

AGENDA  
ESCAMBIA COUNTY PLANNING BOARD  
QUASI-JUDICIAL HEARING  
August 1, 2017–8:30 a.m.  
Escambia County Central Office Complex  
3363 West Park Place, Room 104

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.
4. Approval of Minutes.
  - A. **A. RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the July 10, 2017 Planning Board Meeting.
  - B. Planning Board Monthly Action Follow-up Report for July 2017.
  - C. Planning Board 6-Month Outlook for August 2017.
5. Acceptance of Rezoning Planning Board Meeting Packet.
6. Quasi-judicial Process Explanation.
7. Public Hearings.
  - A. Case #: Z-2017-06  
Applicant: Floyd Peacock, Agent for New Birth Baptist Church, Owner  
Address: 1703 N Q Street  
Property Size: 0.46 (+/-) acres  
From: MDR, Medium Density Residential district (10 du/acre)  
To: HDR, High Density Residential district (18 du/acre)
  - B. Case #: Z-2017-11  
Applicant: Tom Hammond, Agent for William R. Smith, Owner

Address: 7237 Mobile Highway  
Property Size: 4.3 (+/-) acres  
From: LDR, Low Density Residential district (four du/acre)  
To: HDMU, High Density Mixed-use district (25 du/acre)

C. Case #: Z-2017-12  
Applicant: Micheal W. Milner, Agent for Richard Mertins, Owner  
Address: 2410 Langley Avenue  
Property Size: 0.82 (+/-) acres  
From: Com, Commercial district (25 du/acre)  
To: HC/LI-NA, Heavy Commercial and Light Industrial district, prohibiting the subsequent establishment of any microbreweries, microdistilleries, microwineries, bars, nightclubs, or adult entertainment uses (25 du/acre)

D. Case #: Z-2017-13  
Applicant: Hattie M. McGary, Owner  
Address: 105 Louis Street  
Property Size: 0.17 (+/-) acres  
From: LDR, Low Density Residential district (four du/acre)  
To: LDMU, Low Density Mixed-use district (seven du/acre)

8. Discussion Items.

A. Zoning/FLU Inconsistencies Discussion.

B. Clustering Discussion.

C. Spot Zoning/Rezoning Discussion.

D. Subdivision Roads and Site Plans Discussion.

E. Storage Containers Discussion.

9. Adjournment.



**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Planning Board-Rezoning**

**4. A.**

**Meeting Date: 08/01/2017**

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**Agenda Item:**

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the July 10, 2017 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for July 2017.

C. Planning Board 6-Month Outlook for August 2017.

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**Attachments**

Draft July 10, 2017 Planning Board Rezoning Meeting Minutes

Draft July 10, 2017 Planning Board Regular Meeting Minutes

Monthly Action Follow-Up

Six Month Outlook

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# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL REZONING July 10, 2017

CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:31 A.M. – 8:40 A.M.)  
(8:48 A.m. - 10:06 A.M.)

Present: Reid Rushing  
Jay Ingwell  
Wayne Briske, Chairman  
Eric Fears

Absent: Timothy Pyle  
Edwin Howard  
Patty Hightower  
William Clay  
Stephen Opalenik

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning  
Andrew Holmer, Division Manager, Planning & Zoning  
Horace Jones, Director, Development Services  
Juan Lemos, Senior Planner, Planning & Zoning  
Kayla Meador, Sr Office Assistant  
Meredith Crawford, Assistant County Attorney

1. Call to Order.
2. Pledge of Allegiance to the Flag was given by Wayne Briske.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.

Motion by Reid Rushing, Seconded by Eric Fears

Motion was made to approve the proof of publication and to waive the reading of the legal advertisement.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

4. Approval of Minutes.
  - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the June 6, 2017 Planning Board Rezoning Meeting.

Motion by Reid Rushing, Seconded by Jay Ingwell

Motion was made to approve the minutes from the June 6, 2017 Rezoning Planning Board Meeting.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

5. Acceptance of Rezoning Planning Board Meeting Packet.

Motion by Eric Fears, Seconded by Reid Rushing

Motion was made to accept the Rezoning Planning Board meeting packet for July 10, 2017.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

6. Quasi-judicial Process Explanation.

7. Public Hearings.

- A. Case #: Z-2017-07  
Applicant: Brett & Susan Ward and  
Burton & Katherine Ward,  
Owners  
Address: 5700 Pine Forest Rd  
Property Size: 2.5 (+/-) acres  
From: Agr, Agricultural district  
(one du/20 acres)  
To: RR, Rural Residential  
district (one du/four acres)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member abstained from voting on this matter due to any conflict of interest.

Motion by Eric Fears, Seconded by Jay Ingwell

Motion was made to accept the Staff's Findings of Fact.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

Motion by Reid Rushing, Seconded by Jay Ingwell

Motion was made to accept as Staff recommended and forward to the BCC.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

- B. Case #: Z-2017-08  
Applicant: Kerry Anne Schultz,  
Agent for Douglas E.  
Dormer, Agent for Owners  
Address: 4200 Blk of Spanish Trail  
and 4224 Creighton Rd  
Property Size: 0.19 (+/-) acres and 0.25  
Size: (+/-) acres  
From: HC/LI, Heavy Commercial  
and Light Industrial district  
(25 du/acre, lodging unit  
density not limited by  
zoning)  
To: HDMU, High Density  
Mixed-use district (25  
du/acre)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member abstained from voting on this matter due to any conflict of interest.

Motion by Reid Rushing, Seconded by Jay Ingwell

Motion was made to accept Staff's Findings of Fact.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

Motion by Reid Rushing, Seconded by Eric Fears

Motion was made to recommend approve and forward to the BCC.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

- C. Case #: Z-2017-09  
Applicant: Buddy Page, Agent for  
Tony Perez, Owner  
Address: 703 Beverly Parkway  
Property Size: 0.10 +/- acres  
Size:  
From: MDR, Medium Density  
Residential district (10  
du/acre)

To: HC/LI, Heavy Commercial  
and Light Industrial district  
(25 du/acre, lodging unit  
density not limited by  
zoning)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member abstained from voting on this matter due to any conflict of interest.

Motion by Reid Rushing, Seconded by Jay Ingwell

Motion was made to accept Staff's Findings of Fact.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

Motion by Jay Ingwell, Seconded by Eric Fears

Motion was made to recommend approval and forward to the BCC.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

D. Case #: Z-2017-10  
Applicant: Buddy Page, Agent for  
Zenaida Palacios, Owner  
Address: 5200 Burlington Rd  
Property Size: 0.18 (+/- acres)  
From: MDR, Medium Density  
Residential district (10  
du/acre)  
To: HC/LI, Heavy Commercial  
and Light Industrial district  
(25 du/acre, lodging unit  
density not limited by  
zoning)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member abstained from voting on this matter due to any conflict of interest.

Motion by Jay Ingwell, Seconded by Eric Fears

Motion was made to accept Applicant Exhibit 1.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

Motion by Eric Fears, Seconded by Jay Ingwell

Motion was made to accept the applicant's request to withdraw case.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

8. Adjournment.

# DRAFT

## MINUTES OF THE ESCAMBIA COUNTY PLANNING BOARD July 10, 2017

CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:40 A.M. – 8:48 A.M.)  
(10:15 A.M. - 11:48 A.M.)

Present: Reid Rushing  
Jay Ingwell  
Wayne Briske, Chairman  
Eric Fears

Absent: Timothy Pyle  
Edwin Howard  
Patty Hightower  
William Clay  
Stephen Opalenik

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning  
Andrew Holmer, Division Manager, Planning & Zoning  
Griffin Vickery, Urban Planner, Planning & Zoning  
Horace Jones, Director, Development Services  
Juan Lemos, Senior Planner, Planning & Zoning  
Kayla Meador, Sr Office Assistant  
Meredith Crawford, Assistant County Attorney

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.

Motion by Jay Ingwell, Seconded by Reid Rushing

Motion was made to approve the proof of publication and to waive the reading of the legal advertisement.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

4. Approval of Minutes.

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the June 6, 2017 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for June 2017.

C. Planning Board 6-Month Outlook for July 2017.

Motion by Jay Ingwell, Seconded by Eric Fears

Motion was made to approve the minutes from the June 6, 2017 Regular Planning Board Meeting.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

5. Acceptance of Planning Board Meeting Packet.

Motion by Eric Fears, Seconded by Jay Ingwell

Motion was made to accept the July 10, 2017 Regular Planning Board meeting packet.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

6. Public Hearings.

A. A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map - SSA-2017-03

That the Board review and recommend to the Board of County Commissioner (BCC) for adoption, an ordinance amending the Future Land Use (FLU) Map for a Small Scale Amendment, SSA-2017-03.

Motion by Eric Fears, Seconded by Jay Ingwell

Motion was made to accept recommendation and to forward to the BCC.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

B. A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map - SSA-2017-01

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, a Small Scale Map Amendment, SSA-2017-01, amending Part II of the Escambia County Code of Ordinances, the Escambia County Comprehensive Plan, as amended; amending the Future Land Use (FLU) Map designation.

Motion by Reid Rushing, Seconded by Jay Ingwell

Motion was made to accept Applicant Exhibit 1 into evidence.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

Motion by Jay Ingwell, Seconded by Eric Fears

Motion was made to recommend acceptance with provision of the historical significant site be addressed in writing by competent authority, and forward to the BCC.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

C. A Public Hearing Concerning the Review of an Ordinance Amending the Future Land Use Map - SSA-2017-02

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, a Small Scale Map Amendment, SSA 2017-02, amending Part II of the Escambia County Code of Ordinances, the Escambia County Comprehensive Plan, as amended; amending the Future Land Use (FLU) Map designation.

Motion by Eric Fears, Seconded by Jay Ingwell

Motion was made to accept Applicant Exhibit 1 into evidence.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

Motion by Jay Ingwell, Seconded by Reid Rushing

Motion was made to recommend acceptance with provision of the historical significant site be addressed in writing by competent authority, and forward to the BCC.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

D. A Public Hearing Concerning the Review of an Ordinance Amending Chapter 2, Section 2-5.7, Final Plats

That the Board review and recommend to the Board of County Commissioners (BCC) for adoption, an Ordinance to the Land Development Code (LDC) Chapter 2, Section 2-5.7, Final Plats.

Motion by Eric Fears, Seconded by Reid Rushing

Motion was made to accept amendment and forward to the BCC.

**Vote:** 4 - 0 Approved

Other: Timothy Pyle (ABSENT)  
Edwin Howard (ABSENT)  
William Clay (ABSENT)

7. Action/Discussion/Info Items.

8. Public Forum.

Ms. Jacqueline Rogers had questions and concerns regarding DRC processes and public notifications.

9. Director's Review.

10. County Attorney's Report.
11. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for **Tuesday, August 1, 2017 at 8:30 a.m.**, in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

12. Announcements/Communications.
13. Adjournment.

# BOARD OF COUNTY COMMISSIONERS ESCAMBIA COUNTY, FLORIDA



DEVELOPMENT SERVICES DEPARTMENT  
3363 WEST PARK PLACE  
PENSACOLA, FLORIDA 32505  
PHONE: 850-595-3475  
FAX: 850-595-3481  
www.myescambia.com

## **Memorandum**

**TO:** Planning Board  
**FROM:** Kayla Meador, Board Clerk  
**DATE:** July 21, 2017  
**RE:** Monthly Action Follow-Up Report for July 2017

The following is a status report of Planning Board (PB) agenda items for the prior month of July. Some items include information from previous months in cases where final disposition has not yet been determined. Post-monthly actions are included (when known) as of report preparation date. Items are listed in chronological order, beginning with the PB initial hearing on the topic.

## **PROJECTS, PLANS, & PROGRAMS**

### **COMMITTEES & WORKING GROUP MEETINGS**

### **COMPREHENSIVE PLAN AMENDMENTS**

#### **Comp Plan Annual Report**

06-06-17 PB recommended approval  
07-06-17 BCC approved

- **Text Amendments:**

- **Map Amendments:**

#### **SSA-2017-01**

07-10-17 PB recommended approval  
08-03-17 BCC meeting

#### **SSA-2017-02**

07-10-17 PB recommended approval  
08-03-17 BCC meeting

#### **SSA-2017-03**

07-10-17 PB recommended approval  
08-03-17 BCC meeting

## **LAND DEVELOPMENT CODE ORDINANCES**

### **Dog Friendly Dining Ord**

06-06-17 PB recommended approval  
07-06-17 BCC approved

### **Beach Mouse Assessment Ord**

06-06-17 PB recommended approval  
07-06-17 BCC approved

### **Residential Uses in Zoning Districts**

09-6-16 PB recommended more review by staff  
On hold – waiting for input from County Attorney’s Office

### **OSP-2017-01 (formerly 2016-01)**

09-06-16 PB recommended approval  
12-08-16 BCC wanted to reschedule for DEO to be in attendance to meeting  
03-07-17 PB recommended approval  
03-16-17 BCC transmitted to DEO

### **Spot Zoning**

12-06-16 PB dropped item and wanted more discussion

### **Final Plat DWG Requirement**

07-10-17 PB recommended approval  
08-03-17 BCC meeting

## **REZONING CASES**

### **1. Rezoning Case Z-2017-05**

06-06-17 PB recommended approval  
07-06-17 BCC approved

### **2. Rezoning Case Z-2017-07**

07-10-17 PB recommended approval  
08-03-17 BCC meeting

### **3. Rezoning Case Z-2017-08**

07-10-17 PB recommended approval  
08-03-17 BCC meeting

### **4. Rezoning Case Z-2017-09**

07-10-17 PB recommended approval  
08-03-17 BCC meeting

### **5. Rezoning Case Z-2017-10**

07-10-17 PB approved applicants request to withdraw  
08-03-17 BCC meeting

# PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR AUGUST 2017

(Revised 7/21/17)

A.H. = Adoption Hearing      T.H. = Transmittal Hearing      P.H. = Public Hearing

\* Indicates topic/date is estimated—subject to staff availability for project completion and/or citizen liaison

Meeting Date	LDC Changes and/or Public Hearings	Comprehensive Plan Amendments	Rezoning	Reports, Discussion and/or Action Items
Tuesday, August 1, 2017			<ul style="list-style-type: none"> <li>• Z-2017-06</li> <li>• Z-2017-11</li> <li>• Z-2017-12</li> <li>• Z-2017-13</li> </ul>	<ul style="list-style-type: none"> <li>• Zoning/FLU Inconsistencies</li> <li>• Clustering</li> <li>• Storage Containers</li> </ul>
Tuesday, September 5, 2017		<ul style="list-style-type: none"> <li>• SSA-2017-04</li> </ul>	<ul style="list-style-type: none"> <li>• Z-2017-04</li> <li>• Z-2017-14</li> <li>• Z-2017-15</li> </ul>	
Tuesday, October 1, 2017				
Tuesday, November 7, 2017				
Tuesday, December 5, 2017				
Tuesday, January 2, 2018??				

Disclaimer: This document is provided for informational purposes only. Schedule is subject to change. Verify all topics on the current meeting agenda one week prior to the meeting date.

\*\* Residential Uses Ordinance – waiting on input from the County Attorney’s Office

\*\* Signs Ordinance – waiting on input from the BCC

\*\* CPA-2016-01 Extraction and Reclamation – on hold

**Planning Board-Rezoning**

**7. A.**

**Meeting Date:** 08/01/2017  
**CASE :** Z-2017-06  
**APPLICANT:** Floyd Peacock, Agent for New Birth Baptist Church, Owner  
**ADDRESS:** 1703 N Q St  
**PROPERTY REF. NO.:** 17-2S-30-1300-110-019  
**FUTURE LAND USE:** MU-U, Mixed-Use Urban  
**DISTRICT:** 3  
**OVERLAY DISTRICT:** Brownsville  
**BCC MEETING DATE:** 09/07/2017

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**SUBMISSION DATA:**

**REQUESTED REZONING:**

**FROM: MDR, Medium Density Residential district (10 du/acre)**

**TO: HDR, High Density Residential district (18 du/acre)**

**RELEVANT AUTHORITY:**

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

**APPROVAL CONDITIONS**

**Criterion a., LDC Sec. 2-7.2(b)(4)**

**Consistent with Comprehensive Plan**

Whether the proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of the plan provisions

**Comprehensive Plan (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 maximum residential density is 25 dwelling units per acre.

**FLU 1.5.1 New Development and Redevelopment in Built Areas.** To promote the efficient use of existing public roads, utilities, and service infrastructure, the County will encourage the redevelopment in underutilized properties to maximize development densities and intensities located in the MU-S, MU-U, Commercial, and Industrial Future Land Use categories (with the exception of residential development).

## **FINDINGS**

The proposed amendment to HDR **is consistent** with the intent and purpose of Future Land Use category MU-U as stated in CPP FLU 1.3.1. The Comprehensive Plan allows for residential and non-residential uses in urban areas and support development compatible with the surrounding areas. The parcel will use the existing public roads, utilities and service infrastructures to encourage development.

### **Criterion b., LDC Sec. 2-7.2(b)(4)**

#### **Consistent with The Land Development Code**

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

**LDC 3-3.4 Brownsville Overlay Purpose.** The Brownsville Overlay (Brn-OL) district establishes supplemental land use regulations to support the objectives of the adopted Brownsville area community redevelopment plan. The intent of the additional land use controls is to enhance the character of an area undergoing revitalization, support existing commercial corridors, and protect the unique and historic character of the Brownsville community.

### **LDC 3-2.7 Medium Density Residential district (MDR)**

- a. **Purpose.** The Medium Density Residential (MDR) district establishes appropriate areas and land use regulations for residential uses at medium densities within suburban or urban areas. The primary intent of the district is to provide for residential neighborhood development in an efficient urban pattern of well-connected streets and at greater dwelling unit density than the Low Density Residential district. Residential uses within the MDR district are limited to single-family and two-family dwellings. The district allows non-residential uses that are compatible with suburban and urban residential neighborhoods.

### **LDC 3-2.8 High Density Residential district (HDR).**

- a. **Purpose.** The High Density Residential (HDR) district establishes appropriate areas and land use regulations for residential uses at high densities within urban areas. The primary intent of the district is to provide for residential neighborhood development in an efficient urban pattern of well-connected streets and at greater dwelling unit density and diversity than the Medium Density Residential district. Residential uses within the HDR district include most forms of single-family, two-family and multi-family dwellings. Non-residential uses within the district are limited to those that are compatible with urban residential neighborhoods.
- b. **Permitted uses.** Permitted uses within the HDR district are limited to the following:
  1. **Residential.**

- a. Group living, excluding dormitories, fraternity and sorority houses, and residential facilities providing substance abuse treatment, post-incarceration reentry, or similar services.
- b. Manufactured (mobile) homes only within existing manufactured home parks or subdivisions. No new or expanded manufactured home parks or subdivisions.
- c. Single-family dwellings (other than manufactured homes), attached or detached, including townhouses and zero lot line subdivisions.
- d. Two-family and multi-family dwellings.

**2. Retail sales.** No retail sales, except as conditional uses in this district.

**3. Retail services.**

- a. Boarding and rooming houses.
- b. Child care facilities.

See also conditional uses in this district.

4. **Public and civic.** Public utility structures, excluding telecommunications towers.

See also conditional uses in this district.

**5. Recreation and entertainment.**

- a. Marina, private.
- b. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

6. **Industrial and related.** No industrial or related uses.

7. **Agricultural and related.** Agricultural production limited to food primarily for personal consumption by the producer, but no farm animals. See also conditional uses in this district.

**FINDINGS**

The proposed amendment **is not consistent** with the intent and purpose of the Land Development Code. The proposed zoning to HDR will allow for more intense residential uses and density. The HDR zoning would allow for 18 dwelling units compared to the ten dwelling units of the current MDR zoning. The HDR zoning would provide the similar type of residential neighborhood development utilizing the existing street connectivity with a slight increase in density. The parcel is within the Brownsville Redevelopment Area and CRA has no comments as indicated by the letter attached.

**Criterion c., LDC Sec. 2-7.2(b)(4)**

**Compatible with surrounding uses**

Whether all land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning.

## **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 MDR, HDMU and HC/LI never the less, there are single-family homes throughout the area and one church. HDR zoning will allow for multi-family, and will increase the density from 10 dwelling units an acre to 18. Any new development must come through the Site Plan Review Process.

### **Criterion d., LDC Sec. 2-7.2(b)(4)**

#### **Changed conditions**

Whether the area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

## **FINDINGS**

Staff found **no changed conditions** that would impact the amendment or property.

### **Criterion e., LDC Sec. 2-7.2(b)(4)**

#### **Development patterns**

Whether the proposed rezoning would contribute to or result in a logical and orderly development pattern.

## **FINDINGS**

The proposed amendment **would not result** in a logical and orderly development pattern. The proposed amendment could introduce the multi-family component into the area two-family and multi-family that could diminish the smaller individual lots and increase density to 18 dwelling units per acre.

### **Criterion f., LDC Sec. 2-7.2(b)(4)**

#### **Effect on natural environment**

Whether the proposed rezoning would increase the probability of any 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.

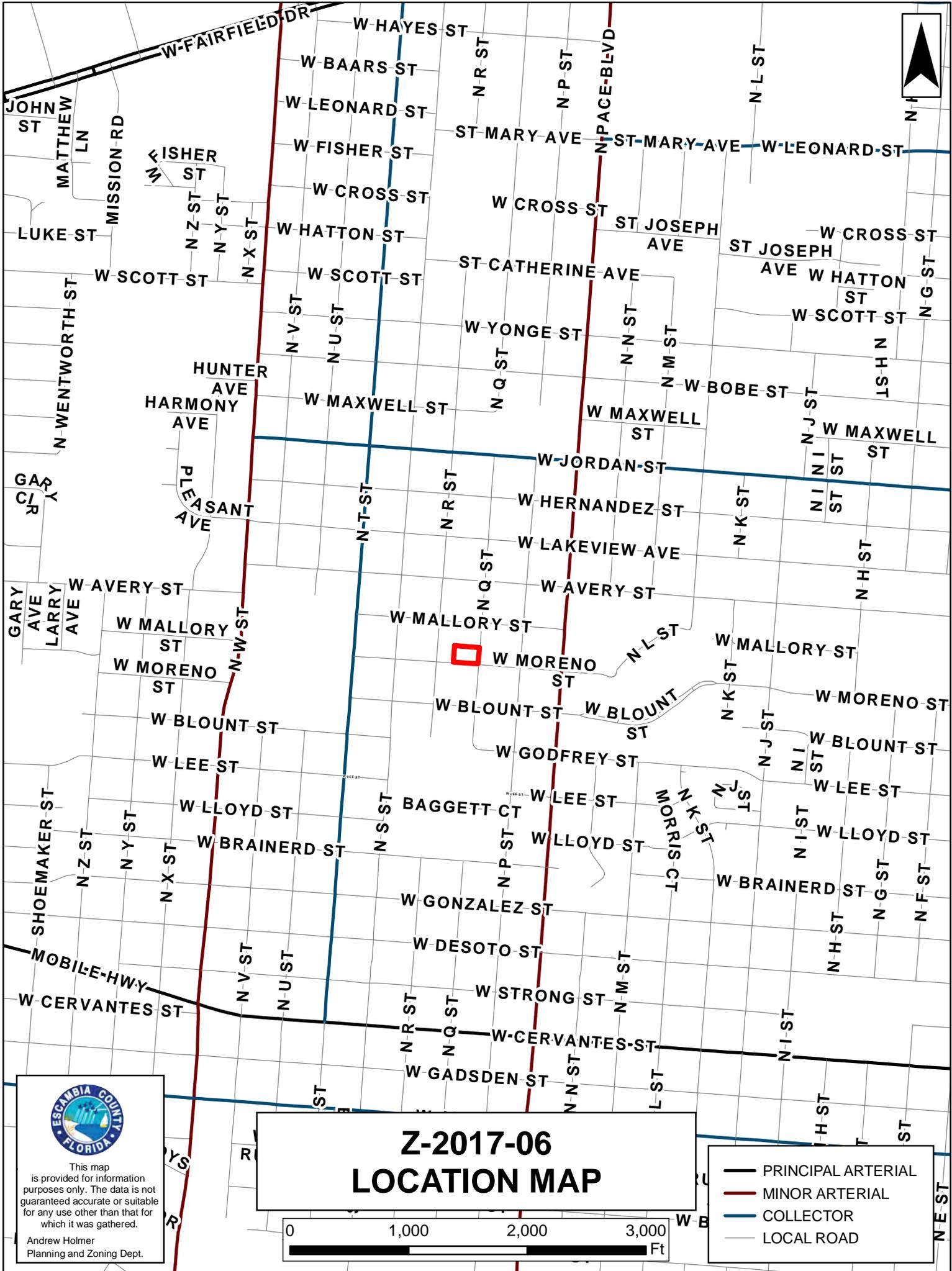
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## **Attachments**

Working Case File

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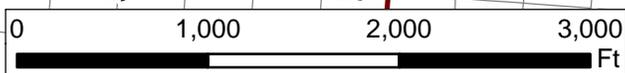
**Z-2017-06**



**Z-2017-06**

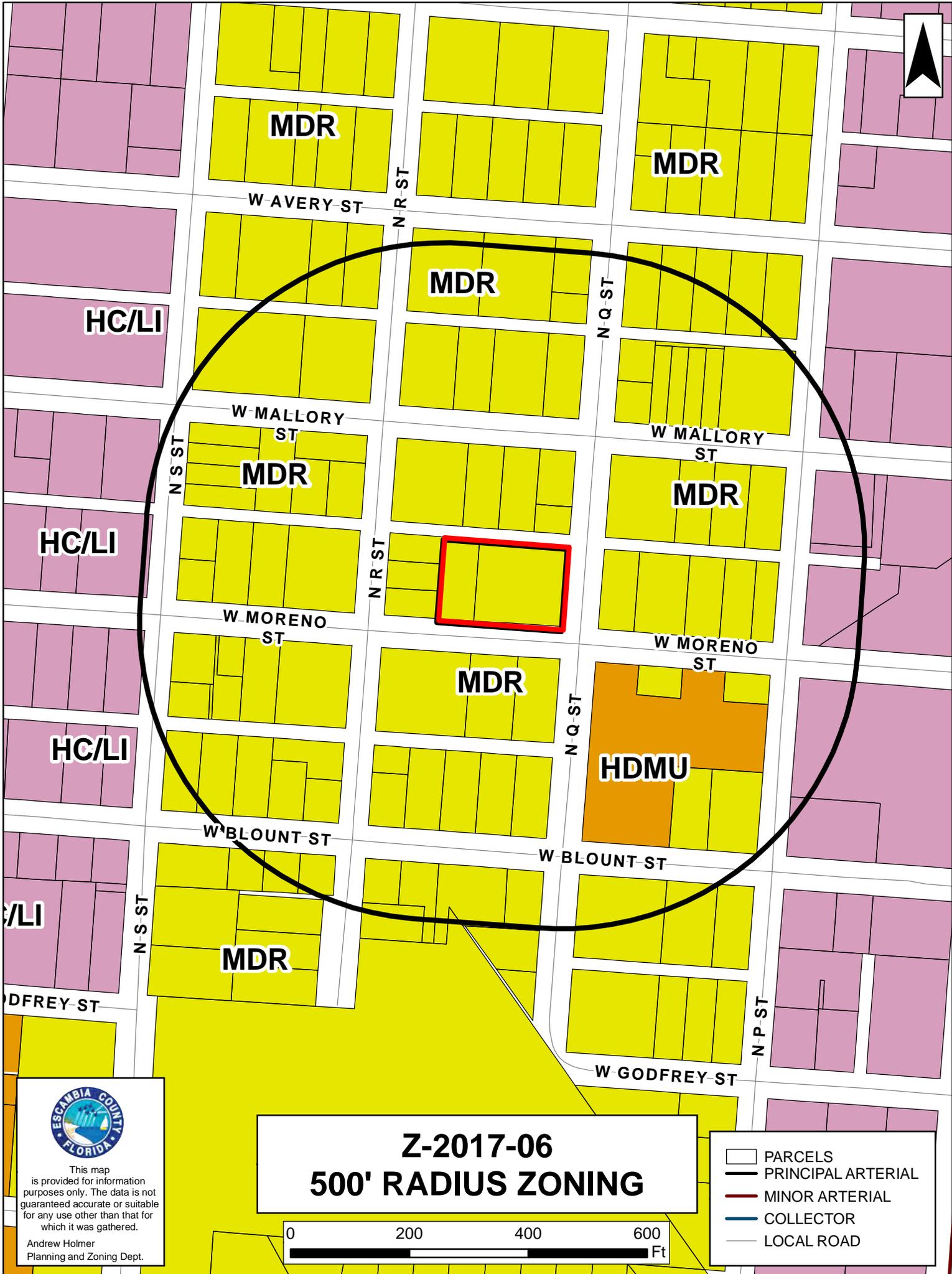
**LOCATION MAP**

-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD




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

Andrew Holmer  
Planning and Zoning Dept.

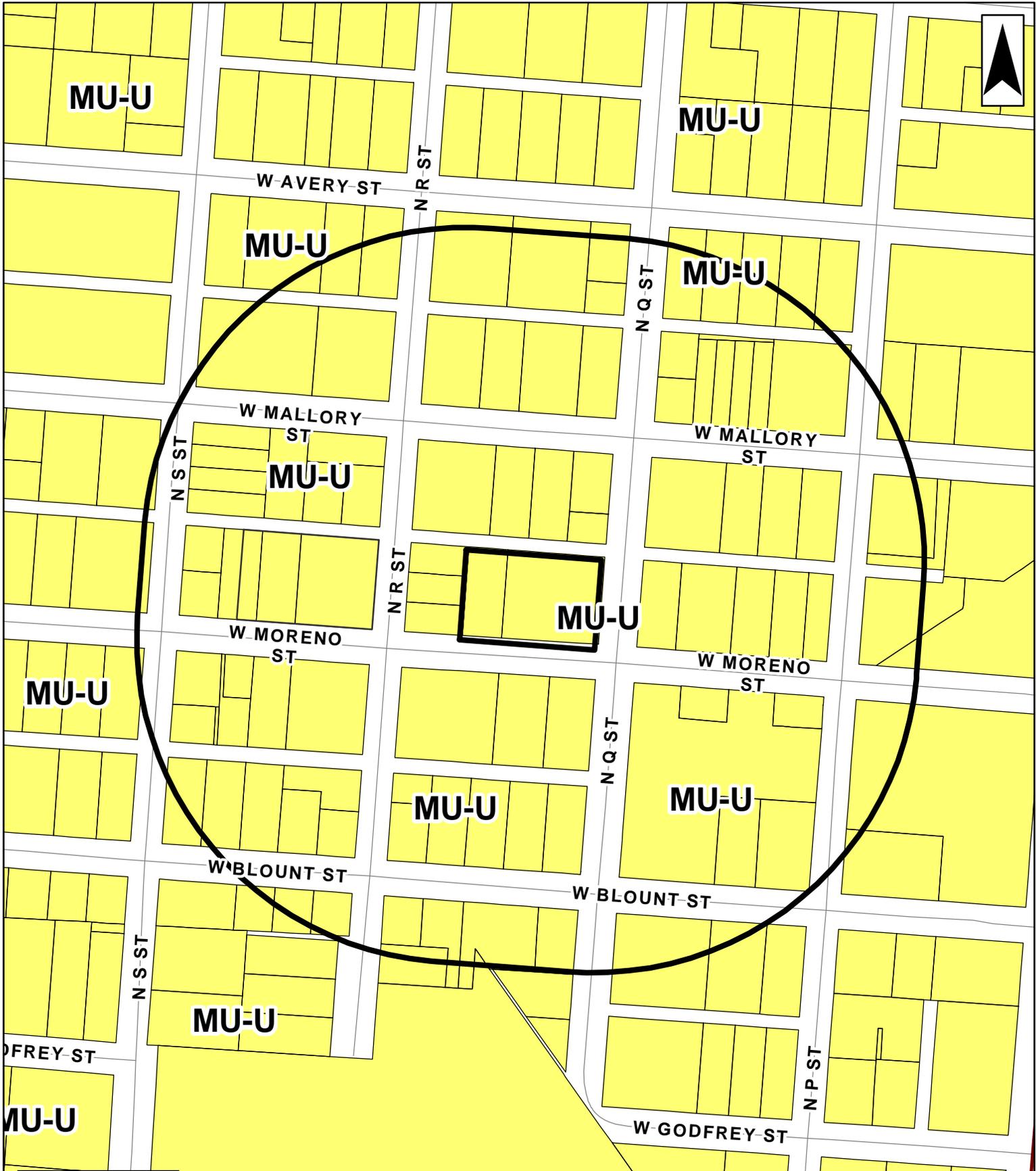


  
 This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.  
 Andrew Holmer  
 Planning and Zoning Dept.

**Z-2017-06**  
**500' RADIUS ZONING**

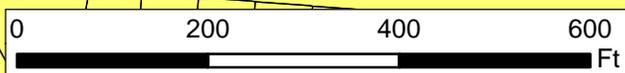


-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



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

**Z-2017-06**  
**FUTURE LAND USE**



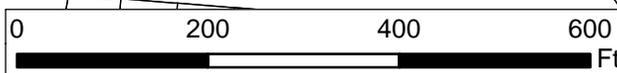
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



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

Andrew Holmer  
Planning and Zoning Dept.

# Z-2017-06 EXISTING LAND USE



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

W BLOUNT ST

W MALLORY ST



N R ST

N Q ST

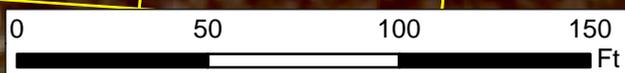
W MORENO ST



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-2017-06 AERIAL MAP



-  Export\_Output\_18
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



**ENGLEWOOD**

W AVERY ST

N R ST

**BROWNSVILLE**

N Q ST

W MALLORY ST

W MALLORY ST

N S ST

N R ST

W MORENO ST

W MORENO ST

**BROWNSVILLE**

N Q ST

W BLOUNT ST

W BLOUNT ST

N S ST

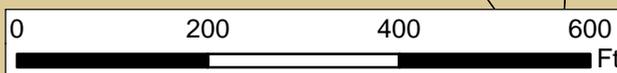
KEY ST

P ST

**BROWNSVILLE**

**Z-2017-06  
CRA MAP**

-  parcel\_cama\_Buffer1
-  Export\_Output\_19
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD




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

Andrew Holmer  
Planning and Zoning Dept.



**NOTICE OF  
PUBLIC HEARING  
REZONING**

**CASE NO.:** Z-2017-06  
**CURRENT ZONING:** MDR **PROPOSED ZONING:** HDR

**PLANNING BOARD**

**DATE:** 08/01/17 **TIME:** 8:30 AM

**LOCATION OF HEARING**

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE  
BOARD MEETING ROOM

**BOARD OF COUNTY COMMISSIONERS**

**DATE:** 09/07/17 **TIME:** 5:45 PM

**LOCATION OF HEARING**

ESCAMBIA COUNTY GOVERNMENT CENTER  
221 PALAFOX PLACE  
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION ABOUT THIS CASE PLEASE CALL  
DEVELOPMENT SERVICES AT 595-3475 OR VISIT  
[WWW.MYESCAMBIA.COM](http://WWW.MYESCAMBIA.COM)

Public notice sign

VE THIS SIGN  
BIA COUNTY



Subject parcel



Subject Property



Looking north from subject property



Looking east from subject property



Looking south from subject property

 NOTICE OF  
PUBLIC HEARING  
REZONING



Looking at the church from the subject property  
at the intersection of Q St and Moreno



Looking west from subject property



Looking east from corner of Q St and Moreno, toward Pace Blvd



### Escambia County Planning and Zoning

Development Services Department

3363 West Park Place

Pensacola, FL 32505

Phone: (850) 595-3475 • Fax: (850) 595-3481

<http://myescambia.com/business/ds>

#### Rezoning Application

FOR OFFICE USE ONLY - Case Number: Z2017-06 Accepted by: AC PB Meeting: 8/1/17

**1. Contact Information:**

A. Property Owner/Applicant: New Birth Baptist Church of Pensacola Incorporated  
 Mailing Address: 1610 N. Q Street Pensacola, FL 32505  
 Business Phone: 850-432-9935 Cell: 850-501-3373  
 Email: peacockfloyd@yahoo.com

B. Authorized Agent (if applicable): Floyd Peacock  
 Mailing Address: 1610 North "Q" Street  
 Business Phone: 850-432-9935 Cell: 850-501-3373  
 Email: peacockfloyd@yahoo.com

*Note: Owner must complete the attached Agent Affidavit. If there is more than one owner, each owner must complete an Agent Affidavit. Application will be voided if changes to this application are found.*

**2. Property Information:**

A. Existing Street Address: 1703 North "Q" Street  
 Parcel ID (s): 172S301300110019

B. Total acreage of the subject property: 0.6621

C. Existing Zoning: MDR

Proposed Zoning: HDR

FLU Category: MU-U

D. Is the subject property developed (if yes, explain): No

E. Sanitary Sewer:  Septic:

**3. Amendment Request**

- A. Please provide a general description of the proposed zoning request, explaining why it is necessary and/or appropriate.

Property owner requests the rezoning of the identified parcel from MDR to HDR for the development of senior citizen affordable housing (apartments). The proposed zoning is in agreement with property owned by the property owner, which is located in close proximity to the parcel proposed to be rezoned.

- B. **Rezoning Approval Conditions – Please address ALL the following approval conditions for your rezoning request. (use supplement sheets as needed)**

1. **Consistent with Comprehensive Plan.** The proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of its provisions.

The proposed rezoning is consistent with the comprehensive plan, and does not conflict with any of its provisions. Rezoning will allow for the development of affordable housing units for low-income senior citizens. The Escambia County Comprehensive plan allows for the location of affordable housing in any residential Future Land Use Map category, provided that the housing is compatible with all applicable rules and regulations of the land development code.

2. **Consistent with LDC.** The proposed rezoning is consistent with the stated purposes and intent of the LDC and not in conflict with any of its provisions.

The proposed rezoning is consistent with the stated purpose and intent of the LDC, and is not in conflict with any of its provisions. Section 3-2.9 (f) of the LDC, indicates that HDR zoning may be established within Mixed-Use Suburban (MJ-S), or Commercial (C) future land use categories. Future land use for the parcel in question is MU\_U, which support the rezoning from MDR to HDR. The proposed development planned for the property will not conflict with the LDC.

- 3. Compatibility.** All land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning. This condition shall not apply to any conditional uses of the proposed district or compatibility with nonconforming or unapproved uses, activities, or conditions.

---

The proposed rezoning is compatible with the surrounding uses, activities, and conditions.

---

Rezoning will not conflict with conforming usage, nor impact them in a negative fashion.

---

Existing property already zoned HDMU exist only 65 feet from the site of the parcel proposed for rezoning.

---

- 4. Changed conditions.** The area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

---

For several years the area of the proposed rezoning has experienced an increase in deterioration and blight among many of the properties within the area. It is in the best interest of the public to encourage new uses, and increase density through rezoning, especially for senior residences due to the close proximity of the area to commercial outlets and health facilities.

---

- 5. Development patterns.** The proposed rezoning would contribute to or result in a logical and orderly development pattern.

---

The proposed rezoning contributes to the existing development patter that allows for a mix of residential and commercial uses. The proposed area if rezoning is within 700 feet of an existing commercial corridor and within less than 1200 feet of several multi-residential units for senior citizens. Proposed rezoning would serve to within the existing development pattern.

---

- 6. Effect on natural environment.** The proposed rezoning would not increase the probability of any significant adverse impacts on the natural environment.

---

The proposed rezoning will not increase nor have any adverse impact upon the natural environment.

---

The current rezoning allows for currently non-residential uses that are compatible with suburban and urban residential neighborhoods.

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**4. Please complete the following Forms: Concurrency Determination Acknowledgement and Affidavit of Owner/Limited Power of Attorney (if applicable).**

**CONCURRENCY DETERMINATION ACKNOWLEDGMENT**

Property Reference Number(s): 172S301300110019

Property Address: 1703 N '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 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 30th DAY OF April, YEAR OF 17

Jimmie L. Black Jr  
Signature of Property Owner

Jimmie L. Black, Jr.  
Printed Name of Property Owner

4-30-17  
Date

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Printed Name of Property Owner

\_\_\_\_\_  
Date

**AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY**  
(if applicable)

As owner of the property located at 1710 N. 'Q' Street  
Pensacola, Florida, property reference number(s) 172S301300110019

I hereby designate Floyd Peacock  
Agent \_\_\_\_\_ 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. This Limited Power of Attorney is granted on this 30th day of April the year of, 17, 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: Floyd Peacock Email: 850-501-3373  
Address: 1610 N. 'Q' Street Phone: 850-501-3373

<u><i>Jimmie L. Black Jr</i></u>	<u>Jimmie L. Black, Jr.</u>	<u>4-30-17</u>
Signature of Property Owner	Printed Name of Property Owner	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 30th day of April 20 17,  
by Jimmie L. Black Jr

Personally Known  OR Produced Identification . Type of Identification Produced: \_\_\_\_\_

<u><i>Minnie I. Kidd</i></u>	<u>Minnie I. Kidd</u>
Signature of Notary	Printed Name of Notary



**MINNIE I. KIDD**  
Notary Public, State of Florida  
My Comm. Expires Aug. 9, 2019  
Commission No. FF 237227

(Notary Seal)

5. Submittal Requirements

A.  Completed application: All applicable areas of the application shall be filled in and submitted to the Planning and Zoning Department, 3363 West Park Place, Pensacola, FL 32505.

B.  Application Fees: To view fees visit the website: <http://myescambia.com/business/ds/planning-board> or contact us at 595-3547

Note: Application fees include a \$5 technical fee. Cost of the public notice mailing is to be borne by the applicant. Payments must be submitted prior to 3 pm of the closing date of acceptance of application. Please make checks payable to Escambia County. MasterCard and Visa are also accepted (a 3% fee will be added for credit card payments).

C.  Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) **AND** a Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)

D.  Compatibility Analysis (if applicable): If the subject property does not meet the roadway requirements of Locational Criteria, a compatibility analysis prepared by the applicant is required to provide substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria. (See "Documented Compatibility" within the request zoning district of the LDC.)

E.  Signed and Notarized Affidavit of Owner/Limited Power of Attorney AND Concurrency Determination Acknowledgement (pages 4 and 5).

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

4-30-17  
Date

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Printed Name of Owner

\_\_\_\_\_  
Date

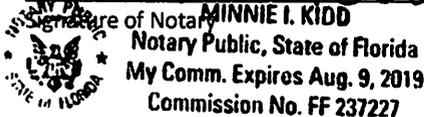
STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 30th day of April 20 17, by Jimmie L. Black Jr

Personally Known  OR Produced Identification . Type of Identification Produced: \_\_\_\_\_

Minnie I. Kidd  
Signature of Notary

Minnie I. Kidd  
Printed Name of Notary

(notary seal)



Recorded in Public Records 1/27/2017 11:11 AM OR Book 7658 Page 1091,  
Instrument #2017006338, Pam Childers Clerk of the Circuit Court Escambia  
County, FL Recording \$18.50 Deed Stamps \$0.70

This instrument was prepared by  
Grover C. Brown,  
302 North Barcelona Street  
Pensacola, Florida 32502

**QUIT CLAIM DEED**

**STATE OF FLORIDA  
COUNTY OF ESCAMBIA**

KNOW ALL MEN BY THESE PRESENTS,

That, **New Birth Baptist Church, Board of Trustees,,** for and in consideration of Then (\$10) Dollars, the receipt whereof is hereby acknowledged, does remise, release, and quit claim unto , **New Birth Baptist Church of Pensacola, Inc.,** a Florida Corporation, administrators and assigns, forever, the following described property, situated in the County of Escambia, State of Florida, to-wit:

LTS 11 TO 15 BLK 19 HAZELHURST PLAT DB 55 P 262 SEC 17/31 T 2S R 30 OR 3192 P 642 CA 129

SUBJECT TO EASEMENTS, RESTRICTIONS, AND RESERVATIONS OF RECORD, IF ANY.

Together with all singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, free from all exemptions and right of homestead.

This instrument prepared without Title Search or Title Insurance at the request of the grantor and grantee.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 26 day of

January, 2017.

*Simmie L Black Jr*  
Chairman, Board of Trustees  
New Birth Baptist Church

*Simmie L Black Jr*  
Printed Name

In the presence of:

*Adriane Logan*  
Adriane Logan  
Printed name of witness

*Iris Stallworth*  
*Iris Stallworth*  
Printed name of witness

PAGE 2 OF 2

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

• This day, before the undersigned Notary Public, personally appeared Jimmie L. Black JR, who is personally known by me or \_\_\_\_\_ who has produced \_\_\_\_\_ as identification and who executed the foregoing Quit Claim Deed, and acknowledged that he executed the same for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, this 26th day of January, 2017.



MINNIE I. KIDD  
Notary Public, State of Florida  
My Comm. Expires Aug. 9, 2019  
Commission No. FF 237227

Minnie I. Kidd  
NOTARY PUBLIC

Source: Escambia County Property Appraiser

◀ Navigate Mode Account Reference ▶

[Restore Full Page Version](#)

<p><b>General Information</b></p> <p><b>Reference:</b> 172S301300110019</p> <p><b>Account:</b> 061261000</p> <p><b>Owners:</b> NEW BIRTH BAPTIST CHURCH OF PENSACOLA INC</p> <p><b>Mail:</b> 1610 N Q ST PENSACOLA, FL 32505</p> <p><b>Situs:</b> 1703 N Q ST 32505</p> <p><b>Use Code:</b> VACANT RESIDENTIAL</p> <p><b>Taxing Authority:</b> COUNTY MSTU</p> <p><b>Tax Inquiry:</b> <a href="#">Open Tax Inquiry Window</a></p> <p>Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector</p>	<p><b>Assessments</b></p> <table border="1"> <thead> <tr> <th>Year</th> <th>Land</th> <th>Imprv</th> <th>Total</th> <th>Cap Val</th> </tr> </thead> <tbody> <tr> <td>2016</td> <td>\$16,520</td> <td>\$0</td> <td>\$16,520</td> <td>\$16,520</td> </tr> <tr> <td>2015</td> <td>\$16,520</td> <td>\$0</td> <td>\$16,520</td> <td>\$16,520</td> </tr> <tr> <td>2014</td> <td>\$16,520</td> <td>\$0</td> <td>\$16,520</td> <td>\$16,520</td> </tr> </tbody> </table> <p style="text-align: center;"><a href="#">Disclaimer</a></p> <hr/> <p style="text-align: center;"><a href="#">Amendment 1/Portability Calculations</a></p> <p style="text-align: center;">★ <a href="#">File for New Homestead Exemption Online</a></p>	Year	Land	Imprv	Total	Cap Val	2016	\$16,520	\$0	\$16,520	\$16,520	2015	\$16,520	\$0	\$16,520	\$16,520	2014	\$16,520	\$0	\$16,520	\$16,520
Year	Land	Imprv	Total	Cap Val																	
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<p><b>Sales Data</b></p> <table border="1"> <thead> <tr> <th>Sale Date</th> <th>Book</th> <th>Page</th> <th>Value</th> <th>Type</th> <th>Official Records (New Window)</th> </tr> </thead> <tbody> <tr> <td>01/26/2017</td> <td>7658</td> <td>1091</td> <td>\$100</td> <td>QC</td> <td><a href="#">View Instr</a></td> </tr> <tr> <td>06/1992</td> <td>3192</td> <td>642</td> <td>\$9,000</td> <td>WD</td> <td><a href="#">View Instr</a></td> </tr> <tr> <td>08/1989</td> <td>2748</td> <td>2</td> <td>\$100</td> <td>WD</td> <td><a href="#">View Instr</a></td> </tr> <tr> <td>04/1987</td> <td>2397</td> <td>680</td> <td>\$100</td> <td>CJ</td> <td><a href="#">View Instr</a></td> </tr> </tbody> </table> <p>Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller</p>	Sale Date	Book	Page	Value	Type	Official Records (New Window)	01/26/2017	7658	1091	\$100	QC	<a href="#">View Instr</a>	06/1992	3192	642	\$9,000	WD	<a href="#">View Instr</a>	08/1989	2748	2	\$100	WD	<a href="#">View Instr</a>	04/1987	2397	680	\$100	CJ	<a href="#">View Instr</a>	<p><b>2016 Certified Roll Exemptions</b></p> <p>RELIGIOUS</p> <hr/> <p><b>Legal Description</b></p> <p>LTS 11 TO 15 BLK 19 HAZELHURST PLAT DB 55 P 262 OR 7658 P 1091 SEC 17/31 T 2S R 30 CA 129</p> <hr/> <p><b>Extra Features</b></p> <p>None</p>
Sale Date	Book	Page	Value	Type	Official Records (New Window)																										
01/26/2017	7658	1091	\$100	QC	<a href="#">View Instr</a>																										
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04/1987	2397	680	\$100	CJ	<a href="#">View Instr</a>																										

**Parcel Information** [Launch Interactive Map](#)

**Section Map Id:**  
CA129

**Approx. Acreage:**  
0.4695

**Zoned:**  
MDR

**Evacuation & Flood Information**  
[Open Report](#)

View Florida Department of Environmental Protection (DEP) Data

Recorded in Public Records 04/21/2008 at 02:02 PM OR Book 6316 Page 1585,  
Instrument #2008030222, Ernie Lee Magaha Clerk of the Circuit Court Escambia  
County, FL Recording \$27.00 Deed Stamps \$84.00

Prepared by and return to:  
Fletcher Fleming  
Attorney at Law  
Shell, Fleming, Davis & Menge, P.A.  
P.O. Box 1831 226 Palafox Place, 9th Floor  
Pensacola, FL 32591-1831  
850-434-2411  
File Number: F1918-00002

[Space Above This Line For Recording Data]

### Warranty Deed

This Warranty Deed made this 18th day of April, 2008 between Mary E. Gagliardi whose post office address is 1562 Avalon Boulevard, Milton, FL 32583, grantor, and New Birth Baptist Church of Pensacola, Inc., a Florida non profit corporation whose post office address is 1610 North Q Street, Pensacola, FL 32505, grantee:

(Whenever used herein the terms "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, trusts and trustees)

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

Lots sixteen (16) and seventeen (17) in Block nineteen (19), Hazelhurst, the Albert Hazel Land Company's Subdivision of Lot three (3) and five (5) of Section seventeen (17) and lots three (3) and four (4) of Section Thirty One (31), Township Two (2) South, Range Thirty (30) West as per map recorded in Deed Book 55, at Page 262 of the Public Records of Escambia County, Florida.

