

AGENDA
ESCAMBIA COUNTY BOARD OF ADJUSTMENT
January 15, 2014–8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Swearing in of Staff and acceptance of Staff as expert witnesses.
3. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.
4. Proof of Publication and waive the reading of the legal advertisement.
5. Approval of December 18, 2013 Resume' Minutes.
6. **Consideration of the following cases:**
 1. **CASE NO.: AP-2012-02 (Remanded)**
Address: 7253 Plantation Rd.
Requested Appeal: Appeal of the Issuance of Building Permits BD120502393 and BD120502394
Requested by: Jesse W. Rigby, Esq., Agent for ADX Communications of Escambia, LLC & Relax Hospitality, LLC
 2. **Case No.: V-2014-01**
Address: 9909 University Parkway
Request: Variance to the Overall Height Limit for an On-Premise Sign in R-5 Zoning
Requested by: Tiffany Lyons, Agent for Eaton Square Holdings, LLC
7. Discussion Items.
8. Old/New Business.

9. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, February 19, 2014 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. Adjournment.

Board of Adjustment

5.

Meeting Date: 01/15/2014

Attachments

12-18-13 Draft Resume

DRAFT

RESUMÉ OF THE MEETING OF THE BOARD OF ADJUSTMENT HELD December 18, 2013

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:30 A.M. –10:27 A.M.)

Present: Auby Smith
Bobby Price, Jr.
Kevin White
Bill Stromquist
Jerry Watson
Jennifer Rigby
Paul White, Jr.

Staff Present: Kristin Hual, Assistant County Attorney
Horace Jones, Interim Director, Development Services
Andrew Holmer, Senior. Planner, Planning & Zoning
Juan Lemos, Senior Planner, Planning & Zoning
John Fisher, Urban Planner, Planning & Zoning
Debbie Lockhart, Administrative Assistant

REGULAR BOA AGENDA

1. Call to Order.
2. Debbie Lockhart completed and notarized the swearing in of Paul White, Jr. to the Board of Adjustment.
3. Auby Smith was elected Chairman, and Bobby Price, Jr. was elected Vice Chairman to the Board of Adjustment.
4. Staff was sworn in and Board members accepted Staff as expert witnesses.
5. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.

Motion by Kevin White, Seconded by Jerry Watson
Motion was made to accept the meeting package as presented by Staff.

Vote: 7 - 0 Approved - Unanimously

6. Proof of Publication and waive the reading of the legal advertisement.

Motion by Vice Chairman Bobby Price, Jr., Seconded by Jerry Watson
Motion was made to accept proof of publication and to waive the reading of the legal advertisement.

Vote: 7 - 0 Approved - Unanimously

7. Approval of November 20, 2013 Resume Minutes.

Motion by Jennifer Rigby, Seconded by Vice Chairman Bobby Price, Jr.
Motion was made to approve the Resume' meeting minutes from the November 20, 2013 meeting.

Vote: 7 - 0 Approved - Unanimously

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

- A. Case No.: AP-2013-01

Address: 2605 Wilde Lake Blvd.

Requested Appeal: Appeal of the approval of Development Order PSP130600062

Requested By: Dr. Neil C. Davis

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

No BOA member acknowledged visiting the site.

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

Motion by Kevin White, Seconded by Vice Chairman Bobby Price, Jr.
Motion was made to accept Staff's Findings of Fact and deny the Administrative Appeal.

Vote: 7 - 0 Approved - Unanimously

9. Discussion Items.

10. Old/New Business.

11. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, January 15, 2014 at 8:30 a.m., at the Escambia County Central Office Complex, Room104, 3363 West Park Place.

12. Meeting adjourned at 10:27 a.m.



DEVELOPMENT SERVICES ADMINISTRATIVE APPEAL WORKSHEET

Board of Adjustment

6. 1.

Meeting Date: 01/15/2014

I. SUBMISSION DATA:

APPLICANT: Jesse W. Rigby, Esq., Agent for ADX Communications of Escambia, LLC & Relax Hospitality, LLC

DATE OF ADMINISTRATIVE DECISION: May 25, 2012

DATE OF APPEAL APPLICATION: May 29, 2012

PROJECT ADDRESS: 7253 Plantation Rd.

PROPERTY REFERENCE NO.: 30-1S-304101-010-002

ZONING DISTRICT: C-2

FUTURE LAND USE: Commercial

III. REQUESTED APPEAL::

Appeal of the issuance of building permits BD120502393 and BD120502394

III. RELEVANT APPEAL AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section: 2.04.00 & 2.04.01

Sections 2.04.00, Appeal of Administrative Decisions and 2.04.01, Procedures for the Appeal of Administrative Decisions of the Escambia County Land Development Code (Ordinance No. 96-3 as amended), provide the relevant authority for the BOA's review of administrative decisions.

A. The BOA is authorized to hear and to rule upon any appeal made by those persons aggrieved by administration of this Code. An administrative decision, or staff interpretation, shall not be reversed, altered, or modified by the BOA unless it finds that:

1. A written application for the appeal was submitted within 15 days of the administrative decision or action indicating the section of this Code under which said appeal applies together with a statement of the grounds on which the appeal is based; and
2. That the person filing said appeal has established that the decision or action of the

administrative official was arbitrary and capricious; or

3. An aggrieved party who files an appeal of a decision of the DRC approving or approving with conditions a development plan application, must show, by competent substantial evidence that:

(i) The decision of the DRC is not in compliance with the Comprehensive Plan or the Land Development Code;

(ii) Their property will suffer an adverse impact as a result of the development approval decision;

(iii) The adverse impact must be to a specific interest protected or furthered by the Comprehensive Plan or the Land Development Code; and

(iv) It must be greater in degree than any adverse impact shared by the community at large.

4. In the event the owner, developer, or applicant is aggrieved or adversely affected by a denial of a development plan application or the imposition of conditions, the owner, developer or applicant filing the appeal must show, by competent substantial evidence, that the denial of the development plan or the imposition of conditions is neither required nor supported by the Comprehensive Plan or the Land Development Code or the application of technical design standards and specifications adopted by reference in the Code, or Concurrency Management Procedures and is, therefore, arbitrary and capricious.

IV. BACKGROUND INFORMATION

On December 20, 2011 Mr. Christian Jensen requested zoning verification for the subject site with a proposed use of crematory/funeral home. Development Services staff verified the site as having C-2 zoning and that the requested use would be allowed based on initial review. As the prior use on site was a restaurant, the proposed change of use would need to comply with the County site plan review process.

Based on further staff review of the proposed use, it was determined that the crematory would not be allowed in C-2 zoning. Mr. Jensen was contacted by staff in February 2012 and subsequently applied for a Planning Board Interpretation of the Land Development Code (LDC) regulation.

At the February 13, 2012 Planning Board meeting, the Board determined that crematoriums located within a funeral home are not a permitted use in C-2 zoning (Planning Board Interpretation # 2012-01).

Based on discussion with staff regarding appeal options, the property owner (CNL Funding) applied for a change of use from restaurant to funeral home with crematory. On March 7, 2012 the application was denied by staff based on Planning Board Interpretation # 2012-01. On March 12, 2012 the applicant filed for an Administrative Appeal of the Change of Use permit denial.

At the April 18, 2012 Board of Adjustment (BOA) meeting, the Board voted 4-2 to reverse the staff denial of the Change of Use permit. Based on the decision of the BOA, the owner applied for building permits on May 18, 2012. The permits applied for were: BD120502393 (Building alteration), BD120502394 (Building addition). The permits were issued by the county on May, 25, 2012.

May 29, 2012 an appeal of those 2 permits was filed by Jesse W. Rigby, Esq., Agent for ADX Communications of Escambia, LLC & Relax Hospitality, LLC. A hold was placed on the permits May 31, 2012 per LDC 2.02.04.

Attachments

AP-2012-02 Remanded

AP-2012-02

**IN THE CIRCUIT COURT, FIRST JUDICIAL
CIRCUIT, ESCAMBIA COUNTY, FLORIDA**

2013 DEC -4 P 3:27

**RELAX HOSPITALITY, LLC, a Florida
limited liability company; and ADX
COMMUNICATIONS OF ESCAMBIA,
LLC, a Florida limited liability company,**

CIRCUIT CIVIL DIVISION
FILED & RECORDED

Petitioners,

vs.

CASE NO. 2012 CA 001261

**ESCAMBIA COUNTY, acting by and
through its BOARD OF ADJUSTMENT;
and CEJ SOUTH, INC., a Florida corporation,**

Respondents.

Opinion filed December 2, 2013

Jesse W. Rigby, Esquire, Clark, Partington, Hart, Larry, Bond & Stackhouse, 125
West Romana Street, Suite 800, Pensacola, FL 32502 Counsel for Petitioners

Kristin D. Hual, Esquire, Assistant County Attorney, 221 Palafox Place, Suite 430,
Pensacola, FL 32502, Counsel for Respondent Escambia County

Kerry Ann Schultz, Esquire, Fountain, Schultz & Associates, PL, 2045 Fountain
Professional Court, Ste. A, Navarre, FL 32566, Counsel for C.E.J. South, Inc.

A Petition for Writ of Certiorari was filed May 17, 2012. An Order to
Show Cause was issued to Respondents May 31, 2012.

Respondent CNL Funding 2000-A, LP, a Delaware limited partnership, and
a contingent seller of the parcel in question to Respondent CEJ South, Inc, a Florida
Corporation, filed a Motion to Dismiss docketed June 20, 2012. Petitioners
acquiesced to the motion to dismiss in a Response docketed June 25, 2012, and that

motion was granted June 27, 2012.

Respondent Escambia County filed a Response June 26, 2012. Respondent CEJ South filed a Response June 28, 2012. Petitioners' Reply Brief was filed July 2, 2012.

As Petitioners' Reply Brief was not docketed by the clerk until July 18, 2012, and although the Reply Brief does not bear the usual date stamp placed on documents received directly by this office, it likely had been delivered to the office of the undersigned and was not forwarded to the clerk until July 18.

Counsel for Respondent, CEJ, filed a Motion for Case Management Conference docketed November 29, 2012, which was noticed for hearing January 4, 2013. Another such motion was filed July 30, 2013, and noticed for hearing September 27, 2013. The court, on its own motion, has scheduled two additional case management conferences, most recently on November 27, 2013.¹

For the purposes of this opinion, Petitioners, Relax Inn and ADX Communications of Escambia, LLC, shall hereafter jointly be referred to as Petitioners; while Respondents shall be referred to as either "Escambia County" or "CEJ", respectively. Additionally, the Escambia County Board of Adjustment shall be referred to as the "BOA"; while the Escambia County Land Development

¹ The patience of the parties while awaiting issuance of an opinion in this matter is beyond commendable. While the administrative and docket management challenges of the undersigned are among the excuses for the delay in ruling in this case, they are not acceptable, and I apologize to the parties for any adverse impact the delay in ruling may have caused.

Code shall be referred to as the "LDC".

This case has an interesting, convoluted, conflicting procedural history.

CEJ submitted a zoning verification form to the Escambia County Development Services Department to verify the parcel in question was located in a C-2 zoning district. A staff member completed the form and verified the parcel was in zone C-2 and further opined that the parcel could be used as a crematory/funeral home.

When a question was raised regarding the accuracy of the verification, the Development Services Department head determined the proposed use was not permitted in zone C-2. §2.07.01 of the LDC places responsibility on the Planning Board to interpret the LDC. The Department head informed CEJ that an interpretation of the LDC could be requested from the Planning Board.

CEJ requested an interpretation, and the Planning Board Interpretation #2012-01 concluded that a crematory was not a permitted use within zone C-2. CEJ applied for a change of use permit from a restaurant to a funeral home with a crematory. That application was denied by Department staff based upon the Planning Board Interpretation.

CEJ filed an administrative appeal to the BOA pursuant to §§2.04.00 and 2.04.01, LDC. After a lengthy hearing, the BOA concluded the denial of the request to change the use permit base upon the interpretation of the Planning Board

was "arbitrary and capricious".

The Petition for Writ of Certiorari was timely filed from that decision. This court has jurisdiction pursuant to Article V, Section 5(b), Constitution of the State of Florida.

CEJ raises lack of standing of Petitioners in its Response. As that issue was not raised below, it was waived.

The parties agree *Haines City Community Development v. Heggs*, 658 So.2d 530 (Fla. 1995), *DeGroot v. Sheffield*, 95 So.2d 912 (Fla. 1957), and *City of Deerfield Beach v. Vaillant*, 419 So.2d 624 (Fla. 1982), establish the relevant standard of review.

At the quasi-judicial administrative appeal hearing, the BOA heard extensive testimony. The issue was complicated by discussion of the fact that two permits for similar projects in zone C-2 had been previously issued without questions being raised regarding the validity of interpretation of the LDC. BOA members engaged in critical debate regarding the Board's responsibility in this matter.

This court has no authority to conduct a *de novo* review and assess the weight of conflicting evidence presented to the BOA and has no desire to do so. *Dusseau v. Metropolitan Dade County Bd. County Com'rs*, 794 So.2d 1270 (Fla. 2001).

The parties disagree on where the focus of the review should be placed by this court.

This court declines to accept the suggestion of Respondents, Escambia County and CEJ, justifying the decision of the BOA. To do so would require this court to ignore the specific provisions of the LDC which have been lawfully adopted by the responsible legislative body, the Escambia County Commission. The conundrum facing the BOA, while understandable, is not supported by law.

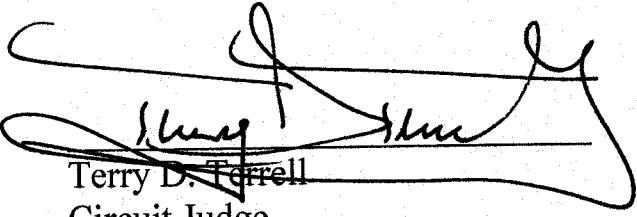
Regardless of the apparent inconsistent, previous interpretations of the LDC by Developmental Services Department staff in the past, the interpretation of the Planning Board at issue in this case was based upon the clear, unequivocal language of the LDC. The LDC expressly lists or incorporates crematories by reference in other zoning classifications as either a permitted use or as a conditional use. The Petition contains a detailed analysis of the progression of permitted and conditional uses for crematories, funeral homes, and mortuaries in the LDC zoning classifications and the varied licensing options for such facilities under Ch. 497, Fla. Stat. The LDC neither lists nor incorporates crematories in the C-2 zoning classification. Thus, it is not necessary to apply the inverse of the basic concept of statutory construction of "*expressio unius est exclusio alterius*". The language in the LDC is clear and unequivocal as conceded by Respondent, Escambia County.

As a consequence, the matters heard by the BOA did not rise to the level of

competent, substantial evidence sufficient to sustain the finding that the denial of the request for change of use based upon the Planning Board's interpretation of the LDC was "arbitrary and capricious".

While it appears the BOA members thought the LDC should be interpreted to include crematories as a permitted or conditional use, that is an issue for the Escambia County Commission to resolve should they choose to amend the LDC. Petitioners suggest other alternatives such as an administrative application for a vested rights committee determination pursuant to §2.11.00, LDC, and there may be others. It is not within the purview of this court to either suggest or determine what alternatives should be pursued in this matter.

Accordingly, the Petition for Writ of Certiorari is granted, and the decision of the BOA is quashed. This matter is remanded for further proceedings consistent herewith.



Terry D. Ferrell
Circuit Judge

A copy of this opinion was e-mailed to each attorney December 2, 2013.



DEVELOPMENT SERVICES ADMINISTRATIVE APPEAL WORKSHEET

Board of Adjustment

6. D.

Meeting Date: 06/20/2012

Information

I. SUBMISSION DATA:

APPLICANT: Jesse W. Rigby, Esq., Agent for ADX Communications of Escambia, LLC & Relax Hospitality, LLC

DATE OF ADMINISTRATIVE DECISION: May 25, 2012

DATE OF APPEAL APPLICATION: May 29, 2012

PROJECT ADDRESS: 7253 Plantation Rd.

PROPERTY REFERENCE NO.: 30-1S-304101-010-002

ZONING DISTRICT: C-2

FUTURE LAND USE: Commercial

III. REQUESTED APPEAL::

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1. A written application for the appeal was submitted within 15 days of the administrative decision or action indicating the section of this Code under which said appeal applies together with a statement of the grounds on which the appeal is based; and

2. That the person filing said appeal has established that the decision or action of the

administrative official was arbitrary and capricious; or

3. An aggrieved party who files an appeal of a decision of the DRC approving or approving with conditions a development plan application, must show, by competent substantial evidence that:

(i) The decision of the DRC is not in compliance with the Comprehensive Plan or the Land Development Code;

(ii) Their property will suffer an adverse impact as a result of the development approval decision;

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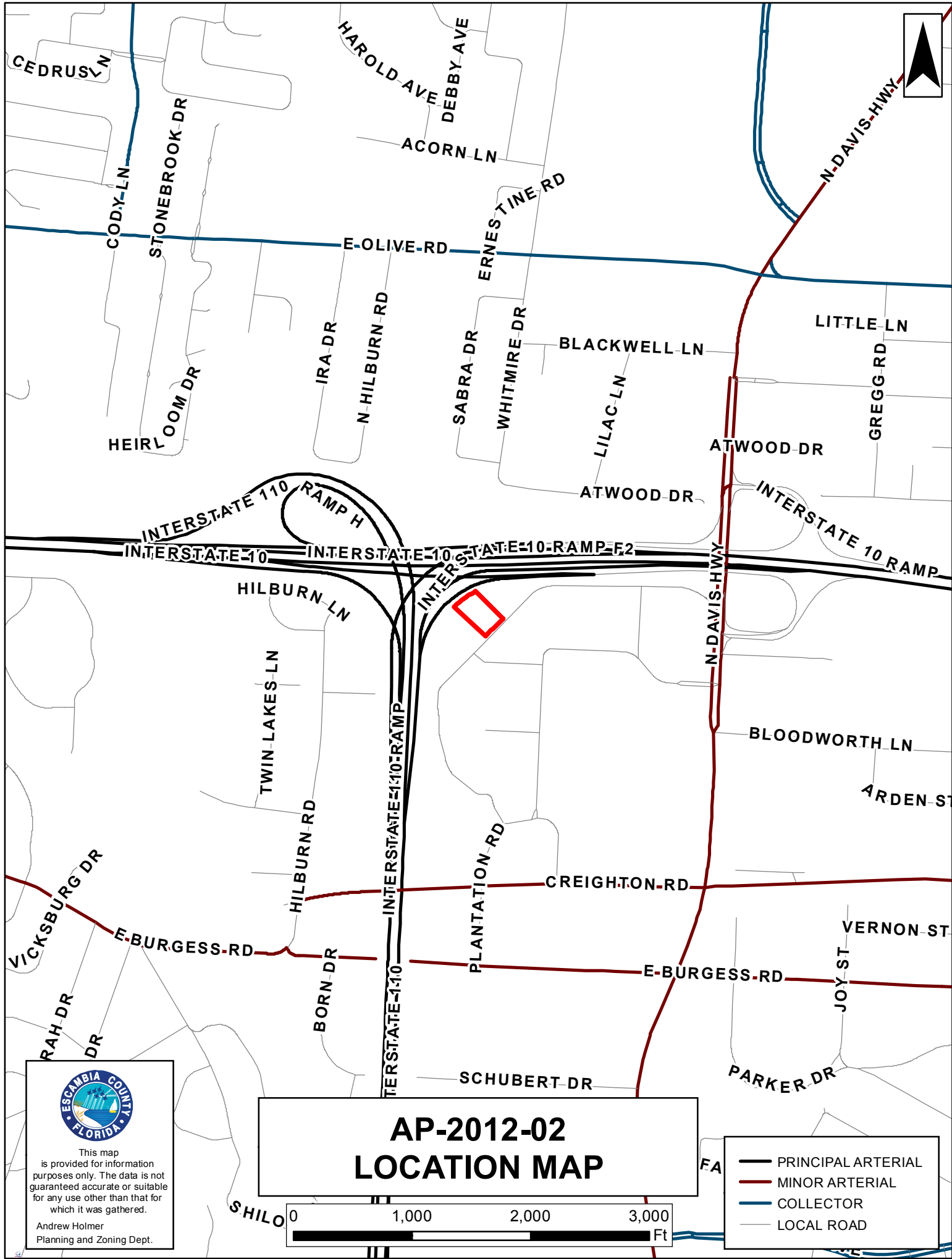
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At the April 18, 2012 Board of Adjustment (BOA) meeting, the Board voted 4-2 to reverse the staff denial of the Change of Use permit. Based on the decision of the BOA, the owner applied for building permits on May 18, 2012. The permits applied for were: BD120502393 (Building alteration), BD120502394 (Building addition). The permits were issued by the county on May, 25, 2012.

May 29, 2012 an appeal of those 2 permits was filed by Jesse W. Rigby, Esq., Agent for ADX Communications of Escambia, LLC & Relax Hospitality, LLC. A hold was placed on the permits May 31, 2012 per LDC 2.02.04.

Attachments

AP-2012-02 Case File



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

Andrew Holmer
Planning and Zoning Dept.

AP-2012-02 LOCATION MAP

- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



R-6

R-5

R-5

INTERSTATE 10

C-2

C-2

R-4

INTERSTATE 110

PLANTATION RD

UNIVERSITY PLAZA DR

PLANTATION RD

C-2



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.

AP-2012-02 500' RADIUS ZONING



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

MU-U

MU-U

INTERSTATE 10

INTERSTATE 110

PLANTATION RD

UNIVERSITY PLAZA DR

PLANTATION RD



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

Andrew Holmer
Planning and Zoning Dept.

AP-2012-02 FUTURE LAND USE

0 200 400 600 Ft

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



INTERSTATE 10

INTERSTATE 10 RAMP B1

INTERSTATE 10 RAMP B2

INTERSTATE 10 RAMP B1

PLANTATION RD

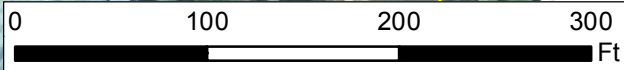
UNIVERSITY PLAZA DR



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.

AP-2012-02 AERIAL MAP



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

CLARK PARTINGTON HART
LARRY BOND & STACKHOUSE

ATTORNEYS AT LAW

Pensacola • Destin • Tallahassee

Jesse W. Rigby
Direct (850) 434-3282
jrigby@cphlaw.com

May 29, 2012

Board of Adjustment
c/o Horace Jones, Division Manager
Escambia County
Development Services Department
3363 West Park Place
Pensacola, FL 32505

**Re: Administrative Appeal of Decision of County Building Official to
Issue Building Permits BD120502393 and BD120502394**

Dear BOA Members:

This letter contains information to support the appeal of the referenced administrative decisions. The appeal is submitted jointly by my clients Relax Hospitality, LLC ("Relax") and ADX Communications of Escambia, LLC ("ADX").

The building permits were issued for construction at 7253 Plantation Road. ADX (7251 Plantation Road) and Relax (7230 Plantation Road) own the properties adjacent to the property at 7253 Plantation Road.

