**PLANNING COMMISSION**

**MINUTES**

**AUGUST 9, 2018**

**5:04 P.M.**

The regular meeting of the Okaloosa County Planning Commission was held Thursday, August 9, 2018, 5:04 p.m., 208 North Partin Dr, Niceville Board Room, Niceville, FL. Board members in attendance were Larry Patrick, Phyllis Enzor, Bruce Ravan, John Collins, and Jeremy Stewart.

Eglin Representative Tom Tolbert was not attendance.

Growth Management Staff in attendance were Randy Woodruff, Planning Manager, Tim Durbin, Planner III, and Leslie Adams, Administrative Assistant II, recording secretary.

County Attorney in attendance was Kerry Parsons.

Speaker recognition forms were submitted by persons wishing to speak as follows:

Agenda Item 1: Shannon Scott, 728 Rever Ave., FWB, FL---Applicants Rep.

Agenda Item 1: Susan Costablie, 138 Magnolia Ave, FWB, FL 32548---Speaker on behalf of LUPCENKIP, LLC

Agenda Item 1: Alan Berryman, 165 B Monahan Dr., FWB, FL---Opponent

Agenda Item 1: Kevin Donaghey, 307 Monahan Dr., FWB, FL---Opponent

Agenda Item 1: Rebekah Miller, 161 Monahan Dr., FWB, FL---Opponent

Agenda Item 1: Elliot Buck Allen, 161 Monahan Dr., FWB, FL---Opponent

Agenda Item 1: Kim Collier, 118 Monahan Dr., FWB, FL 32547---Opponent

Agenda Item 1: Coy Collier, 192 Shady Acres Court, Defuniak Springs, FL 32547----Opponent

Agenda Item 1: Butch Slvschewski, 756 Toness Way, FWB, FL 32547---Opponent

Agenda Item 1: Doug Moore, 169 Monahan Dr., FWB, FL----Opponent

Agenda Item 1: Julian Cook, 163 B Monahan Dr., FWB, FL 32547---Opponent

Agenda Item 1: Hal Crowson, 553 Cove Dr., FWB, FL----Opponent

Agenda Item 1: Hars & Yukkui Anderson, 161 B Monahan Dr., FWB, FL ---Opponent

1. **CALL TO ORDER**

Chairman Patrick called the meeting to order at 5:04 PM.

1. **ROLL CALL**

Leslie Adams conducted roll call.

1. **APPROVAL OF MINUTES FOR JUNE 14, 2018 ( NO JULY MEETING)**

The Chairman called for a motion to approve the minutes.

***Motion to approve the minutes of June 14, 2018 made by Bruce Ravan, second by Jeremy Stewart --- 5 ayes. Motion passes.***

1. **OPEN TO PUBLIC (FOR ANY ITEMS NOT QAUSI JUDICIAL ON THIS AGENDA)**

None

1. **ANNOUNCEMENTS**

None

1. **ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA**

None

1. **ACCEPTANCE OF THE AGENDA**

***Motion to accept the agenda as written made by Jeremy Stewart, second by Phyllis Enzor--- 5ayes. Motion Passes.***

1. **OATH TAKING**

Leslie Adams administered the oath for all speakers.

1. **DISCLOSURES**

Leslie Adams read disclosures to the Board. Chairman Patrick advised he spoke with Realtor Ms. Heather Glass, representing Mr. Scott, only about how she could obtain information concerning agenda item. All other Commissioners advised they had not spoken with anyone. Commissioner Ravan advised he drives by the property daily but not for the purpose of the meeting and Chairman Patrick advised he had driven past the property before but not for the purpose of the meeting. All other Commissioners advised they have not driven by the property. All Commissioners advised they could render a fair and impartial decision for the items on the agenda.

1. **OLD BUSINESS**

None

1. **NEW BUSINESS**
2. **Applications for development review**

None

b. **Public Hearings**

**AGENDA ITEM 1**: Consideration of a request changing the use of land submitted by S & S Prestige Homes, LLC relating to property located at 112 & 116 Monahan Drive, Fort Walton Beach, FL. The request is to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the property from **Low Density Residential (LDR)** to **Medium Density Residential (MDR)**. If the FLUM amendment is approved, request to rezone the property from **Residential 1 (R 1)** district to **Residential 2 (R 2)** district. Property contains 0.7397 acres, more or less.

