

Zoning Board
November 17, 2011
Milton, Florida

The Zoning Board met on the above date with the following members present: Chairman Bill Dubois, and members David Powell, Paul Carney, Robin Edwards, Lonnie Hawkins, William Merrill, Lonnie Hawkins, Bill Seelman, Jim Waite, and Rob Williamson. Shawn Ward (Planner II) and Leslie Statler (Planner I) represented the Planning and Zoning Department. Those in attendance joined in the pledge of allegiance to the flag.

The first item of business was the review of the minutes from the October 13, 2011 meeting.

Dubois moved approval without objection of the October 13, 2011 minutes.

New Business:

1. Florida Sunshine Law Review presented by County Attorney Angela Jones

Dubois said this is an educational reminder for the board. He said this board is governed by the Sunshine Law. Jones said she provided each board member a brochure regarding the Sunshine Law. She said all County business must be conducted in a public setting. Jones said no two members of the same board should discuss an issue privately. She said if the board ever has a question they are welcome to call her.

2. 2011-SX-014

Project/Applicant: Joyce D. Pendleton
Location: 3113 Oak View Drive, Milton
Parcel(s): 35-1N-28-0000-01400-0000
Zoned: R1 (Single Family Residential) & RR1 (Rural Residential)
Request: Special Exception to subdivide a family homestead creating two lots without the required road frontage (LDC 2.04.00.C.6)
District: Commissioner District # 2

Jeff Pendleton said he is representing his mother. He said he intends to build a house on the subject property. Dubois said there was one letter in opposition about an easement through a neighbor's property. Pendleton said this easement has been there since his family purchased the property in 1973.

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

3. 2011-V-023

Project/Applicant: Carlton "Ray" & Anne C. Bohon
Location: 1825 & 1826 Cowen Road, Gulf Breeze
Parcel(s): 19-2S-27-3440-00B00-0050 & 019-2S-27-3440-00A00-0010
Zoned: HCD (Highway Commercial Development)
Request: Variance to reduce the front building setback from 50 feet to 25 feet to accommodate the development of the site consistent with others within the industrial subdivision located on a private road (LDC 6.05.15.I.2 & 6.05.19.H.2)
District: Commissioner District # 5

Ray Bohon said there are currently 4 buildings on this property and he proposes to build an additional 5 buildings. He said the proposed buildings will be identical in length to the existing buildings. Bohon said the proposed buildings will be office warehouse buildings. Dubois said this proposal will have adequate parking for this type of use.

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

4. 2011-V-024

Project/Applicant: Willie A. Williams
Location: In the 2100 block of Jeannie Street, Navarre
Parcel(s): 21-2S-26-0780-00048-0000
Zoned: R2M (Medium Density Mixed Residential)
Request: Variance to allow the construction of an accessory building (garage/shed) prior to the construction of the main (principle) dwelling (LDC 2.10.05.A)
District: Commissioner District # 4

Willie Williams said he intends to store his antique vehicles in the proposed building. Dubois asked if there is any intent to occupy the proposed building as a residence. Williams said no. He said he intends to build a residence on this property in the future. Hawkins asked Williams when he intends to begin construction of the residence. Williams said within 2 years. He said there will be no water or sewer on the lot.

Carney said he does not support this request unless there is a commitment to build a residence. Hawkins said his concern is that sometimes people will use a situation like this in order to get power for an Recreational Vehicle. Williamson said that will be a code enforcement issue. Waite asked if there is a provision to sunset this request if no residence is constructed. Statler said no.

Williamson moved approval of this request. Hawkins seconded, and the motion failed by majority vote. Williamson, Hawkins and Seelman in favor of the request. Dubois, Powell, Carney, Edwards, Merrill, and Waite opposed.

5. 2011-V-025

Project/Applicant: Shane & Marichu Johnson represented by David Lamar, P.E.
Location: 8428 East Bay Boulevard, Navarre
Parcel(s): 08-2S-26-0000-00124-0000 & 08-2S-26-0000-00125-0000
Zoned: HCD (Highway Commercial Development)
Request: Variances to the following to accommodate the development of a boat & RV storage facility: 1. to reduce the height of the required screening fence from 8 feet to 6 feet on all sides; 2. to allow a 6' screening fence to be located within the front setback of the property; 3. to allow storage uses within the front setback; 4. to eliminate the adjacent use landscape buffer along the east and north property lines; and 5. to eliminate the required screening fence along the west side of the property (LDC 6.04.15, 7.01.10.D, 6.05.15.I.2, 7.01.05.F)

