

**2016-V-030**

<b>Project</b>	n/a
<b>Applicant and/or Property Owner:</b>	Mark Baxter
<b>Appellant:</b>	Mark Baxter
<b>Request 1:</b>	Variance to reduce the Shoreline Protection Zone setback from 50 feet to 25 feet along Indian Bayou to accommodate a single family residence (LDC 12.01.02)
<b>Request 2:</b>	Variance to reduce the Shoreline Protection Zone setback from 50 feet to 20 feet along the marsh/wetlands to accommodate a single family residence (LDC 12.01.02)
<b>Zoning District:</b>	R1 (Single Family Residential)
<b>Zoning Board Recommendation:</b>	<b><i>Request 1: Denied with a vote of 3 – 3; Richardson, Reeder, &amp; Hawkins opposed the motion to approve</i></b> <b><i>Request 2: Denied with a vote of 3 – 3; Richardson, Reeder, &amp; Hawkins opposed the motion to approve</i></b>

**Variance 2016-V-030**

**Part I. General Information:**

<b>Project/Applicant:</b>	Mark Baxter
<b>Location:</b>	2600 San Antonio Drive, Milton, FL
<b>Parcel(s):</b>	04-1S-29-0000-00701-0000
<b>Zoned:</b>	R1 (Single Family Residential)
<b>Request 1:</b>	Variance to reduce the Shoreline Protection Zone setback from 50 feet to 25 feet along Indian Bayou to accommodate a single family residence (LDC 12.01.02)
<b>Request 2:</b>	Variance to reduce the Shoreline Protection Zone setback from 50 feet to 20 feet along the marsh/wetlands to accommodate a single family residence (LDC 12.01.02)
<b>District:</b>	Commissioner District #5
<b>Current Conditions:</b>	Vacant; the pad of the previously approved residence is evident
<b>Previous Board Action:</b>	Variance 2012-V-0-051 was granted to allow reduce the SPZ from 50 feet to 20 feet to allow the construction of a single family residence

**Part II. Data and Analysis:** (Consistency with the 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.

<b>Is this criterion met?</b>	<b>Yes</b>
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**Staff Analysis:** Staff has determined that there are special circumstances regarding the land in question. This parcel possesses unique qualities with respect to shape and shallowness that are peculiar to such property and not to other lots within the area. The subject property is a peninsula bounded by an open waterway (Indian Bayou) to the northeast and a marsh (estuarine wetlands) on the south and southwest.

Since the buildable depth of this lot is approximately 9 feet, the applicant is seeking relief from the Ordinance which regulates development within 50 feet of the shorelines within Santa Rosa County. The applicant wishes to construct a single family residence on the subject property 25 from the mean high water line of Indian Bayou and approximately 20 feet from the marsh.

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:** The Variance request is necessary for the preservation and enjoyment of a substantial property right and does not serve merely a convenience to the property owner. At its widest, the buildable depth is 9 feet.

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, impair the public safety, or unreasonably diminish or impair established property values within the surrounding area. The neighboring properties within the area are located on a canal and are not subject to the SPZ setback; the applicable setback is 25 feet for those residences.

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, the Variances requested will 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.

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?**

**Not Applicable**

**Staff Analysis: This request does not pertain to parking or loading requirements or access management standards.**

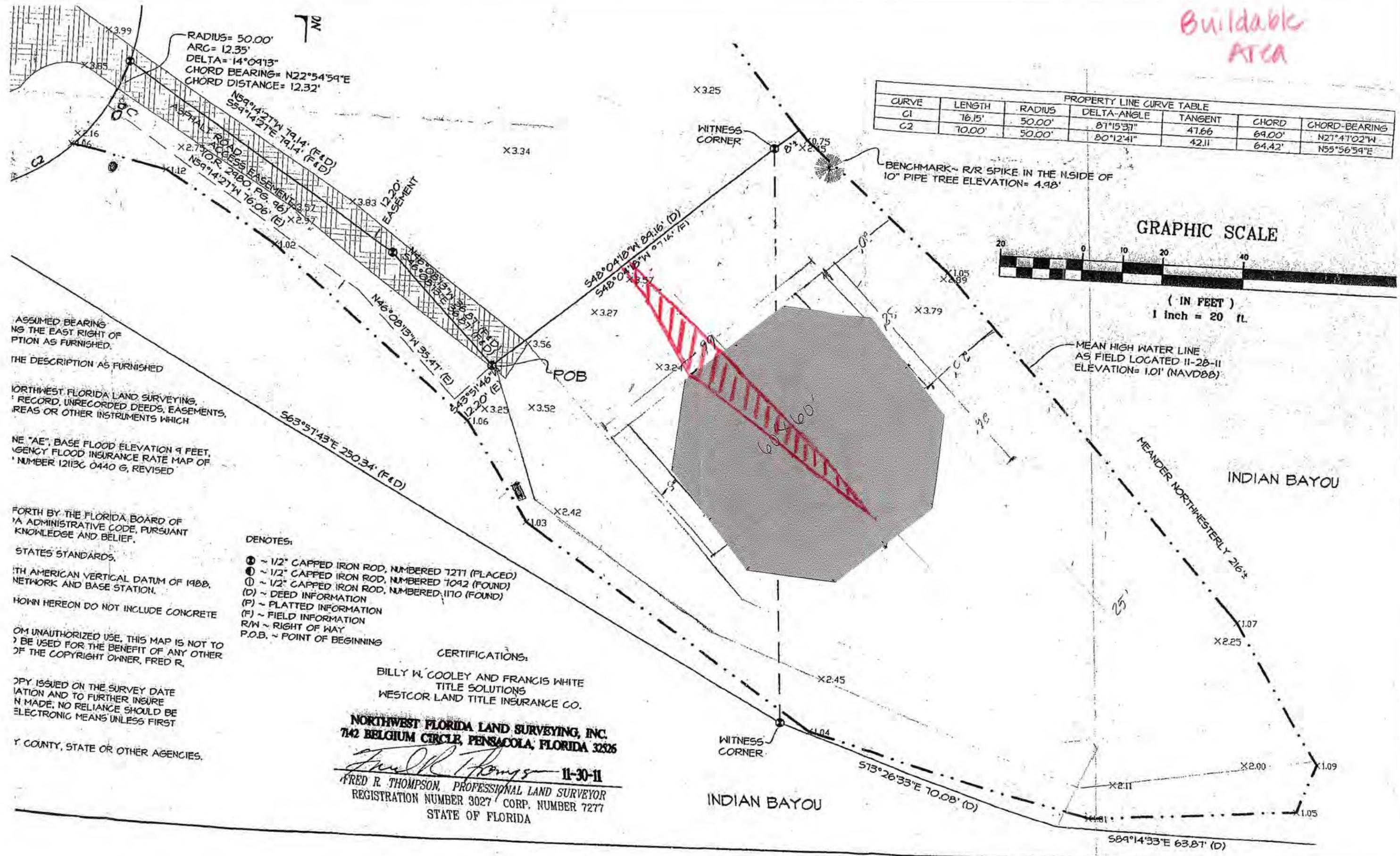
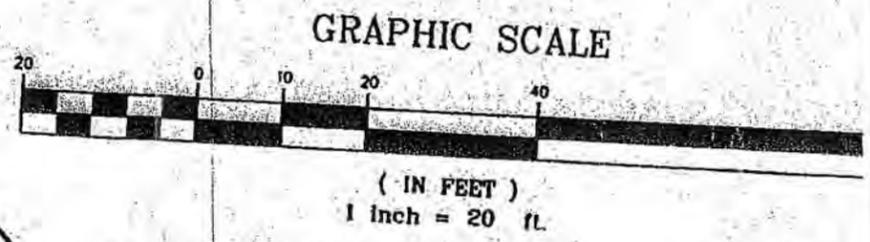
**Part III. Additional Considerations**

**If the Variance is approved, are there any potential building code issues?**

The residence will be required to comply with applicable Flood Plain standards and Building Code requirements.

