

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
QUASI-JUDICIAL HEARING
October 8, 2012–8:30 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. Z-2012-22
Applicant: Jimmie Black, Agent for New Birth Baptist Church of Pensacola
Address: 1610 N "Q" St
From: R-2, Single Family District (cumulative) Low-Medium Density
To: R-5, Urban Residential/Limited Office District, (cumulative) High Density.
 - B. Z-2012-23
Applicant: Michael Russo, Agent for Edna Munro, Owner
Address: 1926 Creighton Rd
From: R-2, Single Family District (cumulative) Low-Medium Density/C-1 Retail Commercial District (cumulative).
To: C-1 Retail Commercial District (cumulative).
 - C. Z-2012-24
Applicant: Wiley C. "Buddy" Page, Agent for Warren Brown & Kathleen Horton-Brown
Address: 1100 Conference Rd
From: VAG-2, Village Agriculture District
To: V-2, Village Residential District- Gross Density (two units per acre)
 - D. Z-2012-25
Applicant: Freddy Powell, Owner
Address: 617 N 70th Ave. & 7008 W Jackson St

From: R-2, Single Family District (cumulative) Low-Medium Density
To: C2NA, General Commercial and Light Manufacturing District
(cumulative); no sale of alcohol allowed

6. Adjournment.

Planning Board-Rezoning

5. A.

Meeting Date: 10/08/2012

CASE : Z-2012-22

APPLICANT: Jimmie L. Black Jr., Agent for
New Birth Baptist Church of
Pensacola

ADDRESS: 1610 N. "Q" Street

PROPERTY REF. NO.: 17-2S-30-1300-002-007

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

DISTRICT: 3

OVERLAY DISTRICT: Brownsville

BCC MEETING DATE: 11/01/2012

SUBMISSION DATA:

REQUESTED REZONING:

FROM: R-2 Single-Family District (Cumulative), Low-Medium Density (7du/acre) & R-3 One-Family and Two-Family District, (Cumulative) Medium Density (10du/acre).

TO: R-5 Urban Residential/Limited Office District, (Cumulative) High Density (20du/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.

Comprehensive Plan Policy (CPP) 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. The Mixed-Use Urban (MU-U) Future Land Use (FLU) category is intended for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole. Range of allowable uses include: Residential, Retail and Services, Professional Office, Light Industrial, Recreational Facilities, Public and Civic. The minimum residential density is 3.5 dwelling units per acre and the maximum residential density is 25 dwelling units per acre.

CPP 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).

CPP FLU 2.1.2 Compact Development. To promote compact development, FLUM amendments and residential rezonings to allow higher residential densities may be allowed in the Mixed-Use Urban (MU-U) and Mixed-Use Suburban (MU-S) future land use categories.

FINDINGS

The proposed amendment is **consistent** with the intent of CPP FLU 1.5.3 as it does promote the efficient use of existing public roads, utilities and service infrastructure and to maximize the use development densities within the FLU category. The proposed amendment is listed as a permitted use under the FLU Mixed-Use Urban. The proposed amendment to R-5 is consistent with the intent and purpose of Future Land Use category Mixed-Use Urban (MU-U) as stated in CPP FLU 1.3.1.

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.

6.05.07. R-2 Single-Family District (cumulative), low-medium density. A. Intent and purpose of district. This district is intended to be a single-family residential area with large lots and low population density. The maximum density is seven dwelling units per acre. Refer to article 11 for uses and densities allowed in R-2, single-family areas located in the Airport/Airfield Environs. Structures within Airport/Airfield Environs, Zones, and Surfaces remain subject to the height definitions, height restrictions, and methods of height calculation set forth in Article 11. Refer to the overlay districts within section 6.07.00 for additional regulations imposed on individual parcels with R-2 zoning located in the Scenic Highway Overlay District and RA-1(OL) Barrancas Redevelopment Area Overlay District.

6.05.09. R-3 one-family and two-family district, (cumulative) medium density. A. Intent and purpose of district. This district is intended to provide for a mixture of one-family and two-family dwellings, including townhouses, with a medium density level compatible with single-family residential development. The maximum density is ten dwelling units per acre. Refer to article 11 for uses and densities allowed in R-3, one-family and two-family areas located in the Airport/Airfield Environs. Structures within Airport/Airfield Environs, Zones, and Surfaces remain subject to the height definitions, height restrictions, and methods of height calculation set forth in article 11. Refer to the overlay districts within section 6.07.00 for additional regulations imposed on individual parcels with R-3 zoning located in the Scenic Highway Overlay District and RA-1(OL) Barrancas Redevelopment Area Overlay District.

6.05.12. R-5 urban residential/limited office district, (cumulative) high density. A. Intent and purpose of district. This district is intended to provide for high density urban residential uses and compatible professional office development, and designed to encourage the establishment and maintenance of a suitable higher density residential environment and low intensity services. These uses form a transition area between lower density residential and commercial development. Maximum density is 20 dwelling units per acre except in the low density

residential (LDR) future land use category where the maximum density is 18 dwelling units per acre. Refer to article 11 for uses, heights and densities allowed in R-5, urban residential/limited office areas located in the Airport/Airfield Environs.

B. Permitted uses.

1. Any permitted uses in the R-4 district.
2. Professional offices including, but not limited to, those of architects, engineers, lawyers, tax consultants, accountants and medical and dental clinics, real estate and insurance offices.
3. Mobile homes as single-family residences.
4. Public utility and service structures.
5. Other uses which are similar or compatible to the uses permitted herein that would promote the intent and purposes of this district. Determination on other permitted uses shall be made by the planning board (LPA).

C. Prohibited uses. Any business which displays merchandise to be sold on the premises unless such business is part of a multistory, or multi unit, predominately residential project or accessory to the office use.

D. Conditional uses.

1. Any conditional uses allowed in the preceding districts.
2. Cemeteries, mausoleums and crematoriums.
3. Enclosed animal hospitals and veterinary clinics.
4. Mobile home subdivisions and parks.
5. Private clubs and lodges.

Land Development Code (LDC) 2.08.02.D.7.b Quasi-judicial rezonings. The proposed rezoning will constitute "spot zoning," that is an isolated zoning district that may be incompatible with the adjacent and nearby zoning districts and uses, or as spot zoning is otherwise defined by Florida law;The proposed amendment is consistent with the intent and purpose of the Land Development Code.

LDC 7.01.06. Buffering between zoning districts and uses.

A. Zoning districts. The following spatial relationships between zoning districts require a buffer:
2. AMU-1, AMU-2, R-4, R-5, R-6, V-4, VM-1, or VM-2 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-2A, V-3, V-5, VR-1, VR-2).

6.07.03. Brownsville Overlay District

A. Intent and purpose of district. The Brownsville Overlay District is intended to provide an enhanced level of protection to the unique and historic character of the Brownsville Community Redevelopment District thereby furthering the objectives of the Brownsville Community Redevelopment Plan. This is a zoning overlay and the regulations herein expand upon the existing zoning district regulations otherwise imposed on individual parcels within the district.

B. Applicability. This zoning overlay district applies to all zoned properties within the Brownsville Community Redevelopment District.

C. Relationship to underlying zoning. All of the use listings and site design requirements of the underlying zoning districts shall continue to apply.

D. Permitted uses. Mixed-use developments, defined as where non-residential and residential uses occupy the same building. The non-residential use(s) shall contain the first or bottom floor and the residential use(s) contain the second or upper floor(s).

E. Prohibited uses.

1. Off-premises signs.
2. Mobile homes and manufactured homes. (This does not prohibit the construction of modular homes; see Article 3 of this code.)

3. Mobile home/manufactured home parks.

F. Uses requiring management plan submittal. The following uses shall require submission of a management plan to the CRA prior to development approval. The CRA must be notified of any amendments to a submitted management plan.

1. Retail sale of alcohol for off-premises consumption.
2. Bars and nightclubs.
3. Pawn shops and check cashing services.
4. Commercial amusement arcades, including billiard parlors and game machine arcades.
5. Automotive uses (including car sales, automobile rental agencies, car washes, auto repair facilities, tire sales, etc.).
6. Truck, utility trailer, and RV rental service or facility.
7. Portable food vendors.
8. Tattoo parlors.
9. Welding shops located in C-1 zoning districts.

G. Management plan. The applicant shall submit a management plan that addresses the following:

1. Proposed hours of operations.
2. Other similar properties managed by the applicant, if applicable.
3. Explanation of any franchise agreement.

H. Rezoning. Surrounding uses, whether conforming or non-conforming should not be taken into consideration for the rezoning rationale.

I. Non-residential site and building requirements.

1. Building height. New buildings, additions and redeveloped buildings shall complement the existing pattern of building heights. Buildings in the overlay district may not exceed 45 feet in height.

2. Building design.

a. Setbacks. New construction shall be setback from Mobile Highway and Cervantes Street a distance similar to adjacent buildings unless customer parking is provided adjacent to any of these streets in support of Crime Prevention through

3. Mobile home/manufactured home parks.

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1. Proposed hours of operations.
2. Other similar properties managed by the applicant, if applicable.
3. Explanation of any franchise agreement.

H. Rezoning. Surrounding uses, whether conforming or non-conforming should not be taken into consideration for the rezoning rationale.

FINDINGS

The proposed amendment **is not compatible** with land development code (LDC 2.08.02.D.7.b) due to fact that it constitutes as spot zoning. Buffering requirement will apply, as stated in (LDC 7.01.06); further review during the site plan review process will be needed to ensure the buffering requirements and other performance standards have been met, should this amendment to R-5 be granted. The Parcel is designated as part of the Brownsville Community Redevelopment Area, compliance with the Brownsville Redevelopment Plan will be address by CRA staff.

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 not compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed properties with zoning districts R-2, R-3 and C-2. There are three (3) church properties, nine (9) commercial properties, 12 vacant and 69 residential properties. The majority of the surrounding uses within the 500' area are of a residential nature.

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). For informational purposes staff found case V-2001-22 at the subject property for a variance of 7.0 feet to the required 20.0 feet front yard setback to allow a 13.0 feet front yard setback to allow an addition to the existing church approved on July 11, 2001.

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 not** result in a logical and orderly development pattern. The permitted uses of the R-5 zoning district are not of a comparable intensity of the surrounding uses and the property consist of spot zoning.

Attachments

Z-2012-22

CRA Comments

Z-2012-22

2-2012-22



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: R-2/R-3 to: R-6

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

Owner(s) Name: New Birth Baptist Church of Pensacola, Inc Phone: 417-2939
(850) 432-9935

Address: 1610 NORTH "Q" 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: 1610 N. "Q" STREET

Property Reference Number(s)/Legal Description: ~~30-25-30-1002-005-009~~
17-25-30-1300-002-007

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.

Jimmie L Black Jr
Signature of Owner/Agent

Jimmie L. Black JR
Printed Name Owner/Agent

01-01-12
Date

Signature of Owner

Printed Name of Owner

Date

STATE OF Florida

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 1st day of January 2012

by _____ My Commission EE 120403 Expires 08/09/2015

Minnie I. Kidd
My Commission EE 120403
Expires 08/09/2015

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

Minnie I. Kidd
Signature of Notary
(notary seal must be affixed)

Minnie I. Kidd
Printed Name of Notary

FOR OFFICE USE ONLY CASE NUMBER: 2-2012-22

Meeting Date(s): PB - Oct 8 / BCC Nov 8 Accepted/Verified by: A Cani Date: 8/17/12

Fees Paid: \$ 1,050 Receipt #: _____ Permit #: PRZ120800022



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: 2-2012-22

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only 17-25-30-1300-002-007
 Property Reference Number(s): ~~30-25-30-1002-005-009~~
 Property Address: 1610 NORTH "Q" STREET

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

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

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

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

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

Jimmie L Black Jr
Signature of Property Owner

Jimmie L. BLACK JR
Printed Name of Property Owner

Date

Signature of Property Owner

Printed Name of Property Owner

Date



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: 2-2012-22

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 1610 North Q Street, Pensacola, FL 32505,
Florida, property reference number(s) 175-25-30-1300-002-007

I hereby designate Jimmie L. Black Jr. 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 1st day of January the year of, 2012, 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: Jimmie L Black Jr Email: Jimmie6073@cox.net
Address: 1610 North Q Street, Pensacola, FL 32505 Phone: (850) 432-9935

Jimmie L Black Jr
Signature of Property Owner

Jimmie L Black Jr
Printed Name of Property Owner

01-01-12
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 1st day of January 20 12
by _____.

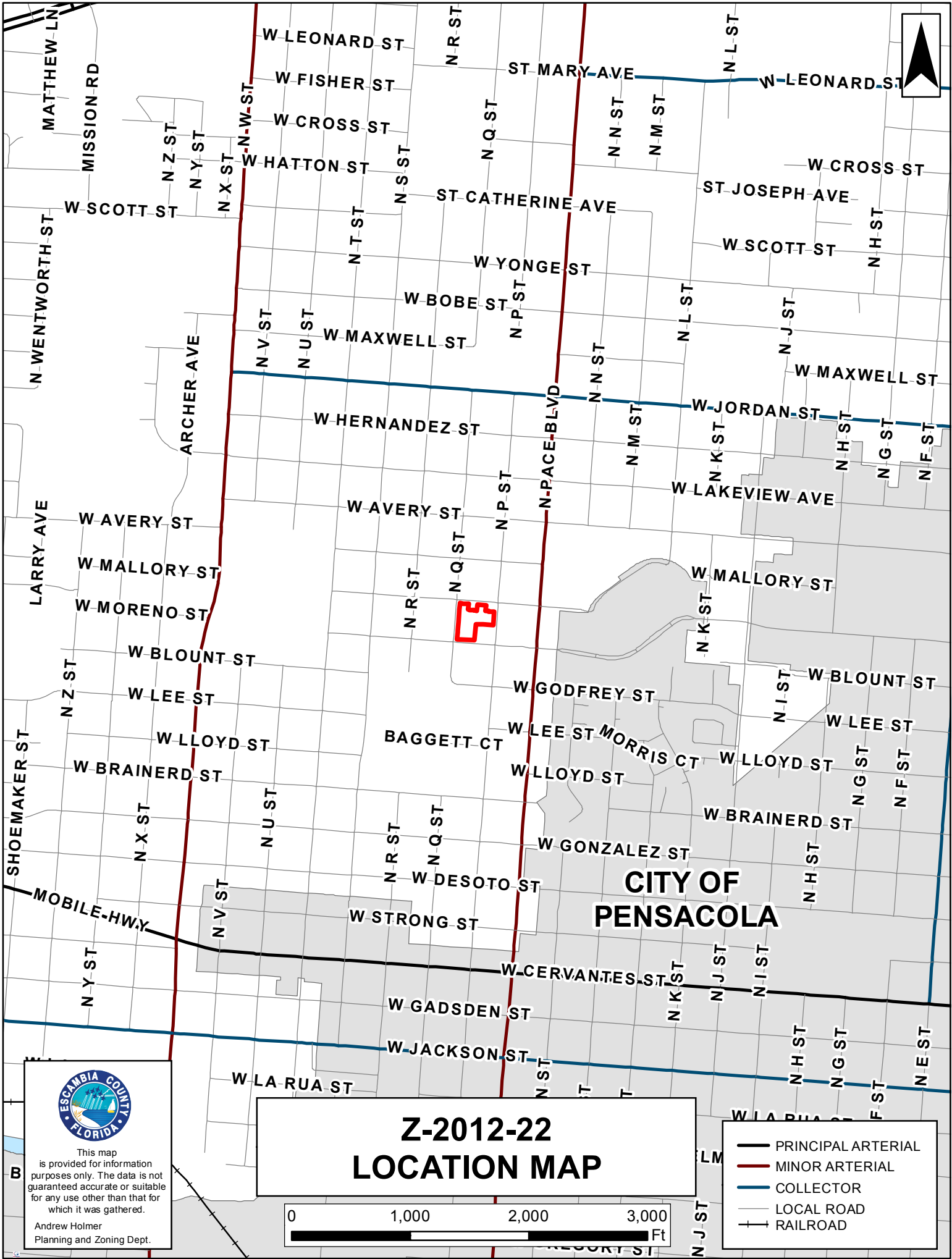
Personally Known OR Produced Identification . Type of Identification Produced: _____


Minnie I. Kidd
Signature of Notary

Minnie I. Kidd
Printed Name of Notary

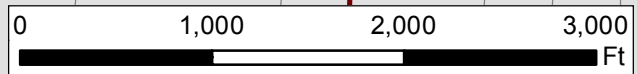
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


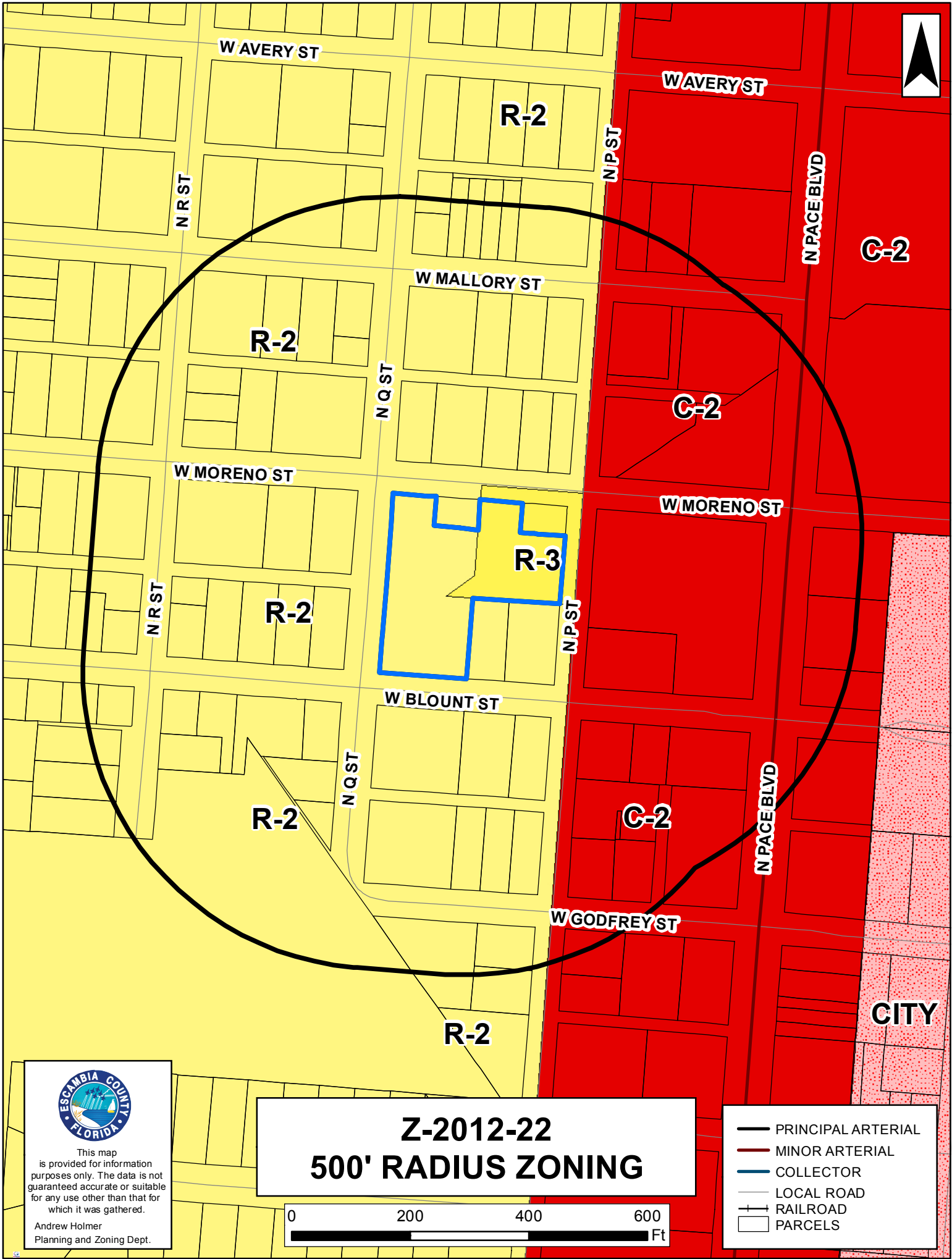



 This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
 Andrew Holmer
 Planning and Zoning Dept.

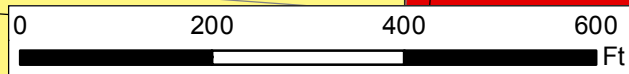
Z-2012-22 LOCATION MAP




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



Z-2012-22
500' RADIUS ZONING

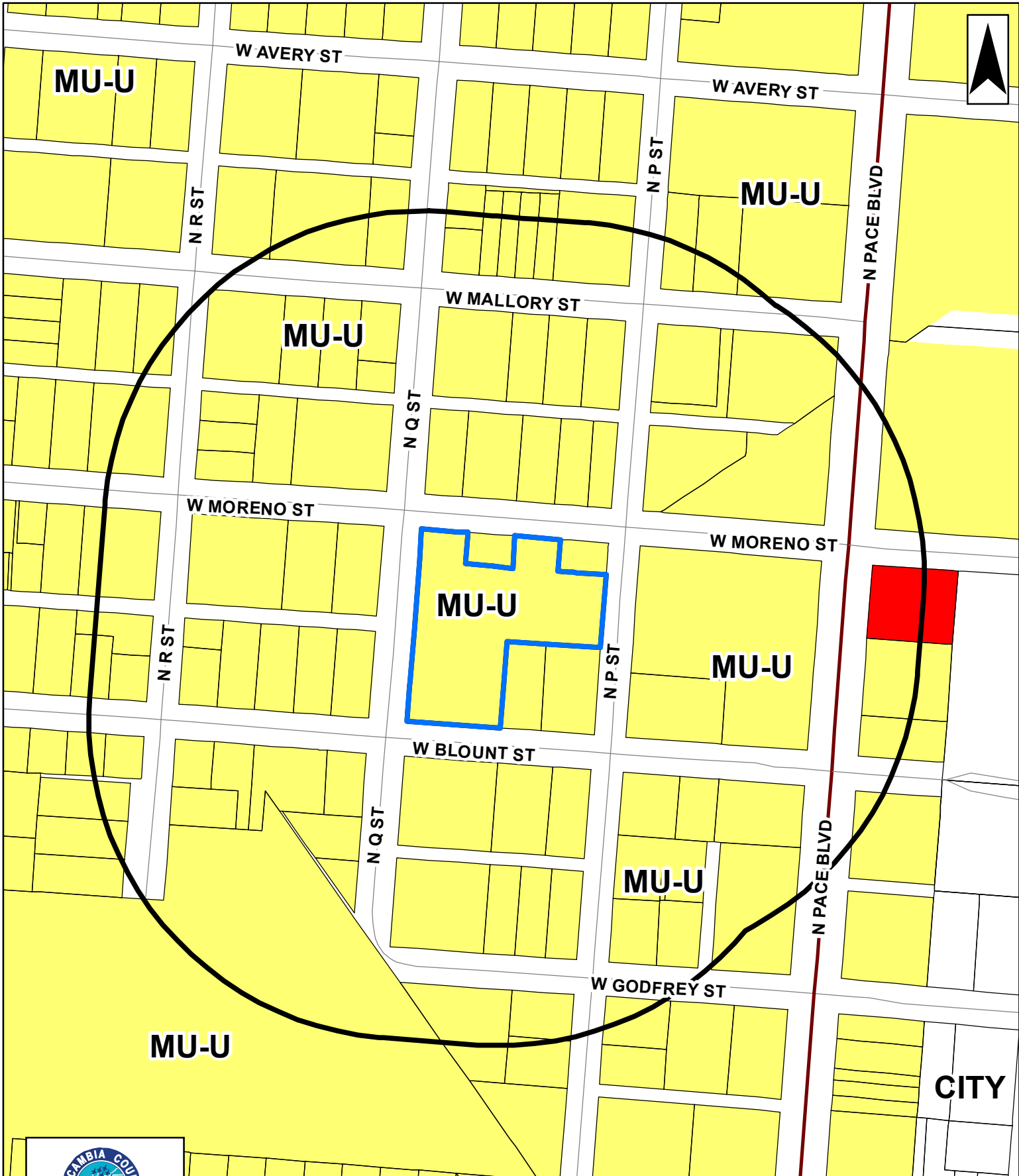


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD
- PARCELS



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Andrew Holmer
 Planning and Zoning Dept.



MU-U

W AVERY ST

W AVERY ST

MU-U

MU-U

W MALLERY ST

W MORENO ST

MU-U

W MORENO ST

MU-U

W BLOUNT ST

MU-U

W GODFREY ST

MU-U

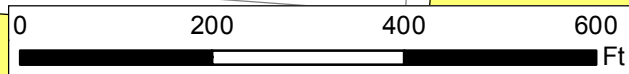
CITY



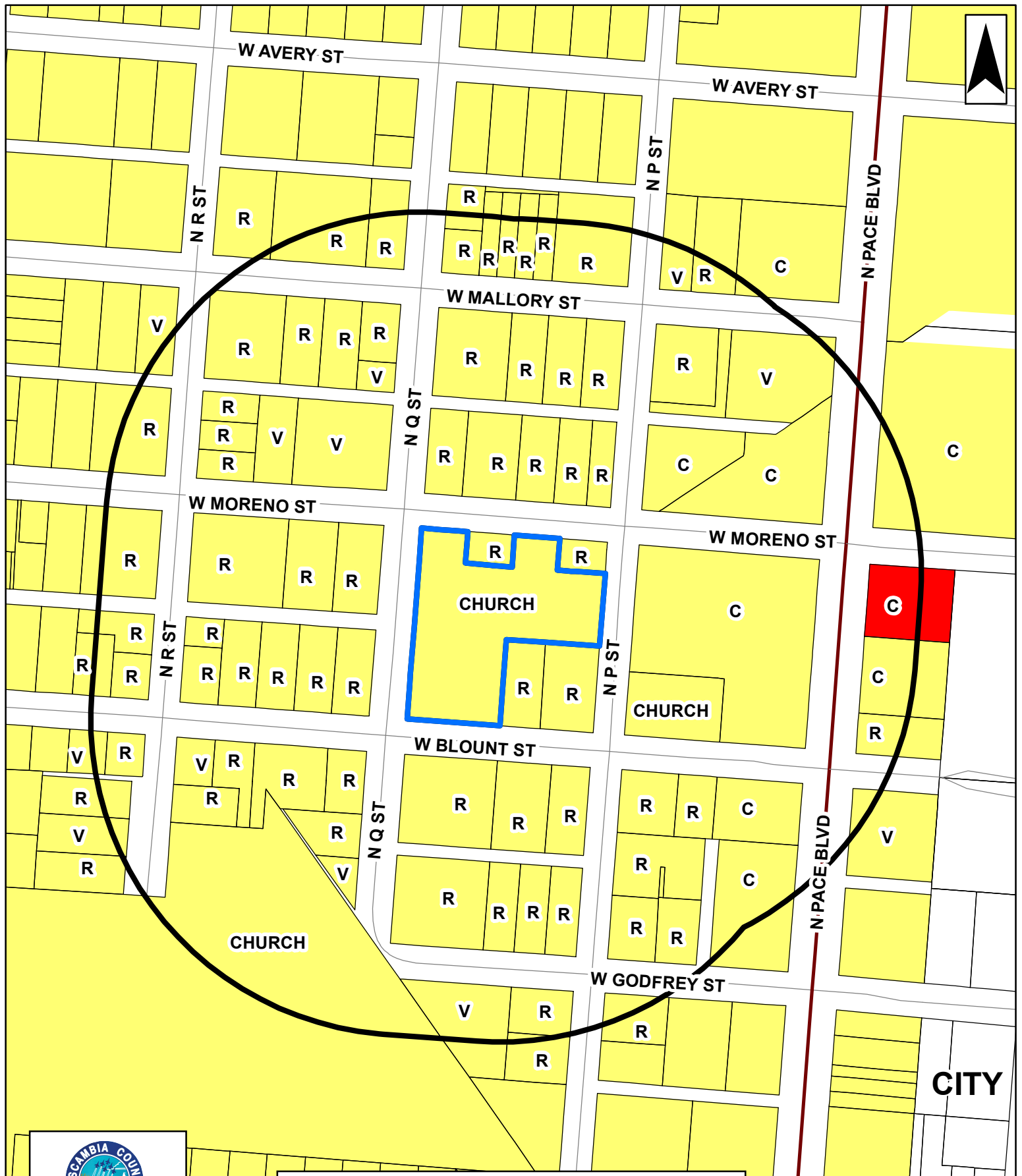
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Andrew Holmer
Planning and Zoning Dept.

