

2015-V-043

Project Name: n/a

**Applicant and/or
Property Owner:** Burdge & Ogle, LLC

Representative: Daniel Saba of Locklin, Saba, Locklin
& Jones P.A.

Request: Variance to allow a gravel parking lot
within the Heart of Navarre Overlay
district.

(LDC 6.05.24.C.2.j)

Zoning District: HCD- HON (Highway Commercial
Development – Heart of Navarre
Overlay)

Variance 2015-V-043

General Information:

Applicant: Burdge & Ogle, LLC

Representative: Daniel Saba, Locklin, Saba, Locklin & Jones, PA

Project Location: 2400 Block of Hwy 87S

Parcel Number: 08-2S-26-0000-00414-0000

Request: Variance to allow a gravel parking lot within the Heart of Navarre Overlay district

Current Conditions: gravel parking lot
This is a code compliance case.

Land Development Code Criteria:

6.05.24 - Heart of Navarre Overlay District

C. Development Guidelines for the Heart of Navarre Overlay District

2. Performance Standards
 - j. Parking: The parking area landscaping standards in Section 7.01.04 shall apply in the Heart of Navarre District except in cases where the standards below are more stringent.
 - 1) No gravel or dirt parking lots shall be permitted.

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 Ordinance which regulates the materials used in parking lots within the Heart of Navarre Overlay district. This is a code compliance case.

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 in part 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? Yes

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 not anticipated that 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.

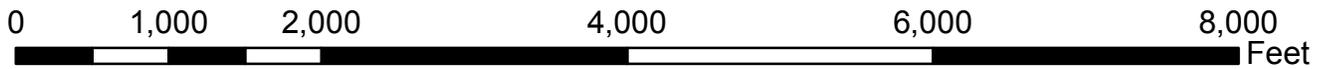
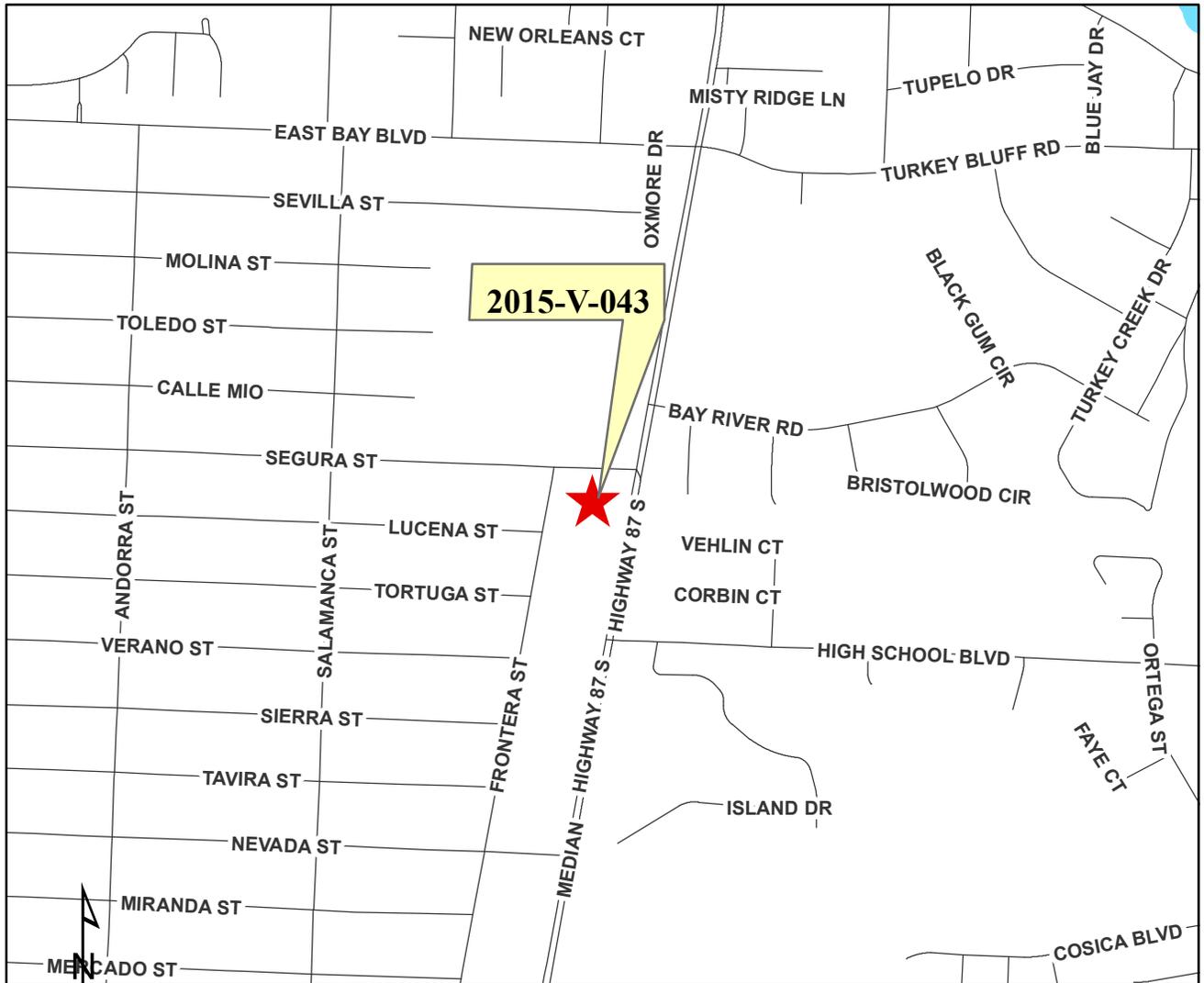
Is this criterion met? N/A

