



**CITY OF CRESTVIEW
PLANNING
AND
DEVELOPMENT BOARD**



PLANNING AND DEVELOPMENT BOARD AGENDA

**February 7, 2022
6:00 P.M.
Council Chambers**

The Public is invited to view our meetings on the City of Crestview Live stream 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

5. January 3, 2022 PDB Minutes Draft

6 Ordinance on 1st reading/ Public Hearing

6.1 Ordinance to Amend Land Development Code for R-1E Zoning District

6.2 Ordinance 1842 - Lindley Road Rezoning

7 Ordinances

8 Final Plats and PUDS

9 Special Exceptions, Variances, Vacations and Appeals - Board of Adjustment

9.1 Board of Adjustment – Release Unity of Title

10 Action Items

11 Comments from the Audience

12 Adjournment

The Presentations section is for items that were submitted by a citizen or group of Citizens no later than the Wednesday 2 weeks prior to the meeting to the Clerk's office for approval. These items will be scheduled under the section titles Presentations and Reports. Supporting documents must be submitted at this time to be on the regular agenda. All Action Items 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. Florida Statute 286.0105. Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission 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 requirements of this section do not apply to the notice provided in s. 200.065(3). In accordance with Section 286.26, F.S., persons with disabilities needing special accommodations, please contact Maryanne Schrader, City Clerk at cityclerk@cityofcrestview.org or 850-

628-1560 option2 within 48 hours of the scheduled meeting. Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the City Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.



Staff Report

PLANNING AND DEVELOPMENT

BOARD MEETING DATE: February 7, 2022

TYPE OF AGENDA ITEM: Action Item

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 1/10/2022
SUBJECT: January 3, 2022 PDB Minutes Draft

BACKGROUND:

Approval of draft minutes.

DISCUSSION:

Request motion to approve the January 3, 2022 PDB minutes..

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.

Financial Sustainability- Achieve long term financial sustainability

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

Mobility- Provide safe, efficient and accessible means for mobility

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

RECOMMENDED ACTION

Motion to approve the January 3, 2022 minutes.

Attachments

1. 01032022 PDB Minutes

ORDINANCE:



CITY OF CRESTVIEW

Community Development Services

P.O. DRAWER 1209, CRESTVIEW, FLORIDA 32536

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

PLANNING AND DEVELOPMENT BOARD

MINUTES - DRAFT

January 3, 2022

6:00 p.m.

Council Chambers

1 Call to Order

Chair Mike Roy called the Regular Meeting of the Crestview Planning and Development Board to order at 6:00 p.m. Members present: Chair Mike Roy, Board member Malcolm Haynes, and alternate Brian Follmar. Also present were City Clerk Maryanne Schrader, City Attorney Jon Holloway, and staff members. Excused: Vice Chair, Ellis Conner, Board members Mario Werth and Michael Gilbert.

2 Pledge of Allegiance

Chair Roy led the Board in the Pledge of Allegiance to the flag.

3 Approve Agenda

Motion by Malcolm Haynes and seconded by Bryan Follmar to approve the agenda. Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes. Motion carried.

4 Public Opportunity to speak on Agenda items

Chair M. Roy asked if anyone was present to speak on non-Public Hearing items, and no one came forward.

5 Consent Agenda

Approval of Minutes - December 6, 2021

Motion by Malcolm Haynes and seconded by Bryan Follmar.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6 Ordinance on 1st reading/ Public Hearing

6.1 Ordinance 1837 - Old Bethel Road Annexation

Planner N. Schwendt was sworn in by City Attorney J. Holloway for the scheduled Hearings.

Planner N. Schwendt asked City Clerk M. Schrader to read Ordinance 1837 by title:

An Ordinance Annexing to the City of Crestview, Florida, ± 48.48 Acres of Contiguous Lands Located in Section 31, Township 4 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.

Planner N. Schwendt went over the adjacent zoning designations and mentioned there was one comment received which was answered.

Chair Roy asked for Public Comment and no one came forward.

Motion by Malcolm Haynes and seconded by Bryan Follmar to hold a Public Hearing of Ordinance 1837, Old Bethel Road Annexation, approve on First Reading and send to Council.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6.2 Ordinance 1838 - Old Bethel Road Comprehensive Plan Amendment

Chair Roy asked for Public Comment and no one came forward.

Planner N. Schwendt City Clerk M. Schrader to read Ordinance 1838 by title:

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 on approximately 48.48 acres, more or less, in Section 31, Township 4 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.

Motion by Malcolm Haynes and seconded by Bryan Follmar to approve Ordinance 1838 on 1st reading, hold a Public Hearing and send to City Council for approval on 1st reading.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6.3 Ordinance 1839 - Old Bethel Road Rezoning

Planner N. Schwendt stated this is the first reading and Public Hearing for Ordinance 1839, Old Bethel Road Rezoning.

Planner N. Schwendt City Clerk M. Schrader to read Ordinance 1839 by title:

An Ordinance of the City of Crestview, Florida, providing for the rezoning of 48.48 acres, more or less, of real property, located in section 31, township 4 north, range 23 west, from the Okaloosa County Residential-1 zoning district to the single and multi-family Density Dwelling District (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.

Chair Roy asked for Public Comment and no one came forward.

Motion by Malcolm Haynes and seconded by Bryan Follmar to approve Ordinance 1839, Old Bethel Road Rezoning on 1st reading, hold a Public Hearing and send to City Council for approval on 1st reading.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6.4 Ordinance 1840 - Lindley Road Annexation

Planner N. Schwendt said this is the first reading and public hearing for Ordinance 1840, Lindley Road Annexation. He explained the process of the steps in annexing property and the current agricultural zoning. He mentioned he had input from the public when he posted the sign.

Chair Roy asked for Public Comment.

At that point City Attorney J. Holloway explained the process of a Public Hearing stating if anyone wished to speak, they must be sworn in and present evidence. He further explained it is not a question-and-answer session. He stated the annexation is done first adding a developer order has not been received. The Land Development Code sets the use for the property.

Mr. Gary Magnusson came forward to speak on the ordinance. He voiced concern about the proposed development.

Elizabeth Daughtery also came forward and voiced concern about the annexation and its impact on the environment.

Carol Drager came forward and voiced concern about where the children will attend school, and the safety of the only roadway going into the neighborhood.

Planner N. Schwendt asked City Clerk M. Schrader to read Ordinance 1840 by title:

An Ordinance Annexing to the City of Crestview, Florida, ± 172.45 Acres of Contiguous Lands Located in Section 2, Township 3 North, Range 24 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

Motion by Bryan Follmar and seconded by Malcolm Haynes to approve Ordinance 1840, Lindley Road Annexation on 1st reading, hold a Public Hearing and send to City Council for approval on 1st reading.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6.5 Ordinance 1841 - Lindley Road Comprehensive Plan Amendment

Planner N. Schwendt stated this is the first reading and public hearing of Ordinance 1841, Lindley Road Comprehensive Plan Amendment explaining the ordinance is a comprehensive plan amendment adding the owner is requesting the change to residential zoning.

Chair Roy asked for public comment.

Ken Edwards asked about a density designation, and Planner N. Schwendt said the density is included in the zoning.

Gary Magnusson came forward to speak on whether there will be covenants in the neighborhood to protect the neighborhood, and City Attorney J. Holloway replied that the city does not control HOA restrictions adding the city adheres to what is in the Land Development Code.

Mr. Magnusson said buffer zones should be part of the covenants adding he does not want different fences. He recommended a green belt to buffer the development.

Planner N. Schwendt said this is the first reading and public hearing for Ordinance 1841, Lindley Road Annexation. He explained the process of the steps in annexing property and the current agricultural zoning. He mentioned he had input from the public when he posted the sign.

Chair Roy asked for Public Comment.

At that point City Attorney J. Holloway explained the process of a Public Hearing stating if anyone wished to speak, they must be sworn in and present evidence. He further explained it is not a question-and-answer session. He stated the annexation is done first adding a developer order has not been received. The Land Development Code sets the use for the property.

Mr. Gary Magnusson came forward to speak on the ordinance. He voiced concern about the proposed development.

Elizabeth Daughtery also came forward and voiced concern about the annexation and its impact on the environment.

Carol Drager came forward and voiced concern about where the children will attend school, and the safety of the only roadway going into the neighborhood.

Planner N. Schwendt asked City Clerk M. Schrader to read Ordinance 1841 by title:

An Ordinance Annexing to the City of Crestview, Florida, ± 172.45 Acres of Contiguous Lands Located in Section 2, Township 3 North, Range 24 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

Motion by Bryan Follmar and seconded by Malcolm Haynes to approve Ordinance 1841, Lindley Road Annexation on 1st reading, hold a Public Hearing and send to City Council for approval on 1st reading.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6.6 Ordinance 1842 - Lindley Road Rezoning

Planner N. Schwendt announced this is the first reading and public hearing of Ordinance 1842, Lindley Road Rezoning.

Planner N. Schwendt asked City Clerk M. Schrader to read Ordinance 1842 by title: City Clerk M. Schrader read Ordinance 1842 by title:

An Ordinance of the City of Crestview, Florida, Providing for the Rezoning Of 172.45 Acres, More or Less, Of Real Property, Located in Section 2, Township 3 North, Range 24 West, from the Okaloosa County Agriculture Zoning District to The Single-family Low-density Dwelling District (R-1) 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

Planner N. Schwendt said the applicant is requesting R-1, which is our lowest density zoning district at four units per acre. The staff has not received any plans,

Chair Roy asked for public comment.

Catherine Pittman of 106 South Drive and requested consideration of the property as a whole. She was concerned about the one entry and exit points. She was concerned about safety and traffic. She mentioned concern for stormwater runoffs.

Chair Roy asked Planner N. Schwendt about concerns and he replied that concerns can be addressed when a plat is received.

Motion by Bryan Follmar and seconded by Malcolm Haynes to approve Ordinance 1842, Lindley Road Rezoning on 1st reading, hold a Public Hearing and send to City Council for approval on 1st reading.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6.7 Ordinance 1843 - Raspberry Road Annexation

This is the first reading and public hearing of Ordinance 1843, Raspberry Road Annexation.

Planner N. Schwendt went over the 38 acres annexation for property that is in an unincorporated area. The property is contiguous with the city.

Chair Roy asked for public comment.

Planner N. Schwendt announced this is the first reading and public hearing of Ordinance 1843,

Rasberry Road Annexation.

Planner N. Schwendt asked City Clerk M. Schrader to read Ordinance 1843 by title and City Clerk M. Schrader read Ordinance 1843 by title:

An Ordinance Annexing To The City Of Crestview, Florida, ± 30.12 Acres Of Contiguous Lands Located In Section 30, 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

Motion by Bryan Follmar and seconded by Malcolm Haynes to approve Ordinance 1843, Rasberry Road Annexation on 1st reading, hold a Public Hearing and send to City Council for approval on 1st reading.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6. 6.8 Ordinance 1844 - Rasberry Road Comprehensive Plan Amendment

This is the first reading and public hearing of Ordinance 1844, Rasberry Road Comprehensive Plan Amendment.

Planner N. Schwendt explained the process for mixed use land designation.

Chair Roy asked for public comment.

Planner N. Schwendt asked City Clerk M. Schrader to read Ordinance 1844 by title and City Clerk M. Schrader read Ordinance 1844 by title:

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 Mixed Use To Mixed Use On Approximately 30.12 Acres, More Or Less, In Section 30, 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

Motion by Bryan Follmar and seconded by Malcolm Haynes to approve Ordinance 1844, Rasberry Road Comprehensive Plan Amendment on 1st reading, hold a Public Hearing and send to City Council for approval on 1st reading.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6.9 Ordinance 1845 - Rasberry Road Rezoning

This is the first reading and public hearing of Ordinance 1845, Rasberry Road Rezoning.

Planner N. Schwendt explained the rezoning portion whereas applicant is requesting the change

from /county to city zoning.

Chair Roy asked for public comment.

Chair Roy asked for public comment.

Planner N. Schwendt asked City Clerk M. Schrader to read Ordinance 1845 by title and City Clerk M. Schrader read Ordinance 1845 by title:

An Ordinance of the City of Crestview, Florida, Providing for the Rezoning of 30.12 Acres, More Or Less, Of Real Property, Located In Section 30, Township 3 North, Range 23 West, From The Okaloosa County Mixed Use Zoning District To The Mixed Use 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

Motion by Bryan Follmar and seconded by Malcolm Haynes to approve Ordinance 1845, Rasbery Road Rezoning on 1st reading, hold a Public Hearing and send to City Council for approval on 1st reading.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6.10 Ordinance 1850 - Amendment to LDC Section 8.04.00 - Street Access and Driveway Design Requirements

Planner N. Schwendt stated this is the first reading and public hearing of Ordinance 1850, Amendment to LDC Section 8.04.00 - Street Access and Driveway Design Requirements.

Planner N. Schwendt went over the background regarding the update of the LDC whereas there were two provisions that were detrimental to developers' that would cause undue hardship for both the developer and owner. He went over the distance between the driveway and property line.

Planner N. Schwendt asked City Clerk M. Schrader to read Ordinance 1850 by title and City Clerk M. Schrader read Ordinance 1850 by title:

An Ordinance of The City of Crestview, Florida, Providing for The Amendment of Section 8.04.00 – Street Access and Driveway Design Requirements of The Land Development Code; Providing for Authority; 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

Chair Roy asked for public comment.

Motion by Bryan Follmar and seconded by Malcolm Haynes to approve Ordinance 1850, an Amendment to LDC Section 8.04.00 - Street Access and Driveway Design Requirements on 1st reading and send to City Council for approval on 1st reading.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6.11 Ordinance 1851 - Amendment to LDC Section 6.01.02 – Residential Design Standards

Planner N. Schwendt stated this is the first reading and public hearing of Ordinance 1851, Amendment to LDC Section 6.01.02, Residential Design Standards.

Planner N. Schwendt said there has been substantial pushback from mobile homeowners regarding the front door facing the front yard and went over the changes in the ordinance language.

Chair Roy asked for public comment.

Board member B. Follmar went over his research and stated he provided comment to staff.

Planner N. Schwendt asked City Clerk M. Schrader to read Ordinance 1851 by title and City Clerk M. Schrader read Ordinance 1851 by title:

An Ordinance of The City of Crestview, Florida, Providing for The Amendment of Section 6.01.02 – Residential Design Standards of The Land Development Code; Providing for Authority; 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

Motion by Bryan Follmar and seconded by Malcolm Haynes to approve Ordinance 1851, Amendment to LDC Section 6.01.02 – Residential Design Standards on 1st reading and send to City Council for approval on 1st reading.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6.12 Ordinance 1852 - Patriot Lane Annexation

Planner N. Schwendt said this is the first reading and public hearing of Ordinance 1852, Patriot Lane Annexation and went over the applicant's annexation request.

Chair Roy asked for public comment.

Planner N. Schwendt asked City Clerk M. Schrader to read Ordinance 1852 by title and City Clerk M. Schrader read Ordinance 1852 by title:

An Ordinance Annexing To The City Of Crestview, Florida, ± 1.37 Acres Of Contiguous Lands Located In Section 21, 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

Motion by Bryan Follmar and seconded by Malcolm Haynes to approve Ordinance 1852, Patriot Lane Annexation on 1st reading and send to City Council for approval on 1st reading.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6.13 Ordinance 1853 - Patriot Lane Comprehensive Plan Amendment

Planner N. Schwendt went over the amendment language.

Chair Roy asked for public comment.

Planner N. Schwendt asked City Clerk M. Schrader to read Ordinance 1853 by title and City Clerk M. Schrader read Ordinance 1853 by title:

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 Mixed Use On Approximately 1.37 Acres, More Or Less, In Section 21, 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

Motion by Bryan Follmar and seconded by Malcolm Haynes to approve Ordinance 1853, Patriot Lane Comprehensive Plan Amendment on 1st reading and send to City Council for approval on 1st reading.

Roll Call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

6.14 Ordinance 1854 - Patriot Lane Rezoning

Planner N. Schwendt mentioned the applicant has requested to come into the city stating this is the first reading and public hearing of Ordinance 1854, Patriot Lane Rezoning.

Chair Roy asked for public comment.

Planner N. Schwendt asked City Clerk M. Schrader to read Ordinance 1854 by title and City Clerk M. Schrader read Ordinance 1854 by title:

An Ordinance Of The City Of Crestview, Florida, Providing For The Rezoning Of 1.37 Acres, More Or Less, Of Real Property, Located In Section 21, Township 3 North, Range 23 West, From The Okaloosa County Residential-1 Zoning District To The Mixed Use 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

Motion by Malcolm Haynes and seconded by Bryan Follmar to approve Ordinance 1854, Patriot Lane Rezoning on 1st reading and send to City Council for approval on 1st reading.

Roll call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried.

8 **Final Plats and PUDS** – Nothing brought forward.

9 **Special Exceptions, Variances, Vacations and Appeals** – Nothing brought forward.

Action

10 **Item** Resolution 2022-3 - Woodruff Avenue Vacation

10.

Staff presented the Resolution information to the City Council and asked the City Clerk to read the Resolution.

City Clerk Maryanne Schrader read the Resolution by title: Resolution 2022-3, Woodruff Avenue Annexation.

A Resolution of The City of Crestview, Florida, Vacating and Abandoning That Portion of Woodruff Avenue East Right of Way Lying Between Blocks 5 And 10 Of the Town of Crestview Plat, More Specifically Described Herein; Providing for Recording of This Resolution with The Clerk of The Circuit Court of Okaloosa County; And Providing for An Effective Date

Motion by Malcolm Haynes and seconded by Bryan Follmar to approve Ordinance 1854, Patriot Lane Rezoning on 1st reading and send to City Council for approval on 1st reading.

Roll call: Malcolm Haynes, Michael Roy, Bryan Follmar. All Ayes: Motion carried

11 **Comments from the Audience**

Chair M. Roy asked for comments, and none were received.

12 **Adjournment**

Chair M. Roy adjourned the meeting at 7:11 p.m.

Approval of minutes:

Michael Roy, Chair

Minutes submitted by City Clerk

Maryanne Schrader

Proper notice having been duly given



Staff Report

PLANNING AND DEVELOPMENT

BOARD MEETING DATE: February 7, 2022

TYPE OF AGENDA ITEM: Ordinance

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 2/2/2022
SUBJECT: Ordinance to Amend Land Development Code for R-1E Zoning District

BACKGROUND:

On September 30, 2021, staff received an application to annex property in the north-western corner of the City, off of Lindley Road, as well as assign a future Land Use of Residential and a zoning designation of R-1 Single Family Low Density. Following the first two public meetings regarding this annexation, it became evident, by public comment made at the meetings, that the proposed zoning designation, and accompanying maximum density (4 units per acre) may not be suitably compatible for assignment in that area of the City, where homes typically sit at a maximum density of 1 unit per acre.

DISCUSSION:

Following public meetings, staff discussions, and a meeting with the developer of the property, staff has determined that it is necessary to create a new zoning district that serves to protect existing "estate-style" neighborhoods within the City limits, and is available for use in the future, within areas of a similar character and nature.

The resulting zoning district is called R-1E Single-Family Estate District, which provides for a maximum density of 2 units per acre, a minimum lot size of one third of an acre, and other zoning district regulations that mirror the current R-1 zone (setbacks, 30' front, 25' rear, 10' side, 75' minimum lot width, 50% impervious surface maximum, etc). This new zone will provide for compatibility with the existing areas in the present and any new development that goes on near the existing areas in the future.

The attachment includes the creation of the zoning district, development standards, and any other amendment required within the Land Development Code to reflect the creation of this new zoning district.

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.

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

Mobility- Provide safe, efficient and accessible means for mobility

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

This item will have no impact on the City budget.

RECOMMENDED ACTION

Staff respectfully requests approval of Ordinance 1855, and to send to City Council for first reading.

Attachments

1. Attachment 1

ORDINANCE: 1855

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE AMENDMENT OF PORTIONS OF CHAPTERS 4, 6 AND 7 OF THE LAND DEVELOPMENT CODE, FOR THE CREATION OF THE SINGLE-FAMILY ESTATE DISTRICT (R-1E) ZONING DISTRICT, AS DESCRIBED HEREIN; PROVIDING FOR AUTHORITY; 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 The City of Crestview Land Development Code.

SECTION 2 – LAND DEVELOPMENT CODE AMENDMENTS. Sections 4.03.00, 4.04.00, 4.06.00, 6.01.01, 6.07.00, 6.08.08, 7.01.02, 7.01.03, 7.02.02, 7.03.01 and 7.04.00, are amended to provide for creation of the Single-Family Estate District (R-1E) zoning district and the addition of all applicable regulations, as attached to this ordinance (Attachment 1).

SECTION 3 – 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 application 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 4 – 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 5 – 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 6 – 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 7 – 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 _____, 2022.

ATTEST:

MARYANNE SCHRADER
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2022.

J. B. WHITTEN
Mayor

4.03.00 - ESTABLISHMENT AND PURPOSE OF ZONING DISTRICTS

A. Residential Districts.

1. R-1E – Single-Family Estate District. The Single-Family Estate zoning district is established to provide for single-family dwellings and allowed accessory structures customarily associated with residential development in legacy neighborhoods and un-platted residential areas where larger lot sizes are customary. The maximum density is 2.0 dwelling units per acre. Each single-family dwelling must be placed on one parcel, lot, tract or other division of land.
2. R-1 - Single-Family Low-Density District. The Single-Family Low-Density zoning district is established to provide for single-family dwellings, accessory dwelling units and allowed accessory structures customarily associated with residential development in legacy neighborhoods and un-platted residential areas. The maximum density is 4.0 dwelling units per acre. Each single-family dwelling must be placed on one parcel, lot, tract or other division of land.
3. R-2 - Single-Family Medium-Density District - The Single-Family Medium-Density zoning district is established to provide for single-family dwellings in traditional residential neighborhoods. The R-2 zoning district is limited to single-family homes and allowed accessory structures. The maximum density is 6.0 dwelling units per acre. Each single-family dwelling must be placed on one parcel, lot, tract or other division of land.
4. R-3 - Single and Multi-Family Dwelling District - The Multi-Family Dwelling Density zoning district is established to provide for single- and multi-family dwellings in higher-density residential neighborhoods. The R-3 zoning district is limited to single- and multi-family dwellings and accessory structures. The maximum density is 8.0 dwelling units per acre in the Residential (R) Future Land Use, and 10.0 dwelling units per acre in the Mixed-Use (MU) Future Land Use. Each parcel, lot, tract or other division of land may contain multiple single- or multi-family dwellings according to the density allowed by the size of each piece of land.

B. Mixed Use Districts.

1. MU - Mixed-Use District - The Mixed-Use district is established to provide for a variety of land uses, including single- and multi-family dwellings and small, low-impact commercial developments, including retail sales, professional offices, service industries, bed-and-breakfasts, other similar uses and accompanying accessory uses. Uses may be limited by location due to impacts and compatibility issues. The maximum density for dwellings is 20.0 dwelling units per acre, and the maximum allowed floor area ratio (FAR) for commercial uses is 2.0. Each parcel, lot, tract or other division of land may contain multiple single- or multi-family dwellings according to the density allowed by the size of each piece of land.

C. Commercial and Industrial Districts.

1. C-1 - Commercial Low-Intensity District - The Commercial Low-Intensity District is established to provide for multi-family apartments, condominiums and low-intensity commercial uses including restaurants, small-scale retail sales, service industries, entertainment, light manufacture and repair, small professional offices, hotels, gas stations, other similar uses and allowed accessory uses. Uses may be limited by location due to impacts and compatibility issues. The maximum allowed density for dwelling units is 25 dwelling units per acre. The maximum allowed floor area ratio (FAR) is 2.0 for commercial uses.
2. C-2 - Commercial High-Intensity District - The Commercial High-Intensity District is established to provide for high-intensity commercial developments including restaurants, large-scale retail sales and service industries, entertainment, light manufacture and repair, professional offices, hotels, gas stations, other similar uses and allowed accessory uses. Uses may be limited by location due to impacts and compatibility issues. The maximum allowed floor area ratio (FAR) is 3.0.
3. IN - Industrial District - The Industrial District is established to provide for all types of manufacture and repair as well as gas stations, other similar uses and accompanying accessory uses. Uses may be limited by location due to impacts and compatibility issues. The maximum allowed floor area ratio (FAR) is 3.0.

D. Public Land and Conservation Districts.

1. P - Public Lands District - The Public Lands district is established to provide for municipal, governmental or otherwise institutional uses such as City, County, State or Federal buildings, parks, schools, other similar uses and allowed accessory uses. Uses may be limited by location due to impacts and compatibility issues. The maximum allowed floor area ratio (FAR) is 2.0.

2. E - Conservation District - The Conservation District is established to provide for passive recreation or educational uses that are compatible with the conservation purpose of the district. Such passive uses include passive parks, open spaces and areas designated for protection, such as water bodies, wetlands, and habitats for protected species.

4.04.00 - ZONING DISTRICT COMPARISON TO FUTURE LAND USE CATEGORIES

- A. The Future Land Use Map of the Comprehensive Plan establishes allowable land uses within the City. The zoning districts set forth within this LDC must be consistent with the Future Land Use Map. Any rezoning of land must maintain this consistency. Table 4.04.00 sets forth the allowable zoning districts which are consistent with each land use category from the Future Land Use Map.
- B. When a parcel of land is annexed or rezoned, it is necessary to assign a new zoning district to a piece of land. The following criteria shall be applied to the determination of the appropriate zoning district:
 1. Whether the requested zoning district is consistent with the future land use category according to Table 4.04.00.
 2. Whether the uses within the requested zoning district are compatible with the uses in adjacent zoning districts. Compatibility is determined by considering scale of use; intensity of use as determined by floor area ratio and impervious surface coverage; hours of operation; impacts from noise in parking lots or structures; noise from outdoor gathering places; noise from outdoor speakers; noise from processes such as from body shops, equipment shops, and industrial activities; lighting from parking lots or structures and vehicles; and security lighting. Compatibility shall consider the range of allowable uses on parcels adjacent to the proposed rezoning parcel and the typical impacts for those uses.
 3. Whether the requested use is substantially more intense or less intense than allowable development on adjacent parcels. The range of uses permissible according to the land use category and zoning district on the adjacent parcels is the basis for determination. The existence of a nonconforming use on adjacent parcels which is substantially more or less intense than the requested zoning shall not establish the sole reason for denial of the requested zoning.
 4. Whether the requested use is based on soil types, topography, protection of natural resources, and protection of designated historic areas.

Table 4.04.00 - Zoning Districts in Future Land Use Categories

Future Land Use	Zoning Districts									
	R-1E	R-1	R-2	R-3	MU	C-1	C-2	IN	PL	E
Residential (R)	X	X	X	X						
Mixed Use (MU)				X	X	X				
Commercial (C)						X	X			
Industrial (I)								X		
Public Lands (P)									X	
Conservation (CON)										X

4.06.00 - LAND USES PERMISSIBLE IN EACH ZONING DISTRICT

A. How to read the Table of Permissible Uses (Table 4.06.00)

1. Within the Table 4.06.00, the letter "P" indicates that the land use is permissible, subject to compliance with the standards of the zoning district.
2. The letter "S" indicates that the use is permissible, subject to compliance with the standards of the zoning district, and the supplemental standards specified for the use. Supplemental standards are contained in Chapter 7.
3. An empty cell indicates the use is prohibited.
4. Reference back to 4.05.00B3 for uses not allowed in the Downtown Overlay District.
5. Any use that is not identified in Table 4.06.00 is prohibited unless it is found to be substantially similar by the Planning Administrator.
 - a. A requested use shall be considered substantially similar when the characteristics of the requested use are equivalent in type, intensity, degree, or impact when compared to a use named in Table 4.06.00. Examples of characteristics to be considered include the following:
 - (1) Typical hours of operation;
 - (2) Use of outdoor storage;
 - (3) Trip generation rates;
 - (4) Generation of noise, light pollution, odor, smoke, electromagnetic interference, or vibration; and
 - (5) Customary activities associated with the use.
 - b. A requested use shall be consistent with the Comprehensive Plan.
 - c. A requested use shall be consistent with the purposes of the zoning district applicable to the parcel.
 - d. The administrative interpretation of uses shall be subject to appeal, as set forth in Chapter 9.

Table 4.06.00 - Permissible Uses in Each Zoning District

Principle Land Use	Zoning District									
	R-1E	R-1	R-2	R-3	MU	C-1	C-2	IN	P	E
Residential Uses										
Single-family dwelling	P	P	P	P	P					
Duplex or Triplex				P	P					
Multifamily / Apartments / Condos				P	P	P				
Townhouse				S 7.05.08	S 7.05.08					
Manufactured homes		P	P	P	P					
Manufactured home community					S 7.05.06					
Non-Residential Uses										
Alcohol package store (no consumption on premises)						P	P			
Animal hospital or veterinary clinic						P	P			
Arenas, band shell, amphitheater, outdoor performance area						P	P		P	

Principle Land Use	Zoning District									
	<u>R-1E</u>	R-1	R-2	R-3	MU	C-1	C-2	IN	P	E
Artisan studio					P	P	P			
Asphalt or concrete plant								P		
ATM kiosk					P	P	P	P	P	
Bait and tackle					P	P	P			
Barber, beauty salon, nail salons, aesthetician, and other similar uses					P	P	P			
Bed and breakfast lodging					P	P	P			
Building materials, building supply, enclosed lumber yard						P	P	P		
Business support services, such as copying, mailing, printing, private mail service					P	P	P	P		
Car wash or detailing facility						P (7.05.01.B)	P	P		
Cemetery									P	
Community Center, club, or lodge					P	P	P			
Commercial recreation, including bowling, laser tag, video arcades, go karts, and other similar uses						P	P			
Residential subdivision public community/amenity center	<u>P</u>	P	P	P	P					
Cultural facility, such as library, museum, or gallery					P	P	P			
Day-care (child), nursery school, kindergarten, or pre-kindergarten					P	P				
Day-care (adult)					P	P				

Principle Land Use	Zoning District									
	<u>R-1E</u>	R-1	R-2	R-3	MU	C-1	C-2	IN	P	E
Distribution centers, may include warehousing, dispatch offices, vehicle yards							P	P		
Essential public / municipal services	<u>P</u>	P	P	P	P	P	P	P	P	
Farmer's market, outdoor sales, roadside vendors					P	P	P		P	
Financial institutions, banks, credit unions, brokerages, no drive-up window						P	P			
Financial institutions, banks, credit unions, brokerages, with drive-up window						P	P			
Food stores, specialty, such as bakeries, candy, ethnic groceries, catering services					P	P	P			
Food Truck Sites					S 7.05.07	S 7.05.07	S 7.05.07	S 7.05.07		
Fortune tellers and psychics					P	P				
Freight and moving companies						P (7.05.01.B)	P	P		
Fuel/gasoline station, may include convenience store, restaurant, automotive supplies, but not repair						P (7.05.01.B)	P	P		
Funeral homes, mortuaries, crematoria						P (7.05.01.B)	P			
Garden, community or neighborhood	<u>P</u>	P	P	P	P	P			P	P
Golf course	<u>P</u>	P	P	P	P					
Grocery store, supermarket						P	P			

Principle Land Use	Zoning District									
	<u>R-1E</u>	R-1	R-2	R-3	MU	C-1	C-2	IN	P	E
Group home, congregate living facility and similar uses				P	P	P				
Health clubs, exercise clubs, spas, gyms					P	P	P			
Hospital						P	P	P	P	
Hotels, motels, inns and similar lodging facilities						P	P			
Ice vending machine					P	P	P	P	P	
Industrial uses, heavy industry with nuisance factors, such as odor, noise, vibration, electronic interference								P		
Junk or salvage yards, recycling facilities								P		
Kennel with outdoor runs						P (7.05.01.B)	P			
Kennel, no outdoor runs					P	P (7.05.01.B)	P	P		
Laboratories, medical						P	P	P		
Laboratories, industrial							P	P		
Landscaping materials sales: plants, stone, mulch, gravel, supplies, greenhouse, nursery yards						P (7.05.01.B)	P	P		
Laundry facility, self-service					P	P	P	P		
Lounge, bar or nightclub						P	P			
Light manufacturing, light assembly, fully enclosed building, no nuisance factors					P	P	P	P		

Principle Land Use	Zoning District									
	<u>R-1E</u>	R-1	R-2	R-3	MU	C-1	C-2	IN	P	E
Heavy manufacturing and intense industrial activities including production, fabrication, assembly, outdoor storage, with nuisance factors								P		
Medical and dental clinics, outpatient facilities						P	P			
Medical facility for recovery or rehabilitation services, includes substance abuse center, physical or mental rehabilitation, overnight stays						P	P			
Medical marijuana dispensary, Drug stores and pharmacies						S 7.05.02	S 7.05.02			
Nursing home or convalescent facility, overnight stay				P	P	P	P			
Offices, general, includes offices for trades or construction businesses					P	P	P	P		
Parking lot or parking garage, commercial						P	P	P		
Pawnshops						P	P			
Personal services, such as jewelry repair, shoe repair, tailoring, dry cleaning pick-up center					P	P	P			

Principle Land Use	Zoning District									
	<u>R-1E</u>	R-1	R-2	R-3	MU	C-1	C-2	IN	P	E
Professional offices, accounting, government operations, legal services, bookkeeping, realtors, brokers, insurance, etc.					P	P	P			
Recreational camping					S 7.05.03B	S 7.05.03B	S 7.05.03			S 7.05.03
Recreational vehicle park					S 7.05.04	S 7.05.04	S 7.05.04			
Religious facility		P	P	P	P	P	P	P	P	
Repair shops, small equipment, small appliances						P	P	P		
Restaurants, drive-through and fast food						P	P			
Restaurants, (drive-through not allowed)					P	P	P			
Retail shops, freestanding or within centers, includes department stores or specialty shops such as art, antiques, furniture, florist, appliances, jewelry, media, office supplies, automotive supplies, etc.					P	P	P			
Retail, large-scale discount establishments, big-box stores						P	P			
RV, motor homes, travel trailers, or manufactured home sales lot						P (7.05.01.B)	P	P		
Schools: academic, charter, public or private		P	P	P	P	P	P		P	
Schools: business, commercial, trade, vocational					P	P	P	P	P	

Principle Land Use	Zoning District									
	<u>R-1E</u>	R-1	R-2	R-3	MU	C-1	C-2	IN	P	E
Self-storage, mini-storage facilities					P	P	P	P		
Stone, granite, monument sales						P (7.05.01.B)	P			
Studios for personal instruction, such as music, dancing, art or photography					P	P	P			
Tattoo parlors and body-piercing studios					P	P	P			
Terminals, bus, transit, includes truck stop							P	P		
Theaters, movie or performing arts						P	P			
Towers, radio, TV, telecommunication	<u>S</u> <u>7.05.05</u>	S 7.05.05	S 7.05.05	S 7.05.05	S 7.05.05	S 7.05.05	S 7.05.05	S 7.05.05	S 7.05.05	
Trades, maintenance services, and heavy repair services, including outdoor storage, equipment yards, machine shops, welding shops, towing services							P	P		
Uses that are adult-oriented, including bookstores, movie stores, theaters, entertainment, and retail stores								P		
Vehicle: repair, body shop							P	P		
Vehicle: sales and rentals, including automobiles, trucks, and motorcycles						P (7.05.01.B)	P			
Vehicle: construction, heavy equipment sales and rental							P	P		
Vehicle: storage yards						P (7.05.01.B)	P			
Warehousing, not including self-services storage						P (7.05.01.B)	P	P		

Principle Land Use	Zoning District									
	<u>R-1E</u>	R-1	R-2	R-3	MU	C-1	C-2	IN	P	E
Wholesalers						P (7.05.01.B)	P			

6.01.01 - SITE DEVELOPMENT STANDARDS

- A. Lots existing before the effective date of this Chapter shall continue to be considered as compliant regardless of any requirements of this Chapter that are not met.
- B. The base standards for development in residential zoning districts are provided in Table 6.01.01.
- C. A lot of record is a lot established on or before December 31, 2020. A lot of record is exempt from the lot area requirements set forth in Table 6.01.01.

Table 6.01.01 - Development Standards in Residential Zoning Districts

Development Feature	<u>R-1E</u>	R-1	R-2	R-3
Maximum base density (dwelling units per acre)	<u>2</u>	4	6	FLU
Minimum lot area (square feet)	<u>14,000</u>	10,000	7,000	5,000
Minimum lot width (feet)	<u>75</u>	75	50	40
Maximum impervious surface (percent)	<u>50</u>	50	50	75
Minimum setbacks (feet)	<u>R-1E</u>	R-1	R-2	R-3
Front setback (along right of way)	<u>30</u>	30	25	20
Side setback (Lot line intersecting right of way)	<u>10</u>	10	7.5	5
Rear setback (intersecting side lot lines)	<u>25</u>	25	20	15

6.07.00 - DESIGN STANDARDS FOR SUBDIVISIONS

A. Blocks.

1. The lengths, widths, and shapes of blocks shall be determined with due regard to:
 - a. The provision of adequate building sites suitable to the special needs of the type of use contemplated;
 - b. The need for convenient and safe access, circulation, and control of pedestrian and vehicular traffic;
 - c. Zoning requirements as to lot sizes and dimensions; and
 - d. Limitations and opportunities of topography.
2. Blocks shall be a maximum of 1,320 feet in length.
3. Rights-of-way for pedestrian crosswalks may be required in order to provide direct pedestrian access to schools, shopping centers, and parks. Such crosswalks shall be a minimum of ten (10) feet in width.

B. Lots.

1. The lot size, width, depth, shape, orientation, and the minimum building setback lines shall comply with the requirements for the zoning district set forth in this LDC.
2. Corner lots for residential use shall have sufficient additional width to maintain same average buildable area as adjacent lots.
3. Side lot lines shall be approximately at right angles to straight right-of-way lines or radial to curved right-of-way lines. Side lot lines are defined as any lot line that intersects a Right of Way line.
4. Double frontage and reverse frontage lots shall be avoided. Where such lots are necessary to provide separation of residential development from arterial streets or to meet specific orientation requirements, the access to such lots shall be from the street with the lower functional classification. A landscaped buffer strip with a fence, in addition to landscaping and buffering required by Section 6.08.05 shall be provided along the property line abutting the street with the higher functional classification.

C. Specific requirements for flag lots

1. A flag lot is any lot that does not entirely front on a public street. Frontage is provided by a private driveway. See Figure 6.07.03(C) for an illustration of a flag lot.
2. Flag lots are permissible in the [R-1E and](#) R-1 zoning district and shall be measured and meet the dimensional requirements set forth in Sections 6.00.02(C) and Table 6.01.01.
3. Each private driveway shall serve only up to two (2) flag lots.
4. There shall be no more than two (2) abutting private driveways.
5. The design, dimensions, and construction requirements for driveways shall comply with the Crestview Engineering Standards Manual.
6. Nothing in this section shall be construed to prohibit flag lots in a planned unit development.

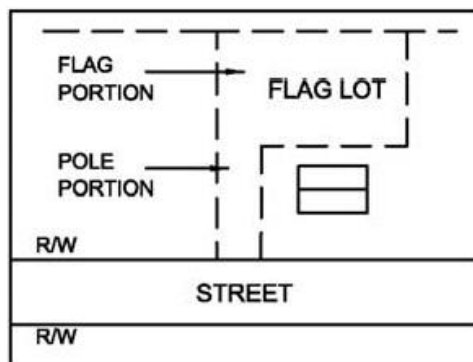


Figure 6.07.03 (C). Illustration of a flag lot

D. Access requirements

1. Each lot shall have frontage on and permanent access to an existing or proposed paved public street.
 - a. Private Streets are only allowed where an HOA is established in perpetuity.
 - b. No streets will be accepted by the City for ownership or maintenance until the streets have met the standards for all streets as identified in the current edition of the Crestview Engineering Standards Manual.

2. A subdivision plat shall include streets as established by transportation plans in the Comprehensive Plan, the Transportation Planning Organization, or other similar plan. The arrangement, character, extent, width, grade, and location of all streets shall conform to the plans of the State, Okaloosa County, and the City, respectively, and shall be considered in their relation to existing and planned streets, to topographical conditions, and to public convenience and safety.
 3. Alleys shall be provided to serve multifamily development, commercial development, and industrial development.
 4. All streets shall be designed and constructed in compliance with the standards of the City set forth in the Crestview Engineering Standards Manual. All costs shall be paid by the developer.
 5. Subdivisions shall include sidewalks and bicycle paths or lanes in compliance with the standards set forth in Chapter 8 of this Land Development Code and the Crestview Engineering Standards Manual.
- E. Easements. All lots within a subdivision shall provide easements for stormwater drainage, water systems, sanitary sewer systems, gas lines, electric lines, cables, telephone lines, and utility poles. Standards for such utility easements are set forth in the Crestview Engineering Standards Manual.
- F. Site improvements.
1. All subdivisions shall be required to have underground utility service (electrical, cable television, telephone, water, and sewer) unless all lots within the subdivision front existing streets that currently are serviced above ground.
 2. If the subdivision plat proposes ten (10) lots or more then a recreation facilities assessment equal to 5% of the predevelopment land value according to the property appraiser shall be due prior to the issuance of a Preliminary Development Order. In some cases, land can be deeded to the City provided that land is deemed of sufficient size and quality to be utilized as a public City Park. This shall be at the sole discretion of the Director of Crestview Recreation Enrichment Services Department.
 3. Land which is determined to be unsuitable for subdivision due to flooding, bad drainage, or other features likely to be harmful to the health, safety, and general welfare of future residents, shall not be subdivided, unless adequate methods of correction and mitigation are formulated by the developer and approved by the City and any other agency having jurisdiction.
 4. All applicable standards set forth in Chapter 5, Environmental and Resource Protection, shall be met.
 5. All applicable standards set in the Crestview Engineering Standards manual shall be met.
- G. The street and block layout.
1. Streets. The street layout of the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining areas and the entire neighborhood. This shall apply to all streets, including private streets.
 - a. Where appropriate to the design, proposed streets shall be continuous and in alignment with existing, planned, or platted streets with which they are to connect.
 - b. Proposed streets may be required to extend to the boundary lines of the tract to be subdivided where such an extension is required to connect with streets in an existing, platted, or planned subdivision. The extension or connection requirement by the city will be based upon traffic circulation or public safety issues and compatibility of adjacent land uses.
 - c. In a proposed subdivision of 50 lots or more adjacent to an existing or platted subdivision where extension of proposed streets to the boundaries would dead end with no feasible street connections, there shall be at least two entrance streets into the subdivision where feasible. Interior streets shall be designed so as to provide more than one route to as many residences as feasible.
 - d. If the proposed subdivision is adjacent to an undeveloped area, at least one proposed street shall terminate at a boundary line of the undeveloped area. A temporary turning circle shall be required at the end of that street or streets with an outside diameter of 60 feet. This requirement may be waived if the traffic pattern of the subdivision contains more than one exit to a city or county road or if traffic circulation or public safety requirements do not dictate a street terminus at a boundary line of the undeveloped area.
 - e. If an existing half-width public or private street or other right-of-way easement is parallel and contiguous with the boundary of a proposed subdivision, the other half-width right-of-way will be dedicated in the proposed subdivision and shall be the width necessary to create a right-of-way along the entire boundary of the proposed subdivision which meets minimum width requirements as set

forth in article VIII of this chapter. If the additional right-of-way required to continue the existing dedicated road or other easement in a continuous, orderly manner is not in the proposed subdivision, the developer will prepare the agreement or easement for dedicating the additional right-of-way required and will attempt to obtain such right-of-way. However, the city may assist in acquisition of such right-of-way when in the public interest, where governmental action is necessary to acquire the property and the developer advances all costs and expenses incurred by the city in taking such action.

- f. A cul-de-sac or local dead-end street shall not exceed 1,320 feet in length.
- g. Street lighting shall be provided in accordance with Section 6.06.01 of this code. The Developer shall make arrangements with the power company and bear the cost of power during the warranty period. Then the street light electrical account shall transfer to the Home Owners Association serving the same.

H. Subdivision Landscaping Requirements

- 1. Any subdivision landscaping or island must be in a platted common area, dedicated to the Homeowner's Association.

6.08.08 – REQUIREMENTS - RIGHT-OF-WAY LANDSCAPE BUFFER YARD

- A. There shall be a continuous landscaped area, a minimum of 10-foot wide, adjacent to all rights-of-way.
 - 1. When parking areas abut ROW Landscape Buffer yards, wheel stops shall be provided to prevent more than eighteen (18) inches of overhang into the landscape area.
 - 2. Sidewalks shall not be located within the right-of-way landscape buffer yard.
 - 3. A maximum of two vehicle accessways, meeting the width requirements of Crestview Engineering Standards Manual, through ROW Landscape Buffer yards, per right-of-way shall be allowed.
 - a. Developments with greater than 500 linear feet of right-of-way frontage shall be allowed one additional accessway through the ROW Adjacent Landscape Yard.
 - b. Accessways shall at no time be less than 50 feet apart, as measured from the centerline of driveway throats of each accessway.
- B. When a development's disturbed area or project area, does not extend the full length of the right-of-way frontage of the property, the required perimeter landscape may be placed within the dedicated project area only, provided the following:
 - 1. When the remainder of the frontage contains natural growth of native trees, shrubs and grasses to sufficiently create or maintain a visual barrier between the right-of-way and the proposed development.
 - 2. The remainder of the frontage is kept and maintained in its natural state.
 - 3. The landscape plan identifies that the area is to be maintained in a natural state and that when the area no longer provides an acceptable visual barrier, landscaping improvements in keeping with the provisions of this code shall be installed.
 - 4. If this area is developed in the future, then it will be required to meet the requirements of this code.
- C. Right-of-way adjacent landscape areas shall utilize, to the greatest extent practical, existing trees, provided those trees are identified within the Approved Tree Species List. See Section 6.08.09 for the approved species list and tree protection bonuses.
- D. Right-of-way adjacent landscape areas shall provide vegetation in accordance with the following:
 - 1. One tree per 25 linear feet, or fraction thereof, of total right-of-way frontage with 50 percent of the trees being a shade species.
 - a. Any required trees deemed to be within the visibility triangle will be required to be planted elsewhere. (Refer to the Crestview Engineering Standards Manual for more information)
 - b. Any trees that would conflict with existing utilities, such as overhead power, shall be planted elsewhere.
 - c. In no case will driveways, utilities, or other such conflicts result in a reduction of the required trees or landscape area. Such required landscape shall be moved elsewhere within the development.
 - 2. The balance of the landscaped area shall be planted with turf grass and other landscaping treatments.
- E. Side Perimeter Landscape Yards.
 - 1. There shall be a continuous side perimeter landscape yard, a minimum of five-foot-wide, adjacent to the property line, in accordance with the following:
 - a. When there is an existing use on the adjacent property and a buffer yard is not required.
 - b. When there is a planned use on the adjacent property and a buffer yard is not required.
 - c. Cross Vehicle Access-drives meeting the minimum width requirements as per the *Crestview Engineering Standards Manual*, shall be allowed up to three per side.
 - (1) When not connecting to an existing Cross Vehicle Access drive, landscaping shall be required to meet this Chapter.
 - 2. Side perimeter landscape yards shall provide vegetation in accordance with the following:
 - a. The balance of the landscaped area shall be planted with turf grass and other landscaping treatments.
- F. Buffer Yards
 - 1. Buffer yards shall generally be located along the outer perimeter of a parcel and shall extend from the property line inward the required width.
 - 2. Buffer yards shall be required between uses with different densities and/or intensities and between different zoning districts in accordance with the following:
 - a. A buffer yard shall be provided in the following situations and/or circumstances:
 - (1) Buffer widths shall be determined based on Table 6.08.08.

- (a) Where redevelopment of an existing single-family dwelling occurs adjacent to single family or duplex residential development, in conformance with this code and the character of the single-family dwelling is preserved and there are 10 or less required parking spaces, the buffer yard requirement may be satisfied by the placement of an eight-foot tall wood or vinyl/plastic privacy fence around the entire side and rear yards.

Table 6.08.08 - Required Buffer Widths

	<u>R-1E</u>	R-1	R-2	R-3	MU	C-1	C-2	IN
<u>R-1E</u>	<u>N/A</u>	<u>5 feet</u>	<u>10 feet</u>	<u>15 feet</u>	<u>15 feet</u>	<u>20 feet</u>	<u>30 feet</u>	<u>50 feet</u>
R-1	<u>5 feet</u>	N/A	5 Feet	10 Feet	15 feet	15 Feet	20 Feet	30 Feet
R-2	<u>10 feet</u>	5 Feet	N/A	5 Feet	10 feet	15 Feet	20 Feet	30 Feet
R-3	<u>15 feet</u>	10 Feet	5 Feet	N/A	7.5 feet	15 Feet	15 Feet	15 Feet
MU	<u>15 feet</u>	15 feet	10 feet	7.5 feet	N/A	7.5 feet	10 feet	15 feet
C-1	<u>20 feet</u>	15 Feet	15 Feet	15 Feet	7.5 feet	N/A	5 Feet	5 Feet
C-2	<u>30 feet</u>	20 Feet	20 Feet	15 Feet	10 feet	5 Feet	N/A	5 Feet
IN	<u>50 feet</u>	30 Feet	30 Feet	15 Feet	15 feet	5 Feet	5 Feet	N/A

7.01.02 - ACCESSORY BUILDINGS

Site Development standards for accessory buildings (storage buildings, utility buildings, sheds, greenhouses, etc.).

- A. Accessory buildings in all zoning districts shall abide by the following requirements and standards:
1. In lots within recorded subdivisions and non-platted lots with a depth less than 250 feet:
 - a. Accessory buildings shall only be placed in side and rear yards and shall be setback three (3) feet from side and rear property lines.
 - b. Accessory buildings on lots facing multiple rights-of-way may be placed in any front yard not abutting the face of the structure containing the front door, up to the required front setback. See figure 7.01.02.
 - c. Accessory buildings closer than ten (10) feet to the principle structure must meet the setbacks of said principle structure.
 2. In lots not within recorded subdivisions and with a lot depth of 250 feet or greater:
 - a. Accessory buildings shall be setback three (3) feet from side and rear property lines and shall not be within any required front setback.
 - b. Accessory buildings closer than ten (10) feet to the principle structure must meet the setbacks of said principle structure.

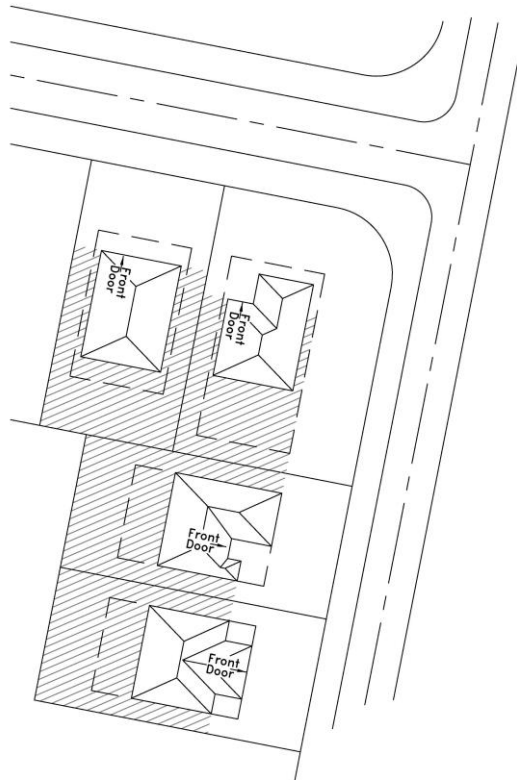


Figure 7.01.02. Allowed Accessory Building and Fence Location on Lots Facing Multiple Rights-Of-Way.

- B. Storage buildings, storage sheds and detached garages in the C-1, C-2 and IN zoning districts that exceed 600 square feet of floor area must provide brick veneer, stone, stucco, or other similar decorative materials to the façade on all sides of the building visible from the public right of way.
- C. Carports in any zoning district are allowed according to the following requirements:
1. Carports are allowed in front yards but shall not encroach into any front setback and must remain under twenty (20) feet in height.
 2. Carports located in any front yard shall not be enclosed on any side.
 3. Carports are allowed in side yards up to property line, regardless of distance to the main structure.
 4. Eaves of carports shall not extend over any property line.
 5. Carports shall be at least three (3) feet from any rear property line.

- D. Screen rooms, enclosed patios, porch coverings, or any other similar structure are allowed in the R-1E, R-1, R-2, R-3 and MU zones according to the following requirements:
1. Shall be at least 3 feet from any rear property line.
 2. Shall not be placed within any front or side setback area.

7.01.03 - FENCES

Site Development Standards for Fences, Hedges and Walls

- A. Location of fences, perimeter hedges and walls.
1. Fences, perimeter hedges and retaining walls may be located on, at, or inside the property line. All fence material must be located on, at or inside the property line, and shall not be located outside of the property line.
 2. A fence located on the property line may be shared by adjacent properties.
 3. Setback requirements applicable to principle buildings shall not prohibit or restrict the installation of a retaining wall.
 4. Fences, perimeter hedges, and walls shall not be located within the required visibility triangle.
- B. Materials and appearance requirements.
1. Fences and walls must be constructed of wood, masonry, stone, wrought iron, chain link, vinyl, welded wire, or composite materials.
 2. All fences shall be installed with the finished side facing outward, except for the following:
 - a. Where a fence cannot be constructed on the property line due to an existing fence on the adjacent property line, the finished side may face inward.
 - b. When an applicant is not granted permission to access the adjacent property to install the fence, the finished side may face inward.
 3. A fence installed for security purposes in C-2 or IN zoning may include barbed wire or razor wire, provided that such wire is at least six (6) feet off the ground.
- C. Electrical fencing may be installed for security purposes and shall meet the following standards:
1. Electrical fencing may be installed on top of a fence in C-2 or IN zoning districts, provided that the electrical fencing is a minimum of six (6) feet above the ground.
 2. Electrical fencing may be installed in residential areas provided that such fencing shall be limited to side and rear yards and shall be contained within a fence structure.
 3. All electrical fencing shall be accompanied by signs to provide a warning of the type of fence and the voltage of the fence. Warning signs shall be placed at each corner of the enclosed area; additional signs shall be placed fifteen (15) feet apart along the entire fence. Warning signs shall not exceed four (4) square feet in area each.
- D. Height standards.
1. Fence and wall height shall be measured from the natural grade at the base of the fence to the topmost part of the fence, including any decorations, barbed wire, or other fixtures.
 2. The maximum height for a fence on a lot line on a property zoned **R-1E**, R-1, R-2, R-3 or MU and adjacent to a property zoned C-1, C-2 or IN shall be eight (8) feet.
 3. Fence may contain decorative columns spaced no less than six (6) feet apart that shall not exceed eight (8) feet in height.
 4. Height standards provided in Table 7.01.03.

Table 7.01.03 - Standards for Fence Heights

Zoning District	Maximum Height in a Side or Rear Yard (feet)	Maximum Height in a Front Yard ^{1, 2}
R-1E	8	4
R-1	8	4
R-2	8	4
R-3	8	4

¹ Fences on lots facing multiple rights-of-way may be up to 8 feet in height in any front yard not abutting the face of the structure containing the front door, where the fence will not obstruct visibility from any intersection or adjacent driveway, as determined by the Planning Administrator, or designee.

² Fences that allow for at least 50 percent visibility through the material, including but not limited to chain link, wrought iron, or welded wire, may be up to 8 feet in height.

MU	8	4
C-1	8	4
C-2	8	4
IN	8	6
P	8	6
E	N/A	N/A

7.02.02 - EXEMPT SIGNS

The following signs are exempt from the requirement to obtain a development permit.

- A. Regulatory, statutory, traffic control, or directional signs erected on public property by or with permission of the United States, the State of Florida, Okaloosa County or the City.
- B. Legal notices and official instruments.
- C. Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper boxes, and gasoline pumps.
- D. Advertising and identifying signs located on taxicabs, buses, trailers, trucks, or vehicle bumpers.
- E. Public warning signs to indicate the dangers of swimming, animals, or similar hazards.
- F. Memorial signs or tablets, names of buildings, and dates of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials.
- G. Signs carried by a person.
- H. Provisionally Exempt Signs. Signs identified in this section may be placed without a permit, provided that such signs comply with the standards set forth in Table 7.02.02.

Table 7.02.02 - Standards for Provisionally Exempt Signs

Sign Type	Standards
Entrance, exit, or other directional signs, including parking identification signs.	- Maximum area of four (4) s.f. - No individual letters, symbols, logos or designs in excess of eight (8) inches measured vertically or horizontally
"No trespassing" or "no dumping" signs	Maximum area of four (4) s.f.
Home Occupation Nameplate in R-1E , R-1, R-2, R-3, and MU zoning District	- Maximum area of one (1) s.f. - Limited to one (1) per property - Must be affixed to front wall of the dwelling unit containing the Home Occupation - Signs shall not be lighted - May only contain name identifying the Home Occupation
Campaign Signs	- Maximum area of nine (9) s.f. and maximum height of six (6) feet in R-1E, R-1, R-2, R-3 and MU zoning districts - Maximum area of thirty-two (32) s.f. and maximum height of six (6) feet in C-1, C-2, IN, P and CON zoning districts - Limited to one sign per property - Limited to the period of the campaign issue - Must be removed within forty-eight (48) hours of the campaign issue being decided
Real estate signs in R-1E , R-1, R-2, R-3, and MU zoning districts	- One (1) sign per dwelling offered for sale or rent - Located on property offered for sale or rent - Maximum area of nine (9) s.f. - Maximum height of six (6) feet. - Allowed for the duration of contract to sell or until rental vacancy is filled
Real estate signs in C-1, C-2, IN, P, and E zoning districts	- One (1) sign per street frontage - Located on property offered for sale or lease - Maximum area of thirty-two (32) s.f. - Maximum height of six (6) feet. - Allowed for the duration of contract to sell or lease
Construction signs, R-1E , R-1, R-2, R-3, and MU zoning districts	- Located on a property where a valid building permit has been issued and has not expired. - Maximum area of thirty-two (32) s.f. - Maximum height of eight (8) feet.

	• Removed when the certificate of occupancy has been issued
Construction signs, C-1, C-2, IN, P, and E zoning districts	• Located on a property where a valid building permit has been issued and has not expired. • Maximum area of all signs not to exceed thirty-two (32) s.f. • Maximum height of eight (8) feet. • Removed when the certificate of occupancy has been issued
Yard or garage sale signs	• Maximum area of four (4) s.f. • Located on the property where a sale is being conducted. • Limited to one sign per property • Must be removed within forty-eight (48) hours of the conclusion of the sale
Automatic Teller Machine (ATM) signs	• Not more than one (1) wall sign • Maximum area of four (4) s.f. • Mounted not more than eight (8) feet above finished elevation of the ATM

7.03.01 - DETACHED ACCESSORY DWELLINGS IN RESIDENTIAL ZONING DISTRICTS

- A. Purpose.
 - 1. The Purpose of this section is to ensure a wide variety of housing choices to city residents and allow opportunities for extended family living.
 - 2. This section provides for detached accessory dwellings, also called accessory apartments, guesthouses, mother-in-law suites, or similar low intensity second housing unit.
 - 3. The intent of this section is to ensure that the establishment of a detached accessory dwelling in a residential zoning district maintains compatibility of the area by minimizing or avoiding potential negative impacts from a secondary dwelling unit.
- B. Applicability. Accessory dwelling units are permissible in R-1E, R-1, R-2, R-3 and MU when established in compliance with the standards set forth in this section.
- C. No more than one (1) accessory dwelling shall be established on any lot, parcel or tract of land.
- D. Standards for a detached accessory dwelling.
 - 1. A detached accessory dwelling shall not be allowed on a property where the principle structure is a mobile home, trailer, or of any construction that is not a site-built structure.
 - 2. A detached accessory dwelling shall be held to and reviewed against all applicable building codes, fire codes, and life safety codes required for any new construction dwelling unit.
 - 3. Any detached accessory dwelling shall comply with all site development standards for principle dwelling structures required by the zoning district, with the following exceptions:
 - a. Detached accessory dwellings may be placed according to the standards for Accessory Buildings in section 7.01.02.
 - b. Detached accessory dwellings may be less than 20 feet in width.
 - 4. Design standards, roof style and materials, and architectural style of the detached accessory dwelling shall be consistent with the principle dwelling and be built in accordance with the Florida Building Code, Residential.
 - 5. One (1) additional parking space shall be provided. Where on-street parking is established for the neighborhood, on-street parking may be counted to meet this requirement.
 - 6. A detached accessory dwelling shall not exceed 900 square feet or forty (40) percent of the total living area of the principle dwelling on the site, whichever is greater.
 - 7. The existence of a detached accessory dwelling shall not be construed to allow for additional accessory structures on any lot, parcel, or tract of land beyond the number and type of accessory structures permissible with the principle dwelling.
 - 8. There shall be no additional signage to identify the detached accessory dwelling, other than the signage permissible for the principle dwelling.
 - 9. There shall be no additional mailbox, exterior utility equipment, or other evidence of a detached accessory dwelling unit. A detached accessory dwelling unit shall not have separate metered utility service, except as otherwise provided in the Florida Building Code, Current Edition.

7.04.00 - HOME OCCUPATIONS

Home occupations may be permitted as an accessory use in a lawfully established dwelling unit located in the R-1E, R-1, R-2, R-3, and MU zoning districts. The standards for home occupations are intended to ensure compatibility with other permitted use and with the residential character of the neighborhood.

- A. The following and similar scope of uses shall be considered home occupations:
 - 1. An office, such as for professionals and general business.
 - 2. Instruction for teaching, such as, but not limited to, academic tutoring, performing arts, or fine arts, provided that no more than two (2) students are instructed at any one (1) time.
 - 3. Administrative or clerical support service, such as transcription, court reporting, stenography, notary public, or word processing, data entry or addressing services.
 - 4. Authors, composers, or creators of intellectual property.
 - 5. Telephone answering services.
 - 6. Beauty salons, barber shops, nail technicians, or similar personal service, limited to one (1) chair or station.
 - 7. Similar uses: An interpretation that a use is similar shall be based on the activities and low level of impact normally associated with the proposed use and similarity of those activities and impacts with those of a listed use.
- B. The following uses are specifically prohibited as home occupations:
 - 1. Appliance and motor repairs (small or large).
 - 2. Automotive, vehicle, or watercraft repairs.
 - 3. Florist.
 - 4. Veterinary clinic.
 - 5. Medical office accompanied by patient foot traffic for a doctor, dentist, or other medical practitioner.
 - 6. Repair of radios, televisions, computers, CD or DVD players, or other similar equipment.
 - 7. Any occupation involving hazardous materials.
 - 8. Restaurants.
 - 9. Any other occupation that does not meet the standards set in 7.04.00.
- C. All home occupations shall comply with the following standards:
 - 1. A home occupation shall be required to have a City Business Tax Receipt (BTR). There shall be one (1) BTR for each business conducted in the dwelling.
 - 2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes and shall not change the residential character of the structure.
 - 3. Not more than twenty-five (25) percent of the habitable floor area of the dwelling unit shall be used in the conduct of the home occupation in R-1E, R-1, R-2, or R-3. MU may have up to thirty-five (35) percent of the habitable floor area of the dwelling unit for the home occupation.
 - 4. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation including outside storage or signs pertaining to the home occupation. However, one (1) unlighted nameplate, not more than one (1) square foot in area, may be attached to the front wall of the dwelling unit identifying the name of the business which constitutes the home occupation.
 - 5. No home occupation shall be conducted in any accessory building, except for the permissible parking of vehicles in a garage or carport.
 - 6. No open storage of equipment shall be permitted except that which is of a quantity and configuration normally used for purely domestic purposes.
 - 7. The home occupation shall not generate noise, vibration, glare, fumes, odors, or electrical interference to adjacent properties.
 - 8. Up to two (2) passenger vehicles, which may be commercially marked, are permissible in association with the home occupation. All permissible vehicles shall be parked within a lawful garage, lawful carport, or on the driveway. However, vehicles with a primary purpose of commercial use are prohibited; such vehicles include well-drilling trucks, tow-trucks, cement mixers, semi-trailers, tractors, refrigerated trucks or vans, graders, or other earth moving equipment. Lawn equipment trailers and similar vehicles are permissible provided that they are screened from public view and limited to one (1) per dwelling. Taxi cabs may be permissible, provided that all such vehicles can be parked within a garage, or carport, or on the driveway.

9. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood. The basis for evaluating traffic generated shall be data available from the Institute of Transportation Engineers.
10. Any need for parking generated by the conduct of such home occupation shall be met by the parking areas serving the residential use, such as the driveway, garage, or carport. No vehicle shall block access to the driveway, pedestrian movement on a sidewalk, or be parked in public right-of-way.
 - a. The structural dimensions and locations in relation to property lines,
 - b. The zoning district setback lines,
 - c. Locations of any temporary sanitary facilities (portable toilets) and waste disposal.
 - d. Parking areas,
 - e. Signage,
 - f. Means of ingress and egress for vehicular and pedestrian traffic,
 - g. Any additional information necessary to portray the property and proposed use,
 - h. A description of the proposed use
2. Insurance
 - a. Proof of general liability insurance, in a form acceptable to the City, protecting the applicant from all claims for damages to property or bodily injury, which may arise from operations under or in connection with the vendor's activity.
 - b. A signed and notarized hold-harmless agreement.
- B. Temporary Auto Sales.
 1. Temporary vending involving the sale of automobiles is permitted under this section, provided the applicant for the temporary sale of automobiles shall have a permanent business location within the city limits of Crestview, and shall have a valid City Business Tax Receipt.



Staff Report

PLANNING AND DEVELOPMENT

BOARD MEETING DATE: February 7, 2022

TYPE OF AGENDA ITEM: Ordinance

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 2/2/2022
SUBJECT: Ordinance 1842 - Lindley Road Rezoning

BACKGROUND:

On September 30, 2021, staff received an application to annex and to amend the comprehensive plan and zoning designations for property located on Lindley Road.

The subject property is currently located within unincorporated Okaloosa County with a future land use and zoning designation of Agriculture.

The application originally requested the Single-Family Low Density Dwelling District (R-1) zoning designation for the property. Following comments made from the public since the application was made, discussions from previous board meetings, numerous discussions amongst staff, and discussions with the developer, the application has been amended to request the Single Family Estate District (R-1E). This zoning district is more compatible with the existing surrounding areas and will serve to keep development on this property more consistent with those surrounding neighborhoods and areas.

The request for rezoning will be presented to City Council via Ordinance 1842 on February 14, 2022, for the first reading.

DISCUSSION:

The property description is as follows:

Property Owner: Eagle View Investments LLC
9729 Hammocks Blvd E107
Miami, FL 33196
02-3N-24-0000-0003-0000
02-3N-24-0000-0003-0010
Parcel ID: 02-3N-24-0000-0003-001C
02-3N-24-0000-0003-001E
02-3N-24-0000-0004-0010
Site Size: 172.45 acres
Current FLU: Okaloosa County Agriculture
Current Zoning: Okaloosa County Agriculture
Current Land Use: Vacant

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

Direction	FLU	Zoning	Existing Use
North	Conservation (CON) & Residential (R)	Conservation (E) & Single-Family Low-Density Dwelling District (R-1)	Vacant & Residential
East	Residential (R)	Single-Family Low-Density Dwelling District (R-1)	Vacant & Residential
South	Okaloosa County Agriculture & Rural Residential	Okaloosa County Agriculture & Residential Rural	Vacant & Residential
West	Okaloosa County Conservation	Okaloosa County Institutional	Vacant

The subject property is currently vacant, and a development application has not been submitted. Based on the requested land-use and zoning designations, the property could be developed for residential use.

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 October 11, 2021. The property was posted on October 19, 2021, and updated on December 14, 2021 and January 26, 2022. An advertisement ran in the Crestview News Bulletin on December 22, 2021 and January 20, 2022.

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.

RECOMMENDED ACTION

Staff respectfully requests adoption of Ordinance 1842 and send to the City Council for first reading and public hearing on second reading.

Attachments

1. Exhibit Packet

ORDINANCE:

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, PROVIDING FOR THE REZONING OF 172.45 ACRES, MORE OR LESS, OF REAL PROPERTY, LOCATED IN SECTION 2, TOWNSHIP 3 NORTH, RANGE 24 WEST, FROM THE OKALOOSA COUNTY AGRICULTURE ZONING DISTRICT TO THE SINGLE-FAMILY ESTATE DISTRICT (R-1E) 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 172.45 acres, more or less, of real property lying within the corporate limits of Crestview, Florida, with 172.45 acres, more or less, being formerly zoned Okaloosa County Agriculture with the Residential (R) Future Land Use Map designation recently ratified by the City Council through adoption of Ordinance 1841, is hereby rezoned to Single-Family Estate District (R-1E) to wit:

Parcel 02-3N-24-0000-0003-0000

A parcel of tract of land situated in Section 2 and Section 11, Township 3 North, Range 24 West, Okaloosa County, Florida, more particularly described as follows:

Begin at the Southeast corner of Section 2, also the Northeast corner of Section 11, Township 3 North, Range 24 West, Okaloosa County, Florida; thence proceed South 00 degrees 11' 08" West, along the East line of said Section 11, a distance of 125 feet, more or less, to a point on the Northerly Water's edge of Mathison Creek; thence departing the East line of said Section 11, meander Southwesterly along the Northerly water's edge of said Mathison Creek, a distance of 5809 feet, more or less, to a point on the West line of the Northeast Quarter of the Northwest Quarter of said Section 11; thence departing the Northerly Water's edge of said Mathison Creek, proceed North 00 degrees 17' 51" East, along the West line of the Northeast Quarter of the Northwest Quarter of said Section 11, a distance of 1188 feet, more or less, to a point on the South line of said Section 2, Township 3 North, Range 24 West Okaloosa County, Florida; thence proceed South 89 degrees 57' 01" East along the South line of said Section 2, a distance of 1188.70 feet; thence departing the South line of said Section 2, proceed North 00 degrees 30' 38" East a distance of 588.17 feet; thence proceed North 89 degrees 42' 25" East a distance of 2180.38 feet; thence proceed South 00 degrees 30' 36" West a distance of 31.61 feet; thence proceed South 89 degrees 57' 51" East, a distance of 460.69 feet to a point on the East line of said Section 2; thence proceed South 00 degrees 30' 44" West along the East line of said Section 2 a distance of 569.71 feet to the Point of Beginning of the parcel herein described.

Parcel 02-3N-24-0000-0003-0010

Commencing at the Southeast corner of Section 2, Township 3 North, Range 24 West, Okaloosa County, Florida; thence North 0 degrees 30 minutes 50 seconds East along the East line of said Section 2 for 604.52 feet; thence South 89 degrees 43 minutes 6 seconds West for 791.13 feet to the Point of Beginning; thence continue South 89 degrees 43 minutes 6 seconds West for 1849.96 feet; thence North 0 degrees 32 minutes 39 seconds East for 301.47 feet; thence North 89 degrees 43 minutes 57 seconds East for 1849.89 feet; thence South 0 degrees 31 minutes 29 seconds West for 301.01 feet to the Point of Beginning.

Parcel 02-3N-24-0000-0003-001C

Parcel "A"

Commence at the Southeast corner of Section 2, Township 3 North, Range 24 West, Okaloosa County, Florida; thence proceed North 00 degrees 30 minutes 50 seconds East, a distance of 1316.10 feet to the Point of Beginning; thence continue North 00 degrees 30 minutes 50 seconds East, a distance of 480.54 feet; thence proceed North 89 degrees 57 minutes 56 seconds West, a distance of 253.16 feet; thence proceed South 00 degrees 02 minutes 04 seconds West, a distance of 73.44 feet; thence proceed North 89 degrees 57 minutes 56 seconds West, a distance of 207.32 feet; thence proceed South 00 degrees 33 minutes 19 seconds West, a distance of 338.99 feet; thence proceed South 89 degrees 55 minutes 14 seconds East, a distance of 260.40 feet; thence proceed South 00 degrees 02 minutes 04 seconds West, a distance of 66.11 feet; thence proceed South 89 degrees 27 minutes 03 seconds East, a distance of 199.15 feet back to the Point of Beginning of the parcel herein described.

Parcel "B"

Commence at the Southeast corner of Section 2, Township 3 North, Range 24 West, Okaloosa County, Florida; thence proceed North 00 degrees 30 minutes 50 seconds East, a distance of 1336.19 feet; thence proceed North 89 degrees 50 minutes 47 seconds West, a distance of 790.93 feet; thence proceed North 00 degrees 31 minutes 29 seconds East, a distance of 66.00 feet to the Point of Beginning; thence continue North 00 degrees 31 minutes 29 seconds East, a distance of 329.83 feet; thence proceed South 89 degrees 26 minutes 50 seconds East, a distance of 265.00 feet; thence proceed South 00 degrees 33 minutes 19 seconds West, a distance of 329.84 feet; thence proceed North 89 degrees 26 minutes 41 seconds West, a distance of 264.82 feet back to the Point of Beginning of the parcel herein described.

Parcel 02-3N-24-0000-0003-001E

Parcel A-1

Commencing at the Southeast corner of Section 2, Township 3 North, Range 24 West, Okaloosa County, Fl.; thence North 0 degrees 30 minutes 50 seconds East along the East line of said Section 2 for 1798.60 feet to the Point of Beginning; thence North 89 degrees 57 minutes 56 seconds West for 253.16 feet; thence South 0 degrees 2 minutes 4 seconds West for 73.44 feet; thence North 89 degrees 57 minutes 56 seconds West 207.32 feet to the East margin of a road right of way 66 feet wide; thence North 0 degrees 33 minutes 19 seconds East along said right of way for 605.77 feet; thence North 89 degrees 55 minutes 11 seconds East along the South margin of a right of way 66 feet wide for 459.34 feet to the East line of Section 2; thence South 0 degrees 30 minutes 50 seconds West 533.24 feet along said East line of Section 2 to the Point of Beginning.

Parcel A-2

Commencing at the Southeast corner of Section 2, Township 3 North, Range 24 West, Okaloosa County, Fl.; thence North 0 degrees 30 minutes 50 seconds East along the East line of said Section 2 for 1798.60 feet; thence North 89 degrees 57 minutes 56 seconds West for 253.16 feet; thence South 0 degrees 2 minutes 4 seconds West for 73.44 feet; thence North 89 degrees 57 minutes 56

seconds West 273.32 feet to the West margin of a road right of way 66 feet wide and the Point of Beginning; thence North 0 degrees 33 minutes 19 seconds East along said right of way for 939.63 feet; thence North 89 degrees 56 minutes 17 seconds West for 265.50 feet; thence South 0 degrees 31 minutes 29 seconds West for 939.76 feet; thence South 89 degrees 57 minutes 56 seconds East for 265.00 feet to the Point of Beginning.

Parcel 02-3N-24-0000-0004-0000

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 3 NORTH, RANGE 24 WEST, OKALOOSA COUNTY, FLORIDA; BEING A PORTION OF THE PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 1078, PAGE 187 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE RUN N89°37'09"E ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1,850.29 FEET; THENCE RUN S00°05'39"W, A DISTANCE OF 932.12 FEET; THENCE RUN N89°52'40"W, A DISTANCE OF 132.07 FEET; THENCE RUN S00°05'39"W, A DISTANCE OF 329.82 FEET; THENCE RUN N89°52'31"W, A DISTANCE OF 367.93 FEET; THENCE RUN S46°31'41"W, A DISTANCE OF 200.00 FEET; THENCE RUN S13°04'28"W, A DISTANCE OF 211.40 FEET; THENCE RUN S38°02'26"E, A DISTANCE OF 150.00 FEET; THENCE RUN N78°01'30"E, A DISTANCE OF 334.12 FEET; THENCE RUN N40°04'06"E, A DISTANCE OF 425.00 FEET; THENCE RUN S00°05'39"W, A DISTANCE OF 437.23 FEET; THENCE RUN S89°23'00"W, A DISTANCE OF 1,853.26 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE RUN N00°11'15"E, A DISTANCE OF 1,772.83 FEET TO THE POINT OF BEGINNING.

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. 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 _____, 2022.

ATTEST:

Maryanne Schrader
City Clerk

APPROVED BY ME THIS _____ DAY OF _____, 2022.

J. B. Whitten
Mayor

Adopted Zoning



0 300 600
Feet

Legend

Subject Parcels

City Limits

City Zoning

Single Family Estate District (R-1E)

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 (I1)

Public Lands (P)

Conservation (E)

County Zoning

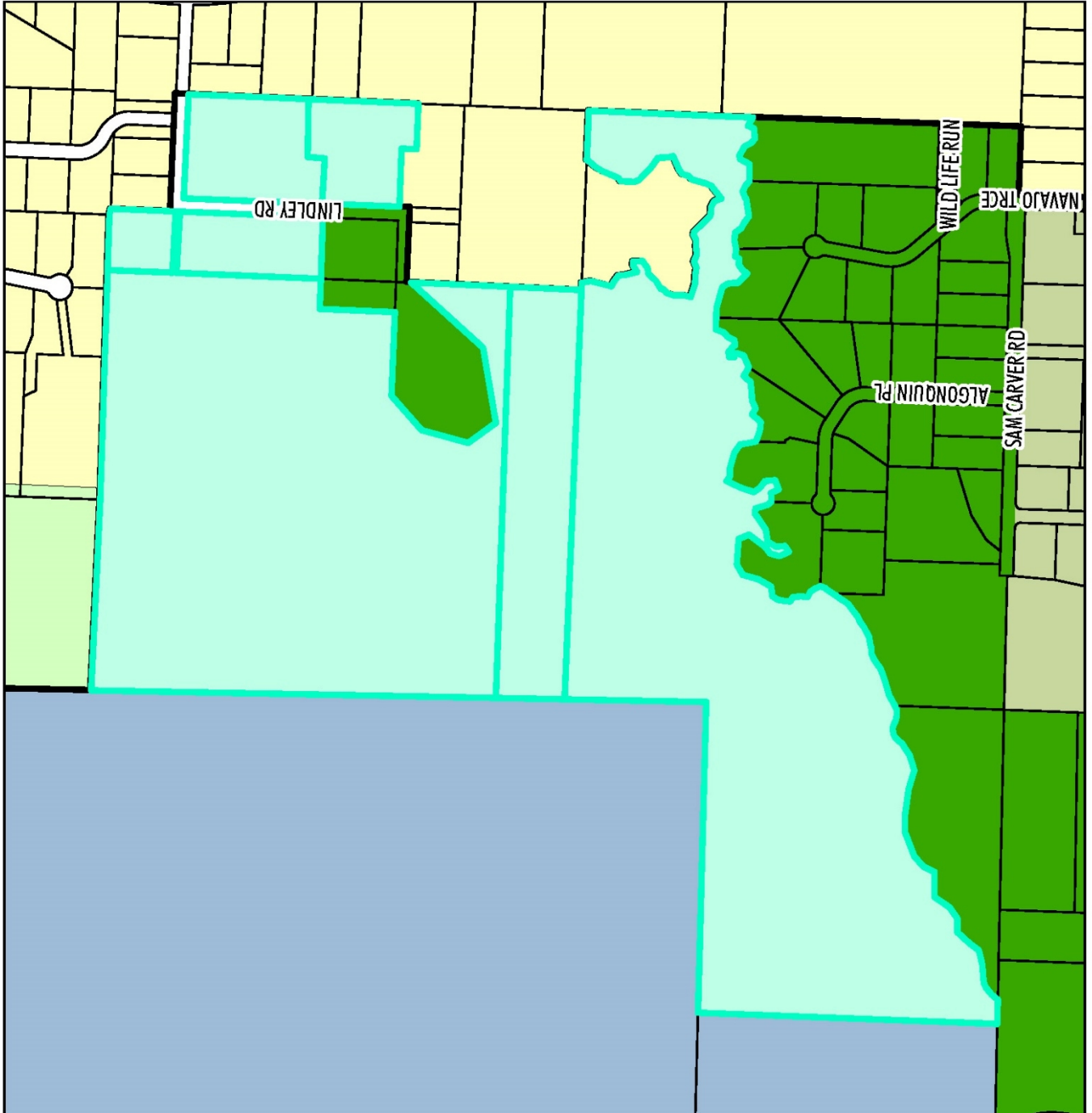
Agricultural (AA)

Rural Residential (RR)

Institutional (INST)

Water

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

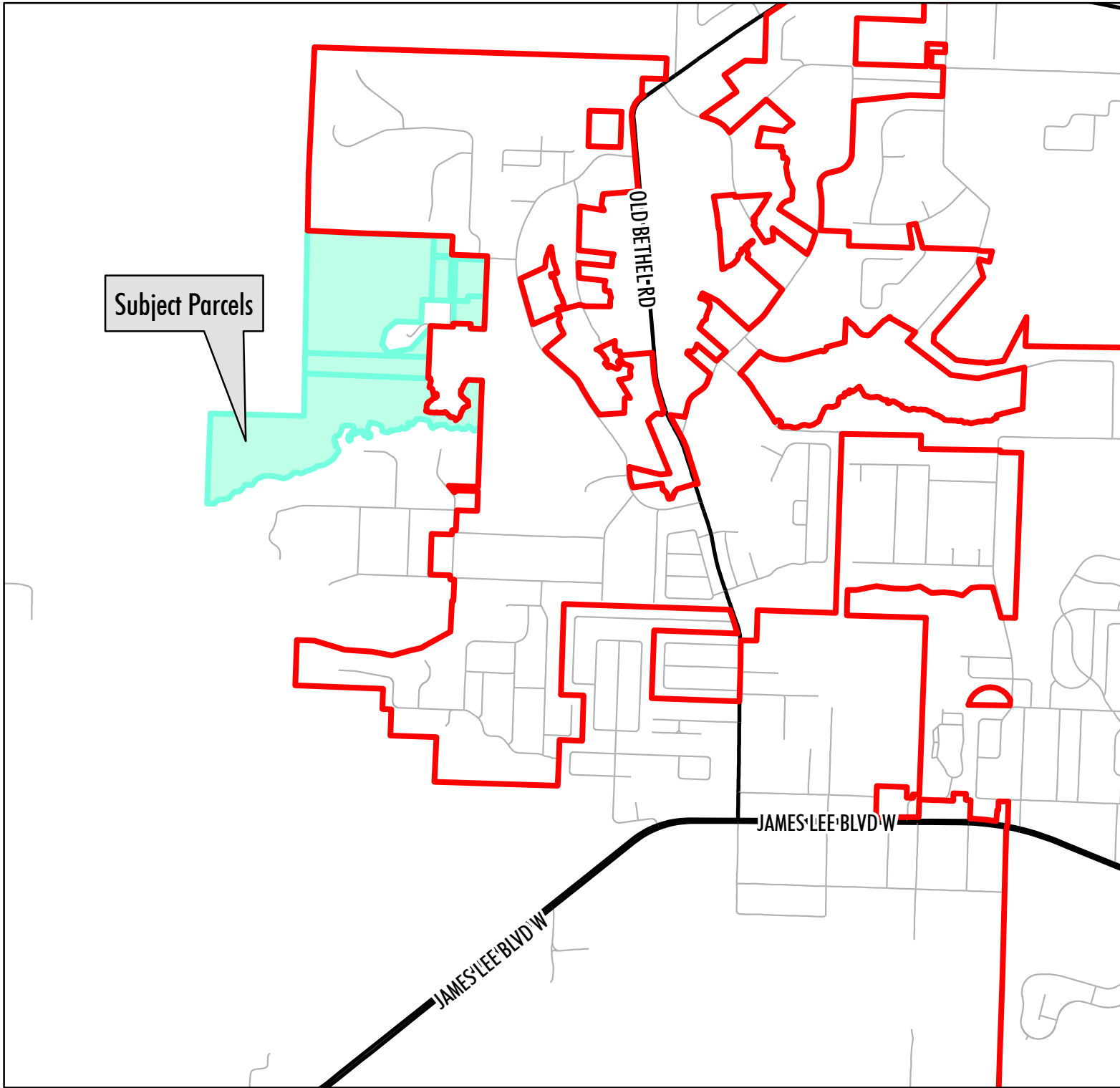


Vicinity Map



Not to Scale

Subject Parcels



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

Existing Use

N



0 300 600
Feet

Legend

Subject Parcels

City Limits

Existing Use

County

Improved A

Marsh

Manufactured Home

Mobile Home

Municipal

No AG Acre

Single Family

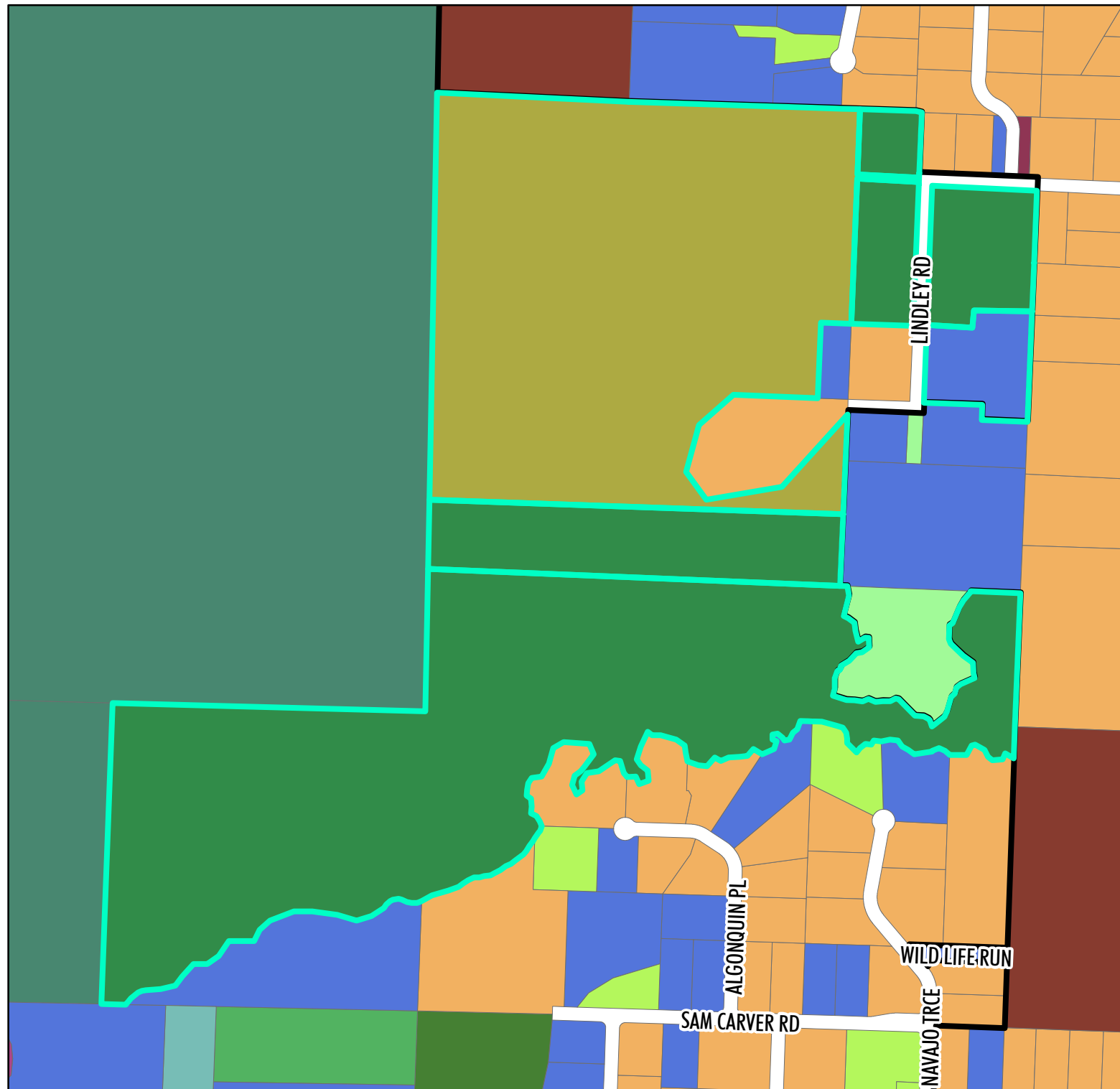
State Tiit

Timber

Timberland

Vacant

Water Management



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



0 300 600
Feet

Legend

Subject Parcels

City Limits

City Future Land Use

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

County Future Land Use

- Agriculture (AG)
- Conservation (CON)
- Rural Residential (RR)
- Water

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



0 300 600
Feet

Legend

Subject Parcels

City Limits

City Future Land Use

Commercial (C)

Industrial (IN)

Mixed Use (MU)

Conservation (CON)

Public Lands (PL)

Residential (R)

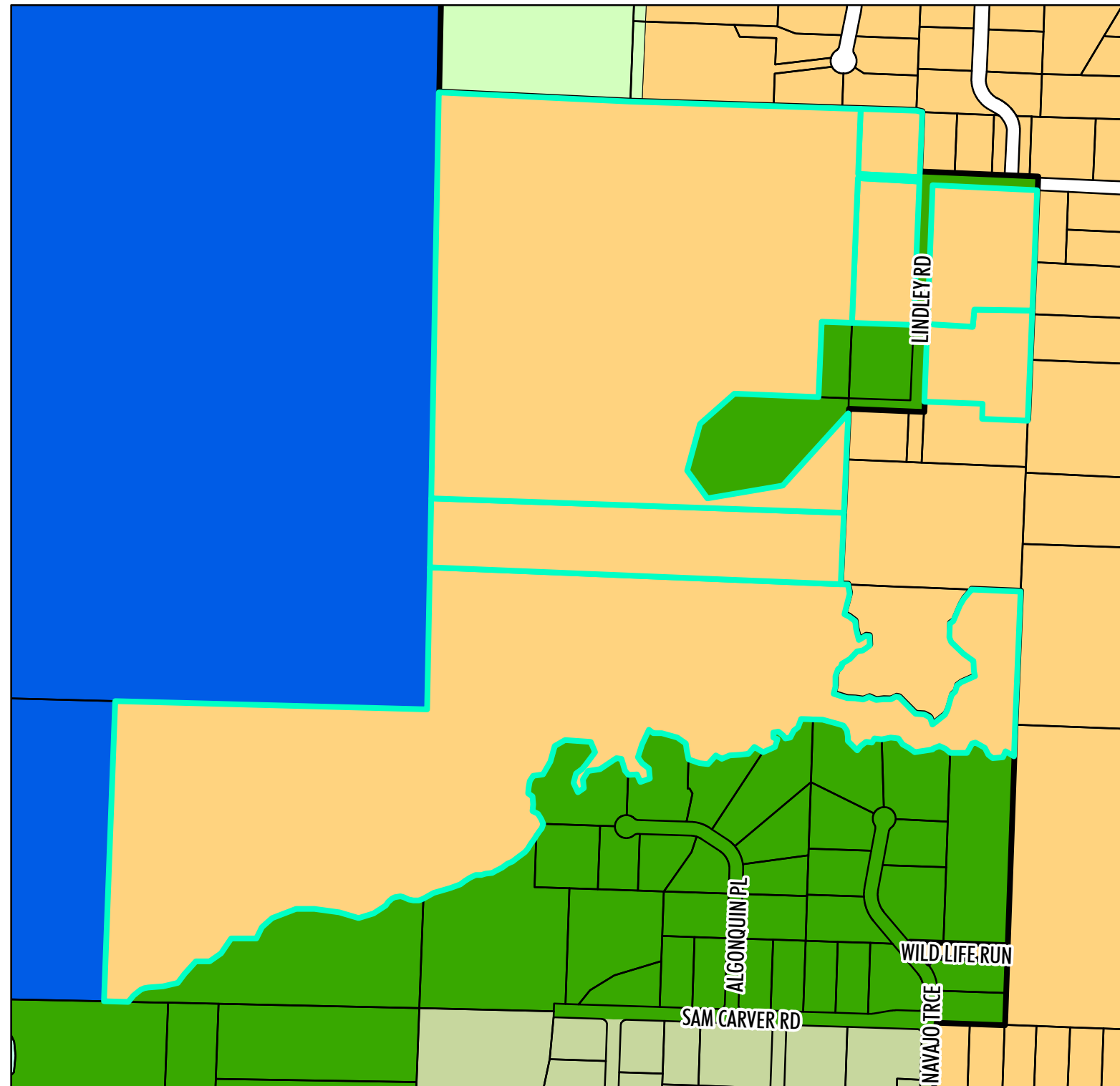
County Future Land Use

Agriculture (AG)

Conservation (CON)

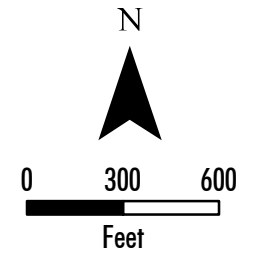
Rural Residential (RR)

Water



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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 Zoning



Legend

Subject Parcels

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

Agricultural (AA)

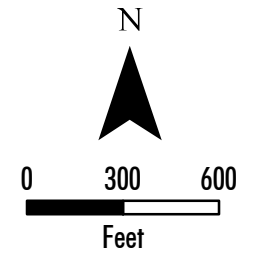
Rural Residential (RR)

Institutional (INST)

Water

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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 Parcels

City Limits

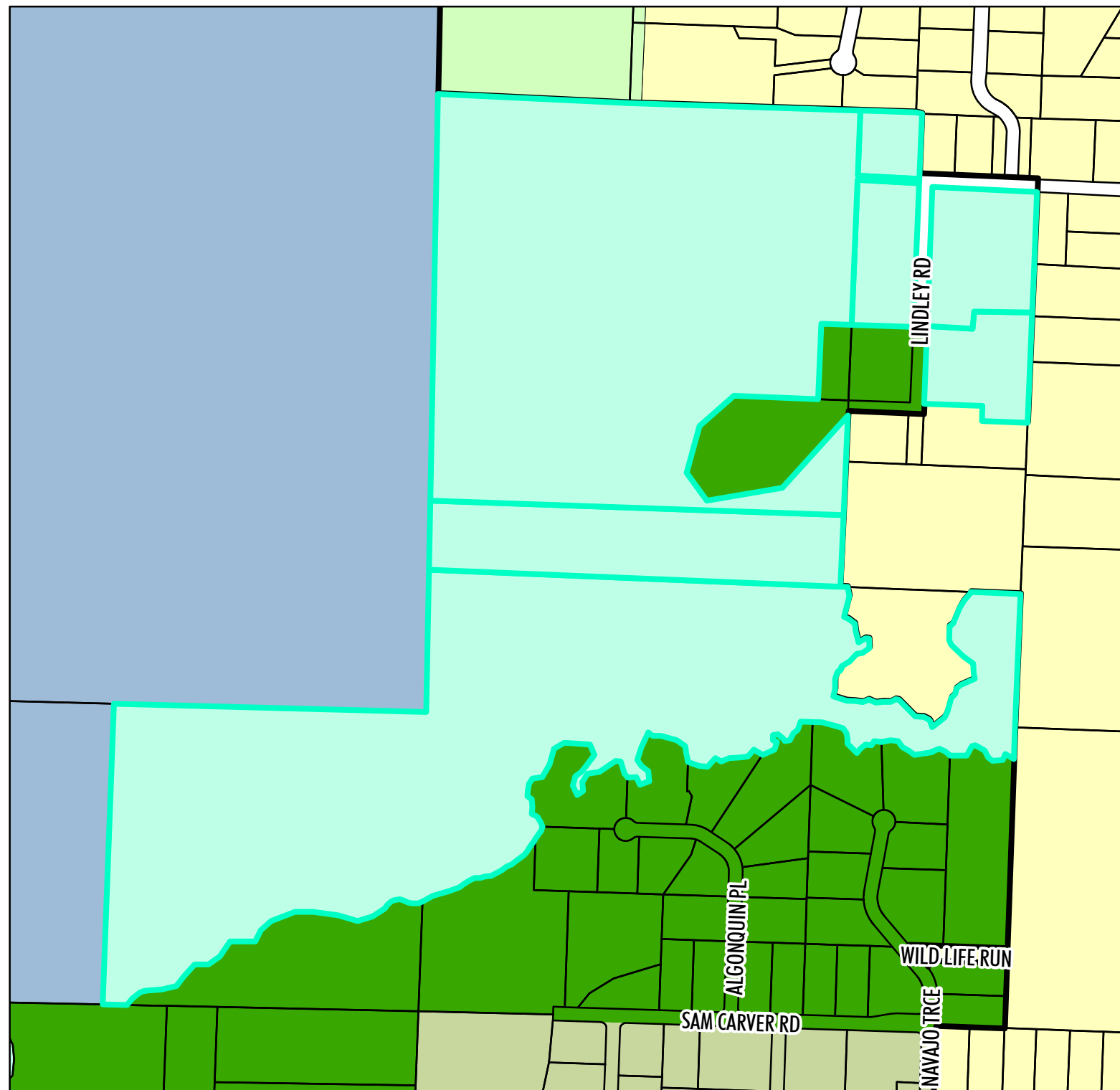
City Zoning

- Single Family Estate District (R-1E)
- 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

- Agricultural (AA)
- Rural Residential (RR)
- Institutional (INST)
- Water

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





Staff Report

PLANNING AND DEVELOPMENT BOARD

MEETING DATE: February 7, 2022

TYPE OF AGENDA ITEM: Action Item

TO: Planning and Development Board
CC: City Manager and City Attorney
FROM: Community Development Services
DATE: 2/2/2022
SUBJECT: Board of Adjustment – Release Unity of Title

BACKGROUND:

On February 4th, 2016, the Crestview Board of Adjustment considered Application Number 16-02, providing for a special exception to allow a church accessory use building in a residential area. As a part of their approval, the Board ordered that a Unity of Title be filed, joining various properties owned by the Church, for as long as the special exception use continued to exist. The recorded Unity of Title document requires that the release of the Unity of Title must also be approved by the Board of Adjustment.

DISCUSSION:

On December 20th, 2021, staff received a letter from the Church stating that the property previously joined by the Unity of Title (Lots 3, 4, 5 and 6, Block N of the Adams Powell Subdivision) shall no longer be used for church business as of October 18th, 2021. As a result, they are requesting that the Unity of Title be released, as per the conditions contained in the Unity of Title.

GOALS & OBJECTIVES

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

Quality of Life- these 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

This item will cause no financial impact to the City.

RECOMMENDED ACTION

Staff respectfully requests that the Planning and Development Board, sitting as the Board of Adjustment for the City of Crestview, approve the release of the Unity of Title originally filed for this property.

Attachments

1. 21.12.20 Church Letter
2. Finding of Facts, Order and Unity of Title
3. Release of Unity of Title



THE CATHOLIC DIOCESE
of
PENSACOLA-TALLAHASSEE

December 20, 2021

Nicholas Schwendt
Community Development Services
City of Crestview
198 N Wilson St,
Crestview, FL 32536

Dear Mr. Schwendt,

The parcels 05-3N-23-0010-000N-0030, described as ADAMS POWELL LOT 3 BLK N, 05-3N-23-0010-000N-0040, described as ADAMS POWELL S/D LOTS 4 & 5 BLK N, and 05-3N-23-0010-000N-0060, described as ADAMS POWELL S/D LOT 6 BLK N shall no longer be used for church business as of the contract date, October 18th, 2021.

Respectfully,

Rob Bennett
Director of Construction and Properties

Bishop William Wack

This instrument prepared by:
Growth Management Department
City of Crestview
P.O. Drawer 1209
Crestview, FL 32536

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

GENERAL

The Crestview Board of Adjustment considered Application Number 16-02, submitted by Gregory L. Parks, Agent for the Property Owner, located in Section 05, Township 3 North, Range 23 West, (PIN #'s 05-3N-23-0010-000N-0030, 05-3N-23-0010-000N-0040 and 05-3N-23-0010-000N-0060), at 406 Adams Drive, Crestview, FL 32536, AKA, Lots 3, 4, 5 and 6, Block N, Adams-Powell Subdivision, according to the plat thereof, recorded in Plat Book 2, Page 177, for a special exception to allow a church accessory use building in a residential area according to Section 102-36 of the City Code.

Gregory L. Parks, Agent for Diocese of Pensacola-Tallahassee, owner of the property located in Section 05, Township 3 North, Range 23 West, (PIN #'s 05-3N-23-0010-000N-0030, 05-3N-23-0010-000N-0040 and 05-3N-23-0010-000N-0060), 406 Adams Drive, Crestview, FL 32536, has made application (BOA Request 16-02) for a special exception to allow a church accessory use building in a residential area. Zoning of the property is Single Family Dwelling District (R-1A); Future Land Use Category is Low Density Residential (LDR). BOA Request Number 16-02.

Due public notice of the hearing was given by publication in the Crestview News Bulletin, a newspaper of general circulation, on January 13, 2016. The Board having considered the application, testimony and exhibits of the applicants, a site visit to the land at issue by the staff and a subsequent report from the staff and all other relevant testimony pursuant to Chapter 102 of the City Code, finds and orders the following:

FINDINGS OF FACT

- A. Section 102-129(c) (2) (b) of the Crestview City Code, establishes provision for granting a special exception for Churches and their accessory uses.
- B. The granting of the Special Exception will be in harmony with the general intent and purpose of Chapter 102 to allow for Churches and their accessory uses in Single Family Dwelling District (R-1A) zoned property that complies with City of Crestview Building Code requirements and the Life Safety Code requirements and would not be injurious to the area involved or otherwise detrimental to the public welfare.

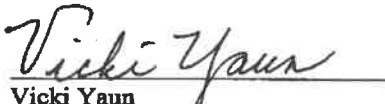
ORDER

Application Number 16-02 is hereby approved to allow for a church and their accessory uses in a residential neighborhood with the following stipulation:

1. Obtain approval for any alterations to the property or structure that require a permit to be obtained or requires approval from the City of Crestview.
2. The applicant shall comply with all requirements of the City of Crestview Code of Ordinance, life safety codes and applicable codes.
3. The property is to be used as a church accessory use building for meetings, educational functions, bible study and small group gatherings.
4. Parking will be limited to the existing two vehicle driveway; all other visitors must utilize the main church parking area located across the street at 550 Adams Drive.
5. Within 60 days of issuance of this Order, the applicant shall record in the public records a Unity of Title joining Lots 3, 4, 5 and 6, Block N, Adams-Powell Subdivision, according to the plat thereof, recorded in Plat Book 2, Page 177, of the Public Records of Okaloosa County, Florida, as a single lot for as long as the special exception use approved hereunder continues to exist.

This order was adopted upon motion by Simmons seconded by Hubbard
for approval of application number 16-02; vote: 3 yeas, 0 nays, 1 absent, motion passed on this
4th, day of February, 2016. 1 abstention.

ATTEST


Vicki Yaun
Board Secretary


Warren Robinson
Chairperson/Vice Chairman

Prepared by and return to:
Robert A. Emmanuel, of
Emmanuel, Sheppard & Condon
30 South Spring Street
Pensacola, Florida 32502

UNITY OF TITLE

In consideration of the Order adopted by the Crestview Board of Adjustment on February 4, 2016 and recorded in official records Book 3238, Page 3018, Okaloosa County, Florida, which grants The Diocese of Pensacola-Tallahassee a special exception to use the building located at 406 Adams Drive, Crestview, Florida 32536, as a church accessory use building for as long as the special exception continues to exist, the Undersigned hereby agrees to restrict the use of Lots 3, 4, 5, and 6, Block N, Adams-Powell Subdivision, according to the plat thereof, recorded in Plat Book 2, Page 177, of the Public Records of Okaloosa County, Florida (PIN#'s 05-3N-23-0010-000N-0030, 05-3N-23-0010-000N-0040 and 05-3N-23-0010-000N-0060) in the following manner:

1. That said property shall be considered as one plot and parcel of land, and that no portion of said plot and parcel of land shall be sold, transferred, devised or assigned separately, except in its entirety as one plot or parcel of land for as long as the special exception use approved hereunder continues to exist.
2. The Undersigned further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the Undersigned, their heirs and assigns. Release of this Unity of Title must be approved by the Board of Adjustment for the City of Crestview.
3. The Undersigned further agrees that this instrument will be recorded in the Public Records of Okaloosa County, Florida.

Signed, sealed, executed and acknowledged on this 16th day of March, 2016, at Pensacola, Florida.

Owner:

+ [Signature]
GREGORY L. PARKES, as Bishop of the
Diocese of Pensacola-Tallahassee,
a corporation sole,

Witnesses:

[Signature]
Gregory P. Fayard,
[Signature]
Janet L. Vial

STATE OF FLORIDA

COUNTY OF Escambia

The foregoing instrument was acknowledged before me by GREGORY L. PARKES, as Bishop of the Diocese of Pensacola-Tallahassee, a corporation sole, on this 16th day of March, 2016, who personally appeared before me and who is either ☒ personally known to me or ☐ produced as identification.



ROBIN L. JONES
MY COMMISSION # FF 063816
EXPIRES: January 31, 2018
Bonded Thru Budget Notary Services

[Signature]
NOTARY PUBLIC

This Instrument Prepared By:

Jonathan Holloway, P.A.
420 East Pine Avenue
Crestview, Florida 32539

RELEASE OF UNITY OF TITLE

KNOW ALL MEN BY THESE PRESENTS: That the City of Crestview, Florida, a municipal corporation, releases the UNITY OF TITLE recorded in Official Records Book 3240, Page 670, of the Public Records of Okaloosa County, relating and pertaining to the following described real estate in Okaloosa County, Florida, to wit:

Lots 3, 4, 5 and 6, Block N, Adams-Powell Subdivision, according to the plat thereof, recorded in Plat Book 2, Page 177, of the Public Records of Okaloosa County, Florida

All terms, conditions, and provisions contained in the aforementioned UNITY OF TITLE are hereby released and canceled.

This Release was duly approved by the City of Crestview's Board of Adjustment on February 7, 2022.

SIGNED AND SEALED this ____ day of February, 2022.

CITY OF CRESTVIEW, FLORIDA

By: _____
J. B. Whitten, Mayor

Attest: _____
Maryanne Schrader, City Clerk

STATE OF FLORIDA
COUNTY OF OKALOOSA

The foregoing instrument was acknowledged before me this ____ day of February, 2022 by J.B. Whitten, as Mayor of the City of Crestview, Florida, a municipal corporation, on behalf of the City. He is ☐ personally known to me or ☐ produced _____ as identification.

My Commission Expires:
Notary Seal

Notary Public
State of Florida