

STAFF ANALYSIS

Special Exception 2015-SX-005

General Information:

Applicant/Owner: Richard Carpenter

Represented By: David Sweeney

Project Location: 7251 East Bay Boulevard, Navarre, FL

Parcel Number: 11-2S-27-0000-00406-0000

Request: Special Exception to allow the dividing of a parent parcel in R1 (Single Family Residential) resulting in 2 parcels which will not possess the required road frontage to accommodate a single family residences.

(LDC 2.04.00.C.9)

Zoning District: R1 (Single Family Residential)

Current Conditions: Vacant

Zoning Board Decision: *Motion to deny passed*

Voting results: 4 – 3

Scott Kemp, Bill Seelmann, Colten Wright voted against the motion

Appellant: *David Sweeney*

1/14/2016

I, David Sweeney, am appealing
the Zoning Board denial of my
Special Exception request 2015-SX-005.
My request meets the criteria
within the Land Development Code.

x David L Sweeney
David L. Sweeney

Special Exceptions Criteria:

2.04.00 SPECIAL EXCEPTIONS, VARIANCES AND CONDITIONAL USES:

The BOA shall have the following duties and powers:

C. Special Exceptions - To hear and decide special exceptions to the terms of this ordinance. The Board is hereby authorized to grant special exceptions in appropriate cases and with appropriate safeguards to authorize the use of a premises for a purpose not generally permitted within the district in which said premises is located or to interpret specific provisions of this ordinance expressed in this Section whenever it finds sufficient facts to demonstrate to its satisfaction that such exception if granted would be substantially in harmony with the general purpose and intent of this ordinance.

9. To permit the dividing of a parent parcel in the RR-1, R-1, R-1M, and R-1A zoning districts, resulting in a parcel(s) which will not possess the required road frontage. A parent parcel is defined as those lots of record as of October 22, 1998. A parent parcel may be subdivided with the following provisions:

- a. A parent parcel may only be subdivided to create a maximum of three (3) new lots which do not meet minimum road frontage requirements. The three new lots will include the remainder of the parent parcel if road frontage requirements cannot be met;

Is this criterion met? Yes

Staff Analysis: The applicant is seeking a Special Exception to allow the division of a lot into 2 lots which do not meet the road frontage requirements but do meet the LDC size requirements for lots in the R1 zoning district.

- b. No new County roads are created;

Is this criterion met? Yes

Staff Analysis: No new County maintained roads will be created.

- c. An easement maintenance agreement between property owners or an access easement (minimum width 20 feet) included in the deed is required;

Is this criterion met? Yes

Staff Analysis: Ingress-egress for the proposed new lots will be via an existing easement from East Bay Boulevard. The existing easement will connect with a proposed 30 foot wide easement on the north end of each lot.

- d. Property being divided shall not be located within a recorded platted subdivision;

Is this criterion met? Yes

Staff Analysis: The property is not located within a recorded, platted subdivision.

- e. The maximum allowable density of the parcel created shall not exceed the allowable density of the respective zone;

Is this criterion met? Yes

Staff Analysis: The maximum allowable density for R1 is 4 units per acre. This parcel is +/- 0.89 acres. The proposed lots will exceed the minimum lot size of the zoning district. The proposed lots will be approximately 0.45 acres.

- f. Except for street frontage and that which is herein contained, all other requirements of this ordinance shall be adhered to; and

Is this criterion met? Yes

Staff Analysis: It is anticipated that all other requirements of this Ordinance will be adhered to with respect to the subject parcel.

The Zoning Board inquired as to the availability of water and sewer. The applicant advised that sewer is available and that the dwellings would be connected to this service.

- g. The new parcel size, use and configuration must be consistent with existing residential uses in the vicinity.

Is this criterion met? Yes

Staff Analysis: The new parcels are consistent in size and use when compared to the existing residential uses in the vicinity. The disposition, orientation, and scale of the proposed residence are compatible with those within the area.

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

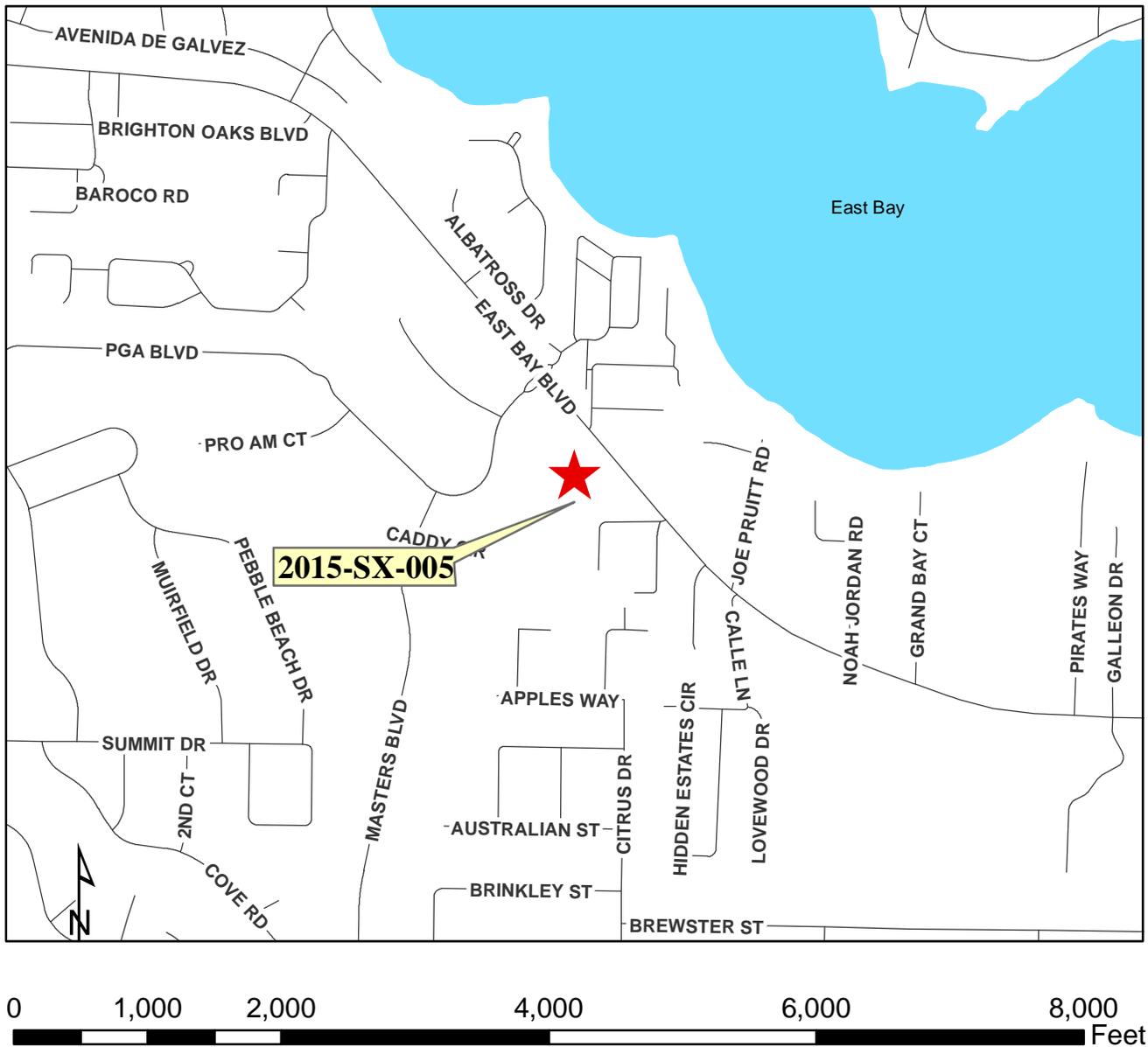
There are no known potential building code issues.

