

STAFF ANALYSIS

Variance 2015-V-083

General Information:

Applicant:	Michael and Bonnie Kane
Property Owner:	Edwin Walborsky
Representative:	n/a
Project Location:	1156 Sawgrass Drive, Gulf Breeze, FL
Parcel Number:	32-2S-28-4926-00000-0180
Request 1:	Variance request to reduce the shoreline protection zone setback from 50 feet to 30 feet to accommodate a single family residence.
Request 2:	Variance request to reduce the east side setback from 5 feet to 1 foot to accommodate a single family residence. (LDC 12.01.02.A, 6.05.12.E.1.e.3)
Zoning District:	PUD (Planned Unit Development)
Current Conditions:	Vacant

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.

6.05.12 PUD - Planned Unit Development District

E. Procedure For Approval of a Planned Unit Development: The procedure for obtaining a change in zoning district for the purpose of undertaking a PUD shall be as follows:

- 1. Preliminary Planned Unit Development and Master Plan Approval: The applicant shall submit to the Planning Director, his application for the PUD zoning classification and shall submit the following exhibits at the same time.
 - e. A Master Plan. A master plan, drawn at a scale suitable for presentation, showing and/or describing the following:
 - 3) Building Setbacks: Proposed building setbacks shall be noted and shall define the distance buildings will be setback from:
 - (a.) Surrounding property lines.
 - (b.) Proposed and existing streets.
 - (c.) Other proposed buildings.
 - (d.) The center line of rivers, streams and canals.
 - (e.) The high water line of lakes.
 - (f.) Other man made or natural features which would be affected by building encroachment.

PUD Subdivision Setback Requirements

Subdivision Name	Zone	Front Setback	Rear Setback	Interior Side Setback	Corner Side Setback	Comments
Sawgrass at Tiger Point	PUD	25'	0'/50'mhw	5'	15'	Setbacks per restrictive covenants, OR 739/417.

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? 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 sections of the Ordinance which regulate the rear setback requirement in a shoreline protection zone and the side setback requirement.

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

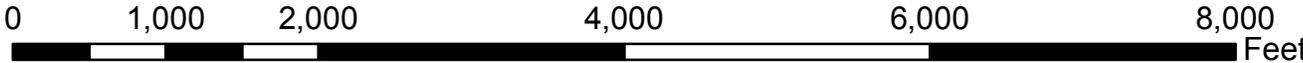
Staff Analysis: The proposed request does not apply to the reduction of parking or loading requirements nor does it apply to the access management standards which would affect the safety or operation of the roadway.

