

PLANNING COMMISSION

AGENDA

JULY 11, 2024

5:01 P.M.

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

Commissioner Vacant, District 1

Commissioner Jack Beery, District 2

Chairman Jeremy Stewart, District 3

Commissioner Todd Tarchalski, 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 9, 2024 (NO JUNE MEETING)

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: 551867-BCC-2024 and 551872-BCC-2024 - Consideration of a request to change a parcel of land submitted by Jeff McGinnis of Anchors Smith Grimsley, PLC agent, on behalf of the School District of Okaloosa County, relating to parcel 15-1S-22-0000-0001-001D, property located on the northwest corner of Lancaster Drive and Highway 20, Niceville, Florida. The request is to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the subject property from **Institutional (INST)**, to **Mixed Use (MU)** or a more restrictive FLUM designation. If the FLUM amendment is approved, there is a companion request to rezone the property from **Institutional (INST)**, to **Mixed Use (MU)** or a more restrictive zoning district. The subject property contains 25 acres, more or less.

Agenda Item # 2: 551469-BCC-2024 & 551470-BCC-2024 Consideration of a request to change land submitted by Choctaw Engineering, Inc., agent, on behalf of Day Development of NW FL. LLC., owner, relating to parcel 28-4N-23-0000-0016-0000, property located at 5976 N Highway 85, Crestview, Florida. The request is to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the subject property from **Rural Residential (RR) and Mixed Use (MU)**, to **Low Density Residential (LDR)** or a more restrictive FLUM designation. If the FLUM amendment is approved, request to rezone the property from to **Rural Residential (RR) and Mixed Use (MU)** district, to **Residential-1 (R-1)** district or a more restrictive zoning district. The subject property contains 24 acres more or less.

L. OTHER BUSINESS

The **August 8, 2024**, 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 9, 2024

5:01 P.M.

The regular meeting of the Okaloosa County Planning Commission was held Thursday, May 9, 2024, 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, John Collins, Todd Tarchalski, and Jack Beery.

Eglin Representative Jack Kiger was not in attendance.

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

Growth Management Staff in attendance were Randy Woodruff, Deputy Director, Leslie Adams, Planner I, and Martina Barrow, Planner I.

County Attorney Kerry Parsons was in attendance.

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

Agenda Item 1: Ray Greer – 2910 Kerry Forest Pkwy, Tallahassee, FL – Applicant

Agenda Item 2: Christy Jones – 205 Third St SE, Fort Walton Beach, 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 DECEMBER 14, 2023 MEETING (NO JANUARY, FEBRUARY, MARCH, OR APRIL MEETING)

Motion to approve minutes made by John Collins 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 Jack Beery. --- 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. Chairman Stewart stated he would have to recuse himself from voting on agenda item #2 to avoid a conflict of interest.

J. OLD BUSINESS

None

K. NEW BUSINESS

None

a. Applications for Development Review

None

b. Public Hearings

AGENDA ITEM 1: 548615-BCC-2024 & 548617-BCC-2024 Consideration of a request changing the use of land submitted by Raymond Greer, on behalf of Warren Cutshall, NWF Land, LLC. relating to property located north of US 90 just to the east of Clint Mason Road. The request is to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the property from **Agricultural (AG)** to **Low Density Residential (LDR)**. If the FLUM amendment is approved, request to rezone the property from **Agriculture (AA)** to **Residential-1 (R-1)**, or a more restrictive zoning district. Property contains 6.33 acres, more or less. In addition to the proposed Future Land Use Map Amendment and Rezoning, a proposed amendment to the Okaloosa County Land Development Code is also being requested. The proposed Land Development Code Amendment will amend Section 3.10.00, 605-Acre Highway 90 Overlay District. Said overlay will be expanded to include 6.33 acres and will increase the maximum overall density of the property from 1,200 to 1,222 residential units, establish a height limitation, require dark sky lighting principles and provide coordination with Eglin Air Force Base.

Randy Woodruff presented Agenda Item 1 to the board.

Chairman Stewart called Ray Greer to speak.

Mr. Greer gave a brief description of proposed changes.

Vice Chairman Collins stated that it does seem to be consistent with the surrounding area.

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 John Collins and second by Jack Beery. -- 4 ayes. Motion Passes.

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

Motion to recommend approval of Agenda Item 1 as written to amend the Okaloosa County Land Development Code Section 3.10.00, 605-Acre Highway 90 Overlay District, made by John Collins, and second by Jack Beery. --- 4 ayes. Motion Passes.

Agenda Item # 2: Consideration of the Fourth Amendment to the Development Agreement by and between the Board of County Commissioners and Patriots Ridge LLP, for the purpose of establishing development rights for certain real property located within the unincorporated area of Okaloosa County; providing assurances in accordance with existing laws and policies subject to the conditions of the agreement; and, insuring that the agreement is in compliance with applicable provisions of Section 163.3220-163.3243, Florida Statutes, and the Okaloosa County Comprehensive Plan-163.3243, Florida Statutes, and the Okaloosa County Comprehensive Plan.

Randy Woodruff presented Agenda Item 2 to the board.

Chairman Stewart called for Christy Jones to speak.

Vice Chairman Collins asked for a more specific explanation of the proposed changes.

Ms. Jones explained the proposed changes would include a reduction of 19 lots and moving to sewer.

Chairman Stewart called for a motion.

Motion to recommend approval of Agenda Item 2 as written to request a Fourth Amendment to the Development Agreement by and between the Board of County Commissioners and Patriots Ridge LLP made by Jack Beery, and second by John Collins. -- 3 ayes. Motion Passes.

L. OTHER BUSINESS

Vote to determine Chairman and Vice Chairman for 2024.

Motion to nominate Jeremy Stewart as Chairman for 2024 made by John Collins and second by Jack Beery -- 4 ayes. Motion Passes.

Chairman Stewart handed the gavel to Commissioner Beery to make a motion.

Motion to nominate John Collins as Vice Chairman for 2024 made by Jeremy Stewart and second by Todd Tarchalski -- 4 ayes. Motion Passes.

The **JUNE 13, 2024**, 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 5:17 p.m.



Prepared by: _____
Martina Barrow, Recording Secretary

Date 05/10/2024

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: 551867-BCC-2024 and 551872-BCC-2024, request for Small Scale Plan Amendment and Rezoning; as presented by Jeff McGinnis of Anchors Smith Grimsley, PLC., agent, on behalf of The School District of Okaloosa County.

DATE: July 11, 2024

BCC DISTRICT: (5) Commissioner Mel Ponder, Chairman

PLANNING COMMISSION DISTRICT: (5) John Collins

PUBLIC HEARING: Consideration of a request to change a parcel of land submitted by Jeff McGinnis of Anchors Smith Grimsley, PLC agent, on behalf of the School District of Okaloosa County, relating to parcel 15-1S-22-0000-0001-001D, property located on the northwest corner of Lancaster Drive and Highway 20, Niceville, Florida. The request is to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the subject property from **Institutional (INST)**, to **Mixed Use (MU)** or a more restrictive FLUM designation. If the FLUM amendment is approved, there is a companion request to rezone the property from **Institutional (INST)**, to **Mixed Use (MU)** or a more restrictive zoning district. The subject property contains 25 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 25 acres, more or less, in size and located on the northwest corner of Lancaster Drive and Highway 20, Niceville, Florida; and is currently vacant.
- The subject property is bordered by Tower Acres, Plat Book 4, Page 60, a recorded single-family subdivision to the west; bordered by Mossy Oaks, Plat Book 13, Page 34, a recorded single-family subdivision to the north; Highway 20 and Fred Gannon State Park to the east, and Lancaster Drive and single-family homes to the south. The applicant has filed applications with the County to amend the Future

Land Use Map designation for the subject property to **Mixed Use (MU)** and to rezone the subject property to **Mixed Use (MU)**. The applicant has submitted said Small Scale plan Amendment in order to change the subject property for future development due to a property exchange with a private developer in the acquisition of a new school site in Niceville, Florida. (**Exhibit 1 – Applicant Letter of Petition**).

TABLE 1 – FLUM & ZONING DESIGNATIONS		
	FLUM DESIGNATION	ZONING DESIGNATION
SUBJECT PROPERTY	Institutional (INST)	Institutional (INST)
NORTH	Medium Density Residential (MDR) and Mixed Use (MU)	Residential – 2 (R-2) and Mixed Use (MU)
SOUTH	Low Density Residential (LDR) Mixed Use (MU) Mixed Use 1 MU-1)	Residential – 1 (R-1) Mixed Use (MU) Mixed Use-1 MU-1)
EAST	Highway 20	Highway 20
WEST	Low Density Residential (LDR)	Residential-1 (R-1)

The subject property is located within the **Institutional (INST)** Future Land Use Category and the **Institutional (INST)** zoning district. The **Institutional (INST)** future land use designation is to provide areas for civic, government, religious, or otherwise generally not-for-profit land uses. The **Institutional (INST)** zoning district provides areas for the location, maintenance, and preservation of public, semi-public and institutional lands and land uses.

The applicant is proposing to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the property from **Institutional (INST)**, to **Mixed Use (MU)**. The **Mixed Use (MU)** (FLU) is to provide 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 herein.

If the FLUM amendment is approved, the applicant is requesting to rezone the property from **Institutional (INST)**, to **Mixed Use (MU)**. The purpose of the **Mixed Use (MU)** zoning district is to provide areas for a variety of housing types as well as a functional mix of residential and non-residential land uses. To this end, while MU developments are encouraged to include a mix of both residential and non-residential uses, single use development is allowed when the area surrounding a proposed single use development within the MU zone is predominantly of the type proposed, and requiring another use would be out-of-character with the predominant surrounding use, and would result in

internal incompatibility that cannot be remedied through buffers, setbacks, or other techniques in an economically efficient manner.

The subject property is located inside the Urban Development Boundary (UDB).

COMPREHENSIVE PLAN ANALYSIS:

Okaloosa County Comprehensive Plan, Future Land Use Element, Policy 4.3

Policy 4.3 recognizes the importance of design in mitigating potential incompatibility conditions through the site plan review process. In particular, it empowers Okaloosa County to require various mitigation techniques including variable buffers, placement and design of open space and landscaping, and consideration of lighting design and placement to avoid glare. In addition, it recognizes the concept of varying setbacks based on the height of buildings. *The applicant is proposing to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the property from **Institutional (INST)**, to **Mixed Use (MU)**. If the FLUM amendment is approved, the applicant is requesting to rezone the property from **Institutional (INST)**, to **Mixed Use (MU)**. The aforementioned mitigating techniques will be addressed during the Development Order review process.*

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 Comprehensive Plan Future Land Use Map (FLUM) designation for the property from **Institutional (INST)**, to **Mixed Use (MU)**. If the FLUM amendment is approved, the applicant is requesting to rezone the property from **Institutional (INST)**, to **Mixed Use (MU)**. The applicant has not submitted a proposed site development plan to date. Any future development plans shall be required to undergo the county's Development Order review process. The subject property is bordered by State Road 20 to the east, single-family residence to the north, south, and west. Staff hereby determines that the proposed Small Scale Plan Amendment is consistent with current development patterns, adjacent zoning districts and maximum intensities of the surrounding properties to the maximum extent possible.*

Traffic Analysis

A Traffic Analysis was not submitted as part of this application. However, a traffic analysis will be required as part of the Development Order Application review and approval.

PUBLIC COMMENT/OPPOSITION: No public comment or opposition has been received as of this writing for 551867-BCC-2024 and 551872-BCC-2024.

PUBLIC NOTICE: The proposed agenda item was properly advertised in the Northwest Florida Daily News on June 26, 2024; 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 has no objections to the proposed FLUM Amendment; herein referenced as 551867-BCC-2024 and 551872-BCC-2024.

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 the subject property, legally described as 15-1S-22-0000-0001-001D from **Institutional (INST)** 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 28-4N-23-0000-0016-0000, from **Institutional (INST)** 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 August 20, 2024.

