

PLANNING COMMISSION

AGENDA REQUEST

TO: HONORABLE CHAIRMAN & MEMBERS OF THE PLANNING COMMISSION

THROUGH: Kristen Shell, AICP, MEng, Director

FROM: Randy Woodruff, AICP, MPA, Deputy Director

SUBJECT: DOH-001232-2025 Petition for Development Order Hearing, Buttonbush Meadows Subdivision (DO-0625-0014)

DATE: April 9, 2026

BCC DISTRICT: (3) Commissioner Cox

PLANNING COMMISSION DISTRICT: (3) Vacant

PUBLIC HEARING: Pursuant to the March 17, 2026 email from Mr. Ken Metcalf, AICP, agent for the applicant and developer, Christopher R. Ryles, Mr. Ryles agreed to postpone the March 12, 2026, Planning Commission hearing until April 9, 2026 so that all parties would be informed by the pending decision in the circuit court case concerning the Buckhaven Subdivision, scheduled for March 25, 2026 (**Exhibit 9**).

Consideration of a petition by Benjamin Plenge, Brian Hormberg, Clayton Harpster, Dominick Vicari, James Hecker, Marianne Vicari, Michelle Harpster, Michelle Walker, OUR Soil, Inc., Sheldon Harpster, Tiffany Matthews, Tracy Matthews, Victoria Humker, Wesley Florez, and William Adams challenging the issuance of a Development Order for Buttonbush Meadows Subdivision, a proposed 22-lot single family detached residential subdivision as submitted by Cole Granger, PE with Seaside Engineering & Surveying, LLC, agent on behalf of the applicant, Christopher R. Ryles. The property is currently zoned **Agricultural (AA)**, and the Future Land Use Map (FLUM) designation is **Agricultural (AG)**. The property is located on the east side of Galliver Cutoff Road, south of Keyser Mill Road, north of Country Living Road, Baker, FL. Property contains 26.79 acres more or less.

The Petition for Development Order Hearing was timely filed in accordance with Section 1.11.08 of the Okaloosa County Land Development Code, hereinafter "LDC" by Benjamin Plenge, Brian Hormberg, Clayton Harpster, Dominick Vicari, James Hecker, Marianne Vicari, Michelle Harpster, Michelle Walker, OUR Soil, Inc., Sheldon Harpster, Tiffany Matthews, Tracy Matthews, Victoria Humker, Wesley Florez, and William Adams on November 24, 2025. The petition was followed by a required Memorandum of Error (MOE) which was filed on December 8, 2025. Copies of the MOE applications are attached (**see Exhibit 1**).

As used in this report "Application" means the Development Order Application submitted by Seaside Engineering, "County" means staff and employees of Okaloosa County, "Applicant" means Christopher R. Ryles., and "Petitioner" means the signatories listed above to the Petition for Development Order Hearing dated on or about November 24, 2025.

BACKGROUND: Ruling on Okaloosa United Residents for Saving Our Irreplaceable Land, Inc. (OUR SOIL) v. Okaloosa County, et. al. case.

For background, in late September 2024, a group of citizens under the non-profit group Okaloosa United Residents for Saving Our Irreplaceable Land, Inc. (OUR SOIL), filed a lawsuit against the County. The lawsuit challenged, pursuant to Chapter 163, Florida Statutes, the County's approval of the Buckhaven Subdivision located off Buck Ward Road in Baker, claiming it was inconsistent with the Okaloosa County Comprehensive Plan on various grounds.

After much discovery and motion practice, all parties (Defendant County, Defendant Developer Garden Street Developers, and Plaintiff OUR SOIL) filed competing Motions for Summary Judgement which were heard before the Court last month. On March 25, 2026, Judge Oberliesen held a Pronouncement Hearing on all Motions for Summary Judgement. The Court orally granted final summary judgment in favor of Okaloosa County and denied OUR SOIL's Motion for Summary Judgment. The Court found that the County's actions in approving the Buckhaven Subdivision were consistent with the Okaloosa County Comprehensive Plan. The Court orally ruled March 25, 2026, and will be following up with a written ruling.

DEVELOPMENT REVIEW PROCEDURE

Section 1A.03.03 of the Land Development Code (herein referenced as "LDC") sets forth the procedure for reviewing applications for development orders. The purpose of this Section is to provide a standardized and uniform system for the County's review of applications for development order or permit approval. This Section sets forth the essential requirements of law that must be met for a development order or permit to be reviewed and approved, which shall be supplemental to the general guidelines prescribed at Section 1A.02.04 (LDC). The following is a list of applicable LDC provisions and corresponding action taken by the County in compliance with each provision.

1. Pre-application review (1A.03.02, LDC). Pre-application review is a voluntary and informal meeting between a development order applicant and county staff. A pre-application review meeting was not requested by the applicant for the proposed development.
2. Development Order Application (1A.03.03, 3, LDC). A Development Order application in the form and content prescribed by the Planning Official was submitted to the County on June 17, 2025, for a proposed 22-lot single-family subdivision (see **Exhibit 6**). On September 17, 2025, a revised plan was submitted for review.
3. Public Notice (1.11.07, LDC). A public notice sign was posted on the property on or about June 18, 2025 (see **Exhibit 4**).

4. Completeness review (IA.03.03, 3, b, LDC). The Planning Official, or designee, is responsible for "completeness" review of applications. Applications are reviewed on a preliminary basis and will be deemed "complete" or "incomplete" within five [5] days after the date the application is stamped in and officially received by the Department. The application was deemed completed on June 24, 2025.
5. Administrative Review (IA.03.03, 4, LDC). Once an application is deemed complete, it must be distributed for administrative review to all affected departments and agencies. Reviewing agencies are required to provide written comments to the Planning Official, or designee, within forty-five (45) days after the date the application is distributed. The application was routed for review on June 24, 2025.
6. Applicant response to comments (IA.03.03, 4, LDC). The Planning Official, or designee, is then required to send the applicant a project status letter which must include any objections or comments received from any review agencies as well as comments or objections from the Growth Management Department. The applicant then has sixty (60) days from the date of the status letter to resolve any objections raised which may necessitate re-submittal of site plans, drawings, and other necessary information, however, the 60-days may be extended by the Planning Official upon written request by the applicant. Comments were submitted to the Applicant on July 8, 2025. Agency approvals were received as follows:

Street Name Approval: June 10, 2025

Plat Name Affidavit Received: June 11, 2025

Holt Water System (Water Concurrency): September 3, 2025

Solid Waste Concurrency Received: June 24, 2025

North Okaloosa Fire & Life Safety Approval: September 3, 2025 (Approved in Coordination with Holt Fire Chief)

Public Works Approval: October 20, 2025

Planning Approval (NOI to Issue a DO Letter): November 17, 2025

7. Notice of Intent (NOI) (IA.03.09, LDC). Upon completion of the development review process the Planning Official, or designee, must issue a notice of intent to approve, approve with conditions, or deny a development order. At this time, the Planning Official, or designee, shall post a 2' X 3' sign in a conspicuous place on the property involved which describes the intended action, the type and nature of the development being proposed, contact information, and a statement that any adversely affected party may request a "Development Order Hearing" as specified in S. 1.11.08. The notice of intent sign was posted on the property on November 17, 2025 (see **Exhibit 5**).
8. Development Order hearing (1.11.08, LDC). A Petition for Development Order Hearing was timely filed by Benjamin Plenge, Brian Hornberg, Clayton Harpster, Dominick Vicari, James Hecker, Marianne Vicari, Michelle Harpster, Michelle Walker, OUR Soil, Inc., Sheldon Harpster, Tiffany Matthews, Tracy Matthews, Victoria Humker, Wesley Florez, and William Adams on or about November 24, 2025. The petition was followed by a required Memorandum of Error (MOE) which was timely filed on or about December 8, 2025 (see

Exhibit 1).

9. In accordance with Section 1.11.08, Development Order Hearing, prior to the hearing date the Planning Official shall schedule a meeting between the county staff, the applicant, and the Petitioner so as to provide an opportunity for the objectives to be resolved. The Mediation Meeting was held on February 4, 2026. The applicant and petitioners were unable to resolve raised objectives.

GENERAL GUIDELINES FOR ISSUING DEVELOPMENT ORDERS

The decision to approve, approve with conditions, or deny a development order or permit shall be based upon the following general guidelines as specified in Section 1A.02.04, LDC.

1. The proposed development must be consistent with the Comprehensive Plan and applicable provisions and requirements of this Code.

Analysis: The proposed development project has been reviewed by applicable development review agencies and found to be consistent with the Comprehensive Plan and LDC. With regard to the Comprehensive Plan, the development is consistent with the land uses, densities or intensities, capacity or size, timing, and other aspects of the Plan specified in the Administration Element, Policy 1. 7.

2. **1.7. Relationship to development orders:** Section 163.3194, Florida Statutes requires that any development order issued by a local government must be consistent with the adopted comprehensive plan. A development order shall be considered consistent with this Plan if the land uses, densities or intensities, capacity or size, timing, and other aspects of the development are compatible with and further the objectives, policies, land uses, densities or intensities, prescribed in this Plan. When making determinations regarding whether or not a development or a development order is consistent with this Plan the following guidelines shall be considered.

Analysis: The proposed development order has been reviewed by applicable agencies and found to be consistent with the Comprehensive Plan and LDC and densities or intensities, capacity or size, timing, and other aspects of the development are compatible with and further the objectives, policies, land uses, densities or intensities prescribed in this Plan.

3. **2.7.1 Land uses:** The land use associated with a development or development order shall be deemed consistent with this Plan when the type of land use to be developed (i.e. residential, commercial, etc.) is allowed in the proper land use category specified in the Future Land Use Element and is located within the proper land use designation as shown on the Future Land Use Map;

Analysis: The proposed development is located within the Agriculture (AG) Future Land Use (FLU) Map designation. Single-family residential subdivisions are an allowed use in the Agriculture (AG) Future Land Use Map (FLUM) designation. The proposed

development is consistent with this criterion.

- 4.3.7.1 Densities or intensities:** The density or intensity of a development or development order shall be deemed consistent with this Plan when the proposed density or intensity of use is equal to or less than the allowed density or intensity specified in the Future Land Use Element (FLU) for the type of development allowed in each land use category.

Analysis: The maximum allowed density in the Agriculture (AG) Future Land Use Map (FLUM) designation is one (1) dwelling unit per acre. The density for the proposed development is 0.82 dwelling units per acre. Intensity does not apply to residential development. The proposed development is consistent with this criterion.

- 5. 4.7.1 Capacity, size, or timing:** The capacity, size, or timing of a development or development order shall be deemed consistent with this Plan when:

1. Public facilities and services are adequate and available to serve the proposed development concurrent with the impact or demand that will be created by the proposed development;
2. The impact of the proposed development will not exceed or degrade level-of-service standards specified in the Capital Improvements Element, or;
3. The developer of the project involved pays a proportionate share fee consistent with applicable laws and ordinances.

Analysis: Public facilities and services are adequate and available to serve the proposed development, adopted level of service standards will be maintained. The proposed development is consistent with this criterion.

- 6. 5.7.1 Consistency with objectives and policies:** A development or development order shall be deemed consistent with the objectives and policies of this Plan as follow:

1. The objective or policy must first have the effect of being a regulation, restriction, or limitation on the allowable land use or development project, or otherwise imposes a condition as a prerequisite to development (for example, an objective imposing a shoreline setback would be such a restriction where an objective that states the county will pave X miles of roads would not);
2. The objective or policy is relevant and germane to the issue(s) or objection(s) raised relative to a particular development or development order (for example, application of a coastal-related policy to a non-coastal area or an urban -related policy to a rural area), and; numbered objective and its corresponding numbered policies must be evaluated as a whole to fully determine the intended meaning and context.
3. No objective or policy shall be applied, used, or taken out of context. Each numbered objective and its corresponding numbered policies must be evaluated as a whole to fully

determine the intended meaning and context.

Analysis: The County reviews and evaluates pertinent Comprehensive Plan Policies and Objectives consistency for each Development Order application reviewed. The County also reviews and evaluates pertinent LDC standards and technical requirements for each Development Order application reviewed.

7. The proposed development must not create the potential for a significant financial liability or unreasonable hardship on the County.

Analysis: The proposed development project has been reviewed by applicable County Departments and found not to create a financial liability or hardship on the County.

8. The proposed development must not create an unreasonable hazard or nuisance, or constitute a threat to the general public health, safety, and welfare.

Analysis: The proposed development project has been reviewed and approved by applicable agencies with regard to public health, safety, and welfare, and no threats or issues were identified.

9. The proposed development must comply with all other applicable laws, statutes, regulations, codes, or ordinances.

Analysis: Development review demonstrates compliance with applicable laws, statutes, rules, codes, or ordinances.

10. The proposed development must not jeopardize the current and long-term viability of military installations and flight corridors provided, however, that appropriate mitigation may be required to minimize negative impact.

Analysis: The proposed project will not jeopardize the current and long-term viability of military installations and flight corridors.

There shall be a rebuttable presumption that these guidelines have been met when all applicable provisions and requirements of this Code have been met for development or a type of development.

Analysis: The proposed development is found to be consistent with Section 1A.02.04, General Guidelines for Issuing Development Orders and Permits.

The Petition for Development Order Hearing was timely filed in accordance with Section 1.11.08 of the Okaloosa County LDC, hereinafter "LDC" by Benjamin Plenge, Brian Hormberg, Clayton Harpster, Dominick Vicari, James Hecker, Marianne Vicari, Michelle Harpster, Michelle Walker, OUR Soil, Inc., Sheldon Harpster, Tiffany Matthews, Tracy Matthews, Victoria Humker, Wesley Florez, and William Adams on or about November 24, 2025. The petition was followed by a required Memorandum of Error (MOE) which was

timely filed on or about December 8, 2025. Copies of the MOE applications are attached (see Exhibit 1).

Petitioners Objections

The MOE's attached identify objections to the proposed development as to LDC regulations and Comprehensive Plan Policies. Petitioners' objections include, but not limited to, access to a county maintained road, stormwater, minimum lot size, infrastructure, traffic, landscape plans, concurrency, parking and safety.

County responses to Petitioners objections are hereby provided below:

OBJECTION 1.

Section 2.01.04(1), (5), (8) Permitted Uses: The following uses are permitted as of right in an AA district. All other uses are permitted by special exception, or prohibited.

1. General Agriculture. Land, buildings, support machinery, and other appurtenances typically found in the production of agricultural products and activities including cropland, pastureland, orchards, vineyards, nurseries, ornamental horticulture, groves, tree farms, timberland feedlots, farmhouses, barns, stables, silos, farm accessory buildings and sheds, seasonal roadside produce stands, and the like. Specific, permitted agriculture uses are listed and described in Chapter 11, North American Industry Classification System, U.S. Census Bureau, 2012.

5. Residential. Residential uses including single-family detached homes, category A and B manufactured/mobile homes, customary accessory uses and structures (shed, garages, pools, decks, out-buildings, etc.), residential subdivisions, home occupations, and family day care homes. More than one dwelling may be permitted when the additional dwellings will be occupied by members of the same immediate family, farm workers, or caretakers employed by the owner and the additional dwellings are not offered out for rent or sale.

8. One-Acre Lots. The minimum lot size in the AA district may be one (1) acre when the following conditional requirements are met:

- a. Access to each lot must be from an existing state or county-maintained roadway.
- b. Each lot created shall have a minimum of 50 feet frontage on such state or county maintained road.
- c. Where two or less lots are created access may be provided from a recorded easement.
- d. Development shall not be permitted in floodways.

County Response: As specified in the aforementioned sections of the LDC, detached single-family homes are a permitted use in the Agriculture (AA) zoning district on one acre lots as defined therein.

OBJECTION 2.

Section 2.01.01 Purpose: The purpose of the Agriculture (AA) district is to provide areas for production of plants and animals useful to humans, including to a variable extent the preparation of plant and animal products for human use by sale or otherwise and includes aquaculture, horticulture, floriculture, viticulture, silviculture, dairy, livestock, poultry, bees, and any and all forms of farm products and farm production. This district is also suitable for preservation of green spaces, conservation uses, outdoor recreation uses, very low-density residential uses, and public/institutional uses.

County Response: As specified in Section 2.01.04(5), detached single-family homes are a permitted use within the Agriculture (AA) district on one acre lots as defined therein.

OBJECTION 3.

Section 2.01.02 Intent: The intent of the AA district is to implement and otherwise put into regulatory effect the provisions of the “Agricultural” future land use category established in the Comprehensive Plan.

County Response: As specified in Section 2.01.04(5), detached single-family homes are a permitted use within the Agriculture (AA) district on one acre lots as defined therein.

OBJECTION 4.

Section 1A.03.03 Review Procedures: All persons wishing to obtain a development order or permit authorizing development activities within the unincorporated area of the County must comply with the following procedures.

1. Development Permits: The following development activities because of their size or nature may require a permit but may not be required to undergo the extensive review process required by this Section. These include, but may not be limited to, the following.

a. Construction of single-family or duplex dwellings; or the placement of one mobile home or manufactured housing unit on an individual lot or parcel of land when such activity is not part of a larger, common plan of development.

b. Construction, placement, or location of accessory buildings, structures, or uses.

c. Interior remodeling that occurs totally within an existing building or structure provided there is no change of use or increase in density or intensity.

d. Renovations, expansions, or similar activities involving an increase in the size or square footage of any structure, including parking areas, provided such activity is less than 10% of the area of the existing structure or 1,000 square feet, whichever is less.

e. Any development activity which the Planning Official, after consultation with the Public Works Director and Water and Sewer Director, determines to be of minor impact not necessitating the issuance of a development order.

