

Zoning Board
June 14, 2012
Milton, Florida

The Zoning Board met on the above date with the following members in attendance: Chairman Jim Waite, and members Bill Dubois, Rob Williamson, Paul Carney, David Powell, Bill Seelman, Alan Isaacson, and Carol Boston. Kelly Hobbs, Planner II, and Leslie Statler, Planner III, represented the Planning and Zoning Department.

The first item of business was the review of the minutes from the May 10, 2012 meeting.

Waite moved approval without objection of the minutes from the May 10, 2012 meeting.

New Business:

1. 2012-V-022

Project/Applicant: Vance Baylot
Location: 1750 Galvez Drive, Gulf Breeze
Parcel(s): 24-2S-28-1150-00900-0120
Zoned: R1M (Mixed Residential Subdivision)
Request: Variances to the following: 1. to reduce the corner side setback from 15 feet to 5 feet to accommodate a garage with upper deck; and 2. to reduce the corner side setback from 15 feet to 5 feet to accommodate an existing shed (LDC 2.10.05.B.1, 2.10.04.C)
District: Commissioner District #5

There was no one in attendance to represent this item.

Powell moved approval without objection to table this item to the July 12, 2012 agenda.

2. 2012-V-023

Project/Applicant: Michael & Audrey Michaelson
Location: 5503 Kim Drive, Milton
Parcel(s): 32-2N-27-0000-00962-0000
Zoned: R1M (Mixed Residential Subdivision)
Request: Variance to allow an accessory structure which is not incidental or subordinate in size to the principle structure (LDC 3.00.01)
Note: The principle structure is 624 square feet; the proposed accessory building is 880 square feet.
District: Commissioner District #2

Audrey Michaelson said she also owns the property directly behind the subject property.

Seelman moved approval of the request. Carney seconded, and the motion passed unanimously.

3. 2012-V-024

Project/Applicant: Ryan Carlson, Carlson Construction, LLC
Location: 3677 Gardenvue Drive, Pace
Parcel(s): 32-2N-29-0000-00198-0000
Zoned: RR1 (Rural Residential Subdivision)
Request: Variances to the following to accommodate the placement of a residential circular driveway on a minor collector roadway (Gardenvue Road): (1) to eliminate the requirement for a shared access driveway for a newly created lot along an access management corridor; and (2) to reduce the minimum required driveway spacing from 185 feet to 32.6 feet from the closest driveway on the east side of the lot and to 108.8 feet to the closest driveway on the west side of the lot (LDC 4.04.03.D, 4.04.03.D.1.b.2)
District: Commissioner District #3

Isaacson said he will abstain from this item. Daniel Saba said he agrees with the staff analysis of this request. He said the Land Development Code states variances may be granted if the effect of the variance is to enhance the safety or operation of the roadway. Saba said this parcel was divided after the ordinance was in place. He said the applicant was not aware the parcel had been divided. Saba said his request is to eliminate the requirement for an easement and the requirement of a 185 foot setback from the nearest driveway. He said this has become an issue because Gardenvue Road is classified as a minor collector road. Saba said the reason for the circular drive is to increase public safety. He said he felt this will increase property value.

Williamson moved approval of the requests with the condition there be a circular driveway. Powell seconded, and the motion passed unanimously. Isaacson abstained.

4. 2012-V-025

Project/Applicant: Paul & Cari Taylor
Location: 2324 Avenida De Sol, Navarre
Parcel(s) 17-2S-26-2750-03300-0250
Zoned: R1-APZ (Single Family Residential within an Accident Potential Zone)
Request: Variances to the following: (1) to reduce the corner side setback from 15 feet to 9 feet to accommodate an elevated pool deck for an above-ground pool; and (2) to allow a privacy fence 10 feet in height to be located within a corner side setback (LDC 2.10.05.B.1, 2.10.04.C, 6.04.16.A & C, 7.01.10.A & D)
District: Commissioner District #4

Paul Taylor said he was advised, by the pool contractor as to where to place the pool on the property. He said the main concern with the location of the pool was the septic mound. Taylor said he did not want to put the pool close to anyone else's property. Taylor said the fence is intended to inhibit visibility of the pool.

Boston asked how far the shed is from the property line. Taylor said 5 feet. Carney asked why the deck was placed in this particular location. Taylor said he was advised by the contractor, as to where to place the deck. Waite asked if there is room for landscaping between the fence and the road. Taylor said yes. Dubois said he felt this property has unique characteristics in regard to the setback requirement.

Shirley Richardson said her concern is property value. She said she opposes the fence.

Jeff Campbell said he is opposed to this request. He said the deck should be placed on the opposite side of the pool.

Shirley Hindrey said she is opposed to this request. She said this corner is accident prone and this project is distracting to drivers. Hindrey said the ordinance should be obeyed. She said the contractor should be held responsible.

Taylor said because of the way his property is laid out the pool deck is not on the corner of the intersection. He said the fence will be tapered down from 10 feet to 6 feet. Taylor said he does not feel this project will affect property values.

Carney moved approval of the first variance request. Dubois seconded, and the motion passed by majority vote with Carney, Dubois, Williamson, Waite, Powell, Seelman, and Isaacson in favor. Boston opposed.

Waite moved denial without objection of the second variance request.

5. 2012-V-027

Project/Applicant: "East River Smokehouse" Charles Clary

Location: 8465 Navarre Parkway, Navarre & 8491 Navarre Parkway, Navarre

Parcel(s) 20-2S-26-0000-00200-0000 & 20-2S-26-0000-00400-0000

Zoned: HCD-HON (Highway Commercial Development within the Heart of Navarre overlay district)

Request: Variance to reduce the Shoreline Protection Zone setback from 50 feet to 4 feet to accommodate the construction of an outdoor seating and recreation area (LDC 12.01.00.A, 12.01.02.A)

District: Commissioner District #4

Powell said he will abstain from this item. Charles Clary discussed the history of this property. He said the subject property is currently being renovated to accommodate a restaurant. Clary said he is asking for permission to build within the coastal zone for a number of reasons. He said Hurricane Ivan inhibited the original intent for the property.

Jerry Couey said he felt the 50 foot setback should stay in place. He asked the board to deny this request.

Boston asked when the seawall will be repaired. Clary said at the same time the deck is built. Carney asked if the seawall will be repaired regardless of the deck. Clary said yes.

Williamson said this is a deck and volley-ball court, not a structure. He said he wants this business to be successful. Williamson said the development being proposed is the best case scenario for this property. Boston said she could support this request if the setback was mitigated slightly.

Williamson moved approval of the request. Seelman seconded, and the motion passed by majority vote with Williamson, Seelman, Dubois, Waite, Seelman, and Isaacson in favor. Boston opposed. Powell abstained.

6. 2012-V-028

Project/Applicant: North Gulf, LLC, represented by Darrell Barnhill, ECM

Location: 1400 Bahia Drive, Navarre Beach

Parcel(s) 28-2S-26-9020-00000-0400

Zoned: NB-C (Navarre Beach-Commercial)

Request: Variance to allow the encroachment of a parking stall within the front perimeter landscaped open space along Gulf Boulevard (LDC 6.07.05.F)

District: Commissioner District #4

Darrell Barnhill said this request is to allow him to better accommodate the handicapped community. He said this will impact 110 square feet of the property. Barnhill said he will landscape 600 square feet of the property.

Waite moved approval without objection of the request.

7. 2012-R-010

Applicant: Kelly Seay

Parcel(s): 19-1N-27-0000-03606-0000

Location: 4109 Driskell Rd

Existing Zone: C1M (Marina District)

Requested Zone: P2 (Active Park District)

Current FLU: Marina

Proposed FLU: No Change

Area size: 1 acre +/-

District: Commissioner District # 2

Kelly Seay said this area was run down and he purchased the property to make upgrades. He said this property needs an upgraded septic tank and upgraded electrical service. Seay said there has been a lot of drug activity on this property and he is trying to clean it up. He said the neighbors are in support of this request.

Boston moved approval of the request. Carney seconded, and the motion passed unanimously.

8. 2012-R-012

Applicant: Bill Pullum, Northwood Properties, Inc.

Agent/Owner: n/a

Parcel(s): APO 06-1N-27-0000-00100-0000

Location: Persimmon Hollow Road, Milton

Existing Zone: M2 (General Industrial)

Requested Zone: R2M (Medium Density Mixed Residential)

Current FLU: Industrial

Proposed FLU: Medium Density Residential

Area size: 9.47 (-/+)

District: Commissioner District # 2

Bill Pullum said this property was rezoned to industrial but he does not feel this is a viable option at this time. He said single family residential development is better suited for this property. Pullum said he is requesting R2M zoning to allow flexibility to develop the property as the economy allows.

Isaacson asked if this development will be on septic or sewer. Pullum said septic. Isaacson asked if Pullum is opposed to the property being zoned R1 instead of R2M. Pullum said his intent is to put homes on the property, but he is unsure about the economy. Isaacson asked if the entire parcel will be developed as similar zoning. Pullum said his intent is to develop the property with what will sell best.

Boston asked where this parcel falls in relation to the proposed wellfield protection area. Statler said this property is within close proximity to the wellfield protection area.

Robert Stewart said the proposed zoning is not appropriate for this area. He said mobile homes will not be an asset to this area. Stewart said drainage will be an issue for this development.

Wallis Mahute said this property is in close proximity to the proposed wellfield protection area. She asked how many units are proposed. Waite said the drawing he was given shows 29 units.

Dubois said he supports residential zoning for this property. He said he would like a condition to treat this section of Persimmon Hollow Road as a minor collector road for access management purposes. Waite said the access will be on the back side of the subject property. Pullum said the main access will be on Highway 90. Dubois said the condition of a 1 foot non-access easement along Persimmon Hollow Road should be included.

Isaacson said he felt if a plat is not required then 41 lots could be developed on this property. He said he does not believe the best use of industrial property is to have mobile homes on the property.

Stewart asked what Pullum intends to do about the 100 foot buffer zone put in place in 2001. Waite said that buffer implies only to industrial property. Williamson said he supports R1 zoning for this property. He said he does not feel mobile homes are appropriate for this property. Boston agreed. She said she felt this development should be required to have sewer hook up.

Pullum said his intent is to develop this property as meets and bounds. Isaacson said he objects to allowing meets and bounds on this property.

Isaacson moved approval for R1 zoning, with the conditions that access management, sewer hookup, and a plat are required. This motion died due to the lack of a second.

Pullum said he is not agreeable to these conditions. Chuck Martin, Southern Surveying, said there will only be 29 lots on this development. He said the reason to plat land is for roads and other infrastructure. Martin said he does not see the reason for platting this development.

Statler said if this property is not platted the County will not regulate storm water requirements, sidewalks, or any other subdivision standards the county has in place. Cato said if access management is applied it will create driveway spacing requirements.

Powell moved approval of R1 zoning with the condition access management be required. After discussion Powell withdrew his motion.

Isaacson moved denial of the request. Boston seconded, and the motion passed with Isaacson, Boston, Carney, Williamson, Seelman and Dubois in favor. Seelman, Powell, and Waite opposed.

Planning Department Matters:

Review of BOCC May 24, 2012 meeting results:

1. 2012-SX-004:

Waite said this item was appealed and the Board of County Commissioners upheld this board's decision.

2. Conditional Uses 2012-CU-006, 2011-CU-007, 2012-CU-008, 2012-CU-009, 2012-CU-010, 2012-CU-011, & 2012-CU-012:

Waite said the Board of County Commissioners upheld this board's decision on these items.

3. Rezoning 2012-R-008 and 2012-R-011:

Waite said the Board of County Commissioners upheld this board's decision on these items.

Other discussion:

Isaacson said last month the board discussed the seasonal use of Recreational Vehicles (RV). He said the Land Development Code does not state "within a given year" which means someone can remove an RV from their property and bring it back the next day. Isaacson said the intent is for seasonal use of RV's to be six months of the year. Waite asked staff to provide the Board a recommendation for this issue.

Next meeting:

The next Zoning Board meeting will be held on Thursday, July 12, 2012.

Adjourn:

There being no further business to come before the board at this time, the meeting adjourned.