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?

It is not anticipated that there will be any potential building code issues.

2015-V-043 Location

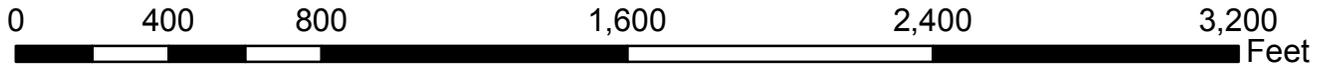
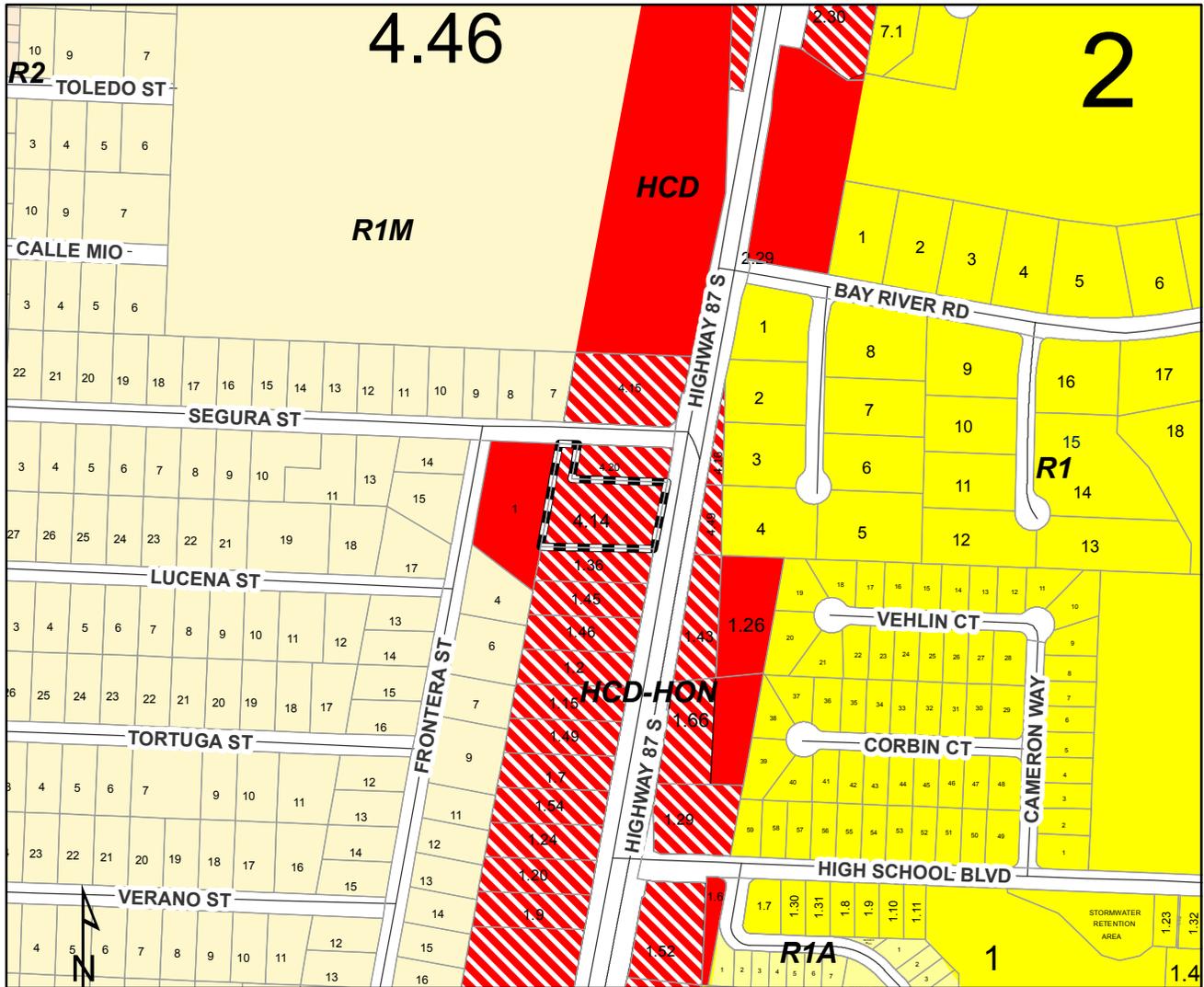


