# 2015-R-012

## *(Revised Changes shown in strikethrough and underline)*

| | |
|---|---|
| **Property Owner:** | Seven States Timberlands, LLC |
| **Agent:** | Carla Hinote |
| **Existing Zoning:** | AG2 (Agriculture District-2) |
| **Proposed Zoning:** | AG (Agriculture District) |
| **Existing FLUM:** | Agriculture |
| ***Zoning Board Recommendation:*** | ***The Recommendation for Approval with conditions failed.***<br><br>***Voting Result: 2 - 4***<br><br>***Denial votes: Alice Brupbacher, Bill Dubois, Colten Wright, and Jim Waite***<br><br>***The proposed condition was:***<br>***1) No infrastructure cost to incurred by the county.*** |
| ***Board of County Commissioner Decision:*** | ***Tabled from August 27, 2015 meeting*** |

# STAFF ANALYSIS

**Part I. General Information:**

**Applicant:** Seven States Timberlands,

**Agent:** Carla Hinote

**Project Location:** Ten Mile Road, Chumuckla

**Parcel Number:** ~~02-2N-30-0000-00100-0000, 03-2N-30-0000-00100-0000, 10-2N-30-0000- 00100-0000, 11-2N-30-0000-00100-0000, 39-3N-30-0000-00100-0000, and 40-3N-30-0000-00200-0000~~

**APO 02-2N-30-0000-00100-0000,**

**Parcel Size:** ~~2,047.00~~ **266.00** (+/-) acres

**Purpose:** Single family residential

**Requested Action:** Amendment of the Land Development Code Official Zoning Map changing the zoning district **from AG2 to AG**.

**The applicant has requested the following condition be placed on the rezoning request:**
**1) The minimum lot size is 4 acres.**

**Existing Zoning Description:** AG2 (Agricultural District-2) allows detached single family residential structures and mobile homes. Also allows accessory structures, facilities and uses customarily found on farms and used expressly for activities conducted in connection with farming operations, commercial and non-commercial agriculture, poultry, horse and livestock raising, provided all buildings for such accessory uses meet setback requirements for primary buildings. Maximum allowable density = 1 dwelling unit (du) per 15 acres.

**Proposed Zoning Description:** AG (Agriculture District) allows detached single family residential structures and mobile homes. Also allows accessory structures, facilities and uses customarily found on farms and used expressly for activities conducted in connection with farming operations, commercial and non-commercial agriculture, poultry, horse and livestock raising, provided all buildings for such accessory uses meet setback requirements for primary buildings. Maximum allowable density = 1 dwelling unit (du) per acre.

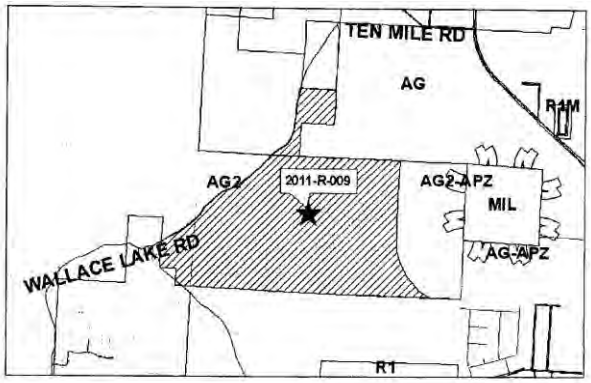
**Existing FLUM:** Agriculture (max 1 du per acre)

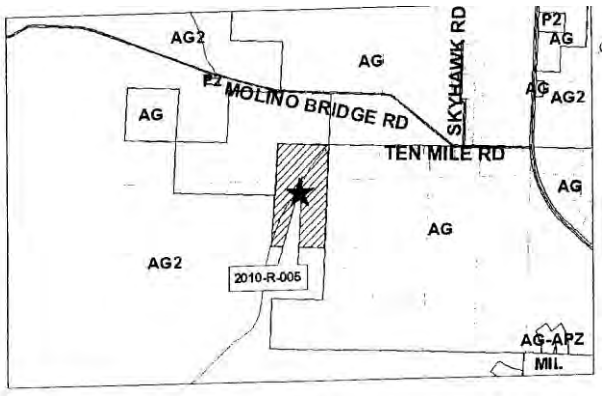
**Current Use of Land:** Property Appraiser's records and aerial photography indicate the property is wooded and vacant.

**Surrounding Zoning:** The property is surrounded by Ag to the east, south with Ag-2 to the north and west.

**Rezoning History**: In 2010, 80 acres located to the east of the subject property was requested to be rezoned from AG2 to AG and was approved with the following conditions: 1) The signed dedication will be included as part of the ordinance, the declaration states that the sub parcels can not be subdivided unless the subdivided parcel has frontage on a paved county road or if it is included in a recorded subdivision plat; 2)Deeding right of way to the county along Ten Mile Road and Dewey Jernigan Road as depicted in the survey of such right of way performed by Benchmark Surveying 3) No mobile homes will be permitted. A copy of the declaration.and minutes from the Board of County Commissioners meeting has been included in this package.

In 2011, 1,027 acres located on the east of the subject property and south of the 80 acres that was rezoned in 2010 request to be rezoned from AG2 to AG and was approved with the following conditions: 1) Up front payment to the county of cost of materials to pay for the materials to pave approximately 1.65 miles of Ten Mile Road. If cost overruns are encountered, Figure 8 would be expected to compensate the County after completion of the paving; 2) No parcel division prior to paying for the paving of Ten Mile Road; 3) Deeding a 30 foot strip of property from the current centerline of Ten Mile Road and Wallace Lake Road to the County for right-of-way as their proportionate share of a 60 foot wide deeded right of way along those roads. Where lots have already been surveyed out along Wallace Lake Road, which provided for a 50 foot wide right of way, deed 5 foot wide drainage easements to the County along both sides of the road to provide the "equivalent" of a 60 foot wide right of way; 4) A blanket drainage easement, until such time as specific drainage easements can be worked out between the County and Figure 8; and 5) No mobile homes permitted. I have included a copy of the minutes from the Board of County Commissioners meeting.






**Part II. Data and Analysis** (Consistency with the Santa Rosa County Comprehensive Plan):

**A. Infrastructure Availability:**

**(1) Traffic:**

Assuming all of the projected vehicle trips will impact Ten Mile Road., the current zoning could allow approximately ~~650~~ **81** daily vehicle trips onto Ten Mile Road. The proposed zoning could produce approximately ~~7,346~~ **954** daily vehicle trips on Ten Mile Road. The overall net affect upon the roadway is ~~6,696~~ **873** daily vehicle trips. This calculation was based on an estimated worst-case scenario of ~~1,535~~ **199** dwelling units which could potentially be achieved with a platted subdivision development. **The developer has requested that the minimum lot size be 4 acres which would reduce the dwelling units to 66 and the daily vehicle trips to 315. This would result in a net effect upon the roadway of 234 daily vehicle trips.**

~~The applicant has provided a lot layout showing 188 lots which can be done without adding or improving any roads. A section of county-maintained Wallace Lake Road runs through the southern segment of the subject property on a prescriptive easement. Rezonings along prescriptive easements typically include a condition that the applicant donate right of way to facilitate continued county maintenance. Since the applicant owns the property on both sides of this road segment, the donation of a 60' right of way should be required.~~

**The proposed rezoning lies along the portion of Ten Mile Road that is paved and appears to have a 60 foot right of way. To the north and south of the proposed rezoning Ten Mile Road is a prescriptive right of way. The portion of Ten Mile Road to the north has an unpaved section.**

**To access this proposed project from the north, you would turn off Chumuckla Highway onto Ten Mile Road Ten Mile Road is a narrow road with a prescriptive right of way that does not allow room for improvements. Access from the south is unimpaired.**

**(2) Potable Water:**

The applicant indicates that water will be handled by private wells (subject to required permits from the County Health Department). The Chumuckla Water System does have a 12" water main located on the west side of Chumuckla Highway (over 1 mile away) that the applicant could connect to; however, connection of this type of development is not required by current code. If they choose to connect, the applicant would be responsible for the cost to install the necessary pipes.

The Chumuckla Water System has expressed concern that continuation of this type of development pattern creates a barrier to future utility service expansion.

**(3) Sanitary Sewer:**

Sanitary sewer is not currently available at this location. The applicant indicates that sewer will be handled by private septic tanks (subject to required permits from the County Health Department). A map indicating suitability of soils for septic tanks is enclosed.

**(4) Solid Waste:**

The applicant indicates a private hauler will be used to transport solid waste from the site. Currently the landfill has approximately 52% of the permitted airspace remaining. Based on estimated population projections, the remaining life of this airspace is approximately 30 years.

**(5) Stormwater:**

Metes and bounds property divisions outside of identified stormwater problem areas are not reviewed by the county for stormwater management (water quantity and water quality). The Water Management District has stated that if the same builder constructed homes on 4 or more of the lots and they were in a contiguous manner where a stormwater collection and treatment system seemed reasonable or necessary then a stormwater system may be required. This would be at the building permit stage.

The Public Works Department has reviewed the proposed lot layout and has indicated a need for the developer to provide drainage easements along the west side of Ten Mile Road.

**(6) Public Schools:**

Joey Harrell with the Santa Rosa County School District has reviewed this application and indicates that school capacity is available to accommodate the proposed plan of development.

**B. Compatibility:**

Policy 5.1.C.8 of the Comprehensive Plan states:

*"the County shall continue to utilize the Future Land Use Map amendment, rezoning, conditional use and special exception approval process to assure that new proposed land uses are compatible with existing residential uses, and will not significantly contribute to the degradation of residential neighborhoods."*

Currently, the majority of the uses surrounding this site are agriculture and vacant lands, with residential properties throughout.

**C. Suitability:**

Policy 3.1.E.6 of the Comprehensive Plan states:

*"the County shall use the latest version of the Flood Damage Prevention Ordinance promulgated by the FEMA to determine the location of the 100-year floodplain and flood prone areas and development shall be limited in those areas, consistent with FEMA requirements."*

The property is located within FEMA Zone "X", which means an area determined to be outside 500- year flood plain.

Policy 8.1.A.1 of the Santa Rosa County Comprehensive Plan states:

*"Land uses that are consistent with the Future Land Use Map will be allowed so long as they are designed to avoid or minimize impact on jurisdictional wetlands. …New lots shall not be created and/or platted that do not contain sufficient buildable upland areas in order to provide a reasonable use for the lot under the requirements of the Comprehensive Plan."*

The National Wetlands Inventory Map indicates possible wetlands located onsite. The project acreage is sufficient to easily enable with division of land consistent with this policy. The proposed rezoning to Ag would not necessarily result in a greater impact to on-site wetlands than would occur under the current zoning designation.

**D. Urban Sprawl**

Policy 3.1.G.4 of the Comprehensive Plan states:

*"no future land use category may be changed and no rezoning may be approved unless a finding is made that the change in land use or land use classification or zoning category will promote compact development and discourage urban sprawl.*

*The Santa Rosa County Board of County Commissioners shall be responsible for making such finding upon receipt of a report from the LPA."*

~~The applicant has provided a conceptual lot layout for the proposed rezoning. The number of lots shown on the conceptual layout is 188 lots. This can be achieved without going through the platting process and by just dividing lots off a county maintained or county approved roadway. There is a named roadway that runs north and south through the subject property which will allow for lots to be divided off of it. This road is visible on the aerials.~~

**The applicant has not provided a conceptual lot layout for the proposed rezoning, however, the rezoning request has frontage along Ten Mile Road. Property division can occur without going through the platting process and by just dividing lots off a county maintained or county approved roadway.**

A portion of the subject property is located south of the Rural Protection Zone; the remainder is located within the Transition Zone. While the development pattern in this area has progressed to the north and west in recent years, it has done so via metes and bounds property divisions (unplatted) without the inclusion of typical services such as sewer, fire hydrants, stormwater systems, and in some cases without public water. In one area a county road was voluntarily brought up to standard by a developer (Wallace Lake Road) and in one other case the cost to pave a county road was made a condition of the rezoning (not complete), but in most instances these property divisions occur without improvements to existing roadways or the creation of new roads.

~~Approval of this large area for single family, un-platted development would not promote compact urban development and would be considered urban sprawl.~~

**Development of 4 acre minimum lot size parcels would provide a reasonable transition between the AG to the east and the AG2 to the west.**

**2015-R-012 Traffic Analysis Appendix**

**For the AG2 estimation:**

Single Family Detached Housing (210)

**Gross Density Calculation**
~~2,047acres x (1 du/15 acre) = 136 possible units~~
~~ITE Average Rate: 9.57 x 136 = 1,031.52 Average Daily Vehicle Trips~~
~~Driveway% 0.50 x 1,031.52 =650 Daily Vehicle Trips~~
~~New Trip% = 100%; 650 x 1.00 = 650 New Daily Vehicle Trips~~

**266 acres x (1 du/15 acre) = 17 possible units**
**ITE Average Rate: 9.57 x 17 = 162.69 Average Daily Vehicle Trips**
**Driveway% 0.50 x 162.69 =81 Daily Vehicle Trips**
**New Trip% = 100%; 650 x 1.00 = 81 New Daily Vehicle Trips**

Selection of the ITE data plot (21) for single family detached housing was made because this was the worst case scenario or the maximum allowable level of development intensity within the zoning district. The independent variable (Dwelling Units) was chosen in accordance with professionally accepted practices: there was a coefficient of determination of 0.96 for this data plot; the standard deviation was 3.69 for this data plot; and there was a large sample size (350 studies).

**For the AG estimation:**

Single Family Detached Housing (210)

**Gross Density Calculation**
~~2,047 acres x (1 du/1acre) = 2,047 possible units~~
~~ITE Average Rate: 9.57 x 2,047 = 19,589.79 Average Daily Vehicle Trips~~
~~Driveway% 0.50 x 19,589.79 =9,794.89 Daily Vehicle Trips~~
~~New Trip% = 100%; 9,794.89 x 1.00 = 9,794.89 New Daily Vehicle Trips~~

**266 acres x (1 du/1acre) = 266 possible units**
**ITE Average Rate: 9.57 x 266 = 2,545.62 Average Daily Vehicle Trips**
**Driveway% 0.50 x 2,545.62 =1,272.81 Daily Vehicle Trips**
**New Trip% = 100%; 1,272.81 x 1.00 = 1,272 New Daily Vehicle Trips**

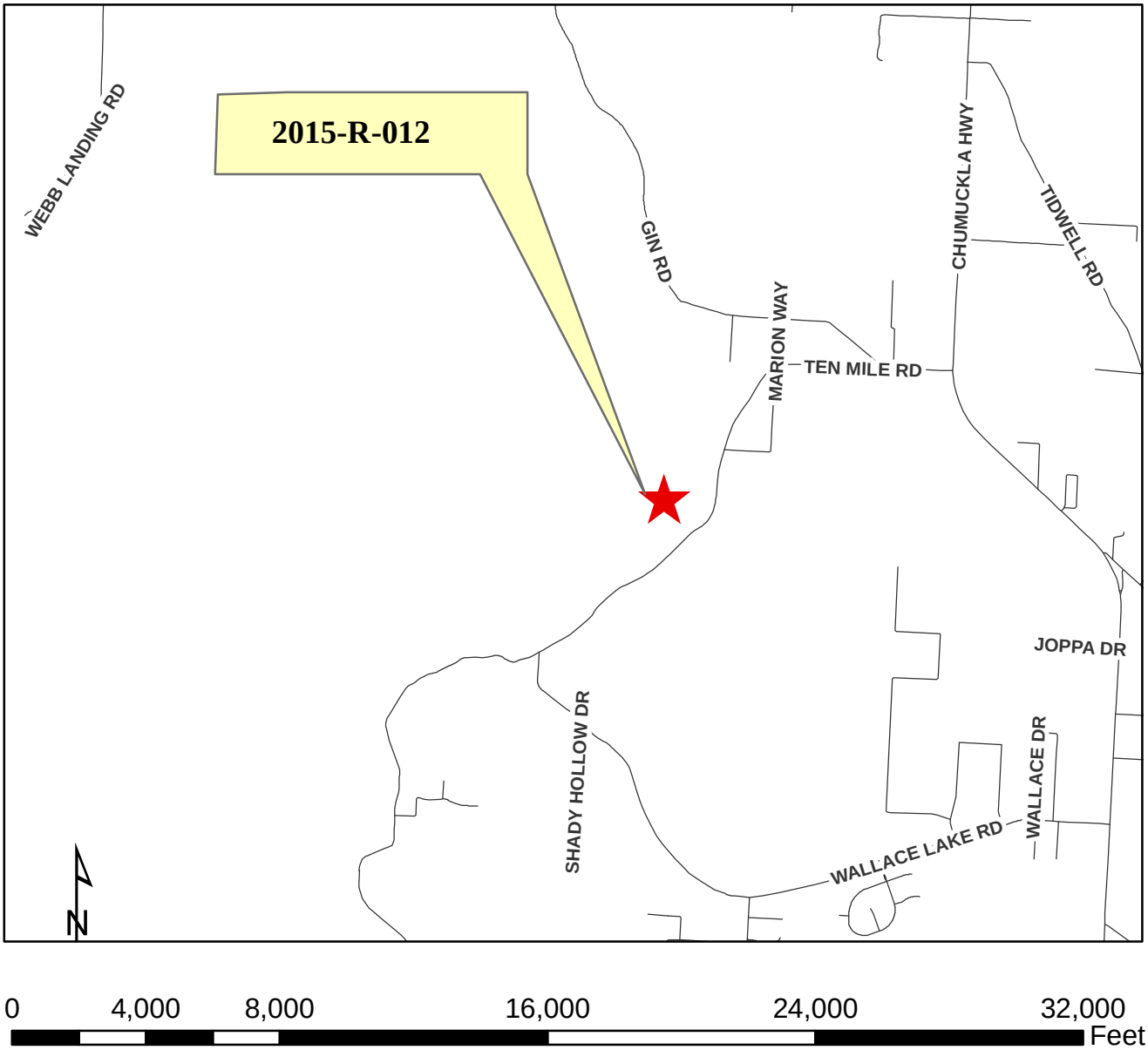
**Net Density Calculation (based on 75% of gross density)**
~~2,047 acres x (0.75 du/1acre) = 1,535.25 possible units~~
~~ITE Average Rate: 9.57 x 1,535.25 = 14,692.34 Average Daily Vehicle Trips~~
~~Driveway% 0.50 x 14,695.34 =7,346.14 Daily Vehicle Trips~~
~~New Trip% = 100%; 7,346.17 x 1.00 = 7,346.14 New Daily Vehicle Trips~~

