SANTA ROSA COUNTY
DEVELOPMENT SERVICES
6051 Old Bagdad Highway, Suite 202| Milton, Florida 32583

BECKIE CATO
Planning and Zoning Director
beckiec@santarosa.fl.gov

RHONDA C. ROYALS
Building Official
rhondar@santarosa.fl.gov

2016-SX-009 & 2016-V-066

Project Name:	N/A
Applicant and/or Property Owner:	Brandy McGinnis
Representative:	N/A
Request 1:	Special Exception to allow the dividing of a parcel for family members, creating one lot without the required road frontage within an R1M (Mixed Residential Subdivision) zoning district. (LDC 2.04.00.C.6)
Request 2:	Variance to reduce the front setback from 60 feet to 15 feet to accommodate a guest cottage. (LDC 6.03.05.H)
Zoning District:	R1M (Mixed Residential Subdivision)

Part I. General Information:

Project/Applicant:	Brandy McGinnis
Representative:	N/A
Location:	8939 Sunset Drive, Navarre, FL
Parcel(s):	15-2S-26-0000-10700-0000
Zoned:	R1M (Mixed Residential Subdivision)
Request 1:	Special Exception to allow the dividing of a parcel for family members, creating one lot without the required road frontage within an R1M (Mixed Residential Subdivision) zoning district (LDC 2.04.00.C.6)
Request 2:	Variance to reduce the front setback from 60 feet to 15 feet to accommodate a guest cottage. (LDC 6.03.05.H)
District:	Commissioner District #4
Current Conditions:	Vacant

Part II. Land Development Code Criteria:

2.04.00 SPECIAL EXCEPTIONS, VARIANCES AND CONDITIONAL USES: The BOA shall have the following duties and powers:

C. Special Exceptions - To hear and decide special exceptions to the terms of this ordinance. The Board is hereby authorized to grant special exceptions in appropriate cases and with appropriate safeguards to authorize the use of a premises for a purpose not generally permitted within the district in which said premises is located or to interpret specific provisions of this ordinance expressed in this Section whenever it finds sufficient facts to demonstrate to its satisfaction that such exception if granted would be substantially in harmony with the general purpose and intent of this ordinance.

6. To allow the dividing of a parcel in the Residential zoning districts, resulting in a parcel which does not possess the required road frontage, if the following provisions are met:

Part III. Special Exception Criteria

2.04.00 SPECIAL EXCEPTIONS, VARIANCES AND CONDITIONAL USES: The ZB shall have the following duties and powers:

C. Special Exceptions - To hear and decide special exceptions to the terms of this ordinance. The Board is hereby authorized to grant special exceptions in appropriate cases and with appropriate safeguards to authorize the use of a premises for a purpose not generally permitted within the district in which said premises is located or to interpret specific provisions of this ordinance expressed in this Section whenever it finds sufficient facts to demonstrate to its satisfaction that such exception if granted would be substantially in harmony with the general purpose and intent of this ordinance.

C. Special Exceptions - To hear and decide special exceptions to the terms of this ordinance. The Board is hereby authorized to grant special exceptions in appropriate cases and with appropriate safeguards to authorize the use of a premises for a purpose not generally permitted within the district in which said premises is located or to interpret specific provisions of this ordinance expressed in this Section whenever it finds sufficient facts to demonstrate to its satisfaction that such exception if granted would be substantially in harmony with the general purpose and intent of this ordinance.

6. To allow the dividing of a parcel in the Residential zoning districts, resulting in a parcel which does not possess the required road frontage, if the following provisions are met:

a. The divided land shall only be given without valuable consideration to a member of the donor's immediate family. (Immediate family being defined as spouse, father, mother, brother, sister, son, daughter, stepchild, grandchild, or grandparent).

Is this criterion met? Yes

Staff Analysis: The applicant is seeking a Special Exception to allow the division of a lot into 3 lots where one does not meet the road frontage requirements but does meet the LDC size requirements for lots in the R1M zoning district. The applicant's intent is to give divided parcels to children.

b. Property being divided shall not be located within a recorded, platted subdivision;

Is this criterion met? Yes

Staff Analysis: The subject site is not located within a recorded, platted subdivision.

c. The maximum allowable density of the parcel created shall not exceed the allowable density of the respective zone.

Is this criterion met? Yes

Staff Analysis: The maximum allowable density for R1M is 4 units per acre. The parent parcel is 1.452 acres +/-. The proposed parcel will be slightly less than one acre.

d. Except for frontage and that which is herein contained, all other requirements of this Ordinance shall be adhered to.

Is this criterion met? Yes

Staff Analysis: It is anticipated that all other requirements of this Ordinance will be adhered to with respect to the subject parcel.

e. An easement maintenance agreement between property owners is required or; an access easement (minimum width 20 ft.) must be included in each newly created deed.

Is this criterion met? Yes

Staff Analysis: The applicant is showing a 20 foot access easement along the west property line.

f. No new County maintained roads are created.

Is this criterion met? Yes

Staff Analysis: No new County maintained roads will be created.

g. The parcels created are compatible with neighboring properties. The following criteria will be utilized in determining compatibility: social compatibility (to be accomplished through neighboring property owner notification per Section 2.04.03 and citizen review); disposition and orientation of any proposed buildings on the newly created lot(s); scale; and visual integrity.

