

STAFF ANALYSIS

Variance 2016-V-003

General Information:

Project/Applicant:	Robert and Carole Frazier
Project Location:	3211 Bay Street, Gulf Breeze, FL
Parcel Number:	31-2S-28-2980-00100-0090
Request 1:	Variance Request to increase the maximum structure height from 35 feet to 49 feet to accommodate a wind turbine.
Request 2:	Variance Request to reduce the setback requirement of 100% of the mast height from 49 feet to 7 feet 3 inches on the east property line to accommodate a wind turbine.
Request 3:	Variance Request to reduce the Shoreline Protection Zone setback from 50 feet to 17 feet to accommodate an accessory building.
Request 4:	Variance Request to reduce the side setback from 5 feet to 1 foot 8 inches to accommodate an accessory building.
Request 5:	Variance Request eliminate the side setback from 5 feet to 0 feet to accommodate a dock. (LDC 7.01.17.F.1, 7.01.17.F.2, 12.01.02.A, 2.10.05.C.2)
Zoning District:	R1 (Single Family Residential)
Current Conditions:	Single Family Residence

Land Development Code Criteria:

7.01.17 Standards regulating Small Wind Energy Systems

F. Standards

1. Setbacks. The small wind energy systems shall be located on a parcel of land large enough in size so that any collapse of the structure will be contained entirely on the subject property. Small Wind Energy Systems tower shall be set back a distance equal to the 100 percent of the system height as defined in section C from all property boundaries.
2. System height. Tower mounted Small Wind Energy Systems shall not exceed height limit of the zoning district in which they are located unless they are:
 - a) located in a public or military airport zone (including the MAZ's identified in the Eglin JLUS) in which case they are limited to the height limit identified in Table 11-1 or 11-3; or
 - b) they are otherwise limited by the required setbacks.

A structure mounted wind energy shall project no more than twenty (20) feet above the highest point of the roof excluding chimneys, antennae, and other similar protuberances and shall not exceed the height limit of the zoning district in which they are located.

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.

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.

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? Yes and No

Staff Analysis: Staff has determined that there 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. However, there is a special circumstance with respect to the dock as the pilings are already in place from a past dock that was damaged by Hurricane Ivan.

The applicant is seeking relief from the sections of the Ordinance which regulate the side setbacks, Shoreline Protection Zone setback and height restriction for an accessory structure.

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 and 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 with respect to the wind turbine and the accessory building. However, the Variance request for the dock is necessary for the preservation and enjoyment of a substantial property right.

The difference between allowing the pre-existing pilings for the dock to constitute a special circumstance for a variance but not the pre-existing footing for the accessory structure is a matter of undue hardship for the property owner. It is the opinion of Staff that making the property owner replace the pilings would cause undue monetary hardship and is an unnecessary burden to place on the owner. Whereas moving the accessory structure to a different location of the rear yard behind the SPZ setback would not as there is adequate space for that.

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 and No

Staff Analysis: It is not anticipated that the authorization of this Variance will impair an adequate supply of light and air to adjacent property or increase congestion to public streets, however, there is potential to impair the public safety for the neighboring properties with respect to the height of the wind turbine mast. Staff feels that there would be a threat to the neighboring property if the wind turbine setback being equal to the total height is granted a variance and the mast were to collapse.

It is not anticipated that 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.

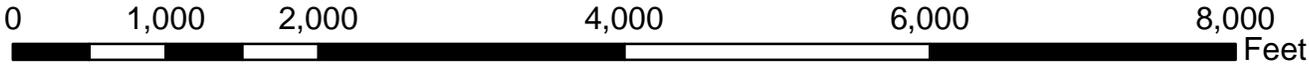
Is this criterion met? N/A

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?

Based on the size of the proposed accessory building, the structure will be exempt from permitting. The property owner will need to apply for a residential accessory building permit exemption.

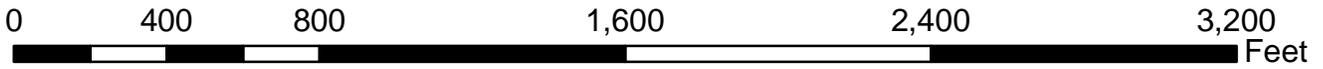
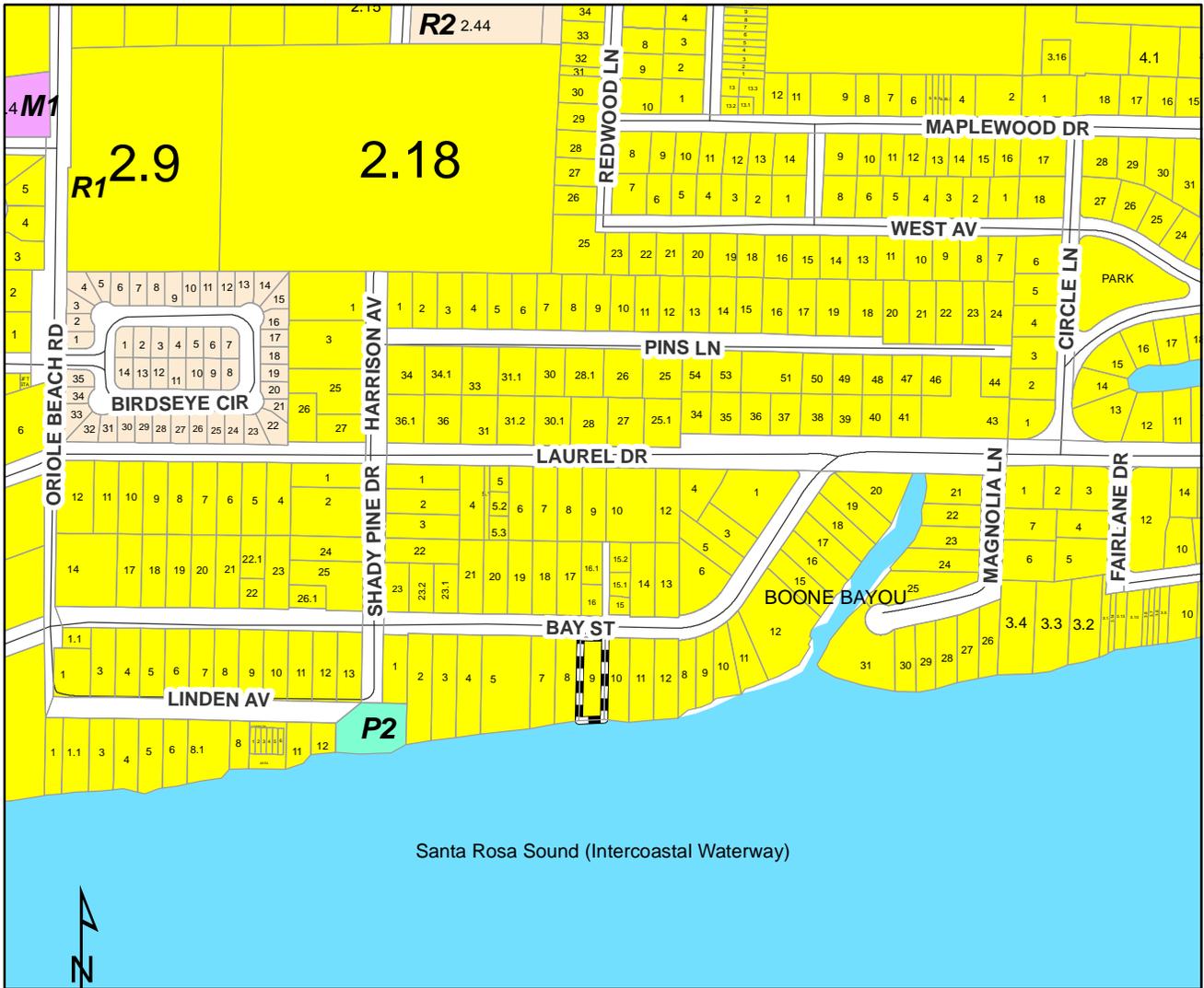
**2016-V-003
Location**



