

# **Marion County Board of Adjustment**

Date: 3/16/2021

Item Number 210501V

Type of Application Variance

Request

To reduce southwest (lake side) ESOZ setback from 75' to 32.9' for proposed addition to screen room for pool and deck in R-1 Single Family Residence Zoning.

**Applicant** Jody Wilson

**Owner** Jody Wilson

Parcel #/Acreage 4855-015-015/.72±

**Existing Zoning R-1 Single-Family Dwelling** 

**Existing Land Use** Medium Residential

**Project Planner** Cindy Gaughf, **Zoning Technician** 



# **Item Summary**

Request for a reduction of southwest, lake side setback from 75' to 32.9' from the ordinary high water line for placement of a proposed addition to an existing screen room and to add a 20' x 31' pool with deck, as requested in accordance with the Marion County Land Development Code, Article 2, Division 9 "Variance", in a R-1 Single-Family Dwelling Zoning District. This site is located at 12449 SE 139th CT and is lot 1 block 15 of Lake Weir - Beach Section Subdivision. It is located on the Environmentally Sensitive Overlay Zone (ESOZ) lake of Lake Weir. The east side picture reflects a swale which is from the septic tank at the front of the house. The ESOZ plan will be addressed during the permitting process. There are two similar approved pool variances in this area shown under additional information.

# Additional Information

**Springs Protection Zone:** Secondary Zone

**Environmentally Sensitive Overlay** 

**Zone:** Yes

Farmland Preservation Area:

No

Flood Zone Designation: X & AE

**Utilities:** 

Water: Well Sewer: Septic

<u>Previous</u> <u>Request(s) in the</u> <u>Surrounding Area:</u>

**Application** #160903V

**Request:** Reduction of side setback from 8' to 1' for proposed carport in R-1 Single Family Residence Zoning at block 14 lots 5 & 6 addressed as 12381 SE 139th CT **Result:** Approved

**Application** #181201V

**Request:** Reduction to reduce ESOZ setback from 75' to 49' for the purpose of building a swimming pool with a screened enclosure 14370 SE 131ST PL OCKLAWAHA.

**Result:** Approved

# Location/Access

The property is located on SE 139th CT, an unpaved County maintained road.

# **Land Development Code Requirements**

Sec. 5.2.4. - ESOZ development standards

A. Waterfront Setback. Setbacks on lots, parcels or tracts which have water frontage shall be 75 feet from the wetlands line or from the water boundary setback line, whichever is greater

ADJACENT PROPERTIES								
Direction of	Future Land Use	Zoning	Existing Use/MCPA					
Adjacency	Designation		Property Class					
North	High Density Residential	R-1 Single-Family Dwelling	(01) Improved Residential					
South	Lake Weir	Lake Weir	Lake Weir					
East	Medium Density Residential	R-1 Single-Family Dwelling	(01) Improved Residential					
West	Medium Density Residential	R-1 Single-Family Dwelling	(01) Improved Residential					

# **Photographs**



View from house looking south Toward proposed site (grass area)



View from west side looking east toward proposed site (grass area)

# Application #150705V Request: Reduction of ESOZ setback from 75' to 55' from the water boundary setback line for proposed pool on Lake Weir 12765 SE 143RD AVE OCKLAWAHA. Result: Approved

# Code Enforcement Action: None



View from dock looking north toward the house



View east side looking west toward proposed site (grass area)



