

**PLANNING COMMISSION**

**AGENDA**

**MAY 11, 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
<b>Chairman</b> Jeremy Stewart, District 3	Commissioner Vacant, District 4
<b>Vice-Chairman</b> Commissioner John Collins, District 5	
Eglin Air Force Base Representative, Jack Kiger	Okaloosa County School Board Rep., Bill Smith

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF MINUTES FOR APRIL 13, 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** - 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 to **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.

**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**

PLANNING COMMISSION

MINUTES

APRIL 13, 2023

5:01 P.M.

The regular meeting of the Okaloosa County Planning Commission was held Thursday, April 13, 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, and Leslie Adams, Planner I.

County Attorney Kerry Parsons was in attendance via Zoom.

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

Agenda Item 1: Ed Stanford – 3997 Commons Dr, Suite F, Destin, FL – Applicant

Agenda Item 1: Patricia Brobeck – 6 Bluewater Point Dr, Niceville, FL – Opponent

Agenda Item 2: Cole Granger – 6575 Hwy 189 N, Baker, FL – Applicant

**A. CALL TO ORDER**

Vice Chairman Jeremy Stewart called the meeting to order at 5:06 PM.

**B. ROLL CALL**

Leslie Adams conducted roll call.

**C. APPROVAL OF MINUTES FOR MARCH 9, 2023 MEETING.**

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

**H. OATH TAKING**

Leslie Adams administered the Oath for all speakers.

**I. DISCLOSURES**

Leslie Adams read disclosures to the Board. All commissioners replied no to having spoken with anyone in regards to any agenda item. Commissioner Enzor replied yes to having visited the site of Agenda Item #2. Commissioner Enzor replied yes, she could render a fair and impartial decision regarding the agenda items.

**J. OLD BUSINESS**

None

**K. NEW BUSINESS**

None

**a. Applications for Development Review**

None

**b. Public Hearings**

**AGENDA ITEM 1: 525536-BCC-2023** - Consideration of a Resolution approving a twentieth "Notification of Proposed Change" to the previously approved Bluewater Bay Development of Regional Impact (DRI) Development Order (DO); to change the DRI Master Development Map, Magnolia Parcel, consisting of 9.7 acres. The application to change the DRI-DO is submitted by Core Engineering & Consultants, Inc., as agent for Oliusa III, LLC.

Randy Woodruff presented Agenda Item 1 to the board.

Vice Chairman Stewart called Ed Stanford to speak.

Mr. Stanford addressed the Board giving brief description of his request.

Vice Chairman Stewart called for Patricia Brobeck to speak.

Ms. Brobeck addressed the board with her concerns: square footage stated is too large to be just a doctor's office, middle school is going to be built across the street, traffic concerns, and safety concerns.

Vice Chairman Stewart called for Ed Stanford to speak on concerns that were raised.

Mr. Stanford explained the building will be occupied and rented to other medical professionals, traffic will be addressed during the development process.

Vice Chairman Stewart called for Patricia Brobeck to speak.

Ms. Brobeck stated that the development will significantly affect traffic.

Discussion ensued.

Vice Chairman Stewart called for a motion.

**Motion to recommend approval of Agenda Item 1 as written to request a change to the previously approved Bluewater Bay Development of Regional Impact (DRI) Development Order (DO); to change the DRI Master Development Map, Magnolia Parcel, made by John Collins, and second by Phyllis Enzor. -- 4 ayes. Motion Passes.**

**AGENDA ITEM 2: 525573-BCC-2023 & 525575-BCC-2023** - Consideration of a request changing the use of land submitted by Seaside Engineering on behalf of Christopher R. Ryles, owner, relating to parcel 07-3N-24-0000-0019-000, property located at 1330 Charlie Day Road, Baker, Florida. The request is to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the subject property from **Agriculture (AG)** to **Low Density Residential (LDR)**, or a more restrictive FLUM designation. If the FLUM amendment is approved, request to rezone the property from **Agriculture (AA)** district to **Residential-1 (R-1)** district, or a more restrictive zoning district.

Randy Woodruff presented Agenda Item 2 to the board.

Vice Chairman Stewart called for Cole Granger to speak.

Mr. Granger addressed the Board giving brief description of his request.

Discussion ensued.

Vice 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 Agriculture (AG) to Low Density Residential (LDR), or a more restrictive FLUM designation, made by Phyllis Enzor and second by John Collins. -- 4 ayes. Motion Passes.**

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

**L. OTHER BUSINESS**

Vote to determine new Chairman for the remainder of 2023.

**Motion to nominate Jeremy Stewart as Chairman for 2023 made by John Collins and second by Phyllis Enzor -- 4 ayes. Motion Passes.**

**MINUTES ARE NOT VERBATIM**

**Motion to nominate John Collins as Vice Chairman for 2023 made by Phyllis Enzor and second by Jack Beery – 4 ayes. Motion Passes.**

The **MAY 11, 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**

Vice Chairman Stewart adjourned the meeting at approximately 5:33 p.m.



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

Date 04/14/2023

**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:** 528817-BCC-2023 and 528818-BCC-2023, request for Plan Amendment and Rezoning; as presented by Jeff Archer and Jason Andrews, owners.

**DATE:** May 11, 2023

**BCC DISTRICT:** (3) Commissioner Nathan Boyles

**PLANNING COMMISSION DISTRICT:** (3) Jeremy Stewart, Chairman

**PUBLIC HEARING:** 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 to **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.

**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 12.11 acres in size and located at 4535 Kelly Mill Road, Holt, Florida; and is currently vacant.
- The subject property is bordered by Kelly Mill Road to the west, bordered by vacant properties to the north and east, and FGA Railroad/Highway 90 to the south. The applicant has filed applications with the County to amend the Future Land Use Map designation for the subject property to **Agriculture (AG)** and to rezone that property to **Agriculture (AA)**. The applicant has submitted said small-scale plan amendment in order to developed a logging business or a recreational vehicle (RV) park on the subject property. (**Exhibit 1 – Applicant Letter of Petition**).

