

2015-V-039

Project Name: n/a

**Applicant and/or
Property Owner:** Blue Angel Ice Company, LLC

Representative: Elise Drinkard

Request: Variance to reduce the front setback
from 50 feet to 15 feet to
accommodate an ice machine

(LDC 6.05.15.I.2)

Zoning District: HCD (Highway Commercial
Development)

Variance 2015-V-039

General Information:

Applicant: Blue Angel Ice Company, LLC

Representative: Elise Drinkard

Project Location: 7207 Hwy. 90, Milton

Parcel Number: 02-1N-28-0000-01202-0000 and
02-1N-28-0000-01203-0000

Request: Variance to reduce the front setback from 50 feet to 15 feet to accommodate an ice machine.

Current Conditions: Existing commercial businesses

Land Development Code Criteria:

6.05.15 HCD - Highway Commercial Development District

- I. Minimum Required Setbacks:
2. Front Setback: There shall be a front building setback from any right-of-way of not less than fifty (50) feet for all uses except as provided in Section 2.10.02.

2.04.00 SPECIAL EXCEPTIONS, VARIANCES AND CONDITIONAL USES:

The BOA shall have the following duties and powers:

- B. No variances shall be authorized under this provision unless the Board finds that all of the following conditions exist:
 1. The special circumstances or conditions applying to the building or land in question are peculiar to such property and do not apply generally to other land or buildings in the vicinity.

Is this criterion met? **No**

Staff Analysis: Staff has determined that there are no special circumstances regarding the land or building in question, and that this parcel does not possess unique qualities with respect to size or exceptional shallowness that are peculiar to such property and not to other lots within the area.

The applicant is seeking relief from the section of the Ordinance which regulates the placement of an ice machine on the parcel.

2. The variance is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the applicant.

Is this criterion met? No

Staff Analysis: This Variance request is not necessary for the preservation and enjoyment of a substantial property right and is merely a convenience to the property owner.

3. The authorization of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of Santa Rosa County.

Is this criterion met? Unknown

Staff Analysis: It is not anticipated that the authorization of this Variance will impair an adequate supply of light and air to adjacent property, increase congestion to public streets, or impair the public safety.

It is unknown if the authorization of this Variance will unreasonably diminish or impair established property values within the surrounding area.

4. The variance will not impair the intent of the zoning ordinance or zoning district map.

Is this criterion met? No

Staff Analysis: If authorized, a Variance without special circumstances would impair the intent of the zoning ordinance.

5. To permit the reduction of parking or loading requirements whenever the character or use of a building is such as to render unnecessary the full provision of parking or loading facilities as specified herein or whenever the strict enforcement of such provision would impose an unreasonable hardship as contrasted with merely granting an advantage or convenience.

Is this criterion met? N/A

Staff Analysis: The proposed request does not apply to the reduction of parking or loading requirements nor does it apply to the access

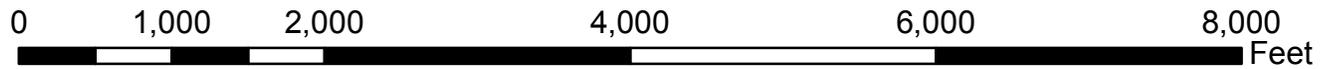
management standards which would affect the safety or operation of the roadway.

If the Variance is approved, are there any potential building code issues?

The project will need to be reviewed and approved and obtain building permits.