Buildable Area

PROPERTY LINE CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA-ANGLE	TANGENT	CHORD	CHORD-BEARING
C1	76.15'	50.00'	87°15'37"	47.66	69.00'	N27°47'02"W
C2	70.00'	50.00'	80°12'41"	42.11	64.42'	N59°56'59"E



ASSUMED BEARING  
ING THE EAST RIGHT OF  
PTION AS FURNISHED.

THE DESCRIPTION AS FURNISHED

NORTHWEST FLORIDA LAND SURVEYING,  
RECORD, UNRECORDED DEEDS, EASEMENTS,  
REAS OR OTHER INSTRUMENTS WHICH

NE "AE", BASE FLOOD ELEVATION 9 FEET,  
AGENCY FLOOD INSURANCE RATE MAP OF  
NUMBER 12113C 0440 G, REVISED

FORN BY THE FLORIDA BOARD OF  
IA ADMINISTRATIVE CODE, PURSUANT  
KNOWLEDGE AND BELIEF.

STATES STANDARDS,

TH AMERICAN VERTICAL DATUM OF 1988,  
NETWORK AND BASE STATION.

HOWN HEREON DO NOT INCLUDE CONCRETE

OM UNAUTHORIZED USE. THIS MAP IS NOT TO  
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- DENOTES:
- ① ~ 1/2" CAPPED IRON ROD, NUMBERED 7271 (PLACED)
  - ② ~ 1/2" CAPPED IRON ROD, NUMBERED 7092 (FOUND)
  - ③ ~ 1/2" CAPPED IRON ROD, NUMBERED 1170 (FOUND)
  - (D) ~ DEED INFORMATION
  - (P) ~ PLATTED INFORMATION
  - (F) ~ FIELD INFORMATION
  - R/W ~ RIGHT OF WAY
  - P.O.B. ~ POINT OF BEGINNING

CERTIFICATIONS:

BILLY W. COOLEY AND FRANCIS WHITE  
TITLE SOLUTIONS  
WESTCOR LAND TITLE INSURANCE CO.

**NORTHWEST FLORIDA LAND SURVEYING, INC.**  
742 BELGIUM CIRCLE, PENSACOLA, FLORIDA 32526

*Fred R. Thompson* 11-30-11  
FRED R. THOMPSON, PROFESSIONAL LAND SURVEYOR  
REGISTRATION NUMBER 3027 CORP. NUMBER 7277  
STATE OF FLORIDA

Y COUNTY, STATE OR OTHER AGENCIES.







# 2016-V-030

## Location



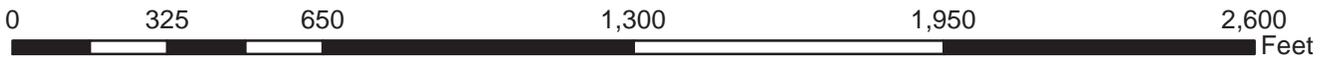
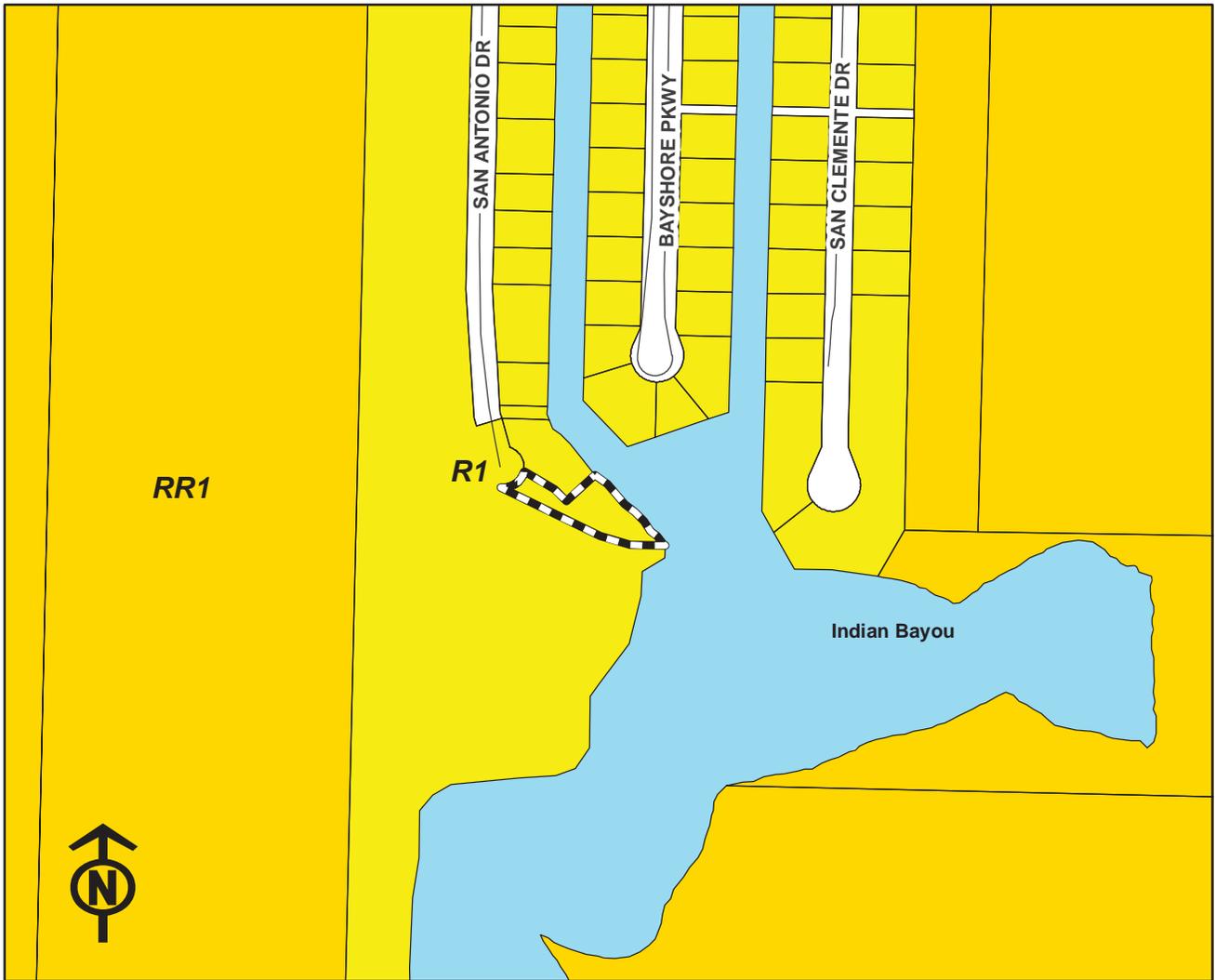
### Legend

