

**2015-V-040**

**Project Name:** n/a

**Applicant and/or  
Property Owner:** Aaron Nano

**Representative:** n/a

**Request 1:** Variance to reduce the north side setback from 30 feet to 5 feet to accommodate an outdoor pavilion.

**Request 2:** Variance to allow a 6 foot privacy fence in lieu of the required landscape buffer “C” along the north property line.

(LDC 6.05.15.I.3 & 7.01.05.G)

**Zoning District:** HCD (Highway Commercial Development)



**Variance 2015-V-040**

**General Information:**

**Applicant:** Aaron Nano

**Representative:** n/a

**Project Location:** 4233 Hwy 87 South, Holley

**Parcel Number:** 39-1S-27-0000-03607-0000

**Request 1:** Variance to reduce the north side setback from 30 feet to 5 feet to accommodate an outdoor pavilion.

**Request 2:** Variance to allow a privacy fence in lieu of the required landscape buffer “C” along the north property line.

**Current Conditions:** Existing commercial business

**Land Development Code Criteria:**

6.05.15 HCD - Highway Commercial Development District

- I. Minimum Required Setbacks:
- 3. Side Setback: Except as provided in Section 2.10.04, there shall be a five (5) foot side building setback for Commercial Uses (excluding multiple family dwellings, hotels, motels, guest houses, and other transient quarters) except in the following situations:
  - a) On any side of a lot or project parcel which abuts any residential use or zone, a side building setback of thirty (30) feet shall be provided.
- F. Table of Landscaped Buffer Requirements

<b>Abutting or Adjacent Use</b>					
<u>Proposed Use</u>	<u>High Impact</u>	<u>Medium Impact</u>	<u>Low Impact</u>	<u>Residential Class I</u>	<u>Residential Class II</u>
High Impact	None	None	B	D or E	D or E
Medium Impact	None	None	None	C or E	C or E
Low Impact	B	None	None	C or E	B or E

Residential Class I	D or E	C or E	C or E	None	A or E
Residential Class II	D or E	C or E	B or E	A or E	None

G. Landscaped Buffer Options

1. Use these specifications to select the desired landscaped buffer option for the building site. These buffer requirements are stated in terms of the width of the buffer yard in linear feet. To determine the total number of plants required, the length of each side of property requiring a buffer shall be divided by one hundred (100) and multiplied by the number of plants described below and the following illustration.

c. Landscaped Buffer Options Standard C Planting Requirements per 100'

	Width 35'	Width 30'	Width 25'	Width 20'
Canopy	4.8	5.4	6	6.6
Understory	2.4	2.7	3	3.3
Shrubs	19	22	24	28

**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 outdoor pavilion on the parcel and the landscape buffer requirements.**

**The landscape buffer “C” at 20 feet in width would require 9 canopy trees, 5 understory trees, and 35 shrubs along the north property line.**

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.

