



CITY OF CRESTVIEW

Community Development Services

P.O. DRAWER 1209, CRESTVIEW, FLORIDA 32536

Phone # (850) 1560 Fax # (850) 682-8077

PLANNING AND DEVELOPMENT BOARD

May 3, 2021

6:00 PM

Council Chambers

PLANNING AND DEVELOPMENT BOARD

The Public is invited to view our meetings on the City of Crestview Live stream a at <https://www.cityofcrestview.org> or the City of Crestview Facebook Page. You may submit questions on any agenda item in advance (by 3:00 PM the day of the meeting, please) to cityclerk@cityofcrestview.org.

- 1 Call to Order
- 2 Pledge of Allegiance
- 3 Approve Agenda
- 4 Public Opportunity to speak on Agenda items
- 5 Consent Agenda
- 6 Ordinance on 1st reading/ Public Hearing
 6. Ordinance 1824 - Jones Road Annexation
 6. Ordinance 1825 - Jones Road Comprehensive Plan Amendment
 6. Ordinance 1826 - Jones Road Rezoning
- 7 Ordinances
- 8 Final Plats and PUDS
- 9 Special Exceptions, Variances, Vacations and Appeals
 9. 338 Powell Drive Fence Permit Variance

10 Action Items

11 Comments from the Audience

12 Adjournment

All Action Item are for staff and elected officials only and must be submitted for approval no later than the Wednesday 10 days prior to the meeting. Those not listed on the regular agenda who wish to address the council should fill out a yellow card. The Card must be submitted to the City Clerk. Speaking time should be three minutes or less, large groups may designate a spokesperson. All remarks should be addressed to the Council as a whole and not to individual members. All meeting procedures are outlined in the Meeting Rules and Procedures brochure available outside the Chambers. If any person decides to appeal any decision made by the City Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City Council of the City of Crestview, Florida does not discriminate upon the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the American With Disabilities Act to insure access to and participation in the meeting should contact the Office of the City Clerk at (850)682-1560 prior to the meeting to make appropriate arrangements.



Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: May 3, 2021

TYPE OF AGENDA ITEM: PDB 1st Reading

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 4/26/2021
SUBJECT: Ordinance 1824 - Jones Road Annexation

BACKGROUND:

On April 8, 2021 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at 331 Jones Road.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Low Density Residential and Residential-1, respectively.

The request for voluntary annexation will be presented to City Council via Ordinance 1824 on May 10, 2021 for the first reading.

DISCUSSION:

The property description is as follows:

Property Owner: Moulton, Richard C
Parcel ID: 05-3N-23-0000-0003-0000
Site Size: 115.94 acres
Current FLU: Okaloosa County Low Density Residential
Current Zoning: Okaloosa County Residential-1
Current Land Use: Vacant

The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
North	Residential (R)	Single-Family Low-Density District (R-1)	Vacant
East	Public Lands (PL), Okaloosa County Mixed Use, & Mixed Use (MU)	Public Lands (PL), Okaloosa County Mixed Use, & Mixed Use (MU)	Public School, Residential, & Vacant
South	Residential (R)	Single-Family Low-Density District (R-1), Single-Family Medium-Density District (R-2), & Mixed Use (MU)	Residential & Vacant
West	Residential (R) & Okaloosa County Mixed Use	Single and Multi-Family District (R-3) & Okaloosa County Mixed	Residential & Vacant

The subject property is currently undeveloped, and a development application has not been submitted. Based on the requested land-use and zoning designations, the property should be developed residentially.

Staff has reviewed the application based on the criteria detailed in Florida statute 171.043 for annexations and finds the following:

- The property is contiguous to the city limits;
- The property is comprised of one (1) lot in unincorporated Okaloosa County, and is therefore considered compact;
- The annexation of the property would not create an enclave
- The subject property is not included in the boundary of another municipality; and,
- The subject property meets the definition of urban purposes.

Courtesy notices were mailed to property owners within 300 feet of the subject property on April 12, 2021. A letter was sent via certified mail to the Okaloosa Board of County Commissioners on April 16, 2021. The property was posted on April 20, 2021. An advertisement ran in the Crestview News Bulletin on April 21, 2021.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows.

Foundational – these are the four areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability – Achieve long term financial sustainability.

Organizational Capacity, Effectiveness & Efficiency – To efficiently & effectively provide the highest quality of public services.

Quality of Life – these six areas focus on the overall experience when provided by the city.

Community Character – Promote desirable growth with a hometown atmosphere.

Opportunity – Promote an environment that encourages economic and educational opportunity.

Community Culture – Develop a specific identity for Crestview.

FINANCIAL IMPACT

The fees for annexation have been waived for this application as it was received during the moratorium on annexation fees.

The cost of advertising will be \$656.88.

The successful annexation of this property will have positive future impacts, including ad valorem revenue based on future taxable assessed value, development and building permit fees, and utility usage fees.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1824 and send to the City Council for first reading and public hearing on second reading.

Attachments

1. Exhibit Packet - Jones Rd

ORDINANCE: 1824

AN ORDINANCE ANNEXING TO THE CITY OF CRESTVIEW, FLORIDA, ± 115.94 ACRES OF CONTIGUOUS LANDS LOCATED IN SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST, AND BEING DESCRIBED AS SET FORTH HEREIN; PROVIDING FOR AUTHORITY; PROVIDING FOR LAND DESCRIPTION; PROVIDING FOR BOUNDARY; PROVIDING FOR LAND USE AND ZONING DESIGNATION; PROVIDING FOR AMENDMENT TO THE BASE, LAND USE AND ZONING MAPS; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR FILING WITH THE CLERK OF CIRCUIT COURT OF OKALOOSA COUNTY, THE CHIEF ADMINISTRATIVE OFFICER OF OKALOOSA COUNTY AND THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS FOLLOWS:

SECTION 1 – AUTHORITY. The authority for enactment of this ordinance is Chapter 171, Florida Statutes, and Section 2 of the City Charter.

SECTION 2 – LAND DESCRIPTION. The following described unincorporated area contiguous to the City of Crestview, Florida, is hereby annexed to the City:

PIN # 05-3N-23-0000-0003-0000 (Deed recorded in Book 3342, page 752, dated March 16, 2008)

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER LESS AND EXCEPT, THE FOLLOWING STRIP DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF JONES ROAD WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST; THENCE NORTH FIFTY FEET; THENCE WEST ALONG A LINE PARALLEL WITH THE SOUTH LINES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTHEAST AND NORTHWEST QUARTERS OF THE SOUTHWEST QUARTER TO THE POINT OF INTERSECTION WITH THE WEST LINE OF THE EAST SIXTY FOUR FEET (64.00') OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH FIFTY FEET (50.00') TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE EAST ALONG THE SOUTH LINES OF THE NORTHWEST AND NORTHEAST

QUARTERS OF THE SOUTHWEST QUARTER AND OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER TO THE POINT OF BEGINNING, ALL LYING IN SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA.

AND

THE EAST SIXTY FOUR FEET (64.00') OF THE OF THE NORTHWEST QUARTER OF THE OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST, LOCATED IN OKALOOSA COUNTY FLORIDA.

SECTION 3 – BOUNDARY. The existing boundary line of the City of Crestview, Florida, is modified to include the herein referenced tract of land and the base, zoning and land use maps shall be updated to reflect these changes pursuant to law.

SECTION 4 – LAND USE AND ZONING. Pursuant to general law, the property hereby annexed was subject to Okaloosa County land development, land use plan, and zoning or subdivision regulations, which shall remain in full force and effect until rezoning and land use changes are finalized by the City in compliance with the Comprehensive Plan.

SECTION 5 – COMPREHENSIVE PLAN UPDATE. Pursuant to Chapter 163.011, et seq. petitioner for annexation shall apply through the City for a Comprehensive Plan change which will designate the future land use category for the parcel as Residential (R) with the Single and Multi-Family Dwelling Zoning District (R-3) to be assigned and run concurrent with the approval and adoption of the Comprehensive Plan amendment by the proper authorities.

SECTION 6 – MAP UPDATE. The Base, Zoning and Future Land Use Maps shall be updated at the earliest possible date.

SECTION 7 – FILING. Upon passage, the City Clerk is directed to file a copy of this ordinance with the Clerk of Circuit Court of Okaloosa County and with the Florida Department of the State.

SECTION 8 – SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 9 – SCRIVENER'S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager's designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 10 – ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 11 – REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charter provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are

hereby repealed to the extent of such conflict.

SECTION 12 – EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption.

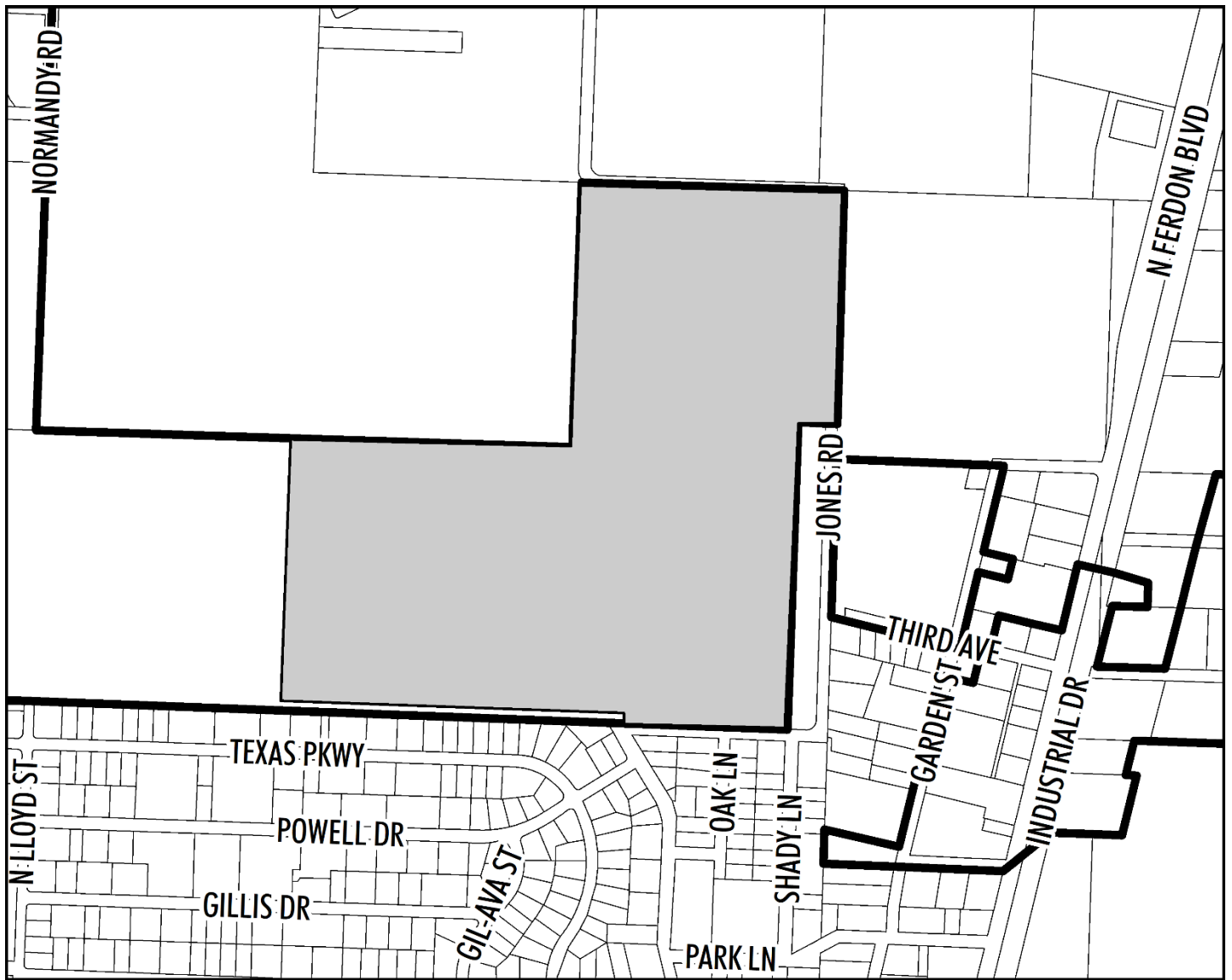
**PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW,
FLORIDA ON THE _____ DAY OF _____, 2021.**

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2021.

