

**2015-V-063**

**Project Name:** n/a

**Applicant and/or Property Owner:** Chris Brown

**Representative:** n/a

**Request 1:** Variance to reduce the south side from 5 feet to 4 feet to accommodate an accessory building.

**Request 2:** Variance to reduce the rear setback from 5 feet to 2 feet 6 inches to accommodate an accessory structure.

**Request 3:** Variance request to allow an accessory structure that is not subordinate to the primary residence (the approximate mean height of the primary residence is 10.58 feet and the mean height of the accessory structure is 16+ feet).

(LDC 2.10.05.B.2, 3.00.01)

**Zoning District:** R1 (Single Family Residential)

**Variance 2015-V-063**

**General Information:**

**Applicant:** Chris Brown

**Representative:** n/a

**Project Location:** 4428 Chantilly Way, Milton, FL

**Parcel Number:** 18-1N-28-0000-00324-0000

**Request 1:** Variance to reduce the south side from 5 feet to 4 accommodate an accessory building.

**Request 2:** Variance to reduce the rear setback from 5 feet to 2 feet 6 inches to accommodate an accessory structure.

**Request 3:** Variance request to allow an accessory structure that is not subordinate to the primary residence (the mean height of the primary residence is approximately 10.58 feet and the mean height of the accessory structures is 16+ feet)

**Current Conditions:** Single family residence. This is a code compliance case.

**Land Development Code Criteria:**

2.10.05      Accessory Buildings and Structures

B.    Encroachment of Yards in lots located in Recorded Subdivisions or lots less than one (1) acre in size - Accessory buildings or structures on lots in recorded subdivisions in residentially zoned districts or less than one (1) acre in size may be located within all yards and must observe the following conditions:

2. Any accessory structure located over ten (10) feet from a main dwelling may be constructed no closer than five (5) feet of any interior side or rear lot line; provided, however, that such accessory buildings may not be located within the front setback. In addition, where the parcel is located on Navarre Beach or is located within the Shoreline Protection Zone, Sections 6.08.00 and 12.01.02 shall prevail. An accessory building used for living quarters (guest house or guest cottage) shall have a front setback of 60 feet from the front property line and shall maintain the same side and rear setbacks for the principle dwelling (refer to Sections 2.10.00, 6.05.00, 6.08.00 and 12.01.02)

**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 principle 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 principle use served.

**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 setback requirements and defines accessory structures as being subordinate in height to the principle structure, specifically the mean height of the primary residence is approximately 10.58 feet and the mean height of the accessory structure is 16+ feet. 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?            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 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.

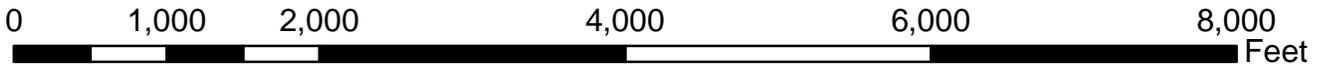
**Is this criterion met?            N/A**

