

HERNANDO COUNTY DEPARTMENT OF
DEVELOPMENTAL SERVICES
VARIANCE APPLICATION

OFFICE USE ONLY
DATE REC'D

FILE NO. V-23-49
1471859

This application must be completed and returned, with all exhibits and other items listed on page 1 of the instruction sheet, to this office before consideration for the request is reviewed and a determination made. Bear in mind that the variance request must be justified and the mere filing of the application or appearance at a public hearing, if needed, does not assure approval of said application. If a public hearing is necessary, the applicant or representative is required to appear in person at the hearing.

Applicant Name: ARC Florida Homes Date: 8/9/23

Mailing Address: 9000 GlenLakes Blvd. Weeki Wachee FL 34613

Phone No. 352-597-9000 Fax: _____

E-Mail: glenlakesarchohomes@gmail.com

Representative Name (if applicable): _____

Mailing Address: _____

Phone No. _____ Fax: _____

E-Mail: _____

Address of Property: 9319 Gentle Ben Ct. Weeki Wachee FL 34613

Legal Description: Lot 14, GlenLakes, Phase One, Unit 4E

Key No.: 1532791 Zoning District: Residential (PDP)

Homeowners Association Yes ☒ No _____ If yes, name of HOA GlenLakes HOA

Contact Name: James W. Rappaport

Contact Address: 9000 GlenLakes Blvd. City: Weeki Wachee State FL Zip 34613

Variance being requested: Reduce Setback at rear of property from 15' to 9.4'
(brief description of variance, i.e. reduce setback, increase bldg. height, etc.)

Briefly state hardship justifying granting of the variance: Some conflict proposed home on the lot.
(see hardship criteria listed on page 4. Give full explanation in written narrative, see No. 7 of instruction sheet)

Signature of applicant or representative: [Signature]

Lot 14

OWNER AFFIDAVIT

I, Milvian LLC, HEREBY STATE AND AFFIRM THAT:

- ☐ I am the owner of the property and am making this application OR
- ☒ I am the owner of the property and am authorizing the entity below to submit an application on the described property. The entity shall complete the affidavit below.

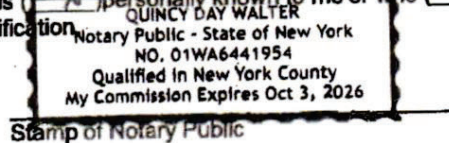
I have read the instructions for filing this application. All answers to the questions in said application, all sketches and data attached to and made part of this application are honest and true to the best of my knowledge and belief and are a matter of public record.

[Signature]
Signature of property owner

STATE OF ~~FLORIDA~~ New York
COUNTY OF ~~HERNANDO~~ New York

The foregoing instrument was acknowledged before me this 17 day of August, 2023
by Geoffrey Kristof, who is () personally known to me or who () has produced
as identification

[Signature]
Signature of Notary Public



AGENT/REPRESENTATIVE AFFIDAVIT

I, ARC Florida Homes, HEREBY STATE AND AFFIRM THAT:

- ☒ I am the legal representative of the owner or lessee of the property described, which is the subject matter of the application. I have been authorized by the owner identified above to proceed with this application.

I have read the instructions for filing this application. All answers to the questions in said application, all sketches and data attached to and made part of this application are honest and true to the best of my knowledge and belief and are a matter of public record.

[Signature]
Signature of representative

STATE OF FLORIDA
COUNTY OF ~~HERNANDO~~

The foregoing instrument was acknowledged before me this 23 day of August, 2023
by Reem Hassan mang, who is () personally known to me or who () has produced
as identification.

[Signature]
Signature of Notary Public



VARIANCE INFORMATION

A variance is a request to deviate from the strict application of the provisions of the zoning ordinance in order to proceed with a proposed development. Upon submittal of a completed application, the administrative official shall review all variances based on the criteria listed below. **Please check the criteria that applies to your request:**



Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.



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



The requested variance will not be detrimental to the development pattern in the neighborhood.



The requested variance will enable the petitioner to avoid building in the flood plain.



The requested variance will enable the petitioner to protect one or more specimen trees.



The requested variance is the result of a development plan proposing a more efficient and safe design through an access management plan approved by the development review committee.



The requested variance is for a front yard corner lot and will not have any adverse impact on the established development pattern of the adjacent lots.



The requested variance is for an addition for a building with an existing portion already encroaching into the yard and will not extend past a line established by the existing encroachment running parallel to the lot line.



The requested variance will further the reconstruction, rehabilitation, or restoration of structures listed in or classified as contributing to a district listed in the National Register of Historic Places, the Local Register of Historic Places, or the State Inventory of Historic Places.

The administrative official shall, following review of the request, issue a notice of intent, for either the approval or the denial of the variance.

(a) If the notice of intent is to approve the variance, a mailing shall be issued to the property owners within five hundred (500) feet of the property under consideration for the variance. This notice shall indicate that it is the administrative official's intent to approve the requested variance fifteen (15) calendar days after the date of the mailing if no appeal is filed.

(b) If no appeal is filed within fifteen (15) calendar days objecting to the administrative official's decision to approve the variance, the decision shall stand. If an appeal is filed by 4:30 pm on the fifteenth day, the administrative official shall schedule a public hearing for the governing body to hear the application for the variance.

(c) If the administrative official's intent is to deny the requested variance, the administrative official shall send notification letters to the applicant and the property owners within five hundred (250) feet of the property under consideration for the variance, indicating the administrative official's intent to deny the variance.

(d) If no appeal is filed within fifteen (15) calendar days objecting to the administrative official's decision to deny the variance, the decision shall stand. If an appeal is filed by 4:30 pm on the fifteenth day, the administrative official shall schedule a public hearing for the governing body (board of county commissioners) to hear the application for the variance.

If a public hearing before the Board of County Commissioners is scheduled, the Zoning Division shall, after setting a date for the Public Hearing:

(a) Prepare the required legal notice for publication in the local newspaper.

(b) Mail a notice of the upcoming public hearing to all owners of property within 250 feet of the boundaries of the subject property.

(c) Petitioner or representative will pick up the required signage for posting of the subject property.

1. The petitioner shall post the property with sign provided by the Zoning Division at least fifteen days prior to the scheduled public hearing.

2. After posting the sign, the petitioner will sign an affidavit certifying he has met the requirements of Item 1. above.

3. The sign posting affidavit shall be delivered to the Zoning Division at least seven days prior to the scheduled public hearing date.

4. The sign is to remain posted on the property until after the scheduled public hearing.

The Board of County Commissioners (BCC) has final authority for granting or denying requests for variances. The BCC may specify conditions for the granting of a variance.

A dimensional variance runs with the land: A dimensional variance applies to the property for which it is granted, and not to the individual who applies for it. A dimensional variance is transferable to any future owner of the land, but it cannot be transferred by the applicant to a different site.

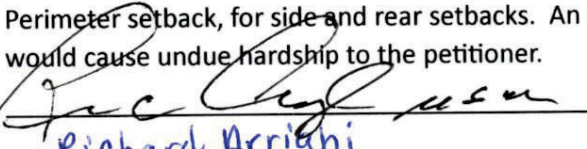
A variance shall not be granted to allow a use not otherwise permitted in the zoning district.

An aggrieved party may appeal a final administrative order of the governing body to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the governing body. An appeal shall be filed within thirty (30) days of the execution of the order to be appealed.

August 7, 2023

To whom it may concern, we are requesting a variance on the described property:

Lot 14, 9319 Gentle Ben Ct, Weeki Wachee FL 34613 to request the rear setback to be reduced from 15' to 9.4'. We are asking for relief from Ordinance Appendix A-Zoning, Article VIII Section 1B. Perimeter setback, for side and rear setbacks. An enforcement of the provision of the ordinance would cause undue hardship to the petitioner.

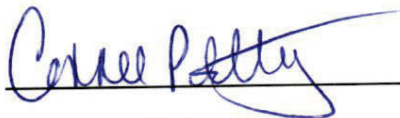

Richard Arrighi

State of FL

County of Hernando

The foregoing instrument was acknowledged before me this 23rd day of August, 2023

By Richard Arrighi who is personally known to me.



Signature of Notary



CONNIE PETTY
Commission # GG 956854
Expires June 9, 2024
Bonded Thru Budget Notary Services

Stamp

AFFECTED HOMEOWNERS ASSOCIATION (HOA) CONTACT AFFIDAVIT

Instructions

1. All information must be completed on this affidavit prior to being signed in the presence of a Notary Public.
2. This affidavit must be returned to the Hernando County Planning Department in order to deem the application complete. No hearing shall be scheduled until such time the affidavit has been returned.

Application Name: ARC Florida Homes

File Number: _____

☒ I met with the affected HOA on this the 9th day of August, 20 23

Before me, the undersigned authority, personally appeared James W. Rappaport
(Print or Type Name)

who, being duly sworn depose and says that the affected HOA named below has been contacted pursuant to Board of County Commissioner's Policy No. 37-01

HOA Name: Glen Lakes Homeowners Association

Contact Person: James W. Rappaport

(Signature) [Signature]

☐ There is no HOA to be contacted, pursuant to the Board of County Commissioner's Policy No. 37-01

(Signature) _____

State of Florida

County of Hernando

NOTARY PUBLIC
SEAL OF OFFICE:

On this the 9th day of August, 20 23 before me,
the undersigned Notary Public of the State of Florida, personally appeared

James W. Rappaport
(Name(s) of the Individual(s) who appeared before notary)

and whose name(s) is/are subscribed to the within instrument, and he/she/they
acknowledge that he/she/they executed it.

WITNESS my hand and official seal.

Connie Petty
NOTARY PUBLIC OF FLORIDA



CONNIE PETTY
Commission # GG 956854
Expires June 9, 2024

(Name of Notary Public: Print, Stamp or Type as Commissioned Thru Budgetary Services)

~ Personally known to me, or

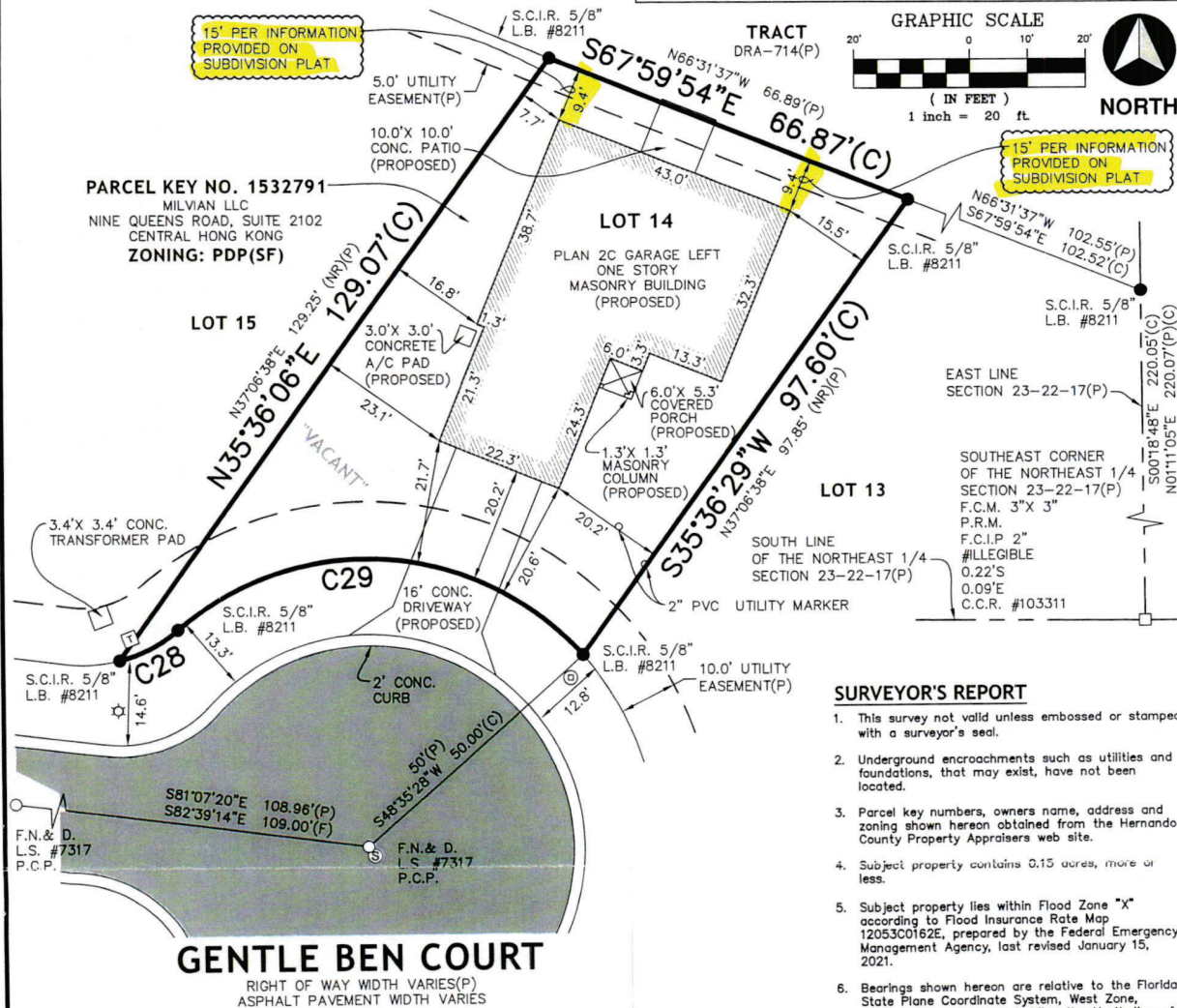
~ Produced Identification: _____
(Type of Identification Produced)

~ DID take an oath, or ~ DID NOT take an oath.

#

BOUNDARY SURVEY

SECTION 23, TOWNSHIP 22 SOUTH, RANGE 17 EAST
HERNANDO COUNTY, FLORIDA



SURVEYOR'S REPORT

1. This survey not valid unless embossed or stamped with a surveyor's seal.
2. Underground encroachments such as utilities and foundations, that may exist, have not been located.
3. Parcel key numbers, owners name, address and zoning shown hereon obtained from the Hernando County Property Appraisers web site.
4. Subject property contains 0.15 acres, more or less.
5. Subject property lies within Flood Zone "X" according to Flood Insurance Rate Map 12053C0162E, prepared by the Federal Emergency Management Agency, last revised January 15, 2021.
6. Bearings shown hereon are relative to the Florida State Plane Coordinate System, West Zone, 1983-2011 adjustment, holding the North line of Lot 14 as being S. 67 degrees 59'54"E.
7. Legal description shown hereon prepared by the undersigned surveyor.
8. This survey was prepared without the benefit of a Title Commitment, Title Opinion or Ownership and Encumbrance Report. Therefore there may be easements, rights of way or other encumbrances that are not shown on this survey that may be found in the Public Records of Hernando County, Florida.

LEGAL DESCRIPTION

Lot 14, GLEN LAKES PHASE ONE UNIT "4-E", as recorded in Plat Book 34 Page 21 of the Public Records of Hernando County, Florida.

LEGEND

- FCM = FOUND CONCRETE MONUMENT
- FN&D = FOUND NAIL AND DISK
- SCIR = SET CAPPED IRON ROD
- PCP = PERMANENT CONTROL POINT
- PRM = PERMANENT REFERENCE MONUMENT
- CCR = CERTIFIED CORNER RECORD
- LB = LICENSED BUSINESS
- LS = LICENSED SURVEYOR
- PB = PLAT BOOK
- PG = PAGE
- (P) = PLAT
- (F) = FIELD MEASUREMENT
- (C) = CALCULATED
- (D) = NOT RADIAL
- A/C = AIR CONDITIONER
- CONC = CONCRETE
- ⊗ = GATE VALVE
- ⊙ = SANITARY SEWER CLEAN-OUT
- ⊙ = SANITARY SEWER MANHOLE
- ⊙ = TELEPHONE RISER/BOX/CABINET
- ⊙ = IRRIGATION BOX
- ☆ = LIGHT POLE

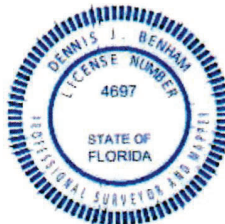
CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	CHORD LENGTH	CHORD BEARING	ARC LENGTH
C29(C)	50.00'	89°26'05"	70.36'	N86°07'34"W	78.05'
C29(P)	50.00'	89°26'42"	70.37'	N84°35'51"W	78.06'
C28(C)	25.00'	26°23'40"	11.42'	S62°21'13"W	11.52'
C28(P)	25.00'	26°22'56"	11.41'	N63°53'05"E	11.51'

BUILDING SETBACKS

FRONT = 20'
SIDE = 7.5'/0'
REAR = 15'

BUILDING PLAN

BUILDING PLAN 2 ELEV C GARAGE LEFT



SURVEYOR'S CERTIFICATE

I, the undersigned Professional Surveyor and Mapper, hereby certify that this Boundary Survey was prepared under my direct supervision, that to the best of my knowledge, information and belief is a true and accurate representation of the land shown and described, and that it meets the Standards of Practice for Land Surveying in the State of Florida Chapter 53-17, Florida Administrative Code.

07/31/2023
Dennis J. Benham
Professional Surveyor and Mapper No. 4697
State of Florida

PREPARED BY
ACCURATE SURVEY OF FLORIDA, INC.
4206 NATIONAL GUARD DRIVE
PLANT CITY, FLORIDA 33563
TEL: (813) 645-2300
LICENSE BUSINESS NO. 8211

PREPARED FOR
MILVIAN LLC, ARC FLORIDA HOMES
10485 GLEN LAKES BOULEVARD
WEEKI WACHEE, FLORIDA 34613-4299

SHEET NAME
LOT 14, GENTLE BEN COURT
GLEN LAKES PHASE ONE UNIT "4-E"
HERNANDO COUNTY, FLORIDA

CREW CHIEF: N/A
PROJECT # GLEN LAKES
DRAWN BY: T.L.H.
DATE: 07/31/2023
CHECKED BY: D.J.B.
SHEET 1 OF 1
REVISION DATE: -

This instrument prepared by

Martin A. Schwartz, Esq.
Bilzin Sumberg Baena
Price & Axelrod LLP
1450 Brickell Avenue
Suite 2300
Miami, Florida 33131

(For Recorder's Use Only)

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, dated as of 20 August, 2021, between **ARC GlenLakes LLC**, a Florida limited liability company with an address at 10485 Glen Lakes Blvd, Weeki Wachee, Florida 34613 ("Grantor") and **Milvian LLC**, a Delaware limited liability company with an address at c/o Asia Pacific Land Ltd., Nine Queen's Road, Suite 2102, Central Hong Kong ("Grantee").

Grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration paid by Grantee, receipt of which is acknowledged, grants, bargains, sells and conveys to Grantee the land situate in Hernando County, Florida, more particularly described on Exhibit "A" ("Property").

TOGETHER WITH (i) any and all structures and improvements on the Property; (ii) all right, title, and interest, if any, of Grantor in any land lying in the bed of any street or highway, opened or proposed, in front of or adjoining the Property; and (iii) all easements, rights of way, privileges, licenses, appurtenances and other rights and benefits belonging to, running with the owner of, or in any way related to the Property.

TO HAVE AND TO HOLD, the same in fee simple forever.

SUBJECT TO: real estate taxes for the current and subsequent years, zoning and other restrictions, regulations and prohibitions imposed by governmental authorities.

AND Grantor covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; that Grantor warrants the title to the Property and will defend the same against the lawful claims of others claiming by, through or under Grantor, except for claims arising from the Permitted Exceptions.

This Deed is not a conveyance of all or substantially all of the assets of Grantor.

This is a conveyance made in the regular course of business of Grantor.

Grantor has executed this Deed as of the date indicated above.

Signed, sealed and delivered
in the presence of:

Signature: [Signature]

Print Name: Jacob DeGrazia

ARC GLENLAKES LLC,
a Florida limited liability company

Signature: [Signature]

Print Name: Nancy Diaz

By: SEABOARD DEVELOPMENT LLC
a Florida limited liability company
Its: Manager

By: [Signature]

By: Rick Arrighi
Its: Managing Member

[Affix Corporate Seal]

STATE OF FLORIDA)
COUNTY OF LAKE) SS:

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 7th day of August, 2021, by Rick Arrighi, as Managing Member of Seaboard Development LLC, a Florida limited liability company, Manager of ARC GlenLakes LLC, a Florida limited liability company, on behalf of said company. He is personally known to me or has produced a driver's license as identification.

Sign Name: [Signature]

Print Name: Jacob DeGrazia

NOTARY PUBLIC

My Commission Expires:

08-31-2024

Serial No. (none, if blank): HH050845

[NOTARY SEAL]



Jacob DeGrazia
Notary Public
State of Florida
Comm# HH030843
Expires 8/31/2024

EXHIBIT "A"

LEGAL DESCRIPTION

Parcel 12: Lots 613, 614 and 617, of GLEN LAKES PHASE ONE - UNIT 2D, according to plat thereof recorded in Plat Book 33, Pages 12 and 13, of the public records of Hernando County, Florida.

Parcel 12A: Lots 12, 13 and 14 of GLEN LAKES PHASE TWO UNIT "U", according to plat thereof recorded in Plat Book 33, Pages 43 and 44, of the public records of Hernando County, Florida.

Parcel 13: Lots 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 23, 27, 28 and 29, of GLEN LAKES PHASE ONE UNIT "4-E", according to plat thereof recorded in Plat Book 34, Pages 21 and 22, of the public records of Hernando County, Florida.

Parcel 15: Lot 33, of GLEN LAKES PHASE ONE - UNIT 5B, according to plat thereof recorded in Plat Book 29, Pages 24 and 25, of the public records of Hernando County, Florida.

Parcel 15A: Lot 1 of GLEN LAKES PHASE TWO UNIT "T", according to plat thereof recorded in Plat Book 33, Pages 41 and 42, of the public records of Hernando County, Florida.

Parcel 16: Lots 954, 955, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 979, 981, 982, 984, 985, 987, 988, 989 and 990, of GLEN LAKES PHASE ONE UNIT "4-F", according to plat thereof recorded in Plat Book 38, Pages 1 through 3, inclusive, of the public records of Hernando County, Florida.

Parcel 16A: Lots 980, 991, 992, 993, 995, 996, 997, 998, 999, 1000, 1001, 1006, 1007, of GLEN LAKES PHASE ONE UNIT "4-F", according to plat thereof recorded in Plat Book 38, Pages 1 through 3, inclusive, of the public records of Hernando County, Florida.