Zoning Board
October 13, 2011
Milton, FL.

The Zoning Board met on the above date with the following members present: Chairman Bill Dubois, and members Robin Edwards, Paul Carney, William Merrill, Lonnie Hawkins, Rob Williamson, and Jim Waite. Leslie Statler, Planner I, and Shawn Ward, Planner II, represented the Planning and Zoning Department.

The first item of business was the review of the minutes from the September 8, 2011 meeting.

Dubois moved approval without objection of the September 8, 2011 minutes.

New Business:

1.
2011-SX-011
Project/Applicant: Theresa Bullard
Location: 4227 Celtic Circle, Milton
Parcel(s): 18-1N-28-0000-00409-0000
Zoned: R1M (Mixed Residential Subdivision)
Request: Special Exception to subdivide a parent parcel creating one lot without the required road frontage (LDC 2.04.00.C.9)
District: Commissioner District # 1

Theresa Bullard said she is subdividing this property but does not have enough road frontage. She said she has a family member that is handicapped, and this individual intends to live on the back portion of this property.

Hawkins moved approval of the request. Merrill seconded, and the motion passed unanimously.

2. 2011-SX-012
Project/Applicant: The Mobile Attic of Northwest Florida, Inc. represented by Jerry Wilson
Location: 4106, 4107, and 4100 Cinnamon Road, Pace
Parcel(s): 23-1N-29-1210-00H00-0012, 23-1N-29-1210-00H00-0011, & 23-1N-29-1210-00H00-0010
Zoned: R1 (Single Family Residential)
Request: Special Exception to subdivide a parent parcel creating three lots without the required road frontage (LDC 2.04.00.C.9)
District: Commissioner District # 1

Jerry Wilson said the reason for this change is because the property does not have proper road frontage. He said he has tried to sell the property but no one wants the full 3 acres of property. Wilson said he wants to develop workforce housing on these lots. He said the parcels have been vacated from the subdivision. Dubois said the property was surveyed and divided into five lots when the subdivision ordinance took affect.

Williamson moved approval of the request. Hawkins seconded, and the motion passed unanimously.

3. 2011-SX-013
Project/Applicant: John D. Booker & Bobbie Jo Stout represented by Jerry Wilson
Location: 4461 Rice Road, Milton
Parcel(s): 16-1N-28-0000-01819-0000
Zoned: R1M (Mixed Residential Subdivision)
Request: Special Exception to subdivide a parent parcel creating three lots without the required road frontage (LDC 2.04.00.C.9)
District: Commissioner District # 2

Jerry Wilson said these parcels are not related to the prior request. He said he is a realtor representing the applicant. Wilson said there is currently a mobile home on the property which will be located on lot one. He said the lots being created are over two times as large as required by R1 Zoning.

Hawkins moved approval of the request. Williamson seconded, and the motion passed unanimously.

4. 2011-V-020
Project/Applicant: Brian & Ashley Keigley
Location: 1347 Grand Reserve Court, Gulf Breeze
Parcel(s): 25-2S-29-1523-00A00-0080
Zoned: R1 (Single Family Residential)
Request: Variance to increase the maximum allowable fence height within a residential district from 6 feet to 8 feet along the north & west side property lines to accommodate a wooden privacy fence (LDC 6.04.16.A, 7.01.10.A)
District: Commissioner District # 5

Brian Keigley said he is building a new house. He said the view to the direct north of his house is a retention pond. Keilgley said a 6 ft. fence will still expose the pond, but an 8 ft. fence will block most of the view. He said there is a large row of bamboo that has been planted by his adjacent neighbor and a 6 ft. fence will not hold up falling bamboo.

Williamson moved approval of the request. Waite seconded, and the motion passed by majority vote with Williamson, Waite, Edwards, Merrill, and Hawkins in favor. Carney and Dubois opposed.

5. 2011-V-021
Project/Applicant: Uwe Finkgraef
Location: 5469 Soundside Drive, Gulf Breeze
Parcel(s): 30-2S-27-6020-00000-0290
Zoned: R1 (Single Family Residential)
Request: Variance to reduce the Shoreline Protection Zone setback from 50 feet to 21 feet to accommodate a pool and wooden deck (LDC 12.01.01.A, 12.01.02.A)
District: Commissioner District # 5

Sergio Hernandez said he represents the applicant. Dubois asked why the applicant chooses to place this pool in the back yard.

Hernandez said because of the location of the septic tank.

Williamson moved approval of the request. Hawkins seconded, and the motion passed by majority vote with Williamson, Edwards, Merrill, and Waite in favor. Dubois, Carney and Hawkins opposed.