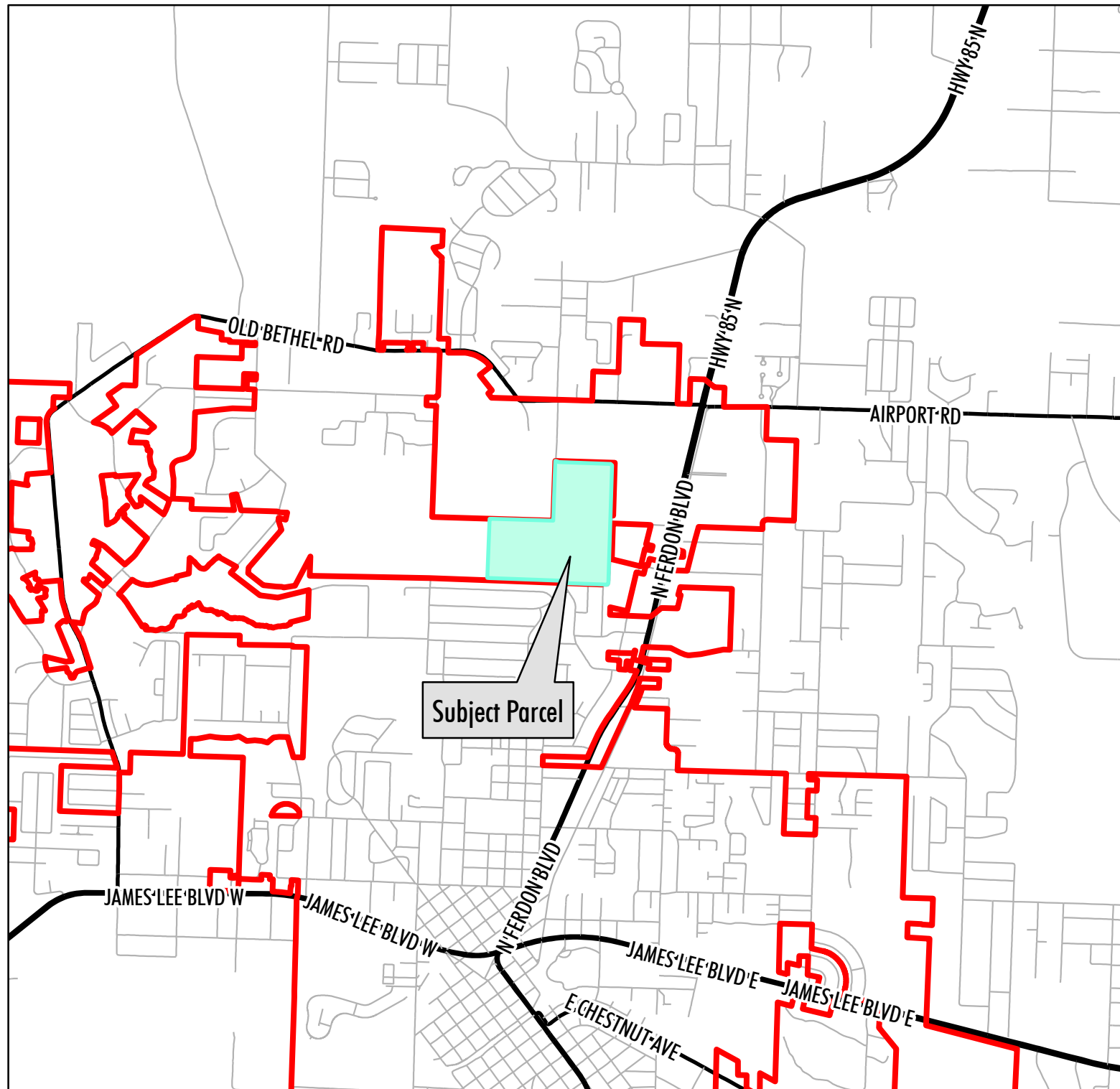
J. B. WHITTEN
Mayor



Vicinity Map



Not to Scale



PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Existing Use

N



0 225 450
Feet

Legend

 Subject Parcel

 City Limits

Existing Use



 Improved A

 No AG Acre

 Office

 Public School

 Single Family

 Timberland

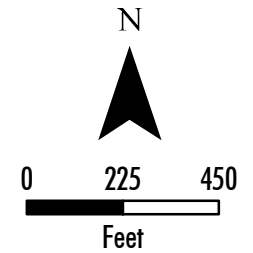
 Vacant

 Vehicle Sale

 Warehouse

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Current Zoning



Legend

Subject Parcel

City Limits

City Zoning

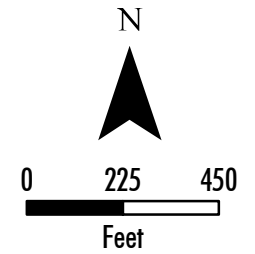
- Single Family Low Density District (R-1)
- Single Family Medium Density District (R-2)
- Single and Multi-Family Dwelling District (R-3)
- Mixed Use (MU)
- Commercial (C-1)
- Commercial (C-2)
- Industrial (IN)
- Public Lands (P)
- Conservation (E)

County Zoning

- Residential - 1 (R-1)
- Mixed Use (MU)

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COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Proposed Zoning



Legend

Subject Parcel

City Limits

City Zoning

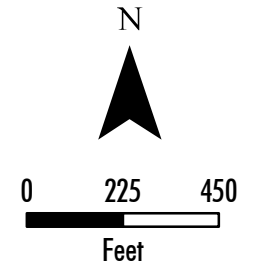
- Single Family Low Density District (R-1)
- Single Family Medium Density District (R-2)
- Single and Multi-Family Dwelling District (R-3)
- Mixed Use (MU)
- Commercial (C-1)
- Commercial (C-2)
- Industrial (IN)
- Public Lands (P)
- Conservation (E)

County Zoning

- Residential - 1 (R-1)
- Mixed Use (MU)

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COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Current Future Land Use



Legend

Subject Parcel

City Limits

City Future Land Use

- Commercial (C)
- Industrial (IN)
- Mixed Use (MU)
- Conservation (CON)
- Public Lands (PL)
- Residential (R)

County Future Land Use

- Low Density Residential (LDR)
- Mixed Use (MU)

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Proposed Future Land Use



0 225 450
Feet

Legend

 Subject Parcel

 City Limits

City Future Land Use

 Commercial (C)

 Industrial (IN)

 Mixed Use (MU)

 Conservation (CON)

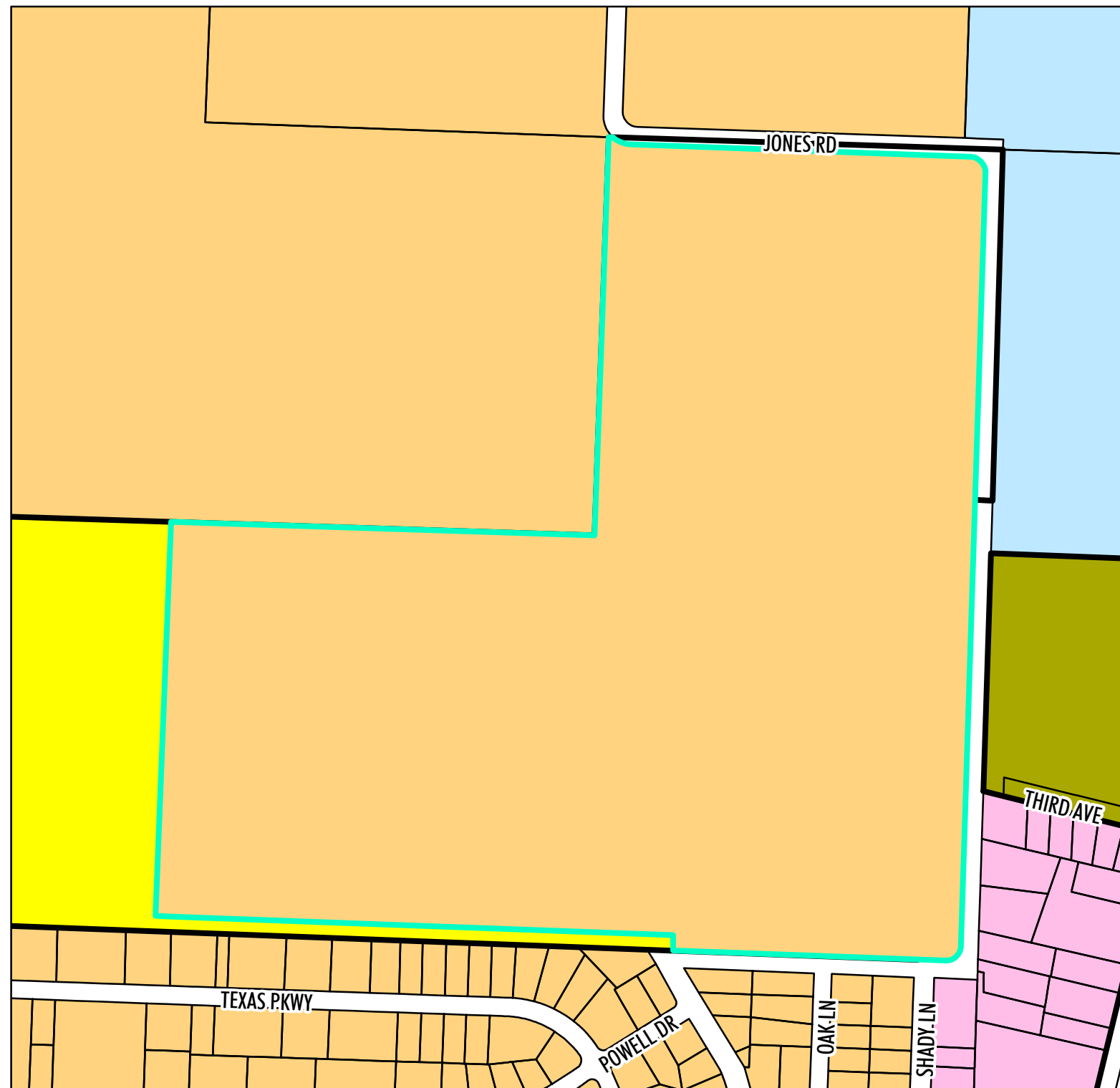
 Public Lands (PL)

 Residential (R)

County Future Land Use

 Low Density Residential (LDR)

 Mixed Use (MU)



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COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET



Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: May 3, 2021

TYPE OF AGENDA ITEM: PDB 1st Reading

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 4/26/2021
SUBJECT: Ordinance 1825 - Jones Road Comprehensive Plan Amendment

BACKGROUND:

On April 8, 2021 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at 331 Jones Road.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Low Density Residential and Residential-1, respectively.

The application requests the Residential (R) future land use designation for the property.

The request for a comprehensive plan amendment will be presented to City Council via Ordinance 1825 on May 10, 2021 for the first reading.

DISCUSSION:

The property description is as follows:

Property Owner: Moulton, Richard C
Parcel ID: 05-3N-23-0000-0003-0000
Site Size: 115.94 acres
Current FLU: Okaloosa County Low Density Residential
Current Zoning: Okaloosa County Residential-1
Current Land Use: Vacant

The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
North	Residential (R)	Single-Family Low-Density District (R-1)	Vacant
East	Public Lands (PL), Okaloosa County Mixed Use, & Mixed Use (MU)	Public Lands (PL), Okaloosa County Mixed Use, & Mixed Use (MU)	Public School, Residential, & Vacant
South	Residential (R)	Single-Family Low-Density District (R-1), Single-Family Medium-Density District (R-2), & Mixed Use (MU)	Residential & Vacant

West	Residential (R) & Okaloosa County Mixed Use	Single and Multi-Family District (R-3) & Okaloosa County Mixed Use	Residential & Vacant Use
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The subject property is currently undeveloped, and a development application has not been submitted. Based on the requested land-use and zoning designations, the property should be developed residentially.

Staff reviewed the request for a comprehensive plan amendment and finds the following:

- The proposed future land use map designation is compatible with the surrounding area.
- The proposed future land use map designation is consistent with the city's comprehensive plan and land development code.
- The process for adoption of the future land use map amendment follows all requirements of Florida statute sections 163.3184 (3) and (5).
- The proposed amendment involves less than 10 acres.
- The proposed amendment does not involve a text change to goals, policies, and objectives of the comprehensive plan. It only proposes a land use change to the future land use map for a site-specific small-scale development.
- The subject property is not located within an area of critical state concern.

Courtesy notices were mailed to property owners within 300 feet of the subject property on April 12, 2021. The property was posted on April 20, 2021. An advertisement ran in the Crestview News Bulletin on April 21, 2021.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows.

Foundational – these are the four areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability – Achieve long term financial sustainability.

Organizational Capacity, Effectiveness & Efficiency – To efficiently & effectively provide the highest quality of public services.

Quality of Life – these six areas focus on the overall experience when provided by the city.

Community Character – Promote desirable growth with a hometown atmosphere.

Opportunity – Promote an environment that encourages economic and educational opportunity.

Community Culture – Develop a specific identity for Crestview.

FINANCIAL IMPACT

The fees for the comprehensive plan amendment have been waived for this application as it was received during the moratorium on annexation fees. There is no additional cost of advertising as the comprehensive plan amendment request was included in the advertisement for annexation.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1825 and send to the City Council for first reading and public hearing on second reading.

Attachments

1. Exhibit Packet - Jones Rd

ORDINANCE: 1825

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING ITS ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PURPOSE; PROVIDING FOR CHANGING THE FUTURE LAND USE DESIGNATION FROM OKALOOSA COUNTY LOW DENSITY RESIDENTIAL TO RESIDENTIAL (R) ON APPROXIMATELY 115.94 ACRES, MORE OR LESS, IN SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA, AS FOLLOWS:

SECTION 1 – AUTHORITY. The authority for enactment of this Ordinance is Section 2 of the City Charter, §163.3187 F.S., §166.021 F.S., §166.041 F.S. and the adopted Comprehensive Plan.

SECTION 2 – FINDINGS OF FACT. The City Council of the City of Crestview finds the following:

- A. This amendment will promote compact, orderly development and discourage urban sprawl; and
- B. A public hearing has been conducted after "due public notice" by the Crestview Planning Board sitting as the Local Planning Agency with its recommendations reported to the City Council; and
- C. A public hearing has been conducted by the City Council after "due public notice"; and
- D. This amendment involves changing the future land use designation from Okaloosa County Low Density Residential to Residential (R) on a parcel of land containing 115.94 acres, more or less, lying within the corporate limits of the City; and
- E. This amendment is consistent with the adopted Comprehensive Plan and is in the best interests of the City and its citizens.

SECTION 3 – PURPOSE. The purpose of this Ordinance is to adopt an amendment to the "City of Crestview Comprehensive Plan: 2020." The amendment is described in Section 4 below.

SECTION 4 – FUTURE LAND USE MAP AMENDMENT. The Future Land Use Map is amended by changing the future land use category of a parcel containing approximately 115.94 acres of land, more or less, from Okaloosa County Low Density Residential to Residential (R). For the purposes of this Ordinance and Comprehensive Plan Amendment, the 115.94 acres, more or less, is known as Parcel 05-3N-23-0000-0003-0000 and commonly described as:

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE

NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER LESS AND EXCEPT, THE FOLLOWING STRIP DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF JONES ROAD WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST; THENCE NORTH FIFTY FEET; THENCE WEST ALONG A LINE PARALLEL WITH THE SOUTH LINES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTHEAST AND NORTHWEST QUARTERS OF THE SOUTHWEST QUARTER TO THE POINT OF INTERSECTION WITH THE WEST LINE OF THE EAST SIXTY FOUR FEET (64.00') OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH FIFTY FEET (50.00') TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE EAST ALONG THE SOUTH LINES OF THE NORTHWEST AND NORTHEAST QUARTERS OF THE SOUTHWEST QUARTER AND OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER TO THE POINT OF BEGINNING, ALL LYING IN SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA.

AND

THE EAST SIXTY FOUR FEET (64.00') OF THE OF THE NORTHWEST QUARTER OF THE OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST, LOCATED IN OKALOOSA COUNTY FLORIDA.

The Residential (R) Future Land Use Category is hereby imposed on Parcel 05-3N-23-0000-0003-0000. Exhibit A, which is attached hereto and made a part hereof by reference, graphically depicts the revisions to the Future Land Use Map and shows Parcel 05-3N-23-0000-0003-0000 thereon.

SECTION 5 – SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 6 – SCRIVENER’S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager’s designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 7 – ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8 – REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charter provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9 – EFFECTIVE DATE. The effective date of this plan amendment and ordinance shall be thirty-one (31) days after adoption on second reading by the City Council, unless the amendment is challenged pursuant to §163.3187, F.S. If challenged, the effective date shall be the date a Final Order is issued by the State Land Planning Agency or the Administration Commission finding the amendment in compliance with §163.3184, F.S.

**PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW,
FLORIDA ON THE _____ DAY OF _____, 2021.**

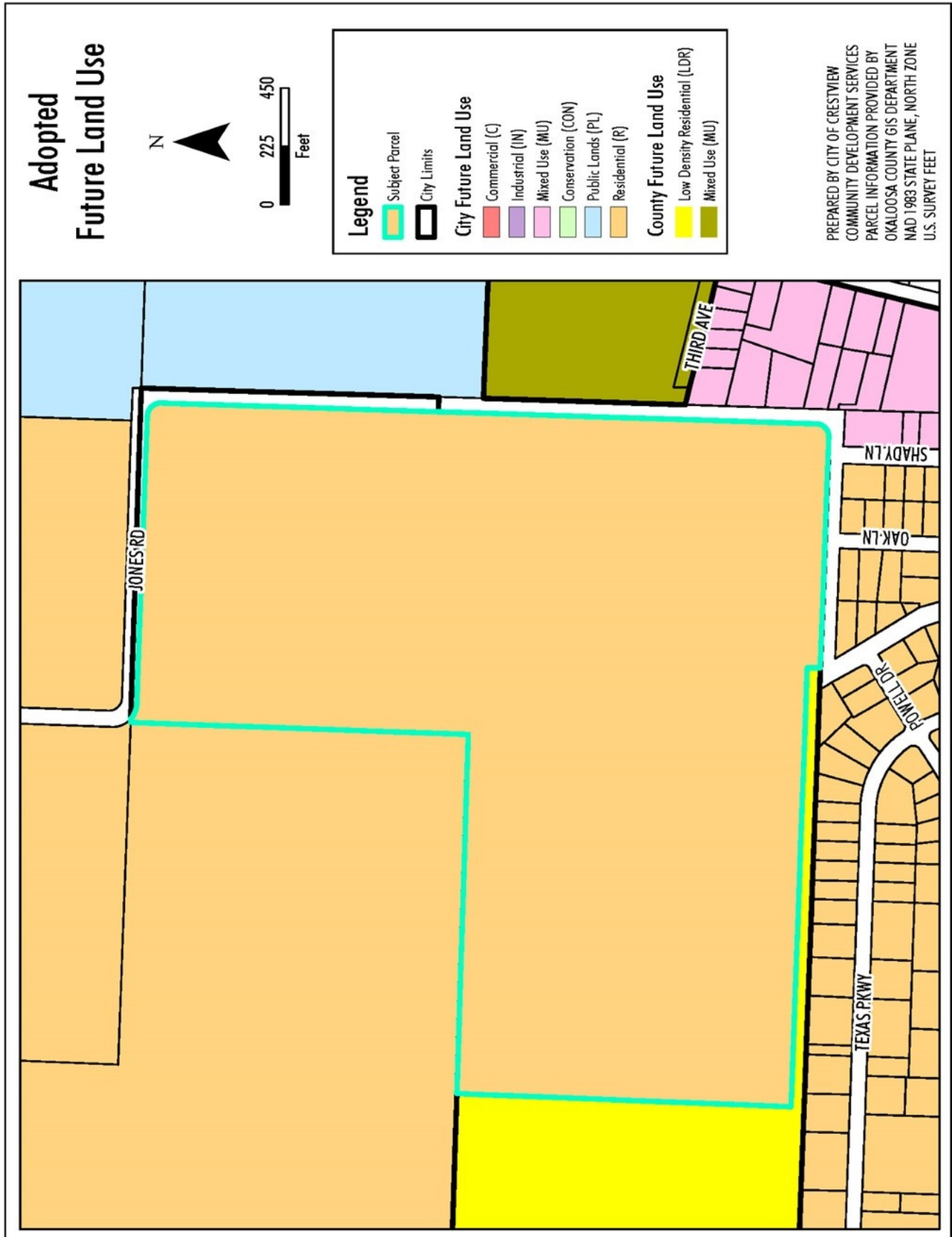
ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2021.

J. B. WHITTEN
Mayor

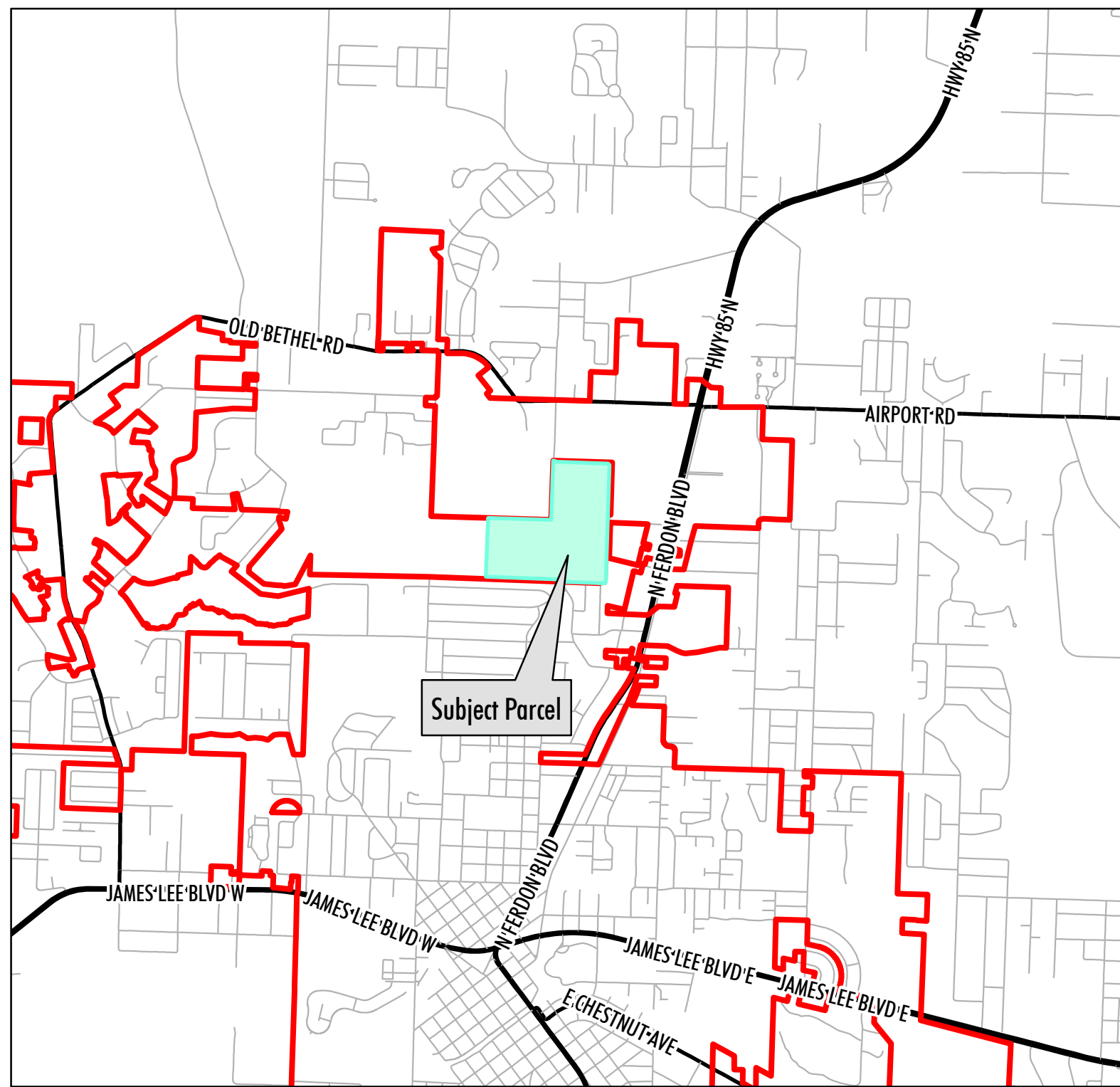
EXHIBIT A



Vicinity Map



Not to Scale



PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Existing Use

N



0 225 450
Feet

Legend

 Subject Parcel

 City Limits

Existing Use



 Improved A

 No AG Acre

 Office

 Public School

 Single Family

 Timberland

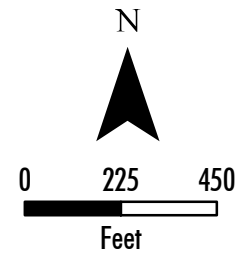
 Vacant

 Vehicle Sale

 Warehouse

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Current Zoning



Legend

Subject Parcel

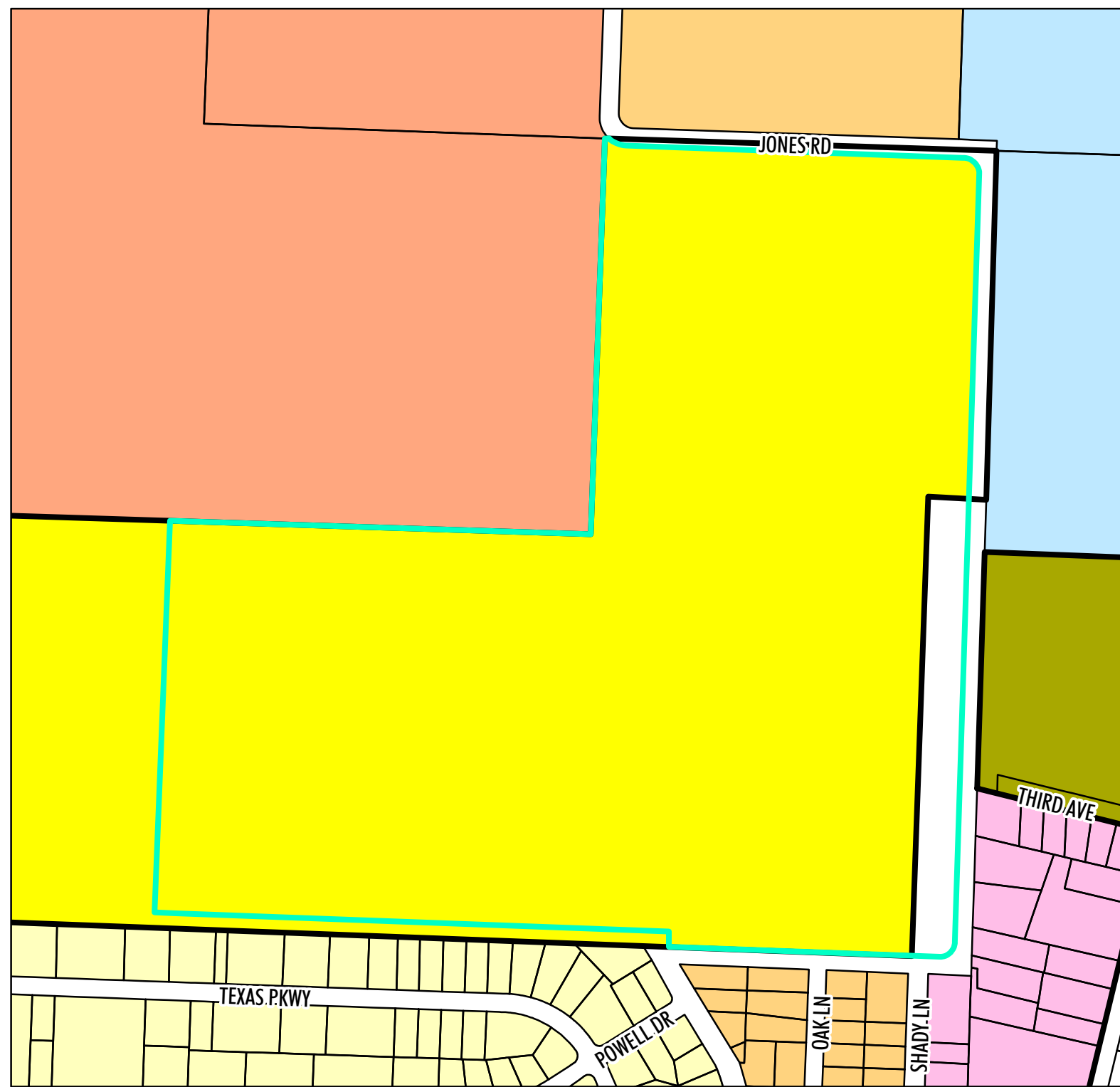
City Limits

City Zoning

- Single Family Low Density District (R-1)
- Single Family Medium Density District (R-2)
- Single and Multi-Family Dwelling District (R-3)
- Mixed Use (MU)
- Commercial (C-1)
- Commercial (C-2)
- Industrial (IN)
- Public Lands (P)
- Conservation (E)

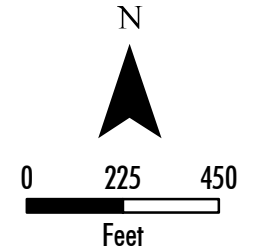
County Zoning

- Residential - 1 (R-1)
- Mixed Use (MU)



PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Proposed Zoning



Legend

Subject Parcel

City Limits

City Zoning

- Single Family Low Density District (R-1)
- Single Family Medium Density District (R-2)
- Single and Multi-Family Dwelling District (R-3)
- Mixed Use (MU)
- Commercial (C-1)
- Commercial (C-2)
- Industrial (IN)
- Public Lands (P)
- Conservation (E)

County Zoning

- Residential - 1 (R-1)
- Mixed Use (MU)

PREPARED BY CITY OF CRESTVIEW
COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Current Future Land Use



0 225 450
Feet

Legend

Subject Parcel

City Limits

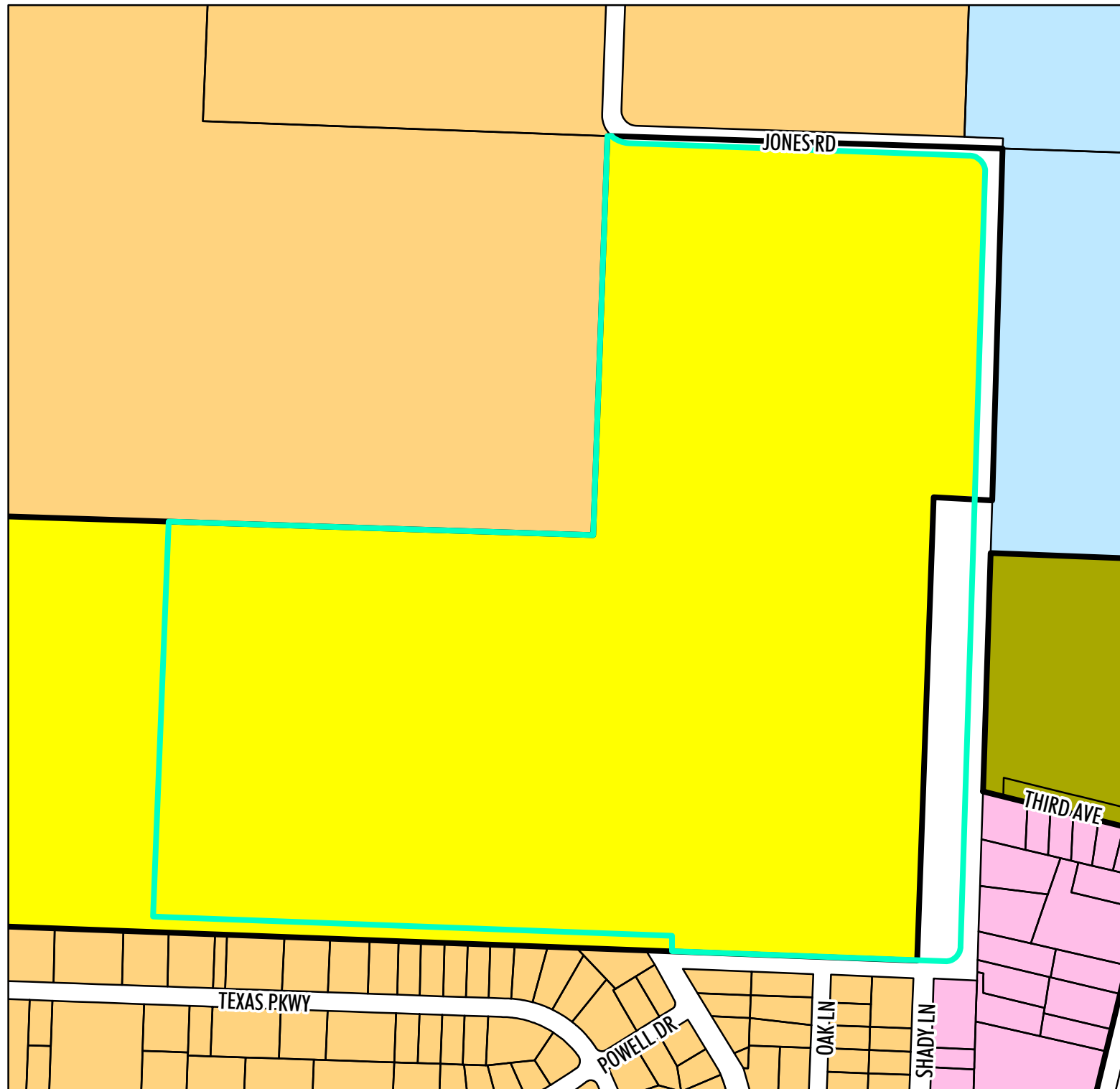
City Future Land Use

- Commercial (C)
- Industrial (IN)
- Mixed Use (MU)
- Conservation (CON)
- Public Lands (PL)
- Residential (R)

County Future Land Use

- Low Density Residential (LDR)
- Mixed Use (MU)

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PARCEL INFORMATION PROVIDED BY
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NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET



Proposed Future Land Use



0 225 450
Feet

Legend

 Subject Parcel

 City Limits

City Future Land Use

 Commercial (C)

 Industrial (IN)

 Mixed Use (MU)

 Conservation (CON)

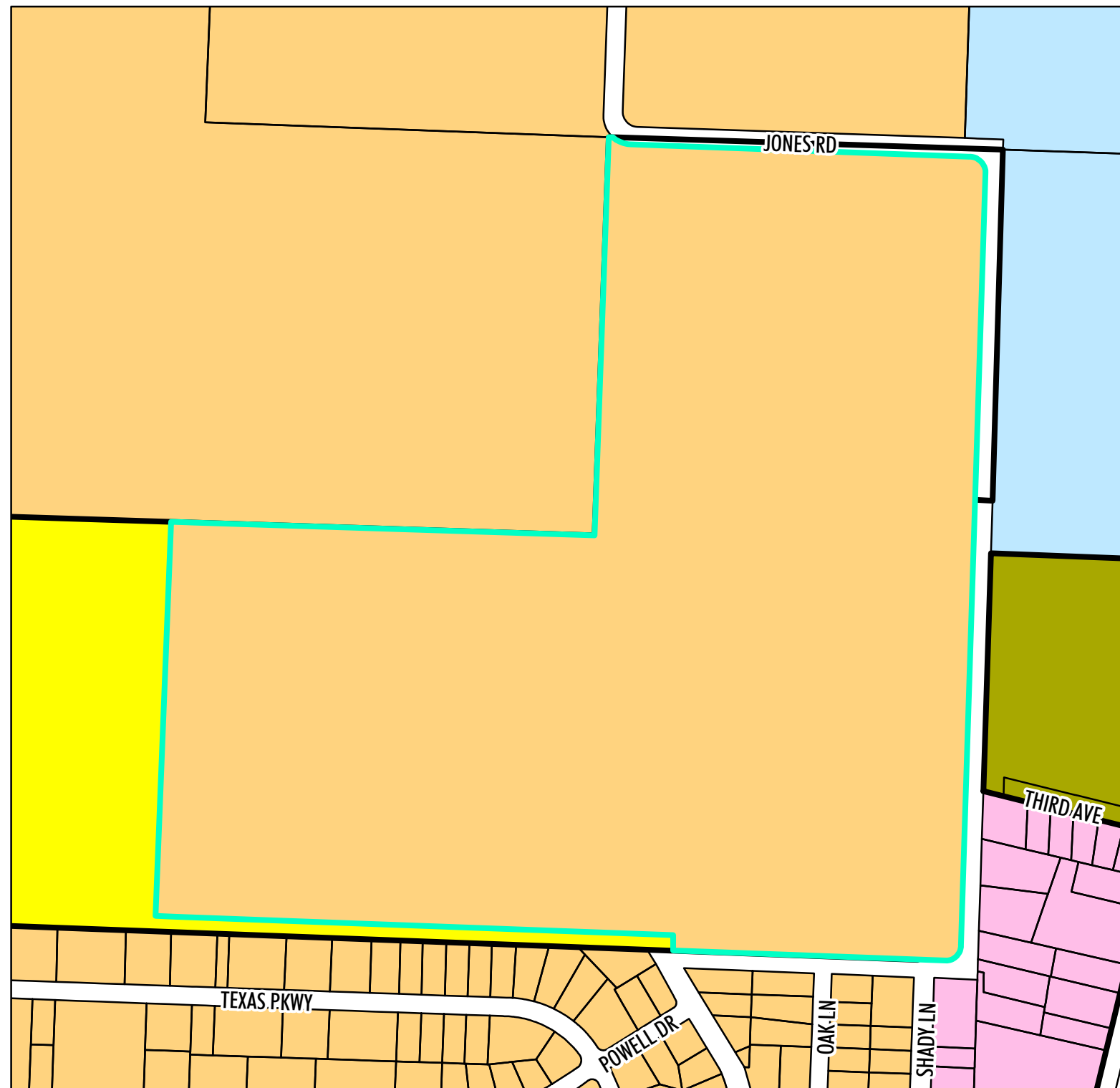
 Public Lands (PL)

 Residential (R)

County Future Land Use

 Low Density Residential (LDR)

 Mixed Use (MU)



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COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET



Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: May 3, 2021

TYPE OF AGENDA ITEM: PDB 1st Reading

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 4/26/2021
SUBJECT: Ordinance 1826 - Jones Road Rezoning

BACKGROUND:

On April 8, 2021 staff received an application to annex and to amend the comprehensive plan and zoning designations for property located at 331 Jones Road.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Low Density Residential and Residential-1, respectively.

The application requests the Single and Multi-Family Dwelling (R-3) zoning designation for the property.

The request for rezoning will be presented to City Council via Ordinance 1826 on May 10, 2021 for the first reading.

DISCUSSION:

The property description is as follows:

Property Owner: Moulton, Richard C
Parcel ID: 05-3N-23-0000-0003-0000
Site Size: 115.94 acres
Current FLU: Okaloosa County Low Density Residential
Current Zoning: Okaloosa County Residential-1
Current Land Use: Vacant

The following table provides the surrounding land use designations, zoning districts, and existing uses.

Direction	FLU	Zoning	Existing Use
North	Residential (R)	Single-Family Low-Density District (R-1)	Vacant
East	Public Lands (PL), Okaloosa County Mixed Use, & Mixed Use (MU)	Public Lands (PL), Okaloosa County Mixed Use, & Mixed Use (MU)	Public School, Residential, & Vacant
South	Residential (R)	Single-Family Low-Density District (R-1), Single-Family Medium-Density District (R-2), & Mixed Use (MU)	Residential & Vacant

West	Residential (R) & Okaloosa County Mixed Use	Single and Multi-Family District (R-3) & Okaloosa County Mixed Use	Residential & Vacant Use
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The subject property is currently undeveloped, and a development application has not been submitted. Based on the requested land-use and zoning designations, the property should be developed residentially.

Staff reviewed the request for rezoning and finds the following:

- The proposed zoning is consistent with the proposed future land use designation.
- The uses within the requested zoning district are compatible with uses in the adjacent zoning districts.
- The requested use is not substantially more or less intense than allowable development on adjacent parcels.

Courtesy notices were mailed to property owners within 300 feet of the subject property on April 12, 2021. The property was posted on April 20, 2021. An advertisement ran in the Crestview News Bulletin on April 21, 2021.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows.

Foundational – these are the four areas of focus that make up the necessary foundation of a successful local government.

Financial Sustainability – Achieve long term financial sustainability.

Organizational Capacity, Effectiveness & Efficiency – To efficiently & effectively provide the highest quality of public services.

Quality of Life – these six areas focus on the overall experience when provided by the city.

Community Character – Promote desirable growth with a hometown atmosphere.

Opportunity – Promote an environment that encourages economic and educational opportunity.

Community Culture – Develop a specific identity for Crestview.

FINANCIAL IMPACT

The fees for the rezoning request have been waived for this application as it was received during the moratorium on annexation fees. There is no additional cost of advertising as the rezoning request was included in the advertisement for annexation.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1826 and send to the City Council for first reading and public hearing on second reading.

Attachments

1. Exhibit Packet - Jones Rd

ORDINANCE: 1826

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 115.94 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST, FROM THE OKALOOSA COUNTY RESIDENTIAL-1 ZONING DISTRICT TO THE SINGLE AND MULTI-FAMILY DWELLING (R-3) ZONING DISTRICT; PROVIDING FOR AUTHORITY; PROVIDING FOR THE UPDATING OF THE CRESTVIEW ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS FOLLOWS:

SECTION 1 – AUTHORITY. The authority for enactment of this ordinance is Section 166.041, Florida Statutes and Chapter 102, City Code.

SECTION 2 – PROPERTY REZONED. The following described 115.94 acres, more or less, of real property lying within the corporate limits of Crestview, Florida, with 115.94 acres, more or less, being formerly zoned Okaloosa County Residential-1 with the Residential (R) Future Land Use Map designation recently ratified by the City Council through adoption of Ordinance 1825, is hereby rezoned to Single and Multi-Family Dwelling District (R-3) to wit:

PIN # 05-3N-23-0000-0003-0000

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER LESS AND EXCEPT, THE FOLLOWING STRIP DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF JONES ROAD WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST; THENCE NORTH FIFTY FEET; THENCE WEST ALONG A LINE PARALLEL WITH THE SOUTH LINES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTHEAST AND NORTHWEST QUARTERS OF THE SOUTHWEST QUARTER TO THE POINT OF INTERSECTION WITH THE WEST LINE OF THE EAST SIXTY FOUR FEET (64.00') OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH FIFTY FEET (50.00') TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE EAST ALONG THE SOUTH LINES OF THE NORTHWEST AND NORTHEAST QUARTERS OF THE SOUTHWEST QUARTER AND OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER TO THE POINT OF BEGINNING, ALL LYING IN

SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST, OKALOOSA COUNTY, FLORIDA.

AND

THE EAST SIXTY FOUR FEET (64.00') OF THE OF THE NORTHWEST QUARTER OF THE OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 23 WEST, LOCATED IN OKALOOSA COUNTY FLORIDA.

SECTION 3 – MAP UPDATE. The Crestview Zoning Map, current edition, is hereby amended to reflect the above changes concurrent with passage of this ordinance, which is attached hereto.

SECTION 4 – SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5 – SCRIVENER’S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager’s designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 6 – ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 7 – REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charter provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 8 – EFFECTIVE DATE. The effective date of this Ordinance shall be the date Comprehensive Plan Amendment is adopted by Ordinance # 1825 and becomes legally effective.

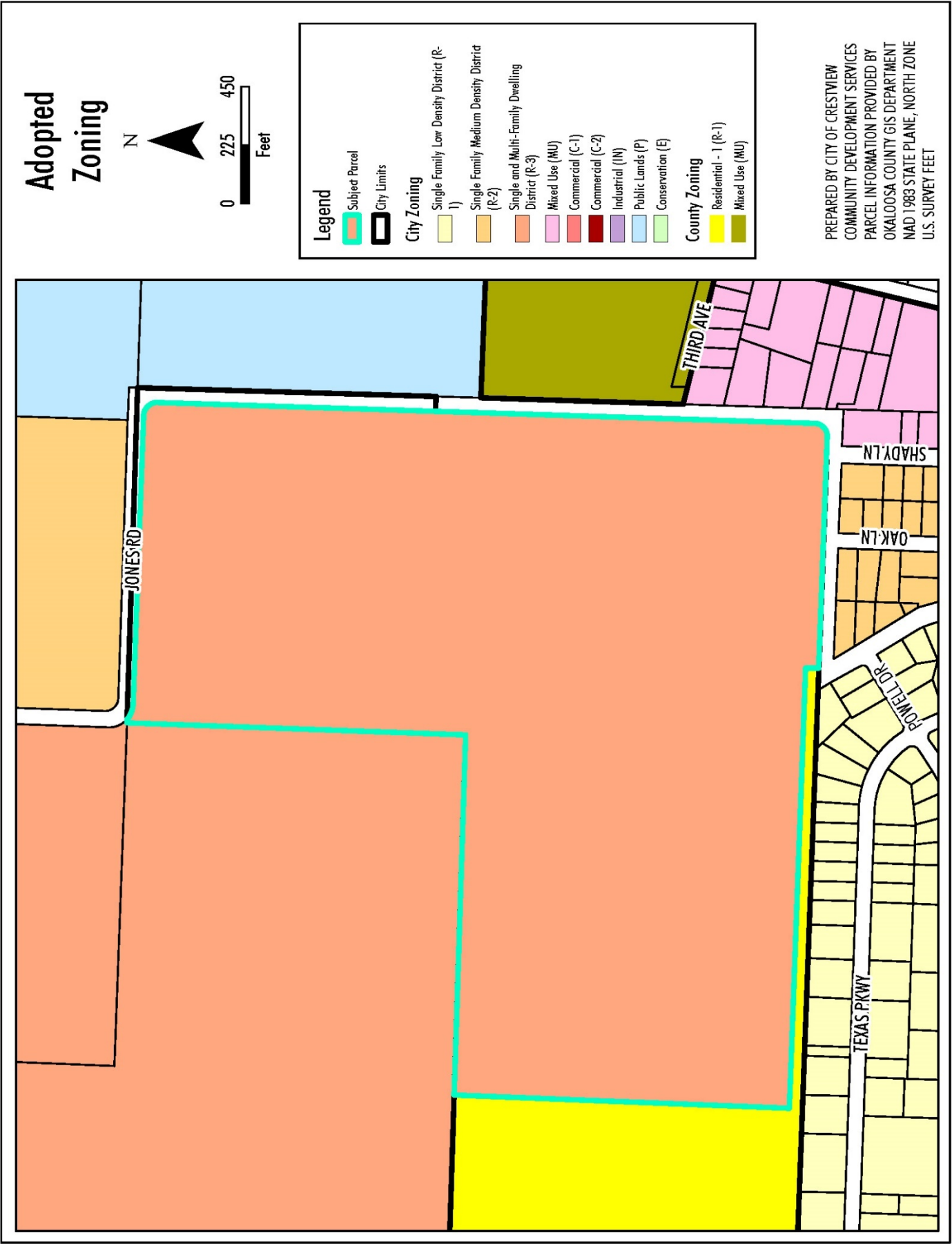
PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA ON THE _____ DAY OF _____, 2021.

ATTEST:

ELIZABETH M. ROY
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2021.

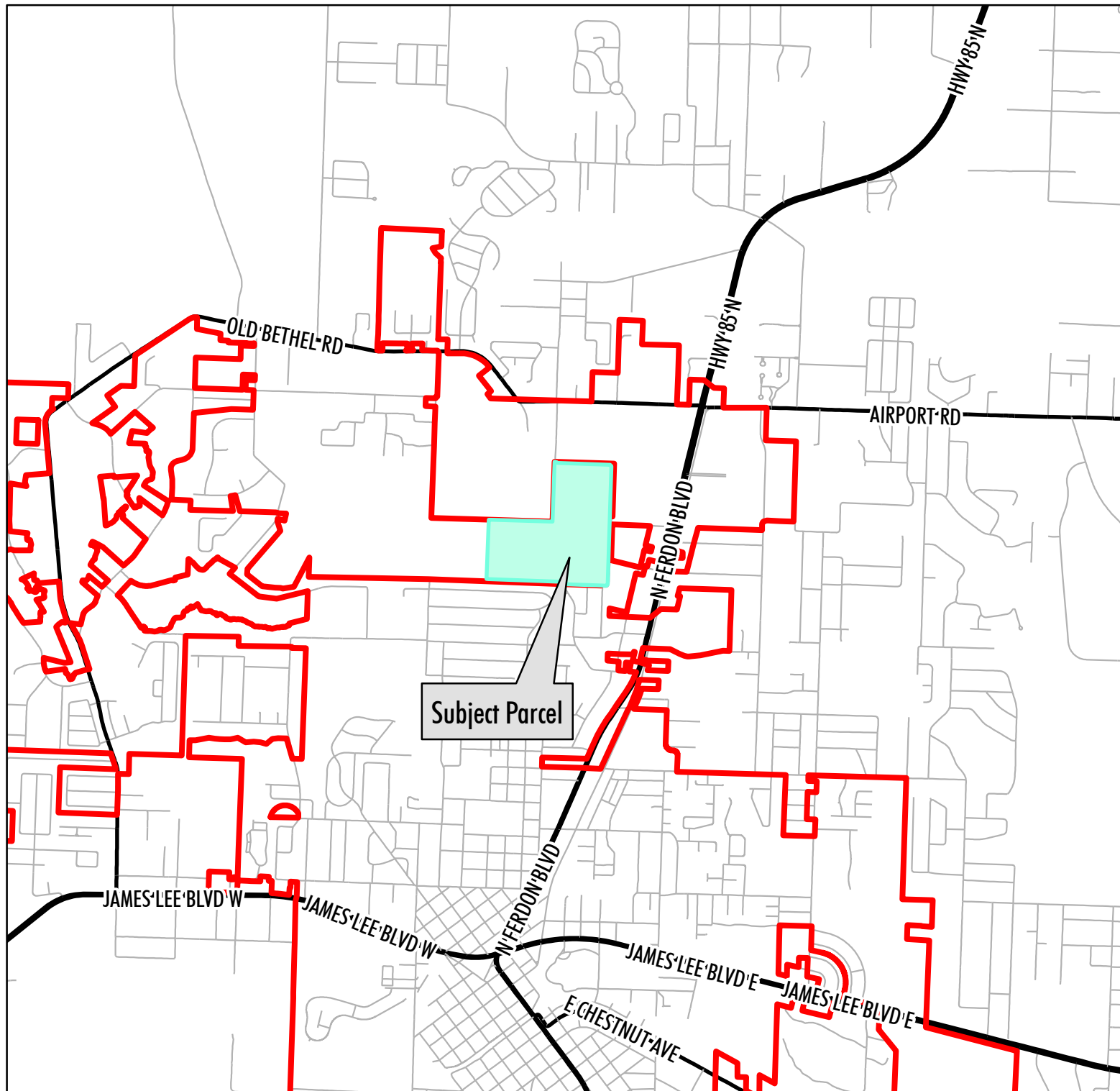
J. B. WHITTEN



Vicinity Map



Not to Scale



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COMMUNITY DEVELOPMENT SERVICES
PARCEL INFORMATION PROVIDED BY
OKALOOSA COUNTY GIS DEPARTMENT
NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Existing Use

N



0 225 450
Feet

Legend

Subject Parcel

City Limits

Existing Use



Improved A

No AG Acre

Office

Public School

Single Family

Timberland

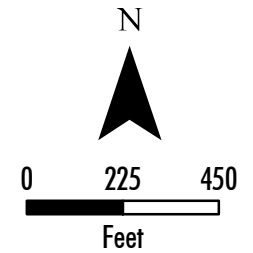
Vacant

Vehicle Sale

Warehouse

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PARCEL INFORMATION PROVIDED BY
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NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Current Zoning



Legend

Subject Parcel

City Limits

City Zoning

Single Family Low Density District (R-1)

Single Family Medium Density District (R-2)

Single and Multi-Family Dwelling District (R-3)

Mixed Use (MU)

Commercial (C-1)

Commercial (C-2)

Industrial (IN)

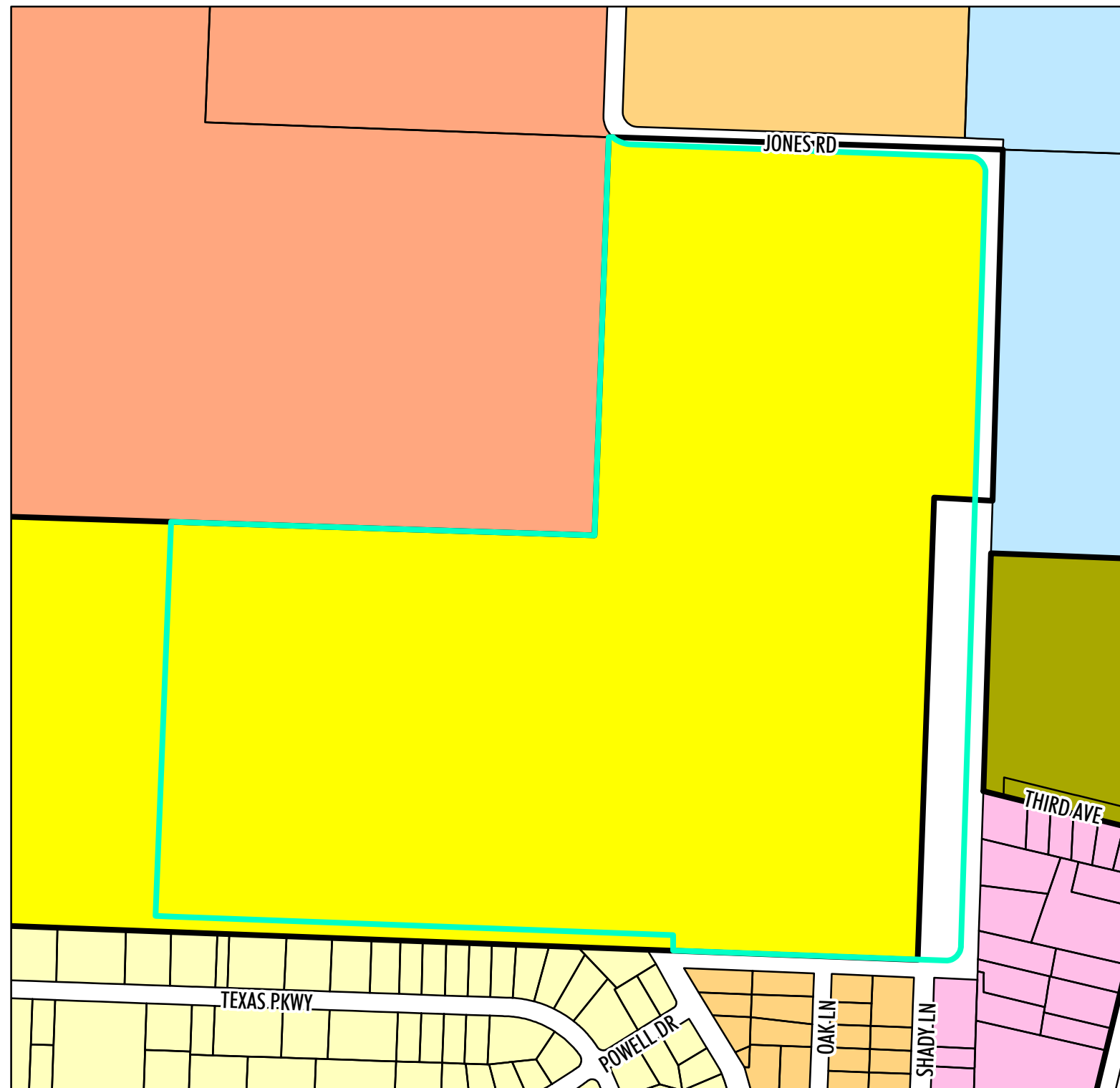
Public Lands (P)

Conservation (E)

County Zoning

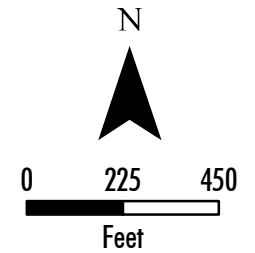
Residential - 1 (R-1)

Mixed Use (MU)



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NAD 1983 STATE PLANE, NORTH ZONE
U.S. SURVEY FEET

Proposed Zoning



Legend

Subject Parcel

City Limits

City Zoning

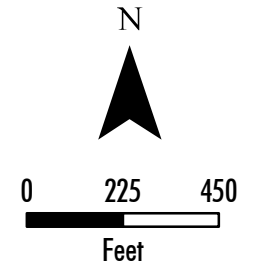
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Current Future Land Use



Legend

Subject Parcel

City Limits

City Future Land Use

- Commercial (C)
- Industrial (IN)
- Mixed Use (MU)
- Conservation (CON)
- Public Lands (PL)
- Residential (R)

County Future Land Use

- Low Density Residential (LDR)
- Mixed Use (MU)

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Proposed Future Land Use



0 225 450
Feet

Legend

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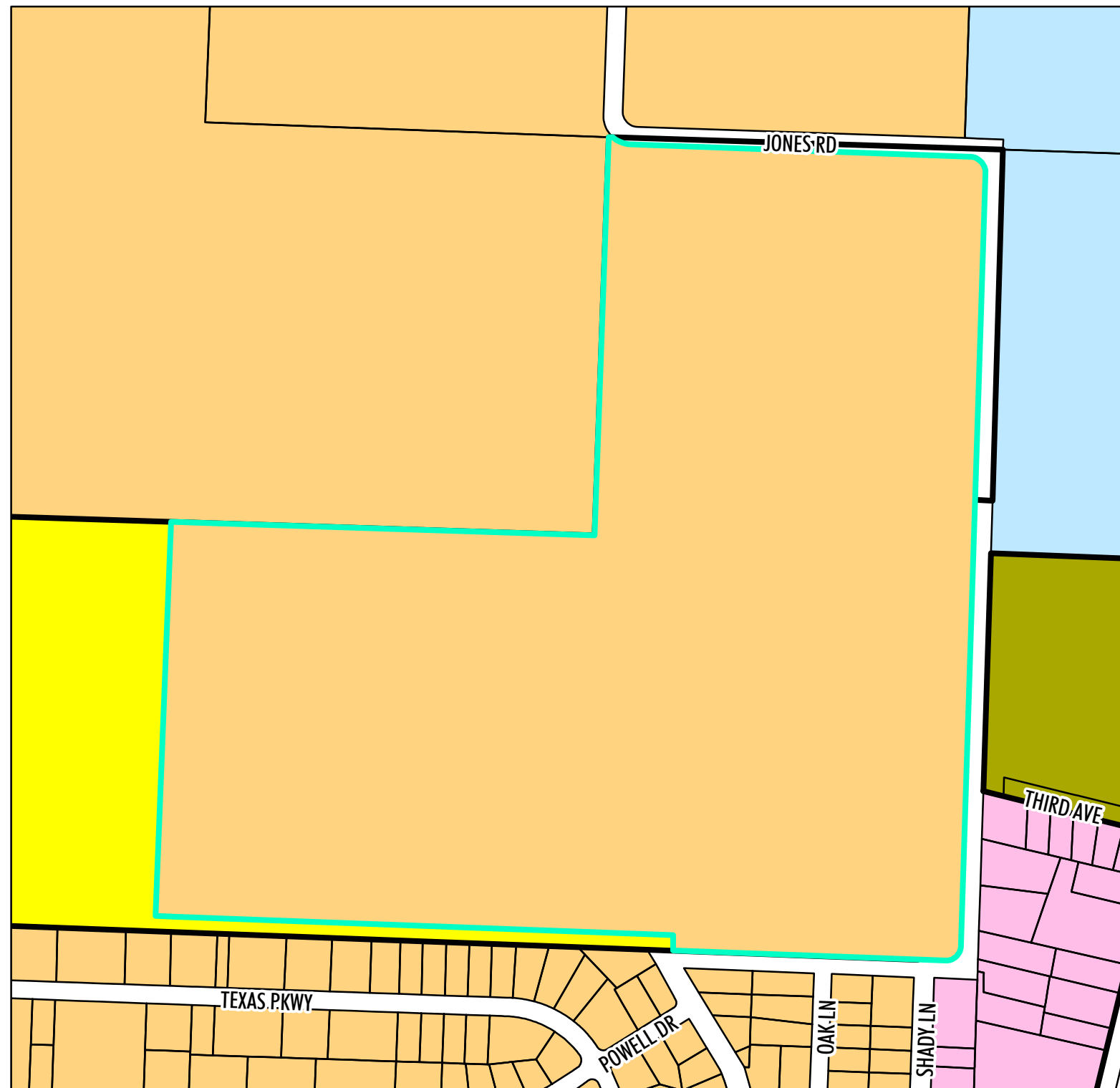
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County Future Land Use

 Low Density Residential (LDR)

 Mixed Use (MU)



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Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: May 3, 2021

TYPE OF AGENDA ITEM: Action Item

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 4/26/2021
SUBJECT: 338 Powell Drive Fence Permit Variance

BACKGROUND:

The City of Crestview Land Development Code was updated on February 24, 2021. Among the many updates to the LDC was the revision of vague and conflicting requirements in regards to fence placement. There were multiple inconsistencies regarding the definition of a front yard, when front setbacks were applicable, and how fences related to front yards and setbacks.