Is this criterion met? Yes

Staff Analysis: The new parcels are consistent in size and use when compared to the existing residential uses in the vicinity. The disposition, orientation, and scale of the proposed residence are compatible with those within the area.

If the Special Exception is approved, are there any potential building code issues?

There are no known potential building code issues.

Part I. General Information:

Project/Applicant:	Brandy McGinnis
Representative:	N/A
Location:	8935 Sunset Drive, Navarre, FL
Parcel(s):	15-2S-26-0000-06701-0000
Zoned:	R1M (Mixed Residential Subdivision)
Request:	Variance to reduce the front setback from 60 feet to 15 feet to accommodate a guest cottage. (LDC 6.03.05.H)
District:	Commissioner District #4
Current Conditions:	Residence

Part II. Land Development Code Criteria:

6.03.05 Accessory Activities: In addition to the principal activities expressed above, each activity type shall be deemed to include activities customarily associated with and appropriately incidental and subordinate to the principal activity when located on the same zone lot as such principal activity and meet the additional conditions set forth below. Such accessory activities shall be controlled in the same manner as the principal activities within such zone except as otherwise provided in Section 2.10.06. Accessory activities include, but are not limited to, the activities indicated below:

H. Guest Cottages: A guest cottage is allowed as an accessory activity within all residential zoning districts. The guest cottage shall not occupy more than 50% of the total floor area square footage of the main building and the cottage and must be used exclusively for housing members of the family occupying the principal dwelling or their non-paying guests. The 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.

Part III. Variance Criteria

2.04.00 SPECIAL EXCEPTIONS, VARIANCES AND CONDITIONAL USES: The ZB 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 placement of structures on a lot. The applicant is requesting to reduce the front setback to accommodate a guest cottage. Due to the wetlands at the rear of the property, the front of the property is the only reasonable location for the guest cottage. In addition with this being a flag lot, the location of the guest cottage would be at a substantial distance from the road.

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 unknown 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.

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.

Additionally, variances from access management connection standards may be granted where the effect of the variance would be to enhance the safety or operation of the roadway.

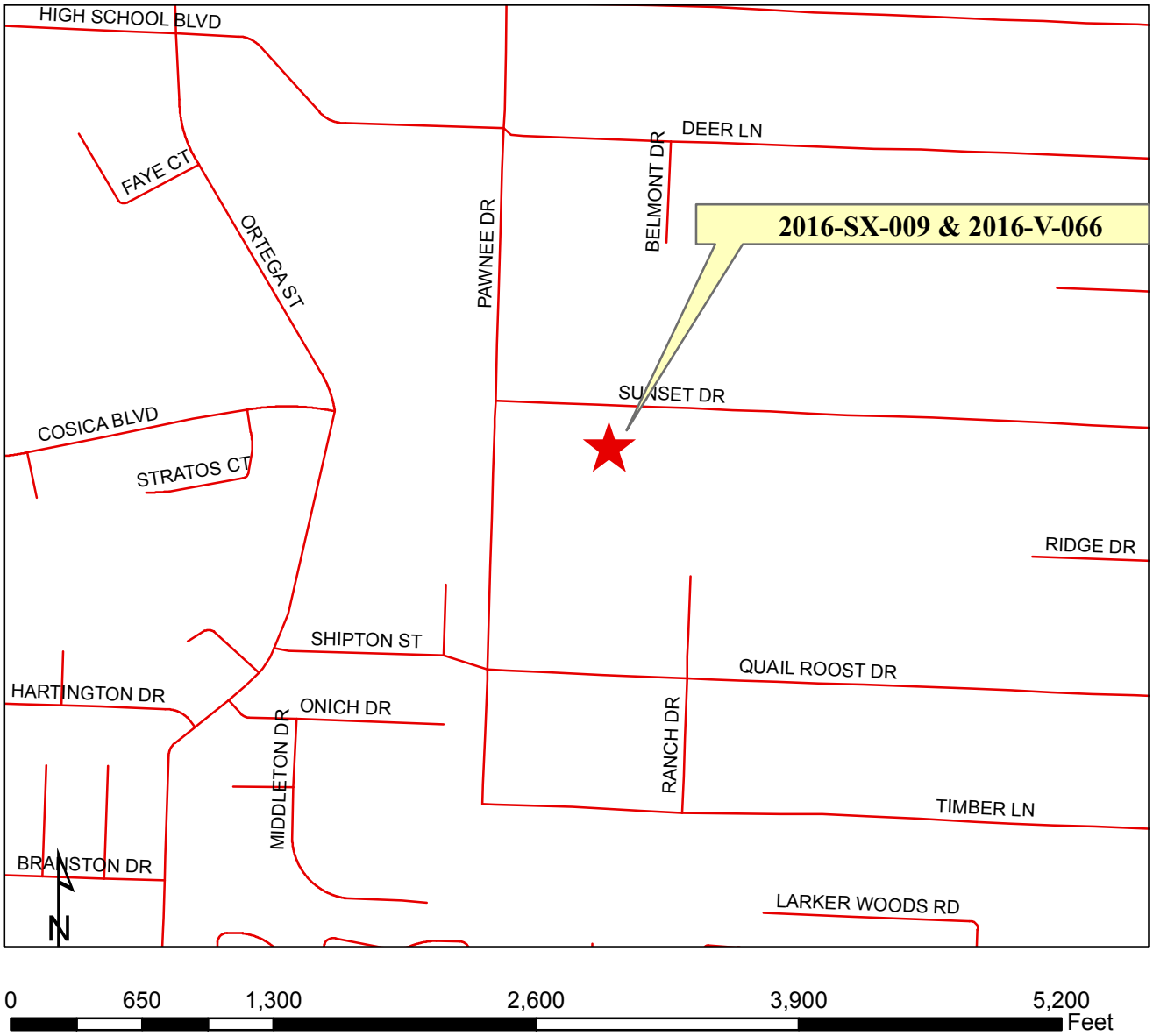
Is this criterion met? N/A

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?