Legend

Disclaimer:

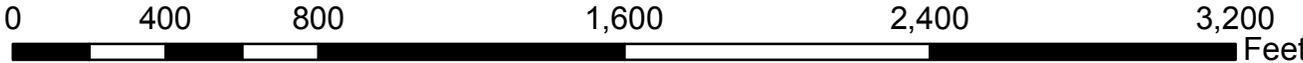
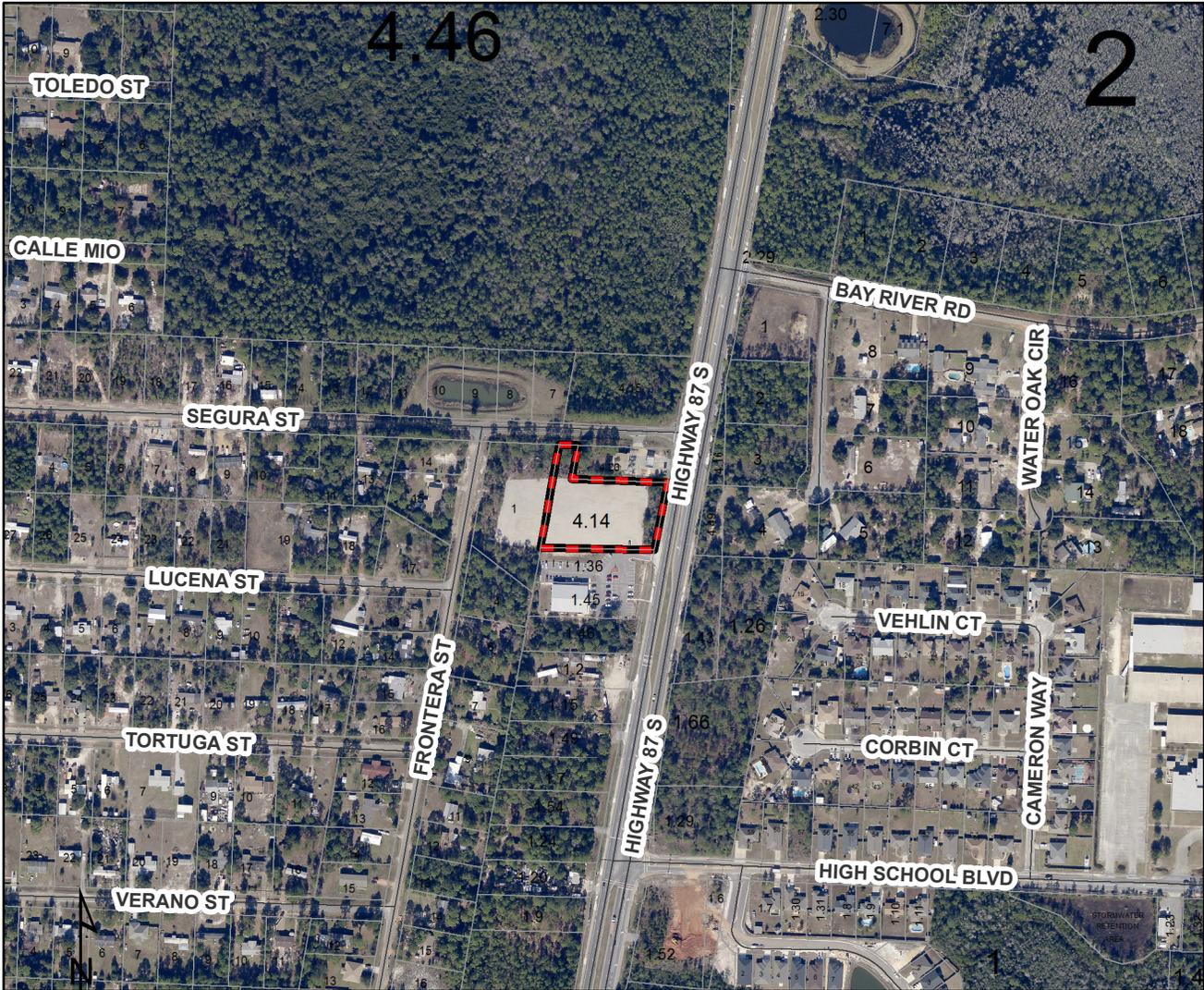
The GIS maps and data distributed by the Santa Rosa County BOCC departments are derived from a variety of public and private sector sources considered to be dependable, but the accuracy, completeness, and currency thereof are not guaranteed. The Santa Rosa County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the County Geographic Database. Additionally, the Santa Rosa Commission or any agent, servant, or employee thereof assume no liability associated with the use of this data, and assume no responsibility to maintain it in any matter or form.

