



STAFF REPORT

CITY OF GREEN COVE SPRINGS, FLORIDA

TO: Site Development Review Team **MEETING DATE:** April 3, 2025
FROM: Gabriel Barro, Planning & Zoning
SUBJECT: Request for a variance to allow a gazebo to be placed within required setbacks of the property located at 462 Vermont Ave

PROPERTY DESCRIPTION

APPLICANT: Ravindra Armogan **OWNER:** Ravindra Armogan
PROPERTY LOCATION: 462 Vermont Avenue
PARCEL NUMBER: 017136-001-10
FILE NUMBER: VAR 25-001
CURRENT ZONING: R2
FUTURE LAND USE DESIGNATION: NEIGH

SURROUNDING LAND USE

NORTH: FLU: Neighborhood Z: R2 Use: Single Family Residential	SOUTH: FLU: Neighborhood Z: R2 Use: Single Family Residential
EAST: FLU: Neighborhood Z: R3 Use: Single Family Residential	WEST: FLU: Neighborhood Z: R3 Use: Single Family Residential

BACKGROUND

Ravindra Armogan, the owner and occupant of the property located at 462 S Vermont Ave, has requested a variance to allow a gazebo to be placed within the minimum setbacks required by the R2 zoning district. On July 2, 2024, a Code Enforcement case was opened for the property for an accessory structure, a wooden gazebo, placed without a permit. On July 11, 2024, the applicant submitted a Building Permit Application (BLD-24-0502) for the gazebo. The gazebo's location places it 3 feet from the side property line and 8 feet from the primary structure. Minimum setbacks for the R2 zoning district requires a side setback of 7.5 feet per Sec. 117-88 of the Green Cove Springs city code. All properties within Green Cove Springs require that accessory structures placed within the designated side or rear yard be at least 6 feet from the primary structure.

The Building Permit Application was given a deficiency notice for not meeting the aforementioned setback requirements. There is no possible way for the gazebo to meet the 7.5 foot side setback and the 6 foot primary structure setback. The applicant is requesting a variance to allow the gazebo to be placed within the required setbacks, remaining in its current location.

Variance Required Findings

The planning and zoning board shall not grant the variance varying the requirements of any provision of this subpart unless it makes a positive finding, based on substantial competent evidence, on each of the following:

- (1) There are no reasonable uses of the property because of the practical or economic difficulties in carrying out the strict letter of the regulation and the hardship is not the result of the applicant's own actions..

The primary use of the property is a single family home. There is no practical or economic difficulty depriving the owner from this use.

- (2) If the applicant complies strictly with the provisions of this subpart, he is deprived of any rights that others in the district are allowed.

The neighboring properties are of the same size and zoning. The neighboring properties also have the same utility easement along the rear of the properties.

- (3) The hardship is suffered only by the applicant rather than by neighbors or the general public.

Neighboring properties are required to meet the same setbacks as the subject property.

- (4) The hardship relates to the land, rather than personal circumstances.

The.

- (5) The variance requested is the minimum variance that will make reasonable use of the land, building or structure and will not result in the creation or extension of a nonconforming use or structure.

The applicant is still able to place the gazebo on the property and meet minimum setback requirements.

- (6) The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.

The proposed variance will not increase congestion or hazards.

- (7) The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.

The proposed variance will not diminish property values nor alter the character of the surrounding properties.

In granting the variance, the planning and zoning board shall prescribe any conditions and safeguards it deems necessary or desirable, and violation of such variance, when made a part of the terms under which a variance is granted, shall be deemed a violation of this subpart.

STAFF RECOMMENDATION

This meeting is to determine staff consensus.