Randy Woodruff read into record agenda item 1.

Chairman Patrick admitted into record the e-mails sent to staff 1) cover letter stating Susan Costabile, of Sundance Realty will be speaking on behalf of LUPCENKIP, LLC, 2) petition packet from LUPCENKIP, LLC, and 3) petition letter from Mr. Richard Tona.

Chairman called Shannon Scott to speak.

Mr. Scott addressed the Board advising giving brief background of property owners, builder, and what they are proposing to do with the property and why they are requesting the FLUM and Land Use change advising that their request for their proposal is within the requirements.

Mr. Woodruff advised he would like to enter staff analysis into record. Mr. Woodruff read into record staff analysis at the consent of Chairman Patrick. Mr. Woodruff advised reference to sanitary sewer element policy 2.1 staff review the request based on the potential impact on existing utilities stating that right now the area is serviced by an 8” water and sewer line and during a discussion with Okaloosa County Water Service and there is existing capacity for both existing and proposed development. Mr. Woodruff advised that any development proposal must come back to and go through a Development Order process which will include the review of stormwater.

Chairman Patrick called for Susan Costabile.

Ms. Costabile addressed the Board advising she was there on behalf of LUPCENKIP, LLC, advising they asked her to read into record the whole petition, but she felt if everyone had already read the packet she felt it wasn’t necessary to read the whole thing. Ms. Costabile advised they were wanting to stress the concern of: 1) sewer system, 2) demands on existing water delivery, 3) fire load and limitations, 4) sewer elimination, 5) rain runoff, and 6) support infrastructure concerning electrical power and all of these causing a strain with a complex proposed and they already have issues with these issues.

Chairman Patrick called for questions and commented on the objections made in the petition and the fact that Mr. Woodruff addressed the capacity of the water delivery system and there being an appropriate supply available for further development. Chairman Patrick advised the fire department was aware of the density in the area, and the storm water runoff would be imposed on any new development and they would have to comply with all the rules and regulations requiring retaining water on one’s own property, and it is possible that the current stormwater situation for this proposal are more than likely to improve. Chairman Patrick advised he couldn’t answer for the police department or Gulf Power because they didn’t have anyone at the meeting.

Discussion ensued concerning the petition entered into record by Ms. Costabile.

Chairman Patrick advised the public that the Board was only voting on the FLUM and Rezoning request and not any other issues at this time, including that the issues currently being brought forward would be something they consider at the time of a Development Order application process.

Discussion ensued.

Chairman Patrick called for Alan Berryman.

Mr. Berryman addressed the Board advising his concerns of traffic issues on Monahan Dr.

Chairman Patrick called for Mr. Woodruff to address how traffic is considered during the development review process.

Randy Woodruff advised during the development review traffic issues would be reviewed by Public Works. Mr. Woodruff advised he did speak with Public Works about this item and they advised they could not give a definitive answer because they do not know the level of detail for the alleged actual proposal, but they have indicated they do not currently have a level of service concurrency mapped out for this particular street because it’s not that traversed of a roadway.

Discussion ensued.

Chairman Patrick called for Kevin Donaghey.

Attorney Parsons advised how the Development Process would work and how some of the concerns would be addressed by the different departments during this process.

Mr. Donaghey addressed the Board advising his issues were already addressed and declined to speak.

Chairman Patrick called for Rebecca Miller.

Ms. Miller addressed the Board advising she was concerned about: 1) traffic issues on Monahan, and 2) improvement of surrounding property.

Discussion ensued.

Chairman Patrick called for Mr. Elliot Buck Allen.

Mr. Allen addressed the Board advising he opposed the rezoning. Mr. Allen advised he was concerned about: 1) traffic issues on Monahan, 2) the current apartment complex on Monahan being out of zoning compliance being grandfathered in at R-2 and the Land Development Code and Comprehensive Future Land Use Code not allow for a zoning land use change based on adjacent property that is out of compliance, and 3) land value of surrounding properties.

Chairman Patrick called for Ms. Kim Collier.

Ms. Collier addressed the Board advising her and the owners of the property she resides in concerns of: 1) flooding issues, 2) sewer issues, and 3) power issues.

