

2015-V-054

Project Name: n/a

**Applicant and/or
Property Owner:** Johnny & Lisa Bailey

Representative: n/a

Request: Variance to increase the maximum
allowable fence height within the front
setback from 4 feet to 6 feet.
(LDC 6.04.16.A, & 7.01.10.A,)

Zoning District: R1M (Mixed Residential Subdivision)

Variance 2015-V-054

General Information:

Applicant:	Johnny & Lisa Bailey
Representative:	n/a
Project Location:	2427 Avenida De Sol., Navarre
Parcel Number:	17-2S-26-2750-00700-0320
Request:	Variance to increase the maximum allowable fence height within the front setback from 4 feet to 6 feet.
Current Conditions:	Single Family Residence This is a code compliance case.

Land Development Code Criteria:

6.04.16 Fences and Walls: The construction, erection and maintenance of walls and fences within Santa Rosa County shall be permitted in RR-1, R-1, R-1A, and R-1M zoning districts only as follows:

- A. Walls and fences on rear and side property lines shall be permitted to a maximum height of six (6) feet.

7.01.10 Fences and Walls: The construction, erection and maintenance of walls and fences within Santa Rosa County shall be permitted only as follows:

- A. Walls and fences on rear and side property lines in residential zones shall be permitted to a maximum height of six (6) feet; in commercial zones walls and fences on rear and side property lines shall be permitted to a maximum height of eight (8) feet. In all industrial areas (M-1 and M-2 districts) walls and fences shall be permitted to a height not to exceed ten (10) feet. Agriculture districts are exempt from this provision.

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 applicants are seeking relief from the Ordinance which regulates fence height within the front setback. There is currently a completed 6 foot privacy fence. 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 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.

