



**GROWTH AND RESOURCE MANAGEMENT DEPARTMENT
PLANNING AND DEVELOPMENT SERVICES DIVISION**
123 West Indiana Avenue, DeLand, FL 32720
(386) 736-5959

PUBLIC HEARING: August 8, 2017 – Planning and Land Development Regulation Commission (PLDRC)

CASE NO: V-17-048

SUBJECT: Variances to the minimum yards and maximum lot coverage requirements on Urban Single-Family Residential/Wilbur-by-the-Sea Overlay Zone (R-9S) zoned property

LOCATION: 3940 Cardinal Boulevard, Port Orange

APPLICANT: Robert M. Guerard, Owner

STAFF: Michael E. Disher, AICP, Planner III

I. SUMMARY OF REQUEST

The applicant is requesting two variances for an existing accessory structure on his 7,500 square foot property. If approved, the variances would allow a recently constructed detached carport in the rear yard to remain in its current location. The variance requests are as follows:

1. A variance to section 72-277(1) for a north side yard from the required seven feet to zero feet and do a west rear yard from the required 20 feet to zero feet for an existing accessory structure; and
2. A variance to the maximum lot coverage from 35 percent to 38 percent on Urban Single-Family Residential/Wilbur-by-the-Sea Overlay Zone (R-9S) zoned property.

Staff Recommendation:

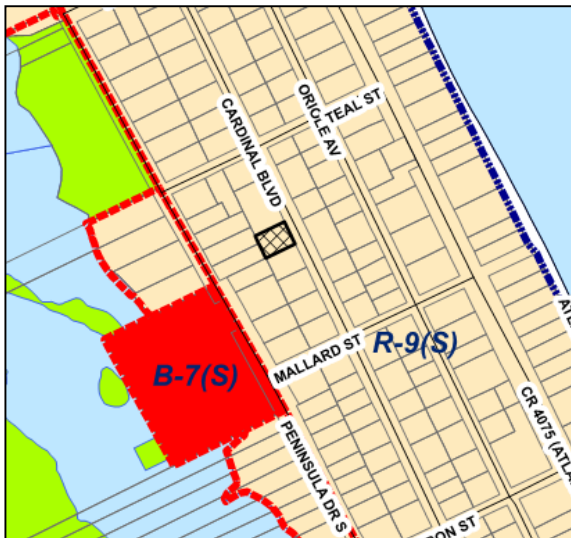
Deny the variance requests, case number V-17-048, as the application does not meet all five criteria for granting said variances.

II. SITE INFORMATION

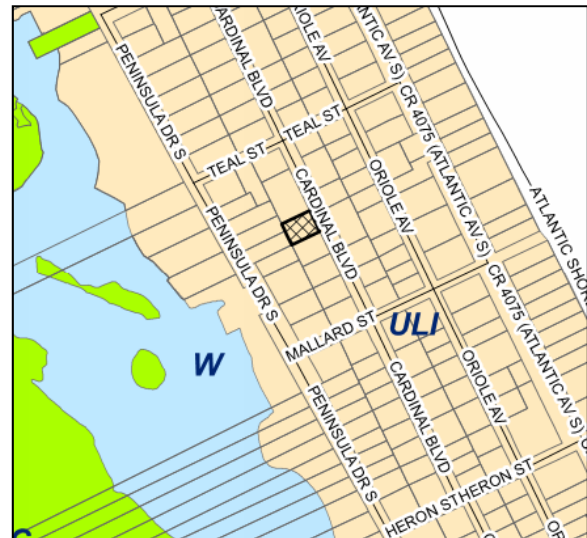
1. Location: 1.3 miles south of State Road 421 (Dunlawton Avenue)
2. Parcel Number(s): 6312-03-03-0060
3. Property Size: 7,500 square feet
4. Council District: 2
5. Zoning: Urban Single-Family Residential/Wilbur-by-the-Sea Overlay Zone (R-9S)
6. Future Land Use: Urban Low Intensity (ULI)
7. ECO Map: No
8. NRMA Overlay: No
9. Adjacent Zoning and Land Use:

DIRECTION	ZONING	FUTURE LAND USE	CURRENT USE
North	R-9S	ULI	Single-family residential
East	R-9S	ULI	Single-family residential
South	R-9S	ULI	Single-family residential
West	R-9S	ULI	Single-family residential

10. Maps



ZONING MAP

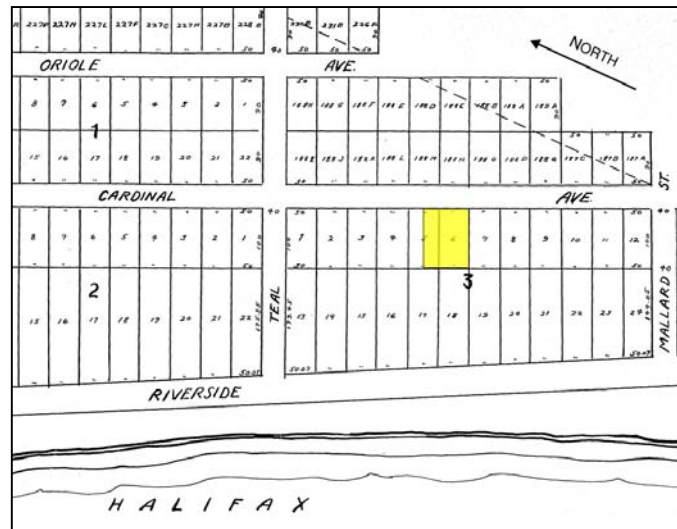


FUTURE LAND USE MAP

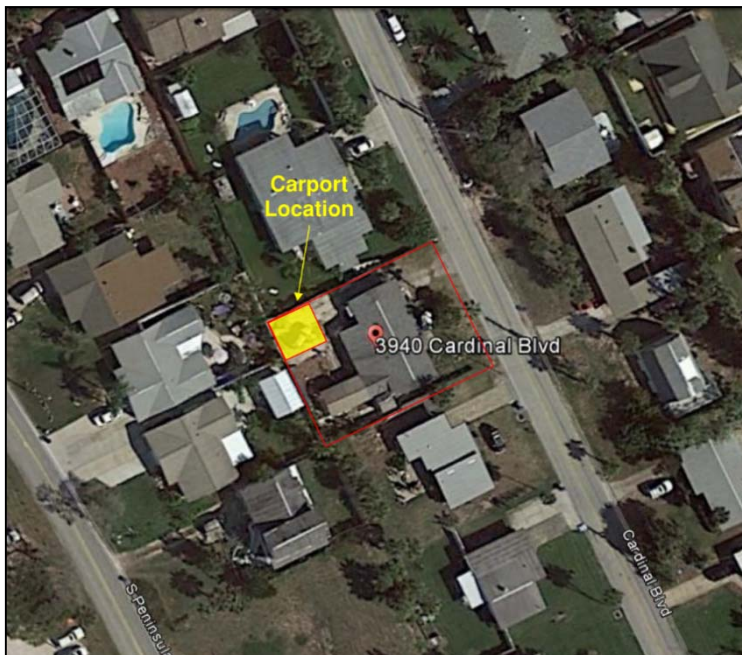
III. OVERVIEW AND BACKGROUND

The subject property is located within an established neighborhood of single-family homes on the beachside peninsula in the community known as Wilbur-by-the-Sea. This unincorporated area is bordered by the city limits of Daytona Beach Shores to the north, Ponce Inlet to the south, and Port Orange to the west. The neighborhood lies within the Wilbur-by-the-Sea Local Plan area and within the corresponding Wilbur-by-the-Sea Overlay Zone. The overlay zone was created in 2013 and establishes a maximum height limit of 35 feet for all development in the area.

