

2015-CU-018

*(Revised after May 14, 2015 Zoning Board Meeting.
Changes shown in strikethrough and underline)*

Project Name: n/a

**Applicant and/or
Property Owner:** Eager Beaver Professional Tree Care

Representative: Howard Jacques III

Request: Conditional Use to allow
limited manufacturing, specifically
splitting and cutting of wood for
firewood within HCD (Highway
Commercial Development) zoning
district.
(LDC 6.09.02.Y)

Zoning District: HCD (Highway Commercial
Development)

**Zoning Board
Recommendation:** *Recommended Denial with a vote of
8 – 1, Colten Wright voting against*

Conditional Use 2015-CU-018

General Information:

Applicant: Eager Beaver Professional Tree Care

Representative: Howard Jacques

Project Location: 5205 Gulf Breeze Pkwy., Gulf Breeze

Parcel Number: 24-2S-28-1150-00100-0100

Request: Conditional Use to allow limited manufacturing, specifically splitting and cutting of wood for firewood within HCD (Highway Commercial Development) zoning district.

Current Conditions: There is an existing Tree Care business operating on the site. This is a code compliance case.

Land Development Code Criteria:

6.09.00 CONDITIONAL USES

6.09.01 General Provisions Regulating Conditional Uses: A conditional use shall be reviewed by the Zoning Board of Adjustment and a recommendation for approval made to the Board of County Commissioners provided the Board finds that the use:

A. Is so designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected;

Is this criterion met? No

Staff Analysis: It is not anticipated that the proposed use will be designed, located and operated so that the public health, safety, and welfare will be protected.

The applicant is requesting to develop a wood splitting and cutting business within an HCD (Highway Commercial Development) zoning district.

B. Will not unduly adversely affect other property in the impacted area which it is located;

Is this criterion met? No

Staff Analysis: It is anticipated that the proposed use will unduly or adversely affect other property in the impacted area in which it is located.

The subject site has vacant uses to the north, south and east, commercial uses to the west. There are 4 newly constructed homes to the south and east of the project, while not immediately adjacent to the use, there will be an impact.

C. Is consistent with the Goals, Objectives, and Policies of the Santa Rosa County Comprehensive Plan;

Is this criterion met? Yes

Staff Analysis: According the Santa Rosa County Future Land Use Map (FLUM) the subject area for the proposed Conditional Use is located within a COM (Commercial) land use category. The request is consistent with the Goals, Objectives and Policies of the Santa Rosa Comprehensive Plan.

D. Satisfies criteria stipulated for similar uses as described in the following section.

Y. Limited Manufacturing and assembly (HCD)

1. All activities in manufacturing and assembly shall be limited to:
 - a. All activities shall be contained in a fully enclosed building.

Is this criterion met? No

Staff Analysis: ~~The applicant is requesting a variance to this condition.~~ The applicant requested a variance to this condition and was denied at the May 14, 2015 Zoning Board Meeting.

- b. If noise is associated with the operation, then the operation must be housed in a fully enclosed soundproof building.

Is this criterion met? No

Staff Analysis: ~~The applicant is requesting a variance to this condition.~~ The applicant requested a variance to this condition and was denied at the May 14, 2015 Zoning Board Meeting.

- c. Gross floor area of the manufacturing and assembly area shall not exceed five thousand (5,000) square feet. Storage area shall not exceed three thousand (3,000) square feet. Office and administrative areas shall not be restricted by square footage.

Is this criterion met? Yes

Staff Analysis: The proposed manufacturing area does not exceed 5,000 square feet and the storage area does not exceed 3,000 square feet.

- d. There shall be no adverse visual effects to adjoining properties.

Is this criterion met? No

Staff Analysis: The operation could have adverse visual effects from the adjoining properties.

- e. It shall be buffered from adjoining properties at the discretion of the Community Planning, Zoning and Development Division, in order to eliminate any adverse impact to the area.

Is this criterion met? No

Staff Analysis: The applicant will need to provide buffering from the adjoining properties.

- f. Loading and unloading docks shall be to the rear of the building.

Is this criterion met? Yes

Staff Analysis: There are no proposed loading and unloading docks.

- g. No outside storage of any kind.

Is this criterion met? No

**Staff Analysis: ~~The applicant is requesting a variance to this condition.~~
The applicant requested a variance to this condition and was denied at the May 14, 2015 Zoning Board Meeting.**

- h. There shall be no more shipping and receiving activities than normally expected with a general retail sales and service business.

Is this criterion met? Yes

Staff Analysis: The applicant does not intend to have more shipping and

receiving activities than are normally expected.

- i. The activity shall be free from danger of fire, explosions, toxic and noxious matter, radiation, smoke, dust, or other particulate matter, and other hazards from offensive noise, vibration, odorous matter, glare and other objectionable influences.

Is this criterion met? No

Staff Analysis: The proposed activity could produce offensive noise, dust, and particulate matter.

- j. Truck or bus terminal facilities are prohibited.

Is this criterion met? N/A

Staff Analysis: The proposed use does not include a truck or bus terminal facility.

- k. Building and facilities shall not be of design to be incompatible with other building designs.

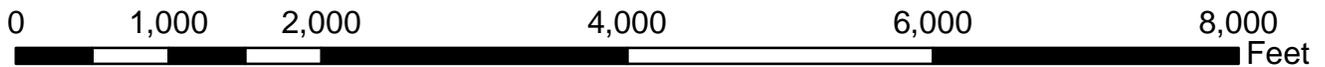
Is this criterion met? N/A

Staff Analysis: There are no buildings proposed.

If the Conditional Use is approved, are there any potential building code issues?

It is not anticipated that there will be any potential building code issues. The site will have to go through commercial site plan review.

2015-CU-018 Location

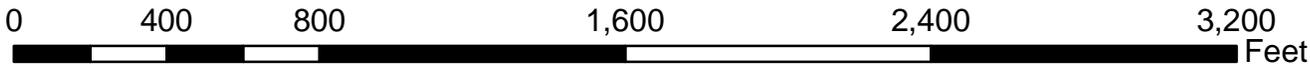
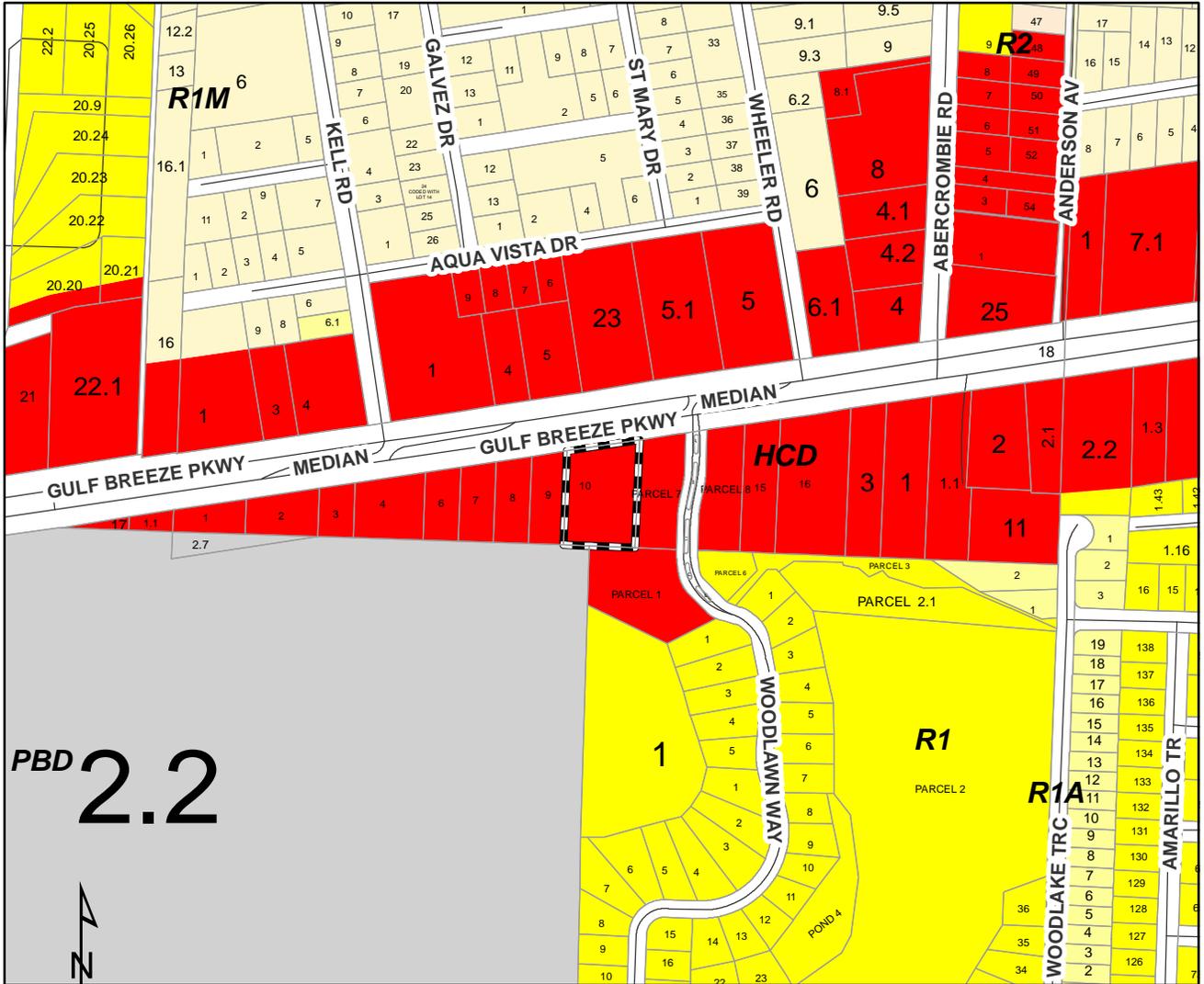