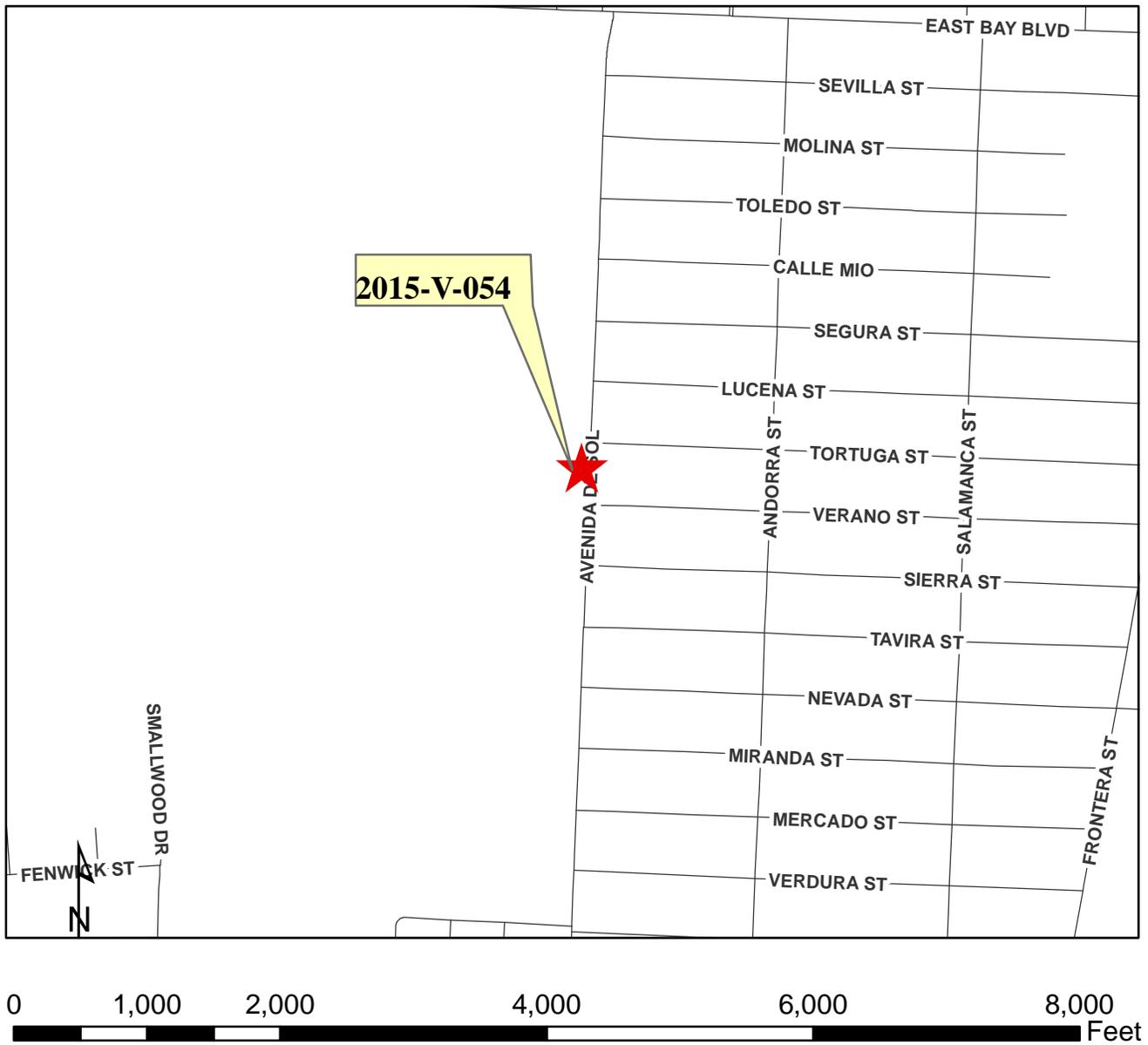
Is this criterion met? N/A

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?

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