The permit information was downloaded from the County web site on May 28, 2012. Permit BD120502093 describes the project as: "Building: Comm mortuary & crematory interior alt for Family Funeral Home Cremation." Permit BD120502094 describes the project as: "Addition: Comm crematory addition for Family Funeral Home Cremation." We believe both permits were issued on May 25, 2012, although the information available on the county web site to the public shows only the permit date (May 18, 2012 for both permits), and then states "Issued." As late as May 23, we were informed that the permits were still under review. Copies of the information available to the public from the county web site is attached as Exhibits 1 (Permit BD120502093) and 2 (Permit BD120502094).

The information that follows is provided as required by section 2.04.01, LDC. Additional information may be available from county files prior to submission of the administrative appeal to the BOA at the quasi-judicial hearing. My clients reserve the right to supplement their presentation based on additional information that becomes available prior to the hearing.

125 West Romana Street • Suite 800 • Pensacola, Florida 32502
P.O. Box 13010 • Pensacola, Florida 32591-3010
Phone (850) 434-9200 • Fax (850) 432-7340
www.cphlaw.com

1. This appeal is submitted within 15 days of the issuance of the permits and is therefore timely.
2. The letter contains the grounds on which the appeal is based.
3. The administrative action of the Building Official who issued the permits is not in compliance with the Land Development Code ("LDC").
4. My clients are aggrieved parties, in that their properties are adjacent to the property on which the building addition for a crematory and the interior modifications required to support the cremation equipment has been permitted.
5. Section 1.09.00 of the LDC provides that: "Provisions of this Code apply to all applications for development approval, building or construction permits, subdivision plans and plats, planned unit developments, site plans, and any other permits or approvals from Escambia County, the application for which has been made after the effective date of this Code." The building permits at issue in this appeal must comply with all provisions of the LDC. The permits do NOT comply with the LDC.
6. My clients' properties are in the C-2 zoning district. Section 6.01.00, LDC, provides that zoning districts were established by the county commission "to classify, regulate and restrict the location of trades and industries, and the location of buildings designed for specified industrial, business, residential and other uses" In adopting the current LDC, the County Commission adopted an ordinance that neither permits a crematory nor allows it as a conditional use in the C-2 district. In purchasing and improving their properties, my clients relied reasonably on the provisions of the C-2 zoning district. Although permitted and conditional uses within a zoning district are always subject to revision, such revision must occur at a duly noticed ordinance adoption hearing, which gives affected property owners the opportunity to be heard by the County Commission during the legislative process. Property owners have a due process right to attempt to persuade the County Commission to not adopt changes to C-2 that would allow property to be used for a crematory.
7. Section 6.04.01, LDC, provides that:

No principal or accessory building, structure **or use** shall be erected, reconstructed or structurally altered, extended or enlarged unless such building, structure or use complies with all applicable regulations established by this Code including parking, landscaping and all other performance standards for the district in which the building, structure or land is situated. **Unless otherwise authorized as provided herein, land uses not listed or included as permitted uses in a given zoning classification shall be considered prohibited uses in such zoning classification.** (Bold face font added.)

The building permits issued by the building official violate this prohibition as a crematory is neither a permitted nor a conditional use in the C-2 district.

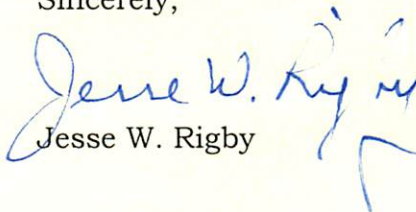
8. Section 2.02.04, LDC, provides that: "No permit or development order may be issued by the county administrator, or his/her designee, for any development if such development would violate the terms and conditions of this Code." The permits issued by the building official violate the terms and conditions of the LDC by authorizing construction to support a use that is neither permitted nor allowed as a conditional use in the C-2 district.
9. Section 2.02.04, LDC provides that: "If an application for a conditional use, variance **or administrative appeal**, as defined and regulated by this Code, has been submitted, no permit or development order, with or without conditions, will be issued until the matter has been resolved pursuant to the provisions of this article." (Bold face font added.)
10. As the next door neighbors of the proposed crematory, the adverse impact imposed on my clients is greater in degree than any adverse impact shared by the community at large.
11. On February 13, 2012, the County Planning Board issued Interpretation 2012-01 pursuant to the authority granted to the Planning Board by section 2.07.01, LDC. The Planning Board is the only agency in Escambia County authorized to "review and interpret any provisions of this Code for the purposes of clarification or determination of meaning and intent if questions should arise regarding the meaning, intent or interpretations of any provision or section." Interpretation 2012-01 "determined that a Crematoriums (sic) located within a funeral home establishment in a C-2 zoning district is not a permitted use." The interpretation is attached as Exhibit 3.
12. On April 18, 2012, the Board of Adjustment issued a decision in Case # AP-2012-01 that had the effect of overturning the Planning Board's interpretation 2012-01. The action by the Board of Adjustment exceeded its authority and effectively allowed the Board to re-write the terms of the C-2 district by permitting a crematory in the C-2 zoning district.
13. Only the Planning Board is authorized to interpret the meaning and intent of the LDC, and only the County Commission is authorized to change the plain and unambiguous terms of the C-2 district, and then only after a duly noticed public hearing at which the public is allowed to be heard before an ordinance can be lawfully adopted to change the terms of the LDC. The building official acted arbitrarily and capriciously by following the unlawful action of the Board of Adjustment rather than the lawful action of the Planning Board.

Remedies Requested

1. The County Administrator is requested to direct the building official to issue immediately an order that suspends that portion of the two building permits that allows any construction activity that will support an addition to the building to house cremation equipment, or to make interior modifications that will support the use of cremation equipment. This request is based specifically on section 2.02.04, which provides that: "If an application for a conditional use, variance **or administrative appeal**, as defined and regulated by this Code, has been submitted, no permit or development order, with or without conditions, will be issued until the matter has been resolved pursuant to the provisions of this article." (Bold face font added.)

2. The Board of Adjustment is asked to take action of this appeal consistent with the requirements of the LDC, and in the process to determine that the building official's decision to issue the permits was arbitrary and capricious in that authorizing construction work to support a crematory in the C-2 district is unlawful under the terms of the C-2 district as interpreted by the Planning Board.

Sincerely,


Jesse W. Rigby

JWR\cw

Enclosures

cc: Escambia County Attorney
Kerry Anne Schultz, Esquire
Relax Hospitality, LLC
ADX Communications of Escambia, LLC
A1084933.DOC

APPLICATION

Please check application type:

☒ Administrative Appeal

☐ Development Order Extension

☐ Conditional Use Request for: _____

☐ Variance Request for: _____

☐ Rezoning Request from: _____ to: _____

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

Owner(s) Name: Relax Hospitality, LLC Phone: 434-3282 (Agent)

Address: 1353 Quiet Cove Ct., Gulf Breeze 32563 Email: jrigby@cphlaw.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: 7230 Plantation Rd., Pensacola, FL 32504

Property Reference Number(s)/Legal Description: 301S304101014002

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.

Jesse W. Rigby
Signature of Owner/Agent

Jesse W. Rigby, Esquire (Agent)

Printed Name Owner/Agent

5/29/2012
Date

[Signature]
Signature of Owner

Relax Hospitality, LLC

Printed Name of Owner
Ajit Patel, Manager

5/29/12
Date

STATE OF Florida

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 29th day of May, 20 12,
by Ajit Patel, Manager.

Personally Known ☐ OR Produced Identification ☒ Type of Identification Produced: P340 001 651250

Constance M. Weiss
Signature of Notary
(notary seal must be affixed)

Constance M. Weiss
Printed Name of Notary



CONSTANCE M. WEISS
COMMISSION # DD 811149
EXPIRES: Aug. 03, 2012

FOR OFFICE USE ONLY

CASE NUMBER: AP-2012-02

Meeting Date(s): 6-20-12 Accepted/Verified by: A.D. HOLMER Date: 5/29/12

Fees Paid: \$ 560.00 Receipt #: _____ Permit #: PBA 120500014

APPLICATION

Please check application type:

☒ Administrative Appeal

☐ Development Order Extension

☐ Conditional Use Request for: _____

☐ Variance Request for: _____

☐ Rezoning Request from: _____ to: _____

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

Owner(s) Name: ADX Communications of Escambia, LLC Phone: 434-3282 (Agent)

Address: 7251 Plantation Rd., Pensacola, FL 32504 Email: jrigby@cphlaw.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: 7251 Plantation Rd., Pensacola, FL 32504

Property Reference Number(s)/Legal Description: 301S304101006002

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

Jesse W. Rigby, Esquire (Agent)

Printed Name Owner/Agent

Date

5/29/12

Signature of Owner

ADX Communications of Escambia, LLC

Printed Name of Owner
David E. Hoxeng, Manager

Date

5/29/12

STATE OF Florida

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 29th day of May, 20 12,
by David E. Hoxeng, Manager.

Personally Known ☐ OR Produced Identification ☒. Type of Identification Produced: FLDL # H252165500090

Signature of Notary

(notary seal must be affixed)

Constance M. Weiss

Printed Name of Notary



CONSTANCE M. WEISS
COMMISSION # DD 811149
EXPIRES: Aug. 03, 2012

FOR OFFICE USE ONLY

CASE NUMBER: AP-2012-02

Meeting Date(s): 6-20-12

Accepted/Verified by: A.D. HOLMER

Date: 5/29/12

Fees Paid: \$ 560.00

Receipt #: _____

Permit #: PBA 120500014

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 7230 Plantation Rd., Pensacola, FL 32504,
Florida, property reference number(s) 301S304101014002

I hereby designate Jesse W. Rigby 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) administrative appeal 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: Jesse W. Rigby Email: jrigby@cphlaw.com
Address: Clark Partington Hart Larry Bond & Stackhouse
125 W. Romana St., Ste 800, Pensacola, FL 32502 Phone: 434-3282


Signature of Property Owner

Relax Hospitality, LLC
Printed Name of Property Owner
Ajit Patel, Manager

5/29/12
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 29th day of May 20 12,
by Ajit Patel, Manager.

Personally Known ☐ OR Produced Identification ☐. Type of Identification Produced: P340001651250


Signature of Notary

Constance M. Weiss
Printed Name of Notary



CONSTANCE M. WEISS
COMMISSION # DD 811149
EXPIRES: Aug. 03, 2012

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 7251 Plantation Rd., Pensacola, FL 32504,
Florida, property reference number(s) 301S304101006002

I hereby designate Jesse W. Rigby, Esquire (Agent) 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) administrative appeal 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: Jesse W. Rigby, Esquire (Agent) Email: jrigby@cphlaw.com

Address: Clark Partington Hart Larry Bond & Stackhouse Phone: 434-3282
125 W. Romana St., Suite 800, Pensacola, FL 32502

[Signature]
Signature of Property Owner

ADX Communications of Escambia, LLC
Printed Name of Property Owner
David E. Hoxeng, Manager

5/29/12
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 29th day of May 20 12,
by David E. Hoxeng, Manager.

Personally Known ☐ OR Produced Identification ☒ Type of Identification Produced: H252165 50 009 0

[Signature]
Signature of Notary

Constance M. Weiss
Printed Name of Notary



(Notary Seal)
CONSTANCE M. WEISS
COMMISSION # DD 811149
EXPIRES: Aug. 03, 2012

[Home](#) [Building](#) [Licenses](#) [Planning](#) [Code Enforcement](#)

An error has occurred.
Can not find EDMS data source. Please contact system administrator.

Building BD120502393:
Building/Commercial/Alteration/Na

Building Details

Applicant:

CROOK
VISION CONSTRUCTION ENT., INC.
PO BOX 9604
PENSACOLA, FL, 32513

Work Location:

7253 PLANTATION RD
PENSACOLA FL 32504

Licensed Professional:

GARRY GERARD CROOK
VISION CONSTRUCTION ENT INC
2860 W NAVY BLVD STE 100
PENSACOLA, FL, 32505
Home Phone: (850) 469-1970
Mobile Phone: (850) 469-1970
Fax: 850-435-4819
FL Cert General FL- CGC057117

Project Description:

Building
COMM MORTURARY & CREMATORY INTERIOR ALT
FOR*FAMILY FUNERAL HOME CREMATION* N DAVIS
HY BEHIND UNIVERSITY MALL OFF PLANTATION RD

Owner:

C.E.J. SOUTH, INC.
PO BOX 15306 PANAMA CITY FL 32406

▶ **More Details**

▶ **Fees**

▶ **Inspections**

▶ **Workflow Process**

Attachments

Related Buildings



Accela Citizen Access™

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Search for Permits

Enter information below to search the County's Permit application database. Permits can be searched for by entering any of the following information:

- ↳ Permit Number
- ↳ Permit Type
- ↳ Site Address
- ↳ Contractor License Information
- ↳ Parcel Number
- ↳ Building Information

Use the dropdown menu to change the Search type.

Remove or enter a specific start date to search for more than one year

General Search	<div>General Search </div>
-----------------------	---

Permit Number:**Permit Type:**

--select-- 

Search by specific permit type.

Project Name:**Start Date:**

(mm/dd/yyyy)


**End Date:**

(mm/dd/yyyy)

**License Type:**

--select-- 

Contractor ID Number**First:****Last:****Business Name:****Street No:****Direction:**


--select-- 

(e.g. N)

Street Name:

(e.g. Main)

Street Type:

--select-- 

Parcel No:**City:****State:**

--select-- 

Zip:**Search**

1 Permit results matching your search results

Click any of the results below to view more details.

Showing 1-1 of 1

<u>Date</u>	<u>Permit Number</u>	<u>Permit Type</u>	<u>Description</u>	<u>Project Name</u>	<u>Status</u>
05/18/2012	<u>BD120502393</u>	Building/Commercial/Alterat	ion/Na	Building	Issued



[Home](#) [Building](#) [Licenses](#) [Planning](#) [Code Enforcement](#)

[Search for Permits](#)

An error has occurred.
Can not find EDMS data source. Please contact system administrator.

Building BD120502394:
Building/Commercial/Addition/Na

Building Details

Applicant:

CROOK
VISION CONSTRUCTION ENT., INC.
PO BOX 9604
PENSACOLA, FL, 32513

Work Location:

7253 PLANTATION RD
PENSACOLA FL 32504

Licensed Professional:

GARRY GERARD CROOK
VISION CONSTRUCTION ENT INC
2860 W NAVY BLVD STE 100
PENSACOLA, FL, 32505
Home Phone: (850) 469-1970
Mobile Phone: (850) 469-1970
Fax: 850-435-4819
FL Cert General FL- CGC057117

Project Description:

Addition
COMM CREMATORY ADDITON FOR *FAMILY
FUNERAL HOME CREMATION* N DAVIS HY BEHIND
UNIVERSITY MALL OFF PLANTATION RD .

Owner:

C.E.J. SOUTH, INC.
PO BOX 15306 PANAMA CITY FL 32406

More Details

Fees

Inspections

Workflow Process

Attachments

Related Buildings



Accela Citizen Access™

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- ¿ Contractor License Information
- ¿ Parcel Number
- ¿ Building Information

Use the dropdown menu to change the Search type.

Remove or enter a specific start date to search for more than one year

General Search	General Search ▼
-----------------------	-------------------------

Permit Number:

Permit Type:

Search by specific permit type.

Project Name:

Start Date:

(mm/dd/yyyy)

End Date:

(mm/dd/yyyy)

License Type:

Contractor ID Number

First:

Last:

Business Name:

Street No:

Direction:

(e.g. N)

Street Name:

(e.g. Main)

Street Type:

Parcel No:

City:

State:

Zip:



Search

1 Permit results matching your search results

Click any of the results below to view more details.

Showing 1-1 of 1

<u>Date</u>	<u>Permit Number</u>	<u>Permit Type</u>	<u>Description</u>	<u>Project Name</u>	<u>Status</u>
05/18/2012	BD120502394	Building/Commercial/Additi	on/Na	Addition	Issued

		
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BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

INTEROFFICE MEMORANDUM

TO: Planners
FROM: Allyson Cain, Urban Planner II
DATE: February 21, 2012
RE: Interpretation 2012-01

At the February 13, 2012 Planning Board meeting, the Planning Board rendered the following interpretation regarding Crematoriums located within a funeral home establishment within the C-2 zoning district

The Planning Board determined that a Crematoriums located within a funeral home establishment in a C-2 zoning district is not a permitted use.



Development Services Department

Building Inspections Division

3363 West Park Place
Pensacola, Florida, 32505
(850) 595-3550
Molino Office - (850) 587-5770

RECEIPT

Receipt No. : **556008**

Date Issued. : 05/29/2012

Cashier ID : KLHARPER

Application No. : PBA120500014

Project Name : AP-2012-02

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	1337	\$560.00	App ID : PBA120500014
		\$560.00	Total Check

Received From : RELAX HOSPITALITY, LLC

Total Receipt Amount : **\$560.00**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PBA120500014	649040	560.00	\$0.00	7253 PLANTATION RD, PENSACOLA, FL, 32504

Total Amount :

560.00

\$0.00

Balance Due on this/these
Application(s) as of 5/29/2012



BD 1205 02393
BD 1205 02394

Lumber design values are in accordance with ANSI/TPI 1-2007 section 6.3
These truss designs rely on lumber values established by others.

RE: B1204394 - FAMILY FUNERAL & CREMATION

DrJ Consulting, LLC
6300 Enterprise Lane
Madison, Wisconsin, 53719

Site Information:

Project Customer: VISION CONSTRUCTION ENT Project Name: FAMILY FUNERAL & CREMATION
Lot/Block: Subdivision:
Address: 7253 PLANTAON ROAD Model:
City: PENSACOLA State: FL

Name Address and License # of Structural Engineer of Record, if there is one, for the building.

Name: License #:
Address:
City: State:

General Truss Engineering Criteria & Design Loads (Individual Truss Design Drawings Show Special Loading Conditions):

Design Code: FBC2007/TPI2007 Design Program: MiTek 20/20 7.3
Wind Code: ASCE 7-10 Wind Speed: 150 mph Floor load: N/A psf
Roof Load: 40.0 psf

This package includes 3 individual, dated Truss Design Drawings and 0 Additional Drawings.
With my seal affixed to this sheet, I hereby certify that I am the Truss Design Engineer and this index sheet conforms to 61G15-31.003, section 5 of the Florida Board of Professional Engineers Rules.
This document processed per section 61G15-23.003 of the Florida Board of Professionals Rules

No.	Seal#	Truss Name	Date
1	15507575	A1	5/16/012
2	15507576	A1GE	5/16/012
3	15507577	A2	5/16/012

Add.
The truss drawing(s) referenced above have been prepared by DrJ Consulting, LLC under my direct supervision based on the parameters provided by ProBuild (Milton).

Truss Design Engineer's Name: Ryan Dexter, P.E.
My license renewal date for the state of Florida is February 28, 2013.
Florida Certificate of Authorization: No. 29766

NOTE: The seal on these drawings indicate acceptance of professional engineering responsibility solely for the truss components shown. The suitability and use of this component for any particular building is the responsibility of the building designer, per ANSI/TPI 1 Chapter 2.



May 16, 2012

Ryan Dexter, P.E.

1 of 1

THIS PERMIT PROCESS IS ON HOLD



Job: R1204334 Truss: A1 Truss Type: PINK City: 11 Ply: 1 FAMILY: FUNERAL & CREMATION 15507575

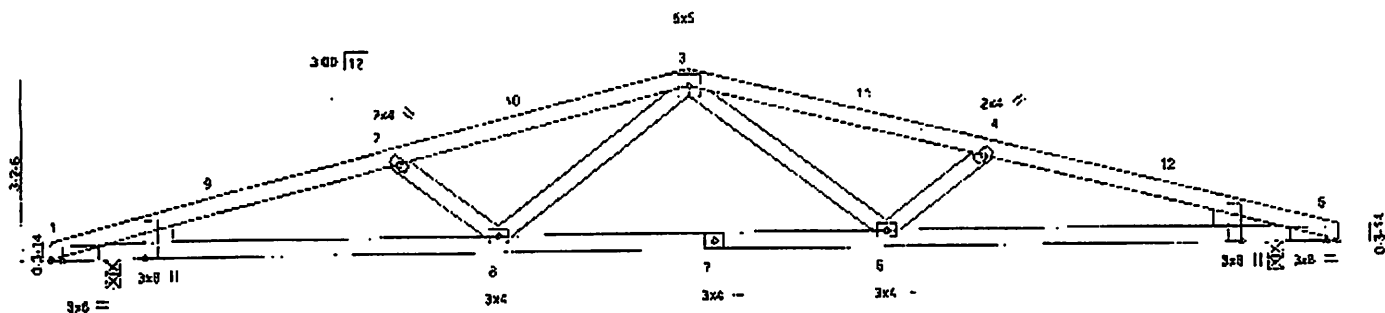
Exp. Build: Milton, FL 32563

7340 S. Hwy 28 2012 LATe Industries, Inc. Wed May 16 17:17:41 2012 Page 1

Logo Reference (optional): D:\OFFICE\KdK\K\EPH\T1\3P\ZZGC\7-2\GV\Ln5\GL\GOPK\K73M3\Inqu\GKZ6IT\Ad\G\JRR1-FzFgLu

0-0-0 6-3-8 11-8-0 15-8-8 23-8-0 23-8-0 6-3-8

Scale = 1:38.3



C-0-0		S-0-5		*4-11-11		21-10-4		23-0-0	
1-1-12		S-10-9		6-11-5		6-10-2		3-1-12	
Plate Offsets (X,Y): 1:0-2-B Edge, 11:0-0-0, 1-8-12, 15:0-2-B Edge, 15:0-0-0, 1-8-12									
LOADING (psf)		SPACING 2-0-0		CSI		DEFL in (loc) Weld		PLATES GRP	
TCLL	20.0	Plates Increase 1.25		TC 0.88		Vert(LL) 0.26 6-8 >899		MT20 244/180	
TCDL	10.0	Lumber Increase 1.25		BC 0.86		Vert(TL) -0.43 1-8 >528		240	
BCLL	0.0	Rep Stress Incr YES		WB 0.22		Horz(TL) 0.10 5 n/a		n/a	
BCDL	10.0	Code FBC2007/TP2007		(Matrix)				Weight: 93 lb FT = 20%	

LUMBER
 TOP CHORD 2x4 SYP No.2
 BOT CHORD 2x4 SYP No.2
 WEBS 2x4 SYP No.3
 WEDGE
 Left: 2x4 SYP No.3, Right: 2x4 SYP No.3

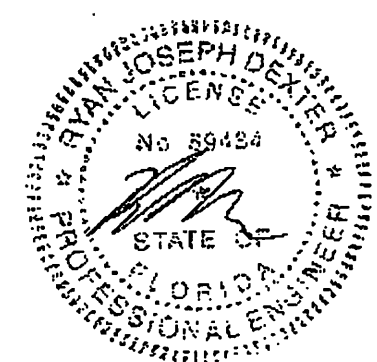
BRACING
 TOP CHORD Structural wood sheathing directly applied or 3-3-8 oc purlins.
 BOT CHORD Rigid ceiling directly applied or 6-0-8 oc bracing.