Legend

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2016-V-003 Zoning



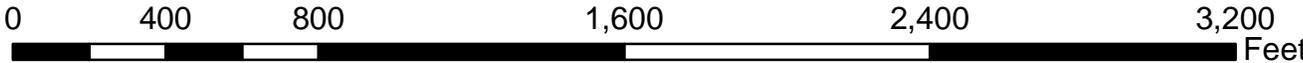
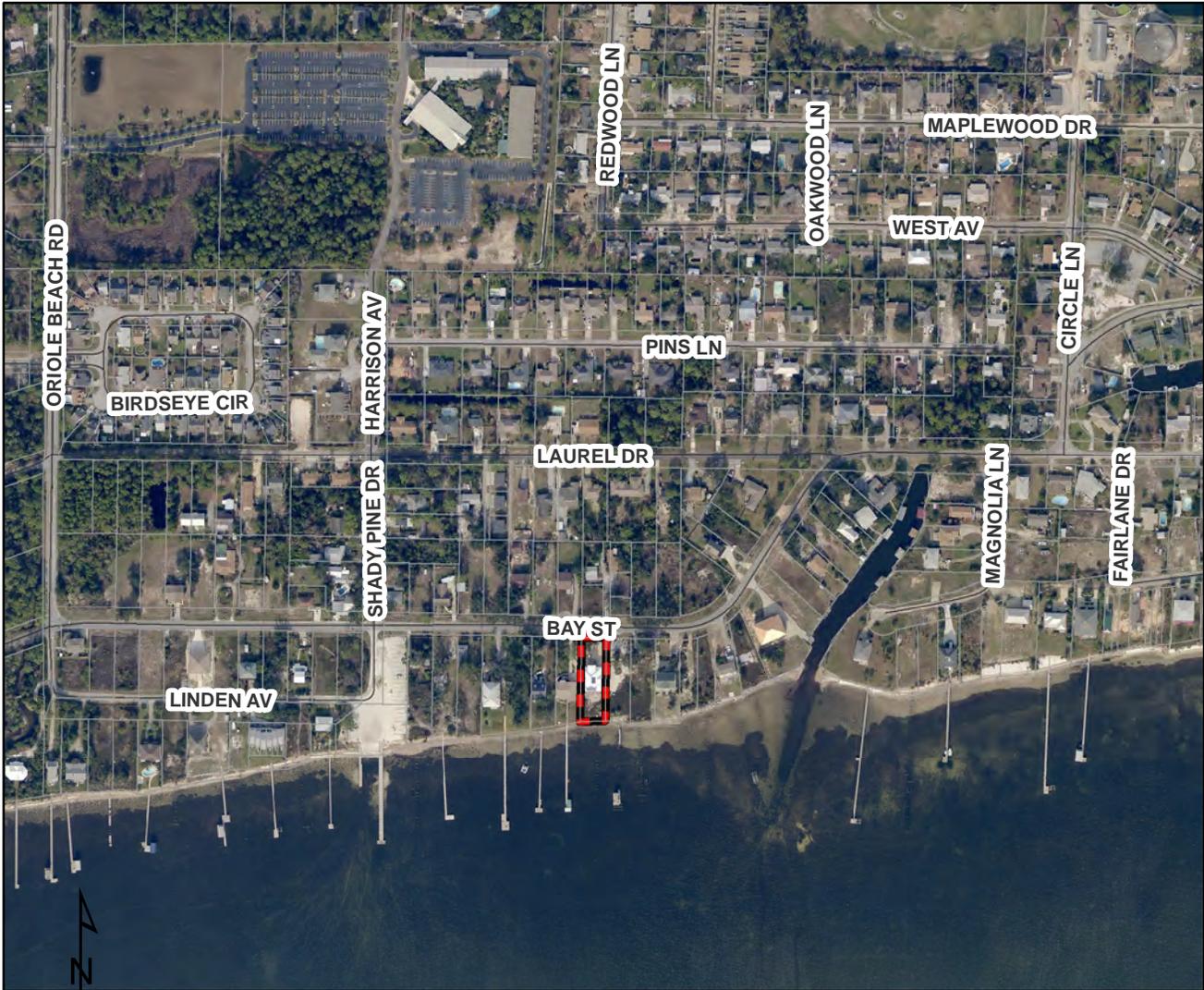
Legend

Pending Jan ZB	Agriculture/Rural Residential (AG)	General Industrial (M-2)	Single Family Residential (R-1A)	Hotel - Navarre Beach (HNB)
AG within an Accident Potential Zone (AG-APZ)	M2 within an Accident Potential Zone (M2-APZ)	Planned Industrial Development (PID)	Mixed Residential Subdivision (R-1M)	Navarre Beach - High Density (NB-HD)
Agriculture (AG2)	Planned Industrial Development (PID)	Neighborhood Commercial (NC)	R1M within an Accident Potential Zone (R1M-APZ)	Navarre Beach - Medium Density (NB-MD)
AG2 within an Accident Potential Zone (AG2-APZ)	Neighborhood Commercial (NC)	NC-APZ	R1M within the Heart of Navarre (R1M-HON)	Navarre Beach - Planned Mixed Use Development (NB-PMUD)
Marina (C-1M)	NC within the Heart of Navarre (NC-HON)	Passive Park (P-1)	Medium Density Residential (R-2)	Navarre Beach - Conservation/Recreation (NB-CON/REC)
Marina and Yacht Club (C-2M)	P1 within the Heart of Navarre (P1-HON)	Active Park (P-2)	R2 within an Accident Potential Zone (R2-APZ)	Navarre Beach - Single Family (NB-SF)
Historical/Commercial (HC-1)	P2 within an Accident Potential Zone (P2-APZ)	P2 within the Heart of Navarre (P2-HON)	R2 within the Heart of Navarre (R2-HON)	Navarre Beach - Medium High Density (NB-MHD)
Highway Commercial Development (HCD)	Planned Business District (PBD)	Planned Unit Development (PUD)	Medium Density Mixed Residential (R-2M)	Navarre Beach - Utilities (NB-U)
HCD within an Accident Potential Zone (HCD-APZ)	Single Family Residential (R-1)	Rural Residential Single Family (RR-1)	R2M within an Accident Potential Zone (R2M-APZ)	State
HCD within the Heart of Navarre (HCD-HON)	R1 within an Accident Potential Zone (R1-APZ)	RR1 within an Accident Potential Zone (RR1-APZ)	R2M-HON	State within an Accident Potential Zone (STATE-APZ)
HCD with the Navarre Town Center (HCD-NTC)	R1 within the Heart of Navarre (R1-HON)	Navarre Town Center 1 (TC1)	RAIL	Right of Ways (ROAD)
Historical/Single Family (HR-1)	R1 within the Heart of Navarre (R1-HON)	Navarre Town Center 2 (TC2)	Military (MIL)	Water
Historical/Multiple Family (HR-2)	R1 within the Heart of Navarre (R1-HON)	Navarre Beach - Commercial (NB-C)	Municipal Boundaries (CITY)	

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2016-V-003
2014 Aerial

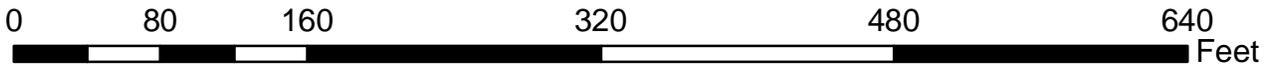


Legend

 Pending Jan ZB

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2016-V-003
2014 Close Up Aerial