## 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

OFFIC	E USE ONLY
eceived By:	CD

Date Received: 2-11-21

Application #:	60501V FOR COUNTY USE ONLY
THE UNDERS	SIGNED REOUESTS A V

Application #: 20501V	PH.	7833-013-015
FOR COUNTY USE ON	ILY	Parcel Account Number of Subject Property
THE UNDERSIGNED REQUESTS	S A VARIANCE AS REFER	ENCED IN SECTION 2.9 OF THE MARION
COUNTY LAND DEVELOPMEN	T FOR THE PURPOSE OF:	funt
Jody & Kaela Wilso	n Reduce Setbac	K on Lake Sloc From 75' ESO:
12449 SE 1395 Ct	Ocklawsha TO 32	'9" for a 20' × 31' pool pool
Section of Code requesting variance	e from: Set back	*
Legal Description (Please attach a	copy of deed). Total Acreag	e of subject property: 72 +/- acres
Directions to subject property:		R-1
441 South to C-	25 +/L TO OCA	Clausha T/RO138
Sheet to 124th 5	street T/L House	Claush A T/RO 138 ON Right @ Deso End Sign
		rwise he/she must attach to this application
written authorization naming an age		
Jacy Wilson and K	anda B. IVI Can	
(Print/Signature) Property Owne		(Print) Applicant or Agent
Jehison w	al to:	
Address PO	Box 1377	Address
12449 SB 139 ct.	/	>
City, State, Zip Code		City, State, Zip Code
Ocklowshaff 321	79 Silver Sport	>
Contact Info: Phone, cell, e-mail ac	idress Pt 34489	Contact Info: Phone, cell, e-mail address
THE FILING FEE IS \$450 NON-REFU	INDABLE. WE RECOMMEND	THAT THE OWNER, APPLICANT OR AGENT BE
PRESENT AT THE HEARING. IF NO	REPRESENTATIVE IS PRESE	ENT AND THE BOARD REQUIRES ADDITIONAL REQUEST. NOTICE OF SAID HEARING WILL BE
MAILED TO THE ABOVE ADDRESS. A	LL INFORMATION GIVEN MUS	T BE CORRECT AND LEGIBLE TO BE PROCESSED.
PLEASE NOTE THAT A WRITTEN PET	TITION (REFER TO PAGE 2 & 3)	MUST BE PROVIDED WITH THIS APPLICATION,
THE MARION COUNTY GROWTH SER		PLETE. FOR FURTHER INFORMATION CONTACT
		STR MAD. 294
2021620080		STR MAD. 294 5 17 24 . 729cmg
AR 26293	"Meeting Needs by Exceeding	Expectations" R-1/MR

www.marioncountyfl.org

"Lake Wein. Beach Se

#### 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:

TO ADD 20 X31 POOL DELK At End OF EXISTING  Screen Room 329 From Highwater Line There is Plendy OF Room For Redention to Ribbertion	)

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

Applicant's justification:

The House was built in 1958. It was Gristing
The Pool will App to the Value of the Neighborhoop
The Pool will App to the Value of the Neighborhoop
And The water Level has never to then Close to the
Water Line Buen Dury the Hurricones in 2003
Whigh water Line Buen Dury the Hurricon
There is Plenty of Room For Rollertion

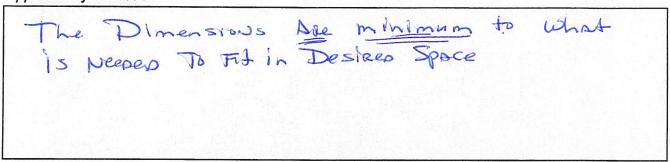
C. Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use are under the terms of said regulations and would work unnecessary and undue hardship on the applicant.

Applicant's justification:

1130 1	Lake F	for Nelo	phoes, Th	e Run off	Con
be Cont	shed.		,		

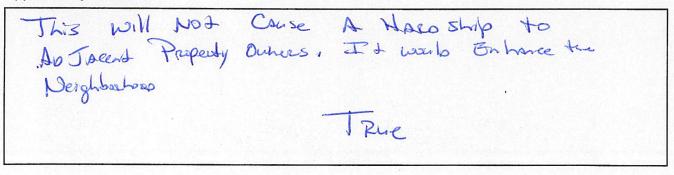
**D.** The Variance, if granted, is the minimum Variance that will allow the reasonable use of the land, building or structure.

Applicant's justification:



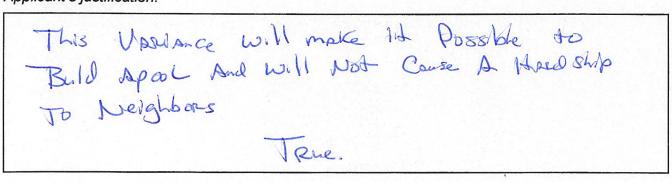
**E.** Granting the Variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning classification and land use area.