Legend

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2015-CU-018 Zoning

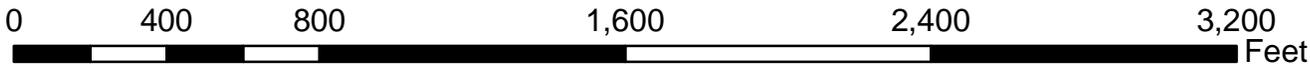


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2015-CU-018

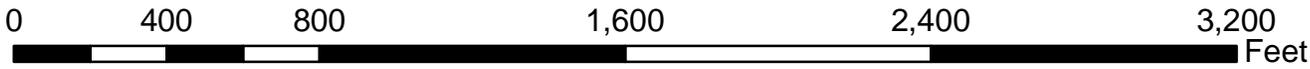
Aerial



Legend
 PendingZBMay

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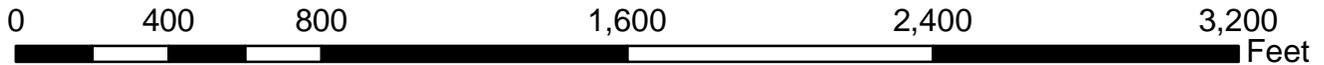
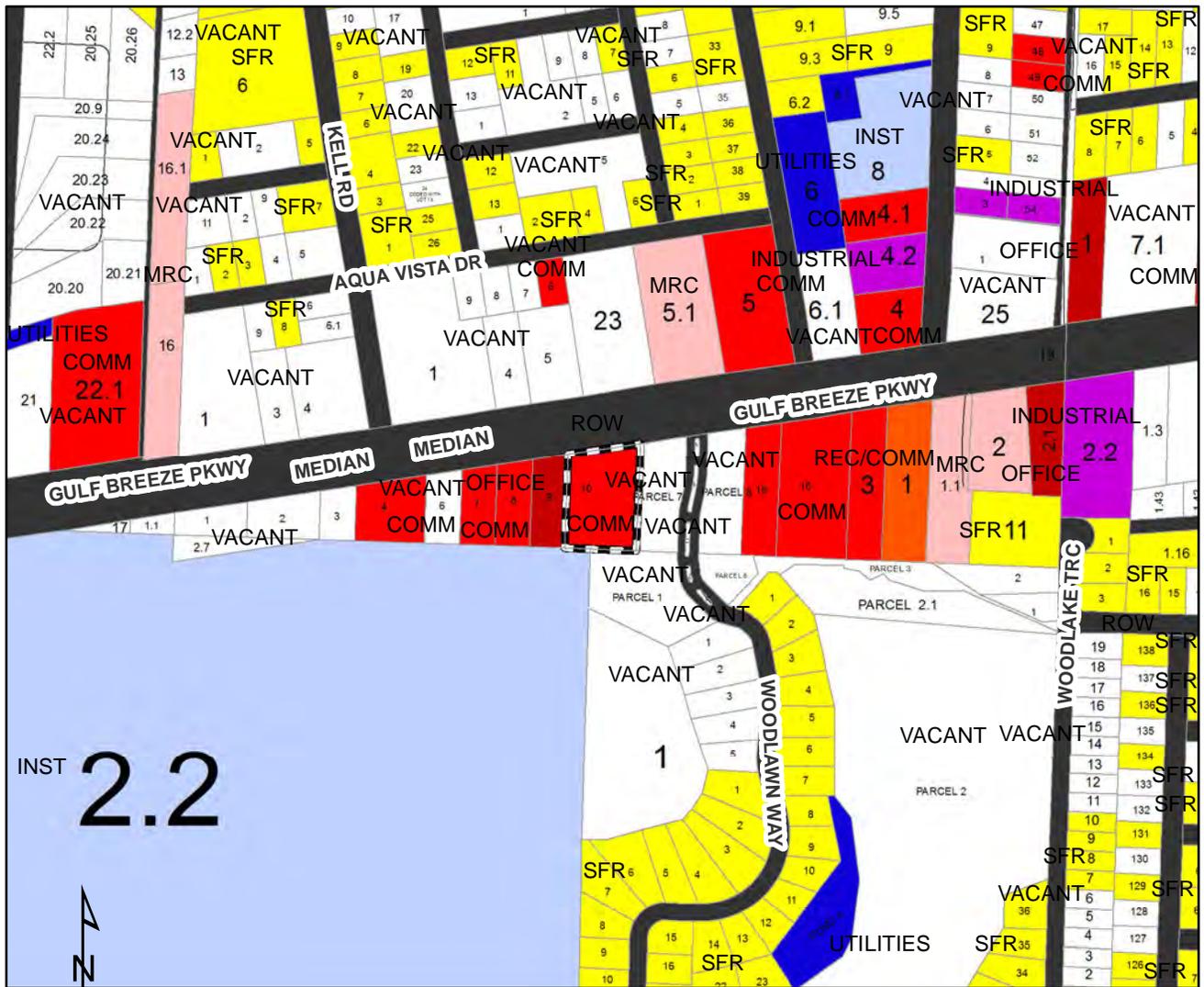
2015-CU-018 Close Up Aerial



Legend
 PendingZBMay

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2015-CU-018 Existing Land Use



Legend



Pending ZB May

Existing Land Use

CATEGORY

- Agriculture
- Agriculture, Homestead
- Condo's/Townhomes
- City
- Commercial
- Industrial

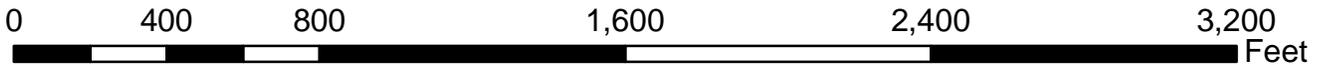
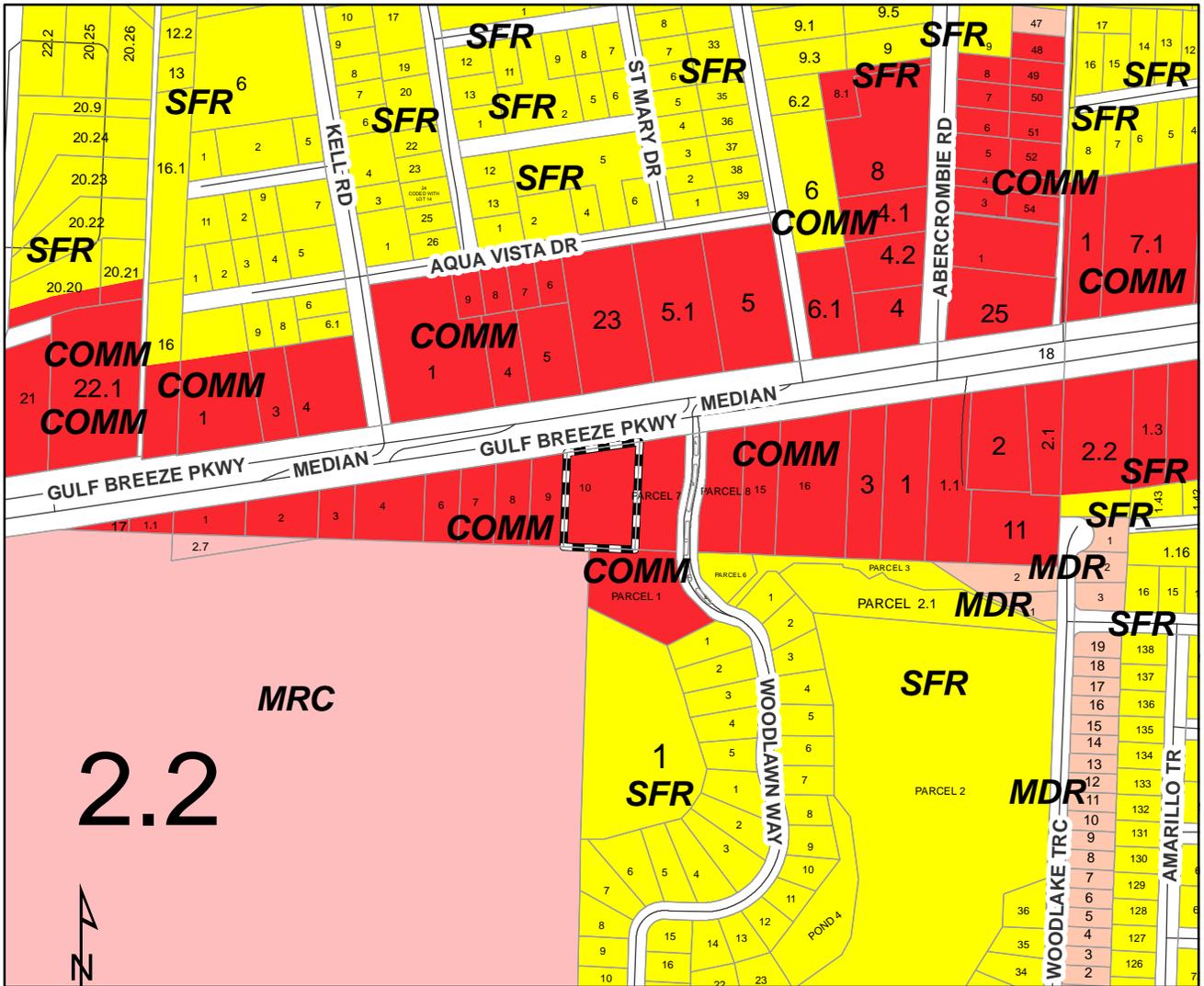
- Institutional
- Multi-Family Residential <5
- Multi-Family Residential >5
- Military
- Mixed Residential/Commercial
- Office
- Public Owned Property
- Rail
- Recreation/Commercial

