AGENDA ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL HEARING April 2, 2019–8:30 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. **<u>RECOMMENDATION</u>**: That the Planning Board review and approve the Meeting Resume' Minutes of the March 5, 2019 Planning Board Rezoning Meeting.
- 5. Acceptance of Rezoning Planning Board Meeting Packet.
- 6. Quasi-judicial Process Explanation.
- 7. Public Hearings.

A. Case #: Z-2019-04
Applicant: Frank E. and Elizabeth Westmark, Owners
Address: 2025 Kingsfield Road
Property Size: 84.10 (+/- acres)
From: Agr, Agriculture district (one du/20 acres)
To: LDR, Low Density Residential district (four du/acre)

8. Adjournment.



Planning Board-Rezoning Meeting Date: 04/02/2019

Agenda Item:

RECOMMENDATION: That the Planning Board review and approve the Meeting Resume' Minutes of the March 5, 2019 Planning Board Rezoning Meeting.

Attachments

Meeting minutes 3-5-19

4. A.



RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL REZONING March 5, 2019

CENTRAL OFFICE COMPLEX 3363 WEST PARK PLACE, BOARD CHAMBERS PENSACOLA, FLORIDA (8:33 A.M. – 10:04 A.M.)

- Present:Reid Rushing
Jay IngwellJay IngwellWayne Briske, ChairmanTimothy PylePatty HightowerPatty HightowerAlan GrayEric FearsWilliam ClayStephen OpalenikStaff Present:Horace Jones, Director, Development Services
- Staff Present: Horace Jones, Director, Development Services John Fisher, Senior Urban Planner, Planning & Zoning Kayla Meador, Administrative 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 Reid Rushing

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

Vote: 7 - 0 Approved

- 4. Approval of Minutes.
 - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the February 5, 2019, Planning Board Rezoning Meeting.

Motion by Alan Gray, Seconded by Jay Ingwell

Motion was made to approve the Rezoning Planning Board meeting minutes from February 5, 2019.

Vote: 7 - 0 Approved

5. Acceptance of Rezoning Planning Board Meeting Packet.

Motion by Reid Rushing, Seconded by Alan Gray

Motion was made to accept the Rezoning Planning Board meeting packet for March 5, 2019.

Vote: 7 - 0 Approved

6. Quasi-judicial Process Explanation.

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

Case No.:	VRD-2019-01
Project Address:	625 Calhoun Ave
Property Reference No.:	35-2S-31-1000-023-064
Zoning District:	HDMU, High Density Mixed-use district (25 du/acre)
FLU Category:	MU-U, Mixed-Use Urban
Overlay District:	Warrington
Vested	Allow a MH in
Rights for:	HDMU/Warrington Overlay
AIPD Area:	AIPD-2
Applicant:	Lester & Tricia Hendricks, Owner

Motion by Eric Fears, Seconded by Reid Rushing

Motion was made to accept Applicant Exhibit 1 into evidence.

Vote: 7 - 0 Approved

Motion by Reid Rushing, Seconded by Eric Fears

Motion was made to accept Staff's Findings and recommend approval to the BCC.

Vote: 6 - 1 Approved

Voted No: Alan Gray

8. Adjournment.

Planning Board-Rezoning 04/02/2019 Meeting Date: CASE : Z-2019-04 APPLICANT: Frank E.and Elizabeth Westmark, Owners ADDRESS: 2025 Kingsfield Road PROPERTY REF. NO.: 21-1N-4301-000-000 FUTURE LAND USE: NA 5 DISTRICT: **OVERLAY DISTRICT:** Detailed Specific Area Plan (DSAP) Muscogee BCC MEETING DATE: 05/02/2019

SUBMISSION DATA: REQUESTED REZONING:

FROM: Agr, Agricultural district (one du/20 acres)

TO: LDR, Low Density Residential district (four 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.

The proposed parcel is located within the boundaries of the adopted Escambia County Mid-West Sector Plan, Muscogee Detailed Specific Area Plan (DSAP); upon adoption of the Plan, the Future Land Use category for the parcel was designated as shown in the Final Land Use Plan, Figure 2.01A, of the adopted Mid-West Sector Plan. Therefore, development requirements and compatibility of the underliving proposed zoning with the designated Land Use Plan for the parcel must be maintained. The Land Use Plan identifies the parcel area as **Conservation Neighborhood.**

GOAL FLU 16 MID-WEST ESCAMBIA COUNTY OPTIONAL SECTOR PLAN

Escambia County shall utilize the Optional Sector Plan process to encourage cohesive and

sustainable development patterns within central Escambia County, emphasizing urban form and the protection of regional resources and facilities.

FLU 16.3.2 Local and collector streets, sidewalks, bike lanes and multi-use paths shall contribute

to a system of fully-connected and attractive routes from individual neighborhoods to neighborhood, village, town and employment centers. Their design should encourage pedestrian and bicycle use by being spatially defined by buildings, trees, and lighting; and by discouraging high speed vehicular traffic.

OBJ FLU 16.5 Community Design

Adopt development guidelines that implement the community design principles of the Optional Sector Plan area.

Section 3.03 Conservation Neighborhood Guidelines

A. General Description

Conservation Neighborhoods are located greater than ½ mile from Town, Village and Neighborhood Centers and are typically located in more rural areas of the DSAP. They are subdivisions of clustered, single-family dwellings intended to:

• Establish a more efficient use of land and infrastructure, thereby reducing costs to taxpayers, residents and developers.

• Offer landowners alternatives to conventional, large-lot development and incentivize the conservation of natural resources.

• Create usable and accessible open space for use by neighborhood residents.

• Contribute to an overall, interconnected open space system which links individual neighborhoods to parks and other publicly owned lands.

FINDINGS

The proposed amendment to Low-Density Residential **is consistent** with the intent and purpose of DSAP Land Use Plan category Conservation Neighborhood, as stated in Goal FLU 16. The parcel in question is located under the M-25 and M-26 areas, as depicted in Figure 2.01.A, Final Land Use Plan of the DSAP. For the purpose of allowed density those areas have designated specific development numbers, as shown, under the Program Calculations in Section 2.02, Development Program of the Muscogee DSAP.

Should the amendment be approved, any proposed development on-site will be required to address and meet the residential design guidelines and standards, as specified in the Plan, Section 3.02, Residential Guidelines and Section 3.03, Conservation Neighborhood Guidelines. If approved, the amendment would ensure the compatibility of the underlying zoning with the designated Land Use Plan.

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. 3-2.2 Agricultural district (Agr).

(a) Purpose. The Agricultural (Agr) district establishes appropriate areas and land use regulations for the routine agricultural production of plants and animals, and such related uses as silviculture and aquaculture. The primary intent of the district is to avoid the loss of prime farmland to other uses, its division into smaller parcels of multiple owners, and other obstacles to maintaining or assembling sufficient agricultural acreage for efficient large-scale farming. Other than agricultural production, non-residential uses within the Agricultural district are generally limited to rural community uses that directly support agriculture, and to public facilities and services necessary for the basic health, safety, and welfare of a rural population. The absence of urban or suburban infrastructure is intentional. Residential uses within the district are largely self-sustaining, consistent with rural land use and limited infrastructure. Single-family dwellings are allowed at a very low density sufficient for the needs of the district's farm-based population.

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

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

non-agricultural use or to conserve and protect environmentally sensitive areas. The district allows non-residential uses that are compatible with suburban residential neighborhoods and the natural resources of the area.

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code. The LDR zoning district allowances are compatible with the DSAP Land Use designation of Conservation Neighborhood. There is no proposed development for the parcel at this time; when development is proposed, the **maximum residential density of 3 du/acre** will be implemented, as stated in Section 3.03 Conservation Neighborhood Guidelines.

Permitted uses include detached housing, as well as those uses listed in the specific zoning category, schools, civic use, open space and parks. Development shall be arranged in compact, neighborhood clusters; sites may contain multiple neighborhood clusters provided they are separated by open space. At least fifty (50) percent of the gross land area of a proposed subdivision shall be designated as undivided, permanently protected open space, managed for either agriculture or conservation purposes, and on which the underlying development rights of the open space have been severed through a legal instrument that runs with the land. More specific design details are listed under the Residential Guidelines of the DSAP, Section 3.02.

If the parcel, regardless of size, is used solely for the construction of a single homestead residence, then all of the underlying zoning guidelines will apply.

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 area, staff observed properties within zoning districts Agr, LDR and MDR. All properties within the DSAP boundary and surrounding the parcel are designated under the Conservation Neighborhood Land Use. Five single-family residences, two improved agricultural residential parcels, three large timber parcels, one vacant commercial parcel and one gas utility company parcel.

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 under the adopted Mid-West Ecambia County Sector Plan, as such, the Detailed Specific Area Plan Guidelines identify both location and uses that are compatible with the Goals and Objectives of the Sector Plan, and therefore, not considered spot zoning. Based on the community design principles used to develop the plan, the specific location was pre-determined and assigned a Conservation Neighborhood Land Use.

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 adoption of the Mid-West Sector Plan, a long-range planning document, provides for cohesive and sustainable development patterns within Central Escambia County, emphasizing urban form and the protection of regional resources and facilities. The site designation under the Land Use Plan Conservation Neighborhood, fulfills the development guidelines under the community design principles and supports the adopted Goals, Objectives and Policies of the Sector Plan.

Attachments

Working case file

Z-2019-04











Public Notice Sign posted on property



Looking north onto property from Kingsfield



Looking east onto Kingsfield Rd



Looking south onto Kingsfield Rd



Looking south-east across Kingsfield



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: 2-2019-04 Accepted by: ALindsay PB Meeting: 4/2/19

1. Contact Information:

A. Property Owner/Applicant:_ Frank E. and Elizabeth J. Westmark

Mailing Address: _____ Post Office Box 575, Cantonment, FL 32533

Business Phone: ____

Email: ejwestmark@gmail

850-937-1835 Cell: 850-777-7594

B. Authorized Agent (if applicable): _____

Mailing Address: _____

Business Phone: Cell:

Email:

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

2. Property Information:

A. Existing Street Address: 2025 West Kingsfield Road

Parcel ID (s): ____21-1N-31-4301-000-000

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

C. Existing Zoning: ____AG

Proposed Zoning: _____; explain why necessary and/or appropriate The proposed zoning is appropriate because the

subject property is located in the Escambia County Mid-West Sector Plan,

within a conservation neighborhood overlay, that requires LDR.

FLU Category: NA

- **D.** Is the subject property developed (if yes, explain): _____One single family home is on the property.
- 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.

The proposed zoning for the subject property is consistent with the

Comprehensive Plan, since the property is located within the Sector Plan and was

placed within a Conservation Neighborhood overlay.

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

Yes, the proposed zoning is consistent with the purpose and intent of the Sector Plan.

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.

Yes, the proposed zoning is identical to and compatible with surrounding zonings.

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

Not applicable.

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 permitted uses of the proposed zoning change will bring the subject property

into conformity with the intent of the Sector Plan, which would remain the controlling entity.

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

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 21-1N-31-4301_000-000 Property Address: 2025 W. Kingsfield Rd.

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 _____ DAY OF _____ YEAR OF 2019

Signature of Property Owner

of Property Owner

FRANKE. WESTMARE Printed Name of Property Owner

Elizabeth J. Westmark Printed Name of Property Owner

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

As owner of the property located a Cantonment	at			
, Florida, p	property reference number(s)			
	I hereby designate			
	for the sole purpose of comp	oleting this applie	cation and mak	ing
	ard and the Board of County Comm		-	
	his Limited Power of Attorney is gra			
	fective until the Board of County Co			
	on on this request and any appeal p			•
_	imited Power of Attorney at any tin	he with a written	i, notarized not	ice
to the Development Services Bure	au.			
Agent Name:	Email:			
Address:			ne:	
Signature of Property Owner	Printed Name of Property Owner		Date	
Signature of Property Owner	Printed Name of Property Owner		Date	
	COUNTY OF			
The foregoing instrument was ack	nowledged before me this	day of	20	
by				
Personally Known OR Produced	Identification . Type of Identification	on Produced:		
Signature of Notary	Printed Name o	f Notary		

(Notary Seal)

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5. Submittal Requirements

- A. L 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.
- Β. \checkmark 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. MA 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. AIA 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 gualified 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
- 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 lizaben ... Signature of Owner

FRANK E. WES Printed Name Owner/Agent

Elizabeth J. Westmark Printed Name of Owner

COUNTY OF EScambia STATE OF Flueida The foregoing instrument was acknowledged before me this 14 day of Fe bruary 20 19, by

Personally Known CR Produced Identification . Type of Identification Produced:

rinted Name of Notary

Source: Escambia County Property Appraiser

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General In	formation	Assess	sments				
Reference:	211N314301000000	Year	Land	Imprv	Total	Cap Val	
Account:	114180000	2018	\$10,979	\$691,524	\$702,503	\$679,625	
Owners:	WESTMARK FRANK E &	2017	\$10,979	\$839,294	\$850,273	\$665,802	
Mail:	WESTMARK ELIZABETH J PO BOX 575	2016	\$10,979	\$826,659	\$837,638	\$652,262	
	CANTONMENT, FL 32533			Disclaimer			
Situs:	2025 KINGSFIELD RD 32533						
Use Code:	IMPROV. AGRICULTURAL-		Tax Estimator				
	RESIDENTIAL						
Taxing Authority:	COUNTY MSTU	> <u>Fi</u>	le for Ne	w Homes		mption	
Tax Inquiry:	Open Tax Inquiry Window			Online			
	link courtesy of Scott Lunsford ounty Tax Collector						
Sales Data	Official		Certified Roll	• • • • • • • • • • • • • • • • • • • •			
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Section Map Id: 21-1N-31 Approx. Acreage: 84.1000 Zoned: Agr Evacuation & Flood Informatior Open Report) + -				WKINGSFIELD RD		
	View Florida Department of En	nvironmer	ntal Protection(<u>DEP) Data</u>			



The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

Scott Lunsford, CFC · Escambia County Tax Collector EscambiaTaxCollector.com III facebook.com/ECTaxCollector III twitter.com/escambiatc 2018 **REAL ESTATE TAXES** Notice of Ad Valorem and Non-Ad Valorem Assessments SCAN TO PAY ONLINE MILLAGE CODE ESCROW CODE PROPERTY REFERENCE NUMBER UMBER

06 211N314301000000 11-4180-000 PROPERTY ADDRESS: EXEMPTIONS: HOMESTEAD EXEMPTION 2025 KINGSFIELD RD WESTMARK FRANK E & WESTMARK ELIZABETH J

PO BOX 575 CANTONMENT, FL 32533

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED
COUNTY PUBLIC SCHOOLS	6.6165	679,625	50,000	629,625	4,165.91
BY LOCAL BOARD	2.1250	679,625	25,000	654,625	1,391.08
BY STATE LAW	4.2000	679,625	25,000	654,625	2,749.43
WATER MANAGEMENT	0.0338	679,625	50,000	629,625	21.28
SHERIFF	0.6850	679,625	50,000	629,625	431.29
M.S.T.U. LIBRARY	0.3590	679,625	50,000	629,625	226.04

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ACCOUNT NU 11-4180-00 PROPERTY AD 2025 KINGSFIE	JMBER 00 DRESS LD RD C E & SETH J	S DETACH I	Make che Scott Lu Escambia Co P.O. PENSAC	ecks payab I nsford unty Tax (BOX 1312 OLA, FL 32	le to: I, CFC Collector		PAY ONL AMOUNT IF PA AMOUNT IF PA	Y ON ID BY ID BY ID BY ID BY ID BY	E AN Nov	/IOUN 30, 2018 0.00

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Recorded in Public Records 01/13/2010 at 02:14 PM OR Book 6549 Page 1657, Instrument #2010002366, Ernie Lee Magaha Clerk of the Circuit Court Escambia County, FL Recording \$27.00 Deed Stamps \$0.70

> Prepared By: Patrick G. Emmanuel, of Emmanuel, Sheppard & Condon 30 S. Spring Street Pensacola, FL 32502 File Number: 02391-110657

WARRANTY DEED

This WARRANTY DEED, dated January 11, 2010 given by **FRANK E. WESTMARK AND ELIZABETH J. WESTMARK**, husband and wife, hereinafter called the GRANTOR, to **FRANK E. WESTMARK AND ELIZABETH J. WESTMARK**, husband and wife, whose mailing address is P.O. Box 575, Cantonment, FL 32533, hereinafter called the GRANTEE. (Wherever used herein the terms "Grantor" and "Grantee" include all 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:

PARCEL 1: (OR Book 4857 at Pages 146-147)

South seven acres of Northeast Quarter (NE ¹/₄) of Southeast Quarter (SE ¹/₄) of Section Twenty-one (21), Township One (1) North, Range Thirty-one (31) West. All lying and being in Escambia County, Florida

PARCEL 2: (OR Book 4356 at Pages 1817-1818)

All right, title and interest of Grantor in and to the following described parcel of real estate in Escambia County, Florida: The South one-half (S ½) of the Southeast Quarter of Section 21, Township 1 North, Range 31 West, Escambia County, Florida, less and except approximately 24.63 acres conveyed by Warwick Land Company, Incorporated to Escambia County, Florida by Deed dated December 23, 1974, recorded in Official Records Book 862, Pages 169-171, of the Public Records of Escambia County, Florida.

PARCEL 3: (OR Book 3835 at Pages 372-375)

South ½ of the Southeast Quarter of Section 21, Township 1 North, Range 31 West, Escambia County, Florida; Less and Except the following: Begin at the Southwest corner of the Southwest Quarter of the Southeast Quarter of Section 21; thence North 00°04'21" West along the West line of the Southwest Quarter of the Southeast Quarter for 1337.67 feet to the Northwest corner of the Southwest Quarter of the Southeast Quarter; thence North 90°00'00" East along the North line of the Southwest Quarter of the Southeast Quarter for 1323.38 feet to the Northwest corner of the Southeast Quarter of the Southeast Quarter; thence continue North 90°00'00" East along the North line of the Southeast Quarter; thence continue North 90°00'00" East along the North line of the Southeast Quarter of the Southeast Quarter for 188.37 feet; thence South 57°18'11" West for 156.24 feet; thence South 74°52'35" West for 169.89 feet; thence South 68°53'36" West for 300.54 feet; thence South 59°35'41" West for 525.31 feet; thence South 14°19'18" West for 68.31 feet; thence South 13°31'27" East for 266.50 feet; thence South 59°31'06" East for 305.12 feet; thence South 36°55'39" East for 406.22 feet; thence South 48°03'21" West for 44.94 feet to the South line of Section 21; thence South 90°00'00" West along the South line of Section 21 for 1000.14 feet to the point of beginning; containing 24.63 acres, more or less. Parcel I, as herein described contains 55.37 acres, more or less.

Less any and all oil, gas or other minerals on, in or under any of the abovedescribed property owned or possessed by any third party of record, and subject to any oil, gas or minerals leases, if any, of record in Escambia County as to the above-described real estate. It is the intent hereof that Grantor grants to Grantee, their heirs, personal representatives and assigns any and all oil, gas and minerals, if any, owned or possessed by Grantor in and to the above-described parcel of real estate.

Prior to the execution and delivery of this Deed, title to the real estate described herein was vested in Frank E. Westmark. This Deed is executed and delivered to vest title to all said real estate in Frank E. Westmark and Elizabeth J. Westmark, as husband and wife, and as an Estate By The Entirety. The only consideration for this Deed is the Love and Affection of Frank E. Westmark for his wife, Elizabeth J. Westmark.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year **2010** and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

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

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

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

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

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

Print Name: Patrick G. Emmanuel

Print Name: Virginia L. Holeman

Frank E. Westmark

Elizabe

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STATE OF FLORIDA COUNTY OF ESCAMBIA

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THE FOREGOING INSTRUMENT was acknowledged before me on this 11th day of January, 2010, by Frank E. Westmark and Elizabeth J. Westmark, husband and wife, who are personally known to me.



Notary Public for the State of Florida

[NOTARY SEAL]

U:VPGEWestmark/Doed (rom FW&EW 12-09.d

WARRANTY DEED

21-1N-31-4102-000-000 Tax ID #

DR BK 4857 P60146 Escarbia County, Florida INSTRUMENT 2002-935604 60.20 DEED DOC STUDEN FO & ESC OF A BOL 20 G2/25/92 EPNIE ALE MEDING, LEFK BY

02-22407 FILE NO. 60.20 DOC. REC: 10. 50 TOTAL 70.50 STATE OF FLORIDA COUNTY OF Escambia

KNOW ALL MEN BY THESE PRESENTS: That

Anna B. Owen,

330 Milly Branch Court Pike Road, Alabama 36064 Grantor* for and in consideration of Ten Dollars (\$10.00) and other good and valuable considerations the receipt of which is hereby acknowledged has bargained, sold, conveyed and granted unto_______Frank E. Westmark, a married man,

	P.O. Box 575 Cantorment, FI 32533 , Gra
Address: heirs, exa	<u>2025 W. Kingsfield Road, Centoneent, FL-32533</u> gran recutors, administrators and assigns, forever, the following described property, situate, lying and being in the Count Escambia, State of Florida, to wit:
	<u>BSCantita</u> , State of Pointa, or with
	See Exhibit "A" Attached for legal description
	The above described property is not the homestead of the Grantor.
	This instrument prepared by: Janis P. Mills Southland Title of Pensacola, Inc.
	1120 N. 12th Avenue Pensacola, FL 32501
	The Grantor herein retains 1/2 of any and all oil gas and minerals in and to the above described property.
reimposed	ject to taxes for current year and to valid easements and restrictions of record affecting the above property, if any, which are not h ad. Subject also to oil, gas and mineral reservations of record. I grantor does fully warranty the title to said land and will defend the same against the lawful claims of all persons whomsoever. «Wherever used herein, the term "grantee/grantor" shill include the here, personal representatives, successors and/or assigns of the respective parties hereto, the use of singular member shall include the plural, and the plural the singular, the use of any gender shall include the genders.
IN W	WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal on February 15, 2002
C	Witness: Jackie Holmes Anna B. Owen (Seel)
•	
N É	Diading (Lating (Seal) Witness: Bradley C. Dailey
	STATE OF Alabama COUNTY OF V Wing Comery
	The foregoing instrument was acknowledged before me this 15^{15} day of February, 20 by Anna B. Owen.

who is/are personally known to me or who has/have produced driver's license as identification and who did take an oath.

NOTA P. My Comple UBLIO STATE LT STATE STATE

NOTARY PUBLIC FATE OF ALLANNA AT LARGE NOTARY PUBLIC FATE OF ALLANNA AT LARGE MY COMMISSION EXPIRES Jul 23, 2005 Notary Public Mode THRU NOTARY PUBLIC UNDERWRITERS

Serial Number:

DR BK 4857 PGO 147 Escambia County, Florida INSTRUMENT 2002-935604 RCD Feb 25, 2002 08:31 am Escambia County, Florida ERNIE LEE MAGAHA Clerk of the Circuit Court INSTRUMENT 2002-935604

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Exhibit "A"

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South seven acres of Northeast Quarter (NE 1/4) of Southeast Quarter (SE 1/4) of Section Twenty-one (21), Township One (1) North, Range Thirty-one (31) West. All lying and being in Escambia County, Florida.



C) NOTE: ALL MEASUREMENTS MADE IN ACCORDANCE WITH UNITED STATES STANDARDS. _ FILE NO. ______B-6045 1" = 200 97-10-039 JOB NO. __ SCALE: RECERTIFIED: RUSS TORIAN REQUESTED DY: _ _____ PREPARED FOR:_ DATE OF SUBVEY: 11-6-97 ___ ENCROACHMENTS:_ FIELD BOOK: 317 PAGE: 45-47 REVISIONS: SURVEYOR'S CERTIFICATE: I HEREBY CERTIFY THE SURVEY SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS, SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND_SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. 2 13 NOT VALID UNLESS GARY F. BYRD, R.L.S. NO. 4400 SEALED WITH AN JOFL C. WALTERS, R.L.S. NO. 4082 STATE OF FLORIDA STATE OF FLORIDA **EMBOSSED SEAL** STATISTICS NOT THE

LEGEND:

3"x 3 LIGHTWOOD STAKE, SOUTHEAST

CORNER OF SECTION [3]

n,

NICHOL ENGINEERING COMPANY Panama City_Florida 8, B. NICHOL CIVIL ENGINEER 308 E. GOVERNMENT PENSACOLA, FLA 32501



This is to certify that an actual survey was made of the above described property, that there are no encroachments and that said survey was accurately made to the best of my knowledge and belief?

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SURVEY ORDERED BY: V. M-HENRY MAKES		REGISTERED FLORIDA LAND EURVEYOR NO. 1035
ecale: /** 500*	јов но. 73065 LEV.	DATE MARCH 22, 1973
		P 1 AN 2
DIETZGEN N. O. 1674 "R	ALTON"	(millinere/10. 2





GRAPHIC SCALE:

 100
 50
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 Image: Scale IN FEET
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 Image: Scale IN FEET

CURRENT SITE ZONING:

AG (4-16-2015)

SITE FLU:

ADJACENT PROPERTY ZONING:

AG & LDR

MU-S

REQUESTED SITE ZONING: LDR

REZONING TO LDR MAY BE ESTABLISHED ONLY WITHIN THE MIXED-USE SUBURBAN (MU-S) FUTURE LAND USE CATEGORY PER LDC 3-2.5(f)

LDR SITE AND BUILDING REQUIREMENTS:

DENSITY: 4D.U./ACRE MAX.

FLOOR AREA RATION:

STRUCTURE

45' MAX.

1.0

LOT AREA:

HEIGHT:

0.25 AC. MIN. (PER USE)

LOT WIDTH:

70' MIN. @ BSL 50' MIN. ALONG R/W 20' MIN. ALONG CUL-DE-SACS

LOT COVERAGE: 70% MAX. IMPERVIOUS & SEMI-IMPERVIOUS AREA

STRUCTURE SETBACKS:

FRONT - 25' MIN. REAR - 25' MIN. SIDE - 5' OR 10% OF LOT WIDTH MIN. @ FRONT BSL, 15' MAX.

NOTE: WETLANDS SHOWN ARE PER ESCAMBIA COUNTY GIS. FIELD VERIFIED WETLANDS SHOWN ON LAYOUTS 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
- SAMBIA COLLEN SA

DATE: March 18, 2019

RE: Transportation & Traffic Operations (TTO) Comments – Z-2019-04

TTO Staff has reviewed the Rezoning Case (Z)-2019-04 2025 Kingsfield Road (AG to LDR), agenda item for the Planning Board meeting scheduled for April 2, 2019. Please see the below comments.

The property in question has frontage on (CR 186) Kingfield Road. Kingsfield Road is a two-lane undivided facility without paved shoulders. The approximate pavement width for this segment of the roadway is 18 feet, with right-of-way at 30 feet. The posted speed is 35 MPH.

The County has an active project in design "Kingsfield Road Extension Project" that will reconstruct the existing roadway from Hwy 97 west to the first 90-degree curve, as well as construct a new 2-lane roadway further west to connect to the eventual Beulah Interchange Connector Project. The County is currently nearing 30% design, and in the right-of-way phase. Construction phase will follow design and right-of-way phases, once the necessary funding has been identified. The new extension roadway will run east to west through the subject property (see attached map), and the County is currently in communications with the property owners about the right-of-way needed to accommodate the new roadway.

Per the TPO's Congestion Management Process Plan, this section of Kingsfield Road does not have a formal roadway classification; however, the County considers its function as a local collector roadway. The County performed a traffic count on this portion of W. Kingsfield Road in 2017. The daily volume was recorded as 641 and presumes that this segment of the roadway is functioning within its allowable capacity.

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., Engineering Department Director Juan Lemos, CFM, Development Services Department





