

2011-CU-009

Project Name:

“Wags & Whiskers”

**Applicant and/or
Property Owner:**

Joshua & Melanie Hawkey

Representative:

**Kerry Anne Schultz
Fountain, Schultz & Associates, P.L.**

Request:

**Conditional Use to allow a dog
kennel/boarding facility to be located
within a Highway Commercial
Development (HCD) zoning district
(LDC 6.09.02.X)**

Zoning District:

**HCD (Highway Commercial
Development) & R2 (Medium Density
Residential)**

**Zoning Board
Recommendation:**

**Approval *with conditions* with a vote
of 3 – 2**

**The Board’s recommendation
stipulated that the number of dogs
kenned at the facility be limited to
7.**

BOCC Data & Analysis
August 25, 2011

Conditional Use 2011-CU-009

I. Applicant:

“Wags & Whiskers” Joshua & Melanie Hawkey represented by Kerry Anne Schultz, Fountain, Schultz & Associates, P.L.

II. Request:

Conditional Use to allow a dog kennel/boarding facility to be located within a Highway Commercial Development zoning district

III. 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 Adjustments 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;
- B. Will not unduly adversely affect other property in the impacted area which it is located;
- C. Is consistent with the Goals, Objectives, and Policies of the Santa Rosa County Comprehensive Plan;
- D. Satisfies criteria stipulated for similar uses as described in the following section.

6.09.02 Criteria Regulating Conditional Uses: All approved conditional uses shall be developed and maintained as approved by the Board of County Commissioners as applicable. Failure to do so shall constitute a violation of this ordinance. In addition to the general provisions cited above, a conditional use shall be permitted by the Board of County Commissioners provided the Board finds that the proposed conditional use complies with the following requirements:

X. Kennels (HCD)

- 1. All activities shall be located within a fully enclosed soundproof building.

BOCC Data & Analysis

August 25, 2011

2. Exercise runs shall be completely screened by a eight (8) foot privacy fence or wall.
3. The animals are to be kept inside the soundproof building except for occasional brief exercise periods in the runs.
4. There shall be no odors, noise, or visual effects detectable from the adjoining properties.

IV. **Proposed Location:**

2085 Kubota Lane, Navarre; on the north side of Navarre Parkway between Navarre Park Lane and Fountainview Drive in the Crescent Shores subdivision (Parcel number 21-2S-26-0780-OFF01-0000)

V. **LDC 6.09.01 General Provisions Regulating Conditional Uses: A conditional use shall be reviewed by the Zoning Board of Adjustments 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?

Staff Analysis: It appears that the proposed use has been designed and located and will be operated in such a manner as to minimize the impact upon neighboring properties.

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

Is this criterion met?

Staff Analysis: It is not anticipated that the proposed dog kennel/boarding facility may unduly or adversely affect other property in the impacted area in which it is located.

The surrounding properties are a mix of single family residences, multi-family residential uses, commercial uses, and vacant land.

BOCC Data & Analysis

August 25, 2011

The applicants intend to construct their personal residence on the northern portion of the subject property. As such they have a vested interest in minimizing any potential adverse affect from the proposed use.

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

Is this criterion met?

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

- D. Satisfies criteria stipulated for similar uses and as listed below.

X. Kennels (HCD)

1. All activities shall be located within a fully enclosed soundproof building.

Is this criterion met?

Staff Analysis: All activities shall be located within fully enclosed soundproof buildings. The applicants have indicated the buildings will be made soundproof with a combination of sound-damping drywall and double-batt insulation.

BOCC Data & Analysis

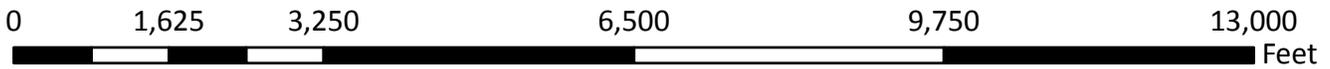
August 25, 2011

2. Exercise runs shall be completely screened by an eight (8) foot privacy fence or wall.
- Is this criterion met?**
- Staff Analysis:** The exercise runs, located adjacent to the building, are enclosed behind a wood privacy fence 8 feet in height.
3. The animals are to be kept inside the soundproof building except for occasional brief exercise periods in the runs.
- Is this criterion met?**
- Staff Analysis:** The applicants intend to keep the kenneled animals within the soundproof buildings with the exception of the 3-4 times per day the kenneled animals are taken out to exercise.
4. There shall be no odors, noise, or visual effects detectable from the adjoining properties.
- Is this criterion met?**
- Staff Analysis:** The applicants have indicated that the waste materials will be removed from the exercise area after every exercise period. They have installed privacy fencing to screen the use from view and will install soundproof material to minimize the auditory impact to the adjacent properties. Therefore, staff does not anticipate that the proposed use will generate an unreasonable amount of noise, odors, and other potential nuisances to contiguous properties.