- Recreation/Open Space
- Right of Way
- Single Family Residential
- Silviculture
- Uncategorized
- Utilities
- Vacant
- Water

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2015-CU-018 Future Land Use



Legend

Pending ZBMay	AGRICULTURE (AG)	BAGDAD HISTORIC DISTRICT (HIS)	NAVARRE BEACH MEDIUM/HIGH DENSITY RESIDENTIAL (NBMDHR)
SINGLE FAMILY RESIDENTIAL (SFR)	INDUSTRIAL (INDUS)	MARINA (MARINA)	NAVARRE BEACH HIGH DENSITY RESIDENTIAL (NBHDR)
MEDIUM DENSITY RESIDENTIAL	MILITARY (MIL)	MIXED RESIDENTIAL COMMERCIAL (MRC)	NAVARRE BEACH MIXED RESIDENTIAL/COMMERCIAL (NBMRC)
RESIDENTIAL (RES)	NAVARRE BEACH COMMERCIAL (NBCOMM)	NAVARRE BEACH UTILITIES (NBU)	CITY
COMMERCIAL (COMM)	NAVARRE BEACH LOW DENSITY RESIDENTIAL (NBLDR)	RAIL	WATER
CONSERVATION/RECREATION (CON/REC)	NAVARRE BEACH MEDIUM DENSITY RESIDENTIAL (NBMDR)		
GP SINGLE FAMILY RESIDENTIAL (GPSFR)			
GP RURAL RESIDENTIAL (GPRR)			

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Looking west down Gulf Breeze Pkwy.,
subject site is to our left



Looking north across Gulf Breeze Pkwy.,
subject site is behind us



Looking north and east down Gulf Breeze
Pkwy.. subject site is to our right



Looking into the subject site



Another view of the subject site.



Santa Rosa County Development Services



Beckie Cato, AICP
Planning and Zoning Director

Santa Rosa County Public Service Complex
6051 Old Bagdad Highway, Suite 202 Milton, Florida 32583
www.santarosa.fl.gov
Office: (850) 981-7000

Rhonda C. Royals
Building Official

Conditional Use Application

*Application Instructions begin on Page 4

** For Official Use Only **			
Application No.	<u>2015-CU-018</u>	Date Received:	<u>3/25/15</u>
Review Fee:	<u>\$235+</u>	Receipt No.:	_____
Zoning District:	<u>HCD</u>	Conditional Use	_____
FLUM Designation:	<u>Comm</u>	Request:	6.09.02. _____

**Property
Owner**

± 1.444

Property Owner Name: Charles Watts Justice

Address: 3527 Southwinds Dr
Gulf Breeze, FL 32563

Phone: _____ Fax: _____

Email: _____

Applicant

Check here and skip this section if the applicant is the Property Owner. Otherwise, complete this section and provide authorization from the Property Owner giving the Applicant the authority to pursue conditional use approvals.

Company: Eugen Bowen Professional Tree Care, LLC

Contact Name: Howard Jacques III

Address: 5205 Gulf Breeze Pkwy
Gulf Breeze, FL 32563

Phone: (850) 934-5660 Fax: (850) 934-5661

Email: Eugenbowenprotreecare@gmail.com

**Property
Information**

Parcel ID Number(s): _____

-OR-

Street Address of property for which the Conditional Use is requested:
5205 Gulf Breeze Pkwy, Gulf Breeze, FL

Parcel Size (acres): _____

Conditional Use Request

Please describe the requested conditional use. Attach a site plan showing the proposed development in as much detail as necessary to demonstrate that your request meets the criteria found in Section 6.09.02 (attached).

Limited Manufacturing in HCD

Conditional Use Criteria

I understand that all decisions made by the Zoning Board of Adjustments are subject to appeal and that their decision does not become effective until the appeal time has successfully passed.

Yes No

I understand that approval by the Zoning Board of Adjustments does not authorize construction and/or land clearing to occur on this site and that additional approvals and Building Permits may be required.

Yes No

I understand that determinations by the Zoning Board of Adjustments are valid for 36 months.

Yes No

Please read the attached conditional use information pertaining to your request and describe how your request meets the pertinent criteria. Attach additional sheets if necessary.

Splitting + cutting of wood for firewood

Certification and Authorization

By my signature hereto, I do hereby certify that the information contained in this application and the required supplemental materials is true and correct, and understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application. I do hereby authorize County staff to enter upon my property at any reasonable time for purposes of site inspection.

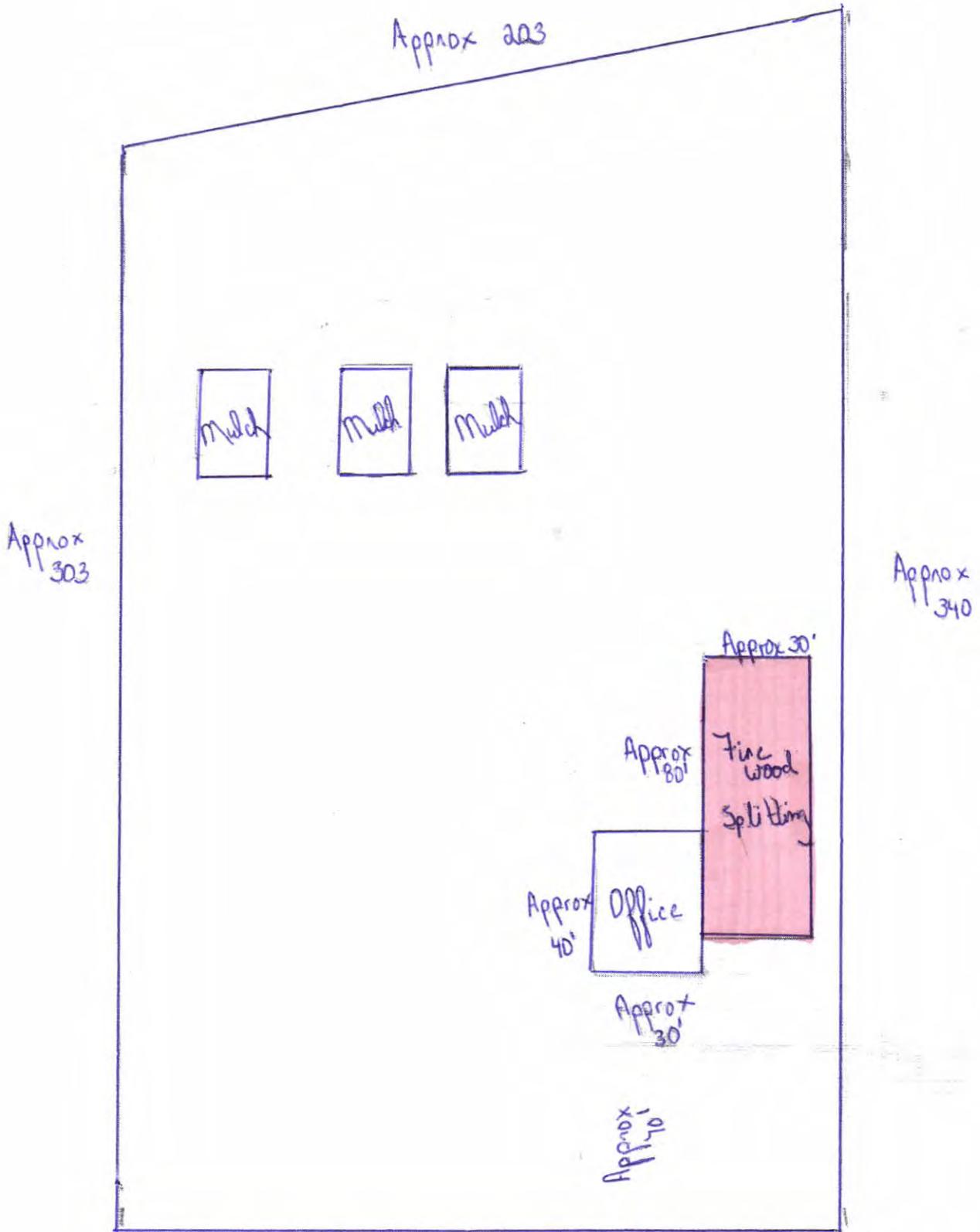
Howard Jacques III
Applicant Name (Type or Print)

