



**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-V-056**

**Project Name:** N/A

**Applicant and/or  
Property Owner:** Craig Tate

**Representative:** N/A

**Request 1:** Variance to reduce the west side setback from 5 feet to 2 feet to accommodate an existing storage shed. (LDC 2.10.05.B.2)

**Zoning District:** RR1 (Rural Residential Single Family)

**Part I. General Information:**

**Project/Applicant:** Craig Tate  
**Representative:** N/A  
**Location:** 5856 Admirals Road, Milton, FL  
**Parcel(s):** 19-1N-28-0110-00000-1720  
**Zoned:** RR1 (Rural Residential Single Family)  
**Request 1:** Variance to reduce the west side setback from 5 feet to 2 feet to accommodate an existing storage shed. (LDC 2.10.05.B.2)  
**District:** Commissioner District #2  
**Current Conditions:** Residence – This is a code compliance case.

**Part II. Land Development Code Criteria:**

2.10.05 Accessory Buildings and Structures

B. Encroachment of Yards in lots located in Recorded Subdivisions or lots less than one (1) acre in size - Accessory buildings or structures on lots in recorded subdivisions in residentially zoned districts or less than one (1) acre in size may be located within all yards and must observe the following conditions:

2. Any accessory structure located over ten (10) feet from a main dwelling may be constructed no closer than five (5) feet of any interior side or rear lot line; provided, however, that such accessory buildings may not be located within the front setback. In addition, where the parcel is located on Navarre Beach or is located within the Shoreline Protection Zone, Sections 6.08.00 and 12.01.02 shall prevail. An accessory building used for living quarters (guest house or 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 (refer to Sections 2.10.00, 6.05.00, 6.08.00 and 12.01.02)

**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?        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 placement of structures on a lot. The applicant is seeking to reduce the side setback from 5 feet to 2 feet to accommodate an existing accessory structure. This is a code compliance case.**

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.**

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.

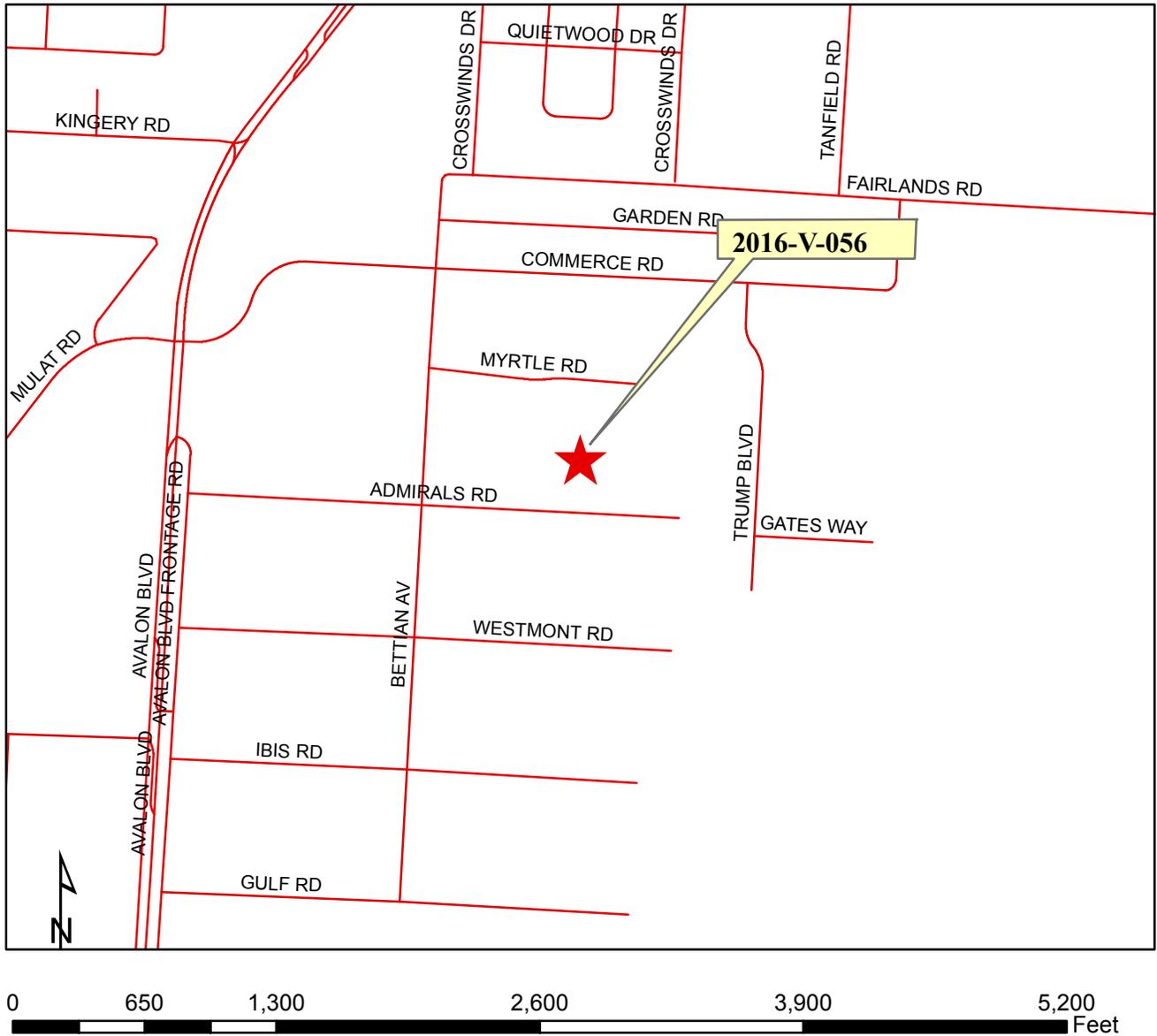
If the Variance is approved, are there any potential building code issues?