**266 acres x (0.75 du/1acre) = 199.5 possible units**
**ITE Average Rate: 9.57 x 199.5 = 1,909.215 Average Daily Vehicle Trips**
**Driveway% 0.50 x 1,909.215 =954.6075 Daily Vehicle Trips**
**New Trip% = 100%; 954.6075 x 1.00 = 954 New Daily Vehicle Trips**

**Density Calculation based upon requested minimum lot size**
**266 acres x (1du/ 4 acres) = 66 possible units**
**ITE Average Rate: 9.57 x 66 = 631.62 Average Daily Vehicle Trips**
**Driveway% 0.50 x 631.62 =315.81 Daily Vehicle Trips**
**New Trip% = 100%; 315.81x 1.00 = 315 New Daily Vehicle Trips**

Selection of the ITE data plot (210) for single family detached housing was made because this was the worst case scenario or the maximum allowable level of development intensity within the zoning district. The independent variable (Dwelling Units) was chosen in accordance with professionally accepted practices: there was a coefficient of determination of 0.96 for this data plot; the standard deviation was 3.69 for this data plot; and there was a large sample size (350 studies).

# 2015-R-012
# Location




## Legend

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# 2015-R-012
# Zoning

**Legend**

PendingZBMay

- Agriculture/Rural Residential (AG)
- AG within an Accident Potential Zone (AG-APZ)
- Agriculture (AG2)
- AG2 within an Accident Potential Zone (AG2-APZ)
- Marina (C-1M)
- Marina and Yacht Club (C-2M)
- Historical/Commercial (HC-1)
- Highway Commercial Development (HCD)
- HCD within an Accident Potential Zone (HCD-APZ)
- HCD within the Heart of Navarre (HCD-HON)
- HCD with the Navarre Town Center (HCD-NTC)
- Historical/Single Family (HR-1)
- Historical/Multiple Family (HR-2)
- Restricted Industrial (M-1)
- M1 within an Accident Potential Zone (M1-APZ)
- M1 within the Heart of Navarre (M1-HON)
- General Industrial (M-2)
- M2 within an Accident Potential Zone (M2-APZ)
- Planned Industrial Development (PID)
- Neighborhood Commercial (NC)
- NC-APZ
- NC within the Heart of Navarre (NC-HON)
- Passive Park (P-1)
- P1 within the Heart of Navarre (P1-HON)
- Active Park (P-2)
- P2 within an Accident Potential Zone (P2-APZ)
- P2 within the Heart of Navarre (P2-HON)
- Planned Business District (PBD)
- Planned Unit Development (PUD)
- Single Family Residential (R-1)
- R1 within an Accident Potential Zone (R1-APZ)
- R1within the Heart of Navarre (R1-HON)
- Single Family Residential (R-1A)
- Mixed Residential Subdivision (R-1M)
- R1M within an Accident Potential Zone (R1M-APZ)
- R1M within the Heart of Navarre (R1M-HON)
- Medium Density Residential (R-2)
- R2 within an Accident Potential Zone (R2-APZ)
- R2 within the Heart of Navarre (R2-HON)
- Medium Density Mixed Residential (R-2M)
- R2M within an Accident Potential Zone (R2M-APZ)
- R2M-HON
- Medium High Density Residential (R-3)
- Rural Residential Single Family (RR-1)
- RR1 within an Accident Potential Zone (RR1-APZ)
- Navarre Town Center 1 (TC1)
- Navarre Town Center 2 (TC2)
- Navarre Beach - Commercial (NB-C)
- Hotel - Navarre Beach (HNB)
- Navarre Beach - High Density (NB-HD)
- Navarre Beach -Medium Density (NB-MD)
- Navarre Beach - Planned Mixed Use Development (NB-PMUD)
- Navarre Beach - Conservation/Recreation (NB-CON/REC))
- Navarre Beach - Single Family (NB-SF)
- Navarre Beach - Medium High Density (NB-MHD)
- Navarre Beach - Utilities (NB-U)
- State
- State within an Accident Potential Zone (STATE-APZ)
- RAIL
- Right of Ways (ROAD)
- Military (MIL)
- Water
- Municipal Boundaries (CITY)


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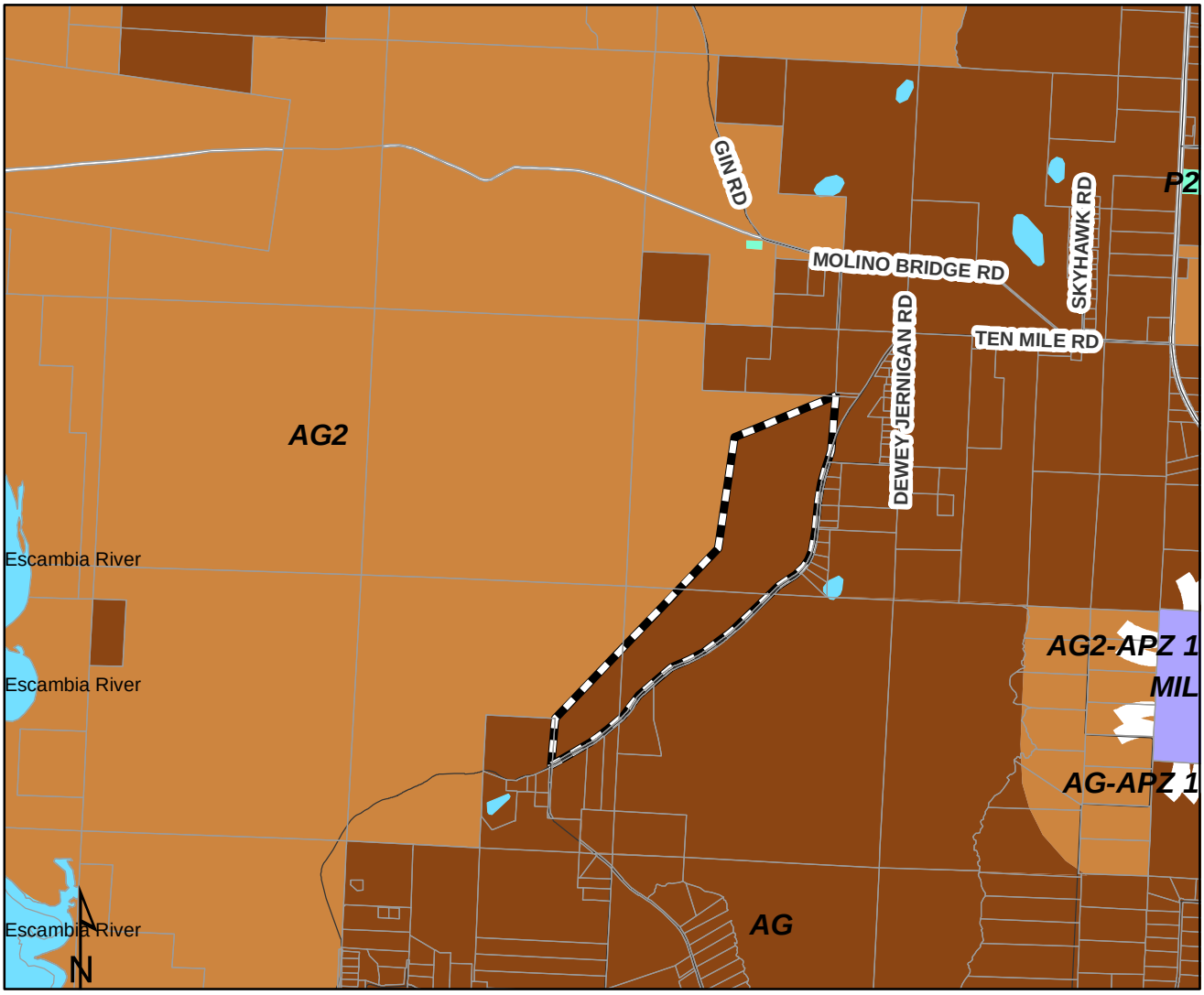
# 2015-R-012
# Proposed Zoning




**Legend**

PendingZBMay

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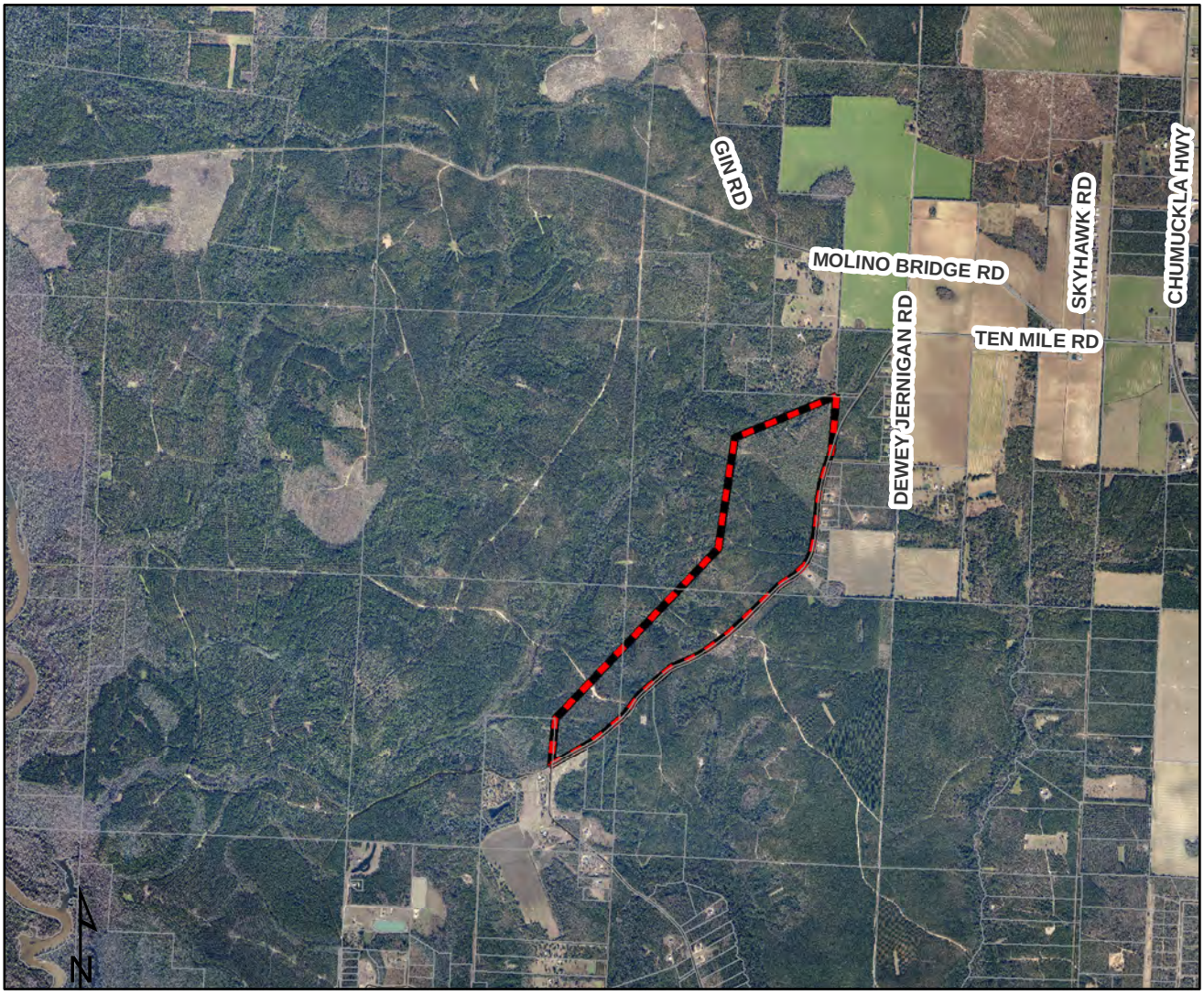
# 2015-R-012
# Aerial




0 2,800 5,600 11,200 16,800 22,400 Feet

**Legend**

PendingZBMay

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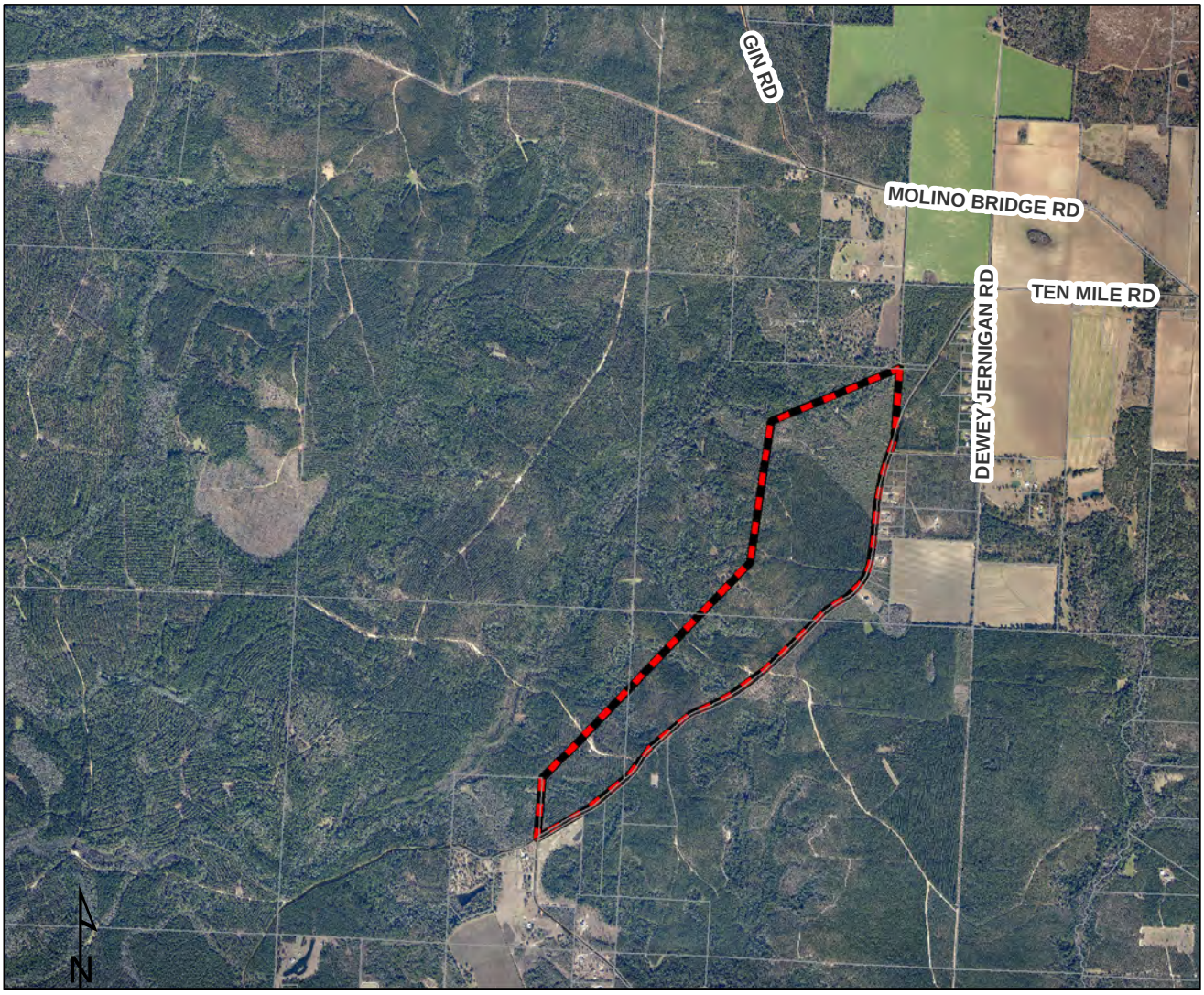
# Close Up Aerial