[Signature]
Applicant Signature

Mgr
Title (if applicable)

3/25/15
Date

Scale = 10'



Eager Beaver Professional Tree Care, LLC
Permit = 24-25-28-1150-00100-0100

Case Number 2014-ZV-438

Violation Information

Case Number: **2014-ZV-438**
Date Reported: **11/24/2014**
Officer Assigned: **(12) Randy Jones**

Violator Name / Address

Name (First, Last): **HOWARD JACQUES**
Address:
City, St, ZIP:
Contractor Number:
Phone Number:

Violation Location

Parcel Number 1: **242S281150001000100**
Parcel Number 2: **242S280000023000000**
Zoning Area: **(MID) Midway**
City Zone 1: **HCD**
City Zone 2:

Violator Business Name / Address

Business Name: **EAGER BEAVER**
Physical Address:
City, St, ZIP
Mailing Address: **5205 GULF BREEZE PKWY**
City, St, ZIP: **GULF BREEZE FL 32563**

Address of Violation: **5205 GULF BREEZE PKWY**
City, St, ZIP: **GULF BREEZE, FL 32563**
Side Street 1:
Side Street 2:

Ordinance / Articles

Ordinance: **91-24**
Article 1: **6.05.15** Article 3:
Article 2: Article 4:

Violations

Code Description
7 Business being operated in non-conforming zone

Fees & Actions

Date Served: **05/05/2015** Action Taken:

Comply by:

Amount: **103.00**

02/12/15: ORDER TO CEASE AND DESIST IMMEDIATELY HAND DELIVERED THIS DATE.

04/13/15: CITATION # 2565 IN THE AMOUNT OF \$53.00 ISSUED THIS DATE.

04/22/15: 2ND CITATION # 2567 IN THE AMOUNT OF \$103.00 ISSUED THIS DATE.

05/05/15: 3RD CITATION # 2570 ISSUED THIS DATE WITH MANDATORY COURT APPEARANCE SET FOR 06/05/15 AT 9:00 A.M.

Citations

2565

Property Owner Information

F W SHERRILL
Business Name: **JR. & IRV**
GRNCH TR

Name: CHARLA ROSE
WATTS AS
TRUSTEE

Physical Address: 5205 GULF
BREEZE PKWY
City, St, ZIP GULF BREEZE FL
32563

Mailing Address: 3527
SOUTHWINDS DR
GULF BREEZE FL
32563

Phone Number:

Complaint Information

Name:
Address:

Phone Number:
Email:
Complaint made
by:

Rechecks Scheduled:

#	Scheduled Date	Officer	Notes
1)	02/16/2015	12 - Randy Jones	
2)	12/02/2014	12 - Randy Jones	

Rechecks Performed:

There are no performed rechecks for 2014-ZV-438

Dates:

Opened: **11/24/2014**
Closed:
Reopened:

Status:

Status: **Active** Watch List?
Reason:

Comments:

11/24/14 - BUSINESS BEING OPERATING IN NON-CONFORMING ZONE. Property at above location and across the highway being used as a tree debris recycling operation and is not allowed in HCD. Sign violations also exist.

11/24/14 - meeting with Midway Fire 11/21. discussed scope of operation, advised them possible land use violations. Both to send notice to Eager Beaver. NOV sent to business today. cease and desist recycle activities. may continue to have materials removed, bring in no more. owner to schedule pre app by 12/ RJ

12/1--pre app. scheduled for 12/3 RJ

2/5---late update::: scheduled for Feb. 12 PB meeting RJ

2/12--complainants continue. received email photo/video evidence of continued bring in of mulch. getting with them today. RJ

02/25/15 - Recd complaint from Euby Black stating truckloads of mulch and construction debris have been brought in today some of which has been dumped on his property. Asked Bobby to go down there. RCR

3/27---continued complaints. site meeting with Joc 3/18, discussed operation again including signs. unauthorized signs were immediately removed. he brought up some questions and change to business plan. discussed internally determination letter sent by email with deadlines. RJ

4/13--first citation by mail #2565 RJ

04/22/15--continued complaints and reports from residents. Drive by, chip pile is drastically reduced, big logs still there, no noticeable difference. 2nd citation (#2567) issued. RJ

05/05/---continued drive bys and photos, some progress on mulch/chips, virtually none on big logs and other debris. 3rd citation (#2570) with mandatory court appearance for 6/5- 9am. RJ

Status & Transaction Change History:

IDNO	DATE	NOTES
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Santa Rosa County Development Services



Beckie Cato, AICP
Planning and Zoning Director

Tony Gomillion
Public Service Director

Rhonda C. Royals
Building Official

December 19, 2014

Mr. Howard Jacques

Via email: eagerbeaverprotreecare@gmail.com

RE: Pre-Application Meeting on December 5, 2014
Project Name: **Eager Beaver Tree Recycling**
Parcel(s): 242S280000023000000

Dear Mr. Jacques:

Thank you for attending the above referenced pre-application meeting with the Santa Rosa County Development Services staff. Below you will find a recap of the information discussed at the meeting and the requirements for you to proceed with the project.

The purpose of a pre-application meeting is to provide you with a thorough understanding of the regulations and requirements applicable to your proposed project and to address any questions that you may have. However, pre-application meetings are informal and do not replace the need for a formal review. Therefore, please understand that the requirements presented below are based solely on the information presented by you at the meeting and is subject to change. Also, additional requirements may be applicable to your project based on information received at a later date or at the time of formal review.

Site/Land Use – Leslie Statler, (850)981-7086, leslies@santarosa.fl.gov

1. The project discussed involves the use of three parcels for the operation of tree recycling. The property owner has a landscaping business which includes tree removal. He grinds the tree debris and creates mulch which is sold to individuals as well as pulp wood which is provided to the local paper company. He also reduces the larger debris into firewood for retail sale. I've outlined the different steps for each parcel below.

Parcel: 242S280000023000000

2. The zoning designation for this property is HCD, Highway Commercial Development. The Future Land Use Map designation is COMM, Commercial. The proposed use is tree recycling and is not allowed within the zoning district or FLUM category. A rezoning to M2, General Industrial, and a FLUM change to INDUS, Industrial, would be necessary to allow the use to continue. Variances may also be necessary since the zoning district requires all activity within 200 feet of a residential zoning district to be located within a fully enclosed building. Variances may be considered in tandem with the rezoning request and may be granted by the Zoning Board.

Santa Rosa County Public Service Complex
6051 Old Bagdad Highway, Suite 202 Milton, Florida 32583

www.santarosa.fl.gov

Office: (850) 981-7000

Please be advised that this operation may not continue until the zoning and site plan processes have been completed.

3. The rezoning process requires two public hearings during which the Zoning Board will make a recommendation followed by a final determination by the Board of County Commissioners. During this process, all property owners within 500 feet will be notified via mail and a sign will be posted on the property. You will need to procure the mailing labels from the Santa Rosa County Property Appraisers Office; they may be reached at 983-1880. The staff coordinator for the Zoning Board is Darliene Stanhope, Planner III. Darliene may be reached at 981-7065.
 - a. The cost for this process is \$1,100 plus the cost of mailing the notification.
 - b. As discussed, the deadline for the February meeting cycle is December 31, 2014. This will place the rezoning on the February 12, 2014, Zoning Board meeting and the February 26, 2014, Board of County Commissioners meeting agendas. Your commitment to us was to make application for this meeting. *Please be advised that this meeting will be held at the Tiger Point Community Center.*
4. You must procure the mailing labels from the Santa Rosa County Property Appraiser's office as they certify & attest to their accuracy. They do charge a minimal fee for this request
5. For the initial phase of this project (the compliance of the existing *unenclosed* tree recycling), a site plan package must be submitted for review and approval. This site plan can be processed through our "owner-developer" initiative. As such, I will assist you in the design and layout of the site to ensure that the applicable performance standards for commercial sites are addressed. The fee for this type of site plan is \$350.00. The second phase (development of the adjoining parcel) is addressed in the second section of this summary.
6. Although buildings are not being proposed at this time (phase I), the building setbacks which would apply to the site are: Front (along Gulf Breeze Parkway) = 50 feet, rear (north) = 50 feet, and interior side = 5 feet. Please note that screening fences may not be located within a front building setback. A Variance may need to be requested to allow the screening fence along Aqua Vista Drive.
7. A Variance will need to be requested to allow the adjacent residential road (Aqua Vista) to be used for access per LDC 6.05.20.1.2.a, which states: "The operation shall not utilize ingress and egress through any recorded subdivision. Routes shall be chosen as to have the least impact on residential areas."
8. Access into the site must be at least 24 feet in width for two-way traffic and comply with all other applicable standards for commercial driveways within Santa Rosa County, such as a thermoplastic stop bar, double yellow separator lines, and a stop sign.
9. The internal circulation on the site should be 16 feet in width for one-way traffic and 24 feet in width for two-way traffic.
10. Interconnectivity will be required to the properties to the east and west. Since these properties does not have an approved and /or planned connection point in place, you may choose the location to provide the interconnectivity.
11. Parking will be based upon the use of the site. For this particular type of use (manufacturing in nature), we will calculate the parking at a rate of 1 space for every 2 persons employed on a maximum working shift plus one space for every vehicle owned by the establishment. Although standard parking spaces must be 18 feet in length and 9 feet in width, we have noticed that spaces 20 feet in length and 10 feet in width work well within our community. A loading space will also be required.