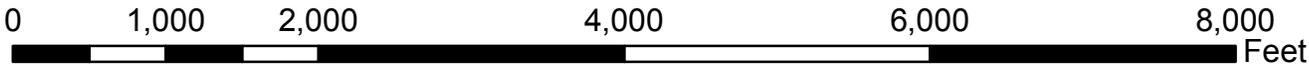
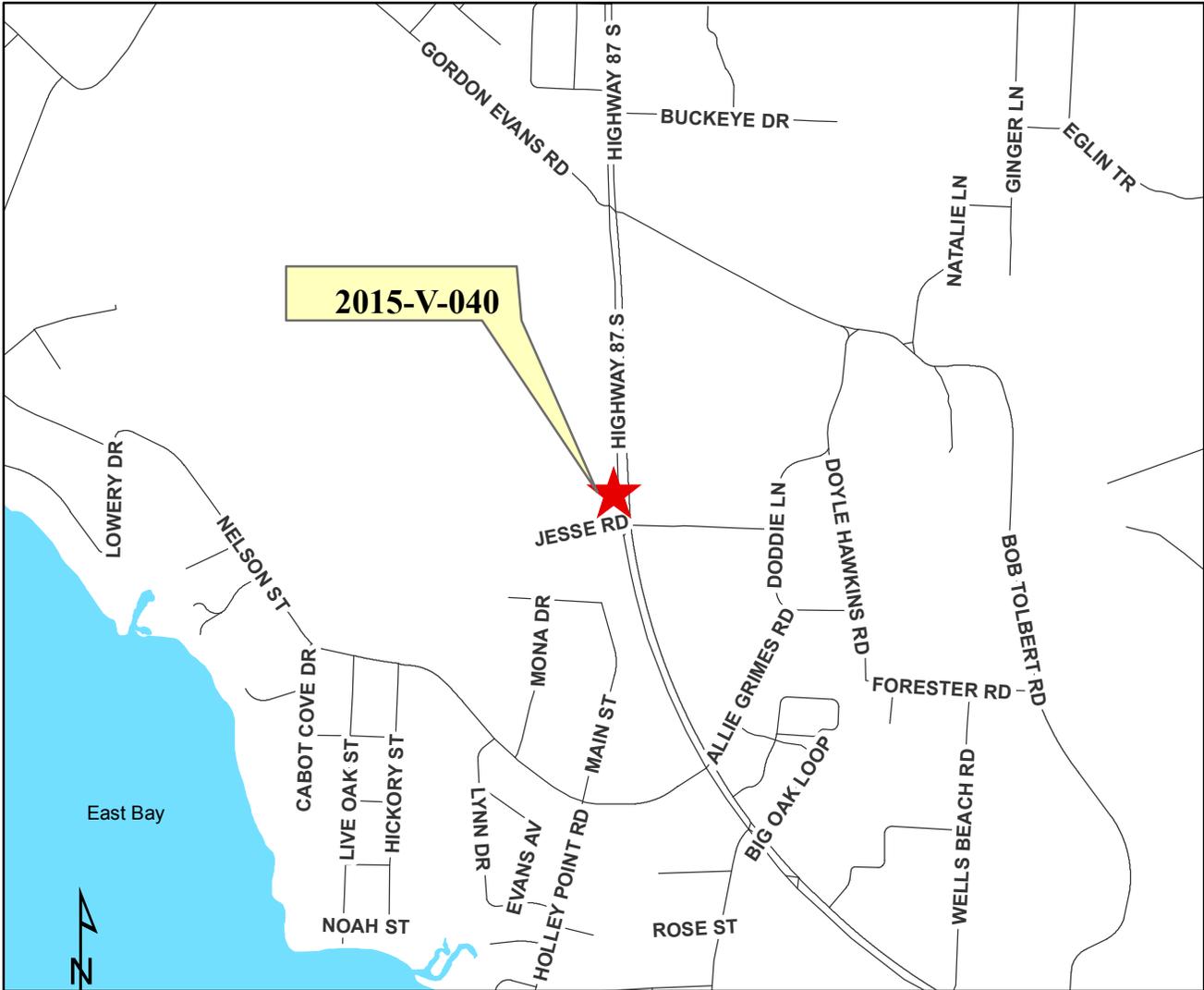
**Is this criterion met?            N/A**

**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.

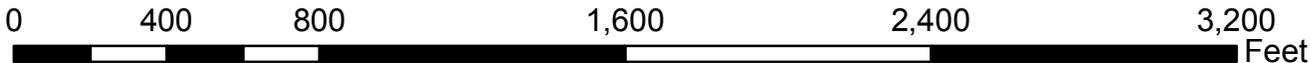
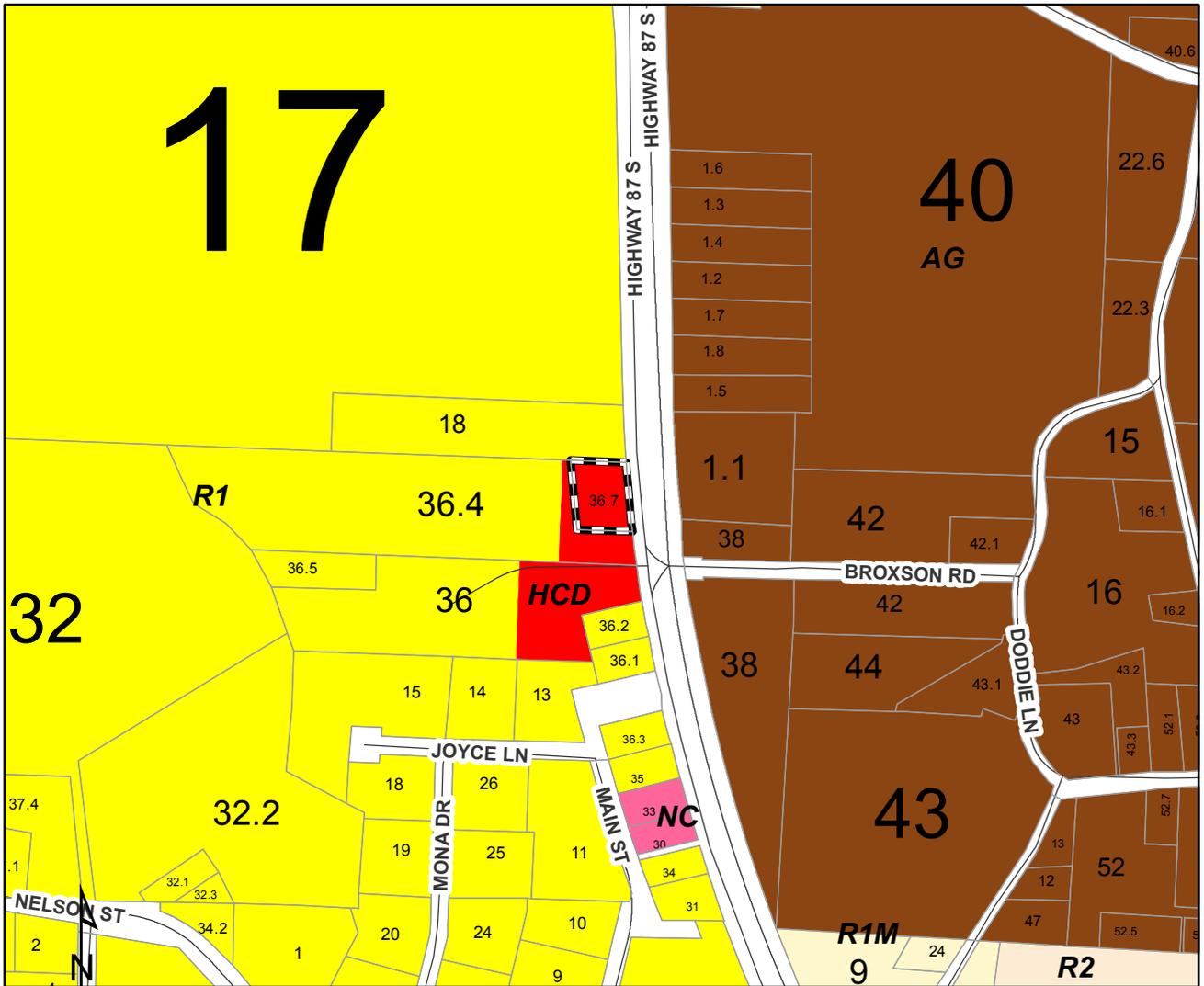
**2015-V-040**  
**Location**