Location



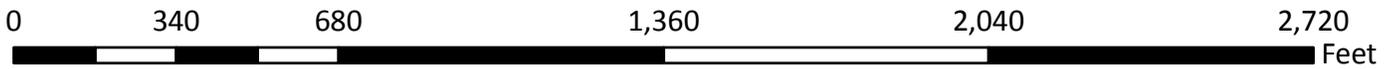
2011-CU-009



Legend

Disclaimer:
The GIS maps and data distributed by the Santa Rosa County BOCC departments are derived from a variety of public and private sector sources considered to be dependable, but the accuracy, completeness, and currency thereof are not guaranteed. The Santa Rosa County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the County Geographic Database. Additionally, the Santa Rosa Commission or any agent, servant, or employee thereof assume no liability associated with the use of this data, and assume no responsibility to maintain it in any matter or form.

Aerial



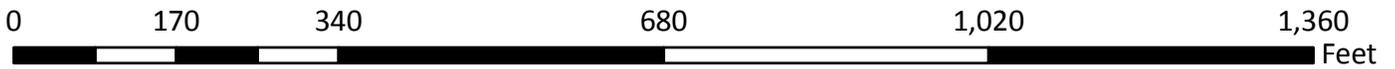
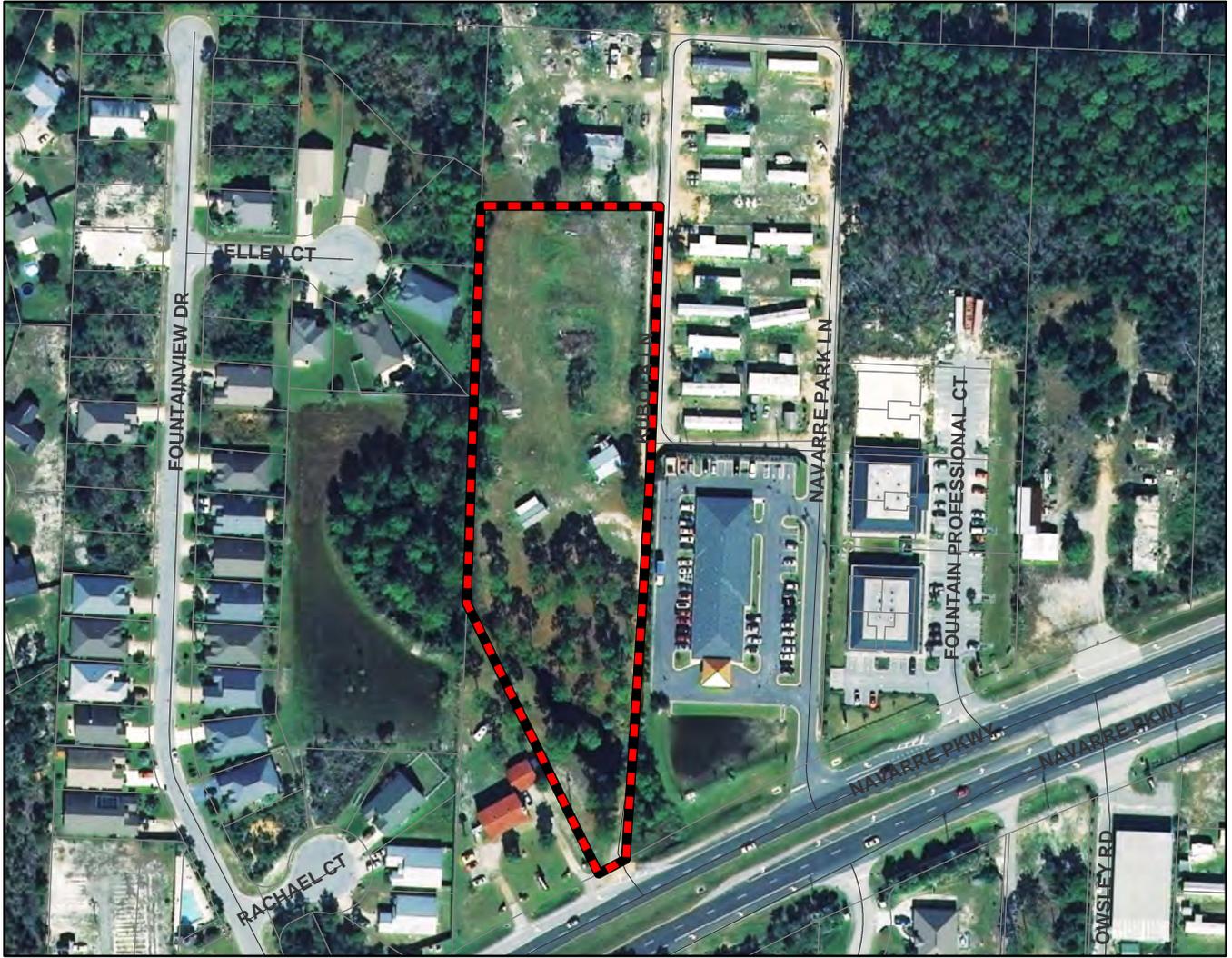
Legend

 Pending ZB Case

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Aerial Area Enlargement



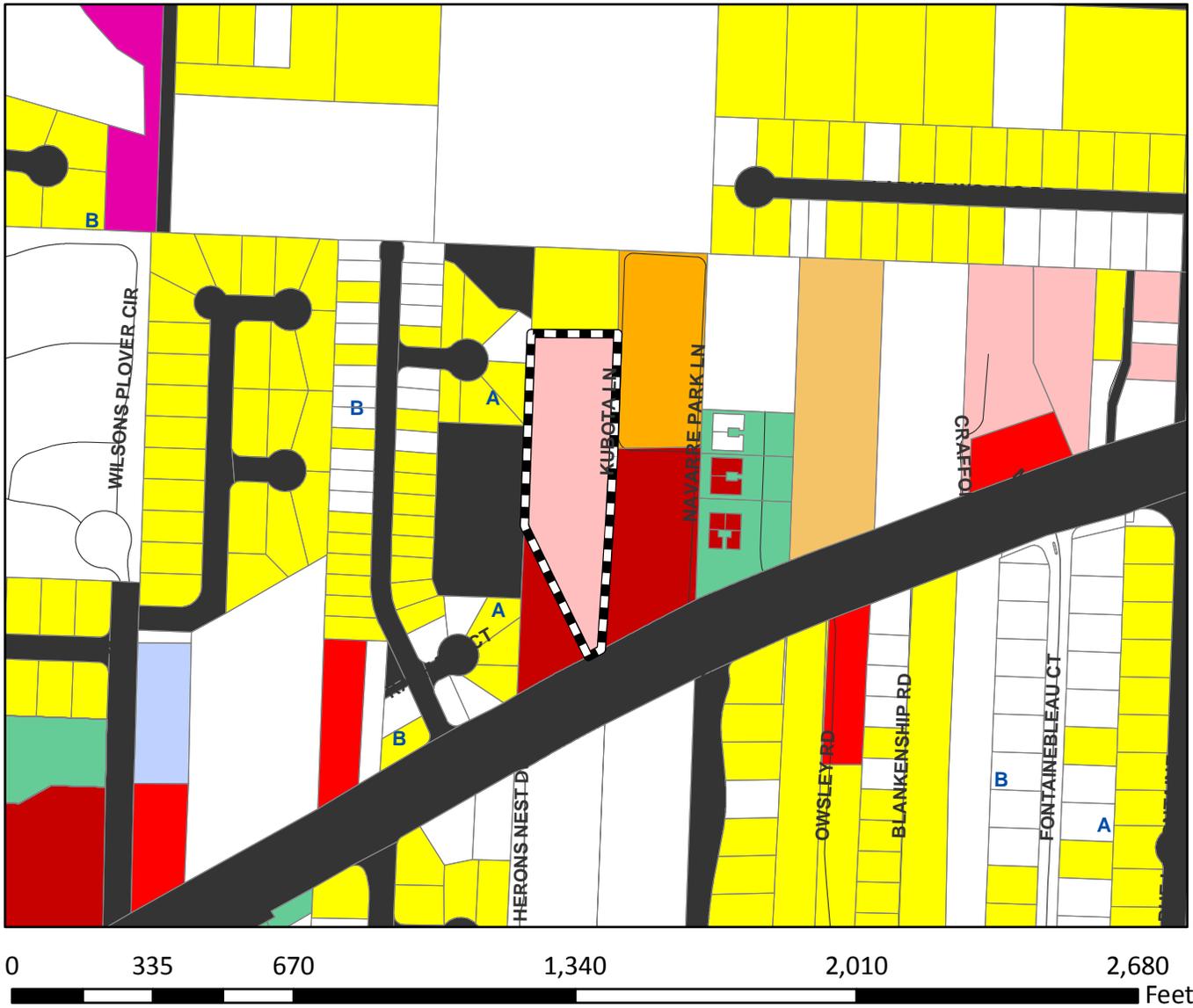
Legend

 Pending ZB Case

