

2012-V-053

Project Name: n/a

Applicant and/or Property
Owner: Sterling & Jacqueline Belford

Representative: n/a

Request: Variance to reduce the western accessory
building setback from 5 feet to 3 feet to
accommodate a gazebo (LDC 2.10.05.B.2)

Zoning District: AG (Agriculture)

STAFF ANALYSIS

Variance 2012-V-053

I. **Applicant:**

Sterling & Jacqueline Belford

II. **Proposed Location:**

2723 Wallace Lake Road, Pace; this property is located north of Qunitette Road, south of Woodbine Road, on the south side of Wallace Lake Road in the Pace community (Parcel number 13-2N-30-0000-00146-0000)

III. **Request:**

Variance to reduce the western accessory building setback from 5 feet to 3 feet to accommodate a gazebo (LDC 2.10.05.B.2)

IV. **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)

V. **2.04.00 SPECIAL EXCEPTIONS AND VARIANCES:** The Zoning Board 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 **Is this criterion met?**

STAFF ANALYSIS

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.

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 applicants are seeking relief from the Ordinance regulating side setbacks for accessory structures.

The request is to reduce the western accessory building side setback from 5 feet to 3 feet to accommodate an existing gazebo on the property.

The applicant used the existing privacy fence of the adjacent neighbor to determine setbacks for construction of the gazebo. After the survey company came and marked the property line, the existing privacy fence of the adjacent neighbor shows to be located several feet inside the property line. This resulted in skewed measurements with regard to the setbacks for the gazebo that has been constructed.

Survey markers along the property line were used to determine measurements for the Variance request before the Zoning Board.

STAFF ANALYSIS

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 serves merely as 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?

YES

Staff Analysis: The authorization of this variance will not impair an adequate supply of light and air to adjacent property, increase congestion to public streets, or impair the public's safety.

It is unknown whether 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

Is this criterion met?

STAFF ANALYSIS

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.

