

STAFF ANALYSIS

Variance 2015-V-092

General Information:

Applicant/Owner:	Lovella Dennis Merkey
Project Location:	6436 Robie Road, Milton, FL
Parcel Number:	16-2N-28-0000-05501-0000
Request:	Variance is to reduce the side setback on an arterial road from 50 feet to 40 feet to accommodate a single family residence (LDC 6.05.15.I.1.b) (Comprehensive Plan Policy 4.1.A.5)
Zoning District:	HCD (Highway Commercial Development), R2M (Medium Density Mixed Residential)
Current Conditions:	Single Family Residence; the site is the office and managers residence for a RV Park

Land Development Code Criteria:

6.05.15 HCD - Highway Commercial Development District

I. Minimum Required Setbacks:

1. 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:
 - b) Along an arterial road, the minimum required building setback shall be fifty (50) feet.

Comprehensive Plan Policy Criteria:

Policy 4.1.A.5 • The Land Development Code shall continue to require building setbacks on all collector and arterial roadways for the purpose of preventing building encroachment and thus permitting future safe and efficient traffic circulation at a minimal cost. For new development, building setbacks on arterial roadways shall be 50 feet; building setbacks on collector roadways shall be 25 feet. Variances to these setbacks may be granted when strict application of the requirement limits all reasonable use of the property as allowed by the Future Land Use Map.

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 section of the Ordinance which regulates the setback requirements on an arterial road to accommodate 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? **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.

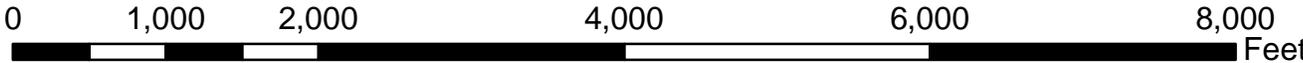
Is this criterion met? **N/A**

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-092
Location**

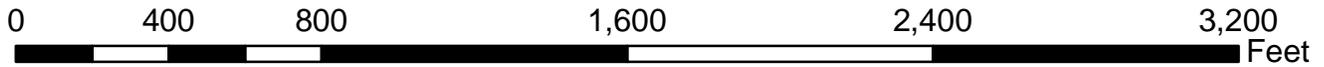
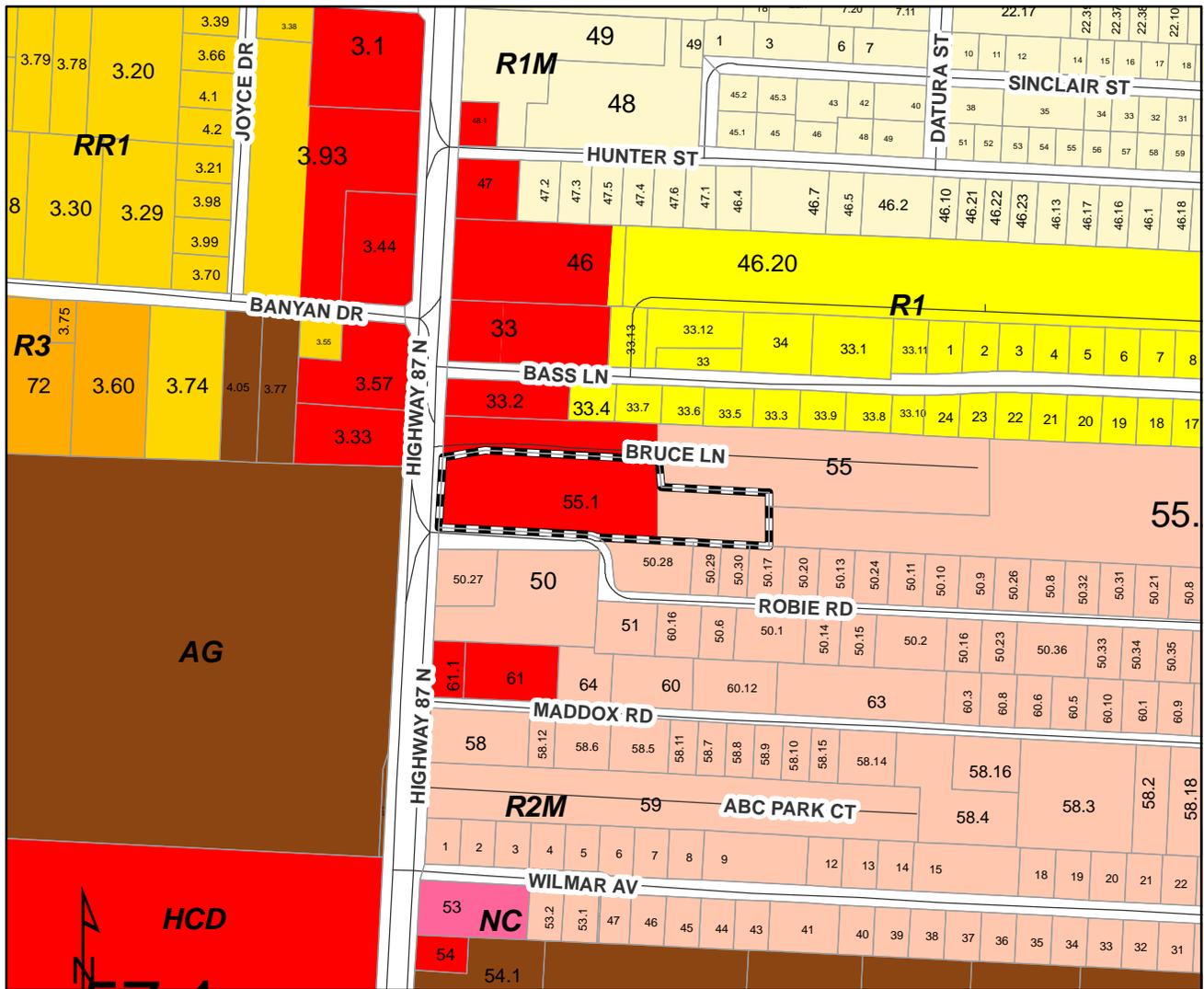


