

2012-CU-016

Project Name: n/a

Applicant and/or
Property Owner: James Ray Clark, Jr.

Request: Conditional use to allow an RV to be temporarily used as living quarters during a construction project (LDC 6.04.04.C)

Zoning District: R-1 (Single Family Residential)

Conditional Use 2012-CU-016

I. **Applicant:**

James Ray Clark, Jr.

II. **Request:**

Conditional use to allow an RV to be temporarily used as living quarters during a construction project (LDC 6.04.04.C)

III. **Proposed Location:**

797 Dolphin Road, Milton; this property is located west of Avalon Boulevard, west of Haddock Road, on the west side of Dolphin Road, directly on Escambia Bay (Parcel No. 28-1S-28-1070-0000-0280)

IV. **Land Development Code Criteria:**

6.09.00

CONDITIONAL USES

6.09.01 General Provisions Regulating Conditional Uses: A conditional use shall be reviewed by the Zoning Board of Adjustments and a recommendation for approval made to the Board of County Commissioners provided the Board finds that the use:

- A. Is so designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected;
- B. Will not unduly adversely affect other property in the impacted area which it is located;
- C. Is consistent with the Goals, Objectives, and Policies of the Santa Rosa County Comprehensive Plan;
- D. Satisfies criteria stipulated for similar uses as described in the following section.

6.09.02 Criteria Regulating Conditional Uses: All approved conditional uses shall be developed and maintained as approved by the Board of County Commissioners as applicable. Failure to do so shall constitute a violation of this ordinance. In addition to the general provisions cited above, a conditional use shall be permitted by the Board of County Commissioners provided the Board finds that the proposed conditional use complies with the following requirements.

6.04.04 Uses and Parking of Recreational Vehicles: As of the adoption date of this ordinance, the use of recreational vehicles as permanent living quarters is forbidden, except in duly licensed campgrounds and in P-2 districts. Unoccupied recreational vehicles may be stored in residential districts on the same lot as the principal residential structure. In addition, recreational vehicles may be used as temporary living quarters in accordance with the following:

C. Conditional Use may be granted for recreation vehicles to be temporarily used as living quarters during a construction project, in accordance with the following Conditional Use criteria:

1. For sites located in residential zones, the proposed use shall be used by the property owner during the construction of the primary residence.
2. For sites located in commercial and industrial zones, the use may be allowed for security purposes during a construction project, with the maximum number of occupants of the recreational vehicle being limited to two (2).
3. A permit is required for the temporary use of the recreational vehicle.
4. Only one (1) recreational vehicle can be located and used as a temporary living quarter per lot of record or project parcel.
5. An active building permit must be in place and construction must be actively underway.
6. The recreational vehicle must be located on private property in such a way as to not interfere with the use or enjoyment of any adjacent public or private property,
7. All waste must be disposed of in a lawful manner.
8. All electrical or utility connections to the recreational vehicle must be properly permitted.
9. Recreational vehicles used on properties located in flood zones must remain ready for immediate highway use.
10. The use of the recreational vehicle as a living quarter may in no case exceed 12 months and must cease with fourteen days of the issuance of the first certificate of Page 6–17 occupancy.

V. **LDC 6.04.04 Uses and Parking of Recreational Vehicles: As of the adoption date of this ordinance, the use of recreational vehicles as permanent living quarters is forbidden, except in duly licensed campgrounds and in P-2 districts. Unoccupied recreational vehicles may be stored in residential districts on the same lot as the principal residential structure. In addition, recreational vehicles may be used as temporary living quarters in accordance with the following:**

C. Conditional Uses may be granted for recreational vehicles to be used as temporary living quarters during a construction project, in accordance with the following conditional use criteria:

1. For sites located in residential zones, the proposed use shall be used by the property owner during the construction of the primary residence.

Is this criterion met?

YES

Staff Analysis: The applicant, who owns the property, intends to live in the RV with his wife during the construction of their home.

2. For sites located in commercial and industrial zones, the use may be allowed for security purposes during a construction project, with the maximum number of occupants of the recreational vehicle being limited to two (2).

Is this criterion met?

N/A

Staff Analysis: This property is located within Single Family Residential zoning. This criterion does not apply to the request.

3. A permit is required for the temporary use of the recreational vehicle.

Is this criterion met?

YES

Staff Analysis: The applicant is aware of the permit requirements and intends to comply with the requirements.

The applicant currently resides at the Avalon Landing RV Park while awaiting a permit that will allow him to use an RV on his lot.

4. Only one (1) recreational vehicle can be located and used as a temporary living quarter per lot of record or parcel project.

Is this criterion met?

YES

Staff Analysis: Only one recreational vehicle will be located and used as temporary living quarters during the construction of the residence.

5. An active building permit must be in place and construction must be actively underway.

Is this criterion met?

NO

Staff Analysis: The applicant is aware of the criteria which will enable his daily use of the RV during the construction of his residence.

Per the application criteria, it is the applicant's intent to file for a residential building permit. The applicant is in the process of acquiring a building permit. He is currently having the plans engineered; floor and roof truss engineering is complete. The plans will be submitted to the Building Department once the engineer has completed the plans. Engineering should be complete by early to mid November (per the application).

