

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
QUASI-JUDICIAL HEARING
November 13, 2018—8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.
4. Approval of Minutes.
 - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the October 1, 2018, Planning Board Rezoning Meeting.
5. Acceptance of Rezoning Planning Board Meeting Packet.
6. Quasi-judicial Process Explanation.
7. Public Hearings.
 - A. Case #: Z-2018-14
Applicant: Catalina Filip, Agent for Fil's Group, LLC., Owner
Address: 8925 Gulf Beach Highway
Property Size: 2.79 +/- acres
From: MDR, Medium Density Residential district (10 du/acre)
To: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre)
 - B. Case #: Z-2018-15
Applicant: Wiley C. "Buddy" Page, Agent for Gulf Beach Self Storage, Inc.
Owner

Address: 8939 Gulf Beach Highway
Property Size: 4.29 (+/-) acres
From: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre) and MDR, Medium Density Residential district (10 du/acre)
To: HC/LI-NA, Heavy Commercial and Light Industrial district, prohibiting the subsequent establishment of any microbreweries, microdistilleries, microwineries, bars, nightclubs, or adult entertainment uses (25 du/acre)

C. Case #: Z-2018-16
Applicant: Wiley C. "Buddy" Page, Agent for James Campbell, Owner
Address: 1250 Fairchild Street
Property Size: 4 (+/-) acres
From: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre)
To: HDR, High Density Residential district (18 du/acre)

D. Case #: Z-2018-17
Applicant: Wiley C. "Buddy" Page, agent for RNL Investment Group, LLC, Owner
Address: 8891 Burning Tree Rd
Property Size: 3.52 (+/-) acres and 7.56 (+/-) acres
Northern Portion:
From: Rec, Recreation district (du density limited to vested development)
To: MDR, Medium Density residential (10 du/acre)
Southern Portion:
From: Rec, Recreation district (du density limited to vested development)
To: Com, Commercial district (25 du/acre)

E. Case #: Z-2018-18
Applicant: Kshitij Patel, Agent for Michael and Tammy Matcke, Owners
Address: 5950 West Nine Mile Road
Property Size: 0.97 (+/-) acres
From: LDR, Low Density Residential district (four du/acre)
To: HDMU, High Density Mixed-use district (25 du/acre)

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

Case No.: VRD-2018-01
Project Address: 3411 John Street
Property Reference No.: 16-2S-30-1001-330-004
Zoning District: HDMU, High Density Mixed-use district (25 du/acre)
FLU Category: MU-U, Mixed-Use Urban
Vested Rights for: Allow a MH in HDMU zoning
Applicant: Tanaya Rosa, Agent for Keith L. Davis, Owner

8. Adjournment.



BOARD OF COUNTY COMMISSIONERS

Escambia County, Florida

Planning Board-Rezoning

4. A.

Meeting Date: 11/08/2018

Agenda Item:

RECOMMENDATION: That the Planning Board review and approve the Meeting Resume' Minutes of the October 1, 2018, Planning Board Rezoning Meeting.

Attachments

Draft October 1, 2018 Planning Board Rezoning Meeting Minutes

DRAFT

RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL REZONING October 1, 2018

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:35 A.M. – 10:29 A.M.)

Present: Reid Rushing
Jay Ingwell
Timothy Pyle
Patty Hightower
Alan Gray
Eric Fears
William Clay
Stephen Opalenik

Absent: Wayne Briske, Chairman

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

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

Motion by Alan Gray, Seconded by Eric Fears

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

Vote: 6 - 0 Approved

Other: Wayne Briske (ABSENT)

4. Approval of Minutes.

- A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the August 7, 2018 Planning Board Rezoning Meeting.

Motion by Reid Rushing, Seconded by Jay Ingwell

Motion was made to approve the Rezoning Planning Board meeting minutes from August 7, 2018.

Vote: 6 - 0 Approved

Other: Wayne Briske (ABSENT)

5. Acceptance of Rezoning Planning Board Meeting Packet.

Motion by Eric Fears, Seconded by Alan Gray

Motion was made to accept the Rezoning Planning Board meeting packet for October 1, 2018.

Vote: 6 - 0 Approved

Other: Wayne Briske (ABSENT)

6. Quasi-judicial Process Explanation.

7. Public Hearings.

- A.
- | | |
|----------------|---|
| Case #: | Z-2018-09 |
| Applicant: | Ronald C. Williams, Owner |
| Address: | 1900 Block Tate Rd |
| Property Size: | 1.66 (+/-) acres |
| From: | LDR, Low Density
Residential district (4
du/acre) |
| To: | LDMU, Low Density
Mixed-use district (7 du/acre) |

Tim Pyle acknowledged visiting the site.

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

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

Motion by Alan Gray, Seconded by Eric Fears

Motion was made to recommend approval and waive the locational criteria.

Vote: 6 - 0 Approved

Other: Wayne Briske (ABSENT)

- B.
- | | |
|----------------|--|
| Case #: | Z-2018-11 |
| Applicant: | Gilbert Nelson, Owner |
| Address: | Dogwood Place |
| Property Size: | 9.1 (+/-) acres |
| From: | HDMU, High Density
Mixed-use district (25
du/acre) |
| To: | Com, Commercial district
(25 du/acre) |

Motion by Alan Gray, Seconded by Reid Rushing

Motion made to accept withdraw letter from Applicant.

Vote: 6 - 0 Approved

Other: Wayne Briske (ABSENT)

Motion by Eric Fears, Seconded by Reid Rushing

Motion was made to continue the case to next PB meeting.

Vote: 6 - 0 Approved

Other: Wayne Briske (ABSENT)

- C. Case #: Z-2018-13
Applicant: Robert O. Beasley, Agent for
 Crosby Holdings, LLC.,
 Owner
Address: 2335 Klinger Street
Property 0.46 (+/-) acres
Size:
From: MDR, Medium Density
 Residential district (10
 du/acre)
To: HDMU, High Density
 Mixed-use district (25
 du/acre)

No planning board member acknowledged visiting the site.

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

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

Motion by Alan Gray, Seconded by Eric Fears

Motion was made to recommend approval to the BCC.

Vote: 6 - 0 Approved

Other: Wayne Briske (ABSENT)

- D. A Public Hearing Concerning the Review of Bridlewood Subdivision, a Planned Unit Development

That the Board review the development plan for Bridlewood residential subdivision, a Planned Unit Development (PUD), and confirm consistency of the plan with Land Development Code (LDC) requirements prior to transmittal of a recommendation to the Board of County Commissioners (BCC) to review and consider the plan for a final decision.

No planning board member acknowledged visiting the site.

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

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

Motion by Alan Gray, Seconded by Eric Fears

Motion was made to recommend approval of the PUD to the BCC.

Vote: 4 - 2 Approved

Voted No: Jay Ingwell
 William Clay

Other: Wayne Briske (ABSENT)

8. Adjournment.

Planning Board-Rezoning

7. A.

Meeting Date: 11/08/2018

CASE : Z-2018-14

APPLICANT: Catalina Filip, Agent for Fil's Group, LLC., Owner

ADDRESS: 8925 Gulf Beach Highway

PROPERTY REF. NO.: 33-2S-31-2000-120-001

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

DISTRICT: 2

OVERLAY DISTRICT: AIPD-1, APZ-2

BCC MEETING DATE: 12/06/2018

SUBMISSION DATA:

REQUESTED REZONING:

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

TO: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre)

RELEVANT AUTHORITY:

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

APPROVAL CONDITIONS

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

Consistent with Comprehensive Plan

The proposed zoning is consistent with the future land use (FLU) category as prescribed in LDC Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan. If the rezoning is required to properly enact a proposed FLU map amendment transmitted for state agency review, the proposed zoning is consistent with the proposed FLU and conditional to its adoption.

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

FLU 1.5.1 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities, and service infrastructure, the County will

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

FINDINGS

The proposed amendment to HC/LI is **consistent** with the intent and purpose of Future Land Use category MU-U as stated in CPP FLU 1.3.1. The MU-U FLU is intended for an intense mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole. The listed Range of Allowable Uses includes residential, retail and services, professional office, light industrial, recreational facilities, public, civic and limited agriculture. The amendment is also consistent with the intent of FLU 1.5.1, by making use of the existing public roads and the availability of utilities and service infrastructure.

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

Consistent with The Land Development Code

The proposed zoning is consistent with the purpose and intent and with any other zoning establishment provisions prescribed by the proposed district in Chapter 3.

Sec. 3-2.7 Medium Density Residential district (MDR).

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

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

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

(b) Permitted uses. Permitted uses within the HC/LI district are limited to the following:

(1) Residential. Any residential uses outside of the Industrial (I) future land use category but if within the Commercial (C) future land use category (and not the principal single-family dwelling on an existing lot of record), only as part of a predominantly commercial development; and excluding new or expanded manufactured (mobile) home

parks and subdivisions. See also conditional uses in this district.

(2) Retail sales. Retail sales, including Low-THC marijuana dispensing facilities, sales of alcoholic beverages, sales of automotive fuels, and sales of new and used automobiles, motorcycles, boats, and manufactured (mobile) homes.

(3) Retail services.

- a. Car washes, automatic or manual, full service or self-serve.
- b. Child care facilities.
- c. Hotels, motels and all other public lodging, including boarding and rooming houses.
- d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners and tattoo parlors.
- e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.
- f. Rental of automobiles, trucks, utility trailers and recreational vehicles.
- g. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, and major motor vehicle and boat service and repair, but excluding outdoor work or storage.
- h. Restaurants and brewpubs, including on-premises consumption of alcoholic beverages, drive-in and drive-through service, and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales. The parcel boundary of any restaurant or brewpub with drive-in or drive-through service shall be at least 200 feet from any LDR or MDR zoning district unless separated by a 50-foot or wider street right-of-way.
- i. Taxi and limousine services.

See also conditional uses in this district.

(4) Public and civic.

- a. Broadcast stations with satellite dishes and antennas, including towers.
- b. Cemeteries, including family cemeteries.
- c. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- d. Educational facilities, including preschools, K-12, colleges, and vocational schools.
- e. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.
- f. Funeral establishments.
- g. Homeless shelters.
- h. Hospitals.
- i. Offices for government agencies or public utilities.
- j. Places of worship.
- k. Public utility structures, including telecommunications towers, but excluding industrial uses not otherwise permitted.

See also conditional uses in this district.

(Ord. No. 2015-24, § 1, 7-7-15)

(5) Recreation and entertainment.

- a. Commercial entertainment facilities, indoor or outdoor, including movie theatres, amusement parks, and stadiums, but excluding motorsports facilities. Carnival-type

amusements shall be at least 500 feet from any residential district. Bars, nightclubs, and adult entertainment are prohibited in areas with the zoning designation HC/LI-NA or areas zoned ID-CP or ID-1 prior to adoption of HC/LI zoning.

b. Commercial recreation facilities, passive or active, including those for walking, hiking, bicycling, camping, recreational vehicles, swimming, skateboarding, bowling, court games, field sports, and golf, but excluding off-highway vehicle uses and outdoor shooting ranges. Campgrounds and recreational vehicle parks require a minimum lot area of five acres.

c. Marinas, private and commercial.

d. Parks, with or without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

(6) Industrial and related. The following industrial and related uses, except within MU-S.

a. Light industrial uses, including research and development, printing and binding, distribution and wholesale warehousing, and manufacturing, all completely within the confines of buildings and without adverse off-site impacts.

b. Marinas, industrial.

c. Microbreweries, microdistilleries, and microwineries, except in areas with the zoning designation HC/LI-NA.

See also conditional uses in this district.

(7) Agricultural and related.

a. Food produced primarily for personal consumption by the producer, but no farm animals.

b. Nurseries and garden centers, including adjoining outdoor storage or display of plants.

c. Veterinary clinics, excluding outside kennels.

See also conditional uses in this district.

(8) Other uses. Within MU-S, outside storage is permitted only when adequately screened per LDC regulations.

a. Billboards structures, excluding areas zoned ID-CP, GBD, or GID prior to adoption of HC/LI zoning.

b. Building or construction trades shops and warehouses, including on-site outside storage.

c. Bus leasing and rental facilities, not allowed within MU-S.

d. Deposit boxes for donation of used items when placed as an accessory structure on the site of a charitable organization.

e. Outdoor adjacent display of plants by garden shops and nurseries.

f. Outdoor sales.

g. Outdoor storage of trailered boats and operable recreational vehicles, excluding repair, overhaul or salvage activities.

h. Parking garages and lots, commercial, not allowed within MU-S.

i. Sales and outdoor display of prefabricated storage sheds.

j. Self-storage facilities, including vehicle rental as an accessory use.

(c) Conditional uses. Through the conditional use process prescribed in Chapter 2, the BOA, or the BCC as noted, may conditionally allow the following uses within the HC/LI district:

(1) Residential. Caretaker residences not among the permitted uses of the district and for permitted non-residential uses.

(2) Retail services. Restaurants not among the permitted uses of the district.

(3) Public and civic. Cinerators.

(4) Recreation and entertainment.

- a. Motorsports facilities on lots 20 acres or larger.
- b. Off-highway vehicle commercial recreation facilities on lots 20 acres or larger.
- c. Shooting ranges, outdoor.

(5) Industrial and related. The following industrial and related uses, except within MU-S:

- a. Asphalt and concrete batch plants if within the Industrial (I) future land use category and within areas zoned GID prior to adoption of HC/LI zoning.
- b. Borrow pits and reclamation activities 20 acres minimum and (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and land use regulations in Part III, the Land Development Code, chapter 4.) *Borrow pits are prohibited on land zoned GBD, GID, and WMU prior to the adoption of the HC/LI zoning.
- c. Salvage yards not otherwise requiring approval as solid waste processing facilities.
- d. Solid waste processing facilities, including solid waste collection points, solid waste transfer facilities, materials recovery facilities, recovered materials processing facilities, recycling facilities and operations, resource recovery facilities and operations, and volume reduction plants.

The conditional use determination for any of these solid waste facilities shall be made by the BCC in lieu of any hearing before the BOA. The applicant shall submit a site boundary survey, development plan, description of anticipated operations, and evidence that establishes each of the following conditions in addition to those prescribed in Chapter 2:

- 1. Trucks have access to and from the site from adequately wide collector or arterial streets and do not use local residential streets.
 - 2. The scale, intensity, and operation of the use will not generate unreasonable noise, traffic, objectionable odors, dust, or other potential nuisances or hazards to contiguous properties.
 - 3. The processing of materials will be completely within enclosed buildings unless otherwise approved by the BCC.
 - 4. The plan includes appropriate practices to protect adjacent land and resources, minimize erosion, and treat stormwater; landscaping and buffering for adjacent uses; hours of operation; methods to comply with maximum permissible noise levels; means of access control to prevent illegal dumping; and plans for materials storage. (6)
- Agricultural and related. Kennels or animal shelters not interior to veterinary clinics.

(7) Other uses.

- a. Structures of permitted uses exceeding the district structure height limit.
- b. Heliports.

(e) Location criteria. All new non-residential uses proposed within the HC/LI district that

are not part of a planned unit development or not identified as exempt by district regulations shall be on parcels that satisfy at least one of the following location criteria:
(1) Parcel previously zoned GBD within the MU-S FLU along Hwy 29 or SR 95A. Parcels previously zoned GBD and within the MU-S future land use category which are located along and directly fronting U.S. Highway 29 or State Road 95A

(2) Proximity to intersection. Along an arterial street and within one-quarter mile of its intersection with an arterial street.

(3) Site design. Along an arterial street, no more than one-half mile from its intersection with an arterial street, and all of the following site design conditions:

a. Not abutting a RR, LDR or MDR zoning district

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

c. A system of service roads or shared access is provided to the maximum extent feasible given the lot area, lot shape, ownership patterns, and site and street characteristics.

d. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use, such as solid waste dumpsters and truck loading/unloading areas, furthest from the residential uses.

e. Location in an area where already established non-residential uses are otherwise consistent with the HC/LI, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.

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

a. The parcel has not been rezoned by the landowner from the mixed-use, commercial, or industrial zoning assigned by the county.

b. If the parcel is within a county redevelopment district, the use will be consistent with the district's adopted redevelopment plan, as reviewed and recommended by the Community Redevelopment Agency (CRA).

Sec. 4-4.5 Airport and airfield planning districts.

(b) Military Airfield Influence Planning Districts.

(5) AIPD-1 requirements. Airfield Influence Planning District 1 (AIPD-1) defines areas of greatest protection for an airfield. AIPD-1 lies within a boundary connecting the outermost limits of an installation's clear zones, accident potential zones, or other areas necessary to achieve adequate protections. The following requirements apply to all lands within an AIPD-1 district:

a. Prohibited concentrations of population. Any use at such a scale that gatherings concentrating more than 25 people per acre and within a structure would be expected on a regular basis is prohibited. Such uses include sports stadiums, amphitheaters, auditoriums, clubhouses, churches, schools, hospitals, assisted living facilities, hotels and motels, restaurants, nightclubs and other establishments.

b. Residential density. Residential density is limited by the applicable zone or area with the AIPD according to the following:

1. **Clear zones.** Areas designated as "Clear Zone" are allowed no residential density except vested single-family dwellings on existing lots of record.
2. **Area A.** Areas designated as "Area A" are allowed no residential density except vested single-family dwellings on existing lots of record.
3. **APZ-1.** Areas designated as "Accident Potential Zone 1" (APZ-1) and aligned with airfield runways are allowed no residential density except vested single-family dwellings on existing lots of record. All other APZ-1 areas are limited to one dwelling unit per 2.5 acres.
4. **APZ-2.** Areas designated as "Accident Potential Zone 2" (APZ-2) and aligned with airfield runways are limited to two dwelling units per acre. All other APZ-2 areas are limited to three dwelling units per acre.
5. **Area B.** Areas designated as "Area B" are limited to three dwelling units per acre and only subject to the minimum lot area of the applicable zoning district.

FINDINGS

The proposed amendment **is not consistent** with the intent and purpose of the Land Development Code. The applicant is requesting a rezoning for their split zoned parcel to HC/LI that is currently operating as a used cars sale on the HC/LI portion and a non-complaint salvage yard on the MDR portion. To have a salvage yard the MDR portion must be rezoned to HC/LI and have a Conditional Use approval from the Board of Adjustments (BOA). This site has a Code Enforcement violation for a salvage yard on the current MDR zoning area. The split zoned parcel is currently already zoned HC/LI along the Gulf Beach Highway northern part of the parcel to a depth to of 175± to the south where there is a Used Auto Sales. The remaining 500± of the parcel to the south is zoned MDR and surrounded by unimproved right-of-way along the east and south side of the parcel. The applicant is wanting to expand their operation on the parcel to allow more used car sales and a salvage yard, however it must be noted the existing use is a nonconforming use. The proposed property would also have to meet the Locational Criteria by submitting a Compatibility Analysis and proving that the new use would be compatible with the surrounding uses. No compatibility analysis was submitted for the new use nor does staff find the property meeting any of the site designs of the locational criteria. Currently the property falls in the APZ-2 area which prohibits any concentration of people living in the area.

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

Compatible with surrounding uses

All the permitted uses of the proposed zoning, not just those anticipated by the rezoning applicant, are compatible, as defined in Chapter 6, with the surrounding uses. The uses of any surrounding undeveloped land shall be considered the permitted uses of the applicable district. Compatibility is not considered with potential conditional uses or with any nonconforming or unapproved uses. Also, in establishing the compatibility of a residential use, there is no additional burden to demonstrate the compatibility of specific residents or activities protected by fair housing law.

FINDINGS

The proposed amendment **is not compatible** with surrounding existing uses in the area. Within the 500' radius, staff identified properties with zoning districts MDR and HC/LI. The property is surrounded by single-family residences and vacant properties throughout the 500 radius. To the northwest on Wade Ave there is two

commercial uses a repair shop and office store. The other uses surrounding the area are less in intensity on the ground and not compatible with the allowed uses under the requested HC/LI district. Due to the existing nonconforming business already established in the HC/LI zoning this would be an expansion of the property zoning which is surrounded by MDR zoning.

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

Appropriate if spot zoning

Where the proposed zoning would establish or reinforce a condition of spot zoning as defined in Chapter 6, the isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The extent of these mitigating characteristics or conditions demonstrates an appropriate site specific balancing of interests between the isolated district and adjoining lands.

As per LDC Chapter 6, Spot Zoning is: *Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or “spot” zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly development.*

FINDINGS

The request to rezone to HC/LI **would not be considered spot zoning** due to the current parcel is split zoned and already zoned HC/LI along Gulf Beach Hwy with an existing business located on the northern half. This would just be an expansion of the business. The surrounding parcels along Gulf Beach Hwy also have split zoning with HC/LI on both sides of Gulf Beach Highway and currently undeveloped.

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

Appropriate with changed or changing conditions

If the land uses or development conditions within the area surrounding the property of rezoning have changed, the changes are to such a degree and character that it is in the public interest to allow new uses, density, or intensity in the area through rezoning; and the permitted uses of the proposed district are appropriate and not premature for the area or likely to create or contribute to sprawl.

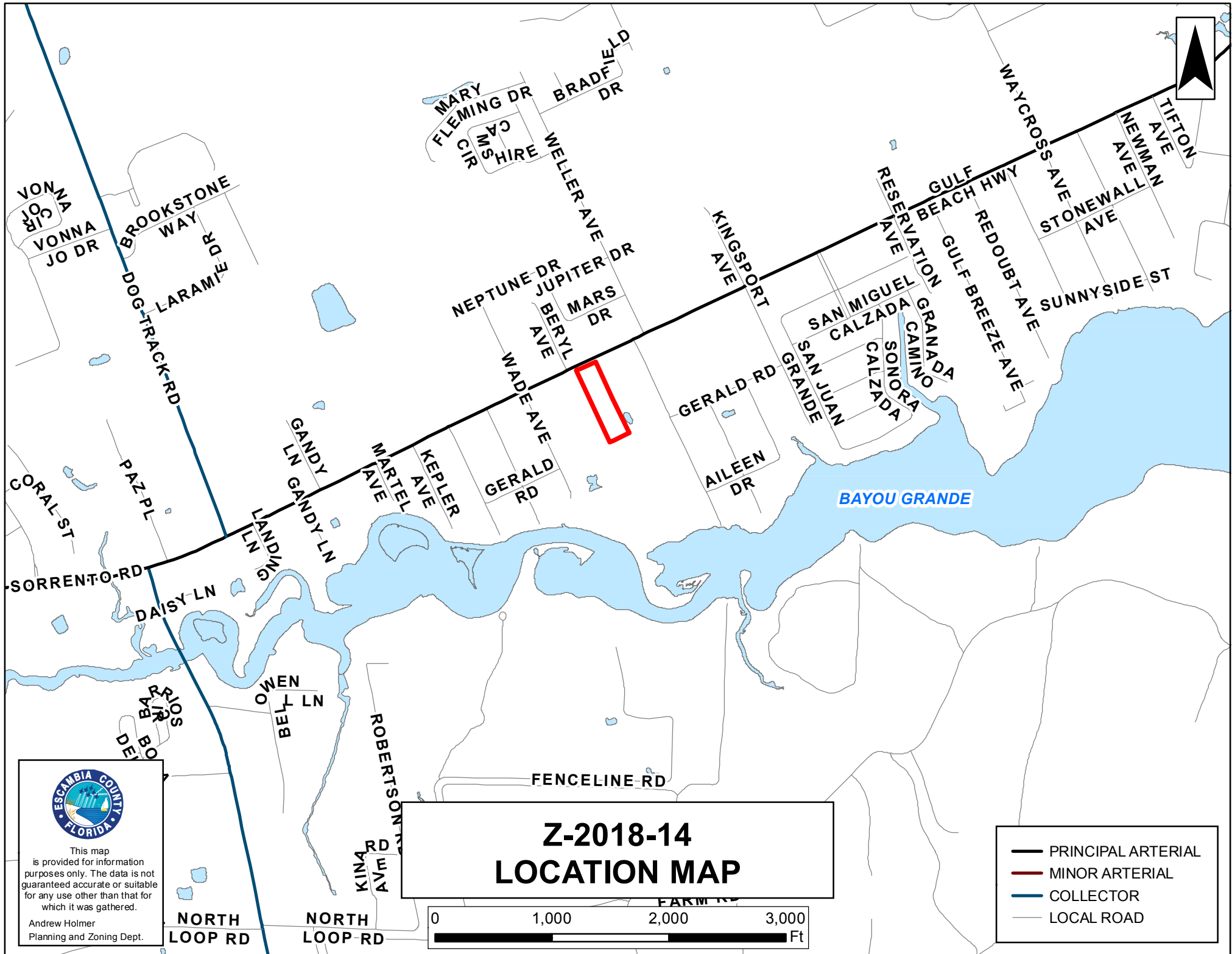
FINDINGS


The land uses or development conditions within the area surrounding the property of rezoning have not changed in uses or intensities. The subject parcel is already an existing business and runs along Gulf Beach Hwy an arterial road that has existing HC/LI zoning fronting all other properties along Gulf Beach Hwy to the east and west for over a mile. This area already established road frontage of HC/LI Zoning has a mix of non-residential uses, single family and vacant properties running in both directions for of Gulf Beach Hwy. All the existing uses would be considered grandfather in. Any new uses or expansion of uses would constitute as strip commercial development or urban sprawl development do to the surrounding properties being split zoned MDR with all other surrounding uses being MDR as well.

Attachments

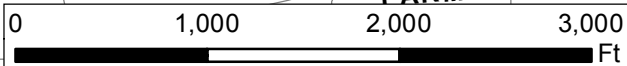
Working Case File

Z-2018-14

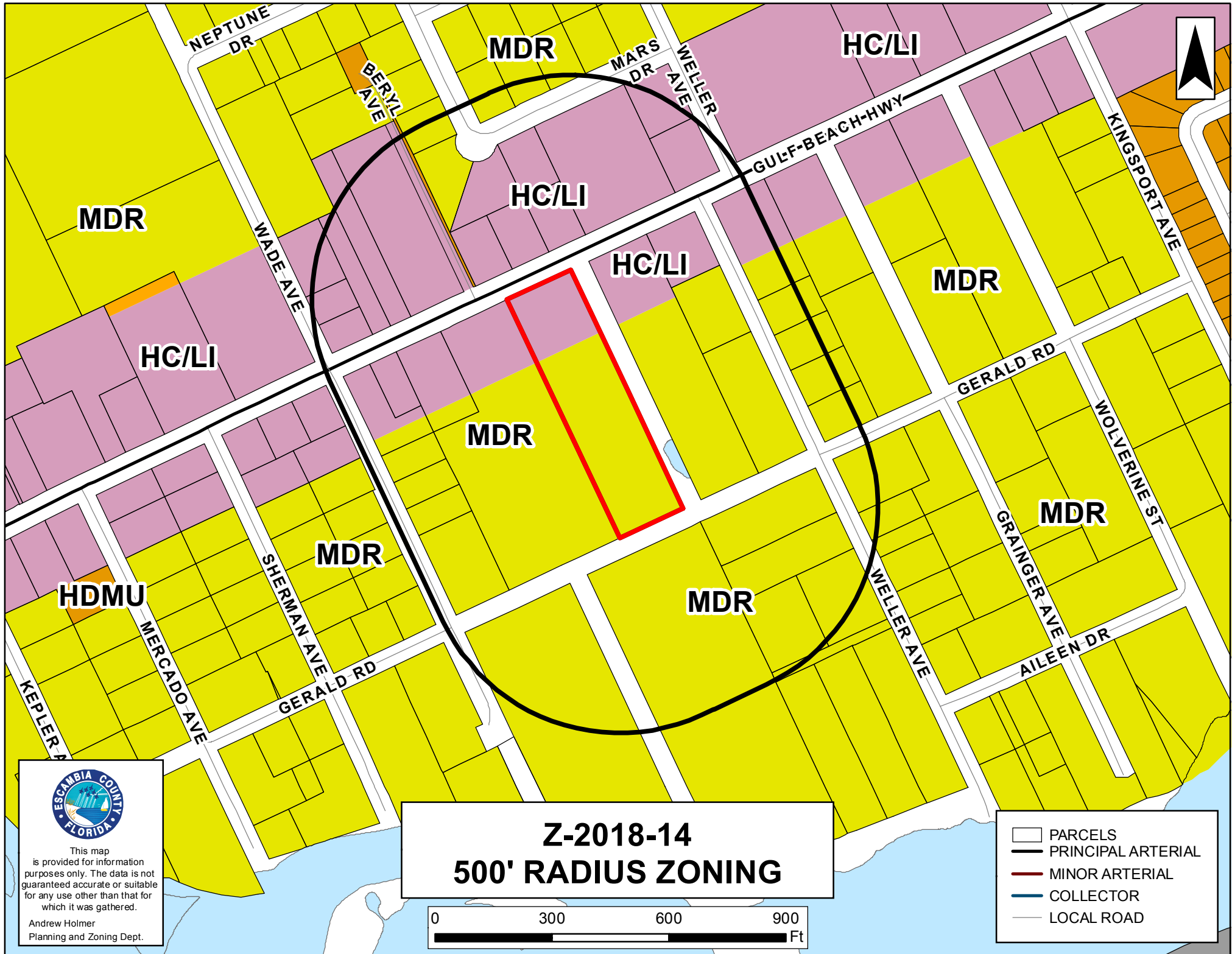



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Andrew Holmer
Planning and Zoning Dept.

Z-2018-14 LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD





MU-S

G

MU-U



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John C Fisher
Planning and Zoning Dept.

Z-2018-14 FLU MAP

0 350 700 1,050
Ft

- parcel_cama_Buffer38
- PUD Bridlewood
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



STORE
OFFICE

REPAIR
SERVICE

VACANT COM

MH'S

Z-2018-14 ELU MAP

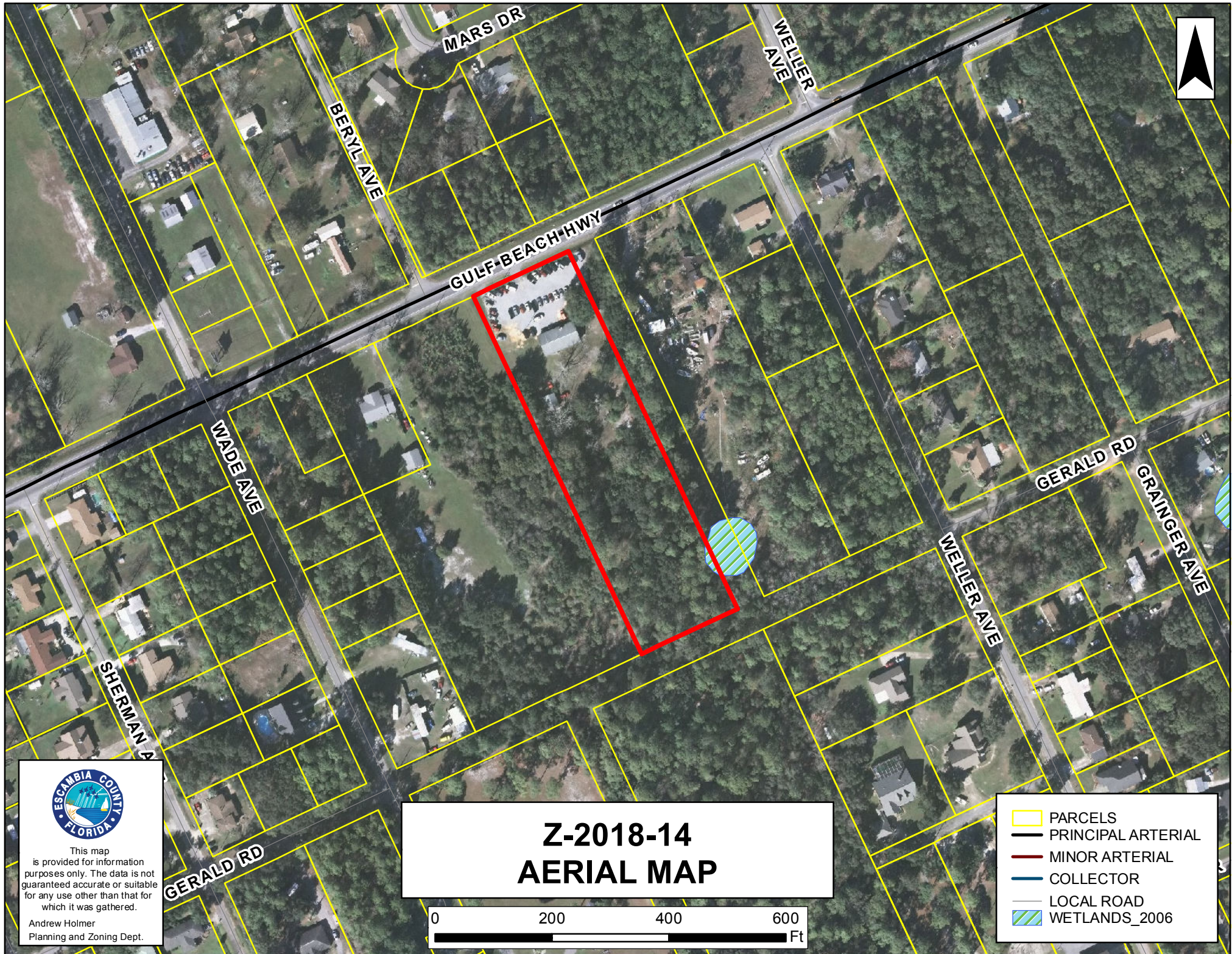
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which it was gathered.

John C Fisher
Planning and Zoning Dept.

- parcel_cama_Buffer38
- PUD Bridlewood
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD

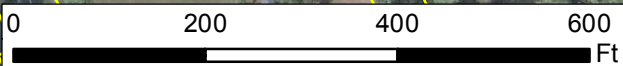




This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

**Z-2018-14
AERIAL MAP**



- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- WETLANDS_2006



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2018-14

CURRENT ZONING: MDR
HC/LI PROPOSED ZONING: HC/LI

PLANNING BOARD

DATE: 11/08/18 TIME: 8:30 AM

LOCATION OF HEARING

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

BOARD OF COUNTY COMMISSIONERS

DATE: 12/06/18 TIME: 5:45 PM

LOCATION OF HEARING

ERNIE LEE MAGAHA GOVERNMENT BLDG
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES AT 885-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

PUBLIC HEARING SIGN



LOOKING EAST ALONG GULF BEACH HWY



SUBJECT PROPERTY



SUBJECT PROPERTY



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: **202008-14**

CURRENT ZONING: **RM-10** PROPOSED ZONING: **PCU**

PLANNING BOARD

DATE: **08/20/2020** TIME: **5:00 PM**

LOCATION OF HEARING
FLORIDA COUNTY CENTRAL OFFICE BUILDING
200 N. W. 10TH STREET
GULF BEACH, FL 33601

BOARD OF COUNTY COMMISSIONERS

DATE: **08/20/2020** TIME: **09:00 PM**

LOCATION OF HEARING
FLORIDA COUNTY CENTRAL OFFICE BUILDING
200 N. W. 10TH STREET
GULF BEACH, FL 33601

FOR MORE INFORMATION, VISIT:
WWW.FLORIDACOUNTY.COM
WWW.MYFLORIDACOUNTY.COM

PLEASE DO NOT REMOVE THIS SIGN
OR RISK OF FINE OR JAIL

LOOKING WEST ALONG GULF BEACH HWY



LOOKING NORTH FROM THE SUBJECT PROPERTY



AERIAL VIEW FROM GOOGLE EARTH IMAGERY DATE 01/14/2018

© 2018 Google

Google Earth

Imagery Date: 1/14/2018 30°22'03.60" N 87°19'56.60" W elev 12 ft eye alt 938 ft

FIL'S GROUP LLC

8925 Gulf Beach Hwy Pensacola FL.32507

Ph :8504663001 , Cell :8502915445.

email:filsgroupauto@gmail.com

VIA HAND DELIVERY

Date : 08.16.18

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

RE: Rezoning request: MDR to HC/LI
Parcel: Portion of 33-2S-31-2000-120-001
Owner: Fil's Group LLC
Address: 8925 Gulf Beach Highway 32507

Dear Mr. Jones:

The attached application requests Planning Board consideration to change the referenced property from the existing MDR to HC/LI classification. As shown in the attached maps, this parcel of property has split zoning with the front portion zoned HC/LI while the southerly portion is zoned Medium Density Residential MDR. This split zoning is characteristic of many of the adjacent lots running east and west of the subject lot.

The property is located within the Navy/JLUS study boundary area and is consistent with the required low density development restrictions in that the intended use will be an extension of an existing on-going used car sales operation.

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

Catalina Filip





Escambia County Planning and Zoning

Development Services Department

3363 West Park Place

Pensacola, FL 32505

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

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

Rezoning Application

FOR OFFICE USE ONLY - Case Number: 7-2018-14 Accepted by: _____ PB Meeting: 10/2/18

1. Contact Information:

A. **Property Owner/Applicant:** Fil's Group, LLC

Mailing Address: 8925 Gulf Beach Highway Pensacola, FL 32507

Business Phone: 850-466-3001 Cell: _____

Email: _____

B. **Authorized Agent (if applicable):** Catalina Filip

Mailing Address: 8925 Gulf Beach Hwy, Pensacola, FL 32507.

Business Phone: 850-466-3001 Cell: 850-291-5445

Email: filsgroup2012@yahoo.com

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

2. Property Information:

A. **Existing Street Address:** 8925 Gulf Beach Highway

Parcel ID (s): 33-2S-31-2000-120-001

B. **Total acreage of the subject property:** 2.79

C. **Existing Zoning:** MDR /HC/LI

Proposed Zoning: HC/LI; explain why necessary and/or appropriate

Lot is 675' deep; front 180' presently zone HC/LI while rear is zoned MDR

Overly: AIPD-1

FLU Category: MU-U

D. Is the subject property developed (if yes, explain): _____
Existing car lot located on front 400+ feet

E. Sanitary Sewer: _____ Septic: X

3. Amendment Request

Approval conditions. The applicant has the burden of presenting competent substantial evidence to the reviewing board establishing that the requested zoning district would contribute to or result in a logical and orderly development pattern. The appropriate surrounding area within which uses and conditions must be considered may vary with those uses and conditions and is not necessarily the same area required for mailed notification. A logical and orderly pattern shall require demonstration of each of the following conditions:

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

- a. **Consistent with Comprehensive Plan.** The proposed zoning is consistent with the future land use (FLU) category as prescribed in LDC Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan. If the rezoning is required to properly enact a proposed FLU map amendment transmitted for state agency review, the proposed zoning is consistent with the proposed FLU and conditional to its adoption.

The adopted Escambia County Land Development Code lists HC/LI as an allowed use under the MU-U Mixed Use Urban FLU category suggesting consistency with the Comprehensive Plan.

- b. **Consistent with zoning district provisions.** The proposed zoning is consistent with the purpose and intent and with any other zoning establishment provisions prescribed by the proposed district in Chapter 3

The requested change will be consistent with other zoning establishment provisions in that the subject parcel is adjacent to other existing HC/LI parcels.

- c. **Compatible with surroundings.** All of the permitted uses of the proposed zoning, not just those anticipated by the rezoning applicant, are compatible, as defined in Chapter 6, with the surrounding uses. The uses of any surrounding undeveloped land shall be considered the permitted uses of the applicable district. Compatibility is not considered with potential conditional uses or with any nonconforming or unapproved uses. Also, in establishing the compatibility of a residential use, there is no additional burden to demonstrate the compatibility of specific residents or activities protected by fair housing law.

The site has existing split zoning assigned by the County whereby HC/LI is adjacent to MDR zoning which suggests that all uses permitted within the HC/LI must therefore be compatible with MUR zoning. Our request results in the same relationship as the existing assigned County zoning categories.

- d. **Appropriate if spot zoning.** Where the proposed zoning would establish or reinforce a condition of spot zoning as defined in Chapter 6, the isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The extent of these mitigating characteristics or conditions demonstrates an appropriate site-specific balancing of interests between the isolated district and adjoining lands.

As per LDC Chapter 6, Spot Zoning is: Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or "spot" zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly development

The requested zoning category is an extension of HC/LI which is existing on the front portion of the sight. This is not a spot zoning issue.

- e. **Appropriate with changed or changing conditions.** If the land uses or development conditions within the area surrounding the property of rezoning have changed, the changes are to such a degree and character that it is in the public interest to allow new uses, density, or intensity in the area through rezoning; and the permitted uses of the proposed district are appropriate and not premature for the area or likely to create or contribute to sprawl.

A separate rezoning application is being submitted for the adjacent parcel west of the the subject site. This next door parcel will contain a large number of mini storage units and has had the engineering plans already reviewed by the county Development Review Committee. The area is changing and both proposed uses comply with the Navy/JLUS study limiting residential while promoting non-residential low density uses

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

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 33-2S-31-2000-120-001

Property Address: 8925 GULF BEACH HWY

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

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

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

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

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

Signature of Property Owner

Printed Name of Property Owner

Date

Signature of Property Owner

Printed Name of Property Owner

Date

5. Submittal Requirements

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

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

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

By my signature, I hereby certify that:

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

Signature of Owner/Agent

Printed Name Owner/Agent

Date

Signature of Owner

Printed Name of Owner

Date

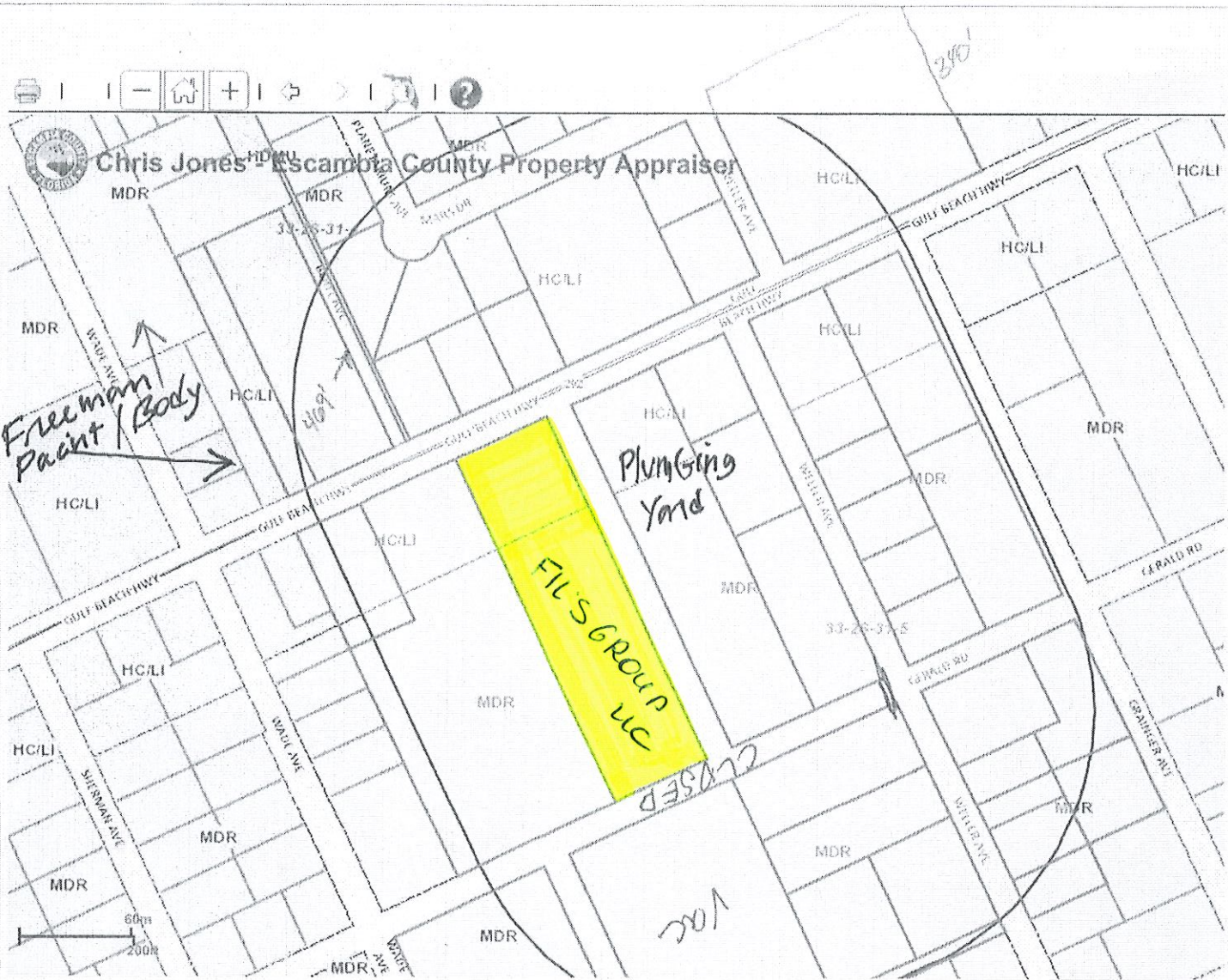
STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 20th day of August 20 18, by _____.

Personally Known ☒ OR Produced Identification ☒ Type of Identification Produced: Florida D.C.

Signature of Notary

Printed Name of Notary





Selection Results (48 parcels)

[Clear Selected Row](#)



[View Account Detail Page](#)

[View MLS Page](#)

Select 0949945003525312001000010	A	DR+PENSACOLA, FL 32507	DR	6/2006	126000	FAMILY RESID	0.3306	1	1454
Select 094911510332S312000340001	BROOKSHIRE JAMES E & PATRICIA A COLSTON	2628 WELLER AVE+PENSACOLA, FL 32507	2628 WELLER AVE	7/2002	25000	MOBILE HOME	0.2600	0	0
Select 094899100332S312000080001	SHEILA LIFE EST & TIDWELL	2520 WELLER AVE+PENSACOLA, FL 32507	2520 WELLER AVE	2/25/2015	78500	SINGLE FAMILY RESID	0.3400	1	1456
Select 094899000332S312000070001	ROBERT T & JULIE A	2481 UPPER BIG SPRINGS RD+LAGRANGE, GA 30241	8841 GULF BEACH HWY	6/1996	66900	SINGLE FAMILY RESID	0.9498	1	1684

This Document Prepared By and Return to:
Edsel F. Matthews, Jr. P.A.
308 S. Jefferson Street
Pensacola, FL 32502

Parcel ID Number: 332531-2000-120-001

Warranty Deed

This Indenture, Made this 16th day of June, 2017 A.D., Between
Steven B. Bobe and Tony M. Bobe

of the County of Baldwin, State of Alabama, grantors, and
Fil's Group, LLC, a Florida limited liability company SB
whose address is: 5925 Gulf Beach Highway
3229 N. G Street, Pensacola, FL 32505 32507 TMB

of the County of Escambia, State of Florida, grantee.
Witnesseth that the GRANTORS, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of Escambia, State of Florida, to wit:

The East 30 feet of the West 150 feet of Lot 75, Bayreuth
Subdivision, according to the Plat recorded in Deed Book 74, Page
100, of the Public Records of Escambia County, Florida, and Lots 12
and 13, Block A, Gulf Beach Manor, a subdivision according to the
Plat recorded in Plat Book 1, Page 16, of the Public Records of said
County.

The property herein conveyed DOES NOT constitute the HOMESTEAD
property of the Grantor.

Subject to restrictions, reservations and easements of record, if
any, and taxes subsequent to 2016.

and the grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Michael A. Shorey
Printed Name: Michael A. Shorey
Witness

Lisa Novatka
Printed Name: Lisa Novatka
Witness

Steven B. Bobe
Printed Name: Steven B. Bobe
P.O. Address: 11570 Country Road 87, Elberta, AL 36530

Tony M. Bobe
Printed Name: Tony M. Bobe
P.O. Address: 11570 Country Road 87, Elberta, AL 36530

STATE OF Florida
COUNTY OF Escambia

The foregoing instrument was acknowledged before me this
Steven B. Bobe and Tony M. Bobe

16th day of June, 2017 by

who are personally known to me or who have produced their
identification.

AL DL

Lisa Novatka
Printed Name: LISA NOVATKA
Notary Public MY COMMISSION # FF 946403
My Commission Expires: EXPIRES: January 4, 2020
Bonds thru Budget Notary Services



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

Detail by Entity Name

Florida Limited Liability Company

FIL'S GROUP LLC

Filing Information

Document Number L13000021467

FEI/EIN Number 46-1997099

Date Filed 02/11/2013

State FL

Status ACTIVE

Principal Address

8925 Gulf Beach Hwy
PENSACOLA, FL 32507

Changed: 04/05/2018

Mailing Address

8925 Gulf Beach Hwy
PENSACOLA, FL 32507

Changed: 04/05/2018

Registered Agent Name & Address

FILIP, SERGHEI
3229 N Q Street
PENSACOLA, FL 32505

Name Changed: 04/24/2015

Address Changed: 03/31/2014

Authorized Person(s) Detail

Name & Address

Title Manager

FILIP, SERGHEI
8925 Gulf Beach Hwy
PENSACOLA, FL 32507

Title Manager

Filip, Catalina

8925 Gulf Beach Hwy
PENSACOLA, FL 32507

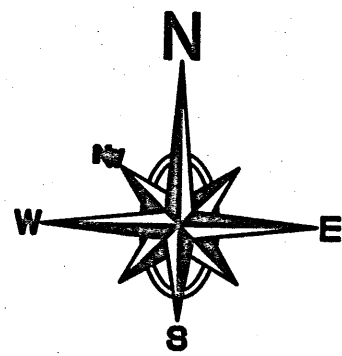
Annual Reports

Report Year	Filed Date
2016	03/16/2016
2017	04/25/2017
2018	04/05/2018

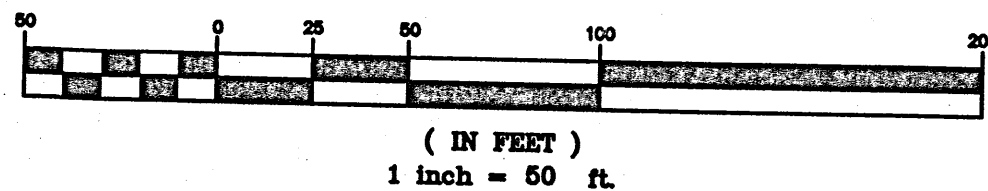
Document Images

<u>04/05/2018 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/25/2017 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/16/2016 -- ANNUAL REPORT</u>	View image in PDF format
<u>05/27/2015 -- AMENDED ANNUAL REPORT</u>	View image in PDF format
<u>04/24/2015 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/31/2014 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/11/2013 -- Florida Limited Liability</u>	View image in PDF format

BOUNDARY SURVEY WITH IMPROVEMENTS
OF A PORTION OF SECTION 33,
TOWNSHIP 2 SOUTH, RANGE 31 WEST,
ESCAMBIA COUNTY, FLORIDA



GRAPHIC SCALE



DESCRIPTION AS FURNISHED: (OFFICIAL RECORDS BOOK: T132, PAGE: 1162)

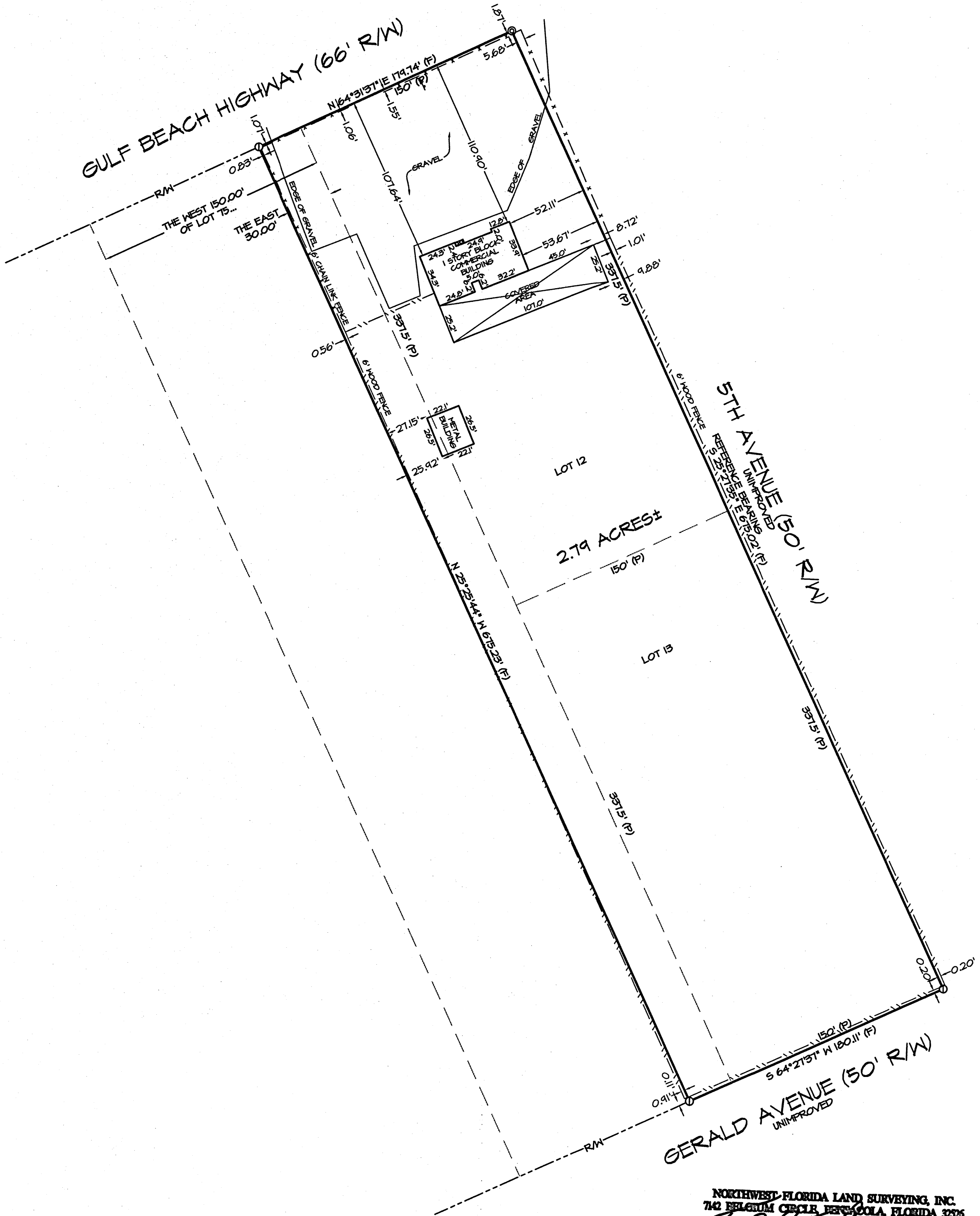
THE EAST 30 FEET OF THE WEST 150 FEET OF LOT 75, BAYREUTH SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN DEED BOOK 74, PAGE 100, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, AND LOTS 12 AND 13, BLOCK A, GULF BEACH MANOR, A SUBDIVISION ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 1, PAGE 16, OF THE PUBLIC RECORDS OF SAID COUNTY.

GENERAL NOTES:

1. THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF NORTH 25 DEGREES 27 MINUTES 35 SECONDS EAST ALONG THE EAST LINE OF THE PROPERTY.
2. THE SURVEY DATUM AS SHOWN HEREON IS REFERENCED TO THE DESCRIPTION AS FURNISHED AND TO EXISTING FIELD MONUMENTATION.
3. NO TITLE SEARCH WAS PROVIDED TO NOR PERFORMED BY NORTHWEST FLORIDA LAND SURVEYING, INC., FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, STATE AND/OR FEDERAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY.
4. THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "X", BASE FLOOD ELEVATION N/A, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0521 S, REVISED SEPTEMBER 24, 2006.
5. THIS SURVEY DOES NOT DETERMINE OWNERSHIP.
6. THIS SURVEY MEETS MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.050 - 5J-17.17052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.021, FLORIDA STATUTES, TO THE BEST OF MY KNOWLEDGE AND BELIEF.
7. THE MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS.
8. THE MEASUREMENTS OF THE BUILDINGS AND/OR FOUNDATIONS SHOWN HEREON DO NOT INCLUDE CONCRETE FOOTERS OR EAVE OVERHANGS.
9. FENCE LOCATIONS SHOWN HEREON MAY BE EXAGGERATED AND NOT TO SCALE FOR CLARITY PURPOSES
10. FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM, WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER, FRED R. THOMPSON, AND IS TO BE RETURNED TO OWNER UPON REQUEST.
11. THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY ISSUED ON THE SURVEY DATE WITH A RAISED SEAL TO INSURE THE ACCURACY OF THE INFORMATION AND TO FURTHER INSURE THAT NO CHANGES, ALTERATIONS OR MODIFICATIONS HAVE BEEN MADE. NO RELIANCE SHOULD BE MADE ON A DOCUMENT TRANSMITTED BY COMPUTER OR OTHER ELECTRONIC MEANS UNLESS FIRST COMPARED TO THE ORIGINAL SIGNED AND SEALED DOCUMENT.
12. THIS SURVEY MAY BE SUBJECT TO ADDITIONAL REQUIREMENTS BY COUNTY, STATE OR OTHER AGENCIES.
13. ENCROACHMENTS ARE AS SHOWN.

DENOTES:

- ① ~ 1/2" CAPPED IRON ROD, NUMBERED 70912 (FOUND)
- ② ~ 1" IRON PIPE, UNNUMBERED (FOUND)
- (P) ~ PLATTED INFORMATION
- (F) ~ FIELD INFORMATION
- R/W ~ RIGHT OF WAY
- ~ BUSINESS SIGN



NORTHWEST FLORIDA LAND SURVEYING, INC.
742 BELGIUM CIRCLE, BETHLEHEM, FLORIDA 32205
Fred R. Thompson 7/24/18
FRED R. THOMPSON, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3027 CORP. NUMBER 7277
STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR		NO.		DATE		APPR.		REVISIONS	
NORTHWEST FLORIDA LAND SURVEYING, INC. A PROFESSIONAL SERVICE ORGANIZATION 742 BELGIUM CIRCLE BETHLEHEM, FL 32205 (904) 438-1000		DATE		CHECKED		DRAWN		CREW CHIEF	
7/24/18		JAS		TG		JAS		TG	
SCALE 1"=50'		FRT		JAS		TG		JAS	
PROJECT NO.		NO.		INDEX 10		1 OF 1		SHEETS	
22390									

8925 GULF BEACH HIGHWAY

BOUNDARY SURVEY WITH IMPROVEMENTS
OF A PORTION OF SECTION 33,
TOWNSHIP 2 SOUTH, RANGE 31 WEST,
ESCAMBIA COUNTY, FLORIDA
PREPARED FOR: FILS GROUP, INC.
REQUESTED BY: CATALIN FILIPS/FILS
GROUP, INC.



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

INTEROFFICE MEMORANDUM

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

**FROM: Terri V. Malone, AICP, Transportation Planner
Transportation & Traffic Operations Division**

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

DATE: October 23, 2018

RE: Transportation & Traffic Operations (TTO) Comments – Z-2018-14

TTO Staff has reviewed the Rezoning Case (Z)-2018-14, 8925 Gulf Beach Highway, agenda item for the Planning Board meeting scheduled on November 8, 2018. Please see the below comments.

Gulf Beach Highway is a two-lane road with paved shoulders. The approximate pavement width is 33 feet with two 12-foot travel lanes. Right of Way is 66 feet. There are two programmed signal projects (Patton Drive & Sunset Avenue) on Gulf Beach Highway showing in the County's Capital Improvement Program (CIP). There are also two signal projects programmed in the Florida Department of Transportation's five-year work program.

Gulf Beach Highway is classified as a principal arterial with an established vehicular capacity of 17,700 (LOS D) and a year 2017 daily volume of 18,500 vehicles.

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

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

Planning Board-Rezoning

7. B.

Meeting Date: 11/08/2018

CASE : Z-2018-15

APPLICANT: Wiley C. "Buddy" Page, Agent for Gulf Beach Self Storage, Inc.
Owner

ADDRESS: 8939 Gulf Beach Hwy

PROPERTY REF. NO.: 33-2S-31-1000-002-075

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

DISTRICT: 2

OVERLAY DISTRICT: AIPD 1; APZ 2

BCC MEETING DATE: 12/06/2018

SUBMISSION DATA:

REQUESTED REZONING:

FROM: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre) and MDR, Medium Density Residential district (10 du/acre)

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

RELEVANT AUTHORITY:

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

APPROVAL CONDITIONS

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

Consistent with Comprehensive Plan

The proposed zoning is consistent with the future land use (FLU) category as prescribed in LDC Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan. If the rezoning is required to properly enact a proposed FLU map amendment transmitted for state agency review, the proposed zoning is consistent with the proposed FLU and conditional to its adoption.

CPP FLU 1.3.1 Future Land Use Categories The Mixed-Use Urban (MU-U) Future Land

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

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

FINDINGS

The proposed amendment to HC/LI-NA is **consistent** with the intent and purpose of Future Land Use category Mixed-Use Urban as stated in CPP FLU 1.3.1. The Comprehensive Plan allows for professional offices, light industrial, recreational facilities, public and civic. The parcel will utilize the existing public road, utilities, and infrastructure.

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

Consistent with The Land Development Code

The proposed zoning is consistent with the purpose and intent and with any other zoning establishment provisions prescribed by the proposed district in Chapter 3.

Sec. 3-2.7 Medium Density Residential district (MDR).

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

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

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

(b) Permitted uses. Permitted uses within the HC/LI district are limited to the following:

(1) Residential. Any residential uses outside of the Industrial (I) future land use category

but if within the Commercial (C) future land use category (and not the principal single-family dwelling on an existing lot of record), only as part of a predominantly commercial development; and excluding new or expanded manufactured (mobile) home parks and subdivisions. See also conditional uses in this district.

(2) Retail sales. Retail sales, including Low-THC marijuana dispensing facilities, sales of alcoholic beverages, sales of automotive fuels, and sales of new and used automobiles, motorcycles, boats, and manufactured (mobile) homes.

(3) Retail services.

- a. Car washes, automatic or manual, full service or self-serve.
- b. Child care facilities.
- c. Hotels, motels and all other public lodging, including boarding and rooming houses.
- d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners and tattoo parlors.
- e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.
- f. Rental of automobiles, trucks, utility trailers and recreational vehicles.
- g. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, and major motor vehicle and boat service and repair, but excluding outdoor work or storage.
- h. Restaurants and brewpubs, including on-premises consumption of alcoholic beverages, drive-in and drive-through service, and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales. The parcel boundary of any restaurant or brewpub with drive-in or drive-through service shall be at least 200 feet from any LDR or MDR zoning district unless separated by a 50-foot or wider street right-of-way.

i. Taxi and limousine services

See also conditional uses in this district.

(4) Public and civic.

- a. Broadcast stations with satellite dishes and antennas, including towers.
- b. Cemeteries, including family cemeteries.
- c. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- d. Educational facilities, including preschools, K-12, colleges, and vocational schools.
- e. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.
- f. Funeral establishments.
- g. Homeless shelters.
- h. Hospitals.
- i. Offices for government agencies or public utilities.
- j. Places of worship.
- k. Public utility structures, including telecommunications towers, but excluding industrial uses not otherwise permitted.

See also conditional uses in this district.

(5) Recreation and entertainment.

- a. Commercial entertainment facilities, indoor or outdoor, including movie theatres, amusement parks, and stadiums, but excluding motorsports facilities. Carnival-type amusements shall be at least 500 feet from any residential district. Bars, nightclubs, and adult entertainment are prohibited in areas with the zoning designation HC/LI-NA or

areas zoned ID-CP or ID-1 prior to adoption of HC/LI zoning.

b. Commercial recreation facilities, passive or active, including those for walking, hiking, bicycling, camping, recreational vehicles, swimming, skateboarding, bowling, court games, field sports, and golf, but excluding off-highway vehicle uses and outdoor shooting ranges. Campgrounds and recreational vehicle parks require a minimum lot area of five acres.

c. Marinas, private and commercial.

d. Parks, with or without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

(6) Industrial and related. The following industrial and related uses, except within MU-S.

a. Light industrial uses, including research and development, printing and binding, distribution and wholesale warehousing, and manufacturing, all completely within the confines of buildings and without adverse off-site impacts.

b. Marinas, industrial.

c. Microbreweries, microdistilleries, and microwineries, except in areas with the zoning designation HC/LI-NA.

See also conditional uses in this district.

(7) Agricultural and related.

a. Food produced primarily for personal consumption by the producer, but no farm animals.

b. Nurseries and garden centers, including adjoining outdoor storage or display of plants.

c. Veterinary clinics, excluding outside kennels.

See also conditional uses in this district.

(8) Other uses. Within MU-S, outside storage is permitted only when adequately screened per LDC regulations.

a. Billboards structures, excluding areas zoned ID-CP, GBD, or GID prior to adoption of HC/LI zoning.

b. Building or construction trades shops and warehouses, including on-site outside storage.

c. Bus leasing and rental facilities, not allowed within MU-S.

d. Deposit boxes for donation of used items when placed as an accessory structure on the site of a charitable organization.

e. Outdoor adjacent display of plants by garden shops and nurseries.

f. Outdoor sales.

g. Outdoor storage of trailered boats and operable recreational vehicles, excluding repair, overhaul or salvage activities.

h. Parking garages and lots, commercial, not allowed within MU-S.

i. Sales and outdoor display of prefabricated storage sheds.

j. Self-storage facilities, including vehicle rental as an accessory use.

(2) HC/LI-NA designation. Any applicant for rezoning to the HC/LI zoning district may request a HC/LI-NA designation prohibiting the subsequent establishment of any microbreweries, microdistilleries, microwineries, bars, nightclubs, or adult entertainment uses on the rezoned property. The request shall be in the form of a notarized affidavit that acknowledges this use restriction and affirms that it is a voluntary request. Once approved according to the rezoning process of Chapter 2, the HC/LI-NA zoning designation and its prohibitions shall apply to the property, regardless of ownership, unless the parcel is rezoned.

- (e) Location criteria.** All new non-residential uses proposed within the HC/LI district that are not part of a planned unit development or not identified as exempt by district regulations shall be on parcels that satisfy at least one of the following location criteria.
- (1) Parcel previously zoned GBD within the MU-S FLU along Hwy 29 or SR 95A. Parcels previously zoned GBD and within the MU-S future land use category which are located along and directly fronting U.S. Highway 29 or State Road 95A
- (2) Proximity to intersection.** Along an arterial street and within one-quarter mile of its intersection with an arterial street.
- (3) Site design.** Along an arterial street, no more than one-half mile from its intersection with an arterial street, and all of the following site design conditions:
- a. Not abutting a RR, LDR or MDR zoning district
 - b. Any intrusion into a recorded residential subdivision is limited to a corner lot
 - c. A system of service roads or shared access is provided to the maximum extent feasible given the lot area, lot shape, ownership patterns, and site and street characteristics.
 - d. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use, such as solid waste dumpsters and truck loading/unloading areas, furthest from the residential uses.
 - e. Location in an area where already established non-residential uses are otherwise consistent with the HC/LI, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.
- (4) Documented compatibility.** A compatibility analysis prepared by the applicant provides competent substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria, and the proposed use will be able to achieve long-term compatibility with existing and potential uses. Additionally, the following conditions exist:
- a. The parcel has not been rezoned by the landowner from the mixed-use, commercial, or industrial zoning assigned by the county.
 - b. If the parcel is within a county redevelopment district, the use will be consistent with the district's adopted redevelopment plan, as reviewed and recommended by the Community Redevelopment Agency (CRA).

FINDINGS

The proposed amendment is **not** consistent with the intent and purpose of the Land Development Code due to locational criteria. The undeveloped parcel is on an arterial roadway, however it is just outside of the required one-half mile from its intersection with an arterial street and is also abutting MDR zoning district. The parcel is in an area that has established commercial uses and this could constitute infill development of similar intensity as some of the surrounding parcels. Currently, the property falls in the APZ-2 area which prohibits any concentration of people living in the area. A self storage would be appropriate use for this area.

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

Compatible with surrounding uses

All the permitted uses of the proposed zoning, not just those anticipated by the rezoning applicant, are compatible, as defined in Chapter 6, with the surrounding uses. The uses of any surrounding undeveloped land shall be considered the permitted uses of the applicable district. Compatibility is not considered with potential conditional uses or with any nonconforming or unapproved uses. Also, in establishing the compatibility of a residential use, there is no additional burden to demonstrate the compatibility of specific residents or activities protected by fair housing law.

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed properties with zoning districts HC/LI and MDR. There are single-family parcels, vacant parcels, a repair shop, car lot and an office in the area surrounding the subject properties.

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

Appropriate if spot zoning

Where the proposed zoning would establish or reinforce a condition of spot zoning as defined in Chapter 6, the isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The extent of these mitigating characteristics or conditions demonstrates an appropriate site specific balancing of interests between the isolated district and adjoining lands.

As per LDC Chapter 6, Spot Zoning is: *Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or “spot” zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly development.*

FINDINGS

The parcel is currently vacant and is a split zoned parcel of HC/LI and MDR. Along both sides Gulf Beach Highway the parcels are either zoned HC/LI or split zoned HC/LI and MDR. this would not be considered spot zoning.

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

Appropriate with changed or changing conditions

If the land uses or development conditions within the area surrounding the property of rezoning have changed, the changes are to such a degree and character that it is in the public interest to allow new uses, density, or intensity in the area through rezoning; and the permitted uses of the proposed district are appropriate and not premature for the area or likely to create or contribute to sprawl.

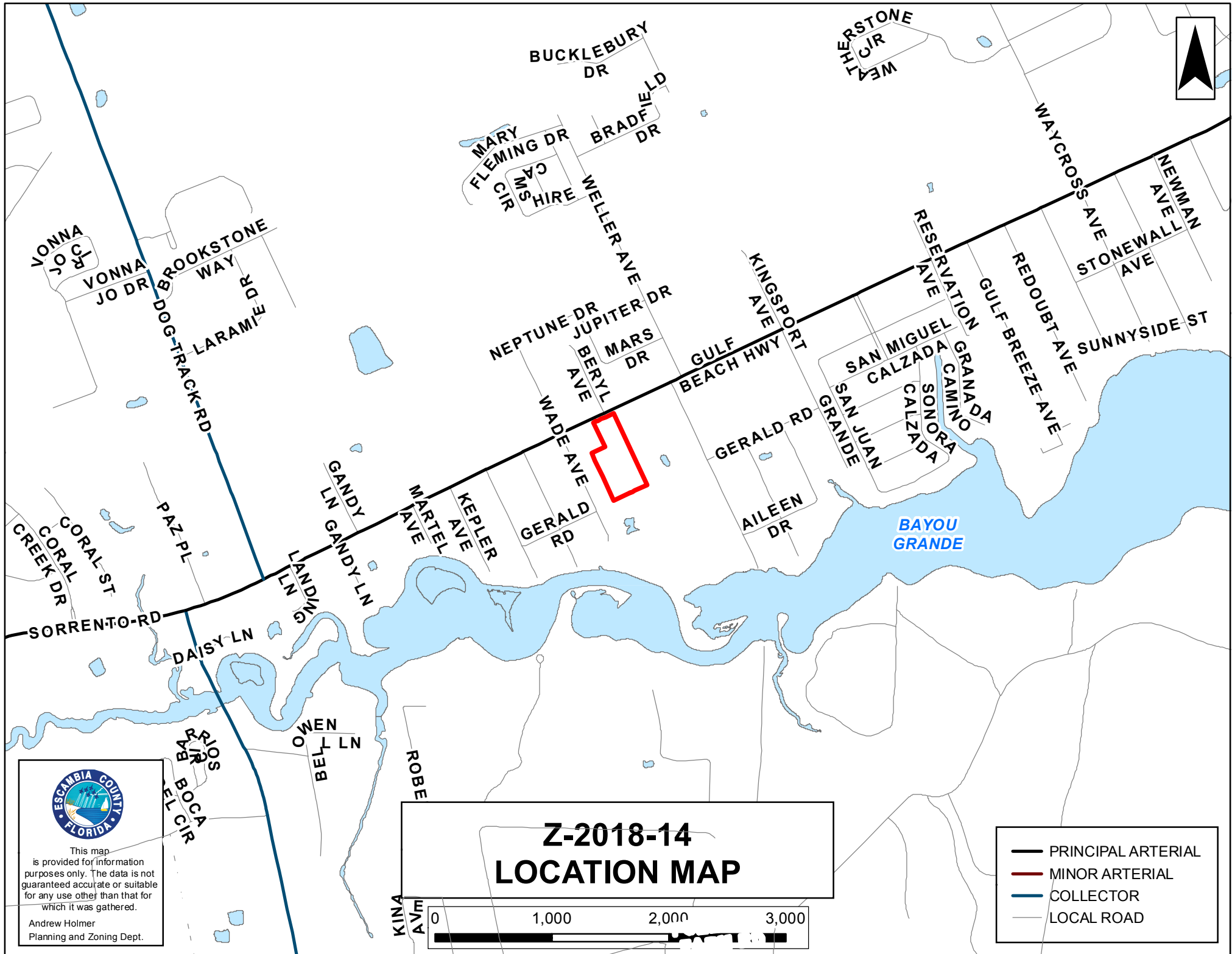
FINDINGS


The land uses or development conditions within the area surrounding the property of rezoning **have not** changed. The area along Gulf Beach Highway has parcels with split zoning and a mix of commercial and residential uses.

Attachments

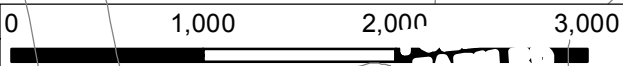
Working Case File

Z-2018-15

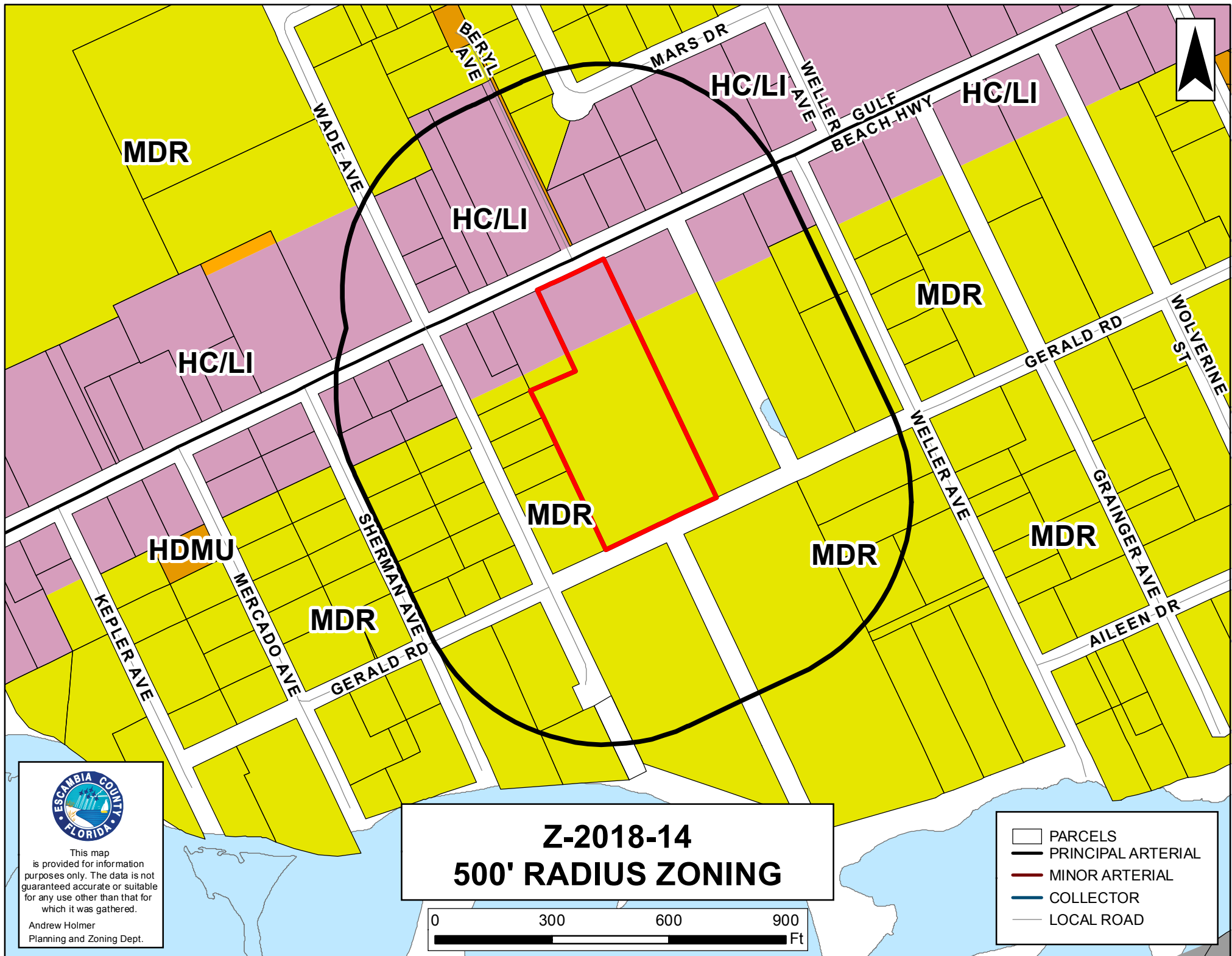


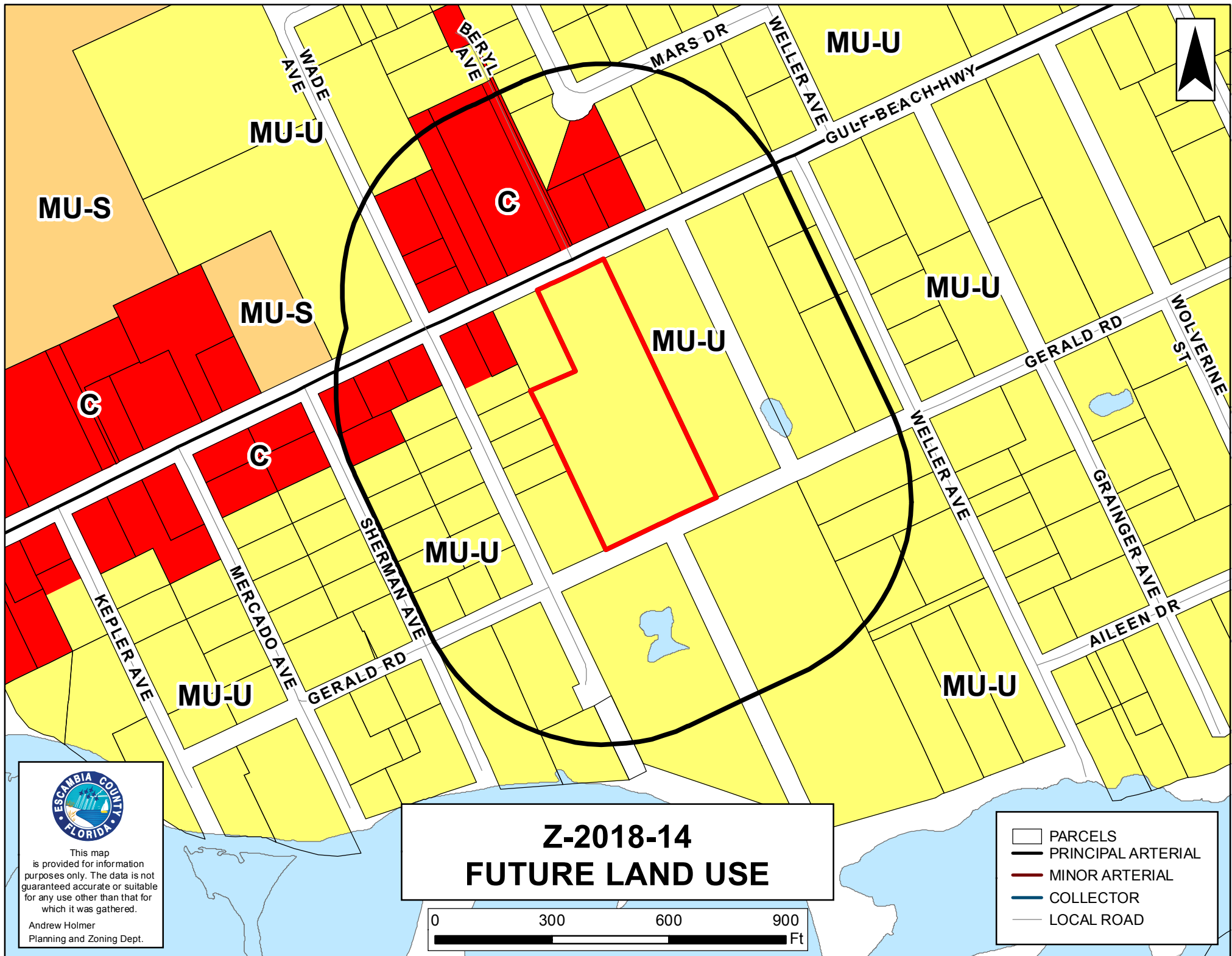

This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
Andrew Holmer
Planning and Zoning Dept.

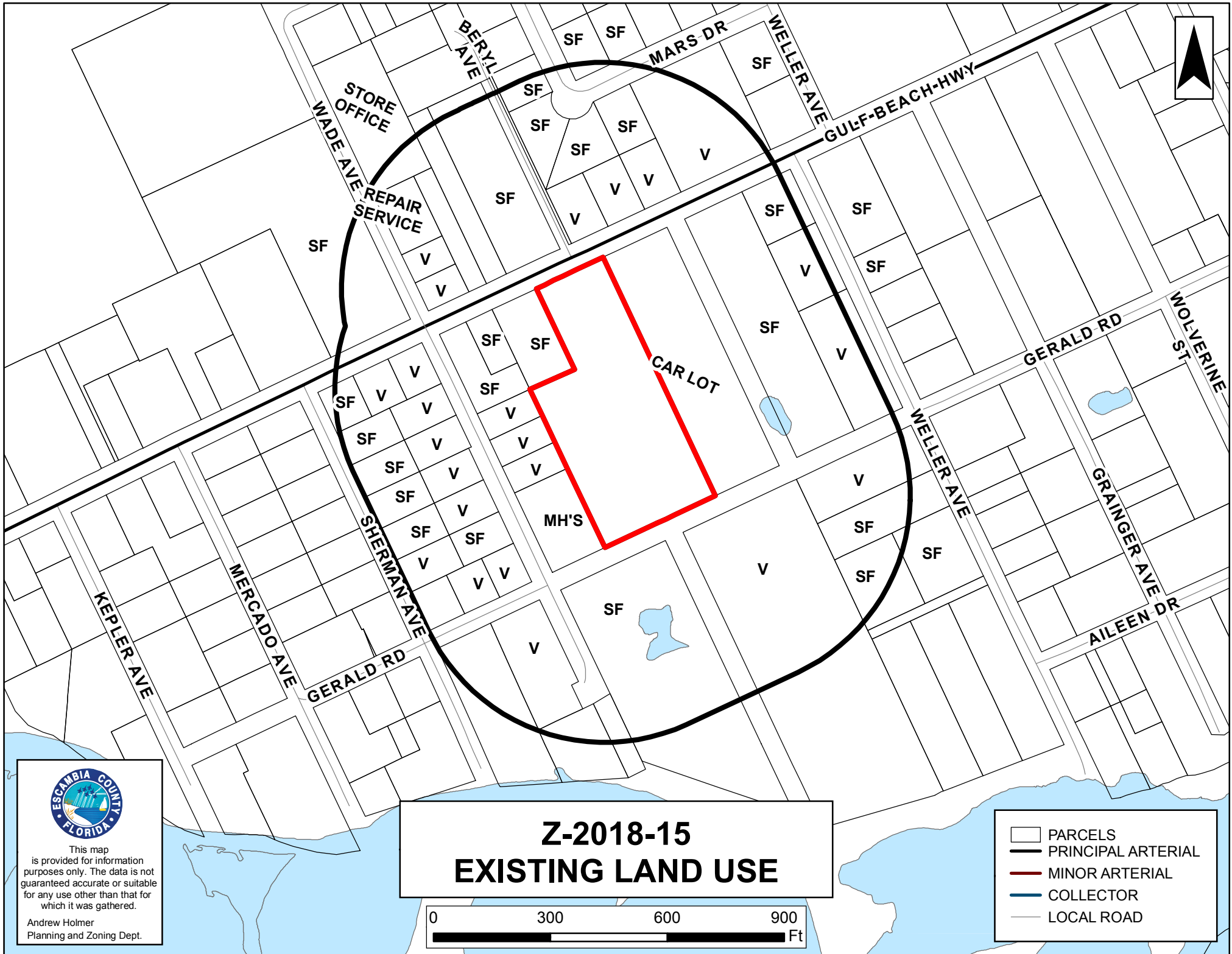
**Z-2018-14
LOCATION MAP**



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD

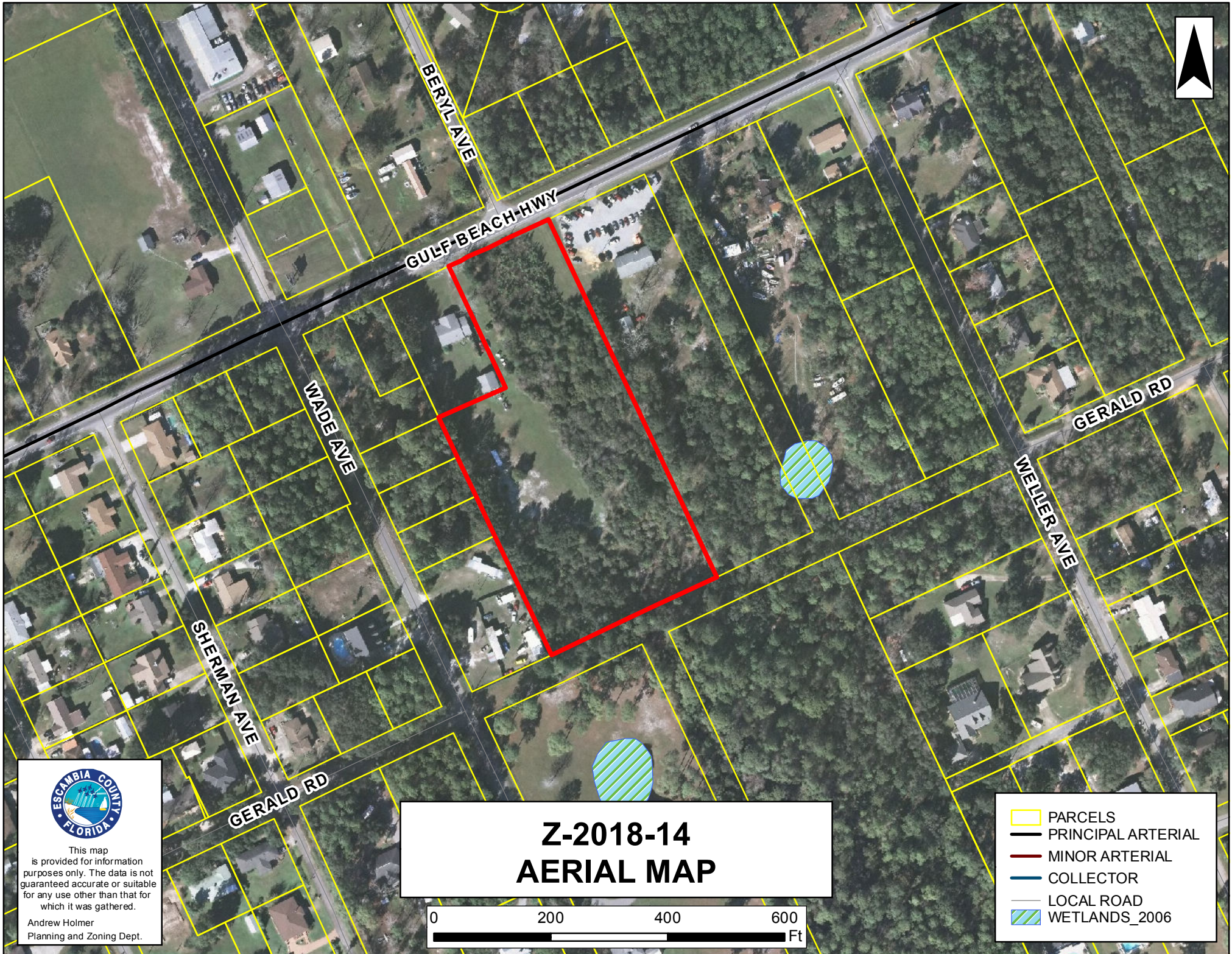




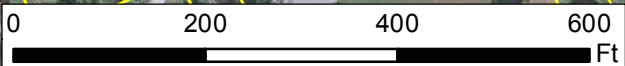


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Andrew Holmer
Planning and Zoning Dept.



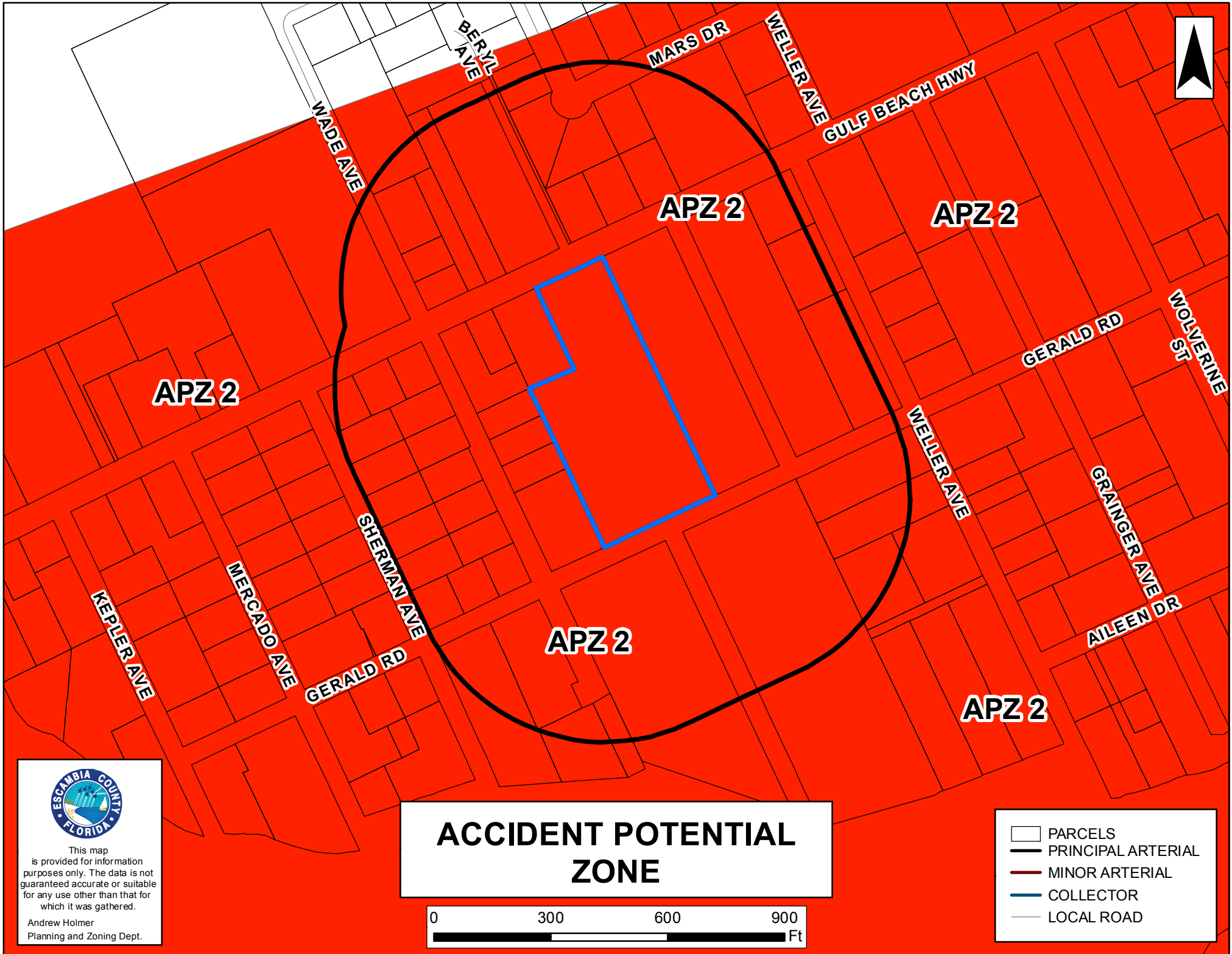
**Z-2018-14
AERIAL MAP**



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

Andrew Holmer
Planning and Zoning Dept.

- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- WETLANDS_2006





NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2018-15

CURRENT MDR PROPOSED
ZONING: HC/LI ZONING: HC/LHR

PLANNING BOARD

DATE: 11/08/18 TIME: 8:30 AM

LOCATION OF HEARING

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

BOARD OF COUNTY COMMISSIONERS

DATE: 12/06/18 TIME: 5:45 PM

LOCATION OF HEARING

ERNE LEE MAGAHA GOVERNMENT BLDG
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES AT 596-2478 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

Public Hearing Sign



Subject Parcel



Looking east along Gulf
Beach Highway



Looking West along
Gulf Beach Highway

Looking across Gulf
Beach Highway from
subject parcel



Wiley C. "Buddy" Page, MPA, APA
Professional Growth Management Services, LLC
5337 Hamilton Lane Pace, Florida 32571
Cell 850.232.9853
budpage@att.net

August 10, 2018
VIA HAND DELIVERY

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

RE: Rezoning request: MDR to HC/LI NA
Parcel: Portion of 33-25-31-1000-002-075
Owner: Gulf Beach Self Storage, Inc.
Address: 8939 Gulf Beach Highway

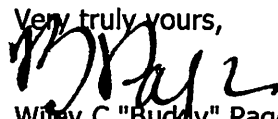
Dear Mr. Jones:

The attached application requests Planning Board consideration to rezone the southerly portion of the referenced parcel of property from Medium Density Residential to Heavy Commercial / Light Industrial. As shown herein, the property has split zoning where the front portion is presently zoned HC/LI and the southerly portion is zoned MDR.

With regard to location requirements, there are two uses that produce more than 600 trips per day. The first is Campshire Meadows, a 100+ residential subdivision shown on the attached maps. All traffic travels south on Weller Avenue to Gulf Beach Highway less than 600 feet from the subject site. The second is a new Dollar General store located at the intersection of Gulf Beach Highway and Kingsport Avenue, east of the subject site. This store measures between 1,328 and 1,332 feet east of the subject site, slightly exceeding the 1,320 feet requirement. Considering both of these trip generating sources, we intend to ask that the Planning Board consider that the subject site meets the essential requirements of **LDC 3-2.10(e)(2) Proximity to Traffic Generator**.

The application contains the required filing fee together with additional information regarding proof of ownership, corporate papers, a certified boundary survey and location maps.

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>

Rezoning Application

FOR OFFICE USE ONLY - Case Number: 2-2018-15 Accepted by: A. Cain PB Meeting: 11/6/18

1. Contact Information:

A. Property Owner/Applicant: Gulf Beach Self Storage, Inc.

Mailing Address: 8939 Gulf Beach Highway Pensacola, FL 32507

Business Phone: _____ Cell: _____

Email: _____

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

Mailing Address: 5337 Hamilton Lane Pace, Florida 32571

Business Phone: _____ Cell: 850-232-9853

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: 8939 Gulf Beach Highway Pensacola, FL 32507

Parcel ID (s): _____

33-2S-31-1000-002-075

B. Total acreage of the subject property: 4.29+-

C. Existing Zoning: HC/LI & MDR

Proposed Zoning: HC/LI NA; explain why necessary and/or appropriate

Parcel has split zoning; frontage zoned HC/LI rear zoned MDR. Proposed mini-storage units require a commercial type zoning. Request is to change that rear portion currently zone MDR to HC/LI.

FLU Category: MU-U

D. Is the subject property developed (if yes, explain): _____
Property is vacant _____

E. Sanitary Sewer: X Septic: _____

3. Amendment Request

Approval conditions. The applicant has the burden of presenting competent substantial evidence to the reviewing board establishing that the requested zoning district would contribute to or result in a logical and orderly development pattern. The appropriate surrounding area within which uses and conditions must be considered may vary with those uses and conditions and is not necessarily the same area required for mailed notification. A logical and orderly pattern shall require demonstration of each of the following conditions:

Please address ALL the following approval conditions for your rezoning request. (use supplement sheets as needed)

- a. **Consistent with Comprehensive Plan.** The proposed zoning is consistent with the future land use (FLU) category as prescribed in LDC Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan. If the rezoning is required to properly enact a proposed FLU map amendment transmitted for state agency review, the proposed zoning is consistent with the proposed FLU and conditional to its adoption.

Request is consistent as depicted in Attachment "A" attached.

- b. **Consistent with zoning district provisions.** The proposed zoning is consistent with the purpose and intent and with any other zoning establishment provisions prescribed by the proposed district in Chapter 3

Request is consistent with zoning provisions. Request is to rectify current split zoning condition by asking that existing southerly MDR portion be rezoned to HC/LI NA.

- c. Compatible with surroundings.** All of the permitted uses of the proposed zoning, not just those anticipated by the rezoning applicant, are compatible, as defined in Chapter 6, with the surrounding uses. The uses of any surrounding undeveloped land shall be considered the permitted uses of the applicable district. Compatibility is not considered with potential conditional uses or with any nonconforming or unapproved uses. Also, in establishing the compatibility of a residential use, there is no additional burden to demonstrate the compatibility of specific residents or activities protected by fair housing law.

The proposed development of a self storage facility is a quite, low key operation where patrons generally visit the site during day time hours, leave goods in a rented unit and depart. The proposed zoning will be compatible with both the car lot to the east and residential units to the west. The southerly end of the property is likely jurisdictional wetlands and will serve as a natural buffer to lots located south of the subject site.

- d. Appropriate if spot zoning.** Where the proposed zoning would establish or reinforce a condition of spot zoning as defined in Chapter 6, the isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The extent of these mitigating characteristics or conditions demonstrates an appropriate site-specific balancing of interests between the Isolated district and adjoining lands.

As per LDC Chapter 6, Spot Zoning is: Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or "spot" zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly development

The requested HC/LI NA is similar to the adjacent HG/LI zoning and is compatible with the adjacent MDR zoning as demonstrated in nearby areas (intersection of Blue Angel Parkway and Gulf Beach Hw and Navy Boulevard and Gulf Beach Hwy.) Both areas depict examples of extensive MDR zoning adjacent to Commercially zoned areas.

- e. Appropriate with changed or changing conditions.** If the land uses or development conditions within the area surrounding the property of rezoning have changed, the changes are to such a degree and character that it is in the public interest to allow new uses, density, or intensity in the area through rezoning; and the permitted uses of the proposed district are appropriate and not premature for the area or likely to create or contribute to sprawl.

Continuing development in southwest Escambia county will increase for the foreseeable future. Growth in the area is evident and affects traffic capacity on local roadways. As depicted on the attached FOOT 2017 Historical Data Report, traffic counted on Gulf Beach near the site increased some 19.35% during the five year period between 2012 and 2017. This data represents significant changes are occurring in the area and producing more traffic.

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

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 33-2S-31-1000-002-075

Property Address: 8939 Gulf Beach Highway Pensacola, Florida 32507

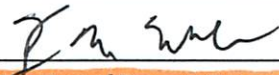
I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed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

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

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

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

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 28th DAY OF August, YEAR OF 2018.


Signature of Property Owner

Gulf Beach Self Storage, Inc.
Printed Name of Property Owner

8-28-18
Date

Signature of Property Owner

Printed Name of Property Owner

Date

5. Submittal Requirements

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

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

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

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

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

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

By my signature, I hereby certify that:

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

[Signature]
Signature of Owner/Agent

Gulf Beach Self Storage, Inc.
Printed Name Owner/Agent

8-28-18
Date

Signature of Owner

Printed Name of Owner

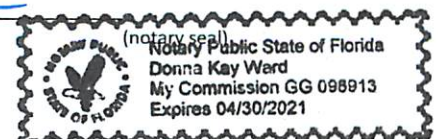
Date

STATE OF Florida COUNTY OF Santa Rosa The foregoing instrument
was acknowledged before me this 28th day of August 20 18, by Rip Walker.

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

[Signature]
Signature of Notary

Donna K Ward
Printed Name of Notary





Chris Jones

Escambia County Property Appraiser

[Real Estate Search](#)
[Tangible Property Search](#)
[Sale List](#)
[Amendment 1/Portability Calculations](#)
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General Information

Reference: 332S311000002075
Account: 094776000
Owners: GULF BEACH SELF STORAGE INC
Mail: 8939 GULF BEACH HWY
 PENSACOLA, FL 32507
Situs: 8939 GULF BEACH HWY 32507
Use Code: VACANT COMMERCIAL
Taxing Authority: COUNTY MSTU
Schools (Elem/Int/High): PLEASANT GROVE/BAILEY/ESCAMBIA
Tax Inquiry: [Open Tax Inquiry Window](#)
 Tax Inquiry link courtesy of Scott Lunsford
 Escambia County Tax Collector

Assessments

Year	Land	Imprv	Total	Cap Val
2017	\$84,087	\$0	\$84,087	\$84,087
2016	\$84,087	\$0	\$84,087	\$84,087
2015	\$84,087	\$0	\$84,087	\$84,087

[Disclaimer](#)
[Amendment 1/Portability Calculations](#)
[> File for New Homestead Exemption Online](#)

Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
04/10/2017	7695	1880	\$55,000	WD	View Instr
08/08/2011	6882	1079	\$100	QC	View Instr
07/2003	5193	477	\$87,000	WD	View Instr
11/1999	4516	499	\$30,000	WD	View Instr
07/1998	4284	1667	\$100	WD	View Instr
07/1998	4281	455	\$100	CJ	View Instr

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

2017 Certified Roll Exemptions

None

Legal Description

W 120 FT OF LT 75 BEYREUTH S/D PLAT DB 74 P 100 AND ADJ 1/2 OF VACATED 6TH AVE OR 1267 P 497 OR 7695 P 1880...

Extra Features

None

Parcel Information

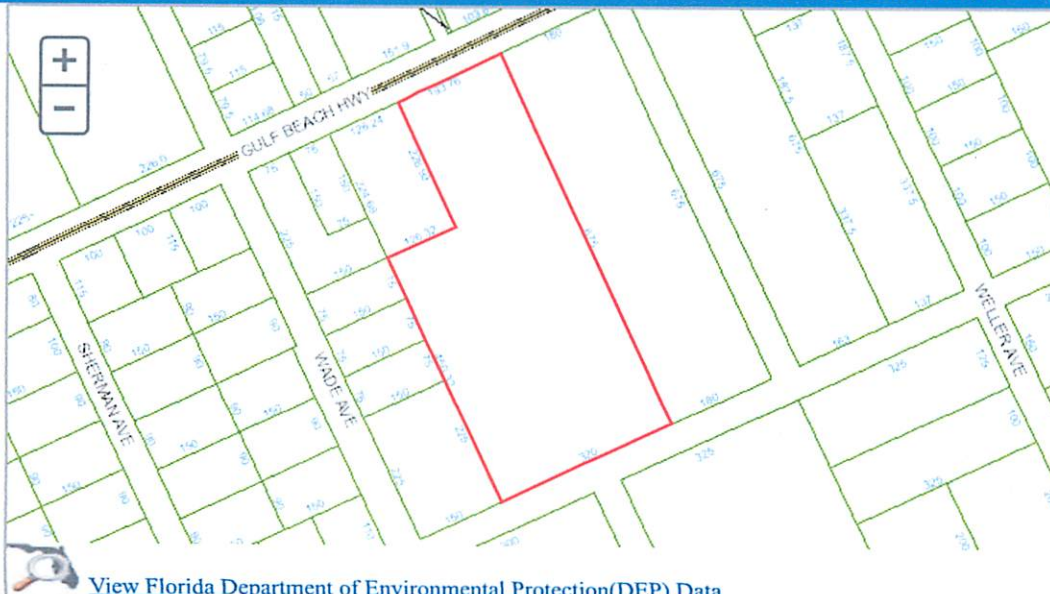
[Launch Interactive Map](#)

Section Map Id:
[33-2S-31-5](#)

Approx. Acreage:
 4.2900

Zoned:
 HC/LI
 MDR

Evacuation & Flood Information
[Open Report](#)


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

Recorded in Public Records 4/13/2017 4:55 PM OR Book 7695 Page 1880,
Instrument #2017027465, Pam Childers Clerk of the Circuit Court Escambia
County, FL Recording \$18.50 Deed Stamps \$385.00

Prepared by:
Faith H. Woods
QUINTAIROS, PRIETO, WOOD & BOYER P.A.
114 E Gregory Street, 2nd Floor
Pensacola, Florida 32502

File Number: 17P53104137

General Warranty Deed

Made this April 10, 2017 A.D. By **Multi-Property Investment & Development Corp., a dissolved Florida corporation**, 4114 Sandy Bluff Drive West, Gulf Breeze, Florida 32563, hereinafter called the grantor, to **Gulf Beach Self Storage Inc. a Florida corporation**, whose post office address is: 8939 Gulf Beach Highway, Pensacola, Florida 32507, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Escambia County, Florida, viz:

See Attached Schedule "A"

Parcel ID Number: 332S311000010075

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

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2016.

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

Signed, sealed and delivered in our presence:

Faith H Woods
Witness Printed Name FAITH H WOODS

Felicia Brown
Witness Printed Name Felicia Brown

State of Florida
County of Escambia

The foregoing instrument was acknowledged before me this 10th day of April, 2017, by Kip M. Walker, President of Multi property Investment & Development, Inc. a dissolved Florida corporation, who is/are personally known to me or who has produced _____ as identification.

MultiProperty Investments & Development Corp
a dissolved Florida corporation

Kip M Walker (Seal)
BY: Kip M Walker, It's: President

(Seal)

Address:

Faith H Woods
Notary Public
Print Name: _____

My Commission
Expires: _____



DEED Individual Warranty Deed with Legal on Schedule A

BK: 7695 PG: 1881 Last Page

Prepared by:
Faith H. Woods
QUINTAIROS, PRIETO, WOOD & BOYER P.A.
114 E Gregory Street, 2nd Floor
Pensacola, Florida 32502

File Number: 17P53104137

"Schedule A"

East-half of Lot 76, Beyreuth Subdivision, Section 33/4, Township 2/3 South, Range 31 West, described according to Plat of said Subdivision recorded in Deed Book 74, Page 100 of the Public Records of Escambia County, Florida, and adjacent 1/2 of vacated 6th Avenue

Less and except

That portion of the East 1/2 of Lot 76, Beyreuth Subdivision, Section 33/4, Township 2/3 South, Range 31 West, described according to Plat of said Subdivision, as recorded in Deed Book 74, at Page 100, of the Public Records of Escambia County, Florida, together with adjacent 1/2 of vacated 6th Avenue, being described as follows:

Commence at the Northeast corner of the East 1/2 of Lot 76, Beyreuth Subdivision, being a Portion of Sections 33 and 4, Townships 2 and 3 South, Range 31 West, Escambia County, Florida according to the Plat thereof recorded in Deed Book 74, Page 100, of the Public Records of said Escambia County, said point being on the South right-of-way line of Gulf Beach Highway (66.00 foot right-of-way); thence go North 89 degrees 57 minutes 01 seconds West along said South right-of-way line a distance of 23.76 feet to the Point of Beginning; thence departing said right-of-way line, go South 00 degrees 00 minutes 00 seconds West, a distance of 228.93 feet, thence go North 88 degrees 01 minutes 14 seconds West, a distance of 126.32 feet, thence go North 00 degrees 00 minutes 00 seconds East, a distance of 224.68 feet to the aforesaid South right-of-way line of Gulf Beach Highway, thence go South 89 degrees 57 minutes 01 seconds East along said South right-of-way line, a distance of 126.24 feet to the Point of Beginning.

The West 120 feet of Lot 75, Bayreuth, a subdivision of Sections 33/4, Townships 2/3 South, Range 31 West, Escambia County, Florida, according to Plat of said subdivision recorded in Deed Book 74, at Page 100 of the Public Records of said County, and adjacent 1/2 of vacated 6th Avenue.

DEED Individual Warranty Deed with Legal on Schedule A

2011 FOR PROFIT CORPORATION ANNUAL REPORT

DOCUMENT# P00000048488

FILED
Jan 23, 2011
Secretary of State

Entity Name: MULTI-PROPERTY INVESTMENT & DEVELOPMENT CORP.

Current Principal Place of Business:

1508 COLWYN DRIVE
CANTOMENT, FL 32533

New Principal Place of Business:

4114 SANDY BLUFF DRIVE WEST
GULF BREEZE, FL 32563

Current Mailing Address:

1508 COLWYN DRIVE
CANTOMENT, FL 32533

New Mailing Address:

4114 SANDY BLUFF DRIVE WEST
GULF BREEZE, FL 32563

FEI Number: 59-3748324

FEI Number Applied For ()

FEI Number Not Applicable ()

Certificate of Status Desired (X)

Name and Address of Current Registered Agent:

WALKER, GERALD C
1508 COLWYN DRIVE
CANTOMENT, FL 32533 US

Name and Address of New Registered Agent:

WALKER, KIP M
4114 SANDY BLUFF DRIVE WEST
GULF BREEZE, FL 32563 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: KIP M. WALKER

01/23/2011

Electronic Signature of Registered Agent

Date

OFFICERS AND DIRECTORS:

Title: DS
Name: WALKER, KIP M
Address: 4114 SANDY BLUFF DRIVE WEST
City-St-Zip: GULF BREEZE, FL 32563

Title: DP
Name: WALKER, KIP M
Address: 4114 SANDY BLUFF DRIVE WEST
City-St-Zip: GULF BREEZE, FL 32563

Title: DT
Name: WALKER, KIP M
Address: 4114 SANDY BLUFF DRIVE WEST
City-St-Zip: GULF BREEZE, FL 32563

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: KIP M. WALKER

DP

01/23/2011

Electronic Signature of Signing Officer or Director

Date



24 02
609.00

OR BK 5193 PGO477
Escambia County, Florida
INSTRUMENT 2003-123928

DEED DOC STAMPS PD & ESC CO \$ 609.00
07/22/03 ERNIE LEE MAGNA, CLERK
BY: *[Signature]*

28.50
609.00

PREPARED BY:

RECORD & RETURN TO:

Lawyers Title Agency of North Florida, Inc.

721 East Gregory Street

Pensacola, FL 32501

File No: PNS-03-01077

This Warranty Deed

Made this 11th day of July, 2003

by **Pauline B. Pinyan**, a single woman

hereinafter called the grantor, to

[Signature] **Multi-Property Investment & Development Corporation**, a Florida corporation

whose post office address is: **631 Pinebrook Circle, Cantonment, FL 32533**

hereinafter called the grantee:

(Whenever used herein the term "grantor and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of **\$10.00** and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Escambia County, Florida**, viz:

- see attached Schedule "A" for legal description -

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

Parcel Identification Number: 33-2S-31-100-002-075

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

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to **December 31, 2002**.

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

Signed, sealed and delivered in our presence:

1st Witness Sign: _____

Print Name: Carissa Crisse

2nd Witness Sign: _____

Print Name: Barbara F Land

Pauline B. Pinyan
Pauline B. Pinyan

OR BK 5193 PGO478
Escambia County, Florida
INSTRUMENT 2003-123928

P. O. Box 4774

Pensacola, FL 32507

State of Florida

County of Escambia

The foregoing instrument was acknowledged before me 11th day of July, 2003, by Pauline B. Pinyan, a single woman who is personally known to me or who has produced driver license as identification

BARBARA F LAND
Notary Public-State of FL
Comm. Exp. Apr 18, 2005
Comm No. DD 18869

Notary Signature: _____

Print Name: _____

My Commission Expires: _____

(SEAL)

OR BK 5193 PG 0479
Escambia County, Florida
INSTRUMENT 2003-123928

Schedule "A"

The West 120 feet of Lot 75, Bayreuth, a subdivision of Sections 33/4, Townships 2/3 South, Range 31 West, Escambia County, Florida, according to plat of said subdivision recorded in Deed Book 74, at Page 100 of the Public Records of said County, and adjacent 1/2 of vacated 6th Avenue.

PNS-03-01077

CAMP SHIRE MEADOWS
119 LOTS

33-2S-31-4

DOLLAR GENGRAI

33-2S-31-5

SITE

SITE PROXIMITY TO TRAFFIC GENERATORS

Pass-by rates from ITE Trip Generation Handbook - 2nd Edition

Instructions: Enter Expected Unit Volumes into Column 'M'

Description/ITE Code		Units	ITE Vehicle Trip Generation Rates								Expected Units	Total Generated Trips			Total Distribution of Generated Trips							
FDOT FSUTAMAS			(peak hours are for peak hour of adjacent street traffic unless highlighted)									Daily	AM Hour	PM Hour	AM In	AM Out	Pass-By	PM In	PM Out	Pass-B		
			Weekday	AM	PM	Pass-By	AM In	AM Out	PM In	PM Out												
Waterport/Marine Terminal 010	Acres		11.93	NA	NA		NA	NA	NA	NA	0	NA	NA	NA	NA	0	NA	NA	0			
Waterport/Marine Terminal 010	Berths		171.52	NA	NA		NA	NA	NA	NA	0	NA	NA	NA	NA	0	NA	NA	0			
Commercial Airport 021	Employees		13.40	0.82	0.80		55%	45%	54%	48%	0	0	0	0	0	0	0	0	0			
Commercial Airport 021	Avg. Flights/Day		104.73	5.40	5.75		54%	46%	45%	55%	0	0	0	0	0	0	0	0	0			
Commercial Airport 021	Com. Flights/Day		122.21	6.43	6.88		55%	46%	54%	46%	0	0	0	0	0	0	0	0	0			
General Aviation Airport 022	Employees		14.24	0.69	1.03		83%	17%	45%	55%	0	0	0	0	0	0	0	0	0			
General Aviation Airport 022	Avg. Flights/Day		1.97	0.24	0.30		NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0			
General Aviation Airport 022	Based Aircraft		5.00	0.24	0.37		83%	17%	45%	55%	0	0	0	0	0	0	0	0	0			
Truck Terminal 030	Acres		81.80	7.28	6.35		41%	59%	43%	57%	0	0	0	0	0	0	0	0	0			
Truck Terminal 030	Employees		6.99	0.68	0.55		40%	60%	47%	53%	0	0	0	0	0	0	0	0	0			
Park&Ride w/ Bus Service 090	Parking Spaces		4.50	0.72	0.62		81%	19%	23%	77%	0	0	0	0	0	0	0	0	0			
Park&Ride w/ Bus Service 090	Acres		372.32	48.81	43.75		NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0			
Park&Ride w/ Bus Service 090	Occ. Spaces		9.62	1.29	0.81		69%	31%	28%	72%	0	0	0	0	0	0	0	0	0			
Light Rail Station w/ Park. 093	Parking Space		2.51	1.07	1.24		80%	20%	58%	42%	0	0	0	0	0	0	0	0	0			
Light Rail Station w/ Park. 093	Occ. Spaces		3.91	1.14	1.33		80%	20%	56%	42%	0	0	0	0	0	0	0	0	0			
General Light Industrial 110	KSF ²		6.97	0.92	0.97		88%	12%	12%	88%	0	0	0	0	0	0	0	0	0			
General Light Industrial 110	Acres		51.80	7.51	7.26		83%	17%	22%	78%	0	0	0	0	0	0	0	0	0			
General Light Industrial 110	Employees		3.02	0.44	0.42		83%	17%	21%	79%	0	0	0	0	0	0	0	0	0			
General Heavy Industrial 120	KSF ²		1.50	0.51	0.19		NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0			
General Heavy Industrial 120	Acres		8.75	1.98	2.16		NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0			
General Heavy Industrial 120	Employees		0.82	0.51	0.88		NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0			
Industrial Park 130	KSF ²		6.98	0.84	0.86		82%	18%	21%	79%	0	0	0	0	0	0	0	0	0			
Industrial Park 130	Acres		63.11	8.55	8.84		83%	17%	21%	79%	0	0	0	0	0	0	0	0	0			
Industrial Park 130	Employees		3.34	0.47	0.48		88%	14%	20%	80%	0	0	0	0	0	0	0	0	0			
Manufacturing 140	KSF ²		3.82	0.73	0.73		78%	22%	36%	64%	0	0	0	0	0	0	0	0	0			
Manufacturing 140	Acres		38.88	7.44	8.35		93%	7%	53%	47%	0	0	0	0	0	0	0	0	0			
Manufacturing 140	Employees		2.13	0.40	0.36		73%	27%	44%	56%	0	0	0	0	0	0	0	0	0			
Warehousing 150	KSF ²		3.66	0.30	0.32		79%	21%	25%	75%	0	0	0	0	0	0	0	0	0			
Warehousing 150	Acres		57.23	10.03	8.89		72%	28%	35%	65%	0	0	0	0	0	0	0	0	0			
Warehousing 150	Employees		3.89	0.51	0.59		72%	28%	35%	65%	0	0	0	0	0	0	0	0	0			
Mini Warehouse 151	KSF ²		2.50	0.15	0.26		59%	41%	51%	49%	0	0	0	0	0	0	0	0	0			
Mini Warehouse 151	Storage Units		0.25	0.02	0.02		87%	33%	NA	NA	0	0	0	0	0	0	NA	NA	0			
Mini Warehouse 151	Acres		35.43	2.62	3.45		NA	NA	52%	48%	0	0	0	NA	NA	0	0	0	0			
Mini Warehouse 151	Employees		61.90	5.26	6.04		67%	33%	52%	48%	0	0	0	0	0	0	0	0	0			
High-Cube Warehouse 152	KSF ²		1.44	0.09	0.10		65%	35%	33%	67%	0	0	0	0	0	0	0	0	0			
Utilities 170	KSF ²		NA	0.80	0.76		NA	NA	45%	55%	0	0	0	NA	NA	0	0	0	0			
Utilities 170	Employees		NA	0.78	0.78		90%	10%	15%	85%	0	0	0	0	0	0	0	0	0			
Single Family Homes 210	DU		9.57	0.75	1.01		25%	75%	63%	37%	125.0	1195	94	126	23	70	0	80	47	0		
Single Family Homes 210	Acres		26.04	2.06	2.74		31%	69%	86%	34%	0	0	0	0	0	0	0	0	0			
Single Family Homes 210	Persons		2.55	0.21	0.28		31%	69%	66%	34%	0	0	0	0	0	0	0	0	0			
Single Family Homes 210	Vehicles		6.02	0.51	0.67		31%	69%	66%	34%	0	0	0	0	0	0	0	0	0			
Apartment 220	DU		6.65	0.51	0.62		20%	80%	65%	35%	0	0	0	0	0	0	0	0	0			
Apartment 220	Persons		3.31	0.28	0.40		NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0			
Apartment 220	Vehicles		5.10	0.46	0.60		NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0			
Low Rise Apartment 221	Occ DU		6.59	0.46	0.58		21%	79%	65%	35%	0	0	0	0	0	0	0	0	0			
High Rise Apartment 222	DU		4.20	0.30	0.35		25%	75%	61%	39%	0	0	0	0	0	0	0	0	0			
Mid-Rise Apartment 223	DU		NA	0.30	0.38		31%	69%	58%	42%	0	0	0	0	0	0	0	0	0			
Rental Townhouse 224	DU		NA	0.70	0.72		33%	67%	51%	49%	0	0	0	0	0	0	0	0	0			
Resd. Condo/Townhouse 230	DU		5.81	0.44	0.52		17%	83%	67%	33%	0	0	0	0	0	0	0	0	0			
Resd. Condo/Townhouse 230	Persons		2.49	0.19	0.24		16%	84%	67%	33%	0	0	0	0	0	0	0	0	0			
Resd. Condo/Townhouse 230	Vehicles		3.34	0.24	0.32		16%	84%	66%	34%	0	0	0	0	0	0	0	0	0			
Low Rise Resd. Condo 231	DU		NA	0.67	0.78		25%	75%	58%	42%	0	0	0	25%	0	0	0	0	0			
High Rise Resd. Condo 232	DU		4.18	0.34	0.38		19%	81%	62%	38%	0	0	0	0	0	0	0	0	0			
Luxury Condo/Townhouse 233	Occ. DU		NA	0.66	0.55		23%	77%	63%	37%	0	0	0	0	0	0	0	0	0			
Mobile Home Park 240	Occ. DU		4.99	0.44	0.59		20%	80%	62%	38%	0	0	0	0	0	0	0	0	0			

DOLLAR GENERAL GENERATES BETWEEN 600 AND 1,000 TRIPS PER DAY



Government Office Building 730	KSF²	68.93	5.88	1.21		84%	16%	31%	69%		0	0	0	0	0	0	0	0	0
Government Office Building 730	Employees	11.95	1.02	1.91		84%	16%	74%	26%		0	0	0	0	0	0	0	0	0
State Motor Vehicles Dept. 731	KSF²	166.02	9.84	17.09		NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
State Motor Vehicles Dept. 731	Employees	44.54	2.64	4.58		NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
US Post Office 732	KSF²	108.19	8.21	11.12		52%	48%	51%	49%		0	0	0	0	0	0	0	0	0
US Post Office 732	Employees	28.32	2.01	2.84		52%	48%	51%	49%		0	0	0	0	0	0	0	0	0
Gov. Office Complex 733	KSF²	27.92	2.21	2.85		89%	11%	31%	69%		0	0	0	0	0	0	0	0	0
Gov. Office Complex 733	Employees	7.75	0.61	0.79		89%	11%	31%	69%		0	0	0	0	0	0	0	0	0
Office Park 750	KSF²	11.42	1.71	1.48		89%	11%	14%	86%		0	0	0	0	0	0	0	0	0
Office Park 750	Employees	3.50	0.43	0.39		92%	8%	15%	85%		0	0	0	0	0	0	0	0	0
Office Park 750	Acres	195.11	25.65	28.28		92%	8%	15%	85%		0	0	0	0	0	0	0	0	0
R&D Center 760	KSF²	8.11	1.22	1.07		83%	17%	15%	85%		0	0	0	0	0	0	0	0	0
R&D Center 760	Employees	2.77	0.43	0.41		86%	14%	10%	90%		0	0	0	0	0	0	0	0	0
R&D Center 760	Acres	79.61	16.77	15.44		84%	16%	12%	88%		0	0	0	0	0	0	0	0	0
Business Park 770	KSF²	12.76	1.43	1.29		84%	16%	23%	77%		0	0	0	0	0	0	0	0	0
Business Park 770	Employees	4.04	0.45	0.39		85%	15%	22%	78%		0	0	0	0	0	0	0	0	0
Business Park 770	Acres	149.79	18.86	16.84		85%	15%	20%	80%		0	0	0	0	0	0	0	0	0
Building Materials/Lumber 812	KSF²	45.16	2.60	4.49		67%	33%	47%	53%		0	0	0	0	0	0	0	0	0
Building Materials/Lumber 812	Employees	32.12	2.42	2.77		62%	38%	51%	49%		0	0	0	0	0	0	0	0	0
Free Standing Discount Superstore 813	KSF²	53.13	1.67	4.61	28%	56%	44%	49%	51%		0	0	0	0	0	0	0	0	0
Specialty Retail Center 814	KSF²	44.32	6.84	2.71		48%	52%	44%	56%		0	0	0	0	0	0	0	0	0
Specialty Retail Center 814	Employees	22.36	NA	NA		NA	NA	NA	NA		0	NA	NA	NA	NA	0	NA	NA	0
Free-Standing Discount Store 815	KSF²	57.24	1.06	5.00	17%	68%	32%	50%	50%	11.0	630	12	55	7	3	2	23	23	9
Free-Standing Discount Store 815	Employees	28.84	0.51	3.48	17%	66%	34%	50%	50%		0	0	0	0	0	0	0	0	0
Hardware/Paint Store 816	KSF²	51.29	1.08	4.84	26%	NA	NA	47%	53%		0	0	0	NA	NA	0	0	0	0
Hardware/Paint Store 816	Employees	53.21	1.13	5.05	26%	NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
Hardware/Paint Store 816	Acres	545.77	11.54	51.79	26%	NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
Nursery (Garden Center) 817	KSF²	36.08	1.31	3.80		NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
Nursery (Garden Center) 817	Employees	22.13	0.69	1.99		NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
Nursery (Garden Center) 817	Acres	96.21	2.59	7.52		NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
Nursery (Wholesale) 818	KSF²	39.00	2.40	5.17		NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
Nursery (Wholesale) 818	Employees	23.40	0.34	0.47		NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
Nursery (Wholesale) 818	Acres	19.50	0.26	0.45		NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0
Shopping Center 820 (Equation)	KSF²	Equations			34%	61%	39%	49%	51%		0	0	0	0	0	0	0	0	0
Shopping Center 820 Rate	KSF²	42.94	1.00	3.73	34%	61%	39%	49%	51%		0	0	0	0	0	0	0	0	0
Factory Outlet Center 823	KSF²	26.59	0.67	2.29		73%	27%	47%	53%		0	0	0	0	0	0	0	0	0
New Car Sales 841	KSF²	33.34	2.03	2.59		74%	26%	39%	61%		0	0	0	0	0	0	0	0	0
New Car Sales 841	Employees	21.14	0.67	0.96		44%	56%	48%	52%		0	0	0	0	0	0	0	0	0
Automobile Parts Sales 843	KSF²	61.91	2.21	5.98	43%	NA	NA	49%	51%		0	0	0	NA	NA	0	0	0	0
Tire Store 848	Service Bays	NA	2.10	3.54	28%	64%	36%	42%	58%		0	0	0	0	0	0	0	0	0
Tire Store 848	KSF²	24.87	2.89	4.15	28%	63%	37%	43%	57%		0	0	0	0	0	0	0	0	0
Tire Superstore 849	Service Bays	30.55	2.01	3.17		65%	35%	47%	53%		0	0	0	0	0	0	0	0	0
Tire Superstore 849	KSF²	20.36	1.34	2.11		65%	35%	47%	53%		0	0	0	0	0	0	0	0	0
Supermarket 850	KSF²	102.24	3.59	10.50	36%	61%	39%	51%	49%	11.0	1,125	39	116	15	10	14	38	36	42
Convenience. Mkt. (Open 24 hrs) 851	KSF²	737.99	67.03	52.41	61%	50%	50%	51%	49%	0.0	0	0	0	0	0	0	0	0	0
Convenience. Mkt. (Open 16 Hrs) 852	KSF²	NA	31.02	34.57		50%	50%	49%	51%	11.0	0	341	380	171	171	0	186	194	0
Convenience. Mkt w/ Gas Pumps 853	KSF²	845.60	43.90	59.69	66%	50%	50%	50%	50%	0.0	0	0	0	0	0	0	0	0	0
Convenience. Mkt w/ Gas Pumps 853	Fuel Position	542.60	16.57	19.07	66%	50%	50%	50%	50%		0	0	0	0	0	0	0	0	0
Discount Supermarket 854	KSF²	96.82	2.74	8.90	23%	58%	42%	50%	50%	11.0	1,055	30	98	13	10	7	38	38	23
Discount Club 857	KSF²	41.80	0.56	4.24		71%	29%	50%	50%		0	0	0	0	0	0	0	0	0
Discount Club 857	Employees	32.21	0.36	2.79		77%	23%	48%	52%		0	0	0	0	0	0	0	0	0
Wholesale Market 860	KSF²	6.73	0.51	0.88		67%	33%	53%	47%		0	0	0	0	0	0	0	0	0
Sporting Goods Superstore 861	KSF²	NA	NA	3.10		NA	NA	47%	53%		0	NA	0	NA	NA	0	0	0	0
Home Improvement Superstore 862	KSF²	29.80	1.26	2.37	48%	57%	43%	48%	52%		0	0	0	0	0	0	0	0	0
Electronics Superstore 863	KSF²	45.04	0.28	4.50	40%	NA	NA	49%	51%		0	0	0	NA	NA	0	0	0	0

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2017 HISTORICAL AADT REPORT

COUNTY: 48 - ESCAMBIA

SITE: 4066 - SR 292 (GULF BEACH HWY) - 450' E OF C297 (DOG TRACK RD)

YEAR	AADT	DIRECTION 1		DIRECTION 2		*K FACTOR	D FACTOR	T FACTOR
2017	18500 C	E	0	W	0	9.00	58.60	4.00
2016	19500 C	E	0	W	0	9.00	56.30	3.90
2015	17500 C	E	0	W	0	9.00	55.50	4.20
2014	16500 C	E		W		9.00	55.80	3.70
2013	16000 C	E	0	W	0	9.00	56.30	4.10
2012	15500 C	E	0	W	0	9.00	56.10	3.50
2011	16000 C	E	0	W	0	9.00	56.10	3.90
2010	17000 C	E	0	W	0	9.39	55.60	4.10
2009	15500 C	E	0	W	0	9.51	57.14	4.20
2008	15500 C	E	0	W	0	9.42	56.46	5.40
2007	17000 C	E	0	W	0	9.42	56.49	7.40
2006	18500 C	E	0	W	0	9.16	52.46	5.40
2005	18500 C	E		W		10.00	55.30	4.50
2004	17500 C	E		W		9.80	57.10	3.90
2003	16500 C	E		W		9.60	56.60	6.00
2002	17500 C	E		W		9.90	52.80	5.20

Traffic count comparison 2012 and 2017

$18,500 - 15,500 = 3,000 \div 15,500 = 19.35\%$ increase in 2017 traffic over 2012

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES



Development Services Department

Escambia County, Florida

2-2018-15
18093090 PPS

PLANNING BOARD REZONING PRE-APPLICATION SUMMARY FORM

33-25-31-1000-002-075
Property Reference Number

Boddy Page
Name

8939 Gulf Beach Hwy
Address

☐ Owner

☐ Agent

Referral Form
Included? Y / N

MAPS PREPARED

- ☒ Zoning
☐ FLU
☐ Aerial
☐ Other: _____
Redevelopment Area*: _____

PROPERTY INFORMATION

Current Zoning: HC/LI-MDR Size of Property: 2.24 +/-
Future Land Use: MU-U Commissioner District: _____
Overlay/AIPD: AIPD-1 Subdivision: _____
Sanitary Sewer _____ Septic Tank _____

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

COMMENTS

Desired Zoning: HC/LI-NA

Aerial

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

Wants to rezone so parcels are one zone for storage units.
Parcel is on an arterial roadway - locational criteria
applies which may be problematic - applicant needs to sub
traffic compatibility. In AIPD-1

3/8/18 Recommend rezoning HC/LI portion to Com + upzone
back portion of MDR to Commercial

9/10/18 Rezone entire parcel to HC/LI-NA

- ☐ Applicant will contact staff for next appointment
☐ Applicant decided against rezoning property
☐ Applicant was referred to another process

☐ BOA

☐ DRC

☐ Other: _____

Process Name

3/8/18 J Fisher, A Holmer

Staff present: _____

Date: 4/15/17

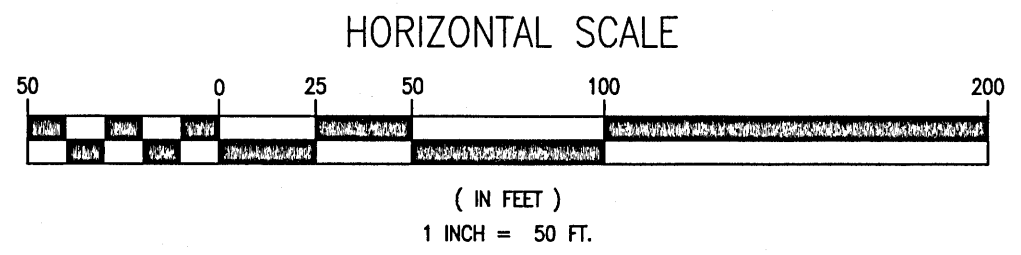
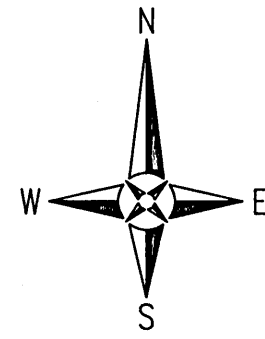
3/8/18 Page

Applicant/Agent Name & Signature: _____

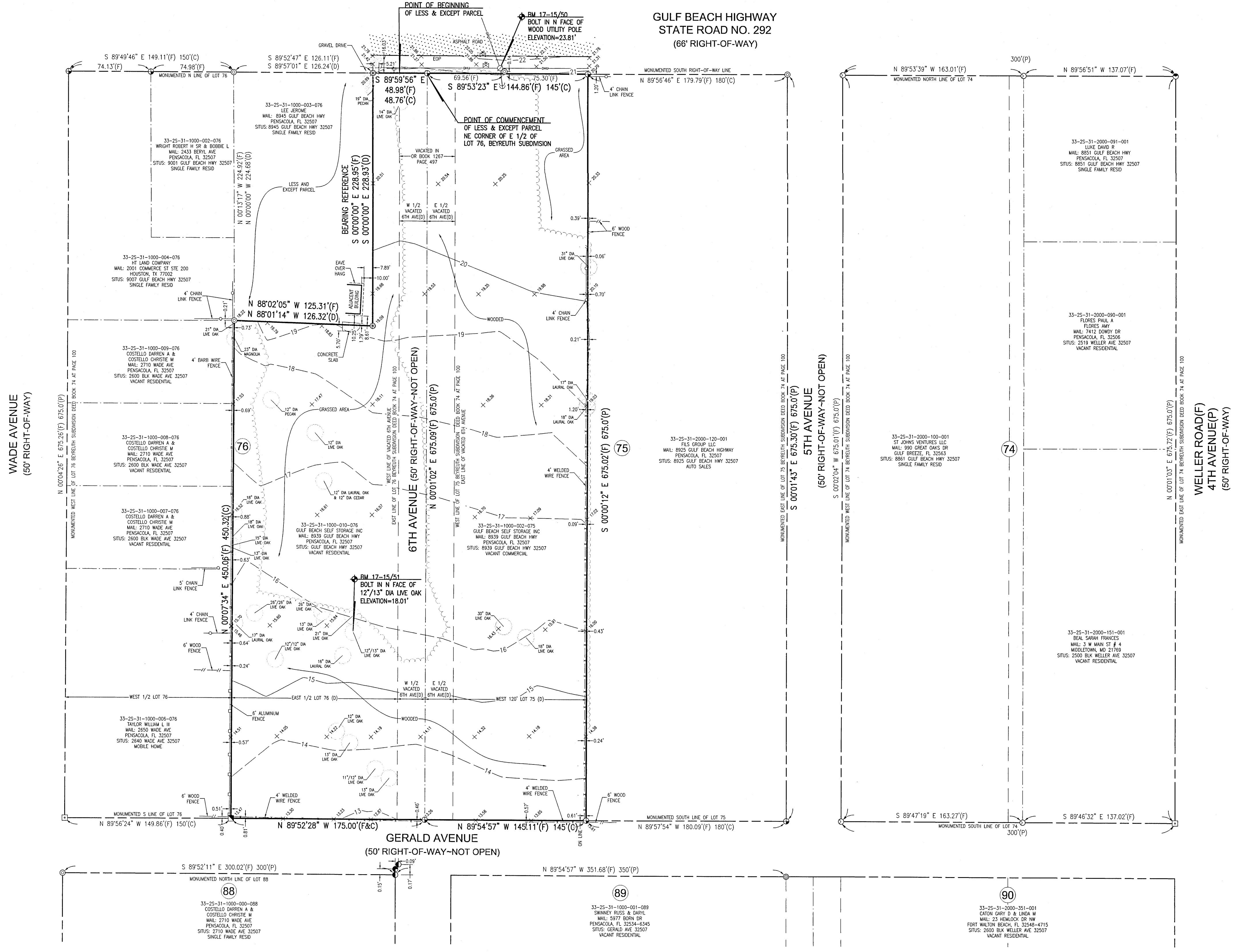
No comment made by any persons associated with the County during any pre-application conference or discussion shall be considered either as approval or rejection of the proposed development, development plans, and/or outcome of any process.

LEGEND:

●	FOUND 1/2" DIA IRON ROD (UNNUMBERED)	□	FOUND 4"x4" CONCRETE MONUMENT (No. 3140)	⊗	DENOTES WOOD UTILITY POLE	(F)	DENOTES FIELD INFORMATION
●	FOUND 3/4" DIA IRON ROD (UNNUMBERED)	◆	SET BENCHMARK	⊕	DENOTES GUY WIRE ANCHOR	(C)	DENOTES CALCULATED INFORMATION
○	FOUND 1" DIA IRON PIPE (UNNUMBERED)	—	DENOTES CHAIN LINK FENCE	✉	DENOTES MAILBOX	(D)	DENOTES DEED INFORMATION
⊙	FOUND 1-1/2" DIA IRON PIPE (UNNUMBERED)	—	DENOTES WOOD PANEL FENCE	⊕	DENOTES WATER VALVE	(P)	DENOTES PLAT INFORMATION
⊙	FOUND IRON STAKE (NO IDENTIFICATION)	—	DENOTES ALUMINUM FENCE	⊕	DENOTES GAS VALVE	BM	DENOTES BENCHMARK
⊙	FOUND 1/2" DIA CAPPED IRON ROD (ILLEGIBLE)	—	DENOTES BARB WIRE FENCE	⊕	DENOTES PLATTED LOT NUMBER (BEYREUTH)	DIA	DENOTES DIAMETER
⊙	FOUND 1/2" DIA CAPPED IRON ROD (No. 7174)	—	DENOTES WOVEN WIRE FENCE	⊕	DENOTES TREE (SIZE AND TYPE INDICATED)	EOP	DENOTES EDGE OF PAVEMENT
⊙	FOUND 1/2" DIA CAPPED IRON ROD (No. 7092)	—	DENOTES OVERHEAD UTILITIES	⊕	DENOTES SPOT ELEVATION	No.	DENOTES NUMBER
□	FOUND 4"x4" CONCRETE MONUMENT (UNNUMBERED)	—	DENOTES TREE LINE	⊕	DENOTES ELEVATION CONTOUR LINE AT ONE FOOT INTERVALS	OR	DENOTES OFFICIAL RECORDS



GULF BEACH HIGHWAY
STATE ROAD NO. 292
(66' RIGHT-OF-WAY)



DESCRIPTION: (OFFICIAL RECORDS BOOK 7695 AT PAGE 1880)

EAST-HALF OF LOT 76, BEYREUTH SUBDIVISION, SECTION 33/4, TOWNSHIP 2/3 SOUTH, RANGE 31 WEST, DESCRIBED ACCORDING TO PLAT OF SAID SUBDIVISION RECORDED IN DEED BOOK 74, PAGE 100 OF THE PUBLIC RECORDS OF ESCAMBA COUNTY, FLORIDA, AND ADJACENT 1/2 OF VACATED 6TH AVENUE.

LESS AND EXCEPT

THAT PORTION OF THE EAST 1/2 OF LOT 76, BEYREUTH SUBDIVISION, SECTION 33/4, TOWNSHIP 2/3 SOUTH, RANGE 31 WEST, DESCRIBED ACCORDING TO PLAT OF SAID SUBDIVISION, AS RECORDED IN DEED BOOK 74, AT PAGE 100, OF THE PUBLIC RECORDS OF ESCAMBA COUNTY, FLORIDA, TOGETHER WITH ADJACENT 1/2 OF VACATED 6TH AVENUE, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE EAST 1/2 OF LOT 76, BEYREUTH SUBDIVISION, BEING A PORTION OF SECTIONS 33 AND 4, TOWNSHIPS 2 AND 3 SOUTH, RANGE 31 WEST, ESCAMBA COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN DEED BOOK 74, PAGE 100, OF THE PUBLIC RECORDS OF SAID ESCAMBA COUNTY, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF GULF BEACH HIGHWAY (66.00 FOOT RIGHT-OF-WAY); THENCE GO NORTH 89 DEGREES 57 MINUTES 01 SECONDS WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 23.76 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, GO SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 228.93 FEET, THENCE GO NORTH 88 DEGREES 01 MINUTES 14 SECONDS WEST, A DISTANCE OF 126.32 FEET, THENCE GO NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 224.68 FEET TO THE AFORESAID SOUTH RIGHT-OF-WAY LINE OF GULF BEACH HIGHWAY, THENCE GO SOUTH 89 DEGREES 57 MINUTES 01 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 126.24 FEET TO THE POINT OF BEGINNING.

AND ALSO

THE WEST 120 FEET OF LOT 75, BEYREUTH, A SUBDIVISION OF SECTIONS 33/4, TOWNSHIPS 2/3 SOUTH, RANGE 31 WEST, ESCAMBA COUNTY, FLORIDA, ACCORDING TO PLAT OF SAID SUBDIVISION RECORDED IN DEED BOOK 74, AT PAGE 100 OF THE PUBLIC RECORDS OF SAID COUNTY, AND ADJACENT 1/2 OF VACATED 6TH AVENUE.

GENERAL NOTES:

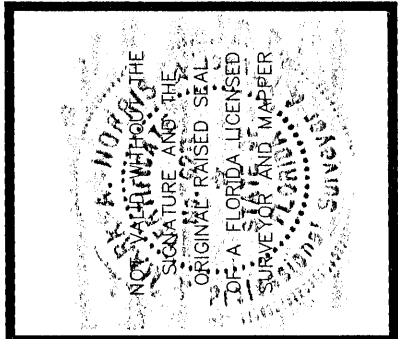
- NORTH AND THE SURVEY DATUM SHOWN HEREON ARE REFERENCED TO THE WEST PROPERTY LINE OF THE SURVEYED PROPERTY, ALSO BEING THE EAST LINE OF THE LESS AND EXCEPT PARCEL, HAVING A DEED BEARING OF SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST; COPY OF THE RECORD PLAT OF BEYREUTH AS RECORDED IN DEED BOOK 74 AT PAGE 100 OF THE PUBLIC RECORDS OF ESCAMBA COUNTY; COPY OF THE RECORD PLAT OF GULF BEACH MANOR AS RECORDED IN PLAT BOOK 1 AT PAGE 16 OF THE PUBLIC RECORDS OF ESCAMBA COUNTY, FLORIDA; COPY OF PREVIOUS SURVEY OF PARCEL TO THE EAST BY SWINNEY & ASSOCIATES, INC., DRAWING NO. 08-11659, DATED 2/14/2008; COPY OF PREVIOUS SURVEY OF THE WEST HALF OF LOT 76, BEYREUTH SUBDIVISION, BY SWINNEY & ASSOCIATES, INC., DRAWING NO. 03-4790, DATED 04/16/03; DEEDS OF RECORD AND EXISTING FIELD MONUMENTATION.
- ELEVATIONS AS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AND ARE REFERENCED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) VERTICAL CONTROL NETWORK BENCH MARK NUMBER 48-05-B11V HAVING A PUBLISHED ELEVATION OF 18.81 FEET.
- THE STRUCTURE DIMENSIONS DO NOT INCLUDE THE EAVE OVERHANG OR FOUNDATION FOOTINGS.
- NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY NOR PROVIDED TO THIS FIRM FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, BUILDING SETBACKS, RESTRICTIVE COVENANTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY.
- IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR & MAPPER THAT THE PARCEL OF LAND SHOWN HEREON IS IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR ESCAMBA COUNTY, FLORIDA, COMMUNITY PANEL NUMBER 1203305276, EFFECTIVE DATE OF SEPTEMBER 29, 2006.
- GRAPHIC SYMBOLISM FOR FEATURES SUCH AS MONUMENTATION, FENCES, TREES, TREE LINES, UTILITIES, ETCETERA MAY BE EXAGGERATED IN SIZE FOR CLARITY PURPOSES. DIMENSIONS TO EXAGGERATED FEATURES WILL SUPERSEDE SCALED MEASUREMENTS.
- VISIBLE IMPROVEMENTS ARE AS SHOWN HEREON.
- VISIBLE UTILITIES ARE AS SHOWN HEREON.
- VISIBLE ENCROACHMENTS ARE AS SHOWN HEREON.
- THIS SURVEY DOES NOT REPRESENT NOR GUARANTEE OWNERSHIP.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050, 5J-17.051 AND 5J-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: Mark A. Norris FEB. 14, 2018
FLORIDA REGISTRATION No. 6211

RBA
REBOL-BATTLE & ASSOCIATES
Civil Engineers and Surveyors
2301 N. Ninth Avenue, Suite 300
Pensacola, Florida 32503
Telephone 850.439.4470 Fax 850.438.0448
E3 00055527 12/18



8939 GULF BEACH HIGHWAY
& PARCEL 33-2S-31-1000-010-076
A PORTION OF
SECTION 33 TOWNSHIP 2 SOUTH
COUNTY: ESCAMBA RANGE 31 WEST
STATE: FLORIDA

PROJECT NO.	2017-285
DRAWN BY:	ANC
CHECK BY:	MAN
SCALE:	1" = 50'
F.B.:	17-16
P.G.:	48-51
DATE:	2/10/2018

BOUNDARY AND TOPOGRAPHIC SURVEY
PREPARED FOR: MR. KIP WALKER
REQUESTED BY: MR. KIP WALKER

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

INTEROFFICE MEMORANDUM



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

**FROM: Terri V. Malone, AICP, Transportation Planner
Transportation & Traffic Operations Division**

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

DATE: October 24, 2018

RE: Transportation & Traffic Operations (TTO) Comments – Z-2018-15

TTO Staff has reviewed the Rezoning Case (Z)-2018-15, 8939 Gulf Beach Highway, agenda item for the Planning Board meeting scheduled on November 8, 2018. Please see the below comments.

Gulf Beach Highway is a two-lane road with paved shoulders. The approximate pavement width is 33 feet with two 12-foot travel lanes. Right of Way is 66 feet. There are two programmed signal projects (Patton Drive & Sunset Avenue) on Gulf Beach Highway showing in the County's Capital Improvement Program (CIP). There are also two signal projects programmed in the Florida Department of Transportation's five-year work program.

Gulf Beach Highway is classified as a principal arterial with an established vehicular capacity of 17,700 (LOS D) and a year 2017 daily volume of 18,500 vehicles.

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

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

Planning Board-Rezoning

7. C.

Meeting Date: 11/08/2018

CASE : Z-2018-16

APPLICANT: Wiley C. "Buddy" Page, Agent for James Campbell, Owner

ADDRESS: 1250 Fairchild Street

PROPERTY REF. NO.: 30-1S-30-1101-000-000

FUTURE LAND USE: MU-U, Mixed Use Urban

DISTRICT: 4

OVERLAY DISTRICT: N/A

BCC MEETING DATE: 12/06/2018

SUBMISSION DATA:

REQUESTED REZONING:

FROM: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre)

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

RELEVANT AUTHORITY:

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

APPROVAL CONDITIONS

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

Consistent with Comprehensive Plan

The proposed zoning is consistent with the future land use (FLU) category as prescribed in LDC Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan. If the rezoning is required to properly enact a proposed FLU map amendment transmitted for state agency review, the proposed zoning is consistent with the proposed FLU and conditional to its adoption.

CPP 1.3.1 Future Land Use Category. The Mixed-Use Urban (MU-U) Future Land Use (FLU) category is intended for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole. Range of allowable uses include: Residential, Retail and Services, Professional Office, Light Industrial, Recreational Facilities, Public and

Civic. The maximum residential density is 25 dwelling units per acre.

FINDINGS

The proposed amendment to HDR **is consistent** with the intent and purpose of Future Land Use category MU-U as stated in CPP FLU 1.3.1. the future land use allows residential, retail and services that would be compatible with adjacent parcels.

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

Consistent with The Land Development Code

The proposed zoning is consistent with the purpose and intent and with any other zoning establishment provisions prescribed by the proposed district in Chapter 3.

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code. The parcel is currently HC/LI and the request is to downzone to HDR, which is a less intense zoning. The requested zoning will be compatible with the adjacent parcels to the east and south, currently zoned HDR.

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

Compatible with surrounding uses

All the permitted uses of the proposed zoning, not just those anticipated by the rezoning applicant, are compatible, as defined in Chapter 6, with the surrounding uses. The uses of any surrounding undeveloped land shall be considered the permitted uses of the applicable district. Compatibility is not considered with potential conditional uses or with any nonconforming or unapproved uses. Also, in establishing the compatibility of a residential use, there is no additional burden to demonstrate the compatibility of specific residents or activities protected by fair housing law.

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed properties with zoning districts HC/LI, HDR, HDMU and Com. Within the area of the subject parcel, there are single family residential lots, a mobile home and vacant land.

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

Appropriate if spot zoning

Where the proposed zoning would establish or reinforce a condition of spot zoning as defined in Chapter 6, the isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The extent of these mitigating characteristics or conditions demonstrates an appropriate site specific balancing of interests between the isolated district and adjoining lands.

As per LDC Chapter 6, Spot Zoning is: *Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or "spot" zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a*

higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly development.

FINDINGS

The HDR district would **not** be spot zoning due to the other similar zoning districts adjacent to and in the vicinity.

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

Appropriate with changed or changing conditions

If the land uses or development conditions within the area surrounding the property of rezoning have changed, the changes are to such a degree and character that it is in the public interest to allow new uses, density, or intensity in the area through rezoning; and the permitted uses of the proposed district are appropriate and not premature for the area or likely to create or contribute to sprawl.

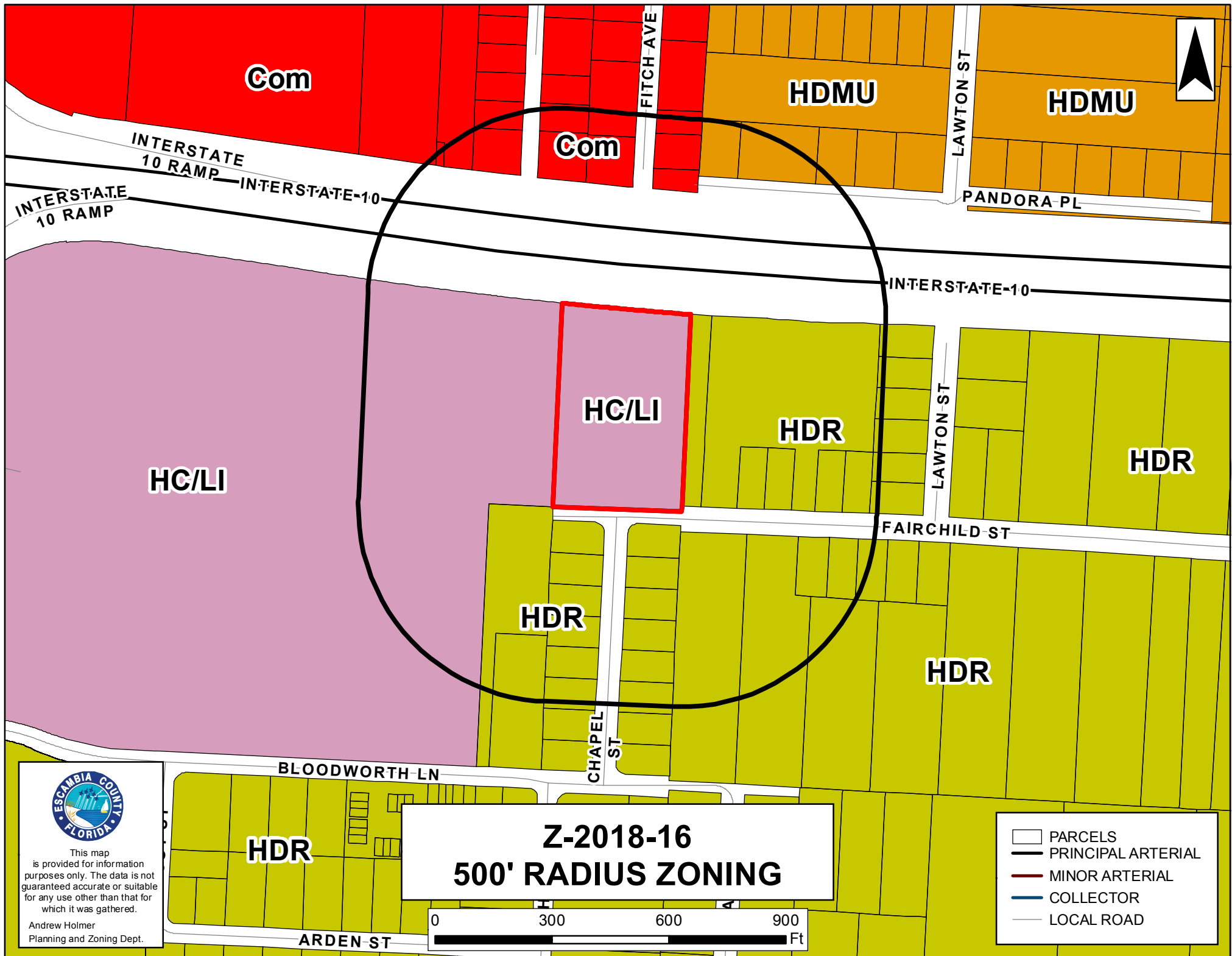
FINDINGS

The land uses or development conditions within the area surrounding the property of rezoning **have not** changed and the uses allowed in HDR zoning category would be appropriate and compatible with the surrounding properties.

Attachments

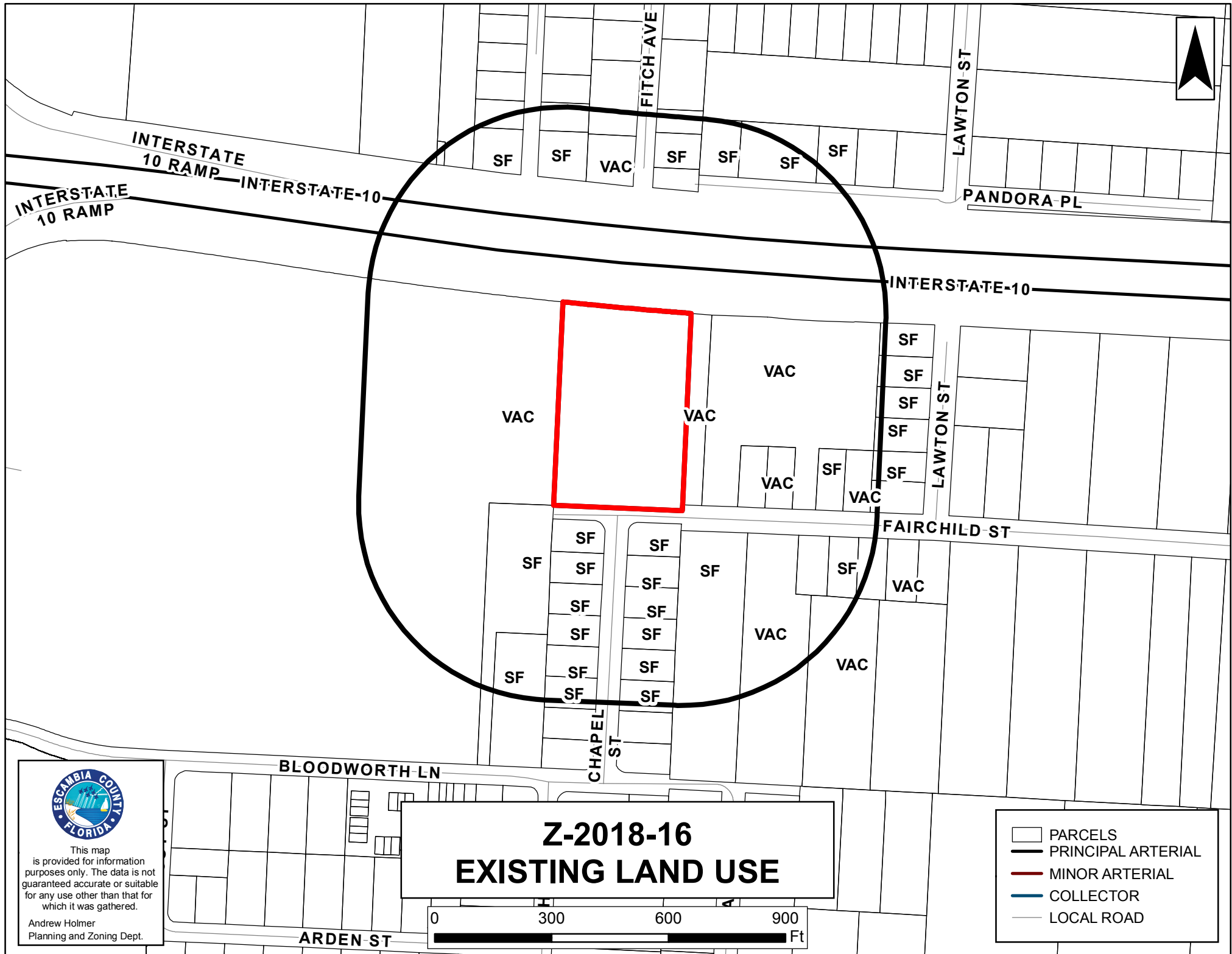
Working Case File

Z-2018-16



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.

INTERSTATE
10 RAMP

PANDORA PL

INTERSTATE 10

INTERSTATE 10



LAWTON ST

FAIRCHILD ST

L ST



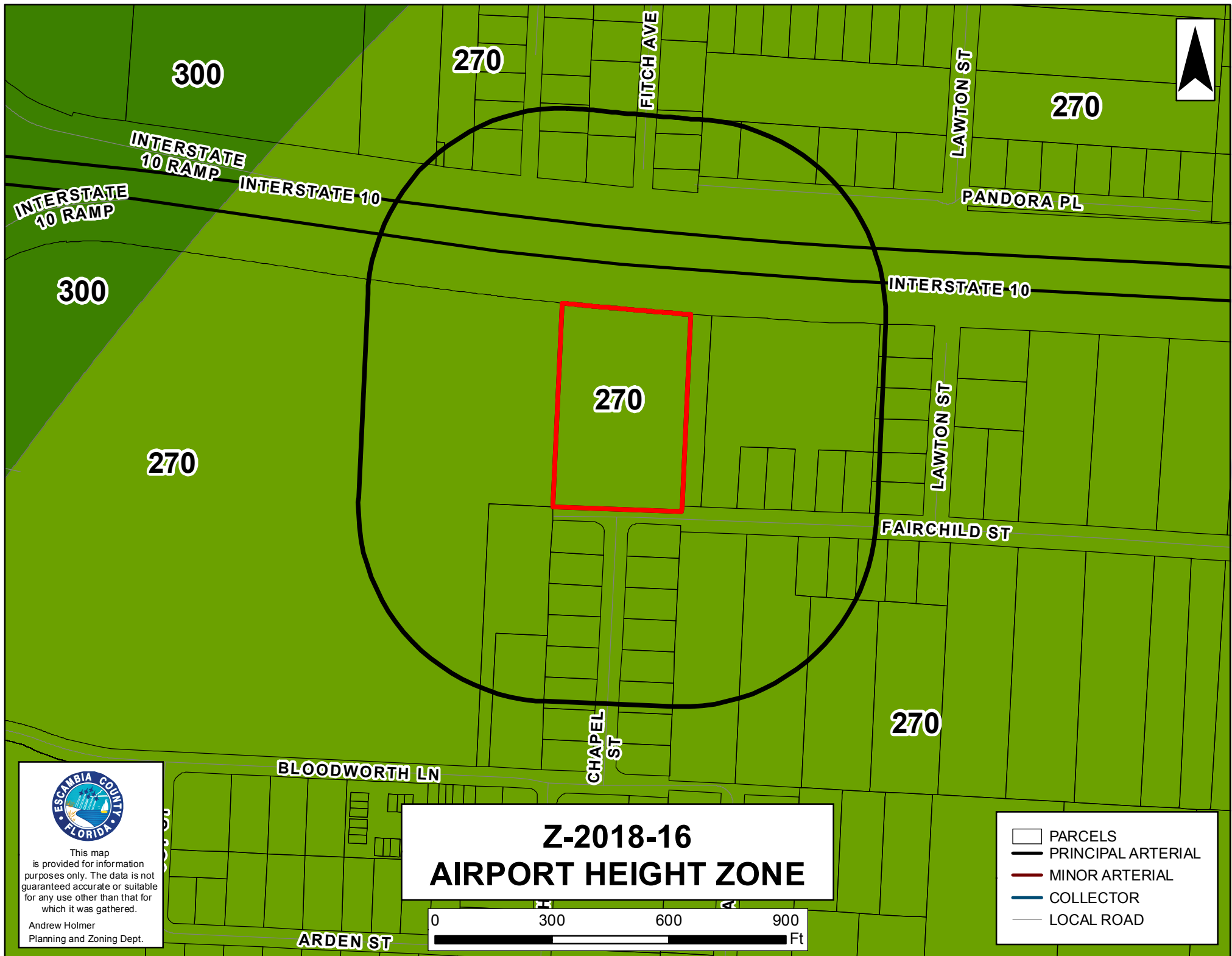
This map
is provided for information
purposes only. The data is not
guaranteed accurate or suitable
for any use other than that for
which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2018-16 AERIAL MAP

0 160 320 480
Ft

- 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.

AVAILABLE
850.47
TeamBeck
DAVID V



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2018-16

CURRENT ZONING: HC/LI PROPOSED ZONING: HDR

PLANNING BOARD

DATE: 11/08/18 TIME: 8:30 AM

LOCATION OF HEARING

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

BOARD OF COUNTY COMMISSIONERS

DATE: 12/06/18 TIME: 5:45 PM

LOCATION OF HEARING

ERNIE LEE MAGAHA GOVERNMENT BLDG
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES AT 605-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

Public Hearing Sign



Looking into subject
parcel



Looking onto
subject parcel.
House behind
trees



Another view into
subject parcel



Another view onto subject
parcel.



Looking onto
Fairchild from subject
parcel



Looking east on
Fairchild



Looking south from
subject parcel on Chapel
St

Wiley C."Buddy" Page, MPA, APA
Professional Growth Management Services, LLC
5337 Hamilton Lane Pace, Florida 32571
Cell 850.232.9853
budaciel@att.net

August 10, 2018
VIA HAND DELIVERY

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

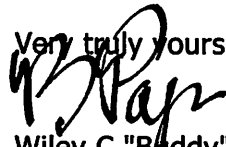
RE: Rezoning request: HC/LI to HDR
Parcel: 30-1S-30-1101-000-000
Owner: James W. Campbell, Jr.
Address: 1250 Fairchild Street

Dear Mr. Jones:

The attached application requests Planning Board consideration to rezone a the referenced parcel of property from HC/LI to HDR High Density Residential. As shown herein, the property has HDR zoning to the east and south of the site and HC/LI (Coke Bottling Plant) to the west. The site is served by local roads and it is this reason that the site could never be actually developed as a commercial use.

The application contains the required filing fee together with additional information regarding proof of ownership, a certified boundary survey and location maps.

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>

Rezoning Application

FOR OFFICE USE ONLY - Case Number 22018-16 Accepted by: A. Can PB Meeting: 11/6/18

1. Contact Information:

A. **Property Owner/Applicant:** James W. Campbell, Jr.

Mailing Address: 1250 Fairchild Street

Business Phone: 334-412-0173 Cell: 334-412-0173

Email: wendellcampbell46@gmail.com

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

Mailing Address: 5337 Hamilton Lane Pace, FL 32571

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

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:** 1250 Fairchild Street

Parcel ID (s): _____

30-1S-30-1101-000-000

B. **Total acreage of the subject property:** 04.00

C. **Existing Zoning:** HC/LI

Proposed Zoning: HDR; explain why necessary and/or appropriate

Property could never be actually developed under HC/LI because of location
criteria. Downzoning to HDR will be consistent with area categories.

FLU Category: MU-U

D. Is the subject property developed (if yes, explain): _____
Property is homesite of applicant

E. Sanitary Sewer: _____ Septic: X _____

3. Amendment Request

Approval conditions. The applicant has the burden of presenting competent substantial evidence to the reviewing board establishing that the requested zoning district would contribute to or result in a logical and orderly development pattern. The appropriate surrounding area within which uses and conditions must be considered may vary with those uses and conditions and is not necessarily the same area required for mailed notification. A logical and orderly pattern shall require demonstration of each of the following conditions:

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

- a. **Consistent with Comprehensive Plan.** The proposed zoning is consistent with the future land use (FLU) category as prescribed in LDC Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan. If the rezoning is required to properly enact a proposed FLU map amendment transmitted for state agency review, the proposed zoning is consistent with the proposed FLU and conditional to its adoption.

As per attached copy of LCD chart at page LDC 3:7, the requested zoning category is consistent with the assigned Future Land Use category.

- b. **Consistent with zoning district provisions.** The proposed zoning is consistent with the purpose and intent and with any other zoning establishment provisions prescribed by the proposed district in Chapter 3

The request is to downzone the HC/LI property to HDR which is compatible with the predominant assigned zoning category in the area suggesting consistency and compatibility with the surrounding residential uses.

- c. **Compatible with surroundings.** All of the permitted uses of the proposed zoning, not just those anticipated by the rezoning applicant, are compatible, as defined in Chapter 6, with the surrounding uses. The uses of any surrounding undeveloped land shall be considered the permitted uses of the applicable district. Compatibility is not considered with potential conditional uses or with any nonconforming or unapproved uses. Also, in establishing the compatibility of a residential use, there is no additional burden to demonstrate the compatibility of specific residents or activities protected by fair housing law.

The requested downzoning to HDR will be compatible with the majority of surrounding residential uses which are also presently zoned HDR.

- d. **Appropriate if spot zoning.** Where the proposed zoning would establish or reinforce a condition of spot zoning as defined in Chapter 6, the isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The extent of these mitigating characteristics or conditions demonstrates an appropriate site-specific balancing of interests between the isolated district and adjoining lands.

As per LDC Chapter 6, Spot Zoning is: Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or "spot" zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly development

The requested zoning category will not create spot zoning. Properties east and south of the site are presently zoned the same category as that being requested.

- e. **Appropriate with changed or changing conditions.** If the land uses or development conditions within the area surrounding the property of rezoning have changed, the changes are to such a degree and character that it is in the public interest to allow new uses, density, or intensity in the area through rezoning; and the permitted uses of the proposed district are appropriate and not premature for the area or likely to create or contribute to sprawl.

The site cannot be developed under the present HC/LI category because of location criteria requirements. Downzoning to residential will allow owner to develop a wider range of residential housing possibilities.

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

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 30-1S-30-1101-000-000

Property Address: 1250 Fairchild Street Pensacola, Escambia County Florida 32504

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

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

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

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

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 4th DAY OF April, YEAR OF '18


Signature of Property Owner

James W. Campbell, Jr.
Printed Name of Property Owner

4-24-18
Date

Signature of Property Owner

Printed Name of Property Owner

Date

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

(if applicable)

As owner of the property located at 1250 Fairchild Street Pensacola, Escambia County Florida

_____, Florida, property reference number(s) 30-1S-30-1101-000-000

_____, I hereby designate Wiley C. "Buddy" Page

_____ for the sole purpose of completing this application and making a presentation to the Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property. This Limited Power of Attorney is granted on this _____ day of _____ the year of _____, and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development Services Bureau.

Agent Name: Wiley C. "Buddy" Page Email: budpage1@att.net

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



Signature of Property Owner

James W. Campbell, Jr.

Printed Name of Property Owner

4-24-18

Date

Signature of Property Owner

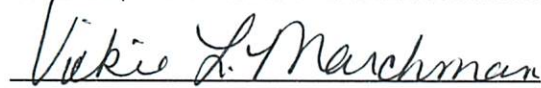
Printed Name of Property Owner

Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 24th day of April 20 18, by Vickie Marchman.

Personally Known ☐ OR Produced Identification ☒ Type of Identification Produced: Driver's License

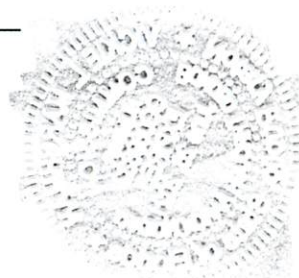


Signature of Notary

Vickie Marchman

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/ds/planning-board> or contact us at 595-3547

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

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

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

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

By my signature, I hereby certify that:

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

✓ James W. Campbell, Jr.
Signature of Owner/Agent

James W. Campbell, Jr.
Printed Name Owner/Agent

4-24-18
Date

Signature of Owner

Printed Name of Owner

Date

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 24th day of April 20 18, by Vickie Marchman.

Personally Known ☐ OR Produced Identification ☒ Type of Identification Produced: Driver's License

Vickie L. Marchman
Signature of Notary

Vickie L Marchman
Printed Name of Notary

(notary seal)

Without benefit of title examination
this instrument prepared by:
T. David Mann, Esq.
41 N. Jefferson Street, Suite 105
Pensacola, FL 32502
P.O. Box 1191
Pensacola, FL 32591

**STATE OF FLORIDA
COUNTY OF ESCAMBIA**

WARRANTY DEED

THIS INDENTURE made this 21ST day of September, 2016, between ADAM BRIAN CAMPBELL, a married man, whose address is 815 Deahl Street, Apt. 5, Borger, Texas 79007, of the County of Hutchinson, and State of Texas, Grantor, and JAMES W. CAMPBELL, JR., a married man, whose address is 1250 Fairchild Street, Pensacola, Florida 32504, Grantee,

WITNESSETH: The said Grantor for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable considerations, does by these presents, grant, bargain, sell, alien, remise, release, convey, and confirm unto the Grantee, his heirs and assigns forever, the following described land lying and being in the County of Escambia, State of Florida:

**The East 5 acres of the North 20 acres of Lot 1, Section 30,
Township 1 South, Range 30 West, Escambia County,
Florida, less rights-of way and easements of record.**

Grantor declares that the real property being conveyed herein is not his constitutional homestead.

The said Grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever. "Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS THEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

**Signed, sealed and delivered
in the presence of:**



Witness Signature

Samuel Pair

Printed Name



Witness Signature

Robin Pair

Printed Name




ADAM BRIAN CAMPBELL

**STATE OF TEXAS
COUNTY OF HUTCHINSON**

The foregoing Warranty Deed was acknowledged before me this 21 day of
September, 2016, by ADAM BRIAN CAMPBELL, a married man, who is personally
known to me or who has produced Florida DL as identification.

LS14-002-69-181-D



NOTARY PUBLIC





Scott Lunsford, CFC • Escambia County Tax Collector

EscambiaTaxCollector.com

facebook.com/ECIaxCollector

twitter.com/escamblatc



2017

REAL ESTATE

TAXES

Notice of Ad Valorem and Non-Ad Valorem Assessments

SCAN TO PAY ONLINE

ACCOUNT NUMBER	MILLAGE CODE	ESCROW CODE	PROPERTY REFERENCE NUMBER
03-2092-000	06		3015301101000000

CAMPBELL JAMES W JR
1250 FAIRCHILD ST
PENSACOLA, FL 32504

PROPERTY ADDRESS:
1250 FAIRCHILD ST

EXEMPTIONS:
HOMESTEAD EXEMPTION

334-412-0173

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED
COUNTY	6.6165	134,449	50,000	84,449	558.76
PUBLIC SCHOOLS					
BY LOCAL BOARD	2.2480	134,449	25,000	109,449	246.04
BY STATE LAW	4.3830	134,449	25,000	109,449	479.71
WATER MANAGEMENT	0.0353	134,449	50,000	84,449	2.98
SHERIFF	0.6850	134,449	50,000	84,449	57.85
M.S.T.U. LIBRARY	0.3590	134,449	50,000	84,449	30.32

TOTAL MILLAGE 14.3268

AD VALOREM TAXES \$1,375.66

LEGAL DESCRIPTION

NON-AD VALOREM ASSESSMENTS

LEGAL DESCRIPTION	TAXING AUTHORITY	RATE	AMOUNT
E 5A OF N 20A OF LT 1 LESS R/W FOR STATE RD NO 8 OR 7250 P 845 OR 7593 P 1020	FP FIRE PROTECTION		125.33
NON-AD VALOREM ASSESSMENTS			\$125.33

Pay online at EscambiaTaxCollector.com

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

COMBINED TAXES AND ASSESSMENTS \$1,500.99

If Paid By Please Pay	Dec 31, 2017 \$0.00				
--------------------------	------------------------	--	--	--	--

RETAIN FOR YOUR RECORDS

2017 REAL ESTATE TAXES

DETACH HERE AND RETURN THIS PORTION WITH YOUR PAYMENT

Make checks payable to:

Scott Lunsford, CFC
Escambia County Tax Collector

P.O. BOX 1312
PENSACOLA, FL 32591

Pay online at EscambiaTaxCollector.com

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

PAY ONLY ONE AMOUNT

Dec 31, 2017
AMOUNT IF PAID BY 0.00

AMOUNT IF PAID BY

AMOUNT IF PAID BY

AMOUNT IF PAID BY

AMOUNT IF PAID BY

DO NOT FOLD, STAPLE, OR MUTILATE

ACCOUNT NUMBER
03-2092-000
PROPERTY ADDRESS
1250 FAIRCHILD ST

CAMPBELL JAMES W JR
1250 FAIRCHILD ST
PENSACOLA, FL 32504

Paid 12/11/2017 Receipt # 185-17-00355556 \$1,455.96

Paid By



Development Services Department
Escambia County, Florida

180 93110 PPB
2-2018-16

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

31-15-30-1101-000-000
Property Reference Number

Buddy Page
Name

1250 Fairchild
Address

☐ Owner

☒ Agent

Referral Form
Included? Y / N

MAPS PREPARED

☐ Zoning

☐ FLU

☐ Aerial

☐ Other: _____

Redevelopment Area*: N/A

PROPERTY INFORMATION

Current Zoning: HU/L1 Size of Property: 4 +/-

Future Land Use: MU-U Commissioner District: 4

Overlay/AIPD: NA Subdivision: _____

Sanitary Sewer _____ Septic Tank _____

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

COMMENTS

Desired Zoning: HDR

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

Would like to rezone to lower zoning designation
will bring application in for Nov. 2018 P.B.

X Flood

Drainage - VII

[Pensacola Airport height restrictions]

☐ Applicant will contact staff for next appointment

☐ Applicant decided against rezoning property

☐ Applicant was referred to another process

☐ BOA

☐ DRC

☐ Other: _____

Process Name

Staff present: A. Carri Date: 2/10/18

Applicant/Agent Name & Signature: _____

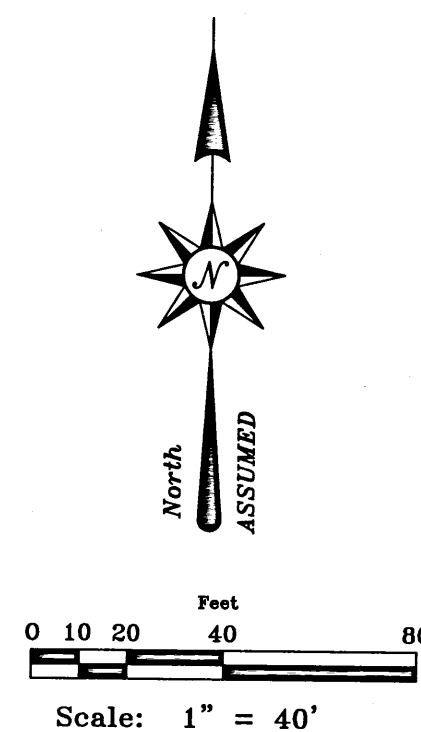
No comment made by any persons associated with the County during any pre-application conference or discussion shall be considered either as approval or rejection of the proposed development, development plans, and/or outcome of any process.

BOUNDARY SURVEY
1250 FAIRCHILD STREET
A PORTION OF SECTION 30 ,
TOWNSHIP 1 SOUTH, RANGE 30 WEST
ESCAMBIA COUNTY, FLORIDA

TAX I.D.
#30-15-30-7902-001-0017
(O.R. BOOK 7233, PAGE 1646)
(COMMERCIAL)

TAX I.D.
#30-15-30-1101-000-000
(O.R. BOOK 7593, PAGE 1020)
(RESIDENCE)

TAX I.D.
#30-15-30-1000-000-061
(O.R. BOOK 2751, PAGE 700)
(VACANT)



LEGEND

- R/W RIGHT OF WAY
O.R. OFFICIAL RECORD BOOK
AERIAL UTILITY WIRES
7' CHAIN LINK FENCE WITH 1' BARBED WIRE
COVERED (ROOFED) AREA
ASPHALT
CONCRETE
GRAVEL
WOOD DECK
FOUND 1/2" CAPPPED IRON ROD - 2073 (PGA)
FOUND 1/2" CAPPPED IRON ROD - LS 4400
FOUND 1" IRON PIPE
FOUND 3" IRON PIPE
FOUND 1/2" CAPPPED IRON ROD - LB 6861
FOUND 1/2" CAPPPED IRON ROD - LB 2499 (PITTMAN)
FOUND 5/8" IRON ROD
FOUND 4" SQUARE CONCRETE MONUMENT
SET 1/2" CAPPPED IRON ROD - ELSI L.B. #6993
POWER POLE
GUY POLE
GUY ANCHOR
WATER METER
FIRE HYDRANT

LEGAL DESCRIPTION: (O.R. BOOK 7593, PAGE 1020)

THE EAST 5 ACRES OF THE NORTH 20 ACRES OF LOT 1, SECTION 30, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, LESS RIGHTS-OF WAY AND EASEMENTS OF RECORD.

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

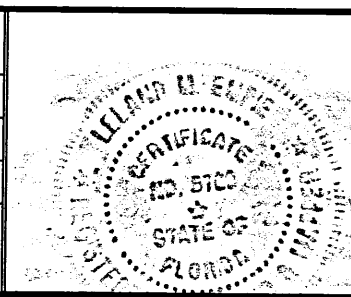
JAMES W. CAMPBELL, JR

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

JAMES W. CAMPBELL, JR

EMPIRE LAND SURVEYING, INC.
PROFESSIONAL LAND SURVEYING ♦ SERVING NORTHWEST FLORIDA
8720 N. PALAFOX STREET, PENSACOLA, FLORIDA 32534
PHONE: 850-477-3745 -- FAX: 850-477-3705
LICENSED BUSINESS #6993, STATE OF FLORIDA

REVISIONS	FIELD BOOK	DATE
POSSIBLE ENCROACHMENTS: FENCES, UTILITY WIRES, BARN, POWER POLE		



SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN FLORIDA ADMINISTRATION CODE CHAPTER 5J-17.050, 5J-17.051 AND 5J-17.052, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.
JULY 2, 2018 LELAND M. EMPIE, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER, NO. 5766, STATE OF FLORIDA

SCALE: 1" = 40'
FIELD DATE: 6/26/18
ORDER NO: 180-18
FIELD BOOK: 193/24-25

CLIENT CAMPBELL

BEARING BASIS N90°00'00"E NORTHERLY R/W LINE OF FAIRCHILD STREET (ASSUMED)

TYPE OF SURVEY: BOUNDARY WITH IMPROVEMENTS

SOURCE OF INFORMATION:
FIELD EVIDENCE
DEEDS OF RECORD
PLAT RECORDED IN:
PRIOR SURVEYS/DRAWINGS

GENERAL NOTES:
1. Fence locations as drawn are not to scale. 1A. This drawing only reflects setback lines, which appear on the recorded plat.
2. Jurisdiction (Wetlands) boundary lines not located unless shown on drawing. 2A. This property may also be subject to setback lines mandated by zoning.
3. Footings, foundations, or any other subsurface structures were not located unless otherwise noted.
4. All bearings and/or angles and distances are Deed and Actual unless otherwise noted: Deed = (D); Description = (DB); Actual Field Measurement = (F); Plat = (P)
5. All measurements were made in accordance with United States standards. The accuracy shown meet the standards required in the appropriate land area.
6. No Title Search of the Public Records has been performed by this firm and lands shown hereon were not abstracted by this firm for ownership, easements, or right-of-ways. The parcel shown hereon may be subject to setbacks, easements, zoning and restrictions that may be found in the Public Records of said County.

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

INTEROFFICE MEMORANDUM



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

**FROM: Terri V. Malone, AICP, Transportation Planner
Transportation & Traffic Operations Division**

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

DATE: October 24, 2018

RE: Transportation & Traffic Operations (TTO) Comments – Z-2018-16

TTO Staff has reviewed the Rezoning Case (Z)-2018-16, 1250 Fairchild Street, agenda item for the Planning Board meeting scheduled on November 8, 2018. Please see the below comments.

Fairchild Street is two lane local road without shoulders, curb and gutter or sidewalks. The road dead-ends in front of the subject property. The approximate pavement width in front of the property is 10 feet and 20 feet immediately east. Right of Way is approximately 36 feet directly in front of the property and 66 feet immediately east.

Currently, there are no on-going or programmed projects on Fairchild Street showing in the County's Capital Improvement Program (CIP). Likewise, there are no ongoing or programmed projects on the adjacent segment of Creighton Road in either the County's CIP or the Florida Department of Transportation's five-year work program.

Fairchild Street is classified as a local road and assumed to be functioning within its allowable capacity for traffic volumes. Per the TPO's Congestion Management Process Plan, Creighton Road is classified as a minor arterial with an allowable vehicular capacity of 32,400 (LOS D) and a year 2017 daily volume of 22,000 vehicles.

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

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

Planning Board-Rezoning

7. D.

Meeting Date: 11/08/2018

CASE : Z-2018-17

APPLICANT: Wiley C. "Buddy" Page, agent for RNL Investment Group, LLC,
Owner

ADDRESS: 8891 Burning Tree Rd

PROPERTY REF. NO.: 06-1S-30-1000-000-024 (sections of)

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

DISTRICT: 5

OVERLAY DISTRICT: N/A

BCC MEETING DATE: 12/06/2018

SUBMISSION DATA:

REQUESTED REZONING:

Northern Portion:

From: Rec, Recreation district (du density limited to vested development)

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

Southern Portion:

From: Rec, Recreation district (du density limited to vested development)

To: Com, Commercial district (25 du/acre)

RELEVANT AUTHORITY:

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

APPROVAL CONDITIONS

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

Consistent with Comprehensive Plan

The proposed zoning is consistent with the future land use (FLU) category as prescribed in LDC Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan. If the rezoning is required to properly enact a proposed FLU map amendment transmitted for state agency review, the proposed zoning is consistent with

the proposed FLU and conditional to its adoption.

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

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

FLU 2.1.2 Compact Development. To promote compact development, FLUM amendments and residential re-zonings to allow for higher residential densities to be allowed in the MU-U and MU-S future land use categories.

FINDINGS

The proposed amendment to Medium Density Residential and Commercial **is consistent** with the intent and purpose of Future Land Use (FLU) category Mixed-Use Urban (MU-U) as stated in CPP FLU 1.3.1. The FLU category is intended for an intense mix of residential and non-residential uses while promoting compatible infill development. The parcels identified will use established public roads, utilities and service infrastructure, satisfying the requirements under FLU 1.5.1. The MU-U FLUM category is also identified in the Comprehensive Plan under FLU 2.1.2 to accommodate residential rezoning.

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

Consistent with The Land Development Code

The proposed zoning is consistent with the purpose and intent and with any other zoning establishment provisions prescribed by the proposed district in Chapter 3.

Sec. 3-2.13 Recreation district (Rec).

(a) Purpose. The Recreation (Rec) district establishes appropriate areas and land use regulations for outdoor recreational uses and open space. The primary intent of the district is to preserve and maintain parcels of land necessary or used for a system of public and private parks providing both active and passive recreational activities and amenities. Indoor recreation facilities are allowed within the Recreational district if customarily incidental to the principal outdoor uses. Non-recreational uses are severely limited to ensure the preservation of district lands and provision of adequate areas for public recreation. New or expanded residential development is generally prohibited.

Sec. 3-2.7 Medium Density Residential district (MDR).

(a) Purpose. The Medium Density Residential (MDR) district establishes appropriate areas and land use regulations for residential uses at medium densities within suburban or urban areas. The primary intent of the district is to provide for residential neighborhood development in an efficient urban pattern of well-connected streets and at greater dwelling unit density than the Low Density Residential district. Residential uses

within the MDR district are limited to single-family and two-family dwellings. The district allows non-residential uses that are compatible with suburban and urban residential neighborhoods.

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

(1) Residential.

- a. Manufactured (mobile) homes only within manufactured home parks or subdivisions. No new or expanded manufactured home parks, and new or expanded manufactured home subdivisions only on land zoned V-4 prior to adoption of MDR zoning.
- b. Single-family dwellings (other than manufactured homes), detached and only one per lot, excluding accessory dwellings. Accessory dwellings only on lots one acre or larger. Attached single-family dwellings and zero lot line subdivisions only on land zoned R-3 or V-4 prior to adoption of MDR zoning.
- c. Two-family dwellings only on land zoned R-3 or V-4 prior to adoption of MDR zoning, and multi-family dwellings up to four units per dwelling (quadruplex) only on land zoned V-4 prior to MDR zoning.

See also conditional uses in this district.

(2) Retail sales. No retail sales.

(3) Retail services. No retail services. See conditional uses in this district.

(4) Public and civic. Public utility structures, excluding telecommunications towers. See also conditional uses in this district.

(5) Recreation and entertainment.

a. Marinas, private.

b. Parks without permanent restrooms or outdoor event lighting. See also conditional uses in this district.

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

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

(8) Other uses. [reserved]

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

(1) Residential.

- a. Accessory dwellings on lots less than one acre.
- b. Group living, excluding residential facilities providing substance abuse treatment, post-incarceration reentry, or similar services.
- c. Home occupations with non-resident employees.
- d. Townhouses not among the permitted uses of the district.

(2) Retail services. Boarding and rooming houses.

(3) Public and civic.

a. Clubs, civic and fraternal.

b. Educational facilities, excluding preschools or kindergartens independent of other elementary grades.

c. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.

d. Offices for government agencies or public utilities, small scale (gross floor area 6000 sq.ft. or less per lot).

e. Places of worship.

f. Public utility structures exceeding the district structure height limit,

excluding telecommunications towers.

(4) Recreation and entertainment.

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

b. Parks with permanent restrooms or outdoor event lighting.

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

(d) Site and building requirements. The following site and building requirements apply to uses within the MDR district:

(1) Density. A maximum density of 10 dwelling units per acre regardless of the future land use category.

(2) Floor area ratio. A maximum floor area ratio of 1.0 within the MU-S future land use category and 2.0 within MU-U.

(3) Structure height. A maximum structure height of 45 feet. See height definition.

(4) Lot area. No minimum lot area unless prescribed by use.

(5) Lot width. Except for cul-de-sac lots which shall provide a minimum lot width of 20 feet at the street right-of-way, the following minimum lot widths are required:

a. Single-family detached. Fifty feet at the street right-of-way for single-family detached dwellings.

b. Two-family. Eighty feet at the street right-of-way for two-family dwellings.

c. Multi-family and other. Eighty feet at the street right-of-way for townhouse groups and boarding or rooming houses. No minimum lot width required by zoning for other uses.

(6) Lot coverage. Minimum pervious lot coverage of 30 percent (70 percent maximum semi-impervious and impervious cover) for all uses.

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

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

b. Sides. Ten feet on each side of a group of attached townhouses. On each side of all other structures, five feet or 10 percent of the lot width at the street right-of-way, whichever is greater, but not required to exceed 15 feet.

c. Corner lots. Will have one front setback and one side setback.

(8) Other requirements.

a. Stables. Stables shall be at least 50 feet from any property line and at least 130 feet from any residential dwelling on the property of another landowner.

b. Chapters 4 and 5. Refer to chapters 4 and 5 for additional development regulations and standards.

(e) Location criteria. All non-residential uses within the MDR district shall be located to avoid nuisance, hazard and other adverse impacts to surrounding residential uses.

(f) Rezoning to MDR. Medium Density Residential zoning may be established only within the Mixed-Use Suburban (MU-S) and Mixed-Use Urban (MU-U) future land use categories. The district is suitable for suburban or urban areas with central water and sewer and developed street networks.

The district is appropriate to provide transitions between areas zoned or used for low density residential and areas zoned or used for high density residential or mixed-use.

Sec. 3-2.10 Commercial district (Com).

(a) Purpose. The Commercial (Com) district establishes appropriate areas and land use regulations for general commercial activities, especially the retailing of commodities and

services. The primary intent of the district is to allow more diverse and intense commercial uses than the neighborhood commercial allowed within the mixed-use districts. To maintain compatibility with surrounding uses, all commercial operations within the Commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property. To retain adequate area for commercial activities, new and expanded residential development within the district is limited, consistent with the Commercial (C) future land use category.

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

(1) Residential. The following residential uses are allowed throughout the district, but if within

the Commercial (C) future land use category they are permitted only if part of a predominantly commercial development:

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

(2) Retail sales. Retail sales, including Low-THC marijuana dispensing facilities, sales of alcoholic beverages and automotive fuels, but excluding motor vehicle sales and permanent outdoor

storage. See also conditional uses in this district.

(3) Retail services. The following retail services, excluding permanent outdoor storage:

- a. Car washes, automatic or manual, full service or self-serve.
- b. Child care facilities.
- c. Hotels, motels and all other public lodging, including boarding and rooming houses.
- d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners and tattoo parlors.
- e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.
- f. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, but excluding major motor vehicle or boat service or repair, and outdoor work.
- g. Restaurants and brewpubs, including on-premises consumption of alcoholic beverages, drive-in and drive-through service, and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales. The parcel boundary of any restaurant or brewpub with drive-in or drive-through service shall be at least 200 feet from any LDR or MDR zoning district unless separated by a 50-foot or wider street right-of-way.

See also conditional uses in this district.

(4) Public and civic.

- a. Broadcast stations with satellite dishes and antennas, including towers.
- b. Cemeteries, including family cemeteries.
- c. Community service facilities, including auditoriums, libraries, museums, and

neighborhood centers.

d. Educational facilities, including preschools, K-12, colleges, and vocational schools.

e. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.

f. Foster care facilities.

g. Funeral establishments.

h. Hospitals.

i. Offices for government agencies or public utilities.

j. Places of worship.

k. Public utility structures, including telecommunications towers, but excluding any industrial uses.

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

See also conditional uses in this district.

(5) Recreation and entertainment.

a. Campgrounds and recreational vehicle parks on lots five acres or larger.

b. Indoor recreation or entertainment facilities, including movie theaters, bowling alleys, skating rinks, arcade amusement centers, bingo facilities and shooting ranges, but excluding bars, nightclubs or adult entertainment facilities.

c. Marinas, private and commercial.

d. Parks without permanent restrooms or outdoor event lighting. See also conditional uses in this district.

(6) Industrial and related.

a. Printing, binding, lithography and publishing.

b. Wholesale warehousing with gross floor area 10,000 sq.ft. or less per lot. See also conditional uses in this district.

(7) Agricultural and related.

a. Agricultural food production primarily for personal consumption by the producer, but no farm animals.

b. Nurseries and garden centers, including adjoining outdoor storage or display of plants.

c. Veterinary clinics.

See also conditional uses in this district.

(8) Other uses.

a. Billboard structures.

b. Outdoor storage if minor and customarily incidental to the allowed principal use, and if in the rear yard, covered, and screened from off-site view, unless otherwise noted.

c. Parking garages and lots, commercial.

d. Self-storage facilities, excluding vehicle rental.

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

(1) Residential.

a. Group living not among the permitted uses of the district.

b. Home occupations with non-resident employees.

(2) Retail sales.

a. Boat sales, new and used.

b. Automobile sales, used autos only, excluding parcels fronting on any of the following streets:

Sorrento Road/Gulf Beach Highway/Barrancas Avenue (SR 292); Blue Angel Parkway (SR 173); Pine Forest Road, south from Interstate 10 to State Road 173; Navy

Boulevard (SR 295 and US 98); and Scenic Highway (SR 10A and US 90). Additionally, the parcel shall be no larger than one acre and provided with a permanent fence, wall, or other structural barrier of sufficient height and mass along all road frontage to prevent encroachment into the right-of way other than through approved site access.

c. Automobile rental limited to the same restrictions as used automobile sales.

d. Utility trailer, heavy truck (gross vehicle weight rating more than 8500 lbs), and recreational vehicle sales, rental, or service limited to the same restrictions as used automobile sales.

(3) Retail services.

a. Restaurants not among the permitted uses of the district.

b. Service and repair of motor vehicles, small scale (gross floor area 6000 sq. ft. or less per lot), excluding painting and body work and outdoor work and storage.

(4) Public and civic.

a. Cemeteries, including family cemeteries.

b. Clubs, civic and fraternal.

c. Cinerators.

d. Homeless shelters.

(5) Recreation and entertainment.

a. Bars and nightclubs.

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

c. Parks with permanent restrooms or outdoor event lighting.

(6) Industrial and related.

(a) Borrow pits and reclamation activities 20 acres minimum and (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and land use and regulations in Part III, the Land Development Code, chapter 4. *Borrow pits are prohibited on land zoned GMD prior to the adoption of the Commercial (Com) zoning.

(b) Microbreweries, microdistilleries, microwineries.

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

(8) Other uses.

a. Outdoor sales not among the permitted uses of the district.

b. Outdoor storage not among the permitted uses of the district, including outdoor storage of trailered boats and operable recreational vehicles, but no repair, overhaul, or salvage activities. All such storage shall be screened from residential uses and maintained to avoid nuisance conditions.

c. Self-storage facilities, including vehicle rental as an accessory use.

d. Structures of permitted uses exceeding the district structure height limit.

(d) Site and building requirements. The following site and building requirements apply to uses within the Commercial district:

(1) Density. A maximum density of 25 dwelling units per acre throughout the district.

Lodging unit density not limited by zoning.

(2) Floor area ratio. A maximum floor area ratio of 1.0 within the Commercial (C) future land use category and 2.0 within Mixed-Use Urban (MU-U).

(3) Structure height. A maximum structure height of 150 feet above adjacent grade.

- (4) Lot area. No minimum lot area unless prescribed by use.
- (5) Lot width. Except for cul-de-sac lots which shall provide a minimum lot width of 20 feet at the street right-of-way, the following minimum lot widths are required:
 - a. Single-family detached. Forty feet at the street right-of-way for single-family detached dwellings.
 - b. Two-family. Eighty feet at the street right-of-way for two-family dwellings.
 - c. Multi-family and other. Eighty feet at the street right-of-way for multi-family dwellings, boarding or rooming houses, or townhouse groups. No minimum lot width required by zoning for other uses.
- (6) Lot coverage. Minimum pervious lot coverage of 15 percent (85 percent maximum semi-impervious and impervious cover) for all uses.
- (7) Structure setback. For all principal structures, minimum setbacks are:
 - a. Front and rear. Fifteen feet in both front and rear.
 - b. Sides. Ten feet on each side, including any group of attached townhouses. For structures exceeding 35 feet above highest adjacent grade, an additional two feet for each additional 10 feet in height.
 - c. Corner lots. Will have one front setback and one side setback.
- (8) Other requirements. Refer to chapters 4 and 5 for additional development regulations and standards.
- (e) Location criteria. 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:
 - (1) Proximity to intersection. Along an arterial or collector street and within one- quarter mile of its intersection with an arterial street.
 - (2) Proximity to traffic generator. Along an arterial or collector street and within a one-quarter mile radius of an individual traffic generator of more than 600 daily trips, such as an apartment complex, military base, college campus, hospital, shopping mall or similar generator.
 - (3) Infill development. Along an arterial or collector street, in an area where already established non-residential uses are otherwise consistent with the Commercial district, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.
 - (4) Site design. Along an arterial or collector street, no more than one-half mile from its intersection with an arterial or collector street, not abutting a single-family residential zoning district (RR, LDR or MDR), and all of the following site design conditions:
 - a. Any Intrusion into a recorded subdivision is limited to a corner lot.
 - b. A system of service roads or shared access is provided to the maximum extent made feasible by lot area, shape, ownership patterns, and site and street characteristics.
 - c. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use, such as solid waste dumpsters and truck loading/unloading areas, furthest from the residential uses.
 - (5) Documented compatibility. A compatibility analysis prepared by the applicant

provides competent substantial evidence of unique circumstances regarding the potential uses of parcel that were not anticipated by the alternative criteria, and the proposed use, or rezoning as applicable, will be able to achieve long-term compatibility with existing and potential uses. Additionally, the following conditions exist:

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

(f) Rezoning to Commercial. Commercial zoning may be established only within the Mixed-Use Suburban (MU-S), Mixed-Use Urban (MU-U) or Commercial (C) future land use categories. The district is appropriate to provide transitions between areas zoned or used as high density mixed-use and areas zoned or used as heavy commercial or industrial. Rezoning to Commercial is subject to the same location criteria as any new non-residential use proposed within the Commercial district.

(Ord. No. 2015-56, § 4, 12-10-2015; Ord. No. 2016-02, § 2, 1-7-2016; 2016-31 § 1, 8-4-2016; Ord.

No. 2017-5, §2, 1-5-20

FINDINGS

The request for rezoning of the southern parcel to Commercial is **not consistent** with the intent and purpose of the Land Development Code. Based on Sec. 4-7.16 Recreational Amenities, a subdivision or other residential development where a recreational amenity including but not limited to a golf course, swimming pool, club house or tennis courts, was anticipated as part of the subdivision or development regardless of whether the amenity was included in the subdivision plat, and that amenity abuts or is otherwise located adjacent to any portion of the subdivision, then should that amenity cease to be used for recreational purposes, it cannot be developed or used in a manner that is more intense than the most intense residential use in the subdivision.

As the two proposed parcels were part of the original amenity, based on public records, Scenic Hills Country Club PB 4, P77, Parcel 1, once the proposed parcels are split from the golf course amenity, the recreational use for those two parcels will cease to exist. Based on the language in Sec 4-7.16 of the LDC, the most intense use for the subdivision is MDR. Therefore, the proposed northern parcel request to MDR zoning would be **compatible** with the existing subdivision. The rezoning request to Commercial for the **southern parcel** will be more intense than the most intense residential use of the subdivision MDR, and therefore, **inconsistent** with the Land Development Code.

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

Compatible with surrounding uses

All the permitted uses of the proposed zoning, not just those anticipated by the rezoning applicant, are compatible, as defined in Chapter 6, with the surrounding uses. The uses of any surrounding undeveloped land shall be considered the permitted uses of the applicable district. Compatibility is not considered with potential conditional uses or with any nonconforming or unapproved uses. Also, in establishing the compatibility of a

residential use, there is no additional burden to demonstrate the compatibility of specific residents or activities protected by fair housing law.

FINDINGS

Based on the surveys provided by the applicant, signed and sealed on 1-3-2018, by David D. Glaze, Professional Surveyor, the northern parcel amendment is compatible with surrounding existing uses in the area, as the proposed zoning of MDR is the same as the approved original subdivision. Within the 500' radius area of the northern parcel, staff identified properties with zoning district MDR. There are thirty seven single-family residences, seventy one multi-family units, a Gulf Power owned parcel and a University of West Florida parcel.

The southern parcel amendment request is not compatible with the surrounding existing uses because it would not preserve the character and quality of residential neighborhood. Allowing the commercial zoning as requested would in-fact promote continuous strip commercial development along a major street, with the potential of creating negative influences on adjacent residential neighborhoods. Therefore, it would grant more intense uses, not compatible with the exclusive residential and recreational use of the original development. Within the 500' radius area of the southern parcel, staff identified properties with zoning districts, Rec, MDR, HDR and Commercial. Twenty six single-family residences, a portion of the parcel that contains the golf course amenity, one office complex, two vacant commercial properties, three commercial properties, one ECUA parcel and a park-forest parcel owned by Escambia County.

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

Appropriate if spot zoning

Where the proposed zoning would establish or reinforce a condition of spot zoning as defined in Chapter 6, the isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The extent of these mitigating characteristics or conditions demonstrates an appropriate site specific balancing of interests between the isolated district and adjoining lands.

As per LDC Chapter 6, Spot Zoning is: *Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or "spot" zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly development.*

FINDINGS

The entire golf course parcel was part of the original subdivision plat and it is currently zoned Rec. Although the proposed southern parcel is located adjacent to existing commercial zoning, the current Rec zoning serves as a buffer between the intense uses off Nine Mile road and the residential development adjacent to the golf course. Some of the contiguous zoning is MDR, Rec and Com; therefore the proposed zoning does not represent a smooth transition between uses, in addition to contributing and promoting the continuation of strip commercial development on this area.

Criterion e., LDC Sec. 2-7.2(b)(4)**Appropriate with changed or changing conditions**

If the land uses or development conditions within the area surrounding the property of rezoning have changed, the changes are to such a degree and character that it is in the public interest to allow new uses, density, or intensity in the area through rezoning; and the permitted uses of the proposed district are appropriate and not premature for the area or likely to create or contribute to sprawl.

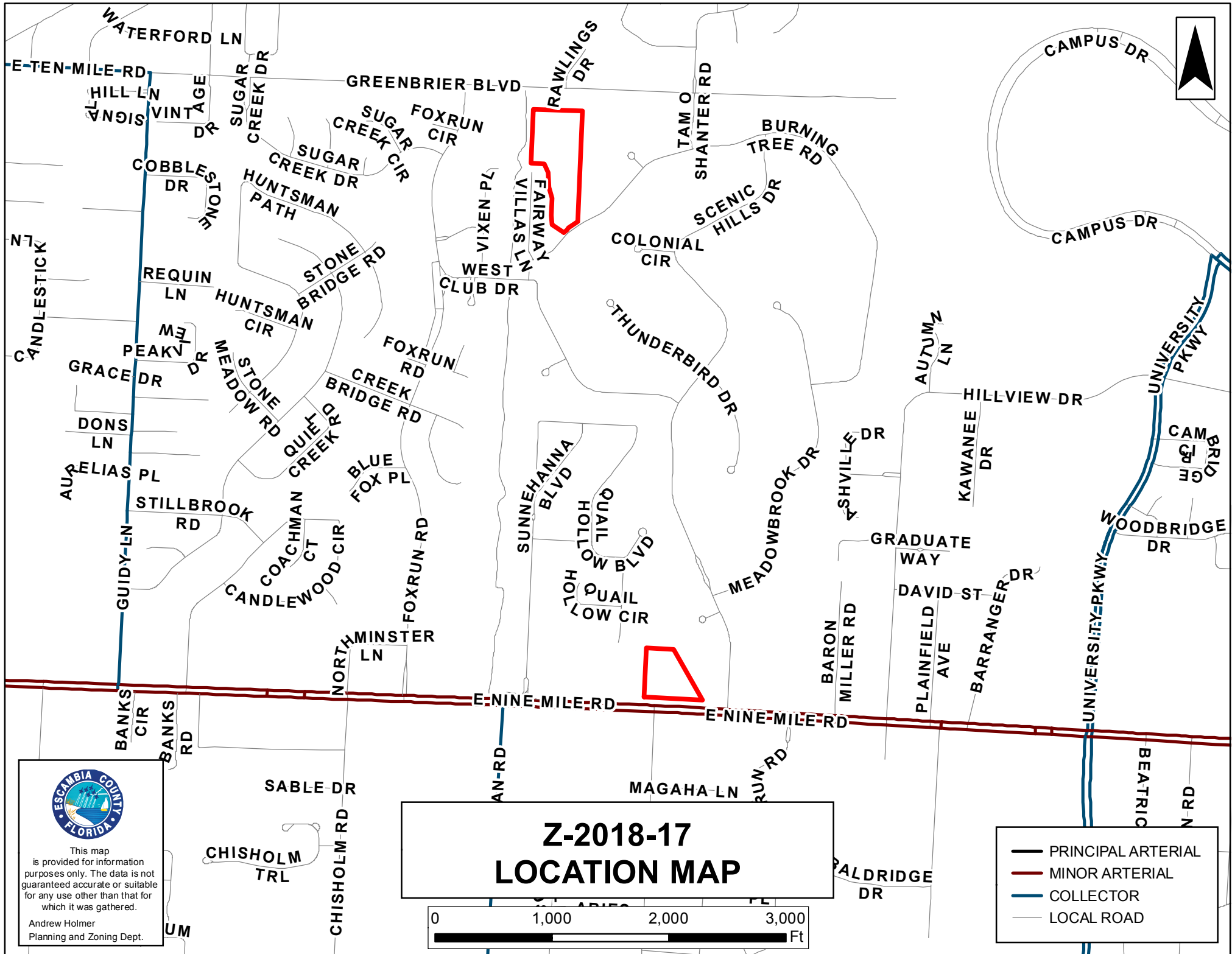
FINDINGS

As it relates to the parcel to the north, the typical development is residential in nature and the request to MDR would allow for uses, densities and intensities already comparable to the existing development. The southern parcel, is located off Nine Mile road; the commercial development trend for Nine Mile road has focused on areas East and West from this parcel and located near the existing major intersections. PenAir Credit Union has been at this location on the south side on Nine Mile since 1996. No rezonings to surrounding properties since 2007. The development conditions of this section of Nine Mile have not drastically changed and the increase in density and intensity is not in the public interest.

Attachments

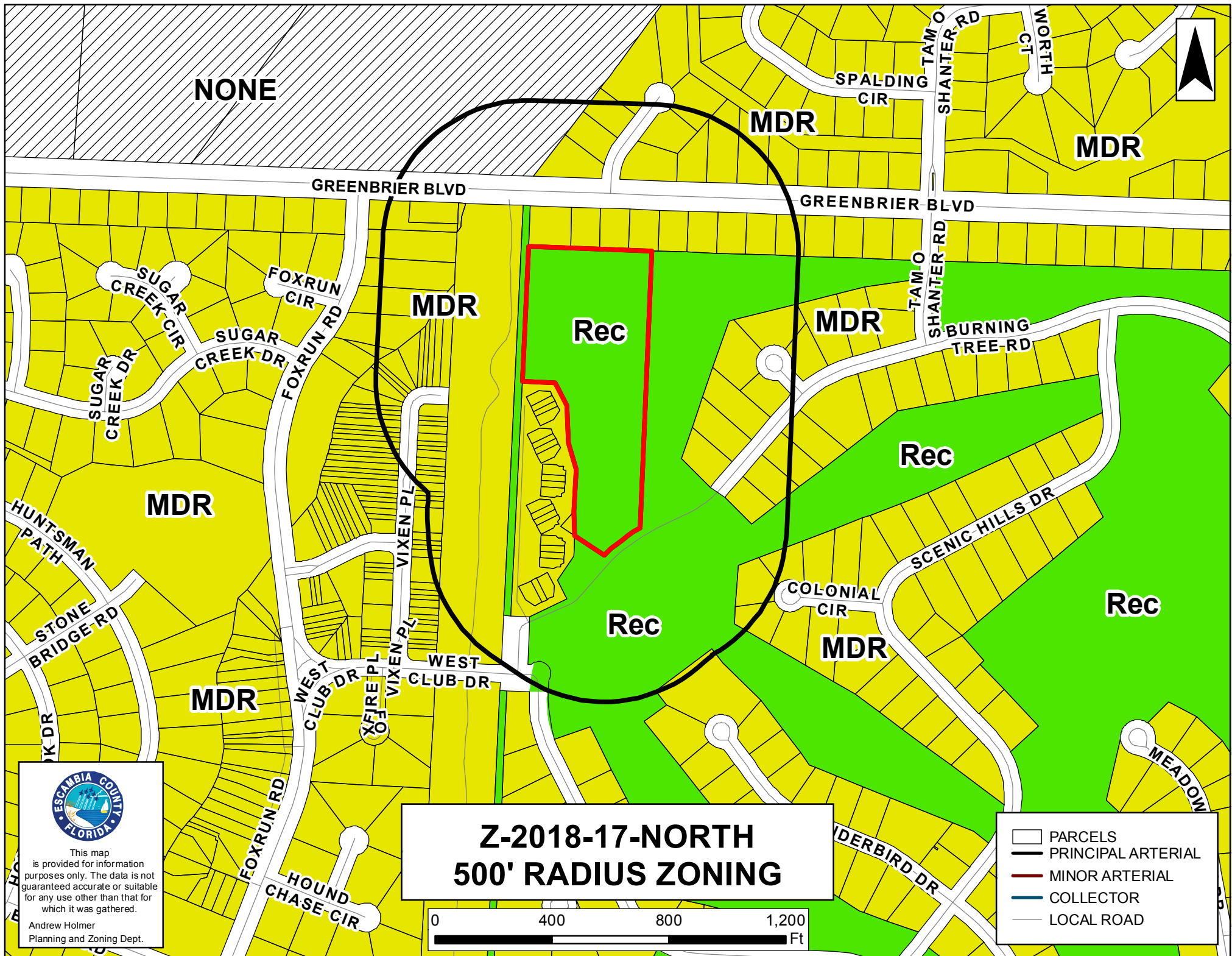
Working Case File

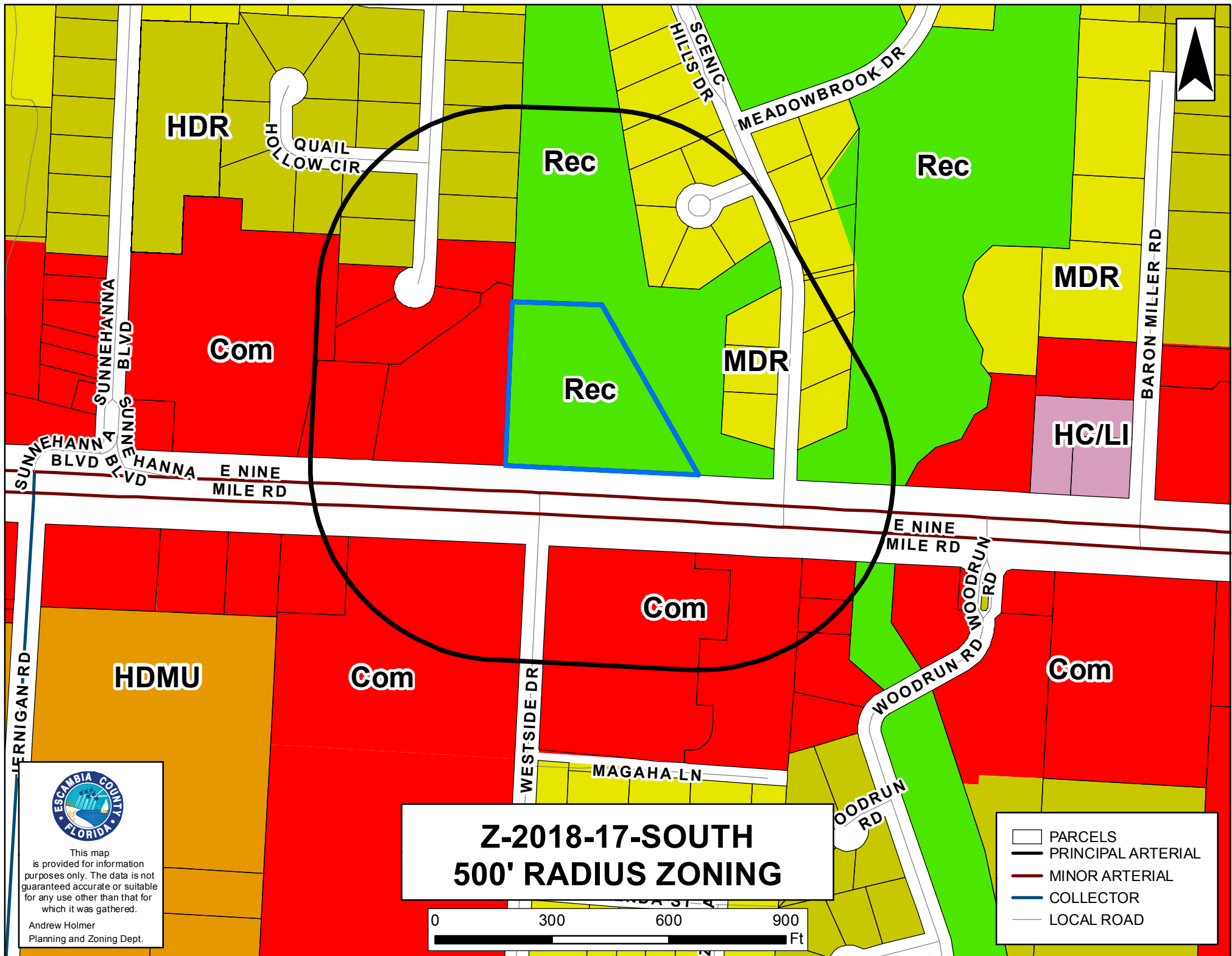
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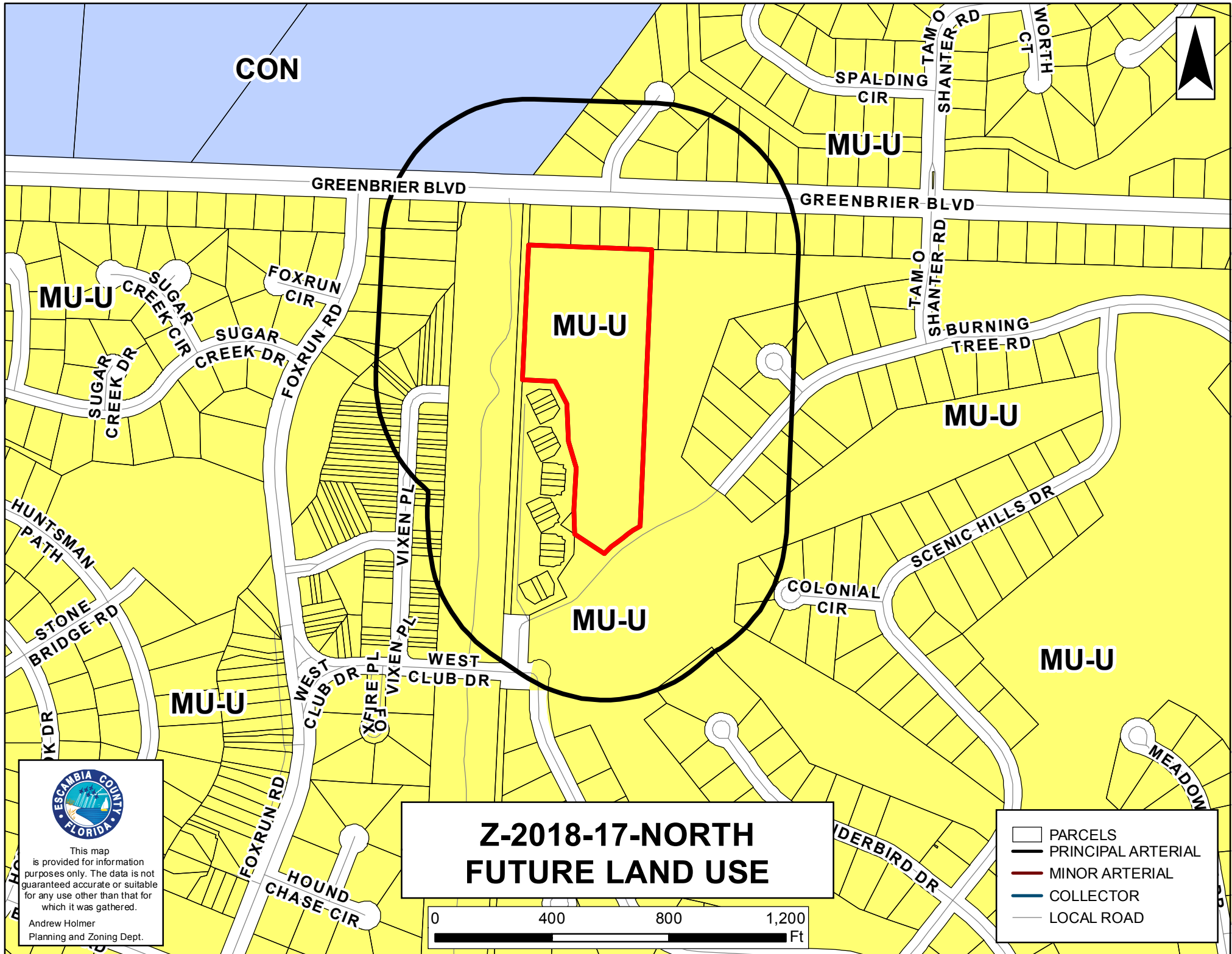
Andrew Holmer
Planning and Zoning Dept.





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Planning and Zoning Dept.



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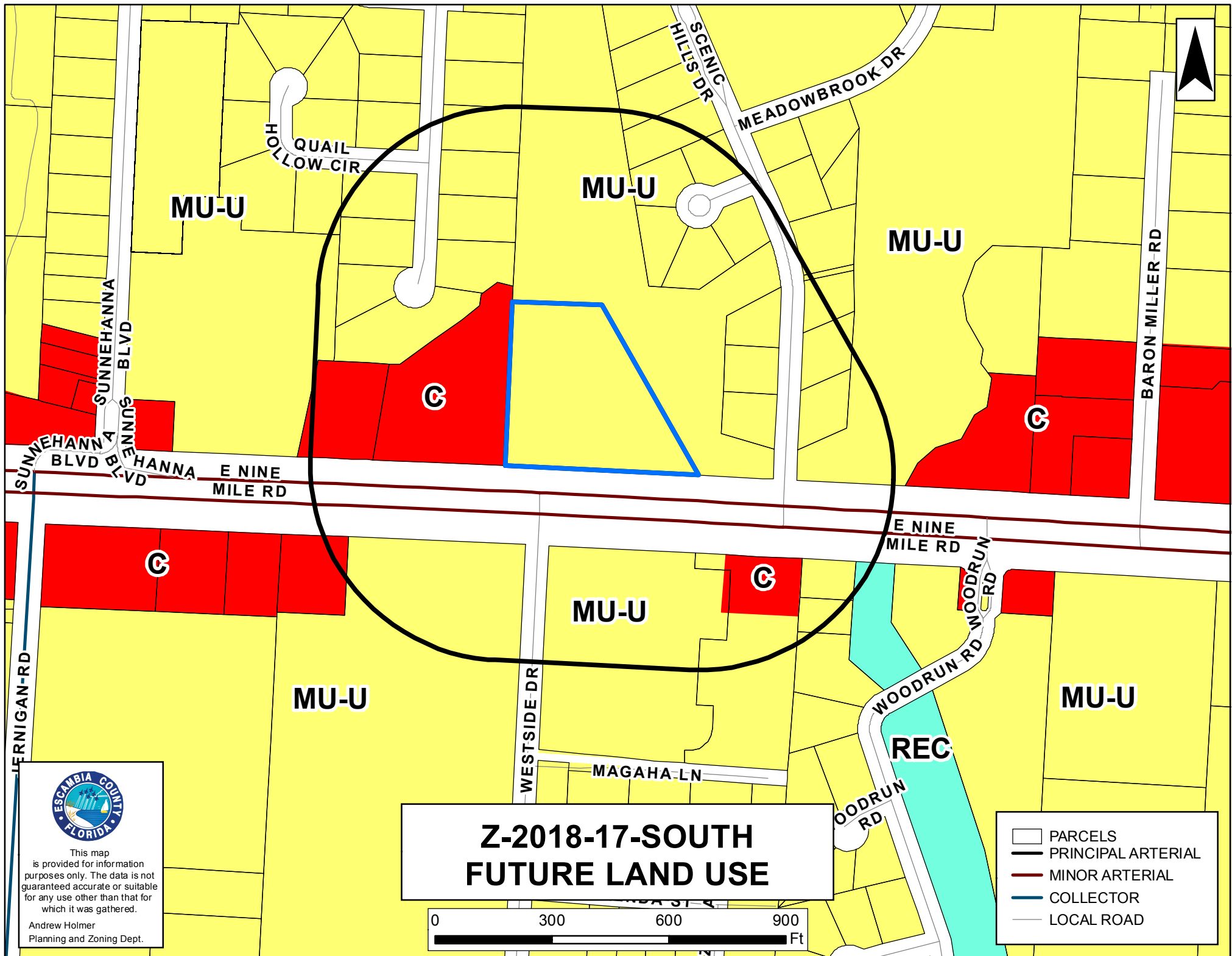
Z-2018-17-NORTH FUTURE LAND USE



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

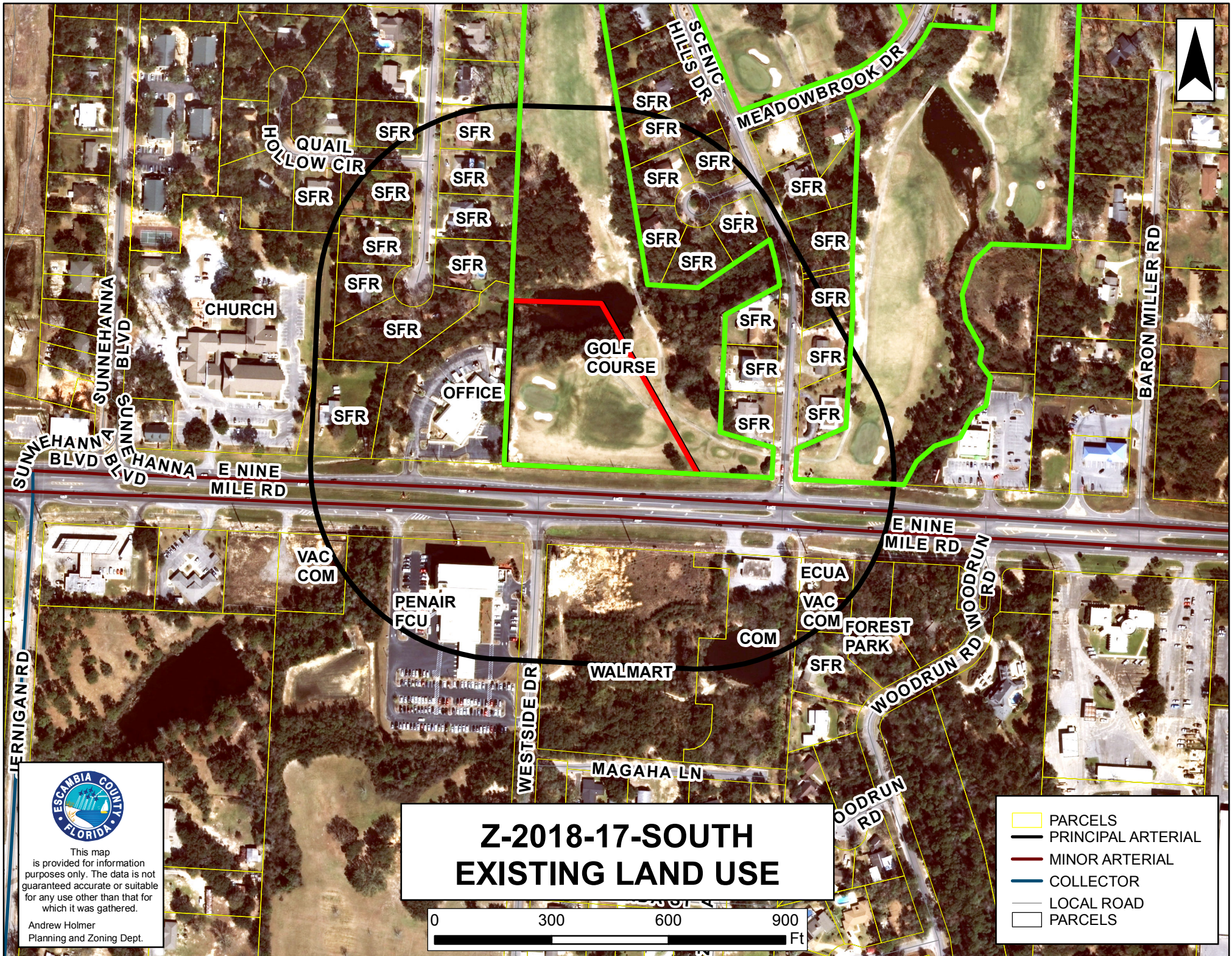


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Planning and Zoning Dept.



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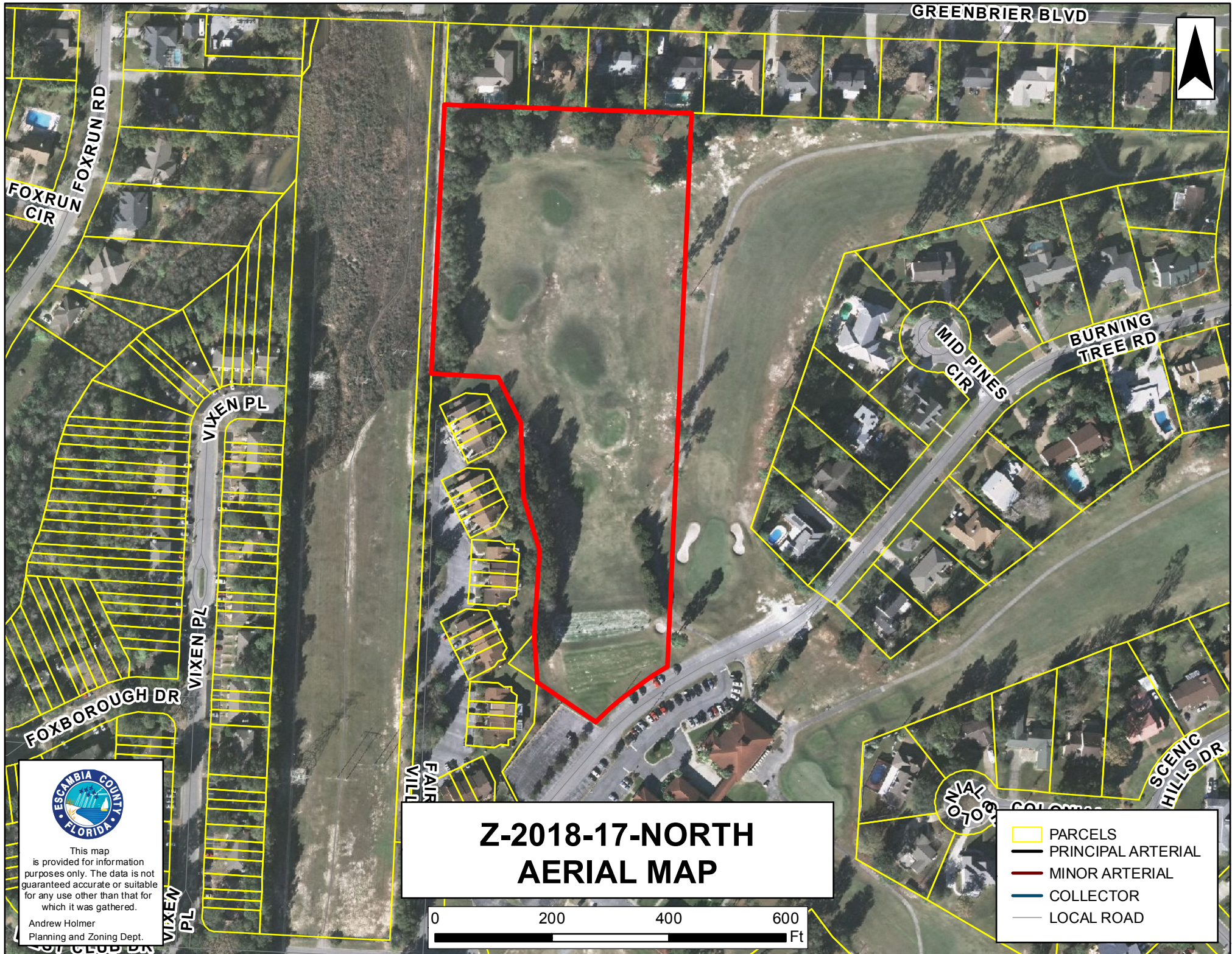
Z-2018-17-SOUTH EXISTING LAND USE



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Andrew Holmer
Planning and Zoning Dept.

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



GREENBRIER BLVD



FOXRUN RD
FOXRUN CIR

VIXEN PL

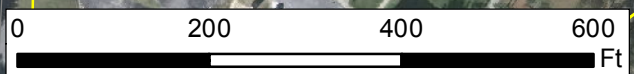
FOXBOROUGH DR

MID PINES CIR

BURNING TREE RD

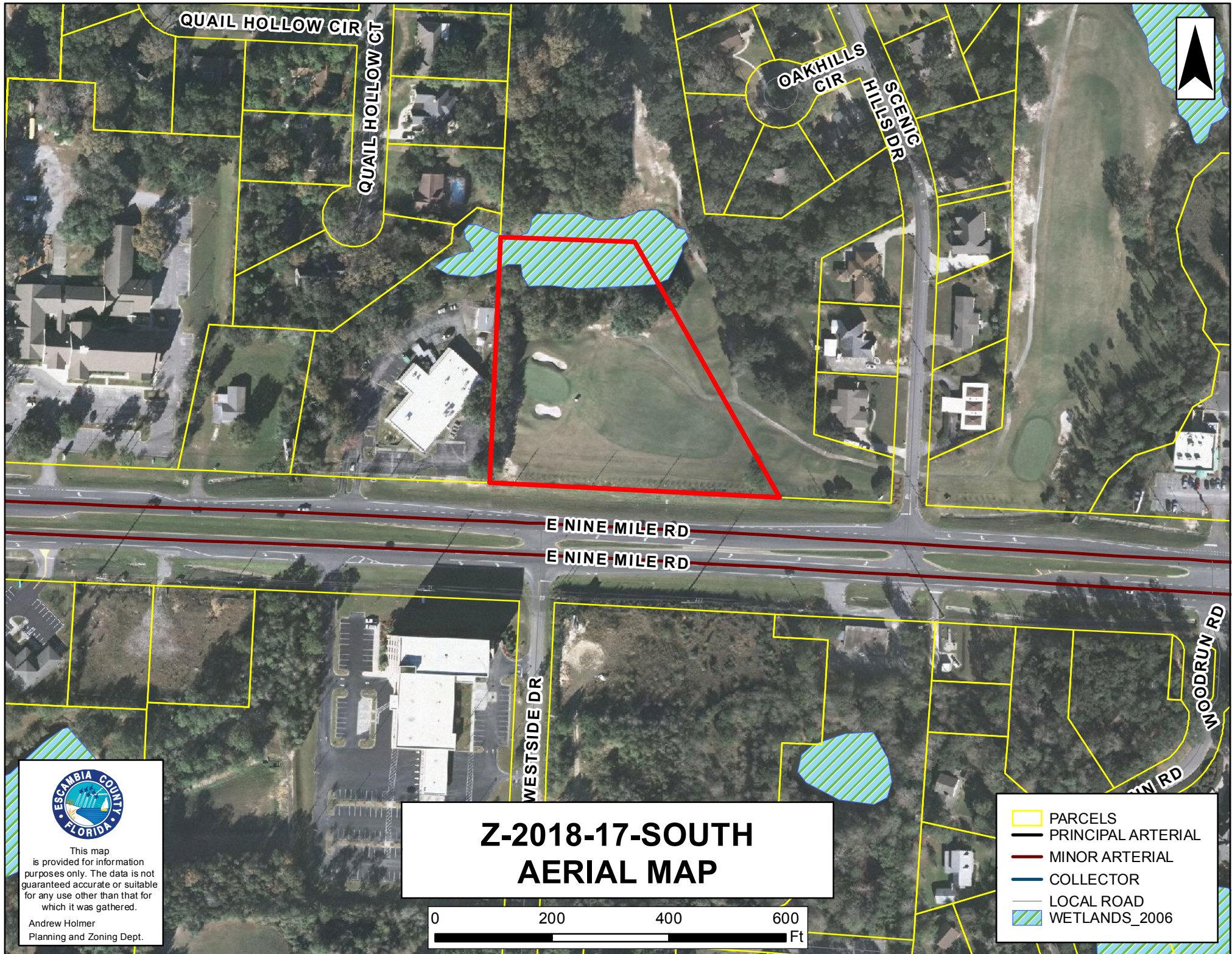
SCENIC HILLS DR

Z-2018-17-NORTH AERIAL MAP



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Andrew Holmer
Planning and Zoning Dept.

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



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Andrew Holmer
Planning and Zoning Dept.

Z-2018-17-SOUTH AERIAL MAP

0 200 400 600
Ft

- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- WETLANDS_2006



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2018-17 COM 32A

CURRENT ZONING: REC PROPOSED ZONING: MDR

PLANNING BOARD

DATE: 11/08/18 TIME: 8:30 AM

LOCATION OF HEARING

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

BOARD OF COUNTY COMMISSIONERS

DATE: 12/06/18 TIME: 5:45 PM

LOCATION OF HEARING

ERNIE LEE MAGAHA GOVERNMENT BLDG
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES AT 565-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

PUBLIC HEARING SIGN NORTH PARCEL



LOOKING SOUTHEAST ACROSS BURNING TREE



LOOKING SOUTHWEST ALONG BURNING TREE



LOOKING NORTHEAST ALONG BURNING TREE



LOOKING NORTH AT THE PROPOSED PARCEL AREA



PUBLIC HEARING SIGN SOUTH PARCEL



LOOKING EAST ON NINE MILE ROAD



LOOKING WEST ON NINE MILE ROAD



LOOKING SOUTH ACROSS NINE MILE ROAD



LOOKING NORTH ONTO PARCEL FROM NINE MILE
ROAD



LOOKING SOUTHWEST ACROSS NINE MILE

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

August 10, 2018
VIA HAND DELIVERY

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


RE: Rezoning request: REC. to COMM and MDR
Parcel: Portions of 06-1S-30-1000-000-024
Owner: RNL Investment Group, LLC
Address: 8891 Burning Tree Road

Dear Mr. Jones:

The attached application requests Planning Board consideration to rezone a portion of Scenic Hills Country Club property at the southwest portion of the property as depicted on the attached survey and location maps from Recreation to Commercial. In addition, a second request to rezone a parcel located at the northwesterly end of the property from REC to MDR. As shown herein, the northerly site is adjacent to property currently zoned MDR, which is the same zoning as is being requested in the attached application. The southerly site is adjacent and across the road from uses currently zoned Commercial, which is the same zoning requested in the attached application. A letter indicating Home Owner Association approval is attached. In summary, the application is requesting two different and separate zoning categories for two sites located on opposite ends of the same parcel of property.

The application contains the required filing fee together with additional information regarding proof of ownership, corporate papers, a certified boundary survey and location maps.

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>

Rezoning Application

FOR OFFICE USE ONLY - Case Number: 2-208-17 Accepted by: Kan PB Meeting: 1/6/18

1. Contact Information:

A. Property Owner/Applicant: RNL Investment Group, LLC

Mailing Address: 8891 Burning Tree Road Pensacola, Florida 32514

Business Phone: _____ Cell: _____

Email: _____

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

Mailing Address: 5337 Hamilton Lane Pace, Florida 32571

Business Phone: _____ Cell: 850-232-9853

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: 8891 Burning Tree Road

Parcel ID (s): 06-1S-30-1000-000-024

B. Total acreage of the subject property: 3.52 and 7.56

C. Existing Zoning: REC

Proposed Zoning: Commercial

FLU Category: MU-U TBD

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

E. Sanitary Sewer: ☒ Septic: ☐

3. **Amendment Request**

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

Existing Recreation zoning restricts residential or commercial development plans

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

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

The proposed zoning category^S is listed as an permitted use under the Mixed Use Urban ~~FLU~~ CDM FLU categories.

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

The proposed zoning category^{SC} is consistent with the intent and stated purposes of the LDC.

- 3. Compatibility.** All land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning. This condition shall not apply to any conditional uses of the proposed district or compatibility with nonconforming or unapproved uses, activities, or conditions. The proposed zoning category ^{IC-5} uses will be compatible with existing adjacent uses in the area.
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- 4. Changed conditions.** The area to which the proposed rezoning would apply has changed, or is changing, to such a degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning. The 9 Mile Road corridor continues to attract additional development activities
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- 5. Development patterns.** The proposed rezoning would contribute to or result in a logical and orderly development pattern. If approved, the resulting zoning category ^{IC-5} will be logical and orderly with existing development patterns and uses in the area.
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- 6. Effect on natural environment.** The proposed rezoning would not increase the probability of any significant adverse impacts on the natural environment. Impacts on the natural environment will be minimal, if any.
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-
-

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

As owner of the property located at 8891 Burning Tree Road
Pensacola, FL 32514, Florida, property reference number(s) 06-1S-30-1000-000-024
_____ I hereby designate Wiley C. "Buddy" Page
_____ for the sole purpose of completing this application and making
a presentation to the Planning Board and the Board of County Commissioners to request a rezoning on
the above referenced property. This Limited Power of Attorney is granted on this _____ day of _____
the year of, _____, and is effective until the Board of County Commissioners or the Board of
Adjustment has rendered a decision on this request and any appeal period has expired. The owner
reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice
to the Development Services Bureau.

Agent Name: Wiley C. "Buddy" Page Email: budpage1@att.net
Address: 5337 Hamilton Lane Pace, Florida 32571 Phone: 850-232-9853

<u>[Signature]</u> Signature of Property Owner	<u>RNL Investment Group, LLC</u> Printed Name of Property Owner	<u>09/26/18</u> Date
_____ Signature of Property Owner	_____ Printed Name of Property Owner	_____ Date

STATE OF FLORIDA COUNTY OF ESCAMBIA
The foregoing instrument was acknowledged before me this 26 day of SEPTEMBER 2018
by LEO LYNN
Personally Known ☒ OR Produced Identification ☐. Type of Identification Produced: FL DL

<u>[Signature]</u> Signature of Notary	<u>Jamie Smither</u> Printed Name of Notary
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(Notary Seal)

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

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 06-1S-30-1000-000-024

Property Address: 8891 Burning Tree Road

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

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

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

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

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 26th DAY OF SEPTEMBER, YEAR OF 2018


Signature of Property Owner

RNL Investment Group, LLC

Printed Name of Property Owner

09/26/18
Date

Signature of Property Owner

Printed Name of Property Owner

Date

5. Submittal Requirements

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

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

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

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

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

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

By my signature, I hereby certify that:

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

Signature of Owner/Agent

RNL Investment Group, LLC

Printed Name Owner/Agent

Date

09/26/18

Signature of Owner

Printed Name of Owner

Date

STATE OF

FL

COUNTY OF

ESCAMBIA

was acknowledged before me this 26 day of SEPTEMBER 2018 by LEO LYNN

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

FL DL

Signature of Notary

Printed Name of Notary

(notary seal)

Jaime Smith
Jaime Smith



Prepared by:
Stephen R. Moorhead, Esq.
McDonald Fleming Moorhead
127 Palafox Place, Suite 500
Pensacola, FL 32502
RE-17-1249

SPECIAL WARRANTY DEED

STATE OF FLORIDA
COUNTY OF ESCAMBIA

KNOW ALL MEN BY THESE PRESENTS: that UWF BUSINESS ENTERPRISES, INC., a Florida not for profit corporation, whose address is 11000 University Parkway, Building 10, Room 123, Pensacola, FL 32514 ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does grant, bargain, sell and convey the below described property, situate, lying and being in the County of Escambia, State of Florida, unto RNL INVESTMENT GROUP, LLC, a Florida limited liability company, whose mailing address is 8891 Burning Tree Road, Pensacola, FL 32514 ("Grantee"), its successors and assigns:

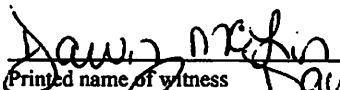
SEE EXHIBIT "A" ATTACHED HERETO
AND INCORPORATED HEREIN BY REFERENCE

Subject to taxes for the current year, zoning ordinances and restrictions, limitations, easements and other matters of record including, without limitation, those items identified in the attached Exhibit "B" (the "Permitted Exceptions"). And the said Grantor does hereby covenant with the said Grantee that, except for the Permitted Exceptions, at the time of the delivery of this deed the premises were free from all encumbrances made by Grantor, and that Grantor will warrant and defend the same against the lawful claims and demands of all persons claiming by, through or under it, but against none other.


DATED this the 31st day of August, 2017.

Witnesses:

UWF BUSINESS ENTERPRISES,
INC., a Florida not for profit
corporation



Printed name of witness Dawid McElin


Printed name of witness Stephen R. Moorhead


By: Dr. Steven Cunningham
Its: Chief Executive Officer

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 31 day of August, 2017,
by Dr. Steven Cunningham, as Chief Executive Officer of UWF Business Enterprises, Inc., a
Florida not for profit corporation, on behalf of the corporation.



NOTARY PUBLIC
Print Name: STEPHEN R. MOORHEAD

____ Personally Known

OR

☒ Produced Identification

Type of Identification Produced FL driver's license

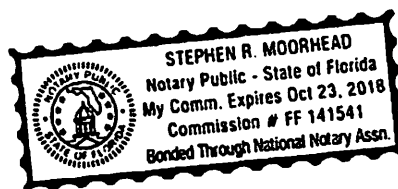


EXHIBIT "A"**Parcel 1 (North):**

A portion of Parcel 1 and all of Lot 13 and a portion of Lot 22, Block R, SCENIC HILLS COUNTRY CLUB SUBDIVISION, a Subdivision of a portion of Sections 5 and 6, Township 1 South, Range 30 West, Escambia County, Florida, according to the plat recorded in Plat Book 4, at page 77 of the Public Records of said County; together with a portion of said Section 5, the entire tract being more particularly described as follows:

Begin at the Southwest corner of Lot 1, Block Q, of said subdivision thence North 89° 18' 50" East along the Southerly line of Block Q and its Easterly extension for a distance of 1140.02 feet; thence North 45° 19' 05" East for a distance of 201.55 feet to a point on the Southerly right of way line of Greenbrier Boulevard (100' right of way); thence North 89° 18' 50" East along said Southerly right of way line for a distance of 634.62 feet to the Northeast corner of said Parcel 1; thence South 00° 32' 34" West along the East line of said Parcel 1 (said line also being the West line of the University of West Florida and the West line of Autumn Chase as recorded in Plat Book 10 at page 93 of the Public Records of said County) for a distance of 2251.22 feet to the Southwest corner of Lot 1 of said Autumn Chase; thence South 89° 38' 21" East along the South side of said Lot 1 for a distance of 25.00 feet to the Northwest corner of Lot 2, Block A, University Park, as recorded in Plat Book 7 at page 35 of the Public Records of said County; thence South 00° 32' 34" West along the West line of said Block A and its Southerly extension for a distance of 252.47 feet to a point on the Northwesterly right of way line of Hillview Road (66' right of way); thence South 45° 21' 39" West along said Northwesterly right of way for a distance of 26.08 feet to the point of tangency of a circular curve concave to the Southeast having a radius of 126.00 feet and a delta angle of 45° 00' 00"; thence Southwesterly along said right of way line and the arc of said curve for an arc distance of 98.96 feet (chord bearing South 22° 51' 40" West, chord = 96.44') to the end of said curve; thence South 00° 14' 31" East along said right of way line for a distance of 0.18 feet; thence South 89° 59' 09" West along the North line of Highlands at Scenic Hills (as recorded in Plat Book 14, at page 15 of the Public Records of said County) and its Easterly extension for a distance of 656.52 feet to the Northwest corner of the retention area as shown on said plat of said subdivision; thence South 00° 01' 12" West along the West line of said subdivision for a distance of 249.90 feet; thence North 89° 58' 48" West for a distance of 6.57 feet to a point on the Easterly right of way line of Meadowbrook Drive (60' right of way), said point being on circular curve concave to the West having a radius of 399.65 feet and a delta angle of 15° 58' 20"; thence Northwesterly along said right of way line and the arc of said curve for an arc distance of 111.41 feet (chord bearing North 04° 35' 36" West, chord = 111.05); to the point of tangency of said curve; thence North 12° 34' 46" West along said right of way line for a distance of 315.38 feet to a point on the Southerly right of way line of Burning Tree Road (60' right of way); thence North 81° 36' 28" East along said Southerly right of way line for a distance of 256.29 feet to the point of curvature of a non-tangent curve concave to the Northwest having a radius of 178.18 feet and a delta angle of 19° 18' 02"; thence Northeasterly along said right of way line and the arc of said curve for an arc distance of 60.02 feet (chord bearing North 71° 57' 07" East, chord = 59.74') to the Southwest corner of Lot 1, Block R of the aforesaid Scenic Hills Country Club Subdivision; thence South 84° 34' 57" East along the South line of said Lot 1 for a distance of 210.83 feet to the Southeast corner of said Lot 1; thence North 05° 25' 03" East along the Easterly lines of lots 1 through 12, inclusive, of said Block R for a distance of 1219.91 feet to the Northeast corner of said Lot 12; thence South 86° 44' 14" West along the Northerly line of said Lot 12 for a distance

of 134.42 feet to the Easterly right of way line of the aforesaid Burning Tree Road, said point being on a circular curve concave to the Southwest having a radius of 250.37 feet and delta angle of $20^{\circ} 35' 46''$; thence Northwesterly along said right of way line for an arc distance of 90.00 feet (chord bearing = North $20^{\circ} 35' 46''$ West, chord = 89.52') to the most Southerly corner of Lot 14 of said Block R; thence North $70^{\circ} 54' 33''$ East along the Southeasterly line of said Lot 14 for a distance of 134.16 feet to the most Easterly corner of said Lot 14; thence North $30^{\circ} 19' 55''$ West (this course and the next four courses are along the Northeasterly line of Lots 14 through 21, inclusive, of said Block R) for a distance of 410.35 feet; thence North $31^{\circ} 06' 24''$ West for a distance of 19.23 feet; thence North $34^{\circ} 00' 57''$ West for a distance of 52.60 feet; thence North $36^{\circ} 08' 33''$ West for a distance of 256.97 feet; thence North $38^{\circ} 22' 04''$ West for a distance of 114.25 feet to the most Northerly corner of said Lot 21; thence South $87^{\circ} 08' 13''$ West for a distance of 88.62 feet; thence south $41^{\circ} 41' 19''$ West for a distance of 64.12 feet to a point on the Northerly right of way line of the aforesaid Burning Tree Road, said point being on a circular curve concave to the South having a radius of 601.05 feet and a delta angle of $66^{\circ} 55' 58''$; thence Northwesterly, Westerly, and Southwesterly along said right of way line and the arc of said curve for an arc distance of 702.14 feet (chord bearing = North $80^{\circ} 41' 25''$ West, chord = 662.89') to the end of said curve; thence South $65^{\circ} 47' 57''$ West (this course and the next four courses are along the said right of way line) for a distance of 86.95 feet to the point of curvature of a non-tangent curve concave to the Northwest having a radius of 542.96 feet and a delta angle of $19^{\circ} 55' 36''$; thence Southwesterly along the arc of said curve for an arc distance of 188.83 feet (chord bearing = South $75^{\circ} 48' 39''$ West, chord = 187.88') to the end of said curve; thence South $85^{\circ} 49' 21''$ West for a distance of 128.64 feet to the point of curvature of a non - tangent circular curve concave to the Southeast having a radius of 290.44 feet and a delta angle of $13^{\circ} 51' 00''$; thence Southwesterly along the arc of said curve for an arc distance of 70.21 feet (chord bearing = South $78^{\circ} 52' 26''$ West, chord = 70.00') to the end of said curve; thence South $71^{\circ} 56' 20''$ West for a distance of 23.11 feet to a point on the arc of a circular curve concave to the East having a radius of 300.55 feet and a delta angle of $17^{\circ} 51' 53''$; thence Northwesterly along the arc of said curve (this course and the next two courses are along the Easterly right of way line of Tam O'Shanter Road 60' right of way) for an arc distance of 93.71 feet (chord bearing = North $03^{\circ} 45' 19''$ West, chord = 93.33') to the point of tangency of said curve; thence North $05^{\circ} 10' 37''$ East for a distance of 101.42 feet to the point of curvature of a non-tangent circular curve concave to the West having a radius of 602.96 feet and a delta angle of $05^{\circ} 27' 14''$; thence Northeasterly along the arc of said curve for an arc distance of 57.39 feet (chord bearing = North $02^{\circ} 27' 04''$ East, chord = 57.37') to the Point of Beginning.

Less and Except

That portion of the above described lands conveyed by Quit Claim Deed to Patrick A. Tillery and Linda E. Tillery, husband and wife, dated May 15, 2002 and recorded May June 3, 2002 in Official Records Book 4913, Page 436, of the public records of Escambia County, Florida.

Also Less and Except

That portion of the above described lands conveyed by Quit Claim Deed to Jay Robert Cook and Elizabeth A. Cook, husband and wife, dated May 15, 2002 and recorded June 3, 2002 in Official Records Book 4913, Page 455, of the public records of Escambia County, Florida.

Parcel 1 (South):

A portion of Parcel 1, SCENIC HILLS COUNTRY CLUB SUBDIVISION, a Subdivision of a portion of Sections 5 and 6, Township 1 South, Range 30 West, Escambia County, Florida, as recorded in Plat Book 4, at page 77 of the Public Records of said County and a portion of Lots 2, 3, 4, 5, 6, and 7, Block V, Scenic Hills Country Club Subdivision, according to the said plat, the entire tract being more particularly described as follows:

Commence at the Southwest corner of the said Parcel 1; thence South 89° 27' 33" East along the South line of the said Parcel 1 for a distance of 234.84 feet, more or less, to a point on the centerline of Thompson Bayou Creek for the Point of Beginning, thence North 89° 27' 33" West along the line last traversed for a distance of 234.84 feet, more or less, to the said Southwest corner of Parcel 1; thence North 00° 00' 08" East (this course and the next eight courses are along the Westerly line of the said Parcel 1) for a distance of 70.45 feet; thence North 63° 20' 08" East for a distance of 130.00 feet; thence North 00° 00' 08" East for a distance of 430.00 feet; thence North 23° 52' 49" West for a distance of 228.52 feet; thence North 34° 17' 14" East for a distance of 165.77 feet; thence North 22° 00' 59" West for a distance of 80.00 feet to a point on the Southeasterly right of way line of Meadowbrook Drive (60' right of way), said point being the point of curvature of a circular curve concave to the Northwest having a radius of 373.77 feet and a delta angle of 44° 17' 21"; thence Northeasterly along the arc of the said curve for an arc distance of 288.92 feet, (chord = 281.78', chord bearing = North 45° 49' 20" East); thence South 89° 06' 05" East for a distance of 170.00 feet; thence North 02° 54' 10" West for a distance of 101.10 feet to the Northeast corner of Lot 1 of the said Block V; thence North 89° 21' 19" West along the North line of the said Lot 1 for a distance of 15.16 feet; thence North 08° 59' 57" East for a distance of 101.06 feet; thence North 89° 24' 19" West for a distance of 10.11 feet; thence North 08° 59' 57" East for a distance of 462.09 feet to a point on the Southeast line of Lot 8 of the said Block V; thence South 49° 39' 47" East along the said Southwest line of Lot 8 for a distance of 29.27 feet to the most Southerly corner of said Lot 8; thence North 08° 59' 57" East (this course and the next course are along the Easterly line of the said Lot 8) for a distance of 99.99 feet; thence North 34° 12' 54" West for a distance of 103.00 feet to a point on the said Southeasterly right of way line of Meadowbrook Drive, said point being on the arc of a circular curve concave to the Northwest having a radius of 399.65 feet and a delta angle of 04° 18' 03"; thence Northeasterly along the arc of the said curve for an arc distance of 30.00 feet (chord = 29.99', chord bearing = North 52° 05' 59" East) to the Southwest corner of the parcel of property described in Official Records Book 2925 at page 698 of the said Public Records; thence South 39° 49' 44" East (this course and the next course are along the South line of the said parcel of property) for a distance of 15.00 feet; thence North 89° 47' 56" East for a distance of 138.64 feet to a point on the East line of the said Parcel 1; thence South 00° 01' 12" West along the said East line of Parcel 1, being the West line of Highlands at Scenic Hills according to the plat recorded in Plat Book 14, at page 15 of the said Public Records, for a distance of 1378.07 feet; thence North 89° 37' 48" West along the South line of the said Parcel 1 for a distance of 260.08 feet, more or less to a point on the said centerline of Thompson Bayou Creek; thence meander Southerly along the said centerline of Thompson Bayou Creek for a distance of 730 feet, more or less to the Point of Beginning.

LESS AND EXCEPT

That portion of the above described property conveyed to Alex L. Davis and Margaret Davis husband and wife, by Warranty Deed, recorded April 28, 2010 in Official Records Book 6585, Page 168, and re-recorded July 16, 2010 in Official Records Book 6614, Page 460, of the public records of Escambia County, Florida.
Parcel 2

A portion of Parcel 2; portions of Lots 2 through 6, inclusive, Block "G", a portion of Lot 1, Block H; Lot 9 Block M; and portions of Lots 2 through 4 inclusive Block U, Scenic Hills Country Club Subdivision, a subdivision of a portion of Section 5 and 6, Township 1 South, Range 30 West, Escambia County, Florida, according to the plat recorded in Plat Book 4, page 77 of the Public Records of said County; the entire tract being more particularly described as follows:

Commence at the intersection of the Easterly right of way Line of Scenic Hills Drive (60' right of way) and the Northerly right of way of Meadowbrook Drive (60' right of way) for the Point of Beginning, thence North 25° 56' 59" West along said Easterly right of way line for a distance of 664.02 feet; thence North 64° 03' 01" East for a distance of 110.00 feet; thence North 25° 56' 59" West for a distance of 120.00 feet to a point on the Southeasterly line of Lot 8, Block F, of said Subdivision; thence North 68° 06' 27" East along said lot line for a distance of 51.05 feet to the most Easterly corner of said Lot 8, thence North 31° 55' 43" West along the Easterly line of said Block F for a distance of 67.04 feet; thence North 04° 19' 31" West along said Easterly line for a distance of 776.45 feet to the Northeast corner of Lot 1, of said Block F; thence North 54° 29' 02" West along the Northerly line of said Lot 1 for a distance of 48.15 feet to a point on the aforesaid Easterly right of way line of Scenic Hills Drive; thence North 35° 30' 58" East along said right of way line for a distance of 107.09 feet to the Southwest corner of Lot 1, Block G of said subdivision; thence South 54° 29' 02" East along the Southwesterly line of said Block G for a distance of 135.42 feet; thence South 38° 35' 34" East for a distance of 67.62 feet; thence South 16° 53' 43" East for a distance of 288.65 feet to a point on the Northerly line of Lot 6 of said Block G; thence South 83° 40' 04" West along said Northerly line for a distance of 10.17 feet; thence South 16° 53' 43" East for a distance of 91.20 feet to a point on the Northerly line of Lot 7 of said Block G; thence North 87° 32' 55" West along said Northerly line for a distance of 15.90 feet to the Northwest corner of said Lot 7; thence South 16° 53' 43" East along the Westerly line of said Lot 7 for a distance of 201.31 feet to the point of curvature of a circular curve (cul-de-sac), concave to the Northeast having a radius of 60.00 feet and a delta angle of 60° 06' 50"; said point also lying on the right of way of Thunderbird Drive (60' right of way); thence Southeasterly along the arc of said curve and along said right of way for an arc distance of 62.95 feet (chord bearing of South 42° 43' 18" East; chord distance of 60.10 feet); thence South 17° 14' 08" West for a distance of 110.00 feet; thence South 83° 13' 24" East for a distance of 144.91 feet; thence North 27° 24' 33" East for a distance of 78.08 feet; thence North 20° 59' 50" East for a distance of 137.47 feet; thence North 12° 32' 13" East for a distance of 154.94 feet; thence North 38° 36' 25" West for a distance of 52.59 feet; thence South 89° 33' 50" West for a distance of 90.00 feet to a point on the Easterly right of way line of said Thunderbird Drive, said point lying on a circular curve concave to the Southwest and having a radius of 777.34 feet and a delta angle of 11° 26' 36"; thence Northwesterly along said right of way and the arc of said curve for an arc distance of 155.25 feet (chord bearing of North 06° 09' 31" West, chord distance of 154.99 feet); thence North 78° 07' 05" East for a distance of 130.00 feet; thence North 15° 34' 02" West for a distance of 116.64 feet to the most Easterly corner of Lot 6, Block H of said subdivision; thence North 22° 45' 14" West (this course and the next three courses are along the Northeasterly line of said Block H) for a distance of 110.82 feet; thence North 29° 45' 22" West for a distance of 110.82 feet; thence North 36° 45' 30" West for a distance of 110.82 feet; thence North 43° 45' 38" West for a distance of 86.15 feet to the Southeast corner of Lot 1 of said Block H; thence North 18° 35' 21" East for a distance of 126.66 feet to a point on the Northerly line of said Lot 1; thence North 43° 55' 48" West for a distance of 110.54 feet to a point on the aforesaid Easterly right of way line of Scenic Hills Drive, said point lying on a circular curve concave to the West having a radius of 321.33 feet and a delta angle of 55° 28' 06"; thence Northwesterly along said right of way and the arc of said curve for an arc distance of 311.08 feet (chord bearing of North 02° 44' 16" West, chord distance of 299.07 feet); thence North 43° 41' 37" East for a distance of 132.19 feet; thence North 46° 18' 23" West for a distance of 290.00 feet; thence North 43° 41' 37" East for a

distance of 20.00 feet; thence North 42° 46' 39" West for a distance of 116.64 feet to the most Southerly corner of Lot 3, Block M of said subdivision; thence North 46° 47' 19" East along the Southeasterly line of said Block M for a distance of 624.15 feet to the most Easterly corner of Lot 8 of said Block M; thence North 30° 48' 23" West along the Northeasterly line of said Lot 8 for a distance of 128.55 feet to a point on the aforementioned Easterly right of way line of Scenic Hills Drive; thence North 59° 11' 37" East (this course and the next four courses are along the said right of way line) for a distance of 8.87 feet to a point on a non-tangent circular curve concave to the Northwest having a radius of 220.98 feet and a delta angle of 67° 35' 59"; thence Northeasterly along the arc of said curve for an arc distance of 260.72 feet (chord bearing of North 25° 23' 01" East chord distance of 245.86 feet) to the end of said curve; thence North 08° 24' 22" West for a distance of 172.88 feet to the point of curvature of a circular curve concave to the East having a radius of 322.95 feet and a delta angle of 10° 07' 56"; thence Northwesterly along the arc of said curve for an arc distance of 57.11 feet (chord bearing of North 03° 20' 22" West, chord distance of 57.04 feet) to the point of tangency of said curve; thence North 01° 43' 38" East for a distance of 122.91 feet to the Southerly right of way line of Burning Tree Road (60' right of way), said point lying on a circular curve concave to the Southwest having a radius of 541.05 feet and a delta angle of 47° 46' 17"; thence Southeasterly along said Southerly right of way and the arc of said curve for an arc distance of 451.11 feet (chord bearing of South 76° 26' 16" East, chord distance of 438.16 feet) to the most Northerly corner of Lot 20, Block S of said subdivision; thence South 36° 17' 12" West along the Westerly line of said Block S for a distance of 174.03 feet to the most Westerly corner of said Lot 20; thence South 41° 25' 27" East (this course and the next three courses are along the Westerly line of said Block S) for a distance of 463.82 feet; thence South 30° 19' 55" East for a distance of 299.92 feet; thence South 15° 19' 18" East for a distance of 65.47 feet; thence South 05° 25' 03" West for a distance of 1126.81 feet to a point on the Northerly right of way line of the aforesaid Burning Tree Road; thence South 81° 36' 28" West along said Northerly right of way line for a distance of 79.15 feet to the Southeast corner of Lot 1, Block T of said subdivision; thence North 09° 48' 43" West (this course and the next five courses are along the Northeasterly line of said Block T) for a distance of 309.57 feet; thence North 10° 13' 37" West for a distance of 108.73 feet; thence North 22° 52' 13" West for a distance of 115.06 feet; thence North 36° 21' 48" West for a distance of 115.06 feet; thence North 49° 51' 22" West for a distance of 115.06 feet; thence North 60° 52' 51" West for a distance of 103.20 feet to the Northwest corner of Lot 8 of said Block T; thence South 39° 26' 07" West along the Westerly line of said Lot 8 for a distance of 110.00 feet to a point on a circular curve (cul-de-sac) concave to the Southeast having a radius of 60.00 feet and a delta angle of 156° 04' 29", said point also lying on the right of way of the aforesaid Meadowbrook Drive; thence Northwesterly, Westerly, Southwesterly, and Southerly along said right of way and the arc of said curve for an arc distance of 163.44 feet (chord bearing of South 59° 09' 09" West, chord distance of 117.39 feet) to the Northwest corner of Lot 13, Block U of said subdivision; thence South 11° 10' 49" West along the West line of said Block U for a distance of 199.94 feet to the Southwest corner of said Lot 1; thence South 50° 07' 46" East (this course and the next course are along the Westerly line of said Block U) for a distance of 153.20 feet; thence South 29° 17' 14" East for a distance of 208.70 feet to the Northwest corner of Lot 8 of said Block U; thence South 77° 25' 14" West along a Westerly extension of the North line of said Lot 8 for a distance of 141 feet, more or less, to a point on the bank of Governors Bayou Creek; thence meandering Southeasterly along said Creek Bank for a distance of 100 feet, more or less, to a point on a line passing through the Southwest corner of said Lot 8 having a bearing of South 77° 25' 14" West, said line being a Westerly projection of the South line of said Lot 8; thence North 77° 25' 14" East along said Westerly projection for a distance of 148 feet, more or less, to the aforesaid Southwest corner of said Lot 8; thence South 12° 34' 46" East (this course and the next course arc along the aforesaid Westerly line of said Block U) for a distance of 199.83 feet; thence South 19° 37' 04" west for a distance of 118.10 feet to the Northwest corner of Lot 4 of said Block U; thence North

77° 25' 14" East along the North line of said Lot 4 for a distance of 29.54 feet; thence South 19° 37' 04" West for a distance of 54.41 feet; thence South 20° 37' 47" East for a distance of 210.77 feet to a point on the Northeasterly line of Lot 1 of said Block U; thence North 72° 54' 00" West along said Northeasterly line for a distance of 31.61 feet to the most Northerly corner of said Lot 1; thence South 20° 37' 47" East along the Westerly line of said Lot 1 for a distance of 206.08 feet to a point on the aforesaid Northerly right of way line of Meadowbrook Drive; said point lying on a circular curve concave to the Northwest having a radius of 339.65 feet and a delta angle of 15° 47' 25"; thence Southwesterly along said Northerly right of way and the arc of said curve for an arc distance of 93.60 feet (chord bearing of South 53° 40' 21" West, chord distance of 93.31 feet) to the end of said curve; thence South 61° 35' 10" West for a distance of 68.88 feet to the most Easterly corner of Lot 8, Block W of said subdivision; thence North 28° 24' 50" West along the Northeasterly line of said Lot 8 for a distance of 190.00 feet to the most Northerly corner of said Lot 8; thence south 38° 33' 45" West (this course and the next four courses are along the Westerly line or said Block W) for a distance of 156.81 feet; thence South 25° 18' 12" West for a distance of 283.17 feet; thence South 02° 15' 59" East for a distance of 100.12 feet; thence South 13° 26' 25" East for a distance of 309.23 feet; thence South 25° 39' 16" East for a distance of 216.80 feet to a point on the aforesaid Northerly right of way line of Meadowbrook Drive, said point lying on a circular curve concave to the Northwest having a radius of 313.77 feet and a delta angle of 40° 24' 09"; thence Southwesterly along said Northerly right of way and the arc of said curve for an arc distance of 221.26 feet (chord bearing of South 47° 45' 44" West; chord distance of 216.70 feet) to the end of said curve; thence South 67° 59' 01" West along said Northerly right of way line for a distance of 272.05 feet to the Point of Beginning.

Parcel 3 South and West Strip

A portion of Parcel 3, Scenic Hills Country Club Subdivision, a subdivision of a portion of Sections 5 and 6, Township 1 South, Range 30 West, Escambia County, Florida according to the plat recorded in Plat Book 4, at page 77 of the Public Records of said County and a portion of the said Section 6, the entire tract being more particularly described as follows:

Commence at the Southwest corner of Block K, Scenic Hills Country Club Subdivision, according to the said plat for the Point of Beginning. Thence North 00° 04' 25" West along the West line of said Block K for a distance of 904.46 feet to the South line of said Parcel 3; thence North 88° 05' 23" East along the South line of said Parcel 3 for a distance of 70.29 feet to the Westerly right of way line of Burning Tree Road (60' right of way); said point also being a point on the arc of a circular curve concave to the East having a radius of 482.34 feet and a delta angle of 03° 54' 43"; thence Northerly along the said Westerly right of way line and arc of the said curve for an arc distance of 32.93 feet (chord distance of 32.93 feet, chord bearing of North 00° 02' 44" East) to a point on the South right of way line of West Club Drive (60' right of way) according to the Deed recorded in Official Records Book 1396, at page 687 of the said Public Records; thence South 89° 55' 35" West along said South right of way line for a distance of 96.69 feet to a point on the West line of the West one half (1/2) of the Northeast one-quarter (1/4) of the said Section 6; thence South 00° 00' 13" West along said West line of the West 1/2 for a distance of 939.62 feet to the Southwest corner of the said West 1/2 of the Northeast 1/4; thence North 89° 57' 50" East along the South line of said Northeast 1/4 for a distance of 27.63 feet to the Point of Beginning. All lying and being in Section 6, Township 1 South, Range 30 West, Escambia County, Florida.

Parcel 3, 4, R/W Strip

A portion of Parcel 3 and of Parcel 4, Scenic Hills Country Club Subdivision, a subdivision of a portion of Sections 5 and 6, Township 3. South, Range 30 West, Escambia County, Florida

according to the plat recorded in Plat Book 4, at page 77 of the Public Records of said County; a portion of the said Section 6, a portion of Burning Tree Road (60' right of way) as vacated in Official Records Book 1321, at page 430 of the said Public Records; a portion of Lot 10, Block J, Scenic Hills Country Club Subdivision according to the said plat and all of Lot 15, Block N, Scenic Hills Country Club Subdivision, according to the said plat; the entire tract being more particularly described as follows:

Commence at the most Westerly corner of Lot 14, Block N, Scenic Hills Country Club Subdivision, according to the said plat for the Point of Beginning, thence South 48° 25' 23" East along the Southwest line of said Lot 4 for a distance of 134.19 feet; thence North 49° 20' 40" East (this course and the next course are along the Southerly line of said Block N) for a distance of 633.14 feet; thence North 76° 50' 33" East for a distance of 697.26 feet to the West right of way line of Scenic Hills Drive (60' right of way); thence South 08° 24' 22" East along the said West right of way line for a distance of 125.55 feet to the Northeast corner of Block L, Scenic Hills Country Club Subdivision, according to the said plat; thence South 62° 07' 30" West (this course and the next five courses are along the Northerly, West, and Southwest lines of Block L) for a distance of 160.20 feet; thence South 62° 03' 37" West for a distance of 499.90 feet; thence South 66° 09' 35" West for a distance of 694.91 feet; thence South 00° 04' 10" West for a distance of 191.58 feet, thence South 61° 59' 29" East for a distance of 480.33 feet; thence South 56° 15' 15" East for a distance of 630.63 feet to a point on the West right of way of Scenic Hills Drive, said point also being on a circular curve concave to the West, having a radius of 261.33 feet and a delta angle of 32° 20' 45"; thence Southwesterly along the arc of said curve for an arc distance of 147.53 feet (chord = 145.58', chord bearing = South 19° 12' 28" West) to the Northeast corner of Block "I", Scenic Hills Country Club Subdivision according to the said plat; thence North 54° 29' 02" West (this course and the next six courses are along the Northerly, Northeasterly, Northwesterly, Southwesterly, and Southerly lines of said Block I) for a distance of 62.00 feet; thence North 70° 28' 40" West for a distance of 607.72 feet; thence North 38° 49' 13" West for a distance of 454.14 feet; thence South 49° 54' 41" West for a distance of 367.07 feet; thence South 40° 54' 46" East for a distance of 458.14 feet; thence South 60° 34' 17" East for a distance of 518.45 feet; thence South 70° 57' 46" East for a distance of 223.01 feet to the aforesaid West right of way of Scenic Hills Drive; thence South 35° 30' 58" West (this course and the next course are along the said West right of way) for a distance of 118.88 feet to the point of curvature of a circular curve concave to the East having a radius of 500.92 feet and a delta angle of 04° 30' 16"; thence Southwesterly along the arc of said curve for an arc distance of 39.38 feet (chord = 39.37', chord bearing = South 33° 13' 24" West) to the Northerly right of way of Burning Tree Road (60' right of way), said point being on a circular curve concave to the South having a radius of 316.48 feet and a delta angle of 34° 02' 09"; thence Northwesterly (this course and the next course are along the said Northerly right of way) along said curve for an arc distance of 186.00 feet (chord = 185.25', chord bearing = North 73° 01' 16" West) to the point of tangency of said curve; thence South 89° 57' 39" West for a distance of 202.36 feet to the Southeast corner of Block J, Scenic Hills Country Club Subdivision, according to the said plat; thence North 00° 02' 21" West (this course and the next three courses are along the East and Northeasterly lines of said Block J) for a distance of 85.00 feet to the Northeast corner of said Block J; thence North 79° 03' 20" West for a distance of 338.62 feet; thence North 44° 47' 31" West for a distance of 74.98 feet; thence North 29° 42' 45" West for a distance of 599.77 feet to the Southerly line of parcel described in O.R. Book 202, page 688, of the said public records; thence South 78° 34' 12" West along the said Southerly line for a distance of 131.54 feet to the aforementioned East right of way of said Burning Tree Road, said point being on a circular curve concave to the East having a radius of 422.34 feet and a delta angle of 24° 25' 21"; thence Northwesterly along the said East right of way and the arc of said curve for an arc distance of 180.02 feet (chord = 178.66', chord bearing = North 08° 35' 22" West) to the point of a cusp being of a circular curve, cul-

de-sac, being described in O.R. Book 1396, page 687 of the said Public Records, having a radius of 40.00 feet; thence Northerly and Westerly along the arc of the said curve for an arc distance of 136.21 feet (chord = 79.31', chord bearing = North 50° 45' 30" West) to the Northerly right of way line of West Club Drive (60' right of way) as described in O.R. Book 1396, page 682, of the said Public Records; thence South 89° 55' 35" West (this course and the next course are along the said North right of way line and East right of way line according to O.R. Book 1396, page 687 of the said public records) for a distance of 9.53 feet; thence North 00° 04' 25" West for a distance of 170.82 feet to a point on the boundary of Scenic Hills Country Club Villas (as recorded in Plat Book 10, page 83 of the said Public Records); thence North 59° 55' 35" East (this course and the next three courses are along the Easterly line of said Scenic Hills Country Club Villas) for a distance of 135.16 feet; thence North 30° 04' 25" West for a distance of 62.74 feet; thence North 37° 29' 58" East for a distance of 98.92 feet; thence North 00° 04' 25" West for a distance of 70.43 feet; thence North 06° 56' 26" West for a distance of 83.66 feet to a point on said boundary of Scenic Hills Country Club Villas; thence North 00° 04' 25" West (this course and the next five courses are along the Easterly line of said Scenic Hills Country Club Villas) for a distance of 142.85 feet; thence North 20' 40' 43" West for a distance of 95.84 feet; thence North 05° 56' 38" West for a distance of 127.11 feet; thence North 30° 04' 25" West for a distance of 85.75 feet; thence South 89° 55' 35" West for a distance of 106.40 feet; thence South 00° 04' 25" East for a distance of 957.87 feet to the North right of way line of aforementioned West Club Drive; thence South 89° 55' 35" West along said North right of way for a distance of 26.28 feet; thence North 00° 00' 13" East for a distance of 1573.04 feet to the South right of way line of Greenbrier Road; thence North 89° 18' 50" East along said South right of way line for a distance of 24.16 feet to the Northwest corner of Block P, Scenic Hills Country Club Subdivision, according to the said plat; thence South 00° 04' 25" East along the West line of said Block P for a distance of 140.01 feet to the Southwest corner of said Block P; thence North 89° 18' 50" East along the South line of said Block P for a distance of 1341.04 feet to the West right of way of Tam O'Shanter Road (60' right of way), said point being on the circular curve concave to the West, having a radius of 542.96 feet and a delta angle of 05° 24' 31"; thence Southerly along said right of way line and curve for an arc distance of 51.25 feet (chord = 51.23', chord bearing = South 02° 28' 26" West) to the point of tangency; thence South 05° 10' 37" West along said West right of way for a distance of 20.34 feet to the Northeast corner of Block O, Scenic Hills Country Club Subdivision according to the said plat; thence South 81° 34' 50" West (this course and the next three courses are along the Northwesterly and Southwesterly lines of said Block O) for a distance of 181.40 feet; thence South 72° 10' 37" West for a distance of 474.43 feet; thence South 16° 00' 30" West for a distance of 497.18 feet; thence South 47° 00' 22" East for a distance of 189.32 feet to a point on the said Easterly right of way line of Burning Tree Road, said point being on the arc of a circular curve concave to the Northwest having a radius of 391.11 feet and a delta angle of 01° 29' 44"; thence Northeasterly along the arc of the said curve being the said Easterly right of way line for an arc distance of 10.21 feet (chord = 10.21', chord bearing = North 42° 06' 24" East) to the Point of Beginning.

Less and Except that portion of the above described parcel set forth and described in Corrective Quit Claim Deed, recorded February 5, 2009 in Official Records Book 6422, Page 820, of the public records of Escambia County, Florida. (Corrects Quit Claim Deed, recorded in Official Records Book 1396, Page 687)

Also Less and Except that portion of the above described parcel set forth and described in Corrective Warranty Deed, recorded July 7, 2006 in Official Records Book 5944, Page 1525, of the public records of Escambia County, Florida. (Corrects legal description in Corrective Warranty Deed, recorded in Official Records Book 4425, Page 1966 and Corrective Warranty

Deed, recorded in Official Records Book 4417, Page 921 and that certain Corporate Warranty Deed, recorded in Official Records Book 3644, Page 978)

Parcel 5

Parcel 5, Scenic Hills Country Club Subdivision, a subdivision of a portion of Sections 5 and 6, Township 1 South, Range 30 West, Escambia County, Florida according to the plat recorded in Plat Book 4, at page 77 of the Public Records of said County, the entire tract being more particularly described as follows:

Commence at the Southwest corner of the said Parcel 5 for the Point of Beginning, thence North 89° 57' 50" East (this course and the next five courses are along the lines of the said Parcel 5) along the North line of the Woodlands, according to the plat recorded in Plat Book 9, at page 56 of the said Public Records, for a distance of 678.31 feet; thence North 00° 00' 00" West for a distance of 14.62 feet to the Southerly right of way line of Burning Tree Road (60' right of way), said point also being on the arc of a circular curve concave to the South having a radius of 256.48 feet and a delta angle of 02° 54' 19"; thence West along the arc of the said curve for an arc distance of 13.01 feet (chord distance of 13.00 feet, chord bearing of North 88° 35' 11" West) to the point of tangency; thence South 89° 57' 39" West along said Southerly right of way for a distance of 462.36 feet to the point of curve of a circular curve concave to the Northeast having a radius of 334.10 feet and a delta angle of 30° 10' 42"; thence Northwesterly along said Southerly right of way and the arc of the said curve for an arc distance of 175.98 feet (chord distance of 173.95 feet, chord bearing of North 74° 57' 00" West); thence South 30° 08' 22" West for a distance of 69.64 feet to the Point of Beginning.

Parcel 6

Parcel 6 and a portion of Lot 1, Block D, Scenic Hills Country Club Subdivision, a subdivision of a portion of Sections 5 and 6, Township 1 South, Range 30 West, Escambia County, Florida as recorded in Plat Book 4, at page 77 of the Public Records of said County, the entire tract being more particularly described as follows:

Commence at the Southwest corner of the said Parcel 6 for the Point of Beginning, thence North 00° 00' 00" West along the West line of the said Parcel 6, being the East line of Woodlands Second Addition, according to the plat recorded in Plat Book 10 at page 23 of the said Public Records, and the East line of the Woodlands, according to the plat recorded in Plat Book 9 at page 56 of the said Public Records for a distance of 1493.56 feet to the Northwest corner of the said Parcel 6; thence North 64° 03' 42" East along the North line of the said Parcel 6 for a distance of 200.57 feet to the West right of way line of the Scenic Hills Drive (60' right of way); thence South 25° 56' 59" East along the said West right of way line for a distance of 141.96 feet; thence South 64° 03' 01" West for a distance of 102.42 feet to the Easterly line of a said Parcel 6, also being the Westerly line of Block D, Scenic Hills Country Club according to said plat; thence South 12° 38' 07" East (this course and the next ten courses are along the Easterly and South line of said Parcel 6) for a distance of 349.76 feet; thence South 10° 54' 54" East for a distance of 605.58 feet; thence North 88° 23' 13" East for a distance of 130.05 feet; thence North 54° 13' 13" East for a distance of 224.39 feet to the aforesaid Westerly right of way line, said point also being on the arc of a circular curve concave to the Southwest and having a radius of 468.22 feet and a delta angle of 16° 01' 44"; thence Southerly along the arc of the said curve for an arc distance of 130.99 feet, (chord distance of 130.56 feet, chord bearing of South 15° 22' 37" East); thence South 59° 15' 24" West for a distance of 156.16 feet; thence South 00° 00' 08" West for a distance of 301.85 feet; thence South 76° 29' 52" East for a distance of 142.00 feet to the aforesaid Westerly

right of way line; thence South $00^{\circ} 00' 08''$ West along said Westerly right of way for a distance of 69.85 feet to the Northerly right of way line of 9 mile road (State Highway #10, 200' right of way); thence North $89^{\circ} 27' 33''$ West along said Northerly right of way line for a distance of 36.94 feet to the point of curvature of a circular curve concave to the South having a radius of 57395.80 feet and a delta angle of $00^{\circ} 39' 14''$; thence West along said Northerly right of way line and the arc of the said curve for an arc distance of 655.14 feet, (chord bearing of 655.14 feet, chord bearing of North $89^{\circ} 47' 10''$ West) to the Point of Beginning.

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes for the year 2017, and subsequent years, which are not yet due and payable.
2. Any minerals or mineral rights leased, granted or retained by current or prior owners.

As to Parcel 1 South:

3. Drainage Easement in favor of the State of Florida, for the use and benefit of the State of Florida, Department of Transportation, recorded in Official Records Book 880, Page 593 of the public records of Escambia County, Florida.
4. Public Road and Right of Way Easement recorded in Official Records Book 7465, Page 1938 of the public records of Escambia County, Florida.

As to Parcel 2:

5. Easement by and between Scenic Hills Utility Company, Inc., and Scenic Hills Country Club, Inc., recorded in Deed Book 549, Page 748 of the public records of Escambia County, Florida (as Lots 5 and 6, Block G).
6. Easement by and between the Board of County Commissioners of Escambia County, Florida and Scenic Hills Country Club, Inc., recorded in Deed Book 549, Page 369 of the public records of Escambia County, Florida (as to Lots 5 and 6, Block G).

As to Parcels 3, 4, R/W Strip

7. Easement in favor of the City of Pensacola, recorded in Official Records Book 1409, Page 482, Official Records Book 1321, Page 434 and Official Records Book 1409, Page 486, as assigned to Escambia County Utilities Authority, by Assignment of Easements, recorded in Official Records Book 3880, Page 404 of the public records of Escambia County, Florida (as to property along vacated portion of Burning Tree Road).
8. Distribution Easement in favor of Gulf Power Company, recorded in Official Records Book 1321, Page 437 of the public records of Escambia County, Florida.
9. Easement in favor of Southern Bell Telephone & Telegraph Company, recorded in Official Records Book 1321, Page 439 of the public records of Escambia County, Florida.

. . . .

10. Drainage Easement by and between the Escambia County, a political subdivision of the State of Florida and Scenic Hills Country Club, Incorporated, a Florida corporation, recorded in Official Records Book 413, Page 675 of the public records of Escambia County, Florida.

As to "Strip" as described in Parcel 3 South and West Strip and Parcel 3, 4, R/W and Strip

11. Easement as set forth in that certain Corporation Warranty Deed, recorded in Deed Book 172, Page 29 of the public records of Escambia County, Florida.

As to Lots or Portions of Lots in Scenic Hills Country Club Subdivision

12. Covenants, Conditions, Restrictions, as contained in that certain Restrictions, recorded in Deed Book 484, Page 50, as amended in Official Records Book 530, Page 393, and Extension of Restrictions, recorded in Official Records Book 2717, Page 586 of the public records of Escambia County, Florida.

As to all Parcels

13. Board of County Commissioners of Escambia County, Ordinance No. 2000-15, recorded May 18, 2000 in Official Records Book 4559, Page 1487 of the public records of Escambia County, Florida.

14. Any loss or damage occasioned by claims, demands, interests or rights asserted by others that prevent the Insured from using or maintaining the Land other than as a golf course or that affect the design of the Land or the improvements or landscaping thereon.



Chris Jones

Escambia County Property Appraiser

[Real Estate Search](#)
[Tangible Property Search](#)
[Sale List](#)
[Amendment 1/Portability Calculations](#)
[Back](#)

◀ [Navigate Mode](#) ☒ [Account](#) ☐ [Reference](#) ▶

General Information

Reference: 061S301000000024
Account: 014332000
Owners: RNL INVESTMENT GROUP LLC
Mail: 8891 BURNING TREE RD
 PENSACOLA, FL 32514
Situs: 8891 BURNING TREE RD 32514
Use Code: GOLF COURSE
Taxing Authority: COUNTY MSTU
Tax Inquiry: [Open Tax Inquiry Window](#)

Tax Inquiry link courtesy of Scott Lunsford
 Escambia County Tax Collector

Assessments

Year	Land	Imprv
2018	\$708,843	\$1,350,731 \$:
2017	\$708,843	\$1,297,514 \$:
2016	\$708,843	\$1,274,557 \$:

[Disclaimer](#)

[Amendment 1/Portability](#)

> [File for New Homestead](#)

Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
08/31/2017	7772	1749	\$1,000,000	WD	View Instr
06/27/2012	6878	556	\$2,200,000	WD	View Instr
10/1993	3644	974	\$100	WD	View Instr
11/1991	3092	941	\$1,629,200	WD	View Instr
02/1986	2179	274	\$998,000	WD	View Instr

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

2018 Certified Roll Exemption:
 None

Legal Description

PARCEL 1 - LESS THE FOLLOWING
 AT NE COR OF LT 10 BLK Q SCENI
 CLUB S/D FOR POB N 89 DEG 15.

Extra Features

ASPHALT PAVEMENT
 CONCRETE PAVING
 CONCRETE WALKS
 LIGHTS
 MASONRY WALL/FENCE
 MISC

Parcel Information

Section Map

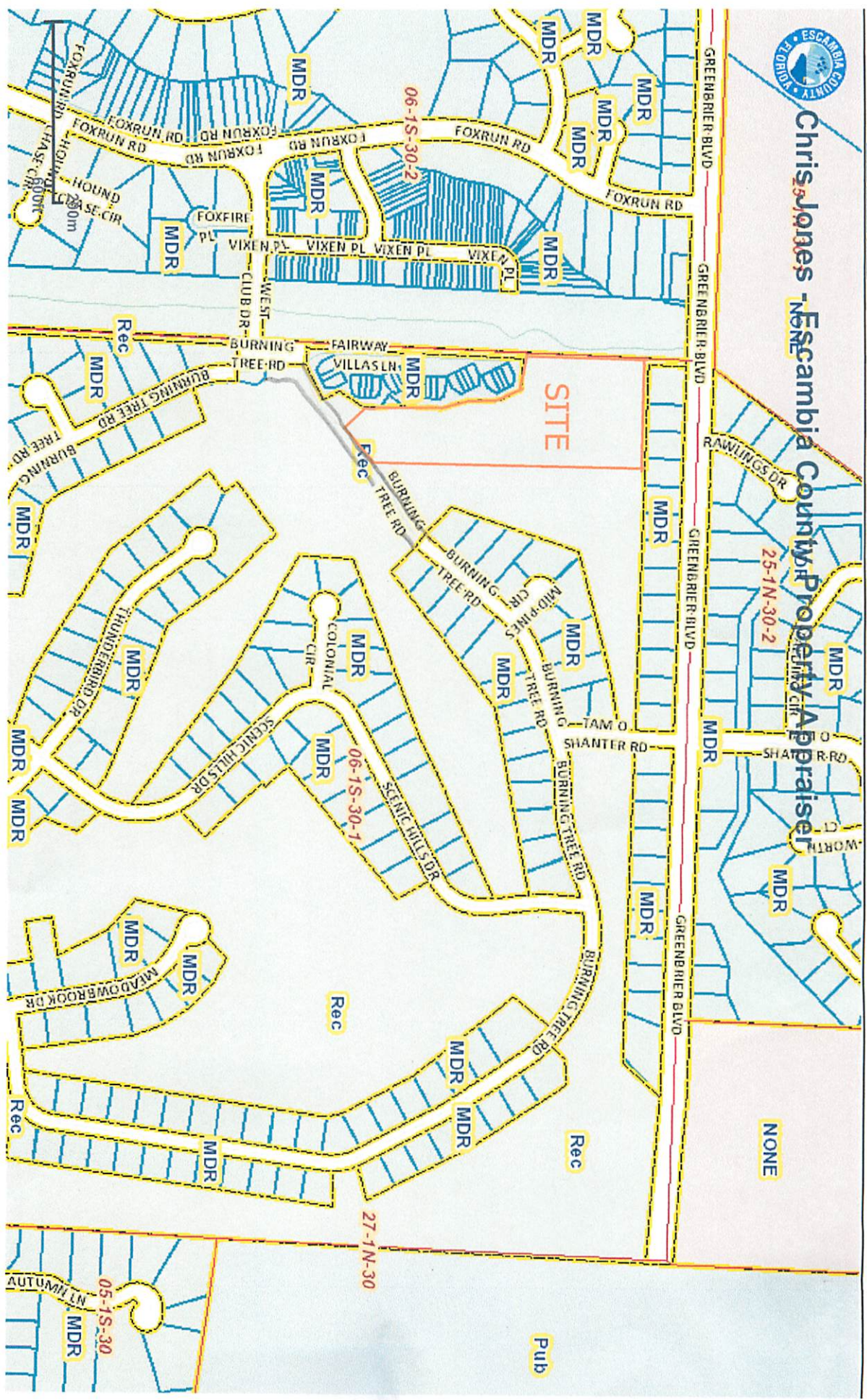
Id:
06-1S-30-1

Approx. Acreage:
 147.2600

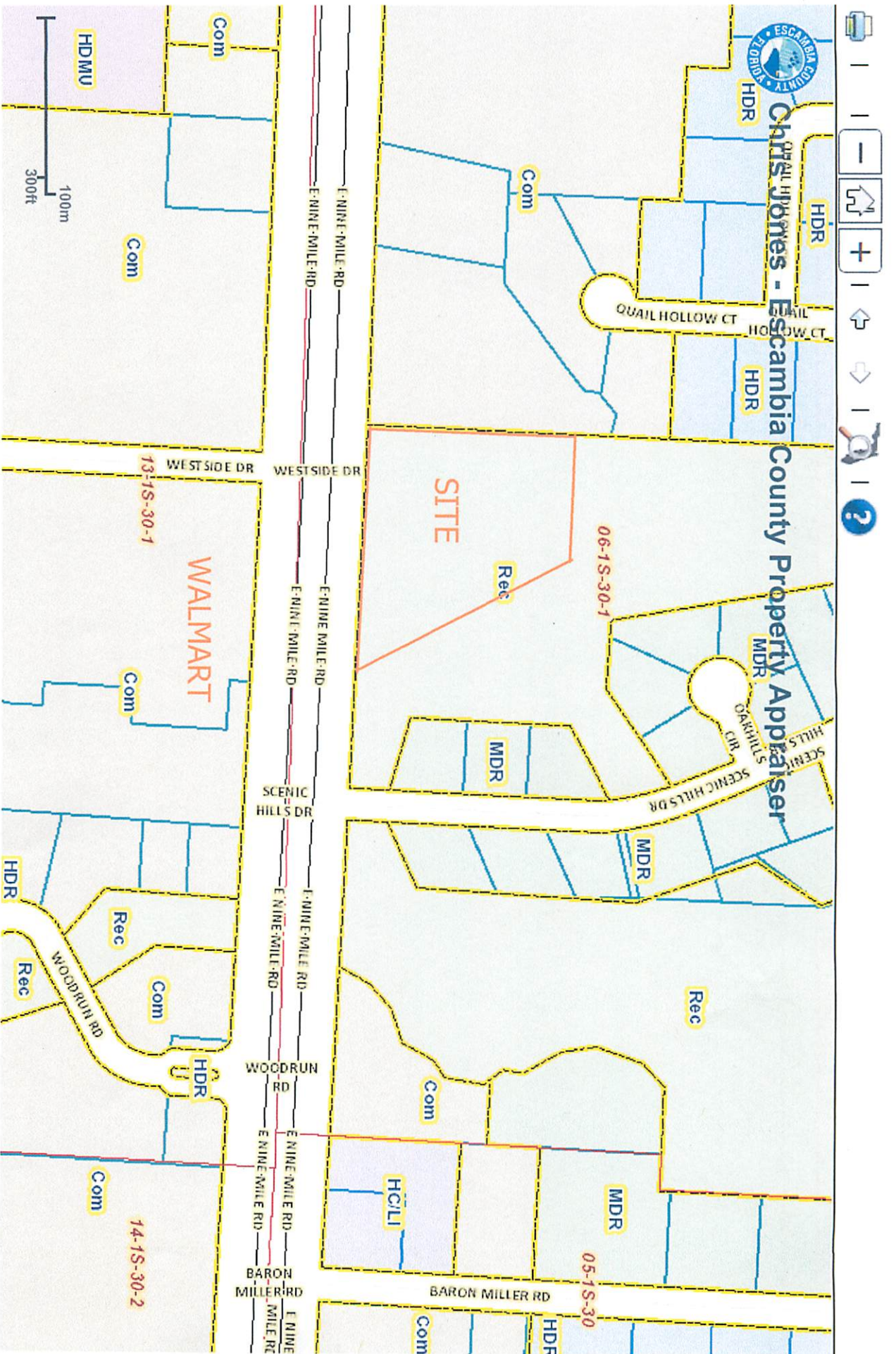
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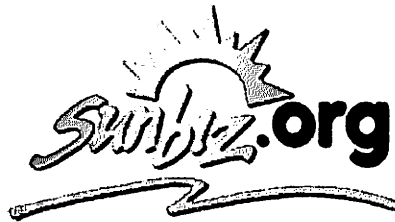
Chris Jones - Escambia County Property Appraiser



Location of site at northwest corner of property



Site located at southwest portion of property.



DIVISION of
CORPORATIONS
an official State of Florida website

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

Detail by Entity Name

Florida Limited Liability Company
RNL INVESTMENT GROUP, LLC

2

Filing Information

Document Number	L17000127148
FEI/EIN Number	82-1826197
Date Filed	06/09/2017
Effective Date	06/09/2017
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT
Event Date Filed	08/03/2017
Event Effective Date	NONE

Principal Address

8891 BURNING TREE ROAD
PENSACOLA, FL 32514

Mailing Address

8891 BURNING TREE ROAD
PENSACOLA, FL 32514

Registered Agent Name & Address

LYNNE, LEO D
8800 THUNDERBIRD DR
PENSACOLA, FL 32514

Authorized Person(s) Detail

Name & Address

Title MGR

LYNNE, LEO
8800 THUNDERBIRD DRIVE
PENSACOLA, FL 32514

Title MGR

REESE, ERIC
8925 SCENIC HILLS DRIVE
PENSACOLA, FL 32514

Title MGR

NOVAK, DAMIAN
8678 SHERWOOD BLUFF
EDEN PRAIRIE, MN 55347

Annual Reports

Report Year	Filed Date
2018	03/11/2018

Document Images

03/11/2018 -- ANNUAL REPORT

[View image in PDF format](#)

08/03/2017 -- LC Amendment

[View image in PDF format](#)

06/09/2017 -- Florida Limited Liability

[View image in PDF format](#)

August 6, 2018

To Whom it May Concern:

This will affirm that the Scenic Hills Homeowner Association has reviewed the plans to develop properties within the platted common areas of the Club and further affirm that the Association is supportive and does herewith approve of these common area developments.

Sincerely yours,

Parker Wilson

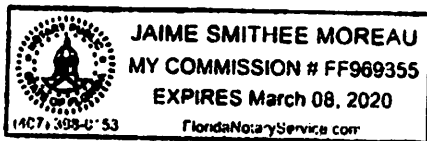
Parker Wilson

President, Scenic Hills Homeowners Association

STATE OF FLORIDA
COUNTY OF ESCAMBIA

Affirmed and subscribed before me this 6th day of August, 2018, by

Parker Wilson



Jaime Moreau
Jaime Moreau

Personally Known X OR Produced Identification _____

Type of Identification Produced _____

8892 SCENIC HILLS DRIVE, PENSACOLA, FL 32514

Phone 205.657.1308



LEGEND:

R/W Right of way
P.O.B. Point of beginning
P.T. Point of tangency
O.R. Official Record Book

SURVEYOR'S NOTES:

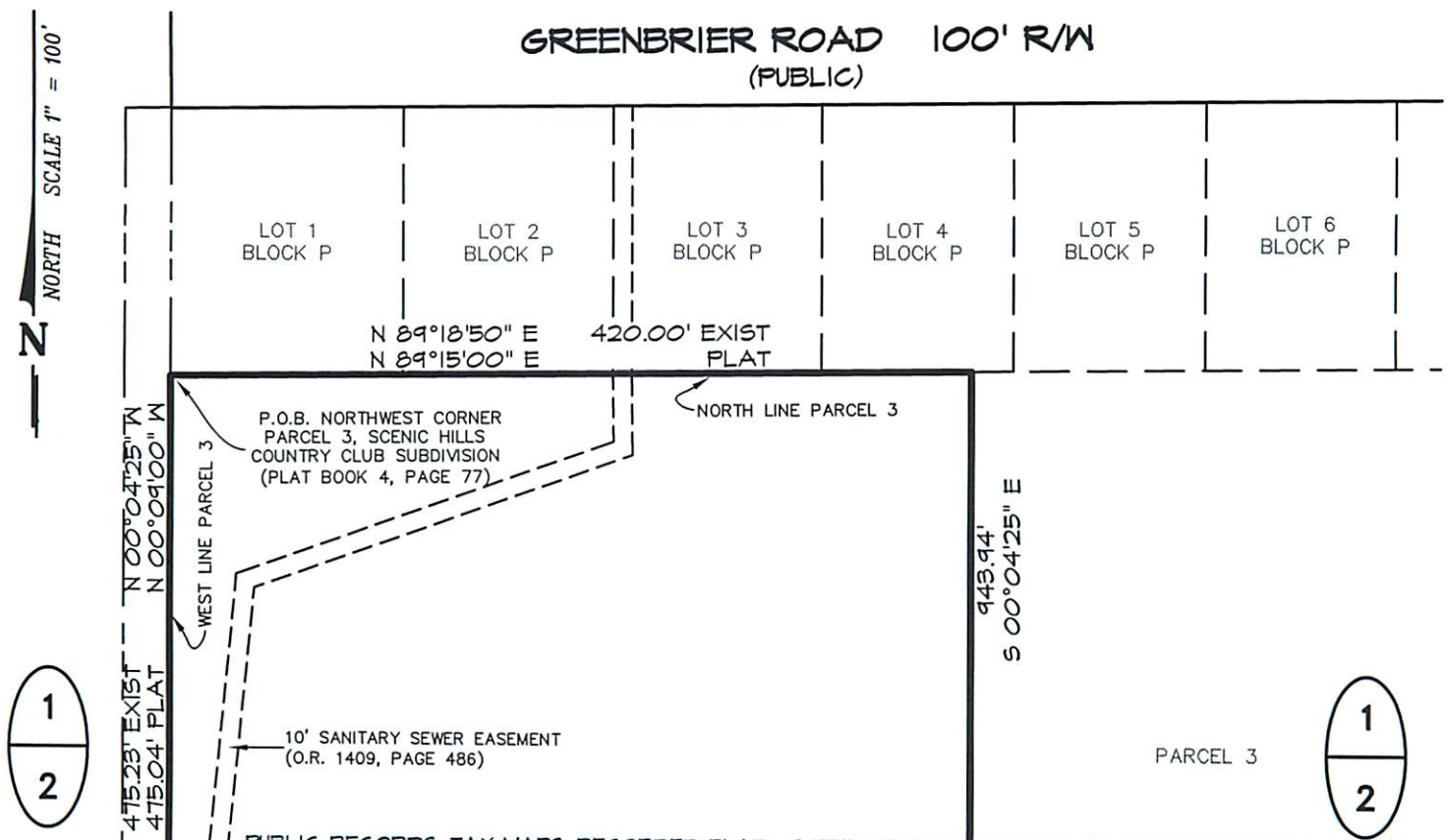
1. Subject to setbacks, easements and restrictions of record.
2. This sketch is subject to any facts that may be disclosed by a full and accurate title search. No title work performed by this firm.
3. This sketch does not reflect or determine ownership.
4. This drawing only reflects setback lines, which appear on the recorded plat. This property may also be subject to setback lines mandated by zoning ordinances and/or restrictive covenants of record.

LEGAL DESCRIPTION:

A portion of Parcel 3, Scenic Hills Country Club Subdivision, a subdivision of a portion of Sections 5 and 6, Township 1 South, Range 30 West, Escambia County, Florida as recorded in Plat Book 4, page 77 of the public records of said County, more particularly described as follows:

Begin at the northwest corner of said parcel 3; thence North 89 degrees 15'00" East (North 89 degrees 18'50" East exist) along the north line of said Parcel 3 for a distance of 420.00 feet; thence South 00 degrees 04'25" East for a distance of 943.94 feet to the northerly right of way line of Burning tree Road (60' public R/W), said point being on a circular curve concave to the southeast, having a radius of 391.11 feet and delta angle of 22 degrees 09'12"; thence Southwesterly (this course and the next along said northerly right of way line) for an arc distance of 151.22 feet (chord bearing of South 48 degrees 37'51" West, chord distance of 150.28 feet) to the point of tangency; thence South 37 degrees 29'45" West for a distance of 10.00 feet; thence North 60 degrees 06'59" West for a distance of 109.61 feet to the east line of Scenic Hills Country Club Villas, according to plat recorded in Plat Book 10 at page 83 of the public records of said County; thence North 06 degrees 56'26" West (this course and the next five courses along said east line) for a distance of 83.65 feet; thence North 00 degrees 04'37" East (north 00 degrees 04'25" West exist) for a distance of 142.85 feet; thence North 20 degrees 31'41" West (North 20 degrees 40'43" West exist) for a distance of 95.84 feet; thence North 05 degrees 47'36" West (north 05 degrees 56'38" West exist) for a distance of 127.11 feet; thence North 29 degrees 55'23" West (North 30 degrees 04'25" West exist) for a distance of 85.75 feet; thence North 89 degrees 55'23" West (South 89 degrees 55'35" West exist) for a distance of 106.40 feet to the west line of said Parcel 3; thence North 00 degrees 09'00" West (North 00 degrees 04'25" West exist) for a distance of 475.04 feet (475.23 feet exist) to the point of beginning.

All lying and being in Section 6, Township 1 South, Range 30 West, Escambia County, Florida. Containing 7.56 acres, more or less.



Source of Information: SCENIC HILLS COUNTRY CLUB VILLAS (P.B. 10, P. 83); SURVEYS BY THIS FIRM
Measurements made in accordance to United States Standards.

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

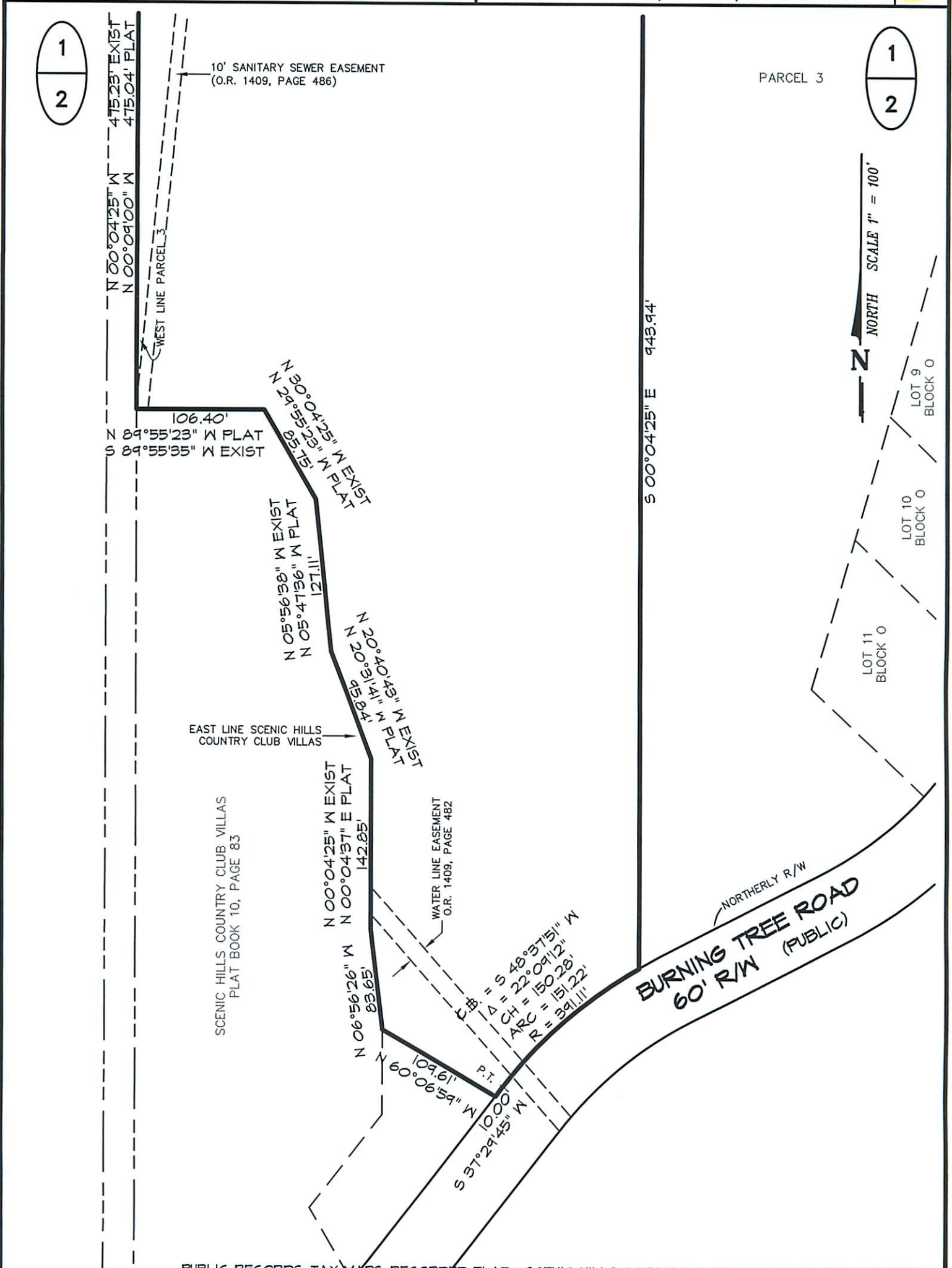
File No. A-15105 Scale 1"=100'
Job No. 37584-17
FB PG
FB PG
Ordered By MR. DAVID GLAZE
Bearing Reference NORTH BASED ON THE WEST LINE OF PARCEL 6 AS N 00°00'00" W (PLAT CALL
Encroachments FLORIDA
Date of Survey 1-3-2018 Elevation Reference PMU
Date of Plat 1-3-2018 Drawn By DDG
Date of Revision DDG Checked By DDG

David D. Glaze
PSM #5605

Walter J. Glaze
PSM #6190

LB No. 7078

**NOT VALID UNLESS
IMPRINTED WITH
EMBOSSSED SEAL AND
SIGNED BY SURVEYOR**



PUBLIC RECORDS; TAX MAPS; RECORDED PLAT: SCENIC HILLS COUNTRY CLUB SUBDIVISION (P.B. 4, P. 77), Source of Information: SCENIC HILLS COUNTRY CLUB VILLAS (P.B. 10, P. 83); SURVEYS BY THIS FIRM Measurements made in accordance to United States Standards.

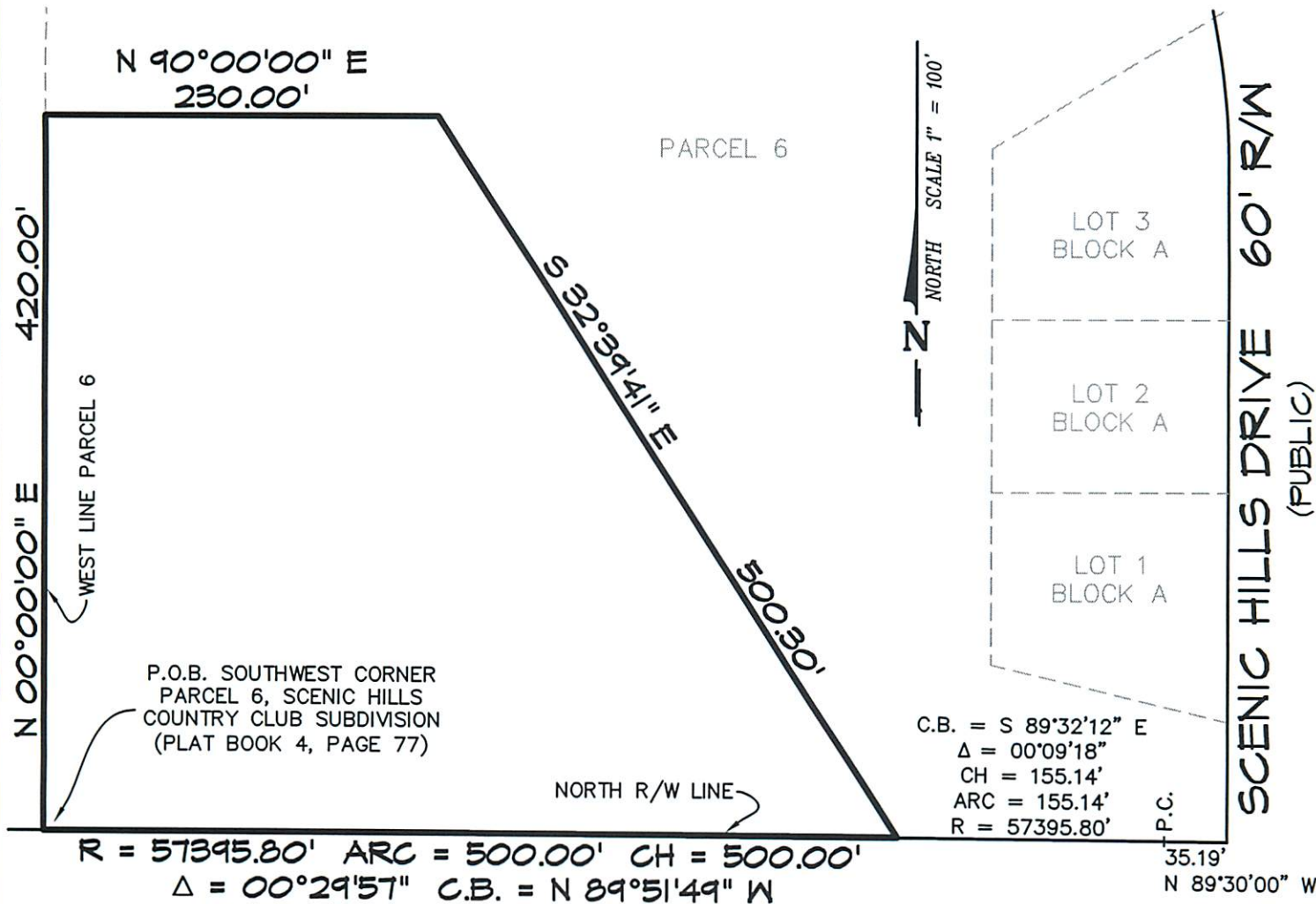
I hereby certify that this survey was made under my responsible charge and meets the Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, 5J-17.051 and 5J-17.052, pursuant to Section 472.027 Florida Statutes.

File No. A-15105 Scale 1"=100'
Job No. 37584-17
FB PG
FB PG
Ordered By MR. DAVID GLAZE
Bearing Reference NORTH BASED ON THE WEST LINE OF PARCEL 6 AS N 00°00'00" W (PLAT CALL)
Encroachments
Date of Survey Elevation Reference
Date of Plat 1-3-2018 Drawn By EMJ
Date of Revision Checked By DDG

LB No. 7073
NOT VALID UNLESS
IMPRINTED WITH
EMBOSSED SEAL AND
SIGNED BY SURVEYOR

David D. Glaze
PSM #5605

Walter J. Glaze
PSM #6190



LEGEND:

R/W Right of way
P.O.B. Point of beginning
P.C. Point of curvature

SURVEYOR'S NOTES:

1. Subject to setbacks, easements and restrictions of record.
2. This sketch is subject to any facts that may be disclosed by a full and accurate title search. No title work performed by this firm.
3. This sketch does not reflect or determine ownership.
4. This drawing only reflects setback lines, which appear on the recorded plat. This property may also be subject to setback lines mandated by zoning ordinances and/or restrictive covenants of record.

LEGAL DESCRIPTION:

A portion of Parcel 6, Scenic Hills Country Club Subdivision, a subdivision of a portion of Sections 5 and 6, Township 1 South, Range 30 West, Escambia County, Florida as recorded in Plat Book 4, page 77 of the public records of said County, more particularly described as follows:

Begin at the southwest corner of said parcel 6; thence North 00 degrees 00'00" East along the west line of said Parcel 6 for a distance of 420.00 feet; thence North 90 degrees 00'00" East for a distance of 230.00 feet; thence South 32 degrees 39'41" East for a distance of 500.30 feet to the north right of way line of Nine Mile Road (State Highway #10, 200' public R/W), said point being on a circular curve concave to the south, having a radius of 57395.80 feet and delta angle of 00 degrees 29'57"; thence Northwesterly along said north right of way line for an arc distance of 500.00 feet (chord bearing of North 89 degrees 51'49" West, chord distance of 500.00 feet) to the point of beginning.

All lying and being in Section 6, Township 1 South, Range 30 West, Escambia County, Florida. Containing 3.52 acres, more or less.

PUBLIC RECORDS; TAX MAPS; RECORDED PLAT: SCENIC HILLS COUNTRY CLUB SUBDIVISION (P.B. 4, P. 77);
Source of Information: SURVEYS BY THIS FIRM
Measurements made in accordance to United States Standards.

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

David D. Glaze
PSM #5605

Walter J. Glaze
PSM #6190

File No. A-15104 Scale 1"=100'
Job No. 37584-17
FB PG
FB PG
Ordered By MR. DAVID GLAZE
Bearing Reference NORTH BASED ON THE WEST LINE OF
PARCEL 6 AS N 00°00'00" W (PLAT CALL STATE OF
FLORIDA)
Encroachments
Date of Survey Elevation Reference
Date of Plat 1-3-2018 Drawn By SURV-PMJ
Date of Revision Checked By DDG

LB No. 7073

NOT VALID UNLESS
IMPRINTED WITH
EMBOSSED SEAL AND
SIGNED BY SURVEYOR



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

INTEROFFICE MEMORANDUM

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

**FROM: Terri V. Malone, AICP, Transportation Planner
Transportation & Traffic Operations Division**

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

DATE: October 24, 2018

RE: Transportation & Traffic Operations (TTO) Comments – Z-2018-17

TTO Staff has reviewed the Rezoning Case (Z)-2018-17, 8891 Burning Tree Road, agenda item for the Planning Board meeting scheduled on November 8, 2018. Please see the below comments.

Burning Tree Road is two lane local road with curb and gutter but no sidewalks. This road is entirely located within the Scenic Hills Country Club Estates. The approximate pavement width in front of the club house is 22 feet. Most of the traffic exits this development at the signalized intersection of Scenic Hills Drive and E. Nine Mile Road. E. Nine Mile Road is a 4-lane divided facility in front of Scenic Hills Country Club Estates.

Currently, there are no on-going or programmed projects on Burning Tree Road showing in the County's Capital Improvement Program (CIP). Likewise, there are no ongoing or programmed projects on the adjacent segment of E. Nine Mile Road in either the County's CIP or the Florida Department of Transportation's five-year work program.

Burning Tree Road is classified as a local roadway and assumed to be functioning within its allowable capacity for traffic volumes. Per the TPO's Congestion Management Process Plan, E. Nine Mile Road is classified as a Principal Arterial with an allowable vehicular capacity of 74,400 (LOS D) and a year 2017 daily volume of 37,500 vehicles.

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

cc: Horace Jones, Development Services Department Director

Joy Jones, P.E., Public Works Department Director
Colby Brown, P.E., Public Works Department Deputy Director
Juan Lemos, CFM, Development Services Department

Planning Board-Rezoning

7. E.

Meeting Date: 11/08/2018

CASE : Z-2018-18

APPLICANT: Kshitij Patel, Agent for Michael and Tammy Matcke, Owners

ADDRESS: 5950 West Nine Mile Road

PROPERTY REF. NO.: 06-1S-31-4402-000-001

FUTURE LAND USE: MU-S, Mixed-Use Suburban

DISTRICT: 1

OVERLAY DISTRICT: AIPD-2

BCC MEETING DATE: 12/06/2018

SUBMISSION DATA:

REQUESTED REZONING:

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

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

RELEVANT AUTHORITY:

(1) Escambia County Comprehensive Plan

(2) Escambia County Land Development Code

(3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)

(4) Resolution 96-34 (Quasi-judicial Proceedings)

(5) Resolution 96-13 (Ex-parte Communications)

APPROVAL CONDITIONS

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

Consistent with Comprehensive Plan

The proposed zoning is consistent with the future land use (FLU) category as prescribed in LDC Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan. If the rezoning is required to properly enact a proposed FLU map amendment transmitted for state agency review, the proposed zoning is consistent with the proposed FLU and conditional to its adoption.

CPP FLU 1.3.1 Future Land Use Categories. The Mixed-Use Suburban (MU-S) Future Land Use (FLU) category is intended for a mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses. Range of Allowable Uses: residential, retail sales & services, professional office, recreational facilities, public and civic, limited agriculture. The maximum

residential density is 25 dwelling units per acre.

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

FINDINGS

The proposed amendment to HDMU is **consistent** with the intent and purpose of Future Land Use category MU-S as stated in CPP FLU 1.3.1. The FLU category allows for a mixture of commercial and residential development. The property is located along Nine Mile Rd, a minor arterial, and currently has a commercial business on the corner of Nine Mile and Beulah as well as a mobile home park. There are several other commercial developments in the area of the proposed zoning. The amendment is also consistent with the intent of FLU 1.5.1, by making use of the existing public roads and the availability of utilities and service infrastructure.

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

Consistent with The Land Development Code

The proposed zoning is consistent with the purpose and intent and with any other zoning establishment provisions prescribed by the proposed district in Chapter 3.

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

(a) Purpose. The Low Density Residential (LDR) district establishes appropriate areas and land use regulations for residential uses at low densities within suburban areas. The primary intent of the district is to provide for large-lot suburban type residential neighborhood development that blends aspects of rural openness with the benefits of urban street connectivity, and at greater density than the Rural Residential district.

Sec. 3-2.6 Low Density Mixed-use district (LDMU).

(a) Purpose. The Low Density Mixed-use (LDMU) district establishes appropriate areas and land use regulations for a complementary mix of low density residential uses and compatible non-residential uses within mostly suburban areas. The primary intent of the district is to provide for a mix of neighborhood-scale retail sales, services and professional offices with greater dwelling unit density and diversity than the Low Density Residential district. Additionally, the LDMU district is intended to rely on a pattern of well-connected streets and provide for the separation of suburban uses from more dense and intense urban uses. Residential uses within the district include most forms of single-family, two-family and multi-family dwellings.

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

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

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

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

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

- a. Any intrusion into a recorded residential subdivision is limited to a corner lot
- b. Access and stormwater management is shared with adjoining uses or properties to the extent practicable.
- c. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use (solid waste dumpsters, truck loading/unloading areas, drive-thru facilities, etc.) furthest from the residential uses.

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

Additionally, that the following conditions exist:

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

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

(a) Purpose. The High Density Mixed-use (HDMU) district establishes appropriate areas and land use regulations for a complimentary mix of high density residential uses and compatible non-residential uses within urban areas. The primary intent of the district is to provide for a mix of neighborhood retail sales, services and professional offices with greater dwelling unit density and diversity than the Low Density Mixed-use district. Additionally, the HDMU district is intended to rely on urban street connectivity and encourage vertical mixes of commercial and residential uses within the same building to accommodate a physical pattern of development characteristic of village main streets and older neighborhood commercial areas. Residential uses within the district include all forms of single-family, two-family and multi-family dwellings.

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

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

- a. Group living, excluding dormitories, fraternity and sorority houses, and residential facilities providing substance abuse treatment, post-incarceration reentry, or similar services.

- b. Manufactured (mobile) homes, including manufactured home subdivisions, but excluding new or expanded manufactured home parks.
- c. Single-family dwellings (other than manufactured homes), detached or attached, including townhouses and zero lot line subdivisions.
- d. Two-family and multi-family dwellings.

See also conditional uses in this district.

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

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

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

See also conditional uses in this district.

(4) Public and civic.

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

See also conditional uses in this district.

(5) Recreation and entertainment.

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

See also conditional uses in this district.

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

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

(8) Other uses. [Reserved]

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

(1) Residential.

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

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

(3) Retail services.

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

(4) Public and civic.

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

(5) Recreation and entertainment.

- a. Amusement arcade centers and bingo facilities.
- b. Golf courses, tennis centers, swimming pools and similar active outdoor recreational facilities, including associated country clubs.
- c. Parks with permanent restrooms or outdoor event lighting.

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

(7) Agricultural and related.

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

(8) Other uses.

- a. Self-storage facilities with a maximum lot area of one acre and outdoor storage limited to operable motor vehicles and boats. No vehicle rental.
- b. Structures of permitted uses exceeding the district structure height limit, excluding telecommunications towers.

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

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

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

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

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

- a. Any intrusion into a recorded residential subdivision is limited to a corner lot
- b. Access and stormwater management is shared with adjoining uses or properties to the extent practicable.
- c. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use, such as solid waste dumpsters and truck loading/unloading areas, furthest from the residential uses.

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

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

Sec. 4-4.5 Airport and airfield planning districts.

(b) Military Airfield Influence Planning Districts. Airfield Influence Planning Districts (AIPDs) are established to provide enhanced protection in support of the continued operation of military airfields for areas that are close enough to those airfields to influence or be influenced by their activities. AIPDs impose additional restrictions on surrounding development that primarily address noise and safety concerns created by flight operations and potential interferences with those operations. If military operations permanently cease at an airfield, the supplemental requirements of its AIPDs will no longer apply to surrounding lands.

(6) AIPD-2 requirements. AIPD-2 is additional areas extended beyond AIPD-1 that is sufficiently close to the airfield to require some protections. AIPD-2 requirements are the same for all airfields. Densities and minimum lot sizes of the underlying zoning districts are not modified by AIPD-2.

FINDINGS

The proposed amendment **is not consistent** with the intent and purpose of the Land Development Code. The primary intent of the HDMU district is to provide for a mix of neighborhood retail sales, services and professional offices with greater dwelling unit

density and diversity than the Low Density Residential district. The HDMU zoning district is also meant to provide transitions between areas zoned or used for medium or high density residential (MDR or HDR zoning) and areas zoned or used for commercial. The subject property is surrounded by Commercial (Com) zoned property to the east and LDR zoned property to the west. There is no MDR or HDR zoning in the surrounding area therefore HDMU would not provide the transition between the LDR and Com zoned property in the area.

Now a more suitable designation for the subject property may be LDMU. The primary intent of the LDMU district is to provide for a mix of neighborhood-scale retail sales, services and professional offices with greater dwelling unit density and diversity than the Low Density Residential district. A rezoning to HDMU would result in the maximum density of 25 dwelling units per acre, where as LDMU would result in a density of 7 dwelling units per acre. The LDMU district establishes appropriate areas and land use regulations for a complementary mix of low density residential uses and compatible non-residential uses within mostly suburban areas. Additionally, the LDMU district is intended to rely on a pattern of well-connected streets and provide for the separation of suburban uses from more dense and intense urban uses. A rezoning to LDMU may provide the transition between the Com zoned property to the east and the LDR zoned property to the west. The rezoning also appears to meet the location criteria of the HDMU zoning district as the subject property is within 600 feet of a traffic generator (Beulah Middle School). The rezoning is not influenced by AIPD-2 regulations. Now

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

Compatible with surrounding uses

All the permitted uses of the proposed zoning, not just those anticipated by the rezoning applicant, are compatible, as defined in Chapter 6, with the surrounding uses. The uses of any surrounding undeveloped land shall be considered the permitted uses of the applicable district. Compatibility is not considered with potential conditional uses or with any nonconforming or unapproved uses. Also, in establishing the compatibility of a residential use, there is no additional burden to demonstrate the compatibility of specific residents or activities protected by fair housing law.

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500 radius impact area, staff observed properties with zoning districts LDR, Com and HC/LI (Heavy Commercial/Light Industrial). The new Beulah Middle School, a storage facility, retail sales, an animal hospital, and vacant commercial property were found in the area. The subject property is single-family residential. A trailer park is located directly east of the site. A vacant residential lot and a single-family dwelling is located to the west.

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

Appropriate if spot zoning

Where the proposed zoning would establish or reinforce a condition of spot zoning as defined in Chapter 6, the isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The extent of these mitigating characteristics or conditions demonstrates an appropriate site specific balancing of interests between the isolated district and adjoining lands.

As per LDC Chapter 6, Spot Zoning is: *Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or “spot” zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly development.*

FINDINGS

The proposed rezoning to HDMU or LDMU, as specified in Criterion B above to be a more suitable zoning, **would both result in an isolated zoning** district as indicated in the existing zoning map. However, LDMU zoning designation could provide a better transition between the Commercial zoned property to the east and LDR zoned property to the west. Note rezoning case Z-2018-05 that was approved on 06/07/2018. This property is abutting the subject parcel and was zoned HDMU and approved to Com. See attached Exhibit A.

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

Appropriate with changed or changing conditions

If the land uses or development conditions within the area surrounding the property of rezoning have changed, the changes are to such a degree and character that it is in the public interest to allow new uses, density, or intensity in the area through rezoning; and the permitted uses of the proposed district are appropriate and not premature for the area or likely to create or contribute to sprawl.

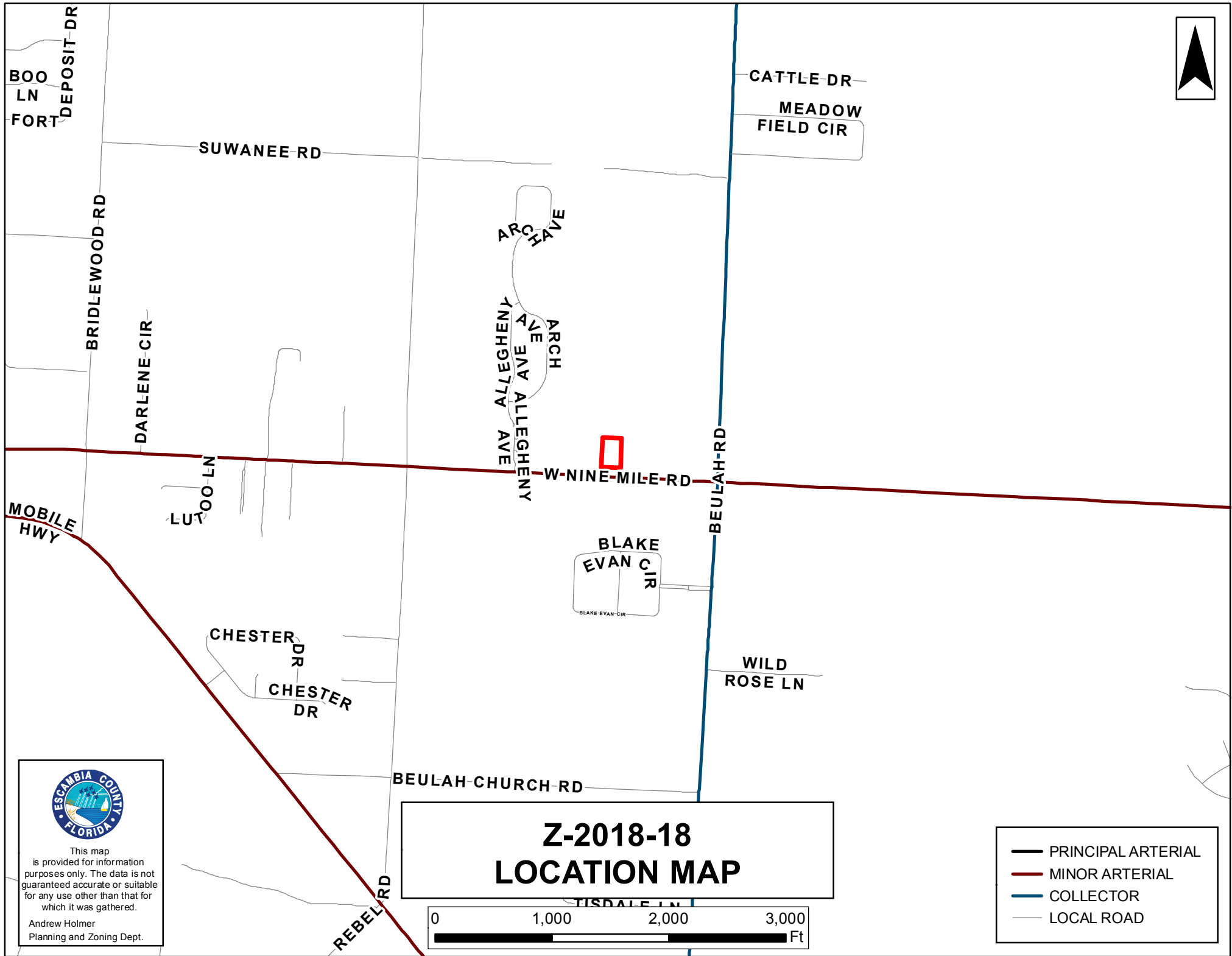
FINDINGS


The land uses or development conditions within the area surrounding the property of rezoning **have changed**. The area along Nine Mile Rd is growing with the additions to Navy Federal, upcoming subdivisions, a new middle school and improvements to Nine Mile Rd. Several rezonings have been requested in the area. See attached Exhibit A for rezoning cases in the surrounding area.

Attachments

Working Case File

Z-2018-18

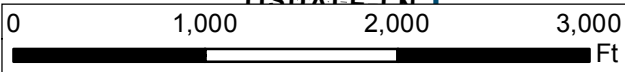




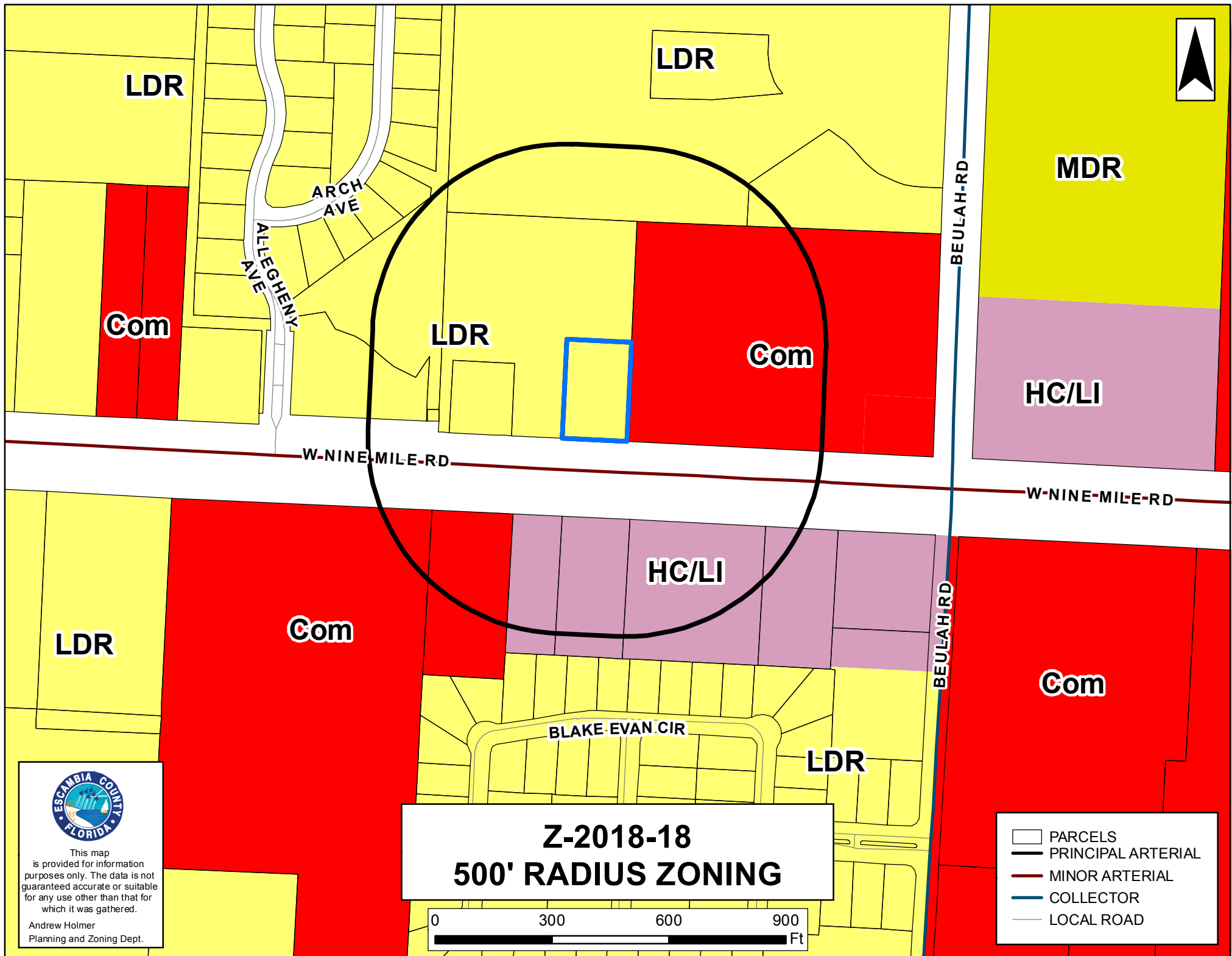
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

**Z-2018-18
LOCATION MAP**

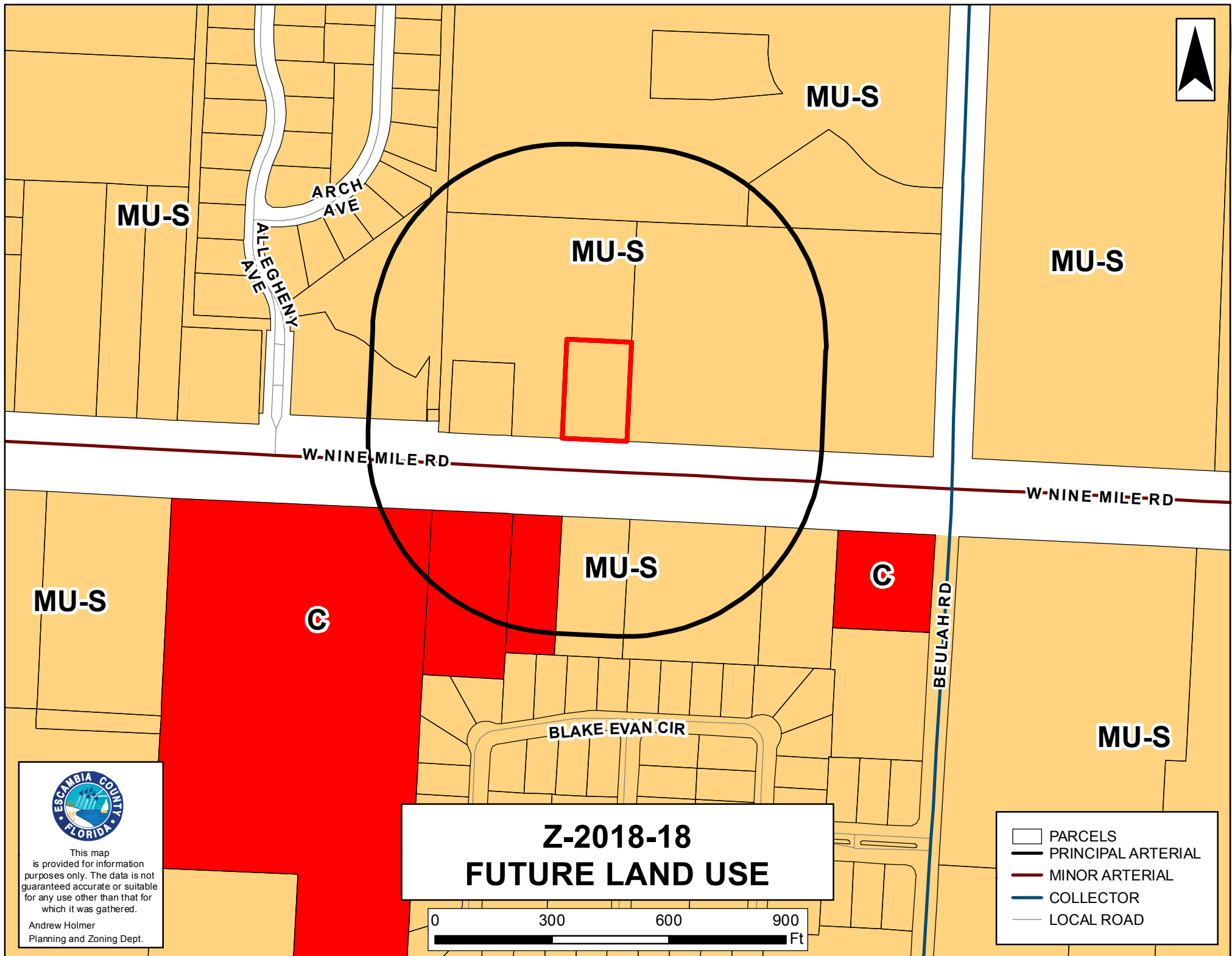


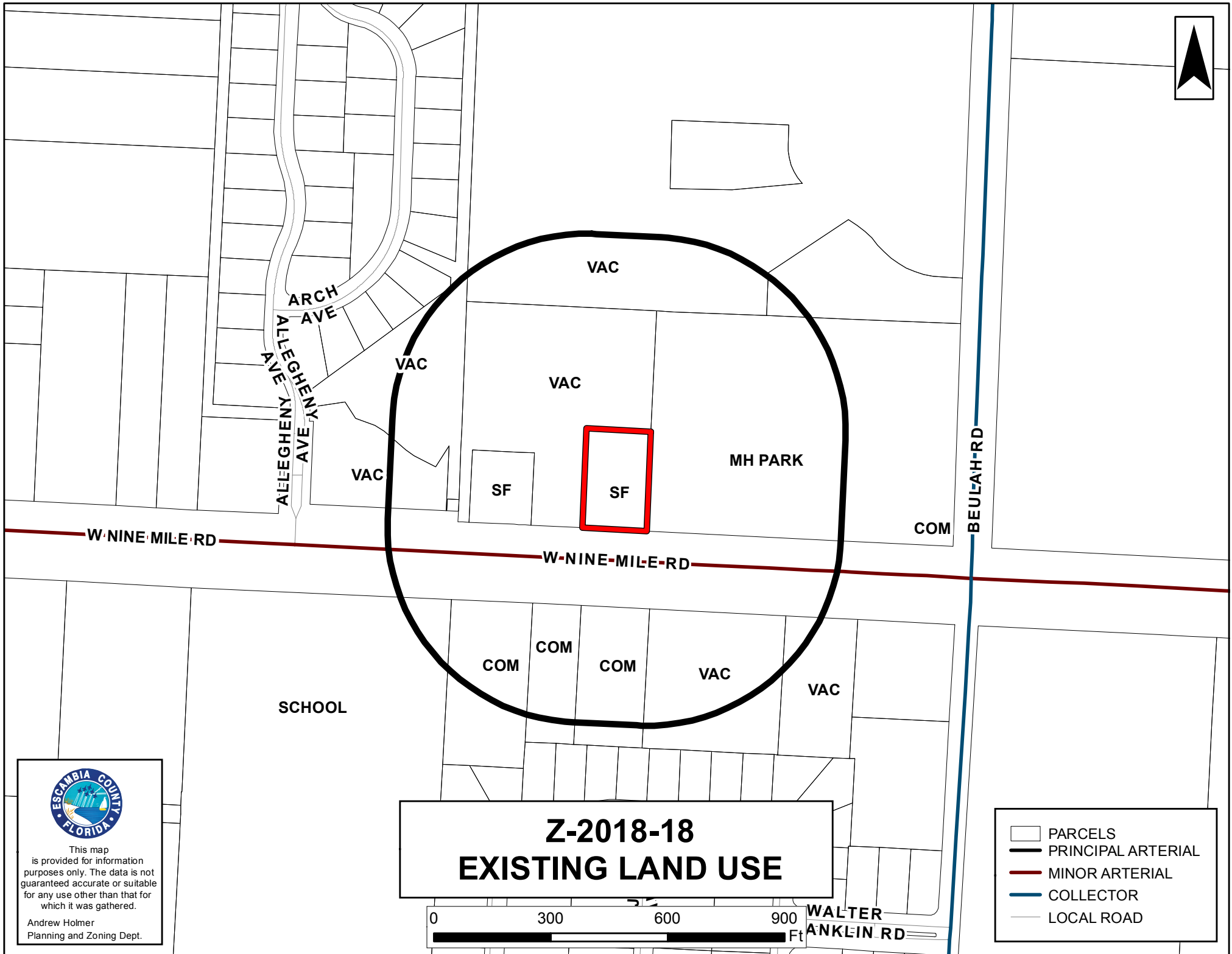
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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.







W NINE MILE RD



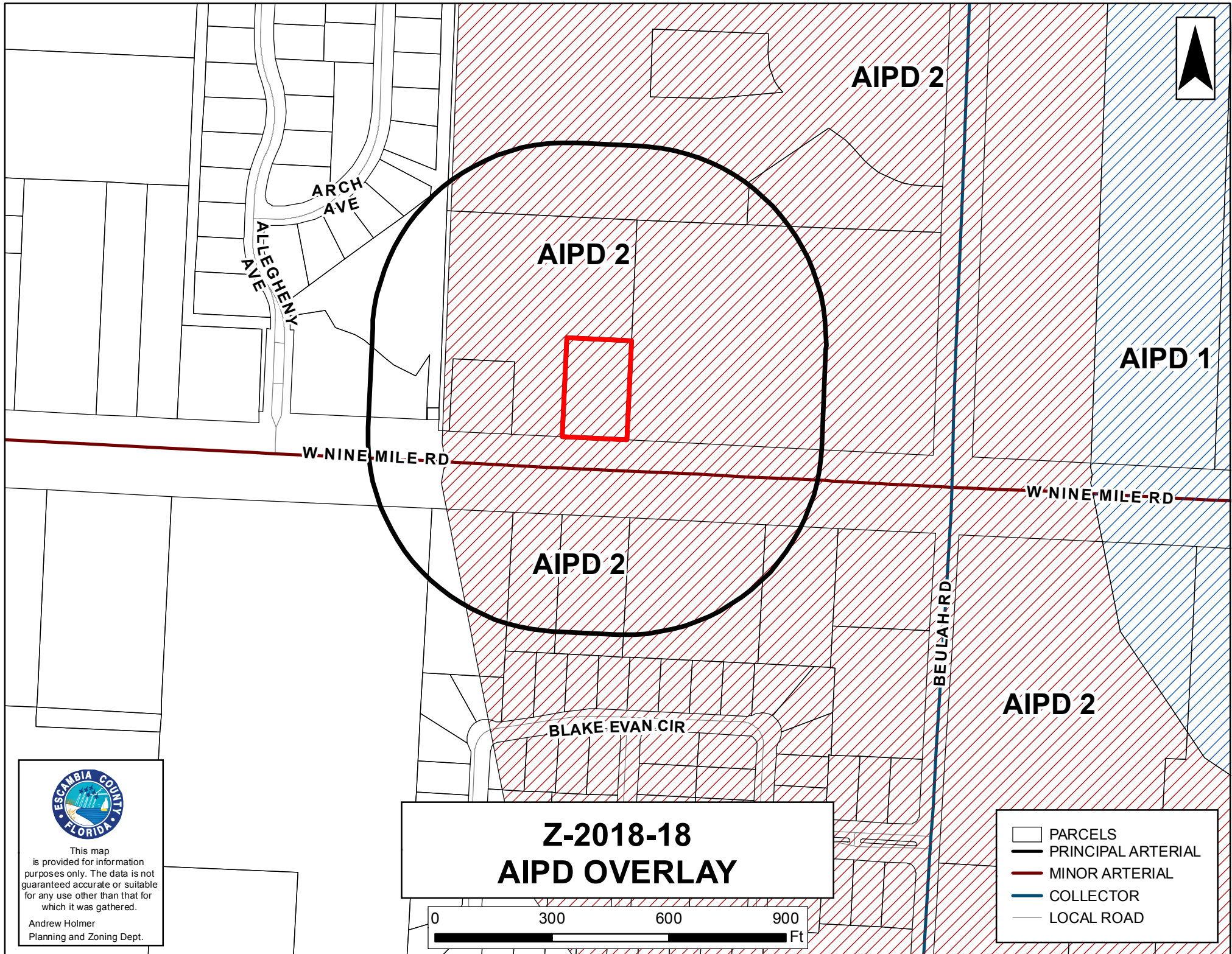
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2018-18 AERIAL MAP

0 100 200 300
Ft

- 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.

EXHIBIT A: REZONINGS WITHIN 500 FT RADIUS

ALLEGHENY AVE

ARCH AVE

Z-2003-20
REMANDED
2003-08/07/2003
RR to R-1
WITHDRAWN

Z-2005-65
APPROVED
2005-01/05/2006
RR to V-2
APPROVED

Z-2018-05
APPROVED
2018-06/07/2018
HDMU to Com

ALLEGHENY AVE

BEULAH RD

W NINE MILE RD

Z-2001-50
APPROVED
2002-07/02/2002
R-1 to ID-CP
REMANDED TWICE BY BCC ALSO SEE Z-2000-40

Z-2000-40
APPROVED
2000-11/02/2000
R-1 to C-1

Z-2006-72
2006-09/25/2006
R-1 to C-2
WITHDRAWN



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: 10/25/2018

1 inch = 200.19 feet





NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2018-18

CURRENT ZONING: LDR PROPOSED ZONING: HDMU

PLANNING BOARD

DATE: 11/08/18 TIME: 8:30 AM

LOCATION OF HEARING

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

BOARD OF COUNTY COMMISSIONERS

DATE: 12/06/18 TIME: 5:45 PM

LOCATION OF HEARING

ERNIE LEE MAGAHA GOVERNMENT BLDG
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES AT 595-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

PUBLIC HEARING SIGN



LOOKING NORTH ONTO SUBJECT PROPERTY



LOOKING EAST ALONG NINE MILE RD



LOOKING WEST ALONG NINE MILE RD



LOOKING SOUTH FROM SUBJECT PROPERTY



LOOKING SOUTH ACROSS NINE MILE RD



Escambia County Planning and Zoning

Development Services Department

3363 West Park Place

Pensacola, FL 32505

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

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

Rezoning Application

FOR OFFICE USE ONLY - Case Number: 2-2018-18 Accepted by: CGM PB Meeting: 11/13/2018

1. Contact Information:

A. Property Owner/ Applicant: MATCKE MICHAEL R & MATCKE TAMMY W

Mailing Address: 5950 W NINE MILE RD PENSACOLA, FL 32526

Business Phone: _____ Cell: 850-377-2636 850-698-8753

Email: mmatcke@gmail.com whynet67@gmail.com

B. Authorized Agent (if applicable): KSHITIJ PATEL

Mailing Address: 8822 SALT GRASS PR. PENSACOLA, FL 32526

Business Phone: 908-209-0707 Cell: _____

Email: xitijspatel@gmail.com mxp1014@gmail.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: 5950 W NINE MILE RD PENSACOLA, FL 32526

Parcel ID (s): 061S314402000001

B. Total acreage of the subject property: .97

C. Existing Zoning: LDR

Proposed Zoning: HDMU; explain why necessary and/or appropriate

Changing zoning to become consistent with surrounding commercial development.

FLU Category: MU-S

D. Is the subject property developed (if yes, explain): Existing Residential Home

E Sanitary Sewer: _____ Septic: ☒

3. Amendment Request

Approval conditions. The applicant has the burden of presenting competent substantial evidence to the reviewing board establishing that the requested zoning district would contribute to or result in a logical and orderly development pattern. The appropriate surrounding area within which uses and conditions must be considered may vary with those uses and conditions and is not necessarily the same area required for mailed notification. A logical and orderly pattern shall require demonstration of each of the following conditions:

Please address ALL the following approval conditions for your rezoning request. (use supplement sheets as needed)

- a. Consistent with Comprehensive Plan. The proposed zoning is consistent with the future land use (FLU) category as prescribed in LDC Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan. If the rezoning is required to properly enact a proposed FLU map amendment transmitted for state agency review, the proposed zoning is consistent with the proposed FLU and conditional to its adoption.

This zoning request is consistent with the existing FLU of MU-S.

- b. Consistent with zoning district provisions. The proposed zoning is consistent with the purpose and intent and with any other zoning establishment provisions prescribed by the proposed district in Chapter 3

HDMU request is consistent with zoning establishment provisions.

- c. Compatible with surroundings. All of the permitted uses of the proposed zoning, not just those anticipated by the rezoning applicant, are compatible, as defined in Chapter 6, with the surrounding uses. The uses of any surrounding undeveloped land shall be considered the permitted uses of the applicable district. Compatibility is not considered with potential conditional uses or with any nonconforming or unapproved uses. Also, in establishing the compatibility of a residential use, there is no additional burden to demonstrate the compatibility of specific residents or activities protected by fair housing law.

Adjacent lot is currently HDMU (reference number : 061S314402000000)
Parcels located directly across the street are HCLI (reference number :
071S311101001004).

- d. Appropriate if spot zoning. Where the proposed zoning would establish or reinforce a condition of spot zoning as defined in Chapter 6, the isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The extent of these mitigating characteristics or conditions demonstrates an appropriate site-specific balancing of interests between the isolated district and adjoining lands.

As per LDC Chapter 6, Spot Zoning is: Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or "spot" zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly development

Property is not applicable for spot zoning as it is located in a commercial and mixed use corridor.

- e. Appropriate with changed or changing conditions. If the land uses or development conditions within the area surrounding the property of rezoning have changed, the changes are to such a degree and character that it is in the public interest to allow new uses, density, or intensity in the area through rezoning; and the permitted uses of the proposed district are appropriate and not premature for the area or likely to create or contribute to sprawl.

New HDMU zoning to complement existing commercial sprawl.

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

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 061S314402000001

Property Address: 5950 W NINE MILE RD PENSACOLA, FL 32526

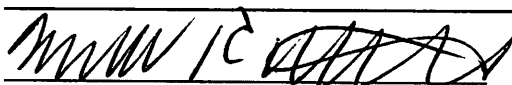
I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual density and intensity proposed in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

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

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

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

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 18th DAY OF September, YEAR OF 2018



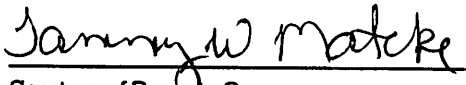
Signature of Property Owner

Michael R Matcke

Printed Name of Property Owner

9/18/2018

Date



Signature of Property Owner

Tammy W Matcke

Printed Name of Property Owner

9-18-18

Date

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

As owner of the property located at 5950 W NINE MILE RD
PENSACOLA, Florida, property reference number(s) 06A531440200 0001
I hereby designate KSHITIJ PATEL
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 19 day of SEP
the year of, 2018, 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: KSHITIJ PATEL Email: XitijSpatel@gmail.com
Address: 8822 SALT GRASS PR. PENSACOLA, FL Phone: 908-209-0707

[Signature]

Michael R. Matche

9/19/18

Signature of Property Owner

Printed Name of Property Owner

Date

Tammy W Matche

Tammy W. Matche

9-19-18

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF Florida COUNTY OF Escambia
The foregoing instrument was acknowledged before me this 19th day of Sept 20 18,
by Michael Matche

Personally Known ☐ OR Produced Identification ☒. Type of Identification Produced: FL Driver License

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/ds/planning-board> or contact us at 595-3547

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

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

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

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

By my signature, I hereby certify that:

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

Sammy W. Matchke
Signature of Owner/Agent

Sammy W. Matchke
Signature of Owner

MICHAEL P. MATCHKE
Printed Name Owner/Agent

Sammy W. Matchke
Printed Name of Owner

9/18/2018
Date

9-18-18
Date

STATE OF FLORIDA COUNTY OF ESCAMBIA The foregoing instrument was acknowledged before me this 18th day of Sept 20 18, by Michael Ray Matchke.

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

[Signature]
Signature of Notary

Printed Name JOSHUA JOHNSON (Notary Seal)
Commission # GG 95126
My Commission Expires April 18, 2021

Recorded in Public Records 08/29/2013 at 03:13 PM OR Book 7068 Page 383,
Instrument #2013065719, Pam Childers Clerk of the Circuit Court Escambia
County, FL Recording \$18.50 Deed Stamps \$0.70

A298-10
R298-04

QUITCLAIM DEED

THIS QUITCLAIM DEED, Executed this 29 day of August, 2013 (year),

by first party, Grantor, Tammy W Mateke

whose post office address is 5950 W Nine Mile Rd
Pensacola FL 32526

to second party, Grantee, Tammy and Michael Mateke

whose post office address is 5950 W Nine Mile Rd
Pensacola FL 32526

WITNESSETH, That the said first party, for good consideration and for the sum of
Ten Dollars (\$ 10.00) paid by the said second
party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim
unto the said second party forever, all the right, title, interest and claim which the said first party
has in and to the following described parcel of land, and improvements and appurtenances there-
to in the County of Escambia, State of Florida to wit:

BEG AT SE COR OF SEC S 89 DEG 45 MIN 19 SEC W ALG S LI 1189 72/100 FT N 0 DEG 34 MIN 9
SEC W 87 94/100 FT TO NLY R/W LI NINE MILE RD (200 FT R/W) N 83 DEG 41 MIN 7 SEC E ALG
NLY R/W 27 92/100 FT N 89 DEG 50 MIN 37 SEC E 175 09/100 FT FOR POB N 0 DEG 34 MIN 9
SEC W 255 01/100 FT N 89 DEG 50 MIN 37 SEC E 165 FT S 0 DEG 34 MIN 9 SEC E 255 01/100 FT
TO NLY R/W S 89 DEG 50 MIN 37 SEC W 165 FT TO POB OR 359 P 149 OR 636 P 912 OR 1023 P
775 OR 2359 P 649 OR 5975 P 1456 OR 6563 P 283

ZBHH (1)

Rev. 4/99

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.



BK: 7068 PG: 384 Last Page

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Kyandra S. Matthews
Signature of Witness

Kyandra L. Matthews
Print name of Witness

Chris Olesky
Signature of Witness

Chris Olesky
Print name of Witness

Tammy W Matche
Signature of First Party

Tammy W Matche
Print name of First Party

MICHAEL P. MATCHE
Signature of First Party

MICHAEL P. MATCHE
Print name of First Party

State of Florida)
County of Escambia

On August 29, 2013 before me, Dawn O'Brien
appeared Michael P. Matche

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Dawn O'Brien
Signature of Notary

Dawn O'Brien
Notary Public-State of FL
Comm. Exp. July 10, 2017
Comm. No. FF 9829

Affiant Known Reduced ID
Type of ID FLDL M 320-55660-244-D
exp. 7-1-2019 (Seal)

State of Florida)
County of Escambia

On August 29, 2013 before me, Dawn O'Brien
appeared Tammy W. Matche

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Dawn O'Brien
Signature of Notary

Dawn O'Brien
Notary Public-State of FL
Comm. Exp. July 10, 2017
Comm. No. FF 9829

Affiant Known Reduced ID
Type of ID FLDL M 320-819-67-648-0
exp. 4-28-22 (Seal)

Tammy Matche
Signature of Preparer

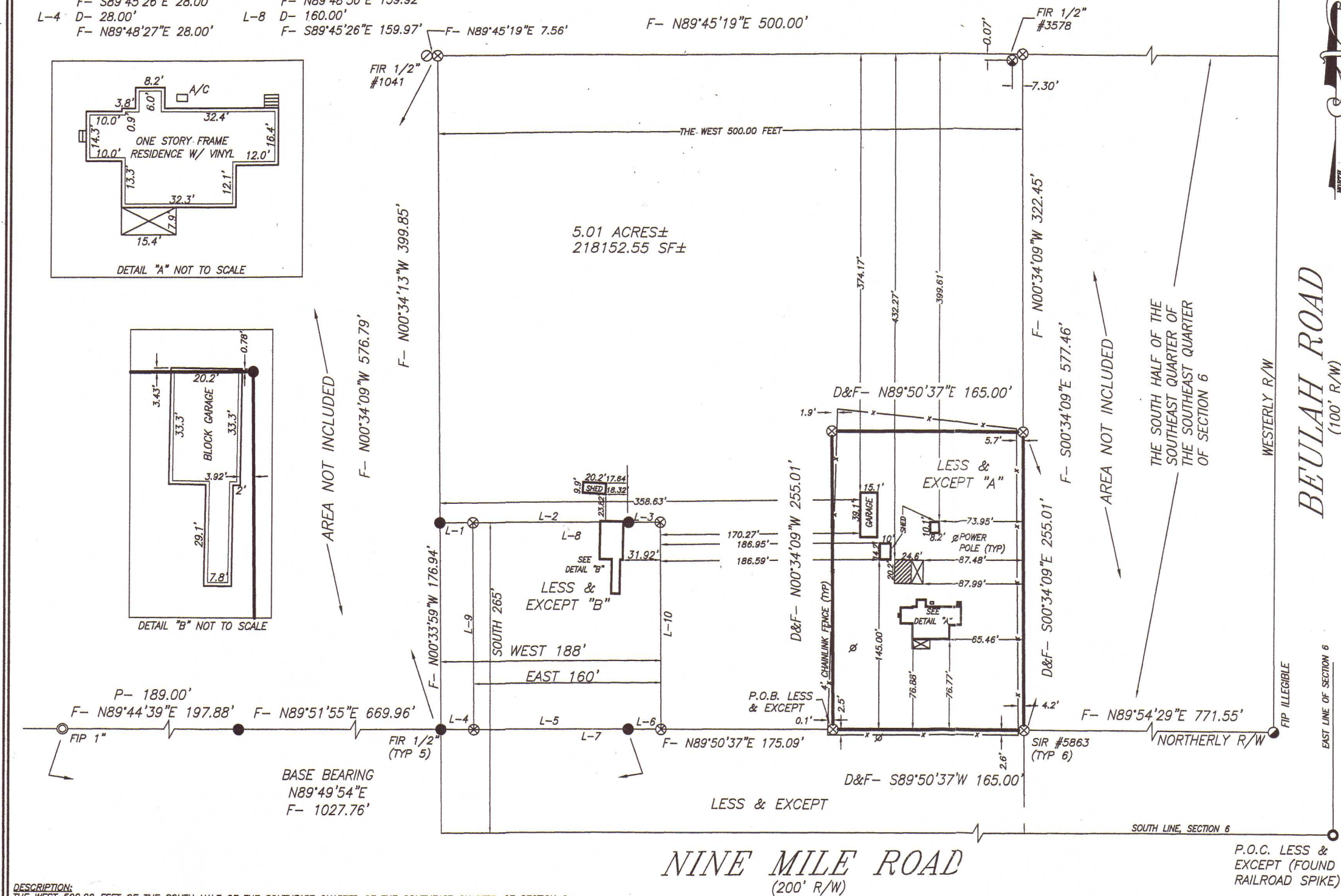
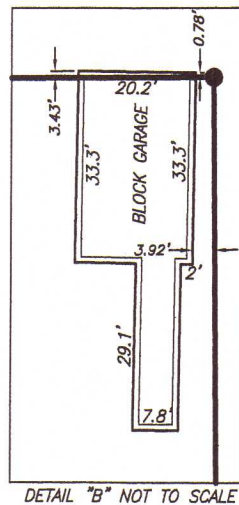
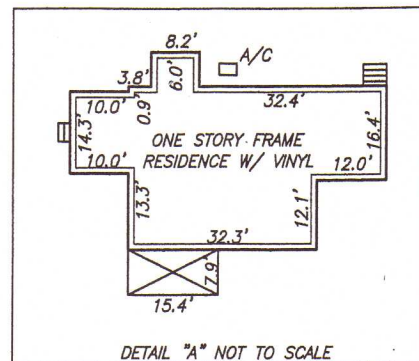
Tammy Matche
Print Name of Preparer

5950 W 9 mile Rd Pensacola FL
Address of Preparer 32506

(2)

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.

L-1	D- 28.00'	L-5	F- N89°48'27"W 131.91'	L-9	F- N00°33'59"W 176.97'
	F- S89°45'26"W 28.00'	L-6	D- 28.00'	L-10	F- N00°32'56"E 177.12'
L-2	F- S83°45'26"W 131.97'		F- N89°50'37"E 28.00'		
L-3	D- 28.00'	L-7	D- 160.00'		
	F- S89°45'26"E 28.00'		F- N89°48'50"E 159.92'		
L-4	D- 28.00'	L-8	D- 160.00'		
	F- N89°48'27"E 28.00'		F- S89°45'26"E 159.97'		F- N89°45'19"E 7.56'



THE WEST 500.00 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, LESS STATE ROAD RIGHT-OF-WAY ALONG THE SOUTH SIDE.

ALSO LESS & EXCEPT: "A"
BEGIN AT THE SOUTHEAST CORNER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, THENCE GO SOUTH 89°45'19" WEST ALONG THE SOUTH LINE OF SECTION 6 FOR A DISTANCE OF 1189.72 FEET; THENCE GO NORTH 00°34'09" WEST FOR A DISTANCE OF 87.94 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF NINE MILE ROAD (200' R/W); THENCE GO NORTH 89°41'07" EAST ALONG SAID NORTHERLY R/W FOR A DISTANCE OF 27.92 FEET; THENCE GO NORTH 89°50'37" EAST FOR A DISTANCE OF 175.09 FEET FOR THE POINT OF BEGINNING; THENCE GO NORTH 00°34'09" WEST FOR A DISTANCE OF 255.01 FEET; THENCE GO NORTH 89°50'37" EAST FOR A DISTANCE OF 165.00 FEET; THENCE GO SOUTH 00°34'09" EAST FOR A DISTANCE OF 255.01 FEET TO SAID NORTHERLY R/W; THENCE GO SOUTH 89°50'37" WEST FOR A DISTANCE OF 165.00 FEET TO THE POINT OF BEGINNING.

ALSO LESS & EXCEPT: "B"
THE SOUTH 265.00' OF THE EAST 160 FEET OF THE WEST 188.0 FEET OF THE WEST 500.00 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA.

CERTIFY TO:
JOSEPH DHAITI
EMERALD COAST TITLE, INC.
ATTORNEYS' TITLE INSURANCE FUND



L.E. SHONTZ
AND ASSOCIATES, INC.

LAND SURVEYING AND LAND PLANNING
98 EAST GARDEN STREET OFFICE: (850) 470-0533
PENSACOLA, FLORIDA 32501 FAX: (850) 438-0015
WWW.SHORTZSURVEYING.COM

REQUESTED BY: FRANKIE FIGUEROA DRAWING NO.: 05-10198E

NOTES:

- THIS SURVEY WAS PREPARED FOR THE CLIENT SHOWN AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT PRIOR WRITTEN CONSENT FROM THIS SURVEYOR.
- ALL MEASUREMENTS WERE MADE ACCORDING TO UNITED STATES STANDARD FOOT.
- ENCROACHMENTS AS SHOWN HEREON ARE ONLY THOSE ABOVE GROUND VISIBLE OBJECTS OBSERVED BY THE UNDERSIGNING SURVEYOR.
- THE DIMENSIONS OF THE BUILDING AS SHOWN HEREON DO NOT INCLUDE THE EAVE OVERHANG OR THE FOOTING OF THE FOUNDATION.
- NO TITLE SEARCH WAS PROVIDED TO, NOR PERFORMED BY, L.E. SHONTZ AND ASSOCIATES, INC., FOR THE SUBJECT PROPERTY AS THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS OF WAY, STATE AND/OR FEDERAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF SUBJECT PROPERTY.
- ALL DISTANCES, BEARINGS AND ANGLES ARE AS FIELD MEASURED, DEED OR PLATTED MEASUREMENTS ARE AS NOTED.
- THE CERTIFICATIONS AS PROVIDED ON THIS SURVEY ARE A STATEMENT OF PROFESSIONAL OPINION BASED ON THE FIELD & DOCUMENTARY EVIDENCE AVAILABLE AT THE TIME OF THIS SURVEY.
- OWNERSHIP OF FENCES UNKNOWN TO THIS SURVEYOR.
- DO NOT USE HOUSE TIES TO RECONSTRUCT DEED LINES.

FIP = FOUND IRON PIPE	Δ = CENTRAL ANGLE	° = DEGREES
FIR = FOUND IRON ROD	R = RADIUS	' = MINUTES
SIR = SET IRON ROD 5/8"	L = ARC LENGTH	" = SECONDS
FCM = FOUND CONCRETE MONUMENT	CD = CHORD DISTANCE	T/B = TOP OF BANK
SCM = SET CONCRETE MONUMENT	CB = CHORD BEARING	CALC = CALCULATED
D = DEED	EL = ELEVATION	BSL = BUILDING SETBACK
P = PLAT	FFL = FINISHED FLOOR ELEVATION	LINE
F = FIELD	A/C = AIR CONDITIONER	PRC = POINT OF REVERSE
CONC. = CONCRETE	R/W = RIGHT-OF-WAY	CURVATURE
POC = POINT OF COMMENCEMENT	C/L = CENTERLINE	PCC = POINT OF
POB = POINT OF BEGINNING	PCP = PERMANENT CONTROL POINT	COMPOUND
PI = POINT OF INTERSECTION	PRM = PERMANENT REFERENCE MONUMENT	CURVATURE
PT = POINT OF TANGENCY	PC = POINT OF CURVATURE	(TYP) = TYPICAL

FLOOD STATEMENT:

ZONE: "X" BASE FLOOD ELEVATION: N/A

PANEL NUMBER: 120080-0270-F AS DATED: 2-23-2000

NOTE: THIS DETERMINATION IS BASED ON THE FLOOD INSURANCE RATE MAP. THIS DETERMINATION DOES NOT IMPLY THAT THE REFERENCED PROPERTY WILL OR WILL NOT BE FREE FROM FLOODING OR DAMAGE. A PROPERTY NOT IN A SPECIAL FLOOD HAZARD AREA MAY BE DAMAGED BY A FLOOD GREATER THAN THAT PREDICTED ON THE FIRM MAP OR FROM A DRAINAGE PROBLEM NOT SHOWN ON THE FLOOD MAP.

SCALE: 1"=100'		FIELD DATE	FIELD BOOK	PAGE
BOUNDARY	DRAFTED BY DHK	01-31-05	217	23-24
SITE PLAN				
FOUNDATION				
FINAL				

ADDRESS	5950 NINE MILE ROAD
---------	---------------------

REVISIONS		
DATE		INITIALS
3-22-05	REVISED DRAWING AND DESCRIPTION	DHK
4-20-05	REVISED DRAWING AND DESCRIPTION	JN
4-26-05	REVISED DESCRIPTION	JN

SECTION 6 TOWNSHIP 1-S RANGE 31-W COUNTY ESC
N89°49'54"E, ALONG THE NORTHERLY
BASIS OF BEARING: R/W LINE OF NINE MILE ROAD

THIS SURVEY IS
NOT VALID
WITHOUT THE
ORIGINAL RAISED
SEAL &
SIGNATURE OF A
FLORIDA
LICENSED
SURVEYOR

I HEREBY CERTIFY THAT THE SURVEY AS SHOWN
HEREON MEETS THE MINIMUM TECHNICAL
STANDARDS AS SET FORTH IN CHAPTER
61G17-6, FLORIDA ADMINISTRATIVE CODE,
PURSUANT TO SECTION 427.027, FLORIDA
STATUTES

L. E. SHONTZ AND ASSOCIATES, INC.
98 EAST GARDEN STREET PENSACOLA FLORIDA
LE-874-2705
L. E. SHONTZ, PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NUMBER 5683 L.B. NUMBER 7166
STATE OF FLORIDA

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

INTEROFFICE MEMORANDUM



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

**FROM: Terri V. Malone, AICP, Transportation Planner
Transportation & Traffic Operations Division**

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

DATE: October 24, 2018

RE: Transportation & Traffic Operations (TTO) Comments – Z-2018-18

TTO Staff has reviewed the Rezoning Case (Z)-2018-18, 5950 W. Nine Mile Road (SR 10), agenda item for the Planning Board meeting scheduled on November 8, 2018. Please see the below comments.

Currently, this section of W. Nine Mile Road is a two lane facility with paved shoulders but no curb and gutter or sidewalks. The approximate pavement width in front of the property is 32 feet with two 12-foot travel lanes and 4-foot shoulders. The posted speed is 55 MPH.

Currently, there are no on-going or programmed projects on W. Nine Mile Road showing in the County's Capital Improvement Program (CIP). Likewise, this section of the State Route 10 shows no ongoing or programmed projects in the Florida Department of Transportation's five-year work program.

Per the TPO's Congestion Management Process Plan, this section of W. Nine Mile Road is classified as a minor arterial with an allowable vehicular capacity of 17,300 (LOS C) and a year 2017 daily volume of 4,900 vehicles.

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

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

RE: Z-2018-18

Terri V. Malone

Mon 10/22/2018 8:32 AM

To: Caleb G. MacCartee <cgmaccartee@myescambia.com>;

Cc: David V. Forte <DVFORTE@myescambia.com>;

Good Morning Caleb,

Just wanted to respond to your question regarding Beulah Middle School. David and I discussed it and with 600 daily trips as the trip generator threshold, Beulah middle school should be considered a generator. The school has a capacity of around 1,200 students and with the corresponding trip generation rate of 1.62 trip per day, it could produce 1,944 trips.

Regards,

Terri V. Malone, AICP

Engineering Program Coordinator



Escambia County

Public Works – Transportation & Traffic Operations

3363 Park Place, Pensacola, FL 32505

Work (850) 595-3425 Mobile (850) 490-0915

From: David V. Forte**Sent:** Thursday, October 18, 2018 2:42 PM**To:** Terri V. Malone <TVMALONE@myescambia.com>**Cc:** Caleb G. MacCartee <cgmaccartee@myescambia.com>**Subject:** Fwd: Z-2018-18

Terri,

Please review.

Sent from my iPhone

Begin forwarded message:

From: "Caleb G. MacCartee" <cgmaccartee@myescambia.com>**To:** "David V. Forte" <DVFORTE@myescambia.com>**Cc:** "Horace L Jones" <HLJONES@myescambia.com>, "Allyson Cain" <MACAIN@myescambia.com>**Subject:** Z-2018-18

David,

A rezoning request is under review at 5950 W Nine Mile Rd. The applicant is asking to go from LDR to HDMU zoning. See attached.

Question:

Would the new Beulah Middle School be considered a "traffic generator of more than 600 daily trip"? I do not believe any other location criteria can be met at this time except this one and the applicant has not provided any additional documents. See below excerpt from the LDC concerning location criteria:

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

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

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

- (3) Infill development. Along an arterial or collector street, in an area where already established non-residential uses are otherwise consistent with the HDMU district, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.
- (4) Site design. Along an arterial street and at the intersection with a local street that serves to connect the arterial street to another arterial, and all of the following site design conditions:
- a. Any intrusion into a recorded residential subdivision is limited to a corner lot
 - b. Access and stormwater management is shared with adjoining uses or properties to the extent practicable.

Any additional comments from Traffic Engineering are welcome.

Thanks in advance,

Caleb G. MacCartee

Urban Planner II

Development Services Department

Escambia County BCC

3363 West Park Place, Pensacola, FL 32505

(850) 595-3475 Main

(850) 595-3557 Fax

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address release in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

This verification relates to zoning for the specified property and is provided for information purposes only. This email does not imply or confer development rights for any desired use or activity on the specified parcel. Prior to the issuance of any permits, the applicant must submit a complete application to the County and must comply with all other applicable State and Local Regulations.



BOARD OF COUNTY COMMISSIONERS

Escambia County, Florida

Planning Board-Rezoning

7. F.

Meeting Date: 11/08/2018

Issue: A Public Hearing Concerning Vested Rights Determination

Organization: Development Services

RECOMMENDATION:

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

Case No.:	VRD-2018-01
Project Address:	3411 John Street
Property Reference No.:	16-2S-30-1001-330-004
Zoning District:	HDMU, High Density Mixed-use district (25 du/acre)
FLU Category:	MU-U, Mixed-Use Urban
Vested Rights for:	Allow a MH in HDMU zoning
Applicant:	Tanaya Rosa, Agent for Keith L. Davis, Owner

BACKGROUND:

In 2011, the applicant applied for and was granted a rezoning from R-4 to R-5 , which is now HDMU zoning for the parcel located at 3411 John Street. The parcel is within the Englewood Overlay and during the rezoning meeting in 2011, the Community and Redevelopment Agency (CRA) stated, "The CRA does not support an increase in high density residential, R-5, as it allows for more intense development..". This issue was noted at the Planning Board, who made a unanimous vote to recommend approval to the Board of County Commissioners (BCC), who in turn the approved the rezoning. Following the approval of the rezoning, the applicant had severe medical issues and was not able to go forward with placing a mobile home on the lot, but has since purchased a mobile home for the lot. HDMU allows for mobile homes, although there is a prohibition within the Englewood Overlay as specified in the LDC in affect as of April 15, 2015.

CRITERIA FOR VESTED RIGHTS:

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

CRITERION 1:

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

FINDINGS:

The property in question received a approval of a rezoning to R-5 (now HDMU) by the BCC in 2011 with discussions of the placement of a mobile home. The rezoning allowed any and all permitted uses in that district to be developed. The owner was of the understanding that the approval of the rezoning allowed the placement of a mobile home on site and was with good intentions was in the process until he had serious medical issues that prevented him from moving forward.

CRITERION 2:

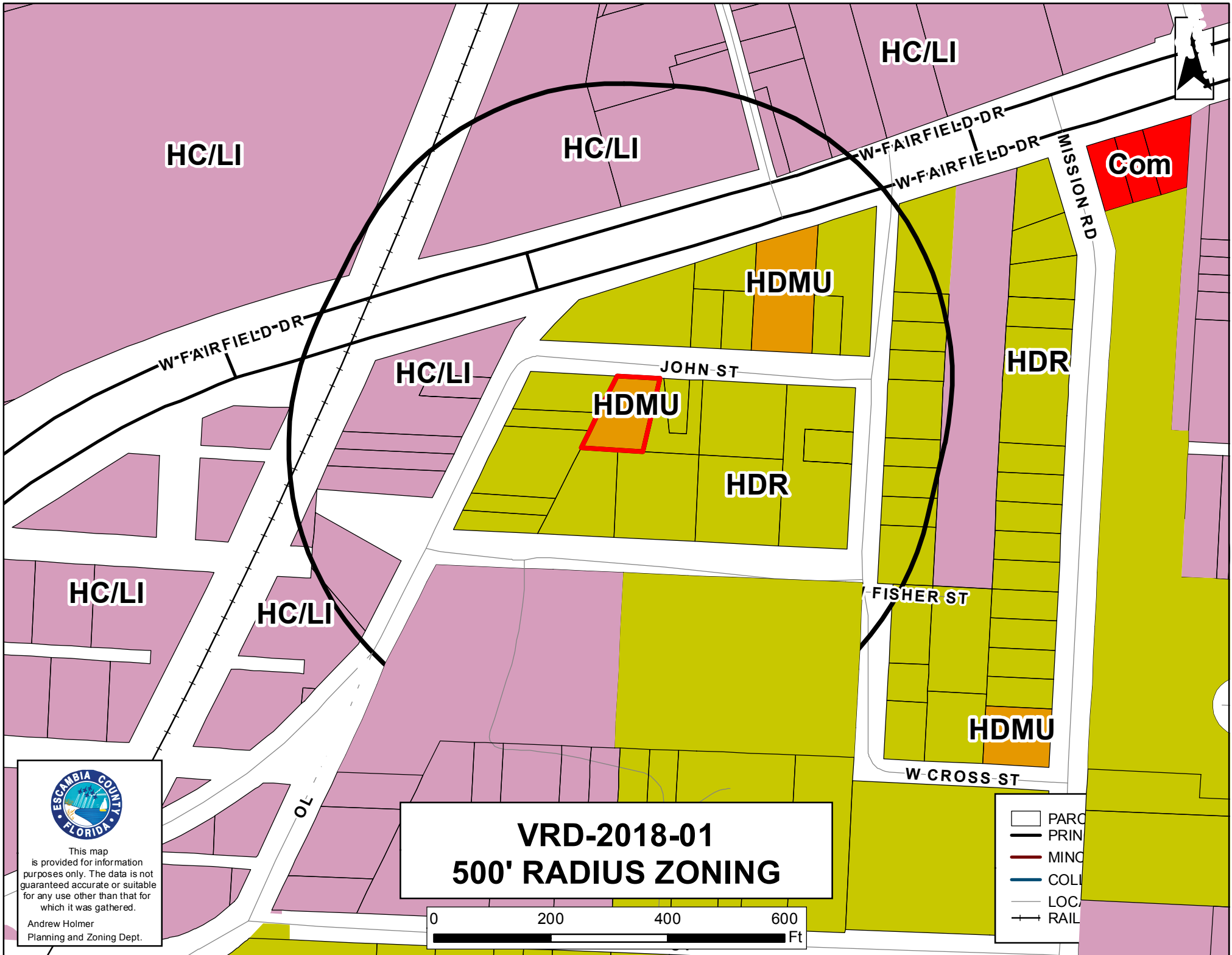
The owner is determined to have acquired rights due to good faith reliance on an act of commission or omission of the County which has caused the owner to make such a substantial change in position or to incur such extensive obligations and expenses that it would be highly inequitable and unjust to destroy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

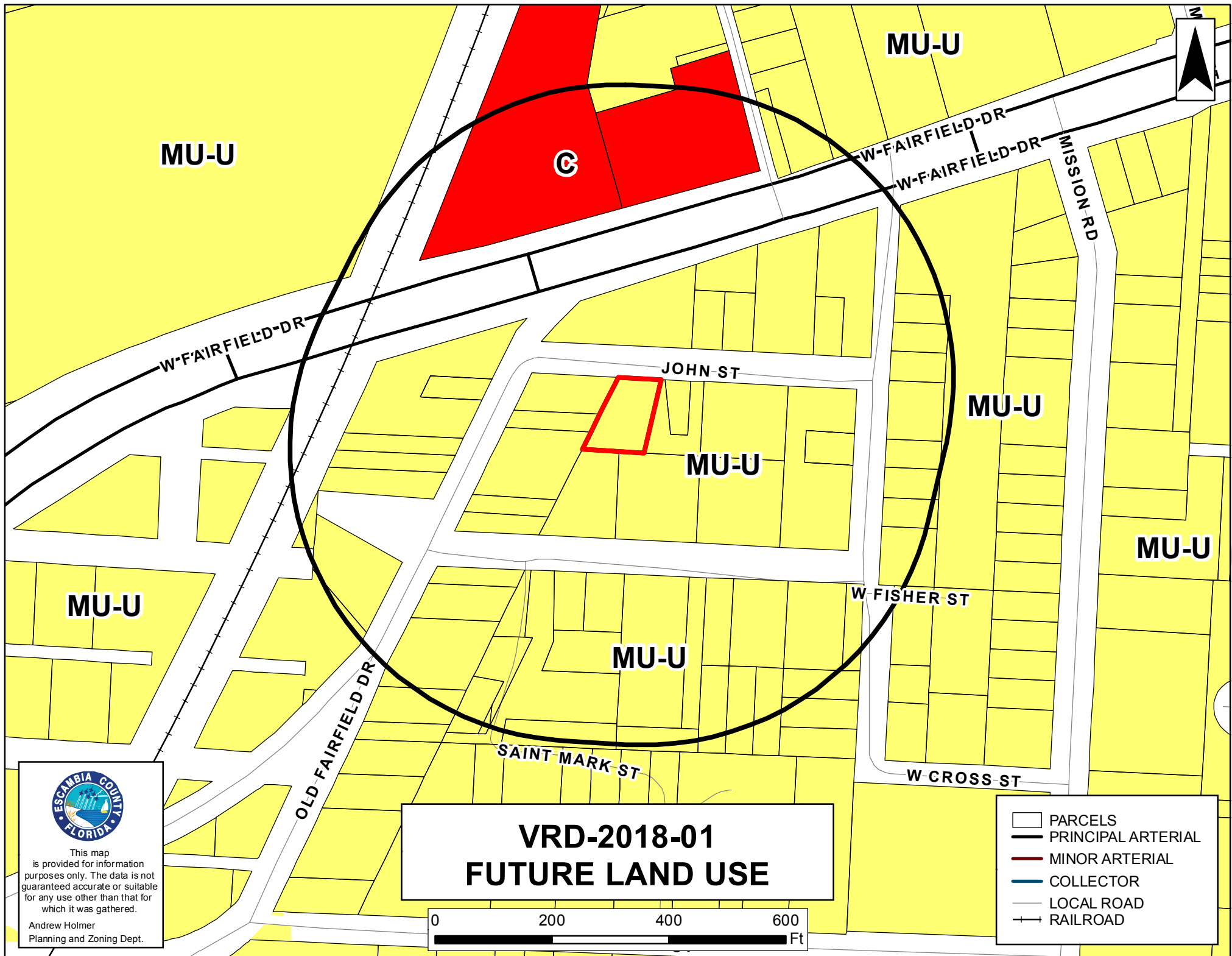
FINDINGS:

Due to the fact that the owner received a rezoning and there were discussions regarding the placement of a mobile home, the applicant had good intentions and plans to purchase the home for the parcel in question. The applicant has produced documentation, which we as staff have verified, that he was under doctors care and he states his medical condition was such that he was not able to complete the purchase of the mobile home to be placed on site until this year.

Attachments

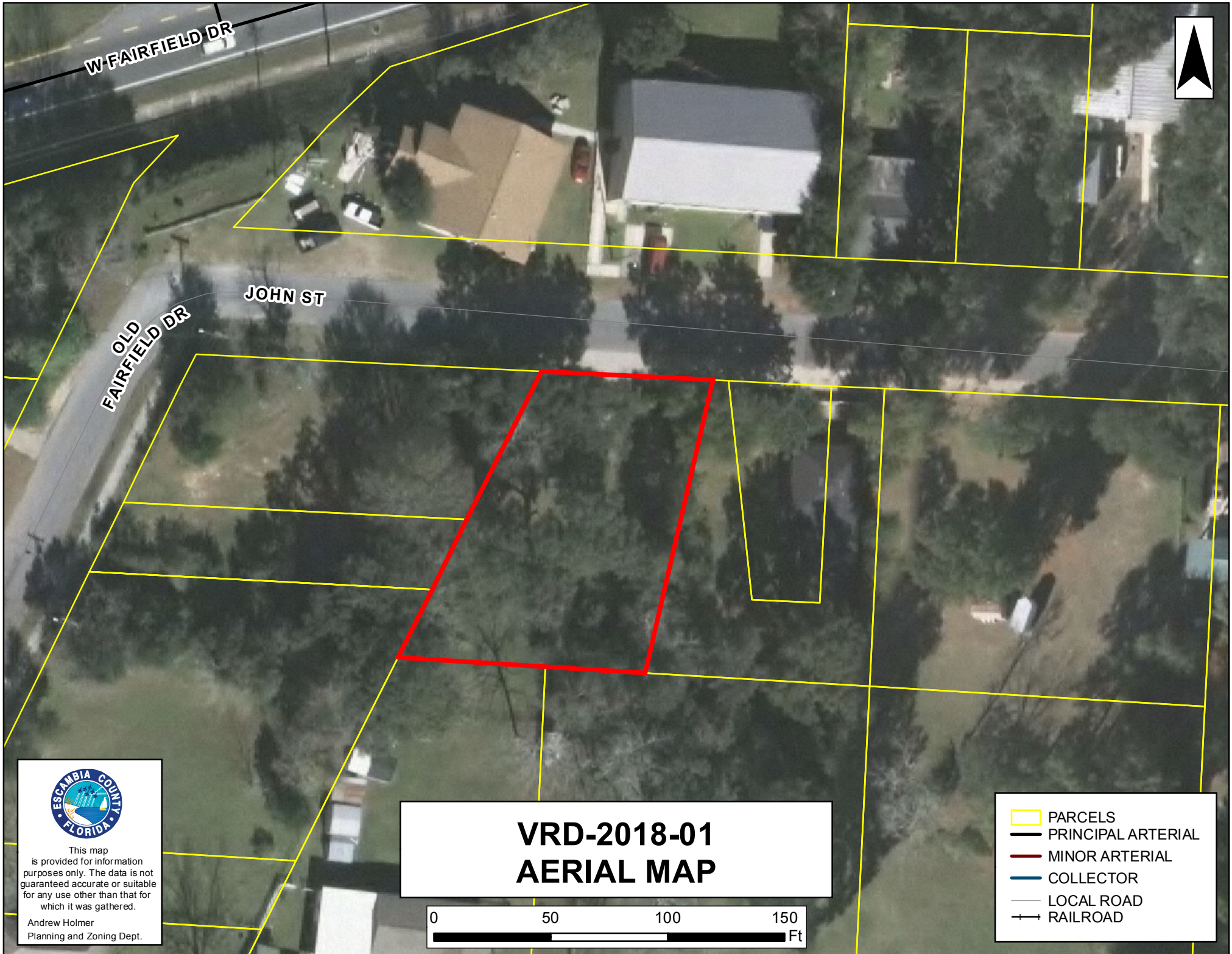
Working Case File





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.



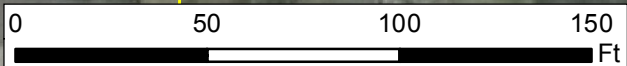
W FAIRFIELD DR

JOHN ST

OLD FAIRFIELD DR



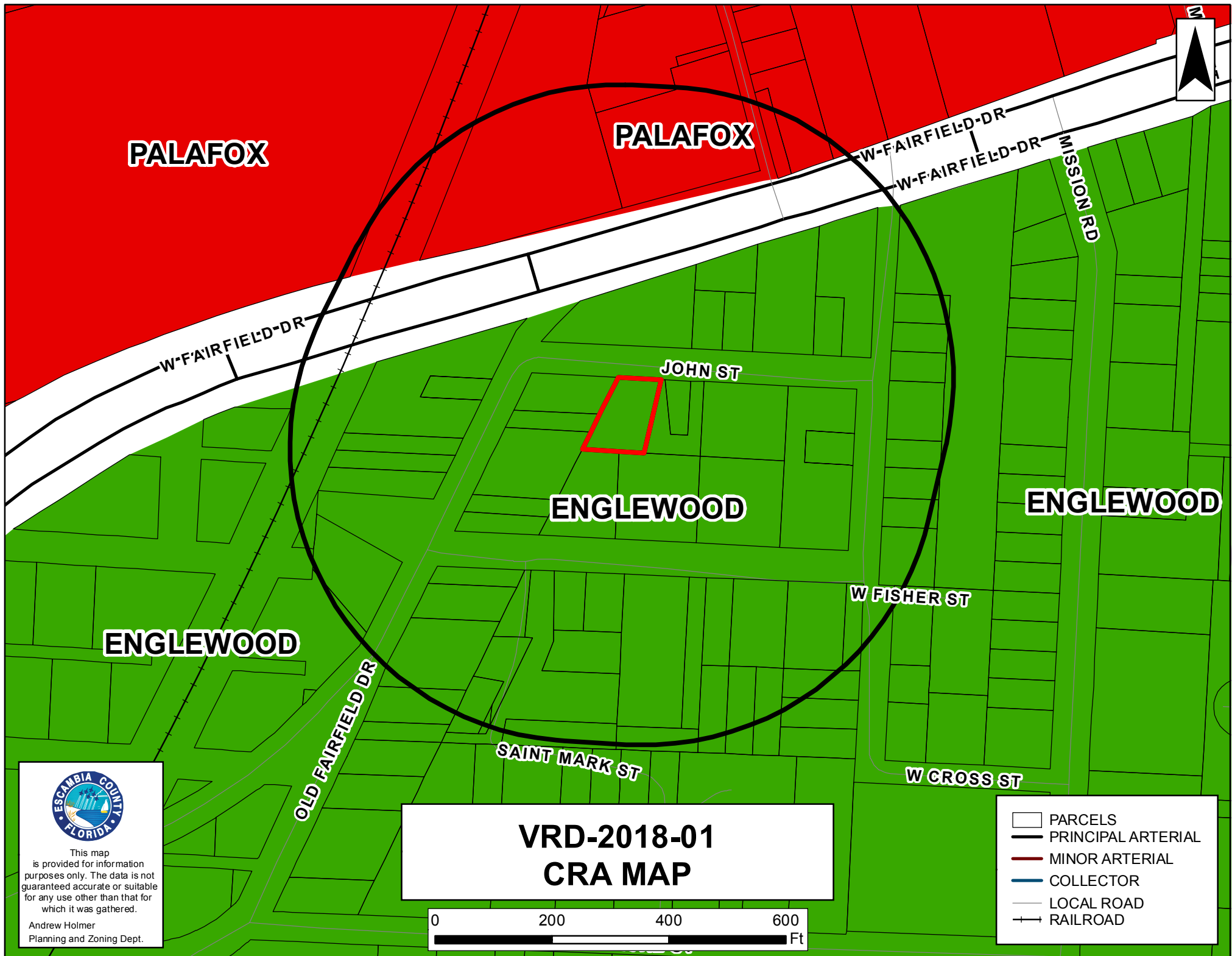
**VRD-2018-01
AERIAL MAP**



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

Andrew Holmer
Planning and Zoning Dept.

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



PALAFOX

PALAFOX

W FAIRFIELD DR

W FAIRFIELD DR

W FAIRFIELD DR

MISSION RD

JOHN ST

ENGLEWOOD

ENGLEWOOD

ENGLEWOOD

W FISHER ST

W CROSS ST

SAINT MARK ST

OLD FAIRFIELD DR

**VRD-2018-01
CRA MAP**

0 200 400 600
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
- RAILROAD

 **NOTICE OF
PUBLIC HEARING**
[REDACTED]

CASE NO.: VR-2018-01
[REDACTED] [REDACTED]

PLANNING BOARD

DATE: 11/08/18 **TIME:** 8:30 AM

LOCATION OF HEARING
ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3368 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 12/06/18 **TIME:** 5:46 PM

LOCATION OF HEARING
ERNIE LEE MAGAHA GOVERNMENT BLDG
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES AT 585-3476 OR VISIT
WWW.MYESCAMBIA.COM

**PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY**

Public Hearing sign



Looking into
subject parcel



Looking at the
adjacent parcel



Looking east along
John St



Looking across
John St from
subject parcel



Looking west along
John St from subject
parcel



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>

Vested Rights Application

FOR OFFICE USE ONLY - Case Number: VRD-2018-19 Accepted by: Alan PB Meeting: 11/8/18

1. Contact Information:

- A. Property Owner/Applicant: Keith L Davis
Mailing Address: 4420 Mompellier dr Pensacola FL 32505
Business Phone: _____ Cell: (850) 529-5196
Email: +blade64@msn.com
- B. Authorized Agent (if applicable): Tanaya J Rosa
Mailing Address: 4420 Mompellier dr 32505
Business Phone: _____ Cell: (850) 529-5849
Email: TanayaRosa76@gmail.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: 3411 John St
Parcel ID (s): 16-25-30-1001-330-004

- B. Total acreage of the subject property: 0.26
- C. Existing Zoning: HDMU
FLU Category: MU-U

3. Amendment Request

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

My Request is to place a manufactured home that was recently purchased onto the land we own at 3411 John st.

- B. Vested Rights Determination Criteria – Please address one of the following criteria for your vested rights request. (use supplement sheets as needed)

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

In 2011 we had to go before the board of Commissioners to have our land rezoned to allow us the purchase of a manufactured home. It was approved, with the issue of a permit thereafter. Since then health issues followed with a sequence of multiple surgeries which prevented us from following up with what the County approved us for.

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

We moved forward on the purchase of a home relying on the prior approval and permit acquired through the County only to be notified that the code was revised and we were not notified.

CONDITION OF APPROVAL

TO WHOM IT MAY CONCERN:

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

_____.

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

Kent Davis 10/18/2018
Owner's Signature Date

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledge before me this 18th day of October, year of 2018 by Kent Davis, who () did () did not take an oath.

He/she is () personally known to me, (☒) produced a current Florida drivers license, and/or () produced current 71 D120-512-641-467-0 as identification.
Exp 12/2021

Margaret A. Cain
Signature of Notary Public

Margaret A. Cain
Printed Name of Notary

10/18/18
Date

11/11/2021
Date Commission Expires

Commission No.



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

As owner of the property located at 3411 John St
Pensacola, Florida, property reference number(s) _____
_____ I hereby designate Tanaya Rosa
_____ 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: Tanaya Rosa Email: _____

Address: 3411 St John St. Phone: _____

Keith J. Davis
Signature of Property Owner

Keith L. Davis
Printed Name of Property Owner

10/18/2018
Date

Signature of Property Owner

Printed Name of Property Owner

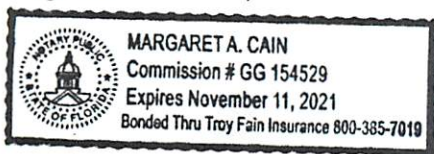
Date

STATE OF Florida COUNTY OF Escambia
The foregoing instrument was acknowledged before me this 18th day of October 20 18,
by Keith Davis.

Personally Known ☐ OR Produced Identification ☒ Type of Identification Produced: FI 0120 512-64-467-0

Margaret A. Cain
Signature of Notary

Margaret A. Cain
Printed Name of Notary



(Notary Seal)



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

FEE WAIVER REQUEST FORM

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

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

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

Property Owner/Non-profit Organization Name: Keith L. Davis

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

3411 St. John St.
16-25-30-1001-330-004

Please indicate which application fee this request is for and the amount: Vested rights

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

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

FOR INTERNAL OFFICE USE ONLY

The applicant is a qualified applicant. ☒ YES ☐ NO

The applicant provided all required supporting documents. ☒ YES ☐ NO

Therefore; this fee waiver request for Vested Rights Determination
Type of application

is hereby granted on this 18th day of October, 2018.

Horace Jones
Horace Jones
Development Services Director

Ernie Lee Magaha
CLERK OF THE CIRCUIT COURT
ESCAMBIA COUNTY FLORIDA
INST# 2011016170 03/11/2011 at 11:48 AM
OFF REC BK: 6698 PG: 750 - 751 Doc Type: WD
RECORDING: \$18.50 Deed Stamps \$0.70

WARRANTY DEED

STATE OF Florida
COUNTY OF Escambia

THIS WARRANTY DEED made the 11 day of March 2011, by
and between Anthony Bright
hereinafter called the Grantor, to Keith Lamont Davis
hereinafter called the Grantee,

WITNESSETH

That the Grantor, for and in consideration of the sum of
TEN DOLLARS (\$10.00) and other valuable considerations, receipt whereof
is hereby acknowledged, do bargain, sell, convey and grant unto the
Grantee all that certain land situate in to wit:

See Attached Exhibit A'

Together with all the tenements, hereditaments and appurtenances
thereto belonging or in any wise appertaining.

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

AND the Grantor hereby covenants with the Grantee that the
Grantor is lawfully seized of said land in fee simple; that the
Grantor has good right and lawful authority to sell and convey said
land; that the Grantor fully warrants the title to said land and will
defend the same against the lawful claim of all persons whomsoever;
and that said land is free of all encumbrances.

IN WITNESS WHEREOF, the Grantor has signed and sealed these
presents the day and year first above written.

Signed, sealed and delivered
in our presence

Brenda B. Robinson
Jessica Lieke

Anthony Bright
Anthony Bright

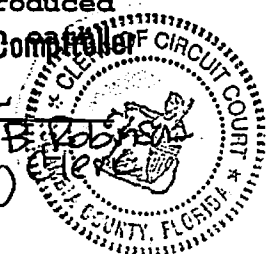
STATE OF
COUNTY OF

The foregoing instrument was acknowledged before me this 11th day of
March 2011, by Anthony Bright, who produced
identification of Florida Driver License and did not take an oath.
Prepared By:

Ernie Lee Magaha, Clerk and Commissioner

Notary Public

Brenda B. Robinson
Deputy



Return to:

Keith L. Davis
3402 West Fisher St.
Pensacola, FL 32505

Exhibit A

The West $\frac{1}{2}$ of Lot 33 of the unrecorded plat of Lot 4, Subdivision of Lot 1, Section 16, Township 2 South, Range 30 West, recorded in plat of Deed Book 76, page 263 of the records of Escambia County, Florida.

Also described as:

Begin 655 ft. North and 354 ft. West of Southeast corner of the unrecorded plat of lot 4, Subdivision of Lot 1, Section 16, Township 2 South, Range 30 West, thence South 150 feet, thence West 105.15 feet, thence Northerly parallel to road 162.5 feet, thence East 74 feet to point of beginning, being the West $\frac{1}{2}$ of Lot 33 of the unrecorded plat of Lot 4, Subdivision of Lot 1, Section 16, Township 2 South, Range 30 West, recorded in Plat of Deed Book 76, page 263 of the records of Escambia County, Florida.

Parcel ID# 16-2S-30-1001-330-004

CORRECTIVE QUIT CLAIM DEED-Page Two

IN WITNESS WHEREOF, I have hereunto set my hand and seal
this 6th day of March, 2007.

Signed, sealed and delivered
in our presence

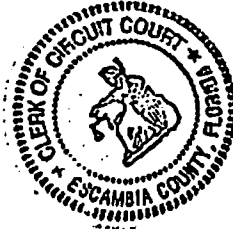
Marcia L. Schultz
Marcia L. Schultz
Gail Bare
GAIL BARE

James Leonard Bartlett
JAMES LEONARD BARTLETT

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 6th
day of March 2007, by James Leonard Bartlett, who produced
identification of FL DRIV LIC and did not take an oath.

Ernie Lee Magaha, Clerk of the Circuit Court



~~Notary Public~~

By: Gail Bare
GAIL BARE, Deputy Clerk

Prepared By:
James Leonard Bartlett
1401 W. Mallory Street
Pensacola, FL 32501
Return To:
Anthony Jerome Bright
1401 W. Mallory Street
Pensacola, FL 32501

Caleb MacCartee
Planning and Zoning Dept.

Date: 10/15/2018

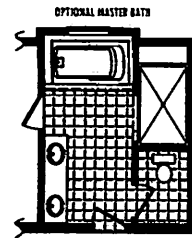
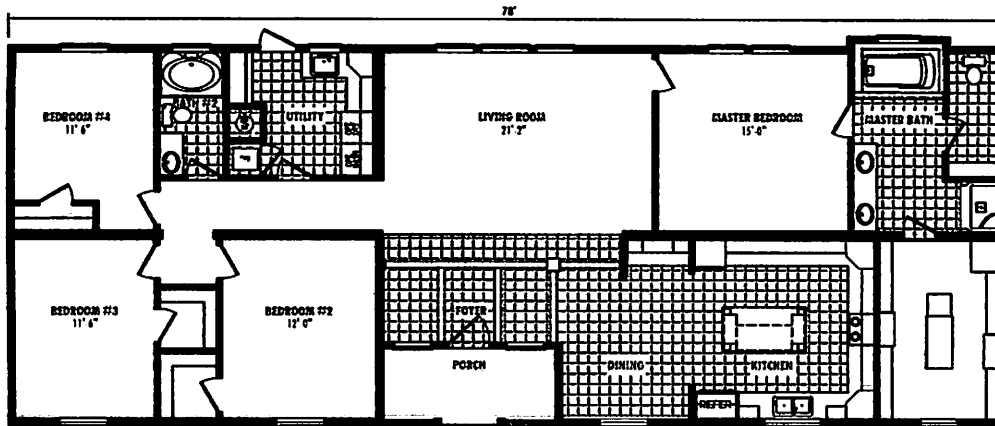
1 inch = 100 feet





Name
THE EISENHOWER X-7016

Sq. Ft.	Size	Beds	Bathrooms
2,717	30' X 78'	4 Bedrooms	2 1/3 Bathrooms



MODEL : X-7016
32'X78' (OVERALL)
APPROX. 2347 SQ. FT.
4 BEDROOMS, 2 BATHS



(<https://platinumbuilt.com/wp-content/uploads/2016/03/7016.png>)

THE EISENHOWER X-7016

Sq. Ft. Size Beds Bathrooms
2347 32' X 78' 4 Bedrooms 2/3 Bathrooms

Price Range

X Series

Key Features

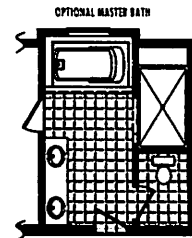
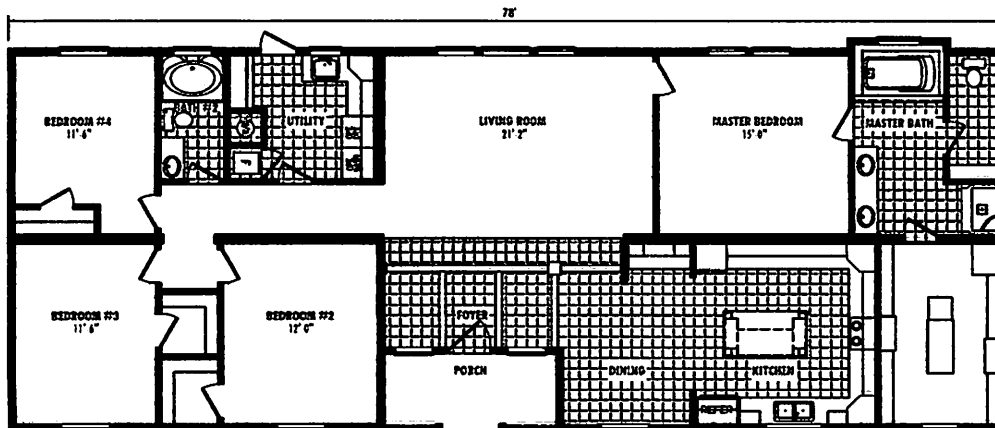
The Eisenhower

View 360° (/3d/x-7016/?fullscreen) View Video (/home-galleries/video-gallery/eisenhower-x-7016-video/)



Share 9

(<https://platinumbuilt.com/floorplans/x-7016/emailpopup/>)



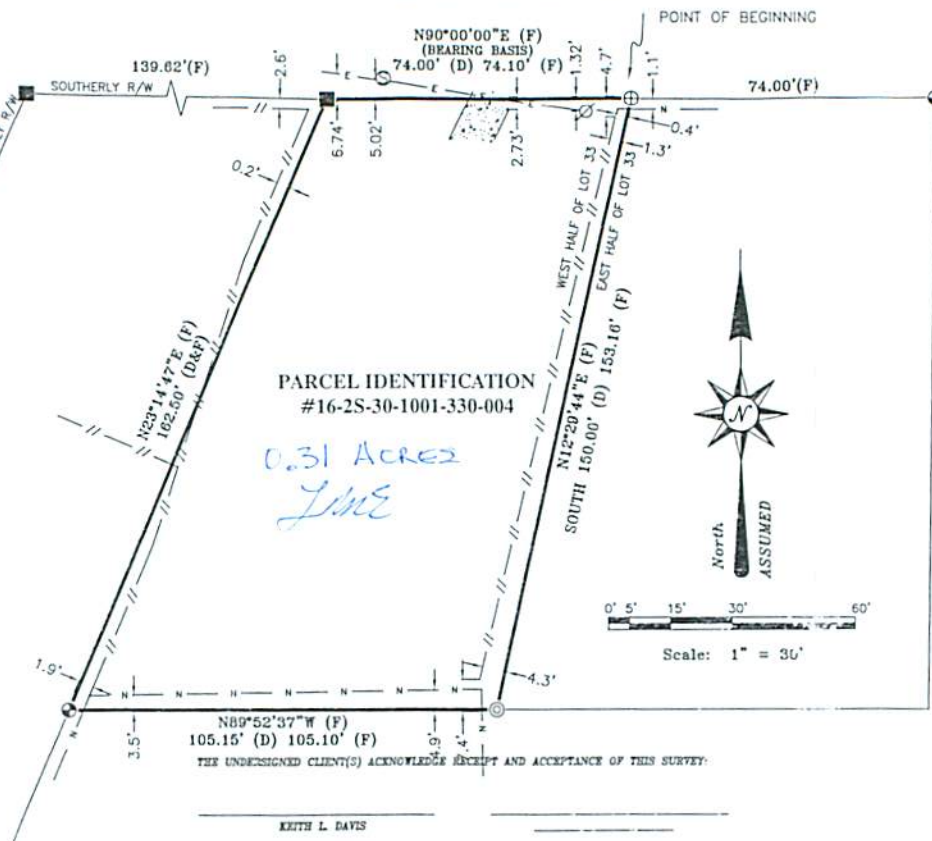
MODEL : X-7016
32'X78' (OVERALL)
APPROX. 2347 SQ. FT.
4 BEDROOMS, 2 BATHS



(<https://platinumbuilt.com/wp-content/uploads/2016/03/7016.png>)

3411 JOHN STREET (55' R/W)

BOUNDARY SURVEY
3411 JOHN STREET
A PORTION OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 30 WEST
ESCAMBIA COUNTY, FLORIDA



LEGAL DESCRIPTION (O.R. BOOK 6099 PAGE 126)

PARCEL ID# 16-2S-30-1001-330-004

THE WEST 1/2 OF LOT 33 OF THE UNRECORDED PLAT OF LOT 4, SUBDIVISION OF LOT 1, SECTION 16, TOWNSHIP 2 SOUTH, RANGE 30 WEST, RECORDED IN PLAT OF DEED BOOK 76, PAGE 263 OF THE RECORDS OF ESCAMBIA COUNTY, FLORIDA.

ALSO DESCRIBED AS:
BEGIN 655 FT. NORTH AND 354 FT. WEST OF SOUTHEAST CORNER OF THE UNRECORDED PLAT OF LOT 4, SUBDIVISION OF LOT 1, SECTION 16, TOWNSHIP 2 SOUTH, RANGE 30 WEST, THENCE SOUTH 150 FEET, THENCE WEST 105.15 FEET, THENCE NORTHERLY PARALLEL TO ROAD 162.5 FEET, THENCE EAST 74 FEET TO POINT OF BEGINNING, BEING THE WEST 1/2 OF LOT 33 OF THE UNRECORDED PLAT OF LOT 4, SUBDIVISION OF LOT 1, SECTION 16, TOWNSHIP 2 SOUTH, RANGE 30 WEST, RECORDED IN PLAT OF DEED BOOK 76, PAGE 263 OF THE RECORDS OF ESCAMBIA COUNTY, FLORIDA.

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

KEITH L. DAVIS

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

KEITH L. DAVIS

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

EMPIRE LAND SURVEYING, INC.
PROFESSIONAL LAND SURVEYING • SERVING NORTHWEST FLORIDA
8720 N. PALAFOX STREET, PENSACOLA, FLORIDA 32534
PHONE: 850-477-3745 • FAX: 850-477-3705
LICENSED BUSINESS #8993 STATE OF FLORIDA

REVISIONS	FIELD BOOK	DATE

POSSIBLE ENCROACHMENTS:
FENCES

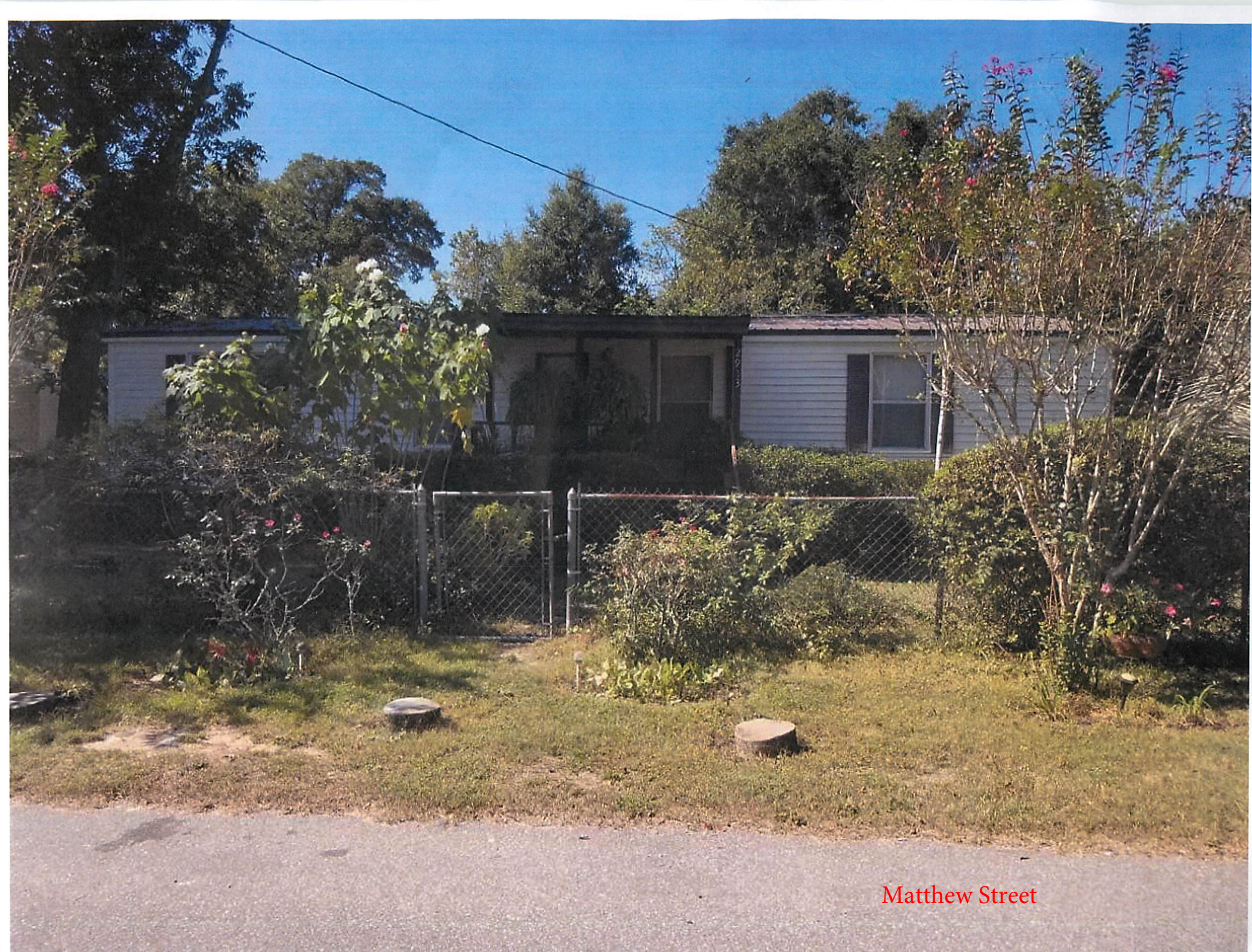
SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN FLORIDA ADMINISTRATION CODE CHAPTER 54-17.000, 54-17.001 AND 54-17.002, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

Leland M. Empire
PROFESSIONAL SURVEYOR AND MAPPER
NUMBER 5766, STATE OF FLORIDA

APRIL 6, 2011 LELAND M. EMPIRE, P.S.M.
DATE

SCALE: 1" = 30'
FIELD DATE: 04/05/11
ORDER NO.: 071-11
FIELD BOOK: 146/53

CLIENT: DAVIS
SOURCE OF INFORMATION: FIELD EVIDENCE, DEED RECORDS, PLAT RECORDS
TYPE SURVEY: BOUNDARY
DATE OF MAKING: SOUTHERLY R/W OF JOHN ST (55' R/W) - 1907/00/00 (ASSUMED)
GENERAL NOTES:
1. Fence location as shown was not to scale.
2. Jurisdiction (Florida) boundary lines and located unless otherwise noted.
3. All measurements were made in accordance with United States standards.
4. All measurements were made in accordance with United States standards.
5. No title search of the Public Records has been performed by this firm, for generally, separately, or right-of-way. The parcel shown herein may be subject to additional, unrecorded, easements, mortgages, and other interests that may be found in the Public Records of said County.



Matthew Street



Fisher Street



Matthew Street

