

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
QUASI-JUDICIAL HEARING
December 12, 2011–8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Invocation/Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.
4. Quasi-judicial Process Explanation.
5. Public Hearings.
 - A. **Case No.:** Z-2011-18
Location: 15 Becks Lake Rd
From: ID-CP/GBD
To: ID-2
 - B. **Case No.:** Z-2011-19
Location: 3910 W Navy Blvd.
From: C-1
To: C-2
6. Adjournment.

Planning Board-Rezoning

Item #: 5.

Meeting Date: 12/12/2011

CASE: Z-2011-18

APPLICANT: Thomas Hammond, Agent
for Cody Rawson of Black
Gold of NW Florida, LLC.

ADDRESS: 15 Becks Lake Rd

PROPERTY REFERENCE NO.: 14-1N-31-1001-000-002

FUTURE LAND USE: MU-S, Mixed Use Suburban

COMMISSIONER DISTRICT: 5

OVERLAY AREA:

BCC MEETING DATE: 01/05/2012

Information

SUBMISSION DATA:

REQUESTED REZONING:

FROM: ID-CP, Commerce Park (cumulative) and
GBD, Gateway Business District

TO: ID-2, General Industrial District (noncumulative).

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

FLU 1.3.1 Future Land Use Categories. The Mixed-Use Suburban (MU-S) Future Land Use (FLU) category is intended for a mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses. Range of allowable uses include: Residential, Retail and Services, Professional Office, Recreational Facilities, Public and Civic. The minimum residential density is two dwelling units per acre and the maximum residential density is ten dwelling units per acre.

FLU 1.5.3 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

FINDINGS

The proposed amendment to ID-2 is not consistent with the intent and purpose of Future Land Use (FLU) category Mixed Use Suburban as stated in CPP FLU 1.3.1. Mixed Use Suburban does not allow for industrial type uses; however, the applicant has applied for a small scale amendment to change the Future Land Use designation to Industrial and if the small scale amendment is granted, staff would find the Industrial FLU to be consistent with the Comprehensive Plan.

CRITERION (2)

Consistent with The Land Development Code.

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

LDC 6.05.17. ID-CP Commerce Park District (cumulative).

A. Intent and purpose. This district is intended to provide for relatively large scale light industrial commerce and business park areas. Uses located in this district are protected from adverse impacts of incompatible industrial and commercial uses. A high level of site design standards are required for review during the development review process. Refer to Article 11 for uses, heights and densities allowed in ID-CP, commercial park areas located in the Airport/Airfield Environs.

6.05.29. GBD--Gateway Business District.

A. Intent and purpose of district. The district is intended to enhance specific segments of the US 29 and SR 97 corridor as a visually attractive, well planned business communities. To accomplish this purpose, stringent site development standards established adequate setbacks, landscaping, and buffering.

These districts are characterized by community-serving commercial uses located adjacent to or in immediate proximity to the US 29 corridor and in immediate proximity to SR 97 at the Alabama-Florida state line.

6.05.19. ID-2 General Industrial District (noncumulative).

A. Intent and purpose. This district is intended to accommodate industrial uses which cannot satisfy the highest level of performance standards. It is designed to accommodate manufacturing, processing, fabrication, and other activities which can only comply with minimal performance standards. No residential development is permitted in this district, thereby insuring adequate area for industrial activities. Community facilities and trade establishments that provide needed services to industrial development also may be accommodated in this district.

All industrial development, redevelopment, or expansion must be consistent with the locational criteria in the Comprehensive Plan (Policies 7.A.4.13){FLU 1.1.10} and in Article 7. Refer to Article 11 for uses allowed in ID-1, light industrial areas located in the Airport/Airfield Environs.

B. Permitted uses.

1. Manufacturing or industrial uses permitted in the ID-1 light industrial district.

2. Asphalt plants.
3. Concrete plants.
4. Iron works.
5. Landfills.
6. Borrow pits and reclamation activities thereof (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and performance standards in Part III, the Land Development Code, article 7).
7. Paper mills.
8. Refineries.
9. Rendering plants and slaughter houses.
10. Steel mills.
11. Solid waste transfer stations, collection points, and/or processing facilities.
12. Public utility and service structures.
13. Junkyards, salvage yards, and waste tire processing facilities.
14. Other uses similar to those listed herein. Recommendations on other permitted uses shall be made by the planning board (LPA) and based on an application for such other use. Final determination shall be made by the BCC upon receipt of the planning board's (LPA's) recommendation.

7.20.07. Industrial locational criteria (ID-CP, ID-1, ID-2). New industrial development must meet the following locational criteria:

1. Industrial uses shall be located so that the negative impacts of industrial land uses on the functions of natural systems shall, as a first priority, be avoided. When impacts are unavoidable, those impacts shall be minimized.
2. Sites for industrial development shall be accessible to essential public and private facilities and services at the levels of service adopted in the Comprehensive Plan.
3. New industrial uses in the MU-1, AA-13, and AA-15 categories may be permitted provided such use conforms to the permitted uses listed in the ID-CP and ID-1 zoning categories. Industrial and MU-6 categories allow all types of industrial uses.
4. Sites for industrial uses shall be located with convenient access to the labor supply, raw material sources and market areas.
5. New industrial uses shall be located on parcels of land large enough to adequately support the type of industrial development proposed and minimize any adverse impacts upon surrounding properties. Compatibility of land uses shall be ensured consistent with Comprehensive Plan Policy 7.A.3.8{ FLU1.1.9}.
6. These industrial locational criteria apply to those future land use categories where industrial development is permitted and does not provide or permit industrial land uses in those categories that do not provide for such uses.

FINDINGS

The rezoning request is consistent with the intent and purpose of the Land Development Code as stated in 6.05.19. The parcel is adjacent to a major arterial roadway and would meet the general commercial and light manufacturing uses stated within the locational criteria requirements in LDC 7.20.07. The majority of the adjoining and surrounding parcels are industrial uses and zoned ID-2 and ID-CP. As the parcel is split zoned (ID-CP and GBD), this rezoning would be in line with the County's goal to eliminate split zoned parcels.

CRITERION (3)

Compatible with surrounding uses.

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s).

FINDINGS

The proposed amendment is compatible with surrounding existing uses in the area. There are existing commercial developments that abut the subject property along Highway 29.

Infrastructure is existing in the area and the applicant will need to contact the appropriate agencies at the time of site plan review process.

Within the 500' radius impact area, staff observed properties with zoning districts ID-CP, ID-2, VR-2 and GBD, four Industrial, one ECUA well, two residential, eight commercial and 12 vacant parcels.

CRITERION (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the amendment or property(s).

FINDINGS

The applicant is currently applying for a small scale amendment to change the Future Land Use designation from Mixed Use Suburban to Industrial. If the amendment is granted, the requested FLU would be consistent. Staff found no other changed conditions that would impact the amendment or property.

The parcel on the northside of Becks Lake Road received approval of a Future Land Use change to Mixed Use Urban, and is currently applying for a rezoning to Industrial.

CRITERION (5)

Effect on natural environment.

Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment.

FINDINGS

The nearest potable wellhead, ECUA Cantonment well, is approximately 500 (+/-)feet to the eastern boundary of the subject parcel. The site is within the 20 year travel time contour of that well. According to the National Wetland Inventory, wetlands and hydric soils were not indicated on the subject property. All impacts to the wellhead protection area and wetlands will be reviewed during the site plan process to determine if there would be any significant adverse impact on the natural environment.

CRITERION (6)

Development patterns.

Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

FINDINGS

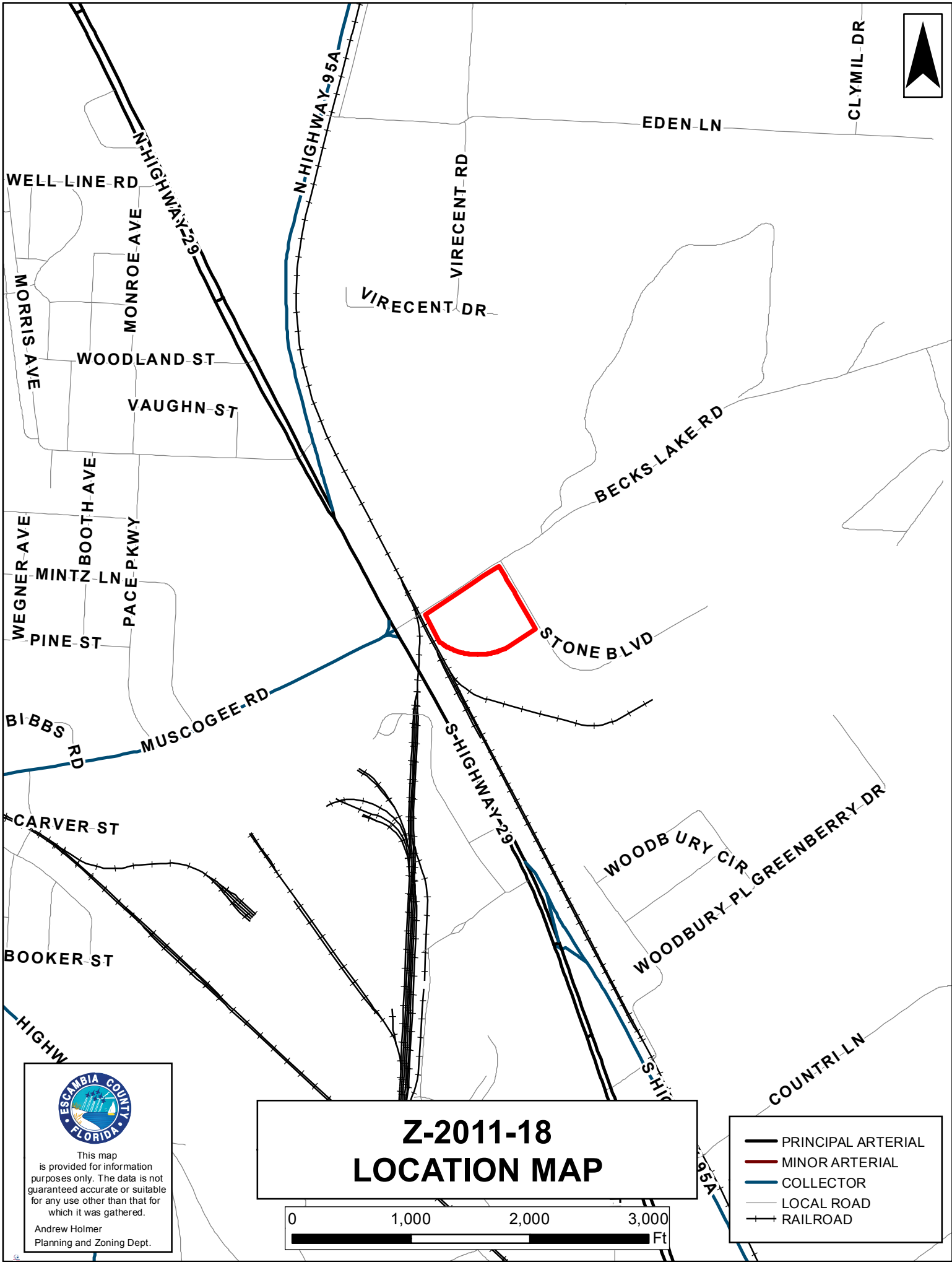
The proposed amendment would result in a logical and orderly development pattern. The 9.39 (+/-) acre parcel is abutting existing industrial type uses. The zoning designation and uses of

the surrounding parcels are predominately Industrial. The proposed rezoning request would promote efficient use of the existing roads and infrastructure as well as to promote growth and job opportunities in the area.

