



MILTON PLANNING BOARD
Regular Meeting Agenda

November 28, 2022
5:30 PM
6738 Dixon Street
Milton, FL 32570

- 1. Call Meeting to Order**
- 2. Invocation & Pledge of Allegiance**
- 3. Review and Approval of Agenda**
- 4. Approval of Minutes**
Item # 2022-993
Approval of Minutes from the September 19, 2022, meeting
- 5. Citizens to Appear Before the Board**
- 6. New Business**
Item # 2022-994
Variance Request for 6630 and 6640 Applegate Street
- 7. Old Business**
- 8. Planning Department Update**
- 9. 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 # 2022-993

Approval of Minutes from the September 19, 2022, meeting

MEETING DATE

November 28, 2022

PREPARED BY

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

BACKGROUND

SUMMARY

RECOMMENDATION

ATTACHMENTS

1. BOA Sept 19 2022 minutes

BOARD OF ADJUSTMENT**September 19, 2022**

The Board of Adjustment met on Monday, September 19, 2022, at 5:30 p.m. in the Council Chambers at City Hall.

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

Lyndsey Benton, Current Planner, Zoning Officer
Melissa Short, Administrative Assistant

OTHERS: Phil Garrett

Mr. Ricky Downs called the meeting to order at 5:48 p.m. and welcomed new board member Karra Graber. Dennis Rogers made a motion to approve the minutes from the April 4, 2022, meeting, seconded by Jay Camp; approved 5-0.

NEW BUSINESS:**Special Exception – Old Bagdad Highway**

Lyndsey Benton presented the case before the board regarding the Old Bagdad Highway Special Exception. This property is otherwise known as Parcel# 08-1N-28-0000-01500-0000. This request, if approved, will allow the owner to operate a construction company with outdoor storage for trucks and various equipment for the purpose of providing Underground Utility and Excavation Contractor services. The UDC indicates that Special Uses in any district are subject to additional conditions which may be required as a circumstance of approval. These special conditions may include, but are not limited to additional landscaping, screening, lot area, lot coverage, lot width, yard, building height requirements, and any other requirement that the Planning and Development Department and/or Board of Adjustment may deem necessary in keeping with this code. Phil Garrett, owner of the property, presented the special exception request to the board. Dennis Rogers made a motion to approve the special exception, seconded by Jay Camp; approved 5-0.

There being no further items to discuss, meeting was adjourned at 6:12 p.m.



Agenda Item # 2022-994

Variance Request for 6630 and 6640 Applegate Street

MEETING DATE

November 28, 2022

PREPARED BY

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

BACKGROUND

SUMMARY

RECOMMENDATION

ATTACHMENTS

1. 6630 and 6640 Applegate St. Variance Request
2. Variance Application 6630 and 6640 Applegate St



City of Milton

November 9th, 2022

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 Maritza Lee, authorized applicant of the property located at 6630 and 6640 Applegate Street, Milton, Florida. This property is otherwise known as Parcel# 342N282470017000090. This request, if approved, will allow the owner to divide the property maintaining a 50-foot lot width and 5,250 square-foot lot area on the Eastern portion, a deviation from the 100-foot minimum lot width and 10,000 square-foot minimum lot area for the R-3 zoning district. The property lies within R-3, which is the Multi-Family Residential 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 November 28th, 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,

Lyndsey Benton
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." FS 286.01015

CITY OF MILTON
APPLICATION TO BOARD OF ADJUSTMENT

REQUEST #: _____

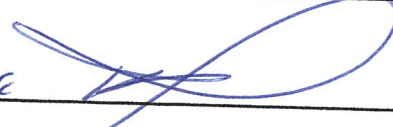
APPLICATION DATE: 10-28-2022

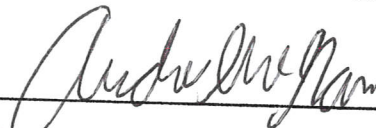
The undersigned applicant requests that the Board of Adjustment consider this application for:

Administrative Review _____ Special Exception _____ Variance ✓

Determination of Compatibility _____

1. NAME OF APPLICANT: Maritza Lee
2. NAME OF BUSINESS: _____
3. ADDRESS OF PROPERTY: 6630 & 6640 Applegate St Milton FL
4. LEGAL DESCRIPTION OF PROPERTY: Lots 9 & 10 and 11 m. Han heights
parcel # 34-2N-28-2470 - 01700-0090.

APPLICANT'S SIGNATURE: Maritza Lee 
1153 Freeboard Blvd Pensacola FL 32507 850 377 2292
ADDRESS CITY STATE ZIP PHONE #

OWNER'S SIGNATURE: X 
107 W Gregory St Pensacola FL 32502 850-530-9576
ADDRESS CITY STATE ZIP PHONE #

OFFICIAL ACTION:

DATE: _____

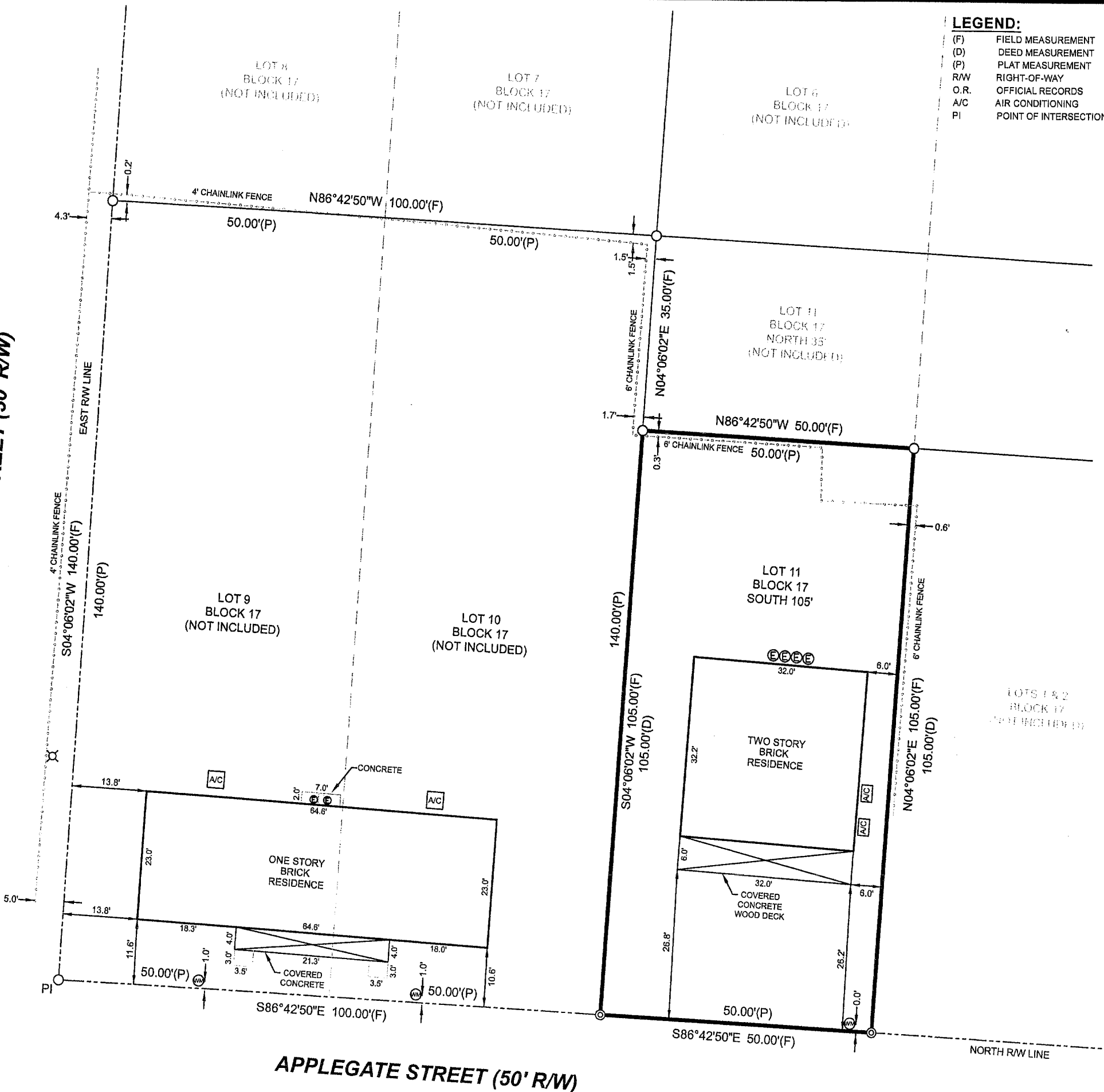
ACTION: _____

4:\Forms\Application\BOAdisk\

VARIANCE

1. PRESENT LAND USE ZONE: R 3
2. PRESENT USE OF PROPERTY: Duplex and Quadplex
3. DESCRIBE REQUESTED VARIANCE: split the 2 lots to separate the duplex & the quadplex it wont meet 2F-10,000 an MF3-4 10,000
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: This parcel is unique, or a special condition exist, in that it has a 4 unit building and a 2 unit building on the same parcel causing a prospective buyer to need a commercial loan.
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: having a 4 unit building and 2 unit building on the same lot present a hardship for the current owner. This property has fallen out of contract 3 times as a commercial loan could not be secured by prospective buyers.
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: Granting the variance request will allow the current owner to sell the property to prospective buyers who have been pre-approved for residential loans. There are offers for the quadplex and duplex by different prospective buyers who desire to make the purchase.

PEACHTREE STREET (50' RW)

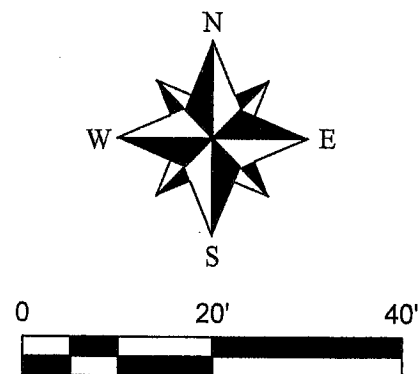


- LEGEND:**
- (F) FIELD MEASUREMENT
 - (D) DEED MEASUREMENT
 - (P) PLAT MEASUREMENT
 - R/W RIGHT-OF-WAY
 - O.R. OFFICIAL RECORDS
 - A/C AIR CONDITIONING
 - PI POINT OF INTERSECTION

LEGAL DESCRIPTION:
(AS PER O.R. BOOK 3661, PAGE 1213)
The South 105 Feet of Lot 11, Block 17, MILTON HEIGHTS, according to the Plat thereof, recorded in Plat Book A, Page(s) 30 of the Public Records of Santa Rosa County, Florida.

- NOTES:**
1. FIELD WORK FOR THIS SURVEY WAS COMPLETED ON 10-08-2022.
 2. THE MEASUREMENTS SHOWN HEREON WERE MADE TO UNITED STATES SURVEY FOOT AND WERE RECORDED IN DECIMAL OF FEET UNLESS OTHERWISE MARKED.
 3. ALL EASEMENTS AND RIGHTS-OF-WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE HAVE BEEN SHOWN HEREON. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
 4. STATE AND FEDERAL COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED EITHER IN WHOLE OR IN PART, OR TO BE USED FOR ANY OTHER FINANCIAL TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT THE PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER.
 5. BEARINGS AND NORTH ARROW SHOWN HEREON ARE BASED ON AN ASSUMED BEARING, AS MEASURED ALONG THE NORTH R/W LINE OF APPLGATE STREET (50' R/W), BEING SOUTH 86° 42' 50" EAST, AS MONUMENTED.
 6. FENCE LINES ARE EXAGGERATED FOR CLARITY.
 7. ENCROACHMENTS ARE AS SHOWN.
 8. ACCORDING TO THE FLOOD INSURANCE RATE MAP NUMBER 12113C0320H, EFFECTIVE DATE OF 11/19/2021, THE SUBJECT PROPERTY SHOWN HEREON LIES IN ZONE "X".

- DENOTES:**
- ⊙ FOUND 1" PLAIN IRON PIPE, (UNNUMBERED)
 - FOUND 1/2" PLAIN IRON ROD, (UNNUMBERED)
 - ⊕ POWER METER
 - ⊗ WATER METER
 - ⊕ UTILITY POLE



CERTIFICATIONS:
OWNER: John Pavlus
CLOSING AGENT: First International Title

SURVEYORS CERTIFICATE
The survey shown hereon is true and correct and in compliance with the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers in Chapter "5J-17", Florida Administrative Code pursuant to Section 472.027, Florida Statutes.

Tony Justice 10-21-22
ANTHONY W. JUSTICE, FLORIDA REGISTRATION NO. 7195

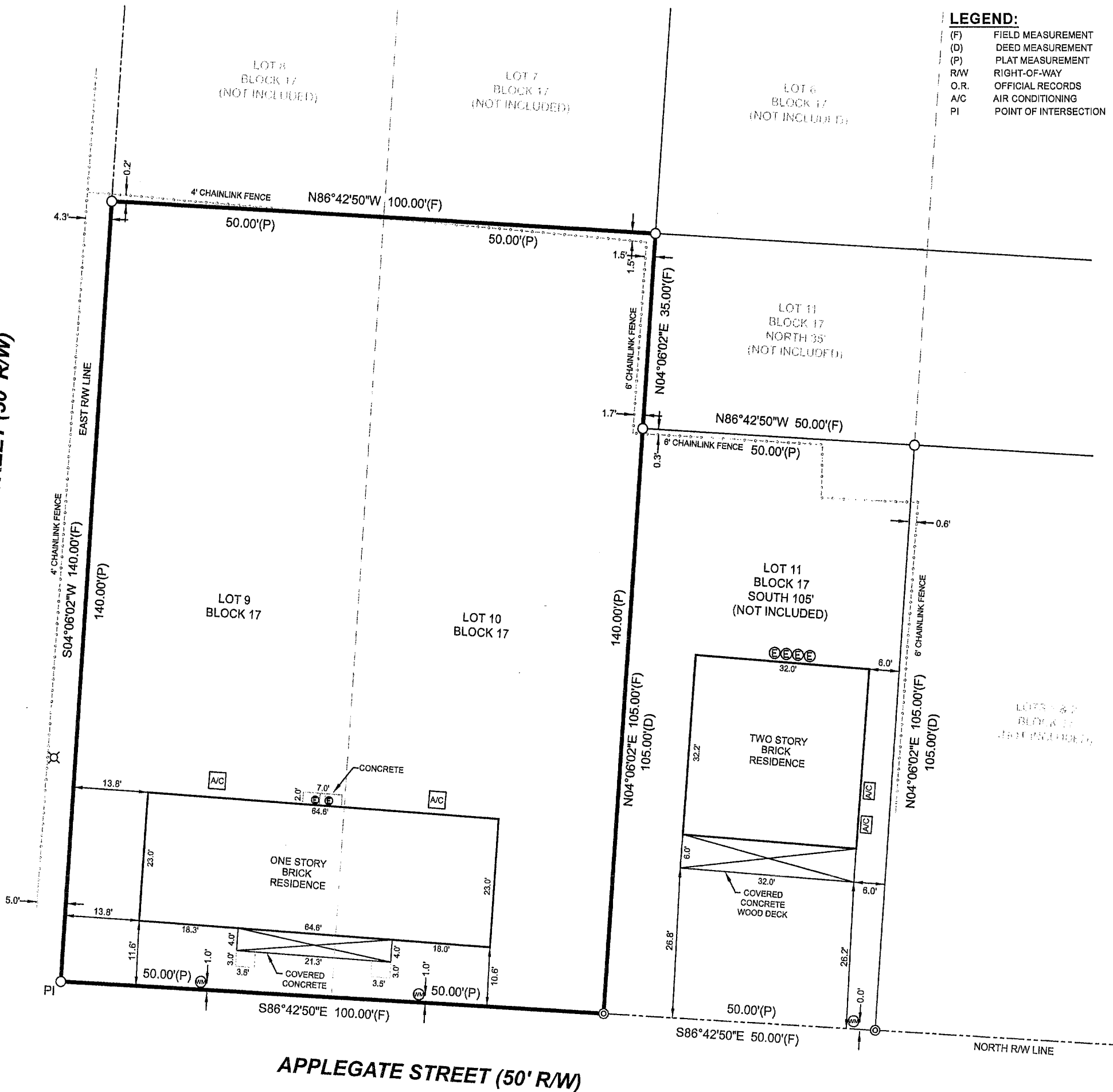
NOT VALID WITHOUT
THE SIGNATURE AND
THE ORIGINAL RAISED
SEAL OF A FLORIDA
LICENSED SURVEYOR
AND MAPPER

Tony Justice 10-21-22
BOUNDARY SURVEY WITH IMPROVEMENTS
PARCEL #34-2N-28-2470-01700-0090
O.R. BOOK 3661, PAGE 1213,
SOUTH 105 FEET OF LOT 11, BLOCK 17
MILTON HEIGHTS
A PORTION OF SECTION 34,
TOWNSHIP 2 NORTH, RANGE 28 WEST
6640 APPLGATE STREET,
SANTA ROSA COUNTY, FLORIDA

PROJECT NUMBER: 22353
DATE: 10-08-2022
FIELD BOOK: 4 **PAGE:** 353
FIELD DATE: 10-08-2022
FIELD CREW: AWJ, BC
DRAWN BY: AWJ
CHECKED BY: BC



PEACHTREE STREET (50' R/W)

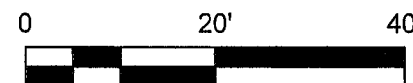
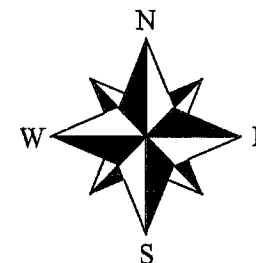


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PI POINT OF INTERSECTION

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1616 WEST GREGORY STREET
PENSACOLA, FL 32502
PHONE: 850-619-9634
A.JUSTICEPSM@GMAIL.COM

SCALE: 1" = 20' SHEET 1 OF 1