2015-V-039

Location

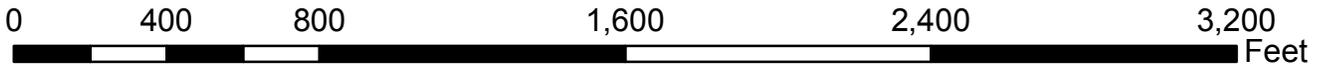
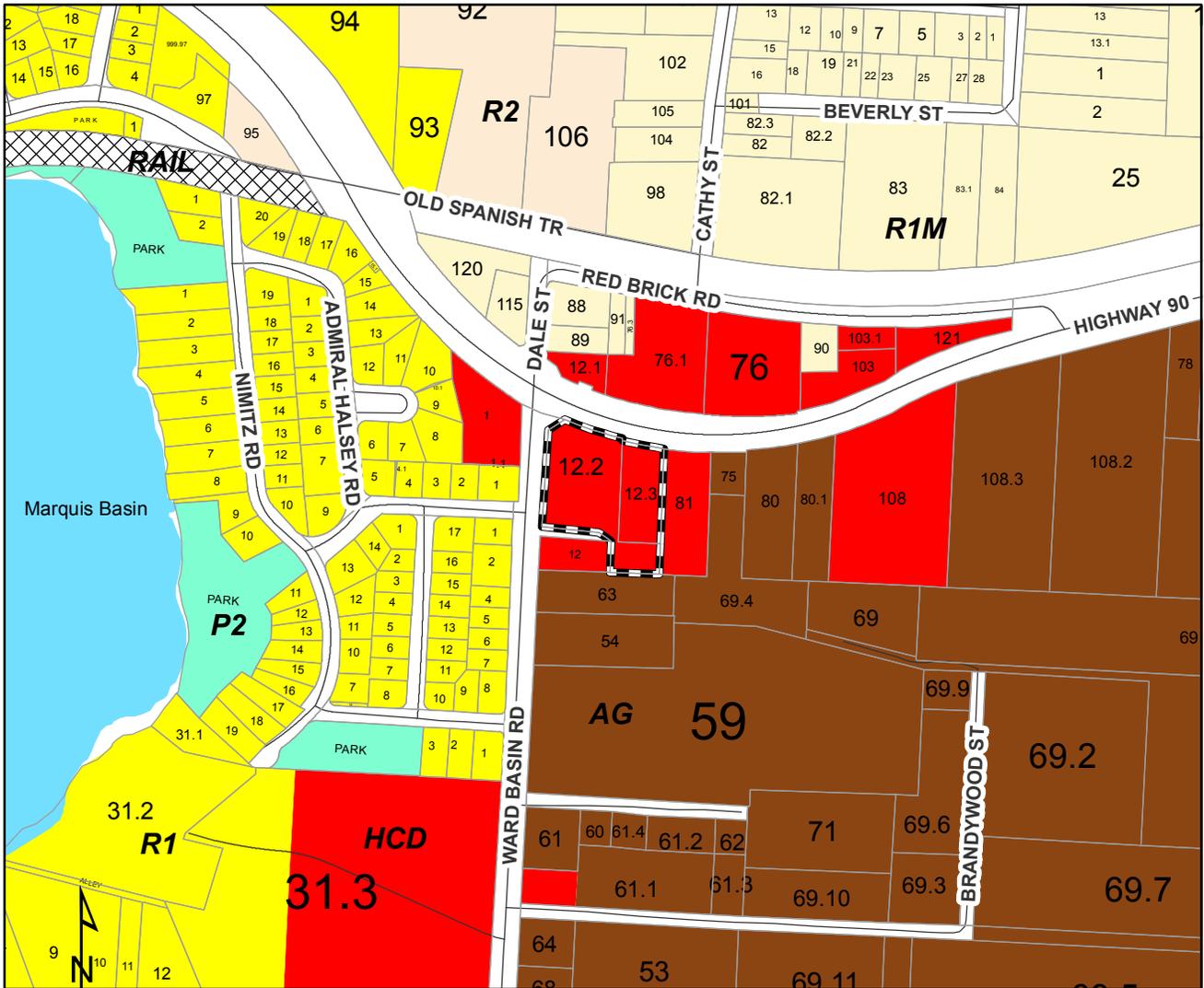


