

**2015-CU-021**

**Project Name:** n/a

**Applicant and/or  
Property Owner:** Mike Kelly

**Representative:** n/a

**Request:** Conditional Use to allow Recreational Activity (specifically concert activities and a festival) within an AG(Agriculture/Rural Residential) zoning district.

(LDC 6.09.02.V)

**Zoning District:** AG (Agriculture/Rural Residential)

**Zoning Board  
Recommendation:** *Recommended Approval without objection*



**Conditional Use 2015-CU-021**

**General Information:**

**Applicant:** Mike Kelly

**Representative:** n/a

**Project Location:** 1603 Penton Rd., Milton

**Parcel Number:** 36-4N-29-0000-00100-0000

**Request:** Conditional Use to allow Recreational Activities (specifically concert activities and festival) within AG (Agriculture/Rural Residential) zoning district.

**Existing Conditions:** The lot is currently used for silviculture activities

**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?      Yes**

**Staff Analysis: It is 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 utilize the property for concert activities and a festival.**

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

**Is this criterion met?            Unknown**

**Staff Analysis: It unknown if the proposed use will unduly or adversely affect other property in the impacted area in which it is located. The subject site has silviculture to the north and agriculture to the east, south and west.**

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 AG (Agriculture) 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.

V. Recreational Activities:

1. Recreational activities limited to the following: archery range, baseball and/or football fields, bicycle path, boat dock, botanical garden, cabanas, excursion or charter boat dock, handball or racquetball courts, outdoor rifle and pistol range, basketball courts, boat anchorage, boat launching ramp, bridle trails, lawn bowling, cemeteries, concession stands, fishing pier, horseshoe pitching courts, public park, indoor rifle and pistol range, softball field, stadium and bleachers, shuffleboard courts, soccer fields, tennis courts, track and field facilities. However, rifle and pistol ranges shall only be allowed as a conditional use in AG and AG-2 districts.

Recreational activities in HCD, M-1, M-2, C-1M, C-2M, AG and AG-2 may be private enterprise (private ownership for profit) or publicly held (state or county) activities.

The following recreational activities in all residential districts (RR-1, R-1, R-1A, R-1M, R-2, R-2M and R-3) must be public held (state or county) or non-profit activities and limited to: baseball and/or football fields, bicycle path, public boat dock, botanical garden, cabanas, handball or racquetball courts, basketball court, boat launching ramp, lawn bowling, fishing pier, horseshoe pitching court, public park, softball field, shuffleboard courts, soccer fields, tennis courts, track and field facilities.

**Is this criterion met?            Yes**

**Staff Analysis: The subject site is located within an AG (Agriculture/Rural Residential) zoning district and is proposed to be used for concert activities and festival.**

2. Site plan approval is required by the Community Planning, Zoning and Development Division pursuant to Section 4.04.00 et seq. of this ordinance. Additionally, the site development plan for land use improvements shall provide for such an arrangement and location of uses and facilities on the land as to give the maximum possible separation from and protection to, contiguous and nearby residential property. Where the nature of the activities or facilities on the land present any potential hazard or detriment to contiguous residential properties arising from noise, glare, dust, odors, smoke, vibration, flying objects or traffic or parking, protection to such contiguous residential properties shall be provided in the form of open spaces, fences, walls, hedges, plantings, enclosures and/or by other such means as may be appropriate and effective to prevent or minimize such hazards.

**Is this criterion met?            In Part**

**Staff Analysis: The subject site will have to complete special event permitting prior to each event. The proposed use has the potential to generate excess noise.**

3. Yards:
  - a. No parking area shall be located within twenty-five (25) feet of any residentially zoned property.

**Is this criterion met?            Yes**

**Staff Analysis: The applicant will have to submit a site plan to show potential parking areas.**

- b. No structure, (except benches, tables, sitting areas, fountains, fences or walls) as hereinafter provided, shall be provided, shall be located within twenty-five (25) feet of any property line.

**Is this criterion met?            Yes**

**Staff Analysis: The property has indicated that there will be no permanent structures.**

4. Open space and landscaping is permitted or required in accordance with the requirements set forth in Article Seven.

**Is this criterion met?**            n/a

**Staff Analysis:** There will be no permanent structures and as such no requirements for open space or landscaping.

5. Parking shall be required in accordance with the requirements set forth in Article Seven.

**Is this criterion met?**            Yes

**Staff Analysis:** The proposed use will have to meet parking requirements.

6. Fences and Walls:

- a. Fences and walls are permitted or required in accordance with the requirements set forth in Article Seven.

**Is this criterion met?**            n/a

**Staff Analysis:** Fences are not proposed for this site.

- b. No fence or wall shall be erected within twenty-five (25) feet of any street line.

**Is this criterion met?**            n/a

**Staff Analysis:** Fences are not proposed for this site.

- c. No fence or wall shall be situated within twenty-five (25) feet of any residentially zoned property line shall exceed six (6) feet in height.

**Is this criterion met?**            n/a

**Staff Analysis:** Fences are not proposed for this site.

7. Signage is permitted in accordance with the requirements set forth in Article Eight.

**Is this criterion met?**            **n/a**

**Staff Analysis: Signs are not proposed for this site.**

8. Facilities for refuse collections and removal of solid wastes shall be provided pursuant to Article Seven.

**Is this criterion met?**            **Yes**

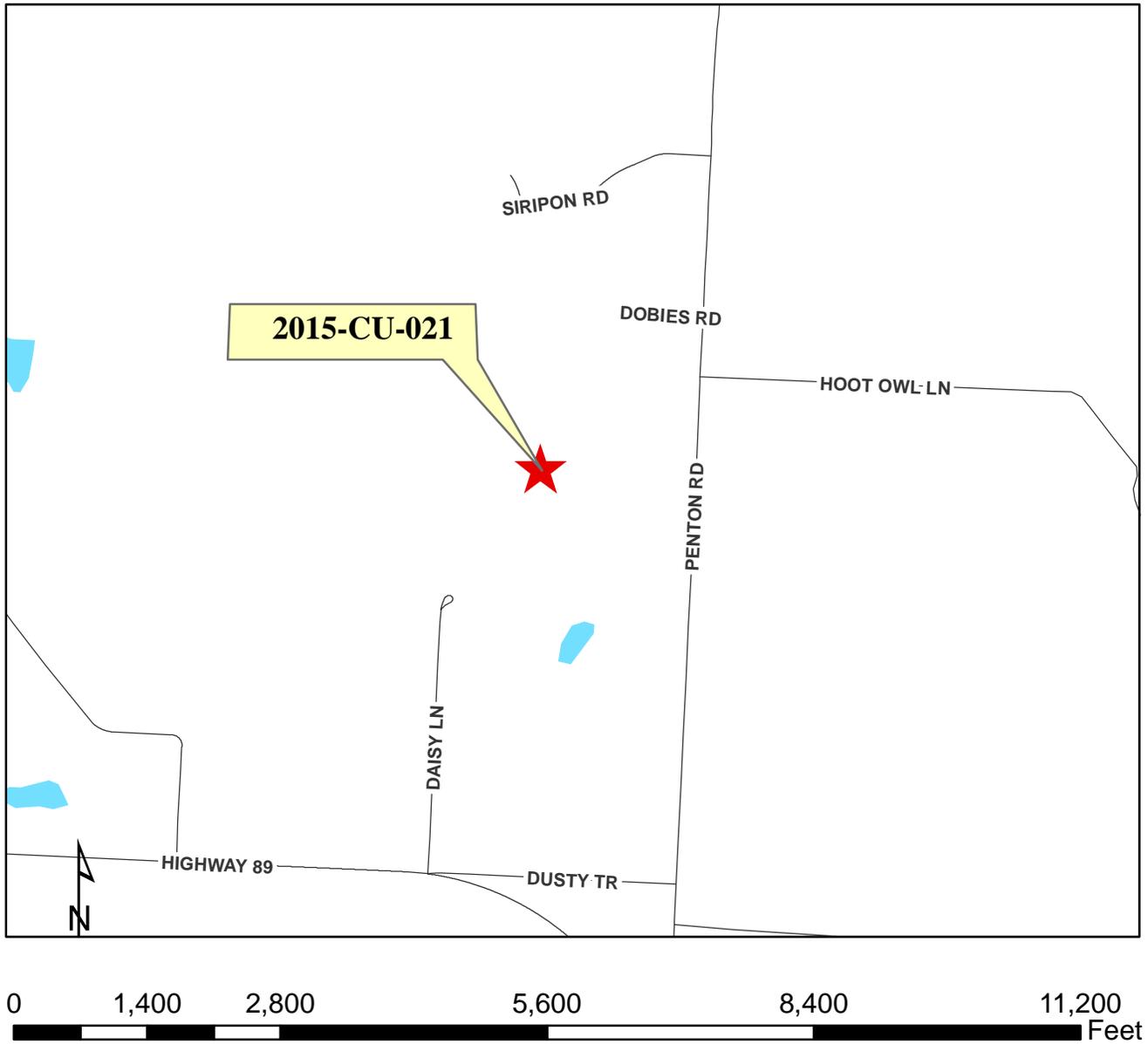
**Staff Analysis: The proposed facility will need to go through the special event permitting process and will meet the requirements as set forth in Article Seven.**

**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 special event permitting process.



# 2015-CU-021 Location

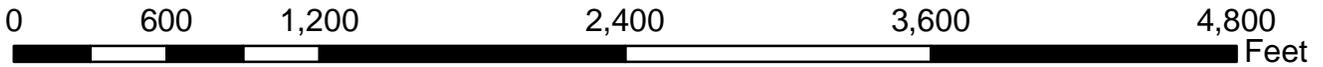
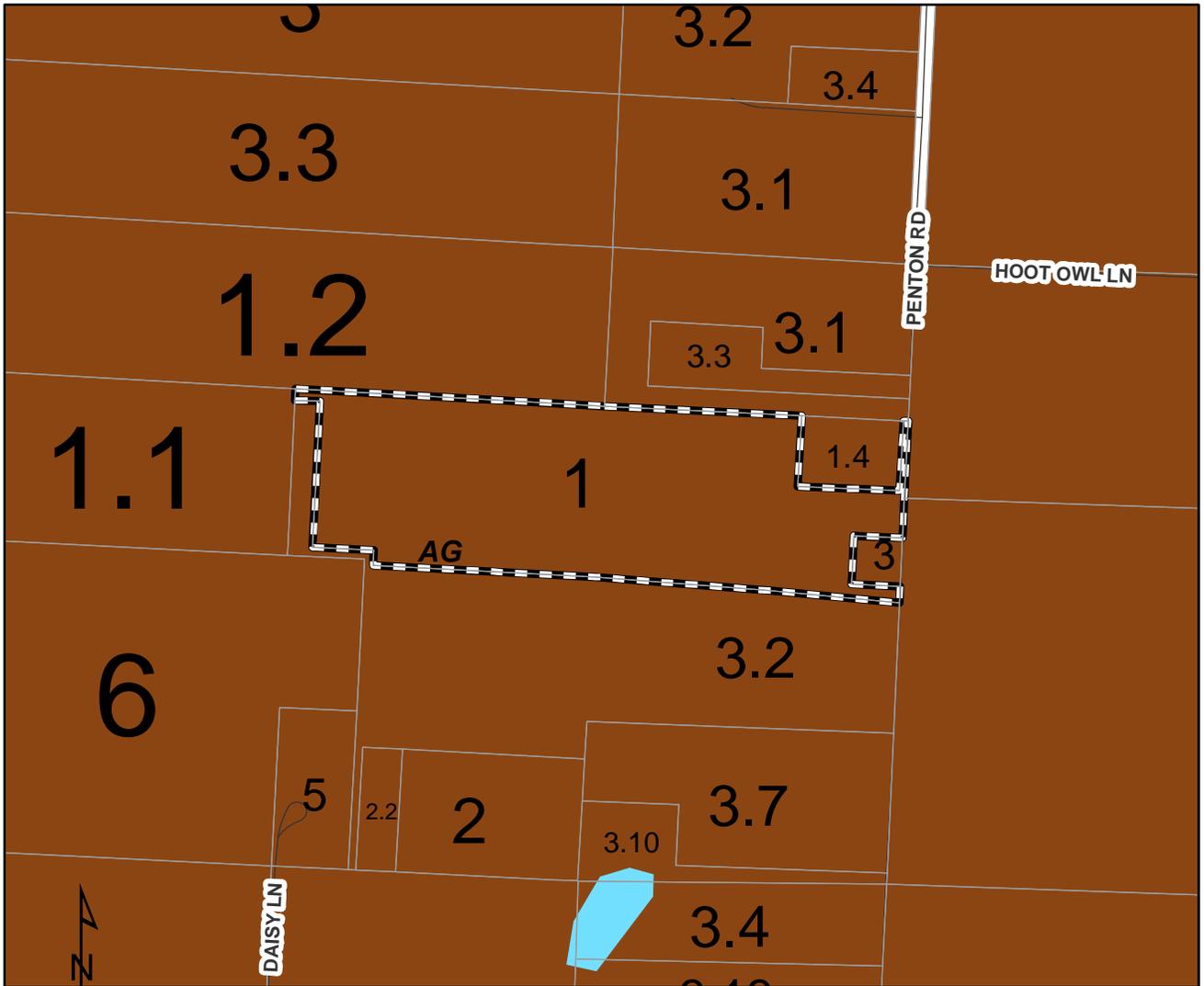


## Legend

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# 2015-CU-021 Zoning



**Legend**

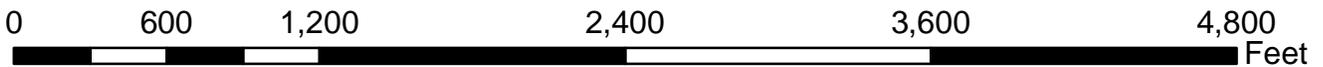
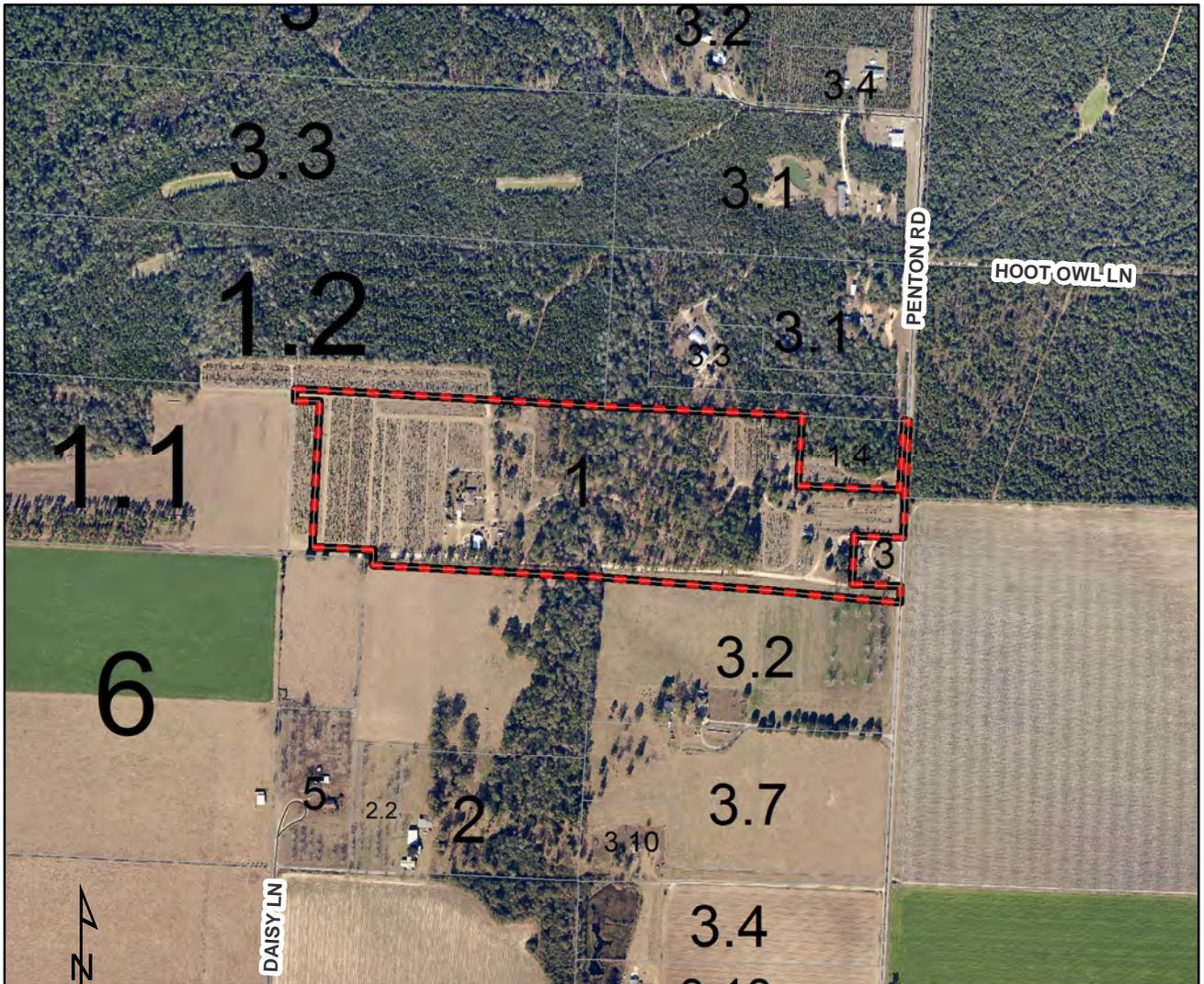
Pending ZB May	Agriculture/Rural Residential (AG)	General Industrial (M-2)	Single Family Residential (R-1A)	Hotel - Navarre Beach (HNB)
AG within an Accident Potential Zone (AG-APZ)	M2 within an Accident Potential Zone (M2-APZ)	Mixed Residential Subdivision (R-1M)	Navarre Beach - High Density (NB-HD)	Navarre Beach - Medium Density (NB-MD)
Agriculture (AG2)	Planned Industrial Development (PID)	R1M within an Accident Potential Zone (R1M-APZ)	Navarre Beach - Planned Mixed Use Development (NB-PMUD)	Navarre Beach - Conservation/Recreation (NB-CON/REC)
AG2 within an Accident Potential Zone (AG2-APZ)	Neighborhood Commercial (NC)	R1M within the Heart of Navarre (R1M-HON)	Navarre Beach - Single Family (NB-SF)	Navarre Beach - Medium High Density (NB-MHD)
Marina (C-1M)	NC-APZ	Medium Density Residential (R-2)	Navarre Beach - Utilities (NB-U)	State
Marina and Yacht Club (C-2M)	NC within the Heart of Navarre (NC-HON)	R2 within an Accident Potential Zone (R2-APZ)	State within an Accident Potential Zone (STATE-APZ)	RAIL
Highway Commercial Development (HCD)	Passive Park (P-1)	R2 within the Heart of Navarre (R2-HON)	Right of Ways (ROAD)	Military (MIL)
HCD within an Accident Potential Zone (HCD-APZ)	P1 within the Heart of Navarre (P1-HON)	Medium Density Mixed Residential (R-2M)	Water	Municipal Boundaries (CITY)
HCD within the Heart of Navarre (HCD-HON)	Active Park (P-2)	R2M within an Accident Potential Zone (R2M-APZ)		
HCD with the Navarre Town Center (HCD-NTC)	P2 within an Accident Potential Zone (P2-APZ)	R2M-HON		
Historical/Single Family (HR-1)	P2 within the Heart of Navarre (P2-HON)	Medium High Density Residential (R-3)		
Historical/Multiple Family (HR-2)	Planned Business District (PBD)	Rural Residential Single Family (RR-1)		
Restricted Industrial (M-1)	Planned Unit Development (PUD)	RR1 within an Accident Potential Zone (RR1-APZ)		
M1 within an Accident Potential Zone (M1-APZ)	Single Family Residential (R-1)	Navarre Town Center 1 (TC1)		
M1 within the Heart of Navarre (M1-HON)	R1 within an Accident Potential Zone (R1-APZ)	Navarre Town Center 2 (TC2)		
	R1 within the Heart of Navarre (R1-HON)	Navarre Beach - Commercial (NB-C)		