2015-V-043 Zoning



| Legend | | | |
|--------|--|--|--|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

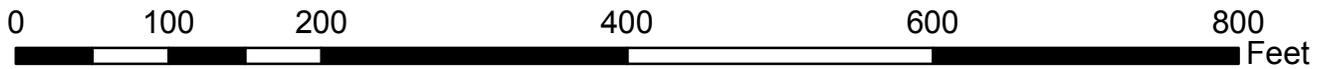
Disclaimer:
The GIS maps and data distributed by the Santa Rosa County BOCC departments are derived from a variety of public and private sector sources considered to be dependable, but the accuracy, completeness, and currency thereof are not guaranteed. The Santa Rosa County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the County Geographic Database. Additionally, the Santa Rosa Commission or any agent, servant, or employee thereof assume no liability associated with the use of this data, and assume no responsibility to maintain it in any matter or form.



Legend
 PendingZBMay

Disclaimer:
The GIS maps and data distributed by the Santa Rosa County BOCC departments are derived from a variety of public and private sector sources considered to be dependable, but the accuracy, completeness, and currency thereof are not guaranteed. The Santa Rosa County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the County Geographic Database. Additionally, the Santa Rosa Commission or any agent, servant, or employee thereof assume no liability associated with the use of this data, and assume no responsibility to maintain it in any matter or form.

2015-V-043
Close Up Aerial



Legend

 PendingZBMay

Disclaimer:

The GIS maps and data distributed by the Santa Rosa County BOCC departments are derived from a variety of public and private sector sources considered to be dependable, but the accuracy, completeness, and currency thereof are not guaranteed. The Santa Rosa County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the County Geographic Database. Additionally, the Santa Rosa Commission or any agent, servant, or employee thereof assume no liability associated with the use of this data, and assume no responsibility to maintain it in any matter or form.



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 - 043</u> | Date Received: | <u>4-2-15</u> |
| Review Fee: | <u>235 +</u> | Receipt No.: | |
| Zoning District: | <u>HCD-HON</u> | FLUM Designation: | <u>Comm</u> |

± 1.469 VD #4

Property Owner Property Owner Name: Burdge & Ogle, LLC
Address: 810 Weeden Island Drive
Niceville, FL 32578
Phone: 850-678-8511 Fax: _____
Email: lanny_burdge@hotmail.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: Locklin, Saba, Locklin & Jones, P.A.
Contact Name: Daniel P. Saba
Address: 4557 Chumuckla Highway
Pace, FL 32571
Phone: 850-995-1102 Fax: 850-995-1103
Email: dsaba@ljslawfirm.com

Property Information Parcel ID Number(s): 08-2S-26-0000-00414-0000
-OR-
Street Address of property for which the Variance is requested:
Highway 87 South 2400 block of
Navarre, FL 32566

Variance Request

What is the present use of the property? parking lot

Please describe the requested variance, including exact dimensions and purpose of the variance.
use as a gravel parking lot except for strips connecting to Highway 87S and Segura Street. Site plan will be submitted.