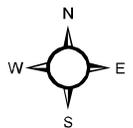
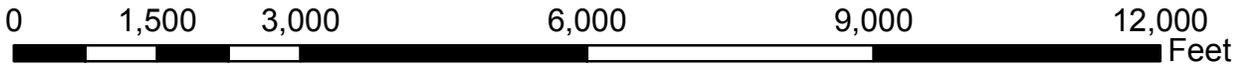
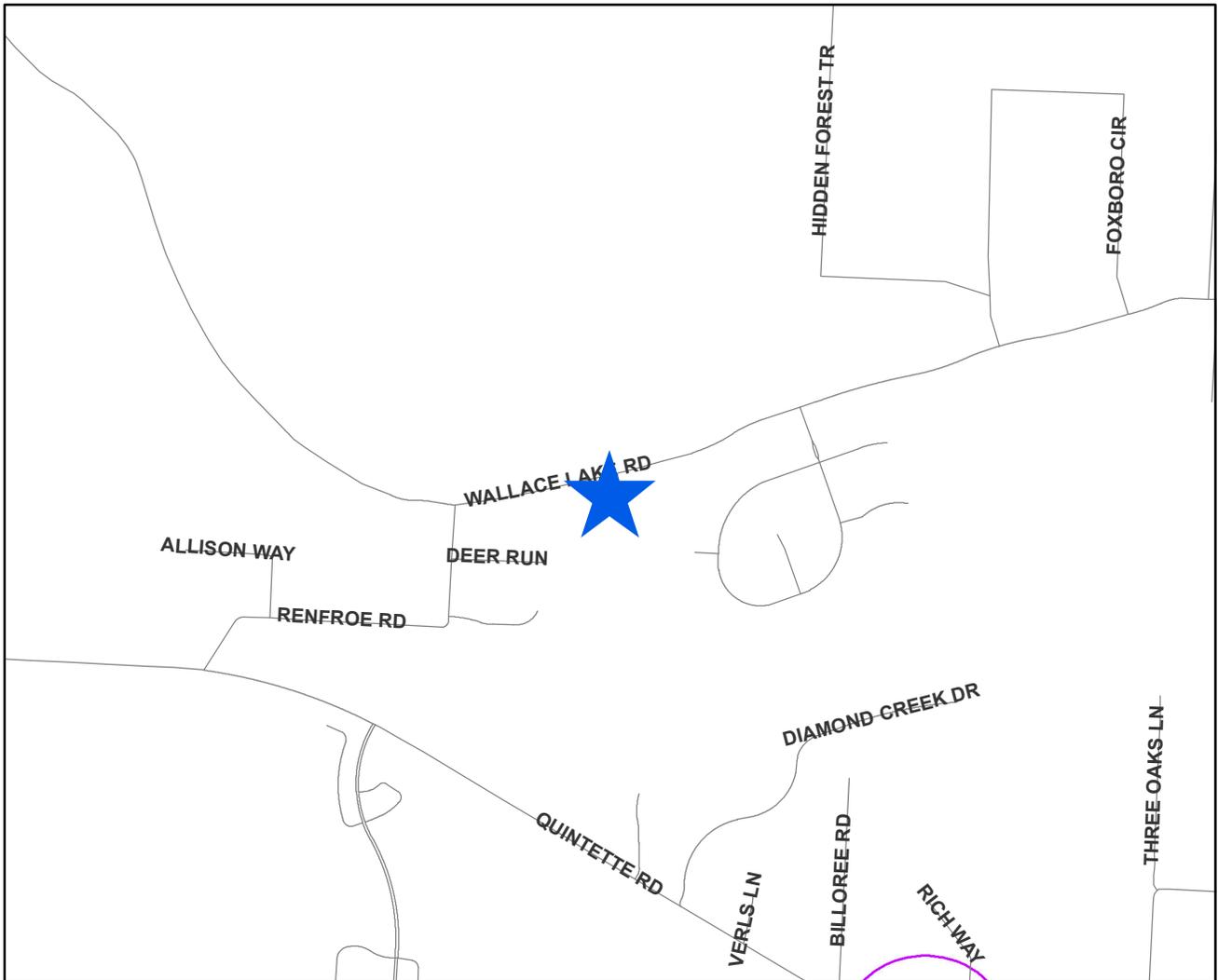
Additionally, variances from access management connection standards may be granted where the effect of the variance would be to enhance the safety or operation of the roadway.

N/A

Staff Analysis: The proposed request does not apply to the reduction of parking or loading requirements nor does it apply to access management standards which would affect the safety or operation of the roadway.

