2012-V-033

| | |
|---|---|
| Project Name: | n/a |
| Applicant and/or Property Owner: | Eustice & Judy Shiver |
| Request: | Variance to reduce the east side accessory building side setback from 5 feet to 2 feet to accommodate an RV storage building/carport (LDC 2.10.05.B.2) |
| Zoning District: | R-1 (Single Family Residential District) |

# STAFF ANALYSIS

**Variance 2012-V-033**

**I. Applicant:**

Eustice & Judy Shiver

**II. Proposed Location:**

3659 Sawmill Circle, Pace: this property is located east of Chumuckla Highway, between Berryhill Road and Education Drive, on the south side of Sawmill Cirlce (Parcel number 32-2N-29-4909-00B00-0070)

**III. Request:**

Variance to reduce the east side accessory building side setback from 5 feet to 2 feet to accommodate an RV storage building/carport (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 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?**<br><br>**NO**<br><br>**Staff Analysis: Staff has determined that there are no** |

# STAFF ANALYSIS

| | |
|---|---|
| | **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.**<br><br>**The applicants are seeking relief from the Ordinance regulating side setbacks for accessory structures.**<br><br>**The request is to reduce the east side accessory building side setback from 5 feet to 2 feet to accommodate an RV storage building/carport.** |
| 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?**<br><br>**NO**<br><br>**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?**<br><br>**YES**<br><br>**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.**<br><br>**It is unknown whether the authorization of this Variance will unreasonably diminish or impair established property values within the surrounding area.** |

# STAFF ANALYSIS

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

**Is this criterion met?**

**NO**

**Staff Analysis: If authorized, a variance without special circumstances would impair the intent of the zoning ordinance.**

5. To permit the reduction of parking or loading requirements whenever the character or use of a building is such as to render unnecessary the full provision of parking or loading facilities as specified herein or whenever the strict enforcement of such provision would impose an unreasonable hardship as contrasted with merely granting an advantage or convenience.

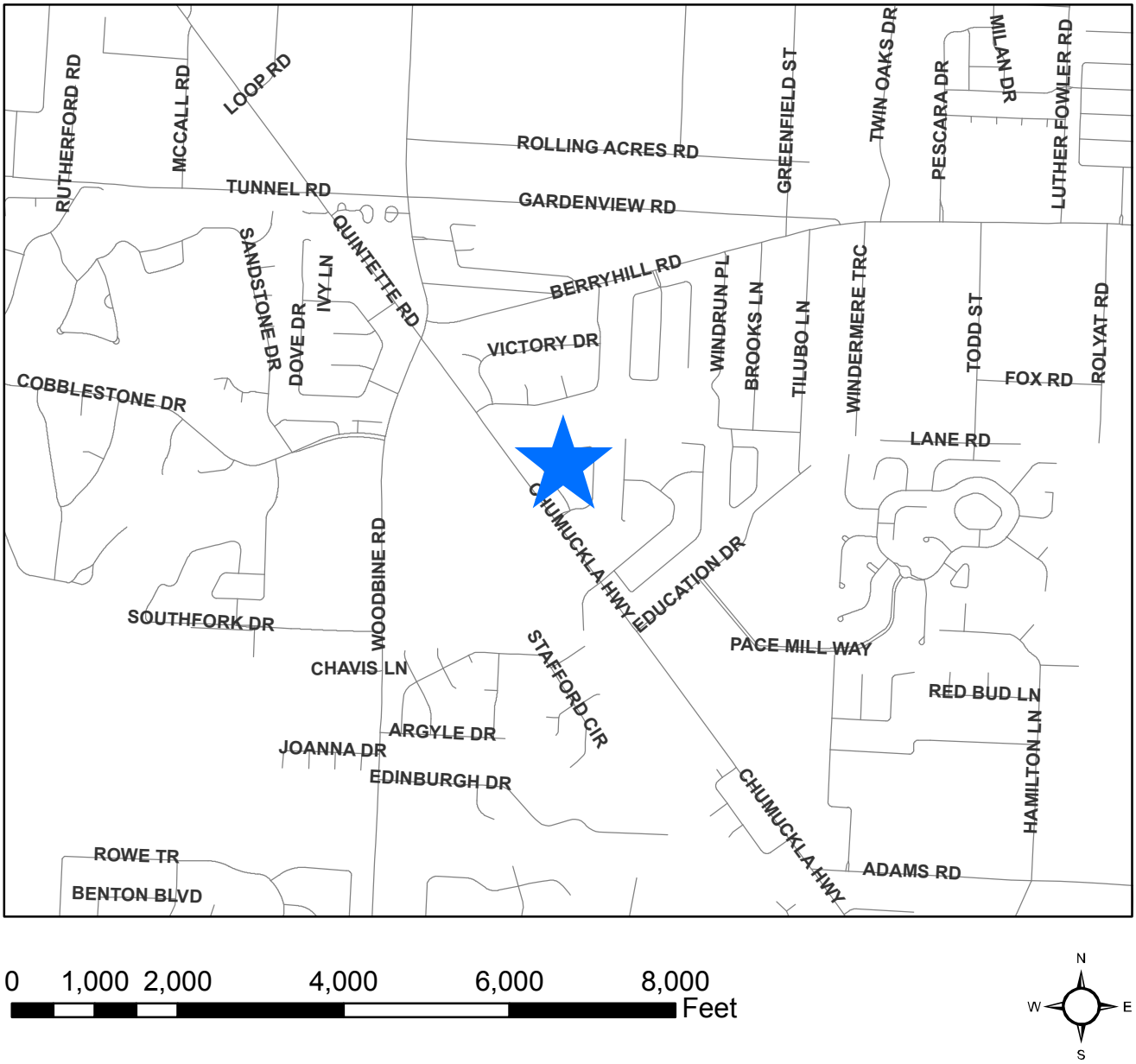
   Additionally, variances from access management connection standards may be granted where the effect of the variance would be to enhance the safety or operation of the roadway.