Santa Rosa County Development Services

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12. Development standards include landscaping in the form of right-of-way (perimeter) landscaping, parking area vegetation (for paved parking areas), and landscape buffers between incompatible uses. Landscaping along the right-of-way must consist of a vegetative strip at least 10 feet in width with 1 canopy tree per every 40 linear feet or fraction thereof exclusive of the driveway connection. If overhead power lines are present, the trees may not be planted within 20 feet of the lines and may be moved to the interior of the site. If paved, the parking area landscaping must include 1 canopy tree for every 12 parking spaces. They are not required to be planted every 12 spaces; however they must be planted around the parking area to fulfill the intent of the Ordinance and provide shade for the expanse of concrete or asphalt. Landscape buffers are required between incompatible uses such as the residential properties which abut the lot to the north. A buffer may be chosen from buffer options "Standard D" or "Standard E". A privacy fence may be used in lieu of the shrub requirement within the buffer area. If "Standard E" is chosen, a wall is required. A Variance may be requested to allow a privacy fence in lieu of the wall.
13. For information regarding utility connections, please contact the following entities. Letters of service availability will be required with the site plan application and prior to the issuance of any applicable permits.
 - A. Water = Midway Water System, Greg DeLapp; 932-5188.
 - B. Sewer = South Santa Rosa Utility System, Jon Kanzigg; 934-5110.
 - C. Septic = Santa Rosa County Health Department; 983-5275.

Parcel: 242S281150003000050

14. For the development of the vacant lot to the west (phase II), a rezoning will also be required to M2, General Industrial. A FLUM change will also be necessary. This can be requested in tandem with the primary parcel cited above.
15. A site plan package prepared by a Florida registered civil engineer must be submitted for review and approval will be required. The site plan(s) will detail the site construction proposed and demonstrate consistency with County code for issues related to access, circulation, parking, landscaping, buffering, density, uses, storm water, etc. Since the intent is to clear some of the western lot for use, a tree survey will be required to identify the size and location of the protected species of trees currently on the site and proposed for removal.
16. The building setbacks which would apply to the site are: Front (along Gulf Breeze Parkway) = 50 feet, rear (north) = 50 feet, and interior side = 5 feet. As noted above, any screening fences associated with the use will need to comply with the front building setback.
17. The internal circulation on the site should be 16 feet in width for one-way traffic and 24 feet in width for two-way traffic.
18. Since this parcel will be developed as an expansion to the aforementioned parcel, an additional driveway connection to Gulf Breeze parkway will not be allowed.
19. Interconnectivity will be required to the property to the west. Since this property does not have an approved and /or planned connection point in place, you may choose the location to provide the interconnectivity.
20. Parking will be based upon the use of the site. For this particular type of use (manufacturing in nature), we will calculate the parking at a rate of 1 space for every 2 persons employed on a maximum working shift plus one space for every vehicle owned by the establishment. Although standard parking spaces must be 18 feet in length and 9 feet in width, we have noticed that

Santa Rosa County Development Services

Public Service Complex

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Office: (850) 981-7000

spaces 20 feet in length and 10 feet in width work well within our community. A loading space will also be required.

21. Development standards include landscaping in the form of right-of-way (perimeter) landscaping, parking area vegetation (for paved parking areas), and landscape buffers between incompatible uses. Landscaping along the right-of-way must consist of a vegetative strip at least 10 feet in width with 1 canopy tree per every 40 linear feet or fraction thereof exclusive of the driveway connection. If overhead power lines are present, the trees may not be planted within 20 feet of the lines and may be moved to the interior of the site. If paved, the parking area landscaping must include 1 canopy tree for every 12 parking spaces. They are not required to be planted every 12 spaces; however they must be planted around the parking area to fulfill the intent of the Ordinance and provide shade for the expanse of concrete or asphalt. Landscape buffers are required between incompatible uses such as the residential properties which abut the lot to the north. A buffer may be chosen from buffer options "Standard D" or "Standard E". A privacy fence may be used in lieu of the shrub requirement within the buffer area. If "Standard E" is chosen, a wall is required. A Variance may be requested to allow a privacy fence in lieu of the wall.

Parcel: 242S281150001000100 (5205 Gulf Breeze Parkway)

22. We also discussed the wood splitting (light manufacturing) which occurs at the property on the south side of Gulf Breeze Parkway. Due to the size and intensity of the operation, a Conditional Use for "limited manufacturing & assembly" will be necessary. This application process is the same as the rezoning application; however, the cost is \$235 plus the cost of mailing notifications. A conceptual site plan is required with this process.

In closing, our hope is that you found the pre-application meeting to be a helpful tool so that you can make informed decisions about your project. As the County's project manager for your project, please feel free to contact me with any questions that you may have. In addition, you may contact the staff listed above if you have questions specific to their area of expertise. Also, I will be in contact with you periodically to assess the status of your project and provide assistance.

Respectfully,



Leslie Statler
Planner III
(850)981-7086
leslies@santarosa.fl.gov

LS/lf

Santa Rosa County Development Services

Public Service Complex
6051 Old Bagdad Highway, Suite 202 Milton, Florida 32583

www.santarosa.fl.gov

Office: (850) 981-7000

Leslie Statler

From: Randy Jones
Sent: Wednesday, March 25, 2015 10:33 AM
To: eagerbeaverprotreecare@gmail.com
Cc: Rhonda Royals; Beckie Cato; Leslie Statler; Darliene Stanhope
Subject: determinations/operation
Attachments: Eager Beaver allowed retail determination.pdf

Mr. Jacques:

Sorry for the delay in getting this to you. I was out sick Monday and Tuesday.

To follow up and summarize our conversation Wednesday morning, March 18, 2015: We discussed the scope and plans for your operation. Properties on both the North and South sides of Gulf Breeze Pkwy are involved, 5205 Gulf Breeze Pkwy, identified as Parcels 242S281150001000100, 242S280000023000000, 242S281150003000050.

Beginning with the signage: I explained you were allowed one on premise sign, 100'sq., with a permit. You agreed to remove two additional signs and a portable sign. I agreed to allow the one, which can be allowed provided a permit application is submitted. As the property is leased, a licensed contractor is required by Florida Law. To avoid any citation related to signage, please see that a permit application is received by this department within the next 15 days. That time frame should be more than adequate. Portable signage can also be allowed with a permit for 30 days with in a six month period.

Firewood operation: It has been determined that the cutting and splitting of the wood falls under the category of light manufacturing. Your locations are zoned HCD. Light/limited manufacturing can be allowed but requires a "Conditional Use" approval. The deadline to apply for a conditional use is April 2, 2015, for the May meeting cycle. Please contact Darliene Stanhope, 981-7065, as soon as possible as the deadline is about two weeks away. **Please cease and desist the operation of cutting and splitting the wood on site.**

Property on north side of Gulf Breeze Pkwy: You committed to have the "big logs" removed within two weeks. I agreed to that condition. **Deadline April 2nd.** You further stated the "chipper/grinder" had been removed. You requested to be able to bring it back for a limited amount of time. It has been determined that will not be allowed. The remaining materials will need to be disposed of or removed from the property by some other means. The chips/mulch quantities, that can be allowed as retail has been determined as follows:

To evaluate an amount of mulch that would be considered reasonable for retail display on this site, we looked at the 2006 site plan for the property (attached) along with site plans for similar uses. So long as the area of the site used for mulch storage is within the areas highlighted on the attachment and does not exceed 6 feet in height it can be considered retail display which is allowed in this zoning district. This includes "split" firewood. Again no processing allowed on site.

Note that the underlying display areas shown on right side of the site plan include walkways/drive isles separating the display areas. While we would not require that those remain in the exact locations shown, areas for movement between piles of mulch will need to be included.

In closing, if you desire to apply for a conditional Use to allow limited manufacturing, cutting and splitting of firewood, it is imperative the application be received by April 2, 2015. All deadlines above must be met or citations will be issued. The continuation of bring in materials that exceed the allowable quantities will also be met with a citation.

Randy Jones
Code Compliance Supervisor
6051 Old Bagdad Hwy. Rm. 202
Milton, FL 32583
850-981-7022
850-393-9664

Florida has a very broad Public Records Law. Virtually all written communications to or from Santa Rosa County Personnel are public records available to the public and media upon request. E-mail sent or received on the county system will be considered public and will only be withheld from disclosure if deemed confidential pursuant to State Law.

