

ZBA-2021-003

Gateway Review Board

VARIANCE APPLICATION

- Zoning Board of Adjustment
- Architectural Review Board
- Planning Board

**Pensacola** City of   
*America's First Settlement And Most Historic City*

**A COMPLETE APPLICATION SHALL INCLUDE THE FOLLOWING:**

- A. One (1) copy of this completed application form. *(Please type or print in ink.)* B. Site plan and/or survey showing the following details:\*
  - 1. Abutting street(s)
  - 2. Lot dimensions and yard requirements (setbacks)
  - 3. Location and dimensions of all existing structures
  - 4. Location and dimensions of all proposed structures and/or additions
  - 5. Dimension(s) of requested variance(s)
- C. Other supporting documentation (drawings, photographs, etc) to support request(s). \* D. A non-refundable application fee of **\$500.00**.

*\* The Applicant must provide fourteen (14) copies of any documents larger than 8½ x 11 or in color. Maximum page size for all submitted material should be 11" x 17" to allow for processing and distribution.*

**(To be Completed by Staff)**

**Provision(s) of Zoning Ordinance from which the variance(s) is/are being requested:**

Section(s)/ Tables(s) 12-3-3(H) T. 12-3.1 / 12-3-64 (b) Zoning R1AAA

**(To be Completed by Applicant)**

**The Applicant requests consideration of the following variance request(s):**

**Property Address:** 1709 E. Fisher Street, Pensacola Fl. 32503

**Current use of property:** Single Family Residential

**1. Describe the requested variance(s):** Requesting a side yard (east) setback variance of 5' - 3". This request will allow the addition to be flush with the East side of the existing residence. We are not requesting to extend the structure over the existing footprint / overage. The residence currently has a detached garage that meets current setbacks for its purpose. The client is proposing attaching the detached garage to the existing home via the proposed addition. In doing so, it will cause a rear yard setback overage of 4' - 5". A variance request of 4' - 5" for the rear yard is being requested.

**2. Describe the special condition(s) existing on this property which create(s) the need for the variance(s), but which are not applicable to other properties in the same district, and which are not the results of the applicant's actions:**

The homeowner is requesting direct access to their existing garage. The current layout did not allow for the home to have an attached garage without major renovations to the existing, hence the detached. The

homeowner is wanting an attached, direct access garage like his fellow neighbors. The homeowner is also in need of additional living space. An additional bedroom and bathroom are needed, as well as a dedicated laundry space. The proposed area for the addition is the only space available without major renovations and structural changes to the home. The existing home has the master suite on the southwest corner of the home. An addition on that side of the lot would require a complete renovation of the existing home to have access. The requested variances do not increase the existing setback overages of the structures on the property. We have attached documents (aerials) of fellow neighbors, within the same R-1AAA zoning, that have structures matching or exceeding the setback variances we are requesting. The attached is a small sample size of an abundance of residences currently exceeding setbacks. Again, we are not requesting to extend past our current footprint.

**3. Explain why the requested variance(s) is/are necessary to permit the property owner to obtain the right commonly enjoyed by other property owners in the same district:**

The variance is necessary to allow the homeowner to add the additional amenities that current neighbors currently enjoy. Many homes in the area currently exceed the proposed setback requirements. Our request is to build up to the existing structures on the property. The addition will not increase the current setback overages that exist on the property. Due to the layout of the home, it's not fiscally responsible to try and put an addition on the southwest corner of the home, as it would require a major renovation to the home just to make the addition function.

**4. Explain why the requested variance(s) is/are not detrimental to the general welfare or to property rights of others in the vicinity:**

The homeowner is only requesting a variance that will allow them to build up to the existing structure. The proposed addition will not increase the existing setback overages. This keeps the structure inline with the neighbor on the corner south of them. The variance request does not impair drivers view for the intersection, and it does not encroach any further than it currently does to their neighbors. I think this proposed addition will be the opposite of detrimental, but instead it will help increase the architectural style and look of the home, thus bringing more curb appeal to their neighbors.

**5. Explain what other condition(s) may justify the proposed variance(s):**

The homeowner is only requesting that they are capable of matching what some of their current neighbors currently have. Many homes in the area, with the same R-1AAA zoning, currently exceed their setback requirements. We are not trying to increase any current overages on the property, but instead just trying to build up to what currently exist.

Application Date: 03/31/2021

REFLECTIONS HOME DESIGNS & CAD SERVICES

Applicant:

TIA DANIEL / JOSEPH McNAIR

Applicant's Address:

1709 E. FISHER ST. PENSACOLA FL 32503

Email: TIM DANIEL JR @ GMAIL.COM

Phone: 850-417-5332

Applicant's Signature:



Property Owner: Joseph R. McNair

Property Owner's

Address: 1709 E. Fisher St., Pensacola, FL 32503

Email: jrmcnaircfp@gmail.com

Phone: 770-855-3177

Property Owner's

Signature:

Joseph R. McNair

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable modifications for access to City Services, programs, and activities. Please call 435-1600 for further information. Requests must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.

***Planning Services***

***222 W. Main Street \* Pensacola, Florida 32502***

***(850) 435-1670***

***Mail to: P.O. Box 12910 \* Pensacola, Florida 32521***

***Variance Application***

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VARIANCE GRANTED BY THE BOARD OF ADJUSTMENT: The petitioner must secure a building permit and commence work within one hundred-eighty (180) days of the date of the granting of the variance, unless additional time is granted by the Board at that particular meeting.

JUDICIAL REVIEW OF DECISION OF THE BOARD OF ADJUSTMENT: If denied a variance by the Board, that request for a variance cannot be heard again for one year. The petitioner has thirty (30) days from the date of the meeting to appeal the decision according to Section 12-12-2 of the Land Development Code. Any person or persons, jointly or severally aggrieved by a decision of the Board may apply to the Circuit Court of the First Judicial Court of Florida. The Board, Building Inspector, or Attorney of the City of Pensacola must be notified of an appeal within five (5) days of the application being made to the Circuit Court. If a Notice of Appeal has not been received within thirty-five (35) days of the date of the meeting the variance was denied, the petitioner shall be notified by the Building Inspector that they have ten (10) days to remove or correct the violation.

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