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**PLANNING BOARD
REGULAR MEETING AGENDA
1350 BALDWIN AVENUE, CITY HALL
MONDAY, MARCH 3, 2025
5:30 PM**

- 1. CALL TO ORDER**
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF MINUTES**
 - A. February 3, 2025
- 5. NOTICE AND PROCEDURES OF THE PLANNING BOARD**
- 6. PLANNING DIRECTOR UPDATE**
- 7. CITIZEN COMMENTS**
- 8. ADJOURNMENT**

Florida Statute 286.0105. Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect 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 to be based. The requirements of this section do not apply to the notice provided in s. 200.065(3). In accordance with Section 286.26, F.S., persons with disabilities may contact the City Clerk at cityclerk@defuniaksprings.net or 850-892-8500 ext. 1103.

**DeFuniak Springs Planning Board
Regular Meeting Minutes
City Council Chambers
February 3, 2025**

1. Call of Order

Brooke Hoke Vice Chair, called the meeting to order at 5:30 pm.

2. Invocation and Pledge of Allegiance

Mark Bird lead the Invocation and Pledge of Allegiance.

3. Roll Call

Present: Brooke Hoke Vice Chair, Kevin Shepherd, LaKisha Brinson, Mark Bird, Tyrone King.

Absent: Graham Campbell-Work Chair

Also, present City Attorney Clay Adkinson, Mayor Bob Campbell, Planning Director Chris Wallace, and City Clerk Rafael Ali.

3. APPROVAL OF MINUTES

A. December 2, 2024

A motion was made to approve the minute by Mr. Bird and seconded by Mr. Shepherd; the motion passed without objection.

4. NEW BUSINESS

A. 2025-SSA-04, Darryl Hook's request to amend the FLUM and 2025-RZ-03 to amend the Zoning Map for property located on 1st Street.

Mr. Adkinson swore in Mr. Wallace for the quasi-judicial procedure.

Mr. Wallace presented on 2025-SSA-04.

Mr. Wallace stated that, if you look at the map, there is a piece that is zoned R2, and a piece zoned R1 to the south. Exhibit B shows low-density residential.

Mr. Wallace stated that because of the county zoning, it becomes municipal.

Mr. Wallace stated that he is requesting an amendment from the municipal zoning to medium residential, and for the larger piece to the south, from low-density residential to medium residential.

Mr. Wallace asked for two motions: one for the small-scale amendment and one for the rezoning.

Mrs. Brunson recused herself from voting due to a family member being the applicant.

Mr. Wallace stated that he does not have any issues with the request.

Mr. Wallace stated that Mr. Hoke will have to figure out how to run sewer to the development.

Mr. Adkinson stated that we are trying to be more mindful that the city didn't approve your utilities, but we just approve your zoning maps.

Mr. Adkinson stated that we can approve this contingent upon providing utilities.

A motion was made to approve the Small Scale Map amendment in contingent to providing utilities by Mr. Bird and seconded by Mr. Shepherd; the motion passed without objection.

A motion was made to approve the Rezoning in contingent to providing utilities by Mr. Bird and seconded by Mr. Shepherd; the motion passed without objection.

B. 2025-SSA-04 & 2025-RZ-03, Aaron Weinstock's request to amend the Future Land Use Map and a request to amend the Zoning Map.

Mr. Wallace presented on 2025-SSA-04 & 2025-RZ-03.

Mr. Bird asked if this would be considered spot zoning.

Mr. Wallace answered yes.

Mr. Wallace stated that spot zoning is placing zoning in an area where it does not exist.

Mr. Wallace stated that generally, we want to have our zoning in areas that are similar.

Mr. Adkinson stated that spot zoning is characterized as rezoning small parcels of land into a different use or a greater density or intensity, which leads to disharmony in the area.

Mr. Adkinson stated that one parcel is getting a benefit over the rest of the parcels.

Mr. Adkinson asked Mr. Wallace if this is consistent with the comprehensive plan and the land development code.

Mr. Wallace answered no.

Mr. Adkinson asked Mr. Wallace what his professional recommendation would be. Mr. Wallace answered denial.

Mr. Adkinson stated that you have Mr. Wallace's expert testimony into the record.

Aaron Weinstock, on behalf of NDA Properties, stated that across the street, there are two large businesses that are zoned industrial.

Mr. Weinstock stated that looking at other places in the city, there are nine different parcels that are surrounded by R1.

Mr. Weinstock stated that there is evidence in the city that spot zoning exists.

Mr. Weinstock stated that he asked Mr. Wallace about conditions on rezoning.

Mr. Weinstock stated that he could not find any case law in the state that prohibits it.

Mr. Adkinson stated that he thinks it is prohibited by law because we would be granting spot zoning, and that is unconstitutional.

Mr. Adkinson stated that contract zoning is unlawful.

Mr. Adkinson stated that there is likely evidence that there are parcels around the city that are surrounded by R1.

Mr. Adkinson stated that just because it exists somewhere else, that's not the question; the question is whether this constitutes spot zoning.

Mr. Adkinson stated that he has provided the definition of spot zoning and trusts the board to apply its judgment.

Mr. Weinstock stated that he is not developing something that is going to make noise and cause a lot of traffic.

Mr. Shepherd stated that the problem is that if we grant you special permission, we have to grant the next person special permission.

Mr. Wallace stated that if this property was sold, it does not stop someone from developing something that will generate high traffic.

A motion was made to deny the Small Scale Map amendment request by Mr. Shepherd and seconded by Mr. Bird; the motion passed without objection.

A motion was made to deny the Rezoning request by Mr. Bird and seconded by Mr. Shepherd; the motion passed without objection.

5. PLANNING DIRECTOR UPDATE

Mr. Wallace stated that he has done the inspection for the new Wendy's.

Mr. Wallace stated that Tractor Supply is going to have their opening in mid-April.

Mr. Wallace stated that Rumba is moving in to half of the 4 C's BBQ building.

6. CITIZEN COMMENTS

7. ADJOURNMENT

The meeting was adjourned at 5:59 PM.

Approved:

Graham Campbell-Work, Chair

ATTEST:

Rafael Ali, City Clerk
Proper notice having been duly given.