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Existing Land Use



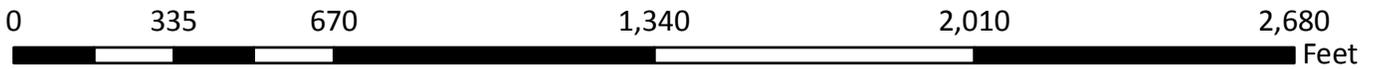
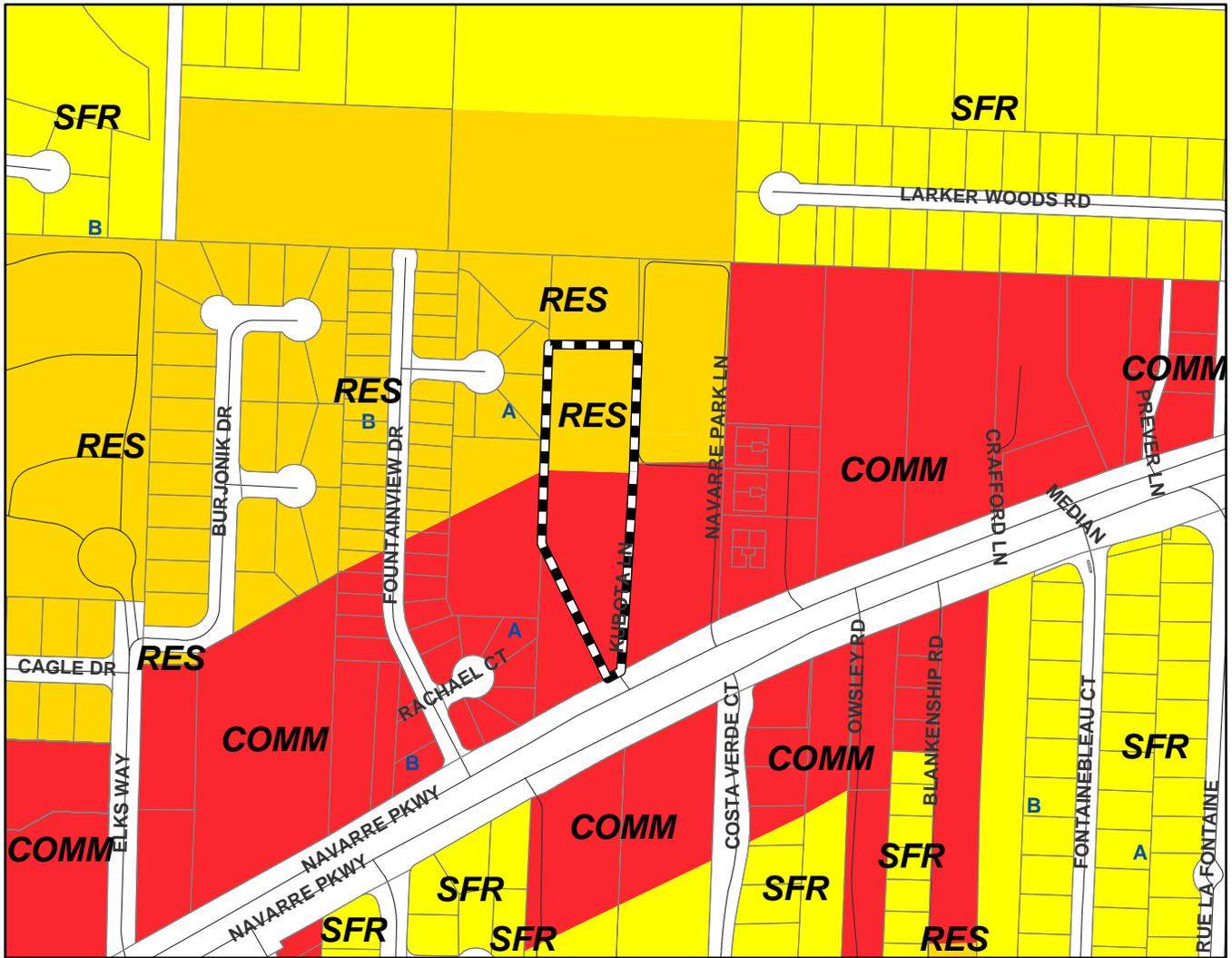
Legend

