



**SANTA ROSA COUNTY
DEVELOPMENT SERVICES**

6051 Old Bagdad Highway, Suite 202 | Milton, Florida 32583

BECKIE CATO
Planning and Zoning Director
beckiec@santarosa.fl.gov

RHONDA C. ROYALS
Building Official
rhondar@santarosa.fl.gov

2016-SX-008

Project Name: N/A

**Applicant and/or
Property Owner:** Casey De Los Thiele

Representative: N/A

Request: Special Exception to divide a parcel that does not meet the minimum road frontage requirement. (LDC 2.04.00.C.9)

Zoning District: R1 (Single Family Residential)

Part I. General Information:

Project/Applicant: Casey De Los Thiele
Representative: N/A
Location: 2721 Terry Cove Drive, Milton, FL, 32583
Parcel(s): 04-1S-29-0000-00103-0000
Zoned: R1 (Single Family Residential)
Request: Special exception request to divide a parcel that does not meet the minimum road frontage requirement. (LDC 2.04.00.C.9)
District: Commissioner District #1
Current Conditions: Vacant

Part II. Land Development Code Criteria:

2.04.00 SPECIAL EXCEPTIONS, VARIANCES AND CONDITIONAL USES: The BOA shall have the following duties and powers:

- C. Special Exceptions - To hear and decide special exceptions to the terms of this ordinance. The Board is hereby authorized to grant special exceptions in appropriate cases and with appropriate safeguards to authorize the use of a premises for a purpose not generally permitted within the district in which said premises is located or to interpret specific provisions of this ordinance expressed in this Section whenever it finds sufficient facts to demonstrate to its satisfaction that such exception if granted would be substantially in harmony with the general purpose and intent of this ordinance.
9. To permit the dividing of a parent parcel in the RR-1, R-1, R-1M, and R-1A zoning districts, resulting in a parcel(s) which will not possess the required road frontage. A parent parcel is defined as those lots of record as of October 22, 1998. A parent parcel may be subdivided with the following provisions:
- a. A parent parcel may only be subdivided to create a maximum of three (3) new lots which do not meet minimum road frontage requirements. The three new lots will include the remainder of the parent parcel if road frontage requirements cannot be met;
 - b. No new County roads are created;
 - c. An easement maintenance agreement between property owners or an access easement (minimum width 20 feet) included in the deed is required;
 - d. Property being divided shall not be located within a recorded platted subdivision;
 - e. The maximum allowable density of the parcel created shall not exceed the allowable density of the respective zone;
 - f. Except for street frontage and that which is herein contained, all other requirements of this ordinance shall be adhered to; and
 - g. The new parcel size, use and configuration must be consistent with existing residential uses in the vicinity.

Part III. Special Exception Criteria

2.04.00 SPECIAL EXCEPTIONS, VARIANCES AND CONDITIONAL USES: The ZB shall have the following duties and powers:

C. Special Exceptions - To hear and decide special exceptions to the terms of this ordinance. The Board is hereby authorized to grant special exceptions in appropriate cases and with appropriate safeguards to authorize the use of a premises for a purpose not generally permitted within the district in which said premises is located or to interpret specific provisions of this ordinance expressed in this Section whenever it finds sufficient facts to demonstrate to its satisfaction that such exception if granted would be substantially in harmony with the general purpose and intent of this ordinance.

9. To allow the dividing of a parcel in the Residential zoning districts, resulting in a parcel which does not possess the required road frontage, if the following provisions are met:

a. No new County roads are created;

Is this criterion met? Yes

Staff Analysis: New County roads will not be created as a result of the proposal.

b. An easement maintenance agreement between property owners is required or; an access easement (minimum width 20 ft.) must be included in each newly created deed.

Is this criterion met: Yes

Staff Analysis: The property is accessible via Terry Cove Drive.

c. Property being divided shall not be located within a recorded, platted subdivision.

Is this criterion met? Yes

Staff Analysis: The parcel is not located within a recorded, platted subdivision.

d. The maximum allowable density of the parcel created shall not exceed the allowable density of the respective zone.

Is this criterion met? Yes

Staff Analysis: The maximum allowable density for R1 is 4 units per acre. The applicant is requesting the special exception to build one home on the lot. The lot is (+/-) 0.903 acres.

e. Except for frontage and that which is herein contained, all other requirements of this Ordinance shall be adhered to.

Is this criterion met? Yes

Staff Analysis: The proposed request meets all other requirements. This lot was previous created.

- f. The new parcel size, use and configuration must be consistent with existing residential uses in the vicinity.

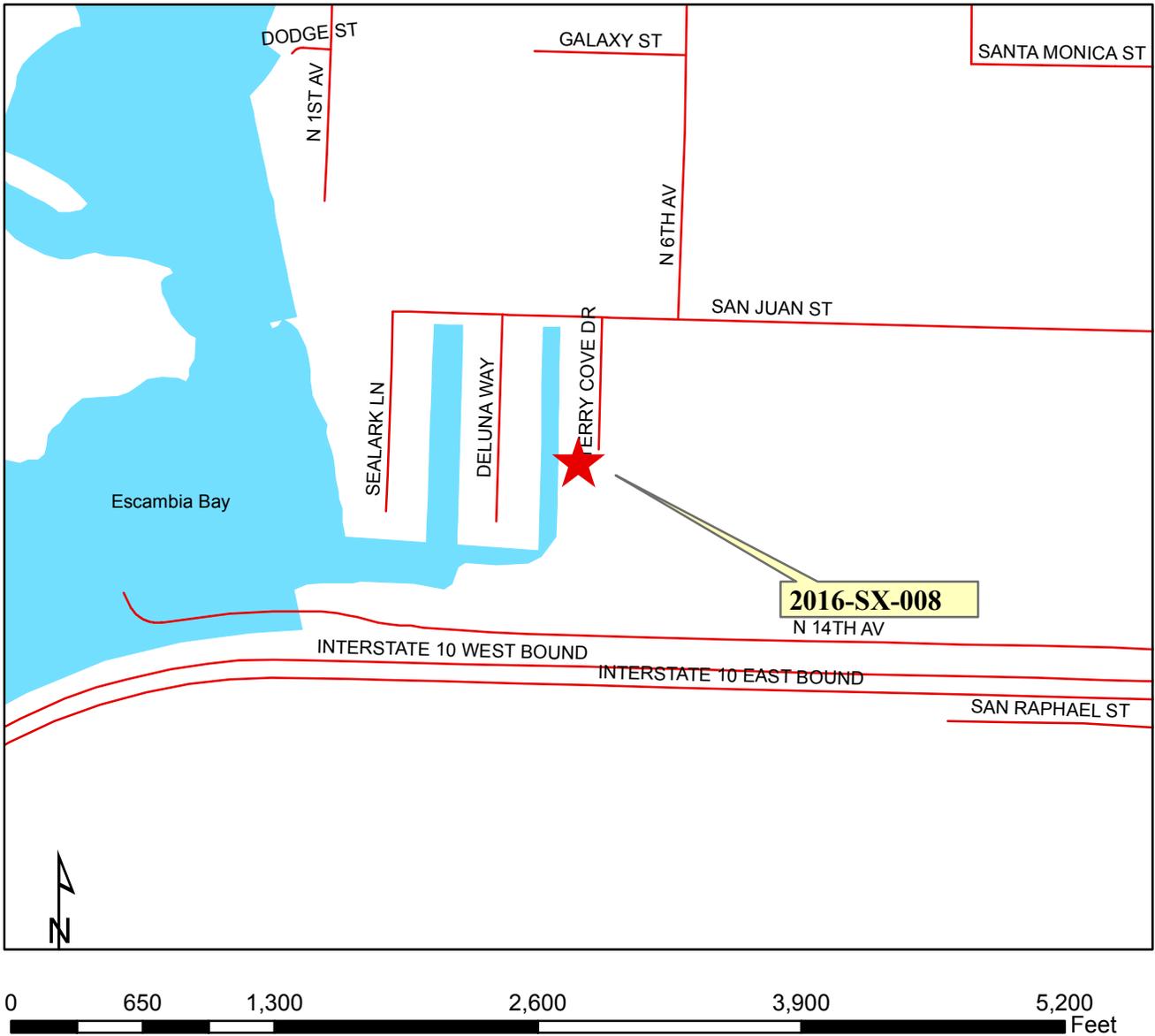
Is this criterion met: Yes

Staff Analysis: The proposed request is consistent with the existing residential uses in the vicinity.

If the Special Exception is approved, are there any potential building code issues?

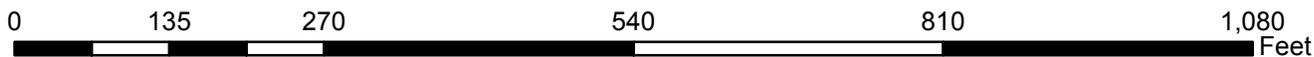
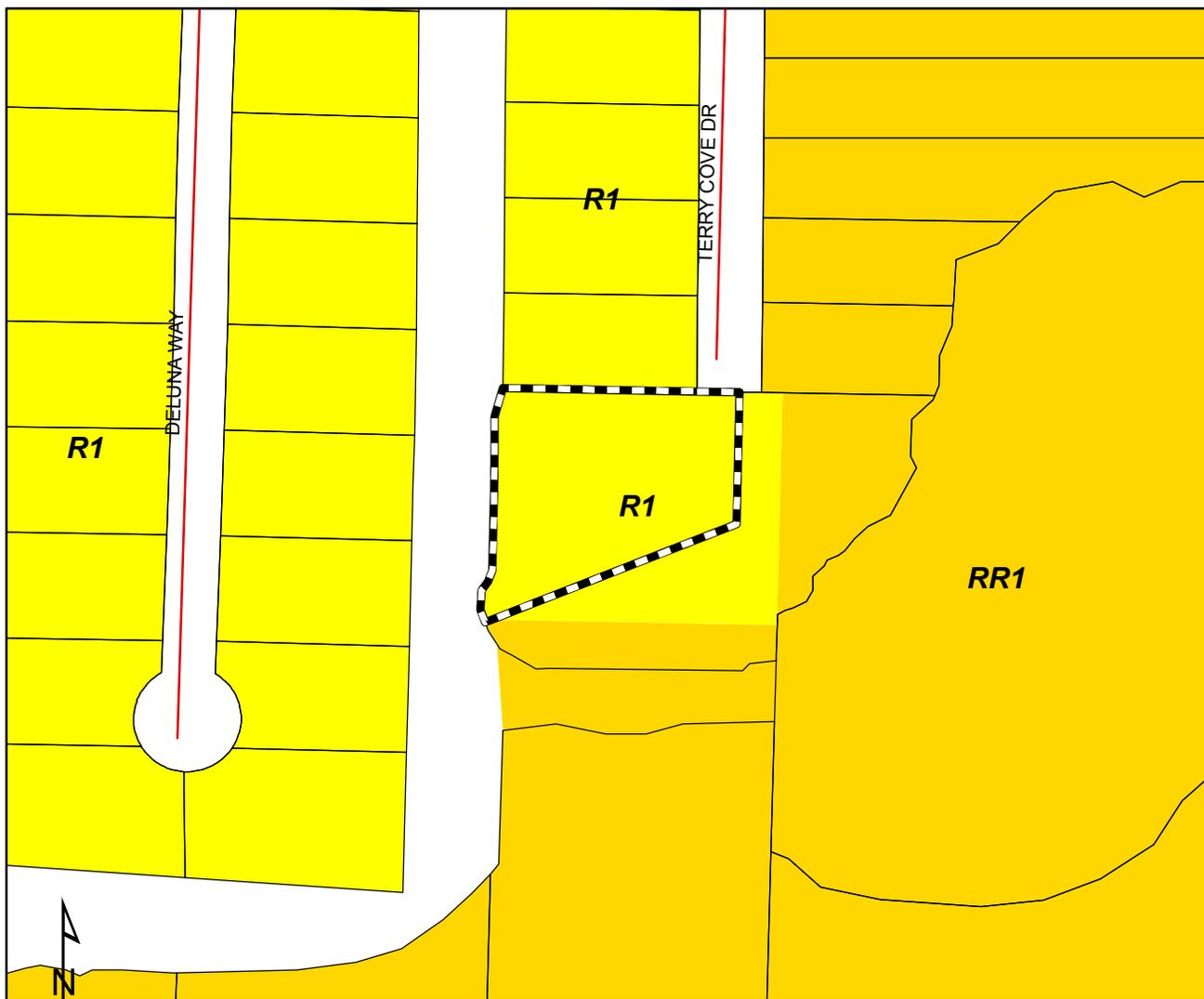
It is not anticipated that there will be any potential building code issues.

