

AGENDA
ESCAMBIA COUNTY BOARD OF ADJUSTMENT
August 15, 2012–8:30 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 the July 18, 2012 Resume Minutes.
6. **Consideration of the following cases:**
 - A. **Case No.:** CU-2012-10
Address: 5300 West Jackson Street
Request: Allow gasoline sales in R-6 zoning
Requested by: Buddy Page, Agent for Kishorbhai Patel
 - B. **Case No.:** CU-2012-11
Address: 9625 Chemstrand Rd
Request: Allow a 12,000 sq. ft. auto parts store
Requested by: Bill Homan, Agent for Juanita V. Johns, Revocable Trust
7. Discussion Items.
8. Old/New Business.
9. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, September 12, 2012 at 8:30 a.m., at the Escambia County Central Office Complex, Room104, 3363 West Park Place.
10. Adjournment.

DRAFT

RESUMÉ OF THE MEETING OF THE BOARD OF ADJUSTMENT HELD July 18, 2012

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:35 A.M. – 9:41 A.M.)

Present: Don Carlos
Auby Smith
LuTimothy May
Bobby Price, Jr.
Jennifer Rigby

Absent: David Karasek
John Lund

Staff Present: Kristin Hual, Assistant County Attorney
Andrew Holmer, Sr. Planner, Planning & Zoning
Juan Lemos, Urban Planner, Planning & Zoning
John Fisher, Urban Planner, Planning & Zoning
Karen Spitsbergen, Sr. Office Assistant

Attendees: David Forte, CRA Urban Planner II

REGULAR BOA AGENDA

1. Meeting was called to order at 8:35 a.m.
2. Clerk swore in staff.
3. Acceptance of the July 18, 2012 BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.

Motion by LuTimothy May, Seconded by Jennifer Rigby

Motion was made to accept the July 18, 2012 BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.

Vote: 5 - 0 Approved - Unanimously

4. No Proof of Publication or reading of the legal advertisement was required due to only a variance request was being heard at the meeting.

5. Approval of June 20, 2012 BOA Resume.

Motion by LuTimothy May, Seconded by Bobby Price, Jr.

Motion was made to approve the resume of the June 20, 2012 BOA Meeting.

Vote: 5 - 0 Approved - Unanimously

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

Case No.: V-2012-09
Address: 702 N Navy Blvd
Request: Increase Allowable Signage
Requested by: C.R. Glass, Owner
Speakers: C.R. Glass, Bill Van Horn

No BOA member acknowledged any ex parte communication regarding this item.

Mr. Carlos acknowledged visiting the site.

No BOA member refrained from voting on this matter due to any conflict of interest.

Motion by LuTimothy May, Seconded by Vice Chairman Auby Smith

Motion was made to deny Staff's Findings-of-Fact with the following reasons: 1) Criterion 1 - There are special circumstances related to the site. The site does comply with the CRA Vision Plan. 2) Criterion 2 - The requested additional signage is not just a convenience but is part of the building. 3) Criterion 5 - The signage is considered part of the building; and the variance request is approved.

Vote: 5 - 0 Approved - Unanimously

7. Old/New Business.

8. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, August 15, 2012 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

9. Adjournment.

Board of Adjustment

6. A.

Meeting Date: 08/15/2012

CASE: CU-2012-10

APPLICANT: Buddy Page, Agent for
Kishorbhai Patel

ADDRESS: 5300 West Jackson Street

PROPERTY REFERENCE NO.: 35-2S-30-6000-034-001

ZONING DISTRICT: R-6, Neighborhood
Commercial and Residential
District, (cumulative) high
density

FUTURE LAND USE: MU-U, Mixed Use-Urban

OVERLAY DISTRICT: NONE

Information

SUBMISSION DATA:

REQUESTED CONDITIONAL USE:

Conditional Use Approval to allow the sale of gasoline on property zoned R-6.

RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended),
Section:LDC 6.05.13.C.5

5. Automobile service operations, including indoor repair and restoration (not including painting), and sale of gasoline (and related service station products), gross floor area not to exceed 6,000 square feet. Outside repair and/or storage and automotive painting is prohibited.

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

FINDINGS-OF-FACT

Ingress and egress are from Jackson Street and De Luna Drive (side street).
On-site parking and traffic flow 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

This proposed Conditional Use is not expected to produce unfavorable impacts to the surrounding properties.

CRITERION (3)

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

FINDINGS-OF-FACT

The applicant will provide solid waste services.

CRITERION (4)

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

FINDINGS-OF-FACT

Potable water will be provided by ECUA and power by Gulf Power.

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. The requirements will be reviewed during 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 signage will be addressed during the site plan review process to comply with Article 8 of the Escambia County Land Development Code.

CRITERION (7)

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

FINDINGS-OF-FACT

According to the National Wetland Inventory there appear to be no wetlands on site, however, this item, along with stormwater management will be reviewed during site plan review.

CRITERION (8)

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

FINDINGS-OF-FACT

The existing convenience store predates zoning and adding gas pumps would be compatible with the existing use of the property.

CRITERION (9)

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

FINDINGS-OF-FACT

This Conditional Use is consistent with all other relevant provisions of this Code.

STAFF RECOMMENDATION

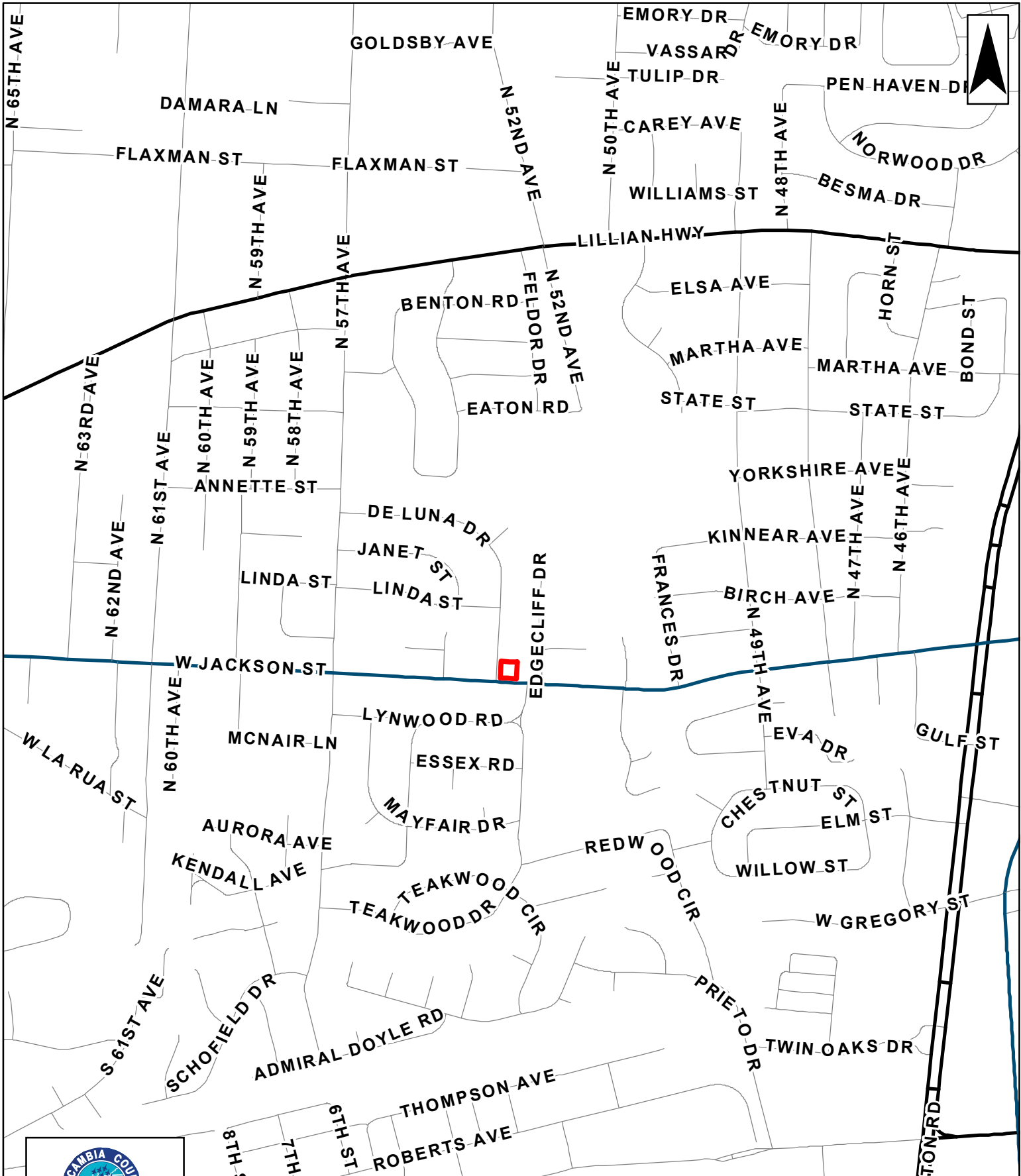
Staff recommends that the Board approve the proposed Conditional Use request as submitted.