Existing Land Use		
CATEGORY		

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Future Land Use



Legend

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

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Presentation Slides
August 11, 2011, Zoning Board Meeting



The entrance into the site; this is Kubota Lane; the building visible in the center of the screen is the building proposed for overflow kennels



The adjacent property to the south and west



The adjacent property to the east

Presentation Slides
August 11, 2011, Zoning Board Meeting



This is the grooming facility and the proposed location for the indoor open play area; the outdoor exercise area will be located immediately adjacent to the rear of this building



Also to the east of the subject property; the building proposed for the indoor open play area if on the left of the screen



The entrance into the remainder of the site; building B can be seen behind the truck in the center of the screen

Presentation Slides
August 11, 2011, Zoning Board Meeting



The building proposed for the overflow kennels



The area adjacent to the west of the overflow kennel building



The area to the northwest of the subject area

Presentation Slides
August 11, 2011, Zoning Board Meeting



The northern portion of the subject property and proposed location for the owner's personal residence; the adjacent property to the north can be seen in the background



Another view of the adjacent property to the north east of the subject area



The proposed location for the exercise area



Beckie Cato, AICP
Planning and Zoning Director

Santa Rosa County Development Services

2011 JUN 30 PM 2 49



John T. "Tim" Tolbert
Building and Fire Official

Tony Gomillion
Public Service Director

Conditional Use Application

*Application Instructions begin on Page 4

** For Official Use Only **			
Application No.	<u>2011-CU-009</u>	Date Received:	<u>4/30/2011</u>
Review Fee:	<u>343.12</u>	Receipt No.:	<u>151</u>
Zoning District:	<u>HCD/RI (MIX)</u>	Conditional Use	
FLUM Designation:		Request:	<u>6.09.02.</u>

Comment # 4

Property Owner

Property Owner Name: Joshua Hawkey and Melanie Hawkey

Address: 7142 East Bay Boulevard

Navarre, Florida 32566

Phone: 850-386-7632 Fax: _____

Email: joshua.hawkey@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: Fountain, Schultz & Associates, P.L.

Contact Name: Kerry Anne Schultz, Esquire

Address: 2045 Fountain Professional Court, Suite A

Navarre, Florida 32566

Phone: 850-939-3535 Fax: 850-939-3539

Email: kaschultz@fountainlaw.com

Property Information

Parcel ID Number(s): 21-2S-26-0780-0FF01-0000

-OR-

Street Address of property for which the Conditional Use is requested:

8982 Navarre Parkway, Navarre, Florida 32566

Parcel Size (acres): Approximately 3.042 acres

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

Inspections/Compliance Division Fax: (850) 623-1208 • Planning/Zoning Division Fax: (850) 983-9874

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).

Please see the attached site plan showing the proposed use pursuant to Section 6.09.02(X) (Kennels-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. _____

The request meets the criteria for the following reasons: (1) the proposed conditional use will be designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected; (2) the proposed conditional will not unduly adversely affect other property in the impacted area which it is located; (3) the proposed conditional use conforms to all applicable provisions of the district in which the use is to be located; and (4) the proposed conditional use satisfies the criteria stipulated for similar uses as described in Section 6.09.02(X) (Kennels -HCD).

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.

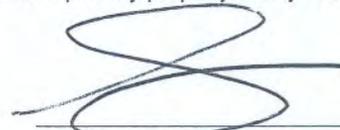
Fountain, Schultz & Associates, P.L.

Applicant Name (Type or Print)

Kerry Anne Schultz, Esquire

Title (if applicable)

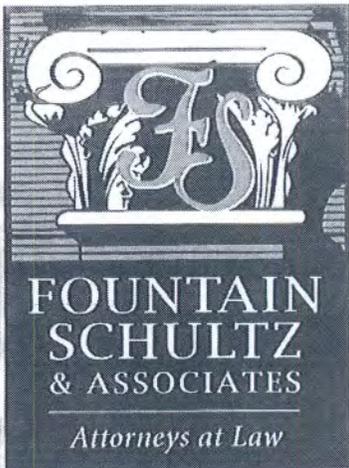
Attorney



Applicant Signature

Date

6/30/11



KENNETH R. FOUNTAIN
KERRY ANNE SCHULTZ
SCOTT C. BRIDGFORD

2045 FOUNTAIN PROFESSIONAL CT.
SUITE A
NAVARRE, FLORIDA 32566
TEL: (850) 939-3535
FAX: (850) 939-3539

SANTA ROSA BEACH
TEL: (850) 622-2700
FAX: (850) 622-2722

July 26, 2011

**VIA REGULAR U.S. MAIL
and FACSIMILE (850) 983-9874**
Santa Rosa County Developmental Services
Attention: Leslie Statler, Planner
6051 Old Bagdad Hwy
Suite 202
Milton, FL 32583

**RE: Conditional Use 2011-CU-009
Joshua and Melanie Hawkey**

Dear Ms. Statler:

I represent Joshua and Melanie Hawkey in the above-referenced matter. This letter will serve as a supplemental letter to the Conditional Use Application filed on behalf of my clients.

Enclosed is a copy of amended site plan which identifies the revised exercise area, Buildings "A" and B," overflow and extended visit kennels, including the two-way driveway and required parking spaces. Building "A" is anticipated to be a grooming parlor and an indoor open play area for animals. Building "B" is for non-profit office space and a small area for an overflow kennel.

With respect to the criteria for similar uses, please be advised of the following supplemental information:

Kennels (HCD) Criteria #2: Exercise runs are located adjacent to the building and are enclosed by an eight (8) foot high privacy wall. The anticipated fence is identified on the amended site plan.

Kennels (HCD) Criteria #3: The animals will be kept inside the soundproof building except for occasional brief exercise periods. It is anticipated that the animals will exercise outside approximately three to four times daily weather permitting. The animals will remain in the play area or in kennels while inside.

Kennels (HCD) Criteria #4: It is anticipated that the proposed use will not generate an unreasonable amount of noise, odors, and other potential nuisances to contiguous properties. Waste will be removed following each animal exercise. All waste will be placed in a plastic bag and disposed in a sealed waste management receptacle which will be removed from the premises daily. Additionally, Mr. and Ms. Hawkey will be building their residence on the residential lot North of the subject HCD parcel. As such, Mr. and Mrs. Hawkey will insure that

all potential noise, odors or/and other potential nuisances will be minimized.

Should you have any questions, concerns or further instructions, please do not hesitate to contact me. Thank you very much for your time and attention to this matter.

Sincerely,
Fountain, Schultz & Associates, P.L.



Kerry Anne Schultz

KAS: mae
Enclosures as stated

Sound Proofing a Building on HCD Zoned Property

In accordance to the Santa Rosa Land Development code, kennels on HCD zoned property are required of four measures. One of these measures is "All activities shall be located within a fully enclosed sound proof building." In order to comply with this, we have researched approved products designed strictly for sound proofing. The proposed use of the HCD zoned property is a facility that is available for someone to operate their own business from. This includes, but is not limited to; dog grooming, day care services, and boarding. These services would need a fully enclosed building. In order to comply, changes will need to be made in the building. The outside the building will consist of cement board siding and wood. The insulation used will be of one that is rated for higher levels of acoustic dampening. A double batt insulation will greatly reduce any sounds and noises. The insulation alone will not accommodate for all possible noise levels. The interior walls will be panels with a sound proof paneling. Typical interior walls in homes (2 sheets of 1/2" drywall on either side of a wood stud frame) have a Sound Transmission Class (STC) of about 33. A STC rating of 50 includes very loud sounds such as musical instruments or a stereo can be faintly heard; 99% of population not annoyed. A rating of 60 is considered superior soundproofing. Quiet Rock, a product from Serious Energy, Inc., provides a simple, reliable, low cost way to meet code requirements. Quiet Rock delivers an STC rating of 51-57 alone. It installs and hangs like regular drywall, as is available locally. This product also helps eliminate added material and labor cost for double-stud construction. For example, to reach a STC rating of 60, normal construction would require a double layer of 1/2" drywall on each side, on double wood/metal stud walls (spaced 1" apart), and double batt insulation. With these types of approved soundproofing products, this will ensure the building will meet all zoning requirements.



QuietRock 525

HIGHER PERFORMANCE, HIGHER RELIABILITY, LOWER COST SOUNDPROOFING SOLUTIONS.



Easiest, lowest-cost way to meet code for multi-family party walls

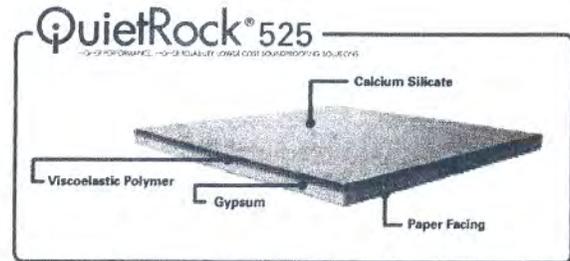
QuietRock 525 sound damping drywall provides a simple, reliable, low-cost way to meet building code for multi-family party wall construction, as well as excellent performance for residential and commercial construction. A single sheet of QuietRock 525 on one side of single wood studs exceeds code for STC ratings – which lets you eliminate the added material and labor cost for double-stud construction, and gain more sellable floor space.