2015-V-054 Location



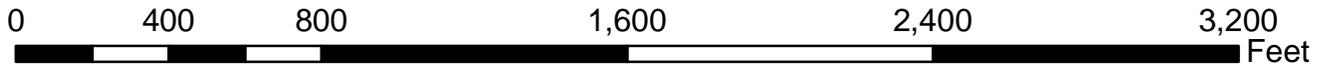
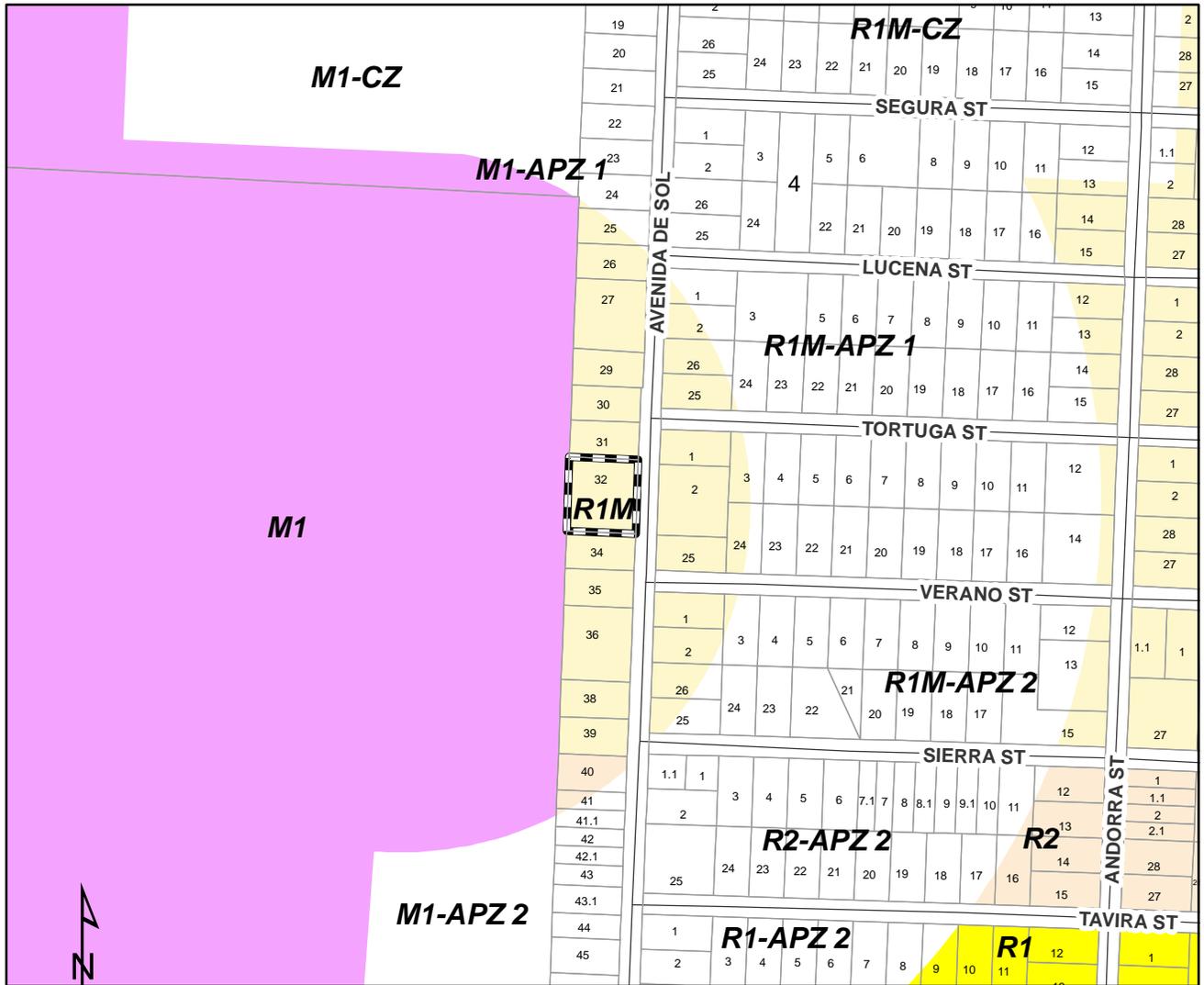
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2015-V-054