**CITIZENS
COMMENTS
2015-CU-018**

Darlene Stanhope

From: John Bordelon <jbordelon@lawbordelon.com>
Sent: Monday, March 30, 2015 1:37 PM
To: Randy Jones; 'Ron Boutin'; 'Gregory Morgan'
Cc: Commissioner Lynchard; Terry Mills; Gcarnall; Roger Mosley; Beth Mosley; Rhonda Royals; Darlene Stanhope; 'carolsg257@bellsouth.net'; choskin@esclaw.com; Euby Black (eubyblack@yahoo.com); choskin@esclaw.com; Commissioner Cole; Commissioner Salter; Commissioner Jayer Williamson; Commissioner Rob Williamson; Commissioner Lynchard
Subject: RE: determinations/operation of Eager Beaver business by Randy Jones

Randy,

This attached former site plan which is not to scale and relates to the parcel on the North side of U.S. 98 doesn't reflect sizes of setbacks and dimensions of landscape buffers or driveways. Does the LDC and its administrative rules require scaled drawings with dimensions be submitted with applications for conditional uses so that their exact size and site location would be specifically located in any conditional use application being considered?

Finally, please note that many of the mature Leyland Cypress trees forming the landscape buffer along the west side of my Woodlawn Heights Parcel 7 (the East side of the Eager Beaver leased Parcel on the South side of U.S. 98) have already been severely damaged by decomposing heat producing mulch piles this company formerly dumped and stored along our mutual boundary line. The dead/damaged areas of these landscape buffer trees are still evident as I think you've seen on your recent inspections. In my opposition to this possible conditional use application I will be introducing photographic evidence of this offsite tree damage. I think it is an important issue if the Planning Board or BOCC has to consider a Conditional Use application involving bulk storage of mulch for this leased Eager Beaver HCD zoned site. I would assume that the board members would want to be aware of the past history of this business's operational practices. Thank you for keeping me informed.

*Best regards,
John*

*John S. Bordelon
Master of Laws*

BORDELON
LAW FIRM
Established 1974

2721 Gulf Breeze Parkway
Gulf Breeze, Florida 32563
Telephone: 850-934-1000 Ext. 201
Facsimile: 850-934-1050

Need help finding us? Please click on the following MapQuest Link!! <http://mapq.st/sYvfc6>

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From: Randy Jones [<mailto:randyj@santarosa.fl.gov>]

Sent: Friday, March 27, 2015 9:31 AM

To: 'Ron Boutin'; John Bordelon; 'Gregory Morgan'

Cc: Commissioner Lynchard; Terry Mills; Gcarnall; Roger Mosley; Beth Mosley; Rhonda Royals; Darliene Stanhope; 'carolsg257@bellsouth.net'

Subject: FW: determinations/operation

To All,

Below is a determination letter, of allowable activities and deadlines for Mr. Jacques operation. Attached is a former site plan of the property for example purposes. They have already submitted an application for conditional use. Please forward to any concerned I may have missed. Also feel free to contact me.

Randy Jones
Code Compliance Supervisor
6051 Old Bagdad Hwy. Rm. 202
Milton, FL 32583
850-981-7022
850-393-9664

From: Randy Jones

Sent: Wednesday, March 25, 2015 10:33 AM

To: eagerbeaverprotreecare@gmail.com

Cc: Rhonda Royals; Beckie Cato; Leslie Statler; Darliene Stanhope

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Randy Jones
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Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

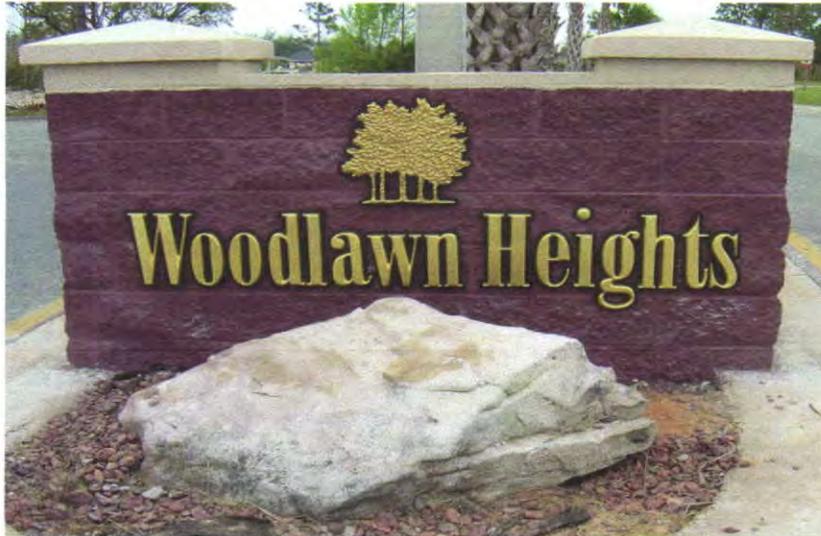
CITIZEN

COMMENTS

RECEIVED AT THE

MEETING

WOODLAWN HEIGHTS



Woodlawn Heights is an elegant subdivision that offers full sod and sprinkler systems on every home. Underground utilities, street lights, county maintained streets and sidewalks throughout. The entire subdivision is in a non-flood zone area, yet centrally located in Gulf Breeze.

Woodlawn Heights is a platted subdivision located in Santa Rosa County, Florida. Located on a peninsula in the southern part of the county midway between the cities of Gulf Breeze and Navarre, Woodlawn Heights was established in 2002. There are 190 lots in the subdivision. Homes have a minimum footage of 2000 square feet with most of the homes around the 3000 square foot range.

All lots have reclaimed irrigation water, underground utilities and sidewalks. The subdivision is well lighted with street security lights and patrolled by the Santa Rosa County Sheriff Office. There is a boat storage area. Spaces are available for lease for Woodlawn Heights resident at a modest yearly fee. Two lakes on the property provide a relaxing area for picnics and walks. All lots have sewer from the City of Gulf Breeze. Cable and satellite service is available.

Covenants:

Woodlawn Heights is a deed restricted community. A copy of the current Covenants and Architectural Guidelines used to maintain property values and an attractive neighborhood are available on the website.

Current issues and concerns from residents of Woodlawn Heights

Health hazard- fungal spores such as Aspergillus

Animals hazards- flies, termites, beetles, snakes, rats, armadillos, worms and other similar animal life

There has been an increase in rats and armadillos infestation on Woodlawn Height residential property. For 13 years, this has not been a problem. With the increased Eager Beaver activity and increased nesting places in cut wood piles, mulch, and dead trees.

Fire hazard- The county and federal land management is constantly removing dried dead growth to help reduce the chances of fire. The increased volume of dried material at Eager Beaver actually increases the chance for fire. White smoke has been observed on the mounds of decaying material north of highway 98. If a fire starts on either of these two properties that are operated by Eager Beaver (south and north side of highway 98), ambers could reach many homes in the subdivision

Debris hazard- hurricane force winds can move debris into Woodlawn Heights property

Noise Pollution- early morning and/or late night operations

Light Pollution- early morning and/or late night operations

Visual aesthetics- Woodlawn Heights is a very nice neighborhood with good community values. Eager Beaver operations can decrease the property values within Woodlawn Heights as what potential buyers would want to move next to an industrial site that can easily be observed from both the homes within Woodlawn Heights, the entrance to the subdivision, and the potential buyers who enter next to this site.

Traffic hazards- Eager Beaver equipment and trucks have constantly cut across the grass median on highway 98. Vehicles carrying Eager Beaver employees stop on the right turning lane blocking view of residents, visitors, and school buses from having a clear line of sight for approaching east bound traffic making it difficult and dangerous to exit the subdivision.

History of not adhering to current SRC ordinances

History of disregard for the environment

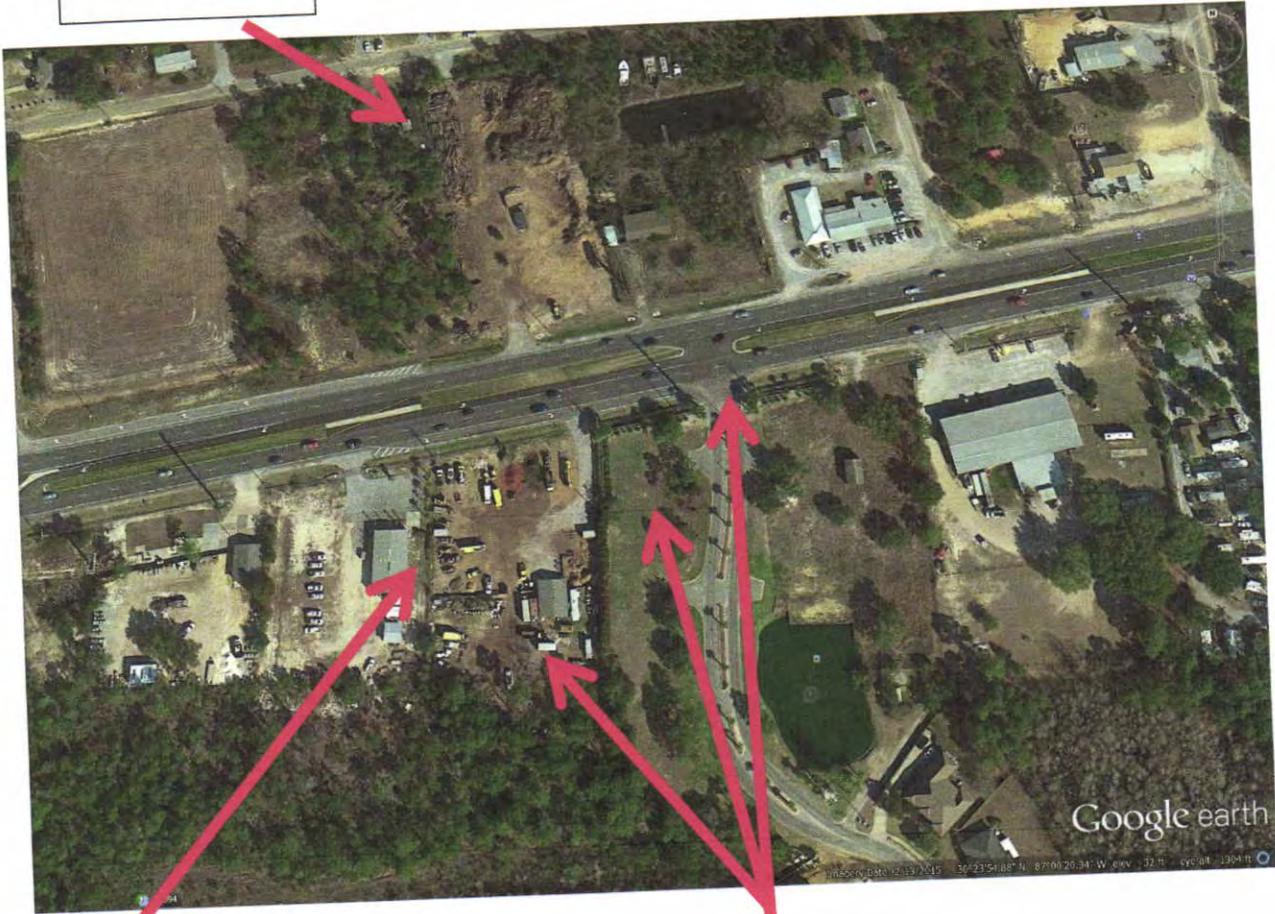
TIMELINE

Eager Beaver Timeline at 5205 Gulf Breeze Parkway, Gulf Breeze, and Florida based on google earth photos and Eager Beaver website:

- 1/2002 Woodlawn Heights subdivision established in 2002
- 1/2002-13 Tenants were a garden/landscape company and a used automobile company
- 1/2013 5205 Gulf Breeze Parkway was a used automobile site
- 3/3013 Eager Beaver moved business from another Gulf Breeze Parkway location to 5205 Gulf Breeze Parkway as a tree cutting services
- 11/2013 Eager Beaver started expanding to the property across highway 98 and immediately north of current location
- 1/2014 Advertising wood cutting on website
- 7/2014 Advertising as a timber broker with International Paper Company for "hauling pulpwood, logs, and wood chips through us".
- 2/2015 Dead trees on adjacent property east of Eager Beaver location
- Current Expanded wood cutting operations

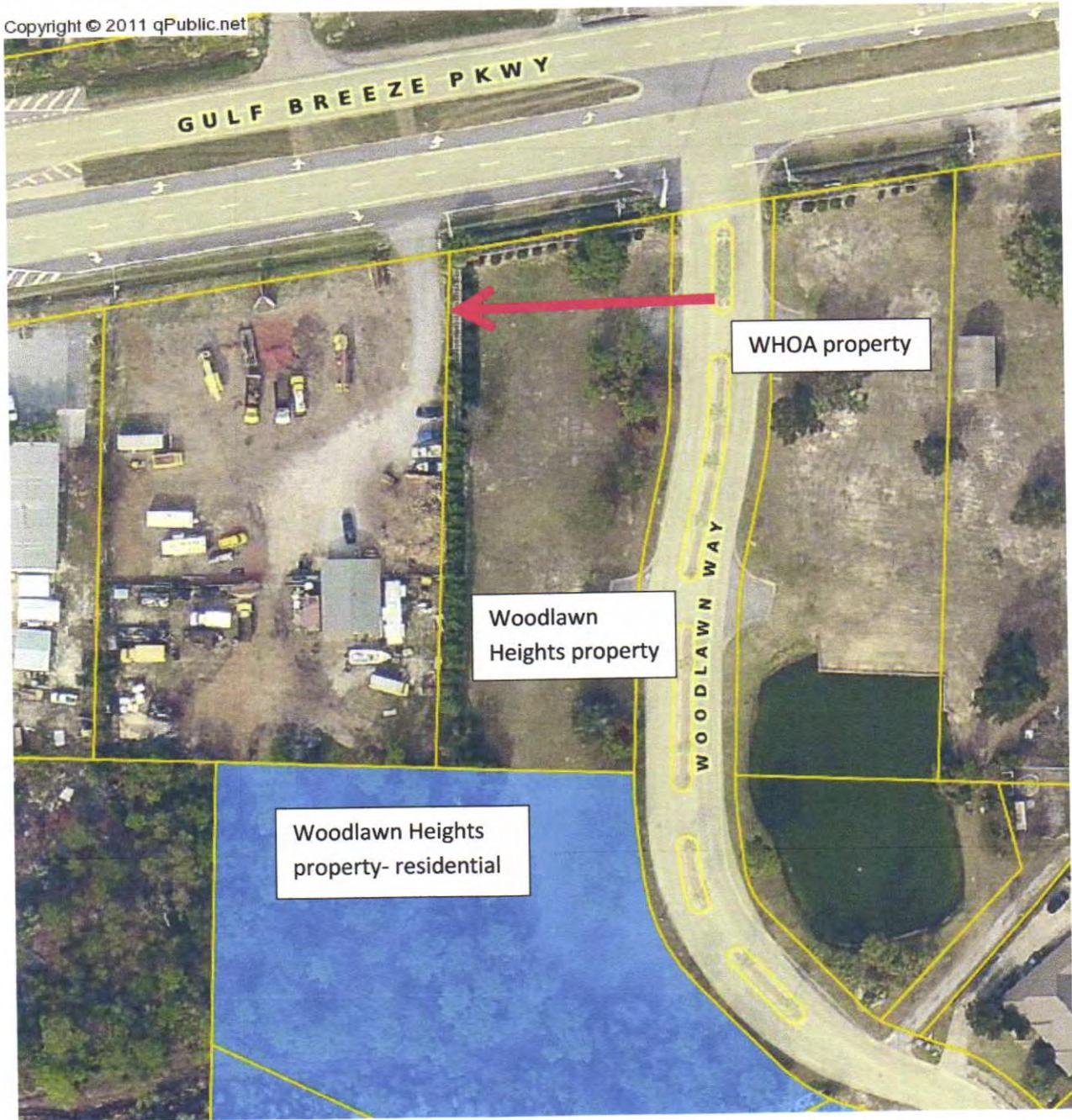
AREA OVERVIEW

Eager Beaver
North of Highway
98 Operations



Eager Beaver South
of Highway 98
Operations

Woodlawn Heights
Property



Residential property directly south and adjacent to Eager Beaver location

RED ARROW: Location of Woodlawn Heights WHOA property within 100 ft of Eager Beaver location