County Response: The Okaloosa County Code Enforcement Office issued a Stop-Work Order on November 25, 2025. (See Exhibit 7). The Okaloosa County Code Enforcement office received a complaint from a neighbor about work being completed on the property. Upon inspection, the Code Enforcement office found that the property was actively being cleared without a development order. Therefore, Code Enforcement issued a stop work order. The County's Code Enforcement case will close upon issuance of the Development Order.

OBJECTION 5.

Section 6.06.101 Retention and Detention Facility Design Features: In addition to the quantity and quality criteria established by this ordinance, stormwater ponds shall be designed, constructed and maintained in accordance with the following design features:

1. Detention and retention areas shall meet all criteria established by FDEP relating to the design, construction and maintenance of stormwater management facilities, including but not limited to guidelines for littoral shelf, permanent pool, and recovery of treatment volume.
2. Detention and retention areas shall be designed, where possible, so that shorelines are sinuous rather than straight and so that the length of shoreline is maximized, thus providing aesthetic benefits and offering more space for the growth of littoral vegetation;
3. The banks of detention and retention areas shall slope at a grade of 3:1 or flatter to the bottom of a dry facility or to a depth of three (3) feet below the normal water level of a wet facility; No slope for berms or swales shall be constructed steeper than 3:1.
4. In residential areas, a perimeter fence with a minimum height of six (6) feet shall be provided around all retention and detention areas with side slopes steeper than 3:1 or on any retention or detention area with a depth greater than four (4) feet measured from the top of berm to the bottom of the area. Gates for maintenance access shall be placed in locations accessible to maintenance vehicles.
5. In single-family detached residential developments with densities of four (4) or more units per acre, retention/detention areas should be located adjacent to roadways for easy access and maintenance and not be situated behind backyards.

County Response: The Okaloosa County Public Works Department approved the stormwater management plan for the Buttonbush Meadows Subdivision on November 20, 2025.

OBJECTION 6.

Section 6.06.201

County Response: This reference is to a Section of the LDC that does not exist.

OBJECTION 7.

Section 6.06.010

County Response: This reference is to a Section of the LDC that does not exist.

OBJECTION 8.

Section 6.06.21

County Response: This reference is to a Section of the LDC that does not exist.

OBJECTION 9.

Section 1.11.08 Development Order Hearing. Action: Upon completion of the administrative review specified in section 1A.03.03. 4 the Planning Official shall issue a Notice of Intent to approve, approve with conditions, or deny a development order.

At this time any person, including the Planning Official, may petition for a Development Order Hearing. The petition shall be submitted to the Planning Official within seven (7) days after the Notice of Intent is issued. The Petition shall be submitted on forms provided by the County and shall include the name, address, telephone number, and email address (if available) of the Petitioner and a statement as to why the Petitioner is objecting to issuance of the Development Order.

No later than fourteen (14) days after the date the petition is filed the Petitioner shall submit a Memorandum of Error which 1 contains the specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations, and any corrective actions to remedy the objections raised. Failure to comply with this part shall render the Petition abandoned and withdrawn. At the Development Order Hearing the Petitioner's arguments shall be limited to the objections raised in the Memorandum of Error. Objections raised pursuant to this Section shall be to this Code only and not any other approval or permit that may be required from an agency other than the County. Any assertion or challenge that the Development Order is not consistent with the Comprehensive Plan shall be as specified at s.163.3215, Fla. Stat

Upon receipt of the petition the Planning Official shall schedule the hearing on the agenda of the Planning Commission for the next practical meeting date. Prior to the hearing date the Planning Official shall schedule a meeting between county staff, the applicant, and the Petitioner so as to provide an opportunity for the objections to be resolved. No development order shall be approved or denied until after the Development Order Hearing has been held. All interested persons may attend the hearing and present verbal or written statements. At the conclusion of the hearing the Planning Commission shall provide a recommendation to the Planning Official whether to approve or deny the development order application at issue, or may remand to the Planning Official for further consideration with additional conditions. In the event that the Planning Commission recommendation is contrary to the Notice of Intent the matter shall be scheduled on the agenda of the Board of County Commissioners (BCC) for the next practical meeting date. Prior to the BCC hearing date the Planning Official shall schedule a meeting between county staff, the applicant, and the Petitioner so as to provide an opportunity for the objections to be resolved. The BCC shall then take final action on the matter.

Character of Proceeding: Quasi-judicial

Public Notice: Public notice shall be as specified in s. 1.11.03 at the time and expense of the Petitioner.

County Response: The Notice of Intent letter and sign posting requirement were completed on November 17, 2025, the petition for the Development Order Hearing was received November 24, 2025, the Memorandum of Error was received on December 8, 2025, and the Mediation Meeting was held on February 4, 2026.

OBJECTION 10.

Section 1.05.00 GENERAL EXEMPTIONS: The following conditions and situations shall be exempt from the provisions of this Code only to the extent described herein.

1. Family Homestead. The density requirements of this Code shall not apply to the conveyance of an individual parcel of property to be used solely as a family homestead by a child, step-child, adopted child, grandchild, sibling, adoption parent, step-parent, grand-parent, or parent of the owner of the property being conveyed. All other applicable Code requirements must be met for property conveyed in this manner. This exemption shall apply only to lots or parcels greater than one (1) acre in size when no more than four lots or parcels, including the “parent parcel”, will be created from a “parent parcel.”

2. Development of Regional Impact (DRI). Nothing in this Code shall modify or limit the rights of any person to complete any development that had been authorized as a DRI pursuant to Chapter 380, Florida Statutes who has been issued a final development order where development has commenced and continued in good faith consistent with the authorized development order.

3. Farm Operations. Farm operations shall be exempt from the provisions of this Code to the extent specified in s. 823.14, Florida Statutes (Right to Farm Act) and s. 163.3162, Florida Statutes (Agricultural Lands and Practices Act). Pursuant to Section 604,500), Florida Statutes (General Agricultural Laws), nonresidential farm buildings are subject to LDC Sec. 3.06.00 (flood hazard areas).

4. Parcels of Record. Parcels of record recorded prior to July 10, 1990 shall be vested for the development of one dwelling unit regardless of the density or intensity of use assigned to that parcel by this Code. A “parcel of record” is a piece of property duly recorded by plat or deed in the Official Records of the Clerk of Court, and may include metes and bounds legal descriptions when such descriptions apply to individual, discreet parcels of land. All dimensional requirements specified for the zoning district involved must be met to the extent practicable, except that waterfront lots platted prior to 1990 shall have a rear setback of 25 feet.

County Response: The referenced section does not apply to development order applications.

OBJECTION 11.

Section 2.05.01 Purpose: The purpose of the Residential – 3 (R-3) district is to provide areas for a functional and compatible mix of residential dwelling types, and certain limited non-residential uses of a semi-residential or incidental nature.

County Response: The property is currently zoned Agriculture (AA) with a Future Land Use Map (FLUM) designation of Agriculture (AG). Single-family detached residential development is an allowed use in the Agriculture (AA) zoning district and the Agriculture (AG) Future Land Use Map (FLUM) designation.

Section 2.05.03 Location/Designation Guidelines: Lands to be designated as, or re-zoned to, an R-3 district must be located within the urban development area boundary and have central water and sewer service currently available. Residential -3 districts must be located within the High Density Residential or Mixed Use future land use map categories.

County Response: The property is currently zoned Agriculture (AA) with a Future Land Use Map (FLUM) designation of Agriculture (AG). Single-family detached residential development is an allowed use in the Agriculture (AA) zoning district and the Agriculture (AG) Future Land Use Map (FLUM) designation.

Section 6.05.03 Protected Trees: Where protected trees are identified on a site proposed for lot clearing within any residential, commercial or industrial zoning district, the number of trees which shall be required to be preserved shall be based on a ratio of one (1) tree for each four thousand three hundred (4,300) square feet of impervious surface area or fraction thereof. The perimeter and interior landscaped areas required in this ordinance shall be located on the site to incorporate the preservation of trees, where feasible.

County Response: As specified in Section 6.05.011 Exemptions: Single family detached and two-family dwelling units, agricultural and silviculture uses and activities, and public utilities are exempt from the provisions of this section of the LDC, single-family detached units are exempt from landscape requirements.

Section 2.04.02 Intent: The R-2 District is intended to implement and put into regulatory effect the residential dwelling provisions of the “Medium Density Residential” future land use category established in the Comprehensive Plan.

County Response: The property is currently zoned Agriculture (AA) with a Future Land Use Map (FLUM) designation of Agriculture (AG). Single-family detached residential development is an allowed use in the Agriculture (AA) zoning district and the Agriculture (AG) Future Land Use Map (FLUM) designation.

6.04.00 PARKING REQUIREMENTS. Off-street parking is required in all zoning districts. The following off-street parking is required by this chapter:

Section 6.04.01 General Provisions:

1. Area calculations are based on gross square footage.

2. Where the required number of parking spaces results in a fraction, rounding to the next whole number shall occur.
3. Where parking spaces are required based on number of employees or students/clients, the number of employees must reflect the largest shift and the number of students/clients must reflect the maximum capacity allowed.
4. For multiple land use developments, parking spaces shall be determined upon each different land use and/or accessory use.
5. With respect to any parking lot that is required to be paved, the number of parking spaces required may be reduced by one, if the developer provides a bicycle rack or similar device that offers a secure parking area for each five (5) bicycles.
6. Vehicles from single-family developments are allowed to back onto the street, provided the street is classified as a minor local street.

County Response: As specified Section 6.04.02 of the LDC, single-family detached home requires two (2) spaces per dwelling unit, excluding garages.

Section 6.06.03 Contents of the Stormwater Management Plan: It is the responsibility of an applicant to include in the stormwater management plan required by section 6.06.02 sufficient information for reviewing officials to evaluate the environmental qualities of the affected area, the potential and predicted impacts of the proposed development activity on affected waters, and the effectiveness and acceptability of these measures proposed by the applicant for reducing adverse impacts. The stormwater management plan shall incorporate the following information and reports:

1. Vicinity Sketch and Legal Description
2. Basin and Sub-basin Boundaries: Including all on-site and off-site areas contributing to the site, and a breakdown of the subarea(s) contributing to each inlet or conveyance in the internal stormwater collection system.
3. Topographic Site Data: Showing existing contours and spot elevations. Contours must be shown to the minimum one (1) foot interval to at least 25 feet outside the project boundaries. The Engineer of Record must provide the source of such topographic data and certify its currency.
4. Existing Stormwater Management System Features (ditches, ponds, etc.): Including the location of areas on the site where surface waters collect and percolate into the ground.
5. Description of all Watercourses, Water Bodies, and Wetlands: Locations on or adjacent to the site or into which surface waters flow.
6. Jurisdictional Limits of All On-site Wetland Systems: The jurisdictional wetland limits must be surveyed and a statement of formal acceptance of the wetland boundaries must be provided by the regulatory agency(ies) that has jurisdictional authority of the wetlands.

7. Soil Information: Information sufficient to evaluate the performance of proposed facilities. Soil classification using the United States Department of Agriculture (USDA), Natural Resource Conservation Service "Soil Survey of Okaloosa County, Florida" may be utilized as a planning guide only. Design features shall be supported by a geotechnical report from a licensed Engineer or other professional authorized under Florida Statutes to do such work. The report shall include all parameters that affect the design and recovery of proposed systems, including all elements required below.

a. Soil Investigation – Roadways: The soil investigation report shall include:

i. Test borings to a minimum depth of four (4) feet below proposed edge of pavement and incorporating a maximum spacing of five hundred (500) feet along the roadway centerline.

ii. Soil boring logs, the existing groundwater table elevation and the estimated seasonal high groundwater table elevation without consideration of drainage improvements that may lower the groundwater.

iii. In special cases, additional borings may be required to determine the soil classifications predominant to the area.

b. Soil Investigation – Retention/Detention Areas: The soil investigation report shall include: i. A minimum of two (2) test borings per proposed retention/detention facility or two (2) per acre of proposed retention/detention facility, whichever is greater. Borings shall extend to a minimum depth of two (2) feet below the proposed pond bottom or to the water table, whichever is greater;

ii. Soil boring logs, the existing groundwater table elevation, and the estimated seasonal high groundwater table elevation without consideration of drainage improvements that may lower the groundwater;

iii. If the analysis of the basin utilizes infiltration to achieve either peak flow attenuation or recovery time, a hydraulic conductivity test at the proposed bottom of the facility.

8. Flood Zone Designation: Determined from the Flood Insurance Rate Maps (FEMA). Elevations of the flood zone along with the Flood Hazard boundary shall be delineated.

9. Proposed development layout with horizontal and vertical controls.

10. Proposed Stormwater Management System Features: Including, but not limited to, the locations of outfall control structures, weirs, inlets, swales, ponds, conveyance systems, easements, etc.

11. Design Report: Technical narrative and documentation of all drainage calculations.

12. Revisions made to a phased project.

13. Erosion and Sediment Control Plan: A plan specifying in detail the type and location of control measures, the stage of development at which they will be put into place or used and provisions for maintenance;

14. Documentation that all runoff leaving the project utilizes a Legal Positive Outfall.
15. Any other information that the developer or reviewing officials consider necessary for an evaluation of the proposed development.

County Response: The Okaloosa County Public Works Department approved the stormwater management plan for the Buttonbush Meadows Subdivision on November 20, 2025. The proposed development is found to be consistent with Section 1A.02.04, General Guidelines for Issuing Development Orders and Permits.

Section 2.03.02 Intent: The intent of the R-1 District is to implement and to put into regulatory effect the provision of the “Low Density Residential” future land use category as established in the Comprehensive Plan.

County Response: The property is currently zoned Agriculture (AA) with a Future Land Use Map (FLUM) designation of Agriculture (AG). Single-family detached residential development is an allowed use in the Agriculture (AA) zoning district and the Agriculture (AG) Future Land Use Map (FLUM) designation.

Section 2.16.00 RESERVED

County Response: This reference is to a Section of the LDC is RESERVED.

Section 4.03.03. Definitions. Appendix A of the LDC includes definitions for mobility fee specific terms in this ordinance. The Technical Report includes definitions of mobility terms used in the Report and not in this ordinance.

County Response: The Okaloosa County Public Works Department approved the Buttonbush Meadows Subdivision on November 20, 2025. The proposed development is found to be consistent with Section 1A.02.04, General Guidelines for Issuing Development Orders and Permits.

CONCLUSIONS

1. All applicable development reviews of procedural requirements specified in the LDC have been met by the Applicant and the County.
2. All required application and site plan information has been submitted by the Applicant in sufficient adequacy and detail to allow County determination of compliance with the LDC.
3. The County conducted a thorough and adequate review based upon the applicable essential requirements of the LDC and Comprehensive Plan.
4. The County's decision to approve the development order was based upon competent, substantial evidence.
5. The Petitioner has not met the burden of proving by competent, substantial evidence that the application for development approval did not meet the essential requirements of

the LDC or Okaloosa County Comprehensive Plan or otherwise adverse to the public interest.

6. As a matter of law, once an applicant has met the essential elements of the Okaloosa County Comprehensive Plan and LDC regulations the approving authority is compelled to approve a development order for permitted use.

RECOMMENDATION: It is recommended that the Planning Commission consider the facts presented in this report, as well as any other evidence and testimony that may be presented at the public hearing, and then provide a recommendation to the Planning Official whether to approve, remand with conditions, or deny the Development Order Application for Buttonbush Meadows Subdivision (DO-0625-0014).