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-083

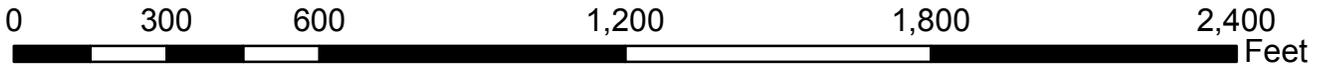
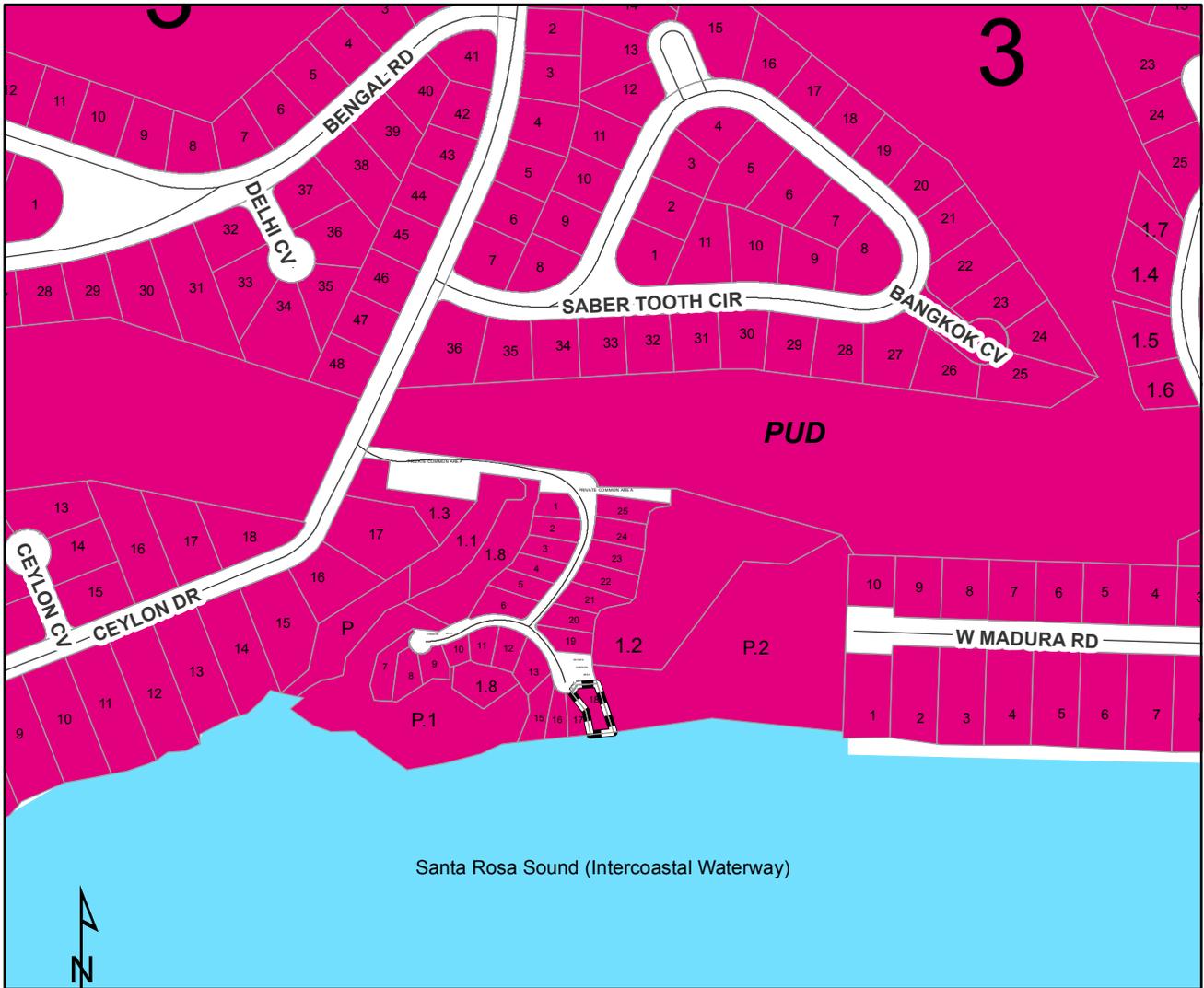
Location



Legend

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Zoning



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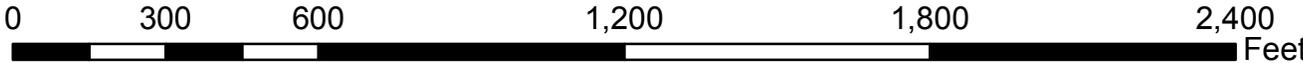
	Agriculture/Rural Residential (AG)		Single Family Residential (R-1A)	
	Agriculture (AG2)		Mixed Residential Subdivision (R-1M)	
	Marina (C-1M)		R1M within an Accident Potential Zone (R1M-APZ)	
	Historical/Commercial (HC-1)		R1M within the Heart of Navarre (R1M-HON)	
	HCD within an Accident Potential Zone (HCD-APZ)		Medium Density Residential (R-2)	
	HCD with the Navarre Town Center (HCD-NTC)		R2 within an Accident Potential Zone (R2-APZ)	
	Historical/Multiple Family (HR-2)		R2 within the Heart of Navarre (R2-HON)	
	Agriculture/Rural Residential (AG)		Medium Density Mixed Residential (R-2M)	
	General Industrial (M-2)		R2M within an Accident Potential Zone (R2M-APZ)	
	M2 within an Accident Potential Zone (M2-APZ)		R2M-HON	
	Planned Business District (PBD)			
	Planned Unit Development (PUD)		RR1 within an Accident Potential Zone (RR1-APZ)	
	Single Family Residential (R-1)		Navarre Town Center 1 (TC1)	
			Navarre Town Center 2 (TC2)	
			Navarre Beach - Commercial (NB-C)	