Zoning



Legend

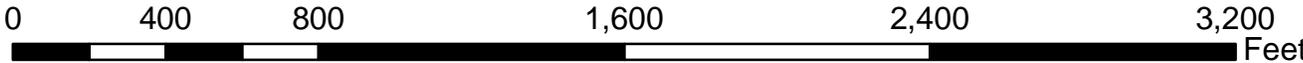
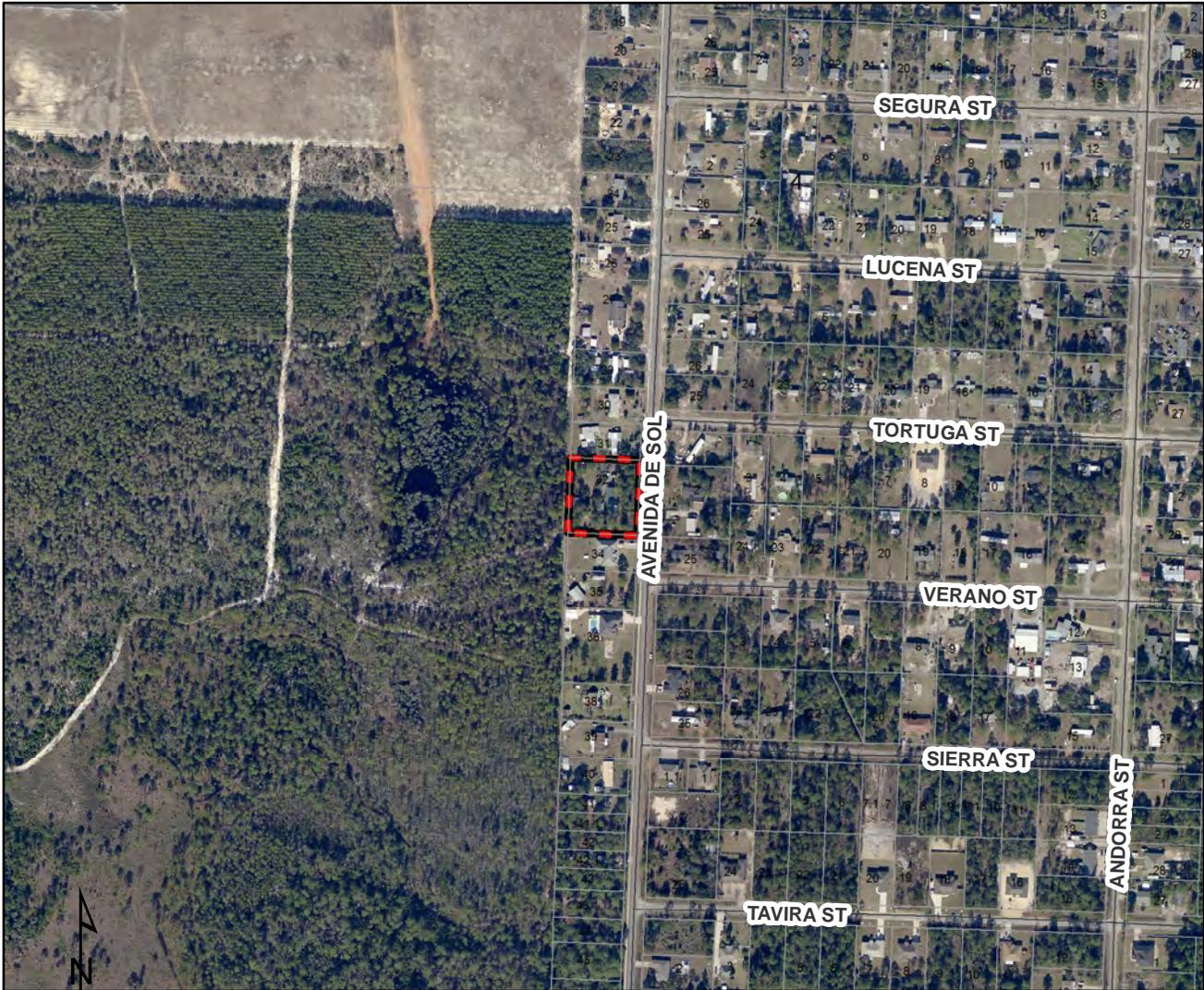
Pending ZB/July	Agriculture/Rural Residential (AG)	General Industrial (M-2)	Single Family Residential (R-1A)	Hotel - Navarre Beach (HNB)
AG within an Accident Potential Zone (AG-APZ)	Agriculture (AG2)	M2 within an Accident Potential Zone (M2-APZ)	Mixed Residential Subdivision (R-1M)	Navarre Beach - High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

