

VARIANCE CRITERIA

Pursuant to Section 86-46(a)(4), the Planning Commission shall consider the following matters in making a determination on a variance petition:

Special circumstances existing in relation to the land, structures, or buildings as compared to other land, structures, or buildings in the same zoning district and the special circumstances are not the fault of the applicant.

Special circumstances exist for this property as compared to other land, structures or buildings in the same zoning district and the special circumstances are not the fault of the applicant. The property is the site of an existing single-family residential structure that was built in 1954. In 1958, additions to the west and northeastern side of the structure were made, as well as the construction of a stand-alone studio. These structures served as the home of Walter Farley, famed American author, and served as his residence until his passing. The property had remained in the Farley family until its recent purchase by the applicant in 2020.

The property is zoned Residential Single-Family 1 (“RSF-1”). Constructed as a beachfront residence for Mr. Farley in 1954 and added onto in 1958, the existing home structure is seaward of the Gulf Beach Setback Line (the “GBSL”) regulation that was established in 1978. The most seaward portion of the existing home structure is 106’10” seaward of the GBSL. The applicant desires to preserve and renovate the 1954 historic existing home structure and western addition included in 1958 and to replace the northeastern 1958 addition with a connected extension of the single-family residence to provide one interrelated home. This plan also encompasses a pool and courtyard located landward of the existing 1954 home structure and the rehabilitation and extension of existing walls on the northern and southern portions of the property. No proposed new portion of the desired single-family home extends seaward of the existing 1954 home structure and 1958 western addition, nor are any other variances to the RSF-1 regulations sought.

The application of the GBSL standard places a hardship on the property that is not the fault of the applicant.

The literal interpretation of the provisions of this chapter would result in unnecessary and undue hardship to the property.

The literal interpretation of the provisions of this chapter would result in unnecessary and undue hardship to the property. The existing 1954 home structure and 1958 additions served as a single-family residence prior to and after the establishment of the GBSL in 1978. The applicant desires to renovate the existing 1954 home structure and 1958 western addition and to replace the 1958 northeastern addition to have one interrelated single-family home. Should the applicant not receive the requested variance from the GBSL standards, the existing 1954 home structure and 1958 additions would become a stand-alone building isolated from the new single-family structure with no beneficial use to the applicant.

The variance, if granted, is the minimum variance necessary to meet the requested use of the land, building or structure.

The variance, if granted, is the minimum variance necessary to meet the requested use of the property for the renovation and construction of the desired interrelated single-family home. The existing 1954 home structure and 1958 western addition are 106'10" seaward of the GBSL at its farthest western point. The applicant desires to build the connected extension of the single-family structure landward of this furthest western point in the place of the existing 1958 northeastern addition. This new construction, at its farthest, would be 82'2" seaward of the GBSL. The difference between the existing farthest western point of the structure and the farthest western point of the desired connected extension of the single-family structure is 26'8".

The desired rehabilitation and extension of the walls on the southern and northern boundaries also do not propose to extend seaward of the existing 1958 western addition. The rehabilitation of the wall on the northern boundary of the property extends to 73' seaward of the GBSL, but remains landward of the existing 1954 home structure, and the rehabilitation and extension of the wall on the southern boundary terminates 106'10" seaward of the GBSL to keep in consistency with the seaward limits of the 1958 western addition.

The grant of the variance will be in harmony with the general intent and purpose of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The grant of the variance would allow a replacement single-family home to be built in harmony with the general intent and purpose of the chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. The grant of the variance would allow the renovation and preservation of the existing 1954 structure and 1958 western addition and preserve these structures' storied use as a single-family residence on the property as part of the interrelated home. The applicant believes this plan provides a net benefit to the City and public welfare.

