

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
QUASI-JUDICIAL HEARING
June 3, 2013–8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Invocation/Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.
4. Quasi-judicial Process Explanation.

A. Z-2013-11

Applicant: Frank J. Sanders, Owner
Address: 10200 Pensacola Boulevard
From: C-1, Retail Commercial District, (cumulative) (25 du/acre)
To: C-2, General Commercial and Light Manufacturing District
(cumulative) (25 du/acre)

B. Z-2013-12

Applicant: Susan Thibodeaux, Owner
Address: 7649 Mobile Highway
From: R-2, Single-Family District (cumulative), Low-Medium Density
(seven du/acre)
To: AG, Agricultural District, Low Density (1.5 acres/du)

C. Z-2013-04

Applicant: Wiley C. "Buddy" Page, Agent for Poly Surveying
Address: 2842 Nowak Dairy Road
From: VAG-2, Villages Agriculture Districts, Gross Density (one du/five
acres)
To: V-2, Villages Single Family Residential, Gross Density (two du/acre)

5. Public Hearings.

6. Adjournment.

Planning Board-Rezoning

4. A.

Meeting Date: 06/03/2013
CASE : Z-2013-11
APPLICANT: Frank J Sanders, Owner
ADDRESS: 10200 Pensacola Boulevard
PROPERTY REF. NO.: 09-1S-30-1101-000-009
FUTURE LAND USE: C, Commercial
DISTRICT: 5
OVERLAY DISTRICT: N/A
BCC MEETING DATE: 07/11/2013

SUBMISSION DATA:

REQUESTED REZONING:

FROM: C-1, Retail Commercial District (cumulative) (25 du/acre)

TO: C-2, General Commercial and Light Manufacturing District (cumulative) (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)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

Comprehensive Plan (CPP) FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

CPP FLU 1.3.1 Future Land Use Categories. The Commercial (C) Future Land Use (FLU) category is intended for professional office, retail, wholesale, service and general business trade. Residential development may be permitted only if secondary to a primary commercial development. 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 1.5.3 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 C-2 **is consistent** with the intent and purpose of Commercial Future Land Use category as stated in CPP FLU 1.3.1 because the current future land use category allows for various commercial operations. The request to C-2 is consistent with FLU 1.5.3 due to the fact the parcel will be using the existing public roads, utilities and service infrastructure. Also this request encourages redevelopment of underutilized property.

CRITERION (2)

Consistent with The Land Development Code.

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

6.05.14. C-1 Retail Commercial District (cumulative). This district is composed of lands and structures used primarily to provide for the retailing of commodities and the furnishing of selected services. The district provides for various commercial operations where all such operations are within the confines of the building and do not produce undesirable effects on nearby property. New residential uses located in a commercial FLU category are only permitted as part of a predominantly commercial development in accordance with Policy FLU 1.3.1 of the Comprehensive Plan.

6.05.16. C-2 General Commercial and Light Manufacturing District (cumulative). This district is composed of certain land and structures used to provide for the wholesaling and retailing of commodities and the furnishing of several major services and selected trade shops. The district also provides for operations entailing manufacturing, fabrication and assembly operations where all such operations are within the confines of the building and do not produce excessive noise, vibration, dust, smoke, fumes or excessive glare. Outside storage is allowed with adequate screening being provided (see section 7.01.06.E.).

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code. The parcel fronts Pensacola Blvd, a major commercial arterial roadway.

CRITERION (3)

Compatible with surrounding uses.

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s).

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 C-1, C-2 and ID-1. There are 7 vacant parcels, 2 churches, 15 commercial parcels, and 4 single family homes.

CRITERION (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the amendment or property(s).

FINDINGS

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

CRITERION (5)

Effect on natural environment.

Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment.

FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils **were not** indicated on the subject property. When applicable, further review during the Site Plan Review process will be necessary to determine if there would be any significant adverse impact on the natural environment.

CRITERION (6)

Development patterns.

Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

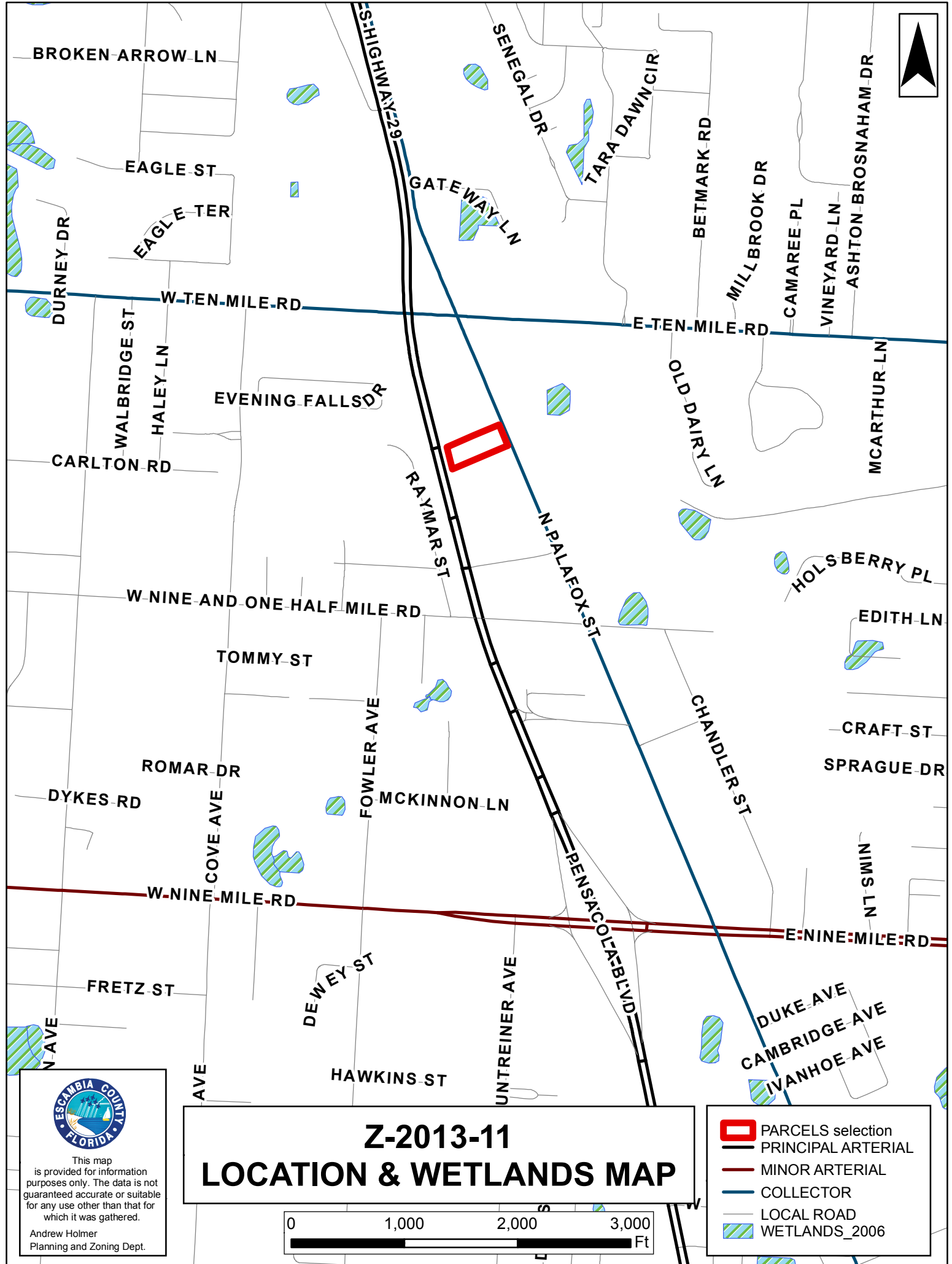
FINDINGS

The proposed amendment **would result** in a logical and orderly development pattern due to the fact the parcel fronts a commercial roadway with a predominant pattern of intense commercial development.

Attachments

Z-2013-11

Z-2013-11



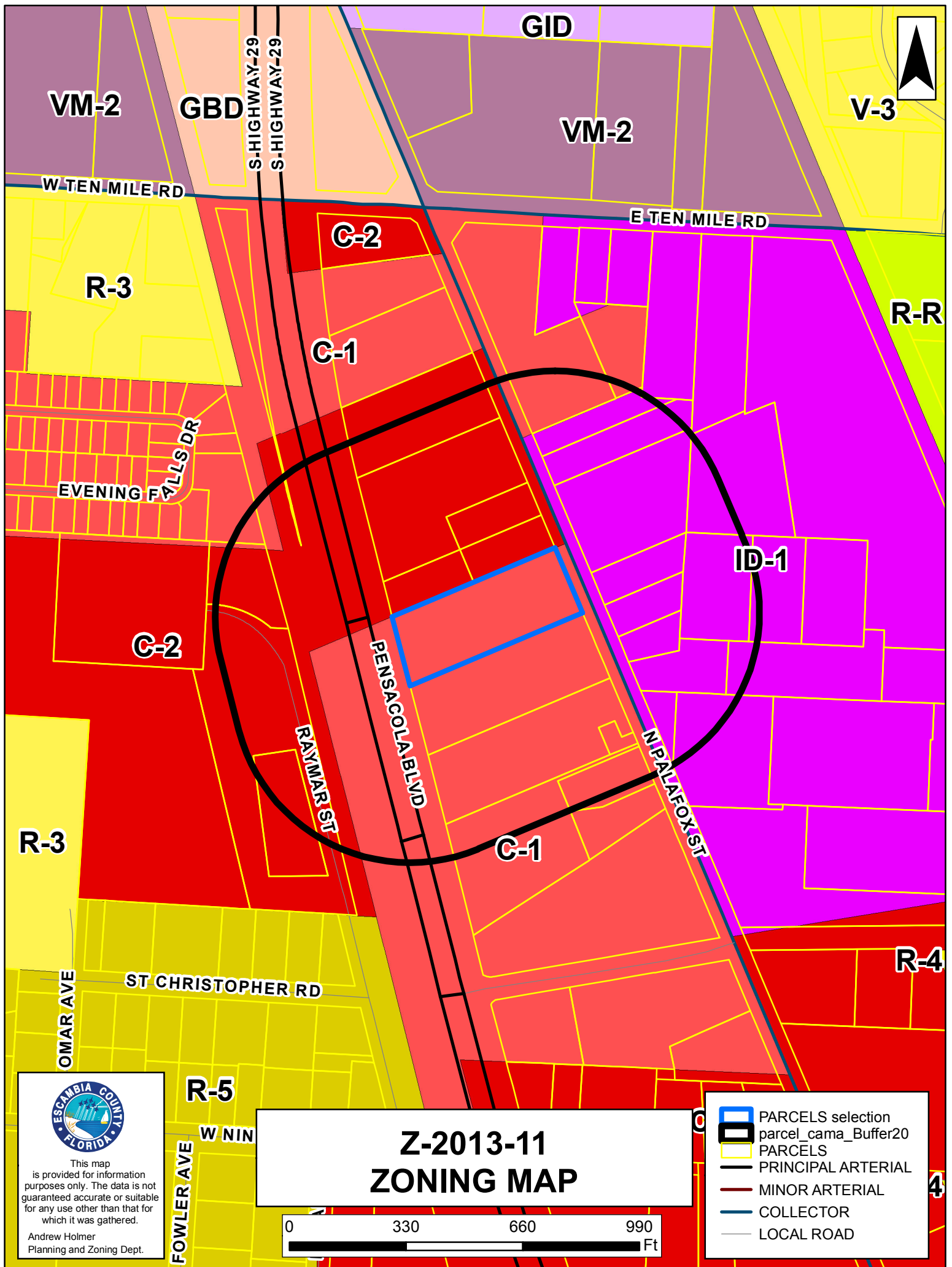
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2013-11
LOCATION & WETLANDS MAP

0 1,000 2,000 3,000 Ft

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



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

Andrew Holmer
Planning and Zoning Dept.



MU-S

W TEN MILE RD

E TEN MILE RD

EVENING FALLS DR

I

MU-U

G

PENSACOLA BLVD

RAYMAR ST

N PALAFOX ST

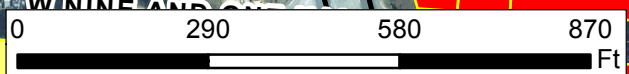
ST CHRISTOPHER RD



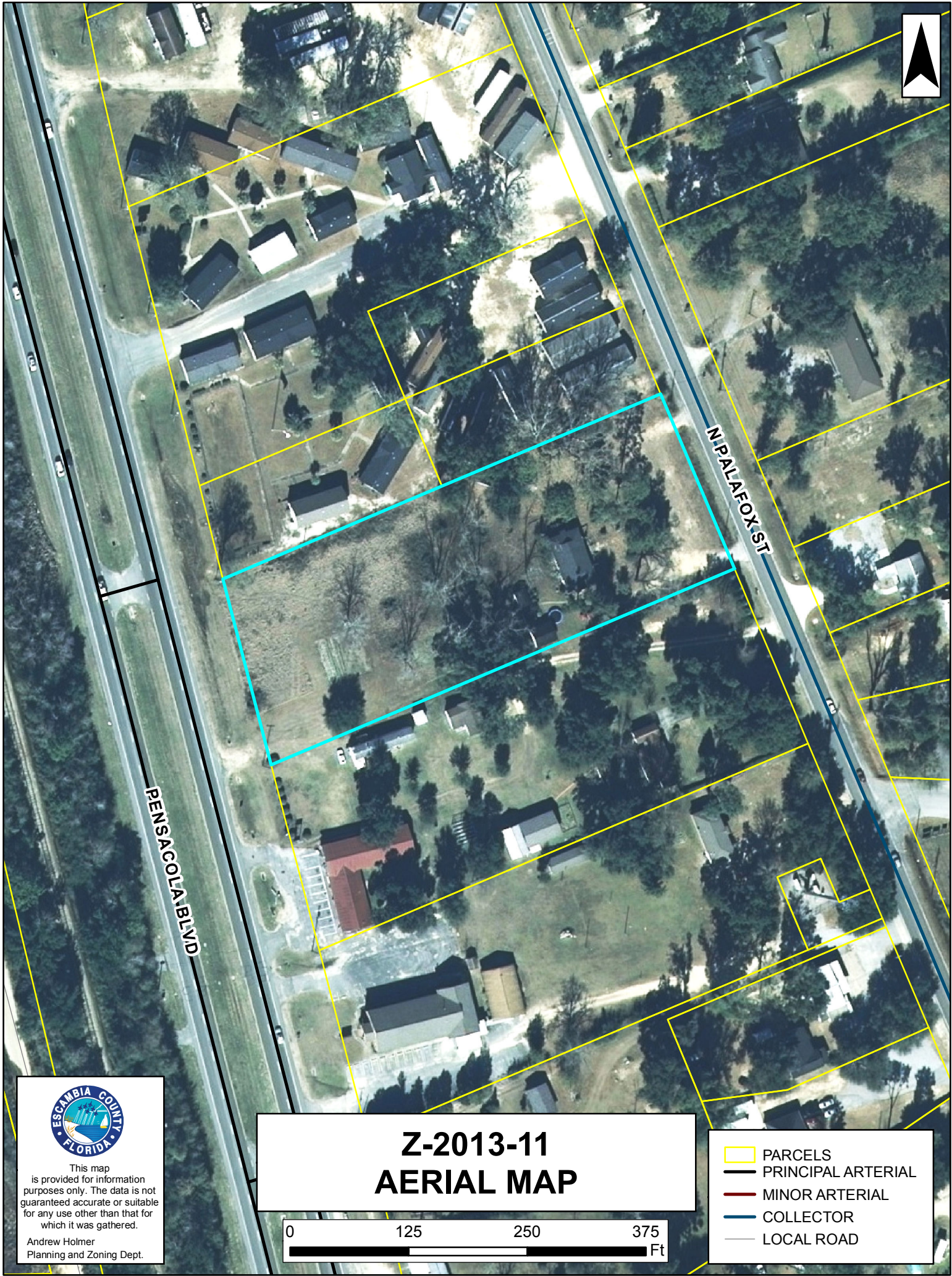
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Andrew Holmer
Planning and Zoning Dept.

Z-2013-11 FUTURE LAND USE MAP



- parcel_cama_Buffer20
- 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-2013-11 AERIAL MAP

0 125 250 375
Ft

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



PUBLIC HEARING SIGN



LOOKING NORTH ALONG PENSACOLA BLVD AND SUBJECT PROPERTY



LOOKING NORTHEAST



LOOKING EAST ONTO THE SUBJECT PROPERTY



LOOKING SOUTHEAST



LOOKING SOUTH ALONG PENSACOLA BLVD & SUBJECT PROPERTY



LOOKING SOUTHWEST FROM SUBJECT PROPERTY



LOOKING WEST FROM SUBJECT PROPERTY



LOOKING NORTHWEST FROM SUBJECT PROPERTY

SANDERS MFG. HOUSING, INC

10300 Pensacola Blvd.
Pensacola, FL 32534
850-474-0261/ 850-474-0685
850-474-9842 fax

Requesting to have commercial property re-zoned from C-1 to C-2 as to expand for future usage as Mobile Home Dealership.

Re-zoning Criteria

1. Supports and facilitates the desired future development pattern for commercial use thus consistent with the comprehensive plan.
2. Intent and purpose of both C1 and C2 primarily is to provide for the retailing of commodities and the furnishing of several major services thus remaining consistent with commercial usage.
3. Subject property has commercial business establishments abutting both North and South property lines. Re-zoning will allow extension of current business while remaining compatible with all surrounding properties.
4. No changed conditions that impact property or surrounding properties.
5. Re-zoning and usage of subject property will have no adverse impact on the natural environment.
6. Entire East corridor(Hwy 29 east to Old Palafox) between Nine and Ten Mile road is zoned commercial. Re-zoning subject property would result in a logical and orderly development pattern.

APPLICATION

Please check application type:

☐ Administrative Appeal

☐ Development Order Extension

☐ Conditional Use Request for: _____

☐ Variance Request for: _____

☒ Rezoning Request from: C1 to: C2

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Sanders Manufactured Housing of Pensacola, Inc. Phone: 850-474-0685

Address: 10300 Pensacola Blvd. Pensacola, FL 32534 Email: sandershousing@yahoo.com

☐ Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 10200 Pensacola Blvd. Pensacola, Florida 32534

Property Reference Number(s)/Legal Description: 09-1s-30-1101-000-009

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.

Frank J. Sanders
Signature of Owner/Agent

Frank J Sanders

Printed Name Owner/Agent

4-24-13
Date

Signature of Owner

Printed Name of Owner

Date

STATE OF Florida

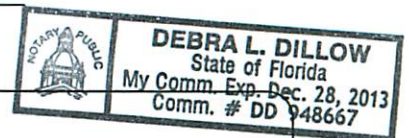
COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 24th day of April, 20 13,
by Frank J. Sanders.

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

Debra L. Dillow
Signature of Notary
(notary seal must be affixed)

DEBRA L. DILLOW
Printed Name of Notary



FOR OFFICE USE ONLY

CASE NUMBER: 2-2013-11

Meeting Date(s): _____ Accepted/Verified by: _____ Date: _____

Fees Paid: \$ _____ Receipt #: _____ Permit #: _____

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 09-1s-30-1101-000-009

Property Address: 10200 Pensacola Blvd. Pensacola, Florida 32534

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 transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. 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 24th DAY OF April, YEAR OF 2013

Frank J. Sanders
Signature of Property Owner



Frank J Sanders
Printed Name of Property Owner

4-24-13
Date

Signature of Property Owner

Printed Name of Property Owner

Date

FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS																					
Home	Contact Us	E-Filing Services	Document Searches	Forms	Help																
Previous on List	Next on List	Return To List	Entity Name Search																		
Events	Name History	<input type="button" value="Submit"/>																			
<h2>Detail by Entity Name</h2> <h3>Florida Profit Corporation</h3> <p>SANDERS MANUFACTURED HOUSING OF PENSACOLA, INC.</p> <div><p>This detail screen does not contain information about the 2013 Annual Report. Click the 'Search Now' button to determine if the 2013 Annual Report has been filed.</p><p><input type="button" value="Search Now"/></p></div>																					
<h3>Filing Information</h3> <table><tr><td>Document Number</td><td>P00000023118</td></tr><tr><td>FEI/EIN Number</td><td>593622840</td></tr><tr><td>Date Filed</td><td>02/28/2000</td></tr><tr><td>State</td><td>FL</td></tr><tr><td>Status</td><td>ACTIVE</td></tr><tr><td>Last Event</td><td>AMENDMENT AND NAME CHANGE</td></tr><tr><td>Event Date Filed</td><td>05/04/2012</td></tr><tr><td>Event Effective Date</td><td>NONE</td></tr></table>						Document Number	P00000023118	FEI/EIN Number	593622840	Date Filed	02/28/2000	State	FL	Status	ACTIVE	Last Event	AMENDMENT AND NAME CHANGE	Event Date Filed	05/04/2012	Event Effective Date	NONE
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<h3>Principal Address</h3> <p>10300 PENSACOLA BLVD PENSACOLA FL 32534</p>																					
<h3>Mailing Address</h3> <p>10300 PENSACOLA BLVD PENSACOLA FL 32534</p>																					
<h3>Registered Agent Name & Address</h3> <p>SANDERS, FRANK J 10300 PENSACOLA BLVD PENSACOLA FL 32534 US</p>																					
<h3>Officer/Director Detail</h3> <table><tr><td colspan="2">Name & Address</td></tr><tr><td>Title P</td><td></td></tr><tr><td colspan="2">SANDERS, FRANK J 10300 PENSACOLA BLVD PENSACOLA FL 32534</td></tr><tr><td>Title V</td><td></td></tr><tr><td colspan="2">SANDERS, LEIGH A</td></tr></table>						Name & Address		Title P		SANDERS, FRANK J 10300 PENSACOLA BLVD PENSACOLA FL 32534		Title V		SANDERS, LEIGH A							
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SANDERS, LEIGH A																					

10300 PENSACOLA BLVD.
PENSACOLA FL 32534

Annual Reports

Report Year Filed Date

2010	02/09/2010
2011	01/10/2011
2012	03/20/2012

Document Images

05/04/2012 -- Amendment and Name Change	View image in PDF format
03/20/2012 -- ANNUAL REPORT	View image in PDF format
01/10/2011 -- ANNUAL REPORT	View image in PDF format
02/09/2010 -- ANNUAL REPORT	View image in PDF format
03/25/2009 -- ANNUAL REPORT	View image in PDF format
03/21/2008 -- ANNUAL REPORT	View image in PDF format
02/19/2007 -- ANNUAL REPORT	View image in PDF format
02/09/2006 -- ANNUAL REPORT	View image in PDF format
02/12/2005 -- ANNUAL REPORT	View image in PDF format
03/15/2004 -- ANNUAL REPORT	View image in PDF format
01/27/2003 -- ANNUAL REPORT	View image in PDF format
02/20/2002 -- ANNUAL REPORT	View image in PDF format
03/06/2001 -- ANNUAL REPORT	View image in PDF format
02/28/2000 -- Domestic Profit	View image in PDF format

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State of Florida, Department of State



THE COUNTY OF ESCAMBIA
PENSACOLA, FLORIDA

**Development Services
Department**

Geographic Information Systems
Addressing Office
Phone (850) 595-3458
Fax (850) 595-3482
E-mail: rick_geiberger@co.escambia.fl.us

**T. Lloyd Kerr, AICP
Director**

Rick Geiberger
Address Coordinator
Escambia County
Florida

April 24, 2013

To whom it may concern:

Please be advised that the old address 10235 N. Palafox Street has been changed. The new official address issued to parcel identification number 09-1S-30-1101-000-009 is **10200 Pensacola Blvd.** Please update any records to the correct address. You may call me at 850-595-3458 should you have any questions regarding the address.