Legend

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2015-V-092

Zoning

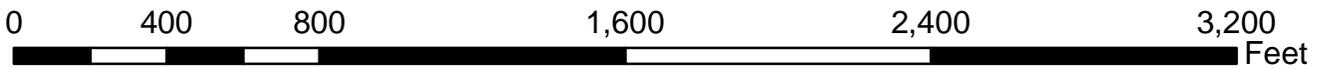
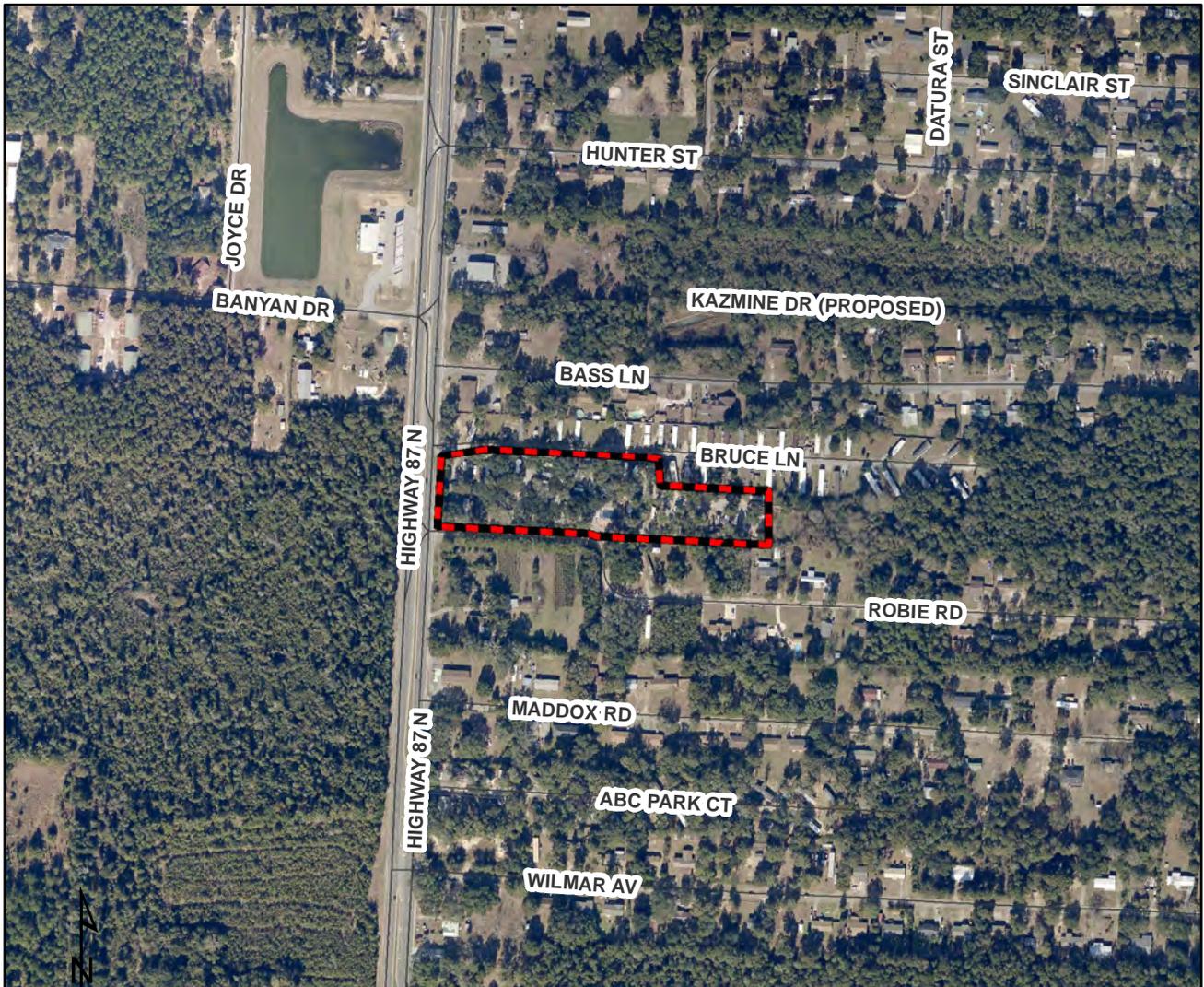


