

AGENDA
ESCAMBIA COUNTY BOARD OF ADJUSTMENT
September 21, 2011–8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Swearing in of Staff and acceptance of staff as expert witness
3. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.
4. Proof of Publication and waive the reading of the legal advertisement.
5. Approval of Minutes.

RECOMMENDATION: That the Board review and approve the Summary Minutes of the August 17, 2011 Board of Adjustment Meeting.

6. **Consideration of the following cases:**

- A. Case No.: V-2011-08**
Location: 8000 N Davis Hwy.
Request: Height variance for billboard
Requested By: Bill Salter Advertising, Agent for WOS Properties, LLC
- B. Case No.: V-2011-09**
Location: 8150 Beulah Rd
Request: Variance for Fence Height
Requested By: Dr. Pamela Morgan, Owner
- C. Case No.: V-2011-10**
Location: 7171 N Davis Hwy
Request: Variance for Signage
Requested By: Erica Floyd, Agent for Simon Property Group, Owners
- D. Case No.: V-2011-11**
Location: Marcus Pointe Blvd.
Request: Variance of 2' for a proposed 8' fence
Requested by: Marcus Pointe Home Owners Association

E. Case No.: **CU-2011-10**
Location: 30 N Navy Blvd
Request: Conditional Use for a public facility building in R-2
Requested By: D. Patrick Jehle, Agent for Escambia County Sheriff's
Office, Leasee

7. Old/New Business.

8. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, October 19, 2011 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

9. Adjournment.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1328

Item #: 5.

Board of Adjustment

Meeting
Date: 09/21/2011

Agenda Item:

RECOMMENDATION: That the Board review and approve the Summary Minutes of the August 17, 2011 Board of Adjustment Meeting.

Attachments

Meeting Summary

RESUME OF THE MEETING OF THE BOARD OF ADJUSTMENT
HELD AUGUST 17, 2011

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:30 A.M. – 9:15 A.M.)

MEMBERS

PRESENT: Auby Smith, Vice Chairman
 David Karasek
 John N. Lund – New Board Member
 Bobby Price, Jr.
 Jennifer Rigby

MEMBERS

ABSENT: Don Carlos, Chairman
 LuTimothy May

STAFF

PRESENT: Kristin Hual, Assistant County Attorney
 Horace Jones, Division Manager, Planning & Zoning
 Andrew Holmer, Senior Planner, Planning & Zoning
 John Fisher, Urban Planner II, Planning & Zoning
 Karen S. Spitsbergen, Sr. OA, Planning & Zoning

REGULAR BOA AGENDA

1. The meeting was called to order at 8:30 a.m. Regular order of service followed with 4 members present a quorum was established.
2. **Swearing in of New Board Member, John N. Lund, and Staff** – Clerk swore in Lund and staff.
3. Proof of Publication was given by Board Clerk.
4. The Board entertained a motion to accept the BOA Agenda Package and the Development Services Staff's Findings-of-Fact for the August 17, 2011 BOA Meeting into evidence. Price made the motion to accept. Karasek seconded, and the motion was **approved** unanimously (5-0).
5. Approval of the resume of the Board of Adjustment meeting held on June 22, 2011.

Price made the motion to approve the resume of the June 22, 2011 Board of Adjustment meeting. Karasek seconded and the motion was approved unanimously (5-0).

6. **Consideration of the following cases:**

A. CU-2011-07. Rear portion of 7391 Pine Forest Rd. Conditional Use request to allow a cemetery in R-5 zoning. Property located in R-5/MU-U. Property Reference No.: 24-1S-31-2300-000-001. Requested by: Sally Fox, Agent for A. Daniel and Jacquelyn B. Hamilton, Owners.

For the Record:

- a. No BOA member acknowledged any ex partè communication regarding this item.
- b. Price acknowledged visiting the site.
- c. No BOA member refrained from voting on this matter due to any conflict of interest.

Speakers:

Sally Fox – 30 S. Spring St, Pensacola, Florida
Albert D. Hamilton – 7391 Pine Forest Rd, Pensacola, Florida
Jacquelyn Hamilton – 7391 Pine Forest Rd, Pensacola, Florida
Louise Miller – 7433 Pine Forest Rd, Pensacola, Florida
David Schneidmiller – 7433 Pine Forest Rd, Pensacola, Florida
Eric Higginbotham – 7333 Pine Forest Rd, Lot 178, Pensacola, Florida

BOA Decision:

The Board adopted Staff's findings and approved the conditional use request to allow a cemetery in R-5 zoning.

Motion to approve the request was made by Price. Karasek seconded and the motion was approved unanimously (5-0).

B. CU-2011-08. 2 E Nine Mile Rd, Unit 5 . Conditional Use request to allow a package store within 1000' of a church and daycare. Property located in C-2/C. Property Reference No.: 08-1S-30-3405-001-001. Requested by: Edward Mitchell, Agent for Michael C. Richey, Owner.

For the Record:

- a. No BOA member acknowledged any ex partè communication regarding this item.
- b. Price acknowledged visiting the site.
- c. No BOA member refrained from voting on this matter due to any conflict of interest.

Speakers:

Edward Mitchell – 7389 Chimney Pines Dr., Pensacola, FL

BOA Decision:

The Board adopted Staff's findings and approved the Conditional Use request.

Motion to approve the request was made by Karasek. Price seconded and the motion was **approved** (4-1) with Rigby opposed.

7. Discussion Items.

None

8. Old/New Business.

None

9. Announcement.

The Board of Adjustment Meeting is scheduled for Wednesday, September 21, 2011 at 8:30 a.m. at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. Adjournment.

Meeting adjourned at 9:15 a.m.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1263

Item #: 6.

Board of Adjustment

Meeting
Date: 09/21/2011

Agenda Item:

A. Case No.: **V-2011-08**
Location: 8000 N Davis Hwy.
Request: Height variance for billboard
Requested By: Bill Salter Advertising, Agent for WOS Properties, LLC

Attachments

V-2011-08

V-2011-08



DEVELOPMENT SERVICES STAFF FINDINGS-OF-FACT

Variance Case: V-2011-08
September 21, 2011

I SUBMISSION DATA

APPLICANT: Michael W Crawley
Agent for Bill Salter Advertising, Inc

PROJECT ADDRESS: 8000 N. Davis Hwy

PROPERTY REFERENCE NO.: 18-1S-30-4111-000-002

ZONING DISTRICT: C-1

FUTURE LAND USE: MU-U (Mixed Use Urban)

II REQUESTED VARIANCE:

The applicant is seeking a variance to the 35 foot maximum billboard height along an arterial road. The requested height is 46 feet.

III RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section: 8.06.03

8.06.03. *Billboards.*

C. *Dimensions and location.*

Freestanding off-premises signs are permitted in R-6, C-1, C-2, ID-1 and ID-2 districts in accordance with the following area and height maximums.

Freestanding off-premises signs are prohibited in all other zoning districts.

Height maximum*:

Interstate highway frontage** 50 ft.

Arterials and four-lane roads 35 ft.

Other streets 20 ft.

* Measured from the crown of the road adjacent to the location of the sign.

** Measured from elevation of closest interstate through traffic lane.

IV CRITERIA

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section 2.05.02

CRITERION A

That there are special circumstances or conditions applicable to the building or land in question that are peculiar to such property that do not apply generally to other land or buildings in the vicinity.

FINDINGS-OF-FACT

Section 2.05.02 of the Land Development Code defines special circumstances or conditions specifically as follows: "Such special conditions shall be limited to unusual physical characteristics inherent in the specific piece of property and not common to properties similarly situated. Such physical characteristics include, but are not limited to, exceptional narrowness, shallowness, shape, topographic conditions, or the presence of sensitive environmental resources, any or all of which will result in peculiar or in the quiet enjoyment and use of the property".

This billboard is unique in that there are no other billboards along Davis Hwy from I-10 north to Johnson Ave. The presence of a large DOT directional sign to the immediate south would interfere with the visibility of this billboard without the requested variance.

CRITERION B

That the variance is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the Applicant.

FINDINGS-OF-FACT

The requested variance is necessary given the unique location of the billboard.

CRITERION C

That such a variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, comfort, or general welfare of the inhabitants of Escambia County.

FINDINGS-OF-FACT

Staff finds that the applicant has met the conditions in Criterion C.

CRITERION D

The variance will not, in any manner, alter other provisions of this Code or Comprehensive Plan.

FINDINGS-OF-FACT

This variance will not alter other provisions of the Land Development Code or Comprehensive Plan.

CRITERION E

That the variance is the minimum necessary to make possible the use of the land, building or other improvements as approved by the BOA.

FINDINGS-OF-FACT

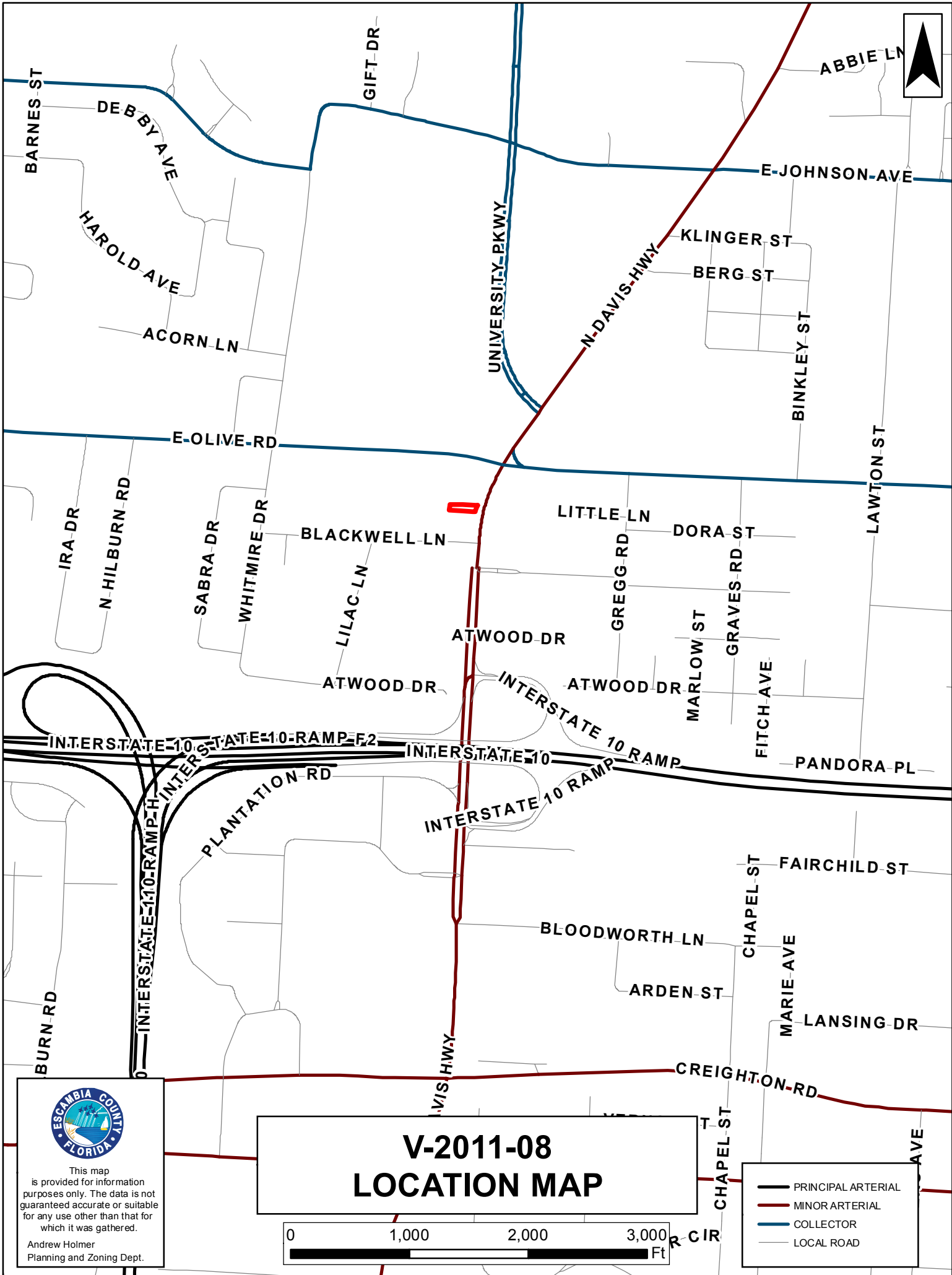
The requested variance is the minimum necessary given the physical limitations of the site.


V RECOMMENDATION:

Section 2.05.02 of the LDC specifies, "No variance shall be authorized under this provision unless the BOA finds that all of the required conditions exist."

The applicant can meet all of the required criteria for the granting of a variance as required by law. Approval of the request is therefore recommended.





These findings are based upon the information available to staff prior to the public hearing. The public hearing testimony may reveal additional information which may alter these findings.




 This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
 Andrew Holmer
 Planning and Zoning Dept.

V-2011-08 LOCATION MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



C-1

N DAVIS HWY

E OLIVE RD

C-1

BLACKWELL LN

C-1

LILAC LN

R-5

NORTHCROSS LN

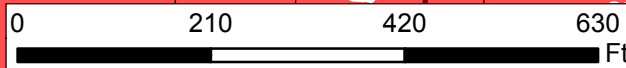
DAVIS HWY



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

V-2011-08 500' RADIUS ZONING



- parcel_cama_Buffer10
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS

TWOOD



MU-U

UNIVERSITY PKWY

N-DAVIS HWY

E-OLIVE RD

BLACKWELL LN

NORTHCROSS LN

LILAC LN

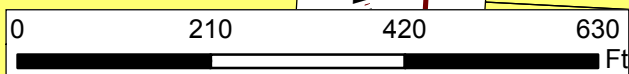
HWY









This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

V-2011-08 FUTURE LAND USE



-  parcel_cama_Buffer10
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS



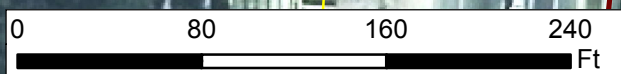
SITE








This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

V-2011-08 AERIAL MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS

8/5/11 ①

To: Escambia Co. Board of Adjustments

From: Bill Satter Adv. Inc. / WOS Properties LLC / Bluewater Wash
Systems LLC

Dear Sirs and Mems,

We the above listed applicants request a variance of the height requirement to our billboard located @ 8000 N. Davis Hwy.

Bill Satter Adv. Inc. is the operator of the billboard and is a local business which employs approx. 25 employees.

Our billboard is currently a 672 sq. ft. sign face area approx. 50' tall. We request a variance to reduce the sign face area to 378 sq. ft. with an approx. height of 46'.

This proposed change will make the structure safer by reducing the wind load stress by approx 40%. This change will bring the sign face area into conformance with the current Escambia County square footage requirement. This change will not negatively impact the neighboring businesses signage or visibility, nor will it be contrary to public interest.

Our request for a height variance will prevent an unnecessary hardship on our use of the billboard. The FDOT has placed over the road signage adjacent to our billboard.

②

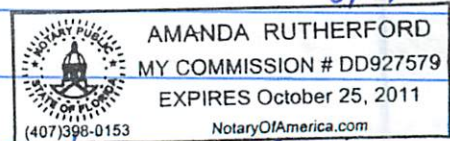
This unusual physical characteristic inherent to this piece of property is not common to other properties.

As you are aware we cannot sell our billboards to our customers if they are not visible.

The authorization of this variance will not negatively impact the inhabitants of Escambia County and is the best possible use of this parcel of land.

Thank you for your time

Sincerely,
Mike Crawley
Bill Salted Adv. Inc.



Amanda Rutherford

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: Billboards

Rezoning Request from: _____ to: _____

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: WOS Properties LLC Phone: 850-623-5577

Address: PO Box 422 Panama FL 32572 Email: CRAWL879@bellsouth.net

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 8000 N. Davis Hwy

Property Reference Number(s)/Legal Description: 18-15-30-4111-000-002

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

Michael W Crawley
Signature of Owner/Agent

Michael W Crawley/Bill Satter Adv. Inc 7/19/11
Printed Name Owner/Agent Date

William O Salter
Signature of Owner

WILLIAM O SALTER 7/18/11
WOS PROPERTIES LLC
Printed Name of Owner Date

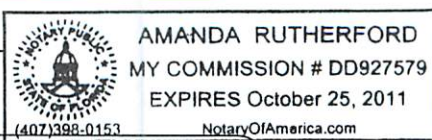
STATE OF Florida COUNTY OF Santa Rosa

The foregoing instrument was acknowledged before me this 18 day of July 20 11,
by William O. Salter.

Personally Known OR Produced Identification . Type of Identification Produced: _____

Amanda Rutherford
Signature of Notary
(notary seal must be affixed)

Amanda Rutherford
Printed Name of Notary



FOR OFFICE USE ONLY CASE NUMBER: V-2011-08

Meeting Date(s): 9-21-11 Accepted/Verified by: ADH Date: 8/5/11

Fees Paid: \$ 500⁰⁰ Receipt #: _____ Permit #: PBA10800014

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 8000 N. DAVIS Hwy,
Florida, property reference number(s) 18-15-30-4111-000-002
I hereby designate Michael W. Crawley / Bill Salter Adv. Inc for the sole purpose
of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above
referenced property.
- Board of Adjustment to request a(n) Billboard variance on the above referenced property.

This Limited Power of Attorney is granted on this 18th day of July the year of,
2011, and is effective until the Board of County Commissioners or the Board of Adjustment has
rendered a decision on this request and any appeal period has expired. The owner reserves the right to
rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development
Services Bureau.

Agent Name: Michael W. Crawley / Bill Salter Adv. Inc Email: CRAWL879@BELLSouth.NET
Address: PO Box 761 Milton FL 32572 Phone: 850-994-4611

Signature of Property Owner
[Handwritten Signature]
Signature of Property Owner

Printed Name of Property Owner
WILLIAM O SALTER
WOS PROPERTIES LLC
Printed Name of Property Owner

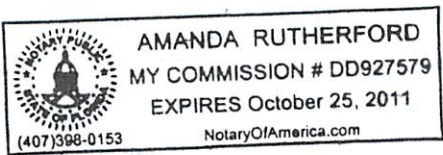
Date
7/18/11
Date

STATE OF Florida COUNTY OF Santa Rosa
The foregoing instrument was acknowledged before me this 18 day of July 20 11.
by William O. Salter.

Personally Known OR Produced Identification . Type of Identification Produced: _____

[Handwritten Signature]
Signature of Notary

Amanda Rutherford (Notary Seal)
Printed Name of Notary



AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 8000 N. DAVIS Hwy,
Florida, property reference number(s) 18-15-30-4111-000-002
I hereby designate Michael W Crawley / Bill SALTER ADJ. INC. for the sole purpose
of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property.
- Board of Adjustment to request a(n) Billboard Variance on the above referenced property.

This Limited Power of Attorney is granted on this _____ day of _____ the year of, _____, and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development Services Bureau.

Agent Name: Michael W. Crawley / Bill SALTER ADJ. INC. Email: CRAWL879@bellsouth.net
Address: PO Box 761 Milton FL 32572 Phone: 850-994-4611

[Signature]
Signature of Property Owner

John Osburn
Printed Name of Property Owner

X 7/29/11
Date

STATE OF Florida

COUNTY OF Okaloosa

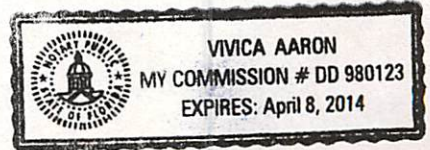
The foregoing instrument was acknowledged before me this 29th day of July 20 11,
by John Osburn

Personally Known OR Produced Identification . Type of Identification Produced: Driver's License

Vivica Aaron
Signature of Notary

Vivica Aaron
Printed Name of Notary

(Notary Seal)



THIS INSTRUMENT WAS PREPARED BY:
JAMES M. WEBER of BEGGS & LANE,
A REGISTERED LIMITED
LIABILITY PARTNERSHIP ✓
501 COMMENDENCIA STREET
PENSACOLA, FLORIDA 32502

OR BK 5540 PG0001
Escambia County, Florida
INSTRUMENT 2004-311145

NEED DOC STAMPS PB & ESC CO \$ 700.00
12/10/04 ERNIE LEE HAGANA, CLERK

②

APPRaiser's ID# 18-1S-30-4111-000-002
GRANTEES' S.S.# _____
FILE #:9958-40789

3550
700.00
735.50

WARRANTY DEED

STATE OF FLORIDA
COUNTY OF ESCAMBIA

KNOW ALL MEN BY THESE PRESENTS: That WOS PROPERTIES, LLC, a Florida limited liability company, for and in consideration of One Hundred and no/100 Dollars (\$100.00) and other good and valuable considerations to it in hand paid, the receipt whereof is hereby acknowledged, does bargain, sell, convey and grant unto BLUEWATER WASH SYSTEMS, LLC, a Florida limited liability company, whose address is C/O 7594 Vinca Street, Navarre, Florida 32566, its successors and assigns, forever, the following described real property, situated and located in the County of Escambia, State of Florida, to-wit:

THE LEGAL DESCRIPTION OF THE REAL PROPERTY IS SET FORTH IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE AS IF SET FORTH HEREIN IN FULL.

There are excepted from the warranties herein contained any restrictions and easements of record in Escambia County, Florida, the lien of ad valorem real property taxes for 2005 and subsequent years, and any mineral conveyances or mineral reservations of record.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns, forever. Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, together with all riparian rights, if any, free from all exemptions and right of homestead. And Grantor covenants that it is well seized of an indefeasible estate in fee simple in said property and has a good right to convey the same; that it is free from encumbrances, and that Grantor, its successors and assigns, the said Grantee, its successors and assigns, in the quiet and peaceful possession and enjoyment thereof, against all persons lawfully claiming the same, shall and will forever warrant and defend, subject to the exceptions set forth above.

IN WITNESS WHEREOF, the said Grantor has executed this instrument this 3rd day of December, 2004.

Signed, sealed and delivered in the presence of:

WOS PROPERTIES, LLC, a Florida Limited Liability Company

Sign: James M Weber
Print: James M Weber

By: [Signature]
William O. Salter, Sole Manager/Member

Sign: [Signature]
Print: Fred Gunther

(Seal)

Grantor's Mailing Address is:
5736 Willard Norris Road
Milton, Florida 32572

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 3rd day of December, 2004, by William O. Salter, as Sole Manager/Member for WOS Properties, LLC, a Florida limited liability company, on behalf of the company. He is personally known to me, or has produced a valid Florida driver's license as identification, and did not take an oath.

James M. Weber
Notary Public, State of Florida at Large
My Commission Expires: July 9, 2007

K:\WP6040789-WOS Properties, LLC\Warranty Deed.wpd

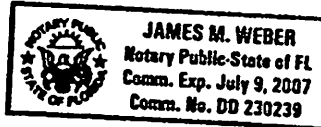


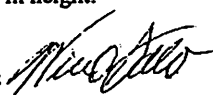
Exhibit A

Commence at the Northeast corner of Government Lot 4, Section 18, Township 1 South, Range 30 West, Escambia County, Florida; thence South along the East line of said Lot 4 for a distance of 330.00 feet; thence Westerly at an interior angle to the left of 90 degrees 26 minutes 22 seconds for a distance of 25.60 feet to the West right of way line of Davis Highway (State Road 291, 80' R/W) and the point of beginning; thence continue Westerly along the projection of the aforesaid line for a distance of 250.00 feet; thence ~~Southerly~~ Southerly at an interior angle to the right of 98 degrees 36 minutes 30 seconds, for a distance of 54.84 feet; thence Easterly at an interior angle to the right of ~~81 degrees 23 minutes~~ 30 seconds for a distance of 248.84 feet to a point on the said West right of way line of Davis Highway; thence Northeasterly along said right of way and along the arc of a curve having a radius of 995.37 feet and a delta of 3 degrees 10 minutes 01 second for an arc distance of 55.02 feet to the Point of Beginning, containing 0.31 acre, more or less, all lying and being in Section 18, Township 1 South, Range 30 West, Escambia County, Florida. LESS AND EXCEPT therefrom that portion thereof taken for additional right of way as more particularly described in Order of Taking as recorded in O.R. Book 4586, Page 664 of the public records of said Escambia County, Florida.

SUBJECT, HOWEVER, to a reserved perpetual but non exclusive easement for use by WOS Properties, LLC, for the outdoor advertising sign structure existing on the above described property, as reflected on the face of the survey prepared by Swinney & Associates, Inc., known as its drawing number 04-6373, and dated October 26, 2004, and for the use of that portion of the East 70 feet of the South 40 feet of the above described property as is necessary to service, maintain, or replace said sign, including but not limited to a right of ingress and egress, a right of overhang for electrical service and a right of view prohibiting vegetation or improvements on the above described property that would obstruct the view of the outdoor sign from Davis Highway, which abuts the property on the East. Said easement shall inure to the benefit of WOS Properties, LLC, its successors and assigns. WOS Properties, LLC and its successors and assigns do hereby specifically hold the Grantee and its successors and assigns free and harmless from and against any and all damages and/or injuries to any person or property by reason of the existence of and the maintaining of said outdoor sign, and agrees to indemnify the Grantee for any lose or damage.

The outdoor advertising sign structure shall never unreasonably interfere with improvements then located on the above described property or disrupt the business of the then owner.

The East 70 feet of the above described property is restricted so that no on-premises sign shall exceed 20 feet in height.





Chris Jones
Escambia County
Property Appraiser

PLEASE NOTE: This product has been compiled from the source data of the Inter-Local Mapping and Geographic Information Network (IMAGINE) project of Escambia County. The ESCAMBIA COUNTY PROPERTY APPRAISER I-MAP Service is for reference purposes only and not to be considered as a legal document or survey instrument. Relying on the information contained herein is at the user's own risk. We assume no liability for any use of the information contained in the I-MAP Service or any resultant loss.



Use numeric selection labels [Record Search](#)
[Download Selection Data \(1 row\)](#)

Reference: 18-1S-30-4111-000-002
Account: 02-2632-950
Section Map: 18-1S-30-2
Situs: 8000 N DAVIS HWY BLK
Owner: BLUEWATER WASH SYSTEMS LLC
Mailing Address:
7594 VINCA ST
NAVARRE, FL 32566
Last Sale: 12/2004, \$100,000
Property Use: VACANT COMMERCIAL
Approx. Acreage: 0.2600
Building Count: 0
Total Heated Area: 0
Zoned: C-1

Include radius in selection (5280 ft max)

ft

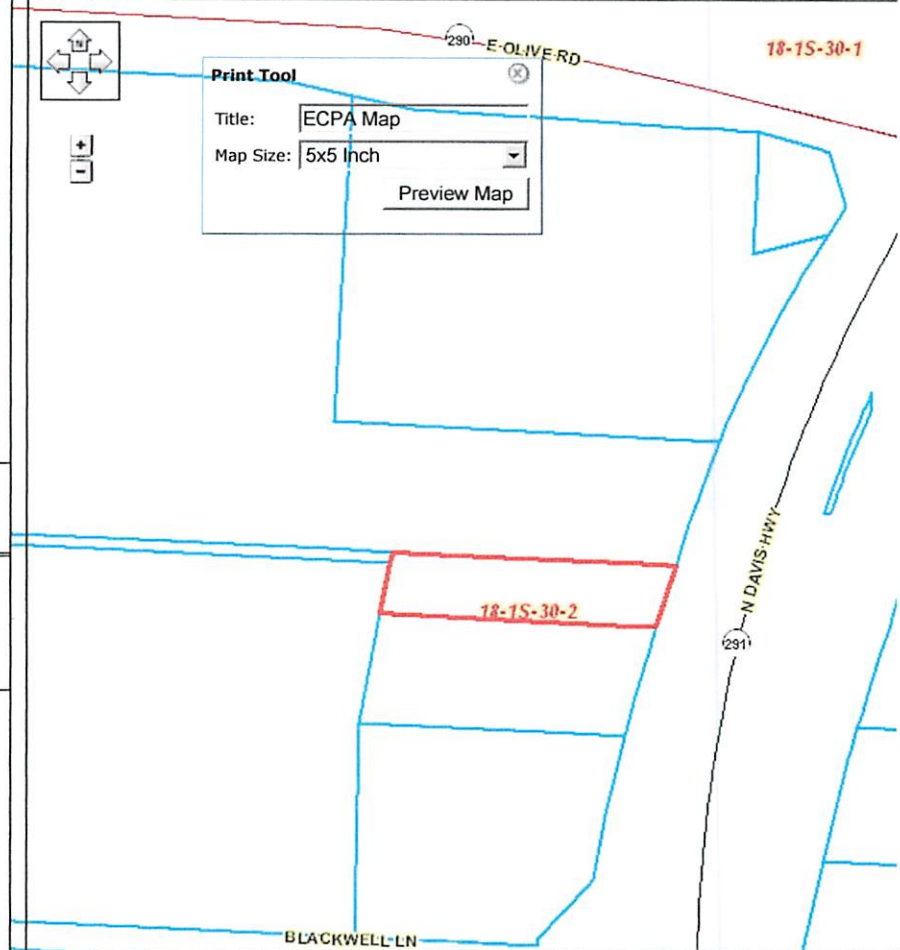
Radius is used only with single parcel selection

Lookup Options:

Reference Nbr

Auto Select
Lookup Results

Ex: 012N334444555666





Chris Jones
Escambia County
Property Appraiser

PLEASE NOTE: This product has been compiled from the source data of the Inter-Local Mapping and Geographic Information Network (IMAGINE) project of Escambia County. The ESCAMBIA COUNTY PROPERTY APPRAISER I-MAP Service is for reference purposes only and not to be considered as a legal document or survey instrument. Relying on the information contained herein is at the user's own risk. We assume no liability for any use of the information contained in the I-MAP Service or any resultant loss.

Print Tool **Copy Map Image**

Use numeric selection labels [Record Search](#)
[Download Selection Data \(1 row\)](#)

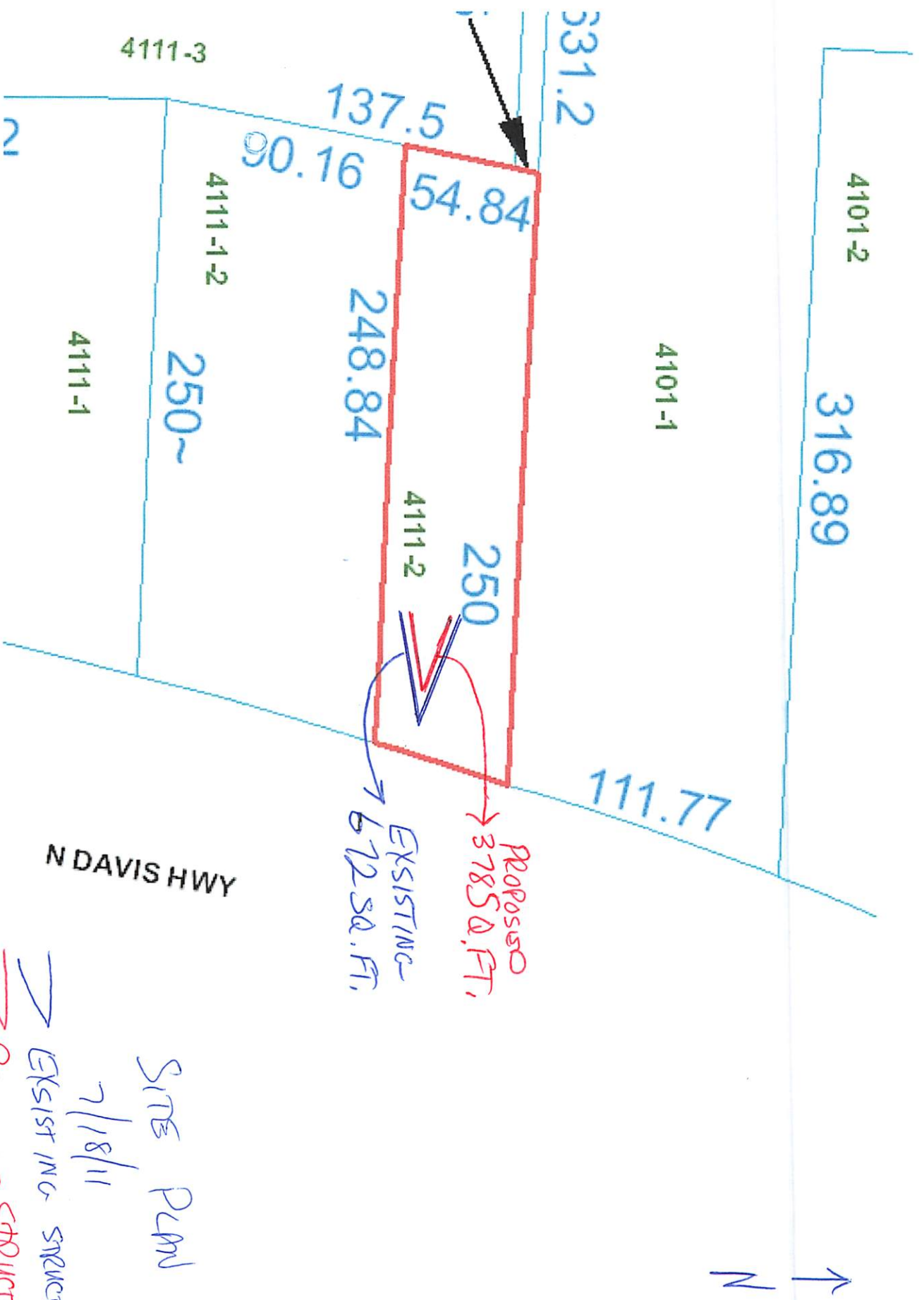
Reference: 18-1S-30-4111-000-002
Account: 02-2632-950
Section Map: 18-1S-30-2
Situs: 8000 N DAVIS HWY BLK
Owner: BLUEWATER WASH SYSTEMS LLC
Mailing Address:
7594 VINCA ST
NAVARRE, FL 32566
Last Sale: 12/2004, \$100,000
Property Use: VACANT COMMERCIAL
Approx. Acreage: 0.2600
Building Count: 0
Total Heated Area: 0
Zoned: C-1

Include radius in selection (5280 ft max)
ft
Radius is used only with single parcel selection

Lookup Options:
Reference Nbr

Ex: 012N334444555666





N DAVIS HWY

PROPOSED
→ 3785 SQ. FT.

EXISTING
→ 672 SQ. FT.

SITE PLAN
7/18/11

→ EXISTING STRUCTURES

→ PROPOSED STRUCTURES



North Davis Highway

©2011 Google

©2011 Google

30°30'34.31" N 87°13'15.80" W elev 38 m

©2011 Google

Eye alt 38 m









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Imagery Date: 4/24/2010

30°30'33.92" N 87°13'18.64" W elev 35 m

Google

Eye alt 164 m



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1369

Item #: 6.

Board of Adjustment

Meeting
Date: 09/21/2011

Agenda Item:

B. Case No.: **V-2011-09**
Location: 8150 Beulah Rd
Request: Variance for Fence Height
Requested By: Dr. Pamela Morgan, Owner

Attachments

V-2011-09

V-2011-09



DEVELOPMENT SERVICES STAFF FINDINGS-OF-FACT

Variance Case: V-2011-09
September 21, 2011

I SUBMISSION DATA

APPLICANT: Dr. Pamela L. Morgan, Owner
PROJECT ADDRESS: 8510 Beulah Road
PROPERTY REFERENCE NO.: 08-1S-31-3203-000-000
ZONING DISTRICT: R-R
FUTURE LAND USE: MU-S

II REQUESTED VARIANCE:

The applicant is seeking a variance to allow a 6 foot chain link fence in the front yard. The LDC limits this type of fence to 4 feet in the front yard.

III RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section: 7.04.01

Fence heights in residential districts. Maximum heights for fences constructed in residential districts shall be [in feet]:

Front yard 4' for transparent materials which do not obstruct light, air and visibility.

IV CRITERIA

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section 6.05.05.F.5

CRITERION A

That there are special circumstances or conditions applicable to the building or land in question that are peculiar to such property that do not apply generally to other land or buildings in the vicinity.

FINDINGS-OF-FACT

Section 2.05.02 of the Land Development Code defines special circumstances or conditions specifically as follows: "Such special conditions shall be limited to

unusual physical characteristics inherent in the specific piece of property and not common to properties similarly situated. Such physical characteristics include, but are not limited to, exceptional narrowness, shallowness, shape, topographic conditions, or the presence of sensitive environmental resources, any or all of which will result in peculiar or in the quiet enjoyment and use of the property”.

This property is unique in the area in that it is oriented along the road as opposed to perpendicular as are the neighboring properties. This arrangement leaves a large portion of the parcel in the front yard while it functions more like a side yard. As the pond on site is several hundred feet away from the dwelling, the proposed fence height would help to alleviate security concerns.

CRITERION B

That the variance is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the Applicant.

FINDINGS-OF-FACT

The variance is necessary for the preservation and enjoyment of a substantial property right.

CRITERION C

That such a variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, comfort, or general welfare of the inhabitants of Escambia County.

FINDINGS-OF-FACT

This variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets. The danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the health, safety, comfort, or general welfare of the inhabitants of Escambia County.

CRITERION D

The variance will not, in any manner, alter other provisions of this Code or Comprehensive Plan.

FINDINGS-OF-FACT

This variance will not alter other provisions of the Land Development Code or Comprehensive Plan.

CRITERION E

That the variance is the minimum necessary to make possible the use of the land, building or other improvements as approved by the BOA.

FINDINGS-OF-FACT

The requested variance is necessary given the unique characteristics and security concerns of the site.

V RECOMMENDATION:

Section 2.05.02 of the LDC specifies, "No variance shall be authorized under this provision unless the BOA finds that all of the required conditions exist."

Based on the facts as presented, Staff recommends approval of the variance as requested by the applicant. Should the Board grant a variance in this case, the Applicant will need to obtain an after-the-fact fence permit.



ARCHAVE

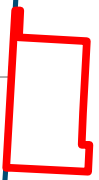
W-NINE-MILE-RD

WILD-ROSE-LN

REBEL-RD

BEULAH-CHURCH-RD

TISDALE-LN



FERLON-AVE

SHELBY-LN

BEULAH-RD

DOOLEY-DR

MINT-JULEP-TRL
THOROUGHbred RD

MOBILE-HWY

QUIET-DR

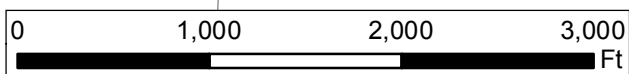
Y-TRL







This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

V-2011-09 LOCATION MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



R-1

R-R

R-R

BEULAH RD

TISDALE LN

R-R

R-R

BEULAH RD

R-2

THOROUGHbred RD



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

V-2011-09 500' RADIUS ZONING



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



MU-S

BEULAH RD

MU-S

TISDALE LN

MU-S

MU-S

BEULAH RD

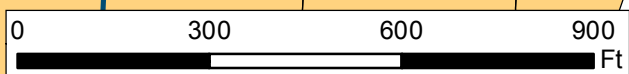
THOROUGHbred RD



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

V-2011-09 FUTURE LAND USE



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS








TISDALE LN

BEULAH RD

V-2011-09 AERIAL MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Dr. Pamela L. Morgan
8510 Beulah Road
Pensacola, Florida 32526
July 22, 2011

Board of Adjustments
Development Services Department
3363 West Park Place
Pensacola, Florida 32505

Dear Board of Adjustments:

Item 1: This letter is written in response to a Notice of Violation regarding “Fence heights in residential districts,” dated June 29, 2011. On May 10, 2011, we hired Tornado Fencing to construct a 6 ft fence around our property (6.2 acres) at 8510 Beulah Road. This property, and the adjacent properties, are considered Rural Residential, thus we can have horses, goats, ducks, a dog kennel, etc.

We were unaware that Tornado Fencing failed to obtain a permit for our property until Officer Stevens from Code Enforcement stopped by our property on the 29th of June. At this time, she explained that our front fence and side fences (which were already installed) should not have been erected at 6 ft in height. Needless to say, we were unaware of this restriction, and as such, my sons and I carefully made the decision to have 6 ft fencing built around the entire property. We even had a fence erected down the middle of the property for added safety relative to the pond and drainage ditch.

Item 2: The decision to install a six ft fence was not made lightly as the cost of installation was substantially greater than that of a four ft fence. Our considerations in selecting a 6 ft fence high included:

1. Although there are **several other properties on Beulah Road with six ft fencing across the front of the property**, this is the only property with a **pond and drainage ditch** across half of the front of the property on Beulah Road. There is one other property on Beulah Road with a pond, which sits farther back from the road than mine and has no drainage ditch. That property has a 6ft fence across the front of it. It should be understood that my **drainage ditch and pond benefits travelers** by providing drainage of excess water from Beulah Road. In addition to these points, other considerations related to the drainage issues leading to the decision for the installation of 6 ft fencing:
 - a. **The fact that Escambia County Planning and Zoning Review Board requires the erection of 6 ft fencing around all drainage areas.** Given that there is a drainage ditch from Beulah Road across the front of a

portion of this property, it only makes sense that a 6 ft fence is appropriate. Prior to construction of the fence, I hired Edmisten & Associates Ecological Consultants to review the wetlands issues concerning this drainage ditch. In addition to their suggestion of erecting a fence to protect the wetlands, they advised me that I cannot fill in the ditch as there are a number of wetland plants growing in this area that would be affected. If the ditch were filled in, this would do away with the drainage issue, hence the 6 ft fencing requirement for drainage areas; however, I would have issues, and possible fines, from Code Enforcement and the State of Florida relative to the **numerous wetland issues**;

- b. The pond, which has been stocked with bream, catfish, and bass, is considered an **attractive nuisance**. Once again, there are wetland issues relative to the pond which would prevent it from being filled in; and,
 - c. Prior to the installation of the fence, my son caught **three gentlemen fishing** in the pond, even though the previous owners had “posted” signs nailed up. The lady who owns the 16 acres on the north side us does not have her property fenced, and she has three ponds at the rear of her property. In July 2011, although there are posted signs, some individuals drove on the property, fished from her ponds and left the fish on the bank to die. This demonstrates that the ponds in this area are attractive nuisances.
2. **Beulah Academy of Science Middle School is less than two-tenths of a mile from my property.** The fence surrounding the middle school is 6 ft high and the front of the school faces Beulah Road. Holding a Doctorate in Education and having served as a teacher, principal, assistant superintendent, and college dean, let alone being the mother of two young men who in a heartbeat would have skipped school to fish, I know that the pond could serve as an attraction for these pre-adolescences to skip school for fishing and swimming adventures.
- a. If you review state freshwater fishing records, you will note that one of the records was held by a young man who was skipping school;
 - b. More importantly, the school district (Escambia County) could be held responsible for **injury to students skipping school**. We must keep in mind that these are middle school students and not high school students; thus, the chance of the courts finding for the student and his/her parents is much greater. There are numerous such cases pending in Florida (i.e., Palm Beach, Fort Lauderdale) and across the nation. Given that the pond is approximately 11 feet deep at the deepest point and, in the shallow areas, two to three feet deep with numerous stumps throughout , it is easy to see how a diving accident could occur as did on “Senior Skip Day,” (a

non-school sanctioned day where seniors get together to skip school) in a neighboring county;

- c. **Presently, there is a school bus stop across the street from our property.** As we begin to clear the non-native invasive vegetation, from the front of the property, the pond will become more visible to these students, which includes elementary-aged children (an even greater liability for the county); and,
 - d. Given the 6 ft fence surrounding the middle school and the 6 ft fence surrounding our property, it could easily be argued that **reasonable efforts** have been made, by both the school district, the Board of Adjustments, and me, to prevent injury to school children. Based on previous court rulings, we know that once it has been demonstrated that **reasonable efforts** have been made to prevent injury, attention turns back to the student and the parents.
3. **In front of our newly erected 6 ft fence, there is a 6 ft barbed wire fence that was installed by a previous owner.**
 4. I have four grandchildren and the presence of **child predators** in our area weighs heavily on my mind. It goes without saying that the 6 ft fence would not prevent a predator from accessing my property should he/she possess an interest in one of my grandchildren; however, common sense tells us that it would make him/her think twice and it would slow down entry to the property and exit from the property with a child in hand.
 5. Beulah Road is extremely busy throughout the day. With the removal of the "traffic islands," we have experienced not only an increase in the number of travelers on this road, but also a notable speed increase. Thus, another consideration in deciding on a six ft fence dealt with the **overall safety of my grandchildren**, two of whom reside on this property with their parents. Having personal knowledge of two children who ran out in traffic to get a ball, I want to do all I reasonably can to prevent them from running out into traffic to chase a ball, cat, dog, etc. In addition, it would be more difficult for a toddler to kick a ball over a six ft fence than a four ft fence. We should note that the Council of School Facility Planners recommends 9 to 12 ft fencing around play areas located adjacent to a major road or highway. This is not an arbitrary recommendation. This recommendation has everything to do with **the safety of the children and drivers**. It is of importance to know that each of our gates will have remote openers and magnetic locks, strong enough to prevent the easy exit to the road.
 6. In the late 1980s, my mother-in-law, who currently resides on the property, suffered a serious brain injury. With the death of her husband and both of her children, her care has fallen to my sons and me. After much discussion, we came

to the conclusion that not only will the fence benefit my grandchildren, but it will also enable us to keep their grandmother out of the pond (she never learned to swim) and off the highway. On several occasions, we have found her wondering in the yard after dark. If we are required to move the fencing to the side and backyard, it will only be a matter of time before she wanders out of the front door onto the road. One can only imagine the possibilities of her fate, that of a driver, or both.

7. My youngest son and I are in the process of starting a **German Shepherd Dog (GSD) Kennel and training facility and a goat farm** on our property. Having owned GSDs since the age of six, I know that a GSD, as well as a goat, can easily jump a four ft fence, thus becoming a nuisance for the community and for the traffic on Beulah Road.

Item 3: Given that the fencing around the property is chain link and not a privacy fence, light and air adjacent to this property is not be impaired. The fence sets ~~approximately 15~~ ^{more than 22} feet off Beulah Road; therefore, it does not affect congestion in the area. If the fence were made of wood, it might be considered a fire hazard; however, this is a chain link fence which would not cause a fire danger. In regards to imperiling the public safety, I would argue that the lack of a fence could cause far more danger to the public than would a fence (see Considerations 2, 5, 6 & 7 above). Please know that we are working with Fire and Rescue, to enable them immediate entry onto our property, in case of emergency. In no way will this fence negatively impact the health, safety, comfort, or general welfare of the inhabitants of Escambia County. In fact, by fencing off the **attractive nuisance**, we will be:

- i. assisting our community schools.
- ii. saving Escambia County money as the tax payers did not have to fence off the drainage area.
- iii. definitely increasing the safety of my grandchildren and animals, while decreasing the chances of an accident involving a vehicle traveling on Beulah Road with one of my grandchildren or one of my animals.

Item 4: This variance will not, in any manner, alter other provisions of this Code or the Comprehensive Plan, as this is the only property on Beulah Road that has a pond and a drainage ditch in the front yard extending from the road to the drainage ponds rear of the property. The only other property on Beulah Road that has a pond in the front yard already has a 6 ft fence in place.

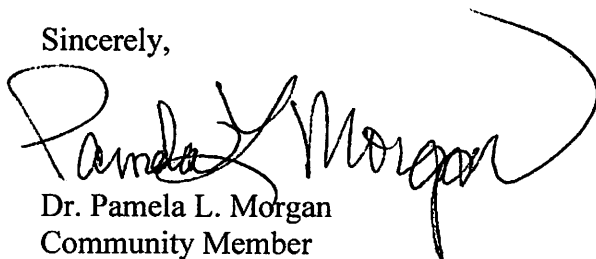
Item 5: Given that the County Ordinance is set at 6 ft as the standard for fencing drainage areas and that the fence does not exceed 6 ft in height, this would be the minimum necessary to make possible use of our land.

I have been unable to ascertain why this ordinance exists for rural properties. The only thing I can think of is beautification. That then issues the question of who cares about this matter in a rural area where farm animals are present on said properties. As you can tell, I have searched for a reasonable solution to this situation. It is apparent that I cannot eliminate the drainage ditch and the pond due to the wetland issues. Additionally, I have tried to follow the requirements the County is held to for drainage areas (which I am unable to change), while trying to ensure the safety of my family, area children, and drivers. As you can see, I am caught in a loop. I am all for having rules where the rules make sense and this imperative is beyond me. Why, my mother who lives in Miami Gardens, Florida has an 8 ft fence surrounding her home in a residential neighborhood and it has not proven problematic. Hopefully, you can agree with my concerns and you will agree with me that allowing my fence to remain as constructed is in the best interest of Escambia County's taxpayers. This is true as its presence eliminates wasted taxpayer dollars due to the fact that its placement is directly beneficial to the Escambia County School Board, the Department of Highway Safety and Motor Vehicles, Escambia County Fire and Rescue, and even more beneficial to the health and safety of the general public.

Section 2.05.2 of the Escambia County Land Development Code gives this Board the authority to grant variances. I request that you take the above considerations into account and grant a variance for this 6 ft fence.

Thank you for your understanding and best personal regards.

Sincerely,



Dr. Pamela L. Morgan
Community Member



KAREN S. SPITSBERGEN
Commission DD 752079
Expires January 27, 2012
Bonded Thru Troy Felt Insurance 800-385-7019

FLDL M625672606840
Dr. Pamela L. Morgan

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: FENCE HEIGHT

Rezoning Request from: _____ to: _____

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Pamela L Morgan Phone: 665-1279

Address: 6180 Red Tail Dr Milton, FL Email: paul.hughes@bellsouth.net

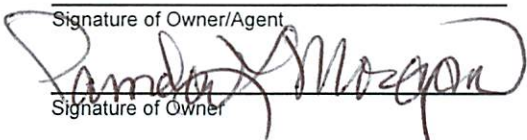
Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 8510 Beulah Rd Pensacola, FL

Property Reference Number(s)/Legal Description: _____

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

Signature of Owner/Agent

 Signature of Owner

Printed Name Owner/Agent
Pamela L Morgan
 Printed Name of Owner

Date
8/15/11
 Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 15th day of Aug 20 11.

by Dr. Pamela L Long

Personally Known OR Produced Identification . Type of Identification Produced: FL DL

 Karen S Spitsbergen
 Signature of Notary (notary seal must be affixed) Printed Name of Notary

M625672606840

FOR OFFICE USE ONLY

Meeting Date(s): 9-21-11 Accepted/Verified by: KSB/ADH Date: 8-15-11

Fees Paid: \$ 500⁰⁰ Receipt #: _____ Permit #: PBA110800016

Prepared by
Rhonda Nail, an employee of
First American Title Insurance Company
1510 Airport Blvd., Suite 2
Pensacola, Florida 32504
(877)309-7217

Return to: Grantee

File No.: 1005-2530395

WARRANTY DEED

This indenture made on **May 06, 2011 A.D.**, by

Rebecca L. Angel, f/k/a Rebecca L. Smith, as to a 1/4 interest and Stephen T. McNair, as to a 1/4 interest and Sherri L. Pitts, f/k/a Sherri L. Kimbro, as to a 1/4 interest and Robin Mickelson, as to a 1/12 interest and Kevin Rentz, as to a 1/12 interest and Keith Rentz, as to a 1/12 interest

whose address is: ,
hereinafter called the "grantor", to

Pamela L. Morgan, a single woman

whose address is: **8510 Beulah Rd, Pensacola, FL 32526**
hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Escambia County, Florida**, to-wit:

The South one-half (1/2) of the Northwest quarter (1/4) of the Southwest quarter (1/4), Section 8, Township 1 South, Range 31 West, all lying and being in Escambia County, Florida.

AND

The North 160 feet of the West 420 feet of the Southwest 1/4 of the Southwest 1/4 of Section 8, Township 1 South, Range 31 West, Escambia County, Florida.

LESS AND EXCEPT:

Commencing at the Northwest corner of the Southwest 1/4 of Section 8, Township 1 South, Range 31 West, Escambia County, Florida; thence South along the West line of said Section 660 feet; thence East 25 feet to the East right of way line of Beulah Road for Point of Beginning; thence continue East 1295 feet; thence South 518.95 feet; thence West 937 feet; thence North 378.95 feet; thence West 358 feet to said Beulah Road; thence North 140 feet to the Point of Beginning.

AND LESS AND EXCEPT:

Commence at the Northwest corner of the Southwest 1/4 of Section 8, Township 1 South, Range 31 West, Escambia County, Florida; thence run South along the West line of said Section for 800.00 feet; thence run East for 383.00 feet; thence run South for 378.95 feet for the Point of Beginning; thence continue the last course run South for 145.83 feet to the South line of the Northwest 1/4 of the Southwest 1/4 of said Section; thence run East along the said Section South line for 944.86 feet to the Southeast corner of the Northwest 1/4 of the Southwest 1/4; thence run North along the East line of said 1/4 for 143.35 feet; thence run West for 944.83 feet to the Point of Beginning.

Parcel Identification Number: **081S31-3203-000-000**

The land is not the homestead of the Grantor under the laws and constitution of the State of Florida and neither the Grantor nor any person(s) for whose support the Grantor is responsible reside on or adjacent to the land.

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

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

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2010.

In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.

Rebecca L. Angel
Rebecca L. Angel

Stephen T. McNair
Stephen T. McNair

Sherri L. Pitts
Sherri L. Pitts

Robin Mickelson
Robin Mickelson

Kevin Rentz
Kevin Rentz

Keith Rentz
Keith Rentz

Signed, sealed and delivered in our presence:

Rhonda Hall
Witness Signature

Mary J. Holzinger
Witness Signature

Print Name: Rhonda Hall

Print Name: Mary J. Holzinger

State of **FL**

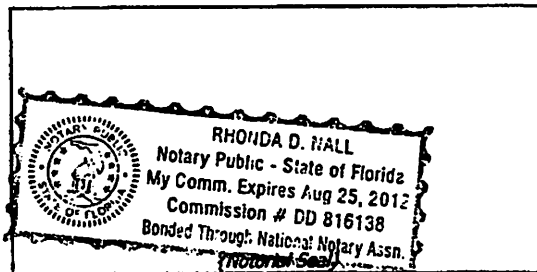
County of **Escambia**

The Foregoing Instrument Was Acknowledged before me on **May 06, 2011**, by **Rebecca L. Angel and Stephen T. McNair and Sherri L. Pitts and Robin Mickelson and Kevin Rentz and Keith Rentz** who is/are personally known to me or who has/have produced a valid driver's license as identification.

Rhonda Hall
Notary Public

(Printed Name)

My Commission expires: _____



ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM (OSTDS) ESCAMBIA COUNTY HEALTH DEPARTMENT

ATTENTION: Pursuant to Escambia County Code of Ordinances 99-36, in accordance with Section 1-29.180(5) of this Ordinance, the Escambia Health Department (ECHD) must conduct an assessment of the Onsite Sewage Treatment and Disposal System (OSTDS) (Septic Tank) prior to the sale of Property. An approval letter issued by the ECHD must be presented at closing or the property sale or transfer of title.

Legal Address of Property: 8510 Beulah Rd, Pensacola, Florida 32526

Buyer/Seller are aware that the property is on a (_____) Sewer System (X) Septic Tank

APPROVAL LETTER ATTACHED HERETO (X)

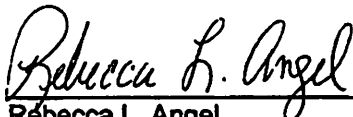
APPROVAL LETTER NOT REQUIRED - PROPERTY NORTH OF WELL LINE ROAD (_____)

APPROVAL LETTER NOT REQUIRED - PROPERTY IS UNIMPROVED (_____)

This form completed by:

First American Title Insurance Company
1510 Airport Blvd., Suite 2
Pensacola, Florida 32504

AS TO SELLER(S):



Rebecca L. Angel



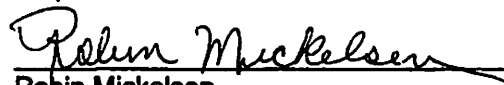
Sherri L. Pitts



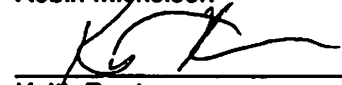
Kevin Rentz



Stephen T. McNair

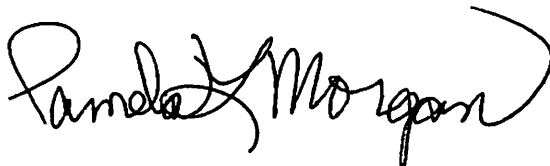


Robin Mickelson



Keith Rentz

AS TO BUYER(S):



Pamela Morgan

2530395

RESIDENTIAL SALES ABUTTING ROADWAY MAINTENANCE DISCLOSURE

ATTENTION: Pursuant to Escambia County Code of Ordinances Chapter 1-29.2, Article V, sellers of residential lots are required to disclose to buyers whether abutting roadways will be maintained by Escambia County. The disclosure may additionally provide that Escambia County does not accept roads for maintenance that have not been built or improved to meet county standards. Escambia County Code of Ordinances Chapter 1-29.2, Article V, requires this disclosure be attached along with other attachments to the deed or other method of conveyance required to be made a part of the public records of Escambia County, Florida. Note: Acceptance for filing by County employees of this disclosure shall in no way be construed as an acknowledgement by the County of the veracity of any disclosure statement.

Name of Roadway:

Legal Address of Property: **8510 Beulah Rd, Pensacola, Florida 32526**

The County (X) has accepted () has not accepted the abutting roadway for maintenance.

This form completed by: **First American Title Insurance Company
1510 Airport Blvd., Suite 2
Pensacola, Florida 32504**

Signed, sealed and delivered in our presence:

Mary J. Holzinger
Witness Signature

Print Name: Mary J. Holzinger

Rhonda Nell
Witness Signature

Print Name: Rhonda Nell

Rebecca L. Angel
Rebecca L. Angel

Sherri L. Pitts
Sherri L. Pitts

Kevin Rentz
Kevin Rentz

Pamela L. Morgan
Pamela L. Morgan

Stephen V. McNair
Stephen V. McNair

Robin Mickelson
Robin Mickelson

Keith Rentz
Keith Rentz

THIS FORM APPROVED BY THE
ESCAMBIA COUNTY BOARD
OF COUNTY COMMISSIONERS
Effective: 4/15/95

MAY-03-2011 TUE 08:28 AM

ESC CO ENV HEALTH

FAX No. 8505956777

P. 002

**ESCAMBIA COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
1300 WEST GREGORY STREET
PENSACOLA, FL 32502**



May 3, 2011

Rebecca Angel, Stephen McNair,
Sherri Pitts, Robin Mickelson
c/o Keller Williams Realty
7140 North Ninth Avenue
Pensacola, FL 32504

RE: Three Bedroom
Single Family Residence
8510 Beulah Road
Pensacola, FL 32526
Parcel ID: 08-1S-31-3203-000-000

Dear Property Owners:

Environmental Health conducted an inspection of the Onsite Sewage Treatment and Disposal System (OSTDS) at the above referenced location on May 2, 2011. The condition(s) stated below outline the department's assessment of the OSTDS:

Status of Property:

The premise has been occupied and no overflows were observed at the time of the inspection.

Septic Tank Compartment:

The condition of the internal structure of the tank compartment could not be determined because the tank was not opened for a visual inspection. However, a limited external inspection of the tank was conducted.

- No structural deficiencies were noted.

Drainfield System:

The drainfield system was probed and the soil adjacent to the drainfield was augured to assess the system's functionality.

- Vehicular traffic and parking over a drainfield should be restricted to avoid compaction and potential failure of the drainfield. Evidence of vehicular traffic was noted in the drainfield area. No structural deficiencies were noted.

Conclusion:

- No action is required at this time. This letter does not imply that the system will perform optimally for a specific period of time. However, with the data available at the time of the inspection, the system was operating properly.

This inspection will be honored for a period of nine months. If we can be of further assistance, please do not hesitate to call us at (850) 595-6786.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip L. Davies".

Phillip L. Davies
Environmental Supervisor I

A large, stylized handwritten signature in black ink, appearing to read "Pamela Morgan".

PLD/cp/pd
OSTDS # 11-0152
Fax To: Mary Holzinger 471-5001



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1370

Item #: 6.

Board of Adjustment

Meeting
Date: 09/21/2011

Agenda Item:

C. Case No.: **V-2011-10**
Location: 7171 N Davis Hwy
Request: Variance for Signage
Requested By: Erica Floyd, Agent for Simon Property Group, Owners

Attachments

V-2011-10

V-2011-10



DEVELOPMENT SERVICES STAFF FINDINGS-OF-FACT

Variance Case: V-2011-10
September 21, 2011

I SUBMISSION DATA

APPLICANT: Erica Floyd, Agent for Simon Property Group LP

PROJECT ADDRESS: 7171 N. Davis Hwy

PROPERTY REFERENCE NO.: 30-1S-30-3104-000-001,
30-1S-30-3102-000-000

ZONING DISTRICT: C-2

FUTURE LAND USE: Commercial

II REQUESTED VARIANCE:

The applicant is seeking multiple variances to LDC sign provisions for the University Mall renovation project. Specifically, the requests are to the total allowable signage, maximum square footage for wall signs, and the number of freestanding signs per zone lot. In 2009, variance case V-2009-02 was approved by the BOA, allowing for an increase in the overall signage, but this variance has expired.

III RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section: 8.07.03 A&B.04.b, 8.07.05

8.07.03. *Commercial and industrial zones.* The following permanent on-premises signs shall be permitted in commercial and industrial zones including C-1, C-1PK (see section 8.08.03.B), C-2, ID-P, ID-1, ID-2, and R-6 commercial establishments only:

A. *New commercial buildings.* Total allowable square footage of signage per zone lot: 1.5 square feet of signage (wall and freestanding) per lineal foot of addressed street frontage. Minimum allowable sign area per zone lot is 100 square feet (*see note on corner lot signage). A master sign plan must be submitted to the development review committee as part of the overall approval process.

B. *Existing commercial buildings.* Total allowable square footage of freestanding signs and wall signs are calculated separately. Freestanding signs: The maximum square footage of freestanding sign signs per zone lot is

1.0 square feet of signage per lineal foot of the addressed street frontage. Minimum allowable sign area per zone lot is 100 square feet.

4. Number of signs permitted:
 - b. One additional freestanding sign will be allowed for each full acre in parcel size above two acres. All signs on a single parcel must have a minimum spacing between signs of 200 feet measured continuously along the rights-of-way through common point or points, from the closest parts of any two signs. The maximum total number of freestanding signs per zone lot is four.

8.07.05. *Wall signs.* The maximum square footage for a wall sign shall not exceed ten percent of the wall surface facing the addressed street. For those businesses with more than one store front, the maximum square footage for a wall sign shall not exceed 15 percent of the wall surface facing the addressed street. Any one sign shall not exceed 200 square feet. The wall surface shall be measured by determining the total vertical wall surface and the horizontal wall surface and can include the roof surface when the roof slope is steeper than 45 degrees. Signs painted on the wall surface shall require a land use certificate but shall not require a building permit.

A. *New commercial businesses.* The square footage of wall signs are deducted from the total allowable square footage permitted for the zone lot (see section 8.08.03).

IV CRITERIA

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section 6.05.05.F.5

CRITERION A

That there are special circumstances or conditions applicable to the building or land in question that are peculiar to such property that do not apply generally to other land or buildings in the vicinity.

FINDINGS-OF-FACT

Section 2.05.02 of the Land Development Code defines special circumstances or conditions specifically as follows: "Such special conditions shall be limited to unusual physical characteristics inherent in the specific piece of property and not common to properties similarly situated. Such physical characteristics include, but are not limited to, exceptional narrowness, shallowness, shape, topographic conditions, or the presence of sensitive environmental resources, any or all of which will result in peculiar or in the quiet enjoyment and use of the property".

This project is unique in that it is the redevelopment of a site designed prior to the LDC and that the majority of the signage was within the main building. The

original mall design was not based on current regulations and limits signage to less than would normally be allotted to the tenants.

CRITERION B

That the variance is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the Applicant.

FINDINGS-OF-FACT

The variance is necessary for the preservation and enjoyment of a substantial property right that would normally be associated with a commercial development.

CRITERION C

That such a variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, comfort, or general welfare of the inhabitants of Escambia County.

FINDINGS-OF-FACT

This variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets. The danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the health, safety, comfort, or general welfare of the inhabitants of Escambia County.

CRITERION D

The variance will not, in any manner, alter other provisions of this Code or Comprehensive Plan.

FINDINGS-OF-FACT

This variance will not alter other provisions of the Land Development Code or Comprehensive Plan.

CRITERION E

That the variance is the minimum necessary to make possible the use of the land, building or other improvements as approved by the BOA.

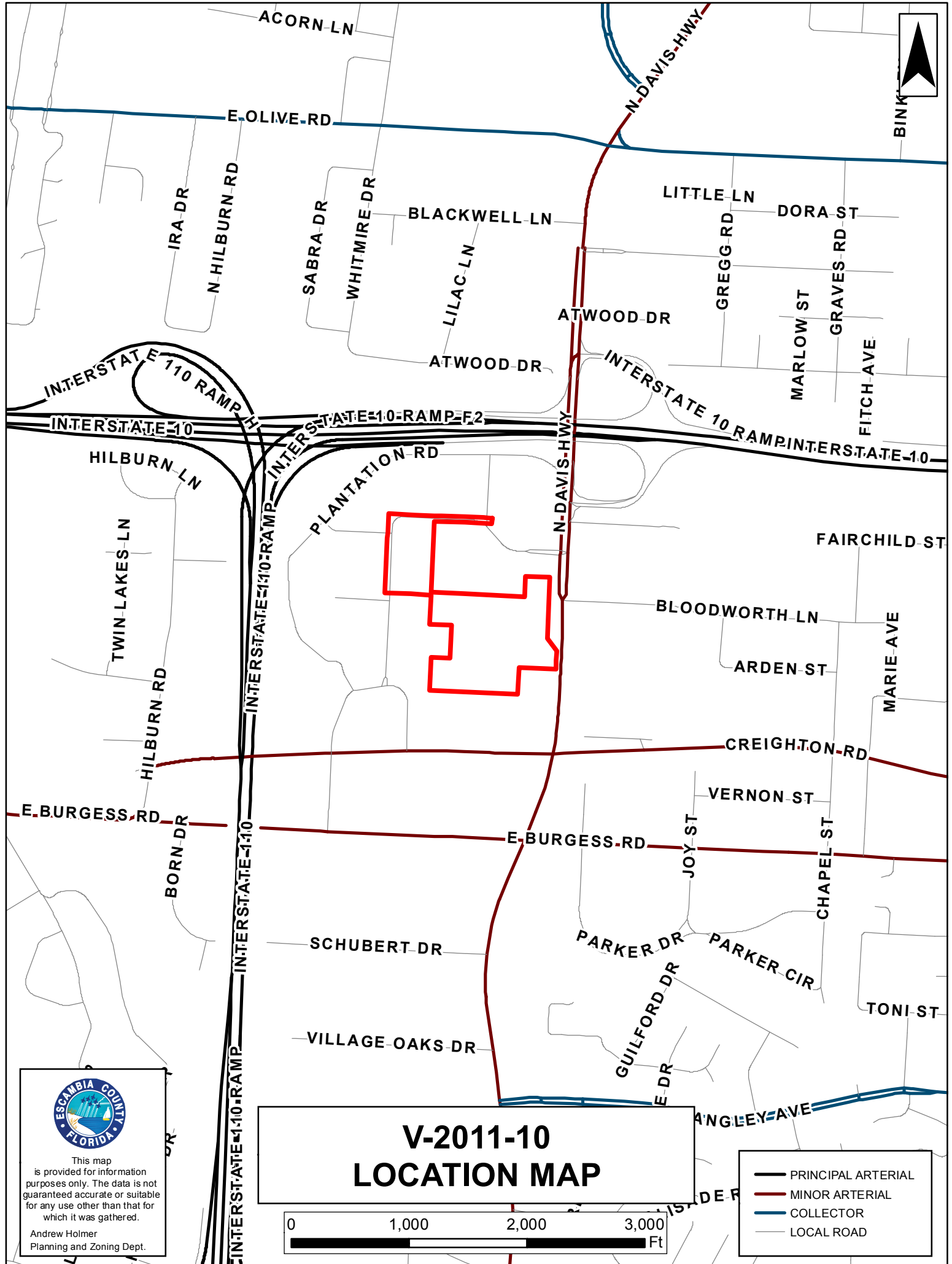

FINDINGS-OF-FACT

The variance is necessary given the limitations of the site and the commercial use of the land.

V RECOMMENDATION:

Section 2.05.02 of the LDC specifies, "No variance shall be authorized under this provision unless the BOA finds that all of the required conditions exist."

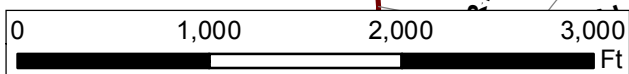
Staff finds that the applicant does meet all of the required criteria for the granting of a variance.








This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

V-2011-10 LOCATION MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD

R-5

R-6

R-5

C-1



INTERSTATE 10

ID-1

PLANTATION RD

C-2

R-4

C-2

N DAVIS HWY

BLOODWORTH LN

C-1

C-2

C-2

CREIGHTON RD

CREIGHTON RD



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

V-2011-10 500' RADIUS ZONING



INCORP

- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS

MU-U

MU-U



INTERSTATE 10

PLANTATION RD

G

G

G

G

N DAVIS HWY

BLOODWORTH LN

MU-U

CREIGHTON RD

CREIGHTON RD

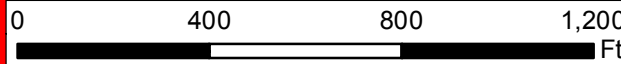
INCORP



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

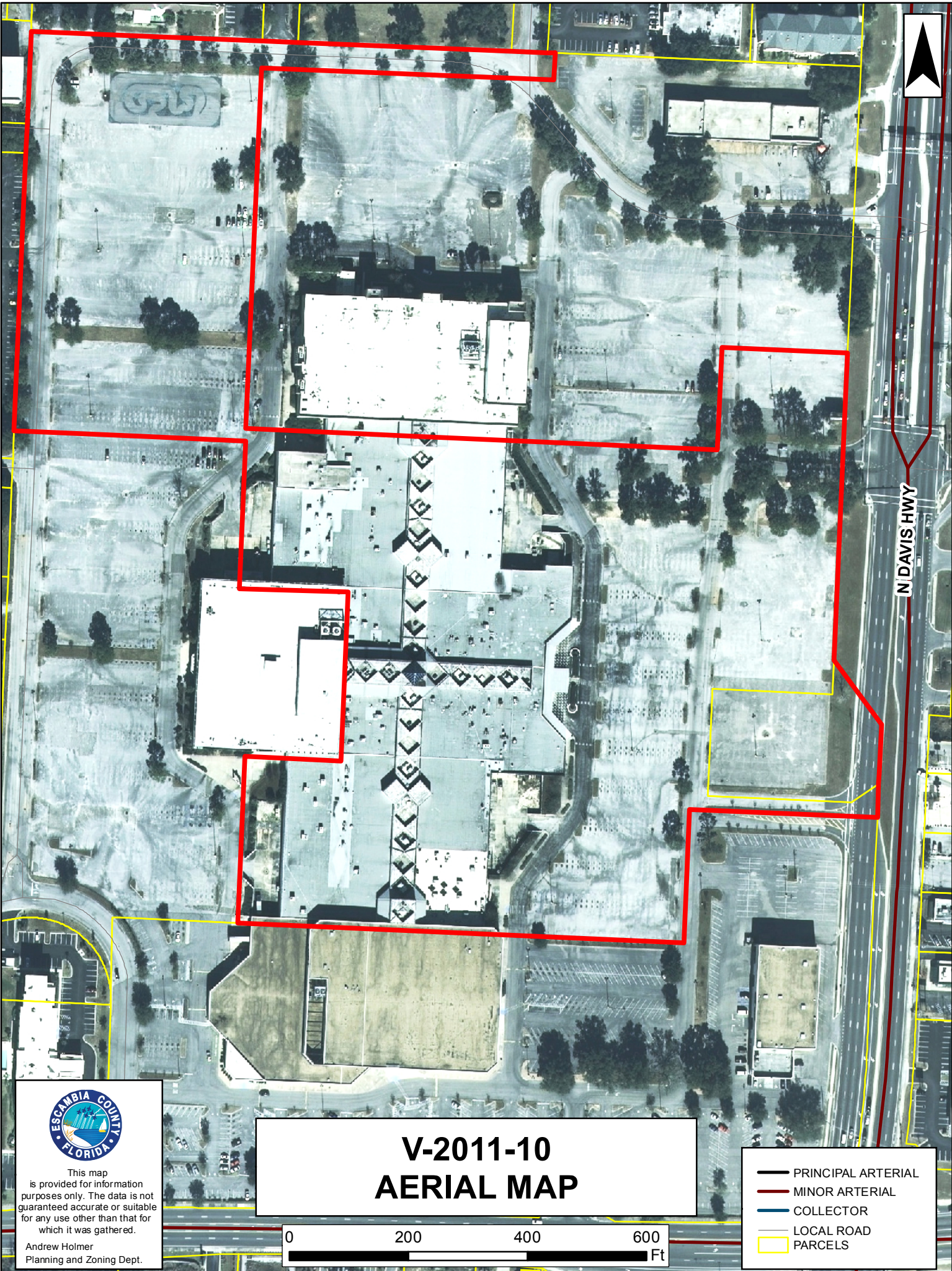
V-2011-10 FUTURE LAND USE



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- ▭ PARCELS



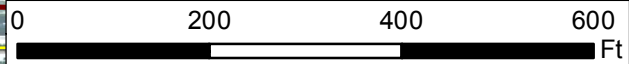
N DAVIS HWY








This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

V-2011-10 AERIAL MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS



INNOVATIVE INFRASTRUCTURE SOLUTIONS

449 WEST MAIN STREET
PENSACOLA, FL 32502
PHONE: (850) 438-9661
FAX: (850) 433-6761

WWW.BASKERVILLEDONOVAN.COM

August 18, 2011

Andrew Holmer, Senior Urban Planner
Escambia County Development Services Bureau
3363 West Park Place
Pensacola, FL 32505

Re: Variance Request for the University Mall Site Renovation
7171 N. Davis Highway
Pensacola, Florida
BDI Project No. 98405.02

Dear Mr. Holmer:

Construction plans for the University Mall Site Renovation were submitted to Escambia County for review on August 12, 2011. The project involves the renovation of the existing University Mall site on North Davis Highway in Pensacola, Florida. The existing mall is currently being demolished with the existing anchor stores (JC Penney, Sears and Belk) remaining in place. Proposed improvements include construction of a new retail center between the existing anchor stores, improvements to the existing anchor store façades and construction of supporting facilities for four (4) new "permissible building areas".

The renovation of University Mall will change the site from a single enclosed structure to numerous outdoor retail facilities. The renovated mall is unique in that the structures can be viewed from all four sides (north, south, east and west). In addition, the main structure has a large setback (approximately 900 feet) from the main frontage road (Davis Highway).

According to the Land Development Code (LDC) for Escambia County, the allowable amount of signage for the project site is permitted as follows 1) limit the total allowable site signage to 2,860 SF based on street frontage, 2) limit total amount of wall signage to 10% - 15% of the wall area facing Davis Highway and also limit the size of an individual wall sign to 200 SF and 3) limit the number of freestanding signs per zone lot to four. On behalf of Simon Property Group, we are requesting a variance for these items.

Variance for Total Allowable Square Footage of Site Signage [Article 8, Section 8.07.03 (A)]

The total allowable signage for the University Mall site based on street frontage is 2,860 SF. A variance is requested to increase the total amount to 8,436 SF. This amount includes existing signage (to remain) in addition to new façade signs for the existing anchor stores, wall signs for new tenants and three (3) new monument signs.

As a result of the demolition of the interior portion of University Mall, the three remaining anchor stores (JC Penney, Sears and Belk) will be left with an "unfinished" exterior wall. These walls will be refaced as part of the renovation project. This will include new wall signage on the new facades. These wall signs shall be similar in dimension to the existing exterior wall signs. The total amount of site square footage as a result of only these modifications will be 3,014 SF. This amount exceeds the LDC allowable amount.

The proposed new tenants for the mall site include three (3) new buildings between the existing anchor stores and four (4) new "Permissible Building Areas" (P.B.A.) (outlots) located on the Simon owned property area. Most of these new structures can be viewed from all four sides and some will contain multiple shops. Some store fronts will not be visible from Davis Highway; therefore the variance is desired to provide each tenant the opportunity to identify their business.

The mall site currently has two freestanding pylon type signs along Davis Highway, one for Firestone and one for University Mall. The proposed renovation requests the installation of three (3) new monument type signs, one along Creighton Road and two at the currently unsigned entrances along Davis Highway. An exhibit showing the preliminary design of the monument sign is included with this request. The existing University Mall sign shall be slightly relocated to allow for the construction of P.B.A. #3.

As previously mentioned total amount of signage requested for the University Mall Renovation is 8,436 SF. The total amount of wall signage proposed is approximately 7,547 SF (2,350 SF is for existing stores) and the total amount of freestanding signage proposed is approximately 889 SF (664 SF is existing). The variables leading to the variance request include 1) the amount of existing signage strongly limits any additional signage and 2) the new and existing structures associated with the renovated mall will be viewed from many sides and contain multiple tenants. Installation of the proposed signs at the newly renovated mall will not impair or diminish the quality of life or value of property for the people in Escambia County.

A breakdown of the proposed total site signage is included with this request.

Variance for Wall Signs Permitted (Maximum Square Footage) (Article 8, Section 8.07.05)

According to the Escambia County LDC, the maximum square footage for a wall sign shall not exceed 10% of the wall surface facing the addressed street (15% for businesses with more than one store front). In addition, any one sign shall not exceed 200 square feet. The desired amount of wall signage requested by this variance includes wall mounted signs for the new large tenants as well as wall mounted signs for each individual small tenant.

New Building #1 and Permissible Building Area #2 are proposing to contain multiple shops (more than one store front). A variance is desired to exceed the maximum 15% of wall area criteria set forth by the LDC for these structures. These sites are unique due to the fact that the public can view and access different store fronts from multiple sides. Some store fronts will not be visible from Davis Highway; therefore a variance is desired to provide each tenant the opportunity to identify their business.

Andrew Holmer, Senior Urban Planner
Escambia County Development Services
Variance Request for the University Mall Site Renovation
August 18, 2011
Page 3 of 3

In addition, some of the new larger tenants have signs which are used all over the country to promote their business. In the case of New Buildings #2 and #3 and P.B.A. #4, the proposed (possible) new tenants have "standard" size signs which exceed the 200 SF limit and may exceed the maximum 10% of wall area criteria. Due to the location of these buildings from Davis Highway, the request for a larger individual sign will allow them to be easily seen from the main frontage. These new tenants are anticipated to be the main "draw" for new customers.

Variance for Number of Signs Permitted (Freestanding Signs) [Article 8, Section 8.07.03 (B)(4)(b)]

A variance is requested to increase the total amount of freestanding signs per zone lot from the allowable amount of four (4) signs to the desired five (5) signs. The mall site currently has two freestanding pylon type signs along Davis Highway, one for Firestone and one for University Mall. The proposed renovation requests the installation of three (3) new monument type signs, one along Creighton Road and two at the currently unsigned entrances along Davis Highway. An exhibit showing the preliminary design of the monument sign is included with this request. The existing University Mall sign shall be slightly relocated to allow for the construction of P.B.A. #3.

Installation of the monument signs along Davis Highway and Creighton Road will rejuvenate exposure for the mall area. In addition, the presence of several existing large oak trees limiting the view of the mall and the length of the frontage along Davis Highway (almost 2,000 feet) are factors that increase the need for exposure.

Please find enclosed with this letter exhibits of the preliminary wall mounted and freestanding signs as well as a breakdown of the existing and proposed site signage amounts.

Your consideration of this request is essential to the successful redevelopment of the property. Thank you for your assistance. Please contact us should you have any comments or questions.

Sincerely,

BASKERVILLE-DONOVAN, INC.



Erica Floyd, P.E.
Project Engineer

Enclosures

Cc: Gary Obershaw, Simon Property Group, LP

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: Signage

Rezoning Request from: _____ to: _____

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Simon Property Group LP Phone: 317-263-8179

Address: 225 W. Washington St., Indianapolis, IN 46204 Email: GObershaw@simon.com

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 7171 N. Davis Highway, Pensacola, FL

Property Reference Number(s)/Legal Description: 30-1S-30-3104-000-001 & 30-1S-30-3102-000-000

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

Erica Floyd
Signature of Owner/Agent

Erica Floyd
Printed Name Owner/Agent

8-18-11
Date

Signature of Owner

Printed Name of Owner

Date

STATE OF Florida

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 18 day of August, 2011, by Erica Floyd.

Personally Known OR Produced Identification . Type of Identification Produced:

Cynthia M. Zelius
Signature of Notary
(notary seal must be affixed)

CYNTHIA M. ZELIUS
Printed Name of Notary



FOR OFFICE USE ONLY

CASE NUMBER: _____

Meeting Date(s): _____ Accepted/Verified by: _____ Date: _____

Fees Paid: \$ _____ Receipt #: _____ Permit #: _____

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

N/A

Property Reference Number(s): _____

Property Address: _____

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS _____ DAY OF _____, YEAR OF _____.

Signature of Property Owner

Printed Name of Property Owner

Date

Signature of Property Owner

Printed Name of Property Owner

Date

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 7171 N. Davis Highway, Pensacola, FL,
Florida, property reference number(s) 30-1S-30-3104-000-001 & 30-1S-30-3102-000-000

I hereby designate Erica Floyd, P.E. for the sole purpose
of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property.
- Board of Adjustment to request a(n) Variance on the above referenced property.

This Limited Power of Attorney is granted on this 15 day of August the year of, 2011, and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development Services Bureau.

Agent Name: Erica Floyd Email: e.loyd@baservilledonovan.com

Address: 449 W. Main Street, Pensacola, FL 32502 Phone: 850-438-9661

[Signature]
Signature of Property Owner

Gary Obershaw
Printed Name of Property Owner

8/15/11
Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF Indiana COUNTY OF Marion

The foregoing instrument was acknowledged before me this 15 day of August 2011,
by Gary Obershaw.

Personally Known OR Produced Identification . Type of Identification Produced: _____

[Signature]
Signature of Notary

Printed Name of Notary Gail E. Phillips
Gail E. Phillips
Resident Of
Marion County
My Commission Expires:
5/15/2016

(Notary Seal)

**APPLICATION
ATTACHMENTS CHECKLIST**

- 1. For BOA, original letter of request, typed or written in blue ink & must include the reason for the request and address all criteria for the request as outlined in LDC Article 2.05 (dated, signed & notarized – notarization is only necessary if an agent will be used).
- 2. Application/Owner Certification Form - Notarized Original (page 1) (signatures of ALL legal owners or authorized agent are required)
- N/A 3. Concurrency Determination Acknowledgment form - Original (if applicable) (page 2)
- 4. Affidavit of Owner & Limited Power of Attorney form - Notarized Original (if applicable) (page 3) (signatures of ALL legal owners are required)
- 5. Legal Proof of Ownership (e.g. copy of Tax Notice or Warranty Deed). Include Corporation/LLC documentation or a copy of Contract for Sale if applicable.
- 6. Legal Description of Property Street Address / Property Reference Number
- 7. a. Rezoning: Boundary Survey of subject property to include total acreage, all easements, and signed & sealed by a surveyor registered in the state of Florida.
b. BOA: Site Plan drawn to scale.
- N/A 8. For Rezoning requests: If the subject parcel does not meet the roadway requirements of Locational Criteria (Comprehensive Plan 7.A.4.13 & LDC 7.20.00.), a compatibility analysis to request a waiver or an exemption to the roadway requirements will need to be submitted as part of the application.
- N/A 9. Pre-Application Summary Form, Referral Form, Zoning Verification Request Form and/or copy of citation from Code Enforcement Department if applicable.
- 10. Application fees. (See Instructions page for amounts) Payment cannot be accepted after 3:00pm.

Please note: Forms with signatures dated more than sixty (60) days prior to application submittal will not be accepted as complete.

Please make the following three appointments with the Coordinator.

- Appointment for pre-application meeting: _____
- Appointment to turn in application: _____
- Appointment to receive findings-of-fact: _____



LEGAL DESCRIPTION

PARCEL 1: 30-1S-30-3102-000-000

THAT PORTION OF GOVERNMENT LOT 3, SECTION 30, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 3; THENCE GO NORTH 88 DEGREES 29 MINUTES 05 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 132.00 FEET TO THE WEST RIGHT-OF-WAY OF DAVIS HIGHWAY (S.R. NO. 291, 200 FOOT R/W); THENCE GO SOUTH 01 DEGREES 52 MINUTES 12 SECONDS WEST (FORMERLY SOUTH 1 DEGREES 51 MINUTES 35 SECONDS) WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 1091.97 (FORMERLY 1091.80) FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01 DEGREES 52 MINUTES 12 SECONDS WEST, 579.79 (FORMERLY SOUTH 1 DEGREE 51 MINUTES 35 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 524.70 FEET; THENCE CONTINUE SOUTH 1 DEGREE 51 MINUTES 35 SECONDS WEST A DISTANCE OF 55.21 FEET; THENCE GO NORTH 88 DEGREES 42 MINUTES 00 SECONDS WEST A DISTANCE OF 201.75 FEET (FORMERLY 202.11 FEET); THENCE GO SOUTH 1 DEGREES 18 MINUTES 00 SECONDS WEST A DISTANCE OF 180.00 FEET; THENCE GO SOUTH 88 DEGREES 42 MINUTES 00 SECONDS EAST A DISTANCE OF 242.05 FEET; THENCE GO NORTH 46 DEGREES 51 MINUTES 35 SECONDS EAST A DISTANCE OF 61.12 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID DAVIS HIGHWAY; THENCE GO SOUTH 1 DEGREE 51 MINUTES 35 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 70.30 FEET; THENCE GO NORTH 88 DEGREES 42 MINUTES 00 SECONDS WEST A DISTANCE OF 310.00 FEET; THENCE GO SOUTH 1 DEGREE 18 MINUTES 00 SECONDS WEST A DISTANCE OF 225.00 FEET; THENCE GO NORTH 88 DEGREES 42 MINUTES 00 SECONDS WEST A DISTANCE OF 751.20 FEET; THENCE GO NORTH 1 DEGREE 18 MINUTES 00 SECONDS EAST A DISTANCE OF 280.00 FEET; THENCE GO SOUTH 88 DEGREES 42 MINUTES 00 SECONDS EAST A DISTANCE OF 147.50 FEET; THENCE GO NORTH 1 DEGREE 18 MINUTES 00 SECONDS EAST A DISTANCE OF 280.00 FEET; THENCE GO NORTH 88 DEGREES 42 MINUTES 00 SECONDS WEST A DISTANCE OF 183.70 FEET THENCE GO NORTH 1 DEGREE 18 MINUTES 00 SECONDS EAST A DISTANCE OF 280.00 FEET; THENCE GO SOUTH 88 DEGREES 42 MINUTES 00 SECONDS EAST A DISTANCE OF 808.00 FEET; THENCE GO NORTH 1 DEGREE 18 MINUTES 00 SECONDS EAST A DISTANCE OF 172.40 FEET; THENCE GO SOUTH 88 DEGREES 42 MINUTES 00 SECONDS EAST A DISTANCE OF 211.91 FEET (FORMERLY 212.00 FEET) TO THE POINT OF BEGINNING.



PARCEL 2: 30-1S-30-3104-000-001

THOSE PORTIONS OF GOVERNMENT LOT 3 AND LOT 4, SECTION 30,
TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA,
DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 3;
THENCE GO NORTH 88 DEGREES 29 MINUTES 05 SECONDS WEST ALONG
THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 132.00 FEET TO THE WEST
RIGHT-OF-WAY OF DAVIS HIGHWAY (S.R. NO. 291, 200 FOOT R/W); THENCE
GO SOUTH 01 DEGREES 52 MINUTES 12 SECONDS WEST (FORMERLY SOUTH
1 DEGREE 51 MINUTES 35 SECONDS WEST) ALONG SAID RIGHT-OF-WAY
LINE A DISTANCE OF 631.80 FEET; THENCE GO NORTH 88 DEGREES 29
MINUTES 00 SECONDS WEST A DISTANCE OF 520.00 FEET TO THE POINT OF
BEGINNING; THENCE CONTINUE NORTH 88 DEGREES 29 MINUTES 00
SECONDS WEST A DISTANCE OF 878.30 FEET; THENCE GO SOUTH 1 DEGREE
18 MINUTES 00 SECONDS WEST A DISTANCE OF 1617.38 FEET; THENCE GO
SOUTH 88 DEGREES 34 MINUTES 15 SECONDS EAST A DISTANCE OF 200.00
FEET; THENCE GO NORTH 1 DEGREE 18 MINUTES 00 SECONDS EAST A
DISTANCE OF 140.00 FEET; THENCE GO SOUTH 88 DEGREES 42 MINUTES 00
SECONDS EAST A DISTANCE OF 210.00 FEET; THENCE GO NORTH 1 DEGREE
18 MINUTES 00 SECONDS EAST A DISTANCE OF 280.00 FEET; THENCE GO
SOUTH 88 DEGREES 42 MINUTES 00 SECONDS EAST A DISTANCE OF 147.50
FEET; THENCE GO NORTH 1 DEGREE 18 MINUTES 00 SECONDS EAST A
DISTANCE OF 280.00 FEET; THENCE GO NORTH 88 DEGREES 42 MINUTES 00
SECONDS WEST, A DISTANCE OF 183.70 FEET; THENCE GO NORTH 1 DEGREE
18 MINUTES 00 SECONDS EAST A DISTANCE OF 868.00 FEET; THENCE GO
SOUTH 88 DEGREES 42 MINUTES 00 SECONDS EAST A DISTANCE OF 504.50
FEET; THENCE GO NORTH 01 DEGREE 17 MINUTES 34 SECONDS EAST
(FORMERLY NORTH 1 DEGREE 18 MINUTES 00 SECONDS EAST) A DISTANCE
OF 46.51 FEET (FORMERLY 46.35 FEET) TO THE POINT OF BEGINNING.

78.00
70

Escambia County

Tax Parcel Identification Numbers: 3C-1S-30-4101-000-000
 30-1S-30-4101-001-002
 30-1S-30-3102-000-000
 30-1S-30-4101-005-004
 30-1S-30-3104-000-001
 30-1S-30-4101-000-003
 30-1S-30-4101-001-004

D S PD Deed 80.70
 Mort 80.00 ASUM 80.00
DECEMBER 29, 1994
 Joe A. Flowers, Comptroller
 Cert. Reg. 59-2043328-27-01
 BY: *B. Luther* D.C.

OR Bk3700 Pg0430
 INSTRUMENT 00178880

This instrument was prepared by and after recording should be returned to:
 James A. Schmidt, Esq.
 Simon Property Group
 115 West Washington Street
 Indianapolis, Indiana 46204

SPECIAL WARRANTY DEED

THIS INDENTURE made ^{as of} this 29th day of December, 1994, between Corporate Property Investors, a Massachusetts business trust having an address at Three Dag Hammarskjold Plaza, 305 East 47th Street, New York, New York 10017 ("Grantor"), and Simon Property Group, L.P., a Delaware limited partnership d/b/a Simon Property Group Limited Partnership, having an address at 115 West Washington Street, Indianapolis, Indiana 46204 ("Grantee"), whose tax I.D. number is 35-1903854.

WITNESSETH, that Grantor for and in consideration of the sum of Ten Dollars lawful money of the United States and other good and valuable consideration duly paid by Grantee, the receipt of which is hereby acknowledged, does by these presents grant, bargain and sell to Grantee, and Grantee's successors and assigns, the following described property ("the Property"):

THE PROPERTY CONVEYED BY THIS SPECIAL WARRANTY DEED IS PART OF A MULTI-PARCEL TRANSACTION INVOLVING TWO PROPERTIES BOTH OWNED BY GRANTOR AND BEING CONVEYED TO GRANTEE ON EVEN DATE HEREWITH LOCATED IN ESCAMBIA COUNTY AND CLAY COUNTY. DOCUMENTARY STAMP TAX IN THE AMOUNT OF \$ 723,896.00 IS BEING PAID IN CLAY COUNTY WITH RESPECT TO BOTH PROPERTIES UPON RECORDING OF THIS SPECIAL WARRANTY DEED.

(A) The real property located in Escambia County described in Exhibit A attached hereto and incorporated herein by this reference (the "Land");

(B) All improvements on the Land (the "Improvements");

(C) All right, title and interest of Grantor in and to that certain Deed of Declaration dated November 15, 1973, as evidenced by a recorded memorandum as described on Exhibit B attached hereto and incorporated herein by this reference (the "Declaration").

(D) All right, title and interest of Grantor in and to (i) all public and private streets, roads, avenues, alleys and passageways, opened or proposed, in front of or abutting the Land, (ii) any award made or to be made and any unpaid award for damage to the Land by reason of any change of grade of any such street, road, avenue, alley or passageway, and (iii) any strips or gores of land adjoining the Land; and

(E) All and singular the estates, rights, privileges, easements and appurtenances belonging or in any wise appertaining to the Land and the Improvements.

SUBJECT TO those matters set forth on Exhibit C attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the Property with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, unto Grantee and Grantee's successors and assigns, forever, Grantor hereby covenanting as to all persons claiming by through or under Grantor that Grantor is lawfully seized of an indefeasible estate in fee of the Property and that Grantor has good right to convey the Property; that the Property is free and clear from any encumbrance done or suffered by Grantor except as set forth above; and that Grantor will warrant and defend the title to the Land and the Improvements unto Grantee and Grantee's successors and assigns forever against and interest in the Declaration the lawful claims and demands of all persons claiming or to claim the same by, through or under Grantor except as set forth above.

Corporate Property Investors is the designation of the Trustees under a Declaration of Trust, as amended and restated, on file with the Secretary of the Commonwealth of Massachusetts, and neither the shareholders nor the Trustees, officers, employees or agents of the Trust created thereby, nor any of their personal assets, shall be liable hereunder, and all persons dealing with the Trust shall look solely to the Trust estate for the payment of any claims hereunder or for the performance hereof.

UNIVERSITY MALL

EXHIBIT "A"

OR Bk3700 Pg0433
INSTRUMENT 00178880

DESCRIPTION

PARCEL 1:

That Portion of Government Lot 3, Section 30, Township 1 South, Range 30 West, Escambia County, Florida, described as follows:

Commence at the Northeast Corner of said Government Lot 3; thence go North 88 degrees 29 minutes 05 seconds West along the North Line of said Lot 3 a distance of 132.00 feet to the West Right-of-Way of Davis Highway (S.R. No. 291, 200 foot R/W); thence go South 01 degrees 51 minutes 12 seconds West (formerly South 1 degree 51 minutes 35 seconds) West along said Right-of-Way line a distance of 1091.97 (formerly 1091.80) feet to the Point of Beginning; thence continue South 01 degree 52 minutes 12 seconds West, 579.79 feet (formerly South 1 degree 51 minutes 35 seconds West along said Right-of-Way Line a distance of 524.70 feet; thence continue South 1 degree 51 minutes 35 seconds West a distance of 55.21 feet; thence go North 88 degrees 42 minutes 00 seconds West a distance of 201.75 feet (formerly 202.11 feet); thence go South 1 degrees 18 minutes 00 seconds West a distance of 180.00 feet; thence go South 88 degrees 42 minutes 00 seconds East a distance of 242.05 feet; thence go North 46 degrees 51 minutes 35 seconds East a distance of 61.12 feet to the West Right-of-Way Line of said Davis Highway; thence go South 1 degree 51 minutes 35 seconds West along said Right-of-Way Line a distance of 70.30 feet; thence go North 88 degrees 42 minutes 00 seconds West a distance of 310.00 feet; thence go South 1 degree 18 minutes 00 seconds West a distance of 225.00 feet; thence go North 88 degrees 42 minutes 00 seconds West a distance of 751.20 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 280.00 feet; thence go South 88 degrees 42 minutes 00 seconds East a distance of 147.50 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 280.00 feet; thence go North 88 degrees 42 minutes 00 seconds West a distance of 183.70 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 280.00 feet; thence go South 88 degrees 42 minutes 00 seconds East a distance of 808.00 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 172.40 feet; thence go South 88 degrees 42 minutes 00 seconds East a distance of 211.91 feet (formerly 212.00 feet) to the Point of Beginning.

PARCEL 2:

Those Portions of Government Lot 3 and of Lot 4, Section 30, Township 1 South, Range 30 West, Escambia County, Florida, described as follows:

Commence at the Northeast Corner of said Government Lot 3; thence go North 88 degrees 29 minutes 05 seconds West along the North Line of said Lot 3 a distance of 132.00 feet to the West Right-of-Way of Davis Highway (S.R. No. 291, 200 foot R/W); thence go South 01 degree 52 minutes 12 seconds West (formerly South 1 degree 51 minutes 35 seconds West) along said Right-of-Way Line a distance of 631.80 feet; thence go North 88 degrees 29 minutes 00 seconds West a distance of 520.00 feet to the Point of Beginning; thence continue North 88 degrees 29 minutes 00 seconds West a distance of 878.30 feet; thence go South 1 degree 18 minutes 00 seconds West a distance of 1617.38 feet; thence go South 88 degrees 34 minutes 15 seconds East a distance of 200.00 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 140.00 feet; thence go South 88 degrees 42 minutes 00 seconds East distance of 210.00 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 280.00 feet; thence go South 88 degrees 42 minutes 00 seconds East a distance of 147.50 feet; thence go North 1 degree 18 minutes 00 seconds East a distance 280.00 feet; thence go North 88 degrees 42 minutes 00 seconds West a distance of 183.70 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 868.00 feet; thence go South 88 degrees 42 minutes 00 seconds East a distance of 504.50 feet; thence go North 01 degree 17 minutes 34 seconds East (formerly North 1 degree 18 minutes 00 seconds East) a distance of 46.51 feet (formerly 46.35 feet) to the Point of Beginning.

EXCEPTING FROM PARCEL 2 THE FOLLOWING DESCRIBED LANDS:

Those portions of Government Lot 3 and of Lot 4, Section 30, Township 1 South, Range 30 West, Escambia

EXHIBIT "A"

DESCRIPTION

County, Florida, described as follows:

Commence at the Northeast corner of said Government Lot 3; thence go North 88 degrees 29 minutes 05 seconds West along the North line of said Lot 3 a distance of 132.00 feet to West Right-of-Way of Davis Highway (S.R. No. 291 200 foot R/W); thence South 01 degree 52 minutes 12 seconds West (formerly South 1 degree 51 minutes 35 seconds West) along said Right-of-Way one a distance of 631.80 feet; thence go North 88 degrees 29 minutes 00 seconds West a distance of 1398.30 feet; thence go South 1 degree 18 minutes 00 seconds West a distance of 668.59 feet (formerly 668.46 feet) to the Point of Beginning; thence continue South 1 degree 18 minutes 00 seconds West a distance of 948.79 feet (formerly 948.94 feet); thence go South 88 degrees 34 minutes 15 seconds East a distance of 200.00; thence go North 1 degree 18 minutes 00 seconds East a distance of 140.00 feet; thence go South 88 degrees 42 minutes 00 seconds East a distance of 210.00 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 280.00 feet; thence go South 88 degrees 42 minutes 00 seconds East a distance of 147.50 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 280.00 feet; thence go North 88 degrees 42 minutes 00 seconds West a distance of 183.70 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 249.24 feet; thence go North 88 degrees 42 minutes 00 seconds West a distance of 373.80 feet to the Point of Beginning.

PARCEL 3: (DRAINAGE POND)

A portion of Government Lot 4, Section 30, Township 1 South, Range 30 West, Escambia County, Florida, which Parcel is more particularly described as follows:

Commence at the Southeast Corner of Government Lot 4, Section 30, Township 1 South, Range 30 West, Escambia County, Florida; thence go North 01 degrees 18 minutes 00 seconds East along the East line of said Government Lot a distance of 423.10 feet; thence go North 88 degrees 34 minutes 15 seconds West a distance of 459.67 feet; thence go South 23 degrees 03 minutes 39 seconds West a distance of 25.73 feet; thence go North 88 degrees 32 minutes 51 seconds West a distance of 10.53 feet to the Northeast Corner of Plantation Road (66 Foot R/W) as recorded in Official Record Book 243 at Page 685, Escambia County, Florida; thence continue North 88 degrees 32 minutes 51 seconds West along the North line of Plantation Road a distance of 70.02 feet to the Northwest corner of Plantation Road; thence go South 20 degrees 58 minutes 09 seconds West along the Westerly Right-of-Way Line of Plantation Road a distance of 248.31 feet; thence go South 01 degrees 27 minutes 09 seconds West along the Westerly Right-of-Way of Plantation Road a distance of 164.95 feet; thence go North 88 degrees 30 minutes 51 seconds West a distance of 200.00 feet to the Point of Beginning; thence North 88 degrees 10 minutes 54 seconds West, 334.21 feet (formerly North 88 degrees 30 minutes 51 seconds West a distance of 333.55 feet) to the Easterly Right-of-Way Line of Interstate Highway No. 110 (S.R. No. 8-A, 300 foot R/W); thence go North 01 degrees 14 minutes 23 seconds East, 823.87 feet (formerly North 01 degree 11 minutes 19 seconds East along the aforesaid Easterly Right-of-Way a distance of 825.00 feet); thence go South 88 degrees 48 minutes 36 seconds West, 247.18 feet (formerly South 88 degrees 48 minutes 41 seconds East a distance of 247.72 feet); thence go South 09 degrees 13 minutes 46 seconds East, 378.63 feet (formerly South 09 degrees 12 minutes 24 seconds East a distance of 378.42 feet); thence go South 87 degrees 35 minutes 28 seconds East, 20.17 feet (formerly South 89 degrees 21 minutes 35 seconds East a distance of 19.91 feet); thence go South 01 degrees 29 minutes 09 seconds West a distance of 454.72 feet to the Point of Beginning.

PARCEL 4:

Easements for the benefit of Parcels 1 and 2 as set forth in that certain instrument, dated December 26, 1972 and recorded December 28, 1972 in Official Records Book 661, page 302 as amended in Official Records Book 954, page 276 and also as set forth in that certain instrument, dated November 19, 1975 and recorded November 26, 1975 in Official Records Book 954, page 269, of the public records of Escambia County, Florida, over, across and under the following described property. (being parcels 4A and 4B)

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EXHIBIT "A"

OR BK3700 Pg0435
INSTRUMENT 0017AAA

DESCRIPTION

PARCEL 4A: (DRAINAGE EASEMENT PREMISES)

A portion of Government Lot 4, Section 30, Township 1 South, 30 West, Escambia County, Florida, which parcel is more particularly described as follows:

Commence at the Southeast Corner of Lot 4, Section 30, Township 1 South, Range 30 West, Escambia County, Florida; thence go North 01 degrees 18 minutes 00 seconds East along the East line of the aforesaid Lot 4 a distance of 423.10 feet; thence go North 88 degrees 34 minutes 15 seconds West a distance of 200.00 feet; thence go North 01 degrees 18 minutes 00 seconds East a distance of 174.75 feet to the Point of Beginning; thence go along the centerline of a 40-foot easement being 20 feet on each side of a centerline more particularly described as follows; thence go South 71 degrees 12 minutes 06 seconds West a distance of 342. feet; thence go North 89 degrees 21 minutes 35 seconds West a distance of 334.35 feet to the Point of Ending.

PARCEL 4B: (ROAD EASEMENT PREMISES)

A portion of Government Lot 4, Section 30, Township 1 South, Range 30 West, Escambia County, Florida, which parcel is more particularly described as follows:

Commence at the Southeast corner of Government Lot 4, Section 30, Township 1 South, Range 30 West, Escambia County, Florida; thence go North 1 degree 18 minutes 00 seconds East along the East line of said Government Lot a distance of 423.10 feet; thence go North 88 degrees 34 minutes 15 seconds West a distance of 459.67 feet thence go South 23 degrees 03 minutes 39 seconds West a distance of 25.73 feet; thence go North 88 degrees 32 minutes 51 seconds West a distance of 10.53 feet to the Northeast corner of Plantation Road (66 foot R/W) as recorded in Official Record Book 243 at Page 685, Escambia County, Florida, for the Point of Beginning; thence continue North 88 degrees 32 minutes 51 seconds West along the Northerly right-of-way of Plantation Road a distance of 70.0 feet; thence go North 20 degrees 58 minutes 09 seconds East a distance of 71.10 feet to a Point of Curvature; thence go along a curve to the right having a radius of 157.95 feet for an arc distance of 165.46 feet to a Point of Tangency (CH=158.00 feet; Delta=60 degrees 01 minutes 20 seconds); thence go North 80 degrees 59 minutes 29 seconds East a distance of 130.11 feet to a Point of Curvature; thence go along a curve to the left having a radius of 94.21 feet for an arc distance of 131.03 feet (CH=120.72 feet; Delta=79 degrees 41 minutes 29 seconds) to Westerly line of a parcel described in Official Record Book 454 at Page 512; thence go South 1 degree 18 minutes 00 seconds West along said Westerly line of the parcel described in Official Record Book 454 at Page 512 a distance of 154.70 feet; thence go South 80 degrees 59 minutes 29 seconds West a distance of 196.73 feet to a Point of Curvature; thence go along a curve to the left having a radius of 91.95 feet an arc length of 96.32 feet (CH=91.98 feet; Delta=60 degrees 01 minutes 20 seconds) to a Point of Tangency; thence go South 20 degrees 58 minutes 09 seconds West a distance of 47.71 feet to the Point of Beginning.

PARCEL 5-A:

Commence at the Southwest corner of Government Lot 4, Section 30, Township 1 South, Range 30 West, Escambia County, Florida; thence go South 88 degrees 30 minutes 51 seconds East along the South line of the aforesaid Government Lot 4 a distance of 752.00 feet to a point on the Easterly right-of-way line of Plantation Road (a 66 foot right-of-way) and the Point of Beginning; thence continue South 88 degrees 30 minutes 51 seconds East along the aforesaid South line of Government Lot 4 a distance of 567.78 feet to the Southeast corner of the aforesaid Government Lot 4; thence go North 01 degrees 18 minutes 00 seconds East along the East line of the aforesaid Government Lot 4 a distance of 423.10 feet; thence go North 88 degrees 34 minutes 15 seconds West a distance of 459.67 feet; thence go South 23 degrees 03 minutes 39 seconds West a distance of 25.73 feet; thence go North 88 degrees 32 minutes 51 seconds West a distance of 10.53 feet to point on the aforesaid Easterly right-of-way line of Plantation Road; thence go South 20 degrees 58 minutes 09 seconds West along the aforesaid Easterly right-of-

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EXHIBIT "A"

OR Bk3700 Pg0436
INSTRUMENT 00178880

DESCRIPTION

way line a distance of 9.64 feet; thence go South 88 degrees 34 minutes 15 seconds East a distance of 243.86 feet; thence go South 01 degrees 25 minutes 45 seconds West a distance of 160.00 feet; thence go North 88 degrees 34 minutes 15 seconds West a distance of 300.64 feet to a point on the aforesaid Easterly right-of-way line of Plantation Road; thence go South 20 degrees 58 minutes 09 seconds West along the aforesaid Easterly right-of-way line a distance of 80.92 feet; thence go South 01 degrees 27 minutes 09 seconds West along the aforesaid Easterly right-of-way line of Plantation Road a distance of 153.27 feet to the Point of Beginning;

LESS AND EXCEPT:

Official Records Book 3177, page 608, for State Road Right-of-Way and O.R. Book 3277, page 218, for State Road Right-of-Way.

LESS AND EXCEPT:

Commence at the Southwest corner of Government Lot 4, Section 30, Township 1 South, Range 30 West, Escambia County, Florida; thence go South 88 degrees 30 minutes 51 seconds East along the South line of the aforesaid Government Lot 4 a distance of 752.00 feet to a point on the Easterly right-of-way line of Plantation Road (a 66 foot right-of-way); thence go North 01 degrees 27 minutes 09 seconds East along the aforesaid Easterly right-of-way line a distance of 153.27 feet; thence go North 20 degrees 58 minutes 09 seconds East along the aforesaid Easterly right-of-way line a distance of 250.70 feet to the Point of Beginning; thence continue North 20 degrees 58 minutes 09 seconds East along the aforesaid Easterly right-of-way line a distance of 9.64 feet; thence go South 88 degrees 32 minutes 51 seconds East a distance of 10.53 feet; thence go North 23 degrees 03 minutes 39 seconds East a distance of 25.73 feet; thence go South 88 degrees 34 minutes 15 seconds East a distance of 220.62 feet; thence go South 01 degrees 25 minutes 45 seconds West a distance of 33.00 feet; thence go North 88 degrees 34 minutes 15 seconds West a distance of 243.86 feet; to the Point of Beginning. The above described parcel of land is situated in Government Lot 4, Section 30, Township 1 South, Range 30 West, Escambia County, Florida,

PARCEL B:

Commence at the Southwest corner of Government Lot 4, Section 30, Township 1 South, Range 30 West, Escambia County, Florida; thence go South 88 degrees 30 minutes 51 seconds East along the South line of the aforesaid Government Lot 4 a distance of 752.00 feet to a point on the Easterly right-of-way line of Plantation Road (a 66 foot right-of-way); thence go North 01 degrees 27 minutes 09 seconds East along the aforesaid Easterly right-of-way line of Plantation Road a distance of 153.27 feet; thence go North 20 degrees 58 minutes 09 seconds East along the aforesaid Easterly right-of-way line a distance of 80.92 feet to the Point of Beginning; thence continue North 20 degrees 58 minutes 09 seconds East along the aforesaid Easterly right-of-way line a distance of 169.78 feet; thence go South 88 degrees 34 minutes 15 seconds East a distance of 243.86 feet; thence go South 01 degrees 25 minutes 45 seconds West a distance of 160.00 feet; thence go North 88 degrees 34 minutes 15 seconds West a distance of 300.64 feet to the Point of Beginning.

PARCEL 6:

Commence at the Southeast corner of Government Lot 4, Section 30, Township 1 South, Range 30 West, Escambia County, Florida, thence go North 01 degrees 18 minutes 00 seconds East a distance of 423.10 feet; thence go North 88 degrees 34 minutes 15 seconds West a distance of 200.00 feet to the Point of Beginning. Thence go North 88 degrees 34 minutes 15 seconds West a distance of 39.05 feet; thence go South 01 degrees 25 minutes 45 seconds West a distance of 33.00 feet; thence go North 88 degrees 34 minutes 15 seconds West a distance of 243.86 feet to a point on the Easterly right-of-way line of a Plantation Road (a 66 foot right-of-way); thence go North 20 degrees 58 minutes 09 seconds East along the aforesaid Easterly right-of-way line a distance of 57.35 feet to a Point of Curvature; thence go along the Easterly right-of-way line being curved to the right having a radius of 91.95 feet, an arc distance of 96.32 feet (CH=91.98; CH BRG= North 50 degrees 58 minutes 53 seconds East) to the Point of Tangency; thence go North 80 degrees 59 minutes 29 seconds East along the aforesaid Easterly right-of-way line a distance of 196.73 feet; thence go South 01 degrees 18 minutes 00 seconds West a distance of 116.36 feet to the Point of Beginning. The above described parcel of land is situated in Section 30, Township 1 South, Range 30 West, Escambia County, Florida.

UNIVERSITY MALL

EXHIBIT "A"

OR Bk3700 Pg0437
INSTRUMENT 00178800

DESCRIPTION

PARCEL 7:

That portion of Government Lot 4, Section 30, Township 1 South, Range 30 West, Escambia County, Florida, described as follows: Commence at the Southeast corner of Government Lot 4, Section 30, Township 1 South, Range 30 West; thence go North 01 degrees 18 minutes 00 seconds East a distance of 423.10 feet; thence go North 88 degrees 34 minutes 15 seconds West a distance of 200.00 feet; thence go North 01 degrees 18 minutes 00 seconds East a distance of 262.06 feet to a point of tangency with a curve being concave Northwesterly and having a radius of 94.21 feet and the Point of Beginning; thence continue North 01 degrees 18 minutes 00 seconds East along the Westerly property line of "McRaes Parcel" a distance of 434.32 feet; thence go North 88 degrees 42 minutes 00 seconds West a distance of 150.00 feet; thence go North 01 degrees 18 minutes 00 seconds East a distance of 150.00 feet to a point on the Southerly Right-of-Way line of Plantation Road (a 60 foot right-of-way) thence go North 88 degrees 42 minutes 00 seconds West along the aforesaid Southerly right-of-way line of Plantation Road a distance of 251.50 feet to a point of curvature; thence go along a curve being concave Southeasterly and having a radius of 25.00 feet, an arc distance of 39.27 feet (CH= 35.36; CH BRG=South 46 degrees 17 minutes 56 seconds West) to a point of tangency; thence go South 01 degrees 18 minutes 00 seconds West a distance of 95.88 feet to a point of curvature; thence go along a curve being concave Easterly and having a radius of 144.92 feet, an arc distance of 99.86 feet (CH=97.89; CH BRG= South 18 degrees 26 minutes 30 seconds East) to a Point of Reverse Curvature; thence go along a curve being concave Westerly and having a radius of 308.65 feet, an arc distance of 212.70 feet (CH=208.51; BRG=South 18 degrees 26 minutes 30 seconds East) to a Point of Tangency; thence go South 01 degrees 18 minutes 00 seconds West a distance of 50.79 feet to a point of curvature; thence go along a curve being concave Easterly and having a radius of 360.25 feet, an arc distance of 253.77 feet (CH=247.06; CHBRG= SOUTH 18 degrees 45 minutes 15 seconds East) to a Point of Compound Curvature; thence go along a curve being concave Northerly and having a radius of 25.00 feet, an arc distance of 27.76 feet (CH= 26.36; CH BRG= South 67 degrees 11 minutes 11 seconds East) to a Point of Tangency; thence go North 80 degrees 59 minutes 29 seconds East a distance of 138.65 feet to a Point of Curvature; thence go along a curve being concave Northwesterly and having a radius of 94.21 feet, an arc distance of 131.03 feet (CH=120.72; CH BRG= North 41 degrees 08 minutes 44 seconds East) to a Point of Tangency and the Point of Beginning. The above described parcel of land is situated in Section 30, Township 1 South, Range 30 West, Escambia County, Florida.

PARCEL 8:

That portion of Government Lot 3, Section 30, Township 1 South, Range 30 West, Escambia County, Florida described as follows: Commence at the Northeast corner of said Government Lot 3; thence North 88 degrees 29 minutes 05 seconds West along the North line of said Lot 3 a distance of 132.00 feet to the West right-of-way of Davis Highway (S.R. No. 291, 200 foot R/W); thence go South 01 degrees 52 minutes 12 seconds West (formerly South 01 degrees 51 minutes 35 seconds West) along said West right-of-way line a distance of 1616.50 feet to the Point of Beginning; thence South 41 degrees 02 minutes 12 seconds East, 125.27 feet (formerly South 40 degrees 58 minutes 25 seconds East, 124.90 feet) along said West right-of-way line; thence South 01 degrees 51 minutes 35 seconds West along said West right-of-way line a distance of 100.00 feet; thence South 46 degrees 51 minutes 35 seconds West a distance of 61.12 feet; thence North 88 degrees 42 minutes 00 seconds West a distance of 242.05 feet; thence North 01 degrees 18 minutes 00 seconds East a distance of 180.00 feet; thence South 88 degrees 42 minutes 00 seconds East a distance of 201.75 feet (formerly 202.11); thence North 01 degrees 52 minutes 12 seconds East (formerly North 01 degrees 51 minutes 35 seconds East) a distance of 55.21 feet to a point on the West right-of-way line of Davis Highway and the Point of Beginning.

INSTRUMENT 00170000
OR Bk3700 Pg0438
INSTRUMENT 00170000

UNIVERSITY MALL

EXHIBIT "A"

DESCRIPTION

PARCEL 9:

Non-exclusive easements for ingress, egress, parking and utilities, created, existing, and/or granted as an appurtenance or interest in real property to and for the benefit of Parcel 1 as set forth in that certain Memorandum of Operating Agreement, dated December 27, 1972 and recorded in Official Records Book 661, page 319, as amended in Official Records Book 757, page 866 and Official Records Book 954, page 289 of the public records of Escambia County, Florida, over, across and under the land described as follows: (being parcels 9A, 9B and 9C)

PARCEL 9A: (PENNEY SITE)

That portion of Government Lot 3, Section 30, Township 1 South, Range 30 West, Escambia County, Florida, described as follows:

Commence at the Northeast corner of said Government Lot 3, thence go North 88 degrees 29 minutes 05 seconds West along the North line of said Lot 3 a distance of 132.00 feet to the West right-of-way line of Davis Highway, (State Road No. 291, 200 foot right-of-way); thence go South 1 degree 51 minutes 35 seconds West along said right-of-way line a distance of 631.80 feet to the Point of Beginning; thence continue South 1 degree 51 minutes 35 seconds West along said right-of-line a distance of 460.00 feet; thence go North 88 degrees 42 minutes 00 seconds West a distance of 212.00 feet; thence go South 1 degree 18 minutes 00 seconds West a distance of 172.40 feet; thence go North 88 degrees 42 minutes 00 seconds West a distance of 808.00 feet; thence go North 1 degrees 18 minutes 00 seconds East a distance of 588.00 feet; thence go South 88 degrees 42 minutes 00 seconds East a distance of 504.50 feet; thence go North 1 degrees 18 minutes 00 seconds East a distance of 46.35 feet; thence go South 88 degrees 29 minutes 00 seconds East a distance of 520.00 feet to the Point of Beginning.

PARCEL 9B: (SEARS SITE)

That portion of Government Lot 3, Section 30, Township 1 South, Range 30 West, Escambia County, Florida, described as follows:

Commencing at a railroad spike at the Northeast corner of said Government Lot 3; thence North 88 degrees 29 minutes 05 seconds West, along the North line of said Lot 3, a distance of 132.0 feet to a point in the West right-of-way line of Davis Highway, (Florida State road No. 291); thence South 1 degree 51 minutes 35 seconds West, along said right of way line, 1,616.5 feet; thence South 40 degrees 58 minutes 25 seconds East, along said right of way line, 124.9 feet; thence South 1 degree 51 minutes 35 seconds West, along said right of way line, 170.30 feet for the Point of Beginning; thence continue South 1 degree 51 minutes 35 seconds West, along said right of way/line, 351.4 feet to a point of curvature; thence continue Southerly along said right of way line, being a curve to the right, having a radius of 2,817.93 feet, a distance of 442.49 feet, having a chord bearing of South 6 degrees 21 minutes 30 seconds West, and a chord distance of 442.04 feet; thence North 88 degrees 31 minutes 50 seconds West, along the South line of said Lot, 1,228.8 feet to the Southwest corner of said lot; thence North 1 degrees 18 minutes 00 seconds East, along the West line of said lot, 563.1 feet; thence South 88 degrees 42 minutes 00 seconds East, 961.2 feet; thence North 1 degree 18 minutes 00 seconds East, 225.0 feet; thence South 88 degrees 42 minutes 00 seconds East, 310.0 feet to the Point of Beginning.

PARCEL 9C: (MCRAE'S SITE)

Those portions of Government Lot 3 and of Lot 4, Section 30, Township 1 South, Range 30 West, Escambia County, Florida, described as follows:

UNIVERSITY MALL

INSTRUMENT 00170000
OR Bk3700 Pg0439
INSTRUMENT 00170000

EXHIBIT "A"

DESCRIPTION

Commence at the Northeast corner of said Government Lot 3; thence go North 88 degrees 29 minutes 05 seconds West along the North line of said Lot 3, a distance of 132.00 feet to the West right-of-way of Davis Highway (State Road No. 291, 200 foot right of way); thence go South 1 degree 51 minutes 35 seconds West along said right-of-way line distance of 631.80 feet; thence go North 88 degrees 29 minutes 00 seconds West a distance of 1398.30 feet; thence go South 1 degree 18 minutes 00 seconds West a distance of 668.44 feet to the Point of Beginning; thence continue South 1 degree 18 minutes 00 seconds West a distance of 948.94 feet; thence go South 88 degrees 34 minutes 15 seconds East a distance of 200.00 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 140.00 feet; thence go South 88 degrees 42 minutes 00 seconds East a distance of 210.00 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 280.00 feet; thence go South 88 degrees 42 minutes 00 seconds East a distance of 147.50 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 280.00 feet; thence to North 88 degrees 42 minutes 00 seconds West a distance of 183.70 feet; thence go North 1 degree 18 minutes 00 seconds East a distance of 249.24 feet; thence go North 88 degrees 42 minutes 00 seconds West a distance of 373.80 feet to the Point of Beginning.

INSTRUMENT 00178888
OR Bk3700 Pg0440

INSTRUMENT 00178888

EXHIBIT "B"

Deed of Declaration by OPN, LTD., dated November 15, 1973, recorded in Official Records Book 288, page 316, public records of Clay County, Florida, amended by Amendment to Deed of Declaration by OPN, LTD., dated June 25, 1975, recorded in Official Records Book 343, page 183, by Second Amendment to Deed of Declaration by CORPORATE PROPERTY INVESTORS, SEARS, ROEBUCK AND CO., the MAY DEPARTMENT STORES COMPANY, IVEY DEPARTMENT CORPORATION and OPN, INC., dated December 31, 1976, recorded in Official Records Book 407, page 490, and by Third Amendment to Deed of Declaration by CORPORATE PROPERTY INVESTORS, SEARS, ROEBUCK AND CO., the MAY DEPARTMENT STORES COMPANY, IVEY DEPARTMENT CORPORATION and OPN, INC., dated as of December 31, 1976, recorded in Official Records Book 407, page 502, and re-recorded in Official Records Book 410, page 506 and Official Records Book 412, page 430, Fourth Amendment to Deed of Declaration, dated December 20, 1982, recorded in Official Records Book 719, page 661, all of the public records of Clay County, Florida.

UNIVERSITY MALL

EXHIBIT "C"

OR Bk3700 Pg0441
INSTRUMENT 00178880

PERMITTED EXCEPTIONS

1. Memorandum of Development and Management Agreement made by and between THE TRUSTEES OF CORPORATE PROPERTY INVESTORS, a Massachusetts business trust to UNIVERSITY MALL, INC., a Georgia corporation, dated January 25, 1973, recorded in Official Records Book 669, page 1, as partially released by Partial Release from Memorandum of Development and Management Agreement, dated September 20, 1973, recorded in Official Records Book 757, page 862, as assigned by Assignment and Assumption Agreement, dated March 13, 1984, recorded in Official Records Book 1903, page 376, all of the public records of Clay County, Florida of the public records of Escambia County, Florida. (As to parcels 1, 2 and 4)
2. Memorandum of Operating Agreement made by and between UNIVERSITY MALL, INC., a Georgia corporation to J. C. PENNEY PROPERTIES, INC., a Delaware corporation and SEARS, ROEBUCK AND CO., a New York corporation, dated December 27, 1972, recorded in Official Records Book 661, page 319, as amended by Memorandum of The First Amendment of Operating Agreement, dated September 21, 1973, recorded in Official Records Book 757, page 866, and by Memorandum of the Second Amendment of Operating Agreement, dated January 3, 1975, recorded in Official Records Book 954, page 289, all of the public records of Escambia County, Florida. (As to parcels 1, 2, 3 and 4)
3. Lease made by CORPORATE PROPERTY INVESTORS, a Massachusetts business trust, by and through University Mall, Inc., a Georgia corporation to BANCROFT REALTY COMPANY, a North Carolina corporation, a memorandum of which was filed June 14, 1974 in Official Records Book 809, Page 568, of the Public Records of Escambia County, Florida. (As to parcels 1 and 2)
4. Lease made by CORPORATE PROPERTY INVESTORS to G & G SHOPS, INC., d/b/a G & G SHOPS, a memorandum of which was filed June 24, 1986 in Official Records Book 2297, Page 957, of the Public Records of Escambia County, Florida. (As to parcel 1)
5. Lease made by CORPORATE PROPERTY INVESTORS to KINNEY SHOE CORPORATION, a memorandum of which was filed September 2, 1987 in Official Records Book 2450, Page 543, of the Public Records of Escambia County, Florida. (as to parcel 1)
6. Lease made by CORPORATE PROPERTY INVESTORS to THINGS REMEMBERED, INC., a memorandum of which was filed December 28, 1987 in Official Records Book 2493, Page 938, of the Public Records of Escambia County, Florida. (As to parcel 1)
7. Lease made by CORPORATE PROPERTY INVESTORS to THE LERNER STORES, INC., a memorandum of which was filed December 23, 1987 in Official Records Book 2493, Page 942, of the Public Records of Escambia County, Florida. (As to parcel 1)
8. Lease made by CORPORATE PROPERTY INVESTORS to FRIEDMAN'S JEWELERS, a memorandum of which was filed April 26, 1988 in Official Records Book 2542, Page 242, of the Public Records of Escambia County, Florida. (As to parcel 1)
9. Lease made by CORPORATE PROPERTY INVESTORS to CENTRAL SOUTH MUSIC SALES, INC., a memorandum of which was filed April 26, 1988 in Official Records Book 2542, Page 355, of the Public Records of Escambia County, Florida. (As to parcel 1)
10. Lease made by CORPORATE PROPERTY INVESTORS to FANNIN & WALKER SERVICE, a memorandum of which was filed June 22, 1988 in Official Records Book 2567, Page 931, of the Public Records of Escambia County, Florida. (As to parcel 1)

UNIVERSITY MALL

EXHIBIT "C"

PERMITTED EXCEPTIONS

11. Lease made by CORPORATE PROPERTY INVESTORS to UNIVERSITY YOGURT, INC., a memorandum of which was filed August 18, 1988 in Official Records Book 2592, Page 533, of the Public Records of Escambia County, Florida. (As to parcel 1)
12. Lease made by CORPORATE PROPERTY INVESTORS to THE RECORD BAR d/b/a RECORD BAR, a memorandum of which was filed November 3, 1988 in Official Records Book 2622, Page 402, of the Public Records of Escambia County, Florida. (As to parcel 1)
13. Lease made by CORPORATE PROPERTY INVESTORS to F. W. WOOLWORTH CO. d/b/a AFTERTHOUGHTS BOUTIQUE, a memorandum of which was filed December 7, 1988 in Official Records Book 2634, Page 666, of the Public Records of Escambia County, Florida. (As to parcel 1)
14. Lease made by CORPORATE PROPERTY INVESTORS to THE ORIGINAL GREAT AMERICAN CHOCOLATE CHIP COOKIE COMPANY, INC., d/b/a "GREAT AMERICAN CHOCOLATE CHIP COOKIE COMPANY", a memorandum of which was filed June 14, 1989 in Official Records Book 2714, Page 504, of the Public Records of Escambia County, Florida. (As to parcel 1)
15. Lease made by CORPORATE PROPERTY INVESTORS to UNIVERSITY PENSACOLA KAY-BEE TOYS, a memorandum of which was filed June 14, 1989 in Official Records Book 2714, Page 508, of the Public Records of Escambia County, Florida. (As to parcel 1)
16. Lease made by CORPORATE PROPERTY INVESTORS to VOLUME SHOE CORPORATION d/b/a "PAYLESS SHOE SOURCE", a memorandum of which was filed June 19, 1989 in Official Records Book 2716, Page 596, of the Public Records of Escambia County, Florida. (As to parcel 1)
17. Lease made by CORPORATE PROPERTY INVESTORS to ZALES DELAWARE, INC. d/b/a "ZALES JEWELERS", a memorandum of which was filed June 19, 1989 in Official Records Book 2716, Page 600, of the Public Records of Escambia County, Florida. (As to parcel 1)
18. Lease made by CORPORATE PROPERTY INVESTORS to MERRY-GO-ROUND ENTERPRISES, INC., d/b/a "DEJAIZ", a memorandum of which was filed July 24, 1989 in Official Records Book 2731, Page 134, of the Public Records of Escambia County, Florida. (As to parcel 1)
19. Lease made by CORPORATE PROPERTY INVESTORS to THE UNITED STATES SHOE CORPORATION d/b/a LENS CRAFTERS, a memorandum of which was filed April 23, 1990 in Official Records Book 2846, Page 750, of the Public Records of Escambia County, Florida. (As to parcel 1)
20. Lease made by CORPORATE PROPERTY INVESTORS to TANDY CORPORATION, d/b/a "RADIO SHACK", a memorandum of which was filed April 23, 1990 in Official Records Book 2846, Page 755, of the Public Records of Escambia County, Florida. (As to parcel 1)
21. Lease made by CORPORATE PROPERTY INVESTORS to B. DALTON BOOKSELLER, INC., d/b/a "B. DALTON", a memorandum of which was filed June 27, 1990 in Official Records Book 2875, Page 731, of the Public Records of Escambia County, Florida. (As to parcel 1)

UNIVERSITY MALL

EXHIBIT "C"

OR Bk3700 Pg0443
INSTRUMENT 00170000

PERMITTED EXCEPTIONS

22. Lease made by CORPORATE PROPERTY INVESTORS to BARNIE'S COFFEE & TEA COMPANY, INC., d/b/a "BARNIE'S COFFEE & TEA COMPANY", a memorandum of which was filed June 27, 1990 in Official Records Book 2875, Page 735, of the Public Records of Escambia County, Florida. (As to parcel 1)
23. Lease made by CORPORATE PROPERTY INVESTORS to EDISON BROTHERS APPAREL STORES, INC., ("OAK TREE"), a memorandum of which was filed August 7, 1989 in Official Records Book 2893, Page 735, of the Public Records of Escambia County, Florida. (As to parcel 1)
24. Lease made by CORPORATE PROPERTY INVESTORS to EDISON BROTHERS APPAREL STORES, INC., ("5-7-9"), a memorandum of which was filed August 7, 1990 in Official Records Book 2893, Page 740, of the Public Records of Escambia County, Florida. (As to parcel 1)
25. Lease made by CORPORATE PROPERTY INVESTORS to GENERAL NUTRITION CORPORATION d/b/a "GENERAL NUTRITION CENTER", a memorandum of which was filed October 9, 1990 in Official Records Book 2919, Page 910, of the Public Records of Escambia County, Florida. (As to parcel 1)
26. Lease made by CORPORATE PROPERTY INVESTORS to VICTORIA'S SECRET, STORES, INC., d/b/a VICTORIA'S SECRET, a memorandum of which was filed February 6, 1991 in Official Records Book 2965, Page 580, of the Public Records of Escambia County, Florida. (As to parcel 1)
27. Lease made by CORPORATE PROPERTY INVESTORS to FOOTACTION, INC., a d/b/a FOOTACTION U.S.A., a memorandum of which was filed May 8, 1991 in Official Records Book 3001, Page 547, of the Public Records of Escambia County, Florida. (As to parcel 1)
28. Lease made by CORPORATE PROPERTY INVESTORS to THE BUTLER GROUP, INC., a memorandum of which was filed May 29, 1990 in Official Records Book 3010, Page 636, of the Public Records of Escambia County, Florida. (As to parcel 1)
29. Lease made by CORPORATE PROPERTY INVESTORS to CHAN'S, INC. d/b/a "CHAN'S", a memorandum of which was filed June 5, 1991 in Official Records Book 3014, Page 626, of the Public Records of Escambia County, Florida. (As to parcel 6)
30. Lease made by CORPORATE PROPERTY INVESTORS to JEAN L. PARK AND HEUNG Y. PARK, d/b/a BEAUTY, ETC., a memorandum of which was filed November 18, 1991 in Official Records Book 3085, Page 719, of the Public Records of Escambia County, Florida. (As to parcel 1)
31. Lease made by CORPORATE PROPERTY INVESTORS to H D. INVESTMENTS, INC., d/b/a "MORROW NUT HOUSE", a memorandum of which was filed December 2, 1991 in Official Records Book 3091, Page 188, of the Public Records of Escambia County, Florida. (As to parcel 1)
32. Lease made by CORPORATE PROPERTY INVESTORS to SBARRO, INC., d/b/a SBARRO ITALIAN EATERY, a memorandum of which was filed February 24, 1992 in Official Records Book 3130, Page 296, of the Public Records of Escambia County, Florida. (As to parcel 1)
33. Lease made by CORPORATE PROPERTY INVESTORS to WENDCO CORPORATION d/b/a "WENDY'S OLD FASHIONED HAMBURGERS", a memorandum of which was filed May 8, 1992 in Official Records Book 3170, Page 437, of the Public Records of Escambia County, Florida. (As to parcel 1)

UNIVERSITY MALL

EXHIBIT "C"

PERMITTED EXCEPTIONS

34. Lease made by CORPORATE PROPERTY INVESTORS to THE FRAME GAME, INC., d/b/a THE FRAME GAME, a memorandum of which was filed May 12, 1992 in Official Records Book 3171, Page 858, of the Public Records of Escambia County, Florida. (As to parcel 1)
35. Lease made by CORPORATE PROPERTY INVESTORS to RICHARD FERNANDEZ d/b/a ARTHUR TREACHERS'S FISH & CHIPS, a memorandum of which was filed May 12, 1992 in Official Records Book 3171, Page 863, of the Public Records of Escambia County, Florida. (As to parcel 1)
36. Lease made by CORPORATE PROPERTY INVESTORS to GEORGE FATSEAS AND MING CHU FATSEAS, d/b/a CHINA EXPRESS, a memorandum of which was filed may 12, 1992 in Official Records Book 3171, Page 867, of the Public Records of Escambia County, Florida. (As to parcel 1)
37. Lease made by CORPORATE PROPERTY INVESTORS to F. I. R., INC., d/b/a BIG TOP DELI, a memorandum of which was filed May 12, 1992 in Official Records Book 3171, Page 871, of the Public Records of Escambia County, Florida. (As to parcel 1)
38. Lease made by CORPORATE PROPERTY INVESTORS to LOWELL C. ARMSTRONG, d/b/a "KANDY & KORN", a memorandum of which was filed October 16, 1992 in Official Records Book 3255, Page 614, of the Public Records of Escambia County, Florida. (As to parcel 1)
39. Lease made by CORPORATE PROPERTY INVESTORS to KINNEY SHOE CORPORATION, d/b/a CHAMPS SPORTS, a memorandum of which was filed November 12, 1992 in Official Records Book 3270, Page 005, of the Public Records of Escambia County, Florida. (As to parcel 1)
40. Lease made by CORPORATE PROPERTY INVESTORS to GASKIN ENTERPRISES, INC., d/b/a BASKIN ROBBINS ICE CREAM, a memorandum of which was filed November 12, 1992 in Official Records Book 3270, Page 009, of the Public Records of Escambia County, Florida. (As to parcel 1)
41. Lease made by CORPORATE PROPERTY INVESTORS to BRIDES AND BELLES, INC., d/b/a "BRIDES AND BELLES", a memorandum of which was filed December 7, 1992 in Official Records Book 3282, Page 131, of the Public Records of Escambia County, Florida. (As to parcel 1)
42. Easements as contained in instrument recorded in Official Records Book 661, page 302, as amended in Official Records Book 954, page 276, all of the public records of Escambia County, Florida. (As to All)
43. Sanitary Sewer Easement made by and between D. E. HOWIE AND T. S. KENNEDY, JR., as Trustees to UNIVERSITY MALL, INC., dated January 5, 1973, recorded in Official Records Book 668, page 992, as assigned CITY OF PENSACOLA, a municipal corporation, dated December 17, 1974, recorded in Official Records Book 862, page 184, of the public records of Escambia County, Florida. (As to parcel 1)
44. Easement made by and between COMMUNITY CENTERS CORPORATION to SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, dated October 16, 1973, recorded in Official Records Book 751, page 173, of the public records of Escambia County, Florida. (As to parcel 7)
45. Sanitary Sewer Easement made by and between COMMUNITY CENTERS CORPORATION to CITY OF PENSACOLA, a municipal corporation, dated December 10, 1973, recorded in Official Records Book 757, page 855, of the public records of Escambia County, Florida. (As to all)

UNIVERSITY MALL

EXHIBIT "C"

PERMITTED EXCEPTIONS

46. Drainage Easement made by and between COMMUNITY CENTERS CORPORATION, a Georgia corporation and EUGENE R. BLACK, SR., CHARLES A. CRONHEIM, DISQUE D. DEANE, GLANLUIGI GABETTI, PATRICK GERSCHEL, SYDNEY GREENBERG, JR., BRUCE P. HAYDEN, HERBERT C. KNORTZ, J. HOWARD LAERI, HANS C. MAUTNER, HARVEY MOLE, LT. HON. LORD POOLE, ROBERT B. RIVEL, RODMAN C. ROCKEFELLER, DANIEL ROSE, HOWARD M. STEIN, PAUL E. TAYLOR, JR. AND LAWRENCE WILKINSON, Trustee of Corporate Property Investors, dated November 19, 1975, recorded in Official Records Book 954, page 266, of the public records of Escambia County, Florida. (As to parcel 3)
47. Easement made by and between COMMUNITY CENTERS CORPORATION, a Georgia corporation to EUGENE R. BLACK, SR., CHARLES A. CRONHEIM, DISQUE D. DEANE, GLANLUIGI GABETTI, PATRICK GERSCHEL, SYDNEY GREENBERG, JR., BRUCE P. HAYDEN, HERBERT C. KNORTZ, J. HOWARD LAERI, HANS C. MAUTNER, HARVEY MOLE, LT. HON. LORD POOLE, ROBERT B. RIVEL, RODMAN C. ROCKEFELLER, DANIEL ROSE, HOWARD M. STEIN, PAUL E. TAYLOR, JR. AND LAWRENCE WILKINSON, Trustee of Corporate Property Investors, dated November 19, 1975, recorded in Official Records Book 954, page 269, of the public records of Escambia County, Florida. (As to parcel 3)
48. Easement made by and between COMMUNITY CENTERS CORPORATION to SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, dated December 19, 1972, recorded in Official Records Book 661, page 295, of the public records of Escambia County, Florida. (As to parcels 2 and 9)
49. Power Line Easement made by and between EVA M. ENGSTROM, ET. AL to D. D. ROBERTS. ET. AL. GULF POWER CO., dated July 11, 1934, recorded in Deed Book 134, page 301, of the public records of Escambia County, Florida. (As to parcels 1 and 9)
50. Sanitary Sewer Easement made by and between CORPORATE PROPERTY INVESTORS, a Massachusetts business trust by and through UNIVERSITY MALL, INC., a Georgia corporation to CITY OF PENSACOLA, dated January 28, 1974, recorded in Official Records Book 784, page 486, of the public records of Escambia County, Florida. (As to parcels 1, 9 and 4)
51. Easement made by and between CORPORATE PROPERTY INVESTORS, a Massachusetts business trust to UNIVERSITY MALL, INC., dated March 4, 1974, recorded in Official Records Book 882, page 269, of the public records of Escambia County, Florida. (As to parcels 1 and 9)
52. Easement made by and between COMMUNITY CENTERS CORPORATION, a Georgia corporation to ABDLATIF Y. AL-HAMAD, GILBERT BUTLER, CHARLES A. CRONHEIM, DISQUE D. DEANE, GIANLUIGI GABETTI, ANDREA GEISSER, PATRICK GERSCHEL, BRUCE P. HAYDEN, J. KENNETH JAMIESON, HERBERT C. KNORTZ, J. HOWARD LAERI, HANS C. MAUTNER, HARVEY MOLE. JEREMIAH W. O'CONNOR, JR., DANIEL ROSE, HARRISON V. SMITH, HOWARD M. STEIN, WILLIAM M. VAN DIJK, MICHEL DAVID-WEILL, LAWRENCE WILKINSON, Trustees of CORPORATE PROPERTY INVESTORS, a Massachusetts business trust to SEARS, ROEBUCK AND CO., a New York corporation, J. C. PENNEY'S PROPERTIES, INC., a Delaware corporation MCRAE'S, INC., a Mississippi corporation, NORMAN E. MURPHY AND SARAH S. MURPHY AND COMMUNITY CENTERS CORPORATION, CPI, SEARS, PENNEY'S, MCRAE'S, MURPHY AND CCC, dated November 20, 1979, recorded in Official Records Book 1392, page 209, of the public records of Escambia County, Florida. (Offsite easement in favor of parcels 1 and 2)

UNIVERSITY MALL

EXHIBIT "C"

PERMITTED EXCEPTIONS

53. Tenants in possession under unrecorded leases as tenants only.
54. Easement Agreement dated August 13, 1973, between UNIVERSITY MALL, INC., a Georgia corporation, J.C. PENNEY PROPERTIES, INC., a Delaware corporation, SEARS, ROEBUCK AND CO., a New York corporation and GULF POWER COMPANY, a Maine corporation, recorded in Official Records Book 731, page 949, of the public records of Escambia County, Florida. (As to parcels 1, 2, 8 and 9)
55. Right of Way Easement dated December 21, 1972, between COMMUNITY CENTER CORP. and STATE OF FLORIDA, recorded in Official Records Book 660, page 85, of the public records of Escambia County, Florida. (As to Parcels 1, 8 and 9)
56. Covenants, conditions and restrictions as contained in instrument dated October 23, 1979, by COMMUNITY CENTERS CORPORATION, a Georgia corporation and UNIVERSITY WINE AND SPIRITS, INC. a Florida corporation, recorded in Official Records Book 1379, page 930, said covenants, conditions and restrictions are referenced in that certain Warranty Deed from Wallace C. Yost to Corporate Property Investors, dated September 8, 1984 and filed September 14, 1984 in Official Records Book 1962, at page 876 of the Public Records of Escambia County, Florida. (As to Parcel 6)
57. Covenants, conditions and restrictions as contained in instrument by COMMUNITY CENTERS CORPORATION, a Georgia corporation and THE FIRST NATIONAL BANK OF ATLANTA dated December 21, 1979 and filed December 26, 1989 in Official Records Book 1398, page 518, and corrected by instrument filed in Official Records Book 1431, at page 592, said covenants, conditions and restrictions are referenced in that certain Warranty Deed from Wallace C. Yost to Corporate Property Investors, dated September 8, 1984 and filed September 14, 1984 in Official Records Book 1962, at page 878 of the Public Records of Escambia County, Florida. (As to Parcel 7)
58. Covenants, conditions and restrictions as contained in instrument by First Mutual Savings Association of Florida, formerly Mutual Federal Savings & Loan of Pensacola and Corporate Property Investors dated July 21, 1982 and filed July 21, 1982 in Official Records Book 1665, at page 18 of the Public Records of Escambia County, Florida. (As to Parcel 8)

Instrument 00178889

Filed and recorded in the
public records
DECEMBER 29, 1994
at 01:17 P.M.
in Book and Page noted
above or hereon
and record verified
JOE A. FLOWERS,
COMPTROLLER
Escambia County,
Florida

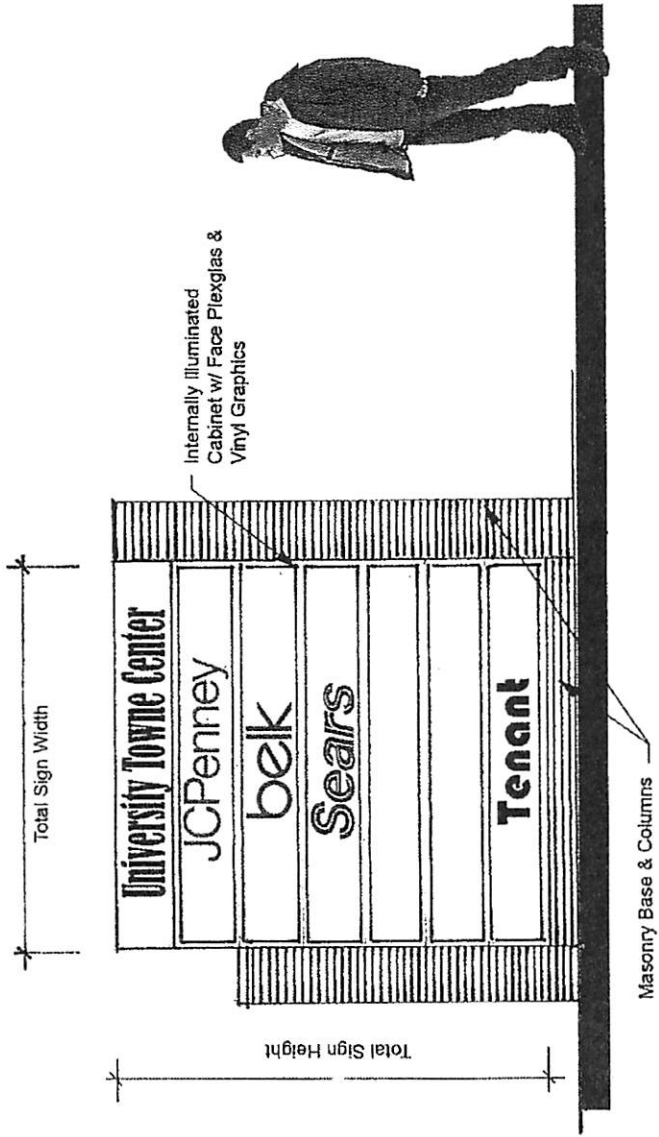
**UNIVERSITY MALL SITE RENOVATION
PENSACOLA, FLORIDA**

TOTAL SITE SIGNAGE DATA (POST RENOVATION)

WALL MOUNTED SIGNS TOTAL SQUARE FOOTAGE	
EXISTING ANCHOR STORES *	
LOCATION	AREA (SF)
Belk	400
Sears	720
JC Penney	744
Sears Auto Center/Avis	240
Firestone	246
<i>* Values include signage for new facades.</i>	
NEW STORES	
LOCATION	AREA (SF)
New Building #1	300
New Building #2	600
New Building #3	997
PERMISSIBLE BUILDING AREAS (P.B.A.)	
LOCATION	AREA (SF)
P.B.A #1	800
P.B.A #2	1,200
P.B.A #3	300
P.B.A #4	1,000

FREESTANDING SIGNS TOTAL SQUARE FOOTAGE	
EXISTING SITE SIGNS	
LOCATION	AREA (SF)
"University Mall" Pylon Sign	600
Firestone Pylon Sign	64
PROPOSED SITE SIGNS	
LOCATION	AREA (SF)
Monument Signs (2 - Davis Hwy, 1 - Creighton Rd)	225

SITE SIGNAGE SUMMARY	
TOTAL SITE AREA OF WALL MOUNTED SIGNS (SF) =	7,547
TOTAL SITE AREA OF FREESTANDING SIGNS (SF) =	889
TOTAL SITE SIGNAGE AREA (SF) =	8,436



Proposed Monument Sign



University Towne Center Pensacola, FL 08065, 02/24/11 SIMON

UPPER SIGNAGE BAND AREA OF BUILDING IN
SAME FLUSH CONTINUOUS PLANE. TENANT
SIGNS MAY OVERLAP CONTROL AND PANEL
JOINTS AS REQUIRED.

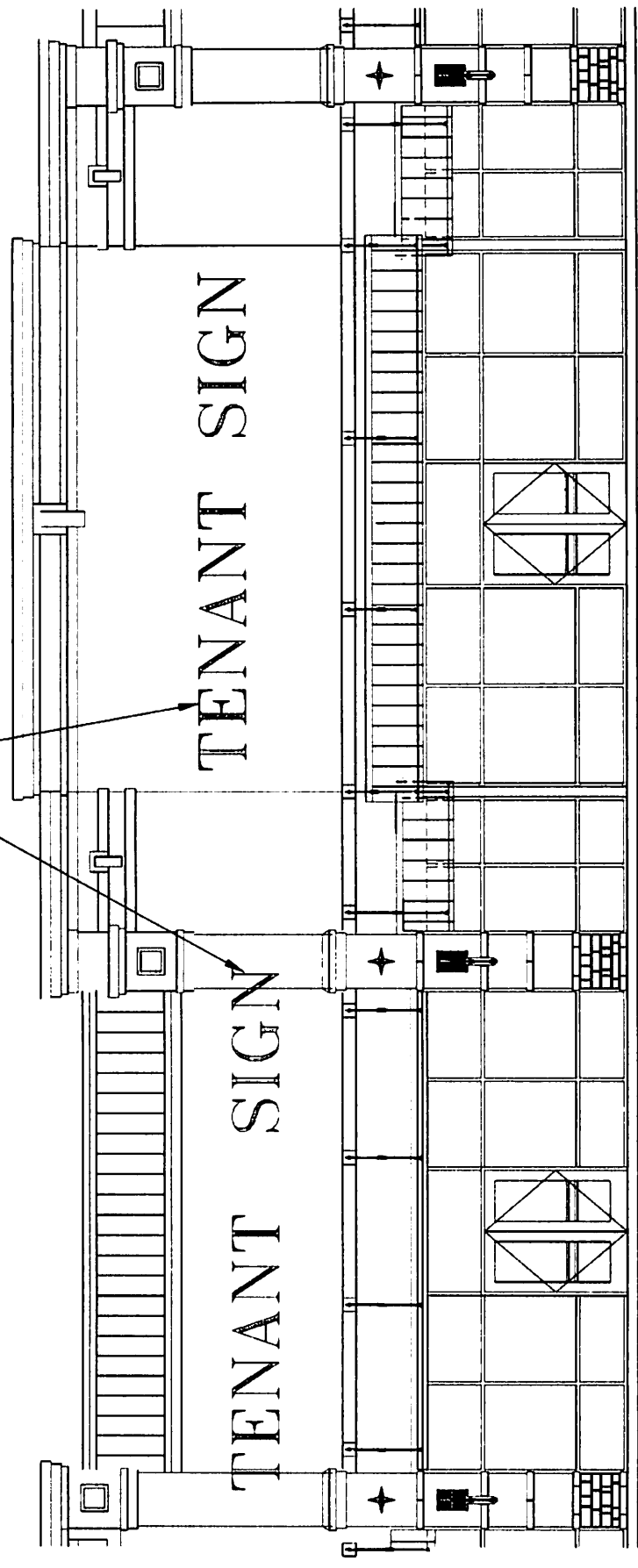
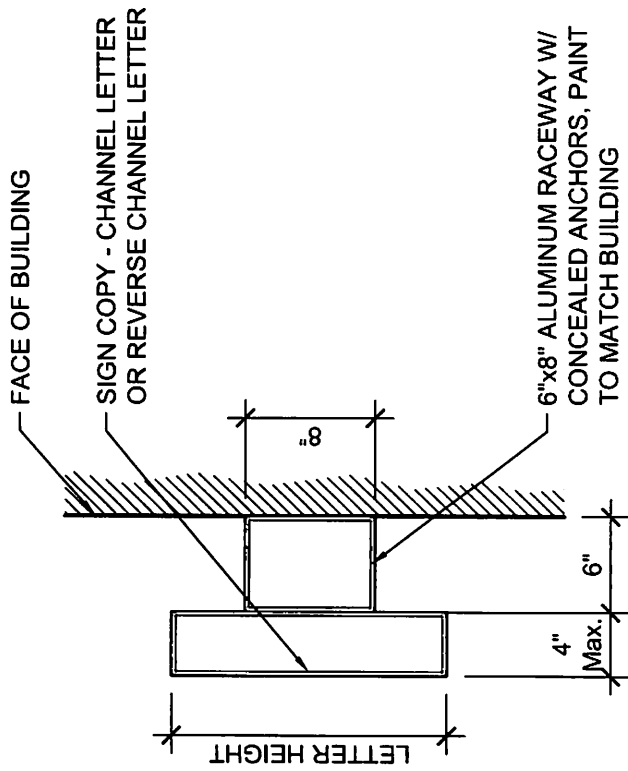
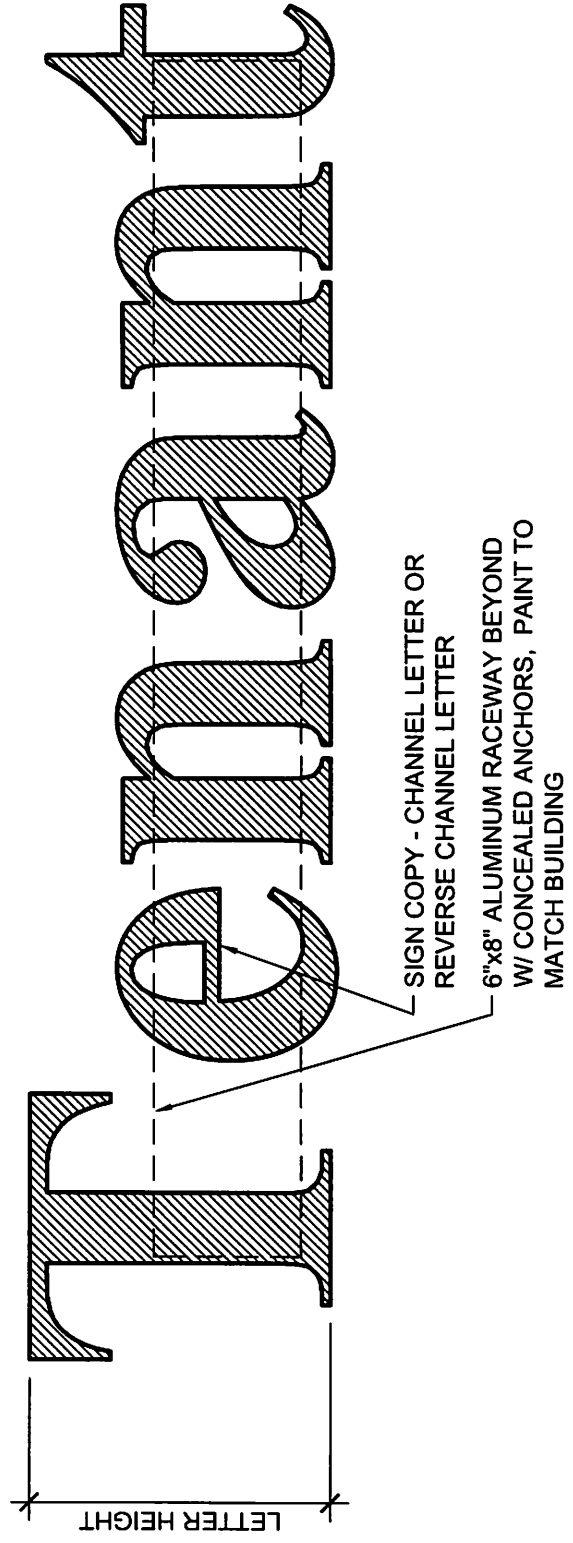


FIGURE A

– TYPICAL SIGNAGE AT STOREFRONT ELEVATION



Sign Mounting Detail



Typical Tenant Sign Elevation



Development Services Department

Building Inspections Division

3363 West Park Place
Pensacola, Florida, 32505
(850) 595-3550
Molino Office - (850) 587-5770

RECEIPT

Receipt No. : **538814**

Date Issued. : 08/22/2011

Cashier ID : VHOWENS

Application No. : PBA110800017

Project Name : V-2011-10

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	41161007	\$500.00	App ID : PBA110800017
		\$500.00	Total Check

Received From : university mall fl / SIMON PROPERTY GROUP L P

Total Receipt Amount : **\$500.00**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PBA110800017	632420	500.00	\$0.00	7171 N DAVIS HWY, PENSACOLA, FL, 32504

Total Amount :

500.00

\$0.00

Balance Due on this/these
Application(s) as of 8/22/2011

AI-1433

Item #: 6.

Board of Adjustment

Meeting

Date: 09/21/2011

Attachments

V-2011-11

V-2011-11



DEVELOPMENT SERVICES STAFF FINDINGS-OF-FACT

Variance Case: V-2011-11
September 21, 2011

I SUBMISSION DATA

APPLICANT: Marcus Pointe HOA
PROJECT ADDRESS: Marcus Pointe Blvd
PROPERTY REFERENCE NO.: 39-1S-30-0100-002-120
ZONING DISTRICT: R-5
FUTURE LAND USE: MU-S
SUBDIVISION AND PLAT: Marcus Pointe 3rd Addn, PB15 PG39

II REQUESTED VARIANCE:

The Applicants are seeking a 2 foot variance to allow an 8 foot privacy fence along a portion of their subdivision border. The LDC restricts the privacy fence height to 6 feet in this zoning district.

III RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section: 7.04.01

7.04.01. Fence heights in residential districts. Maximum heights for fences constructed in residential districts shall be [in feet]:

Side and Rear yards: 6 feet when constructed of transparent materials which do not obstruct light, air and visibility.

IV CRITERIA

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section 6.05.05.F.5

CRITERION A

That there are special circumstances or conditions applicable to the building or land in question that are peculiar to such property that do not apply generally to other land or buildings in the vicinity.

FINDINGS-OF-FACT

Section 2.05.02 of the Land Development Code defines special circumstances or conditions specifically as follows: "Such special conditions shall be limited to unusual physical characteristics inherent in the specific piece of property and not common to properties similarly situated. Such physical characteristics include, but are not limited to, exceptional narrowness, shallowness, shape, topographic conditions, or the presence of sensitive environmental resources, any or all of which will result in peculiar or in the quiet enjoyment and use of the property".

The subject parcel is a common area designed to serve as a buffer along the western border of Marcus Pointe Subdivision. The only structure on the parcel is the existing 6 foot privacy fence the applicants are seeking to replace. The majority of the homes on the Marcus Pointe side of the fence face west, towards the rear lots of Grenetree Subdivision. This arrangement is unique as the common line of subdivisions usually runs between rear yards. The arrangement presents the practical difficulty of front yards facing rear yard type structures and uses.

CRITERION B

That the variance is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the Applicant.

FINDINGS-OF-FACT

The variance is necessary for the preservation and enjoyment of a substantial property right given the unique orientation of the subdivisions.

CRITERION C

That such a variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding

area or in any other respect impair the health, safety, comfort, or general welfare of the inhabitants of Escambia County.

FINDINGS-OF-FACT

This variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets. The danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the health, safety, comfort, or general welfare of the inhabitants of Escambia County.

CRITERION D

The variance will not, in any manner, alter other provisions of this Code or Comprehensive Plan.

FINDINGS-OF-FACT

This variance will not alter other provisions of the Land Development Code or Comprehensive Plan.

CRITERION E

That the variance is the minimum necessary to make possible the use of the land, building or other improvements as approved by the BOA.

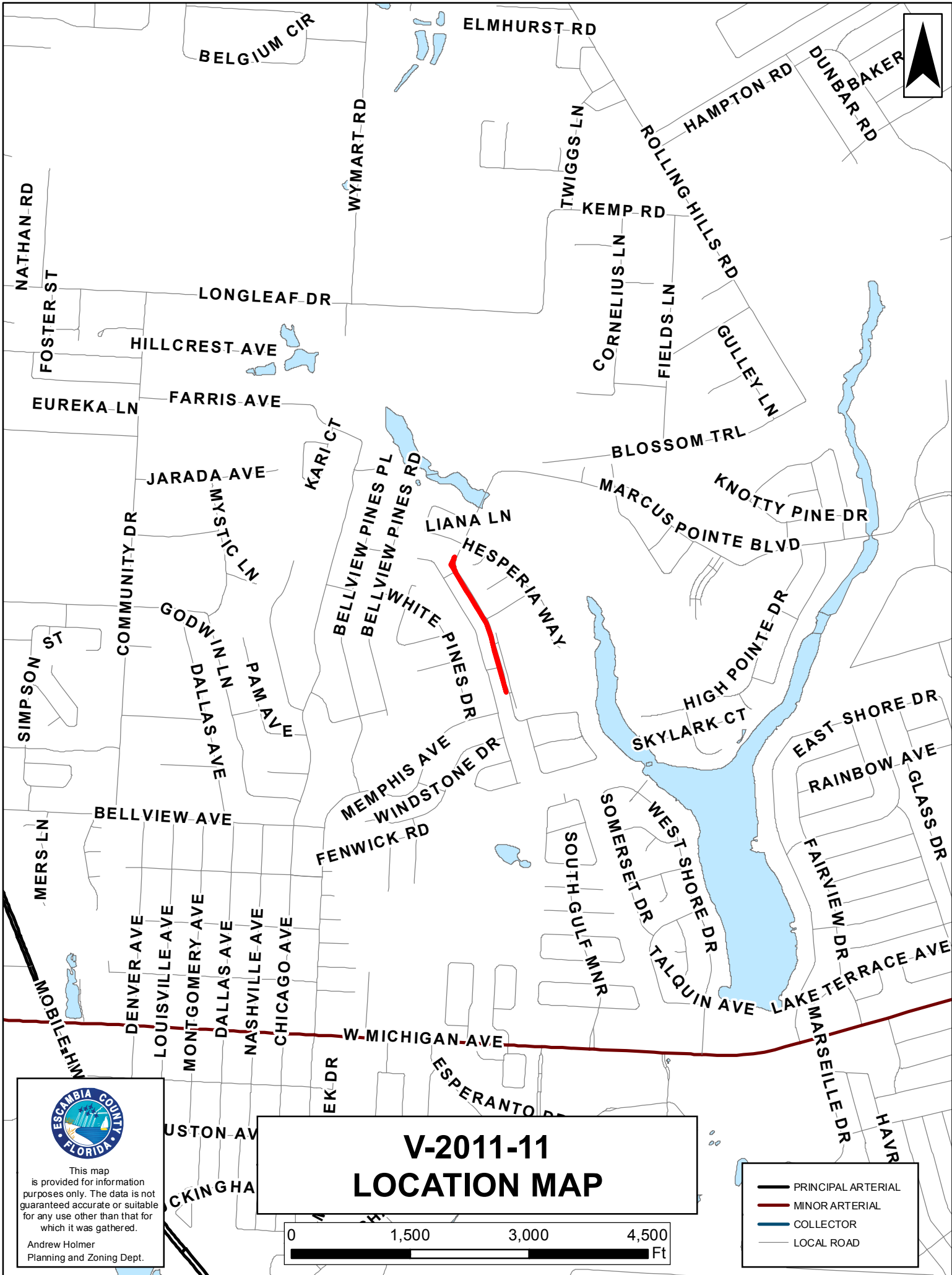
FINDINGS-OF-FACT

The requested variance is the minimum necessary for the fence to serve its privacy function given the physical limitations and orientation of the site.

V RECOMMENDATION:

Section 2.05.02 of the LDC specifies, "No variance shall be authorized under this provision unless the BOA finds that all of the required conditions exist."

Staff finds that the application does meet all of the required criteria for the granting of a variance.



NATHAN RD

FOSTER ST

EUREKA LN

SIMPSON ST

MERS LN

MOBILE HWY

BELGIUM CIR

ELMHURST RD

WYMART RD

TWIGGS LN

ROLLING HILLS RD

DUNBAR RD

LONGLEAF DR

HILLCREST AVE

FARRIS AVE

JARADA AVE

COMMUNITY DR

GODWIN LN

BELLVIEW AVE

DENVER AVE

LOUISVILLE AVE

MONTGOMERY AVE

DALLAS AVE

NASHVILLE AVE

CHICAGO AVE

HOUSTON AVE

CKINGHA

KARI CT

BELLVIEW PINES PL
BELLVIEW PINES RD

LIANA LN

HESPERIA WAY

MEMPHIS AVE
WINDSTONE DR

FENWICK RD

EK DR

ESPERANTO DR

KEMP RD

CORNELIUS LN

FIELDS LN

BLOSSOM TRL

MARCUS POINTE BLVD

KNOTTY PINE DR

HIGH POINTE DR

SKYLARK CT

SOMERSET DR

WEST SHORE DR

TALQUIN AVE

EAST SHORE DR

RAINBOW AVE

FAIRVIEW DR

LAKE TERRACE AVE

WARSHELLE DR

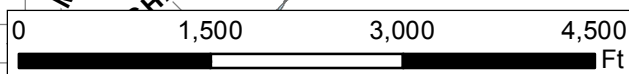
HAVR



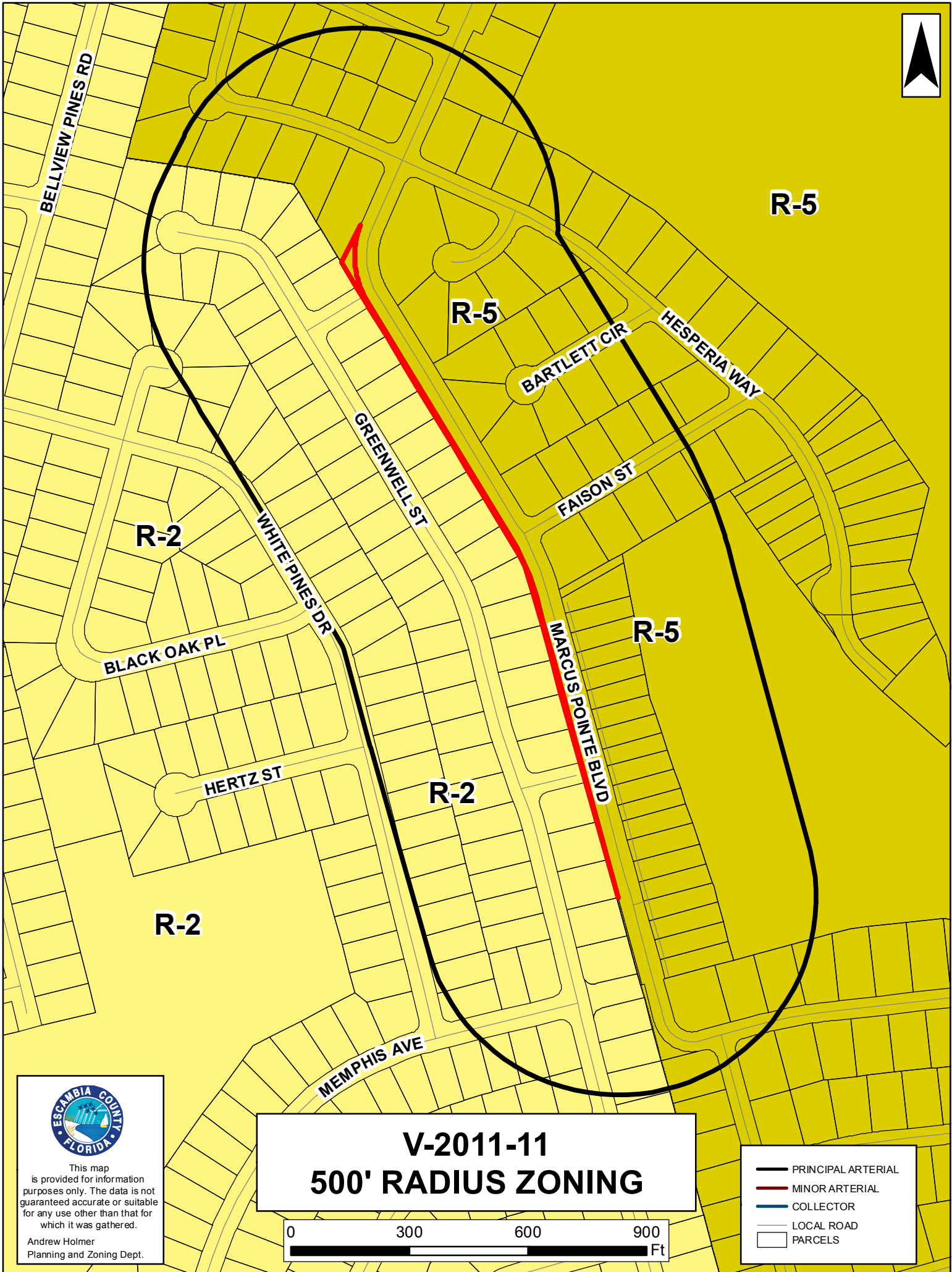
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

V-2011-11 LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



R-5

R-5

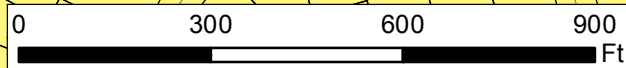
R-2

R-5


R-2

R-2

V-2011-11 500' RADIUS ZONING

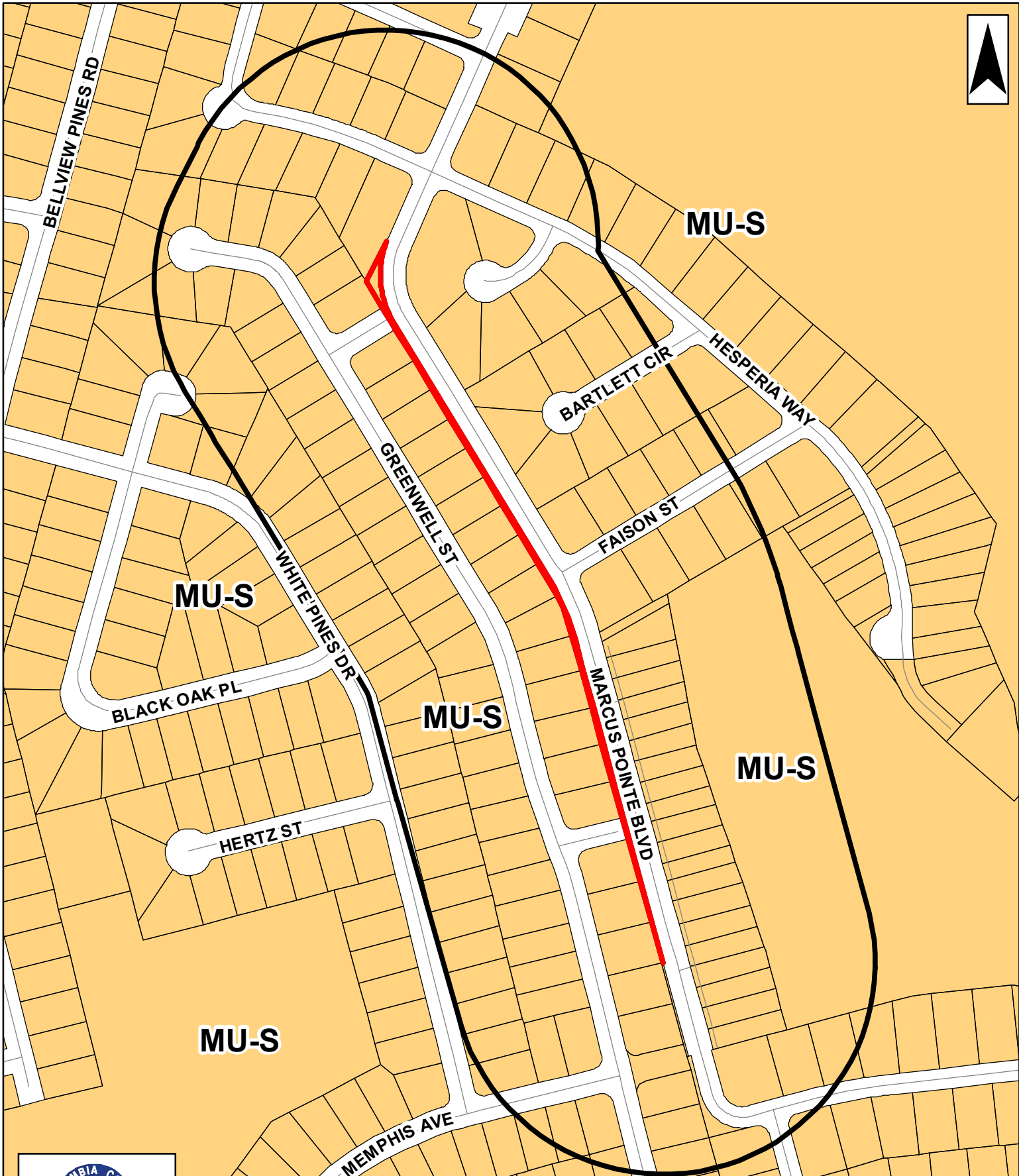


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.



MU-S

MU-S

MU-S

MU-S

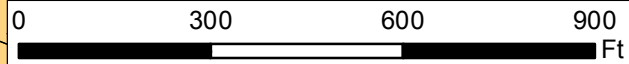
MU-S



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Andrew Holmer
Planning and Zoning Dept.

V-2011-11 FUTURE LAND USE



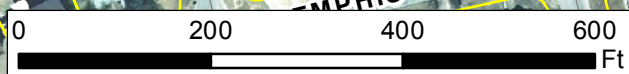
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS








This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

V-2011-11 AERIAL MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS



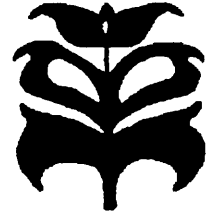
MARCUS POINTE HOMEOWNERS ASSOCIATION

c/o Centre Group Properties, Inc.

4400 Bayou Blvd., suite 35

Pensacola, FL 32503

Phone 850-484-2684 Fax 850-474-3551



August 18, 2011

Board of Adjustment
Escambia County Planning and Zoning Department
3363 West Park Place
Pensacola FL 32505

Re: Letter of Request, Variance Application Fence Height

Project: Marcus Pointe Subdivision 8' (eight ft.) Privacy Wooden Fence

Applicant: Marcus Pointe Homeowners Association

Replacement of deteriorated aged 6' (six foot) wooden privacy fence

To Whom It May Concern,

_____ representing the Marcus Pointe Homeowners Association Board of Directors (hereafter referred as the applicants) requests the Board of Adjustment to grant a variance in the Escambia County Land Development Code (LDC) regarding the height of an existing deteriorated wooden privacy fence that is 6 feet in height. We propose to replace the existing fence with a very attractive, new pressure treated wood, dog eared fence that is eight feet in height. This fence is currently, and will remain, located on the property line separating the Marcus Pointe Residential/Golf Community and the Grenetree Subdivision. The proposed fence will be approximately 3165 feet in length, and will include a gate, which is to be utilized by Marcus Pointe residents for

emergency exit/entrance through the Grenetree Subdivision. The Marcus Pointe subdivision only has one primary entrance/exit. Should the primary entrance, over a wetlands bridge, become blocked for any reason including storm damage or emergency services, the emergency gate will provide a vital access point for hundreds of residents. The proposed fence will provide a significant improvement of appearance and safety, in the neighborhood and is supported by the residents.

Criterion A

The special circumstances or conditions applying to the building or land in question are peculiar to such property and do not apply generally to other land or buildings in the vicinity.

*The utilization of the 8' fence in lieu of the standard 6' fence would add considerable privacy and safety to neighbors on both sides. It would provide a better sound barrier allowing local neighbors to have secure private events and improve quality of life at their homes with less disruption to the neighbors on the other side. It will also provide an opportunity for enhanced property values and add an attractive barrier that is supported by the subdivision residents.

*A taller fence will provide the Marcus Pointe corridor with the ability to keep its older trees trimmed to a higher level, allowing more sunlight and natural rains to reach the grass for growth, instead of the brown patchy areas caused by the shorter fence. We also have a large area of recently planted young trees along the proposed fence line. This planting was made necessary because of damage to the old trees by recent hurricanes. The taller fence will significantly improve the growth potential of these trees and provide additional attractiveness to the barrier area.

Criterion B

The variance is necessary for the preservation and enjoyment of a substantial property right as defined herein and not only to serve as a convenience to the applicant.

*Approval of the variance will in no way be detrimental to either neighborhood. It is requested primarily to replace a deteriorating fence that was damaged by hurricanes and storms of recent years, with a more substantial structure that provides additional safety for residents, in addition to the improved aesthetic value of the area. The neighborhood residents support the fence at 8 feet in height. The items mentioned in Criterion A described additional reasons for granting the variance to that height.

Criterion C

The authorization of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health safety, comfort, or general welfare of the inhabitants of Escambia County.

*In no way will the approval of this variance cause impairment to the above mentioned items. It will, in fact, add to the preservation of each neighborhood and their uniqueness. The fence will continue to provide a gate into the Grenetree Subdivision and is compatible with both neighborhoods. It would not have a negative impact on the light supply, air flow, fire protection, or public safety. It will have a positive impact on safety,

comfort, and the welfare of each subdivision's residents. The fence will be compatible with both neighborhoods, as well as, other properties in the immediate area.

Criterion D

The variance will not, in any matter alter other provisions of this code or the comprehensive plan, except this code and the plan may be amended in the manner prescribed by the law.

*Other than items as stated above, the granting of this variance in no way alters other provisions of the Code or the Comprehensive Plan. It is understood that the Code and the Plan may be amended in the future, through due course.

Criterion E

The variance is the minimum necessary to make possible the use of the land, building or other improvements as approved by the BOA.

*By granting this variance the use of the land, building or other improvements as approved by the BOA will no way be diminished.

Pictures have been attached for your perusal.

Your consideration in this matter would be greatly appreciated.

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this _____ day of August 2011,

By _____, who is personally known to me or who

Produced _____ as identification.

My Commission Expires:

NOTARY PUBLIC

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: FENCE HEIGHT

Rezoning Request from: _____ to: _____

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: MARCUS Pointe HOA Phone: (850) 484-2684

Address: 4400 Bayou Blvd. #35 Email: Tina@CentreGroupProperties.com

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: Marcus Pointe Blvd.

Property Reference Number(s)/Legal Description: 39-15-30-0100-002-120
see Attached

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

[Signature]
Signature of Owner/Agent

Casol A. Wilson
Printed Name Owner/Agent

8/16/11
Date

Signature of Owner

Printed Name of Owner

Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 16 day of August 2011,
by Casol A. Wilson

Personally Known OR Produced Identification . Type of Identification Produced: _____

[Signature]
Signature of Notary
(notary seal must be affixed)

Melissa C Buchanan
Printed Name of Notary

NOTARY PUBLIC-STATE OF FLORIDA
Melissa C. Buchanan
Commission # DD753319
Expires: JAN. 29, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

FOR OFFICE USE ONLY

Meeting Date(s): 9-21-11 Accepted/Verified by: KSS/ADH Date: 9/9/11

Fees Paid: \$ 350.00 Receipt #: _____ Permit #: PBA 110900022

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at Marcus Pt. Blvd.
Florida, property reference number(s) 39-1S-30-0100-002-120

I hereby designate _____ for the sole purpose
of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property.
- Board of Adjustment to request a(n) _____ on the above referenced property.

This Limited Power of Attorney is granted on this _____ day of _____ the year of, _____, and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development Services Bureau.

Agent Name: _____ Email: _____

Address: _____ Phone: _____

[Signature]
Signature of Property Owner
MAYOR Vice Mayor

Signature of Property Owner

Carol A Wilson
Printed Name of Property Owner

Printed Name of Property Owner

8/16/11
Date

Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 16 day of August 2011
by Carol A Wilson

Personally Known OR Produced Identification . Type of Identification Produced: _____

[Signature]
Signature of Notary

Melissa C Buchanan
Printed Name of Notary

(Notary Seal)

NOTARY PUBLIC-STATE OF FLORIDA
Melissa C. Buchanan
Commission #DD753319
Expires: JAN. 29, 2012
BONDED THRU ATLANTIC BONDING CO., INC.



Escambia County Tax Collector

generated on 8/16/2011 8:20:03 AM CDT

Tax Record

Last Update: 8/16/2011 8:20:02 AM CDT

Ad Valorem Taxes and Non-Ad Valorem Assessments

The information contained herein does not constitute a title search and should not be relied on as such.

Account Number		Tax Type		Tax Year	
04-0861-018		REAL ESTATE		2010	
Mailing Address			Property Address		
MARCUS POINTE HOMEOWNERS ASSOCIATION INC 908 GARDENGATE CIR PENSACOLA FL 32504			0 GEO Number 391S30-0100-002-120		
TAXES LESS THAN \$10.00					
Exempt Amount		Taxable Value			
See Below		See Below			
Exemption Detail		Millage Code		Escrow Code	
NO EXEMPTIONS		06			
<u>Legal Description (click for full description)</u>					
391S30-0100-002-120 0 PARCELS B C D G & H MARCUS POINTE S/D 3RD ADDN PB 15 P 39 OR 4361 P 70					
Ad Valorem Taxes					
Taxing Authority	Rate	Assessed Value	Exemption Amount	Taxable Value	Taxes Levied
COUNTY	6.9755	95	0	\$95	\$0.00
PUBLIC SCHOOLS					
By Local Board	2.2290	95	0	\$95	\$0.00
By State Law	5.6310	95	0	\$95	\$0.00
SHERIFF	0.6850	95	0	\$95	\$0.00
WATER MANAGEMENT	0.0450	95	0	\$95	\$0.00
Total Millage		15.5655	Total Taxes		\$0.00
Non-Ad Valorem Assessments					
Code	Levying Authority				Amount
Total Assessments					\$0.00
Taxes & Assessments					\$0.00
If Paid By				Amount Due	
				\$0.00	

Prior Years Payment History

Prior Year Taxes Due

NO DELINQUENT TAXES

Online payment for this account is not allowed.

A-1 HURRICANE FENCE INDUSTRIES

959 W. Massachusetts Avenue
Pensacola, FL 32505
Phone (850) 432-0921
Fax (850) 438-4202
gblackbfw1@bellsouth.net

July 20, 2011

Centre Group Properties
4400 Bayou Blvd.
Pensacola, FL 32503
Fax: 474-3551
Attn: Janice Nall
Re: Marcus Pointe Subdivision Back Fence, Amended

As per your request, this letter is being forwarded amending our quote for the fence work described in Mr. Nottingham's letter of 7/8/11.

For us to furnish and install the fencing as described therein in a 6' height rather than 8', the total bid would be \$34,900.00.

All of the conditions and caveats of the 7/8/11 letter apply.

Please do not hesitate to contact us with any questions or concerns.

Sincerely,

George A. Black

Commercial Estimator/Project Manager

A-1 HURRICANE FENCE

959 W. MASSACHUSETTS AVE.
PENSACOLA, FLA. 32505

E-Mail: HFWF1@BellSouth.Net

Telephone (850) 432-0921
Fax (850) 438-4202

July 8, 2011

Centre Group Properties Inc.
4400 Bayou Blvd.
Pensacola, Florida 32503

Subj. Fence Bid Marcus Pointe Subdivision back fence.

Dear Ms. Janice Nall,

Thank you, for thinking of A-1 Hurricane for your fencing needs. I've put together the price for the bid that was discussed on July 1, 2011. It is as follows:

-Install approximately 3165 feet of 8 foot treated pine wooden fence (solid picket style), 11 terminal posts, two 6x6 gate posts, and one 10 foot double drive gate. As per your spec., along the road and not in the back yards. Bid includes the removal of the existing fence. Bid \$43,639.00.

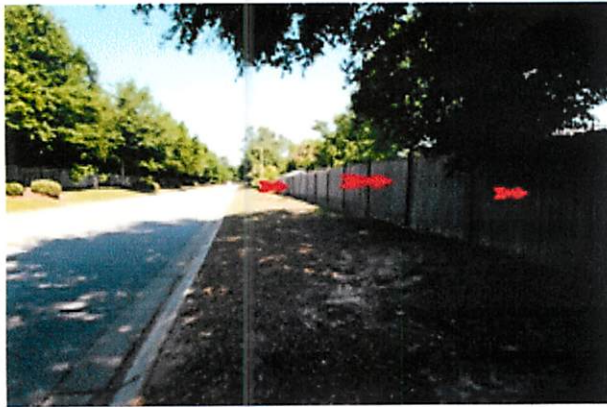
-Due to the unavailability to inspect the chain link fence, I can only give you a, per foot price to replace it and that is \$10.00 per foot for the chain link.

Bid is subject to change after 30 days. Any agreement reached between us to perform this work beyond that time would have to include the following "Escalation Clause". Upon supplying you with copies of letters from 2 suppliers, we would have to increase the total amount by the appropriate percentage on the material portion only. Labor, equipment, etc. would not be affected.

This does not include clearing, grubbing or earth work of any kind, or anything not specifically mentioned herein without express written agreement between us. It further presumes we will have adequate access to the fence line with our trucks and equipment. If you have any questions or concerns please feel free to call me and I'll be happy to address them. Thank You.

Sincerely,


Al Nottingham



Just A Note

H-gones 9-11-11
Mr. Collier

Mr. Collier &
agrees to

allow for the Contractor
to wait

~~to~~ For
processing
the APPL
after BOA
Approval

WORLD KERR

ISSUE

Permit

Approval





BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1371

Item #: 6.

Board of Adjustment

Meeting
Date: 09/21/2011

Agenda Item:

E. Case No.: CU-2011-10
Location: 30 N Navy Blvd
Request: Conditional Use for a public facility building in R-2
Requested By: D. Patrick Jehle, Agent for Escambia County Sheriff's
Office, Leasee

Attachments

CU-2011-10

CU-2011-10



DEVELOPMENT SERVICES STAFF FINDINGS-OF-FACT

**Conditional Use Case: CU-2011-10
September 21, 2011**

I SUBMISSION DATA:

APPLICANT: D. Patrick Jehle, agent for Escambia County School District

PROJECT ADDRESS: 30 North Navy Blvd

PROPERTY REFERENCE NO.: 50-2S-30-3560-000-000

ZONING DISTRICT: R-2, Single-Family District, Low-Medium Density

FUTURE LAND USE: MU-U, Mixed Use Urban

II REQUESTED CONDITIONAL USE:

The applicant is requesting to build a 6,000 square foot public facility building within the School Board of Escambia County property zoned R-2.

III RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section: 6.05.05.C.9

Public buildings for general administrative, executive or studio functions, or for general warehousing or maintenance operations.

IV CRITERIA

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section 2.05.03.

CRITERION (1)

On-site circulation. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and

CU-2011-10

convenience, traffic flow and control, on-site parking and loading, and access in case of fire or catastrophe.

FINDINGS-OF-FACT

Ingress and egress access to the structure will be to and from Navy Blvd., using a proposed 24 foot driveway. Right-of-way, sidewalks, crosswalks, on-site parking, accessibility, loading standards and ADA compliance will be provided in accordance with current Federal and local regulations. The applicant is also indicating in his proposal that a separate emergency vehicle access will be provided by sharing with the neighboring Warrington volunteer fire department. These issues will be addressed during the Site Plan Review process.

CRITERION (2)

***Nuisance.* Adverse impact such as noise, glare, smoke, odor or other harmful effects (electrical interference, hazardous materials, etc.) of the conditional use on adjoining properties and properties generally in the District.**

FINDINGS-OF-FACT

Due to the nature of the use for proposed structure, it is staff's determination that the major nuisance with this type of use will be the noise produced by the emergency vehicle sirens. The nearest residential areas are located to the East of the proposed site; however, due to the similitude of the expected noise nuisance to the existing fire station, we do not perceive an increase of impacts to adjoining properties.

CRITERION (3)

***Solid Waste.* Refuse and service areas with particular reference to concurrency requirements and items (1) and (2) above.**

FINDINGS-OF-FACT

Solid waste service storage and disposal will be provided and will meet all local and State requirements.

CRITERION (4)

***Utilities.* Utilities with reference to concurrency requirements, location, availability and compatibility with surrounding land uses.**

FINDINGS-OF-FACT

Water and electrical services will be provided for the proposed facility.

CRITERION (5)

***Buffers.* The buffer may be a landscaped natural barrier, a natural barrier or a landscaped or natural barrier supplemented with fencing or other man-made**

barriers, so long as the function of the buffer and the intent of Policy FLU 1.1.9 of the Comprehensive Plan and the provisions of Section 7.01.06 of the Land Development Code are fulfilled.

FINDINGS-OF-FACT

Buffering standards will be implemented in accordance with Article 7 of the Escambia County Land Development Code. This requirement will be further assessed at the Site Plan Review process.

CRITERION (6)

***Signs.* Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the District.**

FINDINGS-OF-FACT

All proposed signs will meet the standards delineated in Article 8 of the Escambia County Land Development Code. This requirement will be further reviewed at the Site Plan Review process.

CRITERION (7)

***Environment impact.* Impacts to protected trees, wetlands, water bodies, stormwater management or other natural features of the subject parcel.**

FINDINGS-OF-FACT

The applicant is not proposing removal of any trees. According to the National Wetlands Inventory there appears to be no wetlands on-site. Stormwater management will be addressed during the Site Plan Review Process.

CRITERION (8)

***Neighborhood impact.* General compatibility with adjacent properties and other property in the immediate area.**

FINDINGS-OF-FACT

Due to the public nature of the parent and the adjacent parcels to the South and the similarity of uses with the existing fire station, staff finds that the proposed use is compatible and will have minimum impacts on adjacent properties.

CRITERION (9)

***Other requirements of Code.* The proposed Conditional Use is consistent with all other relevant provisions of this Code.**

FINDINGS-OF-FACT

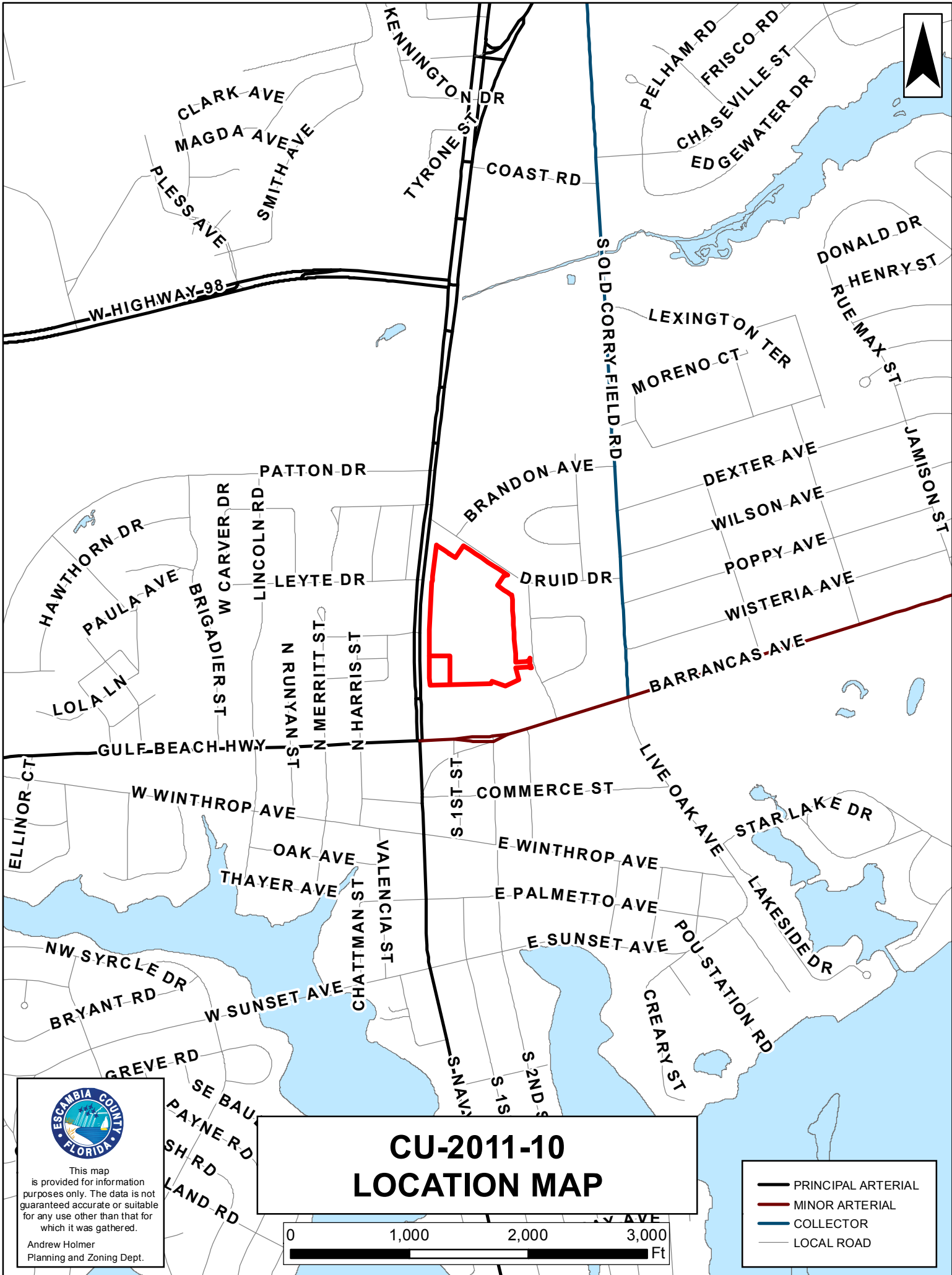
In addition to the general provisions cited above, a conditional use may be permitted by the (BOA) provided the proposed conditional use complies with the standards of this Code and the following requirements 6.08.02. J. *Public facility, public utility, and service structures.*

Staff finds that the applicant has appropriately addressed the above requirements. The additional standards in this criterion will be further reviewed during the Site Plan Review process.





V RECOMMENDATION

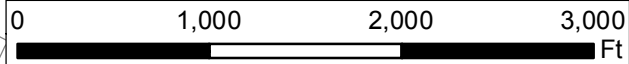
Staff recommends that the Board approve the request with the following condition:


- Site plan review by the DRC

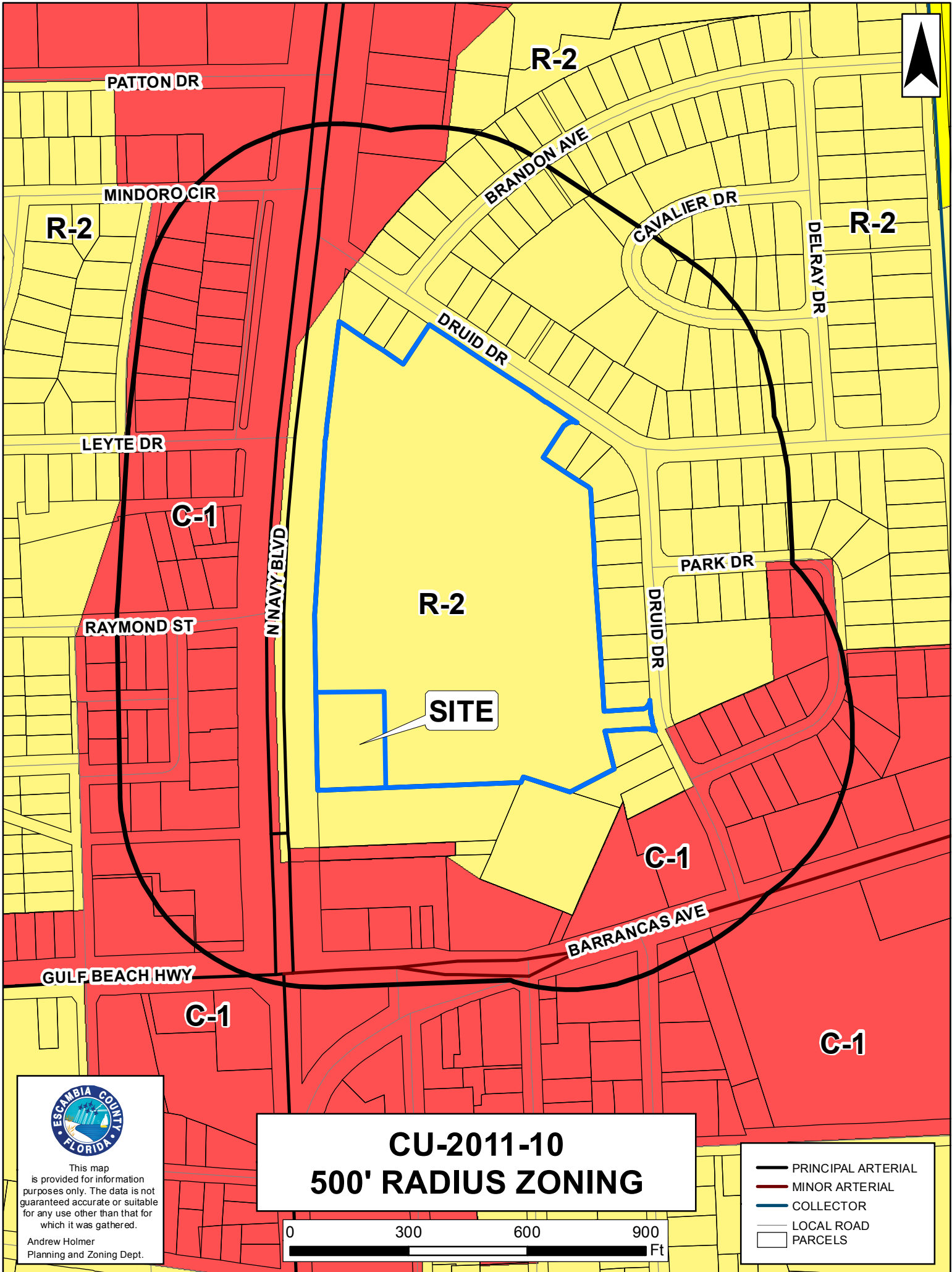



CU-2011-10 LOCATION MAP

-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD

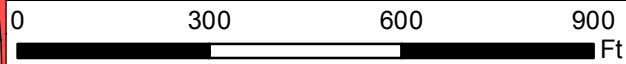








 This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
 Andrew Holmer
 Planning and Zoning Dept.

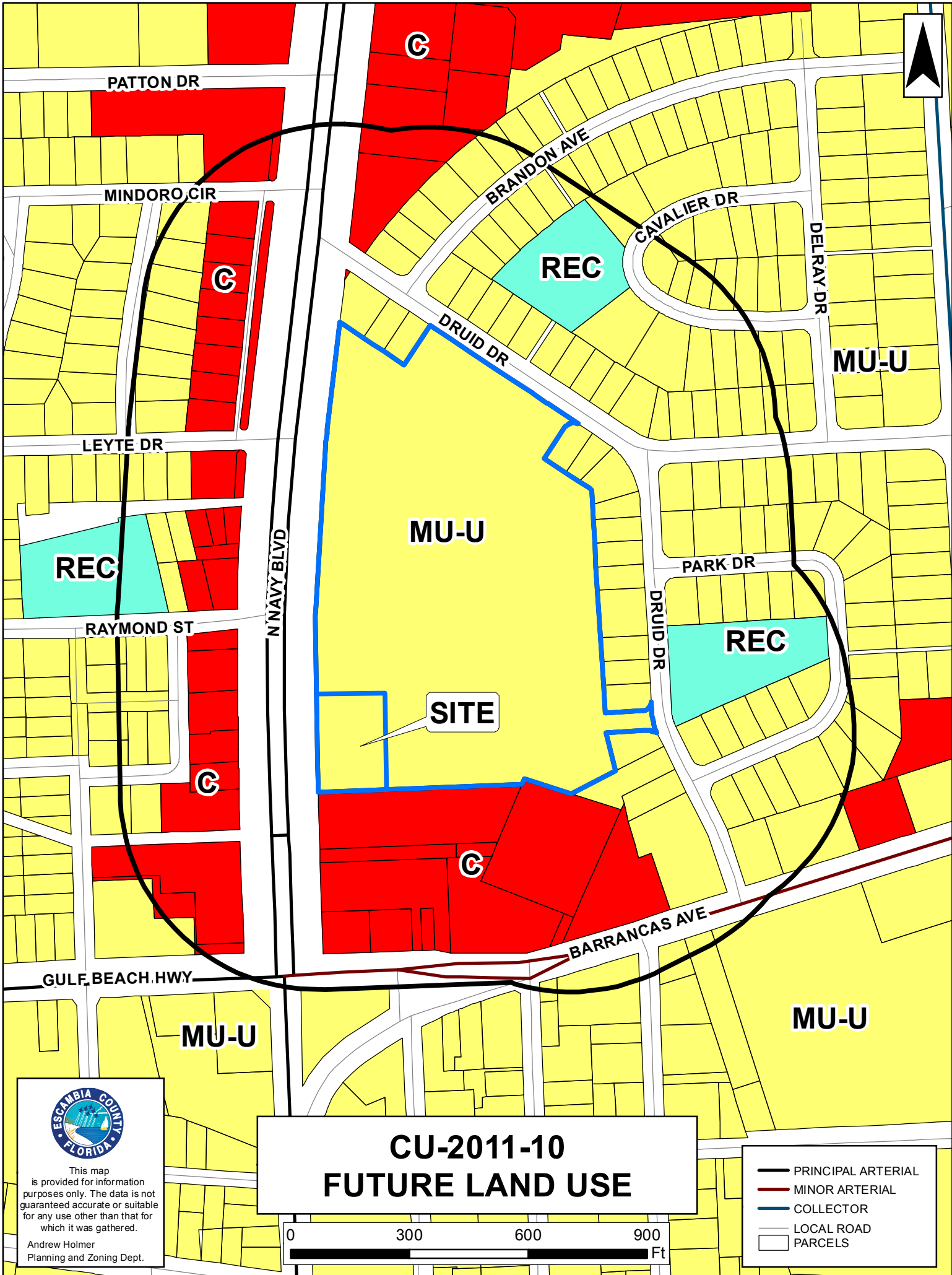



 This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
 Andrew Holmer
 Planning and Zoning Dept.

CU-2011-10
500' RADIUS ZONING



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS



PATTON DR

MINDORO CIR

LEYTE DR

RAYMOND ST

GULF BEACH HWY

G

G

G

G

BRANDON AVE

CAVALIER DR

DELRAY DR

DRUID DR

DRUID DR

PARK DR

BARRANCAS AVE

REC

REC

REC

MU-U

MU-U

MU-U

MU-U

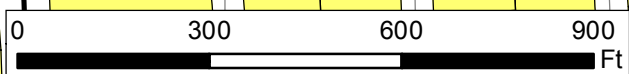
SITE



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Andrew Holmer
Planning and Zoning Dept.

CU-2011-10 FUTURE LAND USE



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- ▭ PARCELS



LEYTE DR

DRUID DR

BRANDON AVE

CAVALIER DR

MANCHESTER ST


PARK DR

RAYMOND ST

WHITE ST

N-NAVY-BLVD

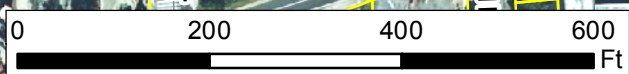
WY








This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

CU-2011-10 AERIAL MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS

August 24, 2011
110027

Mr. Andrew Holmer, Senior Urban Planner
Escambia County Development Services
Planning & Zoning Division
3363 West Park Place
Pensacola, Florida 32505

RE: Escambia County Sheriff's Office – Warrington Precinct
Conditional Use Request – Property Reference #50-2S-30-3560-000-000
220 North Navy Boulevard, 32507 (Parent Parcel)
30 North Navy Boulevard, 32507 (New Leased Parcel)

Mr. Holmer:

Please allow this letter to serve as our office's official request for the approval of a conditional use of the referenced property. The 17.00 acre parent parcel, owned by the School Board of Escambia County, is zoned R-2 and currently contains the campus of Warrington Elementary School. This request is for the approval of a Public Facility usage on a 1.00 acre portion of the parent parcel to be leased by the Escambia County Sheriff's Office. The proposed building is an approximately 6,000 square foot precinct building, located directly north of the existing Warrington Volunteer Fire Department, on the southern border of the parent parcel.

Per Section 2.05.03 of the Escambia County Land Development Code, we offer the following discussion in support of this request, addressing the provisions and/or arrangements made with respect to each of the noted criteria.

1. On-site Circulation

The primary method of ingress/egress to the proposed development will be a new 24-foot wide driveway connection to Navy Boulevard. This driveway will be signed and marked to allow only right-turn in and right-turn out. There will be a shared access between the precinct site and the Fire Department to the south, signed and marked for Emergency Access Only. This access is intended to provide access to emergency vehicles in the event that they require the use of the existing emergency signal in front of the Fire Department.

All features within the FDOT right-of-way and on-site will be installed to meet the latest FDOT and County standards with regards to pedestrian safety and convenience, including sidewalks, crosswalks, and ADA accessibility.

The proposed on-site parking configuration will provide more than the required number of parking stalls and 24-foot wide two-way aisles throughout. The only exception is an 18-foot wide one-way covered drop off lane that is intended for use by emergency vehicles only. An improved gravel area is proposed north of the primary parking and building area to provide additional overflow parking and to serve as a portion of the site's storm water management facility.

In case of fire or other catastrophe, access will be provided from the proposed driveway connection to Navy Boulevard.

2. Nuisance

The only foreseeable impact on the surrounding properties which could potentially be considered adverse would be noise generated from emergency vehicle sirens. However, given the existing Fire Department to the south and the major arterial roads of Navy Boulevard and Barrancas Avenue in close proximity, surrounding properties can be presumed to have existing exposure to such noises at a relatively high frequency. The greatest consideration should be provided to residential properties. These properties only border the proposed project on its east side separated by an approximately 200-yard wide area of trees and other vegetation contained on the parent parcel. In consideration of these factors, the proposed project is not anticipated to have any adverse impacts on the surrounding properties.

3. Solid Waste

Solid waste will be contained in an approved dumpster on a concrete pad located at the northwest corner of the asphalt parking area. The pad and dumpster will be screened and buffered from the parent parcel, adjacent properties, and the right-of-way by approved fencing and landscaping.

4. Utilities

Potable water service will be provided by People's Water Service Company. There are existing 3-inch and 6-inch service lines south of the Fire Department property, adjacent to the existing private alley way. In concept, the proposed project will connect to one of these lines based upon demand and extend through an easement area to the proposed project area.

Sanitary sewer service will be provided by the Emerald Coast Utilities Authority. There is an existing sanitary manhole on the west side of Navy Boulevard, opposite the proposed project area. In concept, a new gravity connection will be directionally drilled under Navy Boulevard and tie directly into this existing manhole. As an alternative, there is a second existing manhole on the east side of the parent parcel that could be accessed by a pumped connection if necessary.

Both utility owners have agreed to the outlined conceptual designs in pre-application meetings.

5. Buffers

The proposed project site layout includes a minimum 10-foot wide landscaped frontage buffer along Navy Boulevard and minimum 5-foot wide landscaped side and rear buffers along its borders with the parent parcel. There is no proposed buffer along the project's southern boundary adjacent to the Fire Department due to similar usage and as part of an effort to maximize the buffer along the northern boundary.

Escambia County Planning reviewed the outlined buffers in a pre-application submittal and had no comments regarding the buffer widths.

6. Signs

The only proposed signage is a monument-type sign, similar to that installed in front of the Fire Department to the south.

Site lighting will consist of shoe box style luminaries mounted on 25-foot aluminum poles. These will be located along the parking stall areas south and west of the proposed building. Wall mounted compact fluorescents will be installed along the north and east walls of the building to provide lighting for pedestrian safety along these areas. The covered drop-off and covered front entry areas will be lit with recessed compact down lights. Given the existing commercial, institutional, and public building uses to the west, north, and south of the proposed project and the approximately 200-yard separation between the project area and the residential properties to the east, the proposed lighting scheme will not result in adverse impacts with regards to glare, traffic safety, economic effect, or compatibility and harmony with properties in the District.

7. Environmental Impact

All existing trees on and in front of the proposed project area are planned for protection. There are no wetlands, water bodies, or other protected natural features within the project area. Storm water management will be provided in accordance with the Escambia County LDC and FDOT design requirements. Given these considerations, the proposed project will not result in any adverse impacts to the environment.

8. Neighborhood Impact

The existing Fire Department to the south of proposed project area is in the same Public Facility usage category as the proposed project. The neighboring institutional and residential developments to the north and east are separated by an adequate distance such that there will be virtually no change in the conditions adjacent to their developed areas. Given these considerations and in consideration of the other proposed project conditions presented throughout this discussion, the proposed project will not result in any adverse impacts to the adjacent properties.

9. Other Requirements of the Code

Per Section 6.08.02(J) of the Escambia County Land Development Code, we offer the following discussion in support of this request, addressing the provisions and/or arrangements made with respect to each of the noted criteria.

a. Facility Location

The new Sheriff's Precinct is intended to serve Warrington and its surrounding areas. The proposed project area is situated just east of center of the Warrington area, defined by borders of Bayou Chico on the east and Dog Track Road on the west. The proposed location is in close proximity to the intersection of Navy Boulevard and Barrancas Avenue, two major arterials that will provide quick access to all parts of the proposed area of service. Given these considerations, the effectiveness of the proposed project location is at least equal to the effectiveness of other potential alternative sites.

b. Impacts on Traffic

The anticipated impact of the proposed project on traffic in the surrounding area is negligible. The vast majority of traffic utilizing the proposed building will be Sheriff Officers, and the majority of trips generated by these officers will be around the times that officers' shifts are changed.

Escambia County Traffic Concurrency reviewed the proposed project in a pre-application submittal, including trip generation and roadway impacts, and found that it met concurrency requirements.

c. Residential Impacts

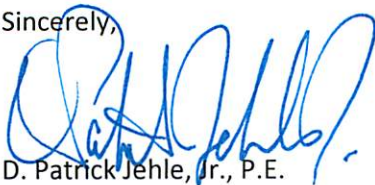
In consideration of the proposed project conditions presented throughout this discussion, particularly under Items 2, 5 and 8 above, this project will not result in any noise, traffic, congestion, or other potential nuisances or hazards to contiguous residential properties.

d. Public Utility Structure Height and Buffers

The proposed project does not contain any public utility structures.

We hope this discussion has adequately addressed all criteria outlined in the County's LDC regarding our proposed request for conditional use. If not, or if we can provide any additional information to address further concerns, please do not hesitate to contact me directly in my office at 850.994.9503 x107, on my cell phone at 850.293.8000, or by email at pjehle@jehle-halstead.com.

Sincerely,



D. Patrick Jehle, Jr., P.E.

Project Manager

STATE OF FLORIDA, COUNTY OF SANTA ROSA

The foregoing instrument was acknowledged before me this 24TH day of AUGUST, 2011,

by D. PATRICK JEHLE, JR.

Personally Known OR Produced Identification (Type of ID Produced: N/A)



Signature of Notary (seal must be affixed)



DONALD M. RICHMOND, SR.
MY COMMISSION # DD 853428
EXPIRES: February 16, 2013
Bonded Thru Budget Notary Services

Printed Name of Notary

APPLICATION

Please check application type:
[] Administrative Appeal
[] Development Order Extension
[] Conditional Use Request for: Public Building in R-2 Zoning
[] Variance Request for:
[] Rezoning Request from: to:

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: School Board of Escambia County Phone: 850.432.61.21
Address: 75 North Pace Boulevard, Pensacola, Florida, 32505 Email: sdennis@escambia.k12.fl.us

[] Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 220 N Navy Blvd (Existing School); 30 N Navy Blvd (New Project), Pensacola, FL, 32507

Property Reference Number(s)/Legal Description: 50-2S-30-3560-000-000. See attached for legal description of existing school property. See submitted site plan for legal description of leased parcel for new project.

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

Signature of Owner/Agent (handwritten signature)

D. Patrick Jehle, Jr., P.E.
Printed Name Owner/Agent

8/24/11
Date

Signature of Owner

Printed Name of Owner

Date

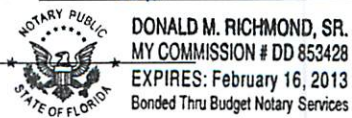
STATE OF FLORIDA COUNTY OF SANTA ROSA

The foregoing instrument was acknowledged before me this 24TH day of AUGUST 20 11, by D. PATRICK JEHLÉ, JR.

Personally Known [] OR Produced Identification [] Type of Identification Produced: N/A

Signature of Notary (handwritten signature)
(notary seal must be affixed)

Printed Name of Notary



FOR OFFICE USE ONLY
Meeting Date(s): 9-21-11 Accepted/Verified by: [handwritten signature] Date: 8/24/11
Fees Paid: \$ 0 Receipt #: N/A Permit #: PBA110800019

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 30 North Navy Boulevard, Pensacola,
Florida, property reference number(s) 50-2S-30-3560-000-000

I hereby designate jehle-halstead, inc. for the sole purpose
of completing this application and making a presentation to the:

Planning Board and the Board of County Commissioners to request a rezoning on the above
referenced property.

Board of Adjustment to request a(n) Conditional Use approval on the above referenced property.

This Limited Power of Attorney is granted on this 23rd day of August the year of,
2011, and is effective until the Board of County Commissioners or the Board of Adjustment has
rendered a decision on this request and any appeal period has expired. The owner reserves the right to
rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development
Services Bureau.

Agent Name: D. Patrick Jehle, Jr., P.E., jehle-halstead, inc. Email: pjehle@jehle-halstead.com

Address: 5414 Highway 90, Milton, Florida 32571 Phone: 850.994.9503 x107

Shawn Dennis
Signature of Property Owner

Shawn Dennis for M. Thomas
Printed Name of Property Owner

8/23/11
Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF FL COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 23rd day of August 20 11,
by Shawn Dennis.

Personally Known OR Produced Identification . Type of Identification Produced: _____

Sharon Goshorn
Signature of Notary

Sharon Goshorn
Printed Name of Notary

(Notary Seal)



Pre-Application Reviewer Comments

Site Plan Pre-Application Reviewer Comments



DRC Meeting Date: August 17, 2011
Project #: PSP110800086
Project Name: Escambia County Sheriff's Office Warrington Precinct
Project Address: 30 North Navy Boulevard

Warrington Redevelopment Area

This is a preliminary review designed to provide information and guide the applicant through the Development Review Process. Once your project has been formally submitted (fees paid and application processed) to Escambia County for review, there may be additional Land Development Code and Comprehensive Plan regulations that may be applicable.

Please Address the Following Comments

Access Management

Reviewer: Jason Walters @ 850-595-3422
Jason_Walters@co.escambia.fl.us

- 1) Provide a copy of the FDOT Driveway Connection Permit to Escambia County.
- 2) At the intersection of the proposed new driveway and the existing shared use path, provide signage that will be consistent with the existing signage along Navy Boulevard for driveways that intersect said shared use path.
- 3) Clarify the requirement of the "truncated dome mats" (FDOT Index 304) at the intersection of the new driveway and the existing shared use path.

Stormwater

Reviewer: Roza I. Sestnov @ 850-595-3411
Roza_Sestnov@co.escambia.fl.us

- 1) Please provide/revise the following notes on the plans:
 - a) Please add to the note #8 the following: "Improper sediment control measures may result in Code Enforcement violation."
 - b) "All aspects of the stormwater/drainage components and/or transportation components shall be completed prior to issuance of a final certificate of occupancy."
 - c) Please change the phone number in the note #16 to: 850-595-3472.
- 2) Work proposed next to the R/W with existing swales systems may require additional provisions to repair/restore existing drainage swales as needed to ensure adequate drainage. R/W shoulder stabilization should be in accordance with FDOT Standard Specifications for Road and Bridge Construction latest edition. Please note on plans.
- 3) Add general dimensions for retention/detention area construction; primary length and width.
- 4) A geotechnical soil analyses report is required for projects >10,000 total sq ft of impervious area.
- 5) Provide a complete stormwater management plan with applicable stormwater calculations. Demonstrate compliance with Land Development Code 5.10.02A and 7.15.06.
- 6) Provide drainage calculations for retention/detention facilities, at minimum, must satisfy one of the following:
 - a) For a positive drainage outfall system, $Q_{post} < Q_{pre}$ for a 25-year frequency of critical duration, up to and including a 24-hour duration storm event, with metered positive discharge into an approved functioning drainage system.
 - b) For retention facilities designed with no positive outfall, the retention volume must be adequate to collect and percolate runoff from a 24-hour, 100-year design storm frequency including upland acreage runoff.
- 7) Provide a copy of a Maintenance Plan to both the County and the entity/owner responsible for maintenance which includes a listing setting forth scheduled maintenance needs and operation/maintenance instructions for the stormwater facilities and erosion repairs.
- 8) Provide a general description of drainage for on site, abutting property and adjacent roadway, the project objectives and conclusions, pertinent information critical to the project, etc.
- 9) Include a brief summary of impacts to adjacent properties, receiving drainage system, and area-wide drainage systems for post development conditions. The stormwater design must provide reasonable assurance to protect adjacent properties.

Pre-Application Reviewer Comments

- 10) It appears this project may require permitting through ERP. Please provide a copy of the permit approval or proof of exemption. If permit approval has not been obtained prior to site plan approval, a copy of the completed and signed ERP application will suffice for site plan approval. However, please forward a copy of the approval to our office once it is obtained.
- 11) An approved FDOT drainage connection permit or proof of exemption may be required. However, a copy of the FDOT permit application, as submitted to FDOT, will suffice to initiate site work only while the FDOT permit is processing.
- 12) For projects with construction activities that disturb >1 acre, or is a part of a larger common plan of development or sale that will disturb >1 acre and stormwater discharge is to the surface water of the state or to a municipal separate storm sewer system (MS4), an NPDES permit is required. Submit copy of "Notice of Intent" submitted the FDEP prior to commencement of construction.

Planning

Reviewer: John Fisher @ 850-595-4651
John_Fisher@co.escambia.fl.us

- 1) Will need Conditional Use approval.
- 2) Please remove one of the "R-2" and "C" from the Zoning/Future Land Use from page C102. Zoning is R-2 and FLU is MU-U.
- 3) Please use **30 N. Navy Blvd** on all future permits and show the address on the site plan instead of the school's address. (FYI-Fire Dept Address is 20 N. Navy Blvd)
- 4) Please add the property address to the site plan.
- 5) Please add the site area.
- 6) Please correct the flood zone table.
- 7) You need to show the entire parcel.
- 8) On the plan **provide the property reference numbers** of the development **site and adjoining parcels**. Show any intersection of adjoining parcel boundaries with the development site parcel. (4.06.09) Show the entire parcel.
- 9) On the plan provide the zoning district(s), future land use category (FLU), and existing uses of the development site and adjoining parcel(s) (4.06.09.V).
- 10) For the parking area, show the proposed layout of drive aisles, parking stalls, and landscape islands (7.01.05.N and 7.02.00.H). Include dimensions (referenced minimum drive aisle width for right angle stalls is 24 feet).
- 11) Where is your dumpster going to be located? Provide a 6 ft privacy fence around the dumpster.
- 12) Indicate that trees proposed to meet minimum County landscaping requirements must be at least 9 ft in height at time of planting. Specification of a minimum caliper is also recommended.
- 13) On the plan quantify and symbolize the minimum number of required trees and shrubs for road frontage, parking lot, buffering, and screening. Quantify what exists and what is proposed. More than the County's minimum required landscaping may be proposed, but the plans must clearly distinguish between what is required and what is provided (proposed or existing).
- 14) Health Dept (Stephen Metzler 850-595-6700 stephen_metzler@doh.state.fl.us)-No comment.
- 15) ECUA (Wendell Kutzer 850-969-3310 wkutzer@ecua.org)-Project will need to submit to ECUA Engineering for review and permitting of water and/or sewer.
- 16) ECAT (Ted Woolcock 850-595-3228 ext 225 ted_woolcock@co.escambia.fl.us)-No comment.

Environmental Permitting

Reviewer: Brad Bane @ 850-595-4572
Bradley_Bane@co.escambia.fl.us

- 1) Please include the following note on the site plan: "The subject parcel falls within the Travel Time Contour of a protected (potable) wellhead. Contractors shall be responsible for reporting spills of potentially hazardous substances (i.e. gasoline, diesel fuel, hydraulic fluid, cleaning products, chemicals, etc.) to the appropriate state (FDEP State Warning Point 1-800-320-0519) and local (Escambia County Health Department/Environmental Health 595-6712) agencies."
- 2) Per LDC 7.12.03 B: "Within the Time Travel Contour...all site plans...shall be subject to review by one representative each of the [ECUA] and...the County. In the case of site plans, this shall be part of the DRC process." Please label/delineate the 20-year Time Travel Contour on plans (hatchings, etc.) and provide data in

Pre-Application Reviewer Comments

legend. Label as: "Wellhead Protection Area, Twenty Year Time Travel Contour". A color map is provided to help show approximately where these areas lie in relation to the site. LDC 7.12.00 B & 4.06.09T.

- 3) As the site proposed for development is located within this contour, restrictions listed in section 7.12.03. B of the LDC will apply. Section 7.12.04.D requires applicants proposing development within the 20-year Travel Time Contour to submit a Groundwater/wellhead impact report. Please see a copy of the attached report guidelines. "The purpose of this report is to provide evidence of the probable impact of the proposed development on the groundwater supply and recharge potential of the area and existing or designated wellhead locations." At a minimum, the report should provide the following:
- accurate description of all current/proposed onsite activities
 - list of regulated substances stored onsite with quantities and MSDS
 - list of hazardous wastes stored onsite with quantities and method of disposal
 - location of any underground and above ground storage tanks
 - location of any outside storage areas with description of materials
 - status of existing monitoring wells
 - current/proposed best management practices
 - current/proposed spill response plan
 - description of current/proposed stormwater treatment
 - description of current/proposed wastewater treatment
 - list of state or federal permits facility operates under
 - evidence of the probable impact of the proposed development on the groundwater supply and recharge potential of the area and existing wellhead, etc.
- 4) The FEMA FIRM/flood zone map information table was noted, however the information within appears incorrect. Please revise.

Fire Safety

Reviewer: Kirk Stierwalt @ 850-595-1810
Kirk_Stierwalt@co.escambia.fl.us

- 1) No comment.

Traffic Concurrency

Reviewer: Tommy Brown @ 850-595-3434
Thomas_Brown@co.escambia.fl.us

- 1) Project should meet traffic concurrency. A final review for traffic concurrency will be conducted after all other sign-offs have been obtained on the final comparisons.

Handicap Access

Reviewer: Ronny McGlothren @ 850-595-3588
Ronny_McGlothren@co.escambia.fl.us

- 1) Provide penalty sign of \$250.00 max for your handicap parking on your site plan.

Please contact each reviewer to schedule an appointment.

INITIAL TEST FOR TRAFFIC CONCURRENCY WORKSHEETS

DEVELOPMENT REVIEW COMMENTS

Project should meet traffic concurrency. A final review for traffic concurrency will be conducted after all other sign-offs have been obtained on the site plan final comparisons.

Rev 01/28/03

Planning ID #: PSP110800086

Pre-App: X MP: PP: SP: Mini:

Project Name & Address: Escambia County Sheriff's Office Warrington Precinct, 220 N. Navy Blvd

Roadway Facility: Navy Blvd from Gulf Beach Hwy to New Warrington Rd

Project Description: Sheriff Substation District: TAZ: 78

Worksheet Prepared By: Thomas Brown, Jr Phone: (850) 595-3434 Date: 08/16/11

TRIP GENERATION

Source: latest edition of *Trip Generation*, ITE or data collected from related development may be accepted if sufficiently documented.

ITE Land Use: <u>Government Office Building</u>	ITE Code: <u> 730 </u>	Page #: <u> 1249 </u>
Independent Variable: <u>1000 Sq Ft Gross Floor Area</u>		
Size of Independent Variable:	<u> 6 </u> [A]	
Average Rate for PH (4-6 P.M.) of Adjacent Street Traffic:	<u> 1.21 </u> [B]	
Driveway Trips (A*B), result from fitted curve equation or trips from locally collected data:	<u> 7.3 </u> [C]	
Internal Capture Rate Percentage (if applicable):		0% [D]
Internal Trips (C*D):		0.0 [E]
Adjusted Driveway Trips (C-E):		<u> 7.3 </u> [F]
Pass-By Trip Percentage (if applicable):		0% [G]
Pass-By Trips (F*G):		0.0 [H]
New Driveway Trips (F-H):		<u> 7 </u> [I]

AREA OF INFLUENCE FOR TRIP DISTRIBUTION / ASSIGNMENT

Is the number of New Driveway Trips [I], greater than 50 for commercial or greater than 5% of the Service Volume (column 22) for residential? NO [J]

 If "YES" to [J], applicant is required to submit trip distribution for the proposed development. Applicant is encouraged to discuss methodology prior to preparing trip distribution.

 X If NO" to [J], continue with PART I: *De Minimis* Determination on the following page.

ROADWAY IMPACT ANALYSIS

Complete an **Attachment** for *each* impacted roadway segment to determine if the traffic impact is *de minimis* (PART I).

If the impact is non *de minimis*, continue with PART II. Reference the latest edition of the *Traffic Volume and Level Of Service Report*.

Attachment 1 of 1

Project Name & Address: Escambia County Sheriff's Office Warrington Precinct, 220 N. Navy Blvd
Roadway Facility: Navy Blvd from Gulf Beach Hwy to New Warrington Rd

PART I: *De Minimis* Determination

Based on the LDC Section 5.12.03 adopted March 1, 2001. Reference the latest edition of the *Traffic Volume and LOS Report*.

New Driveway Trips (F-H):	7		[I]
Trip Distribution (% exiting):	69%		[K]
Allocated Trips (I*K):	5		[L]
2-Way PM PH Service Volume (column 18):	4,680		[M]
1% of Service Volume (column 21 or M*.01):	47		[N]
Are Allocated Trips greater than 1% of the Service Volume (is L > N)?	-42	NO	[O]
Existing Total Trips (column 16):	2,793		[P]
Proposed Total Trips (L+P):	2,798		[Q]
110% of Service Volume (column 23 or M*1.10):	5,148		[R]
Are Proposed Total Trips greater than 110% of the Service Volume (is Q > R)?	-2,350	NO	[S]
Is the roadway segment on a designated hurricane evacuation route (column 24)?		YES	[T]

 If "NO" for [O], [S], and [T], traffic impact is *de minimis*. No further analysis is required.

 X If "YES" for [O], [S], or [T], traffic impact is non *de minimis*. Continue with PART II.

 X If "YES" to [T], continue with question [U] only, in PART II below; or

 If "YES" to [O] and/or [S] only and "NO" to [T], continue with question [V] only, in PART II below.

PART II: Non *De Minimis* Concurrency Determination

If "YES" to [T], is the number of Proposed Total Trips greater than the Service Volume (is Q > M)?

	-1,882	NO	[U]
--	--------	----	-----


If "NO" to [T], is the number of Proposed Total Trips greater than 110% of the Service Volume (is Q > R)?

	-2,350	N/A	[V]
--	--------	-----	-----

 X If "NO," the roadway segment meets the test for concurrency. No further analysis required.

 If "YES," identify which method will be used to maintain the adopted Level of Service:

- applying applicable trip reduction methods for service or commercial developments,
- conducting a Traffic Impact Analysis Report (TIAR),
- reducing the scale or scope of the proposed project,
- withdrawing the application, or
- identifying the roadway facility as part of the Transportation Concurrency Exception Area (TCEA) in a designated redevelopment area.


	Neighborhood & Environmental Services Department	DATE April 24, 2001
	Policies and Procedures	PROC. NO.
TITLE	Wellhead Protection Area Impact Statement Minimum Requirements	RESPONS. ORG. NESD/EQD
		PAGE 1 of 2

Background

All commercial or industrial facilities locating to or changing use in Escambia County that fall within the designated wellhead protection area (WHPA) as detailed in Water Resources Special Report 97-1, Wellhead Protection Area Delineation in Southern Escambia County, Florida, NFWFMD, 1997, shall submit to the county a written report addressing "Wellhead Protection Compliance." The report will detail measures taken to adequately protect potable wells from contamination when a development is located within the 20 year time of travel (TOT) zone. TOT boundaries are established by soil characteristics that affect the hydraulic conductivity of liquids or the length of travel time required to reach a wellhead. All entities that manufacture, store, or use Regulated Substances on site will be required to submit a report. The report will be developed by a registered engineer or geologist bearing the originator's signature and seal. The professional is encouraged to submit all remedies and methodologies utilized in their plan to protect the potable water supply. Wellhead protection performance standards are found in Article 7.12.00 of Escambia County's Land Development Code (LDC). The Code may be found on the Internet at www.co.escambia.fl.us/lde/.

At a minimum, the report will address the following:

1. **Listed Inventories and Visual Inspections**
An inventory of chemicals and frequency of inspections of the containers holding Regulated Substances [as defined in Escambia County's Land Development Code, Article 7.12.02 (F)] will be inspected by facility personnel. This information must be entered and maintained in a log which may be inspected by State or appropriate County employee. Please attach an itemized inventory and copy of inspection log for review.
2. **Containment**
Facilities must identify and detail, in writing, how trays, curbing, absorbents, or other containment systems will be utilized to contain (secondary containment) contents in case of spill.
3. **Discharge of Regulated Substances**
Discharge of Regulated Substances [see definition in LDC Article 7.12.02 (F)] to a septic system is a violation of the ordinance and may require an investigation and/or connection of the facility to the sanitary sewer where available. Floor drains, grease traps, and oil/water separators must be constructed in a manner to prevent infiltration of Regulated Substances to soil, ground water, or surface water.
4. **Proper Disposal of Waste**
Facilities having an Environmental Protection Agency (EPA) Identification Number, or have applied for an EPA ID Number via Form 3700-12, are considered Regulated Facilities and must be able to show that a Certified Waste Hauler is used to dispose of regulated wastes in an environmentally acceptable

	Neighborhood & Environmental Services Department	DATE April 24, 2001
	Policies and Procedures	PROC. NO.
TITLE	Wellhead Protection Area Impact Statement Minimum Requirements	RESPONS. ORG. NESD/EQD
		PAGE 2 of 2

manner. Each facility must keep inventory records to demonstrate that used or waste products are being disposed of properly. RCRA facilities are covered under RCRA-40CFR. Part 262 Subpart B.

5. **Regulation of Wells**

a. **Heat Exchange Wells**

Heat exchange wells must not discharge refrigerants to ground water nor alter the chemical, radiological, or biological quality of the water used. Non-residential heat exchange wells must install a sampling tap on the withdrawal and re-injection wells. A flow measuring device with totalizing capabilities shall be installed. This annual flow information must be recorded and records retained on site. New heat exchange wells shall be designed to prevent air entrainment during re-injection. The Northwest Florida Water Management District (NFWFMD) must be contacted for well permits. Escambia County's Neighborhood and Environmental Services (NESD) shall receive a copy of the well permit.

b. **Drainage and Injection Wells**

Injection wells used to inject Regulated Substances to the ground water are prohibited. Drainage wells are prohibited. Irrigation wells must be permitted by the NFWFMD.

c. **Abandoning Unused Wells**

Unused wells must be properly abandoned following guidelines established by the NFWFMD.

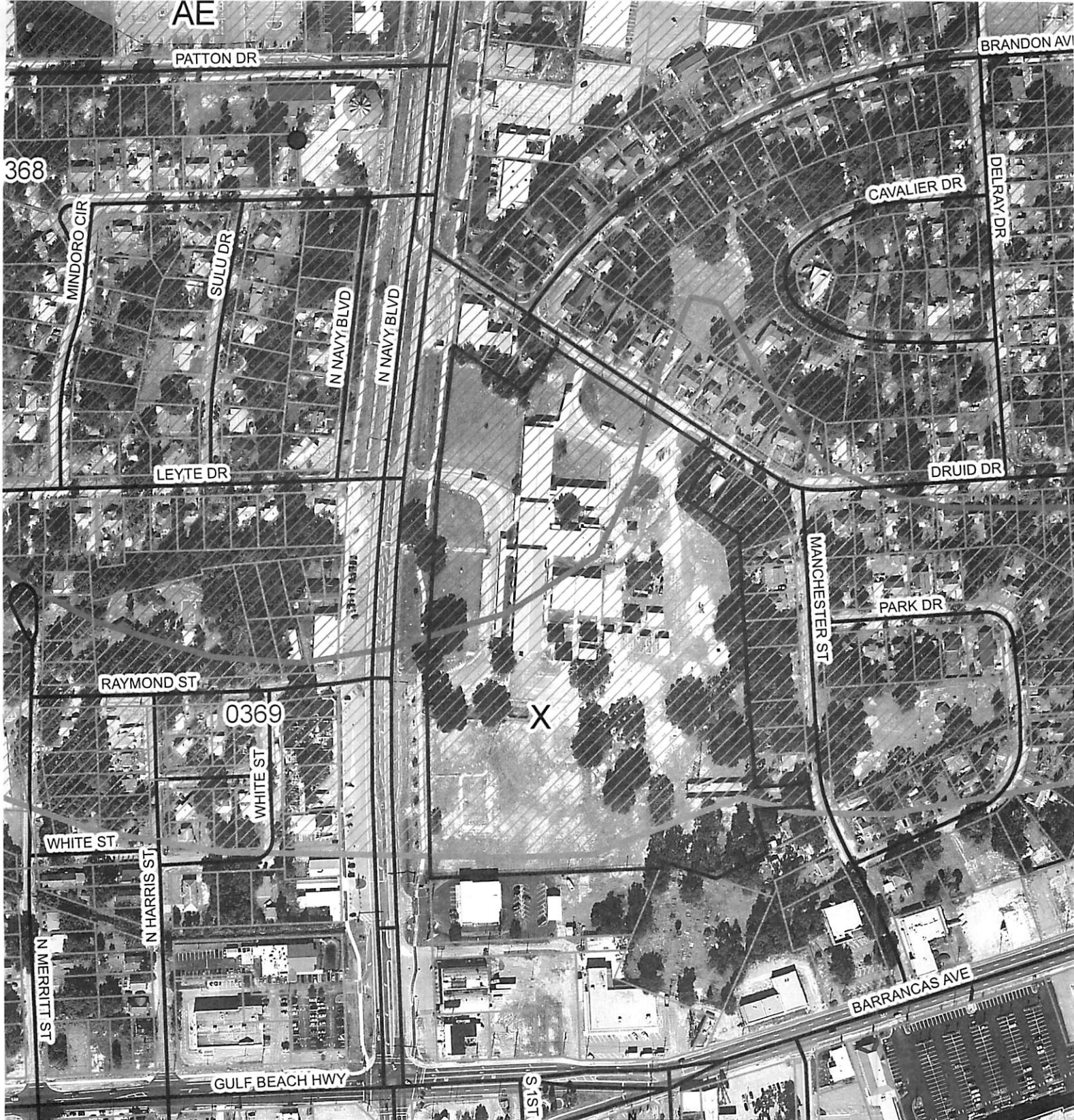
d. **Geotechnical Borings**

Geotechnical borings deeper than 25 feet shall be neat cement grouted from bottom to top. All borings less than 25 feet deep shall be backfilled with the original drilled soil to the surface.






SUMMARY:

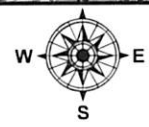
The following checklist is for your convenience in preparing a complete final report. Indicate 'n/a' (not applicable) where appropriate.

- Chemical inventory
- Storage practices
- Inspections
- Record keeping
- Handling requirements
- Spill Response
- Waste disposal
- Reporting



Legend

-  Escambia County Parcels
-  Street Names/ Centerlines
-  Wellhead (potable)
-  Wellhead Protection Area (WHPA), 7-yr. Travel Time Contour
-  Wellhead Protection Area (WHPA), 20-yr. Travel Time Contour



COMMERCE ST

D. Patrick Jehle, Jr.

From: Horace L Jones [HLJONES@co.escambia.fl.us]
Sent: Wednesday, August 24, 2011 8:49 AM
To: pjehle@jehle-halstead.com
Subject: RE: ECSD - Warrington Precinct

There are no fees for the Conditional Use Permit or DRC fees.


From: D. Patrick Jehle, Jr. [<mailto:pjehle@jehle-halstead.com>]
Sent: Wednesday, August 24, 2011 7:46 AM
To: Horace L Jones
Subject: ECSD - Warrington Precinct

Horace –

Please confirm that there is no application fee required for the Conditional Use permit for the Sheriff's Department Precinct in Warrington, on the Warrington Elementary School Property.

Will there be any fee for the DRC review?

Thank you!

 **D. Patrick Jehle, Jr., P.E., LEED Green Associate**
Project Manager | jehle-halstead, inc.
5414 Highway 90 • Milton, Florida 32571
(850) 994-9503 x107 • Fax (850) 994-9504
www.jehle-halstead.com

jhi Project No. 1100027

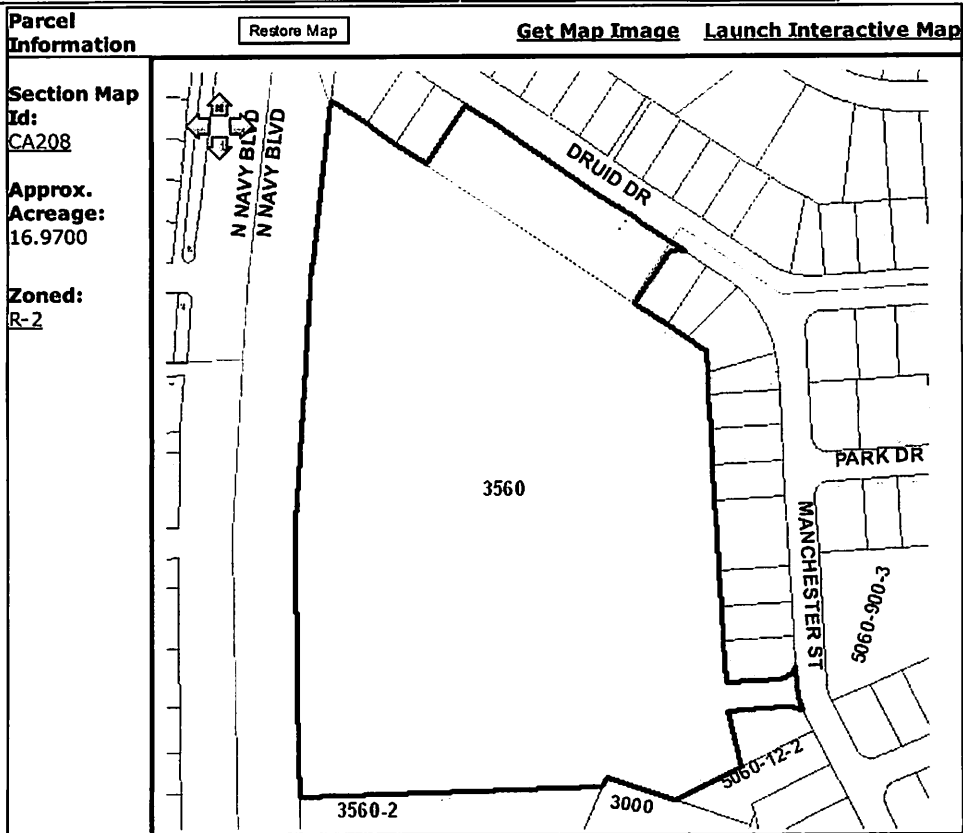
Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

[Back](#)

Source: Escambia County Property Appraiser

[Restore Full Page Version](#)

General Information	2011 Certified Roll Assessment
Reference: 5025303560000000	Improvements: \$952,673
Account: 080044000	Land: \$2,901,870
Owners: SCHOOL BOARD OF ESCAMBIA CO SCHOOL WARRINGTON ELEM	Total: \$3,854,543
Mail: 75 N PACE BLVD PENSACOLA, FL 32505	Save Our Homes: \$0
Situs: 220 N NAVY BLVD 32507	Disclaimer
Use Code: PUBLIC SCHOOL	Amendment 1 Calculations
Taxing Authority: COUNTY MSTU	
Tax Inquiry: Open Tax Inquiry Window	
Tax Inquiry link courtesy of Janet Holley, Escambia County Tax Collector	
Sales Data	2011 Certified Roll Exemptions
Sale Date Book Page Value Type Official Records (New Window)	EDUCATIONAL
06/1998 4890 488 \$100 QC View Instr	Legal Description
Official Records Inquiry courtesy of Emie Lee Magaha, Escambia County Clerk of the Court	BEG AT INTER OF N LI OF GULF BEACH H/W AND E LI OF ADMIRAL MURRAY BLVD NLY ALG BLVD 250 FT FOR POB NLY ALG...
	Extra Features
	ASPHALT PAVEMENT ELEVATOR MISC



Escambia County Property Appraiser
502S303560000000 - Full Legal Description

BEG AT INTER OF N LI OF GULF BEACH H/W AND E LI OF ADMIRAL MURRAY BLVD NLY ALG BLVD 250 FT FOR POB NLY ALG E LI OF BLVD TO INTER OF CORRY S/D PB 1 P 55 THENCE FOLLOWING S AND W LI OF CORRY S/D TO INTER OF N LI OF NEGRO CEMETERY N 76 DEG W 241 35/100 FT S 22 DEG 28 MIN W 212 6/10 FT N 84 DEG W 444 FT TO BLVD SLY ALG BLVD TO POB LESS OR 321/1625 P 398/212 HAAG ALSO LOT O BLK 4 DB 293 P 572 CORRY S/D PB 1 P 55 ALSO LOT 1 TO 6 BLK 5 DB 354 P 226 CORRY S/D PB 1 P 55 ALSO LOT O BLK 5 DB 293 P 573 CORRY S/D PB 1 P 55 LESS OR 1454 P 420 OLESON BEG AT NE COR OF LT H W 94 FT 10 IN TO E LI OF BLVD S 132 FT 9 1/2 IN E 99 FT N 132 FT TO BEG DB 163 P 602 AND W 50 FT OF N 186 FT OF LT I MIN BK A 14 P 549 N 100 FT OF E 50 FT OF LT I S/D PLAT DB 109 P 459 CASE #35891 & #36211 BEG AT SE COR OF LT H HATTIE POTTERS TRACT W 153 FT N 129 FT E 153 FT S 129 FT TO BEG LESS H/W DB 156 P 333 S/D PLAT DB 109 P 459 SEC 51 T2S R 30 LESS OR 2283/2876 P 995/744 WARRINGTON VOLUNTEER FIRE DEPT LESS OR 5741 P 1215 PATWILL CO CA 208