**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-063 Location

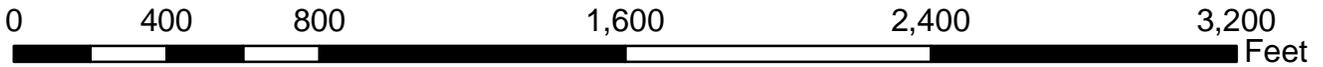
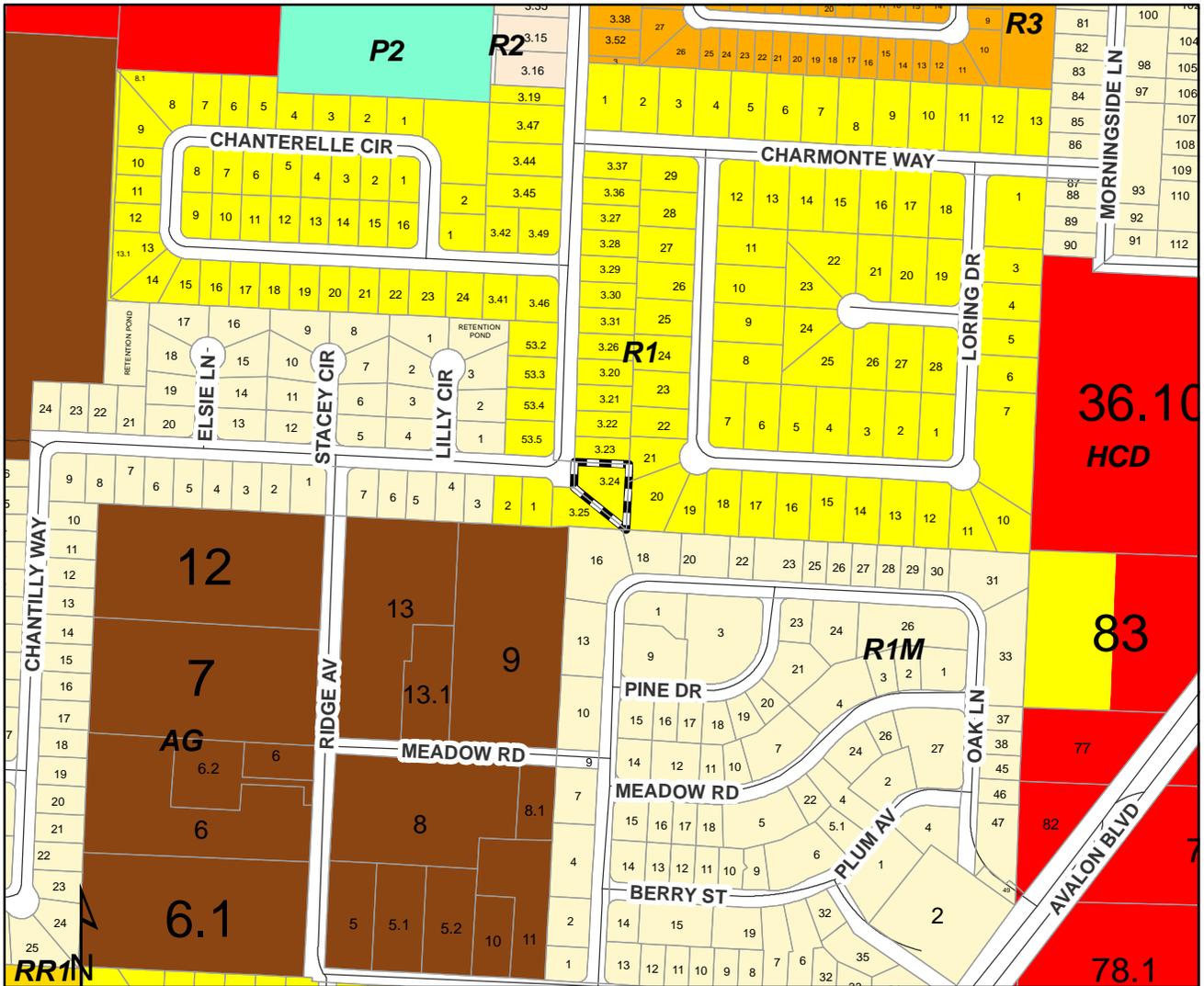