6. 2011-CU-011
Project/Applicant: Holley by the Sea Improvement Association, Inc. represented by Keith Johnson, Wetland Sciences, Inc.
Location: 6708 East Bay Boulevard, Navarre
Parcel(s): 04-2S-27-0000-00104-0000
Zoned: R1 (Single Family Residential)
Request: Conditional Use to allow the expansion of a recreation area located within an R1 (Single Family Residential) zoning district (LDC 6.09.02.I)
District: Commissioner District # 4

Keith Johnson said his organization was tasked to secure environmental resource permits from the state and federal government in order make improvements to the boat ramp. He said in his application there is a letter that outlines how all criteria are met. Johnson said the boat ramp has been in place for 25 years and has suffered damage by storm events. He said the batter boards have become rotten, and this has allowed wave energy to come underneath the foundation of the ramp. Johnson said the purpose and intent is to restore the ramp back to its previous condition. He said the applicants are asking to expand the width of the ramp to 12 ft. Johnson said the ramp will be formed by vinyl sheet pile walls. He said the overall structure is 16 ft. in width. Johnson said his company is proposing to install service walks on top of the vinyl sheet pile walls. He said there will be no modifications to the existing dock. Dubois asked if required permits from other agencies have been received. Johnson said application has been made, but everything is waiting on this conditional use approval.

John Loftis of Loftis Marine said he is the contractor for Holley by the Sea, and he will be doing the work on this project. He said he was at a meeting with the adjacent neighbor, and they were very happy the erosion on their property will be fixed. Loftis said public beach access steps will also be added to this project.

Merrill moved approval of the request. Waite seconded, and the motion passed unanimously.

7. 2011-CU-012 & 2011-V-022
Project/Applicant: Maged Nashed, Nashed, LLC.
Parcel(s): 14-1N-29-0000-00601-0000
Location: In the 4500 Block of Watkins Street, Pace
Zoned: HCD (Highway Commercial Development)
Request 1: Conditional Use to allow a commercial outdoor amusement activity to be located within an HCD (Highway Commercial Development) zoning district to accommodate a children's play facility (LDC 6.09.02.EE)
Request 2: Variance to reduce the setback for commercial outdoor amusement activities when adjacent to residentially zoned property from 200 feet to 50 feet (LDC 6.09.02.EE.6)
District: Commissioner District # 1

Nashed said he felt there needs to be a place for kids to play. He said he cannot acquire financing to construct a building on this property. Nashed said this proposal is a more limited outdoor park for the time being. He said he plans to construct a fence and have inflatable jumpers placed on the property. Nashed said he plans on this being a temporary set up until he can get financing to build a building. Hawkins asked how many oak trees will be removed. Nashed said none. He said the building plans have been submitted to the County for review for a 10,000 sq. ft. building. He said he was turned down for financing by the bank, so those plans cannot move forward. Carney asked staff if Nashed had the proposed inflatable jumpers inside a building would he still need this variance for an amusement park. Statler said in her opinion, if the intensity is changed to a larger park he would need an additional conditional use. Nashed said space is limited so this is the only type park he plans on constructing.

Tim Short said he has been an educator for 24 years and cares about children. He said his biggest concern is safety. He said he felt this location is not good for this type of establishment. T. Short said the kids will be crossing crosswalks, and there are other traffic concerns. He said there is a retention pond in the area that is also a safety hazard. T. Short said part of the property backs up to a wildlife sanctuary, and this will also create a safety hazard for the children.

Bonita Short said when Nashed purchased this property he asked her to change her property to commercial zoning. She said she told him no. B. Short said she purchased this house in order to live in the area and take care of her mother. She said she does not want to have to move because of this proposed park. B. Short said she already has to call cops about once a month because of kids loitering in the Target parking lot. She said there is wildlife in this area. B. Short said she is not against the property being developed, but an outdoor children's play area is not acceptable.

Nashed said he appreciates the concerns. He said there will be a fence and gate around the area. Nashed said his plan is to eventually develop a Chuckee Cheese on this property. He said he felt there needs to be entertainment in the area.

Hawkins asked the anticipated hours of operation of the park. Nashed said Saturday will be the only time inflatable jumpers will be on the property. He said there will be a picnic table area for people to eat and relax. Hawkins asked Nashed how much artificial lighting he anticipates being on the property. Nashed said whatever code allows. Edwards asked Nashed if the park would go away if he acquires funding to build a permanent structure. Nashed said yes.

Williamson asked Nashed if he has spoken to anyone on the Economic Development TEAM about available funding for him to use to construct the building. He said he is concerned about the aesthetics of inflatable jumpers in this area. Williamson said he does not feel the site plan is adequate to show what this development will look like. Nashed said he has spoken with the Small Business Administration about funding for the building. He said that is on hold for now. Williamson said he felt their will be a noise issue with the surrounding residential property. He said Watkins Drive is not designed to accommodate high pedestrian traffic.

Statler said parking would not necessarily have to be paved, and this project will have to go through a complete site plan review. Carney said he felt a building is the appropriate use for this property, and a variance is not appropriate for a temporary basis.

