



CITY OF MARIANNA
MUNICIPAL DEVELOPMENT DEPARTMENT
Post Office Box 936
Marianna, FL 32447
(850) 482-2786
Email: kdennis@mariannafl.city

Memo

To: Planning & Zoning Board

From: Kay Dennis, Director

Handwritten initials "KD" in black ink, positioned to the right of the "From:" line.

Date: 02/25/2019

Re: Variance Request

Summary:

The applicants are requesting a variance from *Marianna City Code, Land Development Code, Sections 2-6.3, 4-1.7(3) and 4-8.3 (1) and (2)* for single wide mobile home placement at 2831 Washington Street.

**Nature of
Variance Requests:**

The applicants' property is located within the Residential-3 zoning district, which allows for the placement of Residential Design Manufactured Homes (RDMH) (*Marianna City Code, Land Development Code, Section 4-1.7(3)*). Residential Design Manufactured Homes must be a minimum of 20 feet wide, and have a light reflective exterior, 1:4 roof pitch and six inch roof overhang (*Marianna City Code, Land Development Code, Section 4-8.3 (1)(b)*). Manufactured homes not meeting these requirements are only allowed in manufactured home parks (*Marianna City Code, Land Development Code, Section 4-8.3 (2)*).

It is difficult to determine when the damaged mobile home was placed on the property. Jackson County Property Appraiser records indicate that a home was located on the property sometime between 1983 and 1992, which would make the damaged single-wide mobile home a legal non-conforming use that would not be currently allowed, but was in existence prior to the adoption of the Land Development Code (*Marianna City Code, Land Development Code, Section 2-6.3*). However, a

legal non-conforming use can lose this status under the following circumstances.

1. The use becomes a public hazard or nuisance;
2. There is a lack of maintenance and upkeep on the use;
3. Expansion or extension beyond 10% of the floor or lot coverage, whichever is less;
4. The use is abandoned or discontinued; and/or
5. The use is substantially damaged or destroyed.

According to *Marianna City Code, Land Development Code, Sections 2-6.3 (5)*, “[w]here a nonconforming development is substantially damaged or destroyed, reconstruction of such development shall be in compliance with the provisions of this Code.” Therefore, if the mobile home requires replacement, it must meet the current standards for a Residential Design Manufactured Home.

History:

The owners of the property located at 2831 Washington Street are requesting a variance to replace a 1975 single wide mobile home that was severely damaged by Hurricane Michael with a 1989 14’x70’ single-wide mobile home. The owners point out that the variance will not affect adjacent property values, especially since there are other mobile homes in the immediate area. Additionally, the property owners will not adversely impact the health, safety or general welfare of the area, but would instead provide housing when there is a shortage. Finally, a replacement mobile home will provide revenue for the City in the form of utilities and taxes. (See attached letter).

Determination:

Marianna City Code, Land Development Code, Sec. 2-6.6 states “[t]he planning board shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific properties involved. If so, the planning board shall make the following required findings based on the granting of the variance for that site alone. If, however, the condition is common to numerous sites so that requests for similar variances are likely to be received, the planning board shall make the required findings based on the cumulative effect of granting the variance to all who may apply. The Planning Board shall not vary the requirements of any provision of this code unless it makes a positive finding, based on substantial competent evidence, on each of the following:

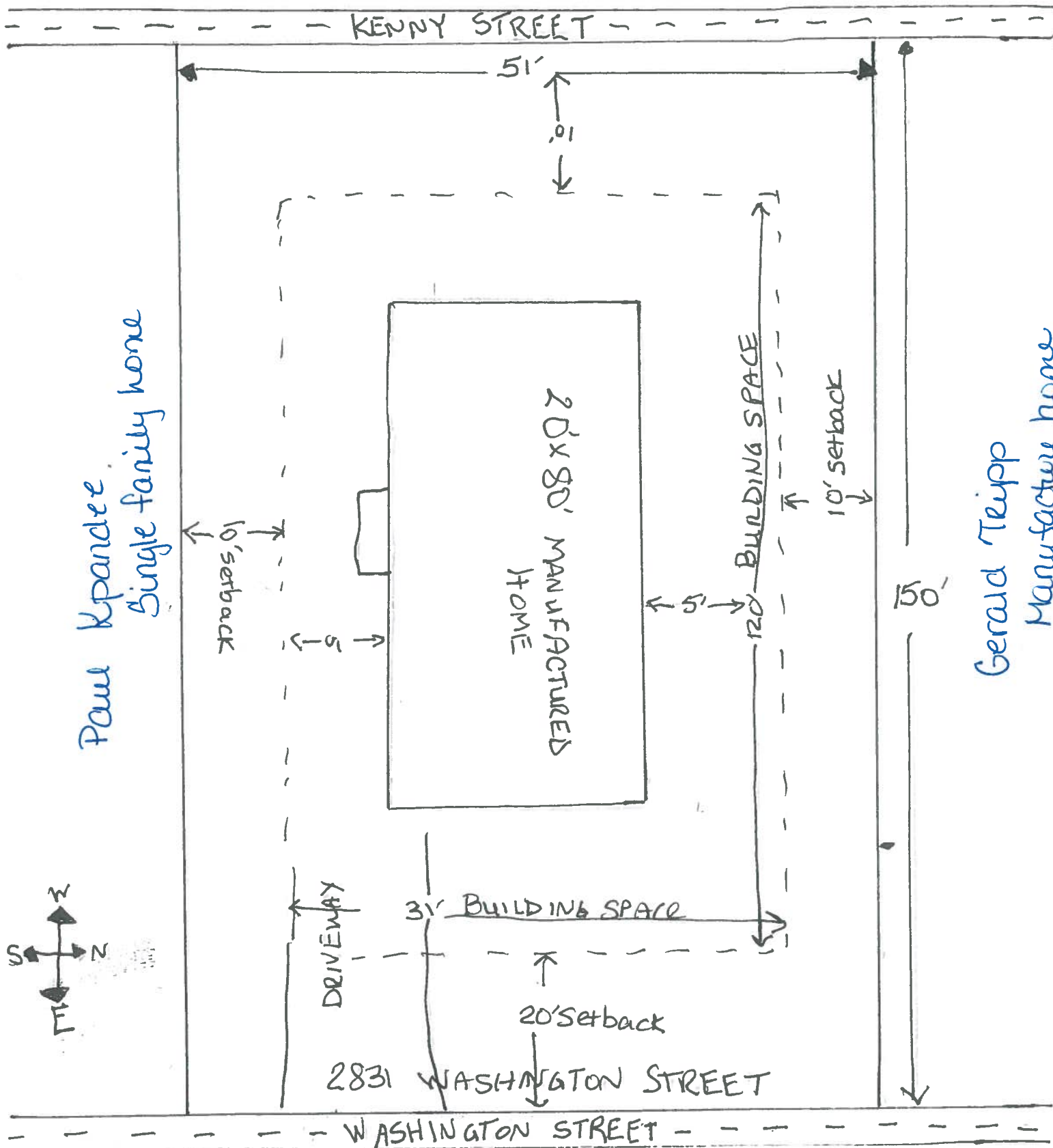
- a. [t]here are extreme practical or economic difficulties in carrying out the strict letter of this code;
- b. [c]onditions for which the variance is being applied are unique or unusual to the site or structure in questions;
- c. [t]he variance request is not based exclusively upon a desire to reduce the cost of developing the site;
- d. [t]he proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public;
- e. [t]he proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site;
- f. [t]he proposed variance will not decrease the level of service standards as established in the Comprehensive Plan; and
- g. [t]he effect of the proposed variance is in harmony with the general intent of the code and the specific intent of the relevant subject area(s) therein.”

Planning staff has reviewed the application and determined the variance request arises out of a desire to reduce the cost of developing the site in the aftermath of Hurricane Michael. The proposed variance will not substantially increase congestion on surrounding public streets, decrease the level of service standards as established in the comprehensive plan, not diminish property values. However, the site has ample room for a Residential Design Manufactured Home. (See Exhibit A). The effect of the proposed variance is not in harmony with the general intent of the code and is common to numerous sites which could result in similar variance requests.

Proposed Recommendation:

Recommend denial of the variance request due to the appeal not being in general harmony with the City of Marianna Land Development Code, not being based on extreme practical difficulties in carrying out the law, not being related to unique physical surroundings, and being common to many sites within the City of Marianna, possibly resulting in numerous variances.

Exhibit A



Paul Kpandee
Single family home

Gerald Tripp
Manufacture home

KENNY STREET

2831 WASHINGTON STREET

WASHINGTON STREET

51'

150'

20x80' MANUFACTURED HOME

BUILDING SPACE

BUILDING SPACE

10' setback

10' setback

20' setback

DRIVEWAY

5'

120'

31'





Google Earth



2831 Washington Street

Google Earth

View from Washington Street



Overview



Legend

-  Parcels
-  Roads
-  City Labels

Parcel ID	04-4N-10-0157-0020-0070	Alternate ID	10 N 404015700200070	Owner Address	LOVETT NAKEYAR
Sec/Twp/Rng	04-4N-10	Class	MOBILE HOM		3511 OLD U S RD
Property Address	2831 WASHINGTON ST Marianna	Acreage	n/a		MARIANNA, FL 324467958
District	10				
Brief Tax Description	LOTS 7,23 BLK 2 IN FOLSOM ADD (Note: Not to be used on legal documents)				

Date created: 3/27/2019

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