**This is a compliance case. A detached accessory structure was built around 2005-2006 without approvals, permits or inspections. The entire structure will be required to be brought into compliance with the 5<sup>th</sup> Edition (2014) Florida Building Code, *Residential*. The property owner will be required to submit engineered plans for permitting of the structure. Work performed without an inspection, such as pouring the slab, will require an affidavit of inspection from an engineer.**

**Regarding the variance request. Placement of a residential accessory structure 2 feet from the property line will require the following:**

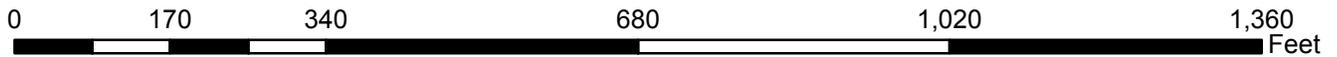
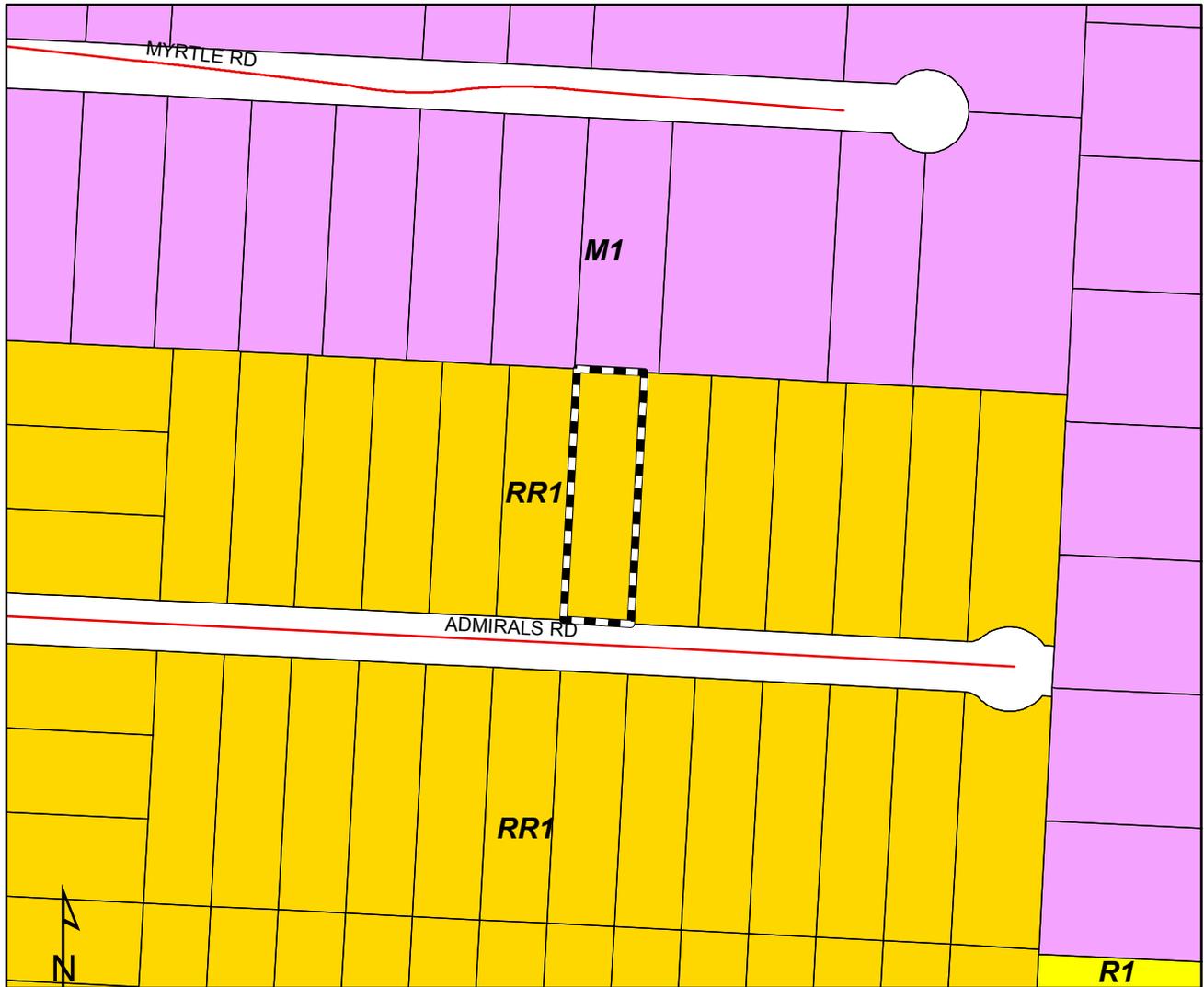
1. The exterior wall less than 3 feet from the property line will be required to have a minimum fire resistance rating of 1 hour, tested in accordance with ASTM E119 or UL 263 with exposure from both sides.
2. A projection (overhang) of less than 2 feet is not allowed; however, the building code provides an exception for a detached garage accessory to a dwelling unit located within 2 ft. of a lot line. A roof eave projection not exceeding 4-inches is allowed.
3. Openings (doors, windows, etc.) in a wall less than 3 feet from the property line are not allowed.

# 2016-V-056 Location



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# 2016-V-056 Location



**Legend**



Pending Sep 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

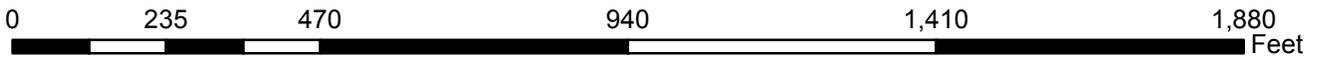
- NC
- NC-APZ or CZ
- NC-HON
- P1
- P1-HON
- P2
- P2-APZ or CZ
- P2-HON
- PBD
- PID
- PUD
- R1
- R1-APZ or CZ
- R1-HON
- R1A
- R1A-HON

