



# City of Pensacola

## Zoning Board of Adjustments

### Agenda - Final

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Wednesday, September 20, 2023, 3:00 PM

Hagler/Mason Conference Room,  
2nd Floor

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#### QUORUM / CALL TO ORDER

1. [23-00727](#) BOARD ELECTION OF OFFICERS (CHAIR AND VICE CHAIRPERSON)

#### APPROVAL OF MINUTES

2. [23-00720](#) ZONING BOARD OF ADJUSTMENTS MEETING MINUTES FROM 8.16.2023

*Attachments:* [ZBA Minutes 8.16.23](#)

#### REQUESTS

3. [23-00721](#) ZBA 2023-014  
1739 E. BLOUNT STREET  
R-1AAA

*Attachments:* [1739 E Blount Street Application](#)

4. [23-00722](#) ZBA 2023-015  
3001 N. 19TH AVENUE  
R-1AAA

*Attachments:* [3001 N 19TH Ave Application](#)

5. [23-00723](#) ZBA 2023-016  
6081 BISCAYNE COURT  
R-1AAA

*Attachments:* [Updated Complete Packet 9.15.23](#)

6. [23-00724](#) ZBA 2023-017  
600 W. MORENO STREET  
R-1AAA

*Attachments:* [600 W Moreno Street Application](#)  
[600 W Moreno Street View](#)

#### ADJOURNMENT

**ADDITIONAL INFORMATION:**

*SUBSEQUENT APPLICATION(S): If denied a variance by the Board, that request for a variance cannot be heard again for a period of one (1) year.*

**JUDICIAL REVIEW OF DECISION OF BOARD OF ADJUSTMENT:**

*Per section 12-12-2 (D) of the City of Pensacola Land Development Code, any person or persons, jointly or severally, aggrieved by any decision of the board, or the city, upon approval by the city council, may apply to the circuit court of the First Judicial Circuit of Florida within thirty {30} days after rendition of the decision by the board. Review in the circuit court shall be by petition for writ of certiorari or such other procedure as may be authorized by law.*

*If any person decides to appeal any decision made with respect to any matter considered at this meeting or public hearing, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and any evidence upon which the appeal is to be based.*

*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 Official that they have ten {10} days to remove or correct the violation.*

**ADA Statement:**

*The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 850-435-1670 (or TDD 435-1666) 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.*

*If any person decides to appeal any decision made with respect to any matter considered at such meeting, he will need a record of the proceedings, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*

*The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 435-1606 (or TDD 435-1666) for further information. Request must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.*



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 23-00727

Zoning Board of Adjustments

9/20/2023

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**TO:** Zoning Board of Adjustments Members

**FROM:** Amy Hargett, Planner

**DATE:** 9/13/2023

**SUBJECT:**

Board election of officers (Chair and Vice Chairperson)

**BACKGROUND:**

The board shall elect a chairperson and vice-chairperson from among its members. Terms of all such offices shall be for one year, with eligibility for reelection.



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 23-00720

Zoning Board of Adjustments

9/20/2023

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**TO:** Zoning Board of Adjustments Members

**FROM:** Amy Hargett, Planner

**DATE:** 9/13/2023

**SUBJECT:**

Zoning Board of Adjustments Meeting Minutes from 8.16.2023



***Zoning Board of Adjustment***

**MINUTES OF THE ZONING BOARD OF ADJUSTMENT**

**August 16, 2023**

**MEMBERS PRESENT:** Chairperson White, Vice Chairperson Weeks, Board Member Jacquay, Board Member Sebold, Board Member Shelley, Board Member Dittmar, Board Member Williams, Board Member Stepherson, Board Member Price

**MEMBERS ABSENT:** NONE

**STAFF PRESENT:** Planner Hargett, Development Services Coordinator Statler, Assistant City Attorney Lindsay, Network Engineer Johnston, Network Engineer Russo

**STAFF VIRTUAL:** Development Services Director Morris

**OTHERS PRESENT:** Tim Daniel, Brad Dye, Susan Campbell Hatler

**1) CALL TO ORDER/QUORUM PRESENT**

Chairperson White called the meeting to order at 3:00 p.m. with a quorum present.

Chairperson White then read the ZBA rules and instructions and explained the procedures of the Board meeting.

Swearing in new board member Price.

## **2) APPROVAL OF MINUTES**

**The ZBA July 19, 2023, minutes were approved without objection by the Board.**

### **3) ZBA 2023-012                      2828 E. Brainerd                      R-1AA**

Mr. Bradley Dye the property owner, is requesting a variance to (1) reduce the secondary side yard (Perry Avenue) setback from 10.30 FT to 6.5 FT and 2) increase the rear yard coverage from 25% to 35% to accommodate a shed. The structure was constructed without permits.

Mr. Dye addressed the Board and explained his request. He came to the Planning department once he received a stop work order from the building department. He stated that he did hire a contractor to construct the shed however he did fail to follow up regarding permit requirements. The contracted advised him that a permit was not required for a shed of this size.

Mr. Dye also stated that the shed was needed for extra storage because he could not fit all of this boating equipment in the existing garage and would not be able to lift heavy items higher due to his back surgery. He also stated that the other neighbors' structures were very close to the property lines all along the alleyway. Mr. Dye further stated it was important for the shed to look good.

Chairperson White asked the Board if they had questions for the applicant.

Board Member Shelley asked when the house was built, and Mr. Dye replied 2019. He then asked when was the shed built, Mr. Dye responded a couple of months ago.

Chairperson White then asked if there were any questions for staff. Vice-chairperson Weeks stated the alleyway still active and had not been vacated. Statler responded that was correct. Board Member Jacquay also commented about the alleyway and asked staff what the thought process was on the setbacks from the alley.

Statler replied that rear yard coverage is calculated and the existing garage just is sitting within the 25% allowed so the structure is pulled close to the property line.

Board Member Shelley commented that the neighbor who was not in support of the variance seemed to be complaining more about the existing garage and the excess water going towards the alleyway. He did not see this was an issue with the request and was not valid for this structure.

After further discussion from the Board regarding the alley, traffic and permitting requirements Boyce asked the Board for a motion.

**Vice-Chairperson Weeks made the motion to approve; seconded by Board Member Dittmar.**

**The motion carried 9-0 and the variance was approved.**

Vice Chairperson Weeks commented that the property owner was trying to do the right thing and he did not see any issues with the requests.

**4) ZBA 2023-013**

**1931 E. Jackson**

**R-1AAA**

Mr. Tim Daniel on behalf of the property owner, is requesting a variance to reduce the required rear yard setback from 30 FT to 21.11 FT to accommodate a garage addition attached by a breezeway. The proposed garage will have livable space on the second floor.

Mr. Tim Daniel states his name and address for the Board. He then explains his clients reason for requesting the variance. He stated they will need future access for a wheelchair due to the homeowner's degenerate health. Mr. Daniel also stated since the right side of the home has a live sand oak this eliminated the possibility of an addition in that area in order to preserve the tree.

Mr. Daniel further stated they met the side yard setback, but the proposed garage would need to slide into the rear yard. The homeowner was also trying to accomplish having access from the garage to the house. Mr. Daniel then stated if they did not need the breezeway then the garage would be in compliance with the LDC.

Chairperson White asked the Board if they had any questions for staff. Hearing none, he then asked if there were questions for staff. Board member Dittmar asked about stairs encroaching into a setback and Statler responded they must be uncovered open stairs.

Chairperson White asked the audience for any speaker requests and Ms. Susan Campbell Hatler approached the podium. Ms. Hatler stated her name and address for the Board. Ms. Hatler was in support of the variance. She felt the request would not disrupt the character of the neighborhood.

After Board discussions Chairperson White entertains a motion.

**Board Member Shelley motions to approve seconded by Board Member Dittmar. The motion carried 9-0 and the variance was approved.**

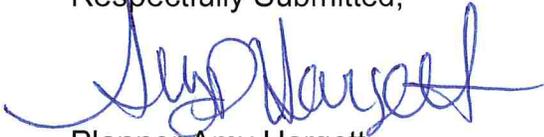
Zoning Board of Adjustment Meeting  
August 16, 2023  
4

**DISCUSSION** –

**ADJOURNMENT** –

There being no further business, the meeting adjourned at 3:28 p.m.