BOARD OF ADJUSTMENT FINDINGS:

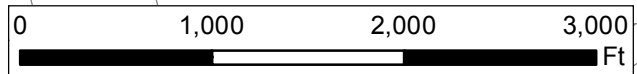
Attachments

Working Case File

CU-2012-10



CU-2012-10 LOCATION MAP

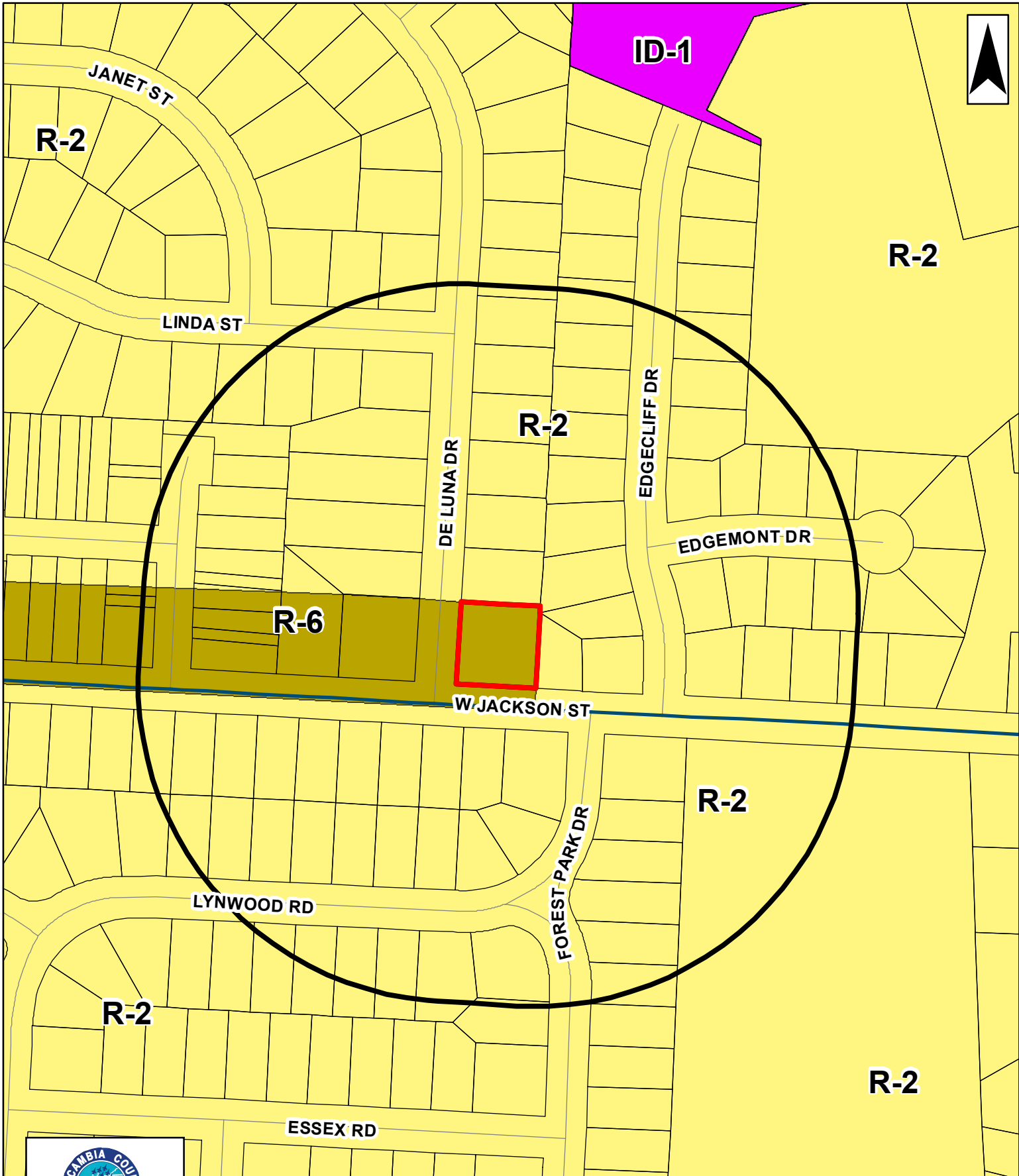


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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.



ID-1

R-2

R-2

JANET ST

LINDA ST

R-2

EDGECLIFF DR

EDGEMONT DR

DE LUNA DR

R-6

W JACKSON ST

R-2

LYNWOOD RD

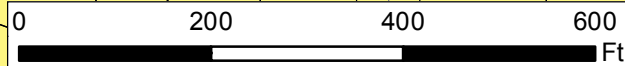
FOREST PARK DR

R-2

R-2

ESSEX RD

CU-2012-10 500' RADIUS ZONING

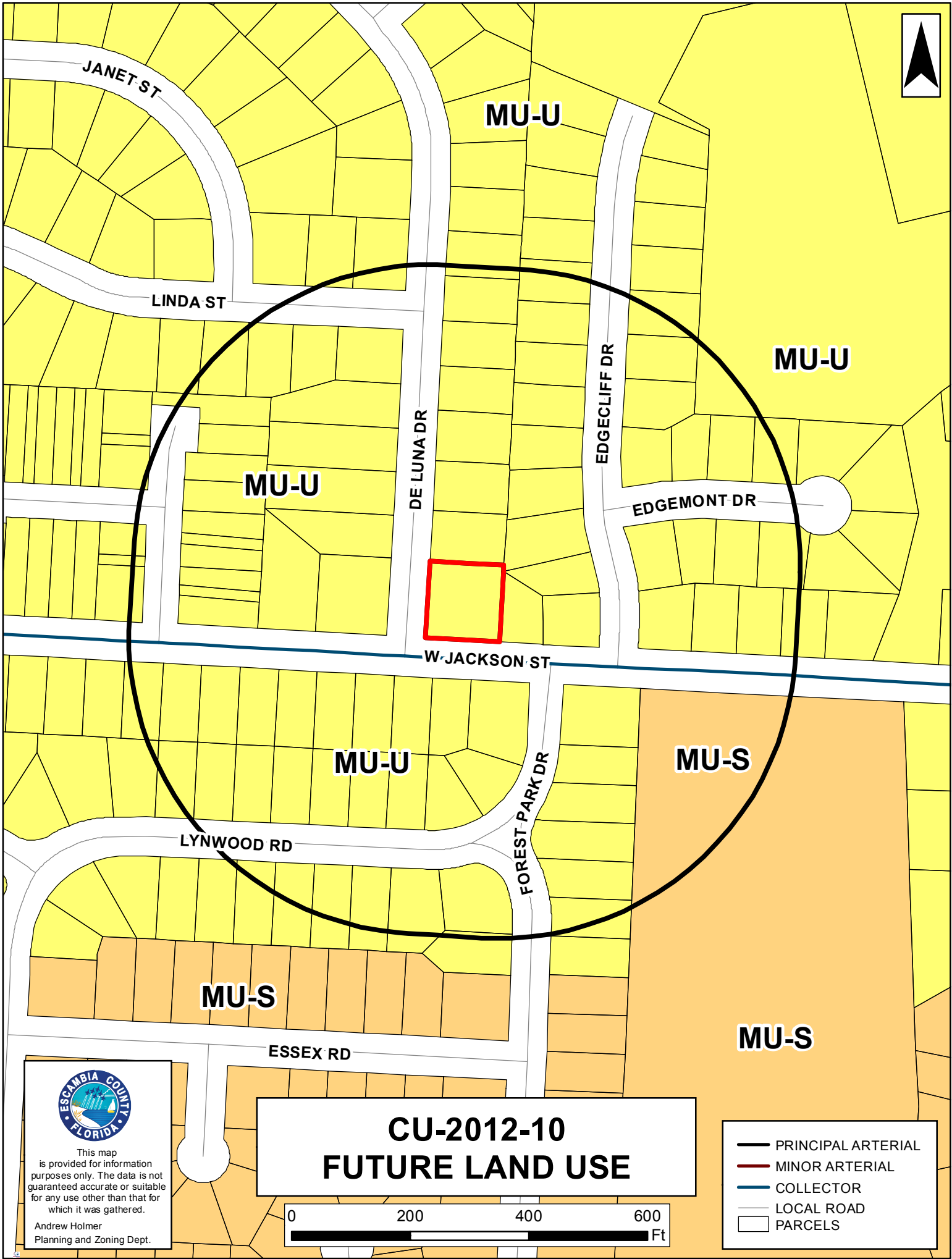


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



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Andrew Holmer
Planning and Zoning Dept.