2012-V-053

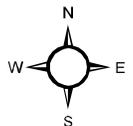
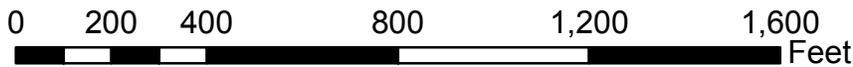
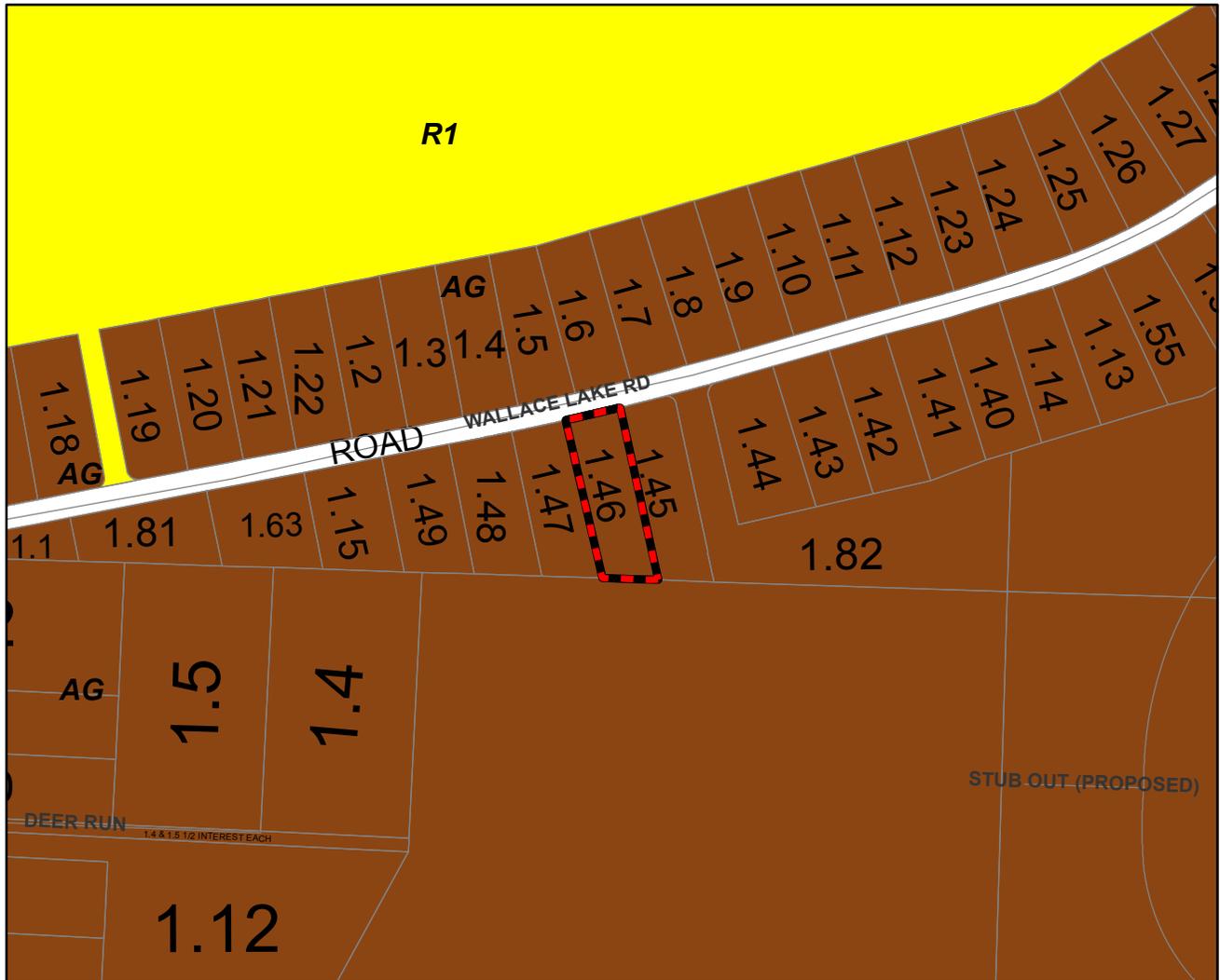
Location



Disclaimer:

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Zoning



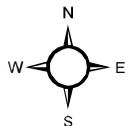
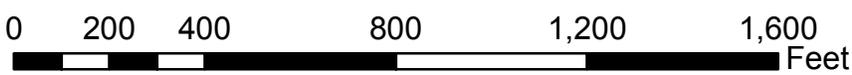
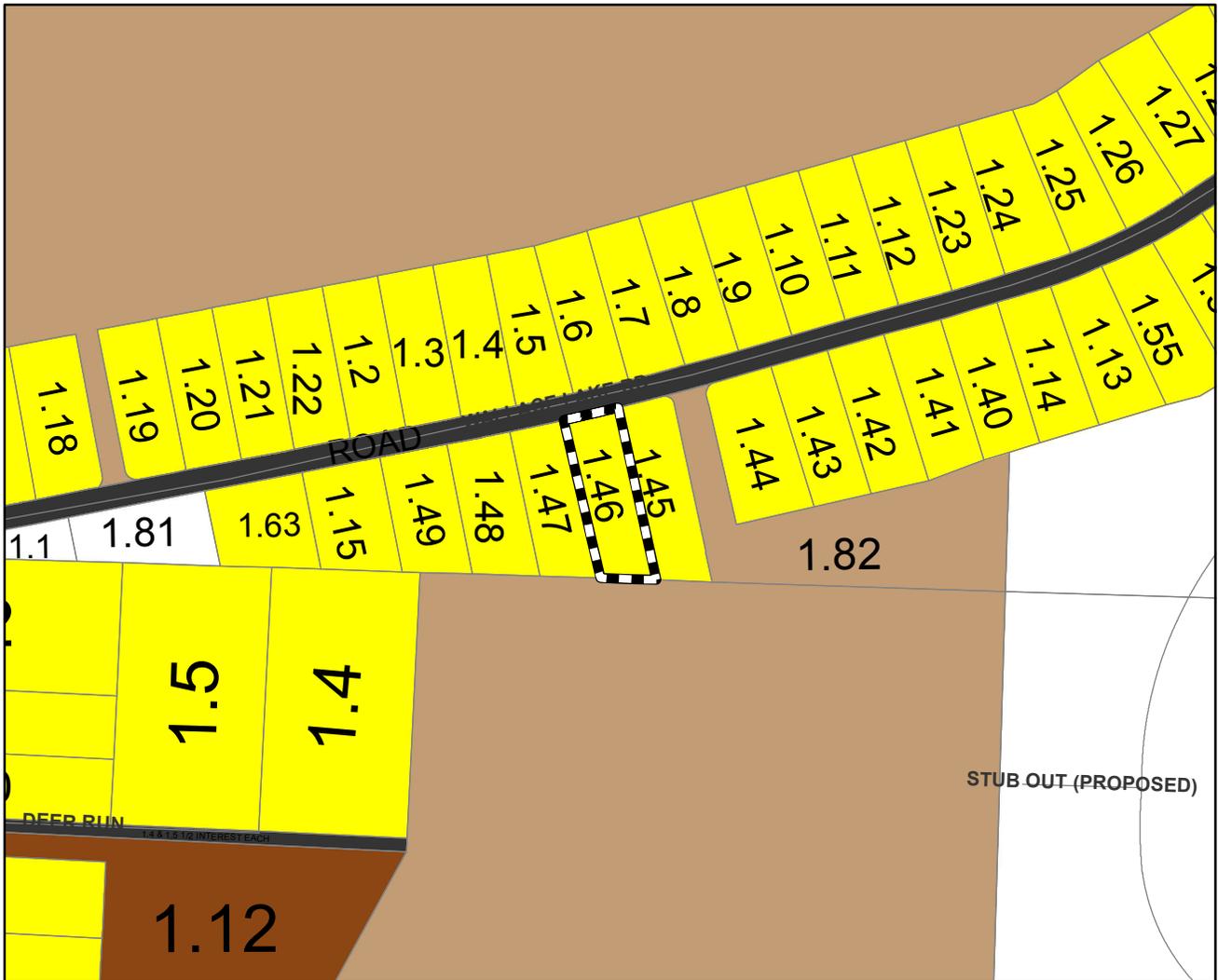
Legend