0 2,200 4,400 8,800 13,200 17,600 Feet

**Legend**

PendingZBMay

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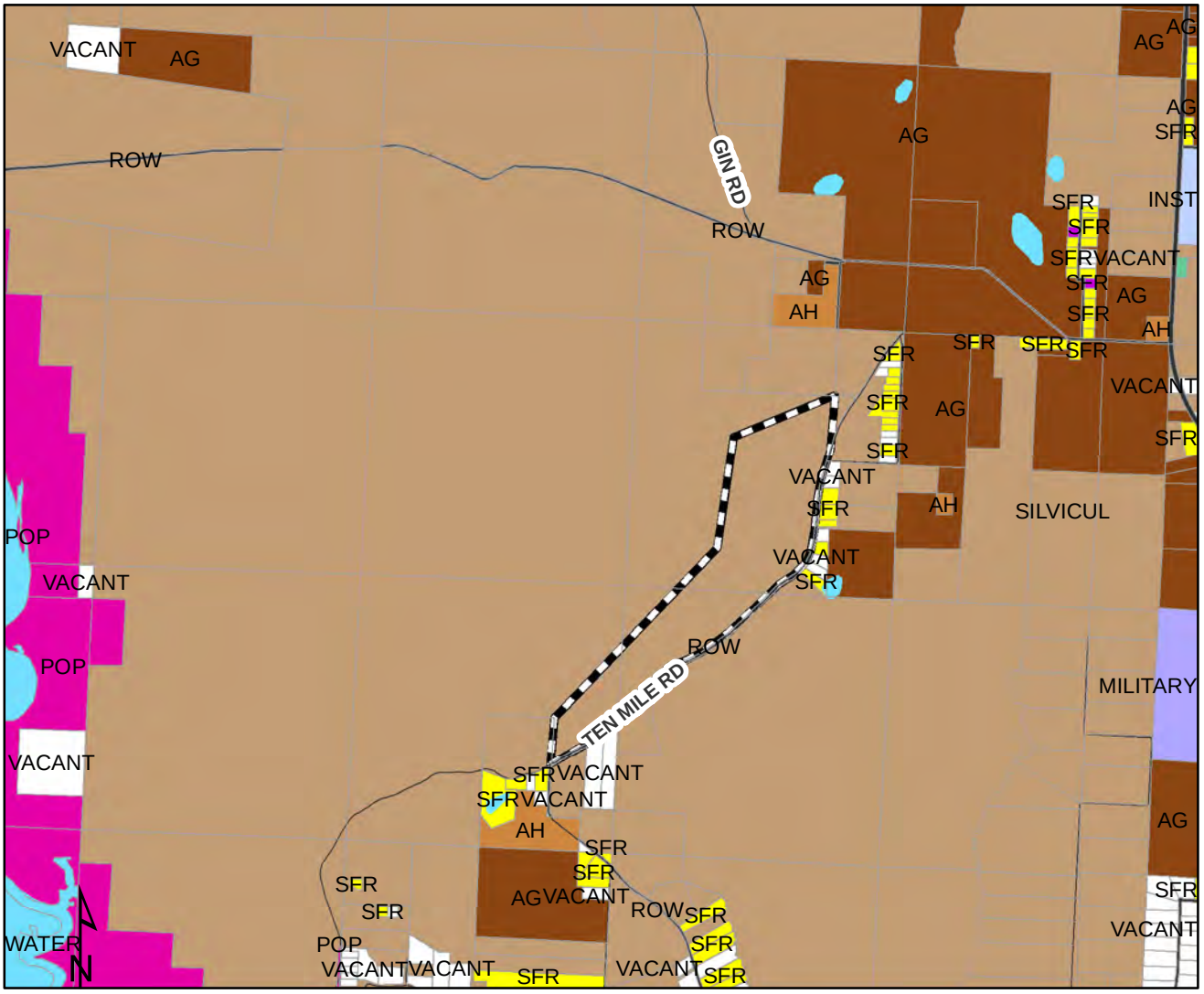
# 2015-R-012
# Existing Land Use




0 2,800 5,600 11,200 16,800 22,400 Feet

**Legend**

PendingZBMay

**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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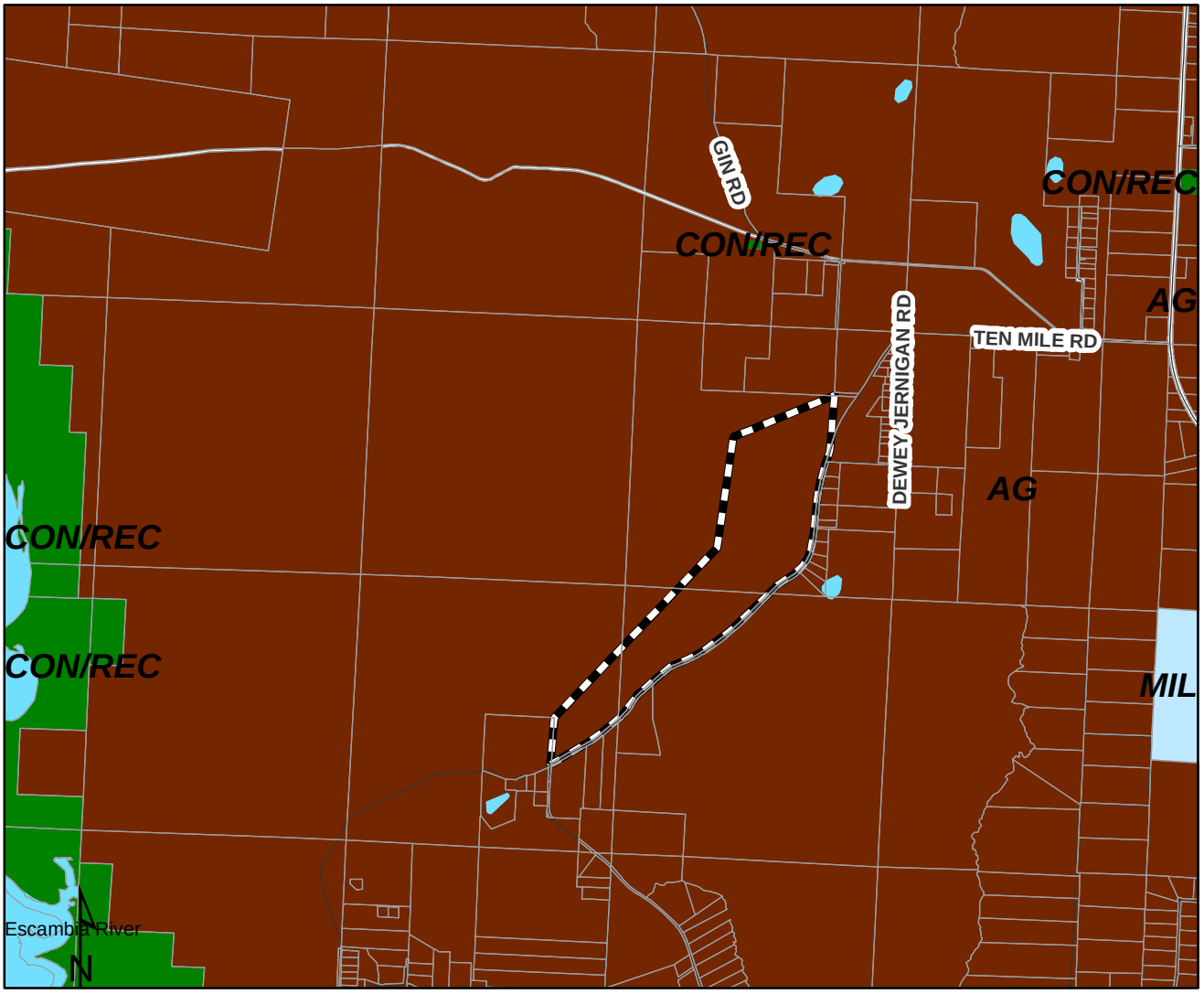
# Future Land Use




0 2,800 5,600 11,200 16,800 22,400 Feet

**Legend**

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

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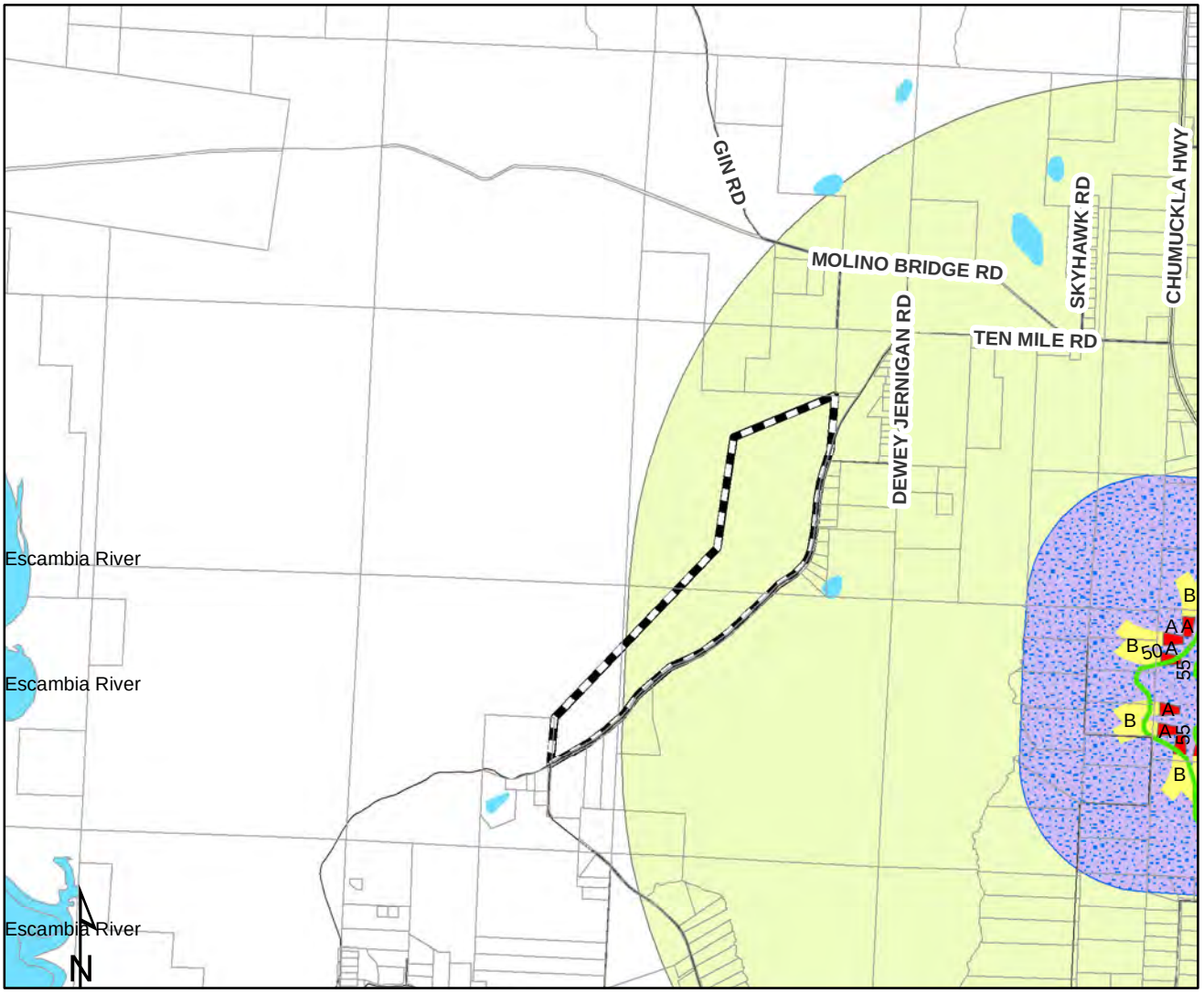
# 2015-R-012
# Military Airport Environs




0 2,800 5,600 11,200 16,800 22,400 Feet

**Legend**

- PendingZBMay
- Airfields
- A - Clear Zone - High Accident Potential
- B - APZ 1 - Significant Accident Potential
- C - APZ 2 - Measurable Accident Potential
- Military/Private Airport Zone
- Airfield Notification Zones
- Private/Military Airport Influence Area

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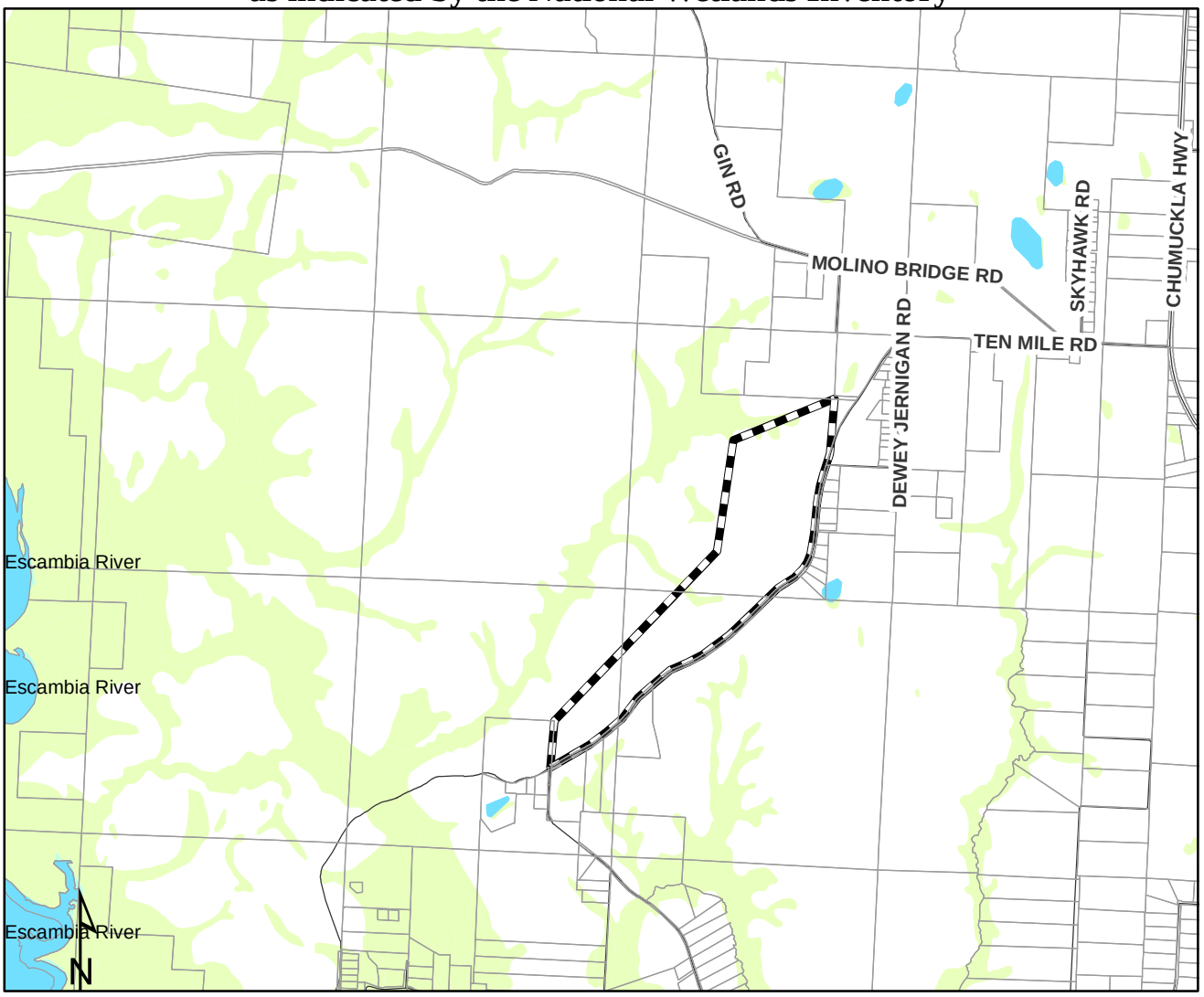
# 2015-R-012
# Potential Wetlands
# as indicated by the National Wetlands Inventory




