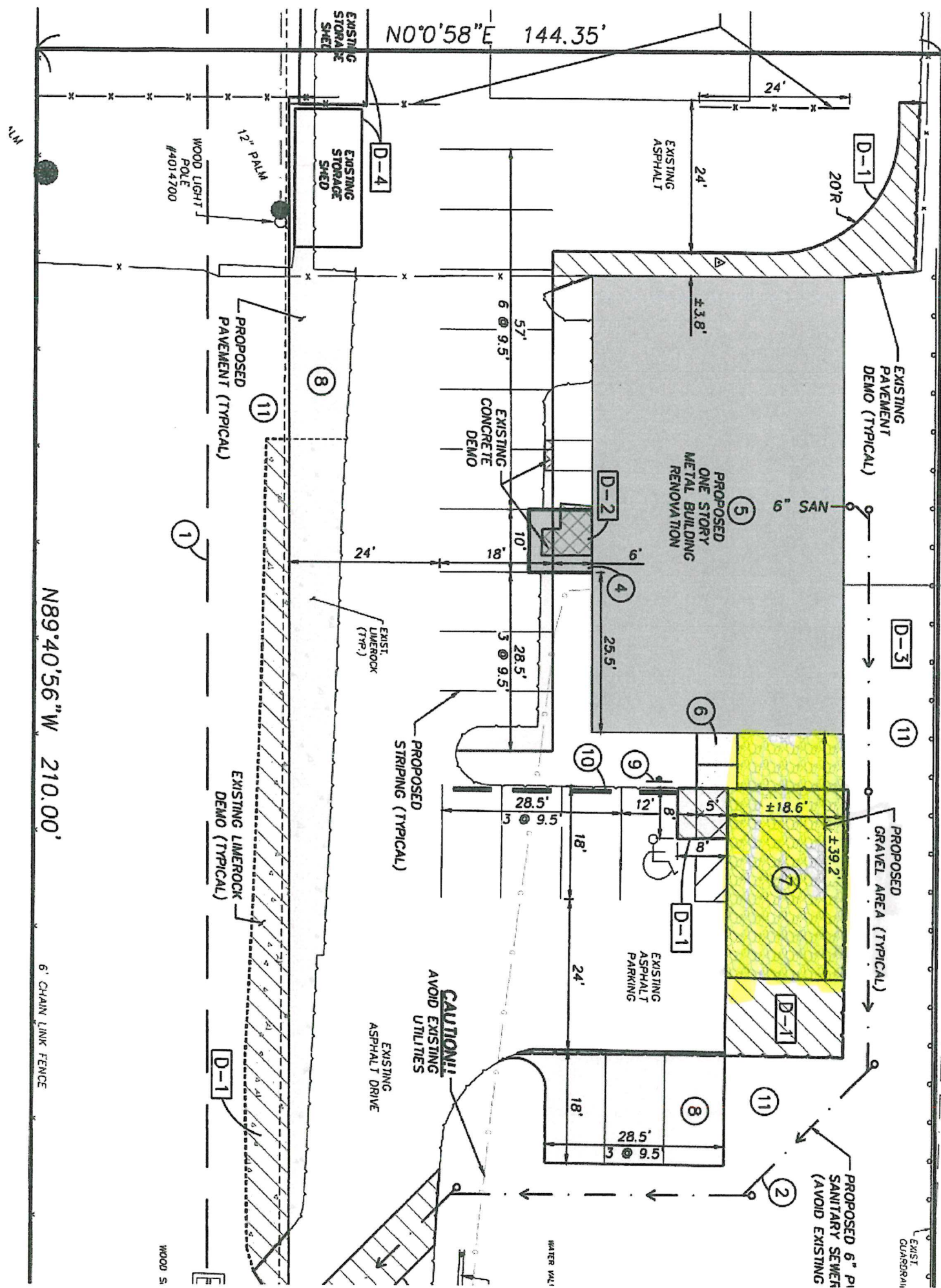
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BLDG #3= MINI WAREHOUSE/VACANT

-

Planning and Building** Permit Search ****Permit Number Date Issued Date Completed Description**

2023060227	7/3/2023	11/2/2023	36 KW STANDBY GENERATOR INSTALL
2020101933	10/23/2020	7/28/2021	ROOF OVER SPRAY POLYURETHANE OVER ROOF SURFACE FL 11066.2
2020040476	8/11/2020	7/20/2021	COMMERCIAL RENOVATION
2020051030	7/28/2020	9/9/2021	NEW CERTIFICATE OF OCCUPANCY: PIZZA AND BEER RESTAURANT
2012080362	8/3/2012	8/30/2012	RECONNECT
MA18999	12/1/1988	12/1/1989	WAREHOUSE
MA03126	4/1/1987	10/1/1987	CONSTRUCTION