- Pending Apr ZB
- Streets
- Sidewalks

### Disclaimer:

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# 2016-V-030 Zoning



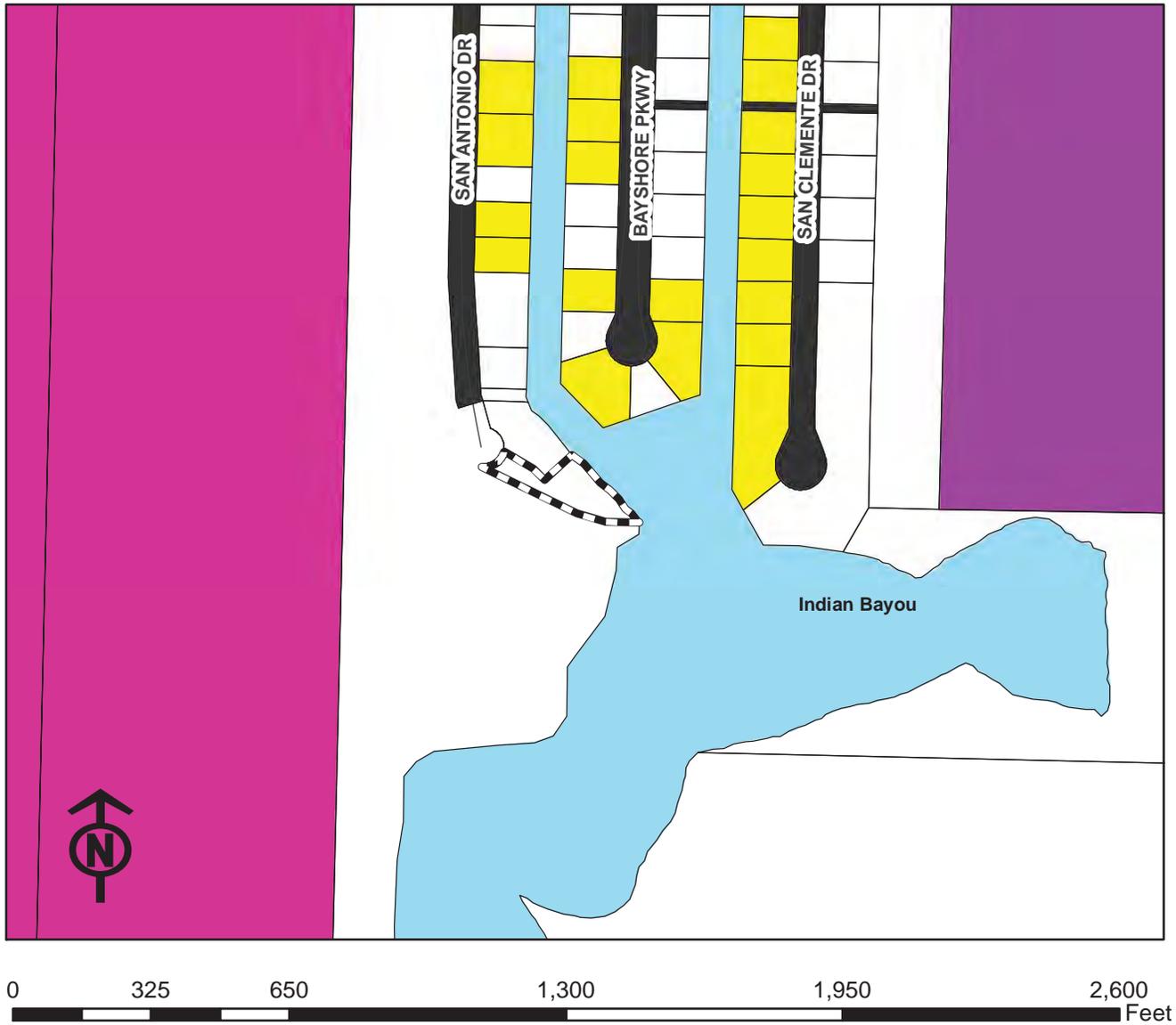
### Legend

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

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# 2016-V-030 Existing Land Use

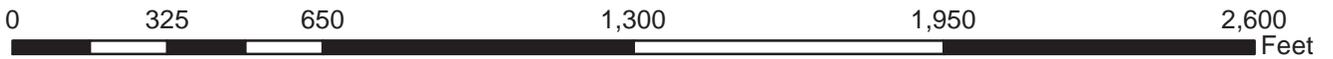


### Legend

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

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2016-V-030  
Aerial



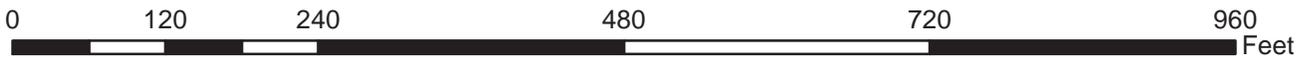
**Legend**

-  Pending Apr ZB
-  Parcel Lines
-  Streets
-  Sidewalks

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2016-V-030  
Aerial

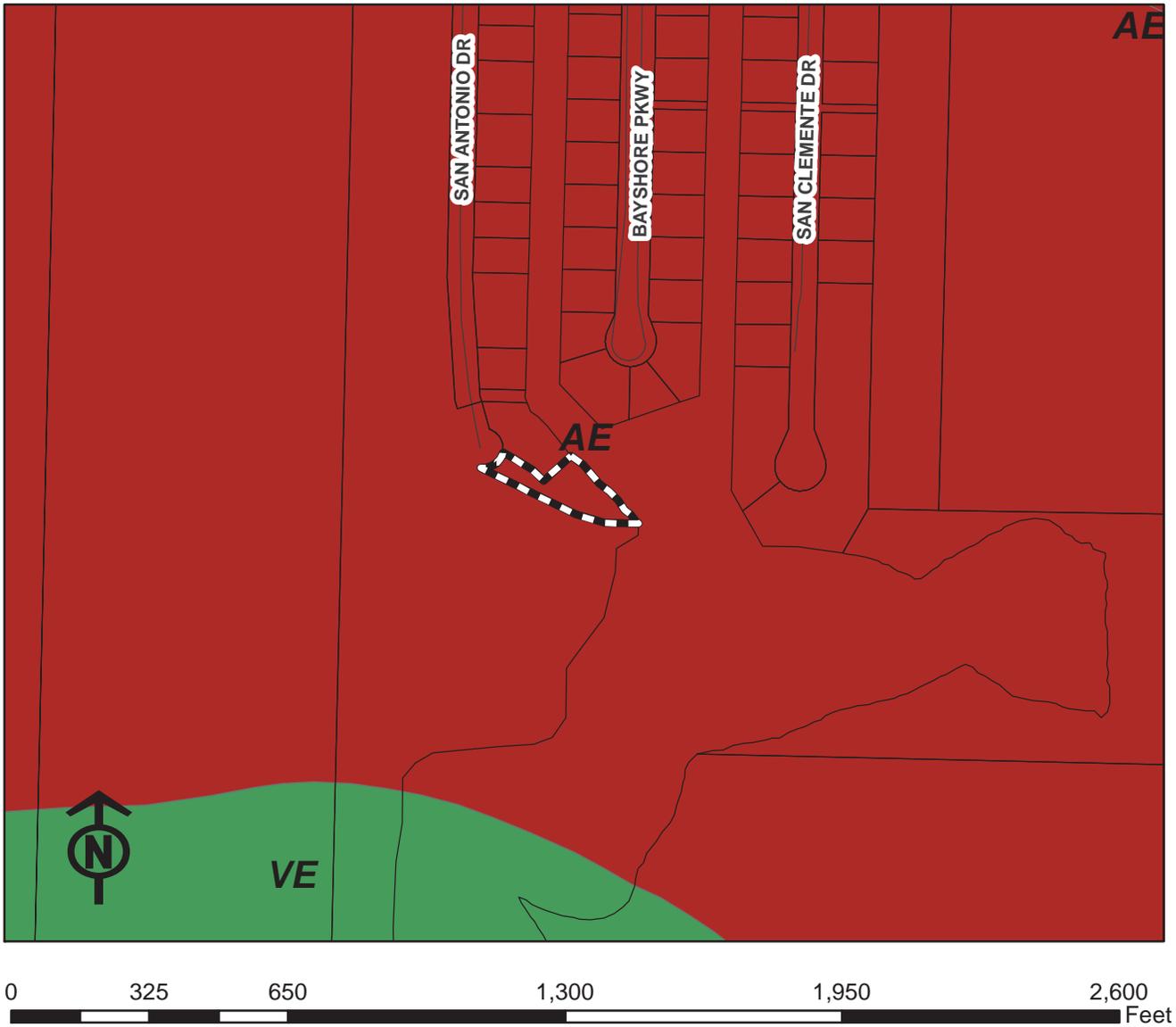


**Legend**

-  Pending Apr ZB
-  Parcel Lines
-  Streets
-  Sidewalks

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# 2016-V-030 Flood Zone Data