There are no potential building code issues.

2016-SX-009 & 2016-V-066
Location



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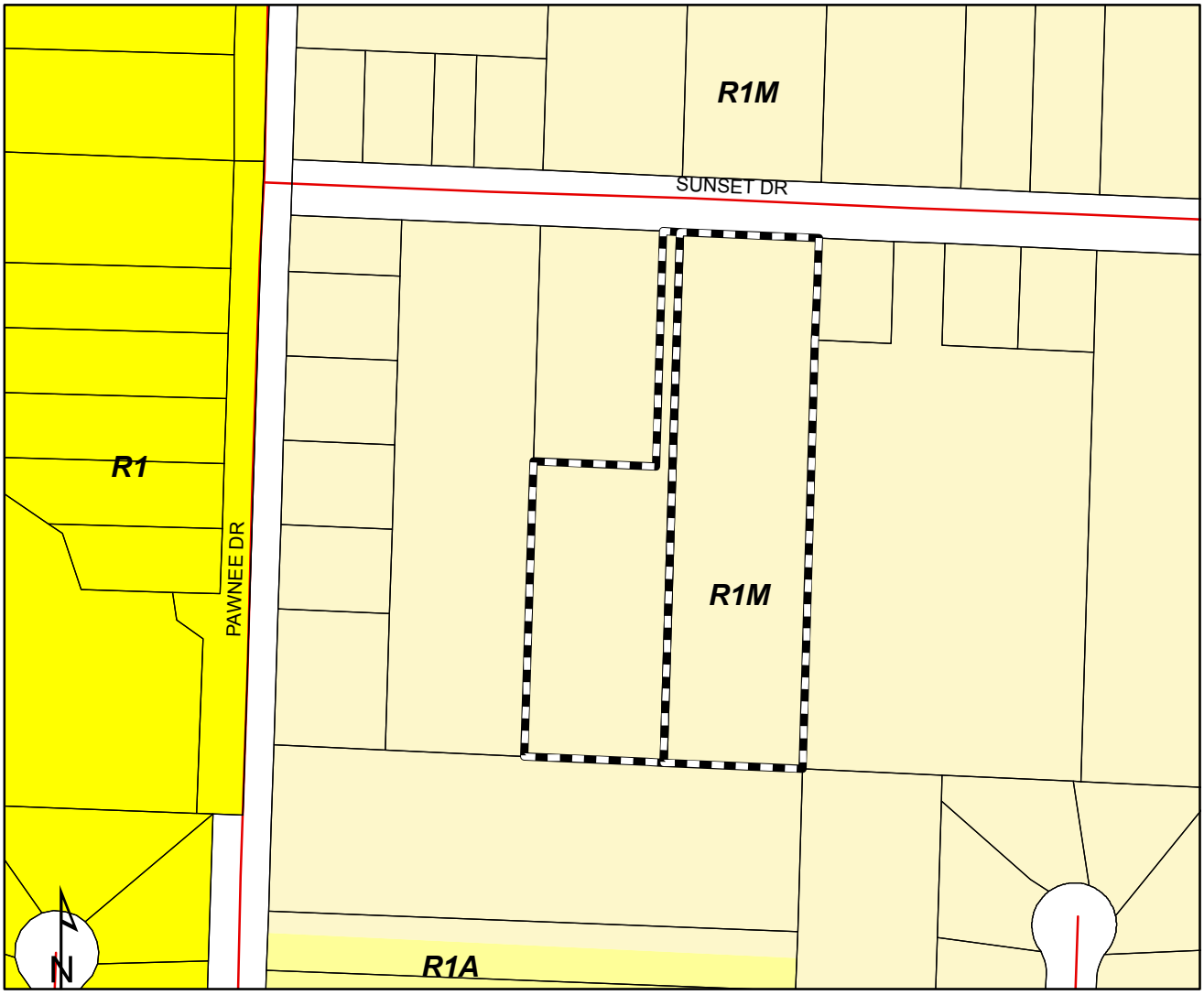
2016-SX-009 & 2016-V-066
Zoning



0 170 340 680 1,020 1,360 Feet

Legend

Pending Oct ZB

Zoning

DISTRICT

- AG-RR
- AG-RR-APZ1; AG-RR-APZ2; AG-RR-CZ
- AG1
- AG2
- AG2-APZ or CZ
- C1M
- C2M
- CITY
- HC1
- HCD
- HCD-APZ or CZ
- HCD-HON
- HNB
- HR1
- HR2
- M1
- M1-APZ or CZ
- M1-HON
- M2
- M2-APZ or CZ
- MID
- MIL
- NB-C
- NB-CON/REC
- NB-HD
- NB-MD
- NB-MHD
- NB-PMUD
- NB-SF
- NB-U
- NC
- NC-APZ or CZ
- NC-HON
- P1
- P1-HON
- P2
- P2-APZ or CZ
- P2-HON
- PBD
- PID
- PUD
- R1
- R1-APZ or CZ
- R1-HON
- R1A
- R1A-HON
- R1M
- R1M-APZ or CZ
- R1M-HON
- R2
- R2-APZ or CZ
- R2-HON
- R2M
- R2M-APZ or CZ
- R3
- RAIL
- RR1
- RR1-APZ or CZ
- STATE
- STATE-APZ or CZ
- TC1-HON
- WATER