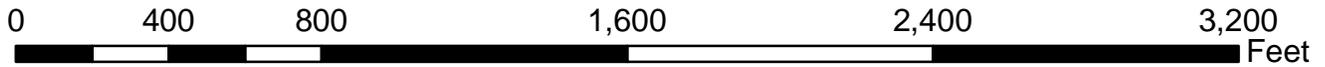
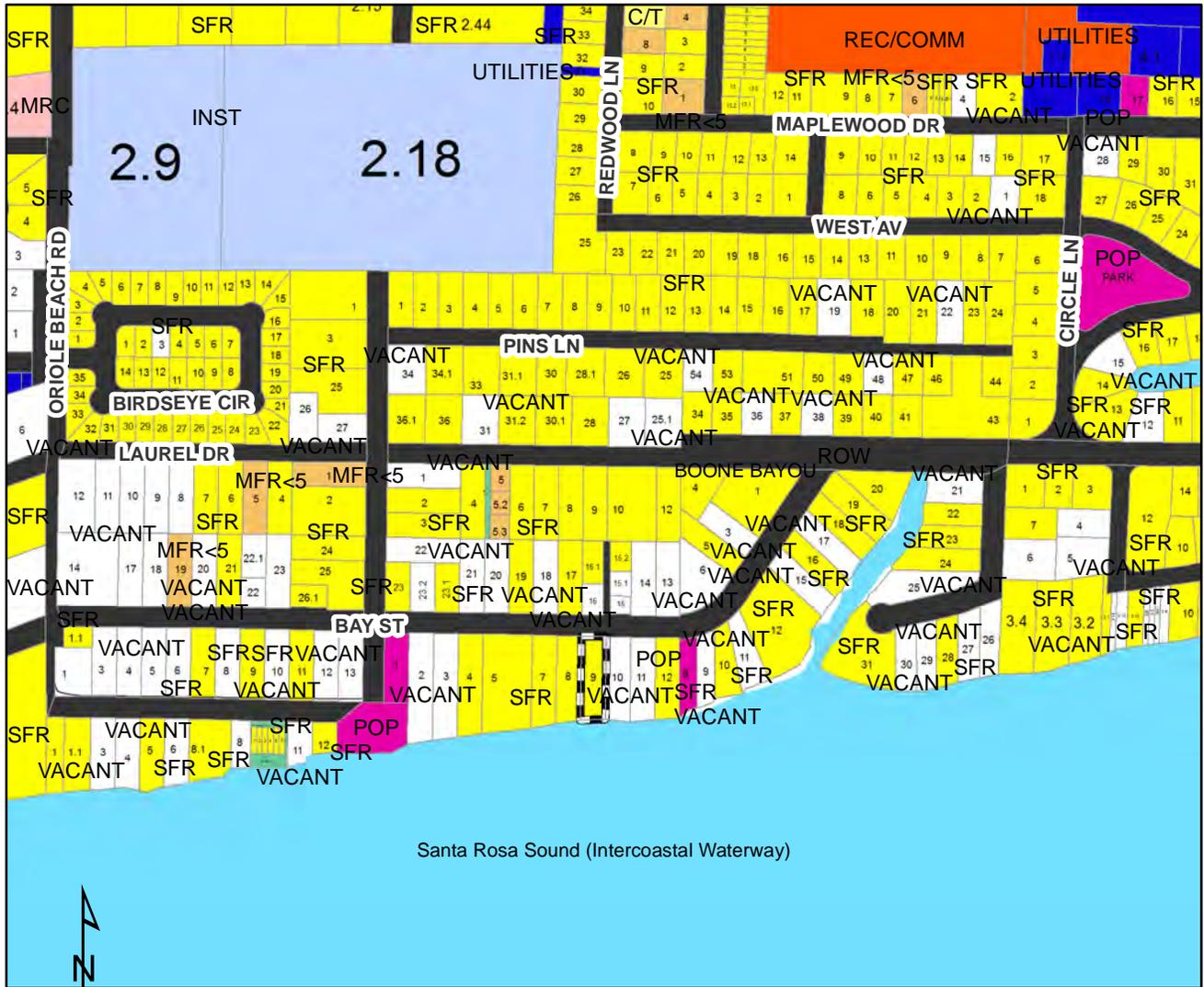
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 Pending Jan ZB

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2016-V-003 Existing Land Use



Legend



Pending Jan ZB

Existing Land Use

CATEGORY

- Agriculture
- Agriculture, Homestead
- Condo's/Townhomes
- City
- Commercial
- Industrial

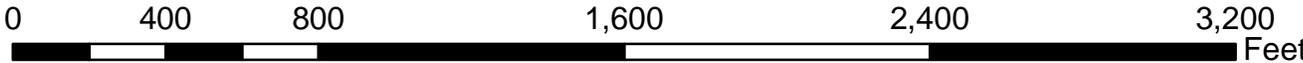
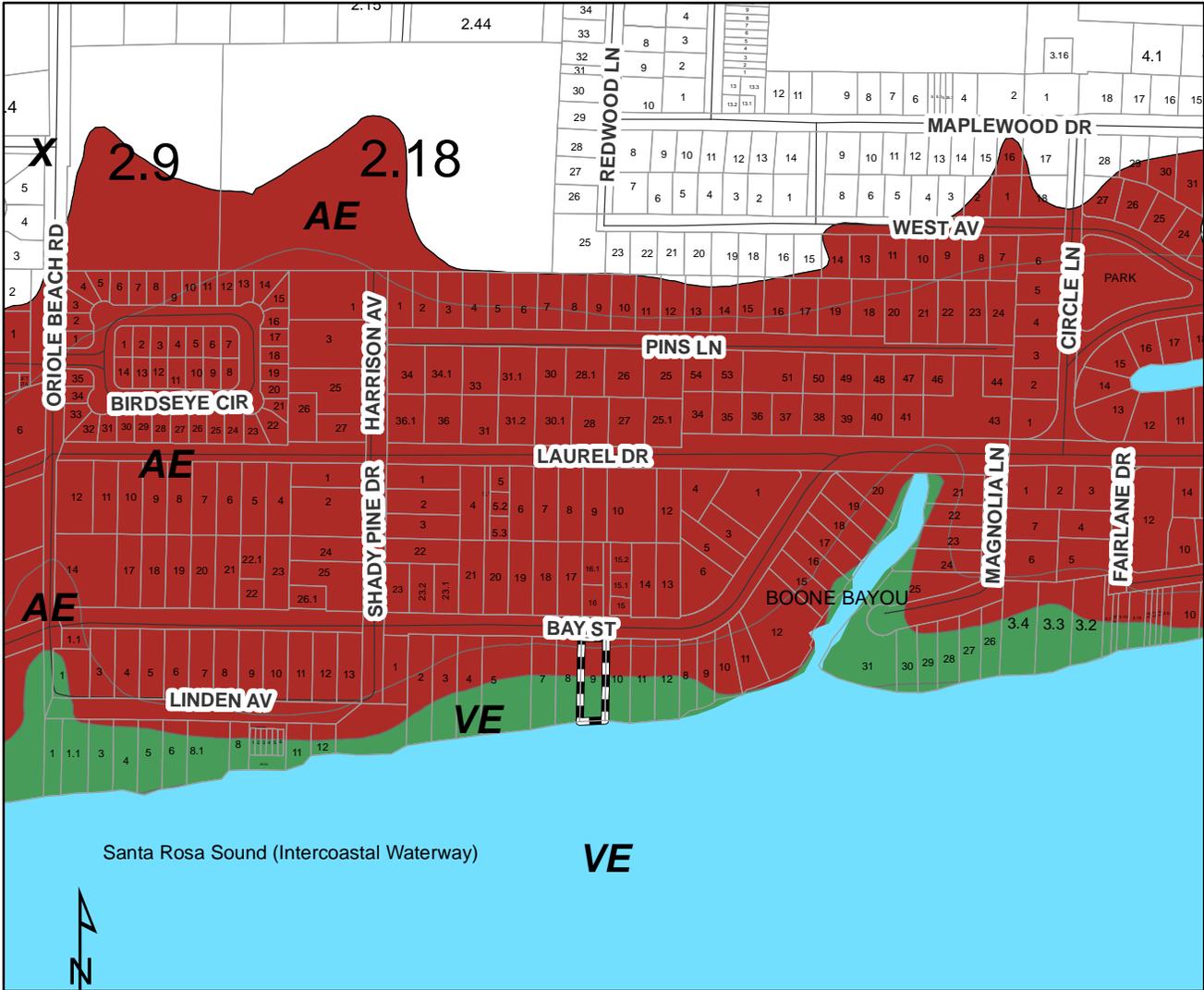
- Institutional
- Multi-Family Residential <5
- Multi-Family Residential >5
- Military
- Mixed Residential/Commercial
- Office
- Public Owned Property
- Rail
- Recreation/Commercial

