

AGENDA
ESCAMBIA COUNTY VESTED RIGHTS COMMITTEE
August 2, 2012- 9:00 A.M.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Swearing in of Staff
3. Proof of Publication and waive the reading of the legal advertisement.
4. **Consideration of the following case:**

That the Vested Rights Committee review and make recommendation to the Board of County Commissioners (BCC) on the following Vested Rights case:

Case No.:	VRD-2012-01
Project Address:	300 HWY 95-A S
Property Reference No.:	14-1N-31-1004-001-004
Zoning District:	GBD, Gateway Business District
FLU Category:	MU-S, Mixed-Use Suburban
Vested Rights for:	Land Use
Applicant:	Lee Brantley

5. Discussion Items.
6. Old/New Business.
7. Adjournment.



BOARD OF COUNTY COMMISSIONERS

Escambia County, Florida

Vested Rights Committee

4.

Meeting Date: 08/02/2012

Issue: Vested Rights Determination - VRD-2012-01

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

RECOMMENDATION:

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Applicant:	Lee Brantley

BACKGROUND:

Universal Fabricators, Inc. conducts fabrication and assembly operations on the subject site and is seeking to expand with the addition of a 7,800 square foot building. The current and proposed uses are permitted under the existing Gateway Business District (GBD) zoning. While the zoning allows for this operation, the current (2030 Plan) Future Land Use (FLU) category Mixed-Use Suburban (MU-S) does not. Due to this conflict, expansion of the legal non-conforming use and facility is prohibited.

The site was originally developed by Evergreen Transportation as a trucking terminal in 1992, prior to zoning in that section of the county. Evergreen received county approvals for several expansion projects in the following years, including the construction of a warehouse.

The applicant purchased the property in December of 2010 and Universal Fabricators received a change of use Development Order (DO) on January 5, 2011. As part of the development of the property the applicant applied for a rezoning from VM-1 to GBD. In testimony before the Planning Board, the applicant's agent stated that the requested GBD zoning would be more appropriate for their proposed use. The Planning Board found the requested GBD zoning to be consistent with the FLU which at that time was split between Industrial and Mixed-Use 6. The BCC also found the request consistent and approved the rezoning on February 3, 2011. While the 2030 Plan was under State review at that time, the 2020 FLU was the official adopted plan. Changes to the proposed plan could not be made at that time.

On February 14, 2011 the 2030 Plan and new FLU map received final approval from the

Department of Community Affairs and the FLU on site was changed to MU-S, creating a conflict with the recently approved rezoning. This created the legal non-conforming use status for the site.

In June of 2012 Universal Fabricators applied for a DO to allow construction of the new building, allowing for expansion of their business. In the site plan review process the conflict with the FLU was noted and the applicant was told that the addition would not be allowed based on the non-conforming status.

At this point the applicant was referred to the vested rights process and application was made on June 28, 2012.

Staff site inspection findings (07/19/2012):

- 1) The site contains a warehouse/transfer station, a large paved parking lot and several temporary structures.
- 2) There are two residences north of the site and a neighborhood beyond a wooded area to the south.

CRITERIA FOR VESTED RIGHTS:

A. An owner shall be entitled to a Determination of Vested Rights only if through substantial competent evidence it can be established that the proposed use of the property meets the concurrency provisions of Article 5 at the time of vesting.

FINDINGS:

The project does meet traffic concurrency.

And, in addition, one of the following criteria has been met:

CRITERION 1:

The project was authorized pursuant to a County Development Order, or equivalent issued on or before the effective date of this code, or a pertinent amendment thereto, and the development has commenced and is continuing in good faith. In a claim based upon this criterion, the owner must produce evidence of actions and accomplishments that substantiate timely and lawful progression towards the completion of the intentions and plans documented in the original order, or equivalent. In a claim based upon this criterion, the rights to which the owner may be vested is a continuation of the original order, or equivalent.

FINDINGS:

The previous FLU categories of Industrial and Mixed-Use 6 both allowed for fabrication and assembly operations permitted by GBD zoning. The applicant has moved ahead with development of the site based on their allowed uses at that time, receiving one DO and submitting all documentation for another. The second DO does meet all requirements except land use, with the non-conforming status preventing the addition. The change in FLU to MU-S removed the option for expansion of the business. Staff finds that the applicant does meet this criterion

CRITERION 2:

The owner is determined to have acquired rights due to good faith reliance on an act of commission or omission of the County which has caused the owner to make such a substantial change in position or to incur such extensive obligations and expenses that it would be highly inequitable and unjust to destroy the rights acquired. In a claim based upon this criterion, the owner must document, and the County must verify, the obligations and expenses that are in jeopardy. The owner must produce evidence of actions and accomplishments that substantiate timely and lawful progression towards the completion of the intentions and plans that have been jeopardized. Evidence including, but not limited to, that which demonstrates that such activity has not progressed in such a manner may be sufficient to negate a finding of good faith on the part of the owner and therefore invalidate the claim to vested rights.

FINDINGS:

The County 2030 Comprehensive Plan (CP) contains the following section regarding the determination of vested rights for land use:

FLU 1.1.13 **Administrative Appeal Procedure.** Consolidation of future land use categories and zoning districts on the 2030 FLUM and associated Zoning Map is intended to simplify administration while respecting private property rights. **Any property owner contending that a parcel of land had greater development rights under the future land use and zoning in place prior to the adoption of the 2030 FLUM and associated Zoning Map may submit a written request to the County for a determination under the vested rights provisions of the LDC.**

The applicant had greater development rights under the future land use and zoning in place prior to the adoption of the 2030 Plan and has acted in reliance on those rights. Staff finds that the applicant meets this criterion in addition to criterion 1

STAFF RECOMMENDATION:

The rezoning to GBD with its permitted uses was approved by the county prior to the final approval of the FLU change. That FLU change, initiated by the county, did remove some development rights associated with the zoning and previous FLU categories. As the applicant has continued development based on their initial approved rights, staff recommends that vested rights for land use be granted in this case.

Attachments

Working Case File

Universal Fabricators

**VESTED RIGHTS DETERMINATION
APPLICATION**

Applicant: LEE BRANTLEY
Address: 300 S. 95A Telephone: 968-5252
Project Name: Universal Project Location: 300 S 95A
Property Reference No.: _____
Zoning District: _____ Type of Vested Right: # 2
Action of County: _____ Date Occurred: _____

Attach Evidence of Ownership or Power of Attorney.

NOTE TO THE APPLICANT

THE BURDEN OF PROOF FALLS UPON THE APPLICANT to submit, as attachments to this application, any and all substantial competent evidence on which reliance is being made to seek a determination that certain actions by Escambia County have led to the creation of vested rights. This shall include but is not limited to maps, letters, memorandums, etc. Applications, which do not substantiate the claim against the criteria, will delay the process.

By my signature on the attached affidavit, I hereby certify that:

- 1) I am duly qualified as owner 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
- 5) I authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff.

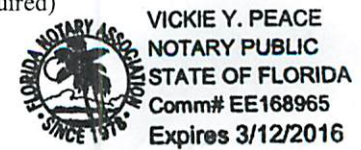
Reason, if returned to applicant:

Paul Brantley

Date Posted	Date Published	Fee Received	Date to VRC
<u>Vickie Y. Peace</u>	<u>Vickie Y. Peace</u>	<u>6-28-12</u>	<u>6-28-12</u>
Signature of Notary Public	Printed Name of Notary	Date	

3-12-16
Date Commission Expires

EE 168965
Commission No. (notary seal or stamp required)



VESTED RIGHTS DETERMINATION

CRITERIA

Section 2.11.06 provides:

An Owner shall be entitled to a Determination of Vested Rights only if through substantial competent evidence it can be established that the proposed use of the property meets the concurrency provisions of Article 5 and in addition one of the following criteria has been met:

1. The project was authorized pursuant to a County Development Order, or equivalent issued on or before the effective date of this code, or a pertinent amendment thereto, and the development has commenced and is continuing in good faith. In a claim based upon this criterion, the owner must produce evidence of actions and accomplishments that substantiate timely and lawful progression towards the completion of the intentions and plans documented in the original order, or equivalent. In a claim based upon this criterion, the rights to which the owner may be vested is a continuation of the original order, or equivalent.