Other Site Conditions:

The Zoning Board inquired about the two adjacent parcels to the south – parcels 112S270000004300000 and

112S270000004250000. These lots are in the same configuration as the lots proposed. They are also owned by the applicant, the appellant, as well as other family members. SRCPA records indicate that the lots were created prior to the effective date of zoning within this area.

2015-SX-005 Location

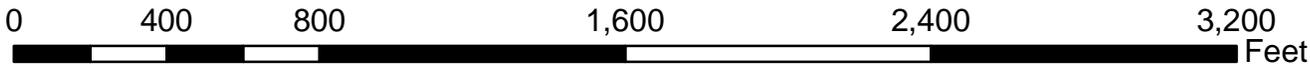
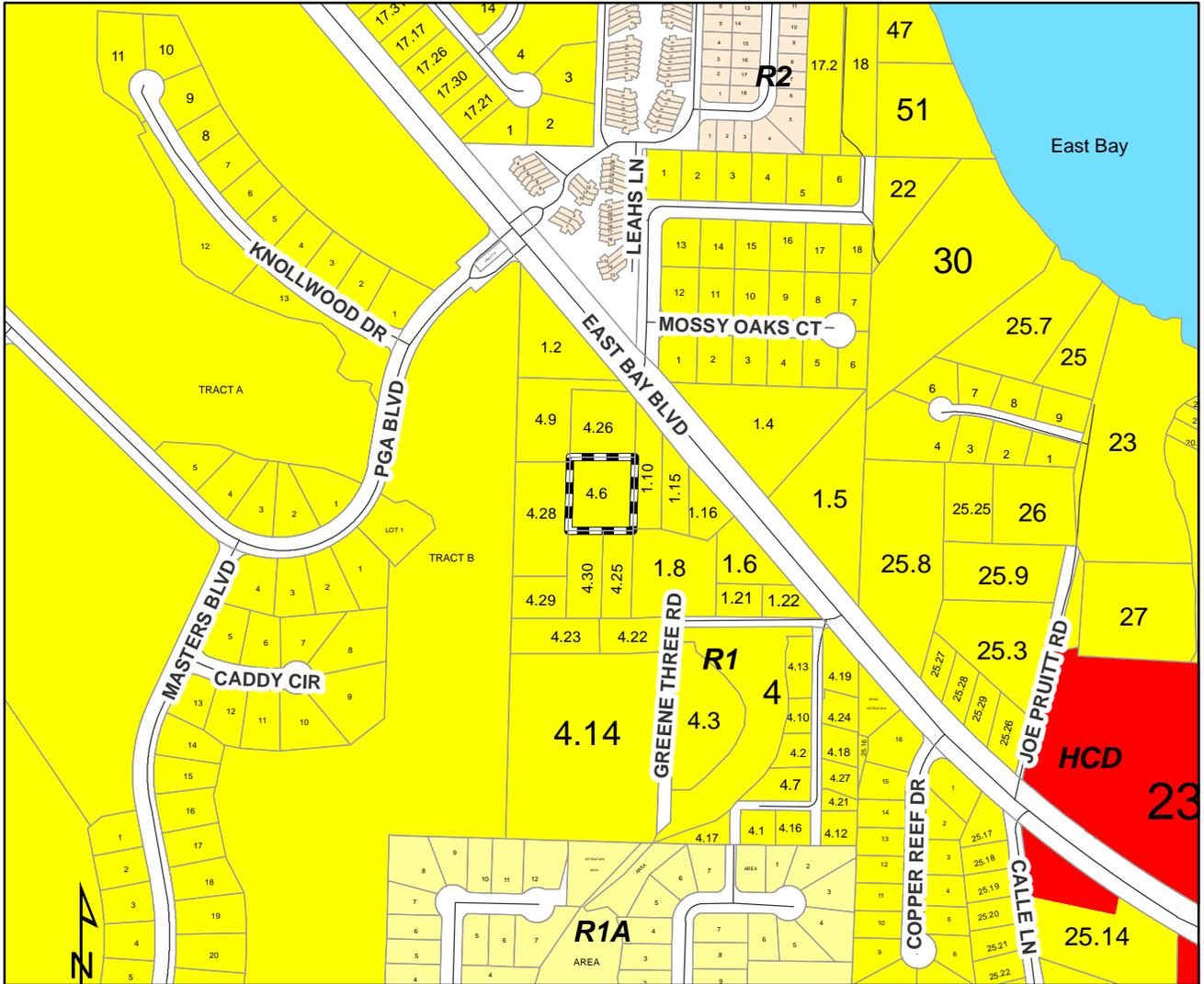