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2015-V-054

Aerial

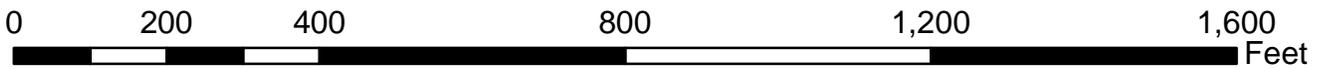
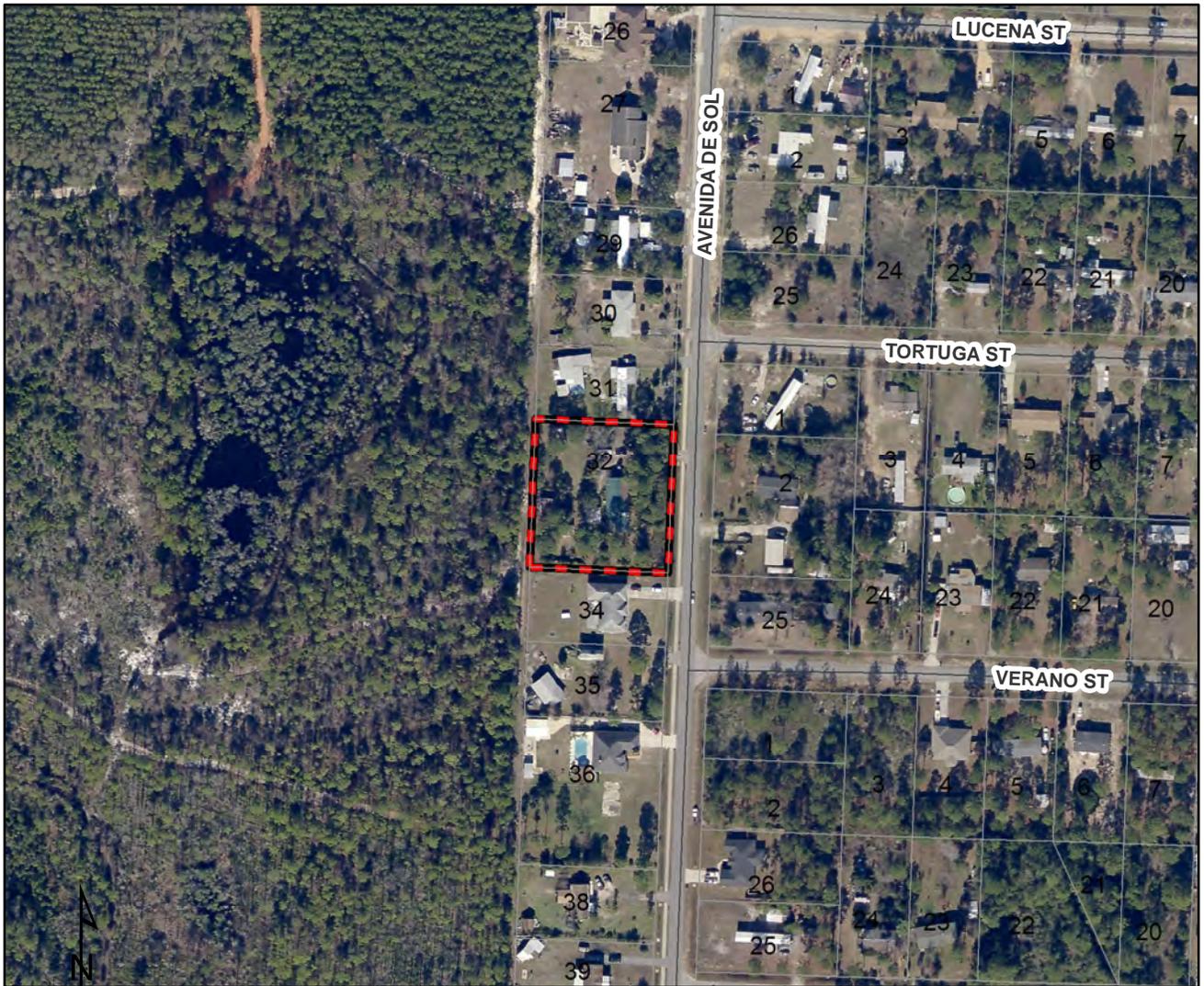