2. The owner is determined to have acquired rights due to good faith reliance on an act of commission or omission of the County which has caused the owner to make such a substantial change in position or to incur such extensive obligations and expenses that it would be highly inequitable and unjust to destroy the rights acquired. In a claim based upon this criterion, the owner must document, and the County must verify, the obligations and expenses that are in jeopardy. The owner must produce evidence of actions and accomplishments that substantiate timely and lawful progression towards the completion of the intentions and plans that have been jeopardized. Evidence including, but not limited to, that which demonstrates that such activity has not progressed in such a manner may be sufficient to negate a finding of good faith on the part of the owner and therefore invalidate the claim to vested rights.

CONDITION OF APPROVAL

TO WHOM IT MAY CONCERN:

By my signature below, I declare and acknowledge that I understand and willingly agree to the following condition regarding an affirmative Vested Rights Determination regarding my property, which is an unrecorded subdivision known as:

UNRECORDED FABRICATORS SITE 300 S HWY 95A

A condition of approval of a vested right determination involving an unrecorded subdivision is the recording of an original deed to individual lot owners in the public records of Escambia County, Florida, prior to the issuance of a permit or other development approval.

Paula Brantley
Owner's signature

6-28-12
Date

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledge before me this 28th day of June, year of 2012 by Paula Brantley, who () did () did not take an oath.

He/she is () personally known to me, () produced a current Florida drivers license, and/or () produced current _____ as identification

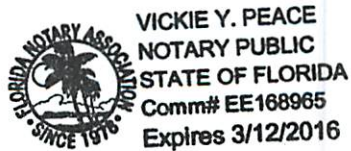
Vickie Y. Peace
Signature of Notary Public

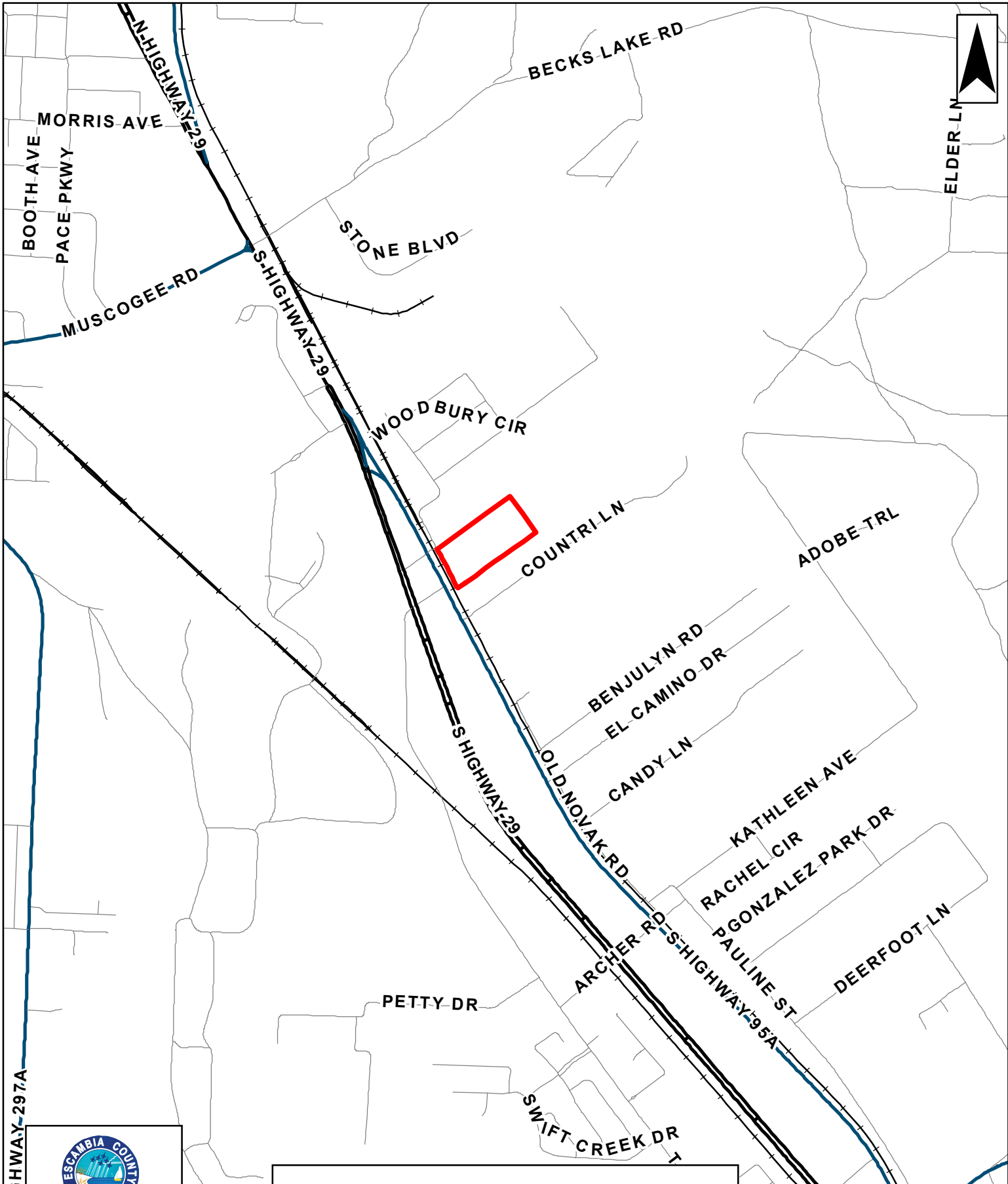
Vickie Y. Peace
Printed Name of Notary

6-28-12
Date

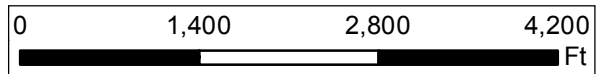
3-12-16
Date Commission Expires

EE168965
Commission No. (notary seal or stamp required)





VRD-2012-01 LOCATION MAP



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



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.



VR-1

WOODBURY CIR
WOODBURY DR
WOODBURY PL

GREENBERRY DR

V-3

VR-1

ID-2

GBD

V-1

CSX-RR

S HIGHWAY 29

S HIGHWAY 95A

COUNTRY LN

VR-2

ID-1

GBD

V-2A

TATER RD

CSX-RR



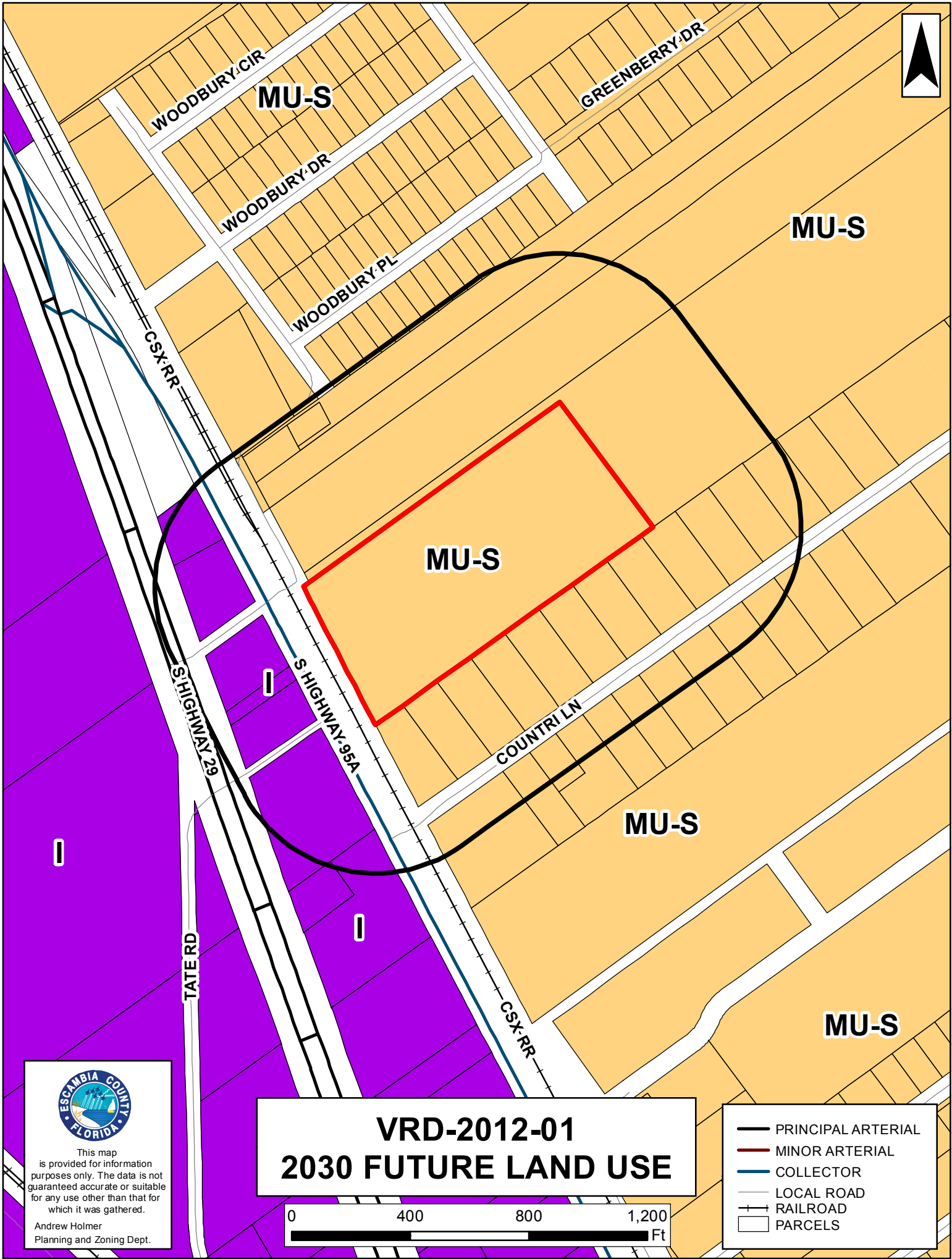
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