Legend

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2015-SX-005 Zoning

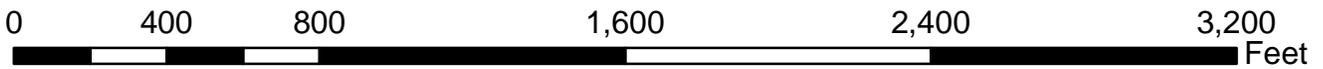
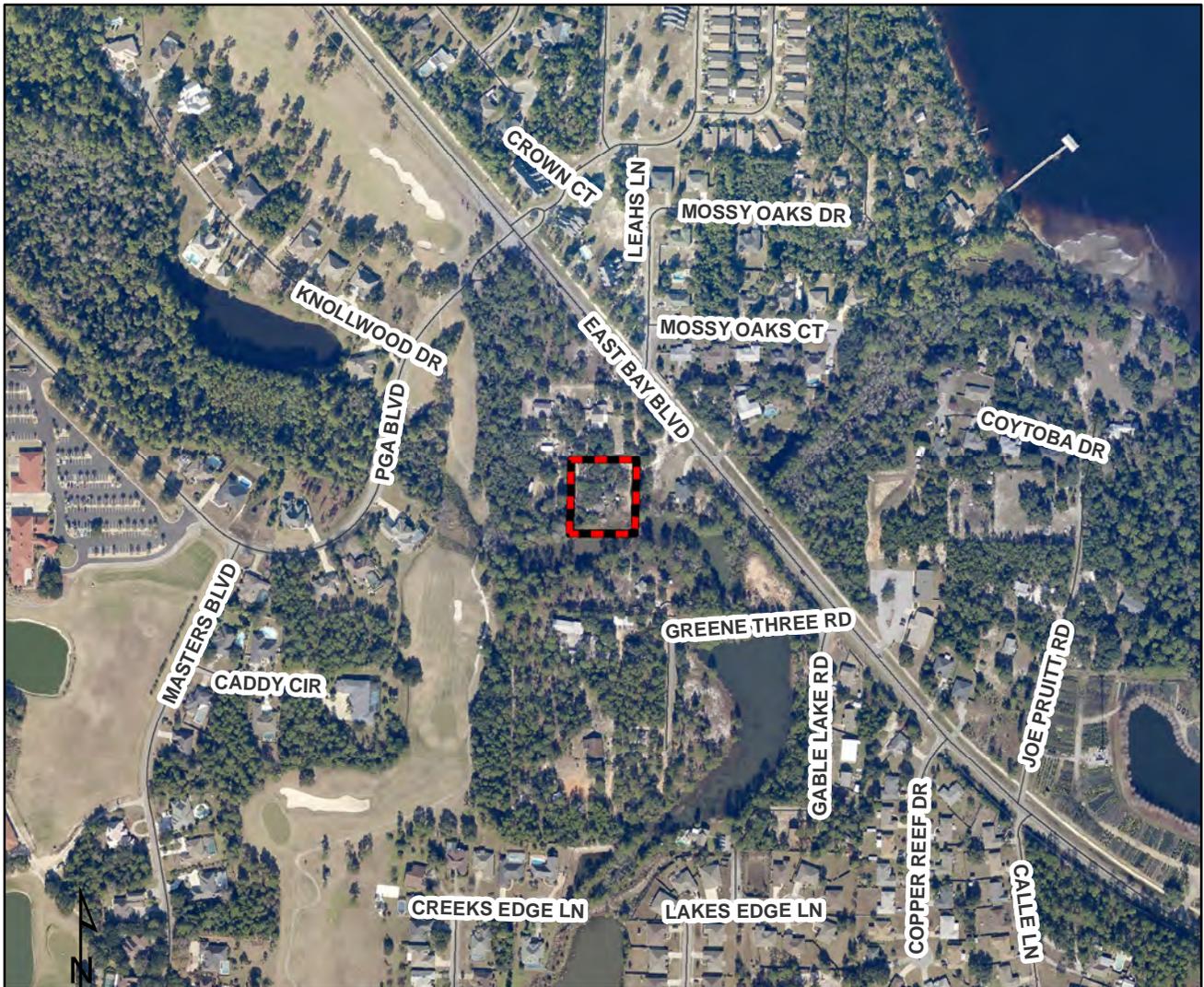


Legend

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

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2015-SX-005
2014 Aerial



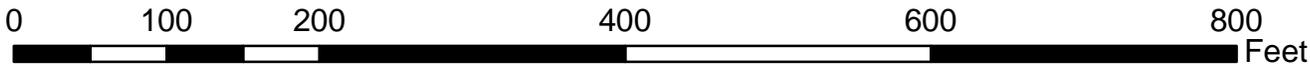
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 Pending ZB November

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2015-SX-005
2014 Close Up Aerial

