



CITY OF CALLAWAY, FLORIDA
CITY HALL

6601 East Highway 22, Callaway, FL 32404
Phone 850-871-6000 • FAX 850-871-2444
www.cityofcallaway.com

Mayor
Thomas W. Abbott

Commissioners
Dennis A. DeLapp
Pam Henderson
David Otano
Ralph L. Hollister

MEETING NOTICE

Callaway Board of Adjustment
Monday, August 5, 2013 – 6:00 P.M.
Callaway Arts & Conference Center
500 Callaway Park Way, Callaway, FL 32404

Ms. Martha Lee

Ms. Barbara Moore

Mr. Jay Wallace

Mr. Fred Bylsma

Mr. Ernest Brown

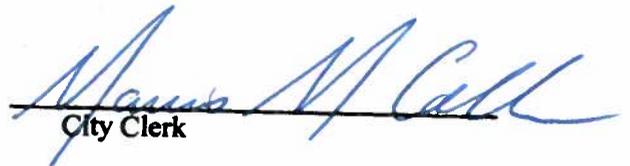
CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE
ROLL CALL

APPROVAL OF MINUTES

- Planning Board Regular Meeting – March 19, 2013

NEW BUSINESS

1. Request for a Variance – From Front Setback Requirements in Zone R-6M for a Carport Addition – 1227 S. Katherine Avenue
2. Request for a Variance – From Setback Requirements for Accessory Structure/Buildings – 523 S. Gay Avenue


City Clerk

If a person decides to appeal any decision made by the Planning Board with respect to any matter considered at the meeting, if an appeal is available, such person will need a record of the proceeding and such person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Callaway City Clerk, at 6601 E. Highway 22, Callaway, Florida 32404; or by phone at (850)871-6000, at least five calendar days prior to the meeting.

If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay System, which can be reached at 1-800-955-8770 (Voice) or 1-800-955-7661 (TDD).

Fire Department Center
P: 850-871-2753
F: 850-871-5564

Leisure Services
P: 850-874-0031
F: 850-874-9977

Planning / Code Enforcement
P: 850-871-4672
F: 850-871-2404

Public Works
P: 850-871-1033
F: 850-871-2416

Arts & Conference
P: 850-874-0035
F: 850-874-0706

“This institution is an equal opportunity provider, and employer.”

**CALLAWAY BOARD OF ADJUSTMENT
DECEMBER 15, 2011
TIME: 7:00 P.M.**

Called to order by Vice-Chairman Bell at 7:20 p.m.

Invocation by Board Member Bylsma

Pledge of Allegiance by Vice-Chairman Bell

ROLL CALL - PRESENT: Board Member Lee, Board Member Bylsma, Vice-Chairman Bell

PRESENT: Chairman Wallace, Board Member Moore

ALSO PRESENT: Planning Director Richard, Senior Planner Fuller

Vice-Chairman Bell announced that he would be conducting the meeting in the absence of Chairman Wallace.

APPROVAL OF MINUTES:

Board Member Bylsma moved to approve the minutes of the May 26, 2011 meeting. Second by Vice-Chairman Bell.

All ayes

Chairman Wallace and Board Member Wallace absent.

BUSINESS

ITEM #1. REQUEST FOR A SPECIAL EXCEPTION - HEIGHT EXTENSION TO EXISTING COMMUNICATIONS ANTENNA/TOWER 1123 S. TYNDALL PARKWAY

Planning Director Richard gave the background information on the request stating that the applicants are proposing a 10 ft. extension to the tower structure and an overall height of 225 ft., including antennas, lighting, and a lightning rod. Planning Director Richard stated that the applicant had received clearance from the FAA for the extension and the Tyndall Air Force Base had no comment. She noted that the tower was outside of the AICUZ. The Planning Department staff has found that the proposed plans to extend the height of the existing tower by 25 ft. are satisfactory and recommends approved of the Special Exception. Board Member Lee stated that she did not want approval of the extension to prevent other cell tower companies from having a fair opportunity to compete. Not was noted in a discussion that there a multiple companies that own cell towers throughout the City. Vice-Chairman Bell noted his concerns of the justification letter for the request provided by SouthernLINC Wireless. The Board discussed the use of the service by Gulf Power

**CALLAWAY BOARD OF ADJUSTMENT
DECEMBER 15, 2011
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Employees during emergency events and whether granting an extension would prevent SouthernLINC from constructing another tower. Clay Brogdon of SoutherLINC Wireless stated that the extension to the existing tower would allow their company to extend service in a bad coverage area, thereby preventing the need to construct a new tower in the same area. Board Member Lee moved to grant the requested Special Exception for the extension to the existing tower allowing an overall height not to exceed 225' (including antennas, lighting, lightening rod, etc.). Seconded by Board Member Bysma.

