

STAFF ANALYSIS

Variance 2015-V-082

General Information:

Applicant: Karen Nobles Bowers Trustee

Representative: Les White of Acorn Fine Homes

Project Location: 1400 Block of Bermuda Drive, Navarre Beach, FL

Parcel Number: 28-2S-26-9095-00B00-0160

Request: Variance request to reduce the shoreline protection zone setback from 50 feet to 26 feet to accommodate a single family residence.

(LDC 12.01.02.A)

Zoning District: NB-MD (Navarre Beach-Medium Density)

Current Conditions: Vacant

***Zoning Board
Decision:***

Motion to approve failed

Voting results: 4 – 4

***Bill DuBois, Bill Seelmann, Don Richards &
Robin Edwards voted against***

Land Development Code Criteria:

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.

Variance Criteria:

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? Yes

Staff Analysis: Staff has determined that there are special circumstances regarding the land or building in question, and that this parcel does 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 rear setback in a shoreline protection zone. This parcel has had a considerable amount of erosion since it was initially purchases by the property owner. This erosion has significantly reduced the MHWL and reduced the buildable area for the parcel. The proposed site plan shows the structure to be in line with the adjacent structures and a future seawall to prevent further erosion.

- 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? Yes

Staff Analysis: This Variance request is necessary for the preservation and enjoyment of a substantial property right by allowing a reasonable space for which to build a single family residence.

- 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? Yes

Staff Analysis: If authorized, a Variance special circumstances would not 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.

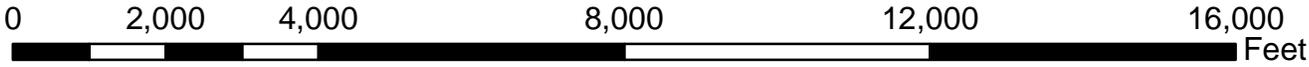
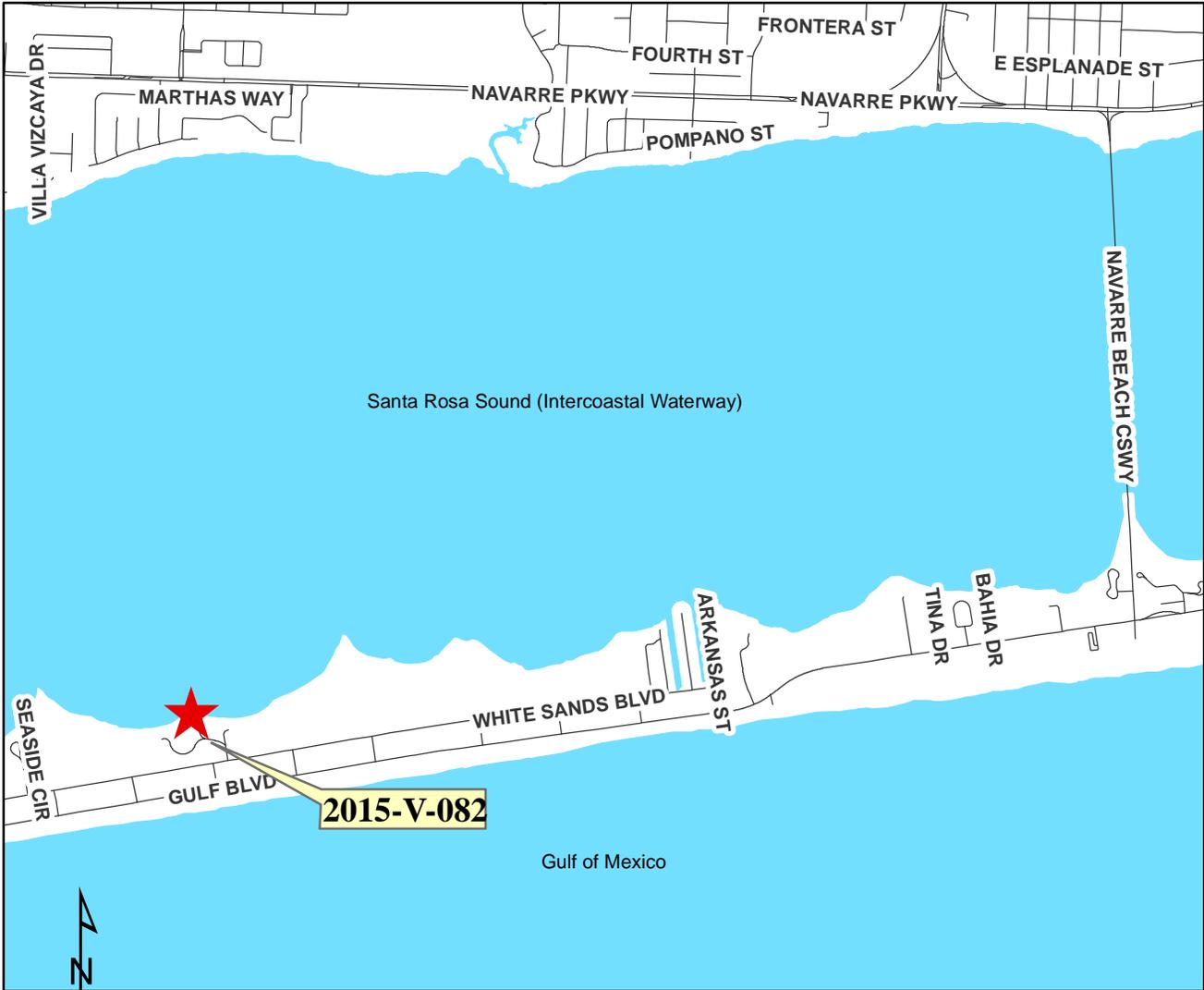
Is this criterion met? N/A

