

DAN RUSSELL
MAYOR PRO TEM
VICKIE GAINER
CITY MANAGER
KEVIN D OBOS
CITY ATTORNEY



COMMISSIONERS
JUDY TINDER
BRANDON ALDRIDGE
PAT PERNO

LYNN HAVEN BOARD OF ADJUSTMENT THURSDAY, NOVEMBER 19, 2020, AT 5:30 P.M. GARDEN CLUB, 307 OHIO AVE

AGENDA

The Lynn Haven Board of Adjustment will consider the following request(s) at a Regular Meeting to be held Thursday, November 19, 2020, at 5:30 p.m. at the Garden Club, at 307 Ohio Ave, Lynn Haven, Florida. All interested persons are invited to attend or you may submit your written comments to the Board through the Planning Department, 817 Ohio Avenue, Lynn Haven, FL 32444.

1. Call to Order
2. Minutes: February 20, 2020
3. VAR-21-01: Joey E & Krissy J Ramsey
1708 Missouri Ave
Request to change side yard setback from 7 feet to 5 feet
4. Adjourn

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THEY 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 BASED. FLORIDA STATUTE 286.010.

*** IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND 286.26, FLORIDA STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY PLANNER NO LATER THAN TWO (2) DAYS PRIOR TO THE PROCEEDING AT TELEPHONE 850-265-2961 FOR ASSISTANCE. IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS, (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE), FOR ASSISTANCE.

CITY OF LYNN HAVEN
BOARD OF ADJUSTMENT
REGULAR MEETING
February 20, 2020

A Regular Meeting of the Lynn Haven Board of Adjustment was held on Thursday, February 20, 2020, at 5:30 p.m. in The Public Utilities Conference Room.

Present: John Miller
Aneliya Santos
Thomas Cox
Amanda Richard, Director of Planning and Permitting
Vicki Henderson, Board Secretary

The positions of President and Vice President need to be filled.

Mr. Cox made a motion for Mr. Miller to serve as Chair,

Second to motion: Ms. Santos,

On vote: Cox: aye
Santos: aye
Miller: aye

approved 3-0

Mr. Miller made a motion for Mr. Cox to serve as Vice-Chair,

Second to motion: Aneliya Santos

On vote: Santos: aye
Cox: aye
Miller: abstained

approved 3-0

2. Mr. Cox made a motion to approve the July 18, 2019, Minutes.

Second to motion: Aneliya Santos,

On vote: Santos: aye
Cox: aye
Miller: aye

approved 3-0

#3. VAR-20-1: Mr. Derik S Spalding, 2208 Bell Circle: Ms. Amanda Richard, addressed the Board and stated the applicant is requesting a variance for a side and rear yard setback. Ms. Richard stated the owner/applicant is Mr. Derik S. Spalding (was present) and the location is 2208 Bell Circle. The land use is Low Density Residential and the existing use is a single-family residence. The parcel number is 11634-342-000.

Ms. Richard stated the required side and rear yard setback for accessory structures is seven (7) feet. The applicant is requesting that he be allowed a five (5) feet side and rear yard setback in order to construct a boat shed.

Ms. Richard stated there is an existing water line at the 7' setback, and the applicant has submitted two (2) letters from the property owners at 2210 Bell Circle and 2206 Bell Circle, and both letters state they have no objection to the 5' setbacks.

There was no phone calls or comments received from the letters sent to neighboring property owners within 100'.

Mr. Cox made a motion to approve the variance request,

Second to motion: Aneliya Santos

On vote:	Cox:	aye
	Santos:	aye
	Miller:	aye

approved 3-0

#4. VAR-20-2: Jamie & Kimberly Britton: Ms. Amanda Richard, addressed the Board and stated the applicants are requesting a variance for a side yard setback. Ms. Richard stated the owner/applicants are Jamie & Kimberly Britton (both present) and the location is 3004 Country Club Drive. The land use is Medium Density Residential, and the parcel number is 08732-019-000.

Ms. Richard stated the required side yard setback for accessory structures is five (5) feet. The applicants are requesting that they be allowed a one (1) foot side setback in order to construct a golf cart garage addition.

Ms. Richard stated the northwest parcel is adjacent to a drainage easement. The applicants submitted an approval letter from the HOA, and a letter from the HOA Architectural Review Application Approval.

There was no phone calls or comments received from the letters sent to neighboring property

owners within 100’.

