

**2016-V-033**

**Project Name:** N/A

**Applicant and/or  
Property Owner:** Scott Zepp

**Representative:** Jason Taylor, Wetland Sciences

**Request 1:** Variance request to allow the length of a dock to be increased from 300 feet to 350 feet (LDC 6.03.05.F)

**Request 2:** Variance to allow for an accessory structure (dock) to be constructed prior to the construction of a primary dwelling. (LDC 2.10.02.A.1)

**Zoning District:** PUD (Planned Unit Development)

*Variance #2016-V-033*

**Part I. General Information:**

<b>Project/Applicant:</b>	Scott Zepp
<b>Representative:</b>	Jason Taylor, Wetland Sciences
<b>Location:</b>	4129 Madura Road East, Gulf Breeze, FL
<b>Parcel(s):</b>	29-2S-28-5446-00F00-0290
<b>Zone:</b>	PUD (Planned Unit Development)
<b>Request 1:</b>	Variance Request to allow the length of a dock to be increased from 300 feet to 350 feet. (LDC 6.03.05.F)
<b>Request 2:</b>	Variance Request to allow for an accessory structure (dock) to be constructed prior to the construction of a primary dwelling. (LDC 2.10.05.A.1)
<b>District:</b>	Commissioner District #5
<b>Current Conditions:</b>	Vacant

**Part II. Data and Analysis:** (Consistency with the Land Development Code Criteria)

**2.10.00 MODIFICATIONS AND ADJUSTMENTS OF DISTRICT REGULATIONS:** The regulations set forth in this Section modify, adjust or supplement the district regulations appearing in Article 6 of this ordinance.

2.10.05      Accessory Buildings and Structures

A.      Timing of Construction and Use –

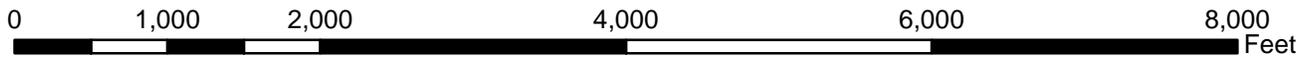
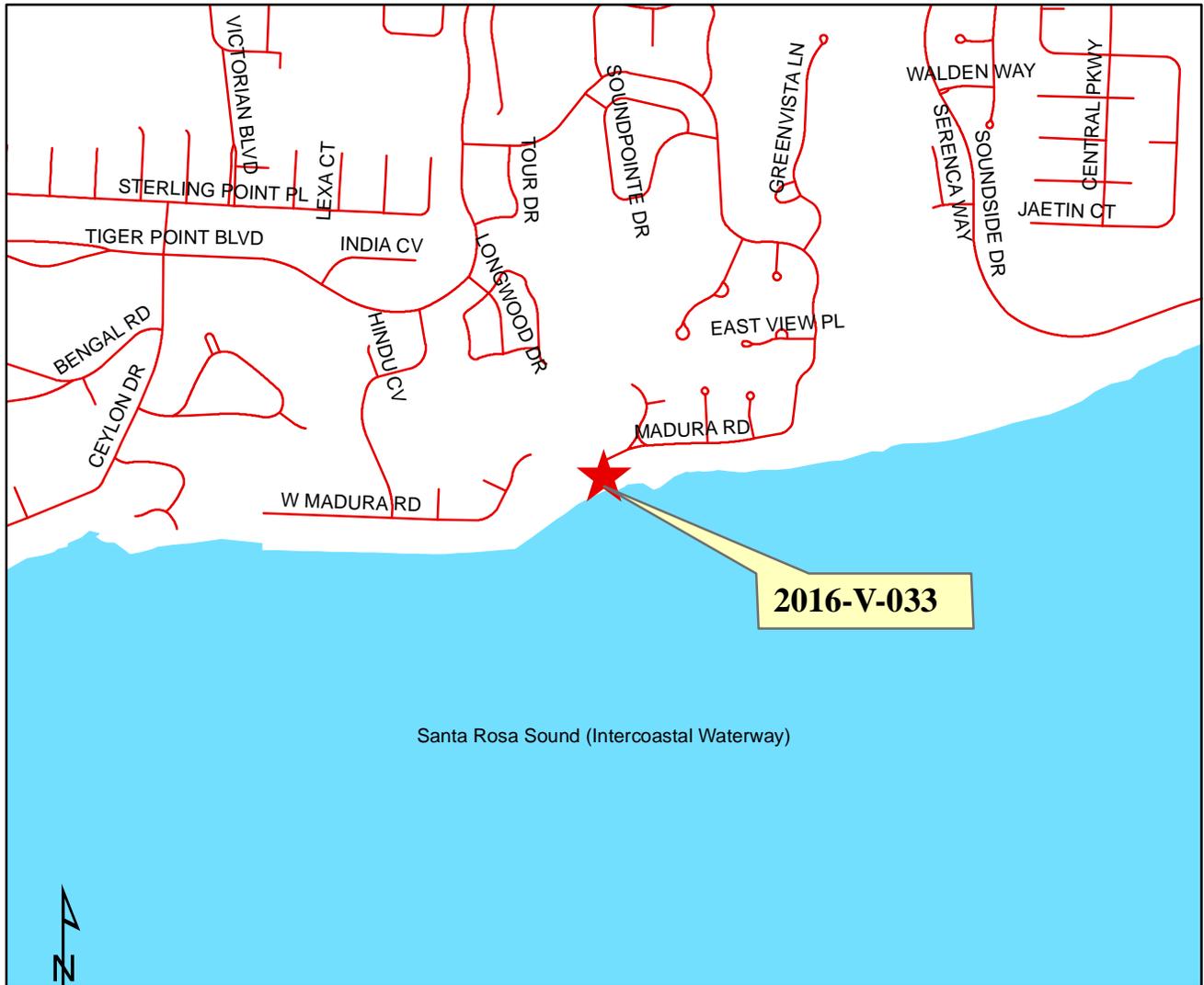
1.      No accessory building or structure shall be constructed upon a lot until the construction of a main building has been commenced, or

