

AGENDA ITEM 1

BOARD OF ADJUSTMENT

AGENDA REQUEST

TO: Honorable Chairman and Members of the Okaloosa County Board of Adjustment

THROUGH: Randy Woodruff, AICP, Deputy Director, Growth Management

FROM: Michael Anderson, PE, Engineer III, Public Works

SUBJECT: VAR-0525-0000

AGENDA DATE: June 11, 2025

APPLICANT(S): Kenneth Metcalf of Sterns Weaver Miller Weissler Alhadeff & Sitterson, PA for CJL Construction, LLC

OWNER(S): CJL Construction, LLC

LOCATION: Garrett Mill Road approximately 1800 feet west of Old River Road, Baker, Florida

PARCEL INFORMATION:

- Property Appraiser's Parcel ID Number: 16-3N-24-0000-0001-001A and 16-3N-24-0000-0001-001B
- Property contains: 9.97 acres more or less
- BCC District: (3) Commissioner Cox
- BOA District: (3) Scott Kearney
- Future Land Use Map Designation: Low Density Residential (LDR)
- Zoning District: Residential-1 (R-1)
- Current Use: Vacant

SURROUNDING LAND USES:

- North: Vacant
- South: Vacant
- East: Vacant
- West: Vacant

REQUESTED VARIANCE: The applicant is requesting a Variance from Sections 6.03.04 and 6.03.14 of the Okaloosa County Land Development Code

(LDC), Ordinance 91-1 as amended, to relax the Green Book standards as follows:

1. Not require the developer to dedicate right-of-way or construct improvements to Garrett Mill Road to the east or west of the 666 feet of property frontage.
2. Reduce the clear zone to 0 feet on the south side of Garrett Mill Road along the 666 feet of property frontage;
3. Reduce the clear zone to 7-10 feet in width on the north side of Garrett Mill Road along the 666 feet of property frontage, subject to final design approval;
4. Reduce the required right-of-way on Garrett Mill Road along the 666 feet of property frontage from 50 feet to between 43.3+/- feet and 49.5+/- feet as specified on Attachment 2 of the variance application;
5. Reduce the required lane width from 11 feet to 10 feet along the 666 feet of property frontage;
6. Modify the ditch design standards on the north side of Garrett Mill Road along the 666 feet of property frontage, subject to final design approval: from 1:5 front and back slopes (resulting in a 10' wide ditch section 1' deep) to 1:4 front and back slopes with a 1' wide bottom;
7. Modify the ditch standards on the south side of Garrett Mill Road along the 666 feet of property frontage to 0 feet;
8. Reduce the shoulder width from 6-8 feet to 4 feet on north side of Garrett Mill Road along the 666 feet of property frontage and to 0' feet on the south side; and
9. Reduce the lateral offset from 4 feet from curb to 0 feet on the south side of Garrett Mill Road along the 666 feet of property frontage.

STAFF ANALYSIS:

- The subject parcel is located on Garrett Mill Road approximately 1800 feet west of Old River Road, Baker, Florida.
- The subject property has a Low Density Residential (LDR) Future Land Use Map (FLUM) map designation and is currently zoned Residential-1 (R-1). Residential subdivisions are a permitted use within the Low Density Residential (LDR) Future Land Use Map (FLUM) map designation and the Residential-1 (R-1) zoning district.
- Please find below Section 6.03.04 and Section 6.03.14 of the Okaloosa County Land Development Code, Ordinance 91-1, as amended.

6.03.04 Connection of a Street or Driveway to a Public Roadway/Right-of-Way:

When an application is made to Okaloosa County where a proposed connection is to be made by either a private or public roadway or driveway, adequate access (as required by 6.00.03) shall be defined as an existing public right-of-way that exists by way of plat or deed AND the existing roadway surface shall be a hot-mix asphalt. Excluding capacity improvements required to satisfy concurrency, improvements to the existing roadway may include turn lanes, deceleration lanes, acceleration lanes or signal improvements in order to accommodate the proposed development.

1. For developments proposed along roadways that do not comply with the requirements above, improvements to the public roadway shall be performed as part of the proposed development such that the roadway is consistent with the minimum standards stated herein; including, but not limited to right-of-way and lane width standards. Improvements shall be required to the extent where access to the proposed development is made to a roadway that provides adequate access as described above.

6.03.14 Road and Street Design Standards:

All improvements and construction activities required under these regulations shall take place according to plans approved by the County Engineer. The plans submitted to the County Engineer shall bear the signature of a Florida licensed Professional Engineer responsible for the project as defined by Chapter 471, F.S. Design and construction must be consistent with the Florida Manual of Uniform Standards for Design, Construction and Maintenance for Streets and Highways. (Green Book)

1. Specific Requirements:

b. Right-of-Way:

- i. All roads and streets shall have sufficient right-of-way to conform to Green Book standards for clear zones and other requirements, and to accommodate drainage requirements. If such requirements exceed the minimum width specified in item b below, that width shall be the acceptable minimum.
- ii. Subdivision streets that are to be dedicated to the public for ownership and maintenance shall have dimensions as specified in Table 6-03-01 per the functional classifications defined in s. 6.03.03:

Table 6-03-1			
Minimum R/W Width →	50'	66'	80'
Collector			X
Major Local	X*	X*	
Minor Local	X		

*For major local roads servicing less than 50 lots the minimum right-of-way width shall be 50'. For major local roads servicing 50 lots or more the minimum right-of-way shall be 66'.

d. Pavement Dimensions and Materials:

- i. For subdivision streets: The minimum width of each travel lane shall have the minimum dimensions as specified in Table 6-03-02 per the functional classification defined in s.6.03.03. Curb or curb and gutter dimensions are not to be included in the specified lane widths.

Table 6-03-2			
Minimum Lane Width →	10'	11'	12'
Collector			X
Major Local		X	
Minor Local	X		

- ii. (b) All other pavement dimension for widths, tapers, shoulders, clear zones, etc. shall be in accordance with F.D.O.T. Green Book Standards.
- e. The surface course for flexible pavements will be an asphalt mix approved by the County Engineer; thickness will be a minimum of one and one-half (1 ½) inches. Collectors, arterials, and other roads serving heavy traffic shall provide a structural analysis determining surface course thickness or have a minimum thickness of two (2) inches whichever is greater. All cul-de-sacs will have a minimum surface thickness of two (2) inches in the "turn around" area. Surface courses using materials other than asphalt will be sized for appropriate structural adequacy. Test for surface course thickness and density shall be made at intervals of no more than two hundred (200) feet; staggered to the left, right, and on center line.

FINDINGS:

Variances: Conditions governing applications, procedures; to authorize upon appeal such variances from the terms of the ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this ordinance, the Board of Adjustment must and shall find:

- a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district;

Recommended Finding: There are no special conditions or circumstances which are peculiar to the land, structure, or building involved. The Okaloosa County Land Development Code, Section 6.03.04 does not permit development on parcels located on roadways that are not hot-mix asphalt paved roads unless the roadway is brought up to the standards set forth within the Okaloosa County Land Development Code. The subject property is adjacent to Garrett Mill Road which will provide access to the development site. Garrett Mill Road is a County-maintained road, but the County only has "use and maintenance" on a majority of the roadway. The County owns 40 feet of right-of-way on the east 502 feet and 66 feet of right-of-way on the west ¼ mile of the roadway. Further, this roadway is only considered a stabilized dirt road by the County Engineer and is not considered a hot-mix asphalt road. Garrett Mill Road does not meet the requirements set forth in the Okaloosa County Land Development Code, Section 6.03.04.

- b. That the special conditions and circumstances do not result from the actions of the applicant;

Recommended Finding: Garrett Mill Road's failure to meet the minimum standards of the Okaloosa County Land Development Code is not the result of any action of the applicant.

- c. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Land Development Code to other lands, buildings or structures in the same zoning district;

Recommended Finding: Granting the variance requested will confer on the applicant a special privilege that is denied by the Land Development Code to other lands, buildings or structures in the same zoning district by allowing a development on a roadway that is not considered a hot-mix asphalt roadway.

- d. That literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant;

Recommended Finding: Literal interpretation of the provisions of the Land Development Code would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance.

- e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and

Recommended Finding: The variance requested is the minimum variance that would make possible for the proposed residential subdivision. However, no variance is required for a single-family residence, timberland, or agriculture.

- f. That the grant of the variance will be in harmony with the general intent and purpose of the Land Development Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Recommended Finding: The requested variance is not in harmony with the general intent and purpose of the Land Development Code.

STAFF RECOMMENDATION: Based on the analysis and recommendation findings presented herein, Okaloosa County Growth Management and Public Works Departments do not recommend approval of the variances as presented.

PUBLIC NOTICE: The proposed agenda item was properly advertised in the Northwest Florida Daily News on May 27, 2025 (see **Attachment I**).

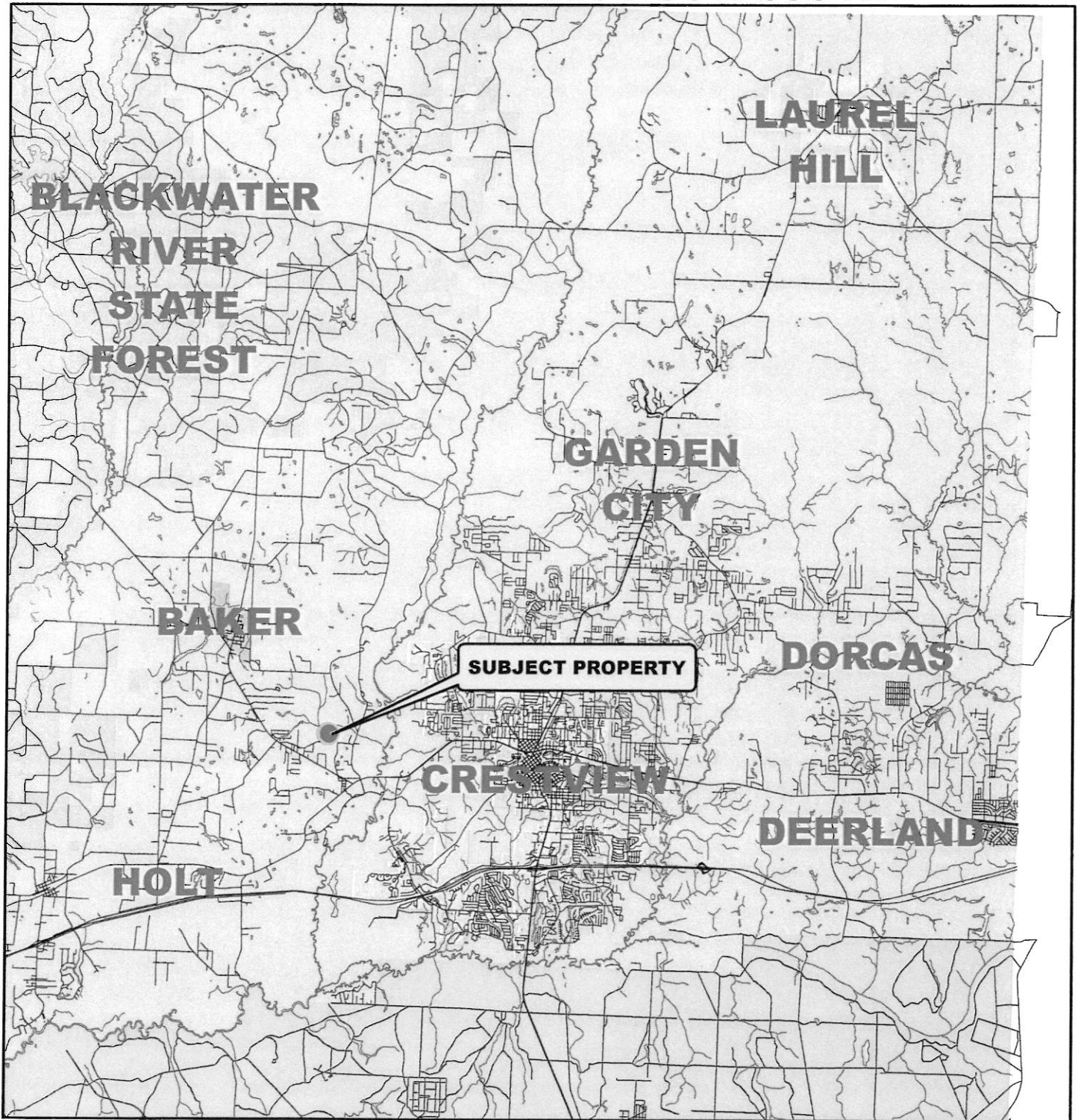
PUBLIC COMMENT/OPPOSITION: None to date of this writing.

ATTACHMENTS:

- A – Location Map
- B – Aerial Photo
- C – Existing Land Use Map
- D – Future Land Use & Zoning Map
- E – GIS Analysis

- F – Sections 6.03.04 and 6.03.14 of the Okaloosa County Land Development Code (LDC), Ordinance 91-1 as amended
- G – Proposed Site Plan
- H – Copy of Variance Application
- I – Legal Advertisement

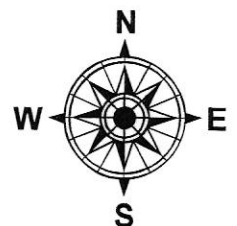
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Legend

— Roads

Location Map



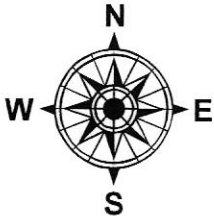
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Legend

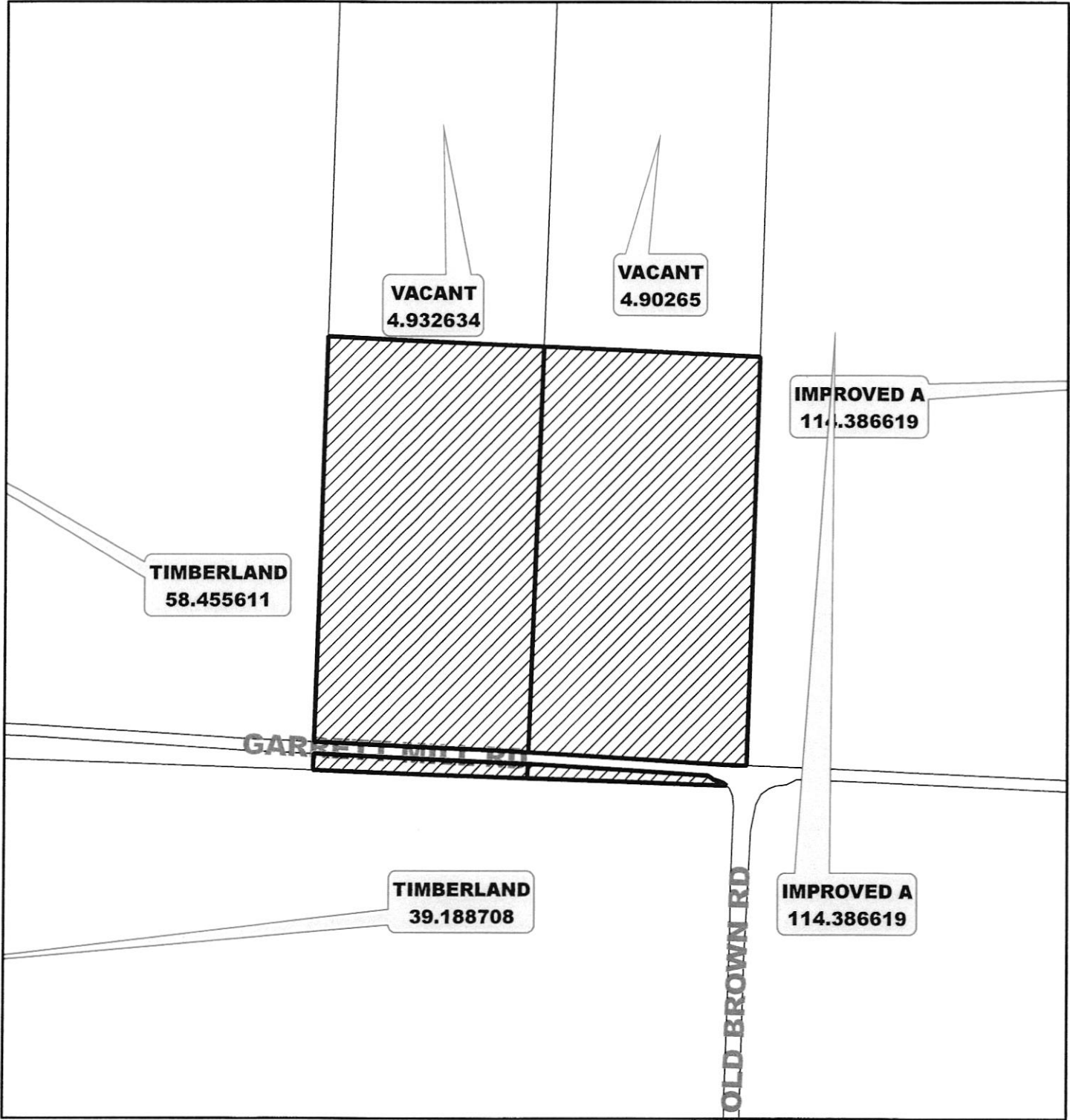
 Parcel Lines

Aerial Photo

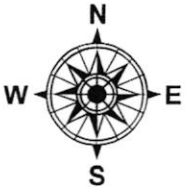


ATTACHMENT - C

16-3N-24-0000-0001-001A/001B



Existing Land Use Map

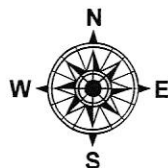


16-3N-24-0000-0001-001A/001B



FLUM Legend

LDR



ZONE Legend

R-1

FLUM & Zoning Map

GIS ANALYSIS RESULTS

ATTACHMENT
E

Date: 5/21/2025

Project: 16-3N-24-0000-0001-001A/001B

Permit: VAR-0525-0000 - CJL Construction LLC

Property Address: LOCATED ON GARRETT MILL RD BAKER FL 32531

Zoning: LDR

FLU: LDR

Fire District: BAKER **Commissioner District:** 3 **Census Tract:** 020100

Soil Type: 23 – Troup Sand – 0 to 5% slopes, well drained

Wind Zone: GREATER THAN 140 IN THE WIND BORNE DEBRIS AREA

Flood Zone: X 500 Year Flood Plain & A 100 Year Flood Plain **Map Number:** 12091CO 145J

Storm Surge Area: NO

Urban Development Area: NO

Water Efficient Area: NO

Wells: None

Environmental Data: None

Historical Data: NO

Wetlands: Uplands

Water and Sewer: MWS

Within 3 mile of an Airport: NO

Excerpts from Okaloosa County Land Development Code, Ordinance 91-1, as amended

6.03.04 Connection of a Street or Driveway to a Public Roadway/Right-of-Way: When an application is made to Okaloosa County where a proposed connection is to be made by either a private or public roadway or driveway, adequate access (as required by 6.00.03) shall be defined as an existing public right-of-way that exists by way of plat or deed AND the existing roadway surface shall be a hot-mix asphalt. Excluding capacity improvements required to satisfy concurrency, improvements to the existing roadway may include turn lanes, deceleration lanes, acceleration lanes or signal improvements in order to accommodate the proposed development.

1. For developments proposed along roadways that do not comply with the requirements above, improvements to the public roadway shall be performed as part of the proposed development such that the roadway is consistent with the minimum standards stated herein; including, but not limited to right-of-way and lane width standards. Improvements shall be required to the extent where access to the proposed development is made to a roadway that provides adequate access as described above.

6.03.14 Road and Street Design Standards: All improvements and construction activities required under these regulations shall take place according to plans approved by the County

Table 6-03-1			
Minimum R/W Width →	50'	66'	80'
Collector			X
Major Local	X*	X*	
Minor Local	X		

*For major local roads servicing less than 50 lots the minimum right-of-way width shall be 50'. For major local roads servicing 50 lots or more the minimum right-of-way shall be 66'.

- c. Cul-de-sacs and Turnarounds:
 - i. Turnarounds are not required on streets two hundred (200) feet or less in length and serving six [6] or less dwelling units.
 - ii. Turnarounds will be used on dead-end streets three hundred (300) feet or less in length that do not comply with (a) above. Turnarounds must comply with
 - iii. AASHTO latest edition ("A Policy on Geometric Designs of Highways and Streets").

Engineer. The plans submitted to the County Engineer shall bear the signature of a Florida licensed Professional Engineer responsible for the project as defined by Chapter 471, F.S. Design and construction must be consistent with the Florida Manual of Uniform Standards for Design, Construction and Maintenance for Streets and Highways. (Green Book)

1. Specific Requirements:

- a. Alignment and Geometry: Streets will intersect at angles no less than ninety seventy-five [75] degrees. Unaligned intersections shall be separated by a minimum of one hundred and fifty (150) feet between center lines. Intersections involving more than four (4) basic street legs or approaches shall be prohibited.
- b. Right-of-Way:
 - i. All roads and streets shall have sufficient right-of-way to conform to Green Book standards for clear zones and other requirements, and to accommodate drainage requirements. If such requirements exceed the minimum width specified in item b below, that width shall be the acceptable minimum.
 - ii. Subdivision streets that are to be dedicated to the public for ownership and maintenance shall have dimensions as specified in Table 6-03-01 per the functional classifications defined in s. 6.03.03:
 - 2) The pavement diameter of a cul-de-sac shall be one hundred (100) feet.
- e. The surface course for flexible pavements will be an asphalt mix approved by the County Engineer; thickness will be a minimum of one and one-half (1 ½) inches. Collectors, arterials, and other roads serving heavy traffic shall provide a structural analysis determining surface course thickness or have a minimum thickness of two (2) inches whichever is greater. All cul-de-sacs will have a minimum surface thickness of two (2) inches in the "turn around" area. Surface courses using materials other than asphalt will be sized for appropriate structural adequacy. Test for surface course thickness and density shall be made at intervals of no more than two hundred (200) feet; staggered to the left, right, and on center line.
- f. Curb and Gutter: All streets constructed in residential subdivisions built to urban densities of four (4) lots or more per acre shall have curb and gutter on both sides

- iv. A cul-de-sac shall be used on streets longer than three hundred (300) feet with no outlet. The right-of-way diameter of a cul-de-sac shall be at least one hundred and ten (110) feet. In order to provide adequate utility maintenance and storm drainage, an additional five (5) foot easement around the perimeter of cul-de-sacs may be required by the County Engineer as deemed necessary.

d. Pavement Dimensions and Materials:

- i. For subdivision streets: The minimum width of each travel lane shall have the minimum dimensions as specified in Table 6-03-02 per the functional classification defined in s.6.03.03. Curb or curb and gutter dimensions are not to be included in the specified lane widths.

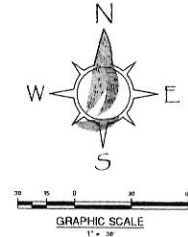
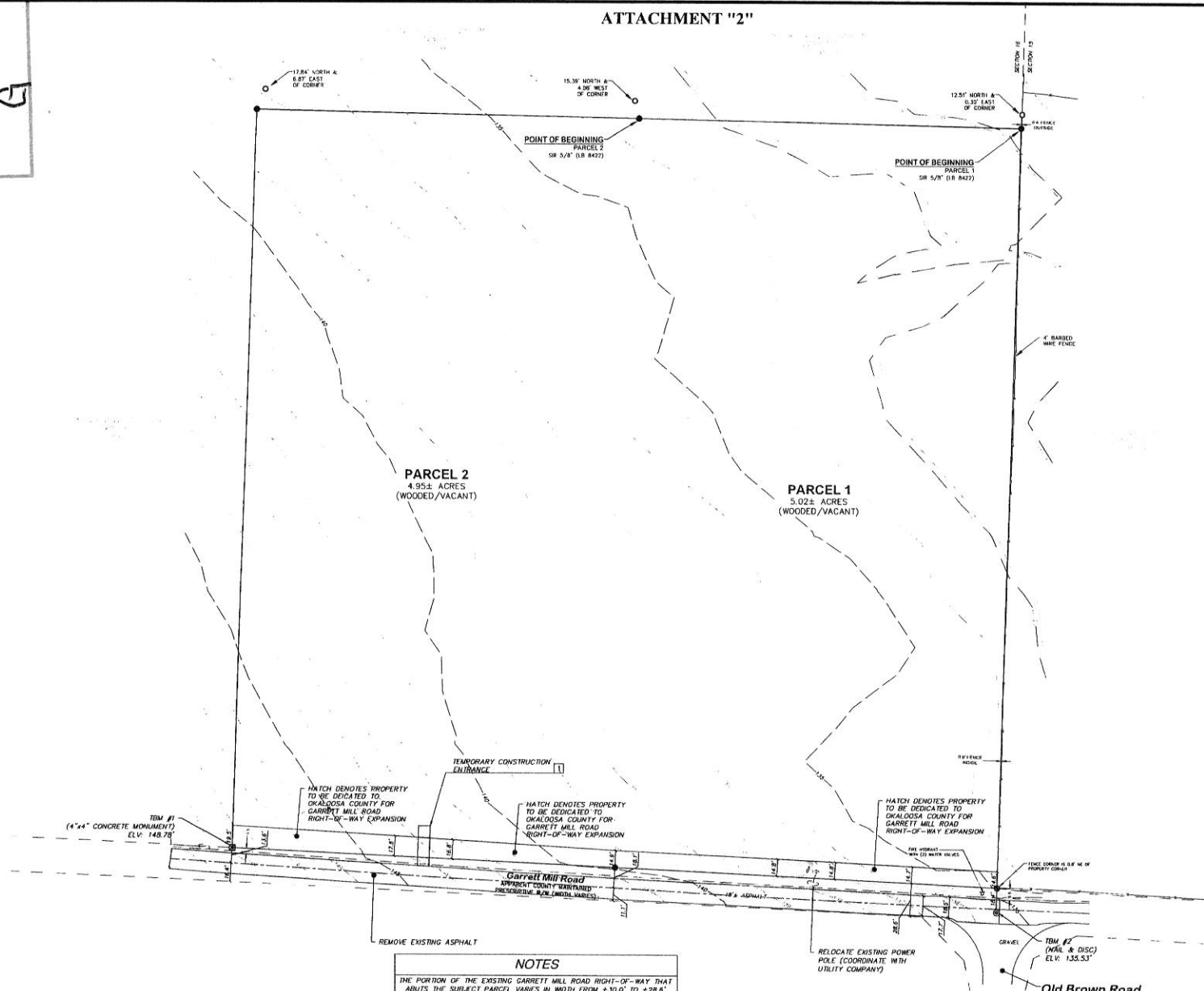
Table 6-03-2			
Minimum Lane Width →	10'	11'	12'
Collector			X
Major Local		X	
Minor Local	X		

- ii. (b) All other pavement dimension for widths, tapers, shoulders, clear zones, etc. shall be in accordance with F.D.O.T. Green Book Standards.
- iii. Cul-de-sacs:
 - 1) The pavement width for turnarounds shall comply with AASHTO latest edition ("A Policy on Geometric Design of Highways and Streets").
 - 2) The pavement diameter of a cul-de-sac shall be one hundred (100) feet.
- e. The surface course for flexible pavements will be an asphalt mix approved by the County Engineer; thickness will be a minimum of one and one-half (1 ½) inches. Collectors, arterials, and other roads serving heavy traffic shall provide a structural analysis determining surface course thickness or have a minimum thickness of two (2) inches whichever is greater. All cul-de-sacs will have a minimum surface thickness of two (2) inches in the "turn around" area. Surface courses using materials other than asphalt will be sized for appropriate structural adequacy. Test for surface course thickness and density shall be made at intervals of no more than two hundred (200) feet; staggered to the left, right, and on center line.
- f. Curb and Gutter: All streets constructed in residential subdivisions built to urban densities of four (4) lots or more per acre shall have curb and gutter on both sides

of the pavement. Swales within rights-of-way shall not be permitted where curb and gutter is required.

- g. Roadway Base: An approved and properly prepared base material shall be provided. Recommended base materials are as follows: Sand-clay; soil cement; compacted limerock; shell. Tests for thickness and density shall be made at intervals of no more than three hundred (300) feet; staggered to the left, right, and on centerline.
- h. Structural analysis is required for roads arterial, collector and other identified by the County as supporting industrial land uses, such as but not limited to, industrial parks, airports, and landfills. The procedures set forth in AASHTO's *A Guide for Design of Pavement Structures*, the FDOT Flexible Pavement Design Manual, or the FDOT Rigid Pavement Design Manual shall be used. Base thickness for arterial or collector streets shall be a minimum of eight (8) inches. Sand asphalt base shall demonstrate equivalency. Base thickness for all other streets shall be a minimum of (6) inches.
- i. Roadway Subgrade: A properly prepared subgrade shall be provided with a minimum LBR of 40. Tests for subgrade bearing capacity and density shall be made at intervals of no more than three hundred (300) feet; staggered to the left, right, and on centerline.
- j. Material Specifications and Construction Standards: All material and construction shall conform to the latest Florida DOT "Standard Specification for Road and Bridge Construction." If a Marshall mix design for asphalt pavement or a sand-clay base is used, the requirements in the Florida DOT Standard Specification for Road and Bridge Construction, 2000 Edition shall be used.
- k. Signage: All traffic control devices including street signs, stop signs and pavement markings shall be in conformance with the most recent addition of Manual of Uniform Traffic Control Devices.
- l. Datum: All plans shall be designed based on the NGVD 1929 or NAVD 1988. Benchmarks shall be provided per minimum technical standards.
- m. Roadway Design Plans: Plans submitted to the County Engineer for review of roadway design shall include plan and profile sheets at a scale no smaller than 1" to 30'. All utility crossings and proposed piping shall be clearly depicted to show both horizontal and vertical locations.

ATTACHMENT "2"



LEGEND

[Hatch]	HATCH DENOTES PAVEMENT, CURB, SIDEWALK, & BUILDINGS TO BE REMOVED
[Hatch]	HATCH DENOTES PROPERTY TO BE GIVEN TO OKALOOSA COUNTY FOR GARRETT MILL ROAD RIGHT-OF-WAY EXPANSION
EX	EX. WATER VALVE
XX	EX. FIRE HYDRANT
---	EX. FENCE
---	EX. WATER MAIN
(D)	EX. POWER POLE

SEAS		SEAS	
Seaside Engineering, Inc. Surveying, LLC 8875 W. 11th Avenue, Suite 104 Beverly Hills, CA 90212 Tel: (800) 395-8812		Seaside Engineering, Inc. Surveying, LLC 8875 W. 11th Avenue, Suite 104 Beverly Hills, CA 90212 Tel: (800) 395-8812	
PINE MILL SUBDIVISION		EXISTING CONDITIONS	
NOT FOR CONSTRUCTION		NOT FOR CONSTRUCTION	
DRAWN: L.S.S.		DRAWN: L.S.S.	
CHECKED: T.D.B.		CHECKED: T.D.B.	
DATE: 05/19/2024		DATE: 05/19/2024	
PROJECT NO: 24-010		PROJECT NO: 24-010	
SHEET: 16		SHEET: 16	
C1		C1	

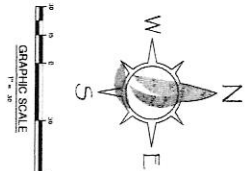
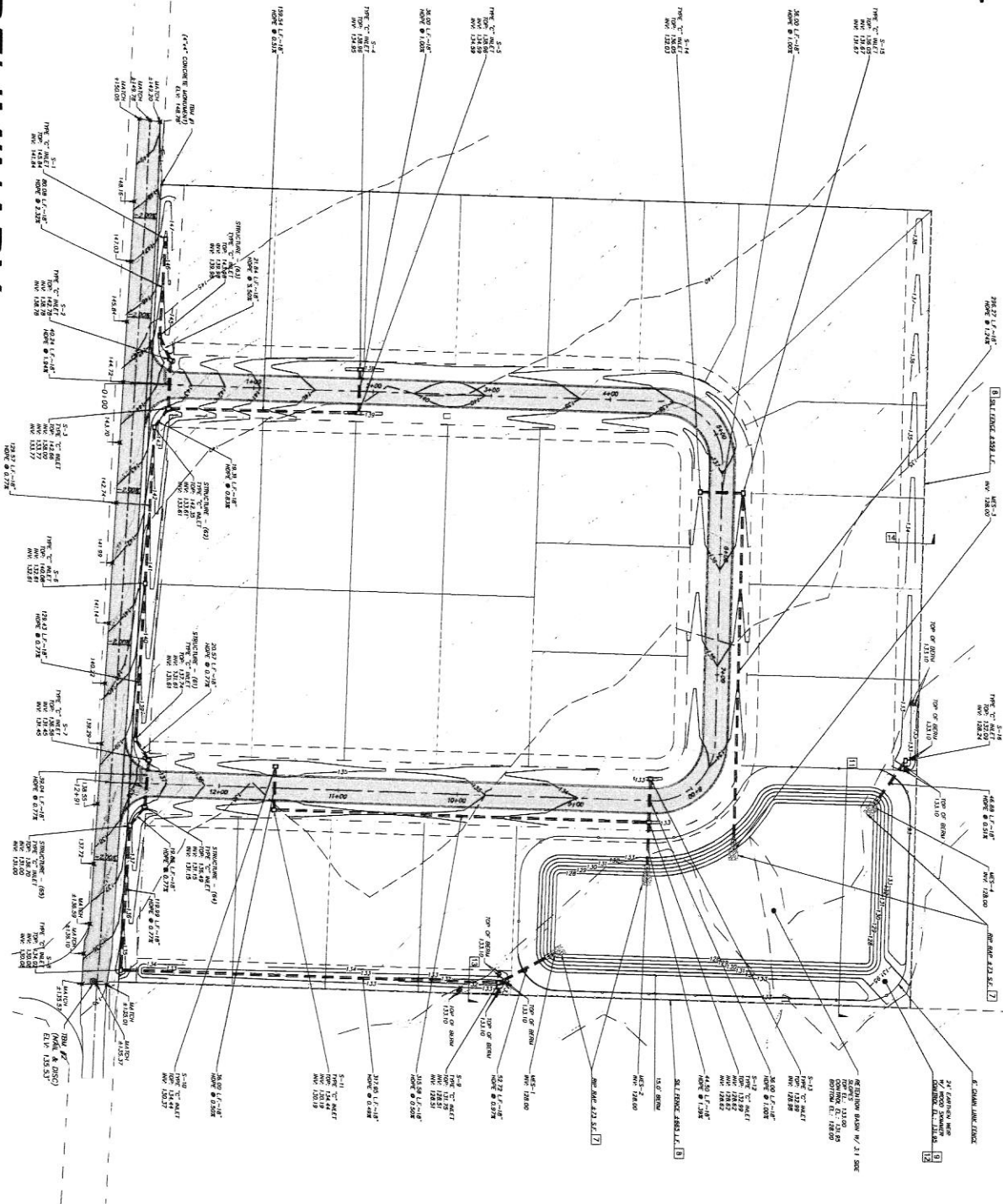
PRELIMINARY



48 HOURS
BEFORE YOU DIG
CALL SUNSHINE ONE
1-800-432-4770
www.callsunshine.com

G

PRELIMINARY



LEGEND

EXISTING GRADE CONTOUR (4' S INTERVAL)
EXISTING GRADE CONTOUR (4' I INTERVAL)
FINISHED GRADE CONTOUR
FINISHED GRADE SPOT ELEVATION
SECTION LOCATION WITH SECTION NUMBER

NOTES

1. TOPOGRAPHIC SURVEY BY TRIUMPH LAND SURVEYING COMPANY, INC. (L.S. 12345) IS REFERENCED TO THIS PLAN.
2. ELEVATIONS SHOWN HEREIN ARE REFERENCED TO MSL.
3. BENCHMARKS AS SHOWN.
4. CONTOUR INTERVAL - ONE FOOT.
5. SPOT ELEVATIONS ALONG RIGHT-OF-WAY REPRESENT FINISHED GRADE AT BACK OF CURB.
6. STORMWATER RUNOFF, SEDIMENT, AND EROSION SHALL BE CONTROLLED DURING ALL PHASES OF CONSTRUCTION.
7. MATCH EXISTING ROAD OR PAVEMENT GRADE WHENEVER NEW PAVEMENT EDGE MEETS THE EXISTING ROAD.
8. CONSTRUCTION SHALL MAINTAIN SLOPE DRAINAGE WITHIN THE AREAS WITH SLOPE SLOPES OF 3:1 OR STEEPER.
9. PAPER TO FINAL APPROVAL BY OKALOOSA COUNTY PUBLIC WORKS DEPARTMENT. THE DESIGN IS TO BE APPROVED BY THE COUNTY ENGINEER. SPECIALTY EROSION, SEDIMENT, AND EROSION CONTROL MEASURES SHALL BE REQUIRED AND MAINTAINED THROUGHOUT CONSTRUCTION.
10. THIS PLAN AND EROSION CONTROL MEASURES SHALL BE REVIEWED AND APPROVED BY THE OKALOOSA COUNTY LAND DEPARTMENT.



BEFORE YOU DIG
CALL SUNSHINE ONE
WWW.CALLSUNSHINE.COM

NOT FOR CONSTRUCTION

SEAS	PROJECT NO.	24-810
DATE	05/16/2024	
SCALE	1" = 40'	
BY	N/A	

PINE MILL SUBDIVISION

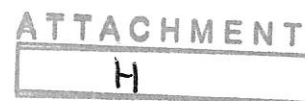
GRADING & DRAINAGE PLAN

SEAS
Seaside Engineering And Surveying, LLC
6575 Highway 180 NW
Baker, FL 32511
Ph: (850) 598-6863
Fax: (850) 598-6812

REVISIONS:	DATE	BY	Licensed Engineer:
1. ADDITIONAL IMPROVEMENTS MADE TO GARRETT MILL ROAD	04/30/25	L.M.S.	
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

SEAS Seaside Engineering And Surveying, LLC
Certificate of Authorization No. EB-0009313
Issued by the State of Florida, Department of Transportation, Division of Professional Regulation, Professional Engineering, License No. 12345

ATTACHMENT "1"



STEARNS WEAVER MILLER
WEISSLER ALHADEFF & SITTERSON, P.A.

Kenneth B. Metcalf, AICP
106 East College Avenue, Suite 700
Tallahassee, FL 32301
Direct: (850) 329-4848
Email: kmetcalf@stearnsweaver.com

May 9, 2025

[Address Block]

**RE: Petition Letter Concerning Variance Application Submitted to Okaloosa County by
CJL Construction, LLC on May 9, 2025**

Dear _____:

Okaloosa County requires that an applicant for a variance mail a "petition letter" to adjacent parcel owners by certified return-receipt at least 21 days before the scheduled public hearing on the variance application. The petition letter must state the reason for the requested variance and include a location map showing the location of the property that is subject to the requested variance in relation to surrounding properties and adjacent roads.

The Applicant is requesting a variance to County road design standards for Garrett Mills Road due to insufficient right-of-way. The Applicant has proposed variance conditions to dedicate right-of-way and improve Garrett Mills Road along the frontage of the proposed Pine Mill Subdivision. The Location Map is attached showing the property that is subject to the requested variance.

It is anticipated that the Okaloosa County Board of Adjustment will hold a public hearing on the variance application on June 11, 2025. Please check the newspaper advertisement or the signs that will be posted on the property to confirm the date, time and location of the public hearing. If you have any questions regarding this letter, you may contact me at (850) 329-4848.

Sincerely,

A handwritten signature in dark ink that reads "Kenneth Metcalf". The signature is written in a cursive, flowing style.

Kenneth Metcalf, AICP
Agent for Application

VAR-0525-H-0000

OKALOOSA COUNTY DEPARTMENT OF GROWTH MANAGEMENT APPLICATION FOR VARIANCE

Revised August, 2005

Applicant name: Kenneth B. Metcalf, AICPApplicant is: Property owner _____ Authorized agent* X

*Attach verification

Applicant address: Stearns Weaver Miller
106 E. College Ave., Ste. 700
Tallahassee, FL 32301Applicant telephone: (850) 329-4848 FAX _____Name of property owner if
different than applicant: CJL Construction, LLCAddress of property involved: Garrett Mill Road
_____Property ID Number: 16-3N-24-0000-0001-001A and 16-3N-24-0000-0001-0001BLand use information: FLUM category Low Density Residential (LDR)Zoning district Residential-1 (R-1)Size of property: 9.97 acres OR _____ sq. ft.

Variance request:

1. Specific section of the Land Development Code from which the variance is
requested 6.03.04 & 6.03.14.

2. Describe exactly what the variance is for.

See attached Exhibit 1.

_____Standards of review: Describe in as much detail as possible how the variance
request meets **each** of the following standards. Attach additional sheets if
necessary.

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

See attached Exhibit 1.

2. That the special conditions and circumstances do not result from the actions of the applicant.

See attached Exhibit 1.

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Land Development Code to other lands, buildings, or structures in the same zoning district.

See attached Exhibit 1.

4. That literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant.

See attached Exhibit 1.

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

See attached Exhibit 1.

6. That the grant of the variance will be in harmony with the general intent and purpose of the Land Development Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

See attached Exhibit 1.

Certification: I do hereby certify and affirm that the information represented in this application is true and correct to the best of my knowledge. I also give my permission for county staff to enter upon the property involved at any reasonable time for purposes of inspections or posting of notices.

Kenneth B. Metcalf

Applicant typed or printed name

Applicant signature

Date

Corporate officer

Corporate seal

EXHIBIT "1"

STEARNS WEAVER MILLER
WEISSLER ALHADEFF & SITTERSON, P.A.

PURPOSE OF VARIANCE AND RESPONSE TO REVIEW CRITERIA

A. Scope and Purpose of Variance

Okaloosa County Land Development Code Section 6.03.10 states:

6.03.10. – Variances

Where strict adherence to the provisions of this chapter would cause an unnecessary hardship due to topographical or other conditions peculiar to the site, the board of adjustment may grant a variance. Such a variance shall apply only to the requirements directly affecting the particular hardship, and shall not be detrimental to the intent of this chapter.

CJL Construction, LLC (the "**Developer**"), owns Parcels 24-3N-0000-0001-001A and 24-3N-0000-0001-001B (collectively the "**Property**") and through Seas Engineering submitted a proposed plat (**Attachment "3"** to the Variance Application) for the Pine Mill Subdivision that includes 27 lots ranging in size from .25 to .31 acres and proposed on-site improvements including, but not limited to, an internal street network, sidewalks and stormwater management pond. Okaloosa County Engineering has stated that LDC Sections 6.03.04 and 6.03.14 require the Developer to reconstruct Garrett Mill Road to FDOT Florida Manual of Uniform Standards for Design, Construction and Maintenance for Streets and Highways (aka, the "**Green Book**" standards) from the Property east to Old River Road, a distance of approximately 1,786 linear feet. However, the County has not acquired sufficient right-of-way to allow for Garrett Mill Road to be upgraded to the Green Book standards, and the Applicant does not have eminent domain authority to take the necessary right-of-way. As such, LDC Sections 6.03.04 and 6.03.14, as interpreted by Okaloosa County Engineering, would cause an unnecessary hardship on the Applicant by not allowing the proposed Pine Mill Subdivision to proceed even though the Property is designated with the Low Density Residential (LDR) Future Land Use category and R-1 Zoning, which would allow for up to four units per acre. The proposed Pine Mill Subdivision is proposed for 2.71 units per acre.

The Applicant requests a variance to LDC Sections 6.03.04 and 6.03.14 to relax the Green Book standards as follows:

1. Not require the developer to dedicate right-of-way or construct improvements to Garrett Mill Road to the east or west of the 666 feet of property frontage.

2. Reduce the clear zone to 0 feet on the south side of Garrett Mill Road along the 666 feet of property frontage;
3. Reduce the clear zone to 7-10 feet in width on the north side of Garrett Mill Road along the 666 feet of property frontage, subject to final design approval;
4. Reduce the required right-of-way on Garrett Mill Road along the 666 feet of property frontage from 50 feet to between 43.3+/- feet and 49.5+/- feet as specified on Attachment 2 of the variance application;
5. Reduce the required lane width from 11 feet to 10 feet along the 666 feet of property frontage;
6. Modify the ditch design standards on the north side of Garrett Mill Road along the 666 feet of property frontage, subject to final design approval: from 1:5 front and back slopes (resulting in a 10' wide ditch section 1' deep) to 1:4 front and back slopes with a 1' wide bottom;
7. Modify the ditch standards on the south side of Garrett Mill Road along the 666 feet of property frontage to 0 feet;
8. Reduce the shoulder width from 6-8 feet to 4 feet on north side of Garrett Mill Road along the 666 feet of property frontage and to 0' feet on the south side; and
9. Reduce the lateral offset from 4 feet from curb to 0 feet on the south side of Garrett Mill Road along the 666 feet of property frontage.

The Applicant has identified the proposed right-of-way dedication in accordance with the preliminary plans (**Attachment "2"** to the Variance Application) submitted by Seas Engineering.

B. Response to Review Standards

1. *That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.*

Response: Special conditions exist due to existing right-of-way limitations for Garrett Mill Road; said right-of-way varies from 28.6+/- feet to 30.0+/- feet in width along the frontage of the Property. Garrett Mill Road varies from 17.7+/- feet to 18.5+/- feet in width along the Property frontage. It is not possible for the Developer to improve Garrett Mill Road to Green Book standards within the limited right-of-way. However, the Developer proposes the following Variance Conditions that provide for the dedication of land to maximize the available right-of-way to allow for the reconstruction of Garrett Mill Road and associated improvements along the frontage of the Property:

Proposed Variance Conditions

- 1) The Developer shall dedicate to Okaloosa County an approximately .24-acre strip of land, ranging in width from 14.6+/- feet to 19.4+/- feet

along the frontage of the Property, as depicted on Attachment "2" to the Variance Application. Said dedication will result in a total right-of-way width ranging from 43.3+/- feet to 49.5+/- feet along the frontage of the Property. Said dedication will result in 33+/- feet of right-of-way width, as measured north from the centerline of Garrett Mill Road.

- 2) The Developer shall construct the following improvements within the right-of-way, as depicted on Attachment "2" and Attachment "3" to the Variance Application:
 - a. Shift the alignment to the north within the expanded right-of-way, reconstruct and widen Garrett Mill Road to twenty (20) feet in width for the 666+/- linear feet along the frontage of the Property.
 - b. Construct a shoulder four (4) feet in width along the north side of the reconstructed road segment.
 - c. Construct a drainage ditch with 4:1 side slopes and a bottom width of one (1) foot, which shall be sufficient to capture runoff from the reconstructed road segment as well as the existing Garrett Mill Road extending approximately 1,005 linear feet (and encompassing approximately .19 acres) to the west of the reconstructed road segment.
 - d. The runoff from the drainage ditch shall be routed to the stormwater management pond within the proposed Pine Mill Subdivision, which has been designed for the additional runoff.

It is important to note that LDC Section 6.03.04(1) specifies the **extent** of access improvements required by a property owner. It states:

(1) For developments proposed along roadways that do not comply with the requirements above, improvements to the public roadway shall be performed as part of the proposed development such that the roadway is consistent with the minimum standards stated herein; including, but not limited to right-of-way and lane width standards. Improvements shall be required **to the extent where access to the proposed development is made to a roadway that provides adequate access as described above.**
(emphasis added)

LDC Section 6.03.04(1) requires that an applicant construct improvements only to the extent required for access to the proposed development. It does not require that an applicant construct improvements beyond those required for access to the development. In this case, Garrett Mill Road is not subject to a concurrency standard. Therefore, the maximum **extent** of road improvements required by LDC Section 6.03.04(1) is limited to the access connection points for the proposed Pine Mill

Subdivision. However, County Engineering has indicated that it interprets the above provision to require that the Developer reconstruct Garrett Mill Road to Green Book standards from the Property east to Old River Road, a distance of approximately 1,786 feet. The Developer does not have the legal authority to acquire the right-of-way necessary to construct such an improvement. The proposed Variance Conditions constitute a reasonable approach given the peculiar circumstances concerning the right-of-way limitations.

2. *That the special conditions and circumstances do not result from the actions of the applicant.*

Response: The special conditions and circumstances are due to the County not having acquired sufficient right-of-way to allow for Garrett Mill Road to be constructed to Green Book standards. This has not occurred as a result of the actions of the owner.

3. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the Land Development Code to other lands, buildings, or structures in the same zoning district.*

Response: The variance will not confer any special privilege that is denied by the Land Development Code to other lands, buildings, or structures in the same zoning district. The Variance Application requests a variance from the Green Book standards and is not a variance to zoning district standards as referenced by the review criteria. The County has not acquired sufficient right-of-way to allow for Garrett Mill Road to be improved to the Green Book standards. The Applicant's proposed condition ensures that the owner will dedicate lands and construct the proposed Garrett Mill Road improvement on a timely basis, which does not confirm any special privilege, but rather imposes an improvement obligation on the owner.

4. *That literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant.*

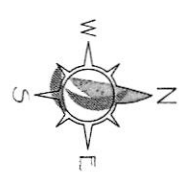
Response: Literal interpretation of LDC Sections 6.03.04 and 6.03.14 would deprive the applicant of rights commonly enjoyed by other properties in the R-1 zoning district where the County has obtained sufficient right-of-way to allow for the Green Book standards to be met. The requirement to comply with Green Book standards would work an unnecessary and undue hardship on the Applicant, who cannot comply with Green Book standards within the available right-of-way and does not have eminent domain authority to condemn land for right-of-way. However, the proposed Variance Conditions provide for the maximum improvement achievable within the expanded right-of-way.

5. *That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.*

Response: The variance is the minimum that will allow reasonable use of the property based on the density standard applicable to the Low Density Residential future land use category and the minimum lot size requirement applicable to the R-1 zoning district. As depicted on **Attachment "3"** to the Variance Application, the proposed Pine Mill Subdivision includes 27 lots on 9.97 gross acres for a density of 2.71 units per acre, which is less than the maximum density of 4.0 units per acre allowed by the Low Density Residential land use category. The proposed Pine Mill Subdivision includes lots ranging in size from .25 acres to .31 acres, which is consistent with the requirements of the R-1 zoning district. The Applicant's proposed Variance Conditions will allow for the Developer to make reasonable use of the property.

6. *That the grant of the variance will be in harmony with the general intent and purpose of the Land Development Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

Response: The requested variance will be in harmony with the general intent and purpose of the Land Development Code. The Applicant's proposed Variance Conditions ensure that the variance will not be injurious to the area or detrimental to the public welfare. Rather, the condition ensures the Developer will contribute toward the timely improvement of Garrett Mill Road.

[illegible][illegible]

WEAR PRO MODEL	10"
SIDE	10"
SIDE PROVIDED	10" (20" w/ DRAINAGE EASEMENT)

- [illegible]

	DRAINAGE EASEMENT
	DRAINAGE AND UTILITY EASEMENT

	ASPHALTIC CONCRETE PAVEMENT
	CONCRETE



48 HOURS
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CALL SUNSHINE ONE
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NOT FOR CONSTRUCTION

PINE MILL SUBDIVISION

SITE PLAN

SEAS
Seaside Engineering And Surveying, LLC
1575 Highway 189 N
Baker, FL 32531
Ph. (850) 650-9563
Fax (850) 398-6812

REVISIONS	DATE:	BY:	Licensed Engineer:
▲ ADDITIONAL IMPROVEMENTS MADE TO GARRETT MILL ROAD	04/30/75	L.W.S.	(Seaside Engineering And Surveying, LLC)
▲			(Professional Seal No. 1896)
▲			(State of California)
▲			(Civil Engineer)
▲			(No. 247-1011)
▲			(City of San Diego)

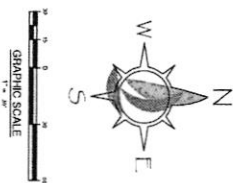
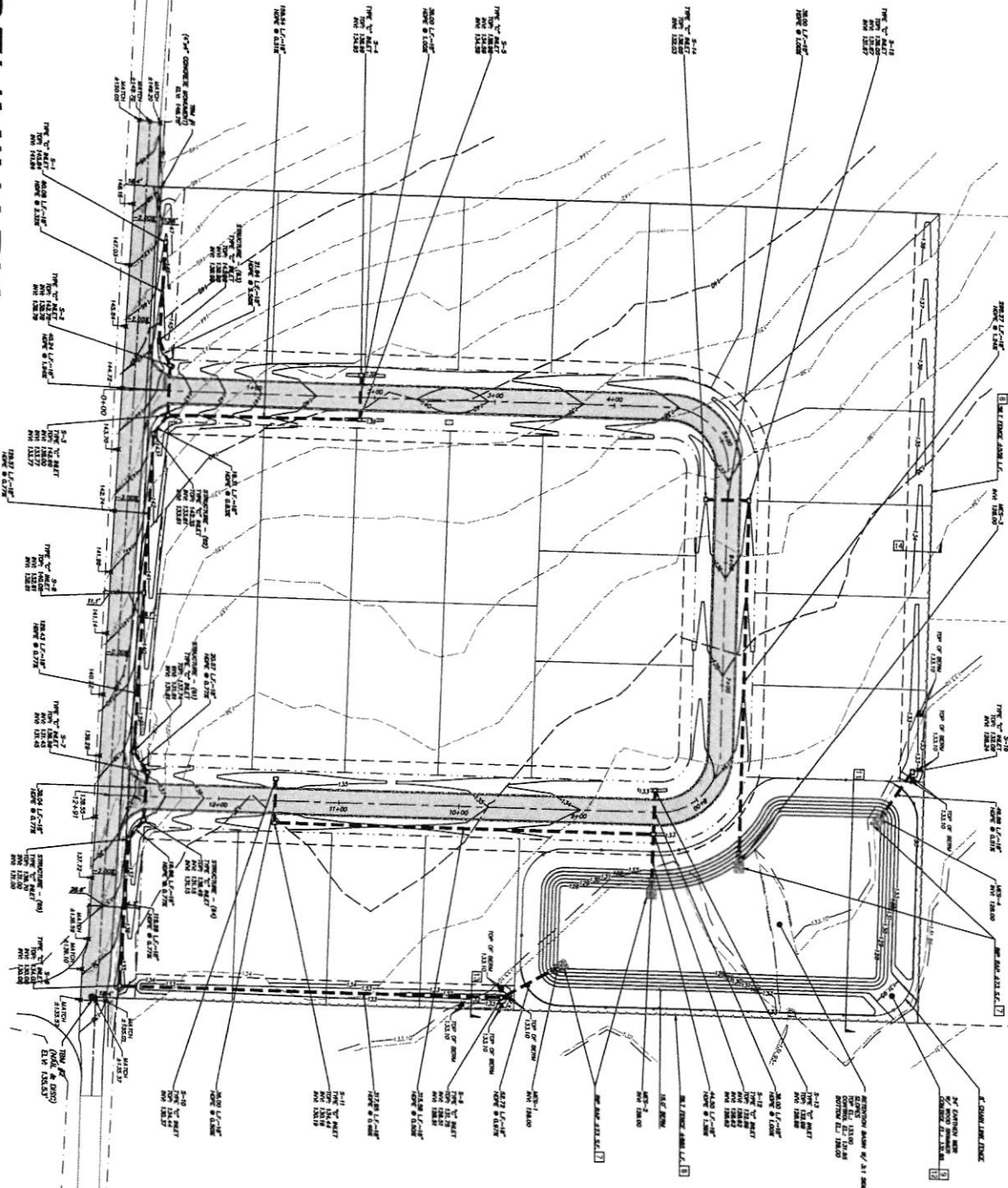


Seaside Engineering And Surveying, LLC

Certificate of Authorization No. EB-0009313

Territory Of Southern P.R., P.O. Box 9008
 Hiram, Georgia 30143
 Phone: (404) 425-1111
 Fax: (404) 425-1112

PRELIMINARY



LEGEND

EXISTING GRADE CONTROL (AT 5' INTERVAL)
EXISTING GRADE CONTROL (AT 1' INTERVAL)
PROPOSED GRADE CONTROL
PROPOSED GRADE SPOT ELEVATION
SECTION LOCATION WITH SECTION NUMBER

NOTES

1. PROPOSED GRADE SPOT ELEVATIONS SHALL BE INDICATED BY A SPOT ELEVATION SYMBOL AND REFERENCED TO THE PLAN.
2. PROPOSED GRADE SPOT ELEVATIONS SHALL BE INDICATED BY A SPOT ELEVATION SYMBOL AND REFERENCED TO THE PLAN.
3. PROPOSED GRADE SPOT ELEVATIONS SHALL BE INDICATED BY A SPOT ELEVATION SYMBOL AND REFERENCED TO THE PLAN.
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9. PROPOSED GRADE SPOT ELEVATIONS SHALL BE INDICATED BY A SPOT ELEVATION SYMBOL AND REFERENCED TO THE PLAN.
10. PROPOSED GRADE SPOT ELEVATIONS SHALL BE INDICATED BY A SPOT ELEVATION SYMBOL AND REFERENCED TO THE PLAN.



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CALL 800-4-A-DIG
WWW.CALL8004ADIG.COM

NOT FOR CONSTRUCTION

PROJECT NO.	24-810
DATE	06/18/2024
SCALE	1"=40'
SHEET	C3

PINE MILL SUBDIVISION

GRADING & DRAINAGE PLAN

SEAS

Seaside Engineering and Surveying, LLC

6575 Highway 189 N
Baker, FL 32511Ph (850) 850-0563
Fax (850) 298-0812

REVISIONS	DATE	BY	DESCRIPTION
1	04/20/25	LMS	ADDITIONAL IMPROVEMENTS MADE TO GARRETT MILL ROAD

Licensed Engineer:

SEAS
Seaside Engineering and Surveying, LLC
Certificate of Authorization No. EB-0009313

H

16-3N-24-0000-0001-001A

16-3N-24-0000-0001-001B

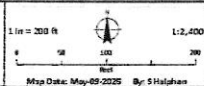
Garrett Mill Road

Old Brown Road

- Subject Parcels
- Okaloosa County Parcels

This map is a general depiction of boundaries obtained from public records and is not a legal description or survey.

Location Map



PROJECT:

Variance
Okaloosa County, Florida

STEARNS WEAVER MILLER

MIAMI | FORT LAUDERDALE | TAMPA | TALLAHASSEE | CORAL GABLES

ATTACHMENT "4"

ATTACHMENT
H

This instrument prepared by:
Moulton Land Title, Inc.
660-A North Ferdon Blvd.
Crestview, FL 32536
File Number: 22-321
16-3N-24-0000-0001-001A

WARRANTY DEED

THIS WARRANTY DEED made the 15 day of JUNE, 2022, by Land Buy USA, LLC, a Florida Limited Liability Company, whose post office address is: 7901 4th Street N. Ste 300 Saint Petersburg, FL 33702, hereinafter called Grantor, to CJL Construction, LLC, a Florida Limited Liability Company whose post office address is: 4367 Cooper Lane Holt, FL 32564, hereinafter called the Grantee (wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations).

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Okaloosa County, Florida, viz:

The following described lot, piece or parcel of land, situate, lying and being in the County of Okaloosa, State of Florida, to-wit:
Commence at the NE corner of Section 16, Township 3 North, Range 24 West, thence S 00°46'E, 642.2 feet, thence N 89°52'W, 330.0 feet for Point of Beginning, thence continue N 89°52'W, 330.0 feet, thence S 00°46'E, 667.45 feet, thence East, 330.0 feet, N 00°46'W, 666.82 feet to Point of Beginning.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple, that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2021.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

LAND BUY USA LLC, a Florida Limited Liability Company

WITNESS:

Alexandra Hernandez

Peter Toth

Peter Toth, Managing Member

WITNESS:

STATE OF FLORIDA

COUNTY OF

PINELLAS

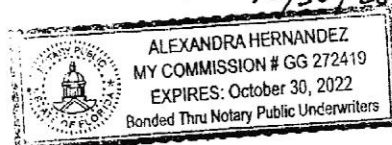
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this day of 15 day of JUNE, 2022, before me personally appeared Peter Toth, Managing Member of Land Buy USA, LLC, a Florida Limited Liability Company who is personally known to me or produced as identification, who is the person described in and who executed the foregoing instrument, and who, after being duly sworn, says that execution hereof is his/her free act and deed for the uses and purposes herein mentioned and an oath was not taken.

SWORN TO AND SUBSCRIBED before me the undersigned Notary Public by hand and official seal the day and year last aforesaid.

Commission No. 272419

Notary Public:

My Commission Expires: 10/30/2022



ATTACHMENT
H

This instrument prepared by:
Moulton Land Title, Inc.
660-A North Ferdon Blvd.
Crestview, FL 32536
File Number: 23-212
16-3N-24-0000-0001-001B

WARRANTY DEED

THIS WARRANTY DEED made the 26 day of April, 2023, by Denise L. Pyer, n/k/a Denise L. Fry, a married woman, as her separate and non-homestead property, whose post office address is: 117 Buck Head Dr. NW Cleveland, TN 37312, hereinafter called Grantor, to CJL Construction, LLC, a Florida Limited Liability Company, whose post office address is: 4367 Cooper Lane Holt, FL 32564, hereinafter called the Grantee (wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations).

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Okaloosa County, Florida, viz:

Commence at the NE Corner of Section 16, Township 3 North, Range 24 West, thence S 00°46' E 642.2 feet for the Point of Beginning, thence continue S 00°46' E 666.2 feet, thence West 330.0 feet, thence N 00°46' W 666.82 feet, thence S 89°52' E 330.0 feet to the Point of Beginning. Said lands situate, lying and being in Okaloosa County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple, that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2022.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Kelley Beard
WITNESS: Kelley Beard

Kristy Lee
WITNESS: Kristy Lee

Denise L. Pyer n/k/a
Denise L. Fry
Denise L. Pyer, n/k/a Denise L. Fry

STATE OF TN
COUNTY OF Bradley

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 26 day of April, 2023, before me personally appeared Denise L. Pyer n/k/a Denise L. Fry who is personally known to me or produced DL as identification, who is the person described in and who executed the foregoing instrument, and who, after being duly sworn, says that execution hereof is his/her free act and deed for the uses and purposes herein mentioned and an oath was not taken.

SWORN TO AND SUBSCRIBED before me the undersigned Notary Public by hand and official seal the day and year last aforesaid.

Commission No. October 11, 2023

Notary Public:
My Commission Expires:



MACK BUSBEE, CFA
Okaloosa County Property Appraiser

302 N Wilson St, Suite 201
Crestview, FL 32536
(850) 689-5900
FAX (850) 689-5906



OFFICE OF THE
OKALOOSA COUNTY
PROPERTY APPRAISER

PLEASE REPLY TO:

1250 Eglin Pkwy N, Suite 201
Shalimar, FL 32579-1296
(850) 651-7240
FAX (850) 651-7244
www.okaloosapa.com

Date: 4/21/2025

RE: Adjacent Property Owner's Listing:

Parcel ID Number: 16-3N-24-0000-0001-001A

Owner: CJL CONSTRUCTION LLC



This is to certify that the attached list of owners is adjacent to and across the street from the above listed parcel.



This is to certify that the attached list of owners pertains to a _____ ft radius from the above listed parcel.



Other: _____

Person requesting information: TAMMY SIMMONS

Email Address: TSIMMONS@STEARNSWEAVER.COM

Phone Number: 850-329-4855 Fax Number: _____

BEVERLY BROWN

Customer Service/Exemptions Specialist
Okaloosa County Property Appraiser's Office

ATTACHMENT
H

15-3N-24-0000-0004-0000
BENOIT SARAH
1847 GARRETT MILL RD
BAKER, FL 32531

16-3N-24-0000-0001-0000
BARFIELD JAMES EDWARD
144 WOODLAWN DR
CRESTVIEW, FL 32536-2150

16-3N-24-0000-0001-0010
PETERSON LOUISE D TRUST
54 WOODHAM AVE
FT WALTON BEACH, FL 32547-2756

16-3N-24-0000-0001-001A
CJL CONSTRUCTION LLC
PO BOX 339
HOLT, FL 32564

16-3N-24-0000-0001-001B
CJL CONSTRUCTION LLC
PO BOX 339
HOLT, FL 32564

16-3N-24-0000-0001-001C
PETERSON LOUISE D TRUST
54 WOODHAM AVE
FT WALTON BEACH, FL 32547

16-3N-24-0000-0002-0010
MEDLYN CHRISTINA & PAYNE EMILY, PA
5122 NATURAL BRIDGE DR
KINGWOOD, TX 77345

ATTACHMENT
H

MACK BUSBEE, CFA
Okaloosa County Property Appraiser

302 N Wilson St, Suite 201
Crestview, FL 32536
(850) 689-5900
FAX (850) 689-5906



OFFICE OF THE
**OKALOOSA COUNTY
PROPERTY APPRAISER**

PLEASE REPLY TO:

1250 Eglin Pkwy N, Suite 201
Shalimar, FL 32579-1296
(850) 651-7240
FAX (850) 651-7244
www.okaloosapa.com

Date: 4/21/25

RE: Adjacent Property Owner's Listing:

Parcel ID Number: 16-3N-24-0000-0001-001B

Owner: CJL CONSTRUCTION LLC



This is to certify that the attached list of owners is adjacent to and across the street from the above listed parcel.



This is to certify that the attached list of owners pertains to a _____ ft radius from the above listed parcel.



Other: _____

Person requesting information: TAMMY SIMMONS

Email Address: TSIMMONS@STEARNSWEAVER.COM

Phone Number: 850-329-4855 Fax Number: _____


BEVERLY BROWN

Customer Service/Exemptions Specialist
Okaloosa County Property Appraiser's Office

ATTACHMENT
H

BENOIT SARAH
1847 GARRETT MILL RD
BAKER, FL 32531

CJL CONSTRUCTION LLC
PO BOX 339
HOLT, FL 32564

MEDLYN CHRISTINA & PAYNE EMILY, P,
5122 NATURAL BRIDGE DR
KINGWOOD, TX 77345

PETERSON LOUISE D TRUST
54 WOODHAM AVE
FT WALTON BEACH, FL 32547

PETERSON LOUISE D TRUST
54 WOODHAM AVE
FT WALTON BEACH, FL 32547-2756

ACCURACY OF SITE PLAN/DRAWINGS
AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared Michael C. Granger who under oath, deposes and says as follows:

- 1) Affiant affirms that the site plan and drawings prepared by Seas Engineering for the Variance Application to be submitted by Kenneth Metcalf concerning road access for the proposed Pine Mill Subdivision accurately depict the property and proposed improvements.

Michael C. Granger
Sign

5/09/25
Date

AFFIANT FURTHER SAYETH NOT.

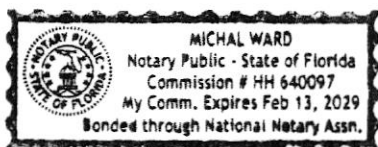
STATE OF FLORIDA

COUNTY OF Okaloosa

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 9th day of May, 2025, by Michael C. Granger of SEAS, a Engineer personally known who is personally known to me or who has produced _____ as identification.

[Notary Seal]

Michal Ward
Notary Public



Michal Ward
Name printed
My Commission Expires: 2-13-29

**LIST OF ADJACENT/ACROSS THE STREET PROPERTY OWNERS
AFFIDAVIT**STATE OF FLORIDA
COUNTY OF OKALOOSA

BEFORE ME, the undersigned authority, personally appeared Kenneth Metcalf, as Agent of, the owner(s) of: Parcel No. 16-3N-24-0000-0001-001A and Parcel 16-3N-24-0000-0001-001B
 (property tax identification number and address or property of street name)
Garrett Mill Road who,
 under oath, deposes and says as follows:

1. That the following is a list of all property owners being adjacent to the property described above.
2. I understand that I or a representative must attend the hearing in order for the request to be heard.

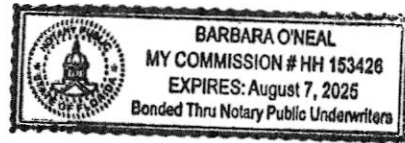
AFFIANT FURTHER SAYETH NOT.

Kenneth Metcalf
 APPLICANT'S SIGNATURE

5/9/2025
 DATE OF SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME THIS 9th DAY
 OF May, 2025.

Barbara O'Neal
 NOTARY PUBLIC
 STATE OF FLORIDA



MY COMMISSION EXPIRES

ATTACHMENT
H

15-3N-24-0000-0004-0000
BENOIT SARAH
1847 GARRETT MILL RD
BAKER, FL 32531

16-3N-24-0000-0001-0000
BARFIELD JAMES EDWARD
144 WOODLAWN DR
CRESTVIEW, FL 32536-2150

16-3N-24-0000-0001-0010
PETERSON LOUISE D TRUST
54 WOODHAM AVE
FT WALTON BEACH, FL 32547-2756

16-3N-24-0000-0001-001A
CJL CONSTRUCTION LLC
PO BOX 339
HOLT, FL 32564

16-3N-24-0000-0001-001B
CJL CONSTRUCTION LLC
PO BOX 339
HOLT, FL 32564

16-3N-24-0000-0001-001C
PETERSON LOUISE D TRUST
54 WOODHAM AVE
FT WALTON BEACH, FL 32547

16-3N-24-0000-0002-0010
MEDLYN CHRISTINA & PAYNE EMILY, PA
5122 NATURAL BRIDGE DR
KINGWOOD, TX 77345

ATTACHMENT
H

BENOIT SARAH
1847 GARRETT MILL RD
BAKER, FL 32531

CJL CONSTRUCTION LLC
PO BOX 339
HOLT, FL 32564

MEDLYN CHRISTINA & PAYNE EMILY, P
5122 NATURAL BRIDGE DR
KINGWOOD, TX 77345

PETERSON LOUISE D TRUST
54 WOODHAM AVE
FT WALTON BEACH, FL 32547

PETERSON LOUISE D TRUST
54 WOODHAM AVE
FT WALTON BEACH, FL 32547-2756

**REQUIRED SIGNS WILL BE POSTED
AFFIDAVIT**

STATE OF FLORIDA
COUNTY OF OKALOOSA

BEFORE ME, the undersigned authority, personally appeared
Kenneth Metcalf, who under
oath, deposes says as follows:

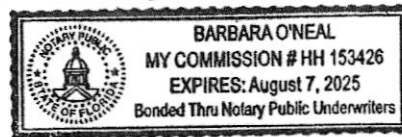
- 1). That pursuant to the petition of
Kenneth Metcalf dated,
May 9, 2025, Sign will be posted 15 days prior to the
public hearing before the Okaloosa County Board of Adjustments. The
posting of the property will be with a 2' X 3' weatherproof sign with not less
than 1" lettering. The posting of the sign shall remain posted for 15 days in
a conspicuous place on the property involved in the hearing. (Information
to be placed on the sign is attached).

AFFIANT FURTHER SAYETH NOT.

Kenneth Metcalf
Applicant's Signature

5/9/2025
Date of Signature

SWORN TO AND SUBSCRIBED BEFORE ME THIS 9th DAY
OF May, 2025.



Barbara O'Neal
NOTARY PUBLIC
STATE OF FLORIDA

MY COMMISSION EXPIRES

AGENT AUTHORIZATION

As Managing Member of CJL Construction, LLC, the owner of Parcel ID 16-3N-24-0000-0001-001A and Parcel ID 16-3N-24-0000-0001-001B in Okaloosa County, Florida, I hereby authorize Kenneth Metcalf, AICP, to act as agent in filing a variance application concerning road access requirements and undertaking other actions related to the subdivision of the property.

Colton Layendecker
Signature of Owner

5/8/25
Date

Colton Layendecker
Printed Name of Owner

STATE OF FLORIDA
COUNTY OF Okaloosa

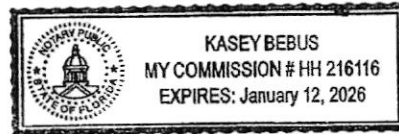
Sworn to and subscribed before me this 8th day of May 2025

Personally known ☒ or produced DL as identification ☐

Kasey Bebus
Signature of Notary

5.8.25
Date

My Commission Expires: _____



ATTACHMENT

H

[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
CJL CONSTRUCTION, LLC

Filing Information

Document Number	L12000120419
FEI/EIN Number	80-0855562
Date Filed	09/20/2012
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT
Event Date Filed	10/23/2024
Event Effective Date	NONE

Principal Address

5095 Gilmore Road
HOLT, FL 32564

Changed: 04/24/2025

Mailing Address

PO Box 339
HOLT, FL 32564

Changed: 04/24/2025

Registered Agent Name & Address

LEYENDECKER, COLTON J
5095 Gilmore Road
HOLT, FL 32564

Name Changed: 04/10/2019

Address Changed: 04/24/2025

Authorized Person(s) Detail

Name & Address

Title MGRM

LEYENDECKER, COLTON J

5095 Gilmore Road

HOLT, FL 32564

ATTACHMENT
H**Annual Reports**

Report Year	Filed Date
2023	01/29/2023
2024	01/29/2024
2025	04/24/2025

Document Images

04/24/2025 -- ANNUAL REPORT	View image in PDF format
10/23/2024 -- LC Amendment	View image in PDF format
01/29/2024 -- ANNUAL REPORT	View image in PDF format
01/29/2023 -- ANNUAL REPORT	View image in PDF format
03/08/2022 -- ANNUAL REPORT	View image in PDF format
01/10/2021 -- ANNUAL REPORT	View image in PDF format
03/29/2020 -- ANNUAL REPORT	View image in PDF format
04/10/2019 -- ANNUAL REPORT	View image in PDF format
04/11/2018 -- ANNUAL REPORT	View image in PDF format
03/15/2017 -- ANNUAL REPORT	View image in PDF format
03/27/2016 -- ANNUAL REPORT	View image in PDF format
10/18/2015 -- REINSTATEMENT	View image in PDF format
06/22/2014 -- AMENDED ANNUAL REPORT	View image in PDF format
01/17/2014 -- REINSTATEMENT	View image in PDF format
09/20/2012 -- Florida Limited Liability	View image in PDF format

NOTICE OF PUBLIC HEARING

The Okaloosa County Board of Adjustment will hold a public hearing to consider the following action.

VAR-0525-0000 Kenneth B. Metcalf, AICP of Sterns Weaver Miller Weissler Alhadeff & Sitterson, P.A. as representative for C.J.L. Construction LLC for variances from Sections 6.03.04 and 6.03.14 of the Okaloosa County Land Development Code (LDC), Ordinance 91-1 as amended, to relax the Green Book standards as follows: 1. Not require the developer to dedicate right-of-way or construct improvements to Garrett Mill Road to the east or west of the 666 feet of property frontage; 2. Reduce the clear zone to 0 feet on the south side of Garrett Mill Road along the 666 feet of property frontage; 3. Reduce the clear zone to 7-10 feet in width on the north side of Garrett Mill Road along the 666 feet of property frontage, subject to final design approval; 4. Reduce the required right-of-way on Garrett Mill Road along the 666 feet of property frontage from 50 feet to between 43.3+/- feet and 49.5+/- feet as specified on Attachment 2 of the variance application; 5. Reduce the required lane width from 11 feet to 10 feet along the 666 feet of property frontage; 6. Modify the ditch design standards on the north side of Garrett Mill Road along the 666 feet of property frontage, subject to final design approval: from 1:5 front and back slopes (resulting in a 10' wide ditch section 1' deep) to 1:4 front and back slopes with a 1' wide bottom; 7. Modify the ditch standards on the south side of Garrett Mill Road along the 666 feet of property frontage to 0 feet; 8. Reduce the shoulder width from 6-8 feet to 4 feet on north side of Garrett Mill Road along the 666 feet of property frontage and to 0' feet on the south side; and 9. Reduce the lateral offset from 4 feet from curb to 0 feet on the south side of Garrett Mill Road along the 666 feet of property frontage. The property is located on Garrett Mill Road, Baker, Florida. The site contains 9.97 acres more or less.

The public hearing has been scheduled for 1:30 PM on June 11, 2025 in the Okaloosa County Administration Building, Commission Meeting Room, 1250 N. Eglin Pkwy., Shalimar, FL

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD REGARDING THIS ACTION.

The application may be inspected by the public at the Department of Growth Management offices in Shalimar, 1250 N. Eglin Pkwy., Suite 301, (850) 651-7180 or in the Growth Management offices located in Crestview, 402 Brookmeade Dr., (850) 689-5080.

If any person decides to appeal any decision made with respect to any matter considered at these hearings, such person will need a record of the proceeding and may need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.

Okaloosa County adheres to the Americans with Disabilities Act and will make reasonable modifications for access to these hearings upon request. Requests may be made to the Growth Management offices described above and must be made at least 48 hours in advance of the hearings in order to provide the requested service.

Attachment A

16-3N-24-0000-0001-001A/001B