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2016-SX-009 & 2016-V-066
2014 Aerial

0 337.5 675 1,350 2,025 2,700 Feet

Legend

Pending Oct ZB

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2016-SX-009 & 2016-V-066
Closeup Aerial

0 120 240 480 720 960 Feet

Legend

Pending Oct ZB

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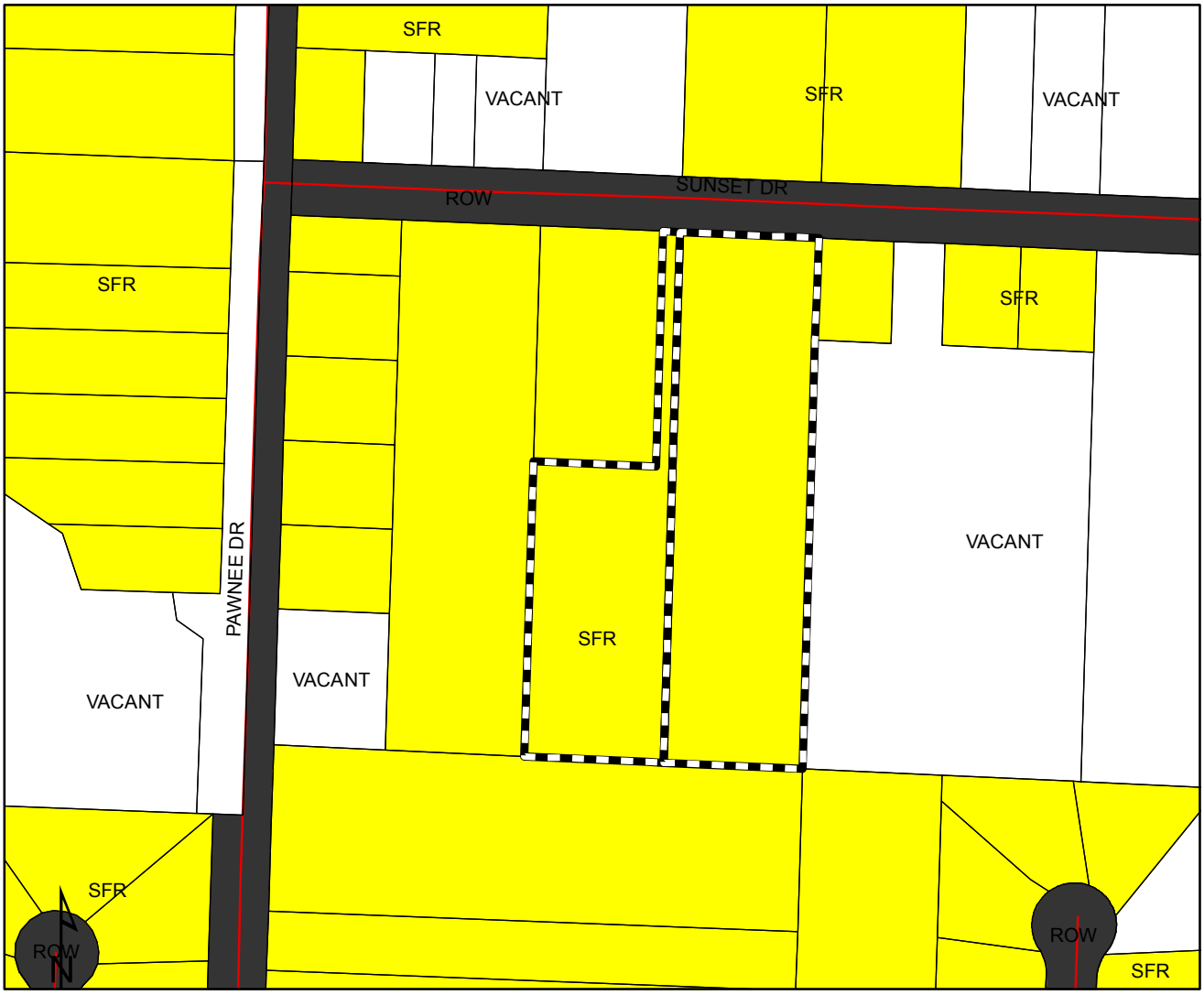
2016-SX-009 & 2016-V-066
Existing Land Use



0 170 340 680 1,020 1,360 Feet

Legend

Pending Oct ZB

Existing Land Use

Category

- Agriculture (AG)
- Agriculture, Homestead (AH)
- Condo's/Townhomes (C/T)
- City
- Commercial (COMM)
- Industrial (INDUS)
- Institutional (INST)
- Multi-Family Residential (MFR <5)
- Multi-Family Residential (MFR >5)
- Military (MIL)
- Mixed Residential/Commercial (MRC)
- Office
- Public Owned Property (POP)
- Rail
- Recreation/Commercial (REC/COMM)
- Recreation/Open Space (REC/OS)
- Right of Way (ROW)
- Single Family Residential (SFR)
- Silviculture (SILVICUL)
- Uncategorized (UNCAT)
- Utilities
- Vacant
- Water