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:





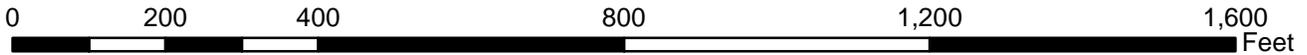
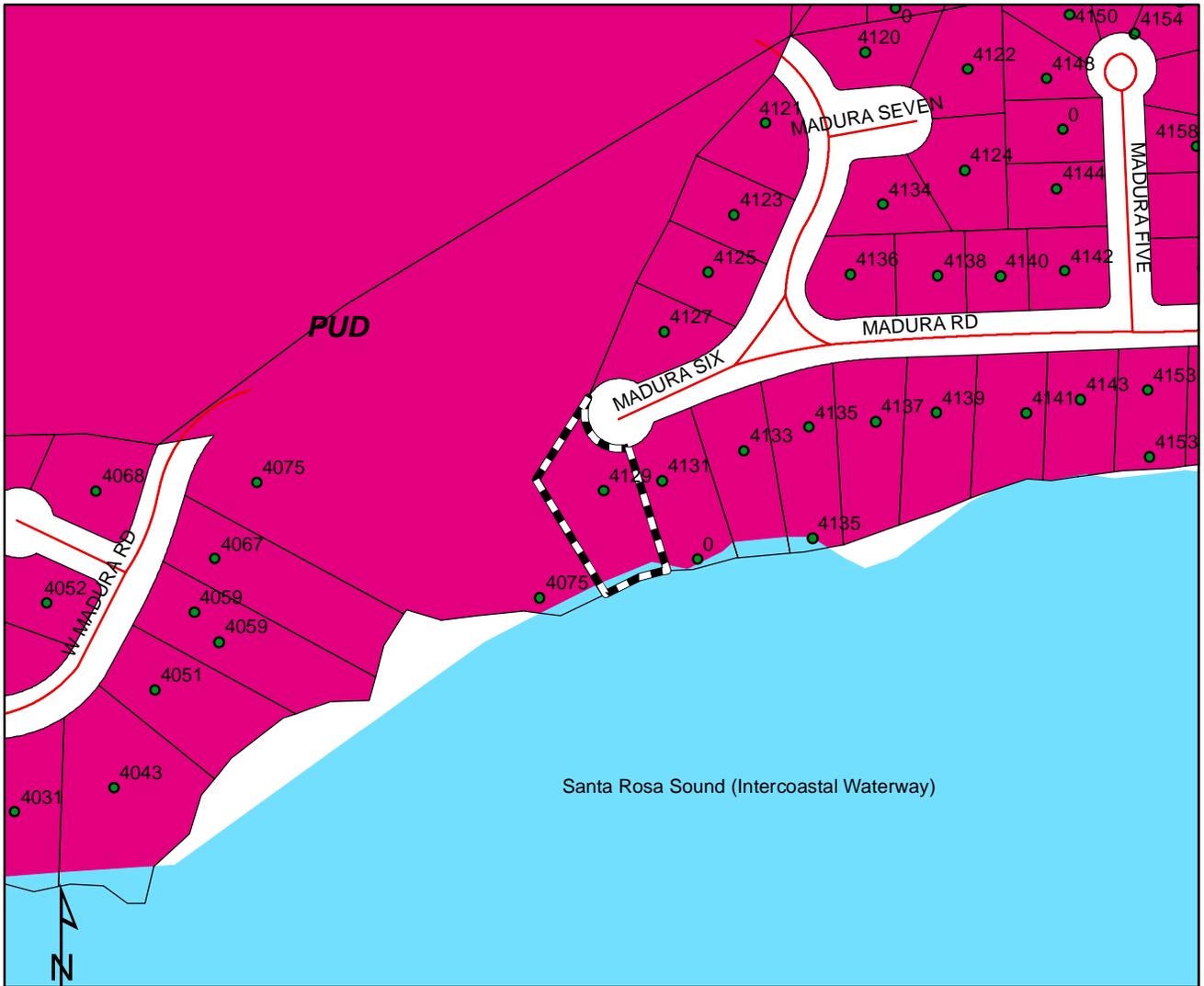
# 2016-V-033 Location



## Legend

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# 2016-V-033 Zoning



### Legend

Pending May ZB

### Zoning

#### DISTRICT

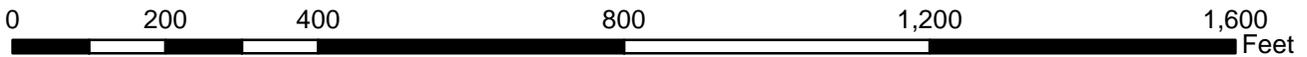
- AG-RR
- AG-RR-APZ1; AG-RR-APZ2; AG-RR-CZ
- AG1
- AG2
- AG2-APZ or CZ
- C1M
- C2M
- CITY

- |               |              |              |               |                 |
|---------------|--------------|--------------|---------------|-----------------|
| HC1           | M2-APZ or CZ | NC           | R1            | R2M             |
| HCD           | MID          | NC-APZ or CZ | R1-APZ or CZ  | R2M-APZ or CZ   |
| HCD-APZ or CZ | MIL          | NC-HON       | R1-HON        | RAIL            |
| HCD-HON       | NB-C         | P1           | R1A           | RR1             |
| HNB           | NB-CON/REC   | P1-HON       | R1A-HON       | RR1-APZ or CZ   |
| HR1           | NB-HD        | P2           | R1M           | STATE           |
| HR2           | NB-MD        | P2-APZ or CZ | R1M-APZ or CZ | STATE-APZ or CZ |
| M1            | NB-MHD       | P2-HON       | R1M-HON       | TC1-HON         |
| M1-APZ or CZ  | NB-PMUD      | PBD          | R2            | WATER           |
| M1-HON        | NB-SF        | PID          | R2-APZ or CZ  |                 |
| M2            | NB-U         | PUD          | R2-HON        |                 |