MU-U

MU-U

MU-U

DE LUNA DR

EDGECLIFF DR

EDGEMONT DR

W-JACKSON ST

MU-U

MU-S

LYNWOOD RD

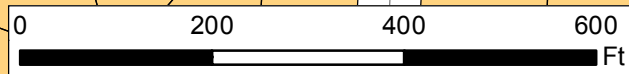
FOREST PARK DR

MU-S

MU-S

ESSEX RD

CU-2012-10 FUTURE LAND USE



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



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Andrew Holmer
Planning and Zoning Dept.



DE LUNA DR

W JACKSON ST

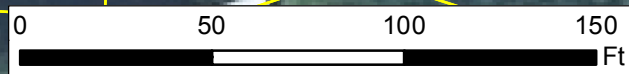
FOREST PARK DR








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Andrew Holmer
Planning and Zoning Dept.

CU-2012-10 AERIAL MAP



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

Wiley C. "Buddy" Page, MPA, APA
Professional Growth Management Services, LLC

5337 Hamilton Lane
Pace, Florida 32571
Office 850.994.0023 Cell 850.232.9853
budpage1@mchsi.com

June 29, 2012
VIA HAND DELIVERY

Mr. Drew Holmer, Senior Planner
Escambia Development Services
3363 West Park Place
Pensacola, Florida 32501

RE: Conditional Use
Parcel No. 35-2S-30-6000-034-001
Address: 5300 West Jackson St.
Existing Zoning Category: R-6

Dear Mr. Holmer:

The attached application requests approval for a conditional use to allow the sale of gasoline as provided under LDC 6.05.13.C.5 as follows:

*5. Automobile service operations, including indoor repair and restoration (not including painting), and **sale of gasoline** (and related service station Products), gross floor area not to exceed 6,000 square feet. Outside repair and/or storage and automotive painting is prohibited.*

The site has been an existing neighborhood convenience store operation ongoing since 1989 resulting in:

1. On site circulation will remained substantially unchanged with pumps installed;
- 2.No change in perceived commercial nuisance levels;
- 3.Solid waste services are currently provided on site;
- 4.All utilities on presently provided;
- 5 Buffers will not be impacted;
- 6.Signage changes are not anticipated beyond code allowances;
- 7.Gasoline tank installation permits will be required to allow County/State review and approval;
- 8.Gasoline sales are not anticipated to change the existing general neighborhood compatibility;
- 9.The request is otherwise compatible and consistent with other provisions of the adopted Escambia County Land Development Code.

Please advise if you have any questions or require anything further. Thank you.

Sincerely yours,

Wiley C. "Buddy" Page

APPLICATION

Please check application type:

Conditional Use Request for: _____

Administrative Appeal Variance Request for: _____

Development Order Extension Rezoning Request from: _____ to: _____

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

Owner(s) Name: Kishorbhai Patel Phone: _____

Address: 5300 West Jackson Street Email: _____


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: 5300 West Jackson Street

Property Reference Number(s)/Legal Description: 35-2S-30-6000-034-001

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 _____

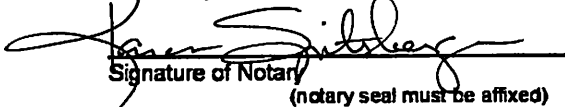
Printed Name Owner/Agent _____
KISHOR PATEL
 Printed Name of Owner _____

Date _____
7/31/12
 Date _____

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 31st day of July 20 12, by KISHOR PATEL

Personally Known OR Produced Identification Type of Identification Produced: FLDL P340515593090

Signature of Notary _____

 Signature of Notary (notary seal must be affixed)

Printed Name of Notary _____
Karen S Spitsbergen
 Printed Name of Notary



FOR OFFICE USE ONLY CASE NUMBER: CU-2012-10

Meeting Date(s): 8-15-12 Accepted/Verified by: K Spitsbergen Date: _____

Fees Paid: \$ 1050 Receipt #: 1558494 Permit #: PBA120700017

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 5300 West Jackson Street,
Florida, property reference number(s) 35-2S-30-600-034-001

I hereby designate Wiley C. "Buddy" Page 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: Wiley C. "Buddy" Page Email: budpage1@mchsi.com

Address: 5337 Hamilton Lane Pace, FL 32571 Phone: 850-232-9853

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

Printed Name of Property Owner
KISHOR PATEL
Printed Name of Property Owner

Date
7/31/12
Date

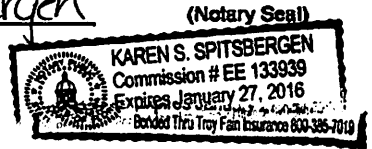
STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 31st day of July 20 12
by Kishor Patel

Personally Known OR Produced Identification . Type of Identification Produced: FLDL P340515593090

[Handwritten Signature]
Signature of Notary

Karen S Spitsbergen
Printed Name of Notary



Commercial Contract

1. PARTIES AND PROPERTY: KISHOR PATEL ("Buyer")

agrees to buy and CAO VAN TRAN & VINH THI LE (H & W) ("Seller")

agrees to sell the property as: Street Address: 5300 W. JACKSON ST. PENSACOLA, FL.

Legal Description: LOT 34 BLK ONE DELUNA PARK SUBD. ACCORDING TO PLAT RECORDED PLAT BOOK 3 PAGE 20, OF PUBLIC RECORDS OF ESCROW COUNTY FL.

and the following Personal Property: _____

(all collectively referred to as the "Property") on the terms and conditions set forth below.

2. PURCHASE PRICE: THIS IS A CASH SALE \$ 168,000.00
~~\$ 150,000.00~~

(a) Deposit held in escrow by Citizen's Title Group \$ 1,000.00
("Escrow Agent") (checks are subject to actual and final collection)

Escrow Agent's address: 7139 Suite B Ninth Ave Pensacola, FL 32505 Phone: _____

(b) Additional deposit to be made to Escrow Agent within _____ days after Effective Date \$ _____

(c) Additional deposit to be made to Escrow Agent within _____ days after Effective Date \$ _____

(d) Total financing (see Paragraph 5) \$ _____

(e) Other _____ \$ _____

(f) All deposits will be credited to the purchase price at closing. Balance to close, subject to adjustments and prorations, to be paid with locally drawn cashier's or official bank check(s) or wire transfer. \$ 167,000.00
~~\$ 149,000.00~~

3. TIME FOR ACCEPTANCE; EFFECTIVE DATE; COMPUTATION OF TIME: Unless this offer is signed by Seller and Buyer and an executed copy delivered to all parties on or before 6/25/12, this offer will be withdrawn and the Buyer's deposit, if any, will be returned. The time for acceptance of any counter offer will be 3 days from the date the counter offer is delivered. The "Effective Date" of this Contract is the date on which the last one of the Seller and Buyer has signed or initialed and delivered this offer or the final counter offer. Calendar days will be used when computing time periods, except time periods of 5 days or less. Time periods of 5 days or less will be computed without including Saturday, Sunday, or national legal holidays. Any time period ending on a Saturday, Sunday, or national legal holiday will extend until 5:00 p.m. of the next business day. Time is of the essence in this Contract.

4. CLOSING DATE AND LOCATION:

(a) Closing Date: This transaction will be closed on ASAP (Closing Date), unless specifically extended by other provisions of this Contract. The Closing Date will prevail over all other time periods including, but not limited to, Financing and Due Diligence periods. In the event insurance underwriting is suspended on Closing Date and Buyer is unable to obtain property insurance, Buyer may postpone closing up to 5 days after the insurance underwriting suspension is lifted.

Buyer (AP) () and Seller () () acknowledge receipt of a copy of this page, which is Page 1 of 8 Pages.

334 Each person signing this Contract on behalf of a party that is a business entity represents and warrants to the other
335 party that such signatory has full power and authority to enter into and perform this Contract in accordance with its
336 terms and each person executing this Contract and other documents on behalf of such party has been duly authorized
337 to do so.

338 _____
339 _____
340 KISHOR PATEL
341 (Typed or Printed Name of Buyer)

Date: 6/23/12

342 Title: _____

Tax ID No: _____

343 _____
344 _____

Telephone: _____

345 _____
346 (Typed or Printed Name of Buyer)

Date: _____

347 Title: _____

Tax ID No: _____

348 Buyer's Address for purpose of notice: _____

Telephone: _____

349 Facsimile: _____

Email: _____

350 _____
351 _____

Date: _____

352 _____
353 (Typed or Printed Name of Seller)

Tax ID No: _____

354 Title: _____

Telephone: _____

355 _____
356 _____

Date: _____

357 _____
358 (Typed or Printed Name of Seller)

Tax ID No: _____

359 Title: _____

Telephone: _____

360 Seller's Address for purpose of notice: _____

361 Facsimile: _____

Email: _____

The Florida Association of REALTORS® makes no representation as to the legal validity or adequacy of any provision of this form in any specific transaction. This standardized form should not be used in complex transactions or with extensive riders or additions. This form is available for use by the entire real estate industry and is not intended to identify the user as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only by real estate licensees who are members of the NATIONAL ASSOCIATION OF REALTORS® and who subscribe to its Code of Ethics. The copyright laws of the United States (17 U.S. Code) forbid the unauthorized reproduction of this form by any means including facsimile or computerized forms.