**Legend**

-  Pending Apr ZB
-  Parcel Lines
-  Streets
-  Sidewalks

**DFIRM**

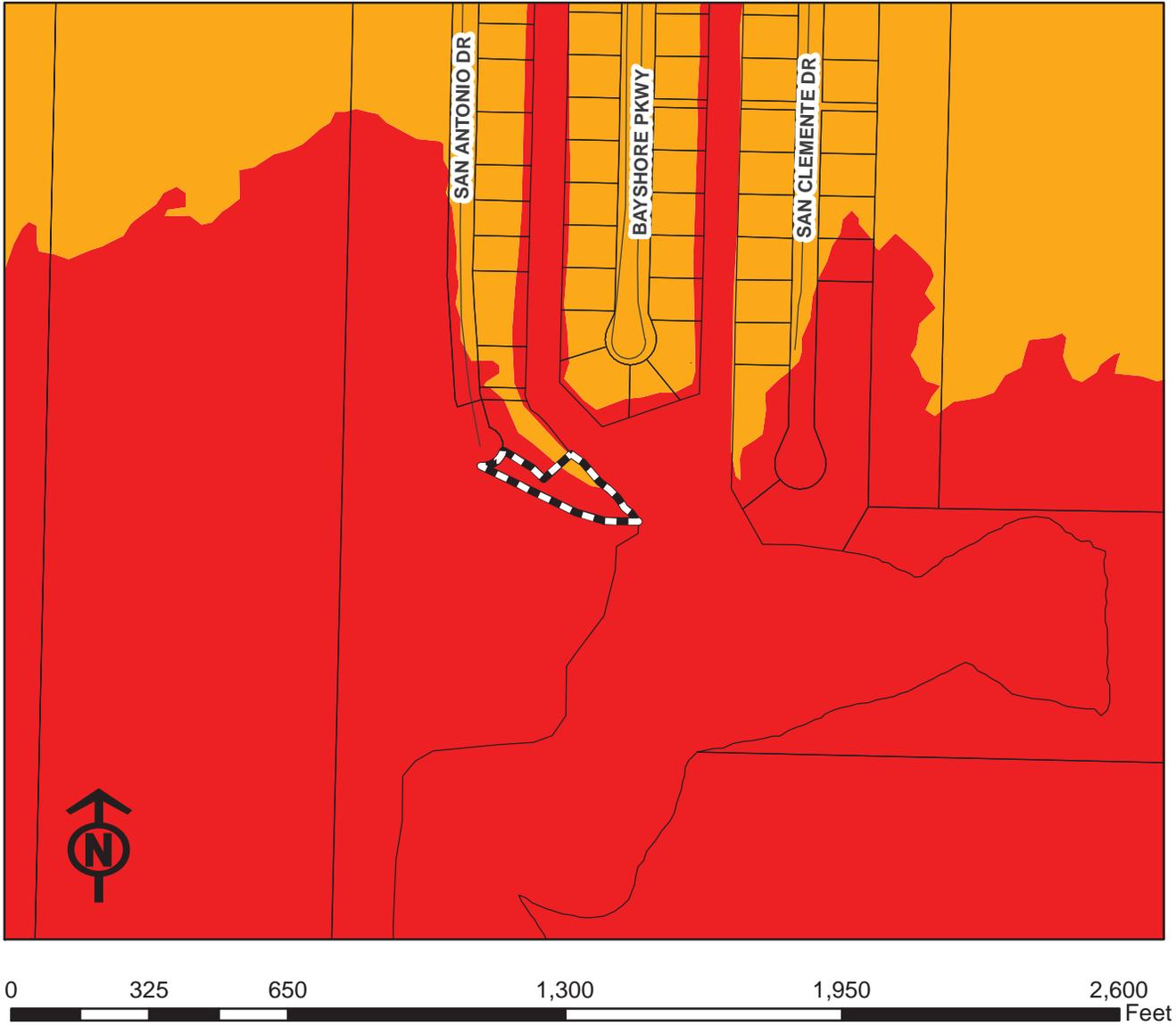
**FLOOD\_ZONE**

-  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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# 2016-V-030 Storm Surge Data



- Legend**
-  Pending Apr ZB
  -  Parcel Lines
  -  Streets
  -  Sidewalks
- Storm Surge**
- Cat**
-  1
  -  2
  -  3
  -  4
  -  5
-  Contours

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2016-V-030  
Soil-Based Wetlands Potential Data



- Legend**
-  Pending Apr ZB
  -  Parcel Lines
  -  Streets
  -  Sidewalks

**SOILS-based Potential Wetlands**

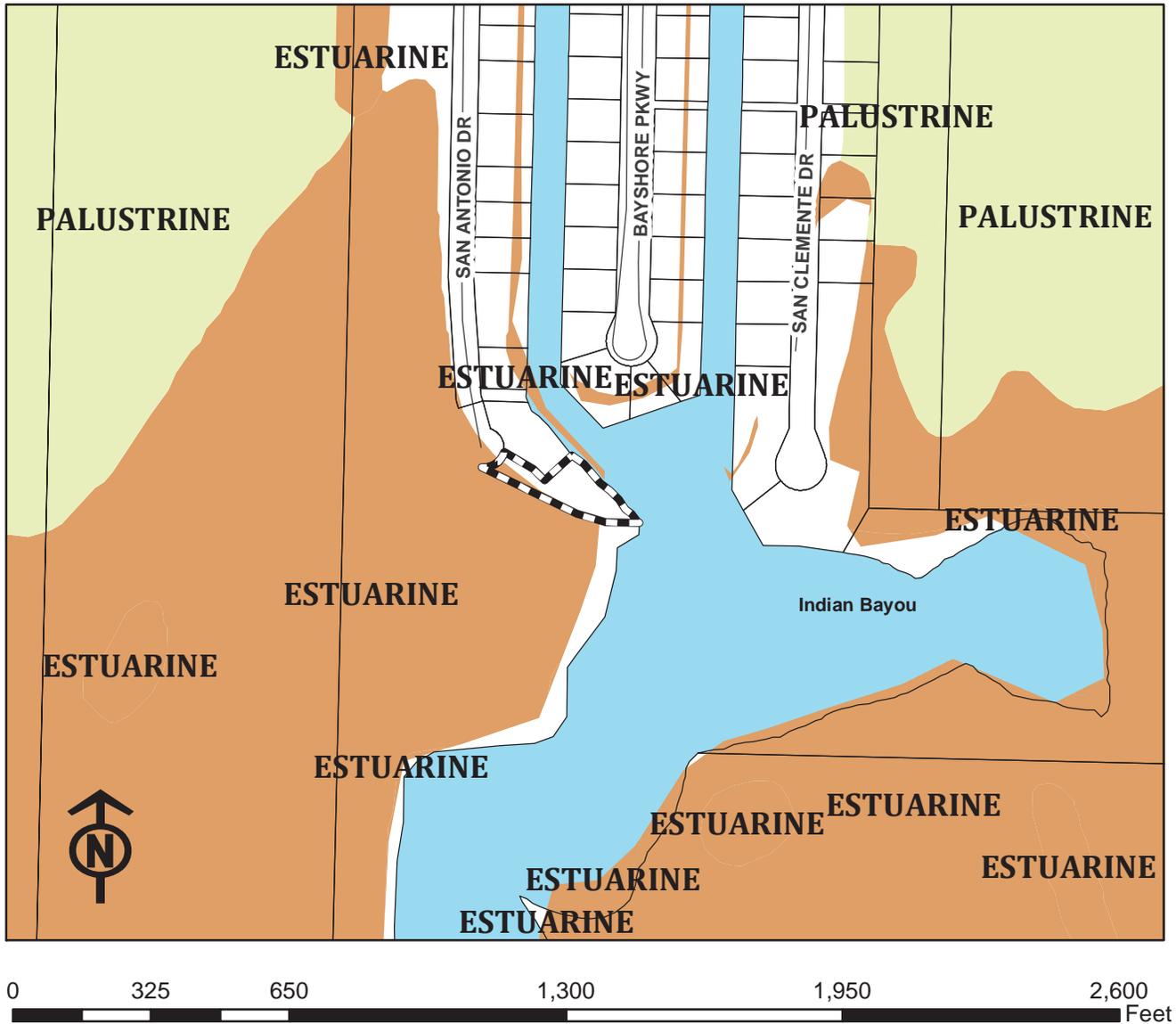
**HYDRIC CLASSIFICATION**

-  All hydric
-  Partially hydric
-  Not hydric

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2016-V-030  
National Wetlands Inventory Data



