

2012-V-023

Project Name: n/a

Applicant and/or Property Owner: Michael & Audrey Michaelson

Representative: n/a

Request: Variance to allow an accessory structure which is not incidental or subordinate in size to the principle structure  
(LDC 3.00.01)

Zoning District: R1M (Mixed Residential Subdivision)

## STAFF ANALYSIS

### Variance 2012-V-023

I. **Applicant:**

Michael & Audrey Michaelson

II. **Proposed Location:**

5503 Kim Drive, Milton; on the west side of Kim Drive, east of Traci Drive, and south of Highway 90 in the East Milton community (Parcel number 32-2N-27-0000-00962-0000)

III. **Request:**

Variance to allow an accessory structure which is not incidental or subordinate in size to the principle structure

Note: The principle structure is 624 square feet; the proposed accessory building is 880 square feet.

IV. **Land Development Code Criteria:**

**3.00.01**      For the purpose of this ordinance, certain terms and words are defined as follows:

**ACCESSORY STRUCTURE, USE OR FACILITY:** A structure or use or facility that is customarily associated with and is appropriately incidental and subordinate to a principal use or structure and located on the same lot. The accessory structure, use, or facility shall always be subordinate in area, extent or purpose to the principal use served.

V. **2.04.00 SPECIAL EXCEPTIONS AND VARIANCES:** The Zoning Board 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?**

**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**

**(continued on next page)**

## **STAFF ANALYSIS**

respect to size or exceptional shallowness that are peculiar to such property and not to other lots within the area.

The applicants are seeking relief from the Ordinance which defines accessory structures as “incidental or subordinate in size to the principle structure.” The principle structure is 624 square feet while the proposed accessory building is 880 square feet.

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?**

**Staff Analysis:** This Variance request is not necessary for the preservation and enjoyment of a substantial property right and serves merely as 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?**

**Staff Analysis:** The authorization of this Variance will not impair an adequate supply of light and air to adjacent property, increase congestion to public streets, or impair the public’s safety.

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

## **STAFF ANALYSIS**

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

**Is this criterion met?**

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

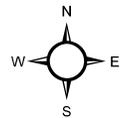
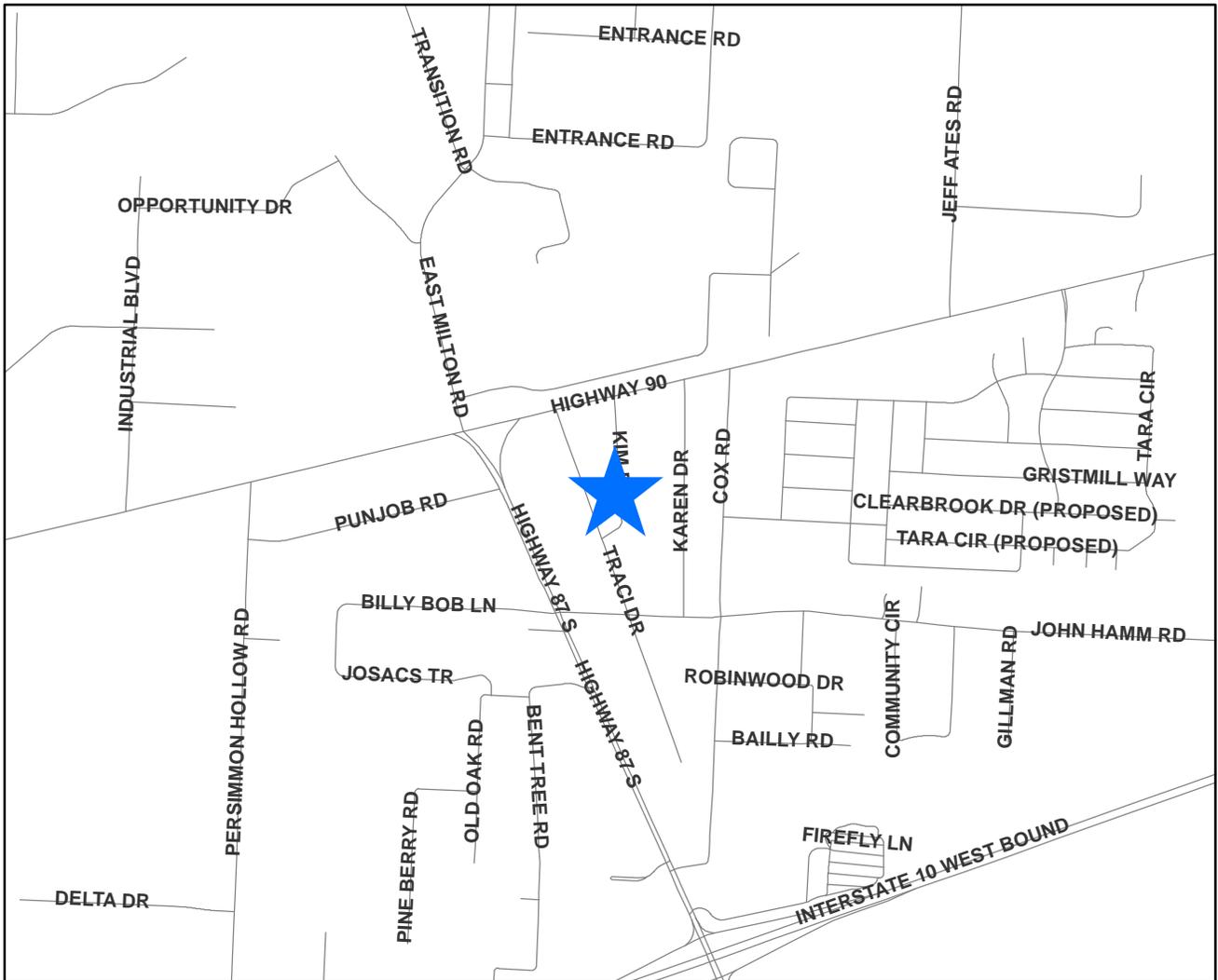
5. To permit the reduction of parking or loading requirements whenever the character or use of a building is such as to render unnecessary the full provision of parking or loading facilities as specified herein or whenever the strict enforcement of such provision would impose an unreasonable hardship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

**Is this criterion met?**

**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.

Additionally, variances from access management connection standards may be granted where the effect of the variance would be to enhance the safety or operation of the roadway.

# 2012-V-023 Location Map

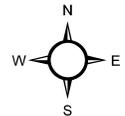
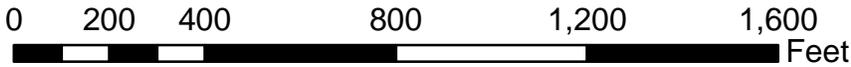


## Legend

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# 2012-V-023 Existing Land Use



**Legend**

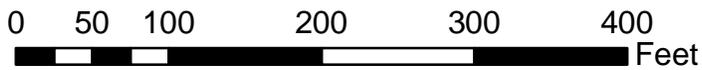
PendingBOA	Commercial (COMM)	Office	Silviculture (SILVICUL)
<b>Existing Land Use</b>	Industrial	Public Owned Property (POP)	Uncategorized (UNCAT)
<b>CATEGORY</b>	Institutional (INST)	Rail	Utilities
Agriculture (AG)	Multi-Family Residential <5 (MFR<5)	Recreation/Commercial (REC/COMM)	Vacant
Agriculture, Homestead (AH)	Multi-Family Residential >5 (MFR>5)	Recreation/Open Space (REC/OS)	Water
Condo's/Townhomes (C/T)	Military	Right of Way (ROW)	
City	Mixed Residential/Commercial (MRC)	Single Family Residential (SFR)	

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2012-V-023

Aerial



**Legend**



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# Santa Rosa County Development Services



Community Planning, Zoning,  
and Development Division  
Fax: (850) 983-9874

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

2012 MAY 1 AM 9 25

Building Inspections  
Compliance Division  
Fax: (850) 623-1208

## Variance Application

\* Application Instructions begin on Page 5

** For Official Use Only **			
Application No.	<u>2012-V-023</u>	Date Received:	<u>May 1 2012</u>
Review Fee:	<u>6247.80</u>	Receipt No.:	<u>84</u>
Zoning District:	<u>R1M</u>	FLUM Designation:	<u>SFR</u>

Comm Dist #2

**Property Owner** Property Owner Name: MICHAEL & AUDREY MICHAELSON  
 Address: 5500 TRAIL DR  
MILTON FLA 32583  
 Phone: 651-769-4903 Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

**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: \_\_\_\_\_  
 Contact Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

**Property Information** Parcel ID Number(s): 32-2N-07-0500-88 962-0010  
 -OR-  
 Street Address of property for which the Variance is requested:  
5503 KIM

**Variance Request**

What is the present use of the property? Guest house for parents  
& the land is used as a yard with 5500 TRAIL

Please describe the requested variance, including exact dimensions and purpose of the variance.  
would like to build a 22x40 garage (steel building)  
for storage of boat, lawnmowers, car  
Storage only no power

Please describe the special circumstances or conditions that apply to the building or land in questions which necessitate the variance request.  
Building is 880 sq ft mobile home is 6'4"

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.

We paid down on building, pest control & slab  
we had to get blueprints and will lose  
All deposits & won't have storage approx \$1500

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.

Audrey Michaelson  
Applicant Name (Type or Print)

Audrey Michaelson  
Applicant Signature

\_\_\_\_\_  
Title (if applicable)

\_\_\_\_\_  
Date

Had to pay down  
in order to get things  
required for permit &  
was not told of any  
size requirements  
other than to  
apply if over  
600ft

**Variance Provisions And Criteria**