Thank You,

Rick Geiberger

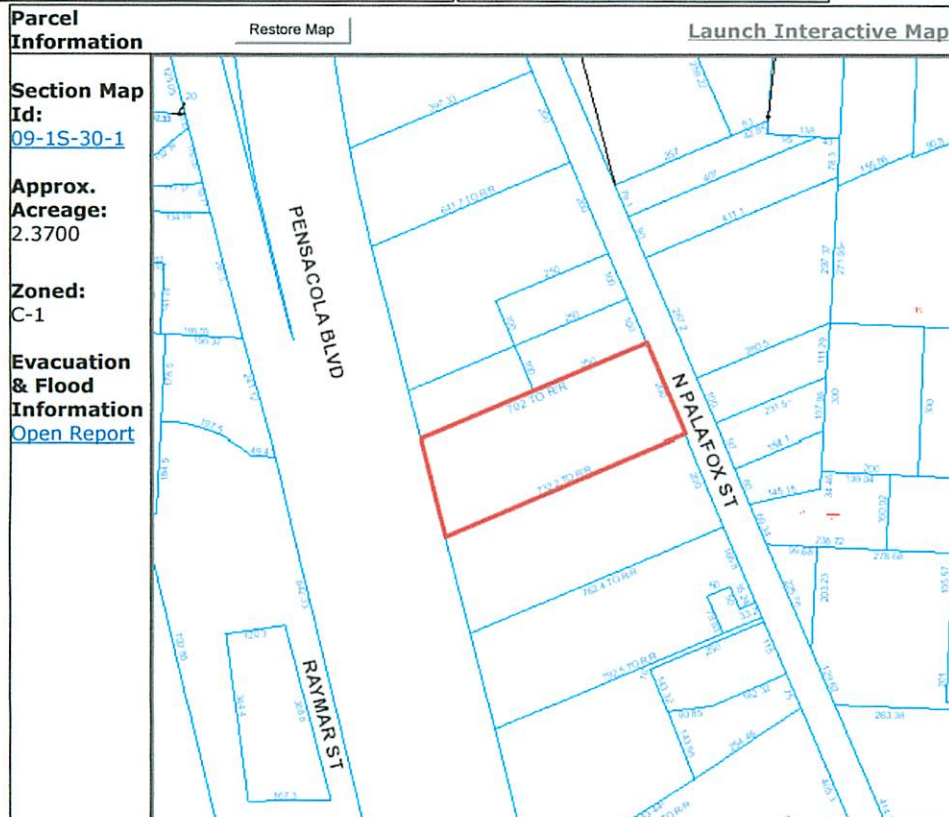
GIS Technician, Escambia County, Florida

[Back](#)

Source: Escambia County Property Appraiser

[Restore Full Page Version](#)

General Information					2012 Certified Roll Assessment	
Reference: 091S301101000009					Improvements: \$0	
Account: 014827000					Land: \$106,650	
Owners: SANDERS MFG HOUSING OF PENSACOLA INC					Total: \$106,650	
Mail: 10300 PENSACOLA BLVD PENSACOLA, FL 32534					Save Our Homes: \$0	
Situs: 10235 PALAFOX HWY 32534					Disclaimer	
Use Code: SINGLE FAMILY RESID					Amendment 1 Calculations	
Taxing Authority: COUNTY MSTU						
Tax Inquiry: Open Tax Inquiry Window						
Tax Inquiry link courtesy of Janet Holley, Escambia County Tax Collector						
Sales Data					2012 Certified Roll Exemptions	
					None	
Sale Date	Book	Page	Value	Type	Legal Description	
				Official Records (New Window)		
11/2003	5287	1371	\$100	WD	LT 9 TRAVIS PARK PB 2 P 16 OR	
11/2003	5287	1369	\$100	WD	5287 P 1365/1367/1369/	
11/2003	5287	1367	\$100	WD	1371/1373/1375/1377/1379/...	
11/2003	5287	1365	\$250,000	WD		
Official Records Inquiry courtesy of Ernie Lee Magaha, Escambia County Clerk of the Court					Extra Features	
					None	



Planning Board-Rezoning

4. B.

Meeting Date: 06/03/2013
CASE : Z-2013-12
APPLICANT: Aubrey James & Susan Thibodeaux
ADDRESS: 7649 Mobile Hwy
PROPERTY REF. NO.: 17-1S-31-4201-000-000
MU-S, Mixed-Use
FUTURE LAND USE: Suburban
DISTRICT: 1
OVERLAY DISTRICT: NA
BCC MEETING DATE: 07/01/2013

SUBMISSION DATA:

REQUESTED REZONING:

FROM: R-2, Single-Family District (cumulative), Low-Medium Density (seven du/acre)

TO: AG, Agricultural District, Low Density (1.5 acres/du)

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)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

Comprehensive Plan (CPP) FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

CPP FLU 1.3.1 Future Land Use Categories. The Mixed-Use Suburban (MU-S) Future Land Use (FLU) category is intended for a mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses. Allowed uses include Residential, Retail and Services, Professional Office, Recreational Facilities, and Public and Civic. The minimum residential density is two dwelling units per acre and the maximum residential density is ten dwelling units per acre.

CPP FLU 1.5.3 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 AG **is consistent** with the intent and purpose of Future Land Use Mixed-Use Suburban as stated in CPP FLU 1.1.1 and 1.3.1. The densities and allowable uses are compatible with those provided for in the Future Land Use category. The MU-S category allows for a mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses. The request to AG is also consistent with FLU 1.5.3, as the parcel is supported by existing infrastructure and utility services.

CRITERION (2)

Consistent with The Land Development Code.

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

6.05.07. R-2 Single-Family District (cumulative), Low-Medium Density.

This district is intended to be a single-family residential area with large lots and low population density. The maximum density is seven dwelling units per acre.

6.05.01. AG Agricultural District, Low Density.

This district is intended to identify those areas used primarily for farming, and/or the raising of livestock, and silviculture. A primary purpose of this district is to provide for the continuation and expansion of viable agricultural activities within the county by providing for compatibility among permitted uses and by preserving open spaces through low district-wide residential densities. The maximum density is 1.5 acres per dwelling unit.

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code. The applicant's zoning request will in fact reduce the maximum residential density on the parcel, will encourage the preservation of open spaces and provide for the desired permitted primary uses. Based on observations during the on-site visit, the requested AG zoning will be comparable in intensity to the uses of existing surrounding parcels.

CRITERION (3)

Compatible with surrounding uses.

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s).

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 AG, R-2, R-5, R-6, and R-R. During the site visit staff identified 18 single family residences, 6 vacant residential parcels, 2 mobile homes, 1 state park parcel, 1 timberland parcel, 1 Emerald Coast Utilities owned parcel, 1 agriculture-residential parcel and the county's equestrian center which is located across from the subject property.

CRITERION (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the amendment or property(s).

FINDINGS

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

CRITERION (5)

Effect on natural environment.

Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment.

FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils were **not indicated** on the subject property. When applicable, further review will be necessary to determine if there would be any significant adverse impact on the natural environment.

CRITERION (6)

Development patterns.

Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

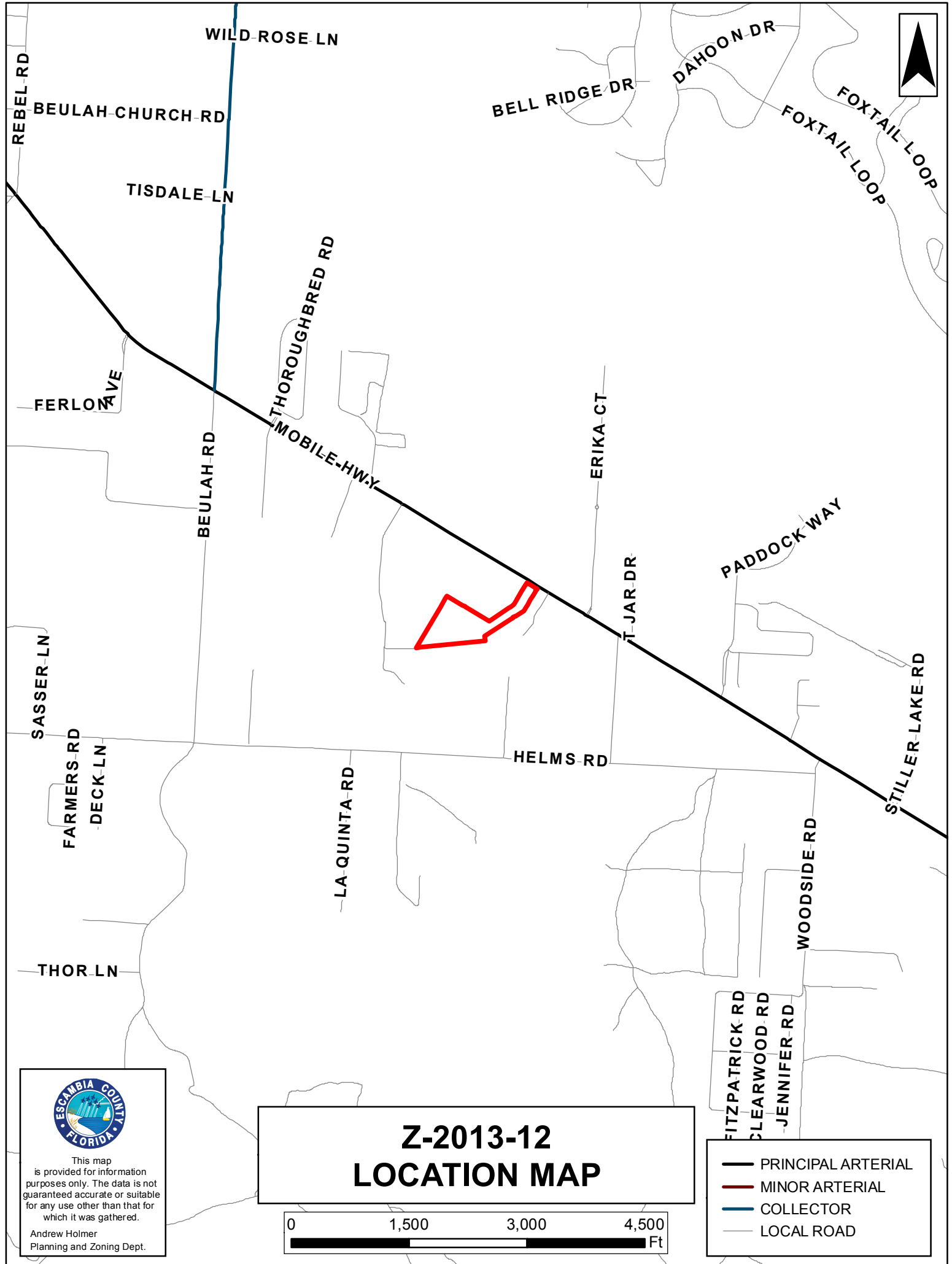
FINDINGS


The proposed amendment **would result** in a logical and orderly development pattern. The surrounding area is a mixture of single residential dwellings and agricultural land with routine agricultural related uses and activities. The proposed amendment to Agricultural zoning would be compatible with the existing surrounding uses.

Attachments

Z-2013-12

Z-2013-12



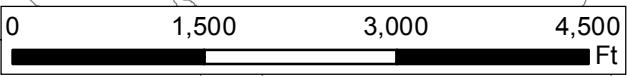


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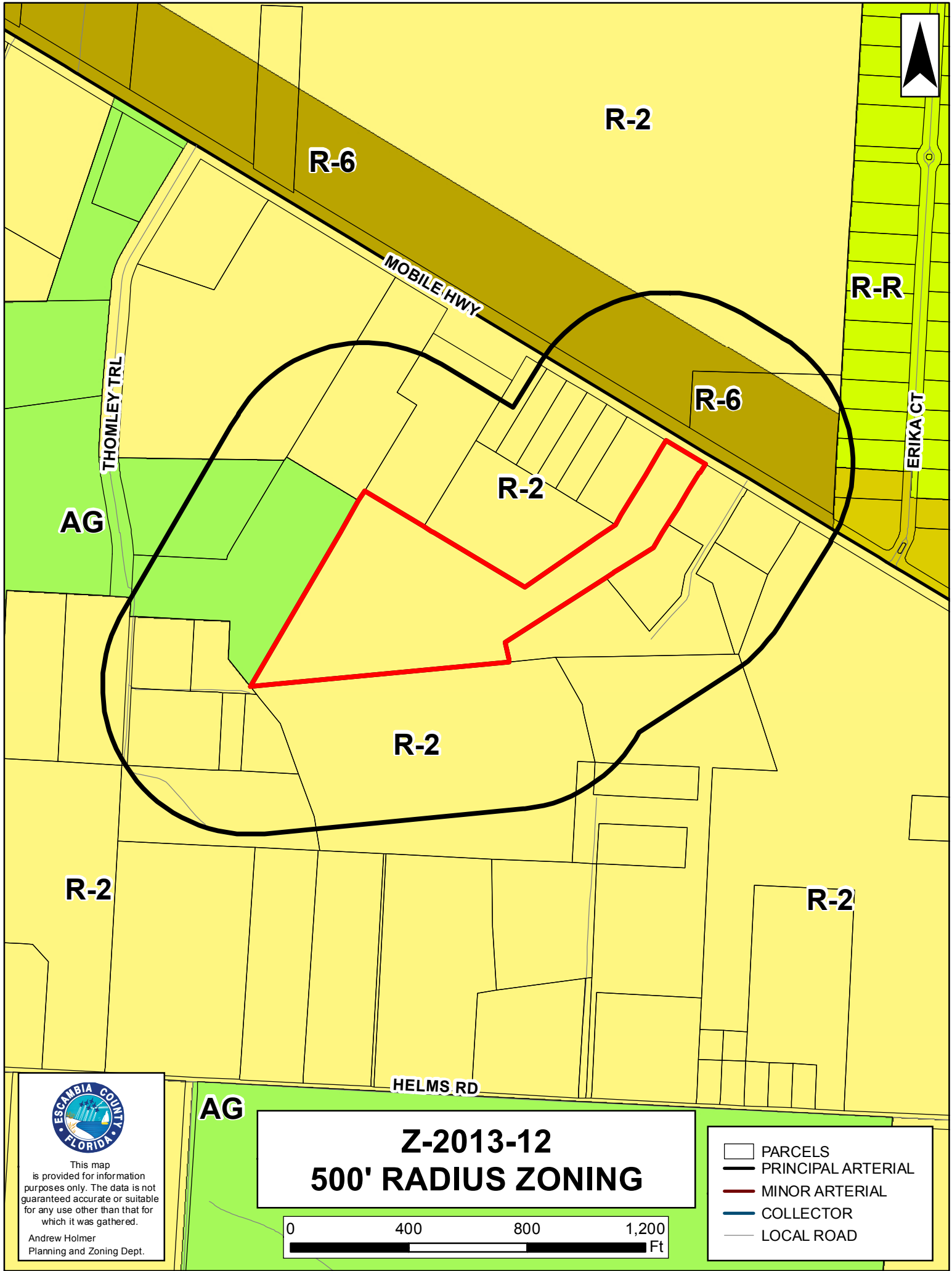
Andrew Holmer
Planning and Zoning Dept.

Z-2013-12

LOCATION MAP

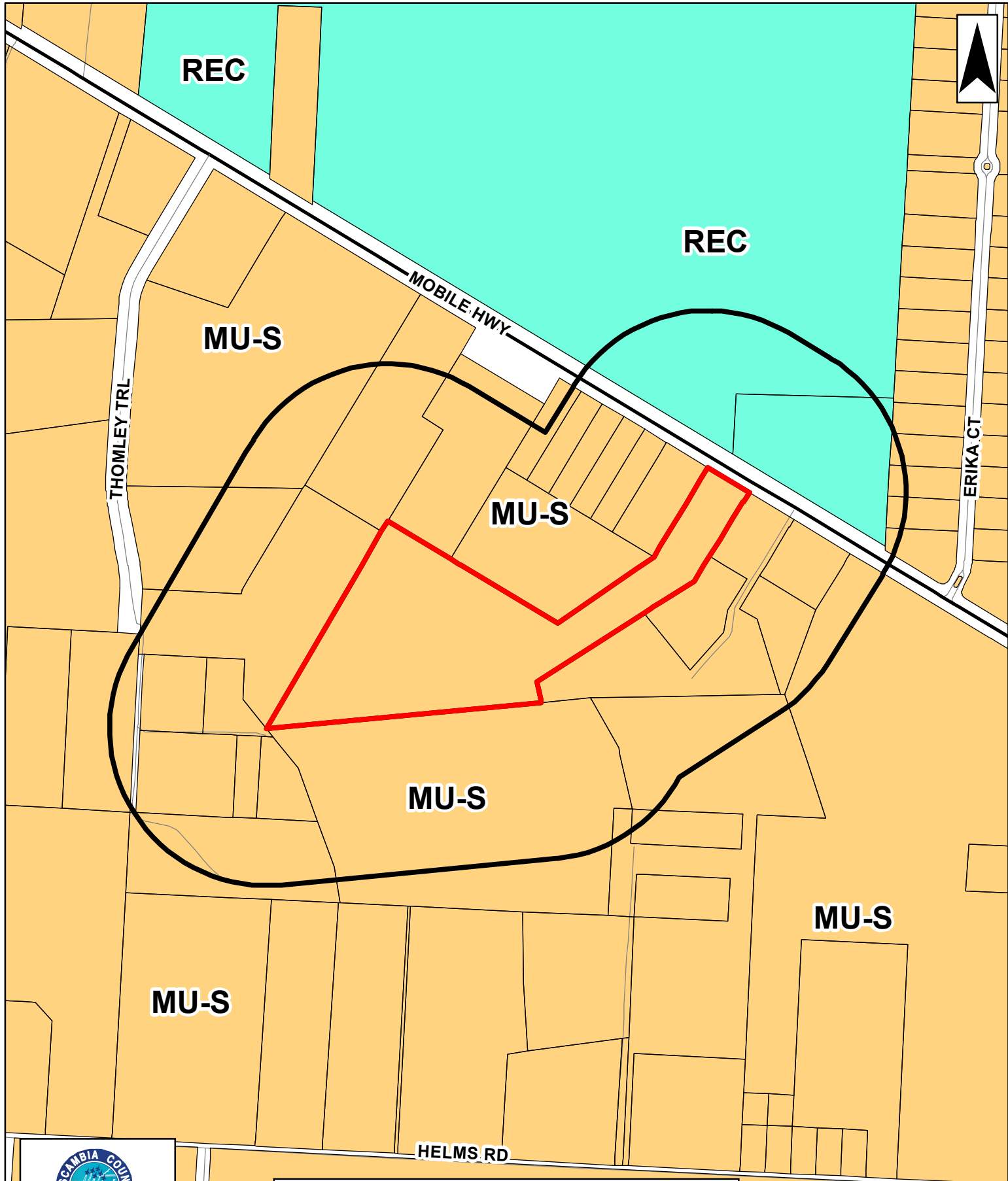


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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

Andrew Holmer
Planning and Zoning Dept.



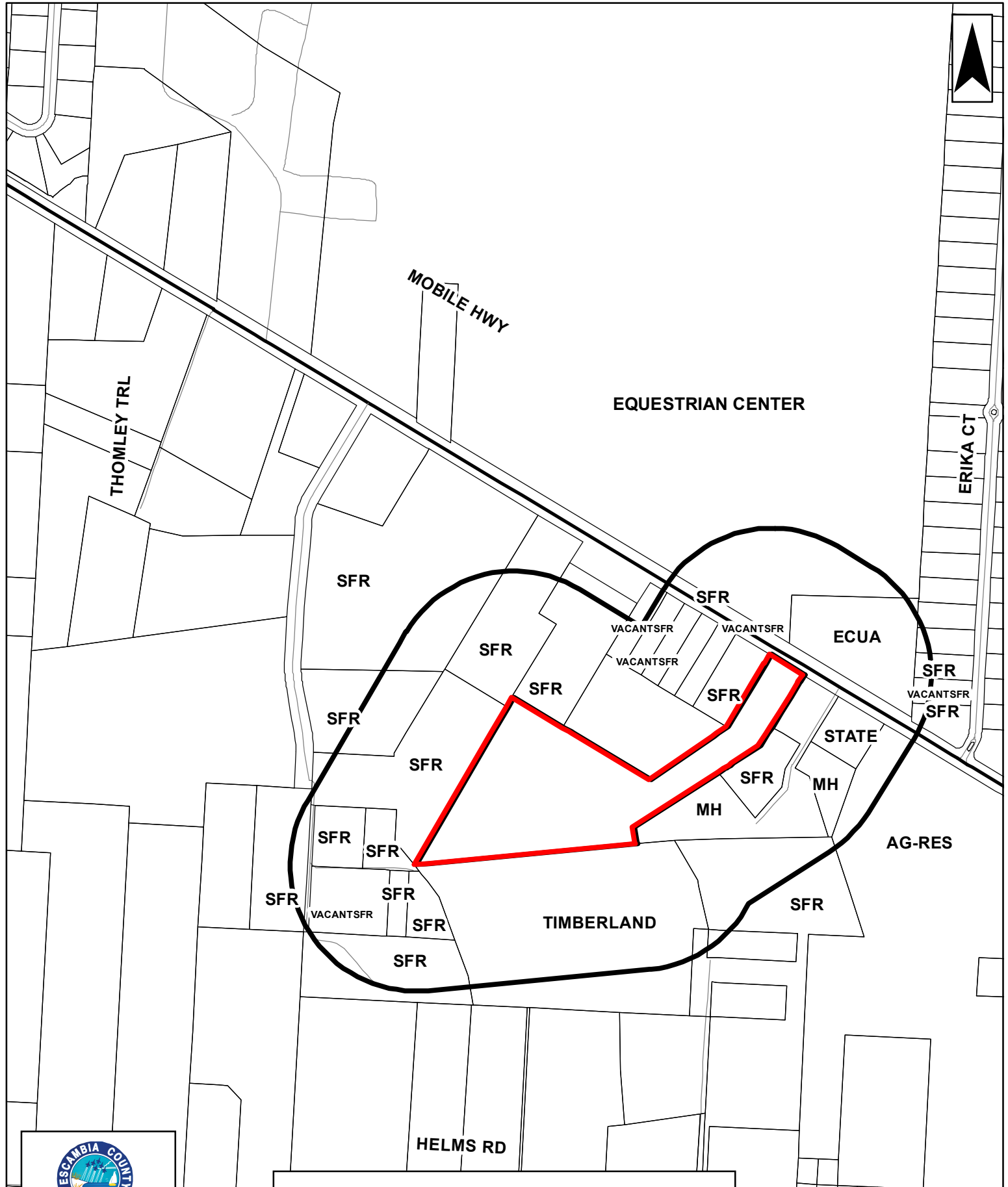
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2013-12 FUTURE LAND USE

0 400 800 1,200
Ft

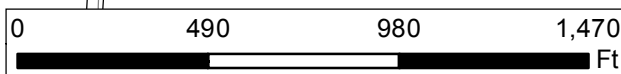
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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.

Z-2013-12 EXISTING LAND USE



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



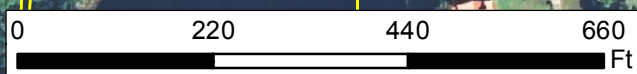
MOBILE HWY



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Andrew Holmer
Planning and Zoning Dept.

Z-2013-12 AERIAL MAP



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



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2013-12
CURRENT ZONING: R-2 PROPOSED ZONING: AG

PLANNING BOARD

DATE: 06/03/13 TIME: 8:30 AM

LOCATION OF HEARING

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
ROOM 104 BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 07/11/13 TIME: 5:45 PM

LOCATION OF HEARING

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

FOR MORE INFORMATION ABOUT THIS CASE PLEASE CALL
DEVELOPMENT SERVICES AT 595-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY





Looking Southwest from Parcel



Looking North from Parcel



Looking Northeast from Parcel



Looking South from Parcel



Looking Southeast from Parcel



Looking Southwest from Mobile Hwy

Susan Thibodeaux

7649 Mobile Hwy.

Pensacola, Florida 32526

Development Services Department

Escambia County, Florida

April 29th, 2013

To Whom it May Concern,

I am requesting a rezoning from R-2 to AG in order to have a stable and grazing for my horses.

It is consistent with the comprehensive plan, MUS allows for a mix of residential. commercial and AG.

It is consistent with the land development code.

The rezoning is compatible with the existing areas.

There will be no changed conditions that will impact the amendment or prpperty(s).

There will be no impact on the natural environment.

The rezoning does conform to an orderly development pattern.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Susan Thibodeaux", written in a cursive style.

Susan Thibodeaux



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

☐ Administrative Appeal

☐ Development Order Extension

☐ Conditional Use Request for: _____

☐ Variance Request for: _____

☐ Rezoning Request from: R-2 to: AG

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Aubrey James & Susan Thibodeaux

Phone: 850-313-1351

Address: 7649 Mobile Hwy Pers. FL 32526

Email: SUSAN2EMAIL@GMAIL.COM

☐ Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: _____

Property Reference Number(s)/Legal Description: 171S 3142 01000000

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

Susan Thibodeaux

Signature of Owner

Printed Name Owner/Agent

Susan Thibodeaux

Printed Name of Owner

Date

5-2-13

Date

STATE OF Florida

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 2nd day of May, 20 13.

by Susan Thibodeaux

Personally Known ☐ OR Produced Identification ☒ Type of Identification Produced: Florida Drivers License

Jennifer DeBrabant

Signature of Notary

(notary seal must be affixed)

Jennifer DeBrabant

Printed Name of Notary

Jennifer Debrabant
Notary Public
State of Florida

Comm. No. DD964181
Comm. Ends May 27, 2014

Date: 5/2/13

FOR OFFICE USE ONLY

CASE NUMBER: 2-2013-12

Meeting Date(s): PB 6/3/13 / BCC 7/11/13 Accepted/Verified by: _____

Fees Paid: \$ 1,155.00 Receipt #: _____ Permit #: PRZ 13050012



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: 2-2013-12

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 17 1S 31 4201 040 000

Property Address: 7649 Mobile Hwy Pens. 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 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:

- The necessary facilities or services are in place at the time a development permit is issued.
- 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.
- For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- 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.
- 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 transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. 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.
- 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 29th DAY OF April, YEAR OF 2013.