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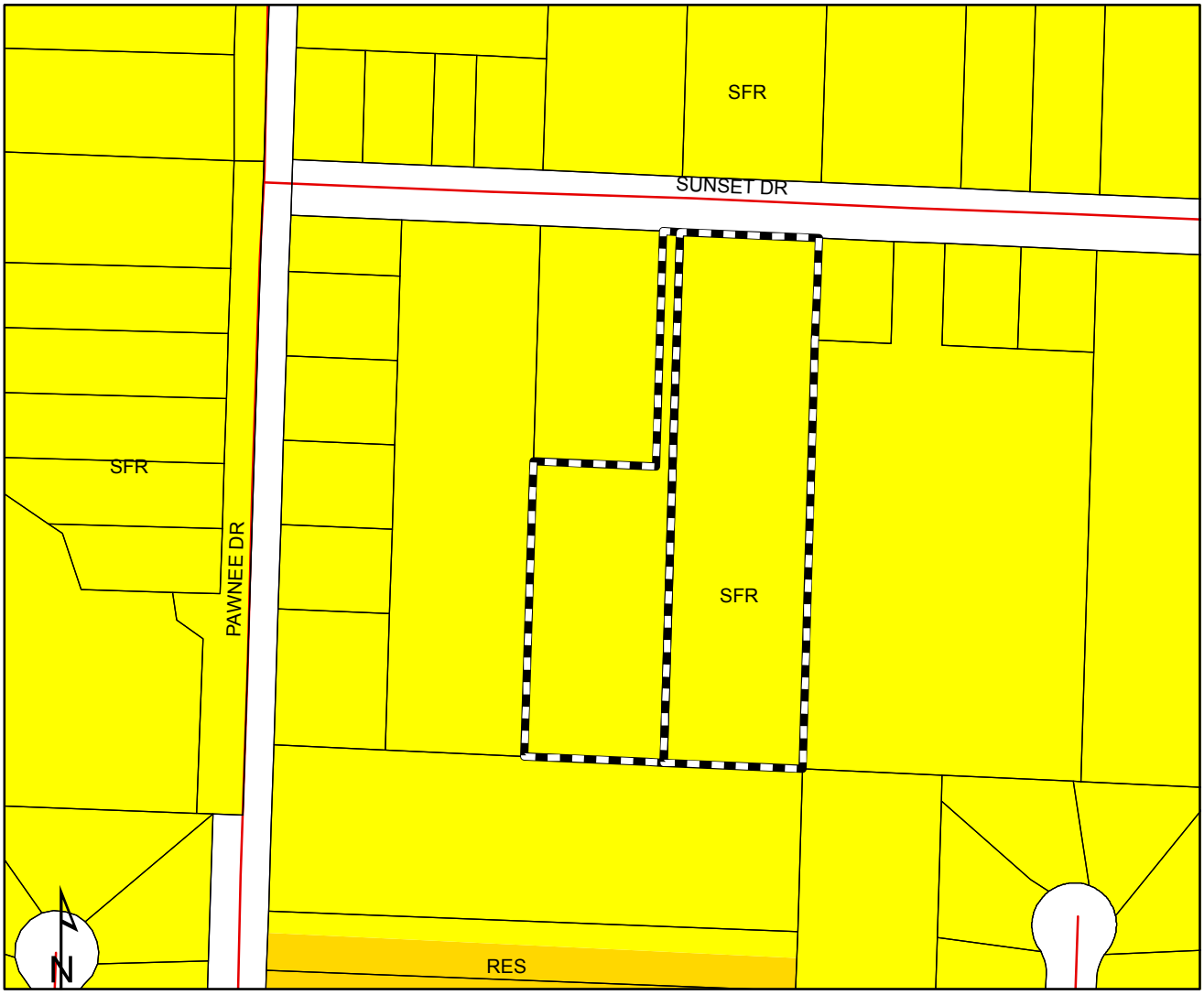
2016-SX-009 & 2016-V-066
Future Land Use



0 170 340 680 1,020 1,360 Feet

Legend

- Pending Oct ZB
- AGRICULTURE (AG)
- SINGLE FAMILY RESIDENTIAL (SFR)
- MEDIUM DENSITY RESIDENTIAL
- RESIDENTIAL (RES)
- COMMERCIAL (COMM)
- CONSERVATION/RECREATION (CON/REC)
- GP SINGLE FAMILY RESIDENTIAL (GPSFR)
- GP RURAL RESIDENTIAL (GPRR)
- BAGDAD HISTORIC DISTRICT (HIS)
- INDUSTRIAL (INDUS)
- MARINA (MARINA)
- MILITARY (MIL)
- MIXED RESIDENTIAL COMMERCIAL (MRC)
- NAVARRE BEACH COMMERCIAL (NBCOMM)
- NAVARRE BEACH LOW DENSITY RESIDENTIAL (NBLDR)
- NAVARRE BEACH MEDIUM DENSITY RESIDENTIAL (NBMDR)
- NAVARRE BEACH MEDIUM/HIGH DENSITY RESIDENTIAL (NBMHDR)
- NAVARRE BEACH HIGH DENSITY RESIDENTIAL (NBHDR)
- NAVARRE BEACH MIXED RESIDENTIAL/COMMERCIAL (NBMRC)
- NAVARRE BEACH UTILITIES (NBU)
- CITY
- RAIL
- WATER