All Ayes

Chairman Wallace and Board Member Moore absent.

There being no further business, Vice-Chairman Bell adjourned the meeting at 7:40.

J. Michael Fuller, Director of Planning

**CITY OF CALLAWAY
PLANNING DEPARTMENT
STAFF SUMMARY**

**REQUEST FOR A VARIANCE – FRONT SETBACK REQUIREMENT – 1227 S.
KATHERINE AVENUE**

Applicant: Lawrence and Nicole Townsend
Date: August 5, 2013
Location: 1227 S. Katherine Avenue
Zoning/Land Use: R-6M/Low Density Residential

Background:

Lawrence and Nicole Townsend have submitted a Request for a Variance concerning their property located at 1227 S. Katherine Avenue (see attached location map). They are requesting to construct a carport addition to their mobile home. The addition is subject to the setback and bulk regulation standards required in the R-6M (Single Family and Mobile Homes) Zoning District.

Section 15.562(d) of the City's Land Development Regulations (LDR) specifies setback and other bulk regulations standards in the R-6M Zoning District. This section states the following:

(d) Bulk Regulations – The following are the minimum bulk regulation requirements:

- 1) Required Lot Size – 6,000 square feet*
- 2) Required Set Backs (to be measured from the building not the overhang):*
 - i. Front – 20 feet*
 - ii. Side – 5 feet*
 - iii. Rear – 15 feet, 20 feet if abutting a street*
 - iv. Corner – 10 feet on the side abutting the street*
- 3) Floor Area Ratio – 40%*
- 4) Impervious Surface Ratio – 50%*
- 5) Maximum Building Height – 50 feet*

The mobile home currently on the property sets back approximately 25 feet from the front property line (see photo). The carport addition would encroach within the 20 feet minimum front setback requirement as specified in Section 15.562(d). Due to the fact that the Townsend's cannot meet the front setback requirement, they are requesting a

variance to allow a setback of 4 feet in lieu of the required 20 feet (see attached survey/sketch).

Findings:

Section 15.315(c)(2) of the LDR states that the Board of Adjustment may grant a variance where enforcement of these provisions would present an unnecessary hardship on the applicant. This Section further states the following:

Such variance may be granted in such individual case of unnecessary hardship upon a finding by the BOA that:

There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography, and

The application of the provisions of this charter to the particular piece of property would create an unnecessary hardship, and

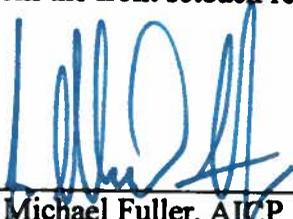
Such conditions are peculiar to the particular piece of property involved, and

Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this LDR.

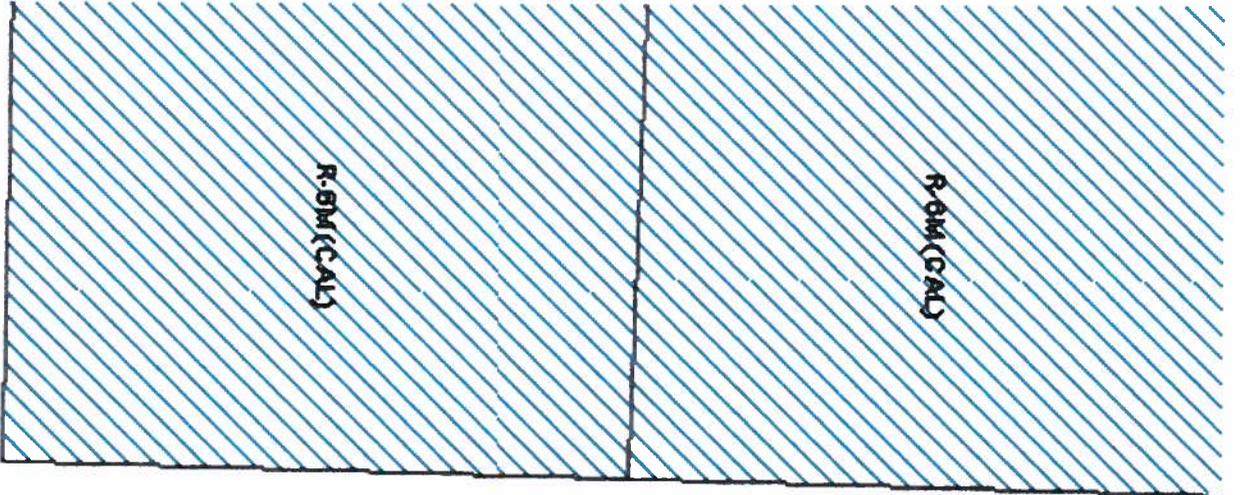
After review of the Request for a Variance submitted by the applicant, no unnecessary hardship is evident. The Planning Department does acknowledge that the size of the property may present some extraordinary and exceptional circumstances. However, the department cannot find that the request meets any other condition stated in Section 15.315(c)(2) of the LDR.