Respectfully Submitted,



Planner Amy Hargett  
Secretary to the Board



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 23-00721

Zoning Board of Adjustments

9/20/2023

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**TO:** Zoning Board of Adjustments Members

**FROM:** Amy Hargett, Planner

**DATE:** 9/13/2023

**SUBJECT:**

ZBA 2023-014  
1739 E. Blount Street  
R-1AAA

**BACKGROUND:**

Mr. Charles Butcher, the property owner is requesting a reduction to the corner side yard setback (secondary frontage) requirement of 15 FT to 1.5 FT and rear yard coverage from 25% to 51.59% for a carport addition to an existing garage.

Supporting documentation has been provided for review.



2023-014

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

### VARIANCE APPLICATION

#### 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 eleven (11) 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 & 12-3-55 Zoning B1A1A1

(To be Completed by Applicant)

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

Property Address: 1739 E Blount St., Pensacola FL 32503

Current use of property: Residence

1. Describe the requested variance(s): Seeking variance to add a twenty foot deep carport to the east end of the current garage.

Reduce the corner side yard setback from 15 Ft to 1.5 Ft.

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:

Being a narrow, corner lot, I'm having to deal with setbacks, on two sides.

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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 intended carport build will slightly impact the thirty foot setback, on the N.18th St. side.

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

This carport will not limit access to any utility requirements, nor will it create an unsightly building. The facade will be in keeping with the heritage of the current home.

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

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Application Date: July 31, 2023

Applicant: Charles H. Butcher

Applicant's Address: 1739 E Blount St., Pensacola FL 32503

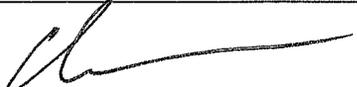
Email: chbutcher@gmail.com Phone: (850)261-7593

Applicant's Signature: 

Property Owner: Applicant

Property Owner's Address: 1739 E Blount St., Pensacola FL 32503

Email: chbutcher@gmail.com Phone: (850)261-7593

Property Owner's Signature: 

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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.

North 18<sup>TH</sup> Avenue



FRONT YARD VIEW E Blount Street

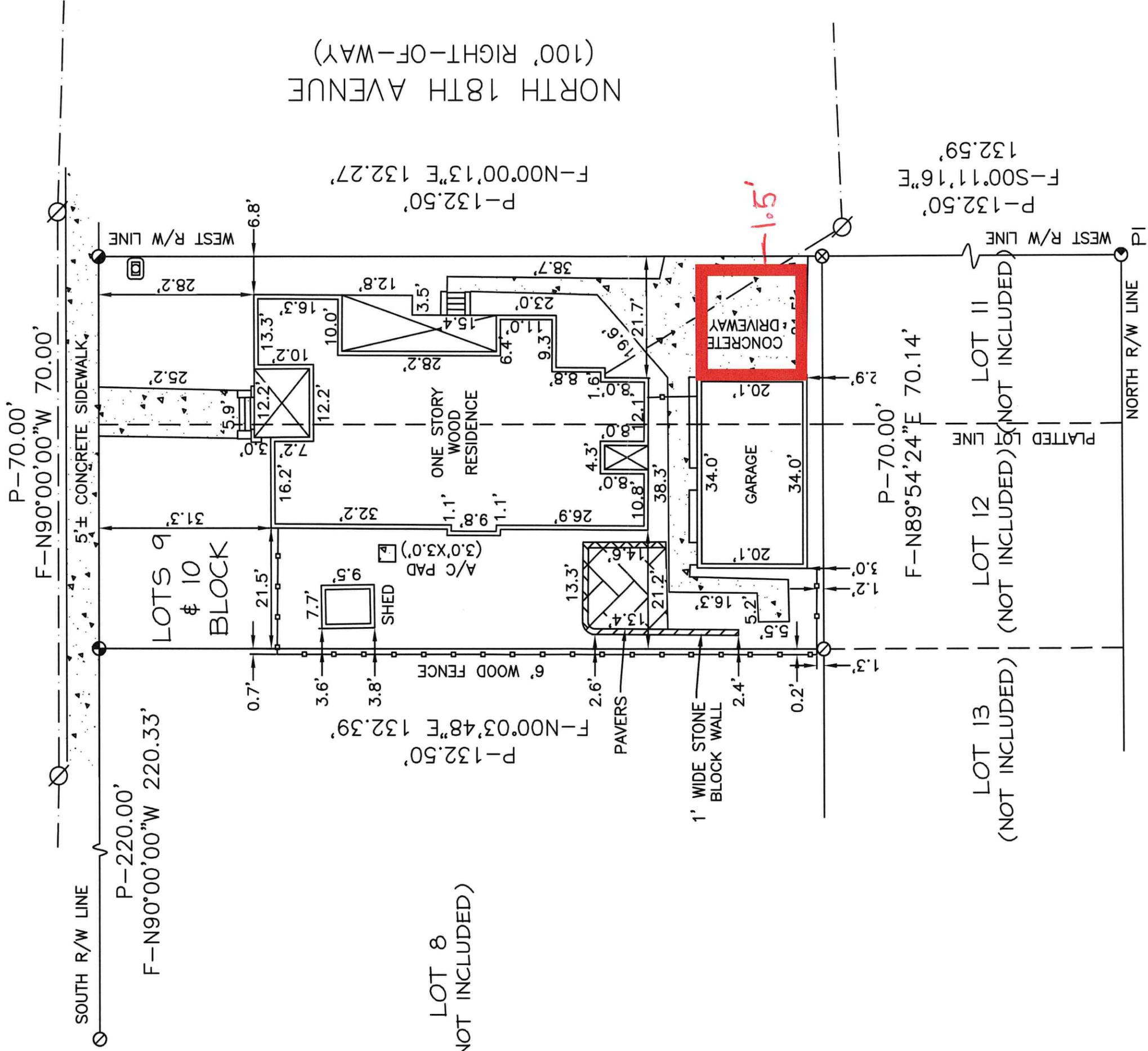


Existing Garage – Proposed area for carport addition

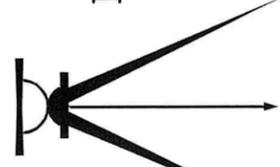


EAST BLOUNT STREET  
(100' RIGHT-OF-WAY)

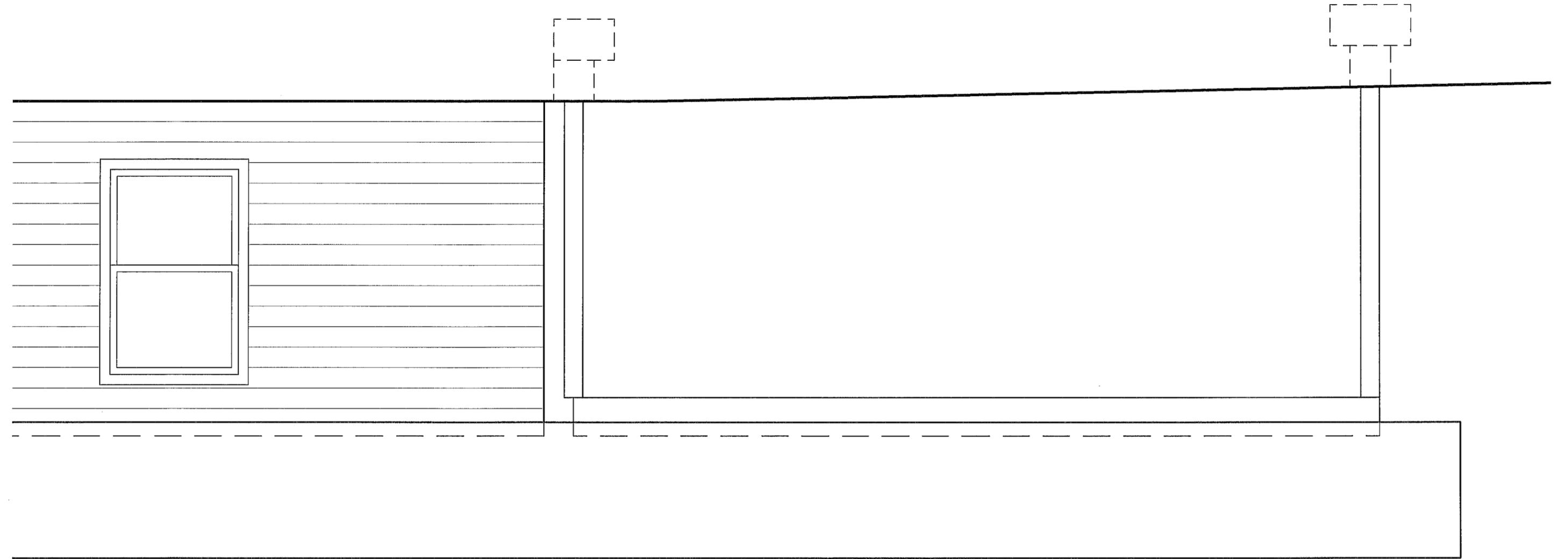
BASIS OF BEARINGS  
(N90°00'00"E)  
P-290.00' F-290.33'