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.

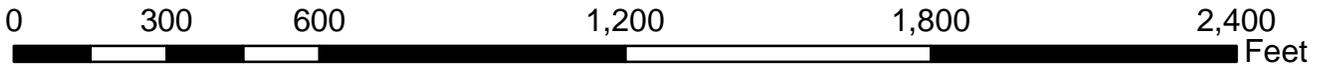
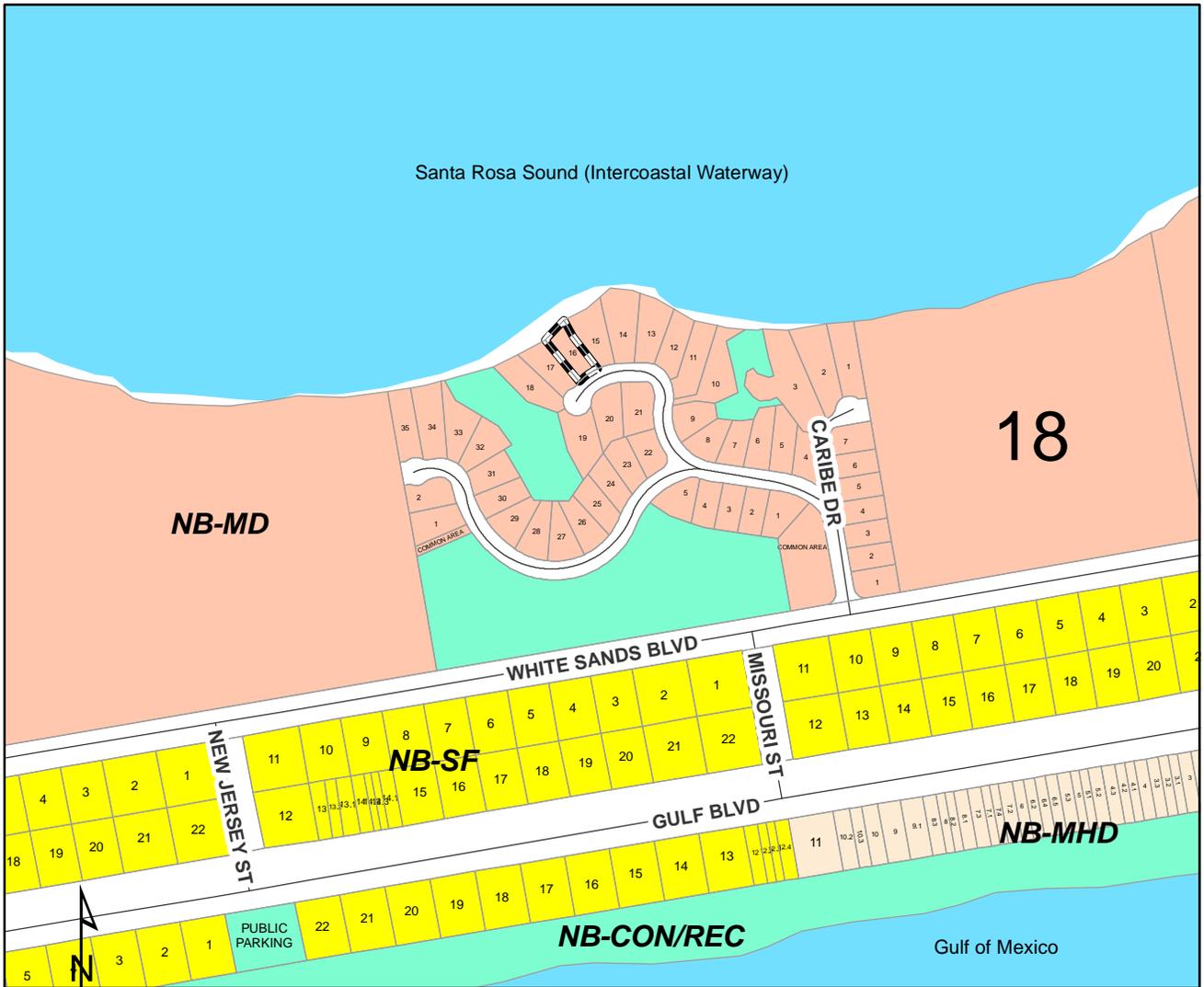
2015-V-082
Location



