

**PLANNING COMMISSION**

**AGENDA**

**JUNE 8, 2023**

**5:01 P.M.**

**Commissioner's Chambers, Okaloosa County Administrative Complex 1250 Eglin Parkway  
N, Shalimar, FL 32579.**

Commissioner Phyllis Enzor, District 1

Commissioner Jack Beery, District 2

**Chairman** Jeremy Stewart, District 3

Commissioner Vacant, District 4

**Vice-Chairman** Commissioner John Collins, District 5 Okaloosa County School Board Rep., Bill Smith  
Eglin Air Force Base Representative, Jack Kiger

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF MINUTES FOR MAY 11, 2023**

**D. OPEN TO PUBLIC (FOR ANY ITEMS NOT QUASI JUDICIAL ON THIS AGENDA)**

**E. ANNOUNCEMENTS**

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

**G. ACCEPTANCE OF THE AGENDA**

**H. OATH TAKING**

**I. DISCLOSURES**

**J. OLD BUSINESS**

None

**K. NEW BUSINESS**

**a. Applications for Development Review**

None

**b. Public Hearings**

**Agenda Item #1** - 530829-BCC-2023 & 530833- BCC-2023- Consideration of a request changing the use of land as submitted by Choctaw Engineering, agent, relating to a portion of parcels 36-1S-24-0650-0004-0070/0080 and 01-2S-24-2470-0005-0010/0040, located at 112 Racetrack Road, Fort Walton Beach, Florida. The request is to change the Comprehensive Plan Future Land Use Map (FLUM) designation from **Commercial (C)** to **Mixed Use (MU)**, or a more restrictive FLUM designation. If the FLUM amendment is approved, request to rezone the subject property from **General Commercial (C-3)** district to **Mixed Use (MU)** district, or a more restrictive zoning district. The subject property contains 1.47 acres.

#### **L. OTHER BUSINESS**

The **July 13, 2023**, Planning Commission Meeting will be held at the Commissioner's Chambers, Okaloosa County Administrative Complex 1250 Eglin Parkway N, Shalimar, FL 32579

#### **M. ADJOURNMENT**

PLANNING COMMISSION

MINUTES

MAY 11, 2023

5:01 P.M.

The regular meeting of the Okaloosa County Planning Commission was held Thursday, May 11, 2023, 5:01 p.m., Commissioner's Chambers, Okaloosa County Administrative Complex 1250 Eglin Parkway N, Shalimar, FL 32579. Board members in attendance were Jeremy Stewart, Phyllis Enzor, John Collins, and Jack Beery.

Eglin Representative Tom Tolbert was not in attendance.

Okaloosa County School Board representative Bill Smith was not in attendance.

Growth Management Staff in attendance were Elliot Kampert, Director, Randy Woodruff, Deputy Director, Leslie Adams, Planner I, and Martina Barrow, Administrative Assistant II.

County Attorney Kerry Parsons was in attendance via Zoom.

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

Agenda Item 1: Jason Andrews – 4535 Kelly Mill Rd, Holt, FL – Applicant

**A. CALL TO ORDER**

Chairman Jeremy Stewart called the meeting to order at 5:01 PM.

**B. ROLL CALL**

Martina Barrow conducted roll call.

**C. APPROVAL OF MINUTES FOR APRIL 13, 2023 MEETING.**

*Motion to approve minutes made by Phyllis Enzor and second by John Collins. --- 4 ayes. Motion Passes.*

**D. OPEN TO PUBLIC (FOR ANY ITEMS NOT QUASI JUDICIAL ON THIS AGENDA)**

None.

**E. ANNOUNCEMENTS**

None.

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

None.

**G. ACCEPTANCE OF THE AGENDA**

*Motion to accept the agenda as written made by Jack Beery and second by Phyllis Enzor. --- 4 ayes. Motion Passes.*

**H. OATH TAKING**

Martina Barrow administered the Oath for all speakers.

**I. DISCLOSURES**

Martina Barrow read disclosures to the Board. All replied no.

**J. OLD BUSINESS**

None

**K. NEW BUSINESS**

None

**a. Applications for Development Review**

None

**b. Public Hearings**

**AGENDA ITEM 1: 528817-BCC-2023 & 528818-BCC-2023** - Consideration of a request changing the use of land submitted by Jeff Archer and Jason Andrews, owners, relating to parcel 05-2N-25-0000-0009-0080, property located at 4535 Kelly Mill Road, Holt, Florida. The request is to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the subject property from **Low Density Residential (LDR)**, to **Agriculture (AG)** or a more restrictive FLUM designation. If the FLUM amendment is approved, request to rezone the property from **Residential-1 (R-1)** district, to **Agriculture (AA)** district or a more restrictive zoning district. The subject property contains 12.11 acres, more or less.

Randy Woodruff presented Agenda Item 1 to the board.

Chairman Stewart called Jason Andrews to speak.

Commissioner Collins asked for Mr. Andrews reason for changing the zoning.

Mr. Andrews stated he wants to change the zoning to build an RV park.

Chairman Stewart called for a motion.

*Motion to recommend approval of Agenda Item 1 as written to request a change to the Comprehensive Plan Future Land Use Map (FLUM) designation for the subject property from Low Density Residential (LDR), to Agriculture (AG) or a more restrictive FLUM designation, made John Collins and second by Phyllis Enzor. -- 4 ayes. Motion Passes.*

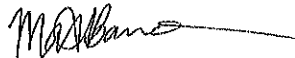
*Motion to recommend approval of Agenda Item 1 as written to request to rezone the property suburban Residential-1 (R-1) to Agriculture (AA), or a more restrictive zoning district, made by Phyllis Enzor, and second by Jack Beery. --- 4 ayes. Motion Passes*

**L. OTHER BUSINESS**

The **JUNE 8, 2023**, Planning Commission Meeting will be held at the Commissioner's Chambers, Okaloosa County Administrative Complex 1250 Eglin Parkway N, Shalimar, FL 32579.

**M. ADJOURNMENT**

Chairman Stewart adjourned the meeting at approximately 5:09 p.m.



Prepared by: \_\_\_\_\_  
Martina Barrow, Recording Secretary

Date 05/12/2023

## **AGENDA ITEM 1**

### **PLANNING COMMISSION**

#### **AGENDA REQUEST**

**TO: HONORABLE CHAIRMAN & MEMBERS OF THE PLANNING COMMISSION**

**THROUGH:** Elliot Kampert, AICP, Director

**FROM:** Randy Woodruff, AICP, Deputy Director

**SUBJECT:** 530829-BCC-2023 and 530833-BCC-2023, Request for Plan Amendment and Rezoning; as submitted by Choctaw Engineering, agent.

**DATE:** June 8, 2023

**BCC DISTRICT:** (2) Commissioner Carolyn Ketchel

**PLANNING COMMISSION DISTRICT:** (2) Jack Beery

**PUBLIC HEARING:** Consideration of a request changing the use of land as submitted by Choctaw Engineering, agent, relating to a portion of parcels 36-1S-24-0650-0004-0070/0080 and 01-2S-24-2470-0005-0010/0040, located at 112 Racetrack Road, Fort Walton Beach, Florida. The request is to change the Comprehensive Plan Future Land Use Map (FLUM) designation from **Commercial (C)** to **Mixed Use (MU)**, or a more restrictive FLUM designation. If the FLUM amendment is approved, request to rezone the subject property from **General Commercial (C-3)** district to **Mixed Use (MU)** district, or a more restrictive zoning district. The subject property contains 1.47 acres.

#### **STAFF FINDINGS:**

- The proposed FLUM amendment is classified as a Type – 2 Plan Amendment which involves properties 50 acres or less in size. Type – 2 Amendments do not require transmittal to the State Planning Agency for review.
- The subject property is 1.78 acres in size; yet the applicant is proposing a FLUM amendment and rezoning for just 1.47 acres as defined within **Exhibit 2**. The subject property is legally described as a portion of parcels 36-1S-24-0650-0004-0070/0080 and 01-2S-24-2470-0005-0010/0040 and located at 112 Racetrack Road, Fort Walton Beach, Florida. The subject property has an existing commercial use, laundry facility, fronting Racetrack Road.
- The subject property is bordered by Racetrack Road to the south, single family, commercial, and Barrow Street to the north, commercial to the east and west. The applicant has filed applications with the County to amend the Future Land Use Map designation in order to construct a future apartment complex on the subject

property (see **Exhibit 3**). The surrounding Future Land Use Map and Zoning designations are defined within Table 1 below.

<b>TABLE 1 – FLUM &amp; ZONING DESIGNATIONS</b>		
	<b>FLUM DESIGNATION</b>	<b>ZONING DESIGNATION</b>
<b>SUBJECT PROPERTY</b>	Commercial (C)	General Commercial (C-3)
<b>NORTH</b>	Barrow Street Medium Density Residential (MDR)	Barrow Street Residential-2 (R-2)
<b>SOUTH</b>	Racetrack Road	Racetrack Road
<b>EAST</b>	Commercial (C)	General Commercial (C-3)
<b>WEST</b>	Commercial (C)	General Commercial (C-3)

- The applicant is proposing to change the Comprehensive Plan Future Land Use Map (FLUM) designation from **Commercial (C)** to **Mixed Use (MU)**, or a more restrictive FLUM designation. The purpose of the proposed Mixed Use Future Land Use Map (FLUM) designation is to provide areas for functional and compatible mix of land uses which may include different residential and nonresidential uses. The proposed development of apartments is in accordance with the **Mixed Use (MU)** Future Land Use Map (FLUM) designation.
- The subject property is located within the Urban Development Boundary Area (UDBA).
- The subject property is serviced by Florida Power & Light, Okaloosa County Water & Sewer, and Ocean City-Wright Fire

#### **OKALOOSA COUNTY COMPREHENSIVE PLAN ANALYSIS:**

##### Okaloosa County Comprehensive Plan, Future Land Use Element, Policy 4.4

Policy 4.4 Compatibility of adjacent zoning districts shall be considered during rezoning and land use plan amendments, considering potential maximum densities, intensities, and consistency of the potential land uses with surrounding districts, and the manner in which the land uses on the FLUM and the zoning districts result in an appropriate transition of uses, densities, and intensities (also see Policy 10.13).