2016-SX-008 Location



Disclaimer:
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2016-SX-008 Zoning



Legend



Pending Sep ZB **Zoning**

DISTRICT

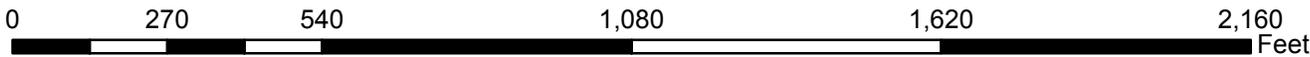
- AG-RR
- AG-RR-APZ1; AG-RR-APZ2; AG-RR-CZ
- AG1
- AG2
- AG2-APZ or CZ
- C1M
- C2M
- CITY
- HC1
- HCD
- HCD-APZ or CZ
- HCD-HON
- HNB
- HR1

- | | | |
|--------------|--------------|-----------------|
| HR2 | NC | R1M |
| M1 | NC-APZ or CZ | R1M-APZ or CZ |
| M1-APZ or CZ | NC-HON | R1M-HON |
| M1-HON | P1 | R2 |
| M2 | P1-HON | R2-APZ or CZ |
| M2-APZ or CZ | P2 | R2-HON |
| MID | P2-APZ or CZ | R2M |
| MIL | P2-HON | R2M-APZ or CZ |
| NB-C | PBD | R3 |
| NB-CON/REC | PID | RAIL |
| NB-HD | PUD | RR1 |
| NB-MD | R1 | RR1-APZ or CZ |
| NB-MHD | R1-APZ or CZ | STATE |
| NB-PMUD | R1-HON | STATE-APZ or CZ |
| NB-SF | R1A | TC1-HON |
| NB-U | R1A-HON | WATER |

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2016-SX-008
2014 Aerial

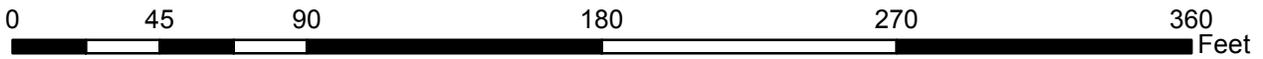


Legend

 Pending Sep ZB

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2016-SX-008
2014 Closeup Aerial



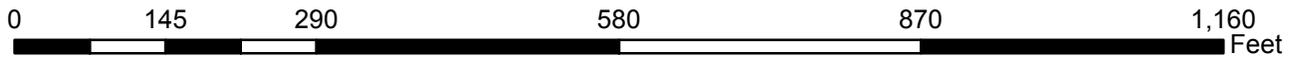
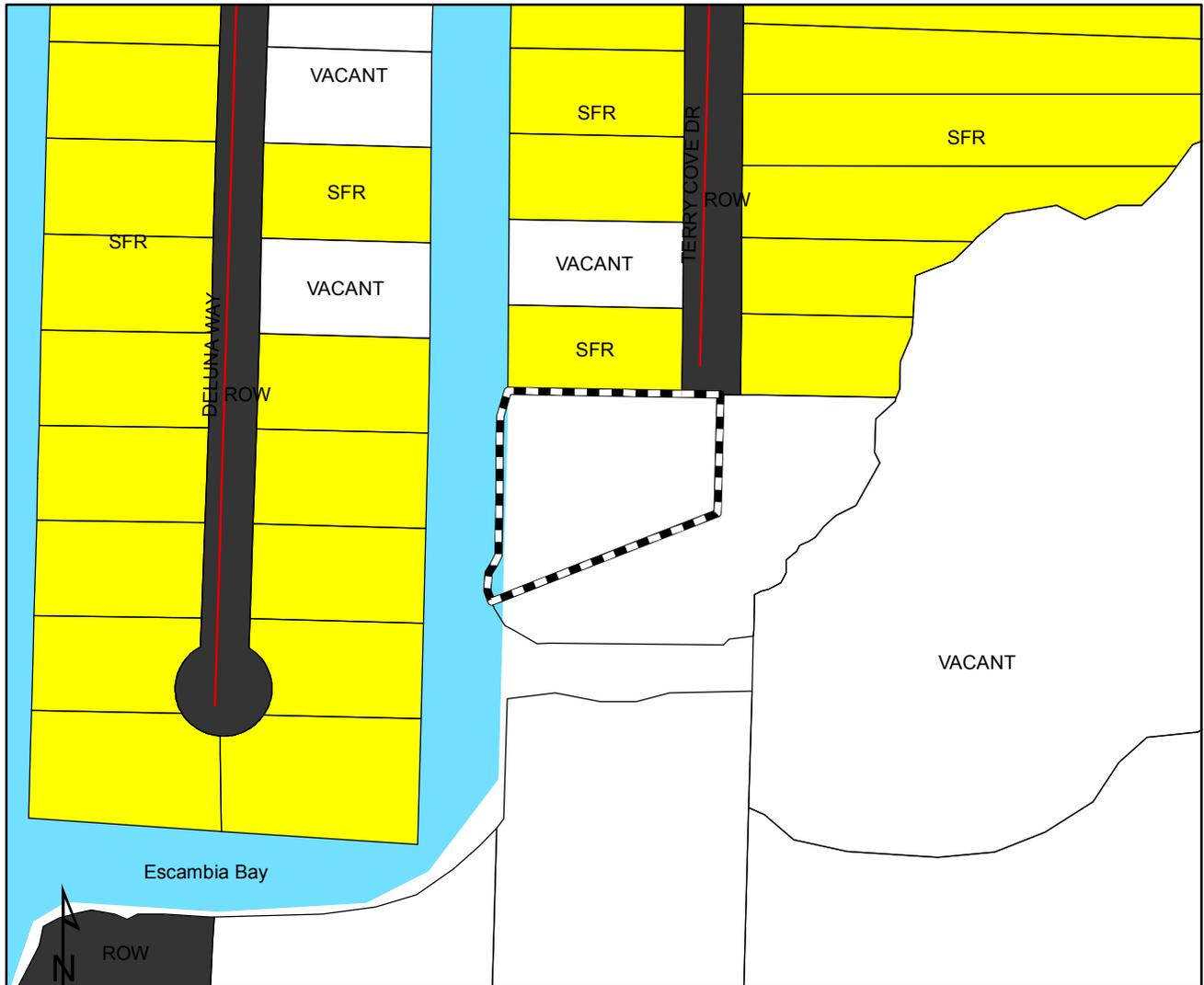
Legend

 Pending Sep ZB

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2016-SX-008 Existing Land Use



Legend



Pending Sep ZB

Existing Land Use

Category

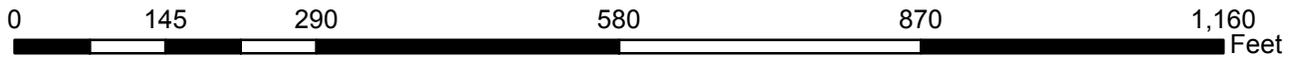
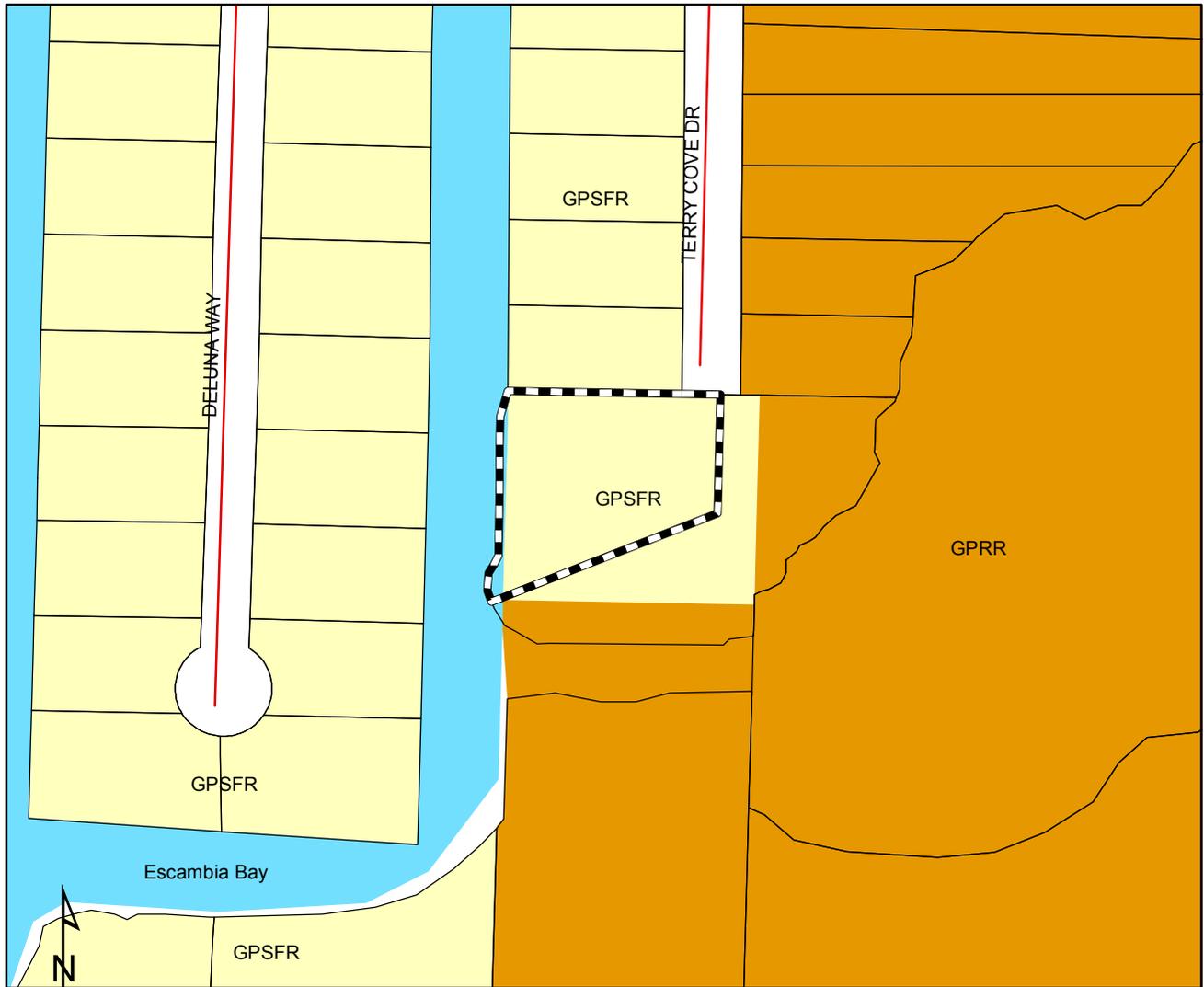
- Agriculture (AG)
- Agriculture, Homestead (AH)
- Condo's/Townhomes (C/T)
- City
- Commercial (COMM)
- Industrial (INDUS)
- Institutional (INST)
- Multi-Family Residential (MFR <5)
- Multi-Family Residential (MFR >5)
- Military (MIL)
- Mixed Residential/Commercial (MRC)

- Office
- Public Owned Property (POP)
- Rail
- Recreation/Commercial (REC/COMM)
- Recreation/Open Space (REC/OS)
- Right of Way (ROW)
- Single Family Residential (SFR)
- Silviculture (SILVICUL)
- Uncategorized (UNCAT)
- Utilities
- Vacant
- Water