Attachments

Z-2011-18

Z-2011-18



CLYMIL DR

EDEN LN

VIRECENT RD

VIRECENT DR

BECKS LAKE RD

STONE BLVD

S-HIGHWAY-29

WOODBURY CIR

WOODBURY PL GREENBERRY DR

COUNTRI LN

N-HIGHWAY-95A

N-HIGHWAY-29

WELL LINE RD

MONROE AVE

WOODLAND ST

VAUGHN ST

MORRIS AVE

WEGNER AVE

MINTZ LN

PACE PKWY

PINE ST

BI BBS RD

MUSCOGEE RD

CARVER ST

BOOKER ST

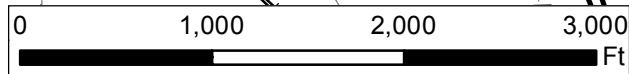
HIGHWAY



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.

Z-2011-18 LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- + RAILROAD



VAG-1

ID-1

N HIGHWAY 29

VR-2

BECKS LAKE RD

ID-CP

S-1

GBD

ID-CP

STONE BLVD

ID-2

MUSCOGEE RD

GBD

ID-2

S HIGHWAY 29

ID-2

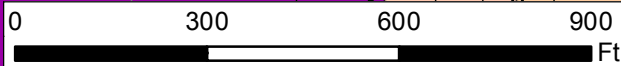
ID-CP



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Andrew Holmer
Planning and Zoning Dept.

Z-2011-18 500' RADIUS ZONING



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



(CPA-2011-02, BCC APPROVAL 11/03/2011)

MU-U

MU-S

MU-S

MU-S

MU-S

N. HIGHWAY 29

BECKS LAKE RD

STONE BLVD

MUSCOGEE RD

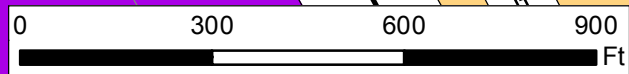
S HIGHWAY 29



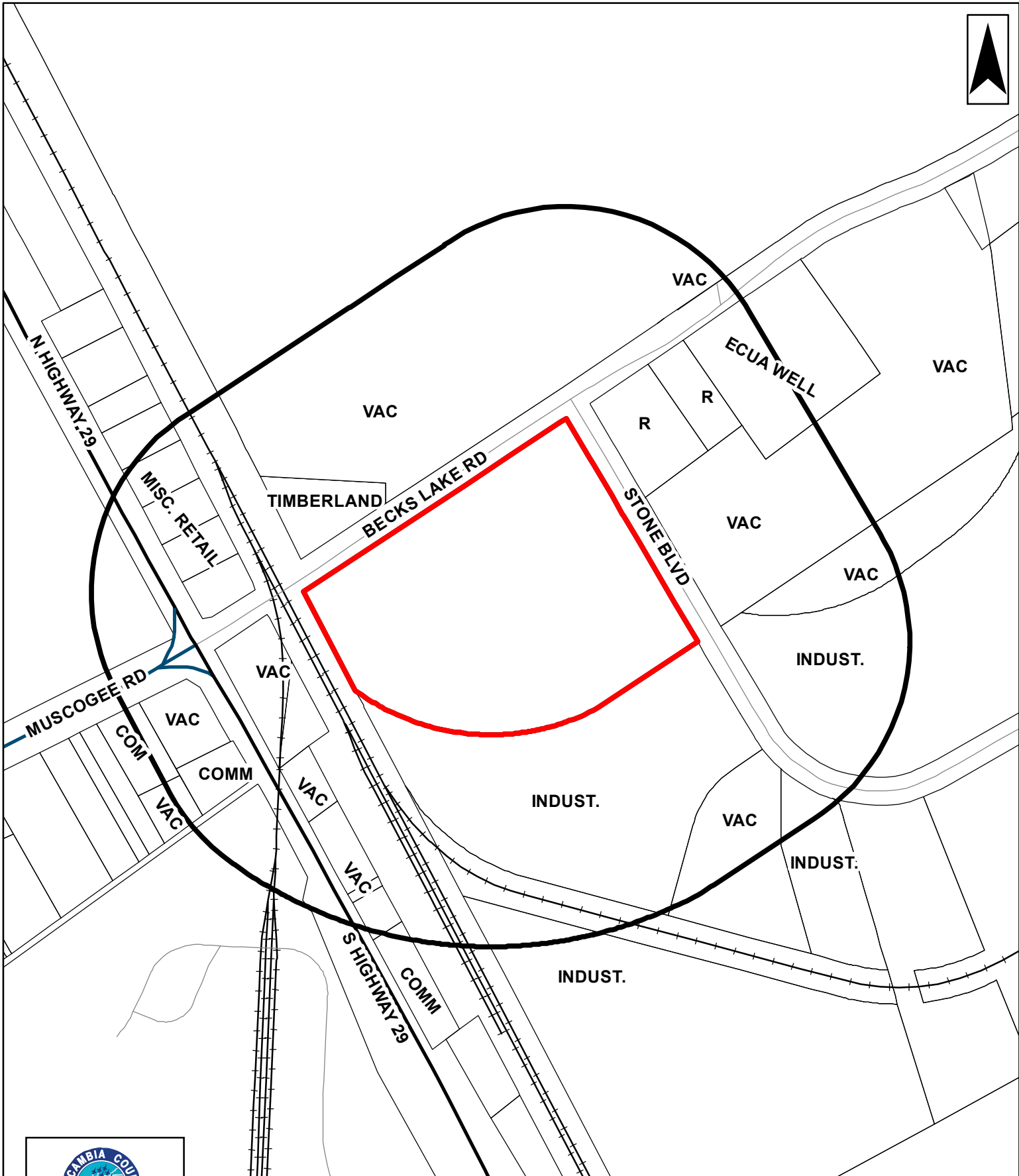
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Planning and Zoning Dept.

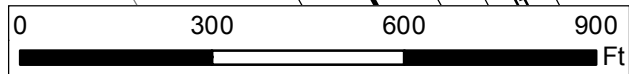
Z-2011-18 FUTURE LAND USE MAP



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



**Z-2011-18
EXISTING LAND USE MAP**



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



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Andrew Holmer
Planning and Zoning Dept.



BECKS LAKE RD

STONE BLVD

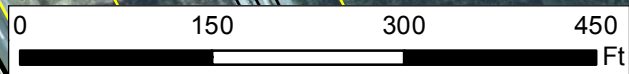
SH HIGHWAY-29



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Andrew Holmer
Planning and Zoning Dept.

Z-2011-18 AERIAL MAP



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



HAMMOND ENGINEERING, INC.
FLORIDA CERTIFICATE OF AUTHORIZATION NO. 00009130
ALABAMA CERTIFICATE OF AUTHORIZATION NO. 3277

October 27, 2011

Mrs. Allyson Cain
Planning Board Coordinator
Development Services Bureau
3363 West Park Place
Pensacola, Florida 32505

Reference: Re-zoning Parcel No. 14-1N-30-1001-000-002
HEI Project No. 11-026

Dear Allyson:

The above referenced parcel is currently zoned ID-CP and GBD and is located at 15 Becks Lake Road. We are requesting the site be re-zoned to ID-2. The re-zoning will allow the parcel to be developed for a road contractor shop and asphalt plant.

We have attached all of the required items listed on the re-zoning application. Please review these items and provide the county's findings at your earliest convenience. Should you have questions or comments, please give us a call.

Sincerely,

HAMMOND ENGINEERING, INC.

A handwritten signature in blue ink, appearing to read 'T. Hammond, Jr.', with several loops and flourishes.

Thomas G. Hammond, Jr., PE.
President

Attachments

cc: Russell Weaver, PSM



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:	<input type="checkbox"/> Conditional Use Request for: _____
<input type="checkbox"/> Administrative Appeal	<input type="checkbox"/> Variance Request for: _____
<input type="checkbox"/> Development Order Extension	<input type="checkbox"/> Rezoning Request from: _____ to: _____

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

Owner(s) Name: Cody Rawson / Blackhows of NWF Phone: 968 0991

Address: 106 STONE BLVD Cantonment, FL Email: rweaver@roadsinc.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: 110 STONE BLVD

Property Reference Number(s)/Legal Description: 1A IN B1 1001 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.

Signature of Owner/Agent

Thomas G. Hammond
Printed Name Owner/Agent

10/26/11
Date

Signature of Owner

Cody Rawson
Printed Name of Owner

10/26/11
Date

STATE OF Florida

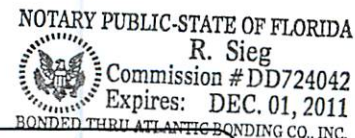
COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 26 day of October 20 11, by Cody Rawson.

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

Signature of Notary
(notary seal must be affixed)

Ryan Sieg
Printed Name of Notary



FOR OFFICE USE ONLY	CASE NUMBER: <u>2-2011-18</u>
Meeting Date(s): <u>12-12</u>	Accepted/Verified by: <u>A. Holman by KLB</u> Date: <u>11/2/11</u>
Fees Paid: \$ <u>1050</u>	Receipt #: <u>543709</u> Permit #: <u>PR2111000017</u>



CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 14 IN 31 1001 000 002

Property Address: 110 STONE BLVD CANTONMENT FL 32533

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 26 DAY OF OCTOBER, YEAR OF 2011.

[Signature]
Signature of Property Owner

Corey Dawson
Printed Name of Property Owner

10/26/2011
Date

Signature of Property Owner

Printed Name of Property Owner

Date



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #: _____

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 110 STONE BLVD.

Florida, property reference number(s) 14 IN 31 1001 000 002

I hereby designate THOMAS HAMMOND (HEI) 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 26 day of OCTOBER 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: THOMAS G. HAMMOND Email: tom@selcuddesign.com

Address: 3802 N. 15th St. Pensacola FL 32505 Phone: 424 2603

OR
Signature of Property Owner

Cody Rawson
Printed Name of Property Owner

10/26/2011
Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF Florida

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 26 day of October 20 11, by Cody Rawson.