*The applicant is proposing to develop the subject property as an apartment complex (1.47 acres) with an existing laundry business (0.31 acres adjacent to Racetrack Road) (see **Exhibit 3, Site Plan**). The property to the east and west has an existing Commercial (C) Future Land Use Map (FLUM) designation and General Commercial (C-3) zoning district. The Commercial (C) FLUM and General Commercial (C-3) zoning district allows for a maximum of 10 residential dwelling units per acre. The property to the north has an existing Medium Density Residential (MDR) FLUM and Residential-2 zoning district (R-2). The Medium Density Residential (MDR) FLUM and Residential -2 (R-2) zoning district allows for a maximum of 16 dwelling units to the acre. The applicant is requesting to change the existing Commercial (C) FLUM and General*

Commercial (C-3) zoning district to Mixed Use (MU) FLUM and Mixed Use zoning district (MU). The Mixed Use (MU) FLUM and Mixed Use (MU) zoning district allows for a maximum of 25 dwelling units per acre. Pursuant to the submitted site plan, the applicant is proposing two (2) two-story apartment buildings (ten units per building), and one (1) three-story apartment building (15 units) for a total of 35 apartment units. The proposed density for the portion of the property being rezoned (1.47 acres) is 23.8 units per acre; the proposed density is less than the allowed 25 units per acre allowed within the proposed Mixed Use FLUM and zoning district. The subject property is adjacent to Medium Density Residential (MDR) FLUM and Residential-2 zoning district (R-2) which permits a maximum of 16 dwelling units per acre. Staff hereby determines that the requested Mixed Use (MU) FLUM and Mixed Use (MU) zoning district are compatible with the surrounding neighborhood.

The table below lists the maximum allowed bulk regulations, density and intensities for each future land use designation:

<b><u>Bulk Regulation</u></b>	<b><u>Mixed Use (MU)</u></b>	<b><u>Commercial (C)</u></b>
Floor Area Ratio:	2.00	75%
Impervious Surface Ratio:	75%	85%
Building height:	45 Feet *	75 Feet
Density:	25 du/acre	10 du/acre

\*areas directly adjacent to residentially zoned properties

**Policy 10.13** It is the intent of the County that the application of zoning districts for the implementation of the land use categories in this comprehensive plan provide for transition from more intense development to less intense development. Transition means that there is a gradual decrease in the allowable densities and intensities from one district to the next, with the most intense districts near municipal boundaries or areas of established intense urban development. The consideration of the degree to which the zoning districts accomplish transition between land uses shall be part of the review process for land use plan amendments and changes to zoning.

*Per Comprehensive Plan Policy 9.1, the Urban Development Area Boundary encompasses those lands within Okaloosa County that are, or are expected to become, urban. The subject parcel is located within the Urban Development Area Boundary. Please note that all properties located south of Eglin Air Force Base are located within the Urban Development Area Boundary. The Urban Development Area Boundary allows for low density, medium density, and high density and intensity land uses categories. The surrounding community has evolved as a mixed use area with varying densities and intensities along Racetrack Road and the surrounding area. In addition, the general area along Barrow Street already includes a mixed pattern of commercial and residential uses, densities, and intensities with areas of established intense urban development. Staff finds the applications consistent with Comprehensive Plan Objective 4, Policy 4.4 and Comprehensive Plan Objective 10, Policy 10.13. Staff hereby supports the requested Small-Scale Plan Amendment and Rezoning applications.*



## **TRAFFIC ANALYSIS:**

A Traffic Analysis was not required nor submitted as part of this application. However, a traffic analysis will be required as part of the Development Order Application review and approval.

If the FLUM amendment is approved, the applicant is requesting to rezone a portion of the subject property from **General Commercial (C-3)** to **Mixed Use (MU)**. The purpose of the Mixed Use (MU) District is to provide for areas for a functional and compatible mix of land uses which may include a mix of residential housing types as well as a mix of residential and nonresidential uses including Planned Unit Developments, commercial mixed use, residential mixed use, or other types of mixed use as described.

**PUBLIC COMMENT/OPPOSITION:** No public comment nor opposition has been received as of this writing for 530829-BCC-2023 and 530833-BCC-2023.

**PUBLIC NOTICE:** The proposed agenda item was properly advertised in the Northwest Florida Daily News on May 28, 2023; and public notice, via certified, return-receipt letters, were provided to all property owners within 300-foot radius per Section 1.11.02, of the Okaloosa County Land Development Code (see **Attachment H**).

**STAFF POSITION:** Staff supports the requested FLUM Amendment and Rezoning applications.

**RECOMMENDATION:** It is recommended that the Board consider the facts presented herein, as well as any facts that may be presented at the public hearing, and then make two (2) separate recommendations to the Board of County Commissioners, with the Future Land Use Map Amendment being first as follows:

First Motion: Recommend approval of an ordinance changing the Future Land Use Map (FLUM) designation for that portion of the subject property, legally described as relating to a portion of parcels 36-1S-24-0650-0004-0070/0080 and 01-2S-24-2470-0005-0010/0040 from **Commercial (C)** to **Mixed Use (MU)**, or a more restrictive FLUM designation.

Second Motion: Recommend approval of an ordinance changing the zoning designation for that portion of the subject property, legally described as, a portion of parcels 36-1S-24-0650-0004-0070/0080 and 01-2S-24-2470-0005-0010/0040 from **General Commercial (C-3)** district to **Mixed Use (MU)** district, or a more restrictive zoning district.

**BOARD OF COUNTY COMMISSIONERS:** Public hearing by the Board of County Commissioners is tentatively scheduled for July 18, 2023.

**ATTACHMENTS:**

- A – Location Map
- B – Aerial Photo
- C – Existing Land Use Map
- D – FLUM/Zoning Map
- E – Proposed FLUM/Zoning Map
- F – 1 Mile FLUM/Zoning Map
- G – GIS Analysis
- H – Legal Advertisement
- I – Future Land Use Ordinance
- J – Rezoning Ordinance