REACTIONS (lb/size) 1=608/0-3-8 (min. 0-1-8), 5=608/0-3-8 (min. 0-1-8)
 Max Horz 1=77(LC 5)
 Max Uplift 1=507(LC 5), 5=507(LC 8)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 260 (lb) or less except when shown.
 TOP CHORD 1-9=-2757/1528, 2-9=-2721/1538, 2-10=-2425/1281, 3-10=-2381/1270, 3-11=-2381/1270, 4-11=-2425/1282, 4-12=-2721/1538, 5-12=-2757/1530
 BOT CHORD 1-8=-1480/2639, 7-8=-845/1790, 6-7=-845/1790, 5-6=-1425/2639
 WEBS 2-3=-444/485, 3-8=-380/698, 3-6=-380/698, 4-8=-444/485

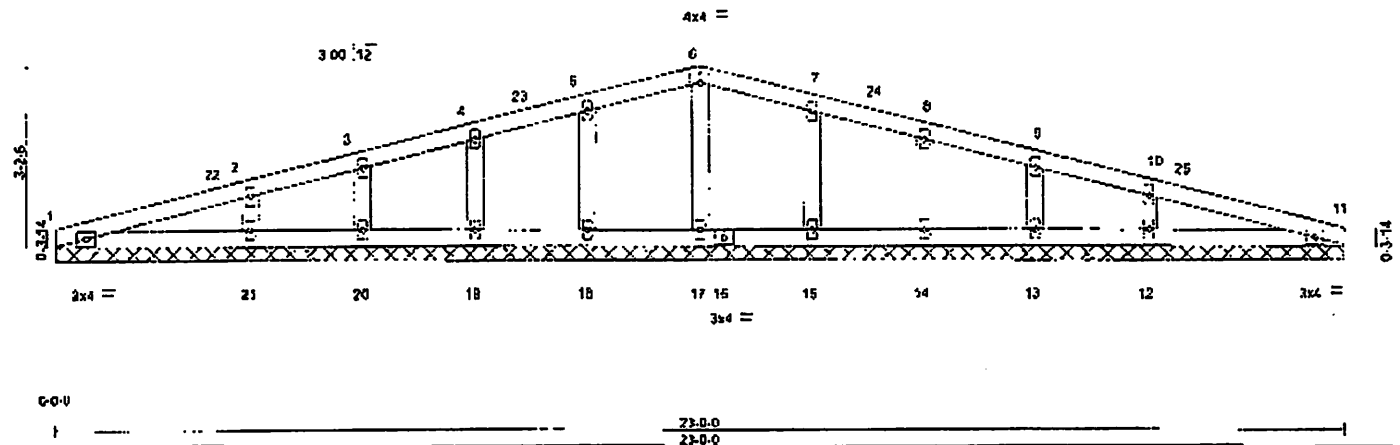
NOTES
 1) Unbalanced roof live loads have been considered for this design.
 2) Wind: ASCE 7-05; 140mph (3-second gust), TCCL=8.0psf, BCCL=6.0psf; h=12ft; Cat. II; Exp B; enclosed; MWFRS (low-rise) gable end zone and C-C Exterior(2) D-1-12 to 3-1-12, Interior(1) 3-1-12 to 11-6-0, Exterior(2) 11-6-0 to 14-6-0 zone; C-C for members and forces & MWFRS for reactions shown; Lumber DOL = 1.60 plate grip DOL = 1.60
 3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
 4) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 507 lb uplift at joint 1 and 507 lb uplift at joint 5.
 5) "Semi-rigid pitchbreaks with fixed heels" Member and fixity model was used in the analysis and design of this truss.

LOAD CASE(S) Standard



May 16, 2012

Job	Truss	Truss Type	Qty	Ply	FAMILY FUNERAL & CREMATION	15607576
91204334	GALE	GABLE			Job Reference (optional)	
Pro-Build, Milb. F. 12583 7340 S. Hwy 26 2012 M-Tech Industries, Inc. Valid May 16 11:17:43 2012 Page 1 ID: QFFbmkdKkeEPHnptTIGPRzzGCa7-VpdLUSwate6ZCJUSnBwswTndhJcJlQ1wY68zFsls 0-0-0 11-6-0 23-0-0 11-6-0 Scale = 1:38.3						



LOADING (psf)	SPACING	2-0-0	CSI	DEFL	in	(loc)	l/d	L/d	PLATES	GRIP
TCLL 20.0	Plates Increase	1.25	TC 0.09	Vert(LL)	n/a	-	n/a	999	MT20	244/180
TCDL 10.0	Lumber Increase	1.25	BC 0.07	Vert(TL)	n/a	-	n/a	888		
BCLL 0.0	Rep Stress Intr	YES	WB 0.06	Horz(TL)	0.00	11	n/a	n/a		
BCDL 10.0	Code FBC2007/TPI2007		(Matrix)						Weight: 90 lb	FT = 20%

LUMBER
 TOP CHORD 2x4 SYP No.2
 BOT CHORD 2x4 SYP No.2
 OTHERS 2x4 SYP No.3

BRACING
 TOP CHORD Structural wood sheathing directly applied or 8-0-0 oc putins.
 BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

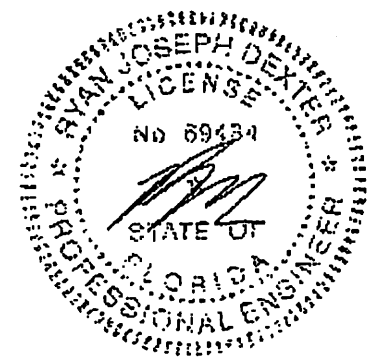
REACTIONS All bearings 23-0-0
 (lb) - Max Horiz = 77(LC 6)
 Max Uplift All uplift 100 lb or less at joint(s) 1, 11, 17, 20, 13 except 18=117(LC 5), 19=118(LC 7), 21=199(LC 5), 16=117(LC 6), 14=118(LC 8), 12=198(LC 6)
 Max Grav All reactions 250 lb or less at joint(s) 1, 11, 17, 18, 19, 20, 15, 14, 13 except 21=286(LC 1), 12=288(LC 1)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

NOTES

- Unbalanced roof live loads have been considered for this design.
- Wind: ASCE 7-05; 140mph (3-second gust); TCDL=6.0psf; BCDL=6.0psf; h=12ft; Cat. II; Exp B; enclosed; MWFRS (low-rise) gable end zone and C-C Exterior(2) D-D to 3-0-0, Interior(1) 3-0-0 to 11-6-0, Exterior(2) 11-6-0 to 14-6-0 zone; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
- Truss designed for wind loads in the plane of the truss only. For studs exposed to wind (normal to the face), see Standard Industry Gable End Details as applicable, or consult qualified building designer as per ANSI/TPI 1.
- All plates are 2x4 MT20 unless otherwise indicated.
- Gable requires continuous bottom chord bracing.
- Gable studs spaced at 2-0-0 oc.
- This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
- Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) 1, 11, 17, 20, 13 except (if=1b) 18=117, 19=118, 21=199, 16=117, 14=118, 12=198.
- "Semi-rigid pitchbreaks with fixed heels" Member end fixity model was used in the analysis and design of this truss.

LOAD CASE(S) Standard



May 16, 2012

WARNING - Verify design parameters and read notes on this Truss Design Drawing and included D.J. Reference Sheet (rev. 03-11) before use. Design valid for use with M-Tech corrugated plates only. This design is based only upon parameters shown, and is for an individual building component. Applicability of design parameters and proper incorporation of the component is responsibility of building designer or owner of the trusses and related. Lateral restraint designations shown on this drawing are intended to provide guidance only and are not a substitute for building code requirements. Additional temporary restraint designations may be required during construction and is the responsibility of the installer. Additional permanent bracing may be required for the overall structural stability of the building designer or owner of the trusses. For general guidance regarding design considerations, fabrication, quality control, storage, delivery, erection, lateral restraint and diagonal bracing, consult ANSI/TPI 1, UBC-99 and ECSI (Building Component Safety Information) available from SRC at www.sbcindystry.com



Plate Outputs (X,Y): [50-5-8 Edgwl, 150-0-0, 1-8-13]											
LOADING (psf)		SPACING 2-0-0		CSI	DEFL	In	(loc)	Udc/I	1/d	PLATES	GRIP
TCLL	20.0	Plates Increase	1.25	TC 0.81	Vert(LL)	0.15	5-6	>999	SD	MT20	244/190
TCDL	10.0	Lumber Increase	1.25	BC 0.75	Vert(TL)	-0.31	5-6	>733	240		
BCLL	0.0	Rep Stress incr	YES	WS 0.23	Horz(TL)	0.05	5	n/a	n/a		
BCDL	10.0	Code FBC2007/TFP2007		(Matrix)						Weight: 84 lb	FT = 20%

LUMBER	
TOP CHORD 2x4 SYP No.2	BRACING
BOT CHORD 2x4 SYP No.2	TOP CHORD Structural wood sheathing directly applied or 3-8-13 oc girts, except and verticals.
WEBS 2x4 SYP No.3	BOT CHORD Rigid ceiling directly applied or 5-8-13 oc bracing.
WEDGE	
Right: 2x4 SYP No.3	

REACTIONS (D-size) 5=748/D-3-B (min. D-1-B), 9=748/D-3-B (min. D-1-B)
Max Horiz 9=-128(LC 6)
Max Upr 5=-435(LC 8), 9=-393(LC 7)

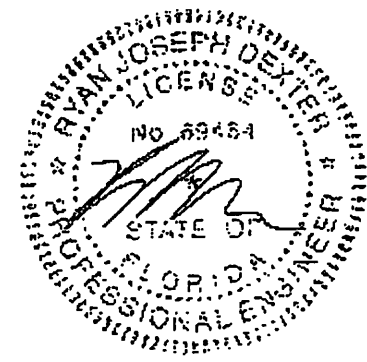
FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.

TOP CHORD	2-10=-1183/633, 10-11=-1148/639, 3-11=-1142/647, 3-12=-1756/883, 4-12=-1789/868, 4-13=-2101/1256, 5-13=-2138/1246
BDT CHORD	8-9=-514/923, 7-8=-553/1162, 8-7=-553/1162, 5-6=-1151/2040
WEBS	2-8=-54/306, 3-6=-360/719, 4-6=-431/480, 2-9=-1151/679

NOTES

- 1) Unbalanced roof live loads have been considered for this design.
- 2) Wind: ASCE 7-05; 140mph (3-second gust); TCDF=6.0psf; ECDF=6.0psf; h=12ft; Cat II; Exp B; enclosed; MWFRS (low-rise) gable end zone and C-C Exterior(2) 4-1-12 to 7-1-12, Interior(1) 7-1-12 to 11-6-0, Exterior(2) 11-6-0 to 14-6-0 zones; C-C for members and forces & MWFRS for reactions shown; Lumber DCL=1.60 plate grip DCL=1.60
- 3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
- 4) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) except (jt=lb) 5=435, 9=399.
- 5) "Semi-rigid pitchbreaks with fixed heels" Member end fixity model was used in the analysis and design of this truss.

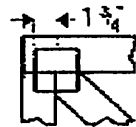
LOAD CASE(S) Standard



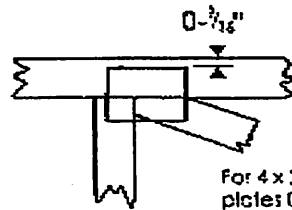
May 16, 2012

Symbols

PLATE LOCATION AND ORIENTATION



Center plate on joint unless x, y offsets are indicated. Dimensions are in 1/16-in. increments. Apply plates to both sides of truss and fully embed teeth.



For 4 x 2 orientation, locate plates 0-3/4" from outside edge of truss.



This symbol indicates the required direction of slots in connector plates.

*Plate location details available in MITek 20/20 software or upon request.

PLATE SIZE

4 x 4

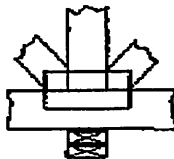
The first dimension is the plate width measured perpendicular to slots. Second dimension is the length parallel to slots.

LATERAL BRACING LOCATION



Indicated by symbol shown and/or by text in the bracing section of the output. Use T, I or proprietary bracing (e.g. eliminator) if indicated.

BEARING



Indicates location where bearings (supports) occur. Bars vary but reaction section indicates joint number where bearings occur.

Industry Standards:

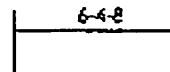
ANSI/TPI-1: National Design Specification for Metal Plate Connected Wood Truss Construction.

DSB-89: Design Standard for Bracing.

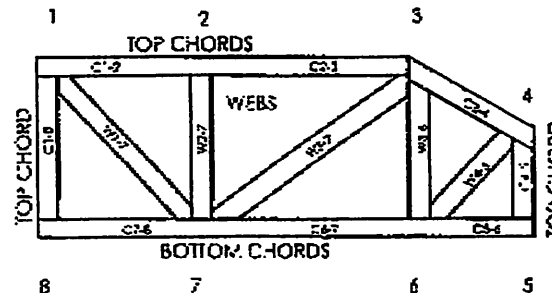
BCS-1: Building Component Safety Information.

Guide to Good Practice for Handling, Installing & Bracing of Metal Plate Connected Wood Trusses

Numbering System



Dimensions shown in 1/16-in. increments (Drawings not to scale)



JOINTS ARE GENERALLY NUMBERED/LETTERED CLOCKWISE AROUND THE TRUSS STARTING AT THE JOINT FARTHEST TO THE LEFT.

CHORDS AND WEBS ARE IDENTIFIED BY END JOINT NUMBERS/LETTERS.

PRODUCT CODE APPROVALS

ICC-ES Reports:

ESR-1311, ESR-1352, ER-5243, 9604B, 9733, 95-43, 96-31, 9667A, NER-467, NER-561, 95110, 84-32, 95-67, ER-3507, 9432A

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DrJ
CONSULTING LLC

DrJ Consulting, LLC
630D Enterprise Lane
Madison, WI 53719

General Safety Notes

Failure to Follow Could Cause Property Damage or Personal Injury

1. Additional stability bracing for truss system, e.g. diagonal or X-bracing, is always required. See BCS-1.
2. Truss bracing must be designed by an engineer. For wide truss spacing, individual island braces themselves may require bracing or alternative T, I or eliminator bracing should be considered.
3. Never exceed the design loading shown and never stack materials on inadequately braced trusses.
4. Provide copies of this truss design to the building designer, erection supervisor, property owner and all other interested parties.
5. Call members to bear tightly against each other.
6. Place plates on each face of truss at each joint and embed fully. Joints and wave at joint locations are regulated by ANSI/TPI-1.
7. Design assumes trusses will be suitably protected from the environment in accord with ANSI/TPI-1.
8. Unless otherwise noted, moisture content of lumber shall not exceed 19% at time of fabrication.
9. Unless expressly noted, this design is not applicable for use with the restraint, preservative treated, or green lumber.
10. Camber is a non-structural consideration and is the responsibility of truss fabricator. General practice is to camber for dead load deflection.
11. Plate type, size, orientation and location dimensions are minimum plating requirements.
12. Lumber used shall be of the species and size, and in all respects, equal to or better than that specified.
13. Top chords must be sheathed or purlins provided at spacing indicated on design.
14. Bottom chords require lateral bracing at 10 ft. spacing, or less, if no ceiling is installed unless otherwise noted.
15. Corrections not shown are the responsibility of others.
16. Do not cut or alter truss member or plate without prior approval of an engineer.
17. Inspect and load carefully unless indicated otherwise.
18. Use of green or treated lumber may pose unacceptable environmental, health or performance risks. Consult with project engineer before use.
19. Review all portions of this design (text, basic words and pictures) before use. Reviewing pictures alone is not sufficient.
20. Design assumes manufacturing in accordance with ANSI/TPI-1 Quality Criteria.
21. Unless information is otherwise provided to DrJ in writing, the use of these designs assumes approval through the building designer or owner of the trusses, of the loads and related design assumptions (e.g. spans, profile, deflection, etc.) found on each of the individual design drawings.
22. These trusses are designed using MITek Software standard analysis methods in accordance with ANSI/TPI-1 and related proprietary information.
23. It is extremely important to properly install temporary lateral restraint and diagonal bracing, in accordance with BCS-1B2 or using proprietary methods (e.g. Stabilizer, etc.).
24. Sheathing applied in the plane of the truss is not considered in the design of the individual truss components unless specifically noted.
25. Graphical purlin representation, if shown, does not depict the size or orientation of the purlin along the top and/or bottom chord. Purlins must be designed by others for size and positioned in such a way as to support the rafter load along the clearest part of the purlin.
26. Due to the lateral forces developed by scissor type trusses, if scissor type trusses are part of this design, careful consideration should be given to bearing wall conditions. Bearing walls of scissor type trusses should be designed in such a manner that the walls will safely withstand the lateral forces of the trusses. Consideration of these items is not a part of this truss design and is not the responsibility of the truss store supplier, the truss designer, nor the truss fabricator. Consistent professional advice should be secured relative to these items.
27. The accuracy of the truss design drawing relies upon accurate metal plate connector design values as published by MITek and accurate design values for solid sawn lumber. Design values (E, Emin, Ft, Fc, Fp, Fv, Fx) for solid sawn lumber and approved, grade stamped, finger jointed lumber shall be as defined by the grade stamp prior to manufacturing and in accordance with the published values of lumber rules writing agencies approved by the Board of Review of the American Lumber Standards Committee in accordance with the latest edition of ANSI/TPI-1 Section 5.3.

THIS PERMIT PROCESS IS ON HOLD

FAMILY FUNERAL HOME & CREMATION

7253 Plantation Road, Pensacola FL.

PRODUCT APPROVAL NUMBERS

2010 Florida Building Code

<u>PRODUCT</u>	<u>CATEGORY</u>	<u>SUBCATEGORY</u>	<u>MANUFACTURER</u>	<u>APPROVAL NUMBER</u>
Asphalt shingles	Roofing	Asphalt Shingles	GAF	FL10124.1
Wall siding	Panel Walls	Siding	James Hardie Bldg. Products	FL13223.2
Soffits	Panel Walls	Siding	James Hardie Bldg. Products	FL13265.1
Garage Door	Exterior Doors	Sectional Doors	Wayne Dalton	FL5587.13
Swinging Door	Exterior Doors	Swinging Exterior Door	Steelcraft/Ingersoll Rand	FL12400.3

THIS PERMIT PROCESS IS ON HOLD



7253 PLANTATION ROAD
PENSACOLA, FLORIDA

WILNEY
architecture
60 Gathering Green West, Pensacola, FL 32502
phone: 850-445-1189 email: mark@wilney-architecture.com

SYMBOLS	ABBREVIATIONS
	1. ROOF INSULATION
	2. KITCHEN EQUIPMENT
	3. TOILET ACCESSORY
	4. DOOR MARK
	5. EXISTING CONTOUR LINE
	6. NEW CONTOUR LINE
	7. BROKEN LINE
	8. CENTER LINE
	9. MODERN LINE
	10. ELEVATION KEY
	11. SECTION KEY
	12. UNCHARGED DETAIL

[illegible]

Occupancy A-3 (Originally A-2 Occupancy)

CONSTRUCTION TYPE
Section 502.5

Construction Type Type V-B

BUILDING LIMITATIONS
Table 503 (Type V-B Un sprinklered)

	Allowed	Actual
Height	40'-0"	18'-0"
Stairs		1
Area/Floor	* 6,000 sq ft	5,678 sq ft

* See frontage increase below

Section 506.2 - Frontage Increase

	(1' - 25') W/30 =	1 (Frontage Increase)
(1' - 25') 30'/30 =	0.75	
6,000 x .75 =	4,500	
6,000 + 4,500 =	10,500	sq ft/floor

REQUIRED RATINGS FOR PRIMARY BUILDING ELEMENTS
Table 601 - Fire Rating for Building Elements

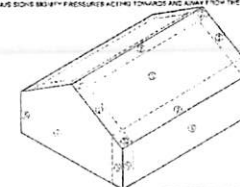
	Required Rating
Structural Frame	Chrs
Bearing Walls	Chrs
Non-bearing Walls	Chrs
Floor Construction	Chrs
Roof Construction	Chrs

OWNER:
Chris Jentzen • Family Funeral and Cremation
Pensacola, Florida

ARCHITECT:
Whitney Architecture
Pensacola, Florida

CONTRACTOR:
Vision Construction, Inc.
Pensacola, Florida

SEQ.	SHEET #	DESCRIPTION
1	T1	Cover Sheet
2	A1	Site Plan
3	A2	Flow Plan
4	A3	Wall Sections, Enlarged Plans
5	A4	Glazing

[illegible]

FAMILY FUNERAL
& CREMATION

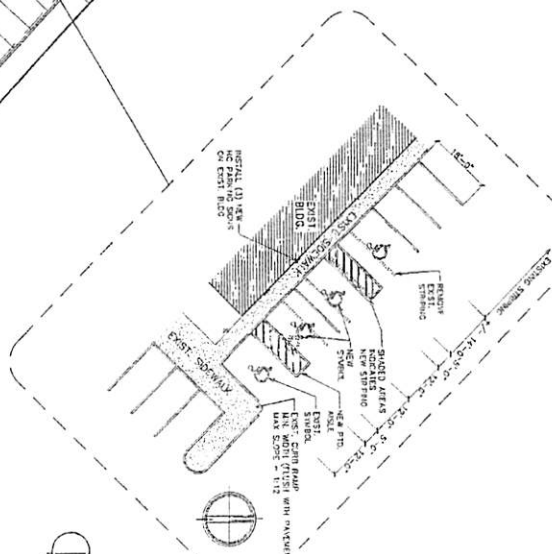
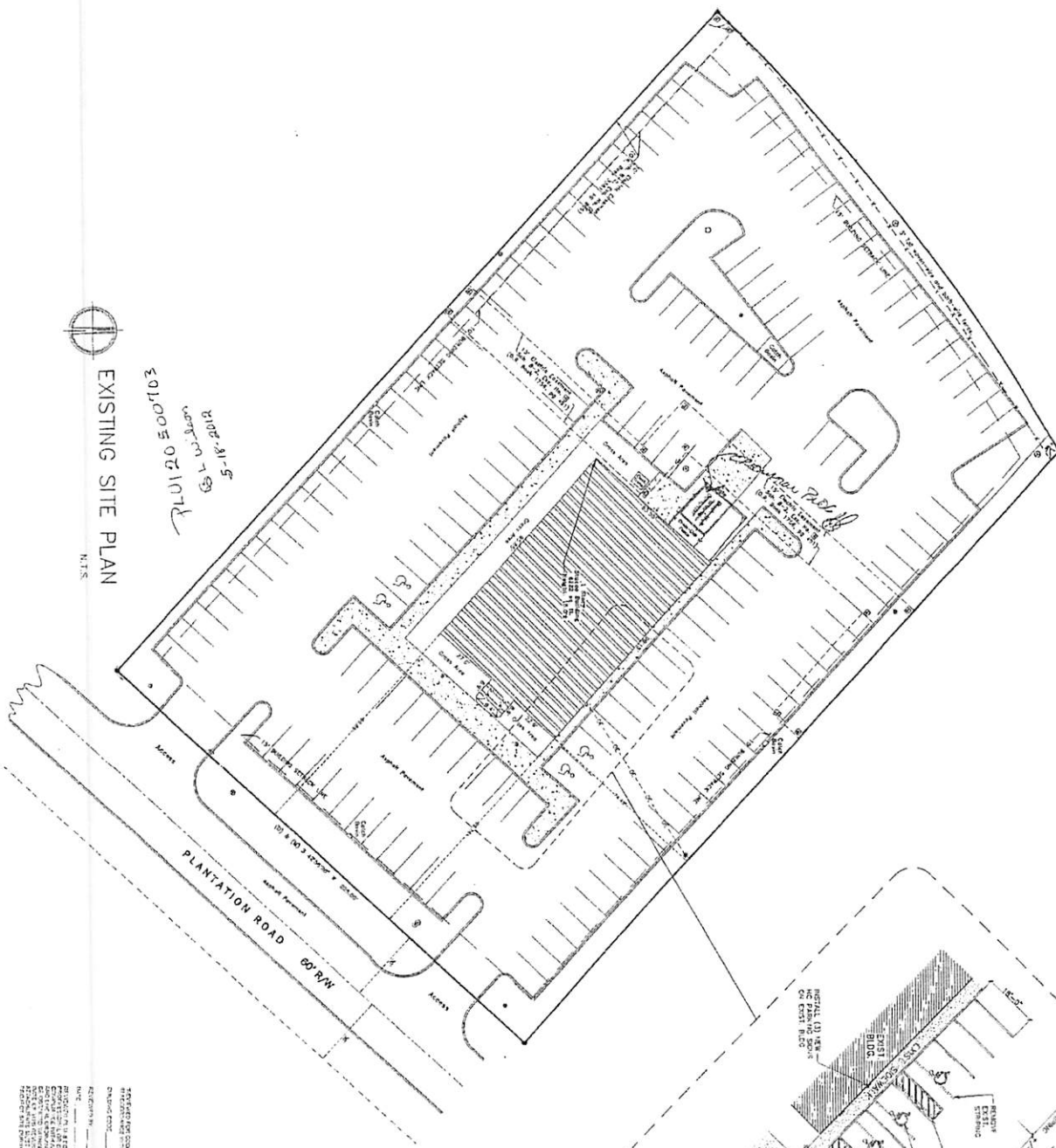
7253 PLANTATION ROAD, PENSACOLA, FLORIDA 32504

Project No.	0312
Date	05-11-12
Sheet No.	T1



EXISTING SITE PLAN
N.T.S.