0 2,800 5,600 11,200 16,800 22,400 Feet

**Legend**

PendingZBMay

**Potential Wetlands**

**DESCRIPT**

- ESTUARINE
- LACUSTRINE
- PALUSTRINE
- RIVERINE
- MARINE

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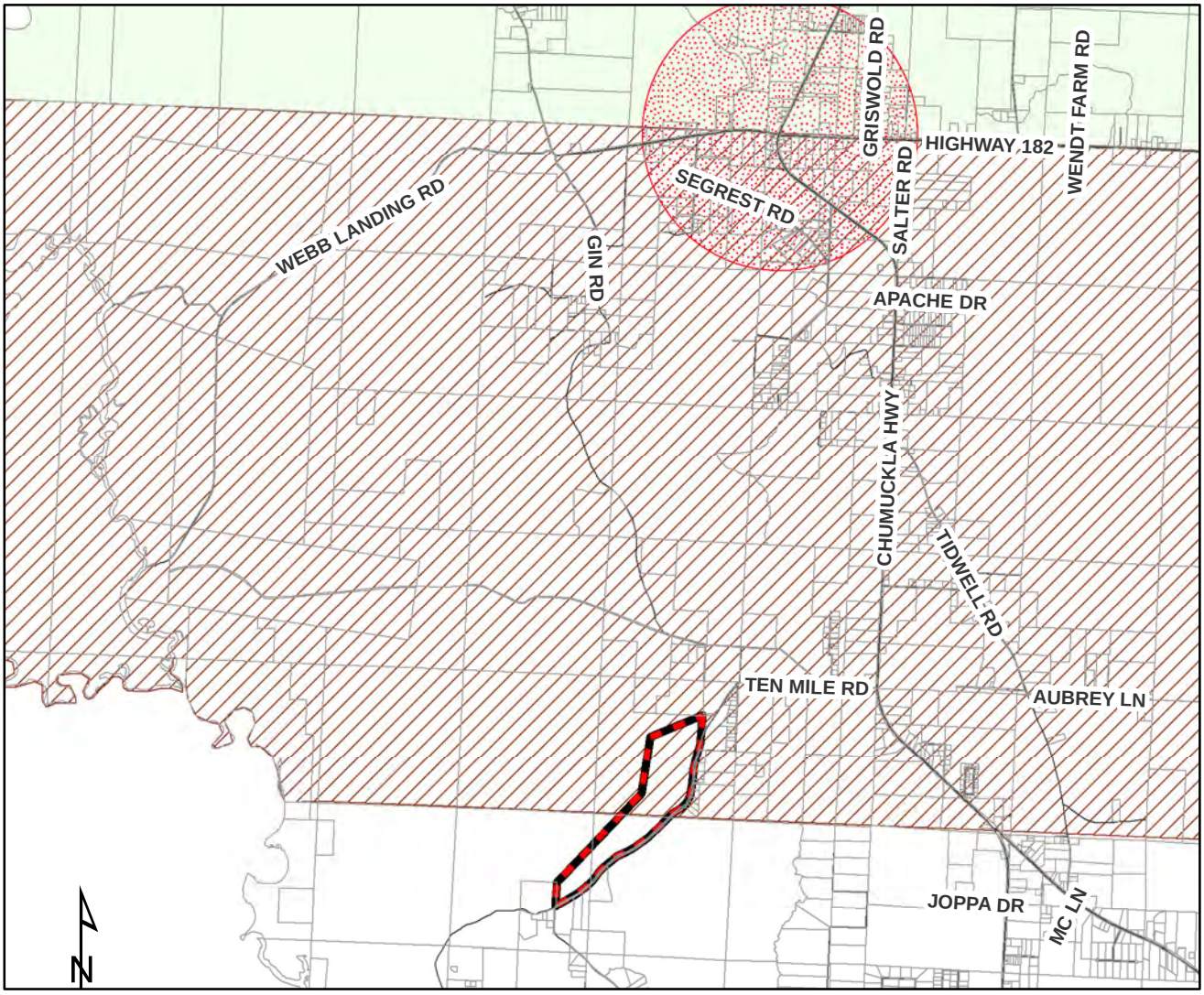
# 2015-R-012
# Rural Protection Zone - Transition Area




0 5,000 10,000 20,000 30,000 40,000 Feet

## Legend

- PendingZBMay
- RPZ Transition Area
- RPZ Crossroad Communities
- RPZ Boundary

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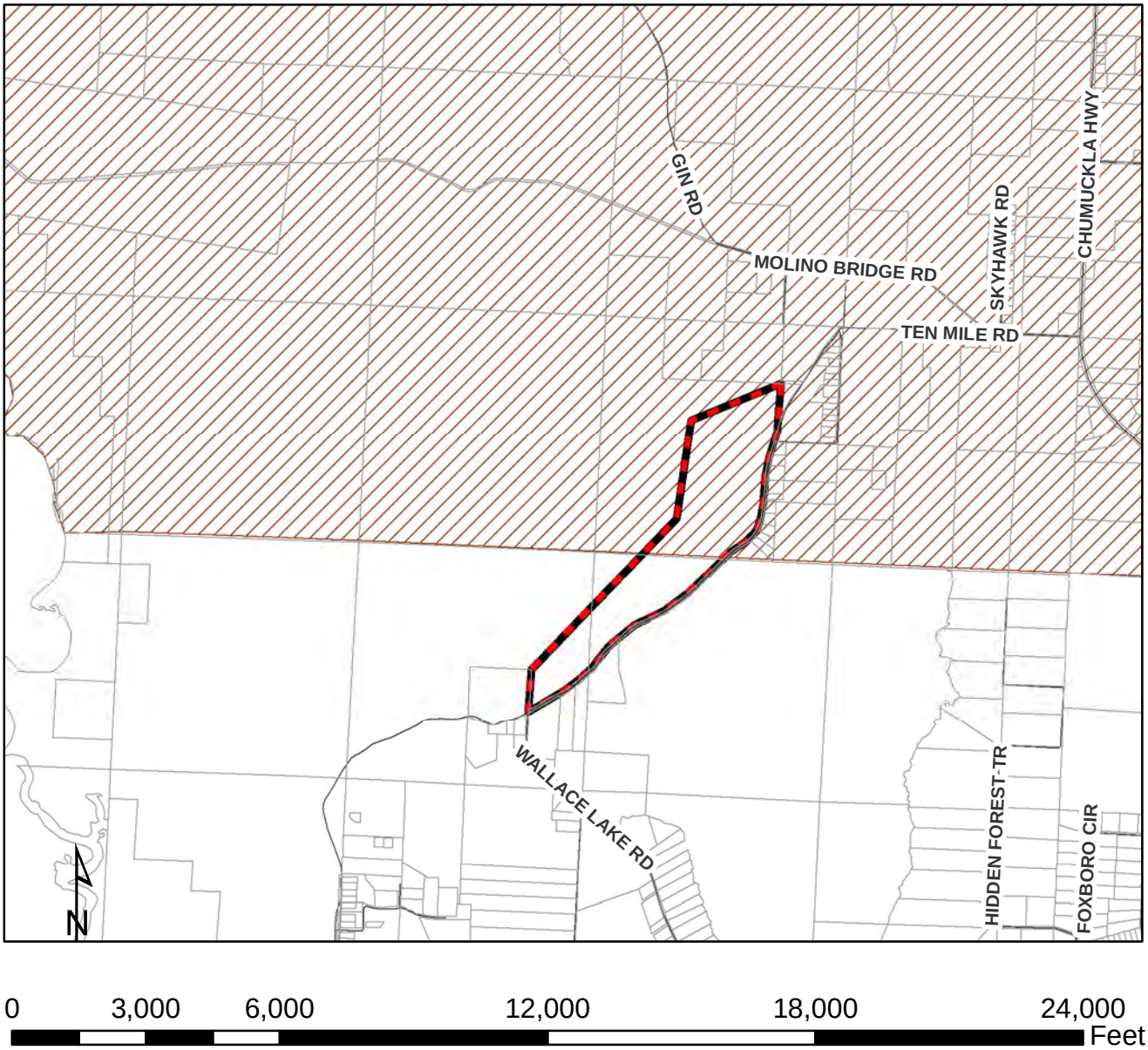
# 2015-R-012
# Rural Protection Zone - Transition Area




0 3,000 6,000 12,000 18,000 24,000 Feet

## Legend

- PendingZBMay
- RPZ Transition Area
- RPZ Crossroad Communities
- RPZ Boundary

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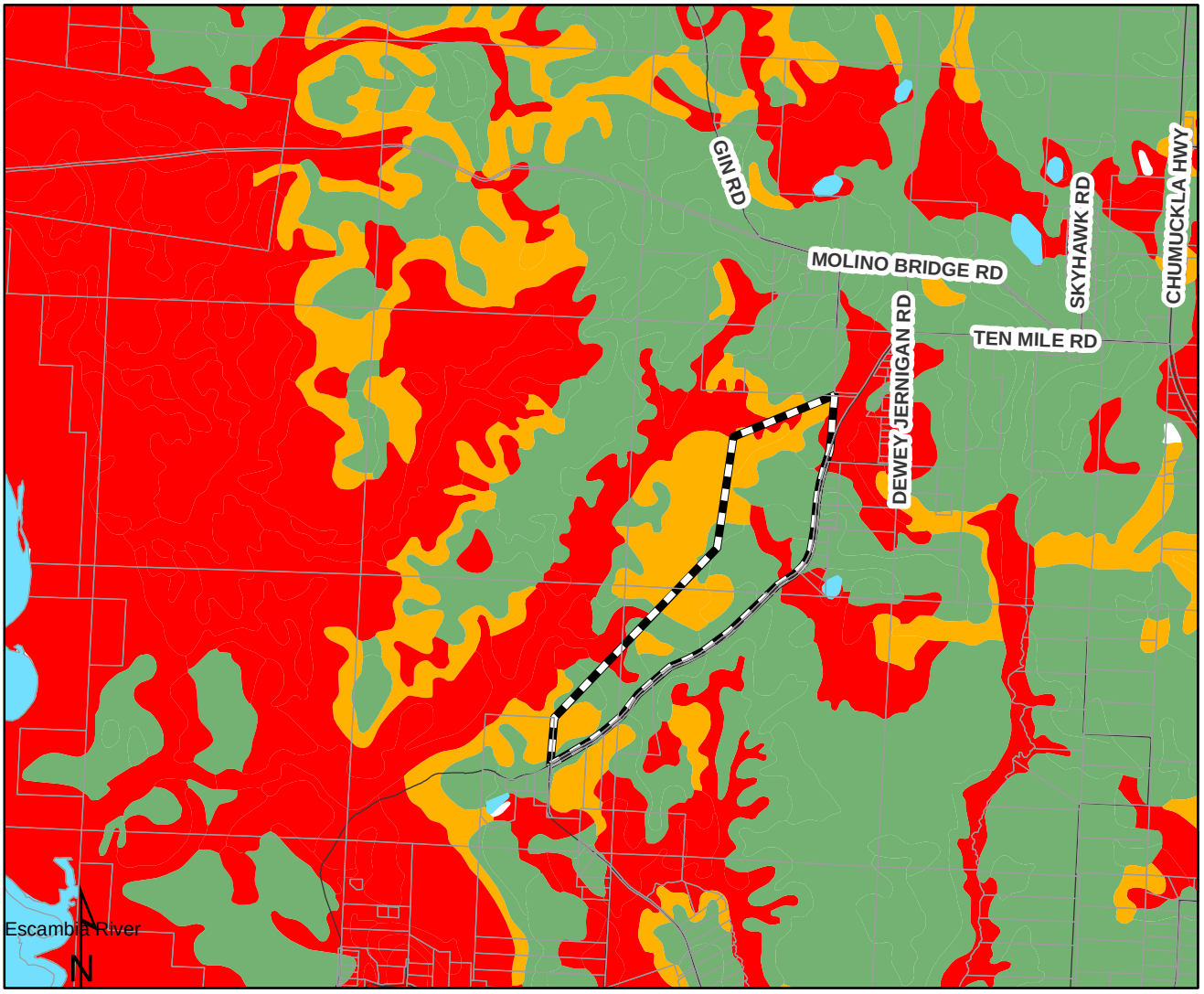
# 2015-R-012
# Septic Tank Suitability Based on Soil Survey




0 2,800 5,600 11,200 16,800 22,400 Feet

## Legend

PendingZBMay

### Map Unit Symbol

Limitations are Slight for Septic Tank Absorption Fields

Limitations are Moderate for Septic Tank Absorption Fields

Limitations are Severe for Septic Tank Absorption Fields

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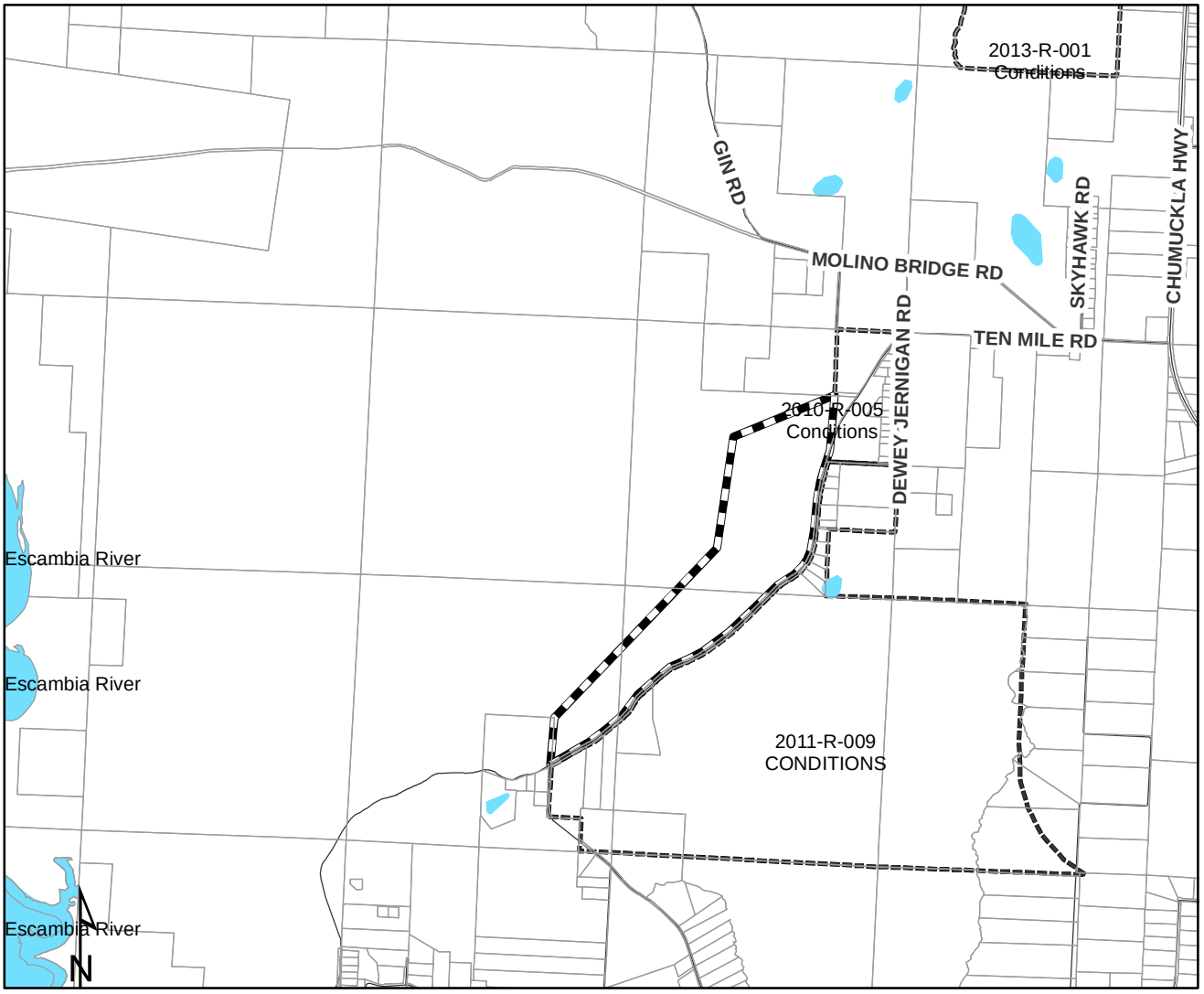
# 2015-R-012
# Previous Zoning Board Decisions in the Area