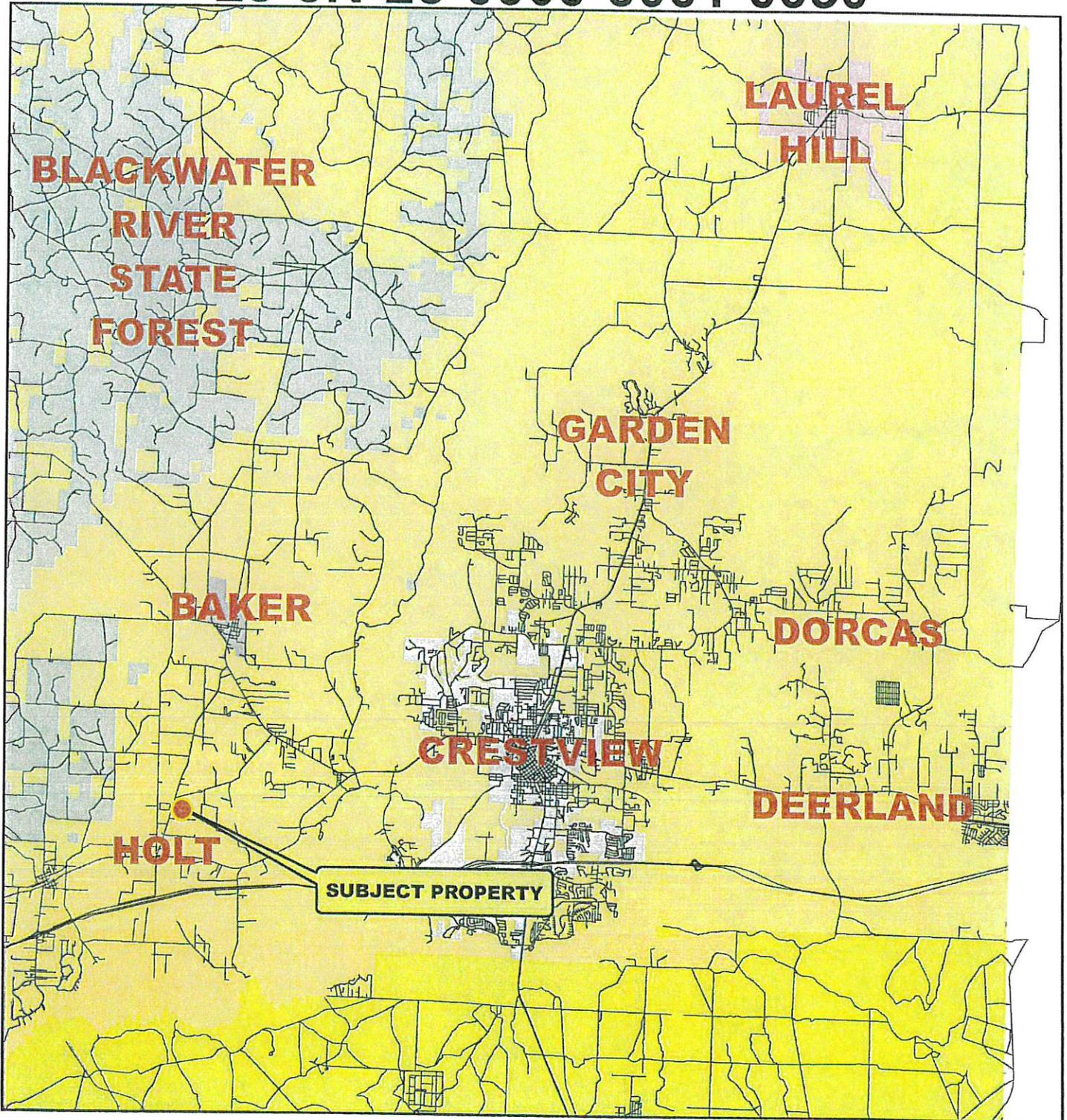
ATTACHMENTS:

- A – Location Map
- B – Aerial Photo
- C – Existing Land Use Map
- D – Future Land Use and Zoning Maps
- E – GIS Analysis
- F – Legal Ad

EXHIBITS:

- 1 – Memorandum of Error, December 8, 2025
- 2 – Overall Site Plan
- 3 – Agency(s) Approvals
- 4 – Development Order Sign (public notice) (yellow)
- 5 – Notice of Intent Sign (public notice) (white)
- 6 – Development Order Application
- 7 – Code Enforcement Stop-Work Order
- 8 – Correspondence
- 9 – Kenneth Metcalf – Postpone Email

25-3N-25-0000-0001-0030



Legend

— Roads

Location Map



MAP PROJECTION:
Lambert Conformal Conic Projection
Stateplane: Florida North (0903)
NAD 1983(80), NAD 1983

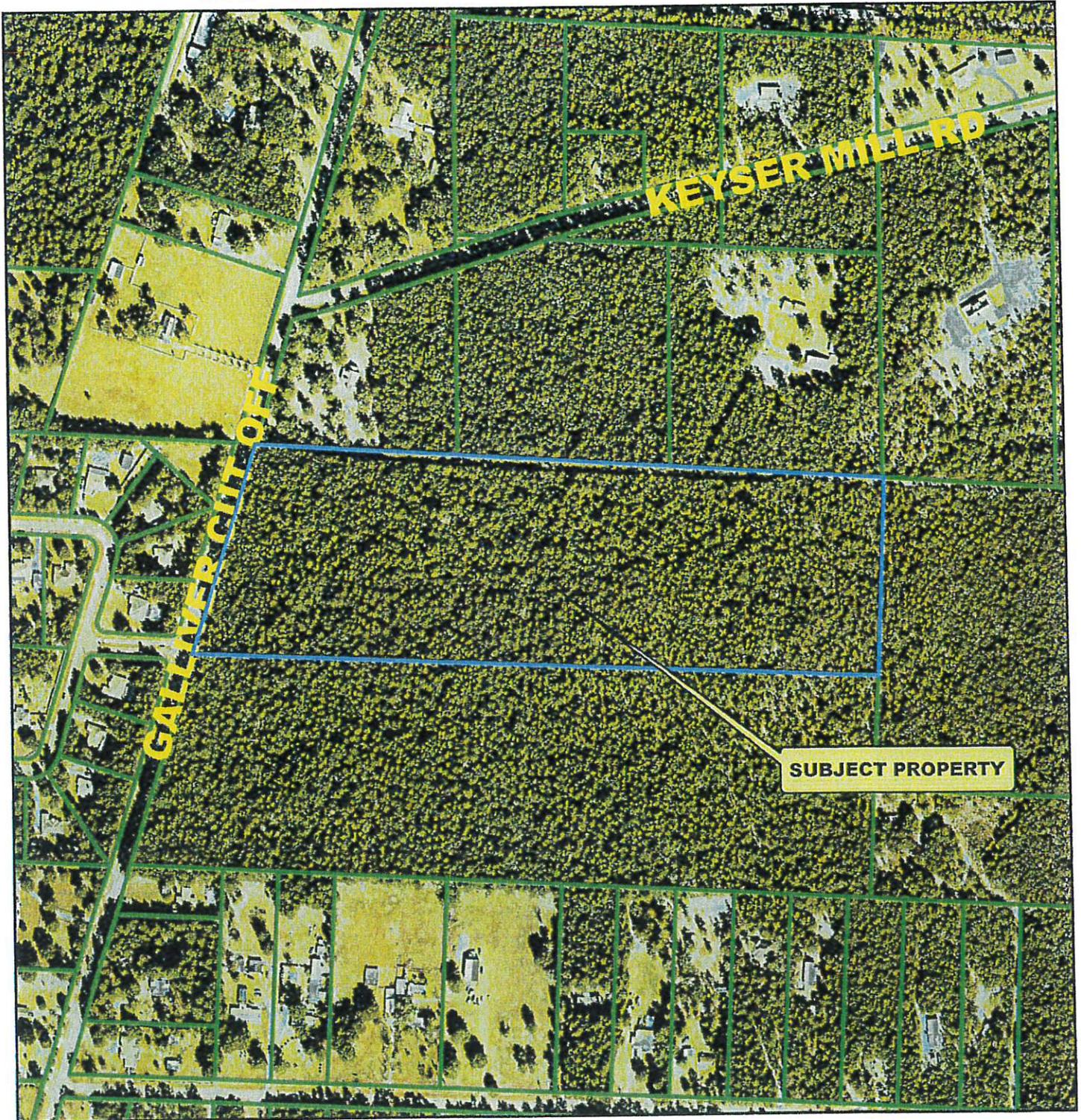
PUBLIC RECORD:
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Legend

 Parcel Lines

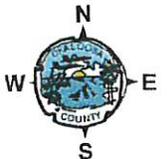
Aerial Photo



MAP PROJECTION:
Lambert Conformal Conic Projection
Stateplane: Florida North (9903)
NAD 1983(50), NAVD 1988.

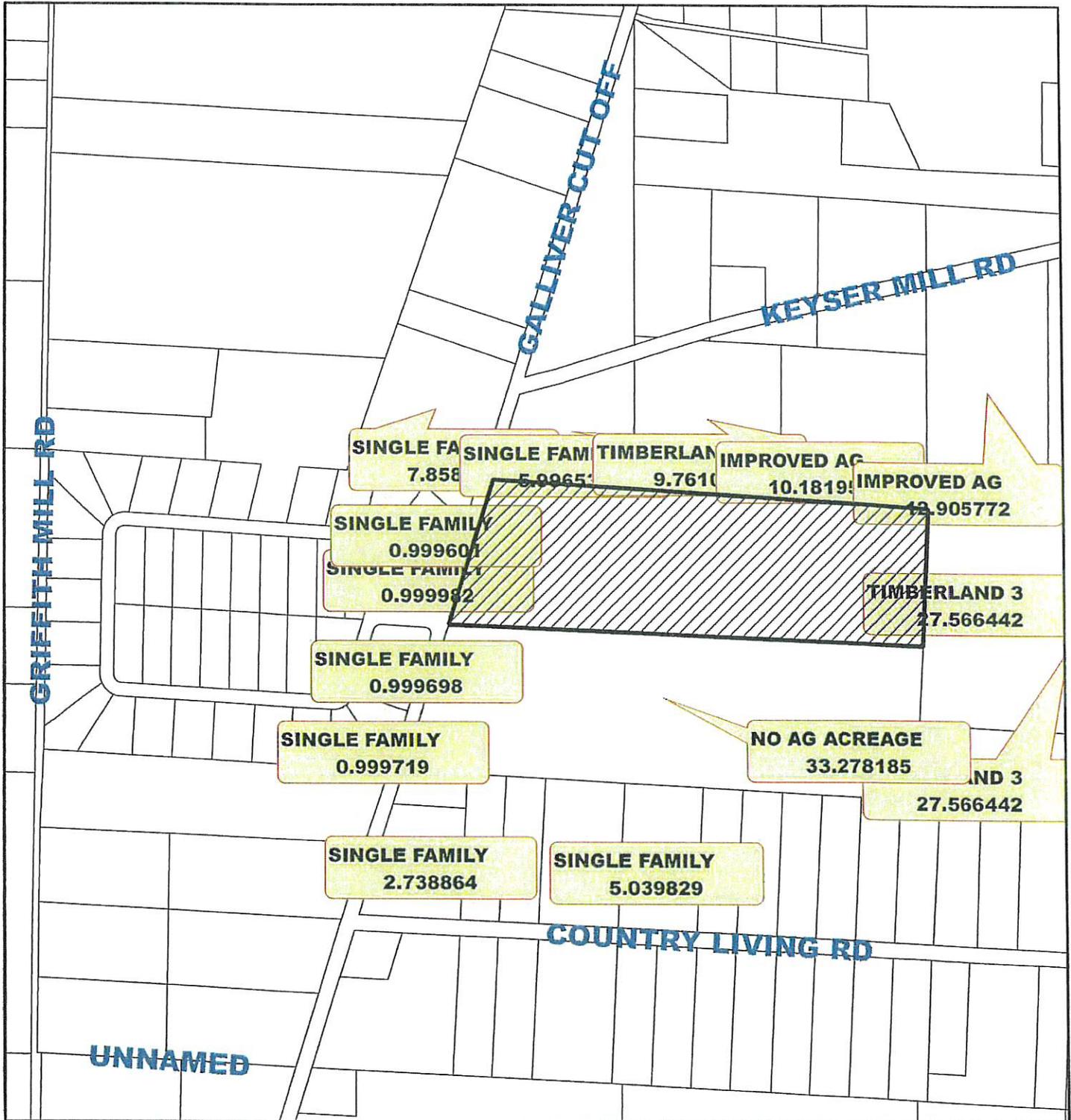
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25-3N-25-0000-0001-0030



Existing Land Use Map



MAP PROJECTION:
Lambert Conformal Conic Projection
Stateplane: Florida North (0903)
NAD 1983(00), NAD 1988

PUBLIC RECORD:
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25-3N-25-0000-0001-0030



FLUM Legend

 AG

ZONE Legend

 AA

FLUM & Zoning Map



MAP PROJECTION:
Lambert Conformal Conic Projection
Stateplane: Florida North (0903)
NAD 1983(50), NAVD 1988.

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Map Produced By:
Okaloosa County GIS
6/18/2025

GIS ANALYSIS RESULTS

Date: 6/18/2025

Project: 25-3N-25-0000-0001-0030

Permit: DO-0625-0012 - BUTTONBUSH MEADOW

Property Address: LOCATED ON GALLIVER CUT OFF BAKER FL 32531

Zoning: AA

FLU: AG

Fire District: HOLT **Commissioner District:** 3 **Census Tract:** 020100

Soil Type: 12 –Lakeland sand – 0 to 5% slope, excessively drained, permeability is rapid, the available water capacity is very slow, and runoff is slow.

23 – Troup Sand – 0 to 5% slopes, well drained

Wind Zone: GREATER THAN 140 IN THE WIND BORNE DEBRIS

Flood Zone: X 500 Year Flood Plain **Map Number:** 12091CO 250J

Storm Surge Area: NO

Urban Development Area: NO **Water Efficient Area:** NO

Wells: None

Wetlands: Uplands

Water and Sewer: HWS **Within 3 mile of an Airport:** NO

Environmental Data: None

Historical Data: None

NOTICE OF PUBLIC HEARING

The Okaloosa County Planning Commission will hold a public hearing to consider the following item:

Consideration of a petition by Benjamin Pienge, Brian Hornberg, Clayton Harpster, Dominick Vicari, James Hecker, Marianne Vicari, Michelle Harpster, Michelle Walker, OUR Soil, Inc., Sheldon Harpster, Tiffany Matthews, Tracy Matthews, Victoria Humker, Wesley Florez, and William Adams, challenging the issuance of a Development Order for Buttonbush Subdivision, a proposed 22-lot single family detached residential subdivision as submitted by Cole Granger, PE with Seaside Engineering & Surveying, LLC, agent on behalf of the applicant, Christopher R. Ryles. The property is currently zoned Agricultural (AA) and the Future Land Use Map (FLUM) designation is Agricultural (AG). The property is located on the east side of Galliver Cutoff, Baker. Property contains 26.12 acres more or less.

A public hearing has been scheduled as follows.

Planning Commission: 5:01 PM, or as soon thereafter, on April 9, 2026 in the Commission Meeting Room, 1250 North Eglin Pkwy., Shalimar, FL.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD REGARDING THIS ACTION.

The application may be inspected by the public at the Department of Growth Management offices located at 1250 N. Eglin Parkway, Suite 301, Shalimar, FL 32579 (850) 651-7180 or in the Growth Management offices located at 402 Brookmeade Dr., Crestview, (850) 689-5080.

If any person decides to appeal any decision made with respect to any matter considered at these hearings, such person will need a record of the proceeding and may need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.

Okaloosa County adheres to the Americans with Disabilities Act and will make reasonable modifications for access to these hearings upon request. Requests may be made to the Growth Management offices described above and must be made at least 48 hours in advance of the hearings in order to provide the requested service.

25-3N-26-0000-0001-0030





Department of Growth Management

PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR

Project Description: Buttonbush Meadows

File Number: DO-0625-0014

1. Petitioner Information.

Name: Benjamin T. Plenge

Authorized agent for: N/A

Address: 5155 Kayser Mill Road, Baker, FL 32531

Telephone: (850) 758-8863 FAX: N/A

Email: baygunboy@gmail.com

2. Statement of Objection. (As stated in the Petition)

I am concerned that Baker and surrounding area is becoming overly developed. Land that was previously designated for agriculture is now being developed, and the current infrastructure (roads, schools, fire & police departments) does not support this development without increasing taxes, which I do not support.

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations.

Code 2.01.04 - No existing road; infrastructure does not support development.

4. Any corrective actions to remedy objections raised in the Petition.

Follow the Inspire Study. Improve infrastructure before development. Do not put residential houses in areas designated agricultural exemption.

Petitioner signature: Benjamin T. Plerge

Petitioner typed or printed name: Benjamin T. Plerge

Date: 8 December 2025

Date received by Growth Management: 12/8/2025

Received by: W. M. Mather



Department of Growth Management

**PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR**

Project Description: Buttonbush Meadows

File Number: DO-0625-0014

1. Petitioner Information.

Name: Brian Hornberg

Authorized agent for: Self

Address: 5578 Buck Ward Rd, Baker, FL 32531

Telephone: 850-217-3021 FAX: _____

Email: bhornberg88@gmail.com

2. Statement of Objection. (As stated in the Petition)

I object to the issuance of the Development Order because the materials submitted do not clearly demonstrate that the proposed development complies with all applicable provisions of the Okaloosa County Land Development Code, Comprehensive Plan and State Statutes. Of particulate concern is whether the proposed development qualifies for the density exception on lands zoned for agricultural use. The proposed development does not appear to reflect the established development pattern in the surrounding area, nor is it compatible with existing rural and agricultural land uses in the immediate area and in the agricultural district of the county. This development also appears to contribute to urban sprawl that the county is required to prevent. There are several other concerns the details of which will be described below in the memorandum of error.

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations.

The specific code requirements and provisions that are being objected to and reasons why it is not consistent are listed on the attached page due to limited space on this page. See attached.

4. Any corrective actions to remedy objections raised in the Petition.

Corrective actions are obvious as they consist of requiring developments to be consistent with the letter and intent of the law as written in order to protect the people and resources of this county for the welfare of all. Development Orders should not be approved unless a development actually is consistent with the letter and intent of the State Statutes, Comprehensive Plan and Land Development Code.