Z-2012-22 FUTURE LAND USE



- PRINCIPAL ARTERIAL
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- LOCAL ROAD
- RAILROAD
- PARCELS



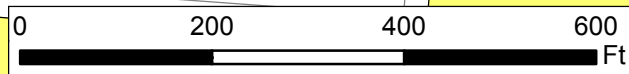
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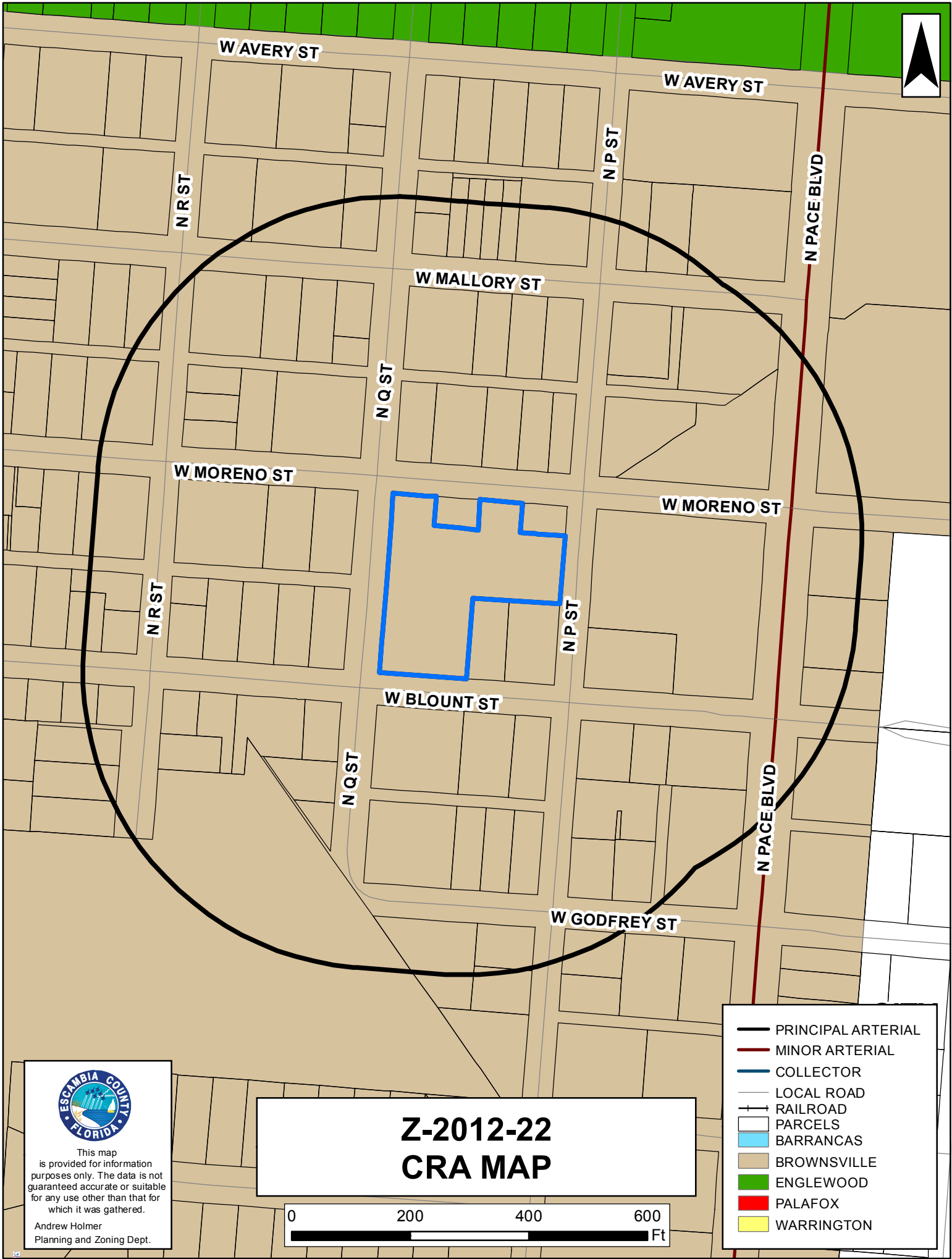
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Z-2012-22 EXISTING LAND USE

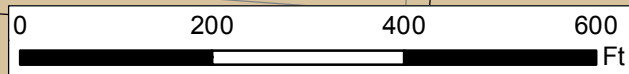



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD
- PARCELS



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  RAILROAD
-  PARCELS
-  BARRANCAS
-  BROWNSVILLE
-  ENGLEWOOD
-  PALAFOX
-  WARRINGTON

Z-2012-22 CRA MAP

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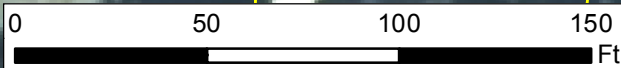
Andrew Holmer
Planning and Zoning Dept.



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Andrew Holmer
Planning and Zoning Dept.

Z-2012-22 AERIAL MAP



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



Public Hearing Sign



**Looking Northeast at
the Subject Parcel**



**Looking East at the
Subject Parcel**



**Looking South East
at the Subject Parcel**



**Looking South along
North “Q” Street**



**Looking Northwest
along North “Q”
Street**



**Looking East along
West Moreno Street**



**Looking along West
Moreno Street.**



**Looking Southeast
along North "P"**

Street



**Looking South along
North "P" Street**

New Birth Baptist Church of Pcala Inc

Escambia County Property Appraiser

172S301300002007 - Full Legal Description

S 90 FT OF LTS 1 TO 5 BLK 7 OR 2109 P 601 HAZLEHURST PLAT DB 55 P 262 SEC 17/31 T 2S R 30 ALSO N 1/2 OF ALLEY ADJOINING LTS OR 3593 P 311 ALSO BEG AT INTER OF S R/W LI OF MORENO ST (55 FT R/W) & W R/W LI OF NORTH P ST (50 FT R/W) N 90 DEG E 127 42/100 FT TO N LI OF SEC 30 FOR POB S 0 DEG 22 MIN 10 SEC E 33 17/100 FT S 89 DEG 44 MIN 33 SEC W 40 43/100 FT TO N LI OF SEC N 50 DEG 20 MIN 1 SEC E ALG N LI OF SEC 52 25/100 FT TO POB PART OF BLK I RE S/D OF BLOUNT S/D PB 1 P 87 OR 3581 P 734 ALSO BEG AT INTER OF S R/W LI OF W MORENO ST (55 FT R/W) & W R/W LI OF P ST (50 FT R/W) N 90 DEG W 75 FT FOR POB N 90 DEG W 74 01/100 FT S 0 DEG 14 MIN 11 SEC E 127 42/100 FT TO N LI OF SEC 30 T 2S R 30 S 0 DEG 22 MIN 10 SEC E 33 17/100 FT N 89 DEG 44 MIN 33 SEC E 148 56/100 FT TO W R/W LI N 0 DEG 5 MIN 56 SEC W 108 07/100 FT S 89 DEG 52 MIN 43 SEC W 74 95/100 FT N 0 DEG 1 MIN 5 SEC W 52 01/100 FT TO POB BEING A PORTION OF LTS 7 & 8 BLK I BLOUNT RE S/D OF KUPFRAN PARK PB 1 P 87 ALSO BEING A PORTION OF LTS 6 TO 8 HAZELHURST PLAT DB 55 P 262 OR 4429 P 857 ALSO S 68 FT OF THE FOLLOWING: FRAC OF LTS 18 19 20 BLK 7 HAZLEHURST PLAT DB 55 P 262 SEC 17/31 T 2S R 30 & ALL LT 4 & FRAC LTS 5-6 BLK I RE S/D OF KUPFRAN PARK W OF O ST PB 1 P 87 OR 6317 P 792 ALSO N 72 FT OF THE FOLLOWING: FRAC OF LTS 18 19 20 BLK 7 HAZLEHURST PLAT DB 55 P 262 SEC 17/31 T 2S R 30 ALSO S 1/2 OF ALLEY ADJOINING LTS OR 3593 P 311 ALSO ALL LT 4 AND FRAC LTS 5-6 BLK I BLOUNT RE S/D OF KUPFRAN PARK W OF O ST PB 1 P 87 OR 6577 P 1908 ALSO N 72 FT OF THE FOLLOWING: FRAC OF LTS 18 19 20 BLK 7 HAZLEHURST PLAT DB 55 P 262 SEC 17/31 T 2S R 30 ALSO S 1/2 OF ALLEY ADJOINING LTS OR 3593 P 311 ALSO ALL LT 4 AND FRAC LTS 5-6 BLK I BLOUNT RE S/D OF KUPFRAN PARK W OF O ST PB 1 P 87 OR 6577 P 1908 CA 128



Chris Jones

Escambia County Property Appraiser

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 [Amendment 1 Calculations](#)

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 Account

Reference

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General Information Reference: 172S301300002007 Account: 061213000 Owners: NEW BIRTH BAPTIST CHURCH OF PENSACOLA INC Mail: 1610 NORTH Q ST PENSACOLA, FL 32505 Situs: 1610 N Q ST 32505 Use Code: CHURCH <input type="button" value="P"/> 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: \$223,245 Land: \$25,052 Total: \$248,297 Save Our Homes: \$0 <p style="text-align: center;">Disclaimer</p> <p style="text-align: center;">Amendment 1 Calculations</p>
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Sales Data <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Sale Date</th> <th style="text-align: left;">Book</th> <th style="text-align: left;">Page</th> <th style="text-align: left;">Value</th> <th style="text-align: left;">Type</th> <th style="text-align: left;">Official Records (New Window)</th> </tr> </thead> <tbody> <tr> <td>04/06/2010</td> <td>6577</td> <td>1908</td> <td>\$100</td> <td>QC</td> <td>View Instr</td> </tr> <tr> <td>04/21/2008</td> <td>6317</td> <td>792</td> <td>\$28,000</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>09/2005</td> <td>5742</td> <td>1406</td> <td>\$19,000</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>08/1985</td> <td>2109</td> <td>601</td> <td>\$7,800</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>01/1976</td> <td>1060</td> <td>600</td> <td>\$4,500</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>01/1969</td> <td>460</td> <td>665</td> <td>\$9,500</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)	04/06/2010	6577	1908	\$100	QC	View Instr	04/21/2008	6317	792	\$28,000	WD	View Instr	09/2005	5742	1406	\$19,000	WD	View Instr	08/1985	2109	601	\$7,800	WD	View Instr	01/1976	1060	600	\$4,500	WD	View Instr	01/1969	460	665	\$9,500	WD	View Instr	2011 Certified Roll Exemptions RELIGIOUS Legal Description <input type="button" value="P"/> S 90 FT OF LTS 1 TO 5 BLK 7 OR 2109 P 601 HAZLEHURST PLAT DB 55 P 262... Extra Features BLOCK/BRICK BUILDING CONCRETE PAVING UTILITY BLDG
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01/1976	1060	600	\$4,500	WD	View Instr																																						
01/1969	460	665	\$9,500	WD	View Instr																																						

Parcel Information
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Section Map Id: CA 128 Approx. Acreage: 1.4100 Zoned: <input type="button" value="P"/> R-2 R-3	
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7/10/12



7/10/12



7/10/12



7/10/12



12/17/02



7/10/12



7/10/12



7/10/12

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.

Last Updated: 07/24/2012 (tc.4213)

Buildings	
Building 1 - Address: 1610 N Q ST, Year Built: 1985, Effective Year: 1985	
Structural Elements FOUNDATION-SLAB ON GRADE EXTERIOR WALL-BRICK-FACE NO. PLUMBING FIXTURES-10.00 EXTERIOR WALL-CONCRETE BLOCK ROOF FRAMING-GABLE-HI PITCH ROOF COVER-COMPOSITION SHG INTERIOR WALL-DRYWALL-PLASTER NO. STORIES-1.00 FLOOR COVER-CARPET FLOOR COVER-VINYL/CORK DECOR/MILLWORK-AVERAGE HEAT/AIR-CENTRAL H/AC STRUCTURAL FRAME-MASONRY PIL/STL	
Areas - 6820 Total SF BASE AREA - 6820	
Building 2 - Address: 1613 N P ST, Year Built: 1988, Effective Year: 1988	
Structural Elements FOUNDATION-SLAB ON GRADE EXTERIOR WALL-BRICK-FACE NO. PLUMBING FIXTURES-6.00 DWELLING UNITS-1.00 ROOF FRAMING-GABLE	

PREPARED BY:
FLETCHER FLEMING OF
SHELL, FLEMING, DAVIS & MENGE, P.A.
226 SOUTH PALAFOX PLACE
SEVILLE TOWER - NINTH FLOOR
PENSACOLA, FLORIDA 32501
SFD&M FILE NO.: F1918-00000

**STATE OF FLORIDA
COUNTY OF ESCAMBIA**

QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS: That, Grantor, **Floyd Peacock**, for and in consideration of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, does remise, release, and quitclaim to **New Birth Baptist Church of Pensacola, Inc., a Florida not-for-profit corporation**, Grantee, his heirs, executors, administrators, successors and assigns, forever, the real property in Escambia County, Florida, described as:

The following described property less the South 68 feet thereof:

Lots 18, 19 and 20, Block 7, Hazelhurst Subdivision, as recorded in Deed Book 55, at Page 262, Escambia County, Florida; and Lot 4, and fractional Lots 5 and 6, Block 1, Blount Resubdivision of Kupfrian Park as recorded in Plat Book 1, at Page 87 of the public records of Escambia County, Florida.

Said property also being described on Escambia County Property Appraiser records under Tax ID#06-3188-000 as the North 72 feet of Lots 18, 19 and 20, Block 7, Hazelhurst Subdivision, as recorded in Deed Book 55, at Page 262, Escambia County, Florida; and Lot 4, and fractional Lots 5 and 6, Block 1, Blount Resubdivision of Kupfrian Park as recorded in Plat Book 1, at Page 87 of the public records of Escambia County, Florida.

The above referenced property is not the homestead property of the Grantor.

The preparer of this deed represents that: this deed has been prepared at the express direction of the grantor and grantee solely from the legal description provided to the preparer by the grantor and grantee; that no title search, or inspection of the above-described property has been performed by the preparer; that the title to the above-described property has not been examined by the preparer; and that the preparer makes no representations, warranties or guarantees whatsoever as to the status of the title to or ownership of said property.

To have and to hold, unto the said Grantee, his heirs and assigns, forever, together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Apr. 1 IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal this 6th day of ~~March~~ 2010.

Signed, sealed and delivered in the presence of:

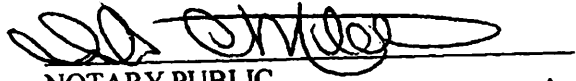
Erica Carter
Print Name: Erica Carter

Floyd Peacock
Floyd Peacock

Lynnda M. Carter
Print Name: Lynnda M. Carter

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 6th day of ^{Apr. 1}~~March~~, 2010,
by Floyd Peacock, who is personally known to me or has produced a valid drivers license as
identification.


NOTARY PUBLIC
TYPED NAME: Ida C. Mitchem
MY COMMISSION EXPIRES: 3/6/12





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Detail by Entity Name

Florida Non Profit Corporation

NEW BIRTH BAPTIST CHURCH OF PENSACOLA, INC.

Filing Information

Document Number N95000003777
FEI/EIN Number 592587249
Date Filed 08/07/1995
State FL
Status ACTIVE
Last Event AMENDMENT
Event Date Filed 05/03/2005
Event Effective Date NONE

Principal Address

1610 NORTH
PENSACOLA FL 32505

Changed 06/30/2004

Mailing Address

1610 NORTH
PENSACOLA FL 32505

Changed 06/30/2004

Registered Agent Name & Address

BROWN, CHARLES
7218 RAMPART WAY
PENSACOLA FL 32505 US

Address Changed: 08/17/2000

Officer/Director Detail

Name & Address

Title T

JONES, DAVE
112 N H ST
PENSACOLA FL 32501

Title D

BROWN, CHARLES
7218 RAMPART WAY
PENSACOLA FL 32505

Title T

WILLIS, MAURICE SR.
1991 GARY CIRCLE
PENSACOLA FL 32505

Title D

SHIRLEY, WATSON
6110 ARNARD PLACE
PENSACOLA FL 32505

Title D

ETHYL, BALWIN
1530 EAST BARRS ST
PENSACOLA FL 32502

Title T

BLACK, JIMMIE
704 EAST LEE ST
PENSACOLA FL 32505

Annual Reports

Report Year Filed Date

2010	02/16/2010
2011	01/09/2011
2012	01/31/2012

Document Images

01/31/2012 -- ANNUAL REPORT

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01/09/2011 -- ANNUAL REPORT

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02/16/2010 -- ANNUAL REPORT

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03/15/2006 -- ANNUAL REPORT

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05/03/2005 -- Amendment

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03/30/2005 -- ANNUAL REPORT

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06/30/2004 -- ANNUAL REPORT

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05/02/2003 -- ANNUAL REPORT

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09/18/2002 -- ANNUAL REPORT

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04/12/1996 -- ANNUAL REPORT

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08/07/1995 -- DOCUMENTS PRIOR TO 1997

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Note: This is not official record. See documents if question or conflict.

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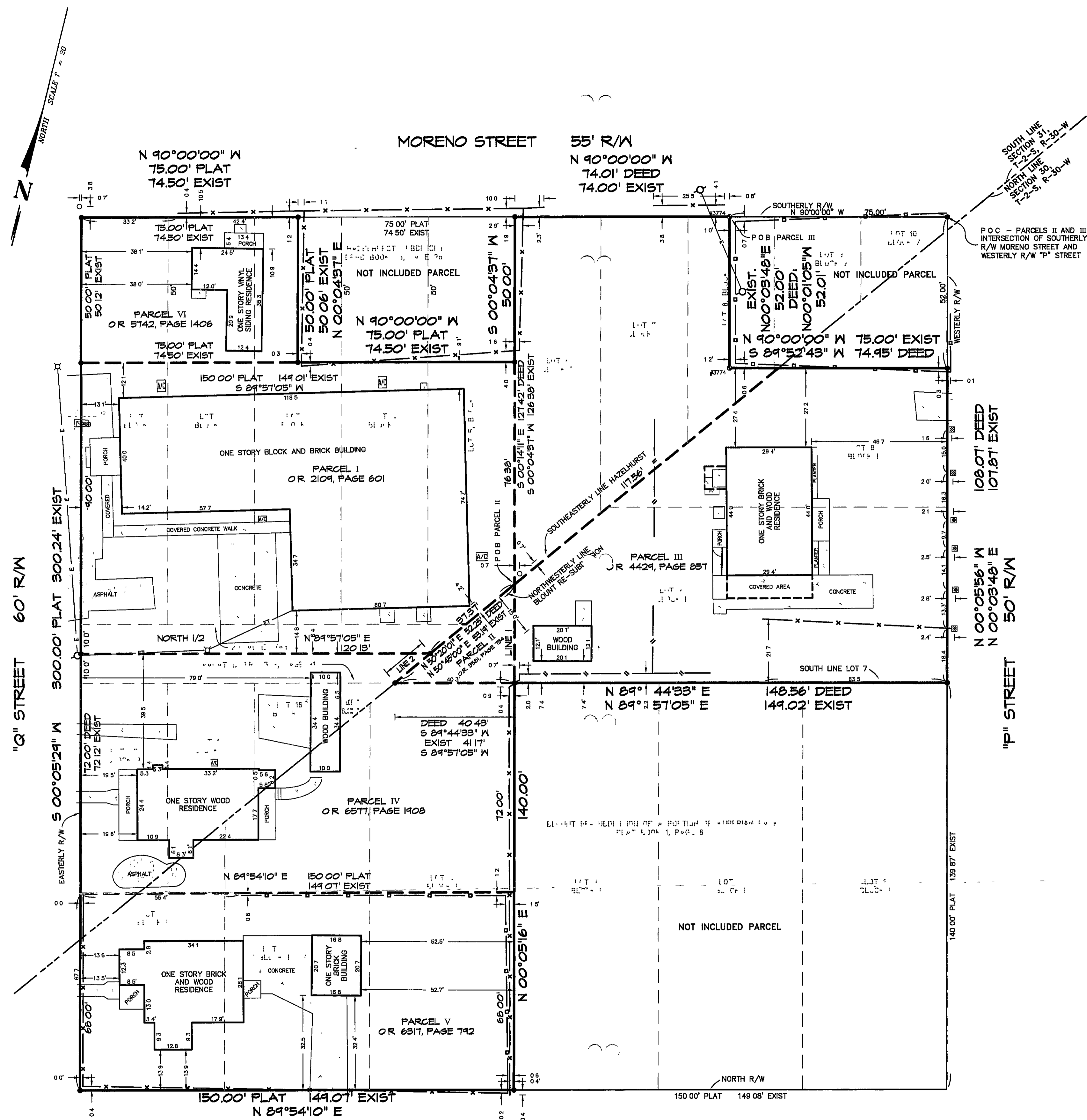
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State of Florida, Department of State



- LEGEND**
- Point of commencement
 - Point of beginning
 - Right of way
 - 1" Iron pipe found
 - 1/2" Capped iron rod set #1073
 - 1/2" Capped iron rod found # noted
 - Water meter
 - Backflow preventer
 - Light pole
 - Power pole
 - Brick column
 - Concrete
 - Air conditioning unit
 - Chain link fence
 - Wire fence
 - Wood fence
 - Telephone line
 - Electric line

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. No title work performed by this firm.
- 3 This survey does not reflect or determine ownership.
- 4 This drawing only reflects setback lines, which appear on the recorded plat. This property may also be subject to setback lines mandated by zoning ordinances and/or restrictive covenants of record.
- 5 Footers and foundations below natural grade not located.

STREET ADDRESS 1610 North "Q" Street

LEGAL DESCRIPTION

PARCEL I (Official Record Book 2109, page 60)
 The South 40 feet of Lots 1 through 5, Block 7, Hazelhurst, being a portion of Sections 17 and 31, Township 2 South, Range 30 West, Escambia County, Florida, according to plat recorded in Deed Book 55 at page 262 of the public records of said County.

PARCEL II (Official Record Book 3581, page 734)
 Commence at the intersection of the south right-of-way line of West Moreno Street (55' R/W) with the west right-of-way line of North "P" Street (50' R/W), thence North 90 degrees 00'00" West along said south right-of-way line for 144.01 feet, thence South 00 degrees 14'11" East for 127.42 feet to the north line of Section 30, Township 2 South, Range 30 West, for the point of beginning, thence South 00 degrees 22'10" East for 33.17 feet, thence South 84 degrees 44'33" West for 40.43 feet to a closed north line of Section 30, thence North 50 degrees 20'01" East along said north line for 52.25 feet to the point of beginning. All lying and being in a portion of Block "I", a re-subdivision of Blount Subdivision, Section 30, Township 2 South, Range 30 West, as recorded in Plat Book 1 at page 87 of the public records of Escambia County, Florida containing 0.02 acres, more or less.

PARCEL III (Official Record Book 4424, page 857)
 Commence at the intersection of the south right-of-way line of West Moreno Street (55' R/W) with the west right-of-way line of North "P" Street (50' R/W), thence North 90 degrees 00'00" West along said south right-of-way line for 75.00 feet for the point of beginning, thence continue North 90 degrees 00'00" West along said south right-of-way line for 74.01 feet, thence South 00 degrees 14'11" East for 127.42 feet to the north line of Section 30, Township 2 South, Range 30 West, thence South 00 degrees 22'10" East for 33.17 feet, thence North 00 degrees 03'56" West along said right-of-way line for 108.07 feet, thence South 84 degrees 52'43" West for 74.95 feet, thence North 00 degrees 01'05" West for 52.01 feet to the point of beginning. Being a portion of Block 7, Hazelhurst Subdivision, Section 17, Township 2 South, Range 30 West, Escambia County, Florida, as recorded in Deed Book 55 at page 262 of the public records of said County, and also being a portion of Block "I", a Re-subdivision of Blount subdivision, Section 30, Township 2 South, Range 30 West, Escambia County, Florida, as recorded in Plat Book 1 at page 87 of the public records of said county.

PARCEL IV OR 6577, PAGE 1908
 The following described property less the South 68 feet thereof: Lots 17, 18, 19 and 20, Block 7, Hazelhurst Subdivision, as recorded in Deed Book 55, at Page 262, Escambia County, Florida, and Lot 4, and fractional Lots 5 and 6, Block 1, Blount Re-subdivision of Kupfrian Park as recorded in Plat Book 1, at Page 87 of the public records of Escambia County, Florida.

PARCEL V OR 6317, PAGE 742
 The south 68.00 feet of the following described property: Lots 18, 19 and 20, Block 7, Hazelhurst Subdivision, as recorded in Deed Book 55, at Page 262, Escambia County, Florida, and Lot 4, and fractional Lots 5 and 6, Block 1, Blount Re-subdivision of Kupfrian Park as recorded in Plat Book 1, at Page 87 of the public records of Escambia County, Florida.

PARCEL VI OR 5742, PAGE 1406
 The North 50 feet of Lots 1 and 2 and the North 50 feet of the West 1/2 of Lot 3, Block 7, Hazelhurst Subdivision, according to plat of said subdivision recorded in Deed Book 55 at page 262 of the public records of Escambia County, Florida.

LINE	LENGTH	BEARING
LINE 1 DEED	33.17'	S 00°22'10" E
LINE 1 EXIST	33.62'	S 00°02'18" W
LINE 2	15.82'	S 50°45'00" W

Bearing Reference: NORTH BASED ON THE SOUTHERLY R/W MORENO STREET AS N 90°00'00" W
 Elevation Reference: Ordered By: PASTOR PEACOCK
 Encroachments: FENCES, AERIAL, ELECTRICAL, BRICK COLUMNS
 Source of Information: PLATS HAZELHURST (D.B. 55, P. 262), BLOUNT RE-SUB (P.B. 1, P. 87), KUPFRIAN PARK (D.B. 62, P. 249), CITY ATLAS SHEET #129, PUBLIC RECORDS.
 SURVEYED BY THIS FIRM AND BUTLER & ASSOCIATES

A BOUNDARY SURVEY AND LOCATION OF IMPROVEMENTS OF NEW BIRTH BAPTIST CHURCH

PITTMAN AND PILLAZZE ASSOCIATES, INC.
LAND SURVEYORS
 700 NORTH NINTH AVENUE
 TALLAHASSEE, FLORIDA 32304
 Phone (850) 434-6666 Fax (850) 434-6661
 Email: ppasurvey@bellsouth.net

I hereby certify that this survey was made under my responsible charge and meets the minimum technical standards as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, 5J-17.051 and 5J-17.052, pursuant to Section 472.027 Florida Statutes.

David D. Glaze
 David D. Glaze
 PSM #5605

Walter J. Glaze
 Walter J. Glaze
 PSM #6190

SHEET 1 OF 1

Scale: 1" = 20'

File No: C-6719
 Job No: 35018-12A
 Date of Plat: 4-20-12
 Date of Survey: 4-19-12
 FB: 1471 PG: 52-56
 FB: PG:
 Drawn by: FMJ



Development Services Department

Building Inspections Division

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

RECEIPT

Receipt No. : **561792**

Date Issued. : 08/17/2012

Cashier ID : VHOWENS

Application No. : PRZ120800022

Project Name : Z-2012-22

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check			
	9139	\$1,050.00	App ID : PRZ120800022
		\$1,050.00	Total Check

Received From : NEW BIRTH BAPTIST NEW BIRTH BAPTIST CHURCH OF PENSACOLA

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

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PRZ120800022	654604	1,050.00	\$0.00	1610 N Q ST, PENSACOLA, FL, 32505

Total Amount :	1,050.00	\$0.00	Balance Due on this/these Application(s) as of 8/21/2012
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**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

The mission of the CRA is to enhance the quality of life within the County's Redevelopment Areas and Enterprise Zone by encouraging private sector reinvestment, promoting economic development and providing public sector enhancements.

INTEROFFICE MEMORANDUM

TO: Planning Board

FROM: David Forte, Urban Planner II, Community Redevelopment Agency (CRA)

THRU: Eva A. Peterson, CRA Manager

DATE: Wednesday, September 26, 2012

RE: Rezoning, October 8, 2012 meeting – 1610 North Q Street – Z-2012-22 – **Brownsville Redevelopment District**

The Brownsville Community Redevelopment Area Plan (BRP), originally adopted by the Board of County Commissioners in September 1997, is intended to accomplish several key objectives to help revitalize and improve the Brownsville Redevelopment District. These key objectives include appearance, citizen involvement, code compliance, infrastructure improvements, residential and commercial reinvestment, traffic calming and circulation, and zoning and land use administration. The Zoning and Land Use objective is intended to support and implement zoning policies that protect residential neighborhoods and encourage compatible commercial/industrial reinvestment.

There are currently nine zoning districts within the Brownsville Redevelopment District (R-2 to ID-1). The BRP states on page 14, "With the exception of the areas in the vicinity of "W" Street and Old Corry Field Road, generally the existing zoning pattern follows the existing land use pattern. The areas between Old Corry Field Road and New Warrington Road and fronting "W" Street are zoned as commercial districts; however, there is a significant presence of residential uses." It further states, "The predominant residential zoning district in the redevelopment area is R-3, which allows for a mixture of one and two-family detached houses and supporting community facilities. Additionally, this zoning district allows for the use of a mobile home as a guest residence. Isolated areas of R-2 residential zoning are located along the waterfront and in the eastern section of the redevelopment area. R-2 residential zoning allows for only single-family detached houses and supporting community facilities. **There is one large pocket of R-5 residential zoning located in the northwest corner of the redevelopment area,**

which allows for a mix of urban residential uses and compatible professional office development...”

The BRP also states on page 30 that, “In general, rezonings are contrary to this plan except in truly unique situations as may be further defined in future proposed changes to the LDC.” It further states on page 39 that, “No rezoning is recommended except in truly unique circumstances.”

A rezoning to R-5 would allow for professional offices including, but not limited to, those of architects, engineers, lawyers, tax consultants, accountants and medical and dental clinics, real estate and insurance offices. And could potentially allow through conditional use approval for hospitals and clinics, except animal hospitals and veterinary clinics, dormitories, fraternity and sorority houses, retail/office/service type commercial uses, cemeteries, mausoleums and crematoriums, enclosed animal hospitals and veterinary clinics, and/or private clubs and lodges. However, the proposed use of the site would most likely not cause a negative impact to the surrounding residential or commercial uses within the vicinity. However, upon completion of the LDC Revisions, the proposed zoning may allow for the proposed accessory use or there may be other avenues for the applicant to pursue.

