

AGENDA
ESCAMBIA COUNTY BOARD OF ADJUSTMENT
March 19, 2014–8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Swearing in of Frederick J. Gant to the Board of Adjustment.
3. Swearing in of Staff and acceptance of Staff as expert witnesses.
4. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.
5. Proof of Publication and waive the reading of the legal advertisement.
6. Approval of the February 19, 2014 Resume' Minutes.
7. **Consideration of the following cases:**
 1. **Case No.: AP-2012-01**
Address: 7253 Plantation Rd
Requested Remanded Appeal of the Denial of Change of Use Permit
Appeal: #PLU120300315 (Based on Planning Board Interpretation # 2012-01)
 2. **Case No.: V-2014-02**
Address: 4500 Baywalk Circle
Request: Scenic Highway Setback
Requested by: Donald J. Weber, Agent for Eyad Abdelqader
 3. **Case No.: CU-2014-02**
Address: 14140 River Road
Request: Conditional Use Request for a Commercial Recreational Facility
Requested by: Tom Hammond, Agent for Terra Cane, LLC
8. Discussion Items.

9. Old/New Business.

10. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, April 16, 2014 at 8:30 a.m., at the Escambia County Central Office Complex, Room104, 3363 West Park Place.

11. Adjournment.

Board of Adjustment

3.

Meeting Date: 03/19/2014

Board of Adjustment

6.

Meeting Date: 03/19/2014

Attachments

Draft Resume 02-19-14

DRAFT

RESUMÉ OF THE MEETING OF THE BOARD OF ADJUSTMENT HELD February 19, 2014

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:30 A.M. – 8:54 A.M.)

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

Absent: Frederick J. Gant

Staff Present: Kristin Hual, Assistant County Attorney
Andrew Holmer, Senior. Planner, Planning & Zoning
Juan Lemos, Senior Planner, Planning & Zoning
Debbie Lockhart, Administrative Assistant

REGULAR BOA AGENDA

1. Call to Order.
2. The swearing in of Frederick J. Gant to the Board of Adjustment will take place at the March 19, 2014 meeting.
3. Staff was sworn in by the Clerk and accepted by the Board as expert witnesses.
4. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.

Motion by Bill Stromquist, Seconded by Vice Chairman Bobby Price, Jr.

Vote: 5 - 0 Approved

Other: Kevin White (ABSENT)

Frederick J. Gant (ABSENT)

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

Motion by Vice Chairman Bobby Price, Jr., Seconded by Bill Stromquist

Vote: 5 - 0 Approved

Other: Kevin White (ABSENT)

Frederick J. Gant (ABSENT)

6. Approval of January 15, 2014 Resume' Minutes.
Kevin White arrived at 8:34 A.M.

Motion by Bill Stromquist, Seconded by Paul White, Jr.

Vote: 6 - 0 Approved

Other: Frederick J. Gant (ABSENT)

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

1. **Case No.:** CU-2014-01

Address: 2220 Parker Rd.

Request: Approval for a stable as an accessory to a principal structure for private noncommercial use.

Requested by: Ingrid Wilson, Owner

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.

The Board adopted Staff's findings-of-fact and approved the Conditional Use as requested.

Motion by Bill Stromquist, Seconded by Vice Chairman Bobby Price, Jr.

Vote: 6 - 0 Approved

Other: Frederick J. Gant (ABSENT)

8. Discussion Items.

9. Old/New Business.

10. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, March 19, 2014 at 8:30 a.m., at the Escambia County Central Office Complex, Room104, 3363 West Park Place.

11. The meeting adjourned at 8:54 A.M.

Board of Adjustment

7.

Meeting Date: 03/19/2014





DEVELOPMENT SERVICES ADMINISTRATIVE APPEAL WORKSHEET

Board of Adjustment

7. 1.

Meeting Date: 03/19/2014

I. SUBMISSION DATA:

APPLICANT: Kerry Anne Schultz, Esq., Agent for CNL Funding 2000-A, LP and C.E.J. South, Inc

DATE OF ADMINISTRATIVE DECISION: March 7, 2012

DATE OF APPEAL APPLICATION: March 12, 2012

PROJECT ADDRESS: 7253 Plantation Rd

PROPERTY REFERENCE NO.: 30-1S-30-4101-010-002

ZONING DISTRICT: C-2

FUTURE LAND USE: Commercial

III. REQUESTED APPEAL::

Appeal of the denial of Change of Use Permit #PLU120300315 (Based on Planning Board Interpretation # 2012-01)

BOARD ACTION:

The Board voted 4-2 to reverse the staff denial, finding that the action by staff was arbitrary and capricious.

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.