Legend

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2015-V-082 Zoning



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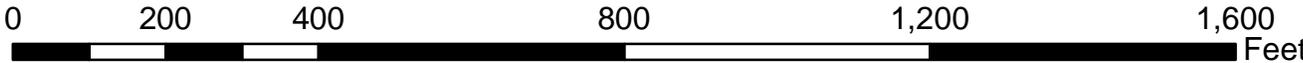
<ul style="list-style-type: none"> Pending ZB October Agriculture/Rural Residential (AG) AG within an Accident Potential Zone (AG-APZ) Agriculture (AG2) AG2 within an Accident Potential Zone (AG2-APZ) Marina (C-1M) Marina and Yacht Club (C-2M) Historical/Commercial (HC-1) Highway Commercial Development (HCD) HCD within an Accident Potential Zone (HCD-APZ) HCD within the Heart of Navarre (HCD-HON) HCD with the Navarre Town Center (HCD-NTC) Historical/Single Family (HR-1) Historical/Multiple Family (HR-2) Restricted Industrial (M-1) M1 within an Accident Potential Zone (M1-APZ) M1 within the Heart of Navarre (M1-HON) 	<ul style="list-style-type: none"> General Industrial (M-2) M2 within an Accident Potential Zone (M2-APZ) Planned Industrial Development (PID) Neighborhood Commercial (NC) NC-APZ NC within the Heart of Navarre (NC-HON) Passive Park (P-1) P1 within the Heart of Navarre (P1-HON) Active Park (P-2) P2 within an Accident Potential Zone (P2-APZ) P2 within the Heart of Navarre (P2-HON) Planned Business District (PBD) Planned Unit Development (PUD) Single Family Residential (R-1) R1 within an Accident Potential Zone (R1-APZ) R1 within the Heart of Navarre (R1-HON) 	<ul style="list-style-type: none"> Single Family Residential (R-1A) Mixed Residential Subdivision (R-1M) R1M within an Accident Potential Zone (R1M-APZ) R1M within the Heart of Navarre (R1M-HON) Medium Density Residential (R-2) R2 within an Accident Potential Zone (R2-APZ) R2 within the Heart of Navarre (R2-HON) Medium Density Mixed Residential (R-2M) R2M within an Accident Potential Zone (R2M-APZ) R2M-HON Medium High Density Residential (R-3) Rural Residential Single Family (RR-1) RR1 within an Accident Potential Zone (RR1-APZ) Navarre Town Center 1 (TC1) Navarre Town Center 2 (TC2) Navarre Beach - Commercial (NB-C) 	<ul style="list-style-type: none"> Hotel - Navarre Beach (HNB) Navarre Beach - High Density (NB-HD) Navarre Beach - Medium Density (NB-MD) Navarre Beach - Planned Mixed Use Development (NB-PMUD) Navarre Beach - Conservation/Recreation (NB-CON/REC) Navarre Beach - Single Family (NB-SF) Navarre Beach - Medium High Density (NB-MHD) Navarre Beach - Utilities (NB-U) State State within an Accident Potential Zone (STATE-APZ) RAIL Right of Ways (ROAD) Military (MIL) Water Municipal Boundaries (CITY)
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2015-V-082

Aerial

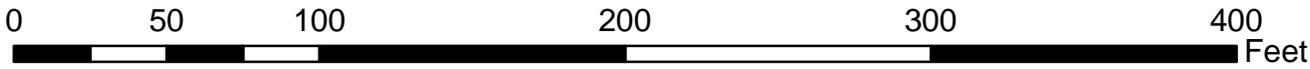


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 Pending ZBOctober

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2015-V-082 Close Up Aerial

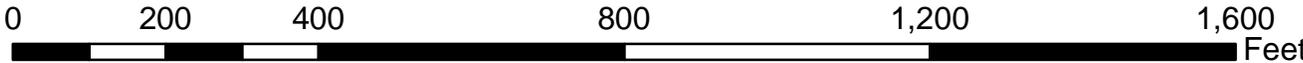
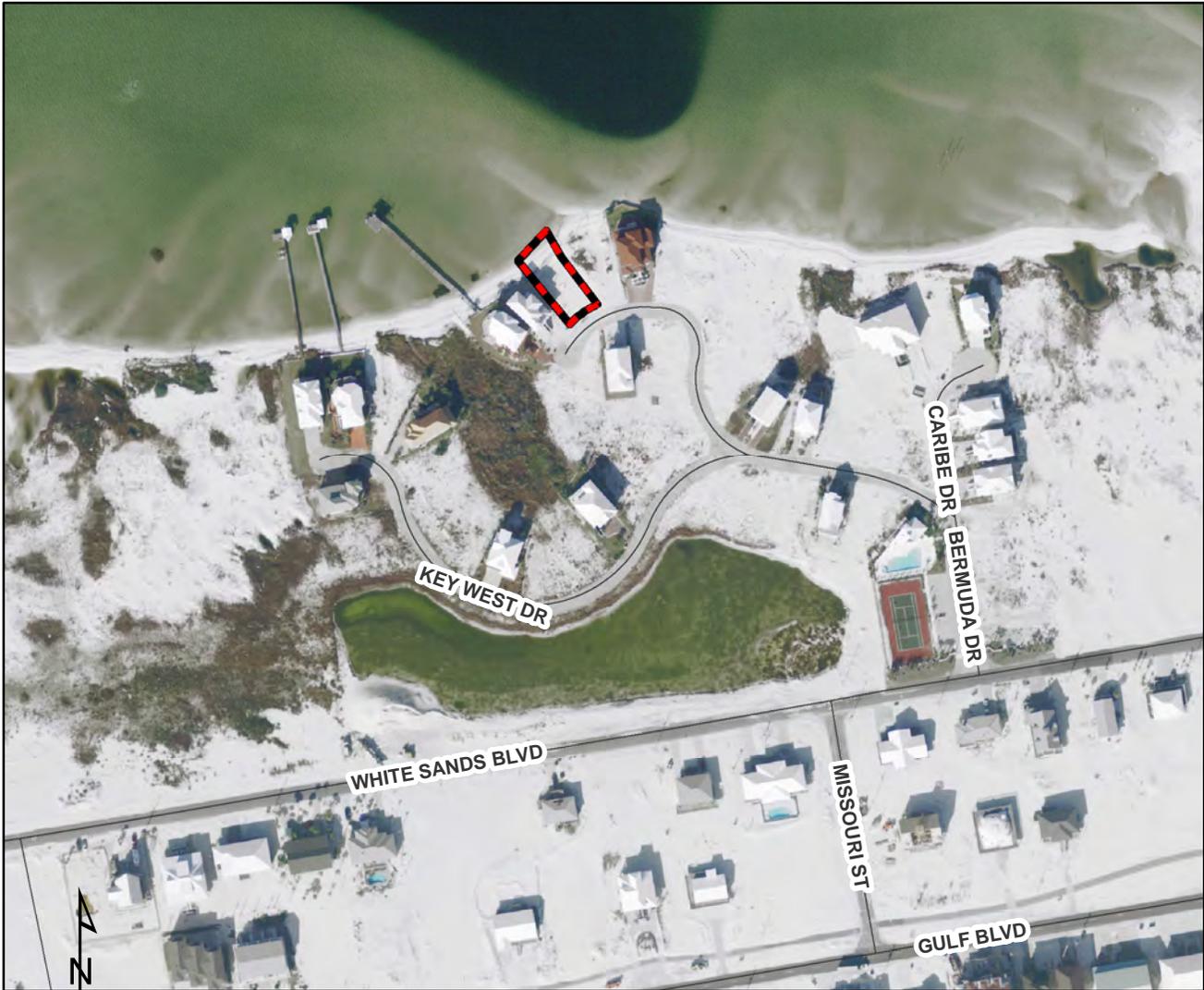