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

RS
Signature of Notary

Ryan Sieg
Printed Name of Notary

(Notary Seal)

NOTARY PUBLIC-STATE OF FLORIDA
R. Sieg
Commission # DD724042
Expires: DEC. 01, 2011
BONDED THRU ATLANTIC BONDING CO., INC.



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #: _____

APPLICATION ATTACHMENTS CHECKLIST

N/A

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)
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.
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.
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: _____

**Property Reference Number
46-1S-30-2001-001-037**

Re-zoning Criteria

A. Consistency with the Comprehensive Plan

The parcel is located in the Mixed Use-Suburban (MU-S) Land Use District. We have applied for a small scale amendment to the comprehensive plan which will change the FLU designation to Mixed Use –Urban (MU-U) which will allow the site to be used for industrial purposes. The proposed zoning of ID-2 is allowed in the proposed future land use district. Water, sewer and solid waste service are available and currently provided by the ECUA. **The proposed re-zoning is consistent with the Comprehensive Plan should the related Small Scale Amendment be approved.**

B. Consistency with the Land Development Code

The intent of the LDC is “to provide orderly growth management rules and regulations”. The parcel is currently zoned ID-CP and GBD. The proposed re-zoning of the subject parcel to ID-2 meets the intent of the Industrial District as defined by LDC 6.05.19 shown below.

A. Intent and purpose.

This district is intended to accommodate industrial uses which cannot satisfy the highest level of performance standards. It is designed to accommodate manufacturing, processing, fabrication, and other activities which can only comply with minimal performance standards. No residential development is permitted in this district, thereby insuring adequate area for industrial activities. Community facilities and trade establishments that provide needed services to industrial development also may be accommodated in this district. All industrial development, redevelopment, or expansion must be consistent with the locational criteria in the Comprehensive Plan (Policies 7.A.4.13 and 8.A.1.13) and in article 7. Refer to article 11 for uses allowed in ID-1, light industrial areas located in the Airport/Airfield Environs.

The parcel is located on the south corner of Becks Lake Road and Stone. Blvd. The majority of the existing development surrounding the subject parcel is of an industrial or commercial use. The parcels that adjoin the subject parcel are zoned ID-2. The proposed zoning meets locational criteria as defined in the LDC.

The proposed re-zoning is not in conflict with the LDC and is consistent with the stated purpose and intent of the code.

C. Compatibility with surrounding uses

The parcel is adjoined by a parcel with an ID-2 designation and ID-2 use. The parcel is located in an industrial developed area. There are numerous ID-2 zoned and used parcels in the surrounding area. **The proposed re-zoning of the parcel is compatible with the surrounding uses.**

D. Changed Conditions

There are no changed conditions that impact the property or the proposed re-zoning.

E. Effect on Natural Environment

The parcel lies within a WHPA. Otherwise, there are no environmentally sensitive areas on the site. Industrial Development within a WHPA is not prohibited. Proposed development of the parcel would require DRC review and approval as well as permitting through other agencies. During the DRC process, the Engineer of Record will be required to provide a Wellhead Protection Report that will identify materials to be used and stored on-site as well as proposed containment methods.

The proposed amendment will not result in an adverse impact to the environment.

F. Development Patterns

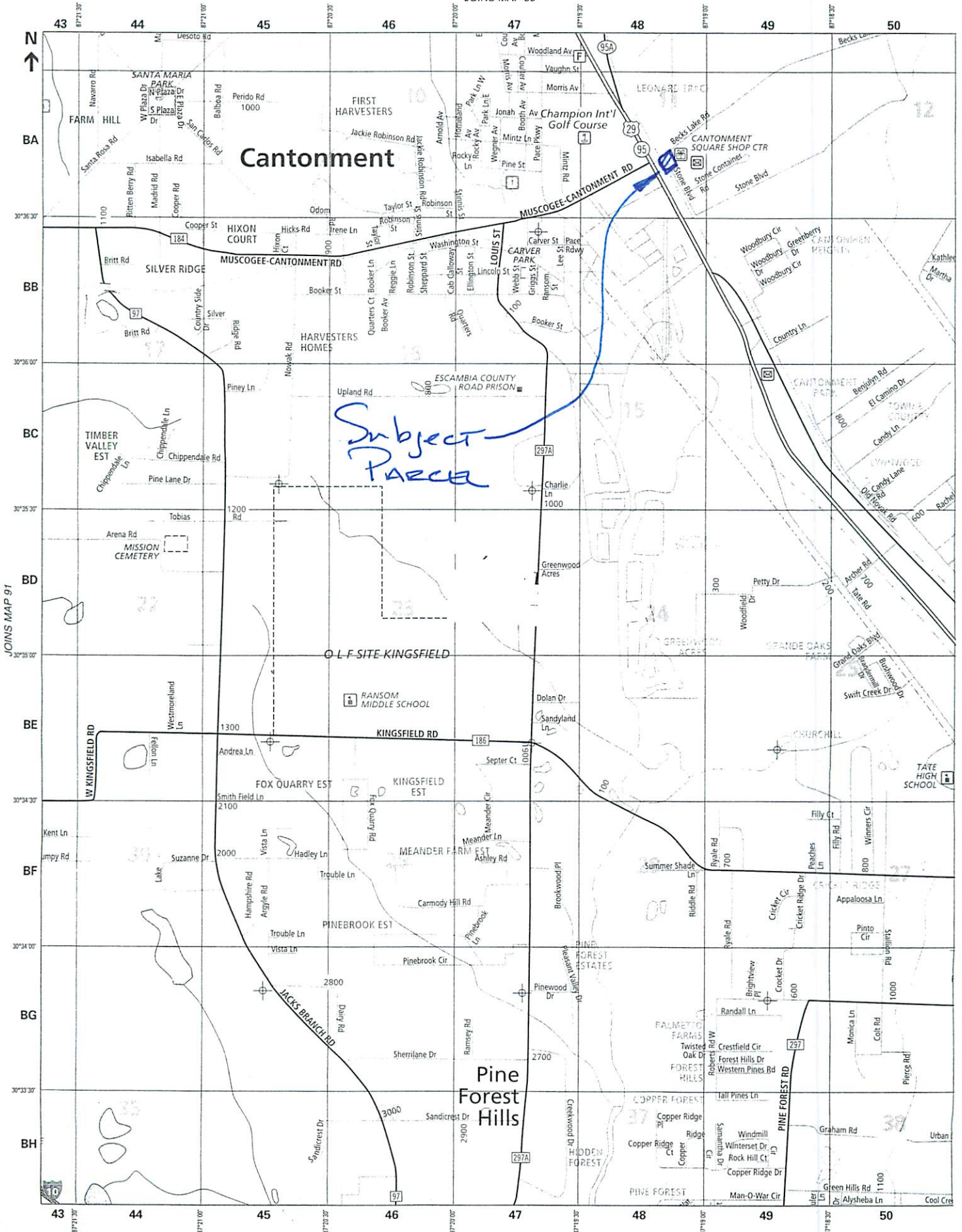
Proposed development would be located in the MU-U future land use district (pending approval). The aforesaid district allows for ID-2 zoning and uses. The parcel is located in an industrially developed and used area. **Therefore, development of the parcel under the requested zoning would result in a logical and orderly development pattern consistent with the goals and objectives of Escambia County.**

MAP 92 StreetFinder Map

0 0.25 0.5 mile
One inch equals 0.5 mile

JOINS MAP 80

JOINS MAP 104



Cantonment

Pine Forest Hills

Subject Parcel

O L F SITE KINGSFIELD

FOX QUARRY EST

PINEBROOK EST

PALMETTO FARMS

COPPER FOREST

PINE FOREST

LEONARD TRNG

CANTONMENT SQUARE SHOP CTR

CANTONMENT PARK

SPANDE OAKS

GREENWOOD

CHURCHILL

CRICKET RIDGE

WINDMILL

GREEN HILLS

JOINS MAP 91

JOINS MAP 104

Prepared By & Return to:
Stephen R. Moorhead
McDonald Fleming Moorhead
4636 Summerdale Blvd., Pace, FL 32571
File Number: SRM-11-4405
Parcel ID #: a portion of 111N311000001001
& 111N311001000002

SPECIAL WARRANTY DEED

This WARRANTY DEED, dated this 4th day of April, 2011, by Figure 8 (Florida), LLC, a Florida limited liability company whose post office address is 501 Riverside Avenue, Suite 902, Jacksonville, FL 32202, hereinafter called the Grantor, to Black Gold of Northwest Florida, LLC, a Florida limited liability company, whose post office address is 106 Stone Blvd., Cantonment, FL 32533, hereinafter called the Grantee (Wherever used herein the terms "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

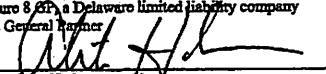
WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, alien, remises, releases, conveys and confirms unto the Grantee, all that certain land situated in Escambia County, Florida, viz: SEE ATTACHED EXHIBIT "A" FOR COMPLETE LEGAL DESCRIPTION

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any,

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

IN WITNESS WHEREOF, Grantor Hereby covenants with said Grantee that Grantor is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; and that said land is free of all encumbrances except taxes and assessments for the year 2009 and subsequent years. That it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

Figure 8 (Florida) LLC, A Florida limited liability company
By: Figure 8 Partners, LP, a Delaware limited partnership
By: Figure 8 GP, a Delaware limited liability company
It's General Partner

By: M. Ashton Hudson, president

SIGNED IN THE PRESENCE OF
THE FOLLOWING WITNESSES:

Signature: Katherine McDaniel Signature: Stacy McKinley
Printed name: Katherine McDaniel Printed name: Stacy McKinley

State of Florida
County of Escambia

THE FOREGOING INSTRUMENT was acknowledged before me this 4th day of April 2011, by M. Ashton Hudson, president of Figure 8 GP, LLC, a Delaware limited liability company, as General Partner of Figure 8 Partners, LP, a Delaware partnership as manager of Figure 8 (Florida), LLC, a Florida limited liability company.