To revise the various issues contained in the previous code, staff rewrote the fence regulations to specifically allow for fences in front yards (yards which abut public right of way) that do not abut the front face of the house containing the front door, up to the front setback line.

The new code removes ambiguity that existed previously which, depending on the interpretation of the code, could either be construed to allow fences where they would impede visibility for adjacent properties, or would prevent the owner from placing a fence taller than four feet in any front yard. Inconsistencies exist in currently constructed fences due to the inconsistent interpretation and enforcement of the previous, vague regulations.

The current code intends to have clear, concise and non-ambiguous regulations that both allow property owners to utilize their property as well as afford adjacent properties and emergency services front yard visibility. Additionally, the new subdivision regulations have a clause for developers to consider these new setback regulations when platting lots, to ensure yards are sized appropriately.

DISCUSSION:

The subject property was originally platted by PJ Adams in 1958 as 6 lots, lots 32-34 and 57-59, Block K, Adams Powell Subdivision. In reviewing the proposed fence location, it was noted that there are three lots within this parcel that face Gillis Drive (a 'front' because it is along a right of way), and that there appear to be previous instances on adjacent properties (see lots 38-40 and 26-28) where property was split to construct houses facing Gillis Drive. Additionally, directly across Gillis Drive to the south, there was a double-frontage property that has since been returned to the original platting of 6 separate lots, with houses built facing both roadways.

With these considerations, and the intent of the Land Development Code regulations, staff could only approve the fence be built at four feet height, or otherwise moved to the front setback off Gillis Drive, 30 feet from the right of way to ensure visibility is maintained to the fullest possible extent for any future development along Gillis Drive.

Section 9.02.02 of the City Code lists the required findings for granting a variance. The applicant has supplied responses to each of the required findings, which are attached to this agenda item, and have been made available for your review. Additionally, the applicant has supplied pictures that have also been attached to this application, for your review.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Foundational- these are the areas of focus that make up the necessary foundation of a successful local government.

Organizational Capacity, Effectiveness & Efficiency- To efficiently & effectively provide the highest quality of public services

Infrastructure- Satisfy current and future infrastructure needs

Communication- To engage, inform and educate public and staff

Quality of Life- these areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Opportunity- Promote an environment that encourages economic and educational opportunity

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

There is no foreseeable financial impact incurred due to any action taken on this item.

RECOMMENDED ACTION

9.02.02 – Required Findings for a Variance (*Staff Responses in blue*)

1. The need for the proposed variance is due to the unusual or unique physical shape, configuration, or other physical condition of the development site. These special conditions are not generally applicable to other lands, structures, or buildings in the same zoning district;
1. *The only unique scenario here is the choice of the property owner to combine 6 platted lots that creates a situation of dual frontage.*
2. The literal interpretation and application of the provisions of this LDC would deprive the property owner of property rights commonly enjoyed by other properties in the same zoning district, resulting in

an undue hardship;

1. *There are no rights being taken from this property owner that other property owners would have. See exhibit Neighborhood Fence Locations.*
3. The special conditions are not the result of actions of the property owner and are not based solely on a desire to reduce development costs;
 1. *The lots were platted in 1958 by a private individual, the original land owner. At that time, all lots had one frontage. Since that time, some land owners chose to purchase multiple lots and build across those lot lines. In this case, the lots chosen resulted in dual frontage. See exhibit Parcel Lot Exhibit.*
4. Approval of the proposed variance shall not provide to the property any special privilege that is denied to other development sites within the same zoning district;
 1. *Approval of this variance would result in a unique condition not enjoyed by adjacent land owners. Staff would not be able to approve the same application for the adjacent owners without coming back to the Board for approval. See exhibit Neighborhood Fence Locations.*
5. The proposed variance is the minimum variance that results in reasonable use of the land, building, or structure;
 1. *This is the maximum variance that could be applied for.*
6. Approval of the proposed variance shall ensure compatibility of the resulting development with the uses of land and character of the adjacent and surrounding neighborhood;
 1. *Approval of this variance would result in a unique condition not enjoyed by adjacent land owners. Staff would not be able to approve the same application for the adjacent owners without coming back to the Board for approval. See exhibit Neighborhood Fence Locations.*
7. The proposed variance is consistent with the intents and purposes of the requirements of this LDC;
 1. *This variance would violate the standards and regulations set by this LDC. Staff would not be able to approve any application on any lot with this request.*

8. The proposed variance is consistent with the provisions of the Comprehensive Plan; and

1. *The Comprehensive Plan does not discuss fence locations.*

9. The proposed variance is not detrimental to the health, safety, or general welfare of the public.

1. *By code, fences in front yards are reduced to 4' in height maximum to allow for Public Safety, e.g. Fire Department can see to the front of a house. In the case where a house is not built up to the front setback (house is built 40' from the property line instead of 25'), then no fence over 6' in height is allowed between the front property line and the house. In this case, staff is only able to approve a 6' fence up to the setback line.*

Based on the Findings of Fact, Staff is recommending denial of the application for variance.

Attachments

1. Applicants completed form with statements and pictures
2. Permittable Fence Exhibit
3. Parcel Lot Exhibit
4. Neighborhood Fence Locations
5. Original Plat

ORDINANCE:



CITY OF CRESTVIEW

Community Development Services

198 Wilson St. North • Crestview, FL 32536
(850) 682-1560 • planning@cityofcrestview.org

VARIANCE APPLICATION

Application Information

Address/Location: 338 POWELL DR , CRESTVIEW, FLA 32536

Parcel ID#:

Owner Name: RANDAL & RUTH COLLINSWORTH

Mailing Address: P.O. BOX 2340 CRESTVIEW , FLA 32536 or 338 POWELL DR. CRESTVIEW, FLA 32536

Phone: 850-423-0440 /910-922-0689 Email: RECOLLINSWORTH@GMAIL.COM

Agent Name:

Mailing Address:

Phone: Email:

Zoning District: ☒ R-1 ☐ R-2 ☐ R-3 ☐ MU ☐ C-1 ☐ C-2 ☐ IN ☐ P ☐ E

Future Land Use: ☒ R ☐ MU ☐ C ☐ IN ☐ PL ☐ CON

Brief description of the extent of the requested variance: SEE ATTACHED

Required Documentation

1. Detailed explanation regarding how the proposed variance complies with each of the requirements of Section 9.02.02 (as follows):
 - a. The need for the proposed variance is due to the unusual or unique physical shape, configuration, or other physical condition of the development site. These special conditions are not generally applicable to other lands, structures, or buildings in the same zoning district;
 - b. The literal interpretation and application of the provisions of this LDC would deprive the property owner of property rights commonly enjoyed by other properties in the same zoning district, resulting in an undue hardship;
 - c. The special conditions are not the result of actions by the property owner and are not based solely on a desire to reduce development costs;
 - d. Approval of the proposed variance shall not provide to the property any special privilege that is denied to other development sites within the same zoning district;
 - e. The proposed variance is the minimum variance that results in reasonable use of the land, building, or structure;
 - f. Approval of the proposed variance shall ensure compatibility of the resulting development with the uses and character of the adjacent and surrounding neighborhood;
 - g. The proposed variance is consistent with the intents and purposes of the requirements of this LDC;
 - h. The proposed variance is consistent with the provisions of the Comprehensive Plan; and
 - i. The proposed variance is not detrimental to the health, safety, or general welfare of the public.

***Note that application for variance approval does not ensure approval of variance by PDB. Application and Fee are required to process and review variance, but variance approval or disapproval shall be at the discretion of the PDB in compliance with the Land Development Code.**



CITY OF CRESTVIEW VARIANCE APPLICATION

Consent and Understanding

I (the undersigned), RANDAL E. COLLINSWORTH, being first duly sworn, depose and say that I am the owner, attorney, attorney-in-fact, agent, lessee or representative of the owner of the property described and which is the subject matter of the proposed application; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and accurate to the best of my knowledge and belief. I understand this application must be complete and accurate before the application can be processed, and that I am authorized to sign the application by the owner or owners. I authorize City of Crestview staff and agents to visit the site as necessary for proper review of this application.

Furthermore, I have read and understand all the information provided in this application, the requirements identified within the application, and do hereby agree to provide the necessary information requested by the City of Crestview. I also understand that an approved Administrative Permit from the city must be submitted to the city's Building Department by the applicant before commencement of construction is authorized. I also understand Administrative Permits are valid for a period of twelve (12) months from the date of issuance, unless the Community Development Services Director grants an extension.

As the registered owner / authorized agent, I hereby submit this application for the development of the subject site. Should there be a change in ownership, authorized agent, legal description, or proposed development, while this application is being processed, I shall notify the Community Development Services in writing immediately.

RANDAL COLLINSWORTH

Owner/Agent

Signature

Date

RUTH COLLINSWORTH

Owner

Signature

Date

Owner

Signature

Date

Owner

Signature

Date

STATE OF FLORIDA

COUNTY OF, Okaloosa

The foregoing instrument was acknowledged before me this 19 day of March, 2021, by Randal Collinsworth, who is personally known to me or has produced, FDL Ruth Collinsworth as identification.

(Notary Seal)

Christi L. Sheals

NOTARY PUBLIC – STATE OF FLORIDA

Christi L. Sheals

NAME OF NOTARY – TYPED OR PRINTED

COMMISSION #



OFFICIAL NOTARY SEAL

Christi L. Sheals

Commission No. GG326168

My Commission Expires

April 21, 2023

****Note**** This application must be completed and signed by all property owners or an authorized agent. If the applicant is an agent, all property owners must sign an Agent Authorization form.

Brief Description of the extent of the requested variance:

Request a variance to put up a 6' to 8' fence on my property line to keep kids from thinking it is a park and to allow privacy between me and my neighbors. Since the new homes were constructed across the road from my back yard, I am now sitting on my back porch and can look into their living room and bedrooms. In addition, the additional kids in the neighborhood are now riding bikes and scooters through the corner of my lot. The fence will stop damage to my lot as well as prevent the kids from having accidents on my property and suing. Both my neighbors on the left and right, ClareJo Teall and Mr. Wingert have multiple lots and are not selling or sub diving in the near future. This effort would be best for all concerned. This variance is for my backyard and the gate would be for our use only.

Required Documentation

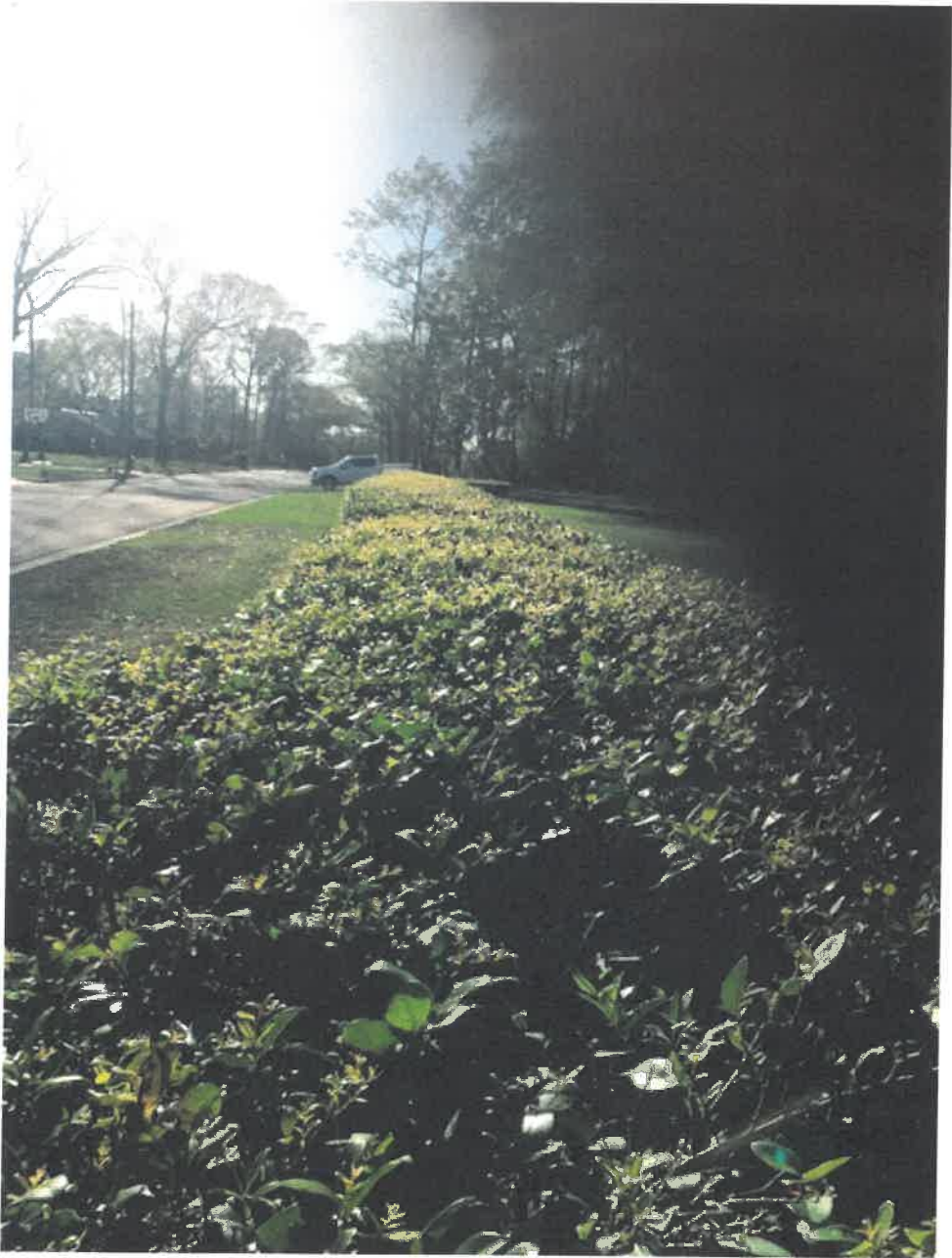
1

- a. Prior to the build of my home the city layout defined six individual lots for separate houses, however my house is unique in that it is centrally located among those six lots. Because of the physical location of my home and property it is often mistaken for accessible, public land which families consistently traverse. Since there is a lack of physical boundaries to define my home and property there is an increased risk for unwarranted pedestrians being involved in liability accidents that I would ultimately be legally and financially responsible for. Due to the lack of boundaries, my property is exposed and currently has access to it from all angles because there is no security deterrent. Building a physical delimiter around my property provides my wife and I an added sense of security by preventing potential trespassers or home invaders to view directly into my home during all hours of the day.
- b. By forcing me to offset 30' from my property line it would prevent my wife and I from utilizing the full entirety of our parcel. If a fence was built abiding by the current zoning requirements, my wife and I would lose "x amount of property" and still be responsible for maintaining the landscape on both sides of the fence. Currently, this property is extremely well maintained and cared for. Additionally, our surrounding neighbors have the luxury of increased privacy and security provided from their own fencing that reaches out to the end of their property. Because I have an uncommon layout, I should not be restricted to decreased privacy or security and should be provided the same benefits as my neighbors. Losing the 30' would also make it very difficult to supervise any activity that could be illegal and enable passersby to assume that land on the road-side of the fence is usable for extracurricular activities or additional parking.
- c. There is no desire to reduce developmental costs by constructing a privacy fence on the outermost edge of my property line.
- d. Other neighbors currently have privacy fences in their yards that are up to the edge of their property while I am being restricted to a 30' drawback. This request is to ensure that I am offered the same privacy and security capabilities of others in the neighborhood.
- e. Since I am the owner of the entirety of the land for this parcel, I believe that extending my privacy and security to the outermost edge of the property line is a reasonable request for land use.

- f. Construction of the privacy fence will maintain the same standards as others in the neighborhood as well as upcoming developments.
- g. Yes
- h. Yes
- i. The construction of this fence is mainly for privacy and security concerns and will not negatively affect the health, safety, or general welfare of the public.



Photo Taken From OUR WEST Property Line



FAR END of OUR Property Line
Looking EAST FROM OUR BACK
Drive Way



FROM OUR BACK DRIVEWAY LOOKING
EAST TO DRIVEWAY OF THE TEEL'S
PROPERTY



Looking West From OUR BACK DRIVEWAY
To The Wingert Drive AT THE BACK of
Their Property

POWELL DR

Any fence on or within the red line
is allowed at 6 or 8 feet height
Outside of the red line must be 4 feet.

30'

30'

GILLIS DR





PAGE TWO OF;
ADAMS-POWELL
SUBDIVISION

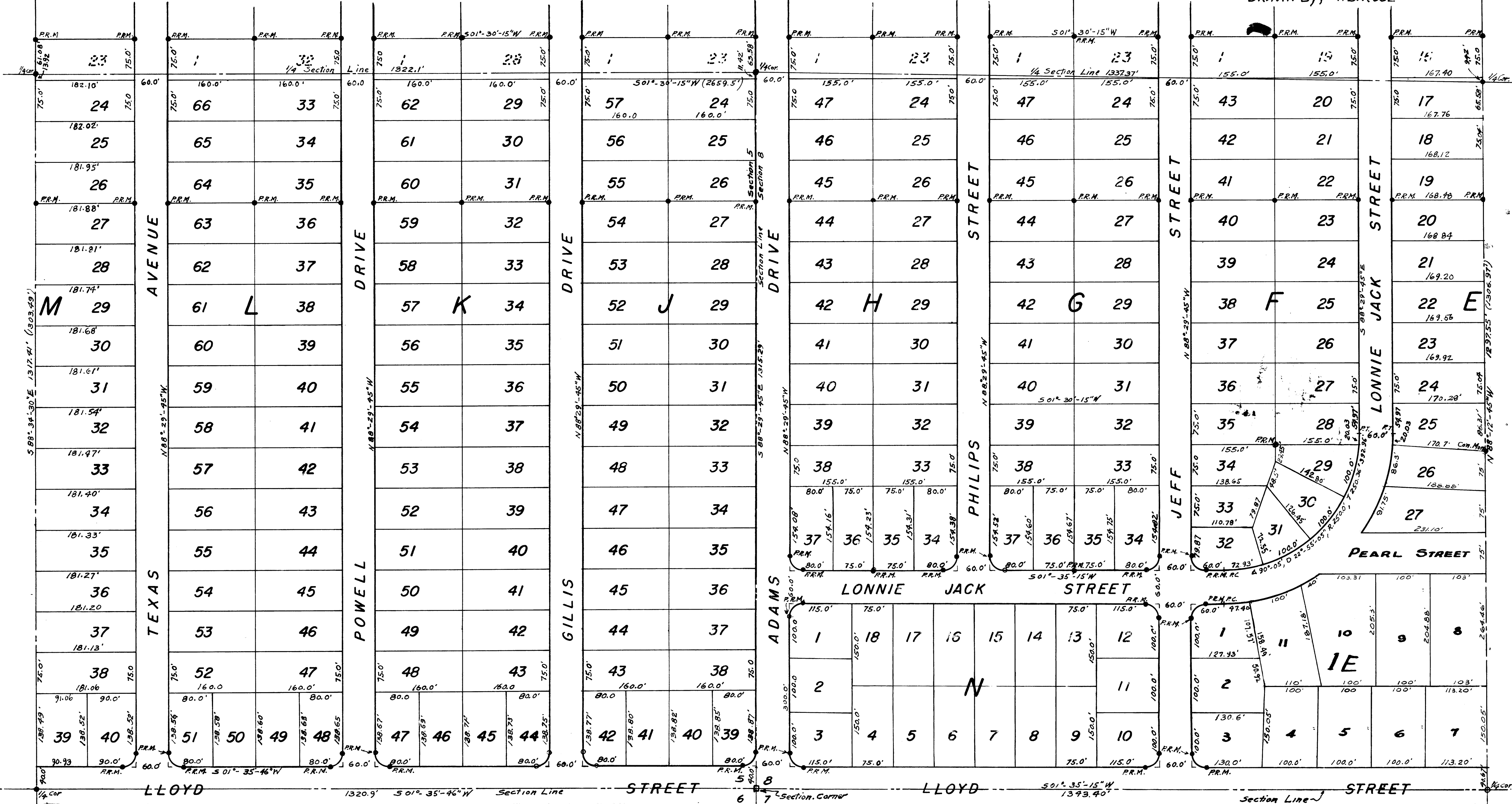
A PORTION OF SECTIONS 5 & 8
TOWNSHIP-3 NORTH, RANGE 23-WEST
AS RECORDED IN PLAT BOOK 2, PAGE 122.

DESCRIPTION

Property hereon platted described as beginning at the North West corner of Section 8, South West Corner of Section 5, Township 3 North, Range 23 West, thence N 01° 35' 46" E 1320.9 feet along Section Line between Sections 5 & 6, thence N 88° 34' 30" E 1303.49 feet to North-South Lot Lines, thence S 01° 30' 45" W along said Lot Lines 2659.5 feet, thence N 88° 12' 45" W 1306.97 feet to Section Line, thence N 01° 35' 45" E 1343.4 feet along said Section Line between Sections 8 & 7 to Section Corner and point of beginning.

OCTOBER 1957

SCALE; ON INCH = 100 FEET
DRAWN BY; T.B. ROSE



DEDICATION
STATE OF FLORIDA
County of Okaloosa
The undersigned P.J. Adams and wife Louise Adams owners of land in this Plat do authorize said Plat recorded in Public Records of this County. Do hereby dedicate to the public all roads, streets, alleys, parks and other public places shown on this Plat

Witnesses
[Signature] (Seal)
[Signature] (Seal)

ACKNOWLEDGEMENT
STATE OF FLORIDA
County of Okaloosa
Before the subscriber this day personally appeared P.J. Adams and wife Louise Adams to me well known and acknowledged this Plat for the uses and purposes set forth therein
Given under my hand and seal this 1 day of October A.D. 1957

SURVEYOR'S CERTIFICATE
I, Leslie W. Sapp do hereby certify that I have supervised the survey of land shown hereon, that it is a correct representation of land platted and staked; that permanent reference markers indicated (P.R.M.) have been placed thereon as required by Chapter 10275, Acts of 1925 Laws of Florida

Note
° = Degrees
' = Feet, Minutes, Seconds
+ = P.R.M.
All Radii are 25' unless otherwise shown

COMMISSIONER'S APPROVAL
This certifies that this Plat was presented to the Board of County Commissioners of Okaloosa County, Florida and approved by them for placing in Public Records of said County
Done at a regular meeting of said Board on the 12 day of October A.D. 1957

CITY COUNCIL APPROVAL
This certifies that this Plat was presented to the City Council of Crestview, Florida and approved by them for record, this 13 day of October A.D. 1957

CLERK'S FILING CERTIFICATE
I, Cecil L. Anchors, Clerk of the Circuit Court of Okaloosa County, Florida, do hereby certify that this foregoing Plat conforms with Chapter 10275 Laws of the State of Florida, was filed in my office and placed in Public Records of said County on the 13 day of October A.D. 1957 in Plat Book 2 of Page 122