6. The recreational vehicle must be located on private property in such a way as to not interfere with the use or enjoyment of any adjacent public or private property.

Is this criterion met?

YES

Staff Analysis: The RV will be located on private property and

in such a manner as to not interfere with the use and enjoyment of the adjacent private property and public roadways.

7. All waste must be disposed of in a lawful manner.

Is this criterion met?

YES

Staff Analysis: The applicant intends to dispose of applicable waste per County regulation.

8. All electrical or utility connections to the recreational vehicle must be properly permitted.

Is this criterion met?

YES

Staff Analysis: All electrical or utility connections to the RV will be properly permitted.

9. Recreational vehicles used on properties located in flood zones must remain ready for immediate highway use.

Is this criterion met?

YES

Staff Analysis: The RV will always be ready for immediate highway use.

10. The use of the recreational vehicle as a living quarter may in no case exceed 12 months and must cease with fourteen days of the issuance of the first certificate of occupancy.

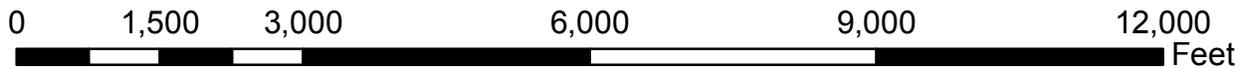
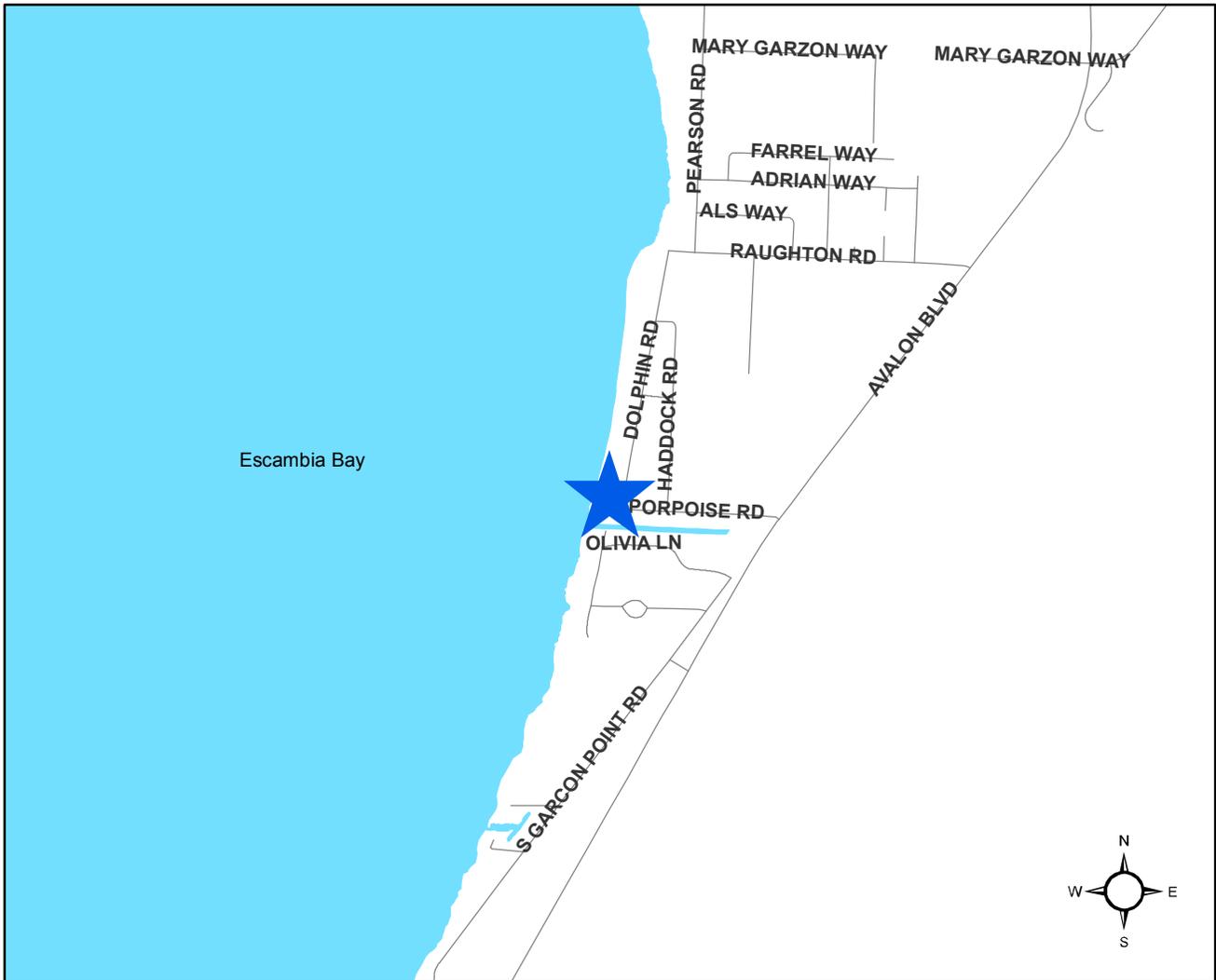
Is this criterion met?