**Legend**

PendingZBMay

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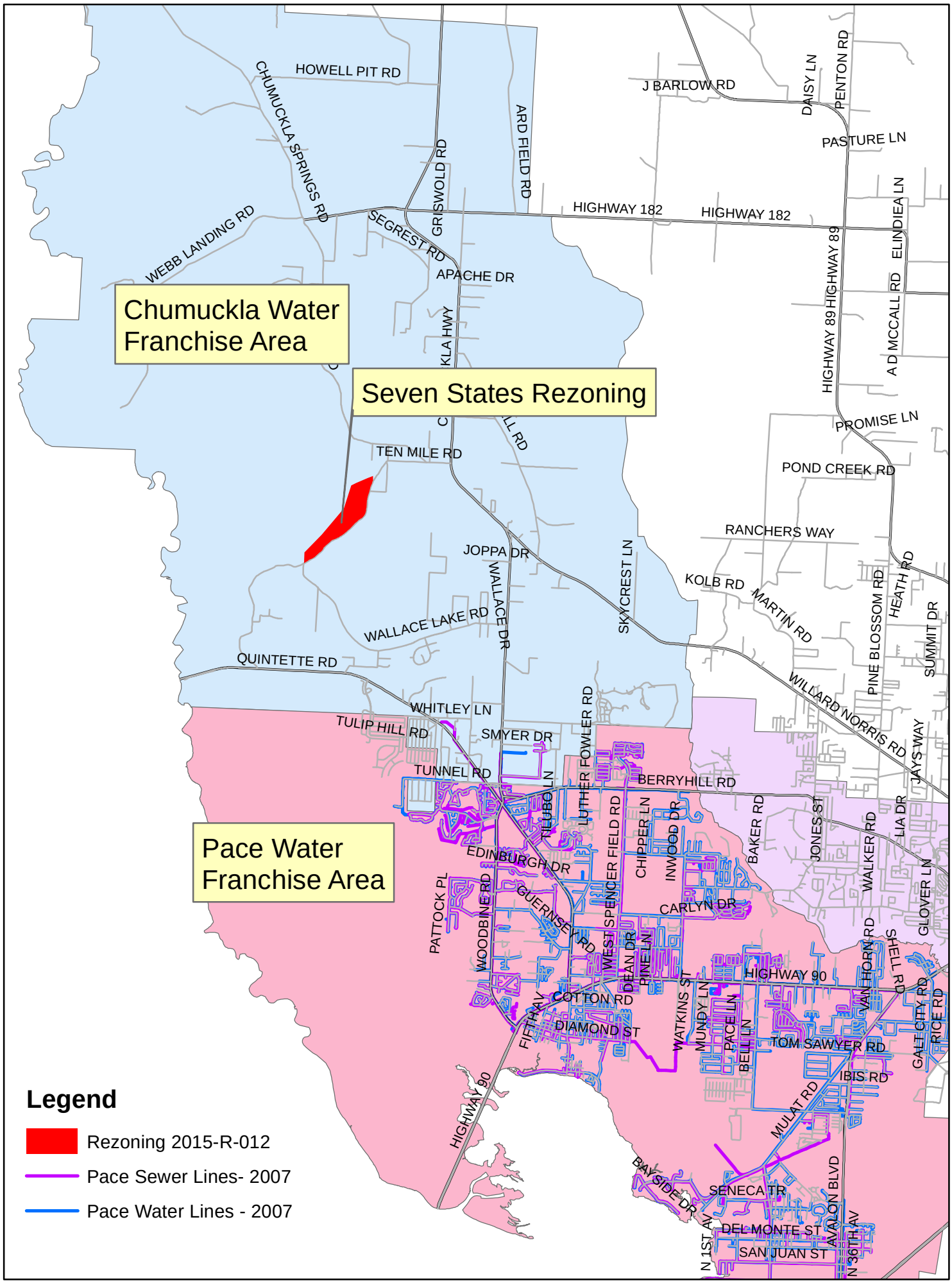
Chumuckla Water Franchise Area
Seven States Rezoning
Pace Water Franchise Area
HOWELL PIT RD
CHUMUCKLA SPRINGS RD
J BARLOW RD
DAISY LN
PENTON RD
PASTURE LN
ARD FIELD RD
GRISWOLD RD
HIGHWAY 182
HIGHWAY 182
ELINDIEA LN
WEBB LANDING RD
SEGREST RD
APACHE DR
HIGHWAY 89
HIGHWAY 89
A D MCCALL RD
KLA HWY
PROMISE LN
TEN MILE RD
POND CREEK RD
RANCHERS WAY
JOPPA DR
WALLACE DR
SKYCREST LN
KOLB RD
MARTIN RD
HEATH RD
PINE BLOSSOM RD
SUMMIT DR
WALLACE LAKE RD
QUINTETTE RD
WILLARD NORRIS RD
JAYS WAY
WHITLEY LN
TULIP HILL RD
SMYER DR
LUTHER FOWLER RD
TUNNEL RD
BERRYHILL RD
LIBBO LN
SPENCER FIELD RD
CHIPPER LN
INWOOD DR
BAKER RD
JONES ST
WALKER RD
LIA DR
EDINBURGH DR
GUERNSEY RD
CARLYN DR
PATTOCK PL
WOODBINE RD
WEST
DEAN DR
PINE LN
HIGHWAY 90
VANHORN RD
SHELL RD
GLOVER LN
COTTON RD
WATKINS ST
MUNDY LN
PACE LN
BELL LN
GALT CITY RD
RICE RD
FIFTH AV
DIAMOND ST
TOM SAWYER RD
IBIS RD
HIGHWAY 90
MULAT RD
BAYSIDE DR
SENECA TR
AVALON BLVD
DEL MONTE ST
SAN JUAN ST
N 1ST AV
N 36TH AV
Legend
Rezoning 2015-R-012
Pace Sewer Lines- 2007
Pace Water Lines - 2007

Looking south down Ten Mile Road, subject site is on our right

Looking across Ten Mile Road, subject site is behind us

Looking North up Ten Mile Road

The proposed rezoning has over a mile of frontage on Ten Mile Road.  This is looking north up Ten Mile Road.

# 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

## Rezoning Application

* For Rezoning only – no Future Land Use Map (FLUM) Amendment required

** Application Instructions begin on Page 4

| ** For Official Use Only ** | | | |
|---|---|---|---|
| Application No. | 2015 - R - 012 | Date Received: | 4-2-15 |
| Review Fee: | $ 1100 + 106.24 | Receipt No.: | 119 |
| Zoning District: | AG II | Proposed Zoning District: | AG |

± 2,047.03 VO # 3

**Property Owner**

Property Owner Name: Seven States Timberlands, LLC

Address: 654 North State Street

Jackson, MS. 39202

Phone: 601-948-8733, x. 343 Fax: 601-960-0850

Email: ccollins@molpus.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 rezoning approvals.

Company: _____

Contact Name: _____

Address: _____

_____

Phone: _____ Fax: _____

Email: _____

**Property Information**

Parcel ID Number(s): 02-2N-30-0000-00100-0000, 40-3N-30-0000-00200-0000, 39-3N-30-0000-00100-0000, 11-2N-30-0000-00100-0000, 10-2N-30-0000-00100-0000 , 03-2N-30-0000-00100-0000

**-OR-**

Street Address of property for which the Rezoning is requested:

area of 2000 block Wallace Lake Road, Pace, FL 32571

Subdivision Name (if applicable): _____

**Project Details**

Size of parcel (in acres or square footage) to be considered for the Rezoning.

2,047.03 ac. ±

Existing Zoning: AG-2 Proposed Zoning: AG

Existing FLUM: AG

If the amendment is granted, the property will be used for (Please be as specific as possible):

Residential Dwellings/Ranchettes

**Facility Capacity Analysis**

You must provide information concerning the site's access to potable water, sewage disposal solid waste disposal, roads, and stormwater control. If potable water and/or sewage are to be provided by a utility, you must attach a letter from the servicing utility provider that certifies Adequate capacity is available to serve the site requested for rezoning.

**Potable Water Source (check one):**

| | | |
|---|---|---|
| Private Water Well(s) | ☒ | |
| Private Community System | ☐ | Provider: _____ |
| Public Water System | ☐ | Provider: _____ |
| | | (Attach Letter of Certification) |

**Sewage Disposal Source (check one):**

| | | |
|---|---|---|
| Private Septic Tank | ☒ | |
| Private Sewage System | ☐ | Provider: _____ |
| Public Sewage System | ☐ | Provider: _____ |
| | | (Attach Letter of Certification) |

**School Capacity** (for rezoning requests involving more than 10 acres of property or proposed for residential development of more than 10 dwelling units per acre):

Staff will submit a school impact analysis to the Santa Rosa County School Board requesting a determination of student capacity. In the event that there is not adequate capacity available as calculated, the School Board shall entertain proportionate share mitigation; and, if the proposed mitigation is accepted, enter into an enforceable and binding agreement with the affected local government and the developer.

**Recreation/Open Sapce:** _____

_____

**Certification and Authorization**

1. By my signature hereto, I do hereby certify that the information contained in this application 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.
2. I do hereby authorize County staff to enter upon my property at any reasonable time for purposes of site inspection.
3. I do hereby authorize the placement of a public notice sign(s) on my property at a location(s) to be determined by the County staff.
4. If applicable, I do hereby authorize the Agent shown as the applicant on this application to act on my behalf in all matters pertaining to this Rezoning application.

Seven States Timberlands, LLC
Property Owner Name (Type or Print)

Property Owner Signature

By: The Molpus Woodlands Group, LLC
Title (if applicable) Its: Manager

3/30/15
Date

By: Marc E Power
Value Add Coordinator

NOT INCLUDED
NOT INCLUDED
NOT INCLUDED
NOT INCLUDED
NOT INCLUDED
NOT INCLUDED
S87°16'44"E
429.00'
2651.83'
N2°36'15"E
S34°55'37"W
321.74'
S60°47'49"W
2567.90'
498.37'
S16°45'00"W
S14°56'46"W
528.41'
ROAD
1688.83'
S3°17'38"W
305.24'
S8°00'37"W
677.44'
S5°30'30"W
S9°05'41"W
149.12'
ARC-763.37'
183.50'
S58°04'23"W
ARC-235.59'
917.41'
S45°17'26"W
4776.99'
N43°27'57"E
ARC-1164.06'
47.98'
S60°21'47"W
190.74'
S66°02'02"W
126.72'
S69°17'16"W
ARC-406.30'
105.06'
N48°06'29"E
134.38'
N48°25'12"E
335.21'
N48°06'29"E
ARC-283.51'
96.30'
S31°04'52"W
ARC-225.34'
N49°25'14"E
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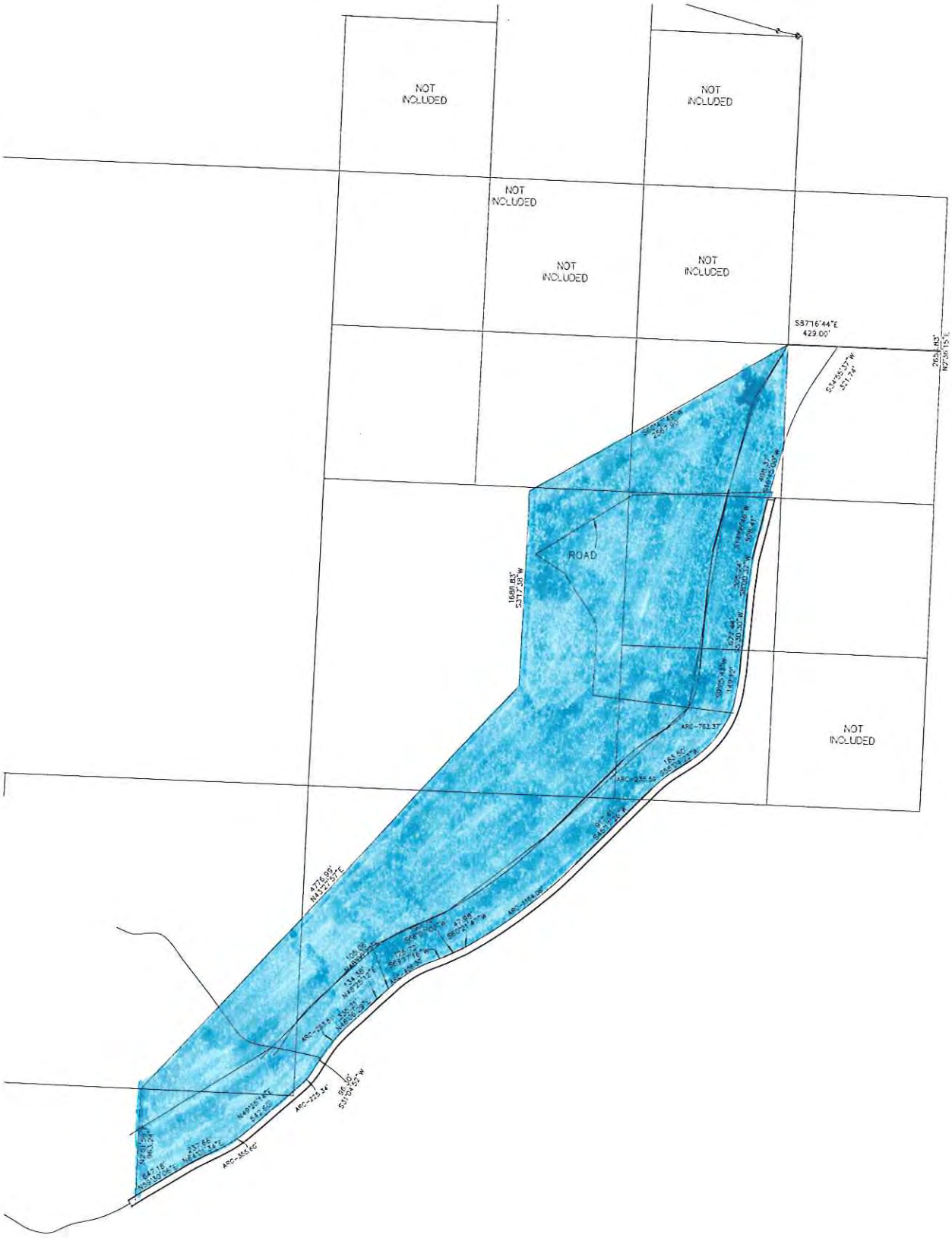
647.18'
N59°30'06"E
N2°51'59"E
963.24'


NOT INCLUDED
NOT INCLUDED
NOT INCLUDED
NOT INCLUDED
NOT INCLUDED
S87°16'44"E
429.00'
ROAD
NOT INCLUDED

- **1.** Recommend approval/denial of **Rezoning 2010-R-005.**

  Applicant: International Paper

  Agent: William Lewis

  Parcel(s): APO 02-2N-30-0000-00100-0000

  Location: Ten Mile Road, Chumuckla

  Existing Zone: Ag-2 (Agriculture District)

  Requested Zone: Ag (Agriculture District)

  Current FLU: Agriculture

  Proposed FLU: No Change

  Area size: 80 (+/-) acres

  LPB Recommend: Approval by a vote of 7-1 and 1 abstain at their meeting on April 8, 2010 with the condition that a 50 foot right-of-way easement will be dedicated to the County along Ten Mile Road.

  BOCC Decision: Continued to the May 27, 2010 BOCC Special Rezoning Meeting by the BOCC at their April 22, 2010 meeting.

  Goodin asked what has changed since the last Board meeting. William Lewis said he is the applicant. He said it was agreed upon to have 40 parcels maximum at the end of the last meeting. Lewis said the question at that time dealt with legality issues and being able to address this restriction in the deed to where it could be enforced. He said he was instructed to meet with the Dannheisser. Lewis said he talked to Avis Whitfield, Santa Rosa County Public Works Director, prior to meeting with Dannheisser. He said he mentioned paving the road without curbing the road. Lewis said Whitfield called him a couple of days later to tell him he met with the Engineering Department. He said Whitfield said the road was already a public county road, and for this reason, it could be paved without curbing. Lewis told Whitfield he will agree to pave the road without curbing. He said met with Dannheisser and told him about the discussion that took place with Whitfield. Lewis said Dannheisser said "it seems to me the easiest thing to do would be to rezone to AG1 as long you agree to pave the road." He told Dannheisser he was agreeable to this. Lewis said Jeff Miller is purchasing the biggest portion of the property, approximately 28 acres. He said there will be two parent parcels (approximately six acres each) on the parcel he plans to keep. Lewis said this only leaves 30 acres maximum. He said it is his understanding everyone was agreeable to AG1 as long as he agreed to the following conditions: pave Ten Mile Road, not develop any property on Ten Mile Road until the pavement was in place, and only sell and develop land on Dewey Jernigan Road.