**Legend**

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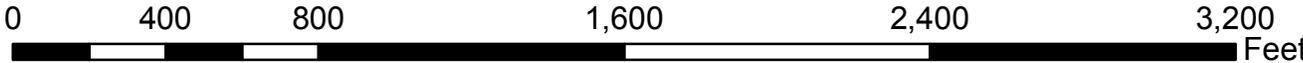
# 2015-V-040 Zoning



**Legend**

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

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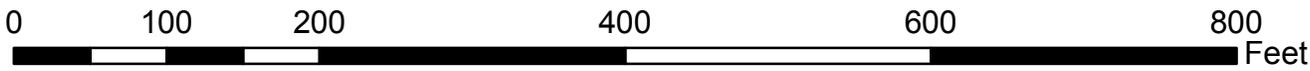
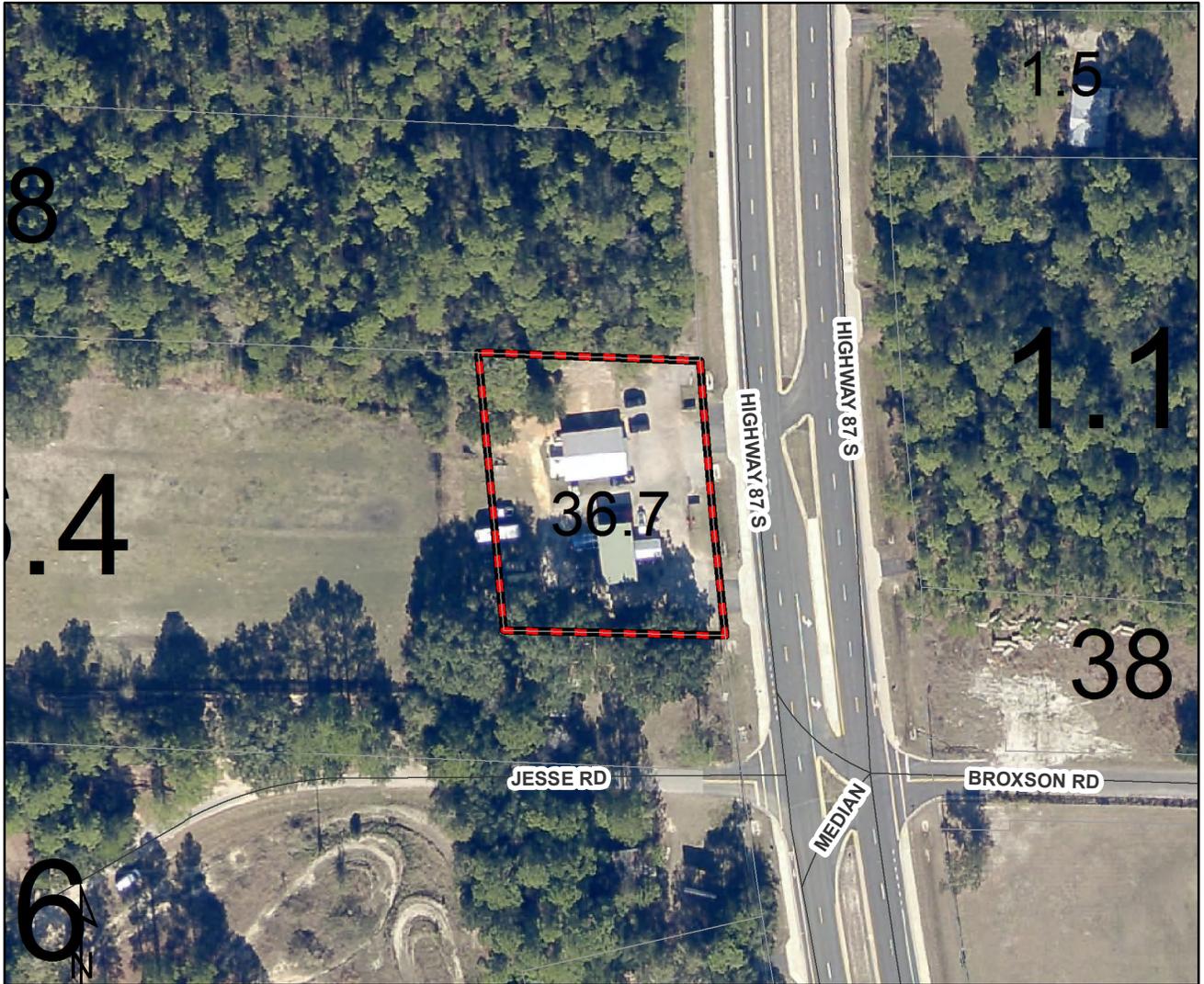