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2015-V-083

Aerial

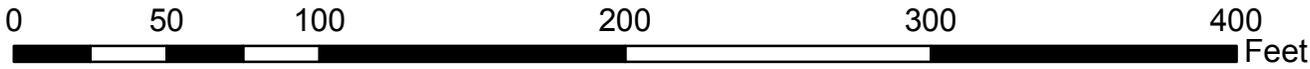


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 Pending ZBOctober

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2015-V-083
Close Up Aerial

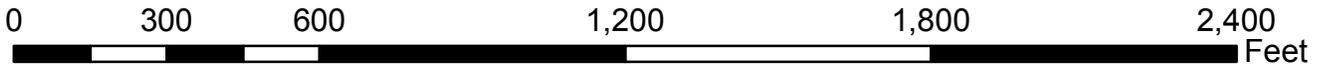
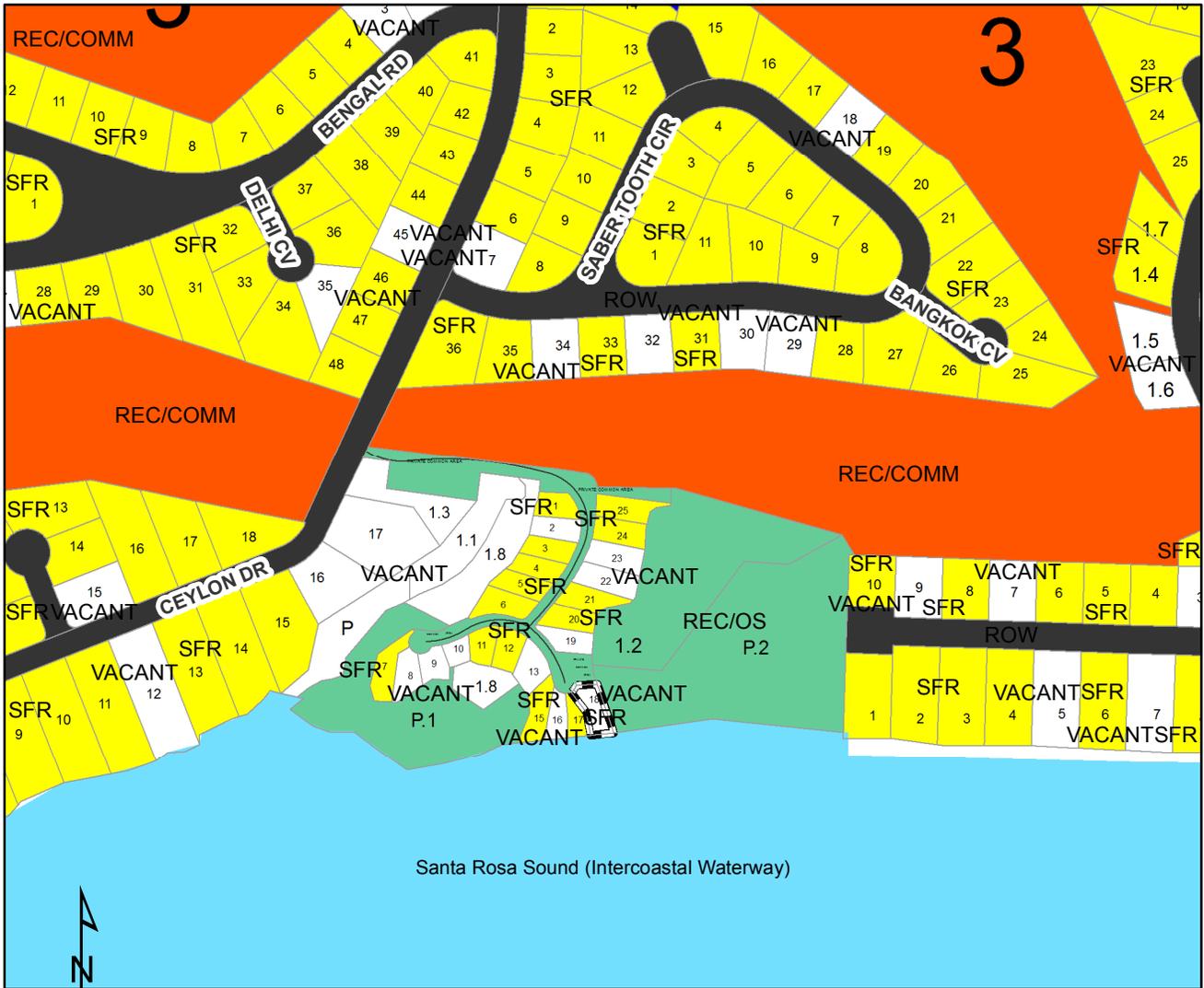


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 PendingZBOctober

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2015-V-083 Existing Land Use

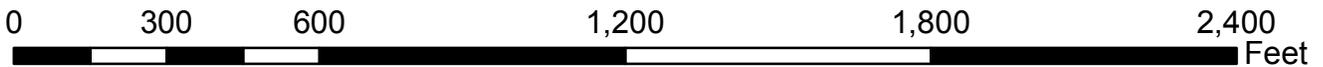
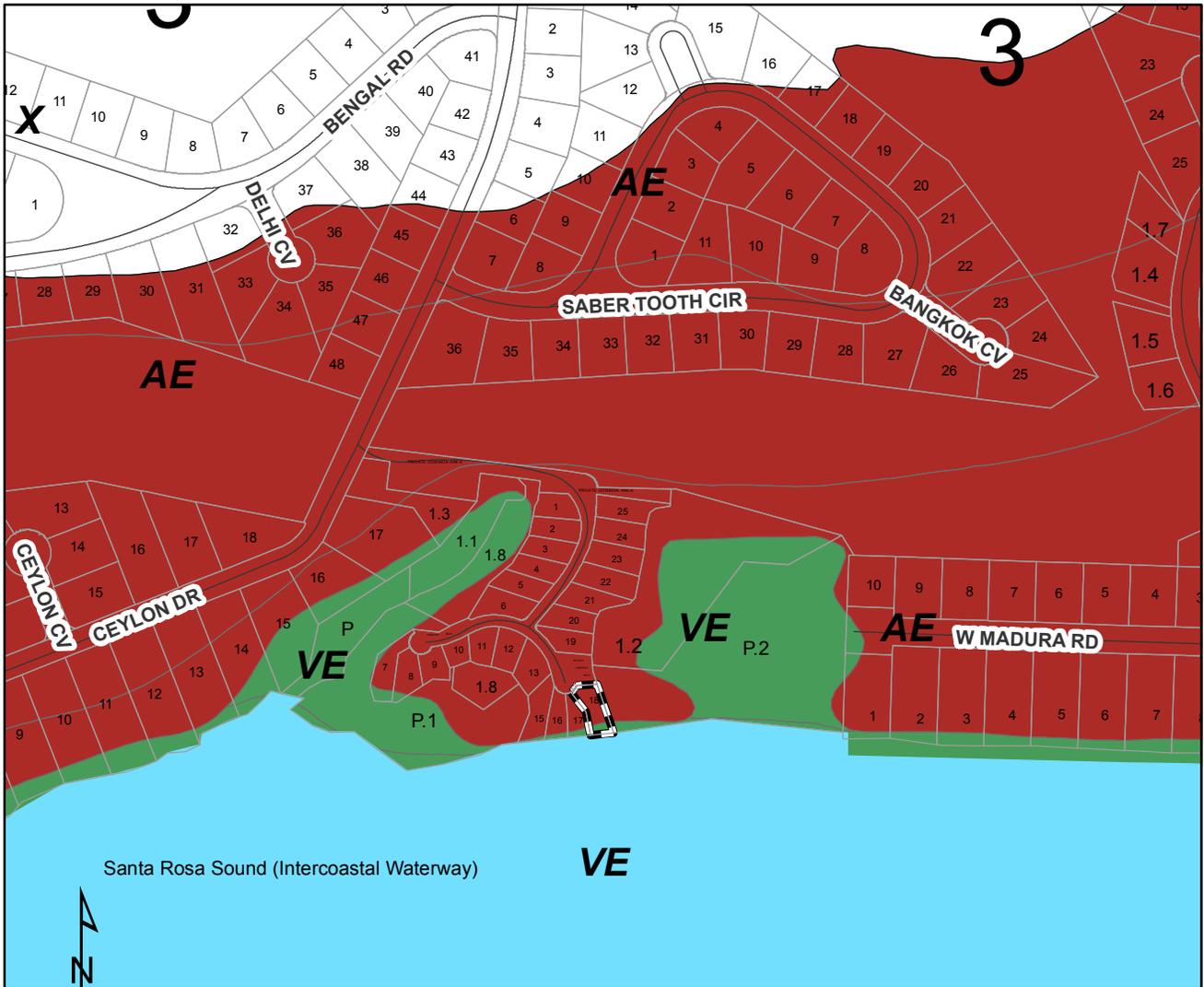


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	Pending ZBOctober	Existing Land Use		Institutional		Recreation/Open Space
CATEGORY		Agriculture		Multi-Family Residential <5		Right of Way
	Agriculture, Homestead		Multi-Family Residential >5		Single Family Residential	
	Condo's/Townhomes		Military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

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2015-V-083 Floodplain Zone



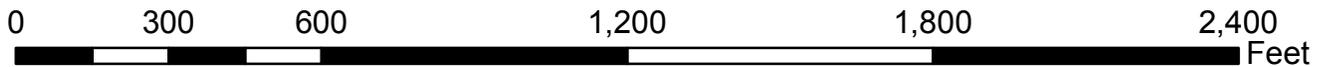
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 Pending ZBOctober	DFIRM	 AE - 1% Annual Chance of Flood - BFE's
	FLOOD_ZONE	 VE - A 1% Annual Chance of Flood - Storm Waves
 0.2% Annual Chance of Flood (500 Year)	 Not in the FloodPlain	
 A - 1% Annual Chance of Flood - No BFE's		

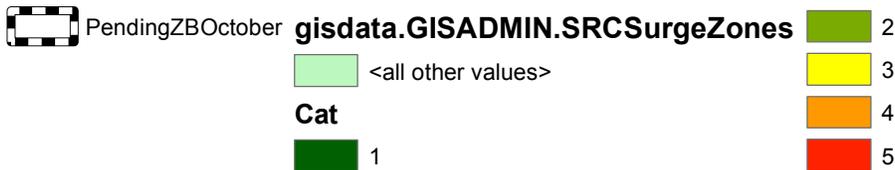
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2015-V-083 Storm Surge Zone



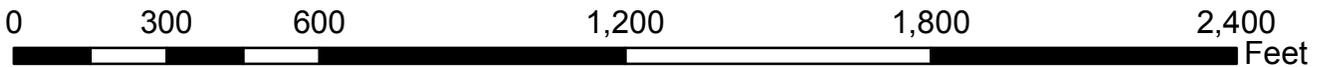
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2015-V-083 Potential Wetlands



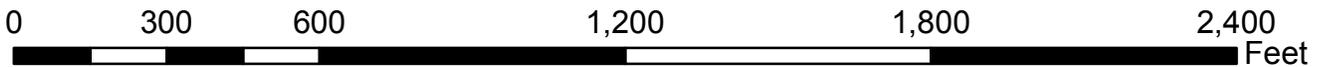
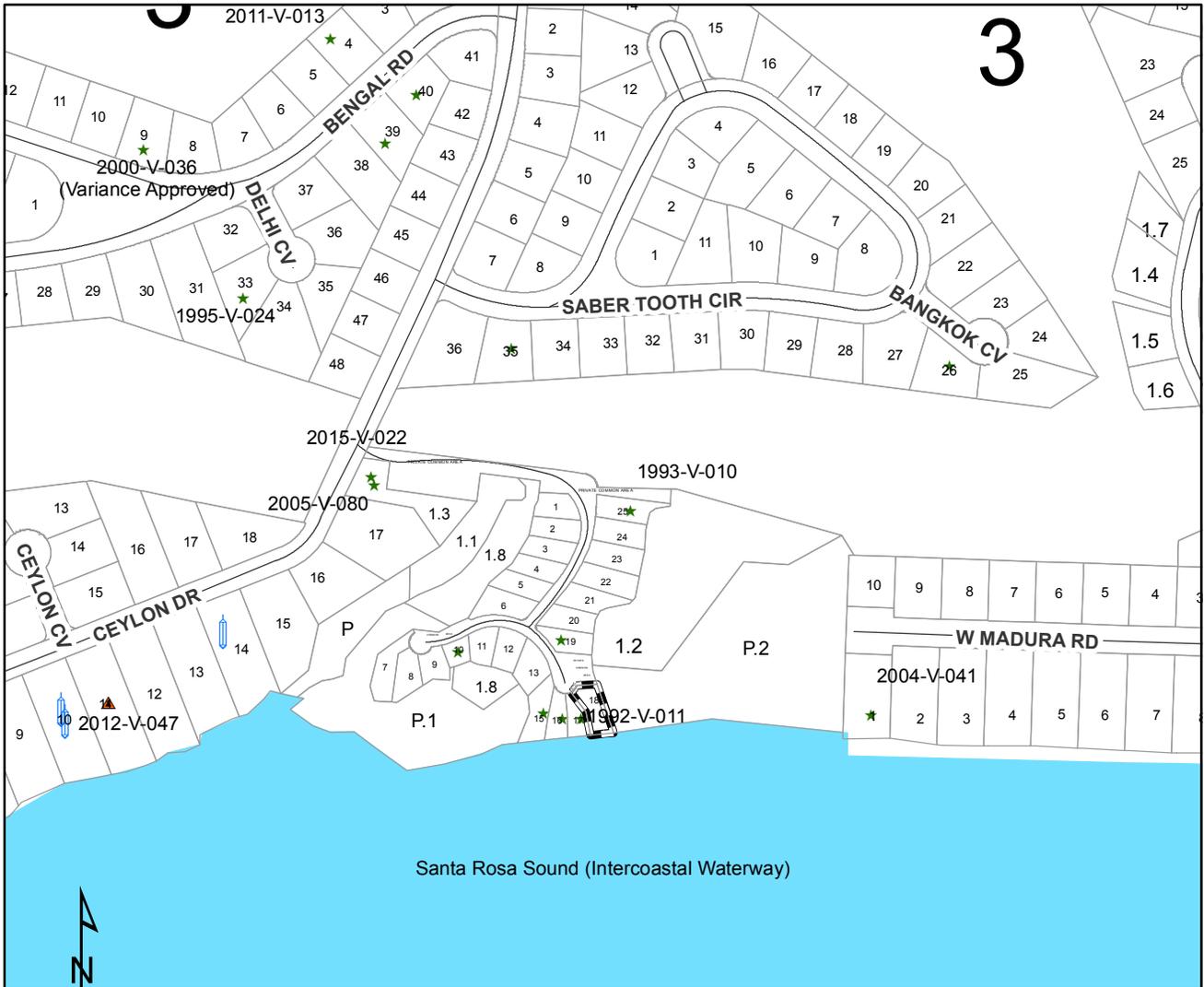
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 Pending ZBOctober	Potential Wetlands	 PALUSTRINE
	DESCRIPT	 RIVERINE
	 ESTUARINE	 MARINE
	 LACUSTRINE	