  Goodin said Lewis mentioned property he already has pre-sold. He asked Lewis if he has closed on the property. Lewis said he is closing on the property tomorrow. He asked Lewis if he is able to commit to the number of lots left on the remaining acreage. Lewis said he will end up with approximately 30 pieces of property maximum. He said he felt individuals who purchase the property will want at least a two acre parcel. Lewis said if this is the case, there may only be 15 pieces of property. He said he wants the option to be able to sell an individual one acre of property if they only want one acre of property.

  Salter said in each Board member's backup material there is a Declaration that has been prepared by the County Attorney. He said the Declaration talks about the entire piece of property being bisected into two sub-

parcels. Salter said this is what Lewis is talking about. He said Ten Mile Road almost comes through the middle of the piece of property. Salter said Lewis plans to sell the piece to the northwest. He said everything to the south will remain. Salter said this is what Lewis is asking to be rezoned for development under AG1 with the agreement to pave Ten Mile Road prior to developing or dividing any of the parcels along Ten Mile Road, with the exception of the one parcel being sold tomorrow to Miller. He said Miller does not intend to do anything with the property. Lewis said Miller's intentions are to retire at this location. Dannheisser said with a number of lots, absent a subdivision plat, once the first lot is sold it is unknown who has the rights to the other 39 parcels. He said there is not a practical way to restrict the number of lots, but a minimum lot size can be enforced.

Williamson asked if the parcel being sold tomorrow to Miller will have the same restrictions set forth tonight on the entire parcel. Dannheisser said that is the proposal. He said the parcel will have the same zoning and will not be able to be sub-divided along the dirt road.

D. Anthony Washnock said he speaks in opposition to the request individually and also serves as an attorney on behalf of members of his family and twelve other homeowners in the area. He said the homeowners requested a five acre minimum, and this stipulation would result in only 16 dwellings. Washnock said there are two other things that need to be mentioned. He said there was the compromise of a deed restriction stipulating to no mobile homes, modular homes, or DCA approved housing. Washnock said this language can be placed on a deed. He asked if the Board will consider requiring pavement of the County deeded right of way prior to development. Washnock said pavement of the deeded right of way will relieve some of the pressure on infrastructure. He said the only solution to his concerns is a restriction of two acre minimum parcels. Washnock said the problem is with the Land Development Code. He said the Land Development Code suggests something AG2 being transferred to AG1 allows a density of one house per one acre. Washnock said this is not even close to Agriculture. He said Agriculture zoning was originally intended to be part of a homestead where a farmer could give his child one acre to build a home on. Washnock said a farmer could do this up to three times to keep his workers on the farm. He said Agriculture zoning was never intended to grant a gentleman buying paper company land the option to put 80 houses in the middle of large farms. Washnock said this was never the intent of AG zoning. He requested a two acre maximum and that Ten Mile Road be paved from the point of beginning where it is dirt to its exit. Washnock said future generations will see this as a connector from Quintette Road, Wallace Lake Road, Ten Mile Road, and Chumuckla Highway.

Lewis said there is no way the parcel can be sub-divided into two acre parcels. He said he is giving the County approximately 9 acres of the remaining 40 acres for right of way. Lewis said he thought this would all be taken care of once he met with Dannheisser. He said he feels like he is in the same place he was one month ago.

Salter said at the last meeting, the Board talked about requesting large lots with no infrastructure improvements. He said he is more concerned with the infrastructure being completed as the property is developed versus taxpayers having to come back in the future and pay for infrastructure for development. Salter said the Declaration addresses this concern. He said most of the property along Ten Mile Road is currently zoned Agriculture according to the existing Land Use Map. Salter said zoning will currently allow one unit per acre along Ten Mile Road on most of the land, but this is not the current usage. He said property owners in this area with property zoned Agriculture could start dividing their property tomorrow for one unit per acre development based on their current zoning. Salter said this rezoning request is not inconsistent or incompatible because there is AG1 all around this property. He said he recommends supporting the Declaration and AG1 because AG1 is consistent with surrounding property.

Cole said his concern is that Dewey Jernigan Road is already paved. He said if this rezoning request is approved, 70 ft. wide lots could be developed on Dewey Jernigan Road. He said the lots would be narrow and deep. Cole said a lot of homes could be built on Dewey Jernigan Road. He asked Lewis if his intentions are to keep wide parcels versus narrow deep parcels. Lewis said the narrowest parcel will be 132 ft. He said he felt there will be more people who purchase a couple of acres but said he wants the option to sell one acre lots.

Salter said in talking with Planning & Zoning prior to the meeting, there are thousands of acres of land in this area owned by International Paper Company getting ready to be sold. He said Planning & Zoning staff is in negotiations with International Paper Company to get them to come to the table to place infrastructure in the area if they want to develop the property. Salter said he supports this effort by the Planning & Zoning Department. He said "if I had my way we would never approve another piece of rezoning up there from AG2 to AG1 until there is infrastructure in place."

Goodin said the original intent of Agriculture zoning was to allow farmers the ability to give parcels of land to their children (as Washnock pointed out). He said Agriculture zoning has morphed into what it is today. Goodin said he is not entirely happy about this, particularly when the paper company is disposing of so much of this property.

Washnock said he respects Salter's current perspective. He requested Salter review zoning to the west and south of this parcel. Washnock said the zoning is AG2. He said the majority of land touching and concerning this parcel is AG2. Washnock said infrastructure is a major issue, but what the Board decides tonight will set precedence. He said the density restriction is not an absolute. Washnock said he supports the rezoning with a 40 unit maximum and two acre minimum lot size.

Cole said he does not understand why Lewis is not agreeable to a two acre minimum lot size. Lewis said the two acre minimum lot size will not make the development affordable. He said he would like the option to sell one acre to a young couple just starting out. Lewis said a two acre requirement will increase the selling price of the land for the buyer. He said he does not have a problem with a 30 acre maximum but said he would not like to condition approval to the two acre minimum. Lewis said there are a lot of people that do not want two acres of land, one acre is plenty.

Lynchard said he has reviewed this request many times. He said he appreciates the work that went into the covenant that was drafted by Dannheisser and agreed to by Lewis. Dannheisser said the covenant goes a long way towards solving the question about the width of the lots or minimum lot size. Lynchard said the lots will have to be on a paved road. He said he is afraid Lewis has the option of developing 70 ft. wide lots if the Board imposes a requirement that the lots be two acres minimum. Lynchard said Lewis can probably get 30 deep lots along the paved road. He said if the property is approved as AG1 zoning, which is in accordance with approximately 2/3 of surrounding property and consistent with all of the property to the east of this property, Lewis will be able to create a development much more consistent with surrounding property.

Salter moved approval without objection of Rezoning 2010-R-005 to Ag-1 zoning, including the Declaration prepared by the County Attorney, a 60 foot paved right-of-way easement to be dedicated to the County along Ten Mile Road, and no mobile homes.

- 3. Recommend approval/denial of Rezoning 2011-R-009.

Applicant: Figure 8 (placeStateFlorida) LLC

Agent: Carla Hinote

Parcel(s): 02-2N-30-0000-00400-0000, 10-2N-30-0000-00101-0000, 11-2N-30-0000-00101-0000, APO 12-2N-30-0000-00100-0000

Location: East of addressStreetTen Mile Road and Northeast of addressStreetWallace Lake Road, Chumuckla

Existing Zone: Ag-2 (Agriculture District)

Requested Zone: Ag (Agriculture District)

Current FLU: Agriculture

Proposed FLU: No Change

Area size: 1027.06 (+/) acre

***Zoning Board Decision:*** **Recommended Approval *with conditions* with a vote of 6 – 0 – 1**

**1. Applicant will pave Ten Mile Road as proposed prior to the division of parcels.**

**2. No mobile homes**

***Public Works Discussion:***

**1. Applicant has offered to pay for the materials to pave approximately 1.65 miles of 10 Mile Road. Public Works has presented Figure 8 with our cost estimate of $125,730.31 for the materials; along with our caveat that the actual price may be slightly higher or lower than estimated. Our policy on similar MSBU projects has been that the applicant is responsible for paying for any cost overruns. If the BCC approves the rezoning and the cost sharing proposal, we would suggest that payment of the estimated materials cost be paid in advance of our work. The advance payment is being suggested because this is not an MSBU project where repayment to the County is tied to the individual parcels, so the advance payment would simplify the collection process. If cost overruns are encountered, Figure 8 would be expected to compensate the County after completion of the paving.**

**2. Deeding a 30 foot strip of property from the current centerline of 10 Mile Road to the County for right of way. Our desire would be that a 30 foot wide right of way would eventually be deeded to the County from the property owner on the opposite side of the road to create a 60 foot wide deeded right of way.**

**3. A drainage easement(s) along their side of 10 Mile Road to accommodate the runoff from the proposed paved roadway. Our intention is to eliminate property damage claims from future owners along the roadway from stormwater runoff leaving the right of way and flowing out onto the property. We would be satisfied with a "blanket" drainage easement that extends out onto the property for a minimum distance of 1000 feet. We also discussed that the blanket drainage easement could contain language making it easy for future owners to petition the County for specific revisions, or even**

**the elimination of the easement, in areas where it is demonstrated that the topography or proposed improvements warrant revisions to the easement.**

**4. Deeding the County a 60 foot strip, centered along Wallace Lake Road, for right of way. In areas where Figure 8 has already surveyed parcels providing for a 50 foot wide right of way, we would accept 5 foot wide drainage easements along the parcels on both sides of the road to give the County the equivalent of a 60 foot wide right of way. We understand that Figure 8 may have already sold some property along Wallace Lake Road. Drainage easements along parcels not owned by Figure 8 would not be a requirement suggested by this department.**

Carla Hinote said the applicant wants to know about the conditions for the applicant to pave Ten Mile Road as proposed prior to division of property. She said the applicant would like to get permission to change the language to "the applicant will fund Ten Mile Road." Hinote said the conditions were that payment would be made upfront prior to division of property. She said the reason for this has to do with Public Works possibly pushing back paving in the case of heavy periods of rain. Hinote said the applicant would like to pre-sale some lots and the check would be in the County's hands prior to any sale of property. She said she talked to Stephen Furman and it was made mention in the verbiage from his original comments (taken from option #3) about the location of the drainage easement along Ten Mile Road. Hinote said there was talk of a hold harmless agreement instead of a blanket drainage easement until the road is almost complete. She said when the road is almost complete the applicant would like to re-evaluate where the drainage areas are and be more specific with regard to area. Hinote said the applicant does not disagree that drainage easements need to be put in place but would like more specific easements as the road is completed.

Lynchard said Cato referenced a drainage easement along the side of Ten Mile Road to accommodate the runoff from the proposed paved roadway when he talked to her earlier. He asked Hinote if this is sufficient. Hinote said she does not know how everything needs to be worded. She said the applicant agrees to have the easement or hold harmless agreement until such time that once the road is almost complete or completed. Hinote said the applicant or its engineer can narrow down the specifics as to where the easements need to go at that time.

Avis Whitfield said it is a legal question as to whether or not a hold harmless agreement can be accepted. He said drainage easements will be needed. Hinote said the applicant is acceptable to this. Whitfield said there has been some discussion with the engineer about possibly giving drainage easements up to 1,000 ft. out into the private property. He said ultimately the County needs drainage easements. Lynchard said the County could note that no paving could be done or estimates for paving would be given until the easements are specified. He said the County would not pave the road until the easements are quantified. Hinote said the applicant is not trying to get around the easements.

There was opposition from the audience.

Anthony Washnock spoke in opposition to the request. He said he has a law practice and leases space from the County Attorney and to the degree that the ethics opinion 77-3 applies, he waives any conflict concerns. Washnock said he speaks on behalf of a family farm he and his wife live on. He said his wife and her family have been in possession of the farm since the Spaniards occupied Pensacola. Washnock gave a brief history of the farm and how it came to be. He said he speaks on behalf of all the farmers in this area. Washnock said the requested upzone and now the requested amended language deserves more

inquiry. He said he has issues other than those comments expressed by Randy Roy, NAS Whiting Field. Washnock said the farmers have had difficulty through the years understanding the density (1 developable unit per acre). He said originally farmers intended for this one acre to be able to be given to their children so the children could continue to live on a family farm. Washnock said modernly defined Agriculture property can not be facilitated on one acre. He said this request before the Board is being called Ag-1, and farmers have great difficulty understanding this terminology. Washnock said stormwater is an issue. He said rights and county code are in question. Washnock asked the Board to table this item until the other (2) Board members are able to be present to vote on this item.

Salter said several years ago Cato set out on a mission to create a Rural Development Plan. He said the challenge was to find the "line" to start. Salter said he found out from those who own large tracts of land that as long as you choose to actively use that land the way it is used now, you want preserve it; no one wants government telling them that they can not sell their land for profit in the future. He said farmers want to be able to farm their land without having anyone interfere with their farming operations. Salter said when a farmer gets ready to sell his land, the farmer wants to be able to divide up the property for maximum profit. Salter said the Ten Mile Road area will be developed. He said the Board's responsibility is to make sure the area is developed with the proper infrastructure. Salter said it is not realistic to think everyone can afford to purchase 15 acre tracts. He said there is very little farm land left in the Ten Mile Road area. Salter said he supports this request.

Washnock said there is a spring head potentially involved in this rezoning. He said there are also virgin wetlands in this vicinity. Washnock said he is concerned that should there be harvesting of trees and not a replanting that approximately 15 acres would be removed from the farming opportunity. He asked the Board to consider that there are two commissioners absent.

Alan Miller, engineer for the applicant, said he would like to see a hold harmless agreement with the County to allow the applicant to move forward. He said the language the applicant objects to is "a future property owner can petition the county for specific revisions." Miller said the applicant would like to get a blanket hold harmless agreement now and then immediately start working with the County. He said specific calculations and designs can then be defined. Miller said the applicant wants to work with current property owners not future property owners. Whitfield said he felt everyone is "hung up" on terminology. He asked if the agreement can be called a "blanket drainage easement" until such time specific drainage easements can be put in place. Whitfield asked Miller if this is acceptable. Miller said yes.