**Legend**

-  Pending Apr ZB
-  Parcel Lines
-  Streets
-  Sidewalks

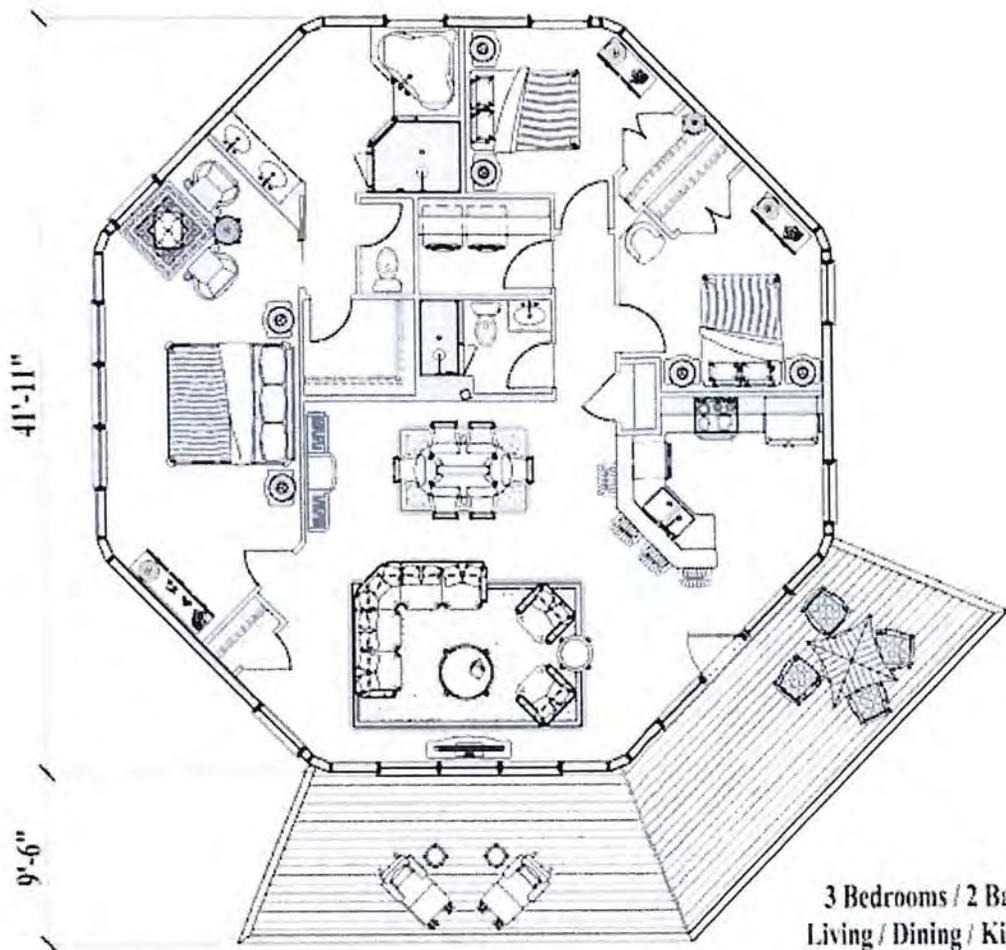
**NWI-based Potential Wetlands**

**DESCRIPT**

-  ESTUARINE
-  LACUSTRINE
-  PALUSTRINE
-  RIVERINE
-  MARINE

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3 Bedrooms / 2 Baths  
 Living / Dining / Kitchen  
 Laundry  
 (Total 1,455 sq. ft. or 135 m<sup>2</sup>)



 Printer Friendly Version

 Previous

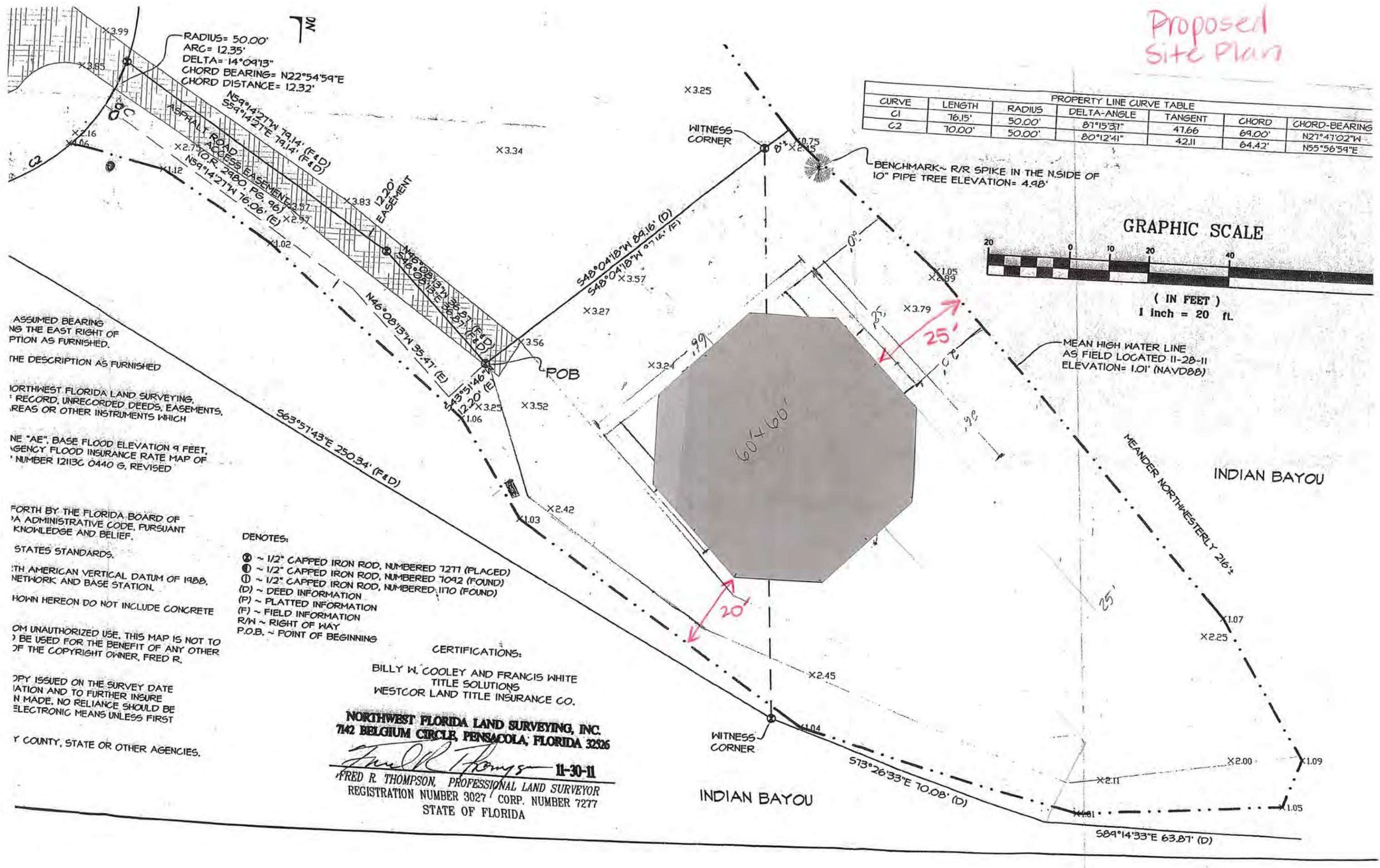
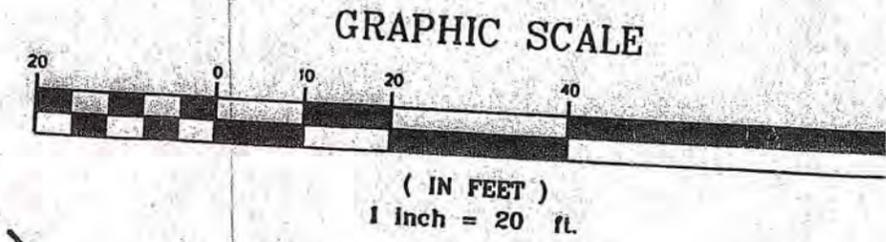
 Return to Page

 Next

 **Click Here**  
 for a **No-Obligation**  
**Free Cost Estimate**  
 for this design built  
 on your site

Proposed Site Plan

PROPERTY LINE CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA-ANGLE	TANGENT	CHORD	CHORD-BEARING
C1	76.15'	50.00'	87°15'31"	47.66	69.00'	N27°47'02"W
C2	70.00'	50.00'	80°12'41"	42.11	64.42'	N55°56'59"E