Staff Recommendation:

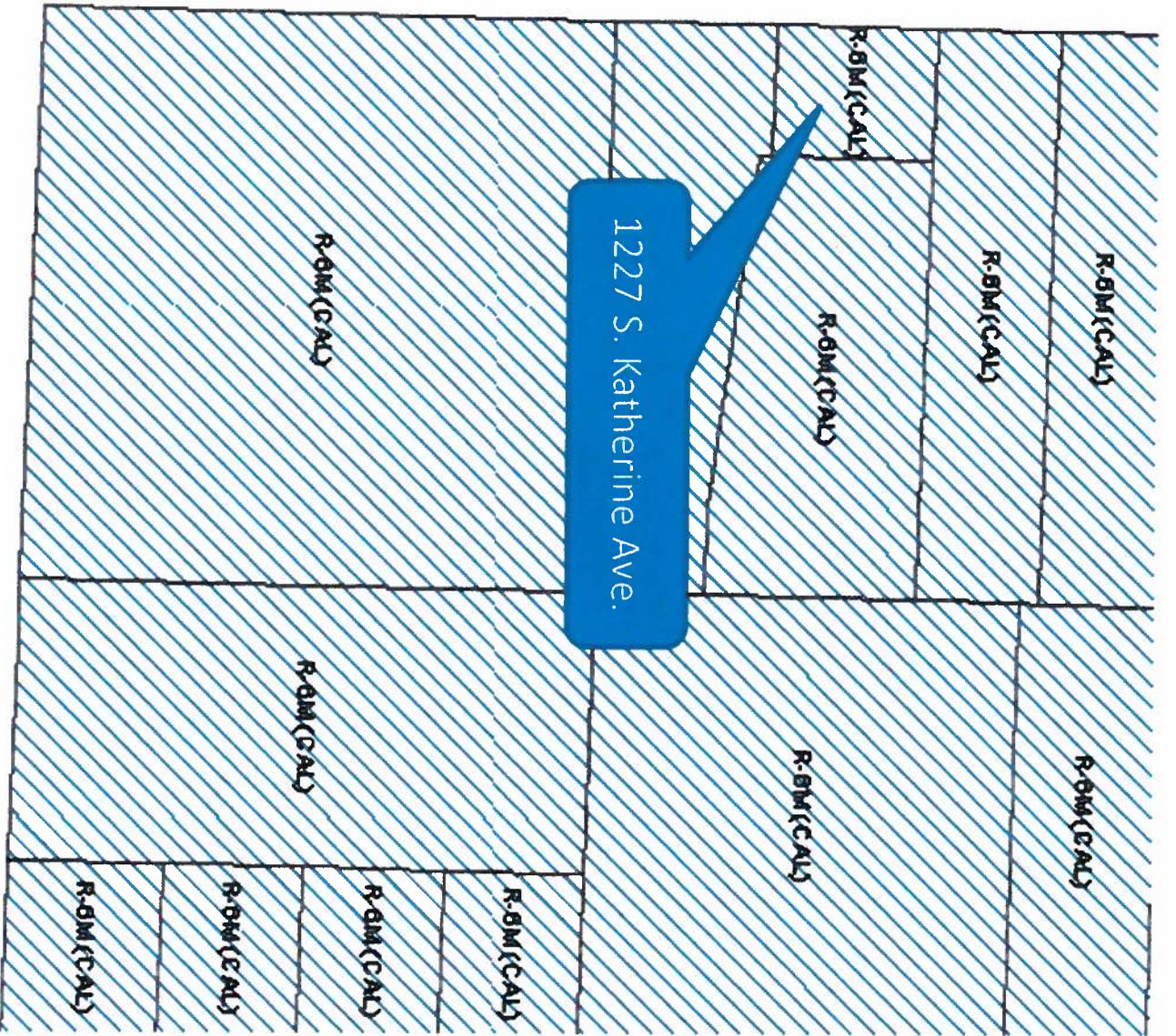
The Planning Department believes the request does not meet the unnecessary hardship criteria stated in the LDR and recommends that the Board of Adjustment deny a variance from the front setback requirement at 1227 S. Katherine Avenue.