Signature: Katherine Moore McDaniel
Notary Public

Personally Known
OR
 Produced Identification
Type of Identification Produced _____

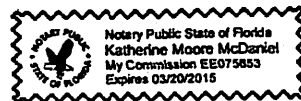


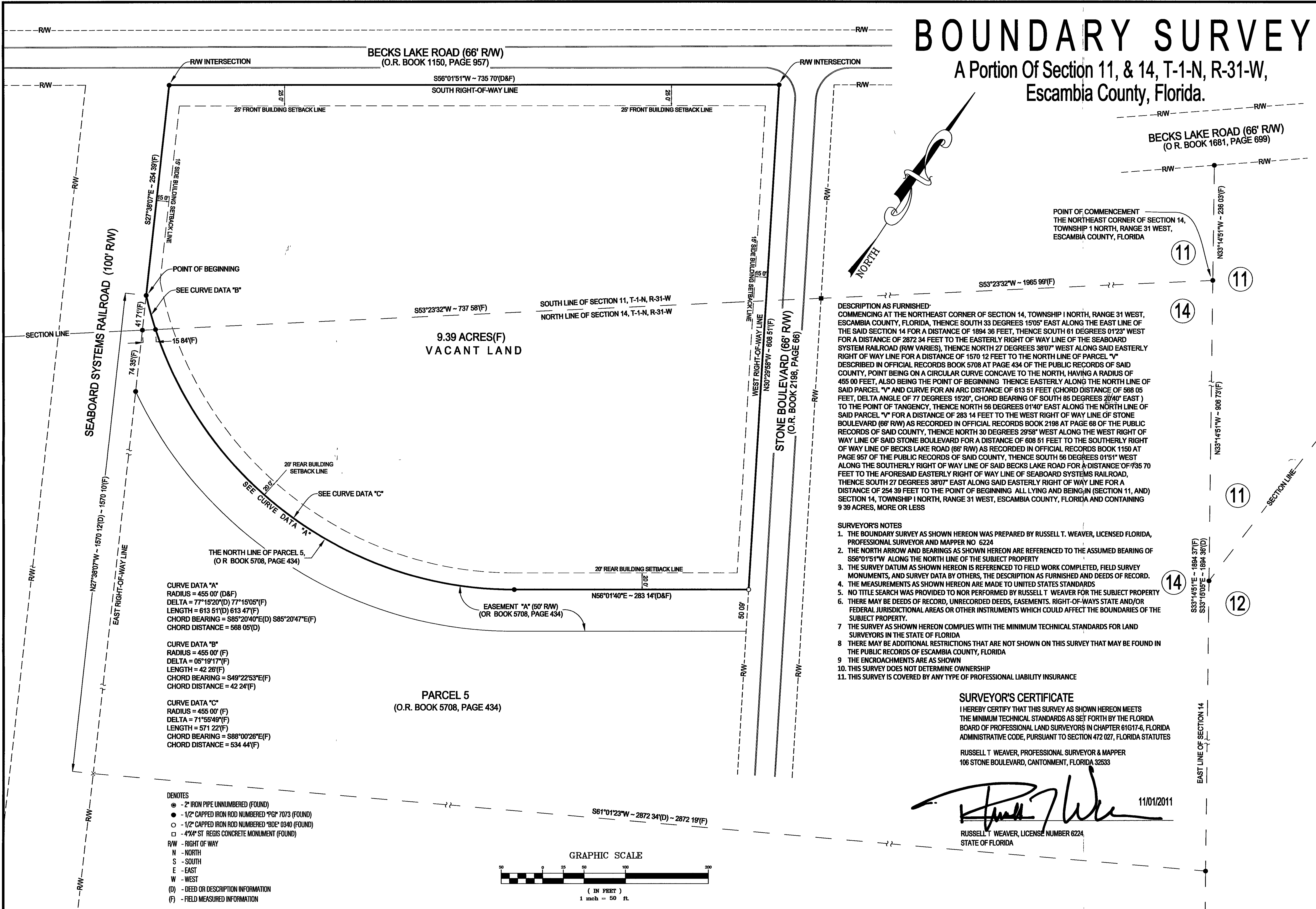
EXHIBIT "A"

COMMENCE AT THE NORTHEAST CORNER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE SOUTH 33 DEGREES 15'05" EAST (S 33 DEGREES 14'51" E EXIST) ALONG THE EAST LINE OF THE SAID SECTION 14 FOR A DISTANCE OF 1894.36 FEET (1894.37' EXIST); THENCE SOUTH 61 DEGREES 01'23" WEST FOR A DISTANCE OF 2872.34 FEET (2872.19' EXIST) TO THE EASTERLY RIGHT OF WAY LINE OF THE SEABOARD SYSTEM RAILROAD (R/W VARIES); THENCE NORTH 27 DEGREES 38'07" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 1570.12 FEET (1570.10' EXIST) TO THE NORTH LINE OF PARCEL V DESCRIBED IN OR BOOK 5708, PAGE 434, OF THE PUBLIC RECORDS OF SAID COUNTY, POINT BEING ON A CIRCULAR CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 455.00 FEET, ALSO BEING THE POINT OF BEGINNING. THENCE EASTERLY ALONG THE NORTH LINE OF SAID PARCEL V AND CURVE FOR AN ARC DISTANCE OF 613.51 FEET (613.47' EXIST) [CHORD DISTANCE OF 568.05 FEET, DELTA ANGLE OF 77 DEGREES 15'20" (77 DEGREES 15'05" EXIST), CHORD BEARING OF SOUTH 85 DEGREES 20'40" EAST (S 85 DEGREES 20'47" E EXIST)] TO THE POINT OF TANGENCY; THENCE NORTH 56 DEGREES 01'40" EAST ALONG THE NORTH LINE OF SAID PARCEL V FOR A DISTANCE OF 283.14 FEET TO THE WEST RIGHT OF WAY LINE OF STONE BOULEVARD (66' R/W) AS RECORDED IN OR BOOK 2198, PAGE 68, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 30 DEGREES 29'58" WEST ALONG THE WEST RIGHT OF WAY LINE OF SAID STONE BOULEVARD FOR A DISTANCE OF 608.51 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF BECKS LAKE ROAD (66' R/W) AS RECORDED IN OR BOOK 1150, PAGE 957, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 56 DEGREES 01'51" WEST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID BECKS LAKE ROAD FOR A DISTANCE OF 735.70 FEET TO THE AFORESAID EASTERLY RIGHT OF WAY LINE OF SEABOARD SYSTEMS RAILROAD; THENCE SOUTH 27 DEGREES 38'07" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 254.39 FEET TO THE POINT OF BEGINNING.

ALL LYING AND BEING IN SECTIONS 11 AND 14, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA.

BOUNDARY SURVEY

A Portion Of Section 11, & 14, T-1-N, R-31-W,
Escambia County, Florida.



DESCRIPTION AS FURNISHED:
COMMENCING AT THE NORTHEAST CORNER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, THENCE SOUTH 33 DEGREES 15'05" EAST ALONG THE EAST LINE OF THE SAID SECTION 14 FOR A DISTANCE OF 1894.38 FEET, THENCE SOUTH 61 DEGREES 01'23" WEST FOR A DISTANCE OF 2872.34 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE SEABOARD SYSTEM RAILROAD (RW VARIES), THENCE NORTH 27 DEGREES 38'07" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 1570.12 FEET TO THE NORTH LINE OF PARCEL "V" DESCRIBED IN OFFICIAL RECORDS BOOK 5708 AT PAGE 434 OF THE PUBLIC RECORDS OF SAID COUNTY, POINT BEING ON A CIRCULAR CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 455.00 FEET, ALSO BEING THE POINT OF BEGINNING, THENCE EASTERLY ALONG THE NORTH LINE OF SAID PARCEL "V" AND CURVE FOR AN ARC DISTANCE OF 613.51 FEET (CHORD DISTANCE OF 588.05 FEET, DELTA ANGLE OF 77 DEGREES 15'20", CHORD BEARING OF SOUTH 85 DEGREES 20'40" EAST) TO THE POINT OF TANGENCY, THENCE NORTH 56 DEGREES 01'40" EAST ALONG THE NORTH LINE OF SAID PARCEL "V" FOR A DISTANCE OF 283.14 FEET TO THE WEST RIGHT OF WAY LINE OF STONE BOULEVARD (66' RW) AS RECORDED IN OFFICIAL RECORDS BOOK 2198 AT PAGE 68 OF THE PUBLIC RECORDS OF SAID COUNTY, THENCE NORTH 30 DEGREES 29'58" WEST ALONG THE WEST RIGHT OF WAY LINE OF SAID STONE BOULEVARD FOR A DISTANCE OF 608.51 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF BECK'S LAKE ROAD (66' RW) AS RECORDED IN OFFICIAL RECORDS BOOK 1150 AT PAGE 957 OF THE PUBLIC RECORDS OF SAID COUNTY, THENCE SOUTH 56 DEGREES 01'51" WEST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID BECK'S LAKE ROAD FOR A DISTANCE OF 735.70 FEET TO THE AFORESAID EASTERLY RIGHT OF WAY LINE OF SEABOARD SYSTEMS RAILROAD, THENCE SOUTH 27 DEGREES 38'07" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 254.39 FEET TO THE POINT OF BEGINNING, ALL LYING AND BEING IN (SECTION 11, AND) SECTION 14, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA AND CONTAINING 9.39 ACRES, MORE OR LESS.

- SURVEYOR'S NOTES**
1. THE BOUNDARY SURVEY AS SHOWN HEREON WAS PREPARED BY RUSSELL T. WEAVER, LICENSED FLORIDA, PROFESSIONAL SURVEYOR AND MAPPER NO 6224
 2. THE NORTH ARROW AND BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF S56°01'51" W ALONG THE NORTH LINE OF THE SUBJECT PROPERTY
 3. THE SURVEY DATUM AS SHOWN HEREON IS REFERENCED TO FIELD WORK COMPLETED, FIELD SURVEY MONUMENTS, AND SURVEY DATA BY OTHERS, THE DESCRIPTION AS FURNISHED AND DEEDS OF RECORD.
 4. THE MEASUREMENTS AS SHOWN HEREON ARE MADE TO UNITED STATES STANDARDS
 5. NO TITLE SEARCH WAS PROVIDED TO NOR PERFORMED BY RUSSELL T. WEAVER FOR THE SUBJECT PROPERTY
 6. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS STATE AND/OR FEDERAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF THE SUBJECT PROPERTY.
 7. THE SURVEY AS SHOWN HEREON COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYORS IN THE STATE OF FLORIDA
 8. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA
 9. THE ENCROACHMENTS ARE AS SHOWN
 10. THIS SURVEY DOES NOT DETERMINE OWNERSHIP
 11. THIS SURVEY IS COVERED BY ANY TYPE OF PROFESSIONAL LIABILITY INSURANCE

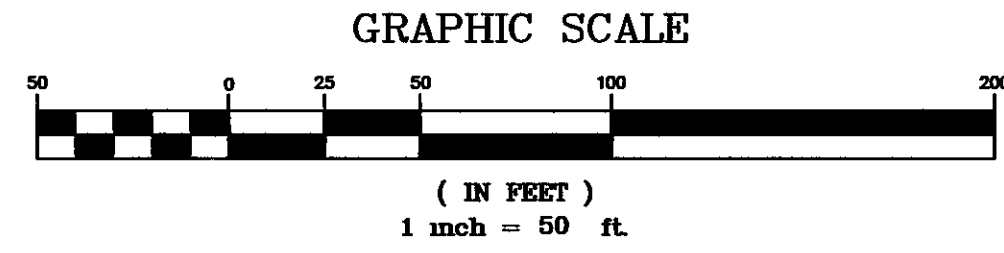
SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY AS SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES

RUSSELL T. WEAVER, PROFESSIONAL SURVEYOR & MAPPER
106 STONE BOULEVARD, CANTONMENT, FLORIDA 32533

[Signature]
RUSSELL T. WEAVER, LICENSE NUMBER 6224,
STATE OF FLORIDA
11/01/2011

- CURVE DATA "A"**
RADIUS = 455.00' (D&F)
DELTA = 77°15'20"(D) 77°15'05"(F)
LENGTH = 613.51'(D) 613.47'(F)
CHORD BEARING = S85°20'40"E(D) S85°20'47"E(F)
CHORD DISTANCE = 588.05'(D)
- CURVE DATA "B"**
RADIUS = 455.00' (F)
DELTA = 05°19'17"(F)
LENGTH = 42.26'(F)
CHORD BEARING = S49°22'53"E(F)
CHORD DISTANCE = 42.24'(F)
- CURVE DATA "C"**
RADIUS = 455.00' (F)
DELTA = 71°55'49"(F)
LENGTH = 571.22'(F)
CHORD BEARING = S88°00'26"E(F)
CHORD DISTANCE = 534.44'(F)

- DENOTES**
- - 2" IRON PIPE UNNUMBERED (FOUND)
 - - 1/2" CAPPED IRON ROD NUMBERED "PG# 7073 (FOUND)
 - - 1/2" CAPPED IRON ROD NUMBERED "BDE" 0340 (FOUND)
 - - 4"x4" ST. REGIS CONCRETE MONUMENT (FOUND)
- RW** - RIGHT OF WAY
N - NORTH
S - SOUTH
E - EAST
W - WEST
(D) - DEED OR DESCRIPTION INFORMATION
(F) - FIELD MEASURED INFORMATION



NO.	DATE	REVISION BY	REVISION MADE
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER			
SCALE	1" = 50'	DRAWN BY	TED WALKER
CHECKED BY	RUSSELL WEAVER	DATE	NOVEMBER 01, 2011
CREW	TED WALKER, ERIC PEDICORD	FIELD DATE	OCTOBER 30, 2011
FIELD BOOK	RW22	FIELD BOOK	RW22
PAGES	27-28		
RUSSELL T. WEAVER			
PROFESSIONAL SURVEYOR & MAPPER			
LAND DEVELOPMENT, PLANNING, SURVEYING AND GPS			
106 STONE BOULEVARD, CANTONMENT, FLORIDA 32533			
PHONE (904) 889-9891 FAX (904) 889-9104			
Requested By & Prepared For:			
CODY RAWSON			
PROJECT NUMBER	NO 1	OF	NO 1
11-0018			



Development Services Department

Building Inspections Division

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

RECEIPT

Receipt No. : **543709**

Date Issued. : 11/02/2011

Cashier ID : VHOWENS

Application No. : PRZ111000017

Project Name : Z-2011-18

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	1075	\$1,050.00	App ID : PRZ111000017
		\$1,050.00	Total Check

Received From : black gold of nwf llc / TOM HAMMOND HAMMOND ENGINEERING, INC.

Total Receipt Amount : **\$1,050.00**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PRZ111000017	636759	1,050.00	\$0.00	15 BECKS LAKE RD, CANTONMENT, FL, 32533

Total Amount :

1,050.00

\$0.00

Balance Due on this/these
Application(s) as of 11/2/2011

Planning Board-Rezoning

Item #: 5.

Meeting Date: 12/12/2011
CASE: Z-2011-19

APPLICANT: Gregory Drake, Owner
ADDRESS: 3910 W Navy Blvd
PROPERTY REFERENCE NO.: 38-2S-30-1000-170-006
FUTURE LAND USE: C, Commercial
COMMISSIONER DISTRICT: 2
OVERLAY AREA: C-3, Warrington Overlay
BCC MEETING DATE: 01/05/2012

Information

SUBMISSION DATA:

REQUESTED REZONING:

**FROM: C-1, Retail Commercial district (cumulative) (25 du/acre)
C-3, Warrington Commercial Overlay District**

**TO: C-2, General Commercial and Light Manufacturing
District, (cumulative) (25 du/acre)**

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

CPP FLU 1.3.1 Future Land Use Categories. Intended for professional office, retail, wholesale, service and general business trade. Residential development may be permitted only if secondary to a primary commercial development. The minimum residential density is 0 dwelling units per acre with the maximum residential density of 25 dwelling units per acre.

FLU 1.5.3 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage

redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

FINDINGS

The proposed amendment to C-2 **is consistent** with the intent and purpose of Future Land Use category Commercial as stated in **CPP FLU 1.1.1** because the proposed use of the property is one permitted under Commercial FLU.

The proposed amendment **is consistent** with the intent and purpose of Future Land Use category Commercial as stated in **CPP FLU 1.3.1**, the surrounding and abutting existing land uses are Commercial.

The proposed amendment **is consistent** with the intent of **CPP FLU 1.5.3** promoting the efficient use of existing public roads, utilities and service infrastructure; the proposed amendment also encourages redevelopment of an underutilized property.

CRITERION (2)

Consistent with The Land Development Code.

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

LDC 6.05.14. C-1 retail commercial district (cumulative). This district is composed of lands and structures used primarily to provide for the retailing of commodities and the furnishing of selected services. The district provides for various commercial operations where all such operations are within the confines of the building and do not produce undesirable effects on nearby property.

LDC 6.05.16. C-2 General commercial and light manufacturing district (cumulative). This district is composed of certain land and structures used to provide for the wholesaling and retailing of commodities and the furnishing of several major services and selected trade shops. The district also provides for operations entailing manufacturing, fabrication and assembly operations where all such operations are within the confines of the building and do not produce excessive noise, vibration, dust, smoke, fumes or excessive glare. Outside storage is allowed with adequate screening being provided (see section 7.01.06.E.). Characteristically, this type of district occupies an area larger than that of the C-1 retail commercial district, is intended to serve a considerably greater population, and offers a wider range of services. The maximum density for residential uses is 25 dwelling units per acre.

All general commercial and light manufacturing (C-2) development, redevelopment, or expansion must be consistent with the locational criteria in the Comprehensive Plan (Policies 7.A.4.13) and in Article 7.

B. Permitted uses.

1. Any use permitted in the C-1 district.
2. Amusement and commercial recreational facilities such as, but not limited to, amusements parks, shooting galleries, miniature golf courses, golf driving ranges, baseball batting ranges and trampoline centers.
3. Carnival-type amusements when located more than 500 feet from any residential district.

4. Distribution warehousing, and mini-warehouses with ancillary truck rental services.
5. New and used car sales, mobile home and motorcycle sales and mechanical services. No intrusions are permitted on the public right-of-way (see section 6.04.09).
6. Automobile rental agencies. No intrusions are permitted on the public right-of-way (see section 6.04.09).
7. Truck, utility trailer, and RV rental service or facility. No intrusions are permitted on the public right-of-way (see section 6.04.09).
8. Automobile repairs, including body work and painting services.
9. Radio broadcasting and telecasting stations, studios and offices with on-site towers 150 feet or less in height. See section 7.18.00 for performance standards.
10. Commercial food freezers and commercial bakeries.
11. Building trades or construction office and warehouses with outside on-site storage.
12. Marinas, all types including industrial.
13. Cabinet shop.
14. Manufacturing, fabrication and assembly type operations which are contained and enclosed within the confines of a building and do not produce excessive noise, vibration, dust, smoke, fumes or excessive glare.
15. Commercial communication towers 150 feet or less in height.
16. Taxicab companies.
17. Bars and nightclubs.
18. Boat sales and service facilities.
19. Boat and recreational vehicle storage. (No inoperable RVs, untrailerred boats, repair, overhaul or salvage activity permitted. Storage facility must be maintained to avoid nuisance conditions as defined in section 7.07.06.)
20. Adult entertainment uses subject to the locational criteria listed below (See Escambia County, Code of Ordinances sections 18-381 through 18-392 for definitions and enforcement; additionally refer to Chapter 6, article IV, Division 2, titled "Nudity and Indecency"). However, these C-2 type uses are not permitted in the Gateway Business Districts.
 - a. Adult entertainment uses must meet the minimum distances as specified in the following locational criteria:
 - (1) One thousand feet from a preexisting adult entertainment establishment;
 - (2) Three hundred feet from a preexisting commercial establishment that in any manner sells or dispenses alcohol for on-premises consumption;
 - (3) One thousand feet from a preexisting place of worship;
 - (4) One thousand feet from a preexisting educational institution;
 - (5) One thousand feet from parks and/or playgrounds;
 - (6) Five hundred feet from residential uses and areas zoned residential within the county.
21. Borrow pits and reclamation activities thereof (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and performance standards in Part III, the Land Development Code, article 7).
22. Temporary structures. (See section 6.04.16)
23. Arcade amusement centers and bingo facilities.
24. Other uses similar to those permitted herein. Determination on other permitted uses shall be made by the planning board (LPA).

LDC 7.20.06. General commercial and light manufacturing locational criteria (C-2).

- A. General commercial land uses shall be located at or in proximity to intersections of arterial/arterial roadways or along an arterial roadway within one-quarter mile of the intersection.
- B. They may be located along an arterial roadway up to one-half mile from the intersection provided that all of the following criteria are met:
 1. Does not abut a single-family residential zoning district (R-1, R-2, V-1, V-2, V-2A or V-3);

2. Includes a six-foot privacy fence as part of any required buffer and develops the required landscaping and buffering to ensure long-term compatibility with adjoining uses as described in Policy 7.A.3.8, article 7.
3. Negative impacts of these land uses on surrounding residential areas shall be minimized by placing the lower intensity uses on the site (such as stormwater ponds and parking) next to abutting residential dwelling units and placing the higher intensity uses (such as truck loading zones and dumpsters) next to the roadway or adjacent commercial properties;
4. Intrusions into recorded subdivisions shall be limited to 300 feet along the collector or arterial roadway and only the corner lots in the subdivision;
5. A system of service roads or shared access facilities shall be required, to the maximum extent feasible, where permitted by lot size, shape, ownership patterns, and site and roadway characteristics;
6. The property is located in areas where existing commercial or other intensive development is established and the proposed development would constitute infill development. The intensity of the use must be of a comparable intensity of the zoning and development on the surrounding parcels and must promote compact development and not promote ribbon or strip commercial development.

FINDINGS

The proposed amendment **is consistent** with the general commercial and light manufacturing uses and with the locational criteria requirements. The parcel is located at or in proximity to intersections of arterial/arterial roadways Chiefs Way and W Navy Blvd or along an arterial roadway within one-quarter mile of the intersection, as stated in the Escambia County Land Development Code (LDC 7.20.06.)

The proposed use is located in the C-3 (OL) Warrington Commercial Overlay District, the applicant must comply with all of section 6.07.01.

When applicable, further site plan review will be needed to ensure the buffering requirements and other performance standards have been met, should this amendment be granted.

CRITERION (3)

Compatible with surrounding uses.

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s).

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed properties with zoning districts in C-1, R-2, and C-2. There are 26 commercial uses, 15 residential, and one multi-family use. The majority of the surrounding uses within the 500' area are commercial.

CRITERION (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the amendment or property(s).

FINDINGS

Staff found no changed conditions that would impact the amendment or property(s).

CRITERION (5)

Effect on natural environment.

Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment.

FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils were not indicated on the subject property. When applicable, further review during the site plan review process will be necessary to determine if there would be any significant adverse impact on the natural environment.

CRITERION (6)

Development patterns.

Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

FINDINGS

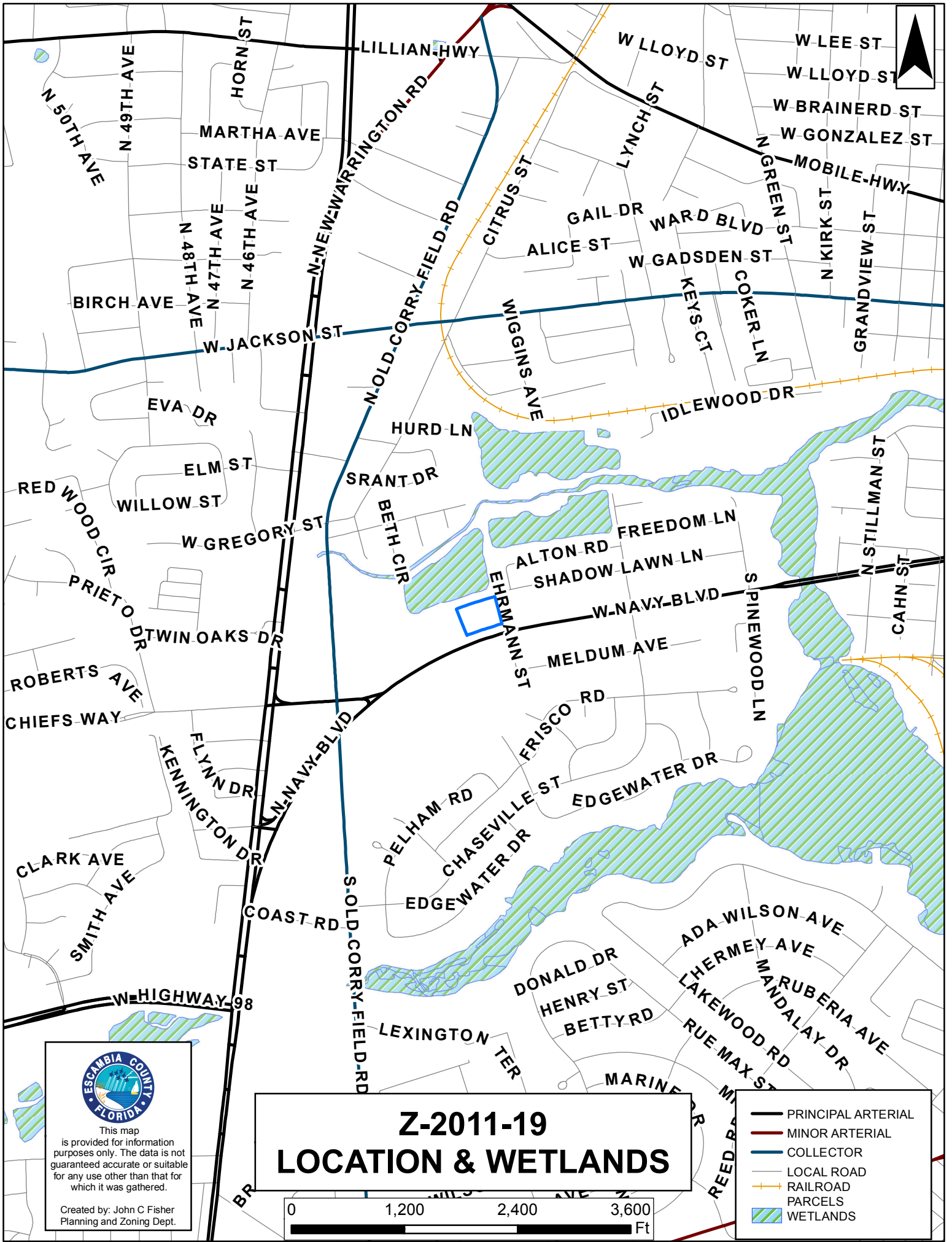
The proposed amendment **would result** in a logical and orderly development pattern. The property is located along an arterial road in a predominately zoned commercial area. The permitted uses of the C-2 zoning district are of a comparable intensity of the surrounding uses and the property does meet locational criteria for commercial development.

Note: The above technical comments and conclusion are based upon the information available to Staff prior to the public hearing; the public hearing testimony may reveal additional technical information.

Attachments

Z-2011-19

Z-2011-19

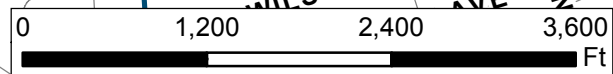


Z-2011-19 LOCATION & WETLANDS

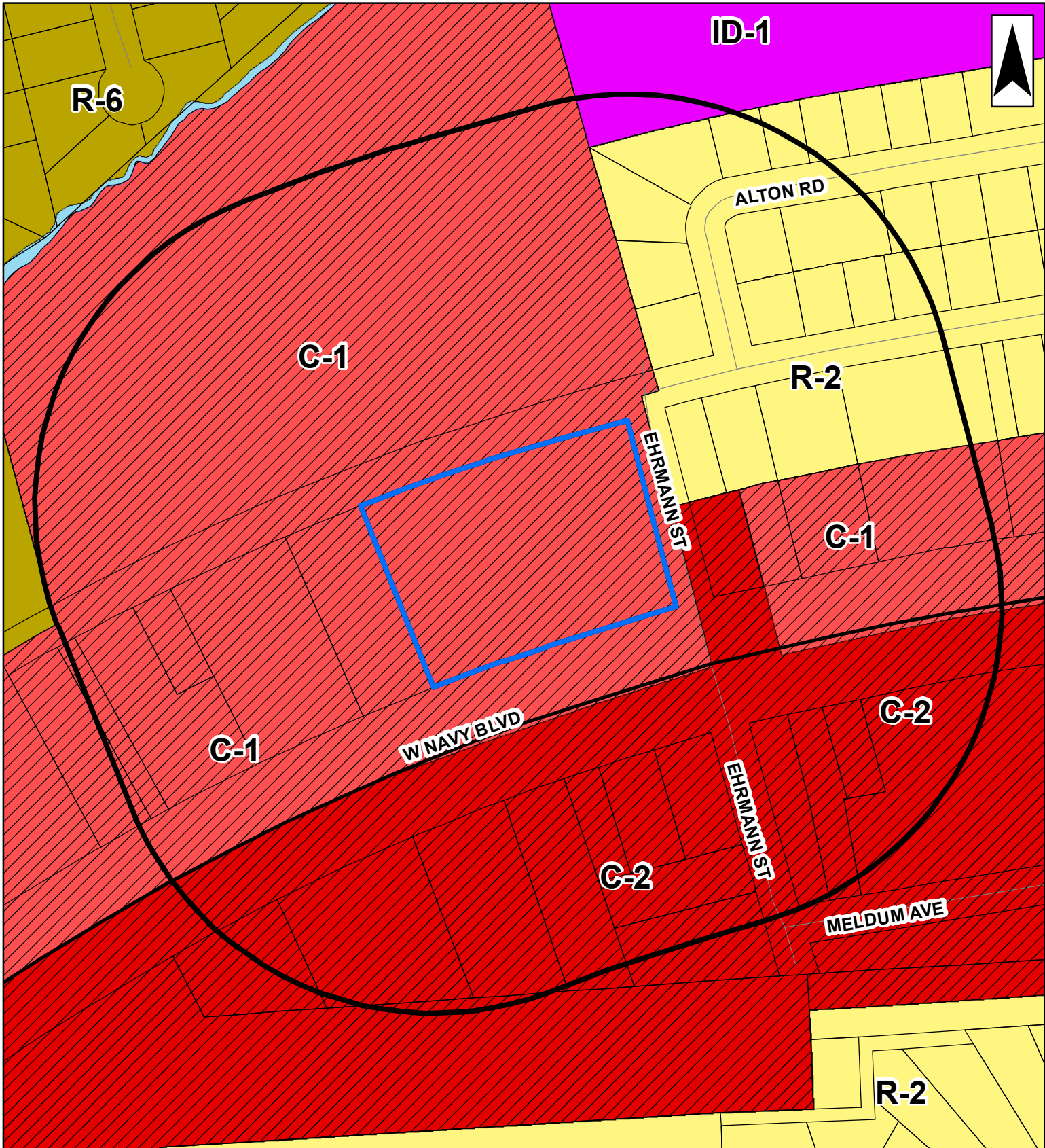


This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Created by: John C Fisher
Planning and Zoning Dept.