ASSUMED BEARING  
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 THE DESCRIPTION AS FURNISHED

NORTHWEST FLORIDA LAND SURVEYING,  
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 AREAS OR OTHER INSTRUMENTS WHICH  
 NE "AE", BASE FLOOD ELEVATION 9 FEET,  
 AGENCY FLOOD INSURANCE RATE MAP OF  
 NUMBER 12113C 0440 G, REVISED

FORTH BY THE FLORIDA BOARD OF  
 A ADMINISTRATIVE CODE, PURSUANT  
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 STATES STANDARDS.  
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- DENOTES:
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  - ⊙ ~ 1/2" CAPPED IRON ROD, NUMBERED 1170 (FOUND)
  - (D) ~ DEED INFORMATION
  - (P) ~ PLATTED INFORMATION
  - (F) ~ FIELD INFORMATION
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  - P.O.B. ~ POINT OF BEGINNING

CERTIFICATIONS:  
 BILLY W. COOLEY AND FRANCIS WHITE  
 TITLE SOLUTIONS  
 WESTCOR LAND TITLE INSURANCE CO.  
 NORTHWEST FLORIDA LAND SURVEYING, INC.  
 7142 BELGIUM CIRCLE, PENSACOLA, FLORIDA 32326  
 Fred R. Thompson 11-30-11  
 FRED R. THOMPSON, PROFESSIONAL LAND SURVEYOR  
 REGISTRATION NUMBER 3027 CORP. NUMBER 7277  
 STATE OF FLORIDA

MEAN HIGH WATER LINE  
 AS FIELD LOCATED 11-28-11  
 ELEVATION = 1.01' (NAVD88)

INDIAN BAYOU

INDIAN BAYOU



The front of the property

156



The adjacent property to the north

157



Adjacent to the west

158



The southern portion of the lot and the area where a reduction to 20 feet is being requested. If this was a "side", the setback would only be 7 feet from the property line.

159



The interior of the site and the proposed location for the residence; the previous owner had prepared the site to construct a residence upon being granted a variance in 2012.



Looking due south towards Pensacola Bay



The property across the opening to the bayou; this residence is located approximately 20 feet from the water side of Indian Bayou; this property is at the terminus of San Clemente and also backs up to the marshland of Indian Bayou



These are also across the canal to the northeast



Across to the north



This is the northern portion of the property where a Variance to reduce the setback to 25 feet is being requested; the previous owner was granted a variance to reduce the setback to 20 feet along this side.



Looking back to the interior of the site from the eastern tip.



Another view of the southern portion of the property



Another view of the interior of the site; based upon current zoning regulations, the maximum buildable width is approximately 9 feet.

April 15, 2016

To the Santa Rosa County Commission Board:

I, Mark Baxter, would like to appeal the boards decision made on April 14, 2016, On not being able to build on my property at 2500/2600 San Antonio Dr. On November 8, 2012, Santa Rosa County of Commissioners granted me a 20ft. variance from the Indian Bayou, to build my home and said that this was a special piece of property due to its shape and existing boat ramp. I did not realize that I had a time limit on the variance of the property.

I have made many improvements to the property since I purchased this piece of property. I have had red sand brought in to raise and level the property for building as well as cleaned up all the garbage and debris that was already there. I have had power poles installed to the property and down the existing road to the property as well as a transformer installed to accommodate the power and not cause and serge in power to any existing homes in the neighborhood. I have also installed water and sewer lines to where the home was going to be built. The Santa Rosa Building Inspectors department by Bobby Burkett inspected these lines. I have had the property core drilled by NOVA Engineering and Environmental. I had architects draw up house plans.

I had some medical issues come about that have slowed my progress. Since then I have put the property up for sale. I have had numerous prospects on the property. One of the neighbors has deterred them from buying the property on numerous occasions. Stating to the prospective buyer that this property is not buildable and that the county stopped us in the process. This has caused us to loose multiple prospects.

I again have a buyer and now I have to go thru this process again to prove that this is a buildable piece of property.

A home built here is not going to hurt the environment or disturb the wildlife in the area. It will encourage others to build on the vacant lots in the neighborhood. Therefore, increasing property values and clean up the area, which will only enhance the neighborhood. A house being built on this property will detour the loitering. In addition, stop all the garbage left behind when they leave that could get into the saw grass and canal.

In conclusion, I do not understand how the neighborhood could change the zoning board's decision, because they state it blocks their view and will diminish their property value. I bought the property for the view and because it is a buildable piece of property. If they wanted the view, they should have bought the property. I feel this was an unfair ruling since I have already invested so much time and money into this property. I would like the Commission appeal Board to approve the 25ft. variance that we are asking for. I would like to thank you for taking the time to look over this issue.

Mark A. Baxter



# Development Services



Beckie Calo, AICP  
Planning and Zoning Director

Tony Gomillion  
Public Service Director

Rhonda C. Royals  
Building Official

November 16, 2012

Mark Baxter  
7573 Christie St.  
Milton, FL 32583

Re: Variance Application (2012-V-051)

Dear Mr. Baxter,

The Santa Rosa County Zoning Board (ZB) made the following determinations at their meeting held on November 8, 2012, for the property located at 2500 San Antonio Drive, Milton, Florida, and identified as parcel number 04-1S-29-0000-00701-0000:

The Variance, as presented at the meeting, to reduce the Shoreline Protection Zone setback from 50 feet from the mean high water line (MHWL) to 20 feet to accommodate a single family residence as indicated on the site plan has been approved.

Determinations made by the Zoning Board shall be valid for a period not to exceed thirty-six (36) months and must, therefore, be used by the applicant within the said thirty-six (36) month period per Santa Rosa County Land Development Code Ordinance No. 91-24, Article 2.04.03.

Any person aggrieved by any decision of the ZB, may appeal a decision of the ZB by filing an appeal with the Planning and Zoning Department. Such appeal shall be filed within fifteen (15) calendar days of the decision or action to be appealed. The appeal time allowance expires at the close of business on November 23, 2012.

After the appeal time allowance has successfully expired, please retain this letter for your records and provide a copy to your contractor, as this letter is required for the issuance of the Building Permit. Also, please remove the public hearing sign from the property.

Regards,

Leslie Statler  
Planner III

LS/lm

Building Department  
File

Santa Rosa County Public Service Complex  
6051 Old Bagdad Highway, Suite 202 Milton, Florida 32583  
[www.santarosa.fl.gov](http://www.santarosa.fl.gov)  
Office: (850) 981-7000

Inspections/Compliance Division Fax: (850) 623-1208 • Planning/Zoning Division Fax: (850) 983-9874

# ELEVATION CERTIFICATE

Important: Read the instructions on pages 1-9.

## SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name <b>BILLY COOLEY</b>		For Insurance Company Use:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. <b>SAN ANTONIO DRIVE</b>		Policy Number	
City <b>MILTON</b> State <b>FL</b> ZIP Code <b>32583</b>		Company NAIC Number	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) <b>04-1S-29-0000-00701-0000</b>			
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <b>RESIDENTIAL</b>			
A5. Latitude/Longitude: Lat. <b>30°31'40.6"</b> Long. <b>87°06'07.8"</b>		Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983	
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.			
A7. Building Diagram Number <b>5</b>			
A8. For a building with a crawlspace or enclosure(s):		A9. For a building with an attached garage:	
a) Square footage of crawlspace or enclosure(s)	<b>0</b> sq ft	a) Square footage of attached garage	<b>0</b> sq ft
b) No. of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade	<b>0</b>	b) No. of permanent flood openings in the attached garage within 1.0 foot above adjacent grade	<b>0</b>
c) Total net area of flood openings in A8.b	<b>0</b> sq in	c) Total net area of flood openings in A9.b	<b>0</b> sq in
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

## SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number <b>SANTA ROSA 120274</b>		B2. County Name <b>SANTA ROSA</b>		B3. State <b>FL</b>	
B4. Map/Panel Number <b>12113C 0440</b>	B5. Suffix <b>G</b>	B6. FIRM Index Date <b>12-19-06</b>	B7. FIRM Panel Effective/Revised Date <b>12-19-06</b>	B8. Flood Zone(s) <b>AE</b>	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) <b>9 FEET</b>
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in item B9. <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other (Describe) _____					
B11. Indicate elevation datum used for BFE in item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other (Describe) _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? Designation Date _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

## SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction  
\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete items C2.a-h below according to the building diagram specified in item A7. Use the same datum as the BFE.  
Benchmark Utilized SEE SECTION D Vertical Datum NAVD88  
Conversion/Comments SEE SECTION D

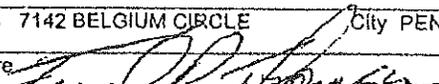
Check the measurement used.