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2016-V-033  
2014 Aerial



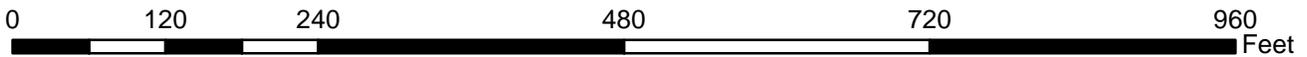
Legend

 Pending May ZB

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# 2016-V-033 2014 Close Up Aerial

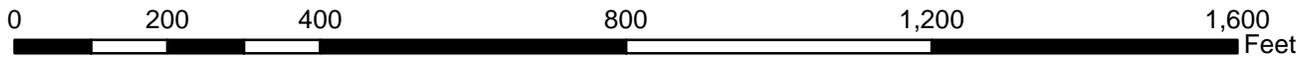
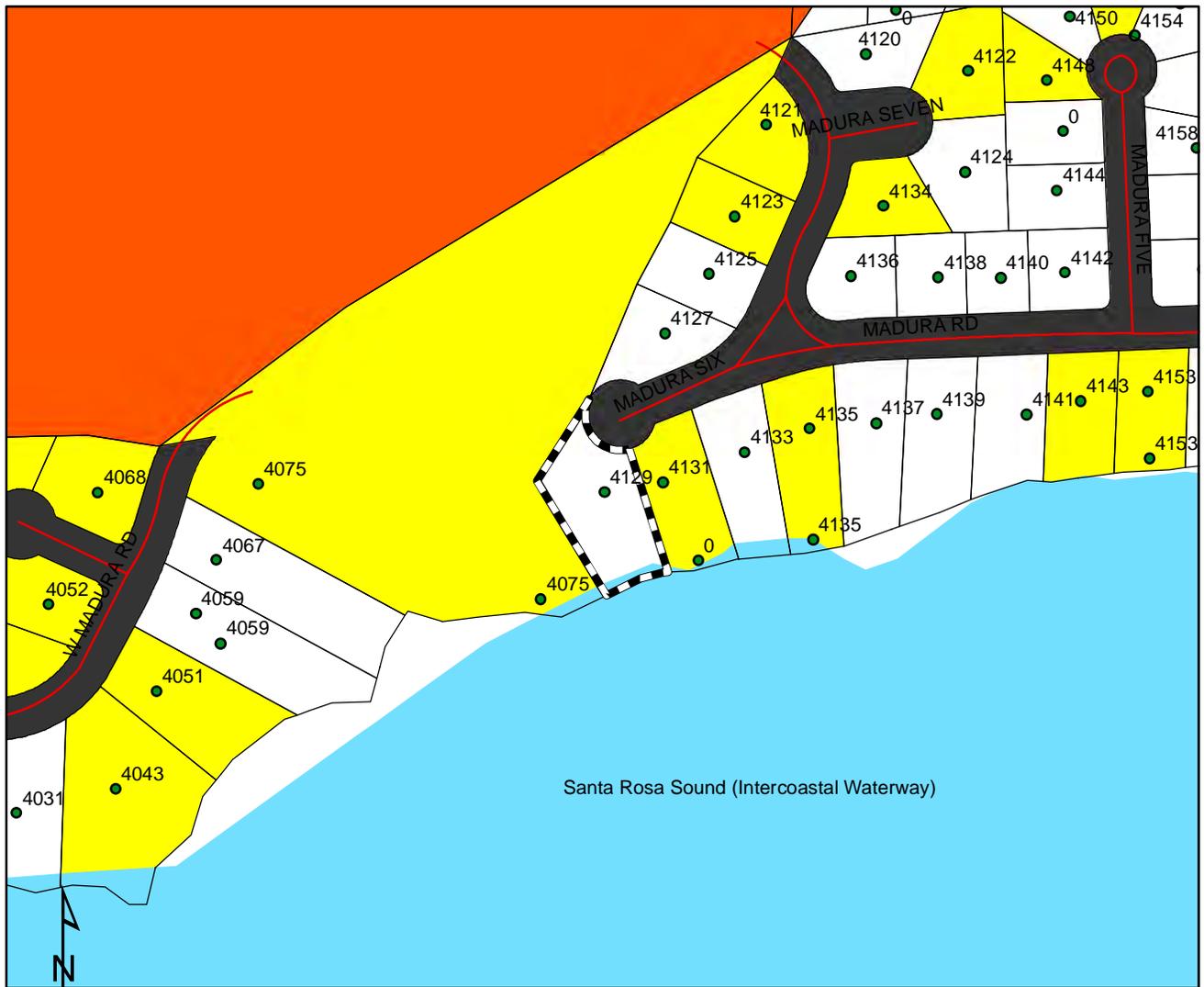


### Legend

 Pending May ZB

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# 2016-V-033 Existing Land Use



**Legend**

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

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# Santa Rosa County Development Services



Beckie Cato, AICP  
Planning and Zoning Director

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

Rhonda C. Royals  
Building Official

## Variance Application

\* Application Instructions begin on Page 5

** For Official Use Only **	
Application No. <u>2016 -V- 033</u>	Date Received: <u>3/30/2016</u>
Review Fee: <u>242.36</u>	Receipt No.: <u>96</u>
Zoning District: <u>PUD</u>	FLUM Designation: <u>MRC</u>

± 0.51

VD# 5

**Property  
Owner**

Property Owner Name: Scott Zepp

Address: 3752 Rajah Cove, Gulf Breeze, FL 32563

Phone: 813-600-9332 Fax: \_\_\_\_\_

Email: scottzepp@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: Wetland Sciences, Inc.