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2015-V-083 Zoning Board Issues

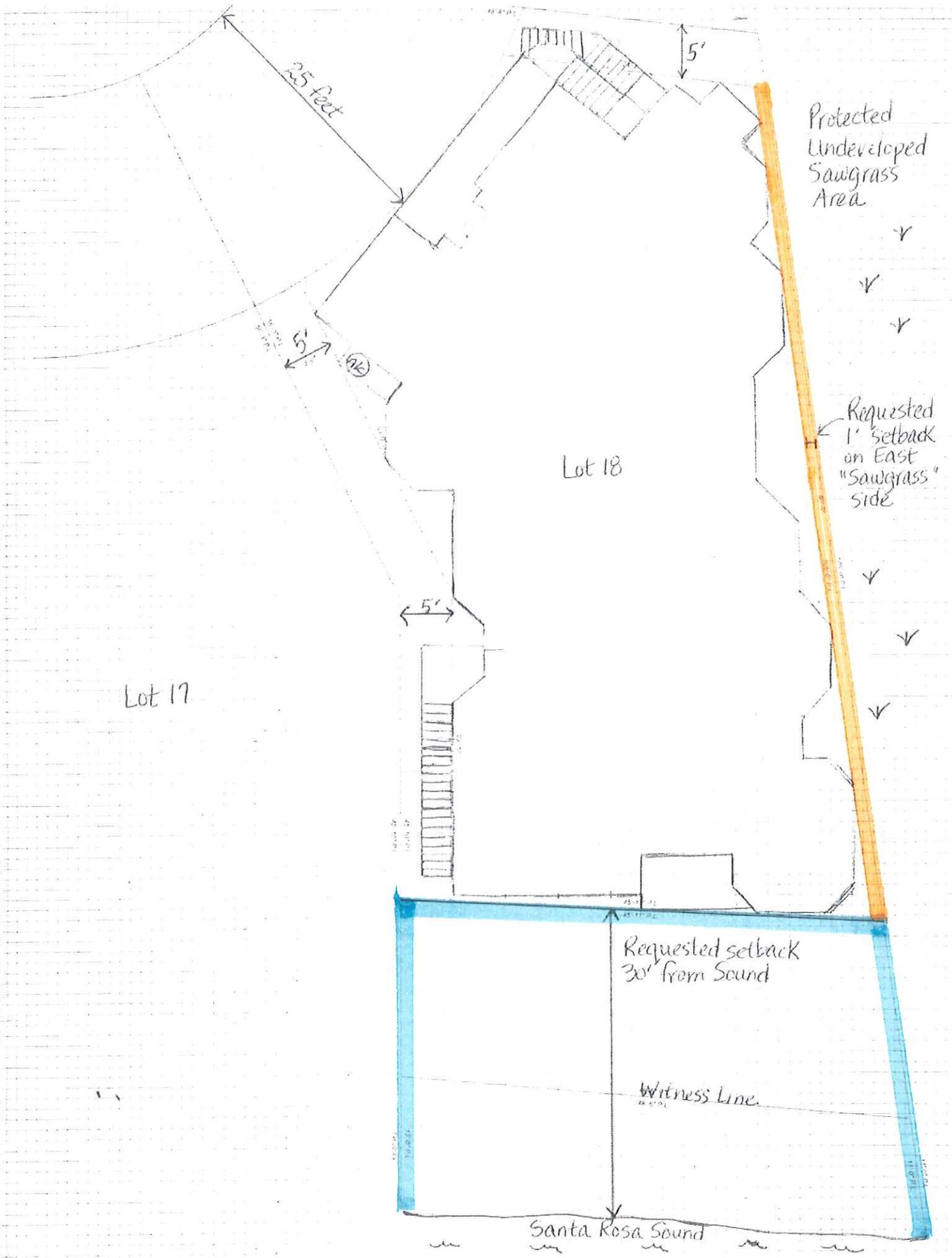


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 Pending ZBOctober	Variations	 Setbacks
	Type	 Sign Face Area
 Acc Structure		 Wall Signs
 Fence Height		 Other
 Height		 Pier Length

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25 feet

5'

65'

(19)

Lot 18

Lot 17

5'

Protected Undeveloped Sawgrass Area

Requested 1' setback on East "Sawgrass" side

Requested setback 30' from Sound

Witness Line

Santa Rosa Sound



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-083</u>	Date Received:	<u>8/28/15</u>
Review Fee:	<u>\$235 + 27.60</u>	Receipt No.:	<u>301</u>
Zoning District:	<u>P40</u>	FLUM Designation:	<u>MRC</u>

± 0.087

VD #5

Property Owner Property Owner Name: Edwin Walborsky (Owner/seller of property)
Address: 438 E. Government Street; Pensacola 32502

Phone: 850-434-5267 Fax: _____

Email: edwalborsky@prodigy.net

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: Michael & Bonnie Kane (Property buyers; sales contract attached)

Address: 1173 Tiger Trace Blvd; Gulf Breeze, FL 32563

Phone: 850-341-8089 Fax: _____

Email: bonniekane@bellsouth.net

Property Information Parcel ID Number(s): 33-2S-28-4926-00000-0180
-OR-

Street Address of property for which the Variance is requested:

1156 Sawgrass Drive, Gulf Breeze, FL 32563 (Lot 18, Sawgrass at Tiger Point, Plat Book D page 19)

Variance Request

What is the present use of the property? Vacant residential lot

Please describe the requested variance, including exact dimensions and purpose of the variance.
Requesting a 20' variance from the 50' setback requirement on the Sound, and a 4' variance on the east side of the lot since it borders a common/sawgrass area where no one can build.

Please describe the special circumstances or conditions that apply to the building or land in questions which necessitate the variance request.
These lots are excessively narrow and small, with houses very close together. This request would allow construction of a 2300-2500 square foot home and would be in line with the other existing houses along the Sound.

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

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

This lot is only 105' deep and 48' wide. If a setback of 50' from the Sound were honored, along with 25' from the front road, the remaining building area would be too small (only about 35'x35') to build a reasonably sized home, and the view obstructed.

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.

Bonnie Kane
Applicant Name (Type or Print)

Bonnie Kane
Applicant Signature

Title (if applicable)

August 27, 2015
Date



■ Lakes/Rivers from US Census Dept, may not match parcels exactly
~ Indexed: (5 ft interval)
~ Intermediate (1 ft interval)