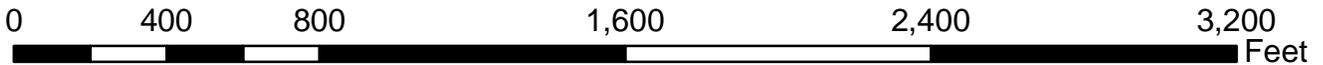
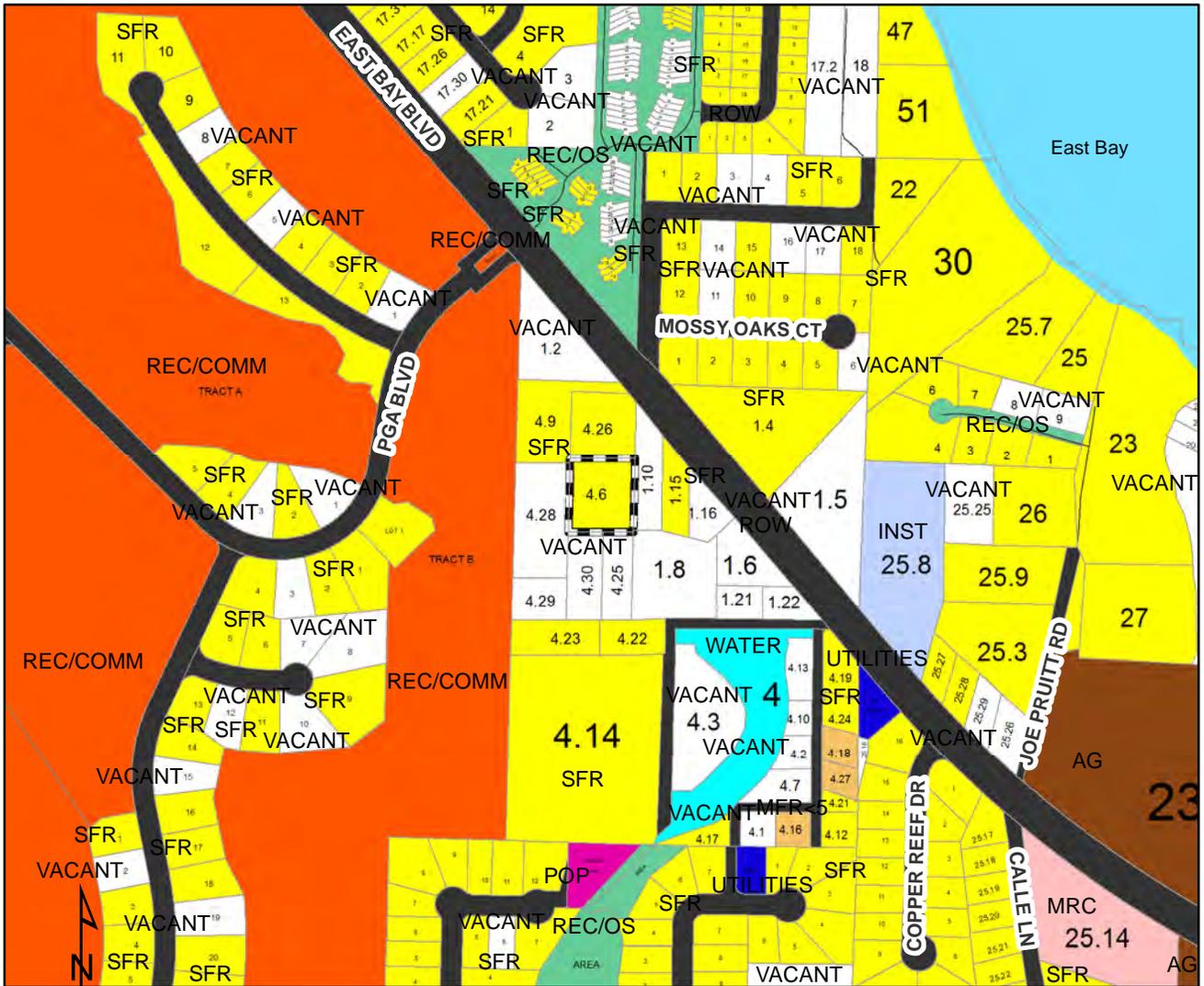


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 PendingZBNovember

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2015-SX-005 Existing Land Use



Legend



Pending ZB November

Existing Land Use

CATEGORY

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

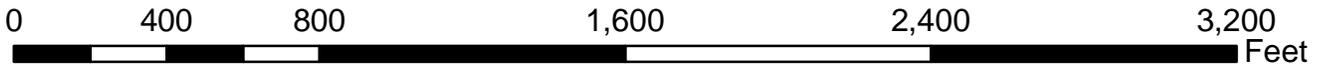
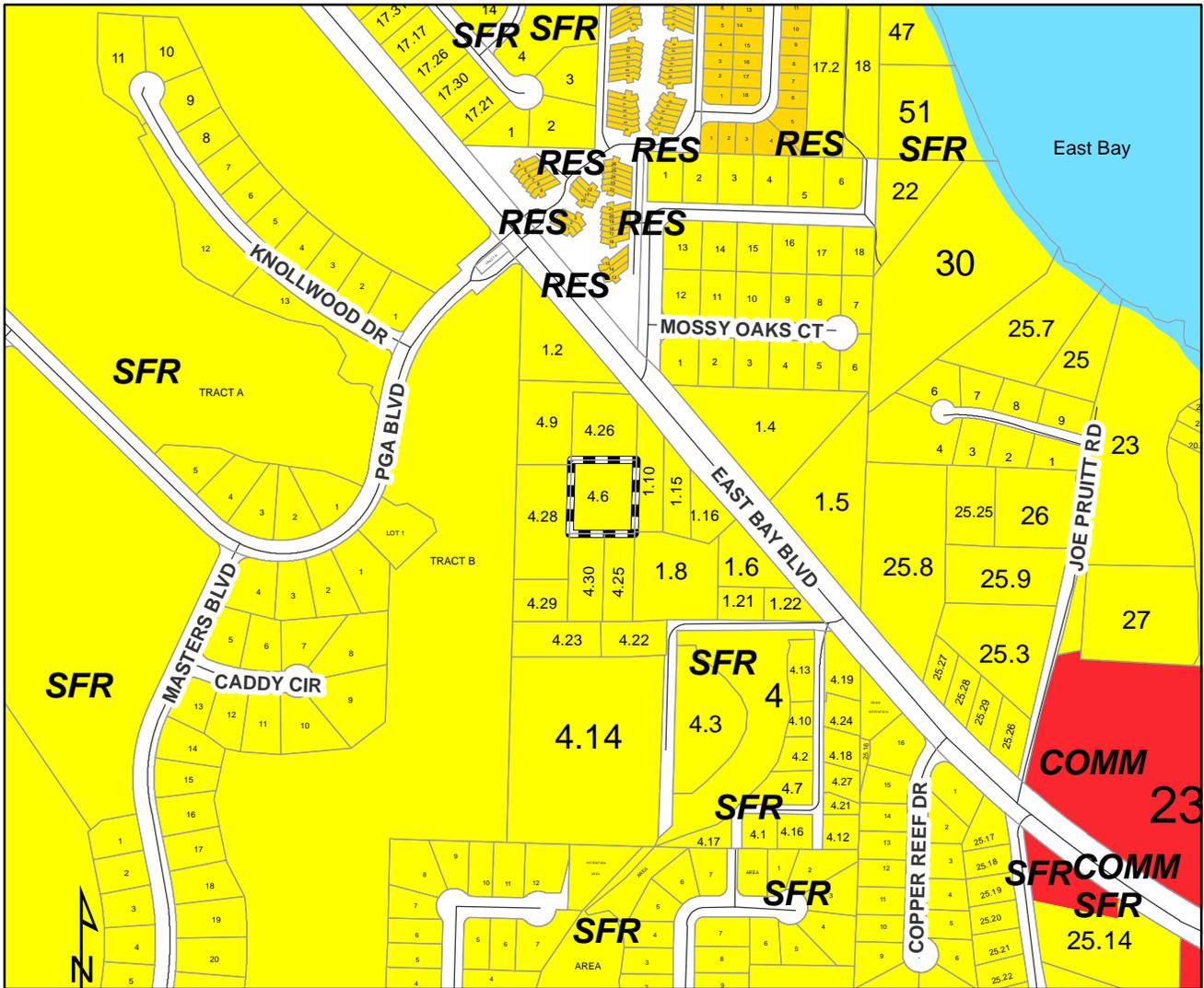
- Institutional
- Multi-Family Residential <5
- Multi-Family Residential >5
- Military
- Mixed Residential/Commercial
- Office
- Public Owned Property
- Rail
- Recreation/Commercial