## Legend

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# 2015-V-063

## Zoning



### Legend

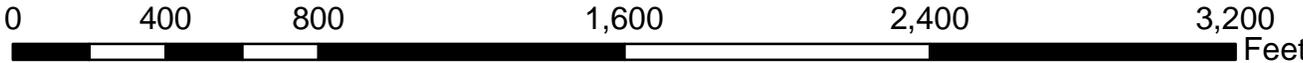
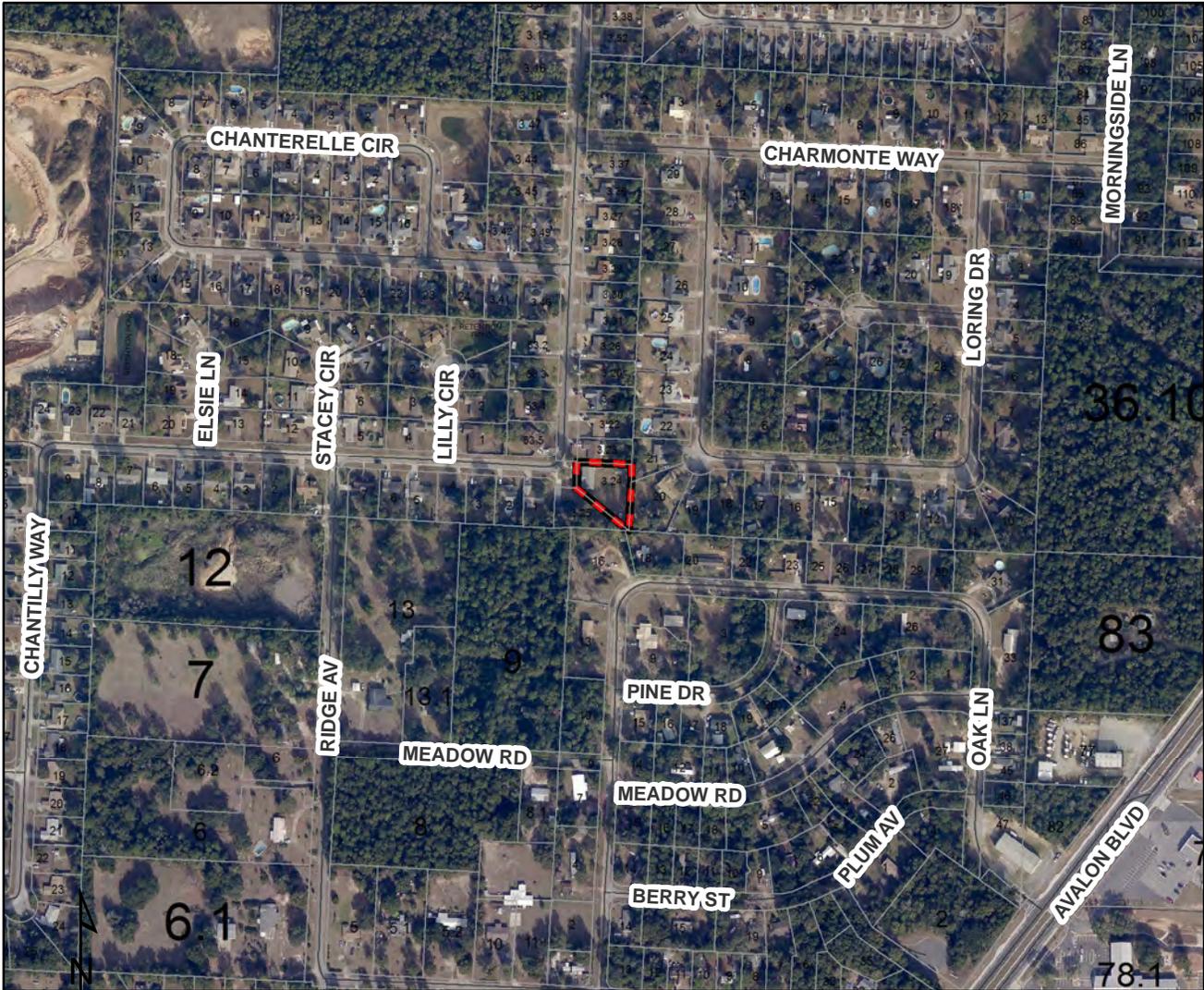
- |   |   |   |   |   |
|---|---|---|---|---|
| Pending ZB September                            | Agriculture/Rural Residential (AG)            | General Industrial (M-2)                      | Single Family Residential (R-1A)                | Hotel - Navarre Beach (HNB)                             |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