Pending BOA	M1 within the Heart of Navarre (M1-HON)	R1 within the Heart of Navarre (R1-HON)	Navarre Beach - Commercial
Agriculture/Rural Residential (AG)	General Industrial (M-2)	Single Family Residential (R-1A)	Hotel - Navarre Beach
AG within an Accident Potential Zone (AG-APZ)	M2 within an Accident Potential Zone (M2-APZ)	Mixed Residential Subdivision (R-1M)	Navarre Beach - High Density
Agriculture (AG2)	Planned Industrial Development (PID)	R1M within an Accident Potential Zone (R1M-APZ)	Navarre Beach - Medium Density
AG2 within an Accident Potential Zone (AG2-APZ)	Neighborhood Commercial (NC)	R1M within the Heart of Navarre (R1M-HON)	Navarre Beach - Planned Mixed Use Development
Marina (C-1M)	NC-APZ	Medium Density Residential (R-2)	Navarre Beach - Conservation/Recreation
Marina and Yacht Club (C-2M)	NC within the Heart of Navarre (NC-HON)	R2 within an Accident Potential Zone (R2-APZ)	Navarre Beach - Single Family
Historical/Commercial (HC-1)	Passive Park (P-1)	R2 within the Heart of Navarre (R2-HON)	Navarre Beach - Medium High Density
Highway Commercial Development (HCD)	P1 within the Heart of Navarre (P1-HON)	Medium Density Mixed Residential (R-2M)	Navarre Beach - Utilities
HCD within an Accident Potential Zone (HCD-APZ)	Active Park (P-2)	R2M within an Accident Potential Zone (R2M-APZ)	State
HCD within the Heart of Navarre (HCD-HON)	P2 within an Accident Potential Zone (P2-APZ)	R2M within the Navarre Town Center (R2M-NTC)	State within an Accident Potential Zone (STATE-APZ)
HCD with the Navarre Town Center (HCD-NTC)	P2 within the Heart of Navarre (P2-HON)	Medium High Density Residential (R-3)	RAIL
Historical/Single Family (HR-1)	Planned Business District (PBD)	Rural Residential Single Family (RR-1)	Right of Ways
Historical/Multiple Family (HR-2)	Planned Unit Development (PUD)	RR1 within an Accident Potential Zone (RR1-APZ)	Military
Restricted Industrial (M-1)	Single Family Residential (R-1)	Navarre Town Center 1 (TC1)	Water
M1 within an Accident Potential Zone (M1-APZ)	R1 within an Accident Potential Zone (R1-APZ)	Navarre Town Center 2 (TC2)	Municipal Boundaries

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2012-V-053
Existing Land Use

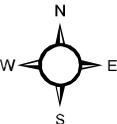
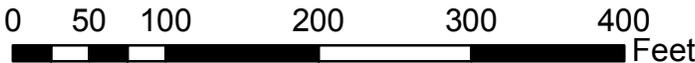


Legend

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

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Legend



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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>2012 -V- 053</u>	Date Received: _____
Review Fee: _____	Receipt No.: _____
Zoning District: <u>AG</u>	FLUM Designation: _____

V. Dist 3

Property Owner Property Owner Name: STERLING & JACQUELINE BELFORD
 Address: 2723 WALLACE LAKE ROAD
PACE, FL 32571-9169
 Phone: 850 995 9292 Fax: _____
 Email: Sterlingbelford@att.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): 13-ZN-30-0000-00146-0000
 -OR-
 Street Address of property for which the Variance is requested:

Variance Request

What is the present use of the property? PRIMARY RESIDENCE

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

ACCESSORY STRUCTURE (PATIO/STANDALONE) SETBACK
PATIO SLAB 20'x20' ~~SQUARE~~ WITH COVER
Variance request to side setback 5' to 2'

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

A COMPLAINT SENT IN BY A NEIGHBOR WITH A CONCERN THAT MY PATIO STRUCTURE WAS OVER THE
SIDE PROPERTY LINE PARAMETERS. A VARIANCE (ADMINISTRATIVE)
WAS GRANTED ON AUGUST 21, 2012, BUT THE NEIGHBOR TOOK IT A BIT FAR.

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.

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.

STERLING E BELFORD
Applicant Name (Type or Print)


Applicant Signature

Title (if applicable)