- Recreation/Open Space
- Right of Way
- Single Family Residential
- Silviculture
- Uncategorized
- Utilities
- Vacant
- Water

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2016-V-003 Flood Zone



Legend



Pending Jan ZB **DFIRM**

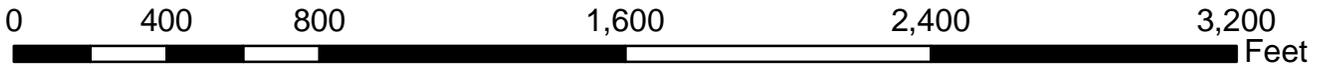
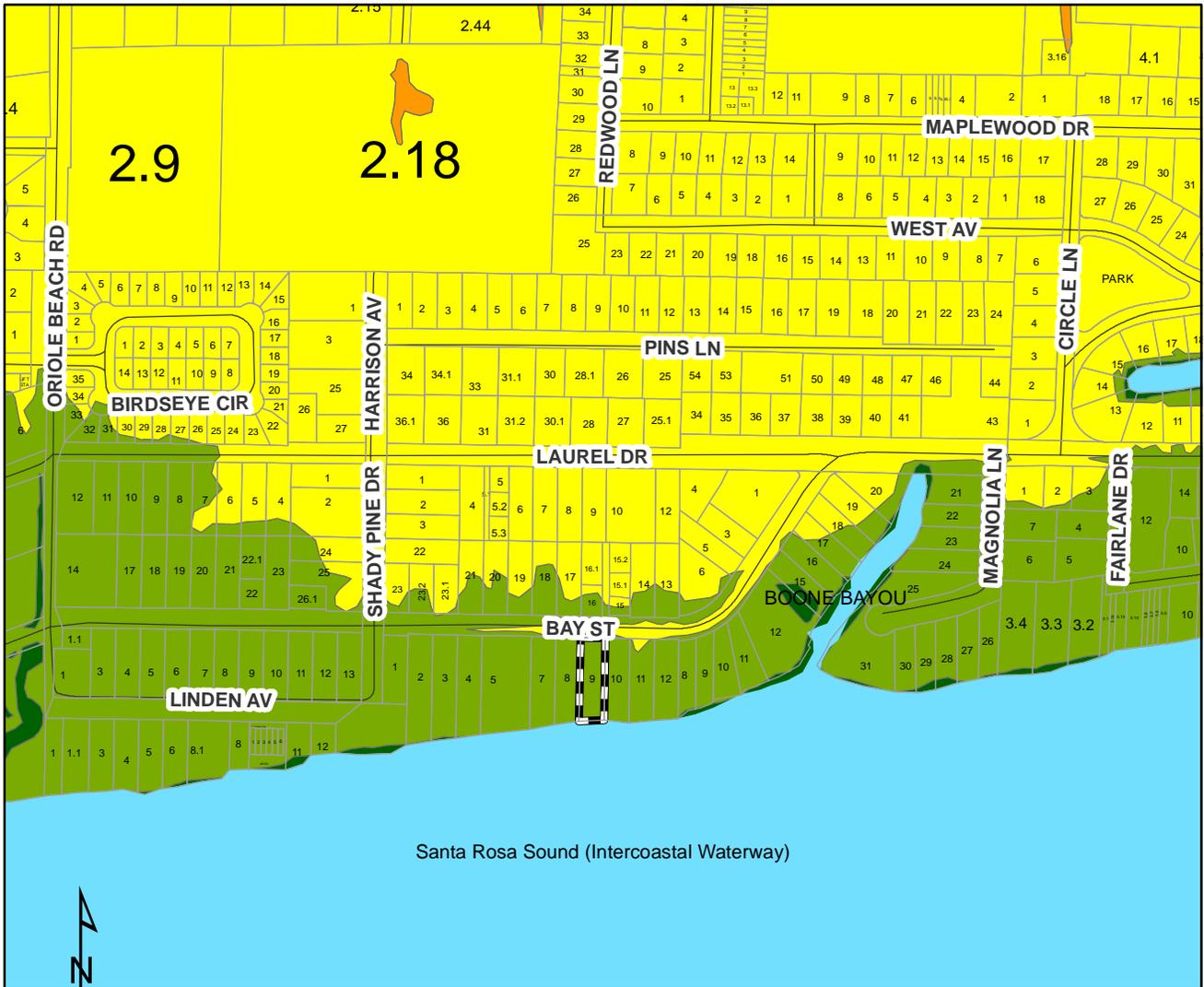
FLOOD_ZONE