- 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-V-056  
2014 Aerial



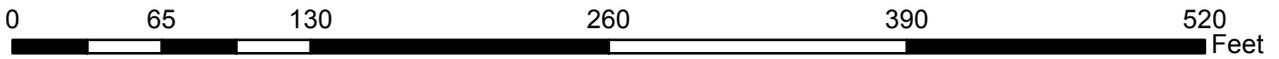
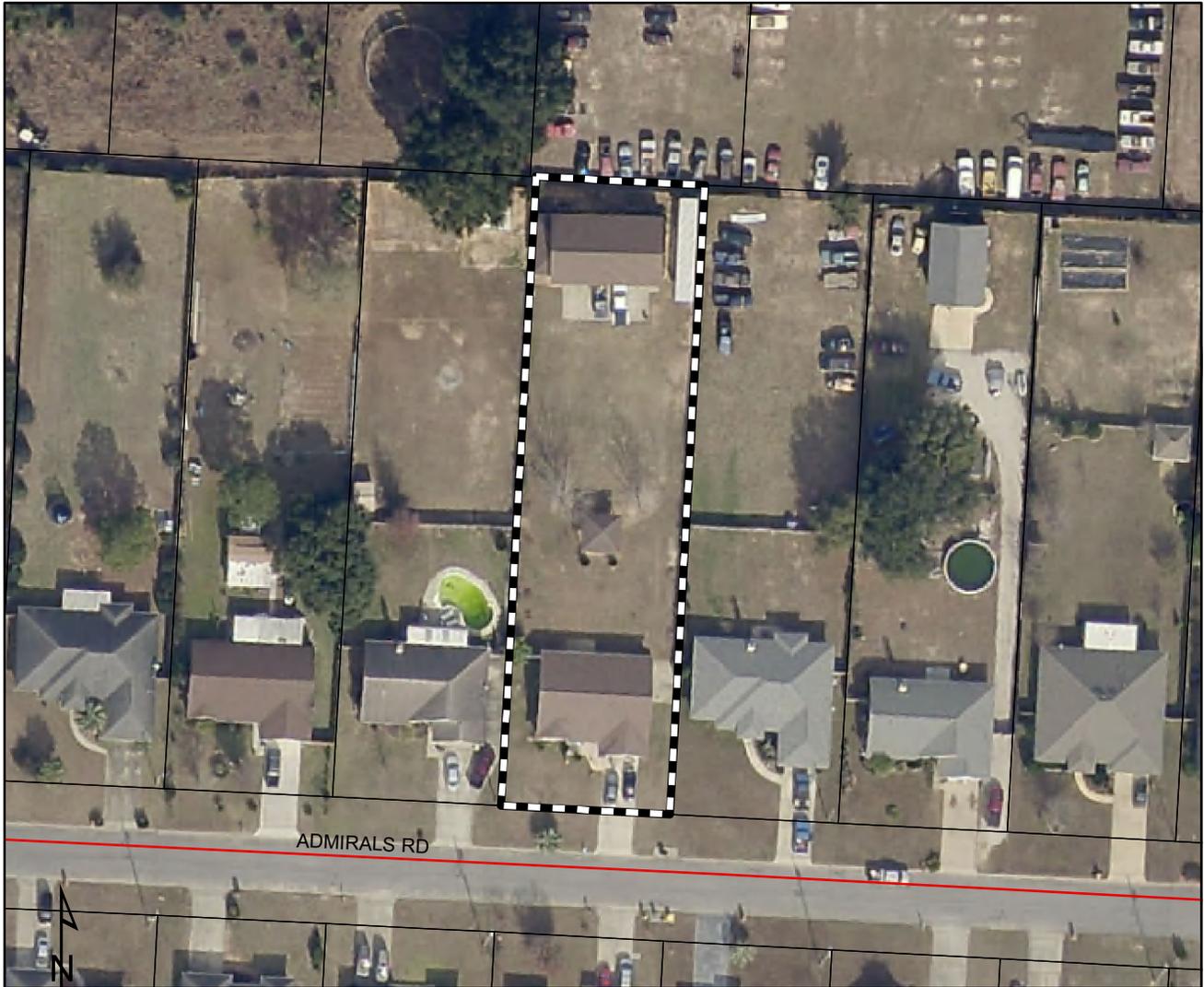
**Legend**