362 Buyer [Signature] and Seller () () acknowledge receipt of a copy of this page, which is Page 8 of 8 Pages.

NOTE: Measurements made in accordance with United States standards.

SURVEYOR'S NOTES:

1. Subject to setbacks, easements, and restrictions of record.
2. This survey is subject to any facts that may be disclosed by a full and accurate title search.

STREET ADDRESS: 5300 West Jackson Street

LEGAL DESCRIPTION:

Lot 34, Block 1, De Luna Park Subdivision, a portion of Section 35, Township 2 South, Range 30 West, according to plat filed in Plat Book 3 at page 20 of the records of Escambia County.

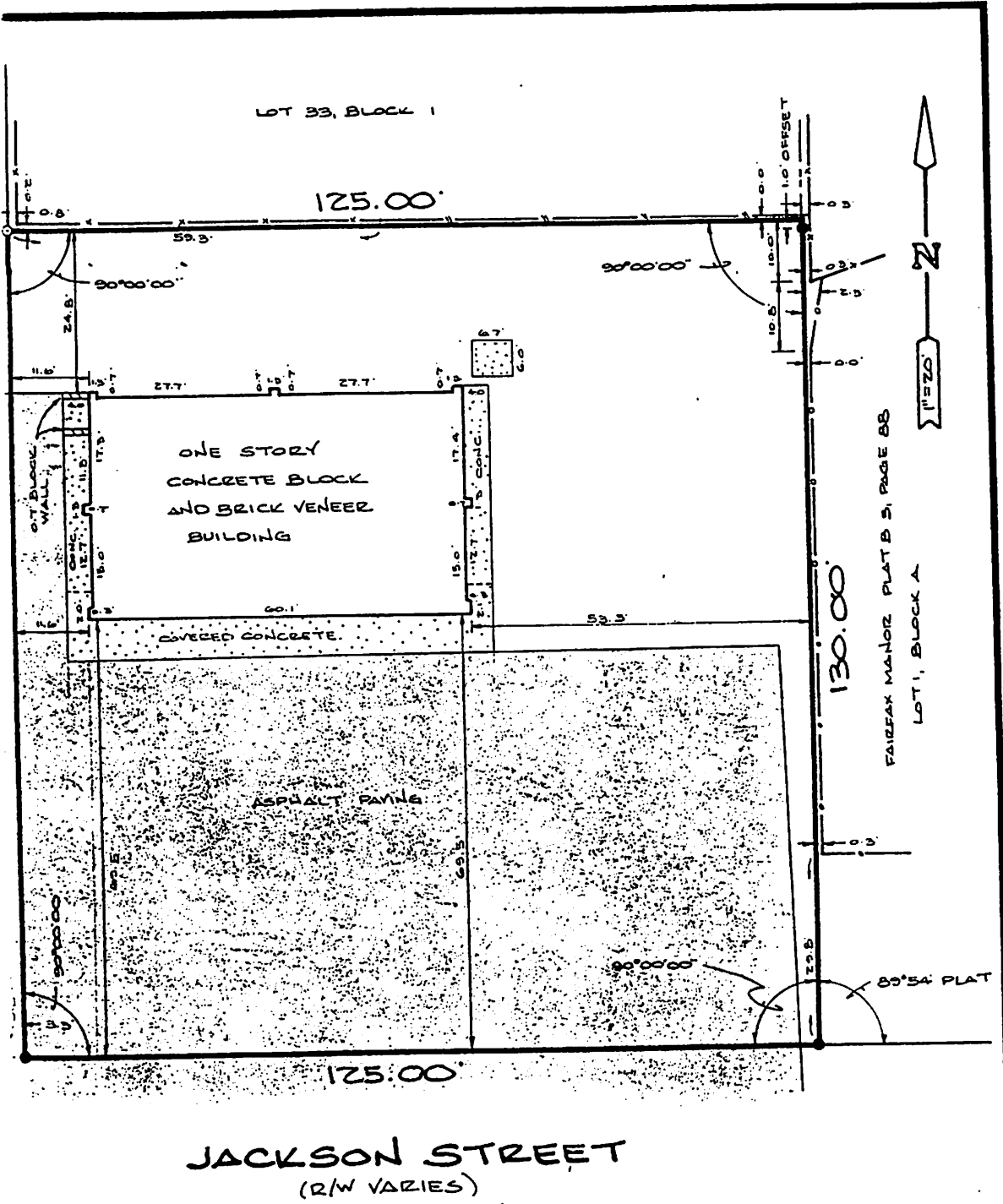
LEGEND:

- CONC. Concrete
- ⊙ Sign post
- Iron pipe found
- 1/2" Capped iron rod set #1748
- x— Chain link fence
- o— Wood fence
- "—— Wire fence

DELUNA DRIVE 66'R/W

A BOUNDARY SURVEY AND
LOCATION OF IMPROVEMENTS

OSCAR W. PITTMAN
 REGISTERED LAND SURVEYOR
 3407 NORTH "L" STREET
 PENSACOLA FLORIDA 32505
 PHONE: (904) 434-6666



JACKSON STREET
 (R/W VARIES)

Source of Information: RECORDED PLAT - DE LUNA PARK - PLAT BOOK 3, PAGE 20

Bearing Reference N.A.

Elevation Reference _____

Ordered By MR. LEON LENO Job No. ZZZAO-95 File No. B-8265

Date of Plat 6-30-95 I hereby certify the survey shown hereon meets the minimum technical standards set forth by the Florida Board of Land Surveyors, pursuant to Section 472.027, Florida Statutes.

Date of Survey 6-29-95

F.B. 648 Page 26-27

Scale 1" = 20'

Encroachments _____

Oscar W. Pittman
 Oscar W. Pittman
 Registered Land Surveyor No 1748

NOT VALID UNLESS
 IMPRINTED WITH
 EMBOSSED SEAL

Recertified _____

Revised _____

67

Board of Adjustment

6. B.

Meeting Date: 08/15/2012

CASE: CU-2012-11

APPLICANT: Bill Homan, Agent for Juanita
V. Johns, Revocable Trust

ADDRESS: 9625 Chemstrand Road

PROPERTY REFERENCE NO.: 08-1S-30-1003-004-003

ZONING DISTRICT: R-6, Neighborhood
Commercial and Residential
District, (cumulative) high
density

FUTURE LAND USE: MU-U, Mixed Use-Urban

OVERLAY DISTRICT: None

Information

SUBMISSION DATA:

REQUESTED CONDITIONAL USE:

Conditional Use Approval to allow the construction of a 12,000 sf (+/-) auto parts store in R-6 zoning.

RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended),
Section:LDC 6.05.13.C.4

4. Neighborhood commercial uses that do not exceed 35,000 square feet of floor area.

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

FINDINGS-OF-FACT

Ingress and egress will be from Chemstrand Road. On-site parking and traffic flow 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

This proposed Conditional Use is not expected to produce any unfavorable impacts to the surrounding properties.

CRITERION (3)

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

FINDINGS-OF-FACT

The applicant will provide solid waste services.

CRITERION (4)

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

FINDINGS-OF-FACT

Potable water will be provided by ECUA and power by Gulf Power.

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 Land Development Code. The requirements will be reviewed during 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 signage will be addressed during the site plan review process to comply with Article 8 of the Escambia County LDC.

CRITERION (7)

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

FINDINGS-OF-FACT

According to the National Wetland Inventory there appear to be no wetlands on the site. All other environmental impacts and 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

The proposed Conditional Use will be compatible with adjacent properties and other property in the immediate area.

CRITERION (9)

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

FINDINGS-OF-FACT

This Conditional Use is consistent with all other relevant provisions of this Code.

STAFF RECOMMENDATION

Staff recommends that the Board approve the proposed Conditional Use as submitted.

BOARD OF ADJUSTMENT FINDINGS:






Attachments

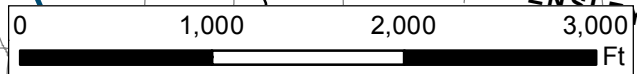
[Working Case File](#)


CU-2012-11

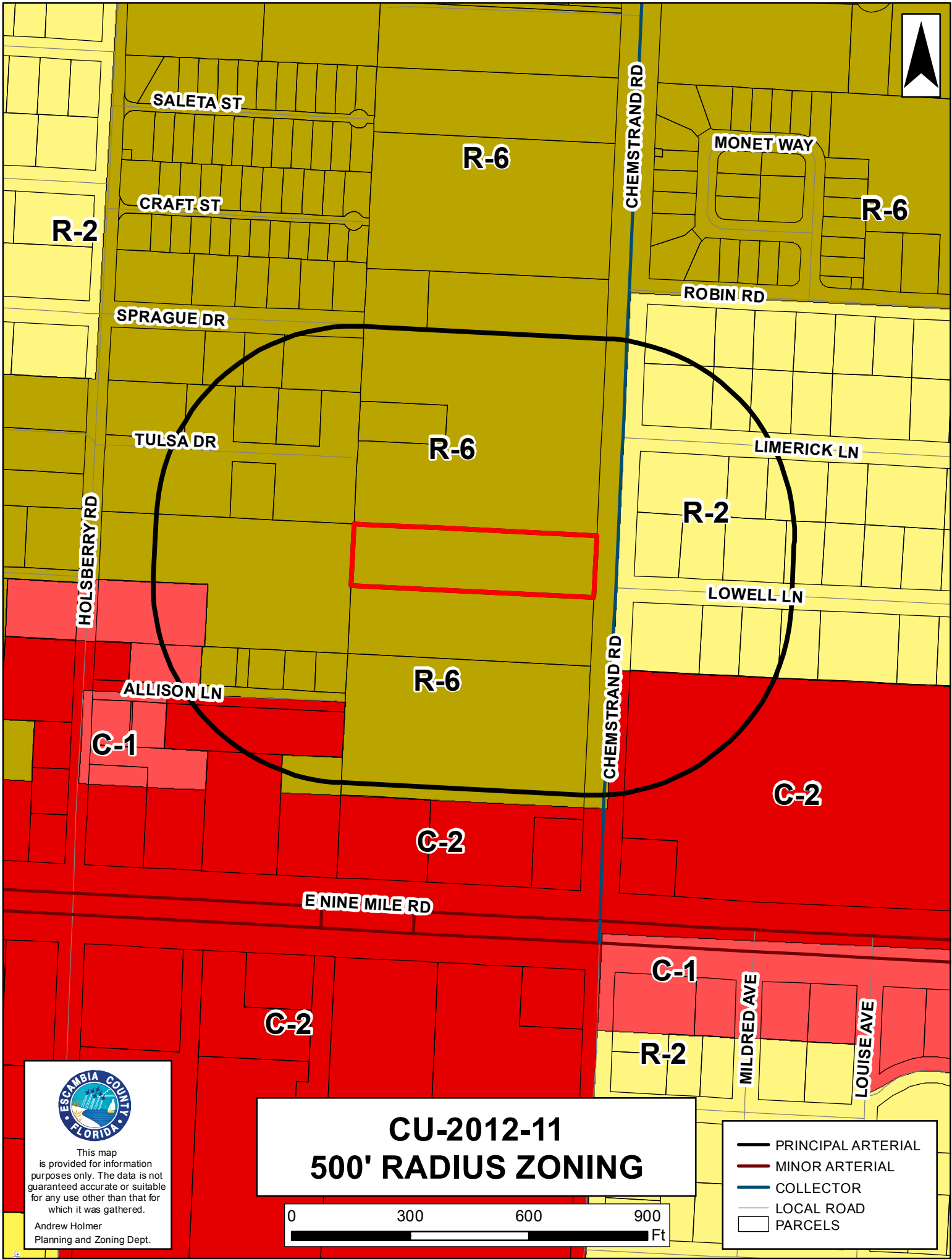


CU-2012-11 LOCATION MAP

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




 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.



R-2

R-6

R-6

SPRAGUE DR

TULSA DR

R-6

R-2

LIMERICK LN

LOWELL LN

R-6

ALLISON LN

C-1

C-2

C-2

ENINE MILE RD

C-1

C-2

R-2


MILDRED AVE

LOUISE AVE

CU-2012-11 500' RADIUS ZONING

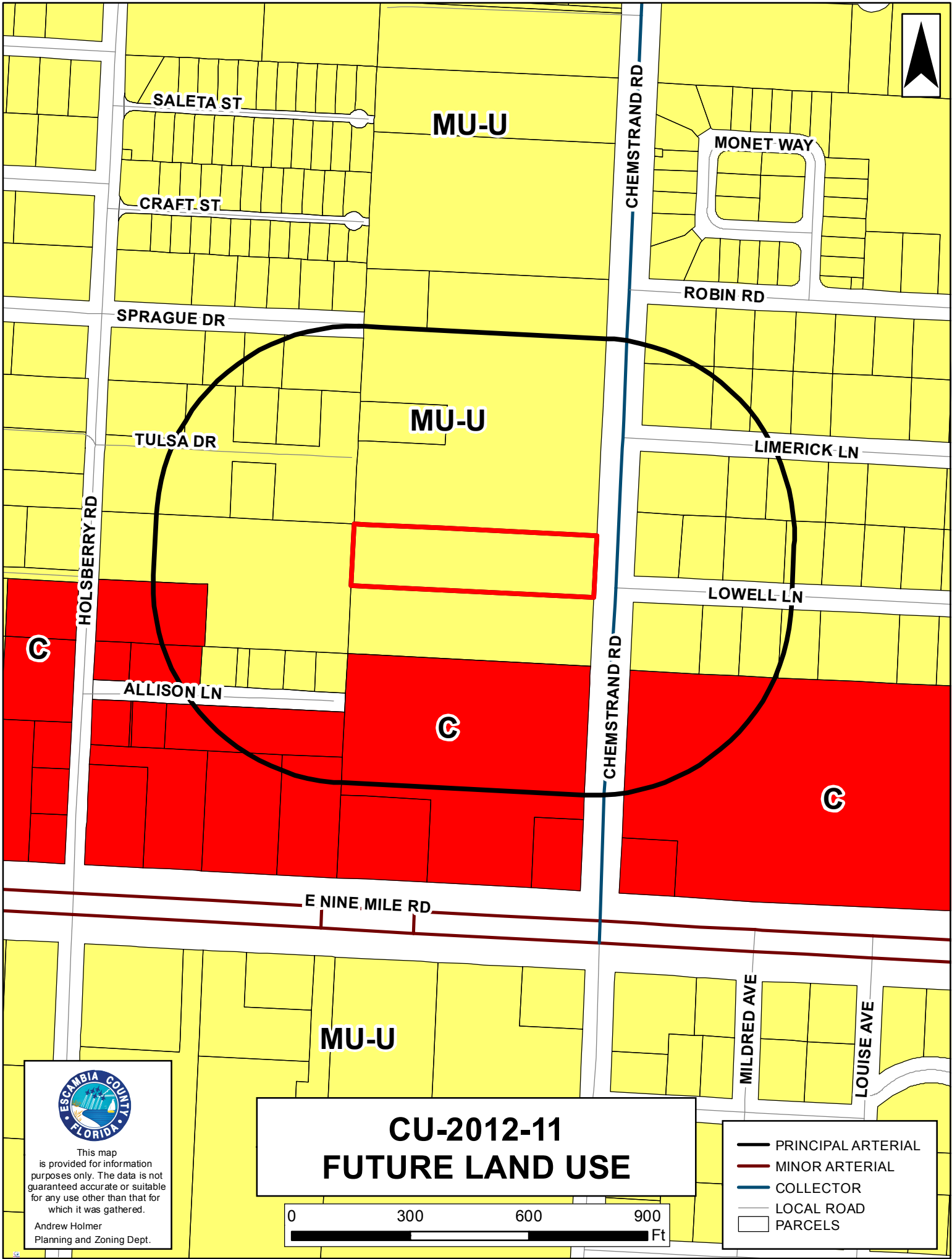


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



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Andrew Holmer
Planning and Zoning Dept.








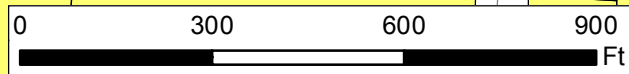
MU-U

MU-U

MU-U

CU-2012-11 FUTURE LAND USE

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



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Andrew Holmer
Planning and Zoning Dept.



TULSA DR

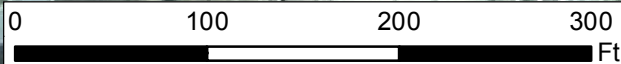
CHEMSTRAND RD









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Andrew Holmer
Planning and Zoning Dept.

CU-2012-11 AERIAL MAP



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

Detailed Builders, LLC

P.O. Box 13647
Pensacola, FL 32591
(850) 232-8308

July 19, 2012

Conditional use letter of request for Napa Auto Parts Store.

Request: conditional use approval to construct a 12,000sf +/- auto parts store. Building will be a single story pre-engineered metal building.

Address: 9625 Chemstrand Road, Pensacola, FL 32534

Zoning: Current zone is R-6. Up to 6000 sf is allowed for a commercial development. Greater than 6000 sf requires a conditional use approval.

FLU: MUU

Existing Parcel Use: The existing parcel is currently a mixed use occupancy. A single family residence (approx 2200 sf), in the rear, and a commercial use building (approx 1000 sf) in the front. Located to the south approximately 500' is Gulfwinds Credit Union and a commercial strip mall.

Parcel Appearance: Subject parcel is kept as the lawn for the residence and existing commercial building. Oak trees are the predominant species with some other species intermingled. The majority of the trees are located along the sides of the parcel. There is a drainage ditch running along Chemstrand Road frontage. Chemstrand Road is curbed along the frontage. An existing driveway cut with concrete apron is located close to the center of the frontage.

Proposed Project Design Considerations:

- 1. Building Use:** Building will be a warehouse with a retail sales counter area. It is strictly retail sales and part storage no repairs /service stations will done onsite.
- 2. Entrance Driveway:** According to Escambia County DRC pre-application comments it will be necessary to align the proposed driveway with Lowell Lane across Chemstrand. Our design will accommodate this requirement.
- 3. Environmental Impact:** Our design will be in accordance with the latest edition of the Escambia County Land Development Code. In addition the storm water system will be in accordance with the latest NFWFMD ERP II rule. The site will be landscaped per the LDC. Protected trees will be preserved where practical. However, in the event that we must remove protective trees, we will follow the LDC fulfilling the replacement tress requirements. There appear to be no other environmental impacts as to wetlands and water bodies.

4. **Overall Site Development:** The existing residence will remain. The proposed development will be confined to the front yard of the existing residence. The proposed 12,000 sf building will be accompanied by paved drives and parking for employees and patrons. A service road will run along the side of the building to accommodate deliveries by larger trucks. The rear employee parking lot will be designed to accommodate these trucks as they turn around to exit. There will be a dumpster enclosure to accommodate trash as per the LDC. Refuse generated will be primarily paper in nature no harmful chemicals would be disposed. All signage will be as per building codes and have minimal impact.
5. **Utilities:** Potable water will be provided by ECUA. There is currently an 8" water main across Chemstrand Road. An existing fire hydrant is located directly across from the proposed development. Sanitary sewer will be by septic tank. There is no sanitary sewer in the vicinity of the development.
6. **Neighborhood Impact:** The proposed development is located within 500 feet of Gulfwinds Credit Union and a strip mall. The existing building was used commercially as neighborhood retail. The property to the north has a single family residence similar to the one that will remain on the development.

Please feel free to address any additional comments at the above number and address.

Thank you for your consideration.

Sincerely,



William P. Holman

State of Florida, County of Escambia.

The foregoing instrument was acknowledged before me this 19th day of July 2012.

By William P. Holman

Personally known or produced identification _____

Tonja Brown
Signature of notary

Tonja Brown
Printed name of notary



APPLICATION

Please check application type:

Conditional Use Request for: _____

Administrative Appeal Variance Request for: _____

Development Order Extension Rezoning Request from: _____ to: _____

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

Owner(s) Name: Juanita Virginia Johns Revocable Trust Phone: _____

Address: 9625 Chestnut Road, P'coh 32524 Email: _____

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: 9625 Chestnut Road, P'coh FL 32534

Property Reference Number(s)/Legal Description: 08 15 30 100 300 4003

N 157 FT OF E 1/2 OF LT 3 LESS E 50 FT FOR STRD R/W S/O OF E 1/2 OR 4830 P 869

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

William P. Holman
Printed Name Owner/Agent

7/17/12
Date

[Signature]
Signature of Owner

Mark F. McDaniel
Printed Name of Owner

7/17/12
Date

STATE OF Florida

COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 17th day of July 2012
by William P. Holman AND Mark F. McDaniel, BOTH

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

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

TERRENCE K. DENNY
Printed Name of Notary



FOR OFFICE USE ONLY CASE NUMBER: CU-2012-11

Meeting Date(s): Aug 15, 2012 Accepted/Verified by: K Spitsbergen Date: 7/19/12

Fees Paid: \$ 1050⁰⁰ Receipt #: _____ Permit #: PBA 120700018

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 9625 Chemstrand Rd.
Florida, property reference number(s) 0815301003004003

I hereby designate Bill Holman 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 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: Bill Holman Email: bholman@detailedbuild.com
Address: P.O. Box 13647 Pensacola FL 32596 Phone: 850-232-8308

Trustee - Juanita Virginia Johns Rosario Juanita Virginia Johns Rosario Trust 6/29/11
Signature of Property Owner Printed Name of Property Owner Date

Juanita D. Rosario Juanita D. Rosario 6/29/12
Signature of Property Owner Printed Name of Property Owner Date

STATE OF Alabama COUNTY OF Houston
The foregoing instrument was acknowledged before me this 29th day of June 2012
by Melanie Agosta Johnson

Personally Known: OR Produced Identification: Type of Identification Produced: Drivers License
Melanie Agosta Johnson Melanie Agosta Johnson (Notary Seal)
Signature of Notary Printed Name of Notary



**MY COMMISSION EXPIRES
DECEMBER 21, 2015**

Current Owner

[Back](#)

Source: Escambia County Property Appraiser

[Restore Full Page Version](#)

General Information Reference: 081S301003004003 Account: 014619000 Owners: JOHNS JUANITA V & BOGGAN LARRY G & ROSARIO LANITA D TRUSTEES FOR JOHNS JUANITA VIRGINIA REVOCABLE TRUST Mail: C/O LANITA ROSARIO 9625 CHEMSTRAND RD PENSACOLA, FL 32514 Situs: 9625 CHEMSTRAND RD 32534 Use Code: STORE/OFFICE/SFR Taxing Authority: COUNTY MSTU Tax Inquiry: Open Tax Inquiry Window Tax Inquiry link courtesy of Janet Holley, Escambia County Tax Collector		2011 Certified Roll Assessment Improvements: \$67,613 Land: \$83,600 Total: \$151,213 Save Our Homes: \$0 Disclaimer Amendment 1 Calculations																								
Sales Data <table border="1"> <thead> <tr> <th>Sale Date</th> <th>Book</th> <th>Page</th> <th>Value</th> <th>Type</th> <th>Official Records (New Window)</th> </tr> </thead> <tbody> <tr> <td>09/14/2009</td> <td>6506</td> <td>837</td> <td>\$100</td> <td>OT</td> <td>View Instr</td> </tr> <tr> <td>01/2002</td> <td>4830</td> <td>869</td> <td>\$100</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>01/1973</td> <td>687</td> <td>733</td> <td>\$100</td> <td>WD</td> <td>View Instr</td> </tr> </tbody> </table> Official Records Inquiry courtesy of Ernie Lee Magaha, Escambia County Clerk of the Court		Sale Date	Book	Page	Value	Type	Official Records (New Window)	09/14/2009	6506	837	\$100	OT	View Instr	01/2002	4830	869	\$100	WD	View Instr	01/1973	687	733	\$100	WD	View Instr	2011 Certified Roll Exemptions None Legal Description N 157 FT OF E1/2 OF LT 3 LESS E 50 FT FOR STATE RD R/W S/D OF E 1/2 OR 4830 P 869... Extra Features None
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Parcel Information Restore Map Get Map Image Launch Interactive Map Section Map Id: 08-1S-30-2 Approx. Acreage: 2.2000 Zoned: R-6																										

Buildings					
Building 1 - Address:9625 CHEMSTRAND RD, Year Built: 1980, Effective Year: 1980					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left; padding: 2px;">Structural Elements</th> </tr> <tr> <td style="padding: 2px;"> FOUNDATION-SLAB ON GRADE EXTERIOR WALL-BRICK-FACE NO. PLUMBING FIXTURES-6.00 DWELLING UNITS-1.00 ROOF FRAMING-HIP ROOF COVER-DIMEN/ARCH SHNG INTERIOR WALL-DRYWALL-PLASTER FLOOR COVER-CARPET NO. STORIES-1.00 DECOR/MILLWORK-AVERAGE HEAT/AIR-CENTRAL H/AC STRUCTURAL FRAME-WOOD FRAME </td> </tr> <tr> <th style="text-align: left; padding: 2px;">Areas - 2175 Total SF</th> </tr> <tr> <td style="padding: 2px;"> BASE AREA - 1423 GARAGE FIN - 324 OPEN PORCH FIN - 8 PATIO - 420 </td> </tr> </table>	Structural Elements	FOUNDATION-SLAB ON GRADE EXTERIOR WALL-BRICK-FACE NO. PLUMBING FIXTURES-6.00 DWELLING UNITS-1.00 ROOF FRAMING-HIP ROOF COVER-DIMEN/ARCH SHNG INTERIOR WALL-DRYWALL-PLASTER FLOOR COVER-CARPET NO. STORIES-1.00 DECOR/MILLWORK-AVERAGE HEAT/AIR-CENTRAL H/AC STRUCTURAL FRAME-WOOD FRAME	Areas - 2175 Total SF	BASE AREA - 1423 GARAGE FIN - 324 OPEN PORCH FIN - 8 PATIO - 420	
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BASE AREA - 1423 GARAGE FIN - 324 OPEN PORCH FIN - 8 PATIO - 420					
Building 2 - Address:9615 CHEMSTRAND RD, Year Built: 1958, Effective Year: 1958					
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Areas - 998 Total SF					
BASE AREA - 893 OPEN PORCH FIN - 105					

Images



5/19/03



5/10/12



5/10/12

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

Pre-Application Reviewer Comments

Site Plan Pre-Application Reviewer Comments

Denise
Halstead

Escambia County
The Professional Engineer and Surveyor License
Development Services Bureau, Inc.
Professional Engineer License No. 100
Date: 2012 on 12/21/12

DRC Meeting Date: June 6, 2012
Project #: PSP120500045
Project Name: NAPA Auto Parts-Chemstrand
Project Address: 9625 Chemstrand Road

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.

David Fitzpatrick - eng -

Please Address the Following Comments

Access Management

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

- 1) The proposed driveway shall align with Lowell Lane [LDC 7.11.02.B].
- 2) Drive aisles with right angle parking stalls shall be 24 feet in width. Graphically show this dimension with your next submittal.
- 3) Provide the FDOT 211 and 279 studies (turn lane warrants) for the proposed new driveway on Chemstrand Road.
- 4) The new driveway shall not exceed 36 feet in width at the right-of-way.
- 5) Show the existing sidewalk along the Chemstrand Road frontage of the site. Provide a note on the site plan that states any construction activities that alter the sidewalk will meet the latest requirements of the Americans with Disabilities Act (ADA).
- 6) Site plans with buildings between 10,000-19,999 square feet shall provide a 12'x 55' loading zone. Insure that the loading zone will not inhibit any required parking stalls or drive aisles.
- 7) Additional comments may be forthcoming after your next submittal.

Stormwater

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

- 1) The increase in impervious surface resulting from modifications to existing development with a net increase of less than 1000 sf would result in a stormwater exemption. If any additional gravel area is proposed to the site, it would be considered as semi-impervious area and will have to be included in impervious area with a coefficient of 0.6. It appears that this development may not qualify for this exemption.
- 2) Please provide a table listing existing and proposed impervious, semi-impervious, and pervious areas.
- 3) Provide a complete stormwater management plan with applicable stormwater calculations signed and sealed by a professional engineer registered in the state of Florida. Demonstrate compliance with Land Development Code 5.10.02A and 7.15.06.
- 4) 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.
- * 5) FYI: Retention facilities have to be offset minimum 15 feet from septic systems.
- 6) When applicable please provide the following notes on the plans:
 - a) "The project engineer (engineer of record) shall provide to Escambia County "As-Built" record drawings for verification and approval by Escambia County one week prior to requesting a final inspection and certificate of occupancy, or provide "As-Built" certification that the project construction adheres to the permitted plans and specifications. The "As-Built" certification or the "As-Built" record drawings must be signed, sealed and dated by a registered Florida Professional Engineer"

Pre-Application Reviewer Comments

- 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) "No deviations or revisions from these plans by the contractor shall be allowed without prior approval from both the design engineer and the Escambia County. Any deviations may result in delays in obtaining a certificate of occupancy."
 - d) "The contractor shall install prior to the start of construction and maintain during construction all sediment control measures as required to retain all sediments on the site. Improper sediment control measures may result in Code Enforcement Violation."
 - e) "Retention/detention areas shall be substantially complete prior to any construction activities that may increase stormwater runoff rates. The contractor shall control stormwater during all phases of construction and take adequate measures to prevent the excavated pond from blinding due to sediments."
 - f) "All disturbed areas which are not paved shall be stabilized with seeding, fertilizer and mulch, hydroseed and/or sod."
 - g) "All new building roof drains, down spouts, or gutters shall be routed to carry all stormwater to retention/detention areas."
 - h) "Developer/Contractor shall reshape per plan specifications, clean out accumulated silt, and stabilize retention/detention pond(s) at the end of construction when all disturbed areas have been stabilized and prior to request for inspection."
 - i) "Contractor shall maintain record drawings during construction which show "as-built" conditions of all work including piping, drainage structures, topo of pond(s), outlet structures, dimensions, elevations, grading etc. Record drawings shall be provided to the Engineer of Record prior to requesting final inspection."
 - j) "The owner or his agent shall arrange/schedule with the County a final inspection of the development upon completion and any intermediate inspections at (850) 595-3472. As-built certification is required prior to request for final inspection/approval."
 - k) "Notify Sunshine Utilities 48 hours in advance prior to digging within R/W; 1-800-432-4770."
 - l) "Any damage to existing roads during construction will be repaired by the developer prior to final "as-built" sign off from the county."
 - m) "The contractor shall notify FDOT 48 hours in advance prior to initiating any work in the state rights-of-way."
- 7) Show applicable locations of erosion/sediment control measures, label on plans and provide a detail.
 - 8) 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.
 - 9) If applicable include on plans energy dissipaters at discharge points of all pipes and flumes based upon applicable design velocities. Rip-rap dissipater detail(s) should include minimum stone weight (suggest 50 lb), spread and depth dimensions. Splash pad dissipater detail(s) should include construction specifications, dimensions, material etc.
 - 10) If applicable include cross-section detail(s) of proposed pond(s) including side slopes, the top and bottom elevations, pond embankment stabilization notes, associated inflow/outflow structures, etc.
 - 11) Include a cross section of all proposed swales/open ditches including side slopes, and the proper stabilization notes. Plan view should include % slope, elevations, contours, and grading requirements as necessary for construction purposes.
 - 12) Add general dimensions for new retention/detention area construction; primary length and width.
 - 13) Provide a complete grading/drainage plan by tying existing contours to proposed contours.
 - 14) Demonstrate on plans how stormwater runoff is conveyed to receiving drainage system.
 - 15) A geotechnical soil analyses report is required for projects > 10,000 total sq ft of impervious area.
 - 16) Identify existing drainage system abutting the site or relevant to the proposed storm system. If none exists, then explain where the stormwater flows to or from the site.

Pre-Application Reviewer Comments

- 17) Provide a copy of a Maintenance Plan to both the County and the entity/owner responsible for maintenance, which includes a listing setting for the scheduled maintenance needs and operation/maintenance instructions for the stormwater facilities and erosion repairs.
- 18) 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.
- 19) 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.
- 20) 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 if applicable.
- 21) Drainage fees shall be paid at the time of the final comparison submittal. Drainage fees will be determined at the time of route sheet sign off.

Planning

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

- 1) Conditional use must be granted. 6.05.13.C.5. Automobile service operations, including indoor repair and restoration (not including painting), and sale of gasoline (and related service station products), gross floor area not to exceed 6,000 square feet. Outside repair and/or storage and automotive painting is prohibited.
- 2) What type of office will the existing house be?
- 3) 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.
- 4) 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).
- 5) On the plan designate the proposed and existing surfaces. Quantify them in square feet and percent of total to demonstrate the maximum impervious cover will not be exceeded and the minimum landscape area will be provided (4.06.09.Q, S).
- 6) 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).
- 7) Show setbacks and size dimensions of parking spaces, buildings, lot width, dock out from water, and other spaces as needed please be detailed as possible.
- 8) Show what means (raised curb, wheel stops, crossties, bollards, etc.) will be used to prevent vehicle encroachment beyond the parking surface, both at the lot perimeter and at internal landscape islands (7.01.05.N.2.d).
- 9) Show parking calculations with Handicap also labeled on site plan.
- 10) Provide a scaled drawing of exterior building elevations and a generalized floor plan identifying uses and areas (sq ft) within the proposed buildings (4.06.09.B).
- 11) 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).
- 12) Where is your dumpster going to be located? Provide a 6 ft privacy fence around the dumpster.
- 13) **If no trees are to be removed, Add a note to the site plan stating that no "protected trees" will be removed, destructively damaged, mutilated, relocated, disfigured, destroyed, cut down, or excessively pruned during construction activities (7.01.03.C1).**
- 14) The plan and notes do not accurately address proposed removal of protected trees and their mitigation (7.01.04.A.2 and 7.01.05.N.2.e). The table 7.01.00 may be used to summarize proposed tree removal and mitigation. Refer to the applicable LDC citations as necessary. Account for multi-trunk trees by using the equivalent cross-sectional area of a single-trunk tree, where equivalent diameter is the square root of the sum of

Pre-Application Reviewer Comments

the squares of multiple trunk diameters. In addition to any trees within the building area(s), if County or FDOT access management standards do not allow the drive to be located so as to avoid tree removal, trees at the immediate point of access would be exempt from mitigation. Apply the site area mitigation cap after any preservation credits have been applied.