Contact Name: Jason Taylor

Address: 3308 Gulf Beach Highway, Pensacola, FL 32507

Phone: 850-453-4700 Fax: \_\_\_\_\_

Email: jtaylor@wetlandsciences.com

**Property  
Information**

Parcel ID Number(s): 29-2S-28-5446-00F00-0290

-OR-

Street Address of property for which the Variance is requested:

4129 Madura Rd. East, Gulf Breeze, FL 32563

**Variance Request** What is the present use of the property? Vacant Single-Family Residential

Please describe the requested variance, including exact dimensions and purpose of the variance.  
See attached Letter of Request

Please describe the special circumstances or conditions that apply to the building or land in questions which necessitate the variance request.  
See attached Letter of Request

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

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.

JASON TAYLOR  
Applicant Name (Type or Print)

ENVIRONMENTAL SPECIALIST  
Title (if applicable)

[Signature]  
Applicant Signature

3/18/2016  
Date



March 16, 2016

Jason McLarty  
Zoning Board  
Santa Rosa County Planning and Zoning  
6051 Old Bagdad Highway, Suite 202  
Milton, FL 32583

**Re: Letter of Request, Variance Application**  
**Project: Zepp Residential Dock & Boatlift**  
**Applicant: Scott Zepp**  
**WSI Project #2016-086**

Mr. McLarty,

Scott Zepp (herein referred as the applicant) request a variance to change the allowable pier length from 300 feet to 350 feet per Santa Rosa County Land Development Code (LDC) 6.03.05.F. and to allow the construction of an accessory structure prior to a primary dwelling per LDC 2.10.05.A within Santa Rosa Sound at the applicant's property located at 1230 Ceylon Drive. **LDC 6.03.05.F, Accessory activities: Docks, piers, and mooring devices. Structures such as piers, docks, wharves, mooring devices, lifting and launching devices, the decking of which is no higher than three feet above mean high water, are permitted as accessory structures. Such structures shall not extend seaward from the property line for more than 300-ft or fifteen percent of the open water span at the point of installation whichever is less...** **LDC 2.10.05.A, Accessory buildings and structures: "Timing of construction and use: No accessory building or structure shall be constructed upon a lot until the construction of a main building has been commenced, or in the case of a lot two acres or greater is size, until the construction permit for a main building has been issued."** The property is zoned as PUD. Authorization is being sought to construct a 350.0' x 4.0' access pier, a 44.0' x 2' catwalk with uncovered boat lift, and a 34.0' x 2' catwalk with uncovered boat lift. Total preempted area is 2,156.0 sq. ft.

Land Development Code of Santa Rosa County, Florida, Section 2.04.00 requires the applicant to demonstrate that the variance request meets the criteria outlined in code. The following is a summary detailing how the request meets each criterion.

**Criterion A**

***That there are special circumstances or conditions applicable to the building or land in question that are peculiar to such property that do not apply generally to other land or buildings in the vicinity.***

Section 2.04.00 of the Land Development Code defines special circumstances or conditions specifically as follows: "Such special conditions shall be limited to unusual physical characteristics inherent in the specific piece of property and not common to properties similarly situated. Such physical characteristics include, but are not limited to, exceptional narrowness, shallowness, shape, topographic conditions, or the presence of sensitive environmental resources, any or all of which will result in peculiar or practical difficulties in the quite enjoyment and use of the property."

As shown on the attached site plan drawings, the riparian rights of the subject property located in Santa Rosa Sound is occupied by extreme shallowness and vast expanse of seagrasses. The presence of these limiting factors results in practical difficulties in the construction of a dock and boat lift.

It is difficult to apply this criterion to any request to begin construction of an accessory structure before a primary structure. The intent here is to help facilitate the logistics of the dock construction by providing a place to store materials and equipment while accessing the shoreline.

The applicant just purchased the property at the end of February and is currently working on the design of the home. The applicant is anticipating for construction to begin in the last quarter of 2016.

***Criterion B***

***The variance is necessary for the preservation and enjoyment of a substantial property right as defined herein and not only to serve as a convenience to the applicant.***

In the context of variance applications, a “property right” is the ability to use or improve land in such a manner as would be lawful except for (1) the special circumstance or condition applicable to the building or land and (2) the particular land development regulation, from which a variance is sought, that prohibits such use or improvement. A property right is “substantial” if it involves a use or improvement or real worth and importance which is or may be enjoyed by other similarly situated land owners in the vicinity.

The dock and boatlift are necessary to allow the applicant to permanently store a recreational watercraft along the waterfront of a soon to be homesteaded property. There are several properties along Santa Rosa Sound that contain dock structures similar in design and configuration as proposed by the applicant. This is a use that is enjoyed by other similarly situated land owners in the vicinity of the property. With this said it is my opinion the proposed use meets the definition of a substantial property right and the requested variances are necessary for the preservation and enjoyment of a substantial property right.

***Criterion C***

***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, or general welfare of the inhabitants of Escambia County.***

Public interest criteria that should be considered in evaluating this variance request should include navigation and protection of marine resources. The proposed activity has been submitted to the Florida Department of Environmental Protection (DEP) and Department of the Army Corps of Engineers. These agencies review the project and ensure that navigation and water quality is maintained on the water body affected.

In summary the authorization of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets or waterways, the danger of fire, imperil public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, comfort, or general welfare of the inhabitants of Santa Rosa County.

***Criterion D***

***The variance will not impair the intent of the zoning ordinance or zoning district map.***

The variance will not, in any manner, alter other provisions of this Code or the zoning district map.