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



R-6

ID-1

C-1

ALTON RD

R-2

EHRMANN ST

C-1

C-1

W NAVY BLVD

C-2

EHRMANN ST

C-2

MELDUM AVE

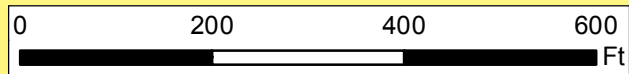
R-2



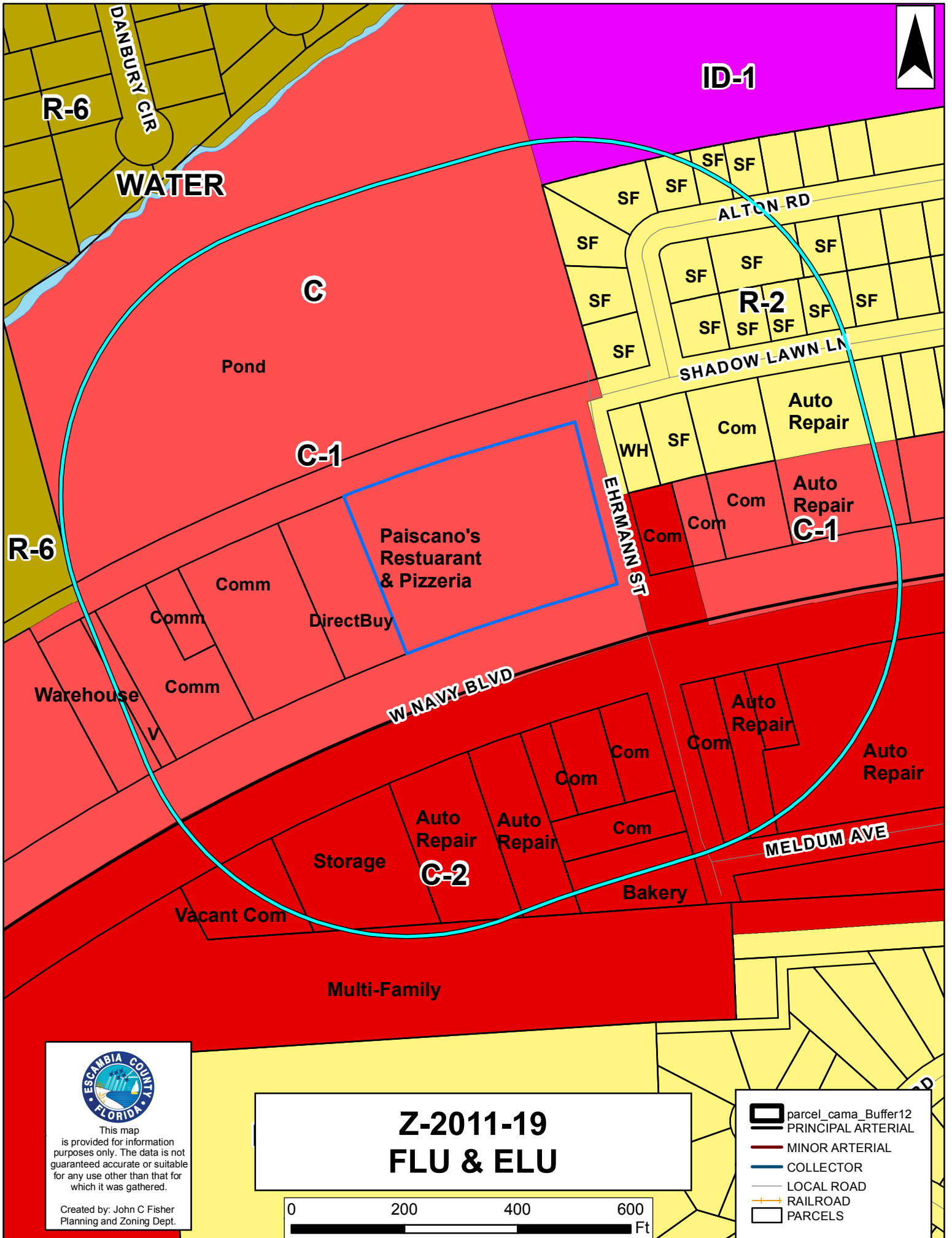
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2011-19 500' ZONING/OVERLAY



- C-3(OL)
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



ID-1

R-6

DANBURY CIR

WATER

C

Pond

C-1

Paiscano's
Restuarant
& Pizzeria

DirectBuy

ALTON RD

R-2

SHADOW LAWN LN

EHRMANN ST

Auto Repair

Auto Repair
C-1

R-6

Comm

Comm

DirectBuy

Warehouse

Comm

W NAVY BLVD

Auto Repair

Auto Repair

Storage

Auto Repair

Auto Repair

C-2

MELDUM AVE

Vacant Com

Bakery

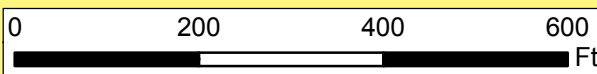
Multi-Family



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.

Created by: John C Fisher
Planning and Zoning Dept.

**Z-2011-19
FLU & ELU**



- parcel_cama_Buffer12
- PRINCIPAL ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD
- PARCELS



ALTON RD

SHADOW LAWN LN

EHRMANN ST

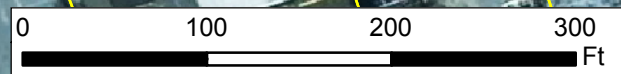
W-NAVY-BLVD



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.

Created by: John C Fisher
Planning and Zoning Dept.

Z-2011-19 AERIAL



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

RE: 3910 W Navy Blvd, Pensacola, FL 32507

Reference Number: 382S301000170006

Owners: T & A Investment Properties, LLC

Approximate Acreage: 2.82

We are requesting a rezoning change for 3910 W Navy Blvd from C1 to C2 to build a Paintball Field. The Paintball Field is to be used as a recreational facility.

(a)

The Comprehensive Plan states:

FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

The Future Land Use Map shows that the location on Navy Blvd in regards to Future Land Use is to be zoned for commercial purposes. The existing location is already zoned C1, and we are requesting C2, which complies with the FLU.

Commercial

(C)

Intended for professional office, retail, wholesale, service and general business trade. Residential development may be permitted only if secondary to a primary commercial development.

Residential

Retail and Services

Professional Office

Light Industrial

Recreational Facilities

Public and Civic

Residential

Minimum Density: None

Maximum Density: 25

du/acre

Non-Residential

Minimum Intensity:

The purpose intended for the lot is General Business Trade in the form of Recreational Facilities.

(b)

The LDC establishes permitted uses for C2 Zones:

B. *Permitted uses.* 1. Any use permitted in the C-1 district. 2. Amusement and commercial recreational facilities such as, but not limited to, amusements parks, shooting galleries, miniature golf courses, golf driving ranges, baseball batting ranges and trampoline centers.

The Paintball Field falls directly into this category.

(c)

In regards to compatibility with surrounding uses:

Parcels located adjacent to and across from are already zoned either C1 or C2.

(d)

In regards to changed conditions:

The only changed condition would be to implement screening and fencing to control any possible damage resulting from usage of the paintball field.

(e)

In regards to Effect on natural environment:

The property is already zoned C1. Changing to C2 will have no additional adverse affects on the environment.

(f)

In regards to Development Patterns:

Rezoning to C2 does result in a logical and orderly development pattern. It keeps with FLU Map and it will remain zoned for commercial use.



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: _____

Rezoning Request from: C-1 to: C-2

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

Owner(s) Name: Gregory Drake Phone: 850 607 2288

Address: 3920 W Navy Blvd Email: DRAKE8821@HOTMAIL.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: 3910 W Navy Blvd

Property Reference Number(s)/Legal Description: 3825301000170006

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.

Brenda L. Wilson
Signature of Owner/Agent

Gregory Drake
Printed Name Owner/Agent

10/13/11
Date



Printed Name of Owner

Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 26 day of October 20 11,
by Gregory Michael Drake

Personally Known OR Produced Identification . Type of Identification Produced: Florida Drivers License Class E

Brenda L. Wilson
Signature of Notary
(notary seal must be affixed)

Brenda L. Wilson
Printed Name of Notary

FOR OFFICE USE ONLY CASE NUMBER: Z-2011-19

Meeting Date(s): 12/12/11 Accepted/Verified by: _____ Date: _____

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



CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 3825301000170006

Property Address: 3910 W Navy Blvd

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 13th DAY OF October, YEAR OF 2011.

[Signature]
Signature of Property Owner

Gregory Drake
Printed Name of Property Owner

10/13/11
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 3910 W Navy Blvd,
Florida, property reference number(s) 3825301000 170006

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 of Property Owner

Printed Name of Property Owner

Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____ 20____,
by _____.

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

Signature of Notary

Printed Name of Notary

(Notary Seal)

ARTICLES OF ORGANIZATION FOR FLORIDA LIMITED LIABILITY COMPANY

ARTICLE I - Name:

The name of the Limited Liability Company is:

T & A Investment Properties, LLC

(Must end with the words "Limited Liability Company, "L.L.C.," or "LLC.")

ARTICLE II - Address:

The mailing address and street address of the principal office of the Limited Liability Company is:

Principal Office Address:

Mailing Address:

3920 Navy Blvd
Pensacola, FL 32507

3920 Navy Blvd
Pensacola, FL 32507

ARTICLE III - Registered Agent, Registered Office, & Registered Agent's Signature:

(The Limited Liability Company cannot serve as its own Registered Agent. You must designate an individual or another business entity with an active Florida registration.)

The name and the Florida street address of the registered agent are:

Gregory Drake

Name

3920 Navy Blvd

Florida street address (P.O. Box **NOT** acceptable)

Pensacola, FL 32507 FL

City, State, and Zip

FILED
08 NOV 19 PM 3:19
TALLAHASSEE, FLORIDA

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent as provided for in Chapter 608, F.S.



Registered Agent's Signature (REQUIRED)

(CONTINUED)

ARTICLE IV- Manager(s) or Managing Member(s):

The name and address of each Manager or Managing Member is as follows:

Title:

"MGR" = Manager

"MGRM" = Managing Member

Name and Address:

Gregory Drake

3920 Navy Blvd

Pensacola, FL 32507

Rebecca Pagan

3920 Navy Blvd

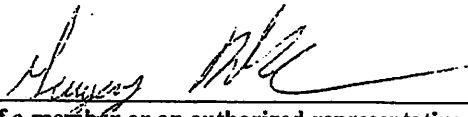
Pensacola, FL 32507

(Use attachment if necessary)

ARTICLE V: Effective date, if other than the date of filing: _____ (OPTIONAL)

(If an effective date is listed, the date must be specific and cannot be more than five business days prior to or 90 days after the date of filing.)

REQUIRED SIGNATURE:



Signature of a member or an authorized representative of a member.

(In accordance with section 608.408(3), Florida Statutes, the execution of this document constitutes an affirmation under the penalties of perjury that the facts stated herein are true.)

Gregory Drake

Typed or printed name of signee

Filing Fees:

\$125.00 Filing Fee for Articles of Organization and Designation of Registered Agent

\$ 30.00 Certified Copy (Optional)

\$ 5.00 Certificate of Status (Optional)

Prepared by and return to:
Wm. Rod Mitchell
Attorney at Law
Wm. Rod Mitchell, P.A.
125 South Alcaniz Suite 2
Pensacola, FL 32502
850-439-1500
File Number: 08-379
Will Call No.:

Parcel Identification No. **382S301000170006**

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this **30th** day of **December, 2008** between **John W. Hawkins and Hazel N. Hawkins, husband and wife** whose post office address is **6445 Scenic Hwy., Pensacola, FL 32504** of the County of **Escambia**, State of **Florida**, grantor*, and **T & A Investment Properties, L.L.C.**, a **Florida limited liability company** whose post office address is **3920 W. Navy Blvd., Pensacola, FL 32507** of the County of **Escambia**, State of **Florida**, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Escambia County, Florida**, to-wit:


Lots 17 to 28, both inclusive, in Block 6, Westerly Heights, according to plat thereof recorded in Plat Book 2, Page 14, of the Public Records of Escambia County, Florida.


and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.