- 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-003 Surge Zone



Legend

 Pending Jan ZB `gisdata.GISADMIN.SRCSurgeZones`

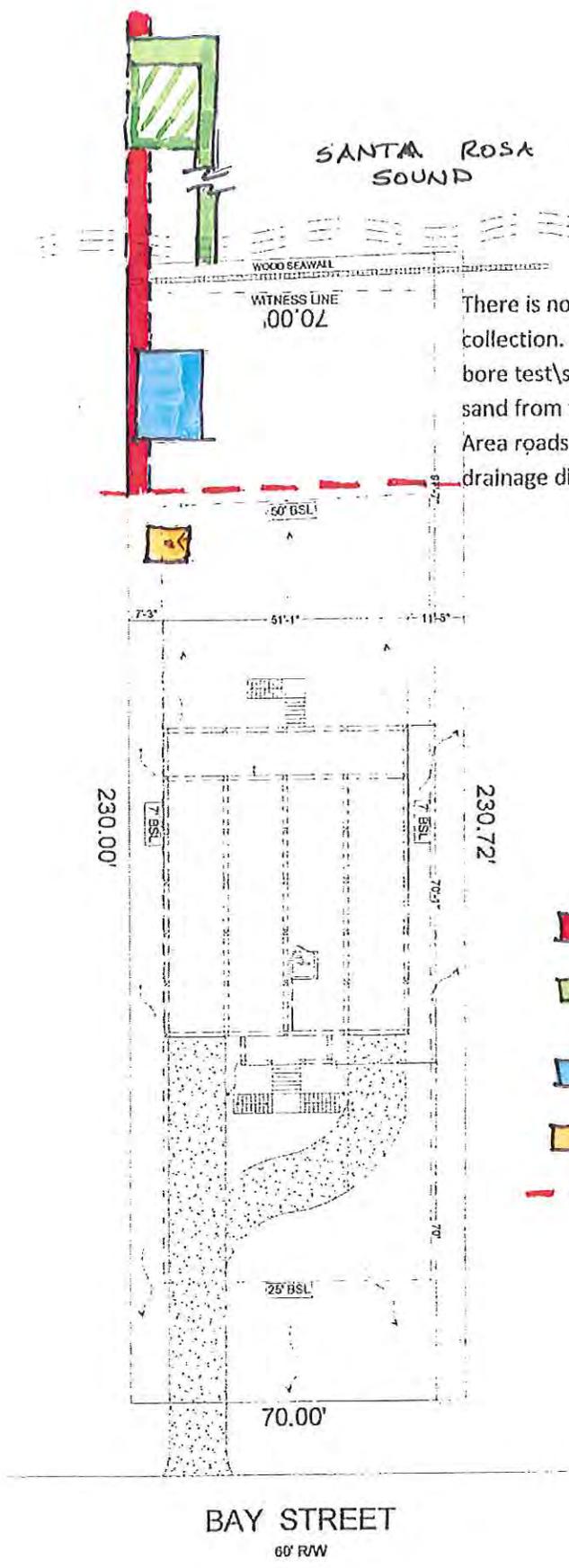
 <all other values>

Cat

-  1
-  2
-  3
-  4
-  5

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SANTA ROSA SOUND

WOOD SEAWALL
WITNESS LINE
70.00'

There is no outflow point of collection. As mentioned in the bore test/soil analysis, there is only sand from the surface down to 30 feet. Area roads and properties have no drainage ditches or collection points.

50' BSL

7'-3" 51'-1" 11'-5"

230.00'

7' BSL

230.72'

7' BSL

25' BSL

70.00'

BAY STREET
60' RW



N

- 5' SIDE SETBACK
- DOCK/PIER & BOAT
- ACCESSORY BLDG
- WIND TURBINE
- 50' GPZ SETBACK

NOTE:
1. ALL DISTANCES ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
2. THE PROPERTY BOUNDARIES ARE SHOWN BY DASHED LINES.
3. THE 50' GPZ SETBACK IS SHOWN BY A RED DASHED LINE.
4. THE 7' BSL IS SHOWN BY A DOTTED LINE.
5. THE 25' BSL IS SHOWN BY A DOTTED LINE.
6. THE WITNESS LINE IS SHOWN BY A DOTTED LINE.
7. THE WOOD SEAWALL IS SHOWN BY A RED LINE.
8. THE 5' SIDE SETBACK IS SHOWN BY A RED LINE.
9. THE DOCK/PIER & BOAT IS SHOWN BY A GREEN LINE.
10. THE ACCESSORY BLDG IS SHOWN BY A BLUE LINE.
11. THE WIND TURBINE IS SHOWN BY A YELLOW LINE.

SITE PLAN

DATE	DESCRIPTION

ROBERT & CAROLE FRAZIER
RESIDENCE

DEAN A. SPENCER
ENGINEERING, INC.
1001 AVENUE 12, SUITE 100
DALLAS, TEXAS 75241
TEL: 972-443-1234
FAX: 972-443-1235
www.deanaspencer.com

Hitaway Home Design
1001 AVENUE 12, SUITE 100
DALLAS, TEXAS 75241
TEL: 972-443-1234
FAX: 972-443-1235
www.hitaway.com



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

500'

** For Official Use Only **	
Application No. <u>2016 -V - 003</u>	Date Received: <u>11/5/15</u>
Review Fee: <u>235 + 77.28</u>	Receipt No.: <u>381, 383</u>
Zoning District: <u>R1</u>	FLUM Designation: <u>SFR</u>

±0.39

VD # 5

**Property
Owner**

Property Owner Name: ROBERT & CAROLE FRAZIER

Address: 3211 BAY ST, GULFBREEZE, FL, 32563

Phone: 850-512-7390 Fax: _____

Email: refjrd@aol.com, metrocast.net

Applicant

Check here and skip this section if the applicant is the Property Owner. Otherwise, complete this section and provide authorization from the Property Owner giving the Applicant the authority to pursue variance approvals.

Company: _____

Contact Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

**Property
Information**

Parcel ID Number(s): 31-25-28-2980-00100-0090

-OR-

Street Address of property for which the Variance is requested:

3211 BAY ST, GULFBREEZE, FL, 32563

Variance Request

What is the present use of the property? RESIDENCE

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

REBUILD PIER & BOATLIFT DAMAGED BY HURRICANE IVAN - ATTACHMENT (1)
REBUILD SCREEN HOUSE DAMAGED BY HURRICANE IVAN - ATTACHMENT (2)
ERECT WIND TURBINE - ATTACHMENT (3)

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

PIER/BOATLIFT/SCREEN HOUSE WERE PRE-EXISTING 1950'S STRUCTURES DAMAGED BY HURRICANE IVAN BUT NOW REQUIRE VARIANCES TO REBUILD. WIND TURBINE REQUIRES HEIGHT VARIANCE TO BE ABOVE OBSTACLES.

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.

I INTEND TO REUSE EXISTING PARTS OF OLD STRUCTURES TO REBUILD EXISTING STRUCTURE AND MAINTAIN LONG ESTABLISHED SPACING FROM NEIGHBORS. WIND TURBINE NEEDS TO BE HIGHER THAN SURROUNDING STRUCTURES TO BE EFFECTIVE AND IS A BENEFICIAL REDUCTION TO NATURAL RESOURCES.

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.

ROBERT E. FRAZIER
Applicant Name (Type or Print)

Robert Frazier
Applicant Signature

OWNER
Title (if applicable)

11/2/15
Date

FRAZIER VARIANCE APPLICATION

3211 BAY ST, GULF BREEZE, FL. 32563

Variance request for rebuilding pier and boatlift.

ATTACHMENT(1) PAGE 1 OF 6

1. Page 2 is overhead picture of existing pilings.
2. Page 3 is picture of pier and boatlift prior to hurricane IVAN and pictures of existing pilings.
3. Page 4 is overhead view of proposed footprint of rebuilt pier and boatlift using existing pilings.
4. Page 5 & 6 is Florida DEP approval of proposed reconstruction diagrams.