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2015-V-092
2014 Aerial



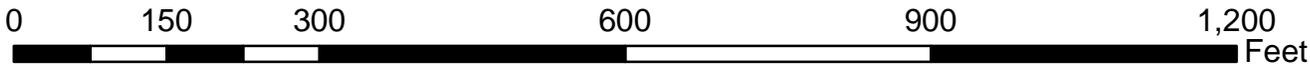
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 PendingZBNovember

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2015-V-092
2014 Close Up Aerial

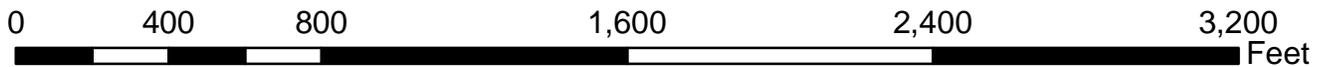
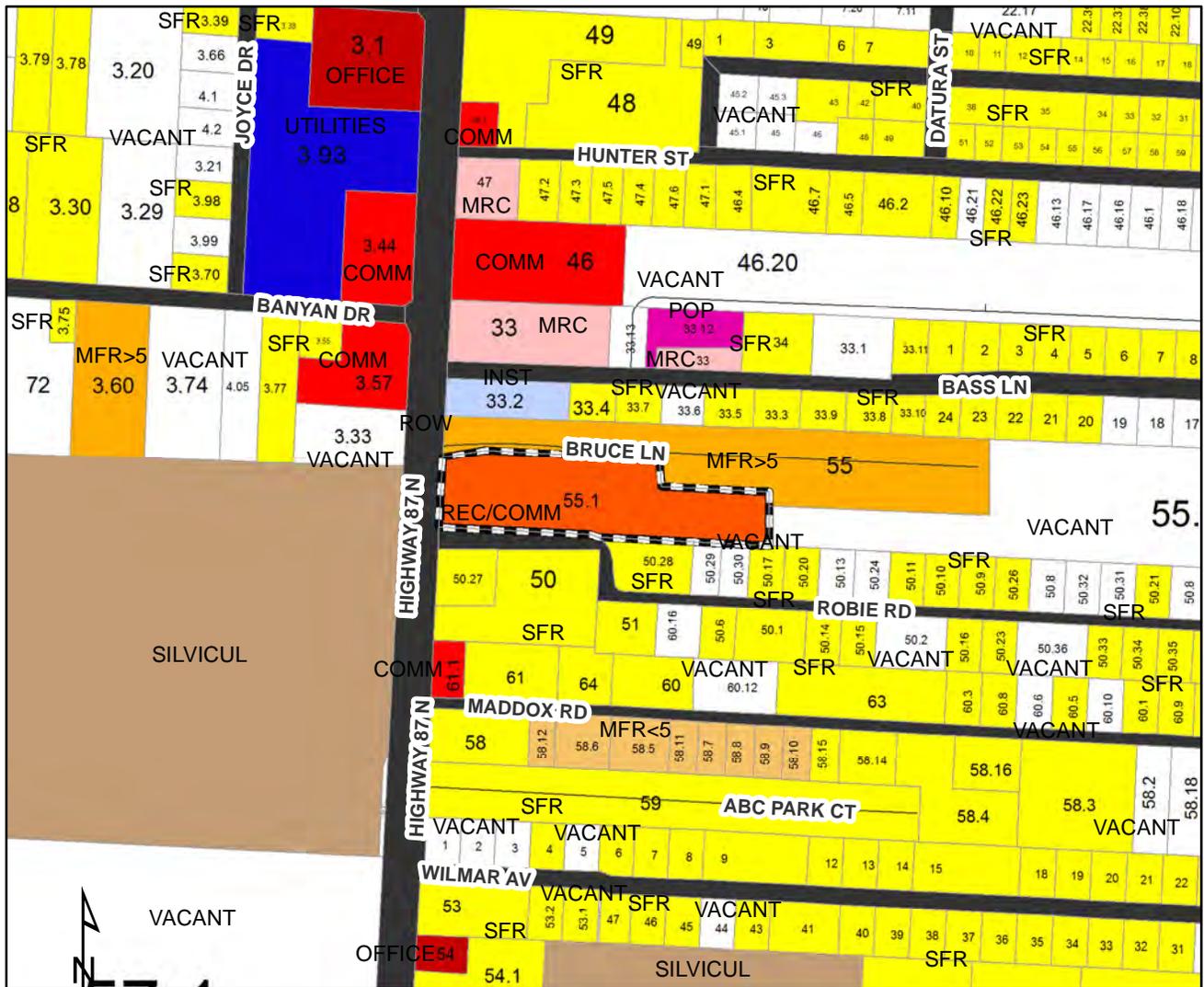


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 Pending ZB November

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2015-V-092 Existing Land Use



Legend

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

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STATE ROAD 87
(100' R/W)