8100-31-5
301,005 02107L



PARTIAL SITE PLAN
1/16" = 1'-0"

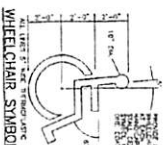
NOTES:
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
4. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
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10. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

HANDICAPPED SIGN DETAIL

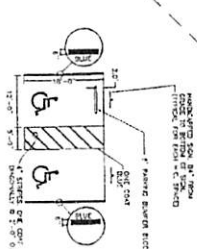
1. THE SIGN SHALL BE 18" HIGH BY 12" WIDE.
2. THE SIGN SHALL BE 18" HIGH BY 12" WIDE.
3. THE SIGN SHALL BE 18" HIGH BY 12" WIDE.
4. THE SIGN SHALL BE 18" HIGH BY 12" WIDE.
5. THE SIGN SHALL BE 18" HIGH BY 12" WIDE.
6. THE SIGN SHALL BE 18" HIGH BY 12" WIDE.
7. THE SIGN SHALL BE 18" HIGH BY 12" WIDE.
8. THE SIGN SHALL BE 18" HIGH BY 12" WIDE.
9. THE SIGN SHALL BE 18" HIGH BY 12" WIDE.
10. THE SIGN SHALL BE 18" HIGH BY 12" WIDE.



WHEELCHAIR SYMBOL
1. THE SYMBOL SHALL BE 18" HIGH BY 12" WIDE.
2. THE SYMBOL SHALL BE 18" HIGH BY 12" WIDE.
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9. THE SYMBOL SHALL BE 18" HIGH BY 12" WIDE.
10. THE SYMBOL SHALL BE 18" HIGH BY 12" WIDE.

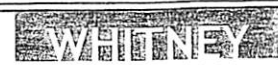


HANDICAPPED PARKING STALL
1. THE STALL SHALL BE 18' X 12'.



FAMILY FUNERAL
& CREMATION

7253 PLANTATION ROAD, PENSACOLA, FLORIDA 32504



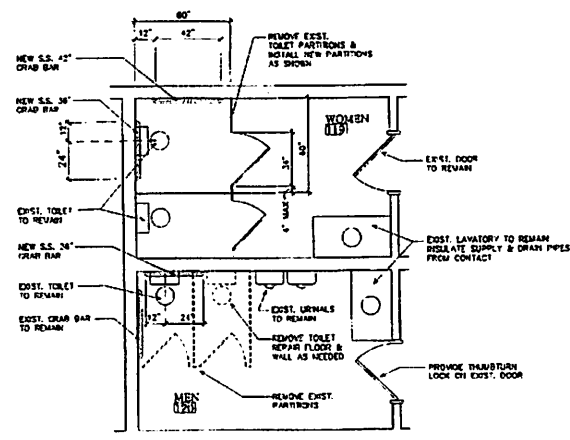
80 Gathering Green West, Pensacola, FL 32502
phone: 950-485-1189 email: mark@whitney-architecture.com

A1

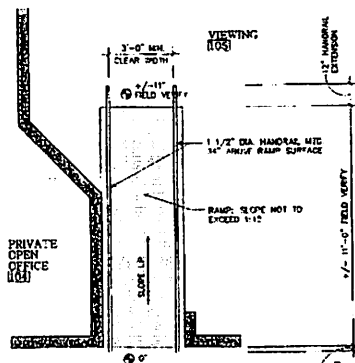
0312

05-11-12

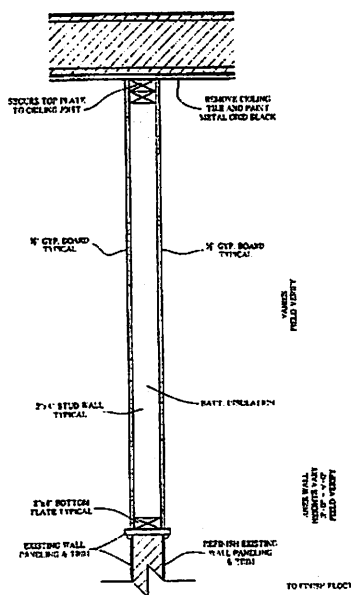
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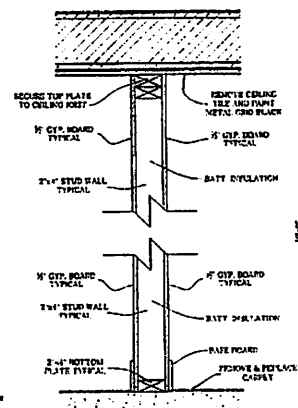
5
A3
ENLARGED PLAN
EXISTING RESTROOMS 1/2\"/>



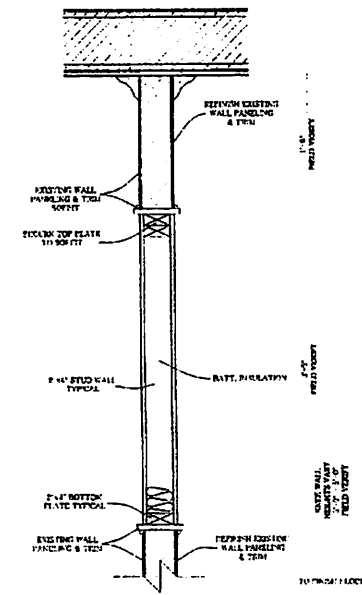
4
A3
ENLARGED PLAN
RAMP 3/8\"/>



1
A3
WALL SECTION
NEW WALL & EXISTING KNEE WALL 1 1/2\"/>



2
A3
WALL SECTION
NEW FULL HEIGHT WALL 1 1/2\"/>



3
A3
WALL SECTION
NEW WALL & EXISTING KNEE WALL 1 1/2\"/>

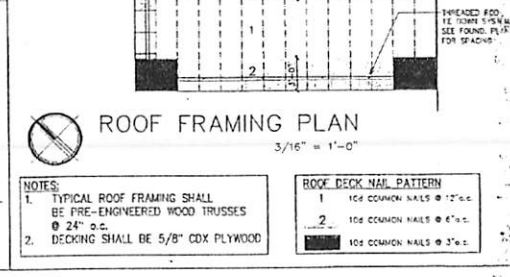
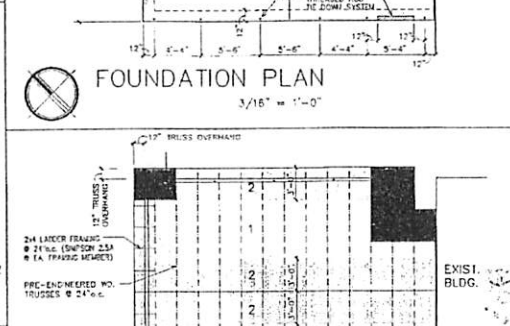
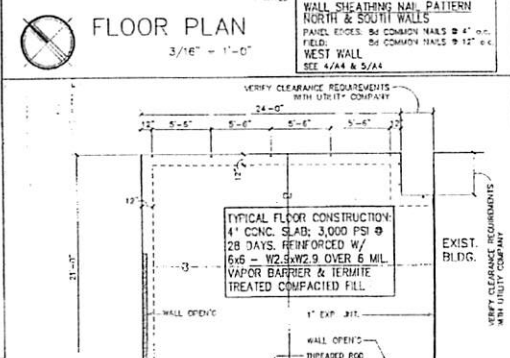
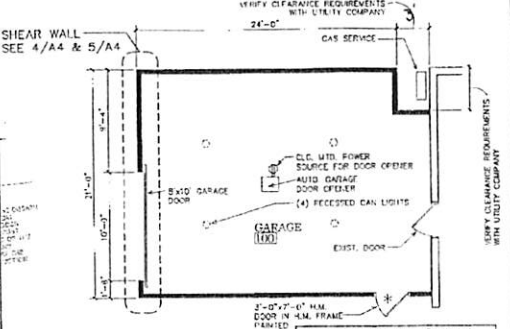
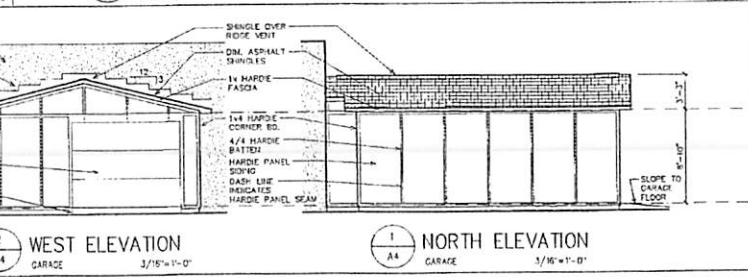
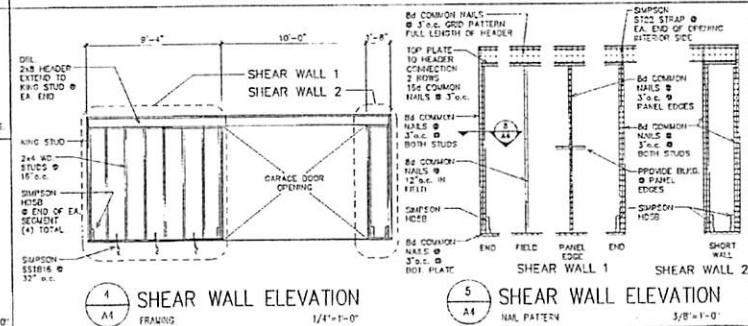
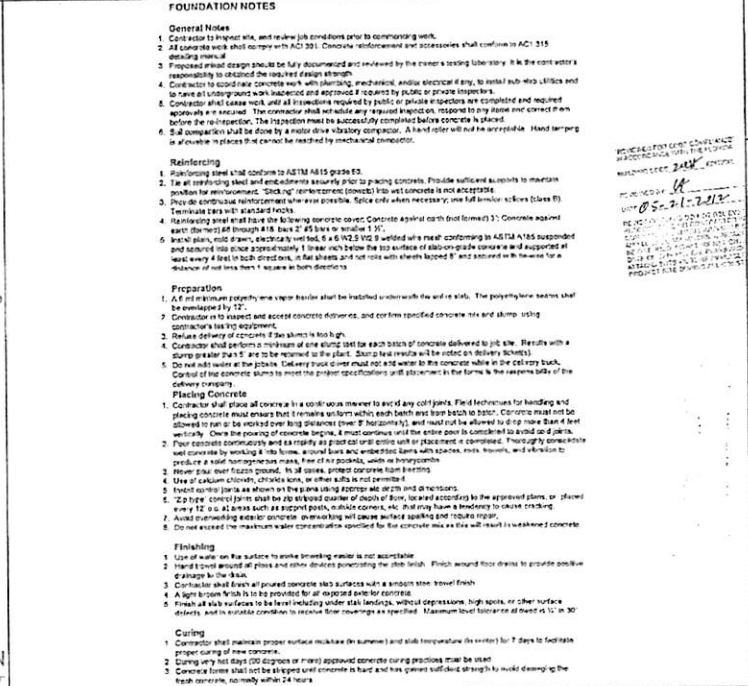
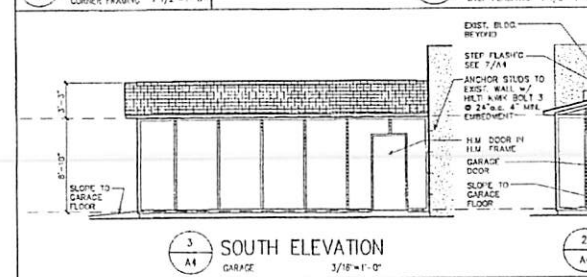
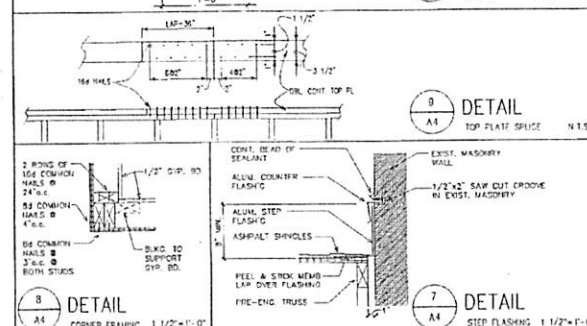
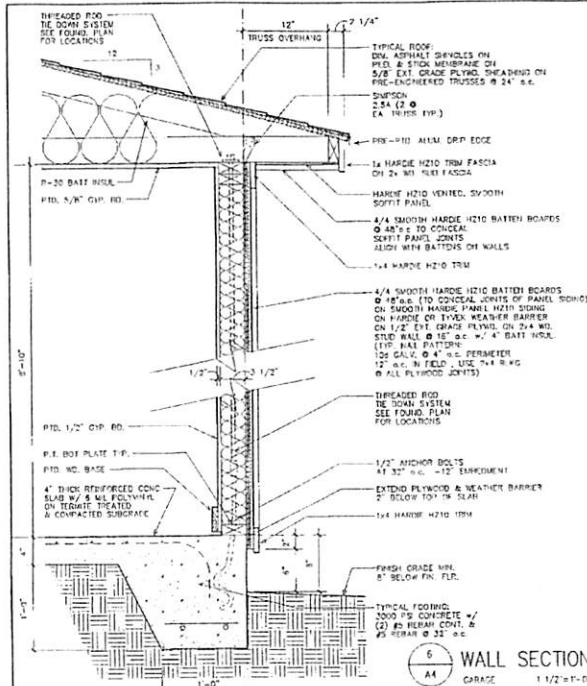
REVISIONS FOR CODE COMPLIANCE
IN ACCORDANCE WITH THE FLORIDA
BUILDING CODE
DATE: 05-11-12
BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]
PROJECT: 0312
SHEET: 05-11-12
A3

WELTNEY
architects
80 Gathering Glen Way, Pensacola, FL 32502
phone: 850-485-1898 email: mair@weltneyarchitects.com

**FAMILY FUNERAL
& CREMATION**
7725 PLANTATION ROAD, FRISCO, A, TEXAS 75034

5-16-12

0312
05-11-12
A3



WELSH
ARCHITECT
60 Gulftown Green West, Pensacola, FL 32502
phone: 850-485-1189 email: mark@welsh-architect.com

FAMILY FUNERAL & CREMATION
7233 PLANATION ROAD, PENSACOLA, FLORIDA 32504

Project No. 0312
Date: 05-11-12
Sheet No. A4

BD120502394

BD120502393+

~~BD120502393~~

Does not include Over

FILE COPY

Family Funeral Home + Cremation / ALT
7253 Plantation Rd
Vision Const.
Add

REVIEWED FOR CODE COMPLIANCE
IN ACCORDANCE WITH THE FLORIDA
BUILDING CODE 10 EDITION
REVIEWED BY: PL
DATE: 5/23/12
REVIEWED PLAN DOES NOT RELIEVE THE DESIGN
PROFESSIONAL IN CONTRACTOR FROM
COMPLIANCE WITH ALL APPLICABLE CODES
AND LOCAL ORDINANCES. A PERMIT MUST
BE OBTAINED WITHIN SIX (6) MONTHS OF THE
DATE OF THIS REVIEW. PLANS AND ANY
ATTACHMENTS MUST BE AVAILABLE AT THE
PROJECT SITE DURING ALL CONSTRUCTION.

PLAN REVIEW			
	0 REJECTION	0 REVISIONS REJECTED	APPROVED
BUILDING			12/5/22/12
MECHANICAL			5/24/12 GAC
PLUMBING			5/24/12 GAC
ELECTRICAL			05-21-2012 CA
LIFT/LIFTV			5/23/12 JR
TRUCK			
FIRE ALARM	SEPARATE PERMIT REQUIRED FOR FIRE ALARM		
PLANNING			
HEALTH DEPT.			

THIS PERMIT PROCESS IS ON HOLD

Collier County, Florida
Permit Office

DATE: 5/23/12

BY: PL 575-1812

PROVIDE OPEN DOOR BETWEEN ROOM 118

AND GARAGE. PROVIDE EXTINGUISHERS PER NFPA. PROVIDE EMERGENCY LIGHTS IN ENTRANCE

THE ALARM TO BE REPAIRED OR REQUEST IT'S REMOVAL.

Jesse Rigby

From: ajit0405 [ajit0405@bellsouth.net]
Sent: Friday, June 08, 2012 8:30 AM
To: Jesse Rigby; dhoxeng@catcountry987.com; gary tippens
Subject: Fw: RE: Building Permit BD120502393

It appears that permit ending 393 is on hold.

--- On Fri, 6/8/12, Hector G. Montalvo <HGMONTAL@co.escambia.fl.us> wrote:

From: Hector G. Montalvo <HGMONTAL@co.escambia.fl.us>
Subject: RE: Building Permit BD120502393
To: "ajit0405" <ajit0405@bellsouth.net>
Date: Friday, June 8, 2012, 9:23 AM

Mr. Patel:

This permit process is on HOLD since May 31 2012.

Anyhow I will gather the information and submit

It to you electronically.

Thanks.

Hector G Montalvo
Building Inspections
Records Coordinator

(850) 595-1896

hgmontal@co.escambia.fl.us

Click here to visit us online for fillable required forms or request inspections using our online services:
<http://www.myescambia.com/Bureaus/DevelopmentServices/BuildingInspectionsDivision.html>

Escambia County is striving to maintain a high level of Customer Service, and we would love to hear about your experience with us.



Escambia County Building Inspections Division
3363 West Park Place
Pensacola, FL 32505
Telephone: (850) 595-3550 Facsimile (850) 595-3589

NOTICE

CANCELLATION OF PERMIT #BD120502394

Vision Construction, Inc.
Attn: Garry Crooke
2860 West Navy Blvd., Suite 100
Pensacola, Florida 32505

Mr. Crooke:

A review of the plans for the proposed 21' X 27' (+/-) rear addition revealed it is greater than 500 sq. ft.; was not reviewed by the Development Review Committee and therefore did not receive a Development Order as required pursuant to Section 4.06 of the Escambia County Land Development Code. Building Permit No.: BD120502394 is hereby cancelled effective immediately.

Please contact Horace Jones, Division Manager, Development Services Department, at (850) 595-3625 for assistance with the Development Review process. Should you have any additional questions, please do not hesitate to contact the undersigned at (850) 595-3581.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Amir Meah".

Amir Meah
Division Manager/Building Official

AM:sgg

cc: Alison Perdue, County Attorney
T. Lloyd Kerr, AICP, Director, Development Service Department
Horace Jones, Division Manager, Development Service Department

COPY

Land Use: Cemeteries, mausoleums and crematoriums

R-5

D. Conditional uses.

1. Any conditional uses allowed in the preceding districts.
2. **Cemeteries, mausoleums and crematoriums.**
3. Enclosed animal hospitals and veterinary clinics.
4. Mobile home subdivisions and parks.
5. Private clubs and lodges.

R-6

C. Conditional uses.

1. Any conditional use allowed in the R-5 district.

C-1

C. Conditional uses. (See section 6.08.00.)

1. Any conditional use allowed in the R-6 district.

C-2

C. Conditional uses.

1. Kennels.
2. Heliports.
3. Automobile race track.
4. Solid waste transfer stations, collection points, and/or processing facilities.
5. Junkyards, salvage yards, and waste tire processing facilities.

Land Use: Mortuary and funeral homes.

C-1

B. Permitted uses.

18. Mortuary and funeral homes.

C-2

B. Permitted uses.

1. Any use permitted in the C-1 district.

4. *Setback.* The center of a system tower base shall be no closer to any part of a dwelling outside of the system installation parcel than the total height of the system. Additionally, no part of a system structure, including any guy wires or anchors, shall be closer than five feet to the property boundary of the installation parcel.

5. *Appearance.*

a. *Design and location.* Towers shall be designed and located to minimize visual impacts. Colors and surface treatment of system components shall minimize visual distraction.

b. *Signs.* Signs on system components shall be limited to the manufacturer's or installer's identification and appropriate warnings.

c. *Lighting.* System structures shall not be lighted, except to the extent required by the Federal Aviation Administration or other applicable authority.

(Ord. No. 97-51, § 1, 10-2-1997; Ord. No. 98-53, § 1, 12-3-1998; Ord. No. 2000-28, § 4, 7-6-2000; Ord. No. 2000-38, § 2, 9-7-2000; Ord. No. 2002-30, § 1, 7-2-2002; Ord. No. 2006-64, § 2, 8-3-2006; Ord. No. 2011-7, § 2, 2-3-2011)

6.04.00. - General provisions.