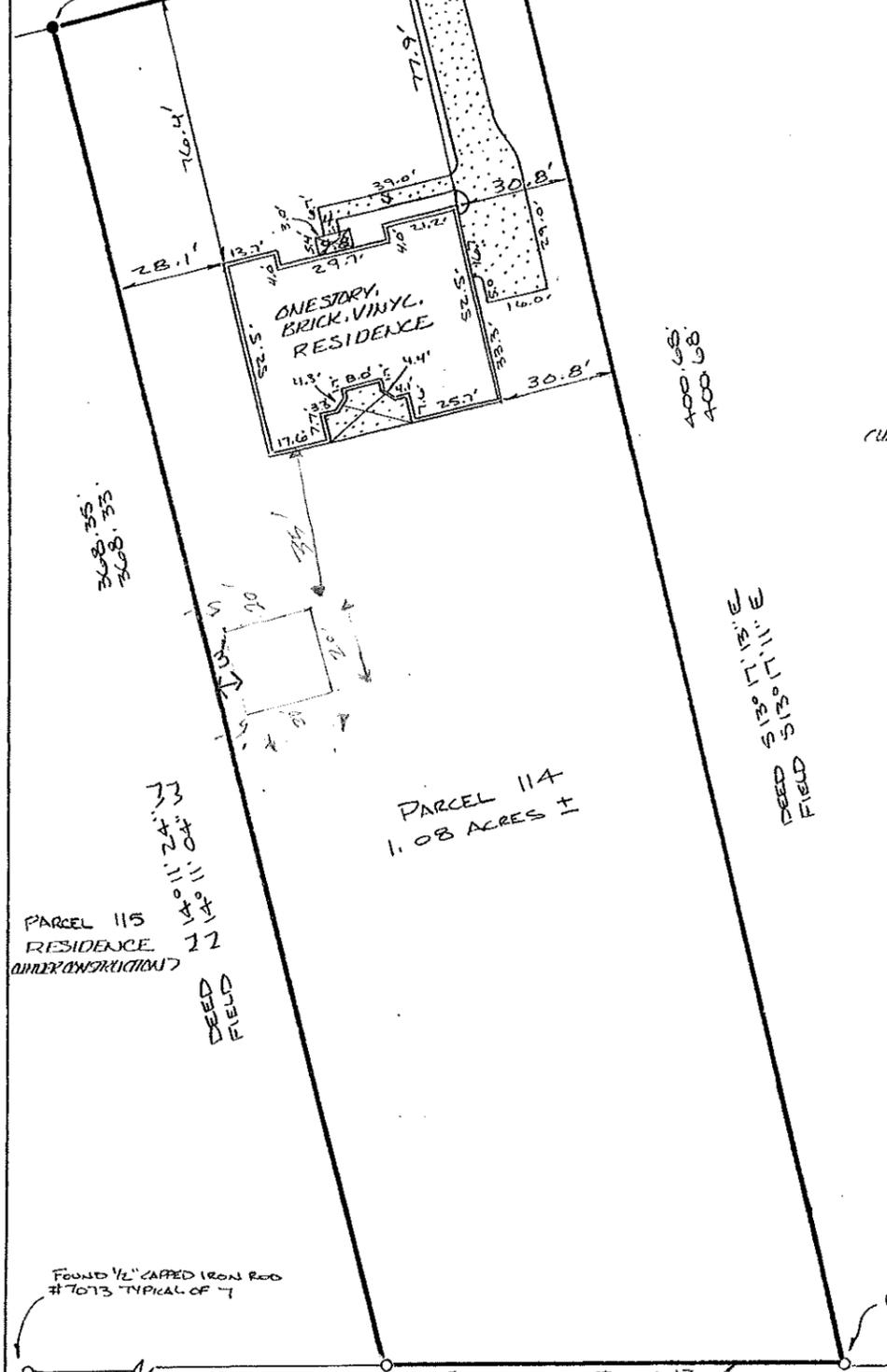
Date



*Sterling E. Belford
Jacqueline Belford*

POINT OF COMMENCEMENT
N. 1/2 CORNER OF WEST 1/2 OF
SECTION 18

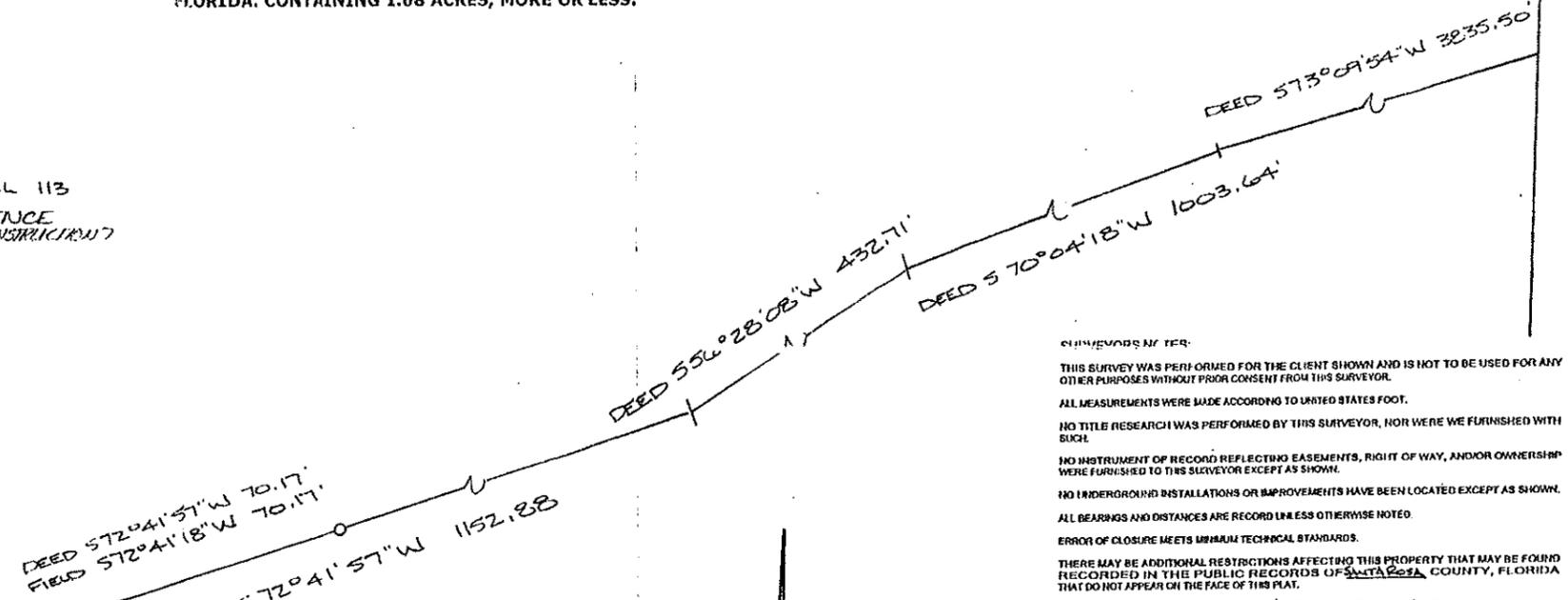
WALLACE LAKE ROAD
60' RIGHT-OF-WAY
DEED RADIUS = 6789.87'
DELTA = 01° 03' 17"
ARC = 125.00'
CHORD BEARING = N75° 16' 57" E
CHORD DISTANCE = 125.00'



DESCRIPTION:
PARCEL 114
COMMENCE AT THE NORTHEAST CORNER OF THE WEST HALF OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 29 WEST, SANTA ROSA COUNTY, FLORIDA;
THENCE SOUTH 01 DEGREES 29 MINUTES 48 SECONDS WEST ALONG THE EAST LINE OF SAID WEST HALF FOR A DISTANCE OF 3077.95 FEET;
THENCE SOUTH 73 DEGREES 09 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 3835.50 FEET;
THENCE SOUTH 70 DEGREES 04 MINUTES 18 SECONDS WEST FOR A DISTANCE OF 1003.64 FEET;
THENCE SOUTH 56 DEGREES 28 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 432.71 FEET;
THENCE SOUTH 72 DEGREES 41 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 1152.88 FEET;
THENCE SOUTH 13 DEGREES 17 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 104.95 FEET TO THE SOUTH LINE OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 30 WEST, SANTA ROSA COUNTY, FLORIDA;
THENCE NORTH 89 DEGREES 29 MINUTES 34 SECONDS WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 128.71 FEET TO THE POINT OF BEGINNING.
THENCE CONTINUE NORTH 89 DEGREES 29 MINUTES 34 SECONDS WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 122.69 FEET;
THENCE NORTH 14 DEGREES 11 MINUTES 24 SECONDS WEST FOR A DISTANCE OF 368.35 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF WALLACE LAKE ROAD (60' R/W), SAID POINT BEING ON A CIRCULAR CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 6789.87 FEET AND DELTA ANGLE OF 01 DEGREES 03 MINUTES 17 SECONDS;
THENCE NORTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND CURVE FOR AN ARC DISTANCE OF 125.00 FEET (CHORD DISTANCE OF 125.00 FEET AND CHORD BEARING OF NORTH 75 DEGREES 16 MINUTES 57 SECONDS EAST);
THENCE SOUTH 13 DEGREES 17 MINUTES 13 SECONDS EAST A DISTANCE OF 400.68 FEET TO THE POINT OF BEGINNING.