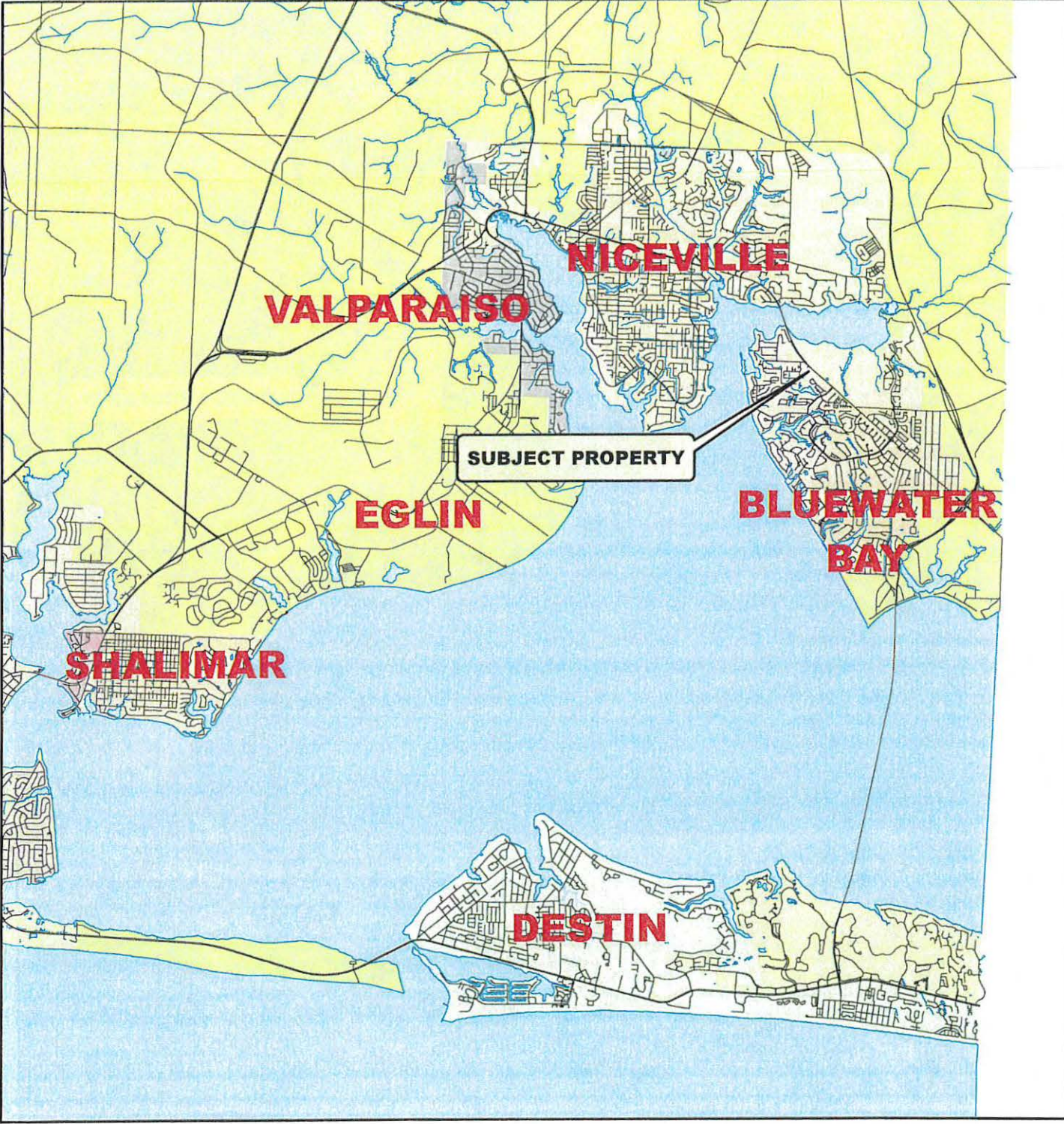
ATTACHMENTS:

- 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

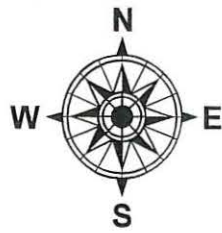
ATTACHMENT - A
15-1S-22-0000-0001-001D



Legend

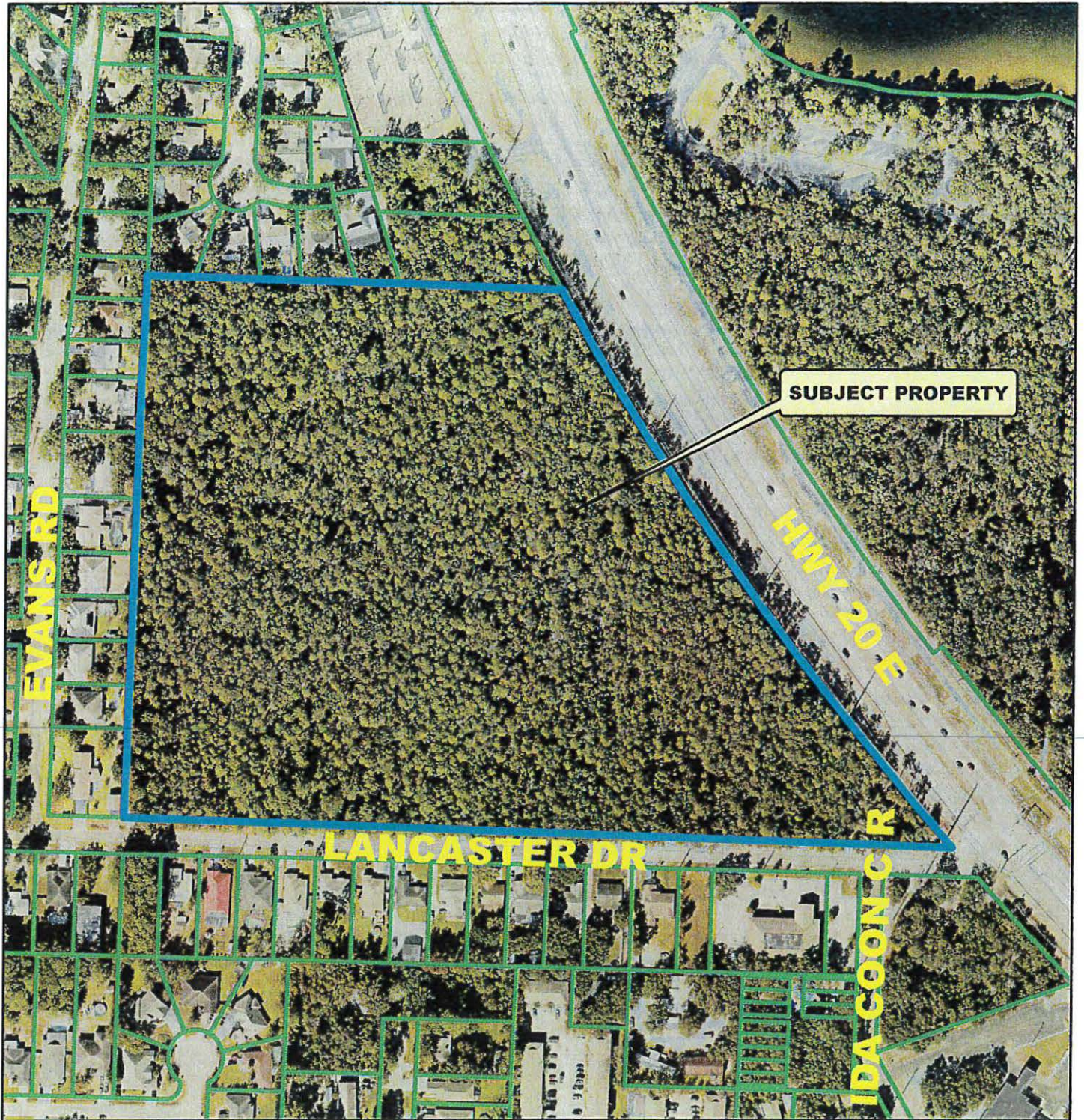
— Roads

Location Map



ATTACHMENT - B

15-1S-22-0000-0001-001D



SUBJECT PROPERTY


EVANS RD

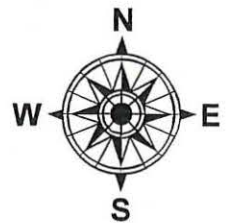
HWY 20 E

LANCASTER DR

IDA COON CR

Legend

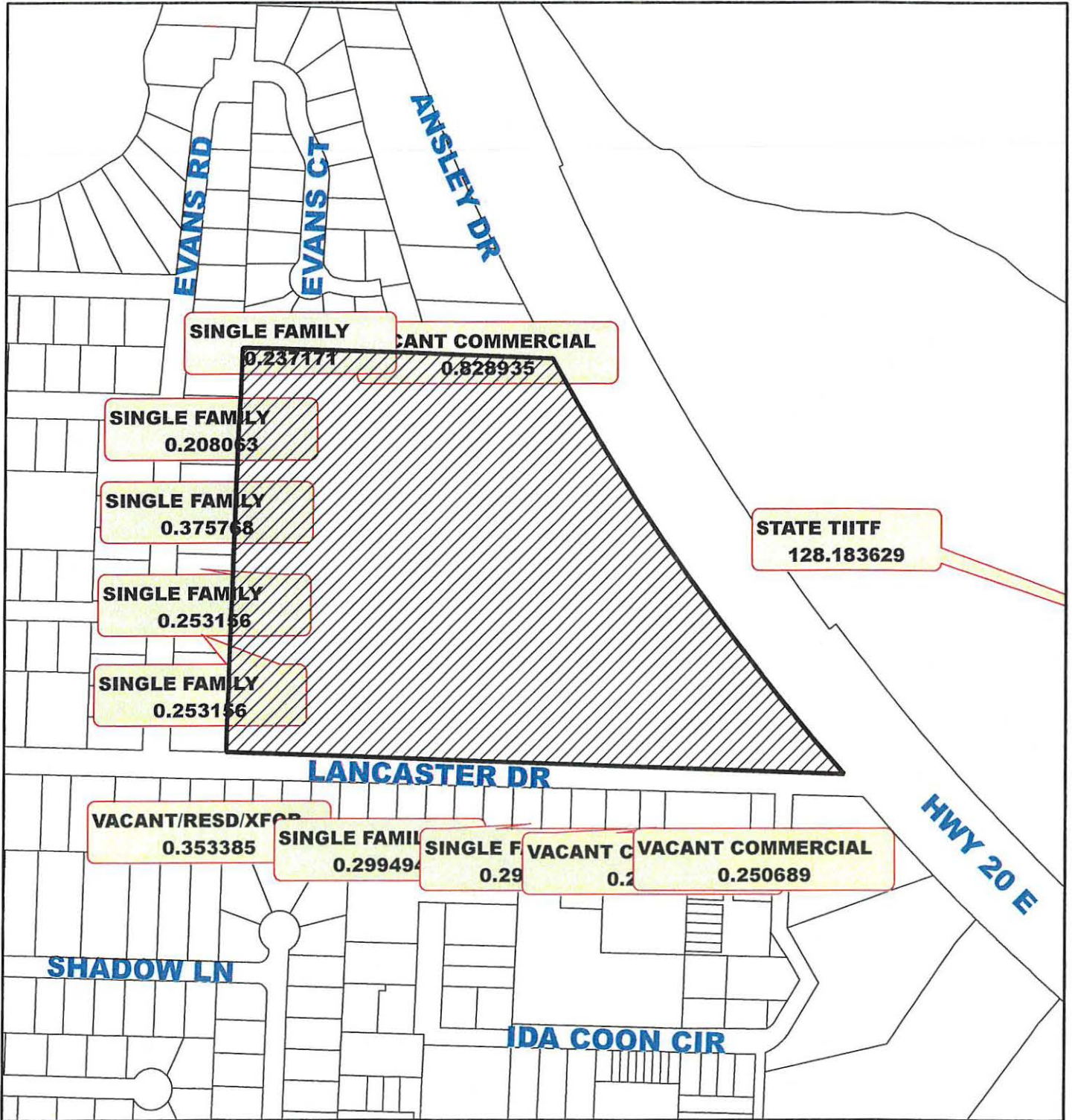
 Parcel Lines



Aerial Photo

ATTACHMENT - C

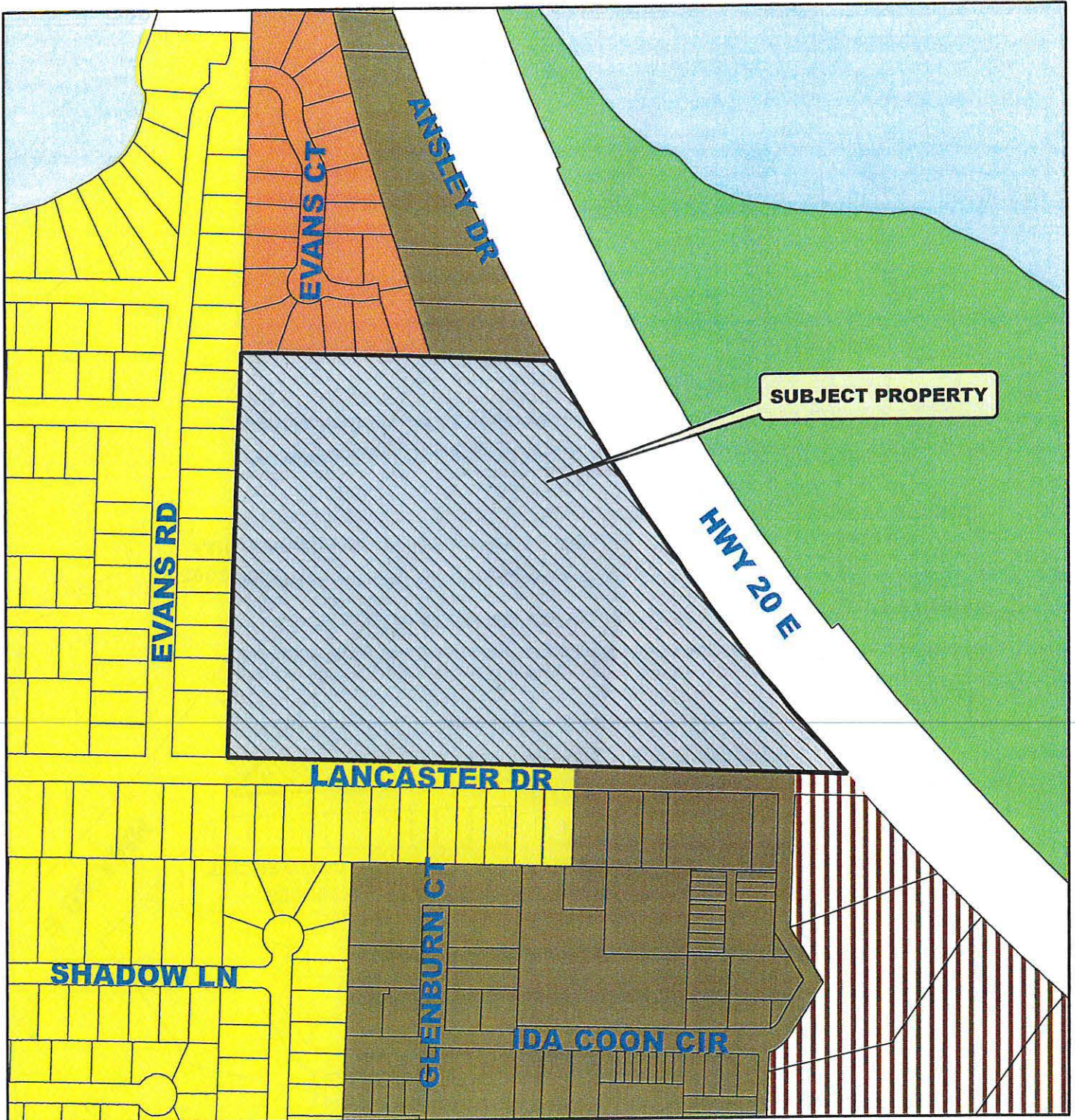
15-1S-22-0000-0001-001D



Existing Land Use Map

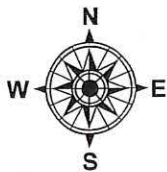
ATTACHMENT - D

15-1S-22-0000-0001-001D



FLUM Legend

- LDR
- MDR
- MU
- MU-1
- REC
- INST



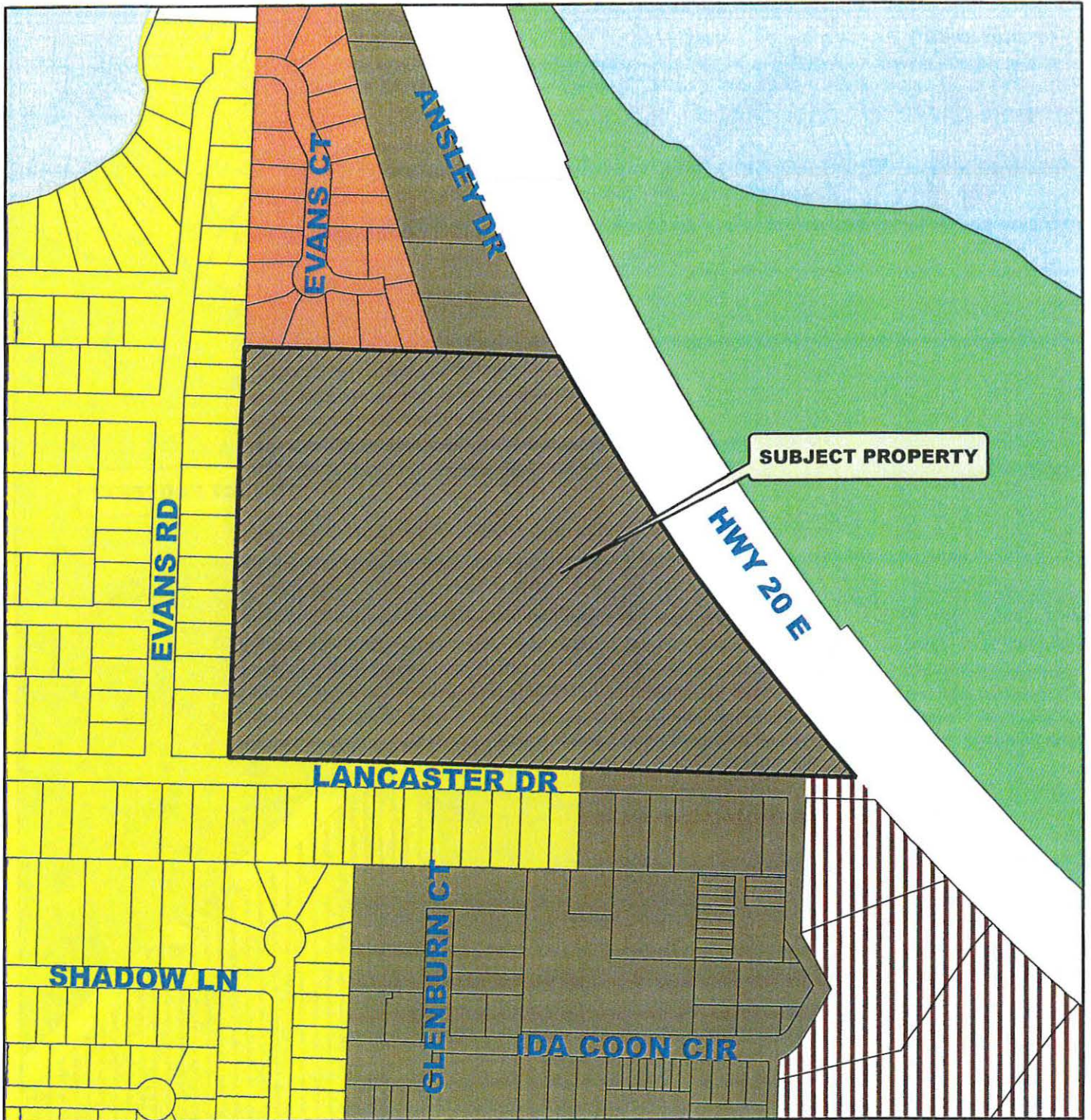
ZONE Legend

- R-1
- R-2
- MU
- REC
- MU-1
- INST

FLUM & Zoning Map

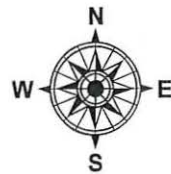
ATTACHMENT E

15-1S-22-0000-0001-001D



FLUM Legend

- LDR
- MDR
- MU
- MU-1
- REC

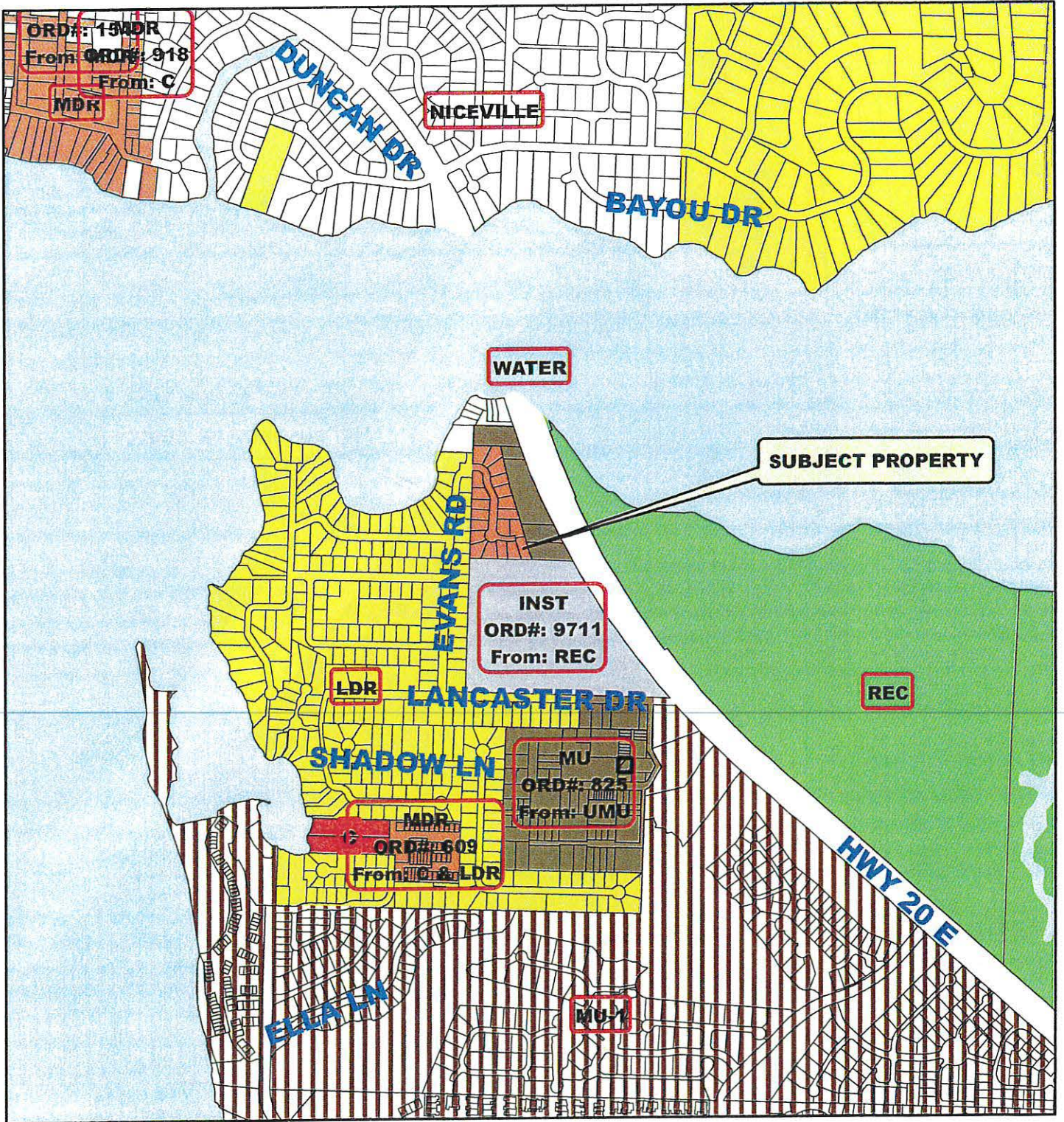


ZONE Legend








- R-1
- R-2
- MU
- MU-1
- REC

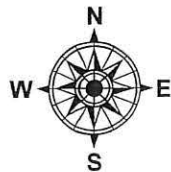
Proposed FLUM & Zoning Map

ATTACHMENT - F
15-1S-22-0000-0001-001D




FLUM Legend

- | | |
|--|--|
|  LDR |  INST |
|  MDR |  REC |
|  MU |  C |
|  MU-1 | |



ZONE Legend

- | | | |
|--|--|---|
|  R-1 |  MU-1 |  REC |
|  R-2 |  INST | |
|  MU |  C-3 | |

1 Mile FLUM & Zoning Map

GIS ANALYSIS RESULTS

Date: 6/04/2024

Project: 15-1S-22-0000-0001-001D

Permit: 551867-BCC-2024 & 551872-BCC-2024 - SCHOOL BOARD OF OKALOOSA COUNTY

Property Address: LOCATED ON HWY 20 E NICEVILLE FL 32578

Zoning: INST

Proposed Zoning: MU

FLU: INST

Proposed FLU: MU

Fire District: NORTH BAY

Commissioner District: 5

Census Tract: 021002

Soil Type: 6 – Dorovan – nearly level, very poorly drained soils that are organic – usually in freshwater swamps or drainage ways.

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

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

Flood Zone: X 500 Year Flood Plain

Map Number: 12091CO 0477J

Storm Surge Area: NO

Urban Development Area: YES

Water Efficient Area: NO

Wells: None

Environmental Data: None

Historical Data: NO

Wetlands: Uplands

Water and Sewer: OCWS

Within 3 mile of an Airport: NO

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 15-1S-22-0000-0001-001D FROM INSTITUTIONAL (INST) 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 551867-BCC-2024 Future Land Use changing the Future Land Use Map designation of a parcel of real property owned Okaloosa County School Board., property Id number 15-1S-22-0000-0001-001D, 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 a portion parcel of real property as shown in Attachment A attached hereto from Institutional (INST) 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 _____, 2024.

BOARD OF COUNTY COMMISSIONERS
OF OKALOOSA COUNTY, FLORIDA

Paul A. Mixon,
Chairman

ATTEST:

J.D. Peacock II
Clerk of Circuit Court

APPROVED AS TO FORM:

Lynn M. Hoshihara
County Attorney

15-1S-22-0000-0001-001D



ORDINANCE 24 - ____

Attachment J

AN ORDINANCE AMENDING THE OKALOOSA COUNTY LAND DEVELOPMENT CODE, ORDINANCE 91-01, AS AMENDED, CHANGING THE ZONING OF PARCEL 15-1S-22-0000-0001-001D FROM INSTITUTIONAL (INST) 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 parcel 15-1S-22-0000-0001-001D 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 551872-BCC-2024 rezoning changing the zoning designation of a certain portion of parcel of real property owned by Okaloosa County School Board., property Id number 15-1S-22-0000-0001-001D, 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 Institutional (INST) 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 _____, 2024.

BOARD OF COUNTY COMMISSIONERS
OF OKALOOSA COUNTY, FLORIDA

Paul A. Mixon,
Chairman

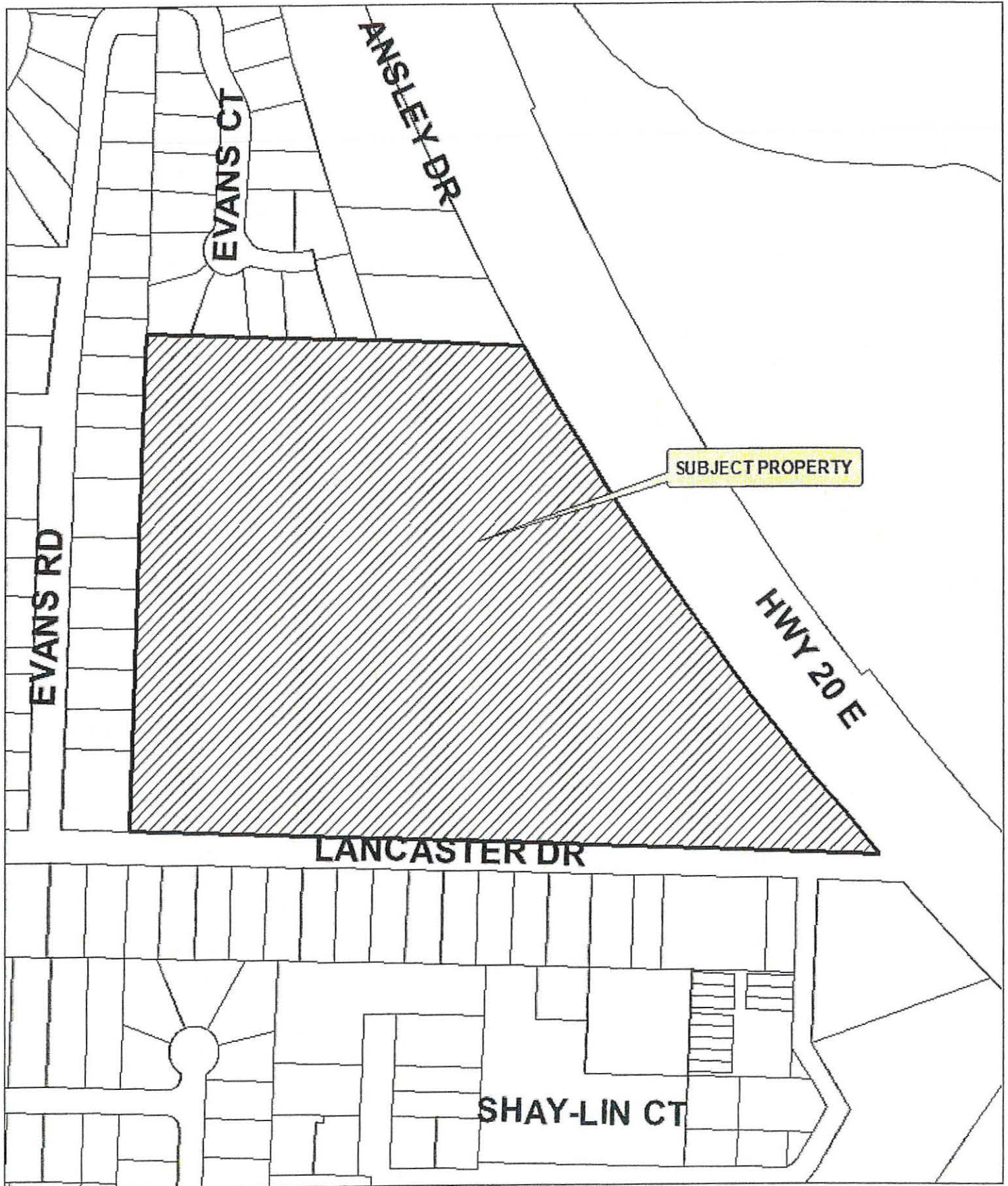
ATTEST:

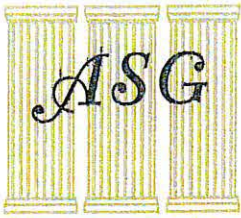
J.D. Peacock II
Clerk of Circuit Court

APPROVED AS TO FORM:

Lynn M. Hoshihara
County Attorney

15-1S-22-0000-0001-001D





ANCHORS ♦ SMITH ♦ GRIMSLEY

A PROFESSIONAL LIMITED COMPANY
ATTORNEYS AND COUNSELORS AT LAW
909 MAR WALT DRIVE, SUITE 1014
FORT WALTON BEACH, FL 32547-6711
(850) 863-4064 (850) 862-1138 FAX (850) 664-5728 FAX
WWW.ASGLEGAL.COM

EXHIBIT 1

C. LEDON ANCHORS
STEVEN B. BAUMAN*
C. JEFFREY MCINNIS
RICHARD P. PETERMANN+
TIMOTHY W. SHAW
MICHAEL A. FLOWERS**

May 23, 2024

SHIRAZ A. HOSEIN
N. GRESHAM FOSTER, L.L.M.
KYLE S. BAUMAN
MICHAEL R. GOODSON++
DEWITT D. CLARK

* FLORIDA SUPREME COURT CERTIFIED
CIRCUIT AND APPELLATE MEDIATOR
+ ALSO ADMITTED IN WYOMING & ALABAMA

** FORMER CIRCUIT JUDGE
++ BOARD CERTIFIED SPECIALIST IN
MARITAL AND FAMILY LAW

Okaloosa County Department of Growth Management
1250 N Eglin Parkway, Suite 301
Shalimar, Florida 32579

Attn: Ms. Sherry Reed, Planning Coordinator

Re: The School Board of Okaloosa County, Florida applications for
Rezoning and FLU Amendment

Dear Ms. Reed:

I represent The School Board of Okaloosa County, Florida. This letter is to Petition
the Okaloosa County Board of County Commissioners for both a Future Land Use Map
Amendment and to Rezone a parcel of land currently owned by the School Board
located at the corner of Lancaster Drive and State Road 20 in Niceville, Florida
containing approximately 25.09 acres with Parcel Identification No. 15-1S-22-0000-
0001-001D. The entire property is currently zoned Institutional (INST) with a Future
Land Use designation of Institutional (INST). The attached applications are seeking a
new zoning of Mixed-use and a new Future Land Use designation of Mixed-Use as
well. The property is currently vacant land and has not been previously developed.

A Mixed-Use Future Land Use designation and Zoning will provide maximum
flexibility for private development and is not inconsistent with the surrounding property
uses. There are no current plans to develop the subject property. The reason for the
petitions is to facilitate a property exchange with a private developer in the acquisition
of a new school site in Niceville, Florida.

I invite you to contact my office at (850) 362-7220 if you need any clarification or other
supporting documentation for our applications.

Very Respectfully,

C. Jeffrey McInnis, Esq.

551867-BCC-2024

OKALOOSA COUNTY DEPARTMENT OF
GROWTH MANAGEMENT APPLICATION FOR
FUTURE LAND USE MAP TYPE - 1
AMENDMENT
(MORE THAN 10 ACRES)

March, 2014

A. Applicant Information

- 1. Name: The School Board of Okaloosa County, Florida, aka The School District of Okaloosa County, Florida
- 2. Address: 202 A Highway 85 North, Niceville, Florida 32578
Applicant's Agent: C. Jeffrey McInnis, Esq., Anchors Smith Grimsley, PLC
- 3. Telephone: (850) 863-4064 Email: jmcinnis@asglegal.com
- 4. Applicant is: Property owner X Owners authorized agent*
** Verification of authorized agent must be attached*
- 5. Owner's name, address and telephone, if different than applicant:
Telephone: School Board Facilities Office (850) 689-7158/ Fax: (850) 689-7410

B. Property Information

- 6. Location: Corner of Lancaster Drive and State Road 20, Niceville, Florida
- 7. Property ID Number: 15 - 1S - 22 - 0000 - 0001 - 001D
- 8. Current use of property: Vacant Land
- 9. Proposed use of property: Future Mixed-Use Development
- 10. Size of property: 25.09 acres (sq. ft. or acres)
- 11. Names/Number of adjacent roads: North N/A
East State Road 20 South Lancaster Drive West N/A

C. Future Land Use/Zoning Information

- 12. Existing Future Land Use Map designation: Institutional (INST)

REVISED FEB 28, 2014-MR

1200
+ 520
1720

13. Existing zoning district: Institutional (INST)

D. Requested Action

14. Reason for the requested amendment: The subject property is under contract, as approved by the School Board, to be exchanged/sold to a private developer as part of the acquisition of a new school site in Niceville, Florida. Therefore, the current FLUM designation and Institutional zoning will not be appropriate for a private owner.

15. Requested amendment:
FROM Institutional (INST) (FLUM designation)
TO Mixed-Use (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.

The School Board of Okaloosa County, Florida aka
The School District of Okaloosa County, Florida

Applicant printed or typed name

By: 
Applicant signature

May 23, 2024
Date

Marcus Chambers, Superintendent of Schools

Corporate Seal

FOR OFFICIAL USE ONLY

Date received: _____ File No.: _____

Received by: _____

551872-BCC-2024

OKALOOSA COUNTY
DEPARTMENT OF GROWTH MANAGEMENT
APPLICATION FOR REZONING

A. Applicant Information

1. Name: The School Board of Okaloosa County, Florida aka The School District of Okaloosa County

2. Address: 202 A Highway 85 North, Niceville, Florida 32578

Applicant's Agent: C. Jeffrey McInnis, Esq., Anchors Smith Grimsley, PLC

3. Telephone: (850) 863-4064 FAX: Email: jmcinnis@asglegal.com

4. Applicant is: Property owner X Owners authorized agent*
** Verification of authorized agent must be attached*

5. Owner's name, address and telephone, if different than applicant:
Same as Applicant information

B. Property Information

6. Location: Corner of Lancaster Drive and State Road 20, Niceville, Florida

7. Property ID Number: 15 - 18 - 22 - 0000 - 0001 - 001D

8. Current use of property: Vacant Land

9. Proposed use of property: Future Mixed Use Development

10. Size of property: 25.09 acres (sq. ft. or acres)

11. Names/Number of adjacent roads: North N/A
East State Road 20 South Lancaster Drive West N/A

C. Future Land Use/Zoning Information

12. Existing Future Land Use Map designation: Institutional (INST)

13. Existing zoning district: Institutional (IN ST)

REVISED AUG 20, 2013-MR

1200
+260

1460

AP/OK

D. Requested Action

14. Reason for the requested rezoning: The subject property is under contract, as approved by the School Board, to be exchanged/sold to a private developer as part of the acquisition of a new school site in Niceville, Florida.
Therefore, the current FLUM and Zoning designations of Institutional (INST) will not be appropriate for a private owner

15. Requested rezoning:

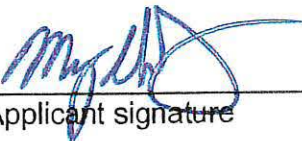
FROM Institutional (INST) (zoning district)
TO Mixed Use (MU) (zoning district)

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.

The School Board of Okaloosa County, Florida
aka The School District of Okaloosa County, Florida

Applicant printed or typed name

By:  _____
Applicant signature

May 23, 2024
Date

Marcus Chambers, Superintendent of Schools

Corporate Seal

FOR OFFICIAL USE ONLY

Date received: _____ File No.: _____

Received by: _____

PLANNING COMMISSION

AGENDA REQUEST

TO: HONORABLE CHAIRMAN & MEMBERS OF THE PLANNING COMMISSION

THROUGH: Elliot Kampert, AICP, Director

FROM: Randy Woodruff, AICP, Deputy Director

SUBJECT: 551469-BCC-2024 and 551470-BCC-2024 request for Plan Amendment and Rezoning; as presented by Choctaw Engineering Inc., agent.

DATE: July 11, 2024

BCC DISTRICT: (1) Commissioner Paul Mixon, Chairman

PLANNING COMMISSION DISTRICT: (1) vacant

PUBLIC HEARING: Consideration of a request to change land submitted by Choctaw Engineering, Inc., agent, on behalf of Day Development of NW FL. LLC., owner, relating to parcel 28-4N-23-0000-0016-0000, property located at 5976 N Highway 85, Crestview, Florida. The request is to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the subject property from **Rural Residential (RR) and Mixed Use (MU)**, to **Low Density Residential (LDR)** or a more restrictive FLUM designation. If the FLUM amendment is approved, request to rezone the property from **Rural Residential (RR) and Mixed Use (MU)**, to **Residential-1 (R-1)** or a more restrictive zoning district. The subject property contains 24 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 24 acres, more or less, in size and located at 5976 N Highway 85, Crestview, Florida; and is currently vacant.
- The subject property is bordered by an unrecorded single-family subdivision to the west, bordered by single-family dwelling to the north, church and improved agricultural to the east, and Highway 85 to the south. The applicant has filed applications with the County to amend the Future Land Use Map (FLUM) designation for the subject property to **Low Density Residential (LDR)** and to rezone the subject property to **Residential-1 (R-1)**. The applicant has submitted

said small-scale plan amendment in order to developed a single-family subdivision on the subject property. (**Exhibit 1 – Applicant Letter of Petition**).

TABLE 1 – FLUM & ZONING DESIGNATIONS		
	FLUM DESIGNATION	ZONING DESIGNATION
SUBJECT PROPERTY	Rural Residential (RR) & Mixed Use (MU)	Rural Residential (RR) & Mixed Use (MU)
NORTH	Rural Residential (RR)	Rural Residential (RR)
SOUTH	Highway 85	Highway 85
EAST	Mixed Use (MU) & Rural Residential (RR)	Mixed Use (MU) & Rural Residential (RR)
WEST	Low Density Residential (LDR)	Residential-1 (R-1)

The subject property is located within the **Rural Residential (RR)** and **Mixed Use (MU)** Future Land Use Category and the **Rural Residential (RR)** and **Mixed Use (MU)** zoning district. The **Rural Residential (RR)** future land use designation is to provide areas for low density residential land uses and residential development that is not directly related to agricultural activities but still provides an opportunity for residential living in a rural setting which may include agricultural and recreation activities as well as keeping of animals, hobby farms, ranchettes, or estate lots.

The **Rural Residential (RR)** zoning district is to provide areas for low-density residential land use and development that is not directly related to agricultural use but still provides an opportunity for residential living in a rural setting which may include agricultural uses and activities as well as hobby farms, ranchettes, or estate lots.

The **Mixed Use (MU)** future land use designation is to provide 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 herein.

The **Mixed Use (MU)** zoning district is to provide areas for a variety of housing types as well as a functional mix of residential and non-residential land uses. To this end, while MU developments are encouraged to include a mix of both residential and non-residential uses, single use development is allowed when the area surrounding a proposed single use development within the MU zone is predominantly of the type proposed, and requiring another use would be out-of-character with the predominant surrounding use, and would result in internal incompatibility that cannot be remedied through buffers, setbacks, or other techniques in an economically efficient manner

The applicant is proposing to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the subject property from **Rural Residential (RR)** and **Mixed Use (MU)** to **Low Density Residential (LDR)**. The **Low Density Residential (LDR)** (FLUM) designation provides areas for the protection of residential neighborhoods and for future low density residential development.

If the FLUM amendment is approved, the applicant is requesting to rezone the subject property from **Rural Residential (RR)** and **Mixed Use (MU)** to **Residential-1 (R-1)**. The purpose of the **Residential-1 (R-1)** district is to provide areas for single-family detached residential dwellings, customary accessory uses, and limited non-residential uses.

The subject property is located inside the Urban Development Boundary (UDB).

COMPREHENSIVE PLAN ANALYSIS:

Okaloosa County Comprehensive Plan, Future Land Use Element, Policy 4.3

Policy 4.3 recognizes the importance of design in mitigating potential incompatibility conditions through the site plan review process. In particular, it empowers Okaloosa County to require various mitigation techniques including variable buffers, placement and design of open space and landscaping, and consideration of lighting design and placement to avoid glare. In addition, it recognizes the concept of varying setbacks based on the height of buildings. *The applicant is proposing to change the Comprehensive Plan Future Land Use Map (FLUM) designation for the property from **Rural Residential (RR)** and **Mixed Use (MU)** to **Low Density Residential**. If the FLUM amendment is approved, the applicant is requesting to rezone the property from **Rural Residential (RR)** and **Mixed Use (MU)** to **Residential (R-1)**. The aforementioned mitigating techniques will be addressed during the Development Order review process.*

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 Comprehensive Plan Future Land Use Map (FLUM) designation for the property from **Rural Residential (RR)** and **Mixed Use (MU)** to **Low Density Residential**. If the FLUM amendment is approved, the applicant is requesting to rezone the property from **Rural Residential (RR)** and **Mixed Use (MU)** to **Residential (R-1)**.*

The Okaloosa County Growth Management Department received a Development Order Application on July 13, 2023 for a thirty-two (32) lot single family subdivision (Langley Pointe) for the subject property. Subsequently, through the development order review process, the project received Development Order approval and the Development Order

was issued on January 23, 2024. The applicant is requesting to change the future land use designation and zoning district in order to increase the density of said property. Currently the existing future land use and zoning of **Rural Residential (RR)** allows a maximum density of two (2) units per acre. The existing future land use and zoning of **Mixed Use (MU)** allows for a maximum density inside the Urban Development Boundary (UDB) at no more than (25) dwelling units per acre. That portion of the subject property zoned **Mixed Use (MU)** contains approximately 0.7 of an acre and is adjacent to Highway 85. Pursuant to the update site plan, this portion of the subject property will be utilized only for access to the proposed subdivision. If the requested future land use and rezoning applications are approved to the **Low Density Residential (LDR) (FLUM)** designation and **Residential-1 (R-1)** district, with a maximum density of four (4) dwelling units per acre, could yield up to a maximum 96 single-family lots.

The applicant has provided an updated site plan for 60 single-family lots. The proposed single-family lot increase (32 to 60 single-family lots) is still less than the allowed maximum density for the requested **Low Density Residential (FLUM)** designation and the **Residential-1** zoning district.

If the requested future land use and rezoning applications are approved an amended Development Order Application would be required.

Traffic Analysis

A Traffic Analysis was not submitted as part of this application. However, a traffic analysis will be required as part of the amended Development Order Application review and approval.

~~**PUBLIC COMMENT/OPPOSITION:** No public comment nor opposition was received for 551469-BCC-2024 and 551470-BCC-2024.~~

PUBLIC NOTICE: The proposed agenda item was properly advertised in the Northwest Florida Daily News on June 26, 2024; 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 from **Rural Residential (RR)** and **Mixed Use (MU)** to **Low Density Residential (LDR)**, or a more restrictive FLUM designation.

Second Motion: Recommend approval of an ordinance changing the zoning designation from **Rural Residential (RR)** and **Mixed Use (MU)** district, to **Residential-1 (R-1)** district or a more restrictive zoning district.

BOARD OF COUNTY COMMISSIONERS: Public hearing by the Board of County Commissioners is tentatively scheduled for August 6, 2024.

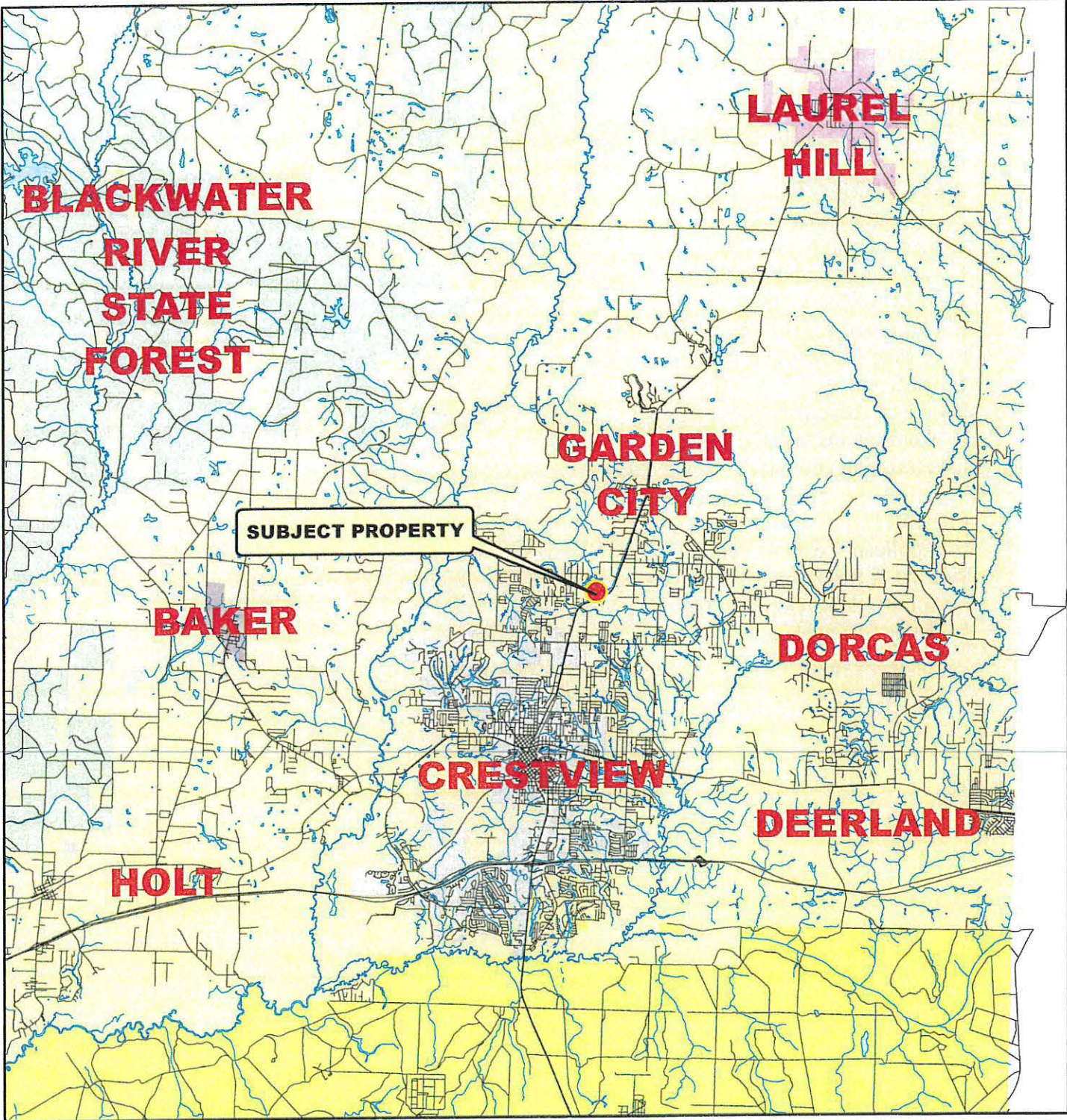
ATTACHMENTS:

- 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:

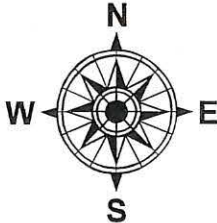
- 1-- Applicant Letter of Petition
- 2-- FLU & Rezoning Applications
- 3--Approved Development Order
- 4--Proposed site plan

28-4N-23-0000-0016-0000



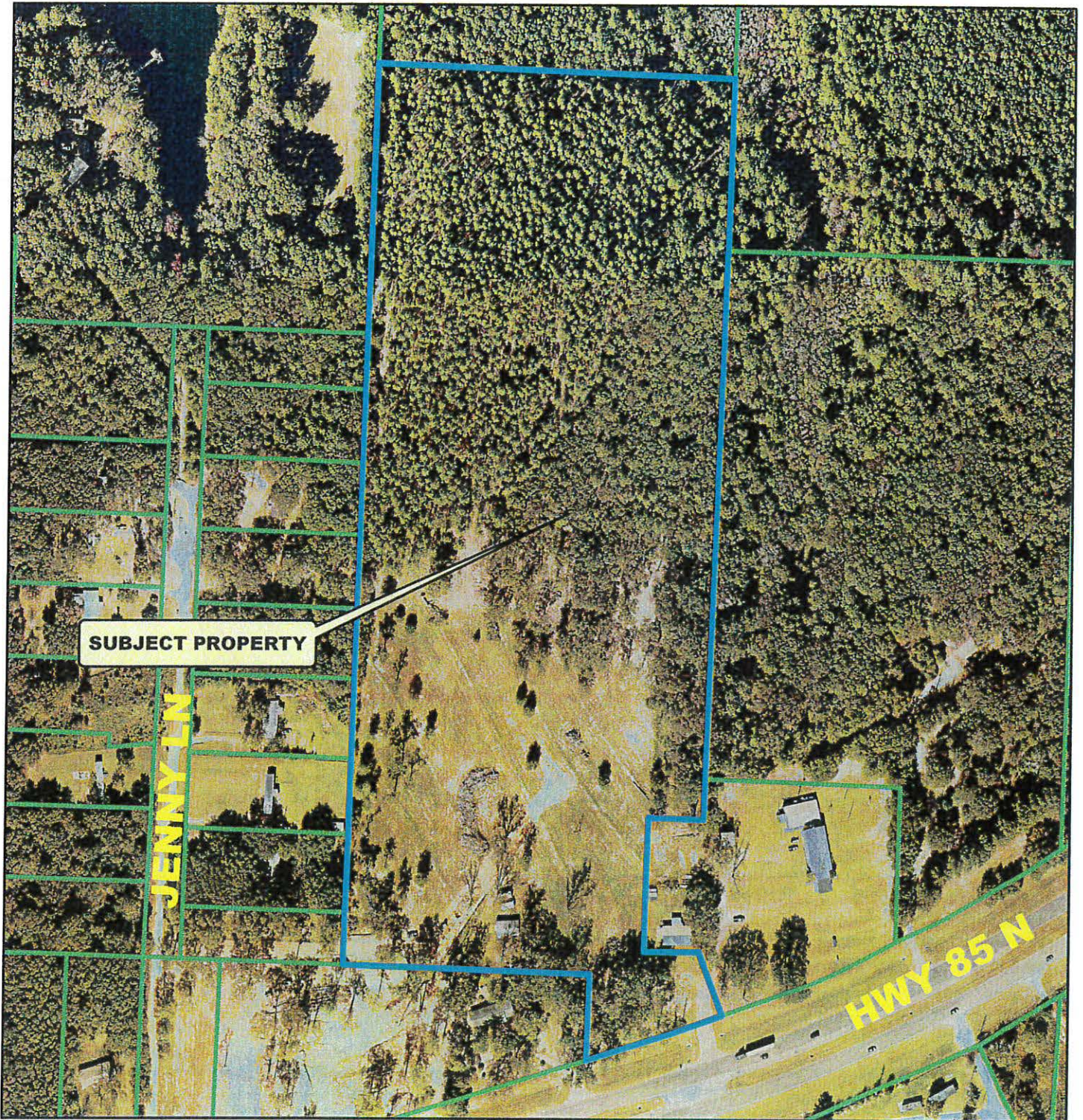
Legend

— Roads



Location Map

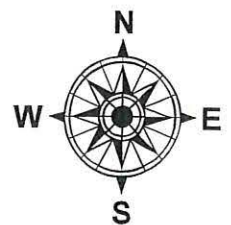
28-4N-23-0000-0016-0000



Legend

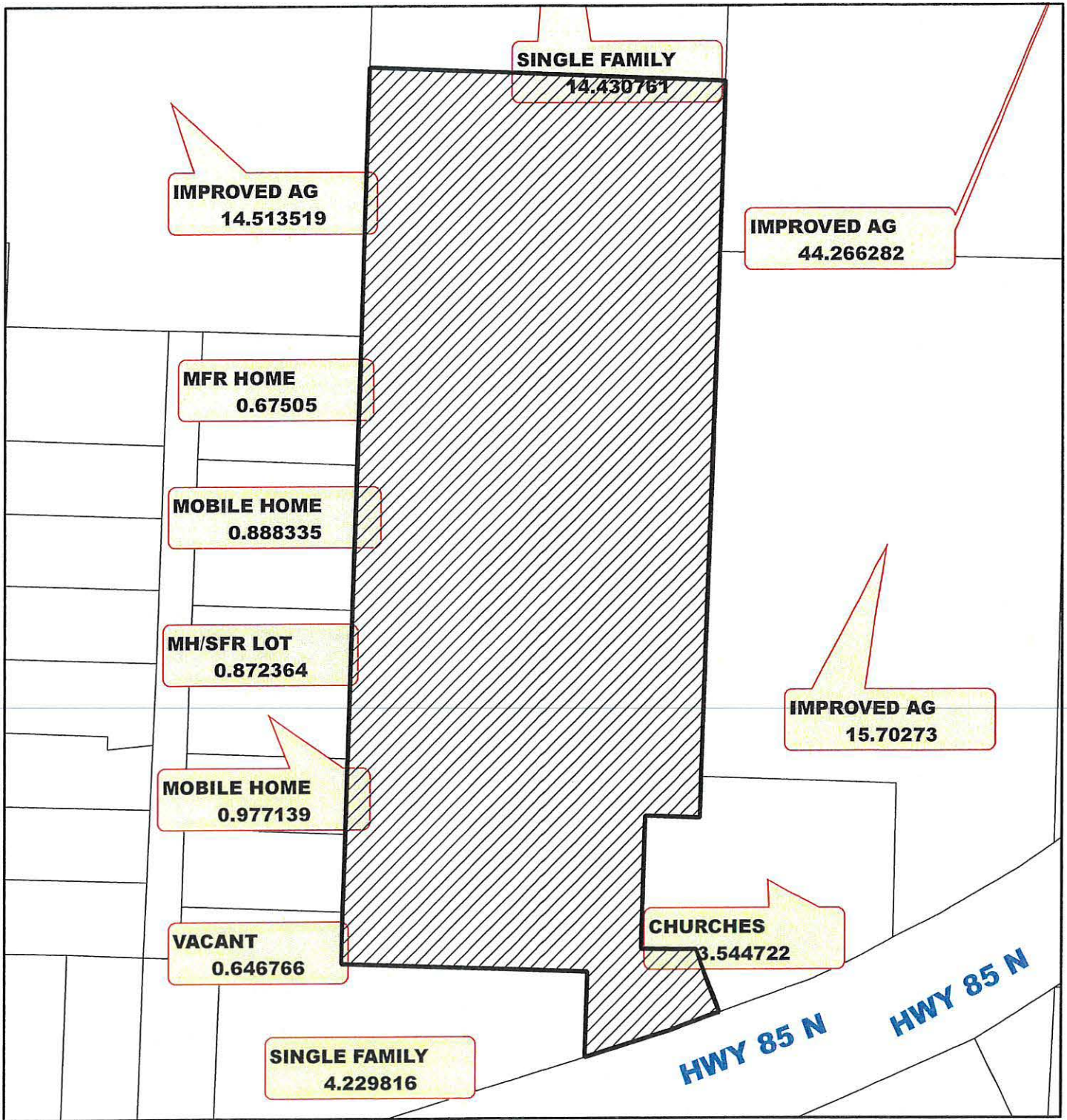
 Parcel Lines

Aerial Photo

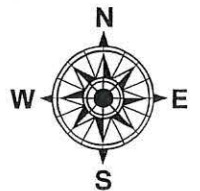


ATTACHMENT - C

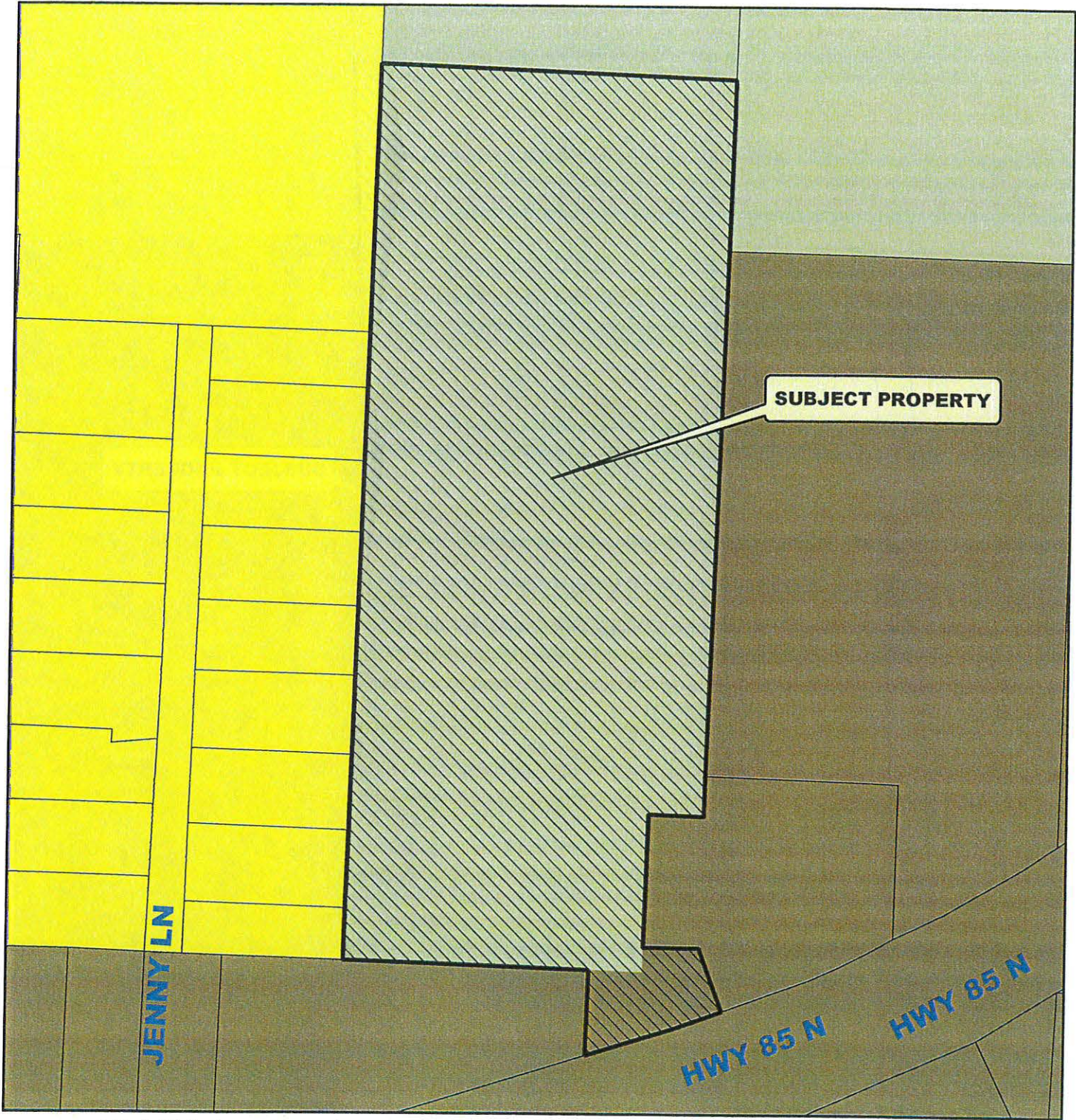
28-4N-23-0000-0016-0000



Existing Land Use Map

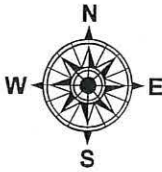


28-4N-23-0000-0016-0000



FLUM Legend

- RR
- MU
- LDR

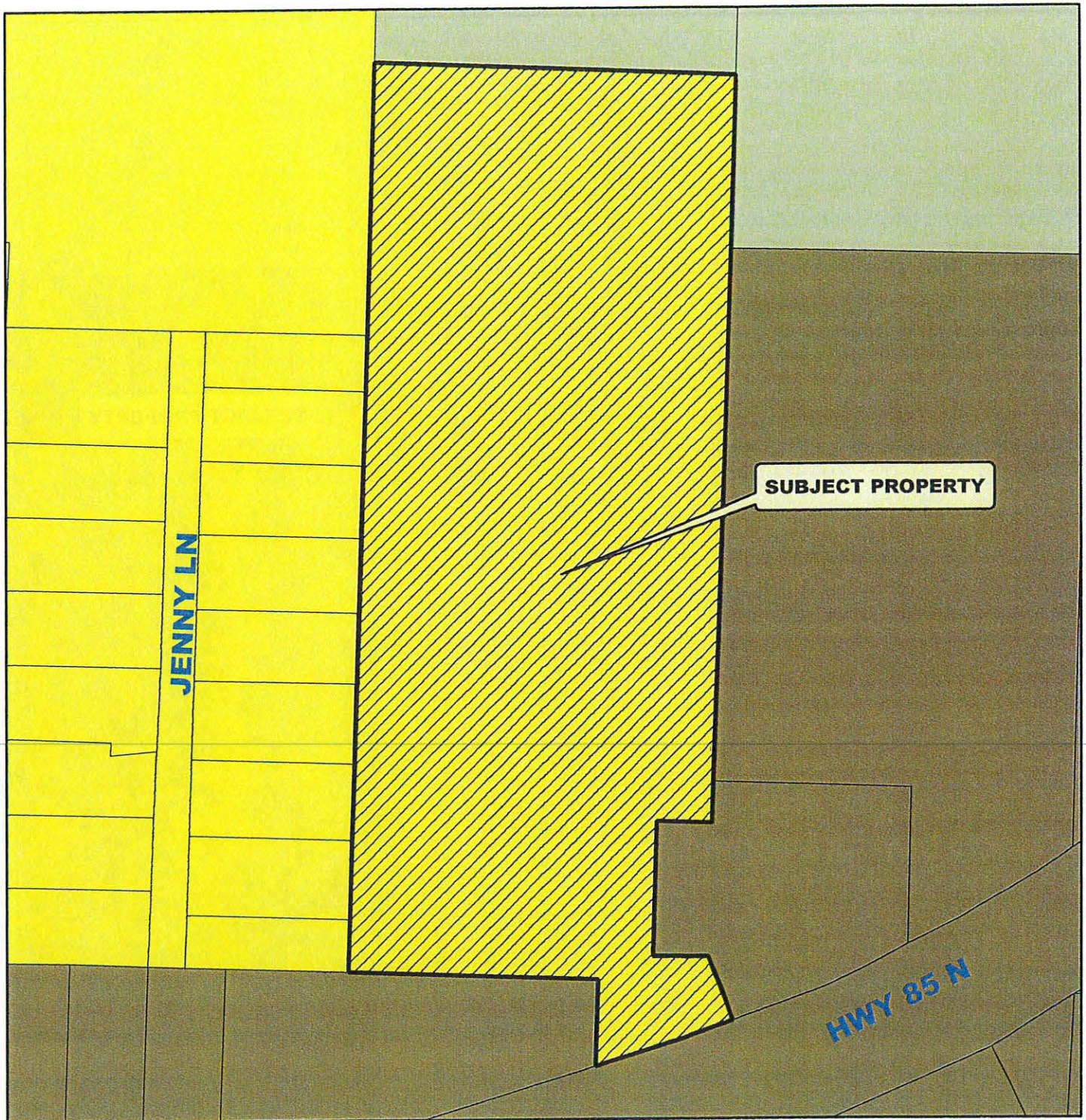


ZONE Legend

- RR
- MU
- R-1

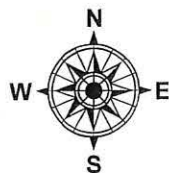
FLUM & Zoning Map

28-4N-23-0000-0016-0000






FLUM Legend

-  LDR
-  MU
-  RR



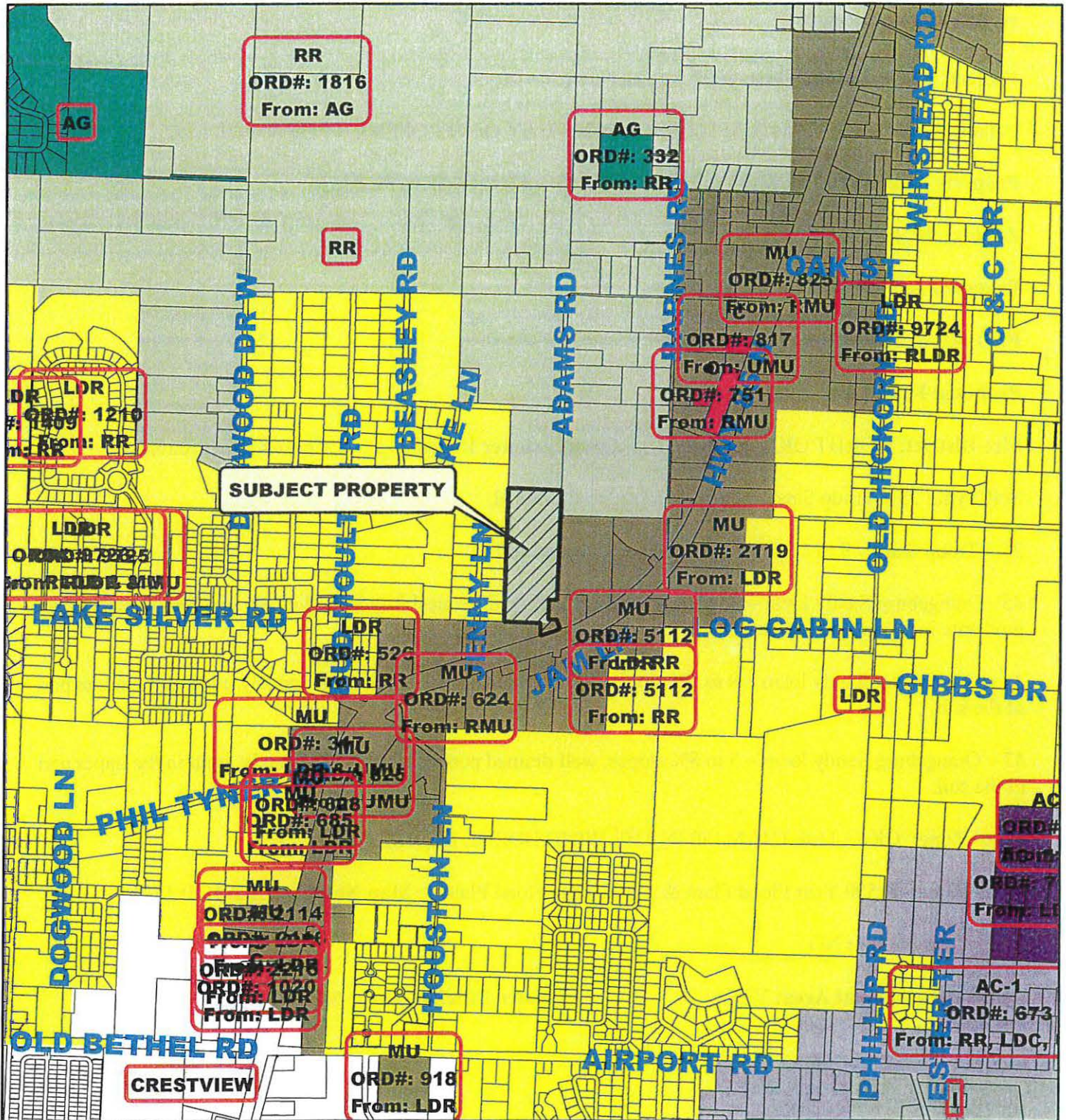
ZONE Legend

-  R-1
-  MU
-  RR

Proposed FLUM & Zoning Map

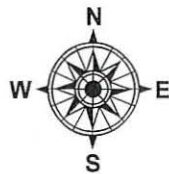
28-4N-23-0000-0016-0000

ATTACHMENT - F



FLUM Legend

- RR
- MU
- LDR



ZONE Legend

- RR
- MU
- R-1

1 Mile FLUM & Zoning Map

GIS ANALYSIS RESULTS

Date: 6/03/2024

Project: 28-4N-23-0000-0016-0000

Permit: 551469-BCC 2024 & 551470-BCC 2024 - DAY DEVELOPEMENT OF NW FL LLC

Property Address: LOCATED AT 5976 HWY 85 N CRESTVIEW FL 32536

Zoning: RR & MU

Proposed Zoning: R-1

FLU: RR & MU

Proposed FLU: LDR

Fire District: NORHT OKALOOSA **Commissioner District:** 1 **Census Tract:** 020301

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

25 – Troup Sand – 8 to 12 percent slopes, well drained soil

45 - Orangeburg Sandy loam – 0 to 2% slopes, well drained permeability is moderately rapid in the upper part moderate in lower parts of the soil.

46 – Orangeburg Sandy loam – 0 to 5% slopes, well drained permeability is moderately rapid in the upper part of the soil.

47 – Orangeburg Sandy loam – 5 to 8% slopes, well drained permeability is moderately rapid in the upper part of the soil.

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

Flood Zone: X 500 Year Flood Plain & A 100 Year Flood Plain **Map Number:** 12091CO 170J

Storm Surge Area: NO

Urban Development Area: YES

Water Efficient Area: NO

Wells: None

Environmental Data: None

Historical Data: NO

Wetlands: Uplands

Water and Sewer: AWS

Within 3 mile of an Airport: YES



ATTACHMENT
H

**DEPARTMENT OF GROWTH MANAGEMENT
PLANNING & ZONING**

402 Brookmeade Dr. Crestview, Florida 32539
Office Phone: (850) 689-5080 Office Fax: (850) 689-1241

June 14, 2024

Northwest Florida Daily News
200 Racetrack Road
Ft Walton Beach, FL 32547

1. The advertisement contained on page two of this letter is a special type written in accordance with Florida Statutes.
2. The advertisement **SHALL NOT** be placed in that portion of the newspaper where legal notices and classified advertisements appear.
3. The Font shall be in a type no smaller than 8 point.
4. The advertisement shall be **printed exactly as shown** in the enclosure.
5. **Please send notarized affidavit, proof of publication and billing for verification and approval to Sherry Reed, Growth Management North, Crestview, Florida.**
6. Please advertise the following for:
6-26-2024

Sincerely,

Sherry Cadenhead
Planning Coordinator
Okaloosa County
Department of Growth Management

Encl: Advertisement

Notice of Public Hearing

The Okaloosa County Growth Management Department notice that, on **Thursday, July 11, 2024** the Okaloosa County Planning Commission will consider:

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 28-4N-23-0000-0016-0000 FROM RURAL RESIDENTIAL (RR) AND MIXED USE (MU) TO LOW DENSITY RESIDENTIAL (LDR) 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.

And

AN ORDINANCE AMENDING THE OKALOOSA COUNTY LAND DEVELOPMENT CODE, ORDINANCE 91-01, AS AMENDED, CHANGING THE ZONING PARCEL 28-4N-23-0000-0016-0000 FROM RURAL RESIDENTIAL (RR) AND MIXED USE (MU) TO RESIDENTIAL -1 (R-1); 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.

The meeting will be held at **5:01 PM** or soon thereafter in the Okaloosa County Administrative complex, located at 1250 North Eglin Pkwy., Shalimar, FL

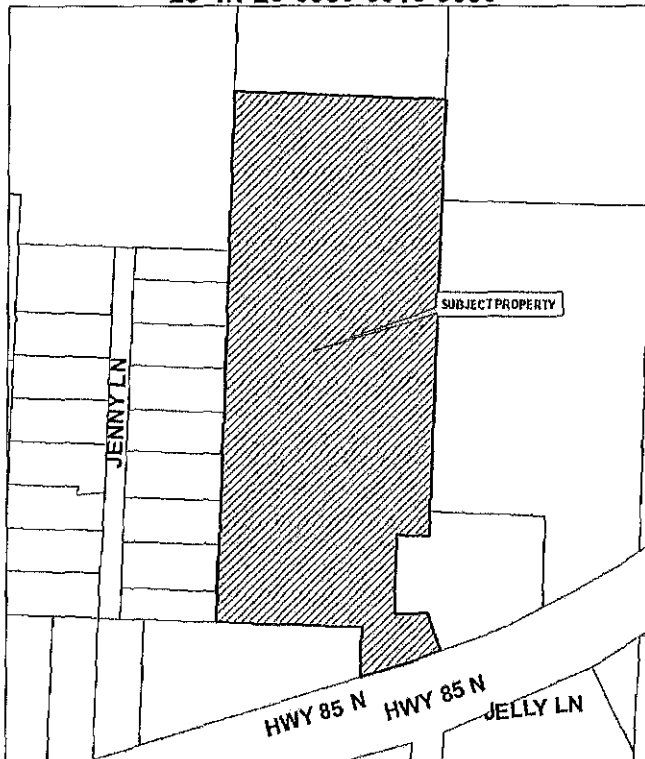
The ordinance information may be inspected at the offices of the Growth Management Department located at 402 Brookmeade Dr, Crestview, Florida 32539 or at the Okaloosa County Administration Building located at 1250 N. Eglin Parkway, Shalimar, Florida 32579 Those offices can be contacted by telephone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

28-4N-23-0000-0016-0000



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 OF PARCEL 28-4N-23-0000-0016-0000 FROM RURAL RESIDENTIAL (RR) AND MIXED USE (MU) TO LOW DENSITY RESIDENTIAL (LDR); 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 551469-BCC-2024 Future Land Use changing the Future Land Use Map designation of a certain parcel of real property owned by Day Development of NW FL LLC., property Id number 28-4N-23-0000-0016-0000, 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 a portion parcel of real property as shown in Attachment A attached hereto from Rural Residential (RR) and Mixed Use (MU) to Low Density Residential (LDR).

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 _____, 2024.

BOARD OF COUNTY COMMISSIONERS
OF OKALOOSA COUNTY, FLORIDA

Paul A. Mixon,
Chairman

ATTEST:

J.D. Peacock II
Clerk of Circuit Court

APPROVED AS TO FORM:

Lynn M. Hoshihara
County Attorney

**Attachment
A**

28-4N-23-0000-0016-0000



ORDINANCE 24 - ____

Attachment J

AN ORDINANCE AMENDING THE OKALOOSA COUNTY LAND DEVELOPMENT CODE, ORDINANCE 91-01, AS AMENDED, CHANGING THE ZONING OF PARCEL 28-4N-23-0000-0016-0000 FROM RURAL RESIDENTIAL (RR) AND MIXED USE (MU) TO RESIDENTIAL-1 (R-1); 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 parcel 28-4N-23-0000-0016-0000 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 551470-BCC-2024 Rezoning changing the Zoning designation of a certain parcel of real property owned by Day Development of NW FL,

LLC., Property Id Number 28-4N-23-0000-0016-0000, 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 Rural Residential (RR) and Mixed Use (MU) to Residential-1 (R-1).

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

Paul A. Mixon,
Chairman

ATTEST:

J.D. Peacock II
Clerk of Circuit Court

APPROVED AS TO FORM:

Lynn M. Hoshihara
County Attorney

28-4N-23-0000-0016-0000





CHOCTAW ENGINEERING, INC.
ENGINEERING · SURVEYING

Mr. Tim Durbin
Okaloosa County Growth Management
1250 N. Eglin Parkway, Suite 301
Shalimar, FL. 32579

13 June 2024

Re: Rezoning and FLU Amendment
5976 N Highway 85

CEI 2020-133-B

Dear Mr. Durbin:

We are submitting a rezoning request on behalf of Day Development of NW FL LLC for Parcel ID number 28-4N-23-0000-0016-0000. Day Development of NW FL LLC is requesting to rezone the from Rural Residential (RR) and Mixed-Use (MU) to Residential-1 (R-1) and change the future land use from Rural Residential (RR) and Mixed-Use (MU) to Low Density Residential (LDR). Currently the property is vacant. The proposed rezoning will allow the development of a 60 lot subdivision on the property similar to the existing properties along the western property line.

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 black ink, appearing to read 'MCS', is written over a horizontal line.

Mark C. Siner, P.E.

President

551469-BCC-2024

**OKALOOSA COUNTY DEPARTMENT OF
GROWTH MANAGEMENT APPLICATION FOR
FUTURE LAND USE MAP TYPE - 2
AMENDMENT
(LESS THAN 50 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:
Day Development of NW FL LLC
7220 Hart Road, Laurel Hill, FL. 32536

B. Property Information

6. Location: 5976 N Highway 85, Crestview, FL 32536
7. Property ID Number: 28-4N-23-0000-0016-0000
8. Current use of property: Vacant
9. Proposed use of property: Single Family Homes
10. Size of property(sq. ft. or acres): 24.3 Acres
11. Names/Number of adjacent roads: North N/A
East N/A South N/A West N/A

C. Future Land Use/Zoning Information

12. Existing Future Land Use Map designation: RR & MU
13. Existing zoning district: RR & MU

D. Requested Action

14. Reason for the requested amendment: To build a residential subdivision.

15. Requested amendment:

FROM RR & MU (FLUM designation)

TO LDR (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 Siner

Applicant printed or typed name



Applicant signature

6/13/2024

Date

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:
Day Development of NW FL LLC

7220 Hart Road, Laurel Hill, FL. 32536

B. Property Information

6. Location: 5976 N Highway 85, Crestview, FL 32536

7. Property ID Number: 28-4N-23-0000-0016-0000

8. Current use of property: Vacant

9. Proposed use of property: Single Family Homes

10. Size of property (sq. ft. or acres): 24.3 Acres

11. Names/Number of adjacent roads: North N/A
East N/A South N/A West N/A

C. Future Land Use/Zoning Information

12. Existing Future Land Use Map designation: RR & MU

13. Existing zoning district: RR & MU

D. Requested Action

14. Reason for the requested amendment: To build a residential subdivision.

15. Requested rezoning:

FROM RR & MU (Zoning district)

TO R-1 (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.

Mark Siner

Applicant printed or typed name

Mark Siner

Applicant signature

6/13/2024

Date

Corporate officer

Corporate Seal

FOR OFFICIAL USE ONLY

Date received: _____ File No.: _____

Received by: _____

**OKALOOSA COUNTY
DEPARTMENT OF GROWTH MANAGEMENT
FINAL DEVELOPMENT ORDER**

Rev. January 2014

Permit/File No: 534484-PLT-2023 Langley Pointe

Applicant: Charles Lingenfelter

Address: 2621 Edgewater Drive
Niceville, FL 32578

Telephone: (850) 217 - 0480

Authorized Development: 32 lot single family detached residential subdivision as shown on the approved site development plans and incorporated herein by reference.

Project Location: North of Hwy 85 N, Crestview

Parcel Identification Number: 28-4N-23-0000-0015-0010/0016-0010/0000

Flood Zone Designation: X, Map Number 12091C 0170J, March 9, 2021

Procedural Findings:

Application received:	July 13, 2023
Application deemed complete:	July 20, 2023
Planning Commission Approval:	N/A
Board of County Commissioner's Approval:	N/A
Revised Plan Submitted:	November 30, 2023
North Okaloosa Fire & Life Safety Inspector Approval:	July 24, 2023
Auburn Water System Approval:	July 27, 2023
Health Department Approval:	October 20, 2023
Public Works Approval:	December 13, 2023
Planning Staff Approval:	January 4, 2024
Notice of Intent to Issue a DO Sign Posted on the site:	January 4, 2024

Administrative Findings:

The authorized development is consistent with the land use; density or intensity; capacity, size, or timing; and is compatible with, and furthers applicable goals, objectives, and policies of the Okaloosa County Comprehensive Plan.

The authorized development complies with all applicable provisions of the Okaloosa County Land Development Code.

Term: FAILURE TO COMMENCE CONSTRUCTION WITHIN ONE (1) YEAR FROM THE ISSUANCE DATE WILL RESULT IN THE DEVELOPMENT ORDER BECOMING NULL AND VOID.

Final Acceptance: Pursuant to Chapter 1A, Section 1A.03.08 LDC, Upon completion of the authorized work the engineer of record shall provide a sworn affidavit stating that the development activity conforms to all applicable requirements of this Code, and shall further provide signed/sealed "as-built" engineering drawings and technical data in support of the sworn affidavit.

Effective September 1, 2007: As provided by Okaloosa County Ordinance 04-79, an Underground Utility Permit must be issued by the Inspections Division prior to the installation of any underground utilities except for electrical or communication utilities *installed by the Utility Provider or a subcontractor hired by the Utility Provider*. To obtain an Underground Utility Permit, an Underground Utility Permit Form, two (2) sets of plans signed and sealed by a professional engineer that have been approved by the Utility Provider, a copy of the executed development order signed by all parties, and the processing fee must be submitted to the Inspections Division. The Plans Examiner will complete the Underground Utility Permit form; it is the applicant's responsibility to ensure that any prerequisite requirements of the Development Order are satisfied prior to application for an Underground Utility Permit.

Disclaimer: Issuance of this Development Order (DO) does not create any rights on the part of the applicant to obtain permit from state or federal agency; does not create any obligation on the part of the county to issue building permits if the applicant fails to obtain a requisite approval or permit from any other jurisdictional agency; and does not create any liability on the part of the county for the issuance of this development order if the applicant fails to obtain a requisite approvals or fulfill obligations imposed by the state or federal agency or undertakes actions that result in a violation of the state or federal law. All other applicable state or federal permits shall be obtained prior to commencement of the development.

FOR OFFICIAL USE ONLY:

APPROVED: _____

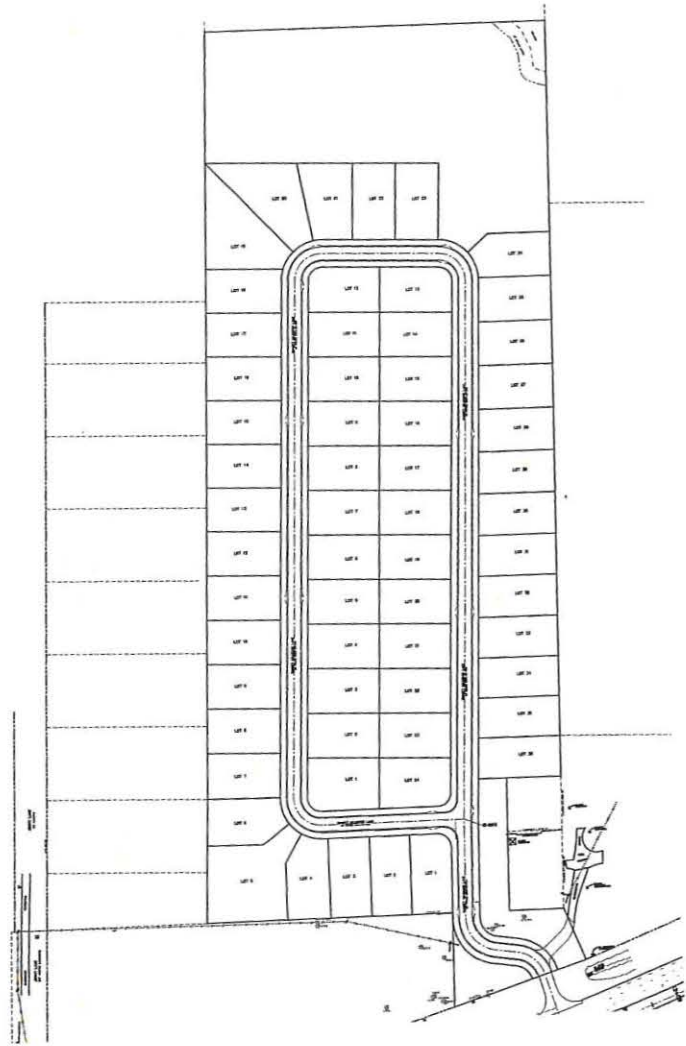

Administrative Official

ISSUE DATE: 1/23/24

TITLE: Growth Management Deputy Director

Attachment:

A – 11" x 17" Approved Copy of Site, Grading, Drainage, & Utility Plans



- LEGEND**
- DRIVEWAY
 - CONCRETE
 - SETBACK LINE
 - POINT POLE
 - SPLIT POLE
 - LIGHT POLE
 - OPEN-ENDED UTILITY LINE
 - ELECTRICAL BOX
 - TELEVISION BOX
 - TRAFFIC SIGNAL BOX
 - TELEPHONE BOX
 - RD-2
 - TRAFFIC SIGN
 - INTERLOCK
 - SINGLE POLE SIGN
 - DOUBLE POLE SIGN
 - WATERING WELL

SITE DATA TABLE
(SEE: W-10, W-11 & W-12)

LAND USE: HIGH USE & LOW DENSITY RESIDENTIAL (R-1)

FLOOR ZONE: 1'

RAISING IS TRACKS

STREET LIGHTS

ST. HEIGHT: 12'0" / 12'0" / 12'0"

ST. WIDTH: 4'0" / 4'0" / 4'0"

ST. SPACING: 40' / 40' / 40'

ST. WIDTH: 12'0" / 12'0" / 12'0"

ST. SPACING: 40' / 40' / 40'

ST. WIDTH: 12'0" / 12'0" / 12'0"

ST. SPACING: 40' / 40' / 40'

ST. WIDTH: 12'0" / 12'0" / 12'0"

ST. SPACING: 40' / 40' / 40'

PARKING SPACES REQUIRED: 2 SP / 20 (AC) = 100 SPACES
 PARKING SPACES PROVIDED: 120 SPACES (NOT INCLUDING DRIVE SPACES)
 POSTED SPEED LIMIT: 35 MPH
 PROJECT NO. 2020-133-2
 DATE: 05-23-2024

*PLEASE CHECK INFORMATION FOR FLOOD INSURANCE RATE AND IF
 FLOODING OCCURS, FEDERAL GOVERNMENT FUNDING WILL BE
 10% OF 100% OF 100% OF 100% OF 100% OF 100%

CHOCTAW ENGINEERING, INC.
 SURVEYING • ENVIRONMENTAL • ENVIRONMENTAL ENGINEERING • ENVIRONMENTAL
 100 W. WALTON AVENUE
 FORT WALKER BEACH, FLORIDA 32204
 PHONE: 904-244-2000
 FAX: 904-244-2001
 CERTIFICATE OF AUTHORIZATION: No. 1238

CEI

LANGLEY POINTE
 OVERALL SITE PLAN
 DATE: 05-23-2024
 DRAWN BY: [Name]
 CHECKED BY: [Name]

THIS SHEET IS THE PROPERTY OF CEI. IT IS NOT TO BE REPRODUCED WITHOUT WRITTEN CONSENT FROM CEI.

Proj. No.	2020-133-2
Date	23 MAY 2024
File No.	1/1
Scale	1" = 80'
Drawn By	[Name]
Checked By	[Name]
Sheet	1 of 1