***Criterion E***

***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 of the roadway.***

The proposed activity does not apply to the reduction of parking or loading requirements or access management standards.

In summary the variance is the minimum necessary to make possible use of the waterfront and to enjoy a substantial property right expected with waterfront property fronting Santa Rosa Sound.

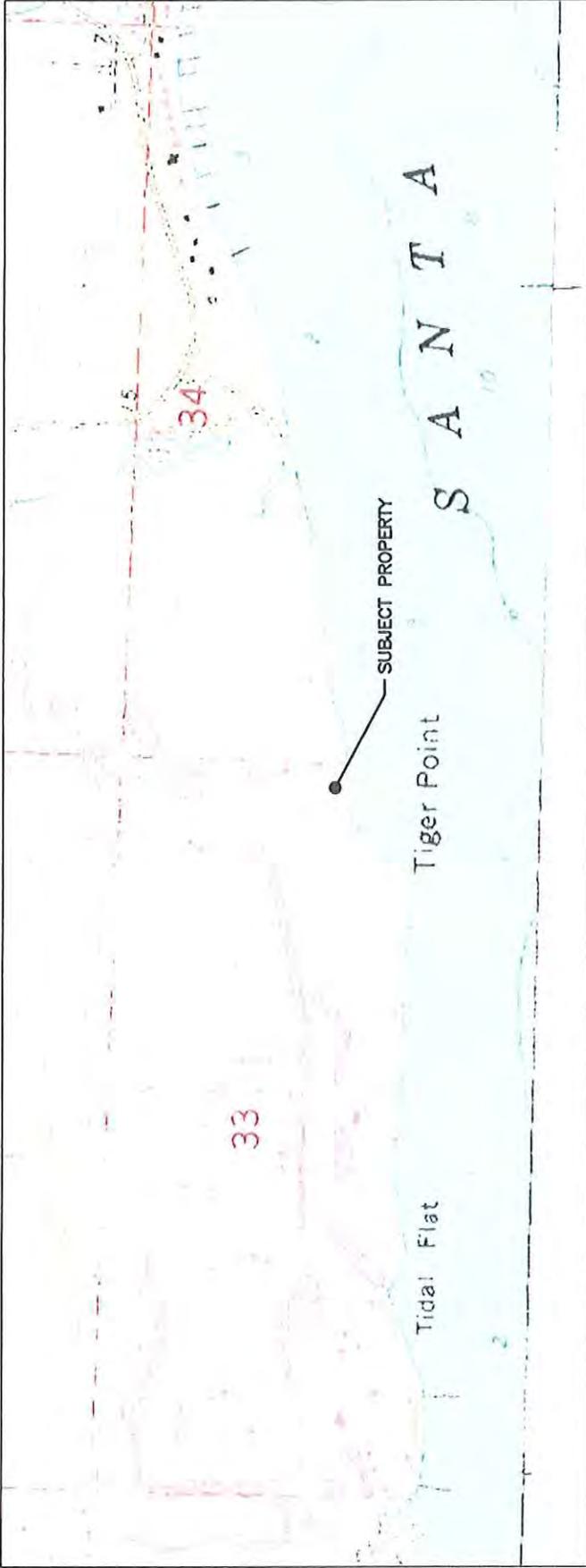
Your consideration in this matter would be greatly appreciated. If should any questions arise, please feel free to contact the undersigned at either the letterhead address or by telephone at 850-453-4700.

Sincerely,

**WETLAND SCIENCES, INC.**



Jason Taylor  
Environmental Scientist



DIRECTIONS TO THE SITE FROM DOWNTOWN PENSACOLA: START OUT GOING EAST ON CHASE STREET/US-98 TOWARDS GULF BREEZE. CONTINUE TO FOLLOW US-98 FOR APPROXIMATELY 11.5 MILES. TURN RIGHT ONTO TIGER POINT BLVD. TURN LEFT ONTO MADURA ROAD AND CONTINUE FOR APPROXIMATELY 1 MILE. SUBJECT PROPERTY WILL BE LOCATED ON THE LEFT HAND SIDE OF THE ROAD WITH AN ADDRESS OF 4128 E. MADURA ROAD. PLEASE CALL 850-453-4700 WITH ANY QUESTIONS.

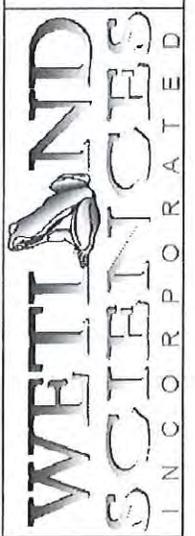
SUBJECT PROPERTY

PARCEL ID#  
 29-2S-28-5446-00F00-0290  
 PROPERTY OWNER  
 SCOTT ZEPP  
 3752 RAJAH COVE  
 GULF BREEZE, FL 32563

PROJECT LOCATION  
 4129 E. MADURA ROAD  
 GULF BREEZE, FL 32563  
 LAT: 30.379365°  
 LONG: -87.053238°

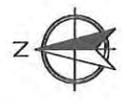
INDEX OF SHEETS

SHEET NO.	DESCRIPTION
1	SITE LOCATION MAP
2	PLAN VIEW DEPICTED ONTO AERIAL
3	PLAN VIEW OF PROPOSED DEVELOPMENT PLAN
4	DOCK PROFILE (TYPICAL)
5	DOCK DETAILS (TYPICAL)