[Signature]
Signature of Property Owner

Susan J. Thibodeaux
Printed Name of Property Owner

4-29-13
Date

Aubrey James by Susan J. Thibodeaux as attorney in fact Aubrey James
Signature of Property Owner

Aubrey James
Printed Name of Property Owner

4-29-13
Date



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #:

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 7649 Mobile Hwy Pens. FL 32526
Florida, property reference number(s) 17-15-31-4201-000-000

I hereby designate _____ for the sole purpose
of completing this application and making a presentation to the:

☐ Planning Board and the Board of County Commissioners to request a rezoning on the above
referenced property.

☐ Board of Adjustment to request a(n) _____ on the above referenced property.

This Limited Power of Attorney is granted on this _____ day of _____ the year of,
_____, and is effective until the Board of County Commissioners or the Board of Adjustment has
rendered a decision on this request and any appeal period has expired. The owner reserves the right to
rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development
Services Bureau.

Agent Name: _____ Email: _____

Address: _____ Phone: _____

Signature of Property Owner

Printed Name of Property Owner

Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____ 20____,
by _____.

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

Signature of Notary

Printed Name of Notary

(Notary Seal)

Prepared By:
James C. Taylor
Taylor & Van Matre, P.A.
4300 Bayou Blvd., Suite #16
Pensacola, Florida 32503
File Number: TVM12-1455
Sales Price \$82,500.

**WARRANTY DEED
(INDIVIDUAL)**

This WARRANTY DEED, dated May 21, 2012

by

STEVE G. RIMPF a/k/a STEPHEN G. RIMPF

whose post office address is:

5998 WOLF LOG ROAD, FLOMATON, AL 36441

hereinafter called the GRANTOR, to

AUBREY JAMES and SUSAN THIBODEAUX, joint tenants with right of survivorship not as tenants in common

whose post office address is:

5099 HAMILTON BRIDGE ROAD, PACE, FL 32571

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:

SEE ATTACHED EXHIBIT "A"

Parcel ID Number: 171S31-4201-000-000

The property described in Exhibit "A" is not the constitutional homestead of the Grantor.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the current year 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 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.

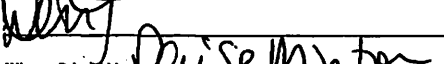
Signed, sealed and delivered in our presence:



Witness Printed Name: **STEVE G. RIMPF**



Witness Printed Name: **J. C. TAYLOR**



Witness Printed Name: **Duise Minton**

 (Seal)

STEVE G. RIMPF a/k/a STEPHEN G. RIMPF

(Seal)

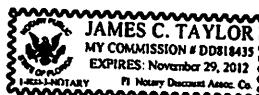
State of FLORIDA

County of ESCAMBIA

THE FOREGOING INSTRUMENT was acknowledged before me this May 21, 2012 by: **STEVE G. RIMPF a/k/a STEPHEN G. RIMPF** who is personally known to me or who has produced Drivers License as identification.


NOTARY PUBLIC

My Commission Expires:



File Number: TVM12-1455

EXHIBIT "A"

Commencing at the Southeast corner of Section 17, Township 1 South, Range 31 West, Escambia County, Florida; thence North along the East line of said Section, 1615.14 feet to the South right of way line of State Road No. 10A; thence North 62 degrees 30 minutes West, along said right of way line, 1903 feet; thence South 27 degrees 30 minutes West, a distance of 645 feet to the Point of Beginning; thence North 62 degrees 30 minutes West, a distance of 237 feet; thence South 27 degrees 30 minutes West, a distance of 778.9 feet; thence North 81 degrees 39 minutes 40 seconds East, a distance of 885.76 feet; thence North 19 degrees 42 minutes West, a distance of 55.58 feet; thence North 52 degrees 59 minutes East, a distance of 464.00 feet; thence North 37 degrees 01 minutes West, a distance of 135.5 feet; thence South 51 degrees 15 minutes West, a distance of 297.46 feet; thence North 62 degrees 30 minutes West, a distance of 398.4 feet to the Point of Beginning.

Parcel 2

Commencing at the Southeast corner of Section 17, Township 1 South, Range 31 West, Escambia County, Florida; thence North along the East line of said Section, 1615.14 feet to State Road 10A; thence North 62 degrees 30 minutes West, along said road, a distance of 1205.6 feet to the Point of Beginning; thence continue North 62 degrees 30 minutes West, a distance of 150 feet; thence South 27 degrees 33 minutes West, a distance of 327.14 feet; thence South 52 degrees 14 minutes West, a distance of 74 feet; thence South 37 degrees 01 minutes East, a distance of 135.5 feet; thence North 52 degrees 59 minutes East, a distance of 136 feet; thence North 27 degrees 33 minutes East, a distance of 323.07 feet to the Point of Beginning.

PREPARED BY:
James C. Taylor of
TAYLOR & VAN MATRE, P.A.
Florida Bar No.: 195250
4300 Bayou Boulevard/Suite 16
Pensacola, Florida 32503
(850) 474-1030
Our File: TVM13-1668

DURABLE POWER OF ATTORNEY
PURSUANT TO SECTIONS 709.2101 - 709.2402, FLORIDA STATUTES

BY THIS DURABLE POWER OF ATTORNEY, I, AUBREY A. JAMES, presently residing at 7649 Mobile Highway, Pensacola, FL 32526, appoint as my attorney-in-fact my daughter, SUSAN J. THIBODEAUX, hereinafter referred to as either "Attorney-in-Fact" or "Agent," to manage my affairs as indicated below. Said Agent has been and is so appointed pursuant to the provisions of Sections 709.2101 - 709.2402, Florida Statutes. **This Durable Power of Attorney shall be nondelegable and shall not be affected by disability, physical or mental, of the principal, except as provided by statute and the appointments hereby made shall be exercisable at any and all times provided by said Chapter 709, Florida Statutes in accordance with the following:**

1. General Grants of Authority: I hereby grant to my Agent full power and authority to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, relating to any person, matter, transaction or any interest in property owned by me, including, without limitation, my interest in all real property, including homestead real property; all personal property, tangible or intangible, all property held in any type of joint tenancy, including a tenancy in common, joint tenancy with right of survivorship, or a tenancy by the entirety; all property over which I hold a general, limited or special power of appointment; choses in action; and all other contractual or statutory rights or elections, including, but not limited to, any rights or elections in any probate or similar proceeding to which I am or may become entitled; all as to such property now owned or hereafter acquired by me.

Except as otherwise limited by applicable law, or by this durable power of attorney, my Agent has full power and authority to perform, without prior Court approval, everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present, with full power of substitution or revocation, and even though my Agent may also be acting individually or on behalf of any other person or entity interested in the same matters. I hereby ratify and confirm that my Agent shall lawfully have, by virtue of this durable power of attorney, the powers herein granted, including, but not limited to, the following:

a. To forgive, request, demand, sue for recover, collect, receive, hold all such sums of money, debts, dues, commercial paper, checks, drafts, accounts, deposits, legacies, bequests, devises, notes, interests, stock certificates, bonds, dividends, certificates of deposits, annuities, pensions, profit sharing, retirement, social security, insurance and other contractual benefits and proceeds, all intangible and tangible property and property rights, and demands whatsoever, liquidated or unliquidated, now or hereafter owned by me or due, owing, payable or belonging to me or in which I have or may hereafter acquire an interest.

b. To have, use, and take all lawful means and equitable and legal remedies and proceedings in my name for the collection and recovery of any property now or hereafter owned by me, and to adjust, sell, compromise, and agree for the same, and to execute and deliver for me, on my behalf, and in my name, all endorsements, releases, receipts, or other sufficient discharges for the same.

c. To acquire, purchase, invest, reinvest, exchange, grant options to sell, and sell and convey personal property, tangible or intangible, or interests therein, for such price and on such terms and conditions as my Agent shall deem proper including, without limitation, stocks, bonds, warrants, debentures, commodities, precious metals, futures, currencies, and in domestic and foreign markets or investment funds, including common trust funds.

d. To execute stock powers or similar documents and to delegate to a transfer Agent or similar person the authority to register any stocks, bonds, or other securities either into or out of my name or nominee's name.

e. To redeem bonds issued by and United States Government or any of its agencies or any other bonds; and to purchase bonds issued by the United States Government that can be redeemed at par in payment of federal estate taxes.

f. To acquire, purchase, exchange, grant options to sell, and sell and convey any and all of my real estate, lands, tenements, leases, leaseholds or other property partaking of the nature of real estate or any part or parcel thereof, which I now own or may hereafter acquire, or interests therein, including my homestead real property, at public or private sale, for such price and on such terms and conditions as my Agent shall deem proper; to execute any and all documents necessary to effectuate same including, but not limited to, contracts, deeds, affidavits, bills of sale, assignments and closing statements; provided, however, that if I am married, my Agent may not convey or dispose of my homestead property without joinder of my spouse or my spouse's legal Guardian. Joinder by my spouse may be accomplished by the exercise of authority in a durable power of attorney executed by my joining spouse, and neither my Agent nor I may appoint the other as Agent.

g. To maintain, repair, improve, invest, manage, partition, insure, rent, lease, encumber, and in any manner deal with any real or personal property, tangible or intangible, or any interest therein, that I now own or may hereafter acquire, in my name and for my benefit, upon such terms and conditions as my Agent shall deem proper; and to execute, acknowledge and deliver all instruments necessary to effectuate the foregoing.

h. To open and maintain savings, checking, money market and other accounts in my name or otherwise in any bank or financial institution or with any insurance or brokerage firm; to make, receive and endorse checks, drafts, or other commercial or mercantile instruments, deposit and withdraw funds, specifically including withdrawals from any savings account or savings and loan deposits; to acquire and redeem certificates of deposit and to utilize and manage such accounts; to deal generally in my behalf with any instrument for the payment of money in which I may have an interest; and to execute or release such deeds of trust or other security agreements as may be necessary or proper in the exercise of the rights and powers herein granted.

i. To borrow from time to time such sums of money upon such terms as my Agent shall deem appropriate for, or in relation to, any of the purposes or objects described herein, upon the security of any of my property whether real or personal, or otherwise, and for such purposes to give, execute, deliver and acknowledge mortgages with such powers and provisions as my Agent may think proper, and also such notes, bonds, or other instruments as may be necessary or proper in connection therewith; provided, however, that if I am married, my Agent may not mortgage my homestead property without joinder of my spouse or my spouse's legal Guardian. Joinder by my spouse may be accomplished by the exercise of authority in a durable power of attorney executed by my joining spouse, and neither my Agent nor I may appoint the other as Agent.

j. To apply for a Certificate of Title upon, and endorse and transfer title thereto, for any automobile, truck, pickup, van, motorcycle or other motor vehicle, and to represent in such transfer assignment that the title to said motor vehicle is free and clear of all liens and encumbrances except set forth in such transfer assignment.

k. To conduct or participate in any lawful business or whatever nature for me and in my name; execute partnership agreements and amendments thereto; incorporate, reorganize, merge, consolidate, recapitalize, sell, liquidate or dissolve any business; enter into voting trusts and other agreements or subscriptions; elect or employ officers, directors and Agents, carry out the provisions of any agreement for the sale of any business interest or stock therein; and exercise voting rights with respect to stock, either in person or by proxy, and exercise stock options.

l. To make gifts to charitable organizations or to or in trust for my spouse or any descendant of mine in connection with estate, gift, generation-skipping transfer, income or other tax planning for me or to qualify me for any government assistance program.

m. To consent to any gift and to utilize any gift-splitting provision or tax election; and to pay gift taxes, but only if in furtherance of my estate plan or of my desire to minimize taxes.

n. To transfer any or all assets of mine to any revocable trust created by me as to which trust I am, during my lifetime, a primary income or principal beneficiary.

o. To withdrawn from any trust, whether revocable or irrevocable, in which I have a current beneficial interest, such amounts of the principal or accrued or collected but undistributed income of such trusts as I would be permitted to receive or withdraw, pursuant to any right of receipt or withdrawal contained in such trusts.

p. To make, execute and file any and all declarations, joint or separate returns, waivers, consents, claims and other instruments or forms (including, without limitation, any IRS forms) relating to Federal, State, municipal and other taxes or assessments, including income, transfer, property, excise and other taxes of whatever nature and whether imposed or required by any domestic or by any foreign authority, and in connection with any such taxes or assessments due or claimed or believed to be due from me or in respect of any property or rights which I may own or in which I may have any interest.

q. To represent me before any office of the Internal Revenue Service, state agency, or any other governmental or municipal body or authority of whatever nature, domestic or foreign, and to conduct and transact any case, claim or matter whatsoever in connection therewith; to receive confidential information regarding tax matters for all periods, whether before or after the execution of this instrument; and to make tax elections.

r. To have access at any time or times to any safe deposit box rented by me, wheresoever located, and to remove all or any part of the contents thereof, and to surrender or relinquish said safe deposit box, and any institution in which any such safe deposit box may be located shall not incur any liability to me or my estate as a result of permitting my Agent to exercise this power.

s. To exercise any statutory rights or elections, including, but not limited to, any rights or elections in any probate or similar proceeding to which I am or may become entitled; to renounce or disclaim any interest otherwise passing to me by testate or intestate succession or by inter vivos transfer.

t. To employ as investment counsel, custodians, brokers, accountants, appraisers, attorneys at law or other Agents, such persons, firms or organizations, including my said Agent and any firm of which my said Agent may be a member or employee, as deemed necessary or desirable; to pay such persons, firms or organizations such compensation as is deemed reasonable; and to determine whether or not to act upon the advice of any such Agent without liability for acting or failing to act thereon.

u. To make self gifts in accordance with a fair and equitable gifting scheme that applies to all my lineal descendants. It is my intention that my Agent be empowered to make self gifts to be deemed valid as provided under the Internal Revenue Code or other Federal, State or local law.

v. My Agent may transfer from time to time some or all of my assets to the trustee or trustees of any revocable trust that I may have established or may establish in the future, regardless of the extent or limitations on my beneficial interests in that trust, to be administered in accordance with the terms thereof, and may manage the assets of said trust as if they were my solely owned assets.

w. My Agent may represent me before any office of the Internal Revenue Service or the Treasury Department of the United States and before the tax department of any state, county, or municipality with regard to any tax with which I am concerned. In particular without limitation, my Agent may represent me in connection with any federal income tax return, Form 1040, for all tax years; any federal gift tax returns. My Agent may perform all acts that I can perform with respect to any tax matters without limitation. My Agent may prepare, sign, and file any tax return; receive originals of all notices and other written communications; negotiate and make compromises; file claims; receive, endorse, and collect checks; receive and examine confidential information; and take appeals, file protests, and execute waivers and closing agreements. My Agent may consent on my behalf to have any gift made by my spouse, if I have a spouse, considered as made by each of us under section 2513 of the Internal Revenue Code.

x. Notwithstanding any other provisions or grants of authority to my Agent set forth herein, my Agent has the authority and power to conduct any and all banking transactions as provided in Section 709.2208(1), Florida Statutes.

y. Notwithstanding any other provisions or grants of authority to my Agent set forth herein, my Agent has the authority and power to conduct investment transactions as provided in Section 709.2208(2), Florida Statutes.

2. Conditional Grants of Authority and Limitations:

(1) My agent may exercise the following authority only if I have signed or initialed next to each of the following specific enumeration of the authority:

- | | |
|-------------------------------|---|
| _____
Principal's Initials | a. Create an inter vivos trust |
| _____
Principal's Initials | b. With respect to a trust created by or on behalf of me, amend, modify, revoke, or terminate the trust, but only if the trust instrument explicitly provides for amendment, modification, revocation, or termination by the Settlor's Agent. |
| _____
Principal's Initials | c. Make a gift, subject to subsection (3) below. |
| _____
Principal's Initials | d. Create or change rights of survivorship. |
| _____
Principal's Initials | e. Create or change a beneficiary designation. |
| _____
Principal's Initials | f. Waive my right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan. |
| _____
Principal's Initials | g. Disclaim property and powers of appointment |

Exercise of any one of the above initialed authority is also conditioned upon the authority being consistent with my Agent's duties under Section 709.2114, Florida Statutes, and that the exercise of such authority is not otherwise prohibited by another agreement or instrument.

(2) Notwithstanding a grant of authority to do an act described in subsection (1) above, unless this durable power of attorney otherwise provides, my Agent who is not an ancestor, spouse, or descendant of mine may not exercise authority to create in my Agent, or in an individual to whom my Agent owes a legal obligation or support, an interest in my property, whether by gift, right of survivorship, beneficiary designation, disclaimer, or otherwise.

(3) Unless this durable power of attorney otherwise provides, a provision in this durable power of attorney granting general authority with respect to gifts authorizes my Agent to only:

(a) Make outright to, or for the benefit of, a person a gift of any of my property, including by the exercise of a presently exercisable general power of appointment held by me in an amount per donee not to exceed the annual dollar limits of the federal gift tax exclusion under 26 U.S.C. s. 2503(b), as amended, without regard to whether the federal gift tax exclusion applies to the gift, or if my spouse agrees to consent to a split gift pursuant to 26 U.S.C. s. 2513, as amended, in an amount per donee not to exceed twice the annual federal gift tax exclusion limit; and

(b) Consent, pursuant to 26 U.S.C. s. 2513, as amended, to the splitting of a gift made by my spouse in an amount per donee not to exceed the aggregate annual gift tax exclusions for me and my spouse.

3. Prohibitions:

Notwithstanding the authorities and powers contained in this durable power of attorney, my Agent may not:

- a. Perform duties under a contract that requires the exercise of my personal services,
- b. Make any affidavit as to my personal knowledge;
- c. Vote in any public election on my behalf;
- d. Exercise powers and authority granted to me as trustee or as court-appointed fiduciary.

4. Standard of Care:

Except as otherwise provided herein. any Agent named herein is a fiduciary who must observe the standards of care applicable to trustees as described in Chapter 736 of the Florida Statutes. My Agent is not liable for any acts or decisions made by my Agent in good faith and under this durable power of attorney. Notwithstanding the above, my Agent shall be liable for any breach of duty committed dishonestly, with improper motive, or with reckless indifference to the purposes of this durable power of attorney on the best of me, as principal, or abuses his or her confidential or fiduciary relationship with me as principal under this durable power of attorney.

5. Interpretation and Governing Law:

This instrument is executed by me in the State of Florida, but it is my intention that this power of attorney shall be exercisable in any other state or jurisdiction where I may have any property or interests in property.

This instrument is to be construed and interpreted as a durable power of attorney as provided for in Sections 709.2101 - 709.2402, Florida Statutes, as these Statutes may be amended from time to time. This instrument is executed and delivered in the State of Florida, and the laws of the State

of Florida shall govern all questions as to the validity of this power and the construction of its provisions.

6. Third Party Reliance:

(a) Any third party may rely upon the authority granted in my durable power of attorney until the third party has received notice as provided herein.

(b) Until a third party has received notice of revocation pursuant to the terms contained herein, partial or complete termination of the durable power of attorney by adjudication of incapacity, suspension by initiation of proceedings to determine incapacity, my death, or the occurrence of an event referenced in this durable power of attorney, the third party may act in reliance upon the authority granted in this durable power of attorney.

(c) A third party that has not received written notice hereunder may, but need not, require that my Agent execute an affidavit stating that there has been no revocation, partial or complete termination, or suspension of the durable power of attorney at the time the power of attorney is exercised. A written affidavit executed by my Agent under this paragraph may, but need not, be in the following form:

STATE OF _____
COUNTY OF _____

BEFORE ME, the undersigned authority, personally appeared _____ ("Affiant") who swore or affirmed that:

1. Affiant is the Agent named in the durable power of attorney executed by _____ on _____.
2. This Power of Attorney is currently exercisable by Affiant. The principal is domiciled in _____.
3. To the best of Affiant's knowledge after diligent search and inquiry:
 - a. The Principal is not deceased;
 - b. Affiant's authority has not been suspended by initiation of proceedings to determine incapacity or to appoint a guardian or a guardian advocate; and
 - c. There has been no revocation, or partial or complete termination, of the power of attorney or of Affiant's authority.
4. Affiant is acting within the scope of authority granted in the power of attorney.
5. Affiant is the successor to _____, who has resigned, died, become incapacitated, is no longer qualified to serve, has declined to serve as Agent, or is otherwise unable to act, if applicable.
6. Affiant agrees not to exercise any powers granted by the Durable Power of Attorney if Affiant attains knowledge that it has been revoked, has been partially or completely terminated or suspended, or is no longer valid because of the death or adjudication of incapacity of the Principal.

Affiant

SWORN TO AND SUBSCRIBED before me this _____ day of _____, _____, by _____ (Affiant) who is personally known to me or who produced _____ as identification.

NOTARY PUBLIC

My Commission No.: _____

My Commission Expires: _____

(d) Third parties who act in reliance upon the authority granted to my Agent hereunder and in accordance with the instructions of the Agent will be held harmless by me from any loss suffered or liability incurred as a result of actions taken prior to receipt of written notice of revocation, suspension, notice of a petition to determine incapacity, partial or complete termination, or my death. A person who acts in good faith upon any representation, direction, decision, or act of my Agent is not liable to me or to my estate, beneficiaries, or joint owners for those acts.

(e) My Agent is not liable for any acts or decisions made by him or her in good faith and under the terms of the durable power of attorney.

7. Notice:

(a) A notice, including, but not limited to, a notice of revocation, partial or complete termination, suspension, or otherwise, is not effective until written notice is served upon my Agent or any third persons relying upon this durable power of attorney.

(b) Notice must be in writing and served on the person or entity to be bound by such notice. Service may be by any form of mail that requires a signed receipt or by personal delivery as provided in the Florida Statutes for service of process, and must otherwise be in accordance with Sections 709.2101 - 709.2402 Florida Statutes.

8. Damages and Costs:

In any judicial action regarding this durable power of attorney, including, but not limited to, the unreasonable refusal of a third party to allow an Agent to act pursuant to the power, and challenges to the proper exercise of authority by the Agent, per statute, the prevailing party is entitled to damages and costs, including reasonable attorney's fees.

9. Validity:

This durable power of attorney shall be non-delegable, except as to the stock powers which may be delegated to a transfer agent hereunder, and shall be valid until such time as I shall die, revoke the power, or shall be adjudged totally or partially incompetent by a court of competent jurisdiction. I may revoke the power only by providing written notice to my Agent. All acts of my Agent taken or done without actual knowledge of 1) my death, 2) an adjudication of my incompetency, or 3) my revocation are valid and effective, and are hereby ratified and confirmed.

10. Revocation of Prior Instruments:

By this instrument, I hereby revoke any power of attorney, durable or otherwise, that I may have executed prior to the date of this durable power of attorney.

I hereby confirm all acts of my Agent pursuant to this power.

Any act that is done under this power between the revocation of this instrument and notice of that revocation to my Agent shall be valid unless the person claiming the benefit of the act had notice of that revocation.

IN WITNESS WHEREOF, I have set my hand and seal on this 16th day of April, 2013.

Signed, sealed and delivered
in the presence of:

Linda M. Isaac

LINDA ISAAC

PRINT NAME

James C. Taylor

J. C. TAYLOR

PRINT NAME

Aubrey A. James

AUBREY A. JAMES

STATE OF FLORIDA
COUNTY OF ESCAMBIA

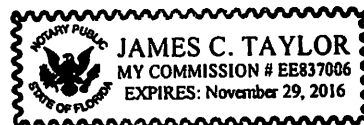
The foregoing instrument was acknowledged before me this 16th day of April, 2013, by AUBREY A. JAMES who is personally known to me or who produced FIA-ED CARD as identification.