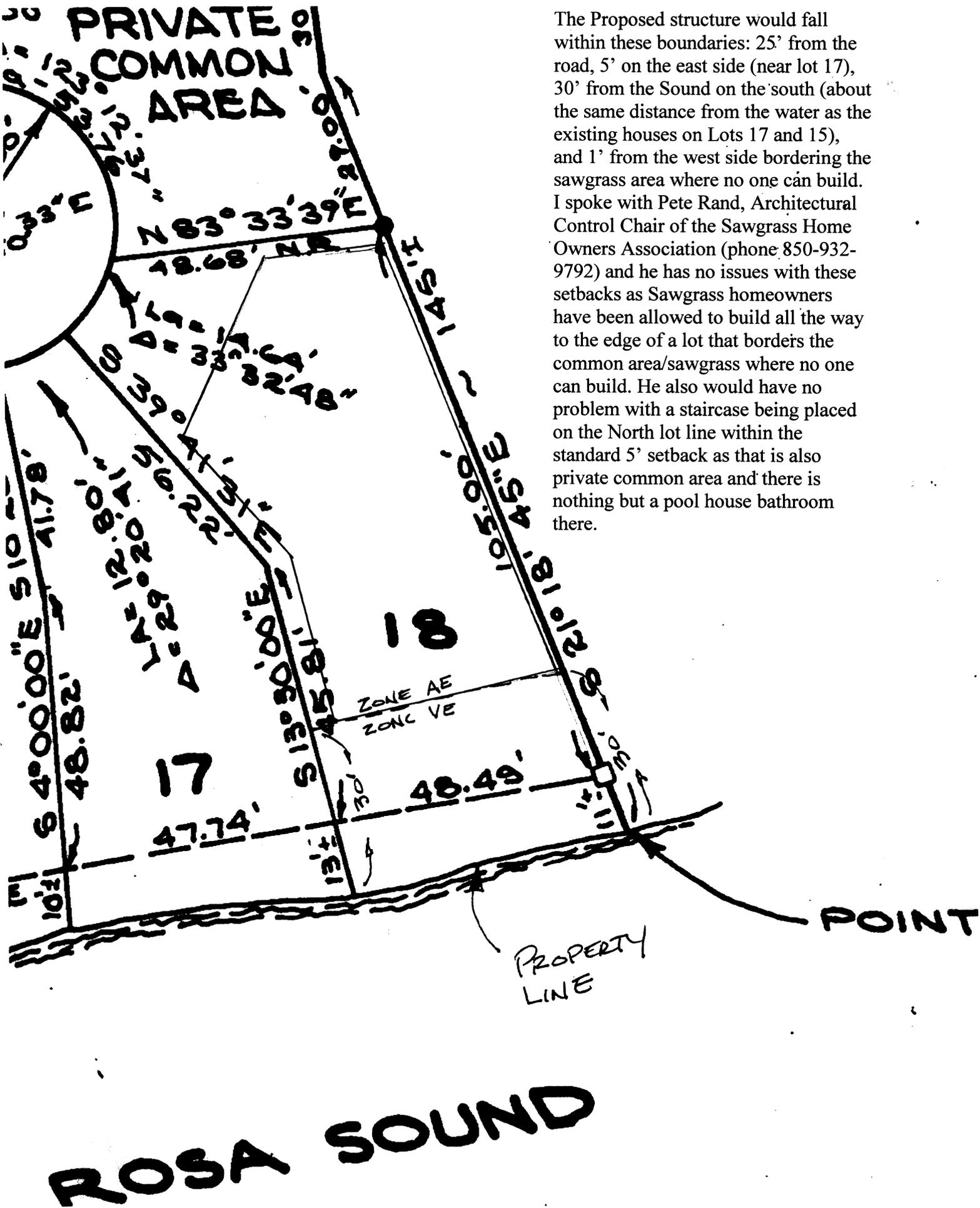
Santarosa County Appraiser

Parcel: 33-2S-28-4926-00000-0180 Acres: 0.087

Name:	WALBORSKY EDWIN	Land Value:	96,010
Site:	1156 SAWGRASS DR GULF BREEZE	Building Value:	0
Sale:	\$75,000 on 1988-12 Reason=V Qual=Q	Misc Value:	0
Mail:	438 E GOVERNMENT ST	Just Value:	96,010
	PENSACOLA, FL 32502	Assessed Value	94,756
		Exempt Value	0
		Taxable Value	94,756



Santa Rosa County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. All data is subject to change before the next certified taxroll. Greg Brown Santa Rosa County Property Appraiser
 Date printed: 08/27/15 : 13:30:22



The Proposed structure would fall within these boundaries: 25' from the road, 5' on the east side (near lot 17), 30' from the Sound on the south (about the same distance from the water as the existing houses on Lots 17 and 15), and 1' from the west side bordering the sawgrass area where no one can build. I spoke with Pete Rand, Architectural Control Chair of the Sawgrass Home Owners Association (phone 850-932-9792) and he has no issues with these setbacks as Sawgrass homeowners have been allowed to build all the way to the edge of a lot that borders the common area/sawgrass where no one can build. He also would have no problem with a staircase being placed on the North lot line within the standard 5' setback as that is also private common area and there is nothing but a pool house bathroom there.