**EXHIBIT:**

1. Applicant's Letter of Petition
2. FLUM & Rezoning Applications
3. Site Plan

36-1S-24-0650-0004-0070/0080

01-2S-24-2470-0005-0010/0040

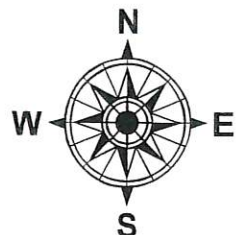
**ATTACHMENT - A**



## Legend

— Roads

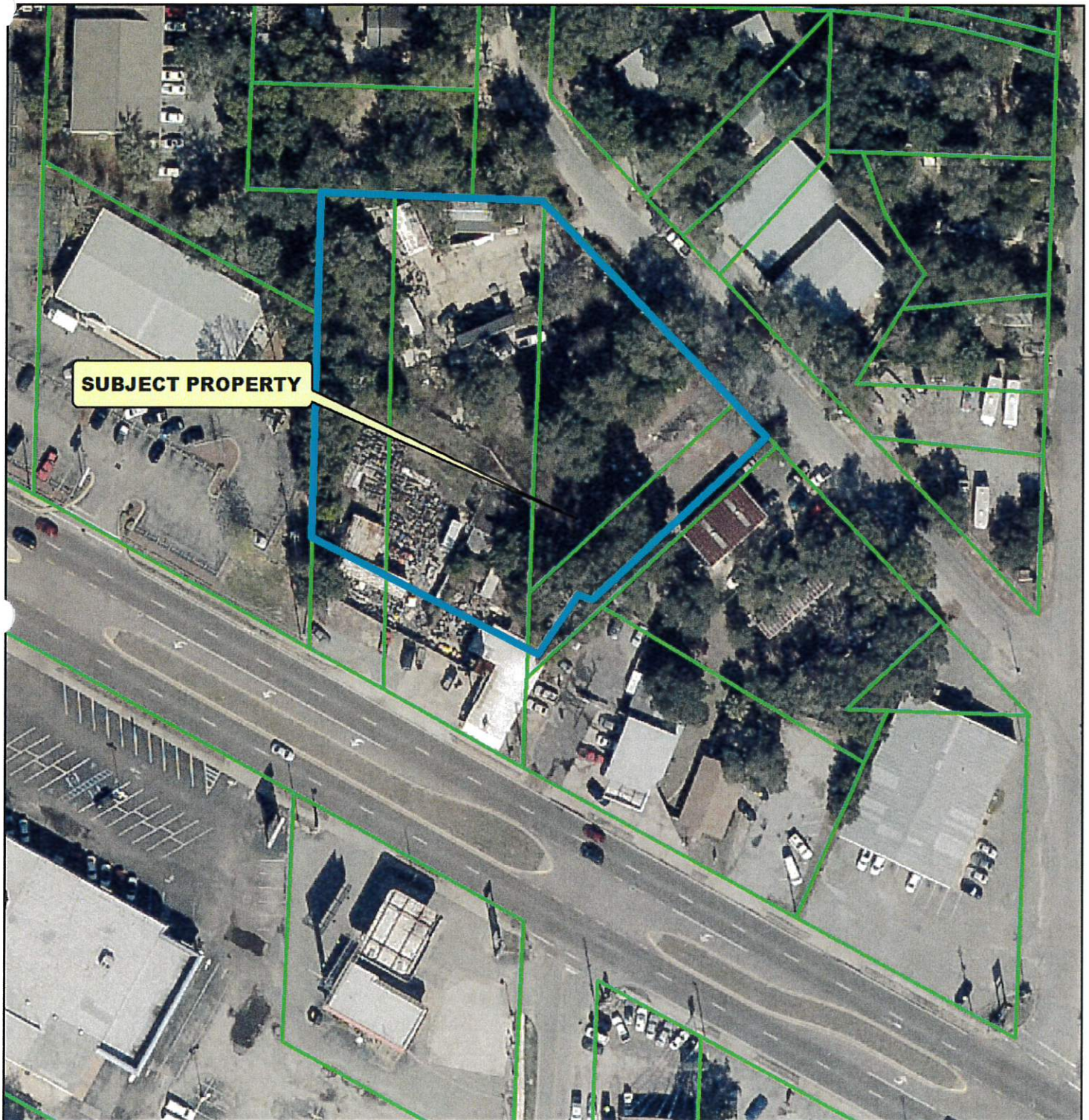
## Location Map





36-1S-24-0650-0004-0070/0080  
01-2S-24-2470-0005-0010/0040

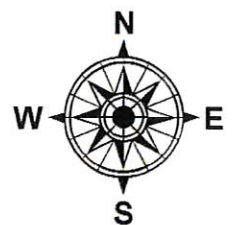
**ATTACHMENT - B**



**Legend**

 Parcel Lines

**Aerial Photo**

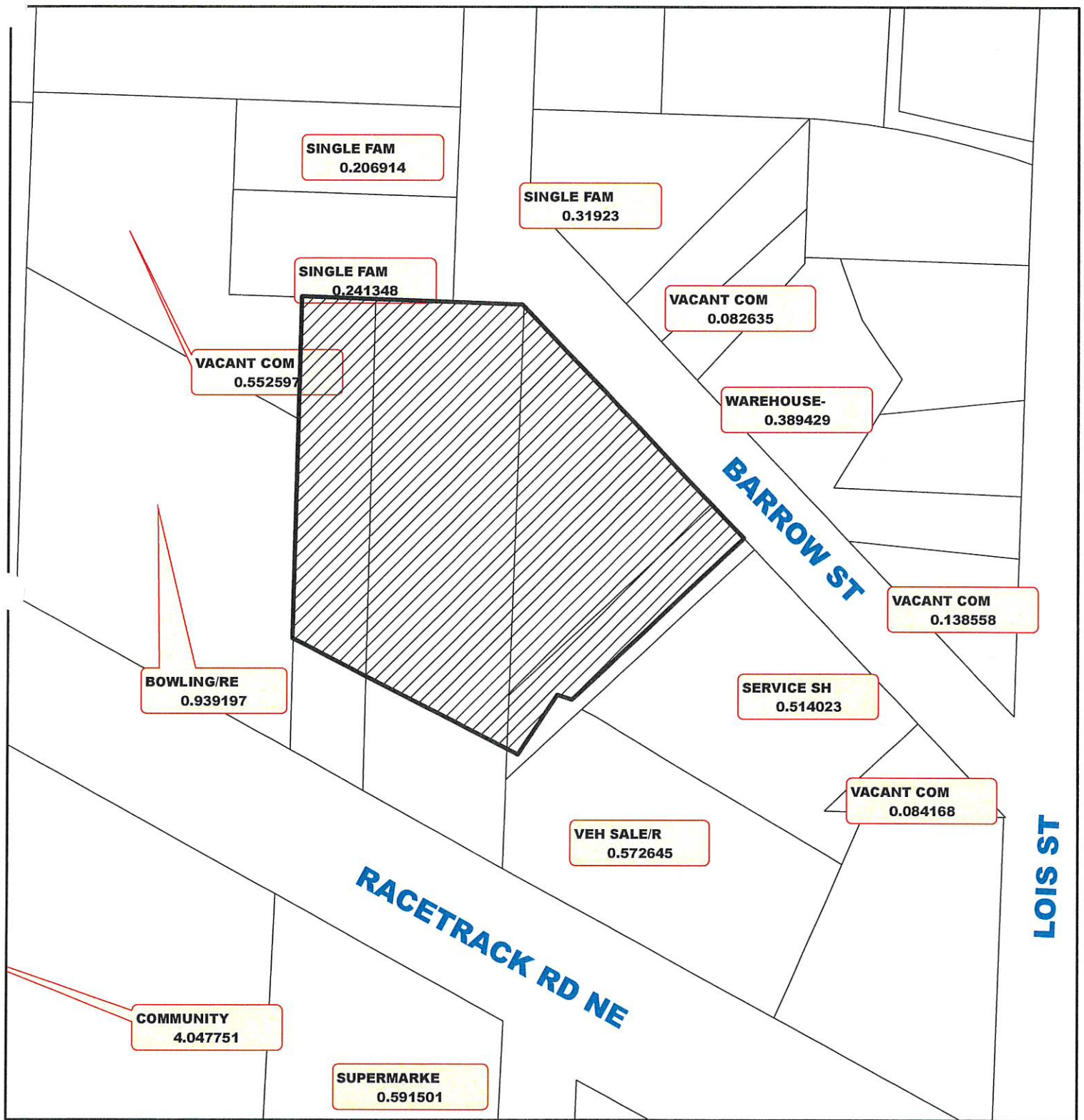




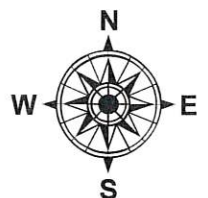
36-1S-24-0650-0004-0070/0080

ATTACHMENT - C

01-2S-24-2470-0005-0010/0040



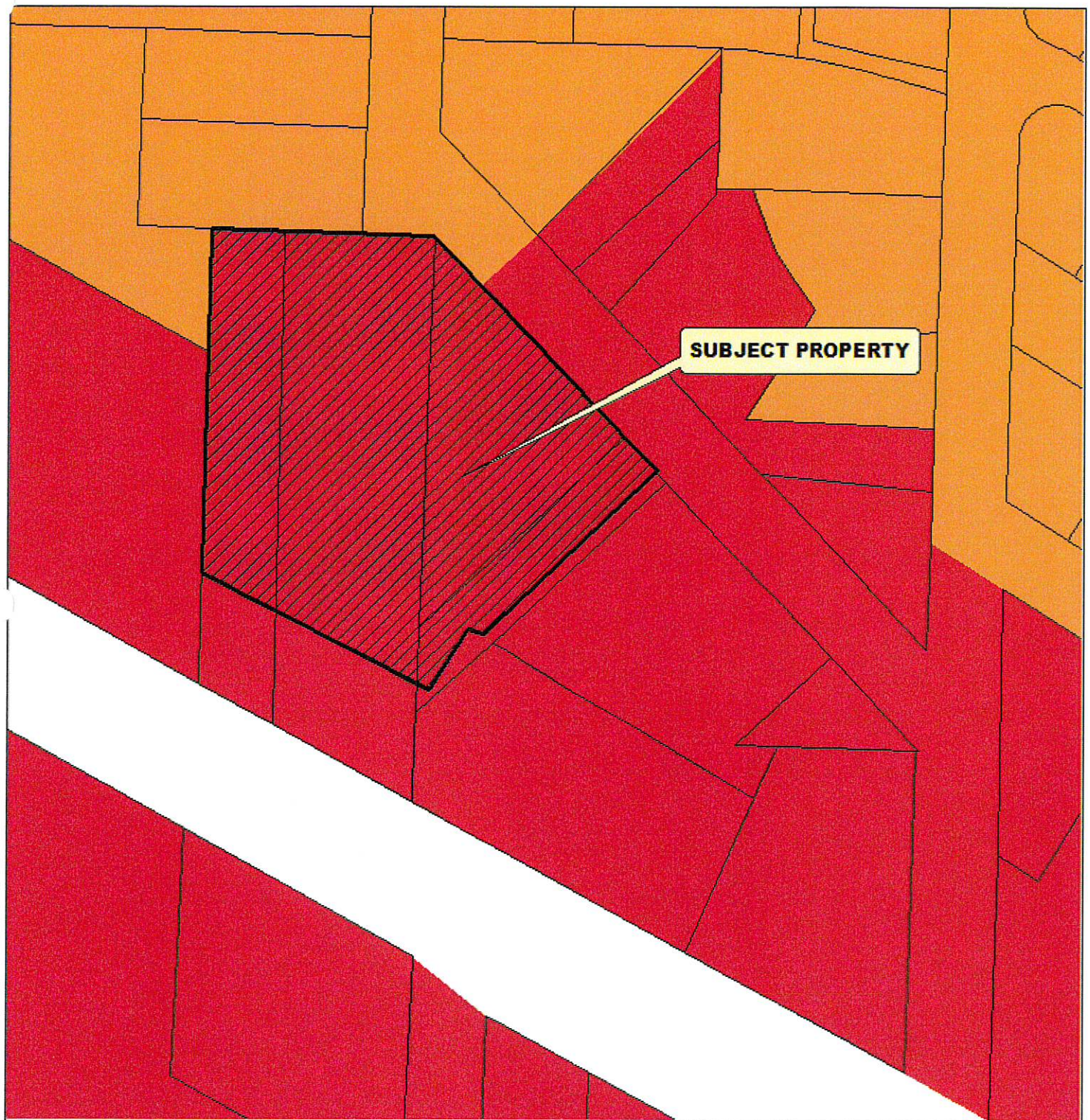
Existing Land Use Map





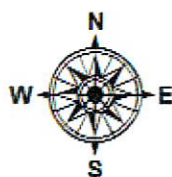
36-1S-24-0650-0004-0070/0080  
01-2S-24-2470-0005-0010/0040