**Salter moved approval without objection of Rezoning 2011-R-009 with the following conditions:**

**1. Applicant must make an up-front payment to the County for cost of materials to pave approximately 1.65 miles of Ten Mile Road. If cost overruns are encountered, the applicant will be expected to compensate the County after completion of paving.**

**2. There will be no parcel division prior to the applicant paying the County their share for paving Ten Mile Road.**

**3. Applicant will deed a 30 foot strip of property from the current centerline of Ten Mile Road and Wallace Lake Road to the County for right of way as their proportionate share of a 60 foot wide deeded right of way along those roadways. Where lots have been surveyed out along Wallace Lake Road, which provides for a 50 foot right of way, deed 5 foot wide drainage easements to the County along both sides of the road to provide the "equivalent" of a 60 foot right of way.**

**4. Applicant to provide a blanket drainage easement(s) along their side of Ten Mile Road to accommodate the runoff from the proposed paved roadway until such time specific drainage easements can be worked out between the County and the applicant.**

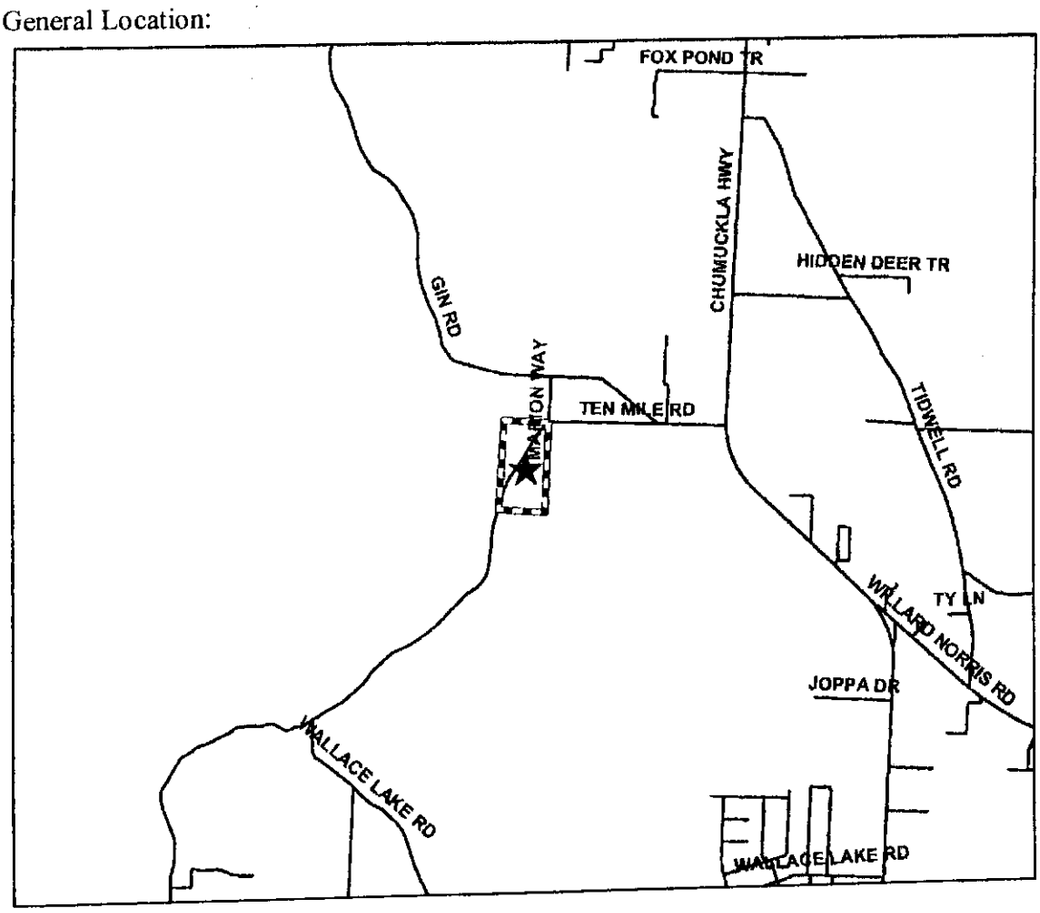
**5. No mobile homes will be permitted.**

**Rezoning Case Number:** **2010-R-005**

**Zoning District Amended:** from Ag-2 (Agriculture District) to Ag (Agriculture District) (approximately 80 (+/-) acres).

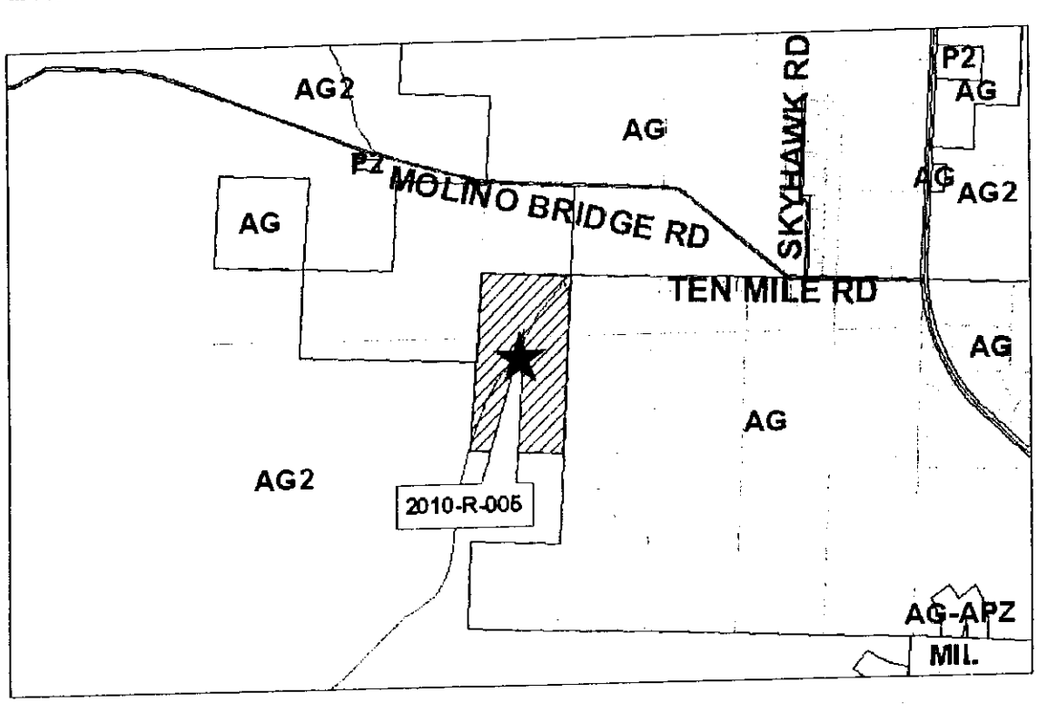
**Future Land Use Designation Amended:** No Change

1. General Location:




Parcel Numbers: A portion of 02-2N-30-0000-00100-0000

Parcel Location:




ebb
mar 25

**ATTACHMENT A**

**DECLARATION**

Pursuant to Santa Rosa County Land Development Code Section 2.08.00 Southern Acres, LLC., Jeff Miller and Vicki Miller (Grantors) do hereby file this Declaration:

1. William Lewis has applied for a rezoning of the property described in Exhibit A attached hereto from AG-2 to AG.
2. The above referenced parcel is bisected into two sub-parcels by Ten Mile Road. In recognition of the possible traffic impacts of such change in zoning, Grantors agree to impose the following restriction on the future subdivision of said parcel. Neither sub-parcel shall be subdivided unless such subdivided parcel possesses and maintains frontage on a paved county road or is included in a recorded subdivision plat approved by Santa Rosa County. Said frontage shall be as required by the Santa Rosa County Land Development Code.
3. This restriction is for the benefit of and Santa Rosa County and may be enforced by Santa Rosa County. This restriction shall run with the land and shall be binding on all assignees.

**IN WITNESS WHEREOF**, We have hereunto set our hands and seals on this 9th day of June, 2010.

Signed, sealed and delivered
in the presence of:

Wes Fleming
Name: Wes Fleming

Shawn Fleming
Name: Shawn Fleming

By: William Lewis
William Lewis, as Managing Member
for Southern Acres, LLC

EXHIBIT
A

**STATE OF FLORIDA**
**COUNTY OF SANTA ROSA**

**BEFORE ME**, personally appeared, William Lewis, as Managing Member for Southern Acres, LLC., Grantor, who is personally known to me or had produced _____ as identification and did (not) take an oath, and who executed the foregoing instrument, and acknowledged before me that the same was executed for the purposes therein expressed.

**WITNESS** my hand and official seal on this 9th day of June, 2010.

SHARON C. FLEMING
MY COMMISSION # DD 858931
EXPIRES: March 5, 2013
Bonded Thru Budget Notary Services

Sharon C Fleming
Notary Public
My Commission Expires: _____
Commission No.: _____ DRIVERS LICENSE AND DID NOT TAKE AN OATH

**STATE OF** Santa Rosa, Florida
**COUNTY OF** _____

**BEFORE ME**, personally appeared, Jeff Miller, as Grantor, who is personally known to me or had produced _____ as identification and did (not) take an oath, and who executed the foregoing instrument, and acknowledged before me that the same was executed for the purposes therein expressed.

**WITNESS** my hand and official seal on this 15th day of June, 2010.

SHERRY J. MULLINS
MY COMMISSION # DD 778722
EXPIRES: August 14, 2012
Bonded Thru Budget Notary Services

Sherry J Mullins
Notary Public
My Commission Expires: 8/14/2012
Commission No.: DD 778722

**STATE OF** Florida
**COUNTY OF** Santa Rosa

**BEFORE ME**, personally appeared, Vicki Miller, as Grantor, who is personally known to me or had produced _____ as identification and did (not) take an oath, and who executed the foregoing instrument, and acknowledged before me that the same was executed for the purposes therein expressed.

**WITNESS** my hand and official seal on this 15th day of June, 2010.

SHERRY J. MULLINS
MY COMMISSION # DD 778722
EXPIRES: August 14, 2012
Bonded Thru Budget Notary Services

Sherry J Mullins
Notary Public
My Commission Expires: 8/14/2012
Commission No.: DD 778722

Eric Hannel

Name: ERIC HANNEL

Jeffrey B. Miller

Jefferson B. Miller

Eric Hannel Sharon Santurri

Name: ERIC HANNEL Sharon Santurri

Eric Hannel Sharon Santurri

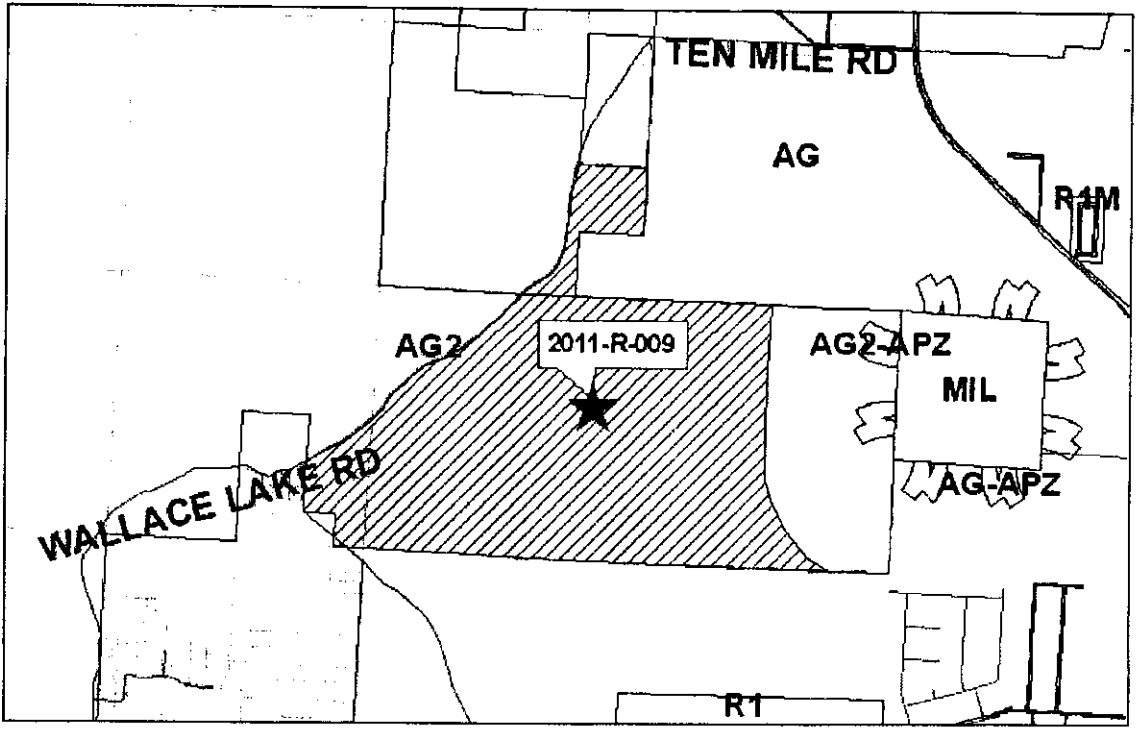
Vicki G. Miller

Vicki G. Miller

Name: ERIC HANNEL

Sharon Santurri

Name: Sharon Santurri


TEN MILE RD
AG
R1M
AG2
2011-R-009
AG2-APZ
MIL
AG-APZ
WALLACE LAKE RD
R1

# PUBLIC WORKS COMMENTS 2015-R-012

## Darliene Stanhope

**From:** Stephen Furman
**Sent:** Friday, May 01, 2015 7:39 AM
**To:** Darliene Stanhope
**Subject:** RE: Ten Mile Road Rezoning

Darlene, Greg Cotton has flagged the locations that Public Works will be requesting drainage easements along the west side of Ten Mile Road. It is our understanding that the easement locations will be surveyed, and that the preliminary lot layout may be modified to better align the lots with these required drainage easements. As stated in my previous email, it is our expectation that the typical easement dimensions will be 20 feet along the road right of way, and extend 30 feet into the property. We did discuss the possibility of our agreeing to eliminate the requirement for any particular drainage easement(s) if we are presented with an acceptable alternative plan for dealing with the runoff in that particular area. Any expenses associated with the diversion and control of the water would not be the County's expense.

It is also our desire/requirement, that if not already in place, that the County be deeded a right of way along the portion of road involved in the rezoning. As a minimum, we need 30 feet from the centerline of the existing road.

Please let me know if you need any additional information.

Thanks,

Stephen

Stephen L. Furman P.E.
Assistant Public Works Director
Santa Rosa County
(850) 981-7121

**From:** Darliene Stanhope
**Sent:** Thursday, April 30, 2015 2:09 PM
**To:** Stephen Furman
**Subject:** Ten Mile Road Rezoning

Stephen,

If you could send me an email recapping what we discussed concerning the rezoning request on Ten Mile Road by Monday afternoon, I would greatly appreciate it.

Thanks,

Darliene Stanhope
Planner III
Santa Rosa County Development Services
6051 Old Bagdad Hwy. Suite 202
Milton, FL 32583

850-981-7065

Tell us how we are doing.

http://www.santarosa.fl.gov/customerservice/survey.html

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.

# PUBLIC WORKS COMMENTS 2015-R-012

AFTER BOCC PACKETS MAILED

## Darliene Stanhope

**From:** Stephen Furman
**Sent:** Tuesday, May 19, 2015 12:00 PM
**To:** Darliene Stanhope
**Cc:** Glenn Bailey; Greg Cotton; Beckie Cato; Roger Blaylock; Michael Schmidt
**Subject:** RE: Ten Mile Road Seven States Timber Property

Darlene, I understand that the rezoning of the subject parcel was tabled at the meeting last week. Given this opportunity, I want to clarify the role of the Public Works Department as it relates to the drainage evaluation for the subject property. The role of the Public Works department with respect to this stormwater evaluation is to try and ensure that stormwater runoff can continue to enter or exit the county's right of way along Ten Mile Road without causing harm to the county's infrastructure. We identified the existing drainage "turnouts" along the western side of Ten Mile Road as the areas that we believe drainage easements would be beneficial to the county. We specified very limited dimensions on these drainage easements because it is not our intent to propose that additional, extensive maintenance responsibilities be accepted by the county to accommodate the development of this property. Our suggestion of limited easement dimensions should not be interpreted as a directive that no additional stormwater treatment or control measures are required. It is possible that other county, state and/or federal regulations may require other stormwater related features for this development. It is our belief that the design and construction of any required stormwater related infrastructure should be undertaken by the developer of the subject parcel. The acceptance of any additional infrastructure for maintenance by the county will be at the discretion of the BCC

Once runoff enters this property from the county's right of way, as it has historically done, the control and/or treatment of this water is deemed to be the responsibility of the property owner(s) or of the development in general.

Please let me know if you need any additional information.

Respectfully submitted,

Stephen

Stephen L. Furman P.E.
Assistant Public Works Director
Santa Rosa County
(850) 981-7121

-----Original Message-----
From: Stephen Furman
Sent: Monday, April 27, 2015 6:16 AM
To: Darliene Stanhope
Cc: Glenn Bailey; Greg Cotton
Subject: Ten Mile Road Seven States Timber Property

Darlene, Glenn Bailey, Greg Cotton, Carla Hinote and I met along Ten Mile Road on Friday. We were discussing the County's drainage requirements along the west side of the road. Greg is going to flag our current drainage "turn-outs"; and Carla is going to have Benchmark survey them. It is likely that we will just be requesting easements that are 20 to 30 feet wide at the road, and perhaps 30 to 40 deep into the property. Carla indicated that this would not present them with any concerns. We also discussed right of way width needs. Do you know if a width of right of way has been deeded to the County along the west side of Ten Mile Road?

Thanks,

Stephen

Stephen L. Furman P.E.
Assistant Public Works Director
Santa Rosa County
(850) 981-7121

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.

# D. Anthony Washnock, P.A.

*Civil Trial Practitioner*
4628 Summerdale Blvd.
Pace, Florida 32571
(850) 994-4180 (fax) 994-4188
dwashnock@bellsouth.net

Florida # 0286590
Tennessee # 022333
Arkansas # 97183


May 7, 2015

Ms. Darliene Stanhope, Planner III
Santa Rosa County Development Services
darlienes@santarosa.fl.gov

Re: Rezoning Application 2015-R-012

Dear Ms. Stanhope,

I write this letter for presentation by Planning Department staff during the regular meeting of the Zoning Board May 14, 2015. I am out of the area on that date. Thank you for the notice and an opportunity to be heard. I trust the Zoning Board will understand that time constraints allow only an outline regarding my position but hope to be able to speak before the Board of County Commissioners during the regular meeting May 28, 2015. Please consider the following outline of issues regarding the above referenced application from AG2 to AG:

1. The county land development code is antiquated and in much need of revision so as to adequately address the use of county resources.