Chairman Patrick called for Coy Collier.

Mr. Collier addressed the Board advising his concerns of flooding issues on the surrounding property and traffic issue.

Chairman Patrick advised that this issue would be looked at during the Development Order review process as a requirement for any new development.

Discussion ensued.

Chairman Patrick called for Butch Slvschewski.

Someone in audience advised he left the meeting.

Chairman Patrick called for Doug Moore.

Mr. Moore addressed the Board advising he was opposed and his concerns of: 1) overflow parking, 2) street traffic, and 3) impact of surrounding property.

Chairman Patrick called for Julian Cook.

Mr. Cook addressed the Board advising his concerns of 1) comments from staff, 2) zoning compliance on Monahan, 3) protecting the character of the neighborhood, 4) not allowing non-conforming property to justify a rezoning or FLUM change, and 5) starting a trend of zoning to higher density.

Discussion ensued concerning property Mr. Cook considered as non-conforming.

Chairman Patrick called for Hal Crowson.

Mr. Crowson addressed the Board advising his concerns of severe traffic issues causing safety issues on his street and on Monahan.

Discussion ensued concerning traffic issues.

Chairman Patrick called for Mr. or Mrs. Anderson to speak.

Both Mr. and Mrs. Anderson declined to speak.

Chairman Patrick called for rebuttal from the applicant, Mr. Scott.

Mr. Scott addressed the Board advising his concerns of people describing property as non-conforming on Monahan. Mr. Scott advised he believed that they were the perfect use for the property.

Discussion ensued concerning the property and surrounding property.

Chairman Patrick allow Mr. Collier to address the Board to ask the applicant when the property was acquired.

Mr. Scott advised one parcel has been owned for over 40 years and the second parcel was a recent foreclosure purchase.

Discussion ensued concerning the property and what the approximate proposal and the density of the property.

Mr. Allen addressed the Board and advised the name of the prior owner of the property.

Ms. Miller addressed the Board to advise the location of the Jimmy Henderson homes.

Discussion ensued.

Attorney Parsons advised the Chairman for record that they Board would be looking at the intensity and density if changed from R-1 to R-2 regardless of whatever the nonconforming use is potentially on the property next door, but the intensity allowable in one district.

Mr. Cook addressed the Board advising looking in the Land Development Code it says to maintain viable communities and build to this and not away from it.

Attorney Parsons advised that she didn’t argue what Mr. Cook advised, only wanted it on record that the Board had to look at the intensity and density from one district to the next versus R-1 and R-2 regardless of the non-conforming uses may be next door.

Discussion ensued.

Attorney Parsons advised the Board for record that what they are making a decision on at this meeting the applicant is not required at any time to provide the Board with what their potential use will be.

Discussion ensued.

Chairman Patrick called for a five minute break.

Chairman Patrick called for any further comments from Mr. Scott.

Mr. Crowson addressed the Board advising information on the Jimmy Henderson home previously discussed.

Chairman Patrick called for a motion.

Commissioner Stewart inquired if the applicant would be willing to table the item to work out and address concerns.

Mr. Scott advised they would not be willing to table due to the impression that the issues would be addressed at the zoning stage.

***Motion made by Bruce Ravan to approve the request for the change of the FLUM from Low Density Residential (LDR) to Medium Density Residential (MDR), second by John Collins. 4 Ayes ---1 Opposition. Motion Passes.***

***Motion made by John Collins to approve the request to change the zoning from Residential (R-1) to Residential 2 (R-2), second by Bruce Ravan. 4 Ayes---1 Opposition. Motion Passes.***

Mr. Woodruff advised the Board of County Commissioner meeting will be on September 18, 2018 at 9:00 am in the Shalimar office. Mr. Woodruff advised that Staff would be available for any questions and for them to reach out to Public Works Department for traffic and stormwater concerns.

 Discussion ensued.

1. **OTHER BUSINESS**

The **SEPTEMBER 13, 2018** Planning Commission Meeting will be held at 208 North Partin Dr., City of Niceville Board Room, Niceville, FL.

**ADJOURNMENT**

Chairman Patrick adjourned the meeting at 6:53 pm.

Prepared by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Leslie Adams, Recording Secretary

Date 08/20/18