According to its legal description, the property consists of Lot 6 and the south half of Lot 5, Block 3, of the Wilbur By The Sea 2nd Addition subdivision, circa 1924. Both lots have been combined by the property owner in conjunction with the variance application to create one unified parcel for development purposes. Parcels in this neighborhood range in width from 50 to 75 feet, with some parcels being even larger due to similar combinations over the years. The existing single-family dwelling was constructed in 1960. Staff was able to find only one building permit on record, issued in 1982 for miscellaneous improvements. The rear and sides of the property are enclosed by a six-foot-tall wooden fence.



The subject variance case originated after the County's Code Enforcement division received a complaint that a detached carport was being constructed in the rear yard of the property without a building permit. The property owner was sent a Notice of Violation on April 28, 2017, directing the owner to either apply for an after-the-fact building permit for this structure or remove it from the property.



The owner submitted a building permit application (20170526037) on May 26, 2017. According to the survey provided with the permit application, the existing metal carport structure measures 24.1 feet by 25.9 feet, or 624.2 square feet in size. The carport has been installed 0.0 feet from the west (rear) property line and 0.4 feet from the north (side) property line.

As shown in the attached site photos, the carport structure is partially screened from Cardinal Boulevard by a six-foot tall opaque fence and by the house itself. The carport does not appear to exceed the maximum 15-foot height limit for accessory structures per section 72-277(1)e.

The permit review letter to the applicant dated June 6, 2017, indicated that the structure does not meet the minimum setback required by the county zoning code for accessory structures in the rear and side yard. The permit review was then temporarily suspended

pending the applicant's decision to either: 1) remove the structure; or 2) pursue approval of a variance. The applicant subsequently attended a pre-application meeting with staff on June 8, 2017, to review the county variance procedures, and submitted his variance application on June 21, 2017. It was noticed during the review of the application that a variance to the 35 percent maximum lot coverage would also be needed to allow the carport to remain.

IV. ANALYSIS

According to the applicant, the detached carport structure is intended to be used for parking his boat and other vehicles. The applicant states his boat is 17'7" long. His boat trailer measures 8'5" wide by 24' long.

The R-9S zoning classification requires a minimum lot size of 7,500 square feet. At 75 feet wide by 100 feet deep, the subject property meets the minimum lot size requirement. The R-9S classification requires a minimum front yard of 25 feet, side yards of 7 feet, and a rear yard of 20 feet. The existing house meets and exceeds these requirements, with front and rear yards in excess of 30 feet, and side yards of approximately 9.5 feet. The single-story home complies with the 35-foot height limit of both the R-9 classification and the Wilbur-by-the-Sea Overlay Zone.

Pursuant to zoning code section 72-277(1), accessory structures in single-family residential zoning classifications may only be located in rear or side yards not less than five feet from the lot lines. However, according to section 72-277(1)(e), accessory structures *exceeding* 500 square feet in area must meet the same yard requirements as the principal building. Given the 624.2-square foot size of the structure, it is required to meet the same yard and setback requirements as the house itself.

Similar to other residential zoning classifications, the R-9S classification limits the maximum lot coverage to 35 percent. Lot coverage is defined in the zoning code as, "That area of a lot from the ground up which is occupied by principal and accessory buildings." For the 7,500 square foot lot, the maximum 35 percent lot coverage equals 2,625 square feet. Measurement of these buildings on the survey indicates a lot coverage of 37.9 percent, as follows:

Structure	Size (square feet)	% Lot Coverage
House	959.2	12.7
Addition	361.2	4.8
Garage	390.4	5.2
Covered Porch (rear)	444.1	5.9
Shed	69.7	0.9
Carport	624.2	8.3
Total	2848.8	37.9

At 624.2 square feet, the carport by itself occupies 8.3 percent of the lot. Without the carport, the lot coverage of the property would be 2,224.6 square feet, or 29.6 percent. The carport could be up to 400 square feet in size (20 feet by 20 feet) and not exceed the 500-square foot threshold or the 35 percent lot coverage limit.

Parking of watercraft, recreational vehicles (RVs), and trailers is governed by zoning code section 72-287(e). This section treats such vehicles similarly to accessory structures. These requirements vary slightly according to the zoning classification and vehicle type. For purposes of this report, parking and storage of watercraft in the R-9 Single-Family Residential zoning classification is limited as follows:

1. They shall be parked or stored in full compliance with all requirements for accessory structures. This means they can be placed only within the rear and side yards, and must be set back five feet from the rear and side property lines;
2. They may be temporarily parked on the driveway in the front yard of the principal structure for trip preparations, loading, unloading, and cleanup, for a maximum of 36 hours per week;
3. They shall not be parked anywhere between the front lot line and the principal structure, except on driveways.

The applicant will need to comply with these parking requirements whether or not the variances for the carport structure are granted.

V. REVIEW CRITERIA

Section 72-379(1)a.4 of the zoning code contains five applicable criteria by which a variance application is reviewed. For a variance to be granted, all five criteria must be met. The following staff evaluation is based on these criteria:

i. Special conditions and circumstances exist which are peculiar to the land, structure, sign, or building involved and which are not applicable to other lands, structures, signs, or buildings in the same zoning classification.

According to the written petition submitted with the application, the detached carport structure is intended to be used for parking the applicant's boat and other vehicles. The petition states that the placement of the home (centered on the lot) limits the possible location of this structure to the rear yard.

The subject property meets the minimum lot size of the R-9S zoning classification of 7,500 square feet. Approximately 9.5 feet exist between the north wall of the residence and the side property line in which to park and maneuver the boat. The allowable location of the carport structure is governed by the Volusia County Zoning Ordinance, which limits accessory structures to the side and rear yards. The code further requires structures over 500 square feet in size to comply with the same yard requirements as the principal structure. The 35 percent lot coverage requirement also applies equally to all lots in the R-9S zoning, as well as to almost every other residential zoning classification. As such, Staff does not find there to be any special circumstances peculiar to the land or structure that are not applicable to other lands or structures in the R-9S zoning classification.

Staff finds this criterion is not met.

ii. The special conditions and circumstances do not result from the actions of the applicant.

The variance petition states that the house placement on the lot has been the same since the applicant purchased it 25 years ago and is not the result of actions of the applicant. However, as noted above, staff found no special circumstances associated with the property or structure that are different from other homes in the R-9S classification.

Staff finds this criterion is not met.

iii. Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification, under the terms of the ordinance, and would work an unnecessary and undue hardship on the applicant.

In conversation during the pre-application meeting, the applicant indicated that placing the structure in the location allowed by code would make it very difficult to maneuver and park his boat in the rear yard. Placing it at the lot line allows the boat to be maneuvered in a straight line along the side of the house to the back yard. The applicant stated the setback requirement would necessitate an S-turn movement each time the boat is stored and removed. The applicant asserts that the carport is needed to store the boat and other vehicles out of the weather.

In assessing this criterion, staff finds that there is insufficient room in the rear of the lot for the existing carport structure to meet the seven-foot minimum side-yard requirement and the 20-foot minimum rear-yard requirement. Because the structure exceeds 500 square feet, it must meet the same yard requirements as the house itself. However, if the structure was slightly smaller, e.g. 20 feet by 20 feet, it would not exceed 500 square-foot threshold and would only need to comply with the five-foot rear- and side-yard requirements. A 400 square foot structure would also not exceed the property's 35 percent lot coverage limit.

It must also be noted that the zoning code does not require watercraft to be covered. The requirements that apply in this situation are that the watercraft be parked in the side or rear yards, and that accessory structures be placed at the applicable minimum yard requirements based on its size. The code further requires that the total cumulative square footage of structures on the lot not exceed 35 percent of the total lot area. These same requirements apply universally to other R-9S properties in Wilbur-by-the-Sea. The applicant therefore is not deprived of rights commonly enjoyed by other properties in the same zoning classification. Any hardship in the applicant's situation is self-imposed.

Staff finds that this criterion is not met.

iv. The variance granted is the minimum variance that will make possible the reasonable use of the land, building, structure, or sign.