Petitioner signature: Brian C Hornberg

Petitioner typed or printed name: Brian C Hornberg

Date : 12/8/2025

Date received by Growth Management: 12/8/2025

Received by: M. Martin

Specific Requirements and Provisions:

- 1) Developer already committed a significant violation of the LDC by clearing wooded land for a road without an approved development order.
- 2) Proposed development does not meet the Purpose of the Agricultural District defined in LDC section 2.01.01.
- 3) Proposed development does not meet the Intent for the Agricultural District defined in LDC section 2.01.02.
- 4) Proposed development does not meet the Permitted Uses of land in the Agricultural District defined in LDC section 2.01.04. Residential uses in this district are intended to be consistent with the purpose and intent of the Agricultural District and be "very low density". The Intent is 1 home per 10 acres with exceptions for 1 acre lots which this development does not meet the requirement for. The intent is homes on land that further the purpose and intent of the Agricultural district and further the intended density and land use for that district. This proposed development would not do that. The intent for the exceptions to the intended density is for minor infill along existing roads, not unlimited suburban development where the exception becomes the norm, which turns the agricultural district into a massive series of neighborhood developments and destroys its purpose and character. Furthermore, Comprehensive Plan Policy 10.1B Rural Community applies here and the intent of it must be followed: Since this policy is not specifically explained in the LDC, the Comprehensive Plan takes precedence as per LDC section 1.03.00 Scope.
- 5) The Land in this proposed development is zoned as Agricultural and on Future Land Use Map as Agriculture and is part of the Agricultural District. Under LDC section 2.01.04 #8: One-Acre Lots, the conditional requirements must be met in order to grant the exception for One-Acre Lots. The requirements are as follows: 8.b. Access to **EACH LOT MUST BE** from an **EXISTING** state or county-maintained roadway. 8.c. **EACH LOT** created **SHALL HAVE** a minimum of 50 feet frontage on **SUCH** state or county-maintained road. Note the wording in the LDC such as "**MUST**" and "**SHALL**". In LDC section 1.08.06 Definitions, the word "**shall**" means **mandatory**. This wording is not vague and is not negotiable. It is a mandatory requirement in order to qualify for the exception. This proposed development does not qualify. There was factually no road that existed at the time of development order application or at time of intent to approve the development order that the proposed lots would have access from or have frontage on. There is certainly and factually no existing county or state-maintained road that each lot would have access from or 50 feet of frontage on. The developer intends to build a road, which is a proposed road, which each lot would have access from and frontage on. Therefore, the subject property in this development order application does not qualify for the 1 acre lot size exception. The road that the proposed lots will front on is a proposed road and thus cannot be considered an

existing road by any reasonable interpretation of the word. The development cannot exceed the required 1 home per 10 acres density. It is also important to note LDC section 1.03.00 Scope where all development **SHALL BE** permitted in accordance with this Code... and if there is an inconsistency, between provisions, **THE MORE RESTRICTIVE SHALL GOVERN**. If there is a conflict between a more general requirement and a more specific requirement, **the MORE SPECIFIC SHALL GOVERN**. If there is a conflict or inconsistency between the Code and the Comprehensive Plan, **the Comprehensive Plan SHALL CONTROL**. Strict adherence to the law must apply and must be enforced by the county.

6) Proposed development does not reflect the established development pattern of the surrounding area. The established development pattern in the surrounding area is very low density, agricultural and rural type uses. There is one neighborhood across the road from this proposed development that is of similar density and use, but it also is not consistent with the Comprehensive Plan and LDC intent. 2.1 Future Land Use, Objective 4 on page 2.1.5. Also, Florida Statutes Chapter 163 Growth Policy and Land Development Regulation applies.

7) Proposed development does not reflect development compatible with the surrounding rural and agricultural land uses. Suburban neighborhoods are not the intent of the Agricultural district and are not similar to or compatible with the predominantly agricultural uses in the immediate surrounding area. 2.1 Future Land Use, Objective 4 on page 2.1.5. Also, Florida Statutes Chapter 163 Growth Policy and Land Development Regulation applies.

8) The proposed development is an example of Urban Sprawl for which the County Comprehensive Plan has stated intent, goals and objectives to actively prevent. While Urban Sprawl prevention is not specifically covered in the LDC, the relationship between the LDC and the Comprehensive Plan and the Superiority of the Comprehensive Plan to the LDC is made clear in LDC sections 1.02.00 Purpose and Intent, therefore the Comprehensive Plan applies. Preventing Urban Sprawl is addressed in the Comprehensive Plan Sections 2.1 Future Land Use, Introduction, Florida Statute Chapter 163.3177(6)(a) minimum requirements (e) page 2.1.1, 2.1 Future Land Use, Objective 4 on page 2.1.5, Objective 9 on pages 2.1.9 – 2.1.11.



Department of Growth Management

**PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR**

Project Description: Buttonbush Meadows

File Number: DO-0625-0014

1. Petitioner Information.

Name: Clayton Harpster

Authorized agent for: Self

Address: 1801 Harpster Ln., Baker, FL 32531

Telephone: 850-826-2373 FAX: _____

Email: claytonfishing850@gmail.com

2. Statement of Objection. (As stated in the Petition)

I am objecting to issuance of the Development Order because, based on my review of the application materials, technical reports, and related permits, I believe the proposed development may not be fully consistent with applicable provisions of the Okechobee County Land Development Code. My concerns include potential errors or inconsistencies in stormwater design assumptions, soil suitability, porocclusion capacity, and drainage impacts to surrounding properties, as well as the adequacy of the proposed stormwater management system overall. I am also concerned that the existing roadway network and supporting public infrastructure may be insufficient to safely or effectively accommodate the increased traffic, access demands, and service needs generated by the proposed subdivision. These issues, combined with the possibility that the Notice of Intent rolled on information that does not fully reflect actual site conditions or demonstrate compliance with all required Code criteria, warrant a Development Order Hearing to ensure the proposal meets all applicable regulations before any approval is finalized.

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations.

See Attached

4. Any corrective actions to remedy objections raised in the Petition.

See Attached

Petitioner signature:



Petitioner typed or printed name:

Clayton W. Hayes

Date:

12/18/2005

Date received by Growth Management:

12/18/2005

Received by:



Error 1 — Lot Sizes Do Not Meet Minimum Requirements Because the Applicant Is Improperly Claiming a Non-Existent Road as “Existing”

Code Citations:

- LDC Article 2 — Lot & Density Requirements for Rural Districts
- LDC 1A.03.03 — Development Order Required for Platting, Roads & Infrastructure
- LDC 7.01.03 — Adequacy of Public Facilities

Issue:

The applicant proposes lots smaller than 10 acres by claiming they front an “existing road.”

However, this road has not been built, is not open to the public, is not functioning as a roadway, and therefore legally cannot be considered an existing road for the purpose of reducing minimum lot size requirements.

Why This Is an Error:

Okaloosa County LDC allows density reductions only when lots front an already-existing, legally established, publicly accessible road.

A road drawn on a plan but not constructed does not qualify.

By relying on a non-existent road, the Development Order approves lot sizes that are below the minimum allowed, violating multiple sections of the LDC.

Impact:

The entire subdivision layout, lot legality, and DO approval are based on a false premise, making the Development Order inconsistent with the Land Development Code.

Error 2 — Stormwater Design May Not Meet LDC Requirements Due to Soil Unsuitability, Percolation Limitations & Uncertain System Performance

Code Citations:

- LDC Section 6.06.101 — Retention System Requirements & 72-Hour Recovery Rule
- LDC 6.06.201 — Protection of Adjacent Properties From Increased Runoff

Issue:

The stormwater system relies on a deep vertical sand chimney because the first 23–31 feet of native soils were found to be low-permeability silty sands, unsuitable for normal dry retention.

This condition forced the engineering team to design a non-typical infiltration system penetrating deep into subsurface layers to reach permeable soils.

Why This Is an Error:

The Land Development Code requires stormwater systems to perform reliably under actual conditions, including seasonal groundwater levels, compaction, vegetation removal, and long-term maintenance.

The modeling provided does not fully address:

- groundwater mounding
- pond recovery under wet-season conditions
- performance after illegal clearing disturbed pre-development soil conditions
- lateral migration of stormwater toward adjacent parcels

The DO approval therefore lacks sufficient evidence of stormwater compliance.

Error 3 — Drainage Impacts to Surrounding Properties Not Fully Analyzed or Mitigated

Code Citations:

- LDC 6.06.010 — Prevention of Adverse Offsite Impacts
- LDC 6.06.201 — Protection of Adjacent Lands

Issue:

The applicant asserts zero discharge, but no analysis was provided for:

- lateral groundwater spread
- saturated flow impacts
- emergency overflow behavior
- infiltration bypass during heavy storm events

Why This Is an Error:

The LDC prohibits development from increasing runoff onto neighboring parcels.

Without a full hydraulic impact review, the County cannot confirm that the system will protect nearby homes or properties.

Error 4 — Illegal Clearing Before DO Issuance Violated LDC Requirements & Compromised Site Conditions

Code Citations:

- LDC 1A.03.03 — DO Required Before Clearing or Land Disturbance
- LDC 1.11.08 — Procedural Compliance Required

Issue:

A stop-work order was issued because the applicant cleared the property prior to Development Order approval, in direct violation of County requirements.

Why This Is an Error:

Illegal clearing:

- Disturbed natural soil profiles used in the engineering calculations.
- Altered stormwater infiltration, runoff, and flow pathways.
- Removed vegetative cover that slows and filters runoff.
- Demonstrates disregard for the permitting process, raising concerns about compliance with more complex DO conditions.

The DO approval does not address or remedy this violation.

Error 5 — Roadway Network & Public Infrastructure Capacity Were Not Properly Evaluated

Code Citations:

- LDC 7.01.03 — Adequacy of Public Facilities (Concurrency)
- LDC Article 11 — Traffic & Access Requirements

Issue:

Galliver Cutoff and Keyser Mill Road are narrow rural roads without shoulders, turn lanes, pedestrian facilities, or capacity upgrades.

No traffic study or concurrency analysis was included for:

- 22 new homes
- increased daily trips
- construction traffic
- emergency vehicle access
- school bus routing impacts

Why This Is an Error:

The LDC requires a demonstration that existing public facilities can safely and efficiently serve the proposed development.

Error 6 — DO Approval Lacks Clear Demonstration of Comprehensive Plan Consistency

Code Citations:

- LDC 1.05.00 — Required Consistency with Comprehensive Plan Policies

Issue:

The DO does not show compliance with policies related to:

- rural character preservation
- stormwater resource protection
- public safety
- responsible infrastructure planning

Why This Is an Error:

Every DO must affirmatively prove Comprehensive Plan consistency, not assume it.

4. Corrective Actions Needed to Remedy the Errors

The Petitioner respectfully requests that the County require the following corrective actions before approval of the Development Order:

1. **Require a legally accurate lot-size and road frontage evaluation using only existing, constructed, functioning public roads.**
2. **If the road does not exist, sub-10-acre lots cannot be approved.**
3. **Require revised stormwater modeling and analysis reflecting:**
 - o **actual post-clearing conditions**
 - o **seasonal groundwater highs**
 - o **hydraulic mounding effects**
 - o **soil compaction after illegal clearing**
 - o **vegetative removal impacts**
 - o **long-term infiltration performance of the sand chimney system**
4. **Require a full drainage impact study demonstrating zero adverse effects to neighboring properties.**
5. **Require corrective action and restoration for the illegal clearing, including soil rehabilitation and erosion control measures.**
6. **Require a traffic and Infrastructure capacity analysis addressing safety, access, emergency response, and concurrency compliance.**
7. **Require independent third-party inspections for all stormwater components, especially the sand chimney excavation and installation.**
8. **Delay or condition the DO approval until all errors are resolved and the proposal demonstrates full compliance with all applicable LDC and Comprehensive Plan requirements.**



Department of Growth Management

**PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR**

Project Description: Buttonbush Meadows

File Number: DO-0625-0014

1. Petitioner Information.

Name: Dominick Vicari

Authorized agent for: _____

Address: 1128 Blackberry Circle, Baker, FL 32531

Telephone: 850-503-1763 FAX: _____

Email: _____

2. Statement of Objection. (As stated in the Petition)

*No existing road
zoned AG and not residential*

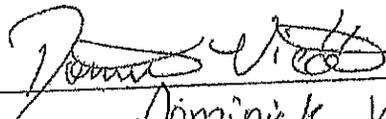
3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations.

Road was not existing

2.01.04

4. Any corrective actions to remedy objections raised in the Petition.

Petitioner signature:



Petitioner typed or printed name:

Dominick Vicari

Date:

12/8/25

Date received by Growth Management:

12/8/2025

Received by:

Memorizing



Department of Growth Management

**PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR**

Project Description: Buttonbush Meadows

File Number: DO-0625-0014

1. Petitioner Information.

Name: JAMES R. HECKER

Authorized agent for: N/A

Address: 5266 REYSER MILL RD, BAKER FL

Telephone: (850) 830-6422 FAX: N/A

Email: jhecker7@gmail.com

2. Statement of Objection. (As stated in the Petition)

NO ESTABLISHED ROAD.

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations. 2.01.04 THE LAND IS

SUITABLE FOR GENERAL AGRICULTURE AND SHOULD NOT BE CONSIDERED FOR HOUSING DEVELOPMENT FOR REASONS OF CONSERVATION, OUTDOOR RECREATION, AND PUBLIC INTEREST

4. Any corrective actions to remedy objections raised in the Petition.

ZONING MUST BE CHANGED, AN A COUNTY APPROVED ROAD MUST BE BUILT.

Petitioner signature: _____

Petitioner typed or printed name: JAMES R. HECKER

Date: 11/6/25

Date received by Growth Management: 12/8/2025

Received by: M. Martinez



Department of Growth Management

PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR

Project Description: Buttonbush Meadows

File Number: DO-0625-0014

1. Petitioner Information.

Name: MARIANNE P. VICART

Authorized agent for: _____

Address: 1128 Blackberry Circle Baker, FL

Telephone: 850-502-1762 FAX: _____

32531

Email: mpvicart123@gmail.com

2. Statement of Objection. (As stated in the Petition)

No existing Road
Zoned AG And not Residential

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations.

Road was not existing

2.01.04

4. Any corrective actions to remedy objections raised in the Petition.

Petitioner signature: Marianne P. Vicari

Petitioner typed or printed name: MARIANNE VICARI

Date: 12/6/25

Date received by Growth Management: 12/8/2025

Received by: M. Montia



Department of Growth Management

**PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR**

Project Description: Buttonbush Meadows

File Number: DO-0625-0014

1. Petitioner Information.

Name: Michelle Harpster

Authorized agent for: Self

Address: 1801 Harpster Ln., Baker, FL 32531

Telephone: 850-826-1973 FAX: _____

Email: harpster4@hotmail.com

2. Statement of Objection. (As stated in the Petition)

I am objecting to issuance of the Development Order because, based on my review of the application materials, technical reports, and related permits, I believe the proposed development may not be fully consistent with applicable provisions of the Okaloosa County Land Development Code. My concerns include potential errors or inconsistencies in stormwater design assumptions, soil suitability, percolation capacity, and drainage impacts to surrounding properties, as well as the adequacy of the proposed stormwater management system overall. I am also concerned that the existing roadway network and supporting public infrastructure may be insufficient to safely or effectively accommodate the increased traffic, access demands, and service needs generated by the proposed subdivision. These issues, combined with the possibility that the Notice of Intent relied on information that does not fully reflect actual site conditions or demonstrate compliance with all required Code criteria, warrant a Development Order Hearing to ensure the proposal meets all applicable regulations before any approval is finalized.

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations.

See Attached

4. Any corrective actions to remedy objections raised in the Petition.

See Attached

Petitioner signature: _____

Petitioner typed or printed name: _____

Date: _____

Date received by Growth Management: _____

Received by: _____

1. Development Commencing Prior to Issuance of a Development Order

LDC § 2.05.01(A)

(No development may begin until a Development Order has been issued.)

2. Required Environmental / Natural Resource Review Prior to Land Disturbance

LDC § 2.05.03(A)

(Environmental review required as part of development approval.)

LDC § 6.05.03(A)

(Development must not create adverse drainage, erosion, or environmental impacts.)

LDC § 6.05.03(D)

(Requires preservation of natural vegetation where needed for stormwater and erosion control.)

3. Public Facilities Adequacy — Roads Must Exist and Meet Standards

LDC § 2.04.02(B)(4)

(Development Orders may only be issued if public facilities, including roads, are adequate to serve the development at the adopted level of service.)

LDC §§ 6.04.01–6.04.03

(Subdivision access roads must exist, be constructed to County standards, and support safe ingress/egress and emergency vehicle access.)

4. Zoning District Standards and Density Compliance

LDC § 2.04.02(B)(2)

(Development Orders must comply with the Comprehensive Plan and zoning district standards.)

LDC Chapter 5 – Zoning District Regulations

(Establishes the density, dimensional, and access standards for each zoning district.)

5. Stormwater, Soil, and Drainage Evaluation Requirements

LDC § 6.06.03

(Stormwater plans must include accurate soils, topography, drainage patterns, and required technical data.)

LDC § 6.05.03(A)

(Development must not create adverse drainage impacts on adjacent properties.)

LDC § 2.04.02(B)(1)

(Development applications must include complete, accurate, and reliable technical documentation.)

6. Emergency Services and 911 Access Requirements

LDC § 2.04.02(B)(4)

(Public services—including fire, EMS, and 911 access—must be adequate at the time of DO approval.)

LDC § 6.04.03(A)

(Access roads must support emergency vehicle load and provide reliable ingress/egress.)

7. Accuracy and Completeness of Application Materials

LDC § 2.04.02(B)(1)

(All application documents must be complete, accurate, and reliable.)

Corrective Action 1 — Require the Applicant to Use Only a Legally Existing Road for Density and Lot Size Calculations

To remedy the Error regarding lot size and density:

The County must require the applicant to base all lot size calculations on a road that physically exists, is constructed, and is open to public use, consistent with LDC roadway access standards.

If no such road exists, the subdivision must be redesigned to comply with the zoning district's minimum lot size requirements without density reductions.

The Development Order must be revised or resubmitted using accurate lot-size and density determinations consistent with the LDC.

Corrective Action 2 — Require a Revised Stormwater Management Plan That Meets LDC Technical Standards

To remedy the stormwater design deficiencies:

The applicant must submit a complete stormwater management plan that complies with LDC §6.06.03 and related stormwater performance standards.

The plan must include:

verified soil parameters and infiltration rates,
evaluation of seasonal high groundwater,
analysis of system performance under actual site conditions,
compliance with adjacent property protection standards.

Any unconventional stormwater design elements (such as a deep infiltration chimney) must include supporting technical documentation demonstrating compliance with LDC requirements.

The County must ensure the revised stormwater plan meets all LDC technical criteria before issuance or reaffirmation of the Development Order.

Corrective Action 3 — Require Compliance With All Pre-Development Procedures Before Construction or Clearing Continues

To address issues related to activity occurring before DO approval:

The County must require the applicant to fully comply with all pre-development requirements in LDC §2.05.01 before any additional work proceeds.

If the property was cleared prematurely, the County must require:

a corrective environmental evaluation,
documentation of existing site conditions after clearing,
and restoration measures if required by the LDC.

Corrective Action 4 — Require Verification That Public Facilities and Emergency Access Meet LDC Standards

The applicant must demonstrate that roadways, emergency access, and public services meet the adequacy requirements of LDC §2.04.02(B)(4) and Chapter 6 roadway standards.

If emergency access cannot be verified due to the absence of a functional road, the Development Order must be withheld until compliance is achieved.

Corrective Action 5 — Require Correction of Any Incomplete or Inaccurate Application Materials

The applicant must correct all deficiencies in the application inconsistent with LDC §2.04.02(B)(1) requiring complete, accurate, and reliable documentation.

A revised and complete set of documents must be provided before the DO can be lawfully issued or upheld.



Department of Growth Management

PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR

Project Description: Buttonbush Meadows

File Number: DO-0625-0014

1. Petitioner Information.

Name: Michelle Walker

Authorized agent for: n/a

Address: 5105 Galliver CTO, Baker FL 32531

Telephone: (813) 902-0324 FAX: _____

Email: wmichels01@yahoo.com

2. Statement of Objection. (As stated in the Petition)

2.01.04

- No existing road
- Zoned AA -- not compatible for subdivision
- Does not support current infrastructure

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations.

- 2.01.00 Agriculture District
2.01.04 . No existing road nor infrastructure
 . not compatible in AA (rural)
 area

4. Any corrective actions to remedy objections raised in the Petition.

- Follow Findings in Inspire Study we paid \$1M for.
- Instead of ADHOC subdivisions scattered throw out Baker - show us a Comprehensive Plan for future development and proper LDC.

Petitioner signature: Michele Walker

Petitioner typed or printed name: Michele Walker

Date: 12/8/25

Date received by Growth Management: 12/8/2025

Received by: Memoria



Department of Growth Management

**PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR**

Project Description: Buttonbush Meadows

File Number: DO-0625-0014

1. Petitioner Information.

Name: Brian Hornberg

Authorized agent for: OUR SOIL, Inc.

Address: 5578 Buck Ward Rd, Baker, FL 32531

Telephone: 850-816-0849 FAX: _____

Email: oursoilokaloosa@gmail.com

2. Statement of Objection. (As stated in the Petition)

OUR SOIL objects to the issuance of the Development Order because the materials submitted do not clearly demonstrate that the proposed development complies with all applicable provisions of the Okaloosa County Land Development Code, Comprehensive Plan and State Statutes. Of particulate concern is whether the proposed development qualifies for the density exception on lands zoned for agricultural use. The proposed development does not appear to reflect the established development pattern in the surrounding area, nor is it compatible with existing rural and agricultural land uses in the immediate area and in the agricultural district of the county. This development also appears to contribute to urban sprawl that the county is required to prevent. There are several other concerns the details of which will be described below in the memorandum of error.

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations.

The specific code requirements and provisions that are being objected to and reasons why it is not consistent are listed on the attached page due to limited space on this page. See attached.

4. Any corrective actions to remedy objections raised in the Petition.

Corrective actions are obvious as they consist of requiring developments to be consistent with the letter and intent of the law as written in order to protect the people and resources of this county for the welfare of all. Development Orders should not be approved unless a development actually is consistent with the letter and intent of the State Statutes, Comprehensive Plan and Land Development Code.

Petitioner signature: Brian C Hornberg

Petitioner typed or printed name: Brian C Hornberg

Date : 12/8/2025

Date received by Growth Management: 12/8/2025

Received by: M Martinez

Specific Requirements and Provisions:

- 1) Developer already committed a significant violation of the LDC by clearing wooded land for a road without an approved development order.
- 2) Proposed development does not meet the Purpose of the Agricultural District defined in LDC section 2.01.01.
- 3) Proposed development does not meet the Intent for the Agricultural District defined in LDC section 2.01.02.
- 4) Proposed development does not meet the Permitted Uses of land in the Agricultural District defined in LDC section 2.01.04. Residential uses in this district are intended to be consistent with the purpose and intent of the Agricultural District and be "very low density". The intent is 1 home per 10 acres with exceptions for 1 acre lots which this development does not meet the requirement for. The intent is homes on land that further the purpose and intent of the Agricultural district and further the intended density and land use for that district. This proposed development would not do that. The intent for the exceptions to the intended density is for minor infill along existing roads, not unlimited suburban development where the exception becomes the norm, which turns the agricultural district into a massive series of neighborhood developments and destroys its purpose and character. Furthermore, Comprehensive Plan Policy 10.1B Rural Community applies here and the intent of it must be followed. Since this policy is not specifically explained in the LDC, the Comprehensive Plan takes precedence as per LDC section 1.03.00 Scope.
- 5) The Land in this proposed development is zoned as Agricultural and on Future Land Use Map as Agriculture and is part of the Agricultural District. Under LDC section 2.01.04 #8. One-Acre Lots, the conditional requirements must be met in order to grant the exception for One-Acre Lots. The requirements are as follows: 8.b. Access to **EACH LOT MUST BE** from an **EXISTING** state or county-maintained roadway. 8.c. **EACH LOT** created **SHALL HAVE** a minimum of 50 feet frontage on **SUCH** state or county-maintained road. Note the wording in the LDC such as "**MUST**" and "**SHALL**". In LDC section 1.08.06 Definitions, the word "**shall**" means **mandatory**. This wording is not vague and is not negotiable. It is a mandatory requirement in order to qualify for the exception. This proposed development does not qualify. There was factually no road that existed at the time of development order application or at time of intent to approve the development order that the proposed lots would have access from or have frontage on. There is certainly and factually no existing county or state-maintained road that each lot would have access from or 50 feet of frontage on. The developer intends to build a road, which is a proposed road, which each lot would have access from and frontage on. Therefore, the subject property in this development order application does not qualify for the 1 acre lot size exception. The road that the proposed lots will front on is a proposed road and thus cannot be considered an

existing road by any reasonable interpretation of the word. The development cannot exceed the required 1 home per 10 acres density. It is also important to note LDC section 1.03.00 Scope where all development **SHALL BE** permitted in accordance with this Code... and if there is an inconsistency, between provisions, **THE MORE RESTRICTIVE SHALL GOVERN**. If there is a conflict between a more general requirement and a more specific requirement, **the MORE SPECIFIC SHALL GOVERN**. If there is a conflict or inconsistency between the Code and the Comprehensive Plan, **the Comprehensive Plan SHALL CONTROL**. Strict adherence to the law must apply and must be enforced by the county.

6) Proposed development does not reflect the established development pattern of the surrounding area. The established development pattern in the surrounding area is very low density, agricultural and rural type uses. There is one neighborhood across the road from this proposed development that is of similar density and use, but it also is not consistent with the Comprehensive Plan and LDC intent. 2.1 Future Land Use, Objective 4 on page 2.1.5. Also, Florida Statutes Chapter 163 Growth Policy and Land Development Regulation applies.

7) Proposed development does not reflect development compatible with the surrounding rural and agricultural land uses. Suburban neighborhoods are not the intent of the Agricultural district and are not similar to or compatible with the predominantly agricultural uses in the immediate surrounding area. 2.1 Future Land Use, Objective 4 on page 2.1.5. Also, Florida Statutes Chapter 163 Growth Policy and Land Development Regulation applies.

8) The proposed development is an example of Urban Sprawl for which the County Comprehensive Plan has stated intent, goals and objectives to actively prevent. While Urban Sprawl prevention is not specifically covered in the LDC, the relationship between the LDC and the Comprehensive Plan and the Superiority of the Comprehensive Plan to the LDC is made clear in LDC sections 1.02.00 Purpose and Intent, therefore the Comprehensive Plan applies. Preventing Urban Sprawl is addressed in the Comprehensive Plan Sections 2.1 Future Land Use, Introduction, Florida Statute Chapter 163.3177(6)(a) minimum requirements (e) page 2.1.1, 2.1 Future Land Use, Objective 4 on page 2.1.5, Objective 9 on pages 2.1.9 – 2.1.11.



Department of Growth Management

**PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR**

Project Description: Buttonbush Meadows

File Number: DO-0625-0014

1. Petitioner Information.

Name: Sheldon Harpster

Authorized agent for: Self

Address: 1801 Harpster Ln., Baker, FL 32531

Telephone: 850-826-1972 FAX: _____

Email: harpster_s@hotmail.com

2. Statement of Objection. (As stated in the Petition)

I am objecting to issuance of the Development Order because, based on my review of the application materials, technical reports, and related permits, I believe the proposed development may not be fully consistent with applicable provisions of the Okaloosa County Land Development Code. My concerns include potential errors or inconsistencies in stormwater design assumptions, soil suitability, percolation capacity, and drainage impacts to surrounding properties, as well as the adequacy of the proposed stormwater management system overall. I am also concerned that the existing roadway network and supporting public infrastructure may be insufficient to safely or effectively accommodate the increased traffic, access demands, and service needs generated by the proposed subdivision. These issues, combined with the possibility that the Notice of Intent relied on information that does not fully reflect actual site conditions or demonstrate compliance with all required Code criteria, warrant a Development Order Hearing to ensure the proposal meets all applicable regulations before any approval is finalized.

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations.

See Attached

4. Any corrective actions to remedy objections raised in the Petition.

See Attached

Petitioner signature: Sheldon Harper

Petitioner typed or printed name: Sheldon Harper

Date: 2 Dec 2025

Date received by Growth Management: 12/8/2025

Received by: M. Montia

Error 1 — Lot Sizes Do Not Meet Minimum Requirements Because the Applicant Is Improperly Claiming a Non-Existent Road as “Existing”

Code Citations:

- LDC Article 2 — Lot & Density Requirements for Rural Districts
- LDC 1A.03.03 — Development Order Required for Platting, Roads & Infrastructure
- LDC 7.01.03 — Adequacy of Public Facilities

Issue:

The applicant proposes lots smaller than 10 acres by claiming they front an “existing road.”

However, this road has not been built, is not open to the public, is not functioning as a roadway, and therefore legally cannot be considered an existing road for the purpose of reducing minimum lot size requirements.

Why This Is an Error:

Okaloosa County LDC allows density reductions only when lots front an already-existing, legally established, publicly accessible road.

A road drawn on a plan but not constructed does not qualify.

By relying on a non-existent road, the Development Order approves lot sizes that are below the minimum allowed, violating multiple sections of the LDC.

Impact:

The entire subdivision layout, lot legality, and DO approval are based on a false premise, making the Development Order inconsistent with the Land Development Code.

Error 2 — Stormwater Design May Not Meet LDC Requirements Due to Soil Unsuitability, Percolation Limitations & Uncertain System Performance

Code Citations:

- LDC Section 6.06.101 — Retention System Requirements & 72-Hour Recovery Rule
- LDC 6.06.201 — Protection of Adjacent Properties From Increased Runoff

Issue:

The stormwater system relies on a deep vertical sand chimney because the first 23–31 feet of native soils were found to be low-permeability silty sands, unsuitable for normal dry retention.

This condition forced the engineering team to design a non-typical infiltration system penetrating deep into subsurface layers to reach permeable soils.

Why This Is an Error:

The Land Development Code requires stormwater systems to perform reliably under actual conditions, including seasonal groundwater levels, compaction, vegetation removal, and long-term maintenance.

The modeling provided does not fully address:

- groundwater mounding
- pond recovery under wet-season conditions
- performance after illegal clearing disturbed pre-development soil conditions
- lateral migration of stormwater toward adjacent parcels

The DO approval therefore lacks sufficient evidence of stormwater compliance.
Error 3 — Drainage Impacts to Surrounding Properties Not Fully Analyzed or Mitigated

Code Citations:

- LDC 6.06.010 — Prevention of Adverse Offsite Impacts
- LDC 6.06.201 — Protection of Adjacent Lands

Issue:

The applicant asserts zero discharge, but no analysis was provided for:

- lateral groundwater spread
- saturated flow impacts
- emergency overflow behavior
- infiltration bypass during heavy storm events

Why This Is an Error:

The LDC prohibits development from increasing runoff onto neighboring parcels.

Without a full hydraulic impact review, the County cannot confirm that the system will protect nearby homes or properties.

Error 4 — Illegal Clearing Before DO Issuance Violated LDC Requirements & Compromised Site Conditions

Code Citations:

- LDC 1A.03.03 — DO Required Before Clearing or Land Disturbance
- LDC 1.11.08 — Procedural Compliance Required

Issue:

A stop-work order was issued because the applicant cleared the property prior to Development Order approval, in direct violation of County requirements.

Why This Is an Error:

Illegal clearing:

- Disturbed natural soil profiles used in the engineering calculations.
- Altered stormwater infiltration, runoff, and flow pathways.
- Removed vegetative cover that slows and filters runoff.
- Demonstrates disregard for the permitting process, raising concerns about compliance with more complex DO conditions.

The DO approval does not address or remedy this violation.

Error 5 — Roadway Network & Public Infrastructure Capacity Were Not Properly Evaluated

Code Citations:

- LDC 7.01.03 — Adequacy of Public Facilities (Concurrency)
- LDC Article 11 — Traffic & Access Requirements

Issue:

Galliver Cutoff and Keyser Mill Road are narrow rural roads without shoulders, turn lanes, pedestrian facilities, or capacity upgrades.

No traffic study or concurrency analysis was included for:

- **22 new homes**
- **increased daily trips**
- **construction traffic**
- **emergency vehicle access**
- **school bus routing impacts**

Why This Is an Error:

The LDC requires a demonstration that existing public facilities can safely and efficiently serve the proposed development.

Error 6 — DO Approval Lacks Clear Demonstration of Comprehensive Plan Consistency

Code Citations:

- **LDC 1.05.00 — Required Consistency with Comprehensive Plan Policies**

Issue:

The DO does not show compliance with policies related to:

- **rural character preservation**
- **stormwater resource protection**
- **public safety**
- **responsible infrastructure planning**

Why This Is an Error:

Every DO must affirmatively prove Comprehensive Plan consistency, not assume it.

4. Corrective Actions Needed to Remedy the Errors

The Petitioner respectfully requests that the County require the following corrective actions before approval of the Development Order:

- 1. Require a legally accurate lot-size and road frontage evaluation using only existing, constructed, functioning public roads.**
- 2. If the road does not exist, sub-10-acre lots cannot be approved.**
- 3. Require revised stormwater modeling and analysis reflecting:**
 - o actual post-clearing conditions**
 - o seasonal groundwater highs**
 - o hydraulic mounding effects**
 - o soil compaction after illegal clearing**
 - o vegetative removal impacts**
 - o long-term infiltration performance of the sand chimney system**
- 4. Require a full drainage impact study demonstrating zero adverse effects to neighboring properties.**
- 5. Require corrective action and restoration for the illegal clearing, including soil rehabilitation and erosion control measures.**
- 6. Require a traffic and infrastructure capacity analysis addressing safety, access, emergency response, and concurrency compliance.**
- 7. Require independent third-party inspections for all stormwater components, especially the sand chimney excavation and installation.**
- 8. Delay or condition the DO approval until all errors are resolved and the proposal demonstrates full compliance with all applicable LDC and Comprehensive Plan requirements.**



Department of Growth Management

**PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR**

Project Description: Buttonbush Meadows

File Number: DO-0626-0014

1. Petitioner Information.

Name: Tiffany Mathews

Authorized agent for: _____

Address: 5521 Buck Ward Rd Baker, FL 32531

Telephone: 850-688-8420 FAX: _____

Email: tmtmathews4@gmail.com

2. Statement of Objection. (As stated in the Petition)

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations.