YES

Staff Analysis: The applicant intends to complete construction of the residence within 12 months.

2012-CU-016

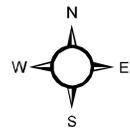
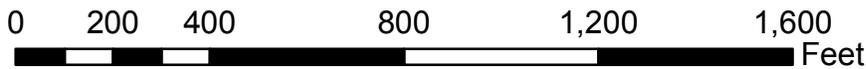
Location



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2012-CU-016 Zoning



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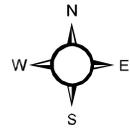
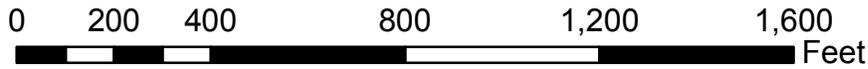
Agriculture/Rural Residential (AG)	General Industrial (M-2)	Single Family Residential (R-1A)	Hotel - Navarre Beach
AG within an Accident Potential Zone (AG-APZ)	M2 within an Accident Potential Zone (M2-APZ)	Mixed Residential Subdivision (R-1M)	Navarre Beach - High Density
Agriculture (AG2)	Planned Industrial 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
M1 within the Heart of Navarre (M1-HON)	R1 within the Heart of Navarre (R1-HON)	Navarre Beach - Commercial	

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2012-CU-016

Existing Land Use



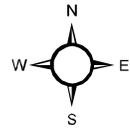
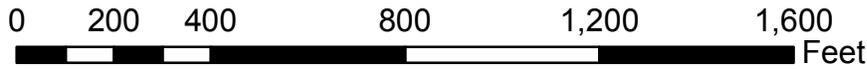
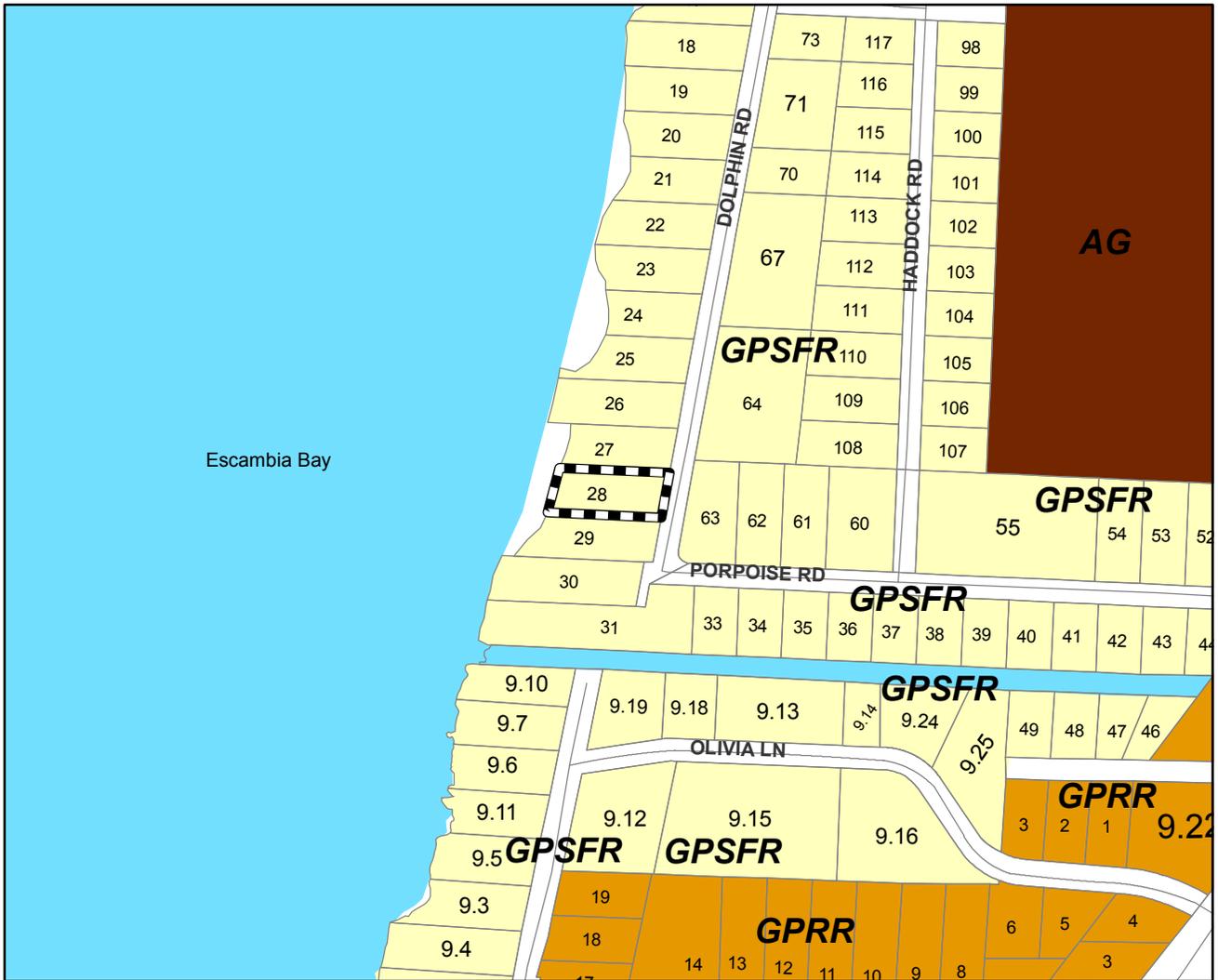
Legend