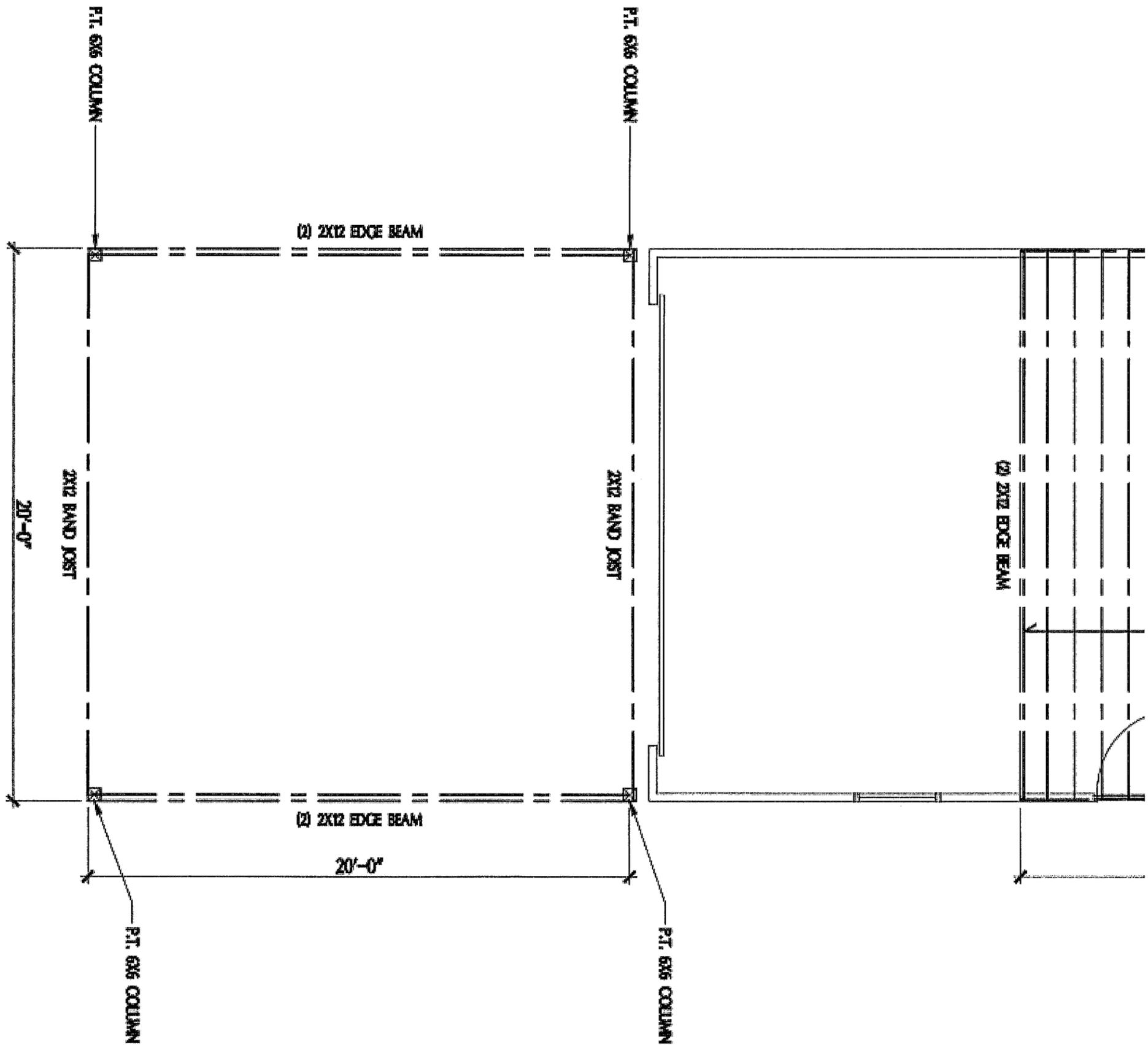


LEE STREET  
(70' RIGHT-OF-WAY)



**KJMM**  
Land Surveying, LLC.  
1616 W. Avery St.  
Pensacola, FL 32501  
(O) 850-438-0202  
(F) 850-438-1307







# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 23-00722

Zoning Board of Adjustments

9/20/2023

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**TO:** Zoning Board of Adjustments Members

**FROM:** Amy Hargett, Planner

**DATE:** 9/13/2023

**SUBJECT:**

ZBA 2023-015  
3001 N. 19<sup>th</sup> Avenue  
R-1AAA

**BACKGROUND:**

Mr. Cristopher Zuber, owner is requesting a reduction to the required front yard setback of 30 FT to 20.5 for an addition.

The current home is a two-bedroom two-bathroom, and the homeowners would like to expand the footprint to allow a master suite addition.

Please note the survey submitted has 19<sup>th</sup> Avenue listed with a 100 FT Right-of-Way as the street, this should be 18<sup>th</sup> Avenue with a 70 FT Right-of-Way.

Supporting documentation has been provided for review.



2023-015

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

### VARIANCE APPLICATION

#### 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 eleven (11) 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 T. 12-3.1 Zoning R1AAA

(To be Completed by Applicant)

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

Property Address: 3001 N 19th Ave Pensacola, FL 32503

Current use of property: Residential

1. Describe the requested variance(s):

As per 9'

Reduction of the Front yard setback from 30' to 20.5' for an addition.

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 FRONT OF THE PROPERTY HAS AN EXCEPTIONALLY LARGE

RIGHT-OF-WAY (~22') THAT PREVENTS VI FROM THE ADDITION. ITS ALSO  
A CORNER LOT AND WE CANNOT BUILD IN THE OTHER DIRECTIONS.

**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~~ ~~ADDITIONAL~~ ~~SPACE~~ ~~REQUIRE~~ ~~THE~~ ~~NECESSARY~~ ~~SPACE.~~

**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 ADDITIONAL 5' LEAVES PLENTY OF BREATHSPACE IN THE FRONT YARD  
AND LAW SHALL BE ACCESSIBLE TO CITY INFRASTRUCTURE.

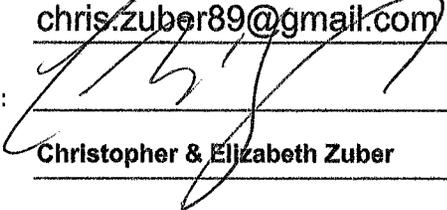
**5. Explain what other condition(s) may justify the proposed variance(s):**

Application Date: 08-29-2023

Applicant: Christopher Zuber

Applicant's Address: 3001 N 19th Ave Pensacola, FL 32503

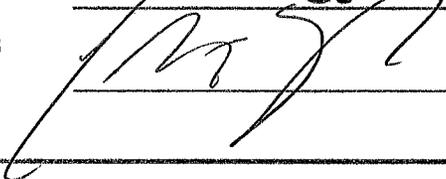
Email: chris.zuber89@gmail.com Phone: 404-372-9305

Applicant's Signature: 

Property Owner: Christopher & Elizabeth Zuber

Property Owner's Address: 3001 N 19th Ave Pensacola, FL 32503

Email: chris.zuber89@gmail.com Phone: 404-372-9305

Property Owner's Signature: 

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***

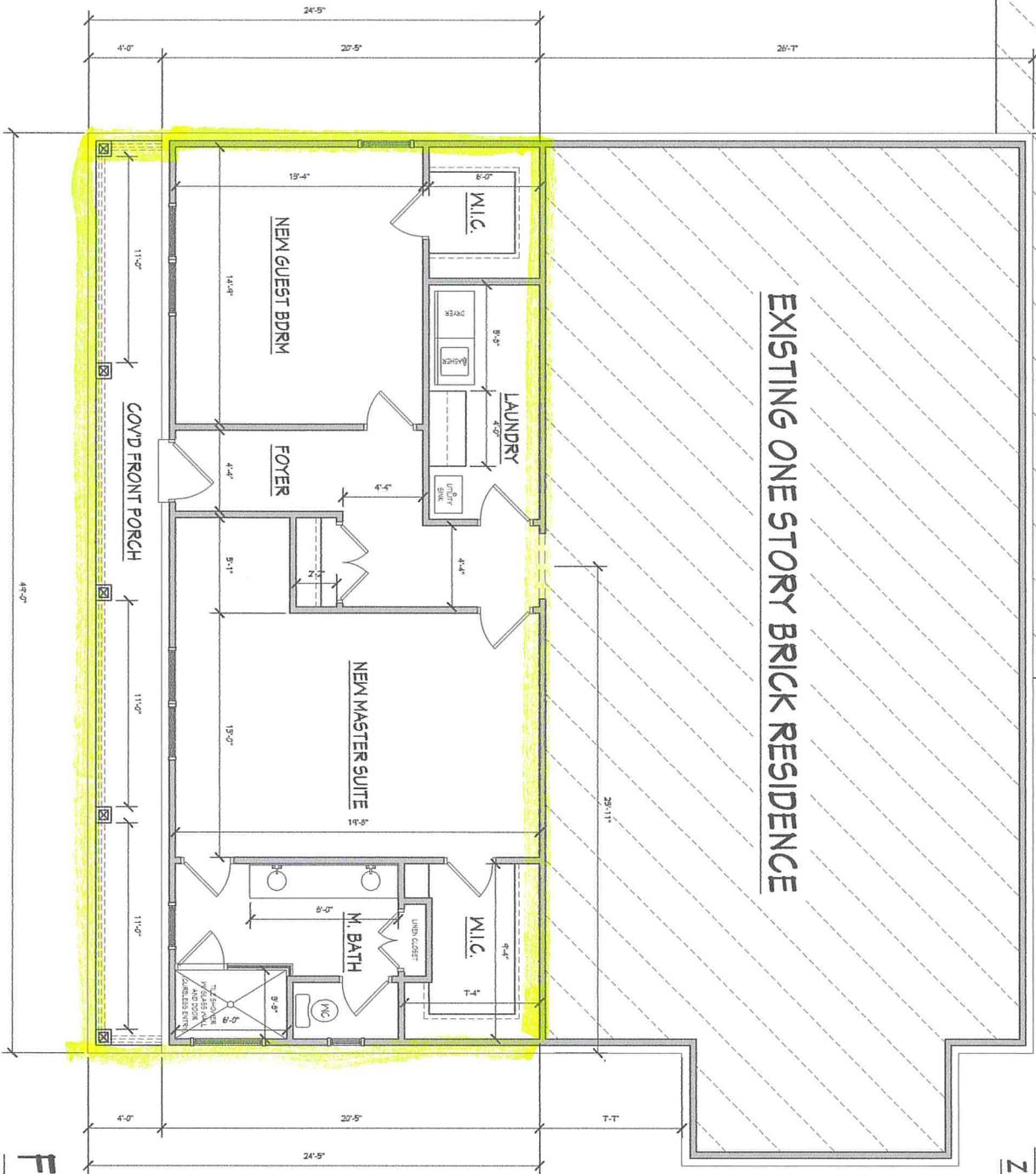
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**VARIANCE GRANTED BY THE BOARD OF ADJUSTMENT:** The petitioner must secure a building permit and commence work within one hundred-eighty (180) days of the date of the granting of the variance, unless additional time is granted by the Board at that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

Bears Street

19th Ave



EXISTING ONE STORY BRICK RESIDENCE

FLOOR PLAN

SCALE: 3/8" = 1'-0"

**NOTE:**  
ALL CEILINGS 9'-0" HIGH  
UNLESS NOTED OTHERWISE

**AREA CALCULATIONS**  
ADDED LIVING AREA 494 S.F.  
NEW COVID PORCH 196 S.F.

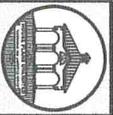
HOMWOOD CONSTRUCTION LLC  
ZUBER ADDITION PRELIMINARY  
3001 N 19TH AVE PNS FL

SHEET # <b>A2</b>	<b>PROJECT INFO:</b>
	FOR NAME/NO. HPU 23-0720
	CAD FILE NO. HPU 23-0720
	DRAWN BY: MM
	DATE: 07-20-2023
REVISIONS:	

**ZUBER ADDITION  
PRELIMINARY**  
3001 N 19TH AVE  
PENSACOLA FL 32503

**HOUSE PLANS UNLIMITED**  
4400 BAYOU BLVD. SUITE 25-B PENSACOLA, FL.  
850-477-8077 EMAIL: HOMEPLANSUNLIMITED@GMAIL.COM

HOUSE PLANS UNLIMITED ASSUMES NO LIABILITY FOR ANY CONSTRUCTION FROM THESE PLANS. THE PURCHASER OF THESE PLANS IS RESPONSIBLE FOR ANY CONSTRUCTION PROVIDING THE INTENDED RESULTS SHOWN HERE. BUYER/CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO ANY PHASE OF CONSTRUCTION. BUYER/CONTRACTOR RESPONSIBLE FOR CONFORMING TO LOCAL CITY/COUNTY AND REGIONAL BUILDING CODES.







# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 23-00723

Zoning Board of Adjustments

9/20/2023

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**TO:** Zoning Board of Adjustments Members

**FROM:** Amy Hargett, Planner

**DATE:** 9/13/2023

**SUBJECT:**

ZBA 2023-016  
6081 Biscayne Court  
R-1AAA

**BACKGROUND:**

Mr. Lewis Norman, owner is requesting a reduction to the required front yard setback of 30 FT to 15.25 FT for a front porch addition. The applicant is also requesting a rear yard setback from 30 FT to 20 FT to accommodate a rear porch kitchen addition.

Both porch additions were constructed without permits.

Supporting documentation has been provided for review.



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

2023-0116

### VARIANCE APPLICATION

#### 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 T. 12-3.1 Zoning RIAAA

(To be Completed by Applicant)

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

Property Address: 6081 Biscayne CT, Pensacola, FL 32504

Current use of property: See Attached

- 1. Describe the requested variance(s): Reduction of the Front yard setback from 30 Ft to 15.13 Ft for a front porch addition and a reduction of the rear yard setback from 30 Ft to 20 Ft for an outdoor kitchen addition.

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:  
See Attached

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:

See Attached

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

See Attached

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

See Attached

Application Date: 28 Aug 2023

Applicant: Lewis W Norman

Applicant's Address: 6081 Biscayne CT, Pensacola FL 32504

Email: Wes.Norman2222@yahoo.com Phone: 334-440-5217

Applicant's Signature: Lewis W Norman

Property Owner: Lewis W Norman

Property Owner's Address: 6081 Biscayne CT, Pensacola, FL 32504

Email: Wes.Norman2222@yahoo.com Phone: 334-440-5217

Property Owner's Signature: Lewis W Norman

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.

*Planning Services*  
222 W. Main Street \* Pensacola, Florida 32502  
(850) 435-1670  
Mail to: P.O. Box 12910 \* Pensacola, Florida 32521

## VARIANCE APPLICATION

Property Address: 6081 Biscayne Ct., Pensacola, FL 32504

Current use of property: Residential

1. Describe the requested variance(s):
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 action: **Front Porch – Contractor built and attached the structure while I was working out of town (I'm active-duty Army). The structure in turn doesn't meet the setbacks and will need a variance from Drexel Road. I was not aware of the setback issues until 08/28/2023 when Leslie Statler advised me at the city. I went to the city to find out what was going on with my project since I couldn't get a clear answer from my contractor and felt that there was things being kept from me.**
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 Front Porch is already built and attached to the structure prior to knowing that it didn't meet variance standards. The Front Porch will bring curb appeal to the property.**
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 Front Porch does not impede on others property, view of streets, nor does it cause any property damage.**
5. Explain what other condition(s) may justify the proposed variance(s): **Contractor completed construction of the front porch. This is the main entrance to the residents and with the elevation of the front door of residence it needs a porch for entrance.**







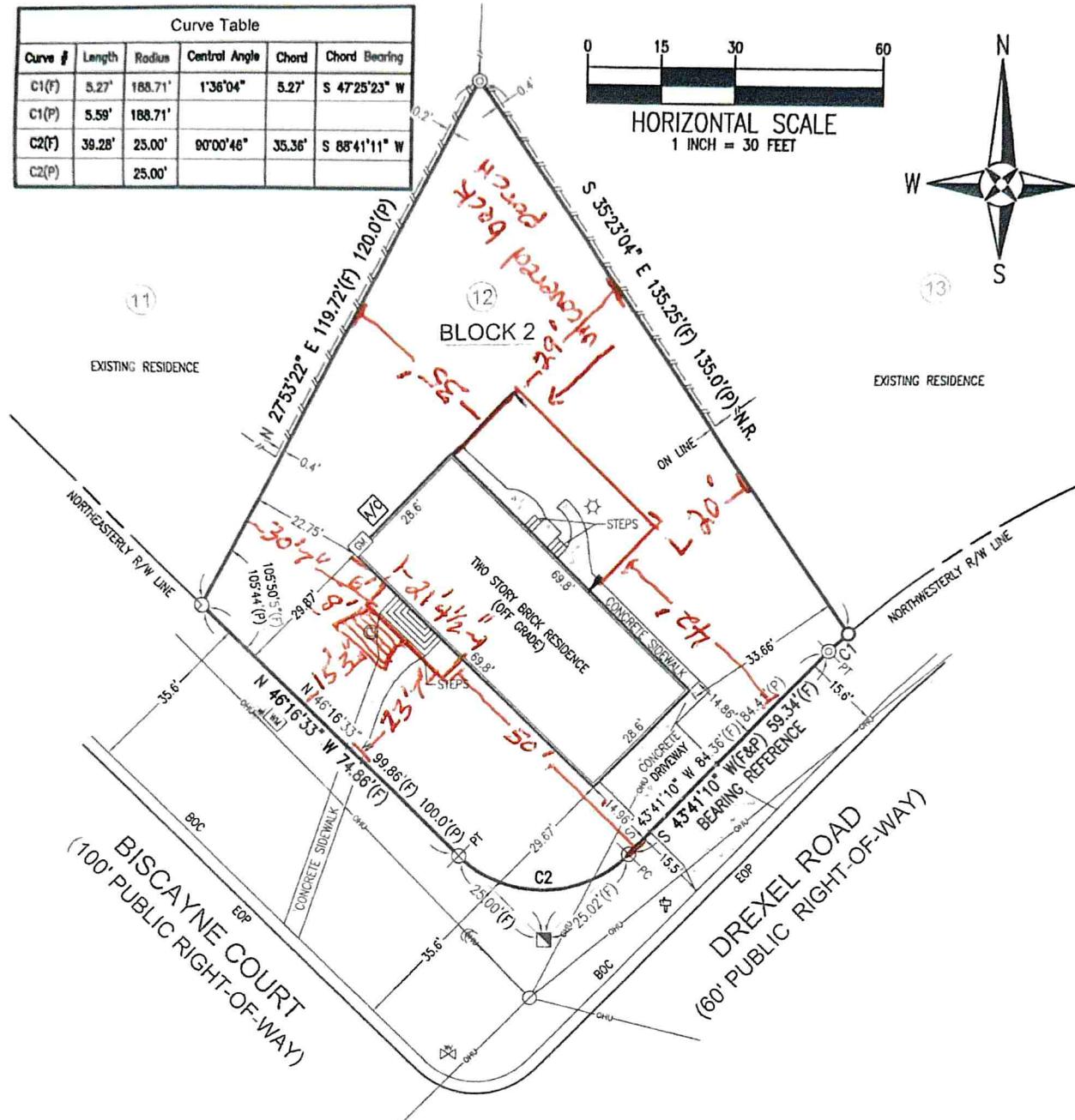
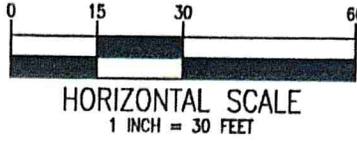
**REBOL-BATTLE & ASSOCIATES**  
 Civil Engineers and Surveyors  
 2301 N. Ninth Avenue, Suite 300  
 Pensacola, Florida 32503  
 Telephone 850 438 0400 Fax 850 438 0448  
 EB 00009657 LB 7916

### BOUNDARY SURVEY

PREPARED FOR: WES NORMAN  
 REQUESTED BY: WES NORMAN

PROJECT:	2021.005
FIELD SURVEY DATE:	02/03/2021
SECTION:	33
TOWNSHIP:	1 SOUTH
RANGE:	30 WEST
COUNTY:	ESCAMBIA

Curve #	Length	Radius	Central Angle	Chord	Chord Bearing
C1(F)	5.27'	188.71'	1°36'04"	5.27'	S 47°25'23" W
C1(P)	5.59'	188.71'			
C2(F)	39.28'	25.00'	90°00'46"	35.36'	S 88°41'11" W
C2(P)		25.00'			



**LEGEND:**

- |                                                                  |                                  |                               |
|------------------------------------------------------------------|----------------------------------|-------------------------------|
| ⊗ SET 1/2" DIA CAPPED IRON ROD (No. 7916)                        | ☆ DENOTES METAL LIGHT POLE       | C1 DENOTES CURVE NUMBER       |
| ⊙ FOUND 1/2" DIA CAPPED IRON ROD "SHONTZ"                        | ⊕ DENOTES CLEAN OUT              | DIA DENOTES DIAMETER          |
| ⊙ FOUND 1" DIA IRON PIPE (UNNUMBERED)                            | ✉ DENOTES MAILBOX                | EOP DENOTES EDGE OF PAVEMENT  |
| ○ FOUND 1-1/2" DIA IRON PIPE (UNNUMBERED & DISTURBED)            | Ⓜ DENOTES AIR CONDITIONING UNIT  | (F) DENOTES FIELD INFORMATION |
| ▣ FOUND 4"x4" CONCRETE PERMANENT REFERENCE MONUMENT (UNNUMBERED) | Ⓜ DENOTES GAS METER              | No. DENOTES NUMBER            |
| ① DENOTES PLATTED LOT NUMBER                                     | Ⓜ DENOTES WATER METER            | N.R. DENOTES NON RADIAL       |
| ⊘ DENOTES WOOD UTILITY POLE                                      | Ⓜ DENOTES WATER VALVE            | (P) DENOTES PLAT INFORMATION  |
| ← DENOTES GUY WIRE ANCHOR                                        | —//—//— DENOTES WOOD PANEL FENCE | PC DENOTES POINT OF CURVATURE |
|                                                                  | —DHU— DENOTES OVERHEAD UTILITIES | PT DENOTES POINT OF TANGENCY  |
|                                                                  | BOC DENOTES BACK OF CURB         | R/W DENOTES RIGHT-OF-WAY      |

ADDRESS: 6081 BISCAZYNE COURT, PENSACOLA, FLORIDA 32504

SEE SHEET 2 OF 2 FOR DESCRIPTION & NOTES

REVISIONS			
NO.	BY	DESCRIPTION	DATE

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050, 5J-17.051 AND 5J-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Mark A. Morris*  
 MARK A. MORRIS - PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA REGISTRATION NO. 6211 2-8-21

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

CHECKED BY:	MAN
SCALE:	1" = 30'
F.B.	21-01 PG 48-49
DRAWN BY:	ANC
SHEET:	1 OF 2



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 23-00724

Zoning Board of Adjustments

9/20/2023

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**TO:** Zoning Board of Adjustments Members

**FROM:** Amy Hargett, Planner

**DATE:** 9/13/2023

**SUBJECT:**

ZBA 2023-017  
600 W. Moreno Street  
R-1AAA

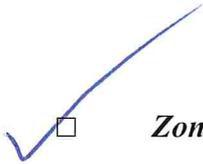
**BACKGROUND:**

Mr. Tim Daniel on behalf of the homeowner is requesting a reduction to the corner side yard setback (secondary frontage) from 15 FT to 4 FT to accommodate a replacement carport.

In order to replace the previous nonconforming carport which was demolished a variance is needed for the same footprint.

There is no record of permits for the previous construction or demolition.

Supporting documentation has been provided for review.



**Zoning Board of Adjustment**

2023-017

**VARIANCE APPLICATION**

City of



**Pensacola**

*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) 12-3-3T, 12-3.1 Zoning R1AAA

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**(To be Completed by Applicant)**

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

**Property Address:** 600 W. Moreno Street, Pensacola FL. 32501

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

**1. Describe the requested variance(s):**

*The client is requesting a side yard setback variance of 11'-0" to construct a direct replacement of a previously existing carport. The homeowners purchased the property in May of 2022 and immediately began improvements. In doing so, they took bad advice from what should be professionals. This caused an existing structure to be demolished that now will require a variance to replace it.*

**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 positioning of the home on the lot lacks the room for a conforming parking structure. The entrance to the home, outside of the main front entrance, is on the street side of the property. This is also the driveway and entrance to the rear yard. The lot doesn't offer any other solutions for covered parking that fits with the layout of the existing home and current parking. The property was purchased with an existing carport in the same location as the proposed. The clients reached out to Contractors for bids and professional opinions on making repairs to the existing carport. Feedback from the Contractors was a consensus to demolish the structure and rebuild. Although the carport was very much useable, the clients took their advice and demolished the structure and reached out to my Company to obtain construction plans for its replacement. Unfortunately, I had to notify the client that the old structure was non-conforming, therefore a replacement would require a variance regarding the side yard setbacks. Understandably the homeowners were distraught about the news, knowing they would have never demolished the existing carport if it was not for the ill recommendations given to them by "professionals". In hopes of obtaining a variance, the clients have decided to scale back their original plans, and request the minimum variance required that would allow for a direct replacement.*

**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 homeowners to have covered parking. The clients would have never demolished the existing carport if it was not for the ill advise given to them by "professionals". The variance request has been limited to getting them a direct replacement. Due to the size of modern cars, new carports are often larger than the request of the client. However, the client is hoping that minimizing the request to a direct replacement, and one that in on the smaller side of the spectrum for carports, will allow them to gain back the function of covered parking as they had when they purchased the property.*

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

*Due to the property already having a carport of this size, and in this location, the impact of this carport will not be detrimental to the neighborhood as it's only replacing what was already existing. At minimum, we can confidently say it cannot be considered a new detriment to the property, as it's a replacement of what already existed. Additionally, when purchased, the property was overgrown with drivers' line of sight being impacted by the overgrowth of bushes, and unruly landscaping. The carport had ZERO impact of driver's line of sight. However, the homeowners greatly improved the curb appeal of the property, clearing the unruly landscaping, completely mitigating any landscaping that caused a detrimental impact to the driver's line of sight. The property was improved tremendously, and the carport has no impact on drivers' safety as it doesn't even extend to property line fence. Additionally, the new carport will be an improvement over the original carport as this one will be new, and match the home improvements done to the existing home. As mentioned, the homeowners went above and beyond on improving the curb appeal of the existing home; including but not limited to new materials, finishes, and color palate to the existing homes exterior. Additionally, the landscaping was professionally done, a huge improvement over what previously existed.*

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

*This is the driveway that exists for the homeowner and is the only side of the home that a driveway makes sense given the design of the home. No additional impact on the property other than replacing a structure that previously existed and was only demolished for replacement due to bad advice given by professionals in the community. Clients would have kept the existing carport had they been made aware of the predicament this caused beforehand. The homeowners are only wanting to get back what previously existed.*

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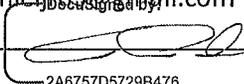
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Application Date: 08/30/2023

Applicant Representative: Tim Daniel

Applicant Representative Phone: (850)-417-5332

Applicant Representative Email: [timdanielj83@gmail.com](mailto:timdanielj83@gmail.com)

Applicant's Representative Signature:  8/30/2023

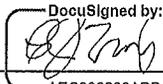
2A6757D5729B476...

Property Owner / Applicant: Connie Novotny

Property Owner / Applicant's Address: 600 W. Moreno Street, Pensacola FL. 32501

Email: [wichita1955@yahoo.com](mailto:wichita1955@yahoo.com)

Phone: (317)-319-0690

Property Owner's Signature:  8/30/2023

DocuSigned by:

AEC396236ADB43B...

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**



City of

**Pensacola**

*America's First Settlement*

*And Most Historic City*

***Variance Application***

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.

**Planning Services**

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

**(850) 435-1670**

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

# NOVOTNY RESIDENCE

## CARPORT REPLACEMENT PROJECT

600 W. MORENO STREET, PENSACOLA FL. 32501

### TABLE OF CONTENTS

SHEET 1 OF 4:	COVER SHEET/SITE PLAN
SHEET 2 OF 4:	PROPOSED RENDERINGS
SHEET 3 OF 4:	PROPOSED ELEVATIONS
SHEET 4 OF 4:	PROPOSED FLOOR PLAN

**SURVEY:** Client shall provide a survey to confirm setbacks. Home Designer is not responsible for setbacks or variance request w/out being furnished a official survey.



ORIGINAL CARPORT THAT WAS DEMOLISHED WITH THE INTENT TO REBUILD

### ORIGINAL CARPORT - REPLACEMENT REQUESTED

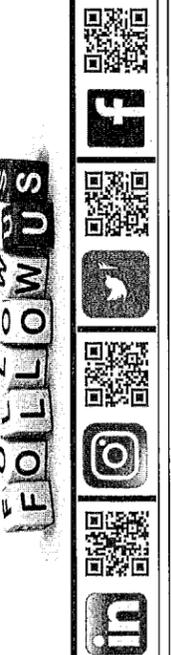
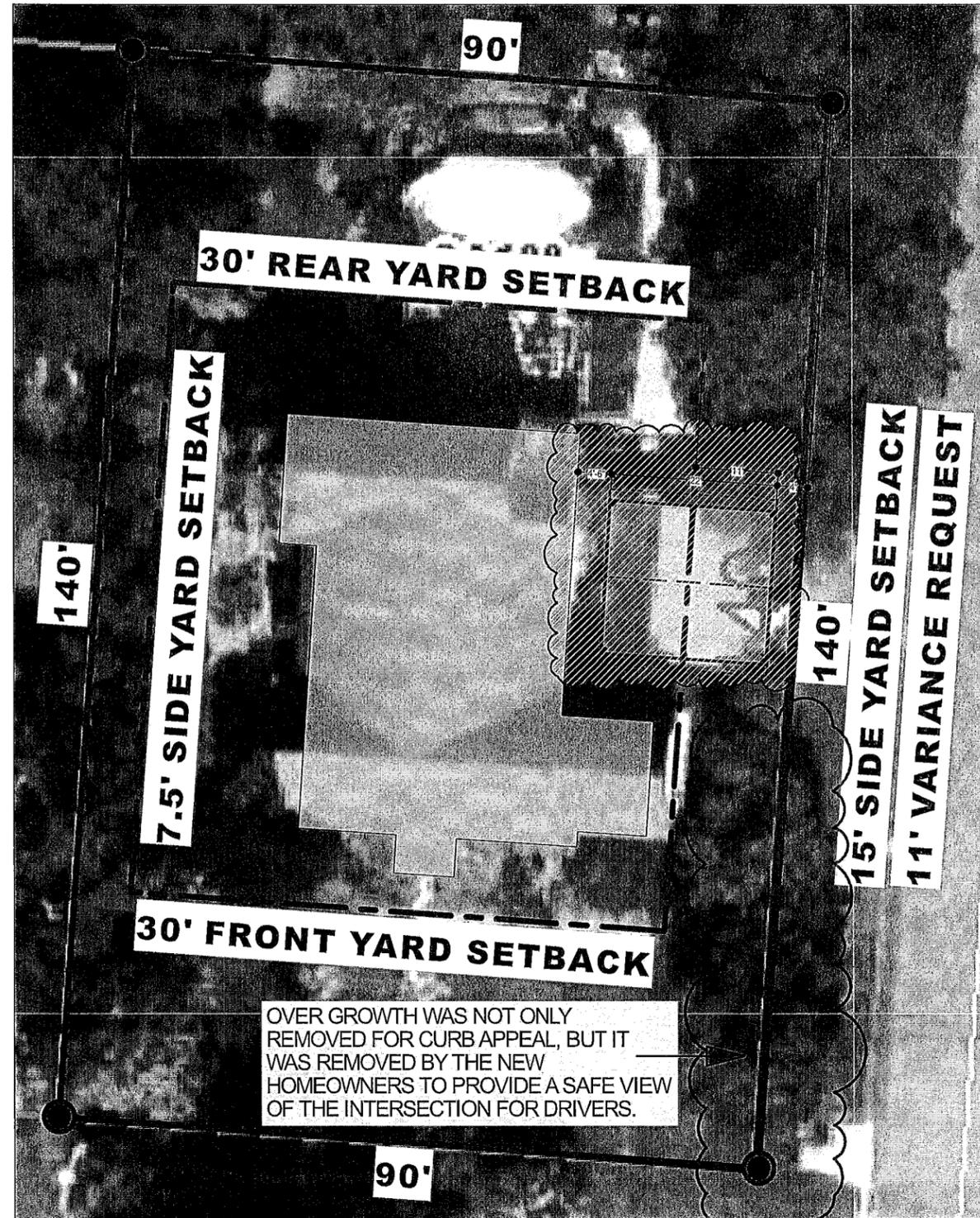
Above is the original carport that was demolished. A replacement carport is being requested. Client was unaware that the existing carport was over the required setbacks. If the client, whom recently purchased the property, was aware that the replacement would require a variance, they would have kept the existing carport as-is. However the client has improved the curb appeal of the property greatly and has the intention of replacing the old carport with one that does not only improve the curb appeal even further, but also ensures that it's structurally sound. Due to the layout of the lot and existing structures, the client does not have adequate space to create a covered parking structure on the lot outside of it's current location.

### PROPOSED SITE PLAN SCALE: 1" = 20' - 0"

The client recently purchased the home and the property had an existing carport. The carport had shown some aging so the clients are looking to replace the existing carport with a new carport that meets current Florida Building Code structural requirements. The proposed carport will be in the same location as the existing (recently demolished).

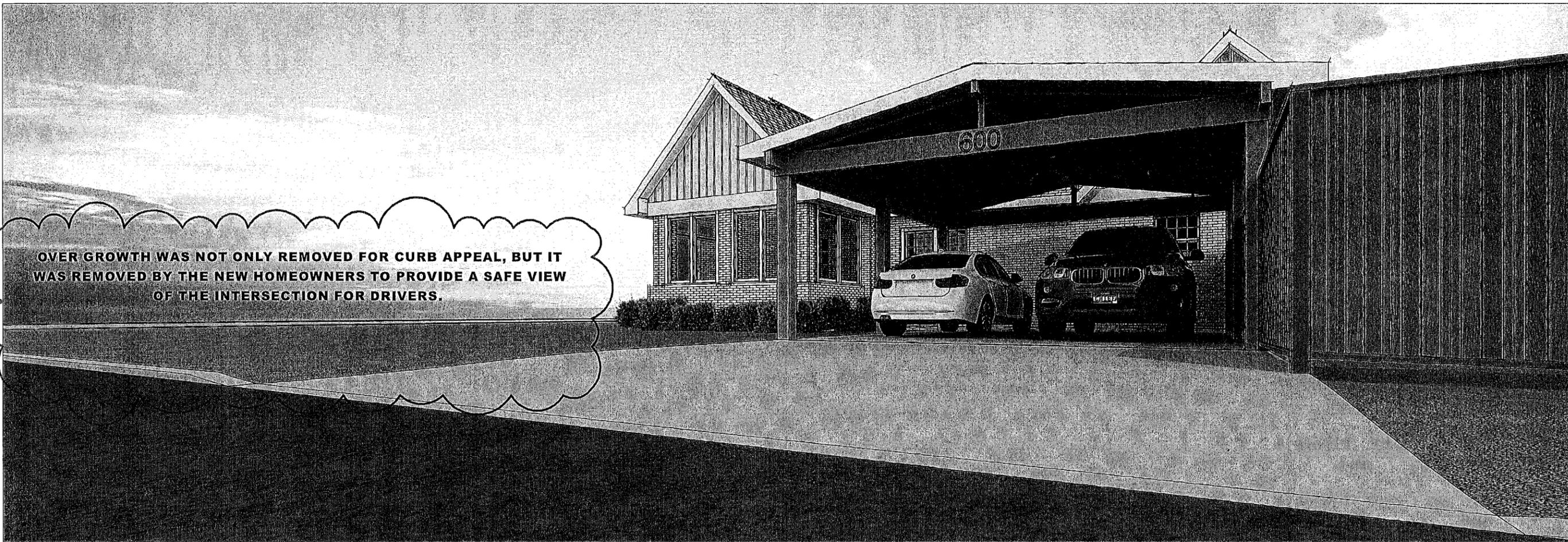
#### VARIANCE REQUEST

A variance of 11' is being requested based on a setback of 15' (50% of secondary frontage setback of 30'). The replacement carport is North of the intersection, and does NOT impede the view of drivers. Additionally the lot used to be overgrown, thus potentially impeding the drivers view at the intersection. The overgrowth has been removed, completely un-impeding the drivers view. Additionally the carport will NOT be enclosed, but instead will be open on all sides. Lastly the carport will not extend past the existing 6' privacy fence.

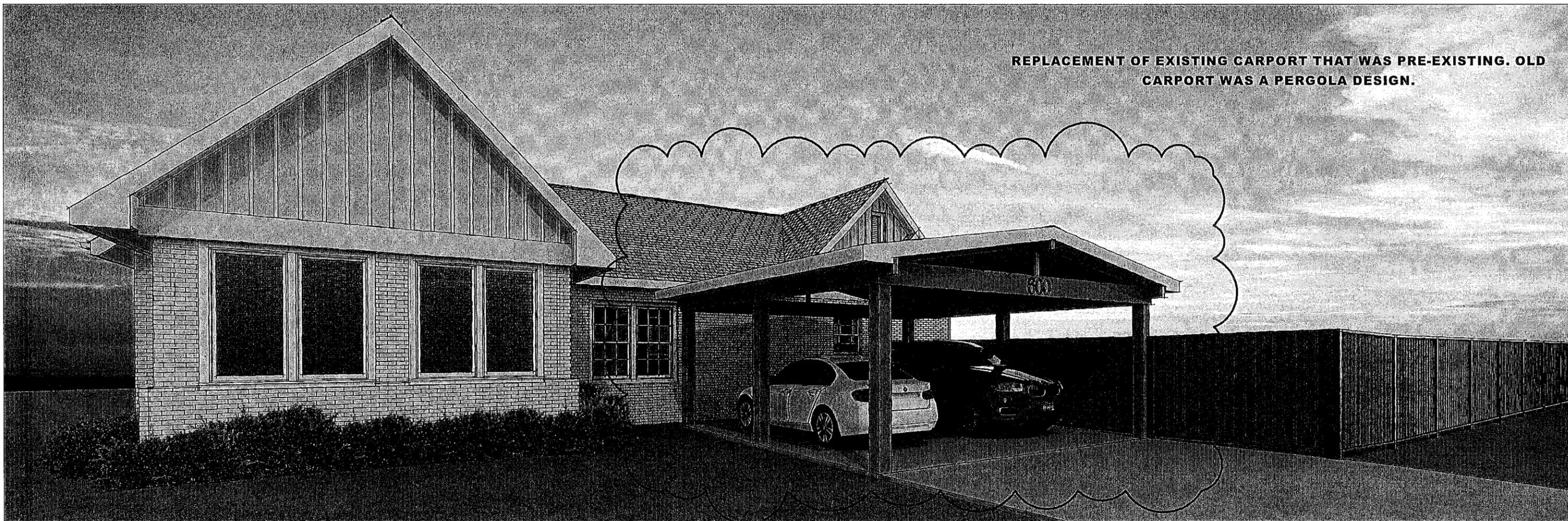


PROJECT INFORMATION  
 DESCRIPTION: Carport Design  
 NAME: Mrs. Connie Novotny  
 PROJECT SCOPE

REFLECTIONS Home Designs & CAD Services  
 Email: timdanieljr83@gmail.com  
 Phone: (850)-417-5332



OVER GROWTH WAS NOT ONLY REMOVED FOR CURB APPEAL, BUT IT WAS REMOVED BY THE NEW HOMEOWNERS TO PROVIDE A SAFE VIEW OF THE INTERSECTION FOR DRIVERS.



REPLACEMENT OF EXISTING CARPORT THAT WAS PRE-EXISTING. OLD CARPORT WAS A PERGOLA DESIGN.

