



SANTA ROSA COUNTY DEVELOPMENT SERVICES

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Special Exception Application

* Application Instructions begin on Page 3

** For Official Use Only **	
Application No. _____ -SX - _____	Date Received: _____
Review Fee: _____	Receipt No.: _____
Zoning District: _____	Special Exception
FLUM Designation: _____	Request: 2.04.00.C. _____

Property Owner Property Owner Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

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 special exception approvals.

Company: _____

Contact Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

Property Information Parcel ID Number(s): _____

-OR-

Street Address of property for which the Conditional Use is requested :

Parcel Size (acres): _____

What is the present use of the property? _____

**Special
Exception
Request**

Describe the Special Exception request. _____

Please read the attached special exception provisions carefully and explain how your request addresses each of the pertinent criteria. Attach additional pages if necessary.

I understand that all decisions made by the Zoning Board of Adjustments 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 Adjustment does not authorize construction and/or land clearing to occur on this site and that additional approvals requirements and Building Permits may be required.

Yes

No

I understand that determinations by the Zoning Board 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.

Applicant Name (Type or Print)

Applicant Signature

Title (if applicable)

Date

Instructions:

1. Complete application and submit along with the following:
 - a. Application fee of \$235.00 plus \$1.77 for each letter to be addressed to all property owners within the prescribed distance. This fee will be calculated at the time the application is submitted. The notification range is 500 feet from the property lines unless otherwise indicated below:
 - i. If the subject property is located in the Rural Protection Zone, as identified by the Rural Development Plan, the notification range is 1500 feet from the boundary of the subject property; or
 - ii. If the subject property is located on Navarre Beach, the notification range is 250 feet from the boundary of the subject property.
 - b. A certified mailing label package, which consists of the items below, from the Property Appraiser's Office. This is necessary for the notification of the adjacent property owners and must be obtained from the Property Appraiser.
 - i. A certification letter from the Property Appraiser's Office.
 - ii. A printout with a parcel map indicating all of the surrounding property owners to be notified (see above for notification radius requirements).
 - iii. Two complete sets of mailing labels obtained by the Property Appraiser from the official tax records.
 - c. A site plan (or sketch) of property drawn to scale showing the property lines, dimensions, structures (existing or proposed), abutting streets, and any other pertinent information. Under certain circumstances a survey or wetlands determination may be necessary. Staff can assist in making this determination.
 - d. If the applicant is other than the property owner, provide a notarized authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.
 - e. Parent Parcel or Family Homestead Requests: If a parcel is located within a stormwater problem area, an engineered stormwater management plan will need to be submitted and approved prior to the request being granted.
2. Application must be submitted to the Community Planning, Zoning and Development Division at least 30 business days prior to the next regularly scheduled meeting of the Zoning Board (ZB).

2.04.00 SPECIAL EXCEPTIONS

- C. Special Exceptions: To hear and decide special exceptions to the terms of this ordinance. The Board is hereby authorized to grant special exceptions in appropriate cases and with appropriate safeguards to authorize the use of a premises for a purpose not generally permitted within the district in which said premises is located or to interpret specific provisions of this ordinance expressed in this Section whenever it finds sufficient facts to demonstrate to its satisfaction that such exception if granted would be substantially in harmony with the general purpose and intent of this ordinance.

The authority to decide special exceptions is limited to the following cases:

1. To permit the extension of a district where the boundary line of a district divides a lot held in single ownership at the time of passage of this ordinance, except in the case of unplatted subdivisions.
2. To interpret the location of a district line where the street layout on the ground varies from the street layout as shown on the zoning district map or in the event of any other ambiguity, except in the case of unplatted subdivisions.
3. To permit the reconstruction of a non-conforming building which has been destroyed or partially destroyed by fire or Act of God, where the Board shall find that the continuance of such non-conforming use is in harmony with the general welfare of the public.
4. To permit the construction, extension, structural alteration or operation of the following uses, which are otherwise prohibited from certain districts, upon finding by the Board that proper safeguards and conditions have been provided to lessen congestion in the streets, to secure safety from fire, panic or other dangers, to promote health and general welfare, to provide adequate light and air and to prevent overcrowding of land. The Board may impose such additional reasonable conditions and safeguards as it shall deem appropriate to promote the general purposes of this Ordinance. The Board shall have the authority to authorize the following uses in the districts specified, whenever it finds that the safeguards and conditions stipulated have been met:
 - a. Cemetery or mausoleum in any district, but provided that:
 - (1) No main or assembly building be located closer than fifty (50) feet to any lot line adjoining an "R" district.
 - (2) Direct access be provided to a collector or major thoroughfare street as differentiated from a local street which serves predominantly as access to residential property.
 - (3) No undertaking establishment or funeral home be operated as a part of such cemetery or mausoleum except in the district where such uses are permitted in this Ordinance.
 - b. Off-Street parking lot in R-2, R-2M, and R-3 "Multiple Family Districts" provided that at least one (1) boundary of such parking lot abuts a non-residential district and provided further that such parking lot is accessory to a permitted use located not more than (300) feet from the use served. In addition, site plan and landscaping requirements for all such off-street parking areas shall comply with Section 6(B)(11) regarding required landscaping, except that neither a public hearing shall be required by the County Zoning Review and Appeals Board, nor shall a review thereof be required by the County Commission.
5. To permit a limited range of commercial uses strictly in conjunction with residential uses in Agricultural districts only and located on the same lot and limited to the following provisions:
 - a. Maximum number of employees other than family members limited to four (4).
 - b. The maximum sized structure allowed for commercial uses limited to 1,200 square feet of total gross floor area.
 - c. Commercial activities limited to: woodworking, welding, professional services such as day care, modeling, dancing, and photography studios, hair care and similar services, plumbing and electrical contractors and similar services, and limited retail sales.
 - d. Insure the health, safety and welfare of the surrounding community by imposing additional, reasonable safeguards as it shall deem appropriate.

6. To allow the dividing of a parcel in the Residential zoning districts, resulting in a parcel which does not possess the required road frontage, if the following provisions are met:
 - a. The divided land shall only be given without valuable consideration to a member of the donor's immediate family. (Immediate family being defined as spouse, father, mother, brother, sister, son, daughter, stepchild, grandchild, or grandparent).
 - b. Property being divided shall not be located within a recorded, platted subdivision.
 - c. The maximum allowable density of the parcel created shall not exceed the allowable density of the respective zone.
 - d. Except for frontage and that which is herein contained, all other requirements of this Ordinance shall be adhered to.
 - e. An easement maintenance agreement between property owners is required or; an access easement (minimum width 20 ft.) must be included in each newly created deed.
 - f. No new County maintained roads are created.
 - g. The parcels created are compatible with neighboring properties. The following criteria will be utilized in determining compatibility: social compatibility (to be accomplished through neighboring property owner notification per Section 2.04.03 and citizen review); disposition and orientation of any proposed buildings on the newly created lot(s); scale; and visual integrity.
7. To permit the dividing of a parcel in the Highway Commercial Development District resulting in a parcel which does not possess the required road frontage, provided that:
 - a. Joint access is provided and established through a joint access agreement between property owners. The joint access agreement must specify responsibility for access improvements necessitated by the development of either lot;
 - b. Except for road frontage, all other requirements of this Ordinance shall be adhered to; and
 - c. No more than one (1) non-conforming lot is created and that parcel is deed restricted such that it cannot be further subdivided unless all of the platting requirements are met; and
 - d. The parent parcel must conform to the road frontage requirements of this Ordinance and must abut a state or county approved roadway; and
 - e. The division of the parent parcel does not result in the creation of a flag lot; and
 - f. An access management plan for the minor subdivision must be approved by the County Engineer as provided in Section 4.04.03 (D)(11).
8. To allow the temporary use of a mobile home as a guest residence within any residential zoning district due to medical hardship if the following conditions are met:
 - a. The need for medical care must be certified in writing by a physician licensed in the State of Florida stating the medical hardship and specifying the extent of the need for in-house medical care and approximate length of time for the in-house medical need.
 - b. A mobile home for temporary use shall not exceed 1,300 square feet in size.
 - c. Both the primary residence and the mobile home must be located on a parcel with the same property identification number.
 - d. Either the caregiver and their immediate family, or the person in need of medical care may occupy the mobile home.
 - e. To avoid overcrowding on a parcel, the minimum lot size for the primary dwelling and mobile home shall be one-quarter acre in all zoning districts for those parcels utilizing public sewer, as long as lot coverage and setback requirements of the relevant zoning district are met. For those parcels utilizing septic tanks, the minimum lot size shall be one-half acre, as long as lot coverage and setback requirements of the relevant zoning district are met.
 - f. The mobile home must have available adequate water, sewer (septic tank), solid waste removal, and electric service. The building inspections department shall inspect the utility connections and shall verify that the mobile home complies with hurricane safety requirements.

