

VARIANCE ACTION FORM

ITEM NO: 221101V

DATE OF PUBLIC HEARING: November 7, 2022

OWNER NAME(s):

Gary E. Kromer
30142 Konny Lane
Wesley Chapel, FL 33545

*previous
variance*

AGENT NAME(s):

COPY

N/A

LEGAL DESCRIPTION OF PROPERTY: Parcel Account No. 11140-029-00, SEC 16 TWP 13 RGE 25, "Kerr's Breezy Shores", in Marion County, Florida.

VARIANCE REQUESTED: Requests a reduction of the ESOZ front setback from 75' to 42' for a proposed Single Family Residence (SFR) and a 12'x25' Shed, in a Residential Mixed Use (R-4) zoning classification.

FINDINGS OF BOARD OF ADJUSTMENT

1. **Written Petition.** A written petition for a Variance has been submitted demonstrating that:
 - A. 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 with the same zoning classification and land use area.
 - B. The special conditions and circumstances do not result from the actions of the applicant.
 - C. Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use area under the terms of said regulations and would work unnecessary and undue hardship of the applicant.
 - D. The Variance, if granted, in the minimum Variance that will allow the reasonable use of the land, building or structure.
 - E. Granting the Variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings of structures in the same zoning classification and land use area.
 - F. The granting of the Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

2. ☒ **GRANTED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have been demonstrated by the applicant for Variance.

3. ☐ **DENIED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have not been demonstrated by the applicant for Variance.

4. ☐ **CONDITIONS & SAFEGUARDS:**
 A. Should the structure be removed for any reason, any replacement structure must meet the then required setbacks or a variance must be requested.

B. _____

CHAIRMAN

11-07-2022
DATE



Marion County
Board of County Commissioners
Growth Services
2710 E. Silver Springs
Blvd. Ocala, FL 34470
Phone: 352-438-2675 Fax:
352-438-2676

OFFICE USE ONLY

Received By: Alice

Date Received: 9-7-22

221101V

VARIANCE APPLICATION AR#: 29115

Application #: 221101V
FOR COUNTY USE ONLY

PA#: 11140-029-00

Parcel Account Number of Subject Property

THE UNDERSIGNED REQUESTS A VARIANCE AS REFERENCED IN SECTION 2.9 OF THE MARION COUNTY LAND DEVELOPMENT FOR THE PURPOSE OF:

PLEASE REFER TO EXHIBIT-A DOCUMENT FOR THE DETAILS OF THIS VARIANCE REQUEST

Reduce ESOZ front setback from 75' to 22' for placement of proposed 32'x68' mth. and 12'x25' shed.

Section of Code requesting variance from: SEC. 5.2.4 - ESOZ DEVELOPMENT STANDARDS

R-4

Legal Description (Please attach a copy of deed). Total Acreage of subject property: .24 ACRES +/- acres

Directions to subject property: Sit on: 21268 NE 150th St., Salt Springs FL.

FROM THE MARION COUNTY BUILDING DEPT., TAKE SR40 EAST TO CR315 AND TURN LEFT, PROCEED ON NE CR315 TO FT. McCoy 4-WAY STOP AND TURN RIGHT ON CR316. PROCEED ON CR316 10 MILES TO NE 150TH ST. TURN RIGHT AND 21268 NE 150TH ST. (LOT 11) IS THE 4TH LOT ON THE RIGHT SIDE). 27 MILES TOTAL.

Please Note: **Property owner must sign this application:** Otherwise he/she must attach to this application written authorization naming an agent to act in his/her behalf.

GARY E. KROMER

Gary E. Kromer

(Print/Signature) Property Owner

30142 KONNY LN.

Address

WESLEY CHAPEL, FLORIDA, 33545

City, State, Zip Code

(813) 610-4087 EMAIL: gkromer1@verizon.net

Contact Info: Phone, cell, e-mail address

(Print) Applicant or Agent

Address

City, State, Zip Code

Contact Info: Phone, cell, e-mail address

THE FILING FEE IS \$ 550 NON-REFUNDABLE. WE RECOMMEND THAT THE OWNER, APPLICANT OR AGENT BE PRESENT AT THE HEARING. IF NO REPRESENTATIVE IS PRESENT AND THE BOARD REQUIRES ADDITIONAL INFORMATION, THEY MAY DECIDE TO POSTPONE OR DENY THE REQUEST. NOTICE OF SAID HEARING WILL BE MAILED TO THE ABOVE ADDRESS. ALL INFORMATION GIVEN MUST BE CORRECT AND LEGIBLE TO BE PROCESSED. **PLEASE NOTE THAT A WRITTEN PETITION (REFER TO PAGE 2 & 3) MUST BE PROVIDED WITH THIS APPLICATION, ALONG WITH A SITE PLAN IN ORDER TO BE CONSIDERED COMPLETE.** FOR FURTHER INFORMATION CONTACT THE MARION COUNTY GROWTH SERVICES.

STR R-4
161325 Rural
"Kerr's Breezy Shores"
2022090013 AR 29115

WRITTEN PETITION FOR VARIANCE

WRITE YOUR ANSWERS IN THE SPACE PROVIDED AFTER EACH STATEMENT. PLEASE COMPLETE ALL REPLIES USING A SENTENCE FORM. A VARIANCE FROM THE TERMS OF THESE REGULATIONS SHALL NOT BE GRANTED BY THE BOARD OF ADJUSTMENT UNLESS A WRITTEN PETITION FOR A VARIANCE IS SUBMITTED JUSTIFYING THE FOLLOWING:

A. 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 with the same zoning classification and land use area.

Applicant's justification:

REQUESTING A REDUCTION OF 53' TO 22' FOR A WATERFRONT SETBACK IN A R-4 ZONING CLASSIFICATION FOR PLACEMENT OF A 32' X 68' MANUFACTURED HOME AND 12' X 25' METAL SHED.

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

Applicant's justification:

DUE TO THE DIMENSIONS OF THE PARCEL A 75' WATERFRONT SETBACK CAN NOT BE OBTAINED PER ESOZ PROVISIONS, IN ORDER TO REPLACE THE MANUFACTURED HOME RECENTLY REMOVED FROM THIS PARCEL/LOT.

C. Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use are under the terms of said regulations and would work unnecessary and undue hardship on the applicant.

Applicant's justification:

GRANTING THIS VARIANCE WOULD NOT BE IN ANY WAY IRREGULAR TO THE SURROUNDING AREA. THIS WOULD ALSO NOT ADVERSLEY EFFECT ANY PROPERTY OWNERS IN THE AREA.

D. The Variance, if granted, is the minimum Variance that will allow the reasonable use of the land, building or structure.

Applicant's justification:

$75' - 53' = 22'$

from 75' to
A REDUCTION OF 53' TO 22' FOR A WATERFRONT SETBACK TO THE MAIN CANAL IS THE MINIMUM
REQUIRED TO PLACE THE PROPOSED MANUFACTURED HOME.

E. Granting the Variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning classification and land use area.

Applicant's justification:

TRUE

F. The granting of the Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Applicant's justification:

TRUE