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

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2015-SX-005 Future Land Use



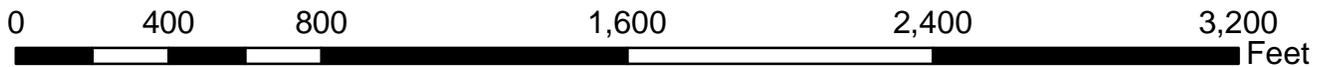
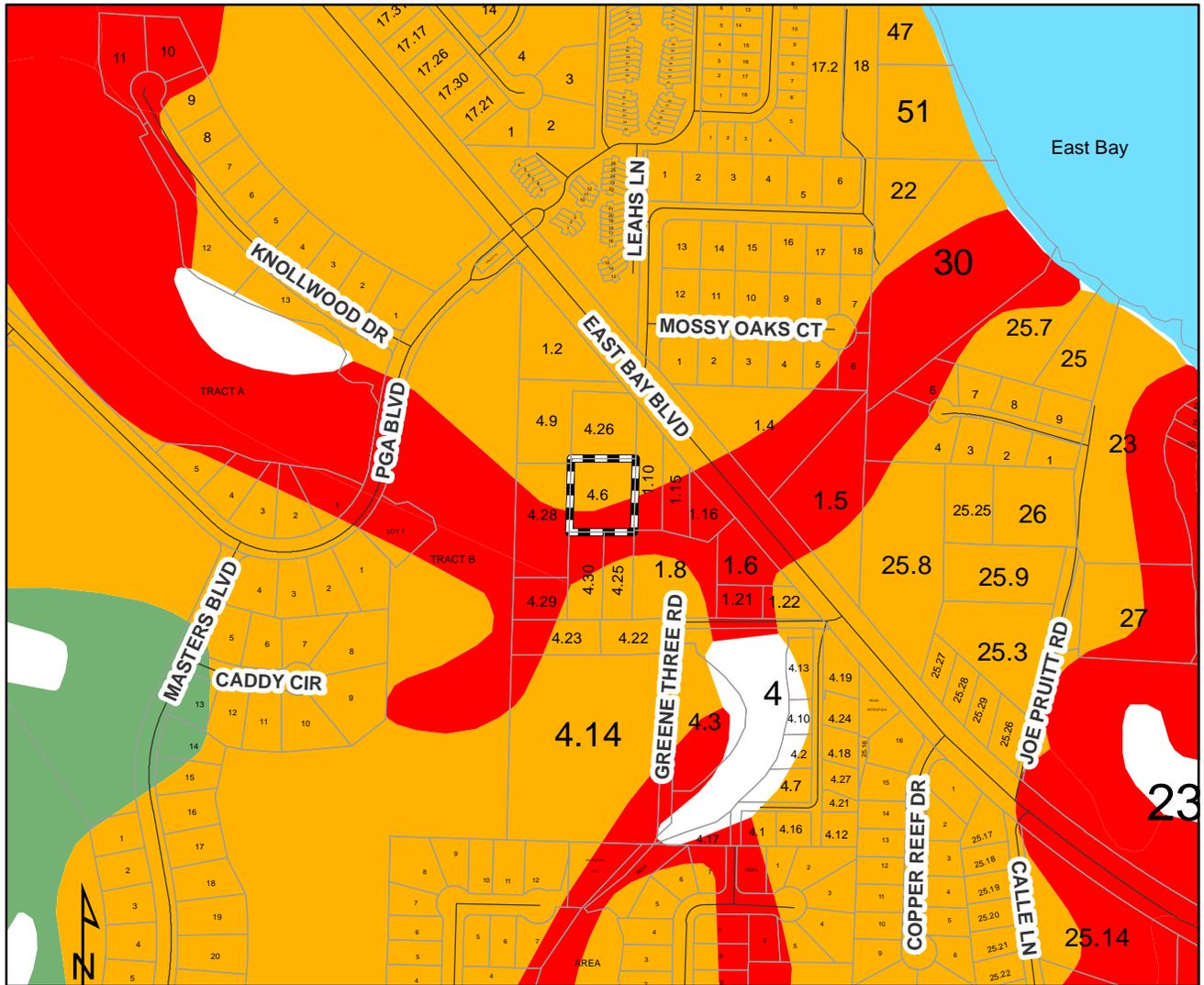
Legend