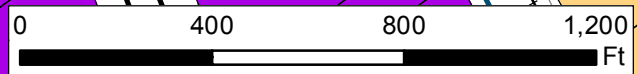
VRD-2012-01 500' RADIUS ZONING




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

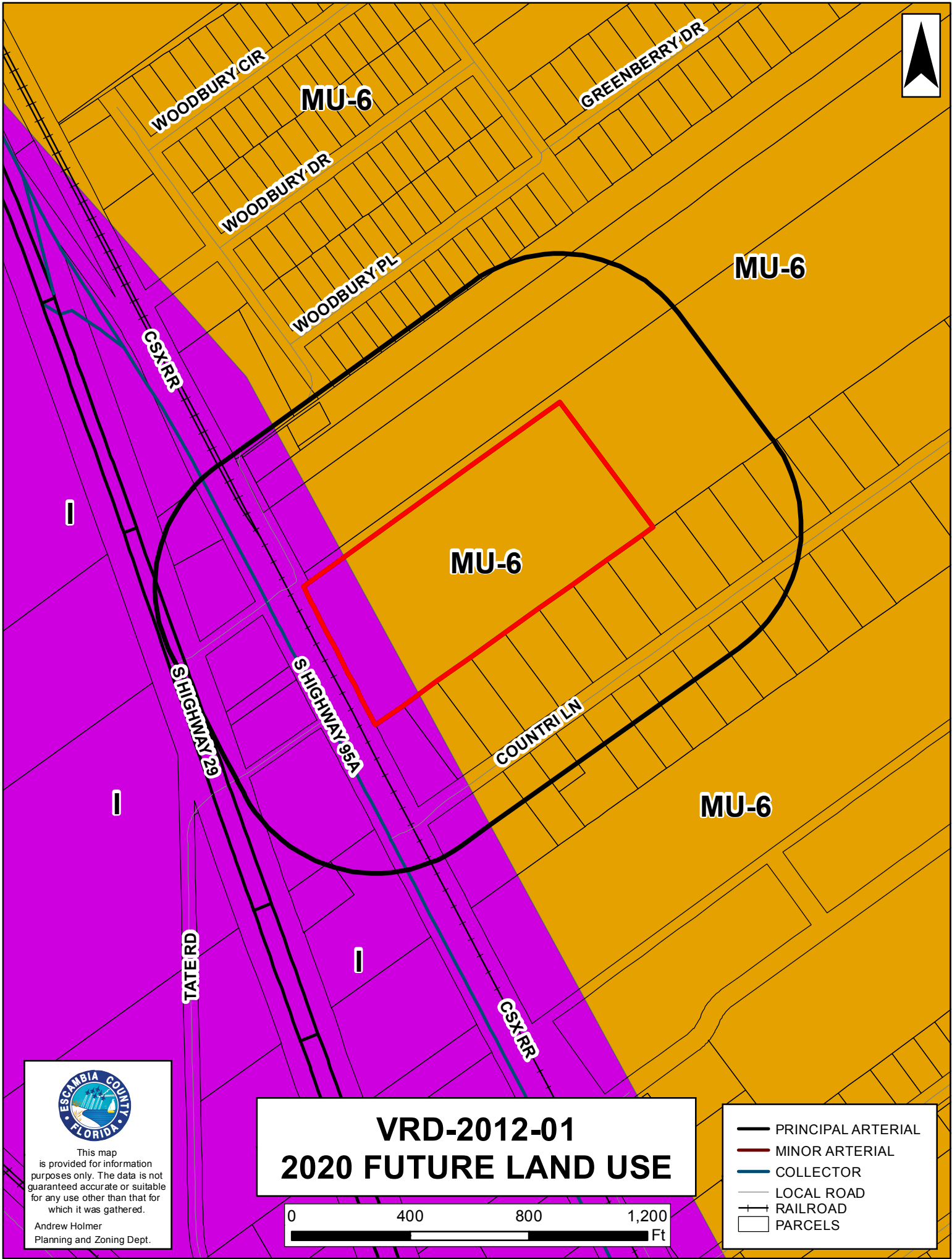


VRD-2012-01
2030 FUTURE LAND USE



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


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 Andrew Holmer
 Planning and Zoning Dept.



MU-6

MU-6

MU-6

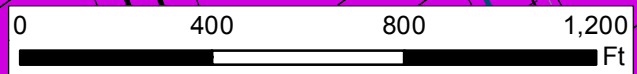
MU-6



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.

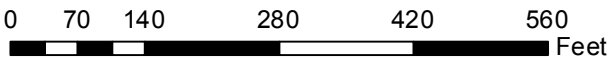
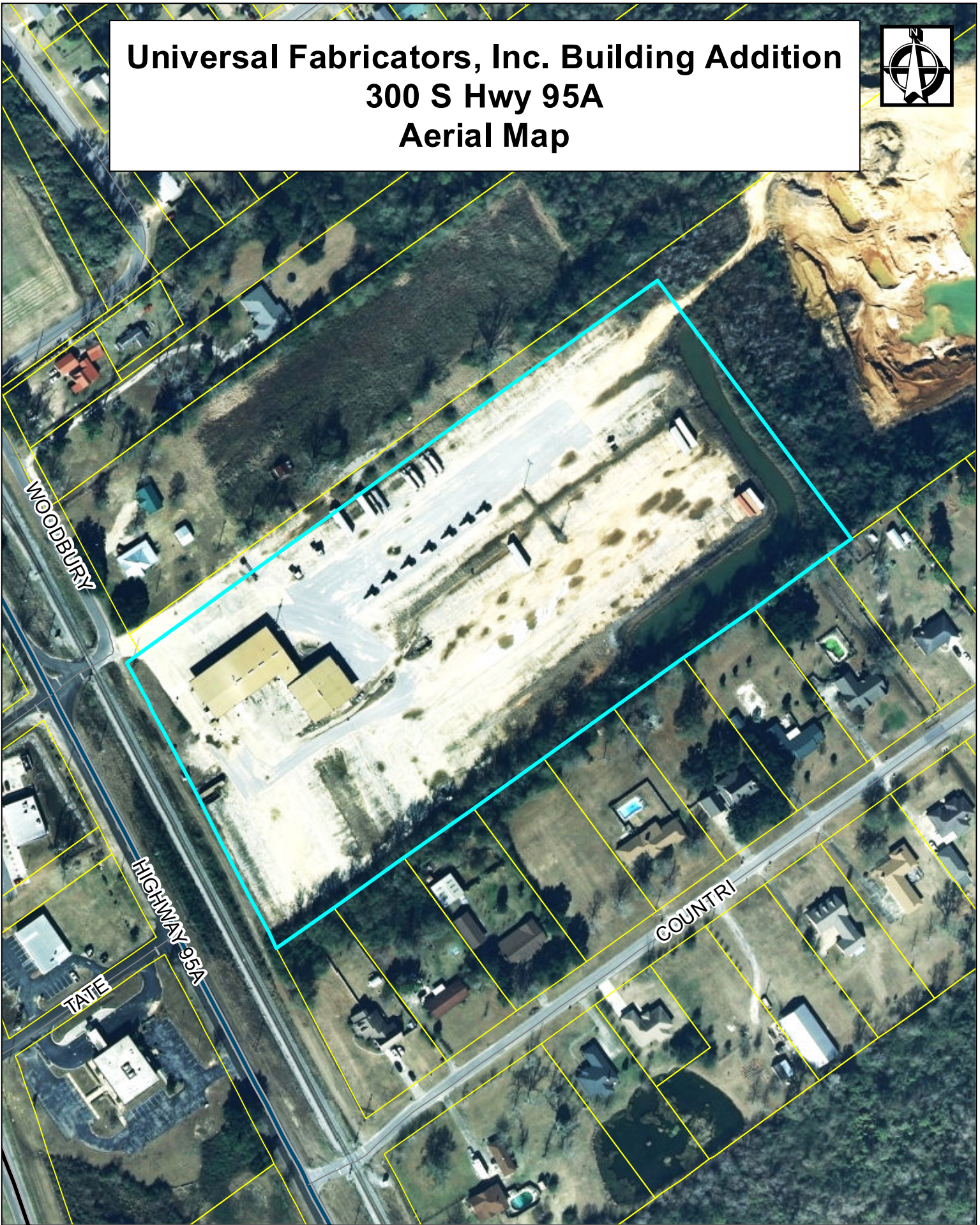
Andrew Holmer
Planning and Zoning Dept.

