

PLANNING COMMISSION MEETING  
CITY OF NICEVILLE, FLORIDA  
MAY 3, 2021

Members present: Judy Byrne Riley  
Doug Tolbert  
Suanne Wilson  
Jared Bradley  
Tracy Jennette

Present were: Frankie Revell, Recording Secretary  
Robert Jenkins, City Planner  
Ammy Hanson, City Staff

Meeting was called to order by Judy Byrne Riley, at 7:00 p.m.

Doug Tolbert made the motion to approve the April 5, 2021 minutes as presented. Seconded by Tracy Jennette. All voting yes, minutes approved.

AGENDA

1. Jenkins Engineering, representing Grand American Enterprises, request preliminary and final review of a 9-lot subdivision off of 27<sup>th</sup> Street.

Matt Zinke stated he had met with City staff many times and all requirements have or will be met.

Doug Tolbert made the motion to approve the request. Seconded by Tracy Jennette. Vote: Byrne Riley, yes; Wilson, yes; Bradley, yes; Jennette, yes; Tolbert, yes. Motion carried.

2. Della and Michael Frey, 105 Cedar Ridge Way, request a special exception to the Land Development Code, section 9.06.05, B, to allow for a 6' fence past the front corner of the house.

Della Frey, 105 Cedar Ridge Way, stated her need for privacy, and explained why the fence would be good for her family.

Madina Krumnow, 107 Cedar Ridge Way, stated her opposition to the fence.

Discussion followed. Tracy Jennette made the motion to deny the request. Seconded by Doug Tolbert. Vote: Byrne Riley, yes; Wilson, yes; Bradley, yes; Jennette, yes; Tolbert, yes. Motion carried.

3. Maxwell Ryals, 320 Cedar Ave N, request his property be rezoned from R-1, Single Family Residential, to R-2, One or Multi Family.

Walt Irvine, representing Maxwell Ryals, and now the owner of the property, 320 Cedar Ave N, stated he wanted the option of tearing down the current structure and possibly rebuilding a duplex or triplex, depending on the density requirements. Discussion followed. There was a letter of opposition submitted prior to the meeting.

Tracy Jennette made the motion to approve the request. Seconded by Jared Bradley. Vote: Byrne Riley, no; Tolbert, no; Jennette, yes; Bradley, yes; Wilson, yes. Motion carried.

Jared Bradley made the motion to adjourn. Seconded by Doug Tolbert. All voting yes. Meeting adjourned at 7:25 p.m.

Frankie Revell  
Recording Secretary

Robert Jenkins  
City Planner

Judy Byrne Riley  
Chairman

Niceville Planning Commission (NPC) Agenda Review Notes

By Wade Fludd, Member, NPC 3 May 2021

I am providing notes from my research of the Planning Commission Agenda items for your review on 3 May 2021, due to my absence because of another engagement scheduled on the same date. It is my hope that my observations and questions concerning the below stated request, can be of assistance to you and the other members of the board, in your decision-making process.

The agenda items and my responses/questions are listed as follows:

- 1. Jenkins Engineering, representing Grand American Enterprises, request preliminary and final review of a 9-lot subdivision off of 27<sup>th</sup> Street.**

*As the comments and concerns presented by City Staff during the City Technical Review Meeting on 7 April 2021 have been addressed and revised construction plans have been provided, I have no additional concerns or questions at this time.*

- 2. Della and Michael Frey, 105 Cedar Ridge Way, request a special exception to the Land Development Code, section 9.06.05, B, to allow for a 6' fence past the front corner of the house.**

*As the current work residential work permit approved by the City at 3ft, is in accordance with the current city code 09.09.02. for front side fences, the 3ft height already ensures that proper viewing when pulling out of driveways is not obstructed. Adding an additional height of 6ft and 7.5ft length, would therefore obstruct the viewing of a moving vehicle until the 7.5ft length is reached, which could affect seeing the unexpected appearance of a child or anyone entering the pathway until to late. Therefore the statement of submitting the request with the "intention of ensuring safety" would be nullified.*

*The statement of "conserving aesthetics of the neighborhood and encouraging the most practical and appropriate use" of the property is not an appropriate statement, as there are no homes located in the entirety of the community with such high fencing or separating barriers between properties, such as what is being requesting. Although the lots may be considered small in comparison to other communities, the blending of yards from one to the next with natural landscaping, plants, trees or fencing types "not exceeding 3ft as stated in the city code", is a positive communal aesthetic throughout the community that blends the homes into one community. Therefore, this fence would stand out more in a negative aspect, like an individual fortress, rather than one of community safety or positive aesthetics to the community as a whole.*

*In regards to "privacy being easily invaded with social media", I failed to see how erecting such a high and lengthy fence just between the "front yard areas" of 105 & 107 Cedar Ridge Way, without any concern for privacy between 103 & 105 Cedar Ridge Way, could fully meet the stated need for privacy. It would still leave 105 open to viewing from the front and side adjacent to 103, as vehicles or pedestrians, are entering the community on Cedar Ridge Way. The appearance would therefore be one of only creating a divider between 105 & 107, and actually only block off 107 from view as traffic enters on Cedar Ridge Way. This would therefore take away from the aesthetics of the communal unity, and potentially take away from the property value of both residences.*

*Based on these factors, I would therefore recommend keeping the fence being constructed as currently approved, at 3ft high and 7.5ft length.*

**3. Maxwell Ryals, 320 Cedar Avenue N, request his property by rezoned from R-1, Single Family Residential to R-2, One or Multi Family.**

*As this request provided no additional information beyond the request, I would need further information to consider this change. In particular, because of the current status and need of repair of the residence and the property itself. Is it being torn down and replaced? Are these new owners seeking to remodel and move in multi-family? How many units and what size unit(s)?*

This concludes my observations and concerns, in regards to the agenda items as stated for 3 May 2021. I hope these notes will provide you assistance in your discussions and decisions.

Sincerely,

Wade D. Fludd, Member, NPC

Frankie Revell  
Zoning Administrator



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212 Partin Drive N.  
Niceville, Florida 32578  
building@niceville.org

"Home of the Boggy Bayou Mullet Festival"

Dear Property Owner:

The City of Niceville Planning Commission and City Council has been petitioned by Maxwell Ryals, 320 Cedar Ave N, to rezone his property from R-1, Single Family to R-2, One or Multi Family. Public hearings of this petition will be heard on Monday, May 3, 2021 and Tuesday, May 11, 2021 at the City of Niceville Council Chambers, 208 North Partin Drive, at 7:00 p.m.

You are invited to attend these meetings and be heard.

Sincerely,

*Frankie Revell*

Frankie Revell  
Recording Secretary

May 2, 2021

*To whom it may concern,*

*This letter is to inform you that we hope the property at 320 N. Cedar Ave. remains a single unit home, Zone R-1. With the six apartments across the street, two additional apartments will cause parking issues on this very busy street. We want be able to get out of our driveway. There are walkers, joggers, and children going to school here.*

*Thank You*

*Margarette + Fred Edwards  
318 Cedar Ave N.*