Legend

 PendingZBJuly

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2015-V-054 Close Up Aerial



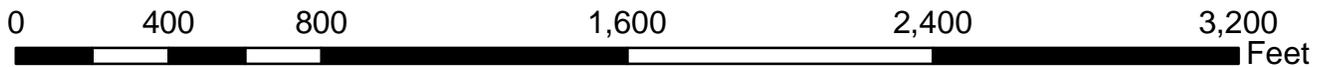
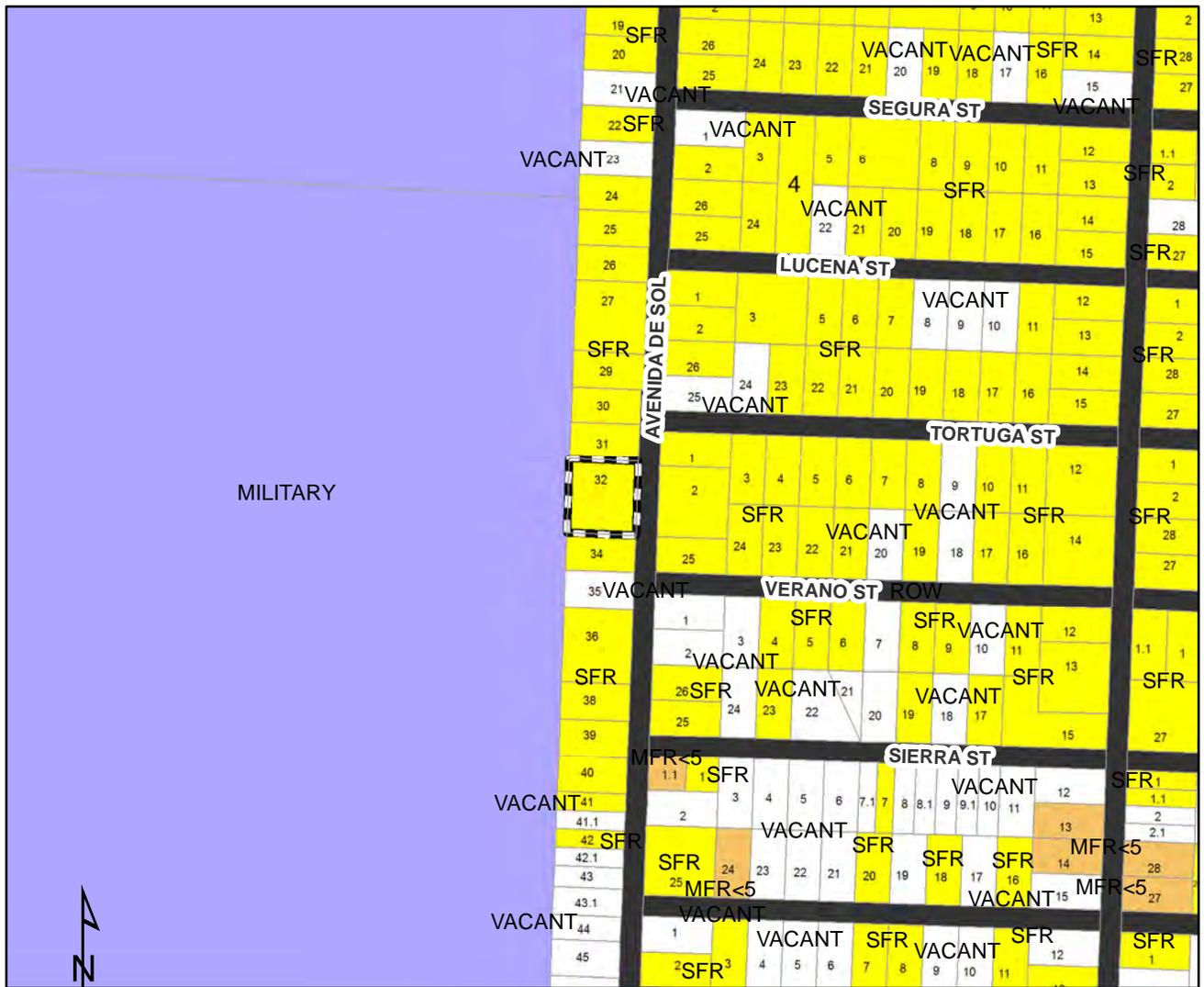
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 PendingZBJuly

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2015-V-054 Existing Land Use



