

2015-V-074

Project Name: n/a

**Applicant and/or
Property Owner:** Nathan Mansfield

Representative: n/a

Request 1: Variance request to reduce the front setback from 25 feet to 15 feet to accommodate single family residence.

(LDC 6.05.13.F.8.a)

Request 2: Variance request to reduce the shoreline protection zone setback from 50 feet to 28.95 feet to accommodate a single family residence.

(LDC 12.01.02.A)

Zoning District: PBD (Planned Business District)

Variance 2015-V-074

General Information:

Project Name:	n/a
Applicant/Owner:	Nathan Mansfield
Representative:	n/a
Project Location:	6019 Emerald Sound Drive, Gulf Breeze, FL
Parcel Number:	29-2S-27-3332-00H00-0040
Request 1:	Variance request to reduce the front setback from 25 feet to 15 feet to accommodate single family residence.
Request 2:	Variance request to reduce the shoreline protection zone setback from 50 feet to 28.95 feet to accommodate a single family residence.
Current Conditions:	Vacant Lot
Previous Board Actions:	<p>This applicant filed a similar variance (2015-V-060) request and was denied by the ZB at their meeting on August 13, 2015. Variance 2015-V-060 requested a shoreline protection zone setback from 50 feet to 18.95 feet. There was no front setback reduction request on Variance 2015-V-060.</p> <p>The property immediately to the west of the subject site received a variance in 2014 to reduce the shoreline protection zone setback from 50 feet to 38 feet to accommodate a sundeck. The actual residence did not encroach into the 50 foot setback.</p>

Land Development Code Criteria:

6.05.00 DISTRICT REGULATIONS:

6.05.13 PBD - Planned Business District

F. Development Standards for Planned Business Developments

8. Setbacks Along Collector or Arterial Roads: The minimum required building setback along a collector or arterial road, as described in Section 4.04.03(D), shall be as follows:
 - a. Along a collector road, the minimum required building setback shall be twenty-five (25) feet.

12.01.00 COASTAL DEVELOPMENT/SHORELINE PROTECTION:

12.01.02 Design Standards in Areas Adjacent to Shoreline Protection Zone

- A. All development shall be setback greater than or equal to fifty (50) feet from the landward boundary of the Shoreline Protection Zone in Zone-1 and forty-five (45) feet from the landward boundary of the Shoreline Protection Zone in Zone-2.

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 front setbacks and the placement structures within a Shoreline Protection Zone. The applicant is seeking to reduce the front setback from 25 feet to 15 feet and to vary the Shoreline Protection Zone setbacks from 50 feet to 28.95 feet to accommodate the construction of a single family residence.

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 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.

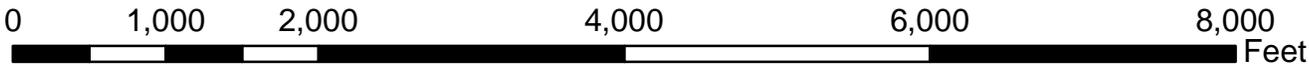
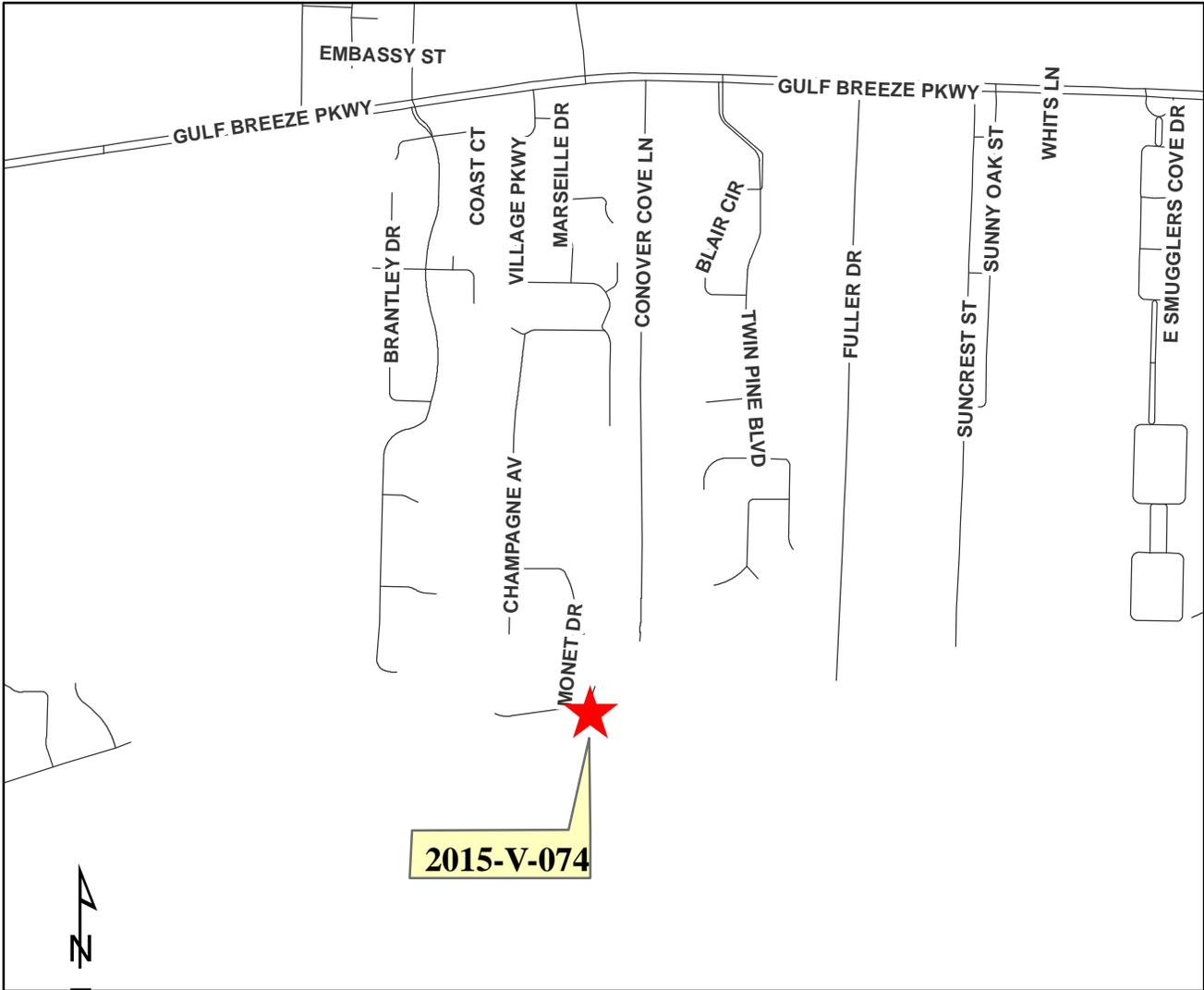
Is this criterion met? N/A

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.

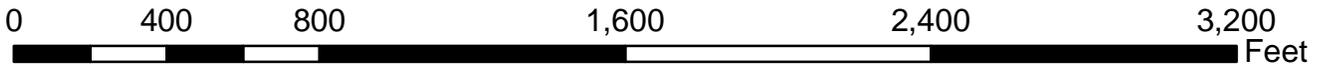
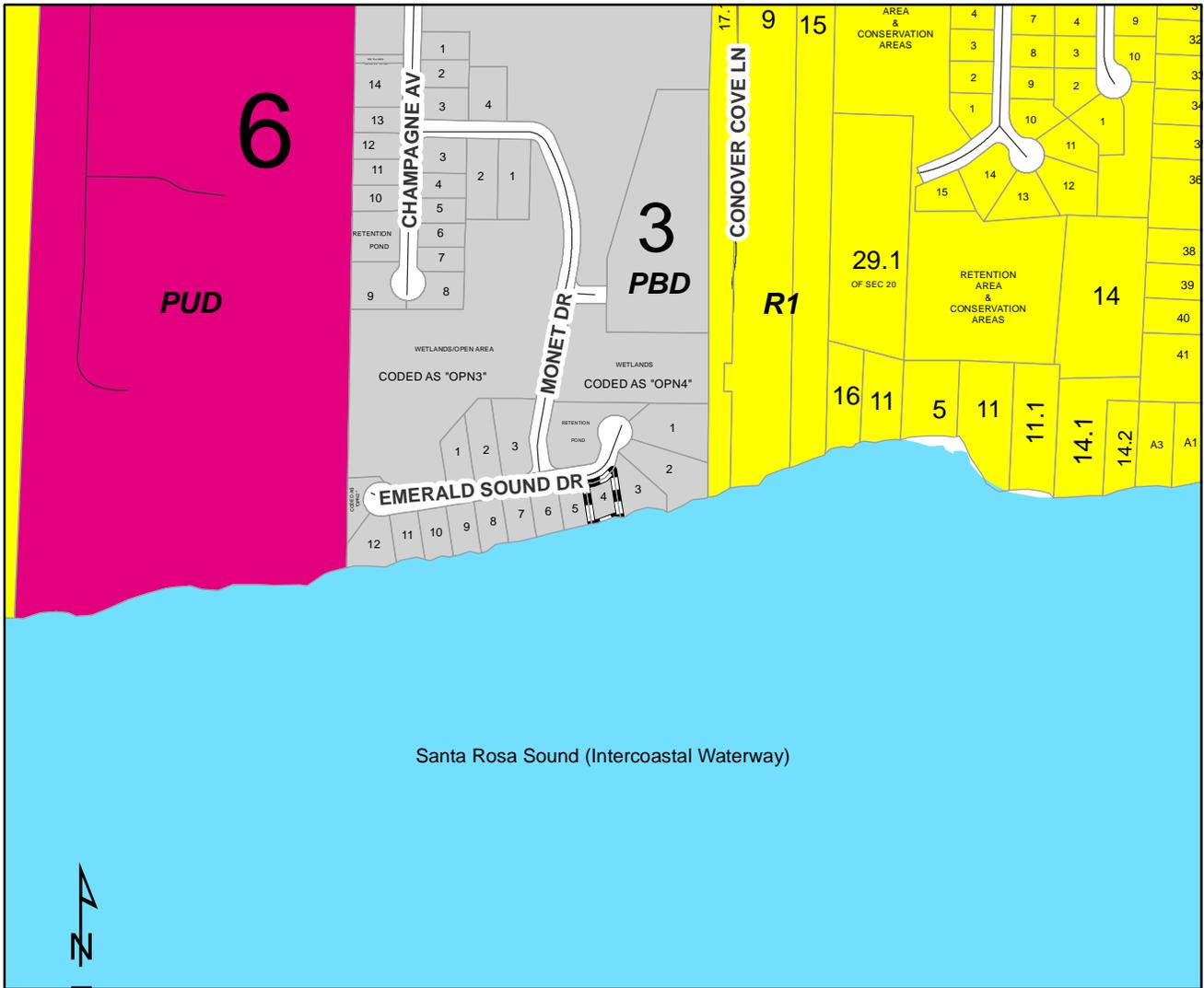
2015-V-074
Location