PLS 204 11
Rec. 44
DS 44.70
Prepared by and return to:
H. Randolph Klein, Esq.
333 NW Third Avenue
Ocala, FL 34475



DAVID R. ELLSPERMANN, CLERK OF COURT MARION COUNTY

DATE: 09/10/2008 04:33:58 PM

FILE #: 2008091613 OR BK 05094 PGS 0680-0684

RECORDING FEES 44.00

DEED DOC TAX 0.70

Space Above This Line for Recording Data

CORRECTIVE TRUSTEE'S DEED

BY THIS DEED, JERRY D. DRIGGERS, ROBERT PAUL HOWES and HOWARD MICHAEL MOODY, individually and as Successor Co-Trustees of that certain HARRY MOODY LIVING TRUST AGREEMENT DATED 9/16/83, Amended thereafter on 10/2/98, 5/27/99, Amended and Restated on 12/23/99, further Amended on 12/29/99 and 1/26/2000, whose address is 9786 Northeast 17th Path, Wildwood, Florida 34485, herein called GRANTOR, in consideration of the sum of TEN DOLLARS (\$10.00) paid by ROBERT PAUL HOWES, whose post office address is Post Office Box 1359, Belleview, Florida 34421, herein called GRANTEE, the following real property in Marion County, Florida:

Legal Description on Exhibit "A" attached hereto.

This is a Corrective Trustee's Deed given to join additional Successor Co-Trustees that unrecorded Amendments to the Trust demonstrate should have joined as Grantors in that certain Trustee's Deed in favor of Grantee, recorded in O.R. Book 3578, Page 1277, public records of Marion County, Florida.

GRANTOR COVENANTS with Grantee that Grantor has good right and lawful authority to sell and convey the property and Grantor warrants the title to the property for any acts of Grantor and will defend the title against the lawful claims of all persons claiming by, through or under Grantor.

"Grantor" and "Grantee" are used for singular and plural as context requires.

Signed, sealed and delivered
in the presence of:

Alison Majors
Witness #1 Signature

Alison Majors
Printed Signature

Mariah Chaffin
Witness #2 Signature

Mariah Chaffin
Printed Signature

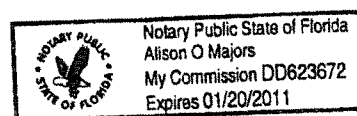
JERRY D. DRIGGERS
JERRY D. DRIGGERS, individually
and as Successor Co-Trustee

STATE OF FLORIDA
COUNTY OF MARION

I **HEREBY CERTIFY**, that on this day before me, an officer duly qualified to take acknowledgements, personally appeared **JERRY D. DRIGGERS**, individually and as Successor Co-Trustee of that certain HARRY MOODY LIVING TRUST AGREEMENT DATED 9/16/83, Amended thereafter on 10/2/98, 5/27/99, Amended and Restated on 12/23/99, further Amended on 12/29/99 and 1/26/2000, ☒ who is/are personally known to me or produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 19th day of August, 2008.

Alison O. Majors
Notary Public
My commission expires:



Signed, sealed and delivered
in the presence of:

Alison Majors
Witness #1 Signature

Alison Majors
Printed Signature

Mariah Chaffin
Witness #2 Signature

Mariah Chaffin
Printed Signature

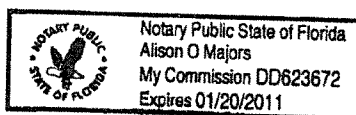
Robert Paul Howes
ROBERT PAUL HOWES, individually
and as Successor Co-Trustee

STATE OF FLORIDA
COUNTY OF MARION

I **HEREBY CERTIFY**, that on this day before me, an officer duly qualified to take acknowledgements, personally appeared **ROBERT PAUL HOWES**, individually and as Successor Co-Trustee of that certain HARRY MOODY LIVING TRUST AGREEMENT DATED 9/16/83, Amended thereafter on 10/2/98, 5/27/99, Amended and Restated on 12/23/99, further Amended on 12/29/99 and 1/26/2000, ☒ who is/are personally known to me or produced _____ as identification.

August **WITNESS** my hand and official seal in the County and State last aforesaid this 19th day of _____, 2008.

Alison O. Majors
Notary Public
My commission expires:



Signed, sealed and delivered
in the presence of:

Alison Majors
Witness #1 Signature

Alison Majors
Printed Signature

Mariah Chaffin
Witness #2 Signature

Mariah Chaffin
Printed Signature

Howard Michael Moody
HOWARD MICHAEL MOODY, individually
and as Successor Co-Trustee

STATE OF FLORIDA
COUNTY OF MARION

I HEREBY CERTIFY, that on this day before me, an officer duly qualified to take acknowledgements, personally appeared **HOWARD MICHAEL MOODY**, individually and as Successor Co-Trustee of that certain HARRY MOODY LIVING TRUST AGREEMENT DATED 9/16/83, Amended thereafter on 10/2/98, 5/27/99, Amended and Restated on 12/23/99, further Amended on 12/29/99 and 1/26/2000, (✓) who is/are personally known to me or produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 19th day of August, 2008.