The variances requested are the minimum necessary to allow the existing detached carport to remain in its current location at its current size. The 24' x 26' carport is much

larger than the minimum size necessary to cover the 8'5" x 24' boat and trailer

As noted above, the reasonable use of the property has already been established by virtue of the existing dwelling and accessory structures on the property. In addition, if the structure was slightly smaller, the survey indicates that there would be sufficient room on the property to meet the five-foot setback requirement. However, the structure would need to be reduced in size to approximately 20 feet by 20 feet (400 square feet) to remain under the 35 percent lot coverage cap.

Staff finds that this criterion is not met.

v. The grant of the variance will be in harmony with the general intent and purpose of this ordinance and the Volusia County Comprehensive Plan Ordinance No. 90-10, as amended, and that such variance will not be injurious to the area involved.

The applicant has provided letters of support or no objection from all seven abutting property owners, including the two closest to the carport to the north and west. These letters are an indication that the carport is not currently injurious to the immediate area involved. However, staff also received an e-mail from the Wilbur-by-the-Sea Association recommending that the variance not be approved. These letters are attached to this report.

The Comprehensive Plan includes objectives and policies specific to the Wilbur-by-the-Sea Local Plan area. The goal of the Wilbur Local Plan is to:

Maintain the existing residential, cultural and scenic values associated with the Wilbur Community within a framework which will allow for growth compatible with the established development pattern and current land use policies.

In its research, staff could find no other examples in the vicinity of accessory structures placed on the property line with zero setback. Other accessory structures in the area meet the five-foot setback requirement. The setbacks requirements and other limits on accessory structures found in the Zoning Code are intended to minimize the appearance of clutter and thereby maintain neighborhood property values and character. These requirements apply not only to Wilbur, but to all urban single-family residential zoning classifications. Accordingly, granting of the two variances would not be in harmony with the general intent and purpose of the zoning code and the Volusia County Comprehensive Plan.

Staff finds that this criterion is not met.

VI. STAFF RECOMMENDATION

Deny the variance requests, case number V-17-048, as the application does not meet all five criteria for granting said variances.

However, should the PLDRC find that all five criterion have been met, Staff recommends its approval include the following conditions:

1. The variances shall be limited to the existing detached carport structure depicted on the variance site plan.
2. The variances shall be limited to the life of the carport structure. Should the carport be demolished or destroyed by more than 50% of its assessed value, the variance approvals shall expire and any new construction or reconstruction shall meet all applicable zoning code requirements, including setbacks.
3. The carport structure shall not exceed 15 feet in height, measured from the midpoint of the roof slope to the ground.
4. The applicant shall complete the permitting process for the carport structure (permit application 20170526037), including any remaining fees and inspections.
5. Vehicle parking underneath the carport shall maintain a five-foot setback from the rear and side property lines.

VII. ATTACHMENTS

- Written Petition
- Survey/Variance Site Plan
- Carport Installation Plans
- Letters from Adjacent Property Owners
- E-mail from Wilbur by the Sea Association
- Site Photographs
- Map Exhibits

VIII. AUTHORITY AND PROCEDURE

Pursuant to Section 72-415, the County Council shall hold a public hearing after due public notice on all recommendations from the commission. It may accept, reject, modify, return, or seek additional information on those recommendations. No approval of a special exception application shall be made unless, upon motion, four members of the county council concur. The county council will thereafter forward its decision to the applicant.

Any new information to be presented at the planning and land development regulation commission for any application will be grounds to continue an application to the next planning and land development regulation commission. Applicants shall inform and provide staff with the new information prior to the planning and land development regulation commission.

Any new information to be presented at the county council meeting that was not previously presented to the planning and land development regulation commission for any application will be grounds to return an application to the planning and land development regulation commission for further review. Applicants shall inform and provide staff with the new information prior to the council meeting.

WRITTEN PETITION FOR A VARIANCE

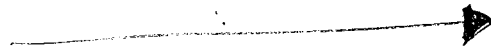
1. The position of my home and attached garage are such that the only location for a covered area to store my boat is in the backyard, directly behind the North side access. These conditions were in place when I purchased the property 25 years ago.

2. If I am not allowed to construct this building, my property could appear littered with vehicles. This carport allows for the tidy housing of my boat and other vehicles and to protect it and them from weather as well.

3. There is no other area that will allow covered storage. The covered storage allows a “kept and neat” appearance of storage with access from the road. This placement is the only option to allow the homeowner to back the boat into the backyard. I will only be using less than 42.6% of the land on the property for structures. Once this newest structure is allowed, leaving more than 57% of the total land unused. (I am applying for a structural content of 42.6%) With this carport and its placement, I am applying for zero tolerance on the North property line.

4. My request for placement of this carport will enable my boat to be stored out of the front yard and behind a gate as to limit visibility to neighbors and streetscape, keeping my front yard clear of vehicles and accessories.

5. The carport is durable and well built, aesthetically pleasing, safe in bad weather and high winds, installed by professionals and will in no way cause problems for the surrounding area.

1. The position of my home and attached garage are such that the only location for a covered area to store my boat is in the backyard, directly behind the North side access. These conditions were in place when I purchased the property 25+ years ago.
2. If I am not allowed to construct this building, my property could appear littered with vehicles. This carport allows for the tidy housing of my boat + other vehicle to protect it from weather.
3. There is no other area that will allow covered storage. The covered storage allows a "kept and neat" appearance of storage with access from road. This placement is the only option to allow homeowner to back boat into backyard 
4. My request for placement of this carport will enable my boat to be stored out of the front yard and behind a gate as to limit visibility to neighbors and streetscape, keeping my front yard clear of vehicles and accessories.
5. The carport is durable and well built, aesthetically pleasing, safe in bad weather and high winds, installed by professionals and will in no way cause problems for the surrounding area.

I will only be using less than 42.6% of land for structures once this newest structure is allowed, leaving more than 58% of land unused (I am applying for a structural content of 42.6%). With this carport and its placement, I am applying for zero tolerance on the North property line.

Lot total : $75 \times 100 =$
 7500 sq. ft.

Structures + concrete:

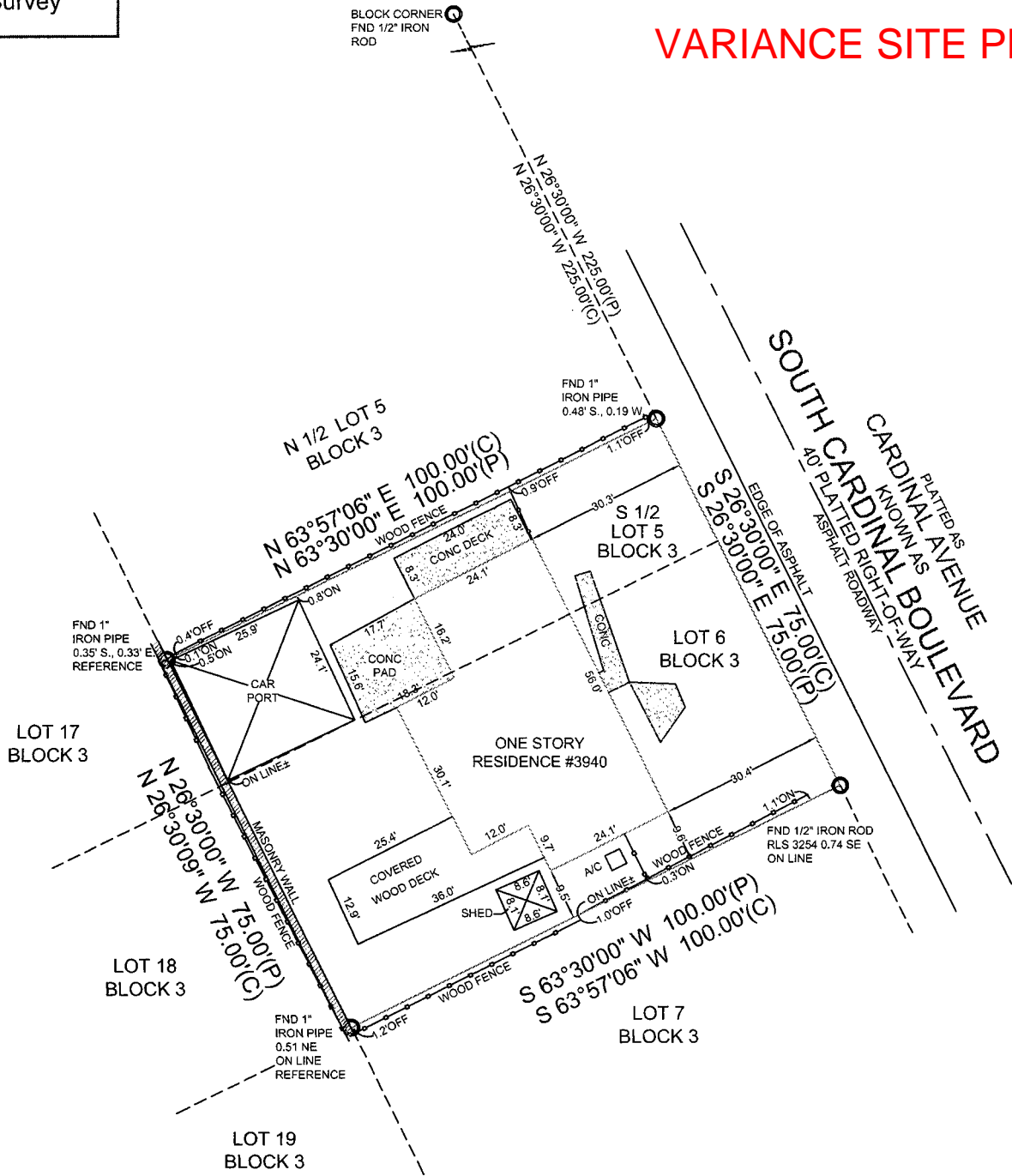
House -	1056 sq. ft
Garage -	288
Back addition	230
Covered wood deck	450
Small shed	69.66
Side concrete pads	475.32
→ New carport	624.19