**Is this criterion met?**

**N/A**

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

# 2012-V-033
# Location




0 1,000 2,000 4,000 6,000 8,000 Feet

N W E S

**Legend**

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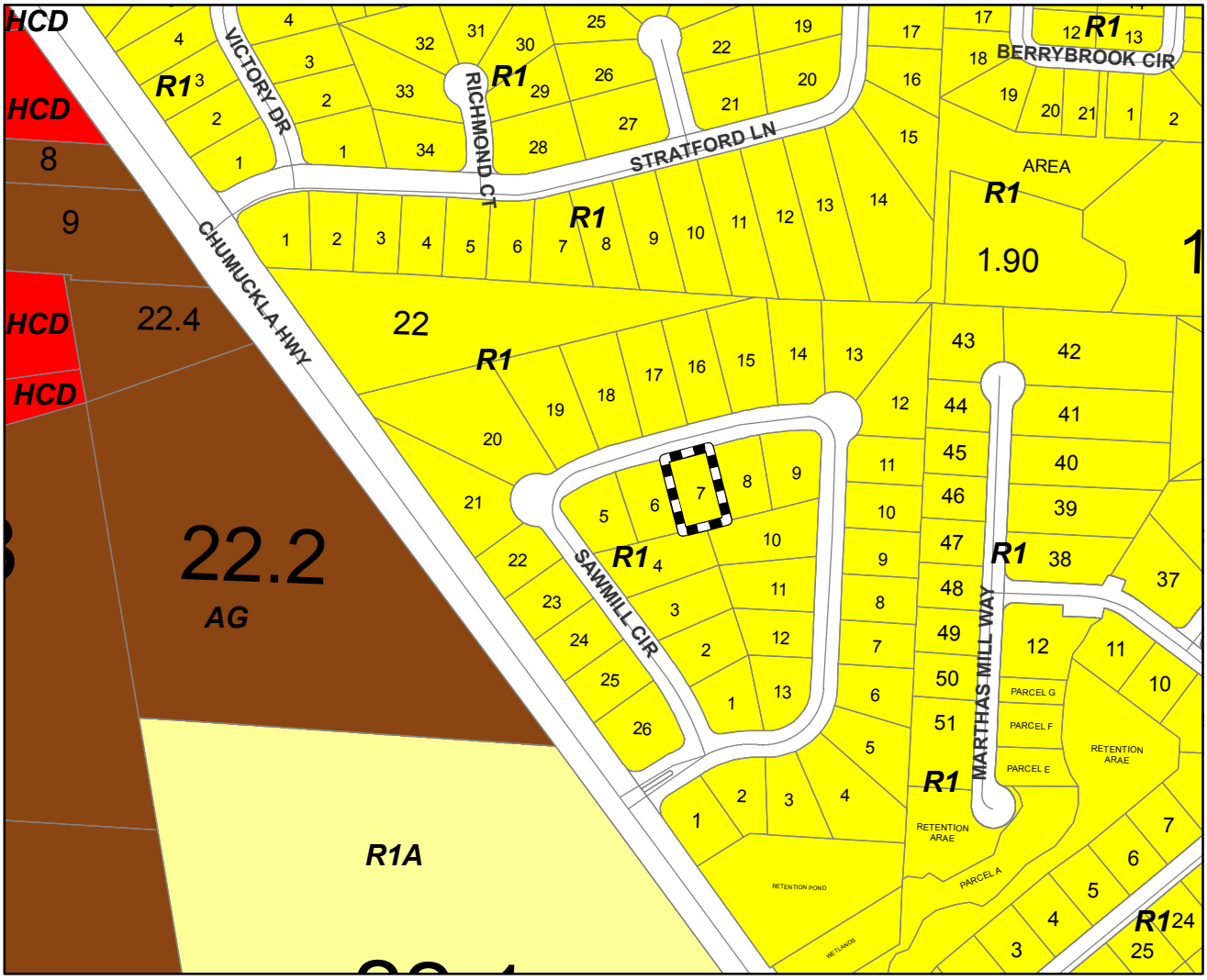
# 2012-V-033
# Zoning




0 200 400 800 1,600 Feet

N W E S

**Legend**

- Agriculture/Rural Residential (AG)
- AG within an Accident Potential Zone (AG-APZ)
- Agriculture (AG2)
- AG2 within an Accident Potential Zone (AG2-APZ)
- Marina (C-1M)
- Marina and Yacht Club (C-2M)
- Historical/Commercial (HC-1)
- Highway Commercial Development (HCD)
- HCD within an Accident Potential Zone (HCD-APZ)
- HCD within the Heart of Navarre (HCD-HON)
- HCD with the Navarre Town Center (HCD-NTC)
- Historical/Single Family (HR-1)
- Historical/Multiple Family (HR-2)
- Restricted Industrial (M-1)
- M1 within an Accident Potential Zone (M1-APZ)
- M1 within the Heart of Navarre (M1-HON)
- General Industrial (M-2)
- M2 within an Accident Potential Zone (M2-APZ)
- Planned Industrial Development (PID)
- Neighborhood Commercial (NC)
- NC-APZ
- NC within the Heart of Navarre (NC-HON)
- Passive Park (P-1)
- P1 within the Heart of Navarre (P1-HON)
- Active Park (P-2)
- P2 within an Accident Potential Zone (P2-APZ)
- P2 within the Heart of Navarre (P2-HON)
- Planned Business District (PBD)
- Planned Unit Development (PUD)
- Single Family Residential (R-1)
- R1 within an Accident Potential Zone (R1-APZ)
- R1within the Heart of Navarre (R1-HON)
- Single Family Residential (R-1A)
- Mixed Residential Subdivision (R-1M)
- R1M within an Accident Potential Zone (R1M-APZ)
- R1M within the Heart of Navarre (R1M-HON)
- Medium Density Residential (R-2)
- R2 within an Accident Potential Zone (R2-APZ)
- R2 within the Heart of Navarre (R2-HON)
- Medium Density Mixed Residential (R-2M)
- R2M within an Accident Potential Zone (R2M-APZ)
- R2M within the Navarre Town Center (R2M-NTC)
- Medium High Density Residential (R-3)
- Rural Residential Single Family (RR-1)
- RR1 within an Accident Potential Zone (RR1-APZ)
- Navarre Town Center 1 (TC1)
- Navarre Town Center 2 (TC2)
- Navarre Beach - Commercial
- Hotel - Navarre Beach
- Navarre Beach - High Density
- Navarre Beach -Medium Density
- Navarre Beach - Planned Mixed Use Development
- Navarre Beach - Conservation/Recreation
- Navarre Beach - Single Family
- Navarre Beach - Medium High Density
- Navarre Beach - Utilities
- State
- State within an Accident Potential Zone (STATE-APZ)
- RAIL
- Right of Ways
- Military
- Water
- Municipal Boundaries

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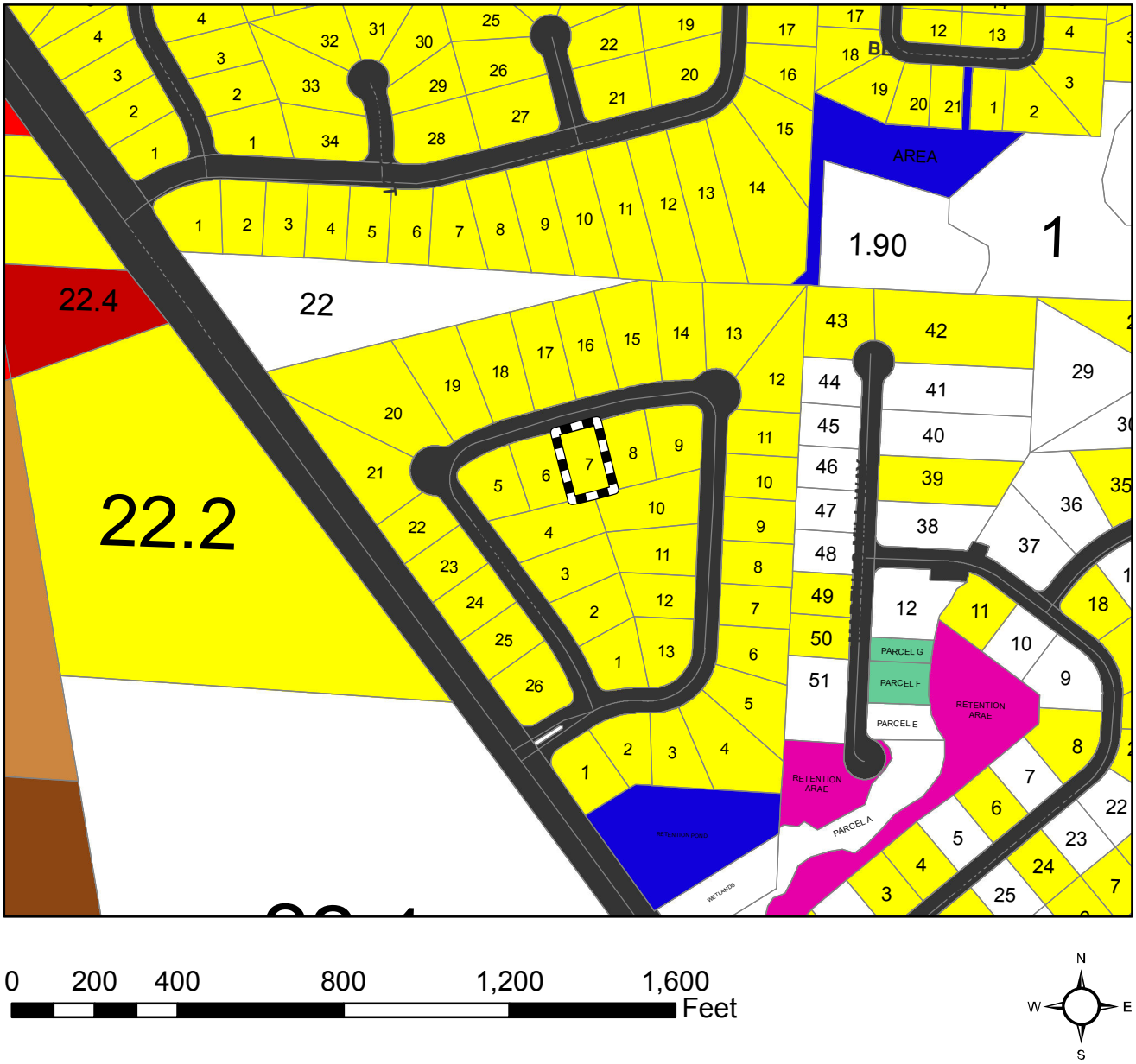
# 2012-V-033
# Existing Land Use




