

AGENDA  
ESCAMBIA COUNTY BOARD OF ADJUSTMENT  
August 15, 2018–8:30 a.m.  
Escambia County Central Office Complex  
3363 West Park Place, Room 104

1. Call to Order.
2. Swearing in of Staff and acceptance of staff as expert witness
3. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.
4. Proof of Publication and waive the reading of the legal advertisement.
5. Approval of Resume Minutes.
- A. Approval of Resume Meeting Minutes from the July 18, 2018 Board of Adjustment Meeting.
6. **Consideration of the following cases:**
  - A. **Case No.: V-2018-06**  
Address: 3470 Navigator Avenue  
Request: Request eight foot variance to the required 20 feet rear setback  
Requested by: Nanette Hammond, Owner
  - B. **Case No.: CU-2018-13**  
Address: 298 Morris Ave  
Request: Allow a church in LDR zoning  
Requested by: Robert Cunningham, Agent for First Baptist Church Cantonment, Owner
  - C. **Case No.: CU-2018-14**  
Address: 2115 N Pace Boulevard

Request: Conditional Use request to allow on-premise alcohol consumption within 1000' of a place of worship.  
Requested by: Wiley C. "Buddy" Page, Agent for Pace & Joran, LLC, C/O Ted Brown

**D. Case No.: CU-2018-15**

Address: 735 S Hwy 29  
Request: Saw Mill in HC/LI  
Requested by: Gary Wilson, Agent for Ann King, Owner

**E. Case No.: CU-2018-16**

Address: 6400 W Nine Mile Rd  
Request: To allow a fire station in LDR zoning  
Requested by: Escambia County, Agent for Beulah Volunteer Fire Department

7. Discussion Items.

8. Old/New Business.

A. Order Granting Petition for Writ of Certiorari for the Administrative Appeal Case: TERAMORE DEVELOPMENT LLC vs. ESCAMBIA COUNTY FLORIDA

10. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, September 19, 2018 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

11. Adjournment.



**Board of Adjustment**

**5. A.**

Meeting Date: 08/15/2018

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Attachments

Draft July 18, 2018 Board of Adjustment Meeting Minutes

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# DRAFT

## RESUMÉ OF THE MEETING OF THE BOARD OF ADJUSTMENT HELD July 18, 2018

CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:39 A.M. – 10:42 A.M.)

Present: Auby Smith  
Bill Stromquist  
Judy Gund  
Jennifer Rigby  
Michael Godwin  
Walker Wilson

Absent: VACANT

Staff Present: Andrew Holmer, Division Manager, Planning & Zoning  
Caleb MacCartee, Urban Planner, Planning & Zoning  
Horace Jones, Director, Development Services  
Juan Lemos, Senior Planner, Planning & Zoning  
Kayla Meador, Sr Office Assistant  
Kim Wilson, Urban Planner I  
Kristin Hual, Assistant County Attorney

Attendees: Meredith Crawford

### REGULAR BOA AGENDA

1. Call to Order.
2. Swearing in of Staff and acceptance of staff as expert witness
3. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.  
  
Motion by Vice Chairman Bill Stromquist, Seconded by Michael Godwin  
  
Motion was made to accept the July 18, 2018 BOA meeting packet.  
**Vote:** 6 - 0 Approved
4. Proof of Publication and waive the reading of the legal advertisement.

Motion by Vice Chairman Bill Stromquist, Seconded by Walker Wilson

The Clerk provided proof of publication and motion was made to accept.

**Vote:** 6 - 0 Approved

5. Approval of Resume Minutes.

A. Approval of Resume Meeting Minutes from the June 20, 2018 Board of Adjustment Meeting.

Motion by Vice Chairman Bill Stromquist, Seconded by Walker Wilson

Motion was made to approve the June 20, 2018 BOA Resume Meeting Minutes.

**Vote:** 6 - 0 Approved

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

A. **Case No.: CU-2018-09**

Address: 837 Bayshore Dr

Request: To allow an accessory structure in front yard of a waterfront lot

Requested by: John Switzer

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

No BOA member acknowledged visiting the site.

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

Motion by Michael Godwin, Seconded by Board Member Judy Gund

Board Members adopted Staff's Findings and approved the Conditional Use.

**Vote:** 6 - 0 Approved

B. **Case No.: CU-2018-10**

Address: 14485 Innerarity Point Rd

Request: Conditional Use to allow an accessory structure (garage) in the front yard of property

Requested by: Brian Benson, Agent for Christine Beck, Owner

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

No BOA member acknowledged visiting the site.

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

Motion by Vice Chairman Bill Stromquist, Seconded by Michael Godwin

Board Members adopted Staff's Findings and approved the Conditional Use with the condition that it must comply with all building permits.

**Vote:** 6 - 0 Approved

C. **Case No.: CU-2018-11**

Address: 1730 E Nine Mile Rd, 1750 E Nine Mile Rd, Barranger Road, Plainfield Avenue

Request: Allow drive - thru use adjacent to residential

Requested by: Dave Hemphill, Agent for Jefferey S. Kates & Michael Ow, Owners

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

No BOA member acknowledged visiting the site.

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

Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Judy Gund

Board Members adopted Staff's Findings and approved the Conditional Use, provided the application passes DRC.

**Vote:** 6 - 0 Approved

D. **Case No.: CU-2018-12**

Address: 1368 and 1370 W Nine Mile Rd

Request: to allow on-premise alcohol consumption within 1000' of a child care facility.

Requested by: Scott Nicola, agent for William Long Jr, owner

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

No BOA member acknowledged visiting the site.

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

Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Judy Gund

Board Members adopted Staff's Findings and approved the Conditional Use, provided all DRC conditions are met and that the building is over 1,000 feet from the child care facility.

**Vote:** 6 - 0 Approved

E. **CASE NO.: AP-2018-01**

**ADDRESS:** 5312 Pale Moon Dr.

**REQUESTED APPEAL:** Appeal of land disturbance permit #1802404PLM

**REQUESTED BY:** Frances Ogden

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

No BOA member acknowledged visiting the site.

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

Motion by Michael Godwin, Seconded by Vice Chairman Bill Stromquist

Board Members voted to dismiss the appeal based on competent and substantial evidence that the applicant untimely filed the appeal and that the applicant was advised to read the LDC during the time period that the appeal could have been made.

**Vote:** 6 - 0 Approved

7. Discussion Items.

8. Old/New Business.

9. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, August 15, 2018 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. Adjournment.

**Board of Adjustment****6. A.**

**Meeting Date:** 08/15/2018  
**CASE:** V-2018-06  
**APPLICANT:** Nanette T. Hammond, Owner  
**ADDRESS:** 3470 Navigator Avenue  
**PROPERTY REFERENCE NO.:** 07-3S-32-3100-070-002  
**ZONING DISTRICT:** MDR, Medium Density Residential district  
**FUTURE LAND USE:** MU-S, Mixed-Use Suburban

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**SUBMISSION DATA:****REQUESTED VARIANCE:**

The applicant is requesting an 8' variance to the 20' required rear property setback.

**RELEVANT AUTHORITY:**

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section: 3-2.7 (d) (7) a.

(7) Structure setbacks. For all principal structures, minimum setbacks are:

a. Front and rear. Twenty feet in the front and rear.

**CRITERIA**

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section 2-6.3 (b)

**CRITERION (1)**

**Special conditions and circumstances exist which are peculiar to the land, structure or building and which are not applicable to other lands, structures or buildings in the same zoning district.**

**FINDINGS-OF-FACT**

Staff finds that there are no special conditions or circumstances peculiar to the land, structure or building. Review of the adjacent and surrounding properties and structures shows an average lot size and shape as compared, with similar structures and buildings. The applicant did not address any specific conditions and circumstances related to the land or the building, as stated in the criterion.

**CRITERION (2)**

**The special conditions and circumstances do not result from the actions of the applicant.**

#### **FINDINGS-OF-FACT**

Staff found no special conditions or circumstances. The applicant did not address any special conditions or circumstances as stated in the criterion.

#### **CRITERION (3)**

**Granting the variance requested will not confer on the applicant any special privilege that is denied by this land development code to other lands, buildings or structures in the same zoning district.**

#### **FINDINGS-OF-FACT**

The Land Development Code (LDC) provides for any property owner to request a variance for certain LDC standards; granting of the variance requested will not confer on the applicant any special privilege that is denied by the LDC.

#### **CRITERION (4)**

**Strict application of the provisions of the land development code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code and would create an unnecessary and undue hardship on the applicant. .**

#### **FINDINGS-OF-FACT**

Strict application of the provisions of the LDC would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would not create an unnecessary and undue hardship on the applicant.

#### **CRITERION (5)**

**The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

#### **FINDINGS-OF-FACT**

Granting of the variance is not the minimum that will make possible the reasonable use of the land, building or structure. The size and shape of the parcel and the existing residence were designed to accommodate a single-family residence within the designated zoning district's setback allowances.

#### **CRITERION (6)**

**The granting of the variance will be consistent with the general intent and purpose of the land development code and that such variance will not be injurious to the area or otherwise detrimental to the public welfare.**

#### **FINDING OF FACT:**

Granting of the variance will not be injurious to the area or otherwise detrimental to public welfare

**STAFF RECOMMENDATION:**

The applicant did not address or meet the requirements, as listed, under Criteria 1, 2, 4 and 5; therefore, staff recommends denial of the variance.

**BOA DECISION**

**BOARD OF ADJUSTMENT FINDINGS:**

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**Attachments**

Working Case File

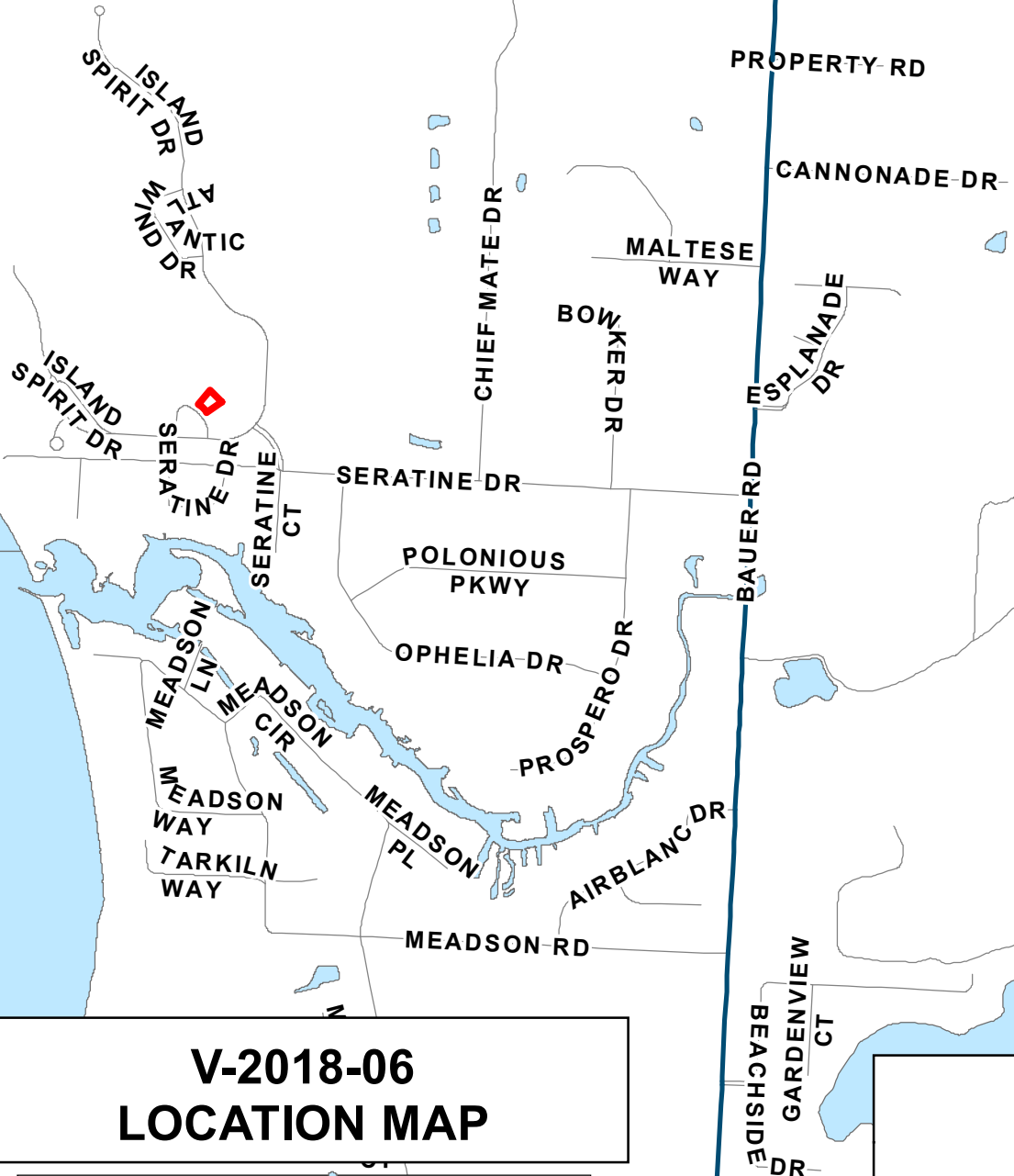
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**V-2018-06**



PERDIDO  
BAY



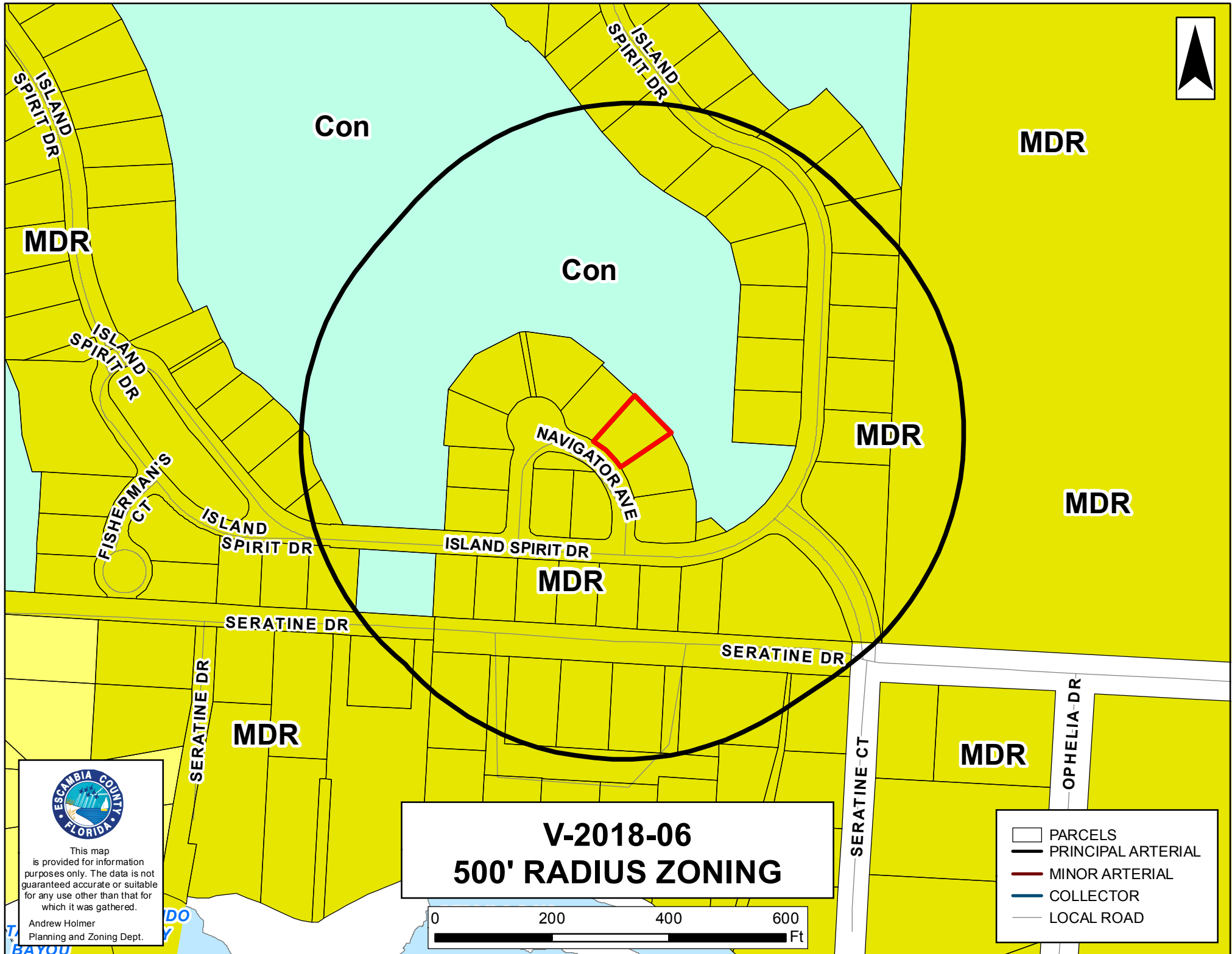
## V-2018-06 LOCATION MAP

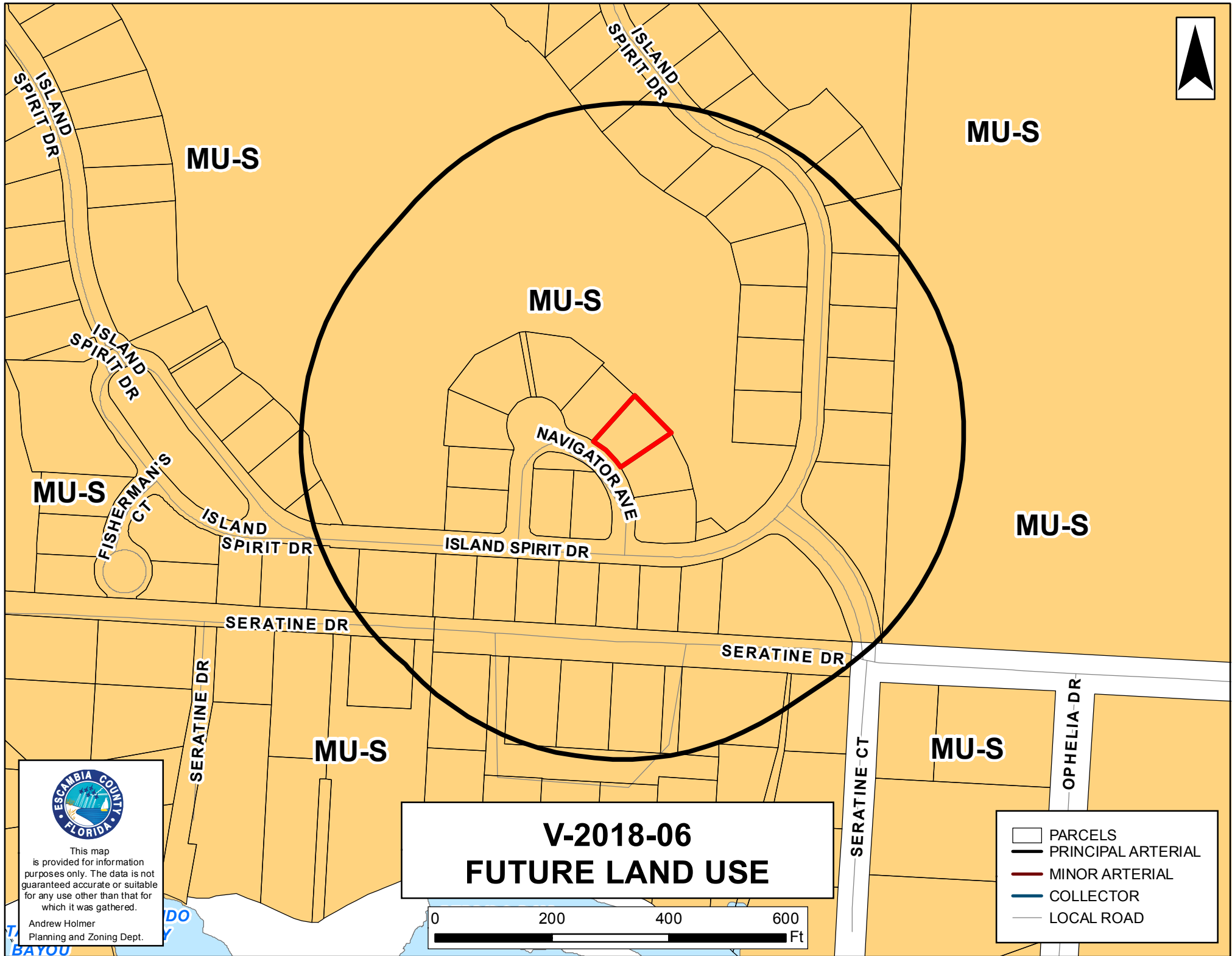
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This map  
is provided for information  
purposes only. The data is not  
guaranteed accurate or suitable  
for any use other than that for  
which it was gathered.

Andrew Holmer  
Planning and Zoning Dept.





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# V-2018-06 FUTURE LAND USE

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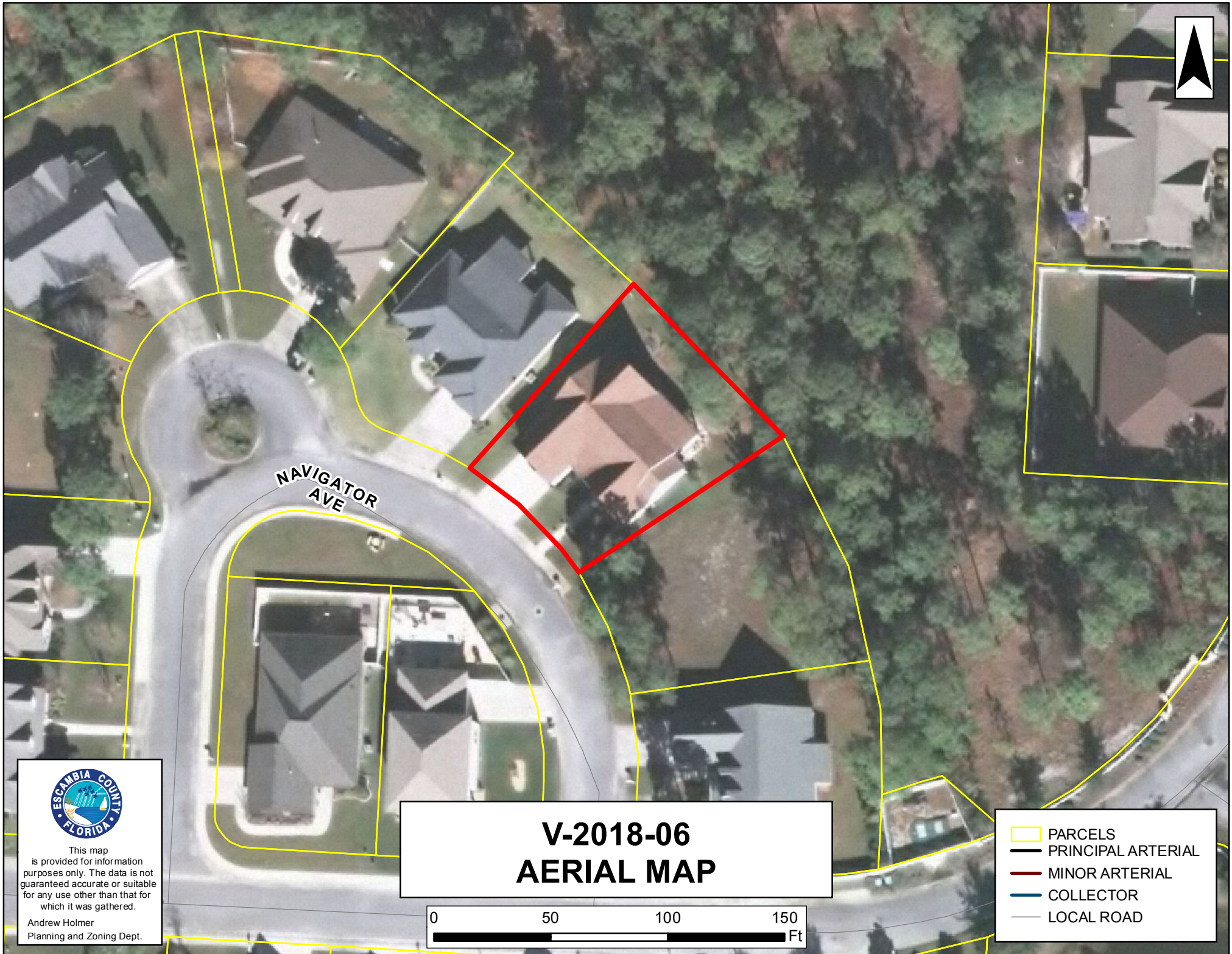
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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.





NAVIGATOR  
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.

Andrew Holmer  
Planning and Zoning Dept.

## V-2018-06 AERIAL MAP

0 50 100 150  
Ft

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





# NOTICE OF PUBLIC HEARING BOARD OF ADJUSTMENT

TYPE OF REQUEST: VARIANCE

CASE NO: V-2018-06

DATE: 08/15/18 TIME: 8:30 am

## LOCATION OF HEARING

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

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

PLEASE DO NOT REMOVE THIS SIGN

PUBLIC HEARING SIGN





LOOKING NORTHWEST FROM  
ADJACENT PARCEL



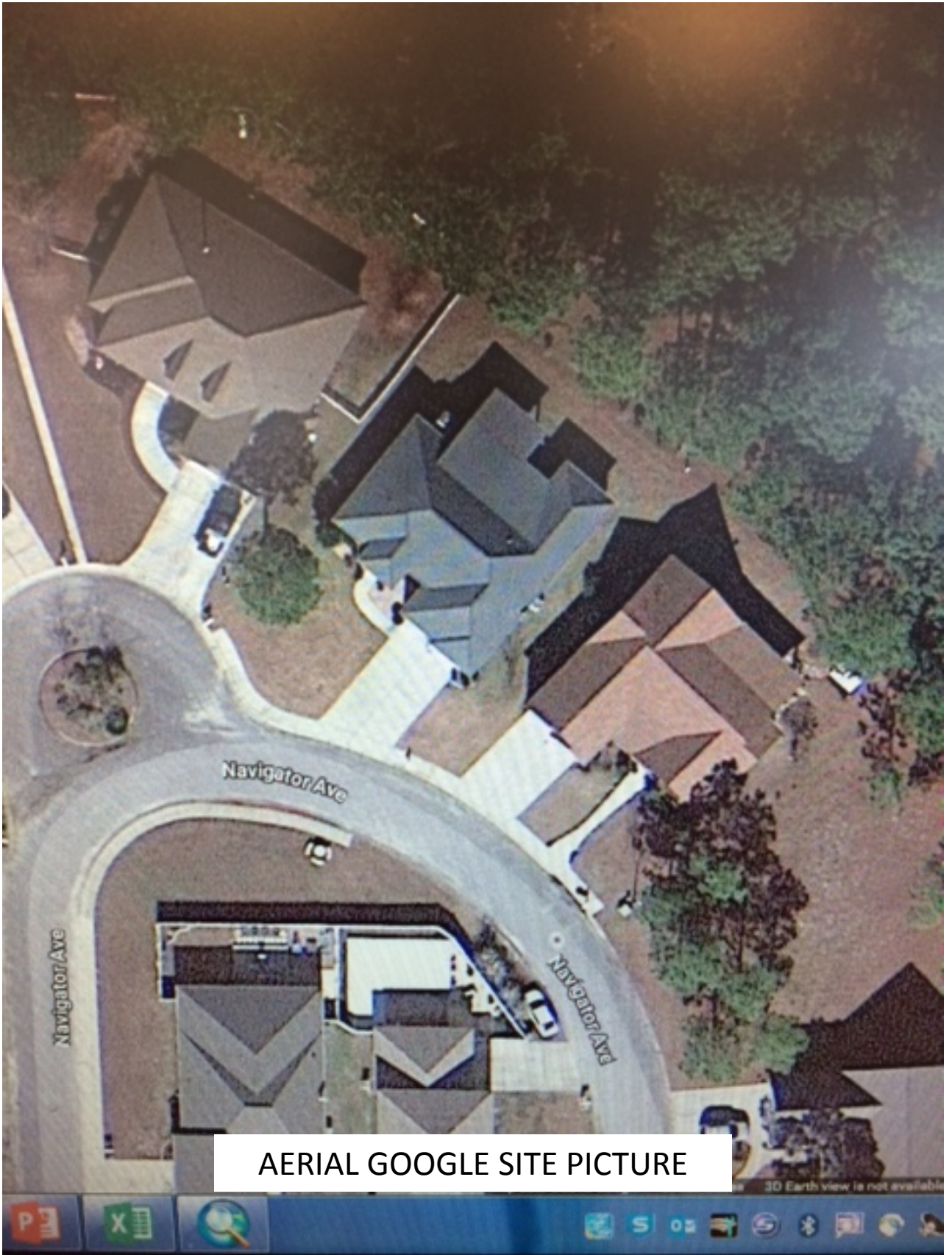






LOOKING NORTHEAST ALONG  
EXISTING STRUCTURE





AERIAL GOOGLE SITE PICTURE



## 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>

### Board of Adjustment Application

FOR OFFICE USE ONLY - Case Number: 18-2018-06 Accepted by: Alan BOA Meeting: 8/15/18

~~Condition Use Request for:~~ \_\_\_\_\_

Variance Request for: Rear set-back from 20' to 12', Eight feet

#### 1. Contact Information:

A. **Property Owner/Applicant:** Nanette T Hammond  
Mailing Address: 3470 Navigator Ave, Pensacola, FL 32506  
Business Phone: 850-378-9774 Cell: 850-378-9774  
Email: hammondnan@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: 3470 Navigator Ave, Pensacola, FL 32506  
Parcel ID (s): 07-35-32-3100-070-002

B. Total acreage of the subject property: .18

C. Existing Zoning: Residential MDR  
FLU Category: MU-S

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

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



**3. Amendment Request**

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

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- B. For Variance Request – Please address **ALL** the following approval conditions for your Variance request. (use supplement sheets as needed)

1. Special conditions and circumstances exist which are peculiar to the land, structure or building and which are not applicable to other lands, structures or buildings in the same zoning district.