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2015-V-063

Aerial



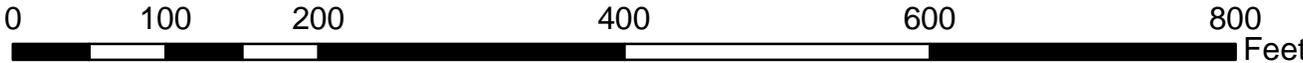
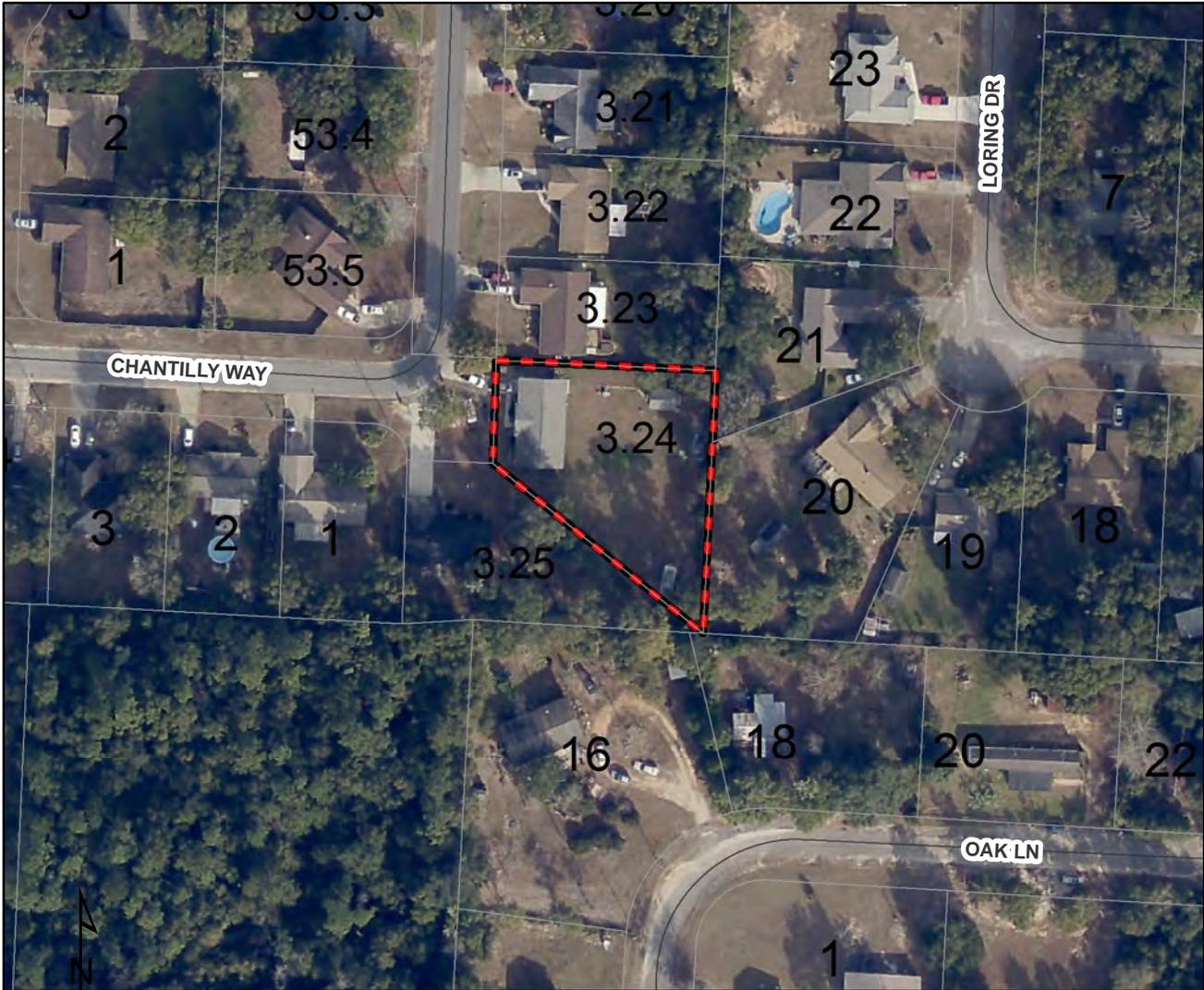
Legend

