



## PLANNING COMMISSION MEETING

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Welcome to the City of Niceville Planning Commission Meeting. The public may address the Planning Commission in person and must attend in person to speak during public hearings. If you are a person with a disability who needs an accommodation in order to participate in this meeting or have any questions, please contact the City Clerk's Office at 279-6436. If you are deaf/hard of hearing and require the services of an interpreter, please call the Florida Relay Service at 711, as soon as possible. The City requests at least 72 hours advance notice, prior to the scheduled meeting, for accommodations.

### AGENDA

January 5, 2026

City Council Chambers - 208 Partin Drive North

6:00 PM

- A. Meeting Call to Order and Roll Call
- B. Approval of the Agenda with Additions or Deletions
- C. Approval of December 1, 2025 Meeting Minutes (C-1)
- D. New Business – Public Hearings

**D-1: 2300 N Partin Dr & Adjacent Vacant parcel Rezoning-** Ordinance No 26-02-01.

This is a request to amend the Official Zoning Map from Public, Civic, Institutional (PCI) zoning district to Multi-family Residential (R-3) zoning district and to change the Future Land Use Map from Public, Civic, Institutional (PCI) to Medium Density Residential (MDR). The subject property is located at 2300 N Partin Dr and adjacent and can be identified by parcel ID numbers: 05-1S-22-256B-0026-0000 & 05-1S-22-256B-0040-0000. The proposed Ordinance sites are approximately 6.21 (+/-) & 6.24 (+/-) acres in size.

**D-2: 774 Woods Drive Variance** - This is a request to reduce the West side setback from 10' to 6' to construct an addition. The subject property is located at 774 Woods Dr and can be identified as Parcel ID Number 17-1S-22-1100-0000-0190. The site is approximately 0.31 (+/-) acres in size.

**D-3: 1057 John Sims Parkway Variance** - This is a request for the reduction of required parking for a proposed commercial project from 28 to 21 parking spaces. The proposed final order is for 1057 John Sims Parkway and can be identified as Parcel ID Number 08-1S-22-0000-0087-0030. The site is approximately 1.01 (+/-) acres in size.

**E. Open Forum**

**F. Adjournment**



**C-1**

**PLANNING COMMISSION MEETING**

**CITY OF NICEVILLE, FLORIDA**

**December 1, 2025**

**Members present:**           Suanne Wilson                   Ed Espinoza  
                                      Brian Cromwell                 Suraj Patel  
                                      Tracy Jennette                 Jared Bradley

**Members not present:**     Stacie Scott

**Staff present:**                Lisa Stanley, Senior Planner  
                                      Chris Frasseti, Community Development Director  
                                      Steve Hall, City Attorney

The Planning Commission meeting was called to order by Suanne Wilson, Chair, at 6:00 PM.

A motion to approve the agenda as presented was made by Ed Espinoza and seconded by Brian Cromwell. The motion carried without objection.

A motion to approve the minutes from the previous meeting was made by Jared Bradley and seconded by Tracy Jennette. The motion carried without objection.

**AGENDA**

**D-1: Kelly Preserve, LLC Rezoning** - This is a request to amend the Official Zoning Map from General Commercial (C-2) zoning district to Single or Multi-family Residential (R-2) zoning district and to change the Future Land Use Map from Commercial (C) to Mixed-Use (MU). The subject property is located on Kelly Rd and can be identified by parcel ID number: 01-1S-23-0000-0084-0000 and 01-1S-23-0000-0082-0040. The proposed Ordinance site is approximately 1.31 (+/-) acres in size. Ordinance No 26-01-02

City Staff read the request description. The Commission Chair then asked if the applicant/representative was in attendance and would like to speak on the request. The applicant, owner Andrew Tidwell (121 Partin Dr. N), spoke regarding the request. He stated that they are hoping to develop the property with

duplex or triplex housing units. They recently did something similar on the adjacent property that is in the City of Valparaiso jurisdiction. Chair, Suanne Wilson, asked what type of finishes and construction they were considering. Mr. Tidwell stated that they hadn't finalized any plans, but that they would probably be very similar to the unit in Valparaiso, with vinyl siding and two-story, town-home style.

Motion to approve rezoning as requested by Brian Cromwell, seconded by Jared Bradley. The motion carried with no objection.

**D-2: 612 Powell Dr Variance** - This is a request for reduced side setbacks for an accessory structure on the subject parcel from 5 feet to 2.5 feet. The proposed final order is for 612 Powell Dr and can be identified as Parcel ID Number 06-1S-22-2100-0008-0150. The site is approximately 0.23 (+/-) acres in size.

City Staff read the request description. The Commission Chair then asked if the applicant/representative was in attendance and would like to speak on the request. The applicant, owner Stephanie VanHouten (612 Powell Dr), stated that they are requesting the variance to maximize their assets. Ed Espinoza asked if the primary dwelling met the setbacks. Staff advised that a variance for reduction of the rear setback was granted for the construction of the home as it sat on one 100 x 50 lot. The owners had since purchased a lot of the same size behind them. Mr. Espinoza asked if the primary structure could meet the setbacks, why can't the accessory structure also meet the required setbacks. Mrs. VanHouten stated that the prefabricated plans for a metal structure are in 5' increments and that they would like to maximize the space. Mr. Espinoza then asked if they could do custom plans and build within the allowed space. Mrs. VanHouten stated that it would be more expensive and take longer.

Ed Espinoza stated that he reviewed the answers the applicant provided to the variance criteria questions, and he doesn't see where the variance was proven necessary. Suraj Patel asked if more space on the North side of the property could be utilized. Mrs. VanHouten stated that they would like to use that space as much as possible as well. Brian Cromwell asked if there were already utilities running to that portion of the lot. Ms. VanHouten confirmed, yes, there are. City Staff stated that the structure would be limited in size based on the accessory structure ordinances in the Land Development Code. City Attorney, Steve Hall, reminded the Commission that the staff recommendation on this item was denial due to the lack of hardship from existing standards. The definition of hardship, in this case, is something specific to a lot that you, as the owner, did not create.

Ed Espinoza made a motion to deny the variance request as presented, seconded by Brian Cromwell. Vote to deny carried 5 to 1, with Suraj Patel voting against denial.

**D-3: 2446 Duncan Dr Variance** - This is a request for an exception to the ADU size limitation of 900 sf heated and cooled. The proposed final order is for 2446 Duncan Dr and can be identified as Parcel ID Number 09-1S-22-0730-0005-0050. The site is approximately 0.58 (+/-) acres in size.

City Staff read the request description. The Commission Chair then asked if the applicant/representative was in attendance and would like to speak on the request. The applicant, owner Debbie Lewis (2446 Duncan Dr), shared that this structure started as a “triple shed” for storage of her Christmas items. They quickly had to upgrade to a storage facility. Now she is looking to the future for her 97-year-old father with dementia. She would like to convert the existing structure into heated and cooled living space for him so that she can move him closer and help care for him. The structure is not visible from the street, and the finishes match that of her home. No additions will be made to the already existing structure. The request is necessary due to the current size being over 900 square feet.

Motion to approve variance by Tracy Jennette, seconded by Ed Espinoza. The motion carried with no objection.

Chair Suanne Wilson asked if there was anyone else present that would like to address the Commission. Seeing none, she called for a motion to adjourn. Tracy Jennette made the motion, seconded by Ed Espinoza. Meeting adjourned at 6:18pm.

Lisa Stanley

Senior Planner

Suanne Wilson

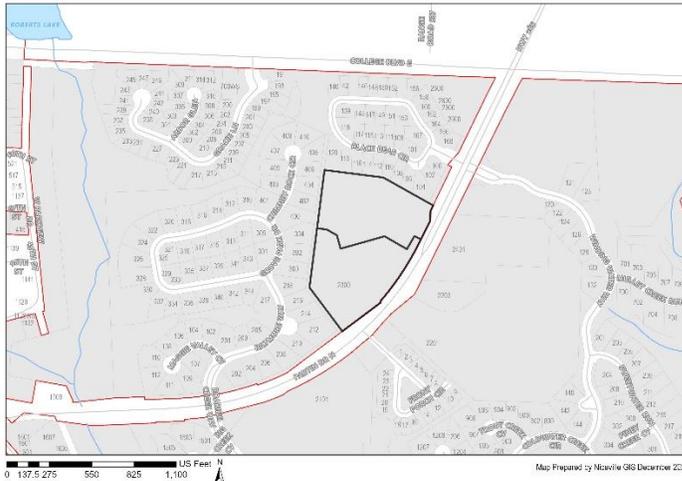
Chair



**D-1**



Rezoning: 2300 Partin Drive N  
PIN:05-1S-22-256B-0026-0000, 05-1S-22-256B-0040-0000



**PROJECT TITLE:**

2300 Parting Drive N & Adjacent Vacant Parcel Rezoning

**PROPERTY INFORMATION:**

- **Parcel ID #:**  
05-1S-22-256B-0026-0000  
05-1S-22-256B-0040-0000
- **Owners:**  
C and C, LLC  
ZHB, LLC  
Partin Place Senior Living, LLC
- **Acreage: 12.45 +/-**

**REZONING REQUEST:**

The applicant is requesting an ordinance amending the Official Zoning Map from Public, Civic, Institutional (PCI) zoning district to Multi-family Residential (R-3) zoning district and to change the Future Land Use Map from Public, Civic, Institutional (PCI) to Medium Density Residential (MDR).

**PUBLIC NOTICE:**

**Newspaper Ad Dates:**

December 22, 2025

**Mailed Notice:**

To owners abutting and within 300 feet on December 19, 2025

**Sign Notice:**

Posted on property on December 16, 2025

**Hearing Dates:**

Planning Commission – January 5, 2026

City Council – January 13, 2026

**RECOMMENDATION & SUMMARY OF CONSISTENCY REVIEW**

**STAFF:** Recommends approval based on existing land use, proposed use of the property, and surrounding area.

**PLANNING COMMISSION:**

**COMPREHENSIVE PLAN CONSISTENCY:**

The proposed land use change is consistent with the currently adopted Comprehensive Plan as it relates to the Future Land Use Element. This proposed rezoning and future land use map amendment would provide for consistency with existing land use of the property.

**COMPREHENSIVE PLAN POLICIES:**

**Policy 7.A.2.1** - During the land use plan amendment process the compatibility of adjacent future land use categories shall be considered as well as the potential maximum densities and intensities and the appropriate transition of uses, densities and intensities.

**Policy 7.A.2.10** – – Medium Density Residential (MDR) Land Use Category. The MDR category is established to accommodate a maximum density of fifteen (15) dwelling units per acre. Permitted housing types are single-family detached homes, including zero-lot-line and cluster developments, manufactured homes, townhomes, condominiums and apartments. Nursing homes, assisted living facilities, and independent living facilities are also permitted.

- a. Performance standards shall be established in the LDC to address townhomes, condominiums and apartments. These standards shall control the location of proposed buildings in relation to the overall dimension of the site, and require that adequate open space is provided, as well as significant landscaping and buffers that will screen these developments from low-density residential zoning districts.
- b. Multi-family development of more than 25 units shall provide recreational facilities to meet the needs of the population of the development

**LAND DEVELOPMENT CODE REGULATIONS:**

**7.04.06** The R-1B, R-2, and R-3 single-family and multi-family residential districts are established for the purpose of providing a mixture of single-family, duplex, and low-intensity multi-family dwellings with a maximum density of fifteen (15) dwelling units per acre. The zoning regulations and performance standards are intended to promote design which is in character with the density, intensity and scale of the existing surrounding or adjacent neighborhoods.

**NEIGHBORHOOD CHARACTERISTICS:**

Direction	Zoning	Adjacent Existing Land Uses
North	R-1	SFR
South	PCI, C-1, PUD	School, Cemetery, SFR
East	PCI	Church
West	R-1	SFR

**ALLOWED DEVELOPMENT AFTER CHANGE:**

Multi-family residential, duplex, and low-intensity multi-family dwellings with a maximum density of fifteen (15) dwelling units per acre.