→ 6.04.01. *Compliance with code.* No principal or accessory building, structure or use shall be erected, reconstructed or structurally altered, extended or enlarged unless such building, structure or use complies with all applicable regulations established by this Code including parking, landscaping and all other performance standards for the district in which the building, structure or land is situated. Unless otherwise authorized as provided herein, land uses not listed or included as permitted uses in a given zoning classification shall be considered prohibited uses in such zoning classification. The conducting of prohibited uses shall be considered violations of this Code punishable as provided by law and ordinance. Specifically exempted from the prohibition shall be bona fide accessory uses that comply with section 6.03.01.

6.04.02. *Encroachment of yard or open space.* The minimum yards and other open space provisions contained in this Code for each and every building hereafter erected or structurally altered, shall not be encroached upon or considered as yard or open space requirements for any other building (Also, see section 2.10.01 et seq.).

6.04.03. *Number of buildings per lot in single-family districts.* In single-family districts every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one dwelling unit and the customary accessory buildings on one lot except while constructing a new dwelling on said lot in which case the old dwelling must be removed within 90 days of issuance of a certificate of occupancy for the new dwelling.

6.04.04. *Uses and parking of recreational vehicles.* As of the adoption date of this Code, the use of recreational vehicles as living quarters for more than 14 days in any calendar year is prohibited, except in duly licensed campgrounds or mobile home parks. All recreational vehicles located in residential districts, except for those being stored and not occupied and located on the same lot with the principal structure, shall be removed within 60 days from notification.

6.04.05. *Temporary construction or sales office.* A temporary construction office or sales office, such as

§2.02.04, LDC

etc.

- D. Florida Department of State - for assistance with historic preservation.
- E. Northwest Florida Water Management District (NFWFMD) - for establishing potable water wells, surface water management, etc.
- F. Florida Department of Transportation (FDOT) - for road improvements, connections, accesses, etc.
- G. Florida Department of Health and Rehabilitative Services (HRS) - for standards for individual sewage disposal facilities.
- H. U.S. Army Corps of Engineers - for issues impacting federal waters, navigable waterways, jurisdictional determinations, etc.
- I. Federal Aviation Administration (FAA) - for tall structures permits, etc.
- J. Other public agencies or entities which have jurisdiction over all or a portion of any particular application including, but not limited to, any local governments or applications impacted by interlocal agreements authorized and executed by the Escambia County Board of County Commissioners.

Other nonpublic entities may exert jurisdiction over development or applications therefor. Such entities may include homeowners associations, condominium associations, merchants associations, neighborhood improvement groups, etc. It is the responsibility of the applicant to determine whether such entity has any jurisdiction over his proposal and the county shall not assume any responsibility or be liable in any way for failure to adhere to any private entity restrictions or jurisdiction including those enumerated herein or any others which may hereafter be created.

→ 2.02.04. *Appeals, variances and conditional uses.* No permit or development order may be issued by the county administrator, or his/her designee, for any development if such development would violate the terms and conditions of this Code. If an application for a conditional use, variance or administrative appeal, as defined and regulated by this Code, has been submitted, no permit or development order, with or without conditions, will be issued until the matter has been resolved pursuant to the provisions of this article. ←

(Ord. No. 97-51, § 1, 10-2-1997; Ord. No. 2002-45, §§ 1, 2, 10-17-2002; Ord. No. 2005-45, § 1, 10-6-2005; Ord. No. 2006-62, § 1, 8-3-2006)

2.03.00. - Board of adjustment.

The board of county commissioners (BCC) established the board of adjustment (BOA) by County Ordinance 88-16, enacted on December 1, 1988.

203.01 Authority and duties. The BCC hereby endows the BOA with the power to conduct any required quasi-judicial public hearings to grant, grant with conditions, or deny applications for variances, conditional uses, requests for final extension of development orders for site plan approval, requests for the temporary use of a mobile home as a guest residence due to medical hardship, and appeals of administrative decisions filed by those persons aggrieved by interpretations or administration of these regulations.

Ord. No. 2002-46, § 1, 10-17-2002; Ord. No. 2004-9, § 1, 2-5-2004; Ord. No. 2005-45, § 1, 10-6-2005)

2.04.00. - Appeal of administrative decisions.

When it is alleged that there is an error in any order, requirement, decision or determination regarding issuance or denial of a development order, land use certificate or permit made by an administrative official in the administration of this chapter, the issue in dispute shall be taken before the board of adjustment. For cases on Pensacola Beach, the appeal shall first be reviewed by the Santa Rosa Island Authority Board, which shall then forward a recommendation to the BOA. An action sufficient to confer standing on a person aggrieved by an administrative decision, or administration of the Land Development Code would be an official action granting, denying or granting with conditions an application for a development order, permit or land use certificate. This section shall not apply to citations issued by code enforcement officers.

2.04.01. Procedures for the appeal of administrative decisions. To initiate the appeals process, the person appealing the administrative decision must make written application for such appeal on a form(s) provided by the department of planning and zoning department within 15 days of the administrative decision. Said application shall be accompanied by sufficient and adequate information to define and describe the alleged error, the proposed remedies, and any other pertinent information the applicant wishes to have considered during the appeals process.

A. The BOA is authorized to hear and to rule upon any appeal made by those persons aggrieved by administration of this Code. An administrative decision, or staff interpretation, shall not be reversed, altered, or modified by the BOA unless it finds that:

1. A written application for the appeal was submitted within 15 days of the administrative decision or action indicating the section of this Code under which said appeal applies together with a statement of the grounds on which the appeal is based; and
2. That the person filing said appeal has established that the decision or action of the administrative official was arbitrary and capricious; or
3. An aggrieved party who files an appeal of a decision of the DRC approving or approving with conditions a development plan application, must show, by competent substantial evidence that:
 - (i) The decision of the DRC is not in compliance with the Comprehensive Plan or the Land Development Code;
 - (ii) Their property will suffer an adverse impact as a result of the development approval decision;
 - (iii) The adverse impact must be to a specific interest protected or furthered by the Comprehensive Plan or the Land Development Code; and
 - (iv) It must be greater in degree than any adverse impact shared by the community at large.
4. In the event the owner, developer, or applicant is aggrieved or adversely affected by a denial of a development plan application or the imposition of conditions, the owner, developer or applicant filing the appeal must show, by competent substantial evidence, that the denial of the development plan or the imposition of conditions is neither required nor supported by

the Comprehensive Plan or the Land Development Code or the application of technical design standards and specifications adopted by reference in the Code, or Concurrency Management Procedures and is, therefore, arbitrary and capricious.

B. *Hearing of appeal; notice required.* The BOA shall schedule the hearing for the appeal to occur within 30 working days after the filing of the notice of appeal, give due notice to the parties in interest, and decide the same within a reasonable time. Any party may appear at the hearing in person or by agent or attorney. The BOA hearing may be continued or postponed by vote of the BOA or by the property owner, or his [or her] agent or attorney, upon his or her written request.

C. *Decision of the BOA.* In applying the provisions of this Code, said provisions shall be held to be minimum provisions. The BOA may reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination appealed, but may so modify only to the extent supported by the competent substantial evidence presented, and as necessary to maintain compliance with the requirements of the Code and Comprehensive Plan. To that end only, the BOA shall have the powers of the administrative official(s) to whom the appeal is directed. The BOA shall have no authority to reverse, diminish, or otherwise modify the application of technical design standards and specifications adopted by reference in the Code, or concurrency management procedures therein, or to exempt development from required review and approval. The concurring vote of a majority of the members of the BOA present and voting shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to vote. Any party aggrieved by the decision of the BOA on an administrative appeal shall have 30 days to petition the circuit court for judicial review of such order.

2.04.02. *Impacts on permitting and owners of property subject to review.* Because decisions of the BOA relating to variances, conditional uses, temporary use of a mobile home as a guest residence due to medical hardship, and extension of development order for site plan approval are final, unless overturned by a court of competent jurisdiction, the county may issue development orders and permits for properties in accordance with the decisions of the BOA. However, if a property owner or applicant requests the issuance of any such order or permit and such order or permit is issued, the permittee, and not the county, shall bear any risk that such decision may be set aside, the permit or development order may be revoked, or the development may be otherwise enjoined by the reviewing court.

2.04.03. *Reserved.*

(Ord. No. 97-51, § 1, 10-2-1997; Ord. No. 99-25, § 1, 5-6-1999; Ord. No. 2001-35, §§ 3—5, 7-5-2001; Ord. No. 2002-45, § 3, 10-17-2002; Ord. No. 2004-9, § 3, 2-5-2004; Ord. No. 2004-21, § 1, 5-6-2004; Ord. No. 2005-45, § 1, 10-6-2005; Ord. No. 2007-15, § 1, 3-5-2007)

2.05.00. - Variances, conditional uses, extension of a development order for site plan approval, and temporary use of a mobile home as a guest residence due to medical hardship.

The BOA shall hear and decide requests for variances, conditional uses, requests for an extension of a development order for site plan approval, or temporary use of a mobile home as a guest residence due to medical hardship, as hereinafter provided. Pursuant to the provisions of section 2.05.02 of this Code, the director of planning and zoning, or his/her designee, may grant administrative variances. The SRIA board shall act on variance applications on Pensacola Beach in conformance with article 13 prior to the quasi-judicial hearing by the BOA.

2.05.01. *Procedure for filing applications and notice requirements.*



BY CHOICE HOTELS

Mainstay Suites Pensacola

7230 Plantation Road

Pensacola, FL 32504

Phone: 850.479.1000

Fax: 850.477.3399

At a recent BOA meeting the Board decided to rule that a Crematory was a permitted use in C-2 zoning despite the absence of such provision being present in the Escambia Code. As a property owner who was directly affected by this action, it was an unfortunate turn of events. However, what was more unfortunate was that all other property owners in C-2 zone did not even get the right of due process. When the Escambia County BOCC decide to make changes to the code, they advertise the fact and they welcome all comments and provide citizens of the county with an opportunity to voice their feelings. The Planning Board had already made the right ruling, and they are the board who interpret the code. Their 2 hour and 40 minute deliberation on the actual wording of the code resulted in a denial for CEJ. They looked predominantly at the code, CEJ's attorney argued that they ruled after considering other irrelevant factors. This truly was a stretch from what actually occurred, the Planning Board made a very detailed analysis of the code. They even recommended that the applicant had the option to go before the BOCC. It is a shame that the BOA did not give these facts the weight they deserved.

We feel very strongly about our position and are very certain that an accurate and clear reading of the code supports our case. Mr Jensen, the owner of CEJ has indicated to me that he plans to keep moving forward. When I cautioned him that we still planned to object and file an action in Circuit Court, he declared that he was not worried. It is his opinion that even if we prevail, he wants to get the Cinerator installed because he feels the County would not dare make him remove it, once it is operating. This gentleman has already swayed the BOA to issue a ruling contrary to the code without true regard for all the affect property owners at University Mall and throughout C-2 zones in Escambia. He has also declared that the County will not have the gumption to remove the Cinerator once he installs it, even if the BOA declares that the actual wording of the code should prevail. Members of the BOA, please do not make this mistake twice, the permits are contrary to the code and should not have been granted.



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

Development Services
Department

T. Lloyd Kerr, AICP
Director

ESCAMBIA COUNTY BOARD OF ADJUSTMENT

All items with an asterisk * are required.

Please Print Clearly

*Name: Jesse W. Rigby Phone: 434-9200
125 W. Romana St. Suite 800
*Address: _____ *City, State, Zip: Pensacola FL 32502

*Agenda Item (CASE NO.#) AP-2012-02 Meeting Date: _____

☒ Please check here if you wish to speak as: ☐ Lay Person
☐ Expert: Area of Expertise & Qualifications

Attorney for applicant

Accepted by Board as an Expert: ☐ Yes ☐ No

_____ Please check here if you do not wish to speak: Present for the record only.

Chamber Rules

1. All who wish to speak will be heard.
2. This form must be filled out and given to the Board Clerk in order to be heard.
3. When the Chairman calls your name to speak, please come to the podium, adjust the microphone so you can be heard clearly, then state your NAME and ADDRESS for the record.
4. You are requested to keep your remarks BRIEF and FACTUAL.
5. Both sides of an issue will be granted uniform time to speak, normally 3 – 5 minutes.
6. During Quasi-judicial Hearings, Conduct is very formal, and regulated by Supreme Court decisions.
7. Should there be a need for information to be handed out, the procedure is:
 - A. Copies are given to the Clerk for distribution.
 - B. Clerk distributes copies to the Board members and staff (13 total copies are needed)
 - C. One copy is placed in the official meeting file.



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Director

ESCAMBIA COUNTY BOARD OF ADJUSTMENT

All items with an asterisk * are required.

Please Print Clearly

*Name: Kerry Anne Schultz Phone: 662-112
*Address: 3869 Paradise Bay Lane *City, State, Zip: Mobile, AL
*Agenda Item (CASE NO.#) AP-2012-02 Meeting Date: 6/20/12

☒ Please check here if you wish to speak as: ☐ Lay Person
☒ Expert: Area of Expertise & Qualifications

Attorney
Accepted by Board as an Expert: ☐ Yes ☐ No

☐ Please check here if you do not wish to speak: Present for the record only.

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T. Lloyd Kerr, AICP
Director

ESCAMBIA COUNTY BOARD OF ADJUSTMENT

All items with an asterisk * are required.

Please Print Clearly

*Name: Dave Hoxeng Phone: 262-6000
*Address: 7251 Plantation Rd *City, State, Zip: Pensacola, 32504
*Agenda Item (CASE NO.#) A-2012-02 Meeting Date: 6/20/12

☒ Please check here if you wish to speak as: ☒ Lay Person
☐ Expert: Area of Expertise & Qualifications

Accepted by Board as an Expert: ☐ Yes ☐ No

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T. Lloyd Kerr, AICP
Director

ESCAMBIA COUNTY BOARD OF ADJUSTMENT

All items with an asterisk * are required.

Please Print Clearly

*Name: CHRIS JENSEN Phone: 814 4476
*Address: PO Box 15306 *City, State, Zip: PC, FL 32406
*Agenda Item (CASE NO.#) AP-2012-02 Meeting Date: 6/20/12

_____ Please check here if you wish to speak as: ☒ Lay Person
☐ Expert: Area of Expertise & Qualifications

_____ Accepted by Board as an Expert: ☐ Yes ☐ No

_____ Please check here if you do not wish to speak: Present for the record only.

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T. Lloyd Kerr, AICP
Director

ESCAMBIA COUNTY BOARD OF ADJUSTMENT

All items with an asterisk * are required.

Please Print Clearly

*Name: PAUL BLAKE Phone: 479-1000
*Address: 7230 Plantation Road *City, State, Zip: Pensacola, FL
*Agenda Item (CASE NO.#) AP-2012-02 Meeting Date: 6/20/12 32504

_____ Please check here if you wish to speak as: ☐ Lay Person
☐ Expert: Area of Expertise & Qualifications

Representative of Owner
Main Sky
Suites
Accepted by Board as an Expert: ☐ Yes ☐ No

_____ Please check here if you do not wish to speak: Present for the record only.

Chamber Rules

(Relax Hospitality
LLC)

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Board of County Commissioners • Escambia County, Florida

T. Lloyd Kerr, AICP, Director
Development Services

June 25, 2012

Jesse W. Rigby
Clark, Partington, Hart, Larry, Bond & Stackhouse.
125 W Romana St., Suite 800
Pensacola, FL 32502

RE: Notification of Board of Adjustment (BOA) Action on June 20, 2012: AP-2012-02: 7253
Plantation Rd.: 30-1S-30-4101-014-002

Dear Applicant:

This letter is to inform you of the Board's action to **deny** your request for the following:

- Appealing the issuance of Building Permits BD120502393 and BD120502394 (which has been cancelled)

In addition, the motion approved by the BOA included the provision that no activity pertaining to the crematory will be allowed until the appeal before the court has been resolved.

Section 2.04.01.C of the Land Development Code states:

" . . . Any party aggrieved by the decision of the BOA on an administrative appeal shall have 30 days to petition the circuit court for judicial review of such order. "

Based on the above, you should apply for judicial review of the issuance of these permits by (July 20, 2012) or the permits will stand.

This letter has been notarized should you choose to record it, and the attached Board of Adjustment Findings-of-Fact, in the Public Records of Escambia County per Florida Statutes, Section 28.222(3)(a).

Should you have any questions or comments, please contact our office.

Sincerely,



Andrew D. Holmer
Sr. Urban Planner

cc: **Kristin Hual**, Assistant County Attorney
Owner
Front Counter

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF ESCAMBIA

Andrew D. Holmer, who is personally known to me acknowledged the foregoing letter before me this 5th day of July 2012.


Signature of Notary Public



Karen S Spitsbergen

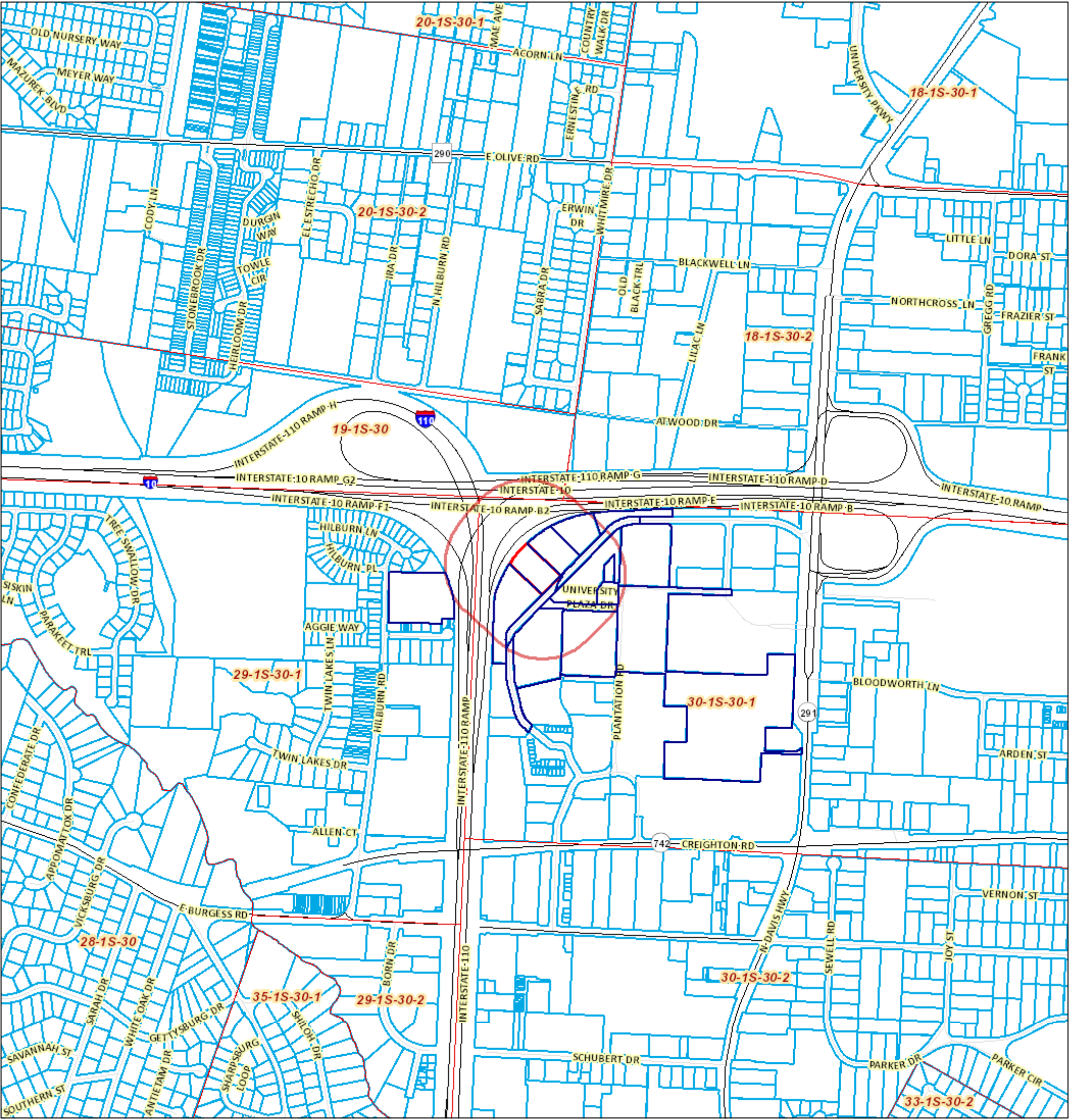
(Notary Seal)

Name of Notary Printed

My Commission Expires: _____ Commission Number:

****This decision DOES NOT determine, imply or confer development rights for any desired use or activity on the specified parcel. Additional review processes and/or permits may be required.****

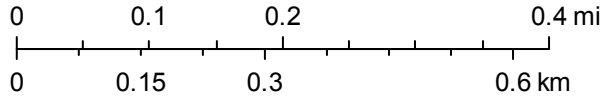
Chris Jones Escambia County Property Appraiser



December 26, 2013

1:9,139

- Map Grid
- City Road
- County Road
- Interstate
- State Road
- US Highway
- All Roads
- Property Line





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

**RELAX HOSPITALITY LLC
7230 PLANTATION RD
PENSACOLA, FL 32504**

In accordance with the Americans with Disabilities Act, persons needing special accommodation or an interpreter to participate in the public hearing should contact County Administrator's Office at 595-4947 at least seven days prior to the date of the hearing. If you have any questions, please contact the Development Services Department at 595-3475.



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

**CORDOVA COMMUNITY FACILITIES CORP
205 BROOKS ST STE 201
FORT WALTON BEACH, FL 32548**

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

**SAI RAM KRUPA LLC
4031 STEPHANI RD.
CANTONMENT, FL 32533**

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

**AMMONS WILLIAM S & TATUM
C/O LINDA AMMONS
1507 E STRONG ST
PENSACOLA, FL 32501**

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

**CEJ SOUTH INC
PO BOX 15306
PANAMA CITY, FL 32406**

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

**PENSACOLA SILVER SCREEN INC
PO BOX 10015
PENSACOLA, FL 32524**

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

**ADX COMMUNICATIONS OF
7251 PLANTATION RD
PENSACOLA, FL 32504**

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

**CHAVEZ FERNANDO &
5190 MOBILE HWY
PENSACOLA, FL 32526**

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

OM HANUMAN HOSPITALITY INC
7226 PLANTATION RD
PENSACOLA, FL 32504

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

GARDENER HOLDING CO INC
7282 PLANTATION RD # 403
PENSACOLA, FL 32504

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

UNIVERSITY OFFICE LIMITED CO
600 UNIVERSITY OFFICE BLVD STE 1C
PENSACOLA, FL 32504

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

SERVICE PENSACOLA LLC
C/O URBAN RETAIL PROP LLC
404 WYMAN ST SUITE 365
WALTHAM, MA 02451

In accordance with the Americans with Disabilities Act, persons needing special accommodation or an interpreter to participate in the public hearing should contact County Administrator's Office at 595-4947 at least seven days prior to the date of the hearing. If you have any questions, please contact the Development Services Department at 595-3475.