**Legend**

**Existing Land Use**

**CATEGORY**

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

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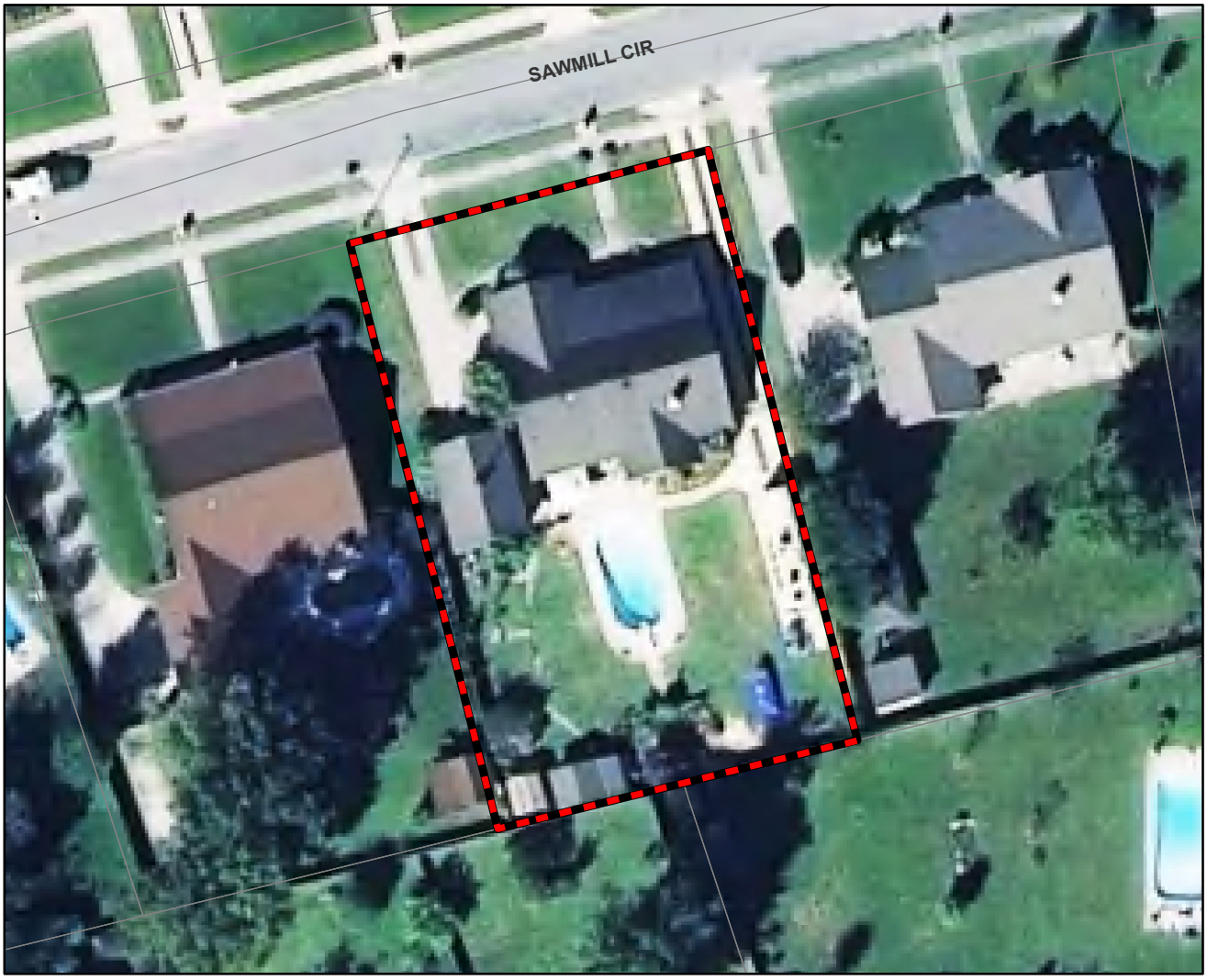
# 2012-V-033
# Aerial




0 25 50 100 150 200 Feet

N
W E
S

**Legend**

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1 ✗ Ben

# Santa Rosa County
# Development Services


Community Planning, Zoning, and Development Division
Fax: (850) 983-9874

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

Building Inspections Compliance Division
Fax: (850) 623-1208


2012 JUN 28 PM 1 16

August mtg.

## Variance Application

150 ft. Property GIS Dept. Appraised

* Application Instructions begin on Page 5

| ** For Official Use Only ** | | | |
|---|---|---|---|
| Application No. | 2012-V-033 | Date Received: | |
| Review Fee: | | Receipt No.: | |
| Zoning District: | R1 | FLUM Designation: | SFR |

**Property Owner**

Property Owner Name: Eustice & Judy Shiver VDI

Address: 3659 Sawmill Circle
Pace, FL 32571-6823

Phone: 850-994-3880 Fax: "Same"

Email: shivereustice2@aol.com / shiverjudy@aol.com

**Applicant**

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

Company: _____

Contact Name: _____

Address: _____

_____

Phone: _____ Fax: _____

Email: _____

**Property Information**

Parcel ID Number(s): 32-2N-29-4909-00B00-0070

-OR-

Street Address of property for which the Variance is requested:

3659 Sawmill Circle
Pace, FL 32571

**Variance Request**

What is the present use of the property? private home, yard space

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

an off set of 3 feet from the east property line for 40 feet ending 27 feet from the south property line. provide foot print to build 14x40x15 RV shed (motor Home)

(E) From 5ft. to 2ft from prop line due to poles w/enclosed w/out overhang on sides only on front & rear

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

In order to build an RV shed over the existing drive way/pad in my back yard. I need an off set from the east property line of 3' for 40 feet. I am limited to the right back yard for the shed

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

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

I will be unable to provide a shed to cover my motor home and easy access to my vehicle. It will also damage the home by leaving it exposed to the elements.