**ATTACHMENT - D**



**FLUM Legend**

- C
- MU
- MDR



**ZONE Legend**

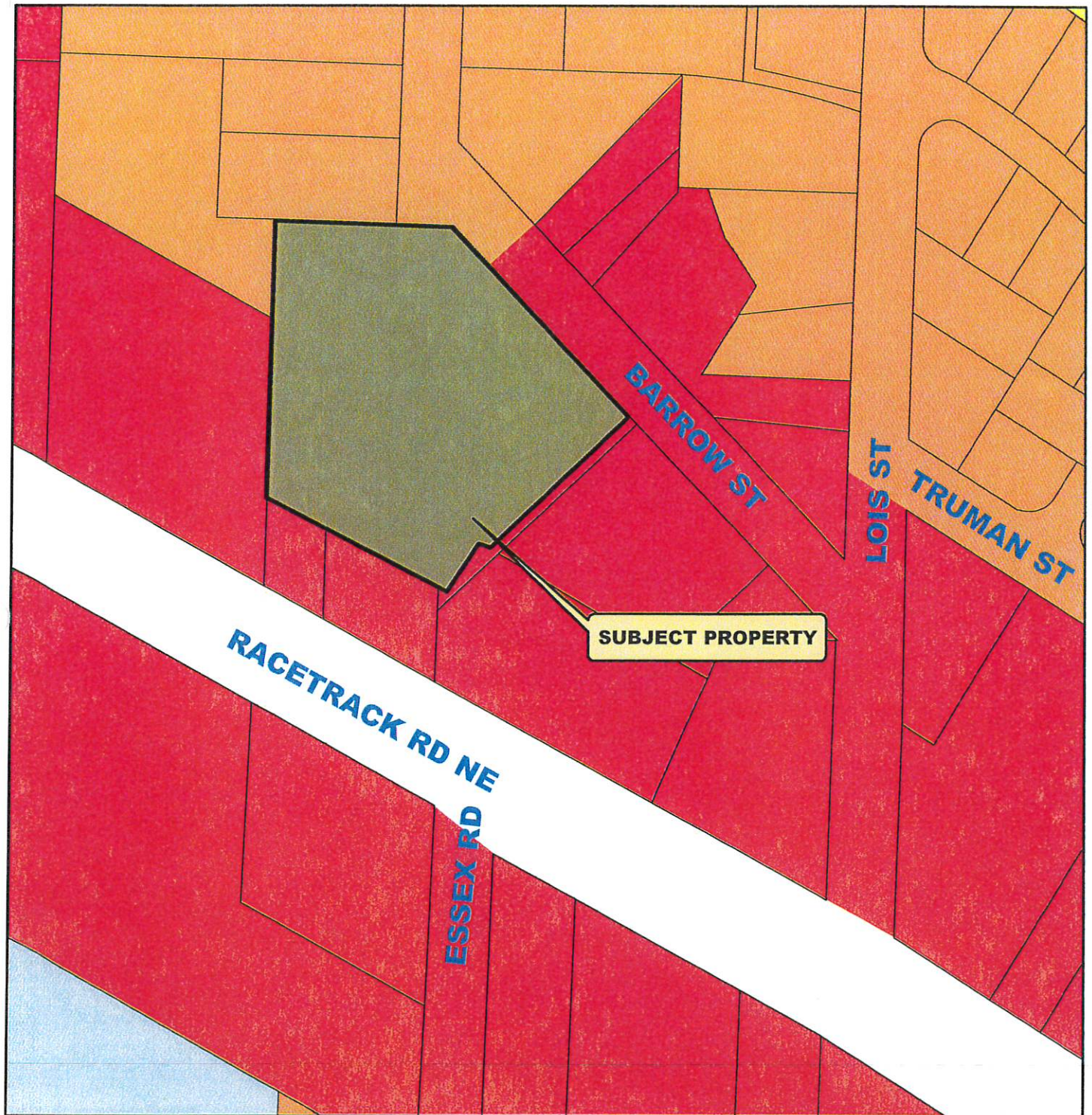
- C-3
- MU
- R-2

**FLUM & Zoning Map**



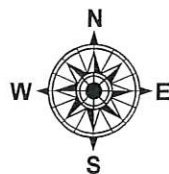
36-1S-24-0650-0004-0070/0080  
01-2S-24-2470-0005-0010/0040

ATTACHMENT  
E



**FLUM Legend**

- MU
- C
- MDR



**ZONE Legend**

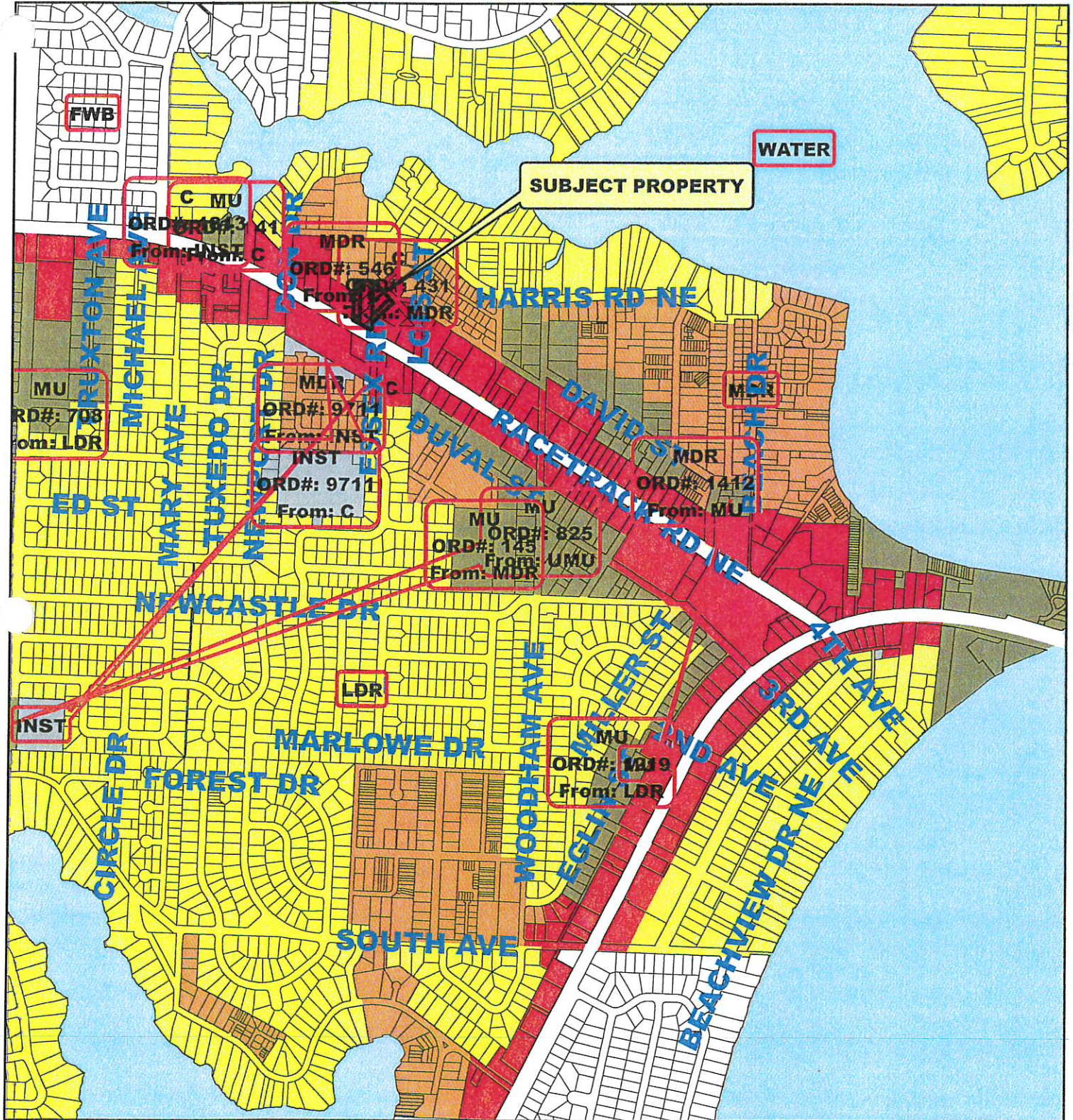
- MU
- C-3
- R-2

**Proposed FLUM & Zoning Map**








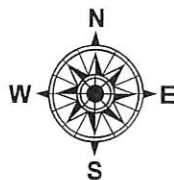
36-1S-24-0650-0004-0070/0080  
01-2S-24-2470-0005-0010/0040

ATTACHMENT - F








### FLUM Legend

 C	 MU
 INST	 LDR
 FWB	



### ZONE Legend

 C-3	 MU
 INST	 R-1
 FWB	

## 1 Mile FLUM & Zoning Map



# GIS ANALYSIS RESULTS

**Date:** 5/09/2023

**Project:** 36-1S-24-0650-0004-0070/0080/01-2S-24-2470-0005-0010/0040

**Permit:** 530829-BCC-2023 & 530833-BCC-2023 - KLR DEVELOPERS INC

**Property Address:** LOCATED 112 RACETRACK RD NEFORT WALTON BEACH FL 32547

**Zoning:** C-3

**FLU:** C

**Fire District:** OCEAN CITY-WRIGHT

**Commissioner District:** 2

**Census Tract:** 022300

**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.

27 – Urban Land – natural soil cannot be observed

**Wind Zone:** GREATER THAN 140 MPH IN THE WIND-BORNE DEBRIS AREA

**Flood Zone:** X 500 Year Flood Plain

**Map Number:** 12091CO 453J

**Storm Surge Area:** YES CAT 4 & 5

**Urban Development Area:** YES

**Water Efficient Area:** YES

**Wells:** None

**Environmental Data:** None

**Historical Data:** None

**Wetlands:** Uplands

**Water and Sewer:** OCWS

**Within 3 mile of an Airport:** NO

## Notice of Public Hearing

The Okaloosa County Growth Management Department notice that, on **Thursday, June 8, 2023** the Okaloosa County Planning Commission will consider:

Consideration of a request changing the use of land submitted by Choctaw Engineering for KLR Developers, Inc., relating to parcels 36-1S-24-0650-0004-0070, 36-1S-24-0650-0004-0080, 01-1-2S-24-2470-0005-0010, and 01-2S-24-2470-0005-0040 property located on Racetrack Road, Fort Walton Beach, Florida. The request is to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the subject property from **Commercial (C)** to **Mixed Use (MU)**, or a more restrictive FLUM designation. If the FLUM amendment is approved, request to rezone the property from **Commercial 3 (C-3)** district to **Mixed Use (MU)** district, or a more restrictive zoning district. The subject property contains 1.47 acres, more or less.

The meeting will be held at **5:01 PM** or soon thereafter in the Okaloosa County Conference Center, located at 1250 N. Eglin Parkway, Shalimar, FL

The ordinance information may be inspected at the offices of the Growth Management Department located at 402 Brookmeade Dr, Crestview, Florida 32539 or at the Okaloosa County Administration Building located at 1250 N. Eglin Parkway, Shalimar, Florida 32579 Those offices can be contacted by telephone at 850-689-5080.

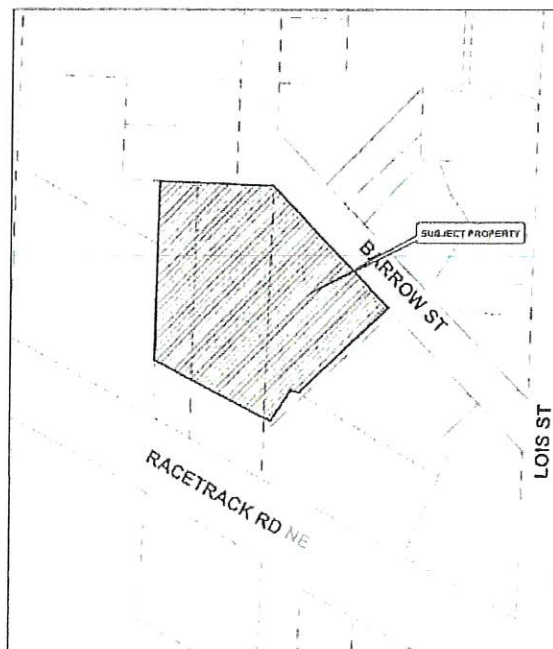
If any person decides to appeal any decision made with respect to any matter considered at these hearings, such person will need a record of the proceeding and may need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is 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 Department at 402 Brookmeade Dr, Crestview, Florida 32539 or at 850-689-5080. For Hearing Impaired, Dial 1-800-955-8771 (TDD), and 1-800-955-8770 (Voice). Requests must be received at least 48 hours in advance of the hearing in order for Okaloosa County to provide the requested service.

### A PORTION THEREOF THE PARCELS BELOW

36-1S-24-0650-0004-0070/0080  
01-2S-24-2470-0005-0010/0040

Attachment  
A



# LOCALiQ

The Gainesville Sun | The Ledger  
Daily Commercial | Ocala Star Banner  
News Chief | Herald-Tribune | News Herald  
Northwest Florida Daily News

PO Box 631244 Cincinnati, OH 45263-1244

## **PROOF OF PUBLICATION**

Sherry Cadenhead  
Deborah Clabaugh  
Dept Of Growth Management  
812 East James Lee Blvd  
Crestview FL 32536

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Northwest Florida Daily News, published in Okaloosa County, Florida; that the attached copy of advertisement, being a Main Legal CLEGL, was published on the publicly accessible website of Okaloosa County, Florida, or in a newspaper by print in the issues of, on:

05/28/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 05/28/2023.

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$436.20

Order No: 8866075

Customer No: 536028

PO #:

# of Copies:

1

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

KAITLYN FELTY  
Notary Public  
State of Wisconsin

**AN ORDINANCE AMENDING THE OKALOOSA COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP, ORDINANCE 90-01 AS AMENDED; CHANGING THE FUTURE LAND USE MAP DESIGNATION OF A PORTION OF PARCELS 36-1S-24-0650-0004-0070/0080 and 01-2S-24-2470-0005-0010/0040 FROM COMMERCIAL (C) TO MIXED USE (MU); SAID PARCEL LOCATED AS SHOWN ON ATTACHMENT A; REPEALING ALL ORDINANCES OR PROVISIONS THEREOF IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

WHEREAS, Okaloosa County is a political subdivision of the State of Florida to which Chapter 125 of the Florida Statutes grants broad authority and provides for the adoption of ordinances to provide for self-governance: and

WHEREAS, Chapter 163 of the Florida Statutes requires that all local governments adopt and maintain comprehensive plans to manage growth within their jurisdictions, consisting of several elements as well as a map depicting the future uses of land throughout the jurisdiction; and

WHEREAS, Chapter 163 provides processes through which a local government's comprehensive plan and future land use map may be amended from time to time; and

WHEREAS, Okaloosa County adopted, and has from time to time amended, Ordinance 90-01 that establishes the Okaloosa County Comprehensive Plan including its various elements and Future Land Use Map: and

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA:**

**Section 1.** This ordinance shall be referred to as the 530829-BCC-2023 Future Land Use changing the Future Land Use Map designation of a certain portion of a parcel of real property owned by KLR Developers, Property Id Number 36-1S-24-0650-0004-0070/0080 and 01-2S-24-2470-0005-0010/0040, more particularly depicted as shown on Attachment A attached hereto.

**Section 2.** The Okaloosa County Future Land Use Map is hereby amended to change the designation of the parcel of real property as shown in Attachment A attached hereto from Commercial (C) to Mixed Use (MU).

**Section 3.** This ordinance does hereby repeal any ordinances, or portions thereof, in conflict herewith.

**Section 4.** Should any word, phrase, sentence, section, subsection, or other provision of this Ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then the part so held shall be severed from this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

**Section 5.** The effective date of the Future Land Use Map amendment authorized by this Ordinance shall be as provided in section 163.3187, Florida Statutes.

**PASSED AND DULY ADOPTED** in this \_\_\_\_ day of \_\_\_\_\_, 2023.

BOARD OF COUNTY COMMISSIONERS  
OF OKALOOSA COUNTY, FLORIDA

\_\_\_\_\_  
Robert A. "Trey" Goodwin III,  
Chairman

ATTEST:

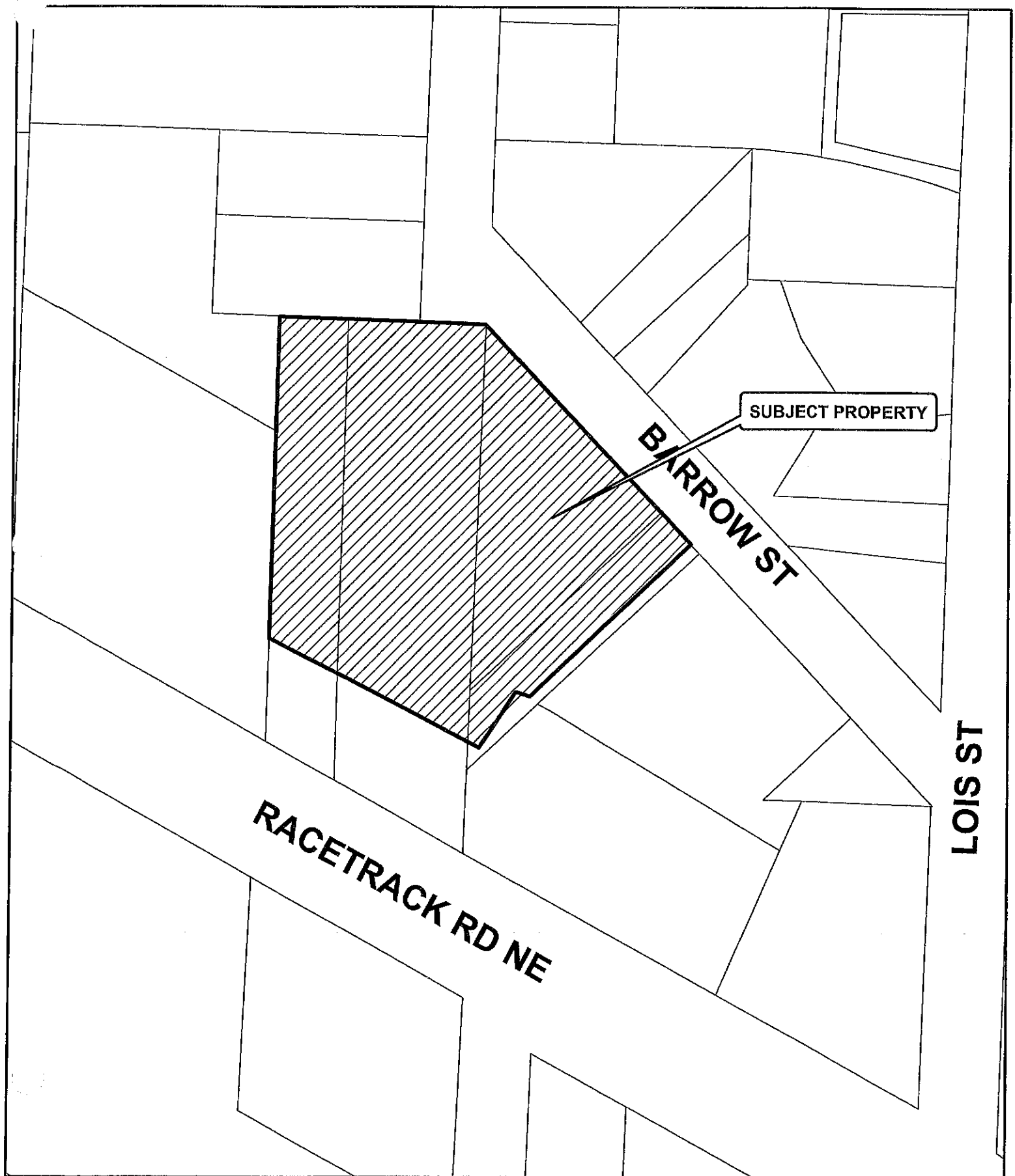
\_\_\_\_\_  
J.D. Peacock II  
Clerk of Circuit Court