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2015-V-039 Zoning



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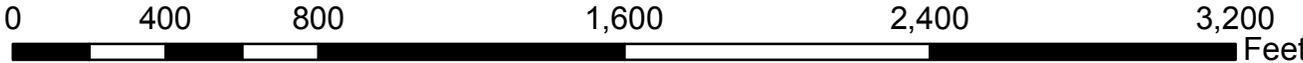
Pending ZB/May	Agriculture/Rural Residential (AG)	General Industrial (M-2)	Single Family Residential (R-1A)	Hotel - Navarre Beach (HNB)
AG within an Accident Potential Zone (AG-APZ)	M2 within an Accident Potential Zone (M2-APZ)	Planned Industrial Development (PID)	Mixed Residential Subdivision (R-1M)	Navarre Beach - High Density (NB-HD)
Agriculture (AG2)	Neighborhood Commercial (NC)	NC-APZ	R1M within an Accident Potential Zone (R1M-APZ)	Navarre Beach - Medium Density (NB-MD)
AG2 within an Accident Potential Zone (AG2-APZ)	NC within the Heart of Navarre (NC-HON)	NC within the Heart of Navarre (NC-HON)	R1M within the Heart of Navarre (R1M-HON)	Navarre Beach - Planned Mixed Use Development (NB-PMUD)
Marina (C-1M)	Passive Park (P-1)	P1 within the Heart of Navarre (P1-HON)	Medium Density Residential (R-2)	Navarre Beach - Conservation/Recreation (NB-CON/REC)
Marina and Yacht Club (C-2M)	Active Park (P-2)	P2 within an Accident Potential Zone (P2-APZ)	R2 within an Accident Potential Zone (R2-APZ)	Navarre Beach - Single Family (NB-SF)
Highway Commercial Development (HCD)	P2 within the Heart of Navarre (P2-HON)	P2 within the Heart of Navarre (P2-HON)	R2 within the Heart of Navarre (R2-HON)	Navarre Beach - Medium High Density (NB-MHD)
HCD within an Accident Potential Zone (HCD-APZ)	Planned Unit Development (PUD)	Medium Density Mixed Residential (R-2M)	R2M within an Accident Potential Zone (R2M-APZ)	Navarre Beach - Utilities (NB-U)
HCD within the Heart of Navarre (HCD-HON)	Single Family Residential (R-1)	R2M within an Accident Potential Zone (R2M-HON)	State	State within an Accident Potential Zone (STATE-APZ)
HCD with the Navarre Town Center (HCD-NTC)	R1 within an Accident Potential Zone (R1-APZ)	Medium High Density Residential (R-3)	RAIL	Right of Ways (ROAD)
Historical/Single Family (HR-1)	R1 within the Heart of Navarre (R1-HON)	Rural Residential Single Family (RR-1)	Military (MIL)	Water
Historical/Multiple Family (HR-2)	RR1 within an Accident Potential Zone (RR1-APZ)	RR1 within an Accident Potential Zone (RR1-APZ)	Municipal Boundaries (CITY)	
Restricted Industrial (M-1)	RR1 within the Heart of Navarre (RR1-HON)	Navarre Town Center 1 (TC1)		
M1 within an Accident Potential Zone (M1-APZ)	RR1 within the Heart of Navarre (RR1-HON)	Navarre Town Center 2 (TC2)		
M1 within the Heart of Navarre (M1-HON)	Navarre Beach - Commercial (NB-C)			