James C. Taylor

NOTARY PUBLIC

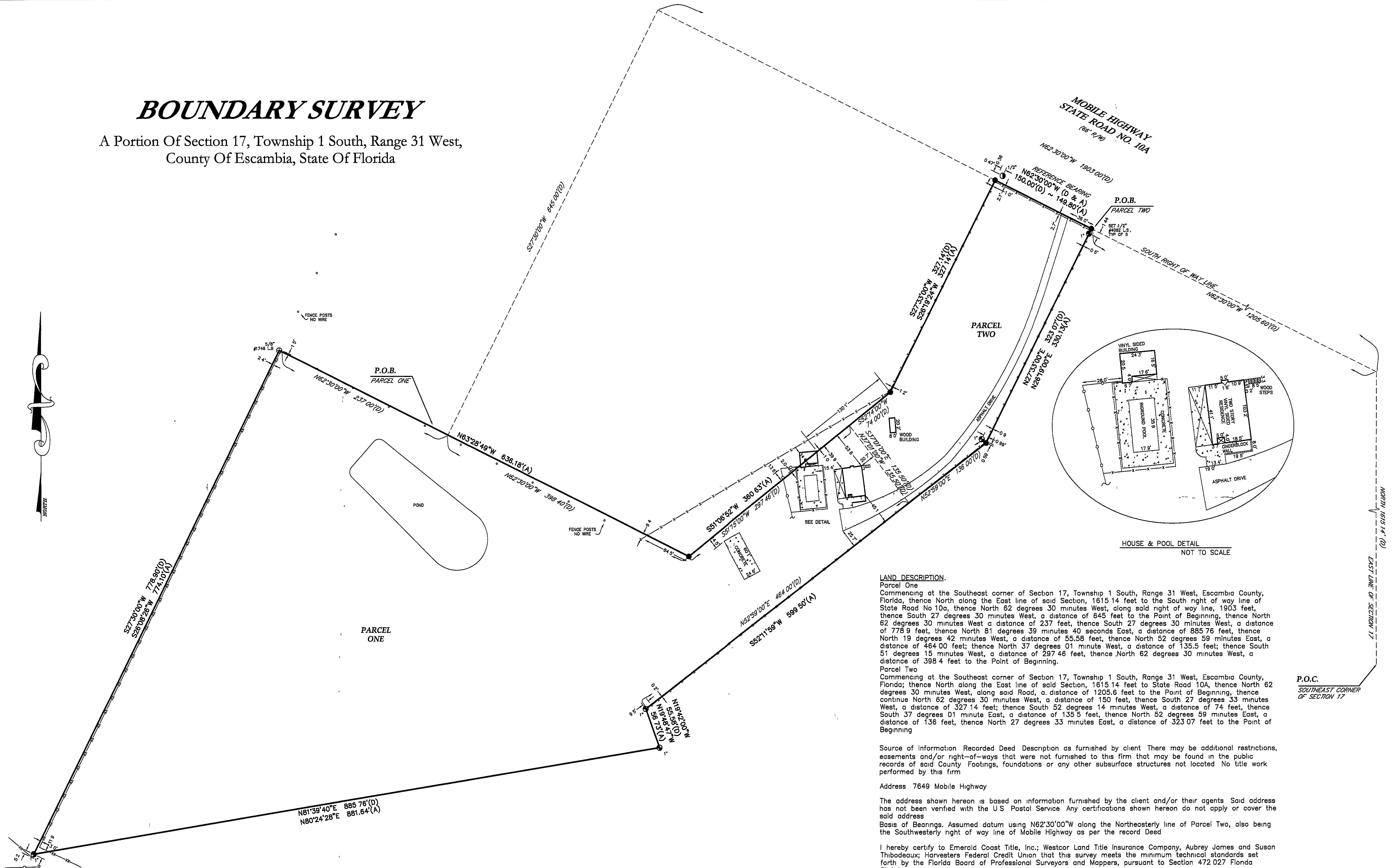
My Commission No.: _____

My Commission Expires: _____



BOUNDARY SURVEY

A Portion Of Section 17, Township 1 South, Range 31 West,
County Of Escambia, State Of Florida



SURVEYOR'S CERTIFICATE

I hereby certify the survey shown hereon meets the minimum technical standards, set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17.051 and 5J-17.052, Florida Administrative code, pursuant to Section 472.027, Florida Statutes

Joel Walters
State of Florida
4082

LEGEND

4" x 4" (P.M.) Permanent Reference Monument Found 4" x 4" Concrete Monument Found Capped Iron Rod Found Iron Rod Unnumbered Found Iron Pipe Unnumbered Found
(P.C.P.) Permanent Control Point Found Nail & disk Found 1/2" Capped Iron Rod #4082 Set Utility Pole Guy Anchor Wire E-T-C Aerial Electric, Telephone, Cable Lines Ele- Elevation
Chain Link Fence Wire Fence Wood Fence R/W- Right of Way B.S.L- Building Setback Line CONC- Concrete C- Centerline R- Property Line P.O.L- Point on Line C.M- Concrete Monument
P.O.C- Point of Commencement P.O.B- Point of Beginning P.C- Point of Curvature P.T- Point of Tangency P.I- Point of Intersection P.R.C- Point of Reverse Curvature P.C.C- Point of Compound Curvature
R- Radius Δ- Delta L- Length of Arc C- Chord CB- Chord Bearing T- Tangent (P)- Plat (D)- Description or Deed (A)- Actual (TYP)- Typical LB- Licensed Business LS- Licensed Surveyor
Indicates Covered Benchmark Set Hub & Tack NR- Non-Radial NTS- Not to Scale

LAND DESCRIPTION

Parcel One
Commencing at the Southeast corner of Section 17, Township 1 South, Range 31 West, Escambia County, Florida; thence North along the East line of said Section, 1615.14 feet to the South right of way line of State Road No 10a, thence North 62 degrees 30 minutes West, along said right of way line, 1903 feet, thence South 27 degrees 30 minutes West, a distance of 645 feet to the Point of Beginning, thence North 62 degrees 30 minutes West, a distance of 237 feet, thence South 27 degrees 30 minutes West, a distance of 778.9 feet, thence North 81 degrees 39 minutes 40 seconds East, a distance of 885.76 feet, thence North 19 degrees 42 minutes West, a distance of 55.58 feet, thence North 52 degrees 59 minutes East, a distance of 464.00 feet; thence North 37 degrees 01 minute West, a distance of 135.5 feet; thence South 51 degrees 15 minutes West, a distance of 297.46 feet, thence North 62 degrees 30 minutes West, a distance of 398.4 feet to the Point of Beginning.

Parcel Two
Commencing at the Southeast corner of Section 17, Township 1 South, Range 31 West, Escambia County, Florida; thence North along the East line of said Section, 1615.14 feet to State Road 10a, thence North 62 degrees 30 minutes West, along said Road, a distance of 1205.6 feet to the Point of Beginning, thence continue North 62 degrees 30 minutes West, a distance of 150 feet, thence South 27 degrees 33 minutes West, a distance of 327.14 feet; thence South 52 degrees 14 minutes West, a distance of 74 feet, thence South 37 degrees 01 minute East, a distance of 135.5 feet, thence North 52 degrees 59 minutes East, a distance of 136 feet, thence North 27 degrees 33 minutes East, a distance of 323.07 feet to the Point of Beginning

Source of Information: Recorded Deed Description as furnished by client. There may be additional restrictions, easements and/or right-of-ways that were not furnished to this firm that may be found in the public records of said County Footings, foundations or any other subsurface structures not located. No title work performed by this firm.

Address: 7649 Mobile Highway

The address shown hereon is based on information furnished by the client and/or their agents. Said address has not been verified with the U.S. Postal Service. Any certifications shown hereon do not apply or cover the said address.

Basis of Bearings: Assumed datum using N62°30'00"W along the Northeastly line of Parcel Two, also being the Southwesterly right of way line of Mobile Highway as per the record Deed.

I hereby certify to Emerald Coast Title, Inc.; Westcoast Land Title Insurance Company, Aubrey James and Susan Thibodeaux; Harvesters Federal Credit Union that this survey meets the minimum technical standards set forth by the Florida Board of Professional Surveyors and Mappers, pursuant to Section 472.027 Florida Statutes.

NOTICE: THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LAND SURVEYING

FAX NO
(850) 944-3012

PENSACOLA, FL 32526



JOEL WALTERS

TELEPHONE NO
(850) 944-7926

9191 RUBY'S FISH CAMP ROAD

DATE: _____
REVISING: _____



JOB NO. 13-03-015
CAD FILE: 1303015
REQUESTED BY: SUSAN THIBODEAUX
DATE OF SURVEY: 04/02/2013
FIELD BOOK: 628
PAGE: 50-51
ENCLOSURES: AS SHOWN
DRAWN BY: HMA

1
SHEET 1 OF 1
FILE NO C-1137

Planning Board-Rezoning

4. C.

Meeting Date: 06/03/2013
CASE : Z-2013-04
APPLICANT: Wiley C. "Buddy" Page, Agent for Poly Surveying
ADDRESS: 2842 Nowak Dairy Road
PROPERTY REF. NO.: 36-1N-31-2000-000-000; 36-1N-31-1200-000-000
MU-S, Mixed-Use
FUTURE LAND USE: Suburban
DISTRICT: 5
OVERLAY DISTRICT: N/A
BCC MEETING DATE: 07/11/2013

SUBMISSION DATA:

REQUESTED REZONING:

FROM: VAG-2, Villages Agriculture Districts, Gross Density (one du/five acres)

TO: V-2, Villages Single Family Residential, Gross Density (two 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)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

Comprehensive Plan (CPP) FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

CPP FLU 1.3.1 Future Land Use Categories. The Mixed-Use Suburban (MU-S) Future Land Use (FLU) category is intended for a mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses. Range of allowable uses include: Residential, Retail and Services, Professional Office, Recreational Facilities, Public and Civic. The minimum residential density is two dwelling units per acre and the maximum residential density is ten dwelling units per acre.

CPP FLU 1.5.3 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 V-2 **is consistent** with the intent and purpose of Future Land Use category MU-S as stated in CPP FLU 1.3.1. as the parcel is currently compatible with the allowable densities and uses within the FLU category. The parcel is accessing the existing public roads and if development occurs, the applicant may expand the use of utilities and service infrastructures.

CRITERION (2)

Consistent with The Land Development Code.

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

6.05.22 VAG 2-Gross Density (one dwelling unit per five acres).

Minimum lot size = five acres unless clustered.

If clustered, minimum lot size = one acre.

A. Intent and purpose.

2. Intent and purpose of VAG 2 district. This district is characterized by the following types of agricultural lands:

- (a) Small rural land areas of highly productive agricultural soils that may not be economically viable in a mainstream farming operation due to their size, and changes being undertaken in the surrounding area; or
- (b) Rural land areas with a mix of small farm operations and a typical rural residential density of one unit per four acres. The soils of these areas are least valuable for agricultural production and most suitable for future conversion out of the rural land market; or
- (c) Rural land areas which are not being used to support large farming operations, and that are characterized by a mix of natural resources and soils typically unsuitable for urban residential densities or other urban uses unless sewerred.

6.05.24. V-2, Villages Single-Family Residential--Gross density (two units per acre).

These maximum densities may or may not be attainable based on other code provisions and site-specific conditions.

A. Intent and purpose of V-1 through V-3 districts. Single-family detached residential district characterized by urban land development patterns with residential subdivision densities varying from one unit per acre to five units per acre. Mobile homes are not allowed. No minimum lot size is required for new subdivisions, but development must meet overall maximum density requirements. V-2A may be used in any AIPD overlay area with a compatible future land use designation. Density will be determined by the accident potential zone density allowed for their property, not to exceed three d.u./acre. In AIPD-2, density is limited to three d.u./acre. Refer to article 11 for uses and densities allowed in V, villages single-family residential areas located in the Airport/Airfield Environs. Structures within Airport/Airfield Environs, Zones, and Surfaces remain subject to the height definitions, height restrictions, and methods of height calculation set forth in article 11.

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code because the V-2 zoning district allows for single family residential development with more density and allowable uses; however, the maximum densities may or may not be attainable based on other code provisions and site-specific conditions.

CRITERION (3)

Compatible with surrounding uses.

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s).

FINDINGS

The proposed amendment would **not be compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed properties with zoning districts VR-1 and VAG-2; with 41 single family residential homes, and 8 vacant parcels, with the majority of the parcels being one acre in size. The request to V-2 would allow for two dwelling units per acre, which would contradict the surrounding VR-1 zoning which allows for one dwelling unit per four acres. If the request is granted, incompatibility can arise from either land use or structure size and design.

CRITERION (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the amendment or property(s).

FINDINGS

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

CRITERION (5)

Effect on natural environment.

Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment.

FINDINGS

According to the survey provided by the applicant, wetlands **were** indicated on the subject property, which may impact the amount of land to be developed for any future projects. When applicable, further review during the Site Plan Review process will be necessary to determine the total acres that may be developed and if there would be any significant adverse impact on the natural environment.

CRITERION (6)

Development patterns.

Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

FINDINGS

The proposed amendment **would not** result in a logical and orderly development pattern. The surrounding area is currently designated as village rural and village agriculture zoning which depicts one acre in size or larger for a single family home. The request to V-2 is more intense than the existing zoning and existing development. It would allow for two dwellings units per acre unlike the existing low density development of one dwelling unit per four acres.

Attachments

Z-2013-04

Z-2013-04



ANDREA LN

VISTA LN

FOX QUARRY RD

MEANDER LN

HAMPSHIRE RD

TROUBLE LN

HADLEY LN

WENSEL DR

CARMODY HILL RD

ARGLE RD

PINEBROOK CIR

NOWAK DAIRY RD

S-HIGHWAY-97

HIGHWAY-297A

SHERRILANE DR

SANDICREST DR

SANDICREST DR

SUNDANCE LN

BYRON PL
MOUNTBATTEN DR

CREEKWOOD DR

DEVINE F

Z-2013-04 LOCATION MAP

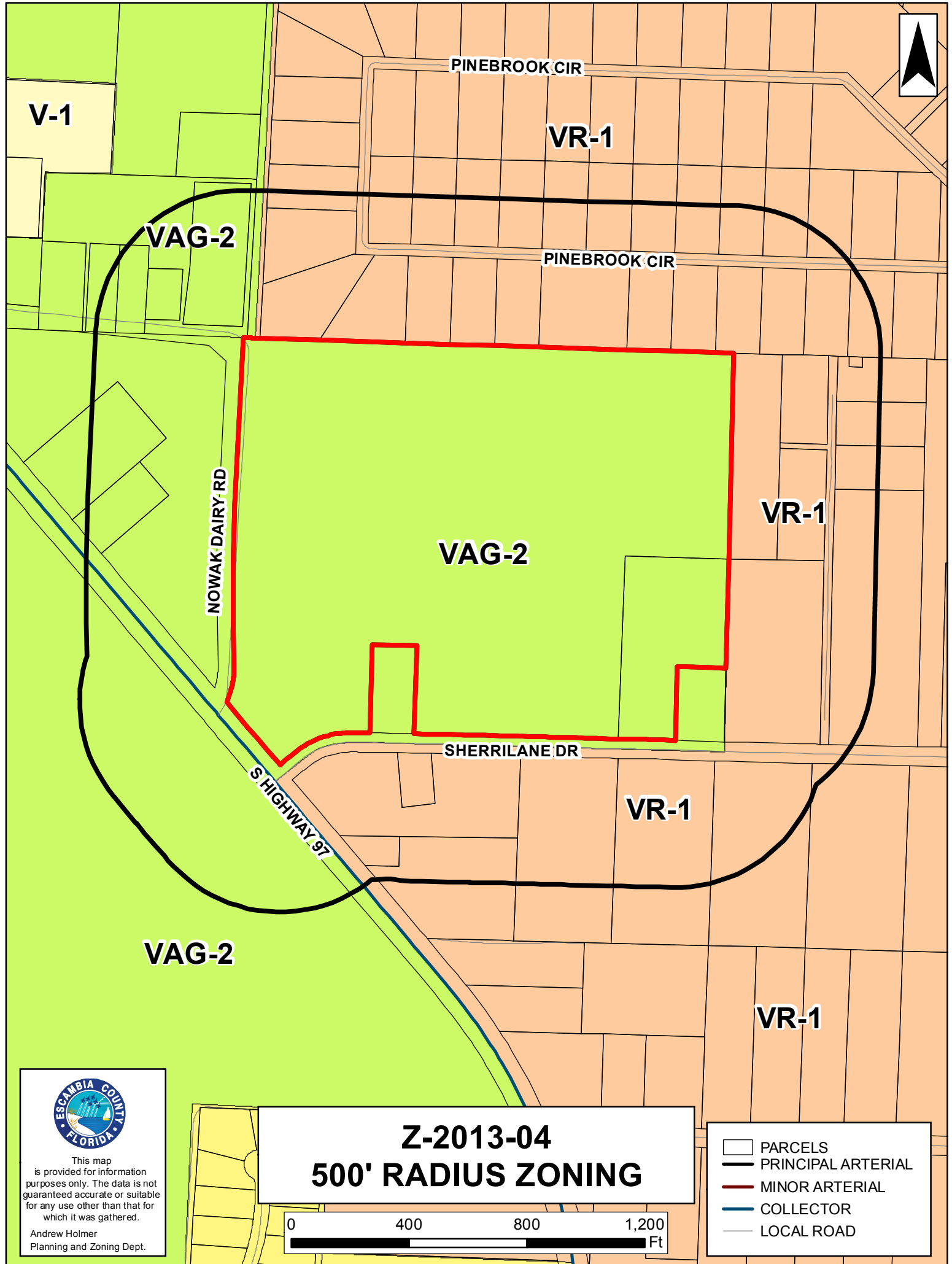
0 1,000 2,000 3,000
Ft



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.

- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



V-1

VR-1

VAG-2

PINEBROOK CIR

NOWAK DAIRY RD

VAG-2

VR-1

SHERRILANE DR

VR-1

S HIGHWAY 97

VAG-2

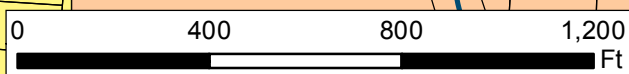
VR-1



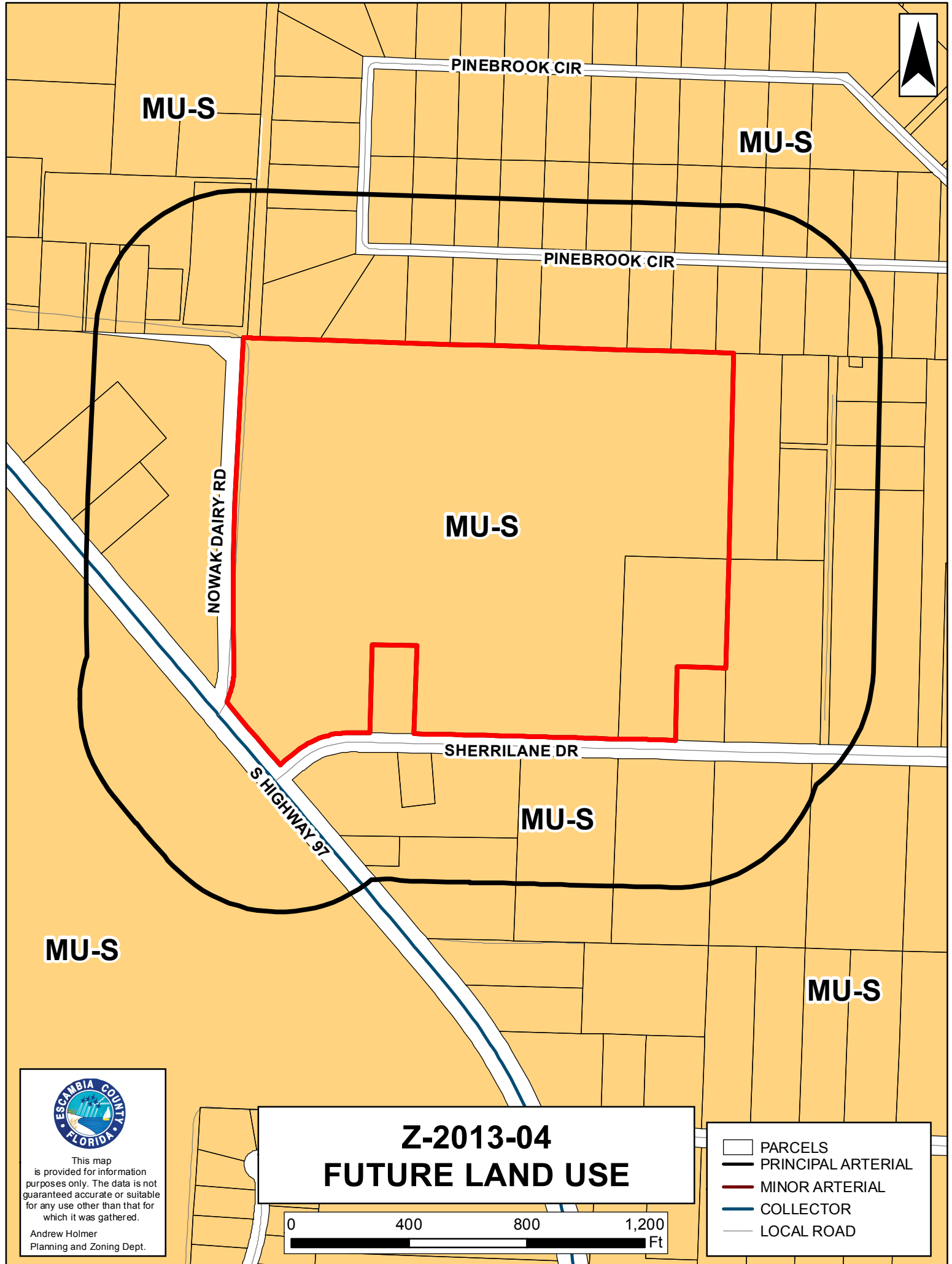
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2013-04 500' RADIUS ZONING



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



MU-S

MU-S

MU-S

MU-S

MU-S

MU-S

PINEBROOK CIR

PINEBROOK CIR

NOWAK DAIRY RD

SHERRILANE DR

S HIGHWAY 97



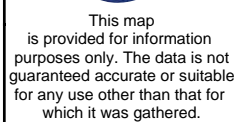
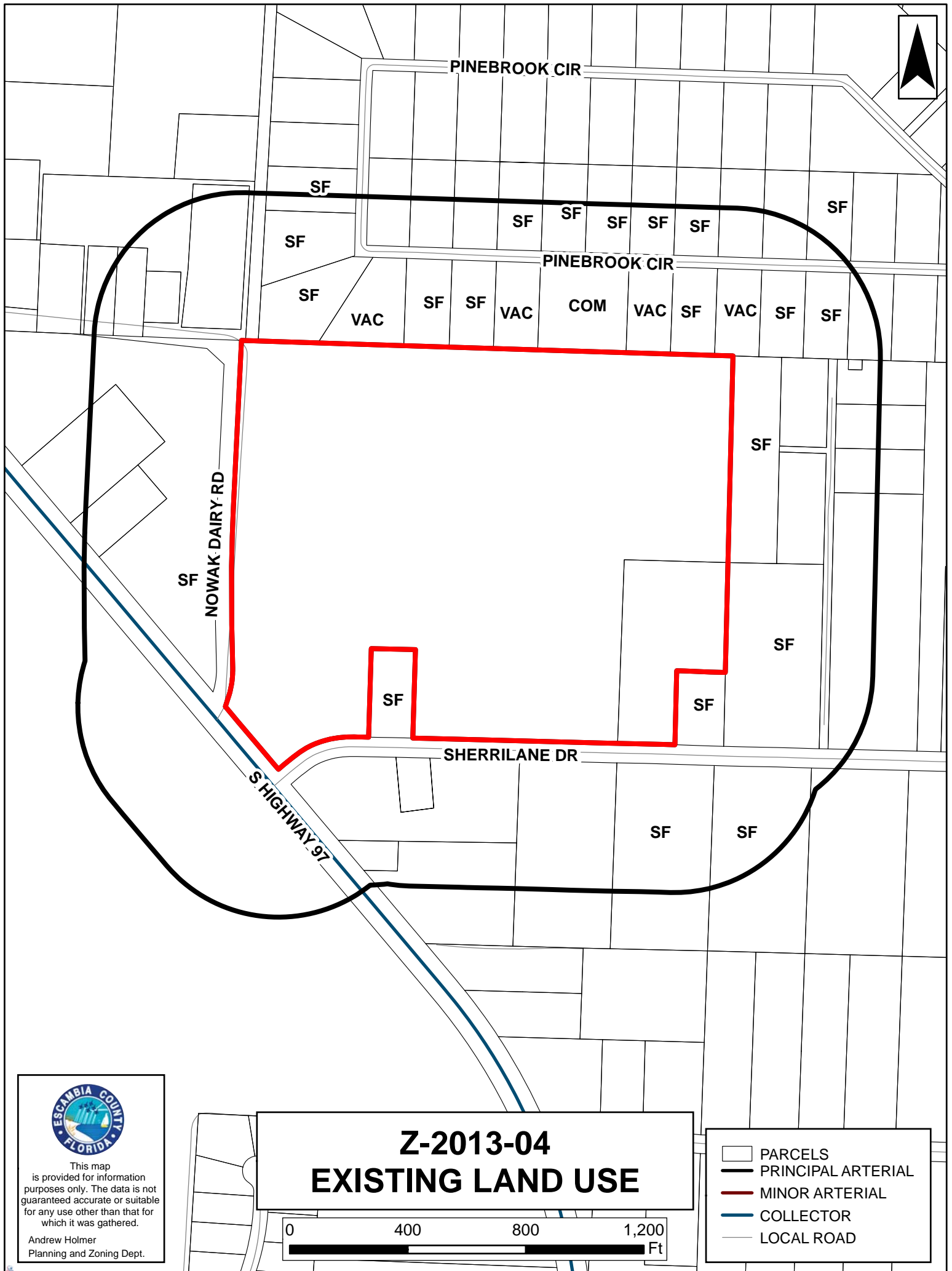
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2013-04 FUTURE LAND USE



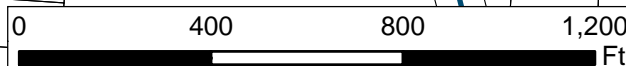
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD








Andrew Holmer
Planning and Zoning Dept.