VRD-2012-01 2020 FUTURE LAND USE



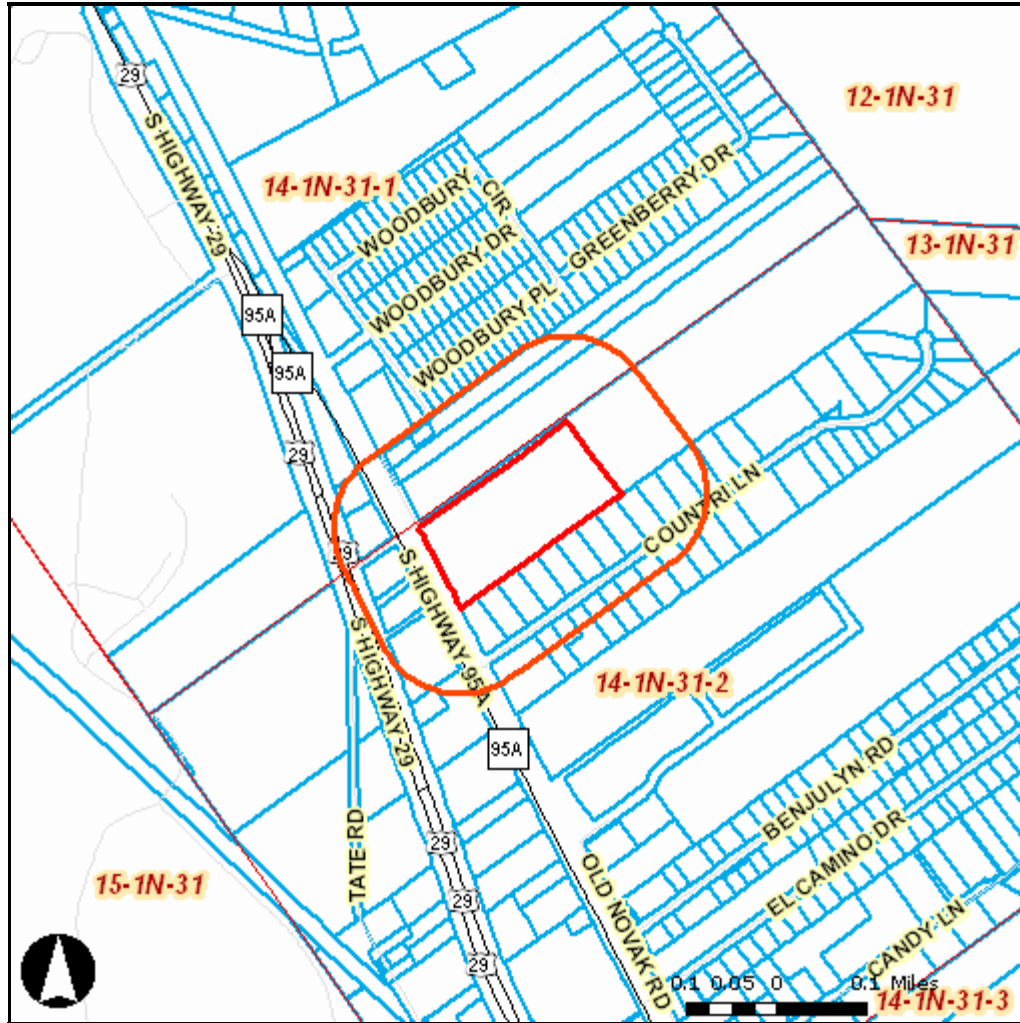
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD
- PARCELS

Universal Fabricators, Inc. Building Addition 300 S Hwy 95A Aerial Map



This map was prepared by the Development Review Division. It is provided for informational purposes only. It is not intended for conveyance, nor is it a survey. Data not guaranteed suitable for any use other than that for which it was gathered.

ECPA Map



Map Grid



Major Roads

- City Road
- County Road
- Interstate
- State Road
- US Highway

All Roads



Property Line



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

2/3/2011 5:45pm PH

ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS

ORDER OF THE ESCAMBIA COUNTY
BOARD OF COUNTY COMMISSIONERS

The requested rezoning for:

Case No.:	Z-2011-01
Location:	300 Highway 95-A
Property Reference No.:	14-1N-31-1004-001-004
Property Size:	13.3 (+/-) acres
From:	VM-1, Villages Mixed Residential/Commercial District (gross density for residential uses 4 du/per acre)
To:	GBD, Gateway Business District
FLU Category:	I, Industrial & MU-6, Mixed-Use 6

is hereby APPROVED this 3rd day of February 2011.

ESCAMBIA COUNTY, FLORIDA
by and through its duly authorized
Board of County Commissioners

Kevin W. White

Kevin W. White, Chairman
Date Executed

2/8/2011

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

Doris Harris
Deputy Clerk

(SEAL)



This document approved as to form
and legal sufficiency.