District: Commissioner District # 4

David Lamar said he is representing the Johnson's. He said he is the civil engineer helping develop this property. Lamar said the long term prospect for this property is to put a commercial building on this site. He said that will be in about 5 years. Lamar said in the meantime the Johnson's would like to utilize the property as a boat and RV storage yard. He said his client's intention is to go forward with the storm water permit. Lamar said the permit will be based on a fully developed site. He said the 6 foot fence is currently on the property because this site was previously part of the commercial site to the west. Lamar said that site was used as an outdoor storage yard for roofing materials. He said he felt the site is peculiar from other sites in the area. Lamar said the surveyor disagreed with the historical property lines and moved the property lines 10 feet to the west. He said his clients have a deed for the extra 10 feet. Lamar said this issue will be settled before a building is constructed. He said this issue was taken into consideration in the development of the site plan. Lamar said the adjacent neighbors have provided an easement and affidavit. He said the fence will be moved back 10 feet and a gate will be added. Lamar said this is an interim solution. He said the Johnson's are trying to produce income and clean the property up to improve the neighborhood.

Dubois said this request is unsupportable for a variety of reasons. He said he does not want to see the County get involved with a property that has a title defect. Dubois said he would like to see this project go back to the drawing board. Waite said he agrees with Dubois.

Lamar said his clients are inclined to request this item be tabled. He said he felt this requires more discussion with staff. Statler said she will help Lamar with viable options for this property.

Hawkins moved to table this item. Williamson seconded, and the motion passed unanimously.

6. 2011-V-026

Project/Applicant: Victor & Lorraine Mitchell

Location: 2655 Edmund Drive, Gulf Breeze

Parcel(s): 36-2S-29-1513-00E00-0140

Zoned: R1 (Single Family Residential)

Request: Variance to reduce the front building setback from 25 feet to 20 feet to accommodate a garage addition (LDC

6.05.05.I.2)

District: Commissioner District # 5

Lorraine Mitchell said she looked into putting the proposed addition in the back yard. She said the subdivision's covenants and restrictions will not allow the addition to be built in the back yard. Seelman asked if there will be any commercial activity in this building. Mitchell said no.

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

7. 2011-V-027

Project/Applicant: "The Secret Garden" Carolyn Self

Location: 3949 Highway 90, Pace

Parcel(s): 16-1N-29-0000-08600-0000

Zoned: HCD (Highway Commercial Development)

Request: Variance to reduce the front building setback from 50 feet to 20 feet to accommodate an open porch/arbor on the front of the building (LDC 6.05.15.I.1.b)

District: Commissioner District # 1

Carolyn Self said she is trying to give her flower shop more curb appeal. Waite asked if the proposed arbor will be attached to the building. She said she is not sure. Edwards said she felt this will enhance the look of the building.

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

8. 2011-CU-013

Project/Applicant: "Adventures Unlimited" Jack Sanborn, Wolfe Creek LLC

Location: 8974 Tomahawk Landing Road, Milton

Parcel(s): 13-3N-28-0000-00101-0000

Zoned: AG, HCD, & P2 (Agriculture, Highway Commercial Development, & Active Park)

Request: Conditional Use to allow tree house cabins (recreational activities) to be located within an Agriculture (AG) zoning district (LDC 6.09.02.V)

District: Commissioner District # 3

Waite moved approval without objection of this request.

9. 2011-CU-015

Project/Applicant: "Pea Ridge Flea Market" Steve Lowery

Location: 5186 Highway 90, Pace

Parcel(s): 12-1N-29-0000-00801-0000

Zoned: HCD (Highway Commercial Development)

Request: Conditional Use to allow auto restoration facility (vehicular paint & body shop) to be located within a Highway Commercial Development (HCD) zoning district (LDC 6.09.02.N)

District: Commissioner District # 1

Steve Lowery said he has owned this property for 22 years. He said his son wants to open a vehicle body shop. Carney said he feels this is consistent use for this property.

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

10. 2011-R-019

Applicant: Robert Stewart

Parcel(s): 05-1N-27-0000-00215-0000

Location: 5376 Persimmon Hollow Road, East Milton

Existing Zone: Ag, Agriculture District

Requested Zone: RR1, Rural Residential District

Current FLU: Agriculture
Proposed FLU: Single Family Residential
Area size: 1.08 acres
District: Commissioner District # 2

Robert Stewart discussed the maps projected on the screen. He said the property in question was about to be foreclosed on when he purchased it. Stewart said he would like to use 44 feet of this property for ingress and egress to the backside of his property. He said he intends to put a boat storage facility in the back corner of the subject property.

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

11. 2011-R-020
Applicant: Terry and Lynn Burt
Parcel(s): 17-1S-28-0000-01004-0000 and 17-1S-28-0000-02900-0000
Location: 1501 Pearson Road, Garcon Point
Existing Zone: RR1, Rural Residential District
Requested Zone: Ag, Agriculture District
Current FLU: Single Family Residential
Proposed FLU: No Change
Area size: 18.58 acres
District: Commissioner District # 2

Lynn Burt said she and her husband purchased this property as a retirement home. She said this property contains two large ponds she and her husband intend to use as aqua culture.

Carney asked if the existing ponds will be expanded. Terry Burt said he will determine this later. Carney asked if there are restrictions for expanding the ponds close to the edge of this property or to the bay. Ward said there are shoreline protection zones. He said this is considered a "down zoning".

L. Burt said the property is surrounded by woods. She said they purchased this property as a foreclosure, and she and her husband will be living on this property. Carney said this property has unique values and is a good fit for this request. Seelman asked if they would put a mobile home on this property. L. Burt said no. She said there is a letter in favor of the request from the closest neighbor.

Carney moved approval of this request with the condition no mobile home be placed on the property. Seelman seconded, and the motion passed unanimously.

NOTE: The following Agenda Items are comprehensive plan text amendments and future land use map amendments. Following consideration by the Board of County Commissioners at a transmittal public hearing, the items will be forwarded to the Department of Economic Opportunities for review, with subsequent consideration by the Board of County Commissioners at an adoption public hearing in Calendar Year 2012.

12. 2011-R-017
Applicant: Motorcoach Resort at the Preserves, LLC.
Agent: Roy Andrews, P.A.
Parcel(s): 06-1N-27-0000-00701-0000 and 07-1N-27-0000-00109-0000
Location: Persimmon Hollow Road, East Milton
Existing Zone: P2, Active Park District
Requested Zone: RR1, Rural Residential District
Current FLU: Conservation/Recreation
Proposed FLU: Single Family Residential
Area size: 230.10 acres
District: Commissioner District # 2

Roy Andrews said his client previously had a concept of this property as a high end motor coach subdivision. He said since that time the market has changed. Andrews said his clients have infrastructure in place for a subdivision. He said the existing lots will not meet the market standard of a moderately priced subdivision. Andrews said his client has agreed to a cap of 299 lots.

Dubois said the County originally embraced this as a subdivision with one acre lots. He said his concern is traffic numbers. Andrews said the traffic report shows there will be a minimal affect on traffic. Dubois asked if the applicant is willing to do a traffic calming study. He asked if Southern Site & Utility has had preliminary discussion with the engineering department about proposed turn lanes. Andrews said the engineer for this project has had a number of meetings with County engineering staff. There was continued discussion about the traffic study and other traffic related issues.

Angela Page said she recently moved to this area and lives on Bonita Road. She said her concern is cutting the land into small lots and reducing property value in the area.

Andrews said the lots are 300 ft. deep. He said this request will not impact the adjacent property owners. He said his client will agree to increase setbacks on the lots adjacent to Bonita Road.

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

13. Proposed text amendment to the Santa Rosa County Comprehensive Plan:
Chapter 10, Capital Improvements Element, updating Policy 10.2.A.3, the Santa Rosa County School District Five-Year Facilities Work Plan for 2011-2012 dated 9-22-2011.

Ward said this is part of a comprehensive plan amendment.

Waite moved approval without objection of the text amendment.

14. Proposed text amendment to the Santa Rosa County Comprehensive Plan:
Chapter 4, Transportation Element, updating the Future Transportation Map Series 4-1 thru 4-5.

Ward said this is part of the transportation element of the Capital improvements.

Waite moved approval without objection of the text amendment.

(Note: This concludes the Agenda Items representing the comprehensive plan text amendments and future land use map amendment package.

15. Proposed text amendment to the Santa Rosa County Comprehensive Plan: Chapter 10, Capital Improvements Element, updating the 5-year Schedule of Capital Improvements and table 10-2, a 15-year Transportation Schedule of Capital Improvements.

Ward said this update was previously done as a large scale amendment. He said due to legislation changes this can now be handled as an ordinance change.

Waite moved approval without objection of the text amendment.

16. Election of Chairman and Vice Chairman for 2012 Calendar Year:

Seelman nominated Waite for Chairman. Williamson seconded, and the motion passed unanimously.

Merrill nominated Hawkins for Vice Chairman. Waite seconded, and the motion passed unanimously.

Planning Department Matters:

Review of BOCC October 27, 2011 meeting results:

1. Conditional Use 2011-CU-012

Ward said this Conditional Use was for an outdoor play area. He said this request was withdrawn before going before the Board of Commissioners.

Next Meeting:

The next Zoning Board meeting will be held on Thursday, January 12, 2012.

Adjournment:

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