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

SIMON PROPERTY GROUP L P
ATTN HARRY SPELL, PROP TAX MGMT
PO BOX 6120
INDIANAPOLIS, IN 46204

In accordance with the Americans with Disabilities Act, persons needing special accommodation or an interpreter to participate in the public hearing should contact County Administrator's Office at 595-4947 at least seven days prior to the date of the hearing. If you have any questions, please contact the Development Services Department at 595-3475.



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

In accordance with the Americans with Disabilities Act, persons needing special accommodation or an interpreter to participate in the public hearing should contact County Administrator's Office at 595-4947 at least seven days prior to the date of the hearing. If you have any questions, please contact the Development Services Department at 595-3475.



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

Red Roof Inn
7340 Plantation Rd.
Pensacola, FL 32504

In accordance with the Americans with Disabilities Act, persons needing special accommodation or an interpreter to participate in the public hearing should contact County Administrator's Office at 595-4947 at least seven days prior to the date of the hearing. If you have any questions, please contact the Development Services Department at 595-3475.



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

In accordance with the Americans with Disabilities Act, persons needing special accommodation or an interpreter to participate in the public hearing should contact County Administrator's Office at 595-4947 at least seven days prior to the date of the hearing. If you have any questions, please contact the Development Services Department at 595-3475.

Board of Adjustment**6. 2.**

Meeting Date: 01/15/2014
CASE: V-2014-01
APPLICANT: Tiffany Lyons, Agent for Eaton Square Holdings, LLC
ADDRESS: 9009 University Parkway
PROPERTY REFERENCE NO.: 14-1S-30-3301-002-001
ZONING DISTRICT: R-5
FUTURE LAND USE: MU-U

SUBMISSION DATA:**REQUESTED VARIANCE:**

The Applicant is seeking a variance to the overall height limit for an on-premise sign in R-5 zoning. The existing residential complex on site has a non-comforming 19.41 foot sign that is proposed to be replaced with a 15.04 foot sign. The zoning limits the sign height to six feet for residential uses and the Applicant is requesting a variance of 9.04 feet.

RELEVANT AUTHORITY:

**Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended),
Section: 8.07.02.B**

8.07.02. *Multifamily zones.*

B. *Residential complexes:*

Height maximum . . . 6 ft. from grade

CRITERIA

**Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended),
Section 2.05.02**

CRITERION (1)

That there are special circumstances or conditions applicable to the building or land in question that are peculiar to such property that do not apply generally to other land or buildings in the vicinity.

FINDINGS-OF-FACT

Section 2.05.02 of the Land Development Code defines special circumstances or conditions specifically as follows: "Such special conditions shall be limited to unusual physical characteristics inherent in the specific piece of property and not common to properties similarly situated. Such physical characteristics include, but are not limited to, exceptional narrowness, shallowness, shape, topographic conditions, or the presence of sensitive environmental resources, any or all of which will result in peculiar or practical difficulties in the quiet enjoyment

and use of the property”.

The property in question is different from other residential complexes nearby in that it is elevated from the roadside. Drivers heading south on University Pkwy. head uphill to the site and a six foot monument type sign would be difficult to see.

The proposed new sign would use the existing pole with a new and smaller cabinet that would still allow for visibility given the physical limitation on site.

CRITERION (2)

That the variance is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the Applicant.

FINDINGS-OF-FACT

The requested variance is necessary for the preservation and enjoyment of a substantial property right given the physical limitation on site.

CRITERION (3)

That such a variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, comfort, or general welfare of the inhabitants of Escambia County.

FINDINGS-OF-FACT

This variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the health, safety, comfort, or general welfare of the inhabitants of Escambia County.

CRITERION (4)

The variance will not, in any manner, alter other provisions of this Code or Comprehensive Plan.

FINDINGS-OF-FACT

This variance will not alter other provisions of the Land Development Code or Comprehensive Plan.

CRITERION (5)

That the variance is the minimum necessary to make possible the use of the land, building or other improvements as approved by the BOA.

FINDINGS-OF-FACT

The requested variance would lower the overall height and size of the existing non-conforming sign while affording relief from the physical limitation on site.

STAFF RECOMMENDATION:

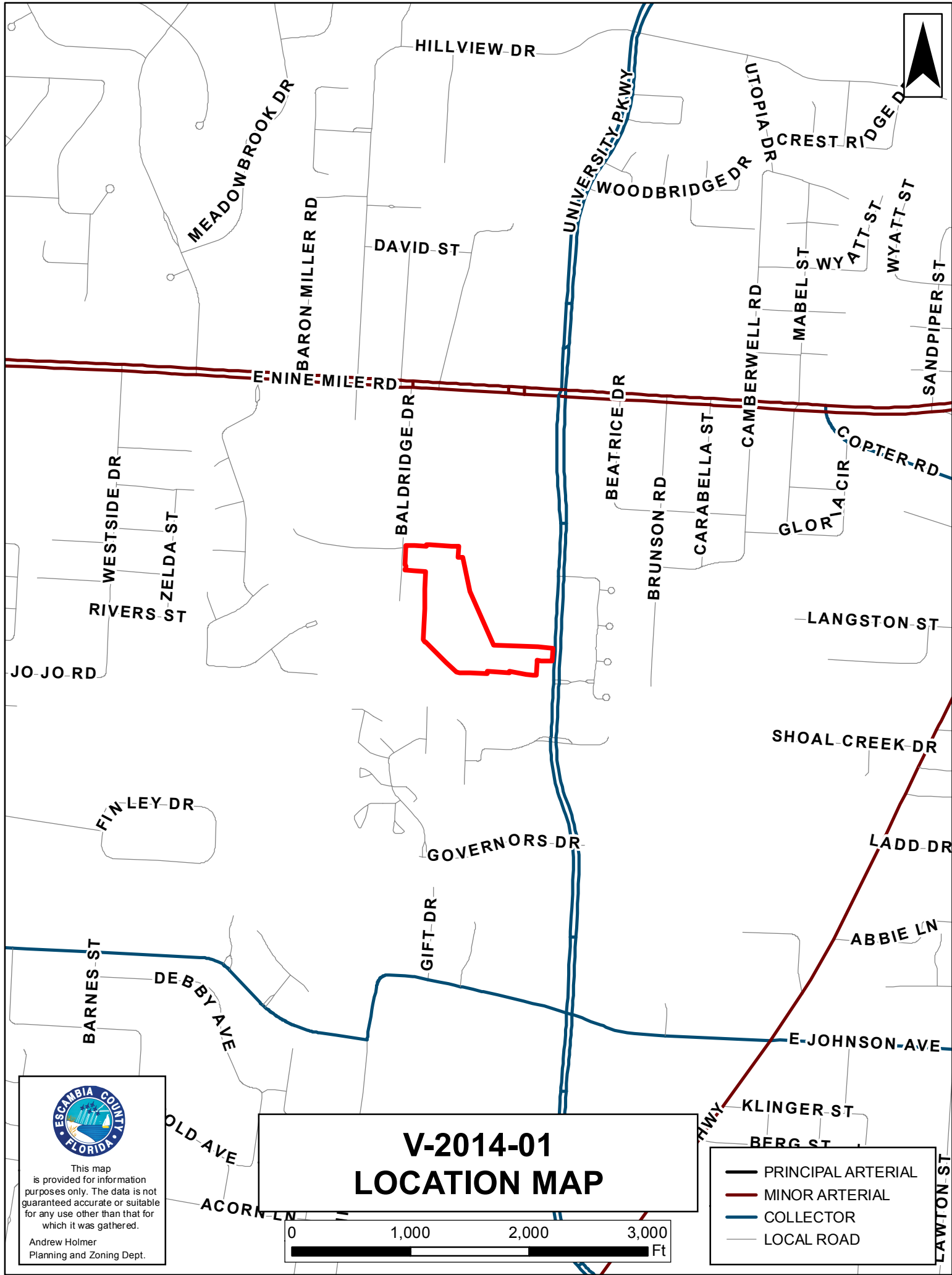
Staff recommends that the Board approve the variance as requested.


BOARD OF ADJUSTMENT FINDINGS:

Attachments

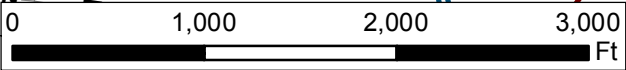
V-2014-01 Working Case File

V-2014-01




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

V-2014-01
LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



BALDRIDGE DR

UNIVERSITY PKWY

UNIVERSITY PKWY

STILLBRIDGE LN

CONSTITUTION PL

C-1

C-1

R-3

R-6

R-4

R-5

R-5

R-5

R-5

C-2

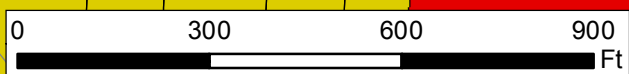
C-2



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

Andrew Holmer
Planning and Zoning Dept.

V-2014-01 500' RADIUS ZONING



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



BALDRIDGE DR

MU-U

MU-U

UNIVERSITY PKWY

MU-U

MU-U

UNIVERSITY PKWY

STILLBRIDGE LN

CONSTITUTION PL

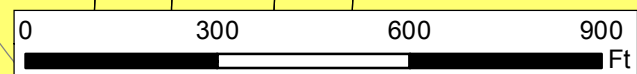
MU-U



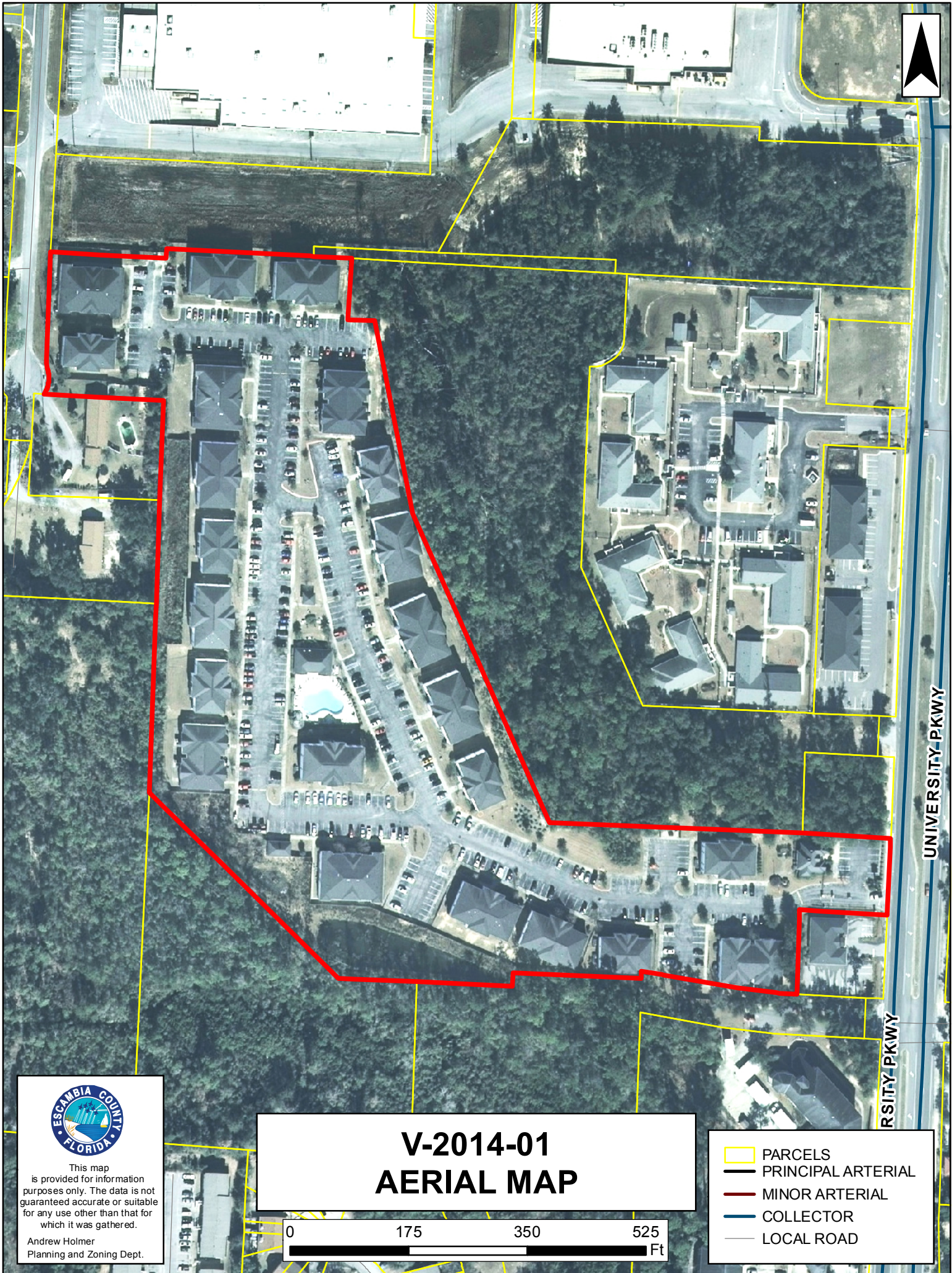
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

V-2014-01 FUTURE LAND USE



- 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.

V-2014-01 AERIAL MAP

0 175 350 525
Ft

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



Park on the Square
(Formerly Eaton Square)
Justification Statement/Criteria
Escambia County

1) The special circumstances or conditions applying to the building or land in question are peculiar to such property and do not apply generally to other land or buildings in the vicinity.

Response: There is an existing sign cabinet with pole at the entrance of the property. The customer would like to update the sign cabinet to reflect the property name change and design of the internal signage.

2) The variance is necessary for the preservation and enjoyment of a substantial property right as defined herein and not only to serve as a convenience to the applicant.

Response: The customer is in need of a visible entrance sign displaying the new property name in order to sustain a steady occupancy level, in addition to providing identification for emergency vehicles.

3) The authorization of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, comfort, or general welfare of the inhabitants of Escambia County.

Response: The sign will be professionally designed, manufactured and installed. It will in no way diminish the property values of neighboring businesses, nor will it be a health or safety issue.

4) The variance will not, in any manner, alter other provisions of this Code or the Comprehensive Plan, except this Code and the Plan may be amended in the manner prescribed by the law.

Response: The sign currently meets all other code requirements. The sign is less than 32 square feet per side, and setback is at least 10 feet from the right of way.

5) The variance is the minimum necessary to make possible the use of the land, building or other improvements as approved by the BOA.

Response: The code allows for 6 feet maximum height. The current/existing sign is almost 20 feet high. The new sign will use the existing pole, and replace the old cabinet/name with new. The new cabinet will be almost 5 feet shorter than the existing sign, but still over what the code allows.

APPLICATION

Please check application type:

☐ Administrative Appeal

☐ Development Order Extension

☐ Conditional Use Request for: _____

☒ Variance Request for: increase in allowed height

☐ Rezoning Request from: _____ to: _____

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

Owner(s) Name: Eaton Square Holdings LLC Phone: 407. 376. 8830

Address: 7900 Glades Rd. Ste. 200, Boca Raton, FL 33434 Email: rwenzel@greystar.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: 9009 University Parkway, Pensacola, FL 32514

Property Reference Number(s)/Legal Description: multi family 141S 303301002001 -
for legal description, please see attached.

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

Tiffany Lyons
Printed Name Owner/Agent

12.20.13
Date

Signature of Owner

Printed Name of 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
(notary seal must be affixed)

Printed Name of Notary

FOR OFFICE USE ONLY

CASE NUMBER: _____

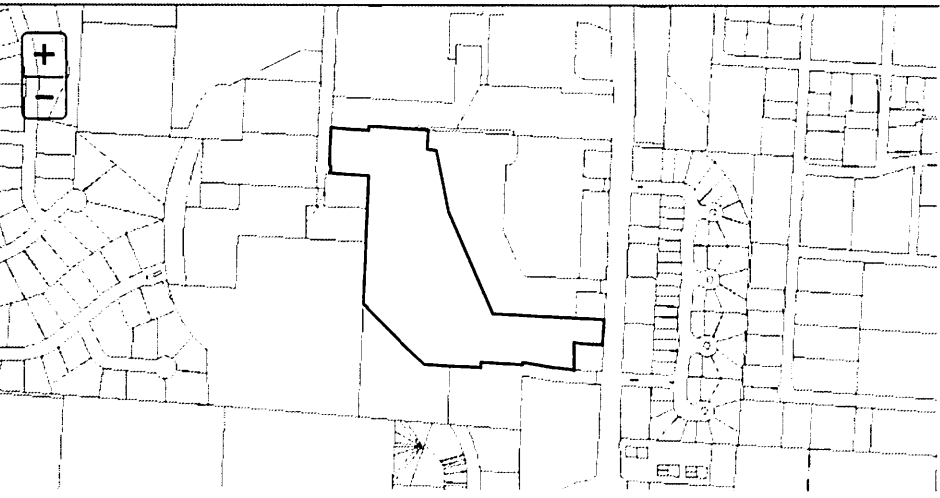
Meeting Date(s): _____ Accepted/Verified by: _____ Date: _____

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

Source: Escambia County Property Appraiser

[←](#) [Navigate Mode](#) [Account](#) [Reference](#) [→](#)
[Restore Full Page Version](#)

<div>General Information</div> <div>Reference: 141S303301002001</div> <div>Account: 021878520</div> <div>Owners: EATON SQUARE HOLDINGS LLC</div> <div>Mail: C/O DUNCAN HILLSLEY CAPITAL LLC 7900 GLADES RD SUITE 260 BOCA RATON, FL 33434</div> <div>Situs: 9009 UNIVERSITY PKWY 32514</div> <div>Use Code: MULTI-FAMILY >=10</div> <div>Taxing Authority: COUNTY MSTU</div> <div>Tax Inquiry: Open Tax Inquiry Window</div> <div>Tax Inquiry link courtesy of Janet Holley Escambia County Tax Collector</div>	<div>2013 Certified Roll Assessment</div> <div>Improvements: \$11,155,684</div> <div>Land: \$829,920</div> <div>Total: \$11,985,604</div> <div>Save Our Homes: \$0</div> <div>Disclaimer</div> <div>Amendment 1/Portability Calculations</div>																																										
<div>Sales Data</div> <table><thead><tr><th>Sale Date</th><th>Book</th><th>Page</th><th>Value</th><th>Type</th><th>Official Records (New Window)</th></tr></thead><tbody><tr><td>04/25/2013</td><td>7010</td><td>620</td><td>\$19,785,000</td><td>WD</td><td>View Instr</td></tr><tr><td>01/21/2010</td><td>6556</td><td>1331</td><td>\$100</td><td>OT</td><td>View Instr</td></tr><tr><td>09/2005</td><td>5753</td><td>88</td><td>\$15,675,000</td><td>WD</td><td>View Instr</td></tr><tr><td>07/1997</td><td>4155</td><td>1734</td><td>\$605,400</td><td>WD</td><td>View Instr</td></tr><tr><td>11/1985</td><td>2387</td><td>996</td><td>\$38,300</td><td>WD</td><td>View Instr</td></tr><tr><td>08/1983</td><td>1806</td><td>864</td><td>\$36,800</td><td>WD</td><td>View Instr</td></tr></tbody></table> <div>Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller</div>	Sale Date	Book	Page	Value	Type	Official Records (New Window)	04/25/2013	7010	620	\$19,785,000	WD	View Instr	01/21/2010	6556	1331	\$100	OT	View Instr	09/2005	5753	88	\$15,675,000	WD	View Instr	07/1997	4155	1734	\$605,400	WD	View Instr	11/1985	2387	996	\$38,300	WD	View Instr	08/1983	1806	864	\$36,800	WD	View Instr	<div>2013 Certified Roll Exemptions</div> <div>None</div> <div><div>Legal Description</div><div>BEG AT NE COR OF S1/2 OF GOVT LT 3 N 89 DEG 10 MIN 13 SEC W ALG N LI OF SD S1/2 1056 63/100 FT FOR POB S 0...</div></div> <div><div>Extra Features</div><div>5' IRON FENCE 6' IRON FENCE 6' WOOD FENCE ASPHALT PAVEMENT CONCRETE WALKS GAZEBO LIGHTS PATIO POOL SECURITY GATE</div></div>
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Parcel Information Section Map Id: 14-1S-30-2 Approx. Acreage: 13.2600 Zoned: R-4 R-5 Evacuation & Flood Information Open Report	<div style="text-align: right;">Launch Interactive Map</div> 
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Return to: Kim Stout
Stewart Title Guaranty Company
3401 West Cypress Street
Tampa, FL 33607
File No 20130085

This instrument prepared by and return to:

Eleanor Zappone, Esq.
Arent Fox LLP
1050 Connecticut Avenue, NW
Washington, DC 20036

Tax Identification Parcel Nos.: 02-1878-520

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made this 30 day of April, 2013, by and between (i) ACPRE PRS REALTY, L.L.C., a Delaware limited liability company, whose mailing address is 6011 Connection Drive, Irving TX 75039, as "Grantor," and (ii) EATON SQUARE HOLDINGS, LLC, a Florida limited liability company, whose mailing address is c/o Duncan Hillsley Capital, LLC, 7900 Glades Road, Suite 260, Boca Raton, Florida 33434, as "Grantee." (Whenever used herein, the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations or other entities).

WITNESSETH:

That the GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid to GRANTOR by said GRANTEE, the receipt and sufficiency of which are hereby acknowledged, by these presents does grant, bargain, sell, transfer, remise, release, convey and confirm unto the GRANTEE, all of the following described real property, and rights and interest in such real property located and situated in the County of Escambia and State of Florida (the "Property"), more fully described as follows:

See legal description attached hereto as Exhibit "A", and made a part hereof.

TOGETHER with all the tenements, any and all easements, hereditaments, rights-of-way, appurtenances, reversionary rights, riparian rights, or other rights, privileges and immunities appertaining or in anywise belonging thereto including, without limitation, any portion of such land lying within the right-of-way of any street, roadway, alleyway, passageway, highway or avenue, proposed, open or closed, adjoining all or any part of the Property and in any and all strips, gores and rights-of-way hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever. This conveyance is expressly made subject to all liens, easements, covenants, conditions and restrictions and other matters of record insofar as they lawfully affect the Property (the "Permitted Exceptions"); provided that this instrument shall not reimpose same.

The Grantor does hereby covenant that Grantor, subject to the Permitted Exceptions, (i) is lawfully seized of the Property in fee simple, (ii) has good right and lawful authority to sell and convey the Property, and (iii) warrants and will defend the same against the lawful claims of all persons whomsoever claiming by, through or under the Grantor but against none other.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed by its proper officer thereunto duly authorized the day and year first above written.

Signed, sealed and delivered
in the presence of:

Mara Jill Cavalera
Print Name: Mara Jill Cavalera

Michelle Decaise
Print Name: Michelle Decaise

GRANTOR:

ACPRE PRS Realty, L.L.C.,
a Delaware limited liability company

By: ACPRE PRS ReCap, L.L.C., its
Managing Member

By: ACPRE PRS HoldCo, L.L.C., its
Managing Member

By: ACPRE PRS Member, L.L.C., its
Managing Member

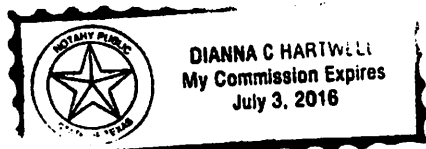
By: Archon Core Plus Real Estate Fund
2005, L.P., its Managing Member

By: AWH Archon Gen-Par, L.L.C., its
General Partner

By: Katharine M. Bloom
Name: Katharine M. Bloom
Title: Assistant Vice President

STATE OF Texas)
COUNTY OF Dallas)SS:

The foregoing instrument was acknowledged before me this 25 day of April, 2013, by Katharine M. Bloom, as AVP of AWH Archon Gen-Par, L.L.C., as General Partner of Archon Core Plus Real Estate Fund 2005, L.P., as Managing Member of ACPRE PRS Member, L.L.C., as Managing Member of ACPRE PRS HoldCo, L.L.C., as Managing Member of ACPRE PRS ReCap, L.L.C., as Managing Member of ACPRE PRS Realty, L.L.C., a Delaware limited liability company, on behalf of said company. He/She is personally known to me or has produced a Self driver's license as identification.



[Signature]
Notary Public, State of _____
My Commission Expires: _____

Exhibit ALegal Description of the Property

DESCRIPTION: PARCEL A

Commence at the Northeast corner of the South Half of Government Lot 3, Section 14, Township 1 South, Range 30 West; Escambia County, Florida; thence go N 89° 10' 13" W along the North line of said South Half 1056.63 feet to the Point of Beginning; thence departing said North line go S 00° 49' 47" W 90.00 feet; thence go S 89° 10' 13" E 40.00 feet; thence go S 13° 33' 59" E 290.39 feet; thence go S 26° 08' 38" E 498.47 feet; thence go N 89° 45' 00" E 500.00 feet to the Westerly Right of Way line of University Parkway (R/W Varies); thence go S 00° 15' 00" E along said Right of Way line 113.00 feet; thence departing said Right of Way line go S 89° 45' 00" W 120.00 feet; thence go S 00° 15' 00" E 125.00 feet; thence go S 89° 45' 00" W 29.96 feet to a point of curvature of a curve to the right which has a radius of 950.00 feet; thence go Westerly along said curve 201.33 feet to a point, the aforesaid curve has a central angle of 12° 08' 34", a chord bearing of N 84° 10' 43" W, and a chord distance of 200.96 feet; thence go S 00° 15' 00" E 11.26 feet; thence go S 89° 45' 00" W 185.24 feet; thence go S 00° 15' 00" E 20.00 feet; thence go S 89° 45' 00" W 257.58 feet; thence go N 51° 19' 42" W 390.04 feet to a point on the West line of Government Lot 3, thence go N 00° 01' 33" W along said West line 830.00 feet to the Northwest corner of the South Half of said Government Lot 3; thence go S 89° 10' 13" E along the North line of said South Half 270.00 feet to the Point of Beginning.

DESCRIPTION: PARCEL B

Commence at the Northeast corner of the South half of Government Lot 3, Section 14, Township 1 South, Range 30 West, Escambia County, Florida; thence go N 89° 10' 13" W along the North line of said South half 1326.63 feet to a concrete monument at the Northwest corner of said South Half; thence go S 00° 01' 33" E along the West line thereof 14.60 feet to the Point of Beginning; thence continue S 00° 01' 33" E along said West line 199.77 feet; thence departing said West line go S 89° 38' 05" W 163.84 feet to a point on the Easterly Right of Way line of Baldrige Drive (R/W Varies), said point being on a Cul-De-Sac which has a radius of 45.00 feet, and is concave to the West; thence go Northwesterly along said curve 30.81 feet to a point of reverse curve, the aforesaid curve has a central angle of 39° 13' 37", a chord bearing and distance of N 18° 37' 40" W 30.21 feet; thence go Northerly along said curve to the right which has a radius of 25.00 feet for 16.67 feet to the point of tangency, the aforesaid curve has a central angle of 38° 12' 48", and a chord bearing and distance of N 19° 08' 05" W; thence go N 00° 01' 41" W along said Easterly Right of Way line 155.58 feet; thence departing said Right of Way line, go N 89° 38' 05" E 178.84 feet to the Point of Beginning.

DESCRIPTION: DRAINAGE EASEMENT

Commence at the Northeast corner of the South half of Government Lot 3, Section 14, Township 1 South, Range 30 West, Escambia County, Florida; thence go N 89° 10' 13" W along the North line of said South half 1326.63 feet to a concrete monument at the Northwest corner of said

South Half; thence go S 00° 01' 33" E along the West line thereof 830.00 feet; thence departing said West line go S 51° 19' 42" E 145.00 feet to the Point of Beginning; thence continue S 51° 19' 42" E 130.00 feet; thence go S 38° 40' 18" W 40.00 feet; thence go N 51° 19' 42" W 130.00 feet; thence go N 38° 40' 18" E 40.00 feet to the Point of Beginning.

DESCRIPTION: UTILITY AND ACCESS EASEMENT A

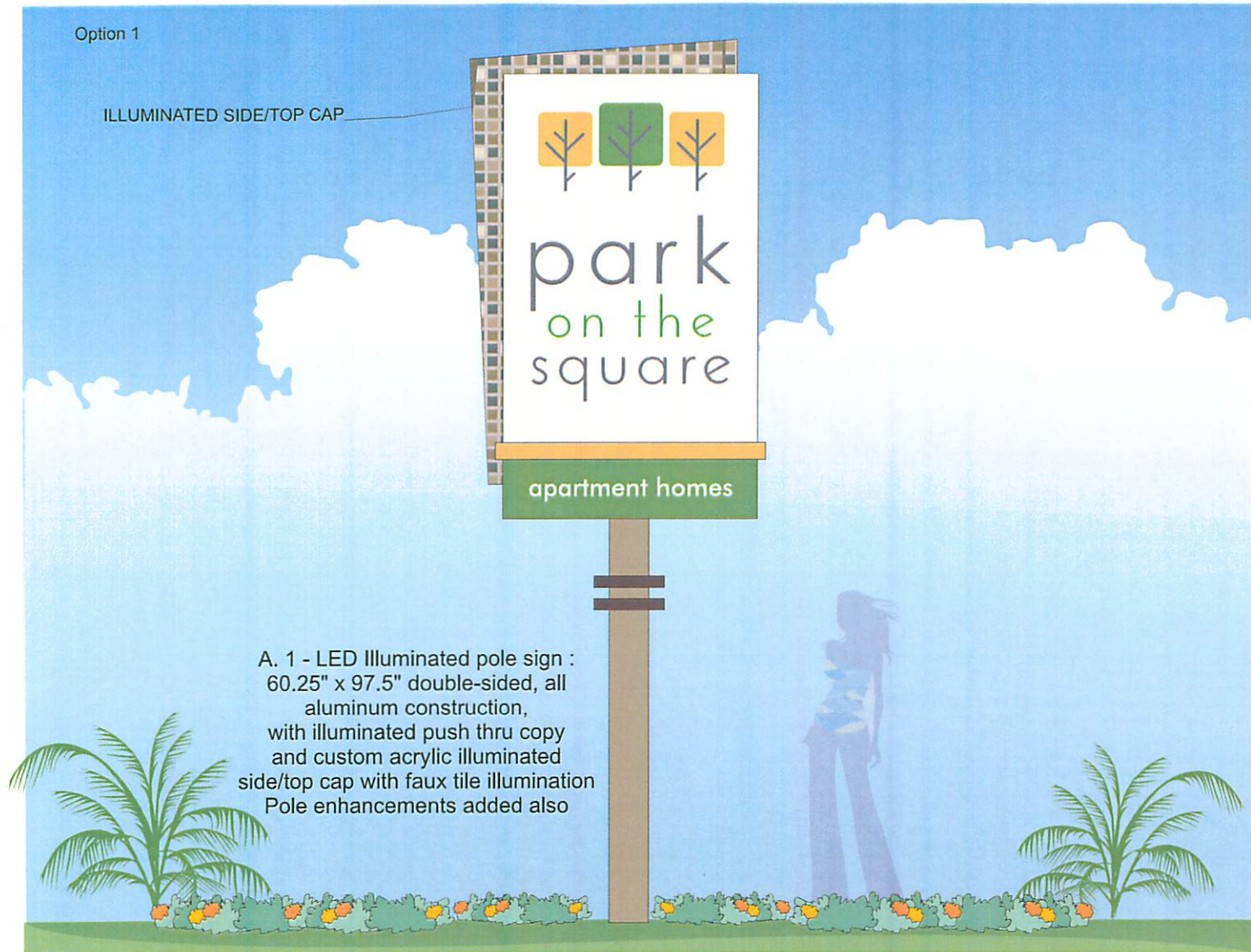
An Easement Ten feet in width lying five feet each side of and parallel with the following described centerline:

Commence at the Northeast corner of the South Half of Government Lot 3, Section 14, Township 1 South, Range 30 West, Escambia County Florida; thence go N 89° 10' 13" W along the North line of said South Half 1326.63 feet to a concrete monument at the Northwest corner of said South Half; thence go S 00° 01' 33" E along the West line thereof 800.00 feet to the Point of Beginning; thence departing said West line, go N 80° 34' 21" W 53.13 feet; thence go N 55° 39' 46" W 160.88 feet; thence go N 75° 32' 29" W 227.08 feet; thence go N 69° 11' 50" W 124.15 feet; thence go N 89° 03' 09" W 308.37 feet to the East line of an 80 foot Right of Way, and the Point of Termination, it is intended that the Northerly and Southerly lines of this ten foot easement also terminate at the East line of said 80 foot Right of Way.

DESCRIPTION: UTILITY AND ACCESS EASEMENT B

An Easement ten feet in width lying five feet each side of and parallel with the following described centerline:

Commence at the Northeast corner of the South Half of Government Lot 3, Section 14, Township 1 South, Range 30 West, Escambia County, Florida; thence go N 89° 10' 13" W along the North line of said South Half 1056.63 feet; thence departing said North line go S 00° 49' 47" W 90.00 feet; thence go S 89° 10' 13" E 40.00 feet; thence go S 13° 33' 59" E 290.39 feet; thence go S 26° 08' 38" E 498.47 feet; thence go N 89° 45' 00" E 500.00 feet to the Westerly Right of Way line of University Parkway (R/W Varies); thence go S 00° 15' 00" E along said Right of Way line 113.00 feet; thence departing said Right of Way line go S 89° 45' 00" W 120.00 feet; thence go S 00° 15' 00" E 125.00 feet; thence go S 89° 45' 00" W 29.96 feet to a point of curvature of a curve to the right which has a radius of 950.00 feet; thence go Westerly along said curve 201.33 feet to a point, the aforesaid curve has a central angle of 12° 08' 34", a chord bearing of N 84° 10' 43" W, and a chord distance of 200.96 feet; thence go S 00° 15' 00" E 5.00 feet to the Point of Beginning; thence go N 89° 45' 00" E 24.85 feet to a point on the previously described curved line and the Point of Termination. It is intended the Northerly and Southerly line of this ten foot easement, also terminate at said curved line.



OAKHURSTSIGNS

PROJECT NAME:
Park On The Square

DATE:
09-05-13

SALES CONTACT:
Josh Buttitta
813-810-3389

JOB NUMBER:
A090513W

-  SW 7068
Grizzle Gray
-  SW 6102
Portobello
-  SW 6156
Ramie
-  SW 6112
Biscuit
-  SW 6930
Laudable Lime
-  SW6676
Butterfield

Client Approval - Print Name: _____ Signature: _____ Date: _____

**Thank You
For The
Opportunity!**

These sign designs are the sole property of Oakhurst Signs and may not be used for bidding purposes. The ownership of these designs will be transferred to the listed customer in the event that signs are purchased from Oakhurst Signs. If this artwork is used without our consent, you will be invoiced for the design fees - these fees typically range between \$275 - \$750.

14020 Roosevelt Blvd. Suite 801
Clearwater FL 33762 - 727-532-8255
Fax: 727-532-4334
www.oakhurstsigns.com



OAKHURST SIGNS

PROJECT NAME:
Park On The Square

DATE:
09-05-13

SALES CONTACT:
Josh Buttitta
813-810-3389

JOB NUMBER:
A090513W



A. 1 - LED Illuminated pole sign :
60.25" x 97.5" double-sided, all
aluminum construction,
with illuminated push thru copy
and custom acrylic illuminated
side/top cap with faux tile illumination
Pole enhancements added also

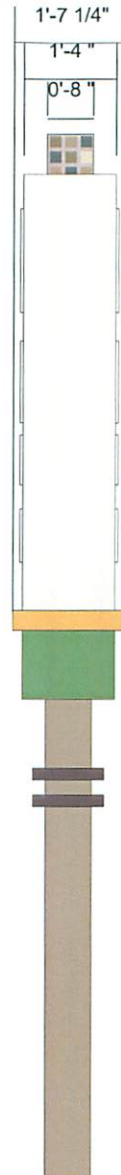
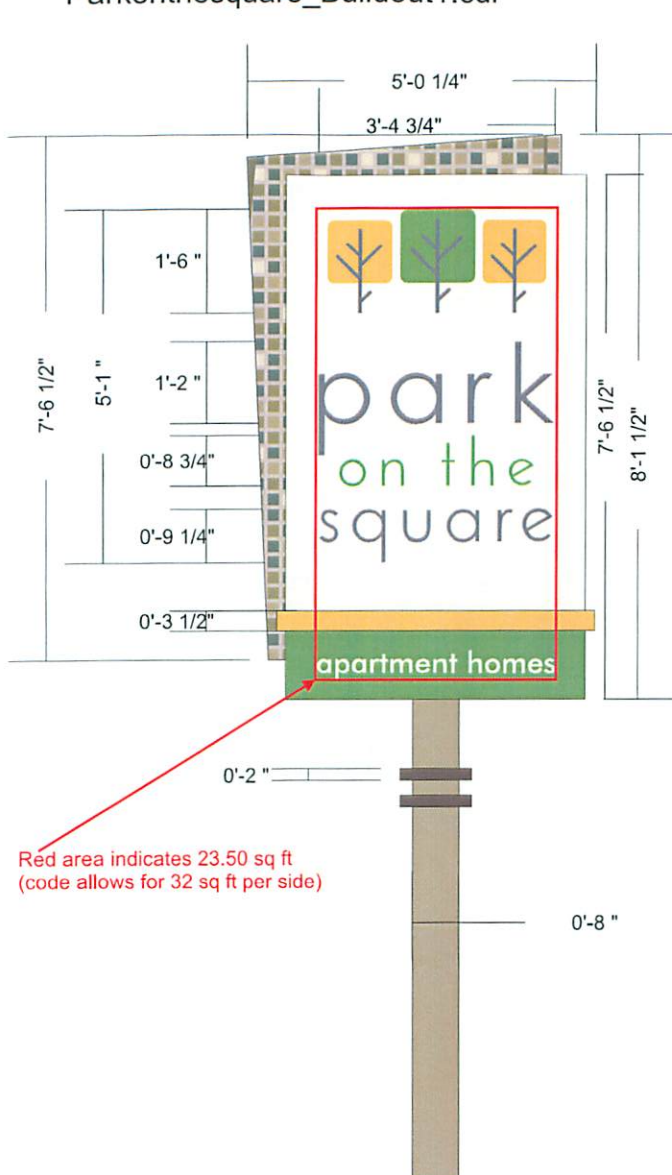
- SW 7068 Grizzle Gray
- SW 6102 Portobello
- SW 6156 Ramie
- SW 6112 Biscuit
- SW 6930 Laudable Lime
- SW6676 Butterfield

Client Approval - Print Name: _____ Signature: _____ Date: _____

**Thank You
For The
Opportunity!**

These sign designs are the sole property of Oakhurst Signs and may not be used for bidding purposes. The ownership of these designs will be transferred to the listed customer in the event that signs are purchased from Oakhurst Signs. If this artwork is used without our consent, you will be invoiced for the design fees - these fees typically range between \$275 - \$750.

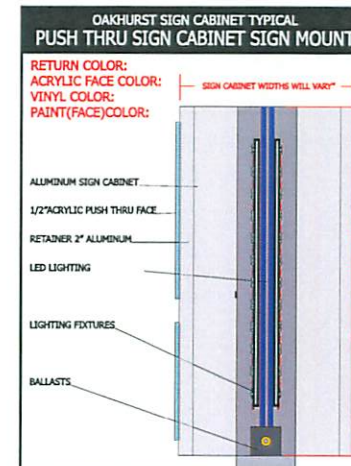
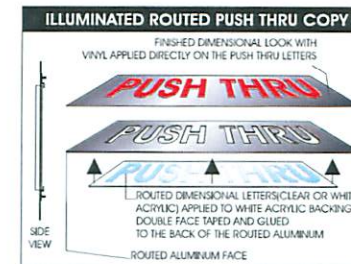
14020 Roosevelt Blvd, Suite 801
Clearwater FL 33762 - 727-532-8255
Fax: 727-532-4334
www.oakhurstsigns.com



STREET VIEW

1/2" PUSH THRU COPY

OPTION A
ILLUMINATED
SIDE/TOP CAP
(SEE DETAIL PG 2)



OAKHURST SIGNS

PROJECT NAME:
Park On The Square

DATE:
09-05-13

SALES CONTACT:
Josh Buttitta
813-810-3389

JOB NUMBER:
A090513W

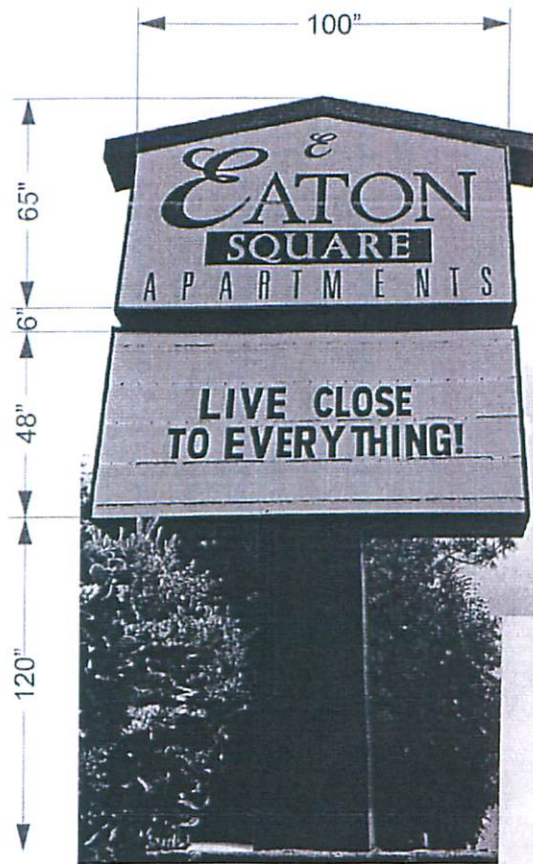
- SW 7068 Grizzle Gray
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14020 Roosevelt Blvd. Suite 801
Clearwater FL 33762 - 727-532-8255
Fax: 727-532-4334
www.oakhurstsigns.com

**EXISTING SIGN**

- Keeping the pole from existing sign
- Removing existing pole cover and sign cabinets
- Installing new, smaller sign cabinet over existing support pole
- Proposed sign is smaller in area and overall height has been reduced



OAKHURST SIGNS

PROJECT NAME:	Park On The Square
DATE:	09-05-13
SALES CONTACT:	Josh Buttitta 813-810-3389
JOB NUMBER:	A090513W

- SW 7068
Grizzle Gray
- SW 6102
Portobello
- SW 6156
Ramie
- SW 6112
Biscuit
- SW 6930
Laudable Lime
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Butterfield

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14020 Roosevelt Blvd. Suite 801
Clearwater FL 33762 - 727-532-8255
Fax: 727-532-4334
www.oakhurstsigns.com

1704 - 1000

N 89°45'00" E 500.00'(F)

380.00'(D)

BUILDING "A"

MARKET 6 BLDG

120.00'(F)

13.20'

4.85'

SETBACK FROM SIGN TO R.O.W.