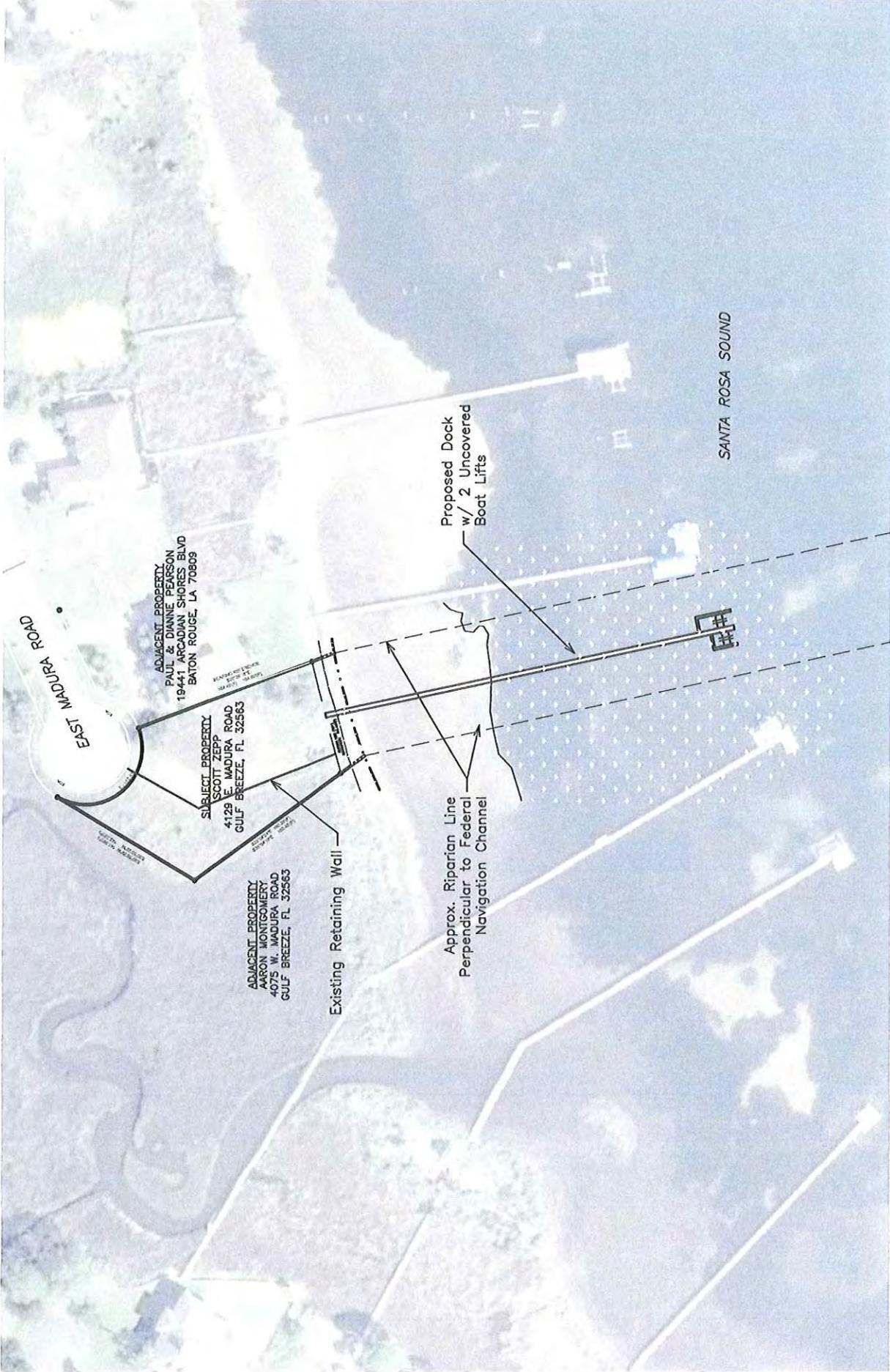


ENVIRONMENTAL CONSULTANTS  
 3308 GULF BEACH HIGHWAY  
 PENSACOLA, FLORIDA 32507  
 TEL: 850.453.4700  
 JTAYLOR@WETLANDSCIENCES.COM

PROJECT NAME: 4129 E. MADURA ROAD DOCK
SITE LOCATION MAP
PROJECT NO.: 2016-086
DRAWN BY: JAT DATE: 3/4/2016
SHEET: 1 OF 5