Mr. Cox made a motion to approve the variance request,

Second to motion: Aneliya Santos

On vote:	Cox:	aye
	Santos:	aye
	Miller:	aye

approved 3-0

Ms. Richard thanked the board members for attending the meeting, as there attendance is very important.

Ms. Richard thanked Mr. Robert Waddell for attending the meeting as guest, as he has applied to serve on the Board of Adjustments.

With there being no further business or discussion, the meeting was adjourned at 5:57 p.m.

John Miller, Board Chair



DEPARTMENT OF DEVELOPMENT & PLANNING

817 Ohio Avenue - Lynn Haven, FL 32444
(850) 265-2121

STAFF REPORT

Application for a Variance
Board of Adjustments Meeting
November 19, 2020

Application Information

Applicant:	Joey and Krissy Ramsey
Owner:	Joey and Krissy Ramsey
Agent:	N/A
Project Name:	N/A
Requested action:	Variance on Side Setback Requirements
Location:	1708 Missouri Ave
Tax Roll Parcel Number:	10883-050-000
Existing Land Use Map category:	Low Density Residential
Community Redevelop. District:	No
Corridor Overlay	No
Size:	0.344 +/- acres
Existing uses on the site:	Single Family Home

Summary of Request and Background Information

The applicants are requesting a variance on the required side setback for primary structures within Low Density Residential Future Land Use districts. The required side yard setback for primary structures is seven (7) feet, unless adjacent to a street when it is ten (10) feet. For this property, the required side setback is seven (7) feet.

Additional Information

The applicants are requesting that they be allowed a five (5) feet side yard setback instead of the required seven (7) feet setback on the north side of their property in order to construct a two-car garage addition onto their home. Please see attached application.

Submitted by:
Amanda Richard, AICP
November 13, 2020

Attachments: Application, Arial Map, Letter of Approval from Neighbor

Section 9.02.02. (ULDC) Required Findings for a Grant of a Variance &
Table 9.02.02 Findings for Grant of a Variance



Joey Ramsey@6me.it.com

DEPARTMENT OF DEVELOPMENT & PLANNING

817 Ohio Avenue - Lynn Haven, FL 32444

(850) 265-2121

develop_plan@cityoflynnhaven.com

APPLICATION FOR A VARIANCE FROM THE LAND DEVELOPMENT REGULATIONS

Deadline to submit is 20 days prior to the third Thursday of the month

File Number 21-01
Date Received 10-27-2020

Application Information

Property owner:	Joey E Ramsey and Krissy J Ramsey
Agent/Contact (if different):	
Telephone Number:	850-527-9008
Requested action:	Variance
Location:	1708 Missoun' Ave Lynn Haven FL9
Bay County Parcel Number(s)	10883-050-000
Size:	0.344 Acres
Existing uses on the site:	Residential - Single Family
Future Land Use Map category:	Low Density Residential

Compatibility

Direction	Adjacent Existing Uses	Adjacent Future Land Use
North	Single Family Residential	Low Density Residential
South	Single Family Residential	Low Density Residential
West	Single Family Residential	Low Density Residential
East	Single Family Residential	Low Density Residential

Variance Request

Specify the variance request by checking all that apply:

Front yard setback from _____ feet to _____ feet
 Rear yard setback from _____ feet to _____ feet
 Side yard setback from 7 feet to 5 feet
 Other _____

Explain the reasons for requesting the variance

Requesting an adjustment of the side yard setback (north side of property) from the current 7' down to 5'. Give the current placement of the house, the lot is not wide enough to add on a 2 car garage. We would like to request an additional 2' become available so a 2 car garage could fit.

Consistency with Section 9.02.02 Unified Land Development Code of the City of Lynn Haven

A variance must be consistent with the *Unified Land Development Code of the City of Lynn Haven*.

In considering variations from the terms of this chapter, the Board of Adjustment shall, before making a decision in a specific case, first determine that the proposed variation meets the following criteria. Check those that apply and provide a brief, written justification explaining how the following criteria are being met:

- (1) Does not constitute a change in the districts shown on the zoning map; will not impair an adequate supply of light and air to adjacent property;

Even though the setback request is being reduced by 2' the home is still within the height requirements and in line with the rest of the house at 13' A.F.F.

- (2) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

- (3) _____ The special conditions and circumstances do not result from the actions of the applicant.