| | | |
|---------------------------------|--------------------------------------|--|
| Pending ZB November | AGRICULTURE (AG) | MIXED RESIDENTIAL COMMERCIAL (MRC) |
| SINGLE FAMILY RESIDENTIAL (SFR) | MEDIUM DENSITY RESIDENTIAL | NAVARRE BEACH COMMERCIAL (NBCOMM) |
| RESIDENTIAL (RES) | CONSERVATION/RECREATION (CON/REC) | NAVARRE BEACH LOW DENSITY RESIDENTIAL (NBLDR) |
| COMMERCIAL (COMM) | GP SINGLE FAMILY RESIDENTIAL (GPSFR) | NAVARRE BEACH MEDIUM DENSITY RESIDENTIAL (NBMDR) |
| GP RURAL RESIDENTIAL (GPRR) | BAGDAD HISTORIC DISTRICT (HIS) | NAVARRE BEACH MEDIUM/HIGH DENSITY RESIDENTIAL (NBMHDR) |
| INDUSTRIAL (INDUS) | INDUSTRIAL (INDUS) | NAVARRE BEACH HIGH DENSITY RESIDENTIAL (NBHDR) |
| MARINA (MARINA) | MILITARY (MIL) | NAVARRE BEACH MIXED RESIDENTIAL/COMMERCIAL (NBMRC) |
| | CITY | NAVARRE BEACH UTILITIES (NBU) |
| | RAIL | WATER |

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2015-SX-005 Potential Wetlands-Utilizing Hydric Soils Classificaiton



Legend



Pending ZB November

gisdata.GISADMIN.SRCSoils

Map Unit Symbol

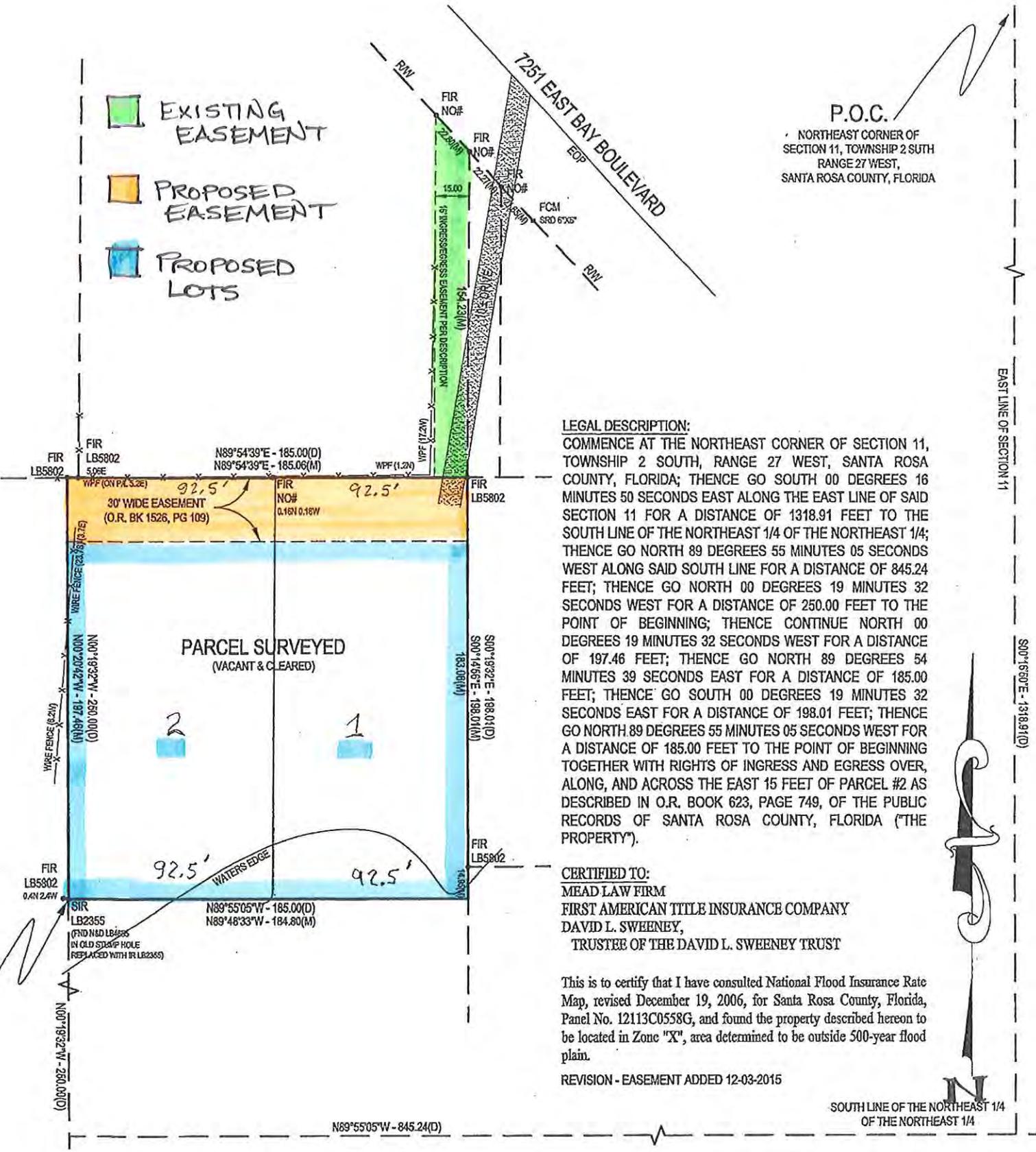
- Limitations are Slight for Septic Tank Absorption Fields
- Limitations are Moderate for Septic Tank Absorption Fields
- Limitations are Severe for Septic Tank Absorption Fields