Parcel Identification Number: 172S30-1300-160-019

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

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.

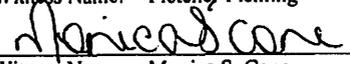
And subject to taxes for the current year and later years and all valid easements and restrictions of record, if any, which are not hereby reimposed; and also subject to any claim, right, title or interest arising from any recorded instrument reserving, conveying, leasing, or otherwise alienating any interest in the oil, gas and other minerals. And grantor does warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever, subject only to the exceptions set forth herein.

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

Signed, sealed and delivered in our presence:

  
Witness Name: Fletcher Fleming

  
Mary E. Gagliardi (Seal)

  
Witness Name: Monica S. Cone

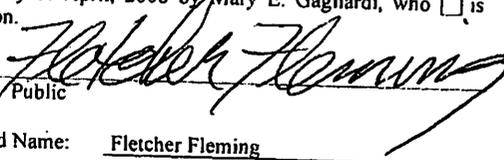
DoubleTimes

BK: 6316 PG: 1586

State of Florida  
County of Escambia

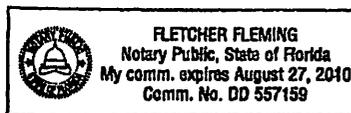
The foregoing instrument was acknowledged before me this 18th day of April, 2008 by Mary E. Gagliardi, who  is personally known or  has produced a driver's license as identification.

[Notary Seal]

  
Notary Public

Printed Name: Fletcher Fleming

My Commission Expires: \_\_\_\_\_



BK: 6316 PG: 1587 Last Page

**RESIDENTIAL SALES  
ABUTTING ROADWAY  
MAINTENANCE DISCLOSURE**

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

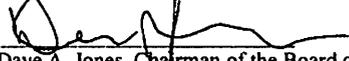
Name of Roadway: West Moreno Street  
Legal Address of Property: 2308 West Moreno Street

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

This form completed by: Fletcher Fleming  
Shell, Fleming, Davis & Menge  
Post Office Box 1831  
Pensacola, FL 32598-1831

 (Seal)  
Mary E. Cagliardi

New Birth Baptist Church of Pensacola, Inc.

By:   
Dave A. Jones, Chairman of the Board of Trustees

(Corporate Seal)

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

Source: Escambia County Property Appraiser

◀ Navigate Mode  Account  Reference ▶

[Restore Full Page Version](#)

<p><b>General Information</b></p> <p><b>Reference:</b> 172S301300160019</p> <p><b>Account:</b> 061262000</p> <p><b>Owners:</b> NEW BIRTH BAPTIST CHURCH OF PENSACOLA INC</p> <p><b>Mail:</b> 1610 NORTH Q ST PENSACOLA, FL 32505</p> <p><b>Situs:</b> 2308 W MORENO ST 32505</p> <p><b>Use Code:</b> VACANT RESIDENTIAL</p> <p><b>Taxing Authority:</b> COUNTY MSTU</p> <p><b>Tax Inquiry:</b> <a href="#">Open Tax Inquiry Window</a></p> <p>Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector</p>	<p><b>Assessments</b></p> <table border="1"> <thead> <tr> <th>Year</th> <th>Land</th> <th>Imprv</th> <th>Total</th> <th>Cap_Val</th> </tr> </thead> <tbody> <tr> <td>2016</td> <td>\$7,009</td> <td>\$0</td> <td>\$7,009</td> <td>\$7,009</td> </tr> <tr> <td>2015</td> <td>\$7,009</td> <td>\$0</td> <td>\$7,009</td> <td>\$7,009</td> </tr> <tr> <td>2014</td> <td>\$7,009</td> <td>\$0</td> <td>\$7,009</td> <td>\$7,009</td> </tr> </tbody> </table> <p style="text-align: center;"><a href="#">Disclaimer</a></p> <hr/> <p style="text-align: center;"><a href="#">Amendment 1/Portability Calculations</a></p> <p style="text-align: center;">★ <a href="#">File for New Homestead Exemption Online</a></p>	Year	Land	Imprv	Total	Cap_Val	2016	\$7,009	\$0	\$7,009	\$7,009	2015	\$7,009	\$0	\$7,009	\$7,009	2014	\$7,009	\$0	\$7,009	\$7,009
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<p><b>Sales Data</b></p> <table border="1"> <thead> <tr> <th>Sale Date</th> <th>Book</th> <th>Page</th> <th>Value</th> <th>Type</th> <th>Official Records (New Window)</th> </tr> </thead> <tbody> <tr> <td>04/18/2008</td> <td>6316</td> <td>1585</td> <td>\$12,000</td> <td>WD</td> <td><a href="#">View Instr</a></td> </tr> <tr> <td>12/1999</td> <td>4515</td> <td>272</td> <td>\$100</td> <td>QC</td> <td><a href="#">View Instr</a></td> </tr> </tbody> </table> <p>Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller</p>	Sale Date	Book	Page	Value	Type	Official Records (New Window)	04/18/2008	6316	1585	\$12,000	WD	<a href="#">View Instr</a>	12/1999	4515	272	\$100	QC	<a href="#">View Instr</a>	<p><b>2016 Certified Roll Exemptions</b></p> <p>RELIGIOUS</p> <hr/> <p><b>Legal Description</b></p> <p>LTS 16 17 BLK 19 HAZLEHURST PLAT DB 55 P 262 OR 6316 P 1585 SEC 17/31 T 2S R 30 CA 129</p> <hr/> <p><b>Extra Features</b></p> <p>None</p>
Sale Date	Book	Page	Value	Type	Official Records (New Window)														
04/18/2008	6316	1585	\$12,000	WD	<a href="#">View Instr</a>														
12/1999	4515	272	\$100	QC	<a href="#">View Instr</a>														

**Parcel Information** [Launch Interactive Map](#)

**Section Map Id:**  
CA129

**Approx. Acreage:**  
0.1926

**Zoned:**  
MDR

**Evacuation & Flood Information**  
[Open Report](#)

[View Florida Department of Environmental Protection \(DEP\) Data](#)



# Chris Jones, CFA

Escambia County Property Appraiser

Office Phone: (850) 434-2735

Website: [escpa.org](http://escpa.org)

ECPA: Revised 11/2016

Effective for Tax Year  
**2018**

Received by:

*[Signature]* - OK

Date: 2/21/17

## Downtown Office

221 Palafox Place, Suite 300

Pensacola, FL 32502

Deeds Fax: (850) 434-2162

## Molino Office

6440 Hwy 95-A, Suite B

Molino, FL 32577

Fax: (850) 587-3290

## General Instructions for Combination and Split Requests

Prior legal approval from the appropriate zoning/planning/community development agency in your jurisdiction is required. Your Escambia County Property Appraiser's Office does not issue determinations regarding the legality of split requests and will not advise owners on such matters

The Property Appraiser's Office strives to maintain excellence in customer service satisfaction and strives to prevent adverse affects that can occur once a Combination or Split Request is processed. All applicants should review the requirements prior to submitting such a request.

- Only **one request per year** is permitted for any property included in a Combination or Split Request.
- The **deadline to submit a Combination or Split Request is June 1<sup>st</sup> of the current year.**
- List **all** current parcel number(s) under the column titled **Parcel Number.**
- **Split Requests** require you to submit a survey with a legal description which clearly defines the new property boundaries at the time of the request. This office will not create or draft property descriptions.
- **Combination Requests** do not require a survey, sketch or legal description. However, such documents are always beneficial and appreciated. Combination Requests are **required** to meet the following criteria:
  - All parcels **must** be titled in the same name(s) as of January 1<sup>st</sup> of the requesting year.
  - All parcels **must** lie in the same jurisdictional boundary, *i.e.*, city or county limits.
  - All parcels **must** be contiguous.
  - This office may request a **Homestead Affidavit** be filed if the parcel(s) has two or more dwellings/living units. Our Office reserves the right to inspect and investigate the premises to confirm its status.
  - If **one parcel is currently receiving the benefit of a homestead or institutional exemption**, the property owner(s) **must file a new exemption application** to add new lands to the original parcel.
  - The first year in which the legal descriptions are "combined" shall constitute the base year for the new lands and **any cap protection from prior years will reset at full market value.**
- Forms **must** be signed by the current owner(s). Forms signed by "prospective buyers" **will not** be processed.
- You may mail or personally deliver the completed form and its attachments to the Downtown or Molino Office. You may schedule an appointment with a Mapping Department staff member by calling the office.

Requests will be processed from April 1<sup>st</sup> through June 1<sup>st</sup> of the effective year. The processing time should not hinder the sale of a parcel. You may use the fully executed form to provide information for permitting, closings, etc. This office will review and pre-issue a new parcel number(s) as quickly as possible. Questions regarding applications submitted to the Downtown Office should be directed to Debby Cooper, ext. 123. Questions regarding applications submitted to the Molino Office should be directed to Lisa Arredondo, ext. 203.

The Property Appraiser's Office makes neither representations nor guarantees of the usability of a parcel once a Combination or Split request is complete. Property owner(s) should contact any lenders or mortgagors to verify the request is permitted by the lien holder.

Should you have any **questions** or concerns, please contact our Office at (850) 434-2735.

*"Our mission is to place the public first while providing prompt, efficient service in a friendly, professional manner."*



# Chris Jones, CFA

Escambia County Property Appraiser  
221 Palafox Place, Suite 300 • Pensacola, FL 32502  
Phone (850) 434-2735  
Website: [escpa.org](http://escpa.org)

2018  
Page 1 of 4

Date Received \_\_\_/\_\_\_/\_\_\_

Received by: \_\_\_\_\_

Total Number of Pages: \_\_\_\_\_  
(including required attachments)

## IMPORTANT NOTICE

Pursuant to Florida Statute 197.192, the Property Appraiser's Office will not split or combine parcels until all taxes due have been paid to the Tax Collector's Office.

It should be noted that a Combination or Split request processed by the Property Appraiser's Office is for taxing purposes only and does not imply legality of the land division being requested, nor the legality for such parcel(s) to be conveyed via land title, nor the suitability for such parcel(s) to be developed. Applicants should contact the appropriate land development, zoning and planning agency within your jurisdiction for questions concerning current and future property development regulations.

## EXEMPT and NON-EXEMPT PROPERTIES AFFECTED BY ASSESSMENT LIMITATION

*[Note: If this section is not completed, the request will not be processed.]*

I or We, understand that combining or splitting property may affect the property's capped value resulting in an increase in my/our property taxes.

If I or We desire to reverse the process in the future, the "cap value" will not be restored to its former value.

I or We, understand that combining additional lands to a parcel that is currently benefiting from a homestead or an institutional exemption will not decrease parcel value. The existing "cap" will remain on the parcel with the original exemption. According to Florida Statutes, the newly added parcel's cap will reset at full market value. This will result in taxes based on full market value.

I or We acknowledge that I/we have read the foregoing cautionary message and do hereby acknowledge I/we understand the requirements and consequences of this request by initialing and printing my/our names as designated below:

<u>H.T.</u>	<u>Hercules Thomas</u>	_____	_____
Initials	Printed Name of Owner	Initials	Printed Name of Owner
<u>SLB</u>	<u>Simmie L. Black Jr</u>	_____	_____
Initials	Printed Name of Owner	Initials	Printed Name of Owner



# Chris Jones, CFA

Escambia County Property Appraiser  
221 Palafox Place, Suite 300 • Pensacola, FL 32502  
Phone: (850) 434-2735  
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Year: 2018

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## PROPERTY APPRAISER TO BE HELD HARMLESS

[Note: If this section is not completed by all owners, the request will not be processed.]

It is the responsibility of the owner(s) to ensure that any and all tax amounts, prior and current, on any parcels involved in a combination or split request are paid in full to the Tax Collector. This agency is not responsible for any delinquent taxes, penalties, interest or fees which can occur and accrue due to negligence on the part of the property owner(s) or other interested parties involved with the said request.

Furthermore, if the property is encumbered by a mortgage or lien, it is the owner's responsibility to seek approval from the mortgagor or lien holder prior to submitting any changes to the property involving a split or combination request.

By all owner(s) signing below, I/we acknowledge I/we have read and understand all the aforementioned guidelines, potential consequences and requirements and have availed ourselves of the opportunity to seek clarification and obtain additional information or counsel prior to this action being taken.

Owner: Hercules Thomas  
Signature  
Hercules Thomas  
Print Name  
850-255-1437      2-19-17  
Daytime Phone      Date

Owner: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Print Name  
\_\_\_\_\_  
Daytime Phone      Date

Owner: Jimmie L Black Sr.  
Signature  
Jimmie L Black Sr  
Print Name  
350-437-0257      2-19-17  
Daytime Phone      Date

Owner: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Print Name  
\_\_\_\_\_  
Daytime Phone      Date



# Chris Jones, CFA

Escambia County Property Appraiser  
221 Palafox Place, Suite 300 • Pensacola, FL 32502  
Phone: (850) 434-2735  
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Year: 2018

Page 2 of 4

## Parcel Split-Out and Combination Request

Owner Name(s): NEW BIRTH BAPTIST CHURCH OF PENSACOLA, INC

### Combination Request

Parcel Status	Exempt	Code	Parcel Number	Folio Number
<input checked="" type="checkbox"/> Vac <input type="checkbox"/> Imp	<input checked="" type="radio"/> Yes / <input type="radio"/> No	<u>8</u>	<u>17-25-30-1300-160-019</u>	<u>06-1262-000</u>
<input checked="" type="checkbox"/> Vac <input type="checkbox"/> Imp	<input checked="" type="radio"/> Yes / <input type="radio"/> No	<u>8</u>	<u>17-25-30-1300-110-019</u>	<u>06-1261-000*</u>
<input type="checkbox"/> Vac <input type="checkbox"/> Imp	Yes / No	_____	_____	_____

\* NAME UPDATED BY OR 7658 PG 1091 REC'D ON 1/27/2017

### Split-Out Request

Parcel Status	Survey/Legal Included	Parent Parcel Number	Folio Number
<input type="checkbox"/> Vac <input type="checkbox"/> Imp	Yes / No	_____	_____

New Parcel Identification Number (issued by the Mapping Department): \_\_\_\_\_

Parcel Status	Survey/Legal Included	Parent Parcel Number	Folio Number
<input type="checkbox"/> Vac <input type="checkbox"/> Imp	Yes / No	_____	_____

New Parcel Identification Number (issued by the Mapping Department): \_\_\_\_\_

Notes:

\_\_\_\_\_  
\_\_\_\_\_



# Chris Jones, CFA

ECPA: Revised 11/2016

Escambia County Property Appraiser  
221 Palafox Place, Suite 300 • Pensacola, FL 32502  
Phone: (850) 434-2735  
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Year: 2018

Page 4 of 4

## Zoning Review

[Note: If this section is not completed by the appropriate agency, the request will not be processed.]

As an agent of the appropriate jurisdictional agency where the parcel(s) exist in Escambia County Florida, I have reviewed this request from the parcel owner(s) and made the following determination:

- The Split Request is consistent with current zoning for the affected parcel(s).
- The Split Request is not consistent with current zoning for affected parcels for the following reason(s):

- The Combination Request is consistent with current zoning for the affected parcel(s).
- The Combination Request is not consistent with current zoning for the affected parcels for the following reason(s):

The information provided in this section does not constitute review or approval of any development or the confirmation of any development or land use rights for the affected parcels. Additional information on these issues may be obtained by contacting the County or City planning agencies at the addresses and telephone numbers below.

Escambia County Planning and Zoning  
3363 West Park Place  
(850) 595-3475

City of Pensacola Planning Division  
222 West Main Street, 5th Floor, City Hall  
(850) 435-1670

Agent: Brenda J. Wilson  
Signature

Title: Planner

Brenda Wilson  
Print Name

Date: 1-27-2017

BJWilson@MyEscambia.com  
Email Address

Phone: (850) 595 3635

"Our mission is to place the public first while providing prompt, efficient service in a friendly, professional manner."





**BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA**

**INTEROFFICE MEMORANDUM**

**TO: Andrew Holmer, Development Services Manager  
Development Services Department**

**FROM: David Forte, Division Manager  
Transportation & Traffic Operations Division**

**DATE: June 21, 2017**

**RE: Transportation & Traffic Operations (TTO) Comments – Z-2017-06**

TTO Staff has reviewed the Rezoning Case (Z)-2017-06, 1610 N 'Q' Street, agenda item for the upcoming Planning Board meeting scheduled for July 11, 2017. Please see the below comments.

Currently, there are no Roadway Improvement Projects programmed in the County's Capital Improvement Program within the vicinity of the subject parcel. At this time, TTO has no immediate comments for the proposed rezoning request.

Note: TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on future TTO comments during the Development Review process.

cc: Horace Jones, Development Services Department Director  
Joy Blackmon, P.E., Public Works Department Director  
Colby Brown, P.E., Public Works Department Deputy Director



Tonya Gant, Director  
Neighborhood & Human Services Department

Clara Long, Division Manager  
Community Redevelopment Agency

July 17, 2017

Horace Jones, Director  
Escambia County Planning & Zoning Division  
3363 West Park Place  
Pensacola, FL 32505

**SUBJECT: REZONING REQUEST FOR THE FOLLOWING:  
PARCEL# 17-2S-30-1300-110-019 FROM MDR TO HDR  
ADDRESS: 1703 NORTH Q STREET**

Horace,

I have reviewed the Rezoning Request package for the abovementioned location and my comments are below:

**Sec. 3-3.4 (Brownsville Overlay)**

**(e) Site and building requirements.**

The following site and building requirements apply only to non-residential uses within the Brn-OL district:

**(1) Structure height.** No structure height shall exceed 45 feet above highest adjacent grade. Any lower height required by use or underlying zoning district shall govern.

**(2) Materials and detailing.** New structures, additions, and renovations shall use materials and detailing that maintain the distinct character and harmony of the redevelopment district. Vinyl or metal siding is prohibited on the primary facades of buildings adjacent to public rights-of-way. Accessory structures shall use the same or similar materials, color, and style of the primary structure's façade if visible from a public way.

**(3) Setbacks.** New construction along Mobile Highway or Cervantes Street shall be set back a distance similar to that of adjacent buildings unless customer parking is provided adjacent to the street in support of CPTED principles. Exceptions may be granted if the setback is pedestrian oriented and contributes to the quality and character of the streetscape.

**(4) Facades.** a. Front facades. Front building facades more than 80 feet in width shall be divided into increments by changes in materials, bay windows, wall offsets, or similar methods. b. Rear façade. A minimum of 15 feet of a building's rear façade facing a public right of way, parking area, or open space shall consist of transparent materials, not including reflective glass.

**(5) Natural features.** Natural features shall be protected and integrated into site design and development where possible.

**(6) Signs.** Site signage is limited to one freestanding monument sign per development parcel, scaled primarily for pedestrians, and not to exceed 100 square feet in area and 12 feet in height, except for multi-tenant development where the sign may be up to 300 square feet. Sign colors, materials, and lighting shall avoid adverse visual impacts on surrounding properties. Wall signs shall not obstruct design details, windows, or cornices of the buildings to which they are attached. For individual tenants in a multi-tenant development, wall signs shall not exceed 20 square feet per sign.

**(7) Lighting.** Lighting should serve to illuminate facades, entrances, and signage to provide an adequate level of personal safety while enhancing the aesthetic Supp 1 LDC 3:71 appeal of the buildings. Building and signage lighting must be indirect, with the light source hidden from direct pedestrian and motorist view.

**(8) Parking.** Off-street parking shall be located in the rear. If the lot orientation cannot accommodate adequate rear parking, parking may be located on the side.

The purpose of the Brownsville Overlay district establishes supplemental land use regulations to support the objectives of the adopted Brownsville area community redevelopment plan. The intent of the additional land use controls is to enhance the character of an area undergoing revitalization and support a mix of commercial, industrial, and residential uses within the Brownsville area.

Both the Brownsville Overlay and the Brownsville Area Community Redevelopment Plan does not address rezoning, however the property located at 1903 North Q Street would be compatible with the surrounding similar uses.

If you have any questions or comments, please contact me at 850-595-3596.

Sincerely,

Clara Long, CRA Division Manager

**Planning Board-Rezoning**

**7. B.**

**Meeting Date:** 08/01/2017  
**CASE :** Z-2017-11  
**APPLICANT:** Tom Hammond, Agent for William R. Smith, Owner  
**ADDRESS:** 7237 Mobile Highway  
**PROPERTY REF. NO.:** 22-1S-31-2305-000-000  
**FUTURE LAND USE:** MU-S, Mixed-Use Suburban  
**DISTRICT:** 1  
**OVERLAY DISTRICT:** N/A  
**BCC MEETING DATE:** 09/07/2017

---

**SUBMISSION DATA:**

**REQUESTED REZONING:**

**FROM: LDR, Low Density Residential district (four du/acre)**

**TO: HDMU, High Density Mixed-use district (25 du/acre)**

**RELEVANT AUTHORITY:**

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

**APPROVAL CONDITIONS**

**Criterion a., LDC Sec. 2-7.2(b)(4)**

**Consistent with Comprehensive Plan**

Whether the proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of the plan provisions.

**Comprehensive Plan (CPP) FLU 1.3.1 Future Land Use Categories.**

Mixed-Use Suburban (MU-S) is intended for a mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses.

**CPP FLU 1.5.1 New Development and Redevelopment in Built Areas.**

To promote the efficient use of existing public roads, utilities, and service infrastructure,

the County will encourage the redevelopment in underutilized properties to maximize development densities and intensities located in the MU-S, MU-U, Commercial, and Industrial Future Land Use categories (with the exception of residential development).

## **FINDINGS**

The proposed amendment to HDMU is **consistent** with the intent and purpose of Future Land Use (FLU) category MU-S as stated in CPP FLU 1.3.1. The FLU allows for residential, retail sales & services, professional office, recreational facilities, public and civic, limited agriculture. As stated in CPP FLU 1.5.1, the property will utilize the existing roadway, utilities, and infrastructure, and encourages the existing development of the underutilized property to maximize development densities and intensities located in the MU-S FLU category.

### **Criterion b., LDC Sec. 2-7.2(b)(4)**

#### **Consistent with The Land Development Code**

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

### **LDC 3-1.6 Compatibility**

**(a) Generally.** Zoning districts provide the primary means to establish and maintain the necessary balance between the needs and interests of different land uses, allowing neighboring uses to coexist successfully in a stable fashion over time, protecting the investments in each. Although zoning separates generally incompatible development, inclusion as a permitted use within a district does not alone ensure compatibility with other district uses.

### **Sec. 3-2.5 Low Density Residential district (LDR).**

**(a) Purpose.** The Low Density Residential (LDR) district establishes appropriate areas and land use regulations for residential uses at low densities within suburban areas. The primary intent of the district is to provide for large-lot suburban type residential neighborhood development that blends aspects of rural openness with the benefits of urban street connectivity, and at greater density than the Rural Residential district. Residential uses within the LDR district are predominantly detached single-family dwellings. Clustering dwellings on smaller residential lots may occur where needed to protect prime farmland from non-agricultural use or to conserve and protect environmentally sensitive areas. The district allows non-residential uses that are compatible with suburban residential neighborhoods and the natural resources of the area.

### **Sec. 3-2.9 High Density Mixed-use district (HDMU).**

**(a) Purpose.** The High Density Mixed-use (HDMU) district establishes appropriate areas and land use regulations for a complimentary mix of high density residential uses and compatible non-residential uses within urban areas. The primary intent of the district is to provide for a mix of neighborhood retail sales, services and professional offices with greater dwelling unit density and diversity than the Low Density Mixed-use district. Additionally, the HDMU district is intended to rely on urban street connectivity and encourage vertical mixes of commercial and residential uses within the same building to

accommodate a physical pattern of development characteristic of village main streets and older neighborhood commercial areas. Residential uses within the district include all forms of single-family, two-family and multi-family dwellings.

**(b) Permitted uses.** Permitted uses within the HDMU district are limited to the following:

**(1) Residential.** The following residential uses are allowed throughout the district, but if within a Commercial (C) future land use category they are permitted only if part of a predominantly commercial development.

- a. Group living, excluding dormitories, fraternity and sorority houses, and residential facilities providing substance abuse treatment, post-incarceration reentry, or similar services.
- b. Manufactured (mobile) homes, including manufactured home subdivisions, but excluding new or expanded manufactured home parks.
- c. Single-family dwellings (other than manufactured homes), detached or attached, including townhouses and zero lot line subdivisions.
- d. Two-family and multi-family dwellings.

See also conditional uses in this district

**(2) Retail sales.** Small-scale (gross floor area 6000 sq.ft. or less per lot) retail sales, including Low-THC marijuana dispensing facilities, sales of beer and wine, but excluding sales of liquor, automotive fuels, or motor vehicles, and excluding permanent outdoor storage, display, or sales. See also conditional uses in this district.

**(3) Retail services.** The following small-scale (gross floor area 6000 sq.ft. or less per lot) retail services, excluding outdoor work or permanent outdoor storage:

- a. Bed and breakfast inns.
- b. Boarding and rooming houses.
- c. Child care facilities.
- d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners, and tattoo parlors.
- e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.
- f. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, but excluding major motor vehicle or boat service or repair.
- g. Restaurants, and brewpubs, including on-premises consumption of alcoholic beverages, but excluding drive-in or drive-through service and brewpubs with distribution of alcoholic beverages for off-site sales.

See also conditional uses in this district.

**(4) Public and civic.**

- a. Preschools and kindergartens.
- b. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.
- c. Foster care facilities.
- d. Places of worship.
- e. Public utility structures, excluding telecommunications towers.

See also conditional uses in this district.

**(5) Recreation and entertainment.**

- a. Marinas, private only.
- b. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

**(6) Industrial and related.** No industrial or related uses.

**(7) Agricultural and related.** Agricultural production limited to food primarily for personal consumption by the producer, but no farm animals.

**(8) Other uses.** [Reserved]

**(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2, the BOA may conditionally allow the following uses within the HDMU district:

**(1) Residential.**

- a. Dormitories.
- b. Fraternity and sorority houses.
- c. Manufactured (mobile) home parks.

**(2) Retail sales.** Medium-scale (gross floor area greater than 6000 sq.ft. per lot, but no greater than 35,000 sq.ft.) retail sales, including sales of beer and wine and automotive fuels, but excluding sales of motor vehicles and liquor, and excluding permanent outdoor storage, display, or sales.

**(3) Retail services.**

- a. Medium-scale (gross floor area greater than 6000 sq. ft. per lot, but no greater than 35,000 sq. ft.) retail services, excluding motor vehicle service and repair.
- b. Restaurants and brewpubs with drive-in or drive-through service and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales.
- c. Small-scale (gross floor area 6000 sq.ft. or less per lot) major motor vehicle service and repair, excluding painting or body work and outdoor work.

**(4) Public and civic.**

- a. Broadcast stations with satellite dishes and antennas, excluding towers.
- b. Cemeteries, including family cemeteries.
- c. Clubs, civic and fraternal.
- d. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- e. Cinerators.
- f. Educational facilities not among the permitted uses of the district.
- g. Funeral establishments.
- h. Hospitals.
- i. Offices for government agencies or public utilities.
- j. Public utility structures exceeding the district structure height limit and

telecommunications towers of any height, excluding any industrial uses.

k. Warehousing or maintenance facilities for government agencies or public utilities.

**(5) Recreation and entertainment.**

a. Amusement arcade centers and bingo facilities.

b. Golf courses, tennis centers, swimming pools and similar active outdoor recreational facilities, including associated country clubs.

c. Parks with permanent restrooms or outdoor event lighting.

**(6) Industrial and related.** Microbreweries, microdistilleries, and microwineries

**(7) Agricultural and related.**

a. Horses or other domesticated equines kept on site, and stables for such animals, only as a private residential accessory with a minimum lot area of two acres and a maximum of one animal per acre.

b. Veterinary clinics.

**(8) Other uses.**

a. Self-storage facilities with a maximum lot area of one acre and outdoor storage limited to operable motor vehicles and boats. No vehicle rental.

b. Structures of permitted uses exceeding the district structure height limit, excluding telecommunications towers.

**(e) Location criteria.** All new non-residential uses proposed within the HDMU district that are not part of a predominantly residential development or a planned unit development, or are not identified as exempt by district regulations, shall be on parcels that satisfy at least one of the following location criteria:

**(1) Proximity to intersection.** Along an arterial or collector street and within 200 feet of an intersection with another arterial or collector.

**(2) Proximity to traffic generator.** Along an arterial or collector street and within a one-quarter mile radius of an individual traffic generator of more than 600 daily trips, such as an apartment complex, military base, college campus, hospital, shopping mall or similar generator.

**(3) Infill development.** Along an arterial or collector street, in an area where already established non-residential uses are otherwise consistent with the HDMU district, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.

**(4) Site design.** Along an arterial street and at the intersection with a local street that serves to connect the arterial street to another arterial, and all of the following site design conditions:

a. Any intrusion into a recorded residential subdivision is limited to a corner lot

b. Access and stormwater management is shared with adjoining uses or properties to the extent practicable.

c. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use, such as solid waste dumpsters and truck

loading/unloading areas, furthest from the residential uses.

**(5) Documented compatibility.** A compatibility analysis prepared by the applicant provides competent substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria, and the proposed use will be able to achieve long-term compatibility with existing and potential uses. Additionally, the following conditions exist:

- a. The parcel has not been rezoned by the landowner from the mixed-use, commercial, or industrial zoning assigned by the county.
- b. If the parcel is within a county redevelopment district, the use will be consistent with the district's adopted redevelopment plan, as reviewed and recommended by the Community Redevelopment Agency (CRA).

## **FINDINGS**

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code (LDC). High Density Mixed-Use (HDMU) allows for a mix of neighborhood retail sales, services and professional offices. Rezoning to HDMU would result in an isolated zoning district. However, rezoning of the subject property will meet the location criteria as infill development. Mobile Highway is an arterial street and the subject property has an already established non-residential use.

### **Criterion c., LDC Sec. 2-7.2(b)(4)**

#### **Compatible with surrounding uses**

Whether all land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning.

## **FINDINGS**

The proposed amendment **is not compatible** with surrounding existing uses in the area. Within the 500' radius area, staff observed properties with zoning districts Low Density Residential (LDR), Medium Density Residential (MDR) and Commercial (Com). The LDR and MDR uses in the surrounding area are single family residence or vacant residential. The Com zoned property is currently a single family residence. There are no commercial uses in the surrounding area; nevertheless, this site has existed and has been compatible with the surrounding residential uses for over 12 years as a place of worship that was permitted under the previous Land Development Code (LDC). A Development Order was issued for Open Door Baptist Church under Development Review #04062741 on January 26, 2005. This Development Order authorized the construction of an 11,060 sq. ft. fellowship center and on-site retention pond. The zoning at the time was Agricultural (AG) under the previous LDC which allowed places of worship as a permitted use. If the property is rezoned to HDMU, it would also require conditional use approval from the Board of Adjustment due to the gross floor area of the existing building being greater than 6,000 sq. ft. The proposed rezoning to HDMU would intensify the allowable uses of the subject property that would affect the surrounding residential uses.

**Criterion d., LDC Sec. 2-7.2(b)(4)**

**Changed conditions**

Whether the area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

**FINDINGS**

Staff found changed conditions that **would impact** the amendment or property. Staff found rezoning case Z-2004-02 at 7267 Mobile Highway that requested the property to be rezoned from R-2 to C-1. At the time, the Rezoning Hearing Examiner and staff recommend denial for the proposed rezoning request. This case was ultimately approved by a vote of 4-0 the Board of County Commissioners (BOCC) on March 4, 2004. Also, a sign variance was approved by the Board of Adjustment on August 18, 2004 to allow a maximum allowable sign area of 70 sq. ft. on the subject property for the church.

**Criterion e., LDC Sec. 2-7.2(b)(4)**

**Development patterns**

Whether the proposed rezoning would contribute to or result in a logical and orderly development pattern.

**FINDINGS**

The proposed amendment **would not result** in a logical and orderly development pattern. The proposed rezoning to HDMU would result in an isolated zoning district. There is one Commercial zoned property to the north and is separated by Mobile Highway.

**Criterion f., LDC Sec. 2-7.2(b)(4)**

**Effect on natural environment**

Whether the proposed rezoning would increase the probability of any significant adverse impacts on the natural environment.

**FINDINGS**

According to the National Wetland Inventory, wetlands and hydric soils **were 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.

---

**Attachments**

Working Case File

---

**Z-2017-11**



STAGECOACH RD

JAMESVILLE RD

CHIMNEY PINES DR

STRATTON PL

GLIDDEN LN

ILEX LN

ILEX LN

MURRAY LN

MOBILE HWY

YOSHIDA ST

SPARSHOTT DR

HELTON LN

KLONDIKE RD

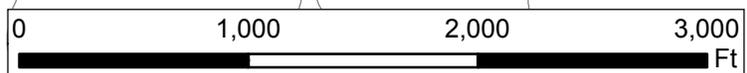
RESMONDO LN



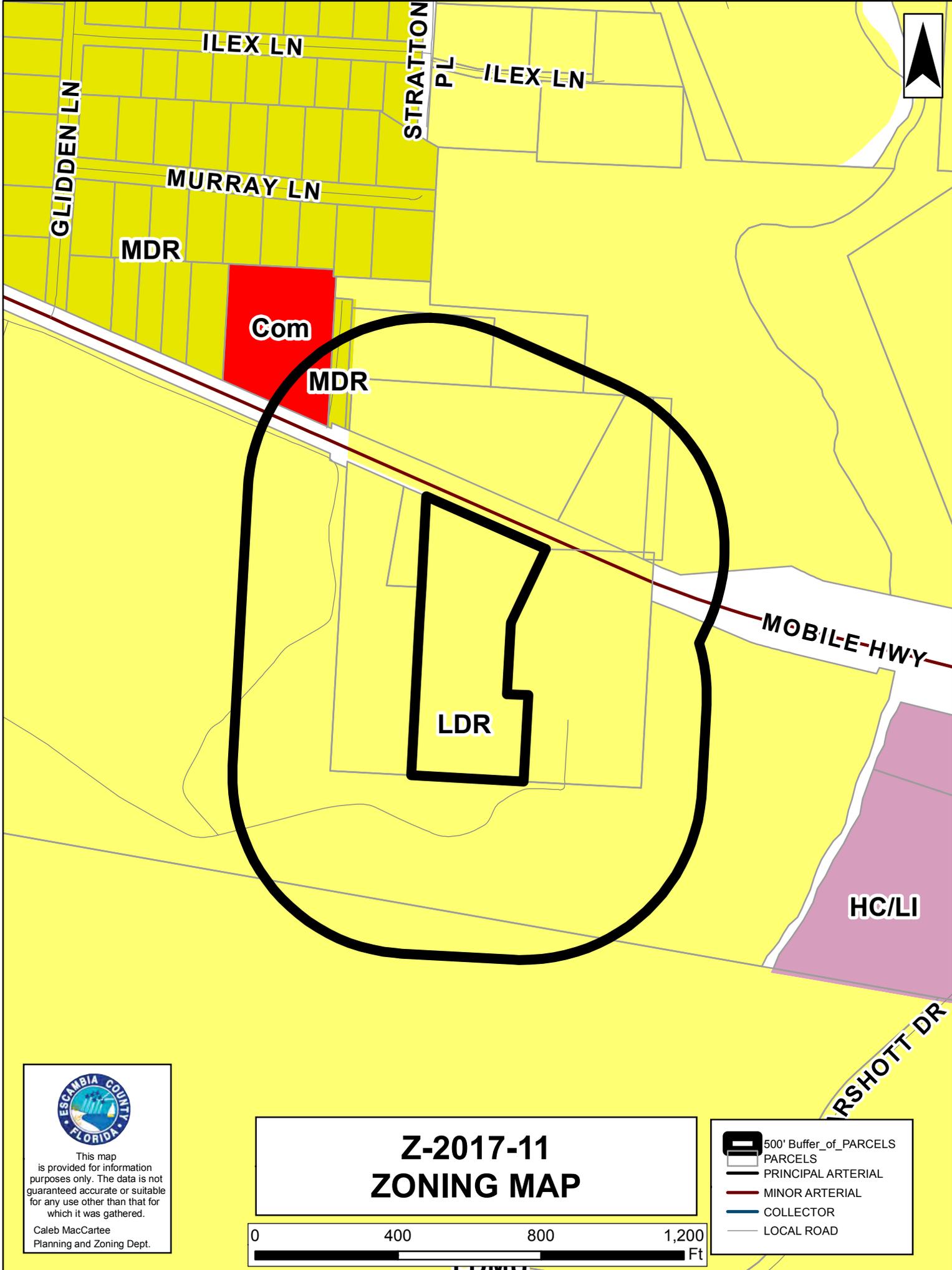
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Caleb MacCartee  
Planning and Zoning Dept.

# Z-2017-11 LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



ILEX LN

ILEX LN

MURRAY LN

GLIDDEN LN

STRATTON PL

MDR

Com

MDR

LDR

MOBILE-HWY

HC/LI

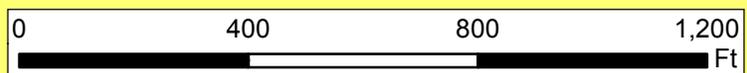
RSHOTT DR



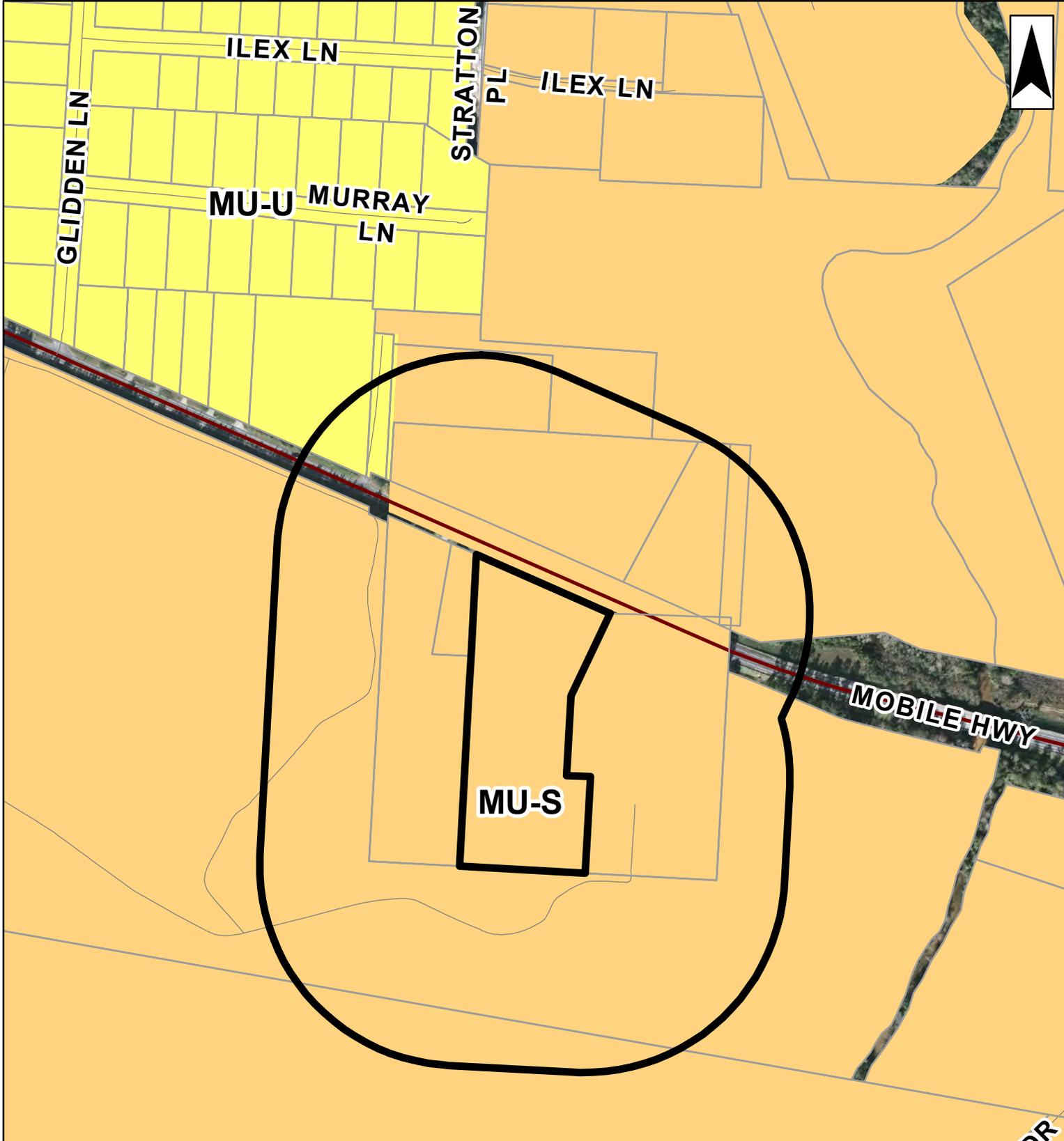
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Caleb MacCartee  
Planning and Zoning Dept.

# Z-2017-11 ZONING MAP



-  500' Buffer\_of\_PARCELS
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



GLIDDEN LN

ILEX LN

STRATTON PL

ILEX LN

MU-U MURRAY LN

MU-S

MOBILE HWY

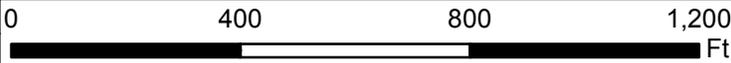
DR



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.

Caleb MacCartee  
Planning and Zoning Dept.

# Z-2017-11 FLU MAP



- 500' Buffer\_of\_PARCELS
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD

Escambia\_2016\_Aerials.ecw

**RGB**

- Red: Red
- Green: Green
- Blue: Blue

MURRAY LN



Z-2004-02  
R-2 TO C-1  
BCC APPROVED: 3/4/2004

SF

SF

MH

SF

VACANT

VACANT

VACANT

SF

SF

VACANT CHURCH

SF

MOBILE HWY

VACANT

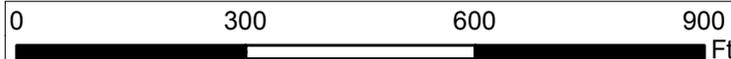
VACANT



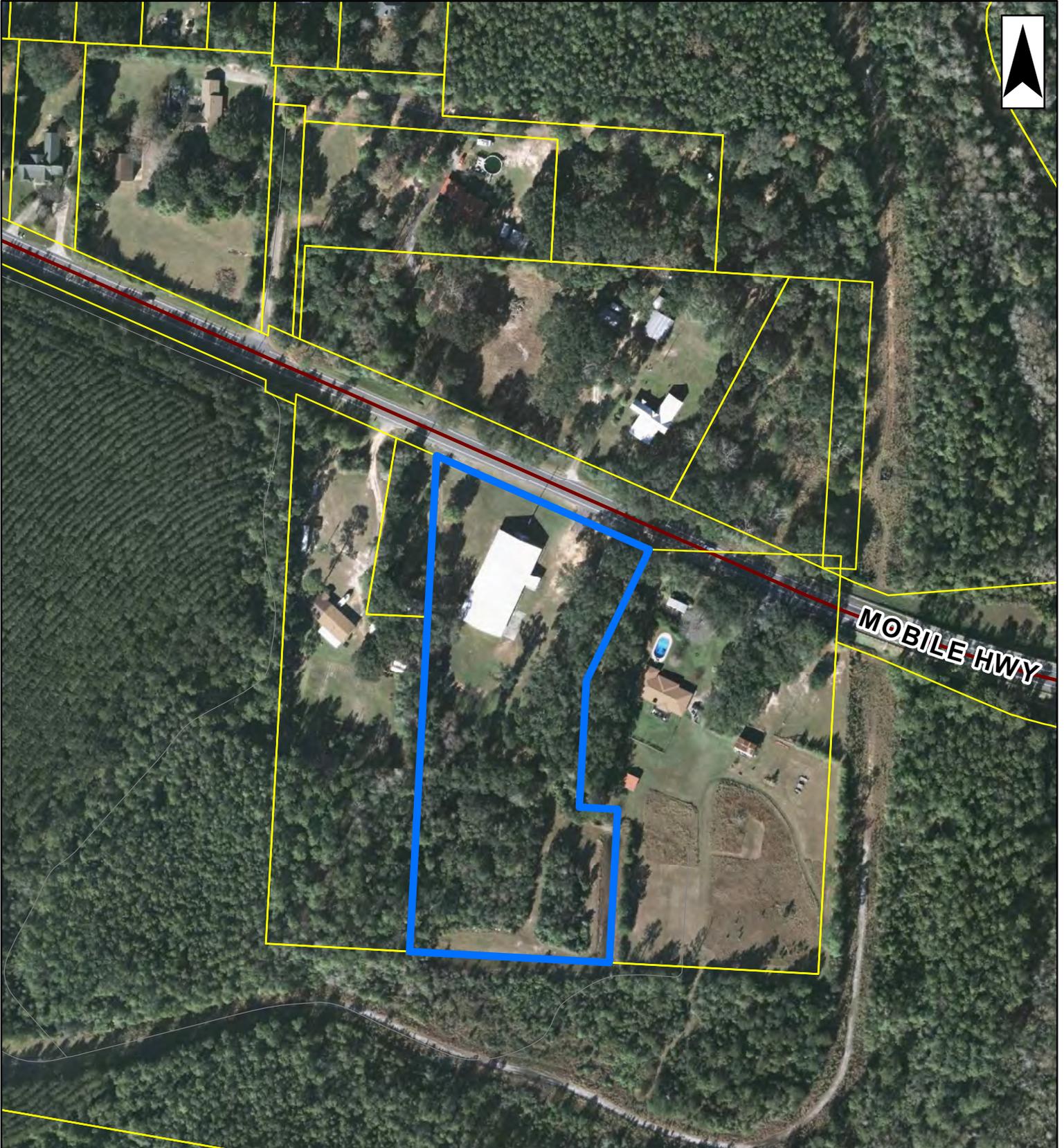
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Caleb MacCartee  
Planning and Zoning Dept.

# Z-2017-11 EXISTING LAND USE MAP



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



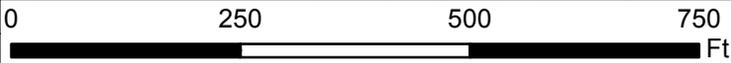
**MOBILE HWY**



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Caleb MacCartee  
Planning and Zoning Dept.

# Z-2017-11 AERIAL MAP



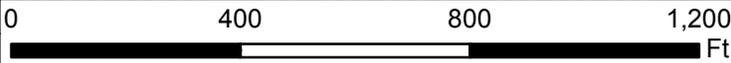
PARCELS  
 PRINCIPAL ARTERIAL  
 MINOR ARTERIAL  
 COLLECTOR  
 LOCAL ROAD  
**Escambia\_2016\_Aerials.ecw**  
**RGB**  
 Red: Red  
 Green: Green  
 Blue: Blue



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.

Caleb MacCartee  
Planning and Zoning Dept.

# Z-2017-11 WETLANDS MAP



	PARCELS
	PRINCIPAL ARTERIAL
	MINOR ARTERIAL
	COLLECTOR
	LOCAL ROAD
	WETLANDS_2006
<b>Escambia_2016_Aerials.ecw</b>	
<b>RGB</b>	
	Red: Red
	Green: Green
	Blue: Blue



**NOTICE OF PUBLIC HEARING SIGN**



**LOOKING SOUTHWEST ONTO SITE**



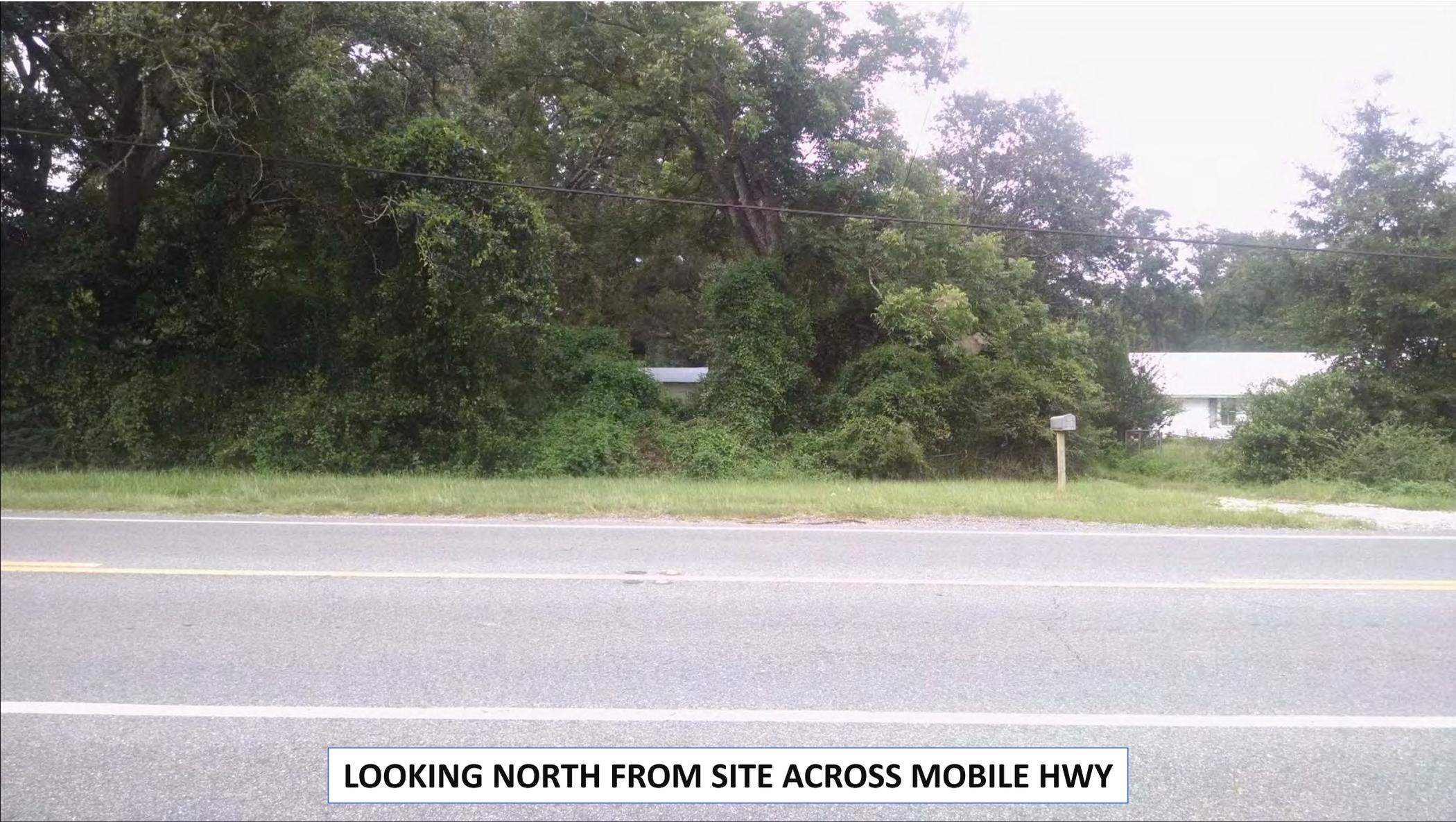
**LOOKING SOUTHWEST ONTO SITE**



**LOOKING SOUTH ONTO SITE**



**LOOKING NORTHWEST ALONG MOBILE HWY**



**LOOKING NORTH FROM SITE ACROSS MOBILE HWY**



**LOOKING SOUTHEAST ALONG MOBILE HWY**



**LOOKING SOUTHEAST ONTO SITE**



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

June 8, 2017

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

**Reference: Re-zoning Parcel No. 22-1S-31-2305-000-000**  
**7237 Mobile Hwy.**  
**HEI Project No. 17-011**

Dear Allyson:

The above referenced parcel is currently zoned LDR and is currently developed as a church which is not being used. The parcel is located at 7237 Mobile Hwy. in Escambia County, FL. We request the parcel be re-zoned to HDMU. The re-zoning will allow the applicant to use the vacant church building as an office and storage facility for their business, Affinity Elevator.