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2016-SX-008 Future Land Use



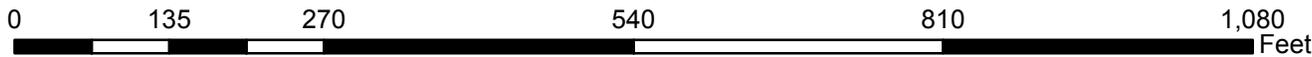
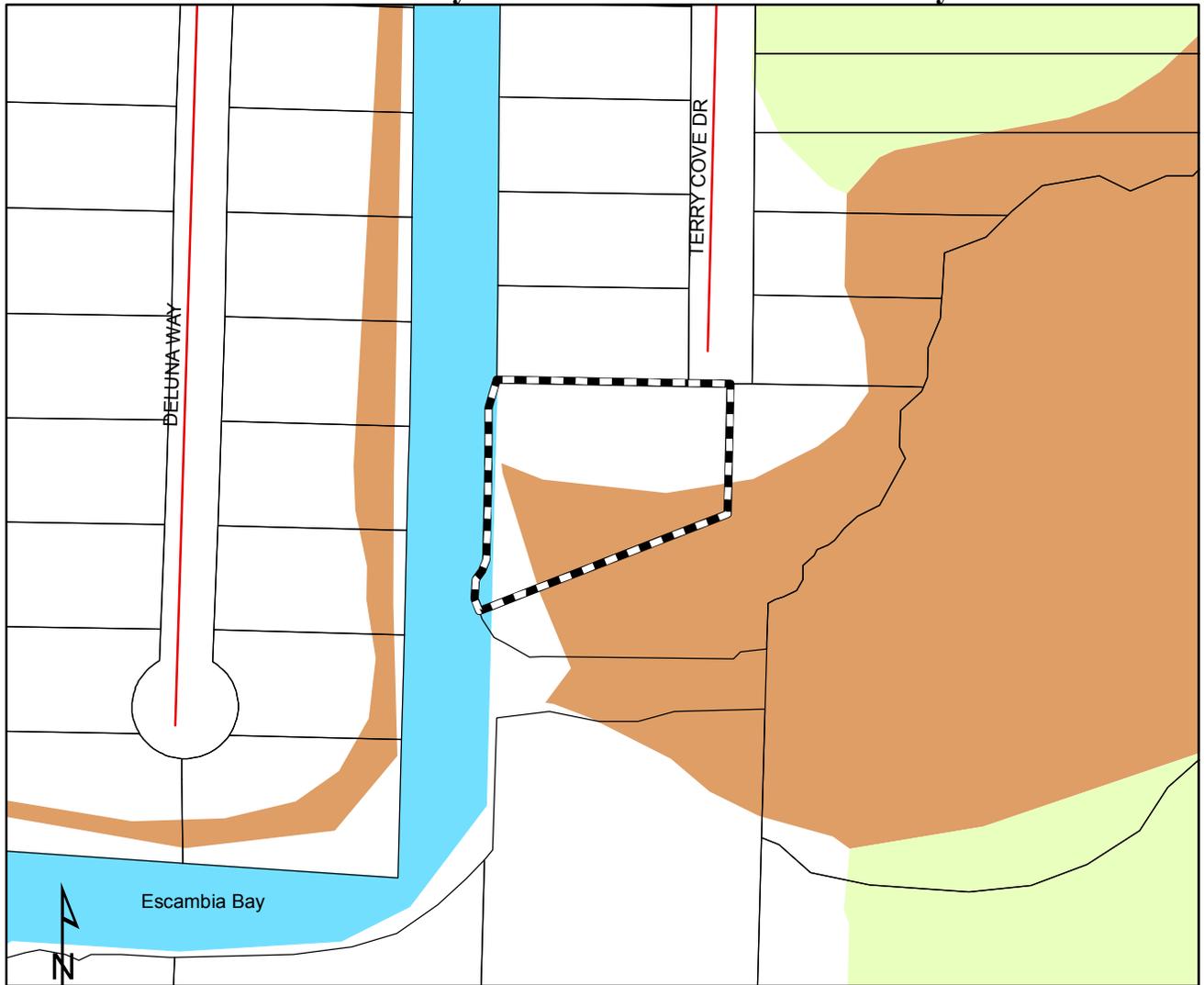
Legend

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

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2016-SX-008
Potential Wetlands
as indicated by the National Wetlands Inventory



Legend

 Pending Sep ZB

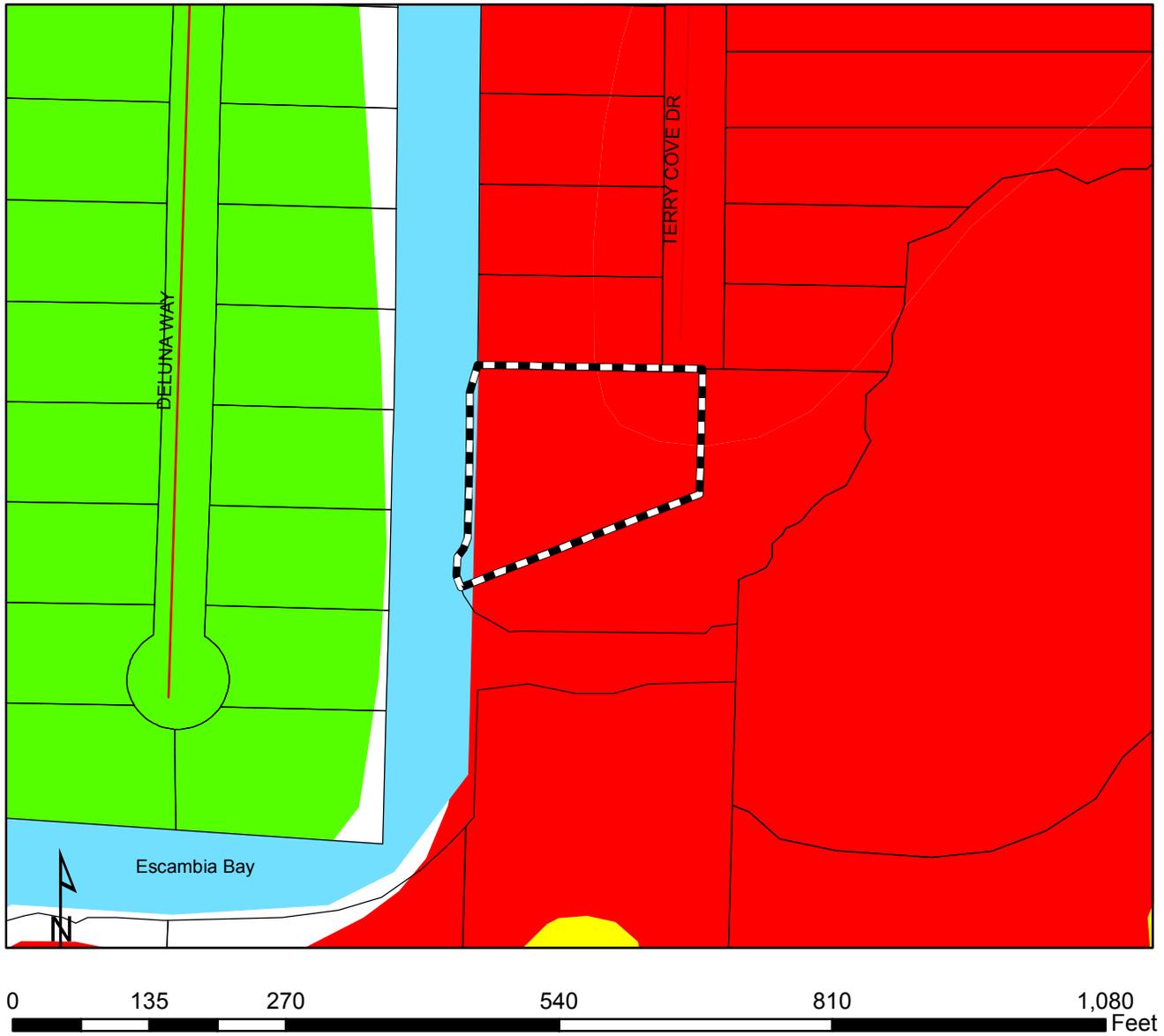
Potential Wetlands Nat'l Wetlands Inventory

DESCRIPT

-  ESTUARINE
-  LACUSTRINE
-  PALUSTRINE
-  RIVERINE
-  MARINE

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2016-SX-008
Zoning



Legend

 Pending Sep ZB

Potential Wetlands Based on Soils

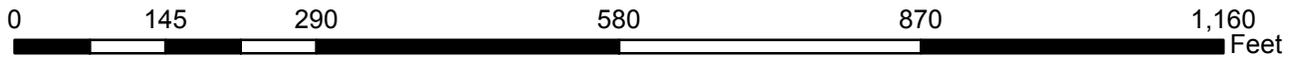
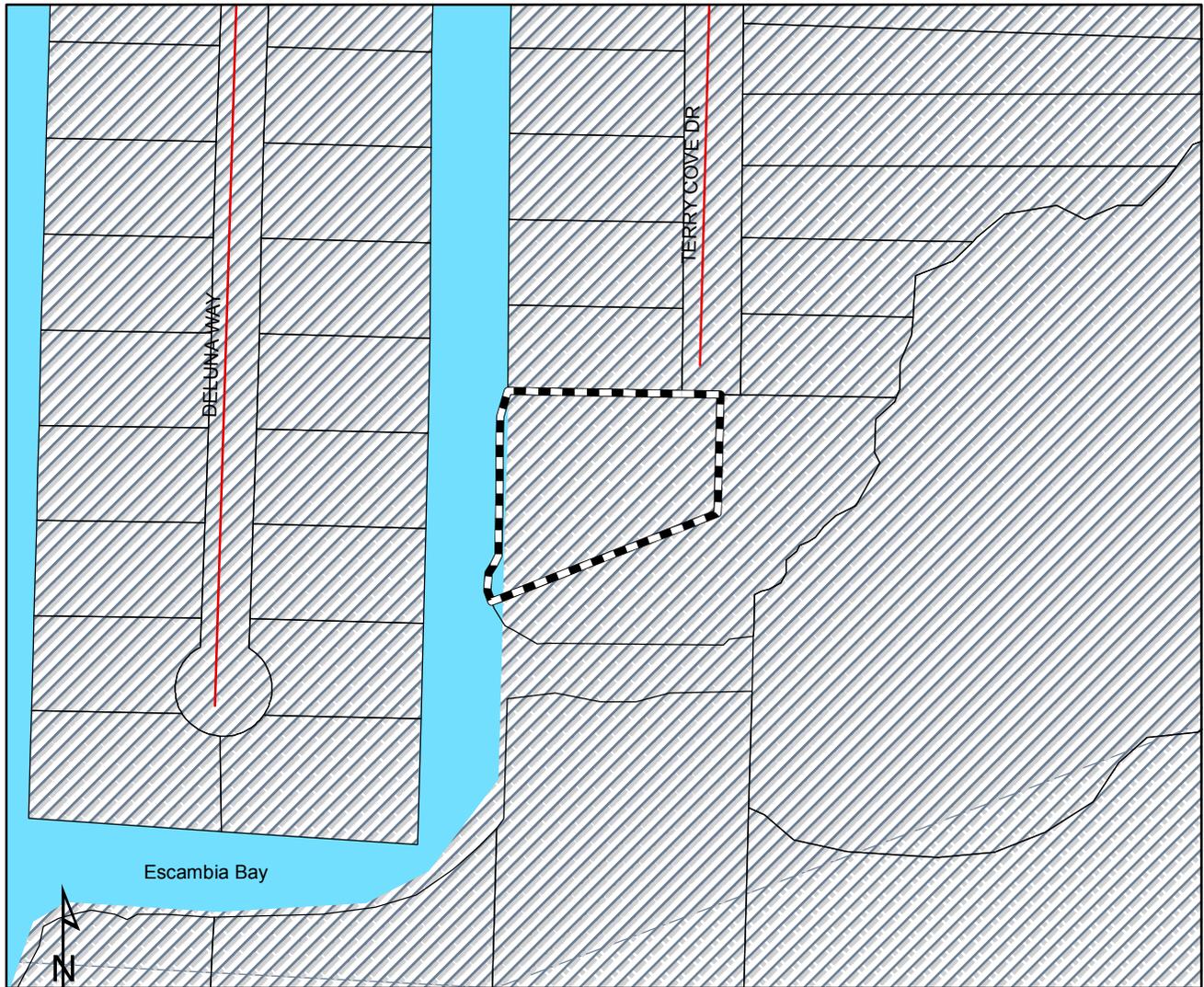
HYDRIC CLASSIFICATION

-  All hydric
-  Partially hydric
-  Not hydric

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2016-SX-008
Stormwater Problem Area



Legend

-  Pending Sep ZB
-  Stormwater Problem Area

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Looking at the subject site.