After review of the application, the CRA respectfully requests denial of the application as the proposed rezoning request would constitute in spot zoning, and also the request doesn't appear to be a truly unique circumstance.

Respectfully,
David Forte

EAP:dvf

Planning Board-Rezoning

5. B.

Meeting Date: 10/08/2012

CASE : Z-2012-23

APPLICANT: Michael Russo, Agent for
Edna Munro, Owner

ADDRESS: 1926 Creighton Rd

PROPERTY REF. NO.: 31-1S-30-1901-200-002

FUTURE LAND USE: MU-U, Mixed Use

DISTRICT: 4

OVERLAY DISTRICT: N/A

BCC MEETING DATE: 11/01/2012

SUBMISSION DATA:

REQUESTED REZONING:

FROM: R-2, Single Family District (cumulative) Low-Medium Density/C-1 Retail Commercial District (cumulative).

TO: C-1 Retail Commercial District (cumulative).

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.

Comprehensive Plan Policy (CPP) 1.3.1 Future Land Use Categories. The Mixed-Use Urban (MU-U) Future Land Use (FLU) category is intended for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole. Range of allowable uses include: Residential, Retail and Services, Professional Office, Light Industrial, Recreational Facilities, Public and Civic. The minimum residential density is 3.5 dwelling units per acre and the maximum residential density is 25 dwelling units per acre.

CPP 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-1 is **consistent** with the intent and purpose of Future Land Use category MU-U, Mixed Use Urban as stated in CPP FLU 1.3.1. This FLU category allows for a mix of residential and non-residential uses such as retail, professional office and light industrial while promoting infill development. The proposed amendment will utilize the existing roads and infrastructure as stated in CPP FLU 1.5.3.

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.

6.05.07. R-2 Single-Family District (cumulative), low-medium density.

A. Intent and purpose of district. This district is intended to be a single-family residential area with large lots and low population density. The maximum density is seven dwelling units per acre. Refer to article 11 for uses and densities allowed in R-2, single-family areas located in the Airport/Airfield Environs. Structures within Airport/Airfield Environs, Zones, and Surfaces remain subject to the height definitions, height restrictions, and methods of height calculation set forth in Article 11. Refer to the overlay districts within section 6.07.00 for additional regulations imposed on individual parcels with R-2 zoning located in the Scenic Highway Overlay District and RA-1(OL) Barrancas Redevelopment Area Overlay District.

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. New residential uses located in a commercial FLU category are only permitted as part of a predominantly commercial development in accordance with Policy FLU 1.3.1 of the Comprehensive Plan.

Permitted uses.

1. Any use permitted in the R-6 district.
2. Places of worship, educational institutions or facilities.
3. Personal service establishments such as, but not limited to, banks, beauty parlors, medical and dental clinics, restaurants including on-premises consumption of alcohol, financial institutions, professional and other offices, parking garages and lots, laundry and dry cleaning pickup stations, self-service coin-operated laundry and dry cleaning establishments, shoe repair, tailoring, watch and clock repair, locksmiths and data processing.
4. Retail business including, but not limited to: drug, package, hardware stores, book, stationery, china and luggage shops, newsstands, florists, photographic supplies and studios, wearing apparel shops, paint and wallpaper; accessory storage for retail uses.
5. Restaurants. Drive-in or drive-thru restaurants provided that the boundaries of the tract of land on which they are located are in excess of 200 feet from any R-1 or R-2 districts unless separated from such district by a three lane road (or larger) or a minimum 60-foot right-of-way.
6. Automobile repair shops for ignition, fuel, brake and suspension systems or similar uses.
7. Automobile service stations including minor auto repairs.
8. Automobile washing facility.
9. Hotels and motels.

10. Off-premises signs, billboards and other sign structures erected, located and maintained as provided for in article 8 of this Code.
11. Grocery, produce, meat and convenience stores, including the incidental sale of gasoline.
12. Health and fitness clubs.
13. Hospitals.
14. Printing, bookbinding, lithography and publishing companies.
15. Interior decorating, home furnishing, and furniture stores.
16. Music conservatory, dancing schools and art studios.
17. Music, radio and television shops.
18. Mortuary and funeral homes.
19. Dry cleaning establishments provided that equipment used emits no smoke or escaping steam and uses nonflammable synthetic cleaning agents (perchloroethylene, trichloroethylene, etc.)
20. Indoor movie theaters.
21. Enclosed animal hospitals and veterinary clinics.
22. Campgrounds.
23. Secondhand stores and used clothing deposit box when such boxes are operated (placed) by charitable organizations.
24. Wholesale warehousing (if less than 10,000 square feet).
25. Mini-warehouses. No ancillary truck rental service or facility allowed without conditional use approval.
26. Bowling alleys, skating rinks and billiard parlors providing such activities and facilities are enclosed within a soundproof building.
27. Recreational and commercial marinas.
28. Garden shops or nurseries displaying plants, shrubs, trees, etc., outdoors adjacent to the garden shop or nursery.
29. Antique shops, pawn shops.
30. Commercial communication towers 150 feet or less in height.
31. Arcade amusement centers and bingo facilities.
32. Other uses which are similar or compatible to the uses permitted herein that would promote the intent and purposes of this district. Determination on other permitted uses shall be made by the planning board (LPA).

7.20.05. Retail commercial locational criteria (AMU-2, C-1, VM-2).

- A. Retail commercial land uses shall be located at collector/arterial or arterial/arterial intersections or along an arterial or collector roadway within one-quarter mile of the intersection.
- B. They may be located along an arterial or collector roadway up to one-half mile from a collector/arterial or arterial/arterial intersection may be allowed provided 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 and 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.

C. They may be located along an arterial or collector roadway more than one-half mile from a collector/arterial or arterial/arterial intersection without meeting the above additional requirements when one or more of the following conditions exists:

1. The property is located within one-quarter mile of a traffic generator or collector, such as commercial airports, medium to high density apartments, military installations, colleges and universities, hospitals/clinics, or other similar uses generating more than 600 daily trips; or
2. 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 intent and purpose of the Land Development Code. The parcel fronts on an arterial roadway and meets the locational criteria as stated in LDC 7.20.05. The parcel is surrounded with commercially zoned parcels to the south, east and west. The parcels to the north are residential and part of the ABB subdivision PB 1 Pg 82. The proposed amendment is a split zoned parcel and granting the R-2 portion to be rezoned to C-1 will make the entire parcel more compatible with the remaining portion as well as the commercial parcels fronting Creighton Road.

In order to ensure the compatibility of adjacent land uses and to protect lower intensity from more intensive uses, buffering standards will be applied as stated in LDC 7.01.06.

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

Within the 500' radius impact area, staff observed properties with zoning districts C-1, R-2 and Pensacola City Limits.

The proposed amendment **is compatible** with surrounding existing uses fronting Creighton Rd. The referenced parcel has road frontage along the arterial roadway of Creighton Road, which has several existing commercial businesses on both sides of the roadway.

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.

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 due to the existing linear commercial development which is a characteristic of this particular roadway classification.

Attachments

Z-2012-23

Z-2012-23



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: R-2/C-1 to: C-1

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

Owner(s) Name: EDNA E. MUNRO Phone: 850-554-5735
 Address: P.O. BOX 11218, PENS. FL. 32504 Email: EDNAM613@YAHOO.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: 1926 CREIGHTON RD., PENS. FL. 32504
 Property Reference Number(s)/Legal Description: 3115301901200002
LEGAL DESCRIPTION ATTACHED WITH APPLICATION.

By my signature, I hereby certify that:

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

Michael J. Russo
Signature of Owner/Agent

MICHAEL J. RUSSO
Printed Name Owner/Agent

8-17-12
Date

Edna Munro
Signature of Owner

Edna Munro
Printed Name of Owner

08/17/2012
Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 17 day of August 20 12
by _____

Personally Known OR Produced Identification . Type of Identification Produced: drivers license

Marie Hall
Signature of Notary
(notary seal must be affixed)

Marie Hall
Printed Name of Notary



FOR OFFICE USE ONLY CASE NUMBER: Z-2012-23

Meeting Date(s): Oct 8 PB BCC-Nov 1 Accepted/Verified by: A Cam Date: 8/22/12

Fees Paid: \$ 1,050 Receipt #: _____ Permit #: PR2120800023



CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 31150301901200002

Property Address: 1926 CREIGHTON ROAD, PENS. FL. 32504

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 16TH DAY OF AUGUST, YEAR OF 2012.

Edna Munro
Signature of Property Owner

Edna Munro
Printed Name of Property Owner

08/17/2012
Date

Signature of Property Owner

Printed Name of Property Owner

Date



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #: 2-2012-23

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 1926 CREIGHTON RD, PMS. FL. 32504, Florida, property reference number(s) 3115 3019 012 00002

I hereby designate MICHAEL J. RUSSO 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 17TH day of AUGUST the year of 2012, 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.

Agent Name: MICHAEL J. RUSSO Email: bizcommprop@hotmail.com
Address: 801 PANFENIO DR, PMS. BCH, FL. Phone: 850-449-4030

Edna Munro
Signature of Property Owner

Edna Munro
Printed Name of Property Owner

08/17/2012
Date

STATE OF Florida COUNTY OF Escambia

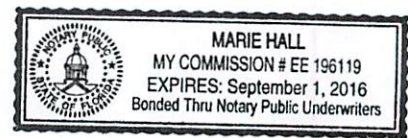
The foregoing instrument was acknowledged before me this 17 day of August 20 12 by

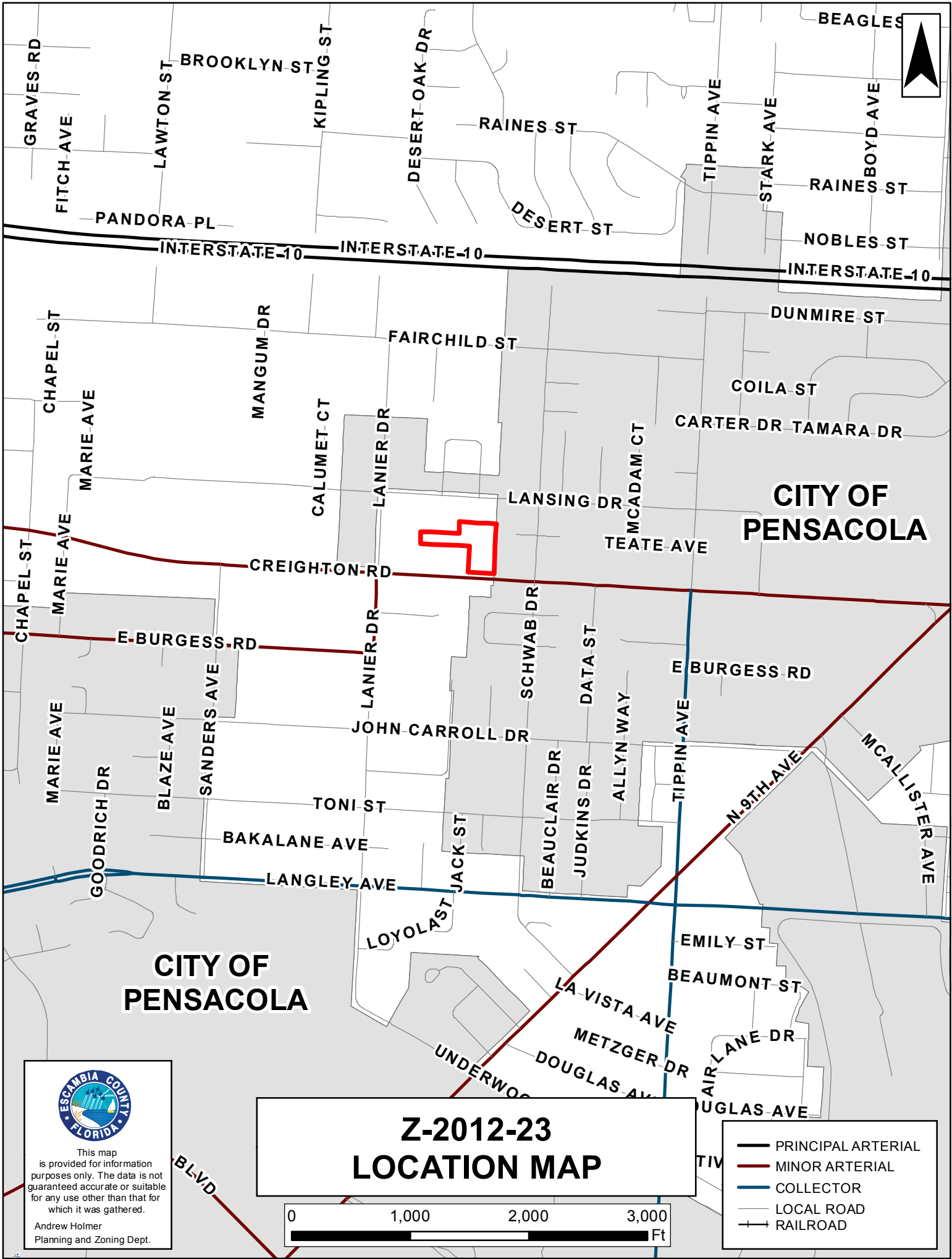
Personally Known OR Produced Identification Type of Identification Produced: drivers license

Marie Hall
Signature of Notary

Marie Hall
Printed Name of Notary

(Notary Seal)





CITY OF PENSACOLA

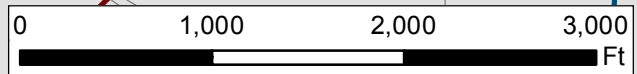
CITY OF PENSACOLA

Z-2012-23 LOCATION MAP

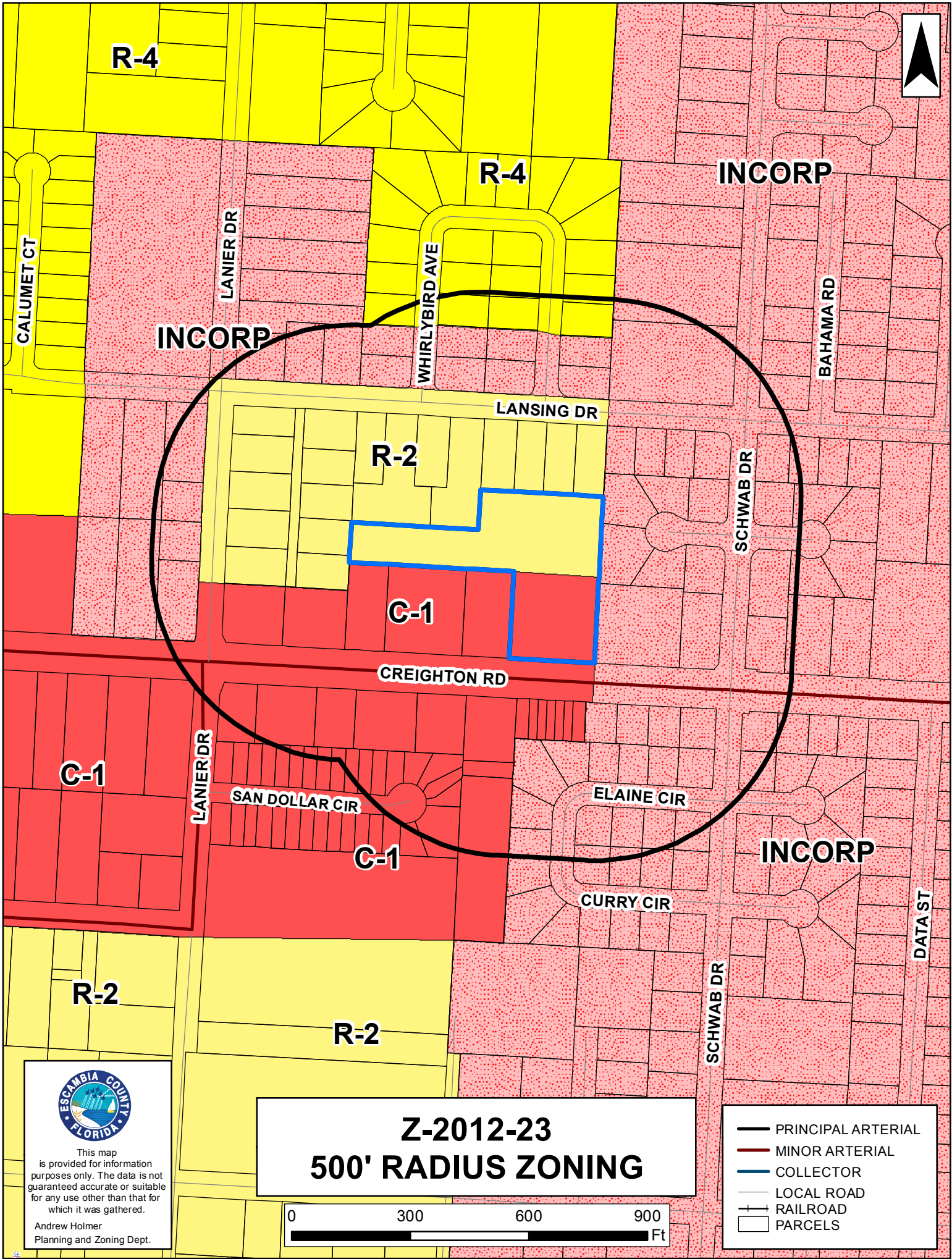


This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.



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



R-4

R-4

INCORP

INCORP

R-2

C-1

C-1

C-1

INCORP

R-2

R-2

Z-2012-23

500' RADIUS ZONING



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



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

Andrew Holmer
Planning and Zoning Dept.



MU-U

MU-U

INCORP

INCORP

WHIRLYBIRD AVE

BAHAMA RD

LANSING DR

MU-U

SCHWAB DR

CREIGHTON RD

MU-U

LANIER DR

SAN DOLLAR CIR

ELAINE CIR

INCORP

MU-U

CURRY CIR

DATA ST

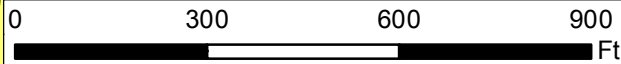
SCHWAB DR



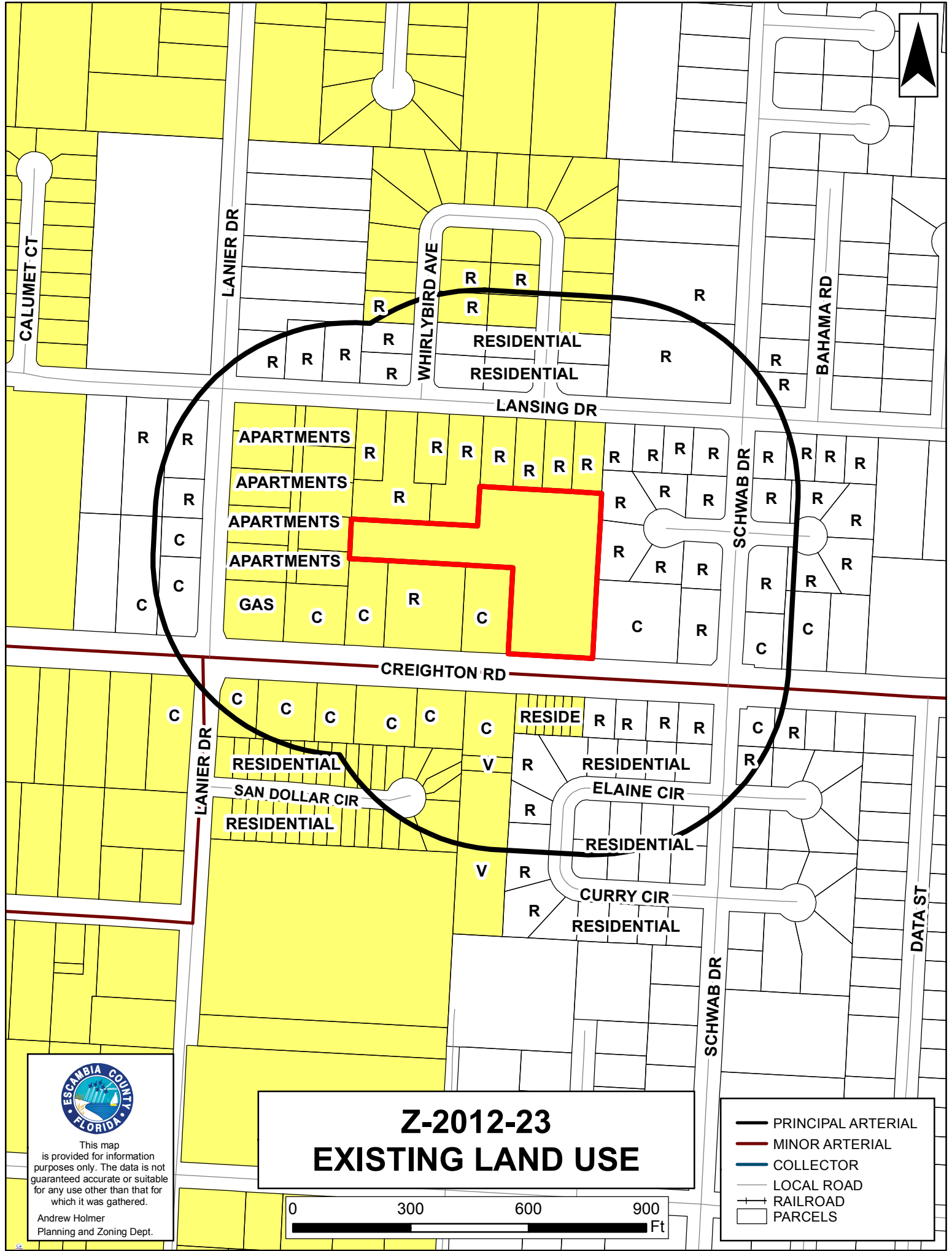
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2012-23 FUTURE LAND USE









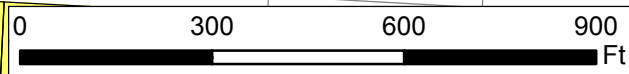
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD
- PARCELS



Z-2012-23

EXISTING LAND USE

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



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Andrew Holmer
Planning and Zoning Dept.



LANSING DR

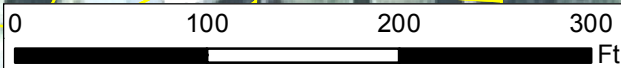
CREIGHTON RD



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

Andrew Holmer
Planning and Zoning Dept.

Z-2012-23 AERIAL MAP



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



Public Hearing Sign



**Looking West along
Creighton Road**

**NOTICE OF
PUBLIC HEARING
REZONING**

CASE NO. **Z-2012-23**

CURRENT ZONING: **R-2/C-1** PROPOSED ZONING: **C-1**

PLANNING BOARD

DATE: **10/08/12** TIME: **2:30 PM**

LOCATION OF HEARING
BROWNS COUNTY CENTRAL OFFICE BUILDING
200 WEST MAIN ST. 2ND
WAYNE GA 30186-5000

BOARD OF COUNTY COMMISSIONERS

DATE: **11/01/12** TIME: **6:00 PM**

LOCATION OF HEARING
BROWNS COUNTY GOVERNMENT CENTER
201 W. MAIN ST. 2ND FL.
WAYNE GA 30186-5000



**Looking Northwest at
Subject Property**



**Looking North at
Subject Parcel**



Looking Northeast



**Looking East along
Creighton Road**



**Looking Southeast
along Creighton Road**



**Looking South from
Subject Parcel**



**Looking Southwest
from Subject Parcel**

REZONING CRITERIA

PARCEL ID & REF: 311S301901200002

Presently Split Zoned C – 1 / R - 2

Subject Property Address: 1926 CREIGHTON ROAD, PENSACOLA, FL. 32504

A) CONSISTENCY with the COMPREHENSIVE PLAN:

The M U – U Status, which is the present designation of this Property Parcel, is Consistent with the C-1 rezoning being applied for on this C-1/R-2 Parcel.

B) CONSISTENT with this CODE:

The present Zoning of this Parcel has a split zoning of C-1/R-2 but, when the R-2 portion is Rezoned to C-1, this entire parcel as C-1 would be more consistent with the Stated Purposed and intent of the Land Development Code for this region.

C) COMPATIBILITY with surrounding uses:

The immediate areas surrounding this Property address to the East & West, on both sides of Creighton Road are Commercially Zoned C-1 properties. Therefore the Proposed and applied for rezoning of the rear of this split zoned Parcel, would be compatible with the existing uses of the surrounding commercial properties.

D) CHANGED conditions:

There are NO changed conditions that would impact this property, after rezoning.

E) EFFECT on Natural Environment:

Presently to our knowledge, there are No existing Wetlands or adverse features on this property, that would result in any future negative impacts to this Property.

F) DEVELOPMENT Patterns:

The Proposed Amendment to rezone the R-2 portion in the rear of this property, would result in a Positive and Logical result for any Future orderly development patterns, due to the surrounding Commercial Zoned and Developed Properties.

Respectfully Submitted,

Michael J. Russo

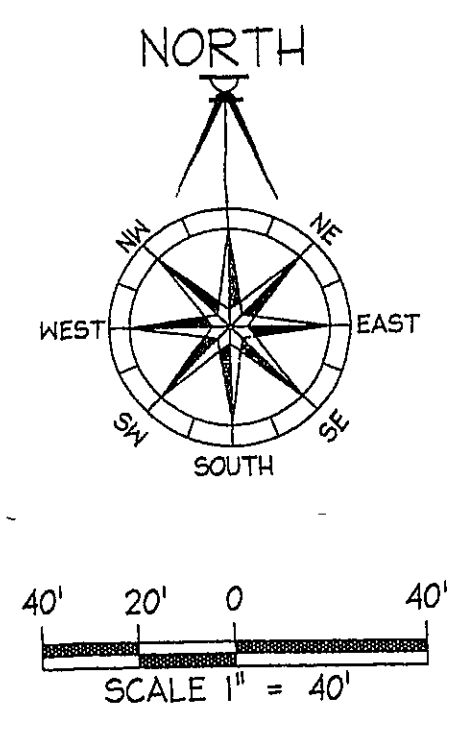
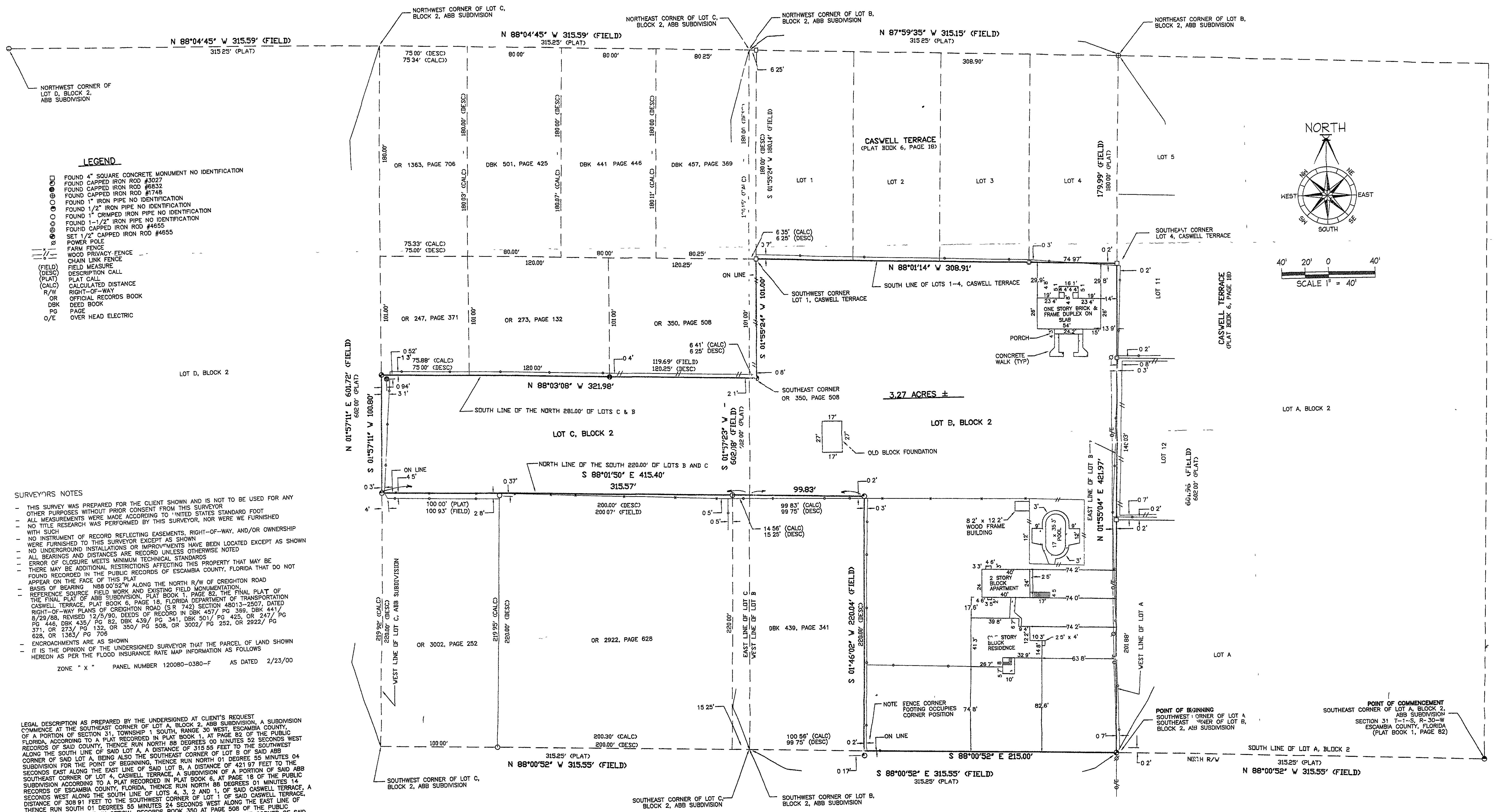
Cell # 850.449.4030

EXHIBIT "A"

COMMENCE AT THE SOUTHEAST CORNER OF LOT A, BLOCK 2, ABB SUBDIVISION, A SUBDIVISION OF A PORTION OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO A PLAT RECORDED IN PLAT BOOK 1, AT PAGE 82 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE RUN NORTH 88 DEGREES 00 MINUTES 52 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT A, A DISTANCE OF 315.55 FEET TO THE SOUTHWEST CORNER OF SAID LOT A, BEING ALSO THE SOUTHEAST CORNER OF LOT B OF SAID ABB SUBDIVISION FOR THE POINT OF BEGINNING; THENCE RUN NORTH 01 DEGREE 55 MINUTES 04 SECONDS EAST ALONG THE EAST LINE OF SAID LOT B, A DISTANCE OF 421.97 FEET TO THE SOUTHEAST CORNER OF LOT 4, CASWELL TERRACE, A SUBDIVISION OF A PORTION OF SAID ABB SUBDIVISION ACCORDING TO A PLAT RECORDED IN PLAT BOOK 6, AT PAGE 18 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA; THENCE RUN NORTH 88 DEGREES 01 MINUTES 14 SECONDS WEST ALONG THE SOUTH LINE OF LOTS 4, 3, 2 AND 1, OF SAID CASWELL TERRACE, A DISTANCE OF 308.91 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF SAID CASWELL TERRACE; THENCE RUN SOUTH 01 DEGREES 55 MINUTES 24 SECONDS WEST ALONG THE EAST LINE OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 350 AT PAGE 508 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 101.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE RUN NORTH 88 DEGREES 03 MINUTES 08 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH 281.00 FEET OF SAID LOTS B AND C, A DISTANCE OF 321.98 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID LOT C; THENCE RUN SOUTH 01 DEGREE 57 MINUTES 11 SECONDS WEST ALONG THE WEST LINE OF SAID LOT C, A DISTANCE OF 100.80 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH 220.00 FEET OF SAID LOT C; THENCE RUN SOUTH 88 DEGREES 01 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTH 220.00 FEET OF SAID LOT C, A DISTANCE OF 318.57 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID LOT C, BEING ALSO THE WEST LINE OF SAID LOT B; THENCE CONTINUE SOUTH 88 DEGREES 01 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTH 220.00 FEET OF SAID LOT B, A DISTANCE OF 89.83 FEET; THENCE RUN SOUTH 01 DEGREE 48 MINUTES 02 SECONDS WEST, A DISTANCE OF 220.04 FEET TO THE SOUTH LINE OF SAID LOT B, BEING ALSO THE NORTH RIGHT-OF-WAY OF CREIGHTON ROAD (STATE ROAD 742 - 100' R/W); THENCE RUN SOUTH 88 DEGREES 00 MINUTES 52 SECONDS EAST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 215.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL BEING 3.27 ACRES IN AREA MORE OR LESS.