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

See attached.

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

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

See attached.

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.

Daniel P. Saba
Applicant Name (Type or Print)


Applicant Signature

Attorney for applicant
Title (if applicable)

April 2, 2015
Date

Attachment to Variance Application
Subject Property: 08-2S-26-0000-00414-0000

- Please describe the special circumstances or conditions that apply to the building or land in question which necessitates the variance request.

The parcel for which the variance is sought is currently used as a gravel/aggregate parking lot. The parking lot actually encompasses the subject parcel and the adjoining parcel. The subject parcel is located inside the Heart of Navarre overlay zoning district, but the adjoining parcel is not located inside the Heart of Navarre overlay district. Utilizing gravel/aggregate as a parking lot surface is allowed on the half of the parking lot that is located on the adjoining parcel, but a variance would have to be granted to allow gravel/aggregate to be used as a parking lot surface on the half of the parking lot located in the Heart of Navarre overlay zoning district.

If the variance is not granted, the applicant would be required to pave the half of the parking lot located on the subject parcel. Paving one half of the parking lot would not be economically feasible or aesthetically pleasing. The site plan which applicant shall present will further detail the efforts of the applicant to create and engineer a parking lot utilizing a consistent gravel/aggregate surface that is consistent with the character of the community and the intent of the Heart of Navarre overlay district.

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

The gravel/aggregate parking lot which is currently in place extends over two parcels, one of which is not in the Heart of Navarre overlay district. Gravel/aggregate is permitted on the adjoining parcel, but not on the subject parcel. Because the parcels adjoin, the Applicant would like consistency over the entire parking lot.

The gravel/aggregate lot is safe and economically feasible for the commercial tenant who occupies the adjacent property and who uses the subject property for parking. Vehicles already have a paved entrance and exit via adjoining lot onto Highway 87 South.



9

8

7

4.15

FRONTERA ST

SEGURA ST

MEDIAN

HIGHWAY 87 S

HIGHWAY 87 S

Gravel
Parking
1 Area →

4.20

4.16

4.49

1.36

4

1.45

6

1.46

1.43

1.2

1

Case Number 2014-ZV-445

| Violation Information | |
|-----------------------|-------------------------|
| Case Number: | 2014-ZV-445 |
| Date Reported: | 12/10/2014 |
| Officer Assigned: | (12) Randy Jones |

| Violation Location | |
|--------------------------------|-----------------------------------|
| Parcel Number 1: | 082S260000001410000 |
| Parcel Number 2: | 172S26275017000010 |
| Zoning Area: | (NI) Navarre Incorporation |
| City Zone 1: | HCD |
| City Zone 2: | HCD |
| Address of HIGHWAY 87 S | |
| Violation: | NAVARRRE, FL 32566 |
| City, St, ZIP: | |
| Side Street 1: | SEGURA ST |
| Side Street 2: | FRONTERA ST |

| Violator Name / Address | |
|-------------------------|-----------------------------|
| Name (First, Last): | RONALD L. OGLE |
| Address: | 810 WEEDEN ISLAND DR |
| City, St, ZIP: | NICEVILLE FL 32578 |
| Contractor Number: | |
| Phone Number: | |

| Violator Business Name / Address | |
|----------------------------------|------------------------------|
| Business Name: | BURDGE & OGLE LLC |
| Physical Address: | |
| City, St, ZIP: | |
| Mailing Address: | |
| City, St, ZIP: | |

| Ordinance / Articles | |
|----------------------|------------|
| Ordinance: | |
| Article 1: | Article 3: |
| Article 2: | Article 4: |

| Violations | |
|-------------------------------------|--|
| Code Description | |
| 12 Clearing without a permit | |
| 72 Site plan violation | |

| Fees & Actions | |
|----------------|---------------------------------|
| Date Served: | 12/10/2014 Action Taken: |

Comply by: **12/23/2014** **12/10/14: COURTESY LETTER SENT TO OWNERS RE DEVELOPMENT ORDER NOT OBTAINED AND UNAUTHORIZED CLEARING OF PROPERTY.**

Amount: **0.00**

Citations

Property Owner Information

Business Name: **BURDGE & OGLE LLC**

Name: RONALD L. OGLE

Physical Address: HIGHWAY 87 S

City, St, ZIP NAVARRE FL
32566

Mailing Address: 810 WEEDEN
ISLAND DR

NICEVILLE FL
32578

Phone Number:

Complaint Information

Name: PLANNING &
ZONING

Address:

Phone Number:

Email:

Complaint made
by:

Case Number 2014-ZV-445

Rechecks Scheduled:

| # | Scheduled Date | Officer | Notes |
|----|----------------|------------------|-------|
| 1) | 01/20/2015 | 12 - Randy Jones | |

Rechecks Performed:

| # | Scheduled Date | Recheck Date | Officer | Notes |
|---|----------------|--------------|---------|-------|
|---|----------------|--------------|---------|-------|

- 1) 12/23/2014 12/22/2014 12 - Randy Jones
- 2) 01/05/2015 01/16/2015 12 - Randy Jones

Dates:
 Opened: **12/10/2014**
 Closed:
 Reopened:

Status:
 Status: **Active** Watch List?
 Reason:

Comments:

12/10/14 - SITE PLAN VIOLATION; CLEARING W/O PERMITS. Per Planning & Zoning, property is being cleared and a parking lot construction without a site plan.

12/10/14: Courtesy letter sent to owners re development order required and unauthorized clearing of property. RJ

12/22--received voice message from Daniel Saba Attn., can we give time?? returned call left message RJ

1/16/2015---message from Amanda w/Daniel Saba wanting to discuss requirements. returned call advised best to speak with Leslie or schedule pre app. RJ

04/06/15: Scanned Pre-app Recap to file. (sk)

Status & Transaction Change History:

| IDNO | DATE | NOTES |
|------|------|-------|
|------|------|-------|



Santa Rosa County Development Services



Beckle Cato, AICP
Planning and Zoning Director

Tony Gomillion
Public Service Director

Rhonda C. Royals
Building Official

April 2, 2015

Mr. Jason Rebol
Rebol-Battle
Via email: jasonr@rebol-battle.com
paulb@rebol-battle.com

RE: Pre-Application Meeting on March 19, 2015
Project Name: **2014-ZV-445**
Parcel(s): **082S26000004140000 & 172S262750017000010**

Dear Mr. Rebol:

Thank you for attending the above referenced pre-application meeting with the Santa Rosa County Development Services staff. Below you will find a formal recap of the information discussed at the meeting and the requirements for you to proceed with the project. Since I have had conversations with you and Daniel Saba since our meeting, I've included updated information.

The purpose of a pre-application meeting is to provide you with a thorough understanding of the regulations and requirements applicable to your proposed project and to address any questions that you may have. However, pre-application meetings are informal and do not replace the need for a formal review. Therefore, please understand that the requirements presented below are based solely on the information presented by you at the meeting and is subject to change. Also, additional requirements may be applicable to your project based on information received at a later date or at the time of formal review.

Site/Land Use – Leslie Statler, (850)981-7086, leslies@santarosa.fl.gov

1. The proposed project involves the compliance of a gravel parking area which was developed without a Development Order.
2. The zoning designation for this property is HCD-HON, Highway Commercial Development within the Heart of Navarre overlay district. The Future Land Use Map designation is COMM, Commercial. The use of the site solely for a parking lot would be allowed within the zoning and overlay districts. However, the performance standards within the HON overlay district do not allow for gravel or dirt parking areas per LDC 6.05.24.C.2.j.1. A Variance will be required to allow the parking area to remain gravel. *Per Daniel Saba, PA, this Variance application will be submitted by close of business on April 2, 2015. The site plan for the Variance application will be submitted no later than April 13, 2015.*
3. Variance requests are considered through a public hearing process. This process requires 1 public hearing during which the Zoning Board will make a final determination. During this process, all property owners within 150 feet will be notified via mail and a sign will be posted on

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

the property. You will need to procure the mailing labels from the Santa Rosa County Property Appraisers Office; they may be reached at 983-1880. The staff coordinator for the Zoning Board is Darliene Stanhope, Planner III. Darliene may be reached at 981-7065.

- a. The cost for this process is \$235 plus the cost of mailing the notification. Fees will not be due at the time of the Variance submittal. An invoice will be sent which includes the mailing costs.
 - b. Deadline for the May meeting cycle is April 2, 2015. This will place the Variance on the May 14, 2015, Zoning Board meeting. *Please be advised that this meeting will be held at the Tiger Point Community Center.*
 - c. You must procure the mailing labels from the Santa Rosa County Property Appraiser's office as they certify & attest to their accuracy. They do charge a minimal fee for this request.
4. Based upon the scope of work proposed and size of the building, a site plan package prepared by a Florida registered civil engineer must be submitted for review and approval. The site plan will detail the site construction proposed and demonstrate consistency with County code for issues related to access, circulation, parking, landscaping, buffering, density, uses, stormwater, etc. As stated in comment #2, a conceptual site plan will be required for the Variance application. As I stated in the meeting, you will have until April 13, 2015, to submit the site plan. Attached to this letter is an aerial per discussion with Jason Rebol, Rebol-Battle & Associates.
 5. A tree survey will be required identifying the size and location of the protected species of trees currently on the site. A sample population will be applied to portion of the site which has been cleared and mitigation will be assessed accordingly.
 6. Access into the site must be at least 24 feet in width and comply with all other applicable standards for commercial driveways within Santa Rosa County, specifically to include a stop sign. A separate connection to Hwy 98 will not be created.
 7. The internal circulation on the site should be 16 feet in width for one-way traffic and 24 feet in width for two-way traffic. Since drive aisle will not be marked via striping, the parking area will need to be shown graphically to meet these standards.
 8. There are no specific development guidelines for construction of an accessory parking lot per se. One handicap parking space is required for every 25 parking spaces required for the development. Although standard parking spaces must be 18 feet in length and 9 feet in width, we have noticed that spaces 20 feet in length and 10 feet in width work well within our community. Handicap parking spaces must be 18 feet in length and 12 feet in width with an access aisle 5 feet in width adjacent to either side of the spaces. Wheel stops/bumper blocks are required adjacent to required landscape areas and steep inclines.
 9. Development standards include landscaping in the form of right-of-way (perimeter) landscaping, and landscape buffers between incompatible uses. Landscaping along the right-of-way must consist of a vegetative strip at least 10 feet in width with 1 canopy tree per every 30 linear feet or fraction thereof and 1 shrub per every 5 linear feet or fraction thereof exclusive of the driveway connection and will be required adjacent to all three rights-of-way – Frontera and Segura Streets and Hwy 87 South. If overhead power lines are present, the trees may not be planted within 20 feet of the lines and may be moved to the interior of the site. Landscape buffers are required between incompatible uses such as the residential property which abuts the lot on the south side. A buffer may be chosen from buffer options "Standard C" or "Standard E". Existing vegetation may be counted towards these requirements. Where new

Santa Rosa County Development Services

Public Service Complex

6051 Old Bagdad Highway, Suite 202 Milton, Florida 32583

www.santarosa.fl.gov

Office: (850) 981-7000

plantings are installed, they will need to be selected from the "Permitted species" list specified within LDC 6.05.24.C.4.b.

10. As discussed, the parking area is not required to be include if it is to remain unpaved. However, it is encouraged that you include parking area landscaping at the ratio required within the HON overlay district. This performance standard is 1 canopy tree and 4 shrubs for every 12 parking spaces. They are not required to be planted every 12 spaces; however they must be planted around the parking area to fulfill the intent of the Ordinance and provide shade for the expanse of impervious surface.

Engineering – Marc Bonifay, (850)981-7100, marcb@santarosa.fl.gov

1. An engineered site plan is required.

Electrical – john Belew, (850) 981-7007, johnb@santatrosa.fl.gov

1. Electrical permits will be required for exterior lighting.
2. All lighting will need to be in accordance with the Land Development Code. A photometric plan may be required at the time of permitting.

In closing, our hope is that you found the pre-application meeting to be a helpful tool so that you can make informed decisions about your project. As the County's project manager for your project, please feel free to contact me with any questions that you may have. In addition, you may contact the staff listed above if you have questions specific to their area of expertise. Also, I will be in contact with you periodically to assess the status of your project and provide assistance.

Respectfully,



Leslie Statler
Planner III
(850)981-7086
leslies@santarosa.fl.gov

LS/lf

Mr. Paul Saba, P.A.
Via email: amanda@LJSLawFirm.com

Mr. Jim Shea
Via email: jshea@adcomm.com

Burdge & Ogle LLC
810 Weeden Island Dr.
Niceville, FL 32578

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