**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.

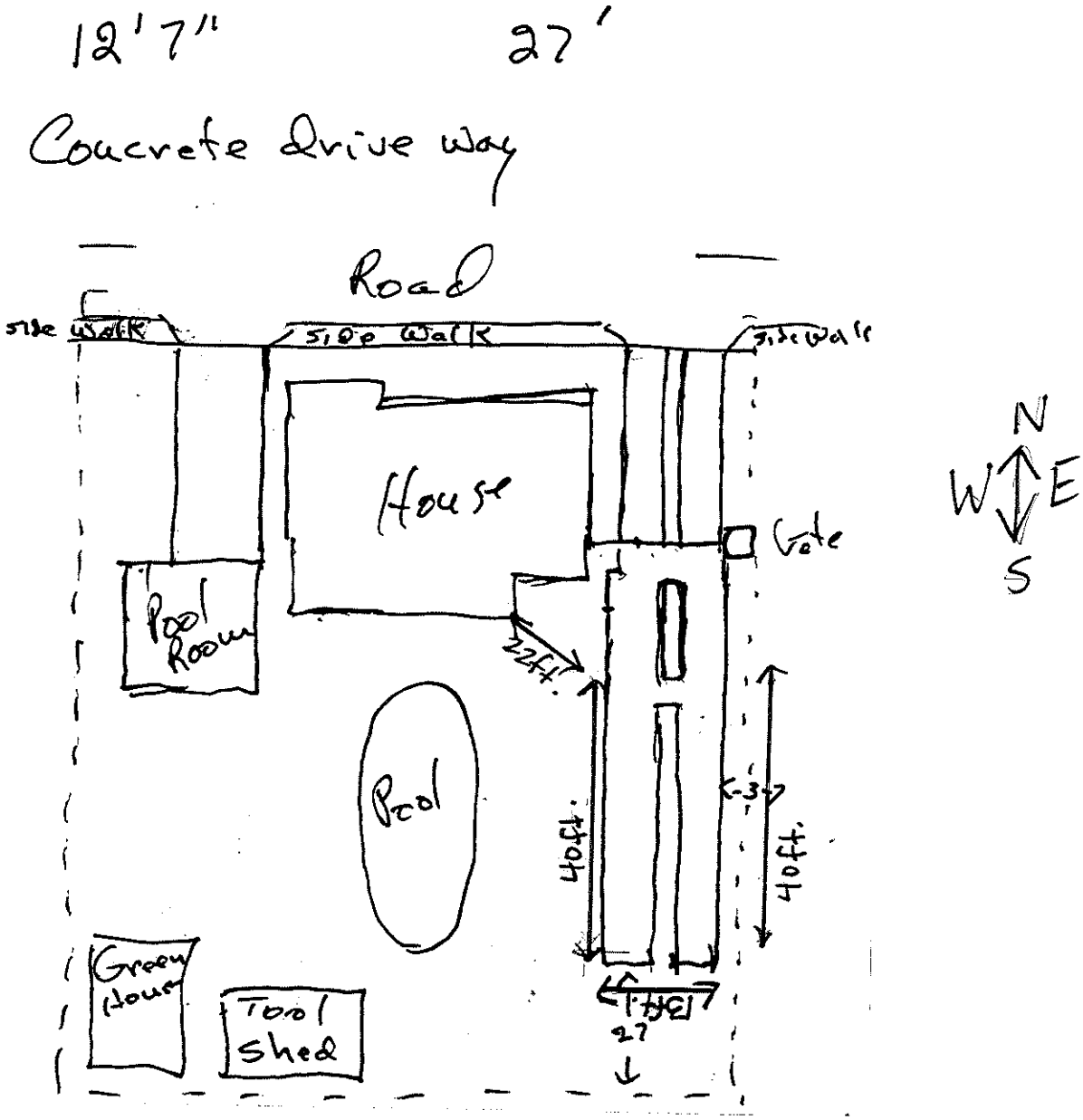
Eustice M Shiver
Applicant Name (Type or Print)