   A. AG (Agriculture) classification was never intended to create a developers' class but rather was for farm families to provide their children with a Santa Rosa future.

      1. The outdated articles and sections are to the detriment of both farmers and developers alike.

      2. What may appear financially attractive to developers can be inconsistent with County long range plans. *See* Application 2010-R-005 (The Commission wisely ignored recommendations of the Zoning Board in favor of conditions to preserve county resources.)

   B. Dependancy and Urban Sprawl will result if adequate consideration of resources available are not considered.

      1. County resources for 133 available homesteads are unavailable. How can 2000 be supported by the infrastructure. Should the County "bet the farm" on these developers?

2. What are the exit strategies for the developers in the event of engineering and legal issues? Are their responses for County benefit or simply umbrellas to protect the developers' coffers from unhappy purchasers?

2. Some private developers may provide an example of approaches that balance the needs for profit against the need to continue our long range plans.

A. Only strong local presence leads to wise development. For examples, see the wise planning by Sanford Wyatt of Hidden Forest, OR Book 1351 pg 1031 et. seq.

B. But the County should be judicious. Contrast Hidden Forest with the disorderly ***Serenity Springs*** on Ten Mile/Wallace Lake wherein the lack of planning only gives serenity to mosquitos and potholes.

Thank you for considering my position and I would think that rather than oral presentation, copies may be provided to the Zoning Board so as to save any orator the difficulty of reading citation. If you have any questions or concerns, please do not hesitate to contact me at the contact information above.

Very truly yours,

Tony Washnock

CC: Andrew Flock aflock52@gmail.com
Kelly Schwarz tschwarz@bellsouth.net
Marion Tidwell
Sanford Wyatt

**May 8, 2015**

Ms. Darliene Stanhope, Planner III
Santa Rosa County Development Services
darlienes@santarosa.fl.gov

Andrew Flock
3867 Fielding Court
Pace, FL 32571
Aflock52@gmail.com
(850) 712-2245
Property -2499 Molino Bridge Road

**Re: Rezoning Application 2015-R-012 for Seven States Timberlands, LLC**

Dear Ms. Stanhope,

I would like to take this opportunity to make a written suggestion for consideration of the Planning Board and the Board of County Commissioners as a whole in preparation for a vote on the matter of changing zoning of the parcels referenced in the Application 2015-R-012. My wife, Virginia Faith Flock, and I are the owners of two of the nearest parcels to this action and are in the process of building a home and small farm on a parcel of 48+/- Acres. Our future homestead property parcel number is 022N30000000200000 (see map attached). I would like to reserve an option to speak on this issue at the May 28th meeting of the Board of County Commissioners.

Last year in the process of purchasing this property we met with Jennifer Tilden of the County Development Services Staff and we were made aware of a sub-dividing restriction adjacent to our property that arose from a negotiation with another developer in 2010 that successfully changed nearby acreage from AG2 to AG with a promise to complete the paving of a vital connecting road (10-Mile Road). As of the date of this letter that needed infrastructure improvement has not been done. In my opinion further high density development along 10-Mile Road (whether intersecting the un-paved section or not) would be ill-advised unless all roads in and out are brought to a proper medium duty traffic standard.

A reason behind that is emergency vehicle access and school bus access. Physically the closest main highway to the location is accessed at the corner of Chumuckla Highway and 10-Mile Road. That would often require an ambulance, police vehicle, and most concerning, daily school busses (traveling to/from the elementary and high schools located north and east) to traverse the dirt portions of these roads to accommodate the possible new residents. Under current AG2 zoning, 133 homesteads could be added; with full use of proposed AG zoning a possible 2000 homesteads could be added. Frankly, the infrastructure of the existing roads and services could not support either number in my opinion.

My family is relocating from living in urban Escambia County for over 15 years. We selected this part of Santa Rosa County for the rural beauty, the close proximity to nature and the quality of the schools and services that exist. My point of emphasis here is: well thought out zoning and land use planning for the next 100 years will be crucial to maintain the balance of modern conveniences and keeping the tradition of a rural/agriculture rooted Chumuckla Community.

To be clear, I am not opposed to the development of the land nearby my property. I am very concerned that it be done in a well-planned and thoughtfully controlled way and as to not negatively affect the lives of the current residents, and the lifetime of investment that they have in their rural homesteads.

**My suggestions for the discussion of this matter are as follows:**

1. If further development is proposed, a maximum average density of 1 homestead per 5 acres should be amended into the zoning of this area. All dwellings on those homesteads should be designated as "site-built homes" with a reasonable square footage to match the average dwelling size in the immediate community.

2. No zoning changes should be officially enacted until all of the connecting roads to access this area (from both directions) are fully complete to a medium duty quality. (10-Mile Road -100% complete...if any proposed developing touches Molino Bridge Road, it should also be incorporated)

3. Additionally, to support higher density development, the water infrastructure should be addressed for public safety/firefighting reasons. Developers should bear that cost.

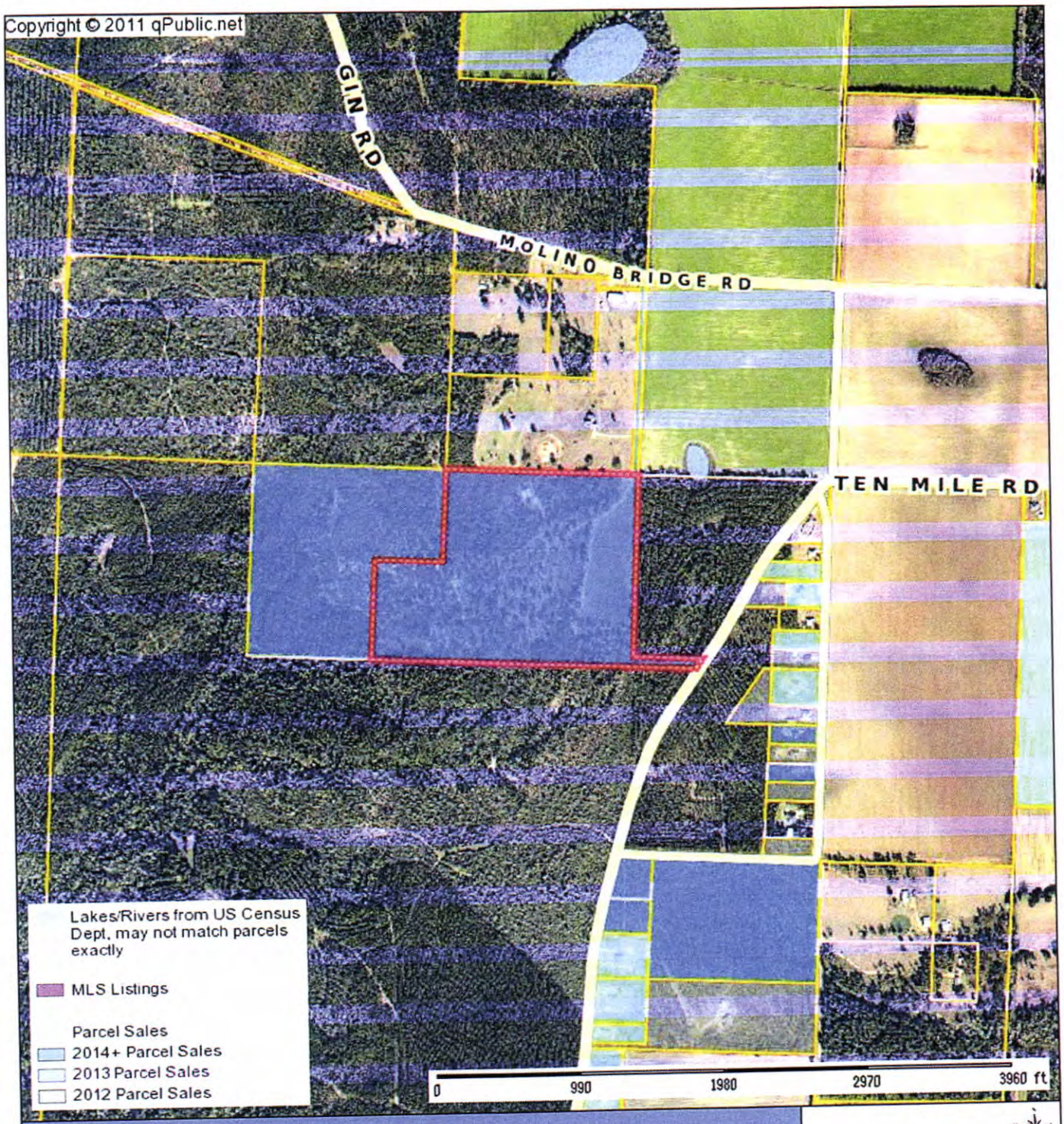
4. In any concession agreement in this matter, a reasonable time limit should be given for completion and if agreed infrastructure improvements are not made by the requesting parties, the application should expire. (Of course holding up any subdivision requests until all work is complete and funded.) An expiration of a request like this would prevent a similar inaction as seen with the previous mentioned 10-Mile Road issue (Application 2010-R-05).

Thank you for considering the suggestions that I have outlined. If you have any questions or concerns with my letter please contact me at any time.

Sincerely,

Andrew Flock

Cc: Tony Washnock, dwashnock@bellsouth.net
Kelly Schwarz, tschwarz@bellsouth.net




## Santarosa County Appraiser

Parcel: 02-2N-30-0000-00200-0000 Acres: 48.03

| | | | |
|---|---|---|---|
| Name: | FLOCK ANDREW R & VIRGINIA F | Land Value: | 3,635 |
| Site: | | Building Value: | 24,445 |
| Sale: | $246,500 on 2014-01 Reason=V Qual=Q | Misc Value: | 0 |
| Mail: | 3867 FIELDING CT<br>PACE, FL 32571 | Just Value: | 185,116 |
| | | Assessed Value | 34,014 |
| | | Exempt Value | 0 |
| | | Taxable Value | 34,014 |

Santa Rosa County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. All data is subject to change before the next certified taxroll. Greg Brown Santa Rosa County Property Appraiser
Date printed: 05/08/15 : 00:47:57

**Darliene Stanhope**

| | |
|---|---|
| **From:** | Flock, Andrew R <Andrew.R.Flock@morganstanley.com> |
| **Sent:** | Monday, June 22, 2015 1:48 PM |
| **To:** | Darliene Stanhope |
| **Cc:** | jake@pms.gccoxmail.com; dwashnock@bellsouth.net; j22ranch@gmail.com; tschwarz@bellsouth.net; aflock52@gmail.com |
| **Subject:** | Petition for consideration 2015-R-012 and 014 |
| **Attachments:** | petition on 2015-R-012 AND 014.pdf |

Ms. Stanhope,

I would appreciate you including this Petition in the documents to the Board for both applications. I drafted and circulated it to the immediate neighbors that are served by the north part of 10-Mile Road. I have 3 ½ pages of signatures. All of these folks are property owners that are served by the current infrastructure. I will present the original document to you on Thursday at the Commission meeting.

We as a group believe that both re-zoning applications are equally important in concern for planning and that when the first decision is made it will set a precedence for the second decision.

The Commissioners and Planning Board Members and Staff should note our concern that the area to the west of 10-Mile Road (after its turn south) and west of that boundary line carried north by Marion Way currently has no dense development (greater than 1 home per 15 acres).

In my discussion with this group of neighbors, they express the specific concern that they don't "want to see 10-Mile Road look like Wallace Lake Road". One acre homesites lined up on the road would not be in character with the current property use and natural beauty of that 3 mile stretch of road.

**Hopefully this petition will substantiate that I am not the only resident with concerns!**

Thank you for all of you assistance, and your service to the County!

**Andrew Flock**
**3867 Fielding Ct. / 7807 Oak Paddock Trail**

**850-712-2245**

Cc: Jake Ziglioli, D. Anthony Washnock, Scott Lacoste, Kelly Schwarz

Important Notice to Recipients:

Please do not use e-mail to request, authorize or effect the purchase or sale of any security or commodity. Unfortunately, we cannot execute such instructions provided in e-mail. Thank you.

The sender of this e-mail is an employee of Morgan Stanley Smith Barney LLC ("Morgan Stanley"). If you have received this communication in error, please destroy all electronic and paper copies and notify the sender immediately. Erroneous transmission is not intended to waive confidentiality or privilege. Morgan Stanley reserves the right, to the extent permitted under applicable law, to monitor electronic communications. This message is subject to terms available at the following link: http://www.morganstanley.com/disclaimers/mssbemail.html. If you cannot access this link, please notify us by reply message and we will send the contents to you. By messaging with Morgan Stanley you consent to the foregoing.

June 16, 2015

## Petition To Support Special Land Use and Development Planning

Re: Santa Rosa County Rezoning Applications,
2015-R-012(~~2000+~~ 233 +/- ac.), 2014-R-014(78+ ac.)

Location: 10 Mile Road General Area, Chumuckla, FL. Santa Rosa County

We the undersigned wish to register our concerns to the above rezoning applications for the following reasons:

1) The two areas that are being considered are currently being used primarily for silviculture and are located at the farthest reaches of county supported infrastructure, west of any dense development.

2) The northern part of Ten-Mile Road that connects to Chumuckla Highway is a basic paved country road that is not in the best of repair and it has drainage problems and inadequate width issues. Molino Bridge Road, Gin Road, and Buffalo Mill Road have portions that are still unimproved dirt roads.

3) The proposed development would allow possible density of 1 home per acre as a change from a much less dense possibility of 1 home per 15 acres. We feel this increase in density would not be adequately supported by the current infrastructure.

4) Municipal water and sewer services are not available in the area, so we have concerns for the water table, drainage and fire-fighting capability if density is increased.

Whereas we are all residents of this immediate area, and that we use Ten-Mile Road as our primary access to the commercial services in Pace and Pensacola, we highlight these concerns and call for careful planning of this rural/agricultural transition area. We would like to see a special study completed to address issues of urban sprawl and population density planning before any rezoning is approved.

Signed: Virginia Flack

| Name | Address |
|---|---|
| ANDREW & VIRGINIA FLACK | 2499 Molino Br. Road, Pace FL (PROPERTY) residence: 3807 Fielding Ct, Pace |
| Mary Beth Washmock | 2817 Ten Mile Rd. Pace, FL 32571 |

Mary Beth Washmock

| Name | Address |
|---|---|
| Joseph K. Schwarz<br>Teresa J. Schwarz | 2561 Molino Bridge Rd. Pace Fl. |
| Nyrl A. Riley | 7810 Skyhawk Rd. Pace FL |
| David Hazfield | 7805 Chumuckla Hwy Pace, Fl |
| S. Scott LaCoste<br>Scott LaCoste | 2761 Ten Mile Rd Pace FL |
| Harold L. Mayo<br>Renate K. Mayo<br>HAROLD L. MAYO<br>RENATE K MAYO | 2705 Ten Mile Road |
| Susan Cotton<br>Susan Cotton | 7600 Dewey Jernigan Road |
| Charles Lambert<br>CHARLES LAMBERT. | 7697 Dewey Jernigan Rd |
| William Dufron<br>William Dufron / Cindy Dufron | 7669 Dewey Jernigan RD. |
| Cindy Dufron | 7669 Dewey Jernigan Rd. |
| Beth Cooper<br>Chad Cooper | 2463 Molino Bridge Rd |

Chad & Beth Cooper

| Name | Address |
|---|---|
| Amy Hargett | 2402 TEN MILE ROAD |
| KEVIN HARGETT | 2402 TEN MILE ROAD |
| Stacy TURMAN | 7613 DEWEY JERNIGAN Rd. |
| [illegible] | 7783 Dewey Jernigan Rd |
| Jone K. Boyett | 2855 Ten Mile Rd. |
| Karen Newman | 2731 Ten Mile Rd |
| James T. Smith | 2394 TEN MILE Rd |
| KAREN J. SMITH | 2394 TEN MILE Rd. |
| Virginia Chance | 7821 Oak Paddock Trail, Pace |
| JAKE Zigliali | 9523 YARROW CIR. For Buffalo Mill Creek Timber 2499 Molino Bridge Rd. |

| Name | Address |
| --- | --- |
| Jerry [illegible] | 7575 Dewey Jernigan Rd Pace Fl 32571 |
| Candace Clayton | 7575 Dewey Jernigan Rd Pace, Fl 32571 |
| Lela Anita Jernigan Caraway | 6458 Chumuckla Hwy Pace, Fla. 32571 |
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Point of Contact for this Petition: Andrew Flock, 2499 Molino Bridge Rd., 850-712-2245