See attached

4. Any corrective actions to remedy objections raised in the Petition.

see attached

Petitioner signature: _____

Petitioner typed or printed name: _____

Date: _____

Date received by Growth Management: _____

Received by: _____

3. Specific Code Requirements and Provisions by Citation

The proposed development is **not consistent** with the following Comprehensive Plan requirements governing compatibility, density, and protection of agricultural areas:

1. **Okaloosa County Comprehensive Plan, Future Land Use Element (FLU) Policy 1.1.1 – Agricultural (AG) Future Land Use Category**
This policy states that agricultural areas are intended to preserve rural character, maintain low residential densities, and prevent the encroachment of incompatible suburban subdivision patterns into agricultural communities.
2. **FLU Policy 1.3.1 – Compatibility Requirement**
All new development must be *“compatible with, and not adversely impact, existing neighboring uses.”*
Compatibility includes density, scale, intensity, traffic impacts, environmental impacts, and community character.
3. **FLU Policy 1.4.3 – Transitional Densities**
Higher-density or suburban subdivisions must only be located where they transition appropriately from rural/agricultural land and do not create abrupt, incompatible density increases.
4. **Land Development Code (LDC) Section 2.02.01 – Purpose of Zoning Districts**
Agriculture zoning districts are intended to maintain very low density and protect agricultural operations from encroachment by incompatible residential subdivision patterns.
5. **LDC Section 2.03.02 – Compatibility Standards**
Requires that proposed development *“shall be consistent and harmonious with the character of surrounding land uses,”* including density, layout, and development pattern.

Reasons the Development Order Is Not Consistent With These Citations

The Development Order fails to comply with the Comprehensive Plan and LDC for the following reasons:

1. **Density Is Not Compatible With Surrounding Agricultural Lands**
 - The surrounding area is zoned and used primarily for **Agricultural (AG)** purposes, where residential density is traditionally **1 dwelling per 10 acres** (or similarly low rural densities).
 - The proposed subdivision introduces **small-lot, high-density residential development**, which constitutes a **significant and abrupt increase in density** compared to the surrounding agricultural community.

4. The petitioner asserts that the following corrective actions would be necessary to bring the proposed development into compliance with the Okaloosa County Comprehensive Plan and Land Development Code:

Corrective Action 1: Provide Legal, Code-Compliant Access to an Existing County-Maintained Road

To remedy the violation of LDC road-access requirements and one-acre minimum lot size provisions tied to access:

- The developer must obtain and demonstrate **legal access to a currently existing, County-maintained road**, as required by the Okaloosa County LDC.
- If no such road exists, the developer must either:
 - (a) Construct a public road meeting County standards, and
 - (b) Have that road formally **accepted into County maintenance**, *prior* to approval of the Development Order.
- Alternatively, the developer must revise the project to comply with the **one-acre lot minimum** required when access does not meet County-maintained road standards.

Until these conditions are met, the development cannot satisfy LDC access requirements.

Corrective Action 2: Ensure the Access Road Is Formally Accepted Into County Maintenance

To resolve the objection that the road providing access has not been accepted:

- The developer must submit documentation demonstrating that the access road has been **constructed to County standards**, inspected, and **officially accepted into County maintenance**; or
- Revise the development so that the project relies solely on an **existing, already-maintained public roadway** that meets all applicable standards.

If the road is not accepted into County maintenance, the Development Order must be denied or the project must be resubmitted with compliant access.

Corrective Action 3: Reduce Density and Modify the Subdivision Layout to Ensure Compatibility With Surrounding Agricultural Lands

To remedy the incompatibility violation under Comprehensive Plan FLU Policies 1.1.1, 1.3.1, 1.4.3 and LDC 2.03.02:

The developer must revise the project so that:

- Residential density is **significantly reduced** to create a reasonable, gradual transition from agricultural lands.
- Lot sizes and subdivision pattern reflect **rural-appropriate densities** consistent with the surrounding AG area.
- Buffers or transitional areas are added to prevent adverse impacts on agricultural operations.
- The subdivision layout is redesigned to align with the **existing rural character**, ensuring compliance with the Comprehensive Plan's compatibility mandate.

If density is not reduced, the development remains Incompatible and noncompliant with the Comprehensive Plan.



Department of Growth Management

PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR

Project Description: Buttonbush Meadows

File Number: DQ-0625-0014

1. Petitioner Information.

Name: Tracy Matthews

Authorized agent for: _____

Address: 5521 Buckward Rd Baker, FL 32531

Telephone: 850-685-8421 FAX: _____

Email: threeriversbnt@gmail.com

2. Statement of Objection. (As stated in the Petition)

See Attached

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations.

See Attached

4. Any corrective actions to remedy objections raised in the Petition.

See Attached

Petitioner signature: Tracy Matthews

Petitioner typed or printed name: Tracy Matthews

Date: 12-8-25

Date received by Growth Management: 12/8/2025

Received by: Memoria

3. The petitioner objects to the Development Order on the grounds that the proposed subdivision does not satisfy the **one-acre minimum lot exemption** allowed within the Agriculture (AG) Zoning District due to lack of required access from an **existing county-maintained roadway**. The following specific provisions of the Okaloosa County Land Development Code (LDC) are implicated:

Applicable Code Requirements

1. LDC Section 2.16.02 – Agriculture District (AG) Dimensional Requirements

This section establishes the minimum lot sizes applicable within the AG district and includes the limited **one-acre lot exemption** that may apply **only when** the parcel has legal access to an **existing, county-maintained roadway**.

2. LDC Section 6.04.01 – Access Requirements for Lots and Subdivisions

This section requires that all lots must have legal access via an **existing county-maintained road** or a road constructed to county standards and formally accepted into county maintenance.

Lots created without compliant road access **cannot** qualify for reduced minimum lot sizes.

3. LDC Section 4.03.03 – Development Order Consistency Requirements

All Development Orders must be consistent with the County's LDC and Comprehensive Plan. A DO cannot be approved if the proposed lot sizes violate applicable zoning and access standards.

Reasons the Development Order Is Not Consistent With These Citations

1. The project does not have access from an existing county-maintained road.

The subdivision proposes to use a road that is **not currently maintained by Okaloosa County**.

Because the road has **not been constructed to county standards nor formally accepted into county maintenance**, it does not meet the access requirements in LDC 6.04.01.

2. Without county-maintained road access, the development cannot legally use the one-acre minimum lot exemption in the Agriculture District.

The LDC makes the one-acre exemption available **only when** a parcel is accessed by a county-maintained public road.

Since this condition is not met, the project must comply with the **default AG minimum lot size, which is substantially larger than one acre.**

The proposed lots therefore **do not meet AG zoning dimensional requirements** under LDC 2.16.02.

3. Because the proposed lot sizes violate the AG zoning requirements, the Development Order cannot be considered consistent with the LDC.

Under LDC 4.03.03, the County cannot lawfully approve a DO that is inconsistent with zoning and access requirements.

Approving a DO with substandard lots would constitute **noncompliance with the LDC**, and therefore cannot be permitted.

4. To bring the proposed subdivision into compliance with the Land Development Code (LDC) requirements for minimum lot size in the Agriculture (AG) District, the following corrective actions would be necessary:

Corrective Action 1: Provide Access From an Existing, County-Maintained Road

Because the one-acre exemption in the AG district applies **only** when lots have access to an existing county-maintained roadway, the developer must:

- Demonstrate that the subdivision has legal access to a **currently maintained public roadway; or**
- Construct the access road to **full Okaloosa County standards** and obtain **formal acceptance into county maintenance** *before* approval of the Development Order.

Until the road is accepted into county maintenance, the one-acre exemption cannot legally be used.

Corrective Action 2: Revise the Subdivision to Meet Full AG Minimum Lot Size Requirements

If the developer cannot provide compliant access to a county-maintained roadway, the LDC requires that:

- All lots be enlarged to meet the **default minimum AG lot size** applicable when the exemption does not apply.
- The subdivision layout must be redesigned accordingly.

This ensures the project complies with LDC § 2.16.02.

Corrective Action 3: Resubmit a Development Order Consistent With Zoning and Access Requirements

To satisfy LDC § 4.03.03 (consistency requirement), the developer must:

- Revise and resubmit the Development Order showing either
(a) proper access from a county-maintained road, or
(b) lot sizes corrected to the legally required AG minimum lot size.

A Development Order relying on substandard lot sizes cannot be approved under the LDC.

Faint, illegible text at the top of the page, possibly a header or title.



Department of Growth Management

**PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR**

Project Description: BOTTOMBUSH MEADOWS

File Number: DO-0625-0014

1. Petitioner Information.

Name: VICTORIA HUNTER

Authorized agent for: _____

Address: 7840 JORDAN RD BAKER

Telephone: _____ FAX: _____

Email: VICALL67@GMAIL.COM

2. Statement of Objection. (As stated in the Petition)

WITH NO EXISTING ROAD, THE
COUNTY COMMISSION NEEDS TO
COMPLY WITH CURRENT LAWS.

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations.

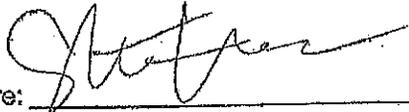
PER CODE 2.01.04

ACCESS MUST BE FROM AN EXISTING
ROADWAY.

4. Any corrective actions to remedy objections raised in the Petition.

USE EXISTING CODES FOR NEW
DEVELOPMENTS

Petitioner signature: _____



Petitioner typed or printed name: VICTORIA HUNTER

Date: 11/23/25

Date received by Growth Management: 12/8/25

Received by: M. Martinez



Department of Growth Management

**PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR**

Project Description: Buttonbush Meadows

File Number: DO-0625-0014

1. Petitioner Information.

Name: Wesley Florez

Authorized agent for: _____

Address: 5918 Buck Ward RD, Baker, FL 32531

Telephone: 937-607-1717

FAX: _____

Email: wesley.florez@gmail.com

2. Statement of Objection. (As stated in the Petition)

Please see petition.

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations.

1) Developer already committed a significant violation of the LDC by clearing wooded land for a road without an approved development order.

2) Proposed development does not meet the Purpose of the Agricultural District defined in LDC section 2.01.01.

3) Proposed development does not meet the Intent for the Agricultural District defined in LDC section 2.01.02.

4) Proposed development does not meet the Permitted Uses of land in the Agricultural District defined in LDC section 2.01.04. Comprehensive Plan Policy 10.1B Rural Community applies and the intent of it must be followed. Since this policy is not specifically explained in the LDC, the Comprehensive Plan takes precedence as per LDC section 1.03.00 Scope. Florida statute 163.3194 mandates that local governments must adhere to their adopted comprehensive plans.

4. Any corrective actions to remedy objections raised in the Petition.

5) Violates LDC section 2.01.04 #8. One acre lots are permitted only when each lot is accessed by an existing county-maintained roadway with a minimum of 50 feet frontage on such a road. No county-maintained road exists that each lot would be able to access.

6) Violates established development pattern of the surrounding area, which is intended in the LDC.

7) Violates development compatibility with the surrounding rural and agricultural land uses.

8) Violates LDC intention to prevent urban sprawl.

Petitioner signature: _____

Petitioner typed or printed name: Wesley Florez

Date : December 8, 2025

Date received by Growth Management: 12/8/2025

Received by: _____

Melania



Department of Growth Management

**PETITION FOR DEVELOPMENT ORDER HEARING
MEMORANDUM OF ERROR**

Project Description: Buttonbush Meadows

File Number: DO-0625-0014

1. Petitioner Information.

Name: William E. Adams

Authorized agent for: _____

Address: 1124 Blackberry Cr. Baker FL 32531

Telephone: 904-398-2602 FAX: _____

Email: William.adams1966@gmail.com

2. Statement of Objection. (As stated in the Petition)

No existing Road
zoned AG not residential

3. The specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations. 2.01.04

Road was not existing - just cut
Zoned AG; residential not compatible

4. Any corrective actions to remedy objections raised in the Petition.

clearing cuts in zoned AG areas should
only be approved for AG purposes

Petitioner signature: _____

Will. E. Adams

Petitioner typed or printed name: _____

William E. Adams

Date: _____

12-6-25

Date received by Growth Management: _____

12/8/2025

Received by: _____

M. Martin



Department of Growth Management

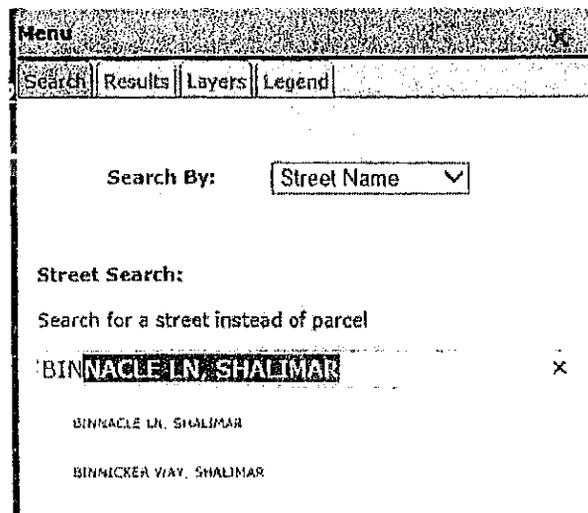
Planning Division
 1250 N. Eglin Parkway, Suite 301
 Shalimar, FL 32579
 850-651-7523

Street Name Approval Form

| | |
|---------------------------|--|
| Project Name: | Buttonbush Meadows Subdivision |
| Location: | 25-3N-25-0000-0001-0030 / Galliver Cutoff |
| Owner / Authorized Agent: | Chris Ryles/ SEAS, LLC. (Michael C. Granger) |
| Phone: | (850) 585-2838 |
| Email: | rylesgrassfarms@gmail.com |
| Fax: | |

**** Street Names will be approved for the use ONLY in the project and phase listed above ****
 Excluding the suffix, duplication of Street Names, is prohibited by Okaloosa County Ordinance 91-6
 To search for existing street names. Go here <http://webgis.myokaloosa.com/webgis/>

Select Street name
 in the Search By: box



| PROPOSED STREET NAMES | APPROVED | DENIED |
|-----------------------|----------|--------|
| Lily Blossom Drive | X | |
| | | |
| | | |
| | | |
| | | |

michael ruzowski Digitally signed by michael ruzowski
 Date: 2025.06.10 16:40:15 -05'00'

Date: 6/10/2025

Mike Ruzowski
 GIS Analyst, Planner
 Okaloosa County Department of Growth management
 850-651-7523
 mruzowski@myokaloosa.com

PLAT NAME AFFIDAVIT

NAME OF SUBDIVISION: Buttonbush Meadows Subdivision

In order to comply with Florida Statute 177.051, I have examined the records of the Clerk of the Circuit Court of Okaloosa County, Florida and find no evidence of any other subdivision plat by the above stated name or in any way similar to any name appearing on any recorded plat in Okaloosa County that might confuse the records or mislead the public as to the identity of this subdivision.

Christopher Ryles

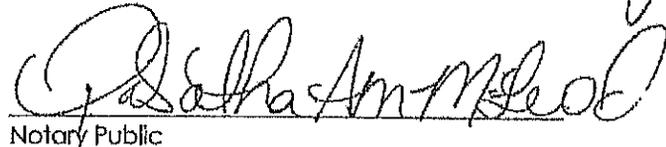


Developer/Owner/Officer of Corporation

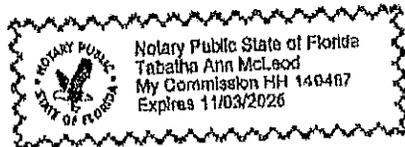
State of Florida
County of Okaloosa

Before me, an officer duly authorized, personally appeared Christopher Ryles to me known, and known to me to be the individual described in and who executed the foregoing instrument, and acknowledged the execution of this instrument to be his own free act and deed for the use and purposes therein mentioned.

Witness my hand and official seal, this 11th day of June, 2025.



Notary Public



Service Provider Report

POTABLE WATER

Application for Certification of Concurrency Reservation

Service Provider:

North

- Auburn Water
- Baker Water
- East Milton
- Holt Water
- Laurel Hill Water
- Milligan Water
- Paxton

South

- Destin Water Users
- Ft. Walton Beach
- Mary Esther Water
- Niceville water
- Seminole Water
- South Walton Utilities

North/South

- Crestview Water
- Okaloosa Water & Sewer

Name of Applicant: Buttonbush Meadows Subdivision

Date: 09 / 03 / 2025

Location of Property: Galliver Cutoff, Parcel #25-3N-25-0000-0001-0030

This application is for 22 residential units and/or _____ square feet of non-residential usage.

Existing permitted treatment capacity of system as of (date) 0.322 MGD, 9/2/2025

Planned approved capacity expansions currently underway or in annual budget for system as of (date) 0 MGD, 9/2/2025

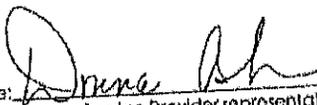
Existing capacity + expansions underway as of (date) 0.322 MGD, 9/2/2025

Present usage in MGD of system as of (date) 80% 12/31/2024

Capacity this proposal will require based on Provider's LOS (_____ MGD) as adopted by the Okaloosa County Board of County Commissioners in Section 6.14 Levels of Service, Land Development Code (Ordinance 91-1). Calculated Level of Service: 22 Units x 300 GPD Unit = 6,600 GPD 0.0006 MGD

GIVEN THE FOREGOING, THE SERVICE PROVIDER:

- Verifies that the applicant is in the service area.
- Can provide service and will reserve 0.0040 MGD as of (date) 9/3/25
- Can provide service and will reserve _____ MGD upon applicant execution of agreement with provider.
- Cannot provide service.