RCD Dec 03, 2004 08:19 am
Escambia County, Florida

ERNIE LEE MAGAHA
Clerk of the Circuit Court
INSTRUMENT 2004-307898



- LEGEND**
- FOUND 4" SQUARE CONCRETE MONUMENT NO IDENTIFICATION
 - FOUND CAPPED IRON ROD #5027
 - FOUND CAPPED IRON ROD #6832
 - FOUND CAPPED IRON ROD #1748
 - FOUND 1" IRON PIPE NO IDENTIFICATION
 - FOUND 1/2" IRON PIPE NO IDENTIFICATION
 - FOUND 1" CRIMPED IRON PIPE NO IDENTIFICATION
 - FOUND 1-1/2" IRON PIPE NO IDENTIFICATION
 - FOUND CAPPED IRON ROD #4655
 - SET 1/2" CAPPED IRON ROD #4655
 - ⊕ POWER POLE
 - FARM FENCE
 - WOOD PRIVACY FENCE
 - CHAIN LINK FENCE
 - (FIELD) FIELD MEASURE
 - (DESC) DESCRIPTION CALL
 - (PLAT) PLAT CALL
 - (CALC) CALCULATED DISTANCE
 - R/W RIGHT-OF-WAY
 - OR OFFICIAL RECORDS BOOK
 - DBK DEED BOOK
 - PG PAGE
 - O/E OVER HEAD ELECTRIC

SURVEYORS NOTES

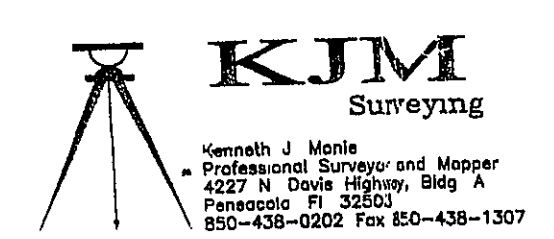
- THIS SURVEY WAS PREPARED FOR THE CLIENT SHOWN AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT PRIOR CONSENT FROM THIS SURVEYOR
- ALL MEASUREMENTS WERE MADE ACCORDING TO UNITED STATES STANDARD FOOT
- NO TITLE RESEARCH WAS PERFORMED BY THIS SURVEYOR, NOR WERE WE FURNISHED WITH SUCH
- NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN
- NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN
- ALL BEARINGS AND DISTANCES ARE RECORD UNLESS OTHERWISE NOTED
- ERROR OF CLOSURE MEETS MINIMUM TECHNICAL STANDARDS
- THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND RECORDED IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA THAT DO NOT APPEAR ON THE FACE OF THIS PLAT
- BASIS OF BEARING N88°00'52" W ALONG THE NORTH R/W OF CREIGHTON ROAD
- REFERENCE SOURCE FIELD WORK AND EXISTING FIELD MONUMENTATION, THE FINAL PLAT OF THE FINAL PLAT OF ABB SUBDIVISION, PLAT BOOK 1, PAGE 82, THE FINAL PLAT OF CASWELL TERRACE, PLAT BOOK 6, PAGE 18, FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY PLANS OF CREIGHTON ROAD (S+ 742) SECTION 48013-2507, DATED 8/29/88, REVISED 12/5/90, DEEDS OF RECORD IN DBK 457/ PG 359, DBK 441/ PG 8/29/88, REVISED 12/5/90, DEEDS OF RECORD IN DBK 501/ PG 425, 024/ PG 371, OR 273/ PG 132, OR 350/ PG 508, OR 3002/ PG 252, OR 2922/ PG 628, OR 1363/ PG 708
- ENCROACHMENTS ARE AS SHOWN
- IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR THAT THE PARCEL OF LAND SHOWN HEREON AS PER THE FLOOD INSURANCE RATE MAP INFORMATION AS FOLLOWS

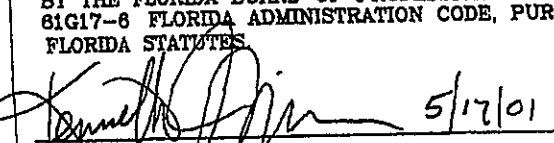
ZONE " X " PANEL NUMBER 120080-0380-F AS DATED 2/23/00

LEGAL DESCRIPTION AS PREPARED BY THE UNDERSIGNED AT CLIENT'S REQUEST COMMENCE AT THE SOUTHWEST CORNER OF LOT A, BLOCK 2, ABB SUBDIVISION, A SUBDIVISION OF A PORTION OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO A PLAT RECORDED IN PLAT BOOK 1, AT PAGE 82 OF THE PUBLIC RECORDS OF SAID COUNTY, THENCE RUN NORTH 88 DEGREES 00 MINUTES 52 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT A, A DISTANCE OF 315.55 FEET TO THE SOUTHWEST CORNER OF SAID LOT A, BEING ALSO THE SOUTHWEST CORNER OF LOT B OF SAID ABB SUBDIVISION FOR THE POINT OF BEGINNING, THENCE RUN NORTH 01 DEGREE 55 MINUTES 04 SECONDS EAST ALONG THE EAST LINE OF SAID LOT B, A DISTANCE OF 101.00 FEET TO THE SOUTHWEST CORNER OF LOT 4, CASWELL TERRACE, A SUBDIVISION OF A PORTION OF SAID ABB SUBDIVISION ACCORDING TO A PLAT RECORDED IN PLAT BOOK 6, AT PAGE 18 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, THENCE RUN NORTH 88 DEGREES 01 MINUTES 14 SECONDS WEST ALONG THE SOUTH LINE OF LOTS 4, 3, 2 AND 1, OF SAID CASWELL TERRACE, A DISTANCE OF 309.91 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF SAID CASWELL TERRACE, THENCE RUN SOUTH 01 DEGREE 55 MINUTES 24 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 101.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 500, AT PAGE 508 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 101.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL, THENCE RUN NORTH 88 DEGREES 03 MINUTES 08 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH 281.00 FEET OF SAID LOTS B AND C, A DISTANCE OF 321.98 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID LOT C, A DISTANCE OF 100.80 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID LOT C, A DISTANCE OF 100.80 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH 220.00 FEET OF SAID LOTS B AND C, THENCE RUN SOUTH 88 DEGREES 01 MINUTES 14 SECONDS WEST ALONG THE NORTH LINE OF THE CONTINUING SOUTH 88 DEGREES 01 MINUTES 14 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT B, A DISTANCE OF 220.04 FEET TO THE SOUTH LINE OF DEGREE 46 MINUTES 02 SECONDS WEST, A DISTANCE OF 220.04 FEET TO THE SOUTH LINE OF SAID LOT B, BEING ALSO THE NORTH RIGHT-OF-WAY OF CREIGHTON ROAD (STATE ROAD 742 - 100' R/W), THENCE RUN SOUTH 88 DEGREES 00 MINUTES 52 SECONDS EAST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 215.00 FEET TO THE POINT OF BEGINNING SAID PARCEL BEING 3.27 ACRES IN AREA MORE OR LESS

CERTIFY TO
DORIS B HAYO
 PEOPLES FIRST COMMUNITY BANK
 AMERICAN PIONEER TITLE INSURANCE COMPANY
 SOUTHLAND TITLE OF PENSACOLA, INC

CREIGHTON ROAD - STATE ROAD 742
 (100' R/W)



ADDRESS	1926 CREIGHTON ROAD
REQUESTED BY	PEOPLES FIRST COMMUNITY BANK
TYPE	SPECIAL PURPOSE SURVEY
SECTION	31 TOWNSHIP - 1 - SOUTH, RANGE - 30 - WEST
SCALE	1" = 40'
DATE	5/15/01
SURVEYORS CERTIFICATE	
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6 FLORIDA ADMINISTRATION CODE, PURSUANT TO SECTION 478.027 FLORIDA STATUTES	
 KENNETH J. MONTE PROFESSIONAL SURVEYOR AND MAPPER NO 4656 STATE OF FLORIDA	
DRAWING NUMBER	01-9165

Allyson Cain * 595-3547*



Development Services Department
Escambia County, Florida

PLANNING BOARD
REZONING PRE-APPLICATION SUMMARY FORM

31-15-30-1901-200-002
Property Reference Number

MIKE RUSSO (449-4030)
Name

1926 CREIGHTON ROAD
Address
P.O.S.

Owner

Agent

Referral Form Included? Y / N

31-15-30-1901-200-002

MAPS PREPARED

PROPERTY INFORMATION

Zoning

* Current Zoning: C-1+B-2 Size of Property: 3.28 +/-

FLU

Future Land Use: MU-U Commissioner District: _____

Aerial

Overlay/AIPD: _____ Subdivision: _____

Other: _____

Redevelopment Area*: _____

*For more info please contact the CRA at 595-3217 prior to application submittal.

COMMENTS

Desired Zoning: C-1

Is Locational Criteria applicable? yes If so, is a compatibility analysis required? _____

~~Applicant will~~

Allyson Cain will contact Mike

Russo to schedule a meeting to explain further. General info. was given today 8-14-12.

Applicant will contact staff for next appointment

Applicant decided against rezoning property

Applicant was referred to another process

BOA

DRC

Other: _____

Process Name

Staff present: H. Jones

Date: 8-14-12

Applicant/Agent Name & Signature: M.J. Russo

No comment made by any persons associated with the County during any pre-application conference or discussion shall be considered either as approval or rejection of the proposed development, development plans, and/or outcome of any process.



Development Services Department

Building Inspections Division

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

RECEIPT

Receipt No. : **562096**

Date Issued. : 08/22/2012

Cashier ID : KLHARPER

Application No. : PRZ120800023

Project Name : Z-2012-23

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	2462	\$1,050.00	App ID : PRZ120800023
		\$1,050.00	Total Check

Received From : MUNRO EDNA E

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

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PRZ120800023	654912	1,050.00	\$0.00	1926 CREIGHTON RD, PENSACOLA, FL, 32504

Total Amount :

1,050.00

\$0.00

Balance Due on this/these
Application(s) as of 8/27/2012

Planning Board-Rezoning

5. C.

Meeting Date: 10/08/2012

CASE : Z-2012-24

APPLICANT: Wiley C. "Buddy" Page,
Agent for Warren T. Brown &
L. Kathleen Horton-Brown

ADDRESS: 1100 Conference Rd.

PROPERTY REF. NO.: 10-1N-30-4001-000-000

FUTURE LAND USE: MU-S, Mixed Use Suburban

DISTRICT: 5

OVERLAY DISTRICT: N/A

BCC MEETING DATE: 11/01/2012

SUBMISSION DATA:

REQUESTED REZONING:

FROM:VAG-2, Village Agriculture District

TO:V-2, Village Residential District- Gross Denisty (two units per 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.

Comprehensive Plan Policy (CPP) 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 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.

CPP 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 V-2 **is consistent** with the intent and purpose of Future Land Use category MU-S as stated in CPP FLU 1.3.1. The densities and allowable uses are compatible with those provided for in the Future Land Use category.

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.

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code. The proposed amendment would allow for more density of two dwelling units per acre as compared to the current one dwelling per five acres.

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 VR-1, VR-2 and ID2. The parcels to the south and west are residential and the parcels to the east and north are Industrial.

CRITERION (4)

Changed conditions.

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

FINDINGS

The parcel had a pre application meeting for an 88 lot residential subdivision in April 2012.

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** indicated on the southern portion of 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 in as such there is currently residential zoned parcels with compatible density.

Attachments

Z-2012-24

Z-2012-24

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

July 20, 2012
VIA HAND DELIVERY

Mr. Horace Jones
Planning Manager
Escambia Development Services
3363 West Park Place
Pensacola, Florida 32505

RE: Rezoning Request Application
Parcel ID 10-1N-30-4001-000-000
Address: 1100 Conference Road
Request: VAG-2 to V-2

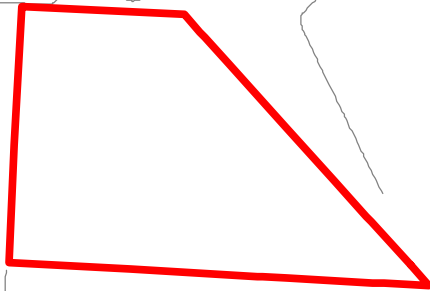
Dear Mr. Jones:

The attached application requests consideration to change the referenced parcel from the existing VAG-2 zoning classification to V-2. As shown on the attached survey, this 46.10 acre site is located at the northern end of Conference Road.

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

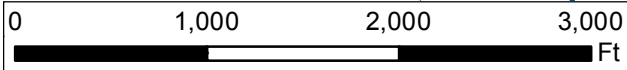
Very best regards,

Buddy Page




HIDDEN TERRACE DR
 NEW HAVEN DR
 WESTERN AVE
 CONFERENCE RD
 JUNCTION DR
 CHEMSTRAND RD
 MILL CREEK TRL
 OLD CHEMSTRAND RD
 ELCANO LN

**Z-2012-24
 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.



VAG-2

ID-2

VAG-2

VR-2

ID-2

VR-1

VR-2

ID-1

V-2

VM-2

VM-2

NEW HAVEN DR

NEW HAVEN DR

CONFERENCE RD

OLD CHEMSTRAND RD

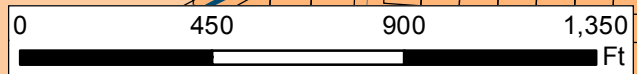
CHEMSTRAND RD



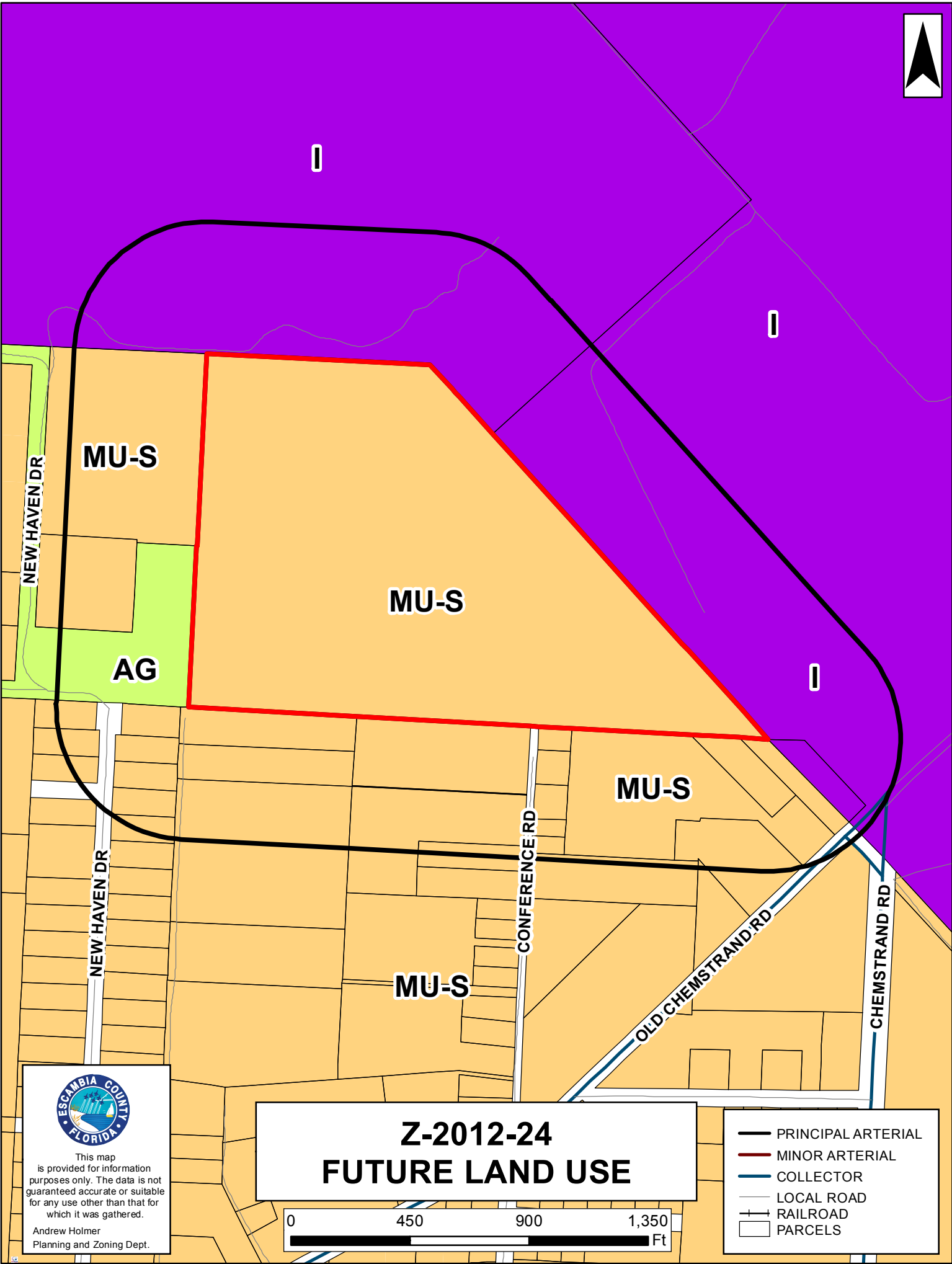
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2012-24 500' RADIUS ZONING



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




MU-S

MU-S

AG

MU-S

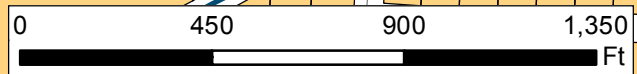
MU-S



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Andrew Holmer
Planning and Zoning Dept.

Z-2012-24 FUTURE LAND USE



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



ECUA PROPERTY

ASCEN PERFORMANCE MATERIALS

INDUST

COM

NEW HAVEN DR

NEW HAVEN DR

CONFERENCE RD

OLD CHEMSTRAND RD

CHEMSTRAND RD

R

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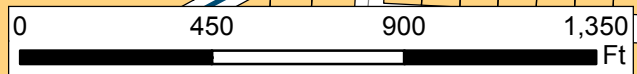
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




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-2012-24 EXISTING LAND USE



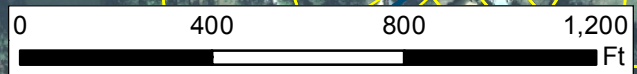
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  RAILROAD
-  PARCELS










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

Andrew Holmer
Planning and Zoning Dept.

Z-2012-24 AERIAL MAP



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



Public Hearing Sign



**Looking North onto
the Subject Property**



**Looking Southeast
from the Parcel**



**Looking South from
the Subject Property
along Conference
Road**



**Looking Southwest
from the Subject
Property along
Conference Road**



**Looking Northwest
onto the Subject
Property.**



Development Services Department
Escambia County, Florida

APPLICATION

Please check application type: Conditional Use Request for: _____
 Administrative Appeal Variance Request for: _____
 Development Order Extension Rezoning Request from: VAG-2 to: V2

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

Owner(s) Name: Warren T. Brown & L. Kathleen Horton-Brown Phone: 850-982-1907
 Address: 1700 Osceola Boulevard Pensacola 32503 Email: ted@greatgulfcwast.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: 1100 Conference Road Pensacola 32533
 Property Reference Number(s)/Legal Description: 10-1N-30-4001-000-000

By my signature, I hereby certify that:

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

[Signature]
Signature of Owner/Agent

Warren T. Brown
Printed Name Owner/Agent

7-20-12
Date

L. Kathleen Horton-Brown
Signature of Owner

L. Kathleen Horton-Brown
Printed Name of Owner

7-20-12
Date

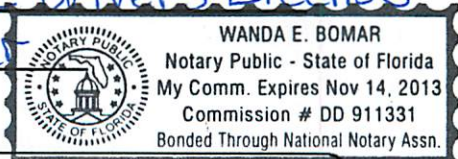
STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 20th day of July 2012
 by Warren T. Brown and L. Kathleen Horton-Brown

Personally Known OR Produced Identification . Type of Identification Produced: FL Drivers License

Wanda E. Bomar
Signature of Notary
(notary seal must be affixed)

Wanda E. Bomar
Printed Name of Notary



FOR OFFICE USE ONLY CASE NUMBER: 2012-24
 Meeting Date(s): PB 10/8/12 BCC 11/1/12 Accepted/Verified by: A Cain Date: 9/6/12
 Fees Paid: \$ 1,050 Receipt #: _____ Permit #: PRZ120900024



AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 1100 Conference Road Pensacola, Florida, Florida, property reference number(s) 10-1N-30-4001-000-000

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)

Warren T. Brown
Printed Name of Property Owner

7-20-12
Date

Signature of Property Owner (handwritten signature)

L. Kathleen Horton-Brown
Printed Name of Property Owner

7-20-12
Date

STATE OF Florida COUNTY OF Escambia

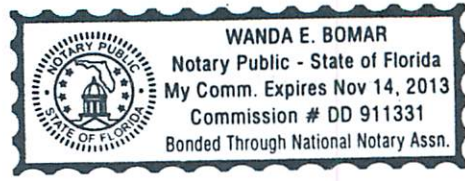
The foregoing instrument was acknowledged before me this 20th day of July 20 12, by Warren T. Brown and L. Kathleen Horton-Brown

Personally Known OR Produced Identification Type of Identification Produced: FL Drivers License

Signature of Notary (handwritten signature)

Wanda E. Bomar
Printed Name of Notary

(Notary Seal)



OR BK 4289 P61450
Escambia County, Florida
INSTRUMENT 98-508539

NEED NOT STAMP PD @ EEC CD \$ 087.60
08/04/98 EMILY LEE HERR, CLERK

By: *[Signature]*

THIS INSTRUMENT PREPARED
BY FLETCHER FLEMING
OF S., F., D. & M. ✓
SEVENTH FLOOR SEVILLE TOWER
PENSACOLA, FL

42.00
887.60

SPECIAL WARRANTY DEED

THIS DEED is made as of July 31, 1998, between **CHAMPION REALTY CORPORATION**, a Delaware corporation, whose address is Two Greenspoint Plaza, 16825 Northchase Drive, Suite 800, Houston, Texas 77060-6087, herein called the "Grantor", the successor by merger to **CHAMPION REALTY CORPORATION (FLORIDA)**, and **WARREN TED BROWN and L. KATHLEEN HORTON-BROWN**, whose address is 40 Audusson, Pensacola, Florida 32507, herein called the "Grantee". (As used herein, the terms Grantor and Grantee shall include, where the context permits or requires, singular or plural, heirs, personal representatives, successors, or assigns.)

WITNESSETH, that the Grantor in consideration of **ONE AND NO/100 DOLLARS (\$1.00)** and other valuable considerations paid by the Grantee, receipt and sufficiency of which are hereby acknowledged, has **GRANTED, BARGAINED, SOLD, and CONVEYED** and by these presents does hereby **GRANT, BARGAIN, SELL, and CONVEY** unto the Grantee forever all of that certain property, including any improvements thereon, in Escambia County, Florida, described as follows:

A portion of Government Lot 4, Fractional Section 10, Township 1 North, Range 30 West, Escambia County, Florida, more particularly described on Exhibit "A" attached hereto and made a part hereof for all purposes.

Grantor does not intend to convey by this instrument, and no warranty of title shall apply to, such valid mineral and royalty interests in the Subject Tract as may heretofore appear of record in the public records of Escambia County, Florida, in favor of third parties and/or predecessors in title to Grantor. Grantor excepts from this conveyance and expressly reserves unto itself, its successors and assigns, in perpetuity, an undivided fifty percent (50%) of all royalty in and to all the oil, gas, sulfur, fissionable materials, and all other minerals of every kind and description not heretofore reserved, retained by, or conveyed to Grantor's predecessors in title or third parties and which are in and under and that may be produced or saved from the Subject Tract, including, without limitation, an undivided fifty percent (50%) of any royalty created in any present or future oil, gas or mineral lease covering said mineral estate in the Subject Tract. Grantor further reserves and retains for itself and its successors and assigns an undivided fifty percent (50%) of any and all lease bonuses, delay rentals and other compensation paid to Grantee with respect to any future lease or leases covering any portion of the mineral estate herein conveyed to Grantee. Notwithstanding the foregoing, in no event shall Grantor's royalty interest be less than 1/16th of 8/8ths of said oil, gas or other minerals produced or saved from the mineral estate in the Subject Tract hereby conveyed. It is agreed that these reserved interests shall be for the benefit of and be owned by Grantor, and its successors in interest, and that in no event by warranty, estoppel, reversion, or otherwise, shall Grantee or Grantee's successors in interest acquire any additional mineral interests in the Subject Tract other than that conveyed herein. **NOTWITHSTANDING ANYTHING HEREIN CONTAINED TO THE CONTRARY, THE MINERAL ESTATE HEREIN CONVEYED, IF ANY, IS CONVEYED BY GRANTOR TO GRANTEE WITHOUT WARRANTY AS TO TITLE OR CONDITION, IT BEING UNDERSTOOD AND AGREED BY AND BETWEEN GRANTOR AND GRANTEE THAT SAID MINERAL ESTATE, IF ANY, IS CONVEYED BY GRANTOR TO GRANTEE "AS IS, WHERE IS AND WITH ALL FAULTS."**

FINDINGS:

There are wetlands on the premises that must be protected through the development process but there is adequate property not impacted by these wetlands and, therefore, the proposed development would not adversely impact the natural environment.

CRITERIA 6

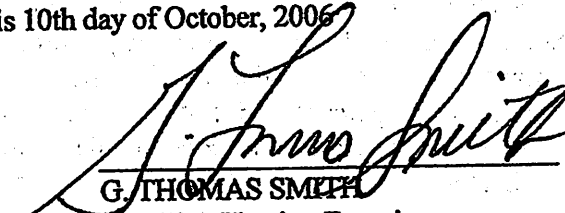
Will the proposed amendment permit uses that will result in a logical and orderly development pattern.

FINDINGS:

Development for uses permitted within the C-2 zoning district would result in a logical and orderly development pattern.

IT IS HEREBY RECOMMENDED THAT THE REZONING AMENDMENT RECLASSIFYING THE PROPERTY FROM C-1, RETAIL COMMERCIAL DISTRICT (CUMULATIVE) TO C-2, GENERAL COMMERCIAL AND LIGHT MANUFACTURING DISTRICT, (CUMULATIVE) BE GRANTED.

RECOMMENDED this 10th day of October, 2006



G. THOMAS SMITH
Rezoning Hearing Examiner

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on July 29, 1998, by **ROBERT D. MAGNUSSEN**, Secretary of **CHAMPION REALTY CORPORATION**, a Delaware corporation, on behalf of the corporation. He produced his Texas driver's license for identification and did not take an oath.

Mary M. Tucker
Notary Public in and for
the State of Texas

My commission expires: _____

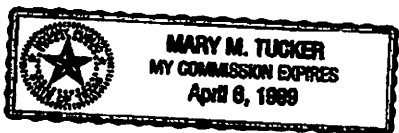


EXHIBIT "A"

PROPERTY DESCRIPTION

BEGIN AT A 4" ROUND CONCRETE MONUMENT, UNNUMBERED, MARKING THE SOUTHEAST CORNER OF GOVERNMENT LOT 4, FRACTIONAL SECTION 10, TOWNSHIP 1 NORTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE GO NORTH 88 DEGREES 08 MINUTES 28 SECONDS WEST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4 AS FIELD MONUMENTED, A DISTANCE OF 2183.38 FEET TO A 1" IRON PIPE, UNNUMBERED, MARKING THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 4 OF SAID FRACTIONAL SECTION 10; THENCE GO NORTH 01 DEGREES 26 MINUTES 02 SECONDS EAST ALONG THE WEST LINE OF SAID GOVERNMENT LOT 4 AS FIELD MONUMENTED A DISTANCE OF 1317.06 FEET (1320 FEET, DEED) TO A 4"x4" CONCRETE MONUMENT, UNNUMBERED; THENCE GO SOUTH 88 DEGREES 34 MINUTES 20 SECONDS EAST A DISTANCE OF 855.87 FEET TO A 6"x6" CONCRETE MONUMENT, UNNUMBERED, LYING ON THE MOST NORTHEASTERLY LINE OF THE AFORESAID GOVERNMENT LOT 4 OF SAID FRACTIONAL SECTION 10 (ALSO LYING 1323.46 FEET PERPENDICULAR FROM THE SOUTH LINE OF SAID GOVERNMENT LOT 4); THENCE GO SOUTH 43 DEGREES 26 MINUTES 21 SECONDS EAST ALONG SAID NORTHEASTERLY LINE OF GOVERNMENT LOT 4 OF SAID FRACTIONAL SECTION 10 AS FIELD MONUMENTED A DISTANCE OF 1881.47 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PROPERTY IS SITUATED IN FRACTIONAL SECTION 10, TOWNSHIP 1 NORTH, RANGE 30 WEST, ESCAMBIA COUNTY FLORIDA, AND CONTAINS 46.10 ACRES.

THE SUBJECT TRACT IS CONVEYED BY GRANTOR AND ACCEPTED BY GRANTEE "AS IS", AND WITH ALL FAULTS AND OTHER THAN THE WARRANTY OF TITLE HEREIN MADE, GRANTOR MAKES NO REPRESENTATION OR WARRANTY WHATSOEVER, WHETHER EXPRESSED, IMPLIED OR STATUTORY, WITH RESPECT TO THE SUBJECT TRACT. GRANTEE, BY GRANTEE'S ACCEPTANCE HEREOF, AGREES THAT GRANTEE IS NOT RELYING ON ANY WARRANTY OR REPRESENTATION OF GRANTOR OR ANY AGENT, EMPLOYEE, REPRESENTATIVE, DIRECTOR OR OFFICER OF GRANTOR, AND THAT GRANTEE IS ACQUIRING THE SUBJECT TRACT "AS IS", SUBJECT TO ALL FAULTS AND WITHOUT ANY EXPRESSED OR IMPLIED WARRANTIES OF ANY KIND INCLUDING, WITHOUT LIMITATION, WARRANTIES AS TO THE CONDITION OF THE SUBJECT TRACT, HABITABILITY, TENANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY OR THE ENVIRONMENTAL CONDITION OF THE SUBJECT TRACT AND THE PRESENCE OF OR CONTAMINATION BY HAZARDOUS MATERIALS THEREON AND GRANTOR HEREBY EXPRESSLY DISCLAIMS ANY SUCH WARRANTIES. GRANTEE HAS DETERMINED (I) THE PHYSICAL CONDITION OF THE SUBJECT TRACT AND THAT THERE IS NO DEFECT OR CONDITION WHICH IS UNACCEPTABLE TO GRANTEE, (II) WHETHER ANY PORTION OF THE SUBJECT TRACT LIES IN ANY FLOOD PLAIN, FLOODWAY OR ANY SPECIAL FLOOD HAZARD AREA, (III) WHETHER ANY GEOLOGICAL FAULT OR UNSATISFACTORY SOIL CONDITION EXISTS ON ANY PORTION OF THE SUBJECT TRACT, AND (IV) THAT ALL ENVIRONMENTAL CONDITIONS RELATING TO THE SUBJECT TRACT ARE ACCEPTABLE TO GRANTEE.

IN WITNESS WHEREOF, this deed has been executed as of the date first above written.

Signed, sealed and delivered
in the presence of:

CHAMPION REALTY CORPORATION

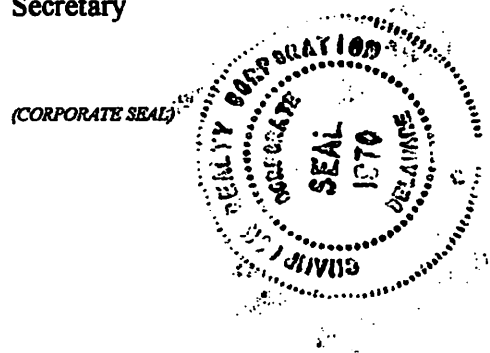
Brenda Gonzalez
Name: BRENDA GONZALEZ

By: [Signature]

Name: Robert D. Magnussen

Title: Secretary

Ann Cowper
Name: Ann Cowper



TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances, unto the Grantee in fee simple. And the Grantor hereby covenants with the Grantee that at the time of the delivery of this deed, Grantor has good right, full power and lawful authority to convey the Subject Tract, that Grantee may peaceably and quietly enjoy and possess the Subject Tract, that the Subject Tract is free from encumbrances made by the Grantor unless set forth in this deed and that the Grantor will warrant and defend the same against the lawful claims and demands of all persons claiming by, through or under the Grantor, but against none other.

Grantor hereby imposes the reservations, covenants and restrictions set forth on Exhibit "B" attached hereto and by this reference made a part hereof, as reservations, covenants and restrictions against the Subject Tract running with the title thereto and Grantee, by acceptance of this deed, acknowledges such reservations, covenants and restrictions and agrees that it and its successors and assigns shall be bound by same. The Grantor, for and on behalf of itself, and the Grantee, by Grantee's acceptance hereof and for and on behalf of Grantee and Grantee's successors and assigns, covenant and agree that:

- (a) Nothing contained herein shall imply that any other property of Grantor shall be subject to restrictions applicable to the Subject Tract, and no restrictions shall be created hereby with respect to other property owned by Grantor, whether by negative implication or otherwise.
- (b) In the event any one, or more of these covenants and agreements shall become or be held invalid, by reason of abandonment, waiver, or judicial decision, same shall in no wise affect or impair the validity of the other covenants and agreements which shall remain in full force and effect.

The foregoing restrictions may be enforced, waived or modified at any time in such manner as permitted or prescribed by law. Further, in the event that title to all or any portion of the Subject Tract shall be revested in Grantor or Grantor's successors or assigns, then Grantor or its successors or assigns as the case may be, in its or their sole discretion, may modify or remove any of such restrictions insofar as the same shall affect any part of the Subject Tract, the title to which has been so revested in Grantor or its successors or assigns.

This conveyance and the foregoing warranties are subject to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof, to lawful and validly enforceable claims of third persons, if any, under or with respect to the matters or items listed in Exhibit "C" attached hereto and made a part hereof for all purposes (hereinafter called the "Permitted Encumbrances"), and subject, also, to any rules, regulations, and subdivision, zoning, planning or platting ordinances, if any, affecting the Subject Tract, promulgated by state, county, municipal or other authorities, in effect at the time of this conveyance. The references to lawful claims, if any, of third persons contained herein in connection with the Permitted Encumbrances are made for the exclusive purpose of exceptions from the Grantor's warranty herein, and no reference or recital herein contained shall operate to enlarge, recognize, ratify, revive or confirm rights, if any, of third person.

EXHIBIT "B"

RESTRICTIONS

1. No structure of a temporary character, trailer (exclusive of mobile homes and/or manufactured housing), basement, tent, shack, garage, barn or other outbuilding shall be used on the Subject Tract at any time as a residence, either temporarily or permanently.
2. The Subject Tract shall not be used or maintained as a dumping ground for hazardous materials, junk, rubbish or trash.
3. The Subject Tract shall not be used to store junk, wrecked cars or other similar material.
4. No hogs or swine may be placed or kept upon the Subject Tract.
5. No use shall be made of the word or name "Champion" in any designation of or representation with respect to the Subject Tract.
6. No part of the Subject Tract or any improvements situated thereon shall be put to any industrial, manufacturing or other use which may become an annoyance or nuisance to the neighborhood, or which may be offensive by reason of odor, fumes, dust, smoke, noise, vision, vibration or pollution, including, but not limited to, factories, or which are hazardous by reason of the excessive danger of fire or explosion.
7. The Subject Tract may only be used for those purposes that comply with the zoning and other rules, regulations, laws and ordinances of Escambia County, Florida, the State of Florida, and the United States of America, including, without limitation, those regulations governing septic tanks and sewage disposal systems, solid waste disposal, subdivisions and development in general. Notwithstanding the foregoing, no "hazardous waste", "hazardous substance" or "toxic waste", as defined by applicable State and/or Federal law, shall be generated, manufactured, produced, released, discharged, disposed of, transported to, stored, used or maintained on the Subject Tract at any time.

Except for paragraph 5 above which shall not terminate under any circumstances, these restrictions shall terminate thirty (30) years after the date of the Deed.

EXHIBIT "C"

PERMITTED ENCUMBRANCES

Those matters and things reflected by the survey by Northwest Florida Engineering & Surveying, Inc., identified as its Project No. 10-9841, dated May 27, 1998, revised June 11, 1998, June 19, 1998 and July 7, 1998 and all matters affecting title to the Subject Tract as shown in the Official Records of Escambia County, Florida.



Edmisten & Associates

Ecological Consultants

June 14, 2010

Ted Brown
1700 Osceola Blvd.
Pensacola, FL 32503

RE: Preliminary Wetland Jurisdictional Determination: Old Chemstrand Site

Dear Ted:

Edmisten & Associates has completed an assessment of the jurisdictional wetlands on the ca. 47-acre site identified as parcel number 10-1N-30-4001-000-000 by the Escambia County Property Appraiser. This assessment included an analysis of plant communities, wetland hydrology indicators and soils in accordance with federal and state procedural guidelines. These analyses resulted in the identification of wetland within the jurisdiction of both the US Army Corps of Engineers (COE) and the Florida Department of Environmental Protection (FDEP). The boundary of this jurisdictional area was identified in the field with red surveyors' flagging and located via GPS. The boundary is further depicted on the enclosed aerial photograph where wetlands are highlighted yellow. We have our GPS and GIS data on disc and available for your surveyor. The data is in State Plane, NAD 83 (feet).

Any development in the wetland portion of the subject property will require permits from both the COE and the FDEP. Please be advised that the markings on the enclosed map are approximate. A survey will be required to obtain accurate information on the exact areas (e.g. ft²) of wetland and upland on your property.

A wetland delineation performed by an ecological consultant represents the professional opinion of the scientist that performed the work. Only the regulatory agencies can establish a legal and binding jurisdictional boundary. Verification of our delineation will take place during the permitting process should you proceed with development on this site. Wetland permitting in Northwest Florida is a complicated process that is easiest to discuss in person. We are available to consult with you regarding permitting and development options if you wish. Our consulting fee is \$250 for the first hour and \$90 per hour for subsequent work.

We appreciate this opportunity to be of service. If you have any questions about this property or wetland issues in general, we will be happy to assist.

Respectfully,
Joe A. Edmisten, Inc. & Associates

Glen A. Miley M.S., P.W.S.
Professional Wetland Scientist
General Partner
0084.006\chemstrand 061410 jdreport



KATHY'S CREEK SUBDIVISION

PROPERTY I.D. 10-1N-30-4001-000-000

PENSACOLA, FLORIDA

SECTION 10, TOWNSHIP 1 NORTH, RANGE 30 WEST

ESCAMBIA COUNTY, FLORIDA

ZONED: VAG-2

A PLANNED 88 LOT SUBDIVISION

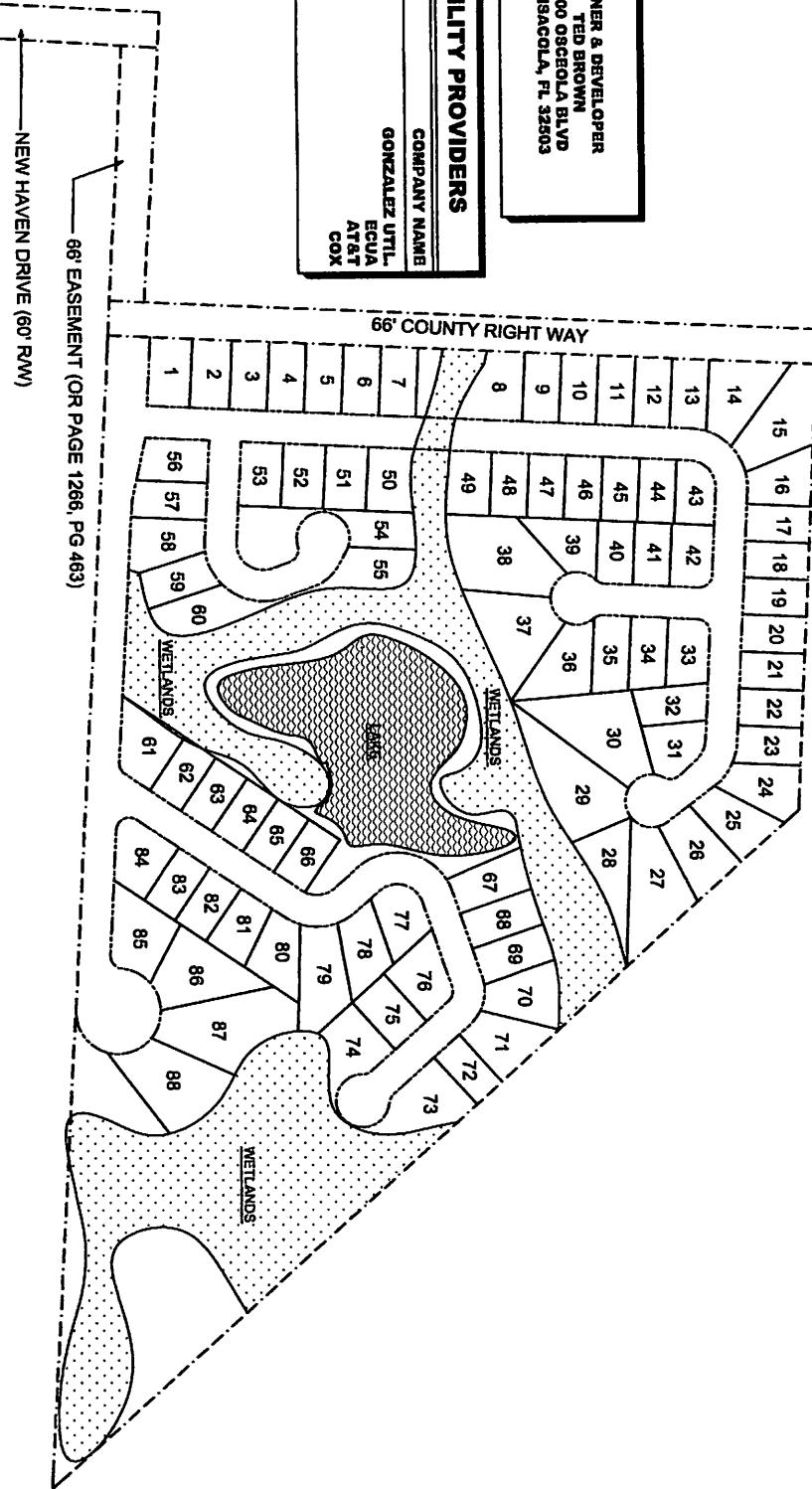
46.10 ACRES

APRIL 2012

OWNER & DEVELOPER
 TED BROWN
 1700 OSCEOLA BLVD
 PENSACOLA, FL 32503

UTILITY PROVIDERS

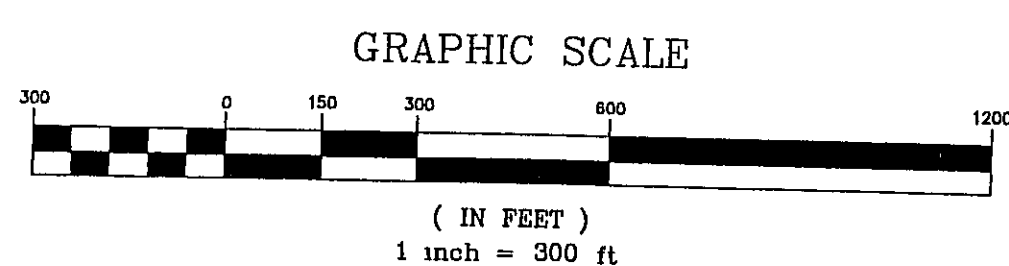
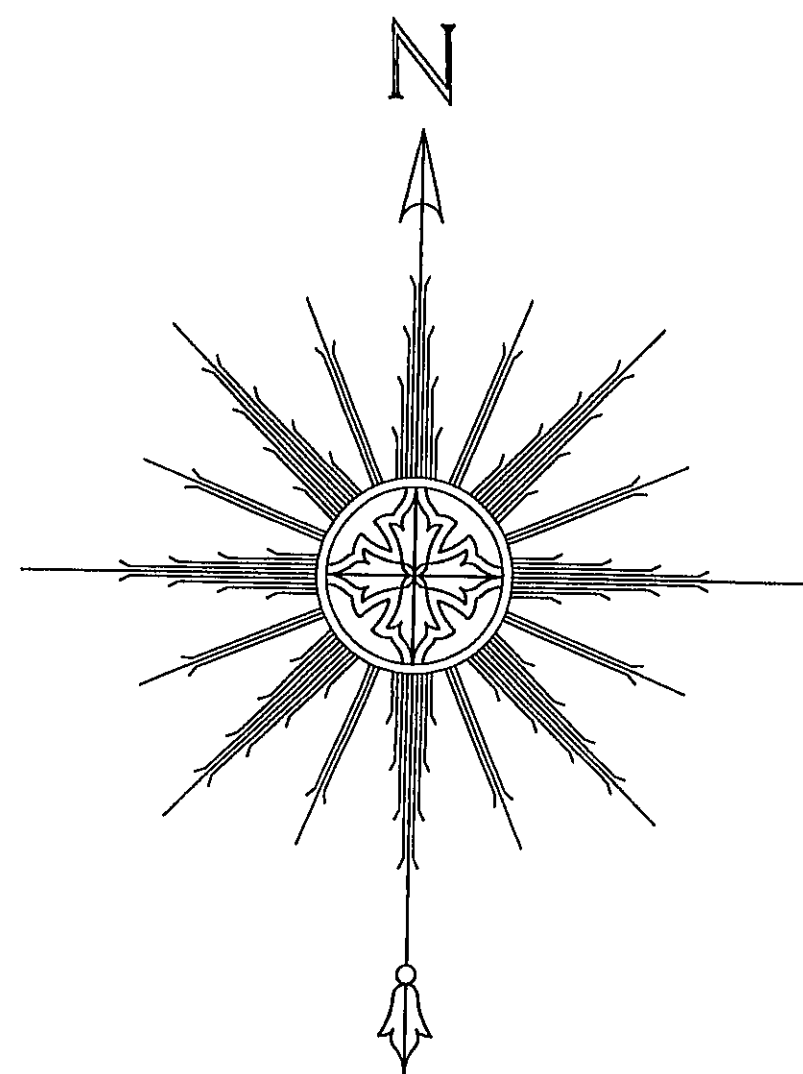
ITEM	COMPANY NAME
WATER	GONZALEZ UTIL.
SEWER	ECUA
PHONE	AT&T
CABLE	COX



KATHY'S CREEK OVERALL LAYOUT ESCAMBIA COUNTY FLORIDA		NO. 1 NO. 2 NO. 3 NO. 4	DATE 	DESCRIPTION
		<small>THIS DRAWING IS THE PROPERTY OF JMA ENGINEERING & PLANNING, P.A. AND IS NOT TO BE REPRODUCED OR USED IN ANY MANNER AS PART OF AN OFFER OR AS ANY OTHER PUBLICITY AND TO BE SO REPRODUCED WITHOUT WRITTEN PERMISSION.</small>		

A BOUNDARY SURVEY

OF: A PORTION OF SECTION 10, TOWNSHIP 1 NORTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA.



DESCRIPTION AS FURNISHED: FBSE16
53.00 ACRES SECTION 10, TOWNSHIP 1N, RANGE 30W, SOUTH 1320 FEET OF
GOVERNMENT LOT 4

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A 4" ROUND CONCRETE MONUMENT UNNUMBERED, MARKING THE SOUTHEAST CORNER OF GOVERNMENT LOT 4, FRACTIONAL SECTION 10, TOWNSHIP 1 NORTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, THENCE GO NORTH 88 DEGREES 08 MINUTES 28 SECONDS WEST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4 AS FIELD MONUMENTED, A DISTANCE OF 2183.38 FEET TO A 1" IRON PIPE, UNNUMBERED, MARKING THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 4 OF SAID FRACTIONAL SECTION 10, THENCE GO NORTH 01 DEGREES 26 MINUTES 02 SECONDS EAST ALONG THE WEST LINE OF SAID GOVERNMENT LOT 4 AS FIELD MONUMENTED, A DISTANCE OF 1317.08 FEET (1320 FEET, DEED) TO A 4"x4" CONCRETE MONUMENT UNNUMBERED, THENCE GO SOUTH 88 DEGREES 34 MINUTES 20 SECONDS EAST A DISTANCE OF 855.87 FEET TO A 6"x6" CONCRETE MONUMENT UNNUMBERED, LYING ON THE SOUTHWEST CORNER OF THE AFORESAID GOVERNMENT LOT 4 OF SAID FRACTIONAL SECTION 10 (ALSO LYING 1323.46 FEET PERPENDICULAR FROM THE SOUTH LINE OF SAID GOVERNMENT LOT 4), THENCE GO SOUTH 43 DEGREES 26 MINUTES 21 SECONDS EAST ALONG SAID NORTHEASTLY LINE OF GOVERNMENT LOT 4 OF SAID FRACTIONAL SECTION 10 AS FIELD MONUMENTED A DISTANCE OF 1881.47 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PROPERTY IS SITUATED IN FRACTIONAL SECTION 10, TOWNSHIP 1 NORTH, RANGE 30 WEST, ESCAMBIA COUNTY FLORIDA, AND CONTAINS 46.10 ACRES

GENERAL NOTES:

- THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF NORTH 88 DEGREES 08 MINUTES 28 SECONDS WEST ALONG THE SOUTH LINE OF THE PROPERTY
- THE SURVEY DATUM AS SHOWN HEREON IS REFERENCED TO THE DESCRIPTION AS FURNISHED AND TO EXISTING FIELD MONUMENTATION
- THE MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS
- THE ENCROACHMENTS ARE AS SHOWN
- NO TITLE SEARCH WAS PROVIDED NOR PERFORMED BY NORTHWEST FLORIDA ENGINEERING & SURVEYING, INC. FOR THE SUBJECT PROPERTY THERE MAY BE DEEDS OF RECORD UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAY, STATE AND/OR FEDERAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF THE SUBJECT PROPERTY
- THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE X, BASE FLOOD ELEVATION N/A FEET, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA, (UNINCORPORATED AREAS), COMMUNITY PANEL NUMBER 120080-0185 E, REVISED JANUARY 21, 1998
- THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP

DENOTES

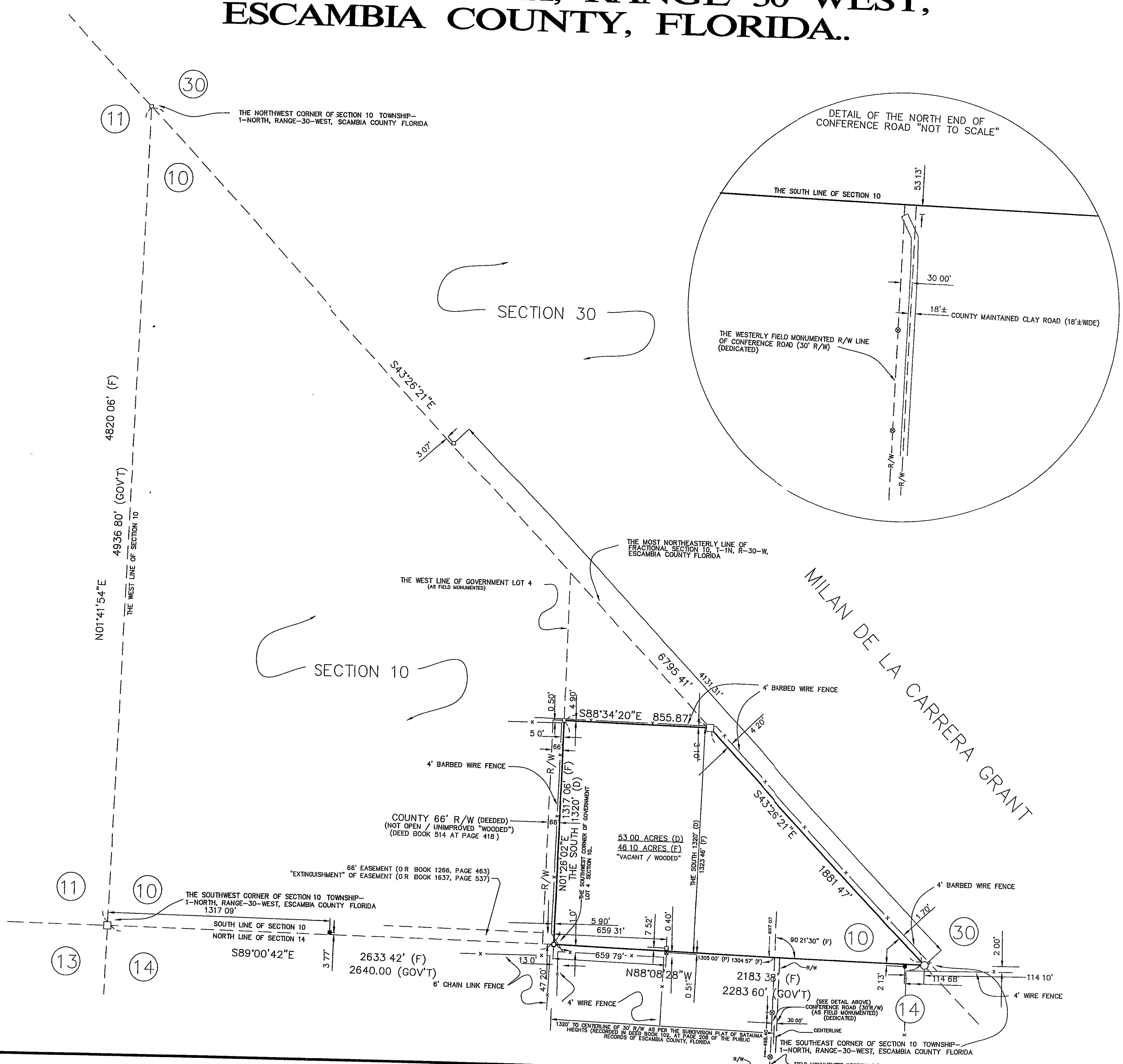
- - 6"x6" CONCRETE MONUMENT UNNUMBERED (FOUND)
- - 4"x4" CONCRETE MONUMENT NUMBERED 1041 (FOUND)
- - 1" IRON PIPE UNNUMBERED (FOUND)
- ⊕ - 4" x 4" CONCRETE MONUMENT UNNUMBERED (FOUND)
- ⊕ - 4" x 4" CONCRETE MONUMENT NO. 3027 (FOUND)
- - 4" ROUND CONCRETE MONUMENT UNNUMBERED (FOUND)
- ⊕ - 1/2" CAPPED IRON ROD NUMBERED 0340 "BDC" (FOUND)
- R/W - RIGHT OF WAY
- (D) - DEED OR DESCRIPTION INFORMATION
- (F) - FIELD INFORMATION
- (GOV'T) - GOVERNMENT INFORMATION
- ± - MORE OR LESS

CERTIFIED TO

WARREN TED BROWN
L. KATHLEEN HORTON - BROWN
CHAMPION REALTY CORPORATION
SHELL FLEMING, DAVIS, AND MENGE

NORTHWEST FLORIDA ENGINEERING & SURVEYING, INC
1500 NORTH PALAFOX STREET, PENSACOLA, FLORIDA 32501

E. Wayne Parker 05/27/98
E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3683 CORPORATE NUMBER 4882
STATE OF FLORIDA



NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED LAND SURVEYOR

NORTHWEST FLORIDA ENGINEERING & SURVEYING, INC
A PROFESSIONAL SERVICE ORGANIZATION
1500 N. PALAFOX ST.
PENSACOLA, FL 32501
(850) 458-1082

SCALE 1"=300'

PROJECT NO. 10-9841

INDEX 10

NO. 1 OF 1 SHEET

DATE 5/27/98

CHECKED T.R.S.