Hawkins said he would like to condition the variance to have the parking lot nearest to the residential property.

Williamson moved denial of the Conditional Use. Carney seconded, and the motion passed by majority vote with Williamson, Carney, Edwards, Merrill, Hawkins, and Waite in favor. Dubois opposed.

Hawkins moved approval of the Variance with the condition the parking lot is on the south side of the property. Waite seconded, and the motion passed by majority vote with Hawkins, Waite, Carney, Edwards, Dubois, and Williamson in favor. Merrill opposed.

8. 2011-R-16
Applicant: Jeff Ates III and June Ates
Parcel(s): APO 28-2N-27-0000-00300-0000, APO 28-2N-27-0000-00305-0000,
APO 28-2N-27-0000-00403-0000,
Location: East side of Jeff Ates Road, East Milton
Existing Zone: AG, Agriculture District
Requested Zone: P2. Active Park District
Current FLU: Industrial
Proposed FLU: No Change
Area size: 10 acres
District: Commissioner District # 2

Kyle Holley said he is an agent for this project. He said this development will appeal to people who generate short term lodging. He said he felt short term lodging is the basis for bed tax collection. Dubois asked the nature of the proposed park. Holley said it will be a camp ground with horse riding components and a more primitive camping area. Ward said some adjacent property owners have expressed interest in developing similar projects such as this. Holley said this is the beginning of estate planning by the family.

Williamson moved approval of the request. Hawkins seconded, and the motion passed unanimously.

9. 2011-R-18
Applicant: BJL Sources Inc.
Agent: Fred Cotton
Parcel(s): 39-1S-27-0000-02500-0000
Location: 4452 Highway 87 South, Holley
Existing Zone: Ag, Agriculture District
Requested Zone: HCD, Highway Commercial Development District
Current FLU: Agriculture
Proposed FLU: Commercial
Area size: .34 acre
District: Commissioner District # 4

Bob Lamar said he is Cottons associate. Lamar said this building was built 3 years ago and utilities were installed and permitted at that time. He said the owner intended to grow peppers, but the pepper crop did not make it, so they are now making this request. Lamar said the existing building can easily be brought up to commercial zoning standards. He said there is currently no sewer available on this property. Dubois asked what the intended business use for this property will be. Lamar said this will be a place where electrical distribution panels are assembled for other projects. Dubois said his concern is that this request is a non-conforming commercial use. Lamar said the current setback will meet commercial zoning requirements. Dubois asked if the owner has considered Neighborhood Commercial instead of Highway Commercial for this property. Lamar said the properties south of the subject property are Highway Commercial. Dubois said this property is closer to higher density residential; however, the intended use may be outside of the scope for Neighborhood Commercial.

Merrill moved approval of this request. Waite seconded, and the motion passed unanimously.

Chairperson Matters:

The Chairman requested that the following item be added to the agenda for discussion:
Elections - The Chairperson of the Santa Rosa County Zoning Board shall generally serve for a period of a year, but not to exceed fifteen months. Each year at the November meeting of the Santa Rosa County Zoning Board, the board members shall elect a new Vice Chairperson who shall assume those duties beginning with the next scheduled meeting. The current Vice Chairperson shall assume the duties of Zoning Board Chairperson beginning with the next scheduled meeting following the election of a new Vice Chairperson. If the Zoning Board does not meet in November, this process should be conducted at the next scheduled meeting.
Dubois asked board members to submit correspondence to staff on how to evaluate the issue of Chairman and Vice-Chair. He said the current ordinance in effect is dated. Dubois said he asked staff to initiate a comprehensive look at election procedures so the code can be updated. Waite said the current ordinance differs from the normal procedure of election of the Chairman. He said normally the Vice-Chair is elected Chairman. Waite said he felt this procedure can be changed. He said staff will take the board's comments and combine them into a presentation of new code language next spring.
Planning Department Matters:
Review of BOCC September 22, 2011 meeting results:
1. Conditional Use 2011-CU-010
Statler said this is the warehouse at the Fairpoint well site. She said the Board of Commissioners upheld this board's recommendation.
2. TC1 & TC2
Statler said the architectural requirements have been removed and the Navarre Architectural Review Board is no longer in existence. She said the Board of Commissioners also reviewed the Heart of Navarre Overlay District and the uses that were previously not permitted are now conditional uses within this overlay district. Statler said the Board of Commissioners also removed the TC2 area from the Heart of Navarre. Ward said most properties located within the TC2 area are within the Navarre First Addition Subdivision and the covenants and restrictions of this subdivision state no commercial use is allowed.

Next Meeting:

The next Zoning Board meeting will be held on Thursday, November 17, 2011.

Adjournment:

There being no further business to come before the board at this time, the meeting adjourned.