1



Looking north on Terry Cove Dr. Subject site is behind us.

2



Looking at the adjacent property to the east.

3



Looking a the adjacent property to the west.

4



SANTA ROSA COUNTY DEVELOPMENT SERVICES

6051 Old Bagdad Highway, Suite 202 | Milton, Florida 32583

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Planning and Zoning Director
beckiec@santarosa.fl.gov

RHONDA C. ROYALS
Building Official
rhondar@santarosa.fl.gov

Special Exception Application

* Application Instructions begin on Page 3

** For Official Use Only **	
Application No. <u>2016 -SX- 008</u>	Date Received: <u>7/29/16</u>
Review Fee: <u>235 + 61.95</u>	Receipt No.: _____
Zoning District: <u>R1</u>	Special Exception Request: <u>2.04.00.C.</u>
FLUM Designation: <u>GPSFR</u>	

± 0.926

VO: 1

Property Owner

Property Owner Name: CASEY De Los Thiele

Address: 2721 Terry Cove Drive
MILTON FL 32583

Phone: 902-720-2626 Fax: _____

Email: caseythiele@yahoo.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 special exception approvals.

Company: _____

Contact Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

Property Information

Parcel ID Number(s): 04-15-29-0000-00103-0000
-OR-

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

2700 block of Terry Cove Drive, Milton, FL 32583

Parcel Size (acres): 0.926

What is the present use of the property? VACANT LOT
WITH BOAT RAMP AND SMALL DOCK FOR
RECREATION USE

**Special
Exception
Request**

Describe the Special Exception request. I WOULD LIKE TO
BUILD A HOME ON THE LOT OR SELL IT
TO SOMEONE WHO COULD BUILD ON IT

** Doesn't meet
Load Frontage
Requirement of
50 ft*

Please read the attached special exception provisions carefully and explain how your request addresses each of the pertinent criteria. Attach additional pages if necessary.

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 Adjustment does not authorize construction and/or land clearing to occur on this site and that additional approvals requirements and Building Permits may be required.

Yes No

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

Yes No

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.

Cosy De los Thiele
Applicant Name (Type or Print)


Applicant Signature

Title (if applicable)

07-20-2016
Date



August 1, 2016

Casey Thiele
2721 Terry Cove
Milton, Florida 32583
caseythiele@yahoo.com

**RE: Jurisdictional Wetland Assessment
Terry Cove Lot
Parcel: 04-1S-29-0000-00103-0000**

Dear Mr. Thiele:

Biome Consulting Group, LLC (Biome) has completed a jurisdictional wetlands and waters assessment of the above referenced property. Our wetland assessment included an analysis of vegetative cover and makeup, wetland hydrology indicators and hydric soil indicators in accordance with state and federal procedural guidelines. Based upon our recent site visit, we are providing you with a brief summary of each agencies potential involvement with this lot.

U.S. ARMY CORPS OF ENGINEERS

Technical guidelines outlined in the US Army Corps of Engineers Wetlands Delineation Manual (1987) were applied in the field for determining the presence and location of jurisdictional wetlands on the above referenced lot. The on-site reconnaissance was conducted by walking multiple transects throughout the lot. Dominate site conditions observed, consisted of the following:

1. **Vegetation:** Longleaf pine, slash pine, bahia grass;
2. **Soils:** Historic, permitted fill-brightly colored, lacking hydric soil indicators;
3. **Hydrology:** No surface indicators, plant adaptations and no soil profile indicators.

None of the wetland parameters needed for the ACOE to exert jurisdiction can be met on this site.

STATE OF FLORIDA

Similar to the ACOE, the State (FDEP/WMD) wetland criteria cannot be achieved on this site. The site is excessively well drained and has several drought tolerant plant species present.

CONCLUSION

Based on our site visit, we have determined that neither the ACOE nor the State (FDEP/WMD) exerts jurisdiction over any portion of the above referenced lot. As such, development of this site should not require permits from the COE or State regulatory agencies' wetland programs. We note that the lot is part of a subdivision permitted in the 1980's. The lot is bound by retention ponds beyond which are jurisdictional waters and wetlands.

A wetland delineation performed by an ecological consultant represents the professional opinion of the scientist that performed the work. Only the regulatory agencies can establish a legal and binding jurisdictional boundary. Such can be obtained by submitting a permit application and waiting several months for processing. For the purposes of local government permitting (e.g. building permit) this letter should suffice.

This report is intended for the sole use by the above listed addressee. Its contents may not be relied upon by other parties without the written consent of Biome Consulting Group.

This concludes our assessment of the above referenced site. If you require additional information, assistance, or clarification, please give us a call at 850-434-1935. We look forward to being of assistance to you in the future.

Sincerely,

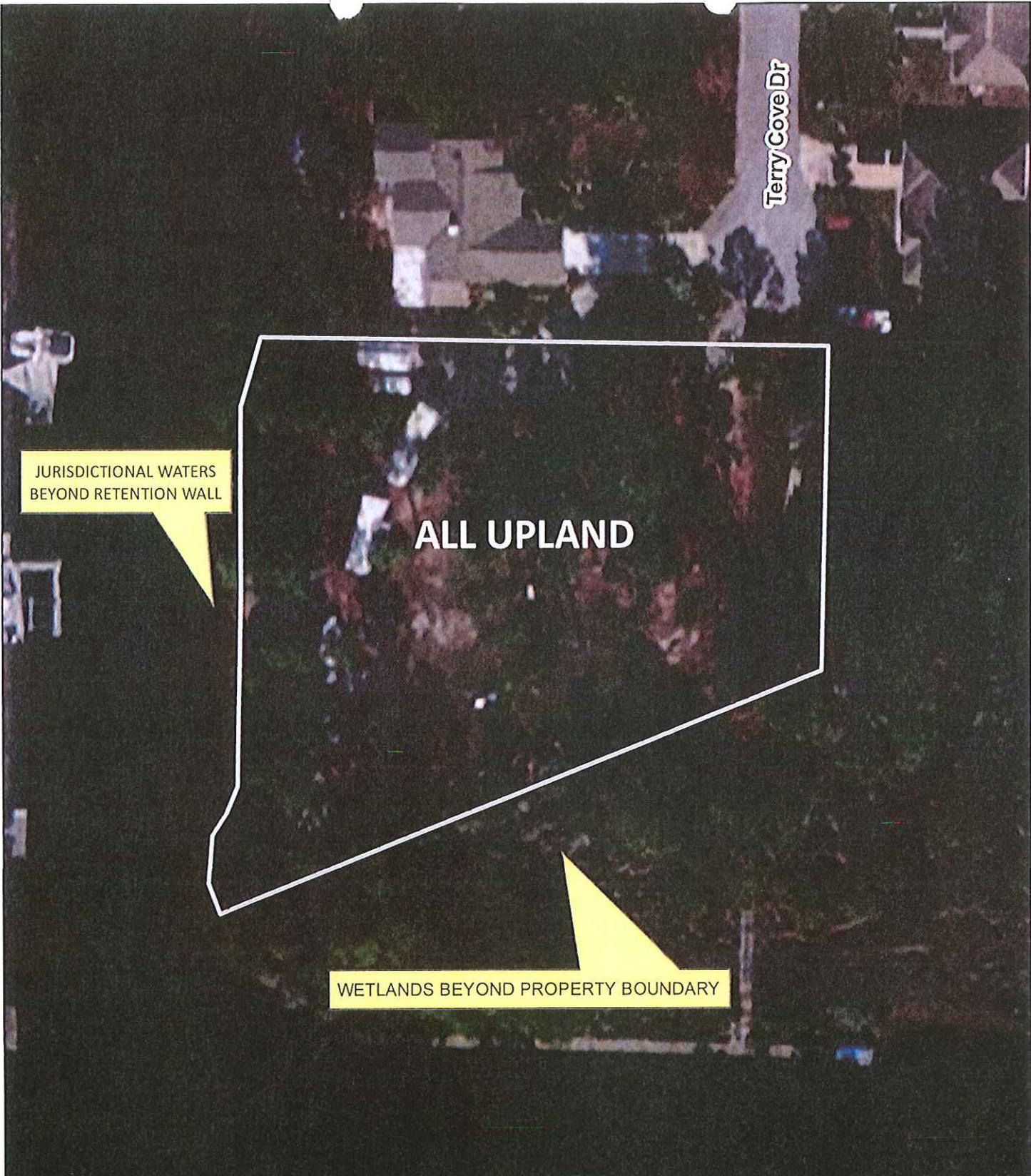
Biome Consulting Group, LLC



Glen A. Miley, MS, PWS
Professional Wetland Scientist
Managing Partner



Attachment: Sketch

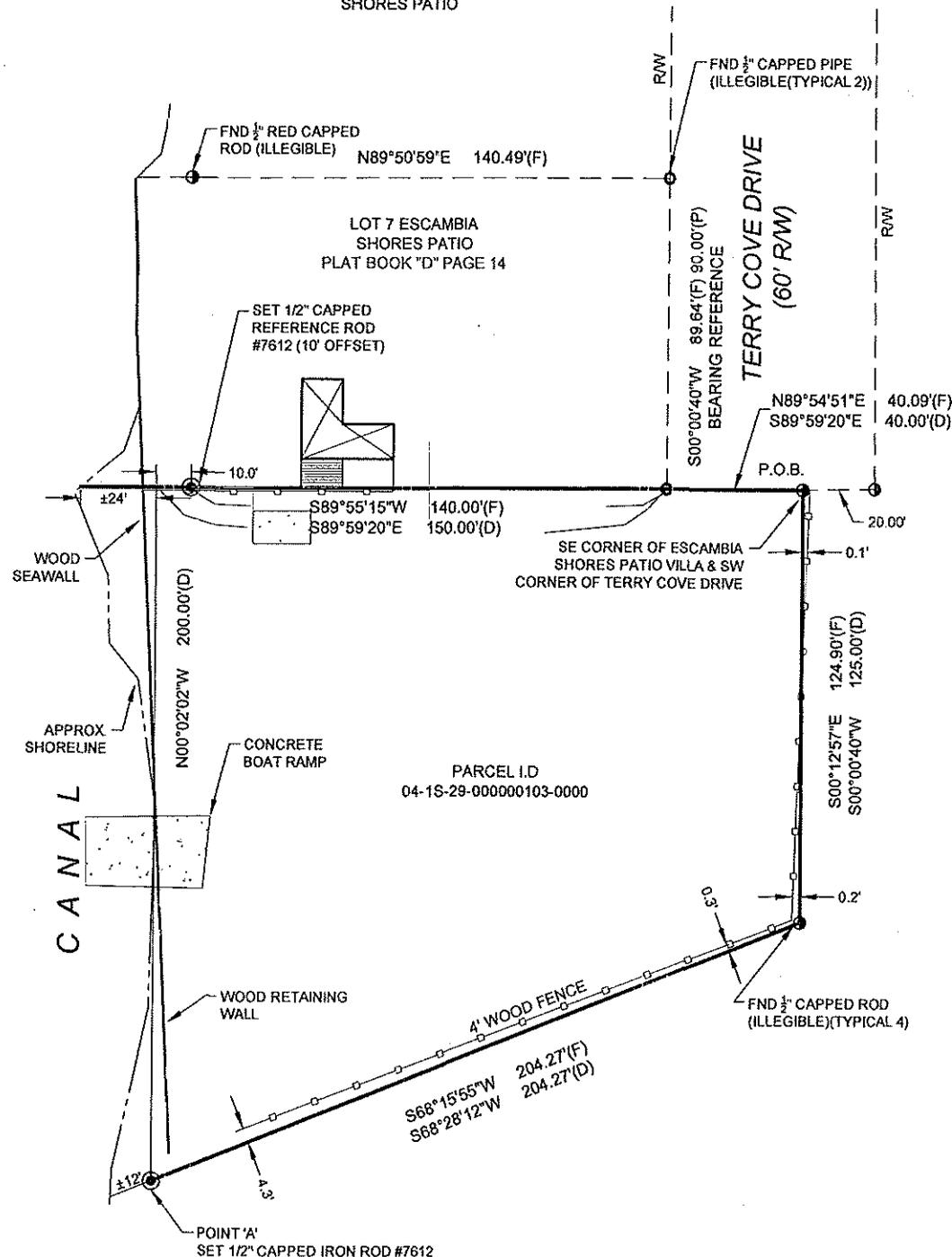


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

WETLAND MAP TERRY COVE 04-1S-29-0000-00103-0000 CASEY THIELE	Legend InspectionBoundary	08/01/2016		 1300 West Government St. Pensacola, Florida 32502 850-4359367 www.biome.co
		Author: GAM		
		This is not a survey		