By *[Signature]*
Title Att. County Attorney
Date Feb. 4, 2011

Not Agenda Backup

2/8/11 d. MacArthur

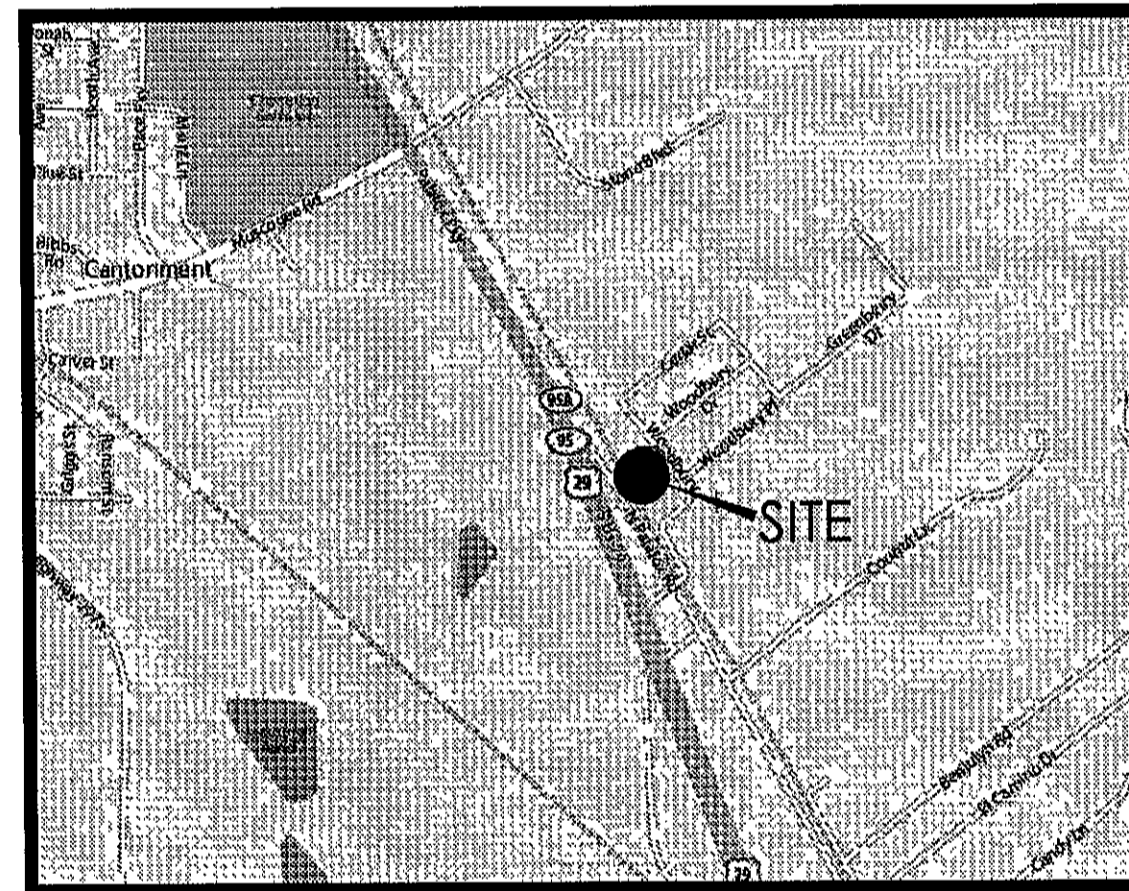
REV'D JUN 22 2012

UNIVERSAL FABRICATORS, INC.

BUILDING ADDITION ESCAMBIA COUNTY, FL

300 HIGHWAY 95-A SOUTH
CANTONMENT, FL
PROPERTY I D #
14-1N-31-1004-001-004
PROPERTY OWNER/DEVELOPER
UNIVERSAL FABRICATORS, INC
300 HIGHWAY 95-A SOUTH
CANTONMENT, FL 32533
(850) 968-5252

ZONED: GDB
FLU 1 & MU-S



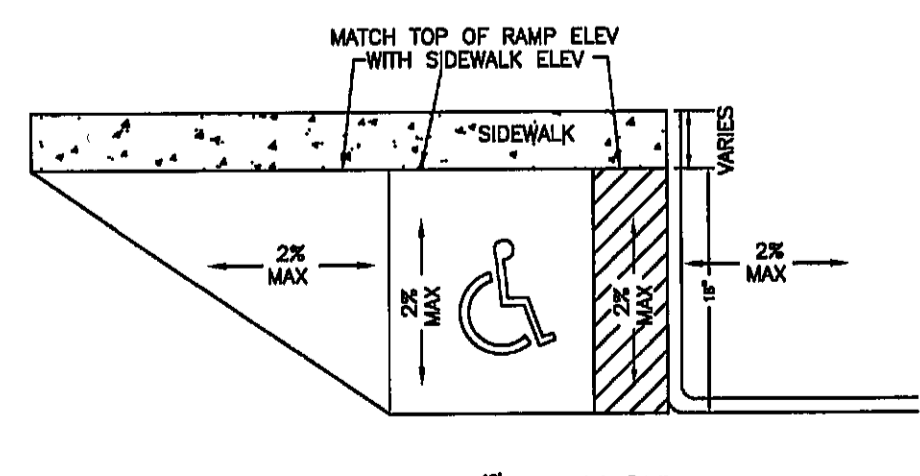
VICINITY MAP
NOT TO SCALE

NOTE:

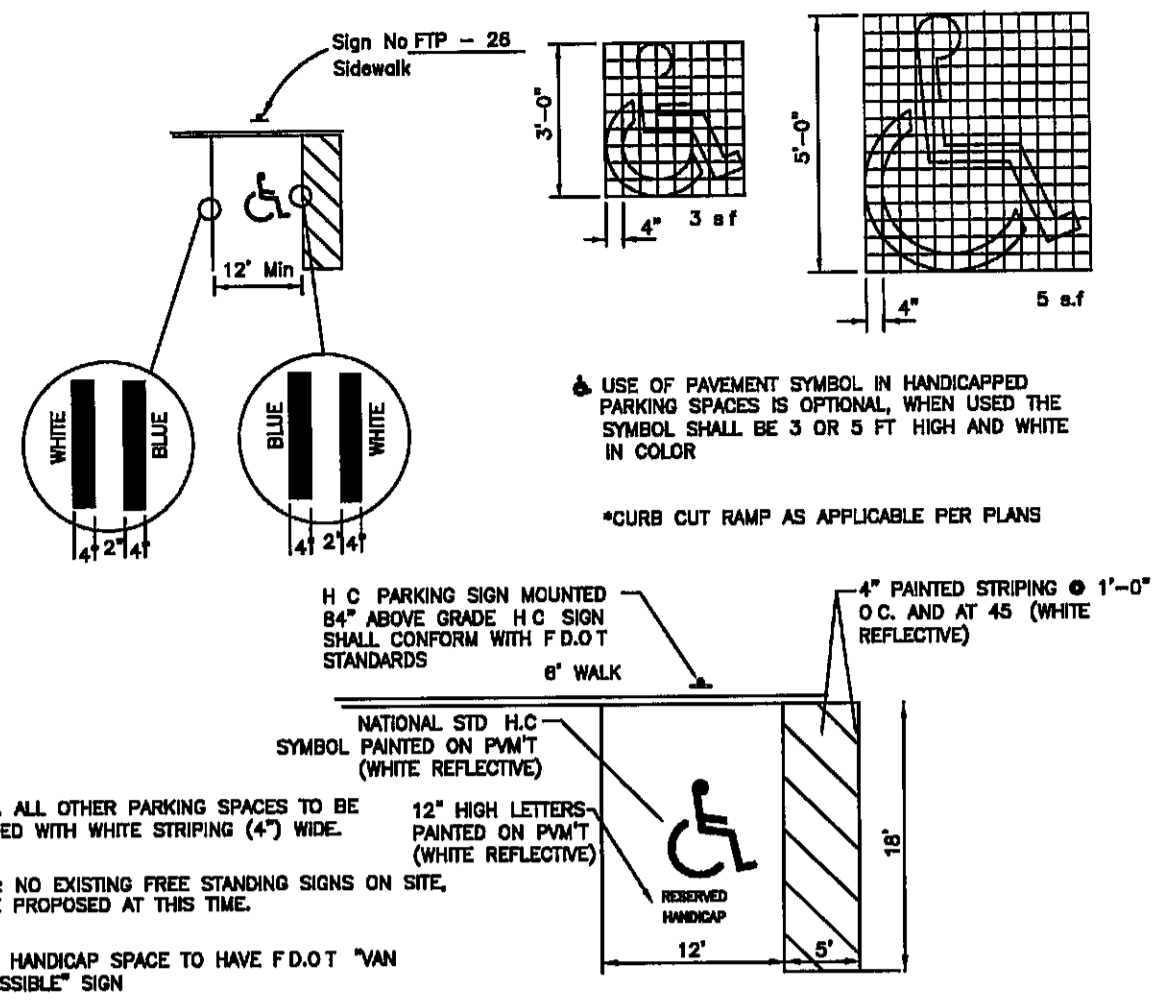
- All new roof drains, downspouts, or gutters for future residential structures are to be routed to carry all storm water to retention/detention areas
- The contractor shall install prior to the start of construction and maintain during construction all sediment control measures as required to retain all sediments on the site
- Notify Sunshine Utilities 48 hours in advance prior to digging within R/W 1-800-432-4770