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

Sincerely,

**HAMMOND ENGINEERING, INC.**

A handwritten signature in blue ink, appearing to read 'Thomas G. Hammond, Jr.', written over a circular scribble.

Thomas G. Hammond, Jr., PE.  
President

Attachments



### Escambia County Planning and Zoning

Development Services Department

3363 West Park Place

Pensacola, FL 32505

Phone: (850) 595-3475 • Fax: (850) 595-3481

<http://myescambia.com/business/ds>

#### Rezoning Application

FOR OFFICE USE ONLY - Case Number: Z-2017-11 Accepted by: AC PB Meeting: 8/1/17

**1. Contact Information:**

A. Property Owner/Applicant: HENRY TAMMY JOHNSON

Mailing Address: 6020 GREEN ACRES DR.

Business Phone: 944-6605 Cell: \_\_\_\_\_

Email: TAMMY@AFFINITYELEVATOR.COM

B. Authorized Agent (if applicable): HAMMOND ENGINEERING, INC.

Mailing Address: 3802 N. 15<sup>TH</sup> ST.

Business Phone: 424 2603 Cell: 554 9389

Email: tom@selanddesign.com

*Note: Owner must complete the attached Agent Affidavit. If there is more than one owner, each owner must complete an Agent Affidavit. Application will be voided if changes to this application are found.*

**2. Property Information:**

A. Existing Street Address: 7237 MOBILE HWY

Parcel ID (s): 22-15-31-2305-000-000

B. Total acreage of the subject property: ~~4.30~~ 4.85

C. Existing Zoning: LDR

Proposed Zoning: HDMM

FLU Category: MU-5

D. Is the subject property developed (if yes, explain): EXISTING

CHURCH BLDG.

E. Sanitary Sewer:  Septic:

**3. Amendment Request**

- A. Please provide a general description of the proposed zoning request, explaining why it is necessary and/or appropriate.

PLEASE SEE ATTACHMENTS

- B. **Rezoning Approval Conditions – Please address ALL the following approval conditions for your rezoning request. (use supplement sheets as needed)**

1. **Consistent with Comprehensive Plan.** The proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of its provisions.

PLEASE SEE ATTACHMENTS

2. **Consistent with LDC.** The proposed rezoning is consistent with the stated purposes and intent of the LDC and not in conflict with any of its provisions.

PLEASE SEE ATTACHMENTS

3. **Compatibility.** All land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning. This condition shall not apply to any conditional uses of the proposed district or compatibility with nonconforming or unapproved uses, activities, or conditions.

PLEASE SEE ATTACHMENTS

4. **Changed conditions.** The area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

PLEASE SEE ATTACHMENTS

5. **Development patterns.** The proposed rezoning would contribute to or result in a logical and orderly development pattern.

PLEASE SEE ATTACHMENTS

6. **Effect on natural environment.** The proposed rezoning would not increase the probability of any significant adverse impacts on the natural environment.

PLEASE SEE ATTACHMENTS

**4. Please complete the following Forms: Concurrency Determination Acknowledgement and Affidavit of Owner/Limited Power of Attorney (if applicable).**

**CONCURRENCY DETERMINATION ACKNOWLEDGMENT**

Property Reference Number(s): 22-K-31-2305-000-000

Property Address: 7237 MOBILE HWY

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 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 8<sup>th</sup> DAY OF JUNE, YEAR OF 2017

William R. Smith  
Signature of Property Owner

William R. Smith  
Printed Name of Property Owner

6/13/17  
Date

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Printed Name of Property Owner

\_\_\_\_\_  
Date



5. Submittal Requirements

A.  Completed application: All applicable areas of the application shall be filled in and submitted to the Planning and Zoning Department, 3363 West Park Place, Pensacola, FL 32505.

AE

B.  Application Fees: To view fees visit the website: <http://myescambia.com/business/ds/planning-board> or contact us at 595-3547

Note: Application fees include a \$5 technical fee. Cost of the public notice mailing is to be borne by the applicant. Payments must be submitted prior to 3 pm of the closing date of acceptance of application. Please make checks payable to Escambia County. MasterCard and Visa are also accepted (a 3% fee will be added for credit card payments).

AS

C.  Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) AND a Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)

NA

D.  Compatibility Analysis (if applicable): If the subject property does not meet the roadway requirements of Locational Criteria, a compatibility analysis prepared by the applicant is required to provide substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria. (See "Documented Compatibility" within the request zoning district of the LDC.)

AE

E.  Signed and Notarized Affidavit of Owner/Limited Power of Attorney AND Concurrency Determination Acknowledgement (pages 4 and 5).

By my signature, I hereby certify that:

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

Signature of Owner/Agent

*William R. Smith*  
Signature of Owner

Printed Name Owner/Agent

Thomas G. Hammond Jr 6/8/17  
Date

Printed Name of Owner

William R. Smith 6/13/17  
Date

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 8 day of June 20 17, by Thomas G. Hammond, Jr.

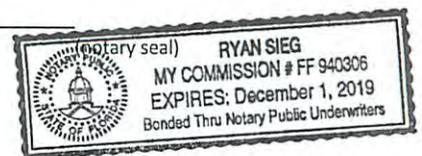
Personally Known  OR Produced Identification . Type of Identification Produced: \_\_\_\_\_

Signature of Notary

*Ryan Sieg*  
Signature of Notary

Printed Name of Notary

Ryan Sieg  
Printed Name of Notary



**Property Reference Number**  
**22-1S-31-2305-000-000**  
**Re-zoning Criteria**

A. Consistency with the Comprehensive Plan

The parcel is located in the Mixed Use- Suburban (MU-S) Future Land Use District which allows for commercial and residential uses as stated in the Comprehensive Plan, Chapter 7, FLU 1.3.1

*FLUM Mixed-Use Suburban (MU-S)*

*General Description: Intended for a mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses.*

*Range of Allowable Uses: Residential, retail sales & services, professional office, recreational facilities, public and civic, limited agriculture.*

*Standards:*

*Residential Maximum Density: 25 du/acre*

*Non-Residential Minimum Intensity: None*

*Maximum Intensity: 1.0 Floor Area Ratio (FAR)*

*Escambia County intends to achieve the following mix of land uses for new development within ¼ mile of arterial roadways or transit corridors by 2030:*

*a) Residential 8% to 25%*

*b) Public/Rec/Inst. 5% to 20%*

*c) Non-Residential:*

*Retail Service-30% to 50%*

*Office-25% to 50%*

*In areas beyond ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated:*

*a) Residential 70% to 85%*

*b) Public/Rec/Inst. 10% to 25%*

*c) Non-Residential 5% to 10%*

**The proposed re-zoning is consistent with the Comprehensive Plan.**

B. Consistency with the Land Development Code

The parcel is currently zoned LDR ( Low Density Residential). The proposed re-zoning of the subject parcel to HDMU (High Density Mixed-Medium Density Residential) meets the LDC, Article 1, Section 3-1.3 (h):

ZONING DISTRICT Specific distribution and extent of uses	FUTURE LAND USE (FLU) CATEGORY General distribution and extent of uses								
	AG max 1du/20ac max 0.25 FAR	RC max 2du/ac max 0.25 FAR	MU-S max 25du/ac max 1.0 FAR	MU-U max 25du/ac max 2.0 FAR	C Limited res max 25du/ac max 1.0 FAR	I No res allowed max 1.0 FAR	P No res allowed	REC No res allowed max 0.5 FAR	CON No res allowed
Agr max 1du/20ac	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
RR max 1du/4ac	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
RMU max 2du/ac	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
LDR max 4du/ac	No, max density	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
LDMU max 7du/ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
MDR max 10du/ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
HDR max 16du/ac	No, max density	No, mix density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
HDMU max 25du/ac	No, max density	No, max density	Yes	Yes	Yes	No, uses	No, uses	No, uses	No, uses
Com max 25du/ac	No, max density	No, max density	Yes	Yes	Yes	No, res use	No, uses	No, uses	No, uses
HC/LI FLU-restricted max 25du/ac	No, uses	No, uses	No, uses	Yes	Yes	Yes	No, uses	No, uses	No, uses
Ind No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	Yes	No, uses	No, uses	No, uses
Rec No res allowed	Yes	Yes	Yes	Yes	Yes	No, uses	Yes	Yes	No, uses
Con No res allowed	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Pub No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	Yes	Yes	No, uses	No, uses

For every combination of zoning district and FLU category represented by the table, "Yes" indicates the zoning is consistent with the FLU. "No" indicates zoning inconsistency with the FLU, primarily for the reason noted.

(Ord. No. 2015-56, § 1, 12-10-2015)

Supp 3

LDC 3:7

*LDC Section 3-2.9 (e) (3) Infill development. Along an arterial or collector street, in an area where already established non-residential uses are otherwise consistent with the HDMU district, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.*

Development Code.

*LDC Section 3-2.9 (f) Rezoning to HDMU. High Density Mixed-use zoning may be established only within the Mixed -Use Suburban (MU-S), Mixed-Use Urban (MU-U), or Commercial (C) future land use categories. The district is suitable for areas where the intermixing of uses has been the custom, where future uses are uncertain, and some redevelopment is probable.*

The uses along Mobile Hwy within ½ in either direction include undeveloped forest land, single family residential, a church (Klondike Baptist Church), an automobile repair shop (Dennis Auto Repair), an automobile scrap yard, and a retail service business (Boyetts Vacuum Pumping, Inc.).

**The proposed re-zoning is consistent with the Land Development Code.**

C. Compatibility with surrounding uses

As referenced above, rezoning to HDMU is suitable “for areas where the intermixing of uses has been the custom, where future uses are uncertain, and some redevelopment is probable.”

The uses along Mobile Hwy within ½ in either direction include undeveloped forest land, single family residential, a church (Klondike Baptist Church), an automobile repair shop (Dennis Auto Repair), an automobile scrap yard, and a retail service business (Boyetts Vacuum Pumping, Inc.).

**The proposed re-zoning is compatible with the surrounding uses.**

D. Changed Conditions

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

E. Development Patterns

The subject parcel is located in the MU-S (Mixed Use-Suburban) future land use district which allows for “retail services” uses and promotes infill development. The subject parcel has an existing and vacant building and is located along an arterial roadway which is consistent with “Infill Development”.

**The rezoning and use of the existing building and facilities would result in a logical and orderly development pattern consistent with the goals and objectives of Escambia County.**

F. Effect on the Natural Environment

There are environmentally sensitive lands south of the subject parcel. The subject parcel is located in a Special Flood Hazard Area (SPFA). The proposed use is non-residential and the applicant is aware the parcel is located in a SPFA. The buildings, stormwater management system, driveway and parking areas, etc. all exist and were permitted thru the Escambia County DRC process. The requested re-zoning itself would have no effect on the Natural Environment. Any future development of the parcel resulting from the rezoning would require Development Review in accordance to the LDC.

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

## Detail by Entity Name

Florida Not For Profit Corporation  
OPEN DOOR BAPTIST CHURCH, INC.

### Filing Information

**Document Number** 759532  
**FEI/EIN Number** 59-2173318  
**Date Filed** 08/07/1981  
**State** FL  
**Status** ACTIVE

### Principal Address

6700 PINE FOREST RD  
PENSACOLA, FL 32526

Changed: 01/14/2015

### Mailing Address

6700 PINE FOREST RD  
PENSACOLA, FL 32526

Changed: 01/14/2015

### Registered Agent Name & Address

SMITH, WILLIAM R.  
5912 SOUTH GULF MANOR  
PENSACOLA, FL 32526

Name Changed: 02/06/1987

Address Changed: 01/24/2005

### Officer/Director Detail

#### **Name & Address**

Title PD

SMITH, WILLIAM R.  
5912 S GULF MANOR  
PENSACOLA FL 32526



# ESCAMBIA COUNTY TAX COLLECTOR

## 2016 Roll Details — Real Estate Account At 7237 MOBILE HWY

Print this page

Real Estate Account #09-0925-000

Parcel details

Latest bill

Full bill history

2016	2015	2014	2013	...	2008
PAID	PAID	PAID	PAID		PAID

**Get Bills by Email**

**PAID** 2016-11-10 \$530.21  
Effective 2016-11-08  
Receipt #188-16-00249333

**Owner:** OPEN DOOR BAPTIST CHURCH INC  
6700 PINE FOREST RD  
PENSACOLA, FL 32526  
**Situs:** 7237 MOBILE HWY

**Account number:** 09-0925-000  
**Alternate Key:** 97762  
**Millage code:** 06  
**Millage rate:** 14.5731

**Assessed value:** 279,023  
**School assessed value:** 281,196  
**Unimproved land value:** 40,850

**Exemptions**

**RELIGIOUS:** 281,196

**Property Appraiser**

*Location is not guaranteed to be accurate.*

**2016 Annual bill**

**View**

**Ad valorem:** \$0.00  
**Non-ad valorem:** \$552.30  
**Total Discountable:** 552.30  
**No Discount NAVA:** 0.00  
**Total tax:**

**Legal description**

BEG 282 FT E OF SW COR OF LT 2 N 218 FT E 30 FT FOR POB SWLY 236 04/100 FT TO S LI LT 2 S 200 FT E 60 FT S 242 FT W 315 6/10 FT N TO H/W SELY ALG H/W TO BEG OR 2467 P 853

**Location**

**Geo number:** 221S312305000000  
**Range:** 31  
**Township:** 1S  
**Section:** 22  
**Block:** 000  
**Lot:** 000



# Chris Jones Escambia County Property Appraiser

- Real Estate Search
- Tangible Property Search
- Sale List
- Amendment 1/Portability Calculations

[Back](#)

← [Navigate Mode](#)  [Account](#)  [Reference](#) →

[Printer Friendly Version](#)

**General Information**  
**Reference:** 221S312305000000  
**Account:** 090925000  
**Owners:** OPEN DOOR BAPTIST CHURCH INC  
**Mail:** 6700 PINE FOREST RD  
 PENSACOLA, FL 32526  
**Situs:** 7237 MOBILE HWY 32526  
**Use Code:** CHURCH   
**Taxing Authority:** COUNTY MSTU  
**Tax Inquiry:** [Open Tax Inquiry Window](#)  
 Tax Inquiry link courtesy of Scott Lunsford  
 Escambia County Tax Collector

**Assessments**

Year	Land	Imprv	Total	Cap Val
2016	\$40,850	\$240,346	\$281,196	\$279,023
2015	\$40,850	\$212,808	\$253,658	\$253,658
2014	\$40,850	\$211,011	\$251,861	\$251,861

[Disclaimer](#)

[Amendment 1/Portability Calculations](#)

★ [File for New Homestead Exemption Online](#)

**Sales Data**

Sale Date	Book	Page	Value	Type	Official Records (New Window)
10/1987	2467	853	\$40,000	WD	<a href="#">View Instr</a>
10/1987	2467	850	\$100	QC	<a href="#">View Instr</a>

Official Records Inquiry courtesy of Pam Childers  
 Escambia County Clerk of the Circuit Court and Comptroller

**2016 Certified Roll Exemptions**  
 RELIGIOUS

**Legal Description**   
 BEG 282 FT E OF SW COR OF LT 2 N 218 FT E 30 FT FOR POB SWLY 236 04/100 FT TO S LI LT 2 S 200 FT E 60 FT S 242 FT W...

**Extra Features**  
 CONCRETE PAVING  
 CONCRETE WALKS  
 MOBILE HOME  
 WORKSHOP

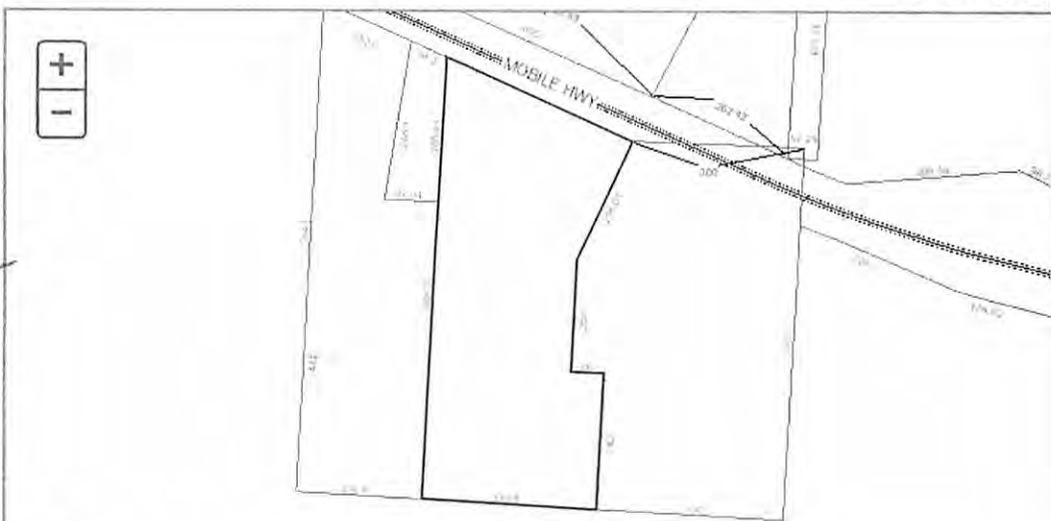
**Parcel Information** [Launch Interactive Map](#)

**Section Map Id:**  
 22-1S-31-2

**Approx. Acreage:**  
 4.3000

**Zoned:**   
 LDR

**Evacuation & Flood Information**  
[Open Report](#)



[View Florida Department of Environmental Protection\(DEP\) Data](#)

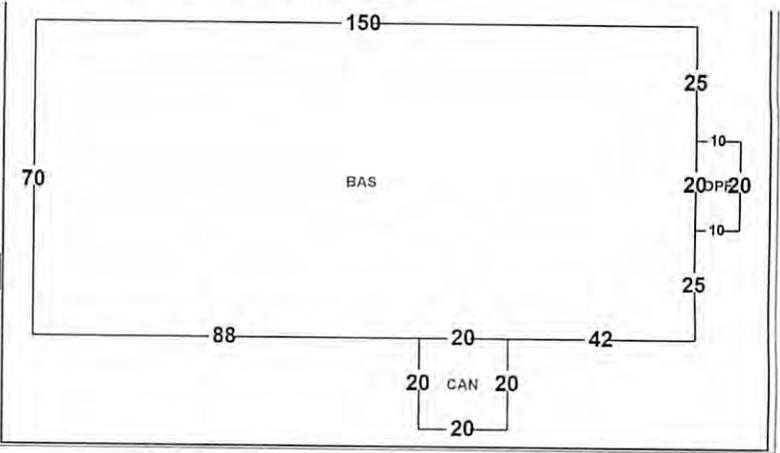
**Buildings**

Address: 7237 MOBILE HWY, Year Built: 2006, Effective Year: 2006

**Structural Elements**  
 DECOR/MILLWORK-AVERAGE  
 DWELLING UNITS-0  
 EXTERIOR WALL-METAL-MODULAR

**FLOOR COVER-CARPET**  
**FOUNDATION-SLAB ON GRADE**  
**HEAT/AIR-CENTRAL H/AC**  
**INTERIOR WALL-DRYWALL-PLASTER**  
**NO. PLUMBING FIXTURES-4**  
**NO. STORIES-1**  
**ROOF COVER-METAL/MODULAR**  
**ROOF FRAMING-STEEL TRUSS/FRM**  
**STORY HEIGHT-12**  
**STRUCTURAL FRAME-RIGID FRAME**

Areas - 11100 Total SF  
**BASE AREA - 10500**  
**CANOPY - 400**  
**OPEN PORCH FIN - 200**



Images



12/9/13

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:03/23/2017 (tc-4886)





**BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA**

**INTEROFFICE MEMORANDUM**

**TO: Andrew Holmer, Division Manager  
Development Services Department**

**FROM: David Forte, Division Manager  
Transportation & Traffic Operations Division**

**DATE: July 18, 2017**

**RE: Transportation & Traffic Operations (TTO) Comments – Z-2017-11**

TTO Staff has reviewed the Rezoning Case (Z)-2017-11, 7237 Mobile Highway, agenda item for the Planning Board meeting scheduled for August 1st, 2017. Please see the below comments.

Currently, there are no Roadway Improvement Projects programmed in the County's Capital Improvement Program or the Florida Department of Transportation 5-Year Work Program within the vicinity of the subject parcel.

Per the Florida-Alabama TPO's Congestion Management Process Plan, this segment of Mobile Highway is currently functioning within its allowable capacity for traffic volumes between the segment of Beulah Road to Pine Forest Road. The maximum level-of-service (LOS) for the roadway segment is LOS D (17,700 trips/day), and currently the roadway segment is functioning at a LOS C (9,109 trips/day) and is expected to remain at a LOS C by Year 2024 (10,057 trips/day).

At this time, TTO has no immediate comments for the proposed rezoning request.

Note: TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on future TTO comments during the Development Review process.

**cc: Horace Jones, Development Services Department Director  
Joy Blackmon, P.E., Public Works Department Director  
Colby Brown, P.E., Public Works Department Deputy Director**

**Planning Board-Rezoning**

**7. C.**

**Meeting Date:** 08/01/2017  
**CASE :** Z-2017-12  
**APPLICANT:** Micheal W. Milner, Agent for Richard Mertins, Owner  
**ADDRESS:** 2410 Langley Avenue  
**PROPERTY REF. NO.:** 10-1S-29-3101-027-001  
**FUTURE LAND USE:** MU-U, Mixed-Use Urban  
**DISTRICT:** 4  
**OVERLAY DISTRICT:** N/A  
**BCC MEETING DATE:** 09/07/2017

---

**SUBMISSION DATA:**

**REQUESTED REZONING:**

**FROM: Com, Commercial district (25 du/acre)**

**TO: HC/LI-NA, Heavy Commercial and Light Industrial district, prohibiting the subsequent establishment of any microbreweries, microdistilleries, microwineries, bars, nightclubs, or adult entertainment uses (25 du/acre)**

**RELEVANT AUTHORITY:**

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

**APPROVAL CONDITIONS**

**Criterion a., LDC Sec. 2-7.2(b)(4)**

**Consistent with Comprehensive Plan**

Whether the proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of the plan provisions

**Comprehensive Plan (CPP)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 maximum residential density is 25 dwelling units per acre.

**CPP FLU 1.5.1 New Development and Redevelopment in Built Areas.** To promote the efficient use of existing public roads, utilities, and service infrastructure, the County will encourage the redevelopment in underutilized properties to maximize development densities and intensities located in the MU-S, MU-U, Commercial, and Industrial Future Land Use categories (with the exception of residential development).

## **FINDINGS**

The proposed amendment to HC/LI-NA is **consistent** with the intent and purpose of Future Land Use (FLU) category MU-U as stated in CPP FLU 1.3.1. The FLU allows for a mix of both residential and non-residential uses such a retail and services, professional office and light industrial. As stated in CPP FLU 1.5.1, if development occurs, the property will utilize the existing roadway, utilities, and infrastructure and will encourage redevelopment of the underutilized property to maximize development densities and intensities located in the MU-U FLU use categories.

### **Criterion b., LDC Sec. 2-7.2(b)(4)**

#### **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.

### **Sec. 3-2.11 Heavy Commercial and Light Industrial district (HC/LI).**

**(a) Purpose.** The Heavy Commercial and Light Industrial (HC/LI) district establishes appropriate areas and land use regulations for a complementary mix of industrial uses with a broad range of commercial activities. The primary intent of the district is to allow light manufacturing, large-scale wholesale and retail uses, major services, and other more intense uses than allowed in the Commercial district. The variety and intensity of non-residential uses within the HC/LI district is limited by their compatibility with surrounding uses. All commercial and industrial operations are limited to the confines of buildings and not allowed to produce undesirable effects on other property. To retain adequate area for commercial and industrial activities, other uses within the district are limited.

**HC/LI-NA designation.** Any applicant for rezoning to the HC/LI zoning district may request a HC/LI-NA designation prohibiting the subsequent establishment of any microbreweries, microdistilleries, microwineries, bars, nightclubs, or adult entertainment uses on the rezoned property. The 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 according to the rezoning process of Chapter 2, the HC/LI-NA zoning designation and its prohibitions shall apply to the property, regardless of ownership, unless the parcel is rezoned.

## **FINDINGS**

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code (LDC). All commercial and industrial operations are limited to the confines of buildings and no outdoor work or storage is allowed. Based on the application submitted to Development Review Committee (DRC) and for the rezoning, there would be a need for a conditional use approval from the Board of Adjustments (BOA).

### **Criterion c., LDC Sec. 2-7.2(b)(4)**

#### **Compatible with surrounding uses**

Whether all land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning.

## **FINDINGS**

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500' radius area, staff observed properties with zoning districts MDR and Com. The majority of the parcels within the 500' area are currently being used or listed by the Property Appraiser as Commercial and the change to HC/LI would be compatible with the existing surrounding uses. The adjacent property to the east is part of the landing zone for Pensacola Regional Airport. Any new development will go through the Site Plan Review Process and must meet all LDC requirements for buffering, setbacks, access, and stormwater as well as other code requirements that may apply.

### **Criterion d., LDC Sec. 2-7.2(b)(4)**

#### **Changed conditions**

Whether the area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

## **FINDINGS**

Staff found **no changed** conditions that would impact the amendment or property.

### **Criterion e., LDC Sec. 2-7.2(b)(4)**

#### **Development patterns**

Whether the proposed rezoning would contribute to or result in a logical and orderly development pattern.

## **FINDINGS**

The proposed amendment **would result** in a logical and orderly development pattern due to the proximity to major roads and already established commercial business surrounding the parcel to the south, west, and north. To the east and southeast is

Pensacola Regional Airport runway which creates a huge natural buffer from any other business or residential properties in the area.

**Criterion f., LDC Sec. 2-7.2(b)(4)**

**Effect on natural environment**

Whether the proposed rezoning would increase the probability of any 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.

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**Attachments**

Working Case File

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**Z-2017-12**

INTERSTATE 10



CREIGHTON RD

TIPPIN AVE

N 9TH AVE

LANGLEY AVE

N 9TH AVE

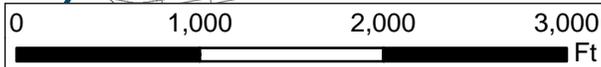
COLLEGE BLVD



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

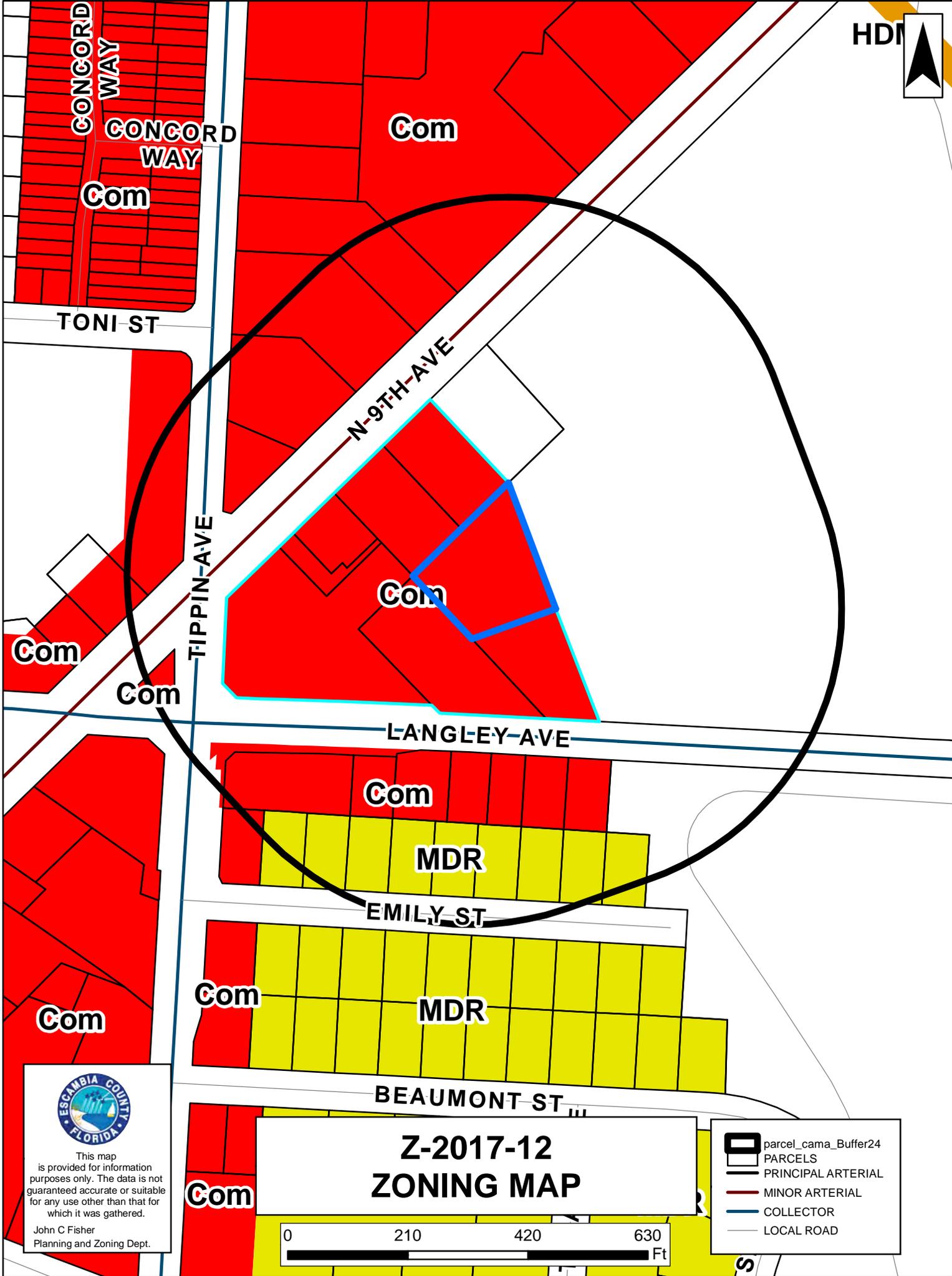
John C Fisher  
Planning and Zoning Dept.

# Z-2017-12 LOCATION & WETLANDS MAP



-  2500 FOOT BUFFER
-  500 FOOT BUFFER
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  WETLANDS\_2006

HDI



Com

Com

Com

Com

MDR

MDR

Com

Com

CONCORD WAY

CONCORD WAY

TONI ST

N-9TH-AVE

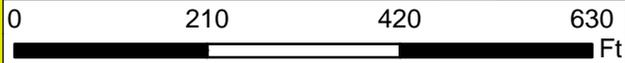
TIPPIN-AVE

LANGLEY-AVE

EMILY ST

BEAUMONT ST

# Z-2017-12 ZONING MAP

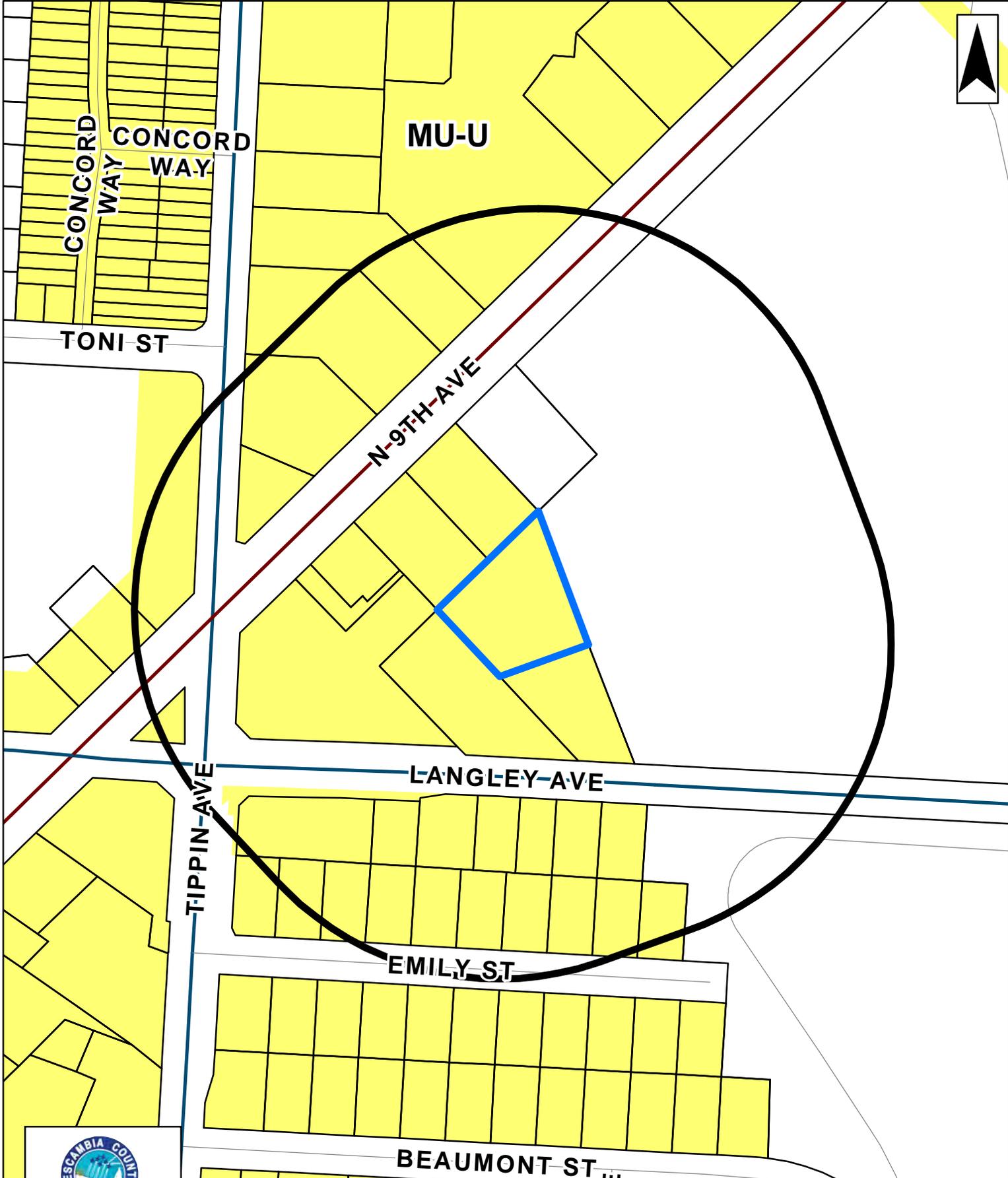


- parcel\_cama\_Buffer24
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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

John C Fisher  
Planning and Zoning Dept.



MU-U

CONCORD WAY

TONI ST

N-9TH AVE

LANGLEY AVE

EMILY ST

BEAUMONT ST

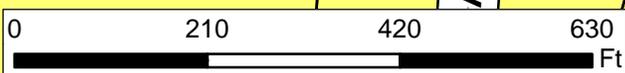
TIPPIN AVE



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.

John C Fisher  
Planning and Zoning Dept.

**Z-2017-12  
FLU MAP**



-  parcel\_cama\_Buffer24
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD

S



GAS STATION  
CAR WASH  
OIL SERVICE

RESTAURANT

RESTAURANT

TONI ST

STRIP MALL

AUTO REPAIR

N 9TH AVE

DR. DIET PROGRAM

RESTAURANT

STEAKOUT

PENSACOLA REGIONAL AIRPORT  
LANDING STRIP

WALGREEN

SUBWAY

WALGREEN

CHILDCARE NETWORK

STUDIO

TIPPIN AVE

LANGLEY AVE

OFFICE

OFFICE

OFFICE

OFFICE

OFFICE

VC

VC

V SF

V SF

SF

SF

SF

SF

SF

SF

V SF

SF

SF

PENSACOLA REGIONAL  
AIRPORT  
LANDING STRIP

EMILY ST



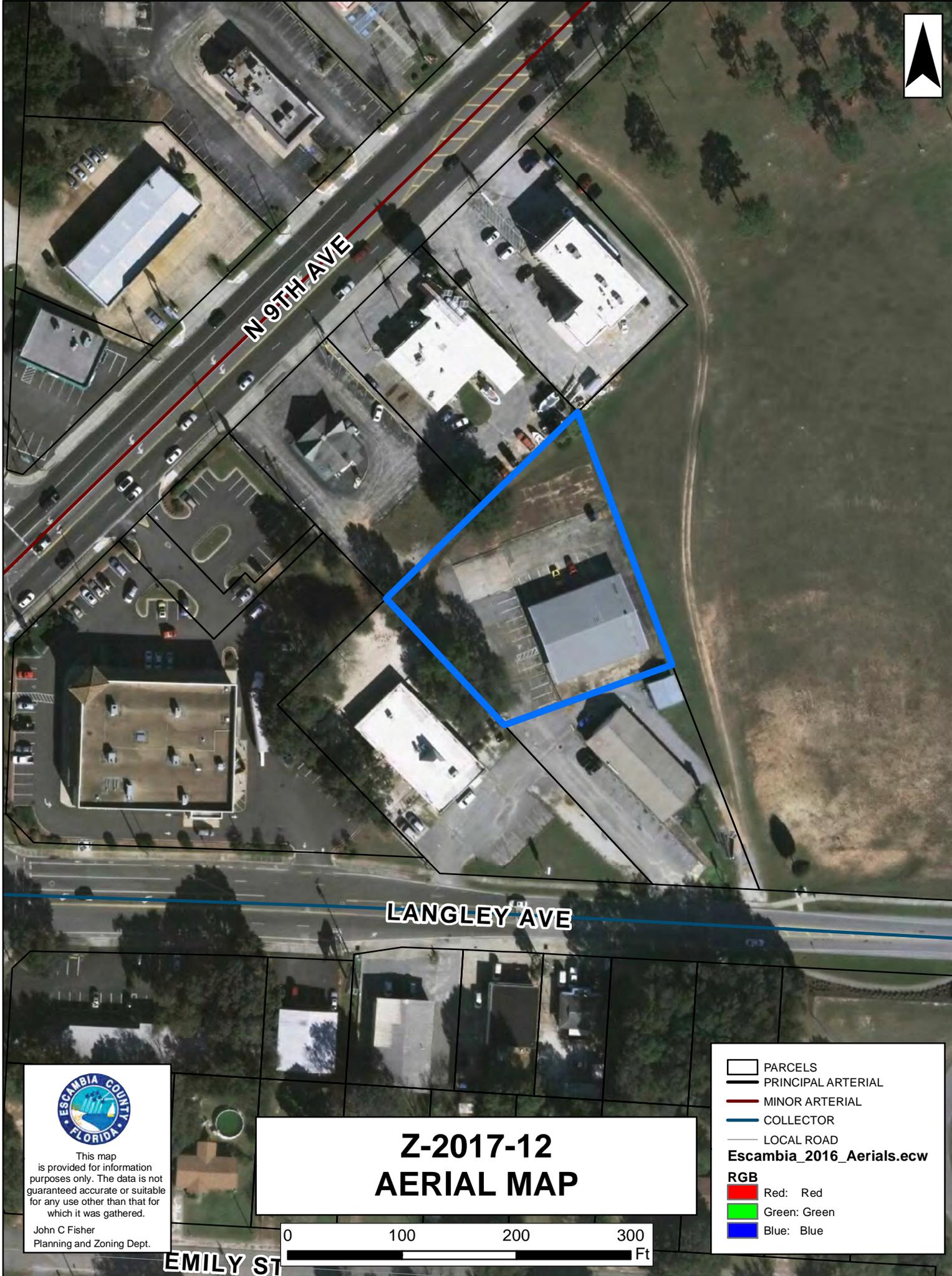
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

John C Fisher  
Planning and Zoning Dept.

# Z-2017-12 ELU MAP

0 170 340 510 Ft

- parcel\_cama\_Buffer24
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



N 9TH AVE

LANGLEY AVE

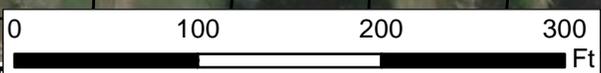
EMILY ST



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.

John C Fisher  
Planning and Zoning Dept.

# Z-2017-12 AERIAL MAP



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

Escambia\_2016\_Aerials.ecw

**RGB**

- Red: Red
- Green: Green
- Blue: Blue



Public Hearing Sign



**Public Hearing Sign Looking East toward Langley**



**Front of Existing Building**



Looking Northeast



Looking North



Looking Northwest toward 9<sup>th</sup> Ave.



**Looking Southwest From Subject Property Parking Lot**



**Looking South at Langley Ave.**



Looking Southeast at Langley Ave.



**Looking East at Subject Property**



# Rezoning Application

2410 Langley Ave. Pensacola, FL 32504

## Contents

Rezoning Application .....	3
Appendix A – Camp Bow Wow of Pensacola.....	10
Appendix B – Contract for sale of property.....	12
Appendix C - Survey.....	18
Appendix D - Current Property Tax Information .....	20
Appendix E - Camp Bow Wow Franchise Information .....	21

# Rezoning Application



Camp Bow Wow Pensacola

June 13, 2017

Micheal and Cynthia Milner

To: Development Services Department

Enclosed is our rezoning application. We have attached a check for \$1284.30. This includes the rezoning fee of \$1275 and the notifications mailing fee of \$9.30. We were told by the county staff at our preliminary meeting that we need 31 mailings.

Thank you for your assistance in this matter.

Cynthia Milner

A handwritten signature in black ink, appearing to read "Cynthia Milner", written over a printed name.



### Escambia County Planning and Zoning

Development Services Department

3363 West Park Place

Pensacola, FL 32505

Phone: (850) 595-3475 • Fax: (850) 595-3481

<http://myescambia.com/business/ds>

#### Rezoning Application

FOR OFFICE USE ONLY - Case Number: Z-2017-12 Accepted by: ACain PB Meeting: 8/1/17

**1. Contact Information:**

A. Property Owner/Applicant: For Dogs of NW Fla, Inc.

Mailing Address: 11 N Beech Springs Cir, The Woodlands, TX 77389

Business Phone: \_\_\_\_\_ Cell: 769-216-9675

Email: MWMilner@Gmail.com

B. Authorized Agent (if applicable): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

*Note: Owner must complete the attached Agent Affidavit. If there is more than one owner, each owner must complete an Agent Affidavit. Application will be voided if changes to this application are found.*

**2. Property Information:**

A. Existing Street Address: 2410 Langley Ave.

Parcel ID (s): 10-1S-29-3101-027-001

B. Total acreage of the subject property: 0.8217

C. Existing Zoning: COM

Proposed Zoning: HC/LI-NA

FLU Category: MU-U

D. Is the subject property developed (if yes, explain): The existing property is developed and has been the location of a retail store since 1996.

E. Sanitary Sewer:  Septic:

**3. Amendment Request**

- A.** Please provide a general description of the proposed zoning request, explaining why it is necessary and/or appropriate.

**Please refer to Attachment A.**

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- B. Rezoning Approval Conditions – Please address *ALL* the following approval conditions for your rezoning request. (use supplement sheets as needed)**

- 1. Consistent with Comprehensive Plan.** The proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of its provisions.

---

We met with the county planning and zoning staff on May 31, 2017.

---

The county staff concurred that the property should be rezoned from COM to HC/LI-NA, and that with the rezoning the use would be consistent with the county's comprehensive plan.

---

---

---

- 2. Consistent with LDC.** The proposed rezoning is consistent with the stated purposes and intent of the LDC and not in conflict with any of its provisions.

---

The county staff indicated that with the HC/LI-NA rezoning, it would be consistent with the LDC.

---

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---

3. **Compatibility.** All land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning. This condition shall not apply to any conditional uses of the proposed district or compatibility with nonconforming or unapproved uses, activities, or conditions.

---

The immediate area is all commercial use. The proposed rezoning would be compatible with the existing profile of the businesses in the area. The county staff determined the rezoning would need to occur to allow indoor kennels for our proposed business.

---

4. **Changed conditions.** The area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

---

There are no conditions that will be changed due to the rezoning.

---

---

5. **Development patterns.** The proposed rezoning would contribute to or result in a logical and orderly development pattern.

---

This particular rezoning would not result in any change of development patterns.

---

---

6. **Effect on natural environment.** The proposed rezoning would not increase the probability of any significant adverse impacts on the natural environment.

---

The rezoning will not change or effect the natural environment. Our site plans propose a net reduction of impervious surfaces, allowing for more green space.

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4. Please complete the following Forms: Concurrency Determination Acknowledgement and Affidavit of Owner/Limited Power of Attorney (if applicable).

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 10-1S-20-3101-027-001

Property Address: 2410 Langley Ave.

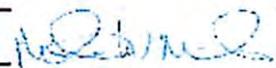
I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed 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 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 12th DAY OF June, YEAR OF 2017

  
Signature of Property Owner

Micheal W. Milner  
Printed Name of Property Owner

6/12/17  
Date

  
Signature of Property Owner

Cynthia M. Milner  
Printed Name of Property Owner

6/12/17  
Date



5. Submittal Requirements

- A.  Completed application: All applicable areas of the application shall be filled in and submitted to the Planning and Zoning Department, 3363 West Park Place, Pensacola, FL 32505.
- B.  Application Fees: To view fees visit the website: <http://myescambia.com/business/ds/planning-board> or contact us at 595-3547

Note: Application fees include a \$5 technical fee. Cost of the public notice mailing is to be borne by the applicant. Payments must be submitted prior to 3 pm of the closing date of acceptance of application. Please make checks payable to Escambia County. MasterCard and Visa are also accepted (a 3% fee will be added for credit card payments).

- C.  Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) AND a Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)
- D.  Compatibility Analysis (if applicable): If the subject property does not meet the roadway requirements of Locational Criteria, a compatibility analysis prepared by the applicant is required to provide substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria. (See "Documented Compatibility" within the request zoning district of the LDC.)
- E.  Signed and Notarized Affidavit of Owner/Limited Power of Attorney AND Concurrency Determination Acknowledgement (pages 4 and 5).

By my signature, I hereby certify that:

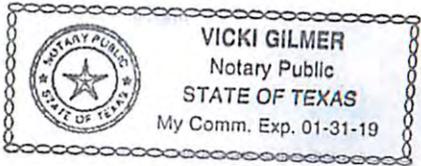
- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate 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  
Cynthia M. Milner  
 Signature of Owner

Michael W Milner      6/12/17  
 Printed Name Owner/Agent      Date  
Cynthia M. Milner      6/12/17  
 Printed Name of Owner      Date

STATE OF Texas COUNTY OF Montgomery The foregoing instrument was acknowledged before me this 12th day of June 202017, by Michael and Cynthia Milner  
 Personally Known  OR Produced Identification  Type of Identification Produced: Texas Driver Licenses

[Signature]      Vicki Gilmer  
 Signature of Notary      Printed Name of Notary (notary seal)





## Appendix A – Camp Bow Wow of Pensacola

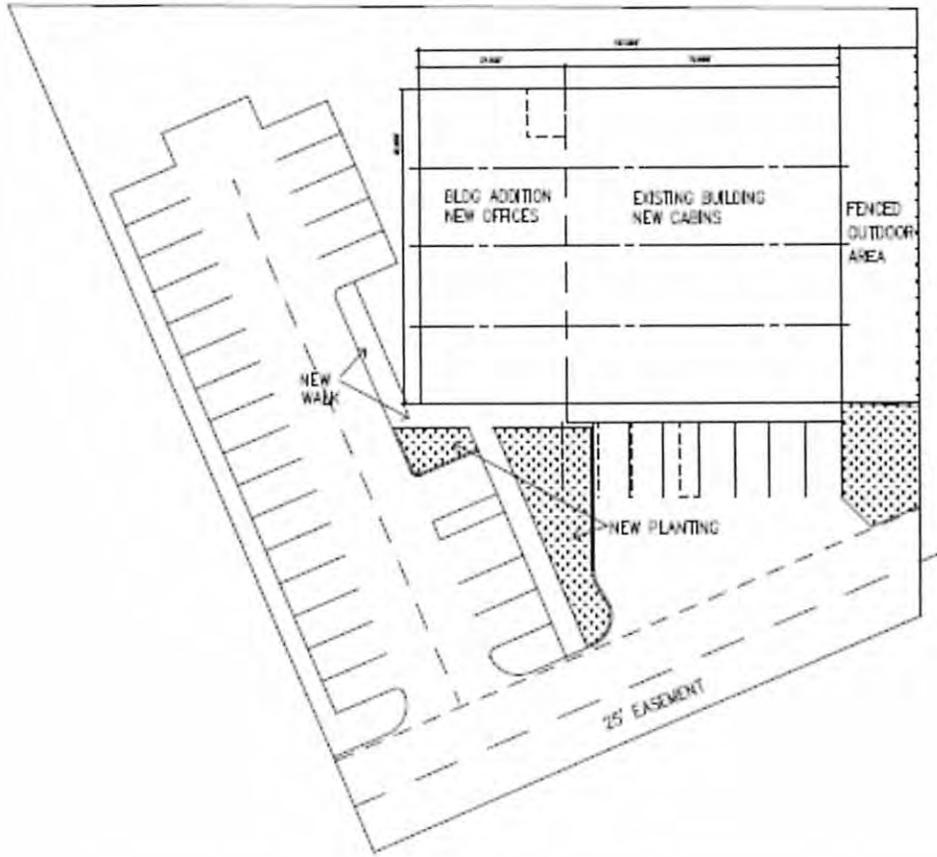
For Dogs of NW Fla, Inc. (For Dogs) desires to open a Camp Bow Wow franchise in Pensacola at 2410 Langley Ave. Camp Bow Wow is an upscale, premier facility providing grooming, training, boarding and daycare for dog owners located in Pensacola and the metropolitan area. Camp Bow Wow was founded in 2001 in Colorado and has nearly 140 franchise locations, and is the largest pet care service provider in the United States.

After an extensive search, For Dogs negotiated a purchase contract for the property located at 2410 Langley Ave. The existing owners operated a very successful retail store at this location since the early 1990's, Water World Tropical Fish & Supplies. The existing 5,600 sq. ft. building will be extended, and the existing site will be reconditioned to remove existing asphalt, yielding a net reduction in the impervious area. The property is bound on the northeast by airport property.

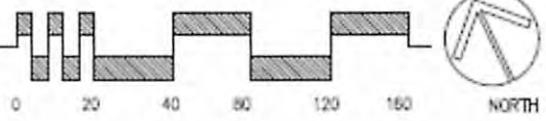
For Dogs and their contractors met with zoning staff on May 31<sup>st</sup> of this year as part of the pre-application process. Several comments were received, as well as clarifications as to the nature of the proposed business and site plan. The staff recommended that a change in zoning would be required to allow the utilization of kennels in the interior of the structure. The existing building is zoned COM, and the staff recommended HC/LI with a special use certificate which would facilitate the indoor kennels. Although there are several similar businesses in the county operating with the COM zoning, the staff indicated the change to HC/LI would be consistent with the comprehensive plan for Escambia County.

The contractual closing date for the purchase of the property is July 17, 2017. This application is submitted in For Dogs name, although at the time of submission, the property is still owned by the sellers. The contract for sale is attached in Appendix B of this document. Since this rezoning request will be heard at the August session, For Dogs has submitted paperwork and application fees as the owners of the property.

The following figure is the proposed site plan for this location.



SITE DEVELOPMENT PLAN



# Appendix B - Contract for sale of property

DocuSign Envelope ID: AF44468B-52C5-433D-8552-65E9FD4138D8  
 DocuSign Envelope ID: 2B50FA9F-A715-4D15-B440-C0AEE37D3332



**COMMERCIAL SALES CONTRACT**

**1. PURCHASE AND SALE:** FOR DOGS OF N.Y. FLA INC (Buyer)  
 agrees to buy and WATER WORLD TROPICAL FISH & SUPPLIES INC (Seller)  
 agrees to sell the property described as: Street Address: 2410 Langlois Ave, Pensacola, Florida 32504

Parcel ID: 1015253101027001  
 Legal Description:  
 BEG AT SWLY COR OF LT 2 BLK A ARE SAU YB 1 P 82 S 47 DEG 28 MIN 0 SEC E ALG LI  
 DIVIDING LTS 1 & 2 OF T.W.K. A 200 FT FOR POB CONT S 47 DEG 28 MIN 0 SEC E 152 FT N 66 DEG  
 08 MIN 46 SEC E 153 90/100 FT N 25 DEG 51 MIN 14 SEC W 353 64/100 FT S 42 DEG 25 MIN 43 SEC  
 W 234 69/100 FT TO POB OR 3673 P 4-4

and the following Personal Property: WA

(all collectively referred to as the "Property") on the terms and conditions set forth below. The "Effective Date" of this Contract is the date on which the last of the Parties signs the latest offer. Time is of the essence in this Contract. Time periods of 5 days or less will be computed without including Saturday, Sunday, or national legal holidays and any time period ending on a Saturday, Sunday or national legal holiday will be extended until 5:00 p.m. of the next business day.

**2. TERMS AND PURCHASE PRICE:**

• Earnest Money Deposit held in Escrow \$	_____
• Due within 3 days of full acceptance \$	6,000
• Mortgage to be Applied For \$	_____
• Deferred Payments to Seller \$	_____
• Cash on Closing \$	275,000
• Full Purchase Price \$	<del>280,000</del> 287,000

**3. THIRD PARTY FINANCING:** Within 2 days from Effective Date ("Application Period"), Buyer will, at Buyer's expense, apply for third party financing in the amount of \$ \_\_\_\_\_ % of the purchase price to be amortized over a period of \_\_\_\_\_ years and one in no less than \_\_\_\_\_ years and with a fixed interest rate not to exceed \_\_\_\_\_% per year or variable interest rate not to exceed \_\_\_\_\_% at origination with a lifetime cap not to exceed \_\_\_\_\_% from initial rate, with additional terms as follows. Buyer will pay for the mortgage title insurance policy and for all loan expenses. Buyer will timely provide any and all credit, employment, financial and other information reasonably required by any lender. Buyer will notify Seller immediately upon obtaining financing or being rejected by a lender. If Buyer, after diligent effort, fails to obtain a written commitment within 30 days from Effective Date ("Financing Period"), Buyer may cancel the Contract by giving prompt notice to Seller and Buyer's deposit(s) will be returned to Buyer in accordance with Paragraph 9.

**4. TITLE:** Seller has the legal capacity to and will convey marketable title to the Property by  standard warranty deed  title; free of liens, easements and encumbrances of record or known to Seller, but subject to property taxes for the year of closing; covenants, restrictions and public utility easements of record; and (if any) other matters to which title will be subject.

provided there exists at closing no violation of the foregoing and none of them prevents Buyer's intended use of the Property as dog boarding and services.

Page 1 of 3      Jurist's: Seller      Buyer   
 Date: 9/15/2017

3/16/2017  
3/16/2017

BUYER  
3/16/2017

(e) Evidence of Title: Seller will, at (check one)  Seller's ~~Seller's~~ Buyer's expense and within 10 days from effective Date  prior to Closing Date  from date Buyer makes or receives financing contingency in Paragraph 3, deliver to Buyer (check one)  
 a title insurance commitment by a Florida licensed title insurer and, upon Buyer recording the deed, an owner's policy in the amount of the purchase price for fee simple title subject only to exceptions stated above.  
 an abstract of title prepared or brought current by an existing abstract firm or certified as correct by an existing firm. However, if such an abstract is not available to Seller, then a prior owner's title policy acceptable to the proposed insurer as a base for reinsurance of coverage. The prior policy will include copies of all policy exceptions and an update in a format acceptable to Buyer from the policy effective date and certified to Buyer or Buyer's closing agent together with copies of all documents received in the prior policy and in the update.

(b) Title Examination: Buyer will, within 15 days from receipt of the evidence of title deliver written notice to Seller of the defects. Title will be deemed acceptable to Buyer if (1) Buyer fails to deliver proper notice of defects or (2) Buyer delivers proper written notice and Seller cures the defects within 30 days from receipt of the notice ("Cure Period"). If the defects are cured within the Cure Period, closing will occur within 10 days from receipt by Buyer of notice of such curing. Seller may elect not to cure defects if Seller reasonably believes any defect cannot be cured within the Cure Period. If the defects are not cured within the Cure Period, Buyer will have 10 days from receipt of notice of Seller's inability to cure the defects to elect whether to terminate this Contract or accept title subject to existing defects and close the transaction without reduction in purchase price. The party who pays for the evidence of title will also pay related title service fees including title and abstract charges and title examination.

(c) Survey: (check applicable provisions below)  
Seller will, within 5 days from Effective Date, deliver to Buyer copies of prior surveys, plans, specifications, and engineering documents, if any, and the following documents relevant to this transaction: \_\_\_\_\_ all currently existing structures \_\_\_\_\_ prepared for Seller or in Seller's possession, which show all

3/16/2017

Buyer  Seller will, at ~~Seller's~~ Buyer's expense and within the time period allowed to deliver and examine title evidence, obtain a current certified survey of the Property from a registered surveyor. If the survey reveals encroachments on the Property or that the improvements encroach on the lands of another, Buyer will accept the Property with existing encroachments  such encroachments will constitute a title defect to be cured within the Cure Period.

(d) Ingress and Egress: Seller warrants that the Property presently has ingress and egress.

(e) Possession: Seller will deliver possession and keys for all locks and alarms to Buyer at closing.

5. CLOSING DATE AND PROCEDURE: This transaction will be closed in Escambia County, Florida on or before the \_\_\_\_\_ or within 120 days from Effective Date ("Closing Date"), unless otherwise extended herein.  Seller  Buyer will designate the closing agent. Buyer and Seller will, within 20 days from Effective Date, deliver to escrow agent signed instructions which provide for closing procedure. If an institutional lender is providing purchase funds, lender requirements as to place, time of day, and closing procedures will control over any contrary provisions in this Contract.

(a) Costs: Buyer will pay taxes and recording fees on notes, mortgages and financing statements and recording fees on the deed. Seller will pay taxes on the deed and recording fees for documents needed to cure title defects. If Seller is obligated to discharge any encumbrance at or prior to closing and fails to do so, Buyer may use purchase proceeds to satisfy the encumbrance.

(b) Documents: Seller will provide the deed, bill of sale, mechanic's lien affidavit, assignments of leases, updated rent roll, tenant and landlord stoppage letters, assignments of permits and licenses, corrective instruments and letters notifying tenants of the change in ownership/rental agent. If any tenant refuses to execute an escoppe letter, Seller will certify that information regarding the tenant's lease is correct. If Seller is a corporation, Seller will deliver a resolution of its Board of Directors authorizing the sale and delivery of the deed and certification by the corporate Secretary certifying the resolution and selling forth from showing the conveyance conforms with the requirements of local law. Seller will transfer security deposits to Buyer. Buyer will provide the closing statement, mortgages and notes, security agreements and financing statements.

Page 2 of 8 Initials: Seller: \_\_\_\_\_ Buyer: [Signature]  
(BY A REALTOR)

(c) Taxes, Assessments, and Prorations The following items will be made current and prorated: Escrow of Closing Date as of                     ; real estate taxes, burial and assessment payments sustained by Buyer, interest, rents, association dues, insurance premiums allocatable to Buyer, operating expenses and                     . If the amount of taxes and assessments for the current year cannot be ascertained, rates for the previous year will be used with due allowance being made for improvements and exemptions. Seller is aware of the following assessments affecting or potentially affecting the Property:                     . Buyer will be responsible for all assessments of any kind which become due and owing on or after Effective Date, unless the improvement is substantially completed as of Closing Date, in which case Seller will be obligated to pay the entire assessment.

(d) FIRPTA Tax Withholding: The Foreign Investment in Real Property Act ("FIRPTA") requires Buyer to withhold at closing a portion of the purchase proceeds for remission to the Internal Revenue Service ("I.R.S.") if Seller is a "foreign person" as defined by the Internal Revenue Code. The parties agree to comply with the provision of FIRPTA and to provide, as or prior to closing, appropriate documentation to establish any applicable exemption from the withholding requirement. If withholding is required and Buyer does not have cash sufficient at closing to meet the withholding requirement, Seller will provide the necessary funds and Buyer will provide proof to Seller that such funds were properly remitted to the I.R.S.

6. ESCROW: Buyer and Seller authorize William F. Mitchell Telephone: 850-469-2314  
Email: wfm@EGGSFLANE.COM Address: 501 E. Commodore Drive, Pensacola, FL 32502  
to act as escrow agent to receive funds and other items and, subject to discharge, distribute them in accordance with the terms of this Contract. Escrow Agent will deposit all funds received in a non-interest bearing escrow account. If Escrow Agent receives conflicting demands or has a good faith doubt as to Escrow Agent's duties or liabilities under this Contract, he/she may (a) hold the subject matter of the escrow until the parties mutually agree to its release; or (b) all issuance of a court order or decision of an arbitrator determining the parties' rights regarding the escrow or (b) deposit the subject matter of the escrow with the clerk of the circuit court having jurisdiction over the dispute. Upon resolving the parties of such action, Escrow Agent will be released from all liability except for the duty to account for items previously delivered out of escrow. If a licensed real estate broker, Escrow Agent will comply with applicable provisions of Chapter 475, Florida Statutes. In any suit or arbitration in which Escrow Agent is made a party because of acting as agent hereunder or interpreting the subject matter of the escrow, Escrow Agent will recover reasonable attorney's fees and costs and costs to be paid from the escrowed funds or equivalent and charged and assessed as court or other costs in favor of the prevailing party. The parties agree that Escrow Agent will not be liable to any person for misdelivery to Buyer or Seller of escrowed items, unless the misdelivery is due to Escrow Agent's willful breach of this Contract or gross negligence.

7. PROPERTY CONDITION: Seller will deliver the Property to Buyer at the time agreed in its present "as is" condition, ordinary wear and tear excepted, and will maintain the landscaping and grounds in a comparable condition. Seller makes no warranties other than marketability of title. By accepting the Property "as is," Buyer waives all claims against Seller for any defects in the property (Check a or b):

   (a) as Buyer has inspected the Property or waives any right to inspect and accepts the Property in its "as is" condition.

   (b) Due Diligence Period: Buyer will, at Buyer's expense and within   30   days from Effective Date ("Due Diligence Period"), determine whether the Property is suitable, in Buyer's sole and absolute discretion, for Buyer's intended use and development of the Property as specified in Paragraph 4. During the due Diligence Period, Buyer may conduct any tests, analyses, surveys and investigations ("inspections") which Buyer deems necessary to determine to Buyer's satisfaction the Property's neighborhood, architecture, environmental processes, zoning and zoning restrictions, flood zone designation and restrictions, subdivision regulations, soil and grade availability of access to public roads, water, and other utilities; consistency with local, state and regional growth management and comprehensive and urban plans; availability of permits, government approvals and licenses; compliance with American with Disabilities Act; absence of asbestos, soil and ground water contamination; transferee approval; and other inspections that Buyer deems appropriate to determine the suitability of the Property for Buyer's intended use and development. Buyer shall deliver written notice to Seller prior to the expiration of the Due Diligence Period of Buyer's determination of whether or not the Property is acceptable. Buyer's failure to comply with this notice requirement shall constitute acceptance of the Property in its present "as is" condition. Seller grants to Buyer, its agents, contractors and assigns, the right to enter the Property at any time during the Due Diligence Period for the purpose of conducting inspections; provided, however, that Buyer, its agents, contractors and assigns enter the Property and conduct inspections at their own risk.

Initials Seller                     

Buyer                       
(Print Name)

Buyer shall indemnify and hold Seller harmless for losses, damages, costs, claims and expenses of any nature, including attorney's fees at all levels and from liability to any person, arising from: the conduct of any and all inspections or any work authorized by Buyer. Buyer will not engage in any activity that could result in a mechanic's lien being filed against the Property without Seller's prior written consent. In the event this transaction does not close, (1) Buyer shall repair all damage to the Property resulting from the inspections and return the Property to the condition it was in prior to conduct of inspections, and (2) Buyer shall, at Buyer's expense, release to Seller all reports and other work generated as a result of the inspections. Should Buyer desire timely notice that the Property is not acceptable, Seller agrees that Buyer's deposit shall be immediately returned to Buyer and this Contract terminated.

(c) Walk-through Inspection: Buyer may, on the day prior to closing or any other time mutually agreeable to the parties, conduct a final "walk-through" inspection of the Property to determine compliance with this paragraph and to ensure that all Property is on the premises.

(d) Disclosures:

1. Radon Gas: Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your county public health unit.

2. Energy Efficiency: Buyer may have determined the energy efficiency rating of the building, if any, located on the Real Property.

8. OPERATION OF PROPERTY DURING CONTRACT PERIOD: Seller will continue to operate the Property and any business conducted on the Property in the manner agreed prior to Contract and will take no action that would adversely impact the Property, tenants, lenders or business, if any. Any changes, such as renting vacant space that materially affect the Property or Buyer's intended use of the Property will be permitted  only with Buyer's consent  without Buyer's consent.

9. RETURN OF DEPOSIT: Unless otherwise specified in the Contract, in the event any provision of this Contract is not met and Buyer has timely given any required notice regarding the condition having not been met, Buyer's deposit will be returned in accordance with applicable Florida laws and regulations.

10. DEFAULT:

(a) In the event the sale is not closed due to any default or failure on the part of Seller other than the failure to make the title marketable after diligent effort, Buyer may either (1) receive a refund of Buyer's deposit or (2) seek specific performance. If Buyer elects a deposit refund, Seller will be liable to Buyer for the full amount of the brokerage fee. (b) In the event the sale is not closed due to any default or failure on the part of Buyer, Seller may either (1) retain all deposits paid or agreed to be paid by Buyer as agreed upon liquidated damages, consideration for the execution of this Contract, and in full settlement of any claim upon which the Contract will terminate or (2) seek specific performance. If Seller retains the deposit, Seller will pay the Listing and Cooperating Brokers named in Paragraph 12, 85% percent of all forfeited deposits retained by Seller (to be split equally among the Brokers) up to the full amount of the brokerage fee.

11. ATTORNEY'S FEES AND COSTS: In any claim or controversy arising out of or relating to this Contract the prevailing party, which for purposes of this provision will include Buyer, Seller and Broker, will be awarded reasonable attorney's fees, costs and expenses.

12. BROKERS: Neither Buyer nor Seller has utilized the services of, or for any other reason owes compensation to, a licensed real estate broker other than:

(a) Listing Broker: Carroll & Manzek who is  an agent of  Buyer  Seller  transaction broker  Neither Party and who will be compensated by  Seller  Buyer  Both Parties pursuant to  a listing agreement  Other, specify: \_\_\_\_\_

(b) Cooperating Broker: Next 2 Homecare who is an agent of  Buyer  Seller  transaction broker  Neither Party and who will be compensated by  Seller  Buyer  Both Parties pursuant to  a listing agreement  Other, specify: Per Qd 1 Const MLS (Collectively referred to as "Brokers")

in connection with any act relating to the Property, including but not limited to inquiries, introductions, consultations, and negotiations resulting in this transaction. Seller and Buyer agree to indemnify and hold Broker harmless from and against losses, damages, costs and expenses of any kind, including reasonable attorney's fees at all levels, and from liability to any person arising from (1) compensation claimed which is inconsistent with the representation in this Paragraph (2) enforcement of action to collect a brokerage fee pursuant to Paragraph (1) (3) any duty excepted by Broker at the request of Buyer or Seller, which duty is beyond the scope of services regulated by Chapter 475, F.S., as amended or (4) recommendations of or services provided and expenses incurred by any third party whom Broker refers, recommends or retains for or on behalf of Buyer or Seller.

13. **ASSIGNABILITY; PERSONS BOUND:** This contract  is not assignable  is assignable. The terms "Buyer", "Seller" and "Broker" may be singular or plural. This Contract is binding upon Buyer, Seller and their heirs, personal representatives, successors and assigns (if assignment is permitted).

14. **AT SUCH TIME** as this transaction is closed, additional sums may be demanded from the Buyer and Seller in the form of closing costs. List below are the major closing cost items ordinarily found in a transaction and unless otherwise specified in the contract and checked are those items each party agrees to pay.

	Buyer	Seller	Buyer	Seller	Buyer	Seller
Attorney Fees		Requesting Party Survey	X	Professional Fees		X
Owners Title Ins	1/2	1/2	Doc Stamps Titg	X	Credit Report	X
Mortgage's Title Ins	X		Doc Stamps Deed		X	Tax Service Fee
Recording Fee	X		Appraisal Fee	X		Hazard Insurance

  
 3/16/2017

15. **MISCELLANEOUS:** The terms of this Contract constitute the entire agreement between Buyer and Seller. Modifications of this Contract will not be binding unless in writing, signed and delivered by the party to be bound. Signatures, initials, comments referenced in the Contract do, in whole or in part, constitute amendments communicated electronically or on paper will be acceptable for all purposes, including delivery, and will be binding. Handwritten or typed alterations here to or attached to this Contract prevail over printed terms. If any provision of the Contract is or becomes invalid or unenforceable, all remaining provisions will continue to be fully effective. This Contract will be controlled under Florida law and will not be recorded in any public records. Delivery of any written notice to any party's agent will be deemed delivery to that party.

**THIS IS INTENDED TO BE A LEGALLY BINDING CONTRACT. IF NOT FULLY UNDERSTOOD, SEEK THE ADVICE OF AN ATTORNEY PRIOR TO SIGNING. BROKER ADVISES BUYER AND SELLER TO VERIFY ALL FACTS AND REPRESENTATIONS THAT ARE IMPORTANT TO THEM AND TO CONSULT AN APPROPRIATE PROFESSIONAL FOR LEGAL ADVICE (FOR EXAMPLE, INTERPRETING CONTRACTS, DETERMINING THE EFFECT OF LAWS ON THE PROPERTY AND TRANSACTION, STATUS OF TITLE, FOREIGN INVESTOR REPORTING REQUIREMENTS, ETC.) AND FOR TAX, PROPERTY CONDITION, ENVIRONMENTAL AND OTHER SPECIALIZED ADVICE. BUYER ACKNOWLEDGES THAT BROKER DOES NOT OCCUPY THE PROPERTY AND THAT ALL REPRESENTATIONS (ORAL, WRITTEN OR OTHERWISE) BY BROKER ARE BASED ON SELLER REPRESENTATIONS OR PUBLIC RECORDS UNLESS BROKER INDICATES PERSONAL VERIFICATION OF THE REPRESENTATION. BUYER AGREES TO RELY SOLELY ON SELLER, PROFESSIONAL INSPECTORS AND GOVERNMENTAL AGENCIES FOR VERIFICATION OF THE PROPERTY CONDITION, SQUARE FOOTAGE AND FACTS THAT MATERIALLY AFFECT PROPERTY VALUE.**

Initials: Seller 

Buyer:   
 CASH ON HAND

DEPOSIT RECEIPT: Deposit of \$ \_\_\_\_\_ by  check  cash \_\_\_\_\_ received on \_\_\_\_\_ by \_\_\_\_\_

OFFER: Buyer offers to purchase the Property on the above terms and conditions. Unless acceptance is signed by Seller and a signed copy delivered to Buyer or Buyer's agent no later than \_\_\_\_\_ p.m. of \_\_\_\_\_ 2017 Buyer may revoke this offer and receive a refund of all deposits.

Date: 3/29/2017 BUYER: [Signature] Tax ID No: \_\_\_\_\_  
Title: \_\_\_\_\_ Telephone: \_\_\_\_\_ Facsimile: \_\_\_\_\_

Date: \_\_\_\_\_ BUYER: \_\_\_\_\_ Tax ID No: \_\_\_\_\_  
Title: \_\_\_\_\_ Telephone: \_\_\_\_\_ Facsimile: \_\_\_\_\_

ACCEPTANCE: Seller accepts Buyer's offer and agrees to sell the Property on the above terms and conditions (subject to the attached counter offer).

Date: 3/29/17 SELLER: [Signature] Tax ID No: \_\_\_\_\_  
Title: \_\_\_\_\_ Telephone: \_\_\_\_\_ Facsimile: \_\_\_\_\_

Date: \_\_\_\_\_ SELLER: \_\_\_\_\_ Tax ID No: \_\_\_\_\_  
Title: \_\_\_\_\_ Telephone: \_\_\_\_\_ Facsimile: \_\_\_\_\_

Page 6 of 8

Initials: [Signature]

Buyer: [Signature]

## Appendix C - Survey



# Appendix D - Current Property Tax Information



**Scott Lunsford, CFC - Escambia County Tax Collector**

EscambiaTaxCollector.com | Facebook.com/ECTaxCollector | Twitter.com/escambiatc

## 2016 Paid Real Estate

Notice of Ad Valorem and Non-Ad Valorem Assessments



SCAN TO PAY ONLINE

ACCOUNT NUMBER	MILLAGE CODE	ESCROW CODE	PROPERTY REFERENCE NUMBER
01-1767-700	06		1015293101027001

WATER WORLD TROPICAL FISH & SUPPLIES INC  
2410 LANGLEY AVE  
PENSACOLA, FL 32504

PROPERTY ADDRESS:  
2410 LANGLEY AVE

EXEMPTIONS:

AD VALOREM TAXES						
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED	
COUNTY	6.6165	329,844	0	329,844	2,182.41	
PUBLIC SCHOOLS						
BY LOCAL BOARD	2.2100	329,844	0	329,844	728.96	
BY STATE LAW	4.6660	329,844	0	329,844	1,539.05	
WATER MANAGEMENT	0.0366	329,844	0	329,844	12.07	
SHERIFF	0.6850	329,844	0	329,844	225.94	
M.S.T.U. LIBRARY	0.3590	329,844	0	329,844	118.41	
TOTAL MILLAGE				14.5731	AD VALOREM TAXES	\$4,806.84

LEGAL DESCRIPTION	NON-AD VALOREM ASSESSMENTS		
	TAXING AUTHORITY	RATE	AMOUNT
BEG AT SWLY COR OF LT 2 BLK A ABB S/D PB 1 P 82 S 47 DEG 28 MIN 0 SEC E ALG LI D See Additional Legal on Tax Roll	FP FIRE PROTECTION		239.33
	FOR QUESTIONS ON THIS SECTION ONLY, CALL (850) 595-4960		
NON-AD VALOREM ASSESSMENTS			\$239.33

Pay online at [EscambiaTaxCollector.com](http://EscambiaTaxCollector.com)

Payments must be in U.S. funds drawn from a U.S. bank

COMBINED TAXES AND ASSESSMENTS \$5,046.17

If Paid By Please Pay	Nov 30, 2016 \$0.00				
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RETAIN FOR YOUR RECORDS

DETACH HERE AND RETURN THIS PORTION WITH YOUR PAYMENT

### 2016 Paid Real Estate

<b>ACCOUNT NUMBER</b>
01-1767-700
<b>PROPERTY ADDRESS</b>
2410 LANGLEY AVE

WATER WORLD TROPICAL FISH & SUPPLIES INC  
2410 LANGLEY AVE  
PENSACOLA, FL 32504

Make checks payable to:  
**Scott Lunsford, CFC**  
Escambia County Tax Collector  
P.O. BOX 1312  
PENSACOLA, FL 32591  
Pay online at [EscambiaTaxCollector.com](http://EscambiaTaxCollector.com)

Payments in U.S. funds from a U.S. bank

### PAY ONLY ONE AMOUNT

AMOUNT IF PAID BY	Nov 30, 2016 0.00
AMOUNT IF PAID BY	
AMOUNT IF PAID BY	
AMOUNT IF PAID BY	

DO NOT FOLD, STAPLE, OR MUTILATE

Paid By  
Paid 11/17/2016 Receipt # 189-16-00264121 \$4,844.32 Effective Date 11/15/2016

## Appendix E - Camp Bow Wow Franchise Information

# North America's Largest Pet Care Franchise



**CAMP**  
**BOY WOW**

# About Camp Bow Wow

- **Camp Bow Wow®** was successfully developed to provide a fun, safe, and upscale environment for dogs to play, romp, and receive lots of love and attention! Dubbed the “Land of Happy Dogs”, we provide all the services a dog owner could need – day care, indoor overnight boarding, grooming and training! We were the first and largest Dog Day Care and Boarding Franchise in the United States and are extremely proud of being a business that makes dogs and their guardians everywhere “Happy Healthy Pets, Happy Healthy People ”on a day to day basis!
- In just 16 years, Camp Bow Wow has grown to include over 135 locations across North America, becoming a \$100+ million business. The company was recently ranked #1 in category in *Entrepreneur’s Franchise 500* list in 2016 again and for the fifth year in a row named to the *INC* magazine 5000 list of America’s fastest growing private companies.
- The Camp concept provides the highest level of safety, fun and service for dogs and peace of mind for their parents. Campers (dogs) get to romp together in a monitored open-play environment and pricing is all-inclusive.



# Strong Brand Recognition

- 135+ Camp Locations Across North America!
- Over 600,000 clients system wide!
- Over 3 Million Dogs cared for in 2015!



# Camp Exterior & Signage



*Highland Park, PA*



*Portland, ME*



*Bentonville, AR*



*Tucson, AZ*

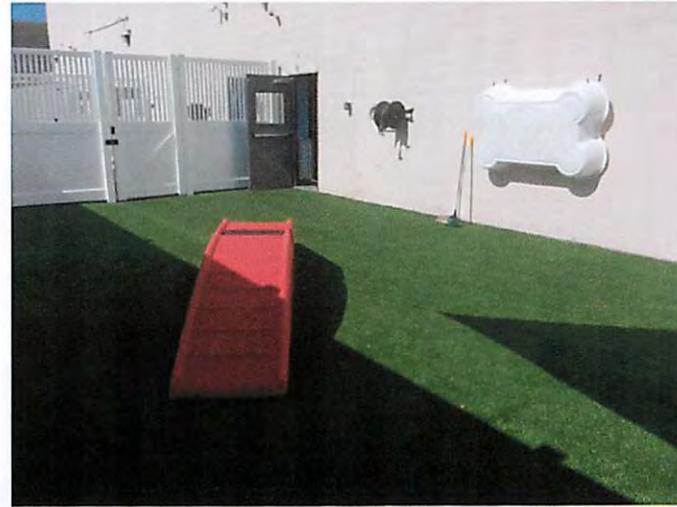
# Camp Lobby Pictures



# Premier Indoor Boarding Accommodations

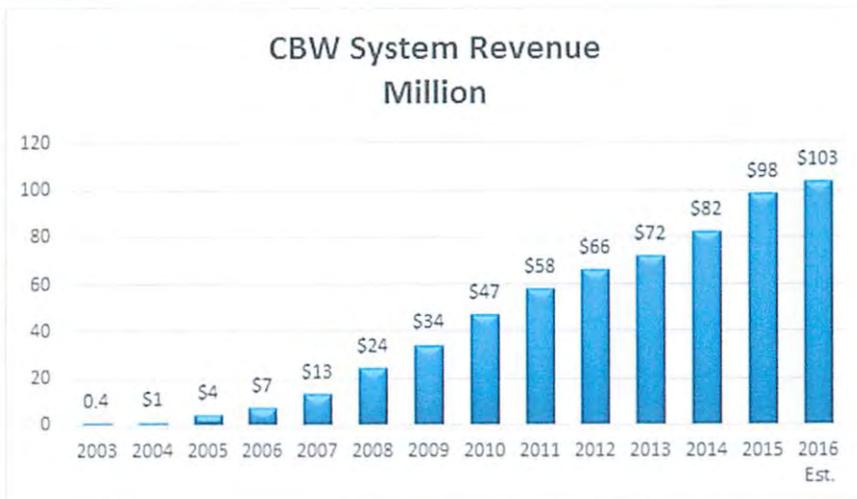


# Indoor & Outdoor Play Areas





# The Pet Industry: Why Camp Bow Wow is in High Demand



65% of U.S. households own a pet, which equates to 79.7 million homes! (per 2015-2016 APPA National Pet Owners Survey)

**Pet Industry** (per American Pet Products Assoc. & IBIS World Reports)

- 2015 Estimate \$60 B
- Grooming & Boarding Services \$6 B
- Growth Trend 5% YOY

**Camp Bow Wow** (per 2016 FDD)

- 2015 \$94 M
- Camp Growth 13% YOY



# Our Parent Company: VCA Animal Hospitals

- \$6+ Billion Publicly Traded Company est. 1986
- Leading provider of free-standing vet hospitals
  - 772+ Hospitals– 692 in 43 U.S. states, 80 in five (5) Canadian provinces
  - Over 3,300 doctors
  - 20,000+ employees
  - Over 2.0 million clients
  - Over 2.7 million pets
  - Over 8.3 million annual pet visits
- Leading provider of specialty medicine
- Leading provider of animal lab diagnostics
- Leading provider of veterinary medical equipment
- Leading provider of post-grad vet training



ANTECH  
DIAGNOSTICS



sound  
A VCA COMPANY



# Why Our Customers Choose Camp Bow

- Highest Standard of Safety
  - Proven Camper Interview Process
  - Trained Certified Camp Counselors®
- Where a Dog Can Be a Dog®
  - All Day Play Environment
  - Indoor and Outdoor Play Yards
  - Monitored Play Yards= Love & Affection
- Premier Facilities
  - Camp Feel and Décor
  - Cabins with Comfy Cots and Cozy Fleecees
  - High definition Camper Cams<sup>SM</sup>
- Consumer Friendly!
  - Great Customer Service
  - One Price Service – No Add-On's
  - Dog Training, In Home Pet Care and Grooming
- Allows them to be responsible pet owners!

# Wow!



# Why Communities Welcome Camp Bow Wow!

Although a national franchise each of our Camp franchises are individually owned and operated and deeply embedded in their local communities

- Camps provide increased revenue for the local community and stimulate economic growth
- Camps provide entry and management level job opportunities for residents
- Camps provide needed services which keeps pups happy and healthy and out of trouble
- Camps give back to their local communities in many ways:
  - One way is through our 501c3 non-profit Bow Wow Buddies Foundation which offers medical grants to pet parents or shelters for medical expenses.
  - We also have many other programs that franchise owners offer to their communities such as dog bite prevention education for children, our scouts angel therapy dog program to provide comfort to those in need and our Behavior Buddies certified dog trainers work with clients as well as shelters and rescues in communities to better train pet owners and their pets to be good two legged and four legged citizens.



# How we will work with the Pet Community?

- Grand Opening Adoption Event!
- In-Camp Foster Dog Program, providing training, socialization and exposure on our website to find fur-ever homes.
- Yappy Hours, and customer appreciation events to raise money for local pet charities.
- Work with local shelters/rescues to provide training at their facility.
- Educate at local child venues on Dog Bite Prevention.
- VIP discount for our local public service providers (Police and Fire, and military).



# Local Educational Media Pet Safety Tips for Local Camp Communities

Dog Bite Prevention

Pet Disaster Plan

Keeping Pets Safe in the Summer Heat

Helping Kids Overcome their Fear of Dogs

Promoting Local Pets up for Adoption

Choosing the Right Puppy for Your Family

Pet Obesity



# General Camp Operations Information

- Camp staff is on site from 7:00 AM to 7:00 PM. One staff member per 25 dogs minimum. Minimum 2 Certified Camp Counselors® on site during business hours.
- Day Camp is offered weekdays (many locations offer weekend Day Camp). Other services offered: overnight boarding, training, grooming, retail for purchase (pet related supplies).
- Boarding Campers are housed in individual indoor secured cabins overnight. CBW does not have indoor/outdoor runs and all overnight boarding is within the enclosed building.
- The video cameras (Camper Cams) are available to the public during open hours, but they are on 24 hours a day. They can be accessed via the web or mobile phone apps.
- All facilities have fire and security systems connected directly to the fire and police departments for monitoring. The temperature is climate controlled and maintained at a constant 64-78 degrees year round.
- The outdoor play area is used sporadically for relief and fresh air. Staff is present at all times when dogs are outside. Staff are trained to utilize specific dog training methods to keep noise to a minimum. Dogs bark when they are bored and left alone. This is not the case at Camp.
- Dog waste is immediately and continually cleaned up as it occurs and disposed via local municipality approved methods.



# Safety First at Camp Bow Wow

---

- CBW provides the safest dog daycare and boarding experience for our Campers. Every area in Camp is designed to maintain a safe environment for our Campers and staff to prevent injury or illness. Once the dogs are behind the check in area in our lobby the Camper has little potential for escape.
- All of our staff must pass our Certified Camp Counselor<sup>®</sup> training and also be pet first aid and CPR trained. Campers are never left unsupervised when together in our open play environment.
- All of our Camps have two emergency veterinary hospitals relationships secured so that in the event of an injury or health issue a Camper can immediately be seen and treated.
- All of our Camps work with their local jurisdiction to create emergency evacuation protocols in the event the building must be evacuated short or long term. Our staff is trained on how to implement these protocols following CBW operations standards.
- All of our Camps adhere to our proven cleaning and maintenance processes to ensure a clean and safe environment for staff and Campers. Every surface in Camp is cleaned daily with our hospital grade environmentally safe cleaning products.
- All of our Camps maintain appropriate coverage for business, building and incident insurance complying with federal, state and local law as well as our franchise requirements.



# Noise Concerns?

- Barking is not a major issue as our staff are well trained and constantly monitor the dogs inside and outside. We can use a myriad of indoor and outdoor soundproofing materials depending on the Camp design and sound impact anticipated at the location.
- Campers mainly spend their time inside taking brief breaks outside when they need to relieve themselves. With a pack mentality, Campers tend to follow the Counselors (they are the alpha) in the yards making controlling indoor and outdoor egress with the dogs easier.
- Our Certified Camp Counselors® utilize pack management and individual behavior training techniques to keep barking at an absolute minimum. If necessary, overly disruptive Campers will be placed in a cabin for a time out or the guardian will be called to pick them up.
- The outside break yard is constructed with solid vinyl fencing to act as a noise buffer. Fence height is a mandatory 8 feet to insure dog and neighborhood safety.
- The yard is situated at each site on the back or side of the property away from any residential properties, using the building as a buffer.



# Waste or Smell Concerns?

- We utilize specialized bio-degradable cleaners and disinfectants – the same that are used in hospitals, child care centers, and gyms. These products keep our facilities (indoor and out) smelling fresh and clean year round.
- CBW provides all franchisees a set daily cleaning schedule. Franchisor site visits occur year round and regular web camera evaluations are conducted to ensure proper maintenance of CBW facilities and that brand standards are being followed. Secret shopper programs are also used for additional review.
- We target a very upscale clientele that requires our facilities are kept spotless.
- The Camp Bow Wow® waste removal routine includes constant play area patrol so that waste is picked up and deposited in a galvanized steel trash can with lid and a 3 mil trash can liner. The liner is removed, sealed and deposited in the facility dumpster daily as needed. A typical CBW produces approximately the equivalent to one large lawn/leaf garbage bag of waste per day. Dumpster pick-up is scheduled for once to twice a week.



# Drainage Concerns?

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- In our facilities we never spray anything down to clean it – we use a light foaming device along with mops and squeegees to clean our facilities.
- We also use a professional auto-scrubber to clean the floors which intakes any excess water into the machine, minimizing water consumption as well as maximizing cleanliness.
- When cleaning the yards daily, the amount of water used is the equivalent to a 5 minute human shower.
- Our disinfectants are pet safe and environmentally friendly and do not require rinsing.



# Traffic or Parking Concerns?

The services of Camp Bow Wow attract high end customers that are in a hurry and on their way to and from work or travel. Camp Bow Wow operates efficiently so that the dog drop off and pick up is quick and easy for our clients:

- Pre-Purchased Day Camp Packages keep front lobby transactions short. Customers are able to drop off or pick up quickly without having to make a payment each time. This keeps the average drop/off and pick up time to 5 minutes or less.
- We do not have typical parking needs of retail businesses since our pick up and drop off for services are quick transactions.
  - On average we require 10-15 parking spaces minimum to accommodate client and employee parking.



# Our Mission Statement

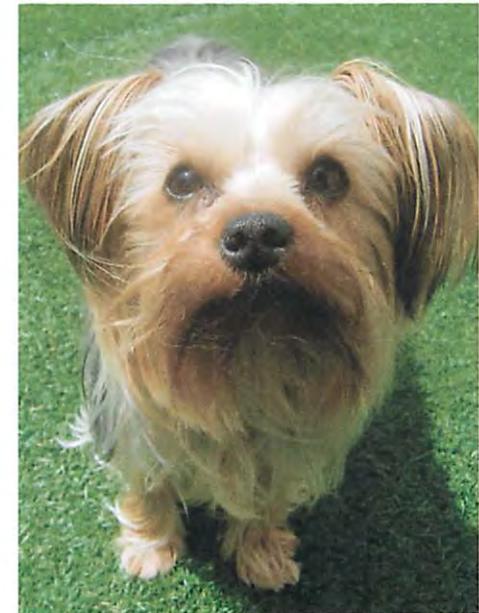
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Camp Bow Wow® is the premier provider of innovative, healthy, and happy pet care worldwide while lending a paw to animals in need!



# Our Vision Statement

Happy Healthy Pets, Happy Healthy People



RESOLVE THAT ANY ONE OF THE FOLLOWING OFFICERS ARE AUTHORIZED TO SELL, ASSIGN AND ENDORSE FOR TRANSFER, CERTIFICATES REPRESENTING STOCKS, BONDS OR OTHER SECURITIES NOW REGISTERED OR HEREINAFTER REGISTERED IN THE NAME OF THE CORPORATION, TO EXECUTE DEEDS FOR THE SALE OF REAL ESTATE, SIGN NOTES FOR LOANS, AND PLEDGE ASSETS AS COLLATERAL.

R. E. Mertins, Jr.  
Steve D. Mertins

President  
Vice-President,  
Secretary.

I hereby certify that the following is a True Copy of a Resolution adopted by the Board of Directors of Water World Tropical Fish and Supplies, Inc. at a meeting held October 8, 1992, at which a quorum was present and voting ; and that the same is still in full force and effect and does not conflict with the By-Laws of said Corporation.

6-13-17

Dated

Steve D. Mertins  
Secretary

**Planning Board-Rezoning**

**7. D.**

**Meeting Date:** 08/01/2017  
**CASE :** Z-2017-13  
**APPLICANT:** Hattie M. McGary, Owner  
**ADDRESS:** 105 Louis Street  
**PROPERTY REF. NO.:** 16-1N-31-1000-003-012  
**FUTURE LAND USE:** MU-S, Mixed-Use Suburban  
**DISTRICT:** 5  
**OVERLAY DISTRICT:** N/A  
**BCC MEETING DATE:** 09/07/2017

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**SUBMISSION DATA:**

**REQUESTED REZONING:**

**FROM: LDR, Low Density Residential district (four du/acre)**

**TO: LDMU, Low Density Mixed-use district (seven du/acre)**

**RELEVANT AUTHORITY:**

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

**APPROVAL CONDITIONS**

**Criterion a., LDC Sec. 2-7.2(b)(4)**

**Consistent with Comprehensive Plan**

Whether the proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of the plan provisions

**FLU 1.3.1 Future Land Use Categories.** General descriptions, range of allowable uses, and residential densities and non-residential intensities for all future land use categories in Escambia County are outlined below.

**CPP FLU 1.5.1 New Development and Redevelopment in Built Areas.** To promote the efficient use of existing public roads, utilities, and service infrastructure, the County will encourage the redevelopment in underutilized properties to maximize development

densities and intensities located in the MU-S, Mixed-Use Urban (MU-U), Commercial (C), and Industrial (I) FLU categories (with the exception of residential development).

## **FINDINGS**

The proposed amendment to LDMU **is not consistent** with the intent and purpose of Future Land Use (FLU) category MU-S, as stated in CPP FLU 1.3.1. The MU-S FLU is intended for a mix of residential and non-residential uses, promoting compatible infill development and the separation of urban and suburban land uses. The applicant's description of the the intent of the proposed development is identified in the language under MU-S FLU range of allowable uses under retail services. The location of the proposed amendment does not meet the requirements for infill development and based on the existing conditions on the ground, would be incompatible with the low-density residential character of the surrounding area. Granting of the amendment would not serve the purpose of demarcating or enhancing an existing suburban to urban transition, as such transition does not currently exist at this location.

The proposed amendment for the site would promote the efficient use public roads, utilities and of already existing infrastructure, making the request partially compatible with the intent of CPP FLU 1.5.1.

### **Criterion b., LDC Sec. 2-7.2(b)(4)**

#### **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**

Although the primary intent of the LDMU district is to provide for a mix of neighborhood-scale retail sales, services, and professional offices with greater dwelling unit density and diversity than the Low Density Residential district, and the proposed amendment to LDMU would allow for the proposed use, the parcel is currently part of a platted residential subdivision, First Harvesters Homes.

The parcel is located adjacent to Hwy 297A, designated as a major collector urban roadway; the surrounded intensities and densities are primarily low-density residential development. The applicant did not provide documented compatibility analysis for the location criteria requirement for new proposed commercial development in LDMU, as stated in Section 3-2.6.e, numbers 1 thru 5; therefore, the request is **not consistent** with the stated intent and purpose of the Land Development Code (LDC).

### **Criterion c., LDC Sec. 2-7.2(b)(4)**

#### **Compatible with surrounding uses**

Whether all land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all

permitted uses of the requested zoning.

## **FINDINGS**

Within the 500' radius area, all properties are within the LDR zoning district. There are 27 vacant residential parcels, 32 single-family residences, seven mobile homes, one church and one improved agricultural parcel. The location criteria standards in the LDC provide a degree of protection for residential uses, ensuring that any proposed non-residential uses could in-time be compatible and complimentary with the low-density character of the district. The proposed amendment **is not compatible** with the surrounding existing uses in the area.

During the site visit, staff did observed the existence of a commercial grade exhaust vent on the structure roof and also noticed the mural sign on the front wall of the current structure.

### **Criterion d., LDC Sec. 2-7.2(b)(4)**

#### **Changed conditions**

Whether the area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

## **FINDINGS**

Staff found **no changed conditions** that would impact the amendment or property.

### **Criterion e., LDC Sec. 2-7.2(b)(4)**

#### **Development patterns**

Whether the proposed rezoning would contribute to or result in a logical and orderly development pattern.

## **FINDINGS**

The proposed amendment **would not result** in a logical and orderly development pattern. The LDMU district is intended to rely on a pattern of well-connected streets and provide for the separation of suburban uses from more dense and intense urban uses. Based on the 500' radius analysis, except for the existing religious structure, the remaining existing densities and intensities are all residential in nature; the development pattern of the area continues to be suburban in nature. Approval of the amendment would create an isolated parcel with increased uses and intensities adjacent to low density residential development within the boundaries of a platted subdivision. Inspection of the surrounding parcels and uses does not support the transitional character of the LDMU zoning district.

### **Criterion f., LDC Sec. 2-7.2(b)(4)**

#### **Effect on natural environment**

Whether the proposed rezoning would increase the probability of any 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.

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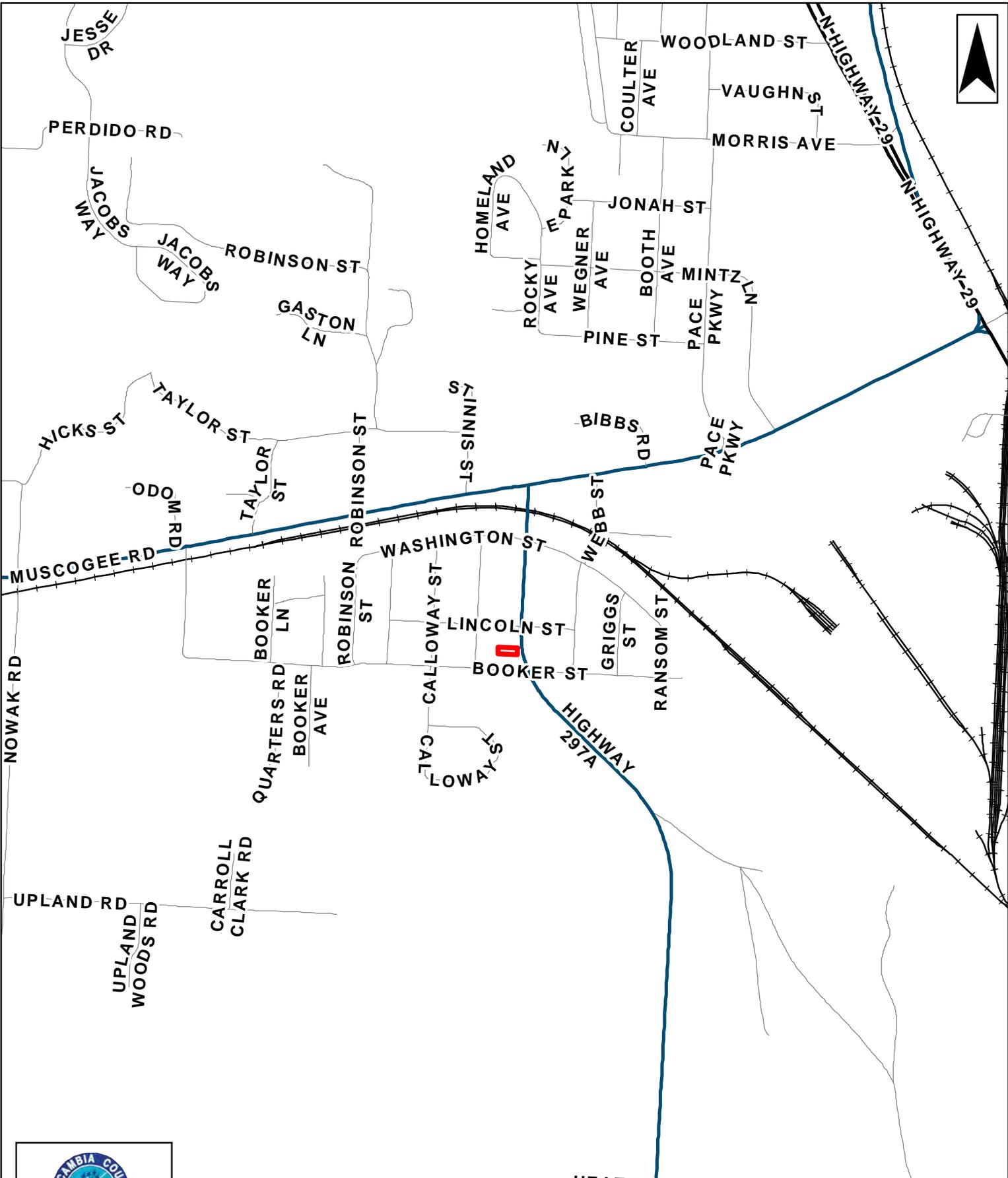
## **Attachments**

Working Case File

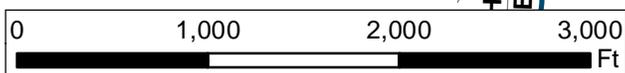
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**Z-2017-13**



# Z-2017-13 LOCATION MAP



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



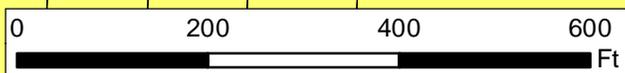
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Andrew Holmer  
Planning and Zoning Dept.

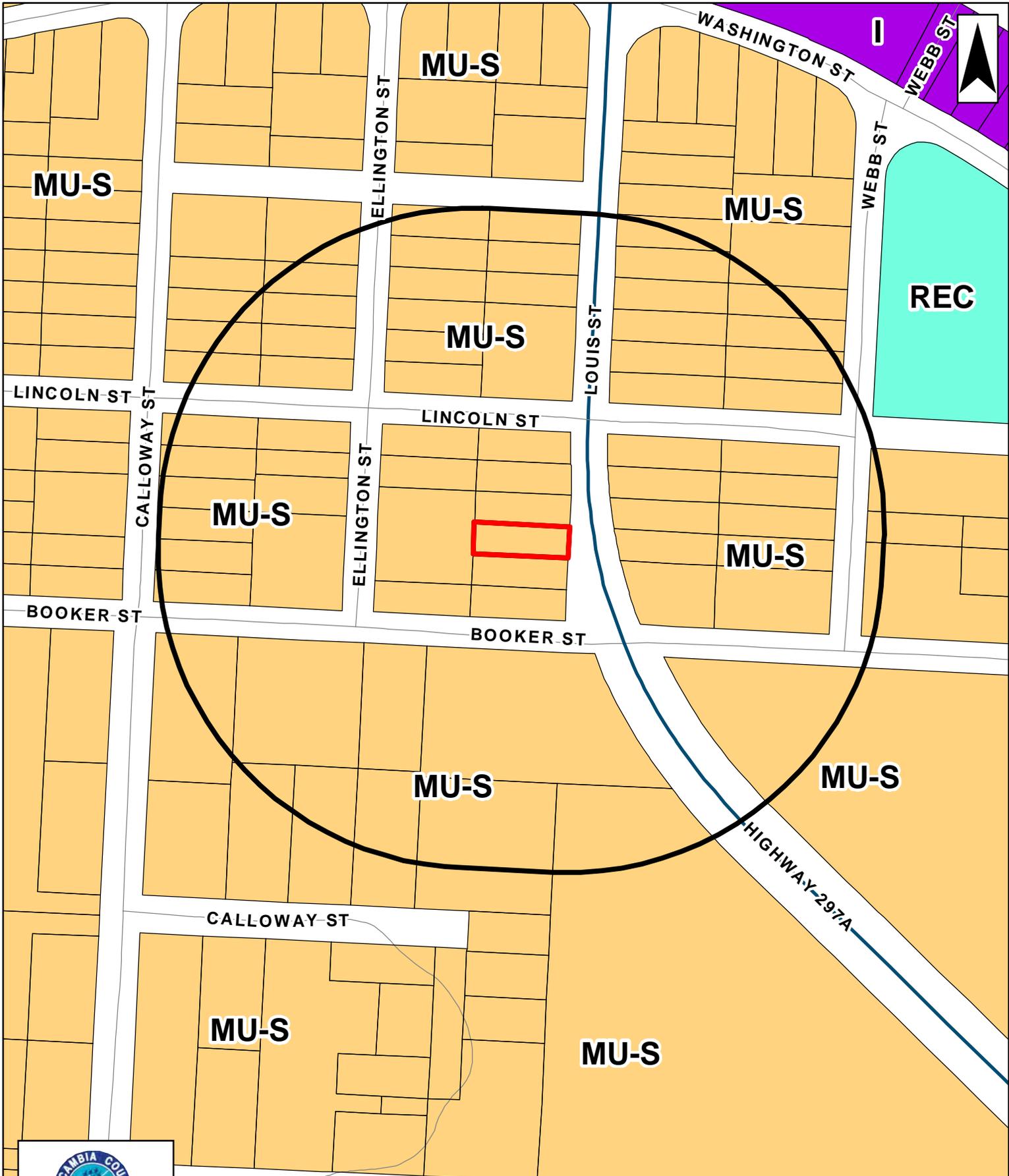


  
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 Andrew Holmer  
 Planning and Zoning Dept.

**Z-2017-13**  
**500' RADIUS ZONING**



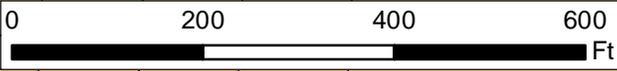
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  RAILROAD



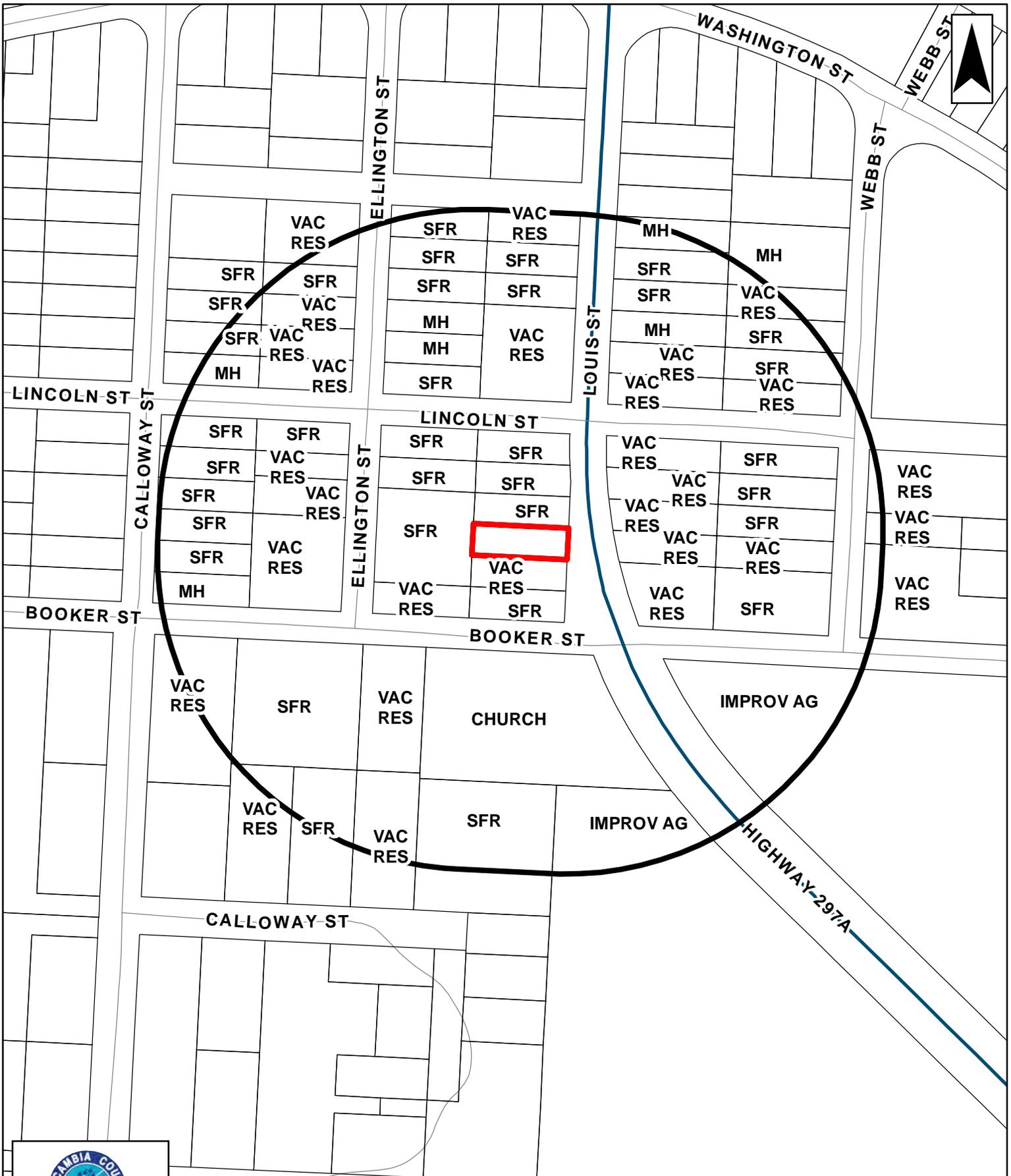

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Andrew Holmer  
Planning and Zoning Dept.

## Z-2017-13 FUTURE LAND USE

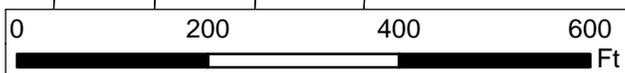


- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD




  
 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.

## Z-2017-13 EXISTING LAND USE



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



LINCOLN ST

LOUIS ST

BOOKER ST

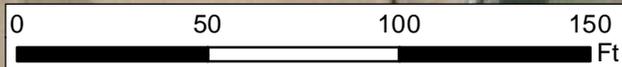
HIGHWAY 297A



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-2017-13 AERIAL MAP



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



**CANTONMENT**

**CANTONMENT**

**CANTONMENT**

**CANTONMENT**

LINCOLN ST

LINCOLN ST

BOOKER ST

BOOKER ST

CALLOWAY ST

WASHINGTON ST

WEBB ST

WEBB ST

LOUIS ST

ELLINGTON ST

ELLINGTON ST

HIGHWAY-297A



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-2017-13 CRA MAP



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



Looking East across Louis Street



Looking North  
onto Louis  
Street



Looking  
Northwest  
from  
Property



Looking  
South from  
Property



Looking  
Southeast  
onto Hwy  
297A



Looking West onto Property from Louis St.  
Note: Commercial vent system



Looking  
West onto  
Property



Existing  
commercial  
mural sign



# Escambia County Planning and Zoning

Development Services Department

3363 West Park Place

Pensacola, FL 32505

Phone: (850) 595-3475 • Fax: (850) 595-3481

<http://myescambia.com/business/ds>

## Rezoning Application

FOR OFFICE USE ONLY - Case Number: 2017-13 Accepted by: Alan PB Meeting: 8/1/17

BCC - 9/7/17

### 1. Contact Information:

#### A. Property Owner/Applicant:

Hattie M. McGary

Mailing Address: P.O. Box 158 Cantonment FL 32533

Business Phone: \_\_\_\_\_ Cell: 850 266-4839

Email: McGARY HATTIE@yahoo.com

#### B. Authorized Agent (if applicable):

Mailing Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

*Note: Owner must complete the attached Agent Affidavit. If there is more than one owner, each owner must complete an Agent Affidavit. Application will be voided if changes to this application are found.*

### 2. Property Information:

#### A. Existing Street Address:

105 Louis St. Cantonment FL 32533

Parcel ID (s): 16-1N-31-000-003-012

B. Total acreage of the subject property: 0.17

C. Existing Zoning: LDR

Proposed Zoning: LDMU

FLU Category: MU-S

D. Is the subject property developed (if yes, explain): Yes, existing building

E. Sanitary Sewer: X Septic: \_\_\_\_\_

**3. Amendment Request**

**A. Please provide a general description of the proposed zoning request, explaining why it is necessary and/or appropriate.**

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**B. Rezoning Approval Conditions – Please address ALL the following approval conditions for your rezoning request. (use supplement sheets as needed)**

**1. Consistent with Comprehensive Plan.** The proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of its provisions.

My request for rezoning is consistent with the goals, objectives and policies. It feels several key functions within the comprehensive plan, such as economic growth, historic preservation and urban growth.

**2. Consistent with LDC.** The proposed rezoning is consistent with the stated purposes and intent of the LDC and not in conflict with any of its provisions.

The rezoning is consistent with the LDC because it has been a commercial zone previously.

**A. Please provide a general description of the proposed zoning request, explaining why it is necessary and/or appropriate.**

- 1. Necessary: Our community consists of households that range from low to middle income residents, many of whom don't have reliable transportation. We have very few business establishments that provide nutritious options within close proximity. The nearest dining options are located on Highway 29, many of our residents don't have reliable transportation to get there and it is not within walking distance. This location will provide them access to a great restaurant with nutritious meals within our community.**
- 2. Appropriate: This building has always been a restaurant and I bought it with the intention to continue that tradition. The owners of all adjoining properties are very supportive of the proposed restaurant and are looking forward to the grand opening. This business will also create jobs for our young people and help them to develop skills which are transferrable to any future goals. The restaurant will also serve as a positive sign of growth within the community as well as provide a meeting place where residents can exchange ideas.**
- 3. We need new businesses in our community to provide opportunities for entrepreneurs and access to jobs for our residents. It only takes one to get started and others will get on board to give new life to our community.**

3. **Compatibility.** All land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning. This condition shall not apply to any conditional uses of the proposed district or compatibility with nonconforming or unapproved uses, activities, or conditions.

My plans are to open a restaurant. This structure has been a restaurant on and off for 40 plus years. I believe that all land uses will be compatible and will not negatively impact surrounding conforming uses.

4. **Changed conditions.** The area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning.

The area is growing and with the growth in population this area could benefit from this commercial property because of its economic potential.

5. **Development patterns.** The proposed rezoning would contribute to or result in a logical and orderly development pattern.

The proposed amendment would result in a logical and orderly development pattern. My restaurant will function as a commercial property that promotes economic growth and urban development.

6. **Effect on natural environment.** The proposed rezoning would not increase the probability of any significant adverse impacts on the natural environment.

The proposed rezoning will not adversely impact the natural environment because there won't be any reconstruction of the natural environment.

**and Affidavit of Owner/Limited Power of Attorney (if applicable).**

**CONCURRENCY DETERMINATION ACKNOWLEDGMENT**

Property Reference Number(s): 16-1N-31-1000-003-012

Property Address: 105 Louis St Cantonment FL 32533

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

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

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

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For 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 \_\_\_\_\_

Hattie M. McGary  
Signature of Property Owner

HATTIE M. MCGARY  
Printed Name of Property Owner

6-19-17  
Date

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Printed Name of Property Owner

\_\_\_\_\_  
Date

**AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY**  
(if applicable)

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. 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

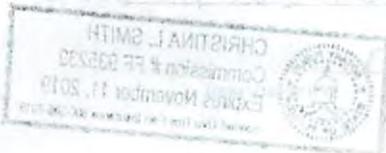
STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

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)



5. Submittal Requirements

- A. ✓ Completed application: All applicable areas of the application shall be filled in and submitted to the Planning and Zoning Department, 3363 West Park Place, Pensacola, FL 32505.
- B. \_\_\_\_\_ Application Fee: \$1275.50 - for one parcel  
\$2122.50 - for two contiguous parcels  
\$2122.50 + \$84.70 - for each additional parcel for more than two contiguous parcels  
 This fee includes all notices and advertisements required for the public hearing and a \$5 technical fee. Payments must be submitted prior to 3 pm of the closing date of acceptance of application. Please make checks payable to Escambia County. MasterCard and Visa are also accepted.
- C. \_\_\_\_\_ Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) AND a Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)
- D. \_\_\_\_\_ Compatibility Analysis (if applicable): If the subject property does not meet the roadway requirements of Locational Criteria, a compatibility analysis prepared by the applicant is required to provide substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria. (See "Documented Compatibility" within the request zoning district of the LDC.)
- E. N/A Signed and Notarized Affidavit of Owner/Limited Power of Attorney AND Concurrence Determination Acknowledgement (pages 4 and 5).

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.

Hattie M. McGary  
 Signature of Owner/Agent

---

Signature of Owner

HATTIE M. MCGARY  
 Printed Name Owner/Agent

---

Printed Name of Owner

6/19/17  
 Date

---

Date

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 19 day of June 20 17, by Hattie McGary

Personally Known  OR Produced Identification . Type of Identification Produced: MA60-321-44-801-0

[Signature]  
 Signature of Notary

Christina Smith  
 Printed Name of Notary



Prepared By:  
James C. Taylor  
Taylor & Van Matre, P.A.  
4300 Bayou Blvd., Suite #16  
Pensacola, Florida 32503  
File Number: TVM08-636

CERTIFIED TO BE A TRUE COPY OF THE  
ORIGINAL ON FILE IN THIS OFFICE  
WITNESS MY HAND AND OFFICIAL SEAL  
PAM CHILDERS  
CLERK OF THE CIRCUIT COURT & COMPTROLLER  
ESCAMBIA COUNTY, FLORIDA  
D.C.  
DATE: 6/20/17

**PERSONAL REPRESENTATIVE'S DEED  
(INDIVIDUAL - With Full Warranties)**

This PERSONAL REPRESENTATIVE'S DEED, is executed this September 22, 2008

by  
ALMA JEAN STRONG a/k/a ALMA STRONG and MICHAEL ANTHONY RILEY a/k/a MICHAEL RILEY,  
Co-Personal Representatives of the Estate of PENKIE LEE PUGH, deceased, (Escambia County, Florida, Probate  
Case No. 2006-CP-000921)  
Whose post office address is  
593 BOCKER STREET, CANTONMENT, FL 32533  
hereinafter called the GRANTOR, to  
HATTIE M. McGARY  
whose post office address is  
P.O. BOX 158, CANTONMENT, FL 32533  
hereinafter called the GRANTEE:

(Wherever used herein the terms "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:

Lot 3, Block L, First Harvester's Homes, according to the plat thereof, recorded in Plat Book 2, Page 44, Official  
Records Book 126, Page 367, of the Public Records of Escambia County, Florida.

Parcel ID Number: 161N3110000030123

The above-described property is not the constitutional homestead of the Grantors.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any;  
taxes and assessments for the year and subsequent years; and to all applicable zoning ordinances and/or restrict  
prohibitions imposed by governmental authorities, if any \*\* SEE ABUTTING ROADWAY AGREEMENT ATTACHED  
HERE TO FOR ADDITIONAL RESTRICTION.

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

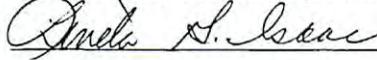
TO HAVE AND TO HOLD, the same in fee simple forever.

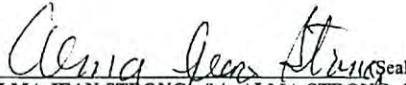
AND THE GRANTOR hereby covenants with said GRANTEE that except as above noted, the GRANTOR is lawfully  
seized of said land in fee simple; that the GRANTOR has good right and lawful authority to sell and convey said land;  
that the GRANTOR hereby fully warrants the title to said land and will defend the same against the lawful claims of all  
persons whomsoever.

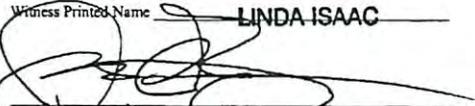
IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

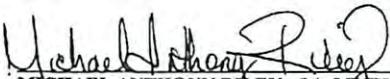
SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

Signed, sealed and delivered in our presence:

  
Witness Printed Name LINDA ISAAC

  
ALMA JEAN STRONG a/k/a ALMA STRONG, Co-Personal  
Representative

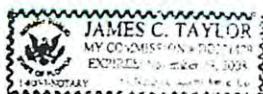
  
Witness Printed Name JAMES C. TAYLOR

  
MICHAEL ANTHONY RILEY a/k/a MICHAEL RILEY,  
Co-Personal Representative

State of FLORIDA

County of ESCAMBIA

THE FOREGOING INSTRUMENT was acknowledged before me this September 22, 2008 by: ALMA JEAN  
STRONG a/k/a ALMA STRONG, Co-Personal Representative and MICHAEL ANTHONY RILEY a/k/a  
MICHAEL RILEY, Co-Personal Representative who are personally known to me or who have produced Drivers  
License as identification and who did not take an oath.



NOTARY PUBLIC  
My Commission Expires:

**RESIDENTIAL SALES**

**ABUTTING ROADWAY MAINTENANCE DISCLOSURE**

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

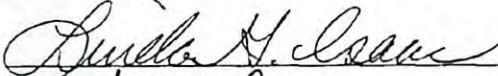
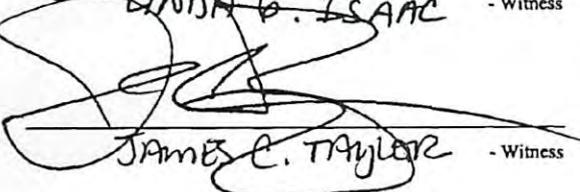
**NAME OF ROADWAY:** LOUIS STREET

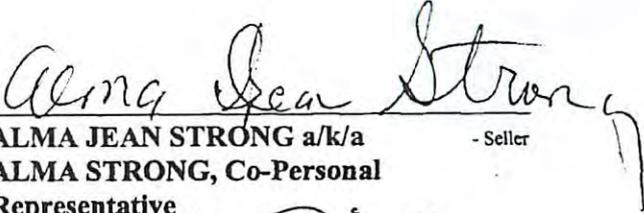
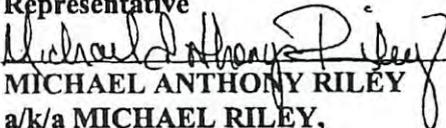
**LEGAL ADDRESS OF PROPERTY:**  
105 LOUIS STREET, CANTONMENT, Florida 32533

THE COUNTY HAS ACCEPTED THE ABUTTING ROADWAY FOR MAINTENANCE.

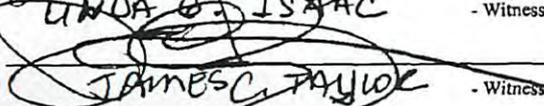
This form completed by: TVM08-636  
Taylor & Van Matre, P.A.  
4300 Bayou Boulevard ,Suite 16  
Pensacola , Florida

**AS TO SELLER(S):**

  
LINDA B. ISAAC - Witness  
  
JAMES E. TAYLOR - Witness

  
ALMA JEAN STRONG a/k/a - Seller  
ALMA STRONG, Co-Personal Representative  
  
MICHAEL ANTHONY RILEY - Seller  
a/k/a MICHAEL RILEY,  
Co-Personal Representative

**AS TO BUYER(S):**

  
LINDA B. ISAAC - Witness  
  
JAMES E. TAYLOR - Witness

  
HATTIE M. MCGARY - Buyer

\*\*Grantor retains subsurface mineral rights in the above described property until Grantor receives settlement proceeds from that civil litigation styled as: John W. Casey, et al. v. International Paper Company, Case No.: 3:07-CV-00421-RV-MD, Northern District of Florida United States District Court or the dismissal of said suit, whichever shall first occur.

**BOUNDARY SURVEY**  
105 LOUIS STREET  
A PORTION OF SECTION 16,  
TOWNSHIP 1 NORTH, RANGE 31 WEST,  
ESCAMBIA COUNTY, FLORIDA

**LEGEND**

R/W	RIGHT OF WAY	— E —	AERIAL UTILITY WIRES
O.R.	OFFICIAL RECORD BOOK	— // —	4' CHAIN LINK FENCE
L.B.	LICENSED BUSINESS	[Pattern]	ASPHALT
⊙	POWER POLE/STREET LIGHT	[Pattern]	CONCRETE
●	FOUND 5/8" IRON ROD	[Pattern]	GRAVEL
⊙	FOUND 3/4" IRON PIPE	— GUY ANCHOR	
⊙	FOUND 1/2" CAPPED IRON ROD - #2892	W ▽	WATER METER

**BLOCK L**  
FIRST HARVESTERS HOME ADDITION  
(PLAT BOOK 2, PAGE 44)

LOT 9  
(RESIDENCE)

LOT 4  
(BRICK RESIDENCE)  
ADDRESS: 107 LOUIS STREET

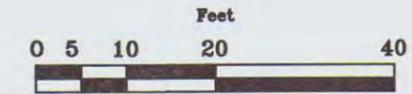
LOT 10  
(RESIDENCE)

LOT 3  
(COMMERCIAL)

LOT 11  
(RESIDENCE)

LOT 2  
(BRICK RESIDENCE)  
ADDRESS: 103 LOUIS STREET

**C.R. 297-A**  
**105 LOUIS STREET**  
(R/W VARIES)



Scale: 1" = 20'

**SURVEYOR'S REPORT:**

1. PROPERTY APPEARS TO BE RELATIVELY FLAT WITH NO NOTICEABLE DRAINAGE SYSTEMS.
2. BUILDING IS ON COUNTY SEWER SYSTEM (AS SUPPLIED)
3. BUILDING WAS PREVIOUSLY "PENKIES BAR-B-QUE"

**LEGAL DESCRIPTION:**

LOT 3, BLOCK L, FIRST HARVESTERS HOMES ADDITION, A PORTION OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 44 OF THE PUBLIC RECORDS OF SAID COUNTY.

THE UNDERSIGNED CLIENT(S) ACKNOWLEDGE RECEIPT AND ACCEPTANCE OF THIS SURVEY:

HATTIE M. McGARY

THE PURPOSE OF THIS SURVEY IS FOR TITLE TRANSACTION AND ITS ACCOMPANYING MORTGAGE. THIS MAP IS CERTIFIED AS MEETING THE FLORIDA STANDARDS OF PRACTICE TO THE FOLLOWING AND IS FOR THE BENEFIT OF ONLY THE FOLLOWING LISTED CLIENT(S), AGENT(S) AND COMPANIES:

HATTIE M. McGARY

NOT VALID WITHOUT THE ORIGINAL BLUE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

**BOOKER STREET (50' R/W)**

**EMPIRE LAND SURVEYING, INC.**  
PROFESSIONAL LAND SURVEYING • SERVING NORTHWEST FLORIDA  
8720 N. PALAFOX STREET, PENSACOLA, FLORIDA 32534  
PHONE: 850-477-3745 -- FAX: 850-477-3705  
LICENSED BUSINESS #6993 STATE OF FLORIDA

REVISIONS	FIELD BOOK	DATE

POSSIBLE ENCROACHMENTS: FENCES, EAVES

**SURVEYORS CERTIFICATE**  
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN FLORIDA ADMINISTRATION CODE CHAPTER 6J-17.050, 6J-17.051 AND 6J-17.052, PURSUANT TO SECTION 478.027 FLORIDA STATUTES.

*Leland M. Empie*  
PROFESSIONAL SURVEYOR AND MAPPER  
NUMBER 6766, STATE OF FLORIDA

FEBRUARY 22, 2016  
DATE

LELAND M. EMPIE, P.S.M.

SCALE:	1" = 20'
FIELD DATE:	2/17/16
ORDER NO.:	316-15
FIELD BOOK:	172/49

FIELD EVIDENCE DEEDS OF RECORD RECORD IN PLAT BOOK 2, PAGE 44  
PRIOR SURVEYS/DRAWINGS

SOURCE OF INFORMATION:

CLIENT: McGARY

TYPE SURVEY: BOUNDARY WITH IMPROVEMENTS

GENERAL NOTES:

1. Fence locations as shown are not to scale.
2. Jurisdiction (redlands) boundary lines not located unless shown on drawing.
3. Footings, foundations, or any other substructure structures were not located unless otherwise noted.
4. All bearings and/or angles and distances are Deed and Actual unless otherwise noted: Deed = (D); Description = (DS); Actual Field Measurement = (P); Plat = (P)
5. All measurements were made in accordance with United States standards. The accuracy shown hereon were not abstracted by this firm for ownership, easements, or right-of-ways. The parcel shown hereon may be subject to setbacks, easements, soundings, and restrictions that may be found in the Public Records of said County.
6. No Title Search of the Public Records has been performed by this firm and lands shown hereon were not abstracted by this firm for ownership, easements, or right-of-ways. The parcel shown hereon may be subject to setbacks, easements, soundings, and restrictions that may be found in the Public Records of said County.

TYPE SURVEY: BOUNDARY WITH IMPROVEMENTS

CLIENT: McGARY

TYPE SURVEY: BOUNDARY WITH IMPROVEMENTS

BASIS OF BEARING: S88°28'40"W WESTERLY R/W (ASSUMED)



**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Planning Board-Rezoning**

**8. A.**

**Meeting Date: 08/01/2017**

---

**Agenda Item:**

Zoning/FLU Inconsistencies Discussion.

---

**Attachments**

**Draft Ordinance**

---



1 otherwise inappropriate non-suburban land uses and intensities of use within the  
2 Mixed-Use Suburban (MU-S) future land use category; and

3 **WHEREAS**, the Board finds that the savings clause established within the LDC  
4 subsequent to adoption of the consolidated zoning districts does not remedy land uses  
5 or intensities of use not authorized by the applicable future land use category, regardless  
6 of prior zoning; and

7 **WHEREAS**, the Board finds that zoning district subordination to future land use  
8 categories is fundamental to the implementation of all future land use categories required  
9 within and established by the Comprehensive Plan;

10 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**  
11 **COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:**

12  
13 **Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development  
14 Code of Escambia County, Chapter 3, Zoning Regulations, Article 1, General  
15 Provisions, is hereby amended as follows (words underlined are additions and words  
16 ~~stricken~~ are deletions):

17 **Sec. 3-1.3 Zoning and future land use.**

18 **(a) Generally.** Together the future land use (FLU) categories of the Comprehensive  
19 Plan and zoning districts of the LDC form the primary location-specific land use  
20 regulations of the county. Within each FLU, one or more zoning districts implement  
21 and further refine the distribution and extent of allowable land uses. The  
22 identification or classification of a use or activity as allowed by the applicable future  
23 land use category and zoning district does not constitute the required approval to  
24 carry out that use or activity. Consistency with FLU and zoning only indicates that,  
25 upon appropriate review and approval for compliance with the provisions of the LDC,  
26 the use or activity may be established, reestablished or expanded.

27 **(b) Official maps.** The areas of the county subject to each future land use category  
28 established within the Comprehensive Plan are recorded on the *Official Future Land*  
29 *Use Map of Escambia County*. Similarly, the areas of each zoning district  
30 established in this chapter are recorded on the *Official Zoning Map of Escambia*  
31 *County*. The zoning map is adopted and incorporated here by reference and  
32 declared to be part of the LDC. The information shown on the map has the same  
33 force and effect as the text of the LDC. Both official maps are represented and  
34 maintained digitally in the county's Geographic Information System (GIS) and shall  
35 be accessible to the public via the county's website, [www.myescambia.com](http://www.myescambia.com).

36 **(c) Boundary determinations.** If uncertainty exists regarding the boundary of any FLU  
37 category or zoning district, the boundary shall be determined by the Planning Official  
38 in consideration of the following:

39 **(1) Natural features.** A boundary that reflects a clear intent to follow a particular  
40 natural feature such as a stream or shoreline shall be understood to follow the

1 feature as it actually exists and move with the feature should it move as a result  
2 of natural processes.

3 **(2) Manmade features.** A boundary shown on the official map as approximately  
4 following a right-of-way, parcel line, section line, or other readily identified  
5 manmade feature shall be understood to coincide with that feature.

6 **(3) Parallel or extension.** A boundary shown on the official map as approximately  
7 parallel to a natural or manmade feature shall be understood as being actually  
8 parallel to that feature; or if an apparent extension of such a feature, then  
9 understood as an actual extension.

10 **(4) Metes and bounds.** If a boundary splits an existing lot or parcel, any metes and  
11 bounds description used to establish the boundary shall be used to determine its  
12 location.

13 **(5) Scaling.** If the specific location of a boundary cannot otherwise be determined, it  
14 shall be determined by scaling the mapped boundary's distance from other  
15 features shown on the official map.

16 **(d) Split parcels.** The adopted zoning districts and FLU categories are parcel-based,  
17 but their boundaries are not prohibited from dividing a parcel. For parcels split by  
18 these boundaries, including overlay district boundaries, only that portion of a parcel  
19 within a district or category is subject to its requirements. Where a zoning district  
20 boundary divides a parcel that is ten acres or less in size and not part of a platted  
21 residential subdivision, the zoning district of the larger portion may be applied to the  
22 entire parcel if requested by the parcel owner, consistent with the applicable FLU  
23 category, and in compliance with the location criteria of the requested zoning.  
24 Zoning map amendment is otherwise required to apply a single district to a split-  
25 zoned parcel.

26 **(e) Land with no designations.** No zoning is adopted for military bases, state college  
27 and university campuses, and other such lands for which the regulations of the LDC  
28 are not intended. Public rights-of-way have no designated zoning or future land use,  
29 but where officially vacated right-of-way is added to abutting parcels the future land  
30 use categories and zoning districts applicable to the abutting parcels shall apply to  
31 their additions at the time of the vacation approval, with no further action required by  
32 the county.

33 Land that otherwise has no adopted zoning, and is not within an area determined by  
34 the county to be excluded from zoning, shall have zoning established by zoning map  
35 amendment. If the land also has no approved future land use category, one shall be  
36 adopted according to the process prescribed for such amendments prior to, or  
37 concurrently with, Board of County Commissioners (BCC) approval of the zoning  
38 map amendment. Changes to the boundaries of adopted FLU categories or zoning  
39 districts, whether owner initiated or county initiated, are amendments to the official  
40 county maps and are authorized only through the processes prescribed in Chapter 2  
41 for such amendments.

1 **(f) Future land use designations.** The future land use categories established within  
2 the Comprehensive Plan and referenced in the LDC are designated by the following  
3 abbreviations and names:

4	AG	Agriculture
5	RC	Rural Community
6	MU-S	Mixed-Use Suburban
7	MU-U	Mixed-Use Urban
8	C	Commercial
9	I	Industrial
10	P	Public
11	REC	Recreation
12	CON	Conservation
13	MU-PK	Mixed-Use Perdido Key
14	MU-PB	Mixed-Use Pensacola Beach

15 **(g) Zoning district designations.** The zoning districts established within this chapter  
16 are designated by the following groups, abbreviations and names:

17 **(1) Residential.** The purposes of the following districts are primary residential:

18	RR	Rural Residential
19	LDR	Low Density Residential
20	MDR	Med. Density Residential
21	HDR	High Density Residential
22	LDR-PK	Low Density Residential - Perdido Key
23	MDR-PK	Medium Density Residential - Perdido Key
24	HDR-PK	High Density Residential - Perdido Key
25	LDR-PB	Low Density Residential - Pensacola Beach
26	MDR-PB	Medium Density Residential - Pensacola Beach
27	HDR-PB	High Density Residential - Pensacola Beach

28 **(2) Non-residential.** The purposes of the following districts are primarily mixed-use  
29 and non-residential:

30 **a. Mixed-use.** The mixed-use districts are:

31	RMU	Rural Mixed-use
32	LDMU	Low Density Mixed-use
33	HDMU	High Density Mixed-use
34	MDR/C-PB	Medium Density Residential & Commercial - Pensacola 35 Beach
36	HDR/C-PB	High Density Residential & Commercial - Pensacola Beach

37 **b. Commercial and industrial.** The commercial and industrial districts are:

38	Com	Commercial
39	Com-PK	Commercial - Perdido Key
40	CC-PK	Commercial Core - Perdido Key
41	CG-PK	Commercial Gateway - Perdido Key
42	GR-PB	General Retail - Pensacola Beach
43	Rec/R-PB	Recreation Retail - Pensacola Beach

1	CH-PB	Commercial Hotel - Pensacola Beach
2	HC/LI	Heavy Commercial and Light Industrial
3	Ind	Industrial

4 **c. Other.** The other non-residential districts are:

5	Agr	Agricultural
6	Rec	Recreation
7	Con	Conservation
8	Pub	Public
9	PR-PK	Planned Resort - Perdido Key
10	Rec-PK	Recreation - Perdido Key
11	PR-PB	Preservation - Pensacola Beach
12	Con/Rec-PB	Conservation and Recreation - Pensacola Beach
13	G/C-PB	Government and Civic - Pensacola Beach

14 **(h) Consistency Zoning implementation of FLU.** The zoning districts of this chapter  
 15 are established to implement the future land use categories adopted in Chapter 7 of  
 16 the Comprehensive Plan. One or more districts may implement the range of allowed  
 17 uses of each FLU, but only at densities and intensities of use consistent with the  
 18 established purposes and standards of the category. The Perdido Key districts  
 19 (Article 4) implement the MU-PK category and areas of the Conservation and  
 20 Recreation categories applicable to Perdido Key. The Pensacola Beach districts  
 21 (Article 5) implement the MU-PB category and areas of the Conservation and  
 22 Recreation categories applicable to Santa Rosa Island. The mainland districts  
 23 (Article 2) implement only those FLU categories prescribed within the regulations of  
 24 each district. In any conflict between the existing zoning of a parcel and its  
 25 applicable FLU, the provisions of the future land use prevail, subject to any  
 26 confirmation of vested rights. Such conflicts may be resolved through the zoning  
 27 and FLU map amendment processes prescribed in Article 7 of Chapter 2. However,  
 28 no future rezoning to a mainland district is authorized if not prescribed by the district  
 29 for the applicable FLU as summarized in the following table: The zoning of a parcel  
 30 shall be consistent with the applicable future land use category by either directly  
 31 implementing the provisions of the FLU or otherwise not being in conflict with its  
 32 intent, allowable uses, density, or intensity. All Perdido Key districts (Article 4) are  
 33 consistent with the MU-PK category and all Pensacola Beach districts (Article 5) are  
 34 consistent with the MU-PB category. Mainland districts (Article 2) are consistent  
 35 with FLU categories as prescribed in each district and summarized in the following  
 36 table:

37  
38  
39  
40  
41  
42 **INTENTIONALLY LEFT BLANK**  
43  
44

<b>ZONING DISTRICT</b> Specific distribution and extent of uses	<b>FUTURE LAND USE (FLU) CATEGORY</b> General distribution and extent of uses								
	<b>AG</b> max 1du/20ac max 0.25 FAR	<b>RC</b> max 2du/ac max 0.25 FAR	<b>MU-S</b> max 25du/ac max 1.0 FAR	<b>MU-U</b> max 25du/ac max 2.0 FAR	<b>C</b> Limited res max 25du/ac max 1.0 FAR	<b>I</b> No res allowed max 1.0 FAR	<b>P</b> No res allowed	<b>REC</b> No res allowed max 0.5 FAR	<b>CON</b> No res allowed
<b>Agr</b> max 1du/20ac	<b>Yes</b>	<b>Yes</b>	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
<b>RR</b> max 1du/4ac	No, max density	<b>Yes</b>	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
<b>RMU</b> max 2du/ac	No, max density	<b>Yes</b>	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
<b>LDR</b> max 4du/ac	No, max density	No, max density	<b>Yes</b>	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
<b>LDMU</b> max 7du/ac	No, max density	No, max density	<b>Yes</b>	<b>Yes</b>	No, uses	No, uses	No, uses	No, uses	No, uses
<b>MDR</b> max 10du/ac	No, max density	No, max density	<b>Yes</b>	<b>Yes</b>	No, uses	No, uses	No, uses	No, uses	No, uses
<b>HDR</b> max 18du/ac	No, max density	No, max density	<b>Yes</b>	<b>Yes</b>	No, uses	No, uses	No, uses	No, uses	No, uses
<b>HDMU</b> max 25du/ac	No, max density	No, max density	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	No, uses	No, uses	No, uses	No, uses
<b>Com</b> max 25du/ac	No, max density	No, max density	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	No, res use	No, uses	No, uses	No, uses
<b>HC/LI</b> FLU-restricted max 25du/ac	No, uses	No, uses	No, uses	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	No, uses	No, uses	No, uses
<b>Ind</b> No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	<b>Yes</b>	No, uses	No, uses	No, uses
<b>Rec</b> No res allowed	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	No, uses	<b>Yes</b>	<b>Yes</b>	No, uses
<b>Con</b> No res allowed	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
<b>Pub</b> No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	<b>Yes</b>	<b>Yes</b>	No, uses	No, uses

1 For every combination of mainland zoning district and FLU category represented by the  
2 table, “Yes” indicates ~~the~~ a zoning district that may be established to implement is  
3 ~~consistent with the FLU.~~ “No” indicates a zoning district that does not implement the  
4 FLU and may not be established inconsistency within the FLU, primarily for the reason  
5 inconsistency noted.  
6

1 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land Development  
2 Code of Escambia County, Chapter 3, Zoning Regulations, Article 2, Mainland Districts,  
3 is hereby amended as follows (words underlined are additions and words ~~stricken~~ are  
4 deletions):

5 **Sec. 3-2.11 Heavy Commercial and Light Industrial district (HC/LI).**

6 **(a) Purpose.** The Heavy Commercial and Light Industrial (HC/LI) district establishes  
7 appropriate areas and land use regulations for a complementary mix of industrial  
8 uses with a broad range of commercial activities. The primary intent of the district is  
9 to allow light manufacturing, large-scale wholesale and retail uses, major services,  
10 and other more intense uses than allowed in the Commercial district. The variety  
11 and intensity of non-residential uses within the HC/LI district is limited by their  
12 compatibility with surrounding uses. All commercial and industrial operations are  
13 limited to the confines of buildings and not allowed to produce undesirable effects on  
14 other property. To retain adequate area for commercial and industrial activities,  
15 other uses within the district are limited.

16 **(b) Permitted uses.** Permitted uses within the HC/LI district are limited to the following  
17 but, if within the Mixed-Use Suburban (MU-S) future land use (FLU) category, limited  
18 to the permitted uses of the Commercial (Com) district as prescribed in the  
19 preceding section of this article:

20 **(1) Residential.** Any residential uses ~~if~~-outside of the Industrial (I) future land use  
21 category ~~and~~, but if within the Commercial (C) FLU and not the principal single-  
22 family dwelling on an existing lot of record, only as part of a predominantly  
23 commercial development, ~~excluding new or expanded manufactured (mobile)~~  
24 home parks and subdivisions. See also conditional uses in this district.

25 **(2) Retail sales.** Retail sales, including Low-THC marijuana dispensing facilities,  
26 sales of alcoholic beverages, sales of automotive fuels, and sales of new and  
27 used automobiles, motorcycles, boats, and manufactured (mobile) homes.

28 **(3) Retail services.**

- 29 a. Car washes, automatic or manual, full service or self-serve.  
30 b. Child care facilities.  
31 c. Hotels, motels and all other public lodging, including boarding and rooming  
32 houses.  
33 d. Personal services, including those of beauty shops, health clubs, pet  
34 groomers, dry cleaners and tattoo parlors.  
35 e. Professional services, including those of realtors, bankers, accountants,  
36 engineers, architects, dentists, physicians, and attorneys.  
37 f. Rental of automobiles, trucks, utility trailers and recreational vehicles.  
38 g. Repair services, including appliance repair, furniture refinishing and  
39 upholstery, watch and jewelry repair, small engine and motor services, and

1 major motor vehicle and boat service and repair, but excluding outdoor work  
2 or storage.

- 3 h. Restaurants and brewpubs, including on-premises consumption of alcoholic  
4 beverages, drive-in and drive-through service, and brewpubs with the  
5 distribution of on-premises produced alcoholic beverages for off-site sales.  
6 The parcel boundary of any restaurant or brewpub with drive-in or drive-  
7 through service shall be at least 200 feet from any LDR or MDR zoning  
8 district unless separated by a 50-foot or wider street right-of-way.

- 9 i. Taxi and limousine services.

10 See also conditional uses in this district.

11 **(4) Public and civic.**

- 12 a. Broadcast stations with satellite dishes and antennas, including towers.  
13 b. Cemeteries, including family cemeteries.  
14 c. Community service facilities, including auditoriums, libraries, museums, and  
15 neighborhood centers.  
16 d. Educational facilities, including preschools, K-12, colleges, and vocational  
17 schools.  
18 e. Emergency service facilities, including law enforcement, fire fighting, and  
19 medical assistance.  
20 f. Funeral establishments.  
21 g. Homeless shelters.  
22 h. Hospitals.  
23 i. Offices for government agencies or public utilities.  
24 j. Places of worship.  
25 k. Public utility structures, including telecommunications towers, but excluding  
26 industrial uses not otherwise permitted.

27 See also conditional uses in this district.

28 **(5) Recreation and entertainment.**

- 29 a. Commercial entertainment facilities, indoor or outdoor, including movie  
30 theatres, amusement parks, and stadiums, but excluding motorsports  
31 facilities. Carnival-type amusements shall be at least 500 feet from any  
32 residential district. Bars, nightclubs, and adult entertainment are prohibited in  
33 areas with the zoning designation HC/LI-NA or areas zoned ID-CP or ID-1  
34 prior to adoption of HC/LI zoning.  
35 b. Commercial recreation facilities, passive or active, including those for walking,  
36 hiking, bicycling, camping, recreational vehicles, swimming, skateboarding,  
37 bowling, court games, field sports, and golf, but excluding off-highway vehicle  
38 uses and outdoor shooting ranges. Campgrounds and recreational vehicle  
39 parks require a minimum lot area of five acres.  
40 c. Marinas, private and commercial.

1 d. Parks, with or without permanent restrooms or outdoor event lighting.

2 See also conditional uses in this district.

3 **(6) Industrial and related.**

4 a. Light industrial uses, including research and development, printing and  
5 binding, distribution and wholesale warehousing, and manufacturing, all  
6 completely within the confines of buildings and without adverse off-site  
7 impacts.

8 b. Marinas, industrial.

9 c. Microbreweries, microdistilleries, and microwineries, except in areas with the  
10 zoning designation HC/LI-NA or areas zoned ID-CP or ID-1 prior to adoption  
11 of HC/LI zoning.

12 See also conditional uses in this district.

13 **(7) Agricultural and related.**

14 a. Food produced primarily for personal consumption by the producer, but no  
15 farm animals.

16 b. Nurseries and garden centers, including adjoining outdoor storage or display  
17 of plants.

18 c. Veterinary clinics, excluding outside kennels.

19 See also conditional uses in this district.

20 **(8) Other uses.**

21 a. Billboards structures, excluding areas zoned ID-CP, GBD, or GID prior to  
22 adoption of HC/LI zoning.

23 b. Building or construction trades shops and warehouses, including on-site  
24 outside storage.

25 c. Bus leasing and rental facilities.

26 d. Deposit boxes for donation of used items when placed as an accessory  
27 structure on the site of a charitable organization.

28 e. Outdoor adjacent display of plants by garden shops and nurseries.

29 f. Outdoor sales.

30 g. Outdoor storage of trailered boats and operable recreational vehicles,  
31 excluding repair, overhaul or salvage activities.

32 h. Parking garages and lots, commercial.

33 i. Sales and outdoor display of prefabricated storage sheds.

34 j. Self-storage facilities, including vehicle rental as an accessory use.

35 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
36 the BOA, or the BCC as noted, may conditionally allow the following uses within the

1 HC/LI district but, if within the Mixed-Use Suburban (MU-S) future land use category,  
2 the conditional uses are limited to those of the Commercial (Com) district as  
3 prescribed in the preceding section of this article:

4 **(1) Residential.** Caretaker residences not among the permitted uses of the district  
5 and for permitted non-residential uses.

6 **(1) Retail services.** Restaurants not among the permitted uses of the district.

7 **(2) Public and civic.** Cinerators.

8 **(3) Recreation and entertainment.**

9 a. Motorsports facilities on lots 20 acres or larger.

10 b. Off-highway vehicle commercial recreation facilities on lots 20 acres or larger.

11 c. Shooting ranges, outdoor.

12 **(4) Industrial and related.**

13 a. Asphalt and concrete batch plants if within the Industrial (I) future land use  
14 category and within areas zoned GID prior to adoption of HC/LI zoning.

15 b. Borrow pits and reclamation activities 20 acres minimum and (subject to local  
16 permit and development review requirements per Escambia County Code of  
17 Ordinances, Part I, Chapter 42, article VIII, and land use regulations in Part  
18 III, the Land Development Code, chapter 4.) \*Borrow pits are prohibited on  
19 land zoned GBD, GID, and WMU prior to the adoption of the HC/LI zoning.

20 c. Salvage yards not otherwise requiring approval as solid waste processing  
21 facilities.

22 d. Solid waste processing facilities, including solid waste collection points, solid  
23 waste transfer facilities, materials recovery facilities, recovered materials  
24 processing facilities, recycling facilities and operations, resource recovery  
25 facilities and operations, and volume reduction plants.

26 The conditional use determination for any of these solid waste facilities shall  
27 be made by the BCC in lieu of any hearing before the BOA. The applicant  
28 shall submit a site boundary survey, development plan, description of  
29 anticipated operations, and evidence that establishes each of the following  
30 conditions in addition to those prescribed in Chapter 2:

31 1. Trucks have access to and from the site from adequately wide collector or  
32 arterial streets and do not use local residential streets.

33 2. The scale, intensity, and operation of the use will not generate  
34 unreasonable noise, traffic, objectionable odors, dust, or other potential  
35 nuisances or hazards to contiguous properties.

36 3. The processing of materials will be completely within enclosed buildings  
37 unless otherwise approved by the BCC.

38 4. The plan includes appropriate practices to protect adjacent land and  
39 resources, minimize erosion, and treat stormwater; landscaping and

1 buffering for adjacent uses; hours of operation; methods to comply with  
2 maximum permissible noise levels; means of access control to prevent  
3 illegal dumping; and plans for materials storage.

4 **(5) Agricultural and related.** Kennels or animal shelters not interior to veterinary  
5 clinics.

6 **(6) Other uses.**

7 a. Structures of permitted uses exceeding the district structure height limit.

8 b. Heliports.

9 **(d) Site and building requirements.** The following site and building requirements apply  
10 to uses within the HC/LI district:

11 **(1) Density.** A maximum density of 25 dwelling units per acre. Lodging unit density  
12 is not limited by zoning.

13 **(2) Floor area ratio.** A maximum floor area ratio of 1.0 within the Commercial (C)  
14 and Industrial (I) future land use categories, and 2.0 within Mixed-Use Urban  
15 (MU-U).

16 **(3) Structure height.** A maximum structure height of 150 feet above highest  
17 adjacent grade.

18 **(4) Lot area.** No minimum lot area unless prescribed by use.

19 **(5) Lot width.** No minimum lot width required by zoning.

20 **(6) Lot coverage.** Minimum pervious lot coverage of 15 percent (85 percent  
21 maximum semi-impervious and impervious cover) for all uses. A maximum 75  
22 percent of lot area occupied by principal and accessory buildings on lots of non-  
23 residential uses.

24 **(7) Structure setbacks.** For all principal structures, minimum setbacks are:

25 a. **Front and rear.** Fifteen feet in both front and rear.

26 b. **Sides.** Ten feet on each side, including any group of attached townhouses.  
27 For structures exceeding 35 feet above highest adjacent grade, an additional  
28 two feet for each additional 10 feet in height.

29 c. **Corner lots.** Will have one front setback and one side setback.

30 **(8) Other requirements.**

31 a. **Access.** For any industrial use south of Well Line Road, site access shall be  
32 provided by curb cuts on an arterial or collector street. Alternatively, a private  
33 or public street may link the site to an arterial or collector, provided that the  
34 private or public street does not traverse a residential subdivision or  
35 predominantly residential neighborhood between the site and the arterial or  
36 collector street.

37 b. **Chapters 4 and 5.** Refer to chapters 4 and 5 for additional development  
38 regulations and standards.

1 **(e) Location criteria.** All new non-residential uses proposed within the HC/LI district  
2 that are not part of a planned unit development or not identified as exempt by district  
3 regulations shall be on parcels that satisfy at least one of the following location  
4 criteria:

5 **(1) Proximity to intersection.** Along an arterial street and within one-quarter mile  
6 of its intersection with an arterial street.

7 **(2) Site design.** Along an arterial street, no more than one-half mile from its  
8 intersection with an arterial street, and all of the following site design conditions:

- 9 a. Not abutting a RR, LDR or MDR zoning district
- 10 b. Any intrusion into a recorded residential subdivision is limited to a corner lot
- 11 c. A system of service roads or shared access is provided to the maximum  
12 extent feasible given the lot area, lot shape, ownership patterns, and site and  
13 street characteristics.
- 14 d. Adverse impacts to any adjoining residential uses are minimized by placing  
15 the more intensive elements of the use, such as solid waste dumpsters and  
16 truck loading/unloading areas, furthest from the residential uses.
- 17 e. Location in an area where already established non-residential uses are  
18 otherwise consistent with the HC/LI, and where the new use would constitute  
19 infill development of similar intensity as the conforming development on  
20 surrounding parcels. Additionally, the location would promote compact  
21 development and not contribute to or promote strip commercial development.

22 **(3) Documented compatibility.** A compatibility analysis prepared by the applicant  
23 provides competent substantial evidence of unique circumstances regarding the  
24 parcel or use that were not anticipated by the alternative criteria, and the  
25 proposed use will be able to achieve long-term compatibility with existing and  
26 potential uses. Additionally, the following conditions exist:

- 27 a. The parcel has not been rezoned by the landowner from the mixed-use,  
28 commercial, or industrial zoning assigned by the county.
- 29 b. If the parcel is within a county redevelopment district, the use will be  
30 consistent with the district's adopted redevelopment plan, as reviewed and  
31 recommended by the Community Redevelopment Agency (CRA).

32 **(f) Rezoning to HC/LI.**

33 **(1) Generally.** Heavy Commercial and Light Industrial zoning may be established  
34 only within the Mixed-Use Urban (MU-U), Commercial (C), or Industrial (I) future  
35 land use categories. The district is appropriate to provide transitions between  
36 areas zoned or used for commercial and areas zoned or used for industrial. The  
37 district is suitable for areas able to receive bulk deliveries by truck in locations  
38 served by major transportation networks and able to avoid undesirable effects on  
39 nearby property and residential uses. Rezoning to HC/LI is subject to the same  
40 location criteria as any non-residential use proposed within the HC/LI district.



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**Deputy Clerk**

**(SEAL)**

**ENACTED:**

**FILED WITH THE DEPARTMENT OF STATE:**

**EFFECTIVE DATE:**

**DRAFT**



**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Planning Board-Rezoning**  
**Meeting Date: 08/01/2017**

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**8. B.**

**Agenda Item:**  
Clustering Discussion.

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**Attachments**

Draft Ordinance

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41 **Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development  
42 Code of Escambia County, Chapter 3, Zoning Regulations, Article 1, General  
43 Provisions, is hereby amended as follows (words underlined are additions and words  
44 ~~stricken~~ are deletions):

45 **Sec. 3-1.5 Site and building requirements.**

46 **(a) Generally.** Each zoning district establishes its own site and building requirements  
47 which define physical limits to the development of district parcels. These  
48 requirements, in combination with other district provisions, the use and location  
49 regulations of Chapter 4, and the general development standards of Chapter 5,  
50 define the limits for all development within the district.

51 **(b) Modifications.** Except as may be authorized in this article for the clustering of  
52 dwelling units, modifications~~Variances~~ to the strict application of site and building  
53 requirements may only be granted according to the compliance review processes  
54 prescribed in Chapter 2, and only if the variances maintain the stated purposes of  
55 ~~the applicable zoning district and are not otherwise excluded by provisions of the~~  
56 LDC.

57 **(c) Street frontage.** For the application of site and building requirements and other  
58 LDC provisions to any lot with no street frontage the Planning Official shall  
59 determine a front lot line in consideration of lot orientation, access, and other  
60 relevant conditions. The Planning Official shall also determine the appropriate rear  
61 lot line for any lot with multiple street frontages.

62 **(d) Density.** The number of dwelling or lodging units allowed within a parcel is  
63 determined by the product of the total development parcel area and the maximum  
64 density allowed by the applicable zoning district. When the calculated number of  
65 allowable units for a parcel results in a fraction greater than or equal to 0.5 units,  
66 rounding to the next whole number is permitted to allow a maximum of one  
67 additional unit. Regardless of the maximum density allowed, each existing lot of  
68 record is vested for a single-family dwelling as the principal use.

69 **(e) Lot width and area.** All new lots shall provide the minimum width and area required  
70 by the applicable zoning, except that parcels created for public utilities or preserved  
71 for recreation, conservation, or open space need only have width sufficient for  
72 access to that limited use. Any existing lot of record that contains less width or area  
73 than required by the applicable zoning district may be used for any use allowed  
74 within that district if the use complies with all other applicable regulations, including  
75 buffering and use-specific minimum lot area.

76 **(f) Lot coverage.** The maximum amount of impervious and semi-impervious coverage  
77 allowed for any lot is established by the minimum percent pervious lot coverage  
78 required by the applicable zoning district. The amount allowed by zoning remains  
79 subject to other limitations of the LDC and any approved stormwater management  
80 plan for the lot.

81 **(g) Setbacks and yards.** The minimum setbacks and yards for structures are those  
82 required by the applicable zoning district or as otherwise may be stipulated in SRIA  
83 lease agreements for lands on Pensacola Beach.

84 **(1) Nonconformance.** For a structure that is nonconforming with regard to any  
85 zoning required setback, a structural alteration, enlargement, or extension to it  
86 that creates no greater encroachment by distance into the substandard setback  
87 is not considered an increase in nonconformance and does not require a  
88 variance.

89 **(2) Accessory structures.** Accessory structures shall be limited to side and rear  
90 yards and be at least five feet from any interior side or rear lot line except where  
91 specifically allowed as encroachments. Accessory dwellings shall be limited to  
92 the setbacks required for the principal dwelling.

93 **(3) Distance between dwellings.** Where the applicable zoning district allows more  
94 than one dwelling on a single lot, the minimum horizontal distance between such  
95 dwellings shall not be less than twice the side yard distance required by the  
96 district, and the minimum distance between any structures shall not be less than  
97 the minimum required by the Florida Building Code.

98 **(4) Encroachments by building features.** Every part of a required yard shall be  
99 open from its lowest point to the sky, unobstructed except for the ordinary  
100 projection of sills, belt courses, cornices, buttresses, awnings, eaves and similar  
101 building features. No such projection shall extend more than 24 inches into any  
102 yard, except roof overhangs, awnings, outside stairways, and balconies which  
103 may extend up to 48 inches into any yard provided the building setback is  
104 otherwise at least 10 feet

105 **(5) Encroachment of porch or terrace.** An open, unenclosed and uncovered  
106 paved terrace or a covered porch may extend into the required front yard no  
107 more than 10 feet.

108 **(h) Structure heights.** The maximum structure heights allowed by the applicable  
109 zoning district are modified by the following:

110 **(1) Agricultural structures.** Structures such as cotton gins, granaries, silos, and  
111 windmills associated with permitted agricultural uses may exceed the district  
112 height limits if not in conflict with any applicable airport or airfield height  
113 restrictions.

114 **(2) Rooftop structures.** The district height limits do not apply to belfries, chimneys,  
115 church spires, cooling towers, elevator bulkheads, flag poles, television reception  
116 antennae, roof-mounted tanks, mechanical equipment rooms, or similar rooftop  
117 structures that comply with all of the following conditions:

118 **a.** They do not separately or in combination with other rooftop structures exceed  
119 10 percent of the horizontal roof area.

120 **b.** They do not exceed applicable airport or airfield height restrictions.

121 c. They do not exceed otherwise applicable height limitations by more than 15  
122 feet or 10 percent of actual building height, whichever is greater.

123 **Sec. 3-1.7—Density bonuses.**

124 ~~(a) Generally.~~ A system for residential density bonuses is established to provide an  
125 incentive for the private sector to voluntarily achieve some of the policies of the  
126 Comprehensive Plan. Within system limits, increased densities are allowed for  
127 properties in the LDR, MDR, HDR, HDMU, and Perdido Key zoning districts.  
128 Proposed development that exceeds LDC requirements and standards is eligible for  
129 density bonuses based on the options established in this section.

130 ~~(b) Point system.~~ For each point earned in compliance with the options of the density  
131 bonus system, a 0.4 percent increase is authorized in the maximum density  
132 otherwise allowed by the applicable zoning district, up to the maximum density  
133 allowed by the applicable FLU category. For example, if 12 points are earned for  
134 development with a 10 dwelling units per acre (du/acre) zoning district limit, the  
135 bonus density is  $0.004 \times 12 \times 10$  du/acre or 0.48 additional dwelling units per acre.  
136 Density bonus points are earned through one or more of the following options:

137 ~~(1) Environmentally sensitive lands.~~ Donation of environmentally sensitive lands  
138 to a public agency approved by the county, or dedication of a conservation  
139 easement in perpetuity which encompasses environmentally sensitive lands,  
140 earns two points per acre donated or reserved.

141 ~~(2) Public access to waters, beaches, and shores.~~ Donation of land to a public  
142 agency approved by the county, or dedication and maintenance of a minimum  
143 15-foot wide public access easement, for the provision of public access to public  
144 waterways, beaches, or shores earns four points per accessway.

145 ~~(3) Water conservation.~~ Appropriate use of low water demand plants and native  
146 vegetation in all landscaped areas earns two points per site or one point per acre  
147 of qualifying land. The use of drip irrigation or other low water use methods of  
148 landscape irrigation earns one point per site, and the use of treated wastewater  
149 or "grey" water for irrigation earns one point per site or one point per acre  
150 irrigated.

151 ~~(4) Affordable housing.~~ In a development that includes at least 30 dwelling units,  
152 10 percent of the units assured by the approved plan to be affordable housing for  
153 low to moderate income families earns three points, and 20 percent assured  
154 affordable earns six points. If the development contains 50 or more dwelling units  
155 and 20 percent qualify as affordable for low to moderate income, the applicant  
156 may directly obtain a 5 percent increase in density. No more than 20 percent of  
157 the units in a conventional housing development shall be credited for affordable  
158 housing bonus points.

159 ~~(5) Redevelopment or adaptive reuse.~~ Existing non-residential structures  
160 proposed for reuse as residential earn one point per five dwelling units. For  
161 rehabilitation of existing multi-family residential structures and participation in  
162 state or federal weatherization programs, one point is earned per five dwelling  
163 units. These bonuses only apply to structures for which no notices of violation of  
164 building or life safety codes have been issued, or where all deficiencies identified

- 165 in an initial notice have been corrected within the time specified in the notice and  
166 no subsequent violation notices issued.
- 167 ~~(6) **Provision of sidewalks and bikeways.** The provision of sidewalks or the~~  
168 ~~provision of bicycle paths or lane markings in developments where such facilities~~  
169 ~~are not otherwise required earns three points. If the facilities connect to an~~  
170 ~~existing commercial, office, service, or public recreation area within one-half mile~~  
171 ~~of the development, four points are earned.~~
- 172 ~~(7) **Protection of historic resources.** Donation of land to a public agency~~  
173 ~~approved by the county for the purpose of preservation of sites or artifacts with~~  
174 ~~known archaeological or historic value, or the dedication of a conservation~~  
175 ~~easement in perpetuity for the preservation of such sites or artifacts, earns two~~  
176 ~~points per acre or site donated.~~
- 177 ~~(8) **Provision of underground utilities.** The provision of underground utilities~~  
178 ~~earns one point for every four dwelling units served.~~
- 179 ~~(9) **Clustering outside prime farmland.** Subdivision of parcels containing prime~~  
180 ~~farmland which plats lots entirely outside of that farmland and designates such~~  
181 ~~lands for agricultural or open space use earns three points per acre of prime~~  
182 ~~farmland set aside.~~
- 183 ~~(10) **Clustering outside wetlands.** Subdivision of parcels containing jurisdictional~~  
184 ~~wetlands which plats lots entirely outside of the wetlands and designates such~~  
185 ~~lands for conservation or open space uses earns three points per acre of~~  
186 ~~wetlands set aside.~~
- 187 ~~(11) **Tree preservation in subdivisions.** In subdivisions where at least 75 percent of~~  
188 ~~the protected trees within the required yards and any common open space are~~  
189 ~~preserved, one bonus point is earned for each 10 lots with protected trees on~~  
190 ~~them.~~
- 191 ~~(12) **Retention ponds as amenities.** Wet retention ponds for subdivision stormwater~~  
192 ~~management which also provide true scenic amenities to the subdivision earn~~  
193 ~~one point for each four subdivision lots.~~

194 **Sec. 3-1.7 Clustering dwelling units.**

195 **(a) Purpose.** Where the presence of wetlands, floodways, and other protected  
196 resources reduces the developable area of a parcel and effectively limits  
197 development of the available number of dwellings units within the parcel, site and  
198 building requirements of the applicable zoning district may be modified as prescribed  
199 in this section through the applicable site plan or subdivision review process to  
200 facilitate the clustering of additional units within the reduced area.

201 **(b) Eligible areas.** The provisions of this section apply to all areas of the county except  
202 the Perdido Key and Pensacola Beach zoning districts, Airfield Influence Planning  
203 Districts (AIPDs) as defined in Article 4 of Chapter 4, and any other area specifically  
204 excluded by the LDC. Additionally, the adopted provisions of the Escambia County  
205 Mid-West Optional Sector Plan prevail for any development subject to that plan.

206 **(c) Eligible development.** The provisions of this section apply to any dwelling units,  
207 attached or detached, within any proposed predominantly residential development

208 allowed by the applicable zoning and on contiguous lands under unified control as  
209 these terms are defined in Chapter 6.

210 **(d) Eligible resources.** The provisions of this section apply to protected resources  
211 within eligible areas and development. Except as may be authorized through the  
212 PUD process prescribed in Chapter 2, modifications to facilitate clustering require  
213 that the ~~contiguous-total~~ area of one or more of the following resources comprises  
214 no less than ~~25-10~~ percent of the gross development parcel area and complies with  
215 the other conditions applicable to that resource:

216 **(1) Environmentally sensitive lands.** For lands containing wetlands or the habitat  
217 of threatened or endangered species as defined for the natural resources  
218 regulations in Chapter 4, the platting of lots and all other development must be  
219 largely-entirely upland of the wetlands and outside of the habitat. ~~No less than~~  
220 90 percent of the~~Additionally, the entire~~ resource area must remain undisturbed  
221 and preserved as more particularly prescribed in the environmental provisions of  
222 the DSM.

223 **(2) Floodways.** For lands containing a floodway as defined for the floodplain  
224 management regulations in Chapter 4, the platting of lots and all other  
225 development must be entirely outside of the floodway.

226 **(3) Prime farmland.** For lands containing prime farmland as defined in Chapter 6,  
227 the platting of lots and all other development must be entirely outside of the  
228 prime farmland. Additionally, any subdivision shall designate the resource area  
229 on the plat for agricultural or undeveloped open space use.

230 **(4) Historical resources.** For lands containing historical or archeological resources  
231 as defined for those resource regulations in Chapter 4, the platting of lots and all  
232 other development must be entirely outside of those resource areas.  
233 Additionally, the sites and artifacts of those resources shall be protected by the  
234 dedication of a perpetual conservation easement for their preservation, or by the  
235 donation of land to a public agency approved by the county for the preservation  
236 of resources with known historical or archaeological value.

237 **(5) Open space.** Open space permanently preserved by a perpetual conservation  
238 easement that may allow passive recreation use by tenants of the development.

239 **(e) Eligible modifications.** The provisions of this section apply to modifications of  
240 specific site and building requirements of the applicable zoning district. The  
241 maximum number of dwelling units available within a development remains the  
242 product of the gross development parcel area and the maximum density of the  
243 district, but the following requirements may be modified within the stated limits:

244 **(1) Lot width.** Except within the LDR zoning district, the minimum lot width may be  
245 reduced by up to 10 percent, but to no less than 20 feet for cul-de-sac lots and  
246 40 feet for all other lots.

247 **(2) Front and rear setbacks.** The minimum front setback may be reduced to 20  
248 feet and the minimum rear setback may be reduced to 15 feet.

249 **(23) Side setbacks.** The minimum side structure setbacks may be reduced by up to  
250 10 percent, but to no less than five feet.

251 **(34) Distance between buildings.** The minimum distance between dwellings on  
252 the same parcel, prescribed in this article as twice the minimum side structure  
253 setback, may be reduced by up to 10 percent based on the unmodified side  
254 setback of the zoning district and subject to any prevailing structure separation  
255 requirements of the Florida Building Code.

256  
257 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land Development  
258 Code of Escambia County, Chapter 4, Location and Use Regulations, Article 5, Natural  
259 Resources, is hereby amended as follows (words underlined are additions and words  
260 ~~stricken~~ are deletions):

261 **Sec. 4-5.2 General provisions.**

262 **(a) Approval required.** All land uses and development activities which impact  
263 environmentally sensitive lands require prior county review and approval for  
264 compliance with the regulations of this article unless the use or activity is specifically  
265 identified in the Land Development Code (LDC) as exempt from these regulations.  
266 The Board of County Commissioners (BCC) has determined the following land and  
267 water resources to be environmentally sensitive lands:

- 268 (1) Wetlands as defined by the State of Florida.
- 269 (2) Shoreline protection zones as defined in this article.
- 270 (3) Aquatic preserves and the Escambia River Wildlife Management Area as defined  
271 or authorized by Florida Statutes.
- 272 (4) Outstanding Florida Waters as listed in the rules of Florida Administrative Code  
273 (Ch. 62-302.700).
- 274 (5) Habitats of threatened and endangered species as defined by the U.S. Fish and  
275 Wildlife Service (FWS), the Florida Fish and Wildlife Conservation Commission  
276 (FWC), or other state or federal agencies.
- 277 (6) Essential fish habitat, including seagrasses, defined as those waters and  
278 substrate necessary for fish to spawn, breed, feed, or grow to maturity. (See  
279 Magnuson-Stevens Act, 16 U.S.C. 1802 (101)).
- 280 (7) Floodplain areas identified on the Federal Emergency Management Agency's  
281 Flood Insurance Rate Map as areas of special flood hazard subject to a one  
282 percent or greater annual chance of flooding.
- 283 (8) Wellhead protection areas as defined in this article, including potable water wells,  
284 cones of influence, and potable water well fields.
- 285 (9) Surface waters identified as impaired under Section 303(d) of the Clean Water  
286 Act

287 **(b) Modification of regulations.** Variances to the strict application of the regulations of  
288 this article may only be granted according to the compliance review processes of  
289 Chapter 2, and only if such modifications maintain the stated purposes of this article,  
290 are specifically allowed by its provisions, and comply with all stated conditions.

291 **(c) Environmental trust fund.** The Escambia County Environmental Lands Trust Fund  
292 (ECELTF) is established for use in managing wetlands and other environmentally  
293 sensitive lands in the county. The county is authorized and directed here to  
294 establish the fund and to receive and disburse all monies according to the following  
295 provisions:

296 **(1) Fund sources.** The ECELTF shall receive monies from the following sources:

297 a. All revenues collected pursuant to mitigation and enforcement of this article.

298 b. All monies accepted by Escambia County in the form of grants, allocations,  
299 donations, contributions, or appropriations for the acquisition, restoration,  
300 enhancement, management, mapping, and/or monitoring of environmentally  
301 sensitive lands.

302 c. All interest generated from the deposit or investment of ECELTF monies.

303 **(2) Fund maintenance and disbursements.** The ECELTF shall be maintained in  
304 trust by the county solely for the purposes prescribed here, in a separate and  
305 segregated fund of the county that shall not be commingled with other county  
306 funds until disbursed, and only disbursed for the following purposes:

307 a. Acquisition (including by eminent domain), restoration, enhancement,  
308 management, mapping, and/or monitoring of environmentally sensitive lands  
309 and conservation easements within Escambia County.

310 b. All costs associated with acquisitions, including appraisals, surveys, title  
311 search work, real property taxes, documentary stamps, surtax fees, and other  
312 transaction costs.

313 c. Costs of administering the activities enumerated in this section.

314 **(d) Resource identification.** Where the potential for on-site wetlands or the habitat of  
315 threatened or endangered species is indicated, a site-specific survey shall be  
316 conducted and shall include the delineation of all such lands on the subject parcel.  
317 The survey shall be evaluated for the protection of significant resources prior to  
318 clearing, grading or other alterations, and the delineations shall be used in the  
319 determination of buildable area on the lot or parcel.

320 **(e) Avoidance, minimization, and mitigation.** If a proposed land use or development  
321 activity includes impacts to protected natural resources, the application for county  
322 compliance review and approval shall include written documentation that adverse  
323 impacts to those resources have been avoided to the maximum extent practicable.  
324 For unavoidable adverse impacts, the application shall demonstrate that the impacts  
325 have been minimized to the greatest extent practicable. Only with such  
326 demonstration will the county review and consider a mitigation plan for those  
327 impacts.

328 **(1) Clustering.** Where lands proposed for predominantly residential development  
329 contain wetlands or the habitat of threatened or endangered species,  
330 development dwelling units may be clustered within non-environmentally  
331 sensitive areas as prescribed in Article 1 of Chapter 3 to more fully develop  
332 available density on the remainder of the parcel and avoid adverse impacts on  
333 the resources. ~~to avoid adverse impacts and promote full utilization of property~~  
334 ~~rights. This provision overrides any provision in Chapter 3 - zoning regulations -~~  
335 ~~that would otherwise prohibit clustering, with the exclusion of any AIPD areas.~~

336 (2) **Mitigation.** A land use or development activity shall not cause a net adverse  
337 impact on resource functions that is not offset by mitigation. Methods to  
338 compensate for adverse direct or indirect impacts are required when uses or  
339 activities degrade estuaries, wetlands, surface waters, submerged aquatic  
340 vegetation, threatened and endangered species habitat and other protected  
341 natural resources.

342 (3) **Mitigation plans.** A mitigation plan shall be submitted to the County and  
343 include provisions for the replacement of the predominant functional values of  
344 the lost resources, specify the criteria by which success will be measured, and  
345 specify any necessary maintenance entity and its responsibilities.  
346

347 **Section 3.** Part III of the Escambia County Code of Ordinances, the Land Development  
348 Code of Escambia County, Chapter 4, Location and Use Regulations, Article 6,  
349 Historical and Archaeological Resources, is hereby amended as follows (words  
350 underlined are additions and words ~~stricken~~ are deletions):

351 **Sec. 4-6.2 General provisions.**

352 (a) **Identification of resources.** The potential for on-site historical and archeological  
353 sites shall be determined through review of the Florida Master Site File, Florida's  
354 official inventory of historical and cultural resources maintained by the Florida  
355 Department of State, and probability maps found in the technical manual.

356 (b) **Protection required.** To protect historical and archeological sites, land uses and  
357 development activities require prior county review and approval for compliance with  
358 the regulations of this article unless the use or activity is specifically identified in the  
359 LDC as exempt from these regulations. Additionally, these regulations apply to any  
360 historical or archeological artifact discovered during any phase of construction until  
361 such time as the artifact has been protected or proven insignificant.

362 (c) **Cessation of activities.** Any time historical or archeological artifacts or resources  
363 are discovered during the process of construction or development activities, such  
364 activities impacting the artifact or resource shall immediately cease until such time  
365 as a determination of significance has been provided.

366 (1) **Partial cessation.** If the location of the artifact or resource is such that the area  
367 can be protected while construction or development activities continue elsewhere  
368 on the site, such protection shall be allowed. However, if the location or nature of  
369 the artifact or resource is such that any site disturbing activities would impact the  
370 artifact or resource, then activities on the entire site shall cease.

371 (2) **Extension of approval time.** If the cessation of construction or development  
372 activities goes beyond the time limits established by development orders,  
373 building permits or any other county approvals issued according to the provisions  
374 of the LDC, then the time for completion of such activities shall be extended to  
375 allow for the successful completion of the development or construction.

376 (d) **Determination of significance.**

377 (1) **Artifacts.** The determination of whether or not an artifact is of significant  
378 importance and afforded protection by federal or state regulation shall be

379 concluded no later than ten business days after discovery and notification to the  
380 county.

381 **(2) State approved.** The determination of the significance of any artifact or  
382 historical or archeological evidence found on any construction site or on any site  
383 listed on the Florida Master Site File shall be made by those persons, firms or  
384 corporations approved to make such determination by the Florida Department of  
385 State, Division of Historical Resources.

386 **(e) Available resources.** The county shall use any available resources of the Florida  
387 Department of State, Division of Historical Resources, in the identification of historic  
388 structures within the county. The county will utilize guidance, direction and technical  
389 assistance received from the agency to insure protection of identified historic  
390 structures, sites and areas. Additionally, the county will utilize state assistance  
391 together with the assistance of the University of West Florida and others in  
392 identifying newly discovered historic or archeological resources. The identification  
393 will include an analysis to determine the significance of the resource.

394 **(f) Clustering.** Where lands proposed for predominantly residential development  
395 contain historical or archeological resources, the dwelling units may be clustered as  
396 prescribed in Article 1 of Chapter 3 to more fully develop available density on the  
397 remainder of the parcel and avoid adverse impacts on the resources. ~~Clustering~~  
398 ~~provisions found in Article 5 may be utilized for this resource.~~

399

#### 400 **Section 4. Severability.**

401 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or  
402 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way  
403 affect the validity of the remaining portions of this Ordinance.

404

#### 405 **Section 5. Inclusion in Code.**

406 It is the intention of the Board of County Commissioners that the provisions of this  
407 Ordinance shall be codified as required by F.S. § 125.68 (2016); and that the sections,  
408 subsections and other provisions of this Ordinance may be renumbered or re-lettered  
409 and the word "ordinance" may be changed to "section," "chapter," or such other  
410 appropriate word or phrase in order to accomplish such intentions.

411

#### 412 **Section 6. Effective Date.**

413 This Ordinance shall become effective upon filing with the Department of State.

414

415 **DONE AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

416

417

**BOARD OF COUNTY COMMISSIONERS**

ESCAMBIA COUNTY, FLORIDA

By: \_\_\_\_\_

D. B. Underhill, Chairman

**ATTEST: PAM CHILDERS**  
**Clerk of the Circuit Court**

By: \_\_\_\_\_

Deputy Clerk

**(SEAL)**

**ENACTED:**

**FILED WITH THE DEPARTMENT OF STATE:**

**EFFECTIVE DATE:**



**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Planning Board-Rezoning**

**8. C.**

**Meeting Date: 08/01/2017**

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**Agenda Item:**

Spot Zoning/Rezoning Discussion.

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**Attachments**

Draft Ordinance

Clean Ordinance

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1 **Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development  
2 Code of Escambia County, Chapter 2, Development and Compliance Review, Article 7,  
3 LDC and Comprehensive Plan Amendment, is hereby amended as follows (words  
4 underlined are additions and words ~~stricken~~ are deletions):

5 **Sec. 2-7.2 LDC zoning map and text amendments**

6 **(a) General.** All provisions of the LDC are established, modified, or repealed by  
7 ordinance of the Board of County Commissioners (BCC). Zoning map and text  
8 amendments may be proposed by the county or others according to the ordinance  
9 enactment procedures prescribed by Florida Statutes and the provisions of this  
10 section. Since any LDC amendment is a change to implementing the land use  
11 regulations of the county and can modify the requirements for subsequent  
12 authorizations of land uses and development activities, significant opportunities for  
13 public participation are provided. These map and text amendment processes are  
14 established for the county to authorize appropriate changes to its land development  
15 regulations.

16 **(b) Zoning map amendment (~~Rezoning application~~).** County-initiated  
17 comprehensive changes to the zoning map that set policy require enactment  
18 through the legislative procedures of the BCC. ~~Small-scale~~ compliance with the  
19 following process, an owner-initiated zoning map amendment (rezoning) that affects  
20 a limited number of identifiable parties and interests is evaluated first through quasi-  
21 judicial public hearings by the Planning Board, or the Santa Rosa Island Authority  
22 (SRIA) for property on Pensacola Beach, and then by the BCC. ~~Large-scale~~  
23 comprehensive changes to the zoning map set policy and require enactment  
24 through the legislative procedures of the BCC.

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25 **(1) Application.** An application for a rezoning through the quasi-judicial process  
26 shall be submitted to the clerk of the reviewing board within the time required by  
27 the adopted rezoning procedures of the board ~~Planning Board~~ prior to the  
28 scheduled board meeting at which the applicant requests to be heard. ~~If the~~  
29 application concerns property under the jurisdiction of the Santa Rosa Island  
30 Authority (SRIA), the application shall be submitted to the clerk of the SRIA at  
31 least 30 business days prior to the scheduled board meeting. The application  
32 shall provide the information required by the rezoning procedures of the  
33 reviewing board. A pre-application meeting of the applicant with the staff for the  
34 reviewing board is recommended to discuss the process and to review county,  
35 board, and applicant responsibilities.

36 **(2) Public participation.** Hearings to consider a rezoning application shall be open  
37 to the public. Prior to any such hearing, the clerk of the reviewing board shall  
38 provide reasonable notice to the public as required by Florida Statutes and the  
39 Comprehensive Plan. Public notification is required as further outlined in this  
40 Article. The cost of the notification is to be borne by the applicant requesting  
41 review. ~~Public notification shall include the following, each identifying the~~  
42 purpose, subject, reviewing authorities, case number, dates, times and locations  
43 of the hearings; the current and proposed zoning; and county contacts for  
44 additional information:

- 1           **a. Publication.** At least ten days prior to the hearing, notice shall be published  
2 in a newspaper of general circulation in Escambia County.  
3           **b. Site sign.** At least 15 days prior to the hearing, a sign no smaller than 24  
4 inches by 48 inches shall be prominently posted on, or as near as practicable  
5 to, the subject property and shall be clearly readable from the nearest public  
6 right-of-way.  
7           **c. Notification.** At least 15 days prior to the hearing, notification shall be sent  
8 via U.S. mail to the address registered with the property appraiser for each  
9 owner of real property with any portion of the property located south of Nine  
10 Mile Rd within 500' of the subject property. For property located north of Nine  
11 Mile Rd, notification will be sent to properties within 2500' of the subject  
12 property. The cost of the mailing is to be borne by the applicant.

13 **(3) Compliance review.** A quasi-judicial public hearing shall be conducted by the  
14 appropriate reviewing board to consider a requested rezoning according to the  
15 provisions of this article. At the conclusion of the hearing, based on the record  
16 evidence, the reviewing board shall submit a recommendation to the BCC for  
17 rezoning approval, denial, or if appropriate and acceptable to the applicant,  
18 approval of a district with less intensive uses than the requested zoning.

19 **(4) Approval conditions.** The applicant has the burden of presenting competent  
20 substantial evidence to the reviewing board ~~that establishes each~~ establishing  
21 that the requested zoning district would contribute to or result in a logical and  
22 orderly development pattern as demonstrated by all of the following conditions:

- 23           **a. Consistent with Comprehensive Plan.** The proposed zoning is  
24 consistent with the future land use (FLU) category as prescribed in LDC  
25 Chapter 3, and with all other applicable goals, objectives, and policies of  
26 the Comprehensive Plan. If the rezoning is required to properly enact a  
27 proposed FLU map amendment transmitted for state agency review, the  
28 proposed zoning is consistent consistency is with the proposed FLU and  
29 conditional to its adoption. The proposed rezoning is consistent with the  
30 goals, objectives, and policies of the Comprehensive Plan and not in  
31 conflict with any of its provisions.
- 32           **b. Consistent with LDC zoning district provisions.** The proposed zoning is  
33 consistent with the purpose and intent, location criteria, and with any other  
34 zoning establishment provisions prescribed by the proposed district in  
35 Chapter 3. The proposed rezoning is consistent with the stated purposes  
36 and intent of the LDC and not in conflict with any of its provisions.
- 37           **c. Compatibility Compatible with surroundings.** All of the permitted uses  
38 of the proposed zoning, not just those anticipated by the rezoning applicant,  
39 are compatible, as defined in Chapter 6, with the surrounding uses. The  
40 uses of any surrounding undeveloped land shall be considered as the  
41 permitted uses of the applicable district. Compatibility is not considered  
42 with potential conditional uses or with any nonconforming or unapproved  
43 uses. Also, in establishing the compatibility of a residential use, there is no  
44 additional burden to demonstrate the compatibility of specific residents or

1 activities protected by county, state, or federal fair housing law (e.g.,  
2 affordable housing). All land uses, development activities, and conditions  
3 allowed by the proposed zoning are compatible with the surrounding  
4 conforming uses, activities and conditions and are able to coexist in  
5 relative proximity to them in a stable fashion over time such that no use,  
6 activity, or condition negatively impacts another. The appropriateness of  
7 the rezoning is not limited to any specific use that may be proposed but is  
8 evident for all permitted uses of the requested zoning. This condition shall  
9 not apply to any conditional uses of the proposed district or compatibility  
10 with nonconforming or unapproved uses, activities, or conditions.

11 **d. Appropriate as spot zoning.** Where the proposed zoning would establish  
12 or reinforce a condition of spot zoning as defined in Chapter 6, the isolated  
13 district would nevertheless be transitional in character between the  
14 adjoining districts, or the differences with those districts would be minor or  
15 sufficiently limited. The extent of these mitigating characteristics or  
16 conditions demonstrates an appropriate site-specific balancing of interests  
17 between the isolated district and adjoining lands.

18 **~~d.~~ Appropriate with Changed changing conditions.** The area surrounding  
19 the property of to which the proposed rezoning would apply has changed,  
20 or is changing, to such a degree that the permitted uses of the proposed  
21 district are not premature for the area and not likely to create or contribute  
22 to sprawl it is in the public interest to encourage new uses, density, or  
23 intensity in the area through rezoning.

24 **e. Development patterns.** The proposed rezoning would contribute to or  
25 result in a logical and orderly development pattern.

26 **f. Effect on natural environment.** The proposed rezoning would not increase  
27 the probability of any significant adverse impacts on the natural  
28 environment.

29 **(5) Board Action.** When the reviewing board finds from the record of the hearing  
30 that the applicant has presented competent substantial evidence establishing  
31 the required conditions, the board shall then consider whether maintaining the  
32 current zoning will serve a greater public interest. ~~The board shall recommend~~  
33 ~~approval of the rezoning request to the BCC~~ ~~if both of the following conditions~~  
34 ~~are confirmed and no greater public interest is otherwise found in maintaining~~  
35 ~~the current zoning, ~~the board shall recommend approval of the rezoning request~~~~  
36 ~~to the BCC~~ recommend approval of the rezoning request to the BCC, unless  
37 the board determines that maintaining the current zoning will prevent the  
38 following:

39 **a.** No new uses, density, or intensity of use will likely diminish quality of life,  
40 reduce property values, confer a special benefit on the subject property to  
41 the detriment of the community as a whole, or create other adverse impacts  
42 upon surrounding properties more than the uses, density, or intensity of the  
43 current zoning.

1 b. Greater consideration has been given to the protection of established  
2 conforming investments than to projected investments, and future beneficial  
3 use is encouraged rather than the sale of land for mere speculation.

4 ~~a. **Premature development or sprawl.** The land uses and development~~  
5 ~~activities allowed by the proposed rezoning are premature, or the rezoning~~  
6 ~~would likely create or contribute to an urban sprawl pattern of~~  
7 ~~development more than the current zoning.~~

8 ~~b. **Isolated districts.** The proposed rezoning would create or contribute to~~  
9 ~~an isolated zoning district that is neither related to the adjacent and~~  
10 ~~nearby zoning districts nor an appropriate transition between them.~~

11 ~~c. **Intrusion of non-residential uses.** The proposed rezoning would allow an~~  
12 ~~intrusion of commercial or industrial uses into a platted residential~~  
13 ~~subdivision or other established residential area more than the current~~  
14 ~~zoning.~~

15 ~~d. **Property value impacts.** The land uses, development activities and~~  
16 ~~conditions allowed by the proposed rezoning would likely result in~~  
17 ~~significant adverse impacts upon the property values of adjacent properties~~  
18 ~~or those in the immediate area more than the types of use, activities, and~~  
19 ~~conditions permitted by the current zoning.~~

20 ~~e. **Nuisance-based impacts.** The land uses, development activities and~~  
21 ~~conditions allowed by the proposed rezoning would likely adversely impact~~  
22 ~~the character of existing development or quality of life in the general area or~~  
23 ~~neighborhood by creating excessive traffic, noise, lights, vibration, fumes,~~  
24 ~~odors, dust, physical activities, or other detrimental effects or nuisances~~  
25 ~~more than the types of uses, activities and conditions permitted by the~~  
26 ~~current zoning.~~

27 **(6) Final determination.** The BCC at its scheduled hearing shall adopt, modify, or  
28 reject the recommendation of the Planning Board or SRIA or return the rezoning  
29 case to the board with instructions for additional facts or clarification. The staff  
30 of the recommending board shall inform the board of all formal actions taken by  
31 the BCC on the rezoning request.

32 **(7) Appeals.** Actions by the BCC adopting, rejecting, or modifying the  
33 recommended rezoning of the reviewing board are final. Any party seeking  
34 judicial review of the final determination shall do so according to the general  
35 provisions of Article 1. Additionally, written notice of the filing of any such  
36 petition for judicial review shall be promptly provided by the petitioner through  
37 the county to each owner of real property with any portion within a 500-foot  
38 radius of the rezoning subject property.

39  
40 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land  
41 Development Code of Escambia County, Chapter 6, Definitions, Section "S," is hereby  
42 amended as follows (words underlined are additions and words ~~stricken~~ are  
43 deletions):

1 **Sec. 6.0-3 Terms defined.**

2 -S-

3 *Salvage yard.* An industrial facility or area for the collection, storage, sale or  
4 exchange, disassembly, shredding, compaction, bailing, or other handling of scrap or  
5 discarded material or equipment for salvage, including metals, paper, rags, tires,  
6 bottles and cans, motor vehicles, machinery, appliances, and structural steel.

7 *Sand dune.* Naturally occurring accumulations of sand in ridges or mounds landward  
8 of the beach.

9 *Screened or screening.* A method of visually shielding or obscuring a structure or use  
10 from view by fencing, walls, berms, or vegetation.

11 *Seawall.* A wall or an embankment designed to halt the encroachment of a waterbody.

12 *Sediment.* Mineral or organic particulates that have been transported from their origin  
13 by wind or water and deposited at another location.

14 *Sedimentation.* The deposition of sediment.

15 *Self-storage facility.* A building or group of buildings containing separate individual  
16 storage units available for lease or rent for varying periods of time for the self-service  
17 storage of goods. Self-service storage facilities may also be known as mini-  
18 warehouses.

19 *Semi-impervious surface.* Any surface that is more resistant to the infiltration of water  
20 than a pervious surface, but more easily allows infiltration than an impervious surface.  
21 Such moderately impermeable surfaces include compacted stone, gravel, recycled  
22 asphalt, shell, or clay serving vehicular traffic; paver stones and "pervious" concrete;  
23 and other surfaces for which runoff coefficients no less than 0.60 are typically used for  
24 stormwater management calculations.

25 *Setback.* The required minimum distance from a property line or other boundary line  
26 that establishes the area within which a structure is allowed to be erected or placed.

27 *Shooting range.* An indoor or outdoor facility designed for archery, paintball, or the  
28 discharge of firearms, including rifles, shotguns, pistols, muzzle loading and black  
29 powder guns. The term "shooting range" includes facilities for the purpose of sport  
30 shooting or for military or law enforcement training, including mock hazard response,  
31 target practice, skeet and trap.

32 *Shopping center.* An integrated group of retail sales and service establishments that is  
33 planned, constructed, and managed to function as a unit, with customer and employee  
34 parking provided on site and the delivery of goods separated from customer access.

1 *Sign.* Any object, device, display, or structure, or part thereof, which is positioned and  
2 used to advertise, identify, announce, direct or attract attention, or otherwise visually  
3 communicate a message outdoors using words, letters, numerals, emblems, figures,  
4 symbols, pictures, or other images. Signs are more specifically defined by form and  
5 use in the signage standards of chapter 5.

6 *Sign area.* The surface area of a sign shall be computed as including the entire area  
7 within the smallest rectangle, triangle, circle or other regular geometric form, or  
8 aggregates thereof, encompassing all of the display area of the sign and including all  
9 of the elements of the matter displayed. Base, apron, supports and other structural  
10 members not bearing advertising matter shall not be included in computation of  
11 surface area. Border or trim shall be included in computation of surface area. One side  
12 only of a double-sided sign shall be used in computing sign area where they are  
13 placed back to back on a single sign structure and are at no point more than three feet  
14 apart.

15 *Sign face.* The area or display surface used for the message.

16 *Sign triangle.* See visual clearance section of landscaping provisions.

17 *Silviculture.* The management of forest establishment, growth, composition, health,  
18 and quality to produce lumber, pulp wood, or other forest products on a sustainable  
19 basis. The term "silviculture" includes site preparation, planting, prescribed burning,  
20 harvesting, and replanting activities.

21 *Site plan.* A scaled plan depicting proposed site development or redevelopment within  
22 a parcel as required by the LDC for compliance review and approval.

23 *Solid waste.* Materials regulated by the state as solid waste, including sludge from a  
24 waste treatment works, water supply treatment plant, or air pollution control facility; or  
25 garbage, rubbish, refuse, special waste, or other discarded material, including solid,  
26 liquid, semisolid or contained gaseous material resulting from domestic, industrial,  
27 commercial, mining, agricultural, or governmental operations.

28 *Solid waste collection point.* A site for the collection of non-hazardous solid waste from  
29 individual generators and transport to waste transfer, material recovery, waste  
30 disposal or other solid waste management facilities.

31 *Solid waste disposal facility.* See "Landfill."

32 *Solid waste transfer facility.* An industrial facility where non-hazardous solid waste  
33 from collection vehicles is consolidated, temporarily stored, and may be sorted, for  
34 subsequent transport to other facilities for processing or final disposal.

35 *Sprawl or urban sprawl.* A haphazard development pattern of dispersed and strip  
36 growth in suburbs and rural areas and along highways that is characterized by low  
37 density, automobile-dependent development with either a single use or multiple uses

1 that are not functionally related, requiring the extension of public facilities and services  
2 in an inefficient manner, and failing to provide a clear separation between urban and  
3 rural uses.

4 Spot zoning. Zoning applied to an area of land, regardless of its size, that is different  
5 from the zoning of ~~any directly adjoining~~ contiguous land. Such isolated or “spot”  
6 zoning is usually higher in its density or intensity of use than the adjoining zoning and  
7 may, therefore, extend privileges not generally extended to property similarly located in  
8 the area. Spot zoning is not by itself prohibited, but due to its potentially adverse  
9 impacts on adjoining zoning it carries a higher burden of demonstration that, if  
10 authorized, it will contribute to or result in ~~the~~ logical and orderly development required  
11 of all zoning.

12 *Stable, public.* A structure where horses, ponies or other domesticated equines are  
13 kept for sale or hire, including their boarding, training, breeding, and riding.

14 *Stable, private.* An accessory structure where horses, ponies or other domesticated  
15 equines are kept for the private use of the occupants of the premises and their guests,  
16 and not kept for hire.

17 *Stadium or arena.* A structure with tiers of spectator seats rising around all or part of  
18 an open or enclosed field or place used for athletic, entertainment, or other major  
19 events. Stadiums may include food service, retail stores, meeting rooms and other  
20 incidental uses customarily accessory to the principal use.

21 *Start of construction.* The date the building permit was issued, provided the actual  
22 start of construction, repair, reconstruction, or improvement was within 180 days of the  
23 permit date. The actual start means the first placement of permanent construction of a  
24 structure (including a manufactured home) on a site, such as the pouring of slabs or  
25 footings, installation of piles, construction of columns, or any work beyond the stage of  
26 excavation or the placement of a manufactured home on a foundation. Permanent  
27 construction does not include land preparation, such as clearing, grading and filling;  
28 nor does it include the installation of streets or walkways; nor does it include  
29 excavation for a basement, footings, piers or foundations or the erection of temporary  
30 forms; nor does it include the installation on the property of accessory buildings, such  
31 as garages or sheds not occupied as dwelling units or not part of the main structure.  
32 This definition does not apply to new construction or substantial improvements under  
33 the Coastal Barrier Resources Act (P.L. 97-348).

34 *Storage.* The placement, accumulation, or keeping of things, or the condition of things  
35 placed, accumulated, or kept, in a specific location for preservation, future use, or  
36 disposal.

37 *Storage, outdoor or outside.* The storage of any equipment, goods, junk, material,  
38 merchandise, or vehicles outside of an enclosed building in the same area on a site  
39 for more than 72 hours.

1 *Stormwater.* The flow of water which results from, and which occurs immediately  
2 following, a rainfall event.

3 *Stormwater management.* Any technique, apparatus, or facility that controls or  
4 manages the path, storage, quality, or rate of release of stormwater runoff, including  
5 storm sewers, retention and detention ponds, drainage channels and swales, and inlet  
6 and outlet structures.

7 *Stormwater management plan.* A professionally certified plan to manage stormwater  
8 runoff from development by providing concurrent control of erosion, water quality,  
9 sedimentation, and flooding in compliance with all applicable regulatory authorities.

10 *Stormwater management system.* The designed features of the property which collect,  
11 convey, channel, hold, inhibit, or divert the movement of stormwater.

12 *Stormwater pond.* A stormwater storage facility that may be further characterized as:

13 *Detention pond.* A facility for the collection and temporary storage of stormwater  
14 runoff for treatment through physical, chemical, or biological processes and for  
15 attenuating discharge with subsequent gradual controlled discharge.

16 *Retention pond.* A facility for the collection and prevention of discharge of  
17 stormwater runoff surface waters by complete on-site storage where the capacity  
18 to store the given volume must be provided by a decrease of stored water caused  
19 only by percolation through soil, evaporation, or evapotranspiration (loss of water  
20 from soil by both evaporation and transpiration from plants).

21 *Dry pond.* A facility designed to collect and store stormwater runoff in a normally  
22 dry basin.

23 *Wet pond.* A facility designed to collect and store stormwater runoff in a  
24 permanently wet impoundment with a gently sloping littoral zone shelf designed to  
25 support the growth of rooted aquatic plants. A wet pond provides for treatment  
26 through physical, chemical, and biological processes.

27 *Story.* That portion of a building included between the surface of any floor and the  
28 surface of the next floor above, or if there is no floor above it, then the space between  
29 such floor and the ceiling next above it. In computing the number of stories in a  
30 building, a basement shall not be considered a story if more than one-half of its height  
31 is below the mean grade. For areas governed by FDEP or FEMA elevation  
32 requirements, the number of stories in a building shall be counted from the minimum  
33 required elevation established by FDEP or FEMA for the habitable first floor,  
34 whichever is higher.

35 *Street.* A public or private right-of-way designed and used primarily for vehicular  
36 transportation, including all of the land lying between the right-of-way lines delineating  
37 the access way, whether improved or unimproved, and typically affording the principal

1 means of access to adjoining land. The term "street" includes the terms "road,"  
2 "avenue," "boulevard," "lane," "thoroughfare" and "highway" when used for such  
3 access ways. However, the term does not include alleys, access ways such as  
4 easements and rights-of-way intended solely for limited utility purposes, or access  
5 ways and driveways designed as part of or access to on-site parking. Streets may be  
6 classified as the following:

7 *Arterial street, major.* A street providing service that is relatively continuous and of  
8 relatively high traffic volume, long trip length, and high operating speed, including  
9 every United States numbered highway.

10 *Arterial street, minor.* A street providing connections between major activity  
11 centers of the county, and which augments the major arterial system for local and  
12 inter-county traffic by feeding traffic from collector and local street systems onto  
13 major arterials.

14 *Collector street.* A street providing service that is of relatively moderate traffic  
15 volume, moderate trip length, and moderate operating speed, and which  
16 distributes traffic between local streets or arterial streets.

17 *Local street.* A street providing service that is of relatively low traffic volume, short  
18 average trip length, or minimal through traffic movements, and high quantity land  
19 access for abutting property.

20 *Private street.* A privately owned and maintained street.

21 *Public street.* A street under the jurisdiction of and maintained by a public entity  
22 for public travel.

23 *Structural alteration.* Any change in the supporting members of a building, such as  
24 bearing walls, bearing partitions, columns, beams or girders, or any complete  
25 rebuilding of the roof, exterior walls or any other change which results in increased or  
26 decreased height of a structure.

27 *Structure.* Anything constructed, assembled or erected, the use of which requires  
28 location on or in the ground, or attachment to something having location on or in the  
29 ground. The term "structure" does not include unroofed paved surfaces, such as  
30 sidewalks, driveways, parking lots, or paved areas used for sports activities. For the  
31 purposes of floodplain management, "structure" means a walled and roofed building,  
32 including a gas or liquid storage tank, which is principally above ground, as well as a  
33 manufactured home.

34 *Subdivision.* The division of a parcel of land, whether improved or unimproved, into  
35 three or more contiguous lots or parcels of land or, if the establishment of a new street  
36 is involved, any division of the parcel. When appropriate to the context, the term  
37 "subdivision" refers to the process of subdividing or to the land subdivided.

1 *Subdivision, recorded.* The plat of an approved subdivision as recorded in the office of  
2 the Clerk of the Court, Escambia County, according to Florida Statutes.

3 *Substance abuse treatment facility.* A state licensed residential or inpatient facility  
4 which provides professionally planned and directed clinical treatment in a structured  
5 live-in environment within a nonhospital setting on a 24-hours-per-day, seven-days-  
6 per-week basis, designed to reduce or eliminate the misuse of drugs and alcohol and  
7 promote a healthy, drug-free lifestyle.

8 *Substantial construction.* All required permits necessary to continue the development  
9 have been obtained; permitted clearing and grading has been completed on a  
10 significant portion of the development subject to a single final development order; and  
11 the actual construction of buildings or water and sewer lines, streets, or the  
12 stormwater management system has been completed on a significant portion of the  
13 development or is progressing in a manner that significantly moves the entire  
14 development toward completion of construction.

15 *Substantial damage.* Damage of any origin sustained by a structure whereby the cost  
16 of restoring the structure to its before-damaged condition would equal or exceed 50  
17 percent of the market value of the structure before the damage occurred. The "cost" of  
18 the restoration is the fair market value of the material and services necessary to  
19 accomplish the entire restoration and is unaffected by incremental restoration work.

20 *Substantial improvement.* Any repair, reconstruction, rehabilitation, addition, or other  
21 improvement of a structure, the cost of which equals or exceeds 50 percent of the  
22 market value of the structure before the improvement or repair is started. If the  
23 structure has incurred "substantial damage," any repairs are considered substantial  
24 improvement regardless of the actual repair work performed. The term does not,  
25 however, include either of the following:

- 26 1. Any project for improvement of a building required to correct existing health,  
27 sanitary, or safety code violations identified by the building official and that are the  
28 minimum necessary to assure safe living conditions.
- 29 2. Any alteration of an historic structure provided the alteration will not preclude the  
30 structure's continued designation as a historic structure and the alteration is  
31 approved by variance issued according to the provisions of the LDC.

32 *Suitability.* The degree to which the existing characteristics and limitations of land and  
33 water are compatible with a proposed use or development.

34 *Surface water.* Water upon the surface of the earth, whether contained in bounds  
35 created naturally or artificially or diffused. Water from natural springs is classified as  
36 surface water when it exits from the spring onto the earth's surface.

37

38

1 **Section 4. Severability.**

2 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or  
3 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way  
4 affect the validity of the remaining portions of this Ordinance.

5  
6 **Section 5. Inclusion in Code.**

7 It is the intention of the Board of County Commissioners that the provisions of this  
8 Ordinance shall be codified as required by F.S. § 125.68 (2016); and that the sections,  
9 subsections and other provisions of this Ordinance may be renumbered or re-lettered  
10 and the word "ordinance" may be changed to "section," "chapter," or such other  
11 appropriate word or phrase in order to accomplish such intentions.

12  
13 **Section 6. Effective Date.**

14 This Ordinance shall become effective upon filing with the Department of State.

15  
16 **DONE AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

17  
18 **BOARD OF COUNTY COMMISSIONERS**  
19 **ESCAMBIA COUNTY, FLORIDA**

20  
21 **By:** \_\_\_\_\_  
22 **D. B. Underhill, Chairman**

23  
24 **ATTEST: PAM CHILDERS**  
25 **Clerk of the Circuit Court**

26  
27 **By:** \_\_\_\_\_  
28 **Deputy Clerk**

29 **(SEAL)**

30  
31 **ENACTED:**

32 **FILED WITH THE DEPARTMENT OF STATE:**

33 **EFFECTIVE DATE:**

# Clean Copy of Proposed Changes to Rezoning

## Sec. 2-7.2 LDC zoning map and text amendments

**(a) General.** All provisions of the LDC are established, modified, or repealed by ordinance of the Board of County Commissioners (BCC). Zoning map and text amendments may be proposed by the county or others according to the ordinance enactment procedures prescribed by Florida Statutes and the provisions of this section. Since any LDC amendment is a change to implementing the land use regulations of the county and can modify the requirements for subsequent authorizations of land uses and development activities, significant opportunities for public participation are provided. These map and text amendment processes are established for the county to authorize appropriate changes to its land development regulations.

**(b) Zoning map amendment (rezoning).** County-initiated comprehensive changes to the zoning map that set policy require enactment through the legislative procedures of the BCC. In compliance with the following process, an owner-initiated zoning map amendment (rezoning) that affects a limited number of identifiable parties and interests is evaluated first through quasi-judicial public hearings by the Planning Board, or the Santa Rosa Island Authority (SRIA) for property on Pensacola Beach, and then by the BCC:

**(1) Application.** Application for rezoning through the quasi-judicial process shall be submitted to the clerk of the reviewing board within the time required by the adopted rezoning procedures of the board prior to the scheduled board meeting at which the applicant requests to be heard. The application shall provide the information required by the rezoning procedures of the board. A pre-application meeting of the applicant with the staff for the reviewing board is recommended to discuss the process and to review county, board, and applicant responsibilities.

**(2) Public participation.** Hearings to consider a rezoning application shall be open to the public. Prior to any such hearing, the clerk of the reviewing board shall provide reasonable notice to the public as required by Florida Statutes and the Comprehensive Plan. Public notification shall include the following, each identifying the purpose, subject, reviewing authorities, case number, dates, times and locations of the hearings; the current and proposed zoning; and county contacts for additional information:

**a. Publication.** At least ten days prior to the hearing, notice shall be published in a newspaper of general circulation in Escambia County.

**b. Site sign.** At least 15 days prior to the hearing, a sign no smaller than 24 inches by 48 inches shall be prominently posted on, or as near as practicable to, the subject property and shall be clearly readable from the nearest public right-of-way.

**c. Notification.** At least 15 days prior to the hearing, notification shall be sent via U.S. mail to the address registered with the property appraiser for each

1 owner of real property with any portion of the property located south of Nine  
2 Mile Rd within 500' of the subject property. For property located north of Nine  
3 Mile Rd, notification will be sent to properties within 2500' of the subject  
4 property. The cost of the mailing is to be borne by the applicant.

5 **(3) Compliance review.** A quasi-judicial public hearing shall be conducted by the  
6 appropriate reviewing board to consider a requested rezoning according to the  
7 provisions of this article. At the conclusion of the hearing, based on the record  
8 evidence, the reviewing board shall submit a recommendation to the BCC for  
9 rezoning approval, denial, or if appropriate and acceptable to the applicant,  
10 approval of a district with less intensive uses than the requested zoning.

11 **(4) Approval conditions.** The applicant has the burden of presenting competent  
12 substantial evidence to the reviewing board establishing that the requested  
13 zoning district would contribute to or result in a logical and orderly development  
14 pattern as demonstrated by all of the following conditions:

15 **a. Consistent with Comprehensive Plan.** The proposed zoning is  
16 consistent with the future land use (FLU) category as prescribed in LDC  
17 Chapter 3, and with all other applicable goals, objectives, and policies of  
18 the Comprehensive Plan. If the rezoning is required to properly enact a  
19 proposed FLU map amendment transmitted for state agency review, the  
20 proposed zoning is consistent with the proposed FLU and conditional to its  
21 adoption.

22 **b. Consistent with zoning district provisions.** The proposed zoning is  
23 consistent with the purpose and intent and with any other zoning  
24 establishment provisions prescribed by the proposed district in Chapter 3.

25 **c. Compatible with surroundings.** All of the permitted uses of the proposed  
26 zoning, not just those anticipated by the rezoning applicant, are compatible,  
27 as defined in Chapter 6, with the surrounding uses. The uses of any  
28 surrounding undeveloped land shall be considered the permitted uses of  
29 the applicable district. Compatibility is not considered with potential  
30 conditional uses or with any nonconforming or unapproved uses. Also, in  
31 establishing the compatibility of a residential use, there is no additional  
32 burden to demonstrate the compatibility of specific residents or activities  
33 protected by county, state, or federal fair housing law (e.g., affordable  
34 housing).

35 **d. Appropriate as spot zoning.** Where the proposed zoning would establish  
36 or reinforce a condition of spot zoning as defined in Chapter 6, the isolated  
37 district would nevertheless be transitional in character between the  
38 adjoining districts, or the differences with those districts would be minor or  
39 sufficiently limited. The extent of these mitigating characteristics or  
40 conditions demonstrates an appropriate site-specific balancing of interests  
41 between the isolated district and adjoining lands.

42 **e. Appropriate with changing conditions.** The area surrounding the  
43 property of the proposed rezoning has changed, or is changing, to such a

1 degree that the permitted uses of the proposed district are not premature  
2 for the area and not likely to create or contribute to sprawl.

3 **(4) Board Action.** If the reviewing board finds from the record of the hearing that  
4 the applicant has presented competent substantial evidence establishing the  
5 required conditions, the board shall then consider whether maintaining the  
6 current zoning will serve a greater public interest. The board shall recommend  
7 approval of the rezoning request to the BCC if both of the following conditions  
8 are confirmed and no greater public interest is otherwise found in maintaining  
9 the current zoning:

- 10 a. No new uses, density, or intensity of use will likely diminish quality of life,  
11 reduce property values, confer a special benefit on the subject property to  
12 the detriment of the community as a whole, or create other adverse impacts  
13 upon surrounding properties more than the uses, density, or intensity of the  
14 current zoning.
- 15 b. Greater consideration has been given to the protection of established  
16 conforming investments than to projected investments, and future beneficial  
17 use is encouraged rather than the sale of land for mere speculation.

18 **(6) Final determination.** The BCC at its scheduled hearing shall adopt, modify, or  
19 reject the recommendation of the Planning Board or SRIA or return the rezoning  
20 case to the board with instructions for additional facts or clarification. The staff  
21 of the recommending board shall inform the board of all formal actions taken by  
22 the BCC on the rezoning request.

23 **(7) Appeals.** Actions by the BCC adopting, rejecting, or modifying the  
24 recommended rezoning of the reviewing board are final. Any party seeking  
25 judicial review of the final determination shall do so according to the general  
26 provisions of Article 1. Additionally, written notice of the filing of any such  
27 petition for judicial review shall be promptly provided by the petitioner through  
28 the county to each owner of real property with any portion within a 500-foot  
29 radius of the rezoning subject property.

30  
31 **Sec. 6.0-3 Terms defined.**

32 **-S-**

33 *Spot zoning.* Zoning applied to an area of land, regardless of its size, that is different  
34 from the zoning of all contiguous land. Such isolated or “spot” zoning is usually higher  
35 in its density or intensity of use than the adjoining zoning and may, therefore, extend  
36 privileges not generally extended to property similarly located in the area. Spot zoning  
37 is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning  
38 it carries a higher burden of demonstration that, if authorized, it will contribute to or  
39 result in logical and orderly development.



**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Planning Board-Rezoning**

**8. D.**

**Meeting Date: 08/01/2017**

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**Agenda Item:**

Subdivision Roads and Site Plans Discussion.

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**Attachments**

**Attachment**

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## John C. Fisher

---

**From:** John C. Fisher  
**Sent:** Wednesday, July 19, 2017 3:04 PM  
**To:** Horace L Jones; Terry D Williams; Andrew D. Holmer  
**Cc:** Griffin L Vickery  
**Subject:** semi-Cul-de-sacs/knobs/bulges in Subdivisions

David Peaden & Tom Hammond,

Escambia County Planning & Zoning staff is working on a an ongoing subdivision lot width issue when dealing with curves in the road. In Land Development Code (LDC) under the Site and Building Requirements the conflict comes when we talk about Cul-de-sacs. Staff are reviewing things like, semi-Cul-de-sacs/knobs/bulges in the road, as well as curves in the road where the engineer is designing with 20' lot widths which is a Cul-de-sac design.

Please review below some suggestions and thoughts and reply back. We can schedule a meeting to discuss any options as needed.

- One idea would to do a **Lot width Average at the Street ROW** for when platting a subdivision.
- Subdivisions are being submitted with knobs or sharp curves in the road and using the Cul-de-sac lot width of 20 for a design.
- Currently under the LDC Site & Building Requirements for example in LDR we have.

**Lot width.** A minimum lot width of 20 feet at the street right-of-way for cul-de-sac lots and 60 feet at the street right-of-way for all other lots.

The issue is Cul-de-sacs and staff removed the Front Building Line Lot width back in August of 2016.

In removing the front building line lot width was supposed to make it easier for engineers to design because they would only have to adhere to the street right-of-way lot width of 40', 50', 60' etc verse also the front building line.

Please see attachments of some examples and read below the Cul-de-sac definition as well some alternative language.

Definition in LDC

**Cul-de-sac.** A local street with one end open to traffic and the other end terminated by a vehicular turnaround. For the purposes of determining required minimum lot width, the term "cul-de-sac" refers only to the vehicular turnaround at the closed end of the street.

When creating a platted subdivision with curves or knobs/ bulges in the road a 20% reduction may be applied to the street right-of-way lot width as long as the front setback meets the current default street right-of-way.

Would need to define the street knobs/bulges.

Thanks

John C Fisher  
Senior Planner  
Development Services Department  
3363 West Park Place  
Pensacola, FL 32505  
850-595-4651

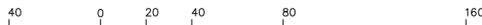
Florida has a very broad public records law. Under Florida's law, both the contents of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity.

John C Fisher  
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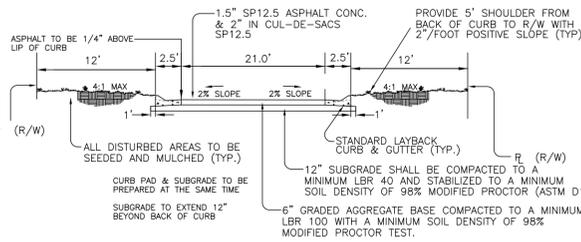
Florida has a very broad public records law. Under Florida's law, both the contents of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity.

GRAPHIC SCALE

22"x34" SCALE 1 inch = 40 ft.



11"x17" SCALE 1 inch = 80 ft.



TYPICAL STREET AND GUTTER STREET CROSS-SECTION

UNPLATTED

07-1S-31-4303-002-001 WOODBURN GEORGE R JR & EVA JANE 8140 MOBILE HWY PENSACOLA, FL 32526 ZONE: LDR USE: SINGLE FAMILY RESID.

07-1S-31-4303-000-004 BOLES WILLIAM J JR & BRENDA J 8126 MOBILE HWY PENSACOLA, FL 32526 ZONE: LDR USE: SINGLE FAMILY RESID.

07-1S-31-4303-009-003 BARNHILL LORI 8124 MOBILE HWY PENSACOLA, FL 32526 ZONE: LDR USE: SINGLE FAMILY RESID.

07-1S-31-4404-000-002 DEMPSEY BARBARA HARDING C/O JUDITH INGLETT 5412 N BLUE ANGEL PKWY PENSACOLA, FL 32526 ZONE: LDR USE: MISC. RESIDENTIAL

07-1S-31-1104-000-001 AGERTON WILLIAM A 552 LEE ROAD 781 VALLEY, AL 36854 ZONE: LDR USE: VACANT RESIDENTIAL

07-1S-31-1107-000-000 WOOD ZACHARY L & FUNKHAUSER WOOD JULIE K 8040 MOBILE HWY PENSACOLA, FL 32526 ZONE: LDR USE: SINGLE FAMILY RESID.

07-1S-31-1107-000-001 NELMS SHERRY D 8030 MOBILE HWY PENSACOLA, FL 32526 ZONE: LDR USE: SINGLE FAMILY RESID.

07-1S-31-1107-000-002 DAVIS WILLIAM J & CHERRI L 8026 MOBILE HWY PENSACOLA, FL 32526 ZONE: LDR USE: SINGLE FAMILY RESID.

- LEGEND: FOUND 1/2" DIMENSION CONCRETE MONUMENT, FOUND 1/2" CAPPED IRON ROD #7073, FOUND 1/2" CAPPED IRON ROD #7919, FOUND 1/2" CAPPED IRON ROD #3286, FOUND 1" IRON PIPE, FOUND 1/2" IRON PIPE, SET 1/2" CAPPED IRON ROD LB. #7919, FIBER OPTIC CABLE MARKER, POWER POLE WITH GUY ANCHOR, TELEPHONE PEDESTAL, WIRE FENCE, FIRE HYDRANT, PROFESSIONAL SURVEYOR AND MAPPER, LICENSED BUSINESS, RIGHT-OF-WAY, SEED, FIELD.

DEVELOPMENT DATA:

PARCEL ID #S: 07-1S-31-4403-000-000, TOTAL BOUNDARY AREA = 440,767 SQUARE FEET (10.12 ACRES), TOTAL PROPOSED RIGHT-OF-WAY = 69,463 SQUARE FEET (1.59 ACRES), TOTAL PROPOSED LOTS = 290,567 SQUARE FEET (6.67 ACRES), TOTAL PROPOSED RETENTION AREA = 73,289 SQUARE FEET (1.67 ACRES), TOTAL LOTS IN OVERALL BOUNDARY = 30 LOTS, PROPOSED DENSITY OF OVERALL SITE = 30/10.12 LOTS PER ACRE=2.96

DESCRIPTION:

(OFFICIAL RECORDS BOOK 6444, PAGE 1558) COMMENCING AT THE SOUTHEAST CORNER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBA COUNTY, FLORIDA. THENCE RUN WEST ALONG THE SOUTH LINE OF SAID SECTION 7 FOR 637.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WEST ALONG THE SOUTH LINE OF SECTION 7 FOR 588.57 FEET THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 10-A (66' R/W); THENCE 46°22' RIGHT AND ALONG SAID RIGHT-OF-WAY LINE OF FOR 94.44 FEET; THENCE 42°48' RIGHT FOR 591.7 FEET; THENCE 90°50' RIGHT FOR 668.5 FEET; THENCE 89°40' RIGHT FOR 660.0 FEET TO THE POINT OF BEGINNING.

BUILDING REQUIREMENTS FOR LDR ZONE.

- LOT COVERAGE: MINIMUM PERVIOUS LOT COVERAGE OF 30 PERCENT (70 PERCENT MAXIMUM SEMI-IMPERVIOUS AND IMPERVIOUS COVER) FOR ALL USES. LOT WIDTH: A MINIMUM LOT WIDTH OF 20 FEET AT THE STREET RIGHT-OF-WAY FOR CUL-DE-SAC LOTS AND 60 FEET FOR ALL OTHER LOTS, AND A MINIMUM WIDTH OF 70 FEET AT THE FRONT BUILDING LINE FOR ALL LOTS. FRONT AND REAR YARD: FRONT AND REAR TWENTY-FIVE FEET IN THE FRONT AND REAR. SIDE YARD: ON EACH SIDE, FIVE FEET OR 10 PERCENT OF THE LOT WIDTH AT THE FRONT BUILDING LINE, WHICHEVER IS GREATER, BUT NOT REQUIRED TO EXCEED 15 FEET. ADDITIONALLY, SIDE YARD SETBACKS SHALL NOT OVERLAP DRAINAGE/ACCESS EASEMENTS. CORNER LOTS: WILL HAVE ONE FRONT SETBACK AND ONE SIDE SETBACK. BUILDING HEIGHT: A MAXIMUM STRUCTURE HEIGHT OF 45 FEET ABOVE HIGHEST ADJACENT GRADE UNLESS OTHERWISE PRESCRIBED BY USE.

NOTE: THERE ARE NO EXISTING HERITAGE TREES ON-SITE.

INSTALL STREET NAME ASSEMBLY W/ CO-MOUNTED "NO OUTLET" SIGN (W14-2A) SEE DETAIL

INSTALL 2.0' THERMOPLASTIC STOP BAR & STOP SIGN (R1-1) W/ DYSL R/W

MOBILE HIGHWAY STATE ROAD No. 10-A (66' RIGHT-OF-WAY)

PUBLIC (DRY) DETENTION POND PARCEL "A2" 45,215 SF 1.03 AC

PUBLIC (DRY) DETENTION POND PARCEL "A1" 28,074 SF 0.64 AC

BLOCK B

BLOCK A

BLOCK A

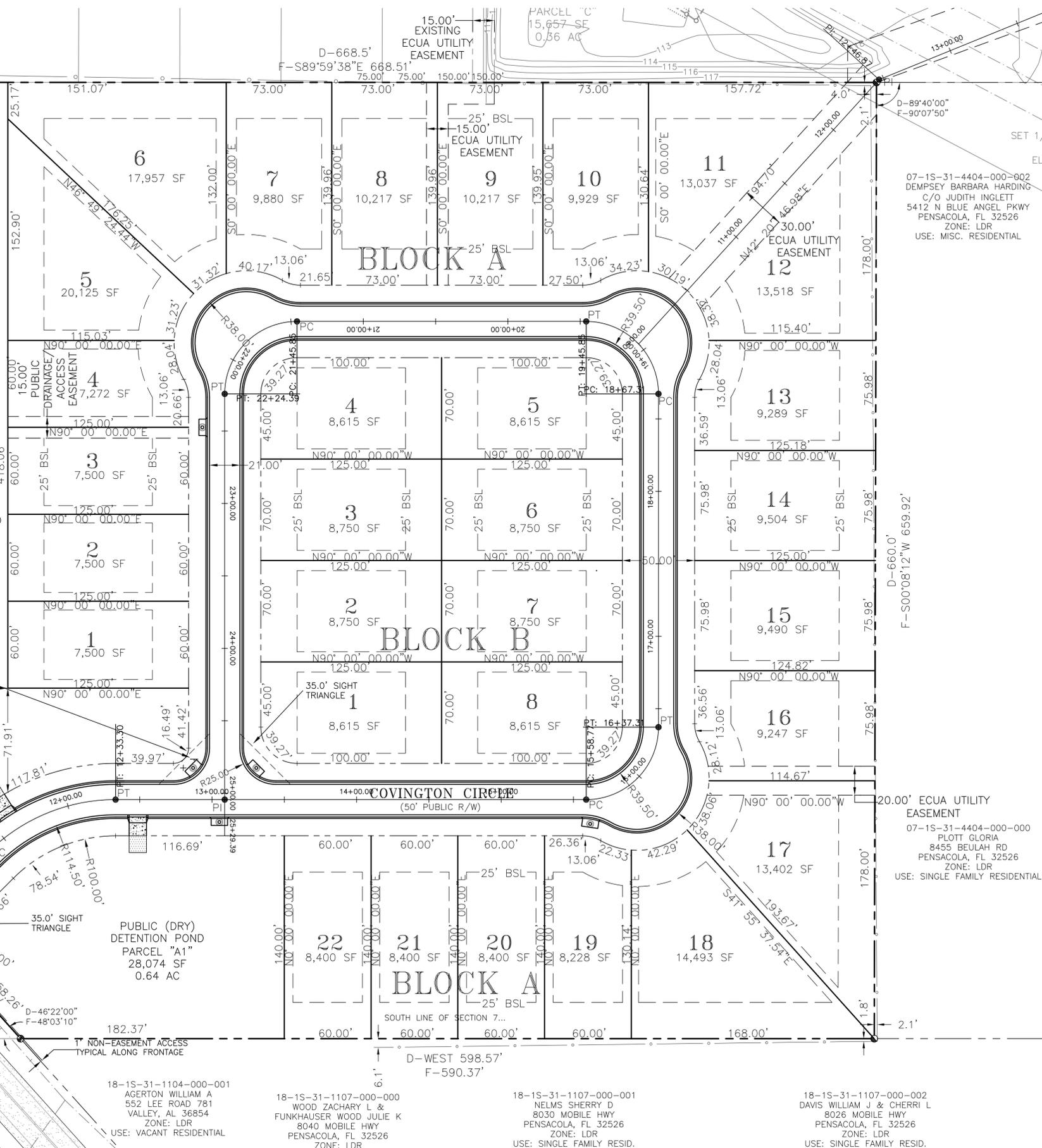


Table with columns: NO., DATE, REVISIONS. Row 1: 1, 5/18/17, AS PER ECUA. Row 2: 2, 6/12/17, AS PER FOOT. Row 3: 3, 6/8/17, AS PER NW/WD.

HAMMOND ENGINEERING, INC. logo and contact information: FLORIDA AUTHORIZATION NO. 9130, ALABAMA AUTHORIZATION NO. 3277, 3802 NORTH 15th STREET, PENSACOLA, FLORIDA 32505, 850.434.2603, FAX 850.434.2650, TOM@SELANDESIGN.COM

CONSTRUCTION PLANS FOR COVINGTON DIMENSION & STAKING PLAN ESCAMBA COUNTY FLORIDA

Table with columns: DRAWN BY, DESIGNED BY, CHECKED BY, DATE, SCALE, NOT RELEASABLE FOR CONSTRUCTION, PROJECT NO., SHEET, DATE.

# A PRELIMINARY PLAT OF LAKESHORE PRESERVE

A 138 LOT SINGLE FAMILY  
RESIDENTIAL SUBDIVISION  
LOCATED IN A PORTION OF SECTION 18,  
TOWNSHIP 1 SOUTH, RANGE 31 WEST,  
ESCAMBIA COUNTY, FLORIDA  
FUTURE LAND USE: MU-S  
CURRENTLY ZONED: MDR  
PARCEL ID: 18-19-31-4300-000-007  
MAY, 2017

## OWNER:

CLEARWATER 104, LLC  
1604 E. JACKSON STREET  
PENSACOLA, FL 32501  
CONTACT: FRED HEMMER

## ENGINEER:

JMA ENGINEERING SERVICES, INC.  
2726 WALLACE LAKE ROAD, PACE, FL 32571  
(850) 995-7323

## SURVEYOR:

FRED R. THOMPSON  
NORTHWEST FLORIDA LAND SURVEYING, INC.  
7142 BELGIUM CIRCLE, PENSACOLA, FL 32526

DESCRIPTION AS PREPARED BY NORTHWEST FLORIDA LAND SURVEYING, INC.

NEW PARCEL CREATED AT THE CLIENT'S REQUEST  
DESCRIBED AS FOLLOWS:

COMMENCE AT A RAILROAD SPIKE MARKING THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE GO SOUTH 03 DEGREES 13 MINUTES 37 SECONDS WEST ALONG THE EAST LINE OF SECTION 18 FOR A DISTANCE OF 2974.04 FEET; THENCE GO NORTH 87 DEGREES 09 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 33.00 FEET TO THE WEST RIGHT OF WAY LINE OF BELLAH ROAD (66' R/W) AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 87 DEGREES 09 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 1296.58 FEET; THENCE GO NORTH 03 DEGREES 02 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 330.62 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18; THENCE GO NORTH 87 DEGREES 10 MINUTES 14 SECONDS WEST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18 FOR A DISTANCE OF 1328.43 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18; THENCE GO SOUTH 03 DEGREES 13 MINUTES 48 SECONDS WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18 FOR A DISTANCE OF 578.33 FEET; THENCE GO SOUTH 87 DEGREES 09 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 500.01 FEET; THENCE GO SOUTH 03 DEGREES 13 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 683.77 FEET TO THE NORTH RIGHT OF WAY LINE OF SASSER LANE (R/W WIDTH VARIES); THENCE GO SOUTH 87 DEGREES 09 MINUTES 20 SECONDS EAST ALONG SAID NORTH RIGHT OF WAY LINE OF SASSER LANE FOR A DISTANCE OF 172.55 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 75.00 FEET; THENCE GO SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 75.00 FEET FOR AN ARC DISTANCE OF 106.15 FEET (DELTA= 81 DEGREES 05 MINUTES 42 SECONDS, CHORD BEARING= SOUTH 48 DEGREES 36 MINUTES 29 SECONDS EAST, CHORD DISTANCE= 97.51 FEET) TO THE NORTHWEST CORNER OF WOODLYN MEADOWS AS RECORDED IN PLAT BOOK 19 AT PAGE 36/36A OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA; THENCE GO SOUTH 87 DEGREES 11 MINUTES 01 SECONDS EAST ALONG THE NORTH LINE OF SAID WOODLYN MEADOWS FOR A DISTANCE OF 1877.05 FEET TO THE AFORESAID WEST RIGHT OF WAY LINE OF BELLAH ROAD; THENCE GO NORTH 03 DEGREES 13 MINUTES 37 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE OF BELLAH ROAD FOR A DISTANCE OF 334.04 FEET; THENCE GO NORTH 87 DEGREES 09 MINUTES 32 SECONDS WEST FOR A DISTANCE OF 631.28 FEET; THENCE GO NORTH 03 DEGREES 13 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 330.36 FEET; THENCE GO SOUTH 87 DEGREES 09 MINUTES 47 SECONDS EAST FOR A DISTANCE OF 631.27 FEET TO THE WEST RIGHT OF WAY LINE OF BELLAH ROAD; THENCE GO NORTH 03 DEGREES 13 MINUTES 37 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE OF BELLAH ROAD FOR A DISTANCE OF 330.01 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND IS SITUATED IN A PORTION OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA AND CONTAINS 56.30 ACRES MORE OR LESS.

SUBJECT TO: EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 4113 AT PAGE 683 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.

## UTILITIES INFORMATION

<b>ELECTRIC:</b> GULF POWER COMPANY 9220 PINE FOREST ROAD PENSACOLA, FLORIDA 32534 (850) 484-5770	<b>SANITARY SEWER:</b> ECUA 9250 HAMMAN STREET PENSACOLA, FLORIDA 32514 (850) 746-5110
<b>NATURAL GAS:</b> ENERGY SERVICES OF PENSACOLA 1625 ATWOOD DRIVE PENSACOLA, FLORIDA 32514 (850) 474-5300	<b>TELEPHONE:</b> BELLSOUTH 605 WEST GARDEN STREET PENSACOLA, FLORIDA 32501 (850) 436-1616
<b>POTABLE WATER:</b> ECUA 9250 HAMMAN STREET PENSACOLA, FLORIDA 32514 (850) 746-5110	<b>TV CABLE:</b> COX COMMUNICATIONS 2205 LA VISTA AVENUE PENSACOLA, FLORIDA 32504 (850) 478-0200

## UTILITIES NARRATIVE

**POTABLE WATER:**  
POTABLE WATER SYSTEM IS THE PERMITTING PROCESS AND WILL BE TURNED OVER TO ECUA UPON COMPLETION OF CONSTRUCTION.

**SANITARY SEWER:**  
POTABLE WATER SYSTEM IS THE PERMITTING PROCESS AND WILL BE TURNED OVER TO ECUA UPON COMPLETION OF CONSTRUCTION.

**STORM SEWER:**  
ALL ASPECTS OF THE STORMWATER SYSTEM ARE IN THE PERMITTING PROCESS AND WILL BE TURNED OVER TO ESCAMBIA COUNTY UPON COMPLETION OF CONSTRUCTION.

**ELECTRIC, GAS, TELEPHONE & TV CABLE:**  
THESE SERVICES WILL BE INSTALLED AND ARE BEING MAINTAINED BY THE APPROPRIATE UTILITY COMPANY.

## ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT I AM THE "ENGINEER" OF RECORD FOR LAKESHORE PRESERVE ALL PROPOSED ROADWAYS, DRAINAGE, AND OTHER IMPROVEMENTS WILL BE DESIGNED TO COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL DEVELOPMENT REQUIREMENTS

*Gerald W. McGUIRE* 5/14/2017  
GERALD W. MCGUIRE P.E. NO. 39572  
STATE OF FLORIDA  
JMA ENGINEERING SERVICES, INC.  
2726 WALLACE LAKE ROAD, PACE, FL 32571  
(850) 995-7323

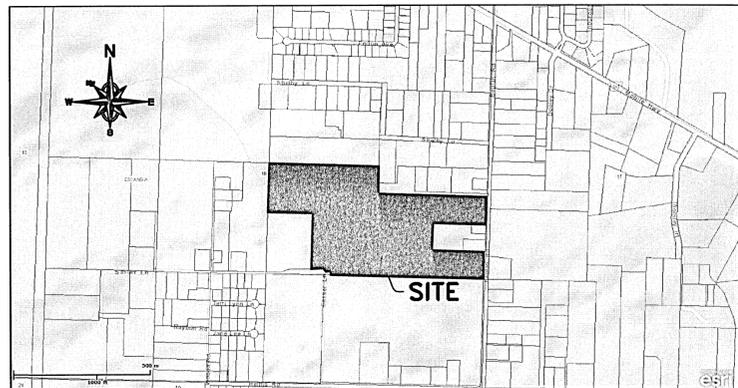
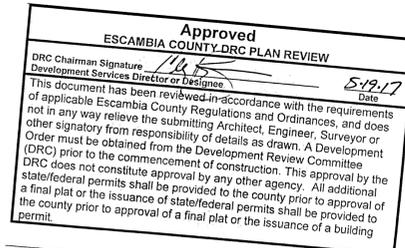
NOT VALID UNLESS  
SEALED WITH  
AN EMBOSSED SEAL OF  
A FLORIDA PROFESSIONAL  
ENGINEER

## SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SPECIFIC PURPOSE SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

*Fred R. Thompson* 5/12/17  
FRED R. THOMPSON, P.L.S. NO. 3027  
STATE OF FLORIDA  
7142 BELGIUM CIRCLE  
PENSACOLA, FL. 32526

NOT VALID UNLESS  
SEALED WITH  
AN EMBOSSED SEAL



LOCATION MAP  
N.T.S.

## SITE AND BUILDING REQUIREMENTS: ZONING MDR

**LOT COVERAGE:** THE PERVIOUS AREA SHALL BE AT LEAST 30% OF THE TOTAL LOT (70% MAXIMUM IMPERVIOUS COVER RATIO)

**LOT WIDTH:** THE MINIMUM LOT WIDTH AT THE FRONT BUILDING LINE SHALL BE 50 FEET, AND 50 FEET AT THE STREET RIGHT-OF-WAY.

**FRONT YARD:** THERE SHALL BE A FRONT YARD HAVING A DEPTH OF NO LESS THAN 20 FEET.

**REAR YARD:** THE MINIMUM REAR YARD SHALL NOT BE LESS THAN 20 FEET IN DEPTH.

**SIDE YARD:**  
ON EACH SIDE OF ALL OTHER STRUCTURES, FIVE FEET OR 10 PERCENT OF THE LOT WIDTH AT THE FRONT BUILDING LINE, WHICHEVER IS GREATER, BUT NOT REQUIRED TO EXCEED 15 FEET.

**BUILDING HEIGHT:** A MAXIMUM STRUCTURE HEIGHT OF 45 FEET ABOVE HIGHEST ADJACENT GRADE.



NORTHWEST FLORIDA LAND SURVEYING, INC.

A PROFESSIONAL SERVICE ORGANIZATION

7142 BELGIUM CIRCLE  
PENSACOLA, FL 32526  
(850) 432-1052

NWFLS PROJECT NO. 18996

- THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF SOUTH 03 DEGREES 13 MINUTES 37 SECONDS WEST ALONG THE EAST LINE OF SECTION 18.
- THE SURVEY DATUM AS SHOWN HEREON IS REFERENCED TO THE DESCRIPTIONS AS FURNISHED AND TO EXISTING FIELD MONUMENTATION.
- A TITLE SEARCH WAS PROVIDED TO NORTHWEST FLORIDA LAND SURVEYING.
- THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "X", BASE FLOOD ELEVATION N/A AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C02700, REVISED SEPTEMBER 29, 2006.
- THIS SURVEY DOES NOT DETERMINE OWNERSHIP.
- THIS SURVEY MEETS MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, TO THE BEST OF MY KNOWLEDGE AND BELIEF.
- THE MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS.
- FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM, WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER, FRED R. THOMPSON, AND IS TO BE RETURNED TO OWNER UPON REQUEST.
- THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY ISSUED ON THE SURVEY DATE WITH A RAISED SEAL TO INSURE THE ACCURACY OF THE INFORMATION AND TO FURTHER INSURE THAT NO CHANGES, ALTERATIONS OR MODIFICATIONS HAVE BEEN MADE. NO RELIANCE SHOULD BE MADE ON A DOCUMENT TRANSMITTED BY COMPUTER OR OTHER ELECTRONIC MEANS UNLESS FIRST COMPARED TO THE ORIGINAL SIGNED AND SEALED DOCUMENT.
- THIS SURVEY MAY BE SUBJECT TO ADDITIONAL REQUIREMENTS BY COUNTY, STATE, OR OTHER AGENCIES.
- THE PLAT AS SHOWN HEREON WAS PREPARED BY NORTHWEST FLORIDA LAND SURVEYING, INC., 7142 BELGIUM CIRCLE, PENSACOLA, FL 32526, (850) 432-1052 UNDER THE DIRECTION AND SUPERVISION OF FRED R. THOMPSON, FLORIDA, PROFESSIONAL LAND SURVEYOR NO. 3027.
- GERALD W. MCGUIRE, P.E., JMA ENGINEERING SERVICES, INC. IS ENGINEER OF RECORD. MAILING ADDRESS IS 2726 WALLACE LAKE ROAD, PACE, FL 32571.
- THE SURVEY AS SHOWN HEREON COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYORS IN THE STATE OF FLORIDA.
- THERE MAY BE ADDITIONAL RESTRICTIONS THAT WILL NOT BE RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- ALL LOT CORNERS, P.R.M.'S AND P.C.P.'S WILL BE PLACED IN ACCORDANCE WITH THE PROVISIONS OF THE FLORIDA PLAT ACT CHAPTER 177, SECTIONS 177.011-177.151, FLORIDA STATUTES AND MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYORS IN THE STATE OF FLORIDA, RULE 61G17-6.
- THE ELEVATIONS AS SHOWN HEREON ARE REFERENCED NORTH AMERICAN VERTICAL DATUM OF 1988 FROM ESCAMBIA COUNTY GEODETIC CONTROL POINT STAMPED "ESC 4075" HAVING A PUBLISHED ELEVATION OF 108.92 FEET.
- NO DEVIATIONS OR REVISIONS FROM THESE PLANS BY THE CONTRACTOR SHALL BE ALLOWED WITHOUT PRIOR APPROVAL FROM BOTH THE DESIGN ENGINEER AND ESCAMBIA COUNTY. ANY DEVIATION MAY RESULT IN DELAYS IN COUNTY ACCEPTANCE OF IMPROVEMENTS.
- TO COMPLY WITH NPDES REQUIREMENTS, ALL EROSION CONTROL MEASURES SHALL BE INSPECTED AFTER EACH REQUIRED RAINFALL EVENT OR AT LEAST WEEKLY. THE CONTRACTOR SHALL DOCUMENT SUCH INSPECTIONS AND EROSION CONTROL MAINTENANCE EFFORTS; INSPECTION RECORDS SHALL BE PROVIDED TO THE NPDES PERMIT APPLICANT FOR PROPER REPORTING TO FDEP.
- THE DEVELOPER/CONTRACTORS SHALL INSTALL PRIOR TO THE START OF CONSTRUCTION AND MAINTAIN DURING CONSTRUCTION ALL SEDIMENT CONTROL MEASURES AS REQUIRED TO RETAIN ALL SEDIMENTS ON THE SITE. IMPROPER SEDIMENT CONTROL MEASURES MAY RESULT IN CODE ENFORCEMENT VIOLATION. THE DEVELOPER WILL OBTAIN THE NECESSARY COE, DEP, ECUA AND ESCAMBIA COUNTY PERMITS AND APPROVAL PRIOR TO CONSTRUCTION.
- ALL DISTURBED AREAS WHICH ARE NOT PAVED SHALL BE STABILIZED WITH SEEDING, FERTILIZER AND MULCH, HYDROSEED AND OR SOD. IF WINTER RYE SEED IS USED, INCLUDE A BAHIA MIX TO INSURE CONTINUED GROWTH AFTER WINTER MONTHS.
- NOTIFY SUNSHINE UTILITIES 48 HOURS IN ADVANCE PRIOR TO DIGGING WITHIN R/W: PHONE #1-800-432-4770
- DAMAGE TO EXISTING ROADS DURING CONSTRUCTION WILL BE REPAIRED BY THE DEVELOPER PRIOR TO FINAL "AS-BUILT" SIGN-OFF FROM THE COUNTY.
- ACCORDING TO THE 1960, ESCAMBIA COUNTY SOIL SURVEY, THE FOLLOWING SOIL TYPES ARE FOUND: POARCH SANDY LOAM, BONIFAY LOAMY SAND, DOROVAN AND MUCKALEE SOILS, TROUT POARCH COMPLEX, ORANGEBURG VARIANT SANDY LOAM, GRADY LOAM, ESCAMBIA FINE SANDY LOAM.
- A 5' WIDE (PRIVATE) SIGN PARCEL IS TO BE ADJACENT TO A 35' SIGHT TRIANGLE AND IS TO BE MAINTAINED BY THE HOME OWNERS ASSOCIATION.
- ALL CORNER LOTS SHALL HAVE A 35' SIGHT TRIANGLE FROM THE BACK OF CURB.
- DEVELOPMENT CONSISTS OF 138 SINGLE FAMILY DETACHED RESIDENTIAL LOTS. RESIDENTIAL DENSITY = 2.45 UNITS/ACRE. TOTAL PROJECT ACREAGE: 56.3 MORE OR LESS.
- NO SIGNAGE, LANDSCAPING OR FENCING SHALL BE INSTALLED WITHIN THE 35' SIGHT TRIANGLE THAT MAY RESTRICT THE VISUAL CLEARANCE SET FORTH BY THE LAND DEVELOPMENT CODE. (LDC-7.01.08)
- RETENTION/DETENTION AREAS SHALL BE SUBSTANTIALLY COMPLETE PRIOR TO ANY CONSTRUCTION ACTIVITIES THAT MAY INCREASE STORM WATER RUN-OFF RATES. THE DEVELOPER/CONTRACTOR SHALL CONTROL STORM WATER DURING ALL PHASES OF CONSTRUCTION.
- DEVELOPER/CONTRACTOR/HOME OWNERS' ASSOCIATION SHALL RESHAPE PER PLAN SPECIFICATIONS, CLEAN OUT ACCUMULATED SILT, AND STABILIZE RETENTION/DETENTION POND(S) AT THE END OF CONSTRUCTION WHEN ALL DISTURBED AREAS HAVE BEEN STABILIZED AND/OR AT THE END OF THE TWO YEAR WARRANTY PERIOD.
- 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, 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.
- ALL NEW BUILDING ROOF DRAINS, DOWN SPOUTS, OR GUTTERS SHALL BE ROUTED TO CARRY ALL STORMWATER TO RETENTION/DETENTION AREAS.
- CONTRACTOR SHALL MAINTAIN RECORD DRAWINGS DURING CONSTRUCTION WHICH SHOW AS-BUILT CONDITIONS OF ALL WORK INCLUDING PIPING, DRAINAGE STRUCTURES, TOPO OF POND(S), OUTLET STRUCTURES, DIMENSIONS, ELEVATIONS, GRADING, ETC. RECORD DRAWINGS SHALL BE PROVIDED TO THE ENGINEER OF RECORD PRIOR TO REQUESTING FINAL INSPECTION.
- 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) 595-3475. AS-BUILT CERTIFICATION IS REQUIRED PRIOR TO REQUEST FOR FINAL INSPECTION/APPROVAL.
- ALL ASPECTS OF THE STORMWATER/DRAINAGE COMPONENTS AND/OR TRANSPORTATION COMPONENTS SHALL BE COMPLETED PRIOR TO REQUESTING A FINAL INSPECTION.
- THE CONTRACTOR SHALL NOTIFY EDOT 48 HOURS IN ADVANCE PRIOR TO INITIATING ANY WORK IN THE STATE RIGHT OF WAY.
- NO FENCES OR STRUCTURES SHALL BE BUILT WITHIN DRAINAGE EASEMENTS, EASEMENTS SHALL BE ACCESSIBLE AT ALL TIMES AND STORMWATER FLOW SHALL NOT BE RESTRICTED
- THERE WILL BE A 35 FOOT SIGHT TRIANGLE FROM THE BACK OF CURB AT ALL STREET INTERSECTIONS.
- EACH LOT SHALL HAVE A 10 FOOT WIDE PRIVATE DRAINAGE EASEMENT ALONG THE SIDE LOT LINE BEING 5 FEET EACH SIDE OF LOT LINE.

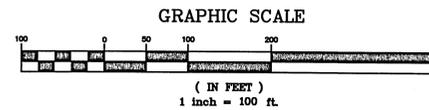
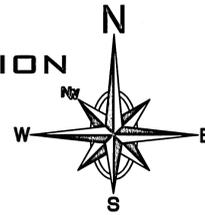
**A PRELIMINARY PLAT OF  
LAKE SHORE PRESERVE  
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MAY, 2017**



NORTHWEST FLORIDA LAND SURVEYING, INC.  
A PROFESSIONAL SERVICE ORGANIZATION

7142 BELGIUM CIRCLE  
PENSACOLA, FL 32526  
(850) 432-1052

NWFLS PROJECT NO. 18996



**PROPERTY LINE TABLE**

LINE	LENGTH	BEARING
L1	62.53	S89°36'29"W
L2	50.67	S47°52'21"W
L3	34.53	S40°46'52"W
L4	42.65	S23°02'45"W
L5	13.20	S84°42'03"E
L6	31.70	S68°20'55"E
L7	19.18	S41°02'04"W
L8	25.45	S10°35'33"W
L9	36.24	N08°39'00"W
L10	23.11	N32°34'59"W
L11	54.78	N01°20'41"W
L12	56.23	N44°22'28"W
L13	13.33	N60°39'21"W
L14	21.05	N66°38'12"W
L15	14.75	N67°28'51"W
L16	36.30	S04°52'21"W
L17	24.64	S10°02'50"W
L18	1.84	S52°49'18"W
L19	23.71	N06°34'14"W
L20	52.14	S52°49'18"W
L21	5.22	S62°33'56"W
L22	14.46	S00°42'25"W
L23	14.46	S00°42'25"W
L24	41.61	S08°40'28"W
L25	26.35	S00°42'25"W
L26	14.46	S00°42'25"W
L27	15.21	S09°07'44"E
L28	19.62	S11°32'44"W
L29	29.22	S63°52'22"W
L30	6.26	N14°42'33"W
L31	54.11	N00°02'34"W
L32	10.23	N14°42'33"W
L33	50.00	N00°02'34"W
L34	30.00	N01°08'11"W
L35	24.03	N65°36'56"E
L36	36.00	N60°02'02"E
L37	40.59	S16°44'54"E
L38	18.14	S49°32'21"E
L39	21.49	S09°22'21"E
L40	32.13	S21°34'46"E
L41	18.12	S19°43'18"E
L42	16.65	S61°43'14"E
L43	10.26	N62°30'27"E
L44	12.20	S11°32'44"W
L45	21.28	N16°12'03"W
L46	22.62	N03°08'01"E
L47	22.62	N03°08'01"E
L48	23.16	N00°12'11"E
L49	24.80	S08°42'42"E
L50	50.04	S11°33'56"E
L51	32.84	S02°04'21"E
L52	12.22	S08°22'21"E
L53	26.43	S06°20'21"E
L54	62.81	S13°40'57"E
L55	31.40	N10°02'00"E
L56	80.21	S14°28'59"E
L57	42.68	N00°42'59"W
L58	52.82	S65°53'41"E
L59	31.18	S11°52'53"W
L60	39.24	S11°52'53"W
L61	48.51	S63°30'51"W
L62	21.41	S60°38'12"W

- NOTES:**
- (1) - 4" SQUARE CONCRETE MONUMENT, NUMBERED 1271 (PLACED)
  - (2) - 1/2" CAPPED IRON ROD, NUMBERED 1174 (FOUND)
  - (3) - 1/2" CAPPED IRON ROD, ILLEGIBLE (FOUND)
  - (4) - 4" SQUARE CONCRETE MONUMENT, UNNUMBERED (FOUND)
  - (5) - 4" SQUARE CONCRETE MONUMENT, NUMBERED 1174 (FOUND)
  - (6) - 1/2" IRON ROD, UNNUMBERED (FOUND)
  - (7) - 1" IRON PIPE, UNNUMBERED (FOUND)
  - (8) - 1/2" IRON PIPE, UNNUMBERED (FOUND)
  - (9) - DEED INFORMATION
  - (F) - FIELD INFORMATION
  - R/N - RIGHT OF WAY
  - P.C. - POINT OF CURVATURE
  - P.O.B. - POINT OF BEGINNING
  - O.R. - OFFICIAL RECORD
  - P.B. - PAGE

**CENTERLINE CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA-ANGLE	TANGENT	CHORD	CHORD-BEARING
CL1	5.26'	125.00'	2°41'14"	2.43	5.26'	S85°25'53"E
CL2	4.44'	131.01'	2°04'31"	2.41	4.44'	N85°30'31"W
CL3	145.43'	125.00'	66°53'16"	82.56	131.18'	S53°14'52"E
CL4	241.63'	225.00'	61°31'48"	133.44	230.18'	S10°52'34"W

**BOUNDARY CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA-ANGLE	TANGENT	CHORD	CHORD-BEARING
CB1	106.15'	75.00'	81°05'42"	64.16	91.51'	S46°36'24"E

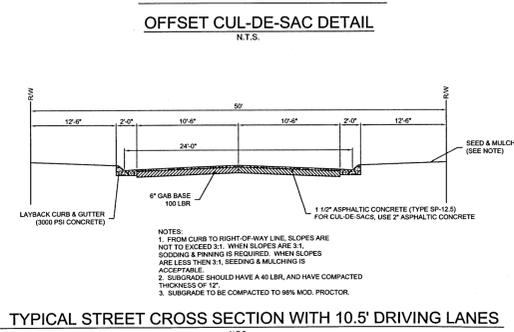
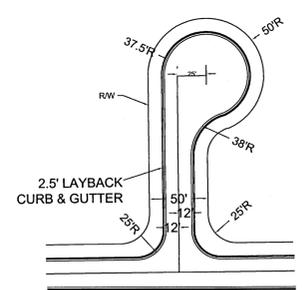
- BENCHMARK DATA:**
- BM-1 TOP OF 4" SQUARE CONCRETE MONUMENT ELEVATION= 114.14' (NAVD88)
  - BM-2 TOP OF 4" SQUARE CONCRETE MONUMENT ELEVATION= 117.49' (NAVD88)
  - BM-3 RAILROAD SPIKE IN THE EASTSIDE OF A 26 INCH OAK TREE 1255 WEST OF WEST R/W OF BELLAH ROAD AND 300 FEET NORTH OF THE SOUTH BOUNDARY LINE OF SUBDIVISION (T-26) ELEVATION= 115.75' (NAVD88)
  - BM-4 RAILROAD SPIKE IN THE EASTSIDE OF A 50 INCH OAK TREE 1180 WEST OF WEST R/W OF BELLAH ROAD AND 320 FEET SOUTH OF THE NORTH BOUNDARY LINE OF SUBDIVISION (T-1) ELEVATION= 107.31' (NAVD88)

**ENGINEER'S CERTIFICATE**  
I HEREBY CERTIFY THAT I AM THE ENGINEER OF RECORD FOR LAKE SHORE PRESERVE ALL PROPOSED ROADS, DRAINAGE, AND OTHER IMPROVEMENTS WILL BE DESIGNED TO COMPLY WITH ALL APPLICABLE FEDERAL STATE, AND LOCAL DEVELOPMENT REQUIREMENTS.

*Gerald W. McGuire*  
GERALD W. MCGUIRE, P.E. NO. 39572  
STATE OF FLORIDA  
2728 WALLACE LAKE ROAD, PACE, FL 32571  
(850) 995-7323

NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SEAL OF A FLORIDA PROFESSIONAL ENGINEER.

**A PRELIMINARY PLAT OF  
LAKESHORE PRESERVE  
OF A 138 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION  
LOCATED IN A PORTION OF SECTION 18,  
TOWNSHIP 1 SOUTH, RANGE 31 WEST,  
ESCAMBIA COUNTY, FLORIDA  
FUTURE LAND USE: MU-S  
CURRENTLY ZONED: MDR  
PARCEL ID: 18-15-31-4300-000-007  
MAY, 2017**

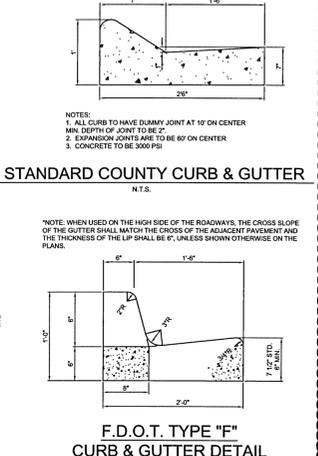
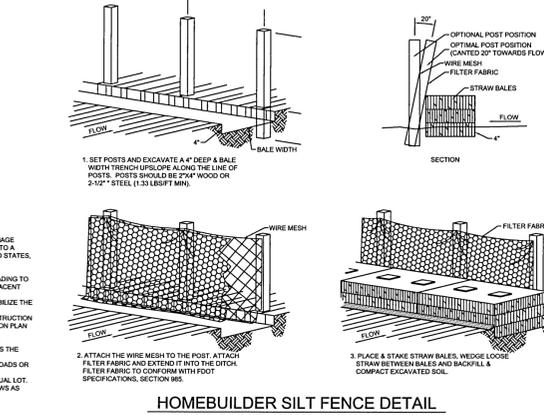
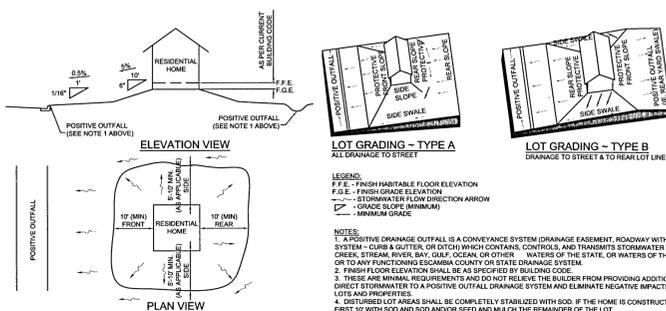
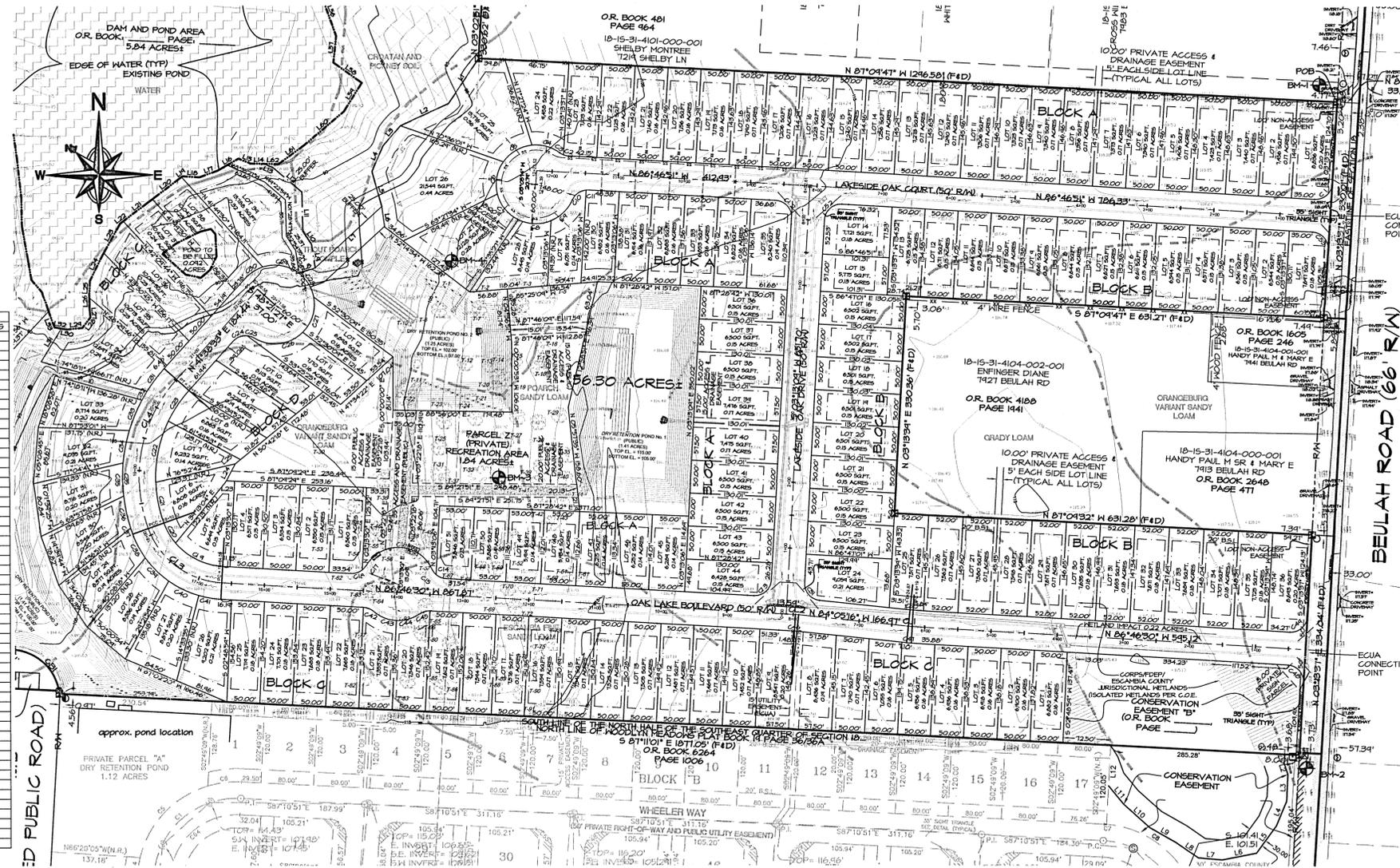


PROPERTY LINE CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA-ANGLE	TANGENT	CHORD	CHORD-BEARING
C1	34.21'	25.00'	84°59'53"	25.00	39.39'	N48°13'31"E
C2	7.89'	25.00'	18°11'27"	4.02	7.85'	S71°38'07"E
C3	6.61'	25.00'	15°11'23"	3.36	6.61'	S60°44'42"E
C4	44.52'	60.00'	42°30'41"	23.24	43.51'	N14°25'25"N
C5	51.57'	60.00'	44°14'55"	27.50	50.00'	S94°41'44"W
C6	51.57'	60.00'	44°14'55"	27.50	50.00'	S107°35'44"W
C7	51.57'	60.00'	44°14'55"	27.50	50.00'	S88°40'06"E
C8	51.57'	60.00'	44°14'55"	27.50	50.00'	S88°03'01"E
C9	46.08'	60.00'	44°00'11"	24.24	44.46'	N45°14'29"E
C10	26.87'	25.00'	61°34'11"	14.84	25.81'	S54°06'23"W
C11	3.63'	25.00'	2°14'38"	1.82	3.63'	S89°03'22"W
C12	34.21'	25.00'	84°59'53"	25.00	35.36'	N41°46'52"W
C13	34.21'	25.00'	40°00'20"	25.00	35.36'	N48°13'14"E
C14	16.66'	25.00'	38°11'31"	8.66	16.63'	S67°40'45"E
C15	12.12'	25.00'	24°10'56"	5.43	12.62'	S34°18'15"E
C16	121.48'	55.50'	125°24'55"	101.56	48.64'	N56°46'30"W
C17	4.34'	25.00'	21°31'03"	4.15	4.33'	N41°16'34"E
C18	17.41'	25.00'	44°11'29"	4.34	17.94'	N72°37'47"E
C19	100.00'	100.00'	44°30'56"	43.25	71.04'	S63°23'53"E
C20	38.43'	100.00'	20°18'00"	11.40	35.25'	S30°02'19"E
C21	63.08'	200.00'	18°04'14"	31.81	62.82'	S10°51'09"E
C22	45.55'	200.00'	27°12'21"	48.71	44.69'	S11°52'18"W
C23	55.42'	200.00'	16°10'48"	28.14	55.74'	S33°34'06"W
C24	23.24'	25.00'	53°23'16"	12.57	22.46'	S68°20'11"W
C25	11.54'	25.00'	26°26'53"	5.87	11.44'	N11°44'45"N
C26	74.84'	60.00'	76°22'31"	41.20	74.14'	N83°11'13"E
C27	58.51'	60.00'	55°52'01"	31.81	45.21'	N10°44'42"E
C28	49.07'	60.00'	41°04'38"	22.41	45.08'	N31°12'25"E
C29	58.47'	60.00'	55°51'01"	31.74	56.14'	N14°45'34"N
C30	32.13'	60.00'	30°40'48"	16.46	31.75'	S56°58'37"W
C31	40.85'	250.00'	4°11'34"	20.32	40.50'	S36°24'11"W
C32	15.48'	250.00'	3°53'25"	7.74	15.48'	S24°58'37"W
C33	50.08'	250.00'	11°28'42"	25.13	50.00'	S22°28'10"W
C34	50.08'	250.00'	11°28'42"	25.13	50.00'	S10°54'28"W
C35	50.08'	250.00'	11°28'42"	25.13	50.00'	S00°21'14"E
C36	50.08'	250.00'	11°28'42"	25.13	50.00'	S11°44'25"E
C37	4.61'	100.00'	2°14'14"	2.35	4.61'	S85°25'53"E
C38	4.61'	100.00'	2°14'14"	2.35	4.61'	S85°25'53"E
C39	34.21'	25.00'	40°00'01"	25.00	35.36'	N41°46'27"N
C40	34.21'	25.00'	38°11'31"	25.00	35.35'	N48°13'33"E
C41	4.61'	100.00'	2°14'14"	2.35	4.61'	S85°25'53"E
C42	1.04'	150.00'	2°41'14"	3.52	1.03'	S85°25'53"E
C43	34.21'	25.00'	40°00'01"	25.00	35.36'	N41°46'27"N
C44	34.21'	25.00'	38°11'31"	25.00	35.35'	N48°13'33"E
C45	4.61'	100.00'	2°14'14"	2.35	4.61'	S85°25'53"E
C46	4.61'	100.00'	2°14'14"	2.35	4.61'	S85°25'53"E
C47	1.04'	150.00'	2°41'14"	3.52	1.03'	S85°25'53"E
C48	34.21'	25.00'	40°00'01"	25.00	35.36'	N41°46'27"N
C49	34.21'	25.00'	38°11'31"	25.00	35.35'	N48°13'33"E
C50	4.61'	100.00'	2°14'14"	2.35	4.61'	S85°25'53"E
C51	38.04'	25.00'	81°18'25"	23.85	34.51'	S40°26'03"E
C52	34.21'	25.00'	40°00'01"	25.00	35.36'	S48°13'04"W
C53	34.21'	25.00'	40°00'26"	25.00	35.36'	N41°46'38"W

CENTERLINE CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA-ANGLE	TANGENT	CHORD	CHORD-BEARING
CL1	5.86'	125.00'	2°41'14"	2.43	5.86'	S85°25'53"E
CL2	4.44'	131.01'	2°04'31"	2.47	4.44'	N85°30'37"W
CL3	145.43'	125.00'	66°59'16"	82.56	151.78'	S53°14'52"E
CL4	241.63'	225.00'	61°31'48"	133.44	230.18'	S10°32'34"W

BOUNDARY CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA-ANGLE	TANGENT	CHORD	CHORD-BEARING
CBI	106.15'	75.00'	81°05'42"	64.16	41.51'	S46°36'24"E



TREE #	DIAMETER	TYPE	CANOPY
T-1	50"	OAK	70'
T-2	42"	OAK	25'
T-3	78"	OAK	55'
T-4	42"	OAK	25'
T-5	43"	OAK	30'
T-6	50"	OAK	65'
T-7	36"	OAK	40'
T-8	46"	OAK	25'
T-9	48"	OAK	40'
T-10	54"	OAK	50'
T-11	48"	OAK	80'
T-12	36"	OAK	60'
T-13	30"	OAK	50'
T-14	42"	OAK	50'
T-15	54"	OAK	40'
T-16	62"	OAK	60'
T-17	54"	OAK	60'
T-18	48"	OAK	30'
T-19	42"	OAK	25'
T-20	30"	OAK	50'
T-21	42"	OAK	40'
T-22	62"	OAK	80'
T-23	42"	OAK	40'
T-24	36"	OAK	40'
T-25	42"	OAK	50'
T-26	62"	OAK	65'
T-27	54"	OAK	50'
T-28	24"	OAK	25'
T-29	36"	OAK	30'
T-30	62"	OAK	75'
T-31	48"	OAK	40'
T-32	62"	OAK	30'
T-33	54"	OAK	45'
T-34	45"	OAK	40'
T-35	30"	OAK	35'
T-36	30"	OAK	35'
T-37	74"	OAK	70'
T-38	86"	OAK	50'
T-39	38"	OAK	45'
T-40	62"	OAK	50'
T-41	42"	OAK	40'
T-42	48"	OAK	40'
T-43	48"	TWIN OAK	40'
T-44	55"	OAK	30'
T-45	60"	OAK	40'
T-46	48"	OAK	55'
T-47	50"	OAK	55'
T-48	44"	OAK	50'
T-49	36"	OAK	35'
T-50	48"	OAK	50'
T-51	48"	OAK	55'
T-52	48"	OAK	40'
T-53	78"	OAK	85'
T-54	48"	OAK	45'
T-55	29"	TWIN OAK	35'
T-56	72"	TRIPLE OAK	70'
T-57	66"	TWIN OAK	45'
T-58	36"	OAK	45'
T-59	38"	OAK	30'
T-60	34"	OAK	25'
T-61	48"	OAK	50'
T-62	50"	OAK	50'
T-63	44"	TWIN OAK	45'
T-64	54"	OAK	40'
T-65	48"	OAK	50'
T-66	48"	OAK	50'
T-67	42"	OAK	50'
T-68	48"	TWIN OAK	40'
T-69	24"	OAK	20'
T-70	48"	OAK	35'
T-71	48"	OAK	50'
T-72	36"	OAK	45'
T-73	30"	OAK	30'
T-74	54"	OAK	50'
T-75	54"	OAK	50'
T-76	42"	OAK	40'
T-77	42"	OAK	55'
T-78	66"	TWIN OAK	60'
T-79	30"	OAK	30'
T-80	54"	OAK	50'
T-81	54"	OAK	50'
T-82	40"	OAK	35'
T-83	40"	OAK	35'
T-84	38"	OAK	30'
T-85	30"	OAK	30'
T-86	24"	OAK	25'
T-87	58"	OAK	40'
T-88	48"	OAK	45'
T-89	40"	OAK	40'
T-90	30"	OAK	30'
T-91	40"	OAK	40'
T-92	48"	OAK	50'
T-93	38"	OAK	25'

**ENGINEER'S CERTIFICATE**  
I HEREBY CERTIFY THAT I AM THE "ENGINEER" OF RECORD FOR LAKESHORE PRESERVE AND ALL PROPOSED ROADWAYS AND OTHER IMPROVEMENTS WILL BE DESIGNED TO COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL DEVELOPMENT REGULATIONS.

BENCHMARK DATA:  
BM-1 TOP OF 4" SQUARE CONCRETE MONUMENT ELEVATION= 114.4' (NAVD88)  
BM-2 TOP OF 4" SQUARE CONCRETE MONUMENT ELEVATION= 117.43' (NAVD88)

BM-3 RAILROAD SPIKE IN THE EASTSIDE OF A 66 INCH OAK TREE 1255 WEST OF WEST R/W OF BEULAH ROAD AND 956 FEET NORTH OF THE SOUTH BOUNDARY LINE OF SUBDIVISION (7-36) ELEVATION= 115.75' (NAVD88)  
BM-4 RAILROAD SPIKE IN THE EASTSIDE OF A 50 INCH OAK TREE 1255 WEST OF WEST R/W OF BEULAH ROAD AND 520 FEET SOUTH OF THE NORTH BOUNDARY LINE OF SUBDIVISION (7-1) ELEVATION= 107.51' (NAVD88)

**NORTHWEST FLORIDA LAND SURVEYING, INC.**  
A PROFESSIONAL SERVICE ORGANIZATION  
7142 BELGIUM CIRCLE  
PENSACOLA, FL 32526  
(850) 432-1052

**NWFLS PROJECT NO. 18996 SHEET 3 OF 3**



*Rick Harrison is president of Rick Harrison Site Design Studio and Neighborhood Innovations LLC. He is the author of the book Prefurbia and the developer of the Performance Planning System.*

## Opinion: Rethinking Subdivision Design

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January 27, 2010

*Rick Harrison*

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As the economy begins a slow recovery and subdivision development work again gets under way, it makes sense to reassess the approach to the basic form of land development design. Developers assume that when they hire a land surveyor to subdivide their land, the surveyor will produce the most efficient, attractive and marketable layout. So what is the optimum layout?

As the economy begins a slow recovery and subdivision development work again gets under way, it makes sense to reassess the approach to the basic form of land development design. Land surveyors are a major source for the design of land developments-in particular, suburbia. Developers assume that when they hire a land surveyor to subdivide their land, the surveyor will produce the most efficient, attractive and marketable layout. So what is the optimum layout?

One of the most popular suburban subdivision design elements is the cul-de-sac. Developers and real estate agents love cul-de-sacs because they are highly desirable and, thus, easy to sell. Cul-de-sac lots have a huge rear yard (bringing premium prices) because of the extreme pie shape, and the curving streets guarantee that no traffic will speeding through. The wide angles between the adjacent home sides allow some useable side yard space as well as added privacy. Quiet, serene and safe-what's not to love?

The reality is that existing design guidelines for cul-de-sacs create a substantial amount of waste with relatively little benefit. In the upper Midwest, for example, design guidelines stipulate that a cul-de-sac must have a 120-foot-diameter right-of-way with a 100-foot to 110-foot circle of asphalt because fire departments say they need that much room to turn a fire engine around. As a result, a typical cul-de-sac consumes 8,500 square feet of paved space. Yet, a bit farther south, those dimensions change to a 100-foot-diameter right-of-way with a 90-foot-diameter circle for a total of just under 6,000 square feet of space.

That's a substantial difference.

There are other problems, too. An 8,500-square-foot volume of cul-de-sac paving for four lots equates to 2,150 square feet per home, which is 40 percent more paving per house than a home along a typical straight street. This means the home will cost the city 40 percent more for snow removal, resurfacing, etc., forever. Additionally, cul-de-sacs have no connectivity or flow of space. And homes that are placed to offer premium views to their occupants typically form a visual barrier to others of that view.

A collection of new methods called prefurbia (preferred urbia) throws out convention in favor of a more-efficient design.



A conventional cul-de-sac design.

## Bigger is Better

When planning subdivisions, everyone generally assumes that the minimum dimensions are the most efficient. However, the minimum dimensions in a cul-de-sac are typically very inefficient.

By making a typical northern cul-de-sac larger—for example, 160 feet in diameter with a one-way narrow lane (18 feet wide) incorporating an organic island (see picture below right)—the pavement area plummets. Such a design uses 10 percent less paving and has a central “park” that beautifies the landscape and allows for drainage.

Placing the homes at a deeper setback from the right-of-way (40 or 50 feet or more instead of the typical 25-foot setback) stretches the length of setback line and makes the lots much less pie-shaped. Most ordinances allow setbacks to be extended without asking for a planned unit development (PUD) permit because ordinances specify only minimums, and these dimensions are all larger.



A prefurbia cul-de-sac design.

The new cul-de-sac should double the number of premium positioned and shaped lots with much less paving. Instead of being 40 percent less efficient than a rectangular lot on a straight street, the new cul-de-sac is approximately 20 percent more efficient. First developed as coving (a method of organized meandering setbacks) this larger cul-de-sac conforms to conventional design, as well-the development does not have to be “coved.”

What’s more, the larger cul-de-sac requires no more land area (density per unit) than a traditional cul-de-sac. While a lot in this larger cul-de-sac is less pie shaped, it still has a significantly larger rear yard. Additionally, the lots overlooking an 8,800 -square-foot park will be of much higher value than those overlooking the 8,500-square-feet of asphalt in a traditional cul-de-sac design. The park can be used for gardens and recreation. Another benefit is that draining into the center eliminates curbing on one side, which makes the subdivision even more efficient and green. Additionally, since the design doubles the number of premium cul-de-sac lots using less paving and overall land area, fewer cul-de-sacs-and therefore fewer intersections-are needed, which increases the efficiency of the overall neighborhood.

This design also ushers in a new era of pedestrian connectivity. Instead of a narrow sidewalk on both sides of the street, this new form of cul-de-sac features a more environmentally friendly, less expensive 6-foot walkway on one side of the street that extends through and beyond the cul-de-sac and leads to the park areas in the middle. The interconnecting walks can be made wide enough at certain locations to provide emergency access that would rival tight grid patterns.

The deeper setbacks produce longer driveways, but new design and construction methods can get the pavement volume close to that of a standard driveway and heighten curb appeal.

## Embracing a New Design

Since all minimums and setbacks extend beyond the minimum required dimension, there should be no

arguments from the municipality. In fact, municipal officials are likely to embrace this type of design. Also, this design allows developers to become inventive. Neighborhoods developed through this design enhance the sense of space, reduce impervious surface area, create more-affordable homes and lessen the environmental impact of land development. Even if you do not subscribe to coving, few can argue the advantages of creating this new form of cul-de-sac. Understanding this advanced method of subdivision design can help surveyors leverage more business as the economy regains momentum.

**What do you think? Does this new form of cul-de-sac design offer new opportunities for surveyors in land development work? Please share your comments below.**

## Links

- [Prefurbia](#)
- [Rick Harrison Site Design Studio](#)
- [Performance Planning System](#)

Rick Harrison is president of Rick Harrison Site Design Studio and Neighborhood Innovations LLC. He is the author of the book *Prefurbia* and the developer of the Performance Planning System.

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**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Planning Board-Rezoning**

**8. E.**

**Meeting Date: 08/01/2017**

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**Agenda Item:**

Storage Containers Discussion.

---

**Attachments**

**Attachment**

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Thursday, June 29, 2017

Storage Containers

Attendance: Terry, Griff, John

Residential use.

As Accessory

- Pods are working as temp.
- Shipping Containers meet standard LDC Accessory rules.
- Industrial appearance
- Limit to 1 or a sqft or my zoning.
- Limit by lot size.
- Color create a scheme
- Rust
- Roof must be a tilt for runoff,,,find APA article
- Define shipping containers
- CRA
- NO STACKING
- 10 feet in height, 10 feet in width, and 40 feet in length, 400sqft
- Must be screen
- 6ft privacy min.

Creating a SFD.

- Must meet Building code. Define what is a living facility.
- Tilt of roof?
- Do we want to control looks.
- CRA

Commercial use.



County of San Diego, Planning & Development Services

**REQUIREMENTS FOR PLACING A SEA  
CARGO CONTAINER ON A PRIVATE LOT**  
**ZONING DIVISION**

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Pursuant to Section 6162 of the Zoning Ordinance, a building permit is required to place a Sea Cargo Container on a lot and a demolition permit to remove a Sea Cargo Container

**A. Requirements: before placing a Sea Cargo Container on a lot, you must fully comply with Section 6162 of the County of San Diego Zoning Ordinance:**

1. Property owners claiming to be an agricultural operation must provide substantial evidence of use, **such as aerial photos of the last 30 years, showing the agricultural operation in place**, or dated photographs, business tax records, business receipts, customer orders, or other significant information related to an active agricultural operation.

The **burden of proof of use is the responsibility of the property owner**, they must show evidence that the agricultural operation has been in place for the last 30 years; or was legally established with the appropriate permits.

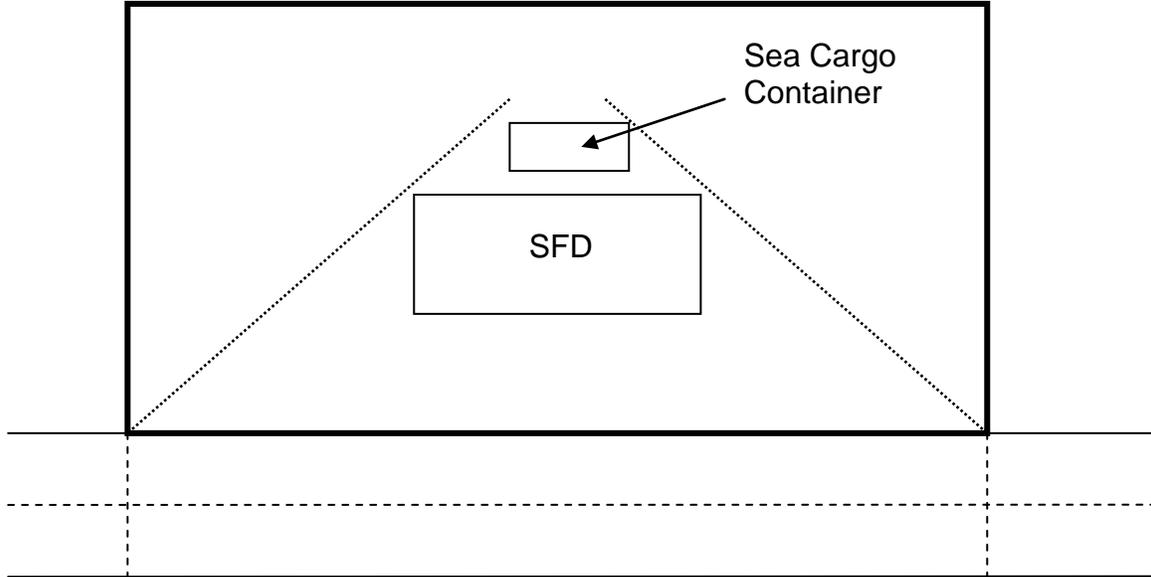
2. On building sites where the primary use is residential a Sea Cargo Container shall only be allowed if it is not visible from that portion of any road (whether public, private, and/or private road easement) that directly abuts the subject parcel. If existing landscaping is used as screening, it shall be indicated on the building plans and photos shall be submitted as evidence (See next page for illustration only). If fencing is used as screening, please see Section 6708 of the Zoning Ordinance for fencing regulations.
3. On building sites of less than 2 acres (net) where the primary use is residential only one Sea Cargo Container is allowed, not exceeding 320 square feet and the container is only permitted for up to 180 consecutive days, starting from the date of permit issuance. A demolition permit is required to confirm removal of the Sea Cargo Container.  
On building sites of more than 2 acres (net) with a legally established primary use, a Sea Cargo Container(s) is allowed if it complies with the other requirements of Section 6162.
4. Sea Cargo Containers must meet setback requirements for accessory structures.
5. The Sea Cargo Container can only be used for storage.
6. A Sea Cargo Container may be allowed in commercial and industrial zoned areas only if there is a legally established primary use on-site and all parking requirements are maintained.
7. Sea Cargo Containers are allowed in all zones temporarily to store building materials during the construction pursuant to an active building permit. If the building permit is expired, the Sea Cargo Container shall be removed with a demolition permit.



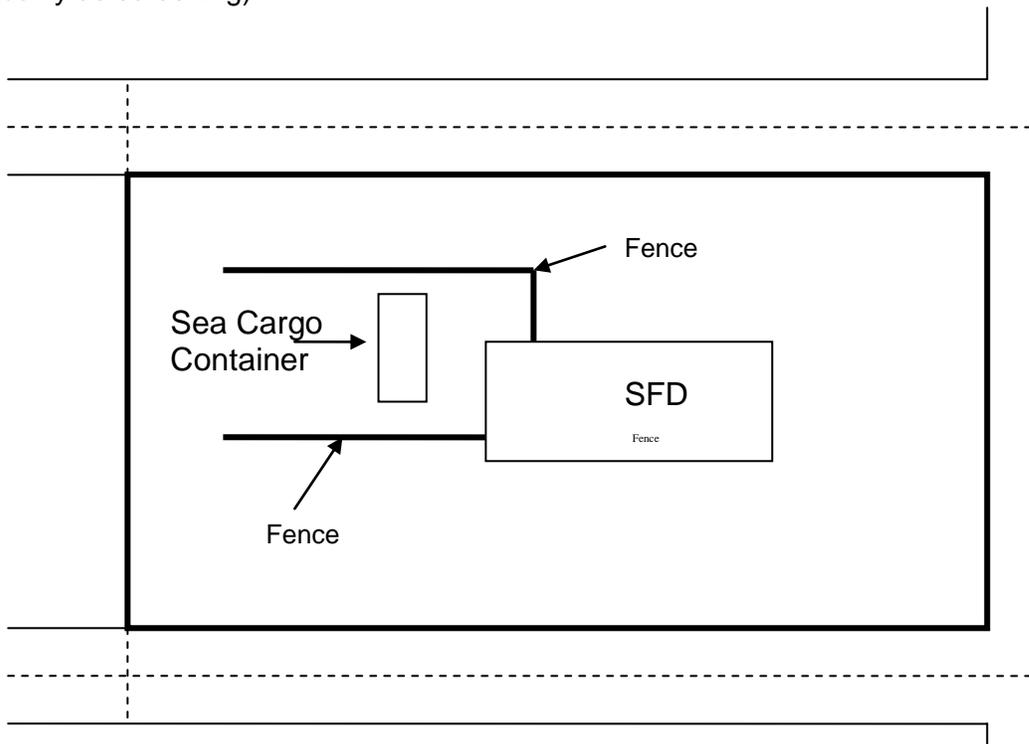
# County of San Diego, PDS, Zoning Division REQUIREMENTS FOR PLACING A SEA CARGO CONTAINER ON A PRIVATE LOT

*Continued*

Possible location of a Sea Cargo Container, because the container is not visible from abutting street. (A street is a County road, State highway, public road, street or alley, or private thoroughfare or easement (or proposed private thoroughfare or easement shown on a recorded parcel map) not less than 10 feet in width which affords primary access to an abutting lot.)



Possible location of a Sea Cargo Container, because the container is screened by an existing fence (see Section 6708 of the Zoning Ordinance for fencing regulations). A Sea Cargo Container can only be screened by existing landscaping (new landscaping does not qualify as screening).





**County of San Diego, PDS, Zoning Division**  
**REQUIREMENTS FOR PLACING A SEA CARGO CONTAINER ON A PRIVATE LOT**

*Continued*

8. The square footage of the Sea Cargo Container shall be added to the allowable combined square footage of all existing and/or proposed accessory structures pursuant to 6156.g.

Lot Size (gross)	Det. Accessory Structures in all Res, Ag & S92 Zones (formerly 6156.g and 6156.h)
< 1/2 ac	1,450 sf <i>(only in zones subject to a Residential Use Regulation and in the S88 Use Regulations where residential uses occur)</i>
< 1 ac	2,000 sf
1 ac - <2 ac	3,000 sf
2 ac - <4 ac	4,000 sf
4 ac - <8 ac	5,600 sf
8 ac - <12 ac	6,400 sf
12 ac - <16 ac	7,200 sf
16 ac or more	8,000 sf

9. The exterior of every Sea Cargo Container shall be painted with one of the approved colors. The color shall be indicated on the plot plan. The following colors are approved:
- a. Flat, non-reflective dark green to match the surrounding area;
  - b. Flat, non-reflective white (this color is typically limited to AG uses);
  - c. Flat, non-reflective, tan to match the surrounding area; or,
  - d. Other solid neutral color that matches the surrounding natural environment (applicant must provide pictures of surrounding area to show compliance)
10. If you have an existing Sea Cargo Container that was legally placed on your parcel (with a building permit and before May 18, 2007) you are allowed to continue the use of the Sea Cargo Container as a non-conforming use for two more years. At or before May 17, 2009, the Sea Cargo Container shall be removed from the parcel with a demolition permit or you have to obtain a new building permit and be fully in compliance with Section 6162 of the Zoning Ordinance.



The City of Long Beach

City of Long Beach • Department of Development Services

## **Cargo Container Used as Storage**

**Building and Safety Bureau – Planning Bureau**

333 W. Ocean Blvd, 4<sup>th</sup> Floor, Long Beach, CA 90802

Phone (562) 570-6651 • Fax (562) 570-6753

Information  
Bulletin

# **DS-003**

Effective: 02-13-2008

Revised: 02-13-2008

The purpose of this Information Bulletin is to clarify pertinent sections of the Long Beach Municipal Code (LBMC), Title 21 Zoning Ordinance that regulates the use and location of transport cargo containers. Transport cargo containers, commonly used on ocean going vessels, may be used as container or incidental storage when all of the Zoning and Building Code regulations are satisfied. This Information Bulletin establishes the minimum conditions and requirements when the containers, if permitted by the Zoning Ordinance, may be considered as a piece of equipment and not a building for the purpose of building code regulations. It is not the intent of this Information Bulletin to address cargo containers located within the Port of Long Beach. If the use is permitted, applicants wishing to use the containers as incidental storage will need to obtain building permits for the containers.

### **ZONING CODE REGULATION:**

LBMC Chapter 21.33 Industrial Districts states that outdoor storage containers used for the duration of more than 72 hours requires an approved Conditional Use Permit (CUP) when located in any industrial zone. No other zone within the City addresses the use of transport containers; therefore, the use of transport containers for storage purposes is not permitted except in industrial zones.

In residential zones, transport containers are regulated similar to accessory buildings or structures. Pursuant to LBMC Section 21.31.245, accessory buildings or structures are allowed in residential zones provided that they comply with the established design standards as required by LBMC Section 21.31.255, which prohibits the use of metallic or metallic-looking siding. This section does, however, allow an application for a Site Plan Review application to be filed to vary from the design standards.

### **BUILDING CODE REGULATION:**

Where transport containers are permitted, either through the CUP or Site Plan Review process as required by the Zoning Ordinance, the containers may be considered a piece of equipment for building code purposes when all of the following conditions are satisfied:

#### **A. Plans, Specifications, and Restrictions**

1. A plot plan drawn to scale showing the location of all existing buildings and parking spaces on the lot, and the size and location of the proposed container(s) with respect to those buildings, parking and property lines is required.
2. The containers shall be constructed of steel or aluminum with a minimum 14-gauge thickness except for a wood floor within the metal shell.
3. The Department may deny the request of an incidental storage with a cargo container, if in the Building Official's opinion, such a request creates a violation of the Long Beach Municipal Code or causes an unsafe condition for the occupants of adjacent buildings or property.

**B. Location and Size**

1. The containers shall be located at least 5 feet from a property line and 10 feet from a building where exterior opening occurs.
2. The containers shall not be located so as to block, obstruct, or reduce any required exits, open spaces, windows, vent shafts, or “required” parking spaces (including access driveways) of the existing buildings on the lot.
3. Each container shall not exceed 10 feet in height, 10 feet in width, and 40 feet in length, and shall have no wall openings except for an access door opening.
4. Containers shall not be “stacked” on top of each other or joined in any manner.

**C. Miscellaneous Requirements**

1. The use shall be limited to incidental storage to an approved non-residential use and shall not be used to store hazardous materials unless approved by the Fire Department.
2. The use shall not allow human occupancy inside the container.
3. Containers that have been factory-built with any electrical, plumbing, heating or air conditioning systems shall not be connected to a power source.
4. Containers shall be maintained in good condition and free of graffiti at all times.

**D. Disabled Access Requirement**

1. The use of the containers shall not allow human occupancy and is, therefore, exempt from Title 24, Part 2, of the California Code of Regulations, the State’s Disabled Access and Adaptability requirements.

## Chapter 18.61 STORAGE CONTAINERS

### Sections:

- [18.61.010](#) Purpose.
- [18.61.020](#) Definitions.
- [18.61.030](#) Storage on residential use properties.
- [18.61.040](#) Cargo containers – Permitted locations.
- [18.61.050](#) Permit required – Development standards.
- [18.61.060](#) Current violations – Time to comply.
- [18.61.070](#) Conflicts.
- [18.61.080](#) Violations – Penalties.

### **18.61.010 Purpose.**

The purpose of this chapter is to regulate the use of storage containers on residentially zoned and residentially used properties in the city, which regulations are adopted to protect the public health, safety, and welfare, and promote positive aesthetics in the city. (Ord. 901 § 1, 2011)

### **18.61.020 Definitions.**

A. An “accessory storage building” is:

1. A building originally constructed for use as an accessory building for the storage of materials and equipment accessory to a primary use located on the property.
2. For purposes of this chapter, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory storage buildings.

B. “Cargo containers” include standardized reusable vessels that were:

1. Originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or
2. Originally designed for or capable of being mounted or moved by rail, truck or ship by means of being mounted on a chassis or similar transport device. This definition includes the terms “transport containers” and “portable site storage containers” having a similar appearance to and similar characteristics of cargo containers. (Ord. 901 § 1, 2011)

### **18.61.030 Storage on residential use properties.**

A. Only accessory storage buildings defined in DPMC [18.61.020](#)(A) shall be permitted as accessory storage containers on property in any residential zone of the city, or on any property within the city the primary use of which is residential. Cargo containers, railroad cars, truck vans, converted mobile homes, travel trailers, recreational vehicles, bus bodies, vehicles, and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not permitted to be used as accessory storage buildings on property zoned residential or on property the primary use of which is residential.

B. Notwithstanding the provisions set forth in subsection A of this section, the temporary placement of

transport containers and/or portable site storage containers on residentially zoned properties, or on properties the primary use of which are residential, for the limited purpose of loading and unloading household contents shall be permitted for a period of time not exceeding 30 days in any one calendar year.

C. Notwithstanding the provisions set forth in subsection A of this section, licensed and bonded contractors may use cargo containers for the temporary location of an office, equipment, and/or materials storage structure during construction which is taking place on the property where the cargo container is located, if the use of the cargo container is authorized pursuant to a city building permit. (Ord. 901 § 1, 2011)

#### **18.61.040 Cargo containers – Permitted locations.**

A. The placement of a cargo container as an accessory storage use is limited to the following zoning districts:

1. Central commercial (CC).
2. Commercial shopping center (CS).
3. Diversified (DC).
4. Light industrial (LI).
5. Business park (BP).

B. The placement of cargo containers is further limited to properties in the above-identified zones only if the property upon which the cargo container is proposed to be located is not primarily used for residential purposes. (Ord. 901 § 1, 2011)

#### **18.61.050 Permit required – Development standards.**

A. A building permit is required prior to placement of a cargo container larger than 200 square feet in area, ensuring effective anchoring/foundation according to the then most current edition of the International Building Code. The application shall show the proposed cargo container is accessory to the permitted use of the property and meets the placement criteria for the zone.

B. Cargo containers shall meet the setback requirements of the underlying zone.

C. Cargo containers shall not be stacked above the height of a single container device, except for placement within the light industrial zone and on the back yard one-half of the lot or parcel.

D. Cargo containers shall not be used for any advertising purpose and shall be kept clean of all alpha-numeric signage and writing.

E. As a condition of placement, cargo containers may be required to be fenced or screened from abutting properties and/or rights-of-way pursuant to the provisions of the underlying zoning regulations.

F. Cargo containers shall be in an approved designated area and on the same property as the principal use and be included in the calculation of overall lot coverage.

G. Cargo containers shall not occupy required off-street parking, loading or landscaping areas.

H. Materials stored within cargo containers are subject to review and approval by the fire district. (Ord. 901 § 1, 2011)

#### **18.61.060 Current violations – Time to comply.**

All owners of property within the city shall have 120 days from the effective date of the ordinance codified in this chapter to bring the properties, which currently contain accessory storage buildings that are in violation of the terms of this chapter, into full compliance with the provisions of this chapter. (Ord. 901 § 1, 2011)

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**18.61.070 Conflicts.**

In the event any conflict exists between the provisions of this chapter and other currently existing provisions of the Deer Park Municipal Code or other ordinances of the city, the terms and provisions of this chapter shall take precedence and to the extent of any such conflict, the terms and conditions of any existing provisions of the Deer Park Municipal Code or other ordinances of the city shall be and hereby are amended insofar as necessary to conform to the provisions of this chapter. (Ord. 901 § 1, 2011)

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**18.61.080 Violations – Penalties.**

Violation of this chapter shall be enforced pursuant to the procedures and penalties set forth in Chapter [18.108](#) DPMC as the same exists now or may hereafter be amended. (Ord. 901 § 1, 2011)

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**The Deer Park Municipal Code is current through Ordinance 967, passed December 21, 2016.**

Disclaimer: The City Clerk's Office has the official version of the Deer Park Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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# Temporary Portable Storage Containers

## Information for Residentially Developed Properties

Fairfax County Board of Supervisors adopted new Zoning Ordinance regulations on Sept. 10, 2007, that conditionally permit temporary residential portable storage containers on properties containing dwellings.

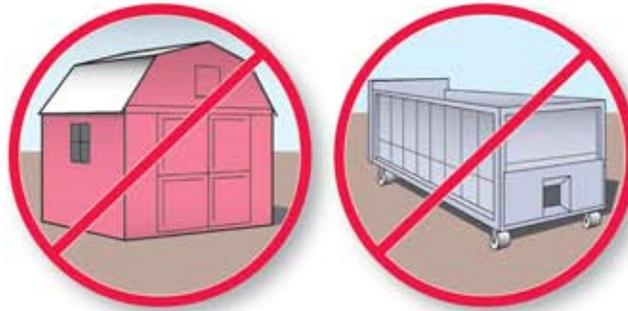
### What is a temporary portable storage container?

It is a purpose-built, fully enclosed, box-like container with signage on one or more of its outer surfaces. It is uniquely designed to permit ease of loading to and from a transport vehicle.



Typical temporary portable storage container.

A temporary portable storage container is not a storage shed, roll-off container, dumpster, cargo/shipping container or the trailer portion of a tractor-trailer.

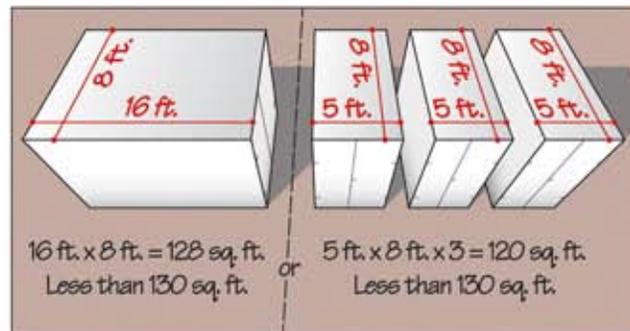


Storage sheds and roll-off containers are not temporary portable storage containers.

### How much portable storage is permitted on a residential property?

Fairfax County Zoning Ordinance permits no more than 130 sq. ft. of portable storage. The 130 sq. ft. of allowable container use is a cumulative amount that may include one or more containers.

Portable storage containers come in various standard sizes. Portable storage companies generally provide containers in one or more of the following standard sizes: 16' x 8' (128 sq. ft.); 12' x 8' (96 sq. ft.); or 5' x 8' (40 sq. ft.).



The cumulative footprint area of all temporary portable storage containers on a property may not exceed 130 square feet.

### How long can a portable storage container be used on a single family detached dwelling unit lot?

Portable storage containers are allowed for a period of 30 consecutive days within a 6-month period on a single family detached dwelling lot that contains 36,000 sq. ft. or less. On a single family detached dwelling lot that contains greater than 36,000 sq. ft., a portable storage container may be placed for a period not to exceed 60 consecutive days within a 6-month period.

### How long can a portable storage container be used on a lot that contains a townhouse or a multiple family dwelling?

Portable storage containers are allowed on townhouse and multiple family properties for a period not to exceed 7 consecutive days within a 6-month period.

### Are portable storage containers subject to height limitations?

Yes, portable storage containers may not exceed a height of 8½ feet. The height of such structures is measured from the lowest ground level adjacent to the structure to the top of the structure, therefore stacking of conventional size (8' tall) containers would not be permitted.

### Do Fairfax County regulations limit the amount or type of signage that can appear on a portable storage container?

A sign displaying the container provider contact information is required. There are no limitations on the amount of signage that can be displayed on a container. However, signs

must not include advertisements for any other product or service.

**Are there restrictions on where a portable storage container may be placed on a property?**

Yes, containers may not be placed on a street, sidewalk or trail. They may not be placed in any location that would interfere with vehicular or pedestrian circulation or cause reduced visibility at street intersections. Container placements shall adhere to all applicable building and fire code regulations for the purpose of ensuring safe passage to and from dwellings, access to utility shut-off valves and for fire protection. In addition, portable storage containers may not be located in any required open space or landscaped area.

**In case of a flood, fire or other casualty event, are there any options available for keeping a portable storage container on a residential property for a longer period of time?**

Yes, when a dwelling has suffered casualty damage, a person may apply for a Temporary Special Permit (TSP) to allow the use of a portable storage container for a period of up to 6 months or for the period of an active Building Permit, whichever is shorter in duration.

Such a TSP is issued administratively by the Zoning Administrator and a TSP request is made to the Zoning Permit Review Branch of the Department of Planning and Zoning. A TSP may be extended beyond a 6 month period upon approval of the Fairfax County Board of Zoning Appeals (BZA) following a public hearing. An application fee is not required for such TSP requests. ■

## More information

### Complaints

Zoning Enforcement Branch  
703-324-1300, TTY 711

### Temporary Special Permits

Zoning Permit Review Branch  
703-222-1082, TTY 711

### Fairfax County on the Web

[www.fairfaxcounty.gov/](http://www.fairfaxcounty.gov/)

This brochure produced by  
Fairfax County, Virginia  
Department of Planning & Zoning  
Zoning Administration Division  
12055 Government Center Parkway  
Suite 807  
Fairfax, VA 22035  
703-324-1314, TTY 711

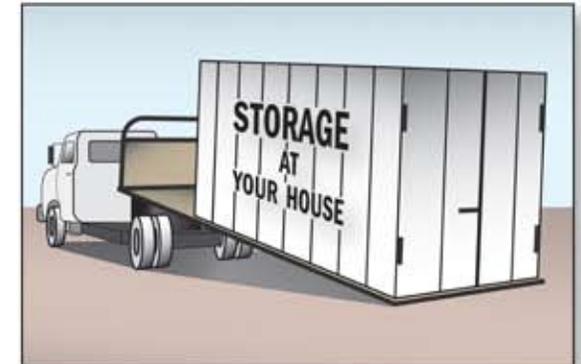
 To request this information in an alternate format, call (703) 324-1334, TTY 711.



*A Fairfax County, Virginia  
publication*

# Temporary Portable Storage Containers

## Information for Residentially Developed Properties



Fairfax County, Virginia  
Department of Planning & Zoning  
Zoning Administration Division  
December 2007



**INTERPRETATION REQUEST** – USE OF PORTABLE SELF-STORAGE CONTAINERS ON RESIDENTIALLY-ZONED PROPERTY

**Applicable Monterey County Code Sections:**

- 20.06.1200 (Structure)
- 21.06.1220 (Structure)
- Chapter 20.44 (Regulations for Design Control Zoning Districts)
- Chapter 21.44 (Regulations for Design Control Zoning Districts)
- Chapter 18.01 (Building Standards Administrative Code)
- 2013 California Building Code

**Date:** July 24, 2014

**Subject:** Use of portable self-storage containers (PODS or shipping containers) for storage on residentially-zoned property

**What is the Question?**

Are portable storage containers allowed to be used for storage for extended periods of time on residentially-zoned properties without a permit?

**Short Answer:**

Yes, under certain conditions:

- 1) If the property has an active construction permit;
- 2) If the occupant of the property is in the process of moving or remodeling where no construction permit is required (for up to 60 days);
- 3) If the unit is used for >60 days for a use other than construction purposes, the unit would need to meet building and zoning regulations.

If the unit is used for >60 days for any use listed above and the property is in a Design Control or “D” district, an over-the-counter Design Approval is required. The unit would need to meet applicable building and zoning regulations.

**Discussion:**

Portable storage containers, such as PODS or larger shipping containers, are becoming more popular as a low-cost means of providing additional secure storage during construction or remodeling in lieu of permanent accessory structures. The increased use of these units has resulted in increased awareness of the visual impacts of these units in residentially-zoned areas of the County.

Because the timeframes for construction or remodeling on a site can vary, there is a need to allow the units on a temporary basis, without an additional permit requirement, as long as the construction permit remains active or for up to 60 days if no construction permit is required.

If the unit is needed for more than 60 days for a use other than construction purposes, the unit would need to meet applicable building and zoning regulations, including but not limited to yard regulations (setbacks & height), FAR, and coverage. If the unit is used for more than 60

days for any use and the property is in a Design Control or "D" district, a Design Approval approved by the Director of Planning (over-the-counter) is required. The unit would need to meet building and zoning regulations including but not limited to yard regulations (setbacks) and coverage.

**Facts of the situation:**

The 2013 California Building Code defines a structure as that which is built or constructed. Further, Monterey County Code (MCC) section 18.01.040.B exempts one-story detached structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed two hundred forty (240) square feet and the structure does not contain any electrical, plumbing or mechanical work and is not used to store hazardous materials or vehicles. Such structures shall be in substantial conformance with all provisions of Title 18 and all referenced Codes. Portable storage units, under the Building Code definition, would not be considered structures. In addition, if portable storage units meet the exemptions under the California Building Code and MCC section 18.01.040.B, no permit is required.

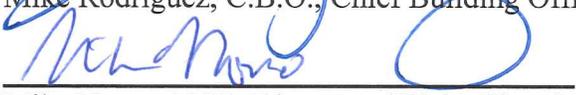
Monterey County Code sections 20.06.1200 and 21.06.1220 define a structure as anything constructed or erected, except fences under six feet in height, the use of which requires location on the ground or attachment to something having location on the ground, but not including any trailer or tent. Portable storage units, under the zoning code definitions, would be considered structures for Planning purposes as they require location on the ground and they are not a trailer or tent.

Monterey County Code Chapter 20.44 and 21.44 provide the regulations for Design Control Zoning Districts. Sections 20.44.040 and 21.44.040 authorize the Director of Planning to approve plans and submittals in "D" Districts for small structures such as structure additions, accessory structures and similar minor structures and minor modifications to approved designs.

**Interpretation Prepared By:** Laura Lawrence, RMA-Services Manager

**Interpretation/Opinion Confirmed by:**

  
\_\_\_\_\_  
Mike Rodriguez, C.B.O., Chief Building Official

  
\_\_\_\_\_  
Mike Novo, AICP, Director of RMA-Planning

- **Permit or Temp**
- **Contact Paolo SRIA.**
- **Semi trucks.**
- **Seasonal structures ch 4-7**
- **Conditional com. Storage site or uncle bob site.**
- **Graffiti**