3193.17 sq. ft.

42.6% of property
 is covered by
 structures + concrete
 32 Percent

Boundary Survey

VARIANCE SITE PLAN



Current Planning Received
06/21/2017

ADDRESS

3940 SOUTH CARDINAL AVENUE
PORT ORANGE, FLORIDA 32127

LEGAL DESCRIPTION: (AS FURNISHED)

SOUTH 1/2 LOT 5, LOT 6, BLOCK 3, WILBUR BY THE SEA, ACCORDING TO THE PLAT THEREOF,
AS RECORDED IN PLAT BOOK 6, PAGE 87, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

BASIS OF BEARINGS: BEARINGS SHOWN HEREON ARE BASED ON THE EAST R/W LINE OF SOUTH CARDINAL BLVD., BEING S 26°30'00" E, ASSUMED.

LIST OF POSSIBLE ENCROACHMENTS: FENCES ALONG NORTH AND SOUTH LINES AS DIMENSIONED

DLS #: 17-05-0135
CLIENT #: 2791 SILVER RIDGE
FIELD DATE: 05/22/17
DRAFTER: GH
APPROVED: BHH
SCALE: 1" = 30'

CERTIFIED TO: (AS FURNISHED)
ROBERT GUERARD

NOTES
1. Survey is based on legal description as supplied by client
2. Abutting properties have not been researched for gaps, overlaps, and/or hiatus
3. In compliance with F.A.C. 61G17-6.0031-4-E, if location of easements or rights-of-way of record, other than those on recorded plans, is required, this information must be furnished to the surveyor and mapper
4. Fence ownership is not determined
5. No underground improvements or structures were located by this survey, unless otherwise noted
6. This survey should not be used for construction purposes
7. Any septic tank or drainfield locations (if found) are approximate

THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.

LEGEND	
A/C	- Air Conditioner
C	- Calculated
Ⓢ	- Centerline
CB	- Concrete Block
CM	- Concrete Monument
CONC	- Concrete
COV	- Covered
D	- Description
DE	- Drainage Easement
DUE	- Drainage & Utility Esmt
D/W	- Driveway
ESMT	- Easement
FFE	- Finished Floor Elevation
FND	- Found
IP	- Iron Pipe
L	- Length (Arc)
M	- Measured
N&D	- Nail & Disk
NR	- Non-Radial
OHU	- Overhead Utility Line
ORB	- Official Records Book
P	- Plat
PB	- Plat Book
PC	- Point of Curvature
PI	- Point of Intersection
POB	- Point of Beginning
POC	- Point of Commencement
PP	- Power Pole
PRC	- Point of Reverse Curvature
PRM	- Permanent Reference Monument
R	- Radius
RAD	- Radial
R&C	- Rebar & Cap
RFD	- Roofed
UE	- Utility Easement
WM	- Water Meter
Δ	- Delta (Central Angle)
⊕	- Wood/PVC Fence
⊖	- Chain Link Fence

FLOOD ZONE INFORMATION
(FOR INFORMATIONAL PURPOSES ONLY)

SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE X500, AN AREA OUTSIDE OF THE 100 YEAR FLOODPLAIN, PER F.I.R.M. PANEL NUMBER 12127C 0389H
LAST REVISION DATE 02/19/14

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND TO THE BEST OF MY KNOWLEDGE AND BELIEF SAID SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J, FLORIDA ADMINISTRATIVE CODE. FURTHER, THIS DOCUMENT IS ELECTRONICALLY SIGNED AND SEALED PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES AND CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

DATE OF FIELD WORK: 05/22/17
DATE SIGNED: 05/24/17

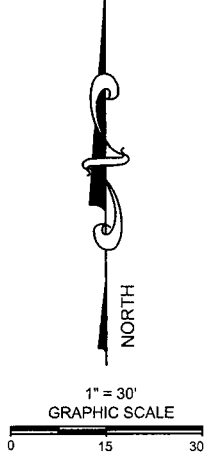
SURVEYOR'S NAME: BILL H. HYATT LS4636

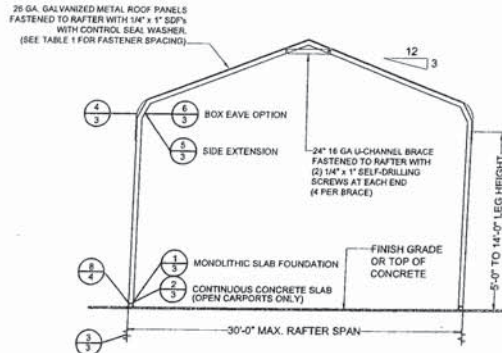


FOR ALL INQUIRIES CONTACT:
Deal Land Surveying, LLC
1530 Tropic Park Drive
Sanford, FL 32773
407-878-3796
INFO@dealandsurveying.com

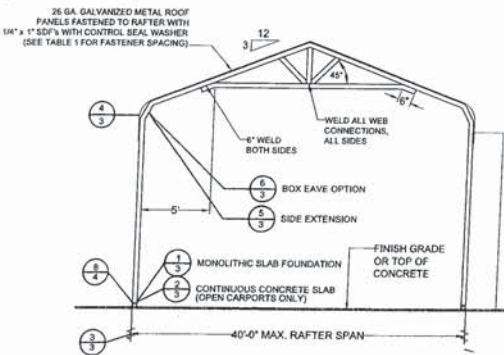
DEAL LAND SURVEYING, LLC LB 8121
NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL

DATE	REVISION	DATE	REVISION

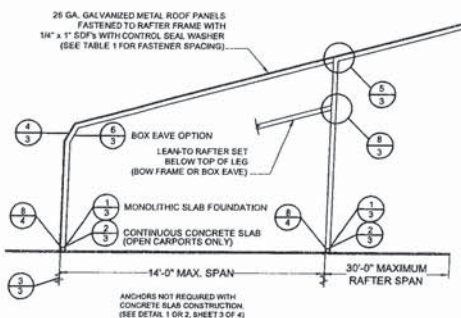




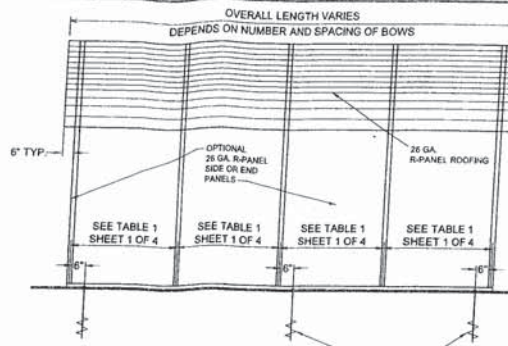
TYPICAL BOW RAFTER SECTION
Not To Scale



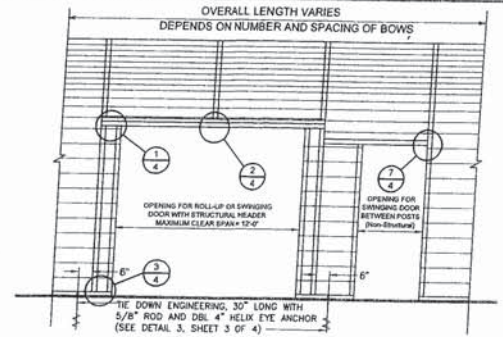
TRUSSED BOW SECTION
Not To Scale



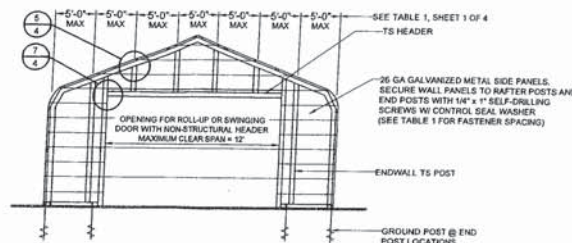
TYPICAL SIDE/LEAN-TO EXTENSION SECTION
Not To Scale (BOW FRAME LEAN-TO TO BOXE EAVE RAFTER)



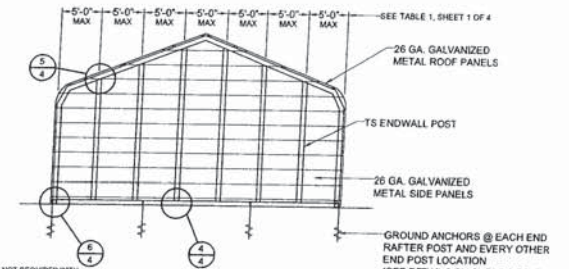
SIDE ELEVATION
Not To Scale



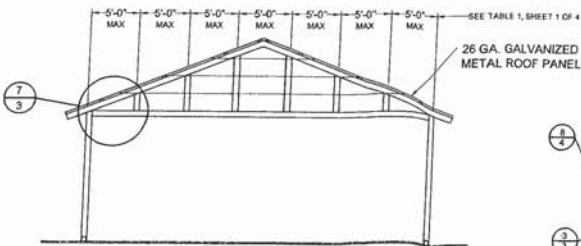
SIDE OPENINGS
Not To Scale



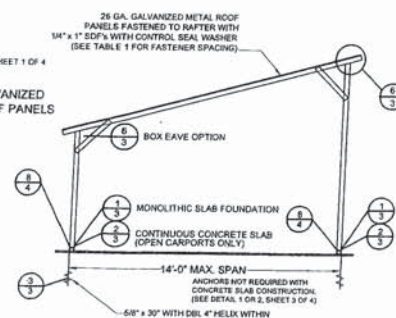
END WALL OPENING
Not To Scale



END WALL SECTION
Not To Scale



GABLED OPEN END WALL SECTION
Not To Scale



TYPICAL FREESTANDING LEAN-TO
Not To Scale

NOTE:
14 GA FRAMING IS 2-1/2" x 2-1/2" TUBE STEEL (TS).
12 GA FRAMING IS 2-1/4" x 2-1/4" TS.
NIPPLES ARE 2-1/4" x 2-1/4" 14 GA TS FOR 14 GA FRAMING.
NIPPLES ARE 2" x 2" 12 GA TS FOR 12 GA FRAMING.



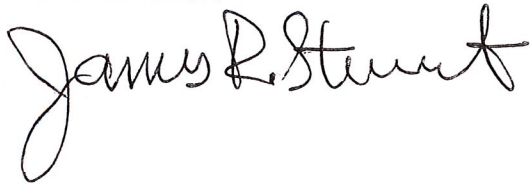

CAROLINA CARPORTS, INC.

<p>BECHTOL ENGINEERING AND TESTING, INC. CONSULTING, SURVEILLANCE, ENGINEERING, AND MATERIALS TESTING ENGINEERS Certificate of Registration No. 58538</p>	<p>FILED: RR DATE: 10-21-16 SCALE: NTS DRAWN BY: TB PROJ. NO.: G16001 APPROVED BY: TB SHEET 2 OF 4</p>
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June 8, 2017

I, James Stewart, at 3937 South Peninsula drive, Wilbur by the sea, Fl., do not have any objections to my neighbors carport at 3940 South Cardinal Blvd. We are not affected by this and have no objections.

James R. Stewart

A handwritten signature in black ink that reads "James R. Stewart". The signature is written in a cursive style with a large initial 'J'.A rectangular yellow sticky note with handwritten text in brown ink. The text reads "Neighbor letters of support" on three lines.

Neighbor
letters of
support



June 5th 2017

I, Robert Guerard, have constructed a carport at 3940 S. Cardinal Blvd., Wilbur by the Sea, Florida 32127. I am applying for a variance of code. I need a letter of support from my surrounding neighbors stating that you are not affected by my having this structure. I need to have this letter by Wednesday dated and signed. Your cooperation would be greatly appreciated.

If you could have this by Wednesday evening as my appointment is Thursday at 10:30am. If you could simply put it in the bag provided and leave it in front of your house by your door I will come by and pick it up.

Thank you,

Robert Guerard

Robert Guerard

(386) 299-7380

I don't have any concern with the carport my neighbor has constructed in his backyard.

*Melony Ritchey
3944 Cardinal Blvd.*

May 31, 2017

To Whom It May Concern,

I am a resident of Volusia County and have owned my property since 1992. I live at 3936 Cardinal Blvd, Port Orange, FL 32127. My next door neighbor, Robert Guerard (3940 Cardinal Blvd.), has a metal carport that houses his boat and vehicle. The carport is located on the south side of his property, adjacent to my property. I have no complaints about his new carport. It is well constructed and aesthetically attractive. As a neighbor, Mr. Guerard is a good neighbor and always considers his neighbor's opinions. I fully support his application for a property variance to keep the carport.

If you have any questions or concerns or need further details, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Dorothy Senne". The signature is written in black ink and is positioned below the word "Sincerely,".

Dorothy Senne
3936 Cardinal Blvd.
Port Orange, FL 32127
386.767.1935 (home)
386.295.2920 (mobile)

6/6/17

To Whom it may concern,

My name is Wally Brown. I live at
3941 S. Peninsula Dr. I am an adjacent neighbor
to Robert Guerard, at 3940 S. Cardinal Blvd.
I have seen the carport at Mr. Guerard home.
I think he should be given a variance
as the carport is no problem

W. Brown

Wallace Brown
3941 S. PENINSULA DR.
WBS FL 32127

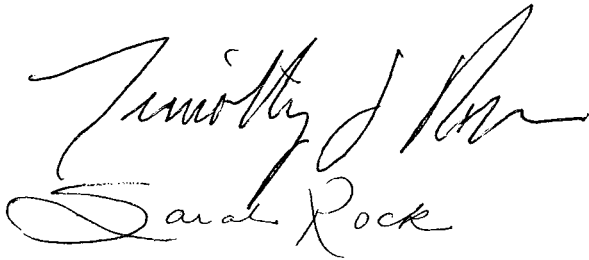
06/06/2017

To who it may concern we have not been affected by the carport structure erected by our neighbor, Robert Guerard whose address is 3940 S. Cardinal Blvd., Wilbur by the Sea, FL 32127

Timothy Rock and Sarah Rock

3939 S. Peninsula Dr.

Wilbur by the Sea, FL 32127



Handwritten signatures of Timothy J. Rock and Sarah Rock. The signature for Timothy J. Rock is written in a cursive style, and the signature for Sarah Rock is written in a similar cursive style below it.