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- EXISTING EASEMENT
- PROPOSED EASEMENT
- PROPOSED LOTS

P.O.C.
 NORTHEAST CORNER OF
 SECTION 11, TOWNSHIP 2 SUTH
 RANGE 27 WEST,
 SANTA ROSA COUNTY, FLORIDA



LEGAL DESCRIPTION:
 COMMENCE AT THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 27 WEST, SANTA ROSA COUNTY, FLORIDA; THENCE GO SOUTH 00 DEGREES 16 MINUTES 50 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 11 FOR A DISTANCE OF 1318.91 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4; THENCE GO NORTH 89 DEGREES 55 MINUTES 05 SECONDS WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 845.24 FEET; THENCE GO NORTH 00 DEGREES 19 MINUTES 32 SECONDS WEST FOR A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00 DEGREES 19 MINUTES 32 SECONDS WEST FOR A DISTANCE OF 197.46 FEET; THENCE GO NORTH 89 DEGREES 54 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 185.00 FEET; THENCE GO SOUTH 00 DEGREES 19 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 198.01 FEET; THENCE GO NORTH 89 DEGREES 55 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 185.00 FEET TO THE POINT OF BEGINNING TOGETHER WITH RIGHTS OF INGRESS AND EGRESS OVER, ALONG, AND ACROSS THE EAST 15 FEET OF PARCEL #2 AS DESCRIBED IN O.R. BOOK 623, PAGE 749, OF THE PUBLIC RECORDS OF SANTA ROSA COUNTY, FLORIDA ("THE PROPERTY").

CERTIFIED TO:
 MEAD LAW FIRM
 FIRST AMERICAN TITLE INSURANCE COMPANY
 DAVID L. SWEENEY,
 TRUSTEE OF THE DAVID L. SWEENEY TRUST

This is to certify that I have consulted National Flood Insurance Rate Map, revised December 19, 2006, for Santa Rosa County, Florida, Panel No. 12113C0558G, and found the property described hereon to be located in Zone "X", area determined to be outside 500-year flood plain.

REVISION - EASEMENT ADDED 12-03-2015

SOUTH LINE OF THE NORTHEAST 1/4
 OF THE NORTHEAST 1/4

EAST LINE OF SECTION 11

S00°15'50"E - 1318.91(D)

N89°55'05"W - 845.24(D)

2015-SX-005
Zoning Board Presentation, 1/14/2016



Looking south at the entrance easement.



Looking at the property located to the north of the subject site.



Looking south down the entrance easement.

2015-SX-005
Zoning Board Presentation, 1/14/2016



Looking at the property located to the east of the subject site.



Looking south along the east property line.



A view of the interior of the lot.

2015-SX-005
Zoning Board Presentation, 1/14/2016



A view of the location of the proposed front access easement.



Looking south along the western side of the property.



A view of the pond at the rear of the property.



Beckie Cato, AICP
Planning and Zoning Director

Santa Rosa County Development Services

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

Special Exception Application

* Application Instructions begin on Page 3

| ** For Official Use Only ** | | | |
|-----------------------------|-----------------------|-------------------|-------------------|
| Application No. | <u>2015 -SX - 005</u> | Date Received: | <u>6/22/15</u> |
| Review Fee: | <u>\$235+</u> | Receipt No.: | <u>2201</u> |
| Zoning District: | <u>R1</u> | Special Exception | |
| FLUM Designation: | <u>SFR</u> | Request: | <u>2.04.00.C.</u> |

I.O. 806

VD# 4

Property Owner
Property Owner Name: RICHARD ADAM CARPENTER
Address: 616180, 3RD STREET
WEST MEMPHIS, AR 72301
Phone: 870-278-3908 Fax: N/A
Email: N/A

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 special exception approvals.

Company: _____
Contact Name: _____
Address: _____
Phone: _____ Fax: _____
Email: _____

Property Information
Parcel ID Number(s): 11-25-27-0000-00406-0000
-OR-
Street Address of property for which the Conditional Use is requested :
7251 East Bay Blvd., Navarre, FL 32566
Parcel Size (acres): .806

David Sweeney
850-474-0013
dlsweeney29@gmail.com

What is the present use of the property? VACANT, ZONED R-1
SINGLE FAMILY DETACHED

**Special
Exception
Request**

Describe the Special Exception request. REQUEST DIVIDING
PARCEL INTO THREE LOTS OF DENSITY
12,078 ft²

Please read the attached special exception provisions carefully and explain how your request addresses each of the pertinent criteria. Attach additional pages if necessary.

SUCH DIVISION COMPLIES WITH
LAND DEVELOPMENT CODE ARTICLES
A AND 6, THESE PARCELS ARE EXEMPT FROM
PLATING AND ROAD FRONTAGE REQUIREMENTS