Applicant's justification:



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

Applicant's justification:



# Villie M. Smith, CFA, ASA

**Marion County Property Appraiser** 

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





# 2020 Certified Assessment Roll

4855-015-015

GOOGLE Street View

Prime Key: 1168651

MAPIT - BETA MAPIT+ -

**Property Information** 

M.S.T.U. PC: 08 Acres: .72

WILSON JODY ALLEN WILSON KARLA B PO BOX 1377

SILVER SPRINGS FL 34489-1377

<u>Taxes / Assessments:</u> \$5,012.32 Map ID: 294 <u>Millage:</u> 9001 - UNINCORPORATED

More Situs

Situs: 12449 SE 139TH CT

**OCKLAWAHA** 

**Current Value** 

 Land Just Value
 \$200,925

 Buildings
 \$61,317

 Miscellaneous
 \$5,636

 Total Just Value
 \$267,878

 Total Assessed Value
 \$267,878

 Exemptions
 \$0

 Total Taxable
 \$267,878

Ex Codes:

History of Assessed Values

Year	<b>Land Just</b>	Building	Misc Value	Mkt/Just	<b>Assessed Val</b>	Exemptions	Taxable Val
2020	\$200,925	\$61,317	\$5,636	\$267,878	\$267,878	\$0	\$267,878
2019	\$218,785	\$59,760	\$5,742	\$284,287	\$284,287	\$0	\$284,287
2018	\$205,390	\$57,756	\$5,900	\$269,046	\$269,046	\$0	\$269,046

#### **Property Transfer History**

Book/Page	Date	Instrument	Code	Q/U	V/I	Price
6054/1322	06/2014	07 WARRANTY	7 PORTIONUND INT	U	I	\$131,700
6054/1320	06/2014	05 QUIT CLAIM	7 PORTIONUND INT	U	I	\$100
3435/0544	06/2003	07 WARRANTY	2 V-SALES VERIFICATION	Q	I	\$295,000
3128/0384	03/2002	08 CORRECTIVE	0	U	I	\$100
2524/1105	07/1998	05 QUIT CLAIM	0	U	I	\$100
2457/1170	11/1997	94 ROAD AB	0	U	I	\$100
UNRE/CERT	09/1996	71 DTH CER	0	U	I	\$100

#### **Property Description**

SEC 05 TWP 17 RGE 24 PLAT BOOK C PAGE 054

LAKE WEIR-BEACH SEC

COM AT THE SW COR OF LOT 15 BLK 15 TH NELY TO THE NW COR OF LOT 1 BLK 15 TH ELY WITH THE N BDY LINE OF SAID LOT 1 BLK 15

50 FT TH SWLY IN A STRAIGHT LINE TO THE SE COR OF SAID LOT 15 TO BLK 15 TH WLY IN A STRAIGHT LINE TO THE POB EXC A 10 FT ALLEY BETWEEN LOTS 4 AND 15 BLK 15 AKA: ALL OF LOT 15 AND THE W 1/3 OF OF LOTS 1.2.3 AND 4 BLK 15 & THAT PART OF LAKE SHORE DR ABUTTING LOT 15 ON THE SLY BDY THEREOF AND LYING N OF THE SHORE LINE OF LAKE WEIR INCLUDING WITHIN THE PROJECTION OF THE SWLY AND NELY LINE OF SAID LOT 15 & COM AT NW COR OF LOT 15 BLK 15 POINT BEING POB; TH S 33-13-00 W ALONG S`LY PROJECTION OF E`LY ROW LINE OF VITORIA AVE (N/K/A SE 139TH CT) 256.05 FT TO POINT ON ORDINARY HIGH WATER LINE OF LAKE WEIR TH S 87-15-28 W ALONG ORDINARY HIGH WATER LINE 37.065 FT TO POINT ON S`LY PROJECTION OF CNTRLINE OF VICTORIA AVE (N/K/A SE 139TH CT) TH N 33-13-00 E ALONG S'LY PROJECTION OF CNTRLINE OF VICTORIA AVE (N/K/A SE 139TH CT) 281.59 FT TH S 49-36-41 E 30.235 FT TO POB