LOT 6 ESCAMBIA SHORES PATIO

LOT 7 ESCAMBIA SHORES PATIO
PLAT BOOK "D" PAGE 14



LEGAL DESCRIPTION: (O.R. BOOK 2096, PAGE 1106)

BEGIN AT THE SOUTHEAST CORNER OF ESCAMBIA SHORES PATIO VILLAS, AS RECORDED IN PLAT BOOK D AT PAGE 14 OF THE PUBLIC RECORDS OF SANTA ROSA COUNTY, FLORIDA, SAID POINT BEING THE SOUTHWEST CORNER OF TERRY COVE DRIVE (66' R/W); THENCE GO SOUTH 89 DEGREES 59 MINUTES 20 SECONDS EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF TERRY COVE DRIVE A DISTANCE OF 40.00 FEET; THENCE GO SOUTH 00 DEGREES 00 MINUTES 40 SECONDS WEST, A DISTANCE OF 125.00 FEET; THENCE GO SOUTH 68 DEGREES 28 MINUTES 12 SECONDS WEST A DISTANCE OF 204.27 FEET TO A POINT HEREAFTER REFERRED TO AS POINT A; THENCE CONTINUE SOUTH 68 DEGREES 28 MINUTES 12 SECONDS WEST A DISTANCE OF 12 FEET MORE OR LESS TO THE WATERS EDGE OF A CANAL; THENCE MEANDER ALONG SAID WATERS EDGE IN A NORTHWESTERLY DIRECTION A DISTANCE OF 205.00 FEET MORE OR LESS AND INTERSECT A LINE HAVING A BEARING OF SOUTH 89 DEGREES 59 MINUTES 20 SECONDS EAST AND PASSING THROUGH THE POINT OF BEGINNING; THENCE GO SOUTH 89 DEGREES 59 MINUTES 20 SECONDS EAST ALONG SAID LINE A DISTANCE OF 24.00 FEET MORE OR LESS TO A POINT BEING NORTH 00 DEGREES 02 MINUTES 02 SECONDS WEST A DISTANCE OF 200.00 FEET FROM AFOREMENTIONED POINT A; THENCE CONTINUE SOUTH 89 DEGREES 59 MINUTES 20 SECONDS EAST A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND LIES IN SECTION 4, TOWNSHIP 1 SOUTH, RANGE 29 WEST, SANTA ROSA COUNTY, FLORIDA AND CONTAINS 0.79 ACRES MORE OR LESS.

NOTES:

1. FIELD WORK FOR THIS SURVEY WAS COMPLETED ON 6-09-2016.
2. THE MEASUREMENTS SHOWN HEREON WERE MADE TO UNITED STATES SURVEY FOOT AND WERE RECORDED IN DECIMAL OF FEET UNLESS OTHERWISE MARKED.
3. ALL EASEMENTS AND RIGHTS-OF-WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE HAVE BEEN SHOWN HEREON. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4. STATE AND FEDERAL COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED EITHER IN WHOLE OR IN PART, OR TO BE USED FOR ANY OTHER FINANCIAL TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT THE PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER.
5. BEARINGS SHOWN HEREON ARE BASED ON THE WEST RIGHT-OF-WAY LINE OF TERRY COVE DRIVE (60' R/W) BEING SOUTH 00°00'40" WEST.
6. FENCE LINES ARE EXAGGERATED FOR CLARITY.
7. ENCROACHMENTS ARE AS SHOWN.

CERTIFICATIONS:

CASEY DELOS THIELE
WELLS FARGO BANK, N.A.
SURETY LAND TITLE OF FLORIDA, LLC
WESTCOR LAND TITLE

SURVEYORS CERTIFICATE

The survey shown hereon is true and correct and in compliance with the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers in Chapter "5J-17", Florida Administrative Code, pursuant to Section 472.227, Florida Statutes.

ROB L. WORKING P.L.S. FLORIDA REGISTRATION NO. 3878

LEGEND:

- (F) FIELD MEASUREMENT
- (D) DEED MEASUREMENT
- R/W RIGHT-OF-WAY
- FND FOUND BOUNDARY CORNER
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING



360 SURVEYING SERVICES
1801 CREIGHTON RD.
PENSACOLA, FL 32504
850.857.4400

NOT VALID WITHOUT A RAISED SEAL

6/22/16

BOUNDARY SURVEY WITH IMPROVEMENTS

ADDRESS:
2721 TERRY COVE DRIVE

MILTON, FLORIDA 32583

PROJECT NUMBER: 160623

DATE: 6-09-2016

FIELD BOOK: 62 PAGE: 24

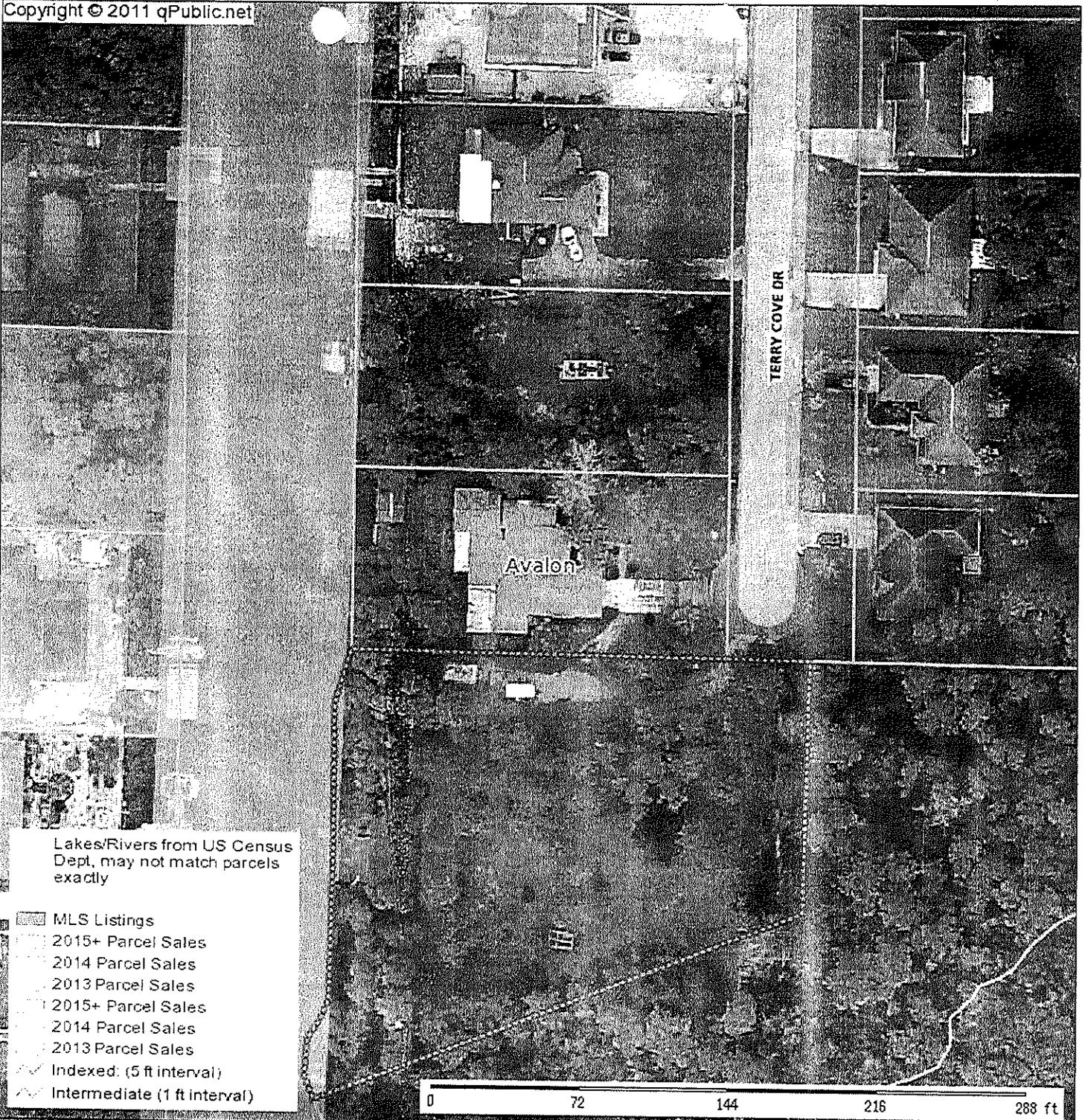
DRAWN BY: PJK

APPROVED BY: ROB L. WORKING



SCALE: 1"=50'

SHEET 1 OF 1



Lakes/Rivers from US Census Dept, may not match parcels exactly

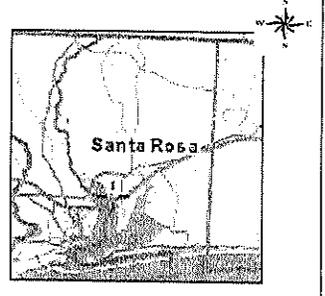
- MLS Listings
- 2015+ Parcel Sales
- 2014 Parcel Sales
- 2013 Parcel Sales
- 2015+ Parcel Sales
- 2014 Parcel Sales
- 2013 Parcel Sales
- Indexed: (5 ft interval)
- Intermediate (1 ft interval)

0 72 144 216 288 ft

Casey Thiele

Parcel: 04-1S-29-0000-00103-0000 Acres: 0.926

Name:	COCHRAN RONALD JAMES &	Land Value:	100
Site:		Building Value:	0
Sale:	\$65,000 on 2003-01 Reason=V Qual=Q	Misc Value:	0
Mail:	JUDY ANNE	Just Value:	100
	2721 TERRY COVE DR	Assessed Value:	100
	MILTON, FL 32583	Exempt Value:	0
		Taxable Value:	100



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 lines on the map are a representation of the property lines and are not nor are they intended to be used as a survey. The assessment information is from the last certified tax roll. All data is subject to change before the next certified tax roll. Greg Brown Santa Rosa County Property Appraiser.
Date printed: 07/18/16 12:45:08

APPEAL

To All Zoning Board Members:
Right to Appeal
September 17, 2016
Re: Special Exception 2016-SX-008

Board Members,

We the undersigned exercise our right to appeal the decision by the board to approve Special exception 2016-SX-008 on September 8, 2016.

We do not feel that ample consideration was given to Zoning Administration Article 2. More specifically LDC 2.04.00.B6 & LDC 2.004.00.B9.

As per your notification, the special exception noted LDC 2.04.00.C7. We feel this was in error as it has to do with Conditional Uses. The section quoted by zoning claiming that criteria was met for the special exception was section LDC 2.004.00.B8. The heading of this section reads "To permit the dividing of a parcel in the Highway Commercial Development District resulting in a parcel which does not possess the required road frontage, provided that:". As a residential neighborhood, not having any parcels on a Highway, all of section 8 used to substantiate "met criteria" becomes moot. This being the case, we also feel that LDC 2.04.00.B6 & LDC 2.004.00.B9 which do have bearing on the neighborhood, may have been inadvertently overlooked.