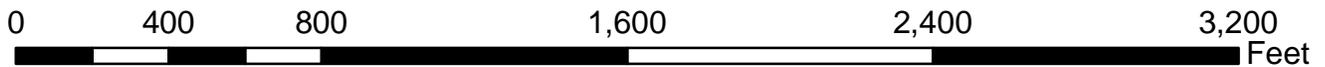
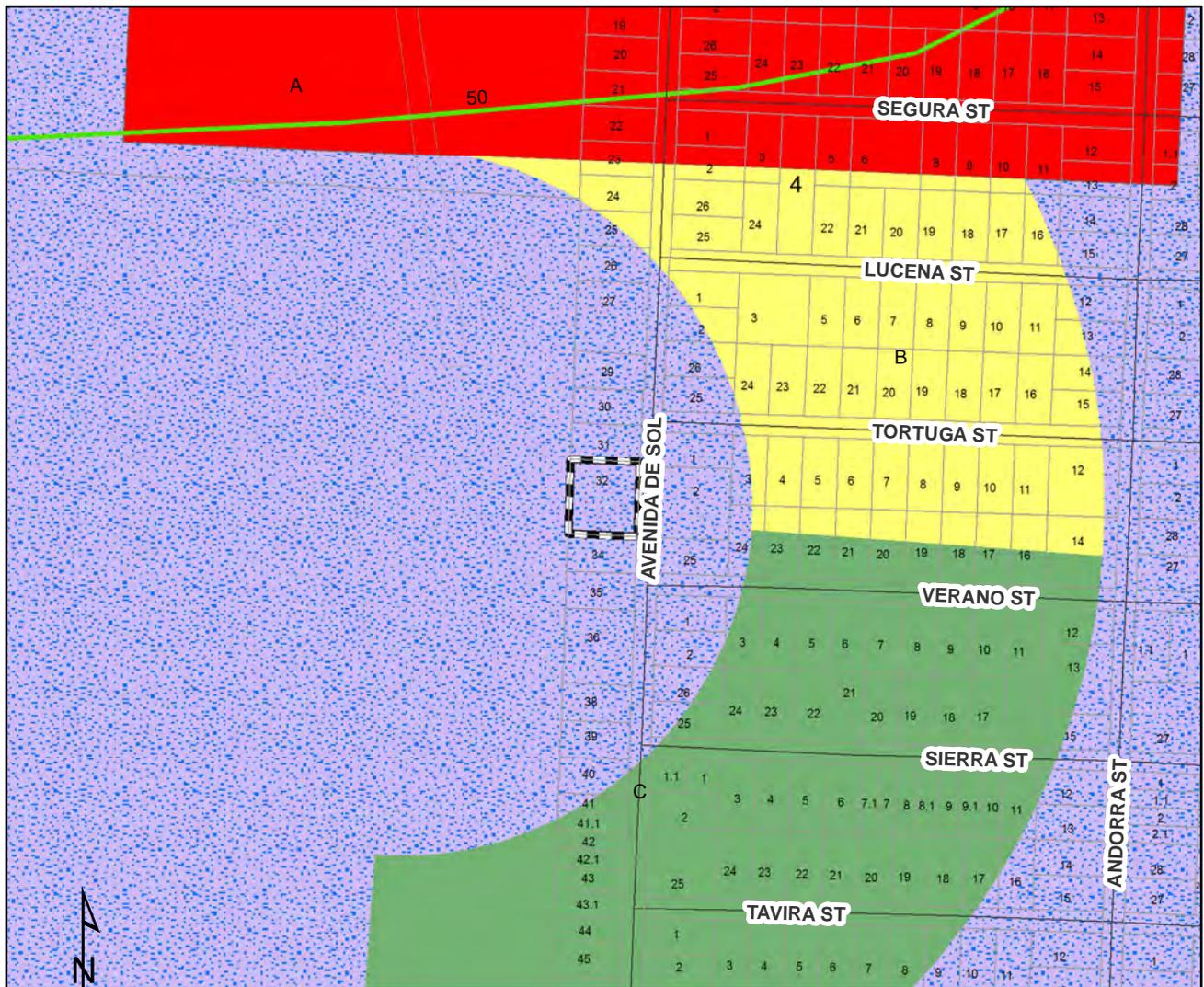
Legend

Pending ZB July	Existing Land Use	Institutional	Recreation/Open Space
CATEGORY		Multi-Family Residential <5	Right of Way
Agriculture		Multi-Family Residential >5	Single Family Residential
Agriculture, Homestead		Military	Silviculture
Condo's/Townhomes		Mixed Residential/Commercial	Uncategorized
City		Office	Utilities
Commercial		Public Owned Property	Vacant
Industrial		Rail	Water
		Recreation/Commercial	

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2015-V-054 Military Airport Zone



Legend

-  PendingZBJuly
-  A - Clear Zone - High Accident Potential
-  B - APZ 1 - Significant Accident Potential
-  C - APZ 2 - Measurable Accident Potential
-  FlightClearanceEasement
-  Military/Private Airport Zone
-  Private/Military Airport Influence Area

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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-054</u>	Date Received:	<u>5/20/15</u>
Review Fee:	<u>\$235 + 14.72</u>	Receipt No.:	
Zoning District:	<u>R1M</u>	FLUM Designation:	<u>SFR</u>

± 0.959 VD#4

Property Owner Property Owner Name: BAILEY JOHNNY E. JR & LISA S.
Address: 2427 AVENIDA DE SOL
NAVARRE, FL. 32566
Phone: 850-939-1576 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): 17 25 262 75 000 7 000 3 20
-OR-
Street Address of property for which the Variance is requested:
NAVARRE 2ND ADDITION 2427 Avenida De Sol
LOTS 32 + 33 BLOCK 7 Navarre, FL 32566
AS DES IN OR 140# PG 1421

Variance Request

What is the present use of the property? RESIDENTIAL

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

TO HAVE A 6 foot fence on front of property line, 20 feet x 200 feet, TO enclose property.