Alison O. Majors
Notary Public
My commission expires:

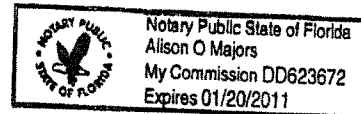


EXHIBIT "A"

Tax Parcel No. 31997-000-00

All that part of the South 1/2 of the SE 1/4 of Section 8, Township 15 South, Range 24 East, lying between the Old Daytona Highway (known prior to 1952 as the New Daytona Highway) and that certain highway constructed in 1952 presently known as the New Daytona Highway (State Road #40) LESS AND EXCEPT that portion of said property conveyed to the State of Florida in that certain right of way Deed dated June 16, 1952, and filed for record August 1, 1952 in Deed Book 303, Page 410, of the public records of Marion County, Florida.

AND

Tax Parcel No. 2854-039-001

Section 18, Township 15 South, Range 22 East, Plat Book E, Page 001, OLD SURVEY OCALA, The North 40 feet of the East 100 feet of Block 36, EXCEPT that part previously taken by condemnation for road right-of-way.

AND

✓ Tax Parcel No. 36967-002-00

Section 24, Township 16 South, Range 22 East, South 104.36 Feet of East 467.42 feet of North 313.07 feet of South 3/4 of SE 1/4, EXCEPT East 50 feet thereof.