- (4) _____ Granting the variance requested will not confer on the applicant any special privilege that is denied by the ordinance to other lands, buildings or structures in the same zoning district.

- (5) _____ Literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by others in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant.

- (6) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The 5' setback will be exactly the amount we need to fit in a 2 car garage.

- (7) The granting of the variance will be in harmony with the general intent and purpose of the ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

There will still be plenty of space between neighbor and myself. The affected neighbor is in agreement and has no problems with the variance.

- (8) The granting of the variance is not based on economic circumstance.

Deed Restrictions

Check the following category that applies:

This property is not bound by any subdivision covenants or deed restrictions; or

This variance request does not violate any subdivision covenant or deed restriction on this property and if required, approval from the Homeowners Association is attached; or

This variance request is in conflict with subdivision covenants or deed restrictions on this property and a release from the developer or subdivision Homeowners Association is attached.

Certification and Authorization

I do hereby authorize City staff to enter my property for the purpose of site inspection.

I do hereby authorize the placement of a public notice sign(s) on my property at a location(s) to be determined by City staff.

I hereby certify that the information submitted on this application is true and correct to the best of my knowledge at the time of application.


Owner's Signature ¹

8/26/20
Date

Joel Ramsey
Owner's Name (type or print)

Title and Company (if applicable)

Applicant's Signature, if not owner

Date

Applicant's Name (type or print)

Title and Company (if applicable)

¹ A notarized agent authorization is required if the applicant is not the owner and the owner is allowing the applicant to act on his/her behalf.



Bay County Property Appraiser - Dan Sowell, CFA

Main Office | 860 W. 11th St, Panama City, FL 32401 | 850-248-8401

Beach Office | 301 Richard Jackson Blvd, Panama City Beach, FL 32407 | 850-248-8470



Overview



Legend

 Parcels

Parcel ID 10883-050-000
Class Code SINGLE FAMILY
Taxing District 6

Acres 0.344

Owner RAMSEY, JOEY E.
1708 MISSOURI AVE
LYNN HAVEN, FL 32444-4263

Physical Address 1708 MISSOURI AVE
Just Value Value \$138111

Last 2 Sales			
Date	Price	Reason	Qual
3/1/1984	\$100	n/a	U
n/a	0	n/a	n/a
MLS			

(Note: Not to be used on legal documents)

Date created: 10/27/2020

Last Data Uploaded: 10/27/2020 6:04:36 AM

Developed by  Schneider
GEOSPATIAL

9/23/2020

Joey E. and Krissy J. Ramsey
1708 Missouri Ave
Lynn Haven FL 32444

RE: 1708 Missouri Ave Variance Request, Ramsey Residence

To Whom It May Concern,

On September 23, 2020, my neighbor, Joey E Ramsey discussed an upcoming project he was looking at to build an attached garage onto his residence at 1708 Missouri Ave. Mr. Ramsey and his builder explained that a variance request may be needed as the plans indicated the garage would be within 5' of our adjoining property line. As this property line has a fence running along it, I advised Mr. Ramsey and his builder that I would be agreeable to such a variance request, if needed.

I am writing this letter as evidence of my agreement and approval for the variance request.

If you have any questions, you may contact me at 719-505-0155.

Thank you.



Ryan J. Scray
1702 Missouri Ave
Lynn Haven FL 32444



CHAPTER TEN	10
CHAPTER NINE	9
CHAPTER EIGHT	8
CHAPTER SEVEN	7
CHAPTER SIX	6
CHAPTER FIVE	5
CHAPTER FOUR	4
CHAPTER THREE	3
CHAPTER TWO	2
CHAPTER ONE	1

this ULDC, & (ii) such attached single-family home existed or was under construction prior to the adoption of this ULDC.

9.02.00. VARIANCES.

9.02.01. Generally.

A. Where there are practical difficulties or unnecessary hardships involved in carrying out the strict adherence to this ULDC, an application for a variance from the ULDC requirements may be made to the City, using the procedure established in **Section 9.02.03.**

B. Requests for variances from the ULDC will be reviewed based on the required findings, as set forth in **Section 9.02.02.**

9.02.02. Required Findings for a Grant of Variance. In considering variations from the terms of this ULDC, the grant of a variance shall be based on an affirmative response for each of the following:

Table 9.02.02. Findings for Grant of a Variance.

Variance Findings

- A. The proposed variation does not constitute a change in the districts shown on the **Official Land Use Map**;
- B. Special conditions & circumstances exist which are peculiar to the land, structure, or building involved & which are not applicable to other lands, structures, or buildings in the same land use district;
- C. The special conditions & circumstances do not result from the actions of the applicant;
- D. Granting the **variance** requested will not confer on the applicant any special privilege that is denied by the ULDC to other lands, buildings, or structures in the same land use district;
- E. Literal interpretation of the provisions of the ULDC would deprive the applicant of rights commonly enjoyed by others in the same land use district under the terms of the ULDC & would work unnecessary & undue hardship on the applicant;
- F. The **variance** granted is the minimum **variance** that will make possible the reasonable use of the land, building, or structure;
- G. The grant of the **variance** will be in harmony with the general intent & purpose of this ULDC & that such **variance** will not be injurious to the area involved or otherwise detrimental to the public welfare;
- H. Is not based on economic circumstances; &
- I. That the **variance**, if granted, is based on the findings required by this section.

9.02.03. Procedures for Variances.

A. Any person requesting a **variance** from the terms of this ULDC shall make formal application to the City on forms provided by the City Manager.

B. The appropriate fee, as established by the **City Commission**, shall accompany the application. No portion of the fee shall be refunded whether the request is withdrawn by the applicant, denied or granted by the City.

C. Any **variance** or modification granted shall be recorded & entered into the minutes of the **Board of Adjustment** setting forth the reasons for granting the **variance**.

9.02.04. Specific Requirements for Variances in Areas of Flood Hazard.

A. Generally.

1. **Variances** may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure & the **variance** is the minimum to preserve the historic character & design of the structure.
2. Any person aggrieved by the decision of the **Board of Adjustment**