LDC 2.04.00.B6:

6. To allow the dividing of a parcel in the residential zoning districts, resulting in a parcel which does not possess the required road frontage, if the following provisions are met:
 - a. The divided land shall only be given without valuable consideration to a member of the donor's immediate family. (Immediate family being defined as spouse, father, mother, brother, sister, son, daughter, stepchild, grandchild, or grandparent. **NOT MET**)
 - b. Property being divided shall not be located within a recorded, platted subdivision.
 - c. The maximum allowable density of the parcel created shall not exceed the allowable density of the respective zone.
 - d. Except for frontage and that which is herein contained, all other requirements of this ordinance shall be adhered to. **a: & g: is NOT MET**
 - e. An easement maintenance agreement between property owners is required or; an access easement (minimum width twenty (20) ft.) must be included in each newly created deed.
 - f. No new county maintained roads are created.
 - g. The parcels created are compatible with neighboring properties. The following criteria will be utilized in determining compatibility: social compatibility (to be accomplished through neighboring property owner notification per Section 2.04.03 and citizen review); disposition and orientation of any proposed buildings on the newly created lot(s); scale; and visual integrity. **The citizens of Escambia Shores have reviewed this and are against the exception being granted. With the new building regulations regarding building on the water, the scale and visual integrity of any home built on parcel # 04-1S-29-0000-00103-0000 would be completely out of place. In addition, according to subsection "d" ALL OTHER REQUIREMENTS OF THIS ORDINANCE SHALL BE ADHERED TO. It is not, and therefore according to zoning regulations, cannot be approved.**

LDC 2.04.00.B9

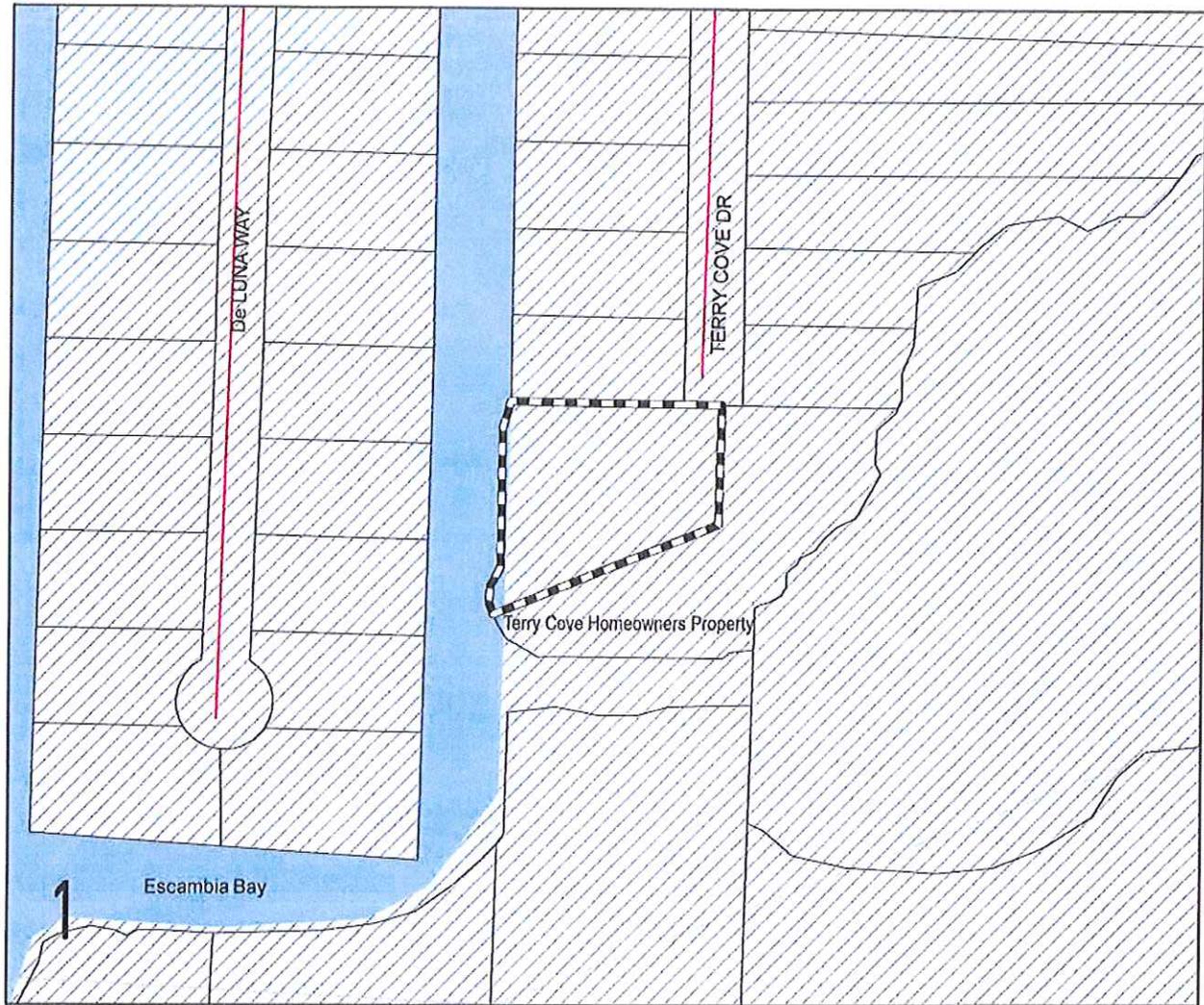
[9.] To permit the dividing of a parent parcel in the RR-1, R-1, R1-M, and R1-A zoning districts, resulting in a parcel(s) which will not possess the required road frontage. A parent parcel is defined as those lots of record as of October 22, 1998. A parent parcel may be subdivided with the following provisions:

- (a) A parent parcel may only be subdivided to create a maximum of three (3) new lots which do not meet minimum road frontage requirements. The three (3) new lots will include the remainder of the parent parcel if road frontage requirements [cannot] be met;
- (b) No new county roads are created;
- (c) An easement maintenance agreement between property owners or an access easement (minimum width twenty (20) feet) included in the deed is required;
- (d) Property being divided shall not be located within a recorded platted subdivision;
- (e) The maximum allowable density of the parcel created shall not exceed the allowable density of the respective zone;
- (f) Except for street frontage and that which is herein contained, all other requirements of this ordinance shall be adhered to; and
- (g) The new parcel size, use and configuration must be consistent with existing residential uses in the vicinity. Dividing a parcel of the shape of parcel 04-1S-29-0000-00103-0000 would not be a configuration consistent with existing lots. (See shape below) Nor does it have the 50 foot road frontage as required by present Zoning Laws. Dividing such a lot would necessitate creating a flag lot.



As per Zonings own submission, copy below, the whole area is designated as a storm water problem area which is an enormous issue just on its own.

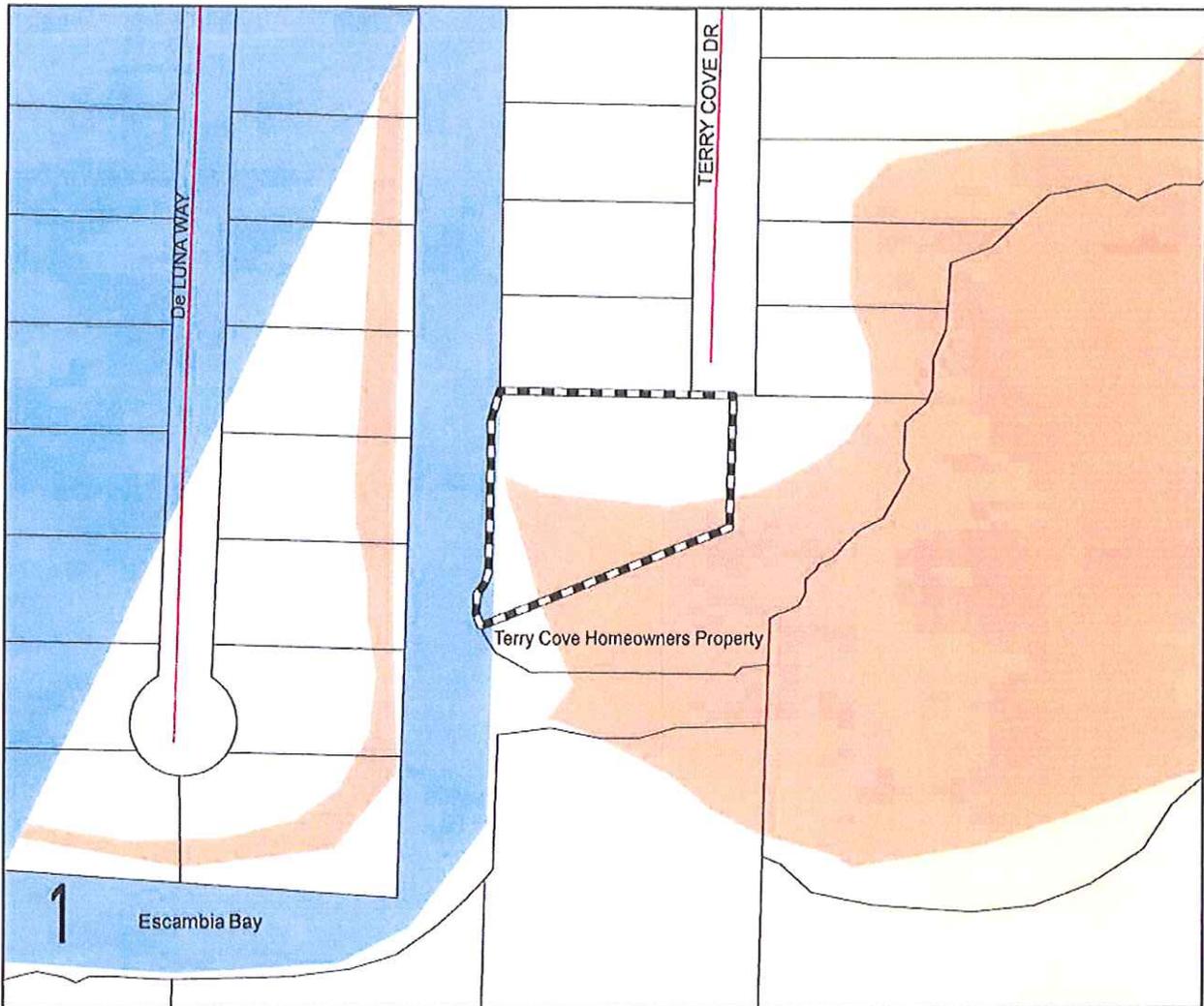
Storm Water Problem Area



The addition of more concrete in an already stressed area would put undue stress on an already taxed drainage system. A majority of homes on Terry Cove Dr. already have to wade out to their mail boxes after a rain. The ground becomes too soft to walk on, and the driveways, which collect the water in inches, take quite a bit of time for the sun to evaporate. The neighboring property will also be inundated with more water.

Again, as per Zonings own submission, copy below, a substantial amount of the property is already wetlands as indicated in **BROWN**. Also, Terry Cove Dr is noted as a dead end street on the county plats, where De Luna Way is in fact a cul-de-sac.

Potential Wetlands as indicated by the National Wetlands Inventory



Santa Rosa County Zoning Board has established rules, regulations, and setbacks for the good and protection of all the residents. The property in question has always been known by the residents here to be non-buildable due to zoning requirements. The entire area is known as Escambia Shores, a recorded and plated subdivision # 1080 and # 1082. The actual lot in question was never a buildable lot. It is noted in the CONCLUSION by the Biome Consulting Group, submitted by Mr Thiele, "We note that the lot is part of a subdivision permitted in the 1980's" This also pertains to the Terry Cove Homeowners Property. The zoning regulations reference "recorded & plated subdivisions" numerous times stating that changes cannot be made. (e.g. LDC 2.04.00.B6 subsection "b") It becomes quite convoluted when a previously non-buildable lot, surrounded by a subdivision suddenly becomes buildable. The regulations, regarding changes not being made in subdivisions, are to protect the residents in an area from just this sort of action. It is our contention that the lot in question is no more buildable than the property owned by the homeowners that borders 2 sides.

Drainage for the area is meant to travel to the end of the street and be either absorbed by the properties at the end of the street or overflow into the adjoining canals. Removing half of this natural drainage and creating building lots will have 3 effects. One is to put more water into the driveways of existing homeowners which is already excessive. Two is to pour more drainage water into our estuary which we feel is not environmentally a good thing. And three, put twice the water onto the homeowners property making what is already only usable part of the time, not usable most of the time. Whereas most of the homes in Escambia Shores have their own water front, the homes on the east side of Terry Cove Dr. rely on access to the water thru the homeowner's property which may very well become impassable most of the time. It would be a travesty to impose this dilemma on them. We, our children, and grandchildren keep boats, fish and play there.

Another point that we don't understand, after being studied quite thoroughly, is that nowhere in the application by Mr. Thiele does he ask to divide the lot. Where does that come from? It appears that the board is not granting the exception for the driveway variance it is granting the right to divide. This fact, along with other numerous inconsistencies as noted in the beginning of the appeal, makes this whole process difficult to follow.

Simply put, the lot was not purchased as a buildable lot. According to county records the purchase price for Mr Thiele's waterfront house was \$200,000.00 and the non-buildable lot was \$100.00. The investor who owned the property in the 90's didn't build there. The Biome Consulting Group noted that the lot is part of a subdivision permitted in the 1980's" and as such should not be changed. For all intents and purposes, we feel that the lot should be left as is. The vast majority of the neighborhood has no interest in setting precedent for variances and special exceptions to be allowed in our neighborhood. We the undersigned, respectfully urge the board to seriously consider the position of the majority of homeowners. Some signatures from homeowners are attached and others will follow and are to be attached and made part of this appeal. We reserve the right to submit additional information as it pertains to this appeal and to be made part of the original.

Homeowners of Escambia Shores

To All Zoning Board Members:
Right to Appeal
Re: Special Exception 2016-SX-008

We, the undersigned, support the appeal to the decision by the board to approve
Special exception 2016-SX-008 on September 8, 2016.

Printed Name: MARK T. GONCE

Address: 2730 Terry Cove Dr.
Milton, FL 32583

Signature: Mark T Gonce

Printed Name: DARLENE T. DENNIS

Address: 2734 Terry Cove Dr.
Milton, FL 32583

Signature: Darlene T. Dennis

Printed Name: GEORGE J. GONCE JR.

Address: 2724 TERRY COVE DR.
MILTON, FL 32583

Signature: George J. Gonce Jr.

Printed Name: BETTY KOLODZIEJ

Address: 2726 TERRY COVE DR.
MILTON, FL. 32583

Signature: Betty Kolodziej

To All Zoning Board Members:
Right to Appeal
Re: Special Exception 2016-SX-008

We, the undersigned, support the appeal to the decision by the board to approve
Special exception 2016-SX-008 on September 8, 2016.

Printed Name: Betty Kolodziej

Address: 2725 Terry Cove Dr.
Milton, FL 32583

Signature: Betty Kolodziej

Printed Name: Dennis M. White

Address: 2733 Terry Cove Drive
Milton, FL 32583

Signature: Dennis M White

Printed Name: _____

Address: _____

Signature: _____

Printed Name: _____

Address: _____

Signature: _____

Citizen
Comments
Received Prior
to Packets
Being Sent Out
2016-SX-008

Terry Cove Homeowners Association Inc.
2726 Terry Cove Drive
Milton, Florida 32583

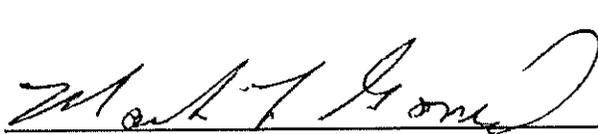


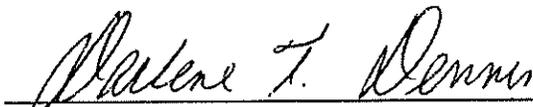
To Santa Rosa County Development Services,
RE: Special Exception 2016-SX-008

The Terry Cove Homeowners Association is comprised of all the homes on the east side of Terry Cove Drive. The association owns the parcel directly next to, and borders 2 sides of the property for which the exception is being requested. It is with regret that the Terry Cove Homeowners Association would like to express its concern and disagreement with the granting of a variance for the property located at the 2700 block of Terry Cove Dr. Special Exception 2016-SX-008. Granting this variance would not be in the best interest of the homeowners or neighborhood as a whole.

The Santa Rosa County Zoning board has seen fit to impose certain regulations and setbacks which we agree should be adhered to as stated in the zoning regulations for Santa Rosa County. We request that this objection be placed in the administrative record before the public hearing on September 8, 2016.


George J Goncive Jr. (President) 2724 Terry Cove Dr.

 9/6/16
Mark T Goncive (Vice President) 2730 Terry Cove Dr.


Darlene T. Dennis (Secretary) 2734 Terry Cove Dr.


Betty Kolodziej (Treasurer) 2726 Terry Cove Dr.

Danny Collins



From: Mark Snyder <marksnyder@kw.com>
Sent: Tuesday, September 6, 2016 8:04 PM
To: Danny Collins
Subject: Fwd:
Attachments: IMG_3645.JPG; IMG_3646.JPG; IMG_3647.JPG; IMG_3648.JPG

Hello. This email is concerning Special Exemption Request 2016-sx-008. I do not agree with this special exception that would allow the division of this property for the following reasons:

1. I feel it may decrease the value of my home / property, depending on how the land is developed and what type of improvement is built.
2. It will decrease the enjoyment of our back yard. Because this is canal front property we will be forced to look at what ever is built there in the future.
3. It is unfair. We bought our house for the peaceful setting, now we are asked to give this up for another mans profit?

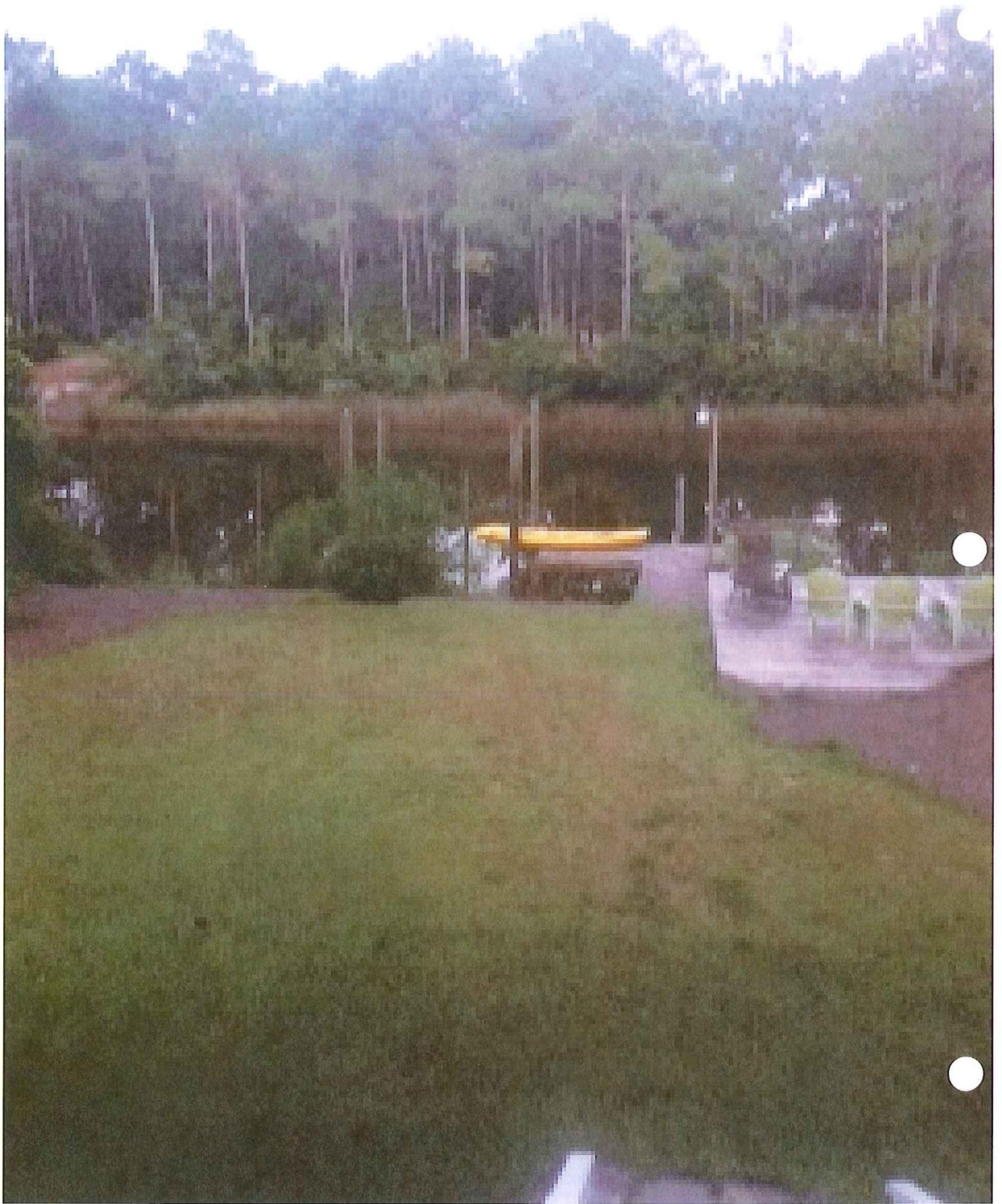
Attached are pictures of my backyard showing the canal and proposed parcel for division.

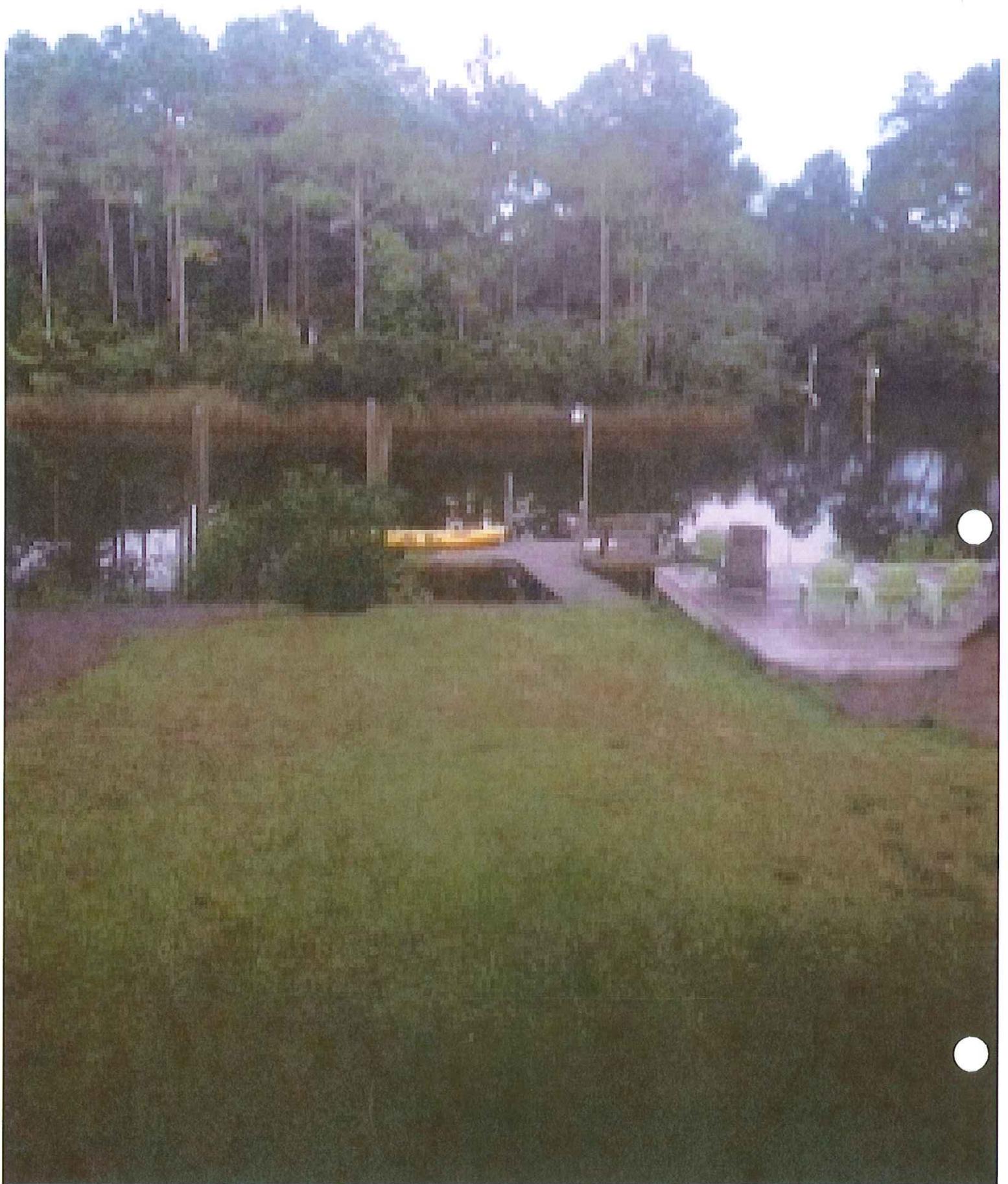
I hope you would take into account my concerns. Thank you for your time. Mark Snyder.