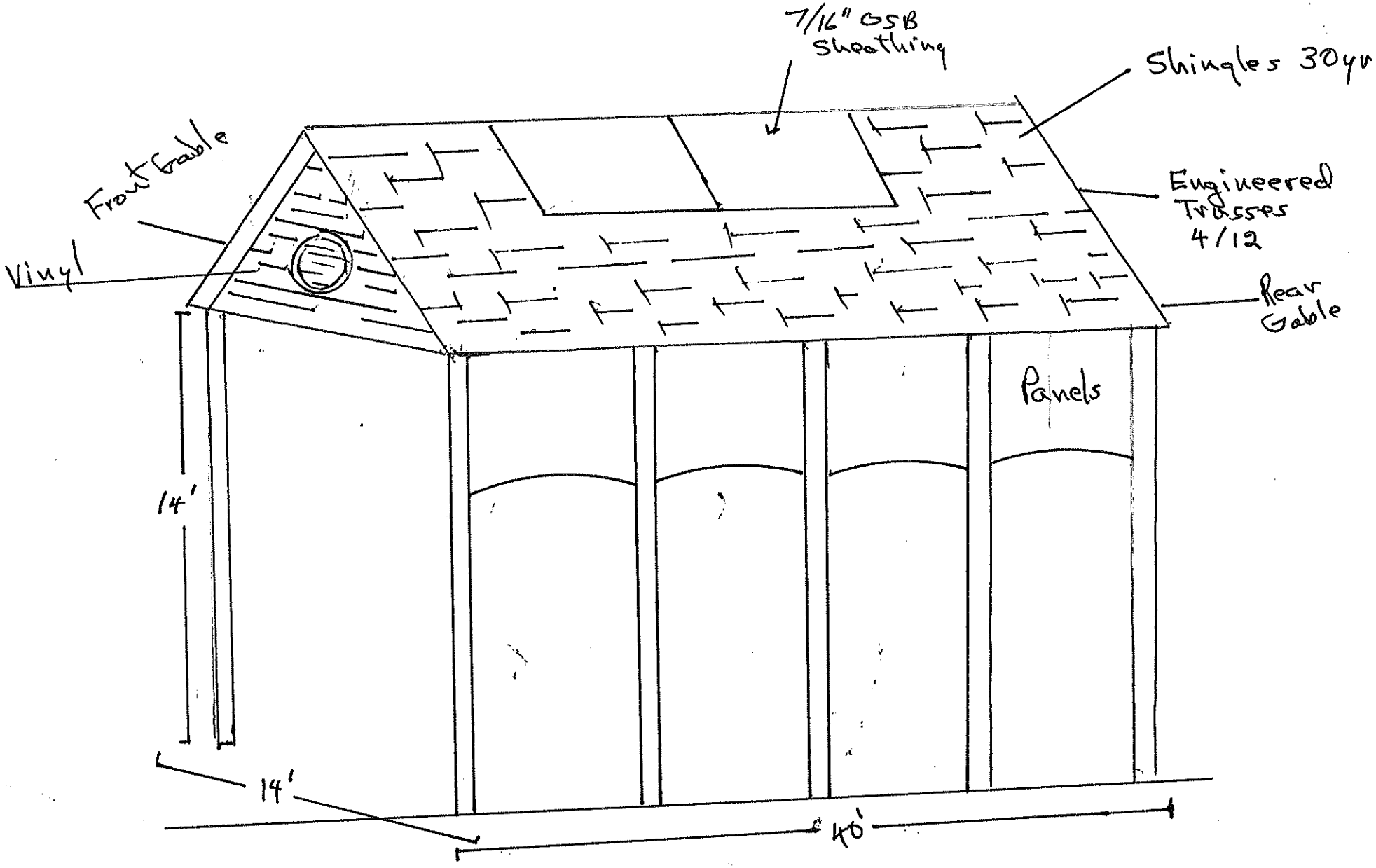
Applicant Signature

Title (if applicable)

Date

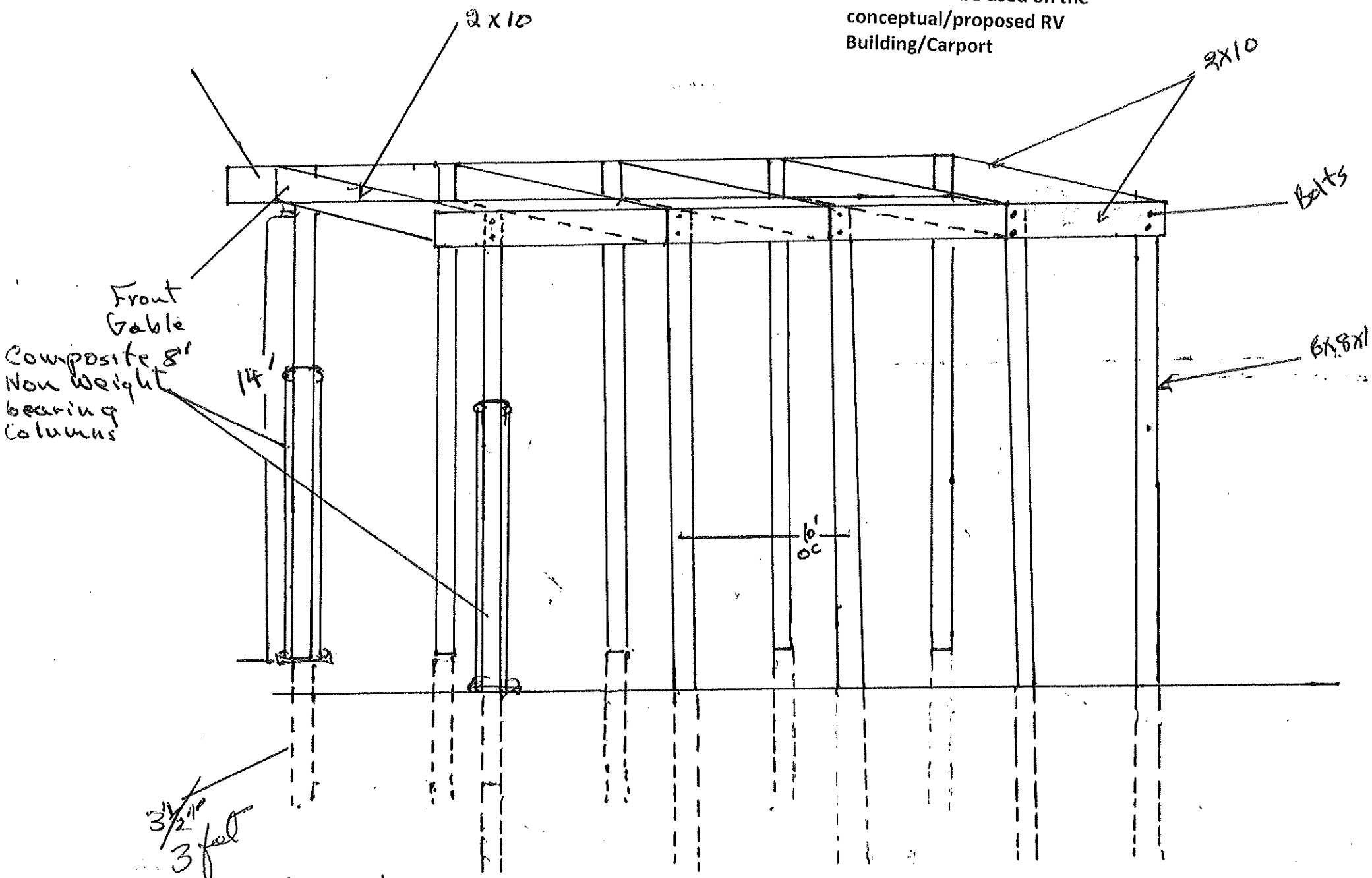
2012-V-033
Site Plan



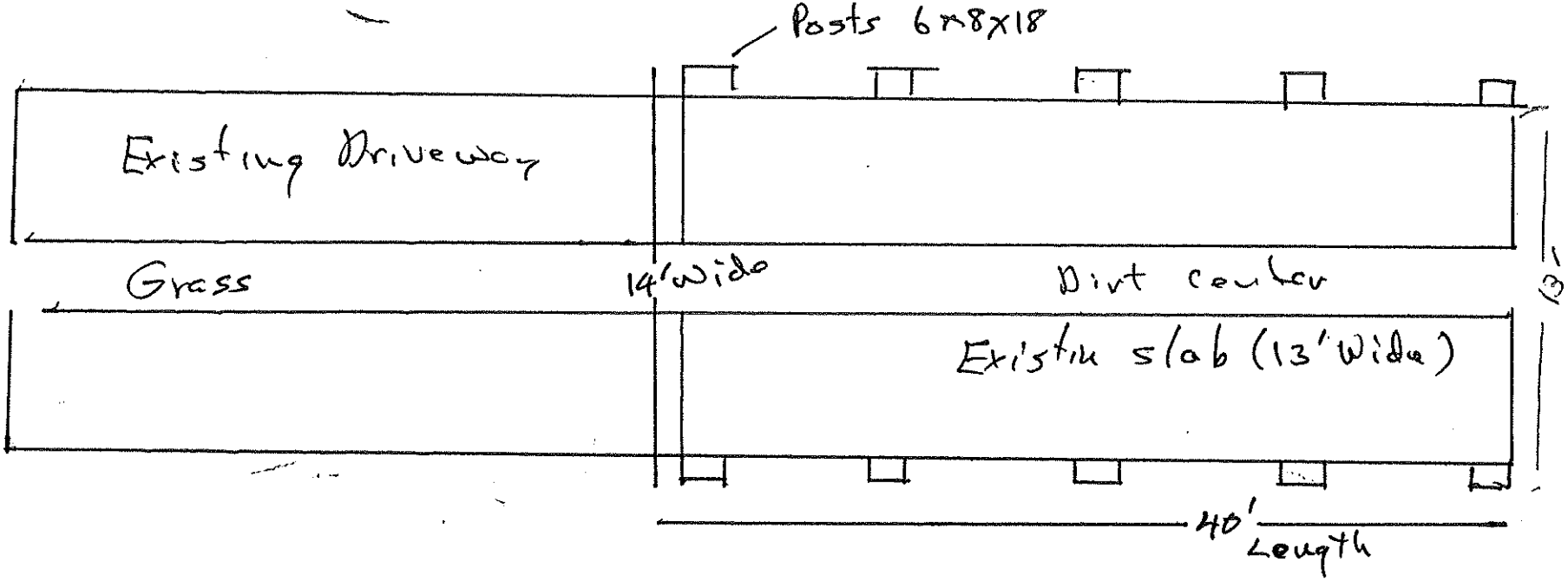



2012-V-033
Conceptual/Proposed RV Building/Carport

2012-V-033
Materials to be used on the conceptual/proposed RV Building/Carport




* Install (10) 18' 6x8 Posts to achieve 14' Clearance requirement (Posts to be anchored by concrete as required)




**2012-V-033**
**Drawing of existing concrete driveway and measurements of the proposed RV building/carport (length and width)**

- Install 10 - 18' 6x8 posts to achieve 14' clear height requirement (posts to be anchored as required with concrete.
- Install doubled 2"x10 header system to support truss system (headers will be bolted to posts)
- Install engineered truss system w/1 gable end achieving 12" eve over hang (Trusses to have hurricane straps and blocking per code requirements)
- Install roof sheathing, drip edge, tar paper and architectual shingles
- Install vinyl soffits and facia metal to match
- Install vinyl siding on two gable ends to match
- Stain Post and Headers to match

Eustice M Shiver
3659 Sawmill Circle
Pace, Fl 32571
850-994-3880
850-791-1175 cell

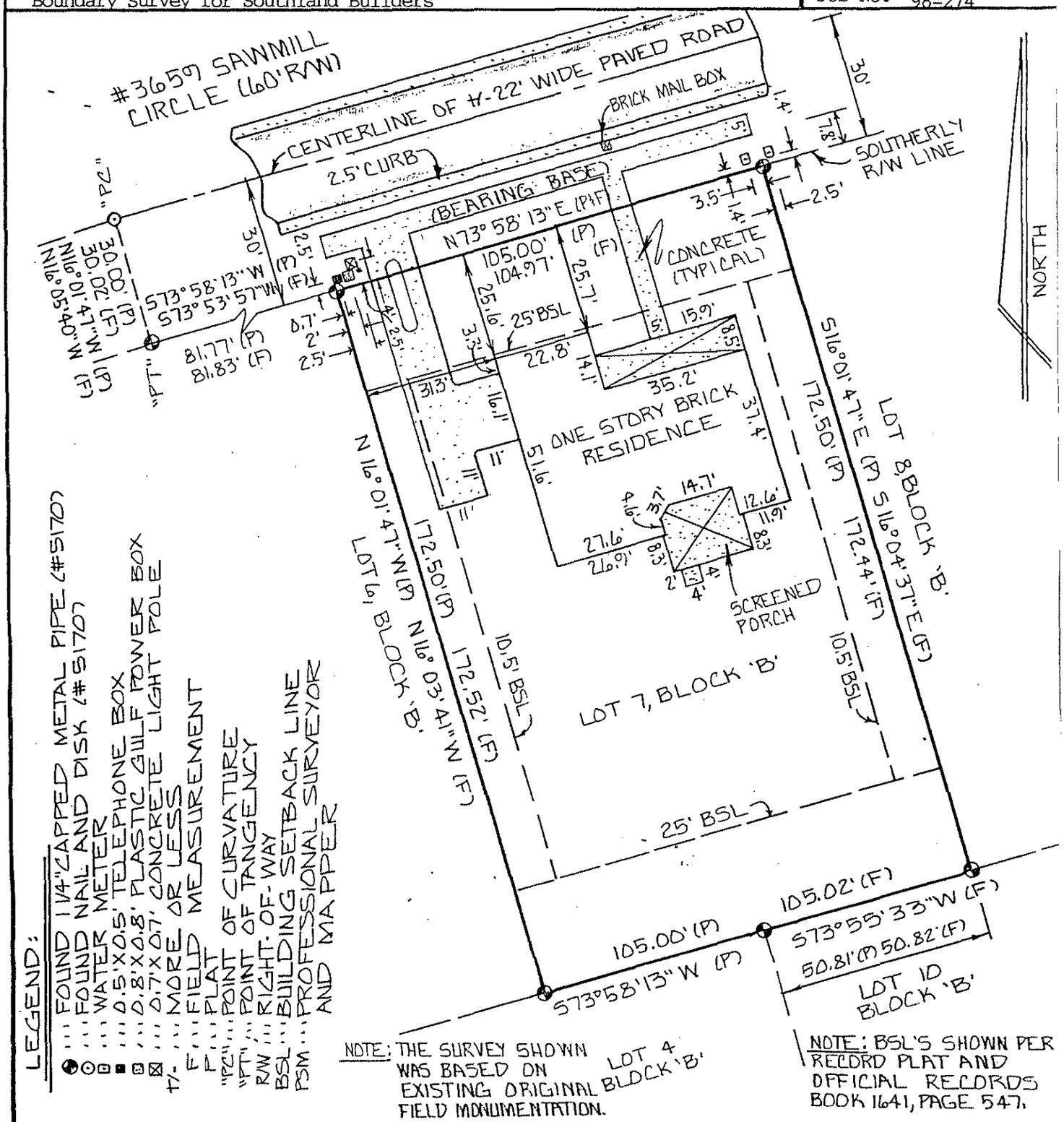
**2012-V-033**
**Plans regarding installation of proposed RV building/carport**

RUTH ELAINE PHAIR
Professional Surveyor and Mapper
3651 Highway 90, Suite A Pace, Florida
Phone: (850) 994-9440

**2012-V-033**
**Survey of the property dated July 6, 1998**

Boundary Survey for Southland Builders

JOB NO. 98-274




NOTE: THE SURVEY SHOWN WAS BASED ON EXISTING ORIGINAL FIELD MONUMENTATION.

NOTE: BSL'S SHOWN PER RECORD PLAT AND OFFICIAL RECORDS BOOK 1641, PAGE 547.

DESCRIPTION: Lot 7, Block B, Sawmill, a subdivision of a portion of Section 32, Township 2 North, Range 29 West, Santa Rosa County, Florida, recorded in Plat Book G, Page 44 of the public records of said County.

The accuracy of measurements performed meets the relative error of closure shown in a suburban land area.
The bearings/angles shown were referenced to N73°58'13"E along the Southerly Right-of-Way Line per record plat.

Survey Date: 7/1/98 Scale: 1"=30'
Field Book: 24 Page No.: 55-58
Crew Chief: NP Drawn By: RP
Revisions By: Revision Date:

Sheet 1 of 2

**CERTIFICATION:**

I hereby certify that the survey shown hereon is a true and correct representation of the lands surveyed to the best of my knowledge and belief.

RUTH ELAINE PHAIR, FL P.S.M., #5733

DATE: July 6, 1998

"Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper."

## Kelly Hobbs

**From:** Chuck Mitchell [pacechuck77@gmail.com]
**Sent:** Sunday, July 29, 2012 2:48 PM
**To:** Kelly Hobbs
**Subject:** Variance application 2012-V-033 - written comments

Dear Sirs or Madam,

I'm writing to note my opposition to the Variance application 2012-V-033. This would be the second such variance for this particular property and if granted would create an undesirable appearance in addition to being a violation of the zoning. If granted the resulting construction would create a street view of the property that would be three buildings side by side from property line to property line. It would look more like a commercial zoned business than a residential lot in a subdivision. This proposed new building combined with the existing see through iron fencing would, in my opinion, have a negative impact on the property values in the subdivision.

Regards,

Charles Mitchell
3645 Sawmill Circle
Pace, FL 32571