This is a request to build a screen-in, window ready room on the rear of my home. The room will extend my narrow porch, directly behind the house, into the yard by 8' toward a green belt/wet-land area. There are no other buildings in that area, and it is highly unlikely there will ever be any structures there. Numerous mosquitoes, biting flies are present to which I am severely allergic, producing sores & blisters, preventing my use.

2. This has been approved by the Windward Cove HOA - 6/27/2018  
The special conditions and circumstances do not result from the actions of the applicant.

I am applying to add the screen room which will reduce the setback from 20.6' to 12.6'

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3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this land development code to other lands, buildings or structures in the same zoning district.

Has been approved by Windward Cove  
Home Owners Assn. 6/27/2018

This variance will not affect others  
in the area.

4. Strict application of the provisions of the land development code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code and would create an unnecessary and undue hardship on the applicant.

Although I do not need this addition  
to enjoy my property, It will allow me to  
enjoy the outdoors without threat of biting  
insects, to which I am allergic.

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The 8' addition will allow enjoyment  
of my yard/property, and will be  
an enhancement.

6. The granting of the variance will be consistent with the general intent and purpose of the land development code and that such variance will not be injurious to the area or otherwise detrimental to the public welfare.

It will not be injurious to the  
public welfare.

**C. For Conditional Use Request – Please address *ALL* the following approval conditions for your Conditional Use request. (use supplement sheets as needed)**

- 1. General compatibility.** The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area. *If this is for the sale of alcohol within a 1000 ft of a place of worship or child care facility; please explain a-e below: a.) The existing times of use of the places of worship or child care facilities coincide with the hours of operation of the subject business b.) The 1000-foot minimum distance is not achieved. c.) The conflicting uses are visible to each other. d.) Any on-premises consumption is outdoors. e.) Any conditions or circumstances mitigate any incompatibility.*

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- 2. Facilities and services.** Public facilities and services, especially those with adopted levels of service, will be available, will provide adequate capacity to serve the proposed use consistent with capacity requirements.

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- 3. On-site circulation.** Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access.

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- 4. Nuisances and hazards.** The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.

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- 5. Solid waste.** All on-site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts.

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- 6. Screening and buffering.** Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site.

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7. **Signs and lighting.** All exterior signs and lights, whether attached or freestanding, will be compatible with adjoining properties and other properties in the immediate area, especially regarding glare and traffic safety.

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4. **Please complete the following form (if applicable): Affidavit of Owner/Limited Power of Attorney**

**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 Fees: To view fees visit the website:  
<http://myescambia.com/business/board-adjustment> or contact us at 595-3448

**Note:** Fees include 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. \_\_\_\_\_ 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

Nanette T Hammond

Signature of Owner

Printed Name Owner/Agent

Nanette T Hammond

Printed Name of Owner

Date

7/11/18

Date

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 11 day of July 2018, by Nanette Hammond

Personally Known ☐ OR Produced Identification ☒ Type of Identification Produced: FL DL

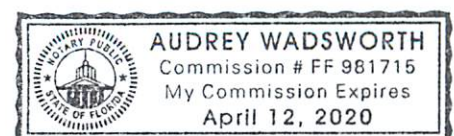
Audrey Wadsworth

Signature of Notary

Audrey Wadsworth

Printed Name of Notary

(notary seal)

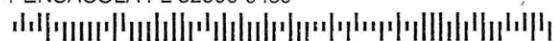


This is a request to build a screened-in, window- ready room on the rear of my home. The room will extend my narrow porch, directly behind the house, into the yard by 8' (eight feet) toward a green-belt/wet-land area. There are no other buildings in that area, and it is highly unlikely there will ever be any structures there.

Numerous mosquitos, biting flies, and other insects are present here, to which I am severely allergic, producing sores and blisters, preventing me to be outdoors to appreciate our Florida weather. Providing this protected, screened-in space, will allow this desired access.

This planned improvement has been studied and approved by the Windward Cove Homeowners Association as of June 27, 2018. Thank you.

S - 014675 / 020592 JMS106013  
 HAMMOND NANETTE  
 3470 NAVIGATOR AVE  
 PENSACOLA FL 32506-9485



AD VALOREM TAXES						
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED	
COUNTY	6.6165	223,617	50,500	173,117	1,145.43	
PUBLIC SCHOOLS						
By Local Board	2.2480	223,617	25,500	198,117	445.37	
By State Law	4.3830	223,617	25,500	198,117	868.35	
WATER MANAGEMENT	0.0353	223,617	50,500	173,117	6.11	
SHERIFF	0.6850	223,617	50,500	173,117	118.59	
M.S.T.U. LIBRARY	0.3590	223,617	50,500	173,117	62.15	
TOTAL MILLAGE		14.3268	AD VALOREM TAXES		2646.00	
LEGAL DESCRIPTION		NON-AD VALOREM ASSESSMENTS				
LT 7 BLK B WINDWARD COVE PHASE A-1 PB 17 P 42 OR 7407 P 1417		TAXING AUTHORITY	RATE		AMOUNT	
		FIRE PROTECTION				125.33
		FOR QUESTIONS ON THIS SECTION ONLY, CALL (850) 595-4960				
		NON-AD VALOREM ASSESSMENTS				125.33
Pay online at EscambiaTaxCollector.com			COMBINED TAXES AND ASSESSMENTS 2771.33			
Payments must be in U.S. funds drawn from a U.S. bank						
AMOUNT DUE	NOV 30, 2017	DEC 31, 2017	JAN 31, 2018	FEB 28, 2018	MAR 31, 2018	
IF PAID BY	\$ 2660.48	\$ 2688.19	\$ 2715.90	\$ 2743.62	\$ 2771.33	





PREPARED FOR: NANETTE HAMMOND

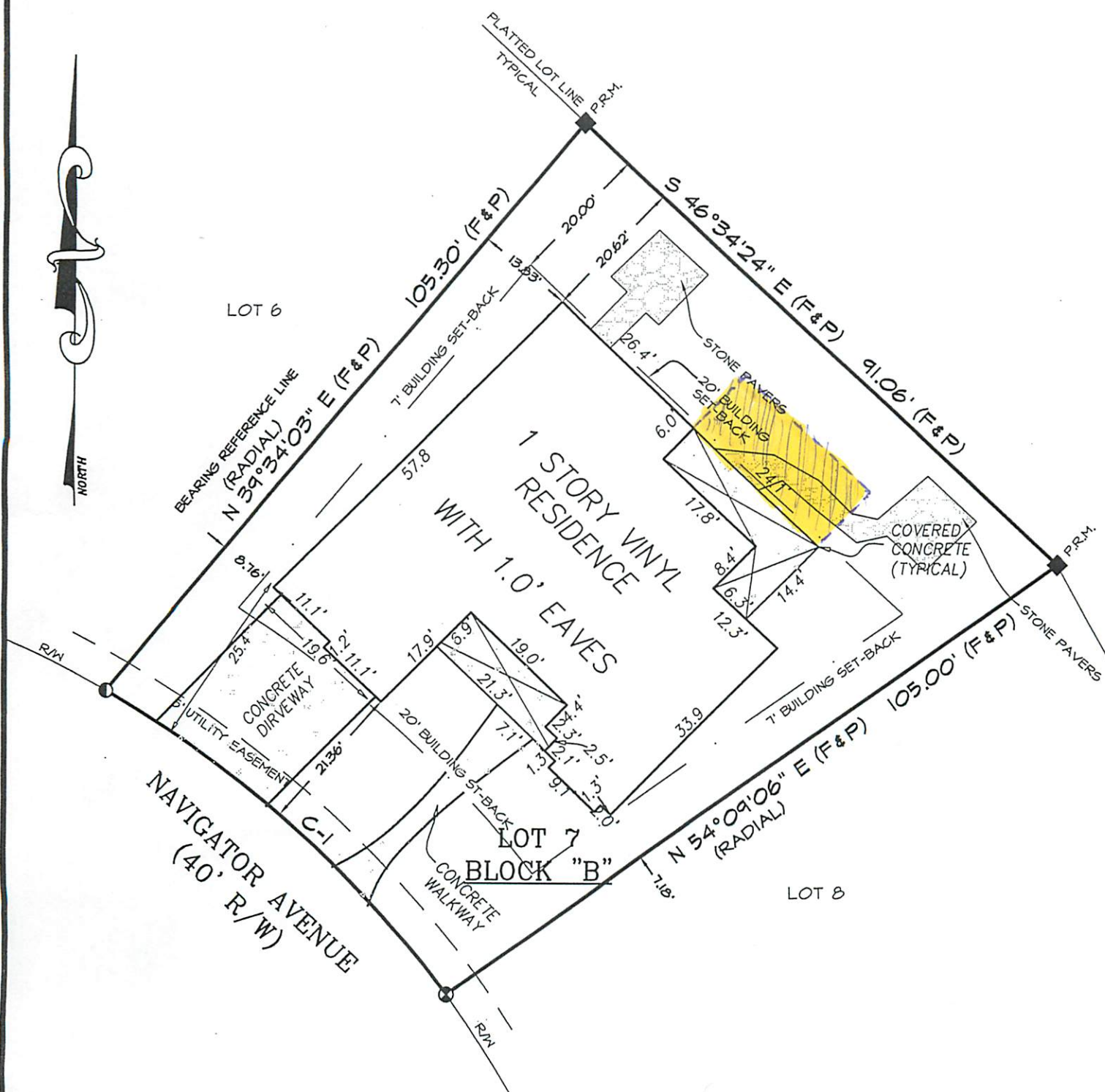
REQUESTED BY: MARY KNOWLES

JOB NO.: 10-14503-15

DATE: AUGUST 18, 2015

PROPERTY ADDRESS: 3470 NAVIGATOR AVENUE

SCALE: 1"=20'



## BOUNDARY SURVEY WITH IMPROVEMENTS

SHEET 1 OF 2

\*MEASUREMENTS MADE TO UNITED STATES STANDARDS\*

P.C.: RM DRAFTED: JAS TYPED: JAS CHECKED: FRT

DESCRIPTION: LOT 7, BLOCK B, WINDWARD COVE SUBDIVISION, PHASE A-1

SEC. 7, TWP. 3S, RGE. 32W, ESCAMBIA COUNTY, STATE OF FLORIDA.

RECORDED PLAT BOOK 17, PAGE 42. \*THE ENCROACHMENTS ARE AS SHOWN\*

FIELD DATE: 7/18/15 , FIELD BOOK: RM6 , PG. 69

NORTHWEST FLORIDA LAND SURVEYING, INC.  
FLORIDA CORPORATION NUMBER 7277

REVISIONS:

Frank R Thompson 8/18/15

FRED R. THOMPSON PROFESSIONAL LAND SURVEYOR  
FLORIDA REGISTRATION NUMBER 3027 STATE OF FLORIDA

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

Copy of original  
7/11/18 etc

































# NORTHWEST FLORIDA LAND SURVEYING, INC.

7142 BELGIUM CIRCLE  
Pensacola, FL 32526  
(850) 432-1052

A PROFESSIONAL SERVICE ORGANIZATION



PREPARED FOR: NANETTE HAMMOND

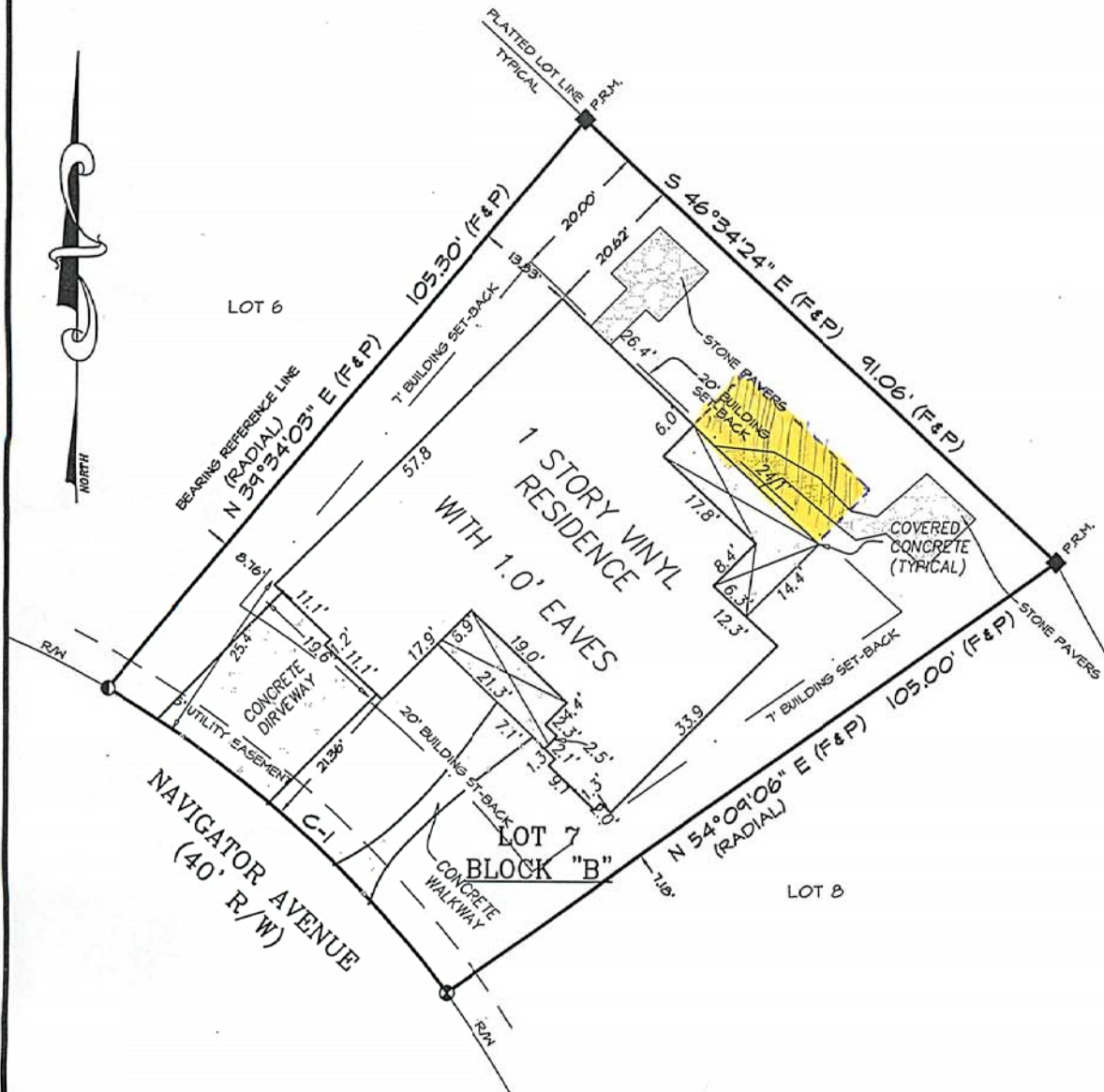
JOB NO.: 10-14503-15

REQUESTED BY: MARY KNOWLES

DATE: AUGUST 18, 2015

PROPERTY ADDRESS: 3470 NAVIGATOR AVENUE

SCALE: 1"=20'



## BOUNDARY SURVEY WITH IMPROVEMENTS

SHEET 1 OF 2

\*MEASUREMENTS MADE TO UNITED STATES STANDARDS\*

P.C.: RM DRAFTED: JAS TYPED: JAS CHECKED: FRT

DESCRIPTION: LOT 7, BLOCK B, WINDWARD COVE SUBDIVISION, PHASE A-1

SEC. 7, TWP. 3S, RGE. 32W, ESCAMBIA COUNTY, STATE OF FLORIDA.

RECORDED PLAT BOOK 17, PAGE 42. \*THE ENCROACHMENTS ARE AS SHOWN\*

FIELD DATE: 7/18/15, FIELD BOOK: RM6, PG. 69

NORTHWEST FLORIDA LAND SURVEYING, INC.  
FLORIDA CORPORATION NUMBER 7277

*Fred R. Thompson* 8/10/15  
FRED R. THOMPSON, PROFESSIONAL LAND SURVEYOR  
FLORIDA REGISTRATION NUMBER 3027 STATE OF FLORIDA

REVISIONS:

*Copy of original  
7/11/15 etc*

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

**Board of Adjustment****6. B.**

**Meeting Date:** 08/15/2018  
**CASE:** CU-2018-13  
**APPLICANT:** Robert Cunningham, P.E., Agent for First Baptist Church Cantonment  
**ADDRESS:** 200 BLK of Morris Avenue  
**PROPERTY REFERENCE NO.:** 10-1N-31-4101-000-028  
**ZONING DISTRICT:** LDR, Low Density Residential district  
**FUTURE LAND USE:** MU-S, Mixed-Use Suburban  
**OVERLAY DISTRICT:** Cantonment

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**SUBMISSION DATA:****REQUESTED CONDITIONAL USE:**

Request a Conditional Use to construct a place of worship in LDR

**RELEVANT AUTHORITY:**

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended),  
Section:3-2.5 (c) (20 e. Places of worship

**CRITERIA:**

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended),  
Section 2-6.4

**CRITERION (a)**

**General compatibility.** The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area.

**FINDINGS-OF-FACT:**

Staff's review of the surrounding zoning, land uses and intensities reveals a predominant low-density residential character within the adjacent properties and the general area. The original church building, across the street, was built and in existence since 1965, based on Escambia County Property Appraiser's public records.

**CRITERION (b)**

**Facilities and services.** Public facilities and services, especially those with adopted levels of service, will be available, will provide adequate capacity to serve the proposed use consistent with capacity requirements.

**FINDINGS-OF-FACT:**

Based on the applicant's documentation, all public utilities are available for the proposed

building site and have the necessary capacity to support the development. All proposed facilities and services will be reviewed and must comply with current Land Development Code (LDC) regulations during the Site Plan Review process.

#### **CRITERION (c)**

**On-site circulation. Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access.**

#### **FINDINGS-OF-FACT:**

The applicant provided language that specifically address the location of ingress and egress, traffic flow, on-site parking and emergency vehicle access with the Conditional Use application, including proposed site plans for the development; however, all of the requirements under on-site circulation criteria will be evaluated by the respective agencies during the Site Plan review process, for compliance with the current development requirements from the LDC.

#### **CRITERION (d)**

**Nuisances and hazards. The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.**

#### **FINDINGS-OF-FACT:**

It is not expected that the proposed use will have a negative impact on the surrounding area, once constructed. The applicant has identified and addressed near-term construction associated nuisance issues. During the Site Plan Review process, short and long term nuisances and hazards will be address against the LDC regulations.

#### **CRITERION (e)**

**Solid waste. All on site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts.**

#### **FINDINGS-OF-FACT:**

The location, design, use and odor control requirements for solid waste collection and disposal will be reviewed during the Site Plan Review process. The applicant did state that the site design for the storage, location and screening of on-site solid waste will adhere to current LDC regulations.

#### **CRITERION (f)**

**Screening and buffering.** Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site.

**FINDINGS OF FACT:**

Screening and buffering requirements will be reviewed and implemented for the project during the Site Plan Review process, based on the current LDC regulations.

**CRITERION (g)**

**Signs and lighting.** All exterior signs and lights, whether attached or freestanding, will be compatible with adjoining properties and other properties in the immediate area, especially regarding glare and traffic safety.

**FINDINGS OF FACT:**

Any signs for the proposed development will need to be reviewed and permitted thru the normal process. All exterior lights will be shown on the site plan and will be reviewed during the Site Plan Review process.

**CRITERION (h)**

**Site characteristics.** The size, shape, location and topography of the site appear adequate to accommodate the proposed use, including setbacks, intensity, bulk, height, open space and aesthetic considerations .

**FINDINGS OF FACT:**

Based on the public records of Escambia County Property Appraiser, the 8 acre parcel for the proposed development should adequately accommodate the proposed use and all of the necessary infrastructure. All of the development requirements will be reviewed against the current LDC regulations.

**CRITERION (i)**

**Use requirements.** The proposed use complies with any additional conditional use requirements of the applicable zoning district, use, or other provisions of the LDC.

**FINDINGS OF FACT:**

There are no additional Conditional Use requirements designated for places of worship.

**STAFF FINDINGS**

Staff recommends approval of the Conditional Use for a place of worship in LDR. The applicant will submit a formal DRC application and must receive a Development Order or receive the necessary permits prior to commencing any land disturbance activities.

**BOA DECISION**

**BOARD OF ADJUSTMENT FINDINGS**

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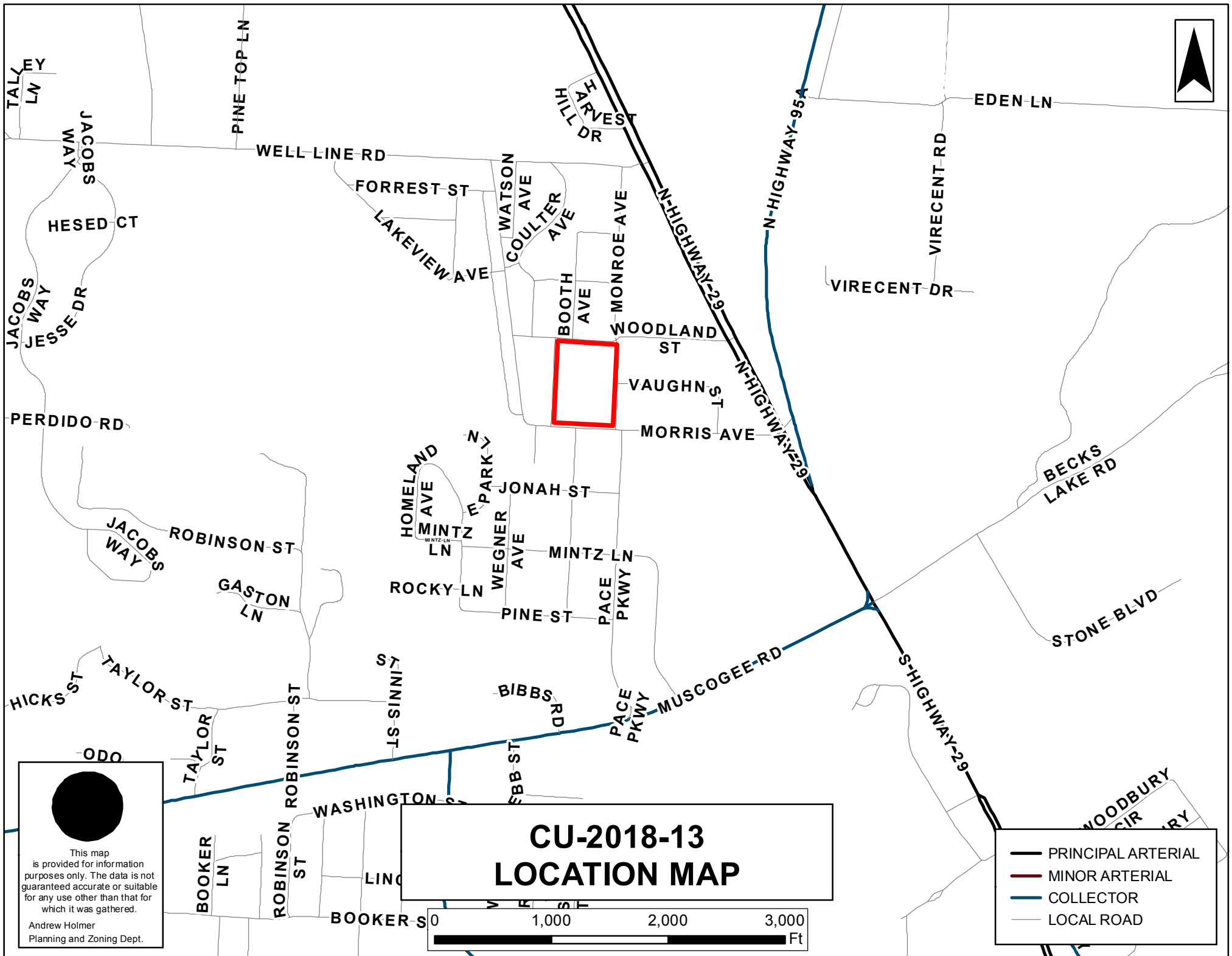
## Attachments

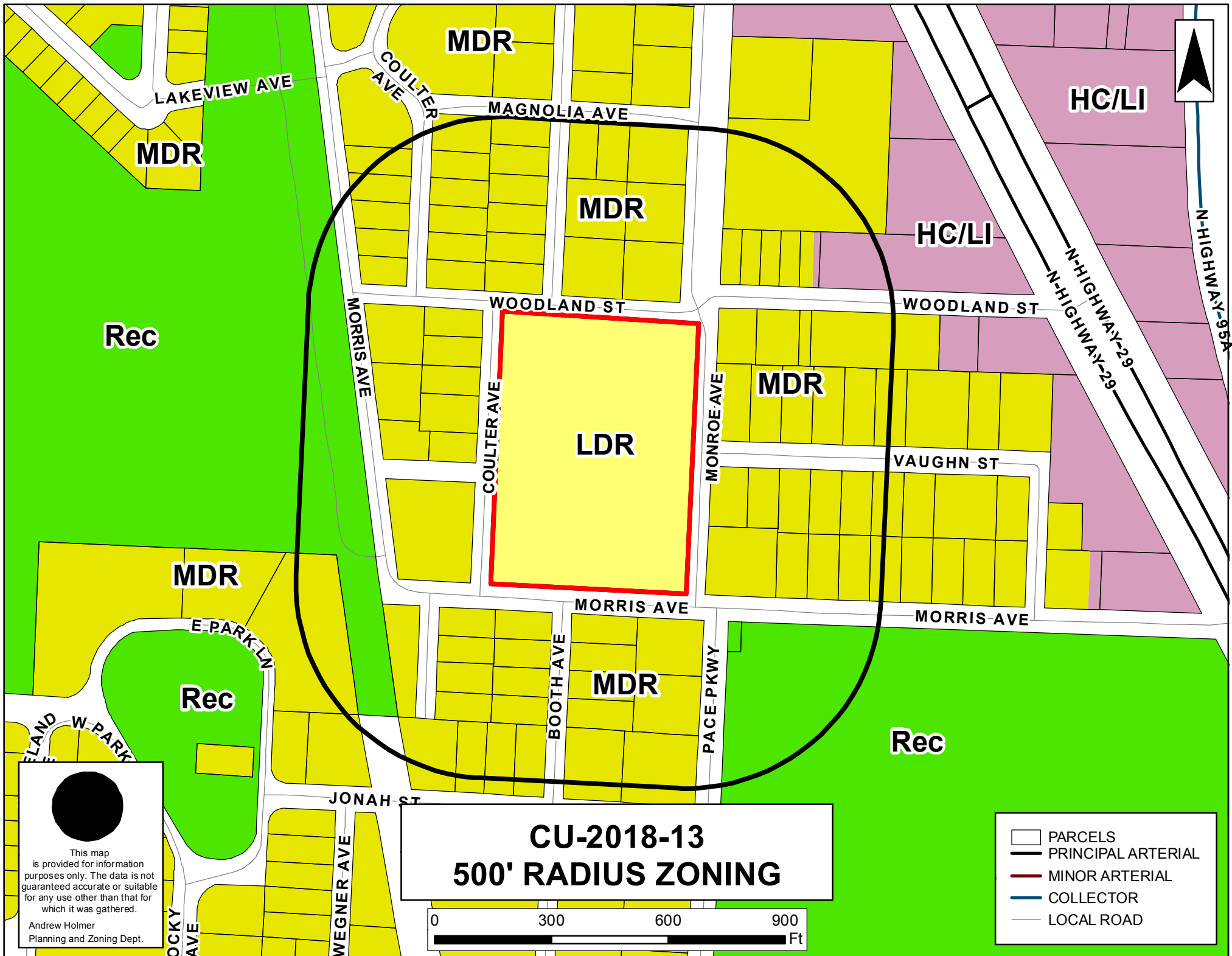
Working Case File

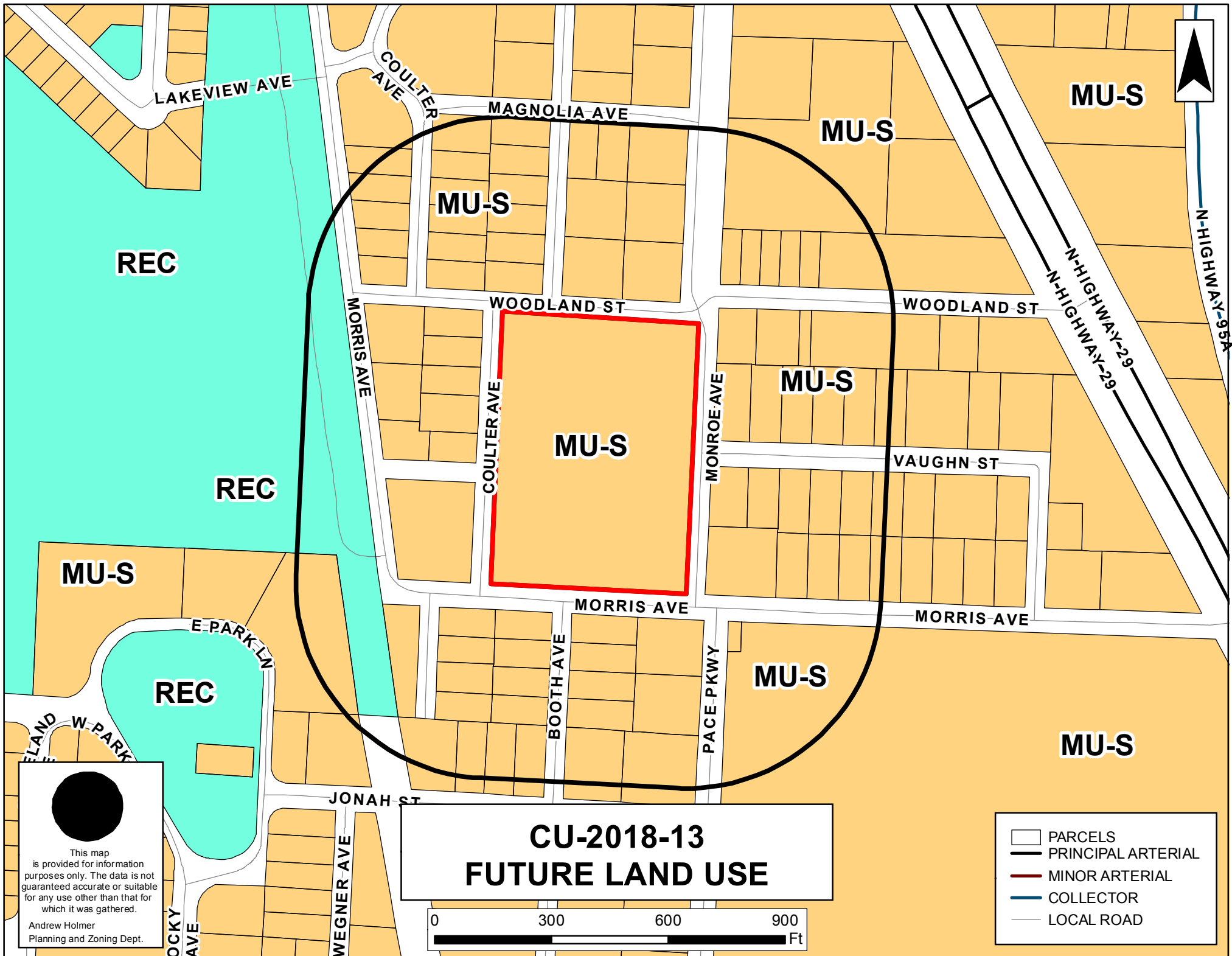
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**CU-2018-13**







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.

## CU-2018-13 AERIAL MAP

0 150 300 450  
Ft

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





# NOTICE OF PUBLIC HEARING BOARD OF ADJUSTMENT

**TYPE OF REQUEST:** **CONDITIONAL USE**

**CASE NO:** **CU-2018-13**

**DATE:** **08/15/18** **TIME:** **8:30 AM**

## LOCATION OF HEARING

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

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

PLEASE  
PROPERTY OF ESCAMBIA COUNTY

**PUBLIC HEARING SIGN**





LOOKING NORTH ONTO MONROE AVE





LOOKING EAST ACROSS MONROE AVE  
ONTO EXISTING CHURCH PARCEL





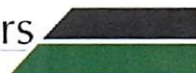
LOOKING SOUTH ACROSS MONROE AVE





LOOKING NORTHWEST ACROSS  
PROPERTY FROM MONROE AVE





Tuesday July 10, 2018

**Escambia County Planning and Zoning**

Development Services Department  
3363 West Park Place  
Pensacola, Florida 32505

**RE: Conditional Use – Board of Adjustment Application  
First Baptist Church Cantonment  
298 Morris Avenue  
Cantonment, FL 32533  
Parcel No. 10-1N-31-4101-000-028  
Project Number: 18061922PSP-PA**

Mr. John Fisher

Thank you for your help and assistance that you provided for us in putting together the completed Conditional Use BOA Application required for the above reference project.

Please find attached with this transmittal letter the following items as part of the submittal package for the Conditional Use.

1. Escambia County Planning and Zoning – Board of Adjustment Application for Conditional Use
  - a. Completed Hand-Written BOA Application (Pages 2-9)
  - b. Four (4) Supplemental Sheets with Typed Responses for the following items:
    - 1) Item 3.A on Page 3 of BOA Application
    - 2) Item C.1 and C.2 on Page 5 of BOA Application
    - 3) Item C.3, C.4, C.5 and C.6 on Page 6 of BOA Application
    - 4) Item C.7, C.8 and C.9 on Page 7 of BOA Application
2. Site Plan Drawings Including the following:
  - a. Overall Boundary Survey (50 Scale)
  - b. Overall As-Built Topographic Survey (50 Scale)
  - c. Overall Site Layout Plan: (50 Scale)
  - d. Large Scale Site Plan – Building & Parking Layout Plan: (30 Scale)
  - e. Large Scale Site Plan – Ball Field & Detention Pond Plan: (30 Scale)
3. BOA – Conditional Use Check Payable to Escambia County: \$1,275.50

If you should need anything else, please us know.

Respectfully,

Robert C (Cleve) Cunningham, P.E.

**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>

**Board of Adjustment Application**

FOR OFFICE USE ONLY - Case Number CU-2018-13 Accepted by: Alain BOA Meeting: 8/16/18

Conditional Use Request for: First Baptist Church Cantonment

Variance Request for: NA

**1. Contact Information:**

A. Property Owner/Applicant: First Baptist Church Cantonment

Mailing Address: 118 Morris Avenue

Business Phone: 850-968-9135 Cell: 850-982-6081 (Lynn Berry)

Email: glberry@panhandle.rr.com

B. Authorized Agent (if applicable): Cunningham & Co. Engineers (Robert C. Cunningham, PE)

Mailing Address: 435 2<sup>nd</sup> Street, Suite 201

Business Phone: 478-742-3616 Cell: 478-808-9005

Email: cleve@cunningham-pe.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: 298 Morris Avenue

Parcel ID (s): 10-1N-31-4101-000-028

B. Total acreage of the subject property: 8.03 AC.

C. Existing Zoning: LDR

FLU Category: Mixed Use Suburban

D. Is the subject property developed (if yes, explain): No - Currently exists as recreational ballfield and overflow parking for church

E. Sanitary Sewer: ✓ Septic:

**3. Amendment Request**

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

See Supplemental Sheet Attachment

- B. For Variance Request – Please address **ALL** the following approval conditions for your Variance request. (use supplement sheets as needed)

1. Special conditions and circumstances exist which are peculiar to the land, structure or building and which are not applicable to other lands, structures or buildings in the same zoning district.

NA

2. The special conditions and circumstances do not result from the actions of the applicant.

NA



3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this land development code to other lands, buildings or structures in the same zoning district.

NA

4. Strict application of the provisions of the land development code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code and would create an unnecessary and undue hardship on the applicant.

NA

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

NA

6. The granting of the variance will be consistent with the general intent and purpose of the land development code and that such variance will not be injurious to the area or otherwise detrimental to the public welfare.

NA

**C. For Conditional Use Request – Please address *ALL* the following approval conditions for your Conditional Use request. (use supplement sheets as needed)**

- 1. General compatibility.** The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area. *If this is for the sale of alcohol within a 1000 ft of a place of worship or child care facility; please explain a-e below: a.) The existing times of use of the places of worship or child care facilities coincide with the hours of operation of the subject business b.) The 1000-foot minimum distance is not achieved. c.) The conflicting uses are visible to each other. d.) Any on-premises consumption is outdoors. e.) Any conditions or circumstances mitigate any incompatibility.*

*See Supplemental Sheet Attachment*

- 2. Facilities and services.** Public facilities and services, especially those with adopted levels of service, will be available, will provide adequate capacity to serve the proposed use consistent with capacity requirements.

*See Supplemental Sheet Attachment*



3. **On-site circulation.** Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access.

See Supplemental Sheet Attachment

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4. **Nuisances and hazards.** The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.

See Supplemental Sheet Attachment

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5. **Solid waste.** All on-site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts.

See Supplemental Sheet Attachment

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6. **Screening and buffering.** Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site.

See Supplemental Sheet Attachment

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7. **Signs and lighting.** All exterior signs and lights, whether attached or freestanding, will be compatible with adjoining properties and other properties in the immediate area, especially regarding glare and traffic safety.

See Supplemental Sheet Attachment

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8. **Site characteristics.** The size, shape, location and topography of the site appear adequate to accommodate the proposed use, including setbacks, intensity, bulk, height, open space and aesthetic considerations.

See Supplemental Sheet Attachment

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9. **Use requirements.** The proposed use complies with any additional conditional use requirements of the applicable zoning district, use, or other provisions of the LDC.

See Supplemental Sheet Attachment

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4. **Please complete the following form (if applicable): Affidavit of Owner/Limited Power of Attorney**

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

As owner of the property located at 298 Morris Avenue  
Cantonment, Florida, property reference number(s) Parcel No. 10-1N-31-4101-000-028

I hereby designate Robert C. (Cleve) Cunningham, PE for the sole purpose of completing this application and making a presentation to the Board of Adjustment on the above referenced property. This Limited Power of Attorney is granted on this 10 day of July the year of, 2018, and is effective until 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 Department.

Agent Name: Robert C. Cunningham  
Email: cleve@cunningham-pe.com

Address: 435 2nd Street Suite 201  
Macon, GA. 31201 Phone: 478-808-9005

<u>Gary L Berry</u>	<u>Gary L Berry</u>	<u>7/9/2018</u>
<u>Terry W. Gray</u>	<u>TERRY W GRAY</u>	<u>7/9/2018</u>
Signature of Property Owner	Printed Name of Property Owner	Date

<u>Jack Boutwell</u>	<u>Jack Boutwell</u>	<u>7/9/2018</u>
<u>Charles Driver</u>	<u>Charles Driver</u>	<u>7/9/2018</u>
STATE OF <u>Florida</u>	COUNTY OF <u>Escambia</u>	

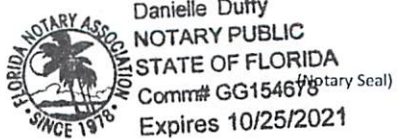
The foregoing instrument was acknowledged before me this 9 day of July 2018,  
by Gary Lynn Berry, Terry W. Gray, Jack Boutwell,  
Charlie Driver

FLDL D616155860170  
FLDL B340425481410  
FLDL G600819520160  
FLDL B600292623230

Personally Known ☐ OR Produced Identification ☒ Type of Identification Produced: FLDL B600292623230

Danielle Duffy  
Signature of Notary

Danielle Duffy  
Printed Name of Notary



## 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/board-adjustment> or contact us at 595-3475.

**Note:** Fees include 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. ✓ 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 place a public notice sign(s) on the property referenced herein.; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Department.

Robert C. Cunningham  
Signature of Owner/Agent

Robert C. Cunningham  
Printed Name of Owner/Agent

STATE OF Georgia COUNTY OF Bibb The foregoing instrument  
was acknowledged before me this 5th day of July of

2018, by Robert C. Cunningham

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

Arnevia L. Pryor  
Signature of Notary

Arnevia L. Pryor  
Printed Name of Notary



(Notary Seal)



**Supplemental Sheets - Written Response Attachment: (Pages 3, 5, 6 and 7 Only)**

**Escambia County Planning and Zoning**

Development Services Department

3363 West Park Place

Pensacola, Florida 32505

**Board of Adjustment Application – First Baptist Church Cantonment**

**Page 3 – (Supplemental Sheet)**

**3. Amendment Request**

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

**Response:**

**General Description of Proposed Request:**

- A. The proposed project is to construct a new church building approximately 19,000 SF in size, including a worship assembly auditorium space of 4,420 SF; other interior spaces include adult and children classrooms, music room, restrooms, mechanical/electrical rooms, etc. Paved parking lot including approximately 131 spaces will be provided with parking along the front and two sides of the building.
- B. The new building and parking location will be located at the southern end of the vacant property, leaving undisturbed the existing recreational ballfield located within the northern half of the 8 acres property.

**Explanation/Reasons/Appropriateness for the Proposed Request:**

- A. The Existing First Baptist Church Building located at 118 Morris Avenue has been in existence for the past 60 plus years.
- B. The church purchased the 8 acres vacant property located at 298 Morris Avenue approximately 15 years ago, with the vision and foresight of this property one day to be developed as their new church building site. The church has been growing and now has a need to expand and build a new church building to accommodate the growing needs of its increasing number of members.

**Page 5 – (Supplemental Sheet)**

***C. For Conditional Use Request – Please address ALL the following approval conditions for your Conditional Use request. (use supplemental sheets as needed).***

***1. General compatibility. The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area.***

**(NOTE: This Conditional Use Request is not related to alcohol sales)**

**Response:**

- A. The proposed use, (new church building and associated paved parking), can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area.
- B. Presently, the existing worship building/facilities and associated parking is located directly across the street from the proposed church building project site. The existing church for the past several decades has been conducting and operating their church services within this existing residential community, with some members residing in this neighboring community.

- C. Once the new church building project is completed, the church will continue their worship services in their new facility, conducting and operating their services in the same manner as the past years. For the foreseeable future, the existing church building will remain in place and will be utilized for off-site office space and or various activities.

**2. Facilities and services.** *Public facilities and services, especially those with adopted levels of service, will be available, will provide adequate capacity to serve the proposed use consistent with capacity requirements.*

**Response:**

Public Utilities, including, sanitary sewer, domestic water, power, and gas are available adjacent to the proposed project site, and have sufficient capacity for the proposed use.

Sewer:

Gravity Sanitary Sewer mains and manholes are located within the public right of way of both Culter Avenue and Monroe Avenue. Verified capacity with ECUA.

Water:

Domestic Water mains and fire hydrants are located within the public right of way of all four streets surrounding the proposed project site. Verified capacity with ECUA.

Power:

Overhead Power and power poles are located within the public right of way of all four streets surrounding the proposed project site.

Gas:

Underground gas mains are located within the public right of way of all four streets surrounding the proposed project site.

**Page 6 – (Supplemental Sheet)**

**3. On-site circulation.** *Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access.*

**Response:**

- A. The proposed project has been designed to include a total of three (3) commercial driveways to provide proper and accessible ingress and egress for vehicles, emergency vehicles and fire trucks; driveway radius for each driveway has been designed to accommodate emergency vehicles. Centerline painted striping will be provided for each driveway to allow for efficient traffic flow. Stops signs and painted stop bars will also be provided for each driveway.
- B. Emergency Vehicles/Fire truck access is provided on all four sides of the proposed church building, with drive isles being a minimum of 24-feet wide.
- C. Parking spaces for members and visitors are provided along the front and two sides of the proposed church building, with concrete sidewalks abutting the parking spaces adjacent to the building.
- D. Sidewalks are extended to the front door and the two side doors, allowing for easy ingress and egress of members/visitors.



**Page 6 Continued – (Supplemental Sheet)**

**4. Nuisances and hazards.** *The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.*

**Response:**

- A. The scale and intensity of this project will be designed to not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and or other properties in the immediate area.
- B. The completed construction project will include approximately 2.5 acres of impervious surface materials, consisting approximately 0.45 acres of building area and 2.05 acres of paved parking lot area; the remaining 5.5 acres will be maintained as grassed lawns, ball field, and master detention pond.
- C. Any noise, dust, odor, and or vibration associated with this project will be related to the normal construction activities during the estimated 6 to 9 months construction period. Best Management Practices (BMP's) will be implemented during the construction phase to minimize several of these items.
- D. The final completed project will not generate any unreasonable noise, glare, dust, smoke odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and or other properties in the immediate area.
- E. The church will continue to utilize the outdoor recreational ball field located just north of the new building, as it has in the past, mostly on the weekends and afternoons, with typical noise associated with fun and games enjoyed by all.

**5. Solid Waste.** *All on-site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts.*

**Response:**

- A. Dumpster Pad for solid waste material for the church will be located near the back corner of the church building and will be screened and enclosed, typical for most commercial dumpsters, with trash pick-up scheduled weekly. All code design requirements related to dumpster design will be strictly adhered to.

**6. Screening and buffering.** *Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site.*

**Response:**

Screening and buffering will be provided for this project in conformance to the LDC Design Requirements including perimeter and interior landscaping for parking lots and dumpster enclosures, etc.

Any additional screening and buffering will be included for this project, if deemed appropriate for this project by the local governing and planning agencies.

**Page 7 – (Supplemental Sheet)**

**7. Signs and lighting.** *All exterior signs and lights, whether attached or freestanding, will be compatible with adjoining properties and other properties in the immediate area, especially regarding glare and traffic safety.*

**Response:**

- A. Any and all new church signs will be coordinated with the local design requirements for Escambia County and will be located to avoid any traffic safety sight issues.
- B. Any and all site lighting will be designed and coordinated with local power company/provider to ensure that no site lighting “glares” and or “off-site spillage” will occur.

**8. Site characteristics.** *The size, shape, location and topography of the site appear adequate to accommodate the proposed use, including setbacks, intensity, bulk, height, open space and aesthetic considerations.*

**Response:**

- A. The rectangular geometric shape of the property and the existing topography of the land are very adequate to accommodate the proposed church building and parking lot project, while retaining and maintaining the existing recreational ball field during construction.
- B. The overall property size dimensions are essentially 500-feet wide by 700-feet in length, which is very spacious for the proposed project. The building and parking lot has been designed to be centrally located within the southern half of the property, allowing for the building setbacks to be greatly exceeded for the front, sides and rear yards.
- C. The total imperious area for this project is approximately 2.5 acres, which yields a gracious open green space area of almost 70 percent; the open green space will be vegetated, grassed and provided with underground sprinkler system around the immediate area of the building and parking, thus creating a positive aesthetic appeal to the developed property.
- D. The site topography indicates that the highest elevation of the property is near the southwest corner of the property, with natural storm water run-off sheet flowing across the property in a northeasterly direction and exiting the property at the lowest elevation near the northeast corner of the property. There is approximately 15-feet of grade change across the church property over a distance of approximately 700-feet.
- E. The site topography is adequate to design one master detention pond located along the northern property line, providing for both water quantity and water quality for the proposed church project and any future impervious additions.
- F. The maximum building height is proposed to be less than 35-feet.

**9. Use requirements.** *The proposed use complies with any additional conditional use requirements of the applicable zoning district, use, or other provisions of the LDC.*

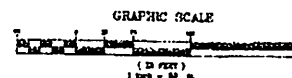
**Response:**

The proposed church building project use complies with the conditional use requirements for the existing LDC Zoning as set forth in Chapter 3, Section 2.5.





A PORTION OF FIRST HARVESTERS HOMES  
ADDITION UNIT NO. 2, BEING A PORTION OF SECTION 10,  
TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY,  
FLORIDA.



A PORTION OF BLOCK "C" OF FIRST HARRISBURG IN THE ACRES, LOT NO. 2, A TOWNSHIP OF A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 16, AND THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 1 WEST, ESCROW COUNTY, FLORIDA AND ACRES PRACTICALLY AS DESCRIBED AS FOLLOWS:

THE REAR 200 FEET OF BLOCK "C" OF SECTION 16, AS SET FORTH IN PLAT BOOK 2, JUNE 2, JANUARY 2, 1942 AND ALSO

A PORTION OF BLOCK "B" OF FIRST NINETEENTH STREET ADDITIVE UNIT NO. 2, A WEDGESHAP OF A PORTION OF THE EAST HALF OF THE NINETEENTH STREET OF SECTION 30 AND THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 10 WEST, CLAY COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 30 FEET OF THE NORTH 300 FEET OF BLOCK "B" IS RECORDED IN PLAT BOOK 3, AT 100 PAGES, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826,

AND ALSO  
LOCATED AT THE FIELD, NO SHOTS ON THE SECOND PLAT OF FIRST: HUNTERS HOME ACTION  
UNIT NO. 2, INTO A SIGHTING OF A BUNCH OF BUNCH 10, TURNED 1 ACRES, 2 ACRES 3 ACRES  
FLORIDA COUNTY, FLORIDA: AS RECORDED IN PLAT BOOK 3 AT PAGE 2 OF THE PLAT, RECORDS IN  
SAND COUNTY.

1.) THE NORTH ARROW AND DEBARREN AT SHAWN HOLLOW ARE REFERENCED TO THE  
ASSEMBLY CORNER OF NORTH GO FIELDS GO MINUTES GO SPUR ROAD EAST ALONG  
THE EASTLY RIGHT OF WAY LINE OF CLYDE AVENUE (SIC P/W) AS PER THE  
SECOND PLAT OF "FIRST HARMERSLEY HOMEY ACITION UNIT NO. 2" AS RECORDED  
IN PLAT BOOK 3, AT PAGE 2. OF THE PUBLIC RECORDS OF ESCAMBA COUNTY,  
FLORIDA.

- [illegible]

[illegible]

THAT THE AGENCY DOESN'T EVEN MEET THE FLORIDA MEDICAL  
TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL  
SURVEYORS & MEASURES IN THE STATE OF FLORIDA, ACCORDING TO  
FLORIDA ADMINISTRATIVE CODE, CHAPTER 61G77-8, PURSUANT TO  
CHAPTER 472.007, FLORIDA STATUTES.

**MERRILL PARKER SHAW, INC.**  
4020 N. DAVIS HIGHWAY, PENSACOLA, FL 32503

THOMAS A. SHAW, PROFESSIONAL SURVEYOR & MAPPER  
REGISTRATION NUMBER 5909 CORPORATE NUMBER 719  
STATE OF FLORIDA

THE NEW YORK PUBLIC LIBRARY

THEODORE R SWAN, P.S.M. NO. 2833, COMPTONITE NO. 7176, STATE OF FLORIDA

**METTRALL PARKER SHAW, INC.**

## BOUNDARY SURVEY WITH IMPROVEMENTS:

03-93

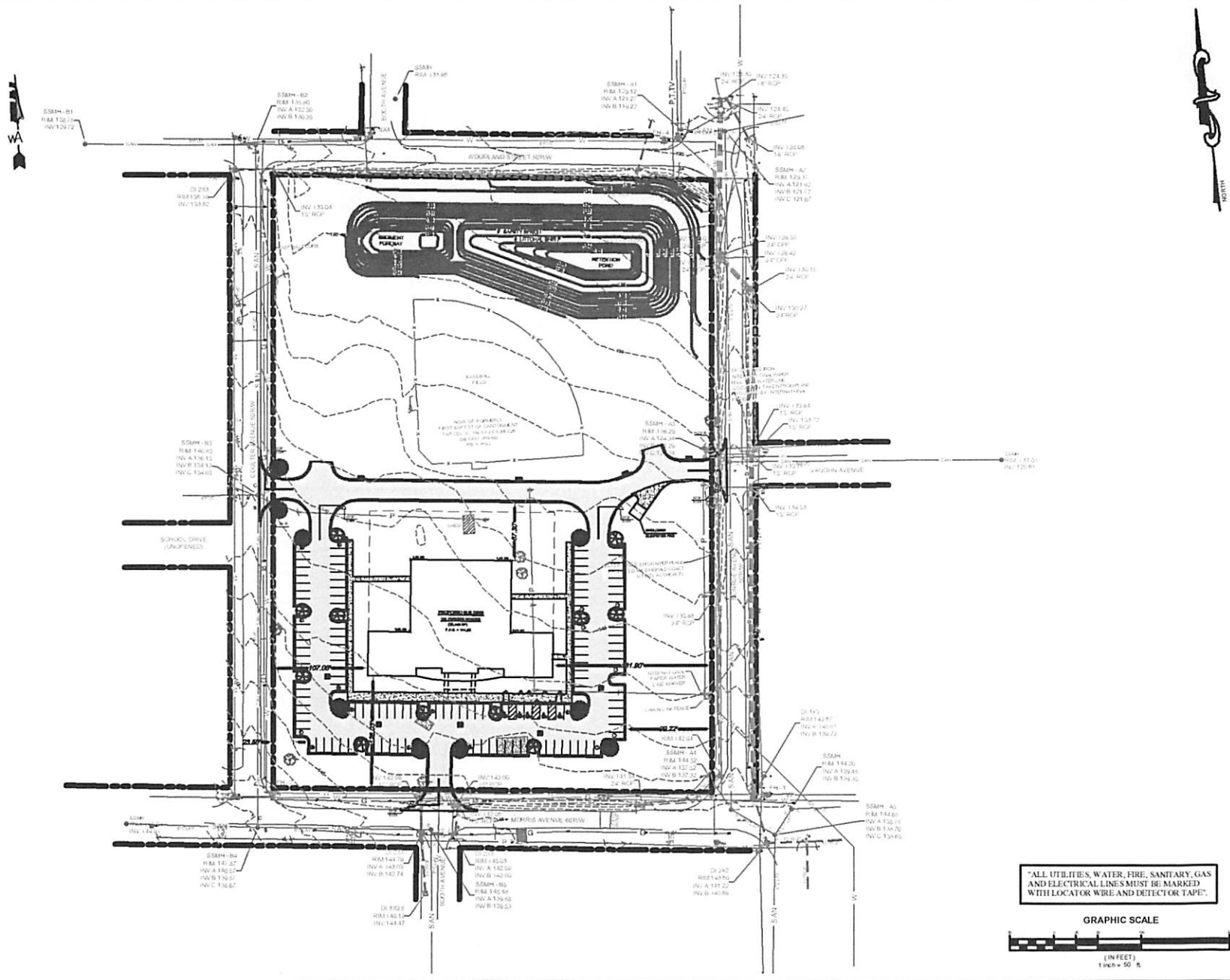
ADDITION UNIT NO. 2, BEING A PORTION OF SECTION 10,  
TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBA COUNTY,  
A PORTION OF FIRST HARVESTERS H&M-23

REQUESTED BY: LAMAR WIGGINS

7







PROPOSED WORSHIP FACILITY  
296 MORRIS AVENUE  
CANTONMENT, FLORIDA  
FOR  
FIRST BAPTIST CANTONMENT

Cunningham & Co. Engineers  
CIVIL ENGINEERING - CONSULTING - PROJECT MANAGEMENT  
OFFICE 478 742 2618  
435 SECOND AVENUE, SUITE 201  
MACON, GEORGIA 31201  
FAX 478 742 2608



REVISIONS

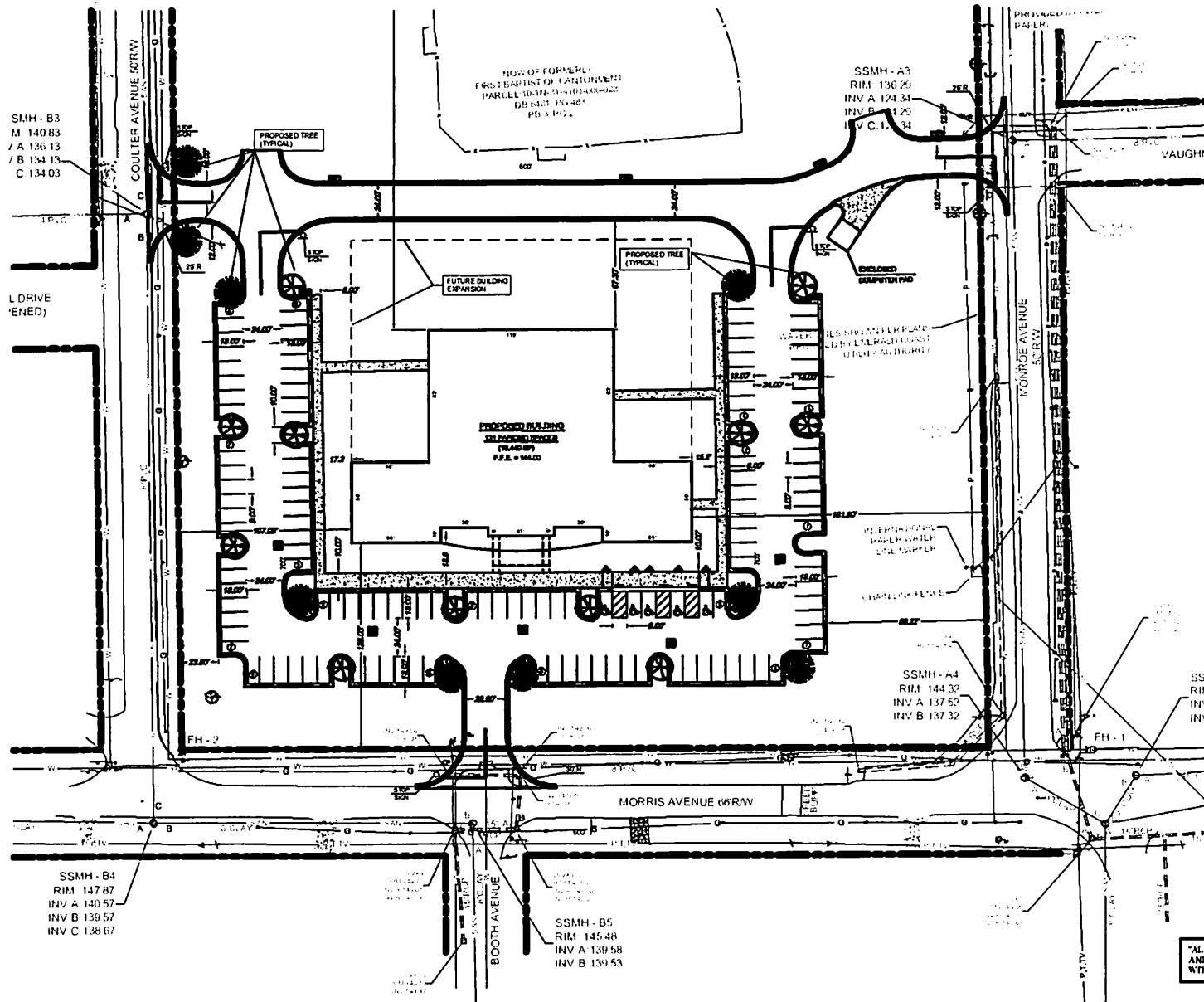
DATE 7-25-18  
DRAWN BY 1727  
CHECKED BY HCC



OVERALL  
SITE PLAN

C-2.0

UNAPPROVED BY



PROPOSED WORSHIP FACILITY  
MORRIS AVENUE  
CANTONMENT, FLORIDA  
FOR  
FIRST BAPTIST CANTONMENT

**Cunningham & Co. Engineers**  
CIVIL ENGINEERING - CONSULTING - PROJECT MANAGEMENT  
435 SECOND STREET, SUITE 201  
MACON, GEORGIA 31201  
OFFICE 706/423-916  
FAX 706/423-900



REVISIONS	
DATE	7-5-13
PROJ/NO	1777
DRAWN BY	MC



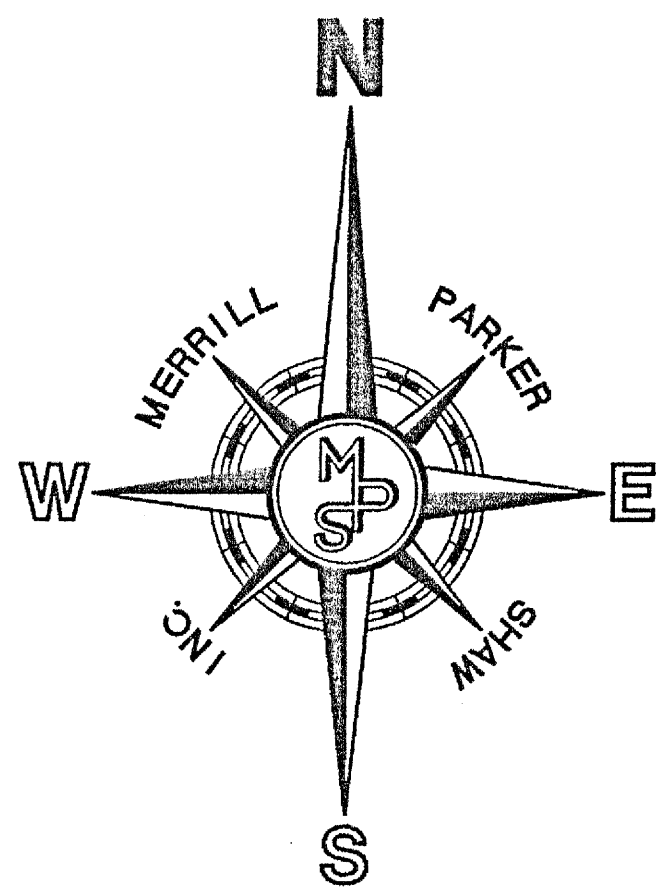
SITE  
PLAN

C-5.0



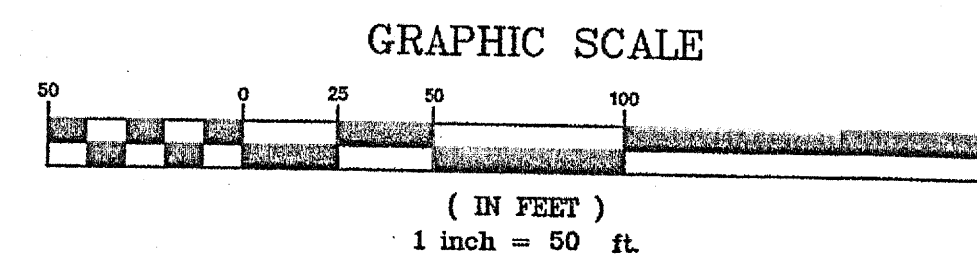


MP



# BOUNDARY SURVEY WITH IMPROVEMENTS:

A PORTION OF FIRST HARVESTERS HOMES  
ADDITION UNIT NO. 2, BEING A PORTION OF SECTION 10,  
TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY,  
FLORIDA.



## DESCRIPTION: (AS FURNISHED)

A PORTION OF BLOCK "Q" OF FIRST HARVESTERS HOMES ADDITION, UNIT NO. 2. A SUBDIVISION OF A PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 10, AND THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE SOUTH 200 FEET OF BLOCK "Q" AS RECORDED IN PLAT BOOK 3, AT PAGE 2, JANUARY 22, 1952 OF RECORDS OF ESCAMBIA COUNTY, FLORIDA.

AND ALSO:  
A PORTION OF BLOCK "Q" OF FIRST HARVESTERS HOMES ADDITION, UNIT NO. 2. A SUBDIVISION OF A PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 10, AND THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE NORTH 50 FEET OF THE SOUTH 250 FEET OF BLOCK "Q" AS RECORDED IN PLAT BOOK 3, AT PAGE 2, JANUARY 22, 1952 OF RECORDS OF ESCAMBIA COUNTY, FLORIDA, SUBJECT TO ALL CLAIMS OF THIRD PARTIES ARISING OUT OF VALID AND SUBSISTING EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY, CONDITIONS, EXCEPTIONS, RESERVATIONS, AND COVENANTS.

AND ALSO:  
BOOTH ATHLETIC FIELD, AS SHOWN ON THE RECORD PLAT OF FIRST HARVESTERS HOMES ADDITION UNIT NO. 2, BEING A SUBDIVISION OF A PORTION OF SECTION 10, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA; AS RECORDED IN PLAT BOOK 3 AT PAGE 2 OF THE PUBLIC RECORDS OF SAID COUNTY.

## SURVEYOR'S NOTES:

- 1) THE NORTH ARROW AND BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE EASTERLY RIGHT OF WAY LINE OF CULTER AVENUE (50' R/W) AS PER THE RECORD PLAT OF "FIRST HARVESTERS HOMES ADDITION UNIT NO. 2" AS RECORDED IN PLAT BOOK 3, AT PAGE 2, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- 2) SOURCE OF INFORMATION: THE DESCRIPTION AS FURNISHED BY CLIENT, THE RECORD PLAT OF "FIRST HARVESTERS HOMES ADDITION UNIT NO. 2" AS RECORDED IN PLAT BOOK 3, AT PAGE 2, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, AND EXISTING FIELD MONUMENTATION.
- 3) NO TITLE SEARCH WAS PERFORMED BY OR FURNISHED TO MERRILL PARKER SHAW, INC. FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, RIGHTS-OF-WAY, EASEMENTS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, GOVERNMENTAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES AND/OR USE OF THE SUBJECT PROPERTY.
- 4) ONLY THE ABOVE GROUND VISIBLE ENCROACHMENTS AND IMPROVEMENTS WERE FIELD LOCATED AS SHOWN HEREON, UNLESS OTHERWISE NOTED. UNDERGROUND ENCROACHMENTS AND IMPROVEMENTS, IF ANY, WERE NOT FIELD LOCATED OR VERIFIED, UNLESS OTHERWISE NOTED.
- 5) THE DIMENSIONS OF THE BUILDINGS AS SHOWN HEREON ARE ALONG THE OUTSIDE FACE OF THE BUILDINGS AND DO NOT INCLUDE THE EAVES OVERHANG OR THE FOOTINGS OF THE FOUNDATIONS.
- 6) THE SURVEY AS SHOWN HEREON DOES NOT DETERMINE OWNERSHIP.
- 7) THE MEASUREMENTS MADE IN THE FIELD, INDICATED THUSLY (F), AS SHOWN HEREON WERE MADE IN ACCORDANCE WITH UNITED STATES STANDARDS.
- 8) 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 ANY OTHER TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER AND IS TO BE RETURNED UPON REQUEST.

## LEGEND:

- ~ 1" PLAIN IRON PIPE, UNNUMBERED (FOUND)
- ~ 1/2" PLAIN IRON ROD, UNNUMBERED (FOUND)
- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBER 0340 (FOUND)
- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBER 4153 (FOUND)
- ⊙ ~ 3/4" PLAIN IRON PIPE, UNNUMBERED (FOUND)
- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBER 4153 (FOUND)
- ~ 4"x4" PLAIN CONCRETE MONUMENT, NO NUMBER (FOUND)
- R/W ~ RIGHT OF WAY
- (D) ~ DEED INFORMATION
- (P) ~ PLATTED INFORMATION
- (F) ~ FIELD MEASUREMENT/INFORMATION

## CERTIFIED TO:

THAT THE SURVEY SHOWN HEREON MEETS THE FLORIDA MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN THE STATE OF FLORIDA, ACCORDING TO FLORIDA ADMINISTRATIVE CODE, CHAPTER 61G17-6, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

MERRILL PARKER SHAW, INC.  
4928 N. DAVIS HIGHWAY, PENSACOLA, FL 32503

*Theodore R. Shaw*  
THEODORE R. SHAW, PROFESSIONAL SURVEYOR & MAPPER  
REGISTRATION NUMBER 5939 CORPORATE NUMBER 7174  
STATE OF FLORIDA

COPYRIGHT © 2003 BY MERRILL PARKER SHAW, INC.

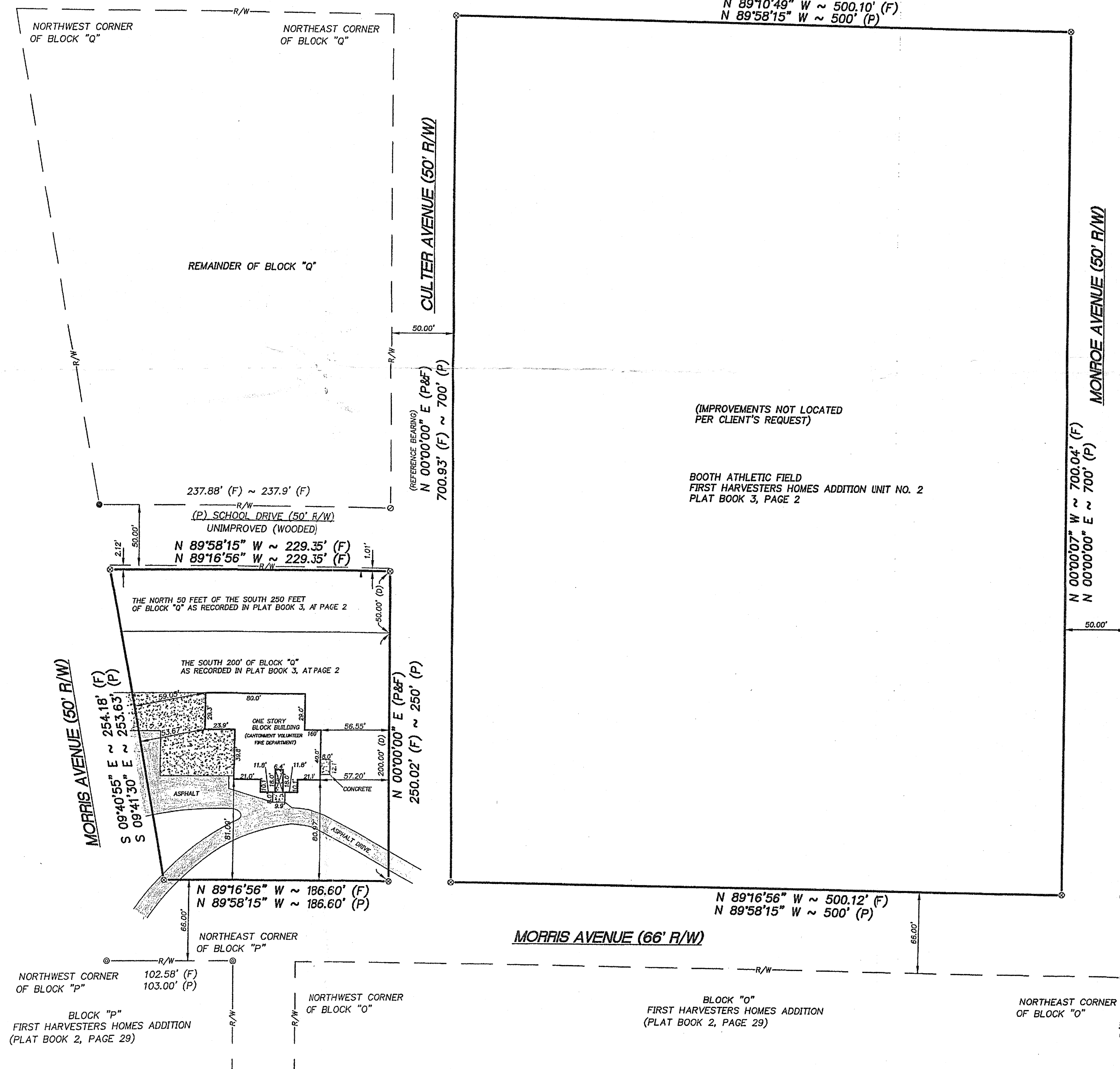
NO.	DATE	APPR.	REVISIONS:

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

THEODORE R. SHAW, P.S.M. NO. 5939, CORPORATE NO. 7174, STATE OF FLORIDA	MERRILL PARKER SHAW, INC. PROFESSIONAL ENGINEERING & SURVEYING SERVICES 4928 N. DAVIS HWY. PENSACOLA, FL 32503 TEL: (850) 478-4623 FAX: (850) 478-4624 FLORIDA CORPORATION NUMBER 7174	DATE: 07/16/03 FIELD BOOK: 29, PAGE 49-53
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BOUNDARY SURVEY WITH IMPROVEMENTS: A PORTION OF FIRST HARVESTERS HOMES ADDITION UNIT NO. 2, BEING A PORTION OF SECTION 10, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA.	REQUESTED BY: LAMAR WIGGINS PREPARED FOR: WIGGINS SUPPLY AND CONSTRUCTION COMPANY INC.
---	---

JOB NO. 03-950-1	SHEET 1 of 1
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**Chris Jones, CFA**  
**Escambia County Property Appraiser**  
221 Palafox Place Suite 300 , Pensacola, FL 32502-5836  
Phone (850) 434 - 2735 Fax (850) 435 - 9526



January 1, 2018

R 11-3186-000



FIRST BAPTIST OF CANTONMENT  
118 MORRIS AVE  
CANTONMENT, FL 32533

*Ballpark*

RE: Renewal of 2018 Ad Valorem Tax Exemption  
Real Property Account Number: 11-3186-000  
Parcel ID Number: 10-1N-31-4101-000-028  
Location Address: 200 BLK MORRIS AVE

Dear Taxpayer:

In prior years your organization has enjoyed an ad valorem tax exemption on the property referenced above. Florida Statutes allow the Property Appraiser to accept, in lieu of a completed application, an annual statement certifying the current use of the property.

Please assist us in renewing your organization's religious exemption. A "Religious Exemption Renewal and Certification of Use" form is on the reverse side of this letter. Please have the appropriate officer complete and sign this form. The following documents, if applicable, should accompany the renewal form:

1. Current Articles of Incorporation/Association or Constitution/Bylaws
2. Copy of any leases associated with this parcel, including daycares and schools
3. Copy of the previous year's fiscal records or financial documents
4. Statement of Salaries
5. Current Consumer's Certificate of Exemption, if applicable
6. Current proof of federal tax exempt status, if applicable

The signed renewal form and support documents, should be returned to our office by the filing deadline of March 1st. Upon receipt, our office will determine if the property qualifies for exemption renewal. **Failure to complete and return this form by March 1st will result in the loss of your organization's exemption.**

If your organization has acquired additional properties, which are used for an exempt purpose, you should contact the office and discuss the application process. The filing deadline for a current year's application is **March 1st**. You may apply at our main office at 221 Palafox Place Suite 300, in Pensacola, or our branch office at 6440 Highway 95 A North, Suite B, located in Molino.

Our office will gladly assist you with filing the renewal form and any new application. Should you have any questions, please call (850) 434-2735, ext. 152.

Sincerely,

Chris Jones, CFA  
ESCAMBIA COUNTY PROPERTY APPRAISER  
CJ/bs

Enclosure



# Religious Exemption Renewal and Certification of Use

Account Number: 11-3186-000

DOR Code: 0000

Building(s): 0

Year: 2018

Name: FIRST BAPTIST OF CANTONMENT

Situs: 200 BLK MORRIS AVE

Ballpark

1. Does your organization lease this property to a church, individual or group? ☐ YES ☒ NO

If "Yes", provide a copy of the current lease and the name of the tenant organization or person.

2. Is there a daycare or preschool in operation on this property? ☐ YES ☒ NO

If "Yes", provide the name of the organization and a copy of the current lease, if applicable.

3. Please provide the use of the each building on this property.

Building 1: \_\_\_\_\_ Building 3: \_\_\_\_\_

Building 2: \_\_\_\_\_ Building 4: \_\_\_\_\_

4. Please state the current use of the property, if the land is vacant.

Parking

5. Provide the current value of all furniture and equipment at this location: \$ 0

I do hereby certify the property identified above is currently used by the owner of record for the exempt purpose to which an ad valorem tax exemption was originally granted or as stated above. I further affirm the accuracy of the information provided on this renewal application. As the owner, officer or representative of the organization, I or we agree to immediately notify the Property Appraiser's office, in writing, of any changes in the exempt use, occupancy, control, ownership or lease of this property.

Please be advised that failure to report such changes could result in the loss of the religious exemption, per Florida Statutes Chapter 196.

Danielle Duffy  
Signature

1/4/18

Date Signed

850-968-9135

Phone Number

Danielle Duffy  
Print Name

Financial Secretary

Title or Position in the Organization

☐ Check the box if you want to update the organization's contact information below:

Update the mailing address: \_\_\_\_\_

Update alternate contact person: \_\_\_\_\_ Phone: \_\_\_\_\_





Team	Term	Members	Expiration Date
Stewardship Team	3 Yrs.	Jack Boutwell Keith Barry Terry Gray	12/31/2019 12/31/2018 12/31/2019

Baptism Team		Marcia Rollins Shirley Williams Charlie Driver Jeremy Jarvis	
--------------	--	---	--

Trustees	3 Yrs.	Terry Gray Jack Boutwell Lyn Berry Charlie Driver	12/31/2019 12/31/2020 12/31/2020 12/31/2020
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### Coordinators

Church Hostess	2 Yrs.	Lorene Fasnacht	12/31/2018
----------------	--------	-----------------	------------

Nursery/Preschool Ministry Team		Cindy Jarvis Megan Driver	
---------------------------------	--	------------------------------	--

<u>Wedding Coordinators</u>		Lynda Barnes Megan Driver Diana White	
-----------------------------	--	---	--

Updated 9/11/17

**Board of Adjustment****6. C.**

**Meeting Date:** 08/15/2018  
**CASE:** CU-2018-14  
**APPLICANT:** Wiley C. "Buddy" Page, Agent for Pace & Joran, LLC,  
C/O Ted Brown  
**ADDRESS:** 2115 N Pace Boulevard  
**PROPERTY REFERENCE NO.:** 17-2S-30-1500-010-029  
**ZONING DISTRICT:** HC/LI, Heavy Commercial and Light  
Industrial  
**FUTURE LAND USE:** MU-U, Mixed-Use Urban  
**OVERLAY DISTRICT:** Englewood

---

**SUBMISSION DATA:****REQUESTED CONDITIONAL USE:**

Conditional Use request to allow on-premise alcohol consumption within 1000' of a place of worship.

**RELEVANT AUTHORITY:**

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended),  
Section:4-7.5(e)

**CRITERIA:**

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended),  
Section 2-6.4. Sale of Alcohol, Section 4-7.5(e)

**CRITERION (a)**

**General compatibility.** The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area. As prescribed in the LDC 4-7.5 (e), the BOA shall review the following with regard to the condition of general compatibility:

1. The existing times of use of the places of worship or child care facilities coincide with the hours of operation of the subject business.
2. The 1000-foot minimum distance is not achieved.
3. The conflicting uses are visible to each other.
4. Any on-premises consumption is outdoors.
5. Any conditions or circumstances mitigate any incompatibility.

**FINDINGS-OF-FACT:**

1. The applicant states that the hour of operation will start at 1pm on Sunday after normal church services



2. Two churches are located within the 1000-foot minimum distance of a church as measured using Escambia County GIS software. See Exhibit A.
3. The conflicting uses are not visible to each other.
4. The applicant states that there is no proposed consumption either indoor or outdoor.
5. There are no conditions or circumstances that would mitigate any incompatibility.

It appears that the proposed is not compatible with surrounding uses due to the conflicting uses that are located within the 1000' foot measurement. Additionally, please see the below correspondence from Clara Long, Division Manager for the Escambia County Community Redevelopment Agency (CRA):

**CRA Comments to Conditional Use for the Englewood O/L District**

**Sec 3-3.5**

Englewood Overlay District does not modify the conditional uses of any underlying zoning district.

**Additional comments from the CRA:**

Based on the Englewood Redevelopment Area Plan, it states that Jordan Street is a primary neighborhood connector street running east to west through the Englewood area. This street presents unique opportunities for redevelopment, connecting neighborhoods, such as churches, schools and parks. This project is located at the corner of Jordan and Pace Blvd which could pose a future issue with increased pedestrian traffic. Currently there is a pedestrian crossing but not a Push-ped button with walking signals that helps the flow and control the safety of pedestrians crossing a busy intersections.

CRA can't support this conditional use if the boundaries of the proposed site does not exceed the recommended 1000 feet from churches, schools, and day care facilities.

**CRITERION (b)**

**Facilities and services.** Public facilities and services, especially those with adopted levels of service, will be available, will provide adequate capacity to serve the proposed use consistent with capacity requirements.

**FINDINGS-OF-FACT:**

Existing facilities and services are available and appear to provide adequate capacity to serve the proposed use.

**CRITERION (c)**

**On-site circulation.** Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access.

**FINDINGS-OF-FACT:**

On-site circulation appears to be sufficient for the proposed used. No modifications to

the existing ingress to and egress from the site and its structures are proposed. Any modifications to the existing on-site circulation will be reviewed during the site plan review process for compliance with the Escambia County LDC.

**CRITERION (d)**

**Nuisances and hazards.** The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.

**FINDINGS-OF-FACT:**

There are no nuisances and hazards associated with the proposed use found at this time that would impact adjoining properties and other properties in the immediate area. All nuisances and hazards will be evaluated during the site plan review process for compliance with the Escambia County LDC.

**CRITERION (e)**

**Solid waste.** All on site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts.

**FINDINGS-OF-FACT:**

A solid waste container is currently utilized for the site. Location, access, off-site visibility and minimal odor and other nuisance impacts will be addressed during the site plan review process for compliance with the Escambia County LDC.

**CRITERION (f)**

**Screening and buffering.** Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site.

**FINDINGS OF FACT:**

Screening and buffering will be evaluated during the site plan review process for compliance with the Escambia County LDC.

**CRITERION (g)**

**Signs and lighting.** All exterior signs and lights, whether attached or freestanding, will be compatible with adjoining properties and other properties in the immediate area, especially regarding glare and traffic safety.

**FINDINGS OF FACT:**

Any proposed signage and lighting will be evaluated during the site plan review process for compliance with the Escambia County LDC.

**CRITERION (h)**



**Site characteristics.** The size, shape, location and topography of the site appear adequate to accommodate the proposed use, including setbacks, intensity, bulk, height, open space and aesthetic considerations.

**FINDINGS OF FACT:**

The site characteristics appear to adequately accommodate the proposed use. Any proposed modifications to the existing site characteristics will be evaluated during the site plan review process for compliance with the Escambia County LDC.

**CRITERION (i)**

**Use requirements.** The proposed use complies with any additional conditional use requirements of the applicable zoning district, use, or other provisions of the LDC.

**FINDINGS OF FACT:**

The proposed use complies with requirements of the HC/LI zoning district. This site is also located in the Englewood Community Redevelopment Area. Other use requirements will be evaluated during the Site Plan review process and must meet all requirements of the Escambia County LDC.

**STAFF FINDINGS**

Staff recommends denial of the conditional use request as the proposed use is within the 1000' measurement of two conflicting uses. Staff found that there are two churches within the 1000' foot measurement and the proposed use to allow for alcohol does not appear to be compatible with the surrounding existing uses in the area. It appears that from a site visit, the current use of the building is a post-incarceration reentry facility or similar. If the Board approves the Conditional Use request, the project will need to meet all conditions imposed through the Development Review process.

**BOA DECISION**

**BOARD OF ADJUSTMENT FINDINGS**

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**Attachments**

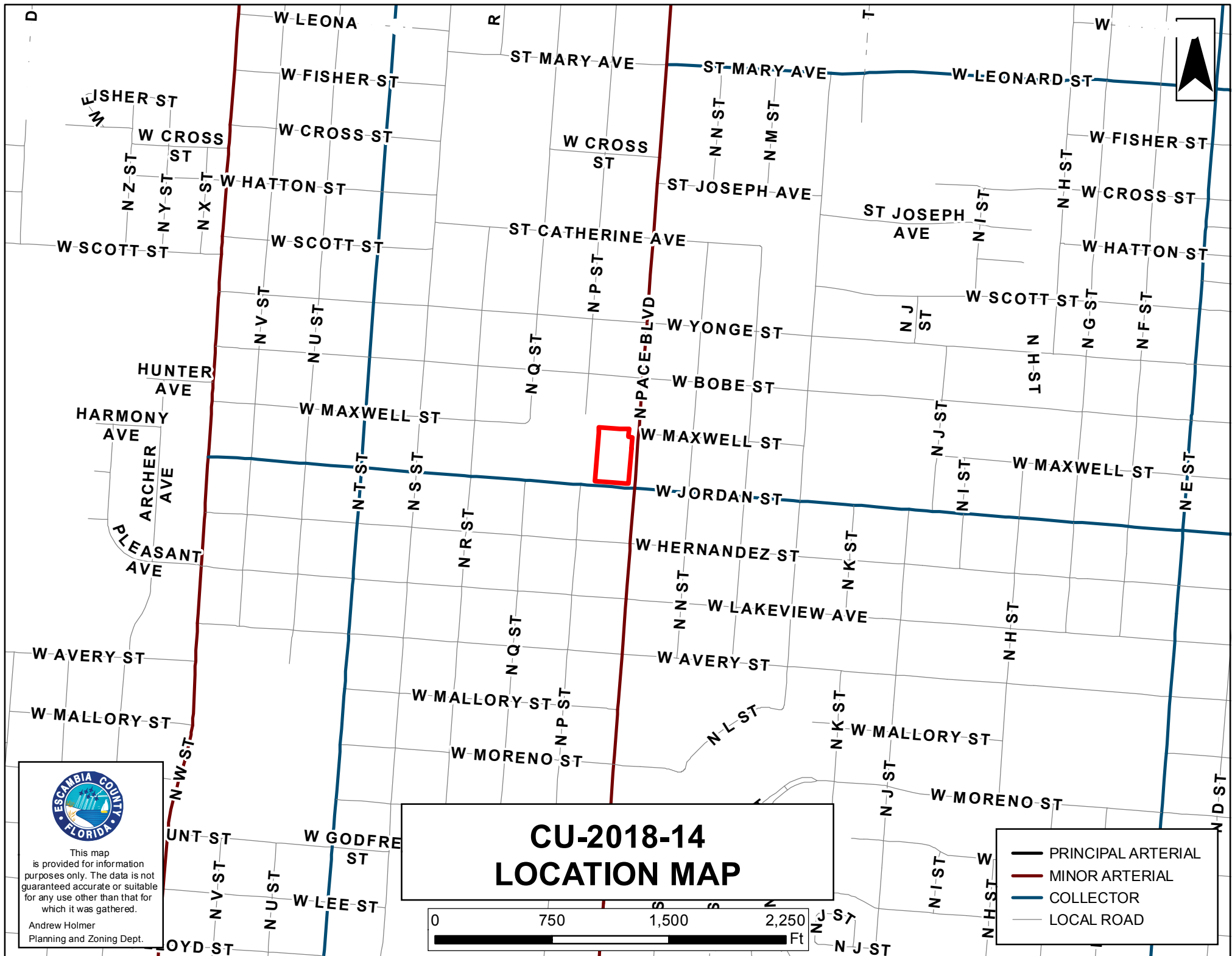
Working Case File


EXHIBIT A

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**CU-2018-14**



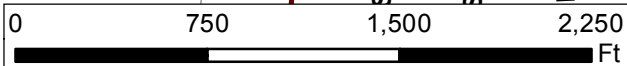




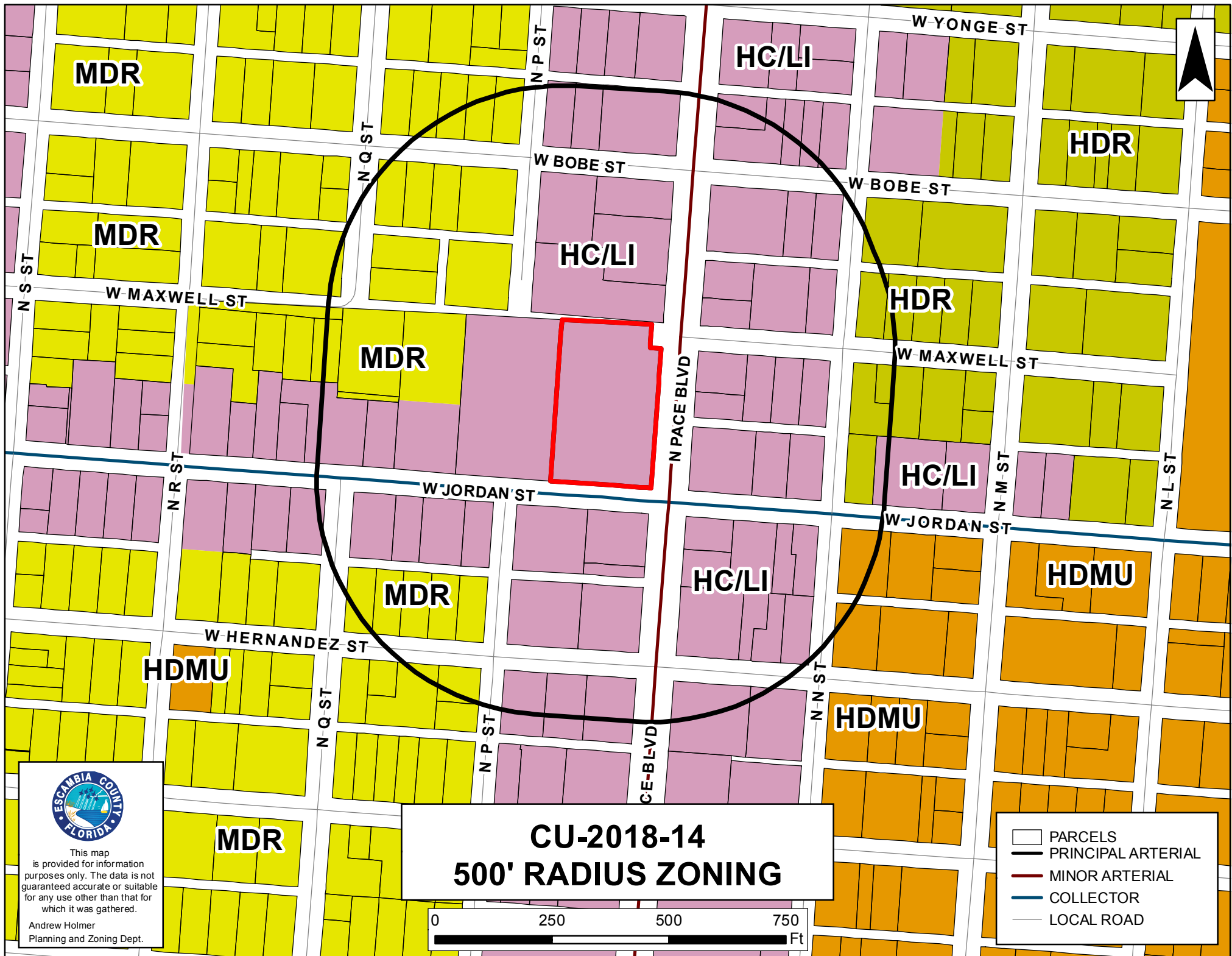
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer  
Planning and Zoning Dept.

**CU-2018-14  
LOCATION MAP**



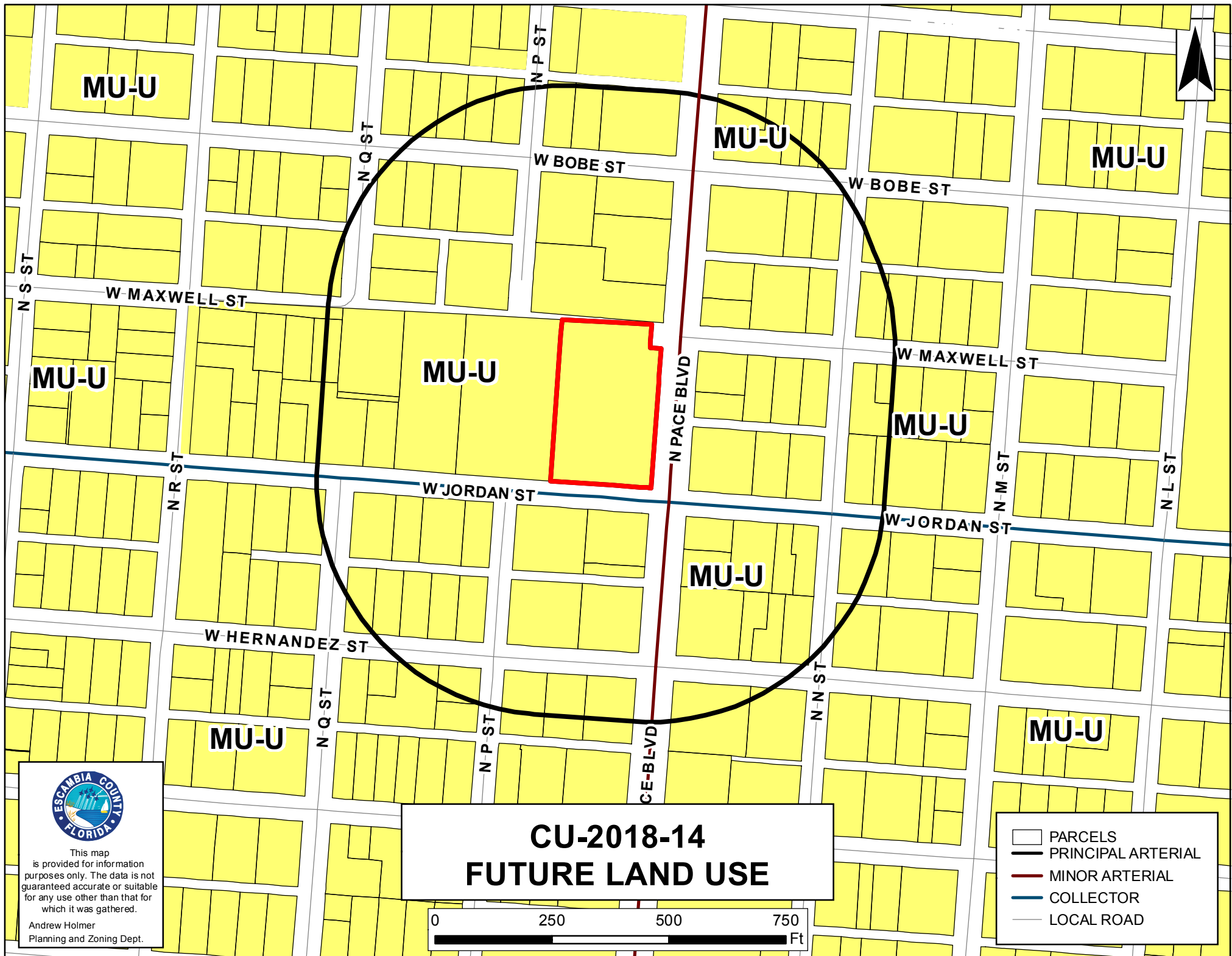
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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.





MU-U

MU-U

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MU-U

# CU-2018-14 FUTURE LAND USE

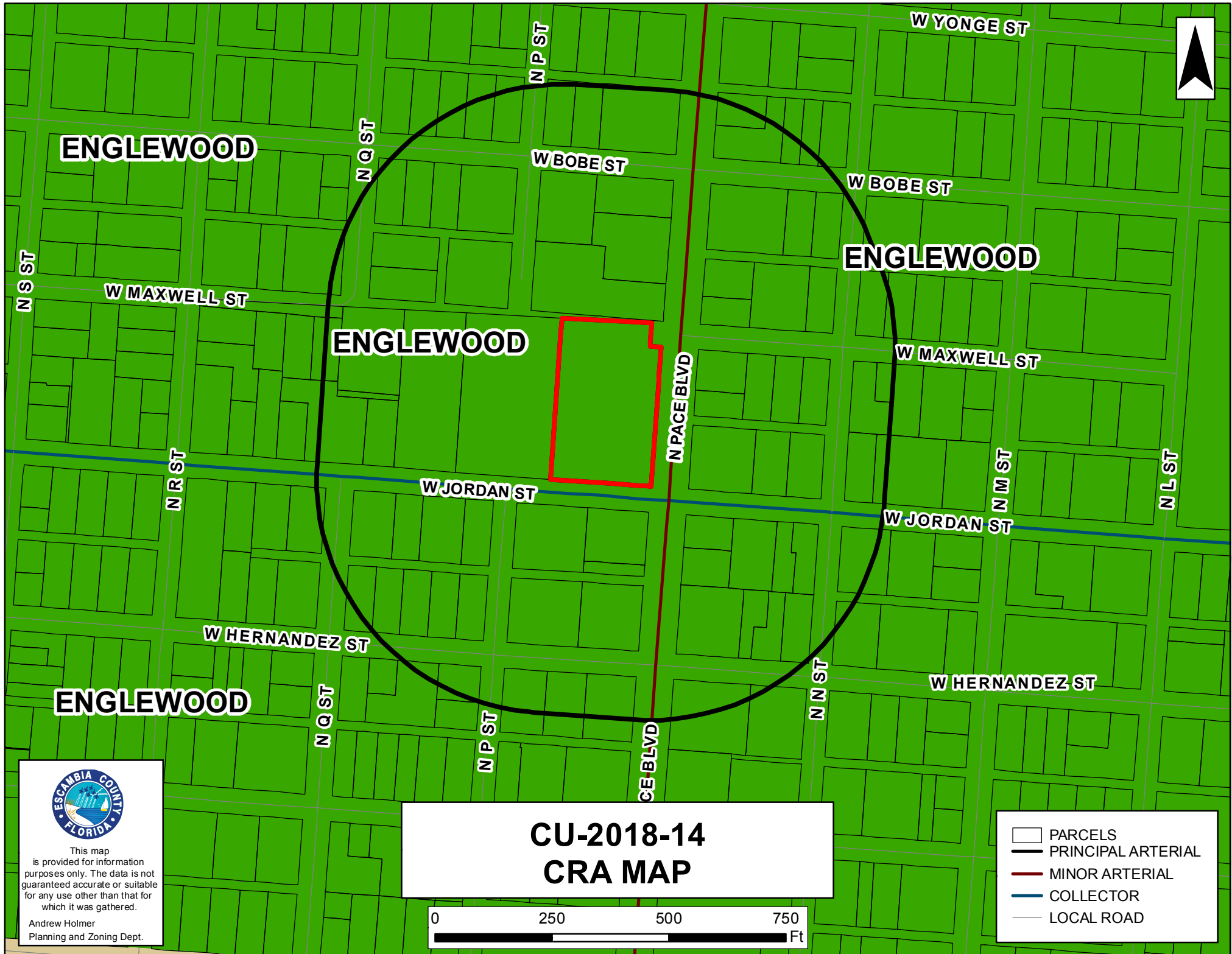
0 250 500 750  
Ft



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.

- 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.

## CU-2018-14 CRA MAP

0 250 500 750  
Ft

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





W MAXWELL ST

N PACE BLVD

W JORDAN ST

N P 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.

## CU-2018-14 AERIAL MAP

0 75 150 225  
Ft

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





## NOTICE OF PUBLIC HEARING BOARD OF ADJUSTMENT

TYPE OF REQUEST: **CONDITIONAL USE**

CASE NO: **CU-2018-14**

DATE: **08/15/18** TIME: **8:30 AM**

### LOCATION OF HEARING

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

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

PLEASE DO NOT REMOVE THIS SIGN  
PROPERTY OF ESCAMBIA COUNTY

PUBLIC HEARING SIGN





LOOKING WEST ONTO SITE



LOOKING WEST ALONG JORDAN ST





LOOKING SOUTH ALONG PACE BLVD  
ACROSS JORDAN ST



LOOKING SOUTH ALONG PACE BLVD





LOOKING EAST ACROSS PACE BLVD  
FROM SITE





ACTS

LOOKING NORTH ALONG PACE BLVD



Wiley C. "Buddy" Page, MPA, APA  
Professional Growth Management Services, LLC  
5337 Hamilton Lane Pace, Florida 32571  
Cell 850.232.9853  
[budpagel@att.net](mailto:budpagel@att.net)

July 13, 2018  
VIA HAND DELIVERY

Mr. Horace Jones, Director  
Department of Growth Management  
3363 West Park Avenue  
Pensacola, Florida 32505

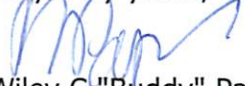
**RE: Conditional Use request:**  
**Parcel: 17-2S-30-1500-010-029**  
**Owner: Pace & Jordan LLC Ted Brown**  
**Address: 2101 North Pace Boulevard**

Dear Mr. Jones:

The attached application requests Board of Adjustment consideration for the sale of packaged alcohol within 1,000 feet of a existing church facility.

The application contains the required filing fee together with additional information regarding ownership and corporate information. Please contact me if you have any questions or require anything further. Thank you.

Very truly yours,



Wiley C. "Buddy" Page

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>

### Board of Adjustment Application

FOR OFFICE USE ONLY - Case Number: CU-2018-14 Accepted by: Alan BOA Meeting: 8/15/18

Conditional Use Request for: \_\_\_\_\_

Variance Request for: within 1000' of a church

#### 1. Contact Information:

A. Property Owner/Applicant: Pace & Jordan, LLC

Mailing Address: 2101 North Pace Boulevard Pensacola, FL 32505

Business Phone: 850 982-1907 Cell: \_\_\_\_\_

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

B. Authorized Agent (if applicable): Wiley C. "Buddy" Page

Mailing Address: 5337 Hamilton Lane Pace, Florida 32571

Business Phone: 850-232-9853 Cell: \_\_\_\_\_

Email: budpage1@att.net

*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: 2101 2115 N. Pace Blvd. Pensacola

Parcel ID (s): \_\_\_\_\_  
17-2S-30-1500-010-029

B. Total acreage of the subject property: 1.69

C. Existing Zoning: HC/LI

FLU Category: MU-U

D. Is the subject property developed (if yes, explain): \_\_\_\_\_  
Former retail paint store

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



**3. Amendment Request**

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

Request is to allow the sale of packaged alcohol (no on-site consumption) within proximity of a church.

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- B. For Variance Request – Please address *ALL* the following approval conditions for your Variance request. (use supplement sheets as needed)**

- 1. Special conditions and circumstances exist which are peculiar to the land, structure or building and which are not applicable to other lands, structures or buildings in the same zoning district.**

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- 2. The special conditions and circumstances do not result from the actions of the applicant.**

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3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this land development code to other lands, buildings or structures in the same zoning district.

N / A

4. Strict application of the provisions of the land development code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code and would create an unnecessary and undue hardship on the applicant.

N / A

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

N / A

6. The granting of the variance will be consistent with the general intent and purpose of the land development code and that such variance will not be injurious to the area or otherwise detrimental to the public welfare.

N / A



**C. For Conditional Use Request – Please address *ALL* the following approval**

**conditions for your Conditional Use request. (use supplement sheets as needed)**

- 1. General compatibility.** The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area.

*If this is for the sale of alcohol within a 1000 ft of a place of worship or child care facility; please explain a-e below: a.) The existing times of use of the places of worship or child care facilities coincide with the hours of operation of the subject business b.) The 1000-foot minimum distance is not achieved. c.) The conflicting uses are visible to each other. d.) Any on-premises consumption is outdoors. e.) Any conditions or circumstances mitigate any incompatibility.*

a.) The sale of alcohol packaged goods should not conflict with church hours of operation. Sunday hours will start at 1pm, after normal church services.

b.) The church is located within 1000 feet of the proposed location of the package store location..

c.) The two uses are not visible to one another, being separated by a large metal warehouse building.

d.) No consumption on the premises either indoor or outdoor.

e.) Sales only, no on premise consumption.

- 2. Facilities and services.** Public facilities and services, especially those with adopted levels of service, will be available, will provide adequate capacity to serve the proposed use consistent with capacity requirements.

The site faces the intersection of Pace Boulevard and Jordan Streets, a signalized intersection which will continue to provide the retail site with all traffic related capacity and visibility needs. The site also has an existing designated bus stop at the edge of the property.

- 3. On-site circulation.** Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access.

The site will utilize the existing curb cuts permitted by FDOT for the previous use which was a retail paint store. No other change to the existing ingress and egress is proposed.

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- 4. Nuisances and hazards.** The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.

Small interior modifications will be required, but little, if any, exterior modifications will be required.

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- 5. Solid waste.** All on-site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts.

The existing dumpster location will continue to be used with the proposed new use.

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- 6. Screening and buffering.** Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site.

No new screening or buffering anticipated.

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- 7. Signs and lighting.** All exterior signs and lights, whether attached or freestanding, will be compatible with adjoining properties and other properties in the immediate area, especially regarding glare and traffic safety.

Any proposed sign and lighting plans will be submitted to the County for review and approval prior to any on site installation.

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- 8. Site characteristics.** The size, shape, location and topography of the site appear adequate to accommodate the proposed use, including setbacks, intensity, bulk, height, open space and aesthetic considerations.

The site was previously used as a retail paint sales facility. The site has an existing building, existing pavement, parking, dumpster and signage.

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- 9. Use requirements.** The proposed use complies with any additional conditional use requirements of the applicable zoning district, use, or other provisions of the LDC.

The proposed use does otherwise comply.

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4. **Please complete the following form (if applicable): Affidavit of Owner/Limited Power of Attorney**

**AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY**

(if applicable)

As owner of the property located at 2115 N. Pace Blvd. Pensacola, Florida, property reference number(s) 17-2S-30-1500-010-029 I hereby designate Wiley C. "Buddy" Page for the sole purpose of completing this application and making a presentation to the Board of Adjustment on the above referenced property. This Limited Power of Attorney is granted on this 13 day of July the year of, 2018, and is effective until 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 Department.

Agent Name: Wiley C. "Buddy" Page

Email: budpage1@att.net

Address: 5337 Hamilton Lane Pace, Florida 32571

Phone: 850-232-9853

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF FLORIDA

COUNTY OF PASCAMILLA

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of July 2018, by WARREN TED BROWN

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 Fees: To view fees visit the website:  
<http://myescambia.com/business/board-adjustment> or contact us at 595-3475.

**Note: Fees include 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**

D. \_\_\_\_\_ A **Certified Boundary Survey** (Include Corporation/LLC documentation if applicable.)

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 place a public notice sign(s) on the property referenced herein.; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Department.

✓   
Signature of Owner/Agent

WARREN Ted Brown Manager  
Printed Name of Owner/Agent

STATE OF FLORIDA COUNTY OF ESCAMBIA The foregoing instrument  
was acknowledged before me this 13<sup>th</sup> day July of

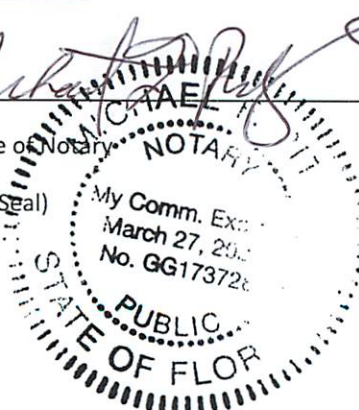
20 19, by WARREN TED BROWN

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

  
Signature of Notary

MICHAEL RITZ  
Printed Name of Notary

(Notary Seal)






# Chris Jones Escambia County Property Appraiser

Real Estate Search	Tangible Property Search	Sale List	Amendment 1/Portability Calculations
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← Navigate Mode ☒ Account ☐ Reference →

Printer Friendly Version

General Information		Assessments				
Reference:	172S301500010029	Year	Land	Imprv	Total	Cap Val
Account:	062130000	2017	\$139,870	\$142,304	\$282,174	\$282,174
Owners:	PACE & JORDAN LLC	2016	\$139,870	\$139,227	\$279,097	\$279,097
Mail:	C/O TED BROWN 1700 OSCEOLA BV PENSACOLA, FL 32503	2015	\$139,870	\$131,869	\$271,739	\$271,739
Situs:	2115 N PACE BLVD 32505	<a href="#">Disclaimer</a>				
Use Code:	WAREHOUSE, DISTRIBUT 	<a href="#">Amendment 1/Portability Calculations</a>				
Units:	100	<a href="#">File for New Homestead Exemption Online</a>				
Taxing Authority:	COUNTY MSTU					
Tax Inquiry:	<a href="#">Open Tax Inquiry Window</a>					
Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector						

Sales Data					MLS Listing #530419		2017 Certified Roll Exemptions None	
Sale Date	Book	Page	Value	Type	Official Records (New Window)		Legal Description	
08/2006	5978	1609	\$100	CJ	<a href="#">View Instr</a>		S 331 FT 6 IN OF E 60 FT OF S 10A OF LT 6 ALSO W	
08/2005	5722	281	\$100	CJ	<a href="#">View Instr</a>		132 FT OF E 192 FT OF S 330 FT OF LT 6 S/D OF	
11/1997	4192	959	\$280,000	WD	<a href="#">View Instr</a>		SEC ALSO BEG AT SE COR...	
09/1996	4055	1387	\$100	WD	<a href="#">View Instr</a>		Extra Features	
Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller							ASPHALT PAVEMENT	
							CHAINLINK FENCE	

**Parcel Information**  
**Section Map Id:** 17-2S-30-2  
**Approx. Acreage:** 1.6900  
**Zoned:** HC/LI  
**Evacuation & Flood Information**  
[Open Report](#)

[Launch Interactive Map](#)

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

<b>Buildings</b> Address: 2115 N PACE BLVD, Year Built: 1956, Effective Year: 1956	
<b>Structural Elements</b> DECOR/MILLWORK-BELOW AVERAGE DWELLING UNITS-0 EXTERIOR WALL-CORRUGATED METL	<div>40</div>





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

## Detail by Entity Name

Florida Limited Liability Company

**PACE & JORDAN, LLC**

### Filing Information

**Document Number** L06000083784  
**FEI/EIN Number** 20-5434120  
**Date Filed** 08/24/2006  
**State** FL  
**Status** ACTIVE

### Principal Address

1700 OSCEOLA BLVD  
 PENSACOLA, FL 32503

Changed: 01/29/2016

### Mailing Address

1700 OSCEOLA BLVD  
 PENSACOLA, FL 32503

Changed: 01/29/2016

### Registered Agent Name & Address

**BROWN, WARREN T**

1700 OSCEOLA BLVD  
 PENSACOLA, FL 32503

Name Changed: 01/29/2016

Address Changed: 01/29/2016

### Authorized Person(s) Detail

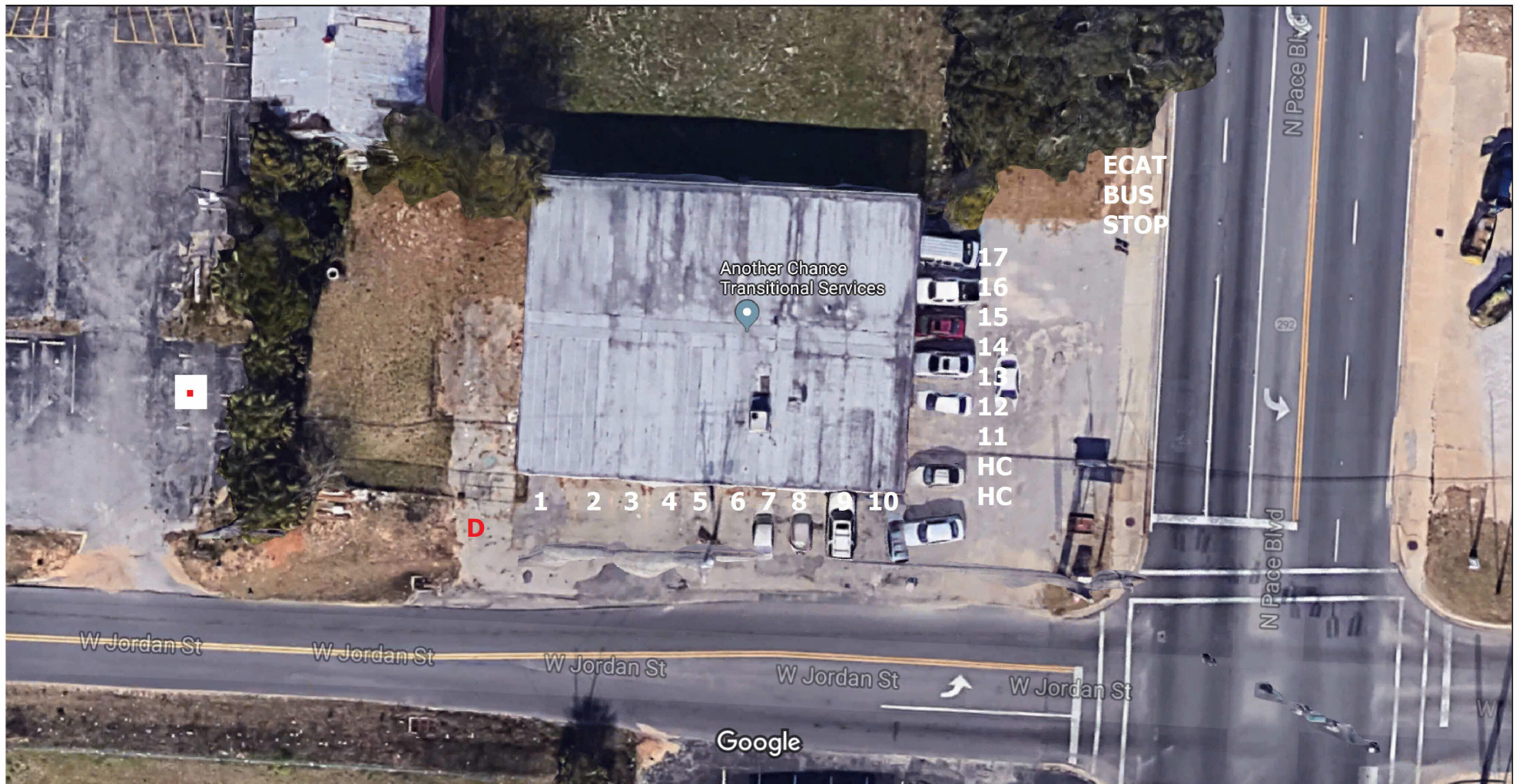
#### **Name & Address**

Title MEMBER

BROWN, WARREN T  
 1700 OSCEOLA BLVD  
 PENSACOLA, FL 32503

### Annual Reports

**Report Year**      **Filed Date**



- Dumpster located at letter "D" above
- 17 Parking spaces
- No adjacent residential properties: Warehouse to the west, muffler shop to the south, property owner's offices to the north.





**Line of site projection from church front entranceway looking east**





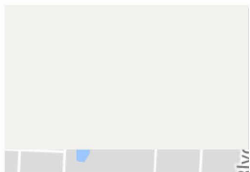
Image capture: May 2013 © 2018 Google

Pensacola, Florida



Google, Inc.

Street View - May 2013



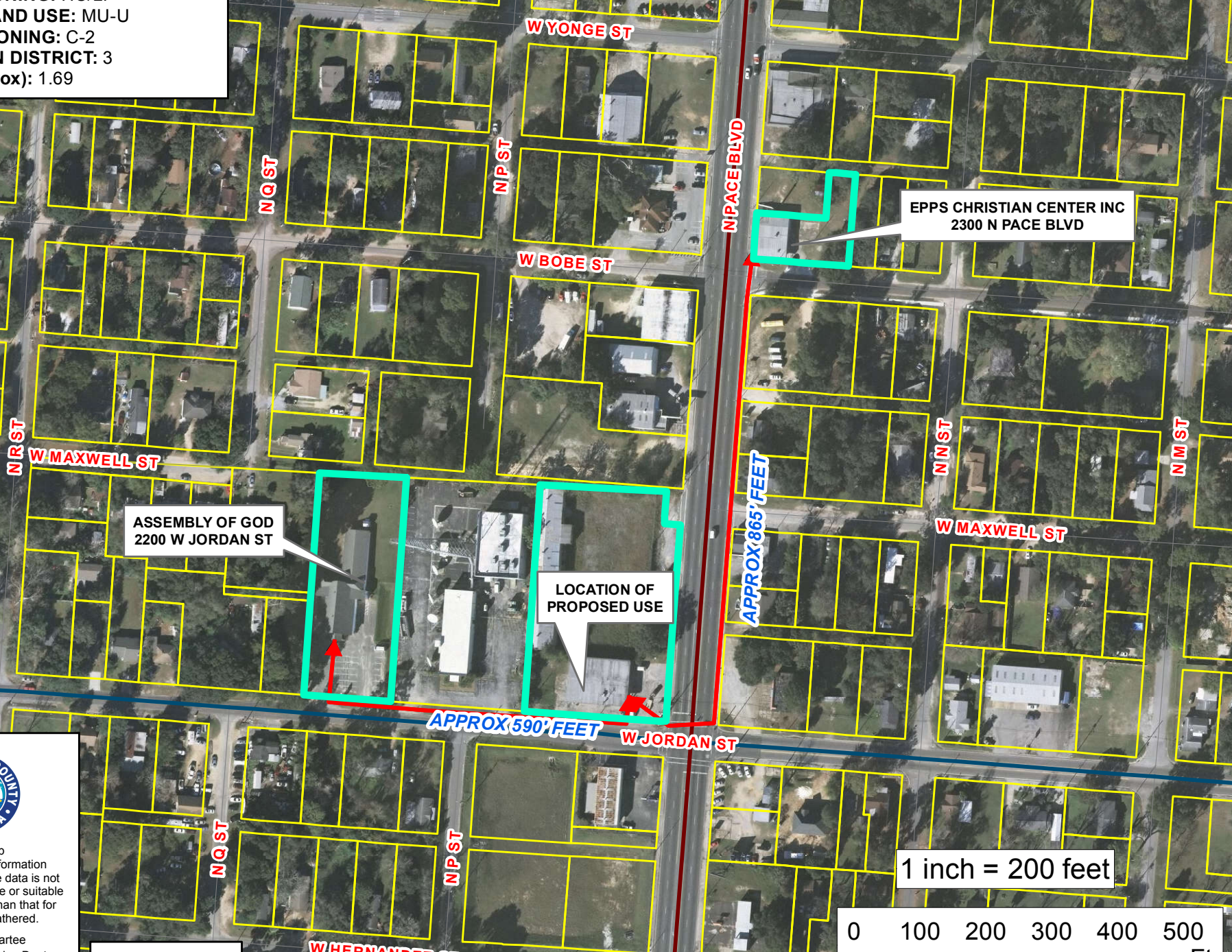






**OWNER:** PACE AND JORDAN LLC  
**ADDRESS:** 2115 N PACE BLVD  
**REFERENCE #:** 17-1S-30-1500-010-029  
**CURRENT ZONING:** HC/LI  
**FUTURE LAND USE:** MU-U  
**PREVIOUS ZONING:** C-2  
**COMMISSION DISTRICT:** 3  
**ACRES (approx):** 1.69

# 1000' FT MEASUREMENT



ASSEMBLY OF GOD  
2200 W JORDAN ST

LOCATION OF  
PROPOSED USE

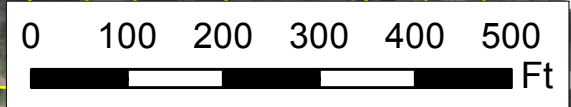
EPPS CHRISTIAN CENTER INC  
2300 N PACE BLVD



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.

Caleb MacCartee  
Planning and Zoning Dept.

Date: 7/26/2018





**OWNER:** PACE AND JORDAN LLC  
**ADDRESS:** 2115 N PACE BLVD  
**REFERENCE #:** 17-1S-30-1500-010-029  
**CURRENT ZONING:** HC/LI  
**FUTURE LAND USE:** MU-U  
**PREVIOUS ZONING:** C-2  
**COMMISSION DISTRICT:** 3  
**ACRES (approx):** 1.69

# 1000' FT MEASUREMENT

W MAXWELL ST

ASSEMBLY OF GOD  
2200 W JORDAN ST

LOCATION OF  
PROPOSED USE

W MAXWELL ST

APPROX 865' FEET

APPROX 590' FEET

W JORDAN ST

N PACE BLVD

N P ST

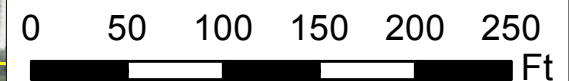


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Caleb MacCartee  
Planning and Zoning Dept.

Date: 7/26/2018

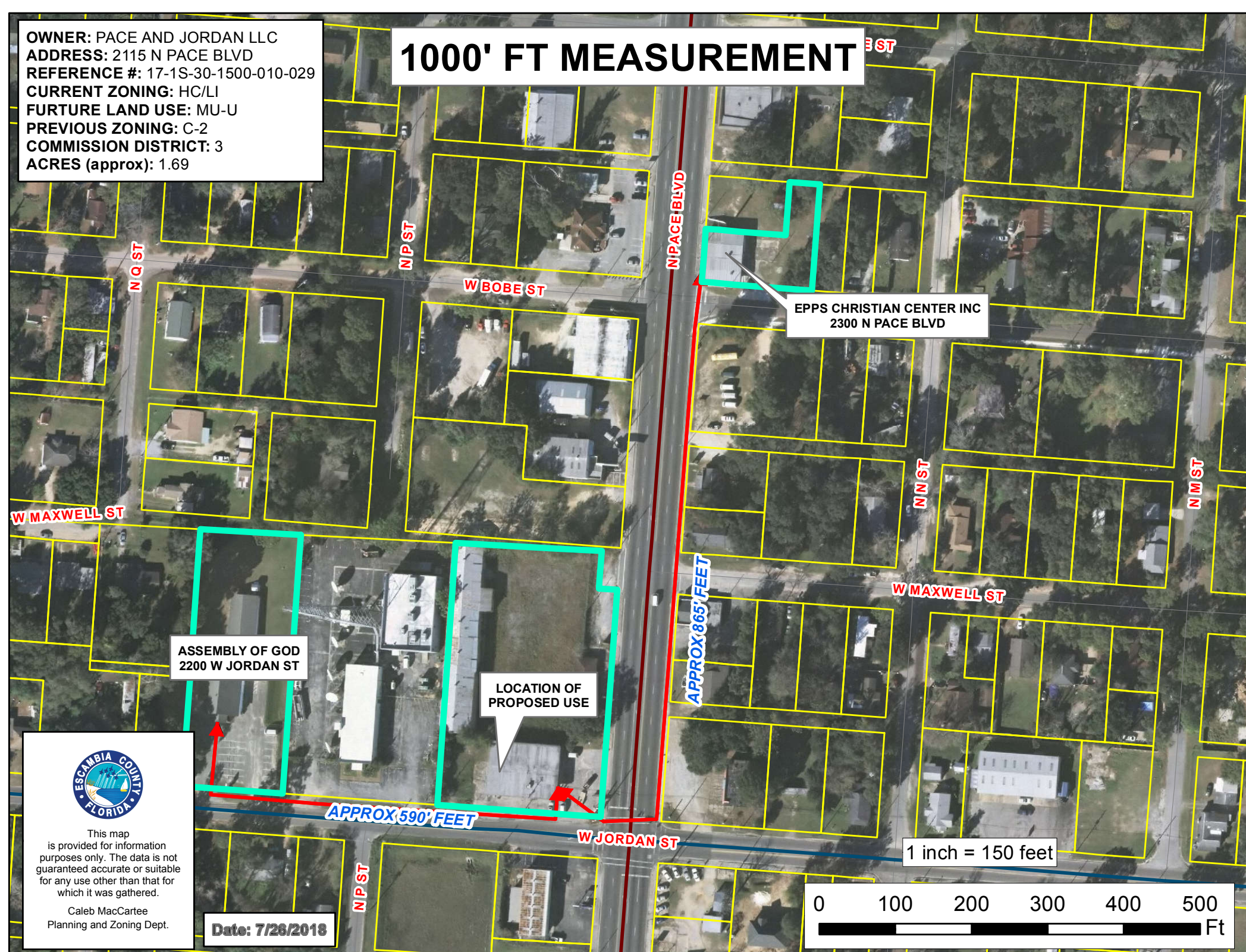
1 inch = 100 feet





**OWNER:** PACE AND JORDAN LLC  
**ADDRESS:** 2115 N PACE BLVD  
**REFERENCE #:** 17-1S-30-1500-010-029  
**CURRENT ZONING:** HC/LI  
**FUTURE LAND USE:** MU-U  
**PREVIOUS ZONING:** C-2  
**COMMISSION DISTRICT:** 3  
**ACRES (approx):** 1.69

# 1000' FT MEASUREMENT



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.



**Board of Adjustment****6. D.**

**Meeting Date:** 08/15/2018  
**CASE:** CU-2018-15  
**APPLICANT:** Gary Wilson, Agent for Ann King, owner  
**ADDRESS:** 700 Blk Highway 29 South  
**PROPERTY REFERENCE NO.:** 14-1N-31-6000-004-010  
**ZONING DISTRICT:** HC/LI, Heavy Commercial and Light Industrial district  
**FUTURE LAND USE:** I, Industrial  
**OVERLAY DISTRICT:** N/A

---

**SUBMISSION DATA:****REQUESTED CONDITIONAL USE:**

The applicant is seeking to operate a small scale sawmill, bringing in logs to be processed as lumber and firewood.

**RELEVANT AUTHORITY:**

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section:3-2.11(c)(5)(c)

c. Salvage yards not otherwise requiring approval as solid waste processing facilities.

**CRITERIA:**

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section 2-6.4

**CRITERION (a)**

**General compatibility. The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area.**

**FINDINGS-OF-FACT**

The proposed use can be compatible with the surrounding zoning and uses. The zoning and the site location between a major arterial highway and railroad tracks are suitable for the proposed use. Of concern to staff are the nearby residential uses and the potential impacts to them from this proposed use. To alleviate possible nuisances from the proposed use, all buffering standards imposed through the site plan review process must be adhered to.

**CRITERION (b)**

**Facilities and services.** Public facilities and services, especially those with adopted levels of service, will be available, will provide adequate capacity to serve the proposed use consistent with capacity requirements.

**FINDINGS-OF-FACT:**

Applicant must coordinate with utility providers to obtain any necessary services for the proposed use.

**CRITERION (c)**

**On-site circulation.** Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access.

**FINDINGS-OF-FACT:**

The Applicant is proposing a 20' wide access from Hwy 29. The specifics of that access will be obtained through the site plan review process.

**CRITERION (d)**

**Nuisances and hazards.** The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.

**FINDINGS-OF-FACT:**

Possible nuisances associated with this proposed use will include noise and dust. These can be alleviated through the buffer standards that will be imposed in the site plan review process.

**CRITERION (e)**

**Solid waste.** All on site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts.

**FINDINGS-OF-FACT:**

Any required solid waste service must be provided by the Applicant.

**CRITERION (f)**

**Screening and buffering.** Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site.

**FINDINGS OF FACT:**

Due to possible nuisances, all screening buffering provisions imposed through the site plan review process must be adhered to.



### **CRITERION (g)**

**Signs and lighting.** All exterior signs and lights, whether attached or freestanding, will be compatible with adjoining properties and other properties in the immediate area, especially regarding glare and traffic safety.

### **FINDINGS OF FACT:**

The proposed sign and lighting must meet the applicable LDC provisions and permitting.

### **CRITERION (h)**

**Site characteristics.** The size, shape, location and topography of the site appear adequate to accommodate the proposed use, including setbacks, intensity, bulk, height, open space and aesthetic considerations .

### **FINDINGS OF FACT:**

The size, layout, and natural vegetation all appear to be conducive towards alleviating any conflicts with the nearby residential uses.

### **CRITERION (i)**

**Use requirements.** The proposed use complies with any additional conditional use requirements of the applicable zoning district, use, or other provisions of the LDC.

### **FINDINGS OF FACT:**

Any additional requirements must be met through the site plan review process.

### **STAFF FINDINGS**

Staff finds that the proposed use can meet all of the required criteria and approval is recommended with the condition of site approval and permitting.

### **BOA DECISION**

### **BOARD OF ADJUSTMENT FINDINGS**

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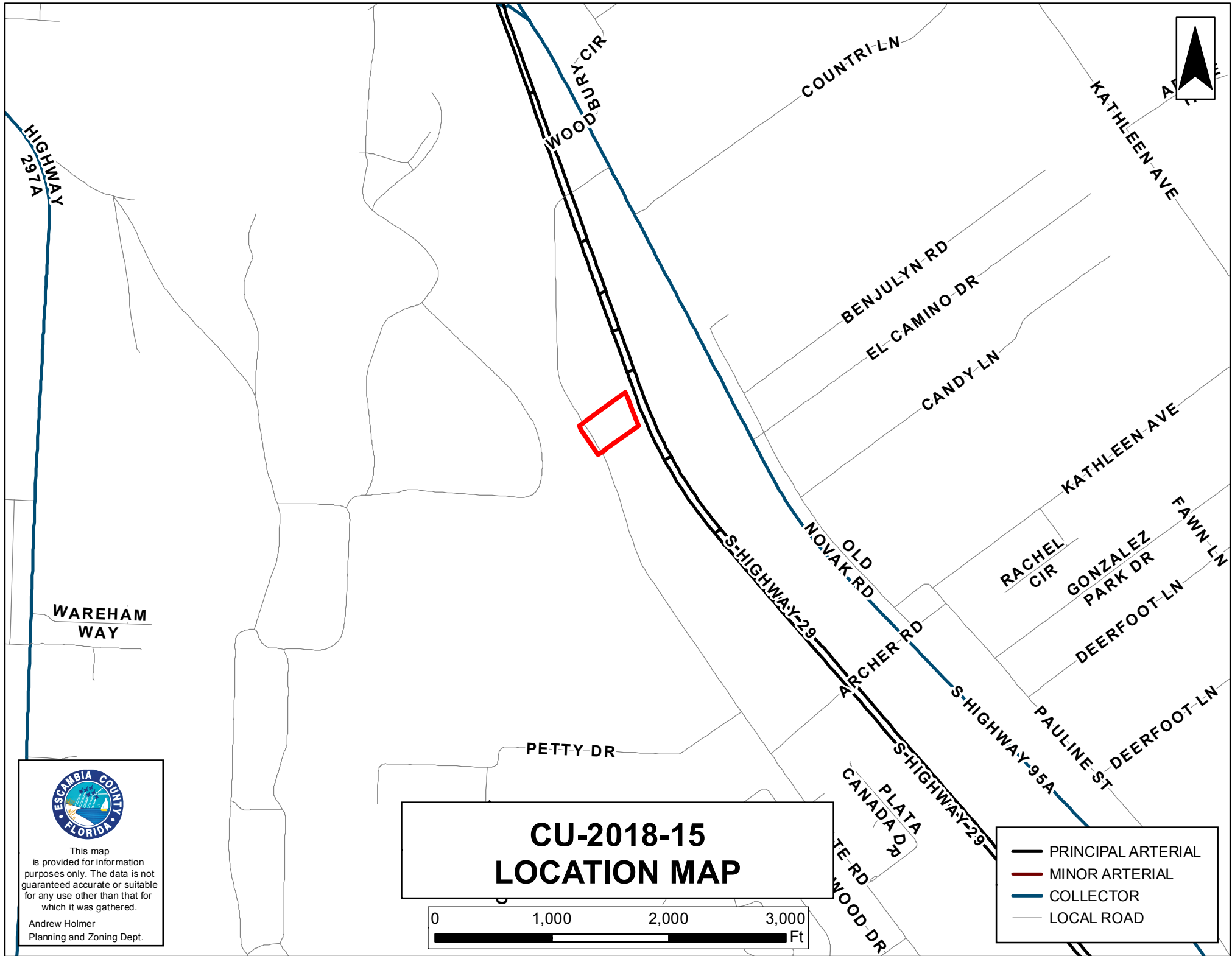
### **Attachments**

Working Case File

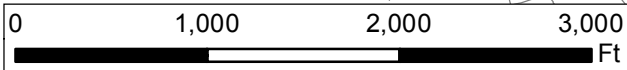
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**CU-2018-15**






**CU-2018-15  
LOCATION MAP**

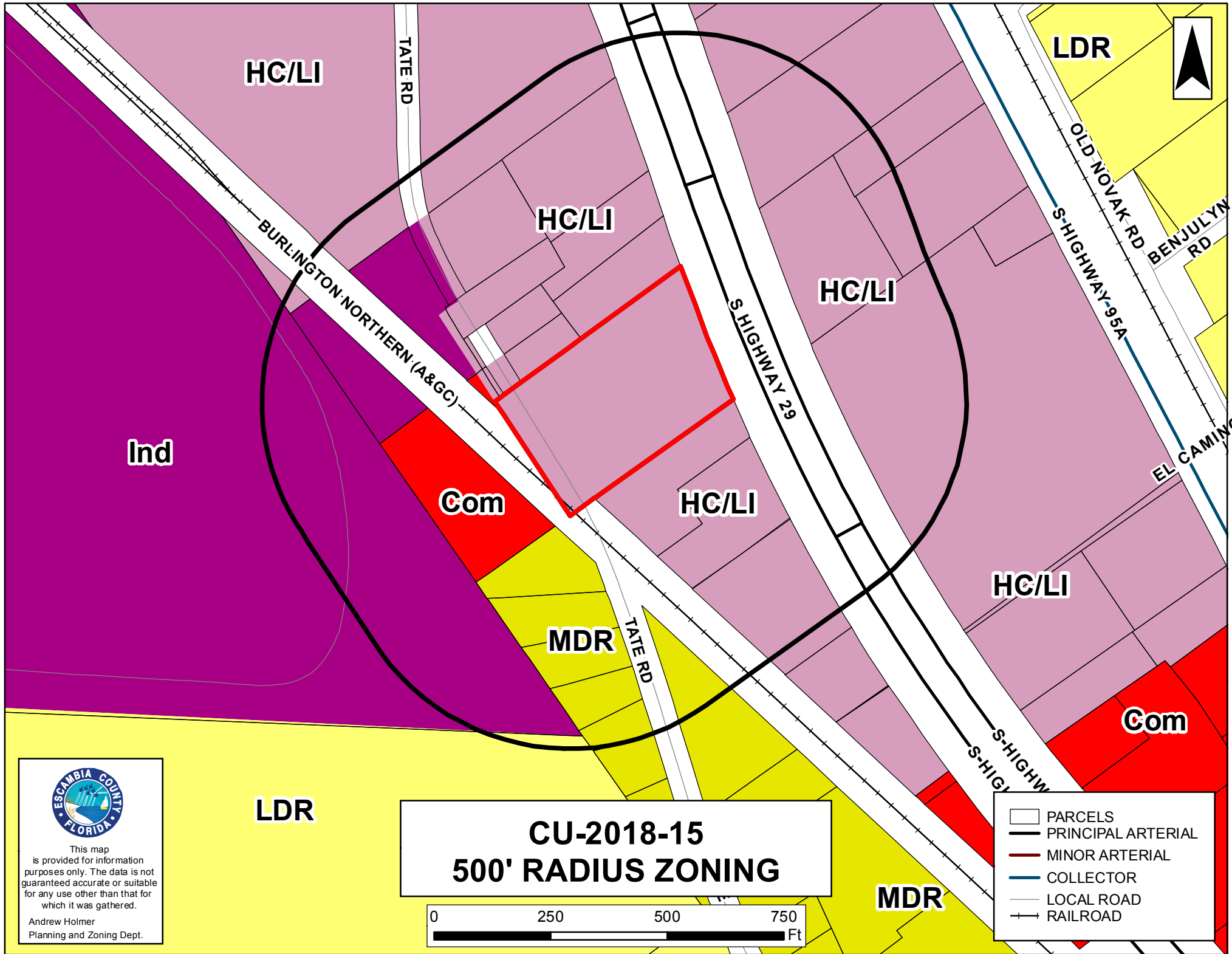


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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.



HC/LI

LDR

HC/LI

HC/LI

Ind

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HC/LI

MDR

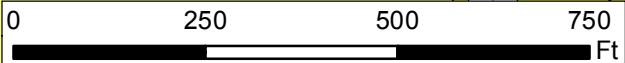
HC/LI

Com


LDR

MDR

**CU-2018-15**  
**500' RADIUS ZONING**



- 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.







TATE RD

S-HIGHWAY-29  
HIGHWAY 29



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.

## CU-2018-15 AERIAL MAP

0 100 200 300  
Ft

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





Public Hearing Sign



NOTICE OF  
PUBLIC HEARING  
BOARD OF ADJUSTMENT  
REQUEST: CONDITIONAL USE

**EXIT**  
EXIT Realty NFI  
Independent Member Broker  
**COMMERCIAL**  
850-475-5880  
**AVAILABLE**  
Adrian Hammond  
850-476-0196

Looking into subject property





ALL TRUCKS  
ENTER  
WEIGH STATION



Looking South along Hwy 29





Looking East from subject property





Looking East across Hwy 29 from subject property





Looking North along Hwy 29



Last Updated: 06/21/17

**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>**Board of Adjustment Application**FOR OFFICE USE ONLY - Case Number: CU-2018-15 Accepted by: \_\_\_\_\_ BOA Meeting: 8/15/18Conditional Use Request for: SAWMILLING - FIREWOOD

Variance Request for: \_\_\_\_\_

**1. Contact Information:**

A. Property Owner/Applicant: GARY WILSON  
Mailing Address: 3772 PINE FOREST RD  
Business Phone: \_\_\_\_\_ Cell: 951-515-3198  
Email: WGARY77@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: 735 S HWY 29  
Parcel ID (s): 141N316000004010

B. Total acreage of the subject property: 2.89

C. Existing Zoning: HC/L1(2)  
FLU Category: I

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

E. Sanitary Sewer: NO Septic: NO

**3. Amendment Request**

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

Sawing logs into lumber

is it necessary Yes to me

- B. For Variance Request – Please address *ALL* the following approval conditions for your Variance request. (use supplement sheets as needed)

1. Special conditions and circumstances exist which are peculiar to the land, structure or building and which are not applicable to other lands, structures or buildings in the same zoning district.

*[This section is crossed out with a diagonal line.]*

2. The special conditions and circumstances do not result from the actions of the applicant.

*[This section is crossed out with a diagonal line.]*



**C. For Conditional Use Request – Please address ALL the following approval conditions for your Conditional Use request. (use supplement sheets as needed)**

- 1. General compatibility.** The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area. *YES*  
If this is for the sale of alcohol within a 1000 ft of a place of worship or child care facility; please explain a-e below: a.) The existing times of use of the places of worship or child care facilities coincide with the hours of operation of the subject business b.) The 1000-foot minimum distance is not achieved. c.) The conflicting uses are visible to each other. d.) Any on-premises consumption is outdoors. e.) Any conditions or circumstances mitigate any incompatibility.

*YES it will. There is a chainsaw and lawnmower shops across the street  
a Hardware store up the 29 a 100 yds  
No sale of alcohol  
No churches*

- 2. Facilities and services.** Public facilities and services, especially those with adopted levels of service, will be available, will provide adequate capacity to serve the proposed use consistent with capacity requirements.

*No public restrooms  
Portable Restroom Rental*

3. **On-site circulation.** Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access.

Yes there will be a 20 foot wide entrance off 29. Lots of room for emergency vehicle.

4. **Nuisances and hazards.** The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.

Noise level is about a lawnmower dust level is a slow tractor in a dirt lot No hazards to adjoining properties

5. **Solid waste.** All on-site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts.

will be located behind fence close to 29 for easy access

6. **Screening and buffering.** Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site.

a 8 foot wood fence and 12 to 15 foot wide brush line



7. **Signs and lighting.** All exterior signs and lights, whether attached or freestanding, will be compatible with adjoining properties and other properties in the immediate area, especially regarding glare and traffic safety.

One 2' x 8' Sign over gate No lights  
One all night yard light  
near front of on property  
provided by Gonzalez Utilities

8. **Site characteristics.** The size, shape, location and topography of the site appear adequate to accommodate the proposed use, including setbacks, intensity, bulk, height, open space and aesthetic considerations.

The size is right - topography  
level - location is perfect

9. **Use requirements.** The proposed use complies with any additional conditional use requirements of the applicable zoning district, use, or other provisions of the LDC.

No other provisions

4. Please complete the following form (if applicable): Affidavit of Owner/Limited Power of Attorney

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY  
(If applicable)

As owner of the property located at 700 Block Hwy 29 South  
Cantonment, Florida, property reference number(s) TAX #141N 31600004010  
RES # 113465000  
Ann King hereby  
designate GARY WILSON for the sole purpose of completing this  
application and making a presentation to the Board of Adjustment on the above referenced property.  
This Limited Power of Attorney is granted on this 9 day of July, the year of 2018, and is  
effective until 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 Department.

Agent Name: Gary Wilson Email: wgary77@yahoo.com  
Address: 3772 Pine Forest Rd Phone: 951-515-3198

Ann King Ann King 7-9-18  
Signature of Property Owner Printed Name of Property Owner Date

STATE OF Florida COUNTY OF Escambia  
The foregoing instrument was acknowledged before me this 9 day of July 2018  
by Ann King

Personally Known ☐ OR Produced Identification ☐ Type of Identification Produced: Known  
[Signature] Jan L Smith  
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 Fees: To view fees visit the website:  
<http://myescambia.com/business/board-adjustment> or contact us at 595-3475.

**Note:** Fees include 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. 1/2 Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) **AND** a Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)
- D. ✓ 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 place a public notice sign(s) on the property referenced herein.; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Department.

Gary Lee Wilson  
Signature of Owner/Agent

GARY LEE WILSON  
Printed Name of Owner/Agent

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 9 day July of

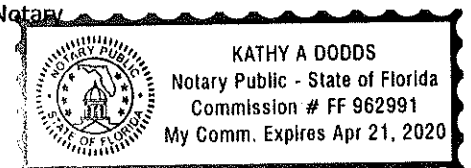
2018, by Gary Lee Wilson

Personally Known ☐ OR Produced Identification ☐. Type of Identification Produced: FIDCW425292484660

Kathy A Dodds  
Signature of Notary

Kathy A Dodds  
Printed Name of Notary

(Notary Seal)





# ESCAMBIA COUNTY TAX COLLECTOR

Online property tax payments for accounts included in the 2018 Tax Certificate Sale will be disabled beginning at 9:00 PM CDT on May 31st, 2018 and will remain unavailable until the sale is completed and balanced, estimated to be on or before June 15th. This general information notice does not mean the account below was included in the 2018 Tax Certificate Sale. To see if this account is part of the 2018 Tax Certificate Sale, click [here](#).

The amount due for prior year real estate taxes will increase immediately if a tax certificate is purchased or the tax certificate holder makes a tax deed application, either of which could occur at any time.

## 2017 Roll Details — Real Estate Account At 700 BLK HIGHWAY 29 SOUTH

[Print this page](#)

Real Estate Account #11-3465-000

[Parcel details](#)
[Latest bill](#)
[Full bill history](#)

2017

2016

2015

2014

...

2008

PAID

PAID

PAID

PAID

PAID

[Get Bills by Email](#)

PAID 2018-02-23 \$2,359.48

Receipt #371-18-00052542

Owner: KING DONALD J

6850 PINE FOREST RD

PENSACOLA, FL 32526

and 1 other

Situs: 700 BLK HIGHWAY 29 SOUTH

Account number: 11-3465-000

Alternate Key: 63621

Millage code: 06

Millage rate: 14.3268

Assessed value: 165,300

School assessed value: 165,300

Unimproved land value: 165,300

Location is not guaranteed to be accurate.

Property Appraiser

2017 Annual bill

[View](#)

Ad valorem: \$2,368.22

Non-ad valorem: \$15.09

Total Discountable: 2383.31

No Discount NAVA: 0.00

Total tax:

### Legal description

BEG 420 FT S OF N LI OF LT 10 AT W LI OF L AND N RR WLY TO W LI OF NEW PALAFOX H/W FOR POB CONTINUE SWLY 466 14/100 FT TO E LI OF NORED PLACE SELY DEPLETION ANG 88 DEG 17 MIN LEFT ALG E LI OF NORED PLACE 295 600/1000 FT TO S LI OF LT 10 NELY ALG S LI OF LT 10 388 67/100 FT TO W LI OF NEW PALAFOX H/W NWLY ALG R/W LI 307 905/1000 FT TO POB OR 4123 P 1531 OR 7180 P 1569 OR 7189 P 727 OR 7243 P 258 S/D OF LT 6

Location

Geo number: 141N316000004010

Range: 31

Township: 1N

Section: 14





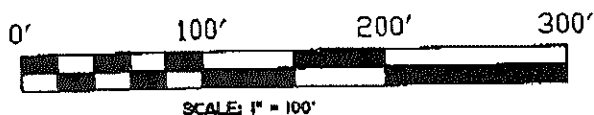
# SOUTHERN LAND CONCEPTS, INC.

8808 COVE AVENUE  
PENSACOLA, FLORIDA 32534  
PHONE (904)478-8783 FAX (904)484-9576  
CERTIFICATE OF AUTHORIZATION NO. LB4153

## BOUNDARY SURVEY



(ASSUMED)



SCALE: 1" = 100'

P. O. C.

NORTH LINE OF LOT 10, OF LOT 6

WEST R/W. LINE OF C.S.X. RAILROAD  
(FORMERLY L. & N. RAILROAD)

P. O. B.

N 21°10'00"  
47.57' (DOT)

2.89 Ac. ±

(VACANT WOODED LOT)

A=257.79'  
R=3951.83'  
D=03°44'15"  
B=N 23°02'06" W  
C=257.75' (EX)  
T=128.94'

TATE SCHOOL ROAD (R/W VARIES)  
120' BL. ASPHALT PAVING  
S 25°31'05" E (CALC) 288.89' ± EX

FRISCO RAILROAD (100' R/W)

342.50'  
N 52°26'18" E (EX) 598.85' 598.57' (DOT)  
N 52°39'05" E (DOT) 598.80' (CALC)

PROJECT NO. **9704158**SHEET NO. **1** OF **2**



## SOUTHERN LAND CONCEPTS, INC.

9909 COVE AVENUE  
PENSACOLA, FLORIDA 32534  
PHONE (904)478-8783 FAX (904)484-8578

## GENERAL NOTES:

1. ALL MEASUREMENTS MADE TO THE U.S. STANDARD FOOT.
2. THERE MAY BE EASEMENTS ON OR ACROSS THE PROPERTY THAT ARE NOT EVIDENT.
3. ANY ENCROACHMENTS ARE AS SHOWN ON THE DRAWING.
4. NO TITLE SEARCH INFORMATION HAS BEEN FURNISHED TO US ON THIS PROPERTY.
5. UNDERGROUND STRUCTURES AND ENCROACHMENTS ARE NOT LOCATED.
6. BEARING BASIS: **Q OF S.R. No. 96 (N 21°10' W - DOT MAP)**
7. INFORMATION SOURCE: **POT MAPS & PUBLIC RECORDS.**

## LEGEND:

	EXISTING IRON ROD
	EXISTING IRON PIPE
	EXISTING CONCRETE MONUMENT
	EXISTING CAPPED IRON ROD
	SET CAPPED IRON ROD (LB4153)
	SET CONCRETE MONUMENT (LB4153)
	UTILITY POLE
	OVERHEAD ELECTRICAL LINE
	FENCE CHAINLINK OR FIELD
	FENCE WOOD
	CENTERLINE
	RIGHT OF WAY LINE

## ABBREVIATIONS:

P.O.B.	- POINT OF BEGINNING
P.O.C.	- POINT OF COMMENCEMENT
P.C.	- POINT OF CURVATURE
P.T.	- POINT OF TANGENCY
P.R.C.	- POINT OF REVERSE CURVATURE
P.C.C.	- POINT OF COMPOUND CURVE
P.I.	- POINT OF INTERSECTION
P.C.P.	- PERMANENT CONTROL POINT
CB	- CHORD BEARING
B.S.L.	- BUILDING SETBACK LINE
R/W	- RIGHT OF WAY LINE
C.M.	- CONCRETE MONUMENT
C.I.R.	- CAPPED IRON ROD

(D)	- DEED
(P)	- PLAT
(T)	- TANGENT
(EX)	- EXISTING
R	- RADIUS
C	- CENTERLINE
Δ	- DELTA ANGLE
C	- CHORD
L	- ARC LENGTH

## DESCRIPTION: (DEED)

Commence at a Point on the West right of way line of L. & N. R. R. and the North line of Lot 10, of Lot 6, of Section 14, Township 1 North, Range 31 West, (Old Gonzales Grant) and proceed Southeasterly along said right-of-way, 420 feet, thence West and parallel to the North line of Lot 10, 814.86 feet, to a point on the West right-of-way line of Pensacola-Flomaton Dual Highway (U.S.29); hence known as "Point of Beginning", thence continue Southwesterly on said line, 466.14 feet, to a point on the East line of Nord Property, then Southeasterly with a Deflection Angle of 88°17' Left, along East line of Nord Property, 295.688 feet, to a point on the South line of Lot 10, thence North-easterly along South line of Lot 10, 388.67 feet to the West right-of-way line of said Dual Highway #29, thence Northwesterly along said right-of-way line, 307.905 feet, to the "Point of Beginning", containing 2.8999 acres, including that portion of old Pensacola-Flomaton Road, more or less. All the above described property being in and a part of Lot 10, a Subdivision of Lot 6, of Section 14, Township 1 North, Range 31 West, (Old Gonzales Grant of Escambia County, Florida. The grantors reserves unto themselves all gas, oil and mineral rights to the above described property.

SEC. 14 TWP. 1-N RANGE 31-WDATE OF FIELD WORK 4-24-97FIELD BOOK 181 PAGE 29REQUESTED BY: MR. LONNIE KINGPREVIOUS JOB NO. NONEDRAWN BY: TBL CHECKED BY: TLTPROJECT NO. 970415E

FLOOD STATEMENT THIS PROPERTY LIES IN FLOOD ZONE \_\_\_\_\_ ACCORDING TO FIRM MAP NO. \_\_\_\_\_

THIS PROPERTY IS "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER". ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61C17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES. REGISTERED SURVEYOR NUMBER 2729 STATE OF FLORIDA.

W.L. W.  
W.R. WARD PSM 2729  
No. 12695 SURV. No. 12695  
SHEET NO. 2 OF 2



**Board of Adjustment****6. E.**

**Meeting Date:** 08/15/2018  
**CASE:** CU-2018-16  
**APPLICANT:** Escambia County, Agent for Beulah Volunteer Fire Department, INC.  
**ADDRESS:** 6400 W Nine Mile Road  
**PROPERTY REFERENCE NO.:** 06-1S-31-3304-000-000  
**ZONING DISTRICT:** LDR, Low Density Residential district  
**FUTURE LAND USE:** MU-S, Mixed-Use Suburban  
**OVERLAY DISTRICT:** N/A

---

**SUBMISSION DATA:**

**REQUESTED CONDITIONAL USE:**  
Emergency service facilities

**RELEVANT AUTHORITY:**

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended),  
Section :Sec. 3-2.5(c)(2)c.

**CRITERIA:**

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended),  
Section 2-6.4

**CRITERION (a)**

**General compatibility.** The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area.

**FINDINGS-OF-FACT:**

The proposed use can be conducted and operated in a manner that is compatible with adjacent and surrounding properties. Based on staff's research, the existing structure can be traced back to the year 1977, using aerial photographs. The volunteer fire fighting activities and operations have been conducted from this site for the past twenty years.

**CRITERION (b)**

**Facilities and services.** Public facilities and services, especially those with adopted levels of service, will be available, will provide adequate capacity to serve the proposed use consistent with capacity requirements.

**FINDINGS-OF-FACT:**

Facilities and services are available on-site. The existing volunteer fire station building is connected to public services.

#### **CRITERION (c)**

**On-site circulation.** Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access.

#### **FINDINGS-OF-FACT:**

The Volunteer Fire Department has operated on-site without incidents; the capabilities of emergency vehicles to be seen and heard prior to entering the roads, facilitates ingress and egress into and from the property. The parcel location and site layout accommodate the current existing use.

#### **CRITERION (d)**

**Nuisances and hazards.** The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.

#### **FINDINGS-OF-FACT:**

The existing Volunteer Fire Station has conducted operations from the site for many years. Some nuisances are expected from fire-emergency services operations to adjacent and surrounding parcels. It appears that there is an existing distance and natural vegetation buffer that minimize the impact on the majority of the surrounding residences; active emergency operations are intermittent in frequency and duration, thus minimizing some of the perceived nuisances.

#### **CRITERION (e)**

**Solid waste.** All on site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts.

#### **FINDINGS-OF-FACT:**

Solid waste containers on-site are appropriately located and create no nuisances.

#### **CRITERION (f)**

**Screening and buffering.** Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site.

#### **FINDINGS OF FACT:**

The site has been used for volunteer emergency operations for many years. Existing vegetation does provide visual buffering to the East and North; the existing screening and buffering on-site accommodates the existing use.



### **CRITERION (g)**

**Signs and lighting.** All exterior signs and lights, whether attached or freestanding, will be compatible with adjoining properties and other properties in the immediate area, especially regarding glare and traffic safety.

#### **FINDINGS OF FACT:**

All existing lights are compatible with adjoining properties. There is no safety impact from existing lights or signs on the site.

### **CRITERION (h)**

**Site characteristics.** The size, shape, location and topography of the site appear adequate to accommodate the proposed use, including setbacks, intensity, bulk, height, open space and aesthetic considerations .

#### **FINDINGS OF FACT:**

As the Volunteer Fire Department has provided fire-emergency services to the community from this same location for the past thirty years, the site characteristics are adequate to accommodate the use.

### **CRITERION (i)**

**Use requirements.** The proposed use complies with any additional conditional use requirements of the applicable zoning district, use, or other provisions of the LDC.

#### **FINDINGS OF FACT:**

There are no additional conditional use requirements for the site.

### **STAFF FINDINGS**

Staff finds that the applicant meets all of the requirements; therefore, staff recommends approval of the Conditional Use.

### **BOA DECISION**

### **BOARD OF ADJUSTMENT FINDINGS**

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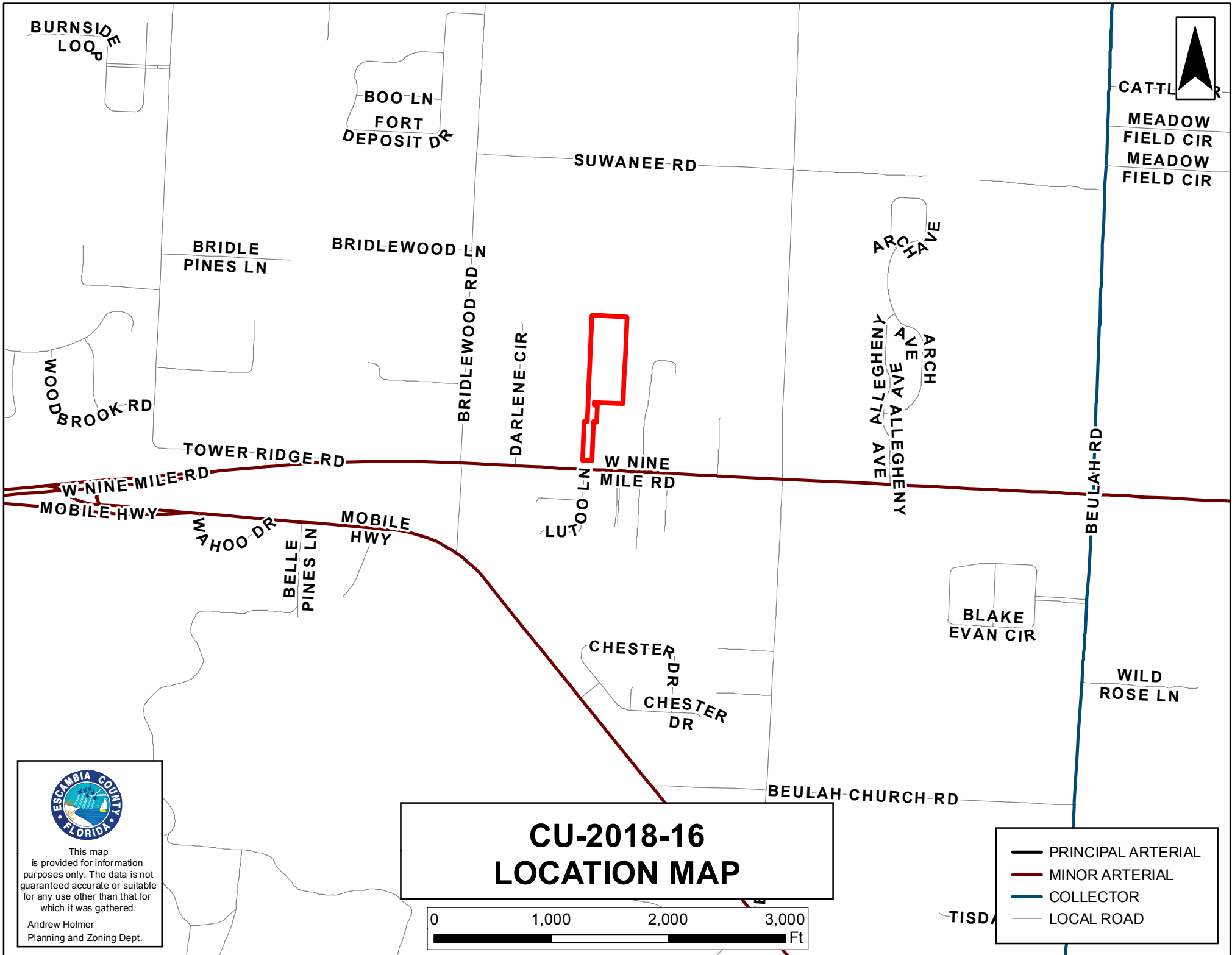
### **Attachments**

Working Case File

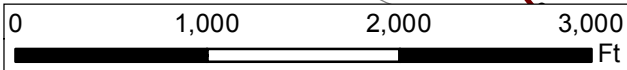
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**CU-2018-16**




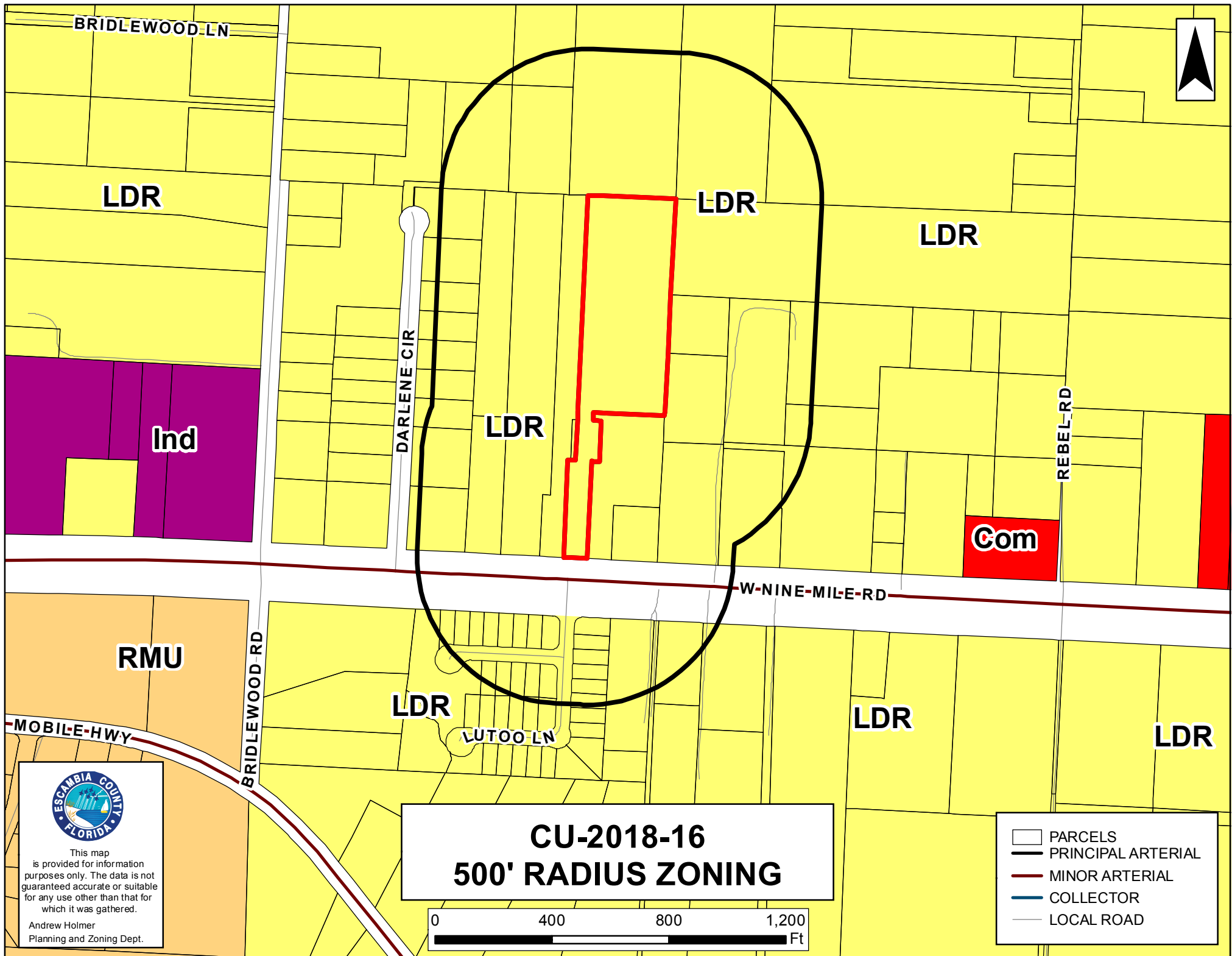


**CU-2018-16  
LOCATION MAP**

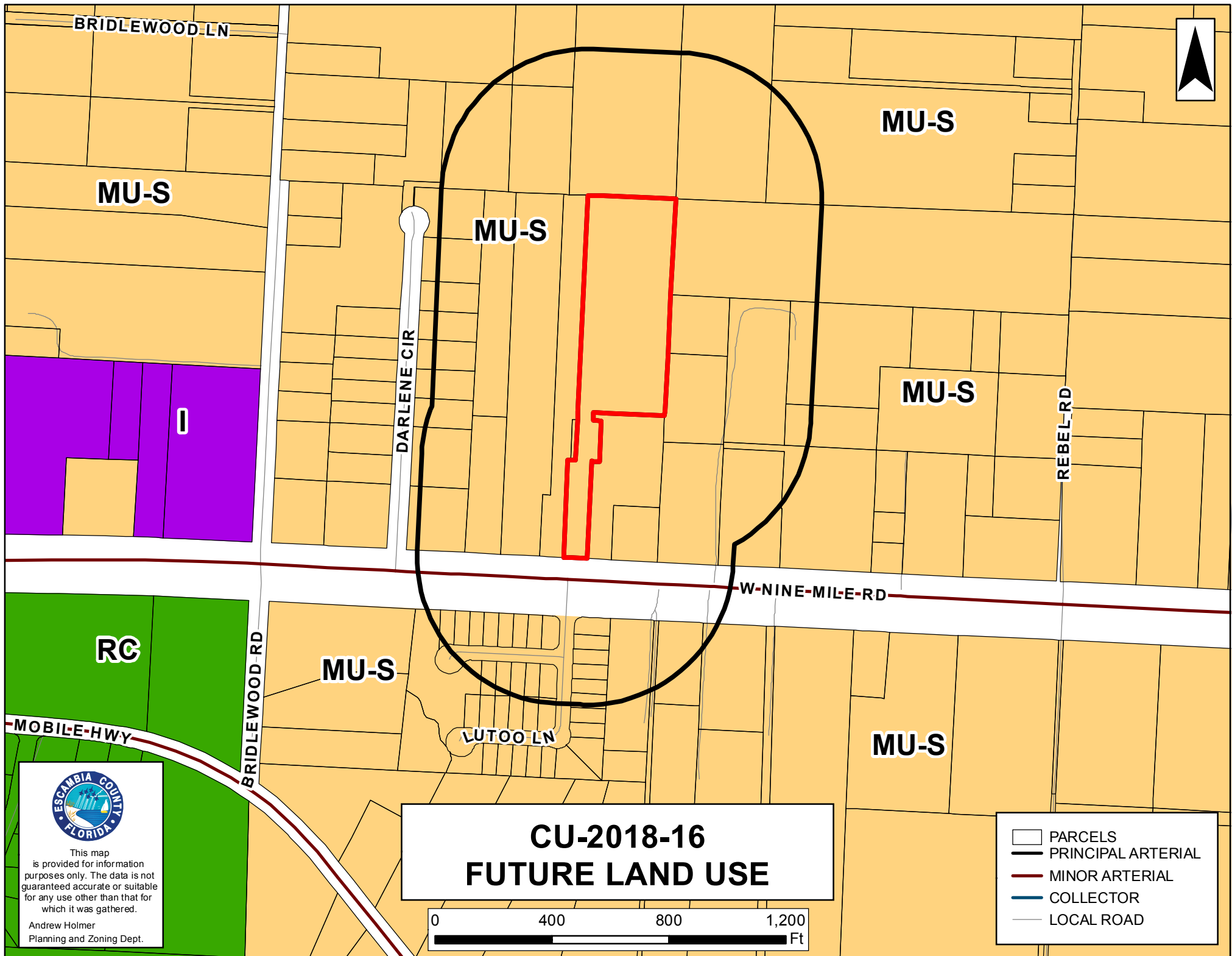


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD

  
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.











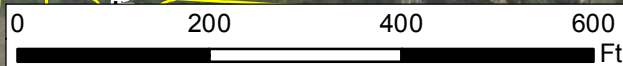
DARLENE CIR



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.

## CU-2018-16 AERIAL MAP



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





# NOTICE OF PUBLIC HEARING BOARD OF ADJUSTMENT

**TYPE OF REQUEST:** **CONDITIONAL USE**

**CASE NO:** **CU-2018-16**

**DATE:** **08/15/18** **TIME:** **8:30 AM**

## LOCATION OF HEARING

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

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

PL  
P

PUBLIC HEARING SIGN





LOOKING SOUTH ACROSS NINE MILE  
ROAD





LOOKING WEST ON NINE MILE ROAD





LOOKING EAST ON NINE MILE ROAD





LOOKING NORTH FROM NINE MILE  
ROAD TOWARDS PROPERTY

**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>

**Board of Adjustment Application**

FOR OFFICE USE ONLY - Case Number: CU-2018-16 Accepted by: \_\_\_\_\_ BOA Meeting: 08/15/18

Conditional Use Request for: EMERGENCY SERVICE FACILITY IN LDR ZONING

Variance Request for: \_\_\_\_\_

**1. Contact Information:**

**A. Property Owner/Applicant:** BEULAH VOLUNTEER FIRE DEPT INC

Mailing Address: 6400 W NINE MILE RD PENSACOLA, FL 32526

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

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

**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:** 6400 W NINE MILE

Parcel ID (s): 06-1S-31-3304-000-000

\_\_\_\_\_

\_\_\_\_\_

**B. Total acreage of the subject property:** 6.02 +/-

**C. Existing Zoning:** LDR

FLU Category: MU-S

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

\_\_\_\_\_

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



**3. Amendment Request**

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

Per LDC section 3-2.5(C)2(c), Emergency service facilities, including  
law enforcement, fire fighting, and medical assistance are a Conditional Use  
in LDR zoning.

- B. For Variance Request – Please address *ALL* the following approval conditions for your Variance request. (use supplement sheets as needed)**

- 1.** Special conditions and circumstances exist which are peculiar to the land, structure or building and which are not applicable to other lands, structures or buildings in the same zoning district.

N/A

- 2.** The special conditions and circumstances do not result from the actions of the applicant.

N/A

3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this land development code to other lands, buildings or structures in the same zoning district.

N/A

4. Strict application of the provisions of the land development code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code and would create an unnecessary and undue hardship on the applicant.

N/A

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

N/A

6. The granting of the variance will be consistent with the general intent and purpose of the land development code and that such variance will not be injurious to the area or otherwise detrimental to the public welfare.

N/A



**C. For Conditional Use Request – Please address *ALL* the following approval conditions for your Conditional Use request. (use supplement sheets as needed)**

- 1. General compatibility.** The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area. *If this is for the sale of alcohol within a 1000 ft of a place of worship or child care facility; please explain a-e below: a.) The existing times of use of the places of worship or child care facilities coincide with the hours of operation of the subject business b.) The 1000-foot minimum distance is not achieved. c.) The conflicting uses are visible to each other. d.) Any on-premises consumption is outdoors. e.) Any conditions or circumstances mitigate any incompatibility.*

This site has been in use as a fire station and the proposed Conditional Use will continue that land use. The compatibility of the sue with surrounding properties will not be changed.

- 2. Facilities and services.** Public facilities and services, especially those with adopted levels of service, will be available, will provide adequate capacity to serve the proposed use consistent with capacity requirements.

Public facilities and services are available and this proposed use will continue that level of fire service.

- 3. On-site circulation.** Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access.

Ingress/ egress is currently via nine Mile Rd and this access will continue.

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- 4. Nuisances and hazards.** The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.

Due to the nature of the existing and proposed use, there are certain nuisance conditions associated such as noise and lights. The proposed Conditional Use will not change these impacts.

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- 5. Solid waste.** All on-site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts.

Solid waste service will be provided to the site.

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- 6. Screening and buffering.** Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site.

Screening and buffering will meet all LDC required provisions.

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- 7. Signs and lighting.** All exterior signs and lights, whether attached or freestanding, will be compatible with adjoining properties and other properties in the immediate area, especially regarding glare and traffic safety.

Signage and lighting will meet all applicable LDC provisions for the existing and proposed use.

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- 8. Site characteristics.** The size, shape, location and topography of the site appear adequate to accommodate the proposed use, including setbacks, intensity, bulk, height, open space and aesthetic considerations.

~~This location has been in operation as a fire station and the proposed Conditional Use will not change that use.~~

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- 9. Use requirements.** The proposed use complies with any additional conditional use requirements of the applicable zoning district, use, or other provisions of the LDC.

The site will comply with any additional LDC requirements.

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4. **Please complete the following form (if applicable): Affidavit of Owner/Limited Power of Attorney**

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

As owner of the property located at 6400 W NINE MILE RD, Florida, property reference number(s) 06-1S-31-3304-000-000 I hereby designate Escambia County for the sole purpose of completing this application and making a presentation to the Board of Adjustment 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 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 Department.

Agent Name: Escambia County  
Email: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature of Property Owner \_\_\_\_\_ Printed Name of Property Owner \_\_\_\_\_ Date \_\_\_\_\_

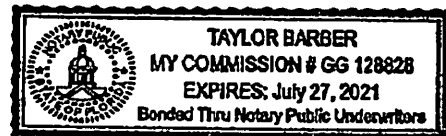
STATE OF Florida COUNTY OF Escambia  
The foregoing instrument was acknowledged before me this 14 day of August 20 18  
by DAVID F. PRICE JR  
Ramona Price

Personally Known ☐ OR Produced Identification ☒ Type of Identification Produced: FLID

Taylor Barber  
Signature of Notary

Taylor Barber  
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 Fees: To view fees visit the website:  
<http://myescambia.com/business/board-adjustment> or contact us at 595-3475.

**Note:** Fees include 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**

D. \_\_\_\_\_ A Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)

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 place a public notice sign(s) on the property referenced herein.; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Department.

Signature of Owner/Agent

Printed Name of Owner/Agent

STATE OF Florida COUNTY OF Escambia The foregoing instrument  
was acknowledged before me this 14<sup>th</sup> day August of

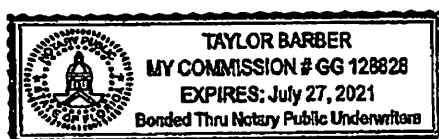
2018, by Gavin F. Price II

Personally Known ☐ OR Produced Identification ☒ Type of Identification Produced: FL DL

Signature of Notary

Printed Name of Notary

(Notary Seal)



Recorded in Public Records 10/08/2007 at 04:07 PM OR Book 6230 Page 1370,  
Instrument #2007096253, Ernie Lee Magaha Clerk of the Circuit Court Escambia  
County, FL Recording \$18.50 Deed Stamps \$7.00

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### **SPECIAL WARRANTY DEED**

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

**KNOW ALL MEN BY THESE PRESENTS**, that the Emerald Coast Utilities Authority, formerly known as Escambia County Utilities Authority, a local governmental body, corporate and politic, of the State of Florida (whose mailing address is 9255 Sturdevant Street, Pensacola, Florida 32514) Grantor, for and in consideration of Ten Dollars and other good and valuable consideration, the receipt whereof is hereby acknowledged, does bargain, sell, convey and grant unto Beulah Volunteer Fire Department, Inc., a not-for-profit organization, Grantee, (whose mailing address is 6400 West 9 Mile Road, Pensacola, Florida 32526), its successors and assigns, forever, the following real property, situate, lying and being in the County of Escambia, State of Florida, to-wit:

Commence at the intersection of the East line of the Southwest 1/4 of the Southwest 1/4 of Section 6, Township 1 South, Range 31 West with the North right of way line of Nine Mile Road; thence North along said East line for a distance of 505.61 feet; thence North 87°13'51" West for 243.11 feet to the point of beginning; thence North 87°13'51" West for 53.89 feet; thence South 2°46'52" West for 57.84 feet; thence South 87°13'07" East for 53.89 feet; thence North 2°46'52" East for 57.84 feet to the point of beginning. Containing 0.07 acres more or less.

Subject to taxes for current year and to valid easements, reservations and restrictions of record affecting the above property, if any, which are not hereby reimposed.

To have and to hold, unto the said Grantee, its successors and assigns, forever, together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, free from all exemptions and right of homestead. And the said Grantor covenants that it is well seized of an indefeasible estate in fee simple in said property and has a good right to convey the same; that it is free from encumbrances, and that the said Grantor, its successors and assigns, the said Grantee, its successors and assigns, in the quiet and peaceful possession and enjoyment thereof, against all persons lawfully claiming the same, by, through, or under Grantor, shall and will forever warrant and defend, subject to the exceptions set forth above.

In accordance with Section 270.11, Florida Statutes, Grantor reserves for itself, its successors and assigns an undivided three-fourths interest in and title in and to an undivided three-fourths interest in all the phosphate, minerals and metals that are or may be in, on, or under the said property and an undivided one-half interest in all the petroleum that is or may be in, on, or under said property, together with the privilege to mine and develop the same.



IN WITNESS WHEREOF, the said **Emerald Coast Utilities Authority**, pursuant to Resolution Number 04-01 adopted by it in official session on the 26th day of February, 2004, has executed these presents causing its name to be signed by its Executive Director, this 11<sup>th</sup> day of ~~May~~ <sup>June</sup>, 2007.



EMERALD COAST UTILITIES  
AUTHORITY

By: Stephen E. Sorrell  
Stephen E. Sorrell, P.E., M.P.A.  
Executive Director

Signed, sealed and delivered  
in the presence of:

Linda Iversen  
Witness

Sharon T. Harrell  
Witness

Linda Iversen  
Printed Name of Witness

Sharon T. Harrell  
Printed Name of Witness

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

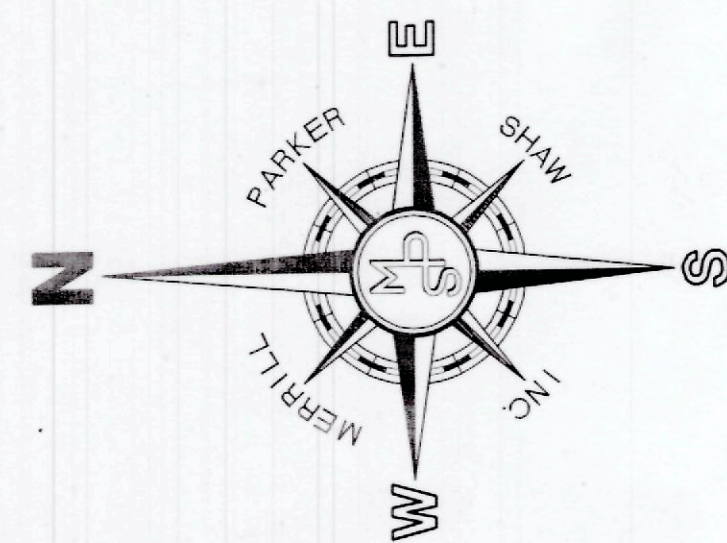
The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of ~~May~~ <sup>June</sup>, 2007, by Stephen E. Sorrell, P.E., M.P.A., as Executive Director, on behalf of the Emerald Coast Utilities Authority, who is personally known to me ~~or who produced~~ as identification.

LINDA G. IVERSEN  
Notary Public-State of Florida  
My commission expires Feb. 18, 2009  
Comm. No. DD 374212

Linda G. Iversen  
Notary Public, State of Florida

THIS INSTRUMENT PREPARED BY:  
Richard D. Barlow, Esq.  
KIEVIT, ODOM & BARLOW  
Attorneys at Law  
635 West Garden Street  
Pensacola, Florida 32502  
(850) 434-3527

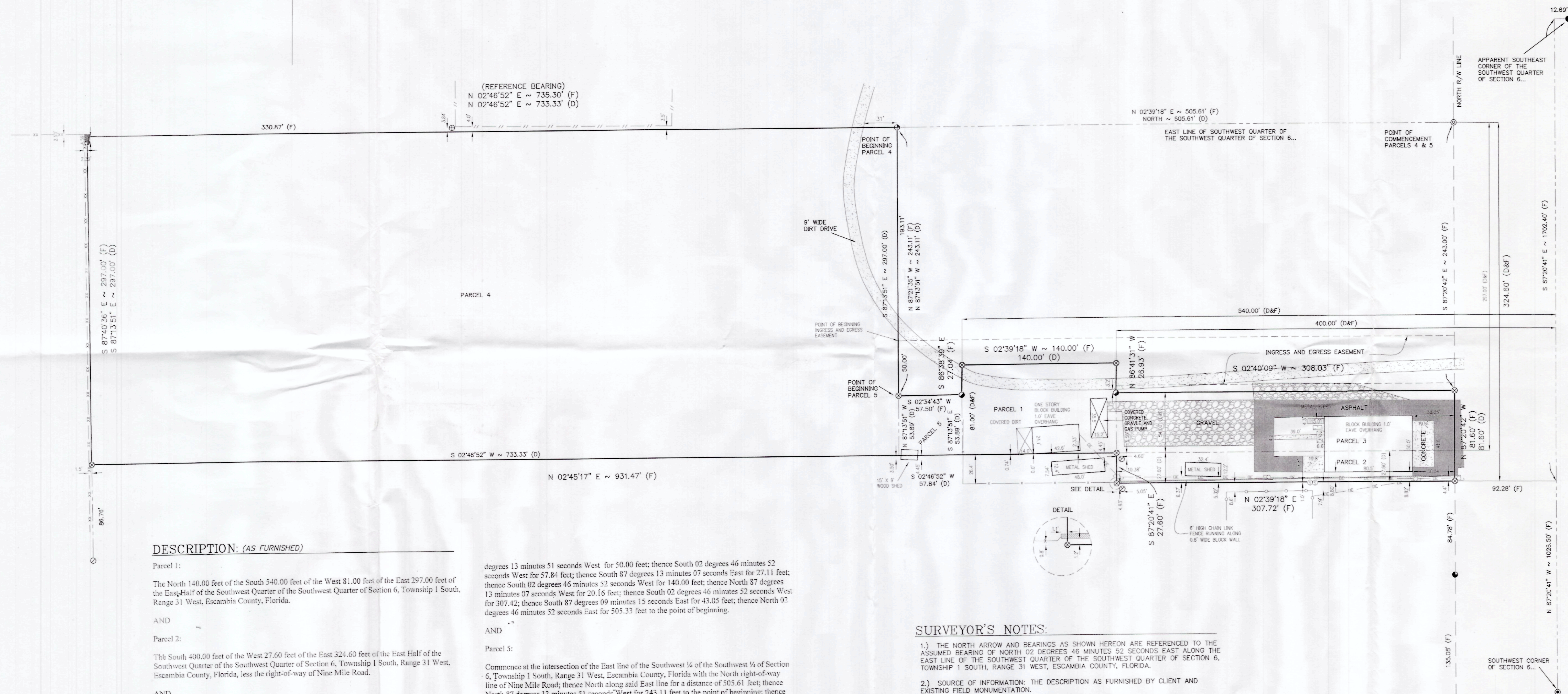
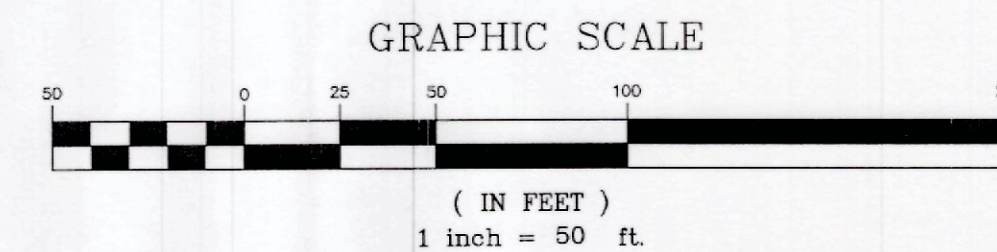




# BOUNDARY SURVEY WITH IMPROVEMENTS:

A PORTION OF SECTION 6,  
TOWNSHIP-1-SOUTH, RANGE-31-WEST,  
ESCAMBIA COUNTY, FLORIDA.

ADDRESS: 6400 W. NINE MILE ROAD



## DESCRIPTION: (AS FURNISHED)

Parcel 1:

The North 140.00 feet of the South 540.00 feet of the West 81.00 feet of the East 297.00 feet of the East Half of the Southwest Quarter of the Southwest Quarter of Section 6, Township 1 South, Range 31 West, Escambia County, Florida.

AND

Parcel 2:

The South 400.00 feet of the West 27.60 feet of the East 324.60 feet of the East Half of the Southwest Quarter of the Southwest Quarter of Section 6, Township 1 South, Range 31 West, Escambia County, Florida, less the right-of-way of Nine Mile Road.

AND

Parcel 3:

The South 400.00 feet of the West 54.00 feet of the East 297.00 feet of the East Half of the Southwest Quarter of the Southwest Quarter of Section 6, Township 1 South, Range 31 West, Escambia County, Florida, less the right-of-way of Nine Mile Road, subject to easement recorded in Official Records Book 681, Page 738 and Official Records Book 681, Page 740 of the Public Records of Escambia County, Florida.

AND

Parcel 4:

Commence at the intersection of the East line of the SW 1/4 of the SW 1/4 of Section 6, Township 1 South, Range 31 West, Escambia County, Florida with the North right-of-way line of Nine Mile Road; thence North along said East line for a distance of 505.61 feet to the point of beginning; thence North 02 degrees 46 minutes 52 seconds East for 733.33 feet; thence North 87 degrees 13 minutes 51 seconds West for 297.00 feet; thence South 02 degrees 46 minutes 52 seconds West for 733.33 feet; thence South 87 degrees 13 minutes 51 seconds East for 297.00 feet to the point of beginning.

Together with a non-exclusive easement for ingress, egress and the installation, operation and maintenance of utility lines over, under and across the following described property:

Commence at the intersection of the East line of the SW 1/4 of the SW 1/4 of Section 6, Township 1 South, Range 31 West, Escambia County, Florida with the North right-of-way line of Nine Mile Road; thence North along said East line for a distance of 505.61 feet; thence North 87 degrees 13 minutes 51 seconds West for 193.11 feet to the point of beginning; thence North 87

degrees 13 minutes 51 seconds West for 50.00 feet; thence South 02 degrees 46 minutes 52 seconds West for 57.84 feet; thence South 87 degrees 13 minutes 07 seconds East for 27.11 feet; thence South 02 degrees 46 minutes 52 seconds West for 140.00 feet; thence North 87 degrees 13 minutes 07 seconds West for 20.16 feet; thence South 02 degrees 46 minutes 52 seconds East for 307.42 feet; thence South 87 degrees 09 minutes 15 seconds East for 43.05 feet; thence North 02 degrees 46 minutes 52 seconds East for 505.33 feet to the point of beginning.

AND

Parcel 5:

Commence at the intersection of the East line of the Southwest 1/4 of the Southwest 1/4 of Section 6, Township 1 South, Range 31 West, Escambia County, Florida with the North right-of-way line of Nine Mile Road; thence North along said East line for a distance of 505.61 feet; thence North 87 degrees 13 minutes 51 seconds West for 243.11 feet to the point of beginning; thence North 87 degrees 13 minutes 51 seconds West for 53.89 feet; thence South 02 degrees 46 minutes 52 seconds East for 33.89 feet; thence North 02 degrees 46 minutes 52 seconds East for 57.84 feet to the point of beginning.

## LEGEND:

- ⊕ ~ 1/2" CAPPED IRON ROD, NUMBER 6832 (FOUND)
- ⊕ ~ 3/4" CAPPED IRON PIPE, NUMBER 1292 (FOUND)
- ⊕ ~ 1/2" CAPPED IRON ROD, NUMBER 6783 (FOUND)
- ⊕ ~ 4" X 4" LIGHTER WOOD STAKE (FOUND)
- ⊕ ~ 1/2" CAPPED IRON ROD, NUMBER 7174 (SET)
- ⊕ ~ 1/2" ALLOY CAPPED IRON ROD, NUMBER 1635 (FOUND)
- ⊕ ~ 1/2" CAPPED IRON ROD, ILLIGIBLE (FOUND)
- ⊕ ~ 5/8" PLAIN IRON ROD, UNNUMBERED (FOUND)
- ⊕ ~ 1/2" CAPPED IRON ROD, NUMBER 4882 (FOUND)
- ⊕ ~ 1/2" CAPPED IRON ROD, NUMBER 5791 (FOUND)
- ⊕ ~ 3/4" PLAIN IRON PIPE (FOUND)
- R/W ~ RIGHT OF WAY
- (F) ~ FIELD MEASUREMENT/INFORMATION
- (D) ~ DESCRIPTION INFORMATION
- ~ 4" HIGH CHAIN LINK FENCE
- ~ 6" HIGH CHAIN LINK FENCE
- ~ 4" HIGH WIRE FENCE
- ~ 6" HIGH WOOD FENCE
- ~ INDICATES NOT TO SCALE
- ~ OVERHEAD UTILITY LINES
- ~ UTILITY POLE

## SURVEYOR'S NOTES:

- 1.) THE NORTH ARROW AND BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF NORTH 02 DEGREES 46 MINUTES 52 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA.
- 2.) SOURCE OF INFORMATION: THE DESCRIPTION AS FURNISHED BY CLIENT AND EXISTING FIELD MONUMENTATION.
- 3.) NO TITLE SEARCH WAS PERFORMED BY OR FURNISHED TO MERRILL PARKER SHAW, INC. FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, RIGHT-OF-WAYS, EASEMENTS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, GOVERNMENTAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES AND/OR USE OF THE SUBJECT PROPERTY.
- 4.) ONLY THE ABOVE GROUND VISIBLE ENCROACHMENTS AND IMPROVEMENTS WERE FIELD LOCATED AS SHOWN HEREON, UNLESS OTHERWISE NOTED. UNDERGROUND ENCROACHMENTS AND IMPROVEMENTS, IF ANY, WERE NOT FIELD LOCATED OR VERIFIED, UNLESS OTHERWISE NOTED.
- 5.) THE DIMENSIONS OF THE BUILDINGS (IF ANY) AS SHOWN HEREON ARE ALONG THE OUTSIDE FACE OF THE BUILDINGS AND DO NOT INCLUDE THE EAVES OVERHANG OR THE FOOTINGS OF THE FOUNDATIONS.
- 6.) THE SURVEY AS SHOWN HEREON DOES NOT DETERMINE OWNERSHIP.
- 7.) THE MEASUREMENTS MADE IN THE FIELD, INDICATED THUSLY (F), AS SHOWN HEREON WERE MADE IN ACCORDANCE WITH UNITED STATES STANDARDS.
- 8.) 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 ANY OTHER TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER AND IS TO BE RETURNED UPON REQUEST.

THE SURVEY SHOWN HEREON MEETS THE FLORIDA MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN THE STATE OF FLORIDA, ACCORDING TO FLORIDA ADMINISTRATIVE CODE, CHAPTER 5J-17.050, CHAPTER 5J-17.051 AND 5J-17.052, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

MERRILL PARKER SHAW, INC.  
4928 N. DAVIS HIGHWAY, PENSACOLA, FL. 32503

E. Wayne Parker 4/6/15  
E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR  
REGISTRATION NUMBER 3683 CORPORATE NUMBER 7174  
STATE OF FLORIDA

COPYRIGHT © 2014 BY MERRILL PARKER SHAW, INC.

REVISIONS:			
NO.	DATE	APPR.	REVISE COUNTY DESIGNATION IN SURVEY TITLE
1	8/2/18		

NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR			
MERRILL PARKER SHAW, INC.			
4928 N. DAVIS HWY PENSACOLA, FL 32503 FLORIDA CORPORATION NUMBER 7174 PH: (850) 478-4923 FAX: (850) 478-4924			
SCALE: 1" = 50'	DRAWN: WPJ	CHECKED: EWP	DATE: 4/6/15
FIELD DATE: 4/2/15	FIELD BOOK: 254, PAGES 40-41		

BOUNDARY SURVEY WITH IMPROVEMENTS:	
A PORTION OF SECTION 6, TOWNSHIP-1-SOUTH, RANGE-31-WEST, ESCAMBIA COUNTY, FLORIDA.	
PREPARED FOR: ESCAMBIA COUNTY REQUESTED BY: LARRY GOODWIN	
JOB NO. 15-7319-1	SHEET 1 OF 1



**Board of Adjustment**

**A.**

Meeting Date: 08/15/2018

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Attachments

Order Granting Petition for Writ of Certiorari

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IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
IN AND FOR ESCAMBIA COUNTY, FLORIDA

TERAMORE DEVELOPMENT, LLC,  
SHU CHENG SHURETT, and LEO  
HUANG,

Petitioners,

vs.

Case No. 17-CA-1778

ESCAMBIA COUNTY, FLORIDA,

Respondent.

\_\_\_\_\_ /

**ORDER GRANTING PETITION FOR WRIT OF CERTIORARI**

This case is before the Court on the Amended Petition for Writ of Certiorari (“Amended Petition”) that the Petitioners filed on January 5, 2018. Respondent Escambia County, Florida (“County”), filed its Response on February 1, 2018. The Petitioners filed their Reply on March 5, 2018. The Court conducted oral argument on May 7, 2018.

**FACTUAL BACKGROUND**

The subject property is a 3.4-acre vacant parcel that is zoned Commercial (C) with a future land use designation of Mixed-Use Suburban (MU-S). The surrounding areas are zoned Low Density Residential (LDR) and High Density Residential (HDR), and the surrounding land uses are single family residential. The Petitioners proposed to build a 9,100-square foot retail store on the site to, in turn, lease to the Dollar General Corporation.

In mid-2017, the Petitioners requested confirmation of compatibility from the County’s Planning Official with regard to the proposed retail store pursuant to Section 3-2.10(c)(5) of the County’s Land Development Code (LDC), which provides:



All new non-residential uses proposed within the commercial district that are not part of a planned unit development or not identified as exempt by the district shall be on parcels that satisfy at least one of the following location criteria:

\* \* \* \*

(5) Documented compatibility. A compatibility analysis prepared by the applicant provides competent substantial evidence of unique circumstances regarding the potential uses of parcel 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. . . .

The Petitioners submitted a compatibility analysis prepared by a certified land use planner in support of the request. In the compatibility analysis, the Petitioners' land use planner analyzed the proposed retail store and factors such as the surrounding uses, building setbacks, building height, building orientation, building mass, open space ratios, buffers, lighting, noise, and hours of operation in evaluating whether the proposed retail store would be "compatible" with the surrounding area. On July 24, 2017, the Planning Official issued a written decision concluding the proposed development, which is surrounded by existing residential uses, did not satisfy the alternative location criteria (1-4), and the Petitioners' written analysis did not provide evidence of "unique circumstances" that were not anticipated by the alternative criteria so as to otherwise conclude that the proposed use would achieve long-term compatibility with the surrounding existing residential uses. The Petitioners timely appealed the Planning Official's compatibility determination to the Board of Adjustment (BOA) pursuant to the County's LDC ("Administrative Appeal"). On October 18, 2017, the BOA conducted a quasi-judicial hearing on the Petitioners' Administrative Appeal. The BOA heard testimony from the Petitioner's expert land use planner, Allara Gutcher, whom they recognized as an expert witness. The BOA also heard testimony from Teramore's corporate representative, the County's Planning Official,

the County's Planning Manager, and several citizens from the surrounding area of the proposed development. At the conclusion of the October 18 hearing, the BOA unanimously voted to deny the Petitioners' Administrative Appeal and to uphold the Planning Official's determination that Teramore's proposed retail store is not "compatible." Thereafter, the Petitioners timely sought certiorari review of the BOA's October 18, 2017 decision in this Court.

### LEGAL ANALYSIS

Upon first tier review of a quasi-judicial proceeding, a court must determine whether the Petitioners were accorded procedural due process, whether the essential requirements of the law have been observed, and whether the administrative findings and judgment are supported by competent substantial evidence. Florida Power & Light Co. v. City of Dania, 761 So. 2d 1089, 1092 (Fla. 2000) (citing City of Deerfield Beach v. Vaillant, 419 So. 2d 624, 626 (Fla. 1982)). Such review is not *de novo*. Rather, a circuit court is limited to reviewing the record that was created before the lower tribunal. Florida Power & Light Co. v. City of Dania, 761 So. 2d at 1092.

Petitioners did not contest whether they were accorded procedural due process. However, Petitioners do contest whether the essential requirements of the law have been observed and whether the BOA's decision was supported by competent substantial evidence. They argue that because the essential requirements of law were not observed and competent substantial evidence did not exist to support the BOA's decision, the Court should quash the denial of Petitioners' administrative appeal.

Frankly, the code provision at issue in this case is difficult to comprehend and lacks clarity in how it should be applied in many respects.<sup>1</sup> It never defines what a "compatibility analysis" should contain or who is qualified to prepare such analysis, but yet explicitly states that

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<sup>1</sup> The Petitioner has not asserted that the code provision is ambiguous.



such "compatibility analysis" is competent substantial evidence of unique circumstances regarding the potential uses of parcel that were not anticipated by the alternative criteria. It can be argued also that the code provision does not communicate to property owners sufficient notice of what the County expects in a compatibility analysis, other than if you have one, it constitutes competent substantial evidence to support your application, until, like in this case, the County says it does not. Better said in Park of Commerce Associates v. City of Delray Beach, 606 So.2d 633, 635 (Fla. 4th DCA 1992), "(P)roperty owners are entitled to notice of the conditions they must meet in order to improve their property in accord with the existing zoning and other development regulations of the government. Those conditions should be set out in clearly stated regulations. Compliance with those regulations should be capable of objective determination in an administrative proceeding."

The record presented to this Court reveals that the BOA's denial of the Petitioner's Administrative Appeal was not supported by competent substantial evidence. Competent substantial evidence is that which is "sufficiently relevant and material that a reasonable mind would accept it as adequate to support the conclusion reached." De Groot v. Sheffield, 95 So. 2d 912, 916 (Fla. 1957). "For the action to be sustained, it must be reasonably based in the evidence presented." Town of Indialantic v. Nance, 400 So. 2d 37, 40 (Fla. 5th DCA 1981). "Surmise, conjecture or speculation have been held not to be substantial evidence." Fla. Rate Conference v. Fla. R.R. and Pub. Utils. Comm'n, 108 So. 2d 601, 607 (Fla. 1959).

The Court finds the BOA's decision to find that Petitioners' proposed retail store is not compatible with existing and potential uses is not supported by competent substantial evidence. The evidence presented at the hearing in support of the County's request that the proposed use be denied can only be characterized as speculative and conclusory. The record reveals that the

Planning Official's determination that the proposed development did not meet the criteria set forth in (e)(5) was not supported by any facts or evidence. The Planning Official did render an opinion that the development was not compatible, but never set forth any specific evidence to support such opinion. The record indicates that the County simply disagreed with the Petitioners' expert without presenting facts that contradicted the opinions set forth in her compatibility analysis. Additionally, the County's witnesses and the BOA itself never considered or applied the code's decree that a compatibility analysis was competent substantial evidence which supported the Petitioner's request. Further, other than its disagreement with the Petitioner's expert that the proposed use would be able to achieve long-term compatibility with existing and potential uses, the County never presented objective facts to support its disagreement. The County's opinion that the proposed development was not compatible and would not achieve long term compatibility was simply a bald conclusion and without more has no evidentiary value. Arkin Const. Co. v. Simpkins, 99 So. 3d 557, 561 (Fla. 1957).

In contrast, the Petitioner brought forth specific evidence in support of its application. The Petitioner's expert, who had put together hundreds of compatibility analyses in her career, prepared a compatibility analysis as contemplated by the code and gave testimony in support of such analysis at the hearing. In such analysis, and in her testimony, she also opined that the Petitioner's proposed use of the property would be able to achieve long-term compatibility with existing and potential uses; such opinion meeting the criteria set forth in (e)(5). As will also be addressed in another portion of this Order, the code language itself demands the BOA to find that the compatibility analysis is competent substantial evidence of unique circumstances regarding the potential uses of parcels that were not anticipated by the alternative criteria (i.e. (e)(1)-(4)). The County never introduced any specific evidence why the Petitioners' compatibility should be



rejected. Rather, the County's evidence was that it simply did not agree with the Petitioners' compatibility analysis. In fact, the County's witness never directly answered the question posed by Petitioners' counsel as to whether the proposed use (a commercial venture in a commercial zone) could coexist with the surrounding residential uses in a stable fashion over time such that no use, activity or condition is unduly negatively impacted. (See App. 076-080).

While the BOA affirmatively stated it based its decision on the expert testimony, and not the citizen testimony, the County argues that part of the competent substantial evidence supporting the BOA's decision did indeed come from the citizen testimony. The Court certainly understands the complaints and fears of these witnesses. However, the testimony of the citizens who spoke against the proposed use cannot constitute competent substantial evidence based upon existing case law.<sup>2</sup> The First District Court of Appeal has held that lay witnesses' speculation about potential traffic problems, light and noise pollution, and general unfavorable impacts of a proposed land use are not considered competent substantial evidence. Katherine's Bay, LLC v. Fagan, 52 So.3d 19, 30 (Fla. 1st DCA 2010). Similarly any lay witnesses' opinions that a proposed land use will devalue homes in the area are insufficient to support a finding that such devaluation will occur. Further, while there were speakers who identified themselves as real estate agents, their testimony cannot be considered as expert opinions as to whether the proposed use would cause devaluation of property. Such witnesses did not identify themselves as appraisers of real property and did not base their testimony on specific real estate sales and listings, opinions of brokers and other real estate agents, and information as to the general status of the local economy. See Trustees of Central States Southeast and Southwest Areas, Pension Fund v. Indico Corp., 401 So.2d 904, 906 (Fla. 1st DCA 1981). Based on the evidence the BOA

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<sup>2</sup> The Florida Supreme Court has stated that the decisions of the district courts of appeal represent the law of Florida unless and until they are overruled by the Florida Supreme Court. Stanfill v. State, 384 So.2d 141, 143 (Fla. 1980).

could consider, the Court finds there was no competent substantial evidence justifying the BOA's decision to deny the Petitioners' administrative appeal.

The Court also finds that the BOA departed from the essential requirements of law by ignoring the code's language that a petitioner's compatibility analysis provides competent substantial evidence of unique circumstances regarding the potential uses of a parcel that were not anticipated by the alternative criteria. It is not for this Court to add or subtract words or requirements from a code provision. Anderson Columbia v. Brewer, 994 So.2d 419, 421 (Fla. 1st DCA 2008). Nothing in the plain language of Section 3-2.10(e)(5) of the County's LDC authorizes the County Staff or the BOA to simply disregard the Petitioner's compatibility analysis. The Code sets forth the established principle that a compatibility analysis must be viewed as competent substantial evidence. The County never considered that proposition when rendering its opinion, and neither did the BOA when it rejected the Petitioners' appeal. This is not a mere simple legal error, but rather a failure to apply the plain language of the Code. To be clear, this Court is not ruling at this time that a compatibility analysis automatically entitles the Petitioner the relief it seeks. However, the Court believes the Code mandated the BOA to apply the standards set forth in the Code when it rendered its decision, and by failing to do so the BOA departed from the essential requirements of the law that applied to this case.

For the reasons set forth above, the Court finds that the BOA's decision denying the Petitioners' Administrative Appeal was not supported by competent substantial evidence, and that the BOA departed from the essential requirements of the law. Accordingly, it is hereby ORDERED and ADJUDGED that:

1. The Petitioners' Amended Petition for Writ of Certiorari is GRANTED;



2. The BOA's decision denying the Petitioners' Administrative Appeal is QUASHED; and

3. The Court reserves jurisdiction to award costs, if appropriate, upon proper motion by the Petitioners as the prevailing party in this appellate proceeding.

DONE AND ORDERED in Chambers in Escambia County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

  
eSigned by CIRCUIT COURT JUDGE J. SCOTT DUNCAN in 2017 CA 001778  
on 08/03/2018 18:47:49 yw76gVXG

SCOTT DUNCAN  
CIRCUIT COURT JUDGE

Conformed copies via e-mail to:

David A. Theriaque, Esquire (Counsel for Petitioners)  
S. Brent Spain, Esquire (Counsel for Petitioners)  
Kristin D. Hual, Esquire (Counsel for Respondent)