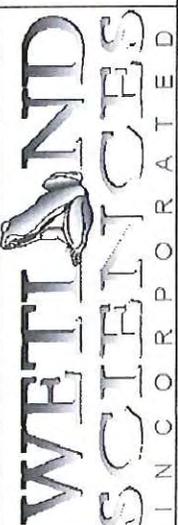
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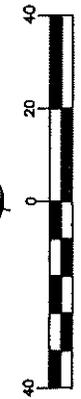
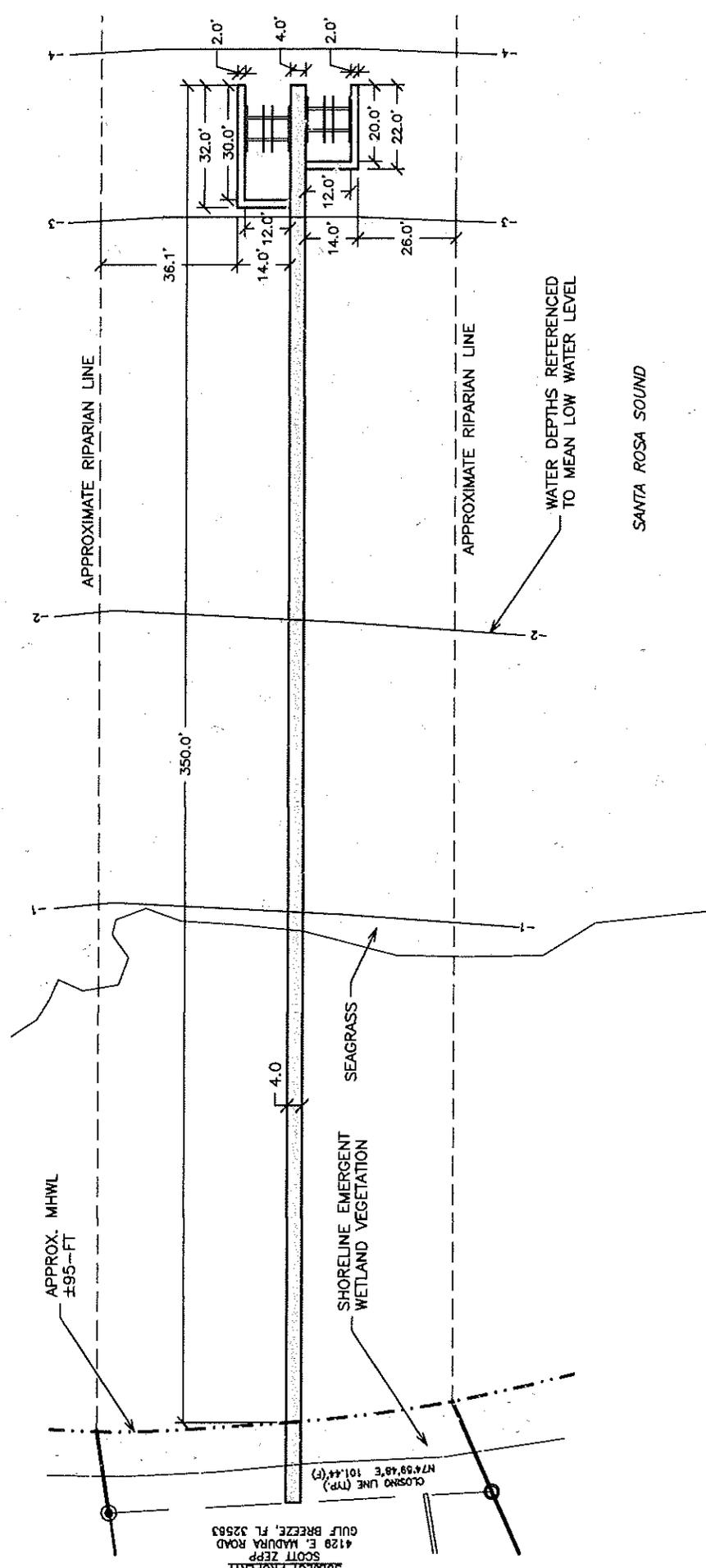


SCALE: 1" = 120 Feet

PROJECT NAME: 4129 E. MADURA ROAD DOCK
PLAN VIEW DEPICTED ONTO AERIAL
PROJECT NO.: 2016-086
DRAWN BY: JAT      DATE: 3/4/2016
SHEET: 2 OF 5

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 3308 GULF BEACH HIGHWAY  
 PENSACOLA, FLORIDA 32507  
 TEL: 850.453.4700  
 JTAYLOR@WETLANDSCIENCES.COM

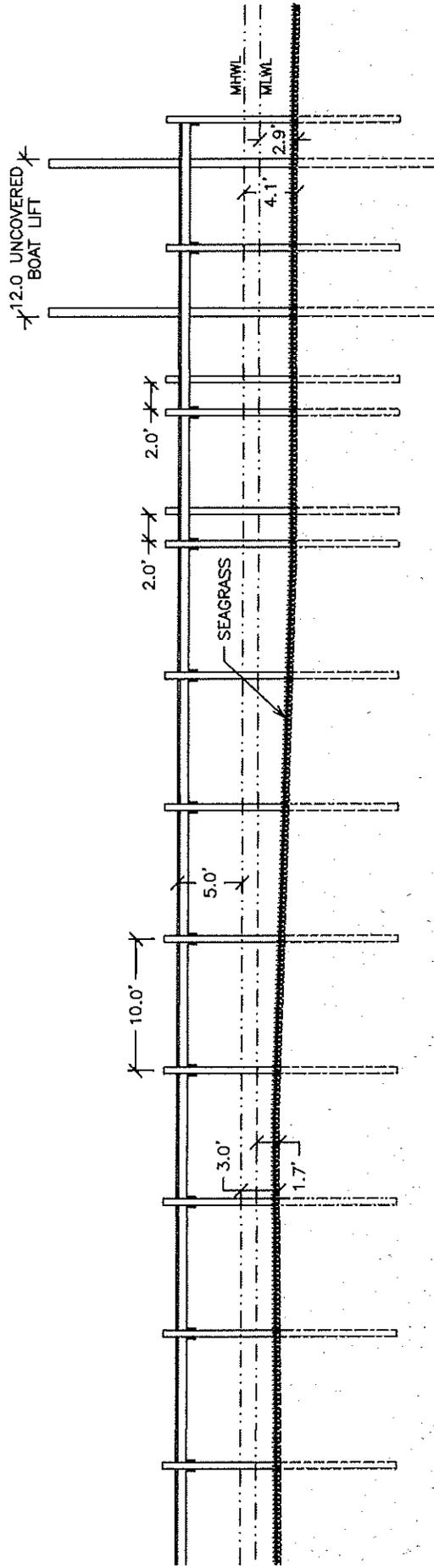
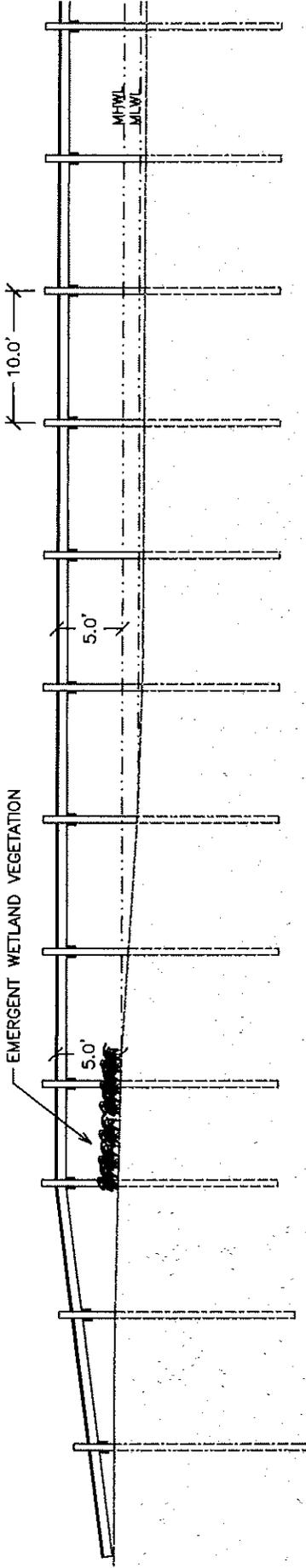