PROJECT INFORMATION

DESCRIPTIONS: Carnot Design  
NAME: Mrs. Connie Novotny

PROJECT SCOPE

**REFLECTIONS Home Designs  
& CAD Services**

Email: [timdanieljr83@gmail.com](mailto:timdanieljr83@gmail.com)  
Phone: (850)-417-5332

DATE: 02/01/2023  
SCALE: -  
SHEET: 2 OF 4

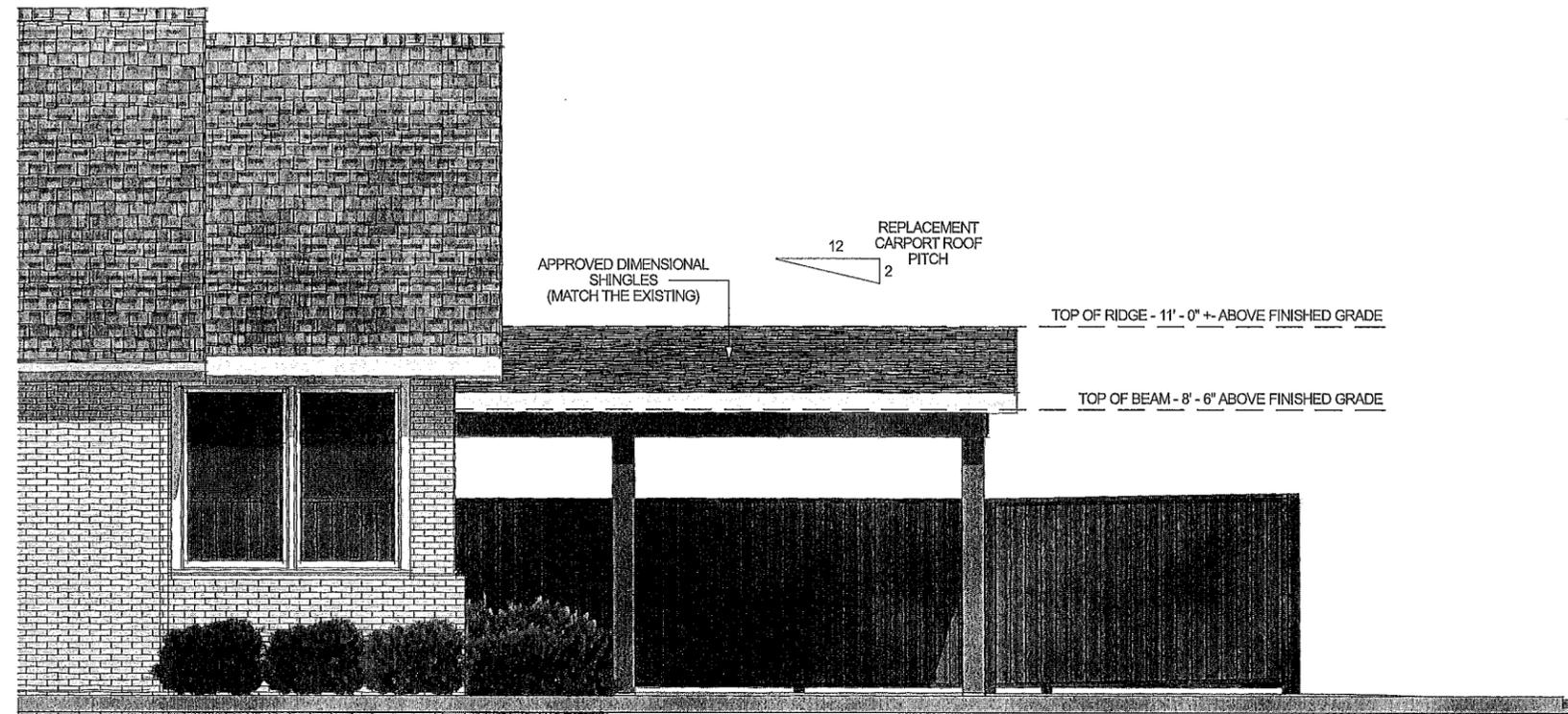
FOLLOW US





**EAST ELEVATION**

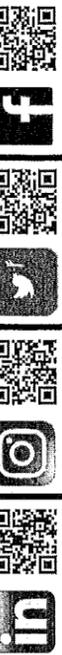
SCALE: 3/16" = 1' - 0"



**SOUTH ELEVATION**

SCALE: 3/16" = 1' - 0"

FOLLOW US



PROJECT INFORMATION

DESCRIPTION: Carport Design  
NAME: Mrs. Comile Novatny

PROJECT SCOPE

**REFLECTIONS Home Designs  
& CAD Services**

Email: [timdanieljr83@gmail.com](mailto:timdanieljr83@gmail.com)  
Phone: (850)-417-5332

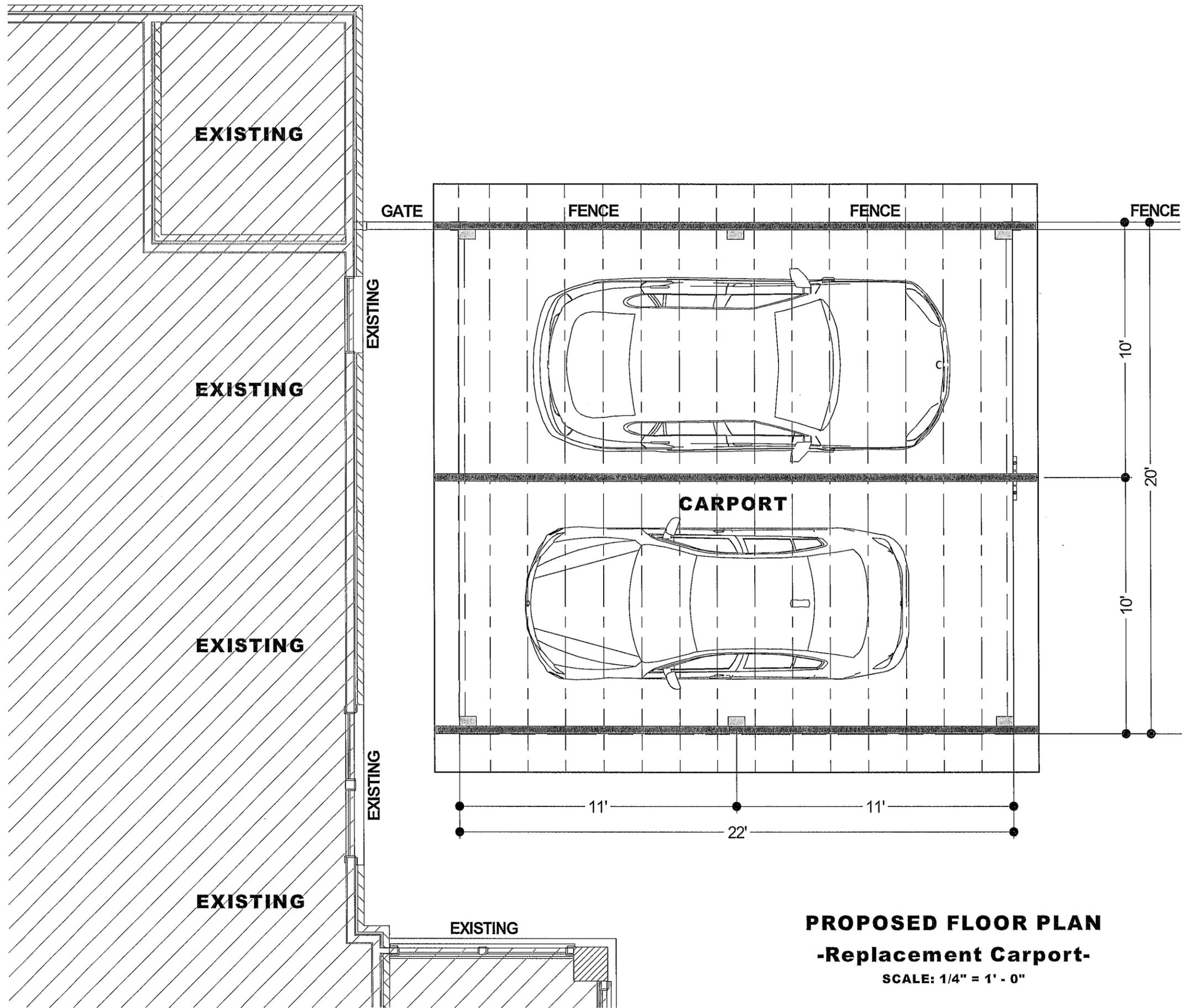
DATE: 02/01/2023

SCALE: -

SHEET: 3 OF 4

**GENERAL NOTES:**

1. Contractor to field verify all dimensions.
2. Carport shall NOT have any electrical receptacles and/or lighting
3. Contractor shall confirm existing overhead electrical and mast has required clearance above the carport. If necessary, the mast shall be extended to meet minimum clearance per F.B.C.



**PROPOSED FLOOR PLAN**  
**-Replacement Carport-**  
 SCALE: 1/4" = 1' - 0"

**REFLECTIONS Home Designs**  
 & CAD Services

Email: [timdanieljr83@gmail.com](mailto:timdanieljr83@gmail.com)  
 Phone: (850)-417-5332

**PROJECT INFORMATION**

DESCRIPTIONS: Carport Design  
 NAME: Mrs. Connie Novotny

PROJECT SCOPE

DATE: 02/01/2023  
 SCALE: -  
 SHEET: 4 OF 4

**FOLLOW US**



