



MILTON PLANNING BOARD
Regular Meeting Agenda

July 31, 2023
5:30 PM
6738 Dixon Street
Milton, FL 32570

- 1. Call Meeting to Order**
- 2. Review and Approval of Agenda**
- 3. Approval of Minutes**
 - Item # 2023-1721
 - Approval of Minutes from May 15, 2023 meeting
- 4. Citizens to Appear Before the Board**
- 5. New Business**
 - Item # 2023-1724
 - Variance - 6632 Cedar Street
- 6. Old Business**
- 7. Planning Department Update**
- 8. Adjournment**

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the City at least 48 hours before the meeting by contacting City Hall, 6738 Dixon Street, Milton, or by calling 983-5410.

"If any 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." FS 286.0105



Approval of Minutes from May 15, 2023 meeting

MEETING DATE

July 31, 2023

PREPARED BY

Clerk's Office
Melissa Short, Admin Assistant/Permit Clerk/Assistant City Clerk

BOARD OF ADJUSTMENT

May 15, 2023

The Board of Adjustment met on Monday, May 15, 2023, at 5:30 p.m. in the Council Chambers at City Hall.

PRESENT: Ricky Downs, Chairman
Dennis Rogers
Howard Steele
Karra Graber

Tim Milstead, Planning Director
Jacob Hullett, Current Planner, Zoning Officer
Melissa Short, Administrative Assistant

OTHERS: Tod Brainard, Mayor Heather Lindsay, Councilman Jeff Snow, Buddy Page, Adam Hatt, Bill Farrington

Mr. Ricky Downs called the meeting to order at 5:36 p.m. Dennis Rogers made a motion to approve the minutes from the November 28, 2022, meeting, seconded by Howard Steele; approved 4-0.

NEW BUSINESS:

Variance – 6331 Chestnut Street

Jacob Hullett presented the case before the board regarding 6331 Chestnut Street Variance. This property is otherwise known as Parcel# 33-2N-28-4950-00C00-0010. This request, if approved, will allow the owner to install an electronic variable message sign at the southwest corner of Redwood Drive, Chestnut Street, and Gospel Projects Lane. The property lies within R-1AA Zoning District, which is the Low Density Residential, Single Family Zoning District. The City of Milton’s Unified Development Code states in Article 16.6(c)(5) which states, “Digital Display signs are permitted in C1, C2, C3, and SSC-RC zoning districts.”

The City of Milton’s Unified Development Code Section 3.4 regarding Variances states that “A variance from the terms of these regulations shall not be granted by the Board of Adjustment unless and until one of the following requirements or procedures are met. A written application for a variance (hardship relief) is submitted to the Planning Dept. in theory demonstrating that a hardship exists based on one of four conditions. Buddy Page, representative of Gospel Projects, gave a summary and spoke in favor of the variance. Mr. Page explained that Milton SD, the Mitchell Co., and adjacent residents have no objection to the proposed sign. Mr. and Mrs. Threet, at 5701 Redwood Drive, corresponded by letter in response to the Public Notice Letter. The letter from Mr. and Mrs. Threet are in strong support of the variance request. Mayor Heather Lindsay and Councilman Jeff Snow spoke in favor of the variance. There was discussion. Karra Graber made a motion to approve the variance. Howard Steele amended the motion to include a stipulation that the sign be turned off between the hours of 9:30 p.m. – 6:00 a.m., seconded by Dennis Rogers; approved 4-0.

There being no further items to discuss, the meeting was adjourned at 5:58 p.m.



Agenda Item # 2023-1724

Variance - 6632 Cedar Street

MEETING DATE

July 31, 2023

PREPARED BY

Melissa Short, Admin
Assistant/Permit Clerk/Assistant
City Clerk

BACKGROUND

SUMMARY

RECOMMENDATION

ATTACHMENTS

1. Variance Request from Kendrick Burson
2. Variance Application-6632 Cedar St



City of Milton

June 30, 2023

PUBLIC NOTICE

TO WHOM IT MAY CONCERN

This letter is to inform you that the City of Milton has received a variance request application from Kendrick Burson, authorized agent for WBIG Properties LLC, authorized applicant of the property located at 6632 Cedar St., Milton, Florida 32570. This property is otherwise known as Parcel # 34-2N-28-2470-00800-0050. This request, if approved, will allow the owner to build a single-family residence with side property line setbacks of approximately nine and one-half (9 1/2) feet as opposed to the regulated twelve (12) feet. The property lies within a R-1 Zoning District, which is the Single-Family Zoning District.

The City of Milton's Unified Development Code states in Article 6.2, within table 6.2.1 *Residential District Dimensional Standards For Residential Uses*, "Minimum Side Setback" as "12' "and a "Minimum Lot Width" of "70' ". Such language constitutes a variance for the placement of the house within the required side setback. The lot found at 6632 Cedar St., Milton, FL 32570 is a legally existing Nonconforming Lot of Record, as found in Article 10.2 – Nonconformities, and shall not require approval beyond the side setback intrusion. Furthermore, in Section 3.4, it is stated that the Board of Adjustment shall make a finding that the requirements regarding hardship relief have been met by the applicant for a variance, that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land. The City of Milton's Board of Adjustments will take this request under consideration, but before a variance can be granted, the property must be posted and all abutting property owners and property owners directly across the street from the subject property must be notified, and a Public Hearing held.

YOU ARE HEREBY NOTIFIED that the application will be considered at the Board of Adjustments meeting on Monday July 31st, at 5:30 p.m. at City Hall, 6738 Dixon Street, Milton, FL 32570, in the Conference Room. Should you be unable to attend this Public Hearing, a letter expressing your views will be considered. A complete lack of response to this notice will be construed as implied consent to the granting of this request.

Sincerely,

Jacob Hullett
Current Planner/Zoning Officer

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VARIANCE

1. PRESENT LAND USE ZONE: R-1

2. PRESENT USE OF PROPERTY: Residential

3. DESCRIBE REQUESTED VARIANCE: Change side lot setbacks from 12 feet to 9.5 feet.

4. DESCRIBE THE SPECIAL CONDITIONS AND CIRCUMSTANCES WHICH EXIST THAT ARE PECULIAR TO THE LAND, STRUCTURE OR BUILDING INVOLVED AND WHICH ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES OR BUILDINGS IN THE SAME DISTRICT: The platt, like many others in this neighborhood, is only 50 feet wide which is less than the current 70 foot minimum for lot widths. With only 50 feet of frontage width the setback of 12 feet limits houses to a 24 foot width — which is essentially a double wide trailer.

5. EXPLAIN WHY LITERAL INTERPRETATION OF THESE REGULATIONS WOULD DEPRIVE THE APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME DISTRICT UNDER THE REGULATIONS: _____
 Most houses on the street with a similar lot size have houses that are not in compliance with the 12' side setback. The 6632 Cedar St house has current setbacks of 9.5 ft and 10 ft. I can replace the walls in place and keep the non-comforming status, but I would rather tear the building down, introduce a more robust foundation and 2x6 wall structures — but I need the full 31 foot width.

6. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES WHICH EXIST A RESULT OF ACTIONS OF THE APPLICANT? YES _____ NO X

7. EXPLAIN WHY THE GRANTING OF THIS VARIANCE WILL NOT GIVE THE APPLICANT SPECIAL PRIVILEGES THAT ARE SPECIFICALLY DENIED BY THESE REGULATIONS TO OTHER LANDS, STRUCTURES OR BUILDINGS IN THE SAME DISTRICT: neighboring lots are of a similar configuration; 50 feet wide by 140 feet long. Most lots have similar structures that are between 30 and 31 feet wide with varying depth, with many having side entrances and porches. Most properties are not compliant with the 12 ft setback, they appear to have pre-existed the current setback code

CITY OF MILTON
APPLICATION TO BOARD OF ADJUSTMENT

REQUEST #: 23-6632-01

APPLICATION DATE: 06/26/23

The undersigned applicant requests that the Board of Adjustment consider this application for:


Administrative Review _____ Special Exception _____ Variance X

Determination of Compatibility _____

1. NAME OF APPLICANT: Kendrick Burson
2. NAME OF BUSINESS: WBIG Properties LLC
3. ADDRESS OF PROPERTY: 6632 Cedar St, Milton, FL 32570
4. LEGAL DESCRIPTION OF PROPERTY: _____

APPLICANT'S SIGNATURE: 

<u>5664 Heatherton Rd,</u>	<u>Milton,</u>	<u>FL</u>	<u>32570</u>	<u>425-503-9526</u>
ADDRESS	CITY	STATE	ZIP	PHONE #

OWNER'S SIGNATURE: 

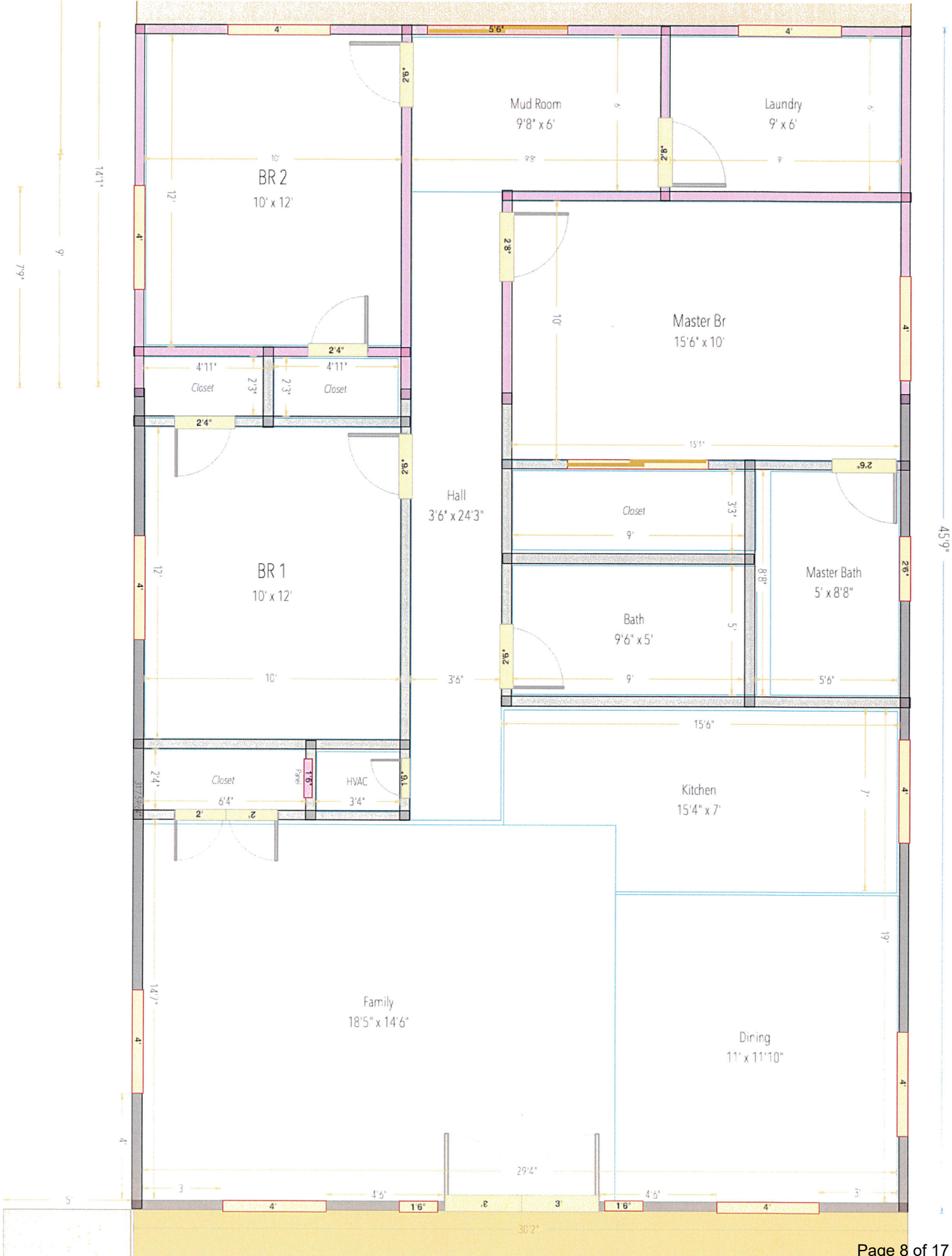
<u>5664 Heatherton Rd,</u>	<u>Milton,</u>	<u>FL</u>	<u>32570</u>	<u>425-503-9526</u>
ADDRESS	CITY	STATE	ZIP	PHONE #

OFFICIAL ACTION:

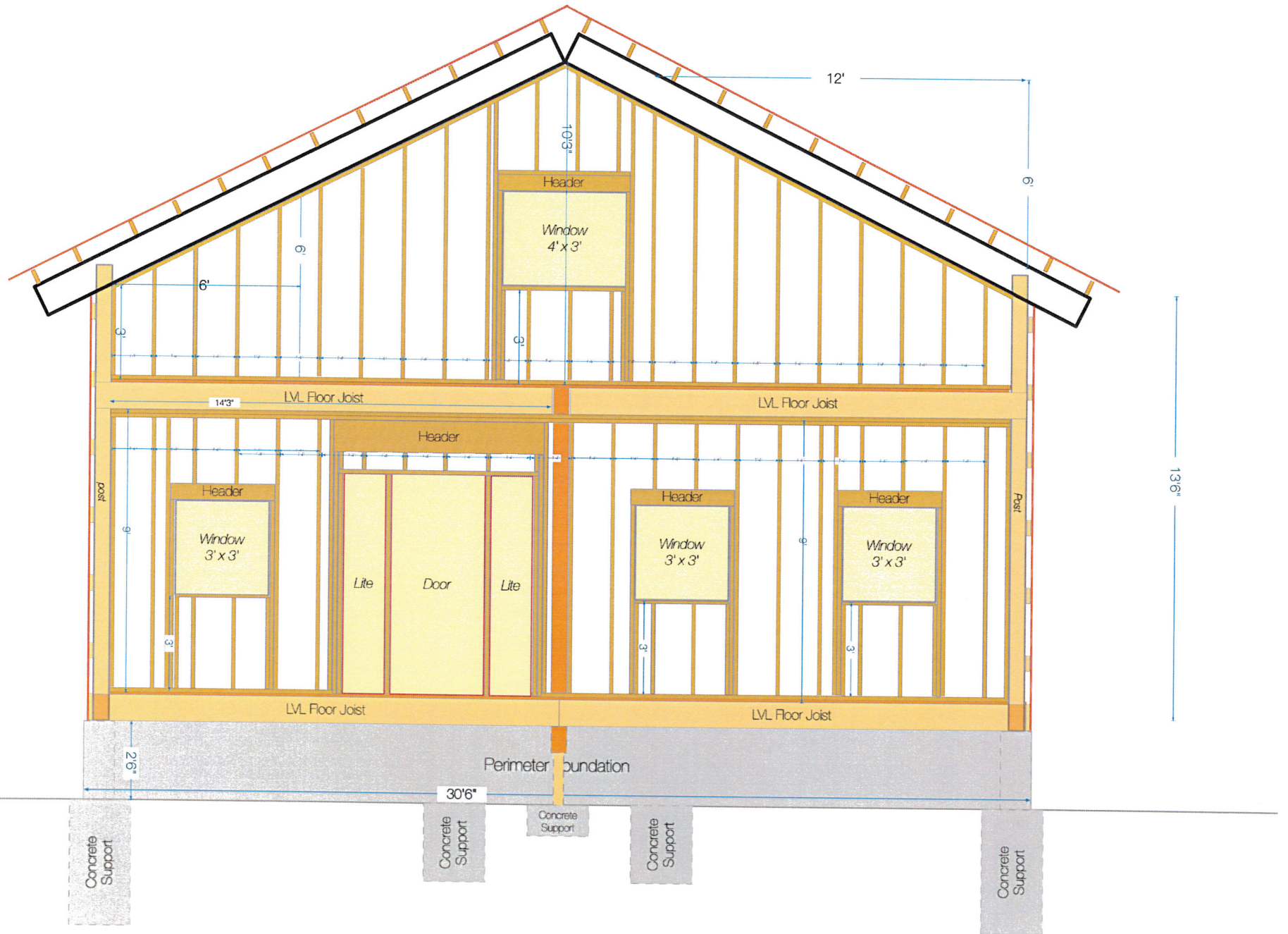
DATE: _____

ACTION: _____

A:\Forms\Application\BOAdisk



Front Elevation

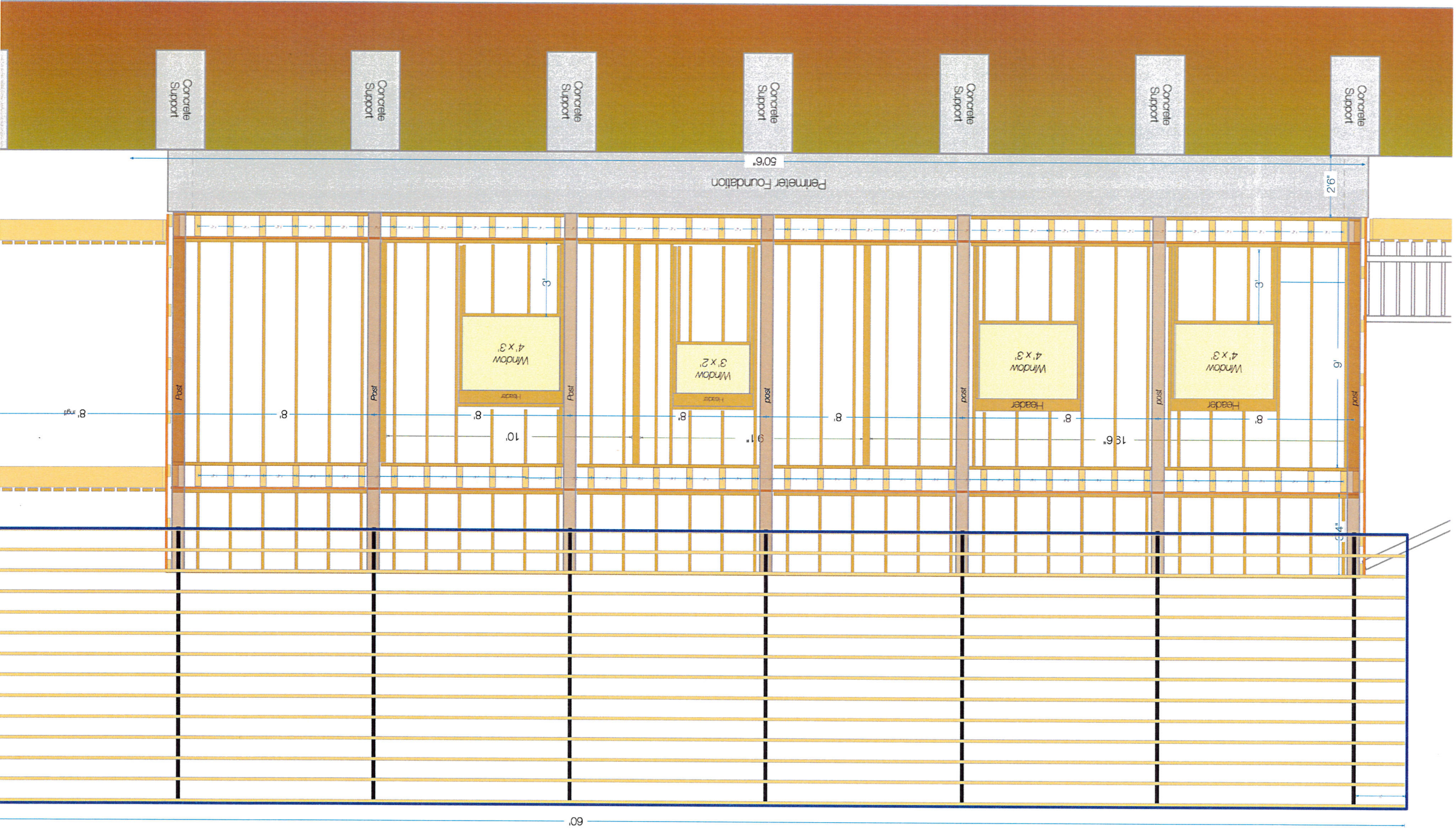


50'

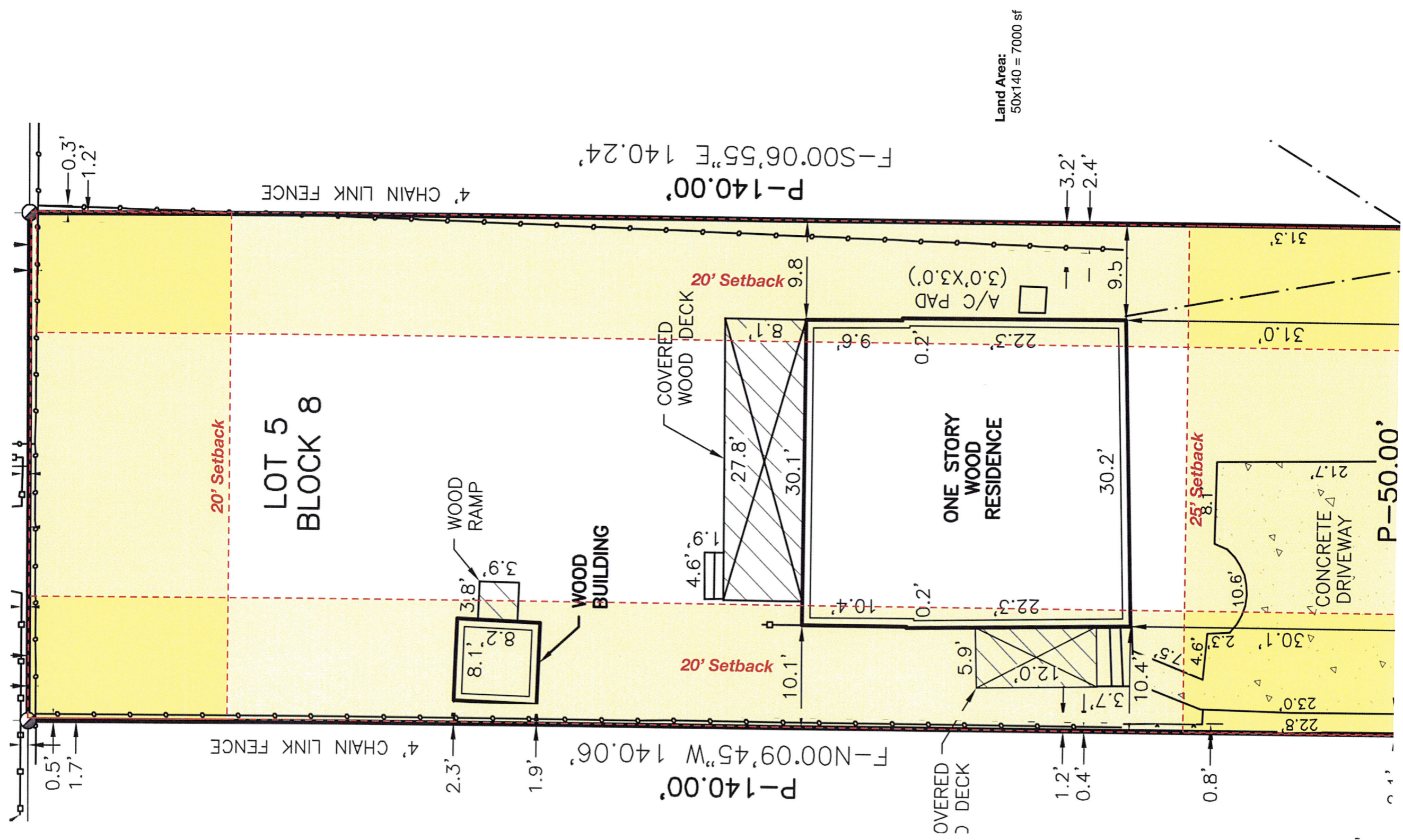


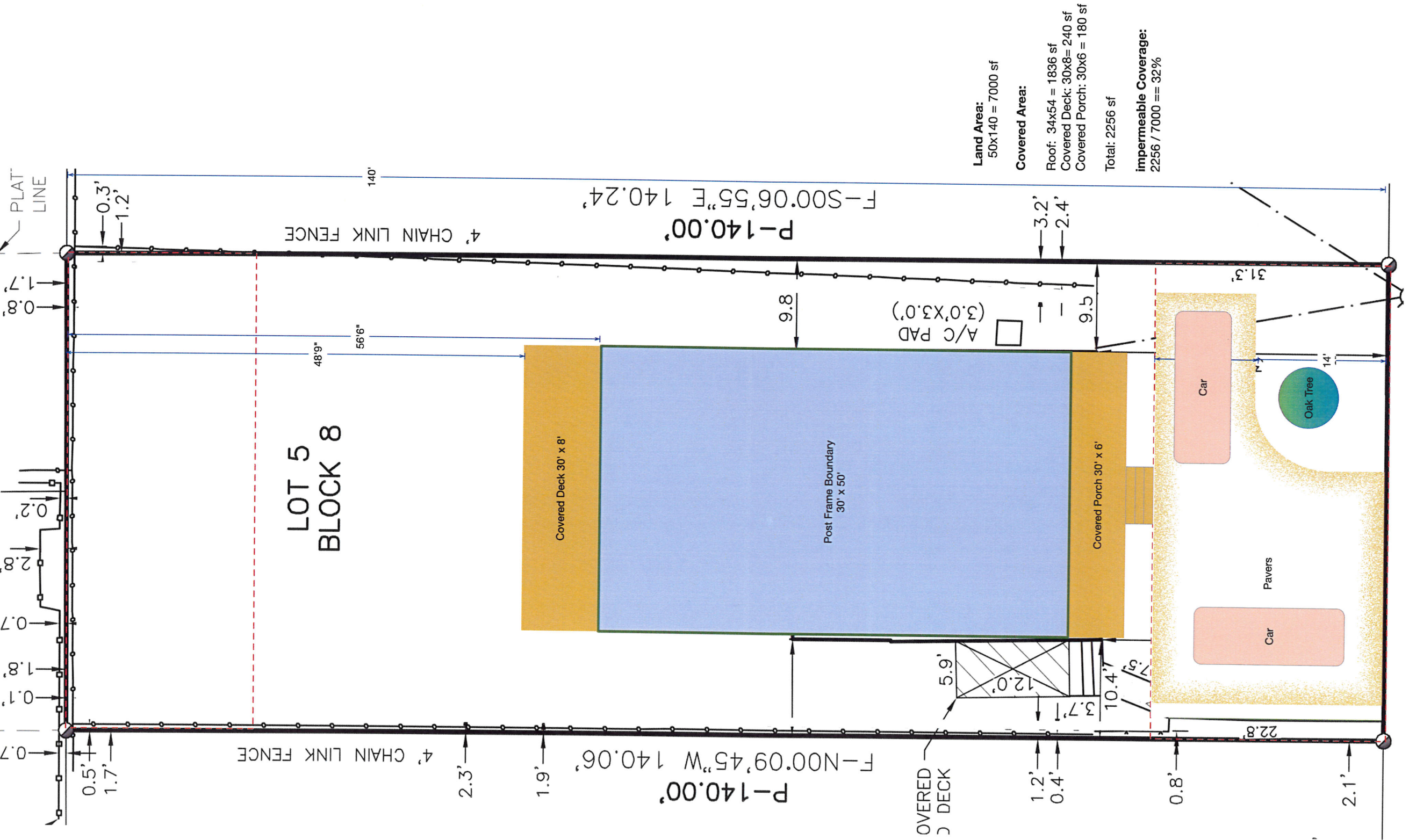


East Elevation









Land Area:
50x140 = 7000 sf

Covered Area:
Roof: 34x54 = 1836 sf
Covered Deck: 30x8 = 240 sf
Covered Porch: 30x6 = 180 sf
Total: 2256 sf

Impermeable Coverage:
2256 / 7000 = 32%