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2015-V-039

Aerial

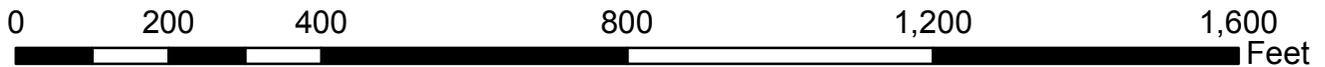


Legend

 PendingZBMay

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2015-V-039
Close Up Aerial



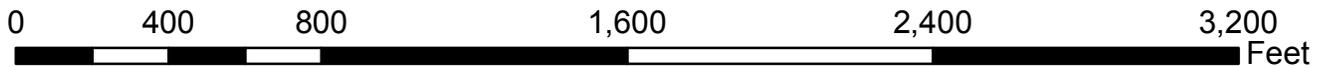
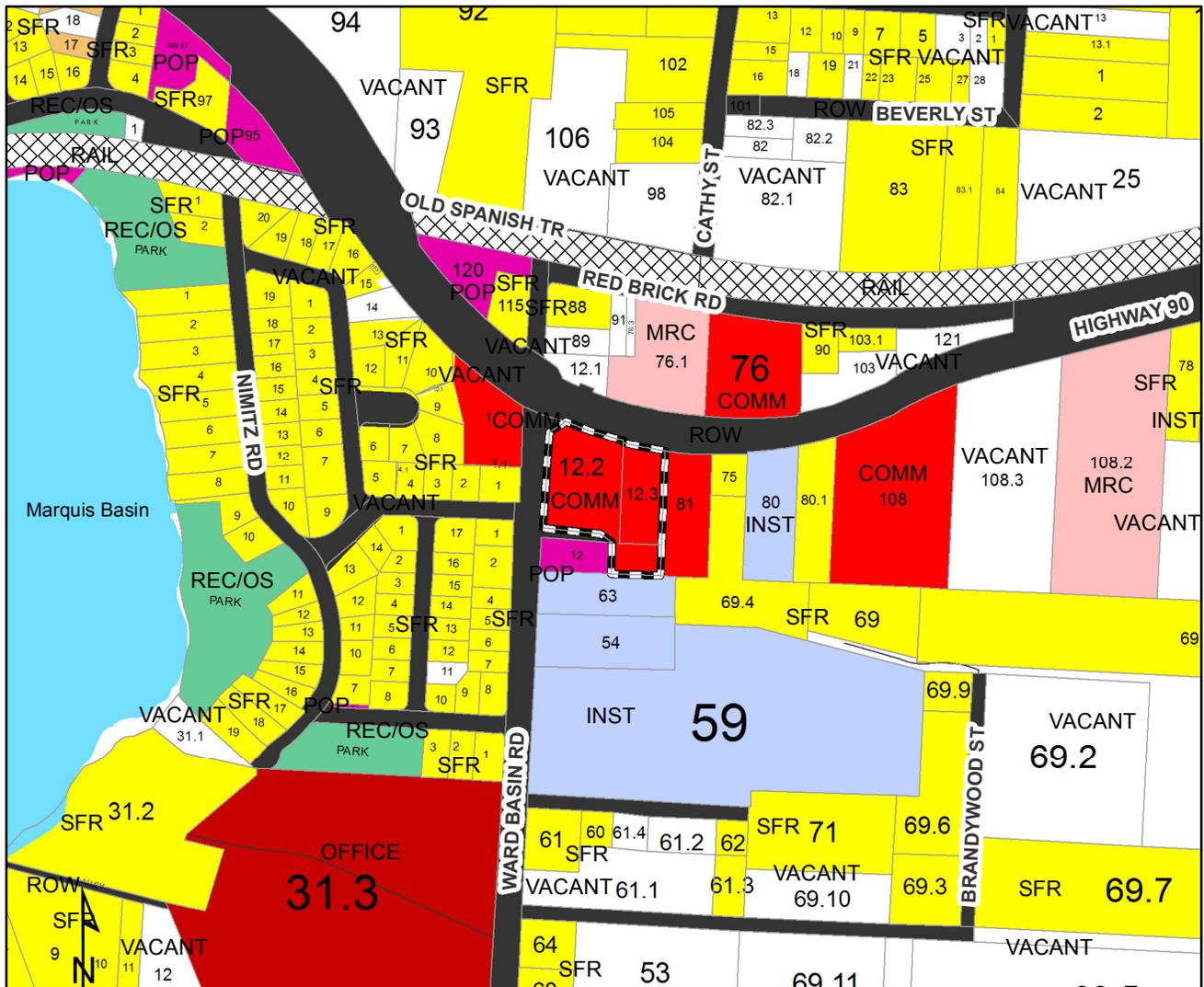
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 PendingZBMay

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2015-V-039 Existing Land Use



Legend



Pending ZB May

Existing Land Use

CATEGORY

- Agriculture
- Agriculture, Homestead
- Condo's/Townhomes
- City
- Commercial
- Industrial

- Institutional
- Multi-Family Residential <5
- Multi-Family Residential >5
- Military
- Mixed Residential/Commercial
- Office
- Public Owned Property
- Recreation/Commercial

- Recreation/Open Space
- Right of Way
- Single Family Residential
- Silviculture
- Uncategorized
- Utilities
- Vacant
- Water

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Santa Rosa County Development Services



Beckie Cato, AICP
Planning and Zoning Director

Santa Rosa County Public Service Complex
6051 Old Bagdad Highway, Suite 202 Milton, Florida 32583
www.santarosa.fl.gov
Office: (850) 981-7000

Rhonda C. Royals
Building Official

Variance Application

* Application Instructions begin on Page 5

** For Official Use Only **	
Application No. <u>2015-V-039</u>	Date Received: <u>4-1-15</u>
Review Fee: <u>235 + 16.11</u>	Receipt No.: _____
Zoning District: <u>HCO</u>	FLUM Designation: <u>Comm</u>

± 2.506

VO # 2

Property Owner Property Owner Name: Circle K Stores

Address: c/o Allen W. Lindsay, Jr.