- g. A survey or site plan is required and must be drawn to scale and show the location of all existing structures, the proposed location of the mobile home, and all required setback distances.
 - h. The mobile home must be located behind the principle dwelling, be separated from the principle dwelling by at least 10 feet, and shall observe all setback requirements for the main building.
 - i. Once the mobile home is placed upon the property, the wheels and axles shall not be removed, and no building permit shall be approved for additions to the mobile home, except for handicapped access ramps.
 - j. The BOA shall determine that the temporary use is the minimum necessary to afford relief due to a medical hardship which is defined as a condition of health whereby a person requires temporary in-house medical care and assistance by another but where circumstances make it difficult or impossible for the caregiver to reside in the same dwelling as the person in need of such care.
 - k. The BOA shall make a compatibility finding that the temporary use will not have an adverse impact on the use of surrounding properties.
 - l. The temporary use of a mobile home as a guest residence due to medical hardship may be initially granted for a period of up to two years. One additional extension of up to two years may be granted by the BOA based on a physician's confirmation of the continuation of the hardship, and a finding of no changed circumstances, which would alter prior findings made by the BOA, filed prior to the two-year expiration date. The fee for notice, signage, and legal advertisement requirements shall apply to such extensions.
 - m. When the medical hardship ends, or an extension is denied, or upon expiration of the initial approval, or upon expiration of the additional two-year extension, the mobile home must be removed from the site within 60 days. Thereafter, code enforcement procedures will be instituted against the property owner to remove the mobile home. Only the BOA, based on competent and substantial evidence or just cause, may extend the 60-day period.
 - n. Prior to the placement of the mobile home on the property, the owner of the parcel shall execute a "hold harmless agreement" acknowledging the county's right to remove the mobile home at the owner's expense if the owner, or his or her heirs and assigns, fail to remove the mobile home within the specified 60-day time period or extended period.
9. To permit the dividing of a parent parcel in the RR-1, R-1, R-1M, and R-1A zoning districts, resulting in a parcel(s) which will not possess the required road frontage. A parent parcel is defined as those lots of record as of October 22, 1998. A parent parcel may be subdivided with the following provisions:
- a. A parent parcel may only be subdivided to create a maximum of three (3) new lots which do not meet minimum road frontage requirements. The three new lots will include the remainder of the parent parcel if road frontage requirements cannot be met;
 - b. No new County roads are created;
 - c. An easement maintenance agreement between property owners or an access easement (minimum width 20 feet) included in the deed is required;
 - d. Property being divided shall not be located within a recorded platted subdivision;
 - e. The maximum allowable density of the parcel created shall not exceed the allowable density of the respective zone;
 - f. Except for street frontage and that which is herein contained, all other requirements of this ordinance shall be adhered to; and
 - g. The new parcel size, use and configuration must be consistent with existing residential uses in the vicinity.
10. To allow the temporary (seasonal) use of recreational vehicles (RVs) located in Agriculture or Agriculture-2 districts on parcels less than five (5) acres in size, subject to the following requirements:
- a. The recreational vehicle must be owned by the property owner or an immediate family member.

- b. The property owner shall provide for the lawful disposal of all waste.
- c. Commercial use of recreational vehicles in Agriculture or Agriculture-2 districts is prohibited. RVs or RV space may not be leased.
- d. The recreational vehicle must adhere to the setback requirements for accessory building and structures found in Section 2.10.05.
- e. The placement of the RV shall not have any adverse impact upon adjoining or nearby properties.
- f. The Board of Adjustments may impose additional criteria or restrictions, including but not limited to time limits and number of units, based on site-specific circumstances and characteristics to assure compatibility with adjacent uses.

2.05.00 SPECIAL EXCEPTIONS AND VARIANCES - NAVARRE BEACH: The Board of Adjustments shall hear and decide variances and special exceptions.

2.05.01 Special Exceptions - Navarre Beach: The Board of Adjustments shall hear and decide such Special Exceptions, as specifically authorized by this ordinance. The Board of Adjustments may decide:

- A. Such questions as are involved in determining whether Special Exceptions should be granted;
- B. To grant Special Exceptions with such conditions and safeguards as are appropriate under this ordinance;
- C. To deny Special Exceptions when not in harmony with the purpose and intent of this ordinance. A Special Exception shall not be granted by the Board of Adjustments unless and until:
 - 1. A written application for a Special Exception is submitted indicating the section of this ordinance under which the Special Exception is sought and stating the grounds on which it is requested.
 - 2. A public hearing shall be held by the Board of Adjustments. The owner of the property for which Special Exception is sought or his agent and the owners of property within 250 feet of the affected property shall be notified by mail, at least fourteen (14) days prior to the public hearing.

Notice of such hearing shall be posted in a conspicuous spot on the property for which Special Exception is sought.

- 3. The public hearing shall be held by the Board of Adjustments. Any party may appear in person or by agent or attorney.
- 4. Before a Special Exception shall be issued, the Board shall make written finding certifying compliance with the specific rules governing individual Special Exceptions and that satisfactory provision and arrangement have been made concerning the following where applicable:
 - a. Ingress and egress to property and proposed structures thereon with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - b. Off street parking and loading areas where required with particular attention to the items in (a) above, and the economic, noise, glare, or odor effects of the Special Exception from adjoining properties and properties generally in the District.
 - c. Refuse and service areas with particular reference to items (a) and (b) above.
 - d. Utilities with reference to location, availability and compatibility including maintenance of level of service standards where appropriate.
 - e. Screening and buffering with reference to type, dimension and character.
 - f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the District.
 - g. Required yards and other open space.
 - h. General compatibility with adjacent properties and other property in the District.
- 5. The Board of Adjustments may impose such conditions on the granting of the Special Exceptions as may be necessary to prevent injurious effect on other property in the district.
- 6. Notification: Within fifteen (15) days of the date of public hearing, the Board of Adjustments shall send to the person or entity requesting the Special Exception a notification of the action taken.