ALL LYING AND BEING IN SECTION 13, TOWNSHIP 2 NORTH, RANGE 30 WEST, SANTA ROSA COUNTY, FLORIDA, CONTAINING 1.08 ACRES, MORE OR LESS.

EAST LINE OF WEST HALF
DEED S01°29'48"W 3077.95'



CLAIMED BY:
THIS SURVEY WAS PERFORMED FOR THE CLIENT SHOWN AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT PRIOR CONSENT FROM THIS SURVEYOR.
ALL MEASUREMENTS WERE MADE ACCORDING TO UNITED STATES FOOT.
NO TITLE RESEARCH WAS PERFORMED BY THIS SURVEYOR, NOR WERE WE FURNISHED WITH SUCH.
NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.
NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
ALL BEARINGS AND DISTANCES ARE RECORD UNLESS OTHERWISE NOTED.
ERROR OF CLOSURE MEETS MINIMUM TECHNICAL STANDARDS.
THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND RECORDED IN THE PUBLIC RECORDS OF SANTA ROSA COUNTY, FLORIDA THAT DO NOT APPEAR ON THE FACE OF THIS PLAN.
BASIS OF BEARING: N89°29'34"W FOR THE SOUTH LINE OF SECTION 13 PER DEED
REFERENCE SOURCE: FIELD WORK AND EXISTING FIELD MONUMENTATION; COPIES DESCRIPTION AS FURNISHED; COPY OF TAX MAP
EASEMENTS ARE AS SHOWN

CERTIFY TO:
STERLING E. BELFORD AND JACQUELINE BELFORD
USAA FEDERAL SAVINGS BANK
WESTCOR LAND TITLE INSURANCE COMPANY
LITVAK BEASLEY & WILSON

LICENSE BUSINESS NO. 7092

ADDRESS: 2723 WALLACE LAKE ROAD
REQUESTED BY: JOHNNY CRISCO
TYPE: BOUNDARY/HOUSESTAKE
SECTION: 13 TOWNSHIP: 2 NORTH RANGE: 30 WEST COUNTY: SANTA ROSA
SCALE: 1"=30' FIELD DATE: 03-19-05 DRAWN BY: M.S. CREW: R.W.
DATE: 04-23-05 FIELD BOOK: 157 PAGE: 41
REVISION DATE: 04-26-05 FOUNDATION, FINAL SURVEY OF 2705

SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 81G17-6, FLORIDA ADMINISTRATION CODE, PURSUANT TO SECTION 472.021, FLORIDA STATUTES.

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RACED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

DAVID HARRY SWINNEY
PROFESSIONAL SURVEYOR AND MAPPER NO. 6641
STATE OF FLORIDA

DRAWING NUMBER:
05-7614

DEED N89°29'34"W 414.68' DEED N89°29'34"W 122.69' DEED N89°29'34"W 128.71'
FIELD N 89° 30' 02"W 444.71' FIELD N89°29'19"W 122.73' FIELD N89°28'11"W 128.73'
VACANT WOODS
BASE BEARING N 89° 29' 34" W DEED 696.08' FIELD 696.17'

SWINNEY & ASSOCIATES, INC.
218 HENRY STREET
PENSACOLA, FLORIDA 32507
(850) 453-4281 FAX: (850) 458-2630
D.SVINNEY@WORLDNET.ATT.NET