TABLE 1 – FLUM & ZONING DESIGNATIONS		
	FLUM DESIGNATION	ZONING DESIGNATION
<b>SUBJECT PROPERTY</b>	Low Density Residential (LDR)	Residential-1 (R-1)
<b>NORTH</b>	Low Density Residential (LDR)	Residential-1 (R-1)
<b>SOUTH</b>	NA - FGA Railroad/Highway 90	NA – FGA Railroad/Highway 90
<b>EAST</b>	Low Density residential (LDR)	Residential-1(R-1)
<b>WEST</b>	Kelly Mill Road	Kelly Mill Road

The subject property is located within the **Low Density Residential (LDR)** Future Land Use Category and the **Residential-1 (R-1)** Zoning District. The **Low Density Residential (LDR)** Future Land Use designation provide areas for the protection of residential neighborhoods and for future low density residential development.

The **Residential-1 (R-1)** zoning district is to provide areas single-family detached residential dwellings, customary accessory uses, and limited non-residential uses.

The applicant is proposing to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the property from **Low Density Residential (LDR)** to **Agriculture (AG)**. The **Agriculture (AG)** (FLU) provide areas for the 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. This category is also suitable for preservation of green spaces, conservation uses, outdoor recreation, and public/institutional uses.

If the FLUM amendment is approved, the applicant is requesting to rezone the property from **Residential-1 (R-1)** to **Agriculture (AA)**. 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.

#### Property History

The subject property originally had a Future Land Use (FLUM) designation of Low Density Residential (LDR) and was zoned Agriculture (AA); with a total land area of 152 acres. In 2005, a portion of this property (44 acres) received a rezoning from Agriculture (AA) to Rural Residential Single-3 (RRS-3), and the existing FLUM remained Low Density Residential (LDR). A Development Order (DO) Application was received in

December of 2006 to allow for a 55-lot single-family subdivision. However, the Development Order (DO) for said project was withdrawn by the Engineer of Record in June of 2007. Additionally, in 2007, a rezoning and large scale plan amendment of the remaining 108 acres was denied at the State Transmittal hearing; resulting in the remaining 108 acres to remain as Agriculture (AG) FLUM and Agriculture (AA) zoning district.

In 2009, the County initiated an effort to: 1) consolidate the zoning and future land use maps, and, 2) consolidate zoning districts. The County wide consolidation of the zoning and future land use maps and zoning districts was approved by the Board of County Commissioners (BOCC) in May 2010. Thus, the Rural Residential Single-3 (RRS-3) zoning district was abolished and the Residential-1 (R-1) zoning district was established. Therefore, the subject property zoning changed from Rural Residential Single-3 (RRS-3) to Residential-1 (R-1), the existing Low Density Residential (LDR) FLUM designation remained.

Subsequently the portion of the property (44 acres) that received the Residential-1 (R-1) zoning as result of the County wide rezoning has been sub-divided several times in the past, of which this property was created (12.11 acres).

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: *The Applicant is proposing to change the existing FLUM & zoning of the subject property from Low Density Residential (LDR) (FLUM) & Residential-1(R-1) zoning district to Agriculture (AG) (FLUM) & Agriculture (AA) zoning district. The Applicant is proposing a logging business or a recreational vehicle (RV) park development (see Exhibit 1). The existing zoning district (R-1) or Low Density Residential (LDR) (FLUM) does not allow for either proposed developments. Agriculture (AA) zoning allows for both proposed developments as a permitted use. The surrounding adjacent land uses include both Residential-1 (R-1) zoning district to the north and east of this property, and Agriculture (AA) zoning to the west, and Mixed Use (MU) south of this property. Staff hereby determines that the proposed Small Scale Plan Amendment is consistent with current development patterns, adjacent zoning districts (existing R-1 & MU, AA), and maximum intensities of the surrounding properties to the maximum extent possible.*

**PUBLIC COMMENT/OPPOSITION:** No public comment nor opposition was received for 528817-BCC-2023 and 528818-BCC-2023.

**PUBLIC NOTICE:** The proposed agenda item was properly advertised in the Northwest Florida Daily News on April 26, 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 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 05-2N-25-0000-0009-0080 from **Low Density Residential (LDR) to Agriculture (AG)**, 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 05-2N-25-0000-0009-0080, from **Residential-1 (R-1) district, to Agriculture (AA) district** or a more restrictive zoning district.

**BOARD OF COUNTY COMMISSIONERS:** Public hearing by the Board of County Commissioners is tentatively scheduled for June 6, 2023.