APPROVED AS TO FORM:

\_\_\_\_\_  
Lynn M. Hoshihara  
County Attorney

36-1S-24-0650-0004-0070/0080  
01-2S-24-2470-0005-0010/0040

Attachment  
A





ORDINANCE 23 - \_\_\_\_

Attachment J

**AN ORDINANCE AMENDING THE OKALOOSA COUNTY LAND DEVELOPMENT CODE, ORDINANCE 91-01, AS AMENDED, CHANGING THE ZONING OF A PORTION OF PARCELS 36-1S-24-0650-0004-0070/0080 AND 01-2S-24-2470-0005-0010/0040 FROM GENERAL COMMERCIAL (C-3) TO MIXED USE (MU); SAID PARCEL LOCATED AS SHOWN ON ATTACHMENT A; REPEALING ALL ORDINANCES OR PROVISIONS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

RECITALS

WHEREAS, Okaloosa County is a political subdivision of the State of Florida to which Chapter 125 of the Florida Statutes grants broad authority and provides for the adoption of ordinances to provide for self-governance: and

WHEREAS, Chapter 163 of the Florida Statutes requires that all local governments adopt and maintain comprehensive plans to manage growth within their jurisdictions, consisting of several elements as well as a map depicting the future uses of land throughout the jurisdiction and requiring the adoption of land development regulations to regulate growth and development; and

WHEREAS, Okaloosa County adopted, and has from time to time amended, Ordinance 91-01 that establishes the Okaloosa County Land Development Code as required by Chapter 163 of the Florida Statutes to implement the Comprehensive Plan; and

WHEREAS, Chapter 2 of the Okaloosa County Land Development Code establishes the various zoning districts and includes maps depicting locations of the various zoning districts throughout the County; and

WHEREAS, Chapter 125 of the Florida Statutes establishes the authority and procedure by which a County may amend the zoning applied to properties; and

WHEREAS, the Board of County Commissioners Finds that it is necessary and in the public interest to amend the Okaloosa County Land Development Code to change the zoning of a portion of parcels 36-1S-24-0650-0004-0070/0080 and 01-2S-24-2470-0005-0010/0040 as provided herein.

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA:**

**Section 1.** This ordinance shall be referred to as the 530833-BCC-2023 Rezoning changing the Zoning designation of a certain portion of parcel of real property owned by KLR Developers,

Property Id Number 36-1S-24-0650-0004-0070/0080 and 01-2S-24-2470-0005-0010/0040, more particularly depicted as shown on Attachment A attached hereto.

**Section 2.** The Okaloosa County Zoning Map is hereby amended to change the designation of a portion parcels of real property as shown in Attachment A attached hereto from General Commercial (C-3) to Mixed Use (MU).

**Section 3.** This ordinance does hereby repeal any ordinances, or portions thereof, in conflict herewith.

**Section 4.** Should any word, phrase, sentence, section, subsection, or other provision of this Ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then the part so held shall be severed from this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

**Section 5.** The effective date of the Future Land Use Map amendment authorized by this Ordinance shall be as provided in section 163.3187, Florida Statutes.

**PASSED AND DULY ADOPTED** in this \_\_\_\_ day of \_\_\_\_\_, 2023.

BOARD OF COUNTY COMMISSIONERS  
OF OKALOOSA COUNTY, FLORIDA

\_\_\_\_\_  
Robert A. "Trey" Goodwin III,  
Chairman

ATTEST:

\_\_\_\_\_  
J.D. Peacock II  
Clerk of Circuit Court

APPROVED AS TO FORM:

\_\_\_\_\_  
Lynn M. Hoshihara  
County Attorney

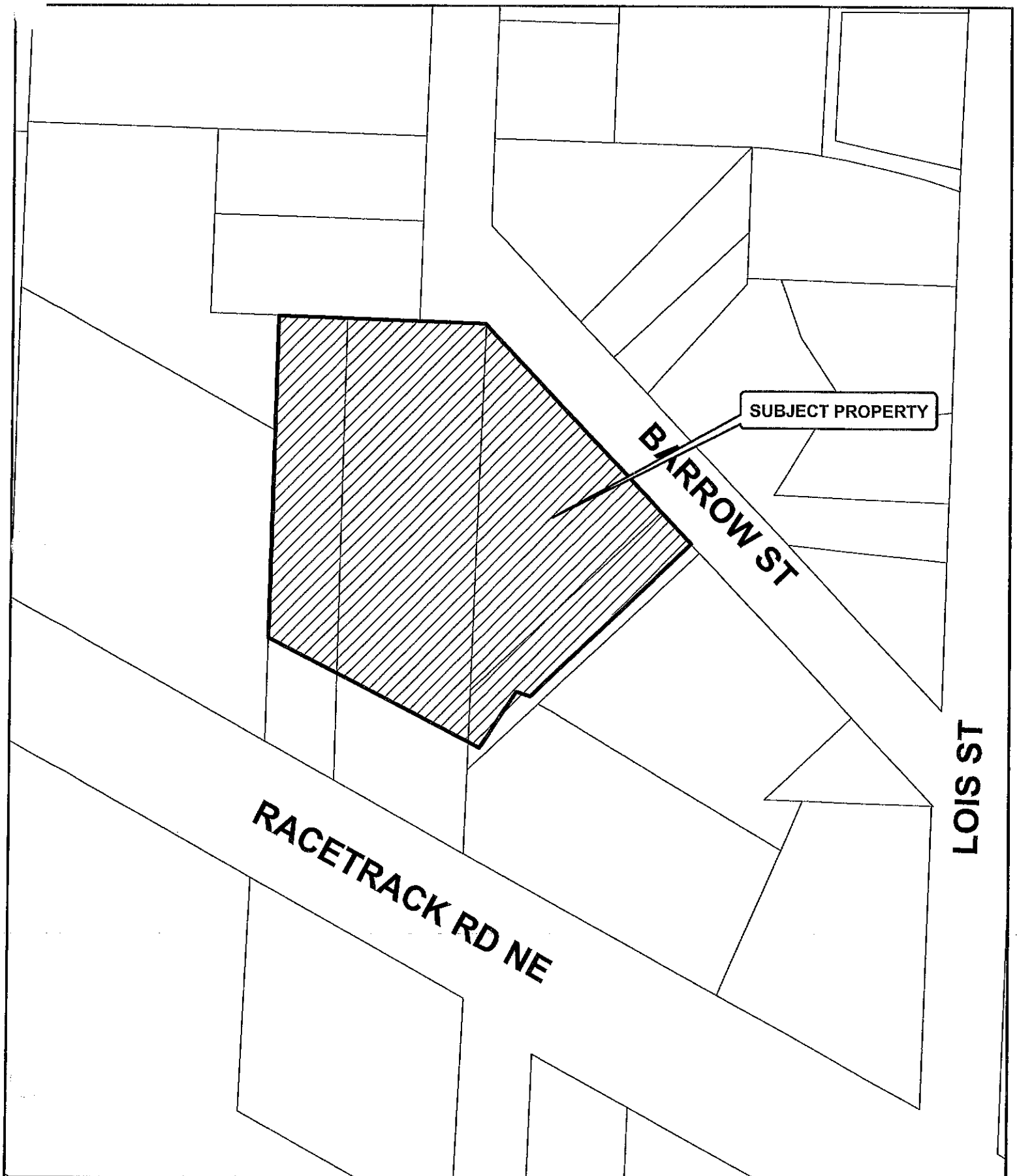


36-1S-24-0650-0004-0070/0080

01-2S-24-2470-0005-0010/0040

Attachment

A





**CHOCTAW ENGINEERING, INC.**  
ENGINEERING · SURVEYING

Ms. Sherry Reed  
Okaloosa County Growth Management  
1250 N. Eglin Parkway, Suite 301  
Shalimar, FL. 32579

3 April 2023

**Re: Rezoning and FLU Amendment  
112 Racetrack Road**

**CEI 2022-136**

Dear Ms. Reed:

We are submitting a rezoning request on behalf of KLR Developers, Inc. for a portion of parcels 36-1S-24-0650-0004-0070, 36-1S-24-0650-0004-0080, & 01-2S-24-2470-0005-0040 and all of 01-2S-24-2470-0005-0010. KLR Developers, Inc. is requesting to rezone the north 1.47 acres of the parcels from Commercial (C-3) to Mixed-Use (MU) and change the future land use from Low Commercial (C) to Mixed-Use (MU). The property is currently vacant and was previously used for automobile salvage and repair. The proposed rezoning will allow the development of an apartment complex on the property similar to the existing properties along Barrow Street to the east.