LEGAL DESCRIPTION

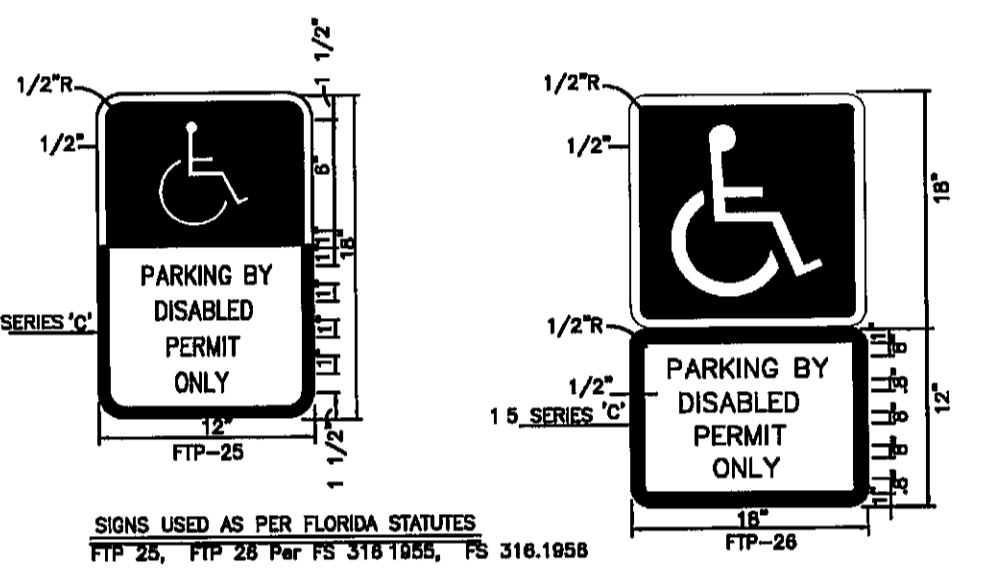
OFFICIAL RECORDS BOOK 3249, PAGE 863 COMMENCE AT AN IRON PIPE AT THE NE CORNER OF LOT 4 ACCORDING TO A SUBDIVISION OF SECTION 14, T-1-NORTH, R-31-WEST, ESCAMBIA COUNTY, FLORIDA, BY W F LEE IN 1857, THENCE SOUTH 50°20'00" WEST ALONG THE NORTH LINE OF SAID LOT 4, 2122.97 FEET, THENCE SOUTH 39°40'00" EAST, 60.00 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 50°20'00" WEST 1068.98 FEET TO THE EASTERLY R/W OF THE C S X RAILROAD (100' R/W), THENCE SOUTH 31°08'12" EAST ALONG SAID R/W 528.88 FEET, THENCE NORTH 50°18'53" EAST 1147.26 FEET, THENCE NORTH 39°40'00" WEST, 522.00 FEET TO THE POINT OF BEGINNING SAID PARCEL CONTAINING 13.301 ACRES, MORE OR LESS



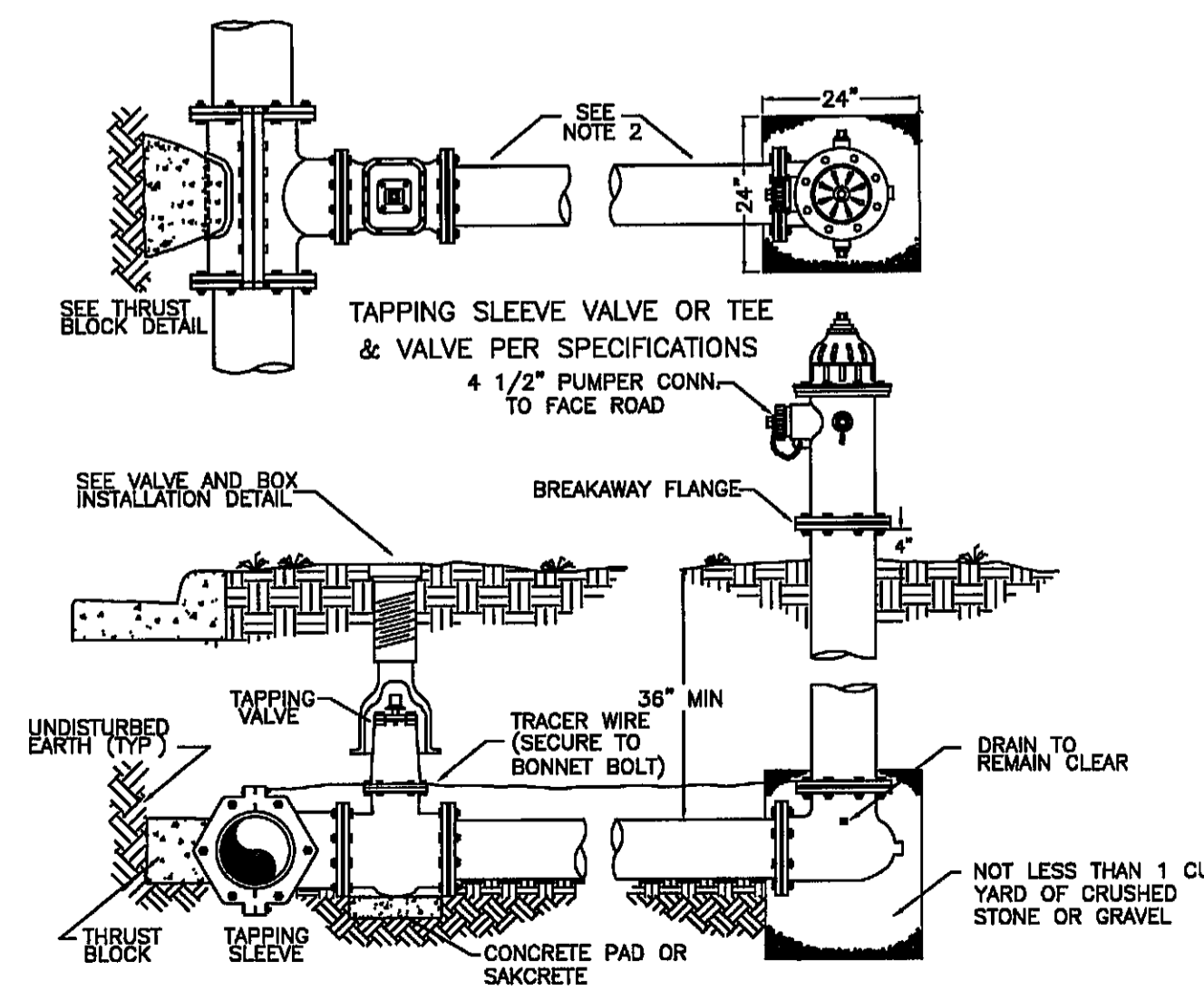
PLAN VIEW OF HANDICAP SPACE
WITH SLOPES & STRIPING NOT TO SCALE



HANDICAPPED PARKING & PAVEMENT DETAIL
NOT TO SCALE



HANDICAPPED PARKING SIGN
DETAIL NOT TO SCALE



TYPICAL FIRE HYDRANT INSTALLATION:
TAPPING SLEEVE & VALVE DETAIL
NTS

NOTES:

- "THE PROJECT ENGINEER (ENGINEER OF RECORD) SHALL PROVIDE TO ESCAMBIA COUNTY "AS-BUILT" RECORD DRAWINGS FOR VERIFICATION AND APPROVAL BY ESCAMBIA COUNTY ONE WEEK PRIOR TO REQUESTING A FINAL INSPECTION AND CERTIFICATE OF OCCUPANCY, OR PROVIDE "AS-BUILT" CERTIFICATION THAT THE PROJECT CONSTRUCTION ADHERES TO THE PERMITTED PLANS AND SPECIFICATIONS THE "AS-BUILT" CERTIFICATION OR THE "AS-BUILT" RECORD DRAWINGS MUST BE SIGNED, SEALED AND DATED BY A REGISTERED FLORIDA PROFESSIONAL ENGINEER"
- "NO DEVIATIONS OR REVISIONS FROM THESE PLANS BY THE CONTRACTOR SHALL BE ALLOWED WITHOUT PRIOR APPROVAL FROM BOTH THE DESIGN ENGINEER AND THE ESCAMBIA COUNTY ANY DEVIATIONS MAY RESULT IN DELAYS IN OBTAINING A CERTIFICATE OF OCCUPANCY"
- "THE OWNER OR HIS AGENT SHALL ARRANGE/SCHEDULE WITH THE COUNTY A FINAL INSPECTION OF THE DEVELOPMENT UPON COMPLETION AND ANY INTERMEDIATE INSPECTIONS AT 850-595-3472 AS-BUILT CERTIFICATION IS REQUIRED PRIOR TO REQUEST FOR FINAL INSPECTION/APPROVAL"
- "ANY DAMAGE TO EXISTING ROADS DURING CONSTRUCTION WILL BE REPAIRED BY THE DEVELOPER PRIOR TO FINAL "ASBUILT" SIGN OFF FROM THE COUNTY"

OUTDOOR STORAGE NOTE:

"OUTDOOR STORAGE OF EQUIPMENT AND SUPPLIES SHALL BE SCREENED FROM THE PUBLIC RIGHT-OF-WAY AND ADJACENT PROPERTIES BY 6 FT OPAQUE FENCE IN THE CASE OF THE VIEW FROM THE PUBLIC RIGHT-OF-WAY, THIS FENCE SHALL BE SUPPLEMENTED BY LANDSCAPING IN ACCORDANCE WITH STANDARD A-2"

IMPERVIOUS NOTE:

THERE WILL BE NO CHANGES AT ALL TO THE AMOUNT OF IMPERVIOUS AREA ALL AREAS WILL REMAIN THE SAME IN THE SAME PLACES THERE WILL BE NO DISTURBANCE OF THE LAND

FLOOD ZONE:

THE PARCEL SHOWN FOR DEVELOPMENT IS LOCATED WITHIN THE FOLLOWING FLOOD ZONE AS DETAILED BY FEMA FIRM (FLOOD INSURANCE RATE MAP) INFORMATION DESCRIBED BELOW:

FLOOD ZONE	COUNTY NUMBER	MAP NUMBER	PANEL NUMBER	MAP REVISION DATE
"X"	120080	12033C	0285 0	08-28-2008

NOTE NON-HANDICAP PARKING SPACES LINES ARE TO BE WHITE

EXISTING		EXISTING	
MANUFACTURING AND INDUSTRIAL	MANUFACTURING AND INDUSTRIAL	ONE SPACE FOR EACH 1,000 SQ FT	ONE SPACE FOR EACH 1,000 SQ FT
15,535/1,000 = 15.535	7,800/1,000 = 7.8	16	8
TOTAL REQUIRED = 24 SPACES		TOTAL PROVIDED 26	
24 REGULAR SPACES		2 HANDICAP SPACES	

NOTE HANDICAP PARKING SIGNS SHALL CONFORM TO FDOT ROADWAY AND TRAFFIC DESIGN STANDARD INDEX NUMBER 17355, SHEET 3 OF 8, FTP-25 SIGN
NOTE REGULAR PARKING SPACES ARE 9' X 18' HANDICAPPED PARKING SPACES ARE 12' X 18' WITH A 5' AISLE

IMPERVIOUS and PERVIOUS AREA	TOTAL SITE ACREAGE 13.24± ACRES - 576,928 SQ FT		
	PRE-DEVELOPMENT	CHANGE	POST-DEVELOPMENT
BUILDING	14,394 sqft	7,800 sqft	22,194 sqft
CONCRETE	39,748 sqft	0 sqft	39,748 sqft
ASPHALT	74,591 sqft	-7,800 sqft	66,791 sqft
GRAVEL	0 sqft	0 sqft	0 sqft
TOTAL IMPERVIOUS AREA	128,733 sqft	0 sqft	128,733 sqft
LANDSCAPE AREA	448,172 sqft	0 sqft	448,172 sqft
PERCENTAGE OF LANDSCAPE	77.68%	0%	77.68%
PARKING REQUIREMENTS			
	EXISTING	CHANGE	TOTAL
NON-HANDICAPPED SPACES	17	7	24
HANDICAPPED SPACES	1	1	2

SHEET INDEX
1 - COVER SHEET
2 - SITE PLAN

REVISIONS

NO	DATE	DESCRIPTION
1		
2		
3		

DATE: _____

SCALE: 1" = 60'

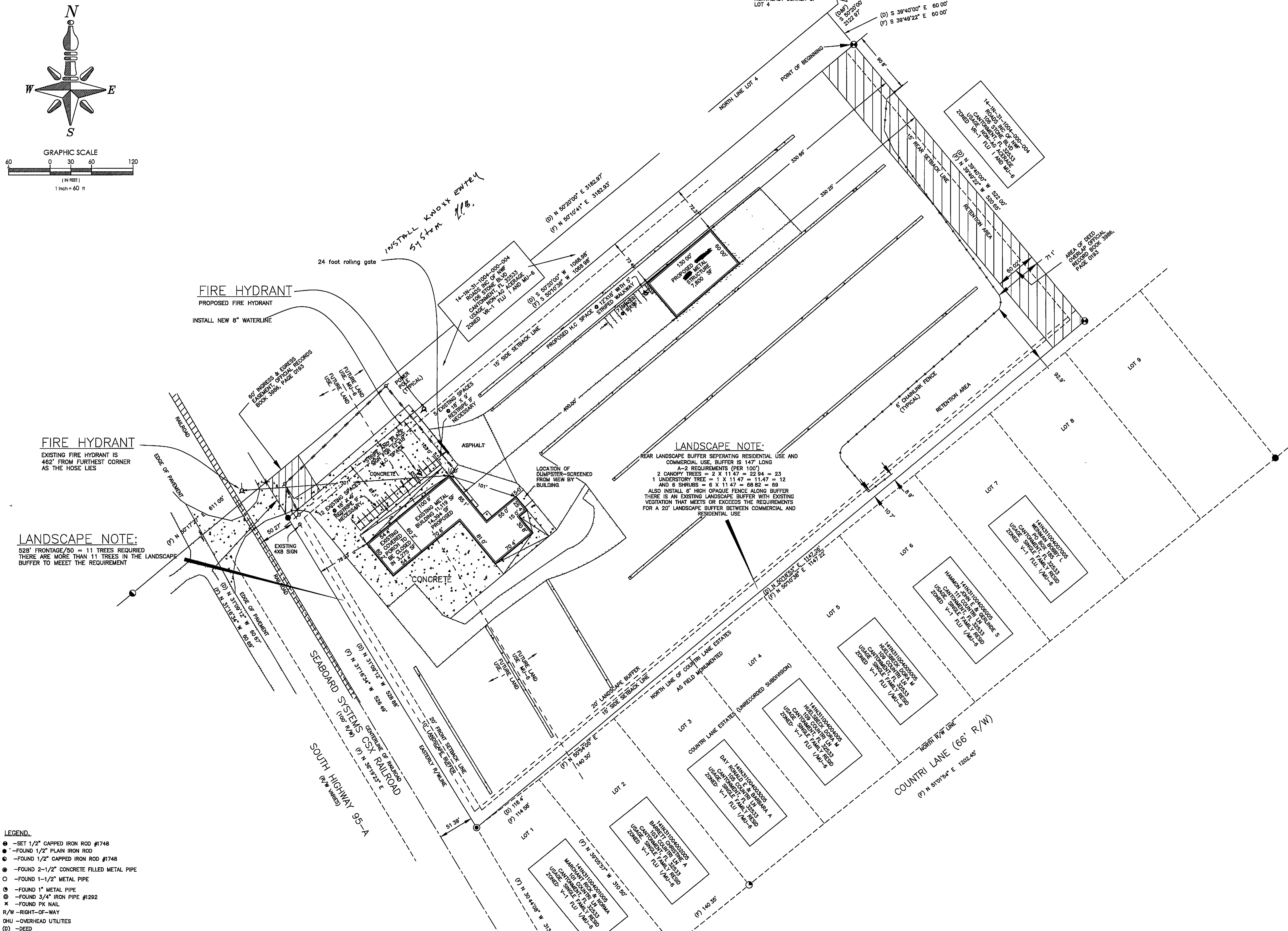
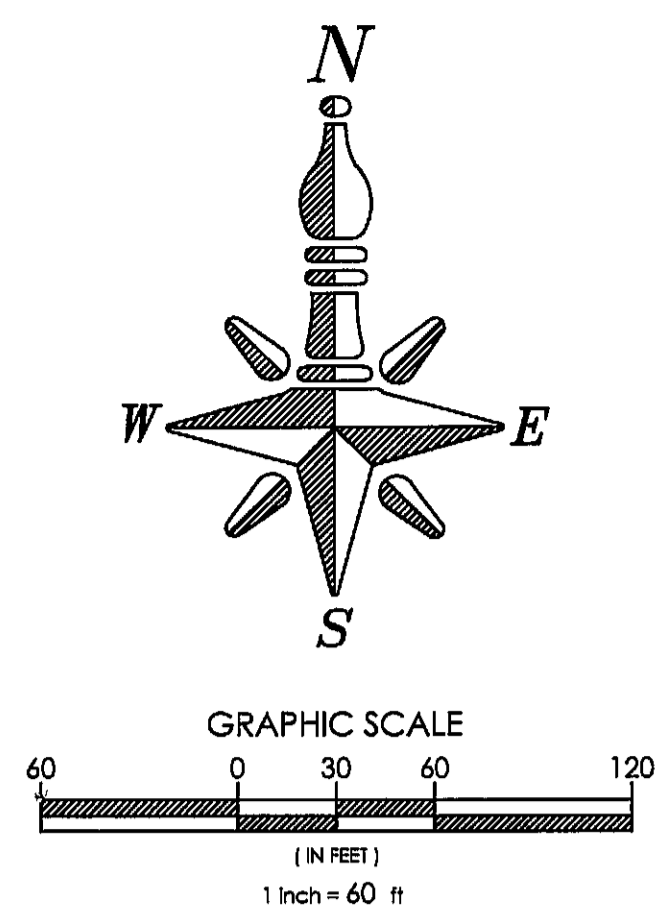
PROJECT NO: N/A