2.10.05.B.2

Variance for side setback for dock 5' to 0'
for accessory structure



google earth

feet
meters

500

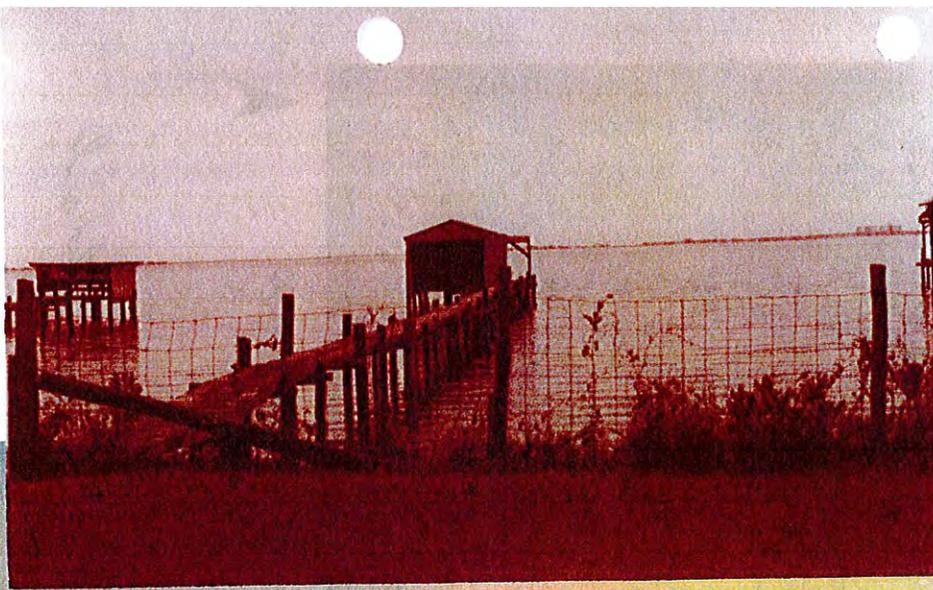
100



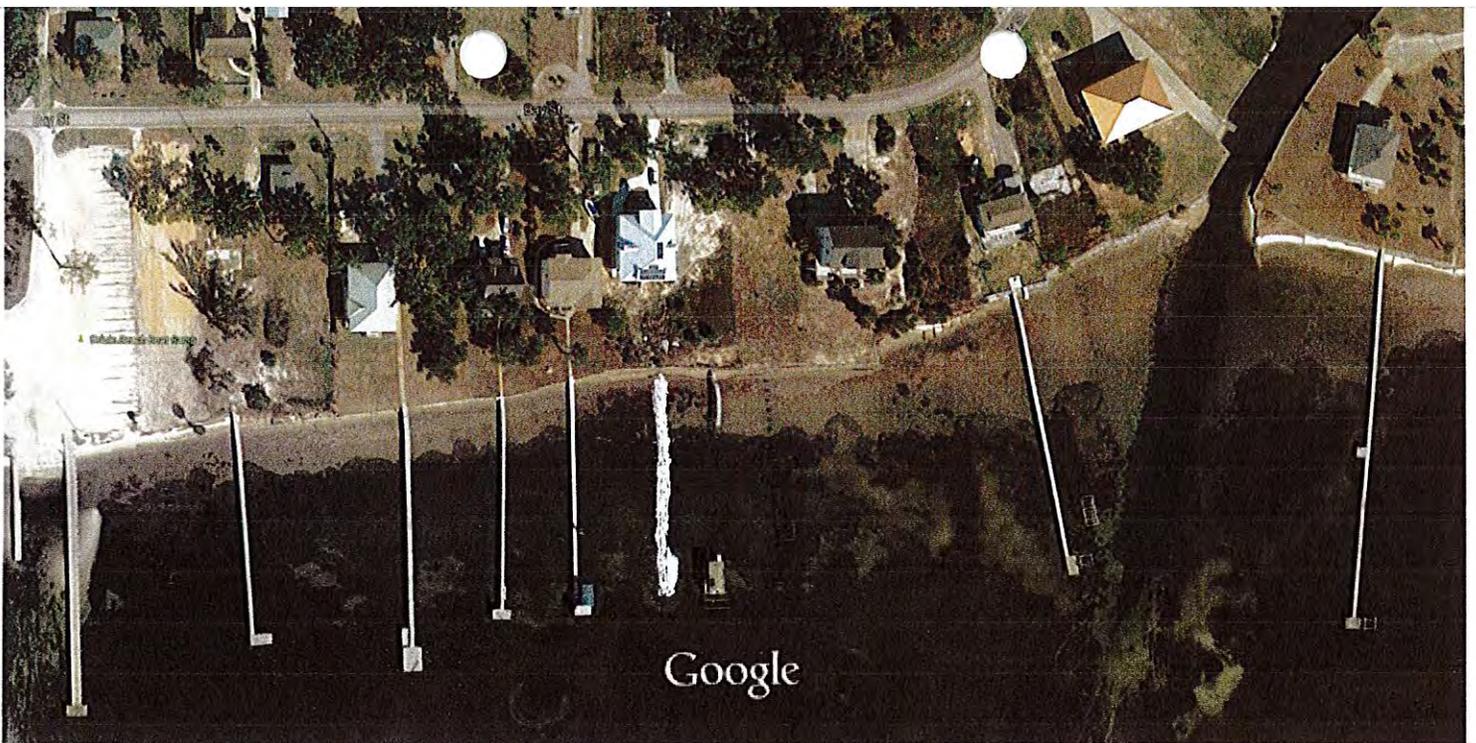
existing piping

attachment (1) page 2

attachment (1) page 3 other side



attachment (1) page 3



Imagery ©2015 Google, Map data ©2015 Google 50 ft

Proposed replacement pier using old pilings with some replacements

attachment (1) page 4

SANTA ROSA SOUND



WEIGHTED TURBIDITY CURTAIN

911 SQ FT TOTAL

PLAN VIEW

RAPARIAN RIGHT LINE

226 FT.

BOAT LIFT

NOT TO SCALE

3 1/2'

MLWL

MHWL

1" = 12'

SHORELINE / SEAWALL

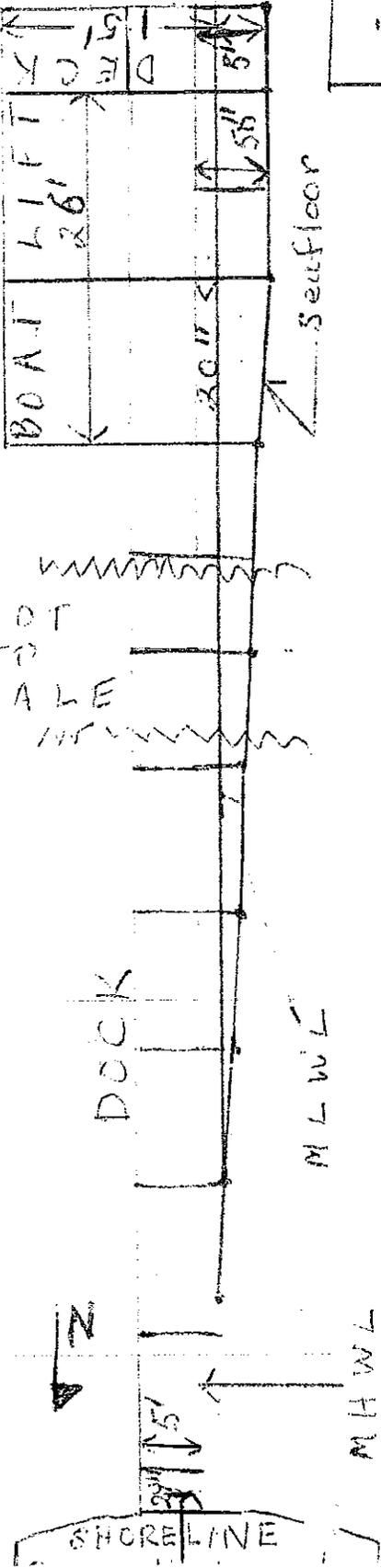
70'

FRATZIER 3211 BOY ST.
AUGUST 18, 2015
PLAN VIEW
SHEET 1 OF 2
SCALE 1" = 12 FT.

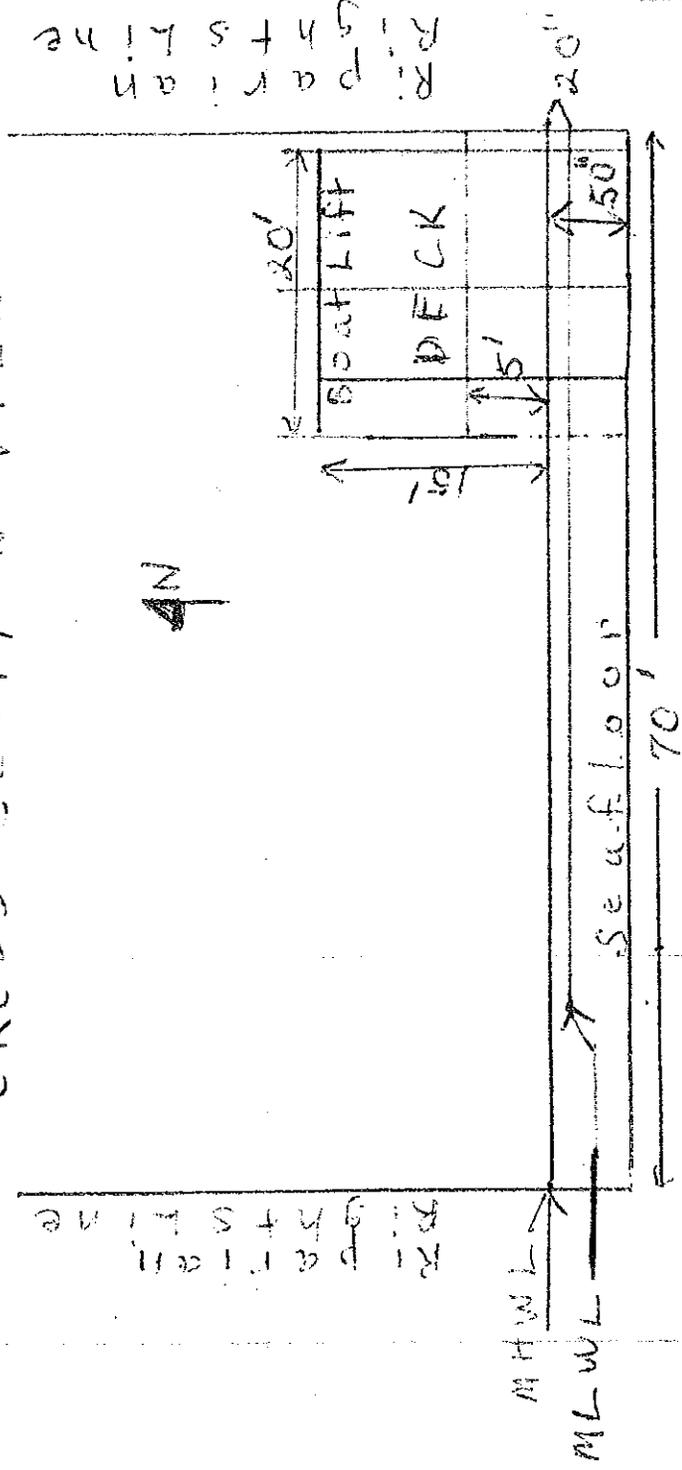
attachment (1) page 5

page 6 other side

23.6' PROFILE VIEW



CROSS SECTION VIEW



RIGHTS LINE

Frazier 3211 Bay St.
 August 18, 2015
 Cross + Profile View
 Sheet 2 of 2
 Scale 1/4" = 12 FT

DNDOS
 ASOR
 SANTA



attachment (1) page 6

FRAZIER VARIANCE APPLICATION

3211 BAY ST, GULF BREEZE, FL. 32563

Variance request for rebuilding screen house.

ATTACHMENT (2) PAGE 1 OF 4

1. Page 2 is overhead view of existing screen house cement slab and picture of existing cinderblock wall, height 14" above slab.
2. Page 3 is site plan of location of preexisting slab and proposal replacement screen house.
3. Page 4 is pictures of screen house prior to Hurricane IVAN. Screen house will be rebuilt to match original structure.

12.01.02.A

Reduce SPZ setback 50' to 17'

2.10.05.B.2 Reduce Side setback 5' to 1'8"



attachment (2) page 2

page 3 other side



attachment (2) page 4

FRAZIER VARIANCE APPLICATION

3211 BAY ST, GULF BREEZE, FL. 32563

Variance request for ~~building screen house~~ WIND TURBINE

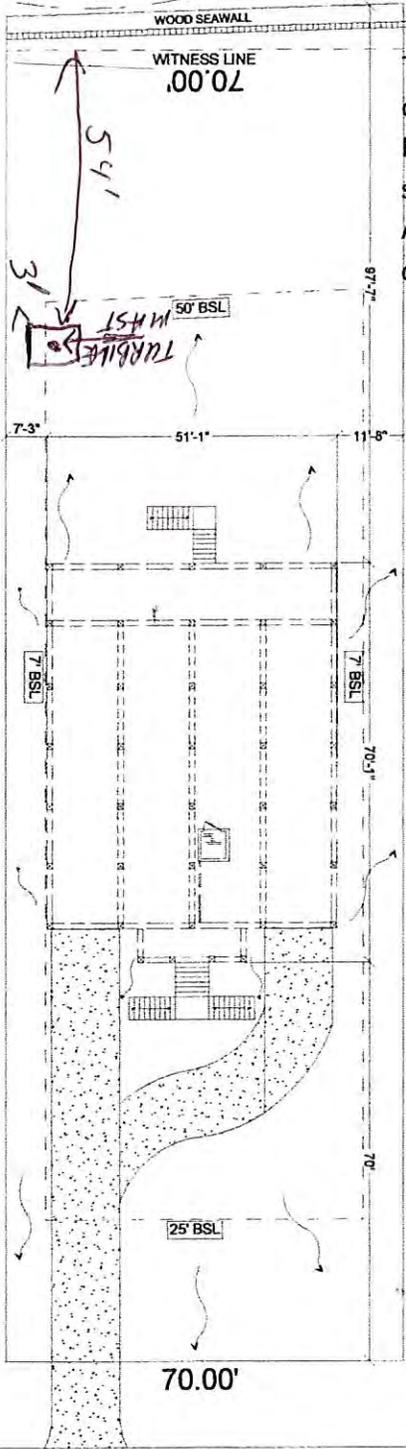
ATTACHMENT (3) PAGE 1 OF 3

1. Page 2 is site plan for below grade level wind turbine cement block/footing for turbine mast.
2. Page 3 is profile view of proposed mast and wind turbine, with elevations provided.

7.01.17. F. 1 must be 100% of height from any property line reduce setback from 49' to 7.3'

7.01.17. F. 2 Variance to structure height from 35' to 49'

SAI A ROSA SOUND



There is no outflow point of collection. As mentioned in the bore test\soil analysis, there is only sand from the surface down to 30 feet. Area roads and properties have no drainage ditches or collection points.



NOTE:
 THE CLIENT HAS REVIEWED THE INFORMATION AND APPROVES THE INFORMATION FOR THE PROJECT.
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BAY STREET
 60' R/W

SITE PLAN

PROJECT NO.	2024-001
DATE	11/15/2024
SCALE	1" = 30'
DESIGNER	JOHN HATTAWAY
CHECKER	JOHN HATTAWAY
DATE	11/15/2024

ROBERT & CAROLE FRAZIER
 RESIDENCE

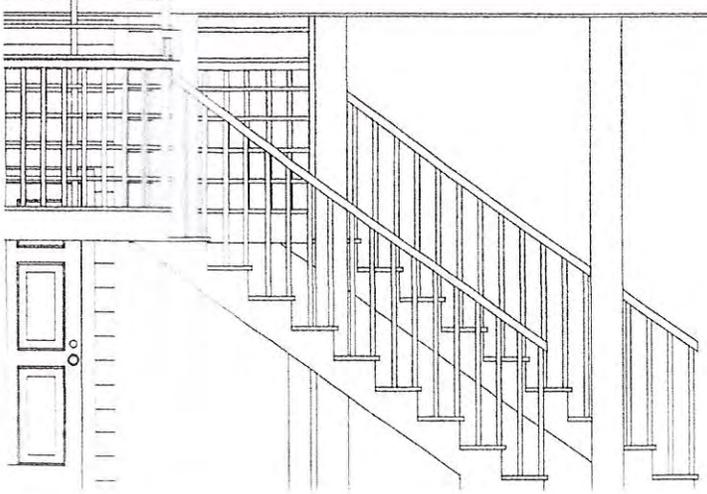
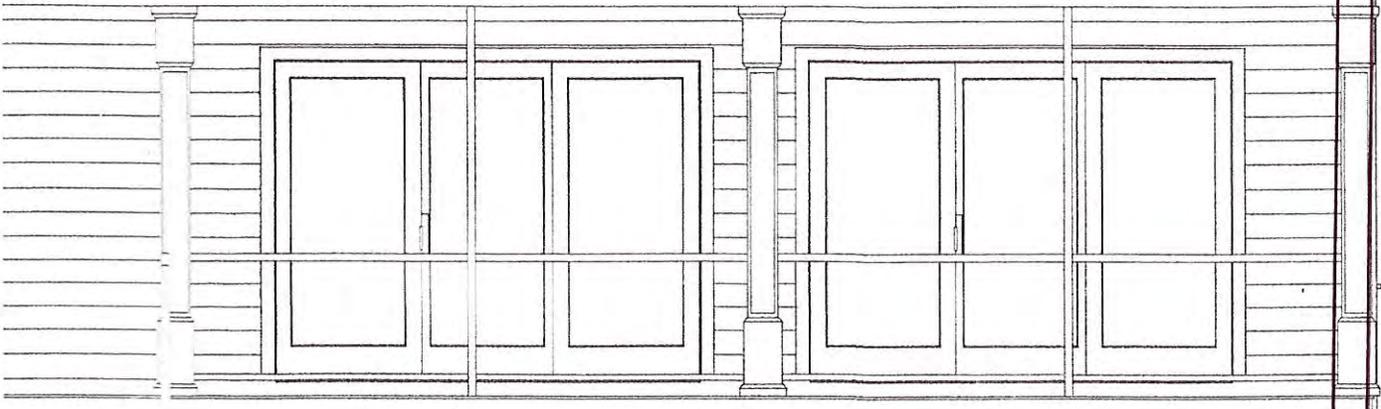
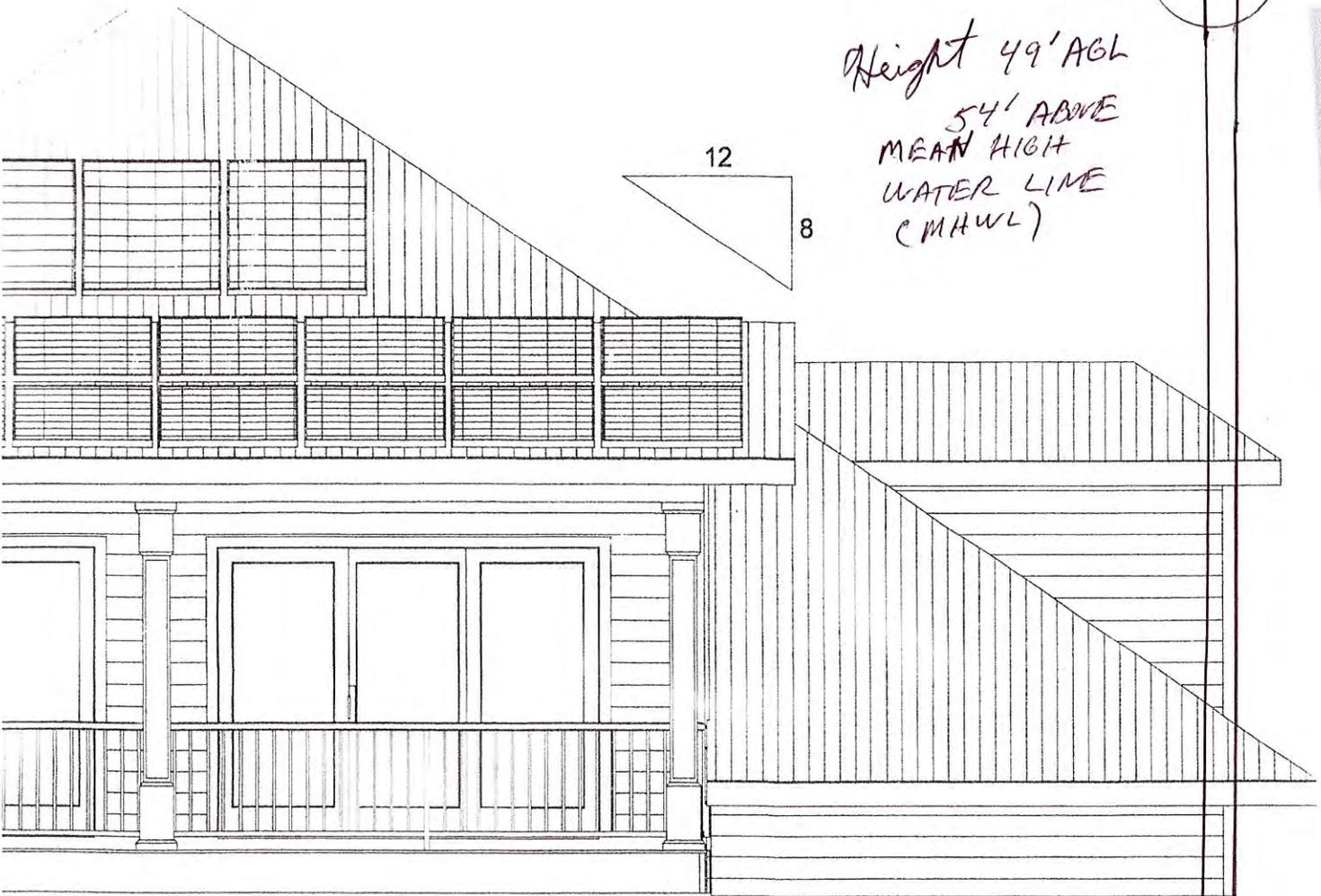
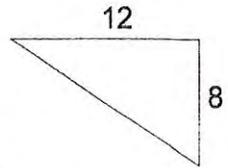
PROFESSIONAL ENGINEER
 JOHN HATTAWAY
 274 MARKET PLACE
 SUITE 100
 CHARLOTTE, NC 28203

Hattaway Home Design
 John Hattaway
 274 Market Place
 Suite 100
 Charlotte, NC 28203
 704.324.4407

attachment (3) page 2

TURBINE →

Height 49' AGL
54' ABOVE
MEAN HIGH
WATER LINE
(MHWL)



TURBINE MAST

attachment (3) page 3

CITIZEN
COMMENTS
2016-V-003



Jason McLarty

From: repsr@juno.com
Sent: Thursday, December 31, 2015 5:16 PM
To: Jason McLarty
Subject: Variance 2016-V-003 for Robert and carol Frazier

Follow Up Flag: Follow up
Flag Status: Flagged

Reference: Letter of 12/18/2015 , Jason McLarty Planner II to Pfeiffer Ronald E Sr & Carol Trustees

Thank you for informing us of Variance Request 2016-V-003. We have carefully considered all five items of the request.

My wife and I (Ronald E. & Carol P Pfeiffer) have owned the property located at 3203 Bay Street for over 35 years. Our house is located just West of the subject variance request. We would like to officially inform all Santa Rosa County Officials involved that we are very much **opposed to all five variance requests.**

All of the five codes involved are reasonable and should be followed by everyone. We see no justification for these variances. Please forward our comments of opposition to all Santa Rosa County Commissioners and Zoning Board members.

Sincerely,

Ronald E & Carol P Pfeiffer

12/31/2015

Email scanned by Check Point