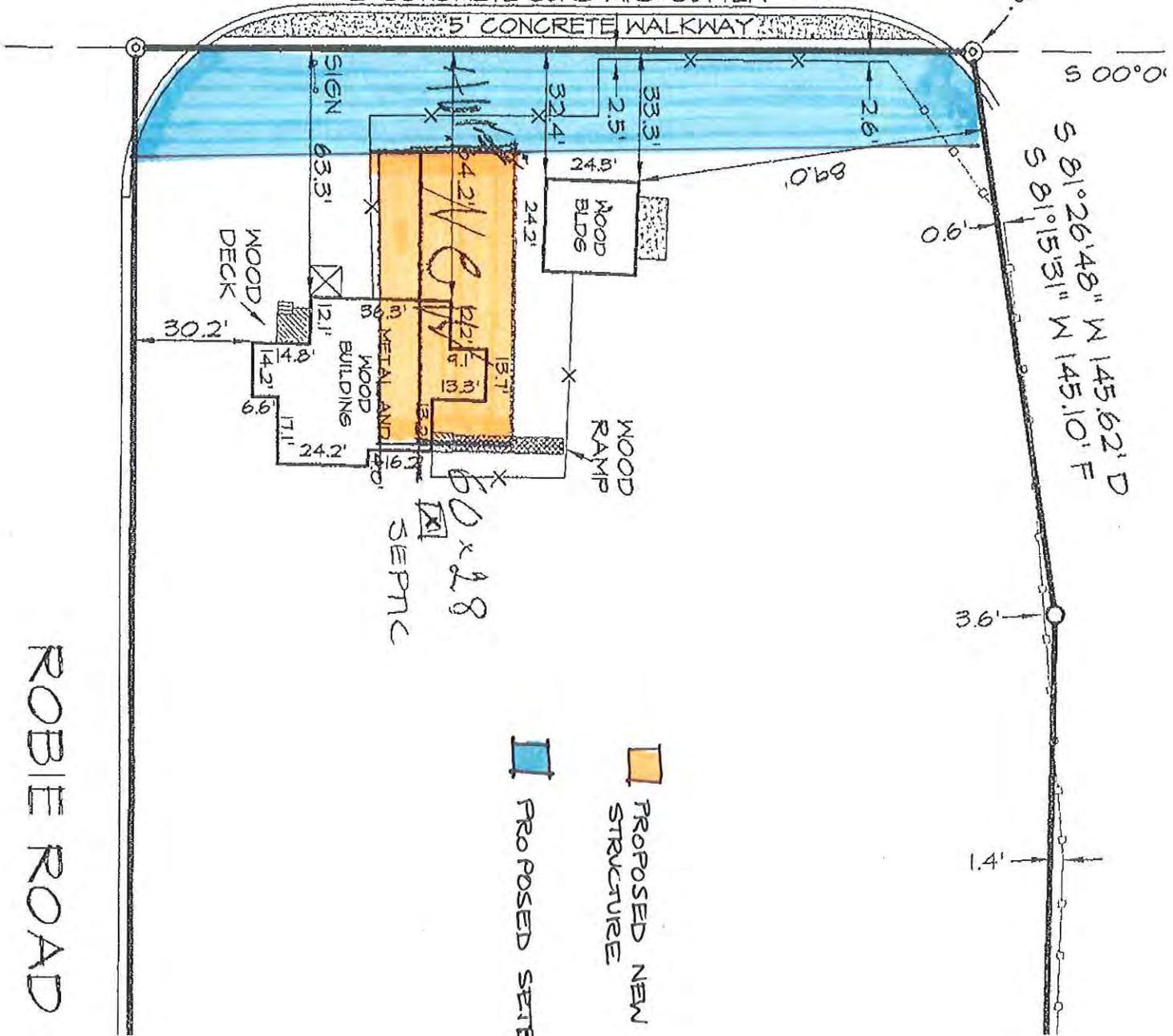


S 00°00'29" W F S 00°09'50" W D 214.54' P&F
2' CONCRETE CURB AND GUTTER
5' CONCRETE WALKWAY

P.O.B.

S 00°0'

S 81°26'48" W 145.62' D
S 81°15'31" W 145.10' F



3.6'

1.4'

ROBBIE ROAD

PROPOSED NEW STRUCTURE

PROPOSED SETBACK



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-092</u>	Date Received:	<u>10/6/15</u>
Review Fee:	<u>\$235 + 23.92</u>	Receipt No.:	<u>340</u>
Zoning District:	<u>HCO, R2M</u>	FLUM Designation:	<u>comm, RES</u>

4.418 VD#3

Property Owner Property Owner Name: LOVELLA DENNIS MERKEY

Address: 6436 ROBIE RD,
MILTON, FL. 32570

Phone: 850 623-8869 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): 16-2N-28-0000-05501-0000
-OR-

Street Address of property for which the Variance is requested:
6436 ROBIE RD MILTON, FL. 32570

Variance Request

What is the present use of the property? Home + Office

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

Request a reduction from 50' to 40' for the front setback.

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

NEED EXTRA 10FT BECAUSE OF OUR SEPTIC TANK AND OUR #1 SITE WE CAN'T AFFORD TO LOSE A SITE. PLUS WE DON'T WANT TO CUT DOWN ANY TREES.

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.

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.

LOVELLA MERKEY
Applicant Name (Type or Print)

Lovella Merkey
Applicant Signature

Title (if applicable)

10-06-15
Date

STATE ROAD 87
(100' R/W)



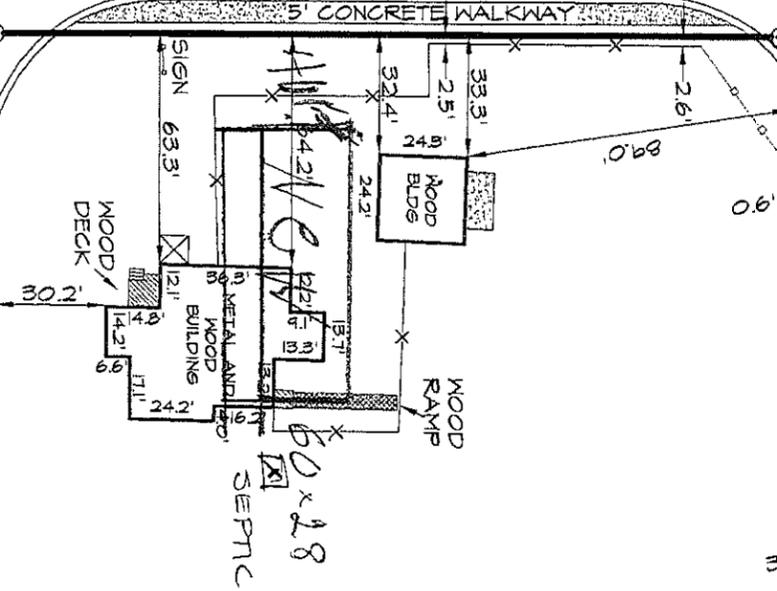
S 00°00'29" W F S 00°09'50" W D 214.54' P&F
2' CONCRETE CURB AND GUTTER

