



MILTON PLANNING BOARD
Regular Meeting Agenda

December 2, 2024
5:30 PM
6738 Dixon Street
Milton, FL 32570

- 1. Call Meeting to Order**
- 2. Invocation & Pledge of Allegiance**
- 3. Approval of Minutes**
 - Item # 2024-2915
 - Approval of Minutes September 30, 2024, meeting
- 4. Citizen Comments**
- 5. New Business**
 - Item # 2024-2916
 - Variance - 5615 Alabama St.
- 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 # 2024-2915

Approval of Minutes September 30, 2024, meeting

MEETING DATE

December 2, 2024

PREPARED BY

BACKGROUND

SUMMARY

RECOMMENDATION

ATTACHMENTS

1. BOA September 30 2024 minutes

BOARD OF ADJUSTMENT

September 30, 2024

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

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

 Tim Milstead, Planning Director
 Ian Rehrig, Current Planner
 Melissa Short, Administrative Assistant

OTHERS: Alan Norris, Kristina Norris, Helen Eberhart, and Aaron Alger

Ricky Downs called the meeting to order at 5:30 p.m. Kyle Baker made a motion to approve the minutes from March 25, 2024, meeting, seconded by Dennis Rogers; approved 5-0. Tim Milstead introduced Ian Rehrig as the new Current Planner and Zoning Officer.

NEW BUSINESS:

Variance – 5425 Westwood Dr.

Tim Milstead presented the case before the board regarding 5425 Westwood Dr Variance. This property is otherwise known as Parcel #33-2N-28-5630-00400-0040. This request, if approved, will allow the owner to construct 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. Aaron Alger, authorized agent of Grant Robertson, and owner of the property located at 5425 Westwood spoke in favor of the variance. Alan and Kristina Norris, 5431 Westwood Dr., is opposed of the 8ft. privacy fence. Dennis Rogers made a motion to approve 5425 Westwood Dr. Variance, seconded by Kyle Baker; approved 5-0.

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



Agenda Item # 2024-2916

Variance - 5615 Alabama St.

MEETING DATE

December 2, 2024

PREPARED BY

BACKGROUND

SUMMARY

RECOMMENDATION

ATTACHMENTS

1. BOA Variance 5615 Alabama St.
2. 5615 Alabama St. Variance Application
3. BOA Variance 5615 Alabama St



City of Milton

November 15, 2024

PUBLIC NOTICE

TO WHOM IT MAY CONCERN

This letter is to inform you that Felipe and Lether Niedermeier, authorized owners of the property located at 5615 Alabama St. have submitted a variance request. This property is located along the west side of Alabama Street between North Avenue and Harvell Street, and is zoned as R-1 (Single Family Residential Zoning District). This request would allow, if approved, for the applicant to construct an addition of just under 900 square feet onto the existing single family residential home, and this addition would have a rear property line setback of approximately 6.9 feet.

The City of Milton's Unified Development Code states in Table 6.2.1 that the minimum rear property line setback for single-family residences within the R-1 zoning district is 20 feet. Therefore, the applicant is requesting a variance from this requirement of approximately 13.1 feet.

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, December 2, 2024 at 5:30 p.m.** in the Council Chambers 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. For additional information regarding this request, please contact the City of Milton's Planning and Development Department at (850) 983-5440. Thank you.

Respectfully,

Tim Milstead
Planning Director

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"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 #: 24-5615-01

APPLICATION DATE: 11/13/2024

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: Felipe and Lether Niedermeier
2. NAME OF BUSINESS: N/A
3. ADDRESS OF PROPERTY: 5615 Alabama St. Milton, Fla
32570
4. LEGAL DESCRIPTION OF PROPERTY: _____

APPLICANT'S SIGNATURE: Felipe Niedermeier Lether Niedermeier

5615 Alabama St Milton Fla 32570 405-620-3400
ADDRESS CITY STATE ZIP PHONE #

OWNER'S SIGNATURE: Felipe Niedermeier Lether Niedermeier

5615 Alabama St Milton Fla 32570 405-620-3400
ADDRESS CITY STATE ZIP PHONE #

OFFICIAL ACTION:

DATE: _____

ACTION: _____

VARIANCE

1. PRESENT LAND USE ZONE: RI
2. PRESENT USE OF PROPERTY: Residential
3. DESCRIBE REQUESTED VARIANCE: Setback (e.g. 9 in back of existing childhood home not up to code/regulation
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: minimal property depth didn't allow existing childhood home regulated setback for backyard
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: at approximately 918 sq ft existing childhood home doesn't allow comfortable living space for larger family / additional family / grandchildren
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: existing childhood home built before current regulations

5615 Alabama St. NEW Addition
34'

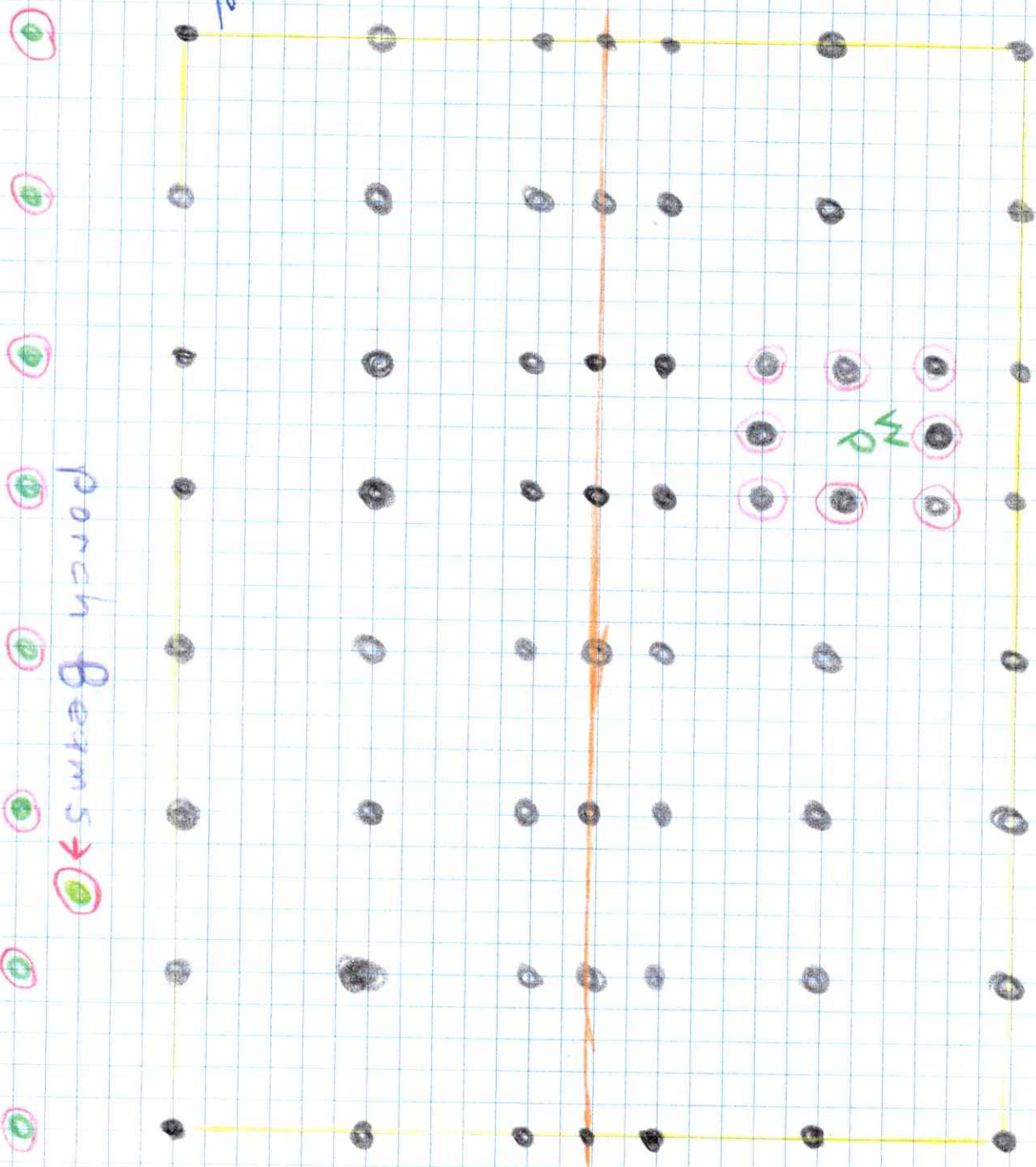
Floor plan

26'

Roof

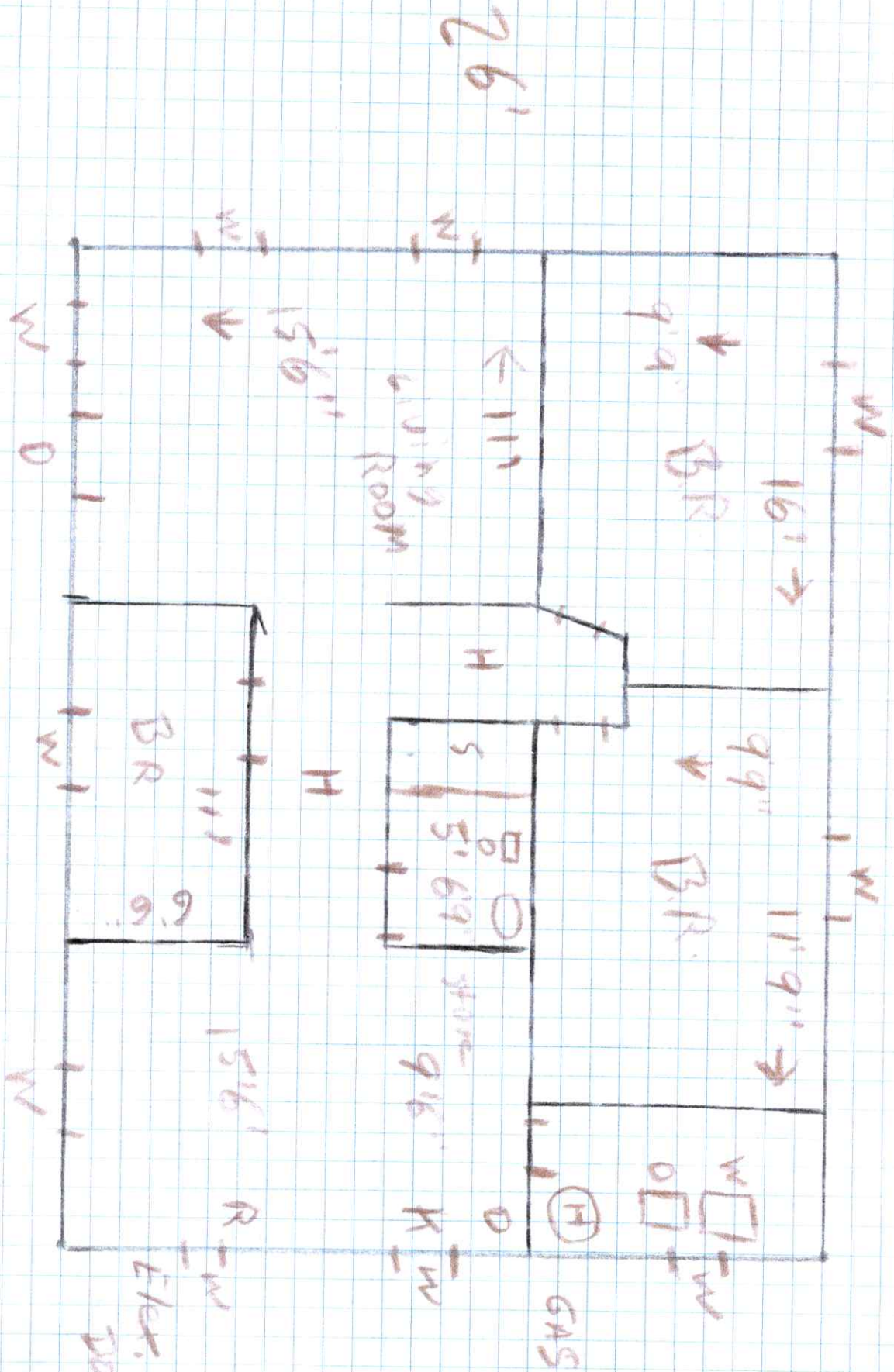
Roof
line

Squid tapes
3' Deep + 2'
up with $\frac{1}{2}$ "
Iron rod's
Bracket's on
top of concrete
for 12" x 12"
Beams



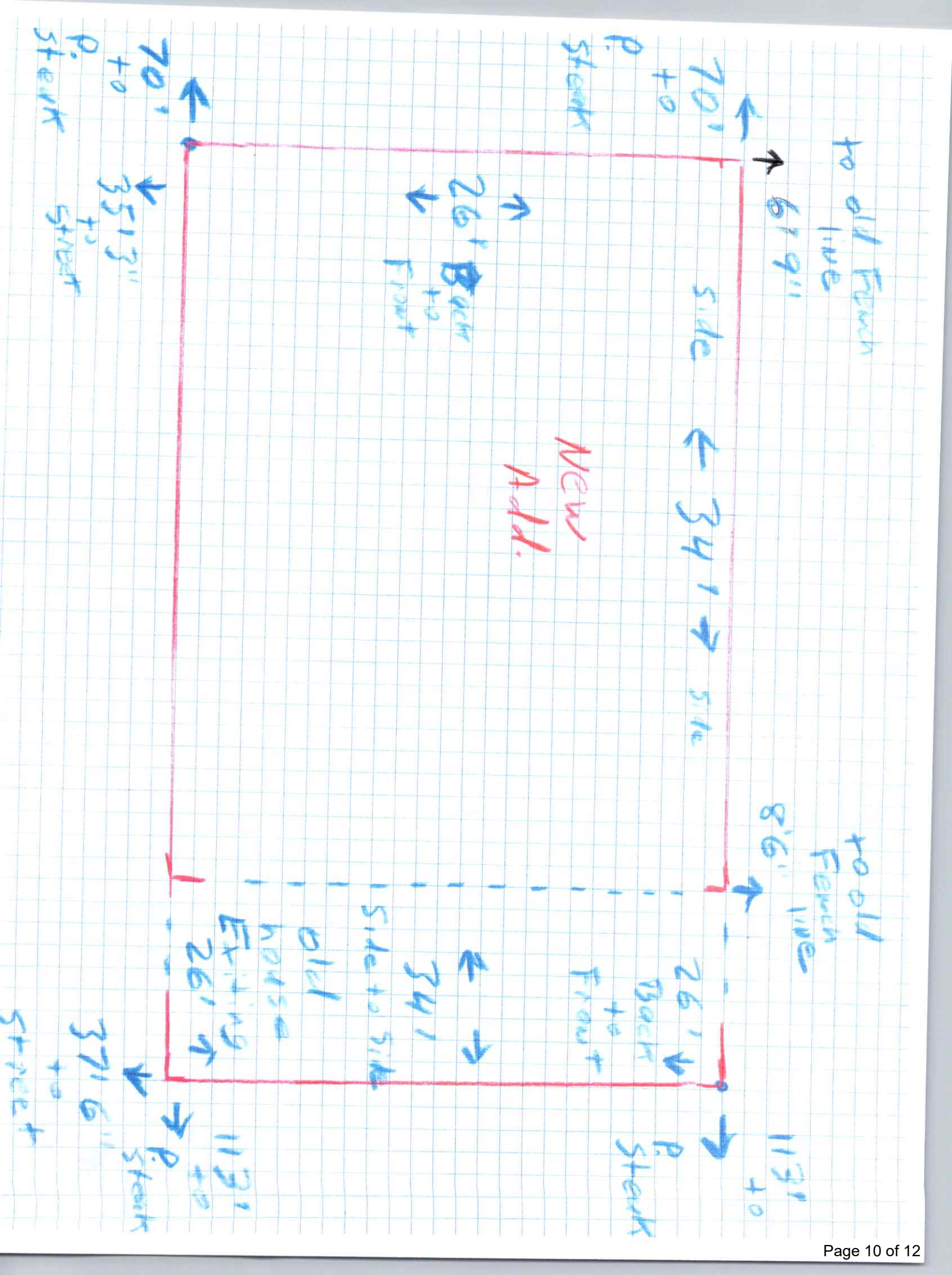
Porch Beams →

34'

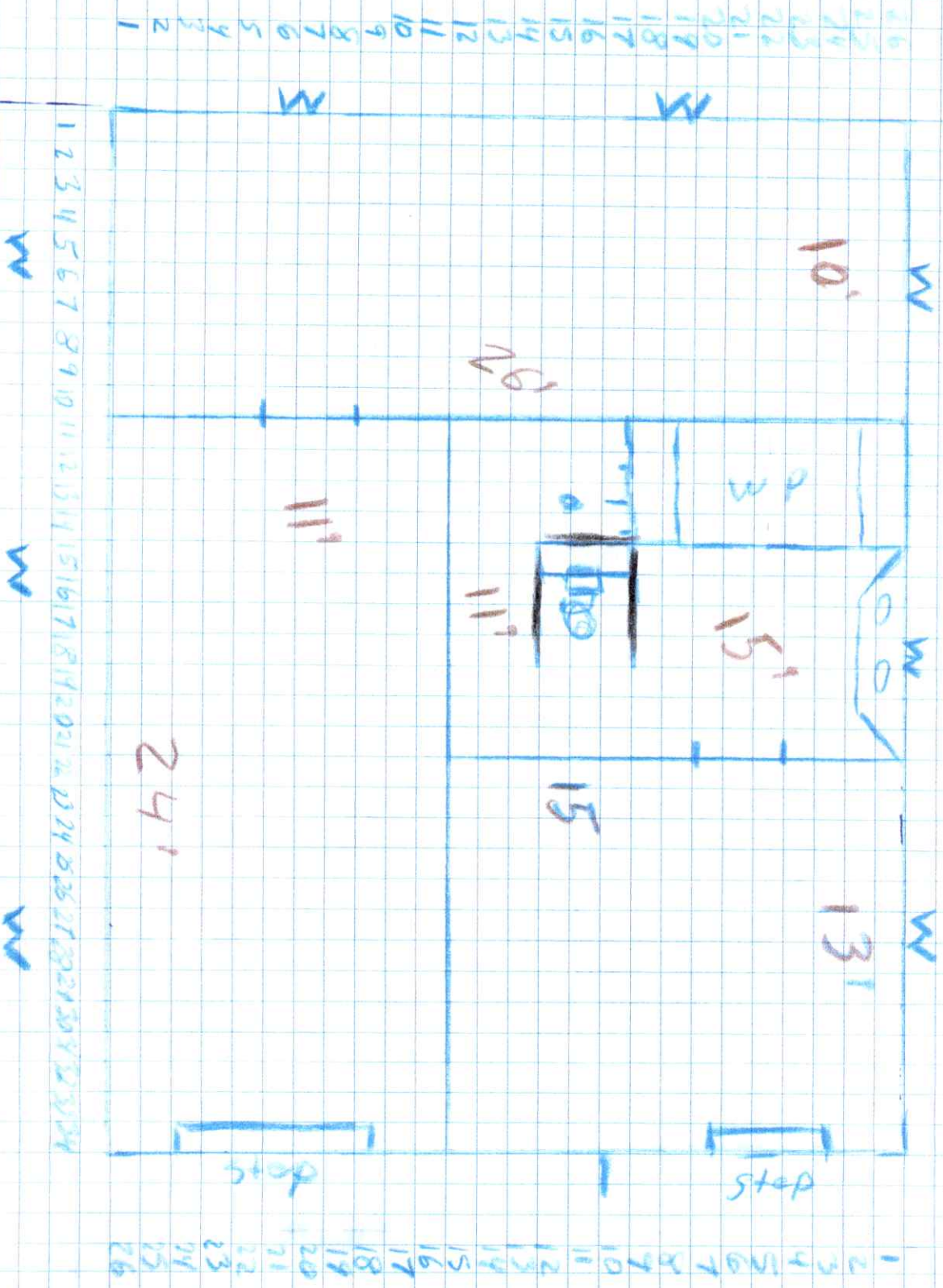


405 620 3466

5615 Alpbamq St.
Mandi Niedermeier

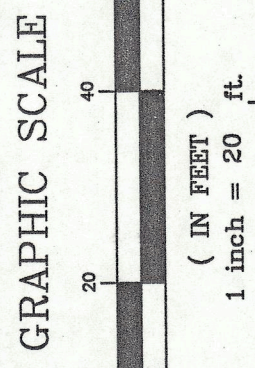
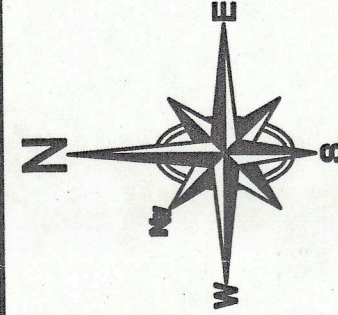


34'
New Addition

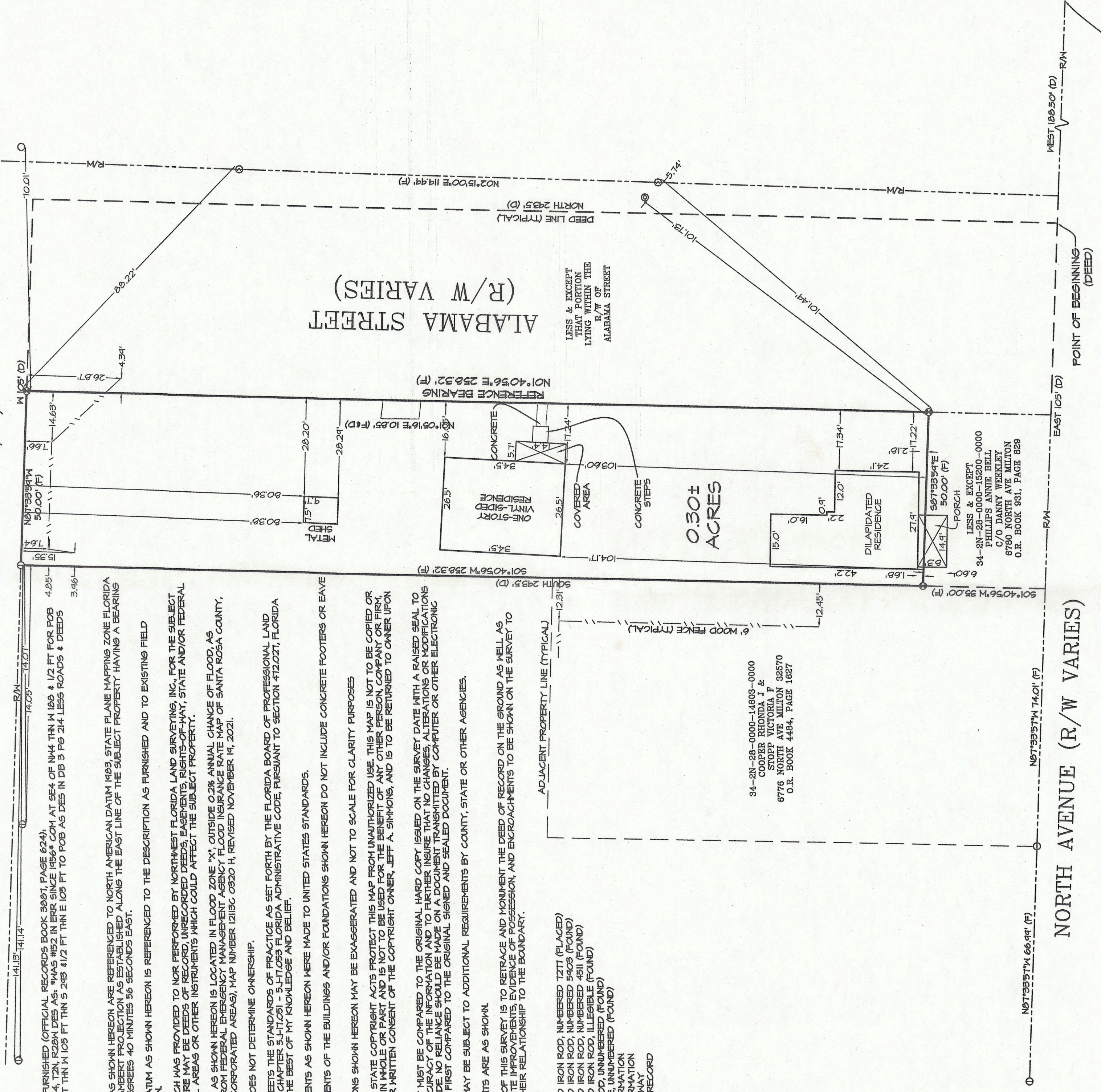


5615 Alabama St

**BOUNDARY SURVEY WITH IMPROVEMENTS
OF A PORTION OF SECTION 34,
TOWNSHIP 02 NORTH, RANGE 28 WEST,
SANTA ROSA COUNTY, FLORIDA**



HARVELL STREET (37' R/W)



POINT OF COMMENCEMENT (DEED)
SOUTHEAST CORNER OF THE SOUTHEAST QUARTER
OF THE NORTHWEST QUARTER OF SECTION 34,
TOWNSHIP 02 NORTH, RANGE 28 WEST,
SANTA ROSA COUNTY, FLORIDA

DESCRIPTION AS FURNISHED (OFFICIAL RECORDS BOOK 30871, PAGE 624):
A PORT OF SEC 34, T2N, R28W DES AS: *WAS #152 IN ERR SINCE 1956* COM AT SE4 OF N44 THN N 106 & 1/2 FT FOR POB
THN N 249 & 1/2 FT THN W 105 FT THN S 243 & 1/2 FT THN E 109 FT TO POB AS DES IN DB 3 PG 214 LESS ROADS & DEEDS
OF RECORD

GENERAL NOTES:

- THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN DATUM 1983, STATE PLANE MAPPING ZONE FLORIDA NORTH CROSS, LAMBERT PROJECTION AS ESTABLISHED ALONG THE EAST LINE OF THE SUBJECT PROPERTY HAVING A BEARING OF NORTH 01 DEGREES 40 MINUTES 56 SECONDS EAST.
- THE SURVEY DATUM IS REFERENCED TO THE DESCRIPTION AS FURNISHED AND TO EXISTING FIELD MONUMENTATION.
- NO TITLE SEARCH WAS PROVIDED TO NOR PERFORMED BY NORTHWEST FLORIDA LAND SURVEYING, INC., FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, STATE AND/OR FEDERAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY.
- THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "X", OUTSIDE 0.2% ANNUAL CHANCE OF FLOOD, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF SANTA ROSA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12118C 0320 H, REVISED NOVEMBER 19, 2021.
- THIS SURVEY DOES NOT DETERMINE OWNERSHIP.
- THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 3-L10-01 - 3-L1-053 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.021, FLORIDA STATUTES, TO THE BEST OF MY KNOWLEDGE AND BELIEF.
- THE MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS.
- THE MEASUREMENTS OF THE BUILDINGS AND/OR FOUNDATIONS SHOWN HEREON DO NOT INCLUDE CONCRETE FOOTERS OR EAVE OVERHANGS.
- FENCE LOCATIONS SHOWN HEREON MAY BE EXAGGERATED AND NOT TO SCALE FOR CLARITY PURPOSES
- FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM, WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER, JEFF A. SIMMONS, AND IS TO BE RETURNED TO OWNER UPON REQUEST.
- THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY ISSUED ON THE SURVEY DATE WITH A RAISED SEAL TO INSURE THE ACCURACY OF THE INFORMATION AND TO FURTHER INSURE THAT NO CHANGES, ALTERATIONS OR MODIFICATIONS HAVE BEEN MADE. NO RELIANCE SHOULD BE MADE ON A DOCUMENT TRANSMITTED BY COMPUTER OR OTHER ELECTRONIC MEANS UNLESS FIRST COMPARED TO THE ORIGINAL SIGNED AND SEALED DOCUMENT.
- THIS SURVEY MAY BE SUBJECT TO ADDITIONAL REQUIREMENTS BY COUNTY, STATE OR OTHER AGENCIES.
- ENCROACHMENTS ARE AS SHOWN.
- THE PURPOSE OF THIS SURVEY IS TO RETRACE AND MONUMENT THE DEED OF RECORD ON THE GROUND AS WELL AS LOCATE ON SITE IMPROVEMENTS, EVIDENCE OF POSSESSION, AND ENCROACHMENTS TO BE SHOWN ON THE SURVEY TO SCALE AND THEIR RELATIONSHIP TO THE BOUNDARY.

DENOTES:

- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBERED 12771 (PLACED)
- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBERED 5403 (FOUND)
- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBERED 4811 (FOUND)
- ⊙ ~ 1/2" CAPPED IRON ROD, ILLEGIBLE (FOUND)
- ⊙ ~ 1" IRON ROD, UNNUMBERED (FOUND)
- ⊙ ~ 1" IRON PIPE, UNNUMBERED (FOUND)
- (D) ~ DEED INFORMATION
- (F) ~ FIELD INFORMATION
- R/W ~ RIGHT OF WAY
- O.R. ~ OFFICIAL RECORD

34-2N-28-0000-14603-0000
COOPER RHONDA J &
STOPP VICTORIA F
8776 NORTH AVE MILTON 32570
O.R. BOOK 4484, PAGE 1827

LESS & EXCEPT
34-2N-28-0000-15200-0000
PHILIPS ANNIE BELL
C/O DANNY WEEKLEY
8780 NORTH AVE MILTON
O.R. BOOK 931, PAGE 829

NORTHWEST FLORIDA LAND SURVEYING, INC.
479 N. PACE BULWARD, PANAMA CITY, FLORIDA 32365
REGISTRATION NUMBER 7354 CORP. NUMBER 7277
STATE OF FLORIDA

Jeff Simmons
JEFF SIMMONS, PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NUMBER 7354 CORP. NUMBER 7277
STATE OF FLORIDA
10/8/2024

5615 ALABAMA STREET

BOUNDARY SURVEY WITH IMPROVEMENTS
OF A PORTION OF SECTION 34,
TOWNSHIP 02 NORTH, RANGE 28 WEST,
SANTA ROSA COUNTY, FLORIDA

PREPARED FOR AND REQUESTED BY:
LEATHER NIEDERMEIR

NORTHWEST FLORIDA LAND SURVEYING, INC.
A PROFESSIONAL SERVICE ORGANIZATION
479 N. PACE BULWARD, PANAMA CITY, FLORIDA 32365
(850) 482-1003

SCALE: 01" = 20'	DESIGNED BY: TCB	DRAWN BY: TCB	CHECKED BY: JAS	DATE: 09/30/2024
CREW CHIEF: DM	FIELD DATE: 09/23/2024	FIELD BOOK: DM-15	PAGE: 21	

NO.	DATE	APPR.	REVISIONS

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR