



**Agenda
Regular Meeting
of the Mary Esther City Council
January 21, 2025 - 6:00 PM**

195 Christobal Road – North, Mary Esther, FL 32569

- 1. INVOCATION**
- 2. CALL TO ORDER**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ROLL CALL**
- 5. APPROVAL OF THE AGENDA**
- 6. SPECIAL PRESENTATIONS**
- 7. CONSENT AGENDA**
 - 7.1. Financial Report**
 - 7.2. Public Works Report**
 - 7.3. Library Report**
 - 7.4. Fire Department Report**
 - 7.5. Community Development Report**
 - 7.6. Jacobs Report**
 - 7.7. Law Enforcement Report**
 - 7.8. Minutes of the December 9th, 2024, Local Planning Agency Meeting**
 - 7.9. Minutes of the December 9th, 2024, Regular City Council Meeting**
 - 7.10. Minutes of the December 11th, 2024, City Council Workshop**
- 8. CITIZENS WHO HAVE REQUESTED TO BE PLACED ON THE AGENDA**
- 9. PUBLIC COMMENT (NON-AGENDA ITEMS)**
- 10. UNFINISHED BUSINESS**
 - 10.1. Ordinance No. 2024-05 and No. 2024-06, Consider a Small-Scale Future Land Use Map Amendment from Commercial (Com) to Low Density Residential (LDR) and a Rezone from C-2 General Commercial to R-1 Single Family Residential for approximately 1.15 acres. (Damian Curtis, Applicant) (Tyler Reed, Community Development Director)**
- 11. NEW BUSINESS**
 - 11.1. 199 W. Miracle Strip Pkwy Variance Request**
 - 11.2. Resolution 25-01, Supporting the 2025 Florida League of Cities (FLC) Legislative Platform**
 - 11.3. Bus Stop Ordinance Discussion**
 - 11.4. Elliott Park Discussion**
- 12. COUNCILS' STANDING COMMITTEE STATUS REPORTS**
- 13. OTHER COMMENTS**
- 14. ADJOURN**

***** PLEASE TURN OFF OR SILENCE ALL CELL PHONES *****

WATCHING AND PARTICIPATION

To watch the meetings virtually, citizens may log onto the city's website (www.cityofmaryesther.com), click the "Public Meetings" section, and select the meeting they would like to watch.

Any citizen who would like to comment on non-agenda items must submit a service request through the city's website, call customer service at (850) 243-3566, or fill out a form at city hall. A form must be completed by 12 pm one week before the day of the meeting. Filling out a form does not guarantee you will be added to the agenda. If a citizen opts to participate virtually, an email will be sent with the Zoom registration link.

NOTES:

- 1) *Adjournment with continuation on the following day at 6:00 PM may be called if the meeting proceeds past 10 PM.*
- 2) *The City does not keep verbatim minutes as a matter of record. If a person decides to appeal any decision made by the Mary Esther City Council with respect to any matter considered at this meeting, 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. See Florida Statute 286.0105*
- 3) *Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council is not allowed by law to endorse the religious beliefs or views of this or any other speaker.*



City of Mary Esther
Cash and Investment Balances
as of November 30, 2024

BMS Account	GENERAL FUND BANK	Summary of Investments	Fund	INTEREST RATE	Purpose of Acct.
		11/30/2024			
101251	FNBT BANK	\$135,260.00	410	0.00%	Cust. Utility Deposits Acct.
104300	GEN FUND FLORIDA PRIME	\$2,370,395.49	1	4.87%	GF Savings/Investment
104400	W/S FUND FLORIDA PRIME	\$343,203.93	410	4.87%	W/S Savings/Investment
101001	FNBT BANK	\$11,086,460.53	1 & 410	4.50%	Operating Acct.
101001	FNBT BANK	\$0.00	410	0.00%	Credit Card Payments Account
101210	FNBT BANK	\$8,772.02	1	0.00%	Payroll Account
101001	FNBT BANK	\$10,064.15	1	0.00%	HRA Account
101001	FNBT BANK	\$6,267.63	1 & 410	4.50%	Money Market Account
104301	FLCLASS	\$533,065.08	1	4.83%	GF Investment
104302	AMERIS BANK	\$6,536.50	1	0.00%	GF Investment

\$14,500,025.33

FY24-25 ESTIMATED BEGINNING GENERAL FUND UNRESTRICTED CASH \$5,310,790
FY2025 Budget deficit (\$2,531,521)

ESTIMATED GENERAL FUND TOTAL UNRESTRICTED CASH \$2,779,269

FY24-25 ESTIMATED BEGINNING W/S FUND UNRESTRICTED CASH \$3,796,435
FY2025 Budget surplus \$123,063

ESTIMATED W/S FUND TOTAL UNRESTRICTED CASH \$3,919,498

FY 24-25 BEGINNING DISCRETIONARY SALES SURTAX REVENUE FUND \$1,878,067
FY2025 Budget deficit (\$313,238)

DISCRETIONARY SALES SURTAX FUND BALANCE \$1,564,829

GRAND TOTAL ALL FUNDS: \$8,263,596

RESTRICTED REVENUES:

IMPACT FEE REVENUE AVAILABLE FOR RELATED EXPENSES

Fire Protection \$0
Law Enforcement \$38,668
Stormwater \$41,165
Transportation \$66,988

Parks & Recreation \$36,600
Water & Sewer \$8,194
TOTAL \$191,615

OTHER RESTRICTED REVENUE

Committed to natural
disaster relief \$1,813,711
TOTAL \$1,813,711

TOTAL RESTRICTED REVENUES \$2,005,326



City of Mary Esther, FL

Budget vs Actuals

Account Summary

For Fiscal: 2024-2025 Period Ending: 11/30/2024

		Original	Current			YTD Activity +	Budget
		Total Budget	Total Budget	MTD Activity	YTD Activity	Encumbrances	Remaining
Fund: 001 - GENERAL FUND							
Revenue							
001-00-311100	AD VALOREM TAXES	-2,215,883.00	-2,215,883.00	144,181.28	144,181.28	144,181.28	-2,360,064.28
001-00-311200	AD VALOREM TAXES-DELQ	-65,000.00	-65,000.00	32.76	32.76	32.76	-65,032.76
001-00-312130	TOURIST DEVELOPMENT TAX	-419,000.00	-419,000.00	0.00	0.00	0.00	-419,000.00
001-00-312410	FIRST LOCAL OPTION FUEL TAX	0.00	0.00	16,582.71	16,582.71	16,582.71	-16,582.71
001-00-312420	LOCAL ALTERNATIVE FUEL USER FEE	-200,000.00	-200,000.00	0.00	0.00	0.00	-200,000.00
001-00-314100	UTILITY TAXES-ELECTRIC	-235,000.00	-235,000.00	21,141.02	21,141.02	21,141.02	-256,141.02
001-00-314200	UTILITY TAXES-COMMUNICATION SE...	-230,000.00	-230,000.00	16,617.31	16,617.31	16,617.31	-246,617.31
001-00-314300	UTILITY TAXES-WATER	-129,000.00	-129,000.00	10,452.27	20,740.74	20,740.74	-149,740.74
001-00-314400	UTILITY TAXES-GAS	-42,000.00	-42,000.00	2,675.35	2,675.35	2,675.35	-44,675.35
001-00-314800	UTILITY TAXES -PROPANE GAS	-200.00	-200.00	0.00	0.00	0.00	-200.00
001-00-316010	BUSINESS TAX - PENALTY INT	-900.00	-900.00	115.00	355.00	355.00	-1,255.00
001-00-316100	BUSINESS TAX	-95,000.00	-95,000.00	2,700.00	10,415.00	10,415.00	-105,415.00
001-00-322000	BUILDING PERMITS	-80,000.00	-80,000.00	247.04	1,270.54	1,270.54	-81,270.54
001-00-323100	ELECTRICITY FRANCHISE FEES	-210,000.00	-210,000.00	16,253.93	16,253.93	16,253.93	-226,253.93
001-00-323400	GAS FRANCHISE FEES	-40,000.00	-40,000.00	2,418.54	2,418.54	2,418.54	-42,418.54
001-00-329050	TRACKING FEES	-1,500.00	-1,500.00	360.00	780.00	780.00	-2,280.00
001-00-335120	STATE REVENUE SHARING PROCEEDS	-210,000.00	-210,000.00	17,863.94	35,727.88	35,727.88	-245,727.88
001-00-335150	ALCOHOLIC BEVERAGE LICENSES	-500.00	-500.00	0.00	0.00	0.00	-500.00
001-00-335180	LOCAL GOVERNMENT 1/2 SALES TAX	-500,000.00	-500,000.00	40,651.03	40,651.03	40,651.03	-540,651.03
001-00-338200	INTERGOV REV-COUNTY BUSINESS TAX	-3,000.00	-3,000.00	268.71	1,152.02	1,152.02	-4,152.02
001-00-338210	INTERGOV REV - LIBRARY COOP	-63,000.00	-63,000.00	0.00	16,423.50	16,423.50	-79,423.50
001-00-341901	FIRE DEPARTMENT FEES	-13,000.00	-13,000.00	846.00	1,870.00	1,870.00	-14,870.00
001-00-341902	NOTARY FEE REVENUE	0.00	0.00	0.00	10.00	10.00	-10.00
001-00-341920	SITE INSPECTION	-100.00	-100.00	0.00	0.00	0.00	-100.00
001-00-342510	FINAL INSPECTION	-500.00	-500.00	150.00	180.00	180.00	-680.00
001-00-343800	CEMETERY FEES	-100.00	-100.00	0.00	50.00	50.00	-150.00
001-00-344210	BOAT LAUNCH DAILY PERMIT	-500.00	-500.00	0.00	80.00	80.00	-580.00
001-00-344901	FLORIDA DOT	-51,759.00	-51,759.00	0.00	0.00	0.00	-51,759.00
001-00-349100	LIEN SEARCH FEE	-1,500.00	-1,500.00	80.00	160.00	160.00	-1,660.00
001-00-351100	COURT FINES	-6,000.00	-6,000.00	1,200.67	1,200.67	1,200.67	-7,200.67
001-00-352000	LIBRARY FINES/LOST BOOKS	-1,500.00	-1,500.00	245.00	489.00	489.00	-1,989.00
001-00-354100	VIOLATION OF LOCAL ORDINANCE	-2,500.00	-2,500.00	0.00	250.00	250.00	-2,750.00
001-00-361000	INTEREST AND OTHER EARNINGS	0.00	0.00	1.18	2.61	2.61	-2.61
001-00-361100	INTEREST INCOME	-250,000.00	-250,000.00	30,948.94	64,941.48	64,941.48	-314,941.48
001-00-365100	SCRAP SALES	0.00	0.00	0.00	43.20	43.20	-43.20
001-00-366010	DONATIONS & CONTRIBUTIONS LIBR...	-21,500.00	-21,500.00	0.00	0.00	0.00	-21,500.00
001-00-369900	MISCELLANEOUS REVENUE - OTHER	0.00	0.00	7.75	2,072.75	2,072.75	-2,072.75
001-00-381000	INTERFUND TRANSFER	-943,092.00	-943,092.00	0.00	0.00	0.00	-943,092.00
001-00-389400	GRANTS - OTHER SOURCES	-505,000.00	-505,000.00	0.00	0.00	0.00	-505,000.00
Revenue Total:		-6,537,034.00	-6,537,034.00	326,040.43	418,768.32	418,768.32	-6,955,802.32

Budget vs Actuals

For Fiscal: 2024-2025 Period Ending: 11/30/2024

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Expense							
Activity: 51100 - LEGISLATIVE							
001-11-51100-1210	SALARIES	26,400.00	26,400.00	1,850.00	2,290.00	2,290.00	24,110.00
001-11-51100-2110	SOCIAL SECURITY TAXES	1,637.00	1,637.00	114.70	141.98	141.98	1,495.02
001-11-51100-2410	WORKER'S COMPENSATION	600.00	600.00	0.00	102.22	102.22	497.78
001-11-51100-3000	MEDICARE INSURANCE	383.00	383.00	26.85	33.26	33.26	349.74
001-11-51100-3100	PROFESSIONAL SERVICES	11,000.00	11,000.00	0.00	0.00	0.00	11,000.00
001-11-51100-4010	TRAVEL & PER DIEM	14,000.00	14,000.00	3,019.73	3,727.53	5,286.22	8,713.78
001-11-51100-4810	TROPHIES AND AWARDS	750.00	750.00	0.00	0.00	0.00	750.00
001-11-51100-4930	TRAINING	4,500.00	4,500.00	0.00	0.00	0.00	4,500.00
001-11-51100-5110	OFFICE SUPPLIES	300.00	300.00	0.00	0.00	0.00	300.00
001-11-51100-5280	LEAGUE OF CITIES DINNERS	1,400.00	1,400.00	0.00	150.00	150.00	1,250.00
001-11-51100-5290	OPERATING SUPPLIES	1,510.00	1,510.00	143.97	143.97	143.97	1,366.03
001-11-51100-5410	BOOKS, PUBS, SUBS & MEMBS	4,767.00	4,767.00	1,856.00	3,356.00	3,356.00	1,411.00
Activity: 51100 - LEGISLATIVE Total:		67,247.00	67,247.00	7,011.25	9,944.96	11,503.65	55,743.35
Activity: 51200 - EXECUTIVE							
001-12-51200-1210	SALARIES	173,945.00	173,945.00	14,443.06	28,745.39	28,745.39	145,199.61
001-12-51200-2110	SOCIAL SECURITY TAXES	10,785.00	10,785.00	896.22	1,783.72	1,783.72	9,001.28
001-12-51200-2210	RETIREMENT	24,352.00	24,352.00	1,479.90	2,885.73	2,885.73	21,466.27
001-12-51200-2310	EMPLOYEE INSURANCE	28,630.00	28,630.00	1,875.79	5,629.50	5,629.50	23,000.50
001-12-51200-2410	WORKER'S COMPENSATION	170.00	170.00	0.00	28.96	28.96	141.04
001-12-51200-3000	MEDICARE INSURANCE	2,522.00	2,522.00	209.59	417.13	417.13	2,104.87
001-12-51200-4010	TRAVEL & PER DIEM	6,100.00	6,100.00	0.00	0.00	186.46	5,913.54
001-12-51200-4110	TELEPHONE & INTERNET	360.00	360.00	0.00	0.00	0.00	360.00
001-12-51200-4930	TRAINING	3,500.00	3,500.00	0.00	0.00	0.00	3,500.00
001-12-51200-5290	OPERATING SUPPLIES	2,500.00	2,500.00	138.06	138.06	138.06	2,361.94
001-12-51200-5410	BOOKS, PUBS, SUBS & MEMBS	1,500.00	1,500.00	397.00	397.00	397.00	1,103.00
Activity: 51200 - EXECUTIVE Total:		254,364.00	254,364.00	19,439.62	40,025.49	40,211.95	214,152.05
Activity: 51300 - FINANCE							
001-13-51300-1210	SALARIES	74,886.00	74,886.00	6,958.18	13,047.56	13,047.56	61,838.44
001-13-51300-2110	SOCIAL SECURITY TAXES	4,643.00	4,643.00	430.84	807.52	807.52	3,835.48
001-13-51300-2210	RETIREMENT	10,484.00	10,484.00	417.52	782.90	782.90	9,701.10
001-13-51300-2310	EMPLOYEE INSURANCE	4,710.00	4,710.00	-100.18	875.10	875.10	3,834.90
001-13-51300-2410	WORKER'S COMPENSATION	70.00	70.00	0.00	11.93	11.93	58.07
001-13-51300-3000	MEDICARE INSURANCE	1,086.00	1,086.00	100.77	188.88	188.88	897.12
001-13-51300-3210	ACCOUNTING AND AUDITING	26,250.00	26,250.00	2,000.00	2,000.00	2,000.00	24,250.00
001-13-51300-4010	TRAVEL & PER DIEM	3,500.00	3,500.00	0.00	0.00	0.00	3,500.00
001-13-51300-4710	PRINTING & BINDING	1,900.00	1,900.00	0.00	0.00	0.00	1,900.00
001-13-51300-4921	BANK FEES	1,000.00	1,000.00	50.00	95.00	95.00	905.00
001-13-51300-4930	TRAINING	2,500.00	2,500.00	0.00	0.00	0.00	2,500.00
001-13-51300-4946	LEGAL & RETAIL ADVERTISEMENTS	1,500.00	1,500.00	0.00	0.00	0.00	1,500.00
001-13-51300-5290	OPERATING SUPPLIES	1,150.00	1,150.00	0.00	0.00	35.99	1,114.01
001-13-51300-5410	BOOKS, PUBS, SUBS & MEMBS	855.00	855.00	50.00	50.00	50.00	805.00
Activity: 51300 - FINANCE Total:		134,534.00	134,534.00	9,907.13	17,858.89	17,894.88	116,639.12
Activity: 51310 - HUMAN RESOURCES							
001-13-51310-1210	SALARIES	13,366.00	13,366.00	971.11	2,039.30	2,039.30	11,326.70
001-13-51310-2110	SOCIAL SECURITY TAXES	829.00	829.00	60.20	126.42	126.42	702.58
001-13-51310-2210	RETIREMENT	1,871.00	1,871.00	0.00	0.00	0.00	1,871.00
001-13-51310-2220	RETIRED EMPLOYEE LIFE INSURANCE	850.00	850.00	50.22	150.66	150.66	699.34
001-13-51310-2230	RETIRED EMPLOYEE DENTAL INSURA...	4,700.00	4,700.00	276.21	828.63	828.63	3,871.37
001-13-51310-2310	EMPLOYEE INSURANCE	3,400.00	3,400.00	607.04	654.24	654.24	2,745.76
001-13-51310-2410	WORKER'S COMPENSATION	20.00	20.00	0.00	3.41	3.41	16.59
001-13-51310-2510	UNEMPLOYMENT COMPENSATION	5,000.00	5,000.00	0.00	0.00	0.00	5,000.00
001-13-51310-3000	MEDICARE INSURANCE	194.00	194.00	14.08	29.57	29.57	164.43
001-13-51310-3100	PROFESSIONAL SERVICES	11,200.00	11,200.00	0.00	0.00	0.00	11,200.00
001-13-51310-4010	TRAVEL & PER DIEM	1,500.00	1,500.00	0.00	0.00	0.00	1,500.00
001-13-51310-4015	RECRUITMENT	2,500.00	2,500.00	86.80	86.80	86.80	2,413.20
001-13-51310-4540	EMPLOYEE APPRECIATION	5,250.00	5,250.00	1,844.89	2,584.39	4,151.79	1,098.21

Budget vs Actuals

For Fiscal: 2024-2025 Period Ending: 11/30/2024

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
001-13-51310-4710	PRINTING & BINDING	900.00	900.00	0.00	0.00	0.00	900.00
001-13-51310-4930	TRAINING	2,500.00	2,500.00	0.00	0.00	0.00	2,500.00
001-13-51310-4934	TUITION	26,250.00	26,250.00	7,495.00	7,495.00	7,495.00	18,755.00
001-13-51310-4946	LEGAL & RETAIL ADVERTISEMENTS	1,500.00	1,500.00	0.00	0.00	0.00	1,500.00
001-13-51310-5290	OPERATING SUPPLIES	500.00	500.00	0.00	0.00	35.99	464.01
001-13-51310-5410	BOOKS, PUBS, SUBS & MEMBS	750.00	750.00	0.00	0.00	0.00	750.00
Activity: 51310 - HUMAN RESOURCES Total:		83,080.00	83,080.00	11,405.55	13,998.42	15,601.81	67,478.19
Activity: 51400 - LEGAL							
001-14-51400-3111	LEGAL COUNSEL	65,000.00	65,000.00	3,698.00	4,415.50	4,415.50	60,584.50
Activity: 51400 - LEGAL Total:		65,000.00	65,000.00	3,698.00	4,415.50	4,415.50	60,584.50
Activity: 51500 - PLANNING AND ZONING							
001-30-51500-1210	SALARIES	99,488.00	99,488.00	9,113.80	17,128.62	17,128.62	82,359.38
001-30-51500-2110	SOCIAL SECURITY TAXES	6,168.00	6,168.00	565.05	1,061.99	1,061.99	5,106.01
001-30-51500-2210	RETIREMENT	13,928.00	13,928.00	1,105.99	1,528.39	1,528.39	12,399.61
001-30-51500-2310	EMPLOYEE INSURANCE	23,670.00	23,670.00	1,508.82	4,526.96	4,526.96	19,143.04
001-30-51500-2410	WORKER'S COMPENSATION	320.00	320.00	0.00	11.93	11.93	308.07
001-30-51500-3000	MEDICARE INSURANCE	1,443.00	1,443.00	132.17	248.41	248.41	1,194.59
001-30-51500-3100	PROFESSIONAL SERVICES	90,000.00	90,000.00	0.00	0.00	0.00	90,000.00
001-30-51500-4010	TRAVEL & PER DIEM	2,000.00	2,000.00	0.00	0.00	0.00	2,000.00
001-30-51500-4522	VEHICLE INSURANCE	290.00	290.00	76.25	228.75	228.75	61.25
001-30-51500-4930	TRAINING	500.00	500.00	0.00	0.00	0.00	500.00
001-30-51500-4946	LEGAL & RETAIL ADVERTISEMENTS	3,000.00	3,000.00	0.00	0.00	0.00	3,000.00
001-30-51500-5110	OFFICE SUPPLIES	150.00	150.00	0.00	0.00	0.00	150.00
001-30-51500-5410	BOOKS, PUBS, SUBS & MEMBS	600.00	600.00	0.00	0.00	0.00	600.00
Activity: 51500 - PLANNING AND ZONING Total:		241,557.00	241,557.00	12,502.08	24,735.05	24,735.05	216,821.95
Activity: 51600 - NON-COURT INFORMATION SYSTEMS							
001-16-51600-1210	SALARIES	77,595.00	77,595.00	7,051.39	13,256.49	13,256.49	64,338.51
001-16-51600-2110	SOCIAL SECURITY TAXES	4,811.00	4,811.00	437.18	821.89	821.89	3,989.11
001-16-51600-2210	RETIREMENT	10,863.00	10,863.00	987.20	1,855.92	1,855.92	9,007.08
001-16-51600-2310	EMPLOYEE INSURANCE	17,300.00	17,300.00	1,071.14	3,213.48	3,213.48	14,086.52
001-16-51600-2410	WORKER'S COMPENSATION	100.00	100.00	0.00	17.04	17.04	82.96
001-16-51600-3000	MEDICARE INSURANCE	1,125.00	1,125.00	102.25	192.22	192.22	932.78
001-16-51600-3100	PROFESSIONAL SERVICES	2,350.00	2,350.00	71.41	142.82	960.00	1,390.00
001-16-51600-4010	TRAVEL & PER DIEM	2,500.00	2,500.00	0.00	0.00	0.00	2,500.00
001-16-51600-4510	NOTARY INSURANCE	150.00	150.00	0.00	0.00	0.00	150.00
001-16-51600-4930	TRAINING	1,700.00	1,700.00	180.00	180.00	180.00	1,520.00
001-16-51600-4946	LEGAL & RETAIL ADVERTISEMENTS	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
001-16-51600-5110	OFFICE SUPPLIES	850.00	850.00	0.00	0.00	0.00	850.00
001-16-51600-5290	OPERATING SUPPLIES	1,300.00	1,300.00	94.95	94.95	94.95	1,205.05
001-16-51600-5410	BOOKS, PUBS, SUBS & MEMBS	800.00	800.00	264.00	264.00	264.00	536.00
001-16-51600-5416	CODIFICATION	3,500.00	3,500.00	0.00	0.00	0.00	3,500.00
001-16-51600-6411	OFFICE EQUIP/FURNITURE	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
Activity: 51600 - NON-COURT INFORMATION SYSTEMS Total:		126,944.00	126,944.00	10,259.52	20,038.81	20,855.99	106,088.01
Activity: 51610 - INFORMATION TECHNOLOGY							
001-13-51610-3100	PROFESSIONAL SERVICES	32,500.00	32,500.00	1,407.75	1,407.75	1,407.75	31,092.25
001-13-51610-4110	TELEPHONE & INTERNET	14,000.00	14,000.00	441.47	843.23	843.23	13,156.77
001-13-51610-4655	COMPUTER HARDWARE & SOFTWARE...	87,404.00	87,404.00	2,877.85	7,325.83	19,300.51	68,103.49
001-13-51610-4660	COPIER MAINTENANCE	7,900.00	7,900.00	665.19	749.09	8,506.80	-606.80
001-13-51610-6400	COMPUTER SOFTWARE & EQUIPMENT	42,500.00	42,500.00	79.46	79.46	79.46	42,420.54
Activity: 51610 - INFORMATION TECHNOLOGY Total:		184,304.00	184,304.00	5,471.72	10,405.36	30,137.75	154,166.25
Activity: 51900 - GENERAL GOVERNMENT							
001-99-51900-4100	POSTAGE & SHIPPING	4,200.00	4,200.00	395.18	695.18	695.18	3,504.82
001-99-51900-4520	LIABILITY INSURANCE	56,940.00	56,940.00	12,287.50	36,862.50	36,862.50	20,077.50
001-99-51900-5110	OFFICE SUPPLIES	4,000.00	4,000.00	315.32	315.32	593.29	3,406.71
001-99-51900-5410	BOOKS, PUBS, SUBS & MEMBS	900.00	900.00	0.00	0.00	0.00	900.00
001-99-51900-7301	OTHER DEBT SERVICE	0.00	0.00	-224,168.77	0.00	0.00	0.00
Activity: 51900 - GENERAL GOVERNMENT Total:		66,040.00	66,040.00	-211,170.77	37,873.00	38,150.97	27,889.03

Budget vs Actuals

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Activity: 51910 - FACILITIES							
001-50-51910-1210	SALARIES	52,293.00	52,293.00	3,581.67	6,318.50	6,318.50	45,974.50
001-50-51910-1310	PART-TIME SALARIES	11,200.00	11,200.00	484.65	920.84	920.84	10,279.16
001-50-51910-1410	OVERTIME	500.00	500.00	0.00	0.00	0.00	500.00
001-50-51910-2110	SOCIAL SECURITY TAXES	3,968.00	3,968.00	252.12	448.84	448.84	3,519.16
001-50-51910-2210	RETIREMENT	7,391.00	7,391.00	123.57	237.94	237.94	7,153.06
001-50-51910-2310	EMPLOYEE INSURANCE	17,850.00	17,850.00	725.90	2,175.69	2,175.69	15,674.31
001-50-51910-2410	WORKER'S COMPENSATION	3,490.00	3,490.00	0.00	362.63	362.63	3,127.37
001-50-51910-3000	MEDICARE INSURANCE	928.00	928.00	58.97	105.00	105.00	823.00
001-50-51910-3100	PROFESSIONAL SERVICES	20,450.00	20,450.00	577.00	637.00	637.00	19,813.00
001-50-51910-4010	TRAVEL & PER DIEM	500.00	500.00	0.00	0.00	0.00	500.00
001-50-51910-4310	ELECTRICITY	30,000.00	30,000.00	2,016.30	2,016.30	2,016.30	27,983.70
001-50-51910-4320	WATER	12,000.00	12,000.00	1,212.78	1,212.78	1,212.78	10,787.22
001-50-51910-4330	SOLID WASTE	7,500.00	7,500.00	235.01	470.02	470.02	7,029.98
001-50-51910-4340	NATURAL GAS	2,500.00	2,500.00	38.98	38.98	38.98	2,461.02
001-50-51910-4410	EQUIPMENT RENTAL	2,000.00	2,000.00	0.00	0.00	0.00	2,000.00
001-50-51910-4521	PROPERTY INSURANCE	18,900.00	18,900.00	8,135.00	24,111.00	24,111.00	-5,211.00
001-50-51910-4522	VEHICLE INSURANCE	1,050.00	1,050.00	217.50	652.50	652.50	397.50
001-50-51910-4611	BUILDING R & M	20,000.00	20,000.00	299.00	598.00	4,580.58	15,419.42
001-50-51910-4612	FURNITURE/EQUIP. R & M	500.00	500.00	0.00	0.00	0.00	500.00
001-50-51910-4615	FENCING AND LANDSCAPING	5,000.00	5,000.00	517.65	517.65	517.65	4,482.35
001-50-51910-4930	TRAINING	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
001-50-51910-5110	OFFICE SUPPLIES	750.00	750.00	0.00	0.00	0.00	750.00
001-50-51910-5210	FUEL, OIL, & LUBRICANTS	5,000.00	5,000.00	0.00	0.00	0.00	5,000.00
001-50-51910-5220	UNIFORMS	1,000.00	1,000.00	0.00	49.96	49.96	950.04
001-50-51910-5221	PERSONAL PROTECTIVE EQUIPMENT	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
001-50-51910-5230	JANITORIAL SUPPLIES	2,500.00	2,500.00	104.92	134.56	134.56	2,365.44
001-50-51910-5260	TOOLS	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
001-50-51910-5270	MACHINERY & EQUIPMENT	1,500.00	1,500.00	0.00	0.00	0.00	1,500.00
001-50-51910-5290	OPERATING SUPPLIES	7,500.00	7,500.00	388.63	400.48	400.48	7,099.52
001-50-51910-5410	BOOKS, PUBS, SUBS & MEMBS	100.00	100.00	0.00	0.00	0.00	100.00
001-50-51910-6210	BUILDINGS	818,674.00	818,674.00	22,850.71	22,850.71	39,802.03	778,871.97
Activity: 51910 - FACILITIES Total:		1,058,044.00	1,058,044.00	41,820.36	64,259.38	85,193.28	972,850.72
Activity: 52100 - LAW ENFORCEMENT							
001-20-52100-3405	CONTRACT FOR SERVICES	310,788.00	310,788.00	24,927.42	49,854.84	49,854.84	260,933.16
Activity: 52100 - LAW ENFORCEMENT Total:		310,788.00	310,788.00	24,927.42	49,854.84	49,854.84	260,933.16
Activity: 52200 - FIRE							
001-20-52200-3405	CONTRACT FOR SERVICES	1,147,687.00	1,147,687.00	0.00	0.00	0.00	1,147,687.00
Activity: 52200 - FIRE Total:		1,147,687.00	1,147,687.00	0.00	0.00	0.00	1,147,687.00
Activity: 52400 - CODE COMPLIANCE							
001-30-52400-1210	SALARIES	57,350.00	57,350.00	5,362.38	10,062.77	10,062.77	47,287.23
001-30-52400-2110	SOCIAL SECURITY TAXES	3,556.00	3,556.00	332.47	623.92	623.92	2,932.08
001-30-52400-2210	RETIREMENT	8,029.00	8,029.00	523.44	927.54	927.54	7,101.46
001-30-52400-2310	EMPLOYEE INSURANCE	13,850.00	13,850.00	869.89	2,609.67	2,609.67	11,240.33
001-30-52400-2410	WORKER'S COMPENSATION	710.00	710.00	0.00	336.20	336.20	373.80
001-30-52400-3000	MEDICARE INSURANCE	832.00	832.00	77.78	145.93	145.93	686.07
001-30-52400-4010	TRAVEL & PER DIEM	1,500.00	1,500.00	0.00	0.00	0.00	1,500.00
001-30-52400-4110	TELEPHONE & INTERNET	500.00	500.00	29.40	29.40	29.40	470.60
001-30-52400-4522	VEHICLE INSURANCE	290.00	290.00	76.57	229.72	229.72	60.28
001-30-52400-4610	VEHICLE R & M	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
001-30-52400-4930	TRAINING	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
001-30-52400-5110	OFFICE SUPPLIES	150.00	150.00	0.00	0.00	35.99	114.01
001-30-52400-5210	FUEL, OIL, & LUBRICANTS	1,300.00	1,300.00	0.00	0.00	0.00	1,300.00
001-30-52400-5220	UNIFORMS	250.00	250.00	0.00	0.00	0.00	250.00
001-30-52400-5221	PERSONAL PROTECTIVE EQUIPMENT	100.00	100.00	0.00	0.00	0.00	100.00
001-30-52400-5295	OPERATING SUPPLIES/JANITORIAL	150.00	150.00	0.00	0.00	0.00	150.00
001-30-52400-5410	BOOKS, PUBS, SUBS & MEMBS	250.00	250.00	85.00	85.00	85.00	165.00
Activity: 52400 - CODE COMPLIANCE Total:		90,817.00	90,817.00	7,356.93	15,050.15	15,086.14	75,730.86

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Activity: 52410 - BUILDING							
001-30-52410-1210	SALARIES	48,185.00	48,185.00	4,382.42	8,236.33	8,236.33	39,948.67
001-30-52410-2110	SOCIAL SECURITY TAXES	2,987.00	2,987.00	271.70	510.58	510.58	2,476.42
001-30-52410-2210	RETIREMENT	6,746.00	6,746.00	476.03	618.66	618.66	6,127.34
001-30-52410-2310	EMPLOYEE INSURANCE	13,580.00	13,580.00	858.38	2,575.64	2,575.64	11,004.36
001-30-52410-2410	WORKER'S COMPENSATION	170.00	170.00	0.00	3.41	3.41	166.59
001-30-52410-3000	MEDICARE INSURANCE	699.00	699.00	63.50	119.35	119.35	579.65
001-30-52410-3100	PROFESSIONAL SERVICES	80,000.00	80,000.00	0.00	0.00	0.00	80,000.00
001-30-52410-4522	VEHICLE INSURANCE	290.00	290.00	76.25	228.75	228.75	61.25
001-30-52410-4946	LEGAL & RETAIL ADVERTISEMENTS	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
Activity: 52410 - BUILDING Total:		153,657.00	153,657.00	6,128.28	12,292.72	12,292.72	141,364.28
Activity: 53800 - STORMWATER							
001-50-53800-1210	SALARIES	95,502.00	95,502.00	8,280.26	16,198.63	16,198.63	79,303.37
001-50-53800-1410	OVERTIME	500.00	500.00	0.00	0.00	0.00	500.00
001-50-53800-2110	SOCIAL SECURITY TAXES	5,952.00	5,952.00	512.58	1,002.28	1,002.28	4,949.72
001-50-53800-2210	RETIREMENT	13,440.00	13,440.00	712.94	1,391.03	1,391.03	12,048.97
001-50-53800-2310	EMPLOYEE INSURANCE	28,350.00	28,350.00	1,776.76	5,288.15	5,288.15	23,061.85
001-50-53800-2410	WORKER'S COMPENSATION	4,360.00	4,360.00	0.00	1,528.63	1,528.63	2,831.37
001-50-53800-3000	MEDICARE INSURANCE	1,392.00	1,392.00	119.90	234.47	234.47	1,157.53
001-50-53800-3100	Professional Services	15,000.00	15,000.00	0.00	0.00	0.00	15,000.00
001-50-53800-4010	TRAVEL & PER DIEM	1,000.00	1,000.00	0.00	0.00	118.58	881.42
001-50-53800-4522	VEHICLE INSURANCE	1,050.00	1,050.00	217.50	652.50	652.50	397.50
001-50-53800-4615	FENCING AND LANDSCAPING	3,500.00	3,500.00	0.00	0.00	0.00	3,500.00
001-50-53800-4637	CURBS/GUTTERS/STORM DRAINS R&M	5,500.00	5,500.00	0.00	0.00	750.00	4,750.00
001-50-53800-5220	UNIFORMS	250.00	250.00	0.00	0.00	0.00	250.00
001-50-53800-5295	OPERATING SUPPLIES/JANITORIAL	3,750.00	3,750.00	0.00	0.00	0.00	3,750.00
001-50-53800-5410	BOOKS, PUBS, SUBS & MEMBS	2,500.00	2,500.00	0.00	0.00	0.00	2,500.00
001-50-53800-6310	INFRASTRUCTURE	1,104,703.00	1,104,703.00	0.00	0.00	19,028.54	1,085,674.46
Activity: 53800 - STORMWATER Total:		1,286,749.00	1,286,749.00	11,619.94	26,295.69	46,192.81	1,240,556.19
Activity: 54100 - STREETS							
001-50-54100-1210	SALARIES	95,502.00	95,502.00	8,280.17	16,198.46	16,198.46	79,303.54
001-50-54100-1410	OVERTIME	500.00	500.00	0.00	0.00	0.00	500.00
001-50-54100-2110	SOCIAL SECURITY TAXES	5,952.00	5,952.00	512.46	1,002.05	1,002.05	4,949.95
001-50-54100-2210	RETIREMENT	13,440.00	13,440.00	712.84	1,390.83	1,390.83	12,049.17
001-50-54100-2310	EMPLOYEE INSURANCE	28,350.00	28,350.00	1,776.76	5,288.15	5,288.15	23,061.85
001-50-54100-2410	WORKER'S COMPENSATION	4,360.00	4,360.00	0.00	1,657.12	1,657.12	2,702.88
001-50-54100-3000	MEDICARE INSURANCE	1,392.00	1,392.00	119.81	234.26	234.26	1,157.74
001-50-54100-3100	PROFESSIONAL SERVICES	0.00	0.00	0.00	0.00	625.00	-625.00
001-50-54100-4010	TRAVEL & PER DIEM	3,000.00	3,000.00	0.00	0.00	0.00	3,000.00
001-50-54100-4310	ELECTRICITY	60,000.00	60,000.00	4,238.35	4,238.35	4,238.35	55,761.65
001-50-54100-4320	WATER	500.00	500.00	31.77	31.77	31.77	468.23
001-50-54100-4330	Solid Waste	10,000.00	10,000.00	0.00	0.00	0.00	10,000.00
001-50-54100-4410	EQUIPMENT RENTAL	2,500.00	2,500.00	0.00	0.00	0.00	2,500.00
001-50-54100-4522	VEHICLE INSURANCE	1,050.00	1,050.00	217.93	947.78	947.78	102.22
001-50-54100-4610	VEHICLE R & M	4,000.00	4,000.00	173.96	173.96	173.96	3,826.04
001-50-54100-4615	FENCING AND LANDSCAPING	2,500.00	2,500.00	0.00	0.00	0.00	2,500.00
001-50-54100-4623	HEAVY EQUIPMENT R & M	15,000.00	15,000.00	0.00	3,977.78	3,977.78	11,022.22
001-50-54100-4631	STREET REPAVING	61,000.00	61,000.00	0.00	1,092.00	10,000.00	51,000.00
001-50-54100-4636	TRAFFIC CONTROL/SIGNS R&M	6,000.00	6,000.00	0.00	0.00	532.16	5,467.84
001-50-54100-4637	CURBS/GUTTERS/STORM DRAINS R&M	10,500.00	10,500.00	0.00	0.00	0.00	10,500.00
001-50-54100-4906	OTHER CHARGES	0.00	0.00	0.00	0.00	130.54	-130.54
001-50-54100-4930	TRAINING	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
001-50-54100-5110	OFFICE SUPPLIES	100.00	100.00	0.00	0.00	0.00	100.00
001-50-54100-5210	FUEL, OIL, & LUBRICANTS	6,000.00	6,000.00	48.41	48.41	48.41	5,951.59
001-50-54100-5220	UNIFORMS	700.00	700.00	0.00	0.00	0.00	700.00
001-50-54100-5221	PERSONAL PROTECTIVE EQUIPMENT	750.00	750.00	0.00	29.98	29.98	720.02
001-50-54100-5260	TOOLS	2,500.00	2,500.00	0.00	0.00	0.00	2,500.00
001-50-54100-5270	MACHINERY & EQUIPMENT	5,000.00	5,000.00	0.00	0.00	0.00	5,000.00
001-50-54100-5290	OPERATING SUPPLIES	4,000.00	4,000.00	83.43	83.43	83.43	3,916.57

Budget vs Actuals

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		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
001-50-54100-5410	BOOKS, PUBS, SUBS & MEMBS	500.00	500.00	0.00	0.00	0.00	500.00
001-50-54100-6310	INFRASTRUCTURE	980,863.00	980,863.00	151.00	151.00	151.00	980,712.00
001-50-54100-6410	MACHINERY & EQUIPMENT	300,000.00	300,000.00	0.00	228,145.00	228,145.00	71,855.00
Activity: 54100 - STREETS Total:		1,626,959.00	1,626,959.00	16,346.89	264,690.33	274,886.03	1,352,072.97
Activity: 56200 - ANIMAL CONTROL							
001-30-56200-3410	ANIMAL CONTROL	5,000.00	5,000.00	0.00	0.00	0.00	5,000.00
Activity: 56200 - ANIMAL CONTROL Total:		5,000.00	5,000.00	0.00	0.00	0.00	5,000.00
Activity: 57100 - LIBRARY							
001-71-57100-1210	SALARIES	278,192.00	278,192.00	32,306.85	64,346.36	64,346.36	213,845.64
001-71-57100-1310	SALARIES - PART TIME	47,552.00	47,552.00	2,758.44	5,697.78	5,697.78	41,854.22
001-71-57100-2110	SOCIAL SECURITY TAXES	20,196.00	20,196.00	2,167.84	4,320.72	4,320.72	15,875.28
001-71-57100-2210	RETIREMENT	38,947.00	38,947.00	3,622.01	6,837.15	6,837.15	32,109.85
001-71-57100-2310	EMPLOYEE INSURANCE	78,223.00	78,223.00	6,491.90	12,082.23	12,082.23	66,140.77
001-71-57100-2410	WORKER'S COMPENSATION	700.00	700.00	0.00	119.26	119.26	580.74
001-71-57100-3000	MEDICARE INSURANCE	4,723.00	4,723.00	506.99	1,010.48	1,010.48	3,712.52
001-71-57100-4010	TRAVEL & PER DIEM	1,200.00	1,200.00	0.00	0.00	0.00	1,200.00
001-71-57100-4100	POSTAGE & SHIPPING	1,000.00	1,000.00	309.69	309.69	309.69	690.31
001-71-57100-4612	FURNITURE/EQUIP. R & M	500.00	500.00	0.00	0.00	0.00	500.00
001-71-57100-4710	PRINTING & BINDING	700.00	700.00	0.00	0.00	0.00	700.00
001-71-57100-4925	PROGRAM EXPENSES	1,900.00	1,900.00	245.45	245.45	245.45	1,654.55
001-71-57100-4930	TRAINING	0.00	0.00	0.00	0.00	120.00	-120.00
001-71-57100-5110	OFFICE SUPPLIES	2,700.00	2,700.00	178.50	178.50	214.49	2,485.51
001-71-57100-5410	BOOKS, PUBS, SUBS & MEMBS	16,000.00	16,000.00	222.20	2,634.68	2,634.68	13,365.32
001-71-57100-5417	LIBRARY E-BOOK LEASES	15,000.00	15,000.00	0.00	0.00	0.00	15,000.00
001-71-57100-5420	MEMBERSHIPS	1,200.00	1,200.00	0.00	152.00	152.00	1,048.00
Activity: 57100 - LIBRARY Total:		508,733.00	508,733.00	48,809.87	97,934.30	98,090.29	410,642.71
Activity: 57200 - PARKS							
001-50-57200-1210	SALARIES	118,320.00	118,320.00	8,015.53	14,408.38	14,408.38	103,911.62
001-50-57200-1310	PART-TIME SALARIES	26,133.00	26,133.00	1,130.85	2,148.61	2,148.61	23,984.39
001-50-57200-1410	OVERTIME	500.00	500.00	0.00	0.00	0.00	500.00
001-50-57200-2110	SOCIAL SECURITY TAXES	8,987.00	8,987.00	567.08	1,026.57	1,026.57	7,960.43
001-50-57200-2210	RETIREMENT	16,635.00	16,635.00	267.81	550.30	550.30	16,084.70
001-50-57200-2310	EMPLOYEE INSURANCE	40,800.00	40,800.00	1,674.32	5,038.28	5,038.28	35,761.72
001-50-57200-2410	WORKER'S COMPENSATION	8,140.00	8,140.00	0.00	846.13	846.13	7,293.87
001-50-57200-3000	MEDICARE INSURANCE	2,102.00	2,102.00	132.60	240.03	240.03	1,861.97
001-50-57200-3100	PROFESSIONAL SERVICES	100,000.00	100,000.00	0.00	0.00	84,664.00	15,336.00
001-50-57200-4010	TRAVEL & PER DIEM	1,500.00	1,500.00	0.00	0.00	0.00	1,500.00
001-50-57200-4310	ELECTRICITY	5,500.00	5,500.00	348.86	348.86	348.86	5,151.14
001-50-57200-4320	WATER	4,000.00	4,000.00	243.14	243.14	243.14	3,756.86
001-50-57200-4330	SOLID WASTE	500.00	500.00	181.33	181.33	181.33	318.67
001-50-57200-4521	PROPERTY INSURANCE	8,450.00	8,450.00	1,981.75	5,945.25	5,945.25	2,504.75
001-50-57200-4522	VEHICLE INSURANCE	1,050.00	1,050.00	217.50	652.50	652.50	397.50
001-50-57200-4611	BUILDING R & M	13,000.00	13,000.00	0.00	0.00	0.00	13,000.00
001-50-57200-4612	FURNITURE/EQUIP. R & M	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
001-50-57200-4615	FENCING AND LANDSCAPING	30,000.00	30,000.00	13.26	13.26	621.78	29,378.22
001-50-57200-5110	OFFICE SUPPLIES	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
001-50-57200-5210	FUEL, OIL, & LUBRICANTS	6,000.00	6,000.00	177.66	177.66	177.66	5,822.34
001-50-57200-5231	SEASONAL DECORATIONS	5,000.00	5,000.00	0.00	0.00	5,960.00	-960.00
001-50-57200-5270	MACHINERY & EQUIPMENT	3,000.00	3,000.00	88.44	675.01	675.01	2,324.99
001-50-57200-5290	OPERATING SUPPLIES	10,000.00	10,000.00	0.00	0.00	0.00	10,000.00
001-50-57200-5295	OPERATING SUPPLIES/JANITORIAL	0.00	0.00	19.94	19.94	19.94	-19.94
001-50-57200-5410	BOOKS, PUBS, SUBS & MEMBS	100.00	100.00	0.00	0.00	0.00	100.00
001-50-57200-5741	COMMUNITY EVENTS	15,000.00	15,000.00	541.86	541.86	2,886.11	12,113.89
001-50-57200-6310	INFRASTRUCTURE	908,100.00	908,100.00	5,280.82	18,586.82	50,874.78	857,225.22
001-50-57200-6410	MACHINERY & EQUIPMENT	12,000.00	12,000.00	0.00	0.00	0.00	12,000.00
Activity: 57200 - PARKS Total:		1,346,817.00	1,346,817.00	20,882.75	51,643.93	177,508.66	1,169,308.34
Activity: 58100 - INTERFUND TRANSFER							
001-99-58100-7120	LOAN DEBT PRINCIPAL	109,496.00	109,496.00	0.00	0.00	0.00	109,496.00

Budget vs Actuals

Budget vs Actuals			For Fiscal: 2024-2025 Period Ending: 11/30/2024			
	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
001-99-58100-7220						
LOAN DEBT INTEREST	200,738.00	200,738.00	0.00	0.00	0.00	200,738.00
Activity: 58100 - INTERFUND TRANSFER Total:	310,234.00	310,234.00	0.00	0.00	0.00	310,234.00
Expense Total:	9,068,555.00	9,068,555.00	46,416.54	761,316.82	962,612.32	8,105,942.68
Fund: 001 - GENERAL FUND Surplus (Deficit):	-15,605,589.00	-15,605,589.00	279,623.89	-342,548.50	-543,844.00	-15,061,745.00

Budget vs Actuals

For Fiscal: 2024-2025 Period Ending: 11/30/2024

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Fund: 101 - DISCRETIONARY SALES SURTAX							
Revenue							
101-00-312600	DISCRETIONARY SALES SURTAXES	-500,000.00	-500,000.00	55,199.07	55,199.07	55,199.07	-555,199.07
101-00-361100	INTEREST INCOME	-50,000.00	-50,000.00	10,139.84	20,341.78	20,341.78	-70,341.78
Revenue Total:		-550,000.00	-550,000.00	65,338.91	75,540.85	75,540.85	-625,540.85

Budget vs Actuals

For Fiscal: 2024-2025 Period Ending: 11/30/2024

	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Expense						
Activity: 58100 - INTERFUND TRANSFER						
101-99-58100-9001 INTERFUND TRANSFER	863,238.00	863,238.00	0.00	0.00	0.00	863,238.00
Activity: 58100 - INTERFUND TRANSFER Total:	863,238.00	863,238.00	0.00	0.00	0.00	863,238.00
Expense Total:	863,238.00	863,238.00	0.00	0.00	0.00	863,238.00
Fund: 101 - DISCRETIONARY SALES SURTAX Surplus (Deficit):	-1,413,238.00	-1,413,238.00	65,338.91	75,540.85	75,540.85	-1,488,778.85

Budget vs Actuals

For Fiscal: 2024-2025 Period Ending: 11/30/2024

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Fund: 410 - WATER/SEWER FUND							
Revenue							
410-00-343310	WATER UTIL REVENUE-OPER INCOME	-1,281,000.00	-1,281,000.00	105,509.27	156,329.60	156,329.60	-1,437,329.60
410-00-343320	WATER UTIL - PENALTIES	-20,000.00	-20,000.00	2,841.63	5,776.18	5,776.18	-25,776.18
410-00-343340	BACKFLOW PREVENTER INSPECTION F...	-3,500.00	-3,500.00	200.00	1,650.00	1,650.00	-5,150.00
410-00-343351	TURN-ON & CUT-OFF FEES	-6,000.00	-6,000.00	510.00	960.00	960.00	-6,960.00
410-00-343510	SEWER UTIL REV - OPER INCOME	-1,806,000.00	-1,806,000.00	150,330.54	221,802.77	221,802.77	-2,027,802.77
410-00-343520	SEWER UTILITY PENALTIES	-20,000.00	-20,000.00	1,419.15	2,927.78	2,927.78	-22,927.78
410-00-359000	OTHER REVENUE & RETURN CHECKS	-200.00	-200.00	350.00	422.46	422.46	-622.46
410-00-361000	INTEREST AND OTHER EARNINGS	-100,000.00	-100,000.00	19,835.26	40,024.34	40,024.34	-140,024.34
410-00-369600	LEASE/RENTAL ELEVATED TANK REV	-199,000.00	-199,000.00	3,783.74	32,791.12	32,791.12	-231,791.12
410-00-369900	MISCELLANEOUS REVENUE - OTHER	0.00	0.00	0.00	14,600.00	14,600.00	-14,600.00
410-00-384000	REVENUE FROM OTHER SOURCES	-918,564.00	-918,564.00	0.00	0.00	0.00	-918,564.00
410-00-389200	GRANTS - FEDERAL	-373,500.00	-373,500.00	0.00	0.00	0.00	-373,500.00
410-00-389300	GRANTS AND DONATIONS - STATE	-1,000,000.00	-1,000,000.00	0.00	0.00	0.00	-1,000,000.00
Revenue Total:		-5,727,764.00	-5,727,764.00	284,779.59	477,284.25	477,284.25	-6,205,048.25

Budget vs Actuals

For Fiscal: 2024-2025 Period Ending: 11/30/2024

		Original	Current				
		Total Budget	Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Expense							
Activity: 53300 - WATER							
410-50-53300-1210	SALARIES	112,553.00	112,553.00	10,584.28	19,804.70	19,804.70	92,748.30
410-50-53300-2110	SOCIAL SECURITY TAXES	6,978.00	6,978.00	654.72	1,275.50	1,275.50	5,702.50
410-50-53300-2210	RETIREMENT	15,757.00	15,757.00	803.73	1,519.76	1,519.76	14,237.24
410-50-53300-2310	EMPLOYEE INSURANCE	27,555.00	27,555.00	1,731.08	5,193.24	5,193.24	22,361.76
410-50-53300-2410	WORKER'S COMPENSATION	145.00	145.00	0.00	20.44	20.44	124.56
410-50-53300-3000	MEDICARE INSURANCE	1,632.00	1,632.00	153.15	298.35	298.35	1,333.65
410-50-53300-3100	PROFESSIONAL SERVICES	148,543.00	148,543.00	991.40	991.40	194,000.93	-45,457.93
410-50-53300-3150	ENGINEERING, CONSULTING SERVICES	15,000.00	15,000.00	633.75	633.75	3,379.37	11,620.63
410-50-53300-3210	ACCOUNTING AND AUDITING	11,700.00	11,700.00	1,000.00	1,000.00	1,000.00	10,700.00
410-50-53300-3405	CONTRACT FOR SERVICES	850,000.00	850,000.00	70,348.48	140,696.96	140,696.96	709,303.04
410-50-53300-4010	TRAVEL & PER DIEM	2,000.00	2,000.00	0.00	0.00	0.00	2,000.00
410-50-53300-4100	POSTAGE & SHIPPING	5,500.00	5,500.00	399.18	399.18	399.18	5,100.82
410-50-53300-4110	TELEPHONE & INTERNET	6,200.00	6,200.00	358.50	559.38	559.38	5,640.62
410-50-53300-4310	ELECTRICITY	0.00	0.00	0.00	1.00	1.00	-1.00
410-50-53300-4521	PROPERTY INSURANCE	35,250.00	35,250.00	8,171.00	24,513.00	24,513.00	10,737.00
410-50-53300-4613	GROUNDS MAINTENANCE	20,000.00	20,000.00	0.00	0.00	0.00	20,000.00
410-50-53300-4617	WATER SYSTEMS MAINTENANCE	80,600.00	80,600.00	1,160.00	5,540.00	8,040.00	72,560.00
410-50-53300-4644	ELEVATED TANKS MAINTENANCE CO...	70,000.00	70,000.00	0.00	0.00	0.00	70,000.00
410-50-53300-4650	COMPUTER OPERATIONS AND MAINT...	24,130.00	24,130.00	532.00	532.00	532.00	23,598.00
410-50-53300-4710	PRINTING & BINDING	3,500.00	3,500.00	107.17	107.17	107.17	3,392.83
410-50-53300-4905	OPERATING PERMITS	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
410-50-53300-4906	OTHER CHARGES	1,500.00	1,500.00	35.71	71.42	480.00	1,020.00
410-50-53300-4915	CREDIT CARD PROCESSING FEES	23,000.00	23,000.00	1,358.18	2,536.45	2,536.45	20,463.55
410-50-53300-4930	TRAINING	2,000.00	2,000.00	0.00	0.00	0.00	2,000.00
410-50-53300-5270	MACHINERY & EQUIPMENT	50,000.00	50,000.00	2,425.00	2,425.00	9,643.00	40,357.00
410-50-53300-5290	OPERATING SUPPLIES	500.00	500.00	0.00	0.00	0.00	500.00
410-50-53300-5410	BOOKS, PUBS, SUBS & MEMBS	1,500.00	1,500.00	0.00	199.00	199.00	1,301.00
410-50-53300-6210	BUILDINGS	15,000.00	15,000.00	0.00	0.00	0.00	15,000.00
410-50-53300-6310	INFRASTRUCTURE	1,041,150.00	1,041,150.00	41,985.00	41,985.00	41,985.00	999,165.00
410-50-53300-6410	MACHINERY & EQUIPMENT	88,000.00	88,000.00	0.00	0.00	0.00	88,000.00
Activity: 53300 - WATER Total:		2,660,693.00	2,660,693.00	143,432.33	250,302.70	456,184.43	2,204,508.57
Activity: 53500 - SEWER							
410-50-53500-1210	SALARIES	112,553.00	112,553.00	10,584.13	19,804.49	19,804.49	92,748.51
410-50-53500-2110	SOCIAL SECURITY TAXES	6,978.00	6,978.00	654.62	1,275.25	1,275.25	5,702.75
410-50-53500-2210	RETIREMENT	15,757.00	15,757.00	803.56	1,519.40	1,519.40	14,237.60
410-50-53500-2310	EMPLOYEE INSURANCE	27,555.00	27,555.00	1,731.08	5,193.24	5,193.24	22,361.76
410-50-53500-2410	WORKER'S COMPENSATION	145.00	145.00	0.00	20.44	20.44	124.56
410-50-53500-3000	MEDICARE INSURANCE	1,632.00	1,632.00	153.07	298.17	298.17	1,333.83
410-50-53500-3150	ENGINEERING, CONSULT. SERVICES & ...	15,000.00	15,000.00	633.75	4,473.75	22,929.38	-7,929.38
410-50-53500-3210	ACCOUNTING AND AUDITING	11,700.00	11,700.00	1,000.00	1,000.00	1,000.00	10,700.00
410-50-53500-3405	CONTRACT FOR SERVICES	850,000.00	850,000.00	70,348.49	140,696.98	140,696.98	709,303.02
410-50-53500-4010	TRAVEL & PER DIEM	2,000.00	2,000.00	0.00	0.00	0.00	2,000.00
410-50-53500-4100	POSTAGE & SHIPPING	5,500.00	5,500.00	399.18	399.18	399.18	5,100.82
410-50-53500-4110	TELEPHONE & INTERNET	3,800.00	3,800.00	201.84	402.72	402.72	3,397.28
410-50-53500-4320	WATER	37,000.00	37,000.00	2,577.89	2,577.89	2,577.89	34,422.11
410-50-53500-4400	SPRAYFIELD RENTAL	14,215.00	14,215.00	0.00	7,000.00	7,000.00	7,215.00
410-50-53500-4521	PROPERTY INSURANCE	39,100.00	39,100.00	9,327.00	27,981.00	27,981.00	11,119.00
410-50-53500-4611	BUILDING R & M	3,500.00	3,500.00	0.00	0.00	0.00	3,500.00
410-50-53500-4618	SEWER SYSTEMS MAINTENANCE	87,500.00	87,500.00	0.00	10,220.00	41,932.00	45,568.00
410-50-53500-4650	COMPUTER OPERATIONS AND MAINT...	24,130.00	24,130.00	532.00	532.00	532.00	23,598.00
410-50-53500-4710	PRINTING & BINDING	2,500.00	2,500.00	107.18	107.18	107.18	2,392.82
410-50-53500-4905	WTP/STP OPERATING PERMITS	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00
410-50-53500-4906	OTHER CHARGES	2,000.00	2,000.00	77.51	241.71	650.29	1,349.71
410-50-53500-4915	CREDIT CARD PROCESSING FEES	23,000.00	23,000.00	1,358.20	2,536.48	2,536.48	20,463.52
410-50-53500-4930	TRAINING	2,000.00	2,000.00	0.00	0.00	0.00	2,000.00
410-50-53500-4990	Bad Debt Expense Sewer	5,000.00	5,000.00	0.00	0.00	0.00	5,000.00
410-50-53500-5290	OPERATING SUPPLIES	500.00	500.00	0.00	0.00	295.00	205.00

Budget vs Actuals

For Fiscal: 2024-2025 Period Ending: 11/30/2024

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
410-50-53500-5410	BOOKS, PUBS, SUBS & MEMBS	1,500.00	1,500.00	0.00	199.00	199.00	1,301.00
410-50-53500-6310	INFRASTRUCTURE	1,284,789.00	1,284,789.00	152.76	152.76	152.76	1,284,636.24
410-50-53500-6410	MACHINERY & EQUIPMENT	136,000.00	136,000.00	0.00	0.00	2,285.00	133,715.00
Activity: 53500 - SEWER Total:		2,716,354.00	2,716,354.00	100,642.26	226,631.64	279,787.85	2,436,566.15
Activity: 58100 - INTERFUND TRANSFER							
410-99-58100-7120	SRF - LOAN PRINCIPAL	138,000.00	138,000.00	0.00	0.00	0.00	138,000.00
410-99-58100-7220	SRF LOAN INTEREST	9,800.00	9,800.00	0.00	0.00	0.00	9,800.00
410-99-58100-9001	INTERFUND TRANSFER	79,854.00	79,854.00	0.00	0.00	0.00	79,854.00
Activity: 58100 - INTERFUND TRANSFER Total:		227,654.00	227,654.00	0.00	0.00	0.00	227,654.00
Expense Total:		5,604,701.00	5,604,701.00	244,074.59	476,934.34	735,972.28	4,868,728.72
Fund: 410 - WATER/SEWER FUND Surplus (Deficit):		-11,332,465.00	-11,332,465.00	40,705.00	349.91	-258,688.03	-11,073,776.97
Report Surplus (Deficit):		-28,351,292.00	-28,351,292.00	385,667.80	-266,657.74	-726,991.18	

Group Summary

Activity	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Fund: 001 - GENERAL FUND						
Revenue						
	-6,537,034.00	-6,537,034.00	326,040.43	418,768.32	418,768.32	-6,955,802.32
Revenue Total:	-6,537,034.00	-6,537,034.00	326,040.43	418,768.32	418,768.32	-6,955,802.32

Budget vs Actuals
For Fiscal: 2024-2025 Period Ending: 11/30/2024

Activity	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Expense						
51100 - LEGISLATIVE	67,247.00	67,247.00	7,011.25	9,944.96	11,503.65	55,743.35
51200 - EXECUTIVE	254,364.00	254,364.00	19,439.62	40,025.49	40,211.95	214,152.05
51300 - FINANCE	134,534.00	134,534.00	9,907.13	17,858.89	17,894.88	116,639.12
51310 - HUMAN RESOURCES	83,080.00	83,080.00	11,405.55	13,998.42	15,601.81	67,478.19
51400 - LEGAL	65,000.00	65,000.00	3,698.00	4,415.50	4,415.50	60,584.50
51500 - PLANNING AND ZONING	241,557.00	241,557.00	12,502.08	24,735.05	24,735.05	216,821.95
51600 - NON-COURT INFORMATION SYSTEMS	126,944.00	126,944.00	10,259.52	20,038.81	20,855.99	106,088.01
51610 - INFORMATION TECHNOLOGY	184,304.00	184,304.00	5,471.72	10,405.36	30,137.75	154,166.25
51900 - GENERAL GOVERNMENT	66,040.00	66,040.00	-211,170.77	37,873.00	38,150.97	27,889.03
51910 - FACILITIES	1,058,044.00	1,058,044.00	41,820.36	64,259.38	85,193.28	972,850.72
52100 - LAW ENFORCEMENT	310,788.00	310,788.00	24,927.42	49,854.84	49,854.84	260,933.16
52200 - FIRE	1,147,687.00	1,147,687.00	0.00	0.00	0.00	1,147,687.00
52400 - CODE COMPLIANCE	90,817.00	90,817.00	7,356.93	15,050.15	15,086.14	75,730.86
52410 - BUILDING	153,657.00	153,657.00	6,128.28	12,292.72	12,292.72	141,364.28
53800 - STORMWATER	1,286,749.00	1,286,749.00	11,619.94	26,295.69	46,192.81	1,240,556.19
54100 - STREETS	1,626,959.00	1,626,959.00	16,346.89	264,690.33	274,886.03	1,352,072.97
56200 - ANIMAL CONTROL	5,000.00	5,000.00	0.00	0.00	0.00	5,000.00
57100 - LIBRARY	508,733.00	508,733.00	48,809.87	97,934.30	98,090.29	410,642.71
57200 - PARKS	1,346,817.00	1,346,817.00	20,882.75	51,643.93	177,508.66	1,169,308.34
58100 - INTERFUND TRANSFER	310,234.00	310,234.00	0.00	0.00	0.00	310,234.00
Expense Total:	9,068,555.00	9,068,555.00	46,416.54	761,316.82	962,612.32	8,105,942.68
Fund: 001 - GENERAL FUND Surplus (Deficit):	-15,605,589.00	-15,605,589.00	279,623.89	-342,548.50	-543,844.00	-15,061,745.00

Budget vs Actuals

		For Fiscal: 2024-2025 Period Ending: 11/30/2024				
Activity	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Fund: 101 - DISCRETIONARY SALES SURTAX						
Revenue						
	-550,000.00	-550,000.00	65,338.91	75,540.85	75,540.85	-625,540.85
Revenue Total:	-550,000.00	-550,000.00	65,338.91	75,540.85	75,540.85	-625,540.85

Budget vs Actuals

Budget vs Actuals			For Fiscal: 2024-2025 Period Ending: 11/30/2024			
Activity	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Expense						
58100 - INTERFUND TRANSFER	863,238.00	863,238.00	0.00	0.00	0.00	863,238.00
Expense Total:	863,238.00	863,238.00	0.00	0.00	0.00	863,238.00
Fund: 101 - DISCRETIONARY SALES SURTAX Surplus (Deficit):	-1,413,238.00	-1,413,238.00	65,338.91	75,540.85	75,540.85	-1,488,778.85

Budget vs Actuals

For Fiscal: 2024-2025 Period Ending: 11/30/2024

Activity	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Fund: 410 - WATER/SEWER FUND						
Revenue						
	-5,727,764.00	-5,727,764.00	284,779.59	477,284.25	477,284.25	-6,205,048.25
Revenue Total:	-5,727,764.00	-5,727,764.00	284,779.59	477,284.25	477,284.25	-6,205,048.25

Budget vs Actuals

For Fiscal: 2024-2025 Period Ending: 11/30/2024

Activity	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Expense						
53300 - WATER	2,660,693.00	2,660,693.00	143,432.33	250,302.70	456,184.43	2,204,508.57
53500 - SEWER	2,716,354.00	2,716,354.00	100,642.26	226,631.64	279,787.85	2,436,566.15
58100 - INTERFUND TRANSFER	227,654.00	227,654.00	0.00	0.00	0.00	227,654.00
Expense Total:	5,604,701.00	5,604,701.00	244,074.59	476,934.34	735,972.28	4,868,728.72
Fund: 410 - WATER/SEWER FUND Surplus (Deficit):	-11,332,465.00	-11,332,465.00	40,705.00	349.91	-258,688.03	-11,073,776.97
Total Surplus (Deficit):	-28,351,292.00	-28,351,292.00	385,667.80	-266,657.74	-726,991.18	

Fund Summary

Fund	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
001 - GENERAL FUND	-15,605,589.00	-15,605,589.00	279,623.89	-342,548.50	-543,844.00	-15,061,745.00
101 - DISCRETIONARY SALES ...	-1,413,238.00	-1,413,238.00	65,338.91	75,540.85	75,540.85	-1,488,778.85
410 - WATER/SEWER FUND	-11,332,465.00	-11,332,465.00	40,705.00	349.91	-258,688.03	-11,073,776.97
Total Surplus (Deficit):	-28,351,292.00	-28,351,292.00	385,667.80	-266,657.74	-726,991.18	

Mary Esther Public Works Report November 2024

Current and Completed Projects:

1. Crews removed the large stump where pavilion will be installed in Azalea Park and we awarded the Pavillion bid, lumber bids were approved for bridges and swings. We hope to receive the rubber material for walkway this month and begin installation.
2. Work on Parks and Greenways Master Planning with Barge Designs.
3. Installed and took down the holiday decoration.
4. Completed crack sealing in Area 2
5. Completed most of the ditch at Elliot Park just waiting on dry weather to finish a small section and reseed.
6. Attended the walk-through inspection of Springdale and assisted with the final punch list.
7. Working with a contractor and engineer who began the work on Rays Pond.
8. Attended pre-bid meeting, helped with addendums, and opened proposals for Water and Sewer Operations and Maintenance and began reviewing.
9. Worked on shooting grade for Brian Circle and Angela to get information to engineers for correcting water issues during upcoming paving project.
10. Crews dismantled old bridge at North Bryn Mawr Parks and cleared fence.
11. All personnel completed Cyber Security training.
12. Completed all fire safety inspection list for City Hall and the Library including reorganizing storage at library, city hall, and outbuildings.
13. Cleaned French drains in Brian Circle and Anderson Street.
14. Finished sidewalk expansion around lake at Brian Circle and cut in joints.
15. Worked on GPS unit research and purchase to begin mapping stormwater and utilities systems.
16. Order Spray Squeegee Machine and working on bid for slurry seals.
17. Worked on Road Maintenance Maps for Okaloosa County in Mary Esther.
18. Completed mapping sidewalks in Mary Esther and Trails.
19. Met with engineers and property owners on Windy Lane water project.
20. Sent out all easement requests to property owners in the Azalea and Caswell Neighborhoods and began working with them on each. We have around 80-90 to complete for this upcoming project.
21. Continue to sweep and clean up storm debris keeping catch basin open.

Upcoming Project

1. Begin Crack Sealing in Area 1
2. Install rubber walkway at Azalea and backfill.
3. Continued patching with an infrared asphalt heater which will remove joints around patches.
4. Complete Ditch Clean out at Elliot Park
5. Begin Mapping Stormwater System
6. Rent a walk behind Mulcher and clean various ditches and ponds.
7. Analysis and Make Recommendation on Operation and Maintenance Contract.

Mary Esther Public Library Report for Council

January 2025

Month/Year	Circulation	Digital Circulation	Library Visits	Registered Users	PC Use	Wifi logins
<u>Jan-24</u>	<u>3920</u>	<u>1340</u>	<u>2215</u>	<u>2440</u>	<u>229</u>	<u>94</u>
<u>Feb-24</u>	<u>3368</u>	<u>1084</u>	<u>2559</u>	<u>2462</u>	<u>240</u>	<u>77</u>
<u>Mar-24</u>	<u>3697</u>	<u>1185</u>	<u>2772</u>	<u>2528</u>	<u>233</u>	<u>51</u>
<u>Apr-24</u>	<u>3231</u>	<u>973</u>	<u>2427</u>	<u>2568</u>	<u>222</u>	<u>48</u>
<u>May-24</u>	<u>3750</u>	<u>1060</u>	<u>2510</u>	<u>2607</u>	<u>242</u>	<u>60</u>
<u>Jun-24</u>	<u>3960</u>	<u>1138</u>	<u>2785</u>	<u>2644</u>	<u>285</u>	<u>94</u>
<u>Jul-24</u>	<u>3936</u>	<u>1145</u>	<u>2649</u>	<u>2681</u>	<u>300</u>	<u>117</u>
<u>Aug-24</u>	<u>4003</u>	<u>1058</u>	<u>2434</u>	<u>2683</u>	<u>238</u>	<u>138</u>
<u>Sep-24</u>	<u>3320</u>	<u>1037</u>	<u>2156</u>	<u>2655</u>	<u>306</u>	<u>117</u>
<u>Oct-24</u>	<u>3463</u>	<u>965</u>	<u>2990</u>	<u>2682</u>	<u>323</u>	<u>133</u>
<u>Nov-24</u>	<u>2702</u>	<u>1,010</u>	<u>1711</u>	<u>2668</u>	<u>219</u>	<u>115</u>
<u>Dec 24</u>	<u>1999</u>	<u>1091</u>	<u>1820</u>	<u>2670</u>	<u>115</u>	<u>83</u>

The City of Mary Esther Serves Residents Wherever They Are in the World!

We'd like to share a recent interaction with one of our residents, deployed and serving overseas.

A city resident and library patron sent library staff an email to request renewing her library card in December. At first, the card could not be found in the system. A library staff emailed the resident to let her know she needed to visit the library to get a library card.

That's when the resident emailed us her status as a deployed service member stationed outside the country. She then mentioned her maiden name which is how we found her in our library system and renewed her card so she could access our many electronic resources such as books, audiobooks, and databases. The interaction illustrates the importance of our library and online resources like Libby for our patrons living far from home.

We are grateful for the city's strong commitment to the library.

Tree Lighting was a Huge Success!

Saturday, December 7, 2024, the city hosted the 2nd Annual Christmas Tree Lighting at the Mary Esther Public Library from 4:00 PM - 6:00 PM. The event featured kids activities, crafts, a hot cocoa bar, photos with Santa, a special performance by Silver Elvis, Annabels Donuts, and a Christmas carol sing-a-long around the Christmas tree.









Friday the 13th's Not So Spooky Christmas Party And first-ever Outdoor Movie!

After much planning, hoping, and dreaming, the idea of an outdoor movie finally came to fruition! The City of Mary Esther sponsored our Not So Spooky Christmas Party. *The Nightmare Before Christmas* was the obvious choice for Friday the 13th!

The festivities included thrilling games of cornhole, creating zombie stuffies, making a wreath with spooky eyes, and decorating cookies in anticipation of the outdoor screening of *The Nightmare Before Christmas*!

We even had a wonderful spooky Santa to take pictures with residents. Thank you to both Councilor Lawson and Mayor Stein for their participation.

We are so thankful for the City of Mary Esther and all of our Friends of the Library volunteers who helped during the program including the talented Carolyn Lawson

who made the delicious movie-themed cookies from scratch! We appreciate all of you.







OCPLC Governing Board

The next Governing Board meeting of the new year will be held January 2025. Cmr. Bernie Oder is Mary Esther's Governing Board Representative. Cmr. Richard Lawson is the alternate.



Ocean City-Wright Fire Control District

January 10th, 2025

TO: Honorable Mayor and Council Members, City of Mary Esther
RE: Monthly Report, Fire Department, November 20th, 2024 – January 10th, 2025

Mayor and Council Members,

As we enter a new year, we are excited to pursue a deepening partnership between our organization and the City of Mary Esther. As in every year our personnel had a great time celebrating the holidays with the citizens during the Santa Run. It is not only fun, but an honor to participate in community traditions like these and we hope to partner with the city to create more of these community building events in the future.

As you may know, we restructured our chief officer staff starting in October. These exciting changes will enhance our capabilities in several ways. First, we promoted our previous Division Chief, Blake Good, to Deputy Chief of Administration. As part of this new role, he will become the department's Training Officer, coordinating all department training, including emergency medical care, firefighting, technical rescue (USAR), human resources, and professional development. This was a need identified during our accreditation process, and as we focus on continuous improvement, we jumped on it as quickly as possible. Chief Good has hit the ground running by being named at the Region 1 representative for the Florida Fire Chief's Association Training and Education section. Next, we promoted previous Engineer Lincoln Williams to Assistant Chief. This is a new position that includes the duties of the district's Accreditation Manager. Much of his responsibility is to continuously analyze department data metrics to ensure we are meeting our target objectives on things such as response times. Finally, we added the rank of Division Chief to our Fire Marshal Jennifer Arne. This was simply a more appropriate designation for her role, as she oversees our Inspections and Protection Division. She is the first female chief officer in the history of our organization, and I am incredibly proud of her. I'm confident these changes will improve administrative and operational efficiency and performance.

Over the past month, our HR Professional, Jennifer Rimes, and a hiring committee made of personnel from every rank within the organization have conducted interviews and physical ability testing for numerous employment candidates, and we have made offers to five of them. All five have accepted the offered positions and will start on January 13th. This was a great turnout considering recruiting has been a nationwide struggle for the fire service over the previous several years.

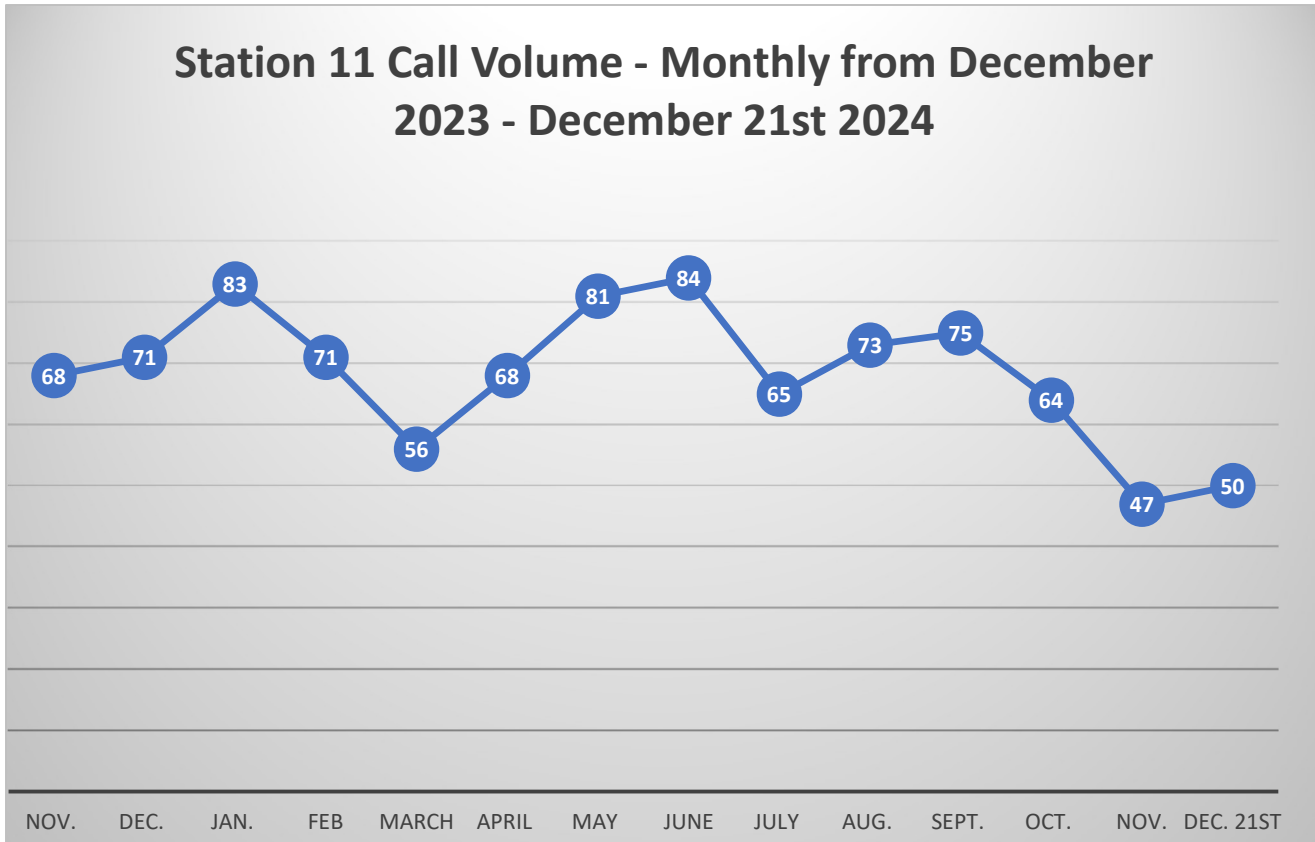
233 RACETRACK RD, NE. FORT WALTON BEACH, FL 32547
(850)862-1185 (850)862-6224 FAX

During this reporting period (11/20/24 – 1/10/2024), our Inspections and Prevention Division completed 17 annual inspections, six new business inspection, 11 re-inspections, and three food truck inspections. Engine 11 has responded to 91 calls for service.

Respectfully,

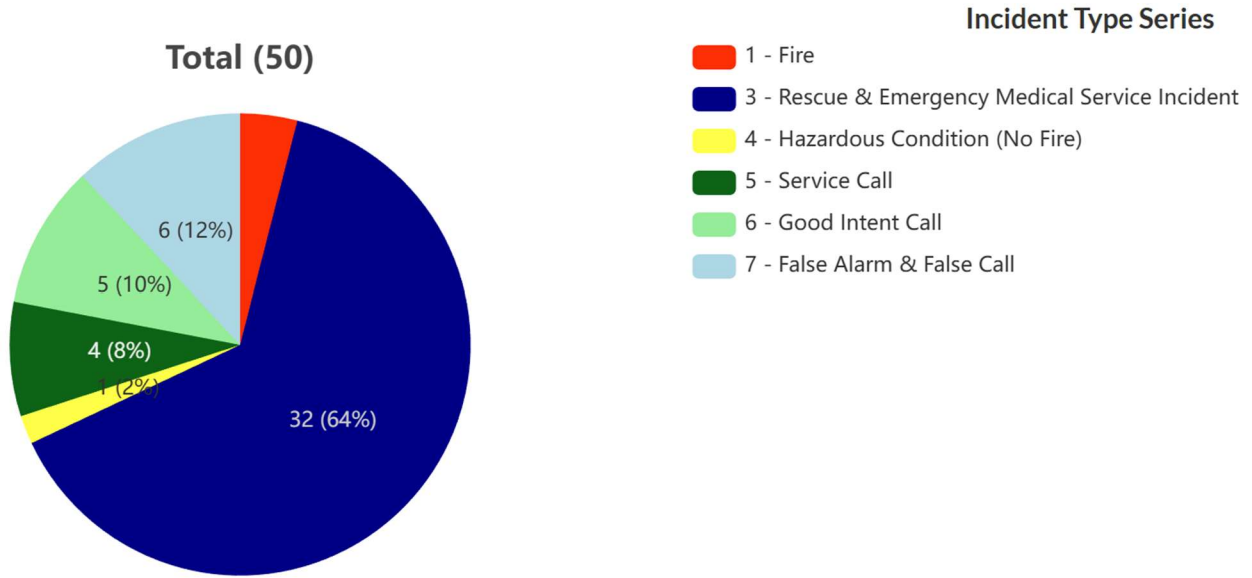


Jeff Wagner, Fire Chief

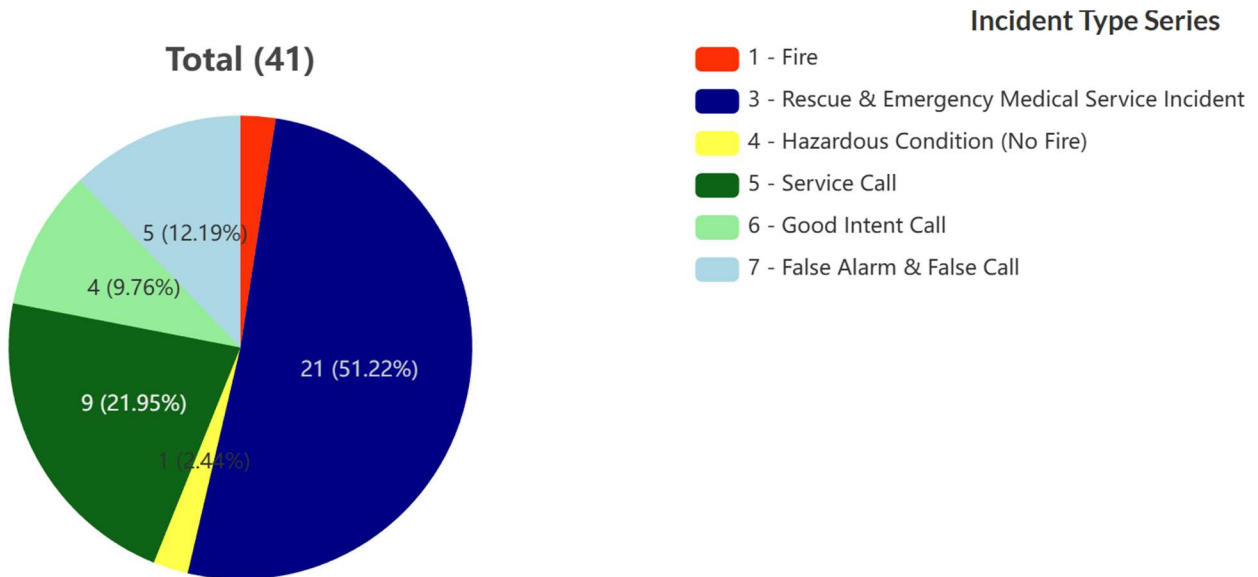


233 RACETRACK RD, NE. FORT WALTON BEACH, FL 32547
(850)862-1185 (850)862-6224 FAX

11/20/2024 – 12/20/2024



12/20/2024 – 1/10/2025



COMMUNITY DEVELOPMENT DEPARTMENT
Monthly Activity Report

Reporting Period
November 23, 2024 – January 10, 2025

Code Enforcement

Activities			
Opened Cases	8	Inspection	17
Agency Assist	1	Consultations	2
Verbal Warning	0	Advisements On Codes to Citizens	10
Notice of violations	3	Courtesy Notice	7
Permission to Trespass	0	Closed Cases	11

Permitting

Permit Type	
signs	1
Driveway	1
Tree Removal	1
Inspections	2
Cell Tower equipment Plan Review	1

- New goals for the upcoming year will include:
 Staff working on the abatement process for properties.
 Code Compliance Staff will be working with CRS specialist for CRS renewals and compliance
 Code Compliance Staff will be preparing cases for the magistrate hearings for the first quarter.

Development Review

Application Type	
Pre-Application	0
Rezone/FLUM	0
Variance	1
Subdivision	0
Site Plan	1
Conditional Use	0
Lot Split/Combination	0

- Staff presented Ordinances 2024-05 and Ordinance 2024-06 to LPA and CC on Dec. 9, 2024.
- Staff received a variance application for an accessory structure to encroach the front yard at 199 Miracle Strip parkway
- Staff received a site plan application for 4 Lane Drive on Dec. 18, 2024.
- Staff continues to work with ECRC to develop the Comp. Plan holding a workshop Dec 11, 2024.
- Staff attended the OCHIP Housing Meeting on January 9th, 2025.
- Staff developed a Farmer's Market Proposal.

City of Mary Esther
November 2024 Monthly
Report



Prepared by:

Jacobs
January 22, 2024

November 2024



Mary Esther Crew

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1. Executive Summary

1.1 Mary Esther O&M Team

We are fully staffed consisting of 9 full-time operations and maintenance technicians. The staff maintains the Florida Department of Environmental Protection operator certification requirements for Water, Wastewater, Distribution, and Backflow Tester.

Table 1.0 Personal and Certification

O&M Team		
Name	Job Title	Certification
Randall Killian	Project Manager	Class C Wastewater License
Joshua Robinson	Operations Supervisor	Class C Wastewater License, Class C Drinking Water, and Backflow Prevention Tester Certified
Paul Price	Lead Wastewater Operator	Class C Wastewater
Michael Bennett	Lead Water Operator	Class C Wastewater, Class C Drinking Water License, and backflow Prevention Tester Certified
Michael Gaines	Water and Wastewater Operator	Class C Wastewater License and Class C Drinking Water License
Jeremy Bankston	Water Operator	Class C Drinking Water License and Backflow Prevention Tester Certified
Maxwell Boone	Distribution Systems Operator	Class 3 Distribution Systems Operator and Backflow Prevention Tester Certified

1.2 Special Projects

1.2.1 Well 1 Rehabilitation

The project began on May 1, 2023. Water Environmental was awarded the project and staff provided site orientation on May 6. The well was removed from service on May 15.

1.3 Safety

The team conducts weekly site-specific safety inspections and conducts weekly safety meetings. This month's safety topics included: PPE Types Evaluation, "Be an Example", and driving condition awareness. This month marks our new safety record 125 accident- free days.

2. Operations

2.1 Water Production & Distribution

The system produced 12,045,500 million gallons (MG) of water this month with an average daily flow rate of 430,196 gallons per day. The monthly amount of water production is summarized and presented in Appendix A. The monthly regulatory reports were submitted on 12/19/2024 to FDEP.

2.1.1 Meter Reading

There are 2,111 meters to read during the month, this month 20 rereads were required. Our average meter reading accuracy is 99.1%.

Table 2.0 Meter Reading Monthly Summary

Month	Total Meters #	Meter Rereads #	Meter Reading Accuracy %
Dec '24			
Nov '24	2,111	20	99.1
Oct '24	2,111	25	98.8
Sep '24	2,111	8	99.6
Aug '24	2,111	21	99.0
Jul '24	2,111	26	98.8
Jun '24	2,111	30	98.6
May '24	2,111	31	98.5
Apr '24	2,111	31	98.5
Mar '24	2,111	30	98.6
Feb '24	2,111	22	99.0
Jan '24	2,111	22	99.0
Average	2,111	24	98.9

2.2 Collections and Wastewater Treatment

- During the month, all lift stations were inspected, cleaned, and if required residual grease was removed.
- During the month, the facility treated 14.4 million gallons (MG) of influent water with an average daily rate of .54 MGD. The Wastewater Treatment Plant (WWTP) discharge permit parameter limitations were met throughout the month. The systems effluent discharge limitations and quality performance is presented in Appendix B. The monthly regulatory reports were submitted on 12/31/24.

2.2.1

Biosolids Management

During the month, drying beds 1-3 were used for dewatering the aerobically digested sludge. The biosolids removed from the beds contained **18%** solids. This month, GreenSouth Solutions hauled approximately 2.1 tons of biosolids to be used for beneficial land application. The Biosolids Monthly Summary Report is presented in Appendix C.

2.3

Water and Sewer Line Repairs

11/25/24 – 22 Overstreet – Sewer Repair



3. Maintenance

3.1 Preventive Maintenance

During the month, staff completed preventative maintenance actions on required equipment.

3.2 City Work Order Requests and Call Outs

There were 80 work order requests completed this month.

3.3 Corrective Maintenance

3.3.1 Wastewater Plant 1

Wastewater Plant 1 is out of service and the equipment that is operational is being maintained and exercised. Design for rehabilitation project has been halted pending a county requested engineering study.

3.3.2 Spray Field Equipment

The motor for the vertical turbine pump #2 has been received. Shaft for pump #2 has been pulled and sent to the shop for repair. Repair quotes have been received and we are awaiting approval from the City. The replacement motor information is the following: Type KS, SN: KSFT277U027, Model Number: 5KS404DAJ6005D1.

The staff is preparing for the hay harvest. The harvest equipment has been inspected and is available for the cutting season.

3.4

Capital Improvement Projects (CIP)

3.4.1 – Nothing currently

APPENDIX A

Water System Summary

Month	Well 1 Total Flow Gallons	Well 2 Total Flow Gallons	Well 3 Total Flow Gallons	Well 4 Total Flow Gallons	Total Water Production MGM	Average Daily Production MGD
Permit Limits					22.8	*0.62
Dec '24		10,086,000	434,000	329,000	10.8	0.434
Nov '24		11,310,000	321,000	1,164,000	12.8	0.427
Oct '24		9,551,000	579,000	3,645,000	13.8	0.444
Sep '24		394,000	3,888,000	8,958,000	13.2	0.441
Aug '24		639,000	3,322,000	10,456,000	14.4	0.465
Jul '24		559,000	5,750,000	7,174,000	13.5	0.449
Jun '24		498,741,000	5,726,000	7,976,000	13.7	0.457
May '24		0	7,552,000	6,567,000	14.1	0.455
Apr '24		0	6,126,000	5,803,000	510.6	17.021
Mar '24		0	4,329,000	7,536,000	11.9	0.396
Feb '24		501,309,000	2,853,000	8,708,000	11.6	0.399
Jan '24		0	3,095,000	9,905,000	13.0	0.433
Dec '23		0	2,839,000	9,136,000	11.9	0.397
Minimum		0	321,000	329,000	10.8	0.396
Maximum		501,309,000	7,552,000	10,456,000	510.6	17.021
Average		79,429,923	3,601,077	6,719,769	51.2	1.709
Annual Total		1,032,589,000	43,975,000	78,221,000	653	21.821

* Note - permit limit is annual average daily water production

APPENDIX C

Biosolids Summary

Month	Drying Beds\Bed 1			Drying Beds\Bed 2			Drying Beds\Bed 3			Disposal
	Feed Sludge gpd	Cake Conc. %	Bed Sludge Dry Tons	Feed Sludge gpd	Cake Conc. %	Bed Sludge Dry Tons	Feed Sludge gpd	Cake Conc. %	Bed Sludge Dry Tons	Beneficial Use Dry Tons
Dec '24	10,590	14.3	0.63	10,590	14.3	0.63	8,825	14.3	0.53	1.8
Nov '24	10,590	18.0	0.80	8,825	18.0	0.66	8,825	18.0	0.66	2.1
Oct '24	10,590	2.0	0.09	10,590	2.0	0.09	10,590	2.0	0.09	0.3
Sep '24										
Aug '24	21,180	23.7	1.13	24,710	23.7	1.26				2.4
Jul '24	14,120	12.0	0.71	10,590	12.0	0.53	7,060	12.0	0.35	1.6
Jun '24				10,590	16.8	0.74	12,355	16.8	0.86	1.6
May '24										
Apr '24	33,535	46.4	2.14	35,300	46.4	2.26	37,065	46.4	2.39	6.8
Mar '24	21,180	30.9	1.36	19,415	30.9	1.26	21,180	30.9	1.36	4.0
Feb '24										
Jan '24	14,120	20.7	1.22	15,885	20.7	1.37	14,120	20.7	1.22	3.8
Dec '23										
Annual Total	135,905	167.9	8.07	146,495	184.7	8.81	120,020	161.0	7.464	24.3
Annual Average	16,988	21.0	1.01	16,277	20.5	0.98	15,003	20.1	0.933	2.7

APPENDIX B

Influent Monthly Summary

Month	Rainfall MGD	Flow Total MGD	Flow 3-Month Rolling Avg mg/L	CBOD Avg mg/L	CBOD Load lbs/day	TSS Avg mg/L	TSS Load lbs/day
Dec '24	1.8	12.556	0.511	258	939	186	677
Nov '24	3.3	14.481	0.543	221	1,000	166	777
Oct '24	1.3	15.652	0.603	343	1,457	181	754
Sep '24	12.5	19.183	0.637	287	1,472	173	958
Aug '24	1.6	17.137	0.730	259	1,195	171	783
Jul '24	12.3	22.403	0.732	291	1,561	170	889
Jun '24	8.4	23.000	0.680	250	1,525	178	1,113
May '24	15.4	24.364	0.578	323	2,039	155	994
Apr '24	6.6	16.203	0.545	360	1,576	231	1,029
Mar '24	8.0	16.863	0.538	374	1,906	202	1,001
Feb '24	3.2	15.460	0.519	274	1,234	193	875
Jan '24	6.3	17.454	0.467	220	999	145	662
Dec '23	5.5	16.111	0.427	243	1,135	213	992

MARY ESTHER CHART DEC 2024

Total Calls for Service 501
Day Shift 307
Night Shift 194

Priority 1 Calls 117
calls under 5 minutes 97
calls under 6 minutes 100
calls over 6 minutes 17

Property Crimes

Burglary 1
Larceny-Theft 2
Motor Vehicle Theft 0
Arson 0
Criminal Mischief 1

Violent Crime

Murder 7
Forcible Rape 0
Robbery 0
Aggravated Assault 7

Traffic Violations-stops

Arrest-traffic 62
Citation-traffic 2
Warning-traffic 53
DUI--traffic 2

Marine Violations

Marine Citations 0
Marine Warnings 0
Marine Crashes 0

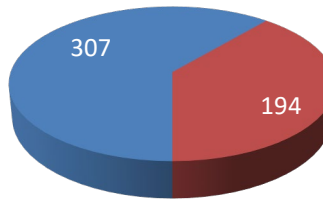
Traffic Crash

Traffic crash w/injuries 16
Traffic crash w/o injuries 1
Traffic Crash-Fatal 0

City Ord. Violations 0

Total Calls for Service

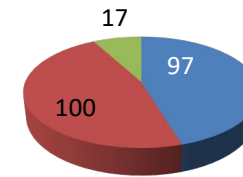
Day Shift Night Shift



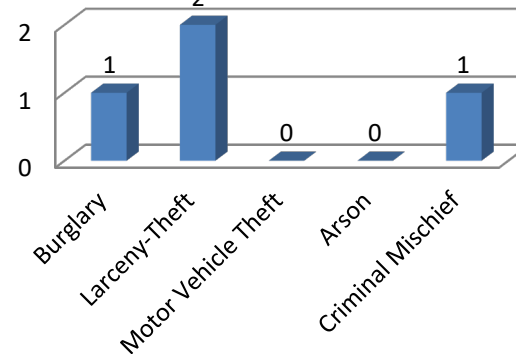
Total Priority One Calls

calls under 5 minutes calls under 6 minutes

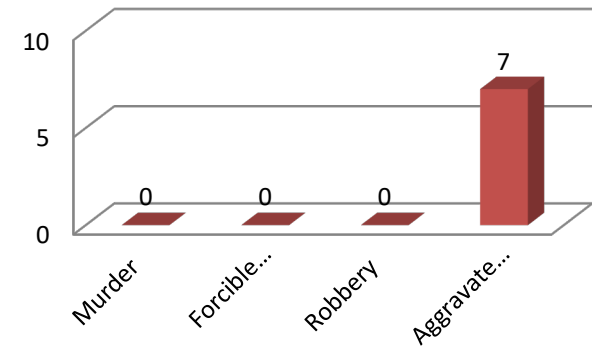
calls over 6 minutes



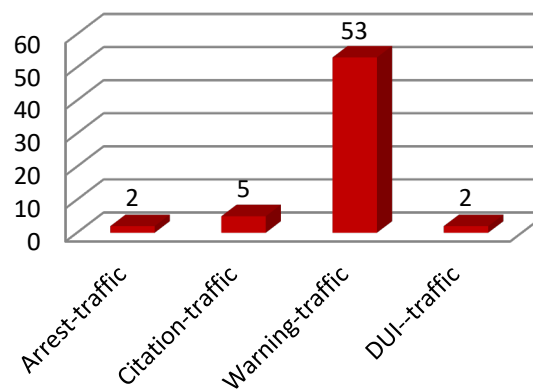
Property Crimes



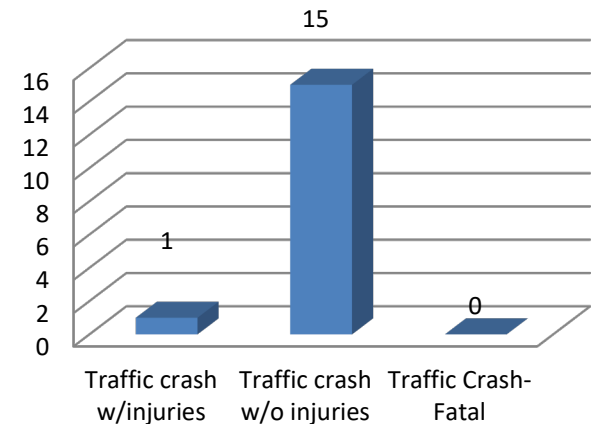
Violent Crime



Traffic Stop Data



Traffic Crashes



Distressed Swimmers 0

Drownings 0

Prepared by Analyst Whitney
Rivero on Jan 8th



**MINUTES
SPECIAL MEETING
of THE MARY ESTHER LOCAL PLANNING AGENCY
December 9, 2024 - 5:00 PM
195 Christobal Road – North, Mary Esther, FL 32569**

LOCAL PLANNING AGENCY PRESENT

Chris Stein, Chairman
Bernie Oder, Board Member

April Sutton, Board Member
Larry Carter, Board Member (Virtually)
Richard Lawson, Board Member

CITY STAFF PRESENT

Jared Cobb, City Manager
Jennifer Comella, City Attorney
Dillon Morris, City Clerk

Tyler Reed, Community Development Director

1. INVOCATION

No invocation was given.

2. CALL TO ORDER

Chairman Stein called the meeting to order at 5:00 p.m.

3. PLEDGE OF ALLEGIANCE

Chairman Stein led the pledge of allegiance.

4. ROLL CALL

The City Clerk called the roll as reflected above. Board Member Carter was participating virtually, so Chairman Stein asked for a motion for Board Member Carter to participate virtually. Board Member Sutton initiated the motion, seconded by Board Member Lawson. The motion passed 3-0.

RESULT:	PASSED (3-0)
MOVER:	Board Member April Sutton
SECOND:	Board Member Richard Lawson
AYES:	Bernie Oder, April Sutton, Richard Lawson
NAYS:	None

5. ADMINISTRATION OF OATH TO THOSE PERSONS TESTIFYING

City Clerk Morris administered the oaths to everyone testifying.

6. ITEMS FOR CONSIDERATION

- 6.1. Ordinance No. 2024-05 and No. 2024-06, Consider a Small-Scale Future Land Use Map Amendment from Commercial (Com) to Low Density Residential (LDR) and a Rezone from C-2 General Commercial to R-1 Single Family Residential for approximately 1.15 acres. (Damian Curtis, Applicant) (Tyler Reed, Community Development Director)**
Community Development Director Reed led the discussion of changing the city's future land use map and rezoning from commercial to low-density residential on a plot located on the south side of US Highway 98 and approximately 375 feet west of Windy Lane. He stated the applicant wishes to demolish the current structures and build three new homes. He discussed the city recommends the rezone. Board Member Sutton asked for clarification on what the applicant was asking for, with Community Development Director Reed stating that the parcel would be divided into 3 separate lots with 3 separate homes built on them. He discussed that the utilities would remain the same. Chairman Stein asked for clarification on the current lots with Community Development Director Reed, stating that currently, the front lot is zoned commercial, and the one closest to the water is zoned residential, but both lots have always been used for residential. City

Manager Cobb clarified that this request is only for rezoning, not splitting the lot. Chairman Stein opened public comment at 5:07 p.m. After no one wished to speak, he closed public comment at 5:07 p.m.

Chairman Stein asked if there was any more discussion. Hearing none, he asked for a motion to recommend to the city council adoption of an ordinance enacting a small-scale future land use map amendment from commercial to low-density residential for approximately 1.15 acres, located on the south side of US Highway 98 and approximately 375 feet west of Windy Lane. Board Member Sutton initiated the motion, seconded by Board Member Lawson. The motion passed 4-0.

RESULT:	PASSED (4-0)
MOVER:	Board Member April Sutton
SECOND:	Board Member Richard Lawson
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson
NAYS:	None

Chairman Stein asked for a motion to recommend to the city council adoption of an ordinance enacting a rezone from C-2 (General Commercial) to R-1 (Single Family Residential) zoning district for approximately 1.15 acres, located on the south side of US Highway 98 and approximately 375 feet west if Windy Lane. The motion was initiated by Board Member Lawson and seconded by Board Member Sutton. The motion passed 4-0.

RESULT:	PASSED (4-0)
MOVER:	Board Member Richard Lawson
SECOND:	Board Member April Sutton
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson
NAYS:	None

7. ADJOURN

The council meeting adjourned at 5:10 p.m.



**MINUTES
REGULAR MEETING
of THE MARY ESTHER CITY COUNCIL**

December 9, 2024 - 6:00 PM

195 Christobal Road – North, Mary Esther, FL 32569

CITY COUNCIL PRESENT

Chris Stein, Mayor
Susan Coxwell, Councilmember
Richard Lawson, Councilmember

April Sutton, Mayor Pro Tem
Larry Carter, Councilmember
Bernie Oder, Councilmember

CITY STAFF PRESENT

Jared Cobb, City Manager
Jennifer Comella, City Attorney
Tyler Reed, Community Development Director

Dillon Morris, City Clerk
Shawn Lindsey, Public Works Director

OTHERS PRESENT

Rodney Owens, OSCO Officer

Jeff Wagner, OCWFD Chief

1. INVOCATION

Jeff Wagner, Ocean City-Wright Fire Control District, gave the invocation.

2. CALL TO ORDER

Mayor Stein called the meeting to order at 6:00 p.m.

3. PLEDGE OF ALLEGIANCE

Mayor Stein led the pledge of allegiance.

4. ROLL CALL

The City Clerk called the roll as reflected above. Mayor Stein asked for a motion to allow Councilmember Carter to participate virtually. Councilmember Coxwell initiated the motion, which Mayor Pro Tem Sutton seconded. The motion passed 4-0.

RESULT:	PASSED (4-0)
MOVER:	Councilmember Susan Coxwell
SECOND:	Mayor Pro Tem April Sutton
AYES:	Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

5. APPROVAL OF THE AGENDA

Mayor Stein asked if the council wished to make any changes to the agenda. Hearing none, Mayor Stein asked for a motion. Mayor Pro Tem Sutton initiated the motion, seconded by Councilmember Lawson. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Richard Lawson
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

6. SPECIAL PRESENTATIONS

None.

7. CONSENT AGENDA

Mayor Stein asked if the council wished to make any changes to the consent agenda. Hearing none, Mayor Stein asked for a motion. Mayor Pro Tem Sutton initiated the motion, seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

7.1. Financial Report

7.2. Public Works Report

7.3. Library Report

7.4. Fire Department Report

7.5. Community Development Report

7.6. Jacobs Report

7.7. Law Enforcement Report

7.8. Minutes of the November 4th, 2024 Regular Council Meeting

8. CITIZENS WHO HAVE REQUESTED TO BE PLACED ON THE AGENDA

None.

9. PUBLIC COMMENT (NON-AGENDA ITEMS)

Ian Blaze, 101 W Miracle Strip Pkwy, discussed that his rezoning application was held up as he did not have a sight plan but that the evening's LPA meeting passed when the representative did not have a sight plan. He questioned if the city had plans to patch the sewer line on his property since the city's second patch had failed. Mayor Stein stated that the question could have asked city staff for clarification and that public comment was more for expressing opinions.

Jan Lipscomb, 95 W Miracle Strip Pkwy, gave a packet to the mayor and council (see attachment). She discussed a letter to Mr. Blaze discussing her sign and a letter from code enforcement defining prohibited signs and a building permit application. She discussed the sandwich board sign she had taken down and said that several businesses have similar signboards at their locations. She discussed that the city only has one code enforcement officer and asked to decrease some of the library's budget to hire another officer. She discussed a similar electronic sign at another business that is up and flag signs up at other businesses when there is a limit of 1. She requested that the city look at the ordinances pertaining to businesses and reevaluate them.

10. UNFINISHED BUSINESS

10.1. First Reading, Ordinance 2024-01, Vacation Rentals

Mayor Stein asked the clerk to read the title of the ordinance of 2024-01. City Clerk Morris read the title of the ordinance. City Manager Cobb clarified that they were not looking for a first reading tonight but more direction and feedback from the council. He added that another option is using business tax receipts to keep track of short-term rentals. Mayor Pro Tem Sutton expressed interest in using the business tax receipts option and said she still did not support code enforcement being able to enter the homes. Councilmember Coxwell agreed with business tax receipts and expressed concern over only being able to have 1 designated responsible party. City Manager Cobb clarified it is to hold someone accountable and that there are ways to nominate someone out of state with a notarized document. Councilmember Coxwell inquired about the 1

hour response time with City Manager Cobb, stating that the latest draft changed to 24 hours. Councilmember Carter discussed that it should be a level playing field for everyone and that the city is responsible to business owners and citizens. Councilmember Oder expressed concern with bigger companies buying out major properties, the designated party being in other states, and the city losing control. He also questioned how the business tax receipt would help the city with short-term rentals. City Manager Cobb said it is a yearly requirement and would not impose many rules. He discussed that the business tax receipt would suffice if the city were to make an ordinance that does not limit a lot. Mayor Pro Tem Sutton discussed a stance of caution with requiring a headcount. City Manager Cobb stated there is not an occupancy requirement. Councilmember Oder discussed situations where the military would split costs with squads fitting 6-12 people in a room. He also discussed the possibility of human traffickers knowing of Air BnB and using them. Councilmember Carter discussed that an ordinance would not stop bad people nor encourage people to do things right. He supports an ordinance but believes the city should have a baseline and something in place.

Mayor Stein asked if anyone in the public would like to comment on the topic. Elaine Rogers, 351 Angela Lane, discussed being for the business tax receipt option. She said it would help people know how to register and pay their taxes. She mentioned in the ordinance that the occupancy must match what the city has on record. She said she would observe it but make an exception for small children. She supported the 24-hour notification. She expressed support for having a small contact sign on the front window of a house for emergency contact. She also questioned whether if you have a violation on record, you can not apply, and whether someone gets a violation for not being registered, they would be unable to register.

Mary Walton, owner of a room at the Cedars, discussed that they are registered with the county and state, but it is good to be registered with the municipality.

Steven Lipscomb, 217 Page Bacon, discussed bringing up fire inspections for the properties to make it fair for all businesses.

City Manager Cobb asked the council what the consensus was. Mayor Stein said the business tax receipt was the consensus. Councilmember Oder asked if the ordinance could be combined with the business tax receipt. City Manager Cobb stated that regardless of whether an ordinance was passed, a business tax receipt would be required.

11. NEW BUSINESS

11.1. **Ordinance No. 2024-05 and No. 2024-06, Consider a Small-Scale Future Land Use Map Amendment from Commercial (Com) to Low Density Residential (LDR) and a Rezone from C-2 General Commercial to R-1 Single Family Residential for approximately 1.15 acres. (Damian Curtis, Applicant) (Tyler Reed, Community Development Director)**

Community Development Director Reed discussed the future land use map zoning change for a property and the LPA meeting, at which they recommended the change to the city council. He stated that staff recommended the change and reading of 2024-05 and 2024-06 ordinances. Mayor Pro Tem Sutton wanted to clarify that this is specifically for the rezone and not the redividing of the parcel, which Community Development Director Reed confirmed. City Clerk Morris read the title of Ordinance 2024-05. Mayor Stein asked for a motion to approve first reading of Ordinance No. 2024-05 enacting a small-scale future land use map amendment from commercial to low-density residential for approximately 1.15 acres, located on the south side of US Highway 98 and approximately 375 feet west of Windy Lane. Mayor Pro Tem Sutton initiated the motion which was seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Susan Coxwell

AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

City Clerk Morris read the title of Ordinance 2024-06. Mayor Stein asked for a motion to approve a first reading of Ordinance No. 2024-06, enacting a rezone from C-2 to R-1 zoning district for approximately 1.15 acres located on the south side of US Highway 98 and approximately 375 west of Windy Lane. Councilmember Lawson initiated the motion, which was seconded by Mayor Pro Tem Sutton. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Richard Lawson
SECOND:	Mayor Pro Tem April Sutton
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.2. Consideration of Ordinance relating to Public Camping or Sleeping in City facilities, grounds, right-of-way, and sidewalks

Community Development Director Reed led the discussion, stating the city is proposing an ordinance relation to public camping or sleeping in city facilities. He stated the county commission is requesting municipalities to consider and possibly adopt similar uniform ordinances from the ordinance Okaloosa county passed. Mayor Pro Tem Sutton asked for law enforcement to speak. Rodney Owens, Okaloosa County Sheriff Office, stated he believes it is a good thing they have established the ordinance. Councilmember Coxwell discussed how it would affect people sleeping overnight in their vehicles. City Manager Cobb stated it would amount to camping. Councilmember Oder cited that he liked the county's ordinance and discussed a recent issue about a homeless person camping near his property. Councilmember Carter discussed the growing trend of stealth camping. City Manager Cobb stated for private property, to have a trespass order and let the city know for vacant properties so the city can inform the property owners.

11.3. Approval of Contract with US Tank for Water Storage Tank Maintenance Program

Public Works Director Lindsey led the discussion on the contract received with US Tank for the Water Storage Tank Maintenance Program. Mayor Stein asked if the council had any questions. Hearing none, he asked for a motion to approve the maintenance contract with U.S. Tank and authorize the mayor to execute the contract. Councilmember Oder initiated the motion and Councilmember Coxwell seconded it. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Bernie Oder
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.4. Award of RFB 2024-10, City Hall Adaptive Re-use Project

Public Works Director Lindsey led the discussion on the bids received for the city hall adaptive reuse, with the city recommending that Stockton Construction be awarded the bid. Mayor Stein asked what the \$50,000 change orders staff could approve would be. Public Works Director

Lindsey discussed that some minor unexpected items could come up during construction, and allowing staff to approve change orders would not necessitate bringing it back to the council and stopping construction. Councilmember Oder asked if the mayor and council would receive updates if the change order were used. City Manager Cobb stated there are no reservations about informing the mayor and council about those situations. Public Works Director Lindsey stated that the architect would also send a report for justification. Upon no more discussion, Mayor Stein asked for a motion to award RFB 2024-10 City of Mary Esther City Hall Adaptive Re-use project to Stockton Construction Group, accept Exhibit O turned in after bids were opened, and authorize the Mayor to sign the contract for \$563,783.92 including an owner contingency of \$50,000 for any change orders that the staff can approve as necessary for the project. The motion was initiated by Councilmember Oder and seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Bernie Oder
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.5. Award of RFB 2024-11, Spray/Squeegee Machine

Public Works Director Lindsey led the discussion on receiving bids for a spray/squeegee machine, receiving one bid and recommending awarding the bid to Neal Manufacturing. Mayor Stein asked if there was any discussion. Hearing none, he asked for a motion to award RFB 2024-11 to Neal Manufacturing, a Division of Blastcrete Equipment LLC, and execute a purchase order in the amount of \$61,285. The motion was initiated by Councilmember Oder and seconded by Mayor Pro Tem Sutton. Councilmember Carter asked what the warranty period for the equipment was. Councilmember Coxwell stated it was a 1-year warranty. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Bernie Oder
SECOND:	Mayor Pro Tem April Sutton
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.6. Consideration of Resolution 24-09, Approval of "Piggy Back" Agreement for the City of Fort Walton Beach Contract for Paving

Public Works Director Lindsey led the discussion about future paving for Mary Esther and that many municipalities have already piggybacked off the agreement. He discussed the pros of piggybacking. He stated the recommendation was to approve the resolution and authorize the purchase. Mayor Pro Tem Sutton asked if it would address the water leak on Elliot, with Public Works Director Lindsey saying it was addressed the week prior. City Clerk Morris read the title of Resolution 24-09. Mayor Stein asked for a motion to approve Resolution 24-09, permitting the city to utilize the Fort Walton Beach contract with James David Site Prep & Underground, LLC, of Baker, FL, for paving needs not to exceed \$100,000. Councilmember Coxwell initiated the motion, which Mayor Pro Tem Sutton seconded. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Susan Coxwell

SECOND:	Mayor Pro Tem April Sutton
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.7. Declaration of Surplus Items

Public Works Director Lindsey led the discussion on surplus items, stating that staff recommends approving the items as surplus and that staff dispose of them most advantageously. Mayor Stein asked if they would go to auction, with Public Works Director Lindsey stating some would, but some items would just be scrapped due to their condition. Mayor Stein asked if there was any discussion. Upon hearing none, Mayor Stein asked for a motion to declare the items listed in Attachment A as surplus and authorize staff to use the most advantageous disposal method. The motion was initiated by Mayor Pro Tem Sutton and seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.8. Approval of Azalea Park Design Elements

Public Works Director Lindsey led the discussion on Azalea Park Design Elements, stating the city recommended approving the design elements so construction could start, along with rules from the fire department about the fire pit. Councilmember Coxwell asked if there would be a fire pit and standing grills and how burn bans would affect these items. Public Works Director Lindsey stated that the fire pit could cook food and that the standing grills might be relocated elsewhere in the park. Fire Chief Wagner discussed the liability of having the grills and burn bans up to municipalities regarding how they police them. Mayor Pro Tem Sutton asked if the fire pit would be on a maintenance schedule. Public Works Director Lindsey said it was checked and cleaned twice weekly. City Manager Cobb noted that the city and its citizens should not be burning anything if there is a burn ban. Councilmember Coxwell asked if there would be any way to educate citizens on fire pit safety. Public Works Director Lindsey stated he would look into it. Mayor Pro Tem Sutton asked if the fire extinguisher would be kept in anything for the risk of theft. Public Works Director Lindsey stated that it is an option, as well as the addition of cameras. Mayor Stein asked if there was a motion to approve the attached design elements, with the proposed minor modifications and the recommendations from the Fire Marshall regarding the fire pit, including placement at least 15 feet from the pavilion, posting rules for use, mounting a fire extinguisher, requiring a park reservation, and providing regular maintenance. Mayor Pro Tem Sutton initiated the motion which was seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.9. Discussion of FDEP Consent Order Amendment #2

Public Works Director Lindsey led the discussion about the FDEP Consent Order Amendment, which stated that the city should explore funding opportunities for constructing a wastewater force main to the Okaloosa County Wastewater Treatment Facility, which would decommission the city's plant. Hurlburt Field has expressed partnership interest and is conducting a study of all available options, and to move forward, staff must seek a time extension from FDEP. Councilmember Oder asked if they knew that the Department of Defense moves very slowly. City Manager Cobb stated that FDEP is aware.

11.10. Discussion of Photo Speed Enforcement in School Zones

City Manager Cobb led the discussion of photo speed enforcement, stating that if the city wishes to continue, a speed study would need to be conducted and then a public hearing before moving forward with an ordinance. Councilmember Coxwell stated that Fort Walton Beach used Shalimar's ordinance for theirs. City Manager Cobb said it would be better to have an independent study done if anyone wished to challenge it. Councilmember Oder asked if it would still operate if the lights were blinking and the school was not in session. City Manager Cobb stated that according to state law if the school is not in session, no citations are sent out, and if the system did write a citation, a human would need to review it. If it still was sent out, a person could challenge the citation.

11.11. Review of Projects for FY 2025 Legislative Appropriation Request

City Manager Cobb led the discussion on the legislative appropriation request, stating that requesting funding would need to go through the whole legislative process and having a discussion with the legislators if they will still support it. Mayor Stein asked if there was any discussion. Mayor Stein asked for a motion to authorize the City Manager to submit an FY 2026 Local Funding Initiative Request to the Florida Senate and Florida House of Representatives for the Okaloosa County Wastewater Connection for the amount of \$1,000,000 and the Northwest Stormwater Improvements for the amount of \$500,000. Mayor Pro Tem Sutton initiated the motion, seconded by Councilmember Lawson. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Richard Lawson
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.12. Approval of FY 2025 Action Plan

City Manager Cobb led the discussion of the FY 2025 Action Plan, stating that 2 items were not included in the budget. One was a farmers market and one was a study of possible annexation into the fire district. Mayor Pro Tem Sutton discussed the study and wanted to see if the citizens would be interested in a referendum to be absorbed into the fire district. Mayor Stein asked if the citizens would vote on the tax the fire district would put. City Manager Cobb stated that the legislature would have to pass legislation for this to occur. Fire Chief Wagner stated it could go to a referendum to citizens would could then be taken to legislatures to help the process and that he has also heard the council can make the decision and take it to the legislature but that the former makes a stronger case. Councilmember Coxwell asked where the farmers marker would be with City Manager Cobb stating the two researched locations are next to the library or working with the mall. Councilmember Oder stated that depending on how in-depth the city goes with studies, the more it will cost. He also asked if the city manager felt comfortable with the dates presented. City Manager Cobb stated that he was comfortable. Mayor Stein asked for a motion to approve the FY 2025 Action Plan as presented. Mayor Pro Tem Sutton initiated the motion and seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Mayor Pro Tem April Sutton

SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.13. Approval of FY 2025 City Manager Work Plan

City Manager Cobb led the discussion on the work plan, stating it is something approved every year by the council with goals specific to the city manager. Mayor Stein asked if there were any questions. Councilmember Oder asked if the city manager was comfortable with the dates. City Manager Cobb stated he was comfortable. Mayor Stein asked for a motion to approve the FY 2025 City Manager Work Plan. Councilmember Coxwell initiated the motion and seconded by Councilmember Oder. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Susan Coxwell
SECOND:	Councilmember Bernie Oder
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

11.14. Consideration of Resolution 24-10, Adoption of Standards to Safeguard Against Cybersecurity Threats

City Manager Cobb led the discussion on Resolution 24-10, stating that the state legislature requires this for a framework of cybersecurity standards. He also stated everyone would be required to do a 4 hour training on cybersecurity. City Clerk Morris read the title of Resolution 24-10. Mayor Stein asked for a motion to approve Resolution 24-10, adoption of standards to safeguard against cybersecurity threats. Councilmember Lawson initiated the motion and seconded by Councilmember Coxwell. The motion passed 5-0.

RESULT:	PASSED (5-0)
MOVER:	Councilmember Larry Carter
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, Susan Coxwell
NAYS:	None

12. COUNCILS' STANDING COMMITTEE STATUS REPORTS

Mayor Pro Tem Sutton discussed her trip to Orlando and the Florida League of Cities conference, thanked the fire department and sheriff's department for working during the holidays, thanked the library and maintenance staff for the hard work with the city's tree lighting, and wished everyone merry Christmas and happy new year.

Councilmember Coxwell discussed the success of the tree lighting, her participation in OCHIP meetings, and her organizing of a community land trust, and she wished everyone a good holiday.

Councilmember Lawson stated he regretted missing the tree lighting but that it was due to his surgery.

Councilmember Carter wished everyone a merry Christmas and a happy new year.

Councilmember Oder discussed his trip to Orlando for the Florida League of Cities conference, thanked the sheriff and code enforcement for dealing with a homeless issue, the upcoming Northwest Florida

League of Cities dinner, the city Christmas party, and congratulated the fire chief on his promotion.

Mayor Stein discussed the success of the tree lighting, the upcoming Santa runs, the Santa photo-op, the upcoming workshop, the houses for the home for the holidays certificate, and the city manager's birthday.

13. OTHER COMMENTS

City Attorney Comella had no comments.

City Clerk Morris discussed that he and the mayor signed contracts with the Okaloosa League of Cities to work with them, his grades received in his master's program, his upcoming vacation, and wished everyone happy holidays, merry Christmas, and happy new year's.

City Manager Cobb discussed the upcoming workshop.

14. ADJOURN

The council meeting adjourned at 7:55 p.m.



City of Mary Esther
Code Compliance

195 Christobal Road North
Mary Esther, FL 32569
Phone: 850-243-3566
Email: code@cityofmaryesther.com

Case Number: **CODE-000087-2024**

Case Type: **Code Compliance**

Date Case Established: **10/17/2024**

Compliance Deadline: **11/06/2024**

Owner: Ian Blaise

Mailing Address

Ian Blaise
702 Lakeside N DR N
Destin, FL 32541

The City of Mary Esther has adopted ordinances to support a safe, healthy, and neighborly community. During a recent code compliance inspection, an ordinance violation was observed at the address below:

Address

Parcel

101 W MIRACLE STRIP PKWY PKWY
MARY ESTHER, FL 32569

16-2S-24-1710-000C-0130

We are issuing this Courtesy Notice to allow you an opportunity to correct the violation. If Corrective Action is completed by the Compliance Date your case will be closed and no further action will be necessary. Failure to correct the violation will result in a Violation Notice and additional code compliance action.

Violation: 14.5-3 (a)(4) - Parking Trailer Or Boat On A City Street, Park Or Thoroughfare In Excess Of 24 Hours

Parking Trailer Or Boat On Roadway

Corrective Action: Boats and Boat Trailers may not be parked on R-O-W and shall be parked within approved designated area.

Compliance Date: 11/06/2024

Violation: 16.14.00(a)(b)(c) - Signage Without A Permit

Erection Of A Sign Without A Permit

Corrective Action: Obtain all necessary permits for signage. This includes feather flags and store signs.

Compliance Date: 11/06/2024

Violation: CO 8.05.04 (A)(B) F.S. 553.5041 (6) - Handicap Parking Sign Requirements

Corrective Action: ADA parking sign shall meet City code requirements.

Compliance Date: 11/06/2024

Violation: LDC 8.05.01; 8.05.03 - Parking Lot Striping LDC

Minimum parking lot design standard

Corrective Action: Parking lot shall meet City Code standards.

Compliance Date: 11/06/2024

Violation: LDC 8.05.04; FS 553.5041 - ADA Parking Lot Design

Corrective Action: Parking lot design shall meet City Codes. Parking lot design shall meet all ADA standards.

Compliance Date: 11/06/2024

Violation: Other - Other

Corrective Action: Setbacks I (2). Front Yard: On every lot or parcel, there shall be a front yard (setback) of not less than fifty (50) feet. No building, structure, accessory structure, fence, wall, seating or other use is permitted within the front setback or forward of the building. Remove ice machine constructed within front setback.

Compliance Date: 11/06/2024

If you have any questions regarding this notice, please feel free to contact me at 850-243-3566 or code@cityofmaryesther.com.



City of Mary Esther
Code Compliance

195 Christobal Road North
Mary Esther, FL 32569
Phone: 850-243-3566
Email: code@cityofmaryesther.com

Sincerely,

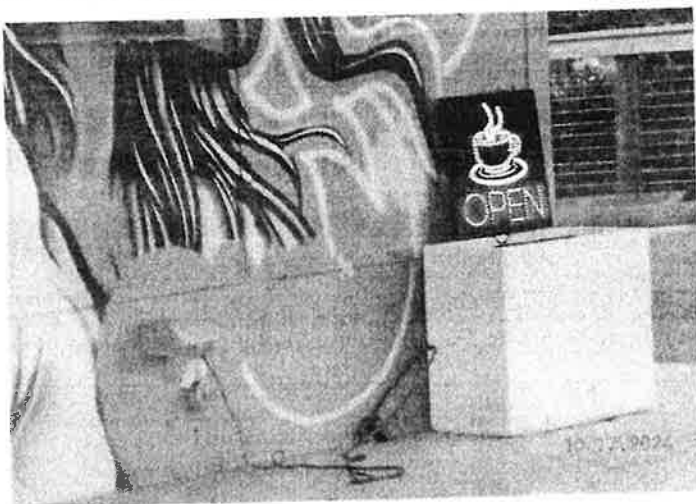
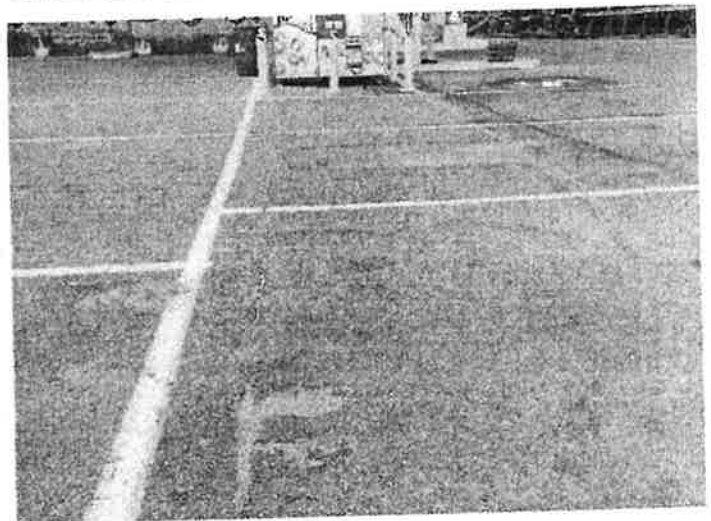
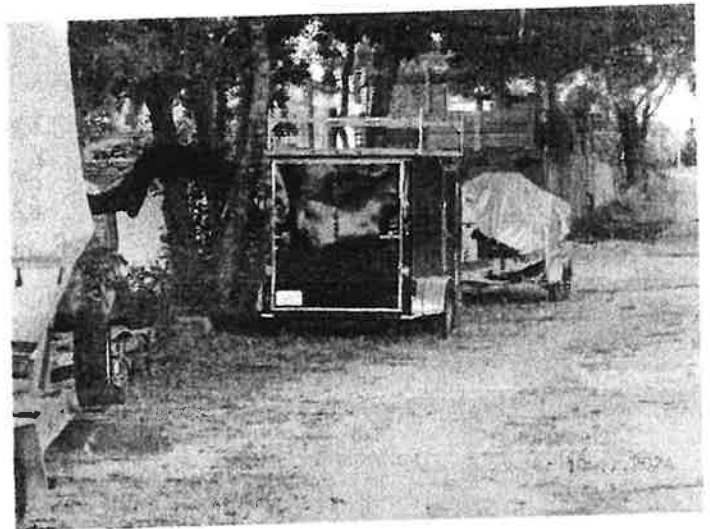
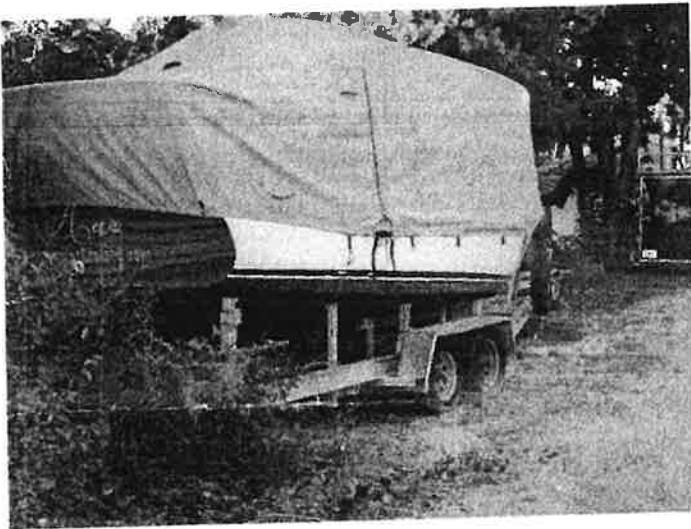
Kelvin Cherry
Code Compliance Officer - Badge Number: 1058

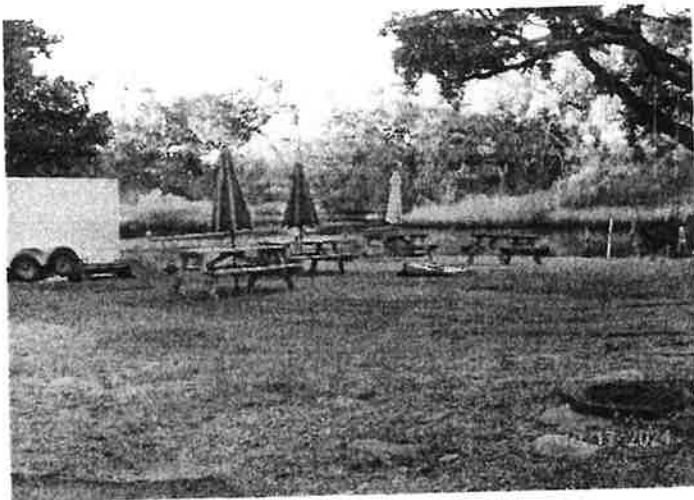
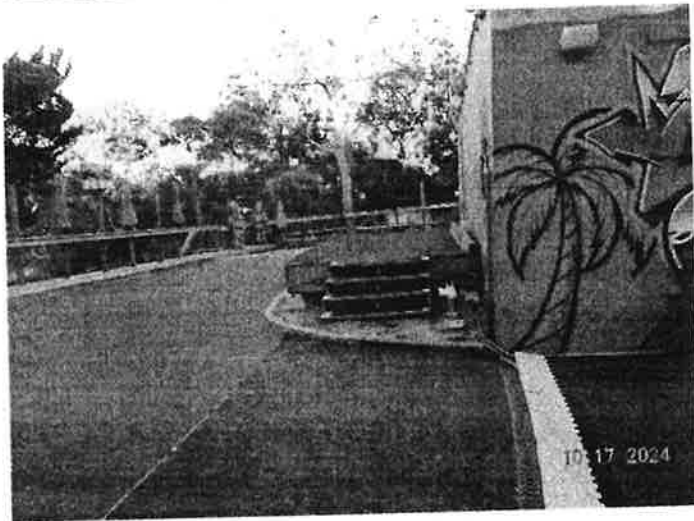
Case Number: **CODE-000087-2024**

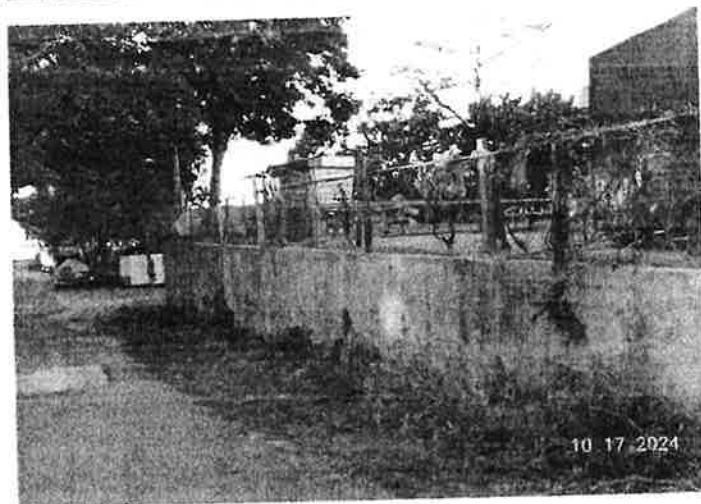
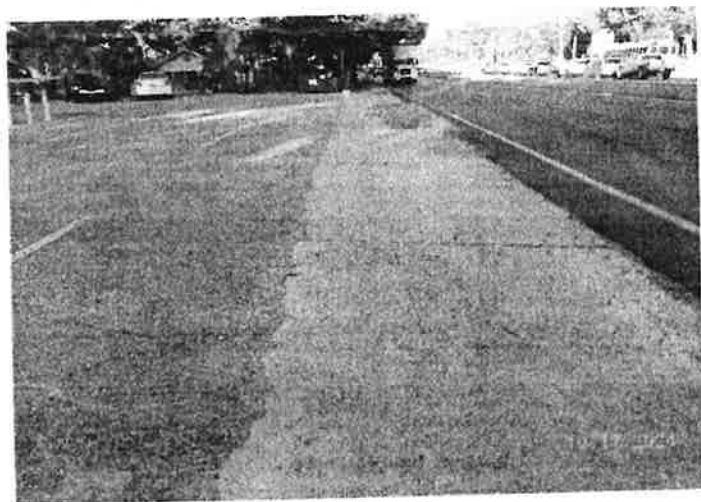
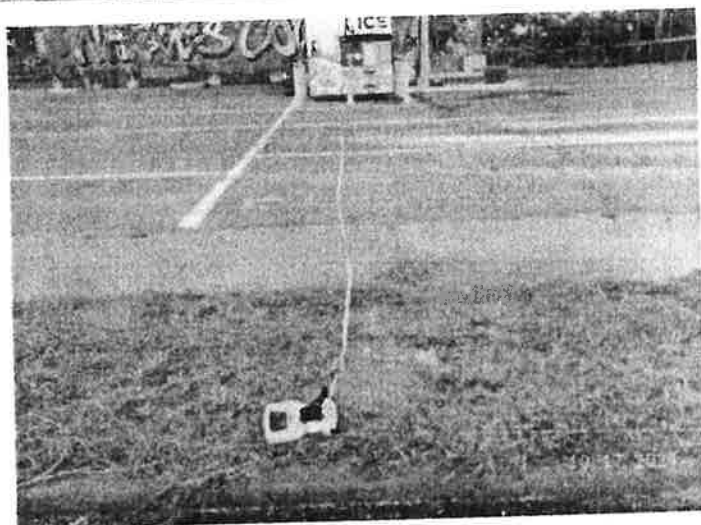
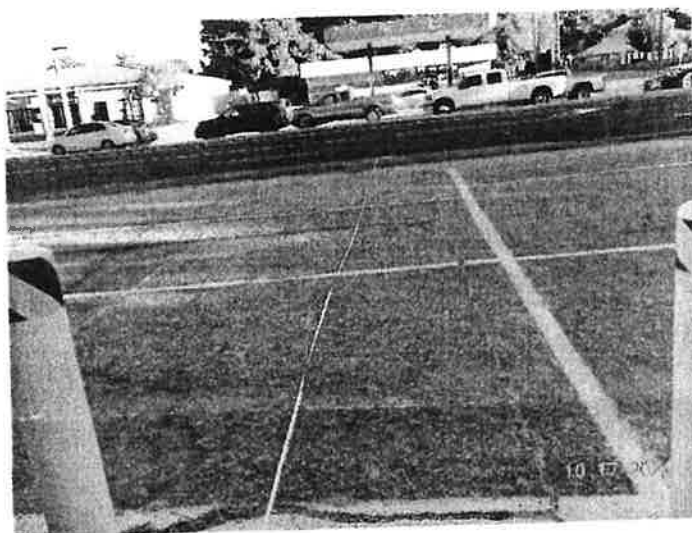
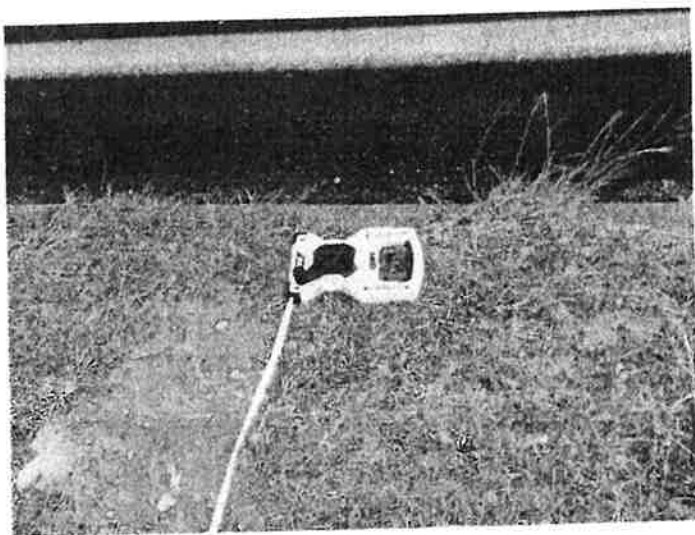
Case Type: Code Compliance

Date Case Established: 10/17/2024

Compliance Deadline: 11/06/2024







16.03.00 - PROHIBITED SIGNS

The following signs and sign-types are prohibited within the City and shall not be erected. Any lawfully existing permanent sign or sign-type which is among the prohibited signs and sign-types listed below shall be deemed a nonconforming sign subject to the provisions of this Article 16 and Section 7.17.00, Nonconforming Uses and Structures.

- (a) Billboards; off-premises and off-site advertising signs.
- (b) Portable signs.
- (c) Roof signs.
- (d) Signs that exceed the maximum height and/or size limitations set forth in this Article 16.
- (e) Signs displayed in excess of the maximum number of signs per lot as set forth in this Article 16.
- (f) Snipe signs and bandit signs.
- (g) Prohibited vehicle signs.
- (h) Abandoned and discontinued signs and sign structures.
- (i) Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device.
- (j) Any sign within a sight visibility triangle that obstructs a clear view of pedestrian or vehicular traffic.
- (k) Any sign in the public right-of-way, other than Traffic Control Device Signs, bus stop informational signs, warning signs or safety signs.
- (l) Any sign other than a Traffic Control Device Sign that uses the word "stop" or "danger," or presents or implies the need or requirement of stopping or the existence of danger, or which is a copy or imitation of official traffic control device signs, and which is adjacent to the right-of-way of any road, street, or highway.
- (m) Any sign prohibited by state or federal law.
- (n) Any sign located on real property without the permission of the property owner.
- (o) Signs that emit sound, vapor, smoke, odor, particles or gaseous matter.
- (p) Revolving signs.
- (q) Wind signs.
- (r) Signs with unshielded illuminating devices.
- (s) Intermittent signs.
- (t) Projecting signs.
- (u) Sandwich board signs.

16.14.00 - SIGN PERMITS

- (a) *Permanent Signs.* A sign permit application for a permanent sign shall be made upon a form provided by the City. The requirement for a sign permit application is in addition to any building permit application required by the Florida Building Code. The sign permit application shall be accompanied by plans and specifications drawn to scale, together with any site plan required by the Code. The applicant shall furnish the following information on or with the sign permit application form:
- (1) The legal description of the real property where the sign is proposed to be located.
 - (2) The zoning district for the real property on which the sign will be located.
 - (3) The name, mailing address and telephone number (where available) of the owner(s) of the real property where the sign is proposed to be located.
 - (4) A notarized statement of authorization signed by the owner(s) consenting to the placement of the proposed sign on the real property.
 - (5) The name, mailing address and telephone number of the sign contractor.
 - (6) The type of proposed sign (e.g., attached wall sign, freestanding sign).
 - (7) The square footage of the surface area of the proposed sign.
 - (8) The setbacks for the proposed sign.
 - (9) The value of the proposed sign.
 - (10) If the proposed sign is a freestanding sign, the height of the proposed freestanding sign.
 - (11) If the proposed sign is an attached wall sign, the total number of permanent wall signs on the facade of the building to which the proposed sign will be attached, including the proposed sign.
 - (12) Whether the proposed sign will be an illuminated or non-illuminated sign.
- (b) *Temporary Signs.* For a temporary sign that requires a sign permit pursuant to Section 16.04.00, a sign permit application shall be made upon a form provided by the City that requires such information as necessary to enforce the provisions of this Article 16.
- (c) *Permit Review and Appeal.* An applicant shall deliver a sign permit application for a permanent sign to the City's Planning and Zoning Department.

(Ord. No. 2011-01, § 1, 6-6-11; Ord. No. 2013-07, § 1, 8-5-13)

16.01.00 - DEFINITIONS

All words used in this Article 16 shall carry their customary dictionary meanings, except that the following words, terms and phrases, when used in this Article 16, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned or discontinued sign or sign structure means a sign or sign structure is considered abandoned or discontinued when its owner fails to operate or maintain a sign for a period of six months or longer. The following conditions shall be considered as the failure to operate or maintain a sign: (i) a sign displaying advertising for a product or service which is no longer available or displaying advertising for a business which is no longer licensed, or (ii) a sign which is blank.

Advertising means sign copy intended to aid, directly or indirectly, in the commercial sale, use or promotion of a product, commodity, service, activity, entertainment, or real or personal property, or to advertise any other commercial message.

Animated sign means a sign which includes action, motion, or color changes, or the optical illusion of action, motion, or color changes, including signs set in motion by movement of the atmosphere, or made up of a series of sections that turn.

Artwork means a two- or three-dimensional representation of a creative idea that is expressed in a form and manner as to provide aesthetic enjoyment for the viewer rather than to specifically convey the name of the business or a commercial message about the products or services offered on the property upon which the artwork is displayed.

Attached sign means a wall sign, a marquee sign, a window sign, but not a canopy sign.

Bandit sign see *Snipe sign*.

Banner means a temporary sign made of wind and weather resistant cloth or other lightweight material, intended to hang either with or without frames or in some manner as not to be wind activated, and possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind, as well as any sign or string of one or more signs, usually made of cloth or other lightweight material, which is used to attract attention, whether or not imprinted with words or characters, including but not limited to balloons and pennants. Flags shall not be considered banners.

Billboard means a sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign structure and/or sign is located.

Council means the City Council of the City of Mary Esther.

Canopy sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Commercial message means any sign wording, logo, or other representation or image that directly or indirectly names, advertises, or calls attention to a product, service, sale or sales event or other commercial activity.

Construction sign means a temporary on-premises sign that functions to identify the ongoing construction activity during the time that a building permit is active and prior to completion of the work for which the permit was issued, containing sign copy that is limited to the ongoing construction activity and identifying the contractor and/or any subcontractor engaged to perform construction activity on the site.

Copy means the linguistic or graphic content of a sign.

Double-faced sign means a single sign with items of information relating to the same business on both sides of the sign and mounted as a single structure.

Election sign means a temporary sign erected or displayed for the purpose of expressing support for or opposition to a candidate or stating a position regarding an issue upon which the voters of the City shall vote.

Erect means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish; but it does not include any of the foregoing activities when performed as an incident to the change of advertising message or customary maintenance or repair of a sign.

Facade means the side of a building, either front or side; and a building facade may be less than the entire side of a building if limited to the occupancy of a portion of a building.

Feather Flag means a commercial sign composed of a fabric or vinyl material placed on a pole, generally displayed in a vertical position, properly anchored with a ground stake or base stand.

Flag means any fabric, or bunting containing distinct colors, patterns or symbols, used as an ornamental flag or as a symbol of government, political subdivision, corporation or business or other entity, or as personal message regardless of content. (See also Ornamental flag.)

Flagpole shall mean a pole on which to raise a flag.

Flashing sign means a sign which permits light to be turned on or off intermittently more frequently than once per minute.

Free expression sign means a sign, not in excess of three (3) square feet in size (area) per side and the top of the sign is not more than six (6) feet off the ground, or not more than three (3) feet if displayed as a freestanding sign, communicating information or views on matters of public policy concern or containing any other noncommercial message, that is otherwise lawful.

Freestanding sign means a sign supported by structures or supports that are placed on or anchored in the ground or at ground level and which are independent of any building or other structure. Unless otherwise limited or restricted, a freestanding sign may be either a monument sign or a pole sign.

Garage or yard sale sign (garage-yard sale sign) means any onsite temporary sign that functions to identify the sale of personal property in, at or upon any residentially-zoned property located in the City. Garage or yard sales shall include but not be limited to all such sales, and shall include the advertising of the holding of any such sale, or the offering to make any sale, whether made under any name such as garage sale, lawn sale, yard sale, front yard sale, back yard sale, home sale, attic sale, rummage sale, patio sale, flea market sale, or any similar designation.

Ground level means the finished grade of a parcel of land exclusive of any filling, berming or mounding. Ground level on marina docks or floating structures shall be the finished grade of the landward portion of the adjoining parcel.

Grand opening sign means an on-premises temporary sign that functions to announce the opening of a new business, that does not exceed sixteen (16) square feet in sign area and that is not displayed for longer than thirty (30) days after the opening date of the new business.

Height means vertical distance measured from ground level nearest the base of the sign to the highest point on the sign.

Holiday and seasonal decorations means decorations that pertain to legal or other recognized holidays or to a season of the year.

Illegal sign means any sign, which has been determined to be in violation of any provision of this Article 16.

Illuminated sign means any sign or portion thereof, which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign.

Incidental sign means a sign not exceeding one square foot in size attached to a freestanding sign or affixed to a wall, that either (a) identifies credit cards accepted by the owner, tenant, or occupant of the parcel where the incidental sign is located, or (b) provides an official notice of services required by law or trade affiliation.

Intermittent sign means a sign, which permits light to be turned on or off intermittently more frequently than once an hour. An intermittent sign includes an LED sign and any other electronic variable message sign whereby the message changes more frequently than once every hour.

LED sign means a sign utilizing Light Emitting Diodes.

Lot see definition of *Parcel*.

Machinery or equipment sign means a sign incorporated into machinery or equipment by a manufacturer or distributor, that functions only to identify or advertise the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths, and gasoline pumps.

Maintenance as applied to a sign structure or a sign means the replacing, repairing or repainting of a portion of sign structure, periodically changing changeable copy or renewing copy, which has been made unusable by ordinary wear.

Marquee means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee sign means any sign attached to a marquee.

Monument sign means an on-site, permanent, freestanding sign mounted on a base or other supports and where the bottom of the sign face is located within three (3) feet of ground level.

Nameplate sign or occupant identification sign means a sign that functions to identify the name and/or profession or address of a person or persons residing on the premises or legally occupying the premises.

Noncommercial message means any message which is not a commercial message.

Noncommercial on-site directional sign means an on-site sign that functions to provide direction or information to pedestrian or vehicular traffic that is related or reasonably necessary to the movement of pedestrian or vehicular traffic on the premises, and not displaying a commercial message, e.g., "entrance," "exit," "caution," "handicap parking," "no parking," "one way only," "no trespassing," and the like.

Nonconforming sign means a sign which was lawfully erected, but which does not conform to the regulations provided in this [Article 16](#).

Off-premises advertising sign or off-site advertising sign means any sign displaying a commercial message relating in its subject matter to commodities, accommodations, services or activities on a premises other than the premises on which the sign is located.

On-premises sign or on-site sign means any sign relating in its subject matter to the commodities, accommodations, service or activities on the premises on which the sign is located.

Ornamental flag means any fabric or similar material containing patterns, drawings or symbols used for decorative purposes and designed to be flown as a flag.

Parcel means land which has been or which is proposed to be used, developed, or built upon as a unit under single ownership.

Parapet means a false front or wall extension above the roofline of a building.

Pennant means any series of small flag-like or streamer-like pieces of cloth, plastic, paper or similar material attached in a row to any staff, cord, building, or at only one or two edges, the remainder hanging loosely.

Permanent sign means any sign or sign structure that, when installed, is intended for permanent use. For the purposes of this Article 16 any sign or sign structure with an intended use in excess of twelve (12) months from the date of installation shall be deemed a permanent sign.

Pole sign means an on-site, permanent, freestanding sign that is mounted on a pole(s) or other support(s) that is placed on and anchored in the ground or on a base and that is independent from any building or other structure.

Portable sign means any sign, banner, or poster that is not permanently attached to the ground or structure. For purposes of this Article 16, a cold air inflatable sign shall be considered to be a portable sign.

Premises means any property owned, leased or controlled by the person actively engaged in business at that location.

Prohibited vehicle sign means any sign or signs where the total sign area covers more than ten square feet per side of the vehicle, when the vehicle is not "regularly used in the conduct of the business or activity" advertised on the vehicle, and (a) is visible from a street right-of-way within one hundred feet of the vehicle, and (b) is parked for more than two consecutive hours within one hundred feet of any street right-of-way. A vehicle shall not be considered "regularly used in the conduct of the business or activity" if the vehicle is used primarily (i) for advertising, (ii) for the purpose of advertising, or (iii) for the purpose of providing owners or employees transportation unrelated to the day-to-day operation of the business or activity advertised on the vehicle.

Projecting sign means any sign affixed perpendicularly to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

Real estate sign means a sign that functions to advertise and identify the sale, rental or lease of the premises or part of the premises on which the sign is displayed temporarily.

Revolving sign or rotating sign means any sign that revolves or rotates.

Rider means an additional sign not exceeding one square-foot in size, attached to a temporary real estate sign, and that functions to advertise and identify some special circumstance or additional information pertaining to the real property (e.g., "reduced price," "waterfront lot," etc.).

Roof sign means any sign erected and constructed wholly on or over the roof of a building, which is supported by the roof structure, or any sign that extends in whole or in part above the roofline of a building.

Roofline means the highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal ridgeline or the highest line common to one or more principal slopes of roof. On a flat roof, the roofline is the highest continuous line of a roof or parapet, whichever is higher.

Safety sign see *Warning sign*.

Sandwich board sign means a temporary portable double-faced, freestanding sign.

Sight visibility triangle means a triangular shaped portion of land established at street intersections or street and driveway intersections in which nothing is erected, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. For street intersections, this triangle is measured thirty (30) feet in length from the intersection along the abutting right-of-way lines to form a triangle; and for driveway intersections, this triangle is measured ten (10) feet from the intersection along the right-of-way line and along the driveway line to form a triangle.

Sign means any device, fixture, placard or structure which uses color, form, graphics, illumination, architectural style or design with text, or writing to advertise, attract attention, announce the purpose of, or identify the purpose of any person or entity or to communicate information of any kind to the public. The term "sign" includes sign structure. The following shall not be considered signs subject to the regulations of this Article: official markers, artwork, holiday or seasonal decorations, cemetery markers, machinery or equipment signs, memorial signs or tablets.

Sign area means the total square foot area of sign surface, including all parts thereof devoted to the background, computed by bounding the exterior of the sign structure or surface with a series of straight or curved lines tangent thereto (see illustrative examples referenced in [Section 16.01.01](#)). The area of a sign painted directly on a wall or awning and signs with letters attached directly to walls or awnings shall be calculated by constructing an imaginary series of straight lines or lines formed, bounded or characterized by curves around the outside of all elements of the sign.

Sign face means the part of the sign that is or can be used to identify, display, advertise, communicate information, or for the visual representation, which attracts or intends to attract the attention of the public for any purpose. An enclosed part of a sign shall be part of the sign face regardless of whether the enclosure is used for display of any type of communication.

Sign structure means any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports, or other components attached to or placed around the sign structure.

Snipe sign (bandit sign) means any sign tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, or fences, with the message appearing thereon not applicable to the present use of the premises upon which the sign is located.

Special event sign means a content-neutral on-premises sign that functions to provide notice of, or direction to, an event, gathering, assembly or meeting. A special event sign may include inflatable signs, i.e., balloon signs.

Statutory sign means a sign required by any statute or regulation of the State of Florida or the United States.

Street address sign means any sign that functions to denote the street address of the premises on which it is attached or located.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

Substantial improvement shall mean any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure, either: (1) Before the improvement or repair is started; or (2) If the structure has been damaged and is being restored as before the damage occurred.

Traffic Control Device sign means any sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the National Standard. A traffic control device sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).

Vehicle means a machine propelled or towed by power, other than human power, designed to travel in air or water or on land and to transport persons or property or to pull machinery and shall include without limitation automobile, truck, trailer, recreational craft, semitrailer, truck tractor and semi-trailer combination, motorcycle, tractor, watercraft, aircraft, buggy or wagon.

Visibility triangle see *Sight visibility triangle*.

Wall sign means a sign which is fastened to, mounted on, or erected against the wall or facade of a building with its face in a parallel plane with the plane of the building facade or wall, which is used for advertising. A wall sign also includes an attached sign.

Warning sign or safety sign means a sign that functions to provide a warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage, condemned building, etc.) or that provides warning of a violation of law (e.g., no trespassing, no hunting allowed, etc.).

Window sign means any sign mounted in any fashion on the interior or exterior of the surface of a window.

Wind sign means a sign, which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include banners, pennants, ribbons, spinners, streamers or captive balloons; however, the term wind sign shall not include flags or feather flags.

(Ord. No. 2011-01, § 1, 6-6-11; Ord. No. 2013-07, § I, 8-5-13; Ord. No. 2019-10, § I, 6-3-19)



City of Mary Esther
Code Compliance Department
195 N. Christobal Road
Mary Esther, FL 32569
Phone: (850) 243-3566 Ext.3
Email: code@cityofmaryesther.com

OFFICE USE ONLY

Date Received: _____

By: _____

Tracking # _____

BUILDING PERMIT APPLICATION

January 2021

JOBSITE INFORMATION	
Jobsite Address:	Mary Esther, FL 32569
Parcel Number: - - - - -	☐ Residential ☐ Commercial
Scope of Work: _____	
Total Job Cost/Contract Amount (Full Retail Value For Labor, Materials, Etc.) \$	
PROPERTY OWNER INFORMATION	
Owner Name:	Address:
Email:	Phone:
APPLICANT INFORMATION	
Applicant Name:	Company:
Email:	Phone:
PRIMARY / GENERAL CONTRACTOR INFORMATION	
Business Name:	Owner Name:
Phone Number:	Email:
Mailing Address:	
List All Currently Held State and County Construction Licenses Type and Number:	
SUB-CONTRACTORS	
Electrical Contractor:	
Phone Number:	Email:
Mailing Address:	
State/County License Number:	
Plumbing Contractor:	
Phone Number:	Email:
Mailing Address:	
State/County License Number:	
Mechanical Contractor:	
Phone Number:	Email:
Mailing Address:	
State/County License Number:	
Other Contractor:	
Phone Number:	Email:
Mailing Address:	
State/County License Number:	
Engineer/Architect:	
Phone Number:	Email:
Mailing Address:	
State License Number:	

Permitting and Plan Submittal Requirements: In addition to applying with the City of Mary Esther, you may be required to apply with Okaloosa County Department of Growth Management, Florida Department of Environmental Protection, North West Florida Water Management District Environmental Resource Permitting, Army Core of Engineers, or other respective agencies. A City permit guide is available for most types of scope of work. Please review the guide that applies to your project for a comprehensive list of required items to be submitted along with your permit application. Permits solely for electrical, mechanical, plumbing, irrigation, windows, doors and siding are processed by Okaloosa County Department of Growth Management, 1250 N. Eglin Pkwy, Suite 301, Shalimar, FL 32579 (850) 651-7180. All engineered plans and certified surveys must be originals, have the proper seal and be wet signed. Copies and printed signatures are not accepted. 3 sets are required. In addition to a City permit, an Okaloosa County permit is also required for the following work including but not limited to: roofing, re-roofs, docks, boathouses, additions, residential and commercial structures, carports, accessory structures over 200 SQFT, in-ground swimming pools, full remodel, telecommunications, etc.

There are some properties that may have deed restrictions, property restrictions or easements recorded upon them. These restrictions may limit or prohibit the work applied for in your building permit application. A search of the public records shall be done by the surveyor. All surveys must show any restrictions and easements or state that there are none of record.

Warning/Notice to Owner: Your failure to record a Notice of Commencement may result in your paying twice for improvements to your property. A Notice of Commencement must be recorded with the Okaloosa County Clerk of Court and posted on the job site before the first inspection. If you intend to obtain financing, consult with your lender or an attorney before commencing work or recording your Notice of Commencement. If you are applying to perform the work or installation yourself as the property owner, you must also complete an Owner/Builder Affidavit Form and submit it with the application.

Notice to Contractor: In accordance with City of Mary Esther Code of Ordinance Chapter 13 and Florida Statutes 489.127, all contractors, whether State licensed or not, must register with the City of Mary Esther prior to performing any work or providing any service within the City limits. This applies regardless if a permit is required for the scope of work by the City, County or other entity. Please contact 850-243-3566 Ext.10 or licenses@cityofmaryesther.com to register.

Owner/Contractor Affidavit: Application is hereby made to obtain a permit to do the work and installations as indicated herein. I certify that no work or installation has commenced prior to the issuance of a development order or permit(s) OR that I have notified the Department if work has commenced without the required development order or permit(s). In consideration of the granting of this requested permit, I do hereby agree that I will, in all respects, perform the work in accordance with the approved plans, the 2020 Florida Building Code 7th Edition, City Code of Ordinances and Land Development Code, 2020 Florida Fire Prevention Code 7th Edition and all other respective codes and their current editions, and that no deviations to the approved scope of work and plans will be made without the express permission of the City.

Under the penalty of perjury, I certify that all the foregoing information is true and accurate and that all work will be done in compliance with all applicable laws regulating construction, land development, contractor licensing and registration, and zoning. Falsified construction costs will subject your permit fees to be doubled and may result in revocation of your contractor registration.

DO NOT SIGN BELOW UNLESS IN THE PRESENCE OF AND WITNESSED BY A NOTARY PUBLIC. IF SIGNING AS AN EMPLOYEE OR AGENT OF THE CONTRACTOR, YOU WILL NEED TO BE LISTED AS AN APPROVED SIGNATORY BY THE CONTRACTOR BY PROVING A NOTARIZED LETTER FROM THE CONTRACTOR LISTING YOU AS AN AUTHORIZED SIGNER FOR PERMITS.

_____	_____	_____
Print Name	Signature	Date

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence OR ☐ online notarization this _____ day of _____, 20_____, by _____.

____ Personally Known OR ____ Produced Identification

Type of Identification Produced _____

Notary Public

- Division I contractors *may do structural work for Docks, Seawalls, and Boat Houses* but are required to carry the Longshoremen's and Harbor Worker's Compensation Insurance Rider and provide proof of such coverage {Florida Administrative Code - 61G4-15.033(3)}.

DIVISION - II - Electrical, Trade, and Specialty Contractors

{**¶489.505, ¶489.105(3)(d-q), and Sarasota County Ordinance 2002-079, Section 22-112(D, E, & F)**}

MASTER ELECTRICAL CONTRACTOR (State-EC and Local-ER License) {**¶489.505(12)**}

Unlimited in the electrical trade. An EC license holder may also do alarms and electric advertising signs. An ER license holder *cannot* do alarms.

LIMITED ENERGY SYSTEMS (State- LES License Only) {Florida Administrative Code - **¶61G6-7.001(4)**}

Limited to the installation, repair or design of electrical wiring, fixtures, appliances, thermostats and fiber optics not exceeding **77 volts**. This also includes transmitting data, proprietary video (satellite systems), radio frequency, central vacuum, electric locks, data distribution networks, home theater systems, surround sound systems, public address or telephone systems.

SIGN SPECIALTY ELECTRICAL CONTRACTOR (State-ES, Local-ET License) {Florida Administrative Code - **¶61G6-7.001(2)**}

Includes the structural fabrication including concrete foundation, erection, installation, alteration, repair, service and wiring of electrical signs and outline lighting and connection to the last electrical disconnect or terminal point.

ALARM SYSTEM CONTRACTOR I (State License Only) {**¶489.505(2)(a)**}

Includes all types of alarms for all purposes.

ALARM SYSTEM CONTRACTOR II (State License Only) {**¶489.505(2)(b)**}

Includes all types of alarms for all purposes **but does not include fire alarms**.

CLASS "A" AIR-CONDITIONING CONTR. (State-CA and Local-RA License - Class A) {**¶489.105(3)(f)**}

Unlimited in the air-conditioning, refrigeration, heating, and venting trade including boilers and stove hoods. Includes duct work and control wiring associated with those systems and connection to an existing power disconnect. Can connect and disconnect gas appliances. Also includes pressure, process and pneumatic control piping.

CLASS "B" AIR-CONDITIONING CONTR. (State-CA and Local-RA License - Class B) {**¶489.105(3)(g)**}

Limited in the air-conditioning, refrigeration, heating, and venting trade (including stove hoods) to 25 tons of cooling and 500,000 BTU of heating in any one system. Includes duct work and control wiring associated with those systems and connection to an existing power disconnect. Can connect & disconnect gas appliances.

CLASS "C" AIR-CONDITIONING CONTR. (State-CA and Local-RA License - Class C) {**¶489.105(3)(h)**}

WHAT EACH LICENSE TYPE CAN DO (Abbreviated)

DIVISION - I - General, Building, and Residential Contractors:

F.S. 489.105(3)(a, b, & c) and Sarasota County Ordinance 2002-079, Section 22-112(D)(1, 2, & 3)

GENERAL CONTRACTOR (State-CG and Local-RG License) {¶489.105(3)(a)}

The General Contractor (also called "Class A") is unlimited in scope of (*structural*) work that may be performed. Certified "A" contractors may also do any *underground utilities* work (up to the meter), any *excavation* or *site preparation* work. A general contractor shall not be required to subcontract **structural** swimming pool work. All other swimming pool work shall be subcontracted to an appropriately licensed certified or registered swimming pool contractor.

BUILDING CONTRACTOR (State-CB and Local-RB License) {¶489.105(3)(b)}

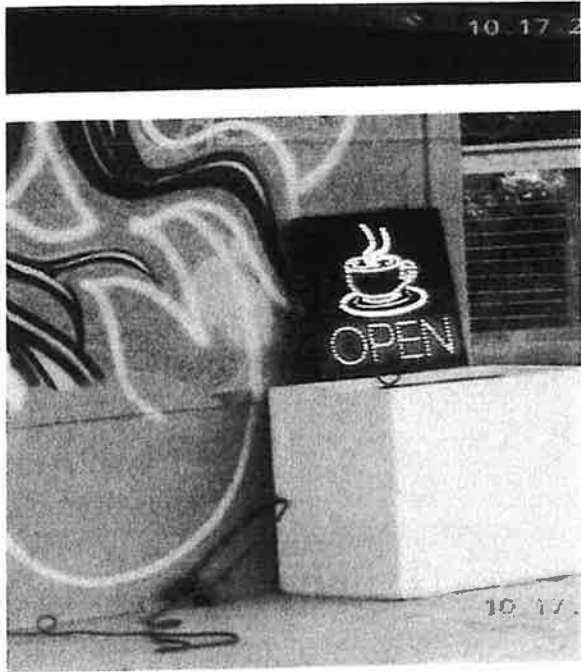
The Building Contractor (also called "Class B") is limited to commercial and residential buildings *not exceeding 3 stories* and associated accessory structures. They may also do *non-structural* repair or improvement of any size building. Certified "B" contractors may also do *excavation* and *site work*, limited to the lot on which any specific building is located. Cannot do structural swimming pool work.

RESIDENTIAL CONTRACTOR (State-CR and Local-RR License) {¶489.105(3)(c)}

The Residential Contractor (also called "Class C") is limited to *one, two, or three-family residences not exceeding two stories over one additional non-habitable story* and associated accessory structures. Certified "C" contractors may also do *excavation* and *site work*, limited to the lot on which any specific building is located. Cannot do structural swimming pool work.

Special Notes for Division I Contractors

- *Division I contractors may install (and repair under warranty) **the first conventional shingle or wood shake roof covering** on buildings they construct {¶489.113(3)(b)}. Division I contractors licensed in 1973 and before may act as unlimited roofing contractors {¶489.113(3)(g)}. All other types of roof coverings and all non-structural trade and specialty work must be sub-contracted to contractors licensed in those trade or specialty areas {¶489.113(3)}.*
- *Division I contractors **do not need Aluminum, Masonry, Window-Door, Garage Door, Storm Protection (Shutter), or Building Moving specialty licenses or specialty licensed subs** when performing this work under their own contract and supervision. Work in those categories is included within the scope of their respective licenses for building types included within the scope of their license {¶489.113(3)(a)}.*
- *Division I contractors **do not need a Building Demolition specialty license (or sub)** to take down building types included within the scope of their respective license when performing this work under their own contract and supervision. They must however have a Demolition Insurance Rider on their General Liability Coverage {¶489.113}.*



This is my \$20 open sign. Plugs into a dedicated plug outside. Kelvin says I need a permit and a specialty electrical contractor to install it.



This is plugged in with an extension cord running along the roof line. Attached by a chain on a hook.

Why is this allowed? Plugged into an extension cord.





Why is this sign allowed but - telling people not to block this area.



But directing traffic on the property to help traffic flow is not allowed.

u. Sandwich board signs

Sandwich board sign means a temporary portable double-faced, freestanding sign.



Emerald Coast Animal Hospital



The Barber Galleria has 3 sandwich board signs out front



A Day Away Spa – 425 Hollywood Blvd E



Metro Plus – Piggly Wiggly Plaza



Marines - Piggly Wiggly Plaza



Little Caesars – Piggly Wiggly Plaza



Piggly Wiggly – two signs



Viamericas – Piggly Wiggly Plaza



Café – Piggly Wiggly Plaza



Sunrise Church – ME Baptist 4 signs



Starbucks

16.03 PROHIBITED SIGNS

a. Billboard means a sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign structure and/or sign is located.



Vape Boardwalk Corner of ME Cutoff and Hollywood – advertising Next Level sign



City Hall and Library – multiple A to Z signs. Why is city hall advertising a business?



Car wash – Mary Esther Cut Off – advertising ADT.

b. Portable signs means any sign, banner or poster that is not permanently attached to the ground or structure. For purposes of this Article 16, a cold air inflatable sign shall be considered to be a portable sign.



124 W Miracle Strip Unit 503



Thrift Store – 351 Mary Esther Blvd, Ste 1 This sign is on wheels and is stored inside every night.



Not only does Forever Lawn have a Bandit sign (Portable sign) but they have (g) Prohibited vehicle sign.

g. Prohibited vehicle signs.

Prohibited vehicle sign means any sign or signs where the total sign area covers more than 10 sq feet per side of the vehicle, when the vehicle is not regularly used in the conduct of the business or activity advertised on the vehicle, and (a) is visible from a street right-of-way within one hundred feet of the vehicle and (b) is parked for more than two consecutive hours within one hundred feet of any street right-of-way. A vehicle shall not be considered “regularly used in the conduct of the business or activity” if the vehicle is used primarily (i) for advertising, (ii) for the purpose of advertising, or (iii) for the purpose of providing owners or employees transportation unrelated to the day-to-day operation of the business or activity advertised on the vehicle.



h. Abandoned and discontinued signs and sign structures.

Abandoned or discontinued sign or sign structure means a sign or sign structure is considered abandoned or discontinued when its owner fails to operate or maintain a sign for a period of six months or longer. The following conditions shall be considered as the failure to operate or maintain a sign: (i) a sign displaying advertising for a product or service which is no longer available or displaying advertising for a business which is no longer licensed, or (ii) a sign which is blank.



New city hall has 4 abandoned signs.

Temporary real estate signs—generally.

(1)

Number. For each parcel, one (1) temporary real estate sign may be displayed on each parcel of land or part thereof that is for sale, lease, or rent; however, when more than one (1) dwelling unit or nonresidential space on a parcel of land is for sale, lease, or rent, there may be one (1) real estate sign for each such unit or space.

(2)

Size. Temporary real estate signs shall not exceed four (4) square feet in sign area.

(3)

Setback. Temporary real estate signs that are freestanding (i) shall be set back at least ten (10) feet from all property lines and must be setback at least ten (10) feet from any curb or, if there is no curb, from the edge of pavement, and (ii) shall not exceed four (4) feet in height.

(4)

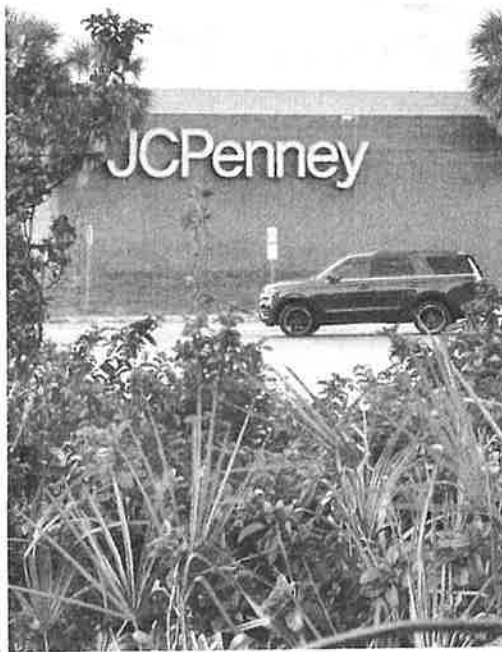
Riders. One (1) rider shall be allowed for real estate signs, and shall not be included in the size limitation; however, a rider shall not exceed one (1) square foot in size.

(5)

Duration. Temporary real estate signs shall be removed within two (2) days following the sale, lease or rent of the real estate that was offered for sale, lease, or rent.



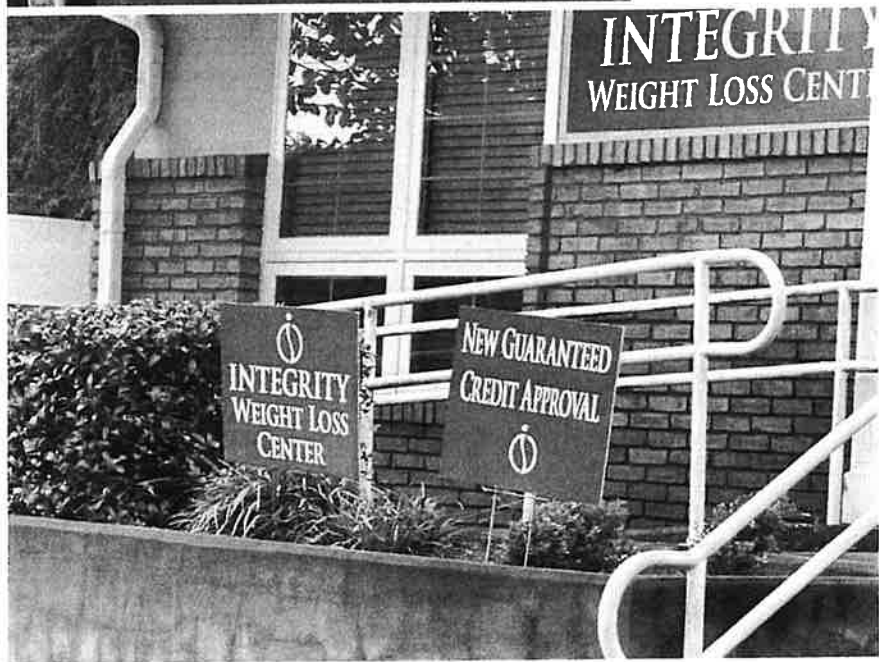
The for sale sign should have been removed 2 days after purchase.





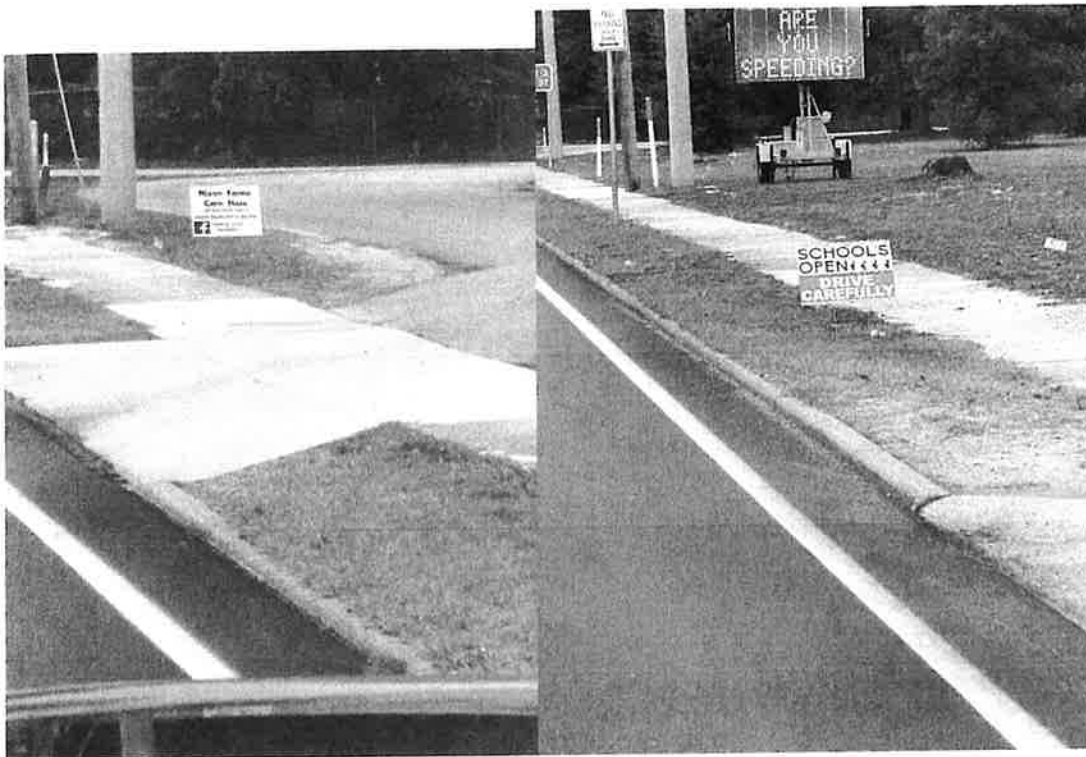
Blank sign face at least 6 months

Bandit/snipe signs









Mary Esther School – Why is a prohibited sign from FWB allowed? – Why is a DCF (Okaloosa County) sign allowed?



The only sign that was removed with in 30 minutes of me notifying Kelvin



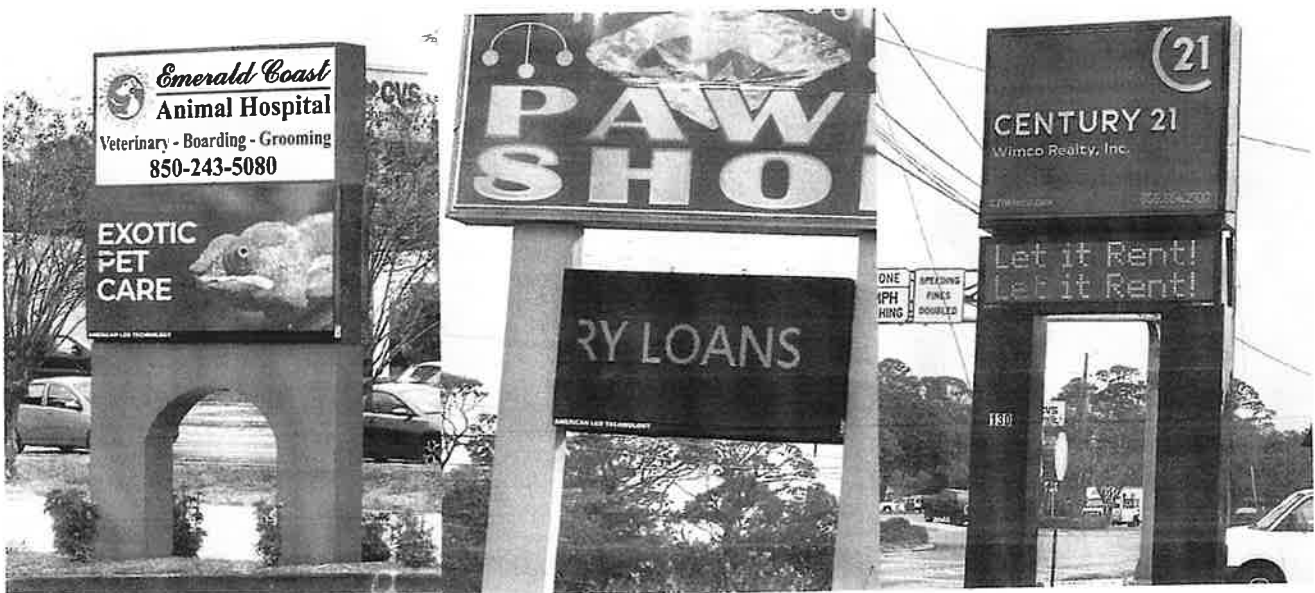
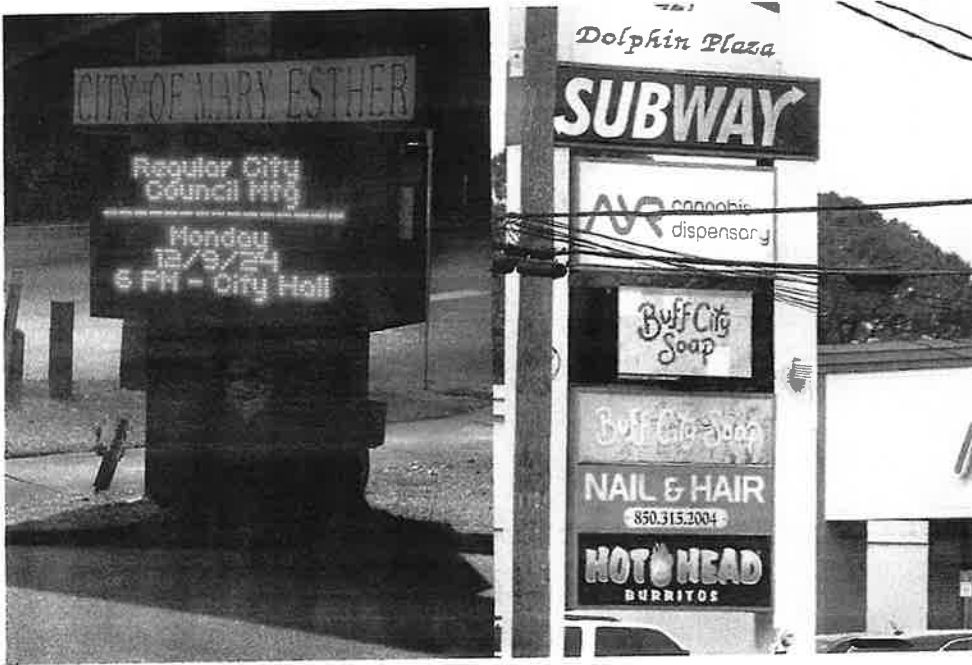


CVS

s. Intermittent signs

Intermittent sign means a sign, which permits light to be turned on or off intermittently more frequently than once per hour. An intermittent sign includes an LED sign and any other electronic variable message sign whereby the message changes more frequently than once every hour.





Abandoned Signs

1. JCPenny
2. Petro Express
3. First Florida Bank (New City Hall – 5)
4. Crystal Shores Realty
5. Gulf Coast Hearing Center
6. Rocco's Seafood
7. Mortgage Co 100% Financing
8. Snappy Photo
9. Jansey's Hair Salon
10. Axis Nutrition Center
11. MJ Tilda's
12. Mall Annex
13. Drapper Cuts
14. Mobile Device Repairs

Billboard Signs

1. City Hall – A to Z
2. Library – A to Z
3. Well 1 – A to Z
4. Boardwalk Vapes – Next Level
5. Car Wash – ADT

Flags 2019-1 One per business

6/2/2019 – One per business Ordinance 2019-10

1. Tuffy's has 4
2. Hair and Nail Spa – W Miracle strip – 3
3. Water Cloud Vapor Lounge – 2
4. FWB Scuba – 1
5. Tattoo Store Hollywood Blvd
6. Barbar shop & Cigars Hollywood Blvd
7. Thrift Store – ME Cutoff
8. Landmark Plaza
9. AT & T
10. Snow Lotus Massage
11. Boardwalk Vapes (2)
12. Total Laundry (2)

Portable Signs

1. Renaissance Apartments
2. Khun Nue Alterations #19
3. Christmas Lights Installed (Multiple throughout city)
4. McDonalds – Curbside Pick up (3)
5. Encore Consignment
6. Stitchers Quest
7. Self Storage (3)
8. EFCU (Toys for Tots – 3)
9. Navy CU (Toys for Tots – 2)
10. A to Z – live nativity sign
11. Murphy's gas (3)

12. Taco Bell (1)
13. 144 ME Cutoff - For Rent (2)
14. Nailed to pole corner of Hollywood & ME Cutoff Pointer

Pups

15. JP Home Services (All over town)
16. Zattitude Apartments (All over town)
17. Ashchelon Accounting (All over town)
18. Mattress World (All over town)
19. 1800 got junk
20. CVS
21. 1st Choice (nailed to pole Tuffy's) All over town
22. King George
23. MVMT Institute of Message
24. DIVORCE – All over ME Cutoff
25. Wendy's
26. Live Oak
27. We buy houses
28. Wanted Houses
29. DCF Exams
30. Integrity Weight Loss
31. T-5 Brothers
32. 130 W Miracle Strip – Toys for tots
33. AKC German Shepherd pups
34. Fazolis
35. FNBT
36. AT&T Fiber
37. Burger King Pole So old can't read
38. Berry's Well Drilling

39. Forever Lawn
40. Okaloosa Yummy
41. ABHA – Welcome Sign
42. Allied Marketing
43. Gentiva Hospice
44. Mixon Farms Corn Mase
45. Schools Open (ME Elementary)
46. SchoolStore (ME Elementary)
47. City of FWB Recreation Center
48. Richard Lawson (Was only sign removed within 30 minutes)
49. Ginny's (same as me)

Sandwich Board

1. Starbucks
2. Barber Galleria (3)
3. Message School
4. Piggly Wiggly
5. Metro T-Mobile
6. Viamericas
7. Little Ceasars
8. Drink shop next to Little Ceasars
9. Armed Forces Career Center
10. Emerald Coast Animal

Intermittent Signs

Intermittent sign means a sign which permits light to be turned on or off intermittently more frequently than once an hour. An intermittent sign includes an LED sign and any other electronic variable message sign whereby the message changes more frequently than once every hour.

1. City Hall/Library Sign
2. Board Walk Vapes - inside
3. Simply Vapor - inside
4. Kitchen & Bath Design
5. Pawn Shop
6. Cenrtruy 21
7. El Paso
8. Benjarong
9. Buff City Soap

Real Estate Sign

1. New City Hall
Should have been removed 2 days after sale



**MINUTES
PUBLIC WORKSHOP
of THE MARY ESTHER CITY COUNCIL**

December 11, 2024 - 6:00 PM

195 Christobal Road – North, Mary Esther, FL 32569

CITY COUNCIL PRESENT

Chris Stein, Mayor
Bernie Oder, Councilmember
Susan Coxwell, Councilmember

April Sutton, Mayor Pro Tem
Larry Carter, Councilmember
Richard Lawson, Councilmember

CITY STAFF PRESENT

Jared Cobb, City Manager
Hayward Dykes, City Attorney

Dillon Morris, City Clerk
Tyler Reed, Community Development Director

OTHERS PRESENT

Eric Christianson, Emerald Coast Regional Council

Ada Clark, Emerald Coast Regional Council

1. CALL TO ORDER

Mayor Stein called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Stein led the pledge of allegiance.

3. ROLL CALL

The City Clerk called the roll as reflected above.

4. INTRODUCTIONS

Eric Christianson and Ada Clark from the Emerald Coast Regional Council introduced themselves.

5. SPECIAL PRESENTATION

5.1. City of Mary Esther Comprehensive Plan Update

Community Development Director Reed introduced the presentation and Eric Christianson from the Emerald Coast Regional Council. Eric Christianson led the discussion on the City of Mary Esther Comprehensive Plan Update (See attachment for PowerPoint presentation). He discussed what a comprehensive plan is, the differences between a comprehensive plan and a zoning plan, required updates, what has changed in the city, the vision plan, comprehensive plan structural changes, and Mary Esther's historical and projected population. He asked which projection the mayor and council expected, and they discussed somewhere between the low and moderate chart expected, how world and local events can affect projections and the housing market and make the city more appealing to developers. Eric Christianson continued discussing the future land use map, land use category definition updates, land use map updates, existing nonconforming uses, and variance requests. He inquired how the mayor and council would like to handle variance requests in the future. After some discussion, the mayor and council agreed that the administration handling the variance requests would be best and discussed some examples of variance requests the city has handled. Eric Christianson continued to discuss transportation policy changes, autonomous and electric vehicles, and housing updates and requirements. The mayor and council then had a discussion pertaining to housing requirements, duplexes, smaller housing, and cottages. Eric Christianson continued more in-depth on housing strategies and Ada Clark discussed generational housing and parking requirements. Eric Christianson continued to discuss infrastructure elements, water management, coastal management and conservation, national wetlands inventory, ecological zones, xeriscapes, recreation, and open space elements. He asked whether the council would like fewer but larger, more developed parks or smaller but more distributed parks. The mayor and council discussed seeing fewer larger parks that are diversified and unique. Eric Christianson continued discussing intergovernmental coordination elements, capital improvements elements, public school facilities elements, property rights

elements, and current notice requirements. The council inquired if physical paper advertisements are still required versus digital, and City Clerk Morris stated he would do some research. Eric Christianson continued discussing implementation, an annual goal-setting meeting, evaluation and appraisal report, and the timeline.

6. GROUP DISCUSSION

Mayor Pro Tem Sutton discussed liking the idea of a second public forum.

Councilmember Coxwell inquired how far in the future the plans looked, with Eric Christianson stating it was every 10 and 20 years. She also expressed supporting taking extra time for it.

Councilmember Lawson expressed interest in reviewing it and giving feedback the next time they return it.

Mayor Stein liked that they are taking it and updating it to current standards.

Councilmember Carter liked that it addresses land use and future land use.

Councilmember Oder discussed that times have changed and try their best to envision the future.

7. CLOSING REMARKS

8. OTHER COMMENTS

City Manager Cobb thanked the presenters for their time and support for the project.

City Clerk Morris said he would get a clicker for their presentation next time.

Community Development Director Reed clarified the posting requirements earlier stating that Florida statute requires a paper posting.

9. ADJOURN

The council meeting adjourned at 7:29 p.m.





Mary Esther Comp Plan Public Forum

December 11, 2024

Eric Christianson, Planner



Agenda

- Comprehensive Planning Overview
- Factors Behind this Update
 - Required Updates
 - Structural Changes
 - Vision Plan
- Data Analysis and Policy Changes
- Plan Implementation
- Upcoming Timeline



CITY OF MARY ESTHER

Comprehensive Plan: 2020

*Ordinance No. 99-02
(As Amended)*

March 9, 2010

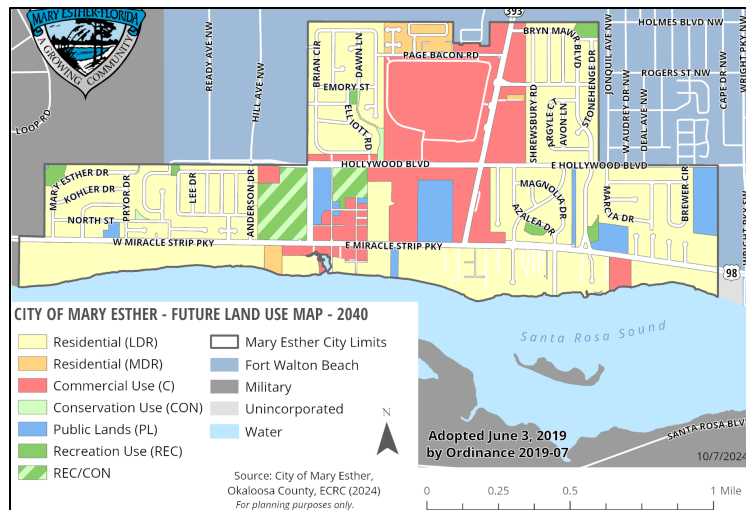
What is a Comprehensive Plan?

Your Comprehensive Plan serves as a long-term blueprint for guiding growth and development. It ensures that land use, housing, transportation, and public facilities are planned in a way that meets current needs while accommodating future changes.

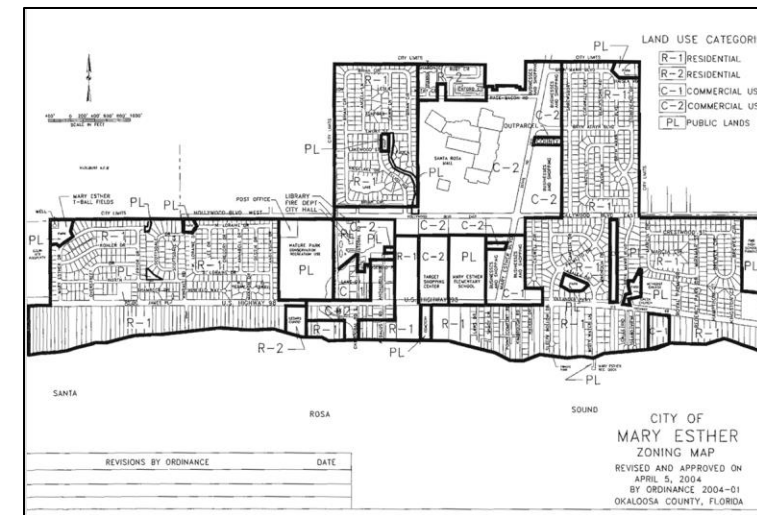
A well written plan simplifies the task of approving individual development requests and ordinance changes.



Comp Plan v. Zoning



- Regulates Future Land Uses
- High level vision



- Regulates the way land is used today
- Specific Application



Required Updates

1. Update Planning Horizon
At least 10 and at least 20-year horizons
2. Add in the required 2021 Property Rights Element
3. Overall updates to reflect changes in the City since last major update in 2010
4. State Deadline of February 28





Vision Statement and Principles

In the future, Mary Esther will have an identifiable and walkable small-town character, with vibrant public spaces, diverse businesses, and a variety of housing choices

Our vision is to.....

- have an efficient government, with a strong economic base built through intentional land use and infrastructure decisions;
- have a vibrant town center that is a recognizable regional attraction, provides services and housing choice to the residents of Mary Esther;
- have a large central gathering space as well as vibrant neighborhood parks, where all members of the community may gather for events, festivities, and recreation;
- have a connection to the Santa Rosa Sound and a presence on the Miracle Strip;
- have a variety of housing opportunities, to serve the broad needs of the community across their lifetimes and household configurations; and
- become a walking and biking city, with a connected network of sidewalks, greenways and multi-use trails.





- 1990 – Original Comprehensive Plan Adoption
- 1999 – Updates based on Evaluation and Appraisal
- 2000 – Several Chapters Updated
- 2007 – Update to School Siting Policy
- 2010 – Major Comprehensive Plan Update
- 2012 – School Concurrency Removed
- 2013 – Elimination of Transportation Concurrency; Military Compatibility Added
- 2016 – Definitions of Key Terms Added
- 2018 – Coastal Management and Conservation Element Adopted
- 2019 – Future Land Use Map Updated and Converted to GIS



CHAPTER 13 (9J-5.015)

INTERGOVERNMENTAL COORDINATION ELEMENT

Section 13.01 Purpose: The purpose of this Chapter (element) is to identify and resolve incompatible goals, objectives, policies and development proposed in this Ordinance (the City's Comprehensive Plan) and to determine and respond to the needs for coordination processes and procedures with adjacent local governments, regional and state agencies.

Section 13.02 Data and Analysis: This element is based upon the data and analysis requirements pursuant to Subsection 9J-5.005(2), F.A.C. and 9J-5.015(1)(2), F.A.C. (reference Sections 5.03, 5.06 and 5.07 of this Ordinance and Chapter 10 of the Foundation Documents).

Section 13.03 Area of Concern: The area of concern for the City includes:

- a. The City of Fort Walton Beach; and
- b. Okaloosa County.

Section 13.04 Goals, Objectives and Policies: The Goals, Objectives and Policies of this Chapter (element) are as follows.

Goal 13.A - Provide coordination of this plan (ordinance) with the governments indicated in Section 13.03, other local governments (as appropriate) and other governmental agencies providing services within the City.

Objective 13.A.1 - To review, on an annual basis, actions that have taken place to coordinate the Comprehensive Plan of Mary Esther with the Plans of other units of government and the Okaloosa County School Board (reference Section 13.03).

Policy 13.A.1.1 - The committee appointed pursuant to Policy 14.A.3.6 shall include within its review efforts (pursuant to Section 14.06) an analysis of the coordination between plans of affected governments.

Policy 13.A.1.2 - The City shall continue to use the Okaloosa County Comprehensive Plan Committee (consisting of officials from Okaloosa County and all cities therein, Eglin AFB, Hurlburt Field,

Pages 13-1

INTERGOVERNMENTAL COORDINATION

INTERGOVERNMENTAL COORDINATION ELEMENT GOALS, OBJECTIVES, AND POLICIES



GOAL 13.A

Provide coordination of this plan (ordinance) with the governments indicated in Section 13.03, other local governments (as appropriate) and other governmental agencies providing services within the City.

Objective 13.A.1 - To review, on an annual basis, actions that have taken place to coordinate the Comprehensive Plan of Mary Esther with the Plans of other units of government and the Okaloosa County School Board (reference Section 13.03).

Policy 13.A.1.1 - The committee appointed pursuant to Policy 14.A.3.6 shall include within its review efforts (pursuant to Section 14.06) an analysis of the coordination between plans of affected governments.

Policy 13.A.1.2 - The City shall continue to use the Okaloosa County Comprehensive Plan Committee (consisting of officials from Okaloosa County and all cities therein, Eglin AFB, Hurlburt Field, and the Okaloosa County School Board) to coordinate Comprehensive Plans for the local governments, the School Board and the Air Force and to provide information regarding proposed development.

Policy 13.A.1.3 - During 1992, execute an inter-local agreement between the City and the County, which agreement shall set forth provisions for annexation consistent with the Codified Ordinances of the City.

Policy 13.A.1.4 - The City shall consider participation with Okaloosa County and other units of local government in the acquisition and use of a computerized Geographic Information System (GIS).

Policy 13.A.1.5 - Continue to cooperate with other units of government and governmental agencies so as to provide for coordination and evaluation of development proposals which may impact Santa Rosa Sound (reference Policy 11.B.2.4).

Objective 13.A.2 - Coordinate with appropriate state, regional and local agencies, which have operational and maintenance responsibility for public facilities in Mary Esther, the impacts of development proposed in this plan upon development or plans of the affect state, county or local agency and to achieve, when necessary, mutually agreed upon level of service standards.

City of Mary Esther Vision 2040 - Volume 1: Goals, Objectives, and Policies
Page G-1



I. Introduction & Implementation

II. Goals, Objectives, and Policies (GOPs)

- A. Future Land Use Element
- B. Transportation Element
- C. Housing Element
- D. Infrastructure Element
- E. Coastal Management and Conservation Element
- F. Recreation and Open Space Element
- G. Intergovernmental Coordination Element
- H. Capital Improvements Element
- I. Public School Facilities Element
- J. Property Rights Element

III. Data and Analysis (Supporting Documentation)

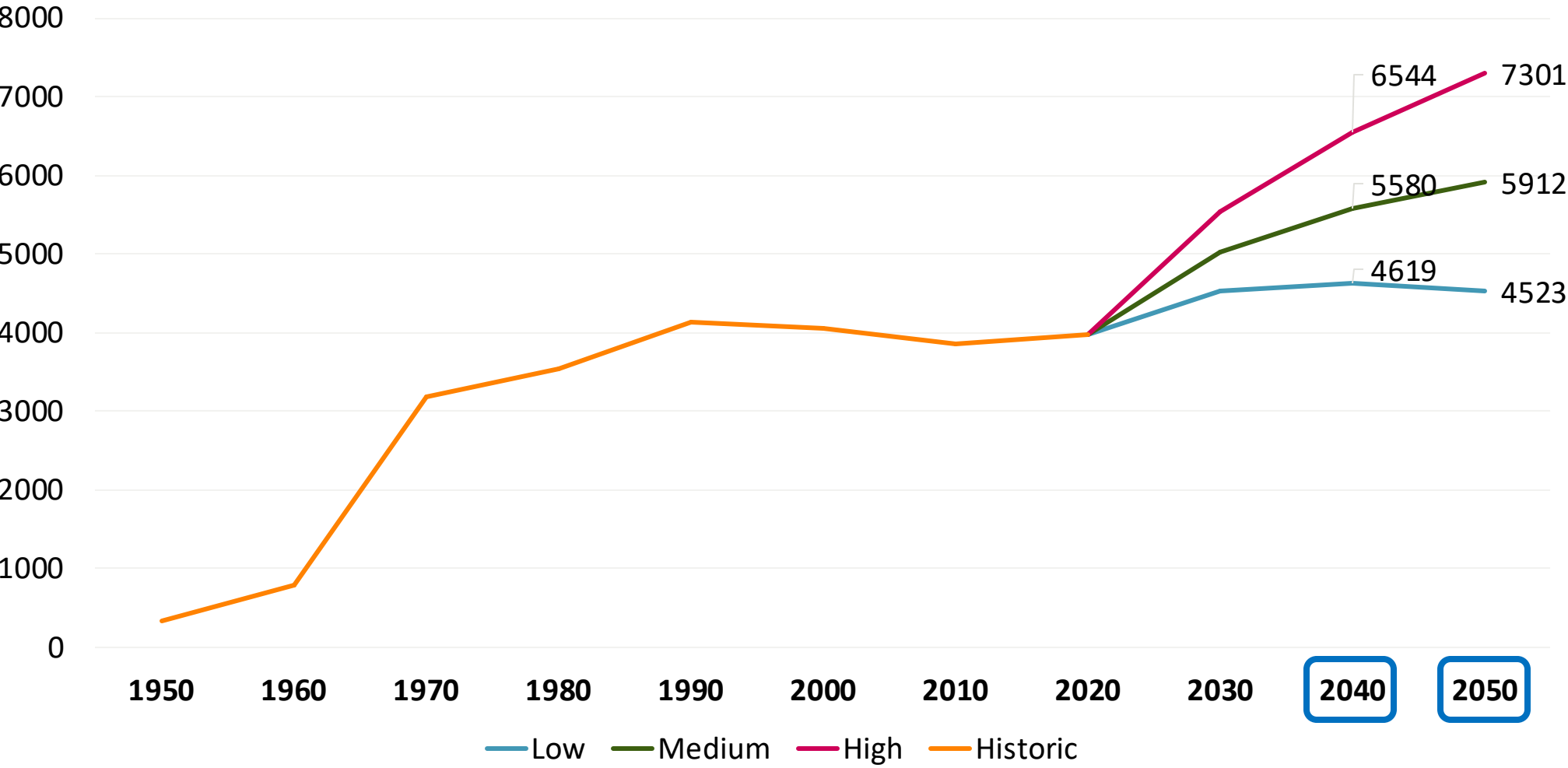
- A. Future Land Use Element
- B. Transportation Element
- C. Housing Element
- D. Infrastructure Element
- E. Coastal Management and Conservation Element
- F. Recreation and Open Space Element
- G. Intergovernmental Coordination Element
- H. Capital Improvements Element
- I. Public School Facilities Element
- J. Property Rights Element

IV. Map Element





Historic and Projected Population



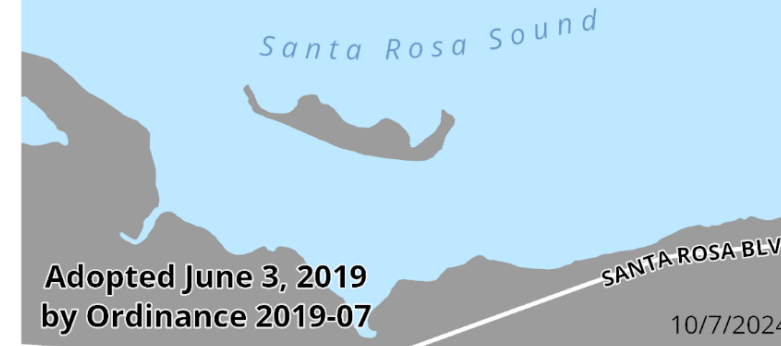
Future Land Use Map (Current)



CITY OF MARY ESTHER - FUTURE LAND USE MAP - 2040

- | | |
|------------------------|-------------------------|
| Residential (LDR) | Mary Esther City Limits |
| Residential (MDR) | Fort Walton Beach |
| Commercial Use (C) | Military |
| Conservation Use (CON) | Unincorporated |
| Public Lands (PL) | Water |
| Recreation Use (REC) | |
| REC/CON | |

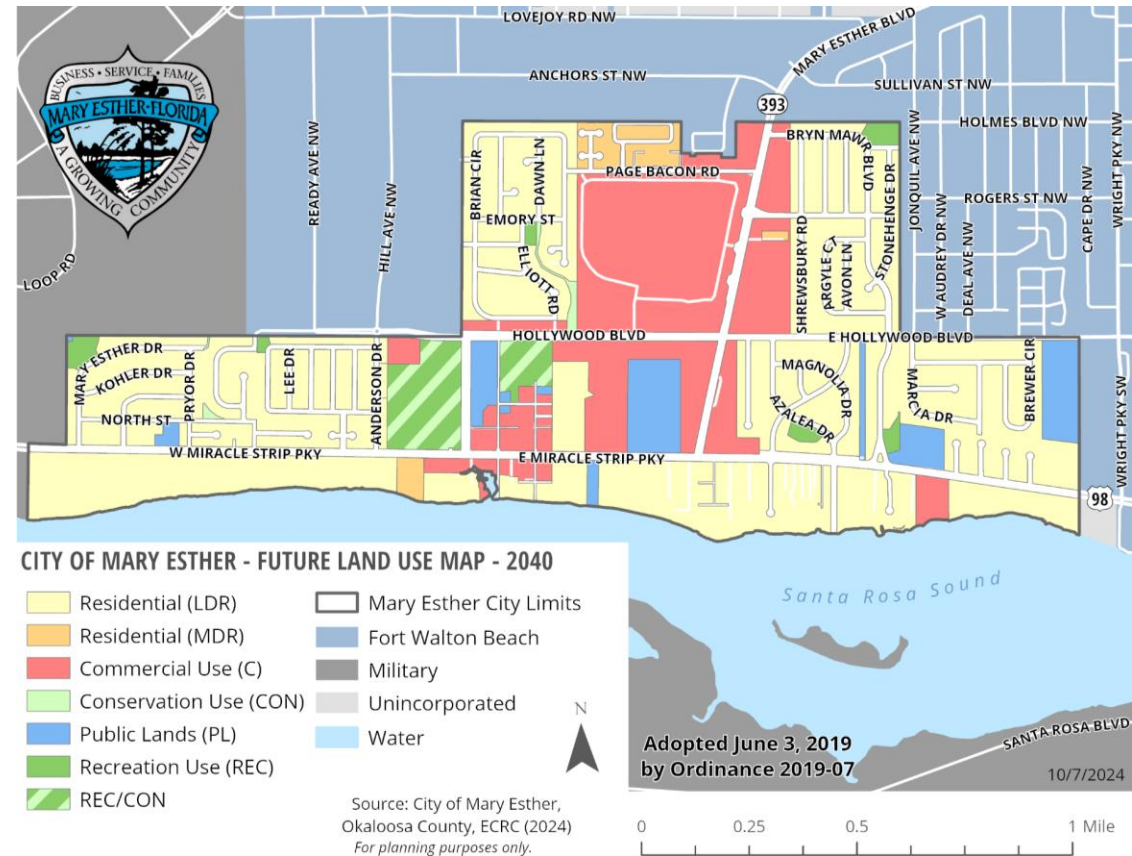
Source: City of Mary Esther,
Okaloosa County, ECRC (2024)
For planning purposes only.



0 0.25 0.5 1 Mile

Future Land Use Map

- The future land use is the heart of your comprehensive plan
- The map serves as a crucial visual representation depicting the community's desired future land use distribution
- It guides development decisions by identifying areas designated for residential, commercial, industrial, or conservation purposes,
- Acting as a blueprint for long-term land use planning and ensuring alignment with the plan's overall goals and objectives
- May be amended when necessary





Updated (Example):

Low Density Residential

1.Purpose – To provide for single-family residential development, along with appropriate accessory structures (such as family accessory units) and home occupations, and support uses including public facilities and public schools, where adequate vegetative buffers, parking, and setbacks are maintained.

2.Density – A minimum of zero (0) to a maximum of one (5.51) dwelling units (DU) per acre.

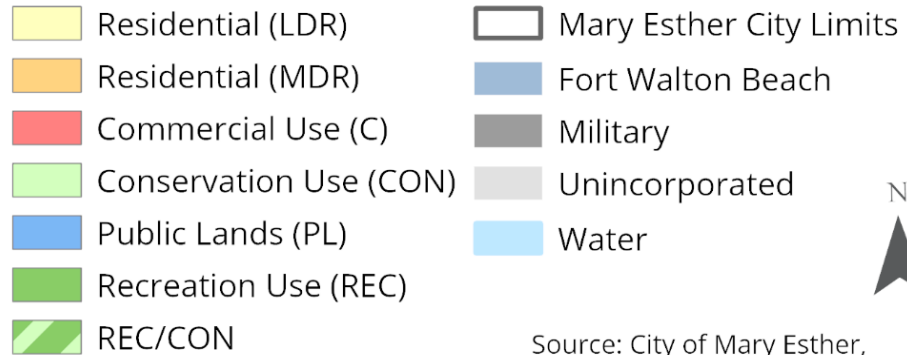
3.Uses – Single-family residences, accessory structures (including accessory dwelling units), home occupations, public utilities, places of worship, and public recreational uses.

Current:

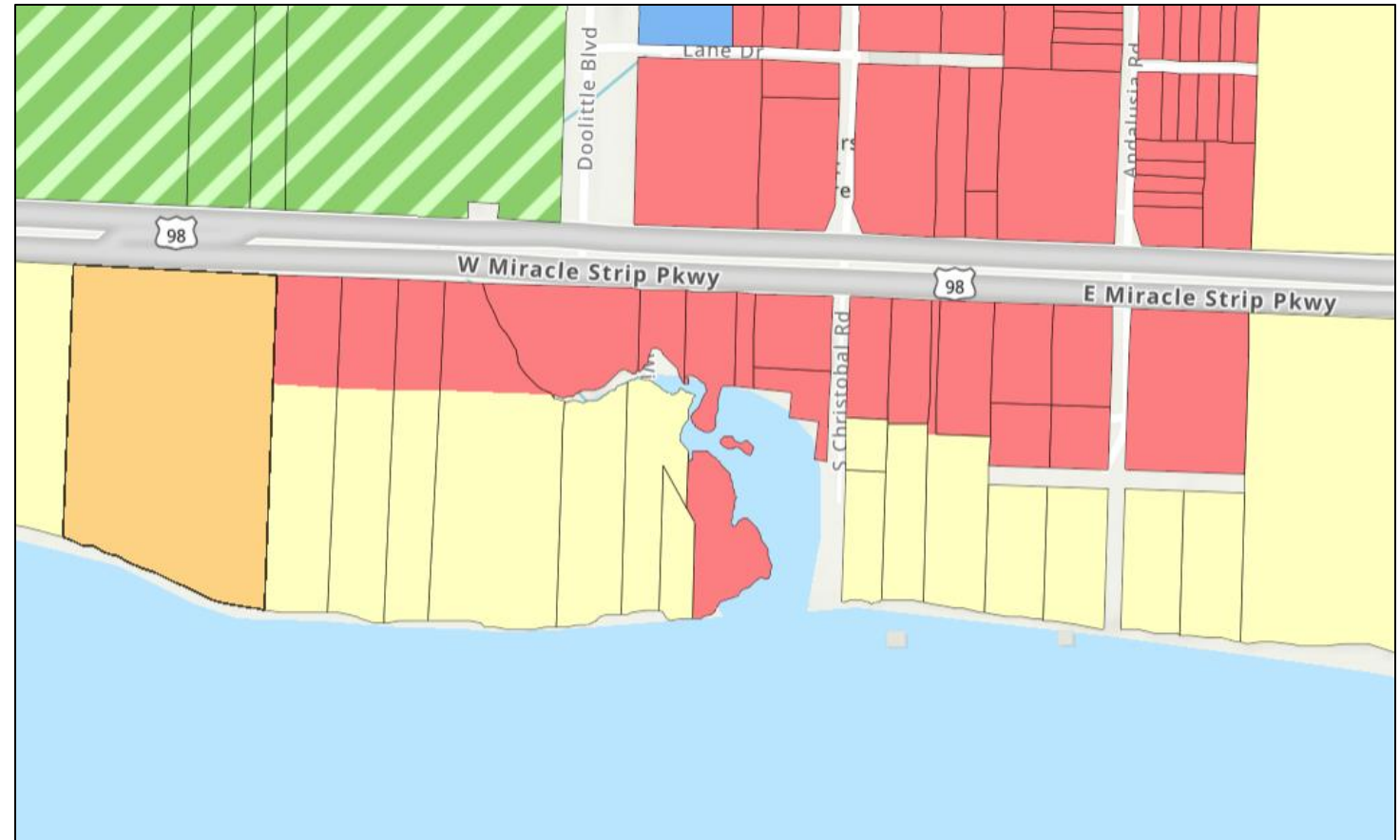
Low density residential development allows up to 5.51 dwelling units per gross acres.



CITY OF MARY ESTHER - FUTURE LAND USE MAP - 2040



Source: City of Mary Esther,
Okaloosa County, ECRC (2024)
For planning purposes only.



The zoning districts will need a review and update as there are some standards within them that would not allow the implementation of the development scenarios illustrated in this plan, that allow for a town center style redevelopment of the mall

- New mixed-use zoning district with bulk regulations and design guidelines that support vertically mixed-use town center building forms and additional residential density within them.
- Amend the existing C-1 and C-2 zoning districts to revise internal buffer requirements for multifamily structures on the interior of mixed-use developments, [...] ensure that exterior setbacks and buffering to existing single family neighborhoods are effective in creating a transition between development characters.



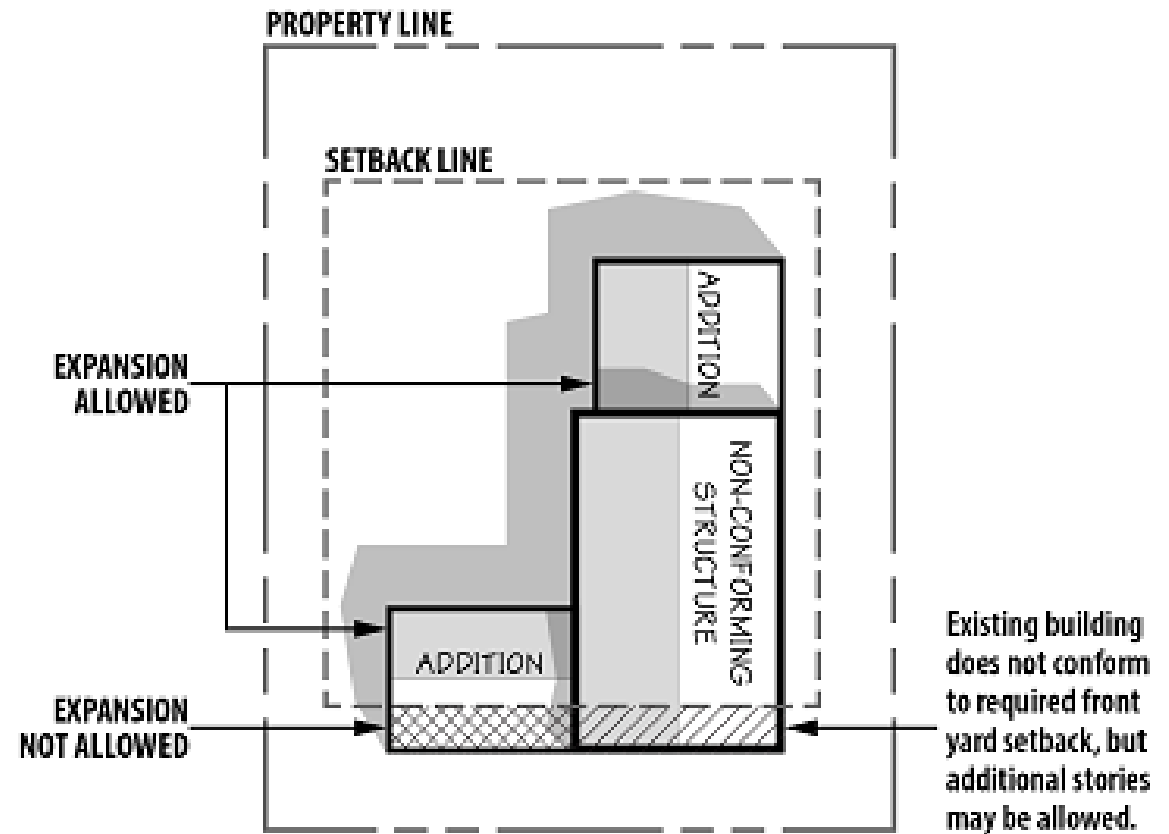


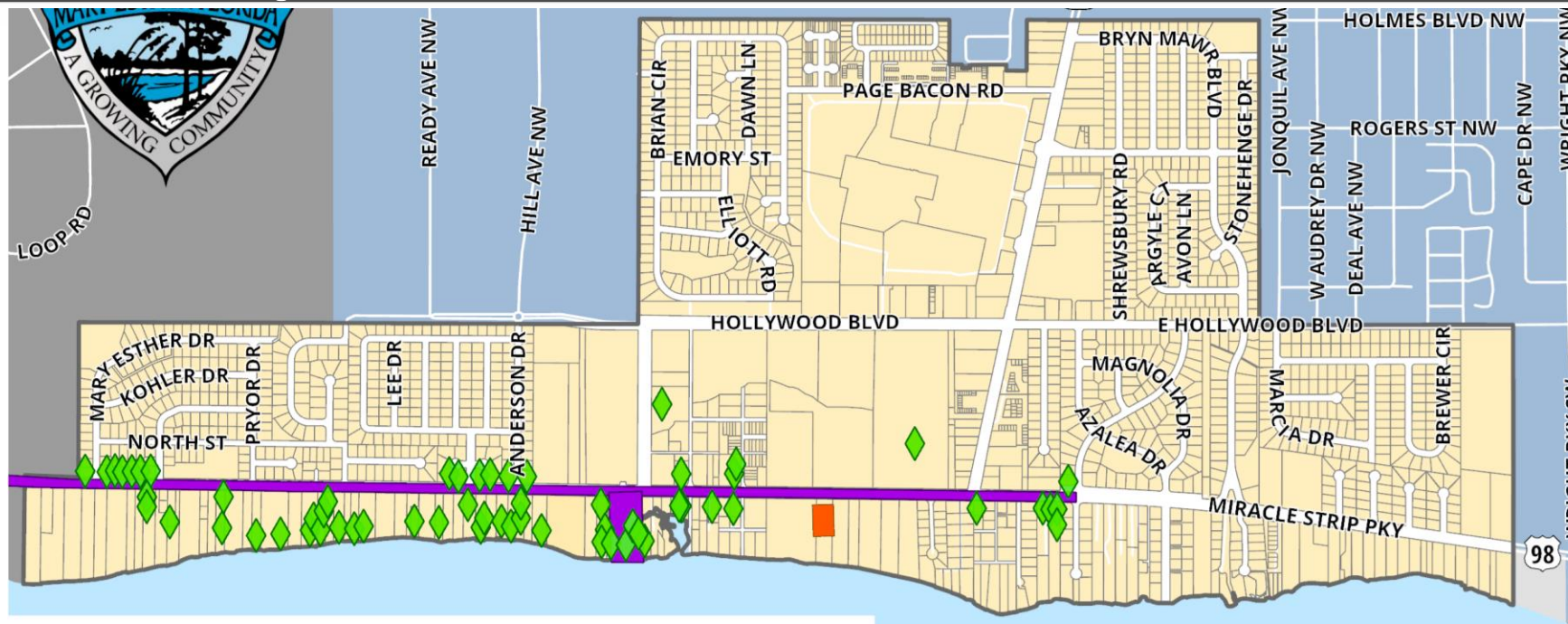
Potential South of 98 Overlay

Existing nonconforming uses can lead to complications for homeowners as well as administrative burden on city staff and council.

Some potential solutions:

1. Blanket relaxation of dimensional requirements for a specific neighborhood
2. Administrative process for relaxation of dimensional requirements
3. Creation of a Special Use permit process
4. Reliance on Variances only when appropriate

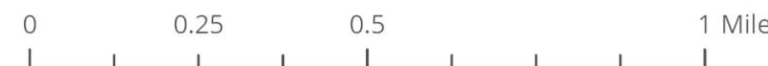




CITY OF MARY ESTHER - HISTORIC RESOURCES

- ◆ Historic Structure
- Historic Cemetery
- Other Historic Resource
- Mary Esther City Limits
- Mary Esther Parcels
- Fort Walton Beach
- Military
- Unincorporated
- Water

Source: City of Mary Esther,
Okaloosa County, SHPO, ECRC (2024)
For planning purposes only.





“become a walking and biking city, with a connected network of sidewalks, greenways and multi-use trails.”

- Vision Plan

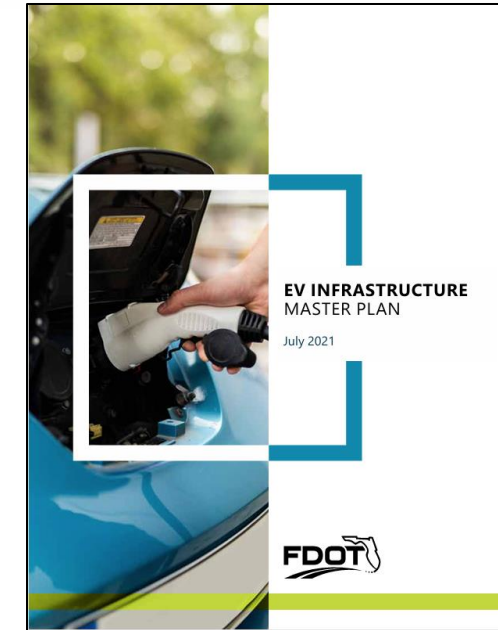
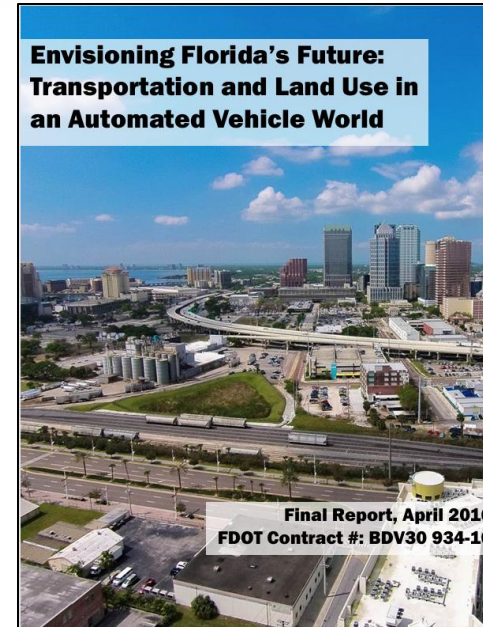
- **Policy 8.A.1.2** All new road construction projects within the City shall accommodate **labor intensive transportation**. Such accommodation may include the installation of signage, striping of roadways, widening of shoulders, installation of bike racks, installation of sidewalks [...]

Replace with

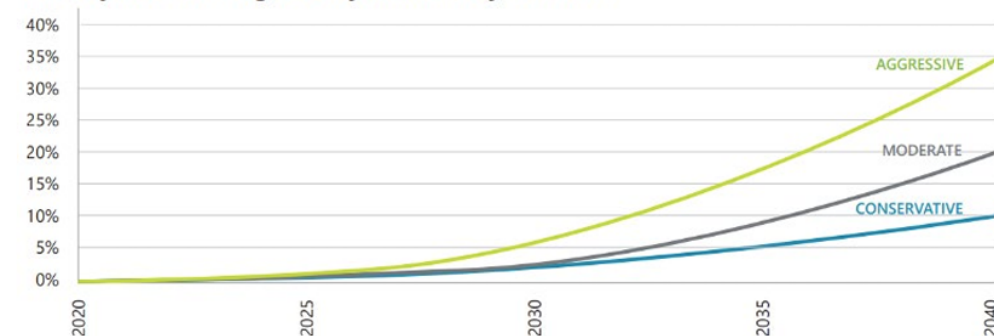
- Active transportation
- Non-motorized transportation
- Bike-pedestrian infrastructure



- Florida Statute 316.85 allows fully autonomous vehicles to operate on public roads without a human operator.
 - Changes to Parking Minimums
 - Smaller ROWs
 - Impacts on pedestrian / bike infrastructure
 - Newly designed drop off areas
- FDOT has developed an Electric Vehicle Infrastructure Master Plan
 - Charging Station
- Okaloosa County ATMS



EV Projections of Light-Duty Vehicles by Scenario



have a variety of housing opportunities, to serve the broad needs of the community across their lifetimes and household configurations

Additional housing opportunities can be provided in the form of small lot single family, manor houses, townhouses, stacked flat apartment buildings and within mixed use buildings.

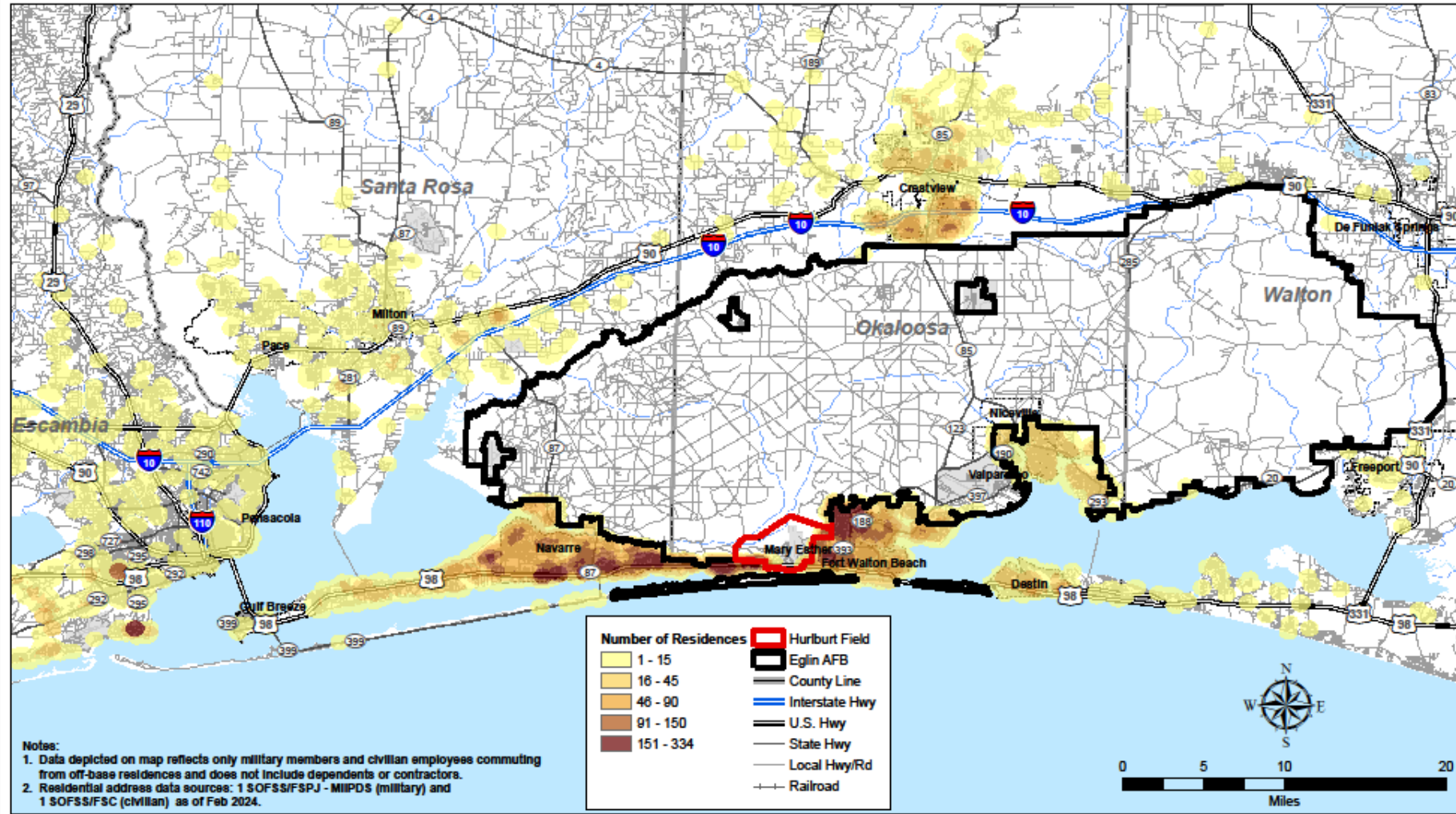
- Vision Plan

Modify existing or create new FLUM definitions to allow for more “missing middle” housing opportunities.

- Remove requirements for individually platted lots, and the requirement that each unit shall be a minimum of 1,000SF.
- Permit up to 20 dwelling units per acre.



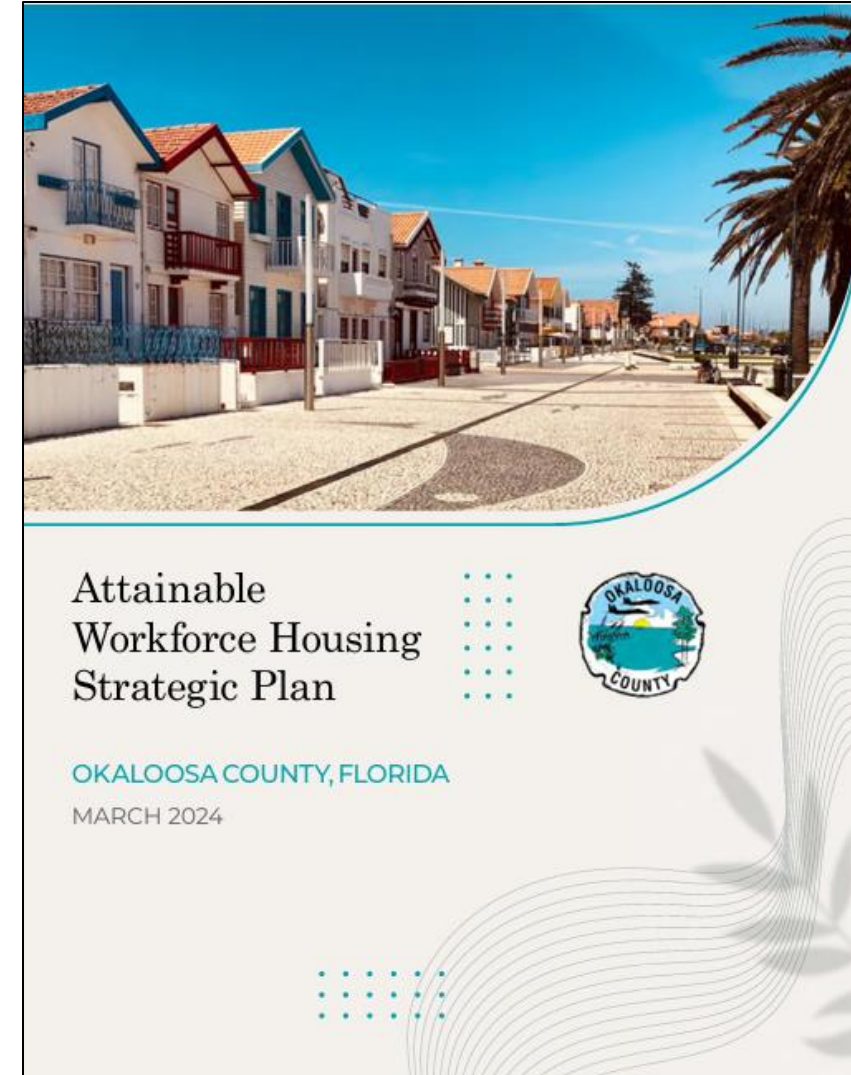
HURLBURT FIELD OFF-BASE COMMUTER LOCATIONS



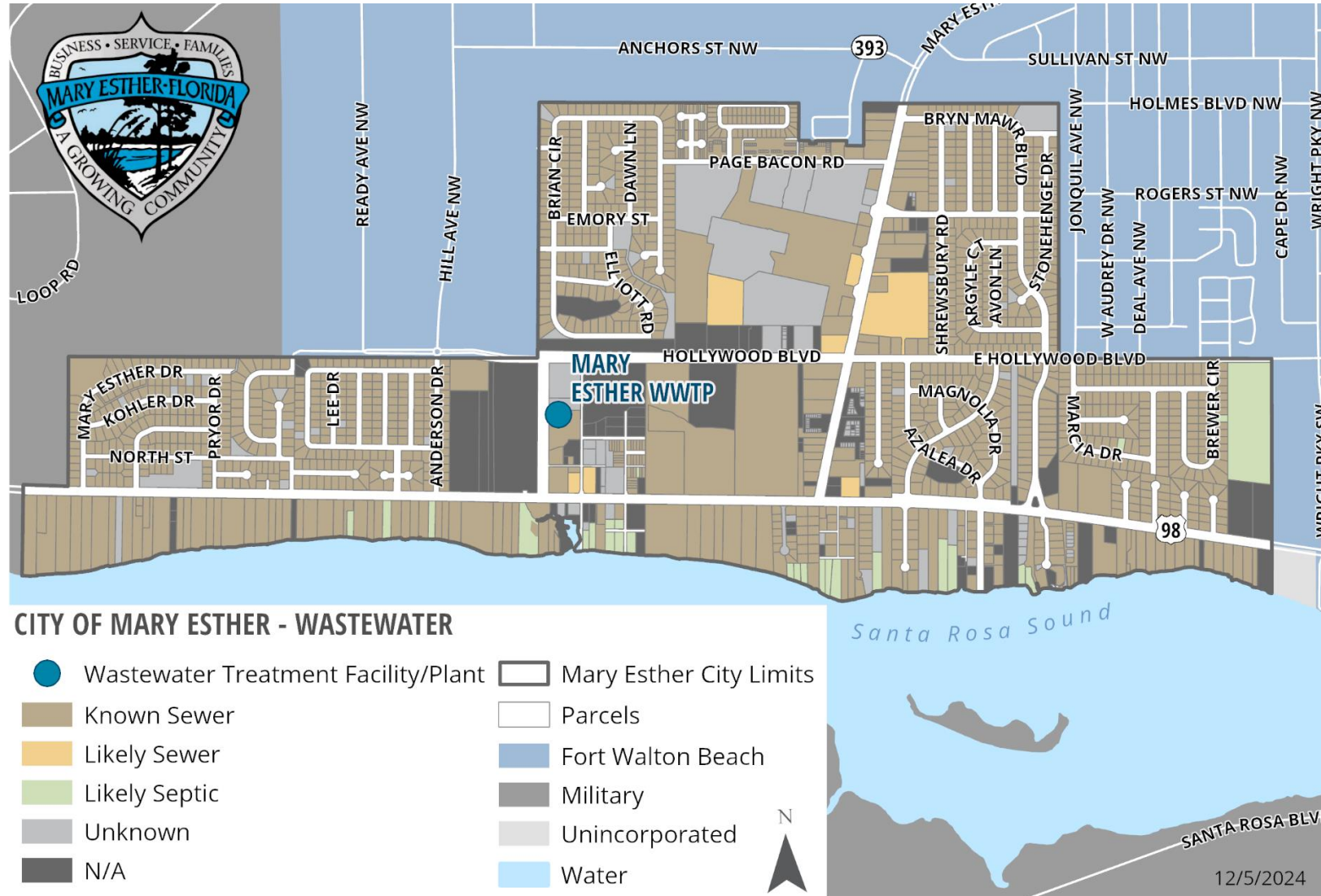
Adopt or endorse strategies from the Okaloosa County Attainable Workforce Housing Strategic Plan

Ideas discussed:

- Community Land Trust
- Density Bonuses
- Create High Density Land Use Category
- Accessory Dwelling Unit Permissions
- Allow ½ Unit Counts for smaller units
- Reduce Parking Requirements
- Targeted redevelopment

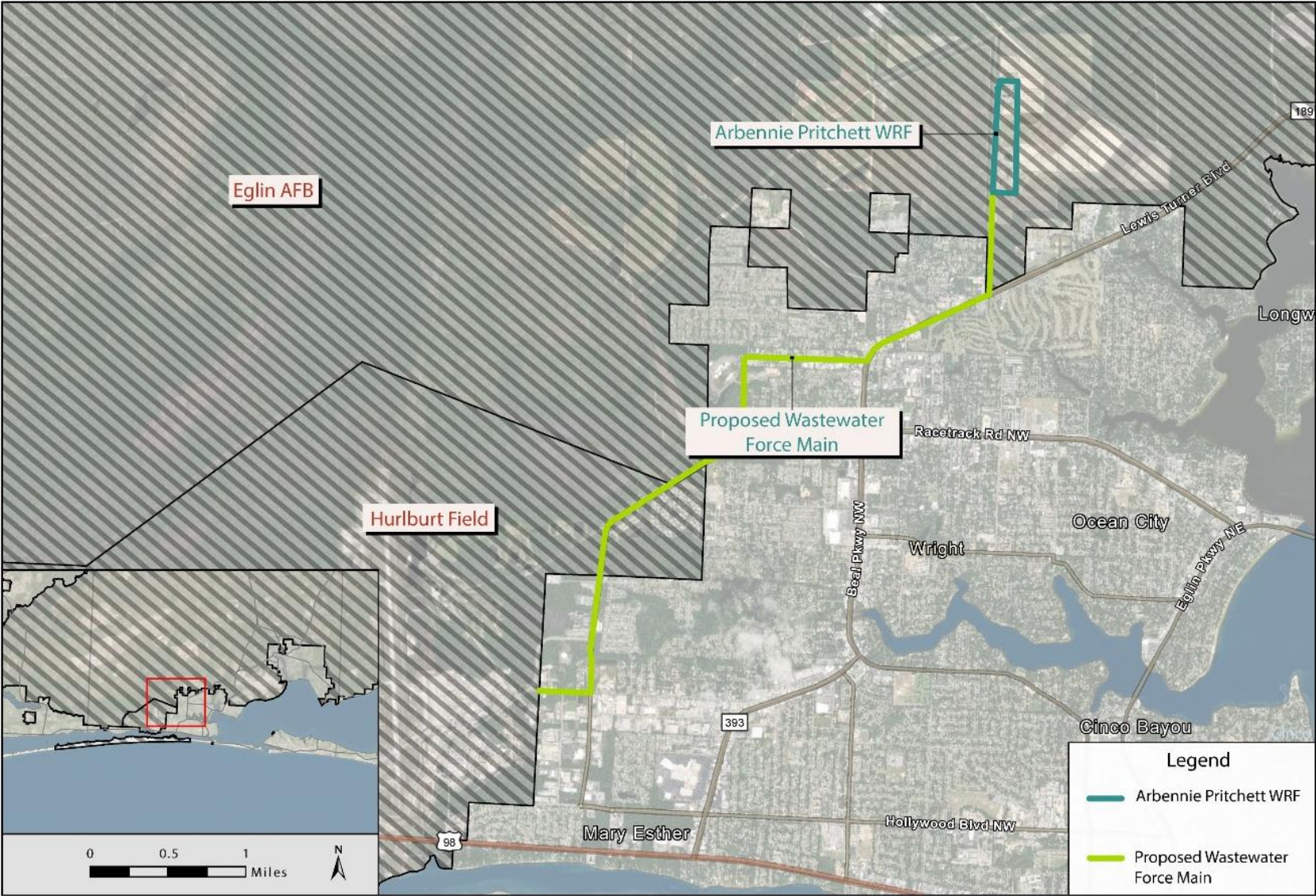


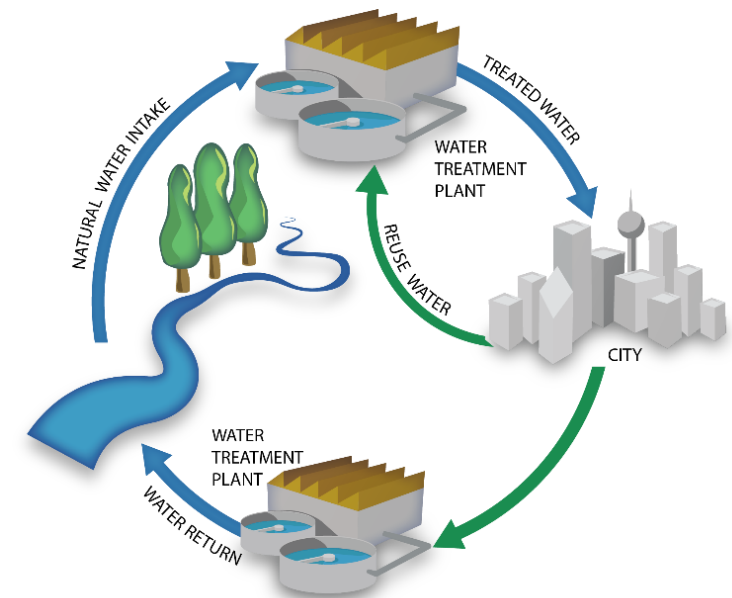
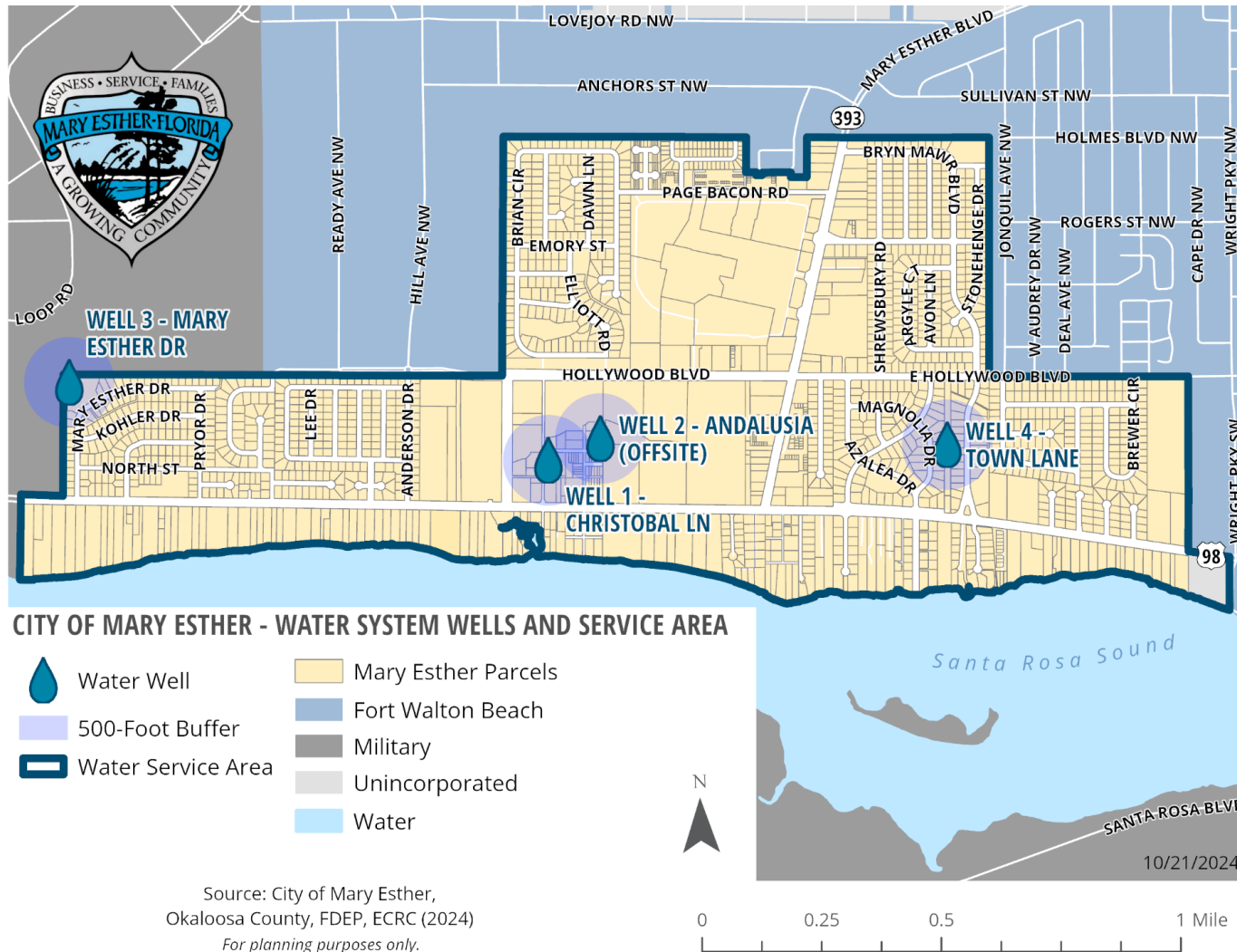
Infrastructure Element

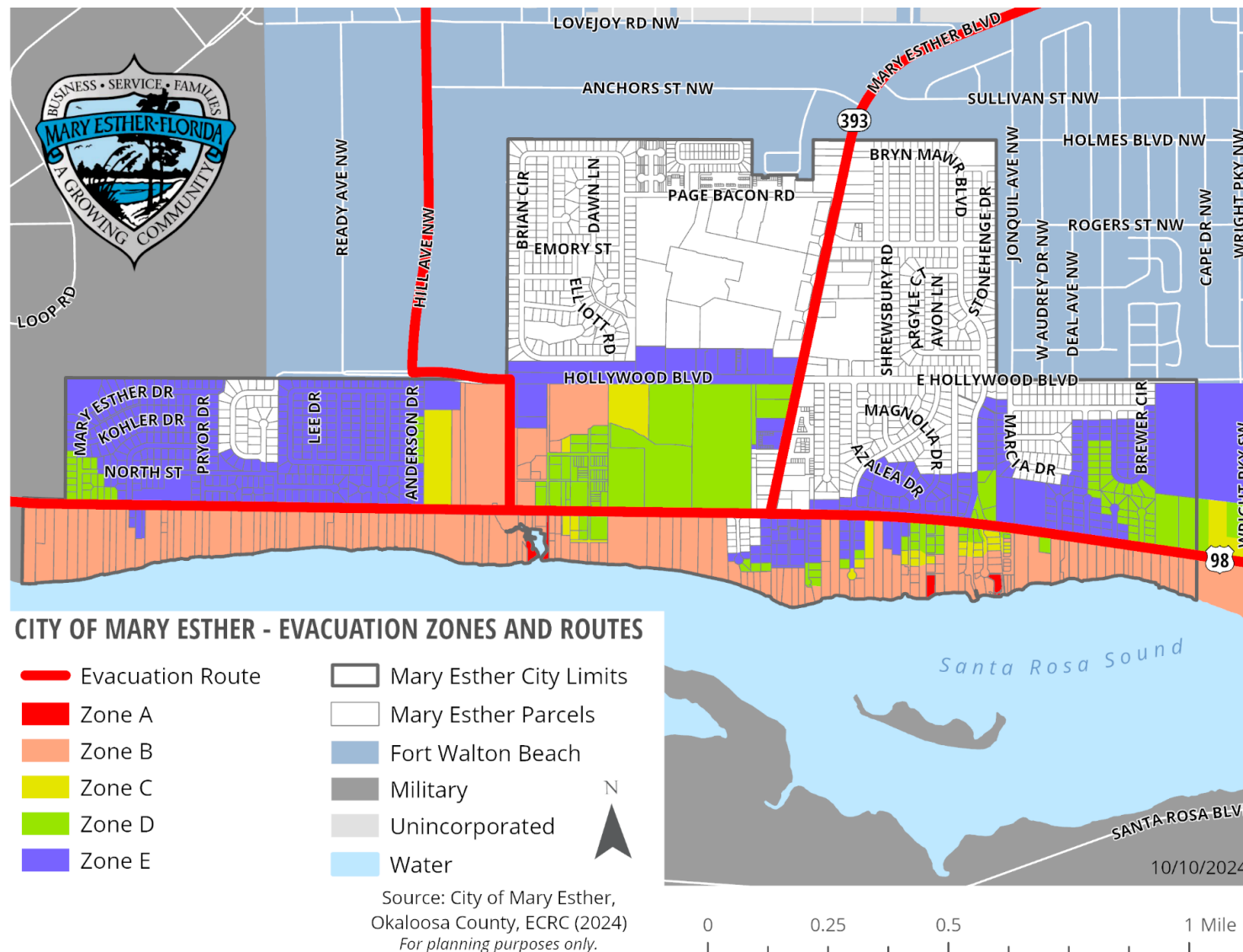




Infrastructure Element







Coastal Management and Conservation





- | | | |
|--|--|---|
|  Artificial Impoundment/Reservoir |  Sandhill |  Mary Esther City Limits |
|  Coastal Scrub |  Scrub |  Fort Walton Beach |
|  Estuarine |  Unconsolidated Substrate |  Military |
|  Mesic Hammock |  Upland Hardwood Forest |  Unincorporated |
|  Mixed Hardwood-Coniferous |  Urban Uses | |
|  Mixed Hardwood-Coniferous Swamps |  Wet Flatwoods | |
|  Rural Open |  Prairies and Bogs | |
|  Salt Marsh | | |
- Source: City of Mary Esther, Okaloosa County, ECRC, and
 FL State Wildlife Action Plan (SWAP) for planning purposes only.



Source: City of Mary Esther,
Okaloosa County, ECRC;
FL State Wildlife Action Plan (SWAP), 2024
For planning purposes only.

11/27/2024



Policy 11.8.2.6 - The City shall continue to enforce the provisions of Ordinance 2004-13 which provides for the use of xeriscape landscaping, water saving devices, promotes the use of native plants, restricts the use of certain plants and accomplishes other things in order to reduce the demand for water and energy.

Potential modification to reflect the *"Florida-Friendly Landscape" Guidance Models for Ordinances, Covenants, and Restrictions* and updated State Statutes





Recreation and Open Space Element



CITY OF MARY ESTHER - PARKS



Park



Mary Esther City Limits



Mary Esther Parcels



Fort Walton Beach



Military



Unincorporated



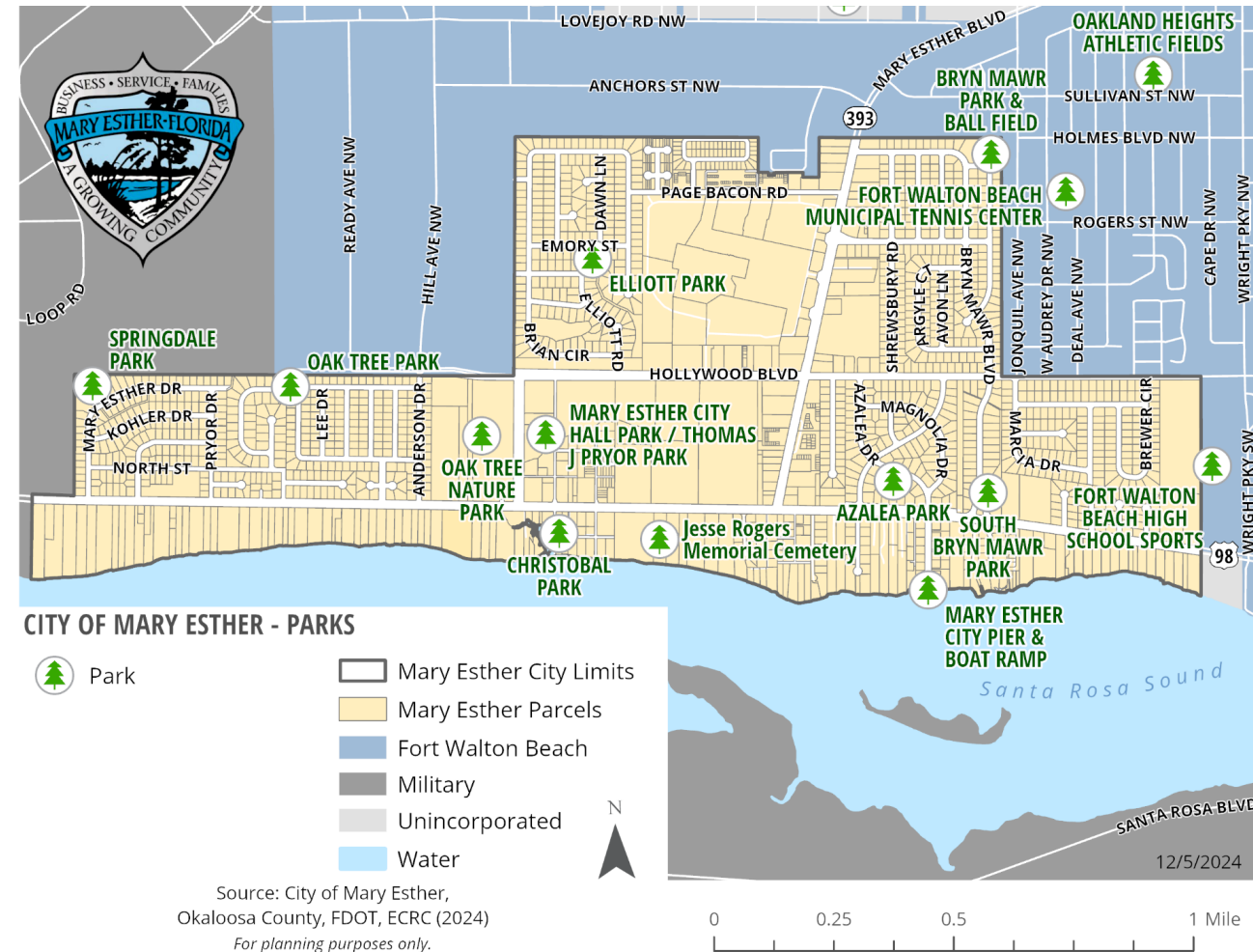
Water

Source: City of Mary Esther,
Okaloosa County, FDOT, ECRC (2024)
For planning purposes only.

Modify element to reflect upcoming parks plan.

Policy questions:

- Larger more developed parks or smaller and more distributed
 - Including divesting from some smaller parks
- Provision of a community center
- Requirements for developers
- Relocation of existing Community Garden



- Local
 - Fire Protection and Emergency Services
 - Schools
 - County & Neighboring Municipalities
- Regional
 - TPO
 - ECRC
 - MIRR
- State
 - DEP
 - DEO
- Federal
 - Military Installations





Capital Improvements Element

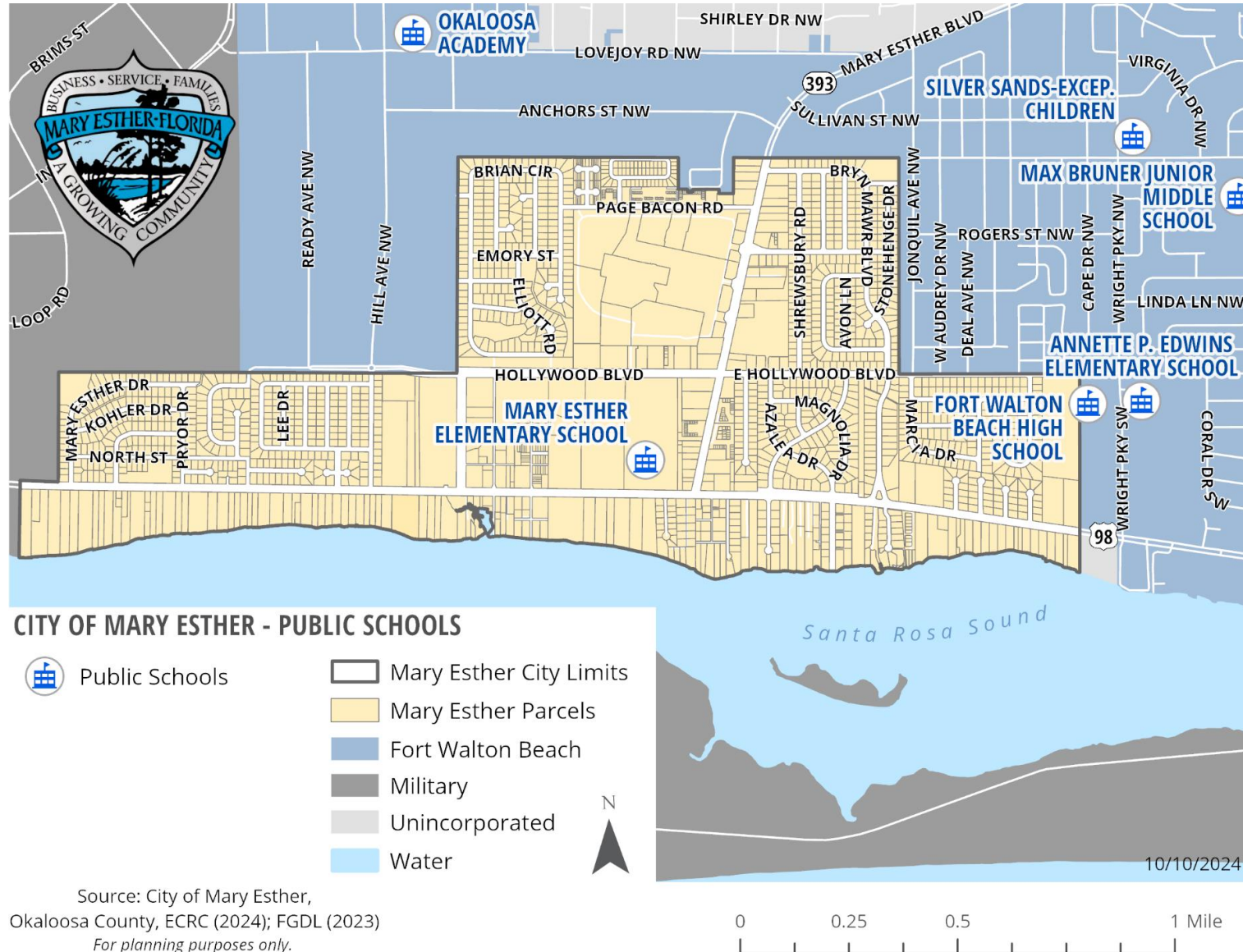
- Inclusion of Updated Capital Improvement plan projects
- Removal of outdated state requirements and references
- Incorporation of upcoming Road Maintenance / Park Plans
- Changes to implementation and planning process

Project	Budget Year					Funding Source	Project Total
	FY 2024-2025	FY 2025-2026	FY 2026-2027	FY 2027-2028	FY 2028-2029		
Advanced Metering Infrastructure (AMI)	\$0	\$650,000	\$0	\$0	\$0	Water Loan	\$650,000
Mary Esther Boulevard Beautification	\$0	\$216,000	\$0	\$0	\$0	General Fund	\$216,000
Public Works Roof Replacement	\$0	\$120,000	\$0	\$0	\$0	General Fund	\$120,000
Oak Tree Nature Park Rehabilitation	\$0	\$180,000	\$0	\$0	\$0	General Fund	\$180,000
Community Facilities Beautification	\$0	\$157,000	\$0	\$0	\$0	General Fund	\$157,000
Highway 98 Water Main Replacement	\$0	\$5,193,983	\$0	\$0	\$0	State Grant	\$5,193,983
Vehicle Replacement	\$0	\$60,000	\$125,000	\$50,000	\$50,000	General Fund	\$285,000
Waterfront Park Development	\$0	\$0	\$20,000	\$0	\$0	General Fund	\$20,000
Oak Tree Park Neighborhood Infrastructure Improvements	\$0	\$0	\$0	\$5,364,618	\$0	Sales Tax Fund, Water and Sewer Loans	\$5,364,618
Funding Total	\$15,794,291	\$12,191,583	\$609,070	\$6,143,142	\$26,041,525	N/A	\$60,779,611

Data Source: City of Mary Esther
Date Prepared: 11/2024



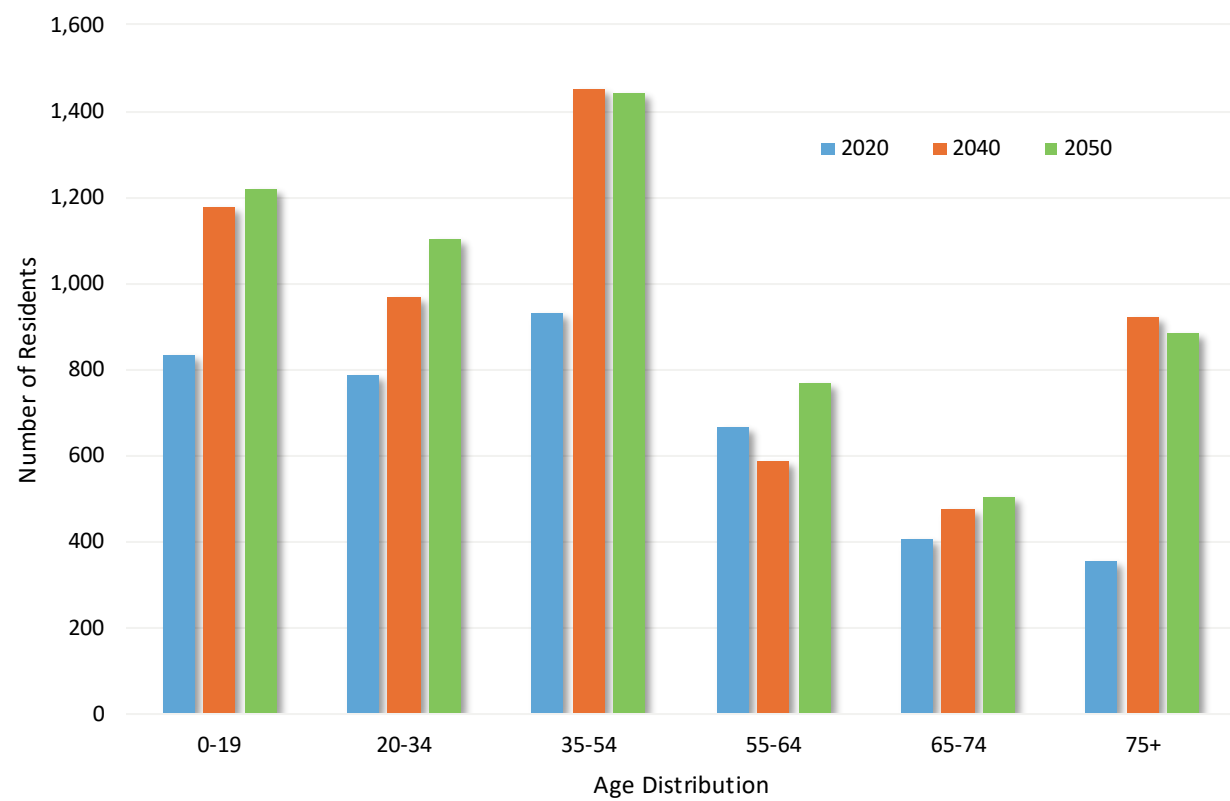
Public Schools Facilities Element



Source: City of Mary Esther,
Okaloosa County, ECRC (2024); FGDL (2023)
For planning purposes only.



Public Schools Facilities Element



- **Statutory Compliance:** Section 163.3177, Florida Statutes, mandates a property rights element in comprehensive plans.
- **Intent:** Ensure property rights are respected while supporting planning objectives.
- **Consequences of Non-Compliance:** Potential state challenges to the comprehensive plan. Delays or obstacles in approving future amendments.
- **Purpose:** Balancing Interests
 - Protect individual property rights.
 - Promote broader community goals, such as:
 - Sustainable development.
 - Environmental protection.
 - Public health and safety.





Model language provided by the Florida Department of Economic Opportunity (DEO)

- The City of Mary Esther shall consider the following rights in local decision-making:
 - The right of a property owner to physically possess and control their property.
 - The right of a property owner to use, maintain, develop, and improve their property for personal use or for the use of any other person, subject to state law and local ordinances.
 - The right of a property owner to privacy and to exclude others from their property to protect their possessions and property.
 - The right of a property owner to dispose of their property through sale or gift.





May use the comprehensive plan to include additional guidance for staff and the City Council to use in implementing this plan and ordinances.

- Develop policies outlining how property rights will be evaluated during land-use decisions:
 - Criteria for reviewing development applications.
 - Transparency requirements for decisions impacting property rights.
 - Conflict resolution mechanisms for disputes over property rights.





General Requirements

- Newspaper Notice for LPA Hearings
- At least 14 days and at least 5 days before hearing
Notice posted at City Hall at least 7 days before event
- Staff reports are distributed at least 7 days in advance





Additional Requirements for Rezoning and Variances

- **Applicant** provides notarized affidavit stating that signs have been posted on the affected property.
- **Applicant** must provide affidavit showing that they have notified all property owners within a 300' radius by certified mail

This does not reflect current practice.

Recommendation: Update comprehensive plan and ordinances to clarify notice requirements and procedures





Review Committee:

- Mayor,
- City Manager,
- Fire Chief,
- Water and Sewer Supervisor,
- Director of Construction and Maintenance,
- City Clerk
- other key personnel

The committee shall maintain information on development activity, level of service conditions, and other data necessary to accurately evaluate the implementation of the City's Comprehensive Plan. In addition, the committee will monitor and evaluate the CIP on an annual basis.

(Policy 14.A.3.6)





- Annual public meeting with staff and full Council
 - Could be special meeting or agenda item
- Staff will summarize:
 - Progress on implementing Goals, Objectives, and Policies
 - Any changes in state statutes affecting the plan
 - Feedback from the community
 - Recommendations for amendments or updates
- Council will:
 - Direct staff to begin amendment process (if necessary)
 - Set priorities for implementation for the next 12 months



CITY OF MARY ESTHER
195 Christobal Road, North • Mary Esther, Florida 32569
Telephone (850) 243-3566 • Fax (850) 243-0736

Dear Mr. Harris,

Pursuant to the Florida Department of Commerce letter dated January 18, 2024, we have completed a review of the City's current Comprehensive Plan (CP) and are able to provide the following responses:

- 1. 10 to 20 year Horizon Plan**
Current CP (Mary Esther Comprehensive Plan: 2000 – Ordinance 90-1) last amended on March 9, 2010. An EAR was completed in 2008. No Horizon Plan was identified in current CP. CP must be amended to reflect a planning horizon timetable.
- 2. Changes to reflect 2021 Property Rights Element**
The current CP does not contain a Property Rights Element.
- 3. Has the City met all requirements and does the CP still meet City needs?**
The CP has not been updated since March 2010. The CP must be updated to reflect City conditions to include population estimates, establish a planning horizon, and the various elements of the CP.
- 4. All changes to the CP shall be made by March 1, 2025.**
Acknowledged. The City Staff and our Planning Consultant have begun to work on changes to the CP.

We look forward to working with the Department in processing the CP update.

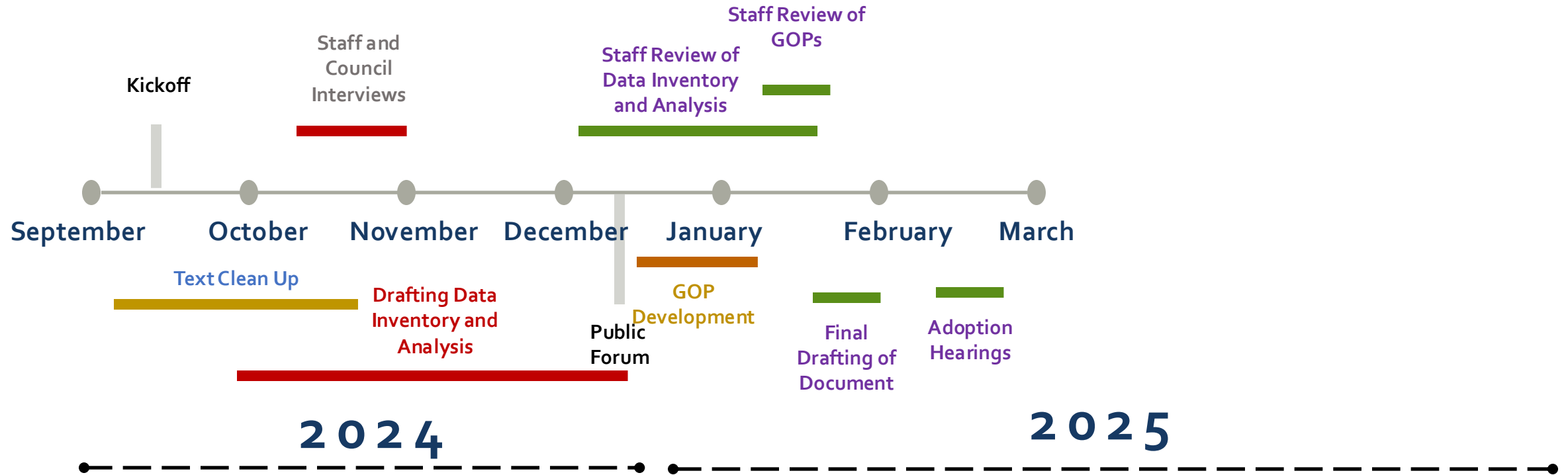
Sincerely,

Kelvin Cherry
Code Compliance Sr. Officer
850-243-3566 Ext.119

- Local plans are updated at least every seven years through the Evaluation and Appraisal Report (EAR) process.
 - Local governments should address changes in state requirements and local conditions since the previous Comprehensive Plan update
- The State Comprehensive Plan is reviewed annually.

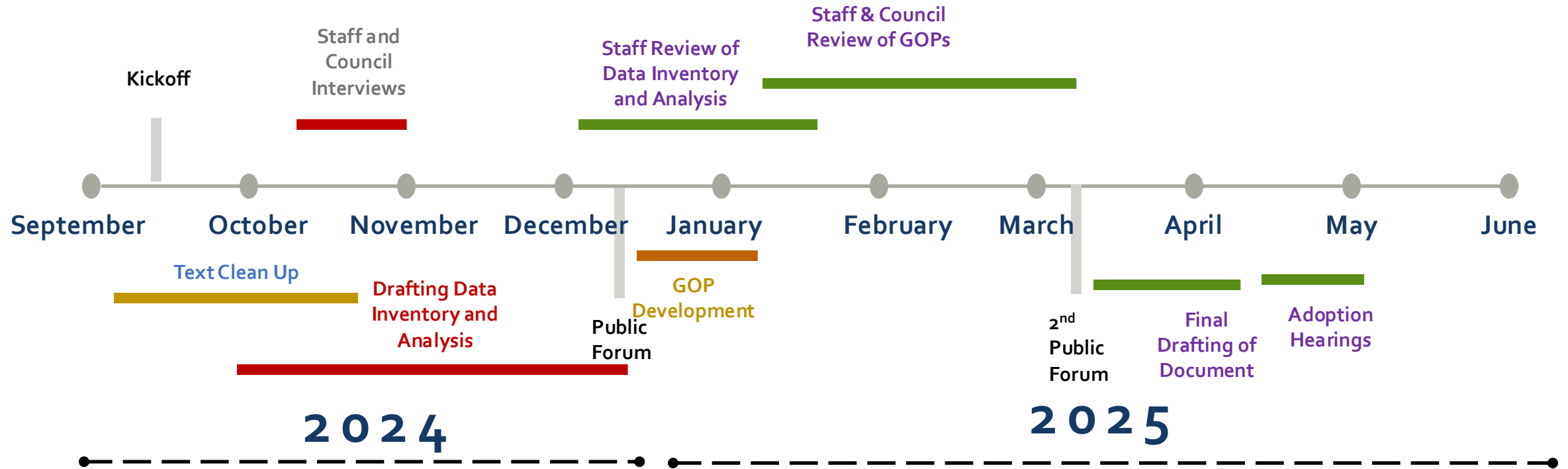


Timeline





Timeline





Thank You

Ada Clark, Community and Economic Development Director
Ada.Clark@ECRC.org

Eric Christianson, Planner
Eric.Christianson@ECRC.org

Agenda Memorandum

To: Local Planning Agency

Prepared By: Tyler Reed

Date: December 9, 2024

Subject: Ordinance No. 2024-04 and No. 2024-05, Consider a Small-Scale Future Land Use Map Amendment from Commercial (Com) to Low Density Residential (LDR) and a Rezone from C-2 General Commercial to R-1 Single Family Residential for approximately 1.15 acres. (Damian Curtis, Applicant) (Tyler Reed, Community Development Director)

Introduction: This is a request to consider amending the City's Official Future Land Use Map (FLUM) to change approximately one point fifteen (1.15) acres from Commercial (Com) to Low Density Residential (LDR) and rezone from C-2 General Commercial to R-1 Single Family Residential. The property is located on the south side of US Highway 98 and approximately three hundred and seventy-five feet (375') west of Windy Lane. A location map is provided in Exhibit A of the attached Supporting Inventory Data and Analysis. The Applicant is Damian Curtis.

Per Comprehensive Plan Section 2.01, the Local Planning Agency (LPA) shall review any Land Development regulations, codes, and amendments and decide as to their consistency with the comprehensive plan. Per Land Development Code (LDC) Section 4.02, the LPA shall conduct their public hearing and public meetings on any matter, affording the opportunity for public participation and make recommendations to the City Council. Per LDC Section 4.03, City Council shall conduct a public hearing, affording opportunity for public participation, regarding the recommendations from the LPA and shall have final approval authority of the proposed ordinances.

The subject property is one parcel currently comprised of two existing single-family homes and one duplex with the plan to demolish all three structures. A demolition permit has been submitted for the single-family residence located on the south end of the property. The applicant plans to split the parcel to three lots and rebuild three single family homes.

Discussion:

When considering a comprehensive plan amendment request, at a minimum, the following is considered:

- A. Consistency with the goals, objectives, and policies of the Comprehensive Plan and the Future Land Use Map Series.
- B. Impact on established and projected levels of service.
- C. Compatibility with existing and proposed land use.

- D. Funding commitments for required improvements.
- E. Impact on natural resources.
- F. Impacts on public schools.
- G. Consistency with the Intent, Goals, and Strategies of the Mary Esther Vision Plan.

Staff evaluated the proposed future land use map amendment per the Comprehensive Plan and the Vision Plan. Staff's findings are summarized below:

The proposed Low Density Residential future land use designation is consistent with the City's Comprehensive Plan Land Use and the Vision Plan strategies and goals in providing redevelopment for housing opportunities per Housing policy 9.A.1.1. Per FLU Policy 7.A.1.2.c, the proposed future land use designation requested is compatible with pre-existing adjacent and current land uses.

The proposed change is not anticipated to result in any significant changes in demand for transportation, water, sewer, stormwater, and solid waste facilities and services. A detailed analysis of land use compatibility and the potential impacts to public facilities and services is provided in the attached Supporting Data Inventory and Analysis.

The City Attorney reviewed the proposed Ordinances and offered no objections.

Budget Impact: There are no anticipated budgetary impacts as a result of adoption of the proposed small scale comprehensive plan future land use map amendment and rezone.

Recommendation: Staff requests the Local Planning Agency recommend to City Council adoption of an Ordinance enacting a Small-Scale Future Land Use Map Amendment from Commercial (Com) to Low Density Residential (LDR) and a Rezone from C-2 (General Commercial) to R-1 (Single Family Residential) zoning district for approximately one point fifteen (1.15) acres, located on the south side of US Highway 98 and approximately three hundred and seventy five feet (375') west of Windy Lane.

- Attachment(s):
1. Location Map
 2. Supporting Data, Inventory, and Analysis
 3. Ordinances 2024-04 and 2024-05



Location Map Sudduth Circle LLC 2024

CITY OF MARY ESTHER, FLORIDA

Comprehensive Plan Land Development Code Vision Plan



Comprehensive Plan Small Scale Future Land Use Map Amendment & Rezone

Ordinance No. 2024-04

Ordinance No. 2024-05

Supporting Data & Analysis

LPA
Dec. 9, 2024

City Council Adoption Public Hearing
Dec. 9, 2024

Application Type: Future Land Use Map (FLUM) Amendment and Rezone Request

Owner: Damian Curtis

Owner Authorization: N/A

Requested Change: Amending the City's Official Future Land Use Map (FLUM) to change approximately one point fifteen (1.15) acres from Commercial (Com) to Low Density Residential (LDR) and rezone from C-2

General Commercial to R-1 Single Family Residential.

i. General Location of Property:

The property is located on the south side of US Highway 98 and on the west side of Windy Lane on approximately one point fifteen (0.15) acres.

ii. Okaloosa County Property Appraiser Parcel ID Numbers:

17-2S-24-0000-0008-0000

II. PURPOSE AND INTENT

The purpose and intent of this report is to ensure compatibility with the Comprehensive Plan, Land Development Code and Vision Plan through an analysis of the existing conditions and proposed land use changes and to provide rationale for the proposed amendments.

III. RATIONALE

The current zoning district for the subject property is "split zoned" with C-2 (General Commercial), and R-1 (Single Family Residential). The C-2 zoning district does not allow for single family homes, which is being proposed for the site.

Because the property is "split zoned", meaning it has two different zoning districts, and two different future land use designations, staff made the recommendation to the applicant to put the entire property under one zoning district and one future land use that will allow the applicant to move forward with his proposal of three single family homes on three separate lots. The mechanism to do this is through the City's rezone/future land use map amendment process. Because the rezone is changing to a different land use category (i.e. R-1), a Future Land Use Map Amendment to LDR (Low Density Residential) is required to ensure compatibility with the zoning district.

Summary chart of the existing in FLU designation and maximum density and intensity are shown in Table 1 below.

Table 1
Existing Mary Esther LDR FLU Maximum Density/Intensity

Okaloosa County Property Appraiser Parcel ID Number	Parcel Size (acres)	Parcel Size (square feet)	Current FLU	Max Density/Intensity allowed (DU/AC, FAR)
17-2S-24-0000-0008-0000	1.15	50,094 sf	COM/LDR	1.92 FAR, 5.51 DU/AC

IV. PROPERTY PROFILE

- i. Existing Use: Multi family/Single Family
- ii. Current Future Land Use: Commercial (Com)/ Low Density Residential (LDR)
- iii. Proposed Future Land Use: LDR (Low Density Residential)
- iv. Existing Zoning: C-2 (General Commercial)/R-1 (Single Family Residential)
- v. Proposed Zoning: R-1 (Single Family Residential)
- vi. Total Area: Approximately one point fifteen (1.15) acres
- vii. Area of Proposed Amendment: Approximately one point one five (1.15) acres

V. COMPREHENSIVE PLAN POLICY ANALYSIS

A. Consistency with the Goals, Objectives, and Policies of the Comprehensive Plan and the Future Land Use Map Series

i. Supporting Goals, Objectives, and Policies:

The City of Mary Esther Comprehensive Plan was evaluated in order to ensure the compatibility of this requested change of future land use map designation with the City's Plan. This evaluation concludes that the following applicable objectives and policies of the Land Use Element of the City of Mary Esther Comprehensive Plan are compatible with the requested change of future land use designation:

7.A.1.2	9.A.1.1
7.A.1.3	
7.A.2.2	
7.A.3.1	
7.A.3.2	
7.A.3.3	
7.A.3.4	
7.A.4.5	

ii. Conflicting Goals, Objectives, and Policies:

None of the applicable goals, objectives, and/or policies from the City of Mary Esther Comprehensive Plan conflicts with this request for a future land use map amendment.

B. Impact on Established and Projected Levels of Service

1. Recreation: Per Comprehensive Plan Policy 12.A.3.2, the analysis for recreation services impact is based on one (1) acre per one thousand (1000) population (1 ac/1,000 pop.). The population estimate (3,982 pop.) is based on the average household size of the 2020 Census multiplied by the maximum number of units (based on 2020 Census). The average household size in Mary Esther is 2.1 persons. The proposed lots will have no impact on levels of service for recreation.
2. Solid Waste: Per Comprehensive Plan Policy 10.B.1.5, the analysis for solid waste impact is one hundred (100) gallons per capita daily. The Public Works department determines adequate capacity for solid waste.
3. Potable Water and Sewer: Per Comprehensive Plan Policy 10.D.1.1, the levels of service is one hundred (100) gallons per capita daily. The Public Works department determines adequate capacity for potable water and sewer.
4. Drainage: Drainage impact is determined on a site-by-site basis and development shall comply with the City's drainage level of standards.
5. Transportation: Traffic generation was not completed for this project, but it is not anticipated that the proposed single family homes will have a significant trip generation.

Compatibility with Existing and Proposed Land Uses

Table 4 Adjacent Land Use

Direction	FLU Designation	Zoning District	Existing Land Use
North:	Public Lands (PL)	PL (Public Lands)	US HWY 98/Live Oak Park
South:	N/A	N/A	Santa Rosa Sound
East:	Commercial (COM)/ Low Density Residential (LDR)	C-2 (General Commercial) / R-1 (Single Family Residential)	Single-Family Residential
West:	Commercial (COM)	C-2 (General Commercial)	Single-Family Residential

The proposed FLU designation is compatible with the adjacent FLU designations, zoning districts and existing uses and will not change the character of the area.

D. Funding Commitments for Required Improvements

No additional capital improvements beyond what has already been approved within the City's Comprehensive Plan will result because of the proposed request for a FLU map amendment. Therefore, no funding commitments for capital improvement projects are required of the Applicant at this time.

E. Impact on Natural Resources

- iii. Wetlands: According to the Okaloosa County Wetlands Map, there are no existing wetlands on the property.
- iv. Floodplain: According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) of Okaloosa County, a sizeable portion of the southern part of the property adjacent to the cove is located within Zone AE (areas determined to have a 1% annual chance of flooding), while the majority of the property is located within Zone X (areas determined to be within the 0.2% annual chance floodplain).

4. Endangered Species: N/A

5. Soil Conditions: N/A

VI. OTHER CONSIDERATIONS

- 1. There are no public-health, safety, and/or welfare issues associated with this FLU map and rezone amendment request.

F. Impact on Schools

There are no impacts to Schools as a result of this FLU Map amendment and rezone request.

G. Consistency with the City of Mary Esther Vision Plan

The proposed single family residential redevelopment aligns with the Vision Plan Goal of providing housing opportunities to serve the broad needs of the community.

Note: Adoption of a FLU map amendment and rezone does not reserve or guarantee capacity in water, sewer, transportation, drainage, recreation, or solid waste facilities, nor does it guarantee maximum density or intensity in a land use designation can be achieved.

VII. STAFF RECOMMENDATION

Staff recommends adoption of these Ordinances based on the findings presented in this report.

EXHIBITS

EXHIBIT A	Location Map
EXHIBIT B	Existing Future Land Use Map
EXHIBIT C	Current Zoning Map



Location Map Sudduth Circle LLC

2024

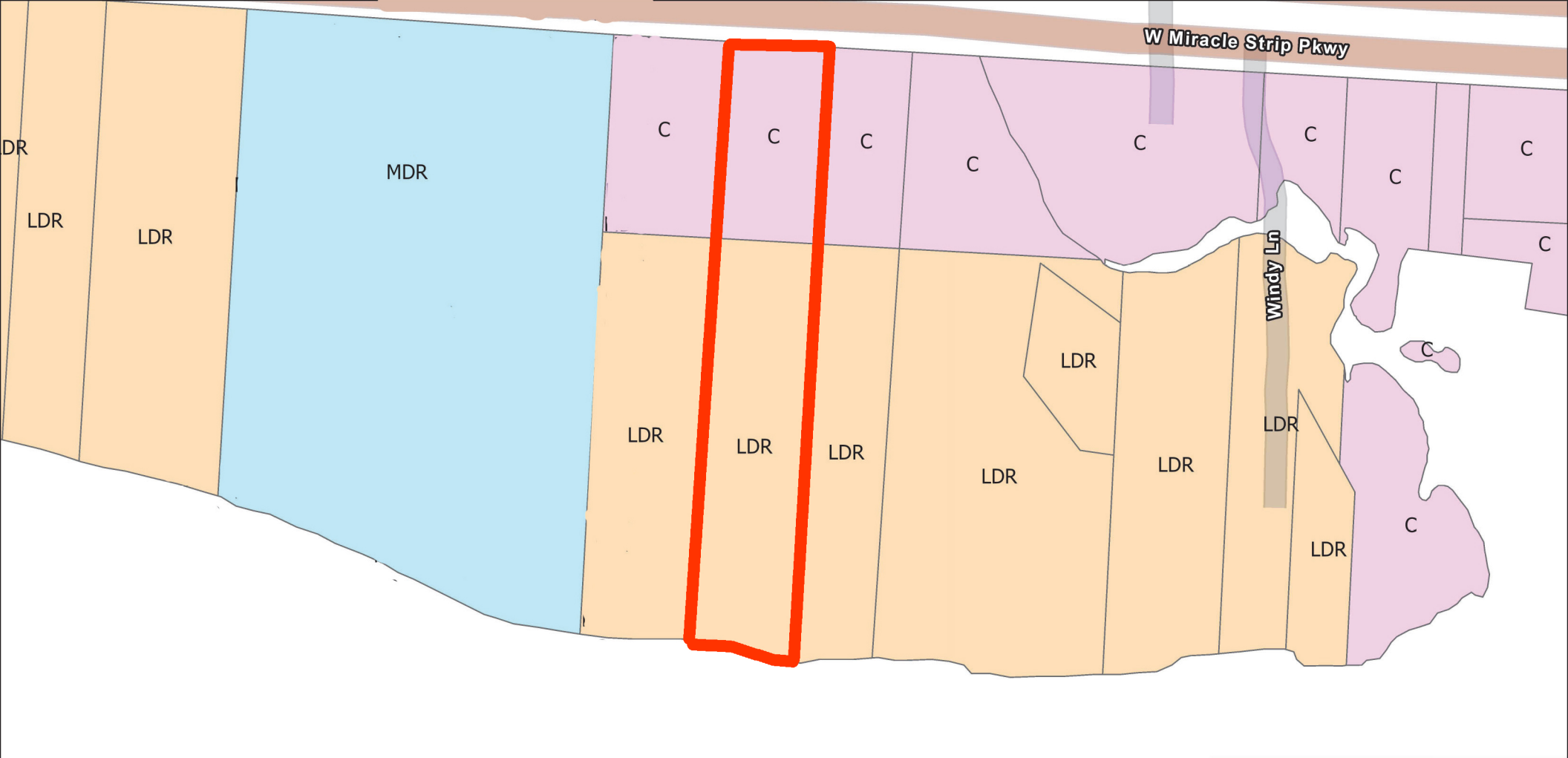


Exhibit B: Existing Future Land Use

Esri Community Maps Contributors, FDEP, © OpenStreetMap, GeoTechnologies, Inc, METI/NASA, USGS

Legend

FLU_Zoning71524

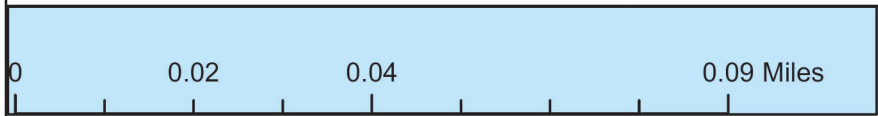
FLU_Pro

- C
- CON
- LDR

- MDR
- PL
- REC
- REC,CON
- <all other values>



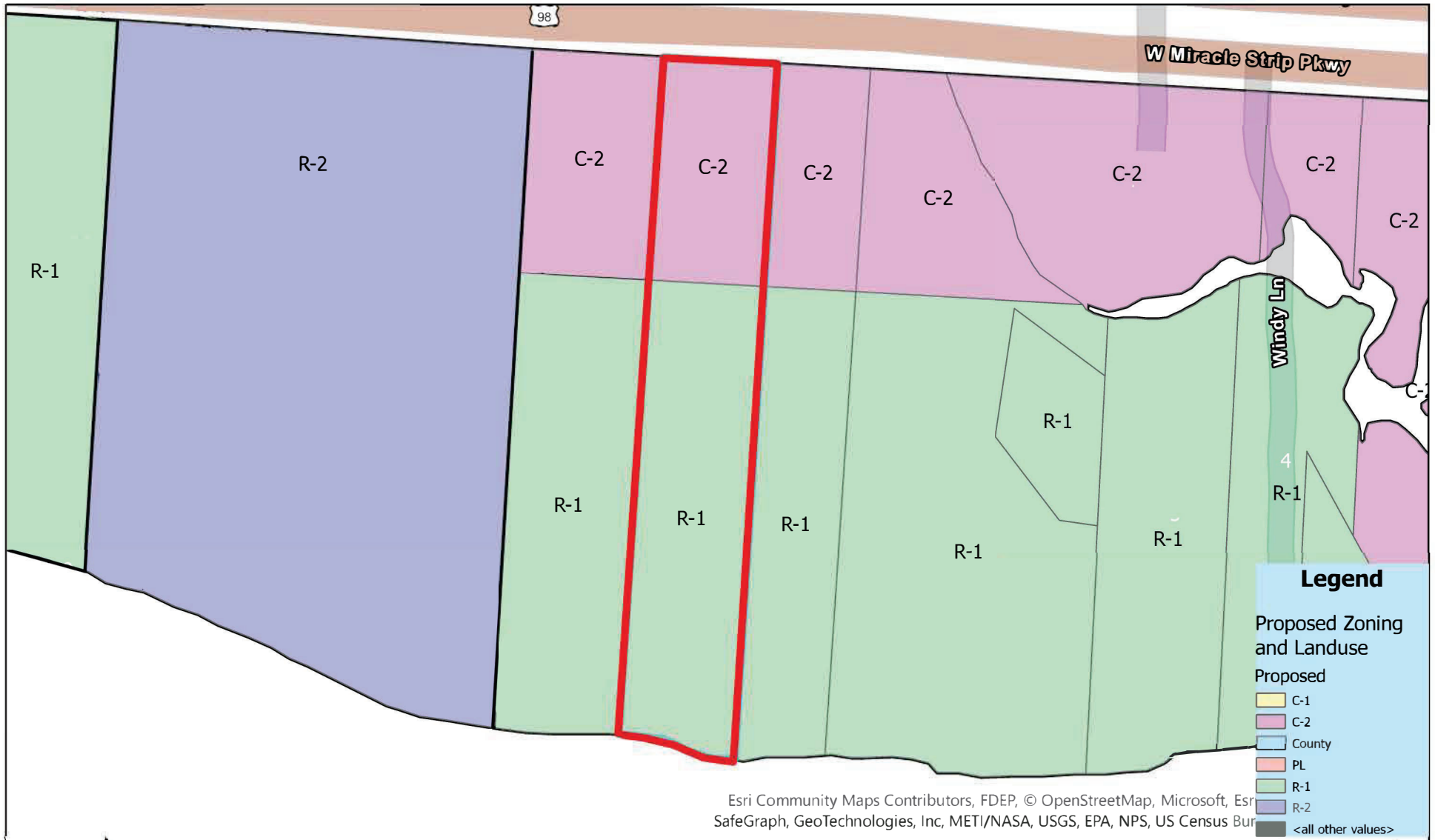
FLU Existing 191 Miracle Strip



2024



Exhibit C: Current Zoning



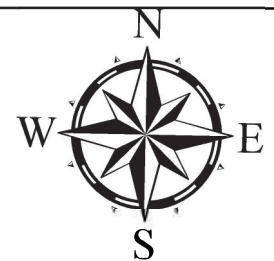
Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau



Current Zoning for 191 Miracle Strip

0 90 180 360 Feet

2024



ORDINANCE NO. 2024- 04

AN ORDINANCE OF THE CITY OF MARY ESTHER, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF APPROXIMATELY ONE POINT FIFTEEN (1.15) ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF US HIGHWAY NINETY EIGHT (US HWY 98) AND THE WEST SIDE OF WINDY LANE: FROM LOW COMMERCIAL (COM) TO LOW DENSITY RESIDENTIAL; PROVIDING FOR LEGISLATIVE INTENT, IMPLEMENTING ACTIONS, A SAVINGS PROVISION, SCRIVENER'S ERRORS, CONFLICTS, AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the real property which is the subject of this Ordinance is located on one point fifteen (1.15) acres of land generally located on the south side of US Highway Ninety Eight (US HWY 98) and the west side of Windy Lane; and

WHEREAS, the City of Mary Esther's Local Planning Agency (LPA) held a public hearing on December 09, 2024, to consider amending the Future Land Use Map of the Future Land Use Element of the *City of Mary Esther Comprehensive Plan* and recommended approval of the proposed Future Land Use Map amendment to the *Comprehensive Plan* for the subject property as requested by the property owner; and

WHEREAS, Section 163.3187, *Florida Statutes*, relates to the amendment of adopted local government comprehensive plans and sets forth certain requirements relating to small scale amendments which are related to proposed small scale development activities and provides, among other things, that such amendments may be approved without regard to any limits on the frequency of consideration of amendments to the *City of Mary Esther Comprehensive Plan*;

WHEREAS, the amendment proposed by this ordinance does not involve a text change to the goals, policies, and objectives of the *City of Mary Esther Comprehensive Plan*, but only proposes a land use change to the Future Land Use Map for a site-specific small scale development activity; and

WHEREAS, the City of Mary Esther has complied with all requirements and procedures of Florida law in processing this amendment to the *City of Mary Esther Comprehensive Plan* including, but not limited to, Section 163.3187, *Florida Statutes*.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MARY ESTHER, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent.

(a). The foregoing recitals are hereby incorporated by this reference as a material part of this ordinance and together with the City staff report represent administrative findings with respect to the actions taken herein.

(b) The City of Mary Esther has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(c). This Ordinance is internally consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Mary Esther*.

(d). The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

SECTION 2. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employee(s) as deemed effectual and prudent.

SECTION 3. Savings. The prior actions and activities of the City of Mary Esther relating to the comprehensive planning and land development regulatory programs and actions of the City are hereby ratified and affirmed.

SECTION 4. Scrivener's Errors. The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the Code codifier. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 5. Conflicts. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

SECTION 6. Severability. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 7. Effective Date. The small-scale amendment to the City's *Comprehensive Plan* as set forth herein shall not become effective, in accordance with Section 163.3187(5)(c), *Florida Statutes*, until thirty-one (31) days after the enactment of this Ordinance.
If challenged within thirty (30) days after enactment, the small-scale amendment set forth in this Ordinance shall not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a final order determining that the subject small-scale amendment is in compliance with controlling State law.

So Done this ____ day of _____, 2024.

By: _____
Chris Stein, Mayor
City of Mary Esther, Florida

ATTEST:

Dillon Morris
City Clerk

1st Reading:
Published:
2nd Reading:

Exhibit A: Legal Description

(AS- RECORDED):

(O.R. BOOK 3623, PAGE 2463)

PARCEL 1:

COMMENCING AT HIGH WATER MARK ON SANTA ROSA SOUND, AT A POINT 390 FEET WEST OF THE EAST LINE OF SECTION 17, TOWNSHIP 2 SOUTH OF RANGE 24 WEST, THENCE NORTH PARALLEL TO SAID EAST LINE TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 10, THENCE WEST ALONG SAID SOUTH RIGHT OF WAY LINE 90 FEET, THENCE SOUTH PARALLEL WITH SAID EAST LINE OF SECTION 17 TO HIGH WATER MARK ON SANTA ROSA SOUND, THENCE FOLLOWING THE MEANDERINGS OF SAID SOUND AT HIGH WATER MARK EASTERLY TO POINT OF BEGINNING, IT BEING THE INTENTION OF THE PARTIES TO CONVEY THE LANDS HERETOFORE OCCUPIED BY L.I . SMITH AT HIS HOME, BETWEEN THE EAST AND WEST BOUNDARIES AS ESTABLISHED BY HIS FENCES, TOGETHER WITH ALL OF THE RIPARIAN RIGHTS APPERTAINING THERETO, LESS AND EXCEPT RIGHT OF WAY PREVIOUSLY CONVEYED TO FLORIDA STATE ROAD DEPARTMENT, LYING SOUTH OF AND WITHIN 50 FEET OF THE SURVEY LINE OF STATE ROAD NO. 30 (U.S. HIGHWAY 98) ACCORDING TO DEED RECORDED IN OFFICIAL RECORDS BOOK 238 AT PAGE 787 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

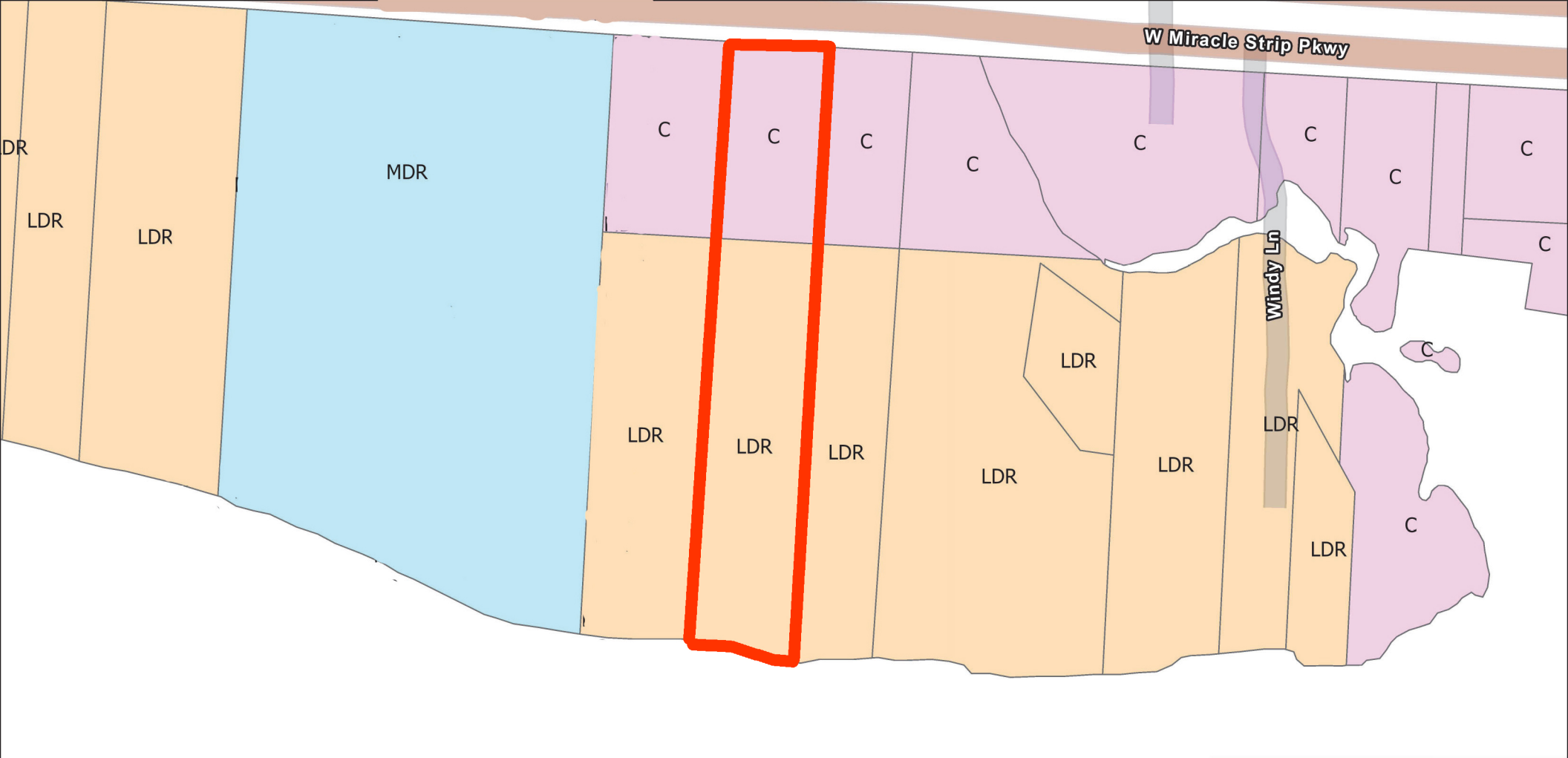


Exhibit B: Existing Future Land Use

Esri Community Maps Contributors, FDEP, © OpenStreetMap, GeoTechnologies, Inc, METI/NASA, USGS

Legend

FLU_Zoning71524

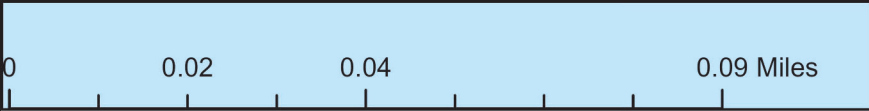
FLU_Pro

- C
- CON
- LDR

- MDR
- PL
- REC
- REC,CON
- <all other values>

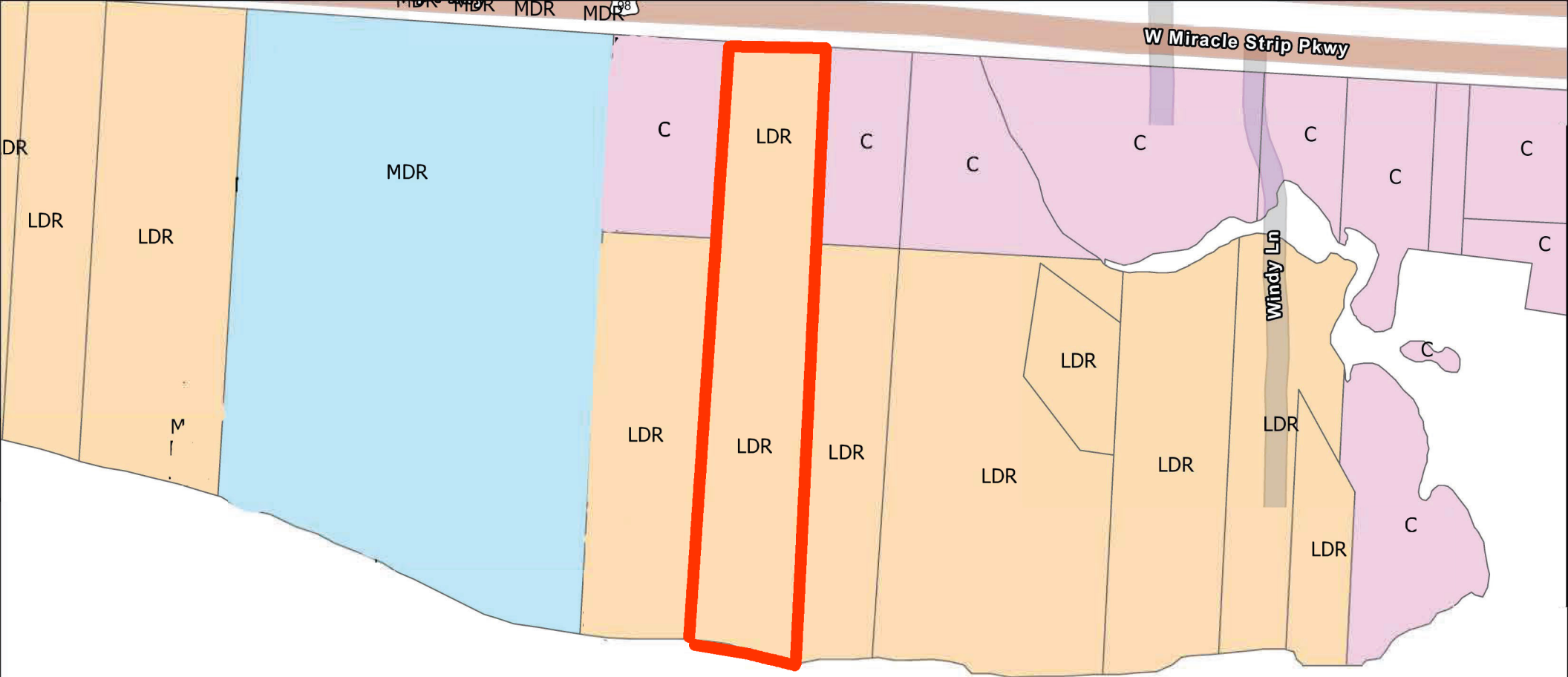


FLU Existing 191 Miracle Strip

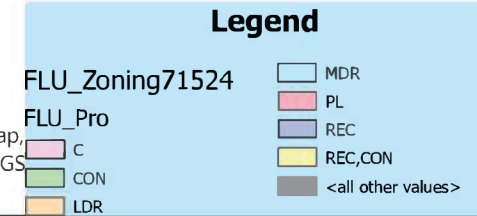


2024





Esri Community Maps Contributors, FDEP, © OpenStreetMap, GeoTechnologies, Inc, METI/NASA, USGS



FLU Proposed 191 Miracle Strip

0 0.02 0.04 0.09 Miles

2024



ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY OF MARY ESTHER, FLORIDA, AMENDING THE ZONING MAP OF APPROXIMATELY ONE POINT FIFTEEN (1.15) ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF US HIGHWAY NINETY EIGHT (US HWY 98) AND THE WEST SIDE OF WINDY LANE: FROM C-2 (GENERAL COMMERCIAL) TO R-1 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT; PROVIDING FOR LEGISLATIVE INTENT, IMPLEMENTING ACTIONS, A SAVINGS PROVISION, SCRIVENER'S ERRORS, CONFLICTS, AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MARY ESTHER, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent.

- (a). The City of Mary Esther has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.
- (b). This Ordinance is internally consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Mary Esther*.
- (c). The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

SECTION 2. Adoption of the Amendment to the Official Zoning Map.

- (a). In exercise of its authority, the City Council of the City of Mary Esther, Florida finds it necessary and desirable to adopt and does hereby adopt this amendment and update to the City of Mary Esther's zoning map, attached hereto as Exhibit "D" in order to encourage the most appropriate use of land, water, and resources, consistent with the public interest; and to deal effectively with future problems that may result from the use and development of land within City of Mary Esther, Florida.
- (b). All exhibits to this Ordinance are incorporated into the text and substance of this Ordinance as if fully set forth herein verbatim.

SECTION 3. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 4. Savings. The prior actions and activities of the City of Mary Esther relating to the comprehensive planning and land development regulatory programs and actions of the City are hereby ratified and affirmed.

SECTION 5. Scrivener’s Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 6. Conflicts. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

SECTION 7. Severability. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 8. Effective Date. This Ordinance shall become effective immediately upon adoption.

SO DONE this _____ day of _____, 2024.

By: _____
Chris Stein, Mayor
City of Mary Esther, Florida

ATTEST:

Dillon Morris
City Clerk

1st Reading:
Published:
2nd Reading:

Exhibit A: Legal Description

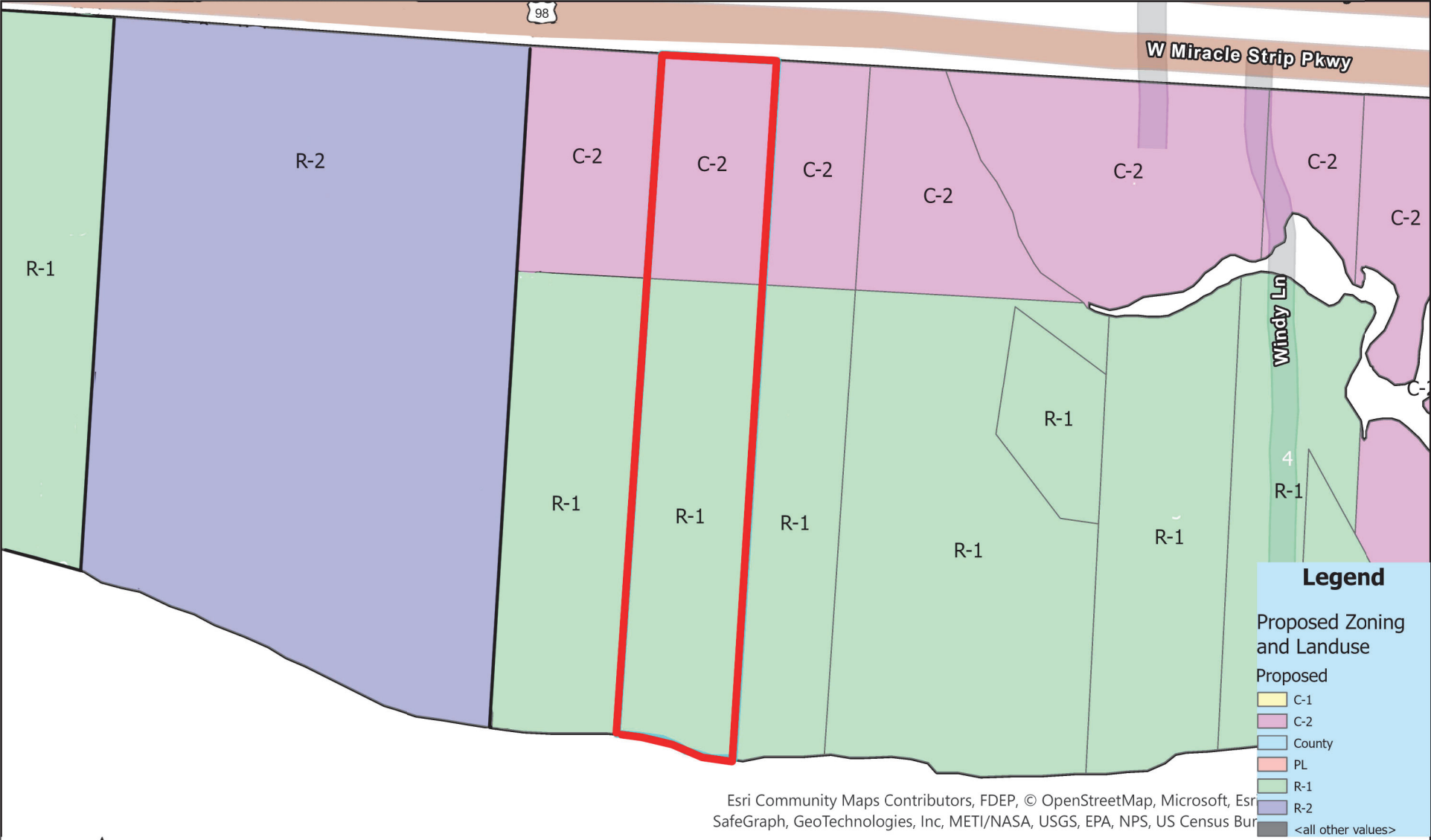
(AS- RECORDED):

(O.R. BOOK 3623, PAGE 2463)

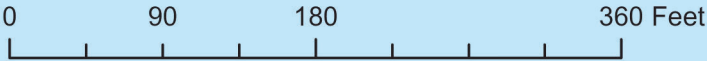
PARCEL 1:

COMMENCING AT HIGH WATER MARK ON SANTA ROSA SOUND, AT A POINT 390 FEET WEST OF THE EAST LINE OF SECTION 17, TOWNSHIP 2 SOUTH OF RANGE 24 WEST, THENCE NORTH PARALLEL TO SAID EAST LINE TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 10, THENCE WEST ALONG SAID SOUTH RIGHT OF WAY LINE 90 FEET, THENCE SOUTH PARALLEL WITH SAID EAST LINE OF SECTION 17 TO HIGH WATER MARK ON SANTA ROSA SOUND, THENCE FOLLOWING THE MEANDERINGS OF SAID SOUND AT HIGH WATER MARK EASTERLY TO POINT OF BEGINNING, IT BEING THE INTENTION OF THE PARTIES TO CONVEY THE LANDS HERETOFORE OCCUPIED BY L.I . SMITH AT HIS HOME, BETWEEN THE EAST AND WEST BOUNDARIES AS ESTABLISHED BY HIS FENCES, TOGETHER WITH ALL OF THE RIPARIAN RIGHTS APPERTAINING THERETO, LESS AND EXCEPT RIGHT OF WAY PREVIOUSLY CONVEYED TO FLORIDA STATE ROAD DEPARTMENT, LYING SOUTH OF AND WITHIN 50 FEET OF THE SURVEY LINE OF STATE ROAD NO. 30 (U.S. HIGHWAY 98) ACCORDING TO DEED RECORDED IN OFFICIAL RECORDS BOOK 238 AT PAGE 787 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

Exhibit B: Current Zoning Map

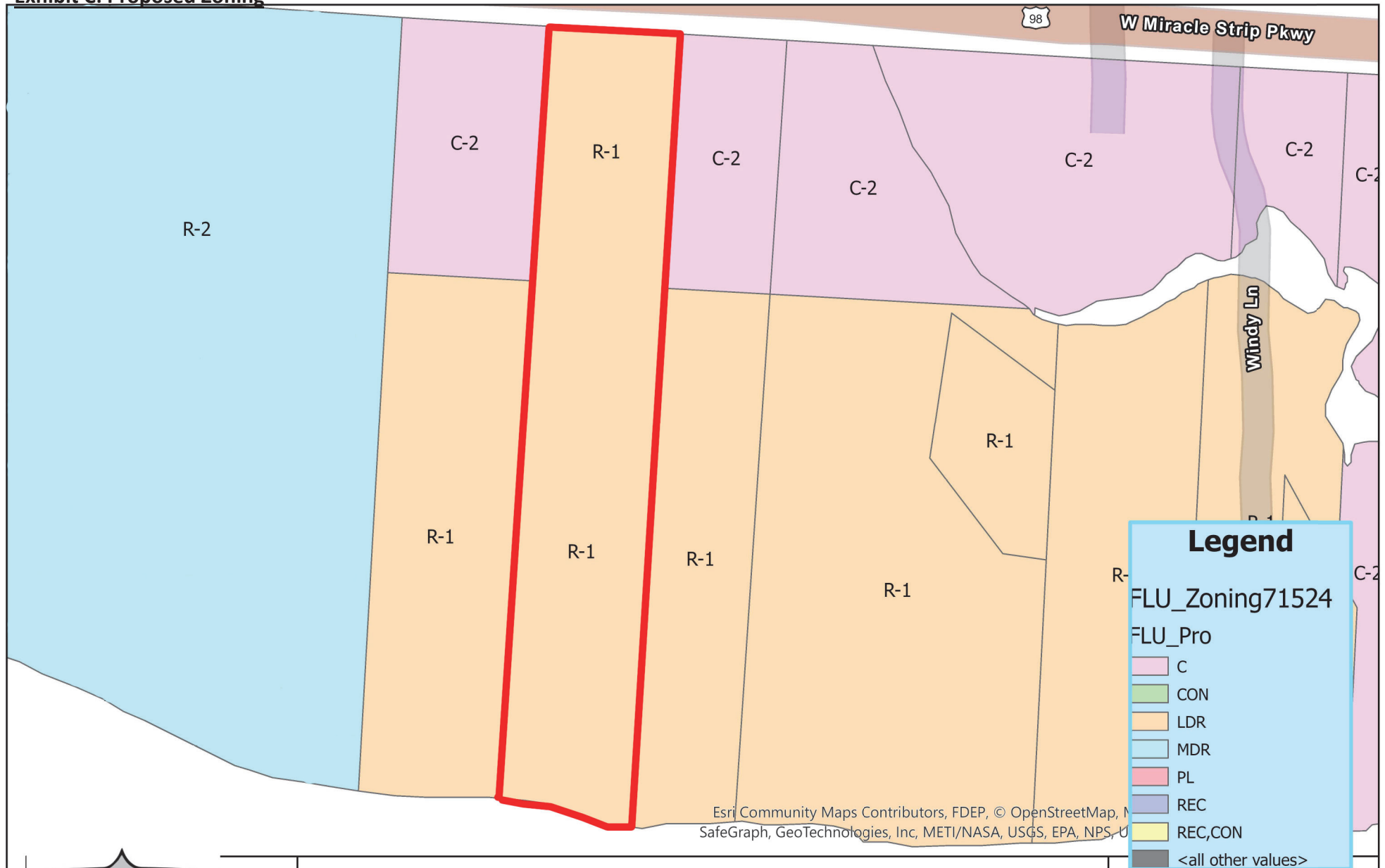


Current Zoning for 191 Miracle Strip



2024





Esri Community Maps Contributors, FDEP, © OpenStreetMap, M
SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, U



Proposed Zoning For 191 Miracle Strip

0 75 150 300 Feet

2024





CITY OF MARY ESTHER COMMUNITY DEVELOPMENT DEPARTMENT

195 Christobal Road N. Mary Esther, Florida 32569
Telephone (850) 243-3566 Ext.10 Fax (850) 243-0736

Email: Code@Cityofmaryesther.com
www.CityofMaryEsther.com

REZONE/FUTURE LAND USE MAP AMENDMENT

REQUIRED ATTACHMENTS

INITIAL INTAKE

- ☒ Application
- ☒ Application fee
- ☐ Ownership Disclosure form (Additional documentation required if the property owner is a trust or corp.)
- ☐ Owner Authorization Form (Required if the applicant and/or consultant is not the property owner)
- ☒ Detailed narrative of amendment (PUD/PMDD Substantial/Minor revisions only)
- ☒ Legal Description of Subject Property
- ☒ Property Deed
- ☒ Signed and sealed boundary survey
- ☐ Copy of Restrictive Covenants (if applicable)
- ☒ List of All property owners within a 300' radius of the subject property certified by the Okaloosa County Property Appraiser
- ☐ Aerial Photograph (in Color, 8.5" X 11")

FINAL SUBMITTALS

- ☐ Attachment "A" and all supporting documents (Future Land Use Amendments only)
- ☐ ~~Traffic Impact~~ Analysis (Projects generating 50 or more peak hour trips)
- ☐ ~~Draft~~ Developer's Commitment Agreement in Microsoft Word format (PUD/PMDD Final Development Plan only)
- ☐ ~~Draft Preliminary~~ Development Order in Microsoft Word format
- ☐ ~~Preliminary~~ Master Plan including a preliminary utilities plan shown on the Master Plan in a table with supporting data provided separately (PUD/PMDD Rezone & Master Plan only)

DELIVERY METHODS

Completed forms and all the above required attachments may be sent via:

- **E-mail:** Code@cityofmaryesther.com
- **Hand delivery:** City of Mary Esther, 195 Christobal Rd, N, Mary Esther, Florida 32569
- **Mail:**

CITY OF MARY ESTHER
PROJ. #: _____
COMMUNITY DEVELOPMENT DIVISION
ATTN: LESLIE WRIGHT
195 CHRISTOBAL RD, NORTH
MARY ESTHER, FLORIDA 32569

PROJECT

PROJECT NAME: SUDDUTH CIRCLE LLC	
PARCEL ID #(S): 17-25-24-0000-0008-0000	
LOCATION: 191 MIRACLE STRIP PKWY MARY ESTHER	
EXISTING USE(S): MULTI FAMILY	PROPOSED USE(S):
TOTAL ACREAGE: 1.15	
WATER PROVIDER: MARY ESTHER	SEWER PROVIDER: MARY ESTHER
CURRENT ZONING: C-2	PROPOSED ZONING: R-1
CURRENT FUTURE LAND USE: SINGLE FAMILY	PROPOSED FUTURE LAND USE: SINGLE FAMILY

APPLICANT

NAME: DAMIAN CURTIS	COMPANY: SUDDUTH CIRCLE LLC
ADDRESS: 216 HOSPITAL DRIVE NE	
CITY: FT. WALTON BEACH	STATE: FL ZIP: 32546
PHONE: 850-244-7120	EMAIL: DAMIAN@DLCURTISCONSTRUCTION.COM

CONSULTANT

NAME:	COMPANY:	
ADDRESS:		
CITY:	STATE:	ZIP:
PHONE:	EMAIL:	

CONTRACTOR (If known at time of application)

NAME:	COMPANY:	
ADDRESS:		
CITY:	STATE:	ZIP:
PHONE:	EMAIL:	

OWNERS

(INCLUDE NOTARIZED OWNER'S AUTHORIZATION FORM)

NAME(S): SAME AS APPLICANT ABNIE		
ADDRESS:		
CITY:	STATE:	ZIP:
PHONE:	EMAIL:	

Affidavit of Understanding

I DAMIAN CURTIS, owner of 191 WEST MIRALE S. hereby acknowledge that my signature hereto is a solemn affirmation that the information in this application is not only true but also accurate to the best of my knowledge. I am fully aware that any deliberate misrepresentation of this information could lead to the denial or reversal of the application, and even the revocation of any approval based on this application.

By signing this document, I grant the City/County staff the authority to access the subject property at their discretion for the purpose of investigating and reviewing this request. I also agree to display a public notice sign (placard), if deemed necessary, on the subject property at a location(s) determined by the City staff.

I hereby acknowledge that the City of Mary Esther Staff may not defend any challenge to my proposed Future Land Use Amendment/Rezoning and related development approvals and that it may be my sole obligation to defend any and all actions and approvals that authorize the use or development of the subject property. Submission of this form initiates a process by the City and will be considered at the earliest available Public Hearing after all requirements by this application and Florida Statutes are met and does not imply approval by the City of Mary Esther, Okaloosa County, or any of its boards, commissions, councils, or staff.

I hereby acknowledge that any fees must be paid to the City prior to the application being processed, and once the application has been processed, the fees are non-refundable. I acknowledge that all costs of advertisement are the responsibility of the applicant/owner and that I will comply with all provisions of City Ordinance 21-16, 21-17, and the advertising/notice requirements as stated within the application.

I hereby acknowledge that should the City require a consultant to review and provide an analysis of the application in its entirety, the applicant/owner shall be responsible for the costs incurred by the City and the City may refuse to make any decision on the matter until all fees and costs have been paid.

I hereby acknowledge that payment of any fees or costs does not guarantee adoption or approval of the request by the City or State Governments.

I hereby acknowledge that analysis may be required on issues such as wetlands, soil, traffic, water and sewer availability, wildlife, flood zones, land cover, infrastructure impacts, archeological and historical impacts, solid waste, fire protection, affected roadways, stormwater, and compatibility.

I further acknowledge that I have read the information contained in this application pertaining to proposed amendments to the official Zoning map, official Future Land Use map and/or Comprehensive Plan and have had sufficient opportunity to inquire regarding matters set forth therein and, accordingly, understand all applicable procedures and issues relating to this application.

I hereby represent that I have the lawful right and authority to file this application.



SIGNATURE OF OWNER/AUTHORIZED AGENT

(PROOF OF PROPERTY OWNER'S AUTHORIZATION IS REQUIRED
IF SIGNED BY SOMEONE OTHER THAN THE PROPERTY OWNER)

9/16/24

DATE

Narrative of Amendment

City Of Mary Esther
Community Development Division
ATTN: Tyler Reed
195 Christobal RD, North
9/9/2024

Mr. Reed

Our property at 191 Mircale Strip Pkwy, Mary Esther, FL has 4 dwellings on it.

- Dwelling 1 single family 3 bedroom, 2 baths, 3400 SF, built in 1950
- Dwelling 2 single family 2 bedroom, 1 bath, 1091 SF, built in 1950
- Dwelling 3 Single family 2 bedrooms, 2 baths, 1880 SF built 1955

Roughly 175 ft of the northern part of our property is zoned commercial C-2, the remaining 375 ft of the property is zoned R-1, single family. The northern portion of our property that is zoned C-2 includes Dwellings 2 & 3.

The future land use (FLU) is now commercial we are requesting to amend the entire parcel to low density residential (LDR)



Damian L Curtis Sudduth Circle LLC



9/9/2024

PARCEL ID#
17-2S-24-0000-0009-0000

PARCEL ID#
17-2S-24-0000-0007-0000

PREPARED BY:

DC ASecretist

JD Peacock II Clerk of Circuit Court Okaloosa County, FL

MEAD LAW & TITLE

24 Walter Martin Road NE

Fort Walton Beach, Florida 32548

File No: 44878AT

24090215
Property Appraiser's Parcel I.D. # 17-2S-24-0000-0008-0000

\$1000000.00

This **WARRANTY DEED** made the 20th day of August, A.D. 2024, by

Charles H. Van Diver, III as Co-Trustee of the Van Diver Joint Revocable Trust dated April 21, 2022 and Angela R. Van Diver, as Co-Trustee of the Van Diver Joint Revocable Trust dated April 21, 2022

whose post office address is: 1222 Emerald Bay Dr, Destin, FL 32541
hereinafter called the grantor to

Sudduth Circle, LLC, a Florida limited liability company

whose post office address is: 25 Walter Martin Rd., Fort Walton Beach, Florida 32548
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:

COMMENCING at High Water Mark on Santa Rosa Sound at a point 390 feet West of the East line of Section 17, Township 2 South, Range 24 West; thence North parallel to said East line to the South right of way line of State Road No. 10; thence West along said South right of way line 90 feet; thence South parallel with said East line of Section 17 to High Water Mark on Santa Rosa Sound; thence following the meanderings of said Sound at high water mark Easterly to POINT OF BEGINNING, it being the intention of the parties to convey the lands heretofore occupied by L. F. Smith at his home, between the East and West boundaries as established by his fences, together with all of the riparian rights appertaining thereto, LESS AND EXCEPT right of way previously conveyed to Florida State Road Department, lying South of and within 50 feet of the survey line of State Road No. 30 (U.S. Highway 98) according to deed recorded in Official Records Book 238 at Page 787 of the Public Records of Okaloosa County, Florida.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) nor any members of the household of Grantor(s) reside thereon.

This conveyance is made subject to covenants, conditions, reservations, restrictions and easements of record, if any, which may now affect the above described property, but this provision shall not operate to reimpose the same. Also subject to applicable zoning regulations and ordinances, governmental authorities' restrictions, and to real estate taxes.

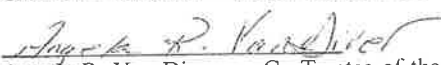
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anyway appertaining.

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, 2023.

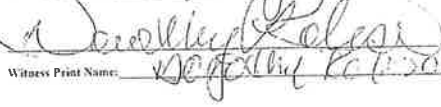
In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.


Charles H. Van Diver, III as Co-Trustee of the Van Diver Joint Revocable Trust dated April 21, 2022


Angela R. Van Diver, as Co-Trustee of the Van Diver Joint Revocable Trust dated April 21, 2022

Signed, sealed and delivered in
the presence of:

Witness Print Name: 
Amy R. Townsend

Witness Print Name: 
Carol Lynn Chase

24 Walter Martin Rd
Fort Walton Beach, FL 32548

Address of Witness
24 Walter Martin Rd
Fort Walton Beach, FL 32548

Address of Witness

STATE OF FLORIDA

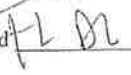
COUNTY OF OKALOOSA

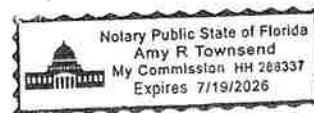
The foregoing instrument was acknowledged before me by means of Y physical presence or
online notarization this 20th day of August, 2024, by Charles H. Van Diver, III as Co-Trustee of
the Van Diver Joint Revocable Trust dated April 21, 2022 and Angela R. Van Diver, as Co-Trustee of
the Van Diver Joint Revocable Trust dated April 21, 2022


Notary Public
Print/Notary Name:
My Commission Expires:

(affix notary seal)

Personally known to me _____

Produced  as identification



LEGAL DESCRIPTION.(AS RECORDED):
(O.R. BOOK 3623, PAGE 2463)

PARCEL 1:

COMMENCING AT HIGH WATER MARK ON SANTA ROSA SOUND, AT A POINT 390 FEET WEST OF THE EAST LINE OF SECTION 17, TOWNSHIP 2 SOUTH OF RANGE 24 WEST, THENCE NORTH PARALLEL TO SAID EAST LINE TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 10, THENCE WEST ALONG SAID SOUTH RIGHT OF WAY LINE 90 FEET, THENCE SOUTH PARALLEL WITH SAID EAST LINE OF SECTION 17 TO HIGH WATER MARK ON SANTA ROSA SOUND, THENCE FOLLOWING THE MEANDERINGS OF SAID SOUND AT HIGH WATER MARK EASTERLY TO POINT OF BEGINNING, IT BEING THE INTENTION OF THE PARTIES TO CONVEY THE LANDS HERETOFORE OCCUPIED BY L.I. SMITH AT HIS HOME, BETWEEN THE EAST AND WEST BOUNDARIES AS ESTABLISHED BY HIS FENCES, TOGETHER WITH ALL OF THE RIPARIAN RIGHTS APPERTAINING THERETO, LESS AND EXCEPT RIGHT OF WAY PREVIOUSLY CONVEYED TO FLORIDA STATE ROAD DEPARTMENT, LYING SOUTH OF AND WITHIN 50 FEET OF THE SURVEY LINE OF STATE ROAD NO. 30 (U.S. HIGHWAY 98) ACCORDING TO DEED RECORDED IN OFFICIAL RECORDS BOOK 238 AT PAGE 787 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

Parcel Id	OwnerName	Address	City	State	Zip
17-2S-24-0000-0003-0000	CURRENT RESIDENT	171 MIRACLE STRIP PKWY	MARY ESTHER	FL	32569
17-2S-24-0000-0004-0000	CURRENT RESIDENT	250 W HOLLYWOOD BLVD	MARY ESTHER	FL	32569
17-2S-24-0000-0005-0000	CURRENT RESIDENT	141 MIRACLE STRIP PKWY	MARY ESTHER	FL	32569
17-2S-24-0000-0006-0000	CURRENT RESIDENT	161 W MIRACLE STRIP PKWY	MARY ESTHER	FL	32569
17-2S-24-0000-0007-0000	CURRENT RESIDENT	181 MIRACLE STRIP PKWY	MARY ESTHER	FL	32569
17-2S-24-0000-0008-0000	CURRENT RESIDENT	191 MIRACLE STRIP PKWY	MARY ESTHER	FL	32569
17-2S-24-0000-0009-0000	CURRENT RESIDENT	199 W MIRACLE STRIP PKWY	MARY ESTHER	FL	32569
17-2S-24-0000-0012-0000	CURRENT RESIDENT	US HWY 98	MARY ESTHER	FL	32569
17-2S-24-0000-0013-0000	CURRENT RESIDENT	US HWY 98	MARY ESTHER	FL	32569
17-2S-24-0000-0014-0000	CURRENT RESIDENT	HWY 98	MARY ESTHER	FL	32569
17-2S-24-038J-0000-0000	CURRENT RESIDENT	209 MIRACLE STRIP PKWY		FL	
17-2S-24-038J-0000-A101	CURRENT RESIDENT	209 MIRACLE STRIP PKWY A101	MARY ESTHER	FL	32569
17-2S-24-038J-0000-A102	CURRENT RESIDENT	209 MIRACLE STRIP PKWY A102	MARY ESTHER	FL	32569
17-2S-24-038J-0000-A103	CURRENT RESIDENT	209 MIRACLE STRIP PKWY A103	MARY ESTHER	FL	32569
17-2S-24-038J-0000-A104	CURRENT RESIDENT	209 MIRACLE STRIP PKWY A104	MARY ESTHER	FL	32569
17-2S-24-038J-0000-A201	CURRENT RESIDENT	209 W MIRACLE STRIP PKWY A201	MARY ESTHER	FL	32569
17-2S-24-038J-0000-A202	CURRENT RESIDENT	209 MIRACLE STRIP PKWY A202	MARY ESTHER	FL	32569
17-2S-24-038J-0000-A203	CURRENT RESIDENT	209 MIRACLE STRIP PKWY A203	MARY ESTHER	FL	32569
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17-2S-24-038J-0000-A301	CURRENT RESIDENT	209 MIRACLE STRIP PKWY A301	MARY ESTHER	FL	32569
17-2S-24-038J-0000-A302	CURRENT RESIDENT	209 MIRACLE STRIP PKWY A302	MARY ESTHER	FL	32569
17-2S-24-038J-0000-A303	CURRENT RESIDENT	209 MIRACLE STRIP PKWY A303	MARY ESTHER	FL	32569
17-2S-24-038J-0000-A304	CURRENT RESIDENT	209 MIRACLE STRIP PKWY A304	MARY ESTHER	FL	32569
17-2S-24-038J-0000-B101	CURRENT RESIDENT	209 MIRACLE STRIP PKWY B101	MARY ESTHER	FL	32569
17-2S-24-038J-0000-B102	CURRENT RESIDENT	209 MIRACLE STRIP PKWY B102	MARY ESTHER	FL	32569
17-2S-24-038J-0000-B103	CURRENT RESIDENT	209 MIRACLE STRIP PKWY B103	MARY ESTHER	FL	32569
17-2S-24-038J-0000-B104	CURRENT RESIDENT	209 MIRACLE STRIP PKWY B104	MARY ESTHER	FL	32569
17-2S-24-038J-0000-B201	CURRENT RESIDENT	209 MIRACLE STRIP PKWY B201	MARY ESTHER	FL	32569
17-2S-24-038J-0000-B202	CURRENT RESIDENT	209 MIRACLE STRIP PKWY B202	MARY ESTHER	FL	32569
17-2S-24-038J-0000-B203	CURRENT RESIDENT	209 MIRACLE STRIP PKWY B203	MARY ESTHER	FL	32569
17-2S-24-038J-0000-B204	CURRENT RESIDENT	209 MIRACLE STRIP PKWY B204	MARY ESTHER	FL	32569
17-2S-24-038J-0000-B301	CURRENT RESIDENT	209 MIRACLE STRIP PKWY B301	MARY ESTHER	FL	32569
17-2S-24-038J-0000-B302	CURRENT RESIDENT	209 MIRACLE STRIP PKWY B302	MARY ESTHER	FL	32569
17-2S-24-038J-0000-B303	CURRENT RESIDENT	209 MIRACLE STRIP PKWY B303	MARY ESTHER	FL	32569
17-2S-24-038J-0000-B304	CURRENT RESIDENT	209 MIRACLE STRIP PKWY B304	MARY ESTHER	FL	32569
17-2S-24-038J-0000-C101	CURRENT RESIDENT	209 MIRACLE STRIP PKWY C101	MARY ESTHER	FL	32569
17-2S-24-038J-0000-C102	CURRENT RESIDENT	209 MIRACLE STRIP PKWY C102	MARY ESTHER	FL	32569
17-2S-24-038J-0000-C103	CURRENT RESIDENT	209 MIRACLE STRIP PKWY C103	MARY ESTHER	FL	32569
17-2S-24-038J-0000-C104	CURRENT RESIDENT	209 MIRACLE STRIP PKWY C104	MARY ESTHER	FL	32569
17-2S-24-038J-0000-C105	CURRENT RESIDENT	209 MIRACLE STRIP PKWY C105	MARY ESTHER	FL	32569
17-2S-24-038J-0000-C106	CURRENT RESIDENT	209 MIRACLE STRIP PKWY C106	MARY ESTHER	FL	32569
17-2S-24-038J-0000-C107	CURRENT RESIDENT	209 MIRACLE STRIP PKWY C107	MARY ESTHER	FL	32569
17-2S-24-038J-0000-C108	CURRENT RESIDENT	209 MIRACLE STRIP PKWY C108	MARY ESTHER	FL	32569
17-2S-24-038J-0000-C201	CURRENT RESIDENT	209 MIRACLE STRIP PKWY C201	MARY ESTHER	FL	32569
17-2S-24-038J-0000-C202	CURRENT RESIDENT	209 MIRACLE STRIP PKWY C202	MARY ESTHER	FL	32569
17-2S-24-038J-0000-C203	CURRENT RESIDENT	209 MIRACLE STRIP PKWY C203	MARY ESTHER	FL	32569

[illegible]

[illegible]

17-2S-24-038J-0000-J301

CURRENT RESIDENT

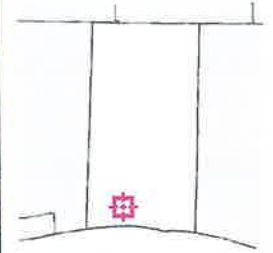
209 MIRACLE STRIP PKWY J301

MARY ESTHER FL

32569



Overview



Legend

- Parcels
- Roads
- Water
- City Labels

Parcel ID	17-25-24-0000-0008-0000	Physical Address	191 MIRACLE STRIP PKWY	Land Value	\$471,351	Last 2 Sales		Reason	Qual
Acre (GIS)	1.15		MARY ESTHER SUDDUTH CIRCLE LLC	Ag Land Value	\$0	Date	8/20/2024	Price	Q
Property Class	MULTI-FAMILY	Mailing Address	25 WALTER MARTIN RD	Building Value	\$211,614		4/21/2022	\$100	
Taxing District	5		FT WALTON BEACH, FL 32548	Misc Value	\$6,750				
				Just Value	\$689,715				
				Assessed Value	\$689,715				
				Exempt Value	\$0				
				Taxable Value	\$689,715				

Date created: 9/11/2024
Last Data Uploaded: 9/11/2024 7:15:00 AM

Developed by  Schneider
GEOSPATIAL

Attachment A

Text Section Application for Future Land Use Map Amendment to The City of Mary Esther Comprehensive Plan

Proposed amendments to the City's Future Land Use Map are reviewed against the goals, objectives, and policies of the City of Mary Esther Comprehensive Plan. The future land use map itself is a graphic representation of the policies contained within the Plan. Proposed amendments are also reviewed for compatibility with adjacent land uses, sufficient public facility resources to serve any change in the demand for services, appropriate timing and location of the amendment, potential environmental impacts, and for internal Plan consistency. The impact on regional resources, facilities, and policies as well as upon specially designated areas within the City is included in this review. City Staff also evaluate proposed amendments for consistency with the City of Mary Esther Vision Plan.

Attachment A Sections:

STANDARDS OF REVIEW FOR ALL FUTURE LAND USE MAP AMENDMENTS

Sec. 1: Identification of Proposed Future Land Use Map Designation and Zoning Classification

Sec. 2: Assessment of Consistency with Comprehensive Plan Goals, Objectives, and Policies

- a. Demonstrate the Compatibility with Adjacent Land Uses
- b. Demonstrate the Changes in Character to the Surrounding Area (if applicable)
- c. Demonstrate the Support and Furthering of City Comprehensive Plan Goals, Objectives, and Policies

Sec. 3: Assessment of Consistency with the City of Mary Esther Vision Plan (<https://www.cityofmaryesther.com/vision>)

Sec. 4: Completion of Data and Analysis Requirements- Concurrency

- a. Facility Capacity Impact Assessments
 - i. Transportation Assessment
 - ii. Utility Assessments
 - iii. School Capacity Assessment

STANDARDS OF REVIEW FOR ALL FUTURE LAND USE MAP AMENDMENTS

The City shall use the standards described below in evaluating all applications for amendments to the Future Land Use Map of the City of Mary Esther Comprehensive Plan found here: <https://cityofmaryesther.com/documentcenter> - Comprehensive Plan folder.

All submissions are included in the official file for the project and will become a part of staff memoranda for public, Council and State Agency review.

ALL APPLICABLE INFORMATION MUST BE PROVIDED
INCOMPLETE SUBMITTALS SHALL BE RETURNED TO THE APPLICANT

Sec. 1: Identification of Proposed Future Land Use Map Designation and Zoning Classification

- 1.a. OWNER/APPLICANT NAME: DAMIAN CURTIS
1.b. PROJECT NAME: 191 HOME
1.c. IDENTIFICATION OF PARCELS PROPOSED FOR AMENDMENT AND FLU OF ADJACENT PARCELS

(List the parcel number of each parcel proposed for amendment)

THERE IS ONLY 1 PARCEL # 17-25-24-0000-0008-0000

Note: If proposing an amendment to Mixed Use, a concurrent rezoning application to Planned Unit Development (PUD) or Planned Mixed Development District (PMDD) must be submitted with this map amendment application.

Sec. 2: Assessment of Consistency with Comprehensive Plan Goals, Objectives, and Policies

2.a. Complete the following identification of the future land use designation(s) of parcels adjacent to the proposed parcel or grouping of proposed parcels.

FLU Designation to the NORTH of subject property(ies)	PL
FLU Designation to the SOUTH of subject property(ies)	N/A
FLU Designation to the EAST of subject property(ies)	C-2 / R-1
FLU Designation to the WEST of subject property(ies)	C-2 / R-1

[illegible]

The applicant shall describe how the character of the area surrounding the proposed amendment site has changed sufficiently to support the need for a different land use designation. Possible points may include, but not be limited to:

- Approved but uncompleted projects (private and public) within the surrounding area that will change the character of the area within the next five years, and
- Appropriateness of the timing of the proposed change in land use designation for the subject property (i.e., consistency with planned public facility improvements, support for major public facilities or support for other Comprehensive Plan goals, objectives, and policies).

[illegible]

2.d. Demonstrate the Support and Furthering of City Comprehensive Plan Goals, Objectives and Policies In the following table, the Applicant shall check which of the following Comprehensive Plan policies will be supported and/or furthered by the proposed amendment. (NOTE: The descriptions below for each policy may be a summation of the policy. For the Full policy and regulations please see the City of Mary Comprehensive Plan and Land Development Code.)

Objectives or Policies of The Comp. Plan Supported or Furthered by Proposed Application	<i>Check if 'YES'</i>
FLU Policy 7.A.1.2- Provide for compatibility with adjacent land uses, Open Space, protect potable water wellfields and sources, protect environmentally sensitive lands, regulate signage, ensure adequate, safe, and convenient on-site parking and traffic flow.	
FLU Policy 7.A.1.3- Provide for low impact mixed use developments.	
FLU Policy 7.A.1.4- Buffering for incompatible uses.	
FLU Policy 7.A.2.2- New development shall utilize existing water, sewer and solid waste collection systems in order to discourage urban sprawl and encourage commercial re-development.	
FLU Policy 7.A.2.3- New development will be located in conformance with the categories shown on the Future Land Use Map (Figure 7-1) and with the following standard: a. New commercial development shall be located on arterial roadways and along Hollywood Boulevard, West.	
FLU Policy 7.A.3.1- Eliminate expansion of non-conforming land uses which are inconsistent with the Future Land Use Map or the City's Zoning Ordinance.	
FLU Policy 7.A.3.2- Ensure that all future development is consistent with accepted planning practices and principles as well as natural area limitations. The provisions (regulations) will address items such as conservation of resources, efficiency of use and development, aesthetic appeal, short- and long-term impacts of proposed development plans.	
FLU Policy 7.A.3.3- Expansion or replacement of land uses which are inconsistent or incompatible with the Future Land Use Map shall be prohibited (also, see Policies 7.A.1.3 and 7.A.2.3).	
FLU Policy 7.A.3.4 – Limitations shall be placed on non-conforming uses of buildings, non-conforming uses of land, changes in use classifications in districts, and restoration and occupancy of damaged buildings as delineated in Chapter 21 of the City Code as a means to eliminate expansion of non-conforming land uses which are inconsistent with the Future Land Use Map.	
FLU Policy 7.A.4.1- Promote the natural functions of identified wetlands and wetlands enhancement projects will be encouraged or required where appropriate.	
FLU Policy 7.A.4.2- Control the extraction of natural resources and such extraction shall be permitted only when in conjunction with construction projects. Such extractions shall be conducted so as to retain the resource upon completion of the construction. Note: The extent of resource retention will be defined within the approved development orders or development permits issued to any particular project or site.	
FLU Policy 7.A.4.4 - Identification and preservation of significant archeological and/or historic sites or structures within the City.	

FLU Policy 7.A.5.1 - Population density shall be limited to those limitations reflected on the Future Land Use Map (Figure 7-1) and as described in Policy 7.A.1.3.	
FLU Policy 7.A.6.2 - Rehabilitation and reuse of governmental facilities, structures and buildings as the preferred alternative to new construction (reference Policy 14.A.1.3 of this Ordinance).	
FLU Policy 7.A.8.1 - Use of the planned unit development (PUD) and Planned Mixed Development Districts (PMDD) (FLU Pol. 7.A.8.2.e) technique enacted within Chapter 21 of the City Code.	
FLU Policy 7.A.8.2 - Use of Sight and sound buffers between residential uses and more intensive uses, PUD and PMDD are encouraged to include local or neighborhood convenience facilities within such developments.	
TCF Policy 8.A.1.2 - All new developments, including but not limited to, PUDs, shopping centers, multi-family residential projects and other projects with internal circulation and parking needs shall be required to provide safe and convenient on-site traffic flow, labor intensive transportation facilities and sufficient vehicular parking to accommodate the needs of the development. Said provisions shall be delineated within the LDC (reference Policy 7.A.1.1).	
TCF Policy 8.A.1.3 - Installation of signage, striping of roadways, widening of shoulders, installation of bike racks, installation of sidewalks, installation of bicycle and wheelchair ramps at intersections with curb reveal of two (2) inches or more and the like.	
TCF Policy 8.A.1.5 - Coordinated access routes (service roads) shall be encouraged for developments adjacent to major roadways within the City. All developments adjacent to major roadways will be encouraged, through the plan review process, to provide coordinated access routes.	
TCF Policy 8.A.3.2 - Link residential areas with recreational and commercial areas in a safe manner (reference Policies 8.A.1.2 and 8.A.1.3).	
HSN Policy 9.A.2.2 - Elimination of substandard housing.	
HSN Policy 9.A.2.3 - The removal of housing stock with structural deficiencies.	
HSN Policy 9.A.2.4 – Requirement for landscaping and open space for new development so that aesthetic improvements in residential areas can be achieved.	
HSN Policy 9.A.3.2 - Prohibit the connection of facilities described in Objective 9.A.3 to septic systems and require the connection of said facilities to the central sewage system (reference Policy 11.B.2.3).	
HSN Policy 9.A.3.4 - Housing for low- and moderate-income families	
HSN Policy 9.A.4.1 - Conservation or rehabilitation of housing may be achieved and extend the useful life of the existing housing stock and stabilize or improve existing neighborhoods, including the aesthetic appeal of such neighborhoods.	

HSN Policy 9.A.5.1 - Preservation of historic structures.	
Water Policy 10.C.2.1 - Installation of drainage facilities made necessary by new development shall be the responsibility of the developer (reference Policy 14.A.4.2).	
CMC Policy 11.B.2.6 - Use of xeriscape landscaping, water saving devices, use of native plants, to reduce water use and save energy	
CMC Policy 11.B.3.6 - Preserve and protect native plants and trees	
OSR Policy 12.A.1.2 - Open space by private development when such development is a planned unit development, a multifamily development, a mixed-use commercial area or other similar types of developments where relatively large land areas are involved.	
OSR Policy 12.A.1.4 - New parks and open spaces shall be required to provide barrier-free access.	
OSR Policy 12.A.3.5 – Requirement for recreational facilities and open space in any private sector development	
<i>List here other Plan goals, objectives or policies felt to be applicable:</i>	

Sec. 3: Assessment of Consistency with the City of Mary Esther Vision Plan

Applicants shall identify how the proposed project meets the intent, goals, and strategies of the Mary Esther Vision Plan.

Vision Plan Goal	Vision Plan Objectives
1. Vibrant Town Center	• Right Use of Mixes and Forms • Recognizable regional attraction • Provide services and housing choice • Public spaces to gather- Central green space as focal point • Maximize pedestrian activity and interest • Establish connections
2. Central Gathering Space and Vibrant Neighborhood Parks where all members of the community may gather for events, festivities, and recreation	• Serve the entire community, all ages and abilities • provided places to exercise, play, socialize, participate in group activities, explore and relax in nature
3. Housing Opportunities, to serve the broad needs of the community across their lifetimes and household configurations; and	• Redeveloping land in the center of the city with the intent of providing additional housing • Missing middle housing- small lot single family, manor houses, townhouses, stacked flat apartment buildings and within mixed use buildings
4. Become a Walking and Biking City with a connected network of sidewalks, greenways, and multi-use trails.	• Relocating the driveway for Mary Esther Elementary from the Miracle Strip to Hollywood Boulevard with a generous carpool queuing lane • Provide Street trees
5. Transportation & Mobility	• Create strategies to develop a multimodal transportation system, including sidewalks, bicycle lanes, bicycle parking facilities, multiuse paths, transit stops and shelters (as appropriate) pedestrian amenities such as benches, signalized and clearly defined pedestrian crossings, and median design improvements.
6. Parks & Branding	• Develop a central green, preferably anchored by mixed use development, that can be the place where the community comes together for events, festivities and recreation. • Ensure that pedestrian and bike connections from new development to nearby parks are included or contemplated in private development plans. • Develop a citywide branding implementation plan that includes wayfinding signage, gateway signage, landscaping and pedestrian scaled street lighting.

[illegible]

CONCURRENCY MANAGEMENT SYSTEM

- Facility Capacity Impact Assessments (Concurrency)*

ITEM	Level of Service	Sufficient Capacity- Yes/No
LDC 15.02.01 Roadways (Provide trip calculation and distribution based on latest edition of ITE Manual)	Local: Minimum Operating LOS of C (reference Comp Plan policy 8.A.1.1) State: Hollywood Boulevard (CR 602) through the city - LOS E SR 393 (Mary Esther Cut-Off) from SR 30 to city limits (north) - LOS E	

	SR 30 (US 98) from Hurlburt Field to city limits (East) - LOS D All other arterials and collector roads- Level of Service D (ref Comp Plan policy 8.A.2.1)	
LDC 15.02.02 Sanitary Sewer	100 gal/capita daily (ref Comp Plan policy 10.A.1.3)	
LDC 15.02.03 Solid Waste	5.0 lbs./capita daily (ref Comp Plan policy 10.B.1.5)	
LDC 15.02.04 Drainage	A. Retain the first one inch of runoff on site for a twenty-five (25) year storm event and B. Post development run-off shall not exceed the pre-development run-off rate for a 25-year storm event, up to and including an event with a 24-hour duration (reference Comp Plan Policy 10.C.2.3)	
LDC 15.02.05 Potable Water	100 gal/ capita daily (ref Comp Plan policy 10.D.1.2)	
LDC 15.02.06 Recreation and Open Space	1 acre per 1000 population (ref Comp Plan Policy 12.A.3.2)	
<i>Comp Plan Policy 16.A.4.2</i>—The City shall take into consideration the School District's comments and findings of available [or] adequate school capacity when considering the decision to approve Plan amendments and other land use decisions as provided for in § 163.3177(6)(a), F.S. This will be accomplished during the public hearing process at the LPA level through participation by the District on the LPA.		

ORDINANCE NO. 2024- 04

AN ORDINANCE OF THE CITY OF MARY ESTHER, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF APPROXIMATELY ONE POINT FIFTEEN (1.15) ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF US HIGHWAY NINETY EIGHT (US HWY 98) AND THE WEST SIDE OF WINDY LANE: FROM LOW COMMERCIAL (COM) TO LOW DENSITY RESIDENTIAL; PROVIDING FOR LEGISLATIVE INTENT, IMPLEMENTING ACTIONS, A SAVINGS PROVISION, SCRIVENER'S ERRORS, CONFLICTS, AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the real property which is the subject of this Ordinance is located on one point fifteen (1.15) acres of land generally located on the south side of US Highway Ninety Eight (US HWY 98) and the west side of Windy Lane; and

WHEREAS, the City of Mary Esther's Local Planning Agency (LPA) held a public hearing on December 09, 2024, to consider amending the Future Land Use Map of the Future Land Use Element of the *City of Mary Esther Comprehensive Plan* and recommended approval of the proposed Future Land Use Map amendment to the *Comprehensive Plan* for the subject property as requested by the property owner; and

WHEREAS, Section 163.3187, *Florida Statutes*, relates to the amendment of adopted local government comprehensive plans and sets forth certain requirements relating to small scale amendments which are related to proposed small scale development activities and provides, among other things, that such amendments may be approved without regard to any limits on the frequency of consideration of amendments to the *City of Mary Esther Comprehensive Plan*;

WHEREAS, the amendment proposed by this ordinance does not involve a text change to the goals, policies, and objectives of the *City of Mary Esther Comprehensive Plan*, but only proposes a land use change to the Future Land Use Map for a site-specific small scale development activity; and

WHEREAS, the City of Mary Esther has complied with all requirements and procedures of Florida law in processing this amendment to the *City of Mary Esther Comprehensive Plan* including, but not limited to, Section 163.3187, *Florida Statutes*.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MARY ESTHER, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent.

(a). The foregoing recitals are hereby incorporated by this reference as a material part of this ordinance and together with the City staff report represent administrative findings with respect to the actions taken herein.

(b) The City of Mary Esther has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(c). This Ordinance is internally consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Mary Esther*.

(d). The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

SECTION 2. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employee(s) as deemed effectual and prudent.

SECTION 3. Savings. The prior actions and activities of the City of Mary Esther relating to the comprehensive planning and land development regulatory programs and actions of the City are hereby ratified and affirmed.

SECTION 4. Scrivener's Errors. The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the Code codifier. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 5. Conflicts. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

SECTION 6. Severability. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 7. Effective Date. The small-scale amendment to the City's *Comprehensive Plan* as set forth herein shall not become effective, in accordance with Section 163.3187(5)(c), *Florida Statutes*, until thirty-one (31) days after the enactment of this Ordinance.
If challenged within thirty (30) days after enactment, the small-scale amendment set forth in this Ordinance shall not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a final order determining that the subject small-scale amendment is in compliance with controlling State law.

So Done this ____ day of _____, 2024.

By: _____
Chris Stein, Mayor
City of Mary Esther, Florida

ATTEST:

Dillon Morris
City Clerk

1st Reading:
Published:
2nd Reading:

Exhibit A: Legal Description

(AS- RECORDED):

(O.R. BOOK 3623, PAGE 2463)

PARCEL 1:

COMMENCING AT HIGH WATER MARK ON SANTA ROSA SOUND, AT A POINT 390 FEET WEST OF THE EAST LINE OF SECTION 17, TOWNSHIP 2 SOUTH OF RANGE 24 WEST, THENCE NORTH PARALLEL TO SAID EAST LINE TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 10, THENCE WEST ALONG SAID SOUTH RIGHT OF WAY LINE 90 FEET, THENCE SOUTH PARALLEL WITH SAID EAST LINE OF SECTION 17 TO HIGH WATER MARK ON SANTA ROSA SOUND, THENCE FOLLOWING THE MEANDERINGS OF SAID SOUND AT HIGH WATER MARK EASTERLY TO POINT OF BEGINNING, IT BEING THE INTENTION OF THE PARTIES TO CONVEY THE LANDS HERETOFORE OCCUPIED BY L.I . SMITH AT HIS HOME, BETWEEN THE EAST AND WEST BOUNDARIES AS ESTABLISHED BY HIS FENCES, TOGETHER WITH ALL OF THE RIPARIAN RIGHTS APPERTAINING THERETO, LESS AND EXCEPT RIGHT OF WAY PREVIOUSLY CONVEYED TO FLORIDA STATE ROAD DEPARTMENT, LYING SOUTH OF AND WITHIN 50 FEET OF THE SURVEY LINE OF STATE ROAD NO. 30 (U.S. HIGHWAY 98) ACCORDING TO DEED RECORDED IN OFFICIAL RECORDS BOOK 238 AT PAGE 787 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

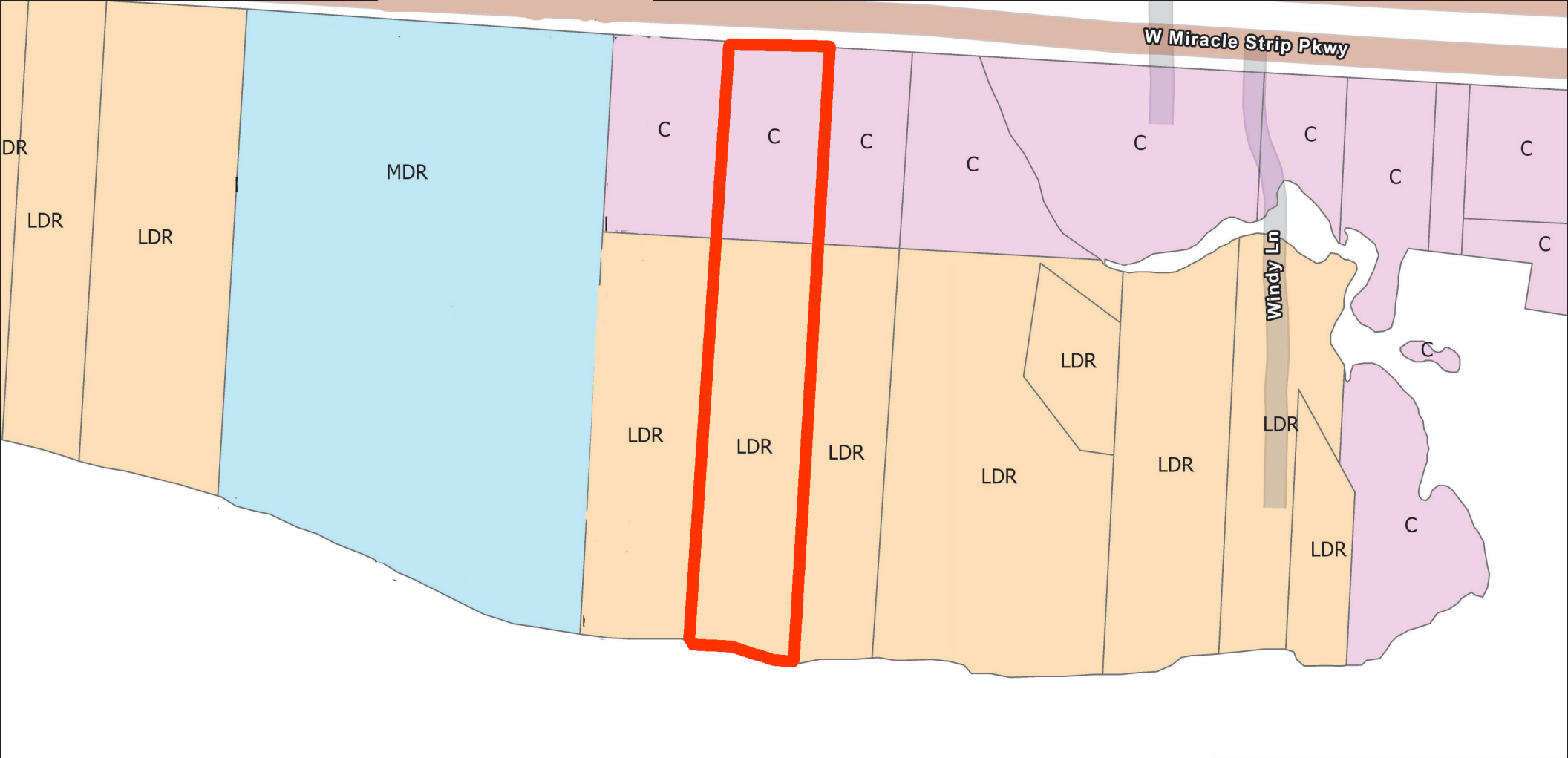


Exhibit B: Existing Future Land Use

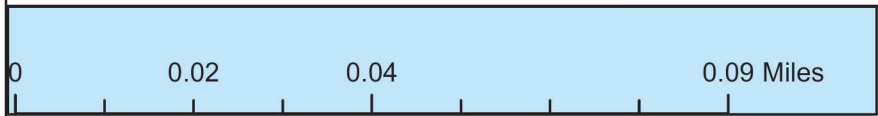
Esri Community Maps Contributors, FDEP, © OpenStreetMap, GeoTechnologies, Inc, METI/NASA, USGS

Legend

FLU_Zoning71524	MDR
FLU_Pro	PL
	REC
	REC,CON
	<all other values>
	C
	CON
	LDR



FLU Existing 191 Miracle Strip



2024



ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY OF MARY ESTHER, FLORIDA, AMENDING THE ZONING MAP OF APPROXIMATELY ONE POINT FIFTEEN (1.15) ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF US HIGHWAY NINETY EIGHT (US HWY 98) AND THE WEST SIDE OF WINDY LANE: FROM C-2 (GENERAL COMMERCIAL) TO R-1 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT; PROVIDING FOR LEGISLATIVE INTENT, IMPLEMENTING ACTIONS, A SAVINGS PROVISION, SCRIVENER'S ERRORS, CONFLICTS, AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MARY ESTHER, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent.

- (a). The City of Mary Esther has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.
- (b). This Ordinance is internally consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Mary Esther*.
- (c). The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

SECTION 2. Adoption of the Amendment to the Official Zoning Map.

- (a). In exercise of its authority, the City Council of the City of Mary Esther, Florida finds it necessary and desirable to adopt and does hereby adopt this amendment and update to the City of Mary Esther's zoning map, attached hereto as Exhibit "D" in order to encourage the most appropriate use of land, water, and resources, consistent with the public interest; and to deal effectively with future problems that may result from the use and development of land within City of Mary Esther, Florida.
- (b). All exhibits to this Ordinance are incorporated into the text and substance of this Ordinance as if fully set forth herein verbatim.

SECTION 3. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 4. Savings. The prior actions and activities of the City of Mary Esther relating to the comprehensive planning and land development regulatory programs and actions of the City are hereby ratified and affirmed.

SECTION 5. Scrivener’s Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 6. Conflicts. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

SECTION 7. Severability. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 8. Effective Date. This Ordinance shall become effective immediately upon adoption.

SO DONE this _____ day of _____, 2024.

By: _____
Chris Stein, Mayor
City of Mary Esther, Florida

ATTEST:

Dillon Morris
City Clerk

1st Reading:
Published:
2nd Reading:

Exhibit A: Legal Description

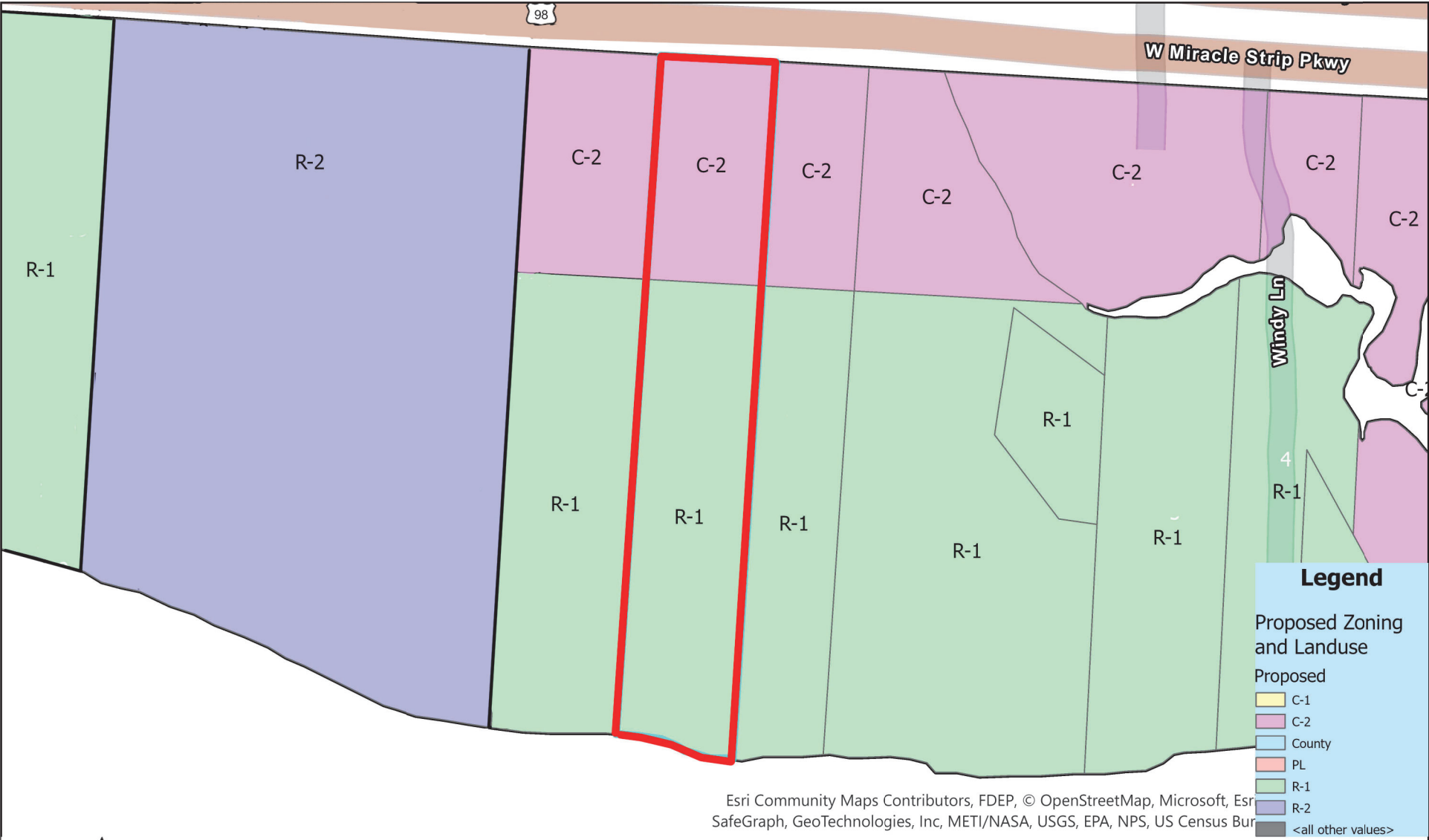
(AS- RECORDED):

(O.R. BOOK 3623, PAGE 2463)

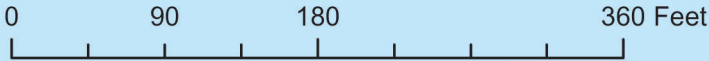
PARCEL 1:

COMMENCING AT HIGH WATER MARK ON SANTA ROSA SOUND, AT A POINT 390 FEET WEST OF THE EAST LINE OF SECTION 17, TOWNSHIP 2 SOUTH OF RANGE 24 WEST, THENCE NORTH PARALLEL TO SAID EAST LINE TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 10, THENCE WEST ALONG SAID SOUTH RIGHT OF WAY LINE 90 FEET, THENCE SOUTH PARALLEL WITH SAID EAST LINE OF SECTION 17 TO HIGH WATER MARK ON SANTA ROSA SOUND, THENCE FOLLOWING THE MEANDERINGS OF SAID SOUND AT HIGH WATER MARK EASTERLY TO POINT OF BEGINNING, IT BEING THE INTENTION OF THE PARTIES TO CONVEY THE LANDS HERETOFORE OCCUPIED BY L.I . SMITH AT HIS HOME, BETWEEN THE EAST AND WEST BOUNDARIES AS ESTABLISHED BY HIS FENCES, TOGETHER WITH ALL OF THE RIPARIAN RIGHTS APPERTAINING THERETO, LESS AND EXCEPT RIGHT OF WAY PREVIOUSLY CONVEYED TO FLORIDA STATE ROAD DEPARTMENT, LYING SOUTH OF AND WITHIN 50 FEET OF THE SURVEY LINE OF STATE ROAD NO. 30 (U.S. HIGHWAY 98) ACCORDING TO DEED RECORDED IN OFFICIAL RECORDS BOOK 238 AT PAGE 787 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

Exhibit B: Current Zoning Map

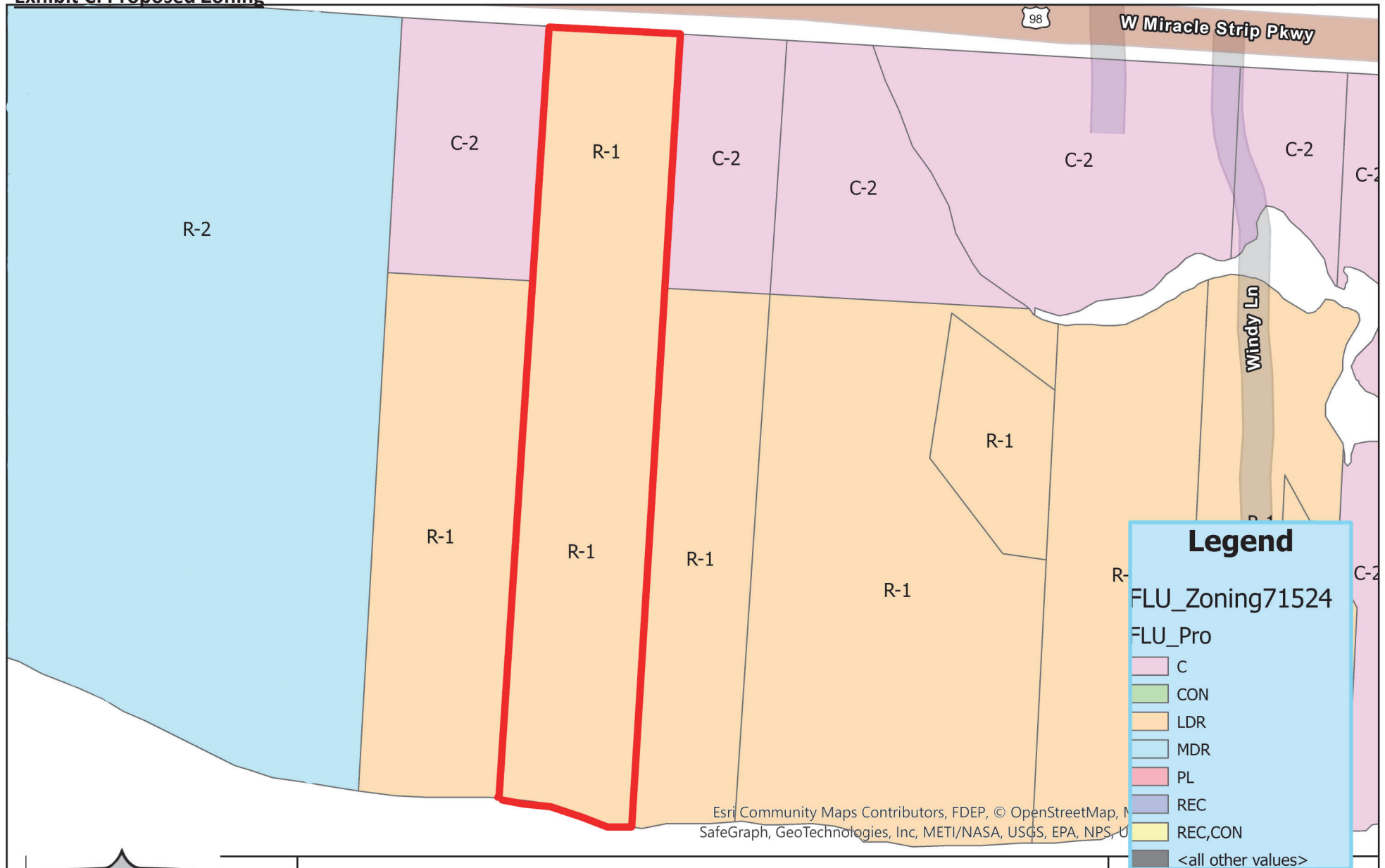


Current Zoning for 191 Miracle Strip



2024





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SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, U



Proposed Zoning For 191 Miracle Strip

0 75 150 300 Feet

2024



Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published. This Business Impact Estimate may be revised following its initial posting.

Proposed ordinance's title/reference:

AN ORDINANCE OF THE CITY OF MARY ESTHER, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF APPROXIMATELY ONE POINT FIFTEEN (1.15) ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF US HIGHWAY NINETY EIGHT (US HWY 98) AND THE WEST SIDE OF WINDY LANE: FROM LOW COMMERCIAL (COM) TO LOW DENSITY RESIDENTIAL; PROVIDING FOR LEGISLATIVE INTENT, IMPLEMENTING ACTIONS, A SAVINGS PROVISION, SCRIVENER'S ERRORS, CONFLICTS, AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF MARY ESTHER, FLORIDA, AMENDING THE ZONING MAP OF APPROXIMATELY ONE POINT FIFTEEN (1.15) ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF US HIGHWAY NINETY EIGHT (US HWY 98) AND THE WEST SIDE OF WINDY LANE: FROM C-2 (GENERAL COMMERCIAL) TO R-1 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT; PROVIDING FOR LEGISLATIVE INTENT, IMPLEMENTING ACTIONS, A SAVINGS PROVISION, SCRIVENER'S ERRORS, CONFLICTS, AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance:

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or

¹ See Section 166.041(4)(c), Florida Statutes.

- ☒ The proposed ordinance is enacted to implement the following:
- a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

If no exemption applies, in accordance with the provisions of controlling law, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):

NOTICE OF PUBLIC HEARING CITY OF MARY ESTHER LAND USE CHANGE, COMP PLAN AMENDMENT AND REZONING

The City of Mary Esther City Council will conduct a Public Hearing for the second reading on the Small Scale Proposed Amendment to the City's Comprehensive Plan and Rezoning. The Public Hearing will be held on Monday, January 21st, 2024 at 6:00 p.m. in the Council Chambers, City Hall, 195 N. Christobal Rd., Mary Esther, FL 32569.

The proposed amendment includes one parcel totaling 1.15 acres as shown in the map of this advertisement. The request, as made by Damian Curtis (Applicant), is to change the future land use category from commercial (Com) to Low Density Residential (LDR) for the northern portion, and to rezone the northern portion from C-2 General Commercial to R-1 (Single Family Residential).

The purpose of the Public Hearing is to provide all citizens and interested parties with the opportunity to comment on the Proposed Comp. Plan Amendment and Rezoning and to express any concerns or recommendations regarding the requests. City Council will motion to approve, deny, or table the second reading of the proposed ordinances at this Public Hearing.

All citizens and interested parties are invited and encouraged to attend the Public Hearing and provide any comments or suggestions they may have.

A copy of the application for the proposed Comp. Plan Amendment and Rezoning is available for public inspection during normal business hours at City Hall, 195 N. Christobal Rd., Mary Esther, FL 32569. For more information, please contact Community Development Director, Tyler Reed at 850-243-3566.

Any person requiring special accommodation because of a disability or physical impairment should contact the City Clerk's office at least 48 hours prior to the hearing. If a person decides to appeal any decision made with respect to any matter considered at this meeting, such person will need to record the proceedings and, for such purpose, such person 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.



Parcel Tax ID: 17-2S-24-0000-0008-0000

Dillon Morris, City Clerk

NOTICE OF PUBLIC HEARING CITY OF MARY ESTHER LAND USE CHANGE, COMP PLAN AMENDMENT AND REZONING

The City of Mary Esther Local Planning Agency (LPA) will conduct a Public Hearing on the Small Scale Proposed Amendment to the City's Comprehensive Plan and Rezoning. The Public Hearing will be held on Monday, December 9th, 2024 at 5:00 p.m. in the Council Chambers, City Hall, 195 Christobal Rd. N., Mary Esther, FL 32569.

The proposed amendment includes one parcel totaling 1.15 acres as shown in the map of this advertisement. The request, as made by Damian Curtis (Applicant), is to change the future land use category from commercial (Com) to Low Density Residential (LDR) for the northern portion, and to rezone the northern portion from C-2 General Commercial to R-1 (Single Family Residential).

The purpose of the Public Hearing is to provide all citizens and interested parties with the opportunity to comment on the Proposed Comp. Plan Amendment and Rezoning and to express any concerns or recommendations regarding the requests.

At the conclusion of the Public Hearing the LPA may make a recommendation to the Mary Esther City Council regarding whether to approve the proposed Comp. Plan Amendment and Rezoning. The City Council will consider the LPA recommendation at a future Public Hearing.

All citizens and interested parties are invited and encouraged to attend the Public Hearing and provide any comments or suggestions they may have.

A copy of the application for the proposed Comp. Plan Amendment and Rezoning is available for public inspection during normal business hours at City Hall, 195 Christobal Rd. N., Mary Esther, FL 32569. For more information, please contact Community Development Director, Tyler Reed at 850-243-3566.

Any person requiring special accommodation because of a disability or physical impairment should contact the City Clerk's office at least 48 hours prior to the hearing. If a person decides to appeal any decision made with respect to any matter considered at this meeting, such person will need to record the proceedings and, for such purpose, such person 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.



Notice of Public Hearing

City of Mary Esther
City Council/Local Planning Agency

Purpose: REZONE / ELUMA STRIP

Location: CITY HALL 195 N. CHRISTOPHER

Date/Time: JAN 21 2025 / 6:00 PM

For More Information, Contact 850-243-3566 Ext 3.

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AGENDA ITEM

Agenda Item 11.1.

TO: Honorable Mayor and Members of the City Council

FROM: Tyler Reed, Community Development Director

DATE: January 21, 2025

SUBJECT: 199 W. Miracle Strip Pkwy Variance Request

BACKGROUND:

The City has received a request for a variance to the Land Development Code 7.15.1(j) (3): *Accessory uses and structures are prohibited in the front yard, except as otherwise specified in the City Code of Ordinances or Land Development Code* on the property of 199 W. Miracle Strip Parkway (17-2S-24-0000-0009-0000). The property owner, Mr. Tom Milhous (the applicant), has requested to allow a one hundred and sixty (160 sq ft) square foot accessory structure be placed in front of the primary structure and encroach the front yard. The accessory structure is proposed to be used as a storage/garden shed with a ten point six (10.6') feet side setback and three hundred and twenty-three (323') feet front setback. The site is split zoned with C-2 (General Commercial District) on the northern portion and R-1 (Single family residential) on the southern portion. The property has a future land use of Commercial (Com) on the northern portion and low density residential (LDR) on the southern portion. The primary structure and proposed accessory structure are located on the southern portion of the property and on the east side.

The applicant has stated that putting the accessory structure in the rear yard, behind the primary structure, will obstruct the view of the waterfront for himself and neighbors. The applicant states that the accessory structure will be located on a concrete foundation that was previously used for a small cottage. The applicant is not aware of any restrictive covenants affecting his property.

The applicant received a courtesy notice of violation on November 22nd, 2024 for CO. 5-1; LDC 18.00.00; 18.04.00; FS 553.79 (1)- Construction without a permit; 18.05.00 Stop Work Order; LDC 7.15.1 (j) (3) – Building setback accessory structure being constructed in the front yard and in front of the dwelling. The applicant has submitted the request for this variance to work toward compliance with the courtesy notice of violations. Staff believes the applicant has, in good faith, worked towards compliance, and has not committed any further violations of the Code of Ordinances or Land Development Code.

The Local Planning Agency will consider a recommendation for the variance on January 21, 2025.

DISCUSSION:

In order to authorize a variance, the Local Planning Agency and the City Council must find:

(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, buildings or structures in the same land use district

Justification: The property is situated on the Santa Rosa Sound, limiting opportunities to place accessory structures in the rear yard that could obstruct scenic views for the property owner and neighbors. The property is unique in that the primary structure is setback approximately three hundred and seventy seven (377') feet from the public right of way and the proposed structure will be three hundred and twenty three (323') feet from the public right of way. The long and narrow shape of the property makes it impossible for the primary or accessory structure to be seen from the public right of way.

(2) That the special conditions and circumstances do not result from the actions of the applicant;

Justification: The applicant bought the home and property as is.

(3) That granting the variance requested will not confer upon the applicant any special privilege that is denied by this Code to other lands, buildings, or structures in the same land use district;

Justification: The applicant will not receive special privileges when granting this variance because there is recent history of granting permits and variances for accessory structures in the front yards on similar lots south of Highway 98.

(4) That literal interpretation of the provisions of this Code would deprive the applicant of the rights commonly enjoyed by other properties in the same land use district under the terms of this Code and would work undue and unnecessary hardship on the applicant;

Justification: Similar properties adjacent to the subject property do not follow the literal interpretation of the accessory structure provisions, making them legal, non-conforming lots and structures or have been granted the proper variance. A literal interpretation of the accessory structure provisions for the subject property would work undue and unnecessary hardship on the applicant, given that the surrounding properties are non-conforming, or have been granted similar variance requests.

(5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure; and

Justification: The variance requested is the minimum request to make reasonable use of the property because the request confers upon the property owner the same entitlements that others in the same zoning district and adjacent properties currently have. The variance will allow greater compatibility with neighboring properties and with the overall character of larger properties south of Highway 98..

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

Justification: The granting of the variance request would allow increased compatibility with adjacent properties. The proposed placement of the accessory structure is not believed to be injurious to any other properties, lower any property values of surrounding properties, or take away or impede the rights of others and is not a detriment to public welfare. On the contrary, if the accessory structure were to be placed in the rear, this may impede neighbors' views of the waterfront, causing undue conflict and strain.

VIOLATION TO CODE:

Land Development Code 7.15.1 (J) (3) : Accessory Structures

Accessory structures: In all low-density residential areas in the City, a detached garage or other detached structure whose dimensions equal or exceed two hundred (200) square feet may be constructed to within seven and a half (7½) feet of the side and rear lot lines provided the minimum front setback of the structure is seventy (70) feet from the front property line. Small utility sheds (under two hundred (200) square feet), screen pool enclosures, cabanas, greenhouses and the like may be constructed to within three and a half (3½) feet of the side and rear lot lines. Attached and detached open carports may be constructed to the side lot line. Additionally, attached and detached open carports may be constructed to within five (5) feet of the front yard lot line. At no time shall the side(s) or front of the carport be enclosed without a permit from the City. A permit is required for an attached or detached carport regardless of size. No other accessory structure including fences shall extend forward of the front of the dwelling or encroach into the required front yard.

FINANCIAL IMPACT:

There are no anticipated financial impacts as a result of approving the variance request.

RECOMMENDATION:

Staff recommends to the City Council approval for a variance request to the Land Development Code 7.15.1(j)(3) allowing for an accessory structure to extend forward of the front of the dwelling and encroach into the required front yard for the property at 199 W Miracle Strip Parkway, Mary Esther, Florida.

ATTACHMENT(S):

1. Exhibit A- Variance Application
2. Exhibit B- Addresses
3. Exhibit C- Survey Site Plan
4. Exhibit D- Aerial Map
5. Exhibit E- Current Site Conditions
6. Exhibit F- Advertisement Notice and Receipt
7. Exhibit G- Supporting Documents



CITY OF MARY ESTHER

195 CHRISTOBAL ROAD - N. • MARY ESTHER, FLORIDA 32569

TELEPHONE (850) 243-3566 - FAX (850) 243-0736

Request For Variance

Date of Application: DECEMBER 5, 2024

Name of Applicant: TOM MILHOUS

Phone Number: (334) 672-1227

Owner: TOM MILHOUS

Phone Number: (334) 672-1227

Address: 199 W. MIRACUE STRIP Pkwy

Parcel # 17-25-24-0000-0009-0000

Legal Description: _____

Zoning: _____ Ordinance/Code Affected: CITY CODE 7.15.1 (j) (3)

Briefly describe the requested variance for consideration:

BUILD A 10'X16' GARDEN/STORAGE SHED ON NORTH SIDE OF PROPERTY.

ACKNOWLEDGMENTS

1. I understand that this request will be processed by the City and considered at the earliest available public hearing.
2. I understand that a non-refundable fee of \$50.00 is due before the application will be processed.
3. I understand that all costs of advertisement is the responsibility of the applicant/owner.
4. I understand that I must comply with all provisions of City Ordinance 21-16, 21-18 and the advertising/notice requirements as stated on the back of this application.

I, TOM MILHOUS, owner of 199 W. MIRACUE STRIP Pkwy. hereby request consideration by the City of Mary Esther for a variance to the Code of Ordinances or Land Development Code for the above described property and certify that I have read and understand the acknowledgments as stated within this application for a variance.

Signature: [Signature]

Date: DECEMBER 5, 2024

Tyler Reed,
Community Development Director
City of Mary Esther

December 5, 2024

Tom Milhous
199 W Miracle Strip Pkwy
Mary Esther, FL
(334)672-1227

Tyler,

This letter is a request for a variance to the City Code of Ordinances 7.15.1 (j) (3), *Accessory uses and structures are prohibited in the front yard, except as otherwise specified in the City Code of Ordinances or Land Development Code*. The reason for my request is that an accessory structure built to meet current code located in the "backyard", south side, of my property would restrict the waterfront view of myself and several neighbors. The structure will be a 16'X10' storage/garden shed, located on the east and north side of the property, on an existing concrete slab that at one time was the site of a small cottage. The structure will sit on the east side of my property, 10'6" from a fence separating my property from my neighbors, 38' north of my home and approximately 323' south of my northern property line. I am not aware of any restrictive covenants affecting my property at the time of this request.

Included you will find the following documents:

1. Application for Variance
2. Current Property Deed
3. Legal description of the property
4. A copy of a survey of the property
5. Site plan with the proposed location of the accessory structure

I would like to thank you and Kelvin for your help and guidance through this process.



Respectfully,
Tom Milhous

This instrument prepared by and please return to:

LISA JO SPENCER, ESQ.
Lisa Jo Spencer, P.A.
151 Mary Esther Blvd., Suite 503
Mary Esther, FL 32569

Parcel I.D.: 17-2S-24-0000-0009-0000

Inst. #3514724 Bk: 3594 Pg: 2824
Page 1 of 2 Recorded: 12/21/2021 4:06 PM
RECORDING ARTICLE V: \$8.00 RECORDING: \$10.50
D Doc Stmp: \$0.70
DEPUTY CLERK ASECRIST
JD PEACOCK II CLERK OF COURTS.
OKALOOSA COUNTY, FLORIDA

***** [space above this line for recording information] *****

ENHANCED LIFE ESTATE DEED

THIS ENHANCED LIFE ESTATE DEED, is made on the 21st day of December, 2021, between THOMAS M. MILHOUS, a single man, (hereinafter referred to as "Grantor"), whose mailing address is 199 Miracle Strip Pkwy W, Mary Esther, FL 32569, and THOMAS MARTIN MILHOUS as Trustee of the THOMAS MILHOUS REVOCABLE TRUST, dated December 21, 2021, (hereinafter referred to as "Grantee Beneficiaries") whose mailing address is 199 Miracle Strip Pkwy W, Mary Esther, FL 32569.

WITNESSETH, that the said Grantor, with love and consideration and for no monetary consideration, does hereby transfer and convey to the Grantee Beneficiaries the following described property situated, lying and being in Okaloosa County, Florida:

Commencing at the Northeast corner of Lot 6, Section 17, Township 2 South, Range 24 West, Okaloosa County, Florida; go thence South 01 degrees 37' 39" West along the East line of Section 17, a distance of 1488.21 feet to a point on the South Right of Way of U.S. Highway 98; thence North 87 degrees 44' 31" West along said Right of Way a distance of 350.75 feet to the point of beginning; thence departing the South Right of Way of U.S. Highway 98, proceed South 01 degrees 34' 06" West a distance of 536.57 feet to a point on the North Shore of Santa Rosa Sound; thence North 87 degrees 31' 14" West along said shoreline a distance of 103.92 feet; thence departing the shore proceed North 01 degrees 33' 33" East a distance of 536.17 feet to a point on the aforementioned South Right of Way of U.S. 98; thence South 87 degrees 44' 31" East along said Right of Way a distance of 104.00 feet to the point of beginning. Lying in and being part of Government Lot 6, Section 17, Township 2 South, Range 24 West, Okaloosa County, Florida.

The above parcel of land being more particularly described by survey prepared by W.W. Curle, Inc. as follows;

Commence at the intersection of the West line of MACINTYRE SUBDIVISION, as recorded in Plat Book 1, Page 36, of the Public Records of Okaloosa County, Florida and the South Right of Way line of U.S. Highway 98 (Right of Way varies); then North 87 degrees 44 minutes 31 seconds West along said Right of Way line a distance of 465.20 feet to the point of beginning; thence continue same course a distance of 104.00 feet; thence South 01 degrees 23 minutes 15 seconds West a distance of 476.44 feet to a point hereinafter called Point "A"; thence continue South 01 degrees 23 minutes 15 seconds West a distance of 82 feet, more or less, to the approximate shoreline of Santa Rosa Sound; thence meander Easterly along said shoreline a distance of 100 feet, more or less, to an intersection with a line passing through the point of beginning and having a bearing of South 01 degrees 51 minutes 21 seconds West; thence North 01 degrees 51 minutes 21 seconds East a distance of 73 feet, more or less, to a

point bearing South 85 degrees 50 minutes 00 seconds East and 100.16 feet from the aforesaid Point "A"; thence continue North 01 degrees 51 minutes 21 seconds East a distance of 479.73 feet to the point of beginning, all lying and being in Section 17, Township 2 South, Range 24 West, Okaloosa County, Florida.

Subject to restrictive covenants and easements of record, if any which are not hereby reimposed.

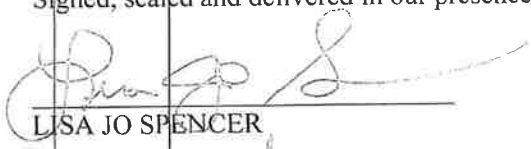
THIS IS THE HOMESTEAD PROPERTY OF THE GRANTOR.

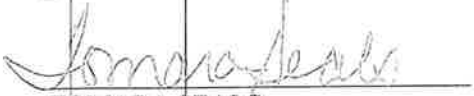
NO SEARCH OF RECORD TITLE HAS BEEN DONE ON THESE PROPERTIES BY THE PREPARER OF THIS DEED AND NO SURVEY HAS BEEN RUN TO ESTABLISH THE EXACT BOUNDARIES. THE SCRIVENER HAS MERELY PREPARED THIS DEED AT THE REQUEST OF AND PURSUANT TO INFORMATION PROVIDED BY GRANTOR. NO REPRESENTATION AS TO WARRANTY OF TITLE IS MADE OR IMPLIED BY THE PREPARATION OF THIS DEED.

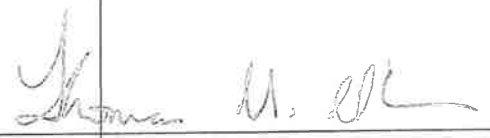
Grantor reserves a life estate in the above-described property during the Grantor's lifetime, along with an unrestricted power to commit waste, sell, convey, mortgage, lease, gift and otherwise dispose of the property, in fee simple and without the joinder of the Grantee Beneficiaries or any other remaindermen, and to retain any and all proceeds generated by the exercise of any power and/or right herein described.

And Grantor covenants with Grantee that, except as noted at the time of the delivery of this deed, Grantor was well seized of the premises aforesaid, Grantor had good right and title to convey, the premises were free from all encumbrances, Grantees shall have the peaceable and quiet possession thereof, Grantor shall fully warrant the title and defend it against the lawful claims of all persons whomsoever, and Grantor will make such further assurance to perfect the fee simple title in Grantees and their heirs and assigns as may be reasonably required.

Signed, sealed and delivered in our presence:


LISA JO SPENCER

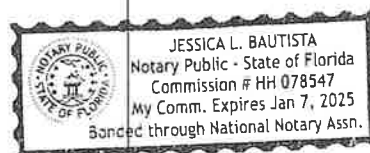

TOMARA SEALS


THOMAS M. MILHOUS

STATE OF FLORIDA
COUNTY OF OKALOOSA

The foregoing Enhanced Life Estate Deed was acknowledged before me, by means of physical presence, this 21st day of December, 2021, by THOAMS M. MILHOUS, who produced Florida Driver's License as identification.


Notary Public
My Commission Expires: January 7, 2025



DESCRIPTION:(AS FURNISHED)

COMMENCING AT THE NE CORNER OF LOT 6, SECTION 17, TOWNSHIP 2 SOUTH, RANGE 24 WEST, OKALOOSA COUNTY, FLORIDA, GO THENCE S 01° 37' 39" W ALONG THE EAST LINE OF SECTION 17, A DISTANCE OF 1488.21 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY 98; THENCE N 87° 44' 31" W ALONG SAID RIGHT-OF-WAY A DISTANCE OF 350.75 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING THE SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY 98 PROCEED S 01° 34' 06" W A DISTANCE OF 536.57 FEET TO A POINT ON THE NORTH SHORE OF SANTA ROSA SOUND, THENCE N 87° 31' 14" W ALONG SAID SHORELINE A DISTANCE OF 103.92 FEET; THENCE DEPARTING THE SHORE PROCEED N 01° 33' 33" E, A DISTANCE OF 536.17 FEET TO A POINT ON THE AFOREMENTIONED SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY 98; THENCE S 87° 44' 31" E ALONG SAID RIGHT-OF-WAY A DISTANCE OF 104.00 FEET TO THE POINT OF BEGINNING.

LYING IN AND BEING A PART OF GOVERNMENT LOT 6, SECTION 17, TOWNSHIP 2 SOUTH, RANGE 24 WEST OKALOOSA COUNTY, FLORIDA. CONTAINING 1.28 ACRES MORE OR LESS. TOGETHER WITH ALL RIPARIAN AND LITTORAL RIGHTS APPERTAINING THERETO.

UN-NUMBER

Okaloosa County Property Appraiser

Parcel Summary

Parcel ID	17-2S-24-0000-0009-0000
Location Address	199 W MIRACLE STRIP PKWY MARY ESTHER 32569
Neighborhood	242204.00
Brief Tax Description	COM NE COR GOV LOT 6 S1488 FT W350 FT TO POB S536 FT
	(Note: The Description above is not to be used on legal documents.)
Property Use Code	SINGLE FAMILY
Sec-Twp-Rng	17-2S-24
Tax District	5-Mary Esther
Millage Rate	14.2577
Acreage	0
Homestead	True
	(Note: True=Yes, False=No)
Acreage (GIS)	1.26

[View Map](#)

Owner Information

MILHOUS THOMAS REVOCABLE TRUST MILHOUS THOMAS M
199 MIRACLE STRIP PKWY W
MARY ESTHER FL 32569

Address Change Form

Address Change Form

Valuation

	2024 Certified Values	2023 Certified Values	2022 Certified Values	2021 Certified Values	2020 Certified Values
Building Value	\$253,671	\$225,963	\$200,320	\$155,236	\$144,164
Extra Features Value	\$9,898	\$4,548	\$4,293	\$4,165	\$4,250
Land Value	\$555,619	\$555,619	\$494,542	\$401,414	\$393,505
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$555,619	\$0	\$0	\$0	\$0
Just (Market) Value	\$819,188	\$786,130	\$699,155	\$560,815	\$541,919
Assessed Value	\$776,292	\$720,130	\$699,155	\$560,815	\$541,919
Exempt Value	\$50,000	\$50,000	\$50,000	\$0	\$0
Taxable Value	\$726,292	\$670,130	\$649,155	\$560,815	\$541,919
Maximum Save Our Homes Portability	\$42,896	\$66,000	\$0	\$0	\$0

2024 TRIM Notice

[Click Here to view the 2024 TRIM Notice \(PDF\)](#)

Homestead Application

Apply for Homestead Exemption

Land Information

Land Use	Number of Units	Unit Type	Frontage	Depth
000133 - SFR SOUND	103	FF	104	0

Building Information

Type	SINGLE FAM
Total Area	3280
Heated Area	2536
Exterior Walls	BD/BTN ABV
Roof Cover	DIMEN/TIMB
Interior Walls	DRYWALL
Frame Type	N/A
Floor Cover	HARDWOOD; CARPET
Heat	AIR DUCTED
Air Conditioning	CENTRAL
Bathrooms	3
Bedrooms	4
Stories	2
Actual Year Built	1988
Effective Year Built	1988

Extra Features

Description	Number of Items	Length x Width x Height	Units	Unit Type
FIRPLC		0 x 0 x		
DOCK		0 x 0 x		
BLDG		x x		

Building Area Types

Type	Description	Sq. Footage	Year
BAS	BASE AREA	1726	1988
FOP	F OPN PRCH	546	1988
FSP	F SCRPN PCH	198	1988
FUS	F UP STORY	810	1988

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Book / Page	Qualification	Sale Reason	Vacant / Improved	Grantor	Grantee
12/21/2021	\$100	DD		3594/2824	Unqualified	UNQUAL/TRANSACT OF AFFILIATION	Improved	MILHOUS THOMAS M (SGL)	MILHOUS THOMAS REVOCABLE TRUST - LIFE ESTATE
6/1/1994	\$30,300	QC		1849/861	Unqualified	N/A	Improved		MILHOUS THOMAS M
12/1/1983	\$100	WD		1223/603	Unqualified	N/A	Improved		
1/1/1977	\$21,966	PV		L	Unqualified	N/A	Improved		

Permits

Permit Number	Type	Description	Issued	Amount
516401	0000180	WIN	8/15/2022	\$22,271
515969	0000240	RE-ROOF	8/9/2022	\$10,773
429289	0000190	DOCK	6/21/2018	\$9,000

2024 Property Record Card

[Click Here to view the 2024 Property Record Card \(PDF\)](#)

Tax Collector

[Click here to view the Tax Collector website.](#)

Sketches



Distance:

Use Address From:

☒ Owner ☐ Property

Select export file format:

☒ Show All Owners

☐ Show Parcel ID on Label

Skip Labels

0

International mailing labels that exceed 5 lines are not supported on the Address labels (5160). For international addresses, please use the xlsx, csv or tab download formats.

Download

The Okaloosa County Property Appraiser's Office (OCPA) makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Just (Market) Value is established by the Property Appraiser for ad valorem tax purposes. It does not represent anticipated selling price. Current year assessments are as of January 1st and are based on previous year sales activity. All website information is subject to change

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Last Data Upload: 12/6/2024, 11:17:56 AM

Contact Us

Developed by



17-2S-24-0000-0003-0000
CURRENT RESIDENT
171 MIRACLE STRIP PKWY
MARY ESTHER, FL 32569

17-2S-24-0000-0004-0000
CURRENT RESIDENT
250 W HOLLYWOOD BLVD
MARY ESTHER, FL 32569

17-2S-24-0000-0005-0000
CURRENT RESIDENT
141 MIRACLE STRIP PKWY
MARY ESTHER, FL 32569

17-2S-24-0000-0007-0000
CURRENT RESIDENT
181 MIRACLE STRIP PKWY
MARY ESTHER, FL 32569

17-2S-24-0000-0008-0000
CURRENT RESIDENT
191 MIRACLE STRIP PKWY
MARY ESTHER, FL 32569

17-2S-24-0000-0009-0000
CURRENT RESIDENT
199 W MIRACLE STRIP PKWY
MARY ESTHER, FL 32569

17-2S-24-0000-0012-0000
CURRENT RESIDENT
US HWY 98
MARY ESTHER, FL 32569

17-2S-24-0000-0013-0000
CURRENT RESIDENT
US HWY 98
MARY ESTHER, FL 32569

17-2S-24-0000-0014-0000
CURRENT RESIDENT
HWY 98
MARY ESTHER, FL 32569

17-2S-24-038J-0000-0000
CURRENT RESIDENT
209 MIRACLE STRIP PKWY
FL

17-2S-24-038J-0000-A101
CURRENT RESIDENT
209 MIRACLE STRIP PKWY A101
MARY ESTHER, FL 32569

17-2S-24-038J-0000-A102
CURRENT RESIDENT
209 MIRACLE STRIP PKWY A102
MARY ESTHER, FL 32569

17-2S-24-038J-0000-A103
CURRENT RESIDENT
209 MIRACLE STRIP PKWY A103
MARY ESTHER, FL 32569

17-2S-24-038J-0000-A104
CURRENT RESIDENT
209 MIRACLE STRIP PKWY A104
MARY ESTHER, FL 32569

17-2S-24-038J-0000-A201
CURRENT RESIDENT
209 W MIRACLE STRIP PKWY A201
MARY ESTHER, FL 32569

17-2S-24-038J-0000-A202
CURRENT RESIDENT
209 MIRACLE STRIP PKWY A202
MARY ESTHER, FL 32569

17-2S-24-038J-0000-A203
CURRENT RESIDENT
209 MIRACLE STRIP PKWY A203
MARY ESTHER, FL 32569

17-2S-24-038J-0000-A204
CURRENT RESIDENT
209 MIRACLE STRIP PKWY A204
MARY ESTHER, FL 32569

17-2S-24-038J-0000-A301
CURRENT RESIDENT
209 MIRACLE STRIP PKWY A301
MARY ESTHER, FL 32569

17-2S-24-038J-0000-A302
CURRENT RESIDENT
209 MIRACLE STRIP PKWY A302
MARY ESTHER, FL 32569

17-2S-24-038J-0000-A303
CURRENT RESIDENT
209 MIRACLE STRIP PKWY A303
MARY ESTHER, FL 32569

17-2S-24-038J-0000-A304
CURRENT RESIDENT
209 MIRACLE STRIP PKWY A304
MARY ESTHER, FL 32569

17-2S-24-038J-0000-B101
CURRENT RESIDENT
209 MIRACLE STRIP PKWY B101
MARY ESTHER, FL 32569

17-2S-24-038J-0000-B102
CURRENT RESIDENT
209 MIRACLE STRIP PKWY B102
MARY ESTHER, FL 32569

17-2S-24-038J-0000-B103
CURRENT RESIDENT
209 MIRACLE STRIP PKWY B103
MARY ESTHER, FL 32569

17-2S-24-038J-0000-B104
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209 MIRACLE STRIP PKWY B104
MARY ESTHER, FL 32569

17-2S-24-038J-0000-B201
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17-2S-24-038J-0000-B202
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MARY ESTHER, FL 32569

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MARY ESTHER, FL 32569

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17-2S-24-038J-0000-B301
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17-2S-24-038J-0000-B303
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-B304
CURRENT RESIDENT
209 MIRACLE STRIP PKWY B304
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C101
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C101
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C102
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C102
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C103
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C103
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C104
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C104
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C105
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C105
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C106
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C106
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C107
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C107
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C108
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C108
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C201
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C201
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C202
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C202
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C203
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C203
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C204
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C204
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C205
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C205
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C206
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C206
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C207
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209 MIRACLE STRIP PKWY C207
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C208
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C208
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C301
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-C302
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-C303
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209 MIRACLE STRIP PKWY C303
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C304
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-C305
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209 MIRACLE STRIP PKWY C305
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C306
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C306
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C307
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C307
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C308
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C308
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D101
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D101
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D102
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D102
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D103
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D103
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D104
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209 MIRACLE STRIP PKWY D104
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D105
CURRENT RESIDENT
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-D106
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209 MIRACLE STRIP PKWY D106
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D107
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D107
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D108
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D108
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D201
CURRENT RESIDENT
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-D202
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-D203
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17-2S-24-038J-0000-D204
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17-2S-24-038J-0000-D205
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209 MIRACLE STRIP PKWY D205
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D206
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-D207
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-D208
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-D301
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-D302
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-D303
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-D304
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17-2S-24-038J-0000-D305
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17-2S-24-038J-0000-D306
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17-2S-24-038J-0000-D307
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17-2S-24-038J-0000-D308
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209 MIRACLE STRIP PKWY D308
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E101
CURRENT RESIDENT
209 MIRACLE STRIP PKWY E101
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E102
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209 MIRACLE STRIP PKWY E102
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E103
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209 MIRACLE STRIP PKWY E103
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E104
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209 MIRACLE STRIP PKWY E104
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E201
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209 MIRACLE STRIP PKWY E201
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E202
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17-2S-24-038J-0000-E203
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17-2S-24-038J-0000-E204
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17-2S-24-038J-0000-E301
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209 MIRACLE STRIP PKWY E301
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E302
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17-2S-24-038J-0000-E303
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-E304
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17-2S-24-038J-0000-F101
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17-2S-24-038J-0000-F202
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17-2S-24-038J-0000-G102
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MARY ESTHER, FL 32569

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17-2S-24-038J-0000-G304
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17-2S-24-038J-0000-G305
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17-2S-24-038J-0000-G307
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17-2S-24-038J-0000-G308
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17-2S-24-038J-0000-H101
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-H102
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17-2S-24-038J-0000-H201
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17-2S-24-038J-0000-H202
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17-2S-24-038J-0000-H301
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17-2S-24-038J-0000-H304
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17-2S-24-038J-0000-J101
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MARY ESTHER, FL 32569

17-2S-24-038J-0000-J201
CURRENT RESIDENT
209 MIRACLE STRIP PKWY J201
MARY ESTHER, FL 32569

17-2S-24-038J-0000-J301
CURRENT RESIDENT
209 MIRACLE STRIP PKWY J301
MARY ESTHER, FL 32569

STATE OF FLORIDA
COUNTY OF OKALOOSA

Addresses provided by the Okaloosa County Property Appraisers office have been sent the variance letter for the address of 199 W. Miracle Strip Pkwy Mary Esther, FL 32569 Parcel number 17-2S-24-0000-0009-0000 via USPS mail on 12/19/2024. Sworn to or affirmed and subscribed before me this 8 day of January, 2025 by Tyler Reed TYLER REED ☒ who is personally known to me

OR _____ has produced identification. Type of identification _____

Notary Public



KELVIN CHERRY
Notary Public
State of Florida
Comm# HH620984
Expires 12/12/2021

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: 12/18/2024

RE: Adjacent Property Owner's Listing:

Parcel ID Number: 17-2S-24-0000-0009-0000

Owner: MILHOUS THOMAS REVOCABLE TRUST

☐

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 300 ft radius from the above listed parcel.

☐

Other: _____

Person requesting information: KELVIN CHEERY

Email Address: _____

Phone Number: 850-243-3566 Fax Number: _____

Brittany Williams

BRITTANY WILLIAMS

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

57' (D&F)

FENCE LINE

0.4' - 4' - 0.4'

323'

10'x16'
SIZED

38'

536.17' (D&F)

ENCROACHMENT
0.5' CONC. CURB

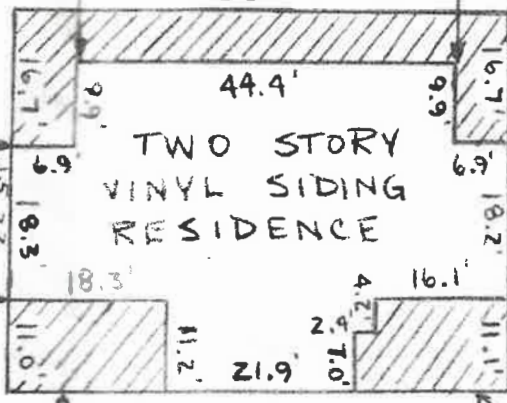
0.68'

REDARS CONDOMINIUM
LAT BOOK 1, PG. 67-72



0.3' - 4' WIRE FENCE

4' - 0.8'



(S.R. # 30)

MON. FND. CONC.
UN-NUMBERED
(TYP.)

12/25

S 87°44'31"E 104.00'(D&F)

32

5.0.

15

7.0

五

1

1

1

1

10

2

7

FND: IRON PIN
(TYP.)

122.53'

189.1'

(POWER POLE
(TYP.)

S 01° 34' 06" W 536.57' (D &

308.77

367.1'

34.7.7

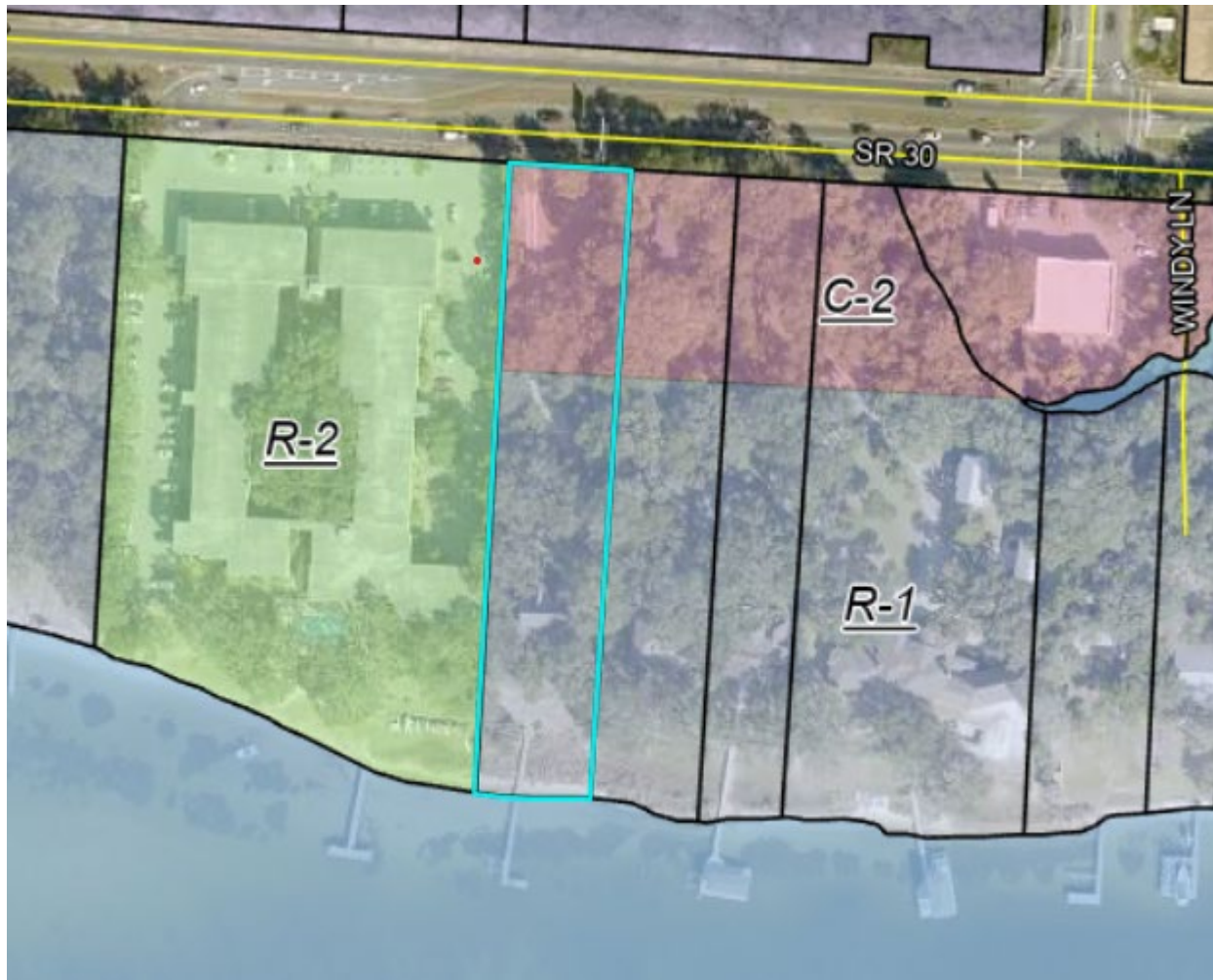
10.0' WIDE SAND & MIXED SHELL DRIVE

~~x + 22.53'~~

N 01° 33' 33 E

THE CEDARS
CONDO. PLAT B00

Exhibit E- Aerial Map



Storage shed construction without a City issued permit located in the front yard.



Order Confirmation

Not an Invoice

Account Number:	535985
Customer Name:	City Of Mary Esther
Customer Address:	City Of Mary Esther 195 CHRISTOBAL ROAD Ext 11 Fx 243-0736 Mary Esther FL 32569
Contact Name:	City Of Mary Esther
Contact Phone:	8502433566
Contact Email:	
PO Number:	

Date:	01/03/2025
Order Number:	10917930
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	39.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
FTW NW Florida Daily News	2	01/07/2025 - 01/14/2025	Public Notices
FTW nwfdailynews.com	2	01/07/2025 - 01/14/2025	Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Total Cash Order Confirmation Amount Due	\$178.67
Tax Amount	\$0.00
Service Fee 3.99%	\$7.13
Cash/Check/ACH Discount	-\$7.13
Payment Amount by Cash/Check/ACH	\$178.67
Payment Amount by Credit Card	\$185.80

Order Confirmation Amount

\$178.67

Ad Preview

PUBLIC NOTICE CITY OF MARY ESTHER PUBLIC HEARING FOR VARI- ANCE REQUEST

Notice is hereby given that a Public Hearing will be conducted at the request of Tom Milhous, 199 W. Miracle Strip, Mary Esther, FL, on Tuesday, January 21, 2025, at 5:00 p.m. before the Mary Esther Local Planning Agency at City Hall, 195 Christobal Road North, Mary Esther, FL. The purpose of this hearing is to hear the request for a variance to allow an accessory structure to encroach the front yard and to be placed in front of the primary structure. Anyone with any questions or concerns regarding this variance should call Tyler Reed at 850-243-3566.

All interested residents and property owners who might be affected are invited to attend. If a person decides to appeal any decision made with respect to any matter considered at such meeting, such person 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. The facility is handicap accessible. If special accommodations are needed for sight, sound, language, or physical impairment, please contact the City Clerk at least 24 hours before the meeting by calling 850-243-3566, extension 111.

#10917930; 01/07, 1/14/2025





**City of Mary Esther
Code Compliance**

195 Christobal Road North
Mary Esther, FL 32569
Phone: 850-243-3566
Email: code@cityofmaryesther.com

Case Number: **CODE-000099-2024**

Case Type: **Code Compliance**

Date Case Established: **11/22/2024**

Compliance Deadline: **11/26/2024**

**Courtesy
Notice**

Violator: Thomas Milhous

Mailing Address

Thomas Milhous
199 W MIRACLE STRIP PKWY PKWY
MARY ESTHER, FL 32569

The City of Mary Esther has adopted ordinances to support a safe, healthy, and neighborly community. During a recent code compliance inspection, an ordinance violation was observed at the address below:

Address

Parcel

199 W MIRACLE STRIP PKWY PKWY
MARY ESTHER, FL 32569

17-2S-24-0000-0009-0000

We are issuing this Courtesy Notice to allow you an opportunity to correct the violation. If Corrective Action is completed by the Compliance Date your case will be closed and no further action will be necessary. Failure to correct the violation will result in a Violation Notice and additional code compliance action.

Violation: CO. 5-1; LDC 18.00.00; 18.04.00; FS 553.79 (1) - Construction Without A Permit
Corrective Action: Immediately stop all construction until all required permits are obtained.
Compliance Date: 12/12/2024
Violation: LDC 18.00.00; 18.05.00 - Stop Work Order Construction
Corrective Action: Immediately stop all work/construction until otherwise noted and a City permit has been issued.
Compliance Date: 11/26/2024
Violation: Other - Other
Corrective Action: Building setback accessory structure being constructed in the front yard. City Code 7.15.1 (j) (3)
Compliance Date: 12/12/2024

If you have any questions regarding this notice, please feel free to contact me at 850-243-3566 or code@cityofmaryesther.com.

Sincerely,

Kelvin Cherry
Code Compliance Officer - Badge Number: 1058

AGENDA ITEM

Agenda Item 11.2.

TO: Honorable Mayor and Members of the City Council

FROM: Jared Cobb, City Manager

DATE: January 21, 2025

SUBJECT: Resolution 25-01, Supporting the 2025 Florida League of Cities (FLC) Legislative Platform

BACKGROUND:

The Florida League of Cities (FLC) annually adopts a legislative platform that outlines key priorities and policy positions for the upcoming legislative session. These priorities are designed to address the needs and concerns of municipalities across Florida. The 2025 Legislative Platform was adopted during the FLC Legislative Conference on December 6, 2024. The attached resolution urges members of the Florida Legislature to support the 2025 FLC Legislative Platform.

DISCUSSION:

The 2025 FLC Legislative Platform includes several key priorities that are critical for the well-being and development of Florida's cities, towns, and villages. These priorities include:

- *Affordable and Workforce Housing:* Supporting legislation that balances the need for affordable housing with local governments' ability to manage growth effectively.
- *Transportation Infrastructure:* Ensuring all vehicles contribute fairly to the funding of transportation infrastructure, regardless of fuel type.
- *Utility Revenues:* Preserving municipal authority over utility revenues and ensuring a reasonable rate of return on utility assets.
- *Property Taxes:* Supporting the levy of property taxes to provide essential services and opposing further changes that would create inequities.
- *Sovereign Immunity:* Preserving reasonable liability caps for municipal governments to protect taxpayer funds.

Additionally, the platform includes policy positions on annexation, impact fees, local business taxes, water management, and public safety recruitment and retention.

FINANCIAL IMPACT:

Adopting this resolution and supporting the FLC Legislative Platform may have several financial implications for the city. By advocating for fair contributions to transportation infrastructure and preserving utility revenues, the city can ensure stable funding for critical services and infrastructure projects. Supporting the levy of property taxes and preserving sovereign immunity

caps can also protect the city's financial health by maintaining revenue streams and limiting liability.

RECOMMENDATION:

Motion to adopt Resolution 25-01, a resolution of the City Council of the City of Mary Esther, Florida, urging members of the Florida Legislature to support the 2025 Florida League of Cities' Legislative Platform.

It is recommended that the City Council adopt the attached resolution supporting the 2025 FLC Legislative Platform. This will enable the city to actively participate in the legislative process and advocate for policies that benefit our community. If approved, a copy of the adopted resolution will be provided to the members of our local legislative delegation and the Florida League of Cities, Inc.

ATTACHMENT(S):

1. Resolution 25-01, Supporting the FLC 2025 Legislative Platform
2. Exhibit A - FLC 2025 Legislative Platform

RESOLUTION 25-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARY ESTHER, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE 2025 FLORIDA LEAGUE OF CITIES' LEGISLATIVE PLATFORM.

WHEREAS, the Florida Legislature will convene the 2025 Legislative Session on March 4, 2025; and

WHEREAS, the membership of the Florida League of Cities (FLC) adopted its 2025 Legislative Platform during the FLC Legislative Conference on December 6, 2024; and

WHEREAS, the City of Mary Esther supports the 2025 FLC Legislative Platform as attached in Exhibit A, which includes:

- Supporting legislation that allows for a collaborative approach that balances the pressing needs for affordable and workforce housing while respecting the ability of local governments to effectively manage growth to ensure developments align with the character, capabilities and resources of each community.
- Supporting legislation that ensures all vehicles, regardless of fuel type, contribute fairly to the funding of Florida's transportation infrastructure, which will allow cities to maintain safe and reliable roads for all residents.
- Supporting the preservation of municipal authority over utility revenues and the ability to realize a reasonable rate of return on utility assets. Legislation should honor current practices, existing contracts, utility operation and maintenance costs, service territory obligations and revenues obligated for debt service and planned projects.
- Supporting the levy of property taxes by municipalities to provide critical services such as infrastructure, police, fire and emergency services. Further changes or exemptions to the property tax system and tangible personal property taxes would create inequities and unfairly shift the tax burden onto families, homeowners, renters, businesses and our most vulnerable population.
- Supporting the preservation of reasonable sovereign immunity liability caps for municipal governments to protect taxpayer funds and ensure the delivery of public services.

WHEREAS, the City of Mary Esther also supports the FLC policy positions relating to:

- Annexation
- Impact Fees
- Local Business Taxes
- One Water

- Public Safety Recruitment and Retention

NOW, THEREFORE, BE IT RESOLVED, that the City of Mary Esther, Florida, City Council does hereby declare and establish the following:

Section 1. The City of Mary Esther will work with our local legislative delegation in support of these and other issues affecting Florida's cities, towns and villages during the upcoming 2025 Legislative Session.

Section 2. A copy of this resolution shall be provided to the members of our local legislative delegation and the Florida League of Cities, Inc.

Section 3. Effective Date. This Resolution shall take effect immediately upon approval by the City Council and signature by the Mayor.

SO DONE this 21st day of January 2025.

By: _____
Chris Stein, Mayor

ATTEST:

Dillon Morris
City Clerk



PRIORITIES:

Affordable Housing

The Florida League of Cities SUPPORTS legislation that allows for a collaborative approach that balances the pressing needs for affordable and workforce housing while respecting the ability of local governments to effectively manage growth to ensure developments align with the character, capabilities and resources of each community.

Electric Vehicles

The Florida League of Cities SUPPORTS legislation that ensures all vehicles, regardless of fuel type, contribute fairly to the funding of Florida's transportation infrastructure, which will allow cities to maintain safe and reliable roads for all residents.

Enterprise Fund Transfers and Extraterritorial Surcharges

The Florida League of Cities SUPPORTS preserving municipal authority over utility revenues and the ability to realize a reasonable rate of return on utility assets. Legislation should honor current practices, existing contracts, utility operation and maintenance costs, service territory obligations and revenues obligated for debt service and planned projects.

Property Taxes

The Florida League of Cities SUPPORTS the levy of property taxes by municipalities to provide critical services such as infrastructure, police, fire and emergency services. Further changes or exemptions to the property tax system and tangible personal property taxes would create inequities and unfairly shift the tax burden onto families, homeowners, renters, businesses and our most vulnerable population.

Sovereign Immunity

The Florida League of Cities SUPPORTS preserving reasonable sovereign immunity liability caps for municipal governments to protect taxpayer funds and ensure delivery of public services.

POLICY POSITIONS:

Annexation

The Florida League of Cities SUPPORTS legislation that facilitates the municipal annexation of unincorporated areas in a manner that respects municipal boundaries, protects private property rights and encourages cooperation between municipal and county governments.

Impact Fees

The Florida League of Cities SUPPORTS protecting municipal authority to set impact fees that safeguard existing taxpayers from incurring additional infrastructure costs.

**Local Business Taxes**

The Florida League of Cities SUPPORTS preserving municipal ability to collect local business taxes in order to foster economic growth, ensure public safety, deliver emergency services and drive community development.

One Water

The Florida League of Cities SUPPORTS the state legislature's endorsement of One Water policies that seek to enhance integration between different water systems while maintaining local flexibility.

Public Safety Recruitment and Retention

The Florida League of Cities SUPPORTS legislation and funding to enhance recruitment and retention of municipal public safety personnel, which will help communities maintain effective emergency response and public safety services.

AGENDA ITEM

Agenda Item 11.3.

TO: Honorable Mayor and Members of the City Council

FROM: Dillon Morris, City Clerk

DATE: January 21, 2025

SUBJECT: Bus Stop Ordinance Discussion

BACKGROUND:

This agenda item was requested by Councilmember Coxwell as a follow-up to discuss materials distributed on November 8th, 2024, to the City Council regarding the siting of commercial bus stops in Mary Esther.

DISCUSSION:

FINANCIAL IMPACT:

RECOMMENDATION:

ATTACHMENT(S):

1. Fort Walton Beach - Ordinance 2152
2. Fort Walton Beach - Ordinance 2153
3. Fort Walton Beach - Meeting Minutes 8/27/24
4. Fort Walton Beach - Meeting Minutes 9/10/24
5. Fort Walton Beach - Agenda Packet 9/10/24

READING	DATE
1st	8/27/2024
2nd	9-10-2024

ORDINANCE 2152

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING SECTION 1.08.02 OF THE LAND DEVELOPMENT CODE TO ADD A DEFINITION FOR "BUS STOP" AND A DEFINITION FOR "PUBLIC TRANSIT STOP"; AMENDING CHAPTER 2, ZONING DISTRICTS AND USES, OF THE LAND DEVELOPMENT CODE TO ADD "PUBLIC TRANSIT STOP" AND REMOVE "TERMINALS, BUS, TRANSIT, INCLUDES TRUCK STOP" AS PERMITTED USES IN BOTH COMMERCIAL GENERAL (CG) AND COMMERCE AND TECHNOLOGY PARK (CTP) ZONING DISTRICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, *Florida Statutes*, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry;

WHEREAS, the rapid evolution and rampant cost-cutting in the Intercity Bus Service industry has led to rampant zoning and safety issues throughout the country;

WHEREAS, due to the industry wide degradation of the Intercity Bus Service industry, it is in the best interest for the safety, health, and welfare of the City residents, City businesses, and visitors to have ordinances and regulations to prohibit bus stops within the City of Fort Walton Beach; and

WHEREAS, the City Council has determined that it is in the public interest to remove "Terminals, bus, transit, includes truck stop" as a Permissible Use from all Zoning District's within the City of Fort Walton Beach.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH FLORIDA, AS FOLLOWS:

Section 1. Authority and Intent

The authority for enactment of this ordinance is contained in Chapter 166.021, 163.3202, and other provisions of the Florida Statutes and Section 2 of the City Charter.

Section 2. Recitals

The above recitals are true and correct and adopted herein and confirmed.

Section 3. Amendment of Section 1.08.02. – List of Defined Terms

Bus Stop: Bus Stop means a designated location where buses operating on commercial routes pause to pick up and drop off passengers. Transit Stops serve buses operated by Intercity Common Carrier Bus Services. An Intercity Common Carrier Bus Service is owned and operated by a private party and utilizes a ticketing system, typically charging passengers a fare based on the length of their journey. Intercity Common Carrier Bus Services provide fixed scheduled routes between different cities and regions and

provide services over much greater distances than public transportation buses operated or funded by governmental entities.

Public Transit Stop: Refers to a designated location where public transport vehicles, such as buses, trams, or ferries, halt to pick up and drop off passengers. These stops are officially sanctioned by a local transit authority or local governmental entity, and are marked by signs, shelters, benches, or other amenities to facilitate commuter access and comfort.

Section 4. Amendment of Section 2.03.00. – Land Uses Permissible in Each Zoning District

Table 2.03.02. – Table of Permissible Uses is hereby amended as follows:

Table 2.03.02. Permissible Uses in Each Zoning District

Principle Land Uses:	Zoning Districts:										
	R-1E	R-1	R-2	MX-1	MX-2	YC	CF	CG	CTP	MB	REC
Residential Uses											
Single-family dwelling	P	P	P	P		P					
Duplex or triplex structure			P	P	P						
Multifamily structure			P	P	P						
Townhouse			S 5.04.02	S 5.04.02	S 5.04.02	S 5.04.02					
Manufactured homes	S 4.01.02	S 4.01.02	S 4.01.02								
Manufactured homes in parks			S 5.04.14								
Nonresidential Uses											
Adult-Oriented Uses, including book stores, movie stores, theaters, entertainment, and retail stores					S 5.04.26			P		P	
Alcohol package store, no consumption on premises				P	P			P			
Animal hospital or veterinary clinic					P			P			
Arenas, band shell,					S 5.04.10			S 5.04.10			S 5.04.10

amphitheater, outdoor performance area											
Artisan studio				P	P			P		P	
Asphalt or concrete plant									P	P	
ATM kiosk				P	P		P	P		P	
Bait and tackle				P	P	P		P			
Barber, beauty salon, nail salons, aesthetician, skin care salon and similar				P	P			P			
Bed and breakfast lodging			S 5.04.15	P	P			P			
Boatyard					S 5.04.30				S 5.04.30		
Building materials, building supply, enclosed lumber yard								P	P	P	
Building materials, outdoor storage, onsite lumber processing									P		
Business support services, such as copying, mailing, printing, private mail service				P	P			P		P	
Car wash or detailing facility					S 5.04.16			S 5.04.16		S 5.04.16	
Cemetery							P				
Community center, club, or lodge				P	P	P	P	P			
Cultural facility, such as library, museum, or gallery				P	P		P	P			
Day-care (child), nursery school, kindergarten, or pre-kindergarten				P	P		P	P		P	
Day care, adult				P	P		P	P			
Distribution centers, may include warehousing,								S 5.04.17	P	S 5.04.17	

dispatch offices, vehicle yards											
Drug stores and pharmacies				P	P			P		P	
Dry storage for watercraft				S 5.04.07	S 5.04.07	S 5.04.07		S 5.04.07			
Essential public services	P	P	P	P	P	P	P	P	P	P	P
Farmer's market, outdoor sales, roadside vendors				S 5.02.03	S 5.02.03		S 5.02.03	S 5.02.03		S 5.02.03	
Financial institutions, banks, credit unions, brokerages, no drive-up window				P	P			P		P	
Financial institutions, banks, credit unions, brokerages, with drive-up window								P		P	
Financial Institutions, Nonchartered, such as payday loan establishments and check-cashing facilities				S 5.04.24	S 5.04.24			P		P	
Food stores, specialty, such as bakeries, candy, ethnic groceries, catering services				P	P			P			
Fortune tellers and psychics				S 5.04.27	S 5.04.27			P		P	
Freight and moving companies								S 5.04.17	P	S 5.04.17	
Fuel/gasoline station, may include convenience store, restaurant, automotive supplies, but not repair					S 5.04.05			S 5.04.05		S 5.04.05	
Funeral homes,					P			P	P		

mortuaries, crematoria											
Garden, community or neighborhood	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20
Golf course							S 5.04.19				S 5.04.19
Grocery store, supermarket				P	P			P		P	
Group home, congregate living facility and similar uses	S 5.04.11	S 5.04.11	S 5.04.11	S 5.04.11		S 5.04.11	S 5.04.11	S 5.04.11			
Health clubs, exercise clubs, spas, gyms				P	P			P		P	
Hospital					P			P		P	
Hotels, motels, inns and similar lodging facilities				P	P			P			
Ice vending machine								S 5.04.18		S 5.04.18	
Industrial uses, heavy industry with nuisance factors, such as odor, noise, vibration, electronic interference									P		
Junk or salvage yards, recycling facilities									S 5.04.03	S 5.04.03	
Kennel with outdoor runs									P		
Kennel, no outdoor runs								P			
Laboratories, medical								P	P	P	
Laboratories, industrial									P	P	
Landscaping materials, plants, stone, mulch, gravel, supplies, greenhouse, nursery yards								P	P	P	

Laundry facility, self-service				P	P			P		P	
Livery Vessel Rental					S 5.04.32						
Lounge, bar, or nightclub				P	P	P		P		P	
Manufacturing, and intense industrial activities, includes production, fabrication, assembly, may include outdoor storage, includes bottling plant, dry cleaning plant, gas and fuel storage and wholesaling									P		
Manufacturing, light assembly, fully enclosed building									P	P	
Marinas, including fuel, supplies, docking, boat ramps					S 5.04.13	S 5.04.13		S 5.04.13			
Medical and dental clinics, outpatient facilities				P	P			P		P	
Medical facility for recovery or rehabilitation services, includes substance abuse center, physical or mental rehabilitation, overnight stays				S 5.04.28	S 5.04.28		S 5.04.28	S 5.04.28			
Medical Marijuana Dispensary				S 5.04.31	S 5.04.31			S 5.04.31			
Nursing home or convalescent facility, overnight stay				P	P			P			
Offices, general, includes offices for				P	P			P		P	

trades or construction businesses											
Parking lot or parking garage, commercial				P	P		P	P	P	P	
Pawnshops				S 5.04.25	S 5.04.25			P		P	
Personal services, such as jewelry repair, shoe repair, tailoring, dry cleaning pick-up center				P	P			P		P	
Professional offices, accounting, government operations, legal services, bookkeeping, realtors, brokers, insurance, etc.				P	P		P	P		P	
Public service facilities such as fire stations, emergency services, or public works, includes vehicle storage and maintenance							P		P	P	
Public Transit Stop								P	P		
Recreation, indoor, such as pool, bowling, game rooms, video arcades				P	P	P	P	P		P	
Recreation, indoor, intense, such as skating rinks, indoor shooting range, indoor kart tracks, and similar				P	P		P	P	P	P	
Recreation, outdoor, active, such as sports fields, courts, playgrounds				P	P		P				P

Recreation, outdoor, intense, such as go-karts, miniature golf, lighted courts and fields, water slides, boat ramps, and similar amusements					P		P	P		P	
Recreation, outdoor, passive, such as picnic areas, trails, open spaces, includes botanical gardens				P	P		P			P	P
Religious facility	S 5.04.06	S 5.04.06	S 5.04.06	S 5.04.06	P		P	P			
Repair shops, small equipment, small appliances				S 5.04.04	S 5.04.04			P		P	
Restaurants, indoor, enclosed outdoor seating, without drive-up windows				P	P	P		P		P	
Restaurants, drive-up and fast food					S 5.04.21			P		P	
Retail shops, freestanding or within centers, includes department stores or specialty shops, such as art, antiques, furniture, florist, appliances, jewelry, books, electronic media, office supplies, automotive supplies, etc.				P	P			P		P	
Retail, large-scale discount establishments, big-box stores								P		P	
RV, motor homes, travel trailers, or manufactured								P			

home sales lot											
Schools, academic, charter, public or private					S 5.04.22		P	S 5.04.22			
Schools, business, commercial, trade, vocational					P			P	S 5.04.29	P	
Self-storage, mini-storage facilities								S 5.04.12	P	S 5.04.12	
Stone, granite, monument sales									P	P	
Studios for personal instruction, such as music, dancing, art, or photography				P	P			P			
Tattoo parlors and body-piercing studios				S 5.04.23	S 5.04.23			P		P	
Terminals, bus, transit, includes truck stop								P	P		
Theaters, movie or performing arts				P	P			P			
Towers, radio, TV, telecommunication							S 5.04.09		S 5.04.09	S 5.04.09	S 5.04.09
Trades, maintenance services, and heavy repair services, including outdoor storage, equipment yards, machine shops, welding shops, towing services									P		
Utility facilities, such as water towers, treatment plants, public wells							P				
Vehicle repair, body shop				S 5.04.04	S 5.04.04			S 5.04.04		S 5.04.04	
Vehicle sales and rentals, including automobiles, trucks, and								S 5.04.08		S 5.04.08	

motorcycles											
Vehicles, watercraft rentals					S 5.04.08	P		S 5.04.08			
Vehicles, construction, heavy equipment, sales and rental									P	S 5.04.08	
Vehicles, storage yards									P		
Warehousing, not including self- service storage									P	P	
Wholesalers									P	P	

Section 5. Findings

The City Council of the City of Fort Walton Beach, Florida, finds that:

The Local Planning Agency reviewed and recommended approval of Ordinance No. 2152 on August 1, 2024.

The proposed ordinance is consistent with the goals, objectives, and policies of the City's Comprehensive Plan.

All notice requirements for enactment of the ordinance have been met in accordance with the Florida Statutes and the City's Land Development Code.

Section 6. Effective Date

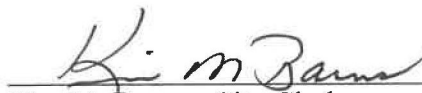
This Ordinance shall take effect immediately upon approval on second reading by City Council and signature of the Mayor.

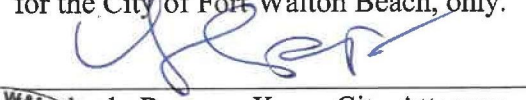
Adopted: September 10, 2024


Richard A. Rynearson, Mayor

Attest:

Approved as to legal form and sufficiency
for the City of Fort Walton Beach, only.


Kim M. Barnes, City Clerk


Kimberly Romano Kopp, City Attorney

Additions are underlined; deletions are stricken.



READING	DATE
1st	8/27/2024
2nd	9-10-2024

ORDINANCE 2153

AN ORDINANCE OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING SECTION 6.06.00 OF THE LAND DEVELOPMENT CODE TO ADD A SECTION 6.06.01 TITLED "DEFINITIONS"; AMENDING SECTION 6.06.00 OF THE LAND DEVELOPMENT CODE TO ADD A SECTION 6.06.02 TITLED "COMMERCIAL BUS STOPS PROHIBITED WITHIN CITY LIMITS"; PROHIBITING THE USE OF LAND FOR COMMERCIAL BUS STOPS WITHIN THE CITY LIMITS OF FORT WALTON BEACH, FLORIDA, IMMEDIATELY; PROVIDING AN AMMORTIZATION PERIOD FOR ANY EXISTING COMMERCIAL BUS STOPS AND EXTINGUISHING THE GRANDFATHERING OF COMMERCIAL BUS STOPS AS A NON-CONFORMING USE AFTER SEPTEMBER 10, 2025; PROVIDING A METHOD FOR AFFECTED PARTIES TO SEEK LIMITED RELIEF FROM THE USE PROHIBITION ESTABLISHED BY THIS ORDINANCE; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City of Fort Walton Beach is a family-oriented community concerned about the safety of individuals who travel to and from the City;

WHEREAS, for sixty-one years the only Commercial Bus Stop location in Fort Walton Beach was a dedicated stand-alone facility located at 101 Perry Avenue;

WHEREAS, the 101 Perry Avenue Transit Stop closed on February 28, 2019;

WHEREAS, the Intercity Common Carrier Bus Service vendor that operated the 101 Perry Avenue location has undertaken a nationwide restructuring to divest itself of most of its dedicated stand-alone Commercial Bus Stops, pivoting instead to contract for bus stops at convenience stores and other locations that do not meet the stringent federal standards that common carriers must adhere to when siting their bus stops;

WHEREAS, issues are arising throughout the country as contracted convenience stores usually are not appropriate to serve as Commercial Bus Stops;

WHEREAS, from the perspective of the passengers, the convenience stores are not suitable as they do not provide adequate food, water, and restroom facilities for the passengers;

WHEREAS, around the country, there are stories of passengers being stranded at convenience store bus stops and not permitted to use restrooms, or to have access to potable water;

WHEREAS, the Intercity Common Carrier Bus Service industry has experienced a significant nationwide decline, impacting the availability and reliability of bus services;

WHEREAS, the systemic decrease in Intercity Common Carrier Bus Service reliability has contributed to under-maintained and deficient bus stops, affecting the safety and well-being of embarking and debarking passengers;

WHEREAS, the situation is not expected to ever improve as the only Intercity Common Carrier Bus Service vendor that provides Commercial Bus Services in the City, which is the largest vendor in the country and one of only a handful that still exist, was purchased by a German private equity group in 2023 and has since accelerated the closure of dedicated Commercial Bus Stops in favor of contracting with convenience stores to host Commercial Bus Stops;

WHEREAS, recent ordinances in cities such as Chicago and counties like Douglas County, Colorado, have demonstrated a necessary response to unregulated and unsafe bus operations by the Intercity Common Carrier Bus Service industry that compromise public safety and community order;

WHEREAS, there have been documented failures within the Intercity Common Carrier Bus Service industry to adequately protect both the passengers and the general public at bus stops, leading to increased risks and safety concerns;

WHEREAS, the City Council recognizes the need to adapt policies to reflect these changes in the Intercity Common Carrier Bus Service industry and ensure the safety of its citizens;

WHEREAS, the lack of adequate safety measures at Commercial Bus Stops around the country has not only endangered passengers but also posed potential hazards to the general public;

WHEREAS, the City Council is committed to upholding the highest standards of public safety and community welfare, and must therefore take proactive steps to address and mitigate these risks;

WHEREAS, the establishment of regulated, well-maintained, and strategically located Commercial Bus Stops is essential for maintaining public order and ensuring the safety of all city residents and visitors;

WHEREAS, the City Council regrettably finds that a Commercial Bus Stop prohibition is in the best interests of the City, is of great public need, and is the most reasonable measure left available to the City Council to protect the health, safety and welfare of the community and the reputation of the City as a safe community, and the benefit to the public outweighs the loss to the affected parties;

WHEREAS, the City Council possesses home rule powers to legislate on any matter not inconsistent with general law or special law, and is specifically authorized to create and implement a plan of zoning uses, and to amend the list of uses that are permitted or prohibited;

WHEREAS, Florida takings law is settled that compensation for lost profits and business loss are creatures of statute, and there is no statute in Florida that commands compensation for profits lost or business damages resulting from the prohibition of operating a Commercial Bus Stop within the City;

WHEREAS, the City Council is nonetheless mindful that to prohibit the operation of Commercial Bus Stops in the City immediately would disappoint passengers accustomed to utilizing Intercity Common Carrier Bus Services to travel to and from Fort Walton Beach, and could constitute a regulatory taking of the market value of operating Commercial Bus Stops today;

WHEREAS, the City Council desires to ensure that the businesses affected by this ordinance not only have sufficient time to recover their investment in configuring their property to operate Commercial Bus Stops, but also to develop alternative business models;

WHEREAS, Florida has long recognized the power of municipalities to amortize nonconforming uses as a valid exercise of the police power;

WHEREAS, the City Council has considered the time necessary to allow property owners and business operating Commercial Bus Stops located within the City of Fort Walton Beach to recoup the unrealized investments in the bus stops, and wishes to provide the owners party sufficient time to recoup those investments;

WHEREAS, based upon the above considerations, the City Council finds that a period ending September 10, 2024, is a reasonable time and wholly adequate for the property owners and businesses to recoup any unrealized investment in their property;

WHEREAS, the City Council desires to provide each affected business more than sufficient time to recoup their investment and develop alternative lines of business, and also to allow the public to become familiar with the change and therefore shall extend the reasonable amortization period from an expiration on September 10, 2024, to September 10, 2025;

WHEREAS, the City Council has determined that the operation of Commercial Bus Stops should be phased out in the City altogether over a reasonable period that would allow property owners and businesses which operate Commercial Bus Stops to achieve their investment expectations and enjoy the time and resources to develop other business models;

WHEREAS, the City Council based upon the forgoing considerations, and information available to it, finds that an amortization period ending September 10, 2025, will allow each business to recoup those investments made prior to enactment of this ordinance;

WHEREAS, City Council finds that a phase out over one year will allow a grace period during which persons who currently provide Commercial Bus Stops may continue to do so while developing alternate business models, and the public may continue to enjoy the Commercial Bus Stops but become aware that a Commercial Bus Stop will not be available in the future within City limits;

WHEREAS, the City Council has determined that the burden on the public of permitting the improper siting of Commercial Bus Stops far outweighs the burden of the infringement upon the property rights of the very few businesses who have been grandfathered into the continued operation of Commercial Bus Stops;

WHEREAS, the City Council is creating a fair and reasonable petition process by which the businesses may prove that it will be unable to recoup its investment by the effective date of this ordinance;

WHEREAS, the City Council petition process allows for an extension of time for continued Commercial Bus Stop operation to prevent any taking of property without adequate opportunity to recover the unrealized investment in that property;

WHEREAS, the City Council finds and determines that prohibiting the siting of Commercial Bus Stops within the City limits benefits the health, welfare, and safety of the public; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council enacts this ordinance to prohibit the establishment of new Commercial Bus Stops and reassess existing ones, aiming to improve and enhance community well-being.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA AS FOLLOWS:

SECTION 1. Authority And Intent. The authority for enactment of this ordinance is contained in Chapter 166.021, 163.3202, and other provisions of the Florida Statutes and Section 2 of the City Charter.

SECTION 2. Recitals. The forgoing recitals are correct and express the legislative intent of the people of the City of Fort Walton Beach. In summation, the City Council finds that the operation of Commercial Bus Stops creates a nuisance, and therefore intends to prohibit the operation of any existing Commercial Bus Stops entirely after September 10, 2025, unless any current business or property owner is able to establish by a preponderance of the evidence that it will be unable to amortize its investment within that time in which case it may be granted relief under this Ordinance.

SECTION 3. Amendment to Section 6.06.00 - Requirements for Transit Stops

6.06.01 Definitions

Charter Bus Service: A Charter Bus Service is a type of service where buses are rented by individuals or organizations for exclusive private use. Unlike an Intercity Common Carrier Bus Service, which follows specific routes with set schedules, a Charter Bus Service is hired for specific trips.

Charter Bus Stop: A Charter Bus Stop is an ephemeral location where a Charter Bus may park to pick up or drop off passengers at the direction of the group renting the bus. Unlike Public, Commercial, or School Bus Stops, Charter Bus Stops do not have permanent signage or designated infrastructure. They are chosen based on the convenience and preferences of the group renting the bus and can vary from trip to trip. These stops are typically coordinated with the bus company and can be temporarily located anywhere so long as the location does not violate any other laws.

Commercial Bus Stop: A Commercial Bus Stop is a designated location where Intercity Common Carrier Bus Service buses operating on commercial routes pause to pick up and drop off passengers.

Commercial Transit Stop: See Commercial Bus Stop.

Intercity Common Carrier Bus Service: An Intercity Common Carrier Bus Service is owned and operated by a private party and utilizes a ticketing system, typically charging passengers a fare based on the length of their journey. Intercity Common Carrier Bus Services provide fixed scheduled routes between different cities and regions and provide services over much greater distances than Public Bus Services.

Public Bus Service: A Public Bus Service is a form of transportation operated or funded by a local government or regional transit authority, designed to provide mass transit services exclusively to areas within Okaloosa County, Florida. Public Bus Service buses run on specific routes according to a set schedule, facilitating daily commutes and travel within a limited geographical area.

Public Bus Stop: A Public Bus Stop is a designated point along a bus route operated by a Public Bus Service, where buses stop to pick up and drop off passengers.

School Bus: A School Bus is a bus used to transport students to and from: (1) a school, or (2) a school related extracurricular activity, or (3) school related athletic activity.

School Bus Stop: A School Bus Stop is a designated place where students are picked up and dropped off by a School Bus.

6.06.02 Commercial Bus Stops Prohibited within City Limits

A. Existing Commercial Bus Stops. Any existing Commercial Bus Stop land uses within the City shall be prohibited and discontinued after an amortization period of one year ending on September 10, 2025. If the Commercial Bus Stop land use is not discontinued within ten (10) days of the end of the amortization period, then the property where the Commercial Bus Stop is located, along with the owner of the subject property, shall be in violation of the Land Development Code, declared a nuisance, subject to code enforcement under section 9.10 of this Land Development Code, and subject to any legal, equitable or statutory remedy available to the City.

B. Immediate Prohibition. No additional Commercial Bus Stops may be located within City limits after September 10, 2024.

C. Petition For Extraordinary Extension Of Amortization Period For Discontinuation Of Commercial Bus Stops. Any person whose legally protected economic interests are adversely affected by the discontinuance of Commercial Bus Stop land uses mandated by this law, and who believes that the amortization period specified in section 6.06.02 A., of the Land Development Code is inadequate to recover their investment shall be entitled to petition the City for an extraordinary extension of time as provided in this section.

1. Time of Petition - The petition must be filed with the City Clerk on or before the close of business on or before December 10, 2024 (3 months after passage of Ordinance).

2. Contents of Petition — The petition must state:

a) Identification: The petitioner's name, mailing address, e-mail address, if any, and telephone number of the party making the request and the name, address, and telephone number of the party's counsel if the party is represented by counsel;

b) Standing: A detailed description of the petitioner's legally protected interest adversely affected by the mandated discontinuance of Commercial Bus Stops;

c) Requested Extension: The length of the extraordinary extension;

d) A statement of the specific facts and grounds for relief petitioner contends warrant the extraordinary extension demanded. The specific grounds for relief under this section, the specific relief sought including the exact amount of time requested;

e) All documents, including a list of all witnesses, or other evidence in support of the petition; and

f) Any other matters petitioner deems relevant.

3. Grounds for Extension: In considering whether to grant all or any portion of the extension demanded, the City shall examine:

a) Whether the petition is complete;

b) Whether the petitioner has standing;

c) Whether the petitioner has demonstrated by a preponderance of the evidence circumstances unique to the petitioner which prevent the petitioner from recouping its investment in the property affected by the discontinuance within the amortization period;

d) The amount of the petitioner's investment in the Commercial Bus Stop Use business through the effective date of this ordinance;

e) Whether unique circumstances exist which will prevent the petitioner from recouping the amount of such investment that has been or will have been unrealized at the conclusion of the one-year amortization period;

f) The life expectancy of the existing property associated with the non-conforming use;

g) The diminished value, if any, of any real property owned by the petitioner as a result of the mandatory discontinuance of the existing Commercial Bus Stop on the property; and

h) The diminished value, if any, of a leasehold held by the petitioner as a result of the mandatory discontinuance of the existing Commercial Bus Stop land use on the property, as well as any contingency clauses therein permitting termination of such lease.

4. Procedure: Within ten (10) days of receipt, the City Clerk shall (1) forward a timely filed petition and supporting documents to the City Manager and a copy to the City Attorney, and (2) schedule a Quasi-Judicial Hearing before the City Council, which shall be held within ninety (90) days of receipt of the Petition.

a) No later than ten (10) days before the scheduled hearing, the City Manager shall file and serve upon the petitioner a response to the petition together with copies of any documents and a witness list.

b) The petitioner shall bear the burden of proof to prove entitlement to the extraordinary extension demanded by a preponderance of evidence.

c) At the hearing, evidence, including written or oral testimony and documentary evidence, of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of Florida. Any witness shall be subject to cross examination when testimony is taken or documents are made part of the record. No pleadings, motions, or other papers may be submitted nor any discovery conducted other than that allowed under this section shall be permitted. Each party shall be entitled to a brief opening and closing argument, unless waived. The petitioner shall give opening and closing argument first and shall be afforded an additional rebuttal to the City's closing argument.

5. Recommended Order of City Council. Unless the time period is waived or extended with the consent of all parties, the City Council shall issue a recommended order in writing and include findings of fact, if any, conclusions of law separately stated, and any recommended extraordinary extension. The City Council's recommended order must be rendered to the parties and the City Council within ninety (90) days after the hearing.

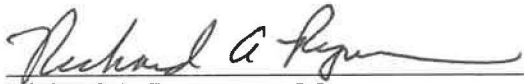
6. Appeal. A petitioner aggrieved by a decision of the City Council may seek review by certiorari in the Circuit Court, First Judicial Circuit, Okaloosa County, Florida, which shall be the exclusive remedy to challenge the decision or authority of the City Council.

SECTION 4. Repeal. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 5. Findings. The City Council of the City of Fort Walton Beach, Florida, finds that: The Local Planning Agency reviewed and recommended approval of Ordinance No. 2153 on August 1, 2024. The proposed ordinance is consistent with the goals, objectives, and policies of the City's Comprehensive Plan. All notice requirements for enactment of the ordinance have been met in accordance with the Florida Statutes and the City's Land Development Code.

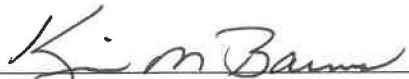
SECTION 6. Effective Date. This Ordinance shall take effect immediately upon approval on second reading by City Council and signature of the Mayor.

Adopted: September 10, 2024


Richard A. Rynearson, Mayor

Attest:

Approved as to legal form and sufficiency
for the City of Fort Walton Beach, only.


Kim M. Barnes, City Clerk


Kimberly Romano Kopp, City Attorney

Additions are underlined; deletions are stricken.





~ Draft Minutes ~

City of Fort Walton Beach Regular Meeting of the City Council of Fort Walton Beach

Tuesday, August 27, 2024

6:00 PM

Council Chambers
107 Miracle Strip Parkway SW
Fort Walton Beach, FL 32548

1. CALL TO ORDER

The Tuesday, August 27, 2024 meeting of the City Council of Fort Walton Beach was called to order at 6:00 PM by Mayor Dick Rynearson.

Attendee Name	Title	Status	
Dick Rynearson	Mayor	Present	
Nic Allegretto	Council Member Mayor Pro Tem	Present	
Gloria DeBerry	Council Member	Present	
Bryce Jeter	Council Member	Present	
John Mead	Council Member	Present	
David Schmidt	Council Member	Present	
Travis Smith	Council Member	Present	
Payne Walker	Council Member	Present	

Also present: City Manager, Jeff Peters; City Attorney, Kim Kopp; City Clerk, Kim Barnes; Finance Director, Nicole Nabors; Growth Management Director, Chris Frassetto; Recreation and Cultural Services Director, Tiffany Corcoran; Public Works and Utilities Services Director, Daniel Payne; Police Chief, Robert Bage; and Fire Chief, Jeremy Morgan.

2. INVOCATION

2.1. Led by Dr. Jonathan Winningham, First Baptist Church of Mary Esther

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

The agenda was amended to postpone **Item 10.5.** until the next Regular City Council Meeting and **Item 10.1.** was moved after **Item 7.** for discussion.

Council Member Allegretto made a motion to approve the agenda as amended, seconded by Council Member Mead. The motion passed unanimously.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Nic Allegretto, Council Member Mayor Pro Tem
SECONDER: John Mead, Council Member
AYES: Allegretto, DeBerry, Jeter, Mead, Schmidt, Smith, Walker

5. RECOGNITIONS

5.1. City of Fort Walton Beach Employee Recognitions

The City Manager presented the following service anniversary awards:

- **Michael Krajeck**, Golf Course Attendant, for 10 years of service.
- **Wendy Riggs**, Recreation Coordinator, for 10 years of service.
- **Raymond “Tommy” Benoit**, Survey Chief, for 5 years of service
- **David Bieck**, Police Officer, for 5 years of service.
- **Morgan Stirling**, Police Officer, for 5 years of service.

5.2. **Deputy Police Chief Mark Hayse** received a special recognition and retirement plaque presented by the City Manager and Police Chief Robert Bage for 24 years of service with the City. Deputy Chief Hayse accepted the position of Police Chief with the City of Niceville, Florida and received a fond farewell from Council and staff.

6. CONSENT AGENDA

Council Member Jeter made a motion to pull **Item 6.8.** from the Consent Agenda for discussion and approve the Consent Agenda as amended. Council Member Allegretto seconded the motion. The motion passed unanimously. **Item 6.8.** was placed for discussion after **Item 8. Public Comments.**

RESULT: ADOPTED [UNANIMOUS]
MOVER: Bryce Jeter, Council Member
SECONDER: Nic Allegretto, Council Member Mayor Pro Tem
AYES: Allegretto, DeBerry, Jeter, Mead, Schmidt, Smith, Walker

- 6.1. **City Council of Fort Walton Beach Workshop Minutes from Tuesday, June 25, 2024 at 4:00 PM**
- 6.2. **City Council of Fort Walton Beach Special Meeting Minutes from Tuesday, June 25, 2024 at 6:00 PM**
- 6.3. **City Council of Fort Walton Beach Regular Meeting Minutes from Tuesday, June 25, 2024 at 6:01 PM**
- 6.4. **City Council of Fort Walton Beach Special Meeting Minutes from Monday, August 12, 2024 at 4:00 PM**

6.5. City Council of Fort Walton Beach Workshop Minutes from Monday, August 12, 2024 at 4:30 PM

6.6. Task Order for Design of Lift Station No. 2

City Council authorization for the City Manager to execute a Task Order with HDR Engineering, Inc. in the amount of \$139,971 for the design and permitting of Lift Station No. 2.

6.7. Task Order for Well No. 3 Building Piping Replacement

City Council authorization for the City Manager to execute a Task Order with HDR Engineering, Inc. in the amount of \$74,284 for the design and permitting of Well No. 3 Building Pipe Replacement.

6.8. Award of RFP 24-012 for CRA Seasonal Decorations

(THIS ITEM WAS PULLED FROM CONSENT FOR DISCUSSION. MOVED TO AFTER PUBLIC COMMENTS)

6.9. Award of ITB 23-008 for Herbicides & Pesticides Annual Bid

City Council authorization to award ITB No. 24-008 for the Annual Bid for Herbicides and Pesticides to five (5) different vendors for 89 different bid items at the lowest unit price for each item meeting the specifications. (General Fund-Budgeted Item)

7. MAYOR/COUNCIL COMMENTS

7.1. Council Member Travis Smith

None.

7.2. Council Member Payne Walker

None.

7.3. Council Member Nic Allegretto

None.

7.4. Council Member Gloria DeBerry

None.

7.5. Council Member Bryce Jeter

None.

7.6. Council Member John Mead

None.

7.7. Council Member David Schmidt

None.

7.8. Mayor Dick Rynearson

The Mayor detailed his attendance at the Florida League of Cities 2024 Annual Conference. Mayor Mark Franks of Shalimar was elected as the second Vice President and will be elevated to the President of the Florida League of Cities in 2026.

8. ACTION-DIRECTION-DISCUSSION

8.1. Renewal of Ground Lease for 20 Robinwood Drive SW - Krewe of Bowlegs

The existing lease with the Krewe of Bowlegs for property located at 20 Robinwood Drive SW allows for (3) five-year extensions with the rate negotiated at the end of each term.

The City Manager provided background on the leased property located at 20 Robinwood Drive SW, explaining that the lease had recently expired on the City-owned property and was brought before Council for renegotiation. The property is currently occupied by Krewe of Bowlegs, a non-profit parade oriented society, and was previously leased in an amount below the market rate. The market rate was requested for the property going forward and recommended by the City's real estate consultant. Representatives from the Krewe of Bowlegs were present and asked Council to consider a lease of \$1,500 per year which would be an increase of 175% per year as opposed to the suggested market rate which would be a 500-600% increase from the previous lease terms. Representatives highlighted the amount of floats that are operated by the Krewe and the amount of party favors that are given away to the community during various parades. Challenges with the property were identified including flooding, raw sewage, homeless encampments, and overgrowth that have been addressed by the Krewe.

Council Member Mead noted that he is a member of the Krewe of Bowlegs but was advised by the City Attorney that his association was not considered a conflict of interest as he did not stand to financially gain or lose from the outcome of the item. Mr. Mead said he intended to discuss and vote on the item. Council Member Smith said he was making a motion in support of the market rate as the City had sold the Krewe a piece of property at a significant discount in the past. Council Members questioned the taxes being assessed on the property and the state of the grounds maintenance, asking that landscaping and upkeep be potentially added to the motion. Council clarified that the proposed rate was between \$225 - \$275. Council Members opposed to the motion noted the organizations relationship with the City and the great things it has done to contribute to the history of the City. Council Members disagreed over the William Augustus Bowles Foundation and the Krewe of Bowlegs being the same or similar entities.

Council Member Smith made a motion to direct the City Manager to negotiate a lease for the property at the market rate recommended by the City's real estate consultant. Seconded by Council Member Schmidt, the motion passed 5-2.

RESULT:	ADOPTED [5 TO 2]
MOVER:	Travis Smith, Council Member
SECONDER:	David Schmidt, Council Member
AYES:	DeBerry, Jeter, Schmidt, Smith, Walker
NAYS:	Nic Allegretto, John Mead

9. PUBLIC COMMENTS

Members of the public shared their concerns and frustrations regarding the conduct at several vacation rentals located on Fliva Avenue, noting the unacceptable conditions being perpetuated

at said properties. Residents understood that the State of Florida had placed restrictions on the regulation of short-term vacation rentals but asked if there was anything Council could do to work around the restrictions; providing several examples. Council asked the City Attorney and staff what the City could do to address those concerns. The City Attorney said occupancy regulations could still be pursued in congruence with code enforcement actions targeting the impacts of noise, trash, and other code violations. Council Members suggested investigating if any of the properties are operating without a license and would like to see staff prepare an enhanced ordinance to address similar issues within 30 to 45 days. Council Members noted potential issues with the feasibility of enforcement and asked who would receive fines in the cases of code and law enforcement actions respectively. The City Attorney clarified that code enforcement actions would be addressed to the property owner and law enforcement actions could be issued to present violators directly. Council Members suggested holding a workshop to address recurring issues surrounding short-term rentals and all of the potential solutions available to the City. Council Members asked if the City had a registration process for short-term rentals and staff said it did not but could be implemented. Council Members asked if Code Enforcement needed additional staff to operate more effectively and Growth Management Director, Chris Frassetto confirmed.

A resident asked if Council could investigate if a parking ordinance was being violated in front of their property in relation to several boat trailers and the Mayor confirmed.

A member of the public asked if more concerts and public events could be hosted at the Landing next summer. Council Members confirmed that there had been more concerts at the Landing this year when compared to previous years. The City Manager added that the Landing was undergoing a significant redevelopment and once construction was completed, more events would be planned.

A citizen lodged a formal complaint with Council regarding their perceived mistreatment by a conflict special magistrate in adjudicating on a code enforcement case related to one of the properties they own. The resident claimed that the special magistrate was rude to her and dismissive. The resident added that their interactions with staff regarding the code enforcement process were unclear as well. The citizen advocated that a statute of limitations should apply to the code enforcement proceedings on their property according to state law. The resident asked for Council to rescind the order and the associated fines. The City Attorney clarified that there is no statute of limitations for code enforcement issues. Council Members asked what authority they possessed to potentially review or rescind the orders of a special magistrate. The City Attorney said that the appeals process was regulated by state law and had to be addressed by a circuit court. The City Attorney added that Council could consider a lien reduction request once the violations were brought into compliance. The City Attorney said she would meet with the resident to discuss the issue further.

10. ACTION-DIRECTION-DISCUSSION

10.1. Award of RFP 24-012 for CRA Seasonal Decorations

Recreation and Cultural Services Director, Tiffany Corcoran presented the RFP for seasonal decorations in the CRA district. Ms. Corcoran explained that the RFP covered the Christmas lights downtown, the Christmas tree at the Landing, and seasonal flags and banners.

Council Members asked if the lighting could be left up year-round to reflect the various holidays and if the costs from the annual removal could be offset by the lights remaining. Council Members asked if staff would have time to implement the proposed changes. Ms. Corcoran said those were possibilities that could be negotiated with the contractor with the time frame given. Finance Director, Nicole Nabors added that substantial changes to the prices or scope of the contract would require going back out to bid. The City Manager said that if Council approved the current proposal, further additions could be negotiated with the contractor. Ms. Nabors said Council could vote to waive the purchasing policy to avoid going back out to bid.

Council Member Jeter made a motion to postpone the item until the Regular City Council Meeting on September 10th and waive the purchasing policy to renegotiate for year round lights in allowable areas. Council Member Allegretto seconded, and the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bryce Jeter, Council Member
SECONDER:	Nic Allegretto, Council Member Mayor Pro Tem
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Smith, Walker

11. ORDINANCES-FIRST READING

11.1. 2152 Ordinance Amending LDC 1.08.02 Removing Com Bus Stop Permissible Use

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING SECTION 1.08.02 OF THE LAND DEVELOPMENT CODE TO ADD A DEFINITION FOR "BUS STOP" AND A DEFINITION FOR "PUBLIC TRANSIT STOP"; AMENDING CHAPTER 2, ZONING DISTRICTS AND USES, OF THE LAND DEVELOPMENT CODE TO ADD "PUBLIC TRANSIT STOP" AND REMOVE "TERMINALS, BUS, TRANSIT, INCLUDES TRUCK STOP" AS PERMITTED USES IN BOTH COMMERCIAL GENERAL (CG) AND COMMERCE AND TECHNOLOGY PARK (CTP) ZONING DISTRICTS; AND PROVIDING FOR AN EFFECTIVE DATE

The City Attorney read Ordinance 2152 by title on first reading.

Mr. Frassetto presented the first reading of Ordinance 2152 to amend the Land Development Code (LDC) to provide definitions and remove commercial transit stops as a permissible use in the Commercial General (CG) and Commerce and Technology Park (CTP) zoning districts. Mr. Frassetto said that the following three ordinances were related and public transit stops would not be affected by the proposition. Mr. Frassetto said that issues related to public health and safety spurred the ordinances and a phasing out period would be provided for those affected. The City Attorney was present to answer any questions Council had on the ordinances. A local business owner and a representative from a commercial transit operation in the City were present to answer questions from Council.

The representative provided background on the history of the operation and the services it provides to the community. The business owner provided background on his business

operations and the difficult financial situation he finds himself in, explaining that the commercial transit stop helped him to offset rising costs. Council Members thanked the local business owner for attending the meeting but said that the ordinance was designed to improve the community and was not directed at any particular party. Council Members noted some concerns about the quality of the service and the health and safety of riders. Council Member Jeter made a motion to approve Ordinance 2152 to amend the Land Development Code (LDC) to provide definitions and remove commercial transit stops as a permissible use in the Commercial General (CG) and Commerce and Technology Park (CTP) zoning districts. Council Member Schmidt seconded, and the motion passed 6-1.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Bryce Jeter, Council Member
SECONDER:	David Schmidt, Council Member
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Smith
NAYS:	Payne Walker

11.2. 2153 Ordinance Amending LDC Section 6.06.00 Prohibiting Commercial Bus Stops after September 10, 2025

AN ORDINANCE OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING SECTION 6.06.00 OF THE LAND DEVELOPMENT CODE TO ADD A SECTION 6.06.01 TITLED "DEFINITIONS"; AMENDING SECTION 6.06.00 OF THE LAND DEVELOPMENT CODE TO ADD A SECTION 6.06.02 TITLED "COMMERCIAL BUS STOPS PROHIBITED WITHIN CITY LIMITS"; PROHIBITING THE USE OF LAND FOR COMMERCIAL BUS STOPS WITHIN THE CITY LIMITS OF FORT WALTON BEACH, FLORIDA, IMMEDIATELY; PROVIDING AN AMORTIZATION PERIOD FOR ANY EXISTING COMMERCIAL BUS STOPS AND EXTINGUISHING THE GRANDFATHERING OF COMMERCIAL BUS STOPS AS A NON-CONFORMING USE AFTER SEPTEMBER 10, 2025; PROVIDING A METHOD FOR AFFECTED PARTIES TO SEEK LIMITED RELIEF FROM THE USE PROHIBITION ESTABLISHED BY THIS ORDINANCE; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

The City Attorney read Ordinance 2153 by title on first reading.

The City Attorney presented the ordinance and explained that it sought to amend the Land Development Code (LDC) to prohibit the operation, or use of land, for any commercial transit stop businesses within City Limits. The City Attorney added that an amortization period of 1 year was provided to expire on September 10th, 2025, to provide time for business owners to amortize their investments into those types of businesses. The amortization period would allow businesses to continue to operate or use land for those purposes for the period provided. The City Attorney said there was a process to extend the amortization period set forth by the ordinance provided by City Council decision as well. A local business owner who would be affected by the ordinance and a representative from the commercial transit company were present to answer questions from Council.

Council Members opposed to the ordinance voiced their concerns that the ordinances were targeting one particular business owner as there was only one commercial transit stop in the City. A local business owner said they did not want their business to negatively affect the City but would like to keep the commercial transit stop to support their income. Council Members asked the business owner if the contract they held with the commercial transit service was monthly or annual and the business owner confirmed that it was an annual lease. The business owner added that the business model was commission based and argued that the business provided an important service to sections of the population. Council Members noted that the point of the ordinances were to address issues associated with certain riders who use commercial transit stops, particularly those who engage in vagrancy. The business owner said they had not seen many vagrants using the service lately. Council Members asked the company representative if they would be able to shift operations to another municipality in the area and the representative confirmed. Council Members added that public transit operated by Okaloosa County would not be affected by the ordinances.

Council Member Jeter made a motion to approve Ordinance 2153, to amend section 6.06.00 of the LDC, to prohibit commercial transit stops following an amortization period ending on September, 10th, 2025. Council Member Allegretto seconded the motion, and the motion passed 6-1.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Bryce Jeter, Council Member
SECONDER:	Nic Allegretto, Council Member Mayor Pro Tem
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Smith
NAYS:	Payne Walker

11.3. 2154 Ordinance Creating COO Chapter 8.13 Regulating Bus Stop Operations

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA; PROVIDING FOR AUTHORITY; CREATING SECTION 8.13 OF THE CODE OF ORDINANCES, ENTITLED COMMERCIAL BUS STOP OPERATIONS; MANDATING THAT ALL COMMERCIAL BUS STOPS COMPLY WITH THE STANDARDS SET FORTH IN FEDERAL TRANSIT ADMINISTRATION (FTA) CIRCULAR 4710.1 AND 49 CFR PARTS 37 AND 38, TO ENSURE FULL ACCESSIBILITY FOR PERSONS WITH DISABILITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Frassetto explained that following the passing of the two previous ordinances, the currently proposed ordinance was rendered redundant and was recommended to be withdrawn by Council.

The Mayor withdrew the item.

RESULT:	WITHDRAWN
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11.4. 2155 Ordinance Creating COO Chapter 11.16 Photo Speed Enforcement in School Zones

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA; PROVIDING FOR AUTHORITY; AMENDING CHAPTER 11 TRAFFIC AND VEHICLES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

The Mayor read the ordinance by title on first reading.

Police Chief Robert Bage presented the ordinance to amend Chapter 11 of the Code of Ordinances to provide for photo enforcement in school zones. Chief Bage provided background on recent statewide efforts to introduce legislation to provide for school zone photo enforcement. Multiple municipalities in the area have already implemented photo enforcement and several vendors have reached out to the City to describe their services. Vendors have provided data including speed surveys to demonstrate the programs variability. There were pilot programs in the school zones surveyed where there were numerous violations over 10 miles per hour which is the triggering point for the state statute on photo enforcement. The City could establish which school zones could be affected by the ordinance and where the equipment could be installed.

Council Members asked when the process could begin if the ordinance was passed. Chief Bage said that he would need to determine whether the City could piggyback off of an existing contract or put it out to bid, but following the establishment of a vendor, a period of six months for installation and a 30 day education period for the public was to be expected. Council Members asked if this was suggested to be implemented in every school zone and Chief Bage confirmed; noting rationale from other law enforcement entities that every school zone has speeding issues. Chief Bage added that final discretion would be awarded to staff for equipment placement and issues like the geography of the area and the number of surveyed violations would be considered. Chief Bage argued that photo enforcement will allow for police resources to be redirected elsewhere and a referendum mechanism to change the authorized list of school zones would be provided in the ordinance. Council Members asked if any financial commitment would be required of the City and Chief Bage said there wouldn't as payment was to be based on a percentage of the fine revenues collected. Chief Bage said that the final decision on the issuance of a fine would always be reviewed by an employee of the Police Department. Chief Bage clarified that if violation numbers are low, future contract negotiations could require an increase in price if the equipment were to be retained. Council Members asked how many speeding tickets are issued in a school zone on an annual basis and Chief Bage said he would retrieve those statistics to provide to Council. Council Members asked if schools had contacted the City about speeding issues as they were skeptical that the potential vendors were simply looking to make profit in a new market. Chief Bage said he had received general concerns from people in the area but nothing specifically from the Okaloosa County School Board. Members of the public suggested increasing parking around schools to avoid speeding issues. Chief Bage broke down the revenue model into more detail upon further questions from Council. Council Members requested that revenues from the program go to traffic safety and traffic control devices.

Council Member Allegretto made a motion to adopt Ordinance 2155 to amend Chapter 11 of the Code of Ordinances to provide for photo enforcement in school zones. Council Member Jeter seconded, and the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Nic Allegretto, Council Member Mayor Pro Tem
SECONDER:	Bryce Jeter, Council Member
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Smith, Walker

11.5. 2156 Ordinance Amending COO Section 2.06.03 Firefighters' Pension Trust Fund

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING THE CITY OF FORT WALTON BEACH MUNICIPAL FIREFIGHTERS' PENSION TRUST FUND; AMENDING THE SECTION PERTAINING TO BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING THE SECTION PERTAINING TO VESTING; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

The City Attorney read the ordinance by title on first reading.

Fire Chief Jeremy Morgan presented Ordinance 2156 to amend language in the Fire Fighters' Pension Trust Fund to match language that currently exists in the Code of Ordinances. The language to be affected deals with early retirement benefits, penalty calculations, and vesting. Chief Morgan added that no increased financial impact to the City would be incurred by this ordinance.

Council Members asked for, and received, clarification on the lack of financial impacts on the City from the proposed ordinance.

Council Member Schmidt made a motion to adopt Ordinance 2156 to amend the City of Fort Walton Beach Municipal Fire Fighters' Pension Trust Fund to match language that currently exists in the Code of Ordinances. Council Member Smith seconded, and the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Schmidt, Council Member
SECONDER:	Travis Smith, Council Member
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Smith, Walker

12. ACTION-DIRECTION-DISCUSSION

12.1. Renewal of Ground Lease for 20 Robinwood Drive SW - Krewe of Bowlegs (THIS ITEM WAS MOVED TO ITEM 8.1)

12.2. Request City Council input regarding Premium Parking contract terms for parking management services for the City Hall parking lot.

The City Manager presented to Council a contract to establish paid parking at City Hall in collaboration with Premium Parking Services. In the proposed contract, Premium Parking would receive 50% of the net revenue and supply a full-time employee to monitor the parking lot and provide enforcement. The parking fees charged by the City could be set throughout the year based on factors like tourism.

Council Members opposed to the contract were concerned that this was a means of revenue generation and did not adequately address concerns from the party that donated the land to the City. Council Members added that the City Attorney determined that paid parking did not infringe upon the original stipulations set forth in the deed restrictions to the land where City Hall resides. Council Members in favor of the contract provided background on how the paid parking option was settled upon and argued that it was the best possible solution to ongoing parking overflow at City Hall. Council Members discussed possible ranges for parking rates based on the amount of hours parked. Council Members questioned what constituted net revenues, the percentages proposed, and the operating expenses of Premium Parking in the arrangement.

Council Member Smith made a motion to direct the City Manager to enter into a contract with Premium Parking Services for management of the City Hall parking lot. Council Member Allegretto seconded the motion, and it passed 6-1.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Travis Smith, Council Member
SECONDER:	Nic Allegretto, Council Member Mayor Pro Tem
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Smith
NAYS:	Payne Walker

12.2.1. Allocating Revenue Generated by City Hall Parking Lot Fees

Council Member Smith made a motion to allocate the revenues generated by the contract with Premium Parking Services to manage the City Hall parking lot to improvements to the property where City Hall is located. Council Member Mead seconded, and the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Travis Smith, Council Member
SECONDER:	John Mead, Council Member
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Smith, Walker

12.3. Lease Agreement for Property at 208 Ferry Road SE

The City Manager presented a lease agreement for property located at 208 Ferry Road SE from Gibson Properties, Inc. The City Manager provided background on the agreement including issues that the property owners had with the amount of insurance that was purchased for the property. The agreement supports a 5 year lease with the ability to void the lease following a 120 day notice period after 3.5 years alongside a stipulation

preventing use of the property for concerts, film events, flea markets, and farmers markets.

Council Members found the stipulations to be unusual and asked if the City engaged in leases with similar stipulations, the City Manager said that there were no such other leases. Council Members found the amount of investment that could be provided to the property, and the potential to easily lose access to it, concerning. The City Manager said that he asked the property owners if they were willing to sell the property and they said they weren't. Council Members disputed the accuracy of the background provided to the item and the minutes from the period where negotiations were introduced. Council Members asked what the biggest problems with the agreement were, and the City Manager said that the amount of insurance and the stipulations requested were both unacceptable. Council Members asked if the Community Redevelopment Area (CRA) money approved for the property had already been spent, and the City Manager said the money would have been spent to develop a park on the property. Council Members asked why the City Attorneys weren't involved in the entire contract negotiation process and the City Attorney clarified that they had recently began their contract representing the City when negotiations for leasing the property had been initiated. Council Members noted that the state of the property as it currently stood was unacceptable from a code enforcement perspective due to trash and debris located at the site. Council Members are hopeful that another parcel will be selected for the establishment of a library park.

Council Member Allegretto made a motion to reject the lease proposal between the City of Fort Walton Beach and Gibson Properties, Inc. for the property located at 208 Ferry Road SE. Council Member Jeter seconded the motion, and the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Nic Allegretto, Council Member Mayor Pro Tem
SECONDER:	Bryce Jeter, Council Member
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Smith, Walker

12.4. ITB 24-010 Artificial Park Turf

The City Manager explained that as the lease agreement at 208 Ferry Road SE was rejected, all bids related to the property would need to be rejected by Council as well. ITB 24-010 Artificial Park Turf for the Library Park project would need to be included in said rejection.

Council Member Mead made a motion to reject all bids for artificial park turf and turf solutions for the Library Park project. Council Member Jeter seconded, and the motion passed unanimously.

RESULT: ADOPTED [UNANIMOUS]
MOVER: John Mead, Council Member
SECONDER: Bryce Jeter, Council Member
AYES: Allegretto, DeBerry, Jeter, Mead, Schmidt, Smith, Walker

12.5. Request for code enforcement fine waiver and refund for 36 Miracle Strip Parkway SW

Requests City Council direction on request for waiver and refund of existing Code Enforcement fines at 36 Miracle Strip Parkway SW

(AT THE REQUEST OF THE APPLICANT, THIS ITEM WAS POSPONED UNTIL THE REGULAR CITY COUNCIL MEETING ON SEPTEMBER 24, 2024 AT 4:00 PM)

12.6. State of Florida Opioid Settlement Agreement Funds Distribution

Chief Bage provided background on the settlement agreement received from the State of Florida regarding the funds acquired from opioid litigation. Chief Bage detailed the City Council actions that entered the City into the agreement and the litigation process against pharmaceutical companies that contributed to the opioid crisis. Chief Bage stated that Okaloosa County presented a robust implementation plan including allowable uses for the funds. Staff recommends City Council assign the City's settlement proceeds to Okaloosa County for use in programs including post-overdose support.

Council Member Smith made a motion to authorize the City Manager to assign the opioid litigation settlement funds to Okaloosa County for the betterment of community programs such as the Post-Overdose Support Team that works directly with the Fort Walton Beach Police Department. Council Member Walker seconded the motion and it passed unanimously.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Travis Smith, Council Member
SECONDER: Payne Walker, Council Member
AYES: Allegretto, DeBerry, Jeter, Mead, Schmidt, Smith, Walker

13. CITY MANAGER REPORTS

13.1. City Council Regular Meeting - Tuesday, September 10, 2024 @ 4:00 pm

13.2. City Council Special Meeting - Tuesday, September 10, 2024 @ 6:00 pm or immediately following the Regular Meeting - FY 2024-25 Tentative Millage Rate & Budget Hearing #1

13.3. Community Redevelopment Agency Meeting - Tuesday, September 10, 2024 @ 6:30 pm or immediately following the Special Meeting - FY 2024-25 CRA Budget

13.4. City Council Regular Meeting - Tuesday, September 24, 2024 @ 4:00 pm

13.5. City Council Special Meeting - Tuesday, September 24, 2024 @ 6:00 pm or immediately following the Regular Meeting - FY 2024-25 Final Millage Rate & Budget Hearing #2

13.6. Monthly City Manager Status Report - July & August 2024

The City Manager provided his monthly status report including ongoing work at Ferry Park, and the fitness courts are complete. Installation of a shade over the new fitness equipment at Ferry Park was set to begin shortly. Pickleball courts in the City are set to be resurfaced with paint starting on September 9th and ribbon cutting was planned when both fitness projects are completed. The City Manager highlighted the meetings planned for September including the City's budget meetings.

14. CITY ATTORNEY REPORTS

14.1. Monthly City Attorney Status Report - July & August 2024

The City Attorney said she had nothing additional to report beyond what was presented in the litigation update provided to Council.

15. MAYOR/COUNCIL FINAL COMMENTS

Council Member Smith asked if something could be done to re-secure the fence banner on Perry Avenue. Mr. Frasseti said his team had already secured the banner last week but would do so again. Mr. Frasseti detailed interactions with the property owner including requests to trim overgrowth and recent volunteering to cleanup the area.

Council Member Walker noted that he had received a letter from an attorney representing a concerned party who took issue with the presentation of the City's field rental policy and asked if there were any clear administrative plans to remedy the situation. Mr. Walker and the concerned party contended that the policy represented a non-disparate approach to scheduling for the City's Parks and Recreations fields that were inherently discriminatory. The City Manager and the City Attorney disagreed with that interpretation of the policy with the City Attorney noting that a first come-first serve reservation policy was established. The City Attorney added that some of the language in the policy could use modification for further clarification and she would reach out to the aggrieved party's attorney if necessary.

Council Member DeBerry asked for a moment of silence for Former Mayor Mike Anderson who passed away recently. Ms. DeBerry asked for staff to make rooms available for early voting at the Rec Center following a conversation that she had with the Okaloosa County Supervisor of Elections, Paul Lux. The City Manager said a location at the Rec Center had been decided upon recently after discussions with Mr. Lux.

Council Member Jeter asked what the plan was regarding an incident with the Police Department's Code Compliance Officer and Chief Bage said that, pending an investigation, the necessary employment action would be taken. Mr. Jeter requested that if the employee was replaced, to do so as soon as possible as the work being done in the role was important. Mr. Jeter reported the Tourist Development Council secured funds to purchase a vessel to construct one of the largest artificial reefs in the area.

Council Member Mead asked if progress on lighting in Ferry Park was getting closer and Ms. Corcoran said she had met with a contractor that provided a lighting plan and she had a meeting with them in the coming week to choose a fixture to install. Mr. Mead asked if a workshop on short-term rentals could be held in 30-45 days to encourage code enforcement. Mr. Mead asked for updates regarding ongoing issues with livery vessel rentals. Council Member Smith said he was working with staff to place new ordinances on the agenda in October. Mr. Mead encouraged staff to continue code enforcement efforts against unlicensed livery vessel operators in the area.

Council Member Schmidt detailed his previous resignation to run for School Board but following the loss of that election, he declared his interest in running for his seat in November to complete the rest of his term. Mr. Schmidt appreciated the workshop proposal as he had been approached regarding short-term rental concerns on Anastasia Drive. Mr. Schmidt addressed the closing of several businesses downtown and saw it as an opportunity for new investors to transform several of the locations with new ideas.

16. ADJOURNMENT 9:55 PM



~ Draft Minutes ~

City of Fort Walton Beach Regular Meeting of the City Council of Fort Walton Beach

Tuesday, September 10, 2024

4:00 PM

Council Chambers
107 Miracle Strip Parkway SW
Fort Walton Beach, FL 32548

1. CALL TO ORDER

The Tuesday, September 10 meeting of the City Council of Fort Walton Beach was called to order at 4:00 PM by Mayor Dick Rynearson.

Attendee Name	Title	Status	
Dick Rynearson	Mayor	Present	
Nic Allegretto	Council Member Mayor Pro Tem	Present	
Gloria DeBerry	Council Member	Present	
Bryce Jeter	Council Member	Present	
John Mead	Council Member	Present	
David Schmidt	Council Member	Present	
Travis Smith	Council Member	Absent	
Payne Walker	Council Member	Present	

Also present: City Manager, Jeff Peters; City Clerk, Kim Barnes, City Attorney, Kim Kopp; Finance Director, Nicole Nabors; Growth Management Director, Chris Frassetto; Recreation and Cultural Services Director, Tiffany Corcoran; Public Works and Utilities Services Director, Daniel Payne; and Police Chief, Robert Bage.

2. INVOCATION

2.1. Melissa Johnson, Youth Minister, Trinity United Methodist Church

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

The agenda was amended to postpone **Item 10.1.** until the next Regular City Council Meeting on September 24th, 2024.

Council Member Allegretto made a motion to approve the agenda as amended, seconded by Council Member Mead. The motion passed 6-0 as Council Member Smith was absent from proceedings.

RESULT:	ADOPTED [6 TO 0]
MOVER:	Nic Allegretto, Council Member Mayor Pro Tem
SECONDER:	John Mead, Council Member
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Walker
ABSENT:	Travis Smith

5. PROCLAMATIONS

5.1. Proclamation - Constitution Week

The Mayor proclaimed September 17th - 23rd as Constitution Week; recognizing the 237th anniversary of the drafting of the U.S. Constitution on September 17th, 2024.

6. RECOGNITIONS

6.1. City of Fort Walton Beach Employee Recognitions

The City Manager presented the following employees with service anniversary awards:

- Chandler Aldrich, Public Works & Utility Services, for 5 years of service.
- Janice Valandingham, Recreation & Cultural Services, for 15 years of service.

7. CONSENT AGENDA

Council Member Jeter made a motion to approve the Consent Agenda, Council Member Allegretto seconded. The motion passed 6-0.

RESULT:	ADOPTED [6 TO 0]
MOVER:	Bryce Jeter, Council Member
SECONDER:	Nic Allegretto, Council Member Mayor Pro Tem
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Walker

7.1. City Council of Fort Walton Beach Workshop Minutes from Tuesday, August 27, 2024 at 4:30 PM

7.2. City Council of Fort Walton Beach Regular Meeting Minutes from Tuesday, August 27, 2024 at 6:00 PM

7.3. Law Enforcement Mutual Aid Agreement - Okaloosa County Sheriff's Office

City Council authorized the Police Chief to execute a Mutual Aid Agreement between the Fort Walton Beach Police Department and the Okaloosa County Sheriff's Office.

8. MAYOR/COUNCIL COMMENTS

8.1. Council Member Payne Walker

None.

8.2. Council Member Nic Allegretto

None.

8.3. Council Member Gloria DeBerry

None.

8.4. Council Member Bryce Jeter

Mr. Jeter thanked Ms. Valandingham for her years of service and contributions to the community.

8.5. Council Member John Mead

Mr. Mead thanked Ms. Valandingham for the work she has done for the Recreation & Cultural Services Department and commended her for being an excellent coworker.

8.6. Council Member David Schmidt

Mr. Schmidt thanked Ms. Valandingham for her service in working with the children of the community.

8.7. Council Member Travis Smith

Absent.

8.8. Mayor Dick Ryneason

The Mayor thanked Ms. Valandingham for her service and reminded the public to fly their flags at half-mast to honor the victims of 9/11.

9. PUBLIC COMMENTS - Please limit to five (5) minutes.

James Leibovitz presented to Council invitations to the 6th Battle of the Bridge, to be hosted at Fort Walton Beach High School, on September 21st, 2024, at 2 PM. The Battle of the Bridge is an annual Youth Football competition. The Mayor said he planned to attend alongside his wife who will be coaching in the event. The Mayor added that although Mayor Franks of Shalimar will be absent, his wife will be attending to represent him.

10. RESOLUTIONS**10.1. 2024-12 Resolution to Amend Fund Balance and Net Assets Administrative Policy**

A RESOLUTION OF THE CITY COUNCIL OF FORT WALTON BEACH, FLORIDA; AMENDING ADMINISTRATIVE POLICY NUMBER 14, FUND BALANCE AND NET ASSETS, TO AMEND LANGUAGE REGARDING THE FLORIDA BUILDING CODE FUND PER FLORIDA STATUTES, AND UPDATING TERMINOLOGY AND WORDING TO BE CONSISTENT WITH GASB GUIDANCE REGARDING THE GENERAL FUND, FLORIDA BUILDING CODE FUND, AND ENTERPRISE FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

Recommends City Council adoption of Resolution 2024-12 to amend Administrative Policy Number 14, Fund Balance and Net Assets, amending the language regarding the Florida Building Code Fund per Florida Statutes, and updating terminology and wording to be consistent with GASB guidance regarding the General Fund, Florida Building Code Fund, and Enterprise Funds.

Item 10.1. was postponed until the next Regular City Council Meeting on September 24th, 2024 at 4:00 PM.

RESULT: POSTPONED

Next: 9/24/2024 4:00 PM

11. ORDINANCES-FIRST READING

11.1. 2158 Ordinance Amending COO Chapter 2.07.03 Establishment of Pension Advisory Committee

AN ORDINANCE OF THE CITY OF FORT WALTON BEACH AMENDING THE GENERAL EMPLOYEES' RETIREMENT PLAN; AMENDING THE SECTION PERTAINING TO THE ESTABLISHMENT OF A PENSION ADVISORY COMMITTEE; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

The City Attorney read Ordinance 2158 by title on first reading.

Finance Director Nicole Nabors presented the first reading of Ordinance 2158, to amend Section 2.07.03 of the General Employees' Retirement Plan to establish a pension advisory committee. Ms. Nabors explained that the pension plan was closed in 2010 and there were currently only 24 employees still enrolled in the plan. Issues with finding enough employees to serve on the committee due to the plan's language stipulating that only current employees can serve on the board has presented administrative issues. The proposed language would allow for retired employees who are in the plan to serve on the board.

Council Members asked the purpose of a pension advisory committee. Ms. Nabors explained that Council had formerly acted as the committee, but it had been decided in the past that employees should seat the committee. Ms. Nabors added that she is the chair of the committee, and they meet every quarter. Council Members asked if a cost would be associated with reestablishing the committee and Ms. Nabors said that there would not be as the committee is volunteer based.

Council Member Jeter made a motion to adopt Ordinance 2158 to amend Section 2.07.03 of the General Employees' Retirement Plan to allow retired pension plan members to serve on the pension advisory committee. Council Member Mead seconded the motion, and it passed 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bryce Jeter, Council Member
SECONDER:	John Mead, Council Member
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Walker

12. ORDINANCES-SECOND READING

12.1. 2152 Ordinance Amending LDC 1.08.02 Removing Com Bus Stop Permissible Use

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING SECTION 1.08.02 OF THE LAND DEVELOPMENT CODE TO ADD A DEFINITION FOR "BUS STOP" AND A DEFINITION FOR "PUBLIC TRANSIT STOP"; AMENDING CHAPTER 2, ZONING DISTRICTS AND USES, OF THE LAND DEVELOPMENT CODE TO ADD "PUBLIC TRANSIT STOP" AND REMOVE "TERMINALS, BUS, TRANSIT, INCLUDES

TRUCK STOP" AS PERMITTED USES IN BOTH COMMERCIAL GENERAL (CG) AND COMMERCE AND TECHNOLOGY PARK (CTP) ZONING DISTRICTS; AND PROVIDING FOR AN EFFECTIVE DATE

The City Attorney read Ordinance 2152 by title on second reading.

Growth Management Director Chris Frassetto presented to Council the second reading of the ordinance, noting that there were no changes to the ordinance since first reading. Mr. Frassetto added that he had received no public comments regarding the ordinance.

Council Members asked for clarification on language used in the background regarding the denotation of a 'cutting-corners' mentality being presented as a reason in favor of the ordinance. Mr. Frassetto explained that the commercial transit company's recent change in ownership had resulted in worsening conditions for riders and residents. Residents opposed to the ordinance noted that many low-income members of the community rely on commercial transit and the ordinance was a short-sighted way to address vagrancy. A representative of the commercial transit company was present and asked to work with Council to relocate the commercial transit stop to another location. Citizens understood the public safety reasoning behind the ordinance but wished there was a better way to preserve the service for others. Council Members said they would be willing to help facilitate the relocation of the stop to outside of City Limits but felt that there were significant safety issues where the stop was currently located. Council Members found themselves in favor of the ordinance following conversations with the Police Department regarding the location. Council Members were disappointed that there were not any alternative solutions given the circumstances of the proposed ordinance. Council Members said they wanted to eliminate the association with vagrancy and blight that much of the City has had to struggle with by supporting the ordinance. Council Members who rode similar services in the past said that the organizations are not the same as many in the community remember.

Council Member Jeter made a motion to adopt Ordinance 2152 to amend Section 2.03.02 of the Land Development Code to remove commercial transit stops as permissible uses in Commercial General (CG) and Commerce and Technology Park (CTP) zoning areas. Council Member DeBerry seconded the motion and it passed 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bryce Jeter, Council Member
SECONDER:	Gloria DeBerry, Council Member
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Walker

12.2. 2153 Ordinance Amending LDC Section 6.06.00 Prohibiting Commercial Bus Stops after September 10, 2025

AN ORDINANCE OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING SECTION 6.06.00 OF THE LAND DEVELOPMENT CODE TO ADD A SECTION 6.06.01 TITLED "DEFINITIONS"; AMENDING SECTION 6.06.00 OF THE LAND DEVELOPMENT CODE TO ADD A SECTION 6.06.02 TITLED "COMMERCIAL BUS STOPS PROHIBITED WITHIN CITY LIMITS"; PROHIBITING THE USE OF LAND FOR COMMERCIAL BUS STOPS WITHIN THE CITY LIMITS OF FORT WALTON BEACH, FLORIDA, IMMEDIATELY; PROVIDING AN AMMORTIZATION PERIOD FOR ANY EXISTING COMMERCIAL BUS STOPS AND EXTINGUISHING THE GRANDFATHERING OF COMMERCIAL BUS STOPS AS A NON-CONFORMING USE AFTER SEPTEMBER 10, 2025; PROVIDING A METHOD FOR AFFECTED PARTIES TO SEEK LIMITED

RELIEF FROM THE USE PROHIBITION ESTABLISHED BY THIS ORDINANCE; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

The City Attorney read Ordinance 2153 by title on second reading.

Growth Management Director Chris Frassetto presented to Council the second reading of the ordinance, noting that there were no changes to the ordinance since first reading. Mr. Frassetto added that he had received no public comments regarding the ordinance.

Council Member DeBerry made a motion to adopt Ordinance 2153 to amend Land Development Code Section 6.06.00 to prohibit commercial transit stops following an amortization period ending on September 10th, 2025. Council Member Jeter seconded the motion and it passed 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gloria DeBerry, Council Member
SECONDER:	Bryce Jeter, Council Member
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Walker

12.3. 2155 Ordinance Creating COO Chapter 11.16 Photo Speed Enforcement in School Zones

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA; PROVIDING FOR AUTHORITY; AMENDING CHAPTER 11 TRAFFIC AND VEHICLES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

The City Attorney read Ordinance 2155 by title on second reading.

Police Chief Robert Bage presented to Council the ordinance on second reading. Chief Bage provided answers to Council regarding questions poised at the previous reading related to speeding citations in school zones. Chief Bage said that an average of 20 citations per year over the past 3 years were written but clarified those citations are often written for other offenses due to the size of a school zone speeding fine. Chief Bage added that citations are often written for the address where a stop occurred and could obfuscate the true number of citations due to several business addresses in the area. Complaints of speeding in the school zone were a common occurrence. He provided answers to a previous question regarding where revenues from the speeding citations could be directed. Chief Bage explained that most organizations do not place restrictions on where revenues are spent and provided a breakdown on where the funds generated would be directed. He suggested categories for funds to be directed including public safety technology, public safety equipment, traffic management, traffic safety, and drug crisis management and mitigation.

Council Members asked if revenues were projected to decrease following successful enforcement and compliance. Chief Bage confirmed that was a common trend in all forms of photo enforcement but added that behavioral changes were the focus of the initiative. Chief Bage said that following a meeting with the Okaloosa County School Board, they asked to collaborate with the City in determining where the cameras would be placed and at what times they would be active. Council Members asked what the expected revenue to the City would be and Chief said that the ceiling determined by a three-day speed study was \$2,000,000 in the first year. Chief Bage clarified that the figure was based on extrapolations that would not likely reach anywhere near that amount. Council Members shared concerns that photo enforcement in school zones

could evolve into invasions of privacy or civil liberties. Council Members disagreed on the times that photo enforcement should be active with Chief Bage advising an “always on” approach to shape habits. Chief Bage noted that photo enforcement would only trigger when exceeding 10 miles per hour over the limit. Council Members opposed to the motion said that they would prefer the physical presence of a law enforcement officer to administer citations.

Council Member Allegretto made a motion to adopt Ordinance 2155 amending Chapter 11 of the Code of Ordinances to allow photo enforcement in school zones. Council Member Jeter seconded the motion and it passed 5-1.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Nic Allegretto, Council Member Mayor Pro Tem
SECONDER:	Bryce Jeter, Council Member
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt
NAYS:	Payne Walker

12.4. 2156 Ordinance Amending COO Section 2.06.03 Firefighters' Pension Trust Fund

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING THE CITY OF FORT WALTON BEACH MUNICIPAL FIREFIGHTERS' PENSION TRUST FUND; AMENDING THE SECTION PERTAINING TO BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING THE SECTION PERTAINING TO VESTING; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

The City Attorney read Ordinance 2156 by title on second reading.

The City Manager presented the second reading of the ordinance, noting that Fire Chief Jeremy Morgan was unable to attend the meeting. The City Manager stated there were no changes to the ordinance following first reading.

Council Member Jeter made a motion to adopt Ordinance 2156 to amend Section 2.06.03 of the Code of Ordinances, adopting the changes to the Firefighters' Pension Trust Fund as proposed. Council Member Allegretto seconded the motion and it passed 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bryce Jeter, Council Member
SECONDER:	Nic Allegretto, Council Member Mayor Pro Tem
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Walker

13. ACTION-DIRECTION-DISCUSSION

13.1. Change Order for Hollywood Boulevard SW & Robinwood Drive SW Intersection Improvements

Public Works & Utility Services Director Daniel Payne presented to Council a change order request for intersection improvements at the intersection of Hollywood Boulevard SW and Robinwood Drive SW. Mr. Payne provided background to the item including the difficulties associated with improvements at the site. The contract to the intersection was initially awarded to Ingram Signalization and they are responsible for several intersection improvements in the area due to the specialization of the work. Due to a lack of materials and equipment rejections, work on the intersection had been delayed. Issues with the method of installation using an auger drill

prompted Mr. Payne to rework the intersection to avoid damaging a gravity sewer. Mr. Payne said the resulting change order is priced at \$108,527 to rework the road, paving, and associated curb work.

Council Members asked how something like this was missed in the first place, noting that the original bid was over \$300,000. Mr. Payne explained that the job was atypical due to the size of the drill casings used being discovered to be within a foot of the gravity sewer line during the installation process. Mr. Payne took accountability for the disconnect between the design process and the installation process that resulted in the proposed change order. Council Members were concerned with the quality of the work of the engineering firm. Council Members thanked Mr. Payne for erring on the side of caution. Residents stressed the importance of improving the intersection due to the dangers presented by the exposed casing in the roadway and were understanding of the situation Mr. Payne described. Council Members agreed with comments from the public and thanked Mr. Payne for accepting responsibility for the situation. Mr. Payne said that in the future, he would employ far more personal oversight if the installation was within a matter of inches.

Council Member Jeter made a motion to approve the change order to the intersection of Hollywood Boulevard and Robinwood Drive to Ingram Signalization in the amount of \$108,527. Council Member DeBerry seconded the motion and it passed 6-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bryce Jeter, Council Member
SECONDER:	Gloria DeBerry, Council Member
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt, Walker

13.2. Award of RFP 24-012 for CRA Seasonal Decorations

Recreation & Cultural Services Director Tiffany Corcoran presented to Council a request to award RFP 24-012 for Community Redevelopment Area (CRA) seasonal decorations to Property Innovations, Inc. Staff chose to go with the first option presented which would include brighter jewel-toned ornaments and multi-colored lights at the Landing. Staff was tasked at the previous meeting to acquire a price for year-round lighting and received a quote of \$8,975 to place white lights on the palm trees downtown. The additional cost would include installation and continuing maintenance. The total would be a \$69,480 yearly cost for a five-year agreement to include the annual lighting and decorations that are seasonal.

Council Members asked if there were any legal issues with placing year-round lighting adjacent to a state road as it could be distracting to drivers. Ms. Corcoran said that the contractor had similar questions about multi-colored lights and staff had determined that it would be appropriate to have white lights as they would not conflict with emergency lights. Council Members questioned why year-round lights for the Landing were not included in the bid. Ms. Corcoran explained that the contractor determined the costs associated with constant maintenance due to squirrels in the park would not be economical. Council Members requested that bidders who would be interested in year-round lights for the Landing be opened for next year.

Council Member Jeter made a motion to award RFP 24-012 for CRA seasonal decorations to Property Innovations, Inc. for a five-year agreement with a yearly cost of \$69,480. Council Member Allegretto seconded the motion and it passed 5-1.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Bryce Jeter, Council Member
SECONDER:	Nic Allegretto, Council Member Mayor Pro Tem
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt
NAYS:	Payne Walker

13.3. Award of ITB 24-009 Preston Hood Athletic Complex Expansion

The City Manager presented to Council a request to award ITB 24-009 for a Preston Hood Athletic Complex expansion to Bear General Contractors, LLC in the amount of \$8,062,107.15. The City Manager presented background on the proposed expansion and the property where it would be located. The City Manager explained that in 2021, Council had directed staff to move forward with a proposed expansion of the recreation complex on the property. The City Manager detailed the plans for proposed amenities and fields on the site. The City Manager said the City had received five bids and the committee recommended that the City go with the second lowest bid from Bear. Empire Builders Group, Inc. provided the lowest bid, but the committee determined that Bear's portfolio of recreation complex expansions was more relevant to the project's needs. Both bids included costs associated with synthetic turf for multipurpose fields. Staff provided three recommendations to be approved by Council including the award of the bid, authorization for the City Manager to approve change orders up to 10%, and to approve exploring financing options with Public Risk Management of Florida.

Council Members asked what the plan was with consolidating local youth sports into a centralized location following completion of the project. The City Manager said the plan was to host all ages of youth sports at the recreation complex while auxiliary fields could still be used for practices. Council Members felt that a request for an expansion at this time was inappropriate considering economic conditions in the area. The City Manager noted that the proposal would feature decreased maintenance, increased revenues, and would be funded with several sources. The City Manager added that the quality of life that the complex would offer would be significant and attract important tourism. Council Members requested that numbers of visitors be included in future presentations related to the item. Council Members preferred money being spent on reducing the tax burdens on citizens or a new City Hall construction. A representative from Empire was present and acknowledged that their portfolio did not include many recreation projects but asked Council to reconsider their bid due to their intentions to work with experienced local sub-contractors. Residents were opposed to the project stating that funds should be dedicated to the construction of a new City Hall, citing issues with mold reports. A representative of Bear was present to answer questions from Council and confirmed their intentions to work with local sub-contractors. Council Members asked what was remaining of the debt schedule to build the current recreation complex and Ms. Nabors said there were three annual payments and a \$3 million balloon payment. Ms. Nabors added that the loan rates were favorable to the point that allowing the payments to continue was advised. Council Members asked if this project would prevent the City from building a new City Hall and Ms. Nabors said it depended on the outcome of the upcoming election. Council Members who had previously argued for the land to be sold were happy that the project had developed and supported the motion. Council Members stressed the historical impact that such an expansion could have on the community.

Council Member Schmidt made a motion to award ITB 24-009 for a Preston Hood Athletic Complex expansion to Bear General Contractors, LLC in the amount of \$8,062,107.15, along with all other staff recommendations. Council Member Allegretto seconded the motion, and it passed 5-1.

RESULT:	ADOPTED [5 TO 1]
MOVER:	David Schmidt, Council Member
SECONDER:	Nic Allegretto, Council Member Mayor Pro Tem
AYES:	Allegretto, DeBerry, Jeter, Mead, Schmidt
NAYS:	Payne Walker

14. CITY MANAGER REPORTS

The City Manager highlighted the meetings planned for September including the City's budget meetings.

The City Manager honored Alexis Atkinson, an employee at the City's cemetery, who successfully used Narcan to save the life of someone who overdosed nearby.

The City Manager presented the Yard of the Month for September, with the award going to David and Neva Larson of 205 Bradley Drive NE.

The City Manager reported that the fitness court and shade cover at Ferry Park have been completed and the restrooms at Jet Holmes Park have been installed.

14.1. City Council Regular Meeting - Tuesday, September 24, 2024 @ 4:00 pm

14.2. City Council Special Meeting - Tuesday, September 24, 2024 @ 6:00 pm or immediately following the Regular Meeting - FY 2024-25 Final Millage Rate & Budget Hearing #2

15. CITY ATTORNEY REPORTS

None.

16. MAYOR/COUNCIL FINAL COMMENTS

Council Member DeBerry noted the excitement from pickleball players over the installation of restrooms at Jet Holmes Park. Ms. DeBerry disclosed a possible Sunshine Law violation that may have occurred between herself and another Council Member when discussing an item on the agenda not in a public setting. The City Attorney reminded Council to always discuss items in a public meeting and never beforehand with fellow Council Members.

Council Member Jeter asked for updates on progress related to the Coral Trail. Mr. Payne said that he had recently held a pre-application meeting and noted potential issues with impacts on wetlands in the area. However, the project was still slated to progress for the time being.

Council Member Schmidt thanked Ms. Corcoran for her professionalism in dealing with multiple projects and customers. Mr. Schmidt asked for updates on connectivity following recent traffic studies performed in the City. Mr. Payne said there were items to be presented in the upcoming budget meetings that would be examples of projects addressing connectivity.

Council Member Mead addressed issues with sunken asphalt following the installation of fiber optic cables in the area and asked what could be done. Mr. Payne said issues of this nature were being addressed and if Mr. Mead could provide him specific streets he would apply pressure to the relevant installers.

17. ADJOURNMENT



City Council of Fort Walton Beach

CITY ATTORNEY

MEMORANDUM

To: Jeff Peters, City Manager

From: Jeff Burns, City Attorney

Date: September 10, 2024

Subject: 2152 Ordinance Amending LDC 1.08.02 Removing Com Bus Stop Permissible Use

1. **BACKGROUND:**

- 1.1. For sixty-one years the only Intercity Bus Service Transit Stop location in Fort Walton Beach was a dedicated stand-alone facility located at 101 Perry Avenue.
- 1.2. The 101 Perry Avenue Transit Stop closed on February 28, 2019.
- 1.3. The vendor that operated the 101 Perry Avenue location has undertaken a nationwide restructuring to divest itself of most of its dedicated stand-alone Transit Stops, pivoting to the contracted transit stops at convenience stores.
- 1.4. Issues are arising throughout the country as contracted convenience stores usually are not appropriate to serve as Intercity Bus Service Transit Stops.
- 1.5. From the perspective of the passengers, the convenience stores are not suitable as they do not provide adequate food, water, and restroom facilities for the passengers.
- 1.6. Around the country, there are stories of passengers being stranded at convenience store Transit Stops and not permitted to use restrooms, or to have access to potable water.
- 1.7. The use of convenience stores is unsafe to both the passengers and the general public.
- 1.8. The situation is not expected to ever improve as the only vendor that provides Intercity Bus Service Transit Services in the City was purchased by a German private equity group in 2023 and has since accelerated the closure of dedicated facilities in favor of contracting with convenience stores.

2. **DISCUSSION:**

- 2.1. A review of the Code of Ordinances and Land Development Code (LDC) determined that Intercity Bus Service Transit Stops are permissible uses in Commercial General (CG) and Commerce and Technology Park Zoning District (CTP) zoning districts.
- 2.2. Removing "Terminals, bus, transit, includes truck stop" as Permissible Uses from the CG and CTP zoning districts will completely prohibit new Intercity Bus Service Transit Stops from being established in the City.
- 2.3. Given the cutting corners mentality of the new owners of the Intercity Bus Service Transit Stop vendor, then prohibiting new Transit Stops throughout the entire City will prevent the problems associated with Convenience Store based Intercity Bus Service

Transit Stops from metastasizing throughout the City.

3. FINANCIAL INFORMATION:

- 3.1. There is no direct financial impact as a result of this ordinance, as simply changing the Permissible Uses within the City to remove Transit Stops as a permissible use will not require any existing Transit Stop to be closed.

4. RECOMMENDATION:

- 4.1. Staff recommends Council amending City of Fort Walton Beach Land Development Code section 2.03.02 - Table of Permissible Uses to eliminate "Terminals, bus, transit, includes truck stop" as Permissible Uses in both the Commercial General (CG) and Commerce and Technology Park Zoning District (CTP) zoning districts.

ATTACHMENTS:

- Newspaper Articles_compressed (PDF)

HISTORY:

08/01/24

Local Planning Agency

ADOPTED

The City Attorney, Jeff Burns, read the Ordinance 2152 by title.

Mr. Burns introduced and explained the ordinance to amend Section 1.08.02 of the Land Development Code (LDC). This ordinance would prohibit commercial bus stops as a permissible use in the Commercial General (CG) and Commerce and Technology Park (CTP) zoning areas. It restricts terminals, bus, transit, including truck stops, in the City if a business does not acquire the proper permits to operate such business at non-traditional places. A gas station was the primary example of a non-traditional place for a bus stop because it is not a bus terminal. Mr. Burns added there were public health and safety concerns due to unsuitable conditions for travelers. These conditions included but were not limited to a lack of proper facilities as determined by Federal standards. Travelers are exposed to extreme heat conditions with little to no shade to sit and wait. The ordinance would not restrict the County's public transportation system, school bus stops, and charter busses.

Questions from the Board included why City Council wanted to restrict these services. The City Attorney clarified that within the past few years, large corporations bought and sold the national intercity bus service Greyhound. The concern was the company that owns Greyhound does not run intercity bus stops under acceptable conditions. Several Board members were interested in keeping the Greyhound bus location at the Shell Station on Miracle Strip Parkway in the City if there were an added option for them to establish a true bus terminal (CG zoned areas considered). Planning Supervisor Tim Gibson said the trend for the commercial bus business was moving away from traditional terminals and moving towards contracting with gas stations and convenience stores for their business operations. Unfortunately, issues arise when the businesses are closed for their primary business patrons and/or do not provide proper free facilities to customers. The Board asked and received confirmation from Mr. Gibson that one business owner planned to reduce the number of bus stops at his business over loss of revenue. He confirmed that otherwise, staff has not reached out to local business owners about any potential contracts for intercity transit operations at their place of business. The Board wanted to recommend the addition of a clause to the to allow commercial/intercity bus operations if a proper facility were provided to serve as the bus's terminal. Mr. Gibson said that type of change would require

changing the provisions and design standards of the Land Use Code which would require Council's direction. The Board was concerned the proposed ordinance would negatively affect members of the military and those who struggle to afford airline tickets and remove a helpful service to people in the area or who need to come to the area. Mr. Burns would share the Board's concerns with Council, and he encouraged attendance at the upcoming Council Meeting on this subject for those concerned with respect to this ordinance. The ordinance will have two readings before Council makes a final decision.

Glenda Glover made a motion to recommend City Council's approval of Ordinance 2152 to amend Section 1.08.02 of the Land Development Code to remove commercial bus stops as a permissible use in the Commercial General (CG) and Commerce and Technology Park (CTP) zoning areas. Board Member McPherson seconded the motion, and it passed 6-2.

08/27/24

City Council

ADOPTED

The City Attorney read Ordinance 2152 by title on first reading.

Mr. Frassetto presented the first reading of Ordinance 2152 to amend the Land Development Code (LDC) to provide definitions and remove commercial transit stops as a permissible use in the Commercial General (CG) and Commerce and Technology Park (CTP) zoning districts. Mr. Frassetto said that the following three ordinances were related and public transit stops would not be affected by the proposition. Mr. Frassetto said that issues related to public health and safety spurred the ordinances and a phasing out period would be provided for those affected. The City Attorney was present to answer any questions Council had on the ordinances. A local business owner and a representative from a commercial transit operation in the City were present to answer questions from Council.

The representative provided background on the history of the operation and the services it provides to the community. The business owner provided background on his business operations and the difficult financial situation he finds himself in, explaining that the commercial transit stop helped him to offset rising costs. Council Members thanked the local business owner for attending the meeting but said that the ordinance was designed to improve the community and was not directed at any particular party. Council Members noted some concerns about the quality of the service and the health and safety of riders.

Council Member Jeter made a motion to approve Ordinance 2152 to amend the Land Development Code (LDC) to provide definitions and remove commercial transit stops as a permissible use in the Commercial General (CG) and Commerce and Technology Park (CTP) zoning districts. Council Member Schmidt seconded, and the motion passed 6-1.

SIGNATURE BLOCK:

Jeff Burns	Completed	07/10/2024 4:39 PM
Tim Gibson	Completed	07/18/2024 9:10 AM
Christopher Frassetto	Completed	07/23/2024 12:48 PM
Finance	Completed	07/23/2024 1:38 PM
Jeff Burns	Completed	07/23/2024 2:47 PM
City Clerk	Completed	07/29/2024 7:44 AM
City Manager	Skipped	08/01/2024 6:06 PM
Local Planning Agency	Completed	08/01/2024 5:30 PM
City Manager	Completed	08/20/2024 4:41 PM

City Council	Completed	08/27/2024 6:00 PM
City Council	Pending	09/10/2024 4:00 PM

ORDINANCE 2152

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING SECTION 1.08.02 OF THE LAND DEVELOPMENT CODE TO ADD A DEFINITION FOR "BUS STOP" AND A DEFINITION FOR "PUBLIC TRANSIT STOP"; AMENDING CHAPTER 2, ZONING DISTRICTS AND USES, OF THE LAND DEVELOPMENT CODE TO ADD "PUBLIC TRANSIT STOP" AND REMOVE "TERMINALS, BUS, TRANSIT, INCLUDES TRUCK STOP" AS PERMITTED USES IN BOTH COMMERCIAL GENERAL (CG) AND COMMERCE AND TECHNOLOGY PARK (CTP) ZONING DISTRICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, *Florida Statutes*, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry;

WHEREAS, the rapid evolution and rampant cost-cutting in the Intercity Bus Service industry has led to rampant zoning and safety issues throughout the country;

WHEREAS, due to the industry wide degradation of the Intercity Bus Service industry, it is in the best interest for the safety, health, and welfare of the City residents, City businesses, and visitors to have ordinances and regulations to prohibit bus stops within the City of Fort Walton Beach; and

WHEREAS, the City Council has determined that it is in the public interest to remove "Terminals, bus, transit, includes truck stop" as a Permissible Use from all Zoning District's within the City of Fort Walton Beach.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH FLORIDA, AS FOLLOWS:

Section 1. Authority and Intent

The authority for enactment of this ordinance is contained in Chapter 166.021, 163.3202, and other provisions of the Florida Statutes and Section 2 of the City Charter.

Section 2. Recitals

The above recitals are true and correct and adopted herein and confirmed.

Section 3. Amendment of Section 1.08.02. – List of Defined Terms

Bus Stop: Bus Stop means a designated location where buses operating on commercial routes pause to pick up and drop off passengers. Transit Stops serve buses

operated by Intercity Common Carrier Bus Services. An Intercity Common Carrier Bus Service is owned and operated by a private party and utilizes a ticketing system, typically charging passengers a fare based on the length of their journey. Intercity Common Carrier Bus Services provide fixed scheduled routes between different cities and regions and provide services over much greater distances than public transportation buses operated or funded by governmental entities.

Public Transit Stop: Refers to a designated location where public transport vehicles, such as buses, trams, or ferries, halt to pick up and drop off passengers. These stops are officially sanctioned by a local transit authority or local governmental entity, and are marked by signs, shelters, benches, or other amenities to facilitate commuter access and comfort.

Section 4. Amendment of Section 2.03.00. – Land Uses Permissible in Each Zoning District

Table 2.03.02. – Table of Permissible Uses is hereby amended as follows:

Table 2.03.02. Permissible Uses in Each Zoning District

Principle Land Uses:	Zoning Districts:										
	R-1E	R-1	R-2	MX-1	MX-2	YC	CF	CG	CTP	MB	REC
Residential Uses											
Single-family dwelling	P	P	P	P		P					
Duplex or triplex structure			P	P	P						
Multifamily structure			P	P	P						
Townhouse			S 5.04.02	S 5.04.02	S 5.04.02	S 5.04.02					
Manufactured homes	S 4.01.02	S 4.01.02	S 4.01.02								
Manufactured homes in parks			S 5.04.14								
Nonresidential Uses											
Adult-Oriented Uses, including book stores, movie stores, theaters, entertainment, and retail stores					S 5.04.26			P		P	
Alcohol package store, no consumption on				P	P			P			

premises											
Animal hospital or veterinary clinic					P			P			
Arenas, band shell, amphitheater, outdoor performance area					S 5.04.10			S 5.04.10			S 5.04.10
Artisan studio				P	P			P		P	
Asphalt or concrete plant									P	P	
ATM kiosk				P	P		P	P		P	
Bait and tackle				P	P	P		P			
Barber, beauty salon, nail salons, aesthetician, skin care salon and similar				P	P			P			
Bed and breakfast lodging			S 5.04.15	P	P			P			
Boatyard					S 5.04.30				S 5.04.30		
Building materials, building supply, enclosed lumber yard								P	P	P	
Building materials, outdoor storage, onsite lumber processing									P		
Business support services, such as copying, mailing, printing, private mail service				P	P			P		P	
Car wash or detailing facility					S 5.04.16			S 5.04.16		S 5.04.16	
Cemetery							P				
Community center, club, or lodge				P	P	P	P	P			
Cultural facility, such as library, museum, or gallery				P	P		P	P			
Day-care (child), nursery school, kindergarten, or pre-kindergarten				P	P		P	P		P	
Day care, adult				P	P		P	P			

Distribution centers, may include warehousing, dispatch offices, vehicle yards								S 5.04.17	P	S 5.04.17	
Drug stores and pharmacies				P	P			P		P	
Dry storage for watercraft				S 5.04.07	S 5.04.07	S 5.04.07		S 5.04.07			
Essential public services	P	P	P	P	P	P	P	P	P	P	P
Farmer's market, outdoor sales, roadside vendors				S 5.02.03	S 5.02.03		S 5.02.03	S 5.02.03		S 5.02.03	
Financial institutions, banks, credit unions, brokerages, no drive-up window				P	P			P		P	
Financial institutions, banks, credit unions, brokerages, with drive-up window								P		P	
Financial Institutions, Nonchartered, such as payday loan establishments and check-cashing facilities				S 5.04.24	S 5.04.24			P		P	
Food stores, specialty, such as bakeries, candy, ethnic groceries, catering services				P	P			P			
Fortune tellers and psychics				S 5.04.27	S 5.04.27			P		P	
Freight and moving companies								S 5.04.17	P	S 5.04.17	
Fuel/gasoline station, may include convenience store, restaurant, automotive					S 5.04.05			S 5.04.05		S 5.04.05	

supplies, but not repair											
Funeral homes, mortuaries, crematoria					P			P	P		
Garden, community or neighborhood	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20	S 5.04.20
Golf course							S 5.04.19				S 5.04.19
Grocery store, supermarket				P	P			P		P	
Group home, congregate living facility and similar uses	S 5.04.11	S 5.04.11	S 5.04.11	S 5.04.11		S 5.04.11	S 5.04.11	S 5.04.11			
Health clubs, exercise clubs, spas, gyms				P	P			P		P	
Hospital					P			P		P	
Hotels, motels, inns and similar lodging facilities				P	P			P			
Ice vending machine								S 5.04.18		S 5.04.18	
Industrial uses, heavy industry with nuisance factors, such as odor, noise, vibration, electronic interference									P		
Junk or salvage yards, recycling facilities									S 5.04.03	S 5.04.03	
Kennel with outdoor runs									P		
Kennel, no outdoor runs								P			
Laboratories, medical								P	P	P	
Laboratories, industrial									P	P	
Landscaping materials, plants, stone, mulch,								P	P	P	

gravel, supplies, greenhouse, nursery yards											
Laundry facility, self-service				P	P			P		P	
Livery Vessel Rental					S 5.04.32						
Lounge, bar, or nightclub				P	P	P		P		P	
Manufacturing, and intense industrial activities, includes production, fabrication, assembly, may include outdoor storage, includes bottling plant, dry cleaning plant, gas and fuel storage and wholesaling									P		
Manufacturing, light assembly, fully enclosed building									P	P	
Marinas, including fuel, supplies, docking, boat ramps					S 5.04.13	S 5.04.13		S 5.04.13			
Medical and dental clinics, outpatient facilities				P	P			P		P	
Medical facility for recovery or rehabilitation services, includes substance abuse center, physical or mental rehabilitation, overnight stays				S 5.04.28	S 5.04.28		S 5.04.28	S 5.04.28			
Medical Marijuana Dispensary				S 5.04.31	S 5.04.31			S 5.04.31			
Nursing home or convalescent facility, overnight				P	P			P			

stay											
Offices, general, includes offices for trades or construction businesses				P	P			P		P	
Parking lot or parking garage, commercial				P	P		P	P	P	P	
Pawnshops				S 5.04.25	S 5.04.25			P		P	
Personal services, such as jewelry repair, shoe repair, tailoring, dry cleaning pick-up center				P	P			P		P	
Professional offices, accounting, government operations, legal services, bookkeeping, realtors, brokers, insurance, etc.				P	P		P	P		P	
Public service facilities such as fire stations, emergency services, or public works, includes vehicle storage and maintenance							P		P	P	
Public Transit Stop								P	P		
Recreation, indoor, such as pool, bowling, game rooms, video arcades				P	P	P	P	P		P	
Recreation, indoor, intense, such as skating rinks, indoor shooting range, indoor kart tracks, and similar				P	P		P	P	P	P	
Recreation, outdoor, active,				P	P		P				P

such as sports fields, courts, playgrounds											
Recreation, outdoor, intense, such as go-karts, miniature golf, lighted courts and fields, water slides, boat ramps, and similar amusements					P		P	P		P	
Recreation, outdoor, passive, such as picnic areas, trails, open spaces, includes botanical gardens				P	P		P			P	P
Religious facility	S 5.04.06	S 5.04.06	S 5.04.06	S 5.04.06	P		P	P			
Repair shops, small equipment, small appliances				S 5.04.04	S 5.04.04			P		P	
Restaurants, indoor, enclosed outdoor seating, without drive-up windows				P	P	P		P		P	
Restaurants, drive-up and fast food					S 5.04.21			P		P	
Retail shops, freestanding or within centers, includes department stores or specialty shops, such as art, antiques, furniture, florist, appliances, jewelry, books, electronic media, office supplies, automotive supplies, etc.				P	P			P		P	
Retail, large-scale discount establishments, big-box stores								P		P	

RV, motor homes, travel trailers, or manufactured home sales lot								P			
Schools, academic, charter, public or private					S 5.04.22		P	S 5.04.22			
Schools, business, commercial, trade, vocational					P			P	S 5.04.29	P	
Self-storage, mini-storage facilities								S 5.04.12	P	S 5.04.12	
Stone, granite, monument sales									P	P	
Studios for personal instruction, such as music, dancing, art, or photography				P	P			P			
Tattoo parlors and body-piercing studios				S 5.04.23	S 5.04.23			P		P	
Terminals, bus, transit, includes truck stop								P	P		
Theaters, movie or performing arts				P	P			P			
Towers, radio, TV, telecommunication							S 5.04.09		S 5.04.09	S 5.04.09	S 5.04.09
Trades, maintenance services, and heavy repair services, including outdoor storage, equipment yards, machine shops, welding shops, towing services									P		
Utility facilities, such as water towers, treatment plants, public wells							P				
Vehicle repair, body shop				S 5.04.04	S 5.04.04			S 5.04.04		S 5.04.04	
Vehicle sales and								S 5.04.08		S 5.04.08	

rentals, including automobiles, trucks, and motorcycles											
Vehicles, watercraft rentals					S 5.04.08	P		S 5.04.08			
Vehicles, construction, heavy equipment, sales and rental									P	S 5.04.08	
Vehicles, storage yards									P		
Warehousing, not including self-service storage									P	P	
Wholesalers									P	P	

Section 5. Findings

The City Council of the City of Fort Walton Beach, Florida, finds that:

The Local Planning Agency reviewed and recommended approval of Ordinance No. 2152 on August 1, 2024.

The proposed ordinance is consistent with the goals, objectives, and policies of the City's Comprehensive Plan.

All notice requirements for enactment of the ordinance have been met in accordance with the Florida Statutes and the City's Land Development Code.

Section 6. Effective Date

This Ordinance shall take effect immediately upon approval on second reading by City Council and signature of the Mayor.

Adopted: _____

Richard A. Rynearson, Mayor

Attest:

Approved as to legal form and sufficiency
for the City of Fort Walton Beach, only.

Kim M. Barnes, City Clerk

Kimberly Romano Kopp, City Attorney

Additions are underlined; deletions are stricken.

ESCAMBIA-COUNTY

Greyhound closed its Pensacola bus station, moved depot to rural gas station. Why it's a problem.



Mollye Barrows

Pensacola News Journal

Published 4:11 a.m. CT July 2, 2024 | Updated 8:48 a.m. CT July 2, 2024

Greg Willis was hot, tired and frustrated as he waited for a ride home in the parking lot of the Circle K at 3225 W. Nine Mile Road near Interstate 10. The 60-year-old Pensacola man had just spent most of the last 48 hours traveling on a Greyhound bus with a ticket to Tyler, Texas.

Only he never made it. He said the bus stopped in Lafayette, Louisiana, where he was supposed to take another bus to his destination. However, Willis said the bus was first delayed, then cancelled and he ended up spending 17 hours waiting outside in the scorching heat with no bathroom and no water because the Greyhound station was closed on Sundays.

He managed to get on a bus back to Pensacola, where the Greyhound line's drop off and pick up point is now a gas station near Beulah, and once again found himself waiting outside in the heat.

"I have a car, but I didn't trust it for the trip," Willis explained. "That's why I took the bus. It's supposed to be dependable, but it just turned into a nightmare."

Pensacola's longtime Greyhound bus station, at 505 W. Burgess Road, near Highway 29 in Car City permanently closed in mid-May and no longer serves as a drop off or pick up location for the bus line. The Circle K gas station is now where travelers catch or get off the bus.

According to a Greyhound spokesperson, "Greyhound buses stop at various locations across our extensive network. Similar to the rest of the intercity bus industry, some of these stops include convenience stores, gas stations, and restaurants. Greyhound did not own the previous location – and when it closed, we worked with the local government and other partners in the area to find an alternative. Eventually, we secured our current location, transitioning to the common industry model, so we could continue providing the essential service to the Pensacola community."

Deaundra Johnson took her two teenage daughters for a family trip to Houston, Texas and returned Monday morning. They sat on the one bench available outside the gas station, surrounded by their bags and luggage and huddled in the little shade they could find while they waited for a ride home.

Johnson said it was her first time taking a Greyhound, which she booked because her car needs to be repaired. She was surprised they had to get on and off the bus at gas stations.

"They had us in a vacant parking lot in the middle of the night in Houston, that was kind scary," said Johnson, "especially when you think about crime and human trafficking."

Greyhound bus stations around the country have closed, but travelers say what makes it tough in Pensacola is that the Circle K that now serves as a depot isn't easy to get to because there's no public transportation to that particular area.

That's one of the challenges facing Real Change Project Reconnect, a transportation and reunification program launched by Escambia County in partnership with the non-profit organization Ministry Village at Olive, which offers services to people who need help, including those who are homeless.

The pilot program launched early this year with \$30,000 in funding from Escambia County. The money covers bus or plane tickets to people who don't have the resources to return home if they wish, or to someplace safe where they have support. So far, 37 people have taken advantage of the program.

Ministry Village vets those who want to leave to ensure they qualify for the program, then helps coordinate their travel plans. Most take the bus, but the challenge lately has been getting them to the Circle K in Pensacola as well as finding a safe stop for them at their destination where a reliable friend or family member can pick them up.

The nonprofit is only reimbursed for the cost of the ticket, but outreach workers are driving people at all hours trying to make the bus, which are mostly scheduled for 10 p.m. at night or 10 a.m. in the morning. When the Greyhound bus depot was on Burgess Road travelers could catch an Escambia County Area Transit (ECAT) bus to take them there.

Now that's not an option. ECAT doesn't have a stop near the gas station, which is close to Beulah on the west side of Escambia County, north of the interstate.

"There's just no easy way for someone to get there," explained Ministry Village Executive Director Drayton Smith. "Most of the buses run late or early in the morning. We've had folks miss the bus because of how late it is, or we've had people that they have to go out there and sit and that creates a problem with where the pickup and drop off place is because they don't want someone hanging out there for 10 hours a day."

Smith said he believes the program is a success despite the challenges, and he's hoping they can work with the county to address the issues. He said the number of people taking advantage of Project Reconnect has tapered off, in part due to awareness, but the feedback Smith said they've received so far has been good from both the community and the people who used it.

"We see that time and time again that people are so thankful and are so grateful for the opportunity," said Smith. "It's doing a great thing. I believe per homeless person (in the community), the cost to the taxpayer is \$33,000 a year, so it's making a difference for all involved."

You can find more information about Real Change Project Reconnect on Escambia County's website.

https://www.wdrb.com/news/business/a-year-later-greyhound-travelers-frustrated-by-temporary-west-louisville-bus-stop/article_cefd4cd4-e62c-11ee-ba59-e3a1341ce68b.html

TOP STORY

A year later, Greyhound travelers frustrated by temporary West Louisville bus stop

Krystal Goodner
Mar 19, 2024



The transit company announced the sale of its downtown station last year.

LOUISVILLE, Ky. (WDRB) -- Nearly a year after announcing its temporary set up in a West Louisville parking lot, Greyhound is still operating in the same location with no clear move in sight.

Greyhound moved its Louisville stop to a strip mall on West Broadway near 12th Street in 2023, after it sold its longtime bus station at 7th Street and Muhammad Ali Blvd. The old building is abandoned and boarded up, but a development is in the works.

The buses take up a large chunk of the shopping center parking lot at the temporary stop. With just a small waiting room, dozens travelers wait in the parking lot or on the sidewalk for buses that some passengers said arrive extremely late or never show up at all.

Krasten Potts is a musician from Indianapolis who often travels to Louisville. He said his most recent trips struck a bad chord.

"I don't know exactly what's going down here with this," Potts said.

One trip was delayed two and a half hours because there was no driver. On another, his bus broke down.

"I'm in a strip mall, and it's not that fun, so I usually hang out on the sidewalk and watch movies until the bus actually shows up. So that's what I've been doing. Just waiting for the bus to show up. It's really weird man," Potts said.

The temporary setup is also problematic for Greyhound's neighbors, like City Gear Clothing Store, which sits right next door. Employees said frustrated passengers become their problem.

"They're not from here, so they don't know what to do, and then they can't sit in our store, so they are getting upset at us if they can't sit in our store.," said Brittney Wales, employee of City Gear.

Greyhound tried to move to a permanent location on Preston Highway near the airport, but zoning issues put the brakes on that move. Now, with no permanent bus station plans in sight, Greyhound passengers wonder what the future looks like.

WDRB learned that Louisville isn't the only city seeing these issues. Greyhound was sold to a European bus network, Flix Mobility, in 2021. Flix has since sold Greyhound bus stations like the one in Louisville for profit. We reached out to Flix for comment but haven't received a response.

Related stories:

- Demolition permit filed for old Greyhound bus station
- Greyhound sign, logo come down at former site of downtown Louisville bus station
- Plan details 5-story affordable housing to replace Greyhound Station in downtown Louisville

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Krystal Goodner

WDRB Anchor

Passengers left stranded at Greyhound bus stop: ‘We came out and they were leaving us’

ADVERTISEMENT



Seven people say they were left stranded at a Greyhound bus stop in Georgia. (Source: WTVM)

By [Roslyn Giles](#) and [Jordan Gartner](#)

Published: Dec. 8, 2022 at 3:03 PM CST



COLUMBUS, Ga. (WTVM/Gray News) - It was a Thursday in September when seven Greyhound bus passengers said they were left stranded at a bus stop.

[WTVM](#) reports a third-party bus for Greyhound rolled into Columbus at its scheduled bus stop, but the 15-minute stop at a Sunoco gas station turned into a nightmare for those passengers.

“I was grabbing a couple of drinks and then was told we had three minutes,” passenger Hannah Wright said. “We came out and they were leaving us.”

W.D. Waters, a Vietnam veteran, was heading to Detroit to help his sister and her sick husband move. However, he was also part of the group that was left.

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"They just kept saying no," Waters said. "No, we could not get on the bus."

The 72-year-old did not have his clothes or medication. Like Wright and other passengers left stranded that day, everything they had packed for their trip was on the bus headed to Atlanta without them.

"We didn't know what we were going to do at that point," Waters said. "I was scared. I didn't know where I was. I didn't know how I was going to get home."

Four other stranded passengers were from out of the country and didn't speak English. All of the stranded passengers were traveling to different destinations.

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Urania Gutierrez said she purchased a \$272 ticket from Greyhound to make the trip from Houston to New Jersey.

Officials said Greyhound had closed its previous bus stop in 2020 and moved it to the gas station. However, an attendant no longer was assigned to the site.

[WTVM](#) reports it contacted Greyhound that day and a worker ordered two large Ubers to transport the passengers to Atlanta. The seven passengers were able to leave Columbus after being stranded for four hours.

The manager at the Sunoco gas station said this group was small compared to as many as 14 people who had been left at the bus stop in the past. The manager said this has been an ongoing problem.

Kenny Williams, the owner of Destiny Dogs, a restaurant located inside the gas station, said he feeds the people stranded for free or drops them off at hotels if necessary.

Greyhound released a statement regarding the incident:

"As the largest provider of intercity bus transportation in North America, Greyhound partners with other bus companies across its network to provide service, as seen in Columbus. While the tickets were booked through Greyhound, the bus involved was not a Greyhound and the driver was not employed by Greyhound. We are currently in the process of exploring corrective action regarding the incident. We are happy, however, to report we were able to provide alternative trip arrangements for impacted customers."

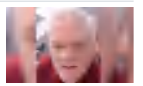
It currently remains unclear why the bus driver left the passengers in Columbus. However, the passengers said they ultimately made it to their final destinations while getting their luggage in Atlanta.

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Columbus City Manager Isaiah Hugley said the city’s homeless prevention resource group, Home for Good, stayed with the passengers until they were able to be picked up. A public safety officer was also sent to the gas station.

Officials said if any passengers are stranded and do not have a place to go after being dropped off at the Greyhound bus stop, there are instructions at the gas station to call Home for Good.

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News outlets were leaked insider material from the Trump campaign. They chose not to print it



ny gas station



Monday Health Minutes with Valley Health Systems



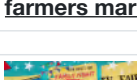
Monday Health Minutes with Valley Health Systems



Huntinaton business



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Fun at the Boyd County Fair

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BUS TERMINAL

Philadelphia bus terminal relocated to address passengers' concerns, alleviate congestion

The current bus station at 6th and Market streets will be relocated to Spring Garden Street and Christopher Columbus Boulevard

By [Briana Smith](#) and [Katherine Scott](#) 

Thursday, November 9, 2023



Bus Terminal



Old City residents frustrated after city cancels bus...



Philly bus station officially moves to new temporary...



Man eats off subway station floor in vacuum...

WATCH LIVE



Philadelphia officials announced that the current bus station at 6th and Market streets will be relocated in November.

PHILADELPHIA (WPVI) -- Philadelphia officials announced that the current bus station at 6th and Market streets will be temporarily relocated to the corner of Spring Garden Street and Christopher Columbus Boulevard in Northern Liberties.

The change is set to take place on November 16.

"We just found out last night- yesterday- they're getting ready to switch this location to another location. It's a whole lot of inconvenience," said Milton Miller, of Landsdowne.

"They're relocating again," said Monique Clarke, from North Philadelphia. "I hope it's better, that's all I could say."

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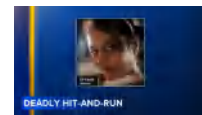
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In June, Greyhound left the bus station near Reading Terminal Market where they had been for decades. Customers moved to the location across from Federal Court for FlixBus, Greyhound, Coach, Megabus, and Peter Pan -- but it has not been popular. Passengers said their wait can be dangerous, crowded and uncomfortable.

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"The first spot, we were inside the building where you could be warm when it rained or when it snowed. Out here, it's an inconvenience for everybody," Constance Benton, of Germantown.

Now, the city believes the latest move will address the passengers' concerns over safety.

"There's a lot of crazy people out here during the nighttime, so I don't think it's safe or a good idea to have people wait for a bus out

here," said Tracy Jaquez, from North Philadelphia.

Jaquez also mentioned the lack of seating and no indoor waiting area.

"When the buses are late, you're standing out here freezing. So we need to be somewhere warm," said Jean Mickens, from West Philadelphia.

Then there is the bathroom issue.

"With this location, if somebody gotta go to the bathroom, where they going to go to the bathroom at," Miller asked,

"One of the main concerns is not being able to use the bathroom. Sometimes we have to wait," added Daisy Guzman, from Williamstown, New Jersey.

Another issue is congestion problems for SEPTA buses and daily traffic.

"People getting dropped off, the buses are trying to move and they can't move because there are other people getting off. There is a lot going on around here," said Guzman.



Mike Carroll, the city's deputy managing director for the Office of Transportation, Infrastructure and Sustainability, released the following statement on the issue:

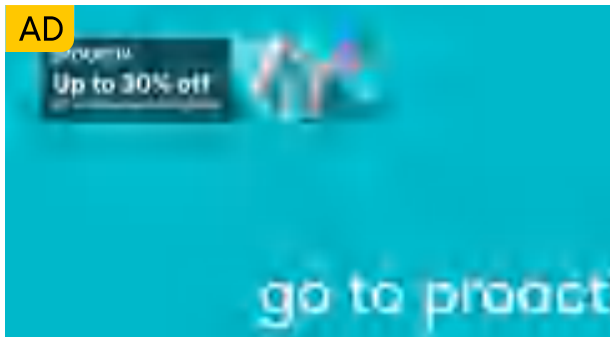
"The volume and nature of complaints leave the situation at 6th and Market Streets completely untenable ... For that reason, the City made a firm commitment to relocate the intercity bus operations off of the 600 block of Market Street this fall. Efforts are underway to find an off-street location but require more time, and an interim change in

location is needed urgently."

"Hopefully, it's more comfortable," said Guzman. "Hopefully, it has a decent bathroom and just a place to sit and where we can wait in a safe place."

"Safety for all the kids and all the families," added Clarke.

City leaders said the new location is temporary through the beginning of 2024 until they find a permanent spot.



In the coming days, officials will put up signage to notify passengers about the changes.

Peter Pan, FlixBus, and Greyhound will operate on the south curb of Spring Garden Street on either side of Front Street.

Megabus will operate on Spring Garden Street on the north curb under the I-95 viaduct next to the Spring Garden Station exit for the Market Frankford Line station.

Additionally, existing parking may be cleared along Noble Street between Front Street and Christopher Columbus Boulevard to allow for additional bus loading space.

The bike lane on the eastbound side of Spring Garden will be detoured to accommodate all road users. City officials advise customers to contact their carriers for more information.

Officials are also coordinating with bus carriers to explore customer service space, including ticketing near the loading areas.

Transportation officials said they will issue a separate statement to provide an update on this work as details are finalized.

All updates will be added to phila.gov.

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Related Topics

LOCAL

New Knoxville Greyhound stop prompts chaos, outrage



Angela Dennis

Knoxville News Sentinel

Published 2:25 p.m. ET Nov. 23, 2022 | Updated 10:54 a.m. ET Nov. 25, 2022

Dozens of Greyhound bus passengers waited along a sidewalk for hours into the night Tuesday at Knoxville's newly designated bus stop – a location that critics and officials say is unauthorized, and has the same issues with shelter, bathrooms and safety as previous sites.

Greyhound Bus Lines' use of locations criticized as unsafe and unsecure for its service in Knoxville already had prompted discord for months. Residents and leaders in the Burlington neighborhood were outraged this week after 100 Kirkwood St. was listed on Greyhound's website as the newest bus stop.

On Tuesday afternoon and through the night, Greyhound passengers were waiting at the new bus stop, at the corner of Kirkwood and Martin Luther King Jr. Avenue, a location that has a Knoxville Area Transit shelter along the sidewalk but no available restrooms.

Passengers, including University of Tennessee students traveling for the Thanksgiving holiday break, were waiting outside and walking along nearby Magnolia Avenue, many for hours due to late buses or buses that never came at all.

"My bus never came yesterday, so I'm out here trying to ride tonight, and it's three hours late. I have nowhere to go," Vincent Sanders told Knox News.

University of Tennessee student Aiden Koch told Knox News he was just trying to get back home to Nashville and frequently uses Greyhound to go home on holiday breaks.

"I'm just out here waiting. It's been a hassle to find out last minute that they changed the location when you are taking an Uber to get here. I ride every break back home, and this location and the others have been terrible," he said.

April Nitzsche told Knox News that her brother, who is legally blind, was never refunded for his canceled ticket.

"My brother's bus was canceled on Sunday and rescheduled for Monday. He arrived ahead of time at the location listed on the ticket only to find out from the gas station owner that the pick up has moved. He gets to the new location and then finds out the bus will be five hours late, and he was left standing out in the cold, wondering where his bus is," Nitzsche said. "My mom, not wanting him left outside, had to come to get him and drive him to Chattanooga. He was not able to see the bus delay online, obviously. So not only did he lose his bus ticket, but my mom had to spend \$75 in gas to get him home."

Residents criticize newest location

The new location was listed online just a day after the deadline issued by the city of Knoxville for Greyhound to move from its previous stop at 1607 Sixth Ave. North, Top Market. That address violated city code and the transit company was given until Nov. 21 to remedy the situation by finding a new location.

In the summer and fall months, Greyhound buses stopped at a Cherry Street gas station. However, the gas station was closed overnight during that time, which left passengers without access to restrooms, water or security. The location of the stop raised concerns among East Knoxville residents.

The bus company has been criticized locally and in other cities for making stops at private businesses or locations that some passengers consider unsafe. Greyhound closed its Knoxville station in the Old City earlier this year.

Vivian Underwood Shipe told Knox News she believes there is more city officials can do to remedy the problem.

"The city needs to help in this situation and not skirt around this. I don't feel they are doing enough," she said.

District 6 councilwoman Gwen McKenzie told Knox News that she was deeply concerned with Greyhound's practices of using stops without security or shelter. On Wednesday, she was working to remedy the situation and meeting with local leaders.

She told Knox News that Greyhound needed to provide a better option for its passengers.

"We can't have people being dropped off and left outside without bathrooms or shelter. This situation needs to be remedied quickly, and we are working to resolve it," she said.

District 1 County Commissioner Dasha Lundy echoed those sentiments.

"We need to advocate for this issue and find solutions. And we need people power and band together to make sure passengers have a warm place with access to shelters and restrooms. We need resources to solve this public issue across the nation," Lundy said.

Greyhound operating at Kirkwood and MLK without authorization

Archie Bates, owner of Bates Barber and Beauty, told Knox News that a Greyhound representative had reached out to him two months ago about using his business location Kirkwood for a bus stop, but he gave no authorization for them to operate there.

"They offered me \$3,500 a month to use my business to operate out of and told me they would provide security, but I don't have the capacity to do that and I had concerns about it. I told them I would get back to them," Bates said.

"I never gave them the authorization to use this location or my parking lot like they are doing. Greyhound needs to fix this situation because I don't need this here."

Erin Gill, deputy to the mayor and chief policy officer for the city of Knoxville, told Knox News that Greyhound has not sought permission to use the Kirkwood location.

"Greyhound has not sought the city's permission to use either the public roadway or the Kirkwood Superstop to support their private bus operations," Gill said.

"It's Greyhound's responsibility to provide their passengers with a secure, sanitary and sheltered experience. Unfortunately, the company has yet again failed to provide their customers with basic amenities while they wait for a bus to arrive."

Greyhound spokesperson Crystal Booker said Wednesday the company had no immediate comment on its Knoxville location.

Angela Dennis is the Knoxville News social justice, race and equity reporter. You can reach her by email at angela.dennis@knoxnews.com or by phone at 865-407-9712. Follow her on Twitter @AngeladWrites; Instagram @angeladenniswrites; and Facebook at Angel Dennis Journalist.

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Roanoke Rambler

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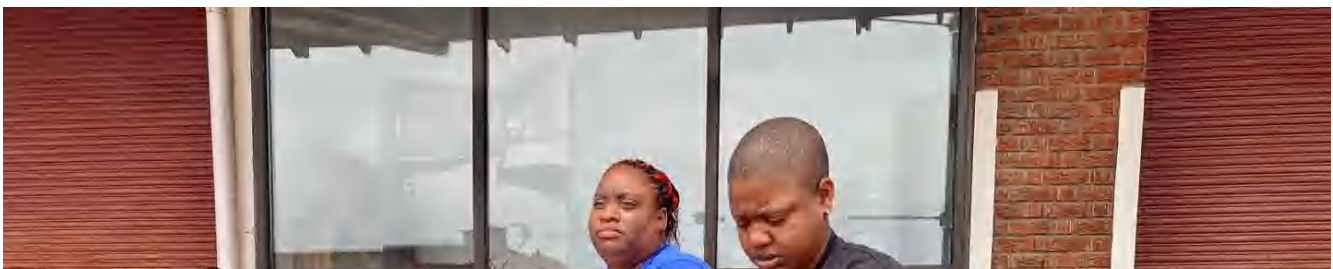
Spotty Greyhound Bus Service Leaves Riders Stranded in Roanoke Overnight

The situation emerged as Greyhound has cut services nationwide, including plans to staff and operate a bus station in Roanoke.



Henri Gendreau

Apr 4, 2023 • 5 min read





Nicole Turnage, left, and her girlfriend, Connie Luster, were among roughly 15 Greyhound bus passengers stranded in Roanoke this week. PHOTO BY HENRI GENDREAU FOR THE ROANOKE RAMBLER

More than a dozen Greyhound bus passengers were stranded in Roanoke overnight Sunday after they say there was no driver to make a scheduled trip to Nashville.

The situation emerged as Greyhound has cut services nationwide, [including plans to staff and operate a bus station in Roanoke.](#)

Passengers said it's not the first time riders passing through Roanoke have been left in the lurch by the company.

“The same predicament happened about two months ago, right here in this same town,” Samain Nixon, a 42-year-old barber from Norfolk, said Monday standing outside the Virginia Museum of Transportation. “There was maybe 10 people, they was left here for

four days. No food, no water, because they didn't have a driver to take them to where they were going."

Nixon was among roughly 15 passengers dropped off in Roanoke about 2 p.m. Sunday. A bus to Nashville scheduled to leave later that day was canceled after passengers say their driver returned to Richmond because he could only drive 10-hour stretches and couldn't go further.

The company put riders up in the Quality Inn Tanglewood Sunday night. Nixon was not among those stranded a couple months ago, but he said talking to other passengers has shown the long delays to be a pattern.

"I thought it was maybe because the bus was running late, but I see it's something on the regular here," Nixon said.

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Roanoke is hardly alone. In the last few weeks, Greyhound passengers have been left for hours or days in [Chicago](#),

[Sacramento, California](#) and [Delish, North Carolina](#), according to

national media outlets. A lack of bus drivers has been blamed for the delays and cancellations.

“What I've learned is passengers were placed in hotels by Greyhound yesterday. All affected passengers are on their way to their destinations today,” Greyhound spokesman Mike Ogulnick wrote in an email Monday. He did not respond to follow-up questions by deadline.

By about 5:30 p.m. Monday, the passengers in Roanoke were on their way to Nashville, according to Nixon.

An empty Greyhound bus sits outside the Virginia Museum of Transportation on Monday.

Since the pandemic, Greyhound has cut back on customer services nationwide, including in Roanoke.

Nicole Turnage, a 45-year-old from Memphis who was stranded in Roanoke this week, said she has noticed worse service since Greyhound sold in October 2021 to German-based FlixBus.

“I haven’t rode Greyhound in about five years. But when I used to ride it back in the days, I never had a problem,” Turnage said. “I never knew this was going on. If I’d known better, I would’ve actually flew or got on Amtrak. This is just crazy.”

Before Covid, Greyhound leased a station at downtown’s Campbell Court, where it had a waiting area and ticket agent who sold fares and gave information to passengers.

But once the pandemic hit — and around the time [British FirstGroup sold Greyhound to FlixBus](#) — the company switched to a “bus stop only” model in Roanoke, according to Kevin Price, general manager of Valley Metro.

(Incidentally, in February, [FlixBus reported record revenues](#), at \$1.61 billion.)

The lack of Greyhound staff on site in Roanoke exacerbated the stranded passengers’ situation, according to Nixon, Turnage and other riders.

“That’s the worst thing,” said Nixon, who was on his way to Kansas City, Missouri to visit family. “Nobody’s here to even reach out to us.”

Samain Nixon, a 42-year-old barber from Norfolk, said the lack of Greyhound staff on site in Roanoke exacerbated long delays and a canceled trip. PHOTO BY HENRI GENDREAU FOR THE ROANOKE RAMBLER

The standalone station at Third Street and Salem Avenue was originally meant to be Greyhound’s station. Price said Valley Metro may use the space in part for passengers waiting on Greyhound. On Monday the facility remained locked.

City Councilwoman Stephanie Moon Reynolds at a Council

meeting Monday brought up [The Rambler's report last week on Greyhound](#), asking for an update or response from the Greater Roanoke Transit Company board, which oversees Valley Metro.

“It was a surprise to all of us,” said Vice Mayor Joe Cobb, who chairs the board.

City Manager Bob Cowell told Council members that in lieu of on-site staff, Greyhound had planned to install a kiosk in Roanoke to sell tickets.

“It's not even clear they will do that,” he said Monday.

Eventually, Greyhound buses will arrive and depart from a lane adjacent to its erstwhile station. But since transit operations moved from Campbell Court, the company has been picking up and dropping off passengers in front of the transportation museum.

Mendy Flynn, executive director of the museum, said the lack of Greyhound signage and communication has proven a problem to passengers and the museum.

Riders are dropped off in front of the museum and think they can wait there.

“Because of Greyhound's negligence, passengers come to us and they're already angry or upset before they get in and are told they can't use the restroom,” Flynn said. “But we don't know the

answers to their questions. They're often here waiting for the next bus, and that was the last bus of the day and they don't know that. It's just a really frustrating problem."

Flynn said she has reached out to Greyhound in the past and received no information.

Greyhound passengers with luggage wait for hours in front of the museum.

"The homeless population, they see a bunch of people hanging out they think it's a good place for them to hang to," said Flynn, who added that staff has called the police before to discourage loitering.

(While a reporter spoke with the stranded riders Monday afternoon, a museum staffer pulled up in an ATV and sheepishly asked the group "to scoot on down a little bit" so they would "be out of sight.")

"We lose visitors," Flynn said. "We've gotten a lot of complaints."

Flynn had not heard that Greyhound had pulled out of operating the corner station and said the problem is Greyhound's lack of amenities and communication.

"We're not upset with the passengers," she said. "It just seems like communication throughout Greyhound, there just is none."



City Council of Fort Walton Beach

CITY ATTORNEY

MEMORANDUM

To: Jeff Peters, City Manager

From: Jeff Burns, City Attorney

Date: September 10, 2024

Subject: 2153 Ordinance Amending LDC Section 6.06.00 Prohibiting Commercial Bus Stops after September 10, 2025

1. BACKGROUND:

- 1.1. For sixty-one years the only Intercity Bus Service Transit Stop location in Fort Walton Beach was a dedicated stand-alone facility located at 101 Perry Avenue.
- 1.2. The 101 Perry Avenue Transit Stop closed on February 28, 2019.
- 1.3. The vendor that operated the 101 Perry Avenue location has undertaken a nationwide restructuring to divest itself of most of its dedicated stand-alone Transit Stops, pivoting to the contracted transit stops at convenience stores.
- 1.4. Issues are arising throughout the country as contracted convenience stores usually are not appropriate to serve as Intercity Bus Service Transit Stops.
- 1.5. From the perspective of the passengers, the convenience stores are not suitable as they do not provide adequate food, water, and restroom facilities for the passengers.
- 1.6. Around the country, there are stories of passengers being stranded at convenience store Transit Stops and not permitted to use restrooms, or to have access to potable water.
- 1.7. The use of convenience stores is unsafe to both the passengers and the general public.
- 1.8. The situation is not expected to ever improve as the only vendor that provides Intercity Bus Service Transit Services in the City was purchased by a German private equity group in 2023 and has since accelerated the closure of dedicated facilities in favor of contracting with convenience stores.

2. DISCUSSION:

- 2.1. This Ordinance amends the City's Land Development Code (LDC) to prohibit the operation of any new Intercity Bus Service Transit Service Stop business within the City after September 10, 2024, and also amends the Land Development Code to prohibit the use of land for any existing Intercity Bus Service Transit Service Stop business within the City after September 10, 2025. Any affected party may continue to operate and use the property until that time in accordance with City regulations to amortize its investment in the property. The Ordinance provides for an administrative petition of the amortization period by an affected party.

3. FINANCIAL INFORMATION:

- 3.1. There should not be any direct compliance costs that businesses may reasonably incur if the ordinance is enacted because any cost incurred are sunk costs. There will be no new charge or fee on a business subject to the proposed ordinance. The City should not incur additional regulatory costs, as no new staff positions will be required by this Ordinance. Only one business within the City limits shall be impacted by the Ordinance.

4. **RECOMMENDATION:**

- 4.1. Staff recommends approval. If Council approves Ordinance 2153 Amending LDC Section 6.06.00 Prohibiting Commercial Bus Stops after September 10, 2025 on first reading, a second reading and public hearing will take place Tuesday, September 10, 2024 at 4:00 pm.

ATTACHMENTS:

- Newspaper Articles_compressed (PDF)

HISTORY:

08/01/24

Local Planning Agency

ADOPTED

The City Attorney read Ordinance 2153 by title.

Mr. Burns introduced the ordinance to amend Sections 6.0600, 6.0601, and 6.0602 of the Land Development Code (LDC) to prohibit the use of commercial bus stops, provide an amortization period for exiting commercial bus stops, and extinguish the grandfathering of commercial bus stops as a non-conforming use after September 10th, 2025. Mr. Burns elaborated on this and said Council will have two readings of the ordinance before it would be adopted. The appeal process was included for the affected party(ies). Business owners would need to come before the City if they needed more time.

Some Board members agreed that businesses were not providing proper conditions for residents and customers. The City attorney asked Planning Supervisor Tim Gibson how many complaints staff received about the Shell Station allowing commercial bus stop operations at the corner of Wright Parkway and Highway 98 (Miracle Strip Parkway SW). Mr. Gibson clarified it was City Council members who received multiple concerns about unacceptable conditions at that gas station. Mr. Burns said he would advise City Council that to have a bus terminal in this zoning area in the future, they must review design standards. Staff would work with affected businesses to petition Council. Questions from the Board for the City Attorney included if the Board could recommend changing the 1-year deadline to cease operations to 2 or more years. Mr. Burns suggested that originally, however, he followed Council's direction for a 1-year deadline because Council was eager to address the problem. There are federal regulations which govern conditions at bus stops. A future ordinance would move to enforce those regulations to improve conditions and standards, City-wide. The current commercial bus stop does not meet standards.

Steve Coates made a motion to recommend Council approval of Ordinance 2153 amending Sections 6.0600, 6.0601, and 6.0602 of the Land Development Code, prohibiting the use of commercial bus stops, providing an amortization period for exiting commercial bus stops, and extinguishing the grandfathering of commercial bus stops as a non-conforming use after September 10th, 2025. James McPherson seconded the motion, and it passed unanimously.

08/27/24

City Council

ADOPTED

The City Attorney read Ordinance 2153 by title on first reading.

The City Attorney presented the ordinance and explained that it sought to amend the Land Development Code (LDC) to prohibit the operation, or use of land, for any commercial transit stop businesses within City Limits. The City Attorney added that an amortization period of 1 year was provided to expire on September 10th, 2025, to provide time for business owners to amortize their investments into those types of businesses. The amortization period would allow businesses to continue to operate or use land for those purposes for the period provided. The City

Attorney said there was a process to extend the amortization period set forth by the ordinance provided by City Council decision as well. A local business owner who would be affected by the ordinance and a representative from the commercial transit company were present to answer questions from Council.

Council Members opposed to the ordinance voiced their concerns that the ordinances were targeting one particular business owner as there was only one commercial transit stop in the City. A local business owner said they did not want their business to negatively affect the City but would like to keep the commercial transit stop to support their income. Council Members asked the business owner if the contract they held with the commercial transit service was monthly or annual and the business owner confirmed that it was an annual lease. The business owner added that the business model was commission based and argued that the business provided an important service to sections of the population. Council Members noted that the point of the ordinances were to address issues associated with certain riders who use commercial transit stops, particularly those who engage in vagrancy. The business owner said they had not seen many vagrants using the service lately. Council Members asked the company representative if they would be able to shift operations to another municipality in the area and the representative confirmed. Council Members added that public transit operated by Okaloosa County would not be affected by the ordinances.

Council Member Jeter made a motion to approve Ordinance 2153, to amend section 6.06.00 of the LDC, to prohibit commercial transit stops following an amortization period ending on September, 10th, 2025. Council Member Allegretto seconded the motion, and the motion passed 6-1.

SIGNATURE BLOCK:

Jeff Burns	Completed	07/10/2024 4:40 PM
Tim Gibson	Completed	07/18/2024 9:31 AM
Christopher Frassetti	Completed	07/24/2024 6:47 AM
Jeff Burns	Completed	07/24/2024 5:56 PM
Finance	Skipped	08/01/2024 6:06 PM
City Attorney	Skipped	07/29/2024 7:03 AM
City Manager	Skipped	08/01/2024 6:06 PM
City Clerk	Skipped	08/01/2024 6:06 PM
Local Planning Agency	Completed	08/01/2024 5:30 PM
City Clerk	Completed	08/20/2024 2:56 PM
City Manager	Completed	08/20/2024 3:07 PM
City Council	Completed	08/27/2024 6:00 PM
City Council	Pending	09/10/2024 4:00 PM

ORDINANCE 2153

AN ORDINANCE OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING SECTION 6.06.00 OF THE LAND DEVELOPMENT CODE TO ADD A SECTION 6.06.01 TITLED "DEFINITIONS"; AMENDING SECTION 6.06.00 OF THE LAND DEVELOPMENT CODE TO ADD A SECTION 6.06.02 TITLED "COMMERCIAL BUS STOPS PROHIBITED WITHIN CITY LIMITS"; PROHIBITING THE USE OF LAND FOR COMMERCIAL BUS STOPS WITHIN THE CITY LIMITS OF FORT WALTON BEACH, FLORIDA, IMMEDIATELY; PROVIDING AN AMMORTIZATION PERIOD FOR ANY EXISTING COMMERCIAL BUS STOPS AND EXTINGUISHING THE GRANDFATHERING OF COMMERCIAL BUS STOPS AS A NON-CONFORMING USE AFTER SEPTEMBER 10, 2025; PROVIDING A METHOD FOR AFFECTED PARTIES TO SEEK LIMITED RELIEF FROM THE USE PROHIBITION ESTABLISHED BY THIS ORDINANCE; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City of Fort Walton Beach is a family-oriented community concerned about the safety of individuals who travel to and from the City;

WHEREAS, for sixty-one years the only Commercial Bus Stop location in Fort Walton Beach was a dedicated stand-alone facility located at 101 Perry Avenue;

WHEREAS, the 101 Perry Avenue Transit Stop closed on February 28, 2019;

WHEREAS, the Intercity Common Carrier Bus Service vendor that operated the 101 Perry Avenue location has undertaken a nationwide restructuring to divest itself of most of its dedicated stand-alone Commercial Bus Stops, pivoting instead to contract for bus stops at convenience stores and other locations that do not meet the stringent federal standards that common carriers must adhere to when siting their bus stops;

WHEREAS, issues are arising throughout the country as contracted convenience stores usually are not appropriate to serve as Commercial Bus Stops;

WHEREAS, from the perspective of the passengers, the convenience stores are not suitable as they do not provide adequate food, water, and restroom facilities for the passengers;

WHEREAS, around the country, there are stories of passengers being stranded at convenience store bus stops and not permitted to use restrooms, or to have access to potable water;

WHEREAS, the Intercity Common Carrier Bus Service industry has experienced a significant nationwide decline, impacting the availability and reliability of bus services;

WHEREAS, the systemic decrease in Intercity Common Carrier Bus Service reliability has contributed to under-maintained and deficient bus stops, affecting the safety and well-being of embarking and debarking passengers;

WHEREAS, the situation is not expected to ever improve as the only Intercity Common Carrier Bus Service vendor that provides Commercial Bus Services in the City, which is the largest vendor in the country and one of only a handful that still exist, was purchased by a German private equity group in 2023 and has since accelerated the closure of dedicated Commercial Bus Stops in favor of contracting with convenience stores to host Commercial Bus Stops;

WHEREAS, recent ordinances in cities such as Chicago and counties like Douglas County, Colorado, have demonstrated a necessary response to unregulated and unsafe bus operations by the Intercity Common Carrier Bus Service industry that compromise public safety and community order;

WHEREAS, there have been documented failures within the Intercity Common Carrier Bus Service industry to adequately protect both the passengers and the general public at bus stops, leading to increased risks and safety concerns;

WHEREAS, the City Council recognizes the need to adapt policies to reflect these changes in the Intercity Common Carrier Bus Service industry and ensure the safety of its citizens;

WHEREAS, the lack of adequate safety measures at Commercial Bus Stops around the country has not only endangered passengers but also posed potential hazards to the general public;

WHEREAS, the City Council is committed to upholding the highest standards of public safety and community welfare, and must therefore take proactive steps to address and mitigate these risks;

WHEREAS, the establishment of regulated, well-maintained, and strategically located Commercial Bus Stops is essential for maintaining public order and ensuring the safety of all city residents and visitors;

WHEREAS, the City Council regrettably finds that a Commercial Bus Stop prohibition is in the best interests of the City, is of great public need, and is the most reasonable measure left available to the City Council to protect the health, safety and welfare of the community and the reputation of the City as a safe community, and the benefit to the public outweighs the loss to the affected parties;

WHEREAS, the City Council possesses home rule powers to legislate on any matter not inconsistent with general law or special law, and is specifically authorized to create and implement a plan of zoning uses, and to amend the list of uses that are permitted or prohibited;

WHEREAS, Florida takings law is settled that compensation for lost profits and business loss are creatures of statute, and there is no statute in Florida that commands compensation for profits lost or business damages resulting from the prohibition of operating a Commercial Bus Stop within the City;

WHEREAS, the City Council is nonetheless mindful that to prohibit the operation of Commercial Bus Stops in the City immediately would disappoint passengers accustomed to utilizing Intercity Common Carrier Bus Services to travel to and from Fort Walton Beach, and could constitute a regulatory taking of the market value of operating Commercial Bus Stops today;

WHEREAS, the City Council desires to ensure that the businesses affected by this ordinance not only have sufficient time to recover their investment in configuring their property to operate Commercial Bus Stops, but also to develop alternative business models;

WHEREAS, Florida has long recognized the power of municipalities to amortize nonconforming uses as a valid exercise of the police power;

WHEREAS, the City Council has considered the time necessary to allow property owners and business operating Commercial Bus Stops located within the City of Fort Walton Beach to recoup the unrealized investments in the bus stops, and wishes to provide the owners party sufficient time to recoup those investments;

WHEREAS, based upon the above considerations, the City Council finds that a period ending September 10, 2024, is a reasonable time and wholly adequate for the property owners and businesses to recoup any unrealized investment in their property;

WHEREAS, the City Council desires to provide each affected business more than sufficient time to recoup their investment and develop alternative lines of business, and also to allow the public to become familiar with the change and therefore shall extend the reasonable amortization period from an expiration on September 10, 2024, to September 10, 2025;

WHEREAS, the City Council has determined that the operation of Commercial Bus Stops should be phased out in the City altogether over a reasonable period that would allow property owners and businesses which operate Commercial Bus Stops to achieve their investment expectations and enjoy the time and resources to develop other business models;

WHEREAS, the City Council based upon the forgoing considerations, and information available to it, finds that an amortization period ending September 10, 2025, will allow each business to recoup those investments made prior to enactment of this ordinance;

WHEREAS, City Council finds that a phase out over one year will allow a grace period during which persons who currently provide Commercial Bus Stops may continue to do so while

developing alternate business models, and the public may continue to enjoy the Commercial Bus Stops but become aware that a Commercial Bus Stop will not be available in the future within City limits;

WHEREAS, the City Council has determined that the burden on the public of permitting the improper siting of Commercial Bus Stops far outweighs the burden of the infringement upon the property rights of the very few businesses who have been grandfathered into the continued operation of Commercial Bus Stops;

WHEREAS, the City Council is creating a fair and reasonable petition process by which the businesses may prove that it will be unable to recoup its investment by the effective date of this ordinance;

WHEREAS, the City Council petition process allows for an extension of time for continued Commercial Bus Stop operation to prevent any taking of property without adequate opportunity to recover the unrealized investment in that property;

WHEREAS, the City Council finds and determines that prohibiting the siting of Commercial Bus Stops within the City limits benefits the health, welfare, and safety of the public; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council enacts this ordinance to prohibit the establishment of new Commercial Bus Stops and reassess existing ones, aiming to improve and enhance community well-being.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA AS FOLLOWS:

SECTION 1. Authority And Intent. The authority for enactment of this ordinance is contained in Chapter 166.021, 163.3202, and other provisions of the Florida Statutes and Section 2 of the City Charter.

SECTION 2. Recitals. The forgoing recitals are correct and express the legislative intent of the people of the City of Fort Walton Beach. In summation, the City Council finds that the operation of Commercial Bus Stops creates a nuisance, and therefore intends to prohibit the operation of any existing Commercial Bus Stops entirely after September 10, 2025, unless any current business or property owner is able to establish by a preponderance of the evidence that it will be unable to amortize its investment within that time in which case it may be granted relief under this Ordinance.

SECTION 3. Amendment to Section 6.06.00 - Requirements for Transit Stops

6.06.01 Definitions

Charter Bus Service: A Charter Bus Service is a type of service where buses are rented by individuals or organizations for exclusive private use. Unlike an Intercity Common Carrier Bus Service, which follows specific routes with set schedules, a Charter Bus Service is hired for specific trips.

Charter Bus Stop: A Charter Bus Stop is an ephemeral location where a Charter Bus may park to pick up or drop off passengers at the direction of the group renting the bus. Unlike Public, Commercial, or School Bus Stops, Charter Bus Stops do not have permanent signage or designated infrastructure. They are chosen based on the convenience and preferences of the group renting the bus and can vary from trip to trip. These stops are typically coordinated with the bus company and can be temporarily located anywhere so long as the location does not violate any other laws.

Commercial Bus Stop: A Commercial Bus Stop is a designated location where Intercity Common Carrier Bus Service buses operating on commercial routes pause to pick up and drop off passengers.

Commercial Transit Stop: See Commercial Bus Stop.

Intercity Common Carrier Bus Service: An Intercity Common Carrier Bus Service is owned and operated by a private party and utilizes a ticketing system, typically charging passengers a fare based on the length of their journey. Intercity Common Carrier Bus Services provide fixed scheduled routes between different cities and regions and provide services over much greater distances than Public Bus Services.

Public Bus Service: A Public Bus Service is a form of transportation operated or funded by a local government or regional transit authority, designed to provide mass transit services exclusively to areas within Okaloosa County, Florida. Public Bus Service buses run on specific routes according to a set schedule, facilitating daily commutes and travel within a limited geographical area.

Public Bus Stop: A Public Bus Stop is a designated point along a bus route operated by a Public Bus Service, where buses stop to pick up and drop off passengers.

School Bus: A School Bus is a bus used to transport students to and from: (1) a school, or (2) a school related extracurricular activity, or (3) school related athletic activity.

School Bus Stop: A School Bus Stop is a designated place where students are picked up and dropped off by a School Bus.

6.06.02 Commercial Bus Stops Prohibited within City Limits

A. Existing Commercial Bus Stops. Any existing Commercial Bus Stop land uses within the City shall be prohibited and discontinued after an amortization period of one year ending on September 10, 2025. If the Commercial Bus Stop land use is not discontinued within ten (10) days of the end of the amortization period, then the property where the Commercial Bus Stop is

located, along with the owner of the subject property, shall be in violation of the Land Development Code, declared a nuisance, subject to code enforcement under section 9.10 of this Land Development Code, and subject to any legal, equitable or statutory remedy available to the City.

B. Immediate Prohibition. No additional Commercial Bus Stops may be located within City limits after September 10, 2024.

C. Petition For Extraordinary Extension Of Amortization Period For Discontinuation Of Commercial Bus Stops. Any person whose legally protected economic interests are adversely affected by the discontinuance of Commercial Bus Stop land uses mandated by this law, and who believes that the amortization period specified in section 6.06.02 A., of the Land Development Code is inadequate to recover their investment shall be entitled to petition the City for an extraordinary extension of time as provided in this section.

1. Time of Petition - The petition must be filed with the City Clerk on or before the close of business on or before December 10, 2024 (3 months after passage of Ordinance).

2. Contents of Petition — The petition must state:

a) Identification: The petitioner's name, mailing address, e-mail address, if any, and telephone number of the party making the request and the name, address, and telephone number of the party's counsel if the party is represented by counsel;

b) Standing: A detailed description of the petitioner's legally protected interest adversely affected by the mandated discontinuance of Commercial Bus Stops;

c) Requested Extension: The length of the extraordinary extension;

d) A statement of the specific facts and grounds for relief petitioner contends warrant the extraordinary extension demanded. The specific grounds for relief under this section, the specific relief sought including the exact amount of time requested;

e) All documents, including a list of all witnesses, or other evidence in support of the petition; and

f) Any other matters petitioner deems relevant.

3. Grounds for Extension: In considering whether to grant all or any portion of the extension demanded, the City shall examine:

a) Whether the petition is complete;

b) Whether the petitioner has standing;

c) Whether the petitioner has demonstrated by a preponderance of the evidence circumstances unique to the petitioner which prevent the petitioner from recouping its investment in the property affected by the discontinuance within the amortization period;

d) The amount of the petitioner's investment in the Commercial Bus Stop Use business through the effective date of this ordinance;

e) Whether unique circumstances exist which will prevent the petitioner from recouping the amount of such investment that has been or will have been unrealized at the conclusion of the one-year amortization period;

f) The life expectancy of the existing property associated with the non-conforming use;

g) The diminished value, if any, of any real property owned by the petitioner as a result of the mandatory discontinuance of the existing Commercial Bus Stop on the property; and

h) The diminished value, if any, of a leasehold held by the petitioner as a result of the mandatory discontinuance of the existing Commercial Bus Stop land use on the property, as well as any contingency clauses therein permitting termination of such lease.

4. Procedure: Within ten (10) days of receipt, the City Clerk shall (1) forward a timely filed petition and supporting documents to the City Manager and a copy to the City Attorney, and (2) schedule a Quasi-Judicial Hearing before the City Council, which shall be held within ninety (90) days of receipt of the Petition.

a) No later than ten (10) days before the scheduled hearing, the City Manager shall file and serve upon the petitioner a response to the petition together with copies of any documents and a witness list.

b) The petitioner shall bear the burden of proof to prove entitlement to the extraordinary extension demanded by a preponderance of evidence.

c) At the hearing, evidence, including written or oral testimony and documentary evidence, of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of Florida. Any witness shall be subject to cross examination when testimony is taken or documents are made part of the record. No pleadings, motions, or other papers may be submitted nor any discovery conducted other than that allowed under this section shall be permitted. Each party shall be entitled to a brief opening and closing argument, unless waived. The petitioner shall give opening and closing argument first and shall be afforded an additional rebuttal to the City's closing argument.

5. Recommended Order of City Council. Unless the time period is waived or extended with the consent of all parties, the City Council shall issue a recommended order in writing and include findings of fact, if any, conclusions of law separately stated, and any recommended extraordinary extension. The City Council's recommended order must be rendered to the parties and the City Council within ninety (90) days after the hearing.

6. Appeal. A petitioner aggrieved by a decision of the City Council may seek review by certiorari in the Circuit Court, First Judicial Circuit, Okaloosa County, Florida, which shall be the exclusive remedy to challenge the decision or authority of the City Council.

SECTION 4. Repeal. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 5. Findings. The City Council of the City of Fort Walton Beach, Florida, finds that: The Local Planning Agency reviewed and recommended approval of Ordinance No. 2153 on August 1, 2024. The proposed ordinance is consistent with the goals, objectives, and policies of the City's Comprehensive Plan. All notice requirements for enactment of the ordinance have been met in accordance with the Florida Statutes and the City's Land Development Code.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon approval on second reading by City Council and signature of the Mayor.

Adopted: _____

Richard A. Rynearson, Mayor

Attest:

Approved as to legal form and sufficiency
for the City of Fort Walton Beach, only.

Kim M. Barnes, City Clerk

Kimberly Romano Kopp, City Attorney

Additions are underlined; deletions are stricken.

ESCAMBIA-COUNTY

Greyhound closed its Pensacola bus station, moved depot to rural gas station. Why it's a problem.



Mollye Barrows

Pensacola News Journal

Published 4:11 a.m. CT July 2, 2024 | Updated 8:48 a.m. CT July 2, 2024

Greg Willis was hot, tired and frustrated as he waited for a ride home in the parking lot of the Circle K at 3225 W. Nine Mile Road near Interstate 10. The 60-year-old Pensacola man had just spent most of the last 48 hours traveling on a Greyhound bus with a ticket to Tyler, Texas.

Only he never made it. He said the bus stopped in Lafayette, Louisiana, where he was supposed to take another bus to his destination. However, Willis said the bus was first delayed, then cancelled and he ended up spending 17 hours waiting outside in the scorching heat with no bathroom and no water because the Greyhound station was closed on Sundays.

He managed to get on a bus back to Pensacola, where the Greyhound line's drop off and pick up point is now a gas station near Beulah, and once again found himself waiting outside in the heat.

"I have a car, but I didn't trust it for the trip," Willis explained. "That's why I took the bus. It's supposed to be dependable, but it just turned into a nightmare."

Pensacola's longtime Greyhound bus station, at 505 W. Burgess Road, near Highway 29 in Car City permanently closed in mid-May and no longer serves as a drop off or pick up location for the bus line. The Circle K gas station is now where travelers catch or get off the bus.

According to a Greyhound spokesperson, "Greyhound buses stop at various locations across our extensive network. Similar to the rest of the intercity bus industry, some of these stops include convenience stores, gas stations, and restaurants. Greyhound did not own the previous location – and when it closed, we worked with the local government and other partners in the area to find an alternative. Eventually, we secured our current location, transitioning to the common industry model, so we could continue providing the essential service to the Pensacola community."

Deaundra Johnson took her two teenage daughters for a family trip to Houston, Texas and returned Monday morning. They sat on the one bench available outside the gas station, surrounded by their bags and luggage and huddled in the little shade they could find while they waited for a ride home.

Johnson said it was her first time taking a Greyhound, which she booked because her car needs to be repaired. She was surprised they had to get on and off the bus at gas stations.

"They had us in a vacant parking lot in the middle of the night in Houston, that was kind scary," said Johnson, "especially when you think about crime and human trafficking."

Greyhound bus stations around the country have closed, but travelers say what makes it tough in Pensacola is that the Circle K that now serves as a depot isn't easy to get to because there's no public transportation to that particular area.

That's one of the challenges facing Real Change Project Reconnect, a transportation and reunification program launched by Escambia County in partnership with the non-profit organization Ministry Village at Olive, which offers services to people who need help, including those who are homeless.

The pilot program launched early this year with \$30,000 in funding from Escambia County. The money covers bus or plane tickets to people who don't have the resources to return home if they wish, or to someplace safe where they have support. So far, 37 people have taken advantage of the program.

Ministry Village vets those who want to leave to ensure they qualify for the program, then helps coordinate their travel plans. Most take the bus, but the challenge lately has been getting them to the Circle K in Pensacola as well as finding a safe stop for them at their destination where a reliable friend or family member can pick them up.

The nonprofit is only reimbursed for the cost of the ticket, but outreach workers are driving people at all hours trying to make the bus, which are mostly scheduled for 10 p.m. at night or 10 a.m. in the morning. When the Greyhound bus depot was on Burgess Road travelers could catch an Escambia County Area Transit (ECAT) bus to take them there.

Now that's not an option. ECAT doesn't have a stop near the gas station, which is close to Beulah on the west side of Escambia County, north of the interstate.

"There's just no easy way for someone to get there," explained Ministry Village Executive Director Drayton Smith. "Most of the buses run late or early in the morning. We've had folks miss the bus because of how late it is, or we've had people that they have to go out there and sit and that creates a problem with where the pickup and drop off place is because they don't want someone hanging out there for 10 hours a day."

Smith said he believes the program is a success despite the challenges, and he's hoping they can work with the county to address the issues. He said the number of people taking advantage of Project Reconnect has tapered off, in part due to awareness, but the feedback Smith said they've received so far has been good from both the community and the people who used it.

"We see that time and time again that people are so thankful and are so grateful for the opportunity," said Smith. "It's doing a great thing. I believe per homeless person (in the community), the cost to the taxpayer is \$33,000 a year, so it's making a difference for all involved."

You can find more information about Real Change Project Reconnect on Escambia County's website.

https://www.wdrb.com/news/business/a-year-later-greyhound-travelers-frustrated-by-temporary-west-louisville-bus-stop/article_cefd4cd4-e62c-11ee-ba59-e3a1341ce68b.html

TOP STORY

A year later, Greyhound travelers frustrated by temporary West Louisville bus stop

Krystal Goodner
Mar 19, 2024



The transit company announced the sale of its downtown station last year.

LOUISVILLE, Ky. (WDRB) -- Nearly a year after announcing its temporary set up in a West Louisville parking lot, Greyhound is still operating in the same location with no clear move in sight.

Greyhound moved its Louisville stop to a strip mall on West Broadway near 12th Street in 2023, after it sold its longtime bus station at 7th Street and Muhammad Ali Blvd. The old building is abandoned and boarded up, but a development is in the works.

The buses take up a large chunk of the shopping center parking lot at the temporary stop. With just a small waiting room, dozens travelers wait in the parking lot or on the sidewalk for buses that some passengers said arrive extremely late or never show up at all.

Krasten Potts is a musician from Indianapolis who often travels to Louisville. He said his most recent trips struck a bad chord.

"I don't know exactly what's going down here with this," Potts said.

One trip was delayed two and a half hours because there was no driver. On another, his bus broke down.

"I'm in a strip mall, and it's not that fun, so I usually hang out on the sidewalk and watch movies until the bus actually shows up. So that's what I've been doing. Just waiting for the bus to show up. It's really weird man," Potts said.

The temporary setup is also problematic for Greyhound's neighbors, like City Gear Clothing Store, which sits right next door. Employees said frustrated passengers become their problem.

"They're not from here, so they don't know what to do, and then they can't sit in our store, so they are getting upset at us if they can't sit in our store.," said Brittney Wales, employee of City Gear.

Greyhound tried to move to a permanent location on Preston Highway near the airport, but zoning issues put the brakes on that move. Now, with no permanent bus station plans in sight, Greyhound passengers wonder what the future looks like.

WDRB learned that Louisville isn't the only city seeing these issues. Greyhound was sold to a European bus network, Flix Mobility, in 2021. Flix has since sold Greyhound bus stations like the one in Louisville for profit. We reached out to Flix for comment but haven't received a response.

Related stories:

- Demolition permit filed for old Greyhound bus station
- Greyhound sign, logo come down at former site of downtown Louisville bus station
- Plan details 5-story affordable housing to replace Greyhound Station in downtown Louisville

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Krystal Goodner

WDRB Anchor

Passengers left stranded at Greyhound bus stop: 'We came out and they were leaving us'

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Seven people say they were left stranded at a Greyhound bus stop in Georgia. (Source: WTVM)

By [Roslyn Giles](#) and [Jordan Gartner](#)

Published: Dec. 8, 2022 at 3:03 PM CST



COLUMBUS, Ga. (WTVM/Gray News) - It was a Thursday in September when seven Greyhound bus passengers said they were left stranded at a bus stop.

[WTVM](#) reports a third-party bus for Greyhound rolled into Columbus at its scheduled bus stop, but the 15-minute stop at a Sunoco gas station turned into a nightmare for those passengers.

"I was grabbing a couple of drinks and then was told we had three minutes," passenger Hannah Wright said. "We came out and they were leaving us."

W.D. Waters, a Vietnam veteran, was heading to Detroit to help his sister and her sick husband move. However, he was also part of the group that was left.

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"They just kept saying no," Waters said. "No, we could not get on the bus."

The 72-year-old did not have his clothes or medication. Like Wright and other passengers left stranded that day, everything they had packed for their trip was on the bus headed to Atlanta without them.

"We didn't know what we were going to do at that point," Waters said. "I was scared. I didn't know where I was. I didn't know how I was going to get home."

Four other stranded passengers were from out of the country and didn't speak English. All of the stranded passengers were traveling to different destinations.

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Urania Gutierrez said she purchased a \$272 ticket from Greyhound to make the trip from Houston to New Jersey.

Officials said Greyhound had closed its previous bus stop in 2020 and moved it to the gas station. However, an attendant no longer was assigned to the site.

[WTVM](#) reports it contacted Greyhound that day and a worker ordered two large Ubers to transport the passengers to Atlanta. The seven passengers were able to leave Columbus after being stranded for four hours.

The manager at the Sunoco gas station said this group was small compared to as many as 14 people who had been left at the bus stop in the past. The manager said this has been an ongoing problem.

Kenny Williams, the owner of Destiny Dogs, a restaurant located inside the gas station, said he feeds the people stranded for free or drops them off at hotels if necessary.

Greyhound released a statement regarding the incident:

"As the largest provider of intercity bus transportation in North America, Greyhound partners with other bus companies across its network to provide service, as seen in Columbus. While the tickets were booked through Greyhound, the bus involved was not a Greyhound and the driver was not employed by Greyhound. We are currently in the process of exploring corrective action regarding the incident. We are happy, however, to report we were able to provide alternative trip arrangements for impacted customers."

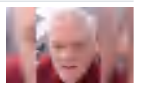
It currently remains unclear why the bus driver left the passengers in Columbus. However, the passengers said they ultimately made it to their final destinations while getting their luggage in Atlanta.

Most Read

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🕒 **Cause of death**



Ford, Mazda warn owners to stop driving older vehicles



Columbus City Manager Isaiah Hugley said the city’s homeless prevention resource group, Home for Good, stayed with the passengers until they were able to be picked up. A public safety officer was also sent to the gas station.

Officials said if any passengers are stranded and do not have a place to go after being dropped off at the Greyhound bus stop, there are instructions at the gas station to call Home for Good.

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order vehicles, including Mustangs, with damaged Takata air bag inflators

assaulting girlfriend

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ny gas station

12.2.a



Monday Health Minutes with Valley Health Systems

reports break-in, theft



Monday Health Minutes with Valley Health Systems



Huntinton business

1 ton of meth, hidden in truckload of celery, seized from farmers market, DEA says



Fun at the Boyd County Fair



Fun at the Boyd County Fair

menu

WATCH LIVE

77° Philadelphia, PA
EDIT

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BUS TERMINAL

Philadelphia bus terminal relocated to address passengers' concerns, alleviate congestion

The current bus station at 6th and Market streets will be relocated to Spring Garden Street and Christopher Columbus Boulevard

By [Briana Smith](#) and [Katherine Scott](#) 

Thursday, November 9, 2023



Bus Terminal



Old City residents frustrated after city cancels bus...



Philly bus station officially moves to new temporary...



Man eats off subway station floor in vacuum...

WATCH LIVE



Philadelphia officials announced that the current bus station at 6th and Market streets will be relocated in November.

PHILADELPHIA (WPVI) -- Philadelphia officials announced that the current bus station at 6th and Market streets will be temporarily relocated to the corner of Spring Garden Street and Christopher Columbus Boulevard in Northern Liberties.

The change is set to take place on November 16.

"We just found out last night- yesterday- they're getting ready to switch this location to another location. It's a whole lot of inconvenience," said Milton Miller, of Landsdowne.

"They're relocating again," said Monique Clarke, from North Philadelphia. "I hope it's better, that's all I could say."

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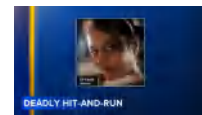
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In June, Greyhound left the bus station near Reading Terminal Market where they had been for decades. Customers moved to the location across from Federal Court for FlixBus, Greyhound, Coach, Megabus, and Peter Pan -- but it has not been popular. Passengers said their wait can be dangerous, crowded and uncomfortable.

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Trump, Musk talk about assassination attempt during glitchy chat on X



"The first spot, we were inside the building where you could be warm when it rained or when it snowed. Out here, it's an inconvenience for everybody," Constance Benton, of Germantown.

Now, the city believes the latest move will address the passengers' concerns over safety.

"There's a lot of crazy people out here during the nighttime, so I don't think it's safe or a good idea to have people wait for a bus out

here," said Tracy Jaquez, from North Philadelphia.

Jaquez also mentioned the lack of seating and no indoor waiting area.

"When the buses are late, you're standing out here freezing. So we need to be somewhere warm," said Jean Mickens, from West Philadelphia.

Then there is the bathroom issue.

"With this location, if somebody gotta go to the bathroom, where they going to go to the bathroom at," Miller asked,

"One of the main concerns is not being able to use the bathroom. Sometimes we have to wait," added Daisy Guzman, from Williamstown, New Jersey.

Another issue is congestion problems for SEPTA buses and daily traffic.

"People getting dropped off, the buses are trying to move and they can't move because there are other people getting off. There is a lot going on around here," said Guzman.



Mike Carroll, the city's deputy managing director for the Office of Transportation, Infrastructure and Sustainability, released the following statement on the issue:

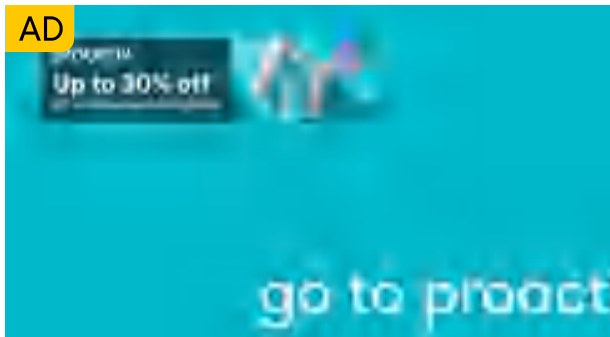
"The volume and nature of complaints leave the situation at 6th and Market Streets completely untenable ... For that reason, the City made a firm commitment to relocate the intercity bus operations off of the 600 block of Market Street this fall. Efforts are underway to find an off-street location but require more time, and an interim change in

location is needed urgently."

"Hopefully, it's more comfortable," said Guzman. "Hopefully, it has a decent bathroom and just a place to sit and where we can wait in a safe place."

"Safety for all the kids and all the families," added Clarke.

City leaders said the new location is temporary through the beginning of 2024 until they find a permanent spot.



In the coming days, officials will put up signage to notify passengers about the changes.

Peter Pan, FlixBus, and Greyhound will operate on the south curb of Spring Garden Street on either side of Front Street.

Megabus will operate on Spring Garden Street on the north curb under the I-95 viaduct next to the Spring Garden Station exit for the Market Frankford Line station.

Additionally, existing parking may be cleared along Noble Street between Front Street and Christopher Columbus Boulevard to allow for additional bus loading space.

The bike lane on the eastbound side of Spring Garden will be detoured to accommodate all road users. City officials advise customers to contact their carriers for more information.

Officials are also coordinating with bus carriers to explore customer service space, including ticketing near the loading areas.

Transportation officials said they will issue a separate statement to provide an update on this work as details are finalized.

All updates will be added to [phila.gov](https://www.phila.gov).

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Related Topics

LOCAL

New Knoxville Greyhound stop prompts chaos, outrage



Angela Dennis

Knoxville News Sentinel

Published 2:25 p.m. ET Nov. 23, 2022 | Updated 10:54 a.m. ET Nov. 25, 2022

Dozens of Greyhound bus passengers waited along a sidewalk for hours into the night Tuesday at Knoxville's newly designated bus stop – a location that critics and officials say is unauthorized, and has the same issues with shelter, bathrooms and safety as previous sites.

Greyhound Bus Lines' use of locations criticized as unsafe and unsecure for its service in Knoxville already had prompted discord for months. Residents and leaders in the Burlington neighborhood were outraged this week after 100 Kirkwood St. was listed on Greyhound's website as the newest bus stop.

On Tuesday afternoon and through the night, Greyhound passengers were waiting at the new bus stop, at the corner of Kirkwood and Martin Luther King Jr. Avenue, a location that has a Knoxville Area Transit shelter along the sidewalk but no available restrooms.

Passengers, including University of Tennessee students traveling for the Thanksgiving holiday break, were waiting outside and walking along nearby Magnolia Avenue, many for hours due to late buses or buses that never came at all.

"My bus never came yesterday, so I'm out here trying to ride tonight, and it's three hours late. I have nowhere to go," Vincent Sanders told Knox News.

University of Tennessee student Aiden Koch told Knox News he was just trying to get back home to Nashville and frequently uses Greyhound to go home on holiday breaks.

"I'm just out here waiting. It's been a hassle to find out last minute that they changed the location when you are taking an Uber to get here. I ride every break back home, and this location and the others have been terrible," he said.

April Nitzsche told Knox News that her brother, who is legally blind, was never refunded for his canceled ticket.

"My brother's bus was canceled on Sunday and rescheduled for Monday. He arrived ahead of time at the location listed on the ticket only to find out from the gas station owner that the pick up has moved. He gets to the new location and then finds out the bus will be five hours late, and he was left standing out in the cold, wondering where his bus is," Nitzsche said. "My mom, not wanting him left outside, had to come to get him and drive him to Chattanooga. He was not able to see the bus delay online, obviously. So not only did he lose his bus ticket, but my mom had to spend \$75 in gas to get him home."

Residents criticize newest location

The new location was listed online just a day after the deadline issued by the city of Knoxville for Greyhound to move from its previous stop at 1607 Sixth Ave. North, Top Market. That address violated city code and the transit company was given until Nov. 21 to remedy the situation by finding a new location.

In the summer and fall months, Greyhound buses stopped at a Cherry Street gas station. However, the gas station was closed overnight during that time, which left passengers without access to restrooms, water or security. The location of the stop raised concerns among East Knoxville residents.

The bus company has been criticized locally and in other cities for making stops at private businesses or locations that some passengers consider unsafe. Greyhound closed its Knoxville station in the Old City earlier this year.

Vivian Underwood Shipe told Knox News she believes there is more city officials can do to remedy the problem.

"The city needs to help in this situation and not skirt around this. I don't feel they are doing enough," she said.

District 6 councilwoman Gwen McKenzie told Knox News that she was deeply concerned with Greyhound's practices of using stops without security or shelter. On Wednesday, she was working to remedy the situation and meeting with local leaders.

She told Knox News that Greyhound needed to provide a better option for its passengers.

"We can't have people being dropped off and left outside without bathrooms or shelter. This situation needs to be remedied quickly, and we are working to resolve it," she said.

District 1 County Commissioner Dasha Lundy echoed those sentiments.

"We need to advocate for this issue and find solutions. And we need people power and band together to make sure passengers have a warm place with access to shelters and restrooms. We need resources to solve this public issue across the nation," Lundy said.

Greyhound operating at Kirkwood and MLK without authorization

Archie Bates, owner of Bates Barber and Beauty, told Knox News that a Greyhound representative had reached out to him two months ago about using his business location Kirkwood for a bus stop, but he gave no authorization for them to operate there.

"They offered me \$3,500 a month to use my business to operate out of and told me they would provide security, but I don't have the capacity to do that and I had concerns about it. I told them I would get back to them," Bates said.

"I never gave them the authorization to use this location or my parking lot like they are doing. Greyhound needs to fix this situation because I don't need this here."

Erin Gill, deputy to the mayor and chief policy officer for the city of Knoxville, told Knox News that Greyhound has not sought permission to use the Kirkwood location.

"Greyhound has not sought the city's permission to use either the public roadway or the Kirkwood Superstop to support their private bus operations," Gill said.

"It's Greyhound's responsibility to provide their passengers with a secure, sanitary and sheltered experience. Unfortunately, the company has yet again failed to provide their customers with basic amenities while they wait for a bus to arrive."

Greyhound spokesperson Crystal Booker said Wednesday the company had no immediate comment on its Knoxville location.

Angela Dennis is the Knoxville News social justice, race and equity reporter. You can reach her by email at angela.dennis@knoxnews.com or by phone at 865-407-9712. Follow her on Twitter @AngeladWrites; Instagram @angeladenniswrites; and Facebook at Angel Dennis Journalist.

LOCAL • INVESTIGATIVE • LITERARY

Roanoke Rambler

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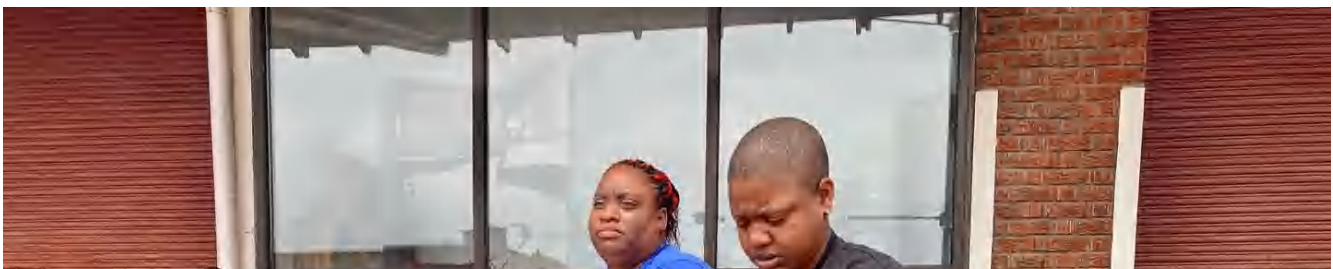
Spotty Greyhound Bus Service Leaves Riders Stranded in Roanoke Overnight

The situation emerged as Greyhound has cut services nationwide, including plans to staff and operate a bus station in Roanoke.



Henri Gendreau

Apr 4, 2023 • 5 min read





Nicole Turnage, left, and her girlfriend, Connie Luster, were among roughly 15 Greyhound bus passengers stranded in Roanoke this week. PHOTO BY HENRI GENDREAU FOR THE ROANOKE RAMBLER

More than a dozen Greyhound bus passengers were stranded in Roanoke overnight Sunday after they say there was no driver to make a scheduled trip to Nashville.

The situation emerged as Greyhound has cut services nationwide, [including plans to staff and operate a bus station in Roanoke.](#)

Passengers said it's not the first time riders passing through Roanoke have been left in the lurch by the company.

“The same predicament happened about two months ago, right here in this same town,” Samain Nixon, a 42-year-old barber from Norfolk, said Monday standing outside the Virginia Museum of Transportation. “There was maybe 10 people, they was left here for

four days. No food, no water, because they didn't have a driver to take them to where they were going."

Nixon was among roughly 15 passengers dropped off in Roanoke about 2 p.m. Sunday. A bus to Nashville scheduled to leave later that day was canceled after passengers say their driver returned to Richmond because he could only drive 10-hour stretches and couldn't go further.

The company put riders up in the Quality Inn Tanglewood Sunday night. Nixon was not among those stranded a couple months ago, but he said talking to other passengers has shown the long delays to be a pattern.

"I thought it was maybe because the bus was running late, but I see it's something on the regular here," Nixon said.

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Roanoke is hardly alone. In the last few weeks, Greyhound passengers have been left for hours or days in [Chicago](#),

[Sacramento, California](#) and [Delish, North Carolina](#), according to

national media outlets. A lack of bus drivers has been blamed for the delays and cancellations.

“What I've learned is passengers were placed in hotels by Greyhound yesterday. All affected passengers are on their way to their destinations today,” Greyhound spokesman Mike Ogulnick wrote in an email Monday. He did not respond to follow-up questions by deadline.

By about 5:30 p.m. Monday, the passengers in Roanoke were on their way to Nashville, according to Nixon.

An empty Greyhound bus sits outside the Virginia Museum of Transportation on Monday.

Since the pandemic, Greyhound has cut back on customer services nationwide, including in Roanoke.

Nicole Turnage, a 45-year-old from Memphis who was stranded in Roanoke this week, said she has noticed worse service since Greyhound sold in October 2021 to German-based FlixBus.

“I haven’t rode Greyhound in about five years. But when I used to ride it back in the days, I never had a problem,” Turnage said. “I never knew this was going on. If I’d known better, I would’ve actually flew or got on Amtrak. This is just crazy.”

Before Covid, Greyhound leased a station at downtown’s Campbell Court, where it had a waiting area and ticket agent who sold fares and gave information to passengers.

But once the pandemic hit — and around the time [British FirstGroup sold Greyhound to FlixBus](#) — the company switched to a “bus stop only” model in Roanoke, according to Kevin Price, general manager of Valley Metro.

(Incidentally, in February, [FlixBus reported record revenues](#), at \$1.61 billion.)

The lack of Greyhound staff on site in Roanoke exacerbated the stranded passengers’ situation, according to Nixon, Turnage and other riders.

“That’s the worst thing,” said Nixon, who was on his way to Kansas City, Missouri to visit family. “Nobody’s here to even reach out to us.”

Samain Nixon, a 42-year-old barber from Norfolk, said the lack of Greyhound staff on site in Roanoke exacerbated long delays and a canceled trip. PHOTO BY HENRI GENDREAU FOR THE ROANOKE RAMBLER

The standalone station at Third Street and Salem Avenue was originally meant to be Greyhound’s station. Price said Valley Metro may use the space in part for passengers waiting on Greyhound. On Monday the facility remained locked.

City Councilwoman Stephanie Moon Reynolds at a Council

meeting Monday brought up [The Rambler's report last week on Greyhound](#), asking for an update or response from the Greater Roanoke Transit Company board, which oversees Valley Metro.

“It was a surprise to all of us,” said Vice Mayor Joe Cobb, who chairs the board.

City Manager Bob Cowell told Council members that in lieu of on-site staff, Greyhound had planned to install a kiosk in Roanoke to sell tickets.

“It's not even clear they will do that,” he said Monday.

Eventually, Greyhound buses will arrive and depart from a lane adjacent to its erstwhile station. But since transit operations moved from Campbell Court, the company has been picking up and dropping off passengers in front of the transportation museum.

Mendy Flynn, executive director of the museum, said the lack of Greyhound signage and communication has proven a problem to passengers and the museum.

Riders are dropped off in front of the museum and think they can wait there.

“Because of Greyhound's negligence, passengers come to us and they're already angry or upset before they get in and are told they can't use the restroom,” Flynn said. “But we don't know the

answers to their questions. They're often here waiting for the next bus, and that was the last bus of the day and they don't know that. It's just a really frustrating problem."

Flynn said she has reached out to Greyhound in the past and received no information.

Greyhound passengers with luggage wait for hours in front of the museum.

"The homeless population, they see a bunch of people hanging out they think it's a good place for them to hang to," said Flynn, who added that staff has called the police before to discourage loitering.

(While a reporter spoke with the stranded riders Monday afternoon, a museum staffer pulled up in an ATV and sheepishly asked the group "to scoot on down a little bit" so they would "be out of sight.")

"We lose visitors," Flynn said. "We've gotten a lot of complaints."

Flynn had not heard that Greyhound had pulled out of operating the corner station and said the problem is Greyhound's lack of amenities and communication.

"We're not upset with the passengers," she said. "It just seems like communication throughout Greyhound, there just is none."



City Council of Fort Walton Beach

POLICE

MEMORANDUM

To: Jeff Peters, City Manager

From: Robert Bage, Police Chief

Date: September 10, 2024

Subject: 2155 Ordinance Creating COO Chapter 11.16 Photo Speed Enforcement in School Zones

1. BACKGROUND:

- 1.1. On May 31, 2023, Governor Ron DeSantis signed into law House Bill 657, Enforcement of School Zone Speed Limits.
 - 1.1.1. Pursuant to Section 316.0776, Florida Statutes (F.S.), the Florida Department of Transportation (FDOT) may approve the placement or installation of a Speed Detection System (SDS) in a School Zone on the State Highway System (SHS), as defined in Section 334.03(24), F.S., SDS installations on the SHS must be authorized through a General Use Permit.
 - 1.1.2. FDOT published rules and procedures for obtaining a permit in December of 2023, at which time municipalities and Counties were able to start photo speed enforcement programs in school zones.
- 1.2. Several municipalities across Florida are implementing Photo Speed Zone Enforcement.
- 1.3. On June 25, 2024, the concept of Photo Enforcement of School Zone Speed Limits was discussed at the regular scheduled council meeting and council provided staff with the direction to draft an ordinance.

2. DISCUSSION:

- 2.1. Speeding has been one of the top traffic complaints received by the Police Department.
- 2.2. Several vendors have contacted the City about setting up a Photo Speed Zone Enforcement Program.
- 2.3. Verra Mobility conducted a three-day sample traffic study in several school zones which revealed a large number of vehicles going 10 plus MPH over the speed limit.
- 2.4. In order to establish a Photo Speed Enforcement Program in schools zones, the City must pass an enabling ordinance and authorize which school zones should be considered for enhanced enforcement due to safety and community welfare concerns.

3. FINANCIAL INFORMATION:

- 3.1. There is no direct financial impact on the City. Violations will be processed by a third-party vendor but will be reviewed and approved by a sworn officer or a person

authorized by Florida State Statute (traffic infraction enforcement officer). Depending on the volume of violations, additional personnel may be needed. The vendor is paid by an agreed upon portion of fines collected.

4. RECOMMENDATION:

- 4.1. Staff respectfully recommends City Council adoption of Ordinance No. 2155 to amend Chapter 11 of the Code of Ordinances adding section 11.16 Photo Enforcement of School Zone Speed Limits within the City.

ATTACHMENTS:

- School Zone Speed Detection System QnA (PDF)
- Fort Walton Beach SZS Study Presentation (PDF)
- photo enforcement (DOC)

HISTORY:

08/27/24

City Council

ADOPTED

The Mayor read the ordinance by title on first reading.

Police Chief Robert Bage presented the ordinance to amend Chapter 11 of the Code of Ordinances to provide for photo enforcement in school zones. Chief Bage provided background on recent statewide efforts to introduce legislation to provide for school zone photo enforcement. Multiple municipalities in the area have already implemented photo enforcement and several vendors have reached out to the City to describe their services. Vendors have provided data including speed surveys to demonstrate the programs variability. There were pilot programs in the school zones surveyed where there were numerous violations over 10 miles per hour which is the triggering point for the state statute on photo enforcement. The City could establish which school zones could be affected by the ordinance and where the equipment could be installed.

Council Members asked when the process could begin if the ordinance was passed. Chief Bage said that he would need to determine whether the City could piggyback off of an existing contract or put it out to bid, but following the establishment of a vendor, a period of six months for installation and a 30 day education period for the public was to be expected. Council Members asked if this was suggested to be implemented in every school zone and Chief Bage confirmed; noting rationale from other law enforcement entities that every school zone has speeding issues. Chief Bage added that final discretion would be awarded to staff for equipment placement and issues like the geography of the area and the number of surveyed violations would be considered. Chief Bage argued that photo enforcement will allow for police resources to be redirected elsewhere and a referendum mechanism to change the authorized list of school zones would be provided in the ordinance. Council Members asked if any financial commitment would be required of the City and Chief Bage said there wouldn't as payment was to be based on a percentage of the fine revenues collected. Chief Bage said that the final decision on the issuance of a fine would always be reviewed by an employee of the Police Department. Chief Bage clarified that if violation numbers are low, future contract negotiations could require an increase in price if the equipment were to be retained. Council Members asked how many speeding tickets are issued in a school zone on an annual basis and Chief Bage said he would retrieve those statistics to provide to Council. Council Members asked if schools had contacted the City about speeding issues as they were skeptical that the potential vendors were simply looking to make profit in a new market. Chief Bage said he had received general concerns from people in the area but nothing specifically from the Okaloosa County School Board. Members of the

public suggested increasing parking around schools to avoid speeding issues. Chief Bage broke down the revenue model into more detail upon further questions from Council. Council Members requested that revenues from the program go to traffic safety and traffic control devices.

Council Member Allegretto made a motion to adopt Ordinance 2155 to amend Chapter 11 of the Code of Ordinances to provide for photo enforcement in school zones. Council Member Jeter seconded, and the motion passed unanimously.

SIGNATURE BLOCK:

Robert Bage	Completed	08/13/2024 9:04 PM
Finance	Completed	08/14/2024 4:20 AM
City Attorney	Completed	08/16/2024 5:31 AM
City Manager	Completed	08/20/2024 10:48 AM
City Clerk	Completed	08/21/2024 8:10 AM
City Council	Completed	08/27/2024 6:00 PM
City Council	Pending	09/10/2024 4:00 PM

AGENDA ITEM

Agenda Item 11.4.

TO: Honorable Mayor and Members of the City Council

FROM:

DATE: January 21, 2025

SUBJECT: Elliott Park Discussion

BACKGROUND:
Mayor Pro Tem Sutton requested an agenda item to discuss Elliott Park.

DISCUSSION:

FINANCIAL IMPACT:

RECOMMENDATION:

ATTACHMENT(S):