 Pending Sep ZB

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2016-V-056  
Closeup Aerial

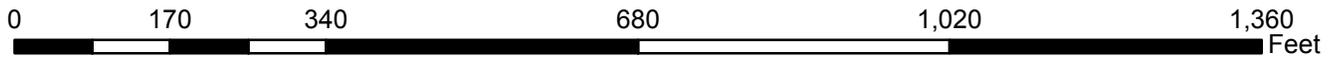


**Legend**

 Pending Sep ZB

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# 2016-V-056 Existing Land Use



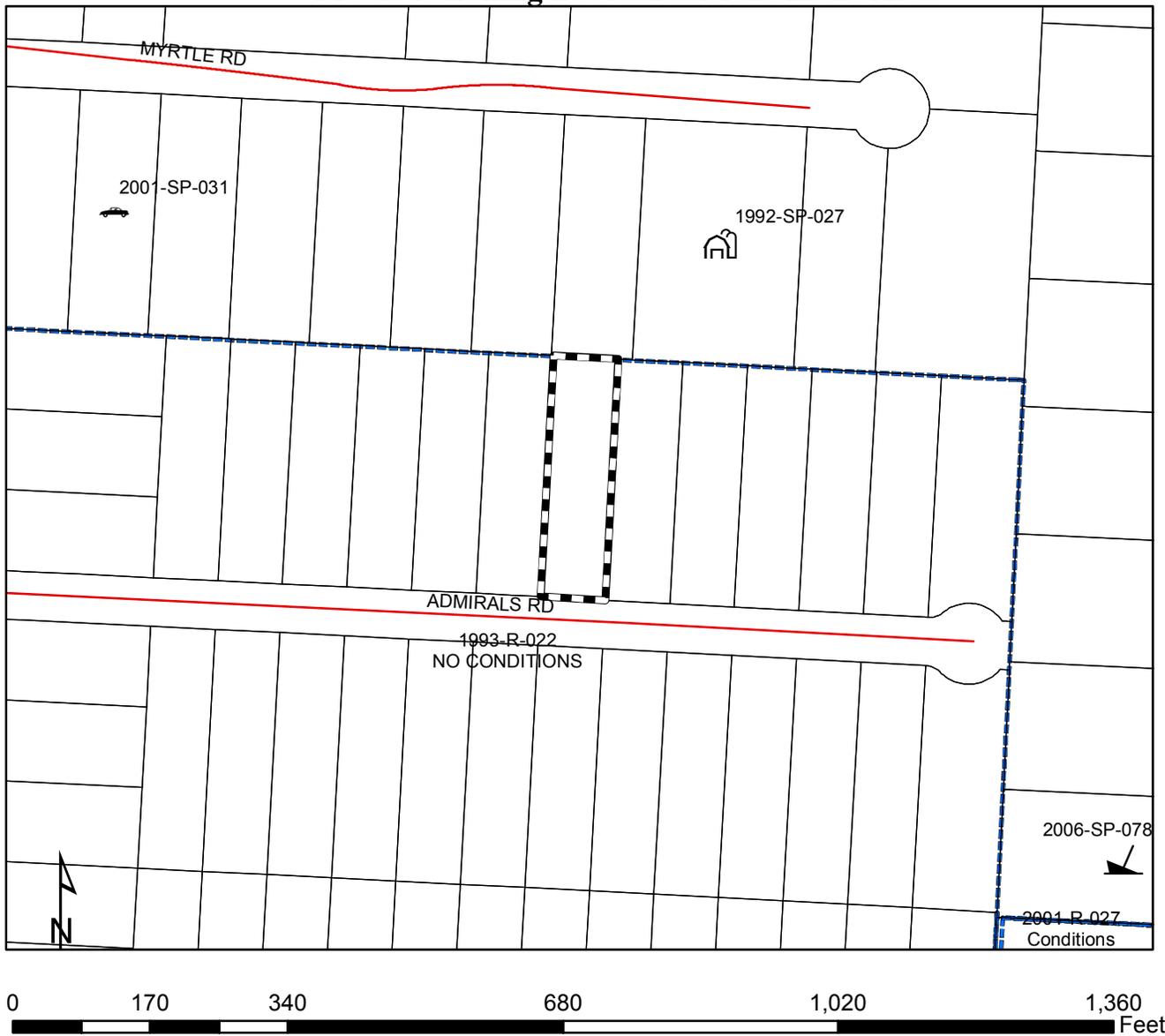
### Legend

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

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# 2016-V-056

## Previous Zoning Board Decisions in the Area



### Legend

 Pending Sep ZB

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## Variance Application

\* Application Instructions begin on Page 3

** For Official Use Only **	
Application No. <u>2016 -V- 056</u>	Date Received: <u>7-20-16</u>
Review Fee: <u>225 + 19.47</u>	Receipt No.: _____
Zoning District: <u>RR1</u>	FLUM Designation: <u>SFR</u>

± 0.547

VD #2

**Property Owner** Property Owner Name: Craig Tate  
 Address: 5856 Admirals Rd  
Milton FL 32583  
 Phone: 8506263945 Fax: Cell 850698-2862  
 Email: CRAIGTATE117@YAHOO.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): 19-1N-28-0110-00000-1720  
 -OR-  
 Street Address of property for which the Variance is requested:

5856 Admirals Rd Milton 32583

Variance Request

What is the present use of the property? residential

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

3 FT 6" X 30' FROM BACK OF PROPERTY AND FORWARD ON WEST SIDE

read: 12 ft  
7 to 2 ft 5 ft  
5 ft, 2 ft

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

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

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

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**

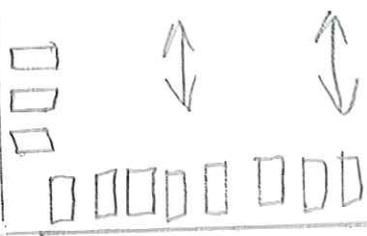
By my signature hereto, I do hereby certify that the information contained in this application and the required supplemental materials is true and correct, and understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation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

CRAIG TATE  
Applicant Name (Type or Print)

[Signature]  
Applicant Signature

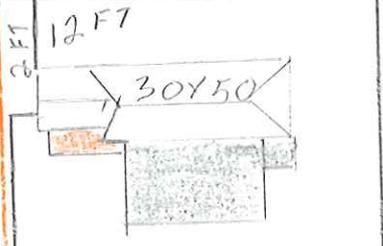
7-20-16  
Date

\_\_\_\_\_  
Title (if applicable)



GARDEN

SHED

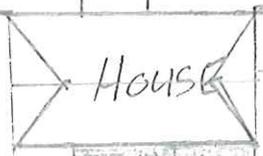


SHED

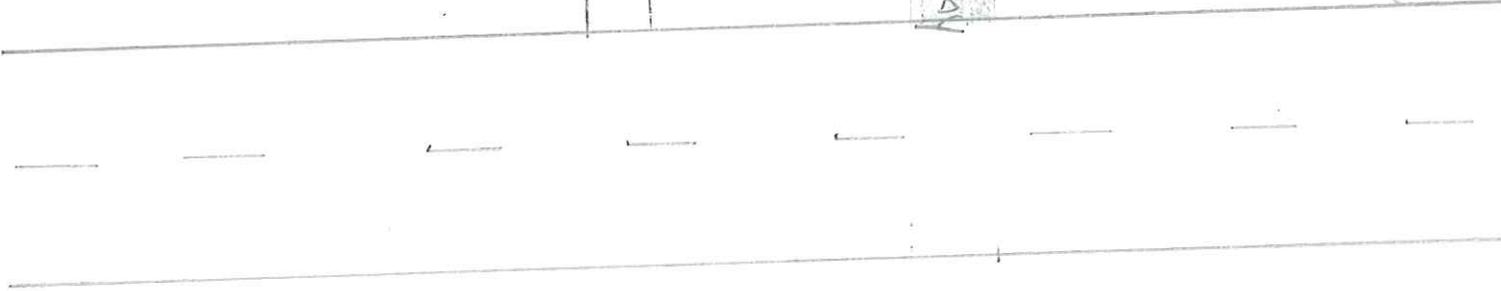


Patio

Pool



DRIVEWAY



Case Number 2016-ZV-211

Violation Information
Case Number: <b>2016-ZV-211</b>
Date Reported: <b>06/13/2016</b>
Officer Assigned: <b>(13) Bobby Burkett</b>