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2015-V-082
2006 Aerial

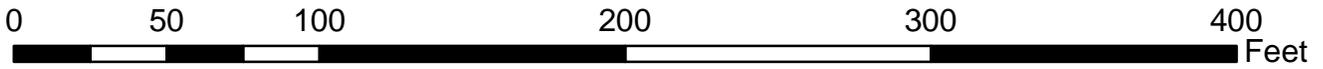


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2015-V-082
2006 Close Up Aerial

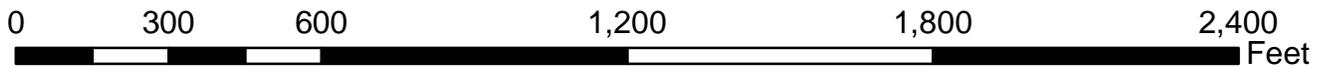


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2015-V-082 Existing Land Use



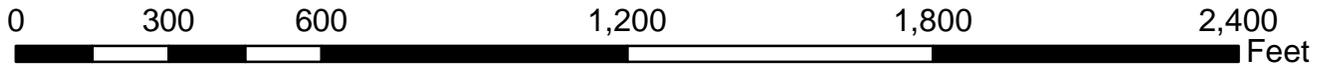
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	Pending ZBOctober	Existing Land Use		Institutional		Recreation/Open Space
CATEGORY			Multi-Family Residential <5		Right of Way	
	Agriculture		Multi-Family Residential >5		Single Family Residential	
	Agriculture, Homestead		Military		Silviculture	
	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-082 Floodplain Zone



Legend



Pending ZBOctober

DFIRM

FLOOD_ZONE

0.2% Annual Chance of Flood (500 Year)

A - 1% Annual Chance of Flood - No BFE's

AE - 1% Annual Chance of Flood - BFE's

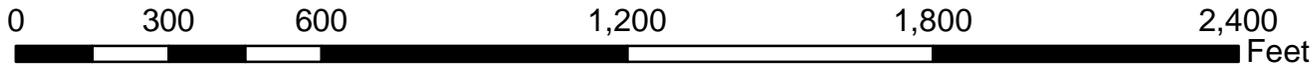
VE - A 1% Annual Chance of Flood - Storm Waves

Not in the FloodPlain

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2015-V-082 Storm Surge Zone

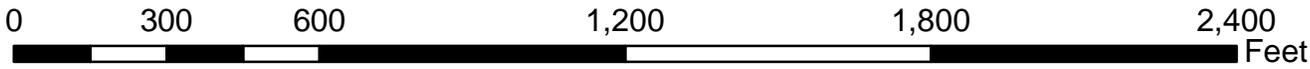


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	Pending ZBOctober	gisdata.GISADMIN.SRCSurgeZones		2
	<all other values>			3
Cat				4
	1			5

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2015-V-082 Potential Wetlands



Legend



Pending ZBO October

Potential Wetlands

DESCRIPT

ESTUARINE

LACUSTRINE

PALUSTRINE

RIVERINE

MARINE

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Looking east, the subject site is to the left.



Looking south, the subject site is behind us.



Looking west, the subject site is to the right.



Looking at the adjacent property to the west.



Looking at the adjacent property to the east.



Looking north into the subject site.



Looking 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

Variance Application

* Application Instructions begin on Page 5

** For Official Use Only **	
Application No. <u>2015-V-082</u>	Date Received: <u>8-27-15</u>
Review Fee: <u>235 + 25.76</u>	Receipt No.: <u>308</u>
Zoning District: <u>NB-MD</u>	FLUM Designation: <u>NBMDR</u>

± 0.584

VD#4

Property Owner Property Owner Name: Karen Nobles Bowers Trustee

Address: 841 Camden Park Ct NE

Atlanta, GA 32550

Phone: 404-663-8609 Fax: N/A

Email: kbow7474@aol.com

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: Acorn Fine Homes

Contact Name: Les White

Address: 4941 Soundside Drive

Gulf Breeze, FL 32563

Phone: 850-748-3066 Fax: N/A

Email: Les@AcornFineHomes.com

Property Information Parcel ID Number(s): 28-2S-26-9095-00B00-0160

-OR- Street Address of property for which the Variance is requested:

Bermuda Drive, Navarre Beach 1400 Block of Bermuda Drive, Navarre Beach, Navarre
32566

Variance Request

What is the present use of the property? Vacant

Please describe the requested variance, including exact dimensions and purpose of the variance.
Change rear setback from 50' to 18' (original 9-24-94 platted setback line).

26' (see site plan)

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

The 9-24-94 platted rear set back line has moved landward to the extent that there is only 24' of buildable depth remaining on the lot

Are the special conditions or circumstances described above the result of a proposed or prior action of the applicant? Yes _____ No x

Please explain why the literal enforcement of the provisions of the Land Development Code will result in unnecessary hardship.

Lot would be rendered effectively unbuildable for a home similar or comparable to other homes in the neighborhood

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.

Mr Les White

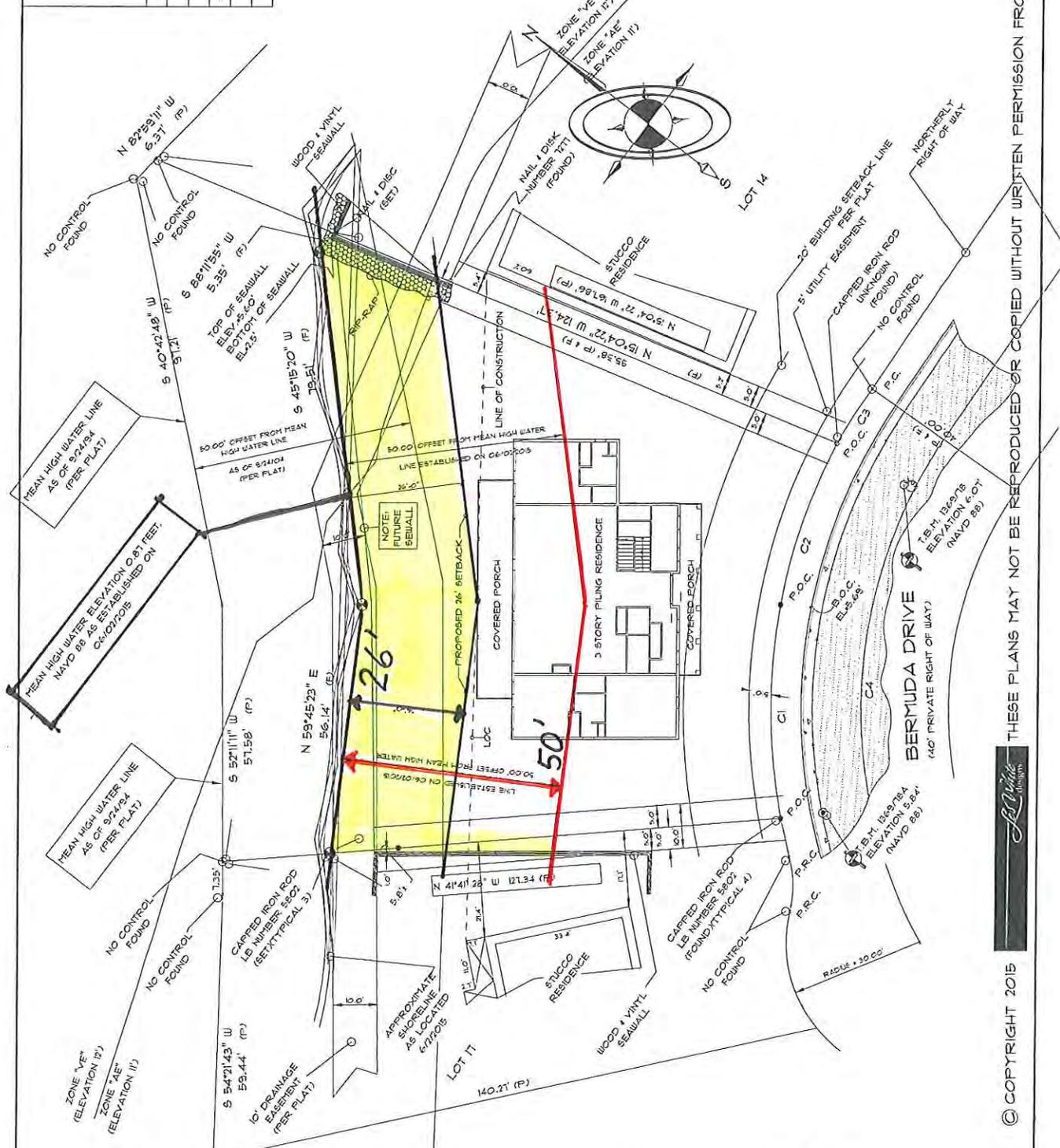
Applicant Name (Type or Print)

