



MILTON PLANNING BOARD
Regular Meeting Agenda

January 29, 2024
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 # 2024-2207
 - Approval of Minutes from November 27, 2023 meeting
- 4. Citizens to Appear Before the Board**
- 5. New Business**
 - Item # 2024-2208
 - Variance - 6275 Highway 90
 - Item # 2024-2209
 - Special Exception - 6275 Highway 90
- 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



Agenda Item # 2024-2207

Approval of Minutes from November 27, 2023 meeting

MEETING DATE

January 29, 2024

PREPARED BY

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

BACKGROUND

SUMMARY

RECOMMENDATION

ATTACHMENTS

1. BOA November 27 2023 minutes

BOARD OF ADJUSTMENT

November 27, 2023

The Board of Adjustment met on Monday, November 27, 2023, at 5:30 p.m. in the Council Chambers at City Hall.

PRESENT: Ricky Downs
Dennis Rogers
Kristopher Long
Jay Camp
Karra Graber
Kyle Baker

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

OTHERS: Nellie Johnson, Joe Johnson, Mike Price, Chris Whitney, Vivia Rodes, Mary Johnson, and Robert Allen

Ricky Downs called the meeting to order at 5:30 p.m. Jay Camp made a motion to approve the minutes from October 30, 2023, meeting, seconded by Kristopher Long; approved 6-0.

NEW BUSINESS:

Variance – 5088 Mary Street

Jacob Hullett presented the case before the board regarding 5088 Mary Street Variance. This property is otherwise known as Parcel# 03-1N-28-2530-06700-0030. This request, if approved, will allow the owner to build a single-family home which contains a public street facing wall/façade with a transparency of fifteen (15%) percent. The property lies within the R-2 One- and Two-Family Zoning District. The City of Milton's Unified Development Code, Article 6.2(E) *Design Standards for Residential Districts*, requires a twenty-five (25%) percent transparency for all walls facing public streets. Such language constitutes a variance for the walls facing Alice St., a public street, to be constructed with a transparency of fifteen (15%) percent. 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.

Dennis Rogers made the motion to approve 5088 Mary Street Variance, seconded by Karra Grabber; approved 6-0.

Variance – Corner of Harvell and Stewart Street

Jacob Hullett presented the case before the board regarding the southeast corner of Harvell and Stewart Street Variance. This property is otherwise known as Parcel# 34-2N-28-0000-15900-0000. This variance request, if approved, will allow the applicant to commercially develop said parcel with a decreased side

buffer yard requirement on the south parcel boundary and build to an 80% impervious surface ratio. The property lies within the SSC-RC Stewart Street Corridor Residential Commercial Zoning District. The City of Milton's Unified Development Code, Article 6.4 Special District Standards, Table 6.4.2 Special District Standards for Mixed-Use and Non-Residential Uses, sets a maximum impervious surface ratio within the SSC-RC Zoning District of sixty (60%) percent. Additionally, Article 12.5(C)(2), requires buffer yards to be ten (10%) percent of the street facing front lot width, no less than ten (10) feet and no more than twenty (20) feet. Such language constitutes a variance to decrease the side buffer yard from the required twenty (20) feet to the proposed twelve (12) feet and increase the maximum impervious surface ratio from the required sixty (60%) percent to the proposed eighty (80%) percent. 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.

Mike Price, Milton, the applicant spoke in favor of this variance. Chris Whitney, Milton, had some concerns with stability and proper site evaluations.

Kyle Baker made a motion to approve the southeast corner of Harvell and Stewart Street Variance and to add impervious pavers, seconded by Dennis Rogers; approved as amended 6-0.

Special Exception – Washington Street

Jacob Hullett presented the case before the board regarding the Washington Street Variance. This property is otherwise known as Parcel# 34-2N-28-0000-05201-0000. This request, if approved, will allow the owner to use the property as a duplex complex. The property lies within the C-1 Neighborhood Commercial Zoning District, in which duplex use requires authorization through special exception.

The City of Milton's Unified Development Code states in Section 3.3 that the Board of Adjustment shall make a finding that the requirements regarding special exception have been met by the applicant, that the reasons set forth in the application justify the granting of the special exception, and that the granting of the special exception will not adversely affect the public interest. The City of Milton's Board of Adjustments will take this request under consideration, but before a special exception 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.

Robert Allen, Milton, the applicant spoke in favor of this variance.

Jay Camp made a motion to approve Washington Street Special Exception, seconded by Kristopher Long; approved 6-0

There being no further items to discuss, the meeting was adjourned at 6:06 p.m.



Agenda Item # 2024-2208

Variance - 6275 Highway 90

MEETING DATE

January 29, 2024

PREPARED BY

BACKGROUND

SUMMARY

RECOMMENDATION

ATTACHMENTS

1. 6275 Hwy 90 Public Notice
2. 03 City of Milton Application to Board of Adjustment - Special Exception - Variance - Signed



City of Milton

January 12, 2024

PUBLIC NOTICE

TO WHOM IT MAY CONCERN

This letter is to inform you that the City of Milton has received a special exception and a variance request application from Mark Asplund, authorized applicant of the property located at 6275 Hwy 90, Milton, Florida. This property is otherwise known as Parcel# 09-1N-28-0000-00104-0000. As part of the Special Exception request, this would allow the applicant to demolish the existing building and construct a new 60,724 SF Wal-Mart Neighborhood Market retail store. Coinciding with the development, the approval of the variance request would allow the applicant to maintain the existing approximately 12.5 feet front buffer at the parcel boundary along Hwy 90. This is a deviation from the required 20 feet buffer required along streetscapes. The property lies within the C-2 Zoning District, which is the General Commercial Zoning District.

The City of Milton's Unified Development Code states in Section 3.4 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 January 29th, at 5:30 p.m. at City Hall, 6738 Dixon Street, Milton, FL 32570. 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

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, Florida or by calling (850) 983-5440.

"If any person decides to appeal any decision made by the board, agency, or commission, with request 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 based." FS286.01015

CITY OF MILTON APPLICATION TO BOARD OF ADJUSTMENT

REQUEST #: _____

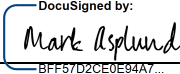
APPLICATION DATE: _____

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

Administrative Review _____ Special Exception Variance

Determination of Compatibility _____

1. NAME OF APPLICANT: Walmart Stores East, LP Attn: Mark Asplund
2. NAME OF BUSINESS: Walmart Neighborhood Market 2983 Milton
3. ADDRESS OF PROPERTY: 6247 Highway 90, Milton, FL 32570
4. LEGAL DESCRIPTION OF PROPERTY: Parcel ID: 09-1N-28-0000-00104-000

APPLICANT'S SIGNATURE: 

2608 SE J Street	Bentonville	AR	72716	479-273-4000
ADDRESS	CITY	STATE	ZIP	PHONE #

OWNER'S SIGNATURE: 

250 1st Avenue	Needham	MA	02494	
ADDRESS	CITY	STATE	ZIP	PHONE #

OFFICIAL ACTION:

DATE: _____

ACTION: _____

A:\Forms\Application\BOAdisk

ADMINISTRATIVE APPEAL

1. DESCRIBE ACTION OF PLANNING AND DEVELOPMENT DEPARTMENT BEING APPEALED: _____

2. EXPLAIN WHY THE ACTION OF THE PLANNING AND DEVELOPMENT DEPARTMENT IS CONSIDERED IN ERROR: _____

3. IDENTIFY THE PROVISION OF THE LAND USE DEVELOPMENT REGULATIONS THAT IS INVOLVED IN THIS APPEAL.

ARTICLE _____ SECTION _____ PAGE _____

SPECIAL EXCEPTION

1. PRESENT LAND USE ZONE: C-2

2. PRESENT USE OF PROPERTY: Shopping Center - Abandoned

3. DESCRIBE SPECIAL EXCEPTION REQUESTED: Proposed new commercial building exceeding 50,000 gross square feet. Proposed Walmart Neighborhood Market to total 60,724 SF.

4. EXPLAIN WHY THE GRANTING OF THIS SPECIAL EXCEPTION WOULD NOT BE DETRIMENTAL TO THE GENERAL WELFARE NOR TO THE PROPERTY RIGHTS OF OTHERS IN THE VICINITY: Site location for Walmart Neighborhood Market was previously developed for use as a large scale shopping center and has since been abandone. Redevelopment will bring property and building up to current Land Development Code and Building standards.

5. IDENTIFY THE PROVISIONS OF THE LAND USE DEVELOPMENT REGULATIONS WHICH AUTHORIZED THE GRANTING OF THE SPECIAL EXCEPTION.

ARTICLE 6 SECTION 6.3 PAGE 101

VARIANCE

1. PRESENT LAND USE ZONE: C-2

2. PRESENT USE OF PROPERTY: Shopping Center - Abandoned

3. DESCRIBE REQUESTED VARIANCE: Request to maintain existing front buffer width of 12.52 feet along portion of property frontage along US Highway 90. The Streetscape Buffer Yard requirement in the Land Development Code is 20 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:
Existing shopping center was developed without interior landscape islands. In order to bring the site up to current landscape standards parking landscape islands were created which removed existing parking. In order for Walmart to come as close to their desired 4.0 building to parking ratio the parking area currently situated in an portion of the front buffer area would need to remain.

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: The proposed buffer matches the existing buffer condition which is a buffer width shared by other developments within the shopping center.

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: The variance is requested for an area that matches the existing buffer condition and is a buffer width that is currently shared by all other properties within the shopping center development.

DETERMINATION OF COMPATIBILITY

1. PRESENT LAND USE ZONE: _____
2. PRESENT USE OF PROPERTY: _____

3. SIZE OF STRUCTURE TO BE OCCUPIED: _____
4. WOULD YOU CONSIDER THIS BUSINESS HIGH, MEDIUM, OR LOW TRAFFIC: _____

5. ANTICIPATED NUMBER OF EMPLOYEES OR PERSONS WORKING AT THIS LOCATION: _____
6. HOW MANY VEHICLES WILL BE PARKED AT THIS LOCATION DURING NORMAL BUSINESS HOURS: _____
7. WILL THERE BE ANY NOISE, FUMES, ODORS, OR OTHER UNUSUAL FEATURES OF THIS BUSINESS: _____ IF YES, PLEASE EXPLAIN: _____

8. STATE OTHER USES WITHIN THE DISTRICT WHICH ARE SIMILAR TO THE PROPOSED USE: _____

9. STATE THE REASON YOU FEEL THE PROPOSED USE IS COMPATIBLE WITH USES PERMITTED: _____

10. IDENTIFY THE PROVISION OF THE LAND USE DEVELOPMENT REGULATIONS THAT IS INVOLVED IN THIS APPEAL.

ARTICLE _____ SECTION _____ PAGE _____



Agenda Item # 2024-2209

Special Exception - 6275 Highway 90

MEETING DATE

January 29, 2024

PREPARED BY

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

BACKGROUND

SUMMARY

RECOMMENDATION

ATTACHMENTS

None