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

Yes

No

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

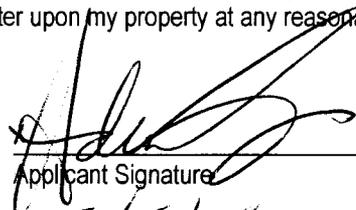
Yes

No

Certification and Authorization

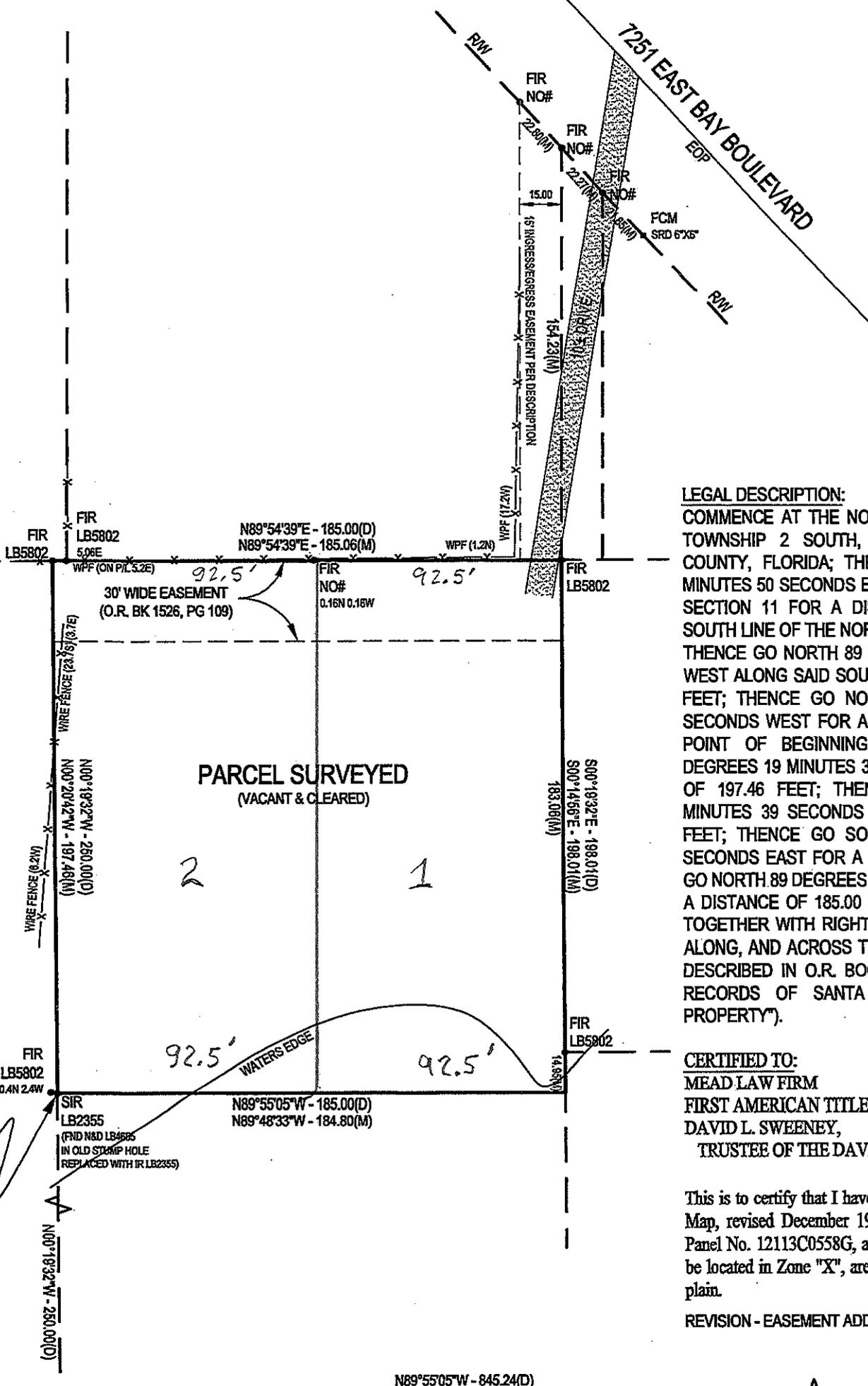
By my signature hereto, I do hereby certify that the information contained in this application and the required supplemental materials is true and correct, and understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation 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.

RICHARD ADAM CARPENTER
Applicant Name (Type or Print)
PROPERTY OWNER
Title (if applicable)


Applicant Signature
5/5/15
Date

P.O.C.

NORTHEAST CORNER OF
SECTION 11, TOWNSHIP 2 SOUTH
RANGE 27 WEST,
SANTA ROSA COUNTY, FLORIDA



LEGAL DESCRIPTION:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 27 WEST, SANTA ROSA COUNTY, FLORIDA; THENCE GO SOUTH 00 DEGREES 16 MINUTES 50 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 11 FOR A DISTANCE OF 1318.91 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4; THENCE GO NORTH 89 DEGREES 55 MINUTES 05 SECONDS WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 845.24 FEET; THENCE GO NORTH 00 DEGREES 19 MINUTES 32 SECONDS WEST FOR A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00 DEGREES 19 MINUTES 32 SECONDS WEST FOR A DISTANCE OF 197.46 FEET; THENCE GO NORTH 89 DEGREES 54 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 185.00 FEET; THENCE GO SOUTH 00 DEGREES 19 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 198.01 FEET; THENCE GO NORTH 89 DEGREES 55 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 185.00 FEET TO THE POINT OF BEGINNING TOGETHER WITH RIGHTS OF INGRESS AND EGRESS OVER, ALONG, AND ACROSS THE EAST 15 FEET OF PARCEL #2 AS DESCRIBED IN O.R. BOOK 623, PAGE 749, OF THE PUBLIC RECORDS OF SANTA ROSA COUNTY, FLORIDA ("THE PROPERTY").

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DAVID L. SWEENEY,
TRUSTEE OF THE DAVID L. SWEENEY TRUST

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REVISION - EASEMENT ADDED 12-03-2015

SOUTH LINE OF THE NORTHEAST 1/4
OF THE NORTHEAST 1/4

N89°55'05"W - 845.24(D)

EAST LINE OF SECTION 11

S00°16'07"E - 1318.91(D)

June 17, 2015

Santa Rosa County
Development Services
6051 Bagdad Highway
Milton, Florida

Re: Subdivision of Property
as a Special Exception

Ms. Rhonda Royals

I will be representing my
grandson Adam Carpenter at the BOA meeting.
I would like to have this meeting in November
2015.

I am presently in Three Lakes Wisconsin and
will return to Florida on May 9, 2015.

I have enclosed a check for application Fee
and will pay the notification fees when their
cost is provided me.

I have drawings back in Florida of how
the property will be subdivided, but am
unable to provide them until I return in
October.

Thank you for your help

Respectfully David L. Sweeney