 PendingZBSeptember

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2015-V-063

Aerial

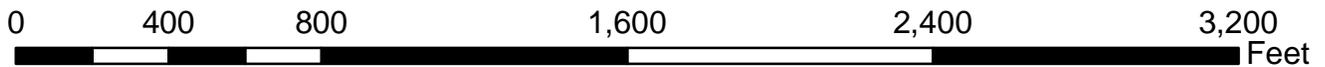
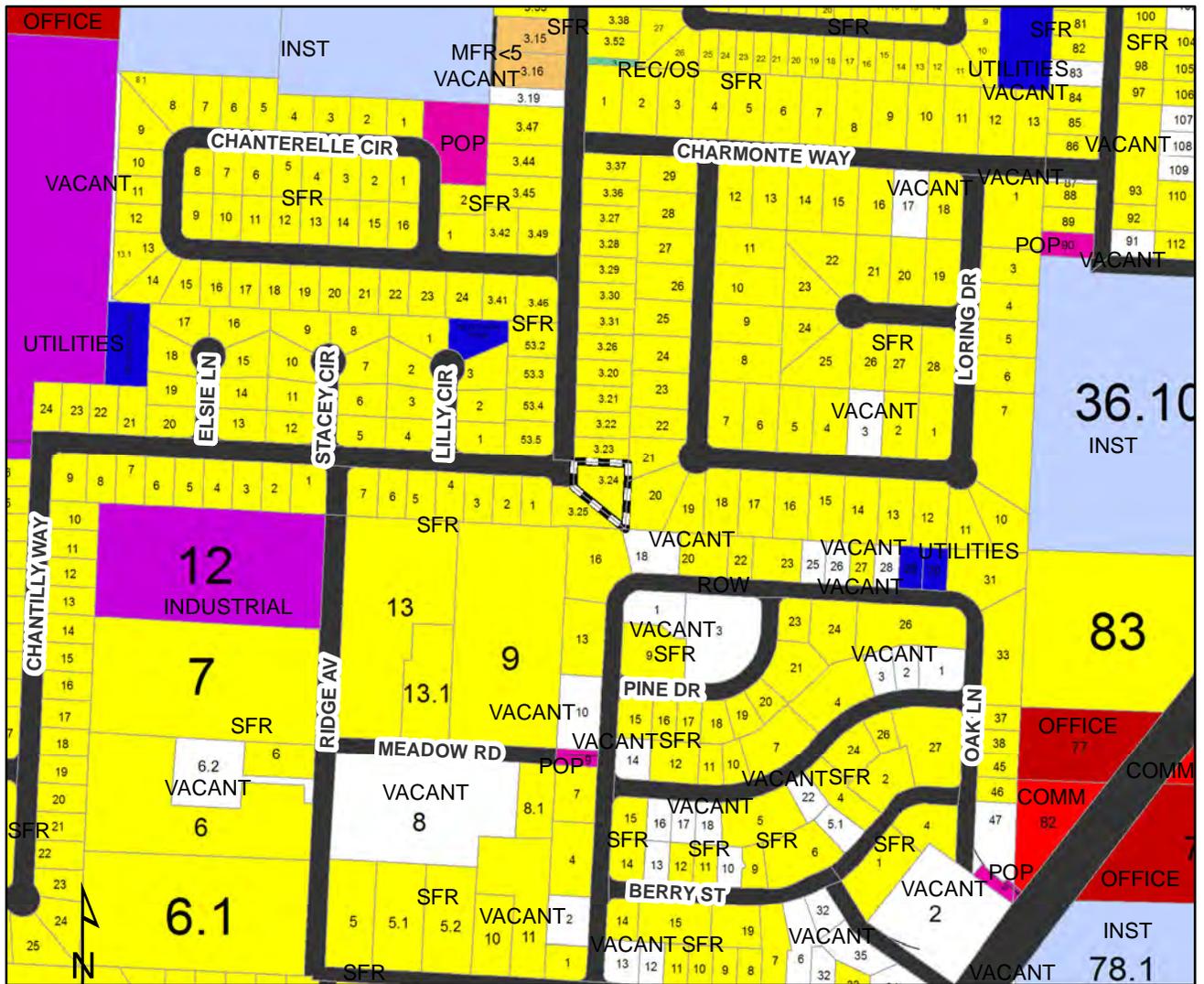


Legend

 PendingZBSeptember

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# 2015-V-063 Existing Land Use



## Legend



Pending ZB September

### 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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**Variance Request**

What is the present use of the property? home

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

variance to reduce the side setback from ~~5'~~ 5' to 4'; variance to reduce the rear setback from 5' to 2'6"; Variance to allow an accessory structure that is not subordinate to the residence.

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

was trying to place the structure so as not to impact the rest of the backyard.

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.

I have already started construction when I found out I needed permits and that the accessory structure did not meet setbacks and was too tall

**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.

Chris Brown  
Applicant Name (Type or Print)

