



**Agenda
Special Meeting
of the Mary Esther City Council
February 17, 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. OLD BUSINESS**
 - 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)**
- 7. NEW BUSINESS**
 - 7.1. 199 W. Miracle Strip Pkwy Variance Request**
 - 7.2. Amendment 1 to the Task Order with Kimley-Horn for Springdale and Scottsdale Drainage Improvements**
 - 7.3. Resolution 25-02, Okaloosa County Wastewater Connection Project**
- 8. 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.*

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



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

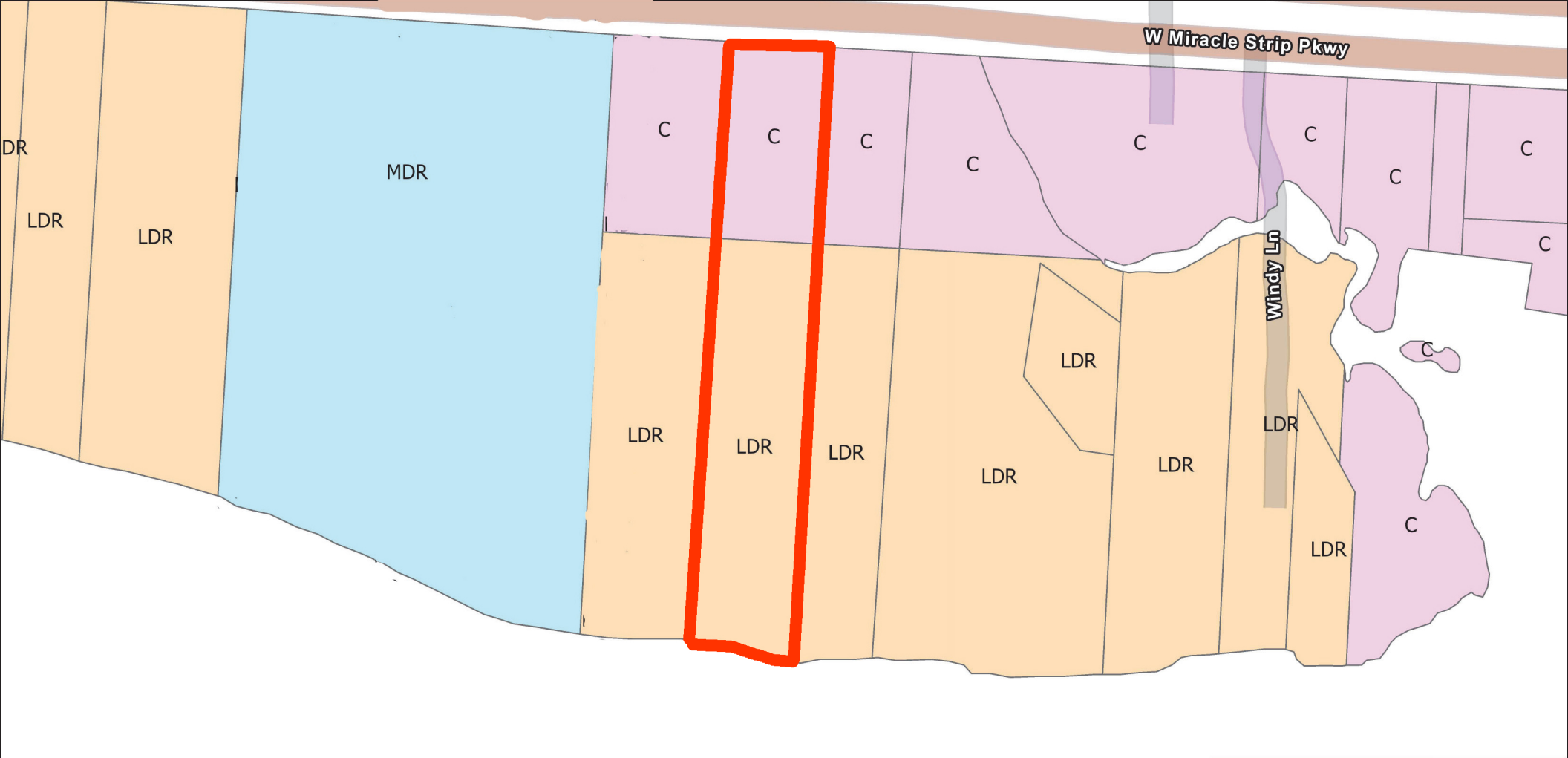


Exhibit B: Existing Future Land Use

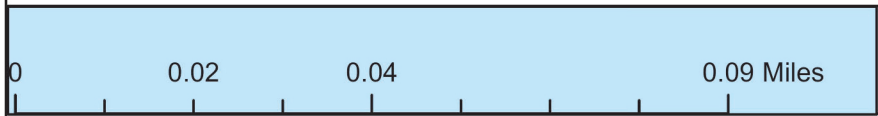
Esri Community Maps Contributors, FDEP, © OpenStreetMap, GeoTechnologies, Inc, METI/NASA, USGS

Legend

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



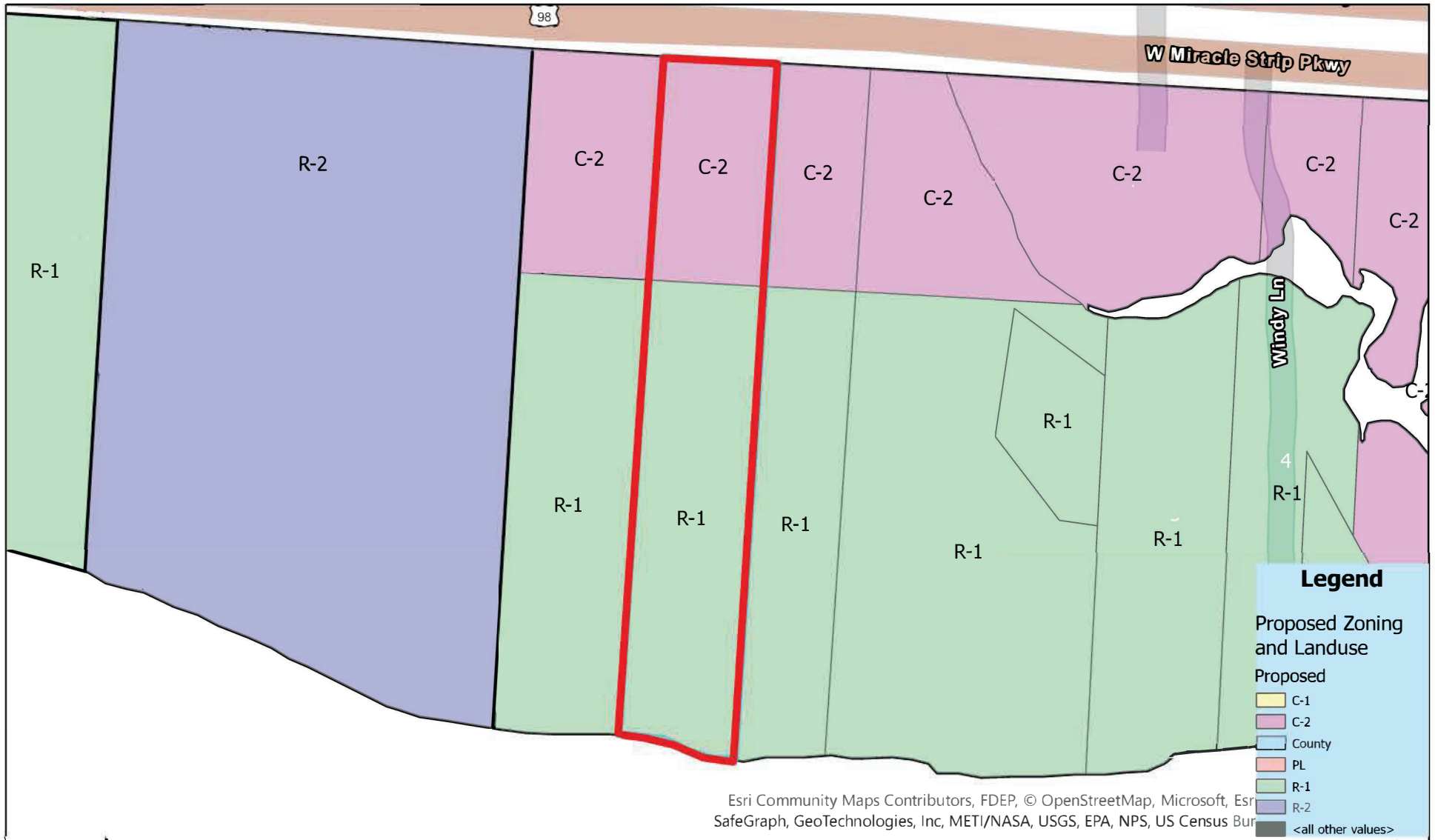
FLU Existing 191 Miracle Strip



2024



Exhibit C: Current Zoning



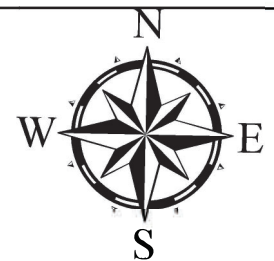
Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau



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.

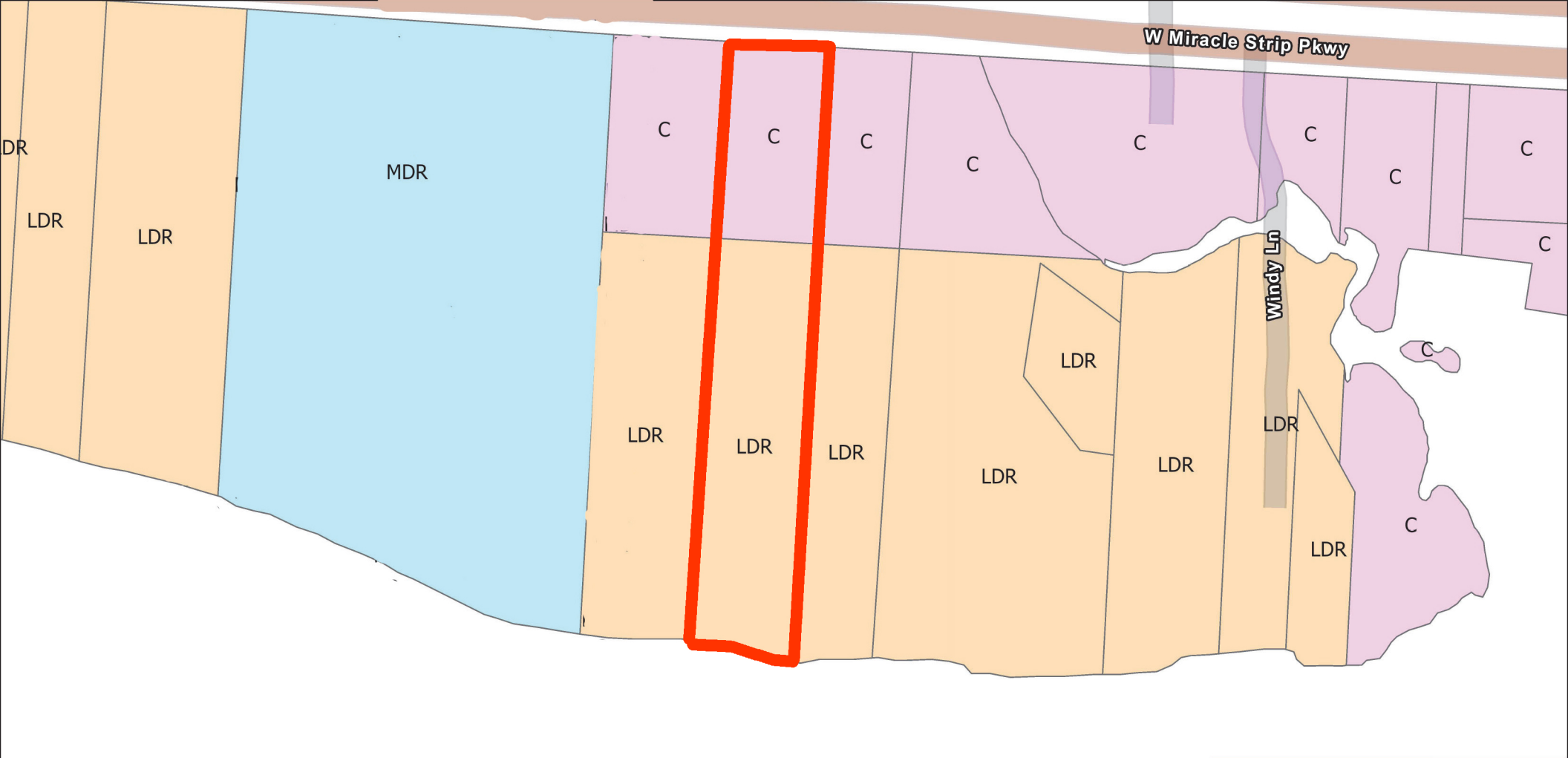


Exhibit B: Existing Future Land Use

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

Legend

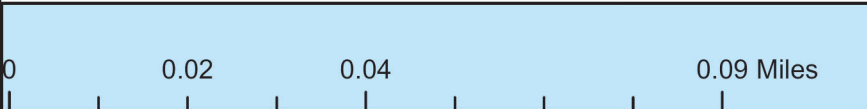
FLU_Zoning71524

FLU_Pro

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

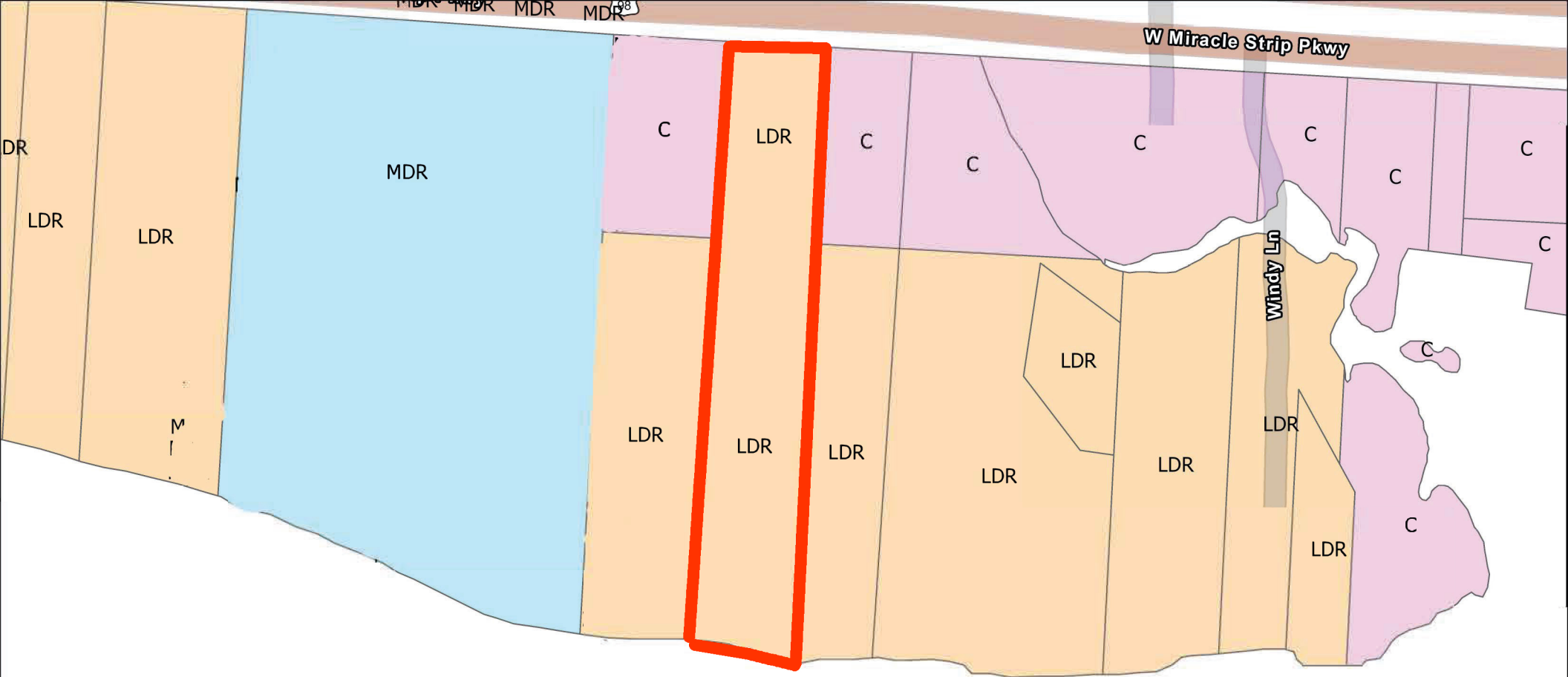


FLU Existing 191 Miracle Strip

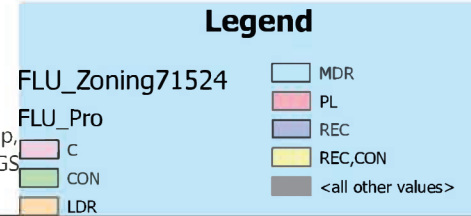


2024

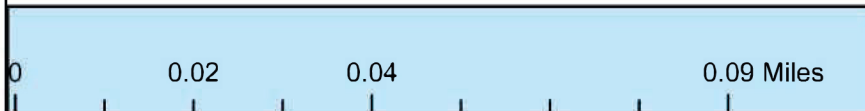




Esri Community Maps Contributors, FDEP, © OpenStreetMap, GeoTechnologies, Inc, METI/NASA, USGS



FLU Proposed 191 Miracle Strip



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

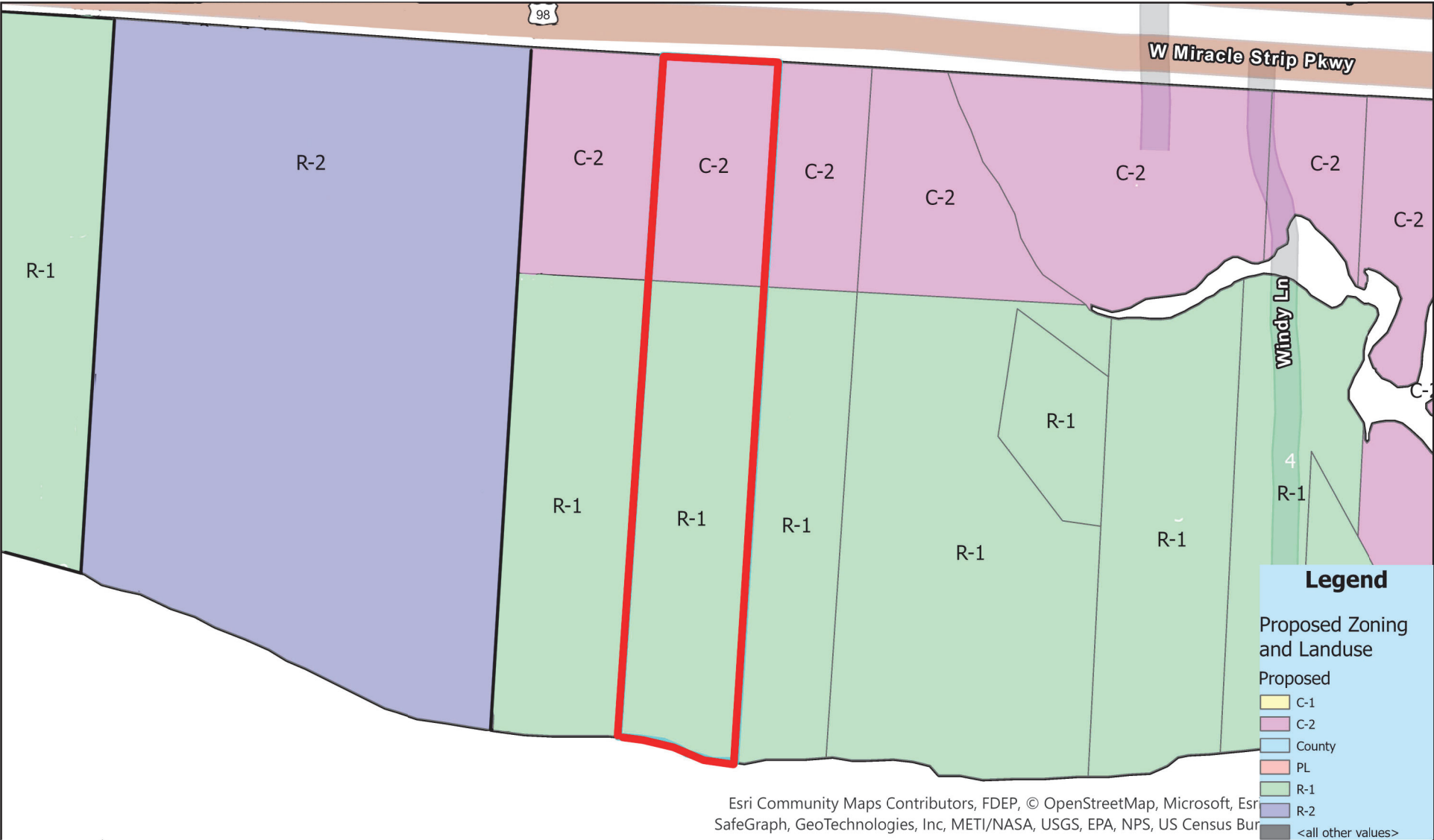
(AS- RECORDED):

(O.R. BOOK 3623, PAGE 2463)

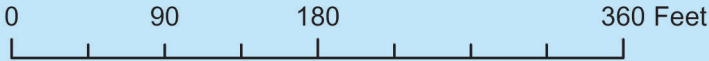
PARCEL 1:

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

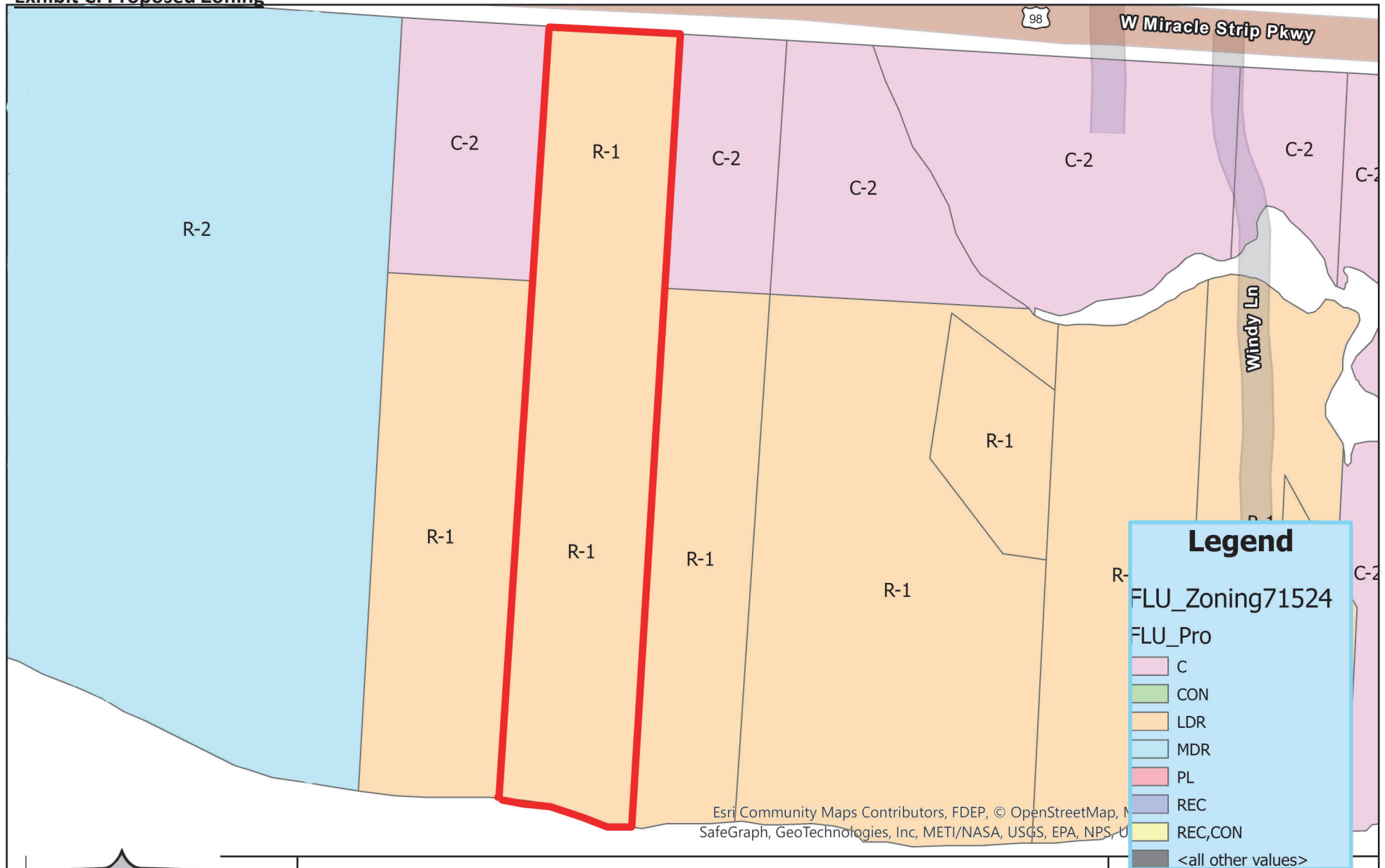


Current Zoning for 191 Miracle Strip



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

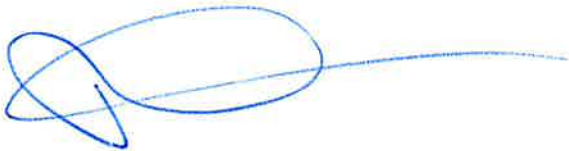
Mr. Reed

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#
17-25-24-0000-0007-0000

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.

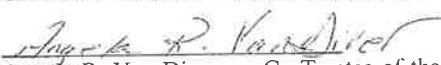
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anyway appertaining.

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:

Witness Print Name:

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

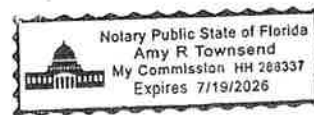
Print/Notary Name:

My Commission Expires:

(affix notary seal)

Personally known to me _____

Produced FL DL 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
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	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

Page 35 of 113

[illegible]

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

CURRENT RESIDENT

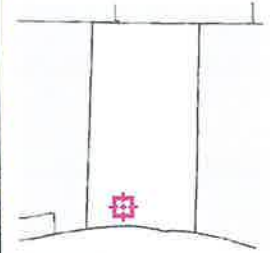
209 MIRACLE STRIP PKWY J301

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	\$1000000
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:

- [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.

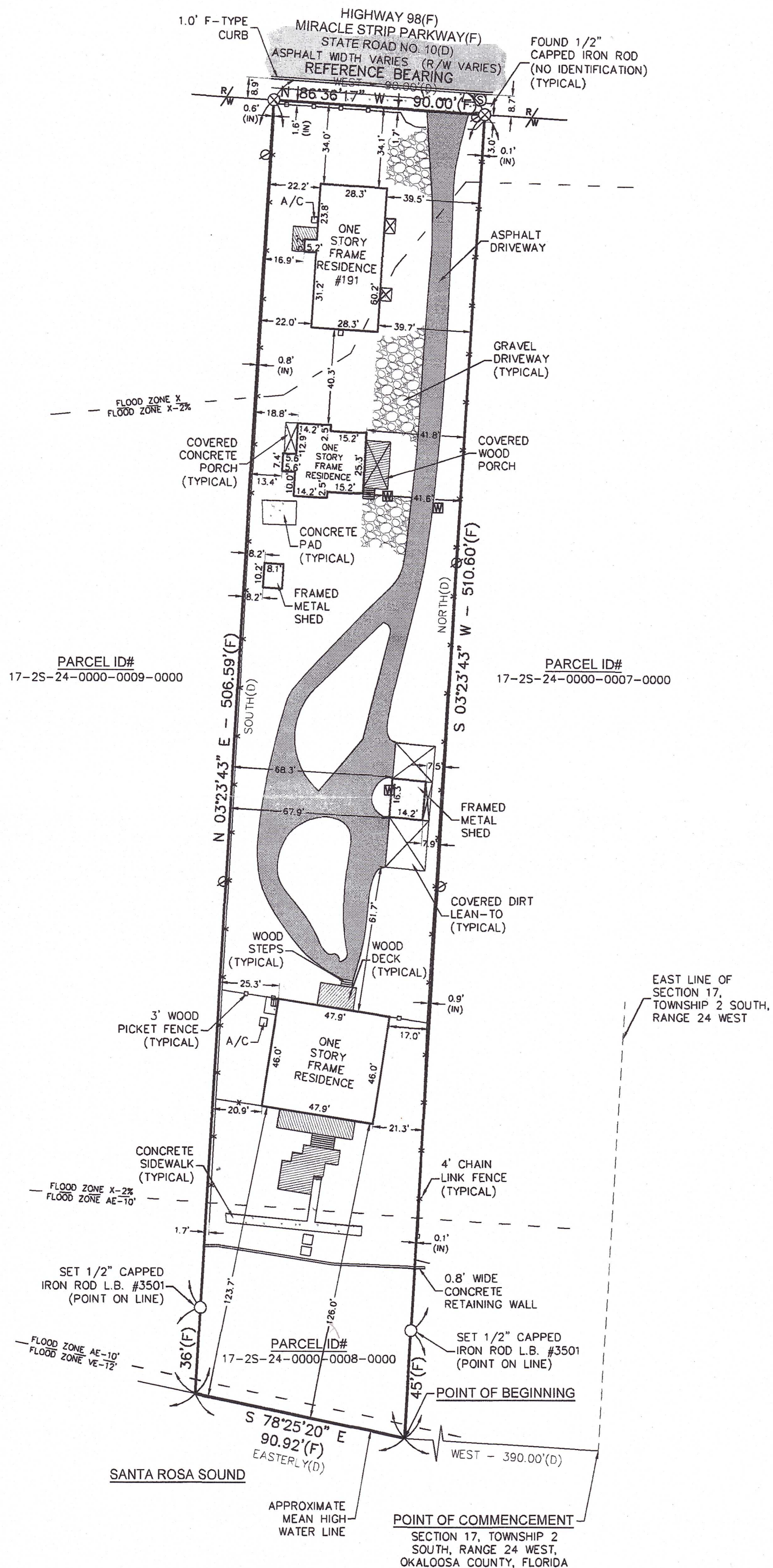
This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

CONCURRENCY MANAGEMENT SYSTEM

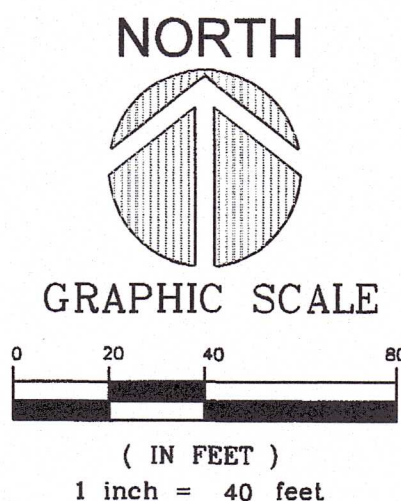
- Facility Capacity Impact Assessments (Concurrency)*

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.		



- LEGEND:**
- # OR NO. = NUMBER
 - = DISTANCE NOT TO SCALE
 - L.B. = LICENSED BUSINESS
 - L.S. = LICENSED SURVEYOR
 - P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
 - O.R. = OFFICIAL RECORDS
 - ± = MORE OR LESS
 - R/W = RIGHT OF WAY
 - F = FIELD
 - D = DEED
 - A/C = AIR CONDITIONER
 - NAD = NORTH AMERICAN DATUM
 - IN = INSIDE PROPERTY
 - OUT = OUTSIDE PROPERTY
 - W = WATER METER
 - S = SANITARY SEWER MANHOLE
 - ⊙ = POWER POLE



SURVEY REPORT:

- NO SEARCH OF THE PUBLIC RECORDS WAS DONE BY GUSTIN, COTHERN & TUCKER, INC. VISIBLE EVIDENCE OF EASEMENTS WILL BE SHOWN HEREON, BUT NO CERTIFICATION IS GIVEN THAT EASEMENTS, DEED OVERLAPS, UNDERGROUND IMPROVEMENTS OR APPARENT USES DO NOT EXIST.
- NO ENVIRONMENTAL JURISDICTIONAL LINES HAVE BEEN DETERMINED BY GUSTIN, COTHERN & TUCKER, INC.
- APPARENT USES ARE AS SHOWN.
- THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.
- BEARINGS SHOWN HEREON ARE REFERENCED TO N 86°36'17" W, AS ESTABLISHED ON STATE PLANE COORDINATES, FLORIDA NORTH ZONE (0903), NAD 1983.
- THE DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET.
- FLOOD STATEMENT: PANEL NO. 12091C0441 J, DATED 03/09/2021, FLOOD ZONE X, FLOOD ZONE X-2%, FLOOD ZONE AE-10' AND FLOOD ZONE VE-12'.
- THE SURVEY DEPICTED HEREON WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS AS DEFINED IN CHAPTER 5J-17.051 OF THE FLORIDA ADMINISTRATIVE CODE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.008 AND SECTION 472.027 OF THE FLORIDA STATUTES.
- NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN ON THE FACE THEREOF. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY, WITHOUT EXPRESS WRITTEN CONSENT OF THE SURVEYOR.

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.

Gustin, Cothern & Tucker, Inc. Land Surveying 121 Hart Street Niceville, FL 32578 (850) 678-5141 Fax: (850) 729-2460 L.B. No. 3501 www.gdstsurveying.com	
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	
DATE 10/26/2022	
REVISIONS	
1	
2	
3	
4	
SURVEY FOR: CHARLIE VANDRIVER	
DATE OF SURVEY: 10/20/2022	FIELD BOOK 22-19/38-41
TYPE SURVEY: BOUNDARY/AS-BUILT	
HORIZONTAL DATUM: NAD 1983	
VERTICAL DATUM: NOT APPLICABLE	
220684	
MAP NO. 220684.01	
PAGE 1 OF 1	

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.

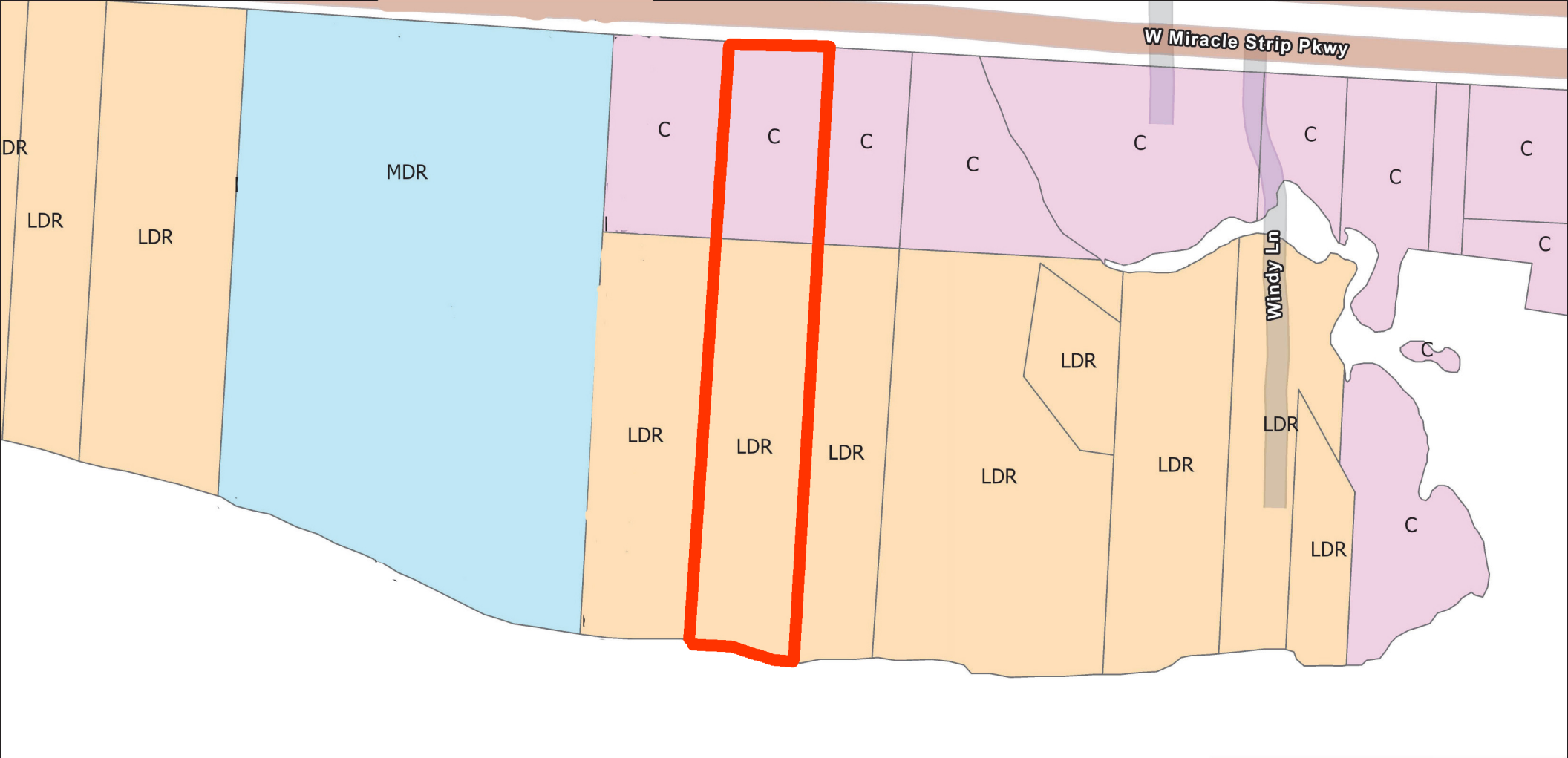


Exhibit B: Existing Future Land Use

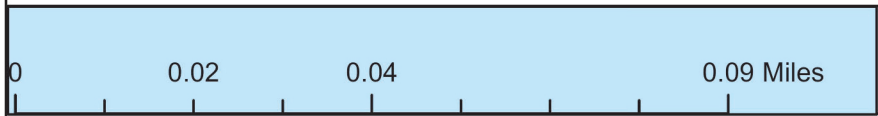
Esri Community Maps Contributors, FDEP, © OpenStreetMap, GeoTechnologies, Inc, METI/NASA, USGS

Legend

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

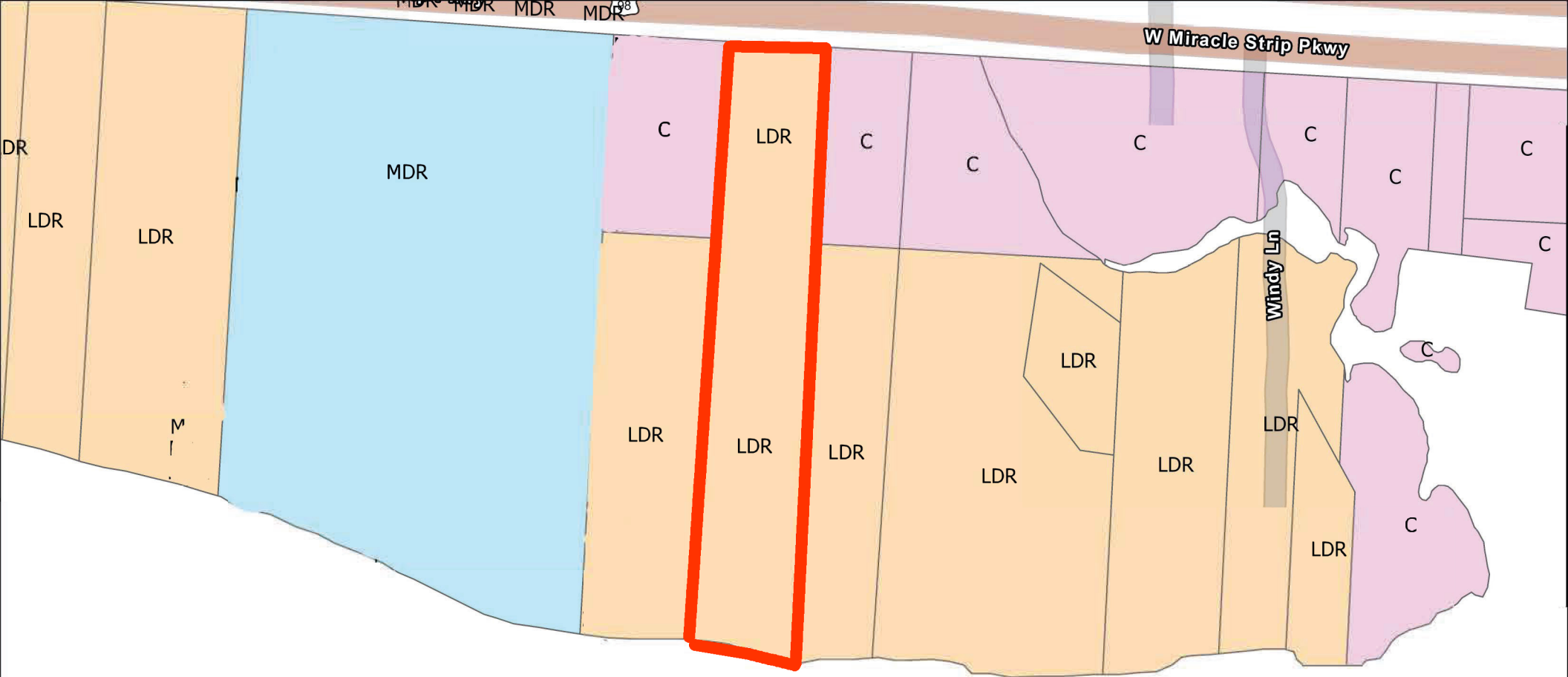


FLU Existing 191 Miracle Strip

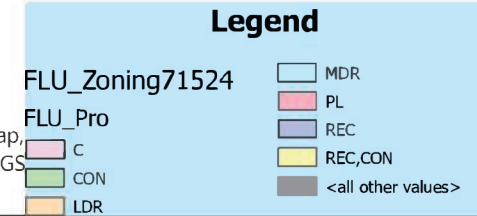


2024

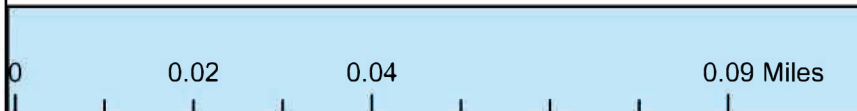




Esri Community Maps Contributors, FDEP, © OpenStreetMap, GeoTechnologies, Inc, METI/NASA, USGS



FLU Proposed 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

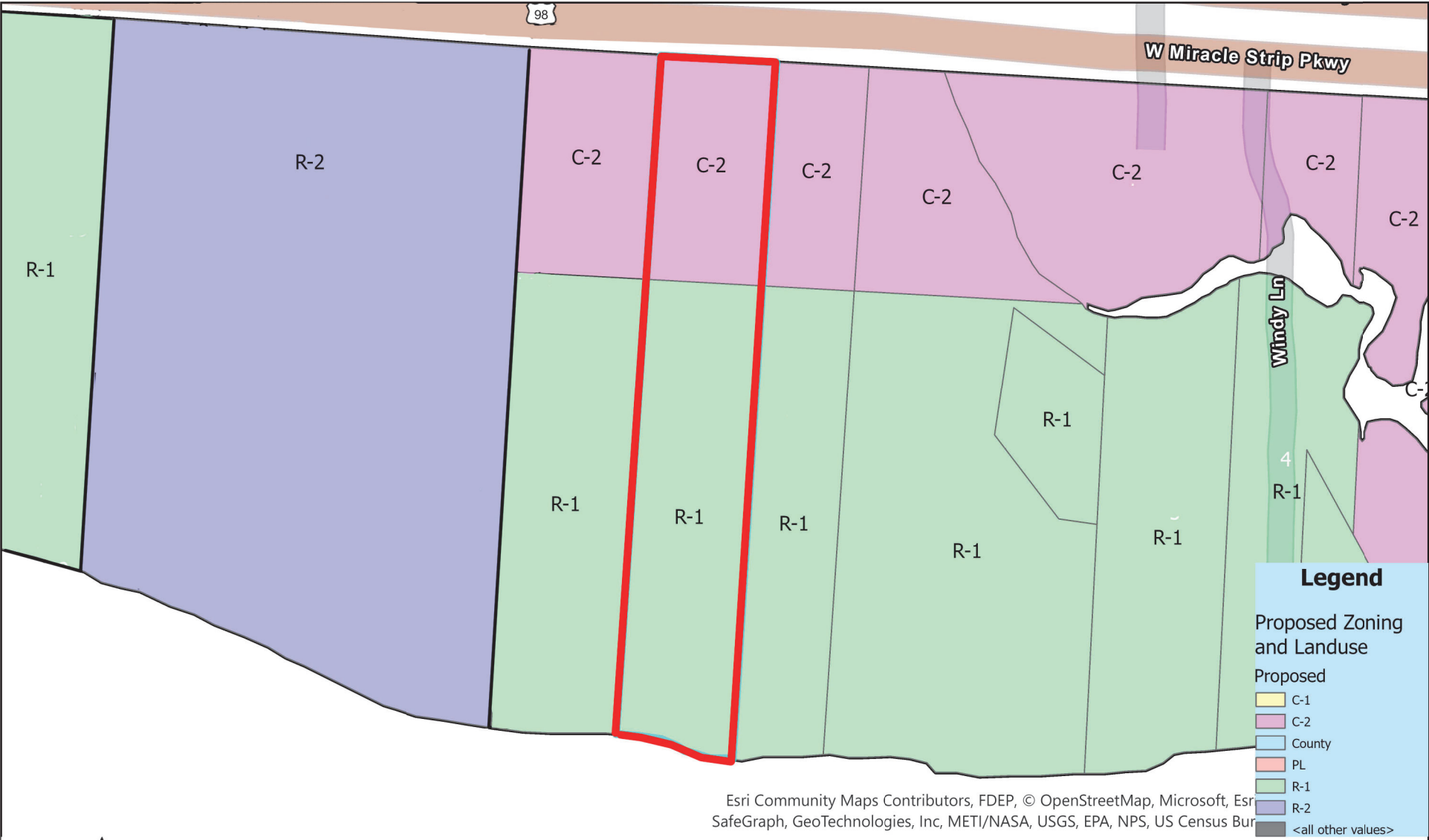
(AS- RECORDED):

(O.R. BOOK 3623, PAGE 2463)

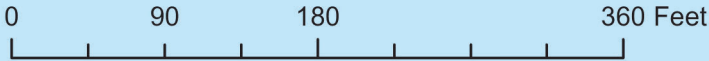
PARCEL 1:

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

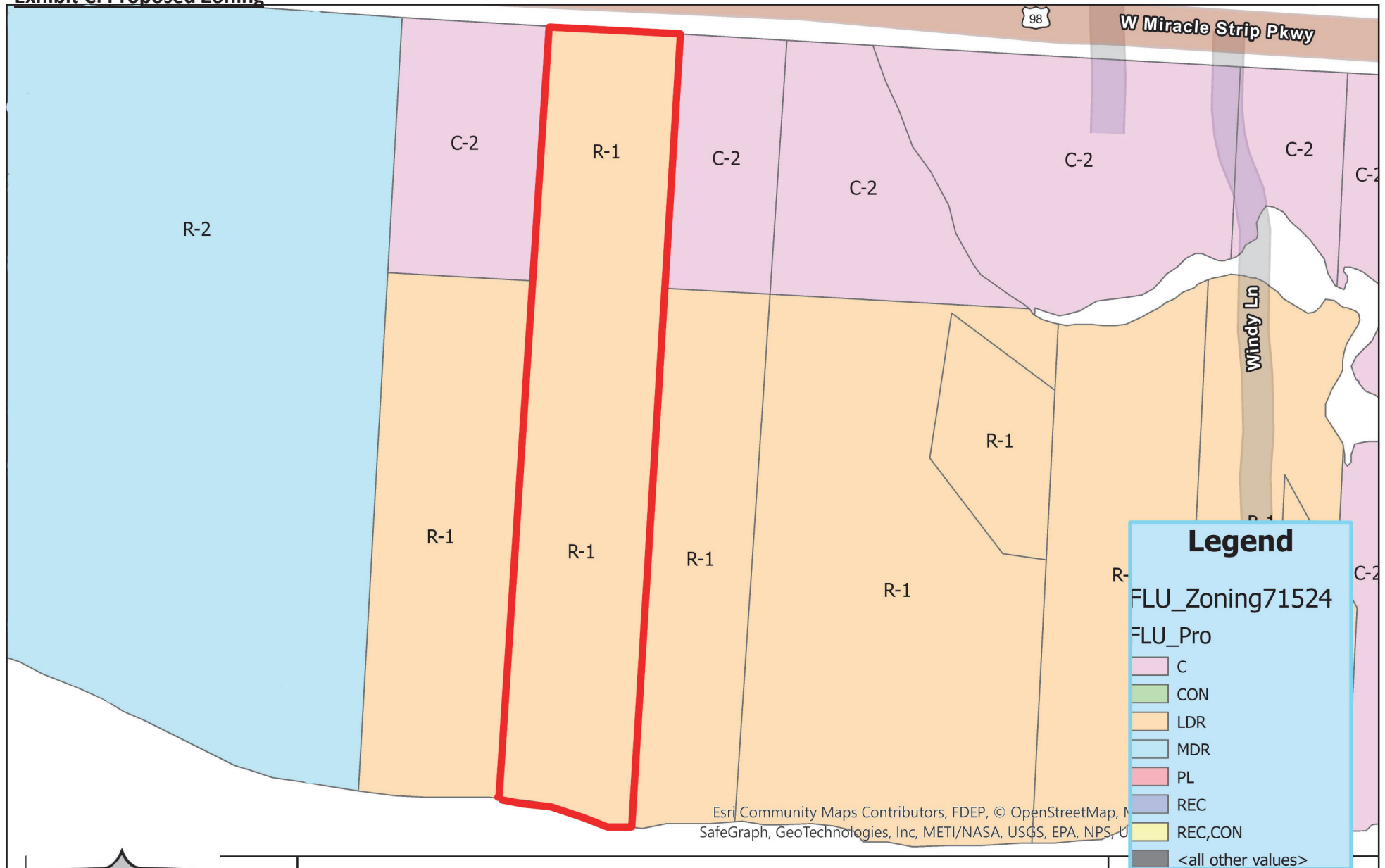


Current Zoning for 191 Miracle Strip



2024





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: MARY ESTHER, FL 32569
JAN 21 2025 / 6:00 PM

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

1
9
1
W

AGENDA ITEM

Agenda Item 7.1.

TO: Honorable Mayor and Members of the City Council

FROM: Tyler Reed, Community Development Director

DATE: February 17, 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 February 17, 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.

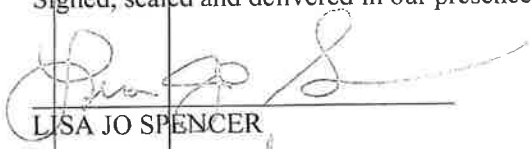
THIS IS THE HOMESTEAD PROPERTY OF THE GRANTOR.

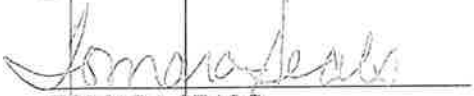
NO SEARCH OF RECORD TITLE HAS BEEN DONE ON THESE PROPERTIES BY THE PREPARER OF THIS DEED AND NO SURVEY HAS BEEN RUN TO ESTABLISH THE EXACT BOUNDARIES. THE SCRIVENER HAS MERELY PREPARED THIS DEED AT THE REQUEST OF AND PURSUANT TO INFORMATION PROVIDED BY GRANTOR. NO REPRESENTATION AS TO WARRANTY OF TITLE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

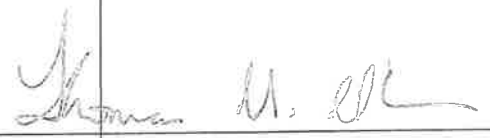
Grantor reserves a life estate in the above-described property during the Grantor's lifetime, along with an unrestricted power to commit waste, sell, convey, mortgage, lease, gift and otherwise dispose of the property, in fee simple and without the joinder of the Grantee Beneficiaries or any other remaindermen,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

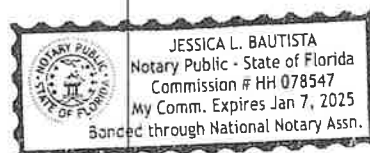

TOMARA SEALS


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

57' (D&F)

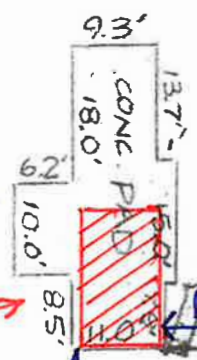
FENCE LINE

0.4' - 4' - 0.4'

77'

323'

10'x16'
SIZED

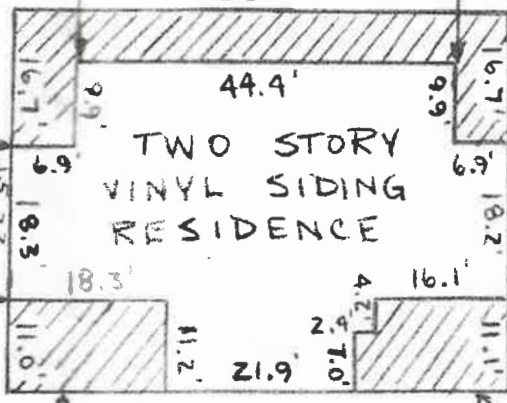


ENCROACHMENT
0.5' CONC. CURB

0.68'

33' E 536.17' (D&F)

REDARDS CONDOMINIUM
LAT BOOK 1, PG. 67-72



WOOD PORCH (TYP.)

0.3'

4' WIRE FENCE

4' - 0.8'

4' CONC.
SIDEWALK 2'

3.4'
10.4'

12'

0.8' CONC.
SEAWALL

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

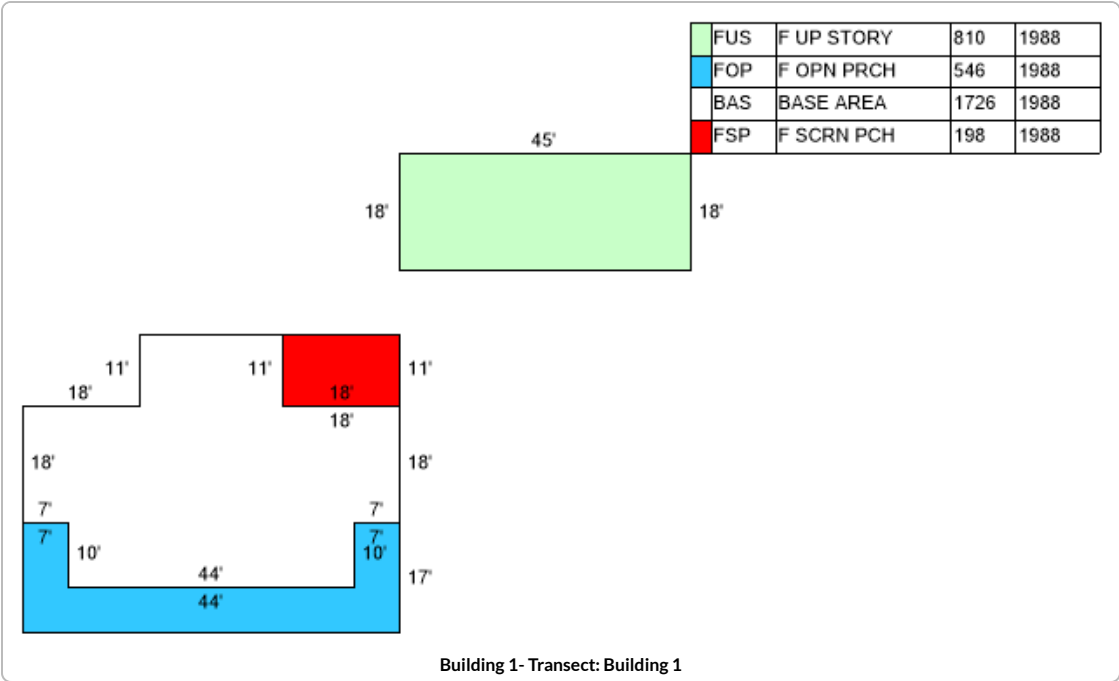
2024 Property Record Card

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

Tax Collector

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

Sketches



[Print Sketches](#)

Generate Owner List by Radius

Distance:

100

Fee: ▼

Use Address From:

☒ Owner ☐ Property

Select export file format:

Address labels (5160) ▼

☒ Show All Owners

☐ Show Parcel ID on Label

Skip Labels

0

Download

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.

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
| [User Privacy Policy](#) | [GDPR Privacy Notice](#)
[Last Data Upload: 12/6/2024, 11:17:56 AM](#)

[Contact Us](#)



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
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

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
CURRENT RESIDENT
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
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C301
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C302
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C302
MARY ESTHER, FL 32569

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

17-2S-24-038J-0000-C304
CURRENT RESIDENT
209 MIRACLE STRIP PKWY C304
MARY ESTHER, FL 32569

17-2S-24-038J-0000-C305
CURRENT RESIDENT
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
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D104
MARY ESTHER, FL 32569

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

17-2S-24-038J-0000-D106
CURRENT RESIDENT
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
209 MIRACLE STRIP PKWY D201
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D202
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D202
MARY ESTHER, FL 32569

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

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

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

17-2S-24-038J-0000-D206
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D206
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D207
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D207
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D208
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D208
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D301
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D301
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D302
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D302
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D303
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D303
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D304
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D304
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D305
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D305
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D306
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D306
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D307
CURRENT RESIDENT
209 MIRACLE STRIP PKWY D307
MARY ESTHER, FL 32569

17-2S-24-038J-0000-D308
CURRENT RESIDENT
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
CURRENT RESIDENT
209 MIRACLE STRIP PKWY E102
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E103
CURRENT RESIDENT
209 MIRACLE STRIP PKWY E103
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E104
CURRENT RESIDENT
209 MIRACLE STRIP PKWY E104
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E201
CURRENT RESIDENT
209 MIRACLE STRIP PKWY E201
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E202
CURRENT RESIDENT
209 MIRACLE STRIP PKWY E202
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E203
CURRENT RESIDENT
209 MIRACLE STRIP PKWY E203
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E204
CURRENT RESIDENT
209 MIRACLE STRIP PKWY E204
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E301
CURRENT RESIDENT
209 MIRACLE STRIP PKWY E301
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E302
CURRENT RESIDENT
209 MIRACLE STRIP PKWY E302
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E303
CURRENT RESIDENT
209 MIRACLE STRIP PKWY E303
MARY ESTHER, FL 32569

17-2S-24-038J-0000-E304
CURRENT RESIDENT
209 MIRACLE STRIP PKWY E304
MARY ESTHER, FL 32569

17-2S-24-038J-0000-F101
CURRENT RESIDENT
209 MIRACLE STRIP PKWY F101
MARY ESTHER, FL 32569

17-2S-24-038J-0000-F102
CURRENT RESIDENT
209 MIRACLE STRIP PKWY F102
MARY ESTHER, FL 32569

17-2S-24-038J-0000-F103
CURRENT RESIDENT
209 MIRACLE STRIP PKWY F103
MARY ESTHER, FL 32569

17-2S-24-038J-0000-F104
CURRENT RESIDENT
209 MIRACLE STRIP PKWY F104
MARY ESTHER, FL 32569

17-2S-24-038J-0000-F201
CURRENT RESIDENT
209 MIRACLE STRIP PKWY F201
MARY ESTHER, FL 32569

17-2S-24-038J-0000-F202
CURRENT RESIDENT
209 MIRACLE STRIP PKWY F202
MARY ESTHER, FL 32569

17-2S-24-038J-0000-F203
CURRENT RESIDENT
209 MIRACLE STRIP PKWY F203
MARY ESTHER, FL 32569

17-2S-24-038J-0000-F204
CURRENT RESIDENT
209 MIRACLE STRIP PKWY F204
MARY ESTHER, FL 32569

17-2S-24-038J-0000-F301
CURRENT RESIDENT
209 MIRACLE STRIP PKWY F301
MARY ESTHER, FL 32569

17-2S-24-038J-0000-F302
CURRENT RESIDENT
209 MIRACLE STRIP PKWY F302
MARY ESTHER, FL 32569

17-2S-24-038J-0000-F303
CURRENT RESIDENT
209 MIRACLE STRIP PKWY F303
MARY ESTHER, FL 32569

17-2S-24-038J-0000-F304
CURRENT RESIDENT
209 MIRACLE STRIP PKWY F304
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G101
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G101
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G102
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G102
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G103
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G103
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G104
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G104
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G105
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G105
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G201
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G201
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G202
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G202
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G203
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G203
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G204
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G204
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G205
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G205
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G207
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G207
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G208
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G208
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G301
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G301
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G302
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G302
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G303
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G303
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G304
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G304
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G305
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G305
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G307
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G307
MARY ESTHER, FL 32569

17-2S-24-038J-0000-G308
CURRENT RESIDENT
209 MIRACLE STRIP PKWY G308
MARY ESTHER, FL 32569

17-2S-24-038J-0000-H101
CURRENT RESIDENT
209 MIRACLE STRIP PKWY H101
MARY ESTHER, FL 32569

17-2S-24-038J-0000-H102
CURRENT RESIDENT
209 MIRACLE STRIP PKWY H102
MARY ESTHER, FL 32569

17-2S-24-038J-0000-H103
CURRENT RESIDENT
209 MIRACLE STRIP PKWY H103
MARY ESTHER, FL 32569

17-2S-24-038J-0000-H104
CURRENT RESIDENT
209 MIRACLE STRIP PKWY H104
MARY ESTHER, FL 32569

17-2S-24-038J-0000-H201
CURRENT RESIDENT
209 MIRACLE STRIP PKWY H201
MARY ESTHER, FL 32569

17-2S-24-038J-0000-H202
CURRENT RESIDENT
209 MIRACLE STRIP PKWY H202
MARY ESTHER, FL 32569

17-2S-24-038J-0000-H203
CURRENT RESIDENT
209 MIRACLE STRIP PKWY H203
MARY ESTHER, FL 32569

17-2S-24-038J-0000-H204
CURRENT RESIDENT
209 MIRACLE STRIP PKWY H204
MARY ESTHER, FL 32569

17-2S-24-038J-0000-H301
CURRENT RESIDENT
209 MIRACLE STRIP PKWY H301
MARY ESTHER, FL 32569

17-2S-24-038J-0000-H302
CURRENT RESIDENT
209 MIRACLE STRIP PKWY H302
MARY ESTHER, FL 32569

17-2S-24-038J-0000-H303
CURRENT RESIDENT
209 MIRACLE STRIP PKWY H303
MARY ESTHER, FL 32569

17-2S-24-038J-0000-H304
CURRENT RESIDENT
209 MIRACLE STRIP PKWY H304
MARY ESTHER. FL 32569

17-2S-24-038J-0000-J101
CURRENT RESIDENT
209 MIRACLE STRIP PKWY J10T
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

(S.R. # 30)

MON. FND. CONC.
UN-NUMBERED
(TYP.)

Mr 25

S 37°44'31"E 104.00'(D & F)

3.2

5.0.

151

7.0

1

1

1

1

1

1

2

FND: IRON PIN
(TYP.)

122.53'

189.1'

(POWER POLE
(TYP.))

S 01° 34' 06" W 536.57' (D &

308.77

367.1'

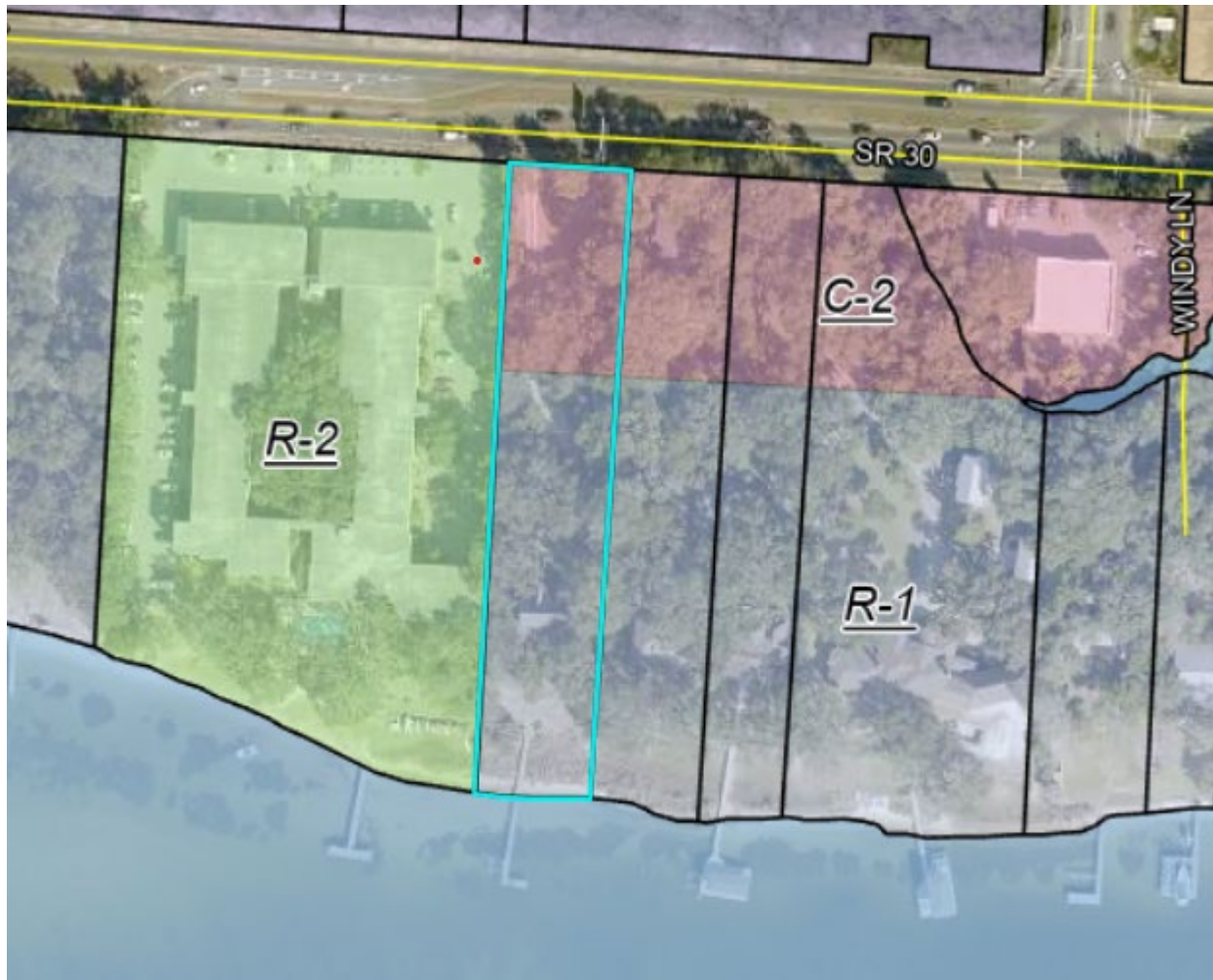
34.7.7

10.0' WIDE SAND & MIXED SHELL DRIVE

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 7.2.

TO: Honorable Mayor and Members of the City Council

FROM: Shawn Lindsey, Public Works Director

DATE: February 17, 2025

SUBJECT: Amendment 1 to the Task Order with Kimley-Horn for Springdale and Scottsdale Drainage Improvements

BACKGROUND:

During significant rain events, the ditch on the north side of the Springdale and Scottsdale neighborhood overflows and causes street flooding. To address this, the City Council awarded an agreement to Kimley-Horn for engineering services. It was discovered during project design that a portion of the ditch is located on Eglin Air Force Base property, requiring a lease agreement. The initial scope of work did not include the necessary survey work for the lease with Eglin. This amendment provides the additional survey work at a cost of \$1,000.

DISCUSSION:

The additional survey work is necessary to define the lease area with Eglin, which is essential for Eglin's review and approval and for Kimley-Horn to finalize the design. This amendment is coming to Council because the original task order exceeded staff's purchasing authority and was approved by Council. Per our procurement policy, any contract approved by Council can only be amended by Council. The new task order total should be \$119,850.

FINANCIAL IMPACT:

The cost of this amendment is \$1,000, bringing the total task order amount to \$119,850.

RECOMMENDATION:

Motion to approve Amendment 1 to the agreement with Kimley-Horn in the amount of \$1,000, for a total not-to-exceed amount of \$119,850.

ATTACHMENT(S):

1. Task Order with Kimley-Horn for Springdale and Scottsdale Drainage Improvements
2. Amendment 1 to Task Order with Kimley-Horn

March 24, 2023

Transmitted via email (cmgr@cityofmaryesther.com)

Mr. Jared Cobb
City Manager
City of Mary Esther
195 Christobal Rd.
Mary Esther, FL 32569

Re: Task Order for Professional Services
Offsite Stormwater Ditch Improvements

Dear Jared:

Kimley-Horn and Associates, Inc. ("Kimley-Horn" or "Consultant") is appreciative of the opportunity to submit this letter agreement (the "Agreement") to the city of Mary Esther (the "City" or "Client") for providing professional consulting services.

Project Understanding

There is an existing drainage ditch on the north side of the City, which is in need of maintenance and re-establishment. This Task Order (TO) is for services needed to evaluate the existing conditions, prepare design drawings and submit permit applications for the improvements needed on the ditch. Approximate project location can be seen below:



According to the National Wetlands Inventory (NWI) GIS website, wetlands are present within the project area. Ecological assessment of this area will be needed to confirm if wetlands are present

within the project area. Effort for a site visit and ecological assessment of the project area is included in this TO.

The project area is on Hurlburt Field AFB property. Coordination with the AFB will be required. The City is expected to coordinate access for site visits with Air Force Base personnel.

In addition to the specific project area, this TO includes effort to survey the existing ballpark area while the surveyors are onsite.

Scope of Services

Kimley-Horn will provide the services specifically set forth below.

Task 1 – Survey Services

Kimley-Horn will subcontract with a local Survey firm to provide Topographic Survey for stormwater improvements in the Springdale and Scottsdale South neighborhoods of Mary Esther, Okaloosa County, Florida. More specifically, the surveyor will:

- Set/establish (or reference to provided) horizontal and vertical survey control at the project sites, based on the Florida North Zone State Plane Coordinate System, North American Datum of 1983 and vertically on the North American Vertical Datum of 1988.
- Prepare Topographic Survey and full Digital Terrain Model (DTM) of a portion Okaloosa County Parcel ID: 17-2S-24-2360-0001-00A0 and Parcel ID: 17-2S-24-0000-0002-0000.
- Topographic information to include all aboveground visible improvements, edges of pavement, driveways, buildings, storm sewer and structures (with elevations where accessible), sanitary sewer and structures (with invert elevations where accessible).
- Locate and depict aboveground visible evidence of underground utilities as evidenced by aboveground features marked by others, at the time of the field survey. The Surveyor will not be responsible for coordinating the location of underground utilities.
- Based on limited boundary monumentation collected, depict:
 - Calculated parcels of Okaloosa County Parcel ID: 17-2S-24-2360-0001-00A0 and parcels adjoining the project limits shown above
 - Calculated easements (if any) of record.

The following assumptions were made during the preparation of this Scope of Services. If these assumptions do not prove correct, an additional service change order may be warranted:

- All surveying services will be performed under the direct supervision of a Florida Licensed Professional Surveyor and Mapper (PSM).
- Client will coordinate right-of-entry for any areas requiring access, prior to deployment of the Surveyor field crew(s).
- If stormwater sewer structures contain silting/obstructions, cleaning the structures may be required. the Surveyor will not be responsible for cleaning structures. If stormwater sewer

structures are holding water, the Surveyor will obtain approximate invert elevations and pipe sizes. If pumping is required to determine precise measurements and pipe materials, the Surveyor will not be responsible for pumping. If cleaning or pumping is performed after the initial field work is complete, fees for additional mobilization may be required. If pipes are not visible, elevations will be understood to be approximate.

- Additional fees may be necessary if existing conditions dictate that OSHA requirements for confined space entry be met. This would include if invert measurements in stormwater sewer structures cannot be obtained from the surface and require entry.
- Client will provide access into any access gates or property gates that are present.
- Southern limits of east-west portion of the topographic survey limits are the adjoining fences. the Surveyor will not be required to access adjoining parcels for collecting topographic data.

Deliverable for this task will be two (2) signed & sealed hard copies of the survey plus digital copies in .pdf and AutoCAD format.

Task 2 – Wetland Delineation Report

Kimley-Horn will conduct a site visit to identify and flag the limits of wetlands and surface waters within the project area. Kimley-Horn will delineate the limits of on-site wetlands in accordance with the State unified wetland delineation methodologies described in Chapter 62-340, Florida Administrative Code and the US Army Corps of Engineers (USACE) 1987 Wetland Delineation Manual. In preparation of the site visit, Kimley-Horn will conduct the following tasks:

- Review readily available natural resource documentation, previous environmental studies (if applicable) and readily available permits.
- Review existing GIS databases including:
 - United States Fish & Wildlife Service (USFWS), National Wetland Inventory (NWI) data
 - Northwest Florida Water Management District (NFWFMD) ePermitting portal regarding known occurrences of wetlands and surface waters or previous Environmental Resource Permits (ERP) on and near the subject property
- Review aerial photography, and mapping of existing wetland and surface water features on-site
- Review of FEMA FIRM map
- Review of Natural Resources Conservation Service (NRCS) soil data of the site

Following site reconnaissance and database review, a Wetland Delineation Report will be prepared summarizing the results of the data collection efforts, as well as maps and figures displaying the location and extent of wetlands or surface waters within the project area. A summary of federal, state, and local environmental permitting requirements will be prepared as well as a discussion of federal, state and local jurisdiction of environmental features. The report will also include a brief discussion of potential mitigation requirements for impacts to on-site wetlands. The following exhibits will be prepared:

- Location Map,
- USGS 7.5 Minute Quadrangle Map,
- Soils map,
- A land cover map classifying the habitats on-site based on the Florida Land Use, Cover, and

Forms Classification System (FLUCCS) and showing approximate acreage of each land cover. The acreage of habitats shown will be approximate based on aerial interpretation,

- Wetland/Surface Water Map, if applicable.

Task 3 – Offsite Basin Delineation

Kimley-Horn will download publicly available LiDAR topographic data for the project to determine limits of basin discharging towards the existing ditch.

Deliverable for this task will be a .pdf exhibit with the delineation of the basin. Acreage of the basin will be noted on the exhibit.

Task 4 – Basin Definition and Analysis

Based on the basin limits defined in Task 3, Kimley-Horn will:

1. Define the basin characteristics based on existing soils, slopes and vegetative cover.
2. Prepare a stormwater model in ICPR for the drainage basin discharging to the ditch.

Task 5 – 90% Construction Drawings

Kimley-Horn will prepare construction plans depicting the proposed improvements. The plan set contain details and specification references sufficient to construct the proposed improvements. The plan set is expected to be 90% complete and generally consist of the following sheets:

- Cover Sheet
- General Notes
- Typical Sections
- Detail Sheets – Sheets will include miscellaneous details for construction
- Ditch Plan & Profile Sheets
- Cross Sections
- Erosion Control Plans - Erosion control plans will be prepared depicting site specific erosion control measures, as well as general notes, details, and specifications for additional erosion control measures that may be needed depending on site conditions. It is assumed that these plans will constitute the Storm Water Pollution Prevention Plan (SWPPP) that the contractor will utilize during construction.

Deliverable for this task is a 90% complete set of Construction Drawings suitable for submittal to agencies having jurisdiction.

Task 6 – Dredge and Fill Exhibits

Kimley-Horn will prepare dredge and fill exhibits for the drainage crossings impacting wetlands. Dredge and fill exhibits will include a plan view of the exhibits with areas of wetland impacts indicated graphically and totaled. Two sections will be cut through the impacted areas to depict proposed cut and fill activities within jurisdictional wetlands.

Deliverable for this task will be signed and sealed .pdf drawings.

Task 7 – Permit Application Submittals

Permit application reviews are expected to be required from the Northwest Florida Water Management District and the Florida Department of Environmental Protection. Coordination is expected with Hurlburt Field AFB. Kimley-Horn will prepare permit application packages for submittal to these agencies having jurisdiction.

Task 7.1 – NFWFMD Environmental Resource Permit

Kimley-Horn will attend a virtual pre-application meeting with NFWFMD to discuss permitting effort required for this project. Kimley-Horn will complete all sections of the ERP application, including supporting narratives, maps, and figures. If wetland impacts are proposed, it is assumed that wetland mitigation will be required. Under this scope, Kimley-Horn will coordinate wetland mitigation in the form of a purchase from a wetland mitigation bank. If onsite or offsite mitigation is instead proposed, Kimley-Horn will prepare a separate scope and fee for the effort required to create an onsite or offsite mitigation plan. Once the application is submitted, Kimley-Horn will perform one (1) site visit with agency staff to confirm wetland boundaries. All application fees shall be paid by the Client.

Task 7.2 – FDEP State 404 Wetland Permitting

Kimley-Horn will attend an additional virtual pre-application meeting with the State 404 Permitting section within the Florida Department of Environmental Protection (FDEP) to discuss permitting efforts required for this project. FDEP may claim jurisdiction over wetlands and surface waters within the project limits as State 'Assumed' Waters. Under this scope, Kimley-Horn will prepare a permit application for the proposed project. The application will include site plan drawings indicating the limits of proposed on-site excavation and fill areas, limits of existing wetlands and surface waters delineated in Task 2, proposed impacts to existing wetlands and surface waters, and typical sections illustrating the proposed on-site excavation/fill activities. Under this scope, Kimley-Horn will coordinate wetland mitigation in the form of a purchase from a wetland mitigation bank. If onsite or offsite mitigation is instead proposed, Kimley-Horn will prepare a separate scope and fee for the effort required to create an onsite or offsite mitigation plan. All permit application fees shall be paid by the Client.

Please note that the FDEP has assumed authority to grant permits for discharge into State 'Assumed' Waters previously reserved for US Army Core of Engineers (USACE) approval. As mentioned above, this project is anticipated to qualify as state 'assumed' waters. If it were to be determined that permitting is required with USACE, a separate proposal will be provided.

If necessary, Kimley-Horn will also coordinate with the USFWS regarding possible listed species impacts. If the USFWS requires detailed listed species surveys, then a separate scope and fee will be prepared.

7.3 – Hurlburt Field AFB Coordination

Kimley-Horn will submit a set of construction drawings to Hurlburt Field AFB for coordination purposes.

Responses to any requests for additional information (RAI) from the review agencies will be performed under the task below.

Task 8 – Agency Request for Additional Information Response

Kimley-Horn will respond to requests from agencies having jurisdiction. Efforts to respond will include Coordination with agency staff, written responses and plan updates.

The Consultant has no control over the actions of jurisdictional agencies and is not a party to agreements between the Client and others. Accordingly, professional opinions on the status of permits and entitlements or the suitability for a specific purpose herein and professional opinions on the probability and timeframe for approvals are made on the basis of professional experience and available data. The Consultant does not guarantee that the outcome of permits and entitlements or suitability will not vary from its opinions. Because its opinions are based upon limited site investigation and scope of services, the Consultant does not guarantee that all issues affecting the site have been investigated.

Task 9 – Released for Construction (RFC) Drawing Set

After Permitting efforts are complete, Kimley-Horn will prepare a final set of Construction Drawings marked "RELEASED FOR CONSTRUCTION".

Deliverable for this task will be a digitally signed & sealed set of Construction Drawings in .pdf format. AutoCAD files will also be transmitted to the City for their records.

Task 10 – Opinion of Probable Construction Costs

Kimley-Horn will develop project quantities and prepare an Opinion of Probable Construction Costs (OPC) document. An OPC will be submitted to the Client with the 90% plan set submittal.

Task 11 – Meetings & Coordination

Kimley-Horn is available to meet with the Client and/or Review Agencies during the design phase of this project. Meetings may be in person or via tele-/video-conference. Attendance at up to five (5) meetings is included in this task. Email correspondence is also covered under this task.

Additional Services

The following is a list of services that may arise during the life of the on-call contract, that Kimley-Horn

is available to perform:

1. 100% gopher tortoise survey
2. Gopher tortoise relocation and permitting
3. Additional specific surveys for listed species
4. NEPA Compliance documents such as Natural Resources Evaluation or Type II Categorical Exclusion
5. Cultural Resources Assessment Survey
6. Contamination Screening Evaluation Report
7. Site Civil Design Services beyond those listed above.
8. Survey services beyond those listed above.
9. Environmental services beyond those listed above.
10. Construction Phase Services.
11. Other Services as requested.

The above list is not comprehensive. Kimley-Horn is available to support the City with other services beyond these.

Should the need for additional services arise during the life of the contract, an amendment will be prepared defining the scope and fee for the additional service. If an additional service arises that the scope cannot be completely defined, those services will be performed as additional at our hourly rates per the master services agreement.

Information Provided by Client

Kimley-Horn shall be entitled to rely on the completeness and accuracy of all information provided by the Client or the Client's consultants or representatives.

Responsibilities of Client

In addition to other responsibilities set out in this Agreement, the Client shall:

1. Executed copy of agreement
2. Coordinate Site Access with Hurlburt Field AFB
3. Previous environmental studies, if applicable
4. Provide signatures on applications and supporting documentation demonstrating control of property, as needed for permits
5. Pay any project related fees

Schedule

Kimley-Horn will provide the scope of services listed above as expeditiously as practicable with the goal

of meeting a mutually agreed upon schedule.

Fee and Expenses

Kimley-Horn proposes to perform the services listed in Tasks 1-7, 9 & 10 for the Lump Sum fees listed below. Individual sub-tasks are listed for reference only. Kimley-Horn reserves the right to reallocate funds between sub-tasks. Tasks 8 & 11 will be performed on an hourly plus expense basis.

Task	Fee
Task 1 – Survey Services	\$31,200.00
Task 2 – Wetland Delineation Report	\$ 5,100.00
Task 3 – Prelim Drainage Basin Delineation	\$ 5,400.00
Task 4 – Drainage Basin Definition & Modeling	\$11,900.00
Task 5 – 90% Plan Set	\$16,350.00
Task 6 – Dredge & Fill Exhibits	\$ 6,900.00
Task 7 – Permit Application Submittals	\$15,000.00
Task 8 – Agency RAI Responses	HOURLY
Task 9 – RFC Plan set	\$ 9,500.00
Task 10 – OPC's	\$ 2,500.00
Task 11 – Meetings & Coordination	HOURLY
Total for Lump Sum Tasks	\$103,850.00

Estimated Budget for Task 8 is \$10,000.00

Estimated Budget for Task 11 is \$ 5,000.00

Labor fee for the hourly tasks will be billed on an hourly basis according to the rates in the Master Services Agreement. Budgets have been estimated for hourly tasks; actual fees will be based on effort accrued and may be less or more than the budget listed above. For hourly tasks, a percentage of labor fee will be added to each invoice to cover certain other expenses such as telecommunications, in-house reproduction, postage, supplies, project related computer time, and local mileage. Administrative time related to the project will be billed hourly. All permitting, application, and similar project fees will be paid directly by the Client.

Direct reimbursable expenses such as large format printing, report printing and binding, postage and/or signage for public notifications and/or presentations, express delivery services, fees, air travel, and other direct expenses will be billed at 1.15 times cost.

Payment will be due within 25 days of your receipt of the invoice and should include the invoice number and Kimley-Horn project number.

Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the attached Standard Provisions, which are incorporated by reference. As used in the Standard Provisions, "Consultant" shall refer to Kimley-Horn and Associates, Inc., and "Client" shall refer to the City of Mary Esther.

Kimley-Horn, in an effort to expedite invoices and reduce paper waste, submits invoices via email in an Adobe PDF format. We can also provide a paper copy via regular mail if requested. Please include the invoice number and Kimley-Horn project number with all payments. Please provide the following information:

_____ Please email all invoices to _____

_____ Please copy _____

If you want us to proceed with the services, please have an authorized person sign this Agreement below and return to us. We will commence services only after we have received a fully executed agreement. Fees and times stated in this Agreement are valid for sixty (60) days after the date of this letter.

To ensure proper set up of your projects so that we can get started, please complete and return with the signed copy of this Agreement the attached Request for Information. Failure to supply this information could result in delay in starting work on your project.

We appreciate the opportunity to provide these services to you. Please contact me if you have any questions.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.



Jeff Brittain, P.E.
Senior Project Manager

City of Mary Esther

SIGNED:  _____



PRINTED NAME: Chris Stein

TITLE: Mayor

Client's Federal Tax ID: 59-6032418

Client's Business License No.: _____

Client's Street Address: 195 N Christobal Rd
Mary Esther, FL 32569

Attachment – Request for Information
Attachment – Standard Provisions

Request for Information

Please return this information with your signed contract; failure to provide this information could result in delay in starting your project

Client Identification

Full, Legal Name of Client					
Mailing Address for Invoices					
Contact for Billing Inquiries					
Contact's Phone and e-mail					
Client is (check one)	Owner	☐	Agent for Owner	☐	Unrelated to Owner

Property Identification

	Parcel 1	Parcel 2	Parcel 3	Parcel 4
Street Address				
County in which Property is Located				
Tax Assessor's Number(s)				

Property Owner Identification

	Owner 1	Owner 2	Owner 3	Owner 4
Owner(s) Name				
Owner(s) Mailing Address				
Owner's Phone No.				
Owner of Which Parcel #?				

Project Funding Identification – List Funding Sources for the Project

Attach additional sheets if there are more than 4 parcels or more than 4 owners

KIMLEY-HORN AND ASSOCIATES, INC.
STANDARD PROVISIONS

- 1) **Kimley-Horn's Scope of Services and Additional Services.** Kimley-Horn will perform only the services specifically described in this Agreement. If requested by the Client and agreed to by Kimley-Horn, Kimley-Horn will perform Additional Services, which shall be governed by these provisions. Unless otherwise agreed to in writing, the Client shall pay Kimley-Horn for any Additional Services an amount based upon Kimley-Horn's then-current hourly rates plus an amount to cover certain direct expenses including telecommunications, in-house reproduction, postage, supplies, project related computer time, and local mileage. Other direct expenses will be billed at 1.15 times cost.
- 2) **Client's Responsibilities.** In addition to other responsibilities herein or imposed by law, the Client shall:
 - a. Designate in writing a person to act as its representative, such person having complete authority to transmit instructions, receive information, and make or interpret the Client's decisions.
 - b. Provide all information and criteria as to the Client's requirements, objectives, and expectations for the project and all standards of development, design, or construction.
 - c. Provide Kimley-Horn all available studies, plans, or other documents pertaining to the project, such as surveys, engineering data, environmental information, etc., all of which Kimley-Horn may rely upon.
 - d. Arrange for access to the site and other property as required for Kimley-Horn to provide its services.
 - e. Review all documents or reports presented by Kimley-Horn and communicate decisions pertaining thereto within a reasonable time so as not to delay Kimley-Horn.
 - f. Furnish approvals and permits from governmental authorities having jurisdiction over the project and approvals and consents from other parties as may be necessary.
 - g. Obtain any independent accounting, legal, insurance, cost estimating, and feasibility services required by Client.
 - h. Give prompt written notice to Kimley-Horn whenever the Client becomes aware of any development that affects Kimley-Horn's services or any defect or noncompliance in any aspect of the project.
- 3) **Period of Services.** Unless otherwise stated herein, Kimley-Horn will begin work after receipt of a properly executed copy of this Agreement. This Agreement assumes conditions permitting continuous and orderly progress through completion of the services. Times for performance shall be extended as necessary for delays or suspensions due to circumstances that Kimley-Horn does not control. If such delay or suspension extends for more than six months, Kimley-Horn's compensation shall be renegotiated.
- 4) **Method of Payment.** Client shall pay Kimley-Horn as follows:
 - a. Invoices will be submitted periodically for services performed and expenses incurred. Payment of each invoice will be due within 25 days of receipt. The Client shall also pay any applicable sales tax. All retainers will be held by Kimley-Horn and applied against the final invoice. Interest will be added to accounts not paid within 25 days at the maximum rate allowed by law. If the Client fails to make any payment due under this or any other agreement within 30 days after Kimley-Horn's transmittal of its invoice, Kimley-Horn may, after giving notice to the Client, suspend services and withhold deliverables until all amounts due are paid.
 - b. If the Client relies on payment or proceeds from a third party to pay Kimley-Horn and Client does not pay Kimley-Horn's invoice within 60 days of receipt, Kimley-Horn may communicate directly with such third party to secure payment.
 - c. If the Client objects to an invoice, it must advise Kimley-Horn in writing giving its reasons within 14 days of receipt of the invoice or the Client's objections will be waived, and the invoice shall conclusively be deemed due and owing. If the Client objects to only a portion of the invoice, payment for all other portions remains due.
 - d. If Kimley-Horn initiates legal proceedings to collect payment, it may recover, in addition to all amounts due, its reasonable attorneys' fees, reasonable experts' fees, and other expenses related to the proceedings. Such expenses shall include the cost, at Kimley-Horn's normal hourly billing rates, of the time devoted to such proceedings by its employees.
 - e. The Client agrees that the payment to Kimley-Horn is not subject to any contingency or condition. Kimley-Horn may negotiate payment of any check tendered by the Client, even if the words "in full satisfaction" or words intended to have similar effect appear on the check without such negotiation being an accord and satisfaction of any disputed debt and without prejudicing any right of Kimley-Horn to collect additional amounts from the Client.
- 5) **Use of Documents.** All documents and data prepared by Kimley-Horn are related exclusively to the services described in this Agreement and may be used only if the Client has satisfied all of its obligations under this Agreement. They are not intended or represented to be suitable for use or reuse by the Client or others on extensions of this project or on any other project. Any modifications by the Client to any of Kimley-Horn's documents, or any reuse of the documents without written authorization by Kimley-Horn will be at the Client's sole risk and without liability to Kimley-Horn, and the Client shall indemnify, defend and hold Kimley-Horn harmless from all claims, damages, losses and expenses, including but not limited to attorneys' fees, resulting therefrom. Kimley-Horn's electronic files and source code remain the property of Kimley-Horn and shall be provided to the Client only if expressly provided for in this Agreement. Any electronic files not containing an electronic seal are provided only for the convenience of the Client and use of them is at the Client's sole risk. In the case of any defects in the electronic files or any discrepancies between them and the hardcopy of the documents prepared by Kimley-Horn, the hardcopy shall govern.

- 6) **Intellectual Property.** Kimley-Horn may use or develop its proprietary software, patents, copyrights, trademarks, trade secrets, and other intellectual property owned by Kimley-Horn or its affiliates ("Intellectual Property") in the performance of this Agreement. Unless explicitly agreed to in writing by both parties to the contrary, Kimley-Horn maintains all interest in and ownership of its Intellectual Property and conveys no interest, ownership, license to use, or any other rights in the Intellectual Property to Client. Any enhancements of Intellectual Property made during the performance of this Agreement are solely owned by Kimley-Horn and its affiliates. If Kimley-Horn's services include providing Client with access to or a license for Kimley-Horn's (or its affiliates') proprietary software or technology, Client agrees to the terms of the Software License Agreement set forth at <https://www.kimley-horn.com/khts-software-license-agreement> ("the License Agreement") which terms are incorporated herein by reference.
- 7) **Opinions of Cost.** Because Kimley-Horn does not control the cost of labor, materials, equipment or services furnished by others, methods of determining prices, or competitive bidding or market conditions, any opinions rendered as to costs, including but not limited to the costs of construction and materials, are made solely based on its judgment as a professional familiar with the industry. Kimley-Horn cannot and does not guarantee that proposals, bids or actual costs will not vary from its opinions of cost. If the Client wishes greater assurance as to the amount of any cost, it shall employ an independent cost estimator. Kimley-Horn's services required to bring costs within any limitation established by the Client will be paid for as Additional Services.
- 8) **Termination.** The obligation to provide further services under this Agreement may be terminated by either party upon seven days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof, or upon thirty days' written notice for the convenience of the terminating party. Kimley-Horn shall be paid for all services rendered and expenses incurred to the effective date of termination, and other reasonable expenses incurred by Kimley-Horn as a result of such termination.
- 9) **Standard of Care.** The standard of care applicable to Kimley-Horn's services will be the degree of care and skill ordinarily exercised by consultants performing the same or similar services in the same locality at the time the services are provided. No warranty, express or implied, is made or intended by Kimley-Horn's performance of services, and it is agreed that Kimley-Horn is not a fiduciary with respect to the Client.
- 10) **LIMITATION OF LIABILITY.** In recognition of the relative risks and benefits of the Project to the Client and Kimley-Horn, the risks are allocated such that, to the fullest extent allowed by law, and notwithstanding any other provisions of this Agreement or the existence of applicable insurance coverage, that the total liability, in the aggregate, of Kimley-Horn and Kimley-Horn's officers, directors, employees, agents, and subconsultants to the Client or to anyone claiming by, through or under the Client, for any and all claims, losses, costs or damages whatsoever arising out of or in any way related to the services under this Agreement from any causes, including but not limited to, the negligence, professional errors or omissions, strict liability or breach of contract or any warranty, express or implied, of Kimley-Horn or Kimley-Horn's officers, directors, employees, agents, and subconsultants, shall not exceed twice the total compensation received by Kimley-Horn under this Agreement or \$50,000, whichever is greater. Higher limits of liability may be negotiated for additional fee. This Section is intended solely to limit the remedies available to the Client or those claiming by or through the Client, and nothing in this Section shall require the Client to indemnify Kimley-Horn.
- 11) **Mutual Waiver of Consequential Damages.** In no event shall either party be liable to the other for any consequential, incidental, punitive, or indirect damages including but not limited to loss of income or loss of profits.
- 12) **Construction Costs.** Under no circumstances shall Kimley-Horn be liable for extra costs or other consequences due to unknown conditions or related to the failure of contractors to perform work in accordance with the plans and specifications. Kimley-Horn shall have no liability whatsoever for any costs arising out of the Client's decision to obtain bids or proceed with construction before Kimley-Horn has issued final, fully approved plans and specifications. The Client acknowledges that all preliminary plans are subject to substantial revision until plans are fully approved and all permits obtained.
- 13) **Certifications.** All requests for Kimley-Horn to execute certificates, lender consents, or other third-party reliance letters must be submitted to Kimley-Horn at least 14 days prior to the requested date of execution. Kimley-Horn shall not be required to execute certificates, consents, or third-party reliance letters that are inaccurate, that relate to facts of which Kimley-Horn does not have actual knowledge, or that would cause Kimley-Horn to violate applicable rules of professional responsibility.
- 14) **Dispute Resolution.** All claims arising out of this Agreement or its breach shall be submitted first to mediation in accordance with the American Arbitration Association as a condition precedent to litigation.

- 15) **Hazardous Substances and Conditions.** Kimley-Horn shall not be a custodian, transporter, handler, arranger, contractor, or remediator with respect to hazardous substances and conditions. Kimley-Horn's services will be limited to analysis, recommendations, and reporting, including, when agreed to, plans and specifications for isolation, removal, or remediation. Kimley-Horn will notify the Client of unanticipated hazardous substances or conditions of which Kimley-Horn actually becomes aware. Kimley-Horn may stop affected portions of its services until the hazardous substance or condition is eliminated.
- 16) **Construction Phase Services.**
- a. If Kimley-Horn prepares construction documents and Kimley-Horn is not retained to make periodic site visits, the Client assumes all responsibility for interpretation of the documents and for construction observation, and the Client waives any claims against Kimley-Horn in any way connected thereto.
 - b. Kimley-Horn shall have no responsibility for any contractor's means, methods, techniques, equipment choice and usage, sequence, schedule, safety programs, or safety practices, nor shall Kimley-Horn have any authority or responsibility to stop or direct the work of any contractor. Kimley-Horn's visits will be for the purpose of endeavoring to provide the Client a greater degree of confidence that the completed work of its contractors will generally conform to the construction documents prepared by Kimley-Horn. Kimley-Horn neither guarantees the performance of contractors, nor assumes responsibility for any contractor's failure to perform its work in accordance with the contract documents.
 - c. Kimley-Horn is not responsible for any duties assigned to it in the construction contract that are not expressly provided for in this Agreement. The Client agrees that each contract with any contractor shall state that the contractor shall be solely responsible for job site safety and its means and methods; that the contractor shall indemnify the Client and Kimley-Horn for all claims and liability arising out of job site accidents; and that the Client and Kimley-Horn shall be made additional insureds under the contractor's general liability insurance policy.
- 17) **No Third-Party Beneficiaries; Assignment and Subcontracting.** This Agreement gives no rights or benefits to anyone other than the Client and Kimley-Horn, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole benefit of the Client and Kimley-Horn. The Client shall not assign or transfer any rights under or interest in this Agreement, or any claim arising out of the performance of services by Kimley-Horn, without the written consent of Kimley-Horn. Kimley-Horn reserves the right to augment its staff with subconsultants as it deems appropriate due to project logistics, schedules, or market conditions. If Kimley-Horn exercises this right, Kimley-Horn will maintain the agreed-upon billing rates for services identified in the contract, regardless of whether the services are provided by in-house employees, contract employees, or independent subconsultants.
- 18) **Confidentiality.** The Client consents to the use and dissemination by Kimley-Horn of photographs of the project and to the use by Kimley-Horn of facts, data and information obtained by Kimley-Horn in the performance of its services. If, however, any facts, data or information are specifically identified in writing by the Client as confidential, Kimley-Horn shall use reasonable care to maintain the confidentiality of that material.
- 19) **Miscellaneous Provisions.** This Agreement is to be governed by the law of the State of Florida. This Agreement contains the entire and fully integrated agreement between the parties and supersedes all prior and contemporaneous negotiations, representations, agreements, or understandings, whether written or oral. Except as provided in Section 1, this Agreement can be supplemented or amended only by a written document executed by both parties. Any conflicting or additional terms on any purchase order issued by the Client shall be void and are hereby expressly rejected by Kimley-Horn. If Client requires Kimley-Horn to register with or use an online vendor portal for payment or any other purpose, any terms included in the registration or use of the online vendor portal that are inconsistent or in addition to these terms shall be void and shall have no effect on Kimley-Horn or this Agreement. Any provision in this Agreement that is unenforceable shall be ineffective to the extent of such unenforceability without invalidating the remaining provisions. The non-enforcement of any provision by either party shall not constitute a waiver of that provision nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

(20) **PURSUANT TO FS 558.0035, EMPLOYEES OF KIMLEY-HORN
MAY NOT BE HELD INDIVIDUALLY LIABLE FOR DAMAGES
RESULTING FROM NEGLIGENCE UNDER THIS AGREEMENT.**

**AMENDMENT NUMBER 1 TO THE AGREEMENT BETWEEN CLIENT AND KIMLEY-HORN
AND ASSOCIATES, INC.**

This is Amendment number 1 dated February 11, 2025 to the agreement between City of Mary Esther ("Client") and Kimley-Horn and Associates, Inc. ("Consultant") dated March 24, 2023 ("the Agreement") concerning Offsite Stormwater Ditch Improvements (the "Project").

The Consultant has entered into the Agreement with Client for the furnishing of professional services, and the parties now desire to amend the Agreement.

The Agreement is amended to include services to be performed by Consultant for compensation as set forth below in accordance with the terms of the Agreement, which are incorporated by reference.

Amendment Background

During design and coordination with Hurlburt Field staff, it was determined the existing ditch is partially located on Hurlburt Field which is Eglin Air Force Base property. To permit and construct the proposed improvements to the ditch, an easement is required on Eglin AFB property. The proposed easement will allow the City of Mary Esther to maintain the stormwater conveyance channel in its entirety.

Consultant will perform the following services:

Task 1 – Survey Services

Kimley-Horn will subcontract with the survey firm who prepared the previous topographic survey for the project to prepare a legal sketch and description for the proposed easement. The stormwater conveyance channel lies on City of Mary Esther and Eglin AFB property. The proposed easement is on Eglin AFB property.

The following assumptions were made during the preparation of this Scope of Services. If these assumptions do not prove correct, an additional service change order may be warranted:

- All surveying services will be performed under the direct supervision of a Florida Licensed Professional Surveyor and Mapper (PSM).

Deliverable for this task will be:

- Two (2) signed & sealed hard copies of the Legal & Sketch plus digital copy in .pdf format

For the services set forth above, Client shall pay Consultant the following compensation:

Task	Fee
Task 1 – Survey Services	\$1,000.00
Total Lump Sum Fee	\$1,000.00

CLIENT:

By: _____

Title: _____

Date: _____

CONSULTANT:

KIMLEY-HORN AND ASSOCIATES, INC.

By: Erin Stewart

Title: Project Manager

Date: February 11, 2025

AGENDA ITEM

Agenda Item 7.3.

TO: Honorable Mayor and Members of the City Council

FROM: Jared Cobb, City Manager

DATE: February 17, 2025

SUBJECT: Resolution 25-02, Okaloosa County Wastewater Connection Project

BACKGROUND:

The City of Mary Esther is under a Florida Department of Environmental Protection (FDEP) Consent Order to make wastewater upgrades. To meet this order, the City Council previously selected a wastewater pipeline to Okaloosa County as its preferred alternative. This regional pipeline would be shared with Hurlburt Field, however, they have not yet officially joined the project and are expected to make a decision by June 2025. The City has applied for \$1 million in state grant funds and is currently working on an application for \$1 million in federal grant funds for the engineering design of the project.

DISCUSSION:

Resolution 25-02 demonstrates the City Council's support for the project and its commitment to partnering with Okaloosa County and Hurlburt Field. This resolution is necessary because grant applications require written confirmation of matching funds. By adopting this resolution, the City Council will demonstrate its commitment to the project and increase its chances of securing grant funding.

FINANCIAL IMPACT:

The latest estimate for the engineering design of the regional wastewater pipeline is \$2.5-\$3.0 million. The City has already applied for a \$1 million state appropriation for the project and is seeking an additional \$1 million in federal grant funds. Resolution 25-02 would authorize the City to commit up to \$1 million in local funds toward the engineering design cost, contingent upon Hurlburt Field joining the project. Any costs not covered by grant funding would be shared by the City and Hurlburt Field.

RECOMMENDATION:

Motion to approve Resolution 25-02.

ATTACHMENT(S):

1. Resolution 25-02, Okaloosa County Wastewater Connection

RESOLUTION NO. 25-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARY ESTHER, FLORIDA, DEMONSTRATING SUPPORT FOR THE OKALOOSA COUNTY WASTEWATER CONNECTION PROJECT AND COMMITTING UP TO \$1 MILLION IN LOCAL FUNDS FOR ENGINEERING, CONTINGENT UPON AN AGREEMENT WITH HURLBURT FIELD TO PARTNER ON THE PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Mary Esther faces a mandatory Florida Department of Environmental Protection (FDEP) Consent Order for wastewater upgrades, requiring either costly rehabilitation of our existing facility or building a new pipeline to Okaloosa County; and

WHEREAS, the City Council has conditionally selected a regional pipeline to Okaloosa County as the preferred alternative, subject to securing sufficient grant funds and financing; and

WHEREAS, the City is seeking \$1 million in state funds, matched by \$1 million in local funds for engineering, to position the project for major federal grants for construction; and

WHEREAS, Hurlburt Field is expected to complete its wastewater study in June 2025, followed by a decision on the partnership with Mary Esther and Okaloosa County; and

WHEREAS, approval of this funding request and approval by Hurlburt Field would enable the partnership to begin engineering and secure funding for construction.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Mary Esther, Florida, as follows:

Section 1. Support for the Okaloosa County Wastewater Connection Project. The City Council hereby expresses its strong support for the Okaloosa County Wastewater Connection Project and its commitment to partnering with Okaloosa County and Hurlburt Field on this regional solution.

Section 2. Commitment of Local Funds. The City Council hereby commits up to \$1 million in local funds for the engineering design of the Okaloosa County Wastewater Connection Project, contingent upon a final agreement with Hurlburt Field to partner on the project.

Section 3. Effective Date. This resolution shall take effect immediately upon its adoption.

SO DONE this 17th day of February 2025.

ATTEST:

Dillon Morris, City Clerk

By: _____
Chris Stein, Mayor