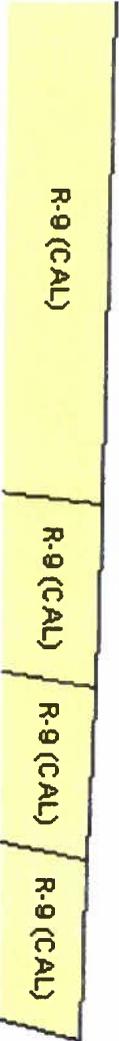
J. Michael Fuller, AICP
Director of Planning



Katherine Ave



1227 S. Katherine Ave.



Park Rd

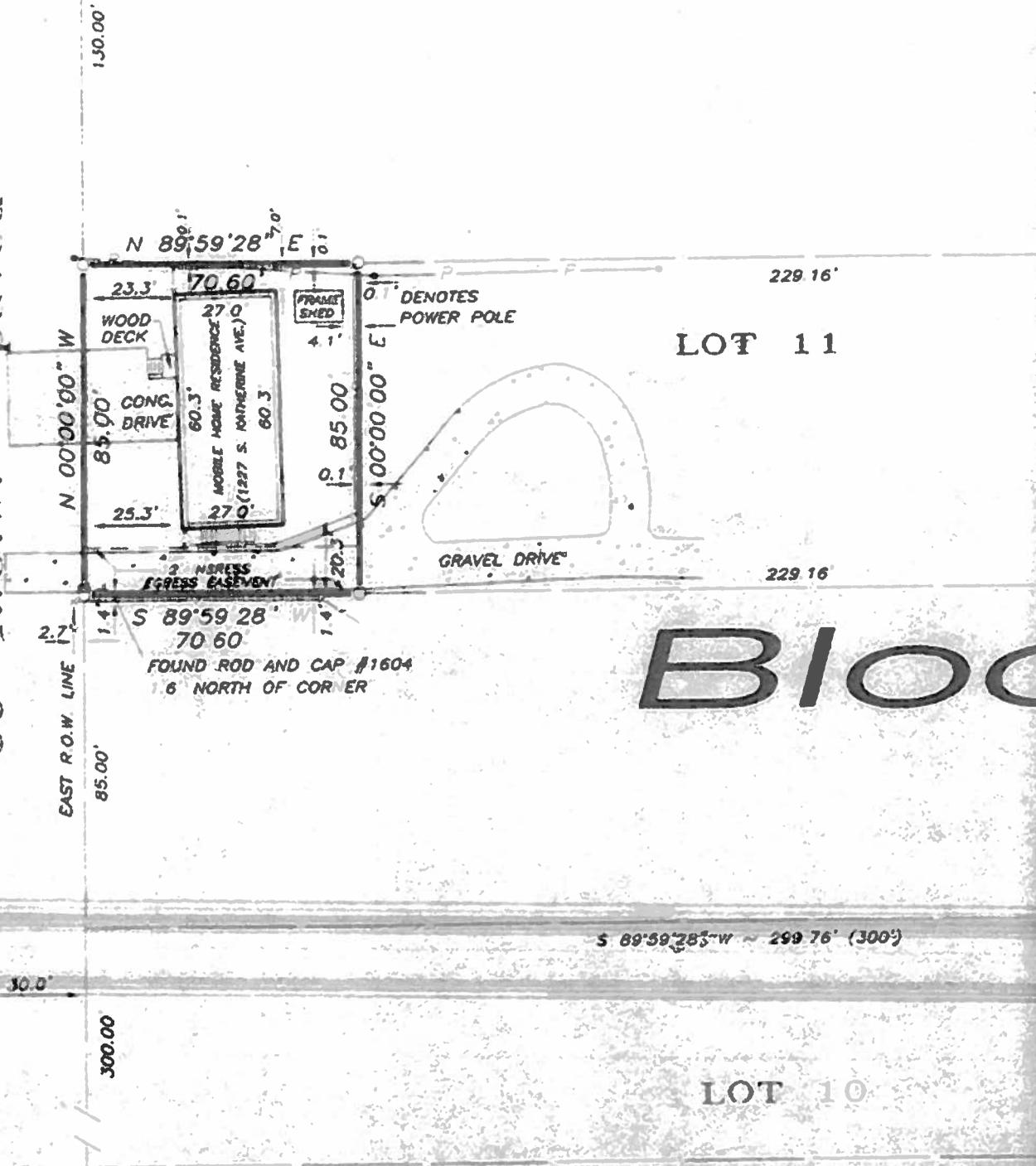


Wallace Rd



N 89°59'28" E ~ 299.76' (300')

4 Katherine Avenue (platted 2nd Court)
60' R.O.W. ~ paved



Block

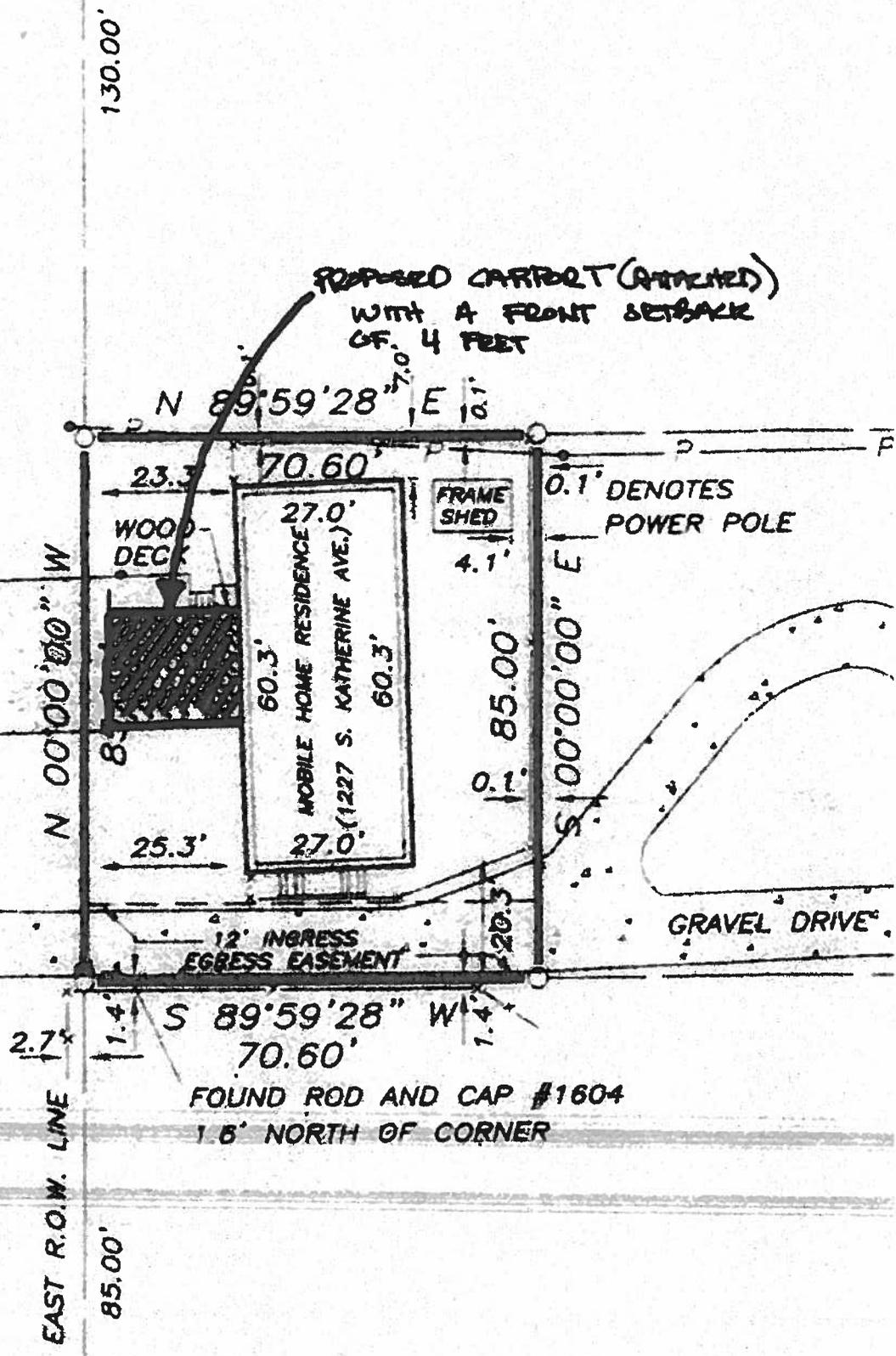
S 89°59'28" W ~ 299.76' (300')