FILE NO: SITE DWG

SHEET 1 OF 2

GARY S. BISHOP, P.E.
CONSULTING ENGINEERING
6010 JAMESON CIRCLE / PACE, FL 32571
PHONE (850) 994-9061 FAX: (866) 631-9483
E-MAIL grybishop@yahoo.com

UNIVERSAL FABRICATORS, INC.
NEW EDITION
ESCAMBIA COUNTY, FL



- LEGEND.**
- -SET 1/2" CAPPED IRON ROD #1748
 - -FOUND 1/2" FLAIN IRON ROD
 - -FOUND 1/2" CAPPED IRON ROD #1748
 - -FOUND 2-1/2" CONCRETE FILLED METAL PIPE
 - -FOUND 1-1/2" METAL PIPE
 - -FOUND 1" METAL PIPE
 - -FOUND 3/4" IRON PIPE #1292
 - × -FOUND PK NAIL
 - R/W -RIGHT-OF-WAY
 - OHU -OVERHEAD UTILITIES
 - (D) -DEED
 - (F) -FIELD

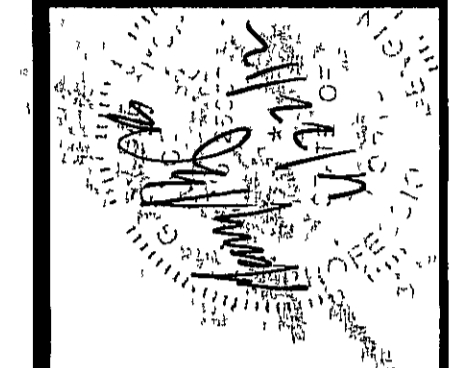
LANDSCAPE NOTE:
528' FRONTAGE/50 = 11 TREES REQUIRED
THERE ARE MORE THAN 11 TREES IN THE LANDSCAPE BUFFER TO MEET THE REQUIREMENT

FIRE HYDRANT
PROPOSED FIRE HYDRANT
INSTALL NEW 8" WATERLINE

INSTALL KNOX ENTRY SYSTEM

LANDSCAPE NOTE:
REAR LANDSCAPE BUFFER SEPARATING RESIDENTIAL USE AND COMMERCIAL USE, BUFFER IS 147' LONG
A-2 REQUIREMENTS (PER 100')
2 CANOPY TREES = 2 X 11.47 = 22.94 = 23
1 UNDERSTORY TREE = 1 X 11.47 = 11.47 = 12
AND 6 SHRUBS = 6 X 11.47 = 68.82 = 69
ALSO INSTALL 6" HIGH OPAQUE FENCE ALONG BUFFER
THERE IS AN EXISTING LANDSCAPE BUFFER WITH EXISTING VEGETATION THAT MEETS OR EXCEEDS THE REQUIREMENTS FOR A 20' LANDSCAPE BUFFER BETWEEN COMMERCIAL AND RESIDENTIAL USE

NO	DATE	REVISIONS
1		
2		
3		
4		



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UNIVERSAL FABRICATORS, INC.
NEW EDITION
ESCAMBIA COUNTY, FL

DRAWN BY	VARIOUS	PROJECT NO	N/A
DESIGNED BY	GSB	FILE NO	SITE DWG
CHECKED BY	GSB	SHEET	1 OF 2
DATE	JUNE 2012		
SCALE	1" = 60'		



THE COUNTY OF ESCAMBIA
PENSACOLA, FLORIDA

SITE PLAN DEVELOPMENT ORDER
with Concurrency Certification

Project: Universal Fabricators, Inc.
Location: 300 Hwy 95-A South
Property Reference #: 14-1N-31-1004-001-004
Development Review #: PSP101100084

Future Land Use: I/MU-6
Zoning District: VM-1
Flood Zone: X

PROJECT DESCRIPTION

Redevelopment of a 9.98-acre parcel as a change of use from Evergreen trucking terminal a 15,535 sq. ft. warehouse building with a minimum of 18 paved parking spaces to Universal Fabricators. There are neither additional impervious areas nor any changes to the infrastructure. No "protected" trees will be removed from the site, however buffering exists within the required site landscape areas. Potable water and sanitary sewer will be provided through connections to the Gonzales Water and ECUA systems respectively.

STANDARD PROJECT CONDITIONS

1. This Development Order with concurrency certification shall be effective for a period of 18 months from the date of approval. Site plan approval and concurrency shall expire and become null and void if a permit for the approved development has not been obtained from the Building Inspections Department (BID) within the effective period and no extension has been applied for. After issuance of such permit, site plan approval and concurrency shall only terminate upon permit expiration or revocation by the BID. The Board of Adjustment may grant one extension for a maximum of 12 months to the original effective period of the Development Order, but application for such extension must be submitted before termination of the initial 18-month period. If the Development Order expires or is revoked, allocated capacity will be withdrawn and made available to other applicants. If the applicant chooses to proceed with development of the project site, a new site plan application must be submitted for review, approval, and capacity allocations subject to Code provisions and Level of Service conditions at the time of the new application.
2. This Development Order alone does not authorize site development to commence. A valid Escambia County Building Permit must be obtained prior to any building construction. Site development as described on the approved site plan, including protected tree removal and grading, may occur under the authorization of the Building Permit. However, commencement of such activity prior to issuance of a Building Permit will require a separate **Pre-construction Site Work Permit**, or if no Building Permit is applicable will require a separate **Parking Lot Permit**, obtained from the Building Inspections Department, with erosion control, tree protection, and all other provisions of the approved site plan fully applicable and enforced.

3. All specifications and requirements, expressed or implied by note or drawing, in the site development plans approved with this Development Order must be fulfilled.
 4. No development activities may commence in areas regulated by state or federal agencies unless all required state and federal permits, or proof of exemption, have been obtained and a copy provided to the County.
 5. Proof of application from the Emerald Coast Utilities Authority (ECUA) for connection to the sewage system, or from the Escambia County Health Department for an Onsite Sewage Treatment and Disposal System (OSTD), must be obtained prior to issuance of an Escambia County Building Permit.
 6. After issuance of this Development Order, it shall be unlawful to modify, amend, or otherwise deviate from the terms and conditions without first obtaining written authorization through the Development Review Committee (DRC) departments. Approval of such modifications shall be requested in writing and obtained prior to initiating construction of any requested change. The applicable review process for the proposed modification shall be determined based on the applicant's written description of such modifications. Escambia County may require submittal of a new or revised plan and impose additional requirements and/or conditions depending upon the extent of any proposed modifications. The applicant has a continuing obligation to abide by the approved plan. Initiating construction of plan modifications without written County approval shall automatically terminate and render null and void this Development Order, and shall be subject to penalties and/or increased fees specified by the BCC.
 7. A copy of this Development Order and the approved site development plans must be maintained and readily available on site once any construction activity has begun, including clearing and grading. The approved building construction plans must also be on site once any building construction has begun.
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Development Review Committee (DRC) Final Determination

Having completed development review of the **Universal Fabricators, Inc.** site plan application referenced herein, in accordance with requirements of applicable Escambia County regulations and ordinances, the DRC makes the following final determination:

- Approve The development plan is approved. The applicant may proceed with the development subject to the project description and project conditions noted herein. Use other than that described, or conditions not satisfied, constitute a violation of this Development Order and render it void. Further, this approval does not constitute approval by any other agency.
- Deny The development plan is denied for the reasons noted below. The applicant may appeal the decision within 15 days from the date below to the Board of Adjustment (BOA) under the provisions of Section 2.04.00 of the Escambia County Land Development Code, and/or submit a new or revised site plan application for review.



Chief, Development Services Bureau



Date