DRAWN T.W.J.

REQUESTED BY: RUSS TORIAN

REVISIONS

NO.	DATE	APPR.	REVISIONS
1	6/11/98	EP	REVISE LEGAL DESCRIPTION, AND ADD CONFERENCE ROAD
2	6/19/98	EP	ADD FIELD MONUMENTED RIGHT OF WAY OF CONFERENCE ROAD
3	7/7/98	EP	REVISE WEST RIGHT OF WAY LINE OF COUNTY 66' R/W

R:\SRV\SRV\9841-98 Tue Jul 07 15:41:32 1998

Planning Board-Rezoning

5. D.

Meeting Date: 10/08/2012

CASE : Z-2012-25

APPLICANT: Freddy Powell, Owner

ADDRESS: 617 N. 70th Ave & 7008 W
Jackson St

PROPERTY REF. NO.: 11-2S-31-5410-001-001;11-2S-31-5410-000-000

FUTURE LAND USE: MU-U, Mixed Use Urban

DISTRICT: 1

OVERLAY DISTRICT: N/A

BCC MEETING DATE: 11/01/2012

SUBMISSION DATA:

REQUESTED REZONING:

FROM: R-2, Single Family Residential

TO: C2NA, General Commercial and Light Manufacturing District (cumulative); no sale of alcohol allowed

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.

Comprehensive Plan Policy (CPP) 1.3.1 Future Land Use Categories. The Mixed-Use Urban (MU-U) Future Land Use (FLU) category is intended for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole. Range of allowable uses include: Residential, Retail and Services, Professional Office, Light Industrial, Recreational Facilities, Public and Civic. The minimum residential density is 3.5 dwelling units per acre and the maximum residential density is 25 dwelling units per acre.

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 C2NA is **consistent** with the intent and purpose of Future Land Use category Mixed Use Urban as stated in CPP FLU 1.3.1 because the intent of this future land use category is to allow for a mix of residential and nonresidential uses such as retail sales, professional offices and light industrial uses.

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.

6.05.07. R-2 Single-Family District (cumulative), low-medium density.

A. Intent and purpose of district. This district is intended to be a single-family residential area with large lots and low population density. The maximum density is seven dwelling units per acre. Refer to article 11 for uses and densities allowed in R-2, single-family areas located in the Airport/Airfield Environs. Structures within Airport/Airfield Environs, Zones, and Surfaces remain subject to the height definitions, height restrictions, and methods of height calculation set forth in Article 11. Refer to the overlay districts within section 6.07.00 for additional regulations imposed on individual parcels with R-2 zoning located in the Scenic Highway Overlay District and RA-1(OL) Barrancas Redevelopment Area Overlay District.

6.05.16K. C-2NA zoning designation. If a parcel is designated as C-2NA, then notwithstanding any other provision of this section, bars, nightclubs, and adult entertainment uses shall be **prohibited uses for that parcel**. Any applicant for a rezoning to the C-2 zoning district may request a C-2NA zoning designation. Such request shall be in the form of a notarized affidavit that acknowledges this use restriction and affirms that it is a voluntary request. Once approved, in conformance with Section 2.08.00 of this land development code, a property owner must apply for a rezoning to C-2 in order to remove the designation. The C-2NA zoning designation shall apply to all subsequent owners unless and until the parcel is rezoned to the C-2 zoning district without the C-2NA zoning designation.

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, untrailer 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. Outdoor sales.
25. Other uses similar to those permitted herein. Determination on other permitted uses shall be made by the planning board (LPA).

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 and 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 not consistent** with the intent and purpose of the Land Development Code due to the fact all surrounding parcels are R-2 and the proposed amendment would constitute spot zoning as defined in Article 3.00 Definitions. The parcels are located along Jackson Street, a collector roadway and 70th Avenue, a local roadway therefore the proposed rezoning does not meet the locational criteria for C-2 as stated in 7.20.06.

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 not compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed properties with the zoning district R-2 as well have being classified as residential use.

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 not** result in a logical and orderly development pattern. The use of parcels adjoining to and surrounding the parcel are residential and the entire area is zoned R-2, Residential District.

Attachments

Z-2012-25

Z-2012-25

Rezoning Criteria:

A. Consistency with the Comprehensive Plan:

Rezoning to a C2-NA will be consistent with the Comprehensive Plan because the property of 7008 W. Jackson Street is a commercial retail building in which currently I have a printing shop. According to the comprehensive plan retail is allowed in a C2-NA zone. The property started out as C2 when first established and a business has occupied the property before, during and after it was rezoned to R2 by the zoning committee. See chapter 7 commercial CP7:9

B. Consistency with this code:

According to the Land Development code for commercial use the proposed rezoning is consistent with the stated purpose and intent of the Land development code for use as commercial with outside storage. Section 6.05.14B shows the permitted uses of which retail and printing are allowed with outside storage.

C. Compatibility with surrounding uses:

There are 6 commercial businesses on Jackson within a few blocks. There is 1 commercial property on 70th besides Powell's printing. There 6 commercial properties on Lillian with a couple of blocks from 70th avenue. There are a total of 13 commercial business that are existing in the area of 70th and Jackson that are consistent with proposed use of 7008 West Jackson as a commercial site as it was originally built for.

D. Changed conditions:

There will be no conditions that will be adversely affected by changing the property to C2-NA from R2. Past history has shown that the property has been commercial for a very long time and the type of buildings existing on the property support commercial operations with very little changes. Allowing this to change to C2-NA it will allow the current owner to increase business revenue which in turn will help the economy.

E. Effect on the natural environment:

With the change from R2 to C2-NA then outside storage can be brought in to store business materials as befitting a large print shop operation. As the current owner is a bee keeper then the C2-NA will allow for a more natural backyard that does not have to be all grass. Flowering trees have been planted to help the bees make honey and other flowering plants as well are present on the property to support the federally protected bees. As an R2 the requirement of grass only does not support the bees as well as a varied landscape of the current varieties of plants in the yard now. The adverse effect on the environment would be to allow the R2 designation to remain as bees require a variety of foods to sustain a good balance. They support the existing fruit trees in the yard that R2 considers overgrowth when in fact it is planted vegetation for support of the bees.

F. Development patterns:

The proposed rezoning to C2-NA will result in a logical and orderly development pattern because one it has always been C2 prior to it being rezoned to R2 which in turn caused a decline in the commercial owners ability to do business properly. Once it is back to C2-NA then the business will be more sustainable and have the ability to draw in customers properly through marketing and other means that are consistent with its mission and the properties descriptions and purpose. Without the proper designation of C2-NA the neighborhood will continue to decline as property values drop since the business was rezoned. A good developing neighborhood has both commercial and residential aspects that must occur to move the neighborhood forward. Commercial properties add value even in residential areas.



Development Services Department

Escambia County, Florida

REZONING CRITERIA

An applicant for a proposed rezoning has the burden of proving by substantial, competent evidence that the proposed rezoning: is consistent with the Comprehensive Plan; furthers the goals, objectives and policies of the Comprehensive Plan and is not in conflict with any portion of the county's Land Development Code.

The applicant has the burden of proving the proposed rezoning complies with the following six criteria:

- a. Consistency with the Comprehensive Plan. Whether the proposed amendment is consistent with the Comprehensive Plan; *YES retail IS allowed*
- b. Consistency with this Code. Whether the proposed amendment is in conflict with any portion of the Land Development Code, and is consistent with the stated purpose and intent of the Land Development Code; *Commercial uses w/ outside storage*
- c. Compatibility 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); *There are 1 commercial Business near the parcel*
- d. Changed conditions. Whether and the extent to which there are any changed conditions that impact the amendment or property(s);
- e. Effect on natural environment. Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment; *wetlands*
- f. Development patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern. *has commercial*

Upon the applicant proving the proposed rezoning complies with the criteria listed above, the Planning Board shall recommend approval of the rezoning request to the Board of County Commissioners unless the planning board determines that there is substantial, competent evidence that maintaining the current zoning designation accomplishes a legitimate public purpose. For purposes of this section, a legitimate public purpose shall include but not be limited to preventing the following or as may be determined by law from time to time:

- a. The proposed rezoning and the development permitted thereunder is premature or otherwise creates or contributes to an urban sprawl pattern of development;
- b. The proposed rezoning will constitute "spot zoning," that is an isolated zoning district unrelated to adjacent and nearby districts;
- c. The proposed rezoning will create an intrusion of commercial or industrial uses into an established residential area, such as a platted residential subdivision;
- d. The proposed rezoning and the development permitted thereunder will result in significant adverse impacts upon property values of adjacent or nearby properties or in the immediate area more than the types of uses currently permitted;
- e. The proposed rezoning and the development permitted thereunder will detract from the character and quality of life in the general area or neighborhood by creating excessive traffic, noise, lights, vibration, fumes, odors, dust, physical activities or other detrimental effects or nuisances.

Escambia County Land Development Code Article 2.08

3363 West Park Place Pensacola, FL 32505
(850) 595-3475 * FAX: (850) 595-3481



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: R2 to: C2NA

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

Owner(s) Name: C. Freddy Powell Phone: 850-453-8142

Address: 7008 W. JACKSON ST 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: 617N 70TH AVE & 7008 W. JACKSON ST.

Property Reference Number(s)/Legal Description: 11-22-21-5410-000-000 & 11-25315410-001-001

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.

C. Freddy Powell
Signature of Owner/Agent

C. FREDDY POWELL
Printed Name Owner/Agent

9/19/2012
Date

Signature of Owner

Printed Name of Owner

Date

STATE OF Florida

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 15th day of August 20 12,
by _____.

Personally Known OR Produced Identification Type of Identification Produced: License 71P400-106-44-021-0
Exp 1-2013

Margaret A. Cain
Signature of Notary
(notary seal must be affixed)

Margaret A.
Printed Name of Notary



FOR OFFICE USE ONLY

CASE NUMBER: Z-2012-25

Meeting Date(s): PB-Oct 8/BA NOV 1 Accepted/Verified by: A Cain Date: 9/16/12

Fees Paid: \$ 0 Waiver Receipt #: _____ Permit #: PRZ 120900025



Development Services Department

Escambia County, Florida

APPLICATION INSTRUCTIONS

Prior to Application Submittal

Please contact the Development Services Department located at 3363 West Park Place (595-3475) to make an appointment for a pre-application meeting with a Planner to personally discuss your site and prospective plans for it, to review the application forms and criteria with you, to answer any questions you may have, and/or any possible alternatives.

Application Submittal

It is important for the application packet to be complete and on time in order to process and schedule your request for the required public hearing(s). In order for the application request to proceed in a timely manner, all items on the application forms and checklist (attached herein) must be completed and submitted prior to the deadline, scheduling a pre-application meeting with a Planner is recommended. Any incomplete application or application submitted after the deadline will not be accepted by staff.

The owner and/or agent acting in his/her behalf, must sign the certification(s) where indicated on the application. If an agent is handling the request, the owner **must** submit an Affidavit of Ownership & Limited Power of Attorney (attached herein) authorizing said agent to act in his/her behalf. Signatures must be properly notarized and dated no more than sixty (60) days prior to application submittal.

No guarantee is made for the approval of any petition. Fees are non-refundable regardless of the decision.

Public Hearing(s)

It is the Applicant's burden to show consistency with all applicable criteria. **NOTE:** The applicant, or his/her agent, must be present at the Board of Adjustment or Planning Board meeting. For rezoning requests, it is also highly recommended that he or she be present at the subsequent Board of County Commissioners meeting.

Public Notice

Per the Land Development Code Article 2: A legal notice/advertisement will be published in the Pensacola News Journal and a sign(s) will be posted on the property by Development Services Department (DSD) prior to the hearing. Current property owners near the subject property will be notified of the proposed request via postcard by DSD at least fifteen (15) days prior to the hearing (see table below). Staff will obtain the list of mailing addresses from the Escambia County Property Appraiser's Office website (escpa.org).

Application Type:	Who will receive a postcard? Property owners:
Rezoning	within 500 foot radius of the subject property
Conditional Use	
Administrative Appeal	
Conditional Use – Sale of Alcohol	within 500 foot radius of the subject property and any places of worship and/or day care facility within 1,000 feet
Variance	directly abutting the subject property (excluding properties across the street)

Fees

Payment must be submitted prior to 3pm of the closing date for acceptance of application. Please make checks payable to Escambia County. Development Services Department accepts MasterCard and Visa.

Board of Adjustment (BOA)	Planning Board – Rezoning
\$1,050 - Conditional Use	\$1,050 for a rezoning request of one parcel
\$350 - Variance	\$1,750 for a rezoning request of two contiguous parcels*
\$560 - Administrative Appeal	\$1,750 plus \$70 for each additional parcel for more than two contiguous parcels*
\$175 - Development Order Extension	

*Lots separated by a street or roadway or by other lots/parcels are not considered contiguous. All lots must be owned by the same applicant in order to receive the discounted fee.



CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 11-25-31-5410-000-0007 11-25-31-5410-001-001

Property Address: 617 N. 70 AVE + 2008 W. JACKSON ST

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

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

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

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

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

C. Freddy Powell
Signature of Property Owner

C. FREDDY POWELL
Printed Name of Property Owner

9/19/2012
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 _____,
Florida, property reference number(s) _____

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)



AFFIDAVIT OF ACKNOWLEDGEMENT

As applicant for rezoning of the property located at 617 N. 70th AVE & 7008 W. JACKSON ST
11-25-31-5410-000-000, Florida, property reference number(s) 11-25-31-5410-000-000

11-25-31-5410-001-001 I affirm this to be a voluntary request and hereby acknowledge if
this parcel is designated C2NA, then notwithstanding any other provision of LDC section
6.05.16, bars, nightclubs, and adult entertainment uses shall be prohibited uses for this parcel.

Applicant Name: C. Freddy Powell Email: _____
Address: 7008 W. JACKSON ST Phone: 860-453-8142

<u>C. Freddy Powell</u> Signature of Applicant	_____ Printed Name of Applicant	<u>9/19/2012</u> Date
_____ Signature of Property Owner	_____ Printed Name of Property Owner	_____ Date

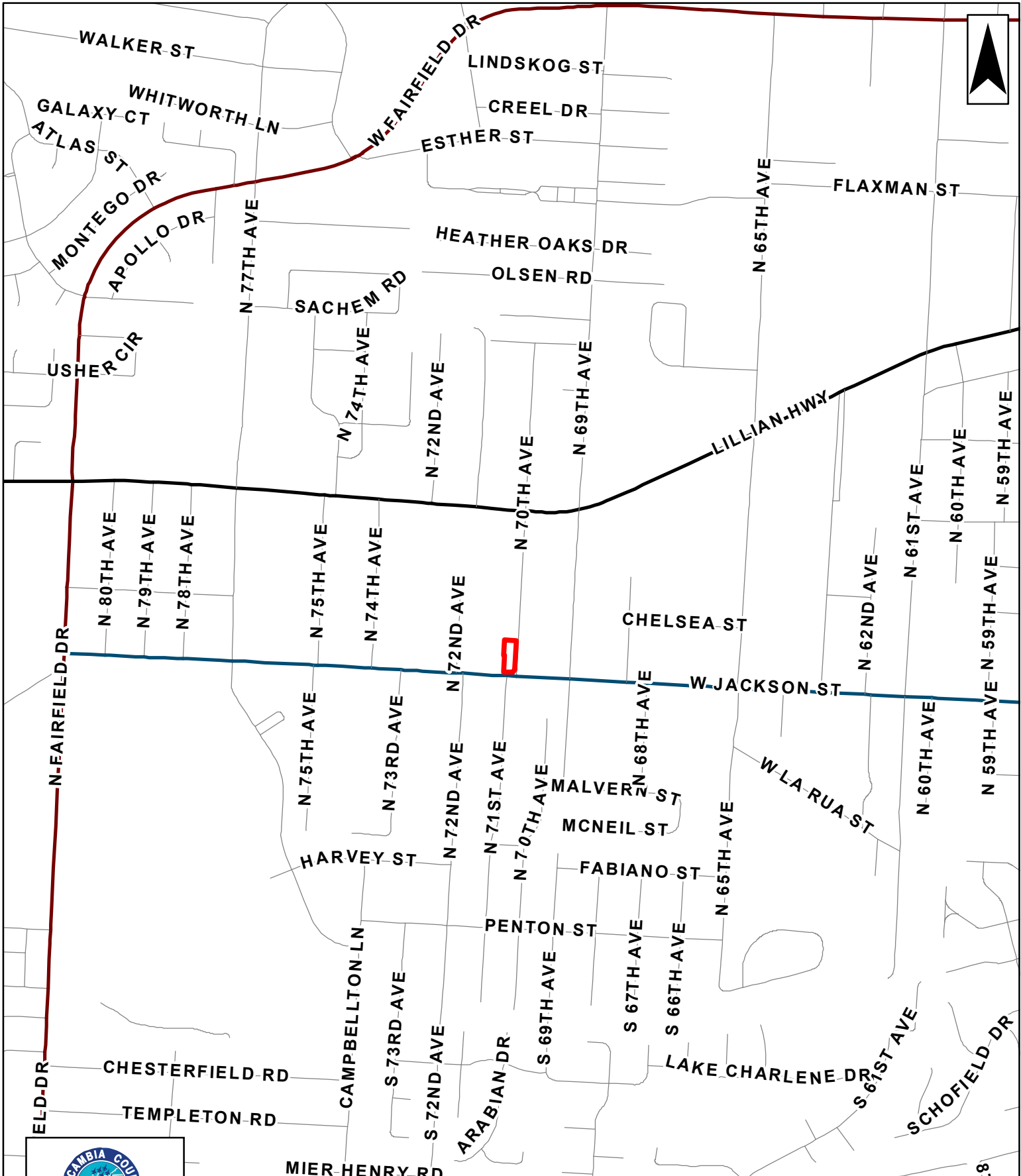

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 19th day of September 20 12,
by Freddy Powell.



Personally Known Produced Identification Type of Identification Produced: FLP400-106-44-024-0
Exp 1-2013

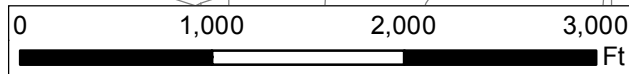
<u>Margaret A. Cain</u> (Notary Seal) Signature of Notary	<u>Margaret A. Cain</u> Printed Name of Notary
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This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

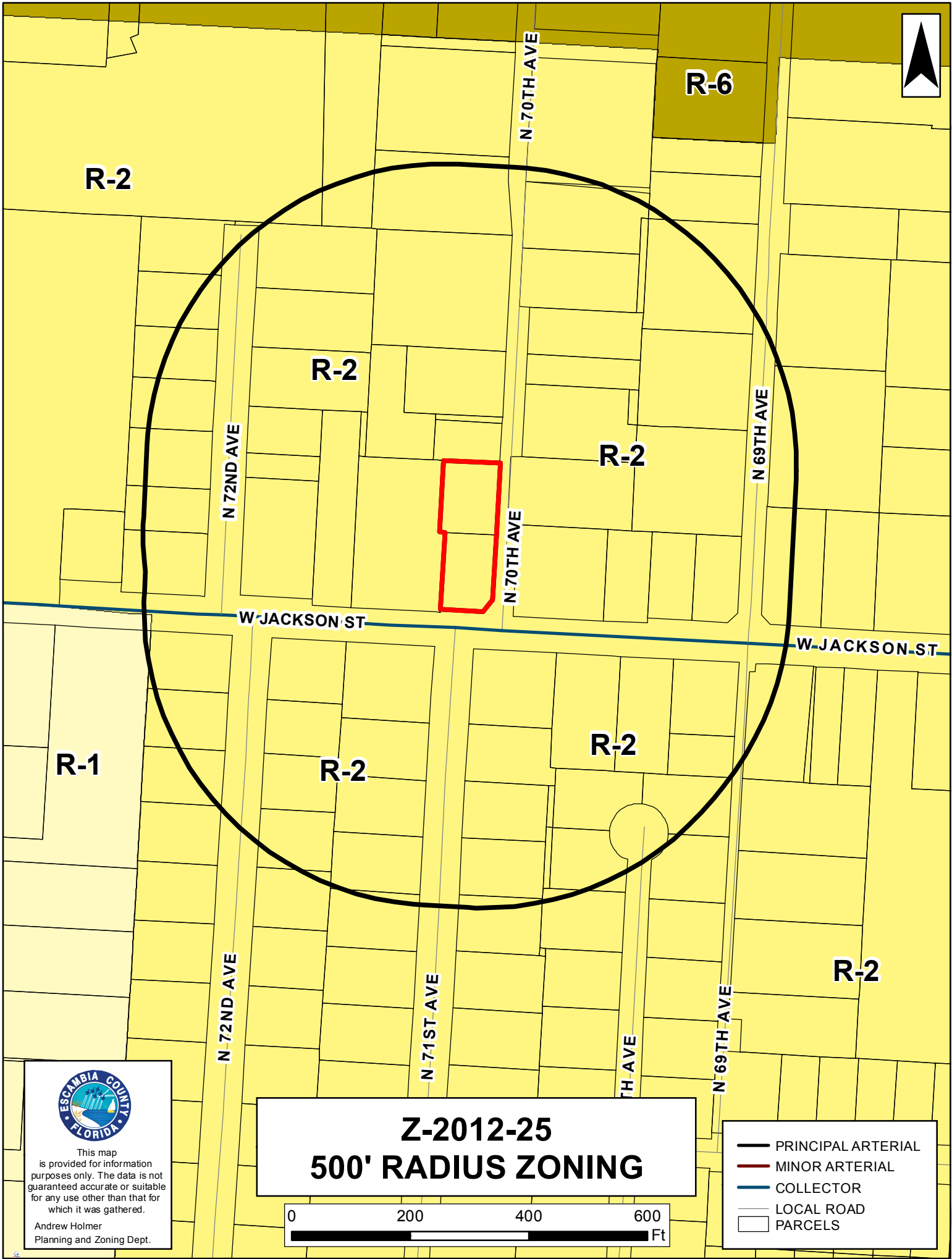
Andrew Holmer
Planning and Zoning Dept.

Z-2012-25 LOCATION MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD

8TH S



R-2

R-6

R-2

R-2

N 72ND AVE

N 70TH AVE

N 69TH AVE

N 70TH AVE

W JACKSON ST

W JACKSON ST

R-1

R-2

R-2

N 72ND AVE

N 71ST AVE

TH AVE

N 69TH AVE

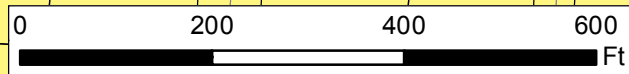
R-2



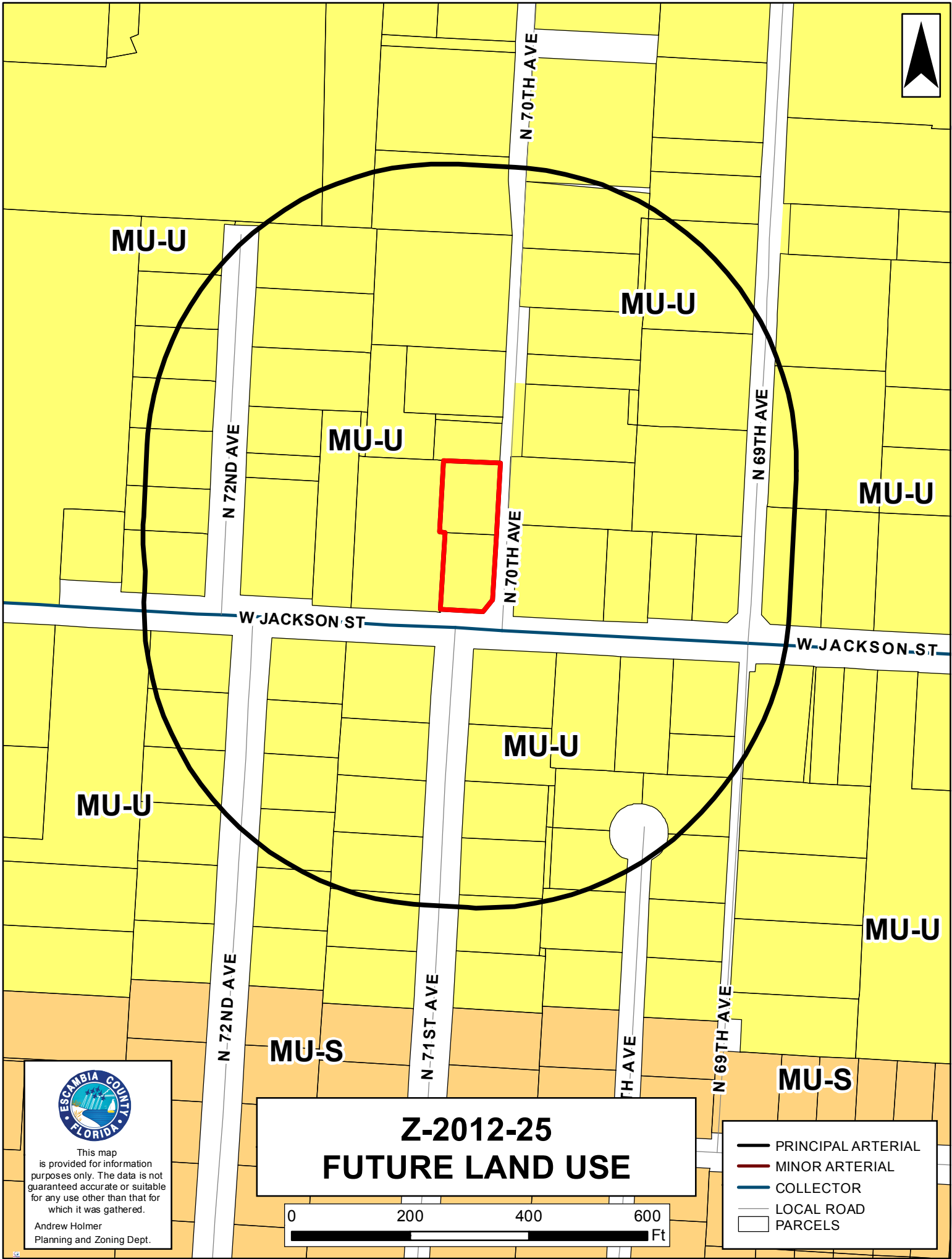
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2012-25 500' RADIUS ZONING



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



MU-U

MU-U

MU-U

MU-U

N 72ND AVE

N 70TH AVE

N 69TH AVE

N 70TH AVE

W JACKSON ST

W JACKSON ST

MU-U

MU-U

MU-U

N 72ND AVE

N 71ST AVE

TH AVE

N 69TH AVE

MU-S

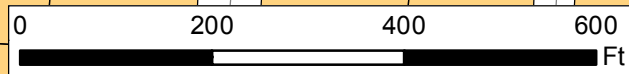
MU-S



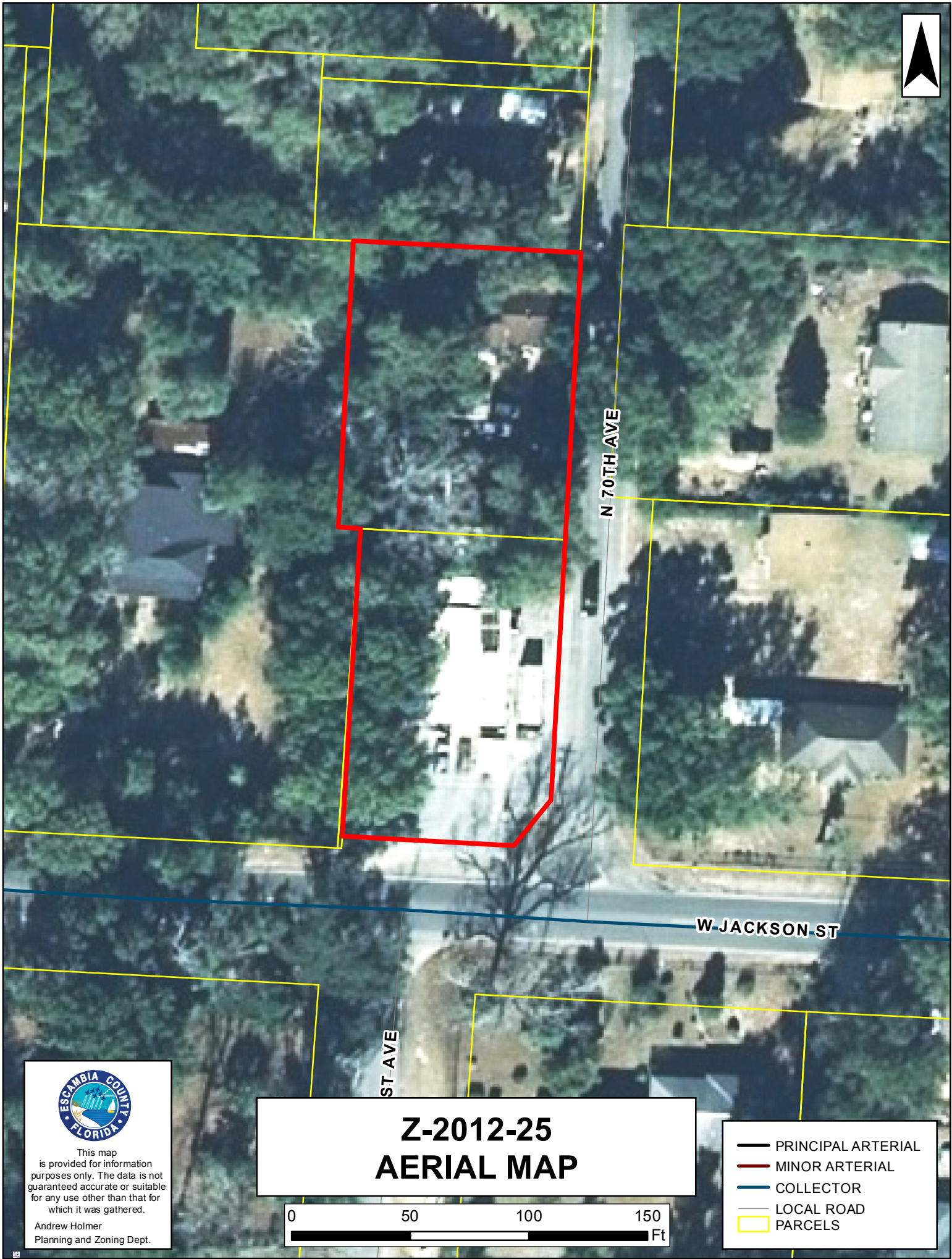
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2012-25 FUTURE LAND USE

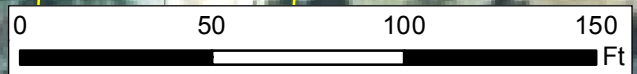


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



Z-2012-25 AERIAL MAP

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



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

Andrew Holmer
Planning and Zoning Dept.



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2012-25
 CURRENT ZONING: R-2 PROPOSED ZONING: C2NA

PLANNING BOARD

DATE: 10/08/12 TIME: 8:30 AM
 LOCATION OF HEARING
 ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
 3383 WEST PARK PLACE
 ROOM 104 BOARD MEETING ROOM

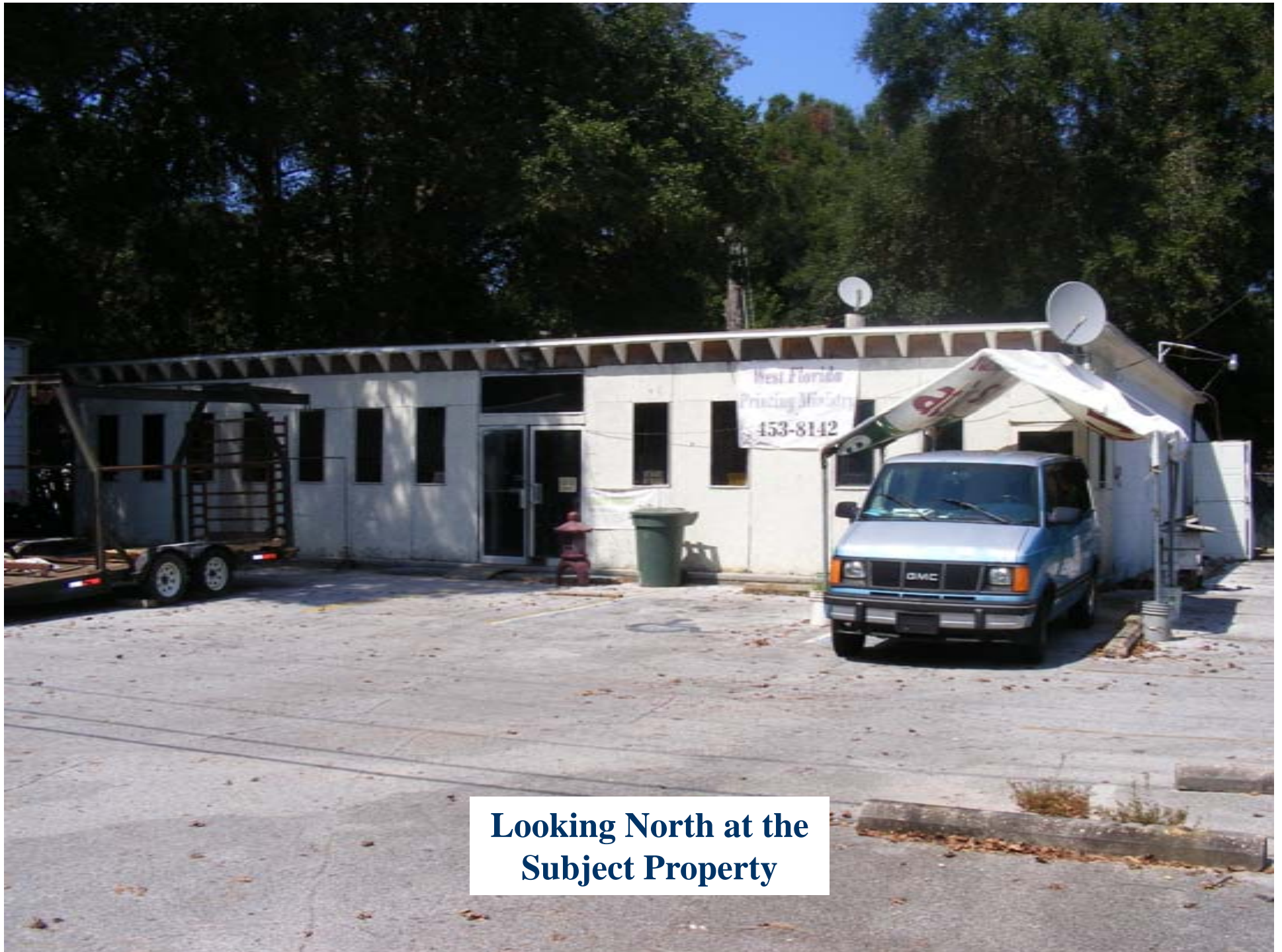
BOARD OF COUNTY COMMISSIONERS

DATE: 11/01/12 TIME: 5:45
 LOCATION OF HEARING
 ESCAMBIA COUNTY GOVERNMENT CENT
 221 PALAFOX PLACE
 1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION ABOUT THIS CASE PLEASE CONTACT
 DEVELOPMENT SERVICES AT 885-3475 OR VISIT
 WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
 PROPERTY OF ESCAMBIA COUNTY

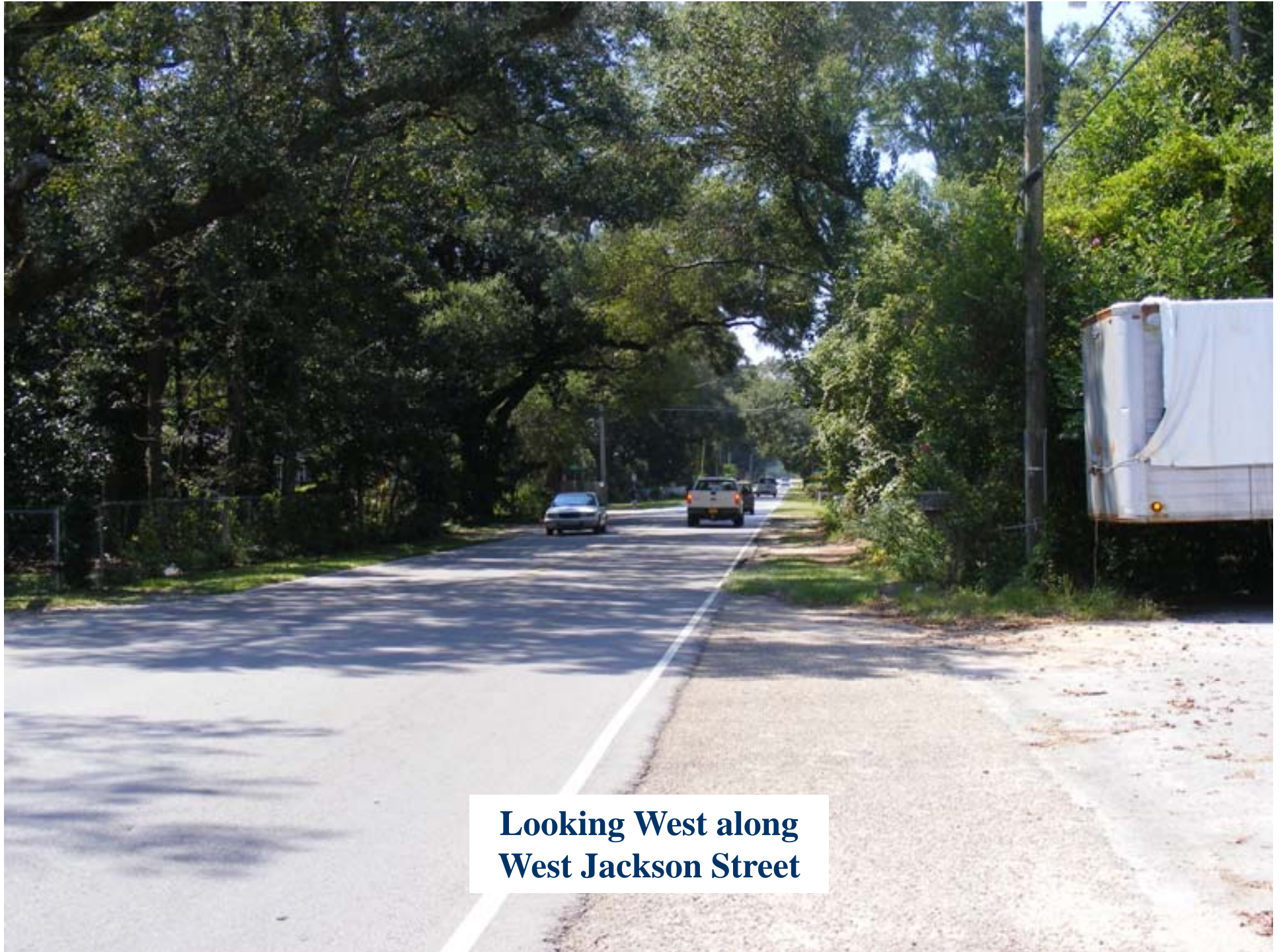
Public Hearing Sign



**Looking North at the
Subject Property**



**Looking East along
West Jackson Street**



**Looking West along
West Jackson Street**



**Looking North East
from West Jackson
Street**



**Looking Southeast
From the Subject
Property**



**Looking South down
71st Street from the
Subject Property**



**Looking West from N
70th Ave at the
Subject Property**



**Looking Northwest
from N 70th Ave at the
Subject Property.**



**Looking Northeast
along N 70th Ave from
the Subject Property**



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

FEE WAIVER REQUEST FORM

The Board of County Commissioners have determined that it is in the best interest of the public to waive certain Planning Board and Board of Adjustment application fees for projects, regardless of size or scale, that will provide affordable housing for low income individuals and families. Upon request, the County Administrator may grant, to qualified applicants, a waiver of the fees approved by Resolution 2010-107. An approved fee waiver request shall expire after twelve (12) months.

The County Administrator shall only grant waivers to the following qualified applicants. Please check the box next to the appropriate statement that applies to your request.

- Individuals and families with an annual gross income at or below 30% of the median income for Escambia County.
- Non-profit organizations that will develop and provide affordable housing for individuals and families with an annual gross income at or below 30% of the median income for Escambia County.

8-1-12

Property Owner/Non-profit Organization Name: Freddy Powell *Freddy Powell*

Please list the address(es) and Property Reference Number(s) for the property(s):

7008 W Jackson St.

11-25-31-5410-001-001

Please indicate which application fee this request is for and the amount: Rezoning - \$1,050⁰⁰

Please attach the following required supporting documents to this request form:

- a. All applicants must submit sufficient evidence of ownership or control of the property that is the subject of the development project for which the waiver is sought.
- b. All applicants must submit a copy of their federal income tax returns for the previous two years.
- c. All applicants must submit sufficient evidence that at least 30% of the total housing units produced from the development project will be sold or rented to, or occupied by, individuals and families with annual gross incomes at or below 30% of the median income for Escambia County.
- d. For projects that will provide rental housing, applicants shall also submit a schedule of rental rates for each unit by size.

FOR INTERNAL OFFICE USE ONLY

The applicant is a qualified applicant. YES NO

The applicant provided all required supporting documents. YES NO

Therefore; this fee waiver request for REZONING Type of application

is hereby APPROVED on this 9th day of AUGUST, 2012.

Charles R. Oliver
Charles R. "Randy" Oliver, CPA, P.E.
County Administrator

FORM SSA-1099 – SOCIAL SECURITY BENEFIT STATEMENT

2008

• PART OF YOUR SOCIAL SECURITY BENEFITS SHOWN IN BOX 5 MAY BE TAXABLE INCOME.
 • SEE THE REVERSE FOR MORE INFORMATION.

Box 1. Name CLYDE F POWELL		Box 2. Beneficiary's Social Security Number
Box 3. Benefits Paid in 2008 \$7,872.00	Box 4. Benefits Repaid to SSA in 2008 NONE	Box 5. Net Benefits for 2008 (Box 3 minus Box 4) \$7,872.00

DESCRIPTION OF AMOUNT IN BOX 3	DESCRIPTION OF AMOUNT IN BOX 4
Paid by check or direct deposit Benefits for 2008	NONE
\$7,872.00 \$7,872.00	

	Box 6. Voluntary Federal Income Tax Withheld NONE
	Box 7. Address CLYDE F POWELL 7008 W JACKSON ST PENSACOLA FL 32506-4564
	Box 8. Claim Number (Use this number if you need to contact SSA.) 452-72-0212A

Notice 703

(Rev. September 2008)



Department of the Treasury
Internal Revenue Service

Read This To See If Your Social Security Benefits May Be Taxable

If your social security and/or SSI (supplemental security income) benefits were your only source of income for 2008, you probably

will not have to file a federal income tax return.

Fill in lines A through E below to see if any of your benefits may be taxable for 2008.

Note. If you plan to file a joint income tax return, include your spouse's amounts, if any, on lines A, C, and D below.

- A** Enter the total amount from **box 5** of all your Forms SSA-1099 **A** _____
- B** Enter one-half of the amount on line A **B** _____
- C** Enter your **total income** that is taxable, such as pensions, wages, interest, ordinary dividends, and capital gain distributions. Do not reduce your income by any items such as student loan interest deduction, the standard deduction (or itemized deductions), or exemptions **C** _____
- D** Enter any tax-exempt interest such as interest on municipal bonds **D** _____
- E** Add lines B, C, and D, and enter the total here. **Then, read the information below** **E** _____

Part of your social security benefits may be taxable if, for 2008, you were:

1. Single, and line E above is more than \$25,000.
2. Married, and
 - a. You would file jointly, and line E above is more than \$32,000; or
 - b. You would file separately, and line E above is more than zero (more than \$25,000 if you lived apart from your spouse for all of 2008).

If your figures show that part of your benefits may be taxable, see *Social Security Benefits in*

your federal income tax return instructions. If they do not, none of your benefits are taxable this year unless you exclude income from sources outside the United States, interest income from series EE or I U.S. savings bonds issued after 1989, or employer-provided adoption benefits. For more details, see IRS Pub. 915 or contact the IRS as explained below.

If none of your benefits are taxable, but you must otherwise file a tax return, do the following:

- Enter the total amount from line A above on Form 1040, line 20a, or Form 1040A, line 14a,

and enter -0- on Form 1040, line 20b, or Form 1040A, line 14b.

- If you file separately and you lived apart from your spouse for all of 2008, enter "D" to the right of the word "benefits" on Form 1040, line 20a, or Form 1040A, line 14a.

Note. If your figures show that part of your benefits may be taxable and you received benefits in 2008 that were for a prior year, see Pub. 915 for rules on a special election you can make that may reduce the amount of your taxable benefits.

Get More Information From the IRS

If you still have questions about whether your social security benefits are taxable, see the 2008 federal income tax return instructions for ways to get help

from the IRS. If you do not have the instructions, you can get your questions answered by:

- Calling the IRS at 1-800-829-1040.

- Sending written tax questions to the IRS. To get the address, call 1-800-829-1040.
- Using TTY/TDD equipment. Call 1-800-829-4059.

Do Not Return This Notice to the SSA or the IRS

Members First Credit Union of Florida

Print Date : December 28, 2011

Account Title	BUSINESS CHECKING	Account Balance	\$11.82
Account Number	0021	Available Balance	\$11.82
Account Type	Business Checking	2011 Interest	\$0.00
		2010 Interest	\$0.00

Account #0021 History
08-01-2009 to 12-17-2011

Date	Check #	Transaction Description	Amount	Balance
06-21-2010		Deposit by Check Check Received 180.00	80.00	180.25
07-08-2010		Withdrawal Transfer To POWELL,CLYDE F [REDACTED] Share 0021	-80.00	100.25
07-21-2010		Deposit by Check Check Received 3,600.00	500.00	600.25
07-30-2010		Withdrawal Transfer To POWELL,CLYDE F [REDACTED] Share 0021	-250.00	350.25
07-30-2010		Withdrawal Transfer To POWELL,CLYDE F [REDACTED] Share 0021	-10.00	340.25
08-03-2010	000501	Draft 000501	-35.00	305.25
08-17-2010	000502	Draft 000502	-100.00	205.25
08-24-2010	000503	Draft 000503	-100.00	105.25
09-02-2010		Withdrawal Transfer To POWELL,CLYDE F [REDACTED] Share 0021	-50.00	55.25
09-03-2010		Deposit by Check Check Received 600.00	600.00	655.25
09-16-2010	000504	Draft 000504	-591.02	64.23
09-22-2010	000505	Draft 000505	-25.00	39.23
09-24-2010		Deposit by Check Check Received 500.00	500.00	539.23
09-27-2010		Withdrawal Transfer To POWELL,CLYDE F [REDACTED] Share 0021	-350.00	189.23
09-29-2010		Deposit by Check Check Received 700.00	700.00	889.23
10-01-2010	000506	Draft 000506	-723.69	165.54
10-05-2010		Deposit by Check %% Check hold release 10/18/10 35.00 Check Received 35.00	35.00	200.54
10-06-2010	000508	Draft 000508	-20.00	180.54
10-08-2010	000507	Draft 000507	-115.74	64.80
11-16-2010		Withdrawal Transfer To POWELL,CLYDE F [REDACTED] Share 0021	-25.00	39.80
11-23-2010	000509	Draft 000509	-8.00	31.80

11-30-2010	000510	Draft 000510	-5.00	26.80
12-10-2010		Withdrawal Transfer To POWELL,CLYDE F [REDACTED] Share 0021	-10.00	16.80
12-10-2010		Deposit	20.00	36.80
12-29-2010		Deposit Transfer From POWELL,CLYDE F [REDACTED] Share 0021	15.00	51.80
12-30-2010	000511	Draft 000511	-5.00	46.80
12-30-2010		Deposit Transfer From POWELL,CLYDE F [REDACTED] Share 0021	947.24	994.04
12-30-2010	000525	Draft 000525	-947.24	46.80
12-31-2010	000512	Draft 000512	-15.18	31.62
03-07-2011	000514	Draft 000514	-10.00	21.62
03-23-2011		Deposit by Check Check Received 65.00	65.00	86.62
03-24-2011		Deposit by Check Check Received 350.00	350.00	436.62
03-25-2011		Deposit by Check Check Received 136.00	136.00	572.62
03-30-2011		Withdrawal Transfer To POWELL,CLYDE F [REDACTED] Share 0021	-500.00	72.62
04-05-2011		Withdrawal T-MOBILE TEL TYPE: PCS SVC CO: T-MOBILE TEL %% ACH ECC TEL %% ACH Trace 021000025415954	-60.80	11.82
04-22-2011		Deposit by Check Check Received 75.00	75.00	86.82
04-27-2011		Withdrawal Transfer To POWELL,CLYDE F [REDACTED] Share 0021	-80.00	6.82
05-03-2011		Deposit by Check Check Received 50.00	50.00	56.82
05-16-2011		Deposit by Check Check Received 115.00	115.00	171.82
05-23-2011		Withdrawal Transfer To POWELL,CLYDE F [REDACTED] Share 0021	-166.00	5.82
06-20-2011		Deposit Transfer From POWELL,CLYDE F [REDACTED] Share 0021	30.00	35.82
06-27-2011	000513	Draft 000513	-24.00	11.82
09-29-2011		Deposit by Check Check Received 84.00 Check Received 50.00	134.00	145.82
09-29-2011		Withdrawal Transfer To POWELL,CLYDE F [REDACTED] Share 0021	-134.00	11.82

REGULAR CHECKING 0021

Jul 1 - Aug 2, 2012 Custom

Balance \$211.65

Available \$211.65

Date	Description	Deposit	Withdrawal	Balance
08/02/2012	Deposit			\$211.65
08/02/2012	Withdrawal CAPITAL ONE / TYPE: PHONE PYMT CO: CAPITAL ONE %% ACH ECC PPD %% ACH Trace 051405514961988		\$17.00	\$11.65
07/30/2012	Check #002534: Draft 002534		\$1,300.00	\$28.65
07/30/2012	Deposit			\$1,328.65
07/26/2012	Deposit by Check / Check Received 300.00 Check Received 100.00 Check Received 350.00			\$1,228.65
07/25/2012	Withdrawal Debit Card / NETSCPE*ONLINE SVC 866-541-8233 VA Date 07/25/12 089043 4816		\$9.95	\$478.65
07/24/2012	Check #002533: Draft 002533		\$78.20	\$488.60
07/23/2012	Withdrawal Debit Card / LUCKY PENNY PENSACOLA FL Date 07/20/12 066001 5542		\$15.00	\$566.80
07/20/2012	Check #002532: Draft 002532		\$170.72	\$581.80
07/19/2012	Withdrawal Debit Card / THE BARTER COMPANY KENNESAW GA Date 07/18/12 080024 7299		\$40.13	\$752.52
07/19/2012	Withdrawal #793800 / GROCERY OUTLET # 8187 WEST FAIRFIELD D PENSACOLA FL		\$8.22	\$792.65
07/19/2012	Check #002530: Draft 002530		\$32.23	\$800.87
07/19/2012	Check #002531: Draft 002531		\$471.03	\$833.10
07/17/2012	Deposit			\$1,304.13
07/17/2012	Deposit by Check / Check Received 200.00 Check Received 250.00			\$1,054.13
07/16/2012	Withdrawal Debit Card / NEIGHBORS SEAFOOD AND MOBILE AL Date 07/14/12 059389 5812		\$5.00	\$604.13
07/11/2012	Withdrawal #543997 / LOWE'S #1142 PENSACOLA FL		\$12.54	\$609.13
07/09/2012	Withdrawal Debit Card / HIBACHI GRILL AND BUF SPANISH FORT AL Date 07/06/12 035199 5812		\$12.71	\$621.67
07/09/2012	Withdrawal Debit Card / CAZADORES RESTAURANT PENSACOLA FL Date 07/07/12 087466 5812		\$14.88	\$634.38
07/06/2012	Withdrawal T-MOBILE TEL / TYPE: PCS SVC CO: T-MOBILE TEL %% ACH ECC TEL %% ACH Trace 021000024735802		\$60.55	\$649.26
07/06/2012	Withdrawal Debit Card / LUCKY PENNY PENSACOLA FL Date 07/04/12 059339 5542		\$10.00	\$709.81
07/05/2012	Withdrawal PAYPAL / TYPE: INST XFER CO: PAYPAL %% ACH ECC WEB %% ACH Trace 091000011756757		\$72.15	\$719.81
07/03/2012	Deposit by Check / Check Received 110.00			\$791.96
07/03/2012	Deposit			\$681.96
07/03/2012	Transaction COMMENT / %% ACH ECC PPD %% ACH Trace 101036215764108		\$0.00	
07/03/2012	Deposit XXSOC SEC / CO: XXSOC SEC			\$621.96
07/02/2012	Withdrawal CAPITAL ONE / TYPE: PHONE PYMT CO: CAPITAL ONE %% ACH ECC PPD %% ACH Trace 051405511768283		\$18.00	\$2.96

REGULAR CHECKING 0021
 Jun 1 - Jun 30, 2012 Custom

Balance \$211.65
 Available \$211.65

Date	Description	Deposit	Withdrawal	Balance
06/29/2012	Withdrawal #704534 / LOWE'S #1142 PENSACOLA FL		\$31.01	\$20.96
06/28/2012	Deposit by Check / Check Received 50.00			\$51.97
06/28/2012	Check #002529: Draft 002529		\$1,300.00	\$1.97
06/26/2012	Deposit			\$1,301.97
06/26/2012	Deposit by Check / Check Received 300.00 Check Received 70.00			\$1,281.97
06/25/2012	Withdrawal Debit Card / NETSCPE*ONLINE SVC 866-541-8233 VA Date 06/25/12 039856 4816		\$9.95	\$911.97
06/25/2012	Withdrawal Debit Card / TACO BELL #026778 PENSACOLA FL Date 06/24/12 058962 5814		\$7.92	\$921.92
06/21/2012	Withdrawal #032730 / ADVANCE STORES CO INC PENSACOLA FL		\$5.91	\$929.84
06/21/2012	Withdrawal #665476 / WAL Wal-Mart Sup 1605 WAL-SAMS PENSACOLA FL		\$23.96	\$935.75
06/21/2012	Check #002528: Draft 002528		\$44.62	\$959.71
06/21/2012	Check #002527: Draft 002527		\$399.00	\$1,004.33
06/20/2012	Withdrawal Debit Card / THE BARTER COMPANY KENNESAW GA Date 06/19/12 080028 7299		\$6.38	\$1,403.33
06/20/2012	Deposit / Check Received 96.00			\$1,409.71
06/19/2012	Withdrawal Debit Card / KING BUFFET PENSACOLA FL Date 06/18/12 069298 5812		\$17.48	\$1,213.71
06/18/2012	Deposit / Check Received 200.00			\$1,231.19
06/18/2012	Withdrawal Debit Card / LUCKY PENNY PENSACOLA FL Date 06/15/12 071099 5542		\$20.00	\$981.19
06/16/2012	Withdrawal Debit Card / RACEWAY 670 1806709 MOBILE AL Date 06/15/12 073168 5542		\$15.00	\$1,001.19
06/16/2012	Withdrawal Debit Card / VALLARTAS MEXICAN GRI PENSACOLA FL Date 06/15/12 030051 5812		\$25.55	\$1,016.19
06/14/2012	Deposit by Check / Check Received 32.00 Check Received 425.00			\$1,041.74
06/14/2012	Check #002526: Draft 002526		\$13.75	\$584.74
06/14/2012	Check #002500: Draft 002500		\$207.25	\$598.49
06/11/2012	Withdrawal GU YU / CO: GU YU TYPE: IAT PAYPAL %% ACH ECC IAT %% ACH Trace 091000010955630		\$9.00	\$805.74
06/08/2012	Check #002499: Draft 002499		\$31.31	\$814.74
06/07/2012	Withdrawal T-MOBILE TEL / TYPE: PCS SVC CO: T-MOBILE TEL %% ACH ECC TEL %% ACH Trace 021000028767246		\$60.55	\$846.05
06/07/2012	Withdrawal Debit Card / VANNOYS TIRES INC. #1 PENSACOLA FL Date 06/06/12 010013 7538		\$21.48	\$906.60
06/05/2012	Withdrawal AD&D800-860-7182 / TYPE: INS PREM CO: AD&D800-860-7182 %% ACH ECC PPD %% ACH Trace 021000028742568		\$30.00	\$928.08

Date	Description	Deposit	Withdrawal	Balance
06/04/2012	Withdrawal #719184 / AUTOZONE 0302 6101 MO PENSACOLA FL		\$32.23	\$958.08
06/04/2012	Deposit			\$990.31
06/01/2012	Withdrawal #665100 / WAL-MART #1605 4600 MOBILE HWY/SUITE PENSACOLA FL		\$20.00	\$740.31
06/01/2012	Withdrawal #020700 / WAL-MART #1605 4600 MOBILE HWY/SUITE PENSACOLA FL		\$85.44	\$760.31
06/01/2012	Withdrawal #962879 / LOWE'S #1142 PENSACOLA FL		\$74.15	\$845.75
06/01/2012	Withdrawal CAPITAL ONE / TYPE: PHONE PYMT CO: CAPITAL ONE %% ACH ECC PPD %% ACH Trace 051405518822026		\$73.00	\$919.90
06/01/2012	Transaction COMMENT / %% ACH ECC PPD %% ACH Trace 101036215784459		\$0.00	
06/01/2012	Deposit XXSOC SEC / CO: XXSOC SEC			\$992.90

REGULAR CHECKING 0021
 May 1 - May 31, 2012 Custom

Balance \$211.65
 Available \$211.65

Date	Description	Deposit	Withdrawal	Balance
05/31/2012	Withdrawal #023696 / SHELL Service Station PENSACOLA FL		\$10.01	\$373.90
05/31/2012	Withdrawal Debit Card / KFC 424 PENSACOLA FL Date 05/30/12 000052 5814		\$15.03	\$383.91
05/30/2012	Check #002498: Draft 002498		\$1,300.00	\$398.94
05/30/2012	Withdrawal #654544 / WAL Wal-Mart Sup 1605 WAL-SAMS PENSACOLA FL		\$2.60	\$1,698.94
05/30/2012	Withdrawal #069097 / SHELL Service Station PENSACOLA FL		\$19.99	\$1,701.54
05/29/2012	Withdrawal Debit Card / TOM THUMB 98 PENSACOLA FL Date 05/26/12 015037 5542		\$10.00	\$1,721.53
05/29/2012	Withdrawal #534592 / LOWE'S #1142 4301 WEST FAIRFIELDUS PENSACOLA FL		\$6.96	\$1,731.53
05/26/2012	Withdrawal Debit Card / LUCKY PENNY PENSACOLA FL Date 05/24/12 071588 5542		\$15.00	\$1,738.49
05/25/2012	Withdrawal Debit Card / NETSCPE*ONLINE SVC 866-541-8233 VA Date 05/25/12 044682 4816		\$9.95	\$1,753.49
05/25/2012	Check #002496: Draft 002496		\$21.50	\$1,763.44
05/25/2012	Deposit	\$90.00		\$1,784.94
05/25/2012	Deposit by Check / Check Received 300.00	\$300.00		\$1,694.94
05/23/2012	Withdrawal Debit Card / Payment+FeeWalmartGEM 800-541-9049 OH Date 05/23/12 056383 8999		\$77.00	\$1,394.94
05/23/2012	Withdrawal Debit Card / HAPPY CHINA RESTAURAN PENSACOLA FL Date 05/22/12 040315 5812		\$13.59	\$1,471.94
05/22/2012	Deposit by Check / Check Received 200.00	\$200.00		\$1,485.53
05/18/2012	Withdrawal Debit Card / THE BARTER COMPANY KENNESAW GA Date 05/17/12 080021 7299		\$6.38	\$1,285.53
05/18/2012	Check #002495: Draft 002495		\$334.87	\$1,291.91
05/18/2012	Deposit by Check / Check Received 65.00	\$65.00		\$1,626.78
05/18/2012	Deposit	\$800.00		\$1,561.78
05/18/2012	Withdrawal Debit Card / LUCKY PENNY PENSACOLA FL Date 05/16/12 063112 5542		\$15.00	\$761.78
05/17/2012	Withdrawal Debit Card / SHRIMPBASKETWARRINGTO PENSACOLA FL Date 05/15/12 020111 5814		\$38.36	\$776.78
05/17/2012	Withdrawal Debit Card / HAPPY CHINA RESTAURAN PENSACOLA FL Date 05/16/12 067190 5812		\$7.80	\$815.14
05/15/2012	Withdrawal #653517 / LOWE'S #1142 4301 WEST FAIRFIELDUS PENSACOLA FL		\$5.00	\$822.94
05/14/2012	Deposit	\$70.00		\$827.94
05/14/2012	Withdrawal #522505 / RADIO SHACK PENSACOLA FL		\$2.14	\$757.94
05/10/2012	Withdrawal #765589 / RADIO SHACK PENSACOLA FL		\$5.78	\$760.08
05/10/2012	Withdrawal Debit Card / LUCKY PENNY PENSACOLA FL Date 05/08/12 058478 5542		\$10.01	\$765.86

Date	Description	Deposit	Withdrawal	Balance
05/10/2012	Withdrawal Debit Card / HAPPY CHINA RESTAURAN PENSACOLA FL Date 05/09/12 094418 5812		\$13.59	\$775.87
05/09/2012	Withdrawal #047809 / RADIO SHACK PENSACOLA FL		\$11.14	\$789.46
05/09/2012	Withdrawal #924813 / RADIO SHACK PENSACOLA FL		\$19.70	\$800.60
05/07/2012	Withdrawal T-MOBILE TEL / TYPE: PCS SVC CO: T-MOBILE TEL %% ACH ECC TEL %% ACH Trace 021000027511947		\$60.55	\$820.30
05/03/2012	Deposit			\$880.85
05/03/2012	Withdrawal Debit Card / SHELL OIL 57543206601 PENSACOLA FL Date 05/02/12 001937 5542		\$5.02	\$630.85
05/03/2012	Transaction COMMENT / %% ACH ECC PPD %% ACH Trace 101036215766488		\$0.00	
05/03/2012	Deposit XXSOC SEC / CO: XXSOC SEC			\$635.87
05/02/2012	Withdrawal CAPITAL ONE / TYPE: PHONE PYMT CO: CAPITAL ONE %% ACH ECC TEL %% ACH Trace 051405517176327		\$55.00	\$16.87
05/01/2012	Deposit			\$71.87
05/01/2012	Withdrawal #621000 / WAL-MART #1605 4600 MOBILE HWY/SUITE PENSACOLA FL		\$25.00	\$31.87

250
100.00

PREPARED BY:

RECORD & RETURN TO:

Prepared by:

Lawyers Title Agency of North Florida, Inc.