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2015-V-074 Zoning

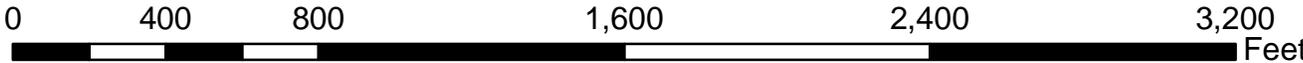


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Pending ZB September	Agriculture/Rural Residential (AG)	General Industrial (M-2)	Single Family Residential (R-1A)	Hotel - Navarre Beach (HNB)
AG within an Accident Potential Zone (AG-APZ)	M2 within an Accident Potential Zone (M2-APZ)	Planned Industrial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

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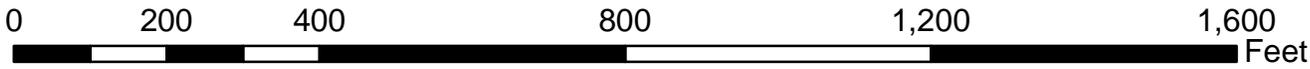


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 Pending ZB September

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2015-V-074
Close Up Aerial

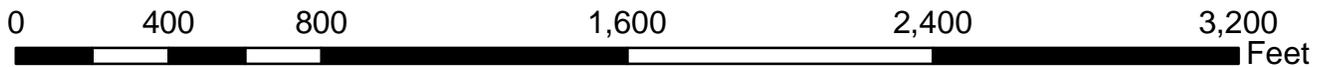
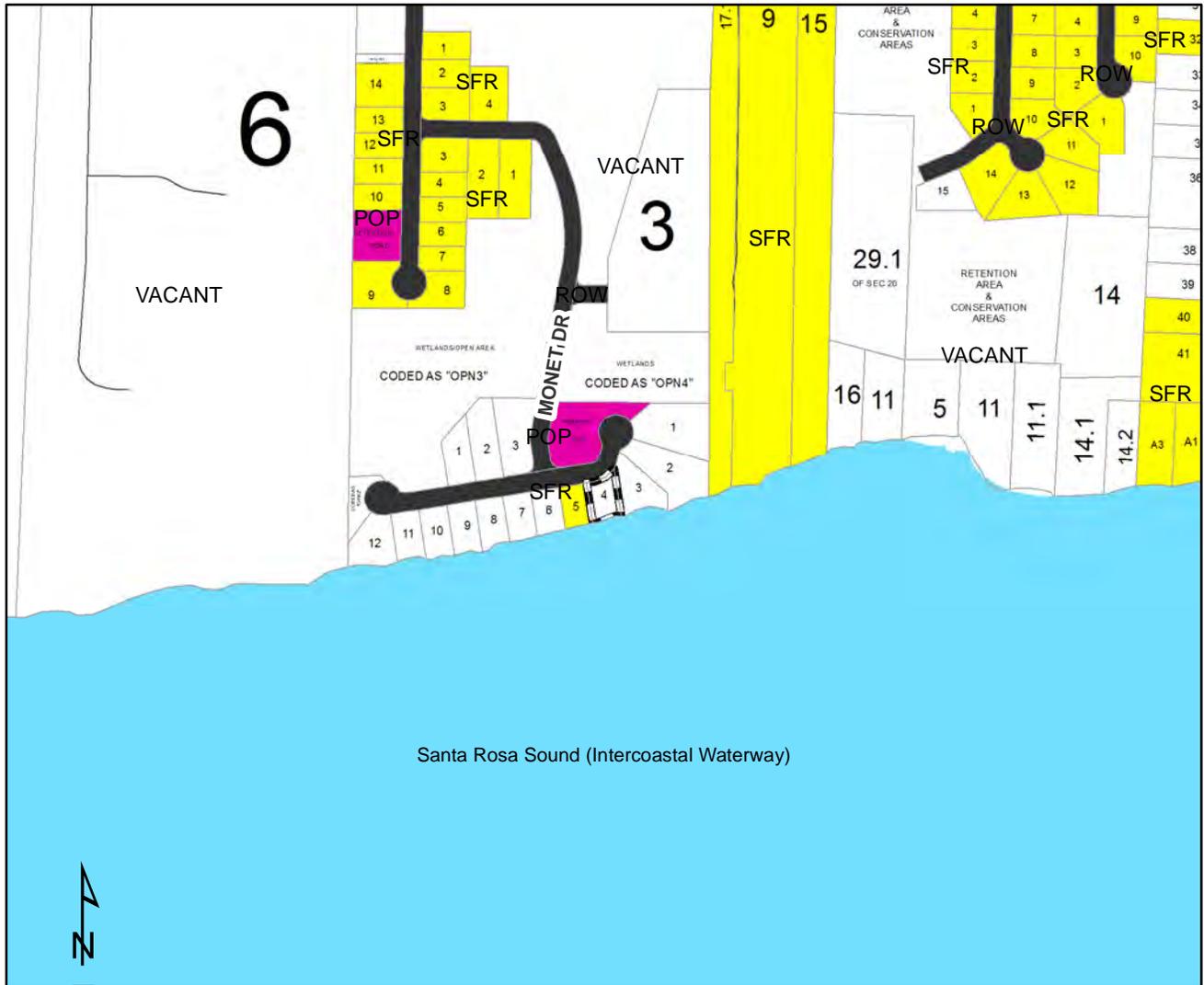


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 Pending ZB September

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2015-V-074 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? VACANT

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

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 No

Please explain why the literal enforcement of the provisions of the Land Development Code will result in unnecessary hardship.
I cannot construct my residence

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.

Nathan L. Mansfield
Applicant Name (Type or Print)

[Signature]
Applicant Signature

Title (if applicable)

8/17/2005
Date

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

Requesting a variance to reduce the front setback line from 25 to 15 feet, and to reduce the rear setback from 50 ft to 28.95 ft from the mean high water line (mhw). The purpose of the variance is to enable me to construct my new residence on my property.

Please describe the special circumstances or conditions that apply to the building or land in question which will necessitate the variance request:

I purchased this property in 2004 and recently designed a home to be built on the property based on the original plat map and survey from 2004. The shoreline has supposedly changed since the subdivision was originally platted resulting in a significant movement of the rear BSL.

The rear BSL is now running through the center of my proposed residence, and is only leaving a buildable area of approximately 21 ft on the East side of the property by 64 ft wide. If you add a modest 5ft front porch and an 8ft rear porch, this only leaves a living area of 8x64 or approximately 512 sq ft.

I spoke with Southern Surveying Inc., who performed the surveying for the original subdivision plat map, and my survey in 2004 when I purchased the property, to see why there is such a discrepancy in the rear BSL. They informed me that the changing shoreline created this, but that the rear BSL wasn't set using the mhw (it's listed nowhere on the county plat map). The 50ft rear BSL is set according to the shore protection zone by using the mhw. The shoreline has significant changes throughout the year, but the physical parameters of my property have remained the same since 2003 when the subdivision was platted.

These changes are creating a shallowness of my property resulting in peculiar and practical difficulties to construct my residence, and this is why it is deemed a special circumstance. This request is not for convenience, but to enable me to protect my investment by building a suitable residence on my property.