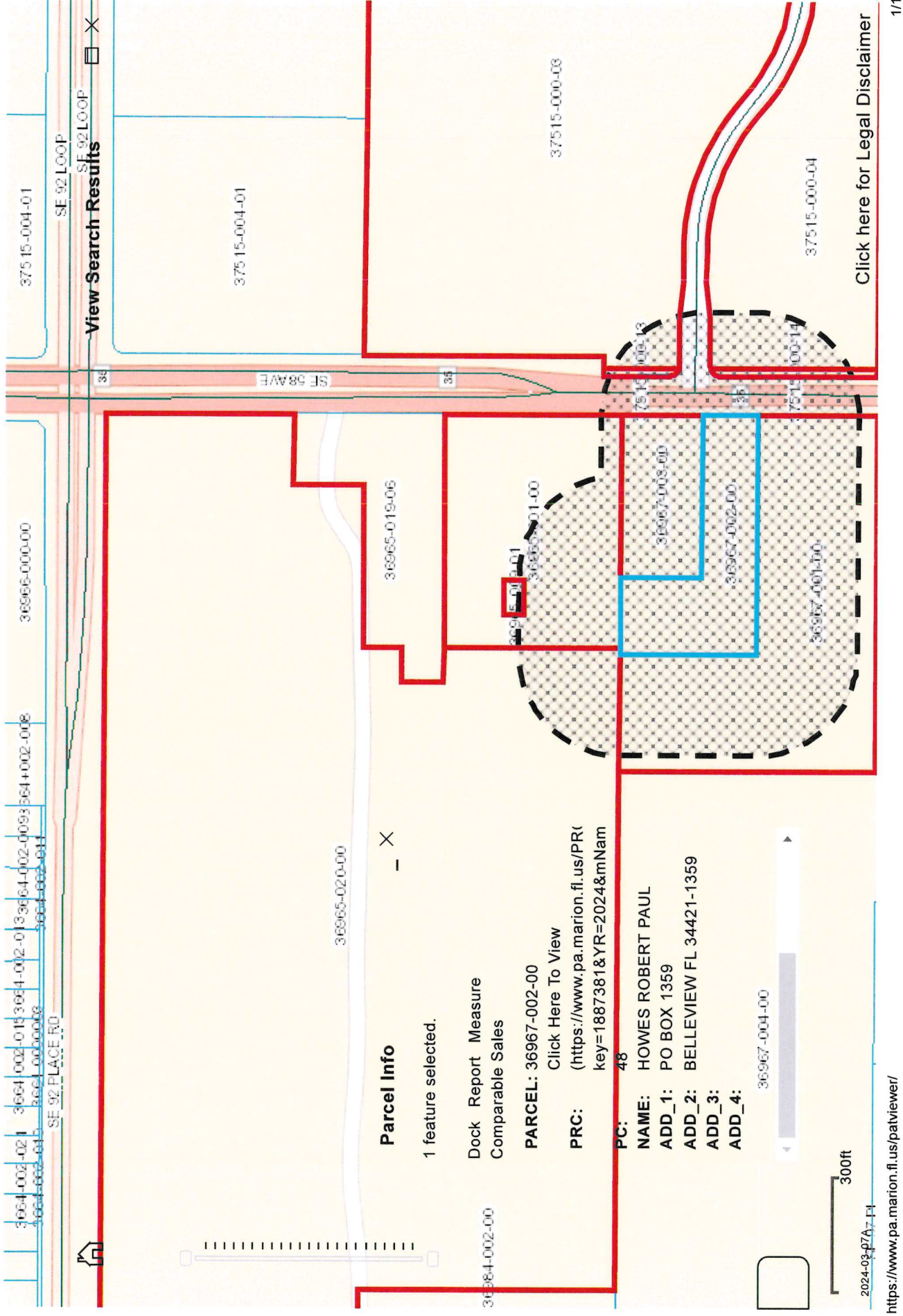
AND

A Portion of Tax Parcel No. 36967-004-03

The North 353.07 feet of the East 666.50 feet of the South 1/2 of the North 1/2 of the SE 1/4 of Section 24, Township 16 South, Range 22 East, Marion County, Florida, LESS AND EXCEPT the East 50 feet thereof for road right of way of County Road C-35. AND EXCEPT the East 467.42 feet of the North 313.00 feet.

THIS IS A DEED FROM A TRUSTEE TO A BENEFICIARY EXEMPT FROM DOCUMENTARY STAMPS, PURSUANT TO RULE 12 B-4.013(33) (e)

realestate/moody Trustee's Deed 1✓

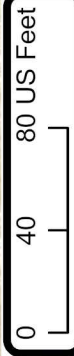





SE 58 AVE


Disabled
American
Veterans-Chapter 85

240703V





240703V



Parcels

Scale: 1:900

Attachment G



East (Front) looking West at the front of the building. Pergola on right



East (Front) of property looking West down 13' setback Pergola on left



South looking North at Pergola



East, Front of property looking west at main structure and
Pergola



Front of main structure with address on the front

Code Case Detail Report

CDPR4204 - Code Case Detail Report

CASE NBR: 935384

AO NBR: 658811

OLD CASE NBR

STATUS: OPEN

INSPECTOR: ROGERS, JAMES

CASE TYPE: STRUCTURAL

FOLIO NBR: 36967-002-00

AO INFORMATION

OPEN DATE 10/23/2023

OPEN USER BU341RA

COMPL NAME MIKE SAVAGE SR

COMPL PHONE 352-438-2400

COMPL ADDRESS 2710 E SILVER SPRINGS BLVD

COMPL FAX

CASE INFORMATION

ADDR NBR: 136103

LOCATION: 9672 SE 58TH AVE BELLEVIEW

OPEN DATE: 10/24/2023

DISPOSITION NOTICE OF VIOLATION

CLOSE DATE:

DISP BY:

DISP DATE:

DIRECTIONS:

CATEGORY: CON - PERMITS

PRIORITY: 0

LAST VISIT ID: 597220 ZIP: 34421-1359

HEARING DATE:

CONTACT?:

DESCRIPTION:

PHYSICAL FILE ID:

DETACHED COVERED SEATING AREA WIITHOUT PERMITS

CONTACT INFORMATION:TENANT INFORMATION:

PHONE:

FAX:

PHONE:

FAX:

OWNER INFORMATION:VIOLATOR INFORMATION:

ROBERT PAUL HOWES

PO BOX 1359

BELLEVIEW, FL 34421-1359

PHONE:

FAX:

PHONE:

FAX:

COMPLAINANT INFORMATION:

NAME/ADDRESS:

PHONE:

FAX:

MIKE SAVAGE SR

352-438-2400

2710 E SILVER SPRINGS BLVD

ACTION ORDER NOTES:VISITS:

VISIT NBR INSPECTOR

NAME

SCHEDULED DATE

VISIT DATE

NBR DAYS COMP

597220 BU341JR3

ROGERS, JAMES

11/22/2023

EXTENDED TILL 1/31/23

LETTERS:

REF TYPE

LETTER NAME

RQST DATE

PRINT DATE

SEND DATE

STATUS

CC

BLDG1 - FBC - 7' 10/24/2023

ACTV

CC

BLDG1 - FBC - 7' 01/31/2024

ACTV

VIOLATIONS:

STATUS

GROUP

CODE

VIOL. DATE

DESCRIPTION/REMARKS

CASE NBR: 935384

AO NBR: 658811

OLD CASE NBR

STATUS: OPEN

INSPECTOR: ROGERS, JAMES

CASE TYPE: STRUCTURAL

FOLIO NBR: 36967-002-00

IMAGES:

<u>IMAGE DATE</u>	<u>IMAGE DESCRIPTION</u>
10/23/2023	STRUCTURE

NOTES: