AGENDA ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL HEARING November 4, 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.
- 5. Public Hearings.

Z-2013-20

Applicant: Bobby and Sally Reynolds, Owners

Address: 12511 Lillian Highway

From: R-4, Multiple-Family District, (cumulative) Medium High Density (18

du/acre)

To: R-6, Neighborhood Commercial and Residential District, (cumulative)

High Density (10 du/acre)

6. Adjournment.

Planning Board-Rezoning

 Meeting Date:
 11/04/2013

 CASE:
 Z-2013-20

APPLICANT: Bobby Gene and Sally Lynn Reynolds, Owners

ADDRESS: 12511 Lillian Hwy

PROPERTY REF. NO.: 02-2S-32-6000-005-002

MU-S, Mixed-Use

FUTURE LAND USE: Suburban

DISTRICT: 1
OVERLAY DISTRICT: N/A

BCC MEETING DATE: 12/05/2013

SUBMISSION DATA:

REQUESTED REZONING:

FROM: R-4, Multiple-Family District, (cumulative) Medium High Density (18 du/acre)

TO: R-6, Neighborhood Commercial and Residential District, (cumulative) High Density (10 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 Policy (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 1.1.9 Buffering. In the LDC, Escambia County shall ensure the compatibility of adjacent land uses by requiring buffers designed to protect lower intensity uses from more intensive uses, such as residential from commercial. Buffers shall also be used to protect agricultural activities from the disruptive impacts of nonagricultural land uses and protect nonagricultural uses from normal agricultural activities.

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

5.

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 R-6 **is consistent** with the intent and purpose of Future Land Use category MU-S as stated in CPP FLU 1.3.1. This FLU category allows for a mix of residential and non-residential uses such as retail services and professional offices while promoting infill development. The proposed amendment will utilize the existing roads and infrastructure as stated in CPP FLU 1.5.3.

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.

6.05.11. R-4 multiple-family district, (cumulative) medium high density.

A. Intent and purpose of district. This district is intended to provide for the development of medium high density residential uses and structures. This land use is designed to encourage the efficient use of land and maintain a buffer between lower density residential and business, commercial and industrial districts. The maximum density is 18 dwelling units per acre. Refer to article 11 for uses, heights and densities allowed in R-4, multiple-family areas located in the Airport/Airfield Environs. Refer to the overlay districts within section 6.07.00 for additional regulations imposed on individual parcels with R-3 zoning located in the RA-1(OL) Barrancas Redevelopment Area Overlay District.

6.05.13. R-6 Neighborhood Commercial and Residential District, (cumulative) High Density.

This district is intended to provide for a mixed use area of residential, office and professional, and certain types of neighborhood convenience shopping, retail sales and services which permit a reasonable use of property while preventing the development of blight or slum conditions. This district shall be established in areas where the intermixing of such uses has been the custom, where the future uses are uncertain and some redevelopment is probable.

FINDINGS

The proposed amendment **is not consistent** with the intent and purpose of the Land Development Code as stated in LDC 6.05.14. The proposed zoning change would result in spot zoning as defined in LDC Article 3.02.00.

Spot zoning. Rezoning of a lot or parcel of land that will create an isolated zoning district that may be incompatible with the adjacent and nearby zoning districts and uses, or as spot zoning is otherwise defined by Florida law.

While this rezoning would create a somewhat isolated R-6 district, there are similar mixes of zonings along Lillian Highway from Dog Track Road to the Lillian Bridge. These nodes of R-6 provide a mixed-use zoning compatible with the existing land uses. In addition, this parcel is located along an arterial roadway within one-quarter mile of a collector/arterial intersection and does meet locational criteria.

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 **could be compatible** with surrounding existing uses in the area.

Within the 500' radius impact area, staff observed properties with zoning districts R-2 and R-4. In the area staff noted 24 single family residences, 9 vacant parcels, 1 vacant office and 3 mobile homes. The mixed residential and neighborhood commercial uses allowed by the proposed R-6 zoning could be compatible with these surrounding residential zonings and uses.

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.

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

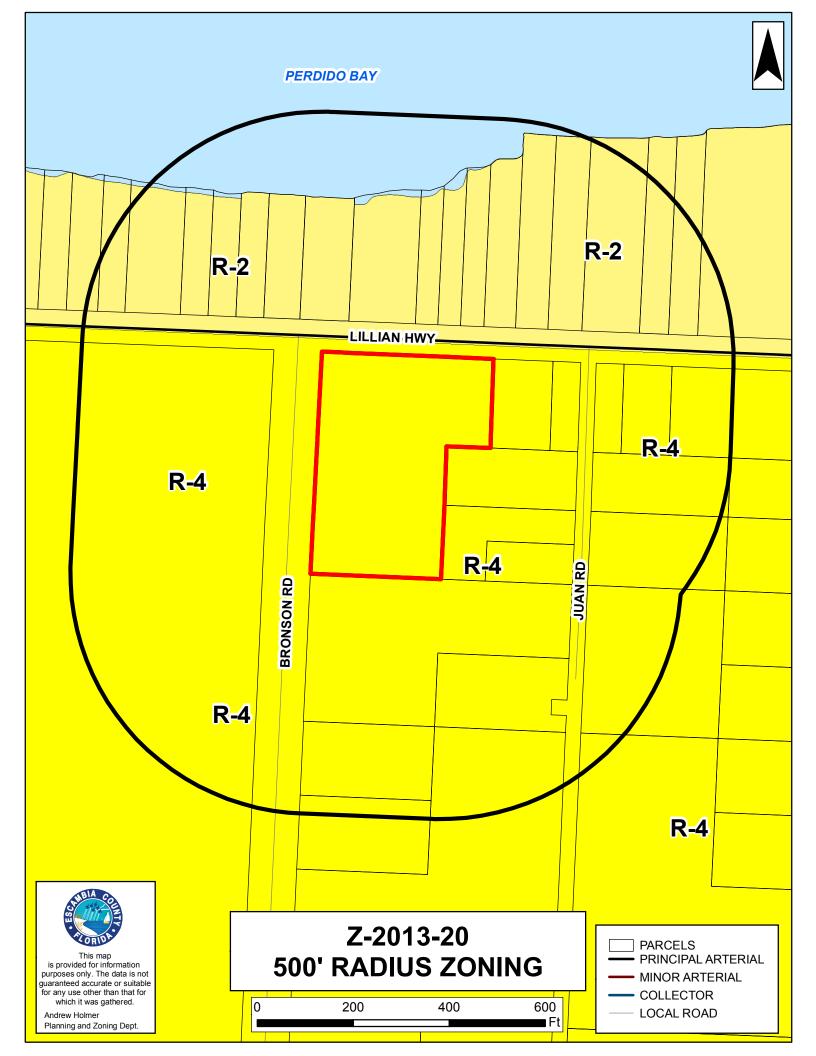
The proposed amendment **would** result in a logical and orderly development pattern. The

proposed rezoning from R-4 to R-6 would not be out of character given the six other nodes of R-6 zoning along Lillian Highway from Dog Track Road to the Lillian Bridge.

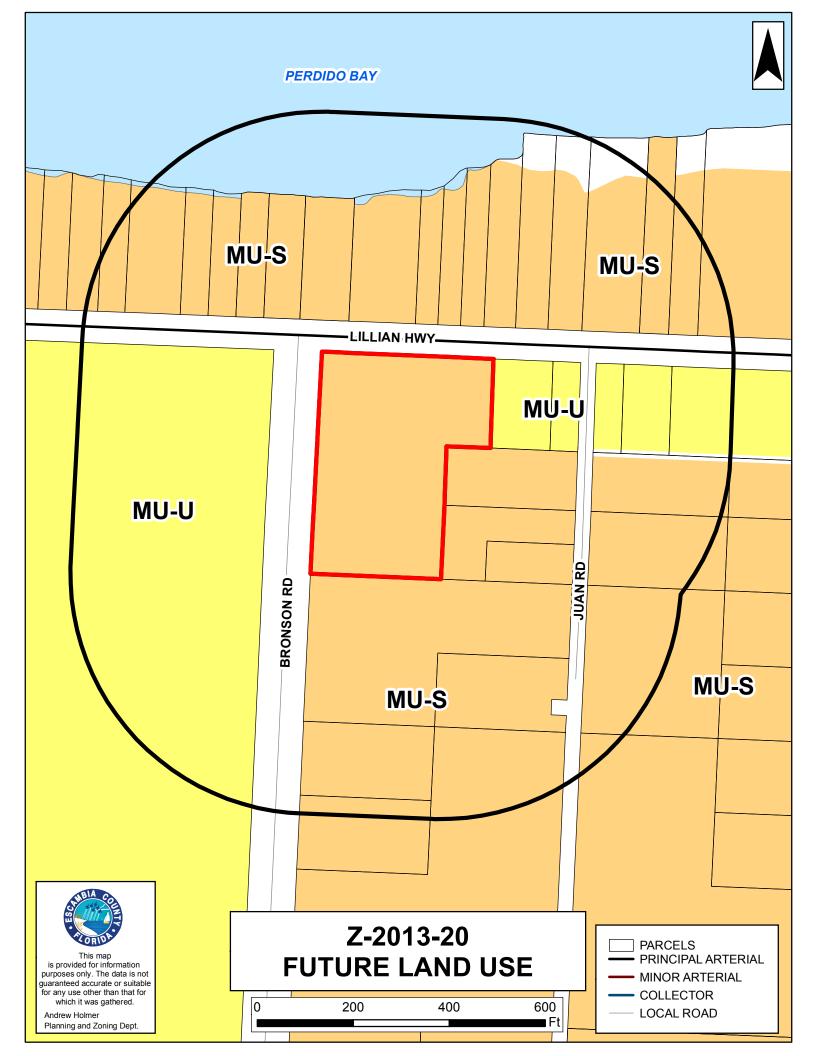
Attachments

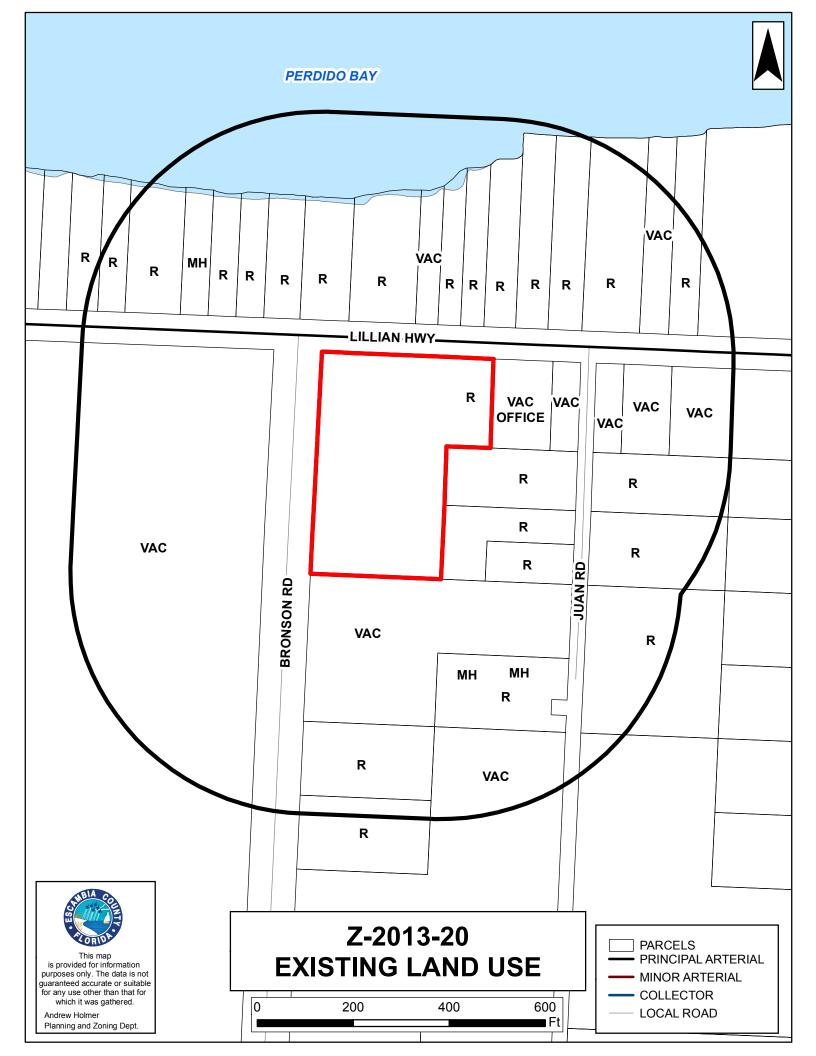
Z-2013-20

Z-2013-20



























Bobby G. Reynolds Sr. Sally L. Reynolds 12511 Lillian Highway Pensacola, Fl. 32506

Allison Caine,

I am asking to appear before the Zoning Board to change our zoning from R4 to R6. Property Reference No.:02-2S-32-6000-005-002

Any questions please call to (850) 456-5595.

Thank you for your time and consideration.

Very Truly Yours,

Bobby Gene Reynolds Sr. and Sally L. Reynolds



Development Services Department Escambia County, Florida

FAIRWELT A	APPLICATION
Please check application type:	☐ Conditional Use Request for:
☐ Administrative Appeal	☐ Variance Request for:
☐ Development Order Extension	Rezoning Request from: R4 to: R4
Name & address of current owner(s) as sh	own on public records of Escambia County, FL
Owner(s) Name: Bobby+ SALLY	REYNOLDS Phone: 850 4565595
Address: 12511 LILLIAN A	wy Email: REYN 2290@ Bell South. M
Limited Power of Attorney form attached here	
Property Address: $02-25-3$	
Property Reference Number(s)/Legal Descrip	tion: 12511 LILLIAN HWY COLA FL. 32506
By my signature, I hereby certify that:	r getske zerom i nog tre meter park til mille i filom old mille til bevoret. Broke som i take meder pære merke er i til det er i mille til mille til mille til som i helfte eller.
I am duly qualified as owner(s) or authori and staff has explained all procedures re	zed agent to make such application, this application is of my own choosing, lating to this request; and
All information given is accurate to the be misrepresentation of such information will any approval based upon this application	est of my knowledge and belief, and I understand that deliberate Il be grounds for denial or reversal of this application and/or revocation of a; and
 I understand that there are no guarantee refundable; and 	s as to the outcome of this request, and that the application fee is non-
 I authorize County staff to enter upon the inspection and authorize placement of a determined by County staff; and 	e property referenced herein at any reasonable time for purposes of site public notice sign(s) on the property referenced herein at a location(s) to be
5) I am aware that Public Hearing notices (I Development Services Bureau.	egal ad and/or postcards) for the request shall be provided by the
Bolly Dan Rayne Signature of Owner/Agent	BODDY GENE REVNOWS Date SALLY LYNIN REVNOLDS 09-12-13 SALLY LYNIN REVNOLDS 09-12-13
Sally Lynn Reynolds Signature of Owner	Printed Name of Owner REYNOLDS Date
STATE OF FORIGA	COUNTY OF ESCAMBIA
The foregoing instrument was acknowledged by Bathy + Sally Reynold	before me this 12 day of September 20 13,
Personally Known OR Produced Identification	
Margaret & Carri Signature of Notary (notary seal must be affixed)	Morcaret A - Celly Commission # DD 919789 Expires November 2, 2013 - Celly Commission # DD 919789
O 34/2 15 CO 101/ (\$14 1)	NAVO - CONTRACTOR OF THE STATE
- 11/ - 17	CASE NUMBER: 2-20/3-20
Meeting Date(s): PB 14 BCC 12	2 Accepted/Verified by: A. Date: 7/2//3 Permit #: PRZ /30900020
Fees Paid: \$ Receipt #:	Permit #:

FOR OFFICE USE:

CASE #: Z-20/3-26

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only
Property Reference Number(s): 02 - 25 - 32 - 6000 - 005 - 00 2
Property Address: 12511 Cillian Hwy
CATEGORY STATE PROPERTY STATES
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.
 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.
THEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 12 DAY OF September, YEAR OF 2013.
Signature of Property Owner Printed Name of Property Owner Date
Signature of Property Owner Signature of Property Owner Sally Lynn Reynolds Signature of Property Owner SALLY LYNN REYNOlds Printed Name of Property Owner Date Date



FOR OFFICE USE:	
CASE #:	

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at _	^	,
Florida, property reference number(s)		
I hereby designate		for the sole purpose
of completing this application and mal	/	
☐ Planning Board and the Board of C referenced property.	County Commissioners to request a re	ezoning on the above
☐ Board of Adjustment to request a(n)on t	he above referenced property
This Limited Power of Attorney is gran	/	
, and is effective until the		
rendered a decision on this request a		
rescind this Limited Power of Attorney		
Services Bureau.		·
	X	
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 thisday of	20,
by		
Personally Known OR Produced Identificat	ion□. Type of Identification Produced:	
		(Notary Seal)
Signature of Notary	Printed Name of Notary	
		\



BOARD OF COUNTY COMMISSIONERS ESCAMBIA COUNTY, FLORIDA

FEE WAIVER REQUEST FORM

The Board of County Commissioners have determined that it is in the best interest of the public to waive certain Planning Board and Board of Adjustment application fees for projects, regardless of size or scale, that will provide affordable housing for low income individuals and families. Upon request, the County Administrator may grant, to qualified applicants, a waiver of the fees approved by Resolution 2010-107. An approved fee waiver request shall expire after twelve (12) months.

County Administrator may grant, to qualified applicants, a waiver of the fees approved by Resolution 2010-107. An approved fee waiver request shall expire after twelve (12) months.	n
The County Administrator shall only grant waivers to the following qualified applicants. Please check the box next to the appropriate statement that applies to your request.	ck
 Individuals and families with an annual gross income at or below 30% of the median income for Escambia County. 	
 Non-profit organizations that will develop and provide affordable housing for individuals and fam with an annual gross income at or below 30% of the median income for Escambia County. 	illies
Property Owner/Non-profit Organization Name: BObby + SALLY REYNOLDS	
Please list the address(es) and Property Reference Number(s) for the property(s): 12511 Likhing Hwy Pensacola F1 32506 02-25-32-6000-005-002	
02-25-32-6000-005-002	
Please indicate which application fee this request is for and the amount: REZWING	
Please attach the following required supporting documents to this request form:	
a. All applicants must submit sufficient evidence of ownership or control of the property that is the subject of the development project for which the waiver is sought.	
b. All applicants must submit a copy of their federal income tax returns for the previous two years.	
c. All applicants must submit sufficient evidence that at least 30% of the total housing units product from the development project will be sold or rented to, or occupied by, individuals and families wannual gross incomes at or below 30% of the median income for Escambia County.	
 for projects that will provide rental housing, applicants shall also submit a schedule of rental rat for each unit by size. 	.es
FOR INTERNAL OFFICE USE ONLY	
The applicant is a qualified applicant.	
The applicant provided all required supporting documents.	
Therefore; this fee waiver request for Pezon in type of application	
is hereby Approved on this 13th day of September, 2013.	

Horace Jones

Interim Development Services Director

PROPERTY REFERENCE NUMBER ESCROW CD | ASSESSED VALUE | MILLAGE CODE | ACCOUNT NUMBER 022S32-6000-005-002 06 10-2715-000 See Below

2012 Real Estate 0019222.0000

5 - 016409 / 030353 1-54039 JNS33899 REYNOLDS BOBBY GENE SR & SALLY LYNN 12511 LILLIAN HWY PENSACOLA FL 32506-8416

12511 LILLIAN HWY LTS 5 TO 11 BLK B & LTS 2 & 4 BLK C RE S/D OF S/D NO 1 OF See Tax Roll for extra legal.

<u> իվերկնիանիցակունիցինիննորնիացիվիվինըիցիերվու</u>

AD VALOREM TAXES					
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED
COUNTY PUBLIC SCHOOLS	6.9755	82,818	50,000	32,818	228.92
By Local Board	2.2480	82,818	25,000	57,818 57,818	129.97 318.58
By State Law SHERIFF	5.5100 0.6850	82,818 82,818	25,000 50,000	32,818	22.48
WATER MANAGEMENT	0.0400	82,818	50,000	32,818	1.31

ESCAMBIA COUNTY TAX COLLECTOR * P.O. BOX 1312 * PENSACOLA, FL 32591-1312

AD VALOREM TAXES 701.26 TOTAL MILLAGE 15.4585

	NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY		RATE	AMOUNT
FIRE			85.00

QUESTIONS ON ITEMS IN THIS SECTION ONLY, CALL (850) 595-4960

			NON-AD VALOREN	85.00		
COMBINED TAXES AND ASSESSMENTS			786.26	PAY ONLY ONE AMOUNT	See reverse side for important information	
Nov 30 2012 \$ 754.81	Dec 31 2012 \$ 762.67	Jan 31 2013 \$ 770.53	Feb 28 2013 \$ 778.40	Mar 31 2013 \$ 786.26	Apr 30 2013 \$ 809.85	

ESCAMBIA COUNTY TAX COLLECTOR	2012 Real Es	tate NOTICE OF A	D VALOREM TAXES A	AND NON-AD VALOREM ASSESSMENT
ACCOUNT NUMBER	ESCROW CD	ASSESSED VALUE	MILLAGE CODE	PROPERTY REFERENCE NUMBER
10-2715-000		See Above	06	022S32-6000-005-002
2012 Real Estate 0019222.0000				

REYNOLDS BOBBY GENE SR & SALLY LYNN 12511 LILLIAN HWY PENSACOLA FL 32506-8416

12511 LILLIAN HWY LTS 5 TO 11 BLK B & LTS 2 & 4 BLK C RE S/D OF S/D NO 1 OF See Tax Roll for extra legal.

PAY IN U.S. FUNDS TO	ESCAMBIA COUNTY TAX	X COLLECTOR . P.C	. BOX 1312 • PEN	ISACOLA, FL	32591-1312

Nov 30 2012 \$ 754.81

Dec 31 2012 \$ 762.67

Jan 31 2013 \$ 770.53 Feb 28 2013 \$ 778,40 Mar 31 2013 5 79E.2E Acr 30 20x3 2 2 T III

350 438-6500

Pd

2 × 0

All D 21

0

LOT 4, BLOCK B 5 01°00'19" W ... 186.05' EXIST 186.00' PLAT NORTH SCALE 1" = 20' LOT 5, Block B luT o, LOT 1, BLOOK + LOT , BLOCK : Blinki ···T ·, Bruck B 277.56' EXIST 5 01°07'18" W ONE STORY BLOCK BUILDING 277.00' PLAT METAL CONTAINER METAL ROOF 1/2" Capped Iron rod set #7073 i" Iron pipe found Air conditioning unit Concrete Gravel Light pole Power pole T , Bluck B Sewer clean-out Sprinkler control valve METAL SIDED SHED Water faucet Water meter ----- Wire fence ----- Wood fence ---E--- Electric line ----Telephone line SURVEYOR'S NOTES I Subject to setbacks, easements and restrictions of record 2 This survey is subject to any facts that may be disclosed by a full and accurate title search. No title work performed by this firm 3 This survey does not reflect or determine ownership LOT 8, BLOCK B 4 This drawing only reflects setback lines, which appear on the recorded plat. This property may also be subject to setback lines mandated by zoning ordinances and or restrictive covenants of record. 5 Footers and foundations below natural grade not located STREET ADDRESS | 125|| Lillian Highway LEGAL DESCRIPTION Lot 5, 6, 7, 8, 9, 10 and 11, Block B, and Lots 2 and 4, Block C, of Re-Subdivision of subdivision No 1, to Perdido Heights, being a subdivision of a Re-Subdivision of Lot 6, Fractional Section 2, Township 2 South, Range 32 West, Escambia County, Florida as recorded in Plat Book I at page 3 of the public records of said County TOGETHER WITH LUT 4, BLUE B The North Half of 16' Lane adjacent to and south of Lots 5-11, Block "B" and the South Half of 16' Lane adjacent to and North of Lot 2, Block C, of Re-Subdivision of subdivision No 1, to Perdido Heights, being a subdivision of Lot 6, Fractional Section 2, Township 2 South, Range 32 West, Escambia County, Florida as recorded in Plat Book 1 at page 3 of the public records of said County Liit 14, Blink B N 01°10.5' E 463.00' PLAT N 01°07'43" E 463.61' EXIST BRONSON ROAD STATE ROAD #298 100' R/W (FORMERLY PARK ROAD) TAX MAPS, PUBLIC RECORDS, RECORDED PLAT RE-S/D OF S/D #I TO PERDIDO HEIGHTS (PB I, P 3), DOT R/W MAPS SR #298, SECTION 4818 SR 30, SR 30, SECTION Measurements made in accordance with United States Standards Bearing Reference NORTH BASED ON THE SOUTHERLY R/W LILLIAN <u>|" = 20'</u> hereby certify that this survey was made under my responsible HIGHWAY AS S 89°04'00" E charge and meets the Minimum Technical Standards as set forti C-6914 Ordered By **BOBBY REYNOLDS** Elevation Reference by the Florida Board of Professional Surveyors & Mappers in Encroachments FENCE, OVERHANG, DECK, CONCRETE Chapter 5J-17 050, 5J-17 051 and 5J-17 052, pursuant to A BOUNDARY SURVEY AND LOCATION OF IMPROVEMENTS OF A PORTION PENSACOLA, FL 32503 Phone (850) 434-6666 Fax (850) 434-6661 Email: pgasurvey@bellsouth net OF SECTION 2, T-2-5, R-32-W David D. Glaze
PSM #5605