Z-2013-04

EXISTING LAND USE



-  PARCELS
 PRINCIPAL ARTERIAL
 MINOR ARTERIAL
 COLLECTOR
 LOCAL ROAD



PINEBROOK CIR

SHERRILANE DR

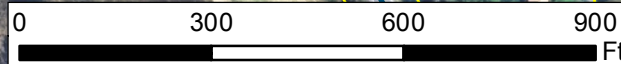
S HIGHWAY 97



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-2013-04 AERIAL MAP



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



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2013-04
CURRENT ZONING: VAG-2 PROPOSED ZONING: V-2

PLANNING BOARD

DATE: 06/03/13 TIME: 8:30AM

LOCATION OF HEARING

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
ROOM 104 BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 07/11/13 TIME: 5:45PM

LOCATION OF HEARING

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

FOR MORE INFORMATION ABOUT THIS CASE PLEASE CALL
DEVELOPMENT SERVICES AT 595-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY





Looking northwest along Highway 97
from subject property





Looking north down Nowak Dairy Road



Looking onto subject property from
Nowak Dairy Road



Looking north from the parcel on
Nowak Dairy Road



Looking southeast toward
Highway 97 and Sherrilane



S. Matthew Orrell, PLS
President

5588 JACKSON ROAD
MOBILE, ALABAMA 36619
(251) 666-2010
FAX (251) 666-1792

Darren M. Orrell, PLS
Secretary/Treasurer

Vincent D. LaCoste, II, P.E.
Vice President

J. Brett Orrell, PLS
Vice President

Escambia County Planning Department
3363 West Park Place
Pensacola, FL 32505

May 21, 2013

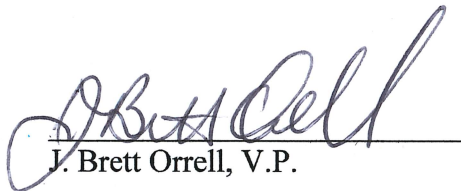
Re: Nowak Manor

To Whom It May Concern:

The property being located at 2842 Nowak Dairy Road, Cantonment, FL 32533 containing 47.9 acres more or less that is up for rezoning will now be represented by Mr. Buddy Page. The property was originally submitted as a V-3 designation and we request that the property come back to the planning board as a V-2 designation. We ask that this request be processed and allowed to go before the planning board on the June 3rd meeting.

Thanks for your time and consideration.

POLYSURVEYING



J. Brett Orrell, V.P.

JBO/dcm

Applicant Response to Required Criteria

Proposed Rezoning - Nowak Dairy Site

CRITERION (1)

Consistency with the Comprehensive Plan

Whether the proposed rezoning is consistent with the Comprehensive Plan.

FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

FLU 1.5.3 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).

FLU 1.3.1 Future Land Use Categories. Intended for a mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses. Residential uses include Retail and Services, Professional Office, Recreational Facilities and Public and Civic uses.

Applicant Findings

The proposed V-2 amendment is consistent with the intent and purpose of as stated at CPP FLU 1.3.1 above.

CRITERION (2)

Consistent with the Land Development Code

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

APPLICANT FINDINGS

The rezoning request is consistent with the intent and purpose of the Land Development Code as stated in 6.05.24.A which states in part "...residential densities varying from one to five units per acre>"

CRITERIA (3)

Compatible and the extent to which the proposed rezoning is compatible with existing and proposed uses in the area of the subject property.

APPLICANT FINDINGS

The "area" is comprised of a mixture of land use densities and the requested V-2 is compatible based upon the definition of "**compatibility**" adopted by the Planning Board and the Escambia Board of County Commissioners.

CRITERIA (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the rezoning of property(s).

APPLICANT FINDINGS

There are no recent changed conditions in the area.

CRITERIA (5)

Effect on natural environment.

Whether and to the extent to which the proposed rezoning would result in significant adverse impacts on the natural environment.

APPLICANT FINDINGS

Wetland areas within the development will fall under the jurisdiction of the County together with federal and state agencies and all plans will be submitted for review and approval prior to any development activity.

CRITERIA (6)

Development Patterns

Whether and the extent to which the proposed rezoning would result in a logical and orderly development pattern.

APPLICANT FINDINGS

The proposed rezoning would result in a logical and orderly development pattern. This portion of the County has been a favored residential development area as evidenced by the number and intensity of new subdivisions constructed of the past five to 10 years. The County has approved a number of nearby developments with a variety of compatible lot densities making this request consistent with existing patterns of single family residential neighborhoods.

POLY SURVEYING ENGINEERING

S. Matthew Orrell, PLS
President

5588 JACKSON ROAD
MOBILE, ALABAMA 36619
(251) 666-2010
FAX (251) 666-1792

Darren M. Orrell, PLS
Secretary/Treasurer

Vincent D. LaCoste, II, P.E.
Vice President

J. Brett Orrell, PLS
Vice President

February 5, 2013

Escambia County
Development Services Department
3363 W. Park Place
Pensacola, FL 32505

RE: Cantonment Property

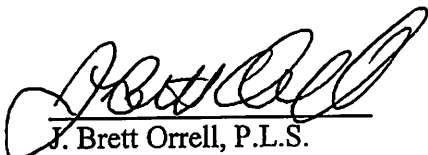
To Whom It May Concern:

We are submitting a re-zoning application for the property located at 2842 Nowak Rd., Cantonment, FL being property reference number 361N31-200-000-000. This property contains road frontage along Nowak Dairy Rd, Sherri Lane and South Highway 97. V-3 villages single family residential property. We are working on preliminary plans to submit a residential master plan for this site. The plan will provide frontage lots, along with an access to both Nowak Dairy Rd. & Sherri Lane for a total of two (2) accesses. There will be no direct access to South Highway 97 involved in this plan. Our client believes this location is ideal for a residential subdivision that will add character to the residentially zoned properties that surround this area. The plan for the residential property is to be complete in 25 lot phases, (with 10 frontage lots and 15 interior lots) until all frontage lots are developed. The current plan being developed will not exceed 100 lots because of wetland areas and lot size restrictions that the developer wants to maintain. The lots in the subdivision will be an average size of 85x130 foot minimum sized lots. We ask that the zoning be allowed to support the residential subdivision on this 44 acre site.

If you should have any question or require additional information, please advise.

Sincerely,

POLYSURVEYING



J. Brett Orrell, P.L.S.

JBO/kds



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

☐ Administrative Appeal

☐ Development Order Extension

☐ Conditional Use Request for: _____

☐ Variance Request for: _____

☒ Rezoning Request from: VAG-2 to: V-3

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: ETHEL P. NOWAK Phone: _____

Address: 3160 SANDICREST DRIVE CANTONMENT FL, 32533 Email: _____

☒ Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 2842 NOWAK DAIRY ROAD CANTONMENT FL, 32533

Property Reference Number(s)/Legal Description: 361N31-2000-000-000

361N31-1200-000-000

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.

Ethel Nowak
Signature of Owner/Agent

Ethel Nowak
Printed Name Owner/Agent

2-16-13
Date

Signature of Owner

Printed Name of Owner

Date

STATE OF Florida

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 16th day of February 20 13,
by Ethel Nowak

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

My Commission Expires 3-25-17

Glenda A. Gailey
Signature of Notary
(notary seal must be affixed)

Glenda A. Gailey
Printed Name of Notary



GLEND A. GAILEY
Notary Public - State of Florida
My Comm Expires Mar 25, 2017
Commission # EE 860974
Bonded Through National Notary Ass

FOR OFFICE USE ONLY

CASE NUMBER: 2-2013-04

Meeting Date(s): APRIL 1, 2013 Accepted/Verified by: Kayla Meador Date: 3/1/13

Fees Paid: \$ 1925.00 Receipt #: _____ Permit #: PRZ130200003



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: 2-2013-04

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 361N31-2000-000-000 + 361N31-1200-000-000

Property Address: 2842 NOWAK DAIRY ROAD CANTONMENT FLORIDA 32533

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

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

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

- The necessary facilities or services are in place at the time a development permit is issued.
- 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.
- For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- 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.
- 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 transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. 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.
- 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 16th DAY OF February, YEAR OF 2013.

Ethel Nowak
Signature of Property Owner

Ethel Nowak
Printed Name of Property Owner

2-16-13
Date

Signature of Property Owner

Printed Name of Property Owner

Date



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #: 2-2013-04

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 2842 NOWAK DAIRY ROAD,
Florida, property reference number(s) 361N31-2000-000-000 • 361N31-1200-000-000

I hereby designate DEVELOPMENT CONSULTING C/O T.J. MONTI 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.

☐ Board of Adjustment to request a(n) _____ on the above referenced property.

This Limited Power of Attorney is granted on this 16th day of February the year of,
2013, 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: DEVELOPMENT CONSULTING C/O T.J. MONTI Email: TJ@GCSANDI.COM

Address: 5325 KOOIMAN ROAD THEODORE AL, 36582 Phone: 251-379-6175

Ethel Nowak
Signature of Property Owner

Ethel Nowak
Printed Name of Property Owner

2-16-13
Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF Florida

COUNTY OF Escambia

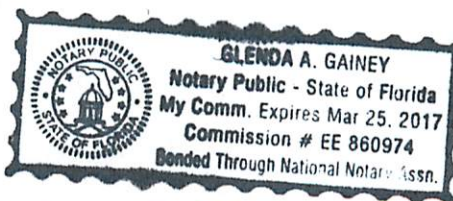
The foregoing instrument was acknowledged before me this 16th day of February 20 13
by Ethel Nowak.

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

Glenda A. Gainey
Signature of Notary

Glenda A. Gainey
Printed Name of Notary

(Notary Seal)



Nowak Dairy Road
A Portion of Parcel: TA #29-1N-31-2000-000-000

File No: 6797

DEED DOC STAMPS PD @ ESC CO \$ 0.70
05/21/03 EMMIE LEE MAGNAN, CLERK
By: [Signature]

WARRANTY DEED

THIS DEED, made this 8th day of May, 2003, between Ethel P. Nowak, unmarried widow, whose address is 3160 Sandicrest Dr., Cantonment, FL 32533, as Grantor, and ESCAMBIA COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 223 Palafox Place, Pensacola, Florida, 32501, as Grantee.

WITNESSETH that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration to Grantor in hand paid by Grantee, the receipt of which is acknowledged, conveys to Grantee and Grantee's successors and assigns forever, the following described land situated in Escambia County, Florida as described in:

EXHIBIT "A"

And the Grantor COVENANTS WITH Grantee that, except as noted, at the time of the delivery of this deed Grantor was well seized of the property; Grantor had good right and title to convey; Grantee shall have the peaceable and quiet possession thereof; Grantor shall fully warranty the title and defend it against the lawful claims of persons whomsoever; and Grantor will make further assurance as may be reasonably required to perfect the fee simple title in Grantee and Grantee's successors and assigns.

Provided, however, the GRANTOR reserve unto herself, her successors or assigns, ALL minerals, including oil and gas, on, in, or under said land, but as long as said land shall be used for Public, State or Federal highway purposes, GRANTOR shall not be permitted to use the surface of said land for purposes of drilling, mining, or extracting minerals on, in, or under said land or in anywise using the surface of said land in any manner inconsistent with the use as a Public, State or Federal highway.

THIS CONVEYANCE IS SUBJECT TO taxes for the year 2002 and subsequent years; conditions, easements, and restrictions of record, if any, but this reference does not operate to reimpose any of them; and zoning ordinances and other restrictions and prohibitions imposed by applicable governmental authorities.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seal on day and year first above written.

Signed in the presence of:

[Signature]
Witness

JAMES F. NOWAK
Print or type name

[Signature]
Witness

Brenda W. Mackay
Print or type name

Ethel P. Nowak
Ethel P. Nowak

State of Florida
County of Escambia

The foregoing instrument was acknowledged before me this 8th day of May 2003,
by Ethel P. Nowak, (☒) who is personally known to me, (☐) who produced current Florida/other
driver's license as identification, (☐) produced current identification. Type of identification
produced _____

(Notary Seal must be affixed)

BERNIE W. MANNING
Notary Public - State of FL
My Comm. Exp - 05/31/06
Comm. No. - DD97474

Bernie W Manning
Signature of Notary Public
Bernie W Manning
Printed Name of Notary Public

Commission Expires 5-31-06
Commission Number DD 97474

ACCEPTANCE

TITLE TO THE ABOVE PROPERTY accepted for public use by the Chairman on this 19th day
of May, 2003, as authorized by action of the Board of County Commissioners of Escambia
County, Florida at its meeting held on 6-20-02

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Marie Young
Marie Young, Chairman

ATTEST: ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT

Doris Z...
DEPUTY CLERK



This instrument prepared by:
John F. Jackson, Escarosa Land Research Company
prepared under the supervision of the County Attorney's office
Pursuant to the issuance of title insurance policy

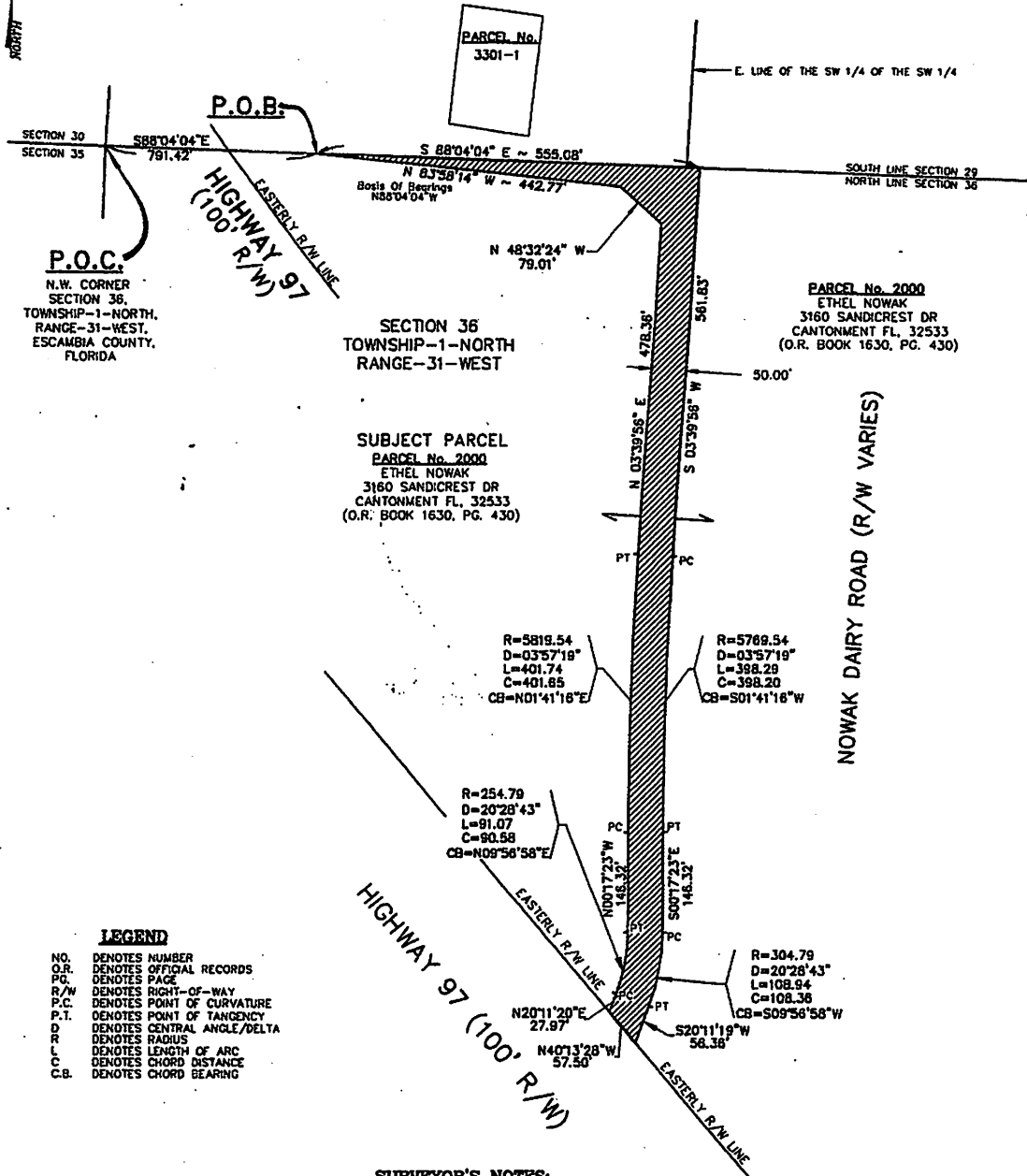
After recording please return to:
Escambia County Engineering
1190 West Leonard Street
Pensacola, FL 32501

A DESCRIPTION SKETCH
(NOT A BOUNDARY SURVEY)

Exhibit "A"

Scale: 1" = 200'

SECTION 29
TOWNSHIP-1-NORTH
RANGE-31-WEST



LEGEND

NO. DENOTES NUMBER
O.R. DENOTES OFFICIAL RECORDS
P.O. DENOTES POINT OF TANGENCY
P.C. DENOTES POINT OF CURVATURE
P.T. DENOTES POINT OF TANGENCY
R DENOTES RADIUS
L DENOTES LENGTH OF ARC
C.B. DENOTES CHORD BEARING

SURVEYOR'S NOTES:

- THE BEARINGS SHOWN HEREIN WERE REFERENCED TO SOUTH 88°04'04\"
- THESE PARCELS AND DESCRIPTIONS WERE CREATED AND PREPARED BY THE UNDERSIGNED FOR THE PURPOSE OF DEDICATING A NEW COUNTY RIGHT-OF-WAY TO THE PUBLIC.
- THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- NO TITLE SEARCHES, TITLE OPINION, OR ABSTRACT WAS PERFORMED BY NOR PROVIDED TO THE SURVEYOR FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAY, BUILDING SETBACKS, RESTRICTIVE COVENANTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY DEPICTED HEREIN.
- COPIES OF, ADDITIONS OR DELETIONS TO THIS SURVEY BY OTHERS THAN THE SIGNED PARTY IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNED PARTY.
- THE SURVEY DATUM SHOWN HEREIN INCLUDES: A RIGHT-OF-WAY SURVEY DRAWING BY BASKERVILLE-DONOVAN, INC. OF NOWAK DAIRY ROAD, PROJECT NUMBER 25851.19, DATED JANUARY, 2003; AND ON EXISTING FIELD MONUMENTATION.
- STATE PLANE COORDINATES USED HEREIN ARE BASED ON THE FOLLOWING ESCAMBIA COUNTY SURVEY CONTROL MONUMENTS: "ESC 4031" N 579,988.400, E 1,072,897.000 AND "ESC 4032" N 579,587.050, E 1,072,255.340
- THE ACCURACY OF MEASUREMENTS PERFORMED MEETS THE RELATIVE ERROR OF CLOSURE ALLOWED IN RURAL LAND AREAS.

Drawn By: M.K./ACAO
Date: May 8, 2003
Field Book: L-420
Section, Township, Range: 29, 1-N, R-31-W
TYPE OF SURVEY: DESCRIPTION DRAWING
Revisions:
Date:

ENGINEERING SERVICES
DEPARTMENT OF ENGINEERING, ESCAMBIA COUNTY, FLORIDA
Suite No. One, 1100 N. Leonard Street, Pensacola, Florida 32501-1118
Date of survey: 3/29/2003
Registered Land Surveyor No. 5878
The Description Drawing shown herein is true and correct and in compliance with the Minimum Technical Standards set forth by the Florida Board of Land Surveyors, pursuant to Chapter 61017-0, Florida Administrative Code and Section 472.027, Florida Statutes.

sheet 1 of two
DWG. NO. L-4476



A DESCRIPTION SKETCH
(NOT A BOUNDARY SURVEY)

RIGHT OF WAY ACQUISITION:


THAT PORTION OF TAX PARCEL NUMBER 36-1N-31-2000-000-000, AS RECORDED IN OFFICIAL RECORD BOOK 1630 AT PAGE 430, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, LYING WITHIN THE FOLLOWING DESCRIBED RIGHT OF WAY, AND CONTAINING 73,025 SQUARE FEET, MORE OR LESS.

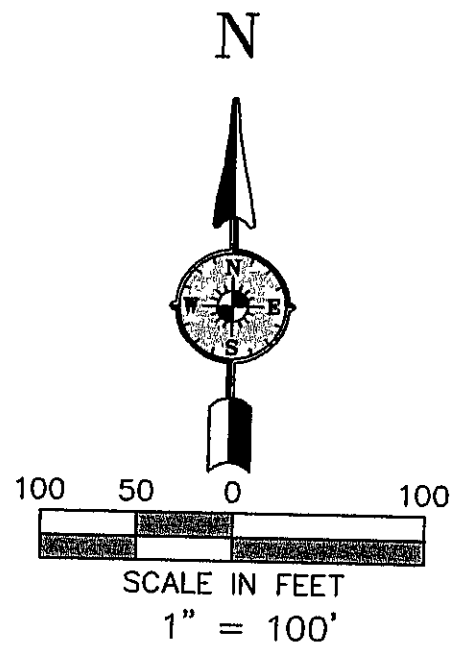
RIGHT OF WAY ACQUISITION (NOWAK DAIRY ROAD):

COMMENCE AT THE NORTHWEST CORNER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE PROCEED SOUTH 88 DEGREES 04 MINUTES 04 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 791.42 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88 DEGREES 04 MINUTES 04 SECONDS EAST ALONG SAID NORTH SECTION LINE A DISTANCE OF 555.08 FEET; THENCE DEPARTING THE NORTH LINE OF SAID SECTION, PROCEED SOUTH 03 DEGREES 39 MINUTES 56 SECONDS WEST A DISTANCE OF 561.83 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 5769.54 FEET, A CENTRAL ANGLE OF 03 DEGREES 57 MINUTES 19 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 01 DEGREES 41 MINUTES 16 SECONDS WEST, 398.20 FEET; THENCE PROCEED SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 398.29 FEET TO A POINT OF TANGENCY; THENCE PROCEED SOUTH 00 DEGREES 17 MINUTES 23 SECONDS EAST A DISTANCE OF 146.32 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE WESTERLY AND HAVING A RADIUS OF 304.79 FEET, A CENTRAL ANGLE OF 20 DEGREES 28 MINUTES 43 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 09 DEGREES 56 MINUTES 58 SECONDS WEST, 108.36 FEET; THENCE PROCEED SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 108.94 FEET TO A POINT OF TANGENCY; THENCE PROCEED SOUTH 20 DEGREES 11 MINUTES 19 SECONDS WEST A DISTANCE OF 56.36 FEET TO A POINT ON THE AFORESAID EASTERLY RIGHT OF WAY LINE OF HIGHWAY 97; THENCE PROCEED NORTH 40 DEGREES 13 MINUTES 28 SECONDS WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 57.50 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE, PROCEED NORTH 20 DEGREES 11 MINUTES 20 SECONDS EAST A DISTANCE OF 27.97 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE WESTERLY AND HAVING A RADIUS OF 254.79 FEET, A CENTRAL ANGLE OF 20 DEGREES 28 MINUTES 43 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 09 DEGREES 56 MINUTES 58 SECONDS EAST, 90.58 FEET; THENCE PROCEED NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 91.07 FEET TO A POINT OF TANGENCY; THENCE PROCEED NORTH 00 DEGREES 17 MINUTES 23 SECONDS WEST A DISTANCE OF 146.32 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 5819.54 FEET, A CENTRAL ANGLE OF 03 DEGREES 57 MINUTES 19 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 01 DEGREES 41 MINUTES 16 SECONDS EAST, 401.66 FEET; THENCE PROCEED NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 401.74 FEET TO A POINT OF TANGENCY; THENCE PROCEED NORTH 03 DEGREES 39 MINUTES 56 SECONDS EAST A DISTANCE OF 478.36 FEET; THENCE PROCEED NORTH 48 DEGREES 32 MINUTES 24 SECONDS WEST A DISTANCE OF 79.01 FEET; THENCE PROCEED NORTH 83 DEGREES 58 MINUTES 14 SECONDS WEST A DISTANCE OF 442.77 FEET TO THE POINT OF BEGINNING; CONTAINING 73,025 SQUARE FEET, MORE OR LESS. ALL LYING WITHIN SECTION 36 TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA.

RCD May 21, 2003 10:08 am
Escambia County, Florida

ERNIE LEE MAGAHA
Clerk of the Circuit Court
INSTRUMENT 2003-098926

Drawn By: MLC/JACD		Project No.: 20030006	
Date: May 8, 2003		Drawing No.: L-4478	
Field Book: L-420		Page: 36.17	
Section, Township, Range: 25, T-1-N, R-31-W			
TYPE OF SURVEY: DESCRIPTION DRAINING			
Revision:		Date:	
ENGINEERING SERVICES			
DEPARTMENT OF ENGINEERING, ESCAMBIA COUNTY, FLORIDA			
Suite No. One, 1180 N. Leonard Street, Pensacola, Florida 32501-1118			
Date of survey: 3/21/2003		Signature:	
Registered Land Surveyor No. 5575		State of Florida	
The Description Drawing shown herein is true and correct and is compliant with the minimum technical standards set forth by the Florida Board of Land Surveyors, pursuant to Chapter 61017-6, Florida Administrative Code and Section 472.037, Florida Statutes.			
sheet 2 of two		DWG. NO. L-4476	
			



CURVE TABLE					
CURVE	CH BEARING	CH DIST	RADIUS	ARC LENGTH (A)	ARC LENGTH (R) DELTA
C1	S 66°37'55" W	186.98'	262.53'	191.18'	41°43'25"
C2	N 5°56'53" E	108.30'	304.79'	108.88'	108.94'
C3	N 2°19'07" W	398.08'	5769.54'	398.16'	20°28'05"
C4	S 41°37'57" E	339.70'	3769.83'	339.82'	3°57'14"

LINE TABLE				
LINE	BEARING (A)	DISTANCE (A)	BEARING (R)	DISTANCE (R)
L1	S 87°09'26" W	43.38'	S 87°28'06" W	43.60'
L2	S 45°47'27" W	73.72'	S 45°46'49" W	50.00'
L3	N 16°07'29" E	55.59'	N 16°11'53" E	56.36'
L4	N 41°7'39" W	146.36'	N 41°6'49" W	146.32'
L5	N 88°01'14" E	21.77'	N 87°56'30" E	21.81'
L6	S 1°31'52" E	7.82'	S 1°05'50" E	7.89'

LEGEND

CT = CRIMP TOP IRON PIPE FOUND
OT = OPEN TOP IRON PIPE FOUND
CR1 = 1/2" CAPPED REBAR IRON FOUND (BUTLER)
CR2 = 1/2" CAPPED REBAR IRON FOUND (LANDS ENG LB # 6832)
CR3 = 1/2" CAPPED REBAR IRON FOUND (NEF ENG CORP # 4887)
CR4 = 1/2" CAPPED REBAR IRON FOUND (PGA)
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING
---X---X--- = FENCE LINE
(R) = RECORD TIE TAKEN FROM DEED
(A) = ACTUAL MEASURED TIE
PRM = PERMANENT REFERENCE MONUMENT

NOTES

- TYPE OF SURVEY BOUNDARY
- BEARING BASED ON AS-BUILT SURVEY BY BUTLER & ASSOCIATES OF PENSACOLA, DATED 07-02-2010 (NORTH REFERENCED AS PER RIGHT-OF-WAY LINE OF STATE ROAD S-97 BEARING S44°12'20"E)

P.O.C.
N.W. COR. OF SEC. 36
T-1-N, R-31-W
ESCAMBIA CO. FL.

N 87°56'30" E 178.16'
(RECORD TIE NOT CHAINED)

NOWAK DAIRY ROAD (RIGHT-OF-WAY VARIES)

STATE HIGHWAY 97 (100' RIGHT-OF-WAY)
(RECORD TIE NOT CHAINED)

STATE OF FLORIDA
COUNTY OF ESCAMBIA

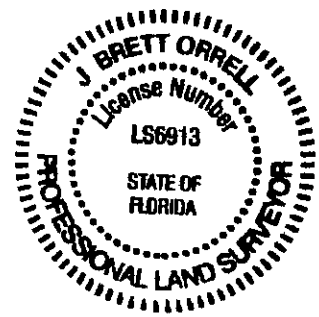
I, J. BRETT ORRELL, A REGISTERED LAND SURVEYOR IN THE STATE OF FLORIDA, HEREBY STATE THAT THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF FLORIDA, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, THENCE RUN N87°56'30"E, ALONG THE NORTH LINE OF SAID SECTION 36, 178.16 FEET TO A POINT AT THE INTERSECTION OF THE NORTH LINE OF SAID SECTION 36 AND THE NORTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 97 (STATE ROAD S-97), SAID POINT LOCATED ON A CURVE TO THE LEFT, HAVING A RADIUS OF 3769.83 FEET AND A DELTA ANGLE OF 05°09'53", THENCE RUN SOUTHEASTWARDLY, ALONG SAID CURVE AND NORTH RIGHT-OF-WAY LINE, AN ARC LENGTH OF 339.82 FEET (CHORD BEARS S41°37'57"E, 339.70 FEET) TO THE P.T. THEREOF, THENCE RUN S44°12'20"E, ALONG SAID NORTH RIGHT-OF-WAY LINE, 1354.88 FEET TO POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED, SAID POINT LOCATED AT THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 97 (STATE ROAD S-97) AND THE EAST RIGHT-OF-WAY LINE OF NOWAK DAIRY ROAD, THENCE RUN N16°07'29"E, ALONG SAID EAST RIGHT-OF-WAY LINE, 55.59 FEET TO THE P.C. OF A CURVE TO THE LEFT, HAVING A RADIUS OF 304.79 FEET AND A DELTA ANGLE OF 20°28'05", THENCE RUN N05°56'53"E, 108.30 FEET TO THE P.T. THEREOF, THENCE RUN N04°17'39"W, ALONG SAID EAST RIGHT-OF-WAY LINE, 146.36 FEET TO THE P.C. OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 5769.54 FEET AND A DELTA ANGLE OF 03°57'14", THENCE RUN N02°19'07"W, 398.08 FEET TO THE P.T. THEREOF, THENCE RUN N00°19'38"W, ALONG SAID EAST RIGHT-OF-WAY LINE, 561.86 FEET TO A POINT, THENCE RUN N02°38'42"E, 698.02 FEET TO A POINT, THENCE RUN S02°33'05"E, 370.45 FEET TO A POINT, THENCE RUN N07°29'15"W, 175.10 FEET TO A POINT, THENCE RUN S87°29'25"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 903.77 FEET TO A POINT, THENCE RUN S87°29'25"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 43.38 FEET TO THE P.C. OF A CURVE TO THE LEFT, HAVING A RADIUS OF 262.53 FEET AND A DELTA ANGLE OF 41°43'25", THENCE RUN S66°37'55"W, 186.98 FEET TO THE P.T. THEREOF, THENCE RUN S45°47'27"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 73.72 FEET TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE OF SHERRILANE DRIVE AND SAID NORTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 97 (STATE ROAD S-97), 249.12 FEET TO THE POINT OF BEGINNING, CONTAINING 47.98 ACRES.

THIS DRAWING DOES NOT REFLECT ANY TITLE OR EASEMENT RESEARCH OTHER THAN WHAT IS VISIBLE ON THE GROUND OR PROVIDED BY THE CLIENTS CONVEYANCE.

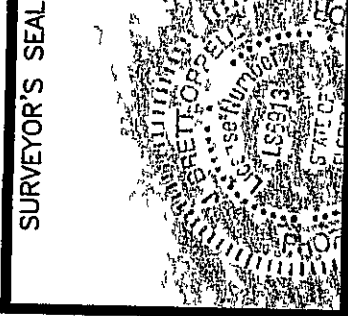
ACCORDING TO MY SURVEY THIS THE 5TH DAY OF FEBRUARY, 2012.

J. BRETT ORRELL, P.L.S., REG. NO. 158613



BOUNDARY
SURVEY
CANTONMENT, FL.

**POLY SURVEYING
ENGINEERING**
588 JACKSON RD.
MISSISSIPPI
PHONE (228) 265-2343
FAX (228) 265-2737
E-MAIL: MAIL@POLYSURVEYING.COM
WWW.POLYSURVEYING.COM



REVISIONS
BOUNDARY
02-26-2013
DATE 02-05-2013
DATE SURVEYED
02-04-2013
SCALE 1"=100'
FILE 1301-091
S-(43)
DRAWN BY T.D.F.

SHEET NO
1/1



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 - Phone
(850) 595-3481 - FAX
www.myescambia.com

Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 4-1-13

Rezoning Quasi-judicial Hearing

Rezoning Case #: 22013-004

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

X In Favor _____ Against

*Name: T. S. Monti

*Address: 25606 Overlook Dr. *City, State, Zip: Loxley AL 36551

Email Address: tj@qcsaudi.com Phone: 251-379-6175

Please indicate if you:

☒ I would like to be notified of any further action related to the public hearing item.

☐ I do not wish to speak but would like to be notified of any further action related to the public hearing item.

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Meeting Date: 4/1/13

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2013-004

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

☒ In Favor ☐ Against

*Name: VINCE LAPOSTOLLE

*Address: 1750 WINTERBURY ST. *City, State, Zip: MOBILE AL 36695

Email Address: vince@polysurveying.com Phone: 251-379-0716

Please indicate if you:

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Meeting Date: 4-1-13

Rezoning Quasi-judicial Hearing

Rezoning Case #: _____

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

X In Favor _____ Against

8-2013-04

*Name: Brett Orrell

*Address: 5588 Jackson Rd. *City, State, Zip: Mobile, AL 36619

Email Address: brett@polysurveying.com Phone: 251-666-2010

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Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: _____

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2013-04

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor X Against

*Name: RON ROUGEAN

*Address: 2684 Sandicrest Dr *City, State, Zip: Cantonment FL 32533

Email Address: _____ Phone: 850-477-6711

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Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 01 APR 13

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2013

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor ☒ Against

*Name: CARTER GRANAT

*Address: 697 Pinebrook Circle *City, State, Zip: Cantonment FL 32533

Email Address: Carter.Granat@navy.mil Phone: 850-206-8138

Please indicate if you:

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Public Hearing
Speaker Request Form

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Meeting Date: 4/1/13

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z 2013-04

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor X Against

*Name: James E. Wells

*Address: 2663 Sherrilane Dr *City, State, Zip: Centurion Fla 32533

Email Address: _____ Phone: 850-474-4006

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Public Hearing
Speaker Request Form

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Meeting Date: 4/1/13

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2013-04

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor X Against

*Name: Jeanne Henderly

*Address: 2715 Sherrilane Dr. *City, State, Zip: Cantonment

Email Address: _____ Phone: 478-6054

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Public Hearing
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Meeting Date: 4/1/13

Rezoning Quasi-judicial Hearing

Rezoning Case #: 2-2013-04

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor X Against _____

*Name: Richard "Dicky" Moyer

*Address: 2872 Sherrilane Dr. *City, State, Zip: Cantonment, FL 32533

Email Address: rmoyle@panhandle.rr.com Phone: 850-679-4252

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Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 4/11/2013

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2013-04

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor _____ Against

*Name: BLAKE GOODWIN

*Address: 2710 SANDILIST DR. *City, State, Zip: Cantonment, FL 32533

Email Address: _____ Phone: 850-479-3864

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Speaker Request Form

Please Print Clearly

Meeting Date: _____

Rezoning Quasi-judicial Hearing

Rezoning Case #: 2-2013-04 OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor ☒ Against _____

*Name: JOHN MARKOWITZ

*Address: 725 PINEBROOK CIRCLE *City, State, Zip: PANAMA CITY FL

Email Address: jmarkowitz@panafl.edu Phone: 982-3401

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Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 2/1/13

Rezoning Quasi-Judicial Hearing

Rezoning Case #: 22013-04

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor ☒ Against

*Name: Ramani Cantrell

*Address: 2539 Sherrilane Dr *City, State, Zip: Cantonment, FL

Email Address: _____ Phone: _____

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Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 4/1/13

Rezoning Quasi-judicial Hearing

Rezoning Case #: 2-2013-04

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor X Against _____

*Name: Peter C. Hurd

*Address: 2662 Shoreline Dr *City, State, Zip: Centerville, FL 32533

Email Address: _____ Phone: 736-9373

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Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 11/1/13

Rezoning Quasi-judicial Hearing

Rezoning Case #: 2-2013-04

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor ☒ Against

*Name: Karl F. Henderly

*Address: 2715 Sherrilane Dr. *City, State, Zip: Camden, FL 32533

Email Address: KHenderly@live.com Phone: 4178-6054

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Speaker Request Form

Please Print Clearly

Meeting Date: _____

Rezoning Quasi-judicial Hearing

Rezoning Case #: _____

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor _____ Against

*Name: Dominique Hudgens

*Address: 2700 Sherrilane Dr *City, State, Zip: Contonment, FL 32523

Email Address: _____ Phone: (850) 499-5123

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Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 1 April

Rezoning Quasi-judicial Hearing

Rezoning Case #: R-2013-04

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor ☒ Against

*Name: William Thompson

*Address: 2612 SHERRICANE DR *City, State, Zip: Cantonment, FL, 32533

Email Address: wthompson3@panhandle.cc.com Phone: 477-8609

Please indicate if you:

☐ would like to be notified of any further action related to the public hearing item.

☒ do not wish to speak but would like to be notified of any further action related to the public hearing item.

All items with an asterisk * are required.

Chamber Rules

1. All who wish to speak will be heard and granted uniform time to speak (normally 3 – 5 minutes).
2. You must sign up to speak. This form must be filled out and given to the Clerk in order to be heard.
3. When the Chairman calls you to speak, come to the podium, adjust the microphone so you can be heard, then state your NAME and ADDRESS for the record.
4. Please keep your remarks BRIEF and FACTUAL.
5. Should there be a need for information to be presented to the Board, please provide 13 copies for distribution. The Board will determine whether to accept the information into evidence. Once accepted, copies are given to the Clerk for Board distribution.
6. Speakers will refrain from the use of obscene language, "fighting words" likely to incite violence from the individual(s) to whom the words are addressed, or other language which is disruptive to the orderly and fair progress of discussion at the meeting.
7. During public hearings, at the Chairman's discretion, if there is a controversial item in which Escambia County citizens are involved, he may institute a provision against clapping, if he/she feels that clapping or the noise will deter open speech between the two parties.



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Development Services Department
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SPEAK

Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 4/1/13

Rezoning Quasi-judicial Hearing

Rezoning Case #: 2-2013-04

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor ☒ Against

*Name: Judi Browning

*Address: 2690 Sandicrest Dr. *City, State, Zip: Cantonment, FL 32533

Email Address: _____ Phone: 850-411-3737

Please indicate if you:

- ☐ would like to be notified of any further action related to the public hearing item.
☐ do not wish to speak but would like to be notified of any further action related to the public hearing item.

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<p style="text-align: right;">9</p> <p>1 (The motion passed unanimously.)</p> <p>2 MR. TATE: The rezoning hearing package</p> <p>3 with staff's Findings-of-Fact and legal</p> <p>4 advertisement was prepared and included in</p> <p>5 the record as Composite Exhibit A for all of</p> <p>6 today's case.</p> <p>7 (Composite Exhibit A, Rezoning Package</p> <p>8 with Findings-of-Fact and Legal Advertisement,</p> <p>9 was identified and admitted.)</p> <p>08:43 10 MR. TATE: There is one case to be heard</p> <p>11 today. The first rezoning application for</p> <p>12 consideration is Case Number Z-2013-04, which</p> <p>13 requests the rezoning of 2842 Nowak Dairy Road</p> <p>14 from VAG-2, Villages Agriculture District, to</p> <p>15 V-3, Villages Single-Family Residential, as</p> <p>16 requested by the applicant.</p> <p>17 Members of the Board, has there been any</p> <p>18 ex parte communications between you and the</p> <p>19 applicant or the applicant's agents, attorneys</p> <p>08:44 20 or witnesses or with fellow Planning Board</p> <p>21 members or anyone from the general public</p> <p>22 prior to the hearing? Have you visited the</p> <p>23 property? Also please disclose if you are a</p> <p>24 relative or business associate of the</p> <p>25 applicant or applicant's agent.</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">11</p> <p>1 subject property. This is our zoning sign</p> <p>2 that was placed on the property. This is</p> <p>3 looking south across from the subject</p> <p>4 property. Looking northwest along Highway 97</p> <p>5 from the subject property. Looking southeast</p> <p>6 along Highway 97 from the property. This is</p> <p>7 looking north down Nowak Dairy Road. Looking</p> <p>8 onto the subject property from Nowak Dairy</p> <p>9 Road. Looking north from the parcel. Looking</p> <p>08:46 10 southeast toward Highway 97 and Sherrilane.</p> <p>11 That's concludes our photographs and maps.</p> <p>12 MR. TATE: Would the applicant please come</p> <p>13 forward or the agent for the applicant? Are</p> <p>14 you the agent?</p> <p>15 MR. LACOSTE: I'm the engineer</p> <p>16 representing the project for the applicant.</p> <p>17 He's here as well if he needs to come forward.</p> <p>18 MR. TATE: Who is going to be representing</p> <p>19 today and who's going to be a witness?</p> <p>08:46 20 MR. LACOSTE: I guess representing is T.J.</p> <p>21 Monti.</p> <p>22 MR. TATE: Mr. Monti, can we swear you in?</p> <p>23 (T.J. Monti sworn.)</p> <p>24 MR. TATE: Please state your full name and</p> <p>25 address for the record.</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">10</p> <p>1 Ms. Sindel, we'll start with you.</p> <p>2 MS. SINDEL: No to all the above.</p> <p>3 MR. WINGATE: No to all the above.</p> <p>4 MR. TATE: No to all.</p> <p>5 MR. WOODWARD: No to all.</p> <p>6 MR. GOODLOE: No to all.</p> <p>7 MS. HIGHTOWER: No to all.</p> <p>8 MS. ORAM: No to all.</p> <p>9 MR. TATE: Thank you. Staff, was notice</p> <p>08:44 10 of the hearing sent to all interested parties?</p> <p>11 MS. MEADOR: Yes, sir.</p> <p>12 MR. TATE: Was notice of the hearing</p> <p>13 posted on the subject property?</p> <p>14 MS. MEADOR: Yes, sir.</p> <p>15 MR. TATE: Staff will now present the maps</p> <p>16 and photographs for Case Z-2013-04.</p> <p>17 (Presentation of maps and photographs.)</p> <p>18 MS. CAIN: Case Z-2013-04, 2242 Nowak</p> <p>19 Dairy Road. This is our location map showing</p> <p>08:45 20 the parcel in question. This is the zoning</p> <p>21 radius showing the VAG-2 with the surrounding</p> <p>22 VR-1. This is the Future Land Use Map, Mixed</p> <p>23 Use Suburban. This is the existing land use</p> <p>24 map.</p> <p>25 This is the aerial photograph of the</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">12</p> <p>1 MR. MONTI: It's Anthony Joseph Monti,</p> <p>2 Junior. I live at 2506 Overlook Drive. It's</p> <p>3 in Loxley, 36551.</p> <p>4 MR. TATE: Have you received a copy of the</p> <p>5 rezoning hearing package with the staff's</p> <p>6 Findings-of-Fact?</p> <p>7 MR. MONTI: My representatives have that</p> <p>8 for me.</p> <p>9 MR. TATE: Do you understand that you have</p> <p>08:47 10 the burden of providing substantial and</p> <p>11 competent evidence that the proposed rezoning</p> <p>12 is consistent with the Comp Plan, furthers the</p> <p>13 goals, objectives and policies of the</p> <p>14 Comprehensive Plan and is not in conflict with</p> <p>15 any portion of the County's Land Development</p> <p>16 Code?</p> <p>17 MR. MONTI: Yes, sir.</p> <p>18 MR. TATE: Is there anything you would</p> <p>19 like to present to the Board at this time?</p> <p>08:47 20 MR. MONTI: I'm okay right now, sir.</p> <p>21 MR. TATE: Okay. Staff will go ahead --</p> <p>22 if you guys want to have a seat up front, we</p> <p>23 will have the staff presentation at this time.</p> <p>24 (Staff Presentation by Allyson Cain.)</p> <p>25 MS. CAIN: Allyson Cain, Urban Planner.</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">13</p> <p>1 This is a request to go from VAG-2, Village 2 Agriculture, to V-3, Village Single-Family. 3 The actual parcel, it did meet all of the 4 criteria. The only one criteria -- there were 5 some wetlands on the property for Criterion 6 (5). There were some wetlands that were 7 indicated on the subject property that the 8 boundary survey that was presented by the 9 applicant and that would be addressed at the 08:48 10 time of development review before any 11 development is done. But this particular 12 parcel it did meet all the criteria. If you 13 want me to go into detail, I can. 14 MR. TATE: Mr. Monti, is that okay? 15 MR. MONTI: Yes, sir. 16 MR. TATE: Do you have any questions for 17 staff? 18 MR. MONTI: No, sir. 19 MR. WOODWARD: Mr. Chairman, is anyone 08:49 20 speaking other than the applicant? 21 MR. TATE: That's where we're going right 22 now. 23 Mr. Monti, in just a moment we're going to 24 open this up to public comment. Before we 25 reach that point, do you have anything that TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">15</p> <p>1 to vet his credentials? 2 MR. WEST: It depends on the testimony 3 he's going to give. 4 MR. TATE: Are you giving expert testimony 5 today in regards to this? 6 MR. LACOSTE: No, I'm just speaking about 7 the generalities of the project. 8 MR. TATE: Please go ahead. 9 MR. WOODWARD: Let me ask him a question. 08:50 10 Are you a sealed engineer? 11 MR. LACOSTE: Yes, sir. 12 MR. WOODWARD: In Alabama and Florida? 13 MR. LACOSTE: Yes, sir, Florida, as well. 14 MR. WOODWARD: Thank you. 15 MR. LACOSTE: My name is Vince LaCoste. 16 I'm with Poly Surveying and Engineering. 17 We're representing the owner on this project. 18 What we are doing is putting in a residential 19 subdivision with lots that are going to front 08:50 20 the street and have streets themselves new 21 that are built within the subdivision. 22 We have hired a biologist who's delineated 23 wetlands and we have created our layout to 24 minimize impact to the wetlands. We still, 25 obviously, have a lot to go through TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">14</p> <p>1 you or your fellow engineers would like to 2 present to the Board without getting into the 3 details of the actual project itself, just 4 dealing with the land and the rezoning? 5 MR. MONTI: Yes, I would like to go to the 6 engineer. 7 MR. TATE: Please come forward. Please 8 state your name and address for the record. 9 THE WITNESS: My name is Vince LaCoste, my 08:49 10 address is 1750 Winterberry Street, Mobile, 11 Alabama. 12 MR. TATE: If we could have you sworn in. 13 (Vince LaCoste sworn.) 14 MR. TATE: Could you hold the microphone 15 to see -- we're getting some -- 16 MR. LACOSTE: Can you hear me? 17 MR. TATE: Is that better, folks? 18 MR. LACOSTE: I can speak up. 19 MR. TATE: Just speak up for now. 08:49 20 Mr. LaCoste, your position in this 21 project? 22 MR. LACOSTE: I'm a civil engineer that's 23 going to be designing the streets and the 24 roads. 25 MR. TATE: A legal question: Do we need TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">16</p> <p>1 permittingwise, but we're looking at a minimal 2 to wetlands of maybe a quarter acre or less. 3 So I just kind of wanted to generally state 4 that while there are wetlands on the project, 5 we have based the design on minimizing the 6 effect on the wetlands. That's all I really 7 have to say for now. 8 MR. TATE: Thank you. 9 MR. LACOSTE: Thank you. 08:51 10 MR. TATE: Mr. Monti, do you have anything 11 else or any direct questions for your witness? 12 MR. MONTI: No, sir. 13 MR. TATE: All right. We're going to move 14 into public comment. For those members of the 15 public who wish to speak on this matter, 16 please note that the Planning Board bases its 17 decision on the criteria and exceptions 18 described in Section 2.08.02.D of the Escambia 19 County Land Development Code. During its 08:51 20 deliberations the Planning Board will not 21 consider general statements of support or 22 opposition. Accordingly, please limit your 23 testimony to the criteria and exceptions 24 described in Section 2.08.02.D. 25 Please also note that only those TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">17</p> <p>1 individuals who are present and give testimony 2 on the record at this hearing before the 3 Planning Board will be allowed to speak at the 4 subsequent hearings before the BCC. 5 A couple of things. Could you please put 6 up on the Board, as well, the six criteria? I 7 know a lot of you have opinions in regard to 8 this matter. Your opinion needs to be based 9 on one of these reasons that we'll see 08:52 10 shortly. The criteria right here, these are 11 the criteria that you need to use to say why 12 you either agree or disagree with this 13 project. 14 And then, also, just so that we have a 15 time for everybody, you will have only three 16 minutes to speak. We will have a timer. It 17 may or may not be on the Board just depending 18 on the visibility. We'll see here. 19 Also, as you speak -- if you don't want to 08:52 20 speak, I want to remind you that if you 21 actually want to say something at the Board of 22 County Commission meeting you have to speak in 23 this meeting, not just sign up and have an 24 opinion at this meeting. These are in no 25 order except as they were given to me, so TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">19</p> <p>1 adjacent properties have. Most of the 2 adjacent properties, I've lived out there for 3 25 years, they've been held to one acre, two 4 acre, even when they divide off to family 5 members they're divided off to one acre, which 6 two of the parcels on there were divided off 7 from the parent parcel. You can see those two 8 on Sherrilane Drive. I guess that would be 9 the compatible surrounding uses, too. I 08:55 10 believe it's in violation of one or both of 11 those. 12 The effect on the natural environment, 13 there's nothing they can do in that area 14 that's not going to increase the impervious 15 area and increase the runoff into the stream. 16 There's kind of a stream that goes down. The 17 wetlands they're talking about, there's 18 actually a wet area and it goes through the 19 neighborhood that I live in. When they 08:55 20 increase the impervious area and the runoff 21 during storms -- right now that road floods 22 during storms -- it's going to increase that 23 level. I mean, there's no way around that. 24 As far as the development patterns, I also 25 believe it's not keeping with the development TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">18</p> <p>1 we'll go ahead and get started right now. 2 Mr. Peter Hurd. Would you please come 3 forward? And also Mr. Hurd, if you wouldn't 4 mind pulling the mike and speaking directly 5 into it so we get -- that works. Please state 6 your full name and address for the record. 7 MR. HURD: Peter Hurd, 2662 Sherrilane 8 Drive. 9 MR. TATE: Please be sworn in. 08:53 10 (Peter Hurd sworn.) 11 MR. HURD: Let's see. I'll go down the 12 list. Comprehensive Plan, I really can't find 13 any faults with the Comprehensive Plan. I'm 14 not sure which one, whether Land Development 15 Code, is that what entails the zoning, would 16 be the different zonings? 17 MR. TATE: Both the Comprehensive Plan and 18 the Land Development Code support the actual 19 zoning. 08:54 20 MR. HURD: It appears to me that what 21 they're attempting to do here is not change 22 the zoning by one or two steps, but by about 23 six steps, going from -- I believe now it's 24 about a one per five acre to a five per one 25 acre. It's not -- that's not what any of the TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">20</p> <p>1 patterns because it's increasing the density 2 by, like I said, four or five steps. I don't 3 understand -- well, I do understand. It would 4 seem to me it would be more appropriate to 5 rezone this to the V-2, which is 6 three-quarters of an acre. That's still less 7 than the densities around it. It would be 8 more appropriate with the surroundings we've 9 got, what they've been doing. 08:56 10 MR. TATE: Mr. Hurd, just so you're aware, 11 the current zoning is one dwelling unit per 12 five acres and what they're asking for is five 13 dwelling units per acre. 14 MR. HURD: That seems kind of excessive to 15 me. If you look at the surrounding areas 16 probably within a couple of miles there's only 17 two pockets, and one of them was off of this 18 same farm, that have been rezoned to increased 19 densities, but both of those were surrounded 08:56 20 by undeveloped land, not by a bunch of one and 21 two acre properties. This is surrounded by 22 one and two acre properties except for 23 adjacent land owned by the same person. 24 MR. WOODWARD: Let me ask you a question, 25 Mr. Hurd, so I can orientate myself. How far TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">21</p> <p>1 is Sherrilane from the nearest landmark that I 2 would recognize like the welcome center or 3 Pine Forest Road, something like that? 4 MR. HURD: Are you familiar with going out 5 297 toward Camp Five? Have you been out that 6 way? 7 MR. WOODWARD: Not really. 8 MR. HURD: Publix on Pine Forest Road. 9 MR. WOODWARD: Yes, sir. 08:57 10 MR. HURD: Go out to Publix. You turn 11 left immediately past the light. You go out 12 297. Where it splits right by a bridge that 13 was recently -- actually, there's a widening 14 project going on right there now. Where it 15 splits you go to the left and take 97. Are 16 you still with me? 17 MR. WOODWARD: I'm still with you. 18 MR. HURD: And then about -- it's probably 19 about a mile past that bridge after the split, 08:57 20 after the Y. That's another thing that I 21 don't know if it's in the Comprehensive Plan, 22 but if you look at I think developing along 23 Sherrilane with one acre lots is probably a 24 good idea because that's what's already there 25 and that's what's been there historically, but TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">23</p> <p>1 prodevelopment as some of these folks here 2 could probably tell you. I worked for years 3 for a civil engineering company and did 4 development projects and I'm not opposed to 5 development. But what concerns me is exactly 6 what you're talking about. I don't think 7 these gentlemen are trying to do -- it's 47 8 acres. I don't think they're trying to put 9 200 homes out there, but if their project 08:59 10 falls apart, someone could try and put 200 11 homes out there. 12 MR. TATE: Thank you for your time. 13 Mr. William Thompson. Mr. Thompson, would 14 you state your name and address for the record 15 and be sworn in? 16 MR. THOMPSON: William D. Thompson, 2612 17 Sherrilane Drive. 18 (William D. Thompson sworn.) 19 MR. THOMPSON: Sir, I didn't understand 09:00 20 exactly what specific notes we were to address 21 on this. I'm obviously opposed to this 22 project. But having seen your items, I as 23 well came to that area because of the one 24 house per five acre zoning. As the other 25 gentleman said, the potential, you're TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">22</p> <p>1 if you look at the way this land comes, 2 there's one attachment point to 297, which is 3 a major artery. There's road close on the 4 left and a road close on the right. I don't 5 see how they're going to be able to put their 6 access onto 97. They may be putting their 7 access onto Nowak Dairy Road, which is not 8 even close to being able to support 100 units. 9 MR. TATE: Let me just talk to that 08:58 10 briefly, Mr. Hurd. Thank you for your time. 11 As we deliberate here at the Planning Board, 12 we do not actually deal with the site specific 13 use of that. In other words, this project 14 that is pushing this, it could fall apart for 15 reasons that none of us have any control over, 16 including the developers, and that zoning 17 would still stand, so whatever that zoning 18 would support, that's what could still be done 19 on that property. So this Board has to look 08:58 20 at not that there's going to be a subdivision 21 or whatever, but whatever can be used there 22 and is it compatible with everything in the 23 surrounding area. We're not going to get too 24 deep in the details of the project itself. 25 MR. HURD: I guess I should have said I'm TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">24</p> <p>1 increasing the density by a factor of 25. I 2 don't think that that was the intent of the 3 area. You go to compatibility with 4 surrounding areas, you have people out there 5 with large lots. They have horses and cattle, 6 I've got deer in my back yard, which that's 7 not really a factor, but compatibility with 8 surrounding uses, I'm saying it's being used 9 for cattle, it's being used for horses. A lot 09:01 10 of people ride horses. 11 The access, I'm not aware of how this will 12 be accessed. It will have to be either on 97 13 or Sherrilane Drive. With the potential for a 14 couple of hundred homes, that limited access 15 will -- it will be a vortex that maybe two or 16 300 cars will have to channel into this vortex 17 and the only way to do that is to access 18 Sherrilane Drive, which will increase the 19 traffic on that road tenfold. 09:01 20 Natural environment. You've got a natural 21 field with cattle. There's a lot of 22 absorption going on there. If that becomes 23 cement, all that water is going to come down 24 as we've seen happen so many times. 25 Development patterns. I can't address TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">25</p> <p>1 that. That's pretty much all I've got to say. 2 MR. TATE: Thank you for your time, 3 Mr. Thompson. 4 MR. THOMPSON: Thank you. 5 MR. TATE: John Mason. Mr. Mason, would 6 you state your name and address for the record 7 and be sworn in? 8 MR. MASON: John C. Mason, Junior, 2719 9 Sandicrest Drive. 09:02 10 (John C. Mason, Junior sworn.) 11 MR. MASON: All I've got to say is I 12 bought my property about seven years ago 13 because of the area and having the space 14 surrounding me. In fact, the property that 15 backs up behind me is zoned for approximately 16 two houses per acre, which to me is a 17 reasonable amount for the area. We already 18 have a severe traffic problem on Sandicrest 19 Drive because of the cut through traffic going 09:03 20 north on 97 toward this property. My big fear 21 is we're going to have a continued increase of 22 that problem, which is already out of control 23 as it is. We've made many calls about that, 24 so still working on that issue. But that's my 25 main concern, the traffic and property values TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">27</p> <p>1 Also I'm concerned about the traffic that 2 goes through. I would like to know for the 3 development where the road is going to be, 4 whether it's going to be towards Sherrilane, 5 Nowak Dairy or 97, because if it is Sherrilane 6 it's definitely going to affect the 7 maintenance of the road. With a huge amount 8 of homes in that area, we definitely are going 9 to have problems with traffic. So I really am 09:05 10 concerned about that. Thank you. 11 MR. TATE: Thank you. 12 John Markowitz. 13 MR. MARKOWITZ: 725 Pinebrook Circle, 14 Cantonment. 15 MR. TATE: Would you please be sworn in? 16 (John Markowitz sworn.) 17 MR. MARKOWITZ: One of my primary concerns 18 is the property that adjoins where we live is 19 actually property that we own, as well, where 09:06 20 the stream run downs from Nowak Dairy Road 21 into the development that we live in, 22 Pinebrook Circle Estates. We have had in the 23 past some severe problems with flooding. The 24 County was very responsive and took care of 25 that problem to a large extent. But I'm TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">26</p> <p>1 and just the amount of traffic and other, you 2 know, amount of homes in the area. Thank you. 3 MR. TATE: Thank you. 4 Judy Browning. 5 MS. BROWNING: I don't wish to speak at 6 this time. 7 MR. TATE: Thank you. I may need a little 8 help with this one. Cantell. 9 MS. CANTELL: Ramani Cantell. 09:03 10 MR. TATE: Please state your name and 11 address. 12 MS. CANTELL: Ramani Cantell, 2539 13 Sherrilane Drive, Cantonment, Florida 32533. 14 (Ramani Cantell sworn.) 15 MS. CANTELL: My main concern is it's 16 going to vastly affect the properties in that 17 neighborhood basically for sale, because we 18 are actually marketing those properties as big 19 parcels, as parcels with at least a couple of 09:04 20 acres or five acres. When you bring a 21 development into that area most of the 22 customers that would be interested in 23 properties that are huge parcels, would 24 actually be very concerned about having a 25 development in that area. TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">28</p> <p>1 concerned, as the gentleman before mentioned, 2 about the absorption rate up there in that 3 area and whether or not that would cause 4 increased problems. Pinebrook Circle 5 routinely floods as it is when we have heavy 6 rains. So that's one of the main issues that 7 I have with this development issue aside from 8 the fact that I think it does change to a 9 tremendous level the inherent character of the 09:06 10 area in relation to the one to two acres per 11 home issue. Those are the two things that 12 interest me the most. That was the reason we 13 moved there. Thank you very much. 14 MR. TATE: Just so everybody understands, 15 too, stormwater runoff, which is basically 16 what we're talking about, is something that 17 the developer has to deal with, has to have on 18 paper, has to have a plan, but it does not 19 come up in this process. It actually would 09:07 20 happen at a later time, which is also a public 21 meeting. So just so you're aware that some of 22 these issues that you all are addressing are 23 just simply issues that this Board cannot 24 address. 25 MR. MARKOWITZ: Thank you very much. TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">29</p> <p>1 MR. TATE: Thank you.</p> <p>2 Blake Goodwin. Would you state your name</p> <p>3 and address for the record?</p> <p>4 MR. GOODWIN: Blake Goodwin, 2710</p> <p>5 Sandicrest Drive, Cantonment, 32533.</p> <p>6 (Blake Goodwin sworn.)</p> <p>7 MR. GOODWIN: My concerns are the same</p> <p>8 that they mentioned before as far as the</p> <p>9 increased densities. We do have traffic</p> <p>09:07 10 issues right now on Sandicrest, which is right</p> <p>11 behind Sherrilane. We bought the property</p> <p>12 based on the fact that there's space out there</p> <p>13 and each home has at least one to three acres.</p> <p>14 And when they're talking putting five acres</p> <p>15 (sic) per lot, that definitely is a concern as</p> <p>16 far as the increase in just the traffic and</p> <p>17 overall population and the effect on the</p> <p>18 property value. That's our main concern is</p> <p>19 that this type of project is going to cause a</p> <p>09:08 20 decrease in property value for future resale.</p> <p>21 MR. TATE: Thank you.</p> <p>22 MS. SINDEL: Mr. Tate, while you're</p> <p>23 calling up the next one, if I might?</p> <p>24 MR. TATE: Sure.</p> <p>25 MS. SINDEL: I want to remind everyone</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">31</p> <p>1 MR. MOYE: Richard "Dicky" Moye, 2872</p> <p>2 Sherrilane Drive, Cantonment, Florida, 32533.</p> <p>3 (Richard "Dicky" Moye sworn.)</p> <p>4 MR. MOYE: Just to start off, I saw the</p> <p>5 pictures at the beginning here. They never</p> <p>6 gave a picture of the property, the largest</p> <p>7 side of the property, to Sherrilane. If you</p> <p>8 take a look, as well, at the zoning around it,</p> <p>9 why is this being done so different from</p> <p>09:10 10 everything around? We're R-2. Everybody has</p> <p>11 talked about the property sizes around.</p> <p>12 The social economics in the area, I'm very</p> <p>13 concerned about the change here that's going</p> <p>14 to be effected on all these landowners here</p> <p>15 and homeowners. They're your taxpayers in the</p> <p>16 county. They're the hard working people. I</p> <p>17 can tell you most of the people I got out and</p> <p>18 saw did not get a notice in the mail and the</p> <p>19 sign was around on Nowak Dairy Lane and not</p> <p>09:10 20 Sherrilane where people could see it.</p> <p>21 This is zoning -- zoning we thought was to</p> <p>22 protect our lives and our investments that we</p> <p>23 make in a community, but in this case we're</p> <p>24 being asked to allow something like five</p> <p>25 houses on an acre. Come on, folks, that</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">30</p> <p>1 that is here for this particular hearing that</p> <p>2 either way that the Board votes today it will</p> <p>3 move to the Board of County Commissioners and</p> <p>4 some of the conversations that you're having</p> <p>5 with us today that regrettably we keep saying</p> <p>6 to you how we don't get to discuss that in</p> <p>7 here or that will be addressed at a later</p> <p>8 date. When this goes before the Board of</p> <p>9 County Commissioners, whether it passes here</p> <p>09:09 10 today or fails, those are broader</p> <p>11 conversations that can be held at that time.</p> <p>12 So it's really important that you understand</p> <p>13 that when we're finished here today this is by</p> <p>14 no means finished for either party. So I</p> <p>15 strongly encourage you now -- that's one of</p> <p>16 the reasons Mr. Tate has mentioned to you that</p> <p>17 by speaking today on this issue that allows</p> <p>18 you as the issue moves forward to have the</p> <p>19 opportunity to speak the next time it's heard,</p> <p>09:09 20 which would be at the Board of County</p> <p>21 Commissioners meeting.</p> <p>22 MR. TATE: Thank you.</p> <p>23 Dicky Moye. Mr. Moye, would you state</p> <p>24 name and address for the record and be sworn</p> <p>25 in?</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">32</p> <p>1 doesn't even fit. There's nowhere near there</p> <p>2 anything like that. People don't want to look</p> <p>3 on the hillside and see rooftop after rooftop.</p> <p>4 I think, too, here we've got a situation</p> <p>5 here -- I am speaking to this, I think, so I</p> <p>6 don't have to give the topics. I think we're</p> <p>7 maybe giving some special interest here to</p> <p>8 some parties, some parties who want to make a</p> <p>9 land deal sale at a price they want to sell it</p> <p>09:11 10 for and they've got to cut the property down</p> <p>11 in size to be able to make that sale and the</p> <p>12 heck with the people who live around.</p> <p>13 You know, the number that you're going to</p> <p>14 as far as this VAG there's no end to it. In</p> <p>15 other words, you're stuck in for a number of</p> <p>16 homes they need but once they get that zoning</p> <p>17 they can cut it in half and half again if they</p> <p>18 want to now they're past you guys. So our</p> <p>19 concern is the socioeconomic downfall that</p> <p>09:12 20 could happen to our properties in the area.</p> <p>21 The thing is this has been this way out there</p> <p>22 for years. People strive to live out here and</p> <p>23 it's small farms, small ranches, interwoven</p> <p>24 middle class lives here. It doesn't matter</p> <p>25 the size of the house. It's the size of the</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">33</p> <p>1 space you own, the property and the 2 spaciousness you have from everyone. We're 3 very concerned about densely placing houses 4 like this that doesn't fit this area. 5 Basically if it doesn't work out marketing 6 wise to do your deal and to turn around to be 7 able to sale, they're going to sale these 8 properties probably on our nickel. Meaning, 9 look, you're going to live out here in this 09:12 10 rural area, but we're the ones going to be 11 hurt from this, the reverse. Basically if 12 your deal doesn't work at the price you want 13 and you have to cut the houses down to that 14 size, take your money somewhere else. We 15 don't need it. 16 MR. TATE: Thank you. Mr. Moye. 17 Jeanne Henderly. Would you please state 18 your name and address for the record? 19 MS. HENDERLY. My name is Jeanne Henderly 09:13 20 and my address is 2715 Sherrilane Drive. 21 (Jeanne Henderly sworn.) 22 MS. HENDERLY: I wasn't even going to say 23 anything today but since I have to say 24 something here to be able to say at the next 25 meeting I wanted to share. I live on TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">35</p> <p>1 careful while we do that. I'm so concerned 2 that they're going to put this big subdivision 3 out there. It's totally going to change the 4 character of our neighborhood and now we 5 have -- you know, there's going to be a lot of 6 kids, a lot of cars. 7 There's an issue about large livestock. I 8 have a bull and two cows on my property, so 9 there's somewhat of a danger. We put up 09:15 10 electric fencing. You know, people go by 11 there and stop and want to look. It's very 12 attractive and sometimes they get out and want 13 to feed my animals. So I was thinking, okay, 14 now we're going to have all these homes, maybe 15 100 homes in there with children and now 16 they're going to want to come in there to be 17 in with my large animals. Now there's a 18 safety issue. Now it's an insurance issue of 19 maybe getting a million dollar umbrella or 09:15 20 something to cover us in case somebody would 21 get hurt on our property. 22 So from my point of view as a mom and, I 23 guess, I'm probably speaking to some of these 24 issues even though I'm not cataloging them. 25 It's a big concern. I am very bothered that TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">34</p> <p>1 Sherrilane. I'm right across the street from 2 where this property is going to go in. We 3 have like a five-and-a-half acre mini farm, we 4 have cows, we have horses, we have some 5 miniature horses. I have some dairy goats and 6 we also have chickens and ducks and we have a 7 pond on our place. So we have a thing going. 8 We've been there for 25 years. I have four 9 children. We've raised children there. My 09:13 10 little girl, I can still see her riding her 11 little white pony all over the place. That's 12 the kind of neighborhood this is. 13 We did build another house on there 14 because we had elderly parents dying of lung 15 cancer and we needed to bring them there, so 16 we built -- there was a small house there 17 already and we just enlarged that house, so 18 we're one of the ones he was talking about. 19 We still have a very farm-like character 09:14 20 there. 21 I have 12 grandchildren who love to come. 22 They ride horses. I ride horses. We go up 23 and down Sherrilane and around Sandicrest. 24 There's a lot of traffic. We've had 25 increasing traffic over time and we have to be TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">36</p> <p>1 they might do this. It's going to change the 2 whole reason people have moved out there. 3 It's going to change it. We're now going to 4 be like a subdivision instead of a little 5 country kind of atmosphere that we have. 6 MR. TATE: Thank you. 7 James Wells. Mr. Wells, would you state 8 your name and address for the record and be 9 sworn in? 09:16 10 MR. WELLS: James Wells. I live at 2663 11 Sherrilane Drive. 12 (James Wells sworn.) 13 MR. WELLS: I live right across the street 14 from this property. I've lived there for 15 about 20 years or 25. You get to my age, you 16 don't keep up too good. I want to address 17 something. I don't know if it would be proper 18 or not. You can cut me off if it's not. 19 But the land across the street is a fine 09:17 20 parcel of property. I can understand them 21 wanting to develop it, but I can't understand 22 five housing units per acre. I don't think 23 you can either, if you think about it. 24 Why has that come up? Why are we even 25 here to discuss it? Because the owner of the TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">37</p> <p>1 property wanted to sell it and the property 2 has about eight or 10 acres that's going to 3 have to be a holding pond, so you subtract 4 that from the acreage, and now they want to 5 divide it up so they can get the money out of 6 it by putting more houses on the acreage and 7 they're going to make all of us suffer. 8 All of us that have lived there so long 9 and enjoyed all the wide open spaces and moved 09:18 10 there for that purpose, we're going to suffer 11 because there's going to be an ungodly amount 12 of traffic and our kids can't walk out on the 13 highway anymore without running the risk of 14 dying. So I personally am against it. Thank 15 you. 16 MR. TATE: Thank you. 17 (Applause.) 18 MR. TATE: Karl Henderly. Would you 19 please state your name and address for the 09:18 20 record? 21 MR. HENDERLY: Karl Henderly, 2715 22 Sherrilane Drive, Cantonment, Florida. 23 (Karl Henderly sworn.) 24 MR. HENDERLY: It's going to be hard to 25 follow up what my wife had to say and Jimmy, TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">39</p> <p>1 Of course, there is the liability issue, 2 as well, but more than that it's the safety of 3 the children. We do have 12 grandchildren, 4 but we have taught these children how to be 5 careful, how to work with animals and how to 6 make sure that you don't get hurt. That is a 7 primary concern, because we're talking a large 8 subdivision with all the problems that have 9 already been enumerated, but we're talking a 09:20 10 large subdivision with a lot of children who 11 do not or aren't familiar with large animals 12 and it really concerns me. Thank you. 13 MR. TATE: Carter Granat. Can you state 14 your name and address for the record? 15 MR. GRANAT: Carter Granat, 697 Pinebrook 16 Circle. 17 (Carter Granat sworn.) 18 MR. GRANAT: I live on Pinebrook Circle. 19 My land backs up to the Nowak property that is 09:20 20 in question here. All the surrounding homes, 21 if you look on the overview that was shown 22 earlier, the satellite picture, all the 23 properties are one house per acre, some are 24 one house per two acres, and some of the 25 opinions of some of the people that maybe have TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">38</p> <p>1 my next door neighbor, but I endorse all of 2 it. 3 One concern that we have in addition to 4 the complexion of the neighborhood, many of us 5 are getting to the retirement age now, but 6 most of the us work in the city but we want to 7 live in the country and we want to raise our 8 children in the country and our grandchildren, 9 and we want to teach them how to farm, how to 09:19 10 raise a garden, how to take care of animals. 11 We do have large animals. We have horses 12 and cows and one concern of mine is if there 13 are 150 homes down there, these folks are 14 probably not going to be what you would call 15 country folks, they're not familiar with 16 animals. And even living as we live now in a 17 relatively rural type setting, I've had the 18 experience of having to get children out of my 19 field. Kids, especially those that are not 09:19 20 raised in the country, don't understand that 21 you can't crawl under the fence and pet the 22 pretty bull. You don't mess with a cow that's 23 just had a calf. You don't get behind a horse 24 and slap it on the rump. These could have 25 tragic consequences. TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">40</p> <p>1 two houses per acre or one house per 2 three-quarters of an acre seems a lot more 3 reasonable. 4 The five houses per acre would be like an 5 aberration to the whole eco of that community 6 out there. It certainly doesn't take a brain 7 scientist to see that it's not comparable with 8 the land development that's currently in use 9 out there. 09:21 10 Also, people that travel to work and head 11 south down Highway 97 where it T's into 297, 12 there's a horrible traffic backup every 13 morning. I used to live north of that area 14 and oftentimes when I would be behind a line 15 of cars I would take Sherrilane to bop over to 16 297 just to bypass this traffic backlog. Of 17 course, this is going to get a lot worse if 18 there's a bunch of houses put in there and 19 Sherrilane is going to become a drag strip and 09:21 20 it's going to be unsafe for children or horses 21 or whatever, a lot of things that people used 22 to enjoy out there. 23 Also, twice within the last three weeks I 24 have seen a family of five deer heading from 25 Pinebrook Estates into that Nowak land. I TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">41</p> <p>1 know people really don't care about deer a 2 lot, but I do. I think we would be ruining 3 their habitat if that land was overly 4 developed. 5 Also, I don't want five houses per acre 6 backed up to my property. I bought that 7 property because it was rural and I had the 8 woods surrounding me. I would at least like 9 for the people in Pinebrook Estates to be able 09:22 10 to buy a swath of woods to buffer us from any 11 development of that sort. I also feel that 12 five houses per acre is just horribly wrong 13 and not consistent development with anything 14 around there. Thank you. 15 MR. TATE: Thank you. Is there anybody 16 else who wishes to speak on this matter at 17 this time? If so, I need you to fill this 18 paper out and come forward. If not, we'll 19 close the public comment section of this 09:23 20 presentation. 21 Would you please state your name and 22 address for the record? 23 MR. ROUGEAU: My name is Ron Rougeau. I 24 live at 2684 Sandicrest Drive. 25 MR. TATE: Is your wife Dr. Debra Rougeau? TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">43</p> <p>1 MS. HUDGENS: What I would like to say is 2 me and my husband, we recently moved to 3 Sherrilane Drive. And the reason we moved is 4 because we lived in a subdivision and we 5 wanted to have our little girl grow up in the 6 country because that's what me and my husband 7 is used to. We finally moved out to the 8 country and we found out that a neighborhood 9 like the one we just moved from might possibly 09:25 10 move right next door to us. So our concern is 11 that -- I'm sorry. I'm nervous. But the 12 reason why we moved there and we spent a lot 13 of money was to get into the country life. 14 That's all I wanted to say. It would be nice 15 to keep it that way. 16 MR. TATE: Thank you. If there's nobody 17 else who wishes to speak on this matter at 18 this time -- is there anybody else in the 19 audience who wishes to speak on this matter at 09:26 20 this time? If not, at this point we'll close 21 this portion of the meeting to public comment. 22 I would like to ask the Board members if 23 you have any questions of the applicant, staff 24 or members of the public. I would also like 25 to remind our Board members to stay away from TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">42</p> <p>1 MR. ROUGEAU: Yes. 2 MR. TATE: I just need to clarify that 3 Mr. Rougeau and I have never met, but his wife 4 works for me. I just want to make sure that's 5 out in the open. 6 (Ron Rougeau sworn.) 7 MR. ROUGEAU: Yesterday evening I got a 8 piece of paper saying there was a meeting 9 today, so I don't have a detailed preparation, 09:23 10 but from my point of view the change clearly 11 violates Criterion (3) through (6). Now, the 12 22 years we've lived there we've seen 13 development but nothing at this scale. I 14 think the impact on the environment, the 15 infrastructure and the residents would be 16 unsupportable. Thank you. 17 MR. TATE: Thank you. Is there anybody 18 else who wishes to speak on this matter? If 19 you would like to come forward to the stand, 09:24 20 that's fine. Would you state your name and 21 address for the record, please? 22 MS. HUDGENS: My name is Dominique 23 Hudgens. I live at 2700 Sherrilane Drive. 24 MR. TATE: Would you please be sworn in. 25 (Dominique Hudgens sworn.) TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">44</p> <p>1 areas or matters that deal specifically with 2 the use of the site as we understand it today. 3 MS. SINDEL: I'll start. I'm going 4 through the criteria kind of my own method. A 5 lot of my concern has to do with development 6 patterns and compatibility with surrounding 7 uses. It is a dramatic shift, as I'm sure the 8 applicant recognizes to go from one house per 9 five acres to potentially five homes per one 09:26 10 acre. 11 We, of course, are not looking at whether 12 or not you actually ever develop that, but we 13 look at down the road how it potentially could 14 be developed. We look at our Comprehensive 15 Plan, our Future Land Use. These are our 16 guiding factors for the County for many many 17 years to come and I have concern over the 18 dramatic shift. I'm not addressing some of 19 the other issues because I know from a DRC and 09:27 20 development review process other issues such 21 as runoff, or road and traffic, it would be 22 addressed at that point in time. 23 My primary concerns are development 24 patterns. These will be significant changed 25 conditions for that part of Escambia County TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">45</p> <p>1 and in such a manner that I have also concerns 2 from Criterion (5) about effect on the natural 3 environment. Personally I see out of the six 4 criteria there are three that I have some very 5 strong concerns about. 6 That being said, to address what of this 7 side of the room has stated, it's really 8 important that everyone understand and be very 9 grateful for the process that we have that as 09:28 10 property owners and citizens you do always 11 have the opportunity to come to this Board and 12 request a change in how you use your property 13 and that's an amazing benefit and one that the 14 applicant, of course, is doing today. So it's 15 nice that the applicant has the opportunity to 16 do that just like it's amazing and important 17 that as citizens you turn around and say yes 18 or not so much. Those are my main concerns 19 right now. 09:28 20 MR. TATE: Mr. Wingate. 21 MR. WINGATE: Mr. Chairman, as I review 22 the total package here and the recommendations 23 and the area, the parcel of property and 24 within a 500-foot radius circle of property of 25 the area and the families that live in that TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">47</p> <p>1 that this is a mature community and anything 2 of this nature might well be premature at best 3 and certainly may be incompatible at worse. 4 MR. TATE: Thank you. 5 Mr. Goodloe. 6 MR. GOODLOE: I just would like to ask the 7 staff was the applicant given the opportunity 8 to consider other zoning provisions such as 9 V-1? 09:31 10 MR. JONES: Yes. It's up to the 11 applicant. We can only suggest. We give him 12 the Land Development Code. It's strictly up 13 to the applicant on what they request for the 14 rezoning. 15 MR. GOODLOE: With the applicant there was 16 no discussion regarding other zoning? 17 MR. JONES: Again, it was their choice. 18 MR. TATE: Staff, a couple of questions. 19 If you would, please put up the maps 09:31 20 regarding -- that shows the single-family use. 21 That map. That would be great. 22 Where is this area in conjunction with the 23 project that's now part of our Comprehensive 24 Plan to develop north of here into several 25 villages, walking communities, et cetera, TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">46</p> <p>1 area presently now and the vacant lot that's 2 subdivided already, there is already a 3 community that's already set up in the 4 surrounding area if you look it from a higher 5 area view. This was one concern that I was 6 looking at. 7 One thing that's going to happen to 8 Escambia County, the north end is going to be 9 discovered at some point or another and change 09:29 10 is going to come, but, you know, sometimes 11 change comes too fast. But what I would look 12 at -- looking at it, and I travel 97 13 sometimes, traffic does get heavy at times 14 around the road. I was looking for some acres 15 up there, too. Sometimes you're only allowed 16 to do certain things. 17 Looking at this from the purpose that I'm 18 charged to do, I know what my decision will 19 be. 09:30 20 MR. TATE: Do you have any questions? 21 MR. WOODWARD: I don't think I have any 22 questions but I have an observation. And I've 23 lived in several cities that have natural 24 boundaries that require only growth can go one 25 or two or three directions. It appears to me TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">48</p> <p>1 et cetera? 2 MR. JONES: The Sector Plan? 3 MR. TATE: Yes. 4 MR. JONES: It's way north. 5 MR. TATE: The Sector Plan is way further 6 north than that. That's what I thought, but I 7 wanted to make sure. 8 At this point is there anything further 9 from staff? 09:32 10 MR. JONES: I want to say something. Many 11 issues and concerns came out as far as if the 12 site is developed into a subdivision, which we 13 do not know. That's what's being presented 14 today. We do want to make it perfectly clear 15 the density is gross density. 16 There's so many other factors, other 17 factors that have to be developed if an 18 applicant decides to put in a subdivision. 19 There a tremendous amount of review by the 09:33 20 County, even sometimes by the FDOT, 21 stormwater, all of those things, and the 22 County definitely would take into 23 consideration. If the Board approves it, it's 24 not just an overnight process, which I know 25 they know that. Mr. Hurd understands this. TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">49</p> <p>1 Subdivision is a very very complicated complex 2 process. Some of them get off the ground, 3 some of them do not for factors that -- 4 economics, the land itself, permitting, all of 5 those things. So it's just not five dwellings 6 per acre. It may be limited to that based 7 upon so many other issues that the County 8 definitely has to address and review. 9 MR. TATE: Thank you. I'm not sure how 09:34 10 many of our folks here today actually reviewed 11 the entire packet online, but the applicant 12 was pretty clear what their goal is for this 13 project. Their overall density quite a bit 14 less than the five dwelling units per acre, 15 which I understand. 16 At this point the applicant, you have the 17 right to address any issues that have come up 18 through this discussion. If you would like to 19 leave it and go right to a vote, but you all 09:34 20 do have the ability to come forward at this 21 point and address the Board with any issues 22 that have come up during this discussion. 23 MR. MONTI: Thank you. Vince will speak 24 for us. 25 MR. LACOSTE: Vince LaCoste. I would like TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">51</p> <p>1 density. I know some areas can put 2 restrictions on density, but our plan is about 3 1.57 units per gross acre out there, not five. 4 It's 1.76 is the exact number of what our 5 density we're proposing would be. 6 MS. SINDEL: You understand our 7 predicament that we have to make a decision 8 based off -- I mean, honestly if you walked in 9 with plans ready to go, we don't even look at 09:36 10 those, because once we change it literally the 11 owner can walk out the door and sell it and 12 somebody can put five homes per acre. 13 As Mr. Jones will tell you from a County 14 standpoint if it were to pass, if the change 15 passed us and passed with the Board of County 16 Commissioners, then Mr. Jones has pointed out 17 the road to create a subdivision is a very 18 long one and that is where restrictions could 19 be placed, but that's only -- we don't get to 09:37 20 look that far. We have to look past that. 21 What we have to look at is if we change it 22 what's the worse -- I don't like to use the 23 term worse case -- what is the highest amount 24 of development that could occur and with this 25 request the highest is five per acre. TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">50</p> <p>1 to explain our thought process and how we got 2 here and why this five units per acre because 3 that would concern me, too, if I was these 4 people. There's 48 acres on this parcel. 5 About 15 of it is wetlands and can't be used. 6 We will not be using. 7 MR. TATE: Would be incorporated into 8 the -- 9 MR. LACOSTE: It would be left natural. 09:35 10 We can't do anything with it, about 15 of the 11 acres. There's approximately another five to 12 ten, maybe five to eight acres, of course, the 13 design hasn't been done yet, but that would be 14 either detention, or streets or easements, 15 that type of thing. So we're left then with 16 not 48 acres, we're left with maybe 25 or 17 28 acres that we can actually use and develop. 18 Really the reason for the zoning request 19 was because of the dimensions of the lots, not 09:35 20 because of the density per acre. Now, I 21 understand that yeah, of course, we can get 22 the zoning and go do whatever we want to. I 23 would be concerned about that, too. I don't 24 know if there's another zoning or if there's 25 restrictions we can put on ourselves with TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">52</p> <p>1 MR. LACOSTE: So at this forum is there no 2 restriction on density that can be placed? 3 MR. JONES: Not at this point. 4 MR. TATE: Mr. Jones, could you please 5 speak to that and maybe walk us through the 6 process of what we could do possibly at this 7 meeting and in conjunction in the future with 8 the developer? 9 MR. JONES: Steve, I need you for this. 09:37 10 Would it be possible, Steve, that maybe the 11 applicant could make a request for a different 12 zoning? 13 MR. TATE: I know you can't promise them 14 anything at this meeting. That's not what I'm 15 looking at. 16 MR. WEST: They can always if they want to 17 change their request to a different zoning 18 district. 19 MR. TATE: Well, this Board can choose to 09:38 20 rezone to a lower case without the applicant 21 doing that. We have the right to do that with 22 or without the applicant's blessing, so I'm 23 not really talking about that. I'm talking 24 about beyond that if we chose to do something 25 that still gave them the buildable build-out TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">53</p> <p>1 that they were doing, what's the process the 2 developer has to go through to lock that in? 3 Would it end up being like a PUD? 4 MR. JONES: He would have to issue a final 5 plat and all of those things once it comes 6 through the subdivision process, the 7 preliminary plat and final plat. He can place 8 those restrictions on himself. As the County, 9 we will approve the plat, but we don't enforce 09:38 10 the plat. He can put in restrictive 11 covenants. He can put those in place, so he 12 can self-govern himself. A PUD is an option. 13 MR. WOODWARD: Mr. Jones, restrictive 14 covenants are only good for 20 years. 15 MS. SINDEL: The County doesn't enforce 16 those. 17 MR. LACOSTE: I don't think anybody is 18 going to be happy here with restrictive 19 covenants. Nobody here is going to want to 09:39 20 hear that we're self-enforcing. 21 MR. WOODWARD: No, but the issue is that a 22 resident there can. Any person who lives in 23 an area, I'm not going to use the word 24 subdivision, an area burdened by restrictive 25 covenants can enforce restrictive covenants as TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">55</p> <p>1 85-foot lots are what drove us to pick this 2 density, the width of the lots and the 3 setbacks on those lots. That's what drove us 4 to pick this density, I mean, pick this 5 zoning, not density. We need something just 6 under two units per acre and we need to be 7 able to have 85-foot lots and I don't know if 8 there's a better option than we picked. 9 MR. TATE: Can you give us some help? 09:41 10 MR. WOODWARD: Procedurally can't they ask 11 for a continuance and come back and do it 12 again? 13 MR. LACOSTE: We originally requested R-1, 14 but in discussions with staff felt like that 15 this would be a better fitting in the area 16 because there was already the V zoning. If 17 you look at the subdivision just to the north 18 of ours, yes, they don't have the wetland 19 impacts, they don't have the detention ponds, 09:41 20 but if you look at the total density it's 21 about the same. Ours is a little denser, but 22 it's close. 23 MR. TATE: It's on a bigger piece of 24 property. 25 MR. JONES: Even if you look at the TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">54</p> <p>1 long as he can convince a circuit judge that 2 he has standing. You know, 19-and-a-half 3 years down the road, you know, lot number one 4 can say something about lot number four not 5 complying with those restrictive covenants and 6 you're off to the courthouse and it's very 7 expensive. It will be then. 8 MR. LACOSTE: Let me ask a question about 9 the PUD. Is that done under any zoning? 09:40 10 MR. JONES: The PUD -- you can do a PUD, 11 but really it -- you can choose a different 12 zoning category, but a PUD really don't affect 13 the density the way that our PUD standards 14 are. 15 MR. LACOSTE: So your PUD standards still 16 have to meet the density of the zoning? 17 MR. JONES: Yes, provide some type of 18 unique option, walkability, sidewalks, bike 19 trails, things like that, that could really 09:40 20 really -- I don't know. Something that could 21 really really be compatible with the 22 surrounding areas. 23 MR. LACOSTE: What this boils down to is 24 we need a zoning of less than two, but we need 25 to have lots about 85 feet wide and those TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">56</p> <p>1 subdivision that's adjacent to this property, 2 VR-1, one per four acres, those are definitely 3 not four-acre lots. So that's why we looked 4 at the area. That VR-1 says 1.4. That 5 subdivision on Pine Cone is not four-acre lots 6 in there. So we look at all of those factors. 7 It's really limited on the density. 8 MS. SINDEL: I understand. I think, 9 though, the request in front of us right now 09:42 10 that we have to make a decision on is going to 11 be a struggle. I don't know if -- you know, 12 if the Board can vote on that and then he has 13 another option or does he just say I want to 14 table this, because how is it readvertised 15 because everybody is going to need to know 16 what's happening next that moving forward is 17 the whole kit and kaboodle. 18 MR. TATE: For this Board our decision has 19 to be based on the six criteria. The staff 09:42 20 has presented us a packet in which they have 21 found favorably in all regards. So if we 22 chose to do something different we would have 23 to rewrite those arguments in favor of our 24 position, so we need to keep that in mind. 25 MR. JONES: And still meet the criteria. TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">57</p> <p>1 It is consistent with the zoning. With the 2 Future Land Use category Mixed Use Suburban 3 allows two dwelling units per acre, so that is 4 consistent with that. If you go with V2-A, 5 which is two units per acre, the criteria 6 would still be the same, the site building 7 requirements, all those things would still be 8 the same. 9 MS. SINDEL: Applicant has to make the 09:43 10 decision. We do not need as the Board to be 11 making changes to an applicant's application. 12 That's probably the worse grammar I've used in 13 a while. 14 MR. TATE: Mr. Wingate. 15 MR. WINGATE: Mr. Chairman, I was looking 16 at the areas of this particular parcel in the 17 packet and the neighborhood and if you've ever 18 developed a subdivision you would know what 19 they were going through. Sometimes you say 09:44 20 I've got all these acres and I've got it zoned 21 this way and when it all washes down you may 22 end up with a third of what you dreamed about 23 because you've got 15 acres of wetlands. 24 You've got your streets. Now we've got 25 sidewalks. All of those are subtractions. TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">59</p> <p>1 which is what we need. The setbacks appear to 2 work. 3 MR. WOODWARD: Is that a formal amendment 4 to your application? 5 MR. LACOSTE: Yes, sir. 6 MR. WOODWARD: I move that the amendment 7 be permitted, not that we permit the entire 8 thing, but the amendment. 9 MR. TATE: A motion. Do we have a second? 09:46 10 MS. SINDEL: Second. 11 MR. TATE: All those in favor, raise your 12 right hand. 13 (Board members vote.) 14 (The motion passed unanimously.) 15 MR. TATE: Staff, as we look at this from 16 the perspective of a V-2, can we support the 17 Findings-of-Fact within a V-2 or do you need a 18 moment? 19 MR. JONES: We can support it. The only 09:46 20 thing that will change is the zoning. We can 21 support it. 22 MR. TATE: So at this point the 23 Findings-of-Fact do not change. Both the 24 applicant and staff are in agreement with the 25 Findings-of-Fact. TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">58</p> <p>1 You may think that you've got all these 2 acres and you end up saying, well, I've got 48 3 acres and you may only be able to develop 4 maybe when you count buildable lot sizes, what 5 the size going through and doing the 6 calculations and going through the DRC 7 process, you may end up with maybe 26 acres of 8 only developable buildable lots that you could 9 do your 85 by 130. So with the wetlands and 09:45 10 the ponds and all that, you subtract that off. 11 Then it won't really destroy the neighborhood 12 because you're going to still have that open 13 land that's there, the wetlands can't be 14 disturbed, the holding pond and everything. 15 I've done a couple of small subdivisions. 16 Sometimes you dream big and you come out 17 medium size. 18 MR. TATE: Thank you, Mr. Wingate. 19 MR. LACOSTE: We would like to request 09:45 20 that you consider V-2. We've been looking at 21 that and feel like it will fit our needs. I 22 hate to make a decision on the spot. I have 23 not read it all myself, but at this point I 24 think V-2 is something we might could work 25 with. It's a density of two units per acre, TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">60</p> <p>1 You accept staff's Findings-of-Fact? 2 MR. LACOSTE: Yes. 3 MR. TATE: Is there anybody on this Board 4 who has a question for the applicant or for 5 staff? 6 At this time we will close this meeting to 7 comments and open it up to the Planning Board 8 to deliberate and discuss. 9 MS. SINDEL: I've done a lot of talking 09:47 10 today and it was based on the fact that I had 11 a lot of concerns about the potential for five 12 homes per acre. Obviously, a lot of those 13 concerns were alleviated by going to a 14 different zoning which would be two homes max 15 per acre. I do understand that a lot of the 16 property is not developable. So it will 17 significantly reduce the overall impact. 18 Again, I go back to the statement that if 19 anything, whether it wins or moves past here, 09:47 20 please always remember that the Board of 21 County Commissioners, no matter what's decided 22 here, can change, can make a decision that's 23 completely different than ours. 24 MR. GOODLOE: Mr. Chairman, I have a 25 motion. TAYLOR REPORTING SERVICES, INCORPORATED</p>

PLANNING BOARD REZONING HEARING - APRIL 1, 2013

<p style="text-align: right;">61</p> <p>1 MR. TATE: Please.</p> <p>2 (Motion by Mr. Goodloe.)</p> <p>3 MR. GOODLOE: I move that we recommend</p> <p>4 approval of the rezoning application as</p> <p>5 amended from VAG-2 to V-2, make this</p> <p>6 application to the Board of County</p> <p>7 Commissioners and adopt the Findings-of-Fact</p> <p>8 provided in the rezoning package here for</p> <p>9 Z-2013-04.</p> <p>09:48 10 MR. TATE: We have a motion. Do we have a</p> <p>11 second?</p> <p>12 MR. WINGATE: I second.</p> <p>13 MR. TATE: We have a motion and a second.</p> <p>14 All those in favor, signify by raising your</p> <p>15 right hand.</p> <p>16 (Board members vote.)</p> <p>17 MR. TATE: All those against?</p> <p>18 (Board members vote.)</p> <p>19 MR. TATE: The motion fails.</p> <p>09:48 20 (The motion fails three to two.)</p> <p>21 MR. TATE: At this point this ends this</p> <p>22 rezoning hearing case and we will take a</p> <p>23 12-minute break. We will move into our</p> <p>24 regular Planning Board meeting. Hold on just</p> <p>25 a minute, folks.</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">63</p> <p>1 (Board members vote.)</p> <p>2 MR. WINGATE: The motion carries three to</p> <p>3 two.</p> <p>4 (The motion passed three to two.)</p> <p>5 MR. WEST: One more little thing. I</p> <p>6 assume that that's based on -- you've rejected</p> <p>7 those findings that the staff made, so I</p> <p>8 assume that that's --</p> <p>9 MR. WOODWARD: It's based on the live</p> <p>09:50 10 testimony.</p> <p>11 MR. WEST: -- based on what was presented.</p> <p>12 MR. WOODWARD: Mr. West, that's -- the</p> <p>13 couching of that was based upon reviewing the</p> <p>14 exhibits as opposed to the findings, and,</p> <p>15 secondly, the consistency of the live</p> <p>16 testimony.</p> <p>17 MR. TATE: This rezoning hearing meeting</p> <p>18 is now adjourned. We'll begin our Planning</p> <p>19 Board meeting at five after.</p> <p>09:51 20 (The Rezoning Hearing concluded at 9:50</p> <p>21 a.m.)</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">62</p> <p>1 MR. WEST: We need a Finding-of-Fact to</p> <p>2 send to the Board that there is not a</p> <p>3 rejection of this. You have to move to reject</p> <p>4 the amended request and then also have a set</p> <p>5 of findings that the Board of County</p> <p>6 Commissioners can consider when this goes to</p> <p>7 them.</p> <p>8 MR. WOODWARD: If you would put the six</p> <p>9 criteria back.</p> <p>09:49 10 I'll tag this as an amendment to my</p> <p>11 colleague's, that we find that the amendment</p> <p>12 as proposed -- he moved that it be accepted.</p> <p>13 My finding would be that we find it</p> <p>14 incompatible with surrounding uses, that it</p> <p>15 changes conditions, that it has a substantial</p> <p>16 and significant effect on the natural</p> <p>17 environment and it departs significantly from</p> <p>18 the development patterns.</p> <p>19 MR. TATE: Is that a motion to deny?</p> <p>09:50 20 MR. WOODWARD: That's a motion.</p> <p>21 MS. SINDEL: Second.</p> <p>22 MR. TATE: All those in favor, signify by</p> <p>23 raising your right hand.</p> <p>24 (Board members vote.)</p> <p>25 MR. TATE: All those against?</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">64</p> <p>1 CERTIFICATE OF REPORTER</p> <p>2</p> <p>3 STATE OF FLORIDA</p> <p>4 COUNTY OF ESCAMBIA</p> <p>5</p> <p>6 I, LINDA V. CROWE, Court Reporter and</p> <p>7 Notary Public at Large in and for the State of</p> <p>8 Florida, hereby certify that the foregoing Pages 2</p> <p>9 through 63 both inclusive, comprise a full, true, and</p> <p>10 correct transcript of the proceeding; that said</p> <p>11 proceeding was taken down stenographically, and</p> <p>12 transcribed by means of a typewriter; that I am not a</p> <p>13 relative or employee or attorney or counsel of the</p> <p>14 parties, or relative or employee of such attorney or</p> <p>15 counsel, nor am I interested in this proceeding or</p> <p>16 its outcome.</p> <p>17 IN WITNESS WHEREOF, I have hereunto set my</p> <p>18 hand and affixed my official seal on 12th day of</p> <p>19 April 2013.</p> <p>20</p> <p>21</p> <p>22 LINDA V. CROWE, COURT REPORTER</p> <p>23 Notary Public - State of Florida</p> <p>24 My Commission No.: EE 860695</p> <p>25 My Commission Expires: 02-05-2017</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>