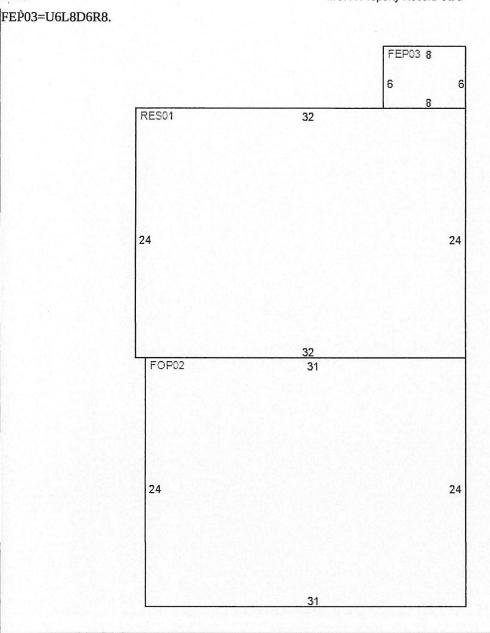
#### Land Data - Warning: Verify Zoning

CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	<b>Class Value</b>	<b>Just Value</b>
	50.0	460.0	R1	50.00	FF	2,250.0000	1.00	1.15	1.00	129,375	129,375
	30.0	269.0	R1	30.00	FF	2,250.0000	1.00	1.06	1.00	71,550	71,550
orhood 8	090 - LA	KE WEI	R							Total Land -	Class \$200,925
0 70										Total Land	- Just \$200,925
	oorhood 8	50.0 30.0 oorhood 8090 - LA	50.0 460.0 30.0 269.0 porhood 8090 - LAKE WEI	50.0 460.0 R1 30.0 269.0 R1 porhood 8090 - LAKE WEIR	50.0 460.0 R1 50.00 30.0 269.0 R1 30.00 porhood 8090 - LAKE WEIR	50.0 460.0 R1 50.00 FF 30.0 269.0 R1 30.00 FF porhood 8090 - LAKE WEIR	50.0 460.0 R1 50.00 FF 2,250.0000 30.0 269.0 R1 30.00 FF 2,250.0000 porhood 8090 - LAKE WEIR	50.0 460.0 R1 50.00 FF 2,250.0000 1.00 30.0 269.0 R1 30.00 FF 2,250.0000 1.00 corhood 8090 - LAKE WEIR	50.0 460.0 R1 50.00 FF 2,250.0000 1.00 1.15 30.0 269.0 R1 30.00 FF 2,250.0000 1.00 1.06 porhood 8090 - LAKE WEIR	50.0 460.0 R1 50.00 FF 2,250.0000 1.00 1.15 1.00 30.0 269.0 R1 30.00 FF 2,250.0000 1.00 1.06 1.00 porhood 8090 - LAKE WEIR	50.0 460.0 R1 50.00 FF 2,250.0000 1.00 1.15 1.00 129,375 30.0 269.0 R1 30.00 FF 2,250.0000 1.00 1.06 1.00 71,550 Total Land -

#### **Traverse**

## Building 1 of 2

RES01=L32U24R32D24. FOP02=L31D24R31U24.U24



### **Building Characteristics**

**Improvement** 

1F - SFR- 01 FAMILY RESID

**Effective Age** 

5 - 20-24 YRS

Condition

4

**Quality Grade** 

400 - FAIR

Inspected on 12/29/2016 by 187

Year Built 1958

**Physical Deterioration 0% Obsolescence: Functional 0%** 

**Obsolescence: Locational 0%** 

Architecture 0 - STANDARD SFR

**Base Perimeter** 112

Type IDExterior Walls	<b>Stories</b>	<b>Year Built</b>	<b>Finished Attic</b>	<b>Bsmt Area</b>	<b>Bsmt Finish</b>	<b>Ground Floor Area</b>	<b>Total Flr Area</b>
RES 0129 - VINYL SIDING	1.00	1958	N	0 %	0 %	768	768
FOP 0201 - NO EXTERIOR	1.00	1958	N	0 %	0 %	744	744
FEP 0329 - VINYL SIDING	1.00	1958	N	0 %	0 %	48	48
Section: 1							

Roof Style: 10 GABLE Floor Finish: 42 CERAMIC/PORCELAIN

TILE

Roof Cover: 16 GALVANIZED

Wall Finish: 16 DRYWALL-PAINT

**Heat Fuel 1: 10 ELECTRIC** 

Heat Meth 2: 00 Heat Fuel 2: 00

Foundation: 6 MONOLITC SLAB Fireplaces: 0

Heat Meth 1: 22 DUCTED FHA

A/C: Y

MTL

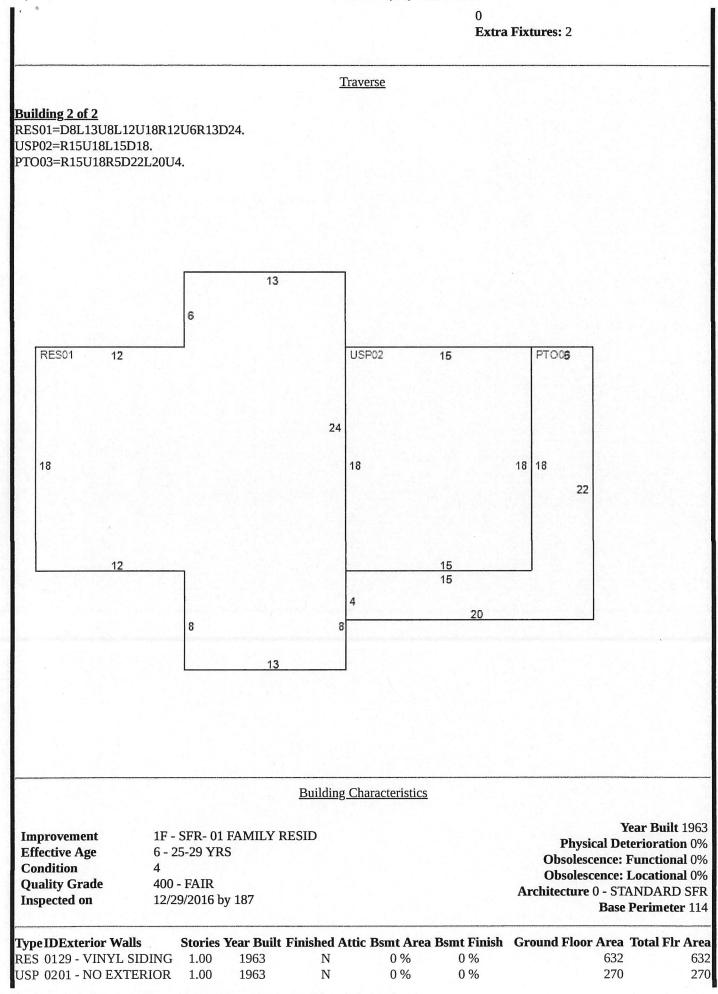
Bedrooms: 1 Blt-In Kitchen: Y 4 Fixture Baths: Dishwasher: N

Garbage Disposal: N

3 Fixture Baths: **Garbage Compactor:** 

2 Fixture Baths: Intercom: N

Vacuum: N



PTO 0301 - NO EXTERIOR 1.00 2004 N 0% 170 170 0%

Section: 1

**Roof Style: 10 GABLE** 

Roof Cover: 16 GALVANIZED MTL

Heat Meth 1: 22 DUCTED FHA

Heat Meth 2: 00 Foundation: 3 PIER A/C: Y

Floor Finish: 34 HARDWD ON CONC Bedrooms: 1 Wall Finish: 16 DRYWALL-PAINT

**Heat Fuel 1: 10 ELECTRIC** 

Heat Fuel 2: 00 Fireplaces: 0

4 Fixture Baths: 0 3 Fixture Baths: 1

2 Fixture Baths: 0 Extra Fixtures: 2

Blt-In Kitchen: Y Dishwasher: N Garbage Disposal: N Garbage Compactor: N

Intercom: N Vacuum: N

Miscellaneous	Improvemente
MISCELLALICOUS	IIIDIOACIIICIIIS

Туре	Nbr Units	Type	Life	Year In	Grade	Length	Width
190 SEPTIC 1-5 BTH	1.00	UT	99	1968	1	0.0	0.0
030 DOCK WOOD	1,019.00	SF	10	2004	1	0.0	0.0
190 SEPTIC 1-5 BTH	1.00	UT	99	1971	1	0.0	0.0
256 WELL 1-5 BTH	1.00	UT	99	1996	2	0.0	0.0
114 FENCE BOARD	192.00	LF	10	1996	1	24.0	8.0
BTH BOAT HOUSE	338.00	SF	40	2004	1	26.0	13.0
DCK DECK-WOOD	550.00	SF	40	2004	1	22.0	25.0
DCK DECK-WOOD	160.00	SF	40	2004	1	10.0	16.0
114 FENCE BOARD	32.00	LF	10	2009	4	4.0	8.0
156 PAVING BRICK	144.00	SF	20	1998	1	0.0	0.0
						Total Valu	e - \$5,636

#### **Appraiser Notes**

BLDG #1 (12515 SE 139TH CT) BLDG #2 (12499 SE 139TH CT)

UDU ,UDC,184 N/A

ADDITION (FOP) FOR 2017

### Planning and Building \*\* Permit Search \*\*

Permit Number	Amount	<b>Issued Date</b>	<b>Complete Date</b>	Description	
2016050912	\$15,000	5/1/2017	12/12/2017	FRUSS ROOF ON LANAI	
M050148	\$15,000	5/1/2002	7/1/2002	DOCK/BOATHOUSE	