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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2012-CU-016 Future Land Use Map



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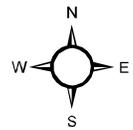
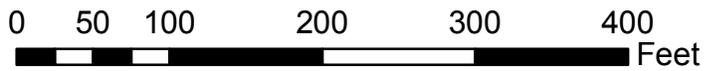
Pending BOA	GP RURAL RESIDENTIAL (GPRR)	NAVARRE BEACH MEDIUM DENSITY RESIDENTIAL (NBMDR)
AGRICULTURE (AG)	BAGDAD HISTORIC DISTRICT (HIS)	NAVARRE BEACH MEDIUM/HIGH DENSITY RESIDENTIAL (NBMHDR)
SINGLE FAMILY RESIDENTIAL (SFR)	INDUSTRIAL (INDUS)	NAVARRE BEACH HIGH DENSITY RESIDENTIAL (NBHDR)
MEDIUM DENSITY RESIDENTIAL	MARINA (MARINA)	NAVARRE BEACH MIXED RESIDENTIAL/COMMERCIAL (NBMR)
RESIDENTIAL (RES)	MILITARY (MIL)	NAVARRE BEACH UTILITIES (NBU)
COMMERCIAL (COMM)	MIXED RESIDENTIAL COMMERCIAL (MRC)	CITY
CONSERVATION/RECREATION (CON/REC)	NAVARRE BEACH COMMERCIAL (NBCOMM)	RAIL
GP SINGLE FAMILY RESIDENTIAL (GPSFR)	NAVARRE BEACH LOW DENSITY RESIDENTIAL (NBLDR)	WATER

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2012-CU-016

Aerial



Legend

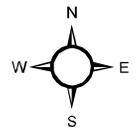
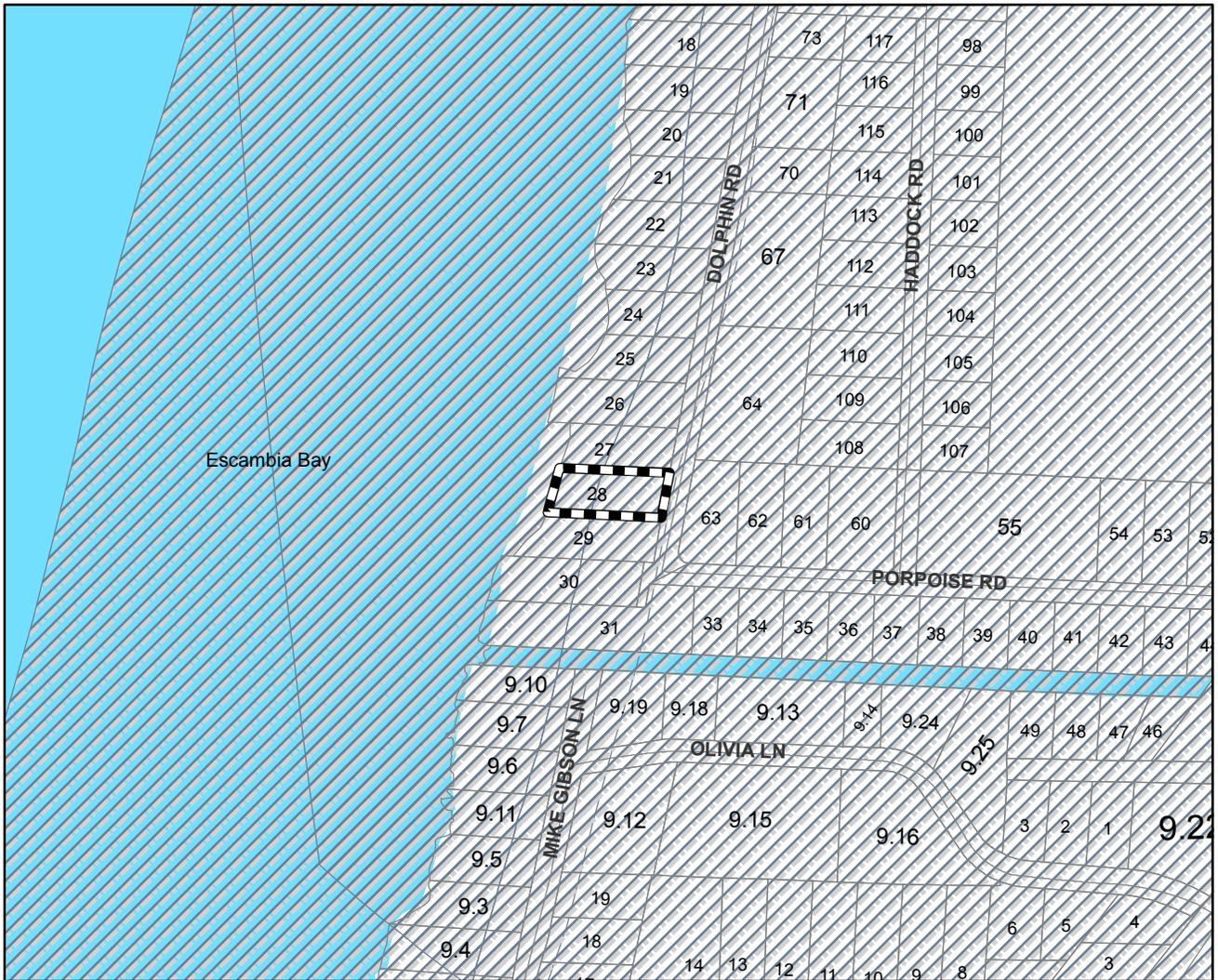