721 East Gregory Street

Pensacola, FL 32501

File No: PNS-04-06988

OR BK 5548 PG1486
Escambia County, Florida
INSTRUMENT 2004-316676

DEED DOC STAMPS PB & ESC CO \$ 700.00
12/27/04 ERNIE LEE MAGANA, CLERK

This Warranty Deed

Made this 22nd day of December, 2004 by James H. Frederick and Margot A. Frederick, husband and wife,

[Handwritten mark] hereinafter called the grantor, to C. Freddy Powell

whose post office address is: 617 North 70th Avenue, Pensacola, FL 32506, hereinafter called the grantee:

(Whenever used herein the term "grantor and "grantee" include all the 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, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Escambia County, Florida, viz:

- see attached Schedule "A" for legal description -

SUBJECT TO covenants, restrictions, easements of record and taxes for the current year.

Parcel Identification Number: 11-2S-31-5410-000-000

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.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2004.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

1st Witness Sign: Steve Bogart

Print Name: Steve Bogart

2nd Witness Sign: Nancy L. Killion

Print Name: Nancy L. Killion

James H. Frederick
James H. Frederick

Margot A. Frederick
Margot A. Frederick

5304 Lillian Highway
Pensacola, FL 32506

State of Florida
County of Escambia

The foregoing instrument was acknowledged before me this 22nd day of December, 2004, by James H. Frederick and Margot A. Frederick, husband and wife, who produced a current drivers license as identification.

[Handwritten marks]



Chris Jones

Escambia County Property Appraiser

[Real Estate Search](#) |
 [Tangible Property Search](#) |
 [Amendment 1 Calculations](#)

[Back](#)

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 Account |
 Reference →

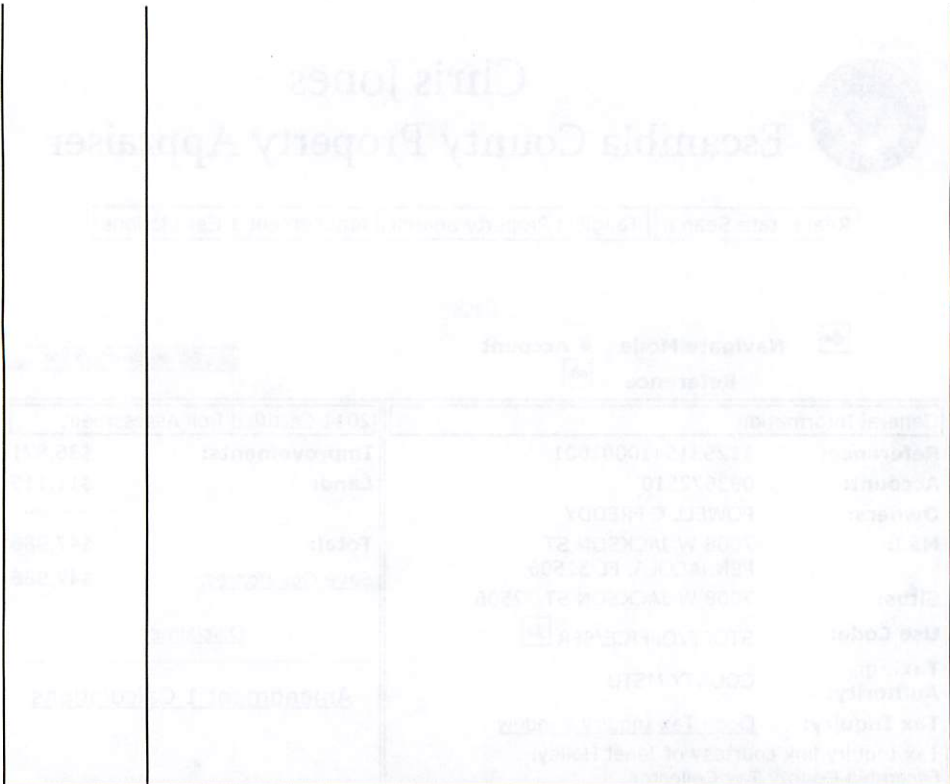
Printer Friendly Version

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">General Information</th> </tr> <tr> <td>Reference:</td> <td>112S315410001001</td> </tr> <tr> <td>Account:</td> <td>093672510</td> </tr> <tr> <td>Owners:</td> <td>POWELL C FREDDY</td> </tr> <tr> <td>Mail:</td> <td>7008 W JACKSON ST PENSACOLA, FL 32506</td> </tr> <tr> <td>Situs:</td> <td>7008 W JACKSON ST 32506</td> </tr> <tr> <td>Use Code:</td> <td>STORE/OFFICE/SFR </td> </tr> <tr> <td>Taxing Authority:</td> <td>COUNTY MSTU</td> </tr> <tr> <td>Tax Inquiry:</td> <td>Open Tax Inquiry Window</td> </tr> <tr> <td colspan="2">Tax Inquiry link courtesy of Janet Holley, Escambia County Tax Collector</td> </tr> </table>	General Information		Reference:	112S315410001001	Account:	093672510	Owners:	POWELL C FREDDY	Mail:	7008 W JACKSON ST PENSACOLA, FL 32506	Situs:	7008 W JACKSON ST 32506	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		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">2011 Certified Roll Assessment</th> </tr> <tr> <td>Improvements:</td> <td style="text-align: right;">\$36,871</td> </tr> <tr> <td>Land:</td> <td style="text-align: right;">\$11,115</td> </tr> <tr> <td>Total:</td> <td style="text-align: right;">\$47,986</td> </tr> <tr> <td><u>Save Our Homes:</u></td> <td style="text-align: right;">\$47,986</td> </tr> <tr> <td colspan="2" style="text-align: center;">Disclaimer</td> </tr> <tr> <td colspan="2" style="text-align: center;">Amendment 1 Calculations</td> </tr> </table>	2011 Certified Roll Assessment		Improvements:	\$36,871	Land:	\$11,115	Total:	\$47,986	<u>Save Our Homes:</u>	\$47,986	Disclaimer		Amendment 1 Calculations	
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Parcel Information |
 [Restore Map](#) |
 [Get Map Image](#) |
 [Launch Interactive Map](#)

<p>Section Map Id: 11-2S-31-2</p> <p>Approx. Acreage: 0.2600</p> <p>Zoned: R-2</p>	
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Buildings

Building 1 - Address:7008 W JACKSON ST, Year Built: 1966, Effective Year: 1966

Structural Elements

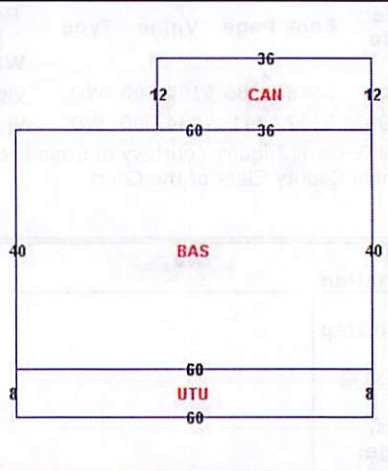
FOUNDATION-SLAB ON GRADE
EXTERIOR WALL-SIDING-BLW.AVG.
NO. PLUMBING FIXTURES-2.00
EXTERIOR WALL-CONCRETE BLOCK
ROOF FRAMING-FLAT/SHED
ROOF COVER-BLT UP ON WOOD
INTERIOR WALL-PANEL-PLYWOOD
NO. STORIES-1.00
INTERIOR WALL-EXPOSED BLK/BRK
FLOOR COVER-TERRAZZO
DECOR/MILLWORK-MINIMUM
HEAT/AIR-CENTRAL H/AC
STRUCTURAL FRAME-MASONRY
PIL/STL

Areas - 3312 Total SF

BASE AREA - 2400

CANOPY - 432

UTILITY UNF - 480



Images



7/25/08



7/25/08



5/18/10

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.

Last Updated:06/07/2012 (tc.1647)



ALVIN R. WALKER LAND SURVEYING

TELEPHONE NO
(850) 968-0300

1108 KATHLEEN AVENUE CANTONMENT, FL 32533

FAX NO.
(850) 968-0301

NOTICE THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

BOUNDARY SURVEY

LAND DESCRIPTION

Commence at the Southwest corner of the East half of the South half of Lot 5, Section 11, Township 2 South, Range 31 West, Escambia County, Florida, thence East along the South line of said section a distance of 138 50 feet, thence North a distance of 20 00 feet to the North right of way line of Jackson Street, thence East along said right of way line a distance of 9 90 feet for a point of beginning, thence continue East along the same course a distance of 84 80 feet to the West right of way line of 70th Avenue, thence deflect 90 degrees 00 minutes 00 seconds left along said right of way line a distance of 140 00 feet, thence deflect 90 degrees 00 minutes 00 seconds left a distance of 84 30 feet thence deflect 89 degrees 47 minutes 50 seconds left a distance of 140 00 feet to the point of beginning, less and except road right of way as described in Official Records Book 4482, Page 727

NOTES

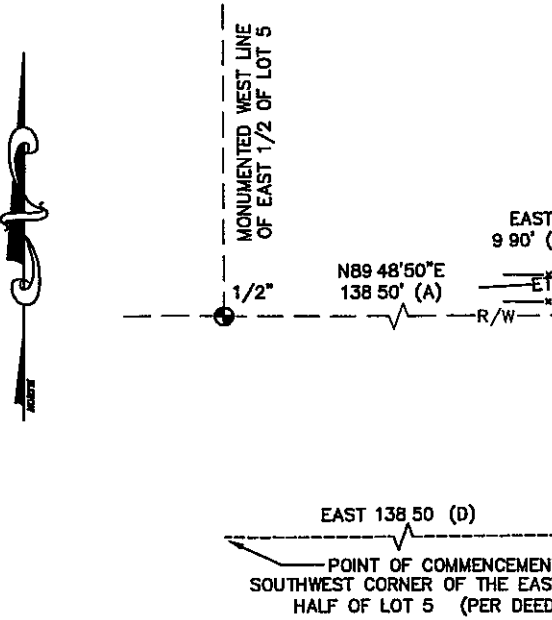
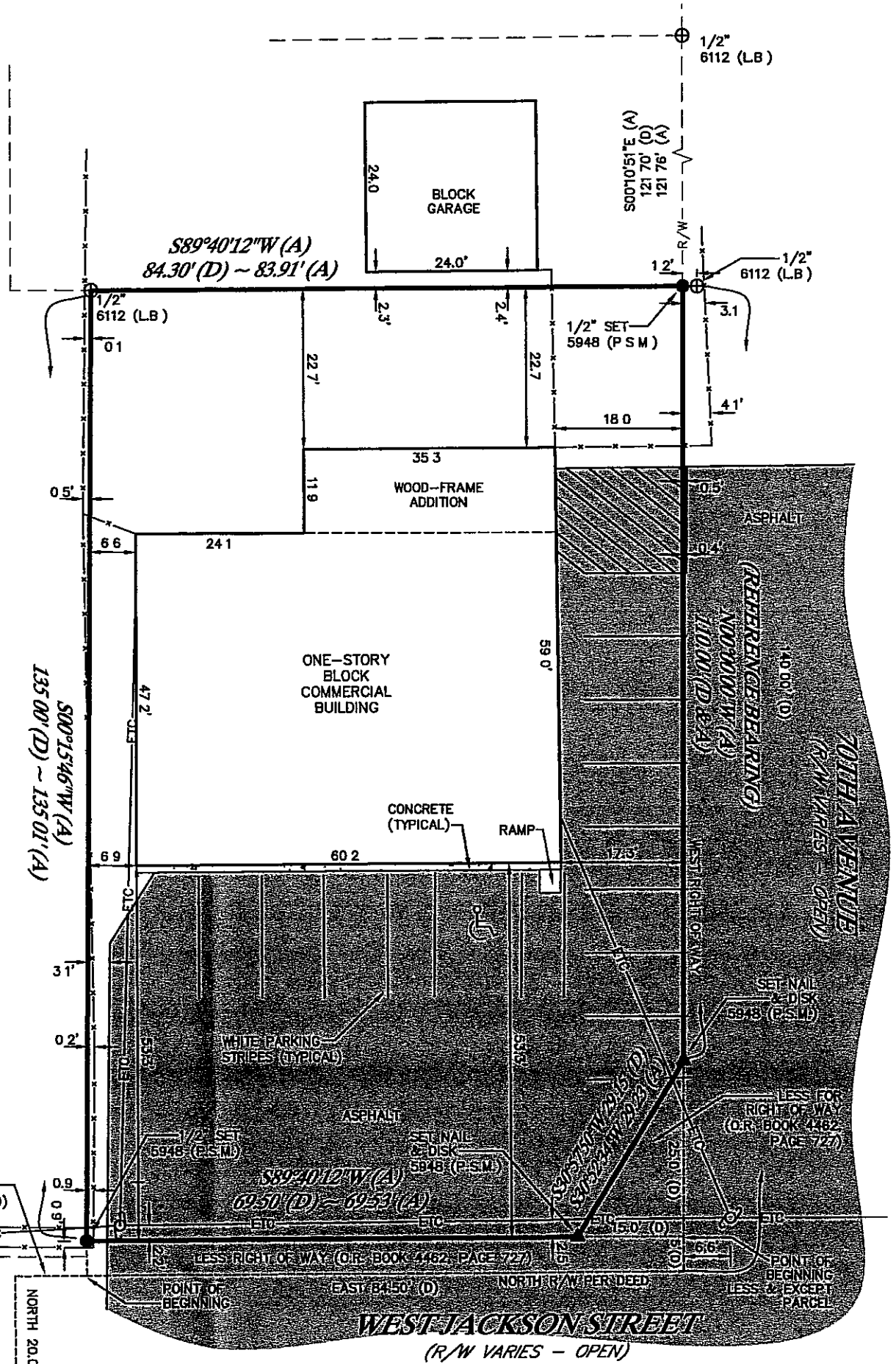
Source of Information Recorded Plat Description as furnished by client There may be additional restrictions, easements and/or right-of-ways that were not furnished to this firm that may be found in the public records of said County Footings, foundations or any other subsurface structures not located No title work performed by this firm This survey does not reflect or determine ownership Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties Fences are exaggerated for clarity There appears to be conflicts of the physical location of the West line of the East half of Government Lot 5 Boundary lines were established using existing monumentation and improvements An attorney should be consulted as to limits of ownership

This drawing reflects only those building setback lines that are noted and/or appear on the recorded plat

Address 7008 West Jackson Street

The address shown hereon is based on information furnished by the client and/or their agents Said address has not been verified with the US Postal Service Any certifications shown hereon do not apply or cover the said address

Basis of Bearings Assuming N00°00'00"W along the Westerly right of way of 70th Avenue



LEGEND:

- 4" x 4" (P.R.M.) Permanent Reference Monument Found
- 4" x 4" Concrete Monument Found
- Capped Iron Rod Found
- Iron Rod Unnumbered Found
- Iron Pipe Unnumbered Found
- (P.C.P.) Permanent Control Point Found
- Nail & disk Found
- 1/2" Capped Iron Rod L.S. #5948 Set
- Utility Pole
- Guy Anchor Wire
- E-T-C Aerial Electric, Telephone Cable Lines
- Chain Link Fence
- Wire Fence
- Wood Fence
- R/W Right of Way
- B.S.L. Building Setback Line
- CONC. Concrete
- Centerline
- Property Line
- P.O.L. Point on Line
- P.D.C. Point of Commencement
- P.D.B. Point of Beginning
- P.C. Point of Curvature
- P.T. Point of Tangency
- P.I. Point of Intersection
- P.R.C. Point of Reverse Curvature
- P.C.C. Point of Compound Curvature
- R Radius
- Delta Length of Arc
- C Chord
- CB Chord Bearing
- T Tangent
- (P) Plat
- (D) Description or Deed
- (A) Actual
- (TYP) Typical
- L.S. Licensed Surveyor
- L.B. Licensed Business
- Indicates Covered
- Set Hub & Tack
- Benchmark
- N.R. Non-Radial
- C.M. Concrete Monument
- N.T.S. Not to Scale
- Ele. Elevation

NOTE: ALL MEASUREMENTS MADE IN ACCORDANCE WITH UNITED STATES STANDARDS

JOB NO 12-08-091 FILE NO B-2484 SCALE 1"=20
REQUESTED BY FREDDY POWELL DWG NAME 1208091
DATE OF SURVEY 08/31/12 ENCROACHMENTS AS SHOWN
FIELD BOOK 92 PAGE 43-44 REVISIONS

SURVEYOR'S CERTIFICATE:

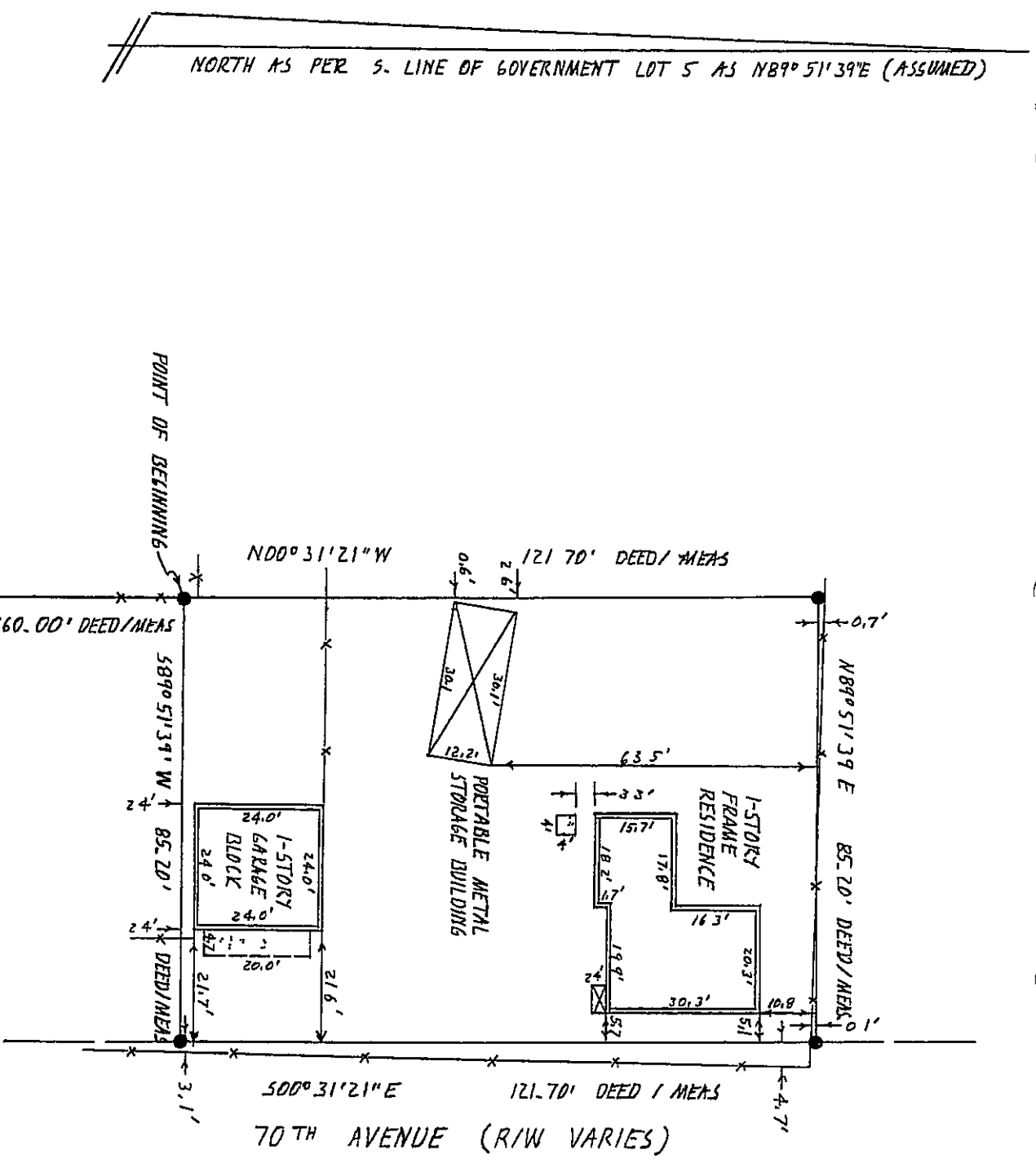
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5J-17050, 5J-17051 AND 5J-17052, PURSUANT TO SECTION 472.027 FLORIDA STATUTES

ALVIN R. WALKER II, P.S.M. NO 5948
STATE OF FLORIDA

DRAWN BY: ARW/BTC



NOT VALID UNLESS SEALED WITH AN EMBOSSED SEAL



NB89°51'39"E 662.51' MEAS. N89°51'39"E 198.00' MEAS. N00°31'21"W 160.00' DEED/MEAS. N89°51'39"E 662.51' MEAS. N89°51'39"E 514.51' MEAS.
 SW CORNER OF GOVERNMENT LOT 5 SECTION 11-25-31W FOUND 1" IRON PIPE
 SW CORNER OF E 1/2 OF GOVERNMENT LOT 5 SECTION 11-25-31W POINT OF COMMENCEMENT
 JACKSON STREET
 SE CORNER OF GOVERNMENT LOT 5 SECTION 11-25-31W FOUND 1" IRON PIPE

LEGAL DESCRIPTION: (PREPARED AT THE CLIENTS REQUEST)

COMMENCE AT THE SOUTHWEST CORNER OF THE EAST 1/2 OF GOVERNMENT LOT 5, SECTION 11, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBA COUNTY, FLORIDA, THENCE NORTH 89°51'39" EAST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 5 A DISTANCE OF 148.00 FEET, THENCE NORTH 00°31'21" WEST A DISTANCE OF 160.00 FEET FOR THE POINT OF BEGINNING, THENCE CONTINUE NORTH 00°31'21" WEST A DISTANCE OF 121.70 FEET, THENCE NORTH 89°51'39" EAST A DISTANCE OF 85.20 FEET, THENCE SOUTH 00°31'21" EAST A DISTANCE OF 121.70 FEET, THENCE SOUTH 89°51'39" WEST A DISTANCE OF 85.20 FEET TO THE POINT OF BEGINNING CONTAINING 0.238 ACRE, MORE OR LESS

● SET 1/2" CAPPED ROD NO LB6112

**THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP

Lands shown herein were not abstracted for easements and/or rights-of-way recorded or unrecorded, AND underground portion of foundations, footings, or any other underground structures were not located unless otherwise noted. Measurements were made in accordance with United States standards. A complete list of abbreviations and symbols used in the legal description and sketch are shown on an attached sheet. Property is subject to setbacks, easements and restrictions of records.

BASIS OF BEARING: SEE NORTH ARROW ABOVE
 SOURCE OF INFORMATION: REVISIONS: DATE: FB/PG:

REVISIONS	DATE	FB/PG
1/13/97	419/76	

CERTIFICATE

THIS IS TO CERTIFY THAT I HAVE RECENTLY SURVEYED THE PROPERTY DESCRIBED IN THE FOREGOING TITLE CAPTION AND THAT THE ABOVE GROUND SURVEY AND SKETCH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 472.02, FLORIDA STATUTES.

Registered Land Surveyor No. WILLIAM T BUTLER 3774
 State of Florida

SCALE	TYPE	OWNER	DATE	ORDER NO	FIELD BOOK
1"=30'	BOUNDARY		12/23/96	96-12-069	416/51-52658

ACREAGE TOPOS SUBDIVISIONS PLANNING COMMERCIAL

NOT VALID UNLESS
 SIGNED, DATED
 AND
 STAMPED WITH
 EMBOSSED SEAL

Butler & Associates, Inc.
 Land Surveying

1149 CREIGHTON ROAD PLANTATION MANOR SUITE 5
 P O BOX 15147 • PENSACOLA FLORIDA 32514
 (904) 476-4768 • FAX (904) 476-4945



Development Services Department
Escambia County, Florida

**PLANNING BOARD
REZONING PRE-APPLICATION SUMMARY FORM**

11-25-31-5410-001-001
Property Reference Number

Freddy Powell
Name

7008 W Jackson St.
Address

Owner Agent

Referral Form Included? **Y / N**

MAPS PREPARED

- Zoning
- FLU
- Aerial
- Other: _____

PROPERTY INFORMATION

Current Zoning: R-2 Size of Property: .26 +/-
 Future Land Use: MU-U Commissioner District: 1
 Overlay/AIPD: NA Subdivision: _____
 Redevelopment Area*: N/A

**For more info please contact the CRA at 595-3217 prior to application submittal.*

COMMENTS

Desired Zoning: C-2NA

Is Locational Criteria applicable? _____ If so, is a compatibility analysis required? NO

Applicant wishes to rezone to C-2NA to allow outdoor storage w commercial business
Applicant is requesting a fee waiver to woul submit with application.

- Applicant will contact staff for next appointment
 - Applicant decided against rezoning property
 - Applicant was referred to another process
 - BOA DRC Other: _____
- Process Name

Staff present: Allyson Cain Date: 8/1/12

Applicant/Agent Name & Signature: Freddy Powell

No comment made by any persons associated with the County during any pre-application conference or discussion shall be considered either as approval or rejection of the proposed development, development plans, and/or outcome of any process.