June 5, 2017

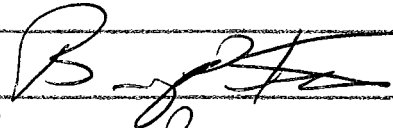
As the owner of 3933 Cardinal blvd., Wilbur By The Sea, Fl. I can affirm that I am not affected and have no objections to Mr. Guerards carport.



Tom Rapaport
386 3081033

June 6th 2017

To whom it may concern;
I have no problem with Robert
Guernard constructing a carpet on his
property at 3940 Cardinal Blvd, Wilbur
by the Sea FL.

 6-6-2017
Brian Petersen
3929 Cardinal Blvd
Wilbur by the Sea FL 32127
386-299-2328

From: Robert Mills <millsatwilbur@mindspring.com>
To: Yolanda Somers <ysomers@volusia.org>
Date: 7/11/2017 12:18 AM
Subject: Re: Variance Request in Wilbur by the Sea Overlay V-17-048

I apologize for not getting back to you in a timely manner; I'm traveling and have been out of internet contact until now.

Although I've not been able to run this by our Board of Directors, as President of the Wilbur Improvement Association, Inc., I can make a few comments regarding this variance request.

- The zoning overlay was initiated in response to perceived development pressures in Wilbur by the Sea which could have changed the nature of our community. As such, the goal was to recognize Wilbur as a community of primarily single family homes where condominiums, apartment buildings and other commercial development would be inconsistent with the past development patterns.
- It appears that this variance request has less to do with the intent of the Wilbur Zoning overly and more to do with enforcement of established criteria and rules for development on individual parcels.
- Inasmuch as allowing variances does set strong precedent, I would always err on the side of caution and disallow variance from established set-back requirements; the typical lot in Wilbur by the Sea is quite small and allowing overbuilding on such small lots will eventually lead to visual degradation of the area. Putting too much stuff on a small lot will always look like too much stuff on a small lot.

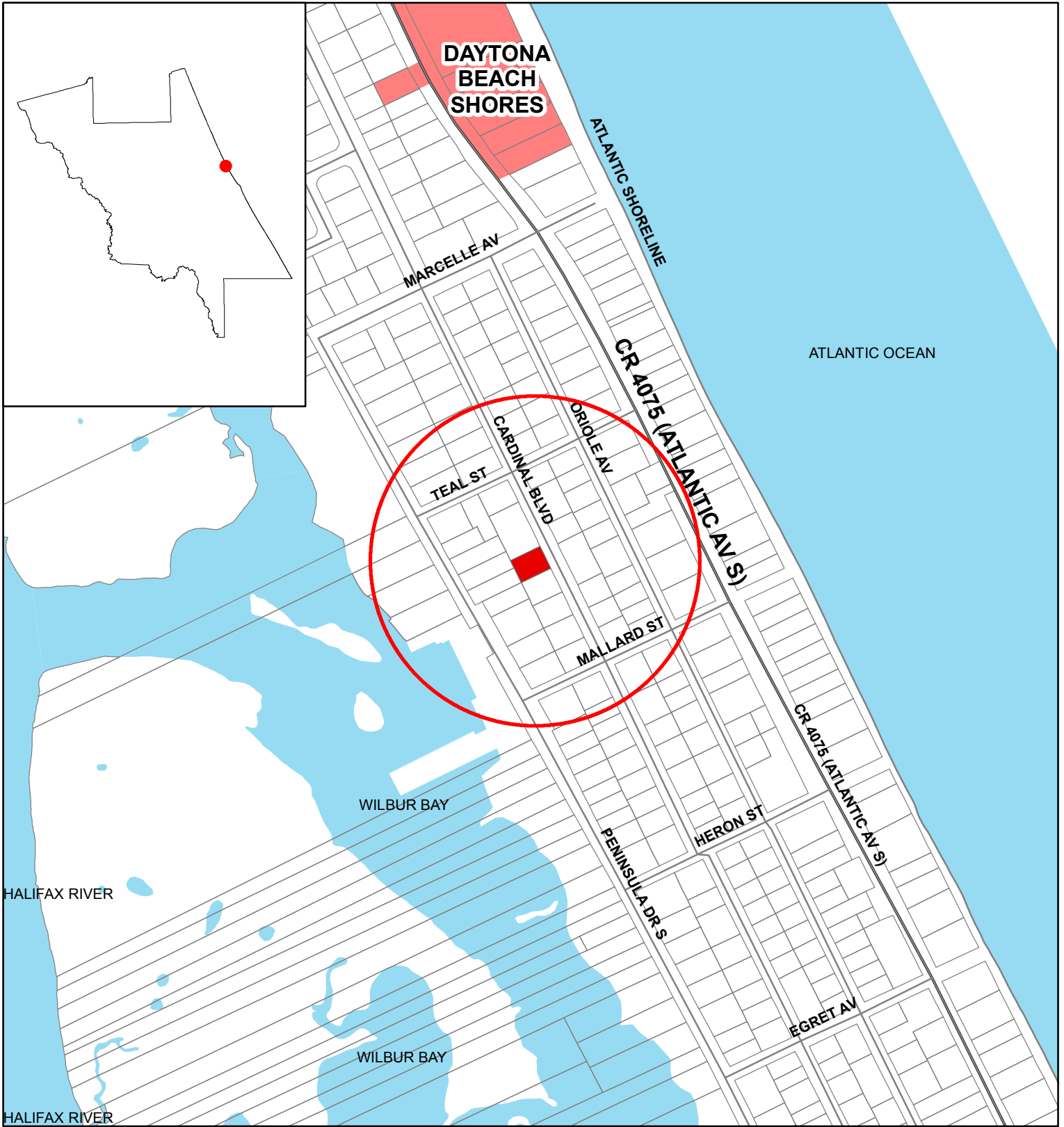
-----Original Message-----

>From: Yolanda Somers <ysomers@volusia.org>
>Sent: Jun 28, 2017 5:37 PM
>To: "millsatwilbur@mindspring.com" <millsatwilbur@mindspring.com>
>Subject: Variance Request in Wilbur by the Sea Overlay V-17-048
>
>To the Wilbur by the Sea Association:
>
>Please find the attached information regarding a variance request that was submitted. Please provide any comments your association may have regarding the attached documents. This variance is scheduled for the August 8, 2017, Planning and Land Development Regulation Commission public hearing. Please have comments submitted by July 7, 2017.
>
>Thank you.
>
>If I may be of any further assistance, please let me know at your convenience.
>
>Sincerely,
>
>Yolanda Somers
>Staff Assistant II
>Planning and Development Services
>T: 386) 736-5959 #12777
>F: 386) 626-6570
>Email: ysomers@volusia.org
>
>
>