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INDICES

CELL TOWER ORDINANCE

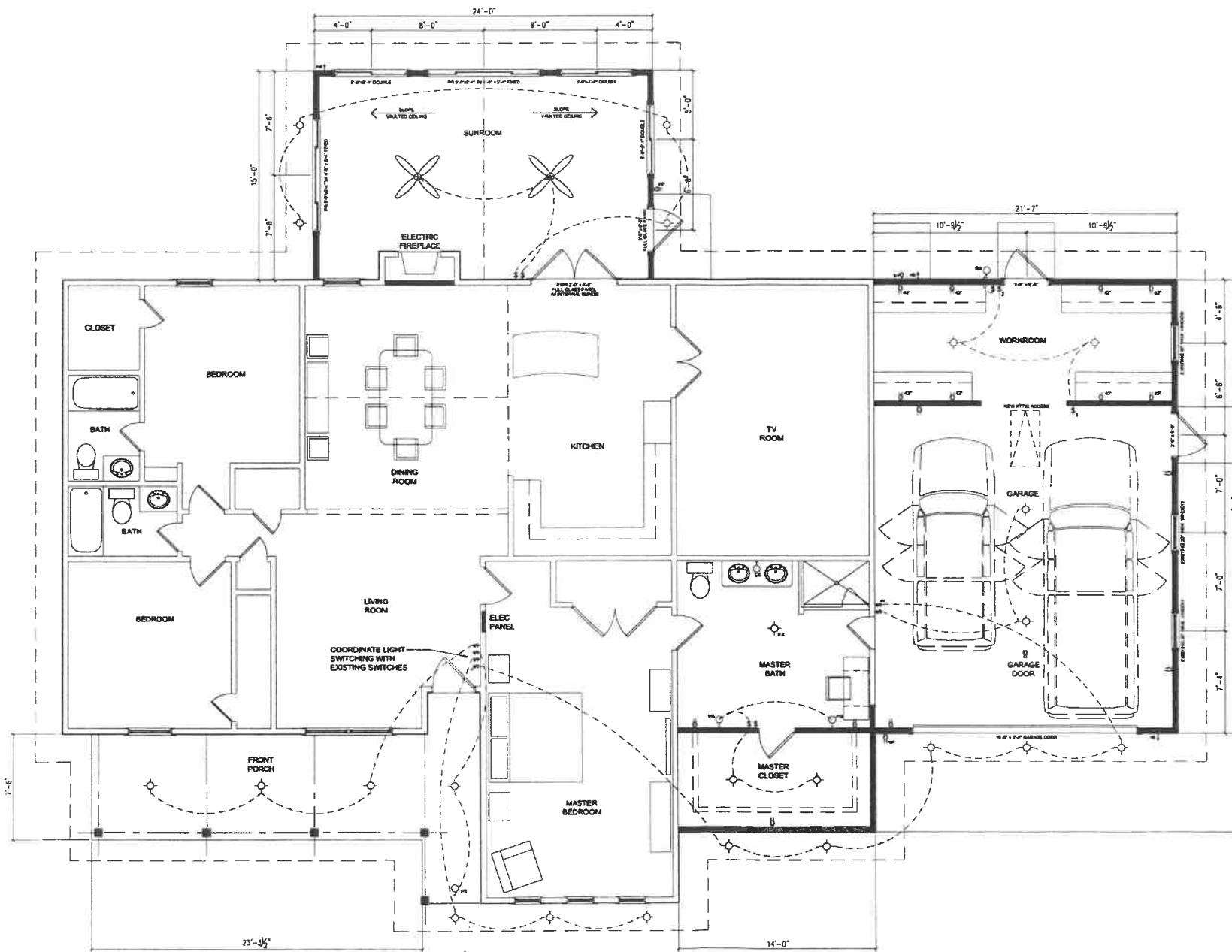
FUTURE LAND USE MAP - 2011

PLANNING DEPT. WEBSITE

VARIATION FROM ULDC REQUIREMENTS

< PREVIOUS

NEXT >



SYMBOLS LEGEND

	WALL SCONCE
	CHANDELIER, RECESSED CAN OR PENDANT
	CEILING FAN
	110V OUTLET
	110V OUTLET (WATERPROOF)
	110V OUTLET (HEIGHT OTHER THAN NORMAL HEIGHT)
	220V OUTLET
	LIGHT SWITCH LOCATION AND SWITCHING
	3-WAY LIGHT SWITCH LOCATION AND SWITCHING
	EXTERIOR HOSE BIB
	OUTDOOR SHOWER HEAD

FLOOR PLAN NOTES:

ARCHITECTURAL
 ALL NEW WALLS ARE 2 x 4 WOOD STUDS @ 16" O.C. WITH 1/2" GYPSUM BOARD ON INTERIOR, 1/2" PLYWOOD WALL SHEATHING W/ 10d NAILS @ 4" EDGE & 5" FIELD SPACING, R-13 MINIMUM WALL INSULATION.
 TYPICAL ROOF CONSTRUCTION: 5/8" CDX PLYWOOD ROOF DECK ON SHOP FABRICATED ENGINEERED WOOD TRUSSES (AND STOCK BUILT RAFTERS) @ 24" O.C., R-38 MINIMUM CEILING INSULATION.

ELECTRICAL
 PROVIDE ELECTRICAL OUTLETS AS SHOWN. VERIFY LIGHT SWITCH AND LIGHT LOCATION WITH THE BUILDING OWNER.

HVAC
 HVAC SUPPLY TO BE DESIGN/BUILD BY THE CONTRACTOR. PROVIDE NEW DUCTLESS SPLIT SYSTEM FOR THE FLORIDA SUNROOM ADDITION.

PLUMBING
 NEW PLUMBING REQUIREMENTS ARE ONLY EXTERIOR HOSE BIB AND SHOWER LOCATIONS. NO ADDITIONAL PLUMBING WORK IS REQUIRED AT THIS TIME.

A1 PROPOSED FLOOR PLAN
 SCALE: 1/4"=1'-0"

EXISTING HOME SQUARE FOOTAGE: 1,888 SF
 NEW PATIO: 360 SF
 NEW MASTER CLOSET: 120 SF
 TOTAL HEATED AND COOLED SF: 2,474 SF
 GARAGE ADDITION & WORKROOM: 680 SF

WALL LEGEND

	EXISTING WALLS
	NEW WALL CONSTRUCTION

Michael E. Higdon
 Architect

102 N. Orange Ave.
 Orlando, FL, 32801
 (407) 438-0000
 Michael@MEH.com

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Printed

Date	Remarks
10/03/20	Issued For Pricing

Revisions

Date	Remarks
------	---------

Ramsey Residence
House Renovations

1708 Missouri Ave
 Lynn Haven, FL 32444

Sheet Information

Title	PROPOSED FLOOR PLAN
Drawn	MEH
Checked	MEH
Scale	AS NOTED
Date	10/03/20
Sheet	

A-3