P.O.B.

S 00°09'50" W 115.46' D

EAST R/W

S 81°26'48" W 145.62' D
S 81°15'31" W 145.10' F

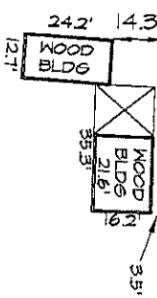


3.6'

1.4'

BRUCE LANE

N 89°15'10" W 498.21' D&F



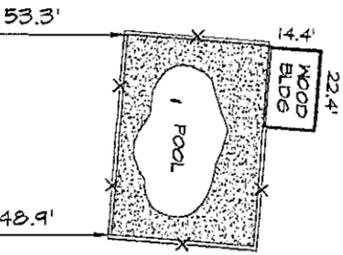
NO MOBILE HOMES WERE LOCATED

N 90°00'00" W 2589.34' D

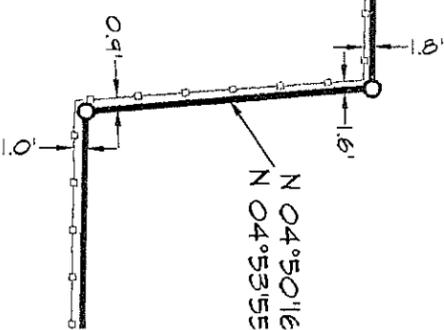
SOUTH L

ROBIE ROAD

S 90°00'00" E P&F 944.39' D 943.04' F



CHAINLINK FENCE (TYPICAL)



N 04°50'16"
N 04°53'55"

MOBILE ROAD

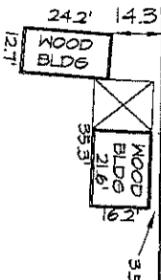
BRUCE LANE

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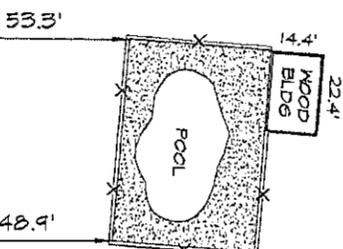
SOUTH LINE N. BASS EST.

SE CORNER N. BASS EST.

N 89°15'10" W 498.21' D & F



NO MOBILE HOMES WERE LOCATED



S 90°00'00" E P&F 944.39' D 943.04' F

CHAINLINK FENCE (TYPICAL)

N 04°50'16" W 18.44' F
N 04°53'55" W 18.42' D

N 88°59'15" W P&F 294.86' F 294.95' D

N 00°00'00" 165.00' D
EAST LINE OF SECTION 16

P.O.C.
SE CORNER OF
THE NE 1/4 OF
SECTION 16

N 00°00'00" E 146.72' P&F

6' WOOD FENCE

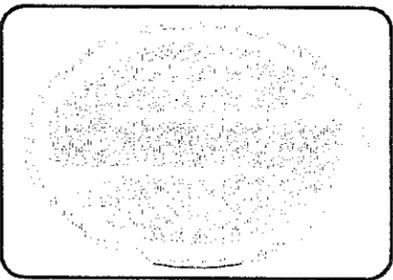
MOBILE
HOMES

LEGEND:

P.O.C. POINT OF COMMENCEMENT

BOUNDARY SURVEY

PORTION OF SECTION 16
TIP 2 NORTH, RANGE 28 WEST
T1A ROSA COUNTY, FLORIDA



RB Sears Land Surveying, Inc.

5941 BERRYHILL ROAD, SUITE D
MILTON, FLORIDA 32570
TELEPHONE: (850) 983-6449
FAX: (850) 623-3284