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# 2015-CU-021

## Aerial



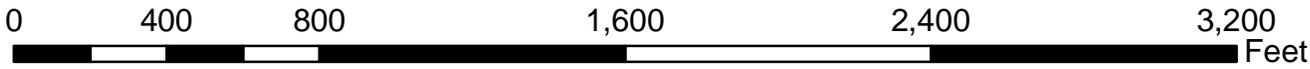
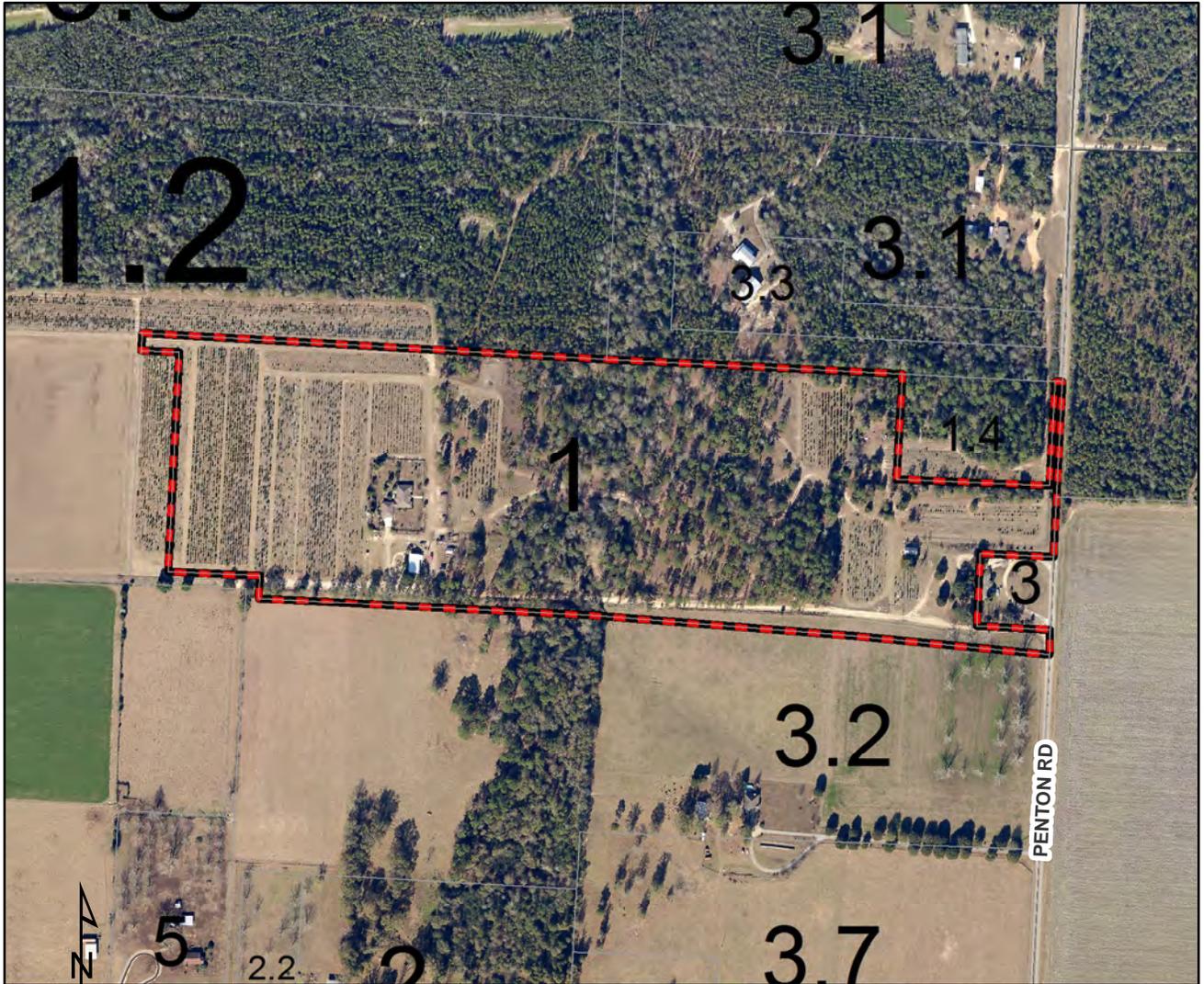
### Legend

 PendingZBMay

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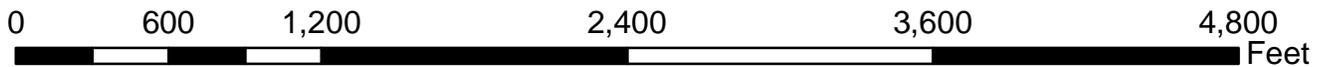
# 2015-CU-021 Close Up Aerial



**Legend**  
 PendingZBMay

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# 2015-CU-021 Existing Land Use



### Legend



Pending ZB May

#### Existing Land Use

##### CATEGORY

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

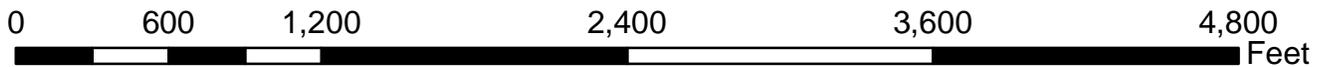
- Institutional
- Multi-Family Residential <5
- Multi-Family Residential >5
- Military
- Mixed Residential/Commercial
- Office
- Public Owned Property
- Rail
- Recreation/Commercial

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

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# 2015-CU-021 Future Land Use



### Legend

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

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Looking north up Penton Road, subject site is to our left.



Looking east subject site is to behind us



Looking south down Penton Rd, subject site is to our right



Looking at the adjacent property to the south, subject site is to our right



Looking into the subject site



Beckie Cato, AICP  
Planning and Zoning Director

# Santa Rosa County Development Services

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- 021</u>	Date Received: <u>4-8-15</u>
Review Fee: <u>235+14.32</u>	Receipt No.: _____
Zoning District: <u>AG</u>	Conditional Use Request: <u>6.09.02.</u>
FLUM Designation: <u>AG</u>	

**Property Owner**

Property Owner Name: Mike Kelly - leased <sup>VD#3</sup>  
Address: 1603 Penton Rd  
Milton,  
Phone: (850) 304-1559 Fax: \_\_\_\_\_  
Email: Powell, Jennifer 08@gmail.com

**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: \_\_\_\_\_  
Contact Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

**Property Information**

Parcel ID Number(s): 36-4N-29-0000-60100-0000  
-OR-  
Street Address of property for which the Conditional Use is requested:  
1603 Penton Rd Milton, FL 32570  
Parcel Size (acres): 60 Acres  
36 <sup>APD of 60 Acres</sup>

**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).

Outdoor Concert / Festival

**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. We have been

a Venue since 1980 + We are Agrotourism.

**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.

Brodie Powell

Applicant Name (Type or Print)

Promoter / Owner's Daughter  
Title (if applicable)

Brodie Powell

Applicant Signature

4/8/15  
Date

3.4

DOBIES RD

3.3

3.1

1.2

3.3

3.1

outdoor concert Area

Festival

1

1.4

AG

3

3.2

5

2.2

2

3.7

3.10

PENTON RD

3 4

DAISY LN