**ALLOWED DEVELOPMENT WITHOUT CHANGE:**

Development will have to fall within the category of the following, public and semi-public services including government administration buildings; public schools and not-for-profit educational institutions; public hospital facilities and health care units; arts, cultural or civic facilities; essential public services and facilities; cemeteries; fire and emergency operation facilities; utilities; and other similar uses.

**DENSITY AND DIMENSIONAL STANDARDS COMPARISON:**

R-3 zoning:  
 max. 15 du/acre  
 minimum lot sizes, width and setback requirements would apply

**BOARD OPTIONS:**

- a. Recommend approval of the proposed rezoning, as presented.
- b. Recommend approval of the proposed rezoning, with changes.
- c. Recommend denial of the proposed rezoning, as presented.

**ATTACHMENTS:**

- 1) Applicants Letter of Petition

- 2) Maps (Zoning, FLUM)
- 3) Draft Ordinance



**APPLICANT'S AFFIDAVIT OF OWNERSHIP & DESIGNATION OF AGENT**

City of Niceville Building and Planning Department  
208 Partin Drive N  
Niceville, FL 32578

**I. Ownership.**

I, Chandler Huff, hereby attest to ownership of the property described below:

Parcel I.D. Number(s):

05-1S-22-256B-0026-0000 & 05-1S-22-256B-0040-0000

Location address:

2300 Partin Drive North, Niceville, FL 32578

for which this Application is submitted.

The ownership, as recorded on the deed, is in the name of:

Please complete the appropriate section below:

Individual

Corporation

Partnership

Provide Names of Officers:

Provide Names of General Partners:

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Chandler Huff - C AND C,  
LLC & Partin Place Senior  
Living, LLC  
Brandon Huff - ZHB, LLC  
\_\_\_\_\_  
\_\_\_\_\_

Dept. of State Registration No.:

99-4418760, 20-2051955 & 20-2052125

Name/Address of Registered Agent:

Chandler & Brandon Huff  
4592 Hwy 20 East, Suite 1  
Niceville, FL 32578

**II. Designation of Applicant's Agent. (Leave blank if not applicable)**

As the owner of the above designated property and the applicant for which this affidavit is submitted, I wish to designate the below named party as my agent in all matters pertaining to the location address. In authorizing the agent named above to represent me, or my company, I attest that the application is made in good faith and that any information contained in the application is accurate and complete to the best of my knowledge and belief.

Applicant's Agent: Jenkins Engineering, Inc.  
Address: 73 Eglin Pkwy NE, Suite 203, FWB, FL 32548  
Contact Person: Matthew Zinke  
Telephone No.: (850) 837-2448

**III. Notice to Owner.**

- A. All changes in Ownership & Applicant's Agent prior to issuance shall require new affidavit. If ownership changes the new owner assumes the obligations and the original applicant is released from responsibility for actions taken by others after the change in ownership.
  
- B. If the Owner intends the Designation of Applicant's Agent to be limited in any manner, please indicate the limitation below. (i.e., Limited to obtaining a certificate of concurrency for the parcel; limited to obtaining a land use compliance certificate; etc.)

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**IV. Acknowledgement.**

Individual

Signature

Print Name:

Address:

Phone:

Email:

Corporation Partnership  
Partin Senior Place Living, LLC

Print Corporation Name C AND C, LLC  
By: [Signature]

Signature

Print Name: Chandler Huff  
Address: 4592 Hwy 20 E, Suite 1  
Phone: (850) 897-6464  
Email: chuff@huffhomes.net

Partnership  
ZHB, LLC

Print Corporation Name  
By: [Signature]

Signature

Print Name: Brandon Huff  
Address: 4592 Hwy 20 E, Suite 1  
Phone: (850) 897-6464  
Email: chuff@huffhomes.net

Please use appropriate notary block.

STATE OF Florida  
COUNTY OF Okaloosa

Individual

Before me, this 23 day of October, 2025 personally appeared

who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

Corporation Partnership

Before me, this 23 day of October, 2025, personally appeared Chandler Huff of

a \_\_\_\_\_ corporation, on behalf of the corporation, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

Partnership

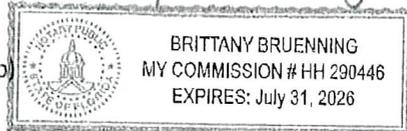
Before me, this 23 day of October, 2025 personally appeared Brandon Huff, partner/agent on behalf of

a partnership, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

Personally known ✓; or  
Produced identification \_\_\_\_\_.  
Type of identification produced:  
\_\_\_\_\_

[Signature]  
Signature of Notary  
Print Name: Brittany Bruenning

Notary Public  
(Notary Stamp)



My Commission Expires: July 31, 2026



Jenkins Engineering, Inc.  
73 Eglin Pkwy NE, Suite 203  
Fort Walton Beach, FL 32548  
850-837-2448

November 24, 2025

Ms. Lisa Stanley  
Senior Planner  
City of Niceville Planning Department  
208 N. Partin Dr.  
Niceville, FL 32578

**Subject: Request for Rezoning of Parcels 05-1S-22-256B-0026-0000 & 05-1S-22-256B-0040-0000**

Dear Ms. Stanley,

As the Authorized Agent for Partin Place Senior Living, LLC, C AND C, LLC and ZHB, LLC, I respectfully request the City of Niceville to rezone parcel numbers 05-1S-22-256B-0026-0000 & 05-1S-22-256B-0040-0000, located on the west side of Partin Drive North, from their current PCI (Public, Civic, Institutional) zoning to R-3 (Multi-family Residential) zoning. I would also request that Future Land Use (FLU) Map for these parcels be changed from their current PCI (Public, Civic, Institutional) FLU to MDR (Medium Density Residential) FLU.

As the current PCI zoning does not allow for any type of residential use, the rezoning of these parcels will allow for the existing Assisted Living Facility opened in 2009 to be conforming and allow for the proposed construction of Independent Living duplexes on the remainder of the parcels as shown on the attached Concept Plan.

We appreciate your consideration of this request and look forward to working with City Staff to complete the rezoning and FLU amendment process. Please let us know if additional information or documentation is required. We would be happy to meet at your earliest convenience to discuss this matter further.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Matthew H. Zinke', is written over a light blue horizontal line.

Matthew H. Zinke, P.E.  
Vice President

Cc: Chandler Huff – Partin Place Senior Living, LLC & C AND C, LLC  
Brandon Huff – ZHB, LLC

Enc: Completed/Signed Niceville Application for Rezoning And / Or Land Use Change  
Completed/Signed Niceville Agent Affidavit Form  
Parcel Maps & Information  
Warranty Deeds with Legal Descriptions  
Corporate Information (Proof of Ownership)  
Superior ILF Phase 2 Concept Plan

# City of Niceville Rezoning



**2300 Partin Dr N**  
**PIN: 05-1S-22-256B-0026-0000**  
**05-1S-22-256B-0040-0000**

## Proposed Zoning Change

From: Public Civic Institutional (PCI)  
 To: Multi-Family Residential (R-3)

## Future Land Use

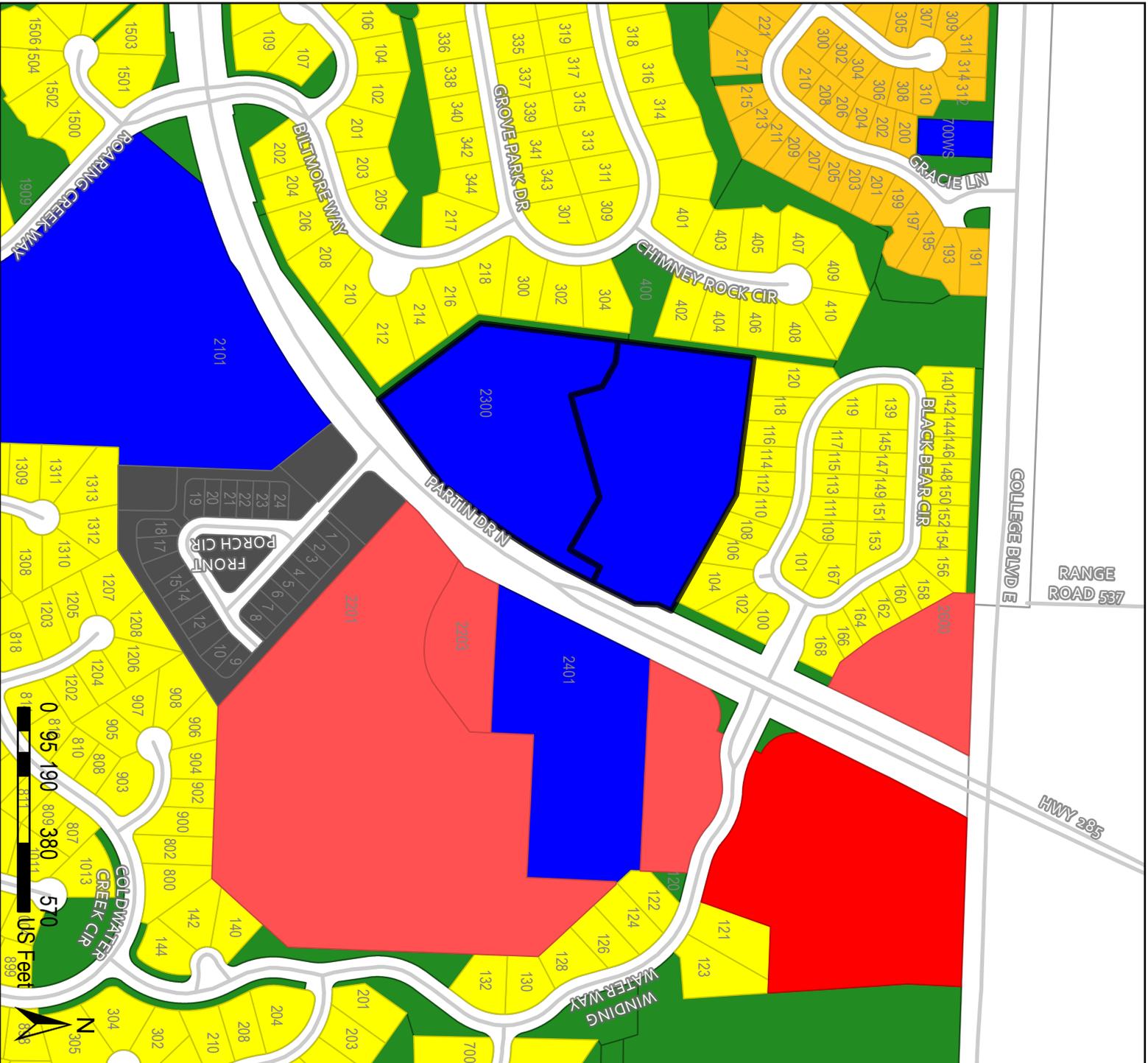
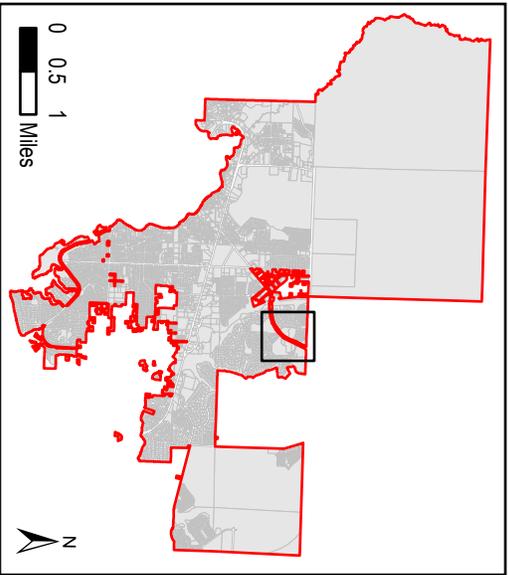
Current: Public Civic Institutional (PCI)  
 Proposed: Medium Density Residential (MDR)

**Total Acres: 12.48 +/-**

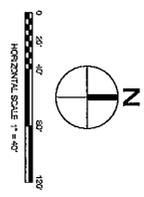
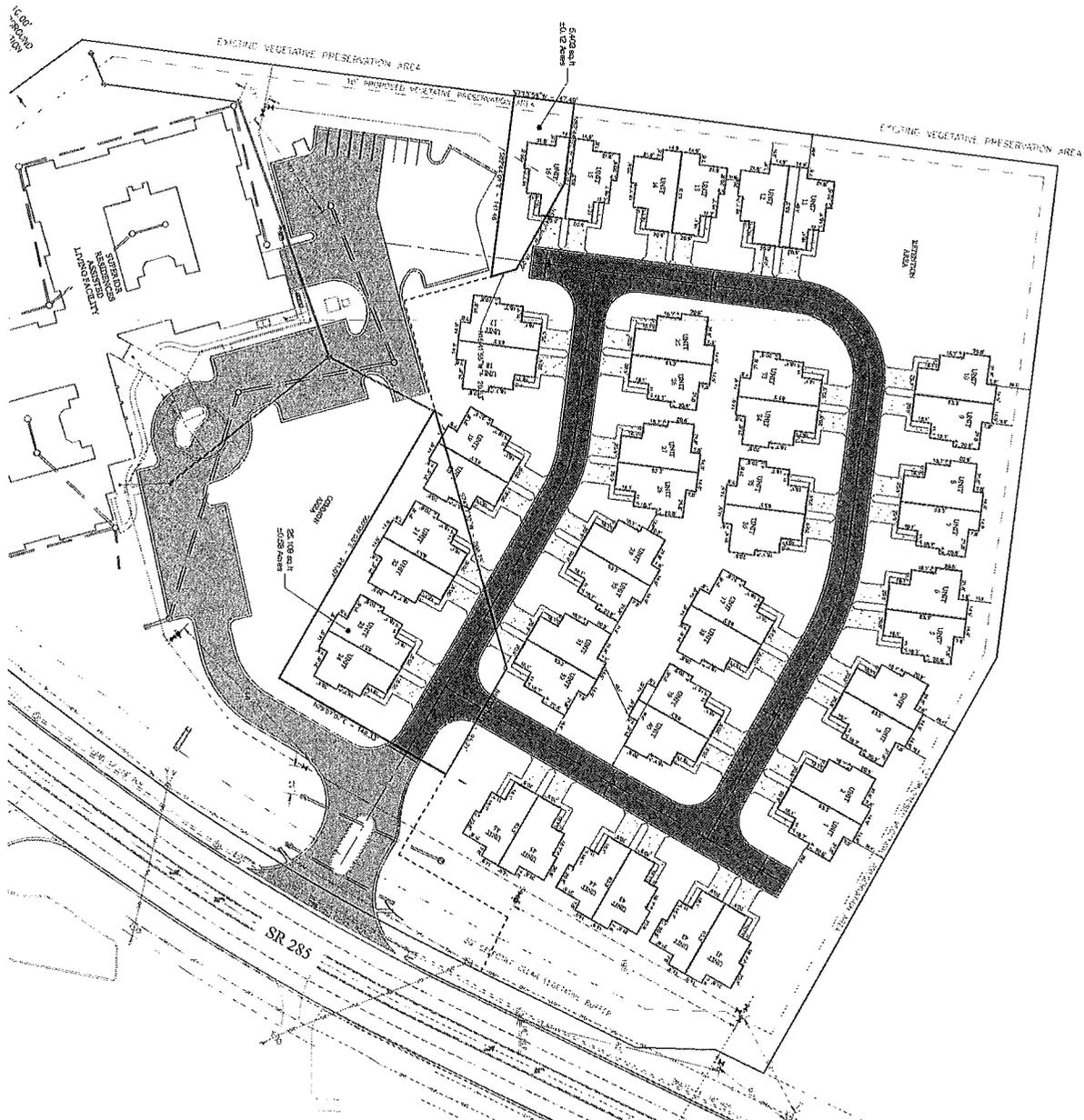
## Zoning

- CON - Conservation
- PCI - Public Civic Institutional
- R-1 - Single Family Residential (Maximum 5 DU/AC)
- R-1B - Single Family Residential (Maximum 8DU/AC)
- PUD - Planned Unit Development (Maximum Development 25 DU/AC)
- C-1 - Limited Commercial
- C-2 - General Commercial

Map Prepared by Niceville GIS December 2025



J:\Projects\2011\11-03-11\11-03-11\11-03-11.dwg Plot Date: 11/14/2011 11:40 AM by Mike Forts



- LEGEND:**
- ASYMPOTIC CONCRETE PAVEMENT
  - CONCRETE PAVEMENT
  - RIGHT-OF-WAY LINE
  - PROPERTY LINE
  - LEFT LINE
  - ADJACENT LINE
  - BUILDING SERVICE LINE

**PROJECT STATISTICS:**

PARCEL ID: 04-01-24-000-0000  
 LAND USE: NO FUTURE/CONSTRUCTION  
 ZONE: R-1 (RESIDENTIAL)  
 FUTURE LAND USE: 1 (SEE PAGE 8)  
 DISTRICT: 11  
 PROJECT NAME: SUPERIOR ILF PH 2  
 PROJECT NUMBER: 11-03-11  
 PROJECT LOCATION: 73 EGLIN PARKWAY NE, SUITE 203  
 FORT WALTON BEACH, FLORIDA 32548  
 PREPARED BY: JENKINS ENGINEERING, INC.  
 CHECKED BY: JENKINS ENGINEERING, INC.  
 APPROVED BY: JENKINS ENGINEERING, INC.  
 DATE: 11/14/2011  
 SHEET NUMBER: C01

THIS DRAWING IS THE PROPERTY OF JENKINS ENGINEERING, INC. AND IS NOT TO BE REPRODUCED WITHOUT EXPRESSED WRITTEN CONSENT.

REV	DATE	DESCRIPTION

CHS INVESTMENTS LLC  
 SUPERIOR ILF PH 2  
 CITY OF NICEMILLE, FLORIDA  
 CONCEPTUAL SITE PLAN  
 NOT VALID FOR PLACING RECORDS OR FOR OTHER REGULATORY PURPOSES

**JENKINS ENGINEERING, INC.**  
 73 EGLIN PARKWAY NE, SUITE 203  
 FORT WALTON BEACH, FLORIDA 32548  
 PHONE 850.837.2448  
 FAX 850.837.2480  
 JEKIVIL.COM

SHEET NUMBER  
**C01**



**ORDINANCE NO. 26-02-01**

**AN ORDINANCE OF THE CITY OF NICEVILLE, FLORIDA; AMENDING PART II, APPENDIX D LAND DEVELOPMENT CODE, ARTICLE 7, THE CODE OF ORDINANCES OF NICEVILLE, FLORIDA; PERTAINING TO PARCEL ID NO. 05-1S-22-256B-0026-0000 & 05-1S-22-256B-0040-0000; APPROVING AMENDMENT TO THE OFFICIAL ZONING MAP OF THE LAND DEVELOPMENT CODE AS DEPICTED ON THE ATTACHED MAP; PROVIDING FOR AMENDMENTS TO THE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT FUTURE LAND USE MAP AS DEPICTED ON THE ATTACHED MAP; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR MODIFICATIONS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**SECTION 1: AUTHORITY.** The authority for enactment of this Ordinance is Section 166.021, Florida Statutes and the City Charter.

**SECTION 2. FINDINGS OF FACT.**

**WHEREAS**, Chapter 163, Florida Statutes establishes the Local Government Comprehensive Planning and Land Development Regulation Act; and

**WHEREAS**, the City of Niceville Planning Commission, on January 5, 2026 held an advertised public hearing for this proposed Ordinance, which provided for comments and public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process, and recommended that the City Council hold a public hearing to adopt the Ordinance; and

**WHEREAS**, The City Council January 13, 2026 held an advertised public hearing for the first reading of this proposed Ordinance, which provided for comments and public participation in process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process; and

**WHEREAS**, The City Council has considered the proposed amendment of the Land Development Code Official Zoning Map and received public comment at an advertised public hearing for the final reading of the proposed Ordinance on February 10, 2026 and the Council is now ready to adopt the proposed amendment to the Official Zoning Map;

**NOW, THEREFORE**, be it ordained by the City Council of the City of Niceville, Florida as follows:

**SECTION 3. RECITALS.** The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

**SECTION 4. OFFICIAL ZONING MAP AMENDMENT.** The City Council hereby adopts the following amendment to the Official Zoning Map which will be updated consistent with the action of the City Council as set forth in this Ordinance:

1. The applicant requests to amend the adopted Official Zoning Map district designation on an amendment area that is approximately 12.45 +/- acres in size.
2. The amendment area is identified by parcel number 05-1S-22-256B-0026-0000 & 05-1S-22-256B-0040-0000.
3. The amendment area is currently designated Public, Civic, Institutional (PCI) on the Future Land Use Map adopted within the Niceville Comprehensive Plan.
4. The amendment area is currently designated Public, Civic, Institutional (PCI) on the Official Zoning Map.
5. Upon the legally effective date of this Ordinance, the Official Zoning Map District for the amendment area will be designated as Multi-family Residential (R-3) as shown on Exhibit 1, attached.
6. Upon the legally effective date of this Ordinance, the Future Land Use Map designation for the amendment area will be Medium Density Residential (MDR) as shown on Exhibit 2, attached.
7. Any future development under this amendment will be required to meet all of the standards of the City of Niceville Comprehensive Plan and Land Development Code.

**SECTION 5. CODIFICATION.** Section 4 of this Ordinance will be incorporated into the Code of Ordinances of the City of Niceville. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected.

**SECTION 6. SEVERABILITY.** If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion will be deemed separate, distinct, and independent provision, and such holding will not affect the validity of the remaining portions of this Ordinance.

**SECTION 7. SCRIVENER’S ERRORS.** It is the intention of the City Council of Niceville Florida, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Niceville Code of Ordinances and to that end, the sections of this ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section” or “article” or other appropriate designation. Additionally, corrections of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Attorney without public hearing, by filing a corrected or recodified copy with the Clerk of Courts.

**SECTION 8. CONFLICTS.** If a conflict between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of such conflict, as permitted under the law.

**SECTION 9. MODIFICATIONS.** It is the intent of the Niceville City Council, that the provisions of this ordinance may be modified as a result of considerations that may arise during a public hearing. Such modifications shall be incorporated into the final version of the ordinance adopted \_\_\_\_\_ by \_\_\_\_\_ the \_\_\_\_\_ Council.

**SECTION 10. EFFECTIVE DATE.** The effective date of the Comprehensive Plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

**ADOPTED** in regular session this 10<sup>th</sup> day of February 2026.

ATTEST:

\_\_\_\_\_  
MAYOR – DANIEL HENKEL

\_\_\_\_\_  
CITY CLERK – WENDY FARMER

# ORDINANCE 26-02-01 EXHIBIT 1



**2300 Partin Dr N**  
**PIN: 05-1S-22-256B-0026-0000**  
**05-1S-22-256B-0040-0000**

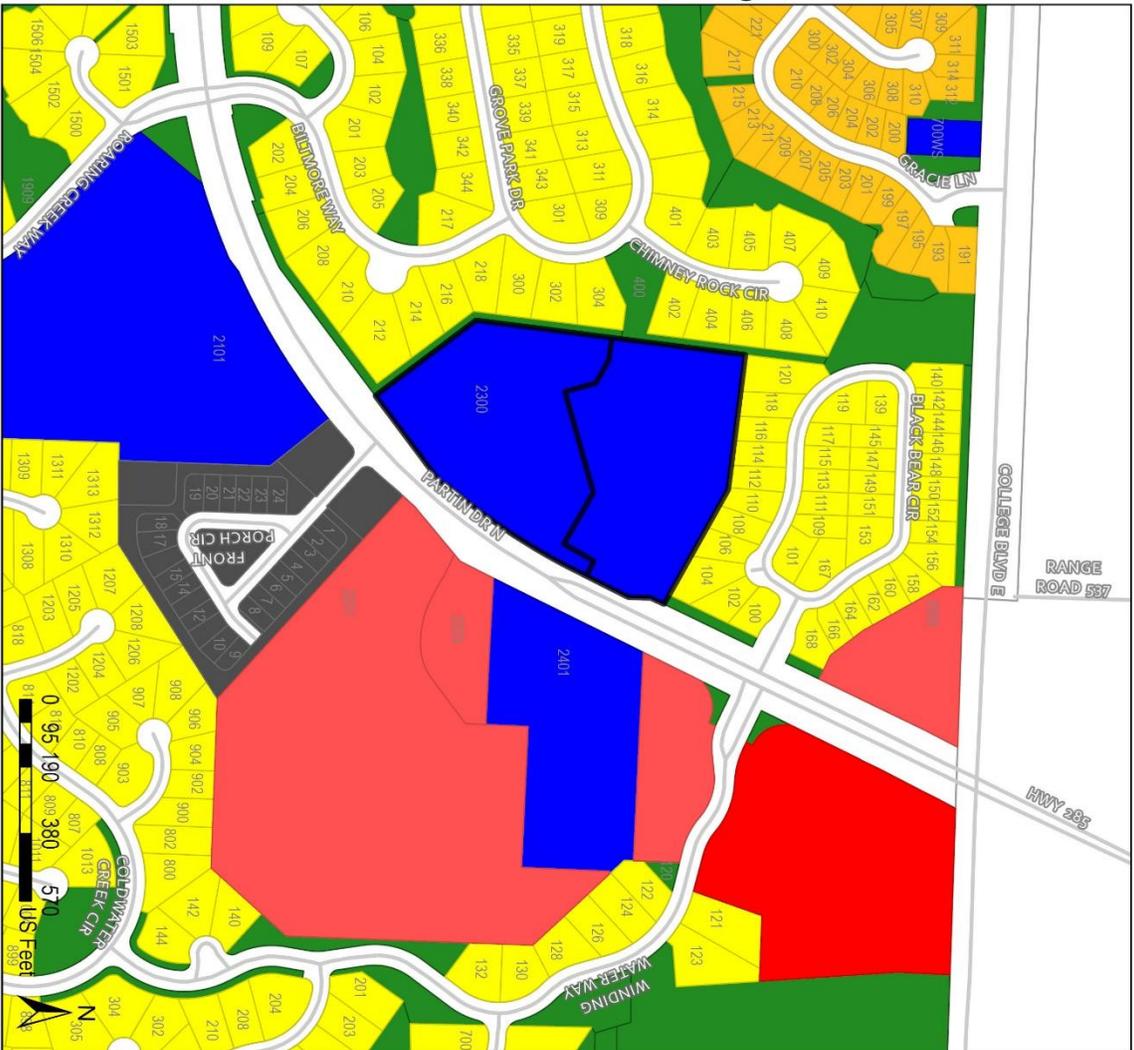
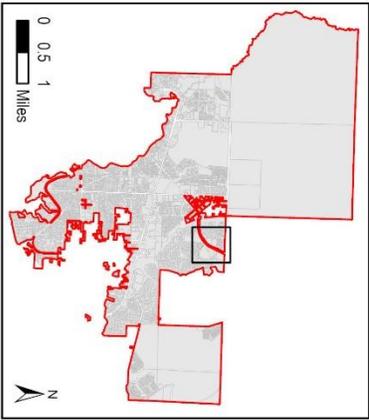
**Proposed Zoning Change**  
 From: Public Civic Institutional (PCI)  
 To: Multi-Family Residential (R-3)

**Future Land Use**  
 Current: Public Civic Institutional (PCI)  
 Proposed: Medium Density Residential (MDR)

**Total Acres: 12.48 +/-**

- Zoning**
- COH - Conservation
  - PCT - Public Civic Institutional
  - R-1 - Single Family Residential (Maximum 5 DU/AC)
  - R-1B - Single Family Residential (Maximum 8DU/AC)
  - PUD - Planned Unit Development (Maximum Development 25 DU/AC)
  - C-1 - Limited Commercial
  - C-2 - General Commercial

Map Prepared by Niceville GIS December 2025



# ORDINANCE 26-02-01 EXHIBIT 2

## City of Niceville Future Land Use



**2300 Partin Dr N**  
**PIN: 05-1S-22-256B-0026-0000**  
**05-1S-22-256B-0040-0000**

**Future Land Use Change**

Current: Public Civic Institutional (PCI)  
 Proposed: Medium Density Residential (MDR)

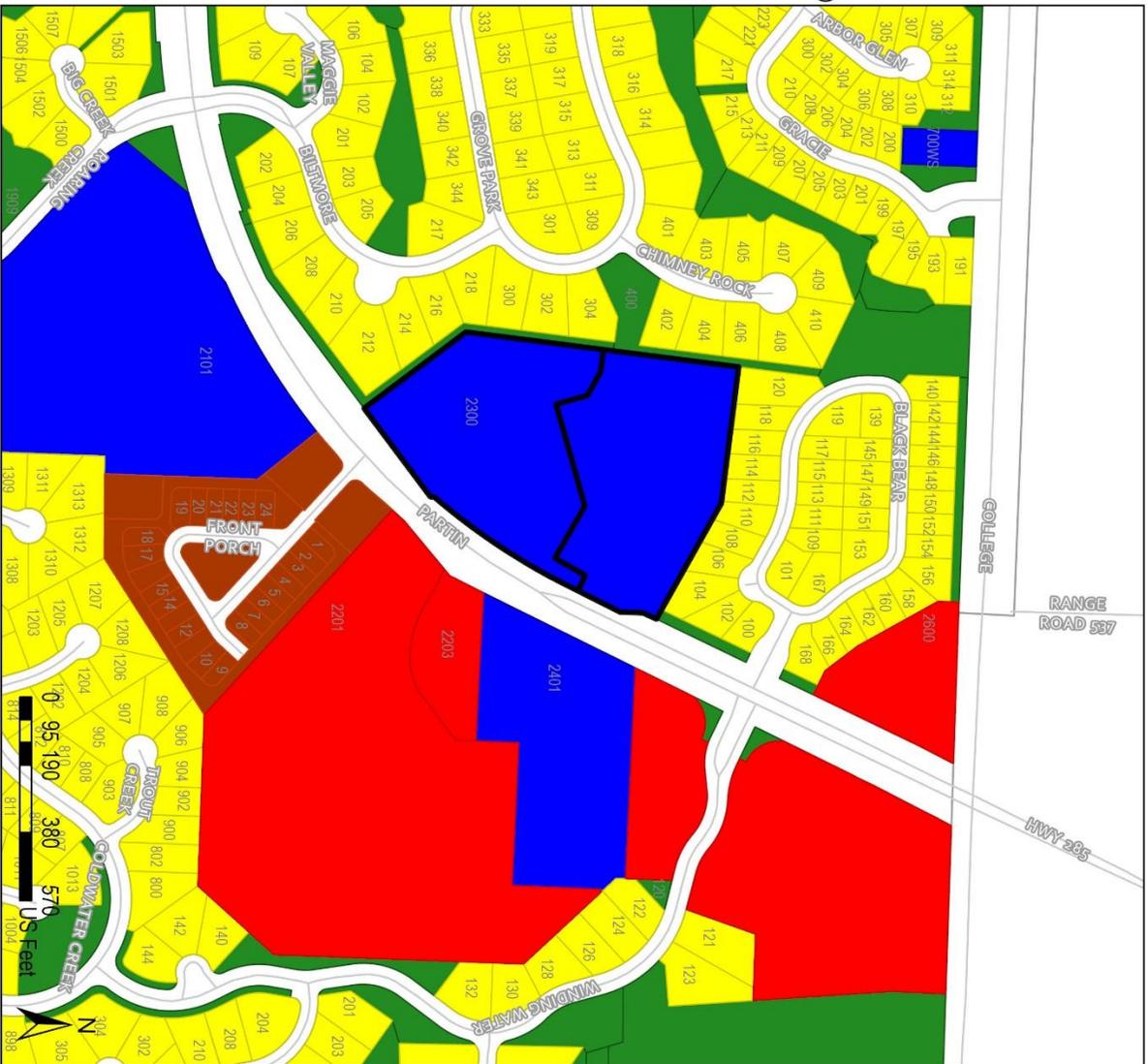
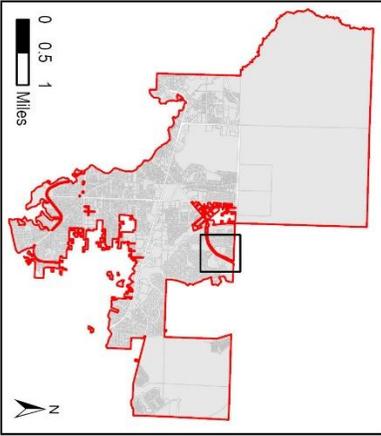
**Proposed Zoning Change**

From: Public Civic Institutional (PCI)  
 To: Multi-Family Residential (R-3)

**Total Acres: 12.48 +/-**

- Future Land Use**
- CON - Conservation
  - PCI - Public Civic Institutional
  - LDR - Low Density Residential
  - MU - Mixed Use
  - C - Commercial

Map Prepared by Niceville GIS December 2025





**D-2**



Variance Request: 774 Woods Drive  
PIN: 17-1S-22-1100-0000-0190



**PROJECT TITLE:**

774 Woods Drive Variance

**PROPERTY INFORMATION:**

- Parcel ID #: 17-1S-22-1100-0000-0190
- Address: 774 Woods Drive
- Owners: John Sidor
- Acreage: 0.31
- Legal: MAGNOLIA WOODS S/D LOT 19
- Zoning District: R-1A

**VARIANCE REQUEST:**

The applicant is requesting a reduction of the West side setback from 10' to 6' to construct an additional, attached garage.

**VARIANCE AUTHORITY:**

*LDC Sec. 2.05.00 – Designation of plans for review purposes. & LDC Sec. 2.07.00 – Variances.*  
The commission/LPA, after being advised by the Community Development Department, shall make a recommendation to the City Council to either approve, approve with conditions, or deny the request based on the review findings in Section 2.07.04. The commission/LPA may recommend such conditions and restrictions upon the premises benefited by a variance as may be necessary to prevent injurious effects upon other property in the neighborhood and to better carry out the general intent of this ordinance in considering a variance of the provisions of this ordinance.

In order to approve a variance request, City Council must find that all standards in Section 2.07.04 have been met, recognizing that the applicant bears the burden of proof.

**PUBLIC NOTICE:**

**Newspaper Ad Dates:**

December 22, 2025

**Mailed Notice:**

To owners abutting and within 300 feet on December 19, 2025

**Sign Notice:**

Posted on property on December 16, 2025

**Hearing Dates:**

Planning Commission – January 5, 2026

City Council – January 13, 2026

**RECCOMENDATION & SUMMARY OF CONSISTENCY REVIEW**

**STAFF:** Recommends denial based on the specific criteria in LDC Section 2.07.04. While Staff finds that the request some meets review criteria in Section 2.07.04 (specifically 2.07.04 b, and f); Staff does not find that this request meets all review criteria in that section.

**PLANNING COMMISSION:**

**SECTION OF CODE APPLICANT IS REQUESTING VARIANCE FROM:**

7.08.01(B)(2) *When an accessory building is attached to a principal dwelling by a roofed passage, it shall be considered as part of the principal dwelling and must meet setback requirements of the applicable zoning district.*

*R-1A: Front 30', Sides 10', Rear 25'*

**VARIANCE CRITERIA (SECTION 2.07.04(a-f): (answers provided by applicant)**

A) Special conditions and circumstances that exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.	Please see attached document to review homeowners' narrative.
B) Whether the special conditions and circumstances result from the actions of the applicant.	
C) Whether the granting of the variance request will confer on the applicant any special privilege that is denied by this ordinance or the comprehensive plan to other lands, buildings, or structures in the same zoning district.	
D) Whether literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant.	
E) That the variance if granted is the minimum variance that will make possible the reasonable use of the land, building or structure.	
F) The granting of the variance will be in harmony with the general intent and purpose of the ordinance, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.	

**NEIGHBORHOOD CHARACTERISTICS:**

Direction	Zoning	Adjacent Existing Land Uses
North	R-1	SFD
South	R-1A	SFD
East	R-1A	SFD
West	CON	Conservation/Vacant

**ALLOWED DEVELOPMENT IF VARIANCE IS GRANTED:**

Homeowners will be allowed to construct an addition in the proposed location if meeting the approved West side setback of 6'.

**ALLOWED DEVELOPMENT WITHOUT VARIANCE:**

Any addition will have to meet the principal dwellings setback requirements for R-1A zoning.

**BOARD OPTIONS:**

- a. Recommend approval of the proposed variance, as presented.
- b. Recommend denial of the proposed variance, as presented.

**ATTACHMENTS:**

- 1) VARIANCE CRITERIA (SECTION 2.15.00(d)(1-6))
- 2) Applicant's Letter of Request
- 3) Copy of Survey with supporting photos
- 4) Proposed Site and Building Plan



**APPLICATION FOR VARIANCE**

City of Niceville Community Development  
212 Partin Drive N  
Niceville, FL 32578

Applicant name: John Sidor

Applicant is: Property owner X Authorized agent\*         
\*Attach verification affidavit

Applicant Address: 774 Woods Dr., Niceville, FL 32578

Applicant Telephone: 850-461-3010

Property Owner Name: Sidor, Winda A. & John R.

Property Address: 774 Woods Dr., Niceville, FL 32578

Parcel ID Number: 17-1S-22-1100-0000-0190

Land use information: FLUM category 000100 - SFR

Zoning district R-1A

Size of property:                           0.31 acres OR  
   sq. ft.

**Variance request:**

1. Specific section of the Land Development Code from which the variance is requested  
Article 7, Appendix D, Table 7-2: Schedule of Area, Height, Bulk, and Placement Regulation

2. Describe the variance you are requesting in detail

We are seeking approval for a setback reduction on the left (west) side of our property to allow for the construction of a third attached garage bay, which will align with the existing architectural design, materials, and roofline of our home. Our preferred request is a 7.2-foot setback, with the front left corner of the addition (approximately 5 sq ft of the proposed 378 sq ft addition) having a 6-foot setback due to the unique angled boundary between the front of our lot and the city's adjacent lot (see attached site plan). We are also requesting consideration for a 7.5-foot setback if the city requires strict consistency with other homes within our neighborhood (many of which already have approved 7.5-foot side setbacks). The current minimum side setback for our home is 10 feet.

**Standards of review:** Describe in as much detail as possible how the variance request meets **each** of the following standards (LDC 2.07.04). Attach additional sheets if necessary.

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

Our property is unique because the side of the lot where we are requesting the setback variance directly borders approximately 1.5 acres of city-owned land used as a utilities and stormwater easement. This public tract contains a stormwater overflow pond that remains dry except during major storm events and is not used for residential purposes. As a result, the side of our home where the garage addition is proposed does not adjoin another private property owner, unlike most residential lots in the zoning district.

Additionally, within the same subdivision, the majority of homes constructed after ours were permitted with reduced side setbacks of 7.5 feet, creating a development pattern that differs from our parcel's originally required 10-foot side setback. This creates a unique condition where our lot is both adjacent to undeveloped municipal land and situated within a subdivision where similar reduced setbacks already exist.

These circumstances distinguish our lot from most others in the zoning district.

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

These conditions were not created by us. The city-owned stormwater easement and its 1.5-acre span existed prior to our ownership, and we played no role in the subdivision layout, the public land boundary, or the original assignment of a 10-foot side setback to our lot.

Similarly, we did not influence the city's past decisions granting 7.5-foot side setbacks to most of the subsequent homes in our neighborhood. The inconsistency in setback requirements was established before we attempted to make improvements to our property. Thus, the need for a variance arises entirely from pre-existing conditions beyond our control.

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

Granting this variance would not provide a special privilege. Homes in the same subdivision have already been approved with 7.5-foot side setbacks. Our request simply seeks parity with the development pattern that has already been permitted by the city.

Furthermore, the variance does not grant us use of public lands, increased density, unusual construction rights, or any benefit inconsistent with the Land Development Code. The garage addition will remain entirely within our property boundaries and will comply with all other code requirements.

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

Strict enforcement of the 10-foot side setback prevents us from constructing a third garage bay despite the fact that:

- Many homes in our subdivision already benefit from a 7.5-foot approved setback, and
- The proposed structure would be adjacent only to city-owned stormwater land rather than a private residence.

This deprives us of the reasonable ability to expand our garage in a manner similar to other properties in the area. The hardship is unnecessary because the reduced setback poses no impact to neighboring homeowners, and the city-owned parcel provides ample separation, visibility, safety, and drainage accommodation.

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

We are requesting the minimum amount of relief that would allow the garage addition to be constructed in alignment with the existing structure, materials, and roofline. Our preferred request is a 7.2-foot setback, which is only slightly more than the commonly approved 7.5-foot setback granted throughout much of our subdivision.

If the City does not approve 7.2 feet, we are willing to accept a 7.5-foot setback, which matches what has already been approved for other homes in our subdivision.

No additional variances are requested, and the remainder of the project fully complies with the Land Development Code.

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

This variance aligns with the intent of the Land Development Code because:

- The proposed construction respects the character of the existing home and neighborhood.
- The garage addition will improve the visual appearance of the property by allowing all vehicles to be stored indoors, reducing visible parking.
- The garage addition reduces the vulnerability of our vehicles to potential damage during tropical storms, hurricanes, etc.
- The setback reduction only affects the boundary adjacent to City-owned utility/stormwater land, ensuring no impact to private neighbors.
- The structure will use matching brick, roofing, siding, etc., maintaining architectural harmony.
- The garage will not impede drainage, sight lines, access, safety, emergency services, or circulation.

Because the improvement remains entirely on our property and is adjacent only to municipal land, the variance will not cause injury or adverse effects to any adjoining property owner or the public.

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

JOHN R. SIDOR  
Applicant typed or printed name

  
Applicant signature

3 Dec 2025  
Date

**Applicant:** John Sidor

**Property Address:** 774 Woods Drive, Niceville, FL 32578

**Subdivision:** Magnolia Woods, Phase I, Lot 19

City of Niceville Community Development

212 Partin Drive N.

Niceville, FL 32578

Subject: Petition for Variance – Side Setback Requirement

To Whom It May Concern:

I respectfully submit this letter as my formal petition for a variance to the side setback requirement established in the City of Niceville Land Development Code. My property, located at 774 Woods Drive, is Lot 19 within Phase I of the Magnolia Woods Subdivision, which includes 29 lots that were originally platted with a 10-foot side setback requirement.

I am seeking approval for a setback reduction on the left (west) side of my property to allow for the construction of a third attached garage bay, which will align with the existing architectural design, materials, and roofline of my home. My preferred request is a 7.2-foot setback, with the front left corner of the addition (approximately 5 sq ft of the proposed 378 sq ft addition) having a 6-foot setback due to the unique angled boundary between the front of our lot and the city's adjacent lot (see attached site plan). I am also requesting consideration for a 7.5-foot setback if the city requires strict consistency with other homes within our neighborhood (many of which already have approved 7.5-foot side setbacks). The current minimum side setback for our home is 10 feet.

While Phase I of Magnolia Woods required a 10-foot side setback, the development pattern of the subdivision has significantly evolved. Subsequent phases, representing 77 additional lots, were approved with 7.5-foot side setbacks. Of these, 70 lots have already been built upon using the 7.5-foot standard, and the remaining 7 homes currently under construction are also being built with the 7.5-foot side setback. As a result, the overwhelming majority of Magnolia Woods has been developed under the reduced setback standard, leaving Phase I as the minority exception.

My property is particularly well-suited for this variance because the side on which the garage addition will be built borders approximately 1.5 acres of city-owned land, consisting of a stormwater overflow easement and retention area. This land remains dry except during heavy rainfall and is not used for residential purposes. Therefore, the requested variance does not affect any private neighbor or reduce separation between residential structures. Even with a reduced setback of 7.2–7.5 feet, my home will remain more than adequately separated from any structure or use on adjoining land.

The proposed improvement will also enhance the appearance and safety of my property by allowing me to store all vehicles indoors. This will reduce exterior parking, improve neighborhood aesthetics, and provide better storm protection in an area frequently impacted by tropical weather and hurricanes.

The project fully complies with all other Land Development Code requirements and involves no changes to lot coverage, building height, drainage patterns, or access. All building materials (including brick, roofing, siding, and garage door profile) will match the existing home to ensure architectural consistency.

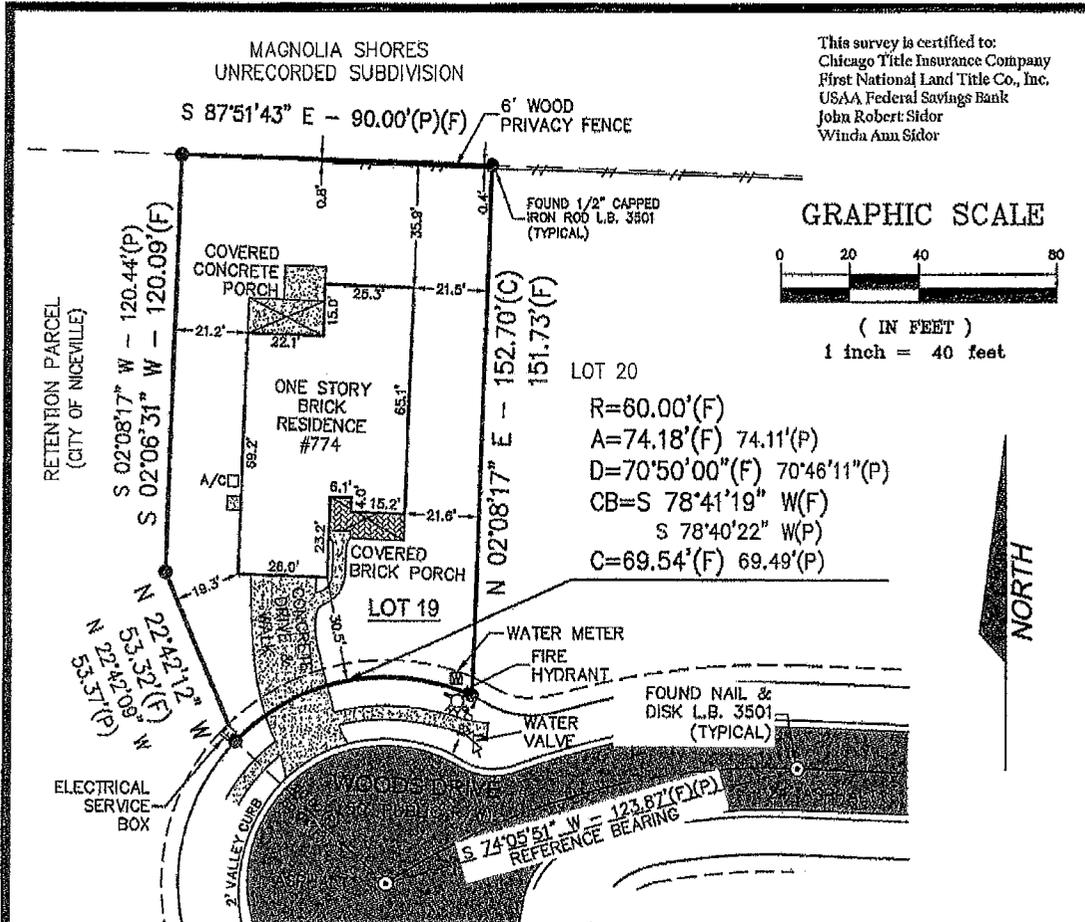
For these reasons, and in alignment with the variance standards outlined in LDC §7.04, I respectfully request approval of this variance. The request reflects the minimum relief necessary to achieve a reasonable improvement to my property and is fully consistent with the character and development pattern of the surrounding neighborhood.

Thank you for your consideration of this petition. I have attached the required Application for Variance, a site plan (to scale) showing the proposed addition, a survey of the property, and a copy of the deed of the property. Please contact me at the if you need any additional information for your review.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Sidor". The signature is fluid and cursive, with a large, sweeping loop at the end.

JOHN R. SIDOR  
774 Woods Drive  
Niceville, FL 32578  
850-461-3010  
john.r.sidor@gmail.com



**SURVEY REPORT:**

1. 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.
2. NO ENVIRONMENTAL JURISDICTIONAL LINES HAVE BEEN DETERMINED BY GUSTIN, COTHERN & TUCKER, INC.
3. APPARENT USES ARE AS SHOWN.
4. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.
5. BEARINGS SHOWN HEREON ARE REFERENCED TO THE LINE AS SHOWN ABOVE.
6. FLOOD STATEMENT: MAP NUMBER 12091C0476 H, DATED 12-06-2002, FLOOD ZONE X.
7. ALL MEASUREMENTS ARE IN U.S. SURVEY FEET.
8. SOME FENCES MAY NOT BE DRAWN TO SCALE FOR GRAPHICAL PURPOSES.

**LEGEND:**

- # = 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
- ⊙ = CENTERLINE
- A/C = AIR CONDITIONER
- B.S.L. = BUILDING SETBACK LINE
- NAVD = NORTH AMERICAN VERTICAL DATUM
- P = PLAT
- F = FIELD
- R = RADIUS
- A = ARC LENGTH
- D = DELTA
- CB = CHORD BEARING
- C = CHORD LENGTH
- X 00.00' = SPOT ELEVATION

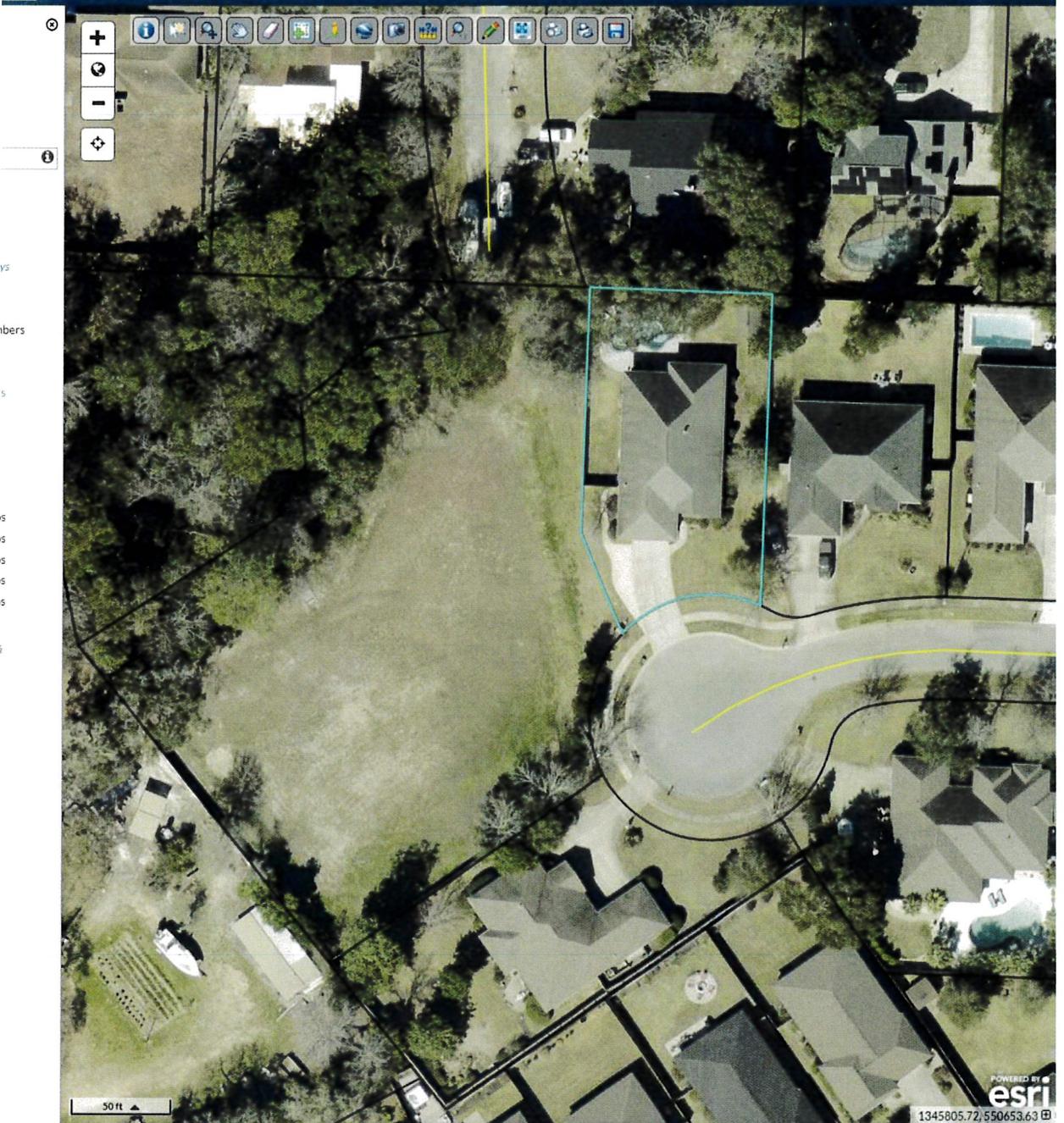
<p>LOT 19 MAGNOLIA WOODS PLAT BOOK 26, PAGE(S) 11-12, SECTION 17, TOWNSHIP 1 SOUTH, RANGE 22 WEST, OKALOOSA COUNTY, FLORIDA</p>		 ALLEN E. TUCKER, P.S.M. No.4584 OR HORACE WAYNE WALKER, JR., P.S.M. No.5029 OR KIMBERLY A. SAXTON, P.S.M. No.6569	<p>© GGT, INC. 2013</p> <p>NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER</p>
<p>TYPE SURVEY: AS-BUILT</p> <p>CLIENT: HUFF DEVELOPMENT</p>	<p>FIELD DATE: 01-25-2013 FIELD BOOK: 13-02 / 44-45</p> <p>HORIZONTAL DATUM: ASSUMED VERTICAL DATUM: NOT APPLICABLE</p>		
<p><b>GUSTIN, COTHERN &amp; TUCKER, INC.</b> LAND SURVEYING / CIVIL ENGINEERING (850) 678 - 5141 L.B. #3501 121 HART STREET www.gctengineering.com NICEVILLE, FL 32578</p>		<p>01-28-2013</p> <p>DRAWN BY: TEB</p>	<p>13-0063</p> <p>SHEET 1 OF 1</p>

# 774 Woods Drive Parcel Satellite Map

Okaloosa County Property Appraiser

[Log In](#) Search

Map Search Tangible Property Search Sales Search Sales List Condo List Results Report Sales Results Property Type Search Property Type Results Tax Est

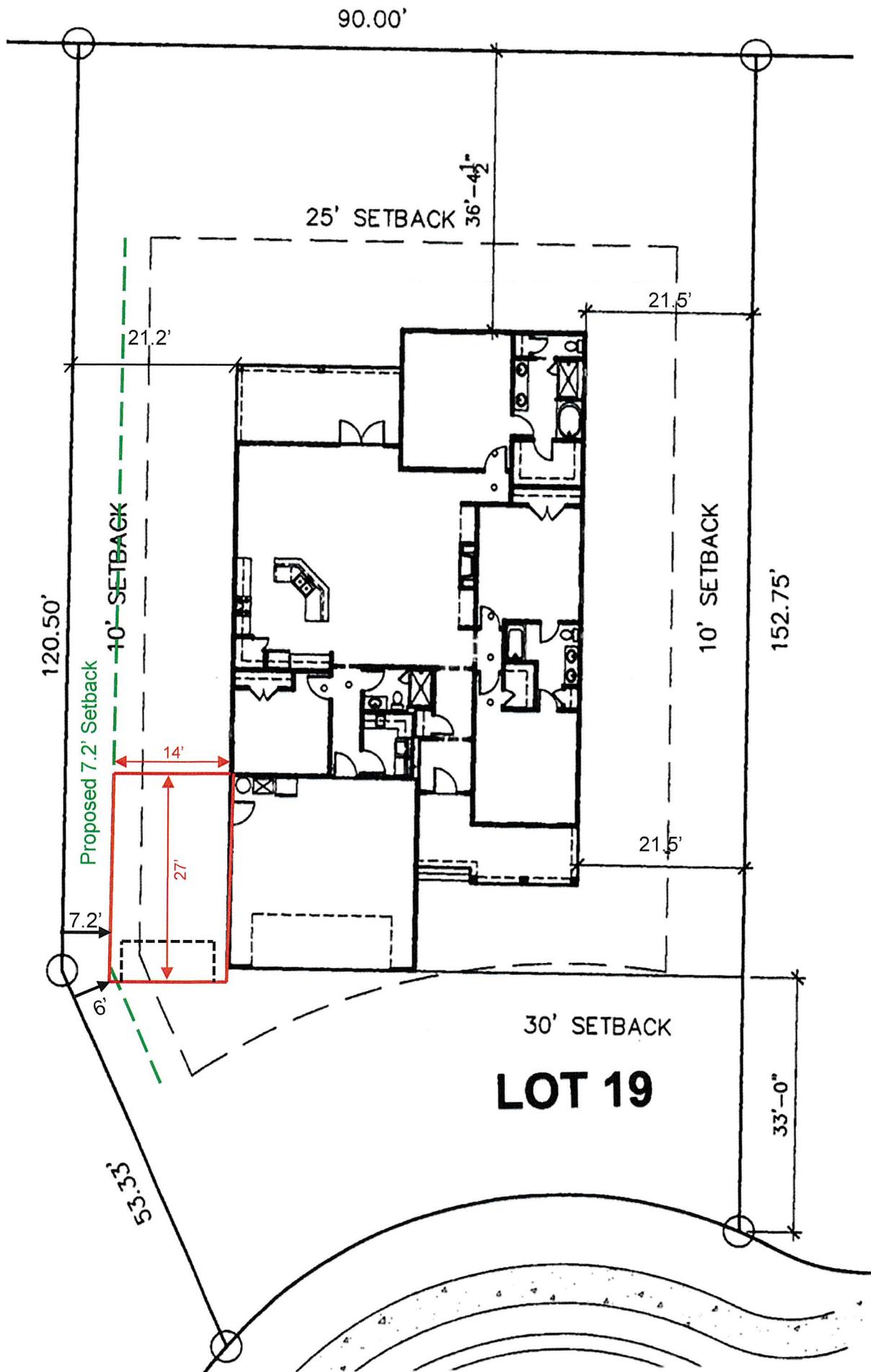


Parcel ID	17-15-22-1100-0000-0190	Physical Address	774 WOODS DR NICEVILLE	Land Value	\$111,913	Last 2 Sales			
Acres (GIS)	0.31	Mailing Address	SIDOR WINDA A & JOHN R SIDOR JOHN R 774 WOODS DRIVE NICEVILLE, FL 32578	Ag Land Value	\$0	Date	Price	Reason	Qual
Property Class	SINGLE FAMILY			Building Value	\$444,819	2/26/2013	\$372000	QUAL/DEED EXAMINATION	Q
Taxing District	6			Misc Value	\$34,000	8/27/2012	\$83500	QUAL/DEED EXAMINATION	Q
				Just Value	\$590,732				
				Assessed Value	\$444,243				
				Exempt Value	\$60,722				
				Taxable Value	\$383,521				

774 Woods Drive Photo From Street



# 774 Woods Drive Site Plan







**D-3**



Variance Request: 1057 John Sims Pkwy  
PIN: 08-1S-22-0000-0087-0030



**PROJECT TITLE:**

1057 John Sims Parkway Variance

**PROPERTY INFORMATION:**

- Parcel ID #: 08-1S-22-0000-0087-0030
- Address: 1057 John Sims Parkway
- Owners: Florida Power & Light Company
- Acreage: 1.01 +/-
- Legal: Metes & Bounds
- Zoning District: C-2, General Commercial

**VARIANCE REQUEST:**

The applicant is requesting a reduction in the required parking for a proposed 3,333 sq ft commercial financial institution project from 28 to 21 parking spaces.

**VARIANCE AUTHORITY:**

*LDC Sec. 2.05.00 – Designation of plans for review purposes. & LDC Sec. 2.07.00 – Variances.*

The commission/LPA, after being advised by the Community Development Department, shall make a recommendation to the City Council to either approve, approve with conditions, or deny the request based on the review findings in Section 2.07.04. The commission/LPA may recommend such conditions and restrictions upon the premises benefited by a variance as may be necessary to prevent injurious effects upon other property in the neighborhood and to better carry out the general intent of this ordinance in considering a variance of the provisions of this ordinance.

In order to approve a variance request, City Council must find that all standards in Section 2.07.04 have been met, recognizing that the applicant bears the burden of proof.

**PUBLIC NOTICE:**

**Newspaper Ad Dates:**

December 22, 2025

**Mailed Notice:**

To owners abutting and within 300 feet on December 19, 2025

**Sign Notice:**

Posted on property on December 16, 2025

**Hearing Dates:**

Planning Commission – January 5, 2026

City Council – January 13, 2026

**RECOMMENDATION & SUMMARY OF CONSISTENCY REVIEW**

**STAFF:** Recommends Approval, Staff agrees this request meets the variance criteria in LDC Section 2.07.00.

**PLANNING COMMISSION:**

**SECTION OF CODE APPLICANT IS REQUESTING VARIANCE FROM:**

8.05.02 *The required number of off-street motor vehicle spaces and any special requirements that may apply is provided for in Table 8-4. When the number of off-street spaces required by this Code results in a fractional space, the number shall be rounded up to next whole number.*  
*Financial Institution: 8.40 per 1,000 sq ft*

**VARIANCE CRITERIA (SECTION 2.07.04(a-f): (answers provided by applicant)**

A) Special conditions and circumstances that exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.	Please see attached document to review applicants' narrative.
B) Whether the special conditions and circumstances result from the actions of the applicant.	
C) Whether the granting of the variance request will confer on the applicant any special privilege that is denied by this ordinance or the comprehensive plan to other lands, buildings, or structures in the same zoning district.	
D) Whether literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant.	
E) That the variance if granted is the minimum variance that will make possible the reasonable use of the land, building or structure.	
F) The granting of the variance will be in harmony with the general intent and purpose of the ordinance, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.	

**NEIGHBORHOOD CHARACTERISTICS:**

Direction	Zoning	Adjacent Existing Land Uses
North	C-2	Commercial
South	C-2	Commercial
East	C-2	Commercial
West	PCI	Institutional

**ALLOWED DEVELOPMENT IF VARIANCE IS GRANTED:**

Applicants will be allowed to move forward with plans to construct a 3,333 sq ft financial institution with the reduced amount of parking spaces.

**ALLOWED DEVELOPMENT WITHOUT VARIANCE:**

Applicants must provide the required amount of parking based on the project square footage according to code.

**BOARD OPTIONS:**

- a. Recommend approval of the proposed variance, as presented.
- b. Recommend denial of the proposed variance, as presented.

**ATTACHMENTS:**

- 1) VARIANCE CRITERIA (SECTION 2.15.00(d)(1-6))
- 2) Applicant's Letter of Request
- 3) Proposed Site Plan



**APPLICATION FOR VARIANCE**

City of Niceville Community Development  
208 Partin Drive N  
Niceville, FL 32578

Applicant name: Dynamic Engineering Consultants , PC

Applicant is: Property owner \_\_\_\_\_ Authorized agent\* X  
\*Attach verification affidavit

Applicant Address: 100 NE 5th Ave, Suite B2, Delray Beach, FL 33483

Applicant Telephone: 561-921-8570

Property Owner Name: Florida Power Light Co.

Property Address: 1057 John Sims Parkway, Niceville, FL 32578

Parcel ID Number: 08-1S-22-0000-0087-0030

Land use information: FLUM category Commercial (C)

Zoning district General Commercial (C-2)

Size of property: 1.01 acres OR  
44,034 sq. ft.

**Variance request:**

1. Specific section of the Land Development Code from which the variance is requested  
Section 8.05.01 Off-street vehicle parking
2. Describe the variance you are requesting in detail

The variance is requested for a reduction in the number of required parking spaces for a proposed 3,333 SF financial institution with a drive-up ATM. Per code, parking is required at a ratio of 8.40 spaces per 1,000 SF, which results in a total of 28 spaces required. The proposed development provides 21 spaces, which is sufficient to serve both employees and customers for the proposed use based on national historical standards for JPMorgan Chase Bank. The proposed parking ratio is 6.30 spaces per 1,000 SF, which is above the current utilized parking ratio of surrounding financial institutions.

**Standards of review:** Describe in as much detail as possible how the variance request meets each of the following standards (LDC 2.07.04). Attach additional sheets if necessary.

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

The subject property is a ±1.01-acre corner lot with dual frontages along E. John Sims Parkway and Bullock Boulevard. Approximately 0.17 acres of the site is dedicated to on-site stormwater management, which significantly reduces the developable area available for parking. Combined with required buffers, access management, and circulation for the drive-up ATM, these conditions create unique constraints. The allowance of this parking reduction allows the applicant to provide more pervious and stormwater area for the site. The approval of this variance allows the proposed Chase Bank to be in conformance to surrounding banks in the same and similar zoning districts

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

Approximately 0.17 acres of the site is dedicated to on-site stormwater management, which significantly reduces the developable area available for parking. Combined with required buffers, access management, and circulation for the drive-up ATM, these conditions create unique constraints. Allowing the reduction in parking reduces the required impervious area proposed for the site, and still allows this multinational banking institution to have adequate parking to sustain the use.

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

Approval of this variance would not grant a special privilege to the Applicant, but would allow for more pervious area to be built on the subject parcel and within the City. The required parking ratios are set to provide required parking for the use, and per JPMorgan Chase Bank national standards, the proposed 21 parking stalls provides adequate parking for the site without needing to provide overflow stalls and additional impervious area to the site. Approval of this variance would not allow for special privilege as it would allow for Chase to be in conformance to surrounding financial institutions in the same or similar zoning districts.

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

Approving this variance would allow this proposed Chase Bank to be in conformance with multiple other local banks that under the same or similar zoning district. If this variance is not approved, then Chase Bank would be subject to zoning criteria that others around it are not compliant with. The approval of this variance will allow for general conformance of banks within this area. The existing FNBT bank east of the subject property at 1065 E John Sims Parkway is a 2,856 SF building (per property appraiser), which would require 24 parking stalls. Per visual observation, the use has 17 existing parking stalls. This ratio would be roughly 5.95 parking stalls per 1,000 SF, which aligns with 20 parking stalls for the Chase Bank. Therefore, the proposed Chase Bank would be in alignment with adjacent use and provide one additional stall. The Synovus Bank at 1001 E John Sims Parkway is a 4,870 SF bank (per property appraiser) with 29 observed parking stalls, which is right in line with the 5.95 parking stalls per 1,000 SF. The required would be 41 stalls.

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

The variance requested is the minimum necessary to allow reasonable development of the site. Reducing the requirement from 28 to 21 spaces accommodates the 0.17 acres dedicated to stormwater management while still providing sufficient parking for employees and customers.

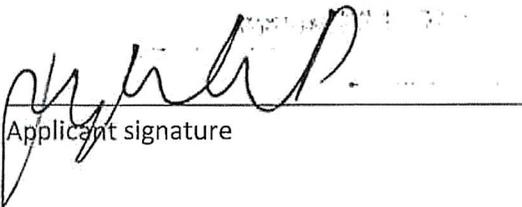
6. *That the grant of the variance will be in harmony with the general intent and purpose of the Land Development Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

Granting the variance is consistent with the intent of the Code, as the 21 spaces provided will adequately serve the financial institution without unnecessary overflow parking that will not be utilized realistically. The reduction avoids unnecessary impervious area, and is consistent with the surrounding banks in this area under the same jurisdiction.

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

Jacqueline Pachay, P.E.

Applicant typed or printed name

  
Applicant signature

11/10/2025  
Date



**APPLICANT'S AFFIDAVIT OF OWNERSHIP & DESIGNATION OF AGENT**  
 City of Niceville Building and Planning Department  
 208 Partin Drive N  
 Niceville, FL 32578

**I. Ownership.**

I, Jon M. Rosenthal, hereby attest to ownership of the property described below:

Parcel I.D. Number(s):  
08-1S-22-0000-0087-0030

Location address:  
1057 East John Sims Parkway, Niceville, Florida 32578

for which this Application is submitted.

The ownership, as recorded on the deed, is in the name of:  
Florida Power & Light Company

Please complete the appropriate section below:

Individual	Corporation Provide Names of Officers: Board of Directors	Partnership Provide Names of General Partners:
<hr/>	<hr/>	<hr/>

Dept. of State Registration No.:  
TIN: 59-0247775  
 Name/Address of Registered Agent:  
Corporation Service Company  
1201 Hays Street  
Tallahassee, FL 32301-2525

**II. Designation of Applicant's Agent. (Leave blank if not applicable)**

As the owner of the above designated property and the applicant for which this affidavit is submitted, I wish to designate the below named party as my agent in all matters pertaining to the location address. In authorizing the agent named above to represent me, or my company, I attest that the application is

made in good faith and that any information contained in the application is accurate and complete to the best of my knowledge and belief.

Applicant's Agent: Dynamic Engineering Consultants, PC  
Address: 100 NE 5th Ave, Suite B2, Delray Beach, FL  
Contact Person: Jacqueline Pachay  
Telephone No.: 561-921-8570

**III. Notice to Owner.**

- A. All changes in Ownership & Applicant's Agent prior to issuance shall require new affidavit. If ownership changes the new owner assumes the obligations and the original applicant is released from responsibility for actions taken by others after the change in ownership.
  
- B. If the Owner intends the Designation of Applicant's Agent to be limited in any manner, please indicate the limitation below. (i.e., Limited to obtaining a certificate of concurrency for the parcel; limited to obtaining a land use compliance certificate; etc.)

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**IV. Acknowledgement.**

Individual	Corporation Partnership Florida Power & Light Company	Partnership
Signature	Print Corporation Name By: <u>J.M. Rosenthal</u>	Print Corporation Name
Print Name:	Signature	Signature
Address:	Print Name: Jon M. Rosenthal	Print Name:
Phone:	Address: 700 Universe Blvd., B2A/JB	Address:
Email:	Phone: 561-694-4274	Phone:
	Email: Jon.Rosenthal@FPL.com	Email:

Please use appropriate notary block.

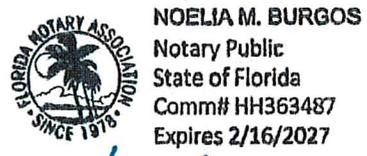
STATE OF Florida  
 COUNTY OF Palm Beach

Individual	Corporation Partnership	Partnership
Before me, this _____ day of _____, 20____, personally appeared _____	Before me, this <u>2<sup>nd</sup></u> day of <u>July</u> , 20 <u>25</u> personally appeared <u>Jon M Rosenthal</u> of <u>Florida Power Light</u> , a <u>Director Construction</u> corporation, on behalf of the corporation, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.	Before me, this _____ day of _____, 20____, personally appeared _____ partner/agent on behalf of _____ a partnership, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.
who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.		

Personally known ; or  
 Produced identification \_\_\_\_\_  
 Type of identification produced:  
 \_\_\_\_\_

Noelia M. Burgos  
 Signature of Notary  
 Print Name: Noelia M. Burgos

Notary Public  
 (Notary Stamp)



My Commission Expires: 2/16/2027

City of Niceville  
Community Development  
208 N Partin Drive  
Niceville, FL 32578

**Re:Chace Niceville – Application for Variance  
1057 John Sims Parkway,  
Niceville, FL 32578  
Parcel ID No: 08-1S-22-0000-0087-0030  
DECPC No.: 2521-24-03946**

Dear members of the Community Development Department,

On behalf of our client, JPMorgan Chase Bank, (the “Applicant”) please accept this letter of petition for parking reduction. The subject property is a ±1.01-acre lot located at the southeast corner of the intersection of John Sims Parkway and Bullock Boulevard, under the Parcel No. 08-1S-22-0000-0087-0030. The applicant is proposing to develop the site into a 3,333 square foot financial institution building with a drive-up ATM.

According to City of Niceville Land Development Code (Sec.8.05.00), the required parking ratio for a financial institution is 8.40 spaces per 1,000 GFA. For the proposed 3,333 square foot building, this equates to a requirement of 28 parking spaces.

We are respectfully requesting a variance to provide 21 parking spaces. Given the operational nature of a financial institution, the actual parking demand is lower than the Code requirement. The 21 spaces provided will sufficiently accommodate both employees and customers without creating adverse impacts on surrounding properties or traffic circulation.

We respectfully request approval of this variance, as it will allow for the reasonable development of the property while maintaining consistency with the intent of the Land Development Code

Sincerely,

**Dynamic Engineering Consultants, P.C.**



Jacqueline C. Pachay, PE  
Project Manager  
FL Professional Engineer License No.99305

[www.dynamicec.com](http://www.dynamicec.com)

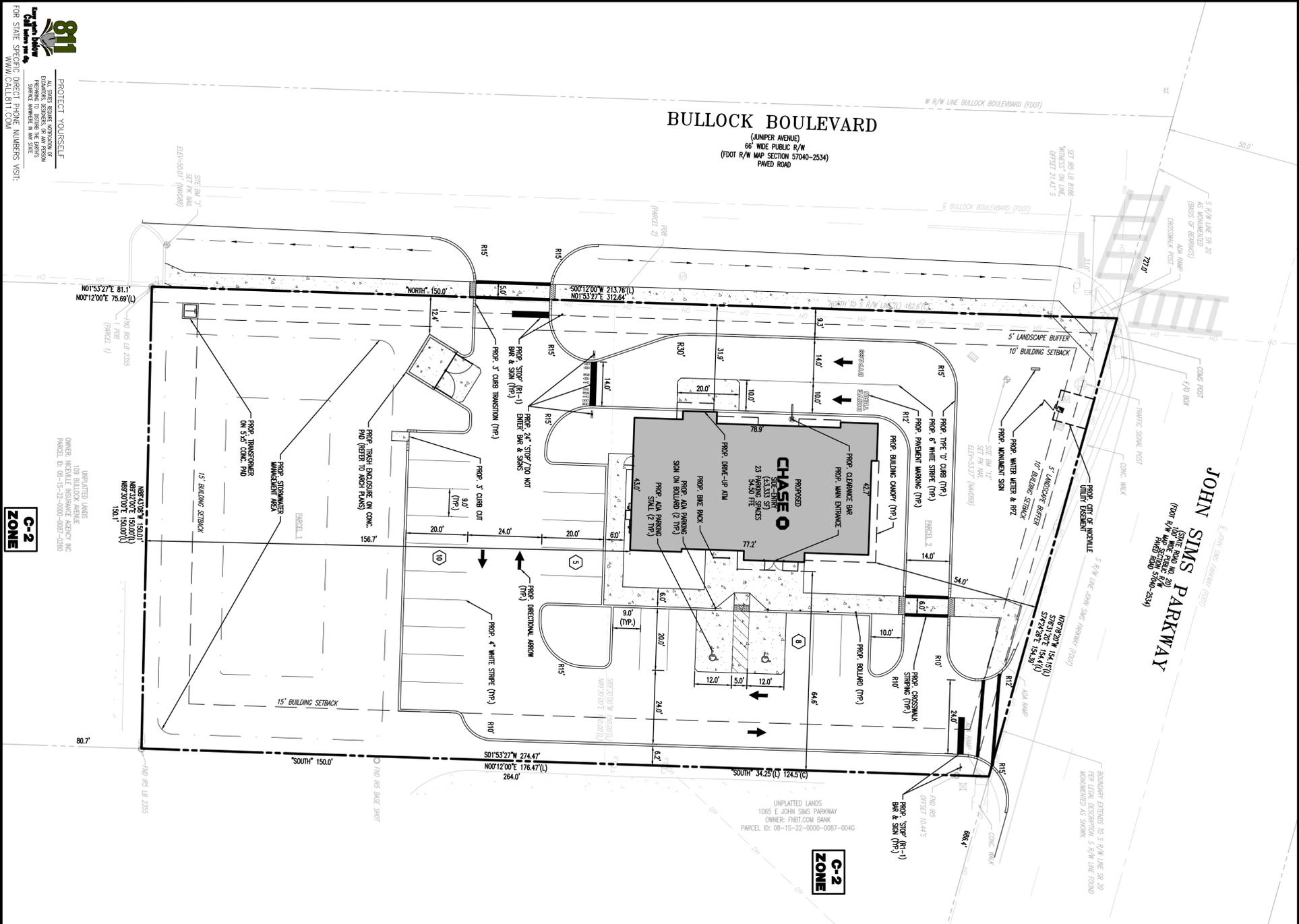
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 Call before you dig  
 PROJECT YOURSELF  
 ALL STATES REQUIRE NOTIFICATION OF  
 EXISTING UTILITIES BEFORE ANY  
 CONSTRUCTION OR EXCAVATION  
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 FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT:  
 WWW.CALL811.COM

UNPLATTED LANDS  
 105 BULLOCK AVENUE  
 OWNER: JOHN SIMS PARKWAY INC  
 PARCEL ID: 08-15-22-0000-0087-0089

**C-2**  
 ZONE



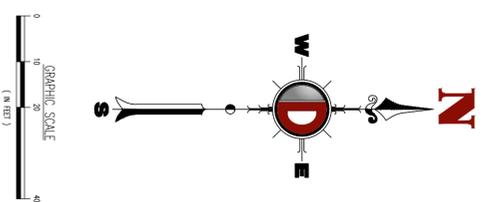
### SIGNING & STRIPING LEGEND

- PROPOSED 24" WHITE PAINTED STOP BAR
- PROPOSED SIGNS
- PROPOSED WHITE PAINTED THROUGH LANE-USE ARROW IN DRIVE ASSETS PER FOOT INDEX 711-001.
- PROPOSED 4" WHITE PAINTED CROSSWALK STRIPING PER FOOT INDEX 711-001.
- PROPOSED 12" WHITE PER FOOT INDEX 711-001

### HORIZONTAL CONTROL & STRIPING NOTES

1. ALL CURBING IS TYPE 'D' UNLESS OTHERWISE STATED.
2. TYPE 'D' CURB SHALL BE CONSTRUCTED PER FOOT INDEX 300.
3. ALL DIMENSIONS SHOWN, OTHER THAN LANDSCAPE DIMENSIONS, ARE TO FACE OF CURB FOR TYPE 'D' CURB OR EDGE OF PAVEMENT FOR NO CURB, UNLESS OTHERWISE NOTED. LANDSCAPE DIMENSIONS ARE SHOWN TO BACK OF CURB.
4. ALL CURB BARS AND SIGNMAKERS ENTERING PARKING OR TRAVEL WAYS SHALL HAVE DETECTABLE WARNING SURFACES 2" DEEP AND THE WIDTH OF THE SIGNMAKER REFER TO THE LATEST FOOT DESIGN STANDARD PLANS INDEX 522-002.
5. ALL STOP BARS, DIRECTIONAL ARROWS AND CROSSWALKS SHALL BE THERMOPLASTIC. ALL OTHER PAVEMENT MARKINGS ARE PAINT, UNLESS OTHERWISE NOTED.
6. ALL CURB RADIUS ARE 3' UNLESS OTHERWISE NOTED ON PLANS.

SITE DATA			
PARCEL NO.:	08-15-22-0000-0087-0030		
ZONING DISTRICT:	COMMERCIAL (C-2)		
EXISTING LAND USE:	FINANCIAL INSTITUTION WITH DRIVE-UP A/V		
PROPOSED LAND USE:	DEVELOPMENT (C-2)		
LOT COVERAGE	EXISTING (S7)	PROPOSED (A2)	PERCENTAGE (%)
PROJECT SITE AREA	44,024	44,024	100%
EXISTING BUILDT-UP AREA	15,306	0.51	0.51%
TOTAL IMPROVEMENTS (INCLUDES BUILDING)	8,882	0.51	0.51%
TOTAL PERMITS	21,714	0.50	0.50%
BUILDING SETBACKS			
FRONT (ft):	10'	PROPOSED	54.0'
REAR (ft):	15'	PROPOSED	31.9'
REAR (ft):	15'	PROPOSED	156.7'
LANDSCAPE BUFFERS			
FRONT (ft):	5'	PROPOSED	19.3'
REAR (ft):	5'	PROPOSED	9.3'
PARKING			
8.00 SPACE PER 1,000 SFA	STANDARD	28	PROPOSED
	ADA	2	PROPOSED
	TOTAL	28	23



 <b>DYNAMIC</b> ENGINEERING • EARTH SURVEY • TRAFFIC	THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION	DRAWN BY: JK DESIGNED BY: JP CHECKED BY: XXX CHECKED BY:	PROJECT: <b>BDG ARCHITECTS, LLP</b> PROPOSED <b>CHASE BANK</b> PARCEL ID# 08-15-22-0000-0087-0030 1057 JOHN SIMS PARKWAY NICEVILLE, OKALOOSA COUNTY, FL 32578 SECTION 8, TOWNSHIP 15, RANGE 22W
<b>MICHAEL D. MILES</b> PROFESSIONAL ENGINEER Florida License No. 89497 DATE:	<b>ANGEL PIÑERO</b> PROFESSIONAL ENGINEER Florida License No. 88947 DATE:	TITLE: <b>SITE PLAN</b>	SHEET NO.: <b>C1.00</b> DATE: 06/18/2025 PRODUCT NO.: 2521-24-03946