

# CITY OF CHIPLEY

## STAFF REPORT

SUBJECT: Request for a Variance – John Duncan - 5<sup>th</sup> Street

### MEETING DATE

Tuesday, May 12, 2026

### PREPARED BY

Tamara Donjuan, Planning & Zoning Officer

### SUMMARY

John Duncan requests a variance for the property located at 5th Street (Parcel ID: 00-1941-0001), consisting of approximately 0.183 acres. The purpose of this request is to increase the size of the rear yard. To accomplish this, a reduction in the required front yard setback is necessary. Approval of the variance would permit an adjusted front setback, thereby shifting the proposed residence forward on the lot and creating a larger backyard area. The right of way is seventy-five (75) feet on 5<sup>th</sup> street. The applicant is requesting twenty (20) feet front setback from the right of way, leaving approximately seventeen (17) feet of green space between the property line and the curb of the road. The new construction would be approximately thirty-seven (37) feet from the curb of the road.

A variance is needed for the front setback only. All other yard setbacks will be met.

City of Chipley's Code of Ordinances reviewed are listed below.

### ARTICLE VI. - DISTRICT REGULATIONS

#### Sec. 44-150. - Residential land use districts.

Yard setback:

- (i) Front: 30 feet.
- (ii) Side: Ten feet.
- (iii) Rear: 20 feet, principal building.

### ARTICLE XI. - VARIANCES

#### Sec. 44-293. - Hearing on petition.

- (b) In considering variances to the land development code, the city council shall, before making a decision in a specific case, first determine:
  - (1) That the proposed variation does not constitute a change in the districts shown on the zoning map:
  - (2) That the proposed variation will not significantly increase congestion in the public streets nor impair the public safety:
  - (3) That the proposed variation will not impair the established values of property in the surrounding area:
  - (4) That 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 in the same zoning district:
  - (5) That the special conditions and circumstances do not result from the actions of the applicant:

- (6) That granting the variance requested will not confer on the applicant any special privilege that is denied by the Code to other lands, buildings or structures in the same zoning district:
- (7) That literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by others in the same zoning district under the terms of the Code and would work unnecessary and undue hardship on the applicant:
- (8) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure:
- (9) That the grant of the variance will be in harmony with the general intent and purpose of the Code and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare:

The notice of hearing was sent via certified mail on April 9, 2026, to eighteen (18) property owners located within 300 feet of the property requesting the variance located on 5<sup>th</sup> Street. To date, thirteen (13) recipients have received the certified mail.

According to FEMA National Flood Hazard Layer data maps approximately 100% of the property is in Flood Zone "X", which is an area of minimal flood hazard.

The Planning and Zoning Commission met on May 7, 2026, at 3:00 p.m. and approved the recommendation by vote (5) to zero (0).

## RECOMMENDATION

City Staff recommends approval of the proposed variance to the front yard setback requirements, as it will allow for additional space to accommodate the construction of a new home.

## ATTACHMENTS

1. Variance Request Packet