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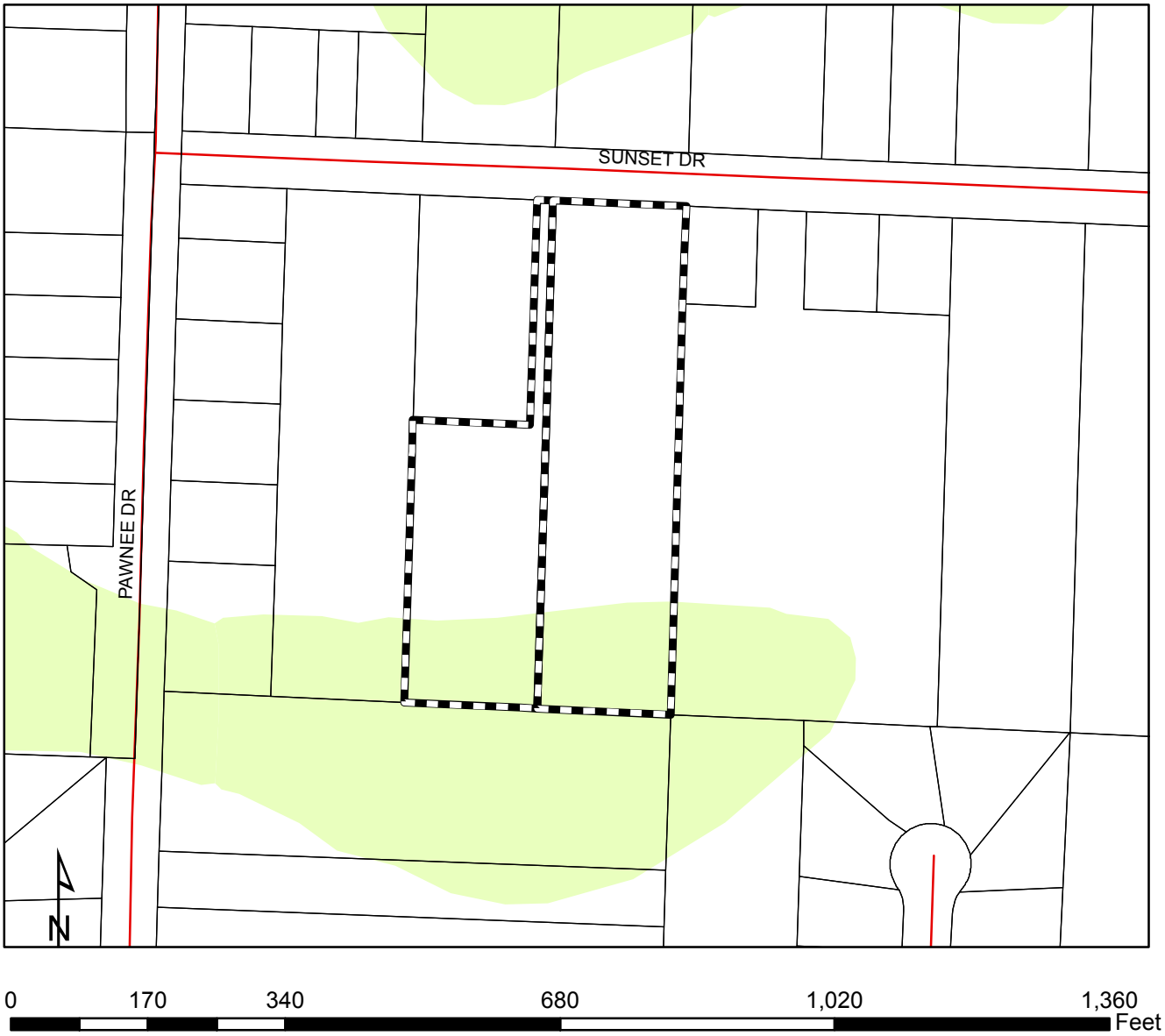
2016-SX-009 & 2016-V-066
Potential Wetlands
as indicated by the National Wetlands Inventory



Legend

Pending Oct ZB

Potential Wetlands Nat'l Wetlands Inventory

DESCRIPT

- ESTUARINE
- LACUSTRINE
- PALUSTRINE
- RIVERINE
- MARINE

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2016-SX-009 & 2016-V-066
Potential Wetlands Based on Soils

0 170 340 680 1,020 1,360 Feet

Legend

Pending Oct ZB

Potential Wetlands Based on Soils

HYDRIC CLASSIFICATION

All hydric

Partially hydric

Not hydric

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Special Exception Application

* Application Instructions begin on Page 3

** For Official Use Only **			
Application No.	2016 -SX - 009	Date Received:	8/19/16
Review Fee:	mV-066	Receipt No.:	
Zoning District:	R-1M	Special Exception Request:	2.04.00.C.
FLUM Designation:			

± 1.452

Property Owner

Property Owner Name: Billy L. Buller Sr. & Brandy McGinnis-Buller

Address: 8935 Sunset Dr.

Navarre Florida, 32566

Phone: 850-684-3154 Fax:

Email: mbrandysue@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 special exception approvals.

Company:

Contact Name:

Address:

Phone: Fax:

Email:

Property Information

Parcel ID Number(s): 15-2S-26-0000-10700-0000

-OR-

Street Address of property for which the Conditional Use is requested :

Parcel Size (acres): ~~2.375~~ 1.452 Acreage

What is the present use of the property? back property is wooded land.