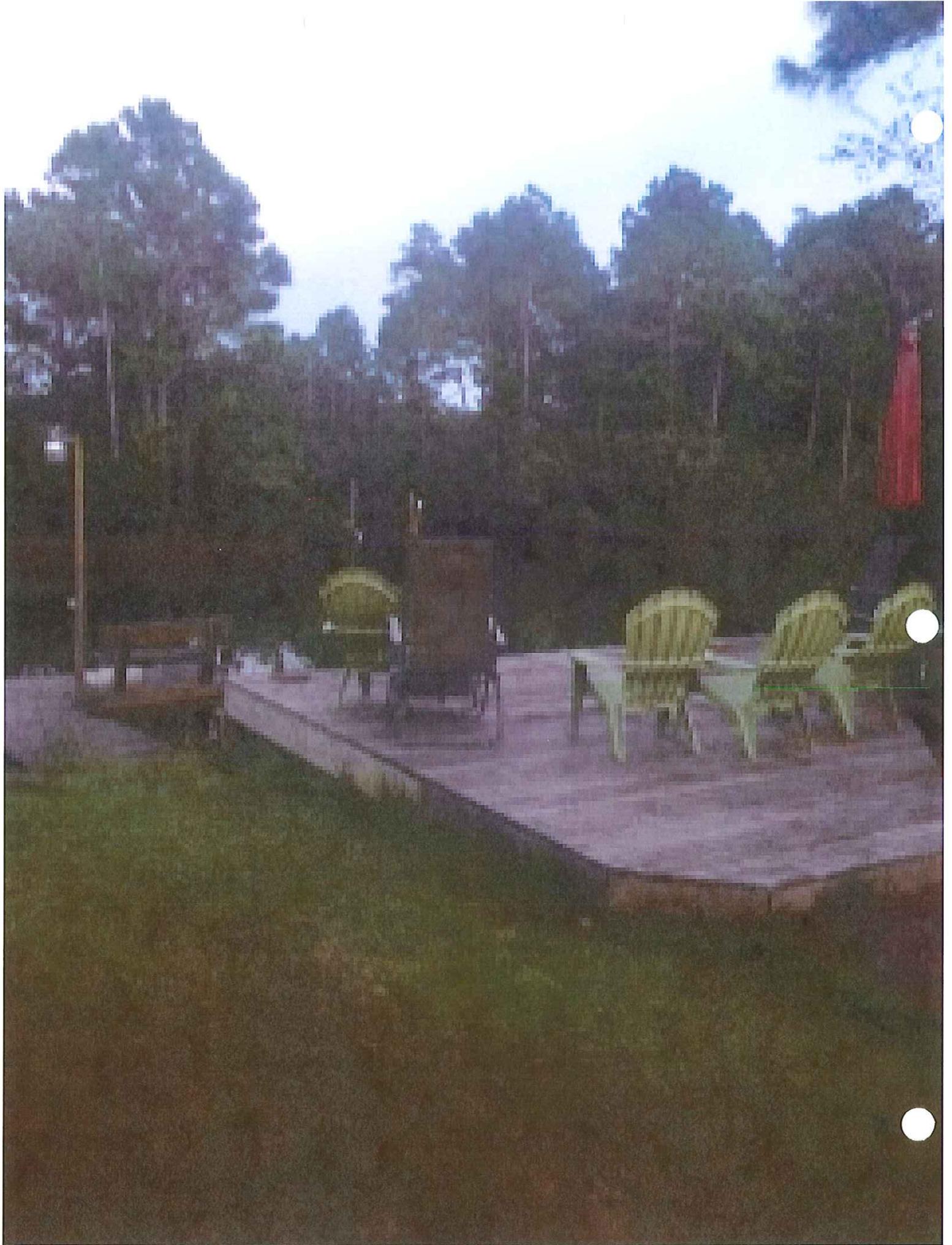
Mark Snyder - 2708 Deluna Way, Milton Fl. 32583

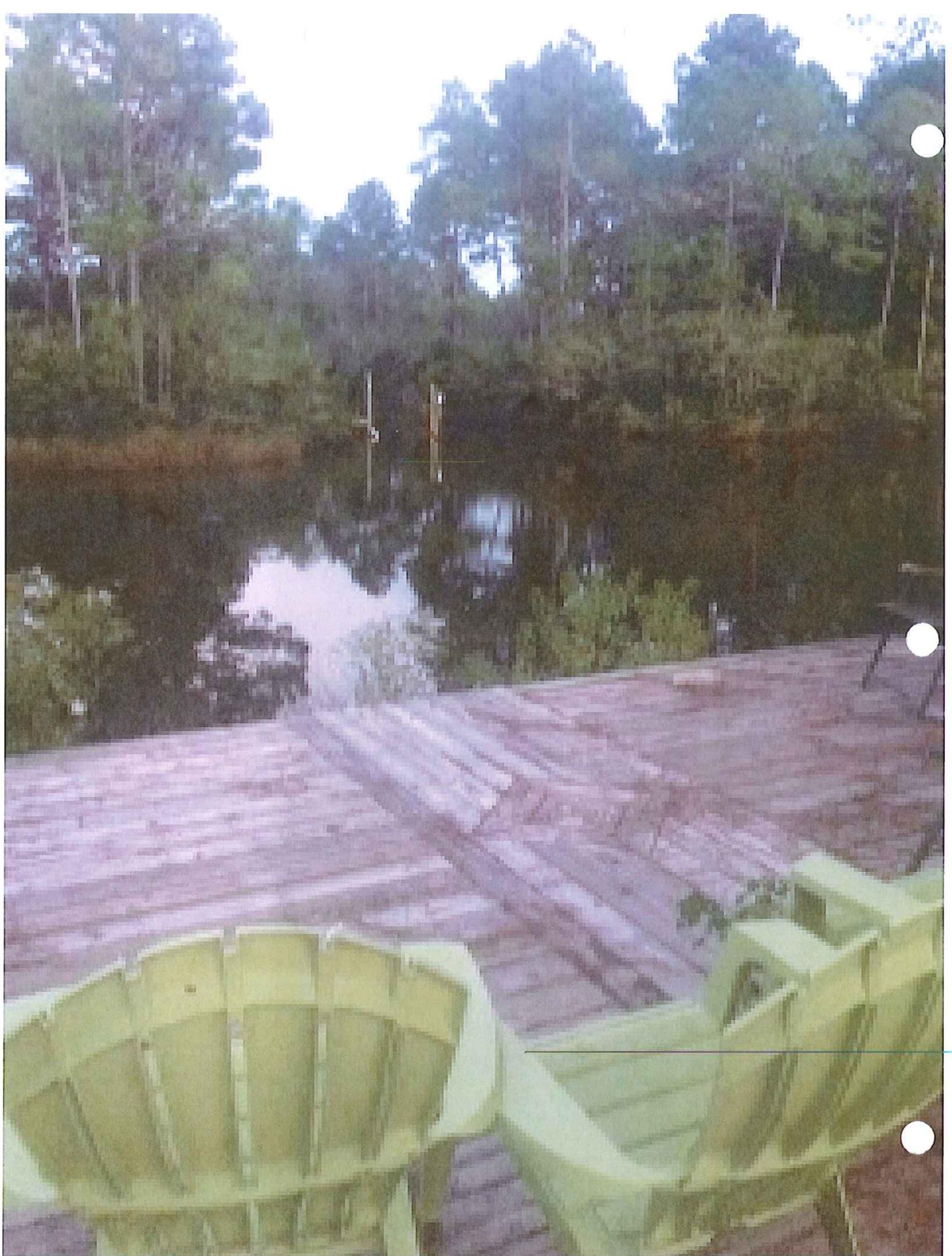
----- Forwarded message -----

From: Mark Snyder <marksnyder@kw.com>
Date: Tue, Sep 6, 2016 at 7:18 PM
Subject:
To: marksnyder@kw.com











Danny Collins

From: David Mabire <visual510@yahoo.com>
Sent: Wednesday, September 7, 2016 4:07 PM
To: Danny Collins
Subject: 2700 block of terry cove dr

To whom it may concern:

In consideration of the pending hearing, I would to say as a homeowner on the this block, I would have to say I am NOT in favor of allowing such changes as it does not enhance our neighborhood in any way and has the potential to devalue the neighborhood as a whole. As you can see (county records) I at one time or another have owned as many as 4 homes in this neighborhood, therefore I am greatly concerned with the future and the value of this area. I am a Florida native and life long tax paying resident of Santa Rosa county along with many members of my family who also live in Santa Rosa county and Having a vested interest in the County and especially my own Street, I again totally disagree with the proposed changes to the property in question. Thank you for your time and hope this letter reaches you in a timely manner, by chance if you have any Questions about this letter or other items please feel free to contact me.

Sincerely,

David Mabire
2737 terry cove Dr
Milton, FL 32583
850-206-4069

Benny & Anna Fernandez
2729 Terry Cove Drive
Milton, Fl. 32583

September 7, 2016



Santa Rosa County Development Services
Re: Special Exception 2016-SX-008
Property: 2700 block of Terry Cove Dr., Milton, Fl. 32583

Dear Board,

We apologize for not being able to attend the meeting, we were not able to take the day off from our jobs.

Our home is two lots down from the above mentioned property. It is to our understanding when the said owner purchased the property as a whole he was a where that the zoning was not set up to allow sub-dividing. We do not feel it is in the best interest of the neighborhood to allow this rezoning. We feel it could open up a whole new realm for others in the neighborhood to attempt to sub-divide their properties due to some of them owning the larger properties on Terry Cove Drive. This zoning ordinance has been in place on Terry Cove Drive since development and the reason for this is due to the minimum road frontage requirement. With the new building regulations, the home would not be able to be built in the same style and manner as all of the homes that are located there on our street now. Also, prior to this variance even being granted through the Santa Rosa County Development Services, the current owner has already listed the property for sale with a real estate company. With that said, he is assuming that this has already been granted.

We would like that our objection to this special exception be recorded prior to the meeting on Thursday, September 8, 2016.

Thank you,

A handwritten signature in cursive script, appearing to read 'Anna Fernandez'.

Anna Fernandez

Benny & Anna Fernandez

Objection to Special Exception 2016-SX-008



Zoning Board Members,

I own 2726 Terry Cove Drive which is my home and 2725 which is the vacant lot next to one of the two lots just purchased by Mr Thiele. On my other side would be Anna and Benny Fernandez. There is a home on Mr. Thiele's lot directly next to mine and then the vacant lot that the variance is being requested for. Ours is a small close community that doesn't desire changes that could very well possibility adversely affect our neighborhood. I therefore voice my objection to special exception 2016-SX-008.

Please see the board receives my objection before the public hearing on September 8, 2016. I may not be able to attend the hearing.

Betty Kolodziej