[Signature]  
Applicant Signature

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

7/24/15  
Date



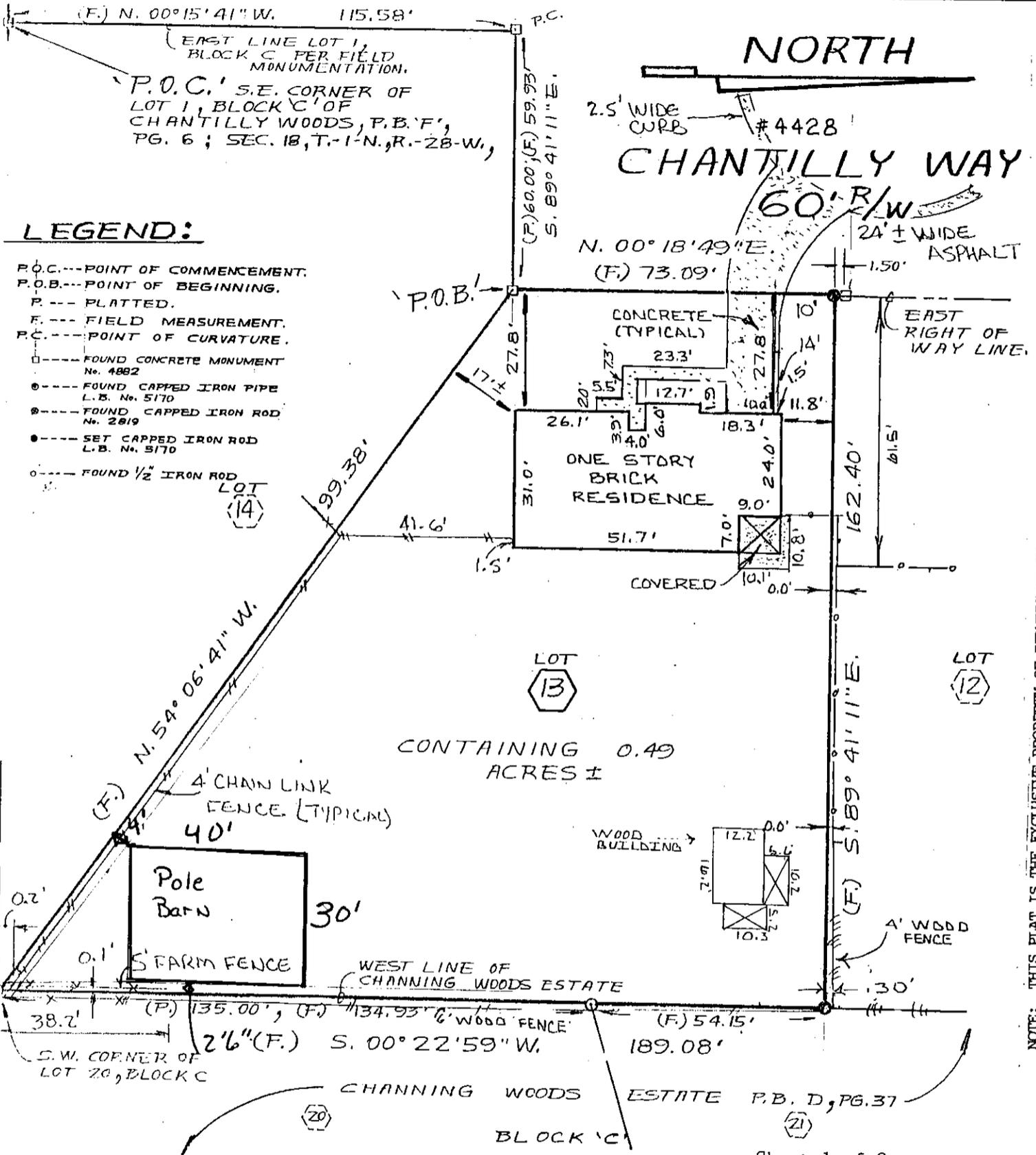
# Benchmark Surveying & Engineering, Inc.

7200 Chumuckla Highway  
Pace, Florida 32571  
(904) 994-4882  
FAX 994-4882

THOMAS E. NICHOLS, P.L.S.  
President

Consulting • Land Planning  
Land Surveying • Civil Engineering  
Wetland Surveying • Environmental Permitting

FIELD DATE: 3/25/04 TYPE SURVEY: Land Boundary and Improvements SURVEY NO: 04-462



### LEGEND:

- P.O.C.---POINT OF COMMENCEMENT.
- P.O.B.---POINT OF BEGINNING.
- P.--- PLATTED.
- F.--- FIELD MEASUREMENT.
- P.C.--- POINT OF CURVATURE.
- FOUND CONCRETE MONUMENT No. 4882
- FOUND CAPPED IRON PIPE L.B. No. 5170
- ⊙--- FOUND CAPPED IRON ROD No. 2819
- SET CAPPED IRON ROD L.B. No. 5170
- FOUND 1/2" IRON ROD

NOTE: THIS PLAT IS THE EXCLUSIVE PROPERTY OF BENCHMARK SURVEYING AND ENGINEERING, INC. THIS SURVEY IS INTENDED TO BE USED ONLY FOR THE ORIGINAL PROJECT IT WAS ORDERED FOR. NO REPRODUCTIONS, IN WHOLE OR IN PART, MAY BE MADE WITHOUT THE EXPRESSED WRITTEN PERMISSION.