300.00

LOT 10

Wallace Road (platted Blackshear Road)

Katherine Avenue (platted 2nd Court)
60' R.O.W. ~ paved



**CITY OF CALLAWAY
PLANNING DEPARTMENT
STAFF SUMMARY**

**REQUEST FOR A VARIANCE – ACCESSORY BUILDING/STRUCTURE
SETBACK REQUIREMENT – 523 S. GAY AVENUE**

Applicant: George Mercer
Date: August 5, 2013
Location: 523 S. Gay Avenue
Zoning/Land Use: R-9/Low Density Residential

Background:

Mr. George Mercer has submitted a Request for a Variance concerning his property located at 523 S. Gay Avenue (see attached location map). He is requesting to construct an accessory building/structure in his rear yard to shelter his recreational vehicle that will not exceed 16 feet in height. This accessory building is subject to the setback standards required for accessory uses, building, and structures located within any zoning district.

Section 15.575(e) of the City's Land Development Regulations (LDR) specifies the setback standards for accessory buildings. This section states the following:

(e) There shall be full compliance with the yard and buffering requirements of the applicable zoning district except as follows: Except as otherwise provided in this section, detached accessory buildings and structures, including, but not limited to, garages, carports, and storage sheds may be located only within a rear or side yard; provided that no such building or structure shall be located nearer than five (5) feet to any property line and not closer than ten (10) feet to the principal structure. An additional setback from a lot line of one (1) foot shall be required for each foot of total building or structure height exceeding eleven (11) feet until a setback of ten (10) feet is reached.

The principal structure, or single family home, is situated approximately in the center of the property (see photo). The proposed access building would meet several of the aforementioned requirements including the location in the rear yard and achieving the minimum setback of 10 feet from the principal structure. The proposed accessory building cannot meet the minimum side and rear setbacks. Assuming that the applicant builds a structure 16 feet in height, a side setback and rear setback of 10 feet is required. However, the applicant is proposing to construct the accessory building in an area of his rear yard that will not meet these setback requirements. Due to the fact that the Mr. Mercer cannot meet these requirements for an accessory structure, he is requesting a

variance to allow for a side setback of 4 feet and a rear setback of 6 feet (see attached survey/sketch).

Findings:

Section 15.315(c)(2) of the LDR states that the Board of Adjustment may grant a variance where enforcement of these provisions would present an unnecessary hardship on the applicant. This Section further states the following:

Such variance may be granted in such individual case of unnecessary hardship upon a finding by the BOA that:

There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography, and

The application of the provisions of this charter to the particular piece of property would create an unnecessary hardship, and

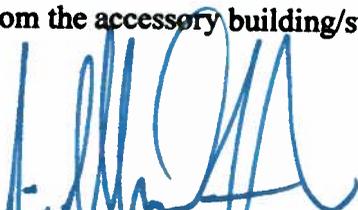
Such conditions are peculiar to the particular piece of property involved, and

Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this LDR.

After review of the Request for a Variance submitted by the applicant, no unnecessary hardship is evident. The Planning Department does acknowledge that the applicant can meet some of the accessory structure standards provided in the LDR. However, the department cannot find that the request meets any condition stated in Section 15.315(c)(2) of the LDR.

Staff Recommendation:

The Planning Department believes the request does not meet the unnecessary hardship criteria stated in the LDR and recommends that the Board of Adjustment deny a variance from the accessory building/structure setback requirements at 523 S. Gay Avenue.



J. Michael Fuller, AICP
Director of Planning





523 S Gay Avenue, Callaway, FL proposed variance request
RV pole barn size = 36' (L) x 16' (W) x 16' (H)