- 15) On the plan symbolize tree barricades for existing trees that are to remain. Indicate they are to be installed prior to any land disturbance activity and are to remain through construction. Provide and reference a typical barricade construction detail. Symbolize the barricades to the extent of the tree canopies, or the general limit of proposed improvements, whichever is less (7.01.04.A.1).
- 16) Heritage and champion trees are protected in all land uses (7.01.02C) Please add a note to the site plan regarding the presence of heritage or champion trees. If any are located on the site, please show on the site plan.
- 17) The Land Development Code calls for the preservation and protection of certain existing trees. Tree removal shall be granted or denied based on standards in LDC sections 7.01.04.C.1 thru 7.01.04.C.6.
- 18) A tree mitigation table should be inserted on the site plan showing all protected trees for removal, their species, DBH, mitigation requirements, and credits if applicable. An example of the mitigation table is available at NESD.
- 19) Replacement trees should be like (canopy) types, but parking lot island or frontage trees need not be canopy types. Provide definitions of canopy (mature height 30 feet or greater) and understory (mature height less than 30 feet) trees.
- 20) Indicate that trees proposed to meet minimum County landscaping requirements must be at least 9 feet in height at time of planting. Specification of a minimum caliper is also recommended.
- 21) Freestanding signage is additionally limited to one sign per street frontage, a maximum 200 sq. ft. in area, a maximum 35 feet in height, and a minimum 200 feet from any other such site sign. Each freestanding sign is limited to a minimum 10 feet setback from rights-of-way and must maintain visual clearance along rights-of-way and at intersections. A valid Escambia County Sign Permit Must be obtained prior to erecting, constructing, altering, or relocating any site signage. For those signs placed on a corner, the side setback will be determined by measuring 35 feet along the intersections of the two public rights-of way.
- 22) *7.01.06. Buffering between zoning districts and uses.*
 - A. *Zoning districts.* The following spatial relationships between zoning districts require a buffer:
 3. C-1, C-1PK, C-2 GBD or GMD districts, where they are adjacent to single-family or two-family districts (RR, SDD, R-1, R-1PK, R-2, R-2PK, R-3, V-1, V-2, V-3, V-5, VR-1, VR-2, PUD) or multiple-family and office districts (R-3PK, R-4, R-5, R-6, V-4, VM-1, VM-2, PUD), or agricultural districts (AG and VAG).
 4. ID-P, ID-1, ID-2, GID districts, where adjacent to residential, commercial, agricultural or SDD districts.
 - B. *Land uses.* The following relationships between land uses require a buffer:
 1. Multiple-family, zero lot line or office uses, where they are adjacent to single-family or two-family uses.
 2. Commercial land uses, where they are adjacent to residential uses.
 3. Industrial land uses, where they are adjacent to residential, office, agricultural or commercial uses.
 - C. *Responsibility for buffer.* For buffers on parcels between zoning districts, the property owner requesting approval of a site plan or a building permit shall be responsible for providing and maintaining said buffer.
 - D. *Buffer standards.*
 1. *Function.* Buffers shall be designed to protect the lower intensity use from the more intensive use (agriculture from residential, residential from commercial, etc.) and provide an aesthetically attractive barrier between such uses. The buffer shall function to protect each land use from the intrusive effects of adjacent activities and minimize the adverse impacts of the uses upon each other. It is the intent of this part that the negative impacts of the uses upon each other are minimized or, preferably, eliminated by the buffer such that the long-term continuance of either use is not threatened by such impact and, therefore, incompatibility between uses is minimized or eliminated.
 2. *Type.* The buffer shall be a natural vegetative barrier or a landscaped barrier or combination thereof, supplemented with fencing or other manmade barriers within the required landscaped strip. These landscaped strips shall be of a minimum of ten feet in width and shall be landscaped for every 100 linear feet with plant coverage following Standard A-2 (for a ten-foot wide strip). Natural barriers proposed to

Pre-Application Reviewer Comments

remain shall meet these minimum requirements or the applicant must provide evidence that the existing natural barrier will fulfill the intent of subpart 1.

- 23) Include information on site plan per Escambia County LDC article 4.06.09, items A-W as applicable-see attachment.
- 24) Health Dept (Stephen Metzler 850-595-6700 stephen_metzler@doh.state.fl.us)-The project does not clearly indicate how the sewage is to be disposed. If your project has access to a sanitary sewer system, your project will be required to connect to it. If sanitary sewer system is not available you will need to make application with the Escambia County Health Department for a permit to install a new system or a permit for an inspection of an existing system. Additional information can be obtained from Mr. Barry Evans who can be contacted by phone at 850-595-6700 or by email at barry_evans@doh.state.fl.us.
- 25) 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.
- 26) 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) An Environmental "Site Specific Survey" shall be conducted on the parcel(s) proposed for development prior to approval. At a minimum, the survey should include a wetland determination and a site evaluation for threatened/endangered species and species habitat (LDC 7.13.02). The survey may be performed by County staff or other qualified professional. A copy of the County application is attached. Please contact Christina Smith at (850) 595-3475 to submit an application. Depending on the results of the survey additional comments may be necessary.

Floodplain Management

Reviewer: Juan Lemos @ 850-595-3467
Juan_Lemos@co.escambia.fl.us

- 1) Per Escambia County Land Development Code (LDC) Articles 4.02.05 e, 4.06.09 R and T, etc., flood zone elevation data and boundary information should be detailed on development plans. Construction in flood-prone areas shall comply with the county flood hazard prevention regulations as defined within Article 10 (part I or part II, as appropriate) of this ordinance.
- 2) When conveying flood zone(s) and flood zone map(s) information, staff requests that the following table (or a similar version thereof) be included on the plans, with the appropriate additional information inserted, for the parcel proposed for development: (*Note: figures given are constants)

The parcel shown for development is located within the following flood zones as detailed by FEMA FIRM (flood insurance rate map) information described below:

FLOOD Zone (s)	NFIP Community Number*	Map Number*	Panel Number(s)	Map Suffix*	Map Revision Date*	
	120080	12033C		G	September 29, 2006	

If your site lies within more than one flood zone, delineate and label each zone to include Base Flood Elevations. If you use more than one panel number include the numbers of all panels used.

Fire Safety

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

- 1) Provide hydrant flow data, minimum of 1500 gal per min at 20 psi is required.
- 2) Provide access to building in back per NFPA 1 chapter 18.
- 3) Provide floor plan.

Pre-Application Reviewer Comments

Traffic Concurrency

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

- 1) At a minimum, trip distribution/assignment will be required per Land Development Code 5.12.02. Applicant is encouraged to discuss methodology prior to preparing trip distribution.

Handicap Access

Reviewer: Rick Lee @ 850-595-3573
Rick_Lee@co.escambia.fl.us

- 1) Provide handicap accessible parking striping details, and sign detail.
- 2) Fine to be max \$250.00
3. Provide minimum 44" accessible route in front of handicap parking spaces.

Please contact each reviewer to schedule an appointment.

INITIAL TEST FOR TRAFFIC CONCURRENCY WORKSHEETS

DEVELOPMENT REVIEW COMMENTS

At a minimum, trip distribution/assignment will be required per Land Development Code 5.12.02. Applicant is encouraged to discuss methodology prior to preparing trip distribution.

Rev 01/28/03

Planning ID #: PSP120500045

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

Project Name & Address: NAPA Auto Parts-Chemstrand, 9625 Chemstrand Rd

Roadway Facility: Chemstrand Rd from Nine Mile Rd to Old Chemstrand

Project Description: Retail District: TAZ:

Worksheet Prepared By: Thomas Brown, Jr Phone: (850) 595-34304 Date: 06/05/12

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> Automobile Parts Sales </u>	ITE Code: <u> 843 </u>	Page #: <u> 1537 </u>
Independent Variable: <u> 1000 Sq Ft Gross Floor Area </u>		
Size of Independent Variable:	11.948	[A]
Average Rate for PH (4-6 P.M.) of Adjacent Street Traffic:	5.98	[B]
Driveway Trips (A*B), result from fitted curve equation or trips from locally collected data:	71.4	[C]
Internal Capture Rate Percentage (if applicable):		0% [D]
Internal Trips (C*D):		0.0 [E]
Adjusted Driveway Trips (C-E):		71.4 [F]
Pass-By Trip Percentage (if applicable):		0% [G]
Pass-By Trips (F*G):		0.0 [H]
New Driveway Trips (F-H):		71 [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? YES [J]

 X 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.

 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: NAPA Auto Parts-Chemstrand, 9625 Chemstrand Rd
Roadway Facility: Chemstrand Rd from Nine Mile Rd to Old Chemstrand

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):	71		[J]
Trip Distribution (% exiting):	51%		[K]
Allocated Trips (I*K):	36		[L]
2-Way PM PH Service Volume (column 18):	2,110		[M]
1% of Service Volume (column 21 or M*.01):	21		[N]
Are Allocated Trips greater than 1% of the Service Volume (is L > N)?	15	YES	[O]
Existing Total Trips (column 16):	1,259		[P]
Proposed Total Trips (L+P):	1,295		[Q]
110% of Service Volume (column 23 or M*1.10):	2,321		[R]
Are Proposed Total Trips greater than 110% of the Service Volume (is Q > R)?	-1,026	NO	[S]
Is the roadway segment on a designated hurricane evacuation route (column 24)?		NO	[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.

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

 X 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)?	-815	N/A	[U]
If "NO" to [T], is the number of Proposed Total Trips greater than 110% of the Service Volume (is Q > R)?	-1,026	NO	[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.

If additional information or further discussion is needed, please call for an appointment.