If you have any questions or require any additional information, please do not hesitate to contact us.

Sincerely,

**Choctaw Engineering, Inc.**

A handwritten signature in blue ink, appearing to read 'Mark C. Siner', is written over a horizontal line.

Mark C. Siner, P.E.  
President

**OKALOOSA COUNTY DEPARTMENT OF  
GROWTH MANAGEMENT APPLICATION FOR  
FUTURE LAND USE MAP TYPE - 2  
AMENDMENT  
(LESS THAN 10 ACRES)**

**A. Applicant Information**

1. Name: Mark Siner
2. Address: 112 Truxton Avenue  
Fort Walton Beach, FL. 32547
3. Telephone: (850) 862-6611 FAX: (850) 863-8059
4. Applicant is: Property owner \_\_\_\_\_ Owners authorized agent\* X  
*\* Verification of authorized agent must be attached*
5. Owner's name, address and telephone, if different than applicant:  
KLR Developers, Inc  
108 Eglin Parkway SE, Ft Walton Beach, FL 32548

**B. Property Information**

6. Location: 112 Racetrack Road, Fort Walton Beach, FL 32547
7. Property ID Number: A portion of 36-1S-24-0650-0004-0070, 36-1S-24-0650-0004-0080, & 01-2S-24-2470-0005-0040 and all of 01-2S-24-2470-0005-0010
8. Current use of property: Commercial
9. Proposed use of property: Apartments
10. Size of property(sq. ft. or acres): 1.74 Acres
11. Names/Number of adjacent roads: North Barrow Street  
East N/A South Racetrack Road West N/A

**C. Future Land Use/Zoning Information**

12. Existing Future Land Use Map designation: Commercial
13. Existing zoning district: C-3

**D. Requested Action**

14. Reason for the requested amendment: To develop the property with an apartment complex similar to the adjacent properties to the west.

15. Requested amendment:

FROM COMM (FLUM designation)

TO MU (FLUM designation)

**E. Certification**

I do hereby certify and affirm that the information represented in this application is true and correct to the best of my knowledge. I also give my permission for county staff to enter upon the property involved at any reasonable time for purposes of site inspections and the posting of any required notices.

MARK C SINNER

Applicant printed or typed name

[Signature]

Applicant signature

5/23/23

Date

\_\_\_\_\_  
Corporate officer

\_\_\_\_\_  
Corporate Seal

**FOR OFFICIAL USE ONLY**

Date received: \_\_\_\_\_ File No.: \_\_\_\_\_

Received by: \_\_\_\_\_

## OKALOOSA COUNTY DEPARTMENT OF GROWTH MANAGEMENT APPLICATION FOR REZONING

### A. Applicant Information

1. Name: Mark Siner
2. Address: 112 Truxton Avenue  
Fort Walton Beach, FL. 32547
3. Telephone: (850) 862-6611 FAX: (850) 863-8059
4. Applicant is: Property owner \_\_\_\_\_ Owners authorized agent\* X  
\* Verification of authorized agent must be attached
5. Owner's name, address and telephone, if different than applicant:  
KLR Developers, Inc  
108 Eglin Parkway SE, Ft Walton Beach, FL 32548

### B. Property Information

6. Location: 112 Racetrack Road, Fort Walton Beach, FL 32547
7. Property ID Number: A portion of 36-1S-24-0650-0004-0070, 36-1S-24-0650-0004-0080, & 01-2S-24-2470-0005-0040 and all of 01-2S-24-2470-0005-0010
8. Current use of property: Commercial
9. Proposed use of property: Apartments
10. Size of property (sq. ft. or acres): 1.74 Acres
11. Names/Number of adjacent roads: North Barrow Street  
East N/A South Racetrack Road West N/A

### C. Future Land Use/Zoning Information

12. Existing Future Land Use Map designation: Commercial
13. Existing zoning district: C-3

**D. Requested Action**

14. Reason for the requested amendment: To develop the property with an apartment complex similar to the adjacent properties to the west.

15. Requested rezoning:

FROM C-3 (Zoning district)  
TO MU (Zoning district)

**E. Certification**

I do hereby certify and affirm that the information represented in this application is true and correct to the best of my knowledge. I also give my permission for county staff to enter upon the property involved at any reasonable time for purposes of site inspections and the posting of any required notices.

\_\_\_\_\_  
Applicant printed or typed name

\_\_\_\_\_  
Applicant signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Corporate officer

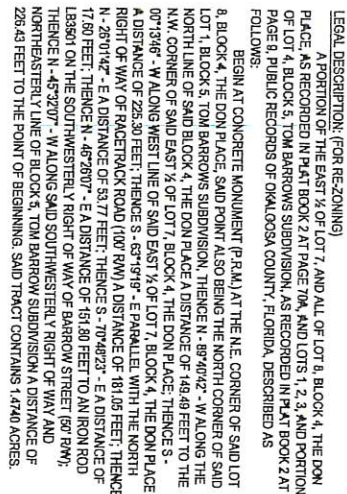
\_\_\_\_\_  
Corporate Seal

**FOR OFFICIAL USE ONLY**

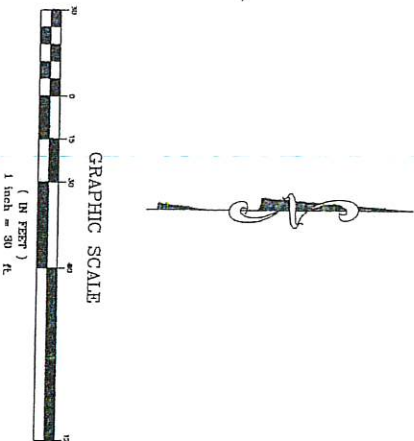
Date received: \_\_\_\_\_ File No.: \_\_\_\_\_

Received by: \_\_\_\_\_





This is to certify that I have consulted National Flood Insurance Rate Map, effective March 9, 2021, for Okaloosa County, Florida, Map No. 12691C0453 J, and found the property described herein to be located in Zone "X", areas determined to be outside 500-year flood plain.

[illegible]

SOURCE OF DISCOMPTION		DATE OF DISCOMPTION
PREPARED BY UNDERGRADUATE		
DISCOMPTION	PER ABOVE	

OKALOOSA COUNTY, FLORIDA								
SECTION	1	TOWNSHIP	2-3	RANGE	2-4-W	MICROGRID	TRUCK	PLAZA
OKALOOSA ENCLAVEMENTS	NONE							

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UNDERBOARD ENDORSEMENTS (NOT LOCATED)	
SCALE	1"=30'
SURVEY DATE	4/25/2023
DICTATED BY:	
SURVEYOR CERTIFICATE	
I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEETS THE STANDARDS OF PRACTICE OF THE FLORIDA BOARD OF SURVEYING AND MAPPING.	

KEITH ROCKMAN  
Pg. 17  
W.O. 2023-0299  
EDWARD E. ROSE USA20

TYPE OF SURVEY	N/A	RECORDED DATE	W.O.	CAD - T
PURPOSE	DESCRIPTION & SKETCH FOR REZONING	OUTDATED BY		TOM BARNOW BLOCK 5 2023-0269