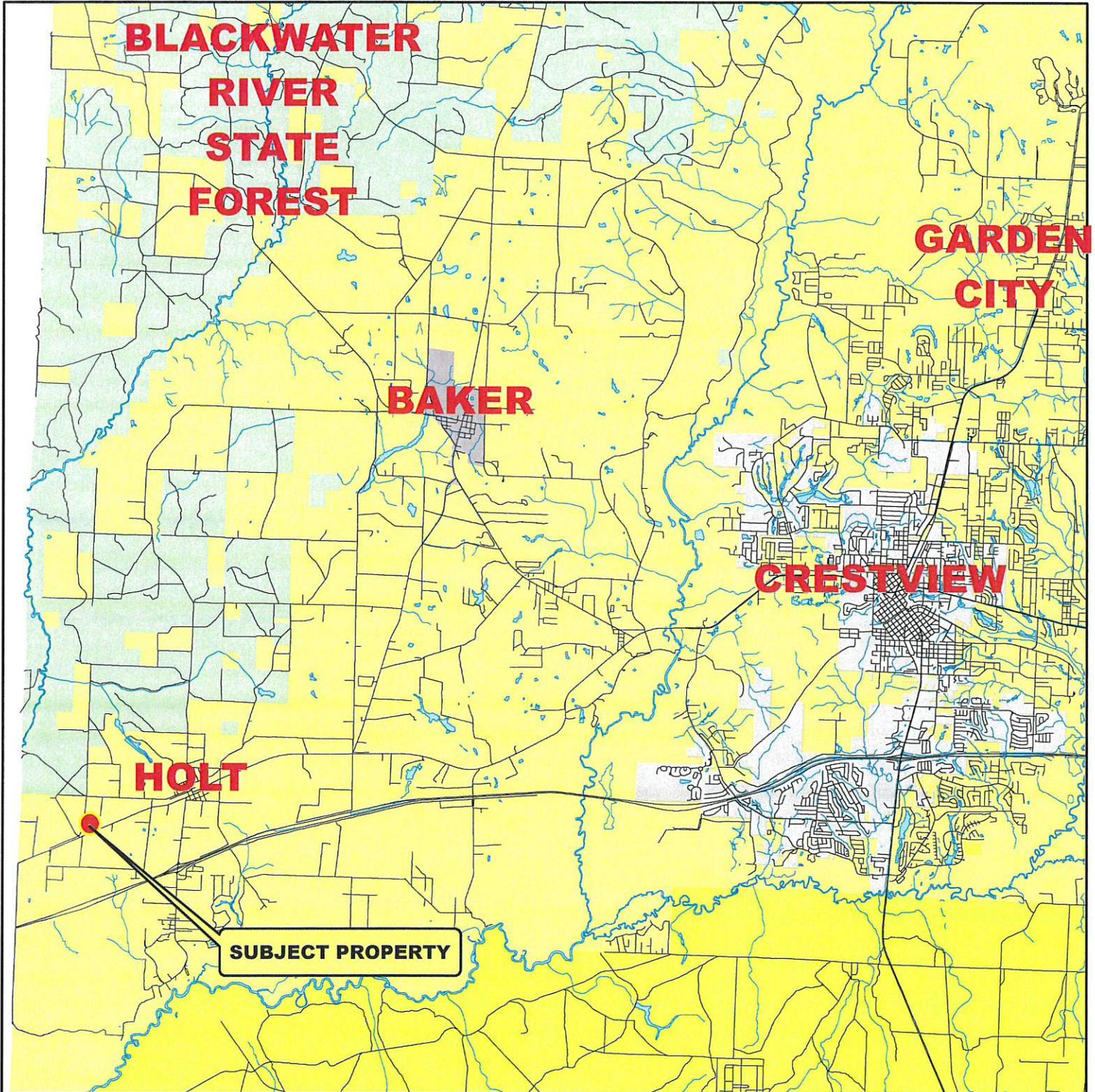
**ATTACHMENTS:**

- 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:**

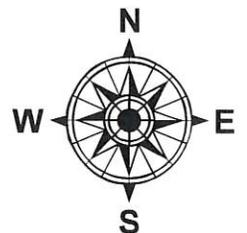
- 1 – Applicant Letter of Petition
- 2 – FLU & Rezoning Applications

**05-2N-25-0000-0009-0080**



**Legend**

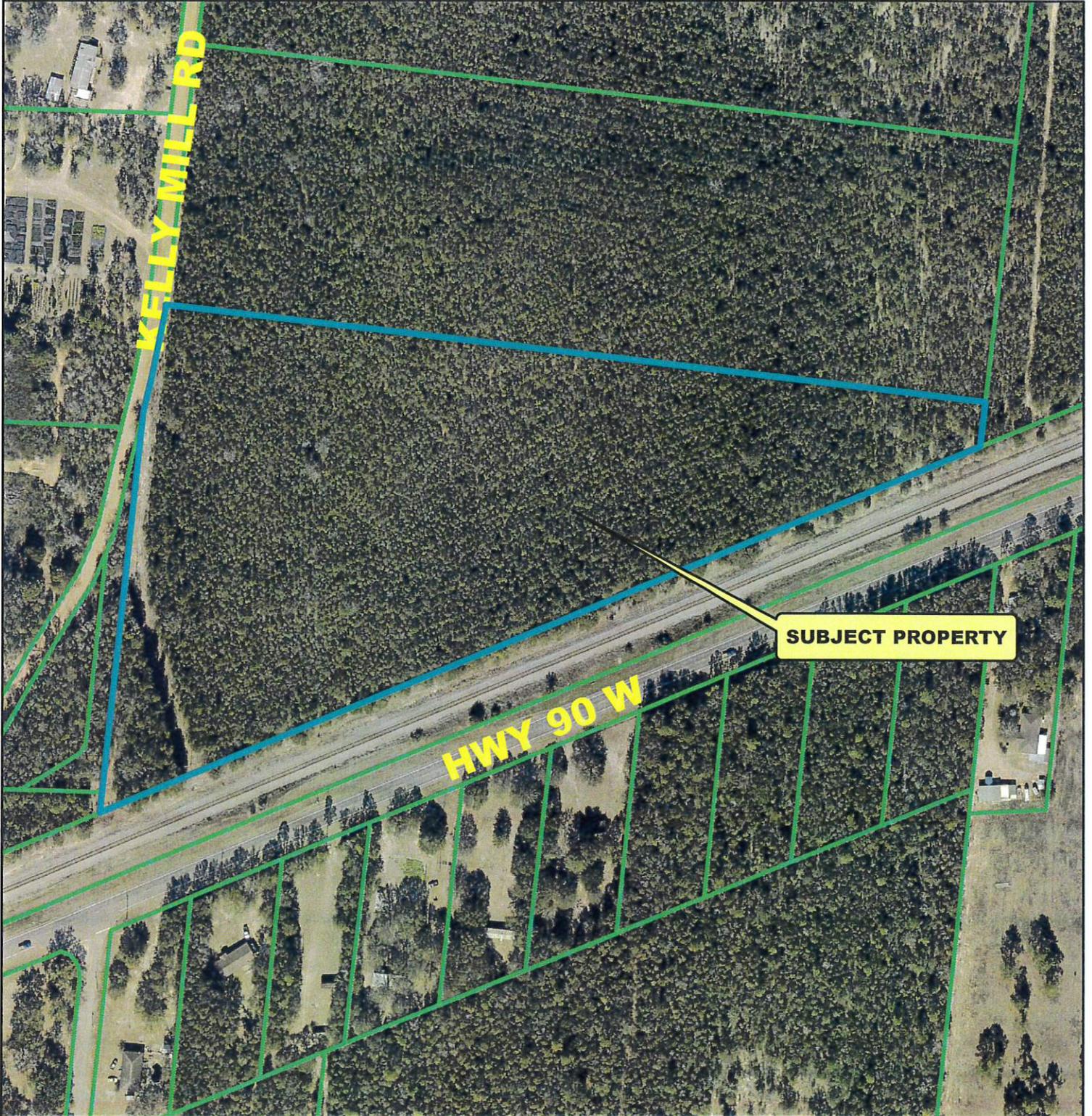
— Roads



**Location Map**

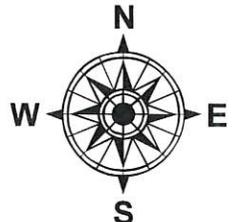
# ATTACHMENT - B

05-2N-25-0000-0009-0080



## Legend

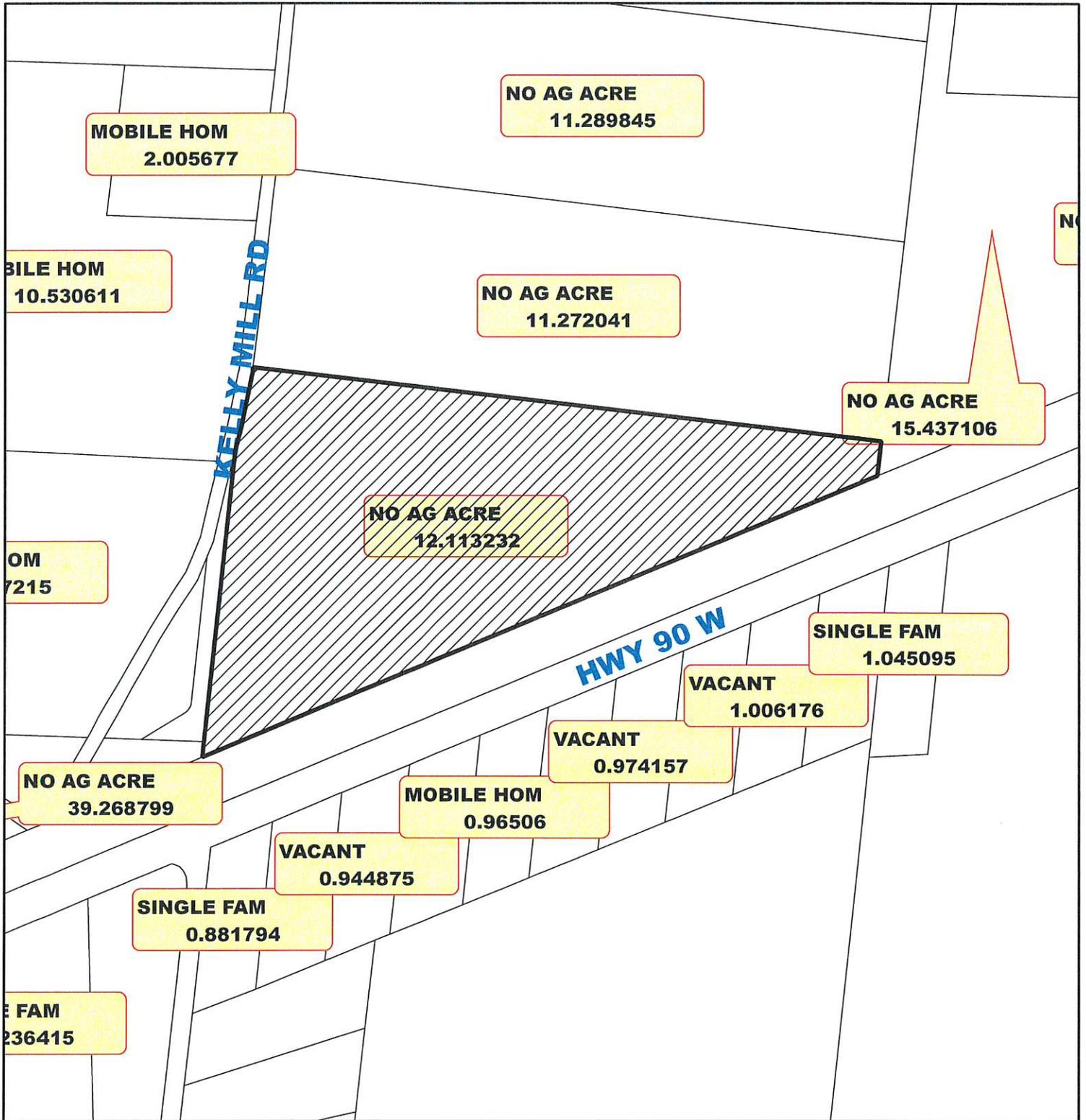
 Parcel Lines



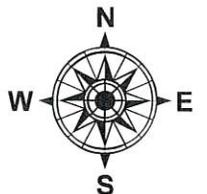
# Aerial Photo

# ATTACHMENT - C

## 05-2N-25-0000-0009-0080



### Existing Land Use Map



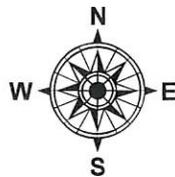
**ATTACHMENT - D**

**05-2N-25-0000-0009-0080**



**FLUM Legend**

-  LDR
-  MU
-  AG
-  RR

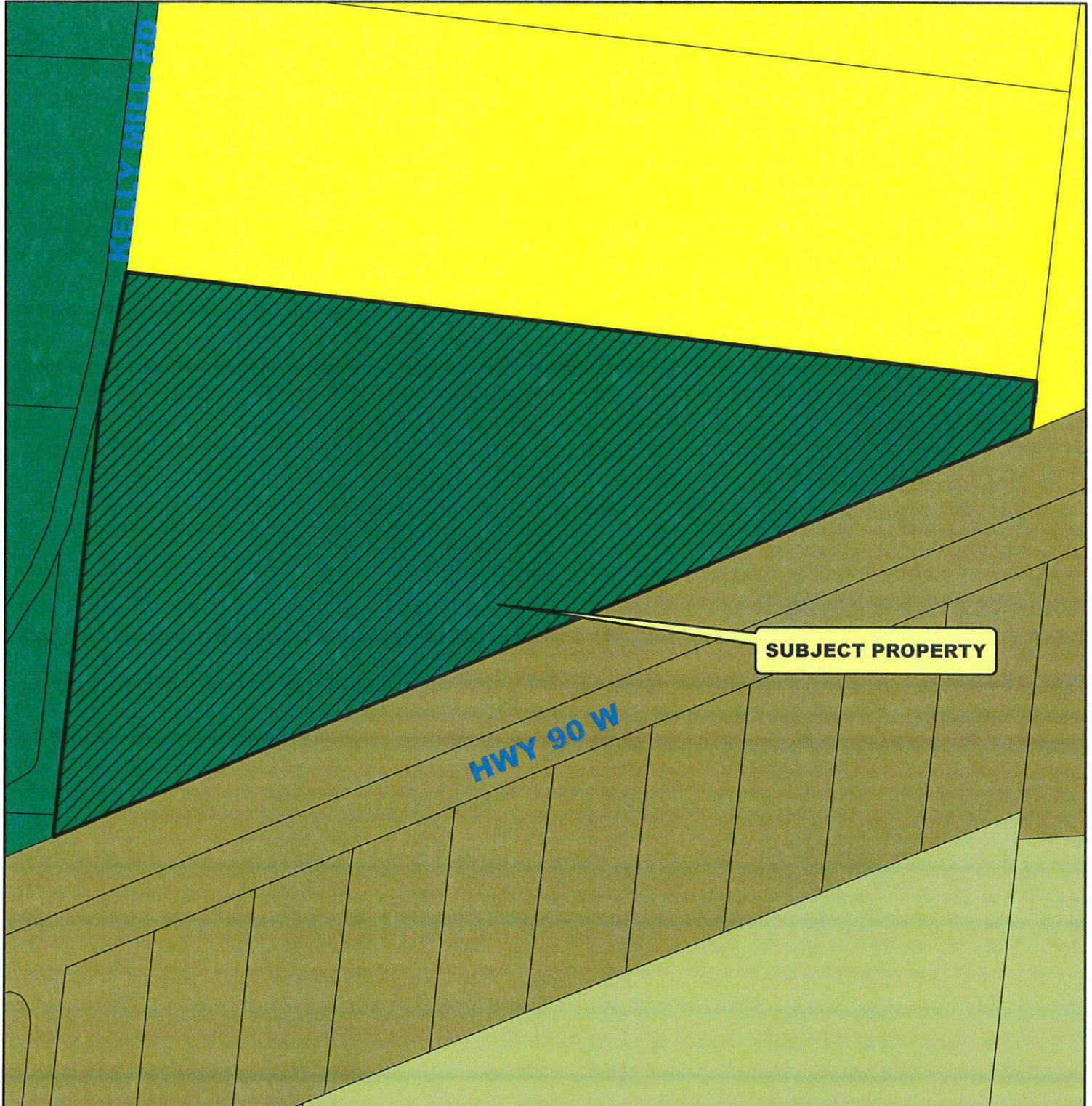


**ZONE Legend**

-  R-1
-  MU
-  AA
-  RR

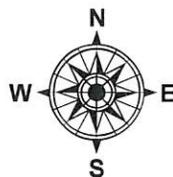
**FLUM & Zoning Map**

05-2N-25-0000-0009-0080



**FLUM Legend**

- LDR
- MU
- AG
- RR

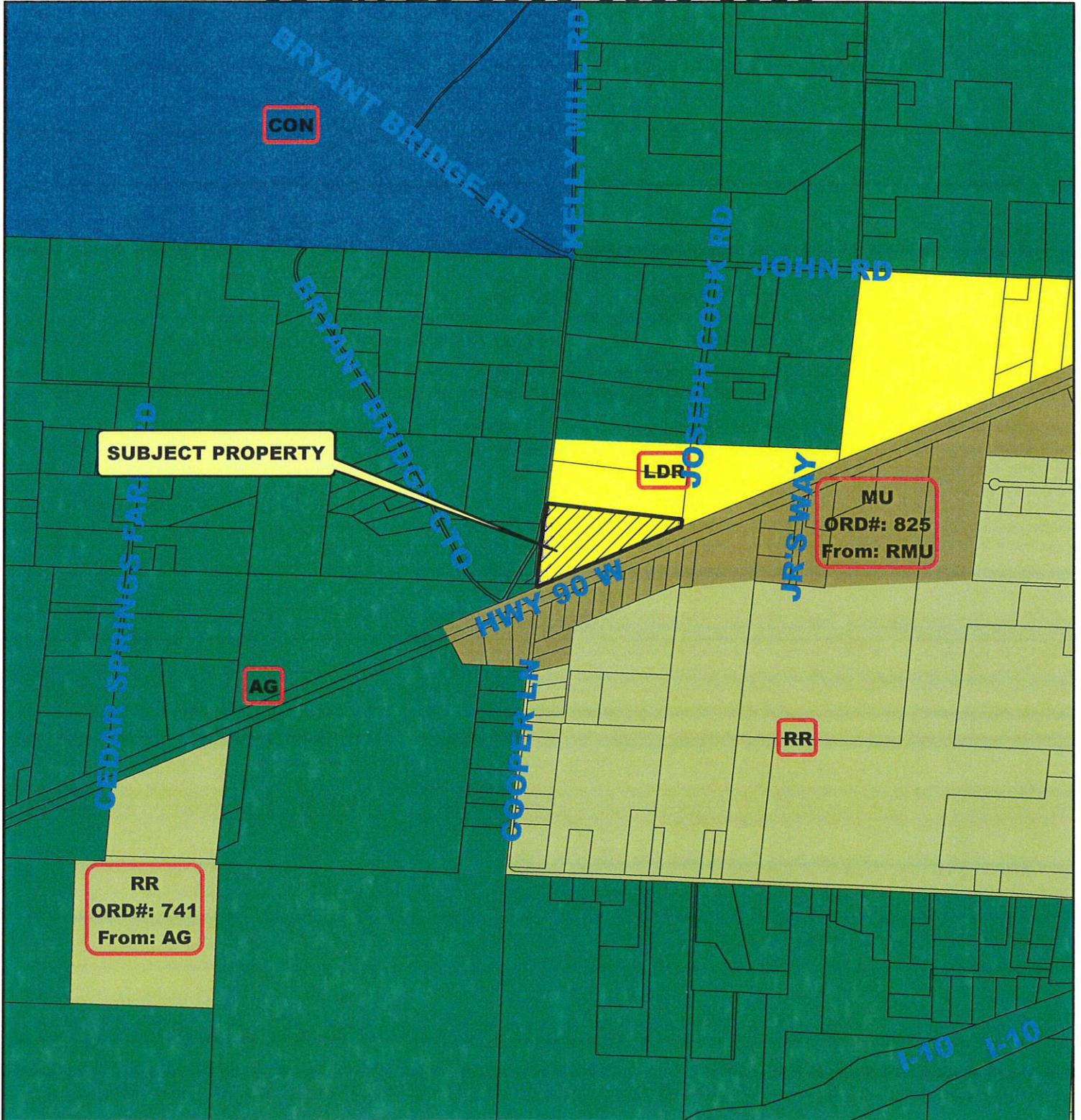


**ZONE Legend**

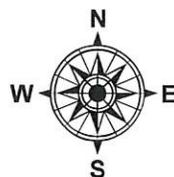
- R-1
- MU
- AA
- RR

**Proposed FLUM & Zoning Map**

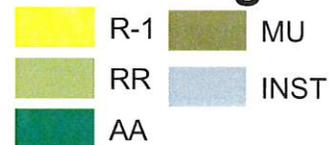
05-2N-25-0000-0009-0080



**FLUM Legend**



**ZONE Legend**



**1 Mile FLUM & Zoning Map**

# GIS ANALYSIS RESULTS

**Date:** 4/4/2023

**Project:** 05-2N-25-0000-0009-0080

**Permit:** 528817-BCC-2023 & 528818-BCC-2023 - Archer

**Property Address:** LOCATED AT 4535 KELLY MILL RD HOLT FL 32564

**Zoning:** R-1

**Proposed Zoning:** AA

**FLU:** LDR

**Proposed FLU:** AG

**Fire District:** HOLT

**Commissioner District:** 3

**Census Tract:** 020101

**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

36 – Bonifay Sand, 0 to 5% slope, gently sloping, well drained

**Wind Zone:** LESS THAN 140

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

**Map Number:** 12091CO 255J

**Storm Surge Area:** NO

**Urban Development Area:** NO

**Water Efficient Area:** NO

**Wells:** None

**Environmental Data:** None

**Historical Data:** None

**Wetlands:** Uplands

**Water and Sewer:** HWS

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

# Notice of Public Hearing

The Okaloosa County Growth Management Department notice that, on **Thursday, May 11, 2023** the Okaloosa County Planning Commission will consider:

Consideration of a request changing the use of land submitted by Jeff Archer and Jason Andrews, 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 **Agricultural (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 **Agricultural (AA)** district, or a more restrictive zoning district. The subject property contains 12.11 acres, more or less.

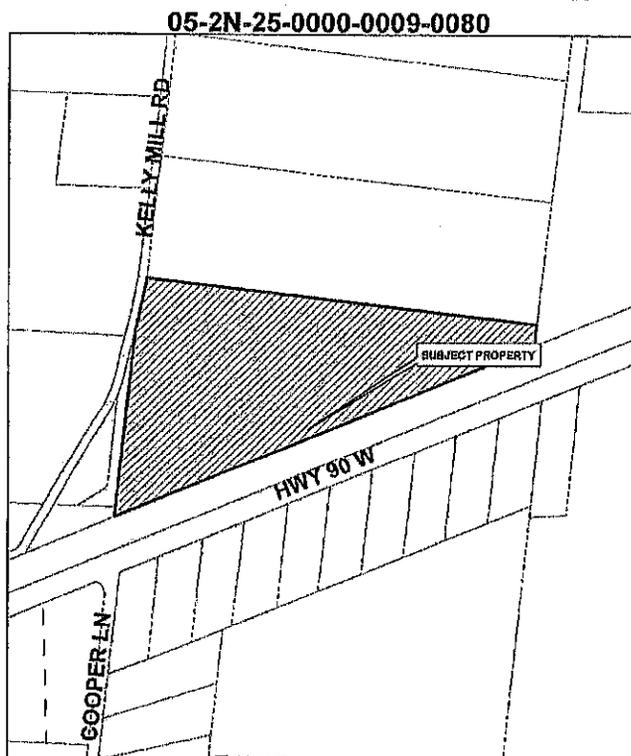
The meeting will be held at **5:01 PM** or soon thereafter in the Okaloosa County Administration Building, Commission meeting room, located at 1250 N. Eglin Parkway, Shalimar, FL

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.

## Attachment A



**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 PARCEL 05-2N-25-0000-0009-0080 FROM LOW DENSITY RESIDENTIAL (LDR) TO AGRICULTURE (AG); SAID PARCELS 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 528817-BCC-2023 Future Land Use changing the Future Land Use Map designation of a certain parcel of real property owned by Jeff Archer and Jason Andrews, Property Id Number 05-2N-25-0000-0009-0080, 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 parcels of real property as shown in Attachment A attached hereto from Low Density Residential (LDR) to Agriculture (AG).

**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

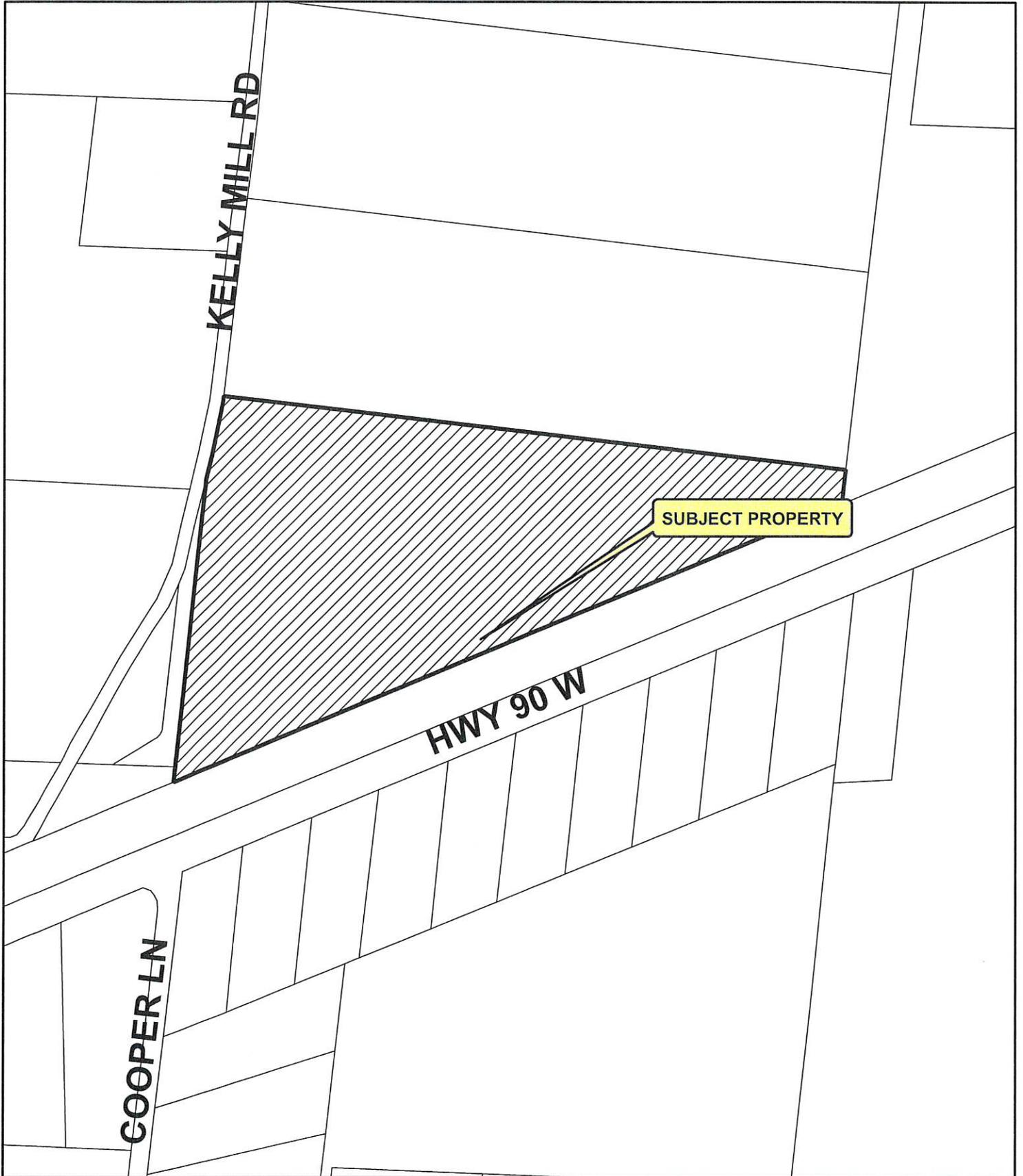
ATTEST:

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

APPROVED AS TO FORM:

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

05-2N-25-0000-0009-0080



**AN ORDINANCE AMENDING THE OKALOOSA COUNTY LAND DEVELOPMENT CODE, ORDINANCE 91-01, AS AMENDED, CHANGING THE ZONING OF PARCEL 05-2N-25-0000-0009-0080 FROM RESIDENTIAL-1 (R-1) TO AGRICULTURE (AA); SAID PARCELS 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 parcel 05-2N-25-0000-0009-0080 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 528818-BCC-2023 Rezoning changing the zoning designation of a certain parcel of real property owned by Jeff Archer and Jason Andrews,

Property Id Number 05-2N-25-0000-0009-0080, 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 the parcels of real property as shown in Attachment A attached hereto from Residential-1 (R-1) to Agriculture (AA).

**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

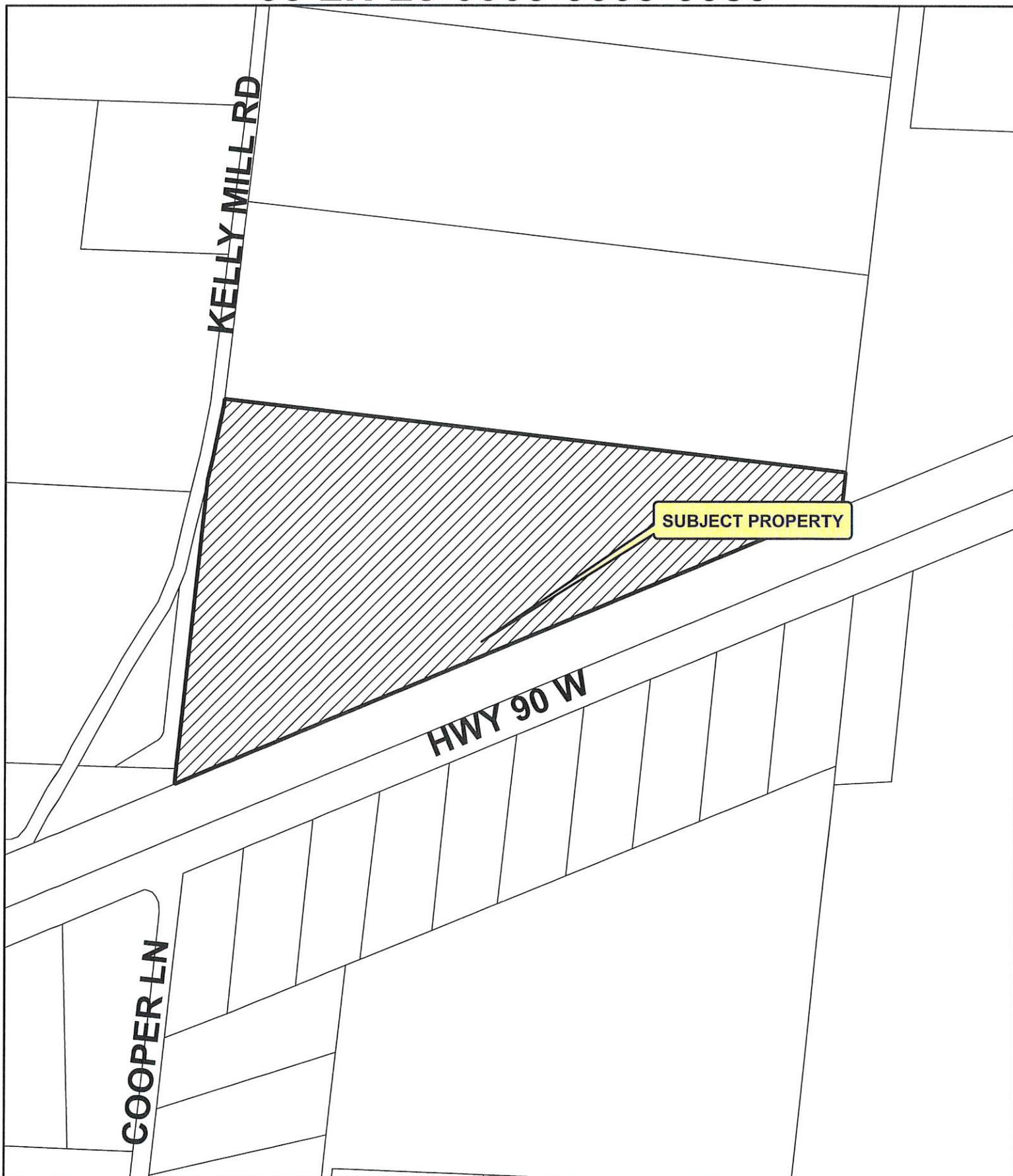
ATTEST:

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

APPROVED AS TO FORM:

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

05-2N-25-0000-0009-0080



**Tim Durbin**

---

**From:** Sherry Cadenhead  
**Sent:** Wednesday, April 19, 2023 3:44 PM  
**To:** Tim Durbin  
**Subject:** FW:

Sherry Reed  
Planning Coordinator  
Okaloosa County  
Growth Management Department

Please note: Due to Florida's very broad public records laws, most written communications to or from County employees regarding County business are public records, available to the public and media upon request. Therefore, this written e-mail communication, including your e-mail address, may be subject to public disclosure.

-----Original Message-----

From: niki archer <archer.niki@yahoo.com>  
Sent: Wednesday, April 19, 2023 3:42 PM  
To: Sherry Cadenhead <scadenhead@myokaloosa.com>  
Subject: Re:

We want the option to either have our logging business here or have a quaint little rv park. But we don't want to step on anyone's toes in regards to either.

God bless  
Niki

> On Apr 19, 2023, at 3:40 PM, Niki Archer <archer.niki@yahoo.com> wrote:

>  
> Is there any specific way we need to word it or just a simple statement?  
>  
>> On Apr 19, 2023, at 3:33 PM, Sherry Cadenhead <scadenhead@myokaloosa.com> wrote:

>>  
>> No, in an e-mail please.

>>  
>> Sherry Reed  
>> Planning Coordinator  
>> Okaloosa County  
>> Growth Management Department  
>>

>> Please note: Due to Florida's very broad public records laws, most written communications to or from County employees regarding County business are public records, available to the public and media upon request. Therefore, this written e-mail communication, including your e-mail address, may be subject to public disclosure.

>>  
>> -----Original Message-----

>> From: Niki Archer <archer.niki@yahoo.com>  
>> Sent: Wednesday, April 19, 2023 3:33 PM

528817-BCC-2023

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

April, 2005

**A. Applicant Information**

1. Name: JEFF ARCHER
2. Address: PO Box 37  
Holt FL 32564
3. Telephone: 806 676-4079 FAX: \_\_\_\_\_
4. Applicant is: Property owner  Owners authorized agent\* \_\_\_\_\_  
\* Verification of authorized agent must be attached
5. Owner's name, address and telephone, if different than applicant:  
\_\_\_\_\_  
\_\_\_\_\_

**B. Property Information**

6. Location: 4535 Kelly Mill Rd
7. Property ID Number: 05 - 2N - 25 - 0000 - 0009 - 0000
8. Current use of property: Low density Residential LDR
9. Proposed use of property: Agriusiness AG
10. Size of property: 12.11 (sq. ft. or acres)
11. Names/Number of adjacent roads: North \_\_\_\_\_  
East \_\_\_\_\_ South \_\_\_\_\_ West Kelly Mill

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

12. Existing Future Land Use Map designation: LDR
13. Existing zoning district: R-1

1 Archer.wiki@yahoo.com

**D. Requested Action**

14. Reason for the requested amendment: \_\_\_\_\_

15. Requested amendment:

FROM LDR (FLUM designation)  
TO AG (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.

JEFF ARCHER

Applicant printed or typed name



Applicant signature

\_\_\_\_\_  
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: Jeff Archer
- 2. Address: 4535 Kelly Mill Rd  
Holt Fl 32564
- 3. Telephone: 806-676-4079 FAX: \_\_\_\_\_
- 4. Applicant is: Property owner  Owners authorized agent\* \_\_\_\_\_  
\* Verification of authorized agent must be attached
- 5. Owner's name, address and telephone, if different than applicant:  
\_\_\_\_\_  
\_\_\_\_\_

**B. Property Information**

- 6. Location: 4535 Kelly Mill Rd
- 7. Property ID Number: 05-2N-25-0000-0009-0080
- 8. Current use of property: Residential (R-1)
- 9. Proposed use of property: Agriculture (AA)
- 10. Size of property: 12.11 (sq. ft. or acres)
- 11. Names/Number of adjacent roads: North \_\_\_\_\_  
East \_\_\_\_\_ South 90 West Kelly Mill

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

- 12. Existing Future Land Use Map designation: LDR
- 13. Existing zoning district: R-1

**D. Requested Action**

14. Reason for the requested rezoning: \_\_\_\_\_

15. Requested rezoning:

FROM     R1     (zoning district)

TO     M2     (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.

Jeff Aecher

Applicant printed or typed name

[Signature]  
Applicant signature

\_\_\_\_\_  
Date

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

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

**FOR OFFICIAL USE ONLY**

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

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