Sheet 1 of 2

THIS IS TO CERTIFY THAT I HAVE CONSULTED THE AVAILABLE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, MAP# 120274 0195 B, DATED 11/1/85, AND IT IS MY OPINION THAT THE ABOVE DESCRIBED PROPERTY IS IN FLOOD ZONE "C" areas of minimal flooding

- GENERAL NOTES:**
- No title search of Public Records have been performed by this firm to determine if any defects and/or ambiguities or easements exists.
  - Measurements made to U.S. Standards.
  - NOTICE: There may be restrictions not shown that may be found in the Public Records.
  - The accuracy of measurements performed meets suburban land standards.
  - The bearings and/or angles shown are referenced to S00°22'59"W along the West line of Channing Woods Estates as per plat
  - The dimensions of the buildings shown hereon do not include the cave overhang or the footings thereof.

**REVISIONS BY:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**SURVEYOR'S CERTIFICATE:**  
I hereby certify that the survey shown hereon is true and correct to the best of my knowledge and belief.

*Thomas E. Nichols*  
THOMAS E. NICHOLS, P.L.S., FL#4657

SCALE: 1"=30'  
FIELD WORK: GZ / CM/TT  
F.B.: 154-155/164/578  
DRAWN BY: CG / DS/TJN  
PAGE: 9-12/68/47 /75  
ENCROACHMENTS: above ground as shown

DATE: **March 29, 2004**  
UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.



Case Number 2015-ZV-263

**Violation Information**

Case Number: **2015-ZV-263**  
Date Reported: **07/23/2015**  
Officer Assigned: **(13) Bobby Burkett**

**Violation Location**

Parcel Number **181N280000003240000**  
1:  
Parcel Number  
2:  
Zoning **(PPR) Pace-Pea Ridge**  
Area: **Area**  
City  
Zone 1: **R1**  
City  
Zone 2:

Address of **4428 CHANTILLY WAY**  
Violation:  
City, St, ZIP: **MILTON, FL 32583**  
Side  
Street 1:  
Side  
Street 2:

**Violator Name / Address**

Name (First, Last): **CHRISTOPHER E. BROWN**  
Address: **4428 CHANTILLY WAY**  
City, St, ZIP: **MILTON FL 32583**  
Contractor  
Number:  
Phone  
Number:

**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  
**87 accessory building violation**  
**110 Building w/o permits**

Fees & Actions

Date Served: **07/27/2015** Action Taken:

Comply by: **08/14/2015 07/27/15: COURTESY LETTER SENT TO OWNER RE ACCESSORY BUILDING VIOLATION AND BUILDING WITHOUT PERMITS.**

Amount: **0.00**

Citations

Property Owner Information

Business Name:

Name: CHRISTOPHER E.  
BROWN &  
KRISTIE A.  
BROWN

Mailing Address:

Physical Address: 4428 CHANTILLY  
WAY  
City, St, ZIP MILTON FL 32583

Phone Number:

Complaint Information

Name: ANONYMOUS  
Address:

Phone Number:  
Email:  
Complaint made by: Email

Case Number 2015-ZV-263

Rechecks Scheduled:

#	Scheduled Date	Officer	Notes
1)	10/02/2015	13 - Bobby Burkett	

Rechecks Performed:

#	Scheduled Date	Recheck Date	Officer	Notes
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1) 08/14/2015 08/14/2015<sup>13</sup> - Bobby  
Burkett

Dates:

Opened: **07/23/2015**

Closed:

Reopened:

Status:

Status: **Active** Watch List?

Reason:

Comments:

07/23/15 - ACCESSORY BUILDING VIOLATION & BUILDING WITHOUT PERMITS. Per anonymous complainant, owner appears to be putting in a large building without a permit in the back yard.

07/24/15: On site, observed pole barn being built within setbacks. Spoke with owner and will send C.L. 15 days. BB

08/14/15: On site, no activity. Per Darliene Stanhope, owner has applied for variance. Will monitor. BB

Status & Transaction Change History:

IDNO	DATE	NOTES
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