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

SEE ATTACHED PAGE.

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.

see attached page.

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.

John E. Bailey JR.
Applicant Name (Type or Print)

John E. Bailey JR.
Applicant Signature

Title (if applicable)

Date

Variance Request -

I have a bulldog that is aggressive toward stray dogs that have come on our property over the years. A 4 foot fence is not sufficient to contain her. A wire fence is not suitable because stray dogs come to the fence and also she can climb a wire fence.

Also the amount of foot traffic on the sidewalk installed on my side of the road recently provides protection for people who might want to aggravate her. I am very safety conscience and want to protect foot traffic as well as provide protection for my property.

My fence was professionally installed and is behind the power poles and approx 1 foot behind my property line. I keep out front "county property" landscaped and maintained (cut, trimmed, fertilized and sidewalk clean).

The fence is an asset to me and the surrounding properties visually. Also I am 100% disabled Veteran and spend the majority of the time by myself and the bulldog is my security.

Thank you for your time and consideration and God bless Santa Rosa County.

John E. Bailey Jr.

John E. Bailey Jr.

31

32

34

AVENIDA DE SOL



Case Number 2015-ZV-62

Violation Information	
Case Number:	2015-ZV-62
Date Reported:	02/26/2015
Officer Assigned:	(13) Bobby Burkett

Violator Name / Address	
Name (First, Last):	JOHNNY E. & LISA S. BAILEY, JR.
Address:	2427 AVENIDA DE SOL
City, St, ZIP:	NAVARRE FL 32566
Contractor Number:	
Phone Number:	

Violation Location	
Parcel Number 1:	172S262750007000320
Parcel Number 2:	
Zoning Area:	(NI) Navarre Incorporation
City Zone 1:	R1M
City Zone 2:	
Address of Violation:	2427 AVENIDA DE SOL
City, St, ZIP:	NAVARRE, FL 32566
Side Street 1:	
Side Street 2:	

Violator Business Name / Address	
Business Name:	
Physical Address:	
City, St, ZIP:	
Mailing Address:	
City, St, ZIP:	

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

Violations	
Code Description 25 Fence violation	

Fees & Actions	
Date Served:	03/06/2015 Action Taken:
Comply by: 03/25/2015 03/06/15: COURTESY LETTER SENT TO	

**OWNERS RE PRIVACY FENCE ERECTED
WITHIN FRONT SETBACK AREA.**

Amount: **0.00**

Citations

Property Owner Information

Business Name:

Name: JOHNNY E. &
LISA S. BAILEY

Mailing Address:

Physical Address: 2427 AVENIDA
DE SOL

City, St, ZIP NAVARRE FL
32566

Phone Number:

Complaint Information

Name: ANONYMOUS

Address:

Phone Number:

Email:

Complaint made
by: Email

Case Number 2015-ZV-62

Rechecks Scheduled:

#	Scheduled Date	Officer	Notes
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1)	06/03/2015	13 - Bobby Burkett	
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Rechecks Performed:

#	Scheduled Date	Recheck Date	Officer	Notes
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1)	03/25/2015	03/25/2015	13 - Bobby Burkett	
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Dates:

Opened: **02/26/2015**

Closed:

Reopened:

Status:

Status: **Active** Watch List?

Reason:

Comments:

02/26/15 - FENCE VIOLATION. Per anonymous complaint, a 6' privacy fence has been erected within the 25' front property line setback.

03/03/15: On site, observed 6' privacy fence within front setbacks. No one home will send C.L. 15 days. BB

03/27/15: Per Darliene Stanhope, application for variance has been applied for and scheduled for May. Will R/C in June. BB

Status & Transaction Change History:

IDNO	DATE	NOTES
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