QuietRock 525 Benefits

- Provides superior noise reduction at a lower total installed cost than other sound damping methods
- Delivers STC ratings of 49-70
- UL fire-rated
- Installs and hangs like regular drywall
- Continues to reduce noise even when fixtures are installed, such as shelves or lamps
- Only 5/8" thick
- Outperforms other sound damping methods, including soundboard and resilient channel
- Tested in accordance with ASTM C473 (complies with ASTM C1396)

Product Specifications

Model:	QuietRock 525
Thickness:	5/8", tapered edges
Weight:	3.2 lbs/sqft
STC-rated:	49-70 (ASTM E90)
Fire-rated:	1 hour (ASTM E119)
Surface flame:	Class A (ASTM E84)
R value:	0.5
UL-rated assemblies:	U347, U386, L591, W317



QuietRock is a multi-layer engineered drywall panel made of gypsum and viscoelastic sound absorbing polymers

STC Comparison*

5/8" gypsum	39
6" CMU	45
Soundboard	46
Mass loaded vinyl	45
QuietRock 525	51-57

*in single wood stud construction (single 2x4 24" OC)

Product Ordering Codes

4' x 8' panel:	QR525STD4X8
4' x 9' panel:	QR525STD4X9
4' x 10' panel:	QR525STD4X10
4' x 12' panel:	QR525STD4X12

Applications

- Multi-family
- Party walls
- Commercial
- Hotels
- Schools
- Offices
- Hospitals
- Home theaters
- Conference rooms

For volume purchases. See your local dealer for details.

SERIOUS ENERGY

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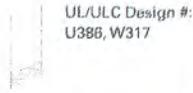
QuietRock® 525

HIGHER PERFORMANCE, HIGHER RELIABILITY, LOWER COST SOUNDPROOFING SOLUTIONS.



Lowest-Cost Solutions in the Market

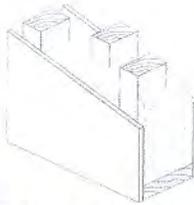
Lowest Cost Wall
QuietRock on one side



UL/ULC Design #:
U386, W317

STC: 51 - Fire: 1 Hour

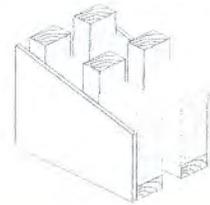
Staggered Stud Wall
QuietRock on one side



UL/ULC Design #:
U386, W317

STC: 57* - Fire: 1 Hour

Double Stud Wall
QuietRock on one side

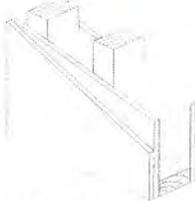


UL/ULC Design #:
U386, W317

STC: 63* - Fire: 1 Hour

Retrofit and Remodeling

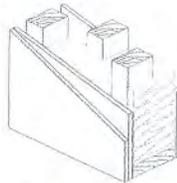
Single Stud Wall
QuietRock on one side of
existing drywall



UL/ULC Design #:
U386, W317

STC: 49 - Fire: 1 Hour

Staggered Stud Wall
QuietRock on one side of
existing drywall

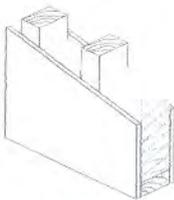


UL/ULC Design #:
U386, W317

STC: 60* - Fire: 1 Hour

High Performance

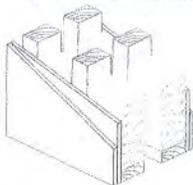
Single Stud Wall
QuietRock on both sides



STC: 55

2 Hour Separation Walls

Double Stud Wall
One layer of QuietRock
on both sides; 1" fire shield shaft
liner material both sides



UL Design #:
U347

STC: 70 - Fire: 2 Hour

*Estimated

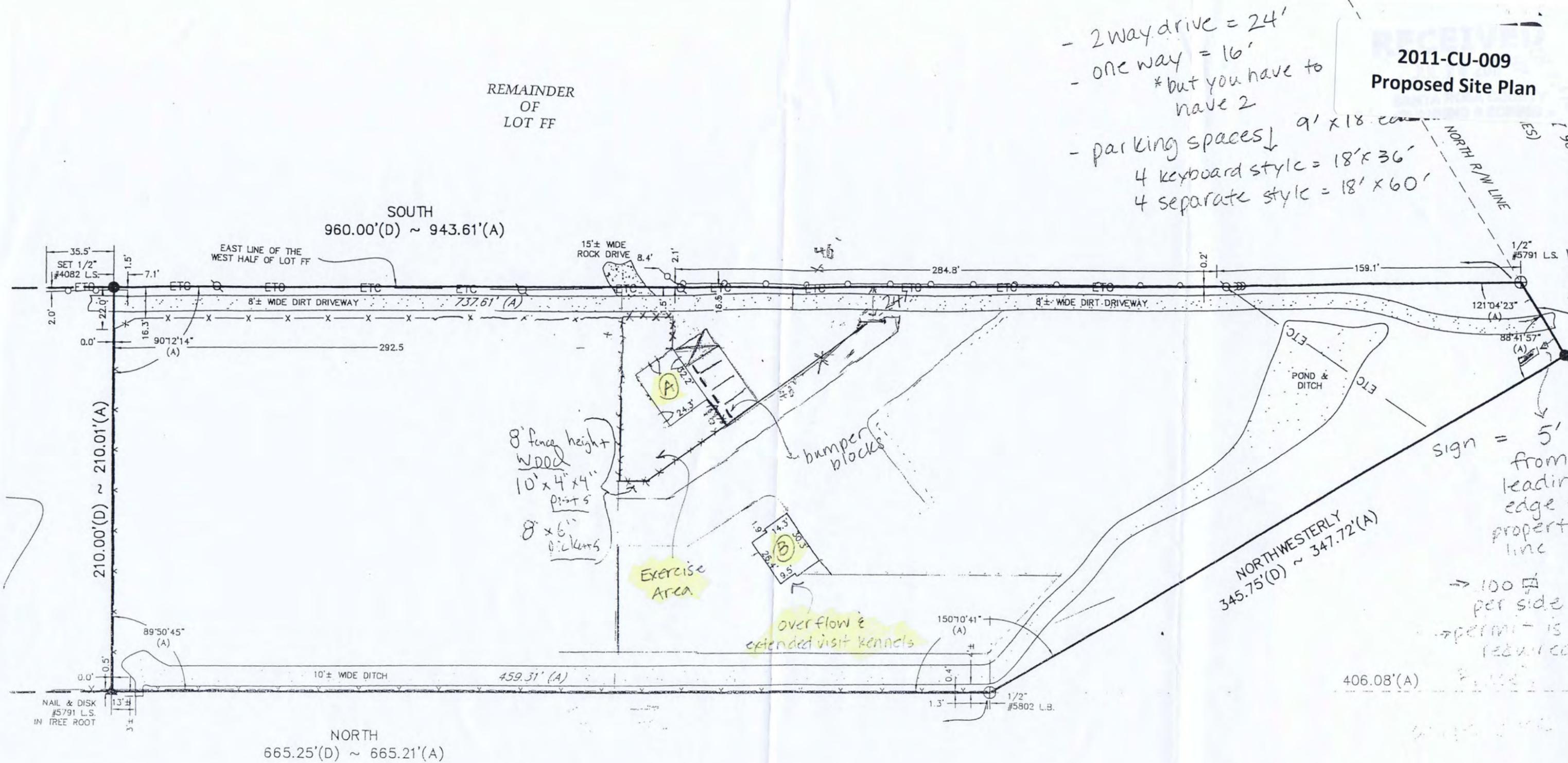
See Acoustic and Fire Assemblies document for more information.

The information contained in this document is for general information purposes only. Features and specifications are subject to change. The diagrams and stated STC ratings listed are intended to serve as a guide. Construction practices have an influence on final STC ratings. Serious Energy cannot guarantee actual STC ratings. Flanking sound patterns, the integrity of the wall, and floor and ceiling construction are important factors in effective sound control.

STCs shown are on 24" wood studs.

2011-CU-009
Proposed Site Plan

- 2 way drive = 24'
- one way = 16'
- *but you have to have 2
- parking spaces ↓ 9' x 18'
- 4 keyboard style = 18' x 36'
- 4 separate style = 18' x 60'



n, Range 26 West, in Lot FF as shown on Plot Book A at Page 70, of the Public int on the Northwest corner of Lot FF for a West half of Lot FF, 210 feet to the 100 feet along the East line of the West 1/2 S. Highway 98; thence Westerly 38 feet 15 feet to a point on the West line of the 1/2 S. Highway 98; thence

from the front of the property