Special Exception Request

Describe the Special Exception request. turn property into (3) Parent parcels, for our children

Please read the attached special exception provisions carefully and explain how your request addresses each of the pertinent criteria. Attach additional pages if necessary.

Special exception - does not meet minimum road frontage.

I understand that all decisions made by the Zoning Board of Adjustments 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 Adjustment does not authorize construction and/or land clearing to occur on this site and that additional approvals requirements and Building Permits may be required.	☑ Yes	☐ No
I understand that determinations by the Zoning Board 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.

Brandy McGinnis-Buller
Applicant Name (Type or Print)

B. McGinnis-Buller
Applicant Signature

Owners
Title (if applicable)

8-19-16
Date

164.69 ft

24.69

70 ft

70 ft

DRIVEway Parcel 3

160 ft

Parcel 1

160 ft

160 ft

Parcel 2

160 ft

70 ft

70 ft

629.52

629.73

Parcel 3

164.90

SANTA ROSA COUNTY
DEVELOPMENT SERVICES
6051 Old Bagdad Highway, Suite 202| Milton, Florida 32583

BECKIE CATO
Planning and Zoning Director
beckiec@santarosa.fl.gov

RHONDA C. ROYALS
Building Official
rhondar@santarosa.fl.gov

Variance Application

* Application Instructions begin on Page 3

** For Official Use Only **			
Application No.	2016 -V- 066	Date Received:	8-30-16
Review Fee:	235+8.85	Receipt No.:	298
Zoning District:	R1M	FLUM Designation:	SFR

± 1.452 VD#4

Property Owner

Property Owner Name: Brandy McGinnis

Address: 8935 Sunset Drive
Navarre Fl. 32566

Phone: 850-484-1896 Fax:

Email: mbrandysue@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:

Contact Name:

Address:

Phone: Fax:

Email:

Property Information

Parcel ID Number(s): 15-2S-26-0000-06701-0000

-OR-

Street Address of property for which the Variance is requested:

8935 Sunset Drive Navarre Fl. 32566

Variance Request

What is the present use of the property? Single Family

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

place a cottage for my daughter and/grandfather with health issues. utility services are located in that area.

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

would like to reduce variance Set back from 60 ft to 15ft. Please and thank you.

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

Pleas 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

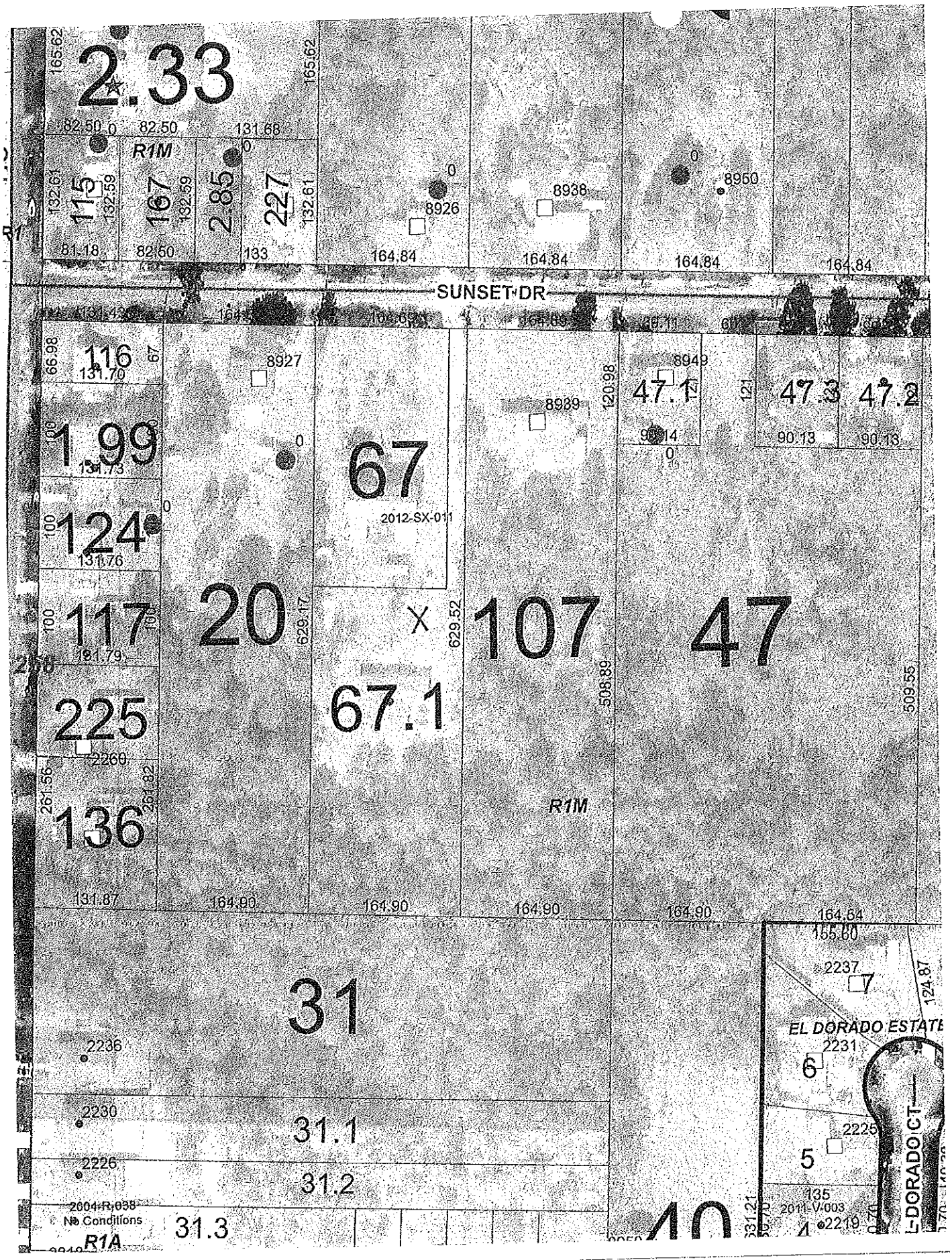
By my signature hereto, I do hereby certify that the information contained in this application and the required supplemental materials is true and correct, and understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation 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.

