## RESOLUTION NO. 17-05-01

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO THE LAND DEVELOPMENT CODE, ARTICLE 7, SECTION 7.07.09 C AND 7.08.01 B 1, TO ALLOW FOR A DETACH CARPORT IN THE FRONT YARD, CLOSER THAN THE REQUIRED 10' TO THE PRINCIPAL DWELLING AND A 0' SIDE YARD SETBACK AS OPPOSED TO THE REQUIRED 5'; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, application has been made to the City Council of the City of Niceville, Florida by Bruce and Hedwig Richmond for a Special Exception to the Land Development Code, Article 7, Section 7.07.09 C and 7.08.01 B 1, to allow for a detached carport in the front yard, closer than the required 10' to the principal dwelling and a 0' side yard setback, as opposed to the required 5', property located at 1017 Judith Avenue, Niceville, Florida 32578, and

WHEREAS, the City Council has received the recommendation of the Planning Board and notice of public hearing concerning same has been duly publicized and hearing being held this date, and

WHEREAS, objections, if any, have been voiced and considered to the granting of such special exception request, and

WHEREAS, the City Council has determined that such request for a special exception should be granted.

NOW, THEREFORE, BE IT RESOLVED by the City of Niceville, Florida:

Section 1, That a Special Exception to the Land Development Code, Article 7, Section 7.07.09 C and 7.08.01 B 1, to allow for a detached carport in the front yard, closer than the required 10' to the principal dwelling and a 0' side yard setback, as opposed to the required 5', is hereby granted on the following described property:

Lot 8, Block 2, Grey Moss Point, as recorded in the Official Records of Okaloosa County, Florida, in Book 748 at Page 369.

Parcel ID # 07-1S-22-1080-0002-0080

Property Address: 1017 Judith Avenue, Niceville, Florida 32578

Section 2. The City does not have authority to change, alter or disregard any restrictive covenants or restrictions in deeds pertaining to this subdivision and thus this Resolution does not nullify any such covenants and restrictions.

Section 3. This Resolution shall become effective upon adoption and approval in accordance with the City Charter.

ADOPTED in regular session this <u>9th</u> day of <u>May</u>, 2017.

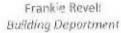
Randale Wise

ATTEST:

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P: 850.279.6436 x1205 F: 850.729.5766 212 Partin Drive N. Niceville, Florida 32578 building@niceville.org

"Home of the Boggy Bayou Mullet Festival"

April 18, 2017

To:

Fred Jones Doug Bacen Judy Byrne Räey Deinis Brown Pat Ritchie Rachelle Waltz Carl Donahoo Steve Bolton Jeff Fanto

The regular meeting of the Niceville Planning Commission will be on, Monday, May 1, 2017 at 7:00 p.m. in the Council Chambers, 208 North Partin Drive.

## AGENDA

 Bruce and Hedwig Richmond, 1017 Judith Ave, request a special exception to the Land Development Code, section 7.07.09 C and 7.08.01 B 1, to allow for a detached carport in the front yard, closer than 10' to the principal dwelling and a 0" side yard setback.

## LEGAL

Lot 8, Block 2, Grey Moss Point, as recorded in the Official Records of Okaloosa County, Florida, in book 748 at Page 369.

Each of you are urged to attend this meeting.

Sincerely,

Frankie Reveil Recording Secretary Bruce Richmond 1017 Judith Ave Niceville, FL 32578 August 22, 2016

City of Niceville 208 N Partin Dr. Niceville, FL 32578

## RE: EXCEPTION TO ZONING POLICY

I am requesting an exception to the zoning policy for covered parking canvass on driveway. It is my understanding my property falls short by 7.5 feet on one side.

I am requesting this exception based on the Americans with Disabilities Act to make reasonable accommodations and relieve undue hardship. For public domains the HUD housing requires housing providers to make reasonable accommodations for persons with disabilities and mobility impairment.

I am a disabled veteran and cannot ambulate for more than a few feet. During inclement weather it is very difficult to get in or out of the vehicle with walker or wheelchair safely or without my wife and I getting spaked. I have fallen on several occasions in my drive attempting to manipulate my assistive equipment in the rain.

In accordance with 24 CFR part 100; public domains must have at least 2% of covered parking serving a dwelling comply with the accessibility requirements and an accessible route for inclement weather. I understand I am not a public domain or dwelling but I request the exception on the same premise. I understand all the financial responsibility is my personal responsibility.

I request this exception to policy be granted based on my personal safety and in the spirit of the ADA.

Sincerely,

Fruce Richmond ... ruce But would

850-678-0121