### Cost/Market Summary

Buildings R.C.N.	\$91,785	1/5/2017				
Total Depreciation	(\$30,468)		Bldg Nbr	RCN	Depreciation	Depreciated
Bldg - Just Value	\$61,317 \$5,636	7/1/2016	1 2	\$51,508 \$40,277	(\$15,968) (\$14,500)	\$35,540 \$25,777
Misc - Just Value						
- [14] [14] [14] [14] [14] [14] [14] [14]						
Land - Just Value	\$200,925	5/8/2020				
Total Just Value	\$267,878					

Page: Rotate Left Rotate Right Reset PDF / Print Page PDF / Print All Pages DAVID R ELLSPERMANN CLERK & COMPTROLLER MARION CO DATE: 06/17/2014 09:48:43 AM FILE #: 2014057228 OR BK 6054 Pgs 1322-1323 REC FEES: \$18.50 INDEX FEES: \$0.00 Prepared by and return to: DDS: 921.90 MDS: 0 INT: 0 Lauren E. Merriam, III Attorney at Law Blanchard, Merriam, Adel & Kirkland, P.A. 4 Southeast Broadway Ocala, FL 34471 352-732-7218 File Number: 11680-25790 Will Call No .: [Space Above This Line For Recording Data] Warranty Deed This Warranty Deed made this 10th day of June, 2014 between Sue M. Mosley, an unmarried person whose post office address is 5184 SE 20th Street, Ocala, FL 34480, grantor, and Karla B. Wilson and Jody Allen Wilson, husband and wife whose post office address is P.O. Box 1377, Silver Springs, FL 34489-1377, 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 Marion County, Florida to-wit: Commencing at the SW comer of Lot 15, in Block 15, LAKE WEIR BEACH SECTION, according to Plat thereof recorded in Plat Book C, Pages 54 and 55, Public Records of Marion County, Florida; thence Northeasterly to the NW Comer of Lot 1 in said Block 15, thence Easterly with the North boundary line of said Lot 1 in said Block 15, 50 feet, thence Southwesterly in a straight line to the SE Comer of said Lot 15 in said Block 15, thence Westerly in a straight line to the Point of Beginning, EXCEPT a 10 foot alley between Lots 4 and 15 of Block 15 of said subdivision; also described as: All of Lot 15 and the West 1/3 of Lots 1, 2, 3 and 4, of Block 15, of LAKE WEIR BEACH SECTION, according to plat thereof recorded in Plat Book C, Pages 54 and 55, of the Public Records of Marion County, Florida, AND That portion of Lake Shore drive abutting Lot 15 on the Southerly boundary thereof, and lying North of the shore line of Lake Weir, including within the projection of the Southwesterly and Northeasterly line of said Lot 15. TOGETHER WITH a portion of Victoria Avenue and Lake Shore Drive of LAKE WEIR BEACH SECTION, being more particularly described as follows: Commence at the Northwest comer of Lot 15, Block 15 of Lake Weir Beach Section, as per plat thereof recorded in Plat Book C, Page 54, Public Records of Marion County, Florida, said point also being the Point of Beginning; thence S. 33°13'00" W., along the Southerly projection of the Easterly right-of-way line of Victoria Avenue (now known as SE 139th Court) a distance of 256.05 feet to a point on the ordinary high water line of Lake Weir; thence S. 87°15'28" W., along said ordinary high water line a distance of 37.065 feet to a point on the Southerly projection of the centerline of Victoria Avenue (Now known as SE 139 Court), thence N. 33°13'00" E., along the Southerly projection of the centerline of Victoria Avenue (now known as Southeast 139th Court) a distance of 281.59'; thence departing said centerline S. 49°36'41 E., 30.235 feet to the Point of Beginning. Parcel Identification Number: 4855-015-015 SUBJECT TO: 1. Taxes and assessments for the year 2014 and subsequent years, which are not yet due and payable. 2. All matters appearing on the Plat of Lake Weir Beach Section, as recorded in Plat Book C, Page(s) 54 and 55, Public Records of Marion County, Florida, provided this does not reimpose any The land described herein is not the homestead of the grantor(s), and neither the grantor(s) nor the grantor(s) spouse, nor anyone for whose support the grantor(s) is responsible, resides on or adjacent 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