Signature: 
Service Provider representative

Date: 9/3/25

SOLID WASTE

CONCURRENCY EVALUATION CERTIFICATION

OKALOOSA COUNTY, FLORIDA

The following Certificate must be completed and certified by the following:

Mr. Jim Reece, Recycling Coordinator
Okaloosa County Recycling Office
84 Ready Avenue
Ft Walton Beach, FL 32548
Phone: (850) 609-6168 FAX: (850) 651-7397

PROJECT NAME: Butonbush Meadows Subdivision

1. Solid Waste Facility Affected: Baker Transfer Station
2. Currently Unreserved Capacity: _____
(prior to project approval)
3. Solid Waste Demand for this project: 271.7 ppd

Methodology for Determining Demand:

Residential 22
5 lbs x 2.47 persons per d.u. x number of units = 271.7 ppd

Commercial – Food Establishments (repeat in increments of 100)

100 or less employees: 5 cubic yards per day x 120 lbs = _____ ppd

Commercial – Professional (repeat in increments of 10)

Up to 10 employees: .27 cubic yards per day x 120 lbs = _____ ppd

Commercial – Retail Services (not food) – Gas Stations, Auto Repair, etc.

Up to 10 employees: .67 cubic yards per day x 120 lbs = _____ ppd

Industrial – Contact Environmental Waste Systems or County Coordinator
for instructions.

4. UN-Reserved Capacity AFTER Project Approval: _____
5. Adopted LOS: 6 lbs per day per capita (10.A.2.2)
6. LOS AFTER Approval of this Project: 6 lbs per day per capita
7. Approved: Yes

CERTIFICATION

I, Jim Reece, Solid Waste Contract Manager
(title)

hereby certify that the above is true and correct.

Jim Reece Digitally signed by Jim Reece
Date: 2025.06.24 07:38:21 -05'00'

Signature

6/24/2025

Date



Department of Growth Management Fire Prevention

**Reviews are based on information provided and subsequent information
may be needed dependent on submittal content.**

Okaloosa County Fire Prevention Letter of Review

Date: SEPT. 3, 2025

RE: BUTTONBUSH MEADOWS SD, 22 LOTS

Address: GALIVER CUTOFF, HOLT

Applicant: SEAS- Cole Granger
Cole.Granger@seasllc.net

The applicant has requested a DO for the above project.

PERMIT # 570577-FDO-2025

Disapproved/Approved: APPROVED in coordination with Holt Fire Chief

Comment: Verify the water supply for the area meets fire flow and pressure requirements as per the Florida Fire Prevention Code, Eight Edition. When fire hydrants are installed, submit copies of final flow and pressure test to the water supplier, the fire department who services the area, and the authority having jurisdiction.

Please contact me if I may be of further assistance.

Wayne Butler
FSFM# 124929
812 James Lee Blvd.
Crestview, FL 32536
850-423-4852 Office
850-305-2282 Cell

MEMORANDUM

TO: Marissa Martinez
Growth Management Dept.

FROM: Michael Anderson, P.E.
Public Works Department

DATE: October 20, 2025

SUBJECT: Buttonbush Meadows Subdivision

Plans reviewed with the following comments and/or conditions:

1. The Stormwater Management Administrative Review Fee of \$150.37 has been paid.
2. Project fronts existing County-maintained road. (Galliver Cutoff).
3. Stormwater Management Plan meets stormwater requirements as per Chapter 6, Section 6.06.00 of Okaloosa County Land Development Code. No stormwater required since the number of lots is below the minimum for stormwater requirements. Signed and sealed letter detailing exemption has been received.
4. Concurrency is in compliance with Chapter 4 of the Okaloosa County Land Development Code. Mobility Fee has been paid by check in the amount of \$22,198.00.

Plans **APPROVED 10/20/25.**

cc: Cole Granger, P.E.



**DEPARTMENT OF GROWTH MANAGEMENT
PLANNING & ZONING DIVISION**

1250 Eglin Parkway North, Suite 301
Office Phone: (850) 651-7180

Shalimar, FL 32579
Office Fax: (850) 651-7058

Issuance Date: November 17, 2025
To: Cole Granger, P.E.
Project Planner: Marissa L. Martinez – Senior Planner
Project File No./Name: DO-0625-0014 Buttonbush Meadows

Please be informed that the "Notice of Intent (NOI) to Issue a Development Order (DO)" sign for the above-mentioned subject will be posted on the project site today (11/17/25).

And as specified in Section 1A.03.03.4 of the Land Development Code (LDC), upon completion of the development review process and after the reviewing agency have determined preliminary approval of the final plans, the Planning Official, or designee, shall issue a notice of intent to approve, approve with conditions, or deny a development order. At this time, the Planning Official, or designee, shall post a 2' X 3' sign in a conspicuous place on the property involved which will describe the intended action, the type and nature of the development being proposed, contact information, and a statement saying that any adversely affected party may request a "Petition for Development Order Hearing" as specified in Section 1.11.08 of the LDC. At this time any person may petition on this matter within seven (7) days after this notice of intent is issued. No later than fourteen (14) days after the date the petition of development order hearing is filed, the Petitioner shall submit a "Memorandum of Error" which contains the specific Code requirements and provisions by citation the Petitioner is objecting to, the reasons why the development order is not consistent with the identified citations, and any corrective actions to remedy the objection(s) raised. Failure to comply with this part shall render the petition abandoned and withdrawn. The approved final set signed/sealed of the site development plans may be routed for final approval to all development review teams. The pending development order will not be issued during the notice of intent period. If the Department does not receive a Petition for a Development Order Hearing the development order will be issued as follows.

The applicant is responsible for routing and obtaining final approval stamps and/or signatures on the final approved set of plans and the routed set must be identical to the set approved by the Development Review Team. Once all permits and approvals have been submitted and the stamped/signed approved final set of the site development plans have been provided to the Project Planner, a Development Order (DO) can be issued. The approved set of signed/sealed of the final site development plans needs to be routed to the following agencies (not in any order, however, Growth Management will be the last agency to sign, and stamp approved the plans).

- North Okaloosa Fire & Life Safety Inspector
- Holt Water System
- Public Works Department
- Growth Management – Planning Department

1250 Eglin Parkway North, Suite 301
Shalimar, FL 32579
(850) 651-7180
FAX (850) 651-7058

812 E. James Lee Blvd
Crestview, FL 32539
(850) 689-5080
FAX (850) 689-1241

PUBLIC NOTICE

THE USE AND APPEARANCE OF THIS PROPERTY IS SUBJECT TO CHANGE

The Okaloosa County Department of Growth Management is in receipt of a Development Order application which may authorize the development of this property. The development under consideration is:

Buttonbush Meadows

Subdivision

Detached 22 SFD

For further information contact the Department of Growth Management at either one of the following locations.

North Okaloosa County

Crestview Office
402 Brookmeade Drive
Crestview, FL 32539
Phone: (850) 689-5080
FAX: (850) 689-5512

South Okaloosa County

1250 N. Eglin Pkwy
Shalimar, FL 32579
Phone: (850) 651-7180
FAX: (850) 651-7706

PUBLIC NOTICE
THE USE AND APPEARANCE OF THIS
PROPERTY IS SUBJECT TO CHANGE

The Okaloosa County Department of
Growth Management, in receipt of a
Development Order application, which
may authorize the development of the
property. The development under
consideration is:

Central Day House
10400 Highway 190
Okaloosa, FL 32567

For further information contact the
Department of Growth Management
at either one of the following locations:

| | |
|------------------------------|------------------------------|
| North Okaloosa Office | South Okaloosa Office |
| 10000 Highway 190, Suite 100 | 10000 Highway 190, Suite 100 |
| Okaloosa, FL 32567 | Okaloosa, FL 32567 |
| Phone: 904-222-2222 | Phone: 904-222-2222 |
| Fax: 904-222-2222 | Fax: 904-222-2222 |

Leslie Adams

From: Cole Granger <cole.granger@seasllc.net>
Sent: Friday, June 20, 2025 11:33 AM
To: Leslie Adams
Cc: Logan Snow
Subject: Buttonbush Meadows Sub.
Attachments: PXL_20250618_203716803.jpg; PXL_20250618_203721975.MP.jpg

The yellow sign was posted on Wednesday, June 18th, 2025.

I have spoken with Michael about the traffic data. He indicated that I could just create an exemption Letter for the traffic since section 4.02.02.1(c) indicates trip generation analysis is only needed for developments with 25 units or More.

Thanks,
Cole

Cole Granger, P.E.
Seaside Engineering and Surveying, LLC
6575 HWY 189N
Baker, Florida 32531
Office: [850.650.9563](tel:850.650.9563)
Fax: [850.398.6812](tel:850.398.6812)
Cole.granger@seasllc.net



CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**NOTICE OF INTENT
TO ISSUE DEVELOPMENT APPROVAL**

The City Council, County of Contra Costa, California, hereby gives notice of its intent to issue development approval for the following project:

*Pullertonish Meadows
22 lot single family subdivision*

Any person that wishes to file a written objection to the issuance of development approval for the above project should file the objection with the Planning Commission on or before the following date:

11/17/2005

For further information please contact: *11/17/2005*
Planning Commission, 1000 Main Street, Suite 100, Concord, CA 94520
Phone: (925) 255-1234

PUBLIC NOTICE

THE USE AND APPEARANCE OF THIS PROPERTY IS SUBJECT TO CHANGE

The Contra Costa County Ordinance of the County of Contra Costa, California, is hereby amended to provide for a General Municipal Code, Chapter 17.01, which shall apply to the development of the property. The development of the property is hereby approved.

The above information is hereby published for the information of the public and is subject to change without notice.



**OKALOOSA COUNTY DEPARTMENT OF GROWTH
MANAGEMENT**

**APPLICATION FOR CONCURRENCY COMPLIANCE &
DEVELOPMENT ORDER REVIEW**

Date Received: 10/11/25 File Number: _____

TYPE OF DEVELOPMENT

- Residential
- Commercial
- Industrial
- Minor Division of Land
- Major (more than 10,000 sqft.)
- Minor (less than 10,000 sqft.)

A. CONTACT INFORMATION

APPLICANT:

Name: Chris Ryles Telephone: (850) 585-2838
 Address: P.O. Box 711 Baker, FL 32531 E-mail: rylesgrassfarms@gmail.com
 Fax: _____

OWNER(s):

Name: Chris Ryles Telephone: (850) 585-2838
 Address: P.O. Box 711 Baker, FL 32531 E-mail: rylesgrassfarms@gmail.com
 Fax: _____

AGENT:

Name: Seaside Engineering and Surveying LLC. Telephone: (850) 650-9563
 Address: 6575 HWY 189N Baker, FL 32531 E-mail: cole.granger@seasllc.net
 Fax: _____

ENGINEER/ARCHITECT:

Name: Michael Cole Granger Telephone: (850) 650-9563
 Address: 6575 HWY 189N Baker, FL 32531 E-mail: cole.granger@seasllc.net
 Fax: _____

B. PROJECT /SITE INFORMATION

1. Type of Project: Residential Subdivision
2. Future Land Use (FLUM): AG Zoning: AA
3. Current Use: Vacant Unimproved
4. Parcel Identification Number: 25 - 3N - 25 - 0000 - 0001 - 0030
 - Attach proof of ownership (i.e., deed, property tax card, closing statement, etc.)
5. Parcel size: 29.71 (acres) 1,294,385.85 (square feet)
6. Building Size: (if applicable) N/A gross square feet
7. Maximum Building Height: 3 STORIES 45'
8. Floor Area Ratio (proposed--%): N/A
9. Impervious Surface Area Ratio (proposed-%): N/A
10. Density (allowable—du's/acre): 4 Units/Acre (residential only)
11. Number of dwelling units/lots(proposed): 0.82 Units/Acre (residential only)
12. Parking (proposed): 2 Per Unit spaces Requirement (specific land use): _____
13. Name and jurisdiction of existing row to be used for ingress/egress: Galliver Cutoff

(If existing ROW is not within the County's jurisdiction the applicant/owner is responsible for providing said jurisdictional entity with site plan and all technical drawings for review)

Adjacent Land Use Designations

| | <u>FLUM:</u> | <u>ZONING:</u> | <u>EXISTING:</u> |
|--------|---------------------|-----------------------|---|
| North: | <u>AG</u> | <u>AA</u> | <u>Vacant Single Family Residential</u> |
| South: | <u>AG</u> | <u>AA</u> | <u>Vacant Single Family Residential</u> |
| East: | <u>AG</u> | <u>AA</u> | <u>Vacant Single Family Residential</u> |
| West: | <u>AG</u> | <u>AA</u> | <u>Galliver Cutoff</u> |

Site Utilities

(Check applicable service)

- Water System Provider: Holt Water Works
 - Sewer System Provider: _____
 - Septic System
 - Private Well
- Fire District/Department: Holt Fire District Impact Fee: \$ _____

Site Environmental Information

(Check if applicable)

Flood Zone:

A AE V VE X coastal barrier area

Panel number & date: 12091C 0250 J MARCH 09, 2021

Wetlands:

FDEP ACOE Joint None Acreage: _____

Coastal:

within the coastal construction line shoreline protection zone (50' from the mean high water line)

Other required Permits

(check if applicable)

FDOT:

driveway connection (State roads) drainage connection (State roads)

FDEP:

stormwater wastewater potable water swale exempt
 dredge/fill

ACOE:

dredge/fill

County:

driveway connection (county roads) drainage connection

APPLICATION CERTIFICATION

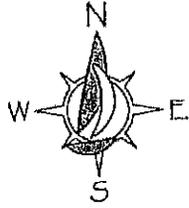
I hereby certify that the information contained in this application is true and correct to the best of my knowledge. I also give permission for County staff to enter upon my property at reasonable times for the purpose of site inspections and any other necessary visits.

Applicant Signature

Date

6/11/2025

REVISED SEPTEMBER 23, 2015-MR



SEAS

Seaside Engineering And Surveying, LLC

TRANSMITTAL

DATE: June 11, 2025

ATTN: Okaloosa County Growth Management

RE: Buttonbush Meadows Subdivision

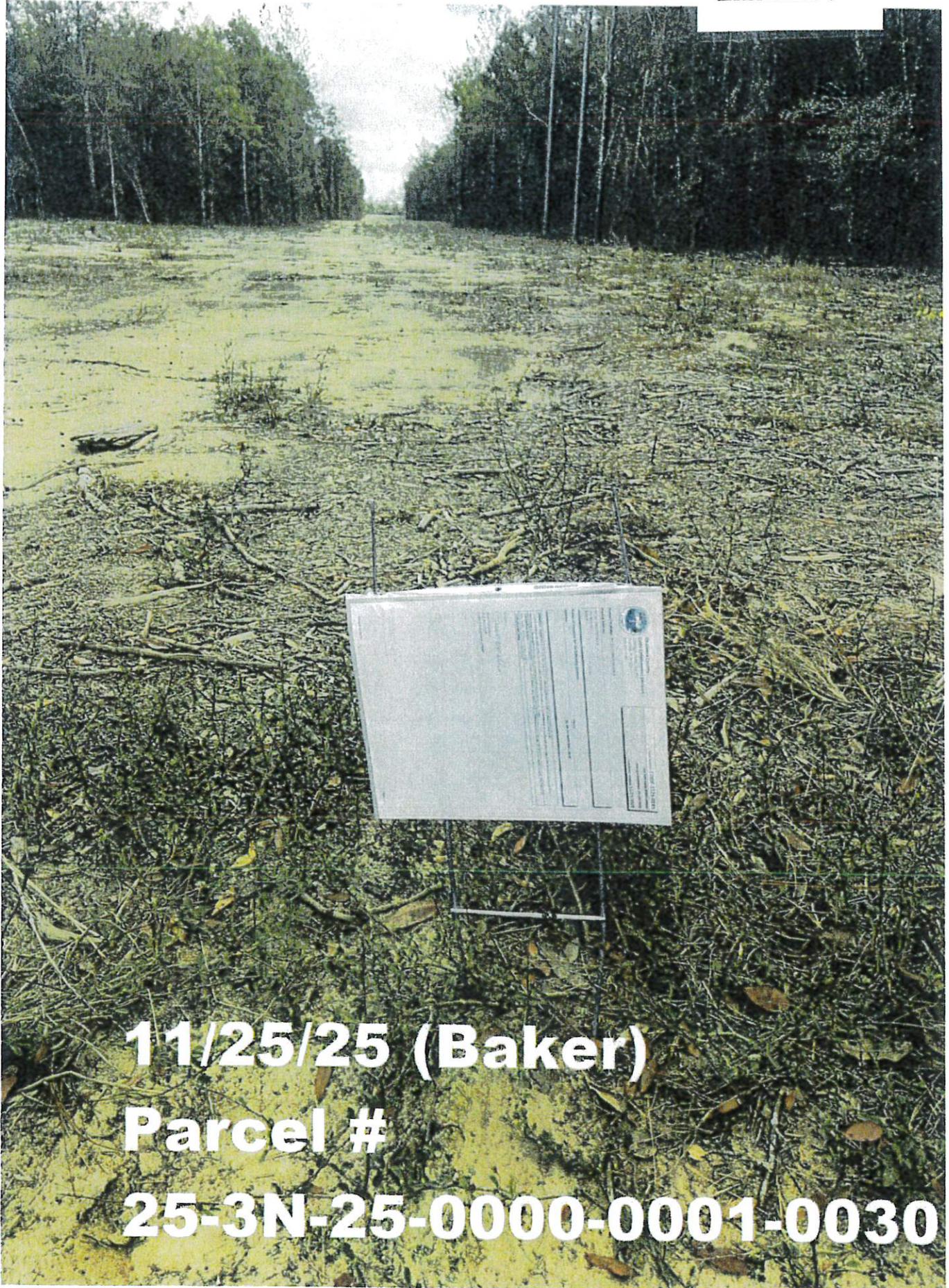
INCLUDED:

- One complete application package for Growth Management including:
 - Review Fee Check: \$696.00 (Includes \$16.00 signage fee)
 - Development Order Application
 - Property Deed
 - Agent Affidavit
 - Florida Sunbiz Annual Report
 - Street Name Approval Form
 - Plat Name Affidavit
 - Solid Waste Concurrency
 - Complete Set of Civil Plans (24x36 & 11x17)
 - Boundary and Topographic Survey
 - Stormwater Management Plan with calculations
 - Geotechnical Engineering Report
- One complete application package for Public Works
 - Review Fee Check: \$150.37
- One complete Set of Plans for Fire Review (24X36)
 - Review Fee Check: \$210.00
- One complete Set of Plans for 911 addressing (11x17)
 - Street Name Approval Form

Please call me if you have any questions.