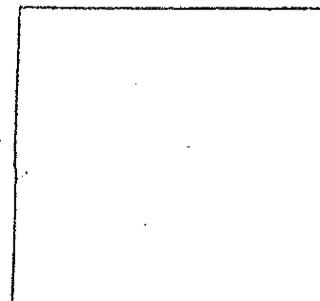
a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	<b>13.2. PROPOSED</b>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
b) Top of the next higher floor	<b>N/A</b>	<input type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
c) Bottom of the lowest horizontal structural member (V Zones only)	<b>12.2. PROPOSED</b>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
d) Attached garage (top of slab)	<b>N/A</b>	<input type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	<b>12.2. PROPOSED</b>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
f) Lowest adjacent (finished) grade next to building (LAG)	<b>2.91</b>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
g) Highest adjacent (finished) grade next to building (HAG)	<b>3.40</b>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	<b>2.91</b>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)

## SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Check here if comments are provided on back of form. Were latitude and longitude in Section A provided by a licensed land surveyor?  Yes  No

Certifier's Name <b>FRED R. THOMPSON</b>	License Number <b>3027</b>
Title <b>PROFESSIONAL</b>	Company Name <b>NORTHWEST FLORIDA LAND SURVEYING, INC.</b>
Address <b>7142 BELGIUM CIRCLE</b>	City <b>PENSACOLA</b> State <b>FL</b> ZIP Code <b>32526</b>
Signature 	Date <b>11-30-11</b> Telephone <b>850-432-1052</b>



**IMPORTANT: In these spaces, copy the corresponding information from Section A.**

Building Street Address (Including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.

SAN ANTONIO DRIVE

City MILTON State FL ZIP Code 32583

For Insurance Company Use:

Policy Number

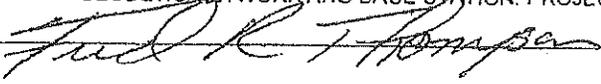
Company NAIC Number

**SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)**

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments THIS SURVEYOR ONLY CERTIFIES TO SECTIONS C AND D, AND OR SECTION PERTAINING TO SURVEYING MATTERS ONLY, SECTIONS A AND B ARE NOT INCLUDED, AS THESE SECTIONS WERE PROPOSED AND/OR INFORMATION PROVIDED BY OTHERS. THE ELEVATIONS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988 FROM FLORIDA DEPARTMENT OF TRANSPORTION GEODETIC NETWORK AND BASE STATION. PROJECT NO. 18248

Signature



Date 11-3011

Check here if attachments

**SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)**

For Zones AO and A (without BFE), complete Items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
  - a) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the HAG.
  - b) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the LAG.
- E2. For Building Diagrams 6-9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8-9 of instructions), the next higher floor (elevation C2.b in the diagrams) of the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E3. Attached garage (top of slab) is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?  Yes  No  Unknown. The local official must certify this information in Section G.

**SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION**

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner's or Owner's Authorized Representative's Name

Address

City

State

ZIP Code

Signature

Date

Telephone

Comments

Check here if attachments

**SECTION G - COMMUNITY INFORMATION (OPTIONAL)**

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8 and G9.

- G1.  The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.  A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3.  The following information (Items G4-G9) is provided for community floodplain management purposes.

G4. Permit Number

G5. Date Permit Issued

G6. Date Certificate Of Compliance/Occupancy issued

G7. This permit has been issued for:  New Construction  Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building: \_\_\_\_\_  feet  meters (PR) Datum \_\_\_\_\_

G9. BFE or (in Zone AO) depth of flooding at the building site: \_\_\_\_\_  feet  meters (PR) Datum \_\_\_\_\_

G10. Community's design flood elevation \_\_\_\_\_  feet  meters (PR) Datum \_\_\_\_\_

Local Official's Name

Title

Community Name

Telephone

Signature

Date

Comments

Check here if attachments



# Edmisten & Associates

## Ecological Consultants

May 7, 2013

Mr. Mark Baxter  
7573 Christie Street  
Milton, FL 32583

RE: Preliminary Wetland Jurisdictional Determination: 2500 San Antonio Street, Parcel number 04-1S-29-0000-00701-0000

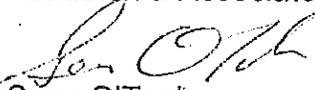
Dear Mr. Baxter

Edmisten & Associates has completed an assessment of the jurisdictional wetlands on the property identified as parcel number 04-1S-29-0000-00701-0000 by the Santa Rosa County Property Appraiser. This assessment included an analysis of plant communities, wetland hydrology indicators and soils in accordance with federal and state procedural guidelines. These analyses resulted in the identification of wetland within the jurisdiction of both the US Army Corps of Engineers (COE) and the Florida Department of Environmental Protection (FDEP). There was a clear demarcation of the upland wetland boundary that appeared to be old fill. The wetland criteria keyed on the areas that had a minimum of 4" of clean fill over the natural soil profile. The boundary of this jurisdictional area was identified in the field with red surveyors' flagging and located via GPS. The boundary is further depicted on the enclosed 2010 aerial photograph.

A wetland delineation performed by an ecological consultant represents the professional opinion of the scientist that performed the work. Only the regulatory agencies can establish a legal and binding jurisdictional boundary. While we are confident in the accuracy of our work, official verification of our delineation will take place during the permitting process should you submit a permit application. Wetland permitting in Northwest Florida is a complicated process that is easiest to discuss in person. We are available to consult with you regarding permitting and development options if you wish.

We appreciate this opportunity to be of service. If you have any questions about this property or wetland issues in general, we will be happy to assist.

Respectfully,  
Edmisten & Associates

  
Sean O'Toole  
Ecological Consultant  
General Partner

000.913jdrepor05072013

# Invoice



Edmisten & Associates  
111-A South Devilliers Street  
Pensacola, FL 32502

Date	Invoice #
5/7/2013	8299

Bill To:
Mark Baxter 7573 Christie Street Milton, FL 32583

Terms	Project
Due on receipt	0000-913 Baxter, Mark

Serviced	Description	Amount
5/7/2013	Preliminary Wetland Jurisdictional Determination for parcel 04-1S-29-0000-00701-0000 in Santa Rosa County.	200.00

<b>Total</b>	<b>\$200.00</b>
--------------	-----------------



111-A South Devilliers Street Pensacola, FL 32502  
Phone: 850-435-9367 Fax: 850-435-6892



# 2500 San Antonio



100 50 0 100 Feet



Edmisten & Associates  
Ecological Consultants  
111-A South DeVilliers Street  
Pensacola, Florida 32502

## Legend



Wetland



Parcel Boundary

# NOVA

ENGINEERING AND ENVIRONMENTAL

## *Professional Services Agreement*

Date: November 12, 2012	Proposal Number: 08475-G
<b>PROJECT NAME AND ADDRESS:</b>  BAXTER RESIDENCE 2500 San Antonio Drive Santa Rosa County, Florida	<b>CLIENT NAME AND ADDRESS:</b>  MR. MARK BAXTER 7573 Christie Street Milton, Florida 32583  Email: <a href="mailto:Mark.Baxter@oldcastle.com">Mark.Baxter@oldcastle.com</a> Phone: 770-401-1301 Fax:
<b>Geotechnical Services (2@30' deep SPT borings with drill rig, provide geotechnical report with pile foundation recommendations)</b>	
Accepted	
Geotechnical Services as outlined herein – Lump Sum ..... <b>\$ 1,200.00</b> <input type="checkbox"/>	
Add Alternate (extend borings to 50' if warranted) ..... <b>\$ 500.00</b> <input type="checkbox"/>	
Note: The costs for additional, requested and/or authorized services will be invoiced in accordance with the attached Geotechnical Services Schedule of Fees.	