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2012-CU-016

Known Stormwater Problem Areas



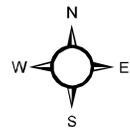
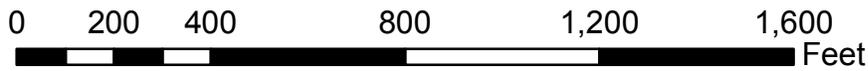
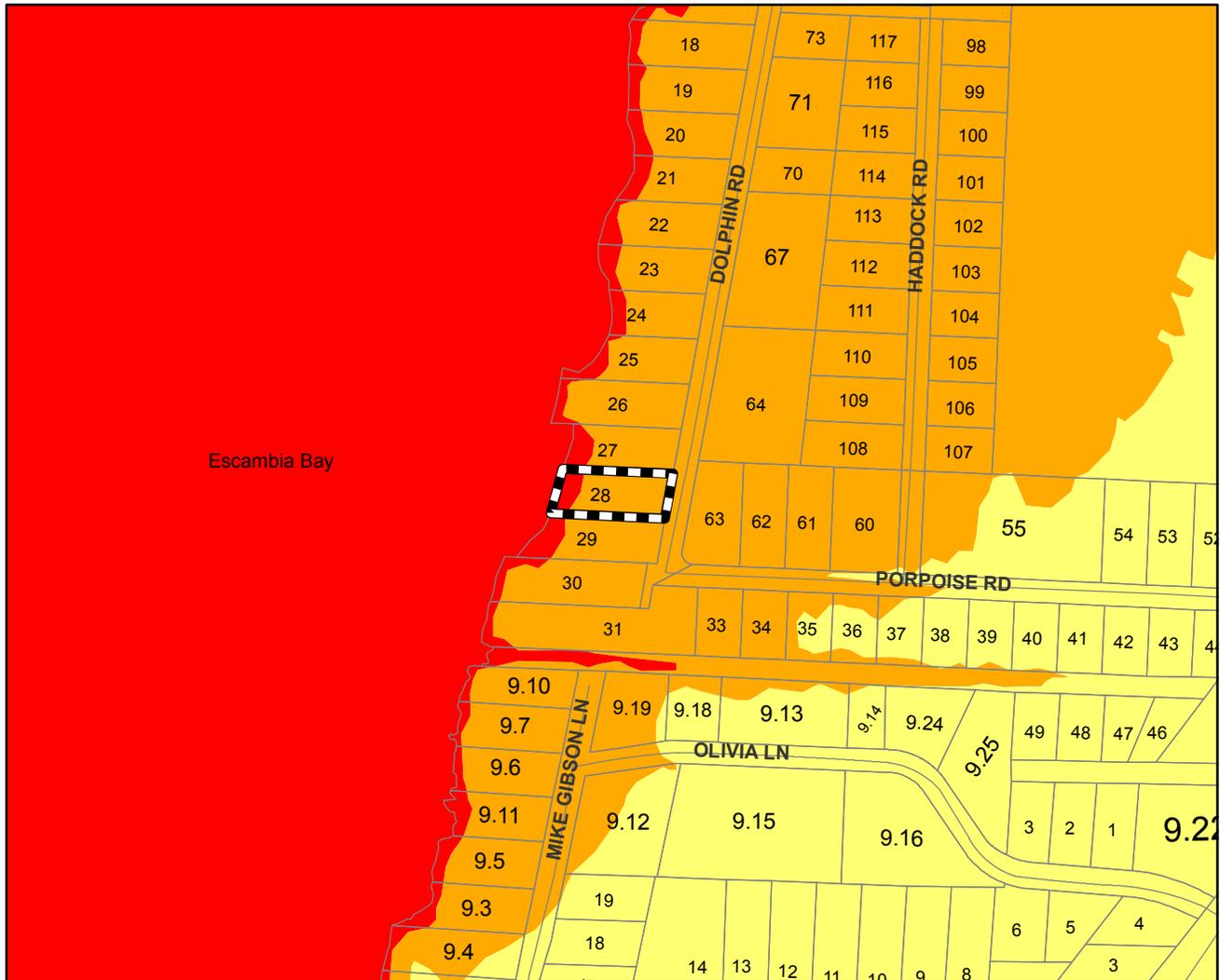
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- PendingBOA
- Stormwater Problem Area

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2012-CU-016 Surge Zone Data



Legend



Pending BOA
Santa Rosa County Storm Surge

Category Level

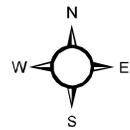
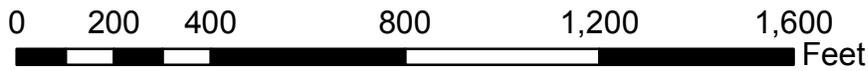
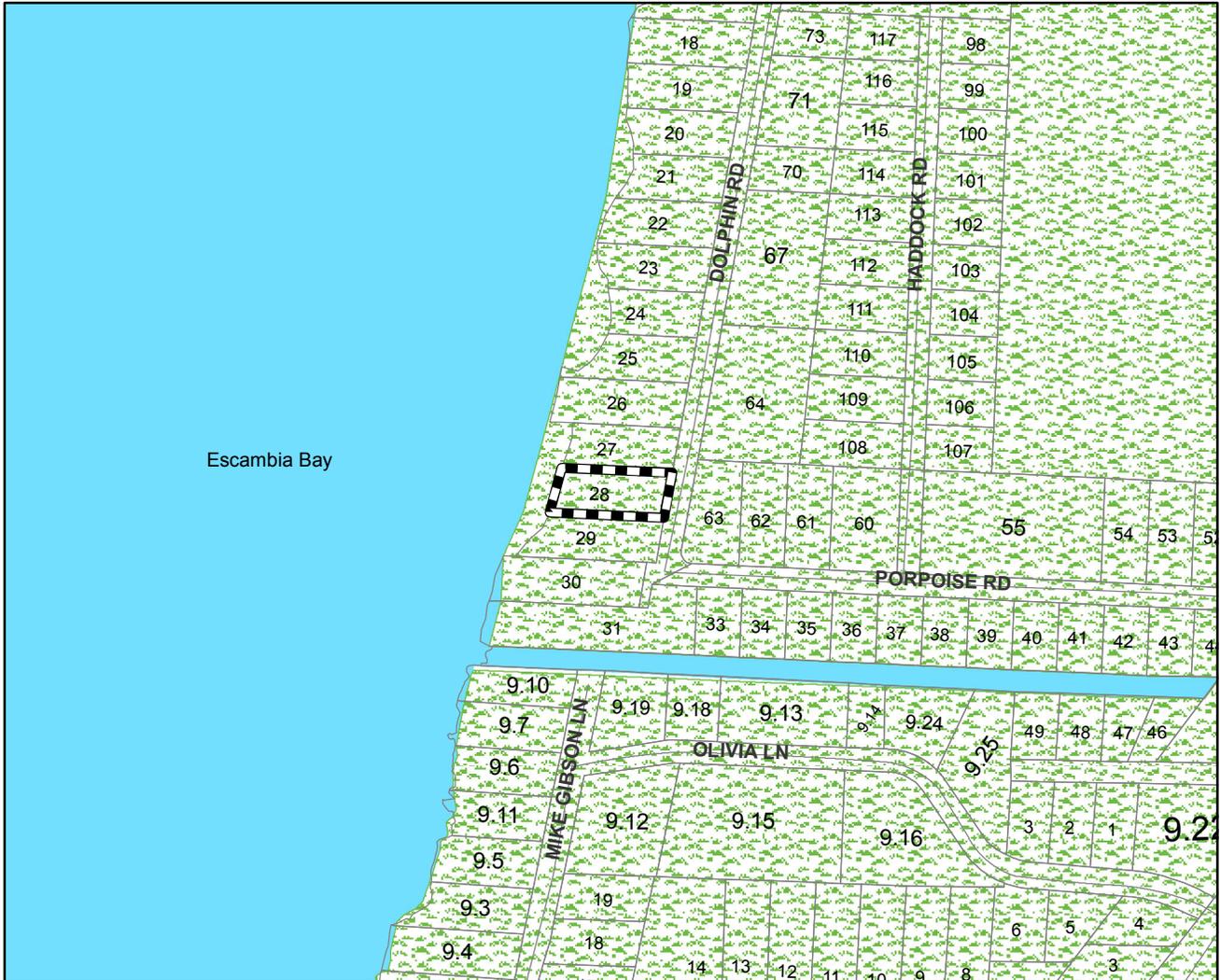
- 1
- 2
- 3
- 4
- 5

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2012-CU-016

Garcon Point Protection Area



Legend

-  PendingBOA
-  Garcon Point Protection Area
-  Hydro3

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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

Conditional Use Application

* November 2012

*Application Instructions begin on Page 4

** For Official Use Only **			
Application No.	2012 -CU- 16	Date Received:	10-5-12
Review Fee:		Receipt No.:	213
Zoning District:	R-1	Conditional Use	
FLUM Designation:	SFR	Request:	6.09.02

Property Owner

Property Owner Name: JAMES RAY CLARK Jr.

Address: 79 AVALON LANDING RV PARK
2444 AVALON BLVD MILTON FL 32583

Phone: 703 431 9371 Fax: _____

Email: JAM6RV@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 conditional use approvals.

Company: _____

Contact Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

Property Information

Parcel ID Number(s): 28-15-28-1070-00000-0280

-OR-

Street Address of property for which the Conditional Use is requested:

797 DOLPHIN Rd MILTON FL.

Parcel Size (acres): .6±

Conditional Use Request Please describe the requested conditional use. Attach a site plan showing the proposed development in as much detail as necessary to demonstrate that your request meets the criteria found in Section 6.09.02 (attached).

TEMPORARY PLACEMENT OF RV WHILE CONSTRUCTING SINGLE FAMILY RESIDENCE

Conditional

Use Criteria

I understand that all decisions made by the Zoning Board of Adjustments 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 Adjustments are valid for 36 months.

Yes No

Please read the attached conditional use information pertaining to your request and describe how your request meets the pertinent criteria. Attach additional sheets if necessary. RV ON SITE FOR NO LONGER

THAN 12 MONTHS DURING CONSTRUCTION OF HOUSE. WASTE WILL BE PROPERLY DISPOSED OF AND RV WILL BE READILY TOWABLE AND WILL HAVE PROPER PERMITTED ELECTRICAL & SEWER CONNECTIONS. THE RV WILL NOT INTERFERE WITH ADJACENT USE.

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.

JAMES RAY CLARK, JR.
Applicant Name (Type or Print)

James R. Clark, Jr.
Applicant Signature

Title (if applicable)

10/05/12
Date

6.04.04 Uses and Parking of Recreational Vehicles: As of the adoption date of this ordinance, the use of recreational vehicles as permanent living quarters is forbidden, except in duly licensed campgrounds and in P-2 districts. Unoccupied recreational vehicles may be stored in residential districts on the same lot as the principal residential structure. In addition, recreational vehicles may be used as temporary living quarters in accordance with the following:

C. Conditional Use may be granted for recreation vehicles to be temporarily used as living quarters during a construction project, in accordance with the following Conditional Use criteria:

1. For sites located in residential zones, the proposed use shall be used by the property owner during the construction of the primary residence.
1. This site is owned by me as is the RV. The purpose of the RV is for my and my wife's use during the construction of our house.
2. For sites located in commercial and industrial zones, the use may be allowed for security purposes during a construction project, with the maximum number of occupants of the recreational vehicle being limited to two (2).
2. This site is in a residential area.
3. A permit is required for the temporary use of the recreational vehicle.
3. I am currently located in Avalon Landing RV Park while awaiting a permit to allow use of my RV on my lot.
4. Only one (1) recreational vehicle can be located and used as a temporary living quarter per lot of record or project parcel.
4. I only have 1 RV and no others will be parked there.

5. An active building permit must be in place and construction must be actively underway.

5. I am in the process of acquiring a building permit, currently having the plans engineered to 150 mph standards and the floor and roof truss engineering is complete. When the structural engineering is complete the plans will be submitted to another engineer who will design the pilings. After this I will take the package to the county for permitting. This should be complete by early to mid November.

6. The recreational vehicle must be located on private property in such a way as to not interfere with the use or enjoyment of any adjacent public or private property.

6. The RV will be sited on my lot so as not to interfere with any use or enjoyment of the neighbor's property.

7. All waste must be disposed of in a lawful manner.

7. There will be a dumpster on site to dispose of ^{Construction} waste.

8. All electrical or utility connections to the recreational vehicle must be properly permitted.

8. Nothing will be done without proper permitting.

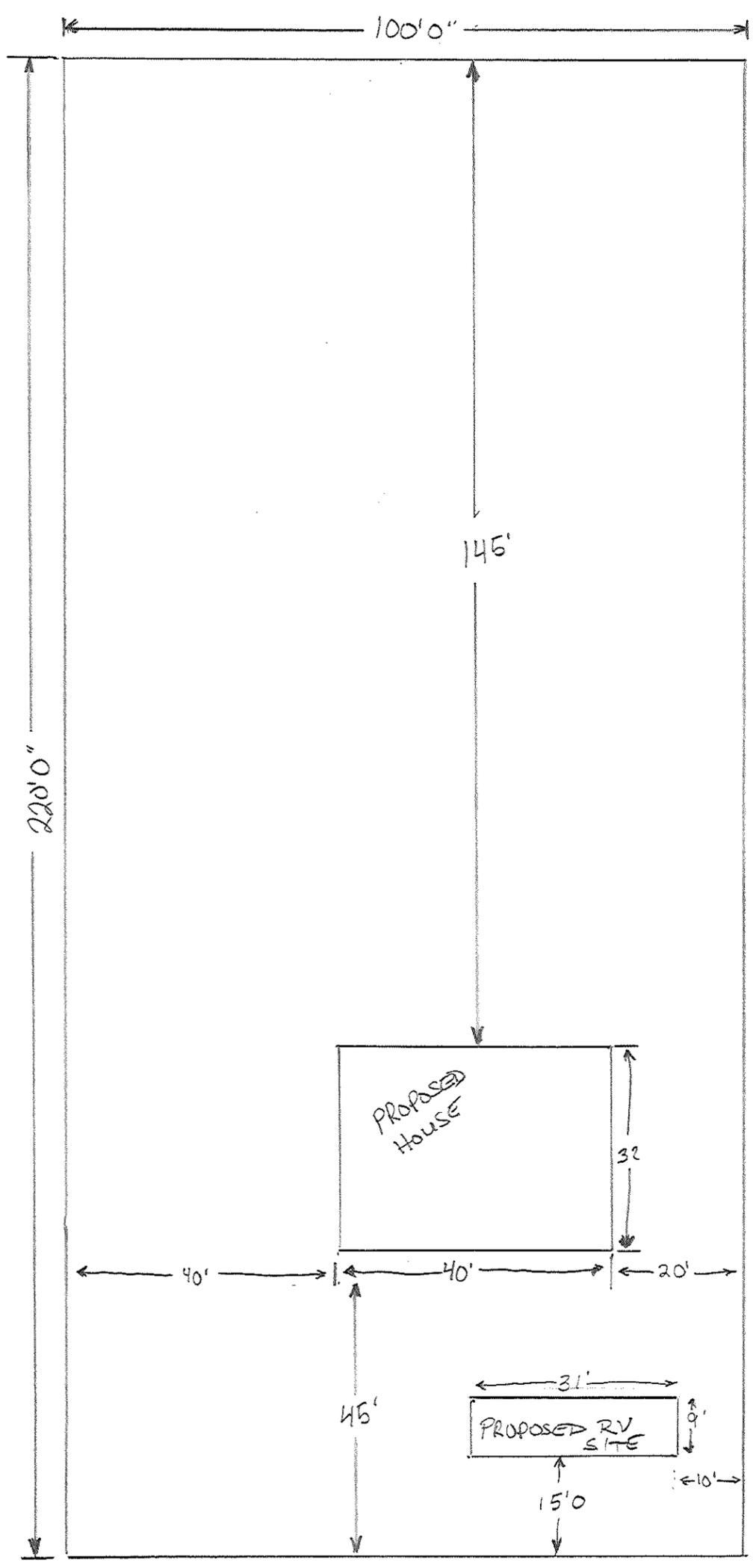
9. Recreational vehicles used on properties located in flood zones must remain ready for immediate highway use.

9. The RV will always be ready for immediate towing should the need arise.

10. The use of the recreational vehicle as a living quarter may in no case exceed 12 months and must cease with fourteen days of the issuance of the first certificate of occupancy.

10. The RV will not be used for habitation for longer than 12 months. I am building this house as I have our last 4 houses and never have taken longer than 6 months to complete the task.

ESCAMBIA BAY



DOLPHIN ROAD



SCALE 1" = 20'0"

797 DOLPHIN RD, MILTON FL. 32583

Kelly Hobbs

From: Jack Bonney [jack.bonney@att.net]
Sent: Monday, November 05, 2012 9:46 AM
To: ZB-William Merrill; ZB-Rob Williamson; ZB-Jim Waite; ZB-Paul Carnley; ZB-Lonnie Hawkins; ZB-David Powell; ZB-Carol Boston; ZB-Bill Seelmann; ZB-Alan Isaacson; ZB-Bill DuBois
Cc: Ken Barckett; Carolyn G Kumar; Leslie Statler; Kelly Hobbs; Beckie Cato
Subject: 2012-CU-016

Dear Zoning Board Members,

We received notification dated Oct 25, 2012, that a property owner, James Clark, Jr., intends to seek approval to put an RV on his property during construction of a home. We received the notification because our home is within 500 feet of the property requesting a Conditional Use.

Mr. and Mrs. Clark were kind enough to meet with us ahead of time and review their plans for the home they are going to build. I believe them to be sincere about their future construction and look forward to having them as our neighbors. As many of you know from past appearances at your meeting, support of the change in the Land Development Code has always been contingent upon meeting all of the conditions of the code- which is to require that plans exist and a building permit be issued. When Mr. Clark met with us he fully intended to be in a position to meet all of the requirements of the Conditional Use prior to his applying for it. However, circumstances prevented that from happening. Since his home will be a waterfront construction on pilings the engineering has taken longer than expected. Also, the timing is such that this Zoning Meeting is the last one of the year and there is also only one more BOCC Special Rezoning meeting scheduled. This has, understandably, caused him to apply now or lose even more time.

Because of his situation, I support your approval of this Conditional Use request provided that it is consistent with last month's Conditional Use (1012-CU-015) conditional approval by the BOCC. However, modify the condition to read: ***Approved with the Condition that a building permit must be pulled and active construction must begin within 30 business days of the approval by the Board of County Commissioners.***

The modification of the condition of the prior approval was made by adding the word business to modify days as it will be more difficult to meet the 30 day calendar requirement due to upcoming holidays. The date of the BOCC meeting being December 13th then Christmas and New Years falls within that 30 day window.

Your consideration of our request for approval will be appreciated.

Respectfully,

Jack and Shirley Bonney
817 Dolphin Rd.
Milton, FL 32583