14'-0"

15'-6"

12'-10"

1'-1"

EXISTING SIGN POST

S 89°45'00" W 120.00'

R/W

S 89°45'00" E 125.00'

S 89°45'00" W 29.96'(F) 30.00'(D)

25'

TJB

60' ACCESS EASEMENT

60'

25'

R/W

UNIVERSITY PARKWAY

407'-7"

SEE CURVE DATA ABOVE

END OF EASEMENT PER J.E. HALL

TBM 7-77A

SOUTH SIDE OF 18" PINE TREE

ELEVATION 89.93

OF WATER

JURISDICTIONAL METEOROLOGICAL

BUILDING "A"

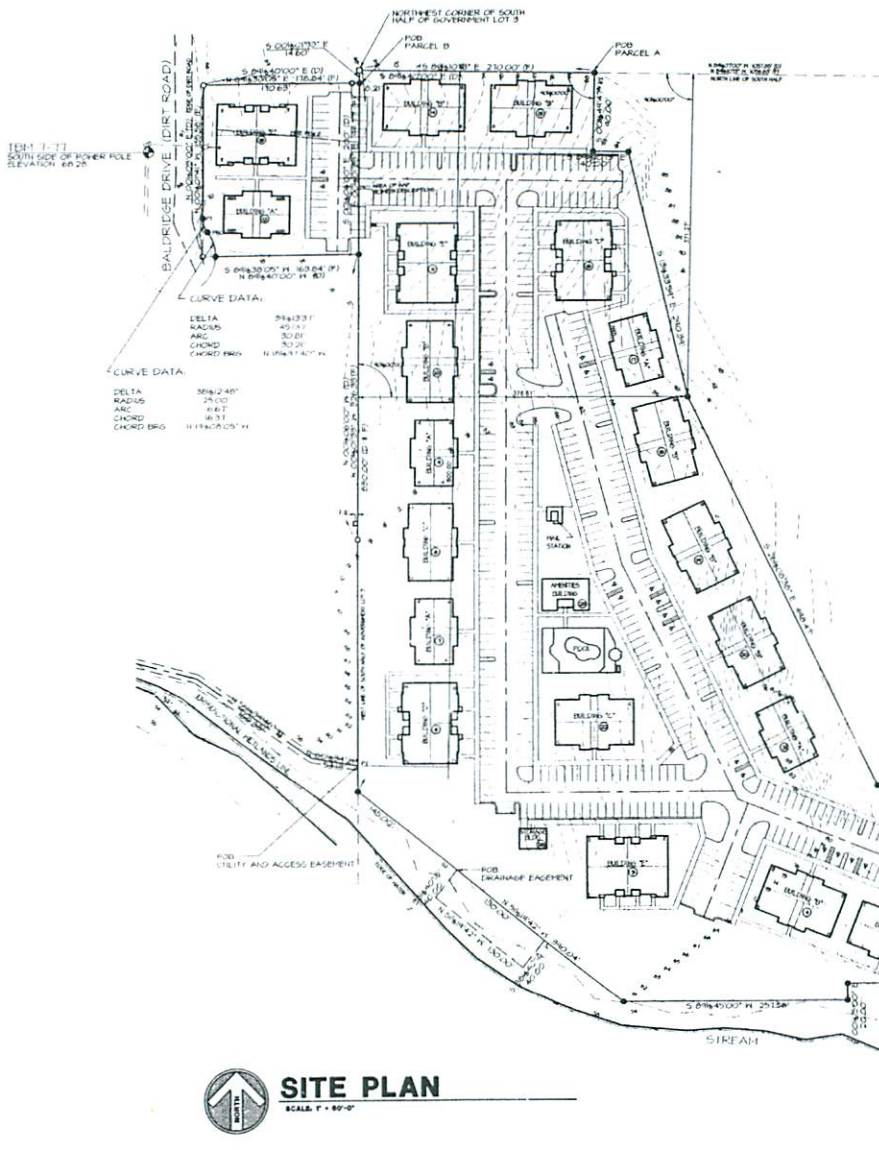
BUILDING "D"

201.33'

11.25'

5 00' 15 00" E

5 45' 00" W 185.25'



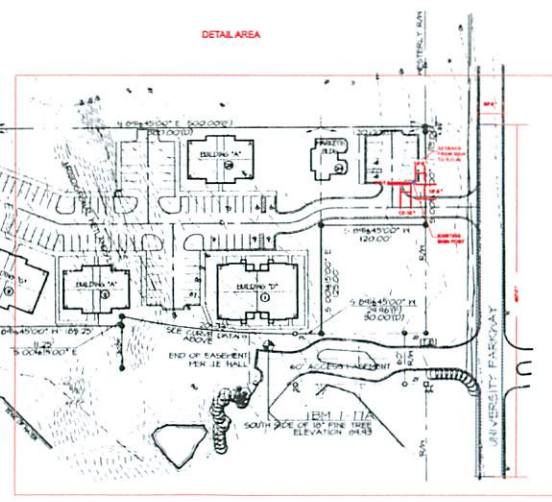
CURVE DATA:

DELTA 364.133°
 RADIUS 40.11'
 ARC 30.01'
 CHORD 30.01'
 CHORD BEG. 11.0411147° N

CURVE DATA:

DELTA 364.240°
 RADIUS 25.11'
 ARC 8.81'
 CHORD 8.81'
 CHORD BEG. 11.1160055° N

SITE PLAN
 SCALE: 1" = 50'-0"



NOT TO SCALE

PROJECT COMPOSITION															
BUILDING NO. / TYPE	NO. OF UNIT TYPES						GROSS SQ. FT.								
	1A UNIT 1 DR / 1 B 102 SF	1AHP UNIT 1 DR / 1 B HARDSCAP 102 SF	1B UNIT 2 DR / 2 B 176 SF	1C UNIT 2 DR / 1 B 102 SF	1D UNIT 2 DR / 2 B 102 SF	1E UNIT 3 DR / 2 B 1404 SF									
17 D									10260						
27 A									1111						
37 C									1111						
47 B									1111						
57 E									1111						
67 D									1111						
17 A	12								12384						
87 C									12384						
17 A	12								12384						
107 B			12						14112						
117 E									14112						
127 A		4							14112						
137 E									14112						
147 B			12						14112						
157 B									14112						
167 D									14112						
177 A		1							14112						
187 B			12						14112						
197 B									14112						
207 B									14112						
217 A									14112						
227 C									14112						
237 A									14112						
247 A									14112						
TOTAL	37	5	42	12	24	24			111111						
BY TYPE	51 A	2 B	37 B	14 B	10 B	10 B			100 A						
SUPPORT BUILDINGS															
BUILDING NO.	DESCRIPTION						GROSS SQ. FT.								
24	HARBORING BUILDING						1000								
25	APARTMENT BUILDING						144								
26	STORAGE BUILDING						100								
27	MAIL STATION						100								
TOTAL							1444								
TOTALS															
TOTAL GROSS SQ. FT. - UNITS							111111								
TOTAL GROSS SQ. FT. - SUPPORT BUILDINGS							1444								
TOTAL GROSS SQ. FT. - PROJECT							112555								

HARVEY GAHDLER
 ARCHITECT

300 WALLER LANE
 MOBILE, ALABAMA 36608
 TELEPHONE (334) 847-1471

UNIVERSITY APARTMENTS
 PROJECT NO. 10000

REVISIONS
 NO. DATE REMARKS

SHEET TITLE
 SITE PLAN

JOB NO. 8701
 DATE 8/18/97
 DRAWN BY LCA
 CHECKED BY JMM
 SHEET

C-1

ST. NO. 01

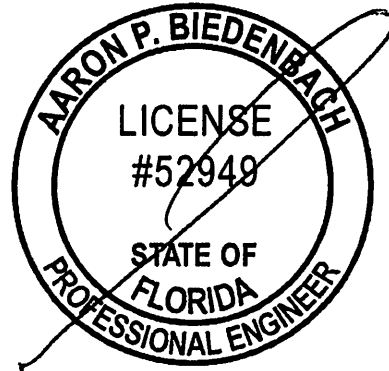
EnCon Services, Inc.

Sign Design Calculations

Job Description
Park on the Square
9009 University Parkway
Pensacola, FL
Sign Cabinet replacement
Design per 2010 Florida Building Code
ASCE 7-10, Load Case = 0.6W + D

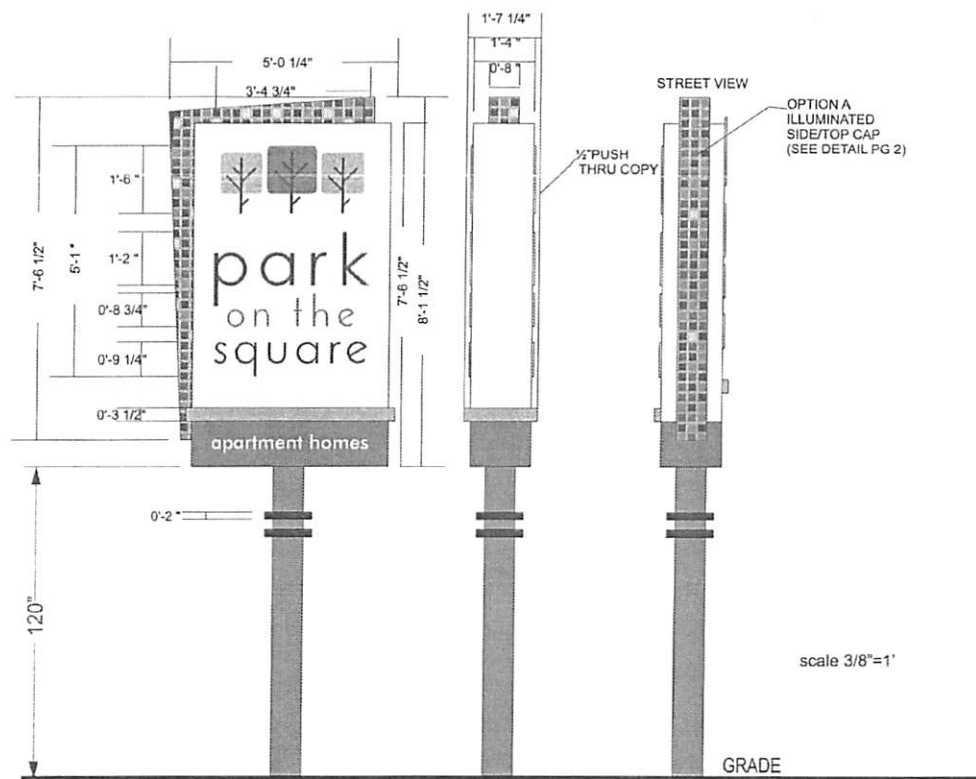
PREPARED BY:
EnCon Services, Inc., FLEB #9394
2272 Jaudon R Dover, FL 33527
813-655-3373

DATE SIGNED: 11/14/2013



Risk Category II

Kzt	1
Exposure	C
Kd	0.85
Kz	0.9
V	160 mph
Cf	1.76
G	0.85
Number of Poles	1
Wind Pressure (PSF)	75



PROPOSED SIGN

SCOPE OF WORK:
 REMOVE EXISTING POLE COVER AND SIGN CABINETS
 INSTALL NEW SMALLER SIGN CABINET OVER EXISTING SUPPORT POLE
 PROPOSED SIGN IS SMALLER IN AREA AND OVERALL HEIGHT HAS BEEN REDUCED, RESULTANT FORCES ON EXISTING STRUCTURE AND FOUNDATION HAVE THEREFORE BEEN REDUCED.



EXISTING SIGN

- SW 7068 Grizzle Gray
- SW 6102 Portobello
- SW 6156 Ramie
- SW 6112 Biscuit
- SW 6930 Laudable Lime
- SW 6676 Butterfield



OAKHURST SIGNS
 14020 Roosevelt Blvd, Suite 801
 Clearwater FL 33762 - 727-532-8255
 Fax: 727-532-4334
 www.oakhurstsigns.com

PARK ON THE SQUARE
 9009 UNIVERSITY PARKWAY
 PENSACOLA, FL

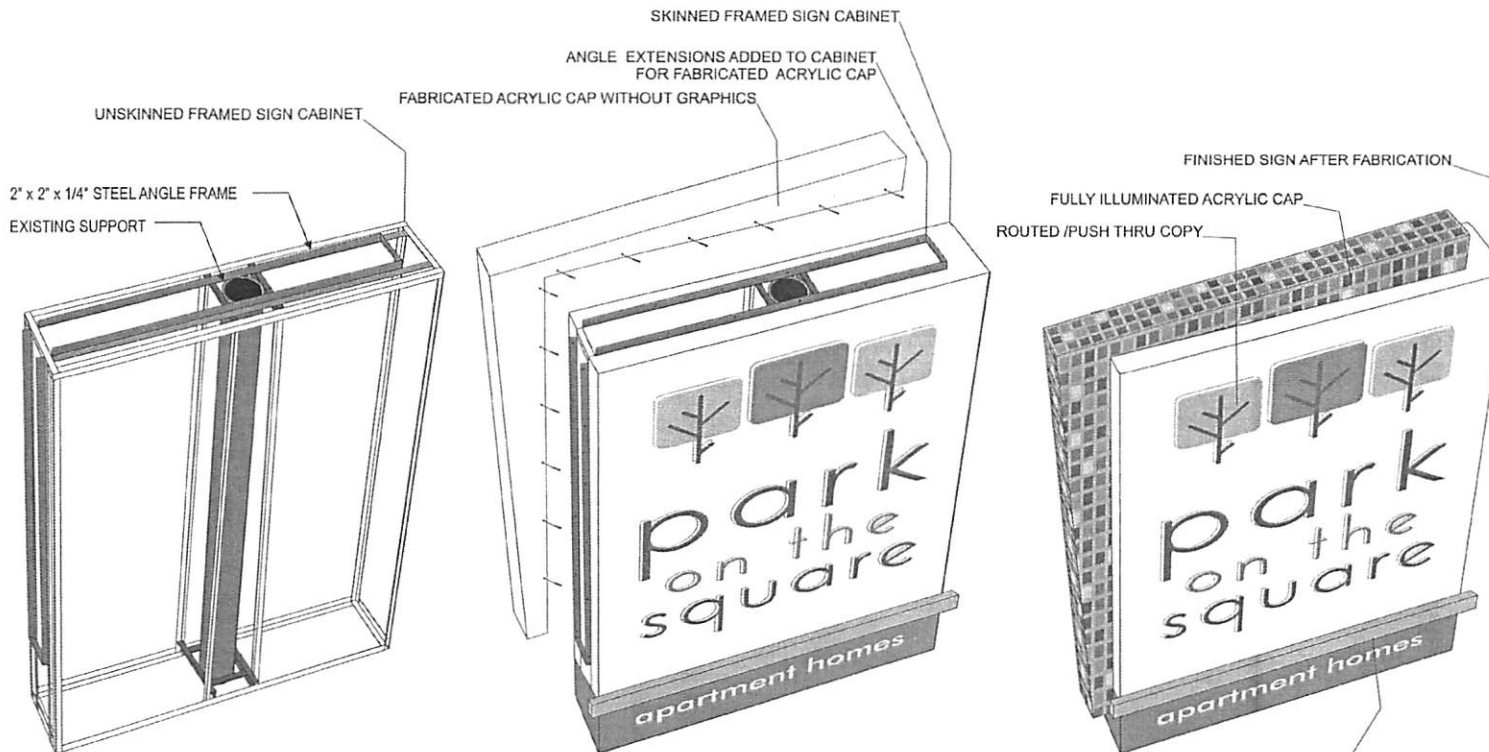
ENCON SERVICES, INC.
 2272 JAUDON ROAD
 DOVER, FL 33527
 813-655-3373, FLEB #9394
 ENCON@ME.COM

2010 FLORIDA BUILDING CODE
 SECTION 16 WIND LOAD
 ASCE 7-10
 150 MPH WIND LOAD
 RISK CATEGORY II
 EXPOSURE C

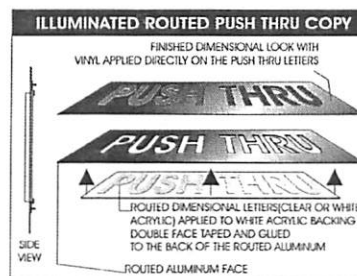
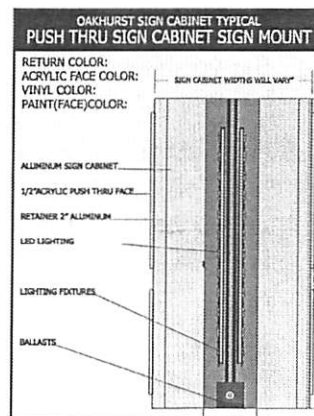


DATE SIGNED: 11/14/2013

PAGE 1 OF 2



A. 1 - LED Illuminated pole sign :
60.25" x 97.5" double-sided, all
aluminum construction,
with illuminated push thru copy
and custom acrylic illuminated
side/top cap with faux tile illumination
Pole enhancements added also



EXTERNAL RULE LINE

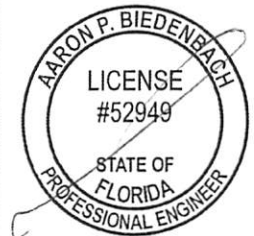


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Clearwater FL 33762 - 727-532-8255
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PARK ON THE SQUARE
9009 UNIVERSITY PARKWAY
PENSACOLA, FL

ENCON SERVICES, INC.
2272 JAUDON ROAD
DOVER, FL 33527
813-655-3373, FLEB #9394
ENCON@ME.COM

2010 FLORIDA BUILDING CODE
SECTION 16 WIND LOAD
ASCE 7-10
150 MPH WIND LOAD
RISK CATEGORY II
EXPOSURE C



DATE SIGNED: 11/14/2013

PAGE 2 OF 2

LETTER OF AUTHORIZATION

Date: 10 / 31 / 2013

To whom it may concern:

This letter is to grant written authorization to Oakhurst Signs or their authorized agent to act on our behalf in all manners relating to application and retrieval for pulling a permit for


Park on The Square
Property Name

9009 University Parkway
Street Address

PENSACOLA, FL 32514
City, State, Zip

Any and all acts carried out by Oakhurst Signs on our behalf shall have the same affect as acts of our own.

Sincerely,


Property Owner Signature

FRANCIS J. LAIRD, LLC
Property Owner Name

EATON SQUARE HOLDINGS, LLC
Company Name

The foregoing instrument was acknowledged before me on this 1 day of NOVEMBER 2013

Notary signature: 





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

**EATON SQUARE HOLDINGS LLC
C/O DUNCAN HILLSLEY CAPITAL LLC
7900 GLADES RD SUITE 260
BOCA RATON, FL 33434**

In accordance with the Americans with Disabilities Act, persons needing special accommodation or an interpreter to participate in the public hearing should contact County Administrator's Office at 595-4947 at least seven days prior to the date of the hearing. If you have any questions, please contact the Development Services Department at 595-3475.



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

**STEUDLEIN WANDA B GRIMES
9201 BALDRIDGE RD
PENSACOLA, FL 32514**

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

**BARRACLOUGH HARRY P SR & GLADYS R
9111 BALDRIDGE RD
PENSACOLA, FL 32514**

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

**UNIVERSITY TOWN CENTER 1640 LLC
C/O KIMCO REALTY CORP
3333 NEW HYDE PARK RD STE 100
NEW HYDE PARK, NY 11042**

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

SMITH CHIROPRACTIC CLINIC INC
9013 D UNIVERSITY PKWY
PENSACOLA, FL 32514

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

LUDLAM JEWELL S TRUSTEE &
8584 HIGHWAY 85 N
LAUREL HILL, FL 32567-2324

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

UNIVERSITY PARKWAY DEVELOPERS
120 E MAIN ST STE A
PENSACOLA, FL 32502-6096

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

HALL JOHN E JR
2840 ENDOR RD
PENSACOLA, FL 32503

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



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

EDEN POINTE LLC
PO BOX 450233
ATLANTA, GA 31145

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

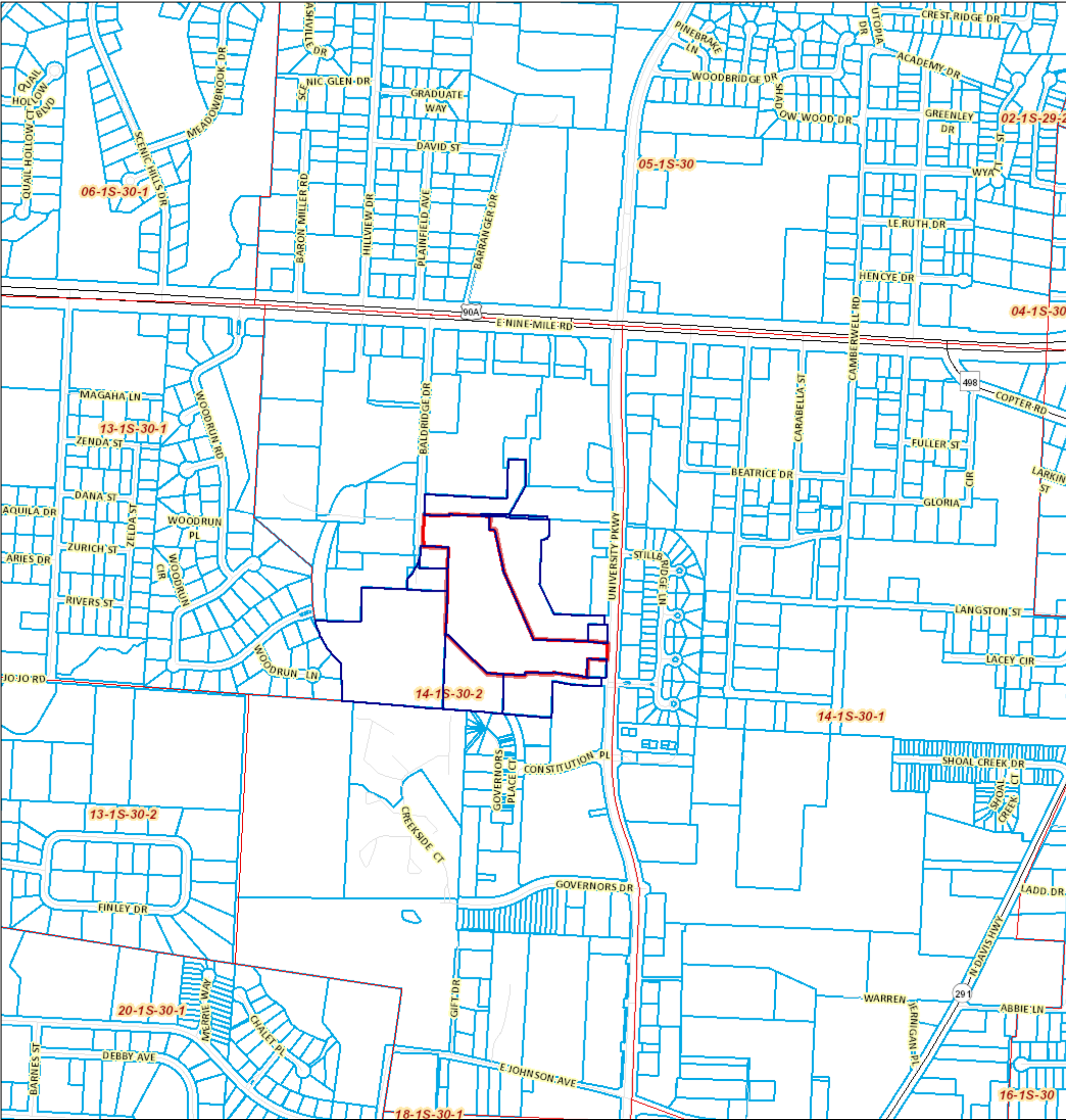


Escambia County
Development Services Department
3363 West Park Place
Pensacola, FL 32505

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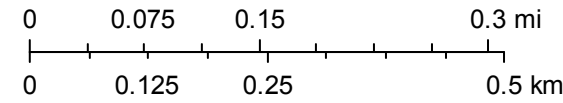
Chris Jones Escambia County Property Appraiser



December 20, 2013

1:7,951

- Map Grid
- City Road
- County Road
- Interstate
- State Road
- US Highway
- All Roads
- Property Line





Project: Park on the Square
9009 University Parkway
Pensacola FL 32514

Attention Growth Management Department:

This is to grant written authorization to Tiffany Lyons to act on my behalf to apply to the municipality of Escambia County for a sign and/or electrical permit for the work to be performed at the address & project referenced above. Tiffany Lyons is also the authorized agent for the purpose of obtaining any variances required to erect signage for the above named project.

Sincerely,


Richard J. Bantén Jr. ES12000566

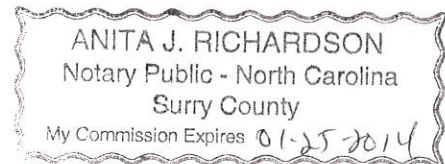
STATE OF North Carolina COUNTY OF Surry

The foregoing instrument was acknowledged before me this 18th day of June 2013 by Richard J. Bantén Jr. who is personally known to me/who produced as identification and who did not take an oath.

State of NC County of Surry
Commission # _____

Anita J. Richardson
(Notary)

My Commission Expires: January 25, 2014





Development Services Department
Building Inspections Division
3363 West Park Place
Pensacola, Florida, 32505
(850) 595-3550
Molino Office - (850) 587-5770

RECEIPT

Receipt No. : **596897**

Date Issued. : 12/26/2013

Cashier ID : KLHARPER

Application No. : PBA131200042

Project Name : V-2014-01

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
-------------------	--------------------	-------------	---------

Credit Card

V-6187	\$423.50	App ID : PBA131200042
	\$423.50	Total Credit Card

Received From : TIFFANY LYONS ELITE IMAGES ADVERTISING CONSULTANTS

Total Receipt Amount : **\$423.50**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
---------------	-----------	-------------	---------	-------------

PBA131200042	688743	423.50	\$0.00	9009 UNIVERSITY PKWY, PENSACOLA, FL
--------------	--------	--------	--------	-------------------------------------

Total Amount :	423.50	\$0.00	Balance Due on this/these Application(s) as of 12/26/2013
-----------------------	---------------	---------------	--