Legend

 PendingZBMay

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2015-V-040  
Close Up Aerial



Legend

 PendingZBMay

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# Santa Rosa County Development Services

APR 01 '15 PM 08:39



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](http://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 -040</u>	Date Received:	<u>4/1/15</u>
Review Fee:	<u>235 + 8.95</u>	Receipt No.:	<u>115,116</u>
Zoning District:	<u>HCD</u>	FLUM Designation:	<u>COM</u>

± 0.73

VD#4

**Property Owner** Property Owner Name: Stephen Mullins

Address: 134 Palmetto Avenue, Mary Esther, FL 32569

Phone: 850-582-8681 Fax: \_\_\_\_\_

Email: snillum62@yahoo.com

**Applicant Agent**  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: AARON NANO LLC.

Contact Name: AARON NANO

Address: 5111 COMMUNITY CIR.

MILTON FL, 32583

Phone: 850-313-4674 Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Property Information** Parcel ID Number(s): 391S270000036070000  
-OR-

Street Address of property for which the Variance is requested:

4233 Hwy 87 South, Navarre, FL 32560

SPORTS

**Variance Request**

What is the present use of the property? bar & motorcycle shop

Please describe the requested variance, including exact dimensions and purpose of the variance.

1. Reduce the north side bldg setback from 30 feet to 5 feet
2. Allow the privacy fence on the north side in lieu of the required buffer

Please describe the special circumstances or conditions that apply to the building or land in questions which necessitate the variance request.

DUE TO LOCATION OF EXISTING SEPTIC DRAIN FIELD WE ARE UNABLE TO MAINTAIN CURRENT REQUIRED SET BACK FOR REQUESTED POLE BARN/PAVILION.

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

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

LITERAL ENFORCEMENT OF SAID PROVISION WOULD REQUIRE RELOCATION OF SEPTIC/DRAIN FIELD TO AN AREA WHICH WOULD REQUIRE REMOVAL OF EXISTING MATURE CANOPY TREES CURRENTLY SERVING AS REQUIRED BUFFER, THEREBY RESULTING 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.

Stephen Mullins

Applicant Name (Type or Print)

Stephen Mullins

Applicant Signature

PROPERTY OWNER

Title (if applicable)

1 APR 15

Date

I Buffer @ W

Low Impact Commercial (Ag activities) = Medium Impact Commercial

= None red'd

II Buffer @ N

"C" @ 20'

158.12  
 - 20 (rear)  
 - 10 (front)  
 128.12'

C = 9  
 U = 5  
 S = Fence

III

Right of Way Landscaping 10' wide

196  
 - 36  
 - 20  
 140

= 4 Canopy trees

IV

Parking

40 x 30 = 1200 / 100 = 12  
 30 x 32 = 960 / 100 = 10  
 22

task list:

