



## **Board of Adjustment Regular Meeting Agenda**

September 30, 2024  
5:30 PM  
6738 Dixon Street  
Milton, FL 32570

- 1. Call Meeting to Order**
- 2. Open Meeting with Invocation & Pledge of Allegiance**
- 3. Approval of Minutes**
  - Item # 2024-2800
  - Approval of Minutes from March 25, 2024, meeting
- 4. Citizen Comments**
- 5. New Business**
  - Item # 2024-2801
  - Variance - 5425 Westwood Dr.
- 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 # 2024-2800

# Approval of Minutes from March 25, 2024, meeting

## MEETING DATE

September 30, 2024

## PREPARED BY

## BACKGROUND

## SUMMARY

## RECOMMENDATION

## ATTACHMENTS

1. BOA March 25 2024 minutes

**BOARD OF ADJUSTMENT**

**March 25, 2024**

The Board of Adjustment met on Monday, March 25, 2024, at 5:30 p.m. in the Council Chambers at City Hall.

**PRESENT:** Ricky Downs  
Howard Steele  
Kristopher Long  
Jay Camp  
Karra Graber  
Kyle Baker

Tim Milstead, Planning Director  
Ian Rehrig, Assistant Planner & Mitigation Specialist  
Melissa Short, Administrative Assistant

**OTHERS:** Eduardo Puente, Councilman Mike Cusack, Cassandra Sharp, Vernon Compton, Councilwoman Shari Sebastiao, Daniel Dumas, Seth Hamilton, Scott Davis, Jonathan Russell, Bob Lowe, Bill Timlin, David Fitzpatrick, and Patrick Buell

Ricky Downs called the meeting to order at 5:36 p.m. Kyle Baker made a motion to approve the minutes from January 29, 2024, meeting, seconded by Jay Camp; approved 6-0.

**NEW BUSINESS:**

**Special Exception – 6001 Vanity Fair Rd.**

Tim Milstead presented the case before the board regarding 6001 Vanity Fair Rd. Special Exception. This property is otherwise known as Parcel #32-2N-28-2864-00E00-0020. This request, if approved, will allow the owner to construct a 512 square feet accessory dwelling unit in the rear yard of the property. The property lies within the R-1AA Zoning District, in which, according to the City’s Unified Development Code, an accessory dwelling unit requires a special exception to be issued. Daniel Dumas, owner, spoke in favor of the special exception. Howard Steele made a motion to approve 6001 Vanity Fair Rd. Special Exception, seconded by Kristopher Long; approved 6-0.

**Special Exception – 6751 Berryhill Rd.**

Tim Milstead informed the board that Glenn Lisenbee called on March 25, 2024, to withdraw the application.

**Special Exception – 6055 Doctors Park Rd.**

Tim Milstead presented the case before the board regarding 6055 Doctors Park Rd. Special Exception. This property is otherwise known as Parcel #32-2N-28-0000-03902-0000. This request, if approved, will allow the owner to use the property as a Contractor Office with Storage. The property lies within the C-1 Zoning District, in which a Contractor Office with Storage requires a special exception. Patrick Buell, representative of Sootmaster Chimney Sweep, LLC, spoke in favor of this special exception. Eduardo Puente, physician, addressed the cleanliness and look of this building. Mr. Buell said that they would clean up the building and move the storage trailers, so they are less visible. Howard Steele made a motion to approve 6055 Doctors Park Rd. Special Exception, with a condition of a minimum of a six-foot privacy fence (eight-foot privacy fence if allowed) to be extended from the building to block the trailer from street view, seconded by Jay Camp; approved 6-0.

**Variance – 6797 Caroline St.**

Tim Milstead presented the case before the board regarding 6797 Caroline St. Variance. This property is otherwise known as Parcel #03-1N-28-2530-06600-0010, submitted a variance request for the use of the property. This property is zoned R-2 and allows for single-family and two-family residential development. The applicant is currently proposing to demolish the existing building at the southeast corner of Dr. Martin Luther King Jr. Dr. and

Ann Street, and to put in its place a new church building with a decreased streetscape buffer yard. The new building, if approved, would have a side yard setback of 3.6 feet from the side property line.

According to the City's Unified Development Code, in which this property lies, the minimum streetscape buffer for this property is approximately 20 feet, and requires buffer elements such as shade trees, sidewalks and other amenities. Therefore, the applicant is requesting a variance of approximately 16.5 feet from the City's streetscape buffer for this property. David Fitzpatrick, applicant, spoke in favor of the variance. Pastor Jonathan Russell spoke in favor of this variance and feels this will improve the facility and parking. Cassandra Sharp, resident, spoke in favor of this variance. Kristopher Long made a motion to approve 6797 Caroline St. Variance, seconded by Kyle Baker; approved 6-0.

There being no further items to discuss, the meeting was adjourned at 6:30 p.m.



Agenda Item # 2024-2801

## Variance - 5425 Westwood Dr.

### MEETING DATE

September 30, 2024

### PREPARED BY

### BACKGROUND

### SUMMARY

### RECOMMENDATION

### ATTACHMENTS

1. 5425 Westwood Dr. Variance

CITY OF MILTON  
APPLICATION TO BOARD OF ADJUSTMENT

REQUEST #: 24-5425-01

APPLICATION DATE: 9/11/2024

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: ARON ALBER
2. NAME OF BUSINESS: \_\_\_\_\_
3. ADDRESS OF PROPERTY: 5425 WESTWOOD DRIVE
4. LEGAL DESCRIPTION OF PROPERTY: WESTWOOD LOT 4 BLK 4 AS DES  
1402 3956 Pg 2010

APPLICANT'S SIGNATURE: 

<u>5425 WESTWOOD DR</u>	<u>MILTON</u>	<u>FL</u>	<u>32570</u>	<u>852-781-5207</u>
ADDRESS	CITY	STATE	ZIP	PHONE #

OWNER'S SIGNATURE: \_\_\_\_\_

ADDRESS	CITY	STATE	ZIP	PHONE #
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OFFICIAL ACTION:

DATE: \_\_\_\_\_

ACTION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## VARIANCE

1. PRESENT LAND USE ZONE: RESIDENTIAL
2. PRESENT USE OF PROPERTY: RESIDENTIAL
3. DESCRIBE REQUESTED VARIANCE: REQUEST HEIGHT OF PRIVACY  
FENCE VARIANCE FROM 6FT TO 8FT
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: DUE TO THE NATURE OF THE DIFFERENCE  
IN HEIGHT OF NEIGHBORING PROPERTY AND THE PRESENCE OF  
CAMERAS DIRECTED AT OUR PROPERTY
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  
RIGHT TO ENJOY OUR DESIRED PRIVACY WITHIN OUR BACKYARD  
IS INFRINGED UPON
6. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES WHICH EXIST A RESULT OF ACTIONS OF THE APPLICANT?      YES \_\_\_\_\_ NO \_\_\_\_\_
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: ALL INDIVIDUALS SHOULD BE ABLE TO ENJOY  
THEIR OWN PRIVACY WITHIN THEIR PERSONAL SPACES OF WHICH  
THE BACKYARD IS BUT ONE SUCH SPACE



# City of Milton

September 12, 2024

## PUBLIC NOTICE

### TO WHOM IT MAY CONCERN

This letter is to inform you that the City of Milton has received an application from Aaron Alger, authorized agent of Grant Robertson, and owner for the property located at 5425 Westwood Dr., Milton, FL 32570. This property is otherwise known as Parcel # 33-2N-28-5630-00400-0040. This request, if approved, will allow the applicant to build an eight (8) foot privacy fence along the northern interior side yard of the residential parcel. The property lies within the R-1A Single-Family Residential Zoning District.

The City of Milton's Unified Development Code, Article 9.3 Accessory Structures and Uses states fences in residential districts are permitted in front, interior side, side, and rear yards. Also stated in Article 9.3, where fences are allowed in such yards, the fence is permitted up to a maximum height of six (6) feet when located within the interior side, side, and rear yards. Such language constitutes a request to be made to the Board of Adjustments for the construction of an eight (8) foot privacy fence, in the interior side yard, within a residential zoning district. Furthermore, under Section 7.1 *General Use Regulations*, the development approval authority may, at its discretion, request a determination to be made by the Board of Adjustments regarding compatibility of the proposed fence. Before a request 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 September 30<sup>th</sup>, 2024**, starting 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,

Ian Rehrig  
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