



City of Milton

July 9, 2021

PUBLIC NOTICE

TO WHOM IT MAY CONCERN

This letter is to inform you that the City of Milton has received a special exception request application from Amber and Robert Leek, authorized applicant of the property located at 6835 Caroline Street, Milton, Florida. This property is otherwise known as Parcel # 03-1N-28-2530-02400-0011. This request, if approved, will allow the owner to operate an amusement arcade within an ice cream shop at the above address. The property lies within a RC-1 zoning district, which is the Residential/Commercial mixed-use zoning district.

The City of Milton's Unified Development Code states in Section 7.3 that indoor amusement facilities are permitted uses within the RC-1 zoning district by special exception only. The City of Milton's Board of Adjustments will take this request under consideration, but before a special exception can be granted, the property must be posted and all abutting property owners and property owners directly across the street from the subject property must be notified, and a Public Hearing held.

YOU ARE HEREBY NOTIFIED that the application will be considered at the Board of Adjustments meeting on **Monday, July 26, 2021 at 5:30 p.m.** in the Council Chambers at City Hall, 6738 Dixon Street, Milton, FL 32570. Should you be unable to attend this Public Hearing, a letter expressing your views will be considered. A complete lack of response to this notice will be construed as implied consent to the granting of this request.

Respectfully,

Tim Milstead

Current Planner/Zoning Officer

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the City at least 48 hours before the meeting by contacting City Hall, 6738 Dixon Street, Milton, Florida or by calling (850) 983-5440.

"If any person decides to appeal any decision made by the board, agency, or commission, with request to any matter considered at such meeting or hearing, 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 based." FS286.01015

CITY OF MILTON
APPLICATION TO BOARD OF ADJUSTMENT

REQUEST #: _____

APPLICATION DATE: 6/23/21

The undersigned applicant requests that the Board of Adjustment consider this application for:

Administrative Review _____ Special Exception X Variance _____

Determination of Compatibility _____

1. NAME OF APPLICANT: AMBER AND ROBERT LEEK
2. NAME OF BUSINESS: SCOOPS ICE CREAM
3. ADDRESS OF PROPERTY: 6538 CAROLINE ST.
4. LEGAL DESCRIPTION OF PROPERTY: _____

APPLICANT'S SIGNATURE: *Robert Leek*

<u>5528 Dogwood</u>	<u>MILTON</u>	<u>FL</u>	<u>32570</u>	<u>850-889-5403</u>
ADDRESS	CITY	STATE	ZIP	PHONE #

OWNER'S SIGNATURE: *Amber Leek*

<u>5528 Dogwood</u>	<u>MILTON</u>	<u>FL</u>	<u>32570</u>	<u>850-889-5403</u>
ADDRESS	CITY	STATE	ZIP	PHONE #

OFFICIAL ACTION:

DATE: _____

ACTION: _____

ADMINISTRATIVE APPEAL

1. DESCRIBE ACTION OF PLANNING AND DEVELOPMENT DEPARTMENT BEING APPEALED: SCOOPS IS MOVING TO A NEW LOCATION AND WE ARE ADDING AN ARCADE

2. EXPLAIN WHY THE ACTION OF THE PLANNING AND DEVELOPMENT DEPARTMENT IS CONSIDERED IN ERROR: I DONT BELIEVE IT WAS AN ERROR, BUT WASNT ADDED TO THE ZONING

3. IDENTIFY THE PROVISION OF THE LAND USE DEVELOPMENT REGULATIONS THAT IS INVOLVED IN THIS APPEAL.
ARTICLE 7 SECTION 7.3 PAGE _____

SPECIAL EXCEPTION

1. PRESENT LAND USE ZONE: RC-1
2. PRESENT USE OF PROPERTY: WAS EMPTY
3. DESCRIBE SPECIAL EXCEPTION REQUESTED: REQUESTING TO ADD AN ARCADE

4. EXPLAIN WHY THE GRANTING OF THIS SPECIAL EXCEPTION WOULD NOT BE DETRIMENTAL TO THE GENERAL WELFARE NOR TO THE PROPERTY RIGHTS OF OTHERS IN THE VICINITY: IT WILL CREATE A FAMILY ATMOSPHERE

5. IDENTIFY THE PROVISIONS OF THE LAND USE DEVELOPMENT REGULATIONS WHICH AUTHORIZED THE GRANTING OF THE SPECIAL EXCEPTION.
ARTICLE 7 SECTION 7.3 PAGE _____

VARIANCE

1. PRESENT LAND USE ZONE: RC-1
2. PRESENT USE OF PROPERTY: EMPTY
3. DESCRIBE REQUESTED VARIANCE: CURRENTLY AN ARCADE IS NOT LISTED AS PART OF ALLOWABLE BUSINESSES
4. DESCRIBE THE SPECIAL CONDITIONS AND CIRCUMSTANCES WHICH EXIST THAT ARE PECULIAR TO THE LAND, STRUCTURE OR BUILDING INVOLVED AND WHICH ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES OR BUILDINGS IN THE SAME DISTRICT: N/A
5. EXPLAIN WHY LITERAL INTERPRETATION OF THESE REGULATIONS WOULD DEPRIVE THE APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME DISTRICT UNDER THE REGULATIONS: NOTHING IS BEING DEPRIVED, JUST LOOKING FOR AN EXCEPTION TO THE ZONING
6. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES WHICH EXIST A RESULT OF ACTIONS OF THE APPLICANT? YES _____ NO X
7. EXPLAIN WHY THE GRANTING OF THIS VARIANCE WILL NOT GIVE THE APPLICANT SPECIAL PRIVILEGES THAT ARE SPECIFICALLY DENIED BY THESE REGULATIONS TO OTHER LANDS, STRUCTURES OR BUILDINGS IN THE SAME DISTRICT: AS FAR AS WE KNOW, NO ONE HAS ATTEMPTED TO OPEN AN ARCADE IN THIS DISTRICT.

DETERMINATION OF COMPATIBILITY

1. PRESENT LAND USE ZONE: RC-1
2. PRESENT USE OF PROPERTY: EMPTY
3. SIZE OF STRUCTURE TO BE OCCUPIED: 2052 SQ FT
4. WOULD YOU CONSIDER THIS BUSINESS HIGH, MEDIUM, OR LOW TRAFFIC: NORMALLY MEDIUM TO HIGH
5. ANTICIPATED NUMBER OF EMPLOYEES OR PERSONS WORKING AT THIS LOCATION: 6-8
6. HOW MANY VEHICLES WILL BE PARKED AT THIS LOCATION DURING NORMAL BUSINESS HOURS: PLAN ON UTILIZING THE CITY PARKING LOT
7. WILL THERE BE ANY NOISE, FUMES, ODORS, OR OTHER UNUSUAL FEATURES OF THIS BUSINESS: NO IF YES, PLEASE EXPLAIN: _____
8. STATE OTHER USES WITHIN THE DISTRICT WHICH ARE SIMILAR TO THE PROPOSED USE: THERE ARE NONE
9. STATE THE REASON YOU FEEL THE PROPOSED USE IS COMPATIBLE WITH USES PERMITTED: IT WILL ADD AN ATTRACTION TO THE DOWNTOWN
10. IDENTIFY THE PROVISION OF THE LAND USE DEVELOPMENT REGULATIONS THAT IS INVOLVED IN THIS APPEAL.

ARTICLE _____ SECTION _____ PAGE _____