Bob Mills, President
Wilbur BoatHouse

3940 Cardinal Boulevard
Site Photos





REQUEST AREA LOCATION



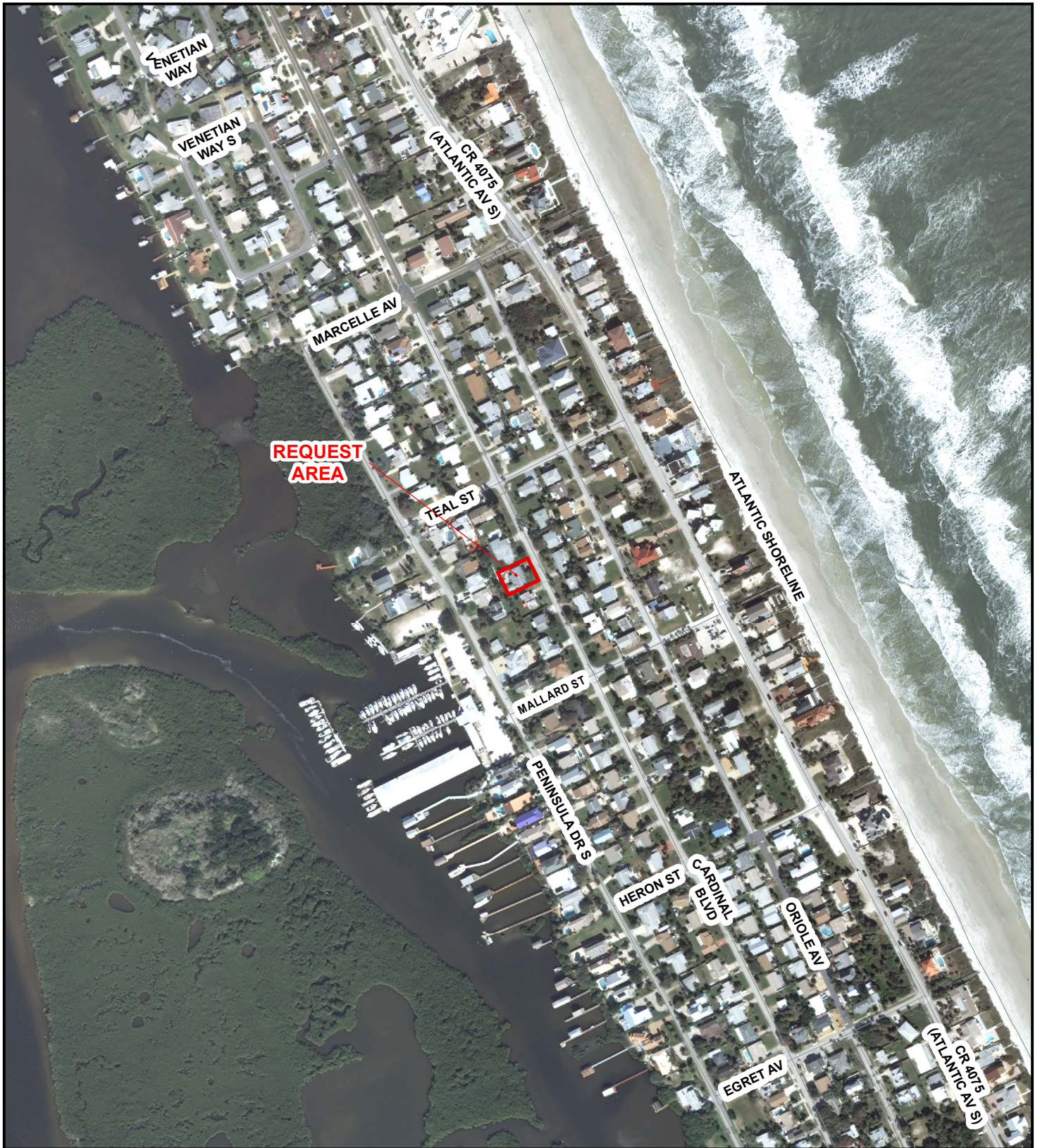
1" = 400'



VARIANCE

CASE NUMBER

V-17-048



AERIAL 2015

1" = 400'



VARIANCE
CASE NUMBER
V-17-048



REQUEST AREA



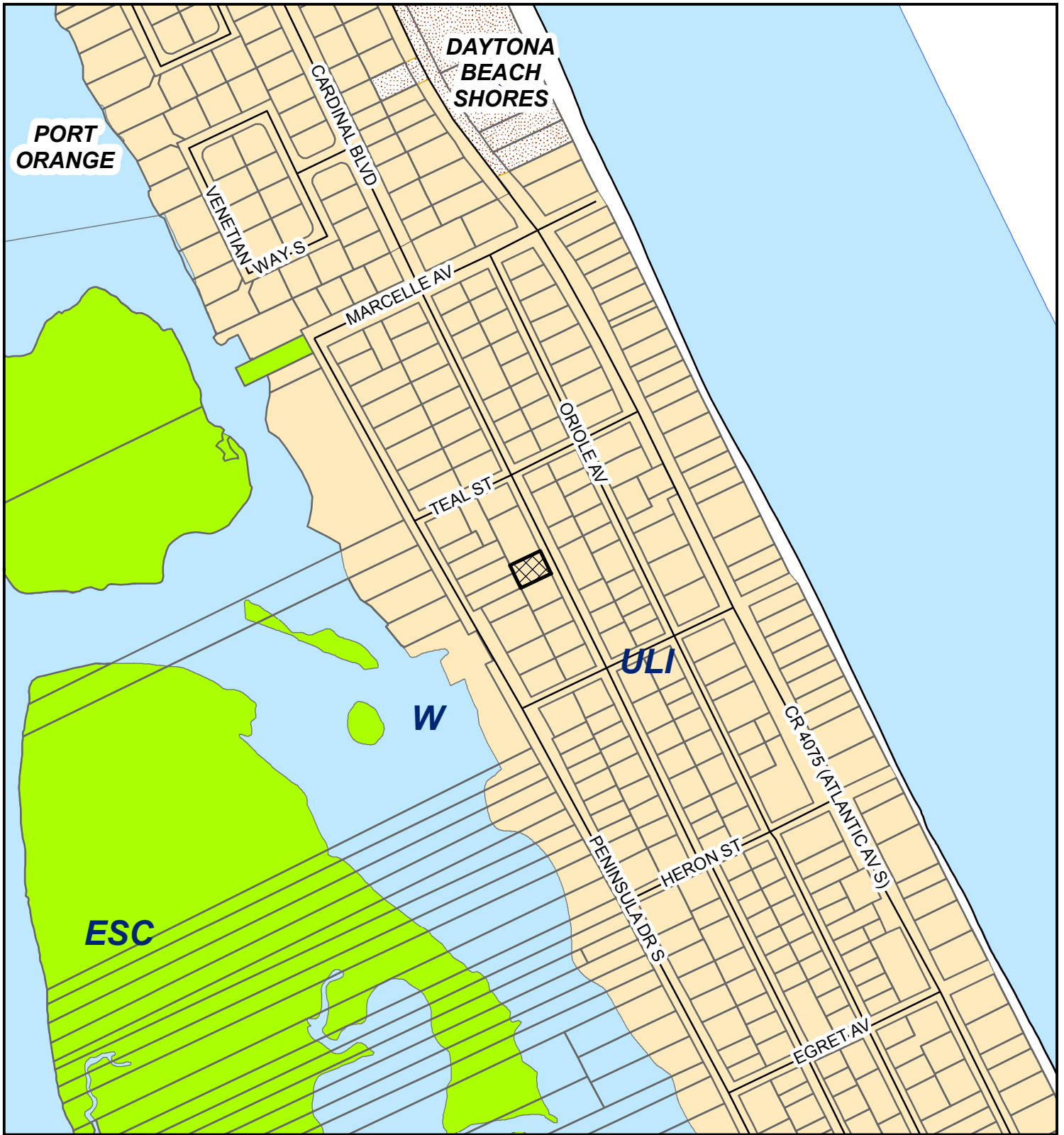
ZONING CLASSIFICATION

- COMMERCIAL
- RESIDENTIAL
- INCORPORATED
- RC(S)
- REQUEST AREA






1" = 400'



VARIANCE
CASE NUMBER
V-17-048



FUTURE LAND USE

-  ENVIRONMENTAL SYSTEMS CORRIDOR
-  URBAN LOW INTENSITY
-  INCORPORATED
-  WATER
-  REQUEST AREA

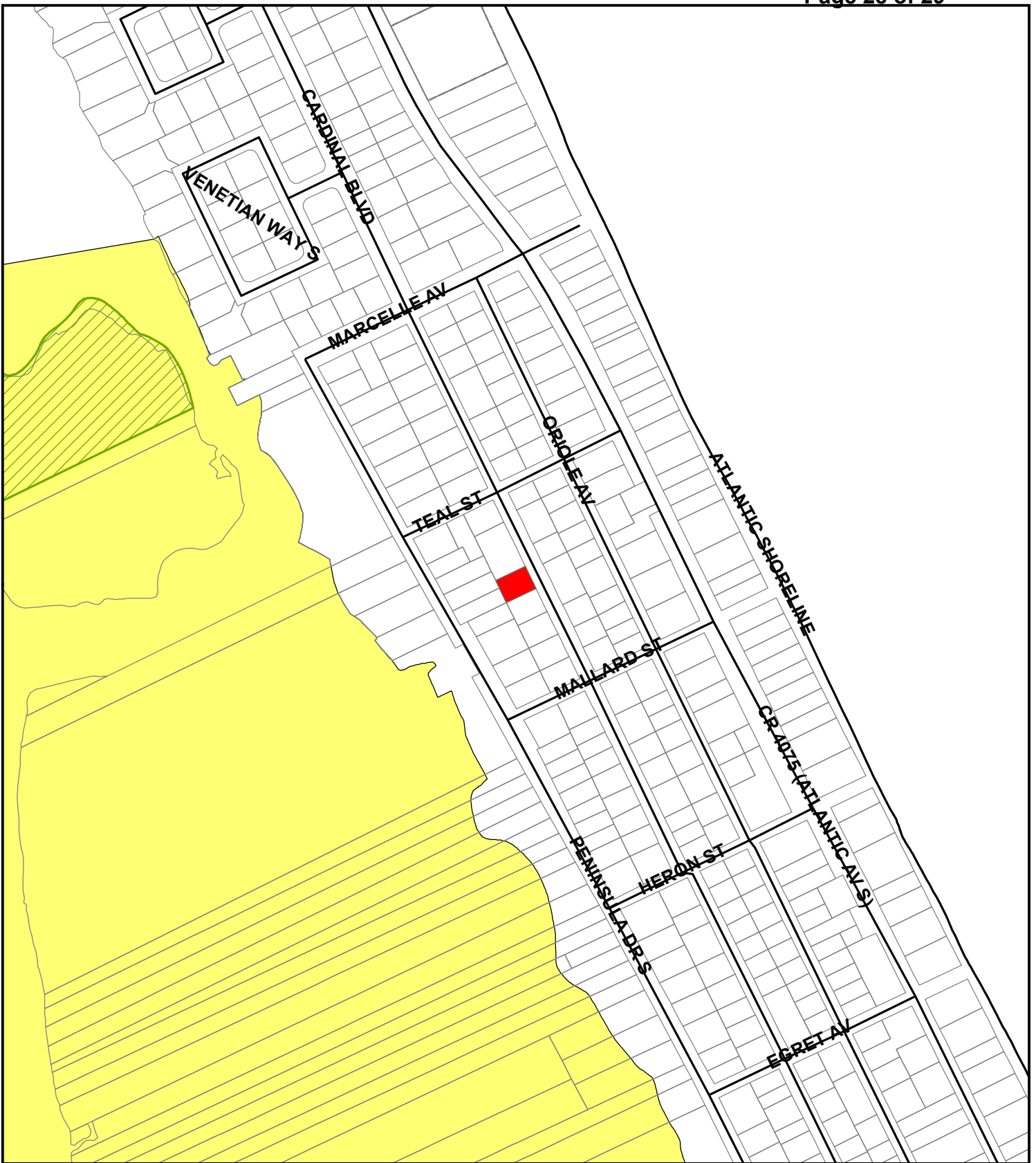
1" = 400'



VARIANCE

CASE NUMBER

V-17-048



ECO/NRMA

1"= 400'

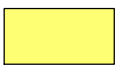
 **VARIANCE**

CASE NUMBER

V-17-048



ECO



NRMA



REQUEST AREA

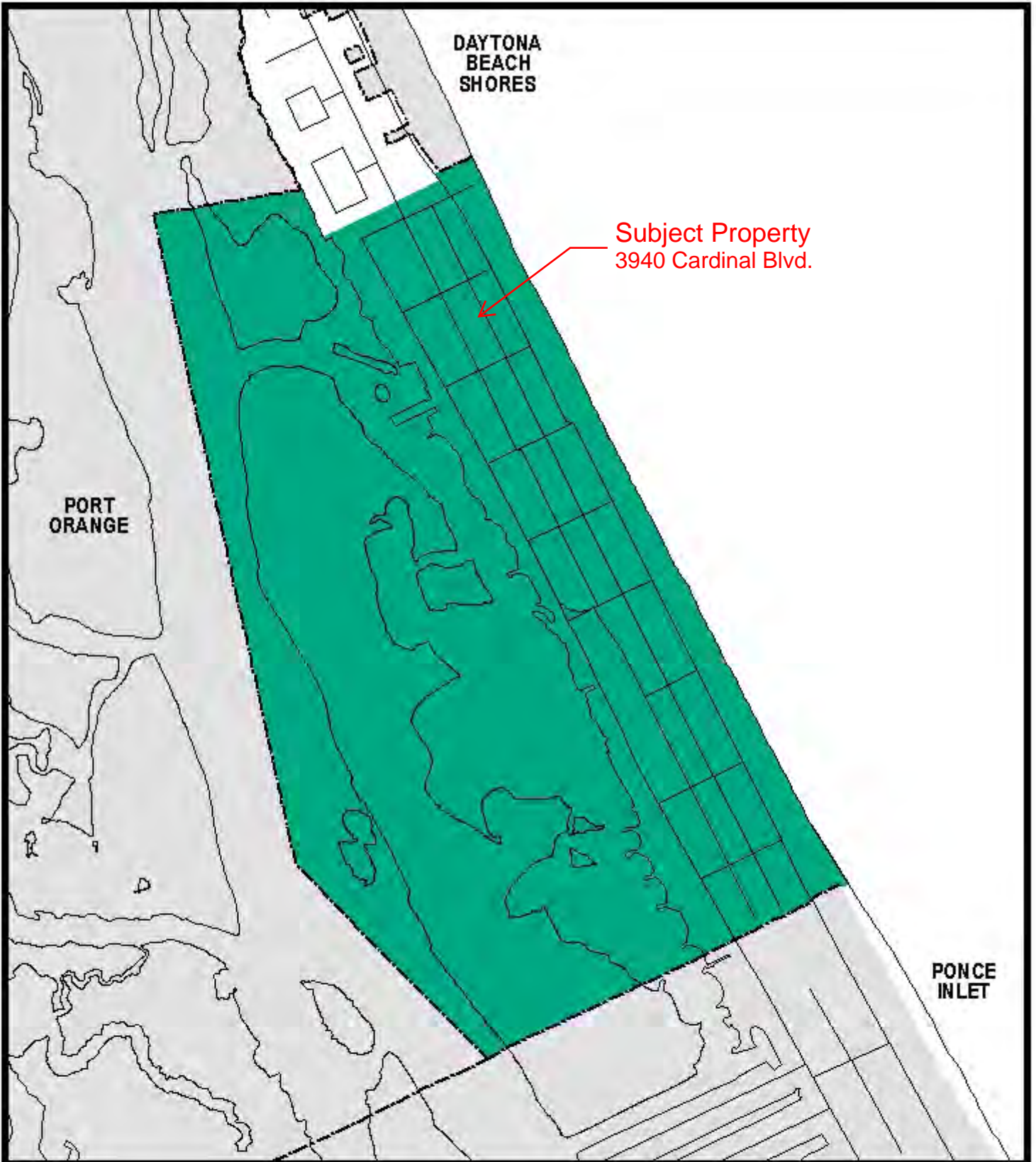


FIGURE 1-12I
WILBUR BY THE SEA LOCAL PLAN