P.O. Box 586 Milton, FL 32572

Phone: 850-454-1136 Fax: _____

Email: rhorne@circlek.com

Applicant Check here and skip this section if the applicant is the Property Owner. Otherwise, complete this section and provide authorization from the Property Owner giving the Applicant the authority to pursue variance approvals.

Company: Blue Angel Ice Company, LLC

Contact Name: Elise Drinkard/Bob Drinkard/Downing Gray

Address: 318 S. Florida Blanca

Pensacola, FL 32502

Phone: 850-439-3053 Fax: 850-438-0630

Email: elise@adgrayco.com

Property Information

Parcel ID Number(s): 02-1N-28-0000-01203-0600 & 02-1N-28-0000-01202-0000

-OR-

Street Address of property for which the Variance is requested:

7207 Highway 90, Milton, FL

Variance Request

What is the present use of the property? Convenience store, gas station, car wash

Please describe the requested variance, including exact dimensions and purpose of the variance.
We have received permission from the landowner to place a free standing ice vending machine in an area of the parking lot in front of the car wash. The ice machine is approximately 8' wide and 24' long.

Please describe the special circumstances or conditions that apply to the building or land in questions which necessitate the variance request.
The area of the parking lot where the machine is to be located is approximately 15 -20 feet from the property line and the setback is 50'. We are requesting a variance to allow installation of the machine.

Are the special conditions or circumstances described above the result of a proposed or prior action of the applicant? Yes _____ No X

Pleas explain why the literal enforcement of the provisions of the Land Development Code will result in unnecessary hardship.

Variance Provisions And Criteria

Do you currently have a Code Enforcement Violation which pertains to this Variance request?

Yes No

I understand that all decisions made by the Zoning Board of Adjustment are subject to appeal and that their decision does not become effective until the appeal time has successfully passed.

Yes No

I understand that approval by the Zoning Board of Adjustments does not authorize construction and/or land clearing to occur on this site and that additional approvals and Building Permits may be required.

Yes No

I understand that determinations by the Zoning Board of Adjustment are valid for 36 months.

Yes No

Certification and Authorization

By my signature hereto, I do hereby certify that the information contained in this application and the required supplemental materials is true and correct, and understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application. I do hereby authorize County staff to enter upon my property at any reasonable time for purposes of site inspection.

Elise Drinkard

Applicant Name (Type or Print)

Elise Drinkard

Applicant Signature

Project Coordinator

Title (if applicable)

4/1/15

Date

$\Delta=9^{\circ}06'37''$ (DESC & FDOT) $9^{\circ}06'31''$ (F)
 $L=174.10'$ (DESC & FDOT) $174.06'$ (F)
 $Ch=173.92'$ (DESC & FDOT) $173.88'$ (F)
 $Ch\ Brg=N\ 69^{\circ}59'55''\ W$ (DESC & FDOT), $N\ 69^{\circ}59'05''\ W$ (F)

$N\ 15^{\circ}26'46''\ E\ 6.56'$ (DESC &
 $N\ 15^{\circ}47'28''\ E\ 6.53'$ (F)
 LESS & EXCEPT
 FEET O.R. 1838, PG 124

PARCEL ONE

PARCEL TWO

**ONE STORY
 BLOCK BUILDING
 3236 SQUARE FEET**

**ONE STORY
 BLOCK BUILDING**

**BENCHMARK 15-01-28-2
 RAILROAD SPIKE IN WEST
 SIDE UTILITY POLE
 ELEVATION: 30.50**

$10^{\circ}\ E\ 160.54'$ (DESC, FOOT & F)

PARCEL 2 (TC)
 $S\ 89^{\circ}30'37''\ E\ 120.00'$
 $N\ 26^{\circ}22'55''\ W\ 120.00'$ $N\ 86^{\circ}34'50''\ W\ 120.00'$

SOUTHWEST CORNER
 OFFICIAL RECORDS
 BOOK 2365, PAGE 1557

SOUTH LINE OFFICIAL RECORDS
 BOOK 2365,
 PAGE 1557