Timeline: Nov 2006

Landscape firm



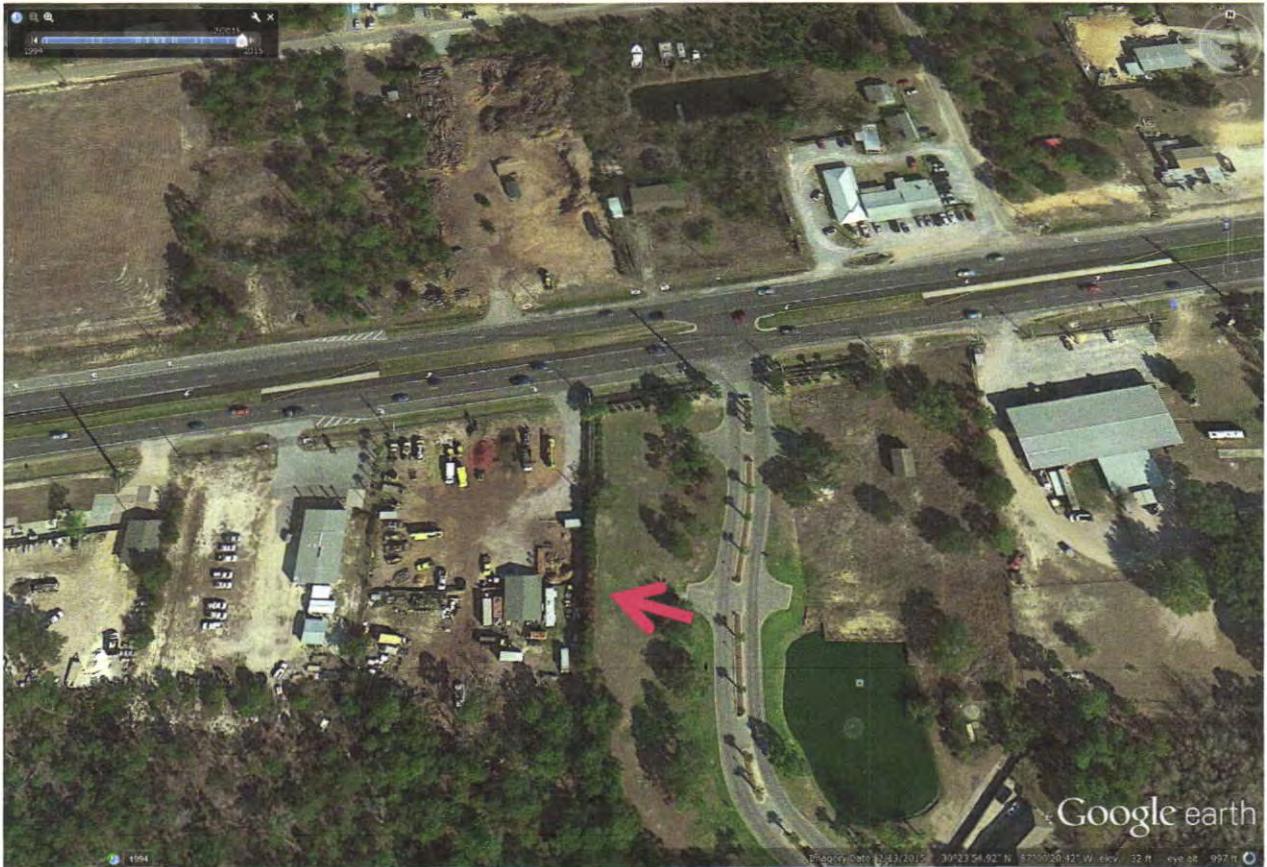
Timeline: Jan 2012

Used automobile tenant



Timeline: Nov 2013

Notice: No dead trees



Timeline: Jan 2015

Notice dead trees and limited wood cutting activity



Notice the dead trees next to Eager Beaver operations.



Dead trees view from Woodlawn Way



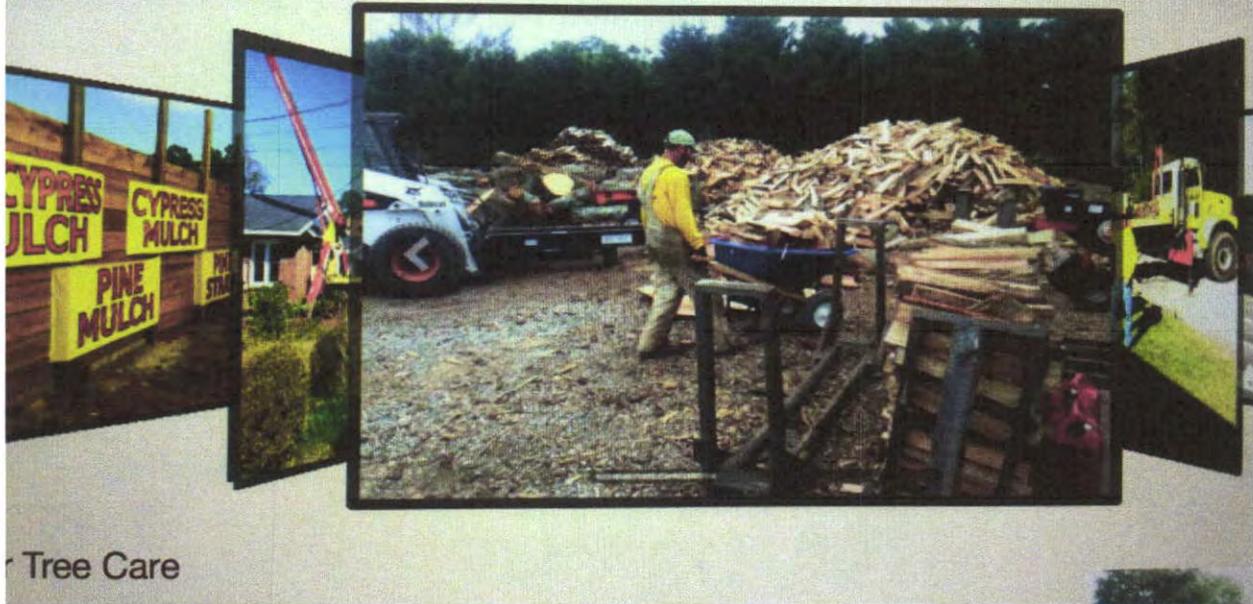
Current wood operations and dead trees on WHOA property

Professional Tree Care

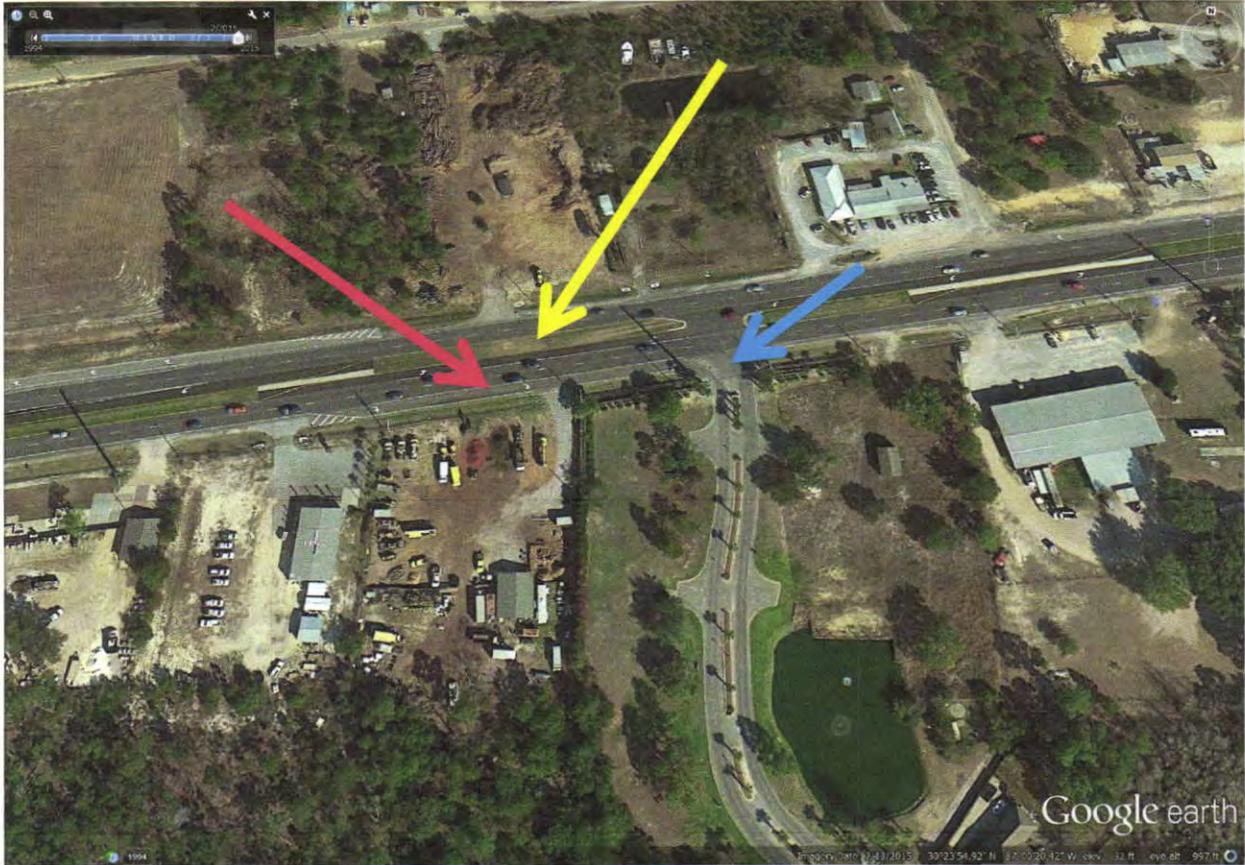
Industry Standard in Tree Care

Services [Contact Us](#)

Experts in Tree Maintenance! (850) 312-6497



One can observe from this early photo from Eager Beaver's website that wood cutting has been in full operations.



RED ARROW: Eager Beaver vehicles and drop-off cars block this right turn exit ramp to Woodlawn Way. In addition, this creates an obstructive view of on-coming east bound traffic.

BLUE ARROW: This is the main exit-entrance to Woodlawn Heights. Exiting traffic must look to the left for on-coming east bound traffic. When vehicles are stationary on the right exit turn lane, it is difficult to see on-coming traffic.

YELLOW ARROW: Area where Eager Beaver equipment and trucks were cutting across the grass median instead of using the existing left turning. The SRC had to use tax payer's funds to place metal stakes to prevent this activity.



These barrier metal stakes were placed by DOT to stop traffic from crossing the grass median instead of using the left turn lane. A civic minded law abiding SRC citizen would obey all traffic rules. This is another example of the failure of some employees of Eager Beaver to follow safe driving practices and the Florida and Santa Rosa County traffic regulations. These metal stakes should have been unnecessary but were required due to repeated violation of the safe traffic practices.



WILDERNESS
Advantage

CAUTION

Super SPLIT