Violator Name / Address
Name (First, Last): <b>CRAIG TATE</b>
Address: <b>5856 ADMIRALS RD</b>
City, St, ZIP: <b>MILTON FL 32583</b>
Contractor Number:
Phone Number:

Violation Location
Parcel Number <b>191N280110000001720</b>
1:
Parcel Number
2:
Zoning <b>(AVG) Avalon/Garcon</b>
Area: <b>Area</b>
City Zone 1: <b>RR1</b>
City Zone 2:

Violator Business Name / Address
Business Name:
Physical Address:
City, St, ZIP
Mailing Address:
City, St, ZIP:

Address of <b>5856 ADMIRALS RD</b>
Violation:
City, St, ZIP: <b>MILTON, FL 32583</b>
Side Street 1:
Side Street 2:

Ordinance / Articles
Ordinance: <b>2006-17</b>
Article 1:                      Article 3:
Article 2:                      Article 4:

Violations
Code Description
<b>87 accessory building violation</b>
<b>100 Right-of-Way Violation</b>
<b>112 Unpermitted construction activity</b>

Fees & Actions
----------------

Date Served: **07/13/2016** Action Taken:

Comply by: **07/29/2016** **06/14/16: COURTESY LETTER SENT TO OWNER RE ACCESSORY BUILDING VIOLATION, UNPERMITTED CONSTRUCTION ACTIVITY AND RIGHT-OF-WAY VIOLATION.**

Amount: **0.00**

**07/13/16: NOTICE OF VIOLATION SENT TO OWNER RE BASKETBALL GOAL STILL IN RIGHT-OF-WAY.**

Citations

Property Owner Information

Business Name:

Name: CRAIG TATE

Physical Address: 5856 ADMIRALS RD

Mailing Address:

City, St, ZIP MILTON FL 32583

Phone Number:

Complaint Information

Name: MIKE MILLER

Address: 5844 ADMIRALS RD  
MILTON, FL 32583

Phone Number: 8507126241

Email:

Complaint made by: Phone

Case Number 2016-ZV-211

Rechecks Scheduled:

#	Scheduled Date	Officer	Notes
1)	08/26/2016	13 - Bobby Burkett	

Rechecks Performed:

#	Scheduled Date	Recheck Date	Officer	Notes
1)	07/29/2016	07/29/2016	13 - Bobby Burkett	
2)	06/30/2016	07/05/2016	13 - Bobby Burkett	

Dates:

Opened: **06/13/2016**  
Closed:  
Reopened:

Status:

Status: **Active** Watch List?  
Reason:

Comments:

06/13/16 - ACCESSORY BUILDING VIOLATION; UNPERMITTED CONSTRUCTION VIOLATION; RIGHT-OF-WAY VIOLATION. Per complainant, owner has erected shed without permits and within setbacks. Also basketball goal in right-of-way.

06/13/16: On site and observed violations. Will send CL with 15 days to comply. BB

6/20--Mr. Tate came in with questions. Bldg, in place since sometime in 2005. advised permitting process. eng'd drawings, compliance with current wind loads, roof, and electrical permits. options for setback violation, variance. He is going to discuss with his neighbor the possibility of purchasing enough property for setback compliance, 5' rear and side. provide him 3 names of engineers. RJ

07/05/16: On site, basketball goals are still in R.O.W.. Will send N.O.V. 15 days. BB

07/29/16: On site, the goal is approx. 33" from pavement per Randy that is not a violation. The owner is working on getting the accessory building permitted. Will monitor. BB

Status & Transaction Change History:

IDNO

DATE

NOTES