[Signature]
Applicant Signature

President Acorn Fine Homes

Title (if applicable)

8-26-15
Date



CURRENT SETBACK

PROPOSED SETBACK

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**CITIZENS
COMMENTS
2015-V-082**

From: [Barbara Reynolds](#)
To: [Jason McLarty](#)
Subject: Variance 2015-V-082
Date: Monday, September 28, 2015 8:15:39 AM

Dear Zoning Board Members:

We received notice about the request for a zoning variance for the 1400 Block of Bermuda Drive, Navarre Beach, FL, because my own property is within 150 feet of the subject property.

We support the issuance of the variance to reduce the shoreline protection from 50 feet to 26 feet to accommodate a single family residence.

If you need any additional information to clarify our comments, you may contact us as indicated below.

William F and Barbara J Reynolds
bjsr1234@gmail.com
678-373-8137



September 28, 2015

Santa Rosa County
Development Services
Attention: Jason McLarty
Planner II

Reference: Variance 2015-V-082

Dear Mr. McLarty:

We are the lot owners of 17B in the Caribbean Isle development on Navarre Beach. Our home street address is 1500 Bermuda Drive.

We are well aware of the beach erosion that has taken place over the past ten years since our home was constructed.

A variance to the setback would allow a home to be built along with a seawall to slow the erosion process.

A seawall joining our lot 17 along with lot 14 would further enhance security from further erosion on this parcel of the island.

The last hurricane of significance, (Dennis 2005), created massive damage to this area requiring sand to be trucked in to back fill the collapse of the street (Bermuda Drive).

We support approval of the variance to allow for further development of Caribbean Isle and reinforce this section of the shore line.

Sincerely, 

Jim and Marjie Istwan
1500 Bermuda Drive
Navarre Beach, FL 32566
678-570-5866 cell
jaistwan@msn.com

**CITIZENS
COMMENTS**

2015-V-082

After Zoning Board

Packets mailed



Jason McLarty

From: vab613 <vab613@bellsouth.net>
Sent: Thursday, October 08, 2015 1:02 PM
To: Jason McLarty
Subject: variance in Carribean Isle

Variance. We are opposed to this variance. This the parcel number 28-2S-26-9095-00B00-0160. This should not be granted.

Vivian Barksdale and Stan Ray
Carribean Isle HOA