Thanks,

Cole Granger, P.E.



11/25/25 (Baker)

Parcel #

25-3N-25-0000-0001-0030

EXHIBIT 8

BUTTONBUSH MEADOWS SUBDIVISION

DOH-001232-2025 Petition for Development Order Hearing

CORRESPONDENCE

- Heather Smallwood Email
- Heather Smallwood Email (2)
- Lane Watkins

Daniel "Stuart" Campbell

From: Heather Smallwood <smallwoodsolutions.h@gmail.com>
Sent: Monday, March 2, 2026 2:41 PM
To: Daniel "Stuart" Campbell; Paul Mixon; Samantha Cutsinger; Carolyn Ketchel; Judy Lorenz; Sherri Cox; Dustin Ricketts; Trey Goodwin; Chelsey Sharon; Drew Palmer; Allison Sullivan
Subject: Request for Commissioners to Reconsider Buttonbush Subdivision Approval

Dear Commissioners,

My name is Heather Smallwood and I am a resident of North Okaloosa as well as a proud Okaloosa County citizen and constituent. I am writing to respectfully request that my concerns regarding the proposed Buttonbush Subdivision be entered into the public record and fully considered before any action is taken.

Based on the information available, the county intends to approve the Buttonbush Subdivision on the east side of Galliver Cutoff Road, just south of Keyser Mill Road, on property currently zoned Agricultural (AG FLUM / AA Zone). Agricultural zoning is intended to preserve rural character and requires a minimum of 10-acre lots, with limited exceptions allowing smaller parcels only when located on an existing county-maintained road.

The Buttonbush proposal appears to include lots smaller than 10 acres and is not located on a county-maintained road, which raises serious concerns about consistency with established zoning standards and the intent of Agricultural designation.

Many residents are troubled by what appears to be another attempt to introduce a dense subdivision into AA zoning. The county is already involved in litigation related to the Buckhaven development under similar circumstances, with a judgment expected on March 25. Given this pending decision, it is reasonable to question why approval of another comparable project is being rushed forward beforehand.

As a constituent whose family and community are directly impacted by growth decisions in North Okaloosa, I respectfully ask the Commission to:

- Ensure all approvals strictly follow existing Agricultural zoning regulations
- Delay consideration of Buttonbush until the Buckhaven judgment is issued
- Protect the rural character and infrastructure capacity of North Okaloosa
- Formally acknowledge and record citizen concerns prior to any vote

My voice, along with many other residents, deserves to be heard and noted for the record. Responsible growth matters, and decisions made today will shape our community for generations to come.

Thank you for your time, your service, and your careful consideration of this matter.

Respectfully,

Heather Smallwood
North Okaloosa Resident
Okaloosa County Citizen

Cell: 513-293-6280

Email: Smallwoodsolutions.h@gmail.com

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Daniel "Stuart" Campbell

From: Heather Smallwood <possumridgecommunity@gmail.com>
Sent: Monday, March 2, 2026 2:45 PM
To: Daniel "Stuart" Campbell; Paul Mixon; Samantha Cutsinger; Carolyn Ketchel; Judy Lorenz; Sherri Cox; Dustin Ricketts; Trey Goodwin; Chelsey Sharon; Drew Palmer; Allison Sullivan
Subject: Buttonbush

Dear Commissioners,

On behalf of the Possum Ridge community here in North Okaloosa, Okaloosa County citizens, and constituents, we respectfully ask that our concerns be entered into the public record regarding the proposed Buttonbush Subdivision on the east side of Galliver Cutoff Road just south of Keyser Mill Road. This project is proposed on land zoned Agricultural (AG FLUM/AA Zone), which is intended for minimum 10-acre lots, with smaller parcels only permitted on existing county-maintained roads. Buttonbush proposes smaller lots that are not on a county-maintained road, raising serious concerns about consistency with agricultural zoning and protection of our rural community. The county is already facing litigation related to the Buckhaven development under similar circumstances, with judgment expected March 25, making the timing of this approval especially concerning. As constituents, we respectfully ask you to carefully reconsider moving forward and ensure county decisions follow established zoning standards and reflect the voices of North Okaloosa residents.

Respectfully,
Possum Ridge Road Community located off Possum Ridge Rd crestview FL 32539

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

LBW Buttonbush Planning Commission Comments 2026 03 03

Submitted by Lane Watkins, 6087 Bud Moulton Road, Crestview, 904
673 0788

We need to discuss the Planning and zoning process

The Planning and zoning process places appropriate limitations on our rights as property owners via the Comp Plan and LDC. As you know, the role of the Planning Commission is to make sure the county follows the Comp Plan and LDC.

These documents ensure growth and development are an orderly process whereby infrastructure and services, at a minimum, keep pace with development. That boils down to creating zoning districts that identify the density and intensity appropriate for the level of infrastructure and services available or planned in the district.

The area where buttonbush is proposed is FLUM/Zoning of AG/AA, reflecting its rural nature and low residential density. Infrastructure and services for higher residential density levels are neither provided or planned.

The intent that this AG/AA FLUM/Zoning area be kept relatively low residential density is expressly stated in the Comp Plan Chapter 2.1, Objective 10, Policy 10.1 as "Allowable Density: No more than one (1) dwelling unit per ten (10) acres. One (1) dwelling unit per one (1) acre may be allowed when the following conditions are met. a. Access for each 1 acre lot shall be from an existing state or county maintained roadway...."

Those words tell you that density of 1 dwelling unit per 10 acres is the norm and a higher density is the exception. 22 lots on 26 acres is not

an exception. These policies exist to ensure development meets the whole purpose of Planning and Zoning: the pace of development matching infrastructure and services. Buttonbush violates these policies.

You are considering a challenge to the Buttonbush DO precisely because the density does not meet the requirements of Policy 10.1 of the Comp Plan (The same language in LDC Chapter 2. Zoning Regulations, 2.01.00 AGRICULTURE (AA) DISTRICT, 2.01.04 Permitted Uses, Section 8).

There is no existing county maintained road to provide access to the proposed lots, thus no reason to consider approving lots less than 10 acres.

County Growth Management has adopted an unofficial and undocumented policy of ignoring the existing road requirement and allowing inappropriate density. They claim they have done this several times.

The intent of the Comp Plan Objective 10 and LDC 2.01.00 is to limit density. The county has demonstrated intent to flaunt the requirement to limit density in this AA area while having no intent or plan in place to identify the area as other than rural or providing urban or suburban infrastructure or services to this AG/AA FLUM/Zoning.

The fact that the county has done it incorrectly more than once does not make it policy. In allowing the Buttonbush DO to get this far, they have stated their intent to violate Objective 10 of the Comp Plan and 2.01.00 of the LDC.

The county is being sued over the inappropriate Buckhaven subdivision approved via the same flawed unofficial policy. A ruling is expected in that case on March 25, 2026.

The appropriate thing for you to do is recommend denial of the Buttonbush Development Order.

Failure of Water Systems to provide adequate pressure/flow

Recent testing conducted or witnessed by county personnel at a location approximately 2.5 miles from the subject property demonstrated the water flow rate did not meet specification. The county knows this. Until the water system for Buttonbush can demonstrate the ability to meet flow and any issues corrected, recommend denial of this DO.

Compliance with FS 163 restrictions on Urban Sprawl.

As stated above, the stated county intent to ignore the Comp Plan/LDC policy designed to prevent Urban Sprawl is inappropriate. In addition to violating the Comp Plan policy, Buttonbush violates the Florida Statutes related to Urban Sprawl:

163.3164 Community Planning Act; definitions; Item (54) "Urban sprawl means a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses."

- The Buttonbush development pattern is a density higher than rural but lower than urban - it does not belong in a rural AA zoning.
- It is automobile dependent. It belongs in an area such as the Urban Development Boundary where alternate transportation is more available or can be readily provided.
- It is single use with no infrastructure or services
- It is literally miles from infrastructure such as sewer or relevant public services. Providing these would be inefficient and unaffordable.

Sections of statute with multi point criteria for determining Urban Sprawl:

From FS 163.3177(6)(a)9.a(I):

9. The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

In the case of AA zoning, 1 acre lots are too high density to be rural. This single use, relatively high density is Urban Sprawl.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

Existing infrastructure and services are miles from this development with more than plenty of undeveloped land in between

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

Take a look at the Site Plan. It is the definition of ribbon development, precisely what FS 163 discourages.

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

The only protection it provides is meeting outdated stormwater requirements. Stormwater impacts on surrounding properties or within the development cannot be ruled out.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

Subject to research on Prime Farm Land

(VI) Fails to maximize use of existing public facilities and services.

Will require expansion of services over inordinate distance to this location

(VII) Fails to maximize use of future public facilities and services.

This is a rural area. No future services are planned. Its location is beyond the practical boundaries for planning additional infrastructure and services.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

Providing these items at this distance from existing ones is not financially possible. The county is not addressing water and fire now or contemplating doing so in the future.

(IX) Fails to provide a clear separation between rural and urban uses.

No separation from rural and high density urban residential is provided

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

This development would be ideal for infill land in Baker or Holt or Crestview. It is miles, skipping undeveloped property, from suitable infill

(XI) Fails to encourage a functional mix of uses.

This is a single use residential high density development.

(XII) Results in poor accessibility among linked or related land uses.

Residents will travel miles to access work, school, fire, law enforcement

(XIII) Results in the loss of significant amounts of functional open space.

It destroys 26 acres of open space. Where it used to be open space surrounded by open space, it will be a blight in a rural AA zoned area.

163.3177(6)(a)9.b(I):

b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

Buttonbush represents an isolated pocket of land development and associated residential economic activity that will require shifting resources over long distances of undeveloped land to provide infrastructure and services.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

Buttonbush represents an isolated pocket of land development and associated residential economic activity

that will require shifting resources over long distances of undeveloped land to provide infrastructure and services.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

It does not connect nor is walkable to any other use such as grocery, schools, banks, etc. It is single use. It is automobile dependent, no multimodal transportation

(IV) Promotes conservation of water and energy.

It is a net consumer of water and energy with no planned increase in utilities

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

It does not do any of these things.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

It destroys 26 acres of open space. It provides no public open space. It provides no recreation areas.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

It is no land use but residential. No nonresidential needs are met. All services are significant distances from this property.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

It is not innovative and is not a transit oriented development. It adds to the conflict between urban and rural and adds to sprawl, not remediates sprawl.

The appropriate thing for you to do is recommend denial of the Buttonbush Development Order.

Daniel "Stuart" Campbell

From: Kristen Shell
Sent: Tuesday, March 17, 2026 5:10 PM
To: harpster4@hotmail.com
Cc: Kerry Parsons; Randall Woodruff; Daniel "Stuart" Campbell; Marissa Martinez
Subject: FW: Buttonbush Meadows

Ms. Harpster

Please see response from developer below, we will advertise the hearing for April.

Thanks

Kristen Shell, AICP, MEng

Director, Growth Management Department
Okaloosa County
Ph: (850) 689-5511(Direct); (850) 651-7180 (Main); (850) 826-1864 (Mobile)
1250 N. Eglin Pkwy. Suite 301, Shalimar, FL 32579
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From: Marissa Martinez <mmartinez@myokaloosa.com>
Sent: Tuesday, March 17, 2026 5:00 PM
To: Kristen Shell <kshell@myokaloosa.com>
Subject: FW: Buttonbush Meadows

Ms. Kristen,

Please see response below from Mr. Ken Metcalf agent for the developer regarding the above-mentioned subject. Thanks

Marissa L. Martinez

Senior Planner, Growth Management Department
Okaloosa County
Ph: (850) 651-7795 (Direct); (850) 651-7180 (Main)
1250 N. Eglin Pkwy., Suite 301, Shalimar, FL 32579
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From: Kenneth Metcalf <kmetcalf@stearnsweaver.com>

Sent: Tuesday, March 17, 2026 4:55 PM

To: Marissa Martinez <mmartinez@myokaloosa.com>

Cc: 'Ryles Grassing' <rylesgrassfarms@gmail.com>; Tim Bowden <tim.bowden@seasllc.net>; 'cole.granger@seasllc.net' <cole.granger@seasllc.net>; 'John S. Mead' <John@meadlawandtitle.com>; Kerry Parsons <kparsons@ngn-tally.com>

Subject: RE: Buttonbush Meadows

Marissa,

I have been authorized by Mr. Ryles to respond on his behalf. As further explained, Mr. Ryles objects to any further delay.

We agreed to postpone the Planning Commission hearing until April 9, 2026 so that all parties would be informed by the pending decision in the circuit court case concerning the Buckhaven subdivision. As you know, the Judge has scheduled a hearing to pronounce his decision in that case on March 25, 2026. While we thought it was prudent to consider the Judge's decision prior to the Planning Commission meeting, we object to any delay beyond April 9, 2026. LDC Section 1.11.08 requires the Planning Commission hearing to be scheduled for the **next practical meeting** following submittal of the petitions, which were due by November 24, 2025. We understand that the next practical meeting date must necessarily account for the two weeks for submittal of the MOEs and for the scheduling of the mediation meeting, which was held on February 4, 2026. Mr. Ryles previously paid the public notice fee for the Planning Commission hearing scheduled for March 12, 2026. He did so to avoid further delay since the petitioners were asking to delay the hearing because they purportedly were not prepared to pay the fee required for the hearing. LDC Section 1.11.08 clearly requires the petitioners to pay the fee. As you know, it states:

Public notice: Public notice shall be as specified in section 1.11.03 **at the time and expense of the petitioner.**

Mr. Ryles previously paid the notice fee for the March 12th Planning Commission hearing before we became aware that the Judge would hold a pronouncement hearing on March 25th. As we previously confirmed, Mr. Ryles does not intend to pay the notice fee for the April 9th Planning Commission hearing and objects to any further delay by the petitioners. It is the petitioners responsibility to understand the requirements of LDC Sections 1.11.03 and 1.11.08 and to timely pay the required notice fee. If the petitioners are unwilling or unable to pay the notice fees in a timely manner so that the Planning Commission hearing may proceed on April 9th, then we ask that the County dismiss their petitions and issue a final development approval for the application.

If you have any questions or would like to discuss this response, please do not hesitate to contact me. We would appreciate confirmation that the hearing will proceed on April 9th or that the petitions

have been dismissed due to the petitioners failing to comply with the procedural requirements of the LDC.

Cordially,

Kenneth B. Metcalf, AICP
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
106 E. College Avenue, Suite 700
Tallahassee, FL 32301
Direct Number: 850-329-4848
Cell Phone: 850-519-6165
Email: kmetcalf@stearnsweaver.com
www.stearnsweaver.com

From: Marissa Martinez
Sent: Tuesday, March 17, 2026 10:59 AM
To: rylesgrassfarms@gmail.com
Cc: cole.granger@seasllc.net; logan.snow@seasllc.net; Tim Bowden <tim.bowden@seasllc.net>
Subject: FW: Buttonbush Meadows

Good morning. Please see email below and please response accordingly. Thank you

Marissa L. Martinez

Senior Planner, Growth Management Department
Okaloosa County
Ph: (850) 651-7795 (Direct); (850) 651-7180 (Main)
1250 N. Eglin Pkwy., Suite 301, Shalimar, FL 32579
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From: Kristen Shell <kshell@myokaloosa.com>
Sent: Tuesday, March 17, 2026 9:00 AM
To: Marissa Martinez <mmartinez@myokaloosa.com>
Cc: Michelle Harpster <harpster4@hotmail.com>
Subject: Buttonbush

Martina

Can you please reach out to this developer and see if he concurs with the petitioners request to move the appeal hearing to May 14.

Thanks!

Kristen Shell, AICP, MEng

Director, Growth Management Department

Okaloosa County

Ph: (850) 689-5511(Direct); (850) 651-7180 (Main); (850) 826-1864 (Mobile)

1250 N. Eglin Pkwy. Suite 301, Shalimar, FL 32579

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