* "Grantor" and "Grantee" are used for singular or plural, as context requires.

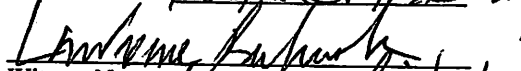
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:



Witness Name: Fletcher Fleming


Witness Name: Lawrence Richards


Witness Name: Fletcher Fleming


Witness Name: Lawrence Richards

 (Seal)
John W. Hawkins

 (Seal)
Hazel N. Hawkins

State of Florida
County of Escambia

The foregoing instrument was acknowledged before me this 30th day of December, 2008 by John W. Hawkins and Hazel N. Hawkins, who are personally known or have produced a driver's license as identification.

[Notary Seal]



Notary Public

Printed Name: _____

My Commission Expires: _____

**RESIDENTIAL SALES ABUTTING ROADWAY
MAINTENANCE DISCLOSURE
ESCAMBIA COUNTY, FLORIDA**

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 must 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 that this disclosure be attached, along with other attachments to the deed or other method of conveyance required to be made 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 acknowledgment by the county of the veracity of any disclosure statement.

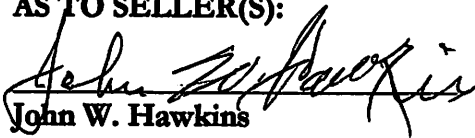
NAME OF ROADWAY:

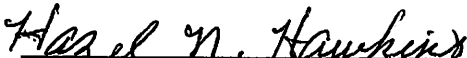
LEGAL ADDRESS OF: 3904 Navy Blvd, Pensacola, FL 32507

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

This form completed by: Wm. Rod Mitchell, P.A. dba Coastal Floridian Title
125 South Alcaniz Street, Suite 2
Pensacola, FL 32502


AS TO SELLER(S):


John W. Hawkins


Hazel N. Hawkins

WITNESSES TO SELLER(S):


Print Name: Fletcher Flocking

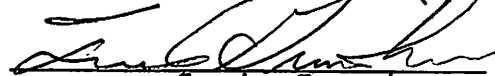

Print Name: Lawrence Richardson


AS TO BUYER(S):

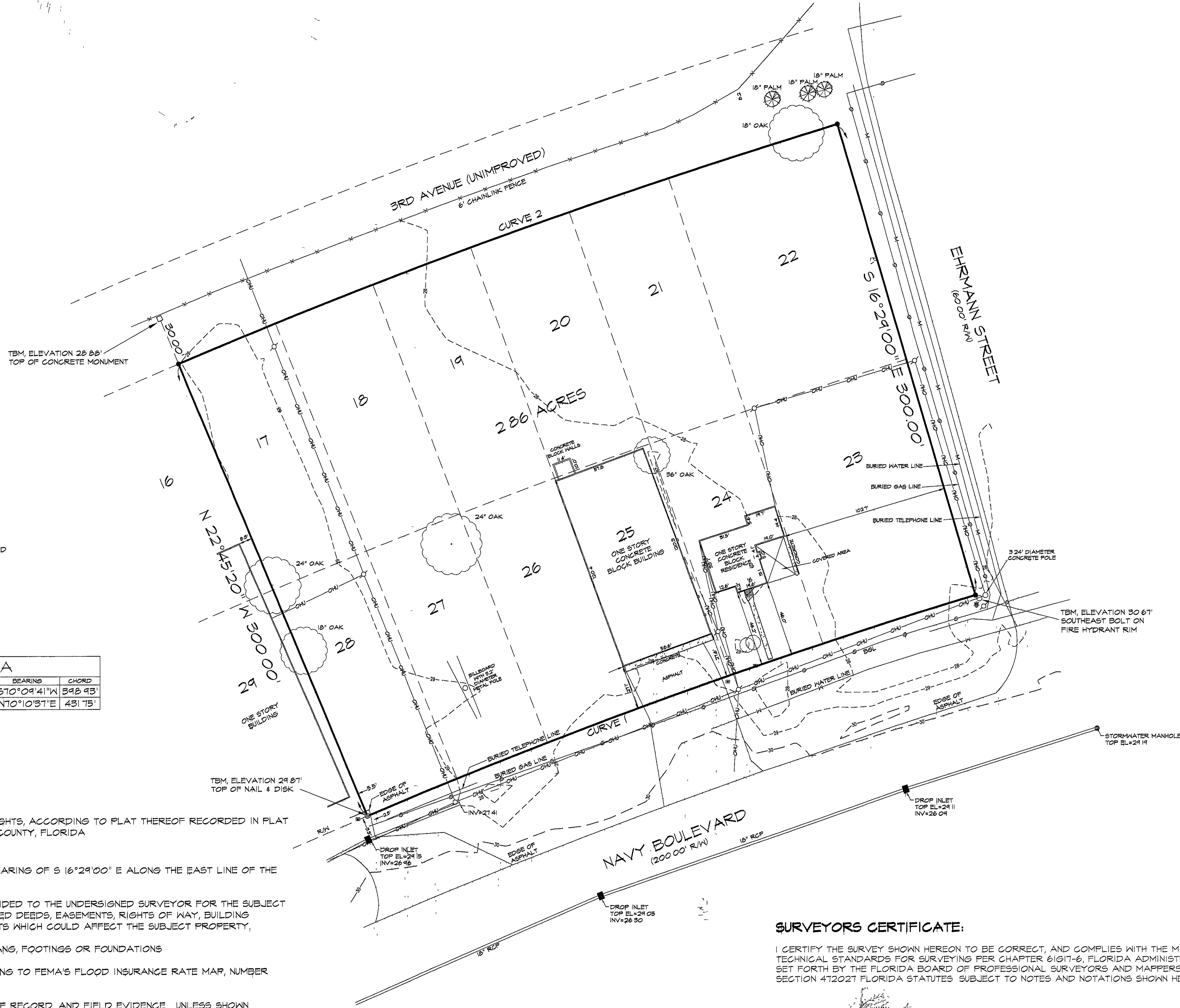

Rebecca Pagan


Gregory Drake

WITNESSES TO BUYER(S):


Print Name: Fred Gunther


Print Name: William R Mitchell



- LEGEND:**
- TBM TEMPORARY BENCHMARK
 - R/W RIGHT OF WAY
 - OHU OVERHEAD UTILITIES
 - BGL BURIED GAS LINE
 - GM GAS METER
 - ⊙ POWER POLE
 - 4"x4" CONCRETE MONUMENT FOUND
 - 1/2" CAPPED ROD SET, NO 4511
 - ⊙ NAIL AND DISK SET, NO 4511

CURVE DATA

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
1	3419.83'	349.10'	5°50'01"	S70°09'41"N	348.93'
2	4219.83'	431.94'	5°51'53"	N70°10'37"E	431.75'

DESCRIPTION

LOTS 17 TO 28, BOTH INCLUSIVE, IN BLOCK 6, WESTERLY HEIGHTS, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 14, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA

SURVEYORS NOTES

- THE BEARINGS SHOWN HEREON ARE BASED ON THE PLAT BEARING OF S 16°29'00" E ALONG THE EAST LINE OF THE SURVEYED PROPERTY
- NO TITLE SEARCH, TITLE OPINION, OR ABSTRACT WAS PROVIDED TO THE UNDERSIGNED SURVEYOR FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS OF WAY, BUILDING SETBACKS, RESTRICTIVE COVENANTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY.
- THE STRUCTURE DIMENSIONS DO NOT INCLUDE EAVE OVERHANGS, FOOTINGS OR FOUNDATIONS
- THE SUBJECT PROPERTY IS LOCATED IN ZONE "X", ACCORDING TO FEMA'S FLOOD INSURANCE RATE MAP, NUMBER 12033C03706, MAP REVISED SEPTEMBER 29, 2006
- THE INFORMATION SHOWN HEREON IS BASED ON THE PLAT OF RECORD, AND FIELD EVIDENCE UNLESS SHOWN OTHERWISE, PLAT AND FIELD MEASURED INFORMATION AGREE
- THE ELEVATIONS SHOWN HEREON ARE BASED ON BENCHMARK H111945, ELEVATION 32.35 FEET, NAVD 88
- THE LOCATION OF BURIED UTILITIES IS BASED ON FIELD MARKINGS BY THE UTILITY PROVIDER. NO CERTIFICATION IS GIVEN BY THE UNDERSIGNED SURVEYOR TO THE ACCURACY OR COMPLETENESS OF THESE MARKINGS. THERE MAY BE OTHER BURIED UTILITIES WHICH DO NOT APPEAR ON THIS SURVEY

SURVEYORS CERTIFICATE:

I CERTIFY THE SURVEY SHOWN HEREON TO BE CORRECT, AND COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING PER CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472027 FLORIDA STATUTES SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON

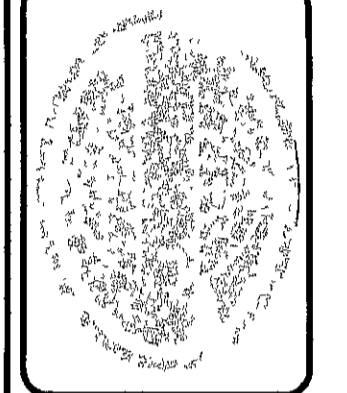
Ricky B. Bess
 RICKY BESS
 FLORIDA LICENSED SURVEYOR, MAPPER NO 4511

MAY 8, 2009

DATE

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NAMED ABOVE, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID

RBSears Land Surveying, Inc.
 5941 BERRYHILL ROAD, SUITE D
 MILITON, FLORIDA 32570
 TELEPHONE (850) 983-0449
 FAX (850) 623-3284



BOUNDARY SURVEY
 LOTS 17 THRU 28, BLOCK 6
 WESTERLY HEIGHTS
 ESCAMBIA COUNTY, FLORIDA

PREPARED FOR:
 MR GREGORY DRAKE

Field Book	26
Field Book Page	52-59
Field Date	4/24/09
Scale	1"=30'
Drawn By	PJK
Date	4/30/09
Job Number	08086



Development Services Department

Building Inspections Division

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

RECEIPT

Receipt No. : **543349**

Date Issued. : 10/27/2011

Cashier ID : GELAWREN

Application No. : PRZ111000018

Project Name : Z-2011-19

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Credit Card	V-1860	\$1,050.00	App ID : PRZ111000018
		\$1,050.00	Total Credit Card

Received From : GREGORY M DRAKE

Total Receipt Amount : **\$1,050.00**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PRZ111000018	636768	1,050.00	\$0.00	3904 W NAVY BLVD, PENSACOLA, FL, 32507

Total Amount :

1,050.00

\$0.00

Balance Due on this/these
Application(s) as of 11/23/2011