All work provided by NOVA will be governed by the attached General Terms and Conditions. NOVA will invoice monthly and our payment terms are net 30 days. This proposal is valid for 90 days.

If this proposal is acceptable, please sign and return this professional service agreement and attached proposal via [wcantrell@usanova.com](mailto:wcantrell@usanova.com) or fax to (850) 249-6683.

<b>AUTHORIZED BY:</b>	<b>INVOICE TO:</b>
Signature	Firm
Name	Name
Title	Address
Date	Federal Tax ID

**NORTHWEST FLORIDA LAND  
SURVEYING INC**

**7142 BELGIUM CIRCLE  
PENSACOLA, FL. 32526**

# Invoice

Date	Invoice #
11/20/2012	2012-5303

**Bill To**

MARK BAXTER

Project  
18248

Description	Amount
ELEVATION CERTIFICATE FOR PARCEL AT SAN ANTONIO DRIVE, APO OF 4-1S-29 SANTA ROSA COUNTY FLORIDA.	225.00

A PERIODIC RATE OF 1.5% PER MONTH WILL BE ADDED TO BALANCES OVER 30 DAYS. THIS IS AN ANNUAL PERCENTAGE RATE OF 18%

<b>Total</b>	\$225.00
<b>Payments/Credits</b>	\$0.00
<b>Balance Due</b>	\$225.00

GULF POWER COMPANY  
INVOICE

Date : 18-Jul-2012 02:36 PM

BILLING TYPE: FIXED  
APPLICANT : MARK BAXTER

BUSINESS CODE :

DATE :

BILL TO : MARK BAXTER  
ADDRESS : 2500 SAN ANTONIO DR  
CITY : MILTON

STATE : FL

ZIP : 32583

REF. NUMBER : 15812  
WORK ORDER # : 33A1Y3  
NESB ACCOUNT NUMBER : \_\_\_\_\_

JOB DESCRIPTION : NEW 200A UG SERVICE. AT&T TO REPLACE 1-40'/5 WITH 1-40'/3, INSTALL 2-40'/5 POLES. GPCO TO INSTALL 1-TWIN HELIX ANCHOR WITH 2-3/8" DOWN GUYS, TRANSFER TO NEW 40'/3 AT&T POLE, INSTALL 518' 1-#2 AAAC PRI/NEU, BORE 70' 1-2" PRIMARY DUCT AND TIE INTO 140' OF 2" CUSTOMER INSTALLED PRIMARY DUCT, INSTALL 210' 1-1/0 UG PRIMARY, 1-1PH PRIMARY RISER, 1-25 KVA PADMOUNT, & 50' 1/0 UG TPX SERVICE ON BLANKET. ; ; CUSTOMER TO PAY \$2,809 (OH CIAC) + \$4,282 (UG - OH CIAC) = \$7,091.

TOTAL PRICE : \$7,091.00

PAID IN ADVANCE : N

*JJA*  
*7/26/12*

REMINDER : Payment must be received before work can be scheduled, and please allow two weeks for construction to commence.

Forward payment to : GULF POWER COMPANY  
5120 DOGWOOD DRIVE  
MILTON, FL 32570

THIS INVOICE IS ONLY GOOD FOR 180 DAYS FROM \_\_\_\_\_

**Comments**

**Received**

**2016-V-030**

Letter to Zoning Board

April 14, 2016, Case 2016-V-030 Brandi Whitehurst

Outline of Problems with granting variance.

I. Application-General Information-Conditions of Granting Variance ERRORS

A. Current Condition listed is incorrect. There is no pad of previously approved residence.

B. Filing- notification errors, deadlines ignored, rules not followed

1. On the website, the deadline for this meeting, one had to submit an application by March 3. The application is dated March 17.

2. 2 weeks prior notification is required to adjacent properties within 150'. We were not notified within this time period.

3. an ammended section came in the mail 2 days prior to hearing. no time to research this new request.

The department staff DOES NOT FOLLOW COUNTIES OWN GUIDELINES. Why not? The applicant works for the county. Is there special treatment here?? This seems like it is being pushed through at the expense of fairness to the whole picture, and those who oppose it.

C. Variance criteria states that ALL criteria must be met.

Part 1 states a 9' maximum building depth exists. This is known by all who have ever looked at it seriously. The property is currently NOT A BUILDABLE LOT. It has not been a buildable lot. Many have looked at it and placed their decisions on purchasing it and/or other properties on the fact that it is unbuildable.. Realtors tell prospective buyers that is it unbuildable, so other properties' views will not be diminished. Many have not purchased the lot for this reason.

Criterion number 3 states it can't unreasonably diminish or impair property values of surrounding area. GRANTING VARIANCE DEFINITELY LOWERS PROPERTY VALUES OF NEIGHBORING PROPERTIES. Proof is easy to demonstrate, as prospective buyer would not buy this property if it did not have that view. Other properties are available without these restrictions, and are less money. Why not build on one of those? The only believable reason that someone would want to build on that lot, is that they want the view, at the expense of the surrounding properties. Value in real estate is mostly LOCATION, LOCATION, LOCATION.

D. Part III of criterion section. There are many other building issues and concerns.

-natural growth at property edge

-lowlying elevation,-much dirt will be needed to be brought in

-proximity to sawgrass- problems with controlled burns, and unprotectable with wildfires, etc.

## II. Issues with COASTAL MANAGEMENT/CONSERVATION, SHORELINE PROTECTION ZONE

A. Read PURPOSE on section 12.00.00 "The purpose of this article is to provide regulations, standards and devices NECESSARY to protect coastal resources, mitigate negative impacts upon natural resources, protect lives and property,....."

B. Sections E and K, have not been enforced by county to date although complaints have been made. Why would they enforce any new works?

1-only suitable place to put a red dirt/clay mixis under driveway (capped in 7 days) and foundation(capped in 45 days). 4 YEARS LATER, THIS HAS NOT BEEN ENFORCED, IS A CONTINUED PROBLEM. A complaint was made. Code enforcement officer to us, incorrectly, that this was a buildable lot, and that they would let the red dirt issue slide if they put up a cloth barrier and seed it. THE WAS ALL DONE BEFORE THE LAST VARIANCE WAS REQUESTED, ILLEGALLY!!

C. there are 18 pages of conditions and comments dealing with this document. If the rules haven't been enforced to date, how can we expect the county to protect us now?

## III. GENERAL VIEWS

A.Rules are in place for reasons. We expect the government, who established these rules, to follow them!

B. This is a NON BUILDABLE PROPERTY . THE COUNTY HAS NO BUSINESS TURNING IT INTO ONE AT THE EXPENSE OF CURRENT PROPERTY OWNERS, AND THE ENVIRONMENT, AGAINST THE WISHES OF THE NEIGHBORHOOD.

C. Fairness to many others who built and followed all the rules and ordinances. They were made to comply. WHY CHANGE IT NOW??? AND FOR WHOM????

D. The lot is in a very environmentally sensitive area, and Indian Bayou is the last bayou not fully developed on this peninsula, below I-10. It is a beautiful, pristine wetland, full of wildlife. It should be preserved.

Submitted by Gary and Diane Nelms

2613 Bayshore Parkway, Milton, FL 32583



**Leslie Statler**

---

**From:** Kenneth Tebay <tebay@bellsouth.net>  
**Sent:** Friday, April 08, 2016 10:03 PM  
**To:** Leslie Statler  
**Subject:** 2016-V-030

Dear Ms Statler

I am writing to request that a shoreline protection zone variance not be approved for 2016-V-030. The shoreline protection zone reduces erosion, provides habitat, captures nutrients and toxins, absorbs wave energy, improves water quality, and is a corridor for animals along the shoreline.

If the property owner's request should be approved, I hope that they will be encouraged to reduce further ecological impacts by not hardening the shoreline.

Respectfully,  
Carole Tebay

**Photos**

**Received**

**At the Zoning Board**

**Meeting**

