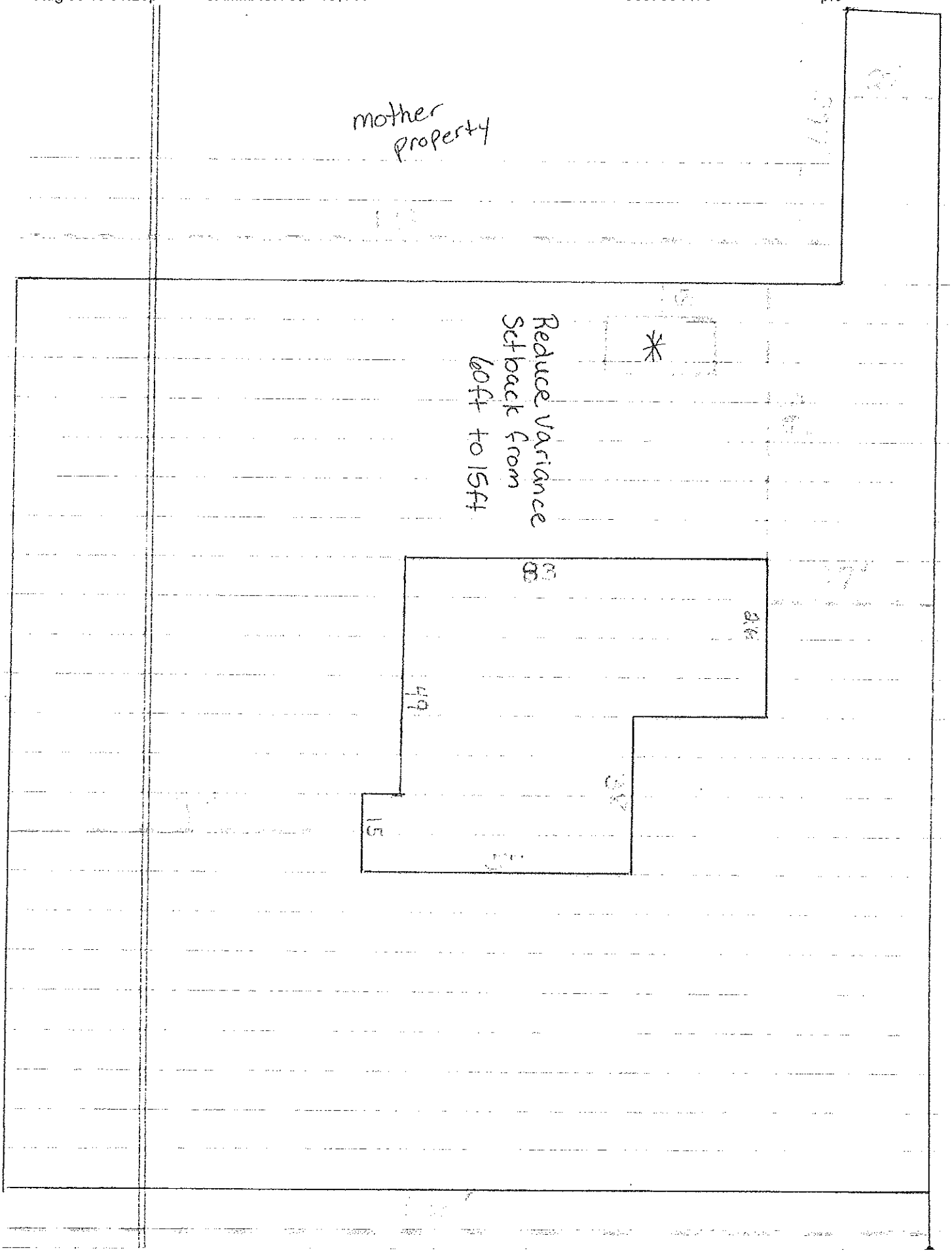
Brandy McGinnis-Buller
Applicant Name (Type or Print)

B. McGinnis-Buller
Applicant Signature

owner
Title (if applicable)

8-30-16
Date


2.33
R1M
115
167
2.85
227
8926
8938
8950
SUNSET DR
116
8927
8939
8949
47.1
47.3
47.2
1.99
67
2012-SX-011
124
117
20
107
47
225
67.1
2260
136
R1M
31
2236
2230
31.1
2226
31.2
2004-R-038
No Conditions
31.3
R1A
40
EL DORADO ESTATE
2237
2231
6
2225
5
135
2011-V-003
2219
L-DORADO CT


mother property
Reduce Variance Setback from 60ft to 15ft
83
49
15