# PANHANDLE ASSOCIATES INC.



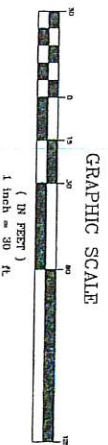
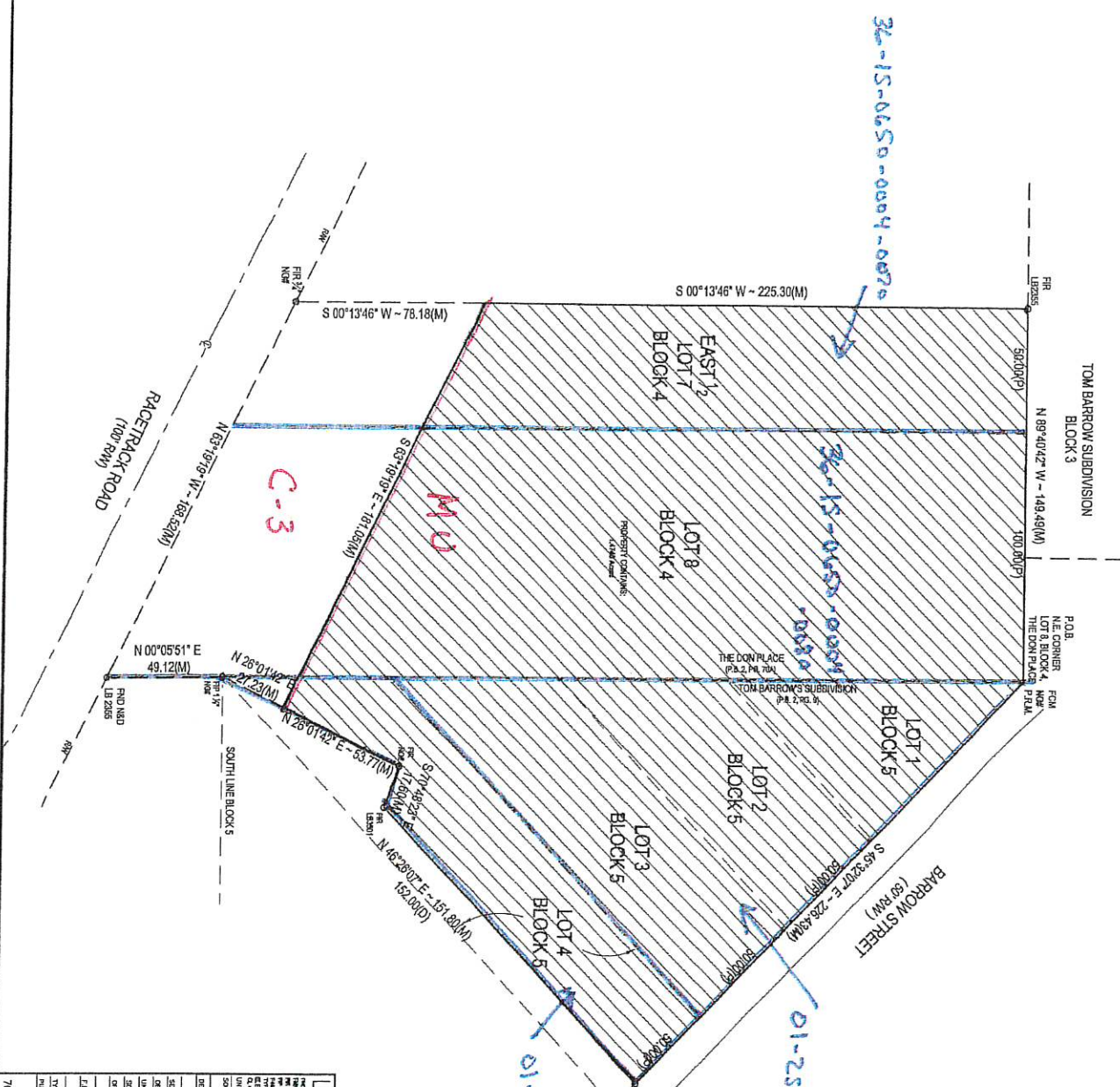
## DESCRIPTION & SKETCH

This is to certify that I have consulted National Flood Insurance Rate Map, effective March 9, 2021, for Okaloosa County, Florida, Map No. 12091CM453, and found the property described herein to be located in Zone "X", areas determined to be outside 500-year flood plain.

**LEGAL DESCRIPTION: (FOR RE-ZONING)**

A PORTION OF THE EAST 1/4 OF LOT 7, AND ALL OF LOT 8, BLOCK 4, THE DON PLAGE, AS RECORDED IN PLAT BOOK 2 AT PAGE 704, AND LOTS 1, 2, 3, AND PORTION OF LOT 4, BLOCK 5, TOM BARROWS SUBDIVISION, AS RECORDED IN PLAT BOOK 2 AT PAGE 6, PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

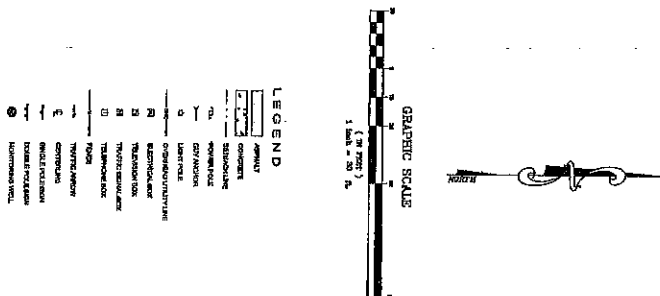
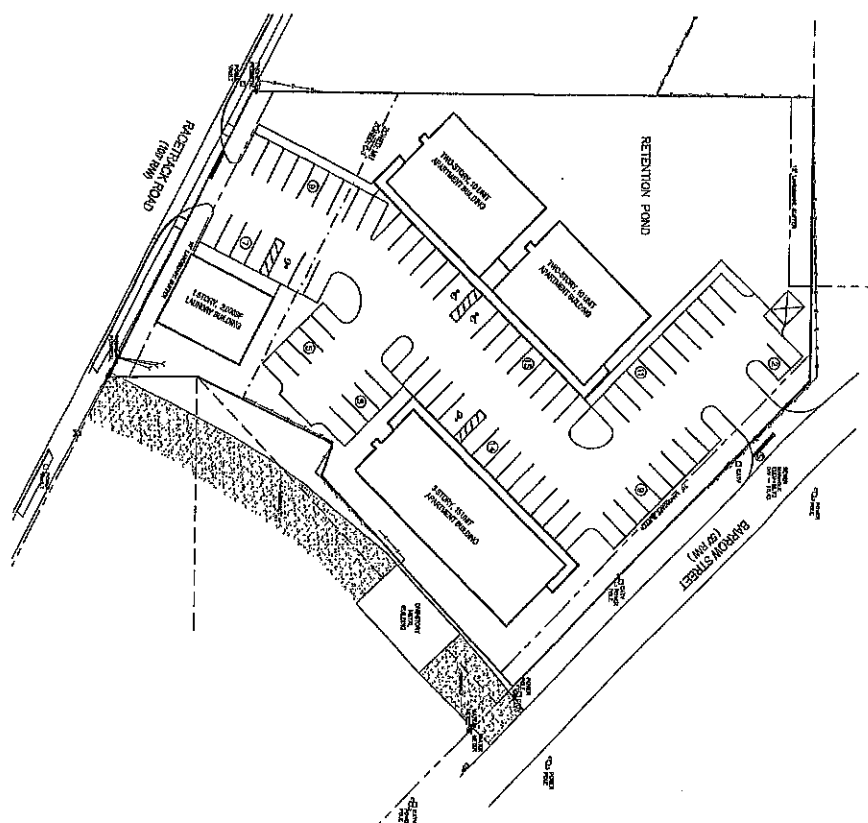
BEGIN AT DONCASTER MONUMENT (P.R.M.) AT THE N.E. CORNER OF SAID LOT 1, BLOCK 4, THE DON PLACE, SAID POINT ALSO BEING THE NORTH CORNER OF SAID LOT 1, BLOCK 4, TOM BARROWS SUBDIVISION. THENCE -N- 69°-04'-E- ALONG IT TO THE NORTH LINE OF SAID BLOCK 4, THE DON PLACE, A DISTANCE OF 148.49 FEET TO TT 07°-13'-E- W/ALONG WEST EASY 1/2 OF LOT 7, BLOCK 4, THE DON PLACE, THENCE S-07°-13'-E- W/ALONG WEST 1/2 OF SAID BLOCK 1/2 OF LOT 7, BLOCK 4, THE DON PLACE, A DISTANCE OF 225.30 FEET; THENCE S-61°-19'-E- & PARALLEL WITH THE NORTH RIGHT OF WAY OF RACEHOCK ROAD (100' RW) A DISTANCE OF 181.65 FEET; THENCE N-28°-01'-E- AND A DISTANCE OF 53.77 FEET; THENCE S-70°-42'-E- AND A DISTANCE OF 151.80 FEET TO AN IRON ROD LBS800 ON THE SOUTH-WESTERNLY RIGHT OF WAY OF BARROW STREET (50' RW); THENCE N-45°-32'-E- W/ALONG SAID SOUTH-WESTERNLY RIGHT OF WAY OF BARROW STREET, 226.43 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 1.4740 ACRES.

[illegible]

GENERAL	1	THUNDER	2-3	RAISE	24-4W	RECORDS		00400	DAKOTA COUNTY, MINN.
DIMENSIONAL DIMENSIONS: NONE									
DIMENSIONAL DIMENSIONS (NOT LOCATED)									
SCALE	1"=8'	SURVEY DATE	4-23-2023						
CREATED BY: KERRY ROCHMAN									
P.B.	NO	NO.	2022-0289						
TYPE OF SURVEY: N/A									
DIRECTOR'S CERTIFICATE: THE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND ACCORDS WITH THE RECORDS OF THE MINNESOTA DIVISION OF SURVEYS AND MAPS.									
(Signature) <i>Edward E. McLean</i>									
EDWARD E. MCLEAN									
RECORDED DATE: _____ NO. _____									

**PANHANDLE ASSOCIATES INC.**  
701-A EDGE STREET, FORT WALTON BEACH, FLORIDA 32547 (950) 664-1968 LAND SLIDING DISTURBANCE LICENSE NO. 23023-02780





SSS No.: 2022-180
Date: 6 April, 2023
File No.: N/A
Specimen: 1" x 3"
Disc No.: Z1700-019
Designation: N/A
Diameter: 10.0
Character: M25
Sheet
1 of 1

**BARROW STREET  
APARTMENTS**

**SITE PLAN**

*Not valid unless bearing Engineer's embossed seal.*

MARK G. SHER, P.E.  
R. REG. NO. 49831

Revision:

**CEI CHOCTAW ENGINEERING, INC.**  
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EMAIL ce@choctaweng.com  
CERTIFICATE OF AUTHORIZATION No. 1682