PROJECT NAME: 4129 E. MADURA ROAD DOCK
PLAN VIEW
PROJECT NO.: 2016-086
DRAWN BY: JAT      DATE: 3/4/2016
SHEET: 3 OF 5

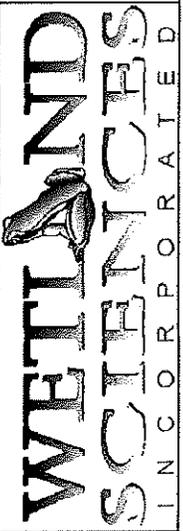
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 PENSACOLA, FLORIDA 32507  
 TEL: 850.453.4700  
 JTAYLOR@WETLANDSCIENCES.COM

**WETLAND SCIENCES**  
 INCORPORATED

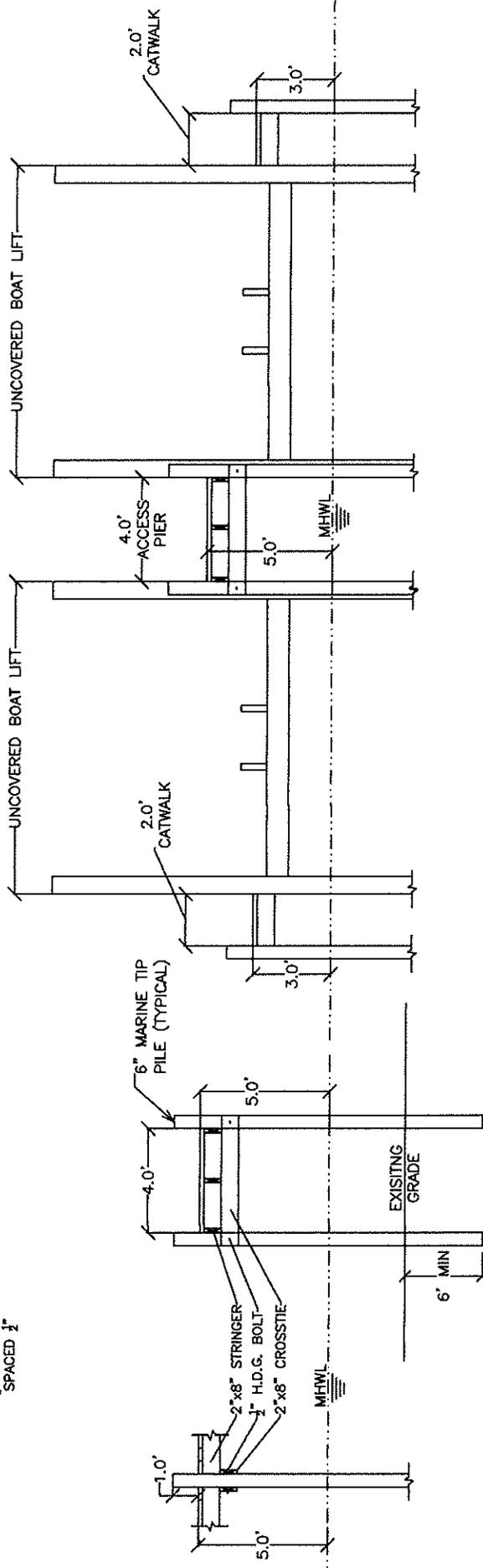
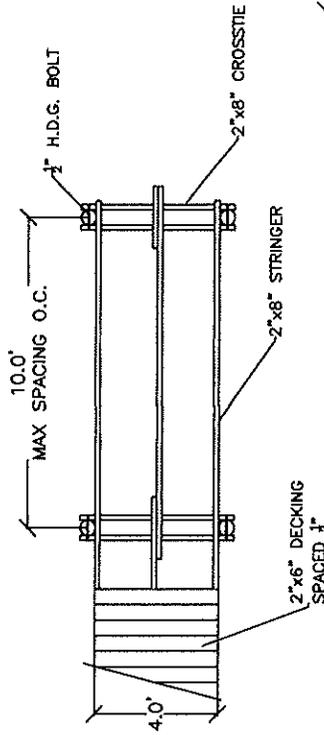


PROJECT NAME: 4129 E. MADURA ROAD DOCK
DOCK PROFILE (TYPICAL)
PROJECT NO.: 2016-086
DRAWN BY: JAT DATE: 3/4/2016
SHEET: 4 OF 5

ENVIRONMENTAL CONSULTANTS  
 3308 GULF BEACH HIGHWAY  
 PENSACOLA, FLORIDA 32507  
 TEL: 850.453.4700  
 JTAYLOR@WETLANDSCIENCES.COM



SCALE: 1" = 12 Feet



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 JTAYLOR@WETLANDSCIENCES.COM

PROJECT NAME: 4129 E. MADURA ROAD DOCK  
 DOCK DETAILS (TYPICAL)  
 PROJECT NO.: 2016-086  
 DRAWN BY: JAT DATE: 3/4/2016  
 SHEET: 5 OF 5



SCALE: 1" = 6 Feet