Attachments

Remanded AP2012-01

AP-2012-01

**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.

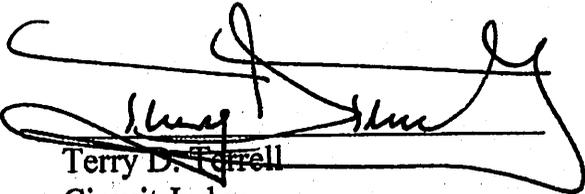
Regardless of the apparent inconsistent, previous interpretations of the LDC by Developmental Services Department staff in the past, the interpretation of the Planning Board at issue in this case was based upon the clear, unequivocal language of the LDC. The LDC expressly lists or incorporates crematories 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".

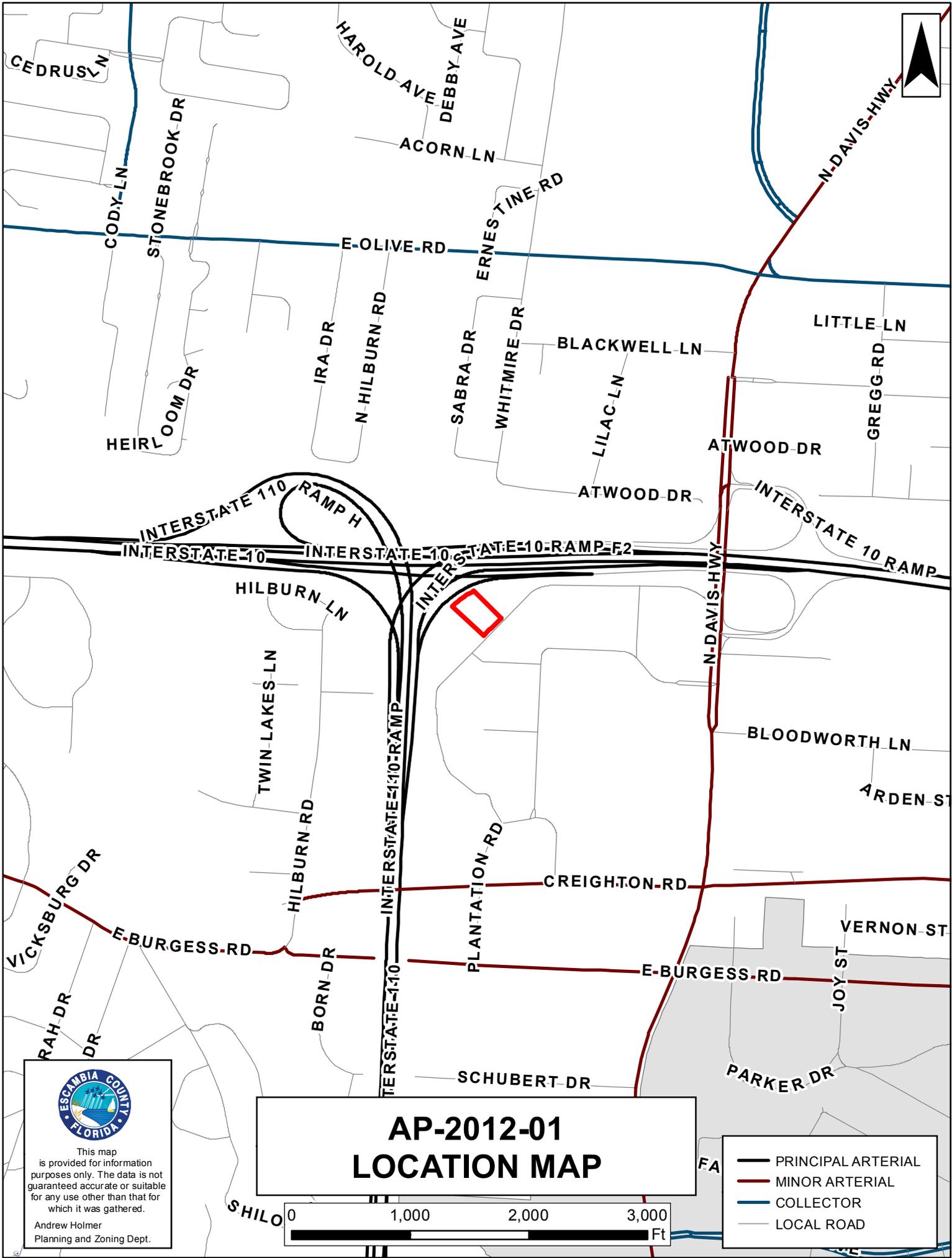
While it appears the BOA members thought the LDC should be interpreted to include crematories as a permitted or conditional use, that is an issue for the Escambia County Commission to resolve should they choose to amend the LDC. Petitioners suggest other alternatives such as an administrative application 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.

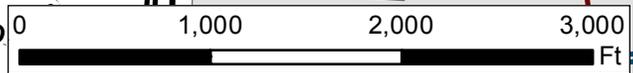
AP-2012-01




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.

AP-2012-01 LOCATION MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



R-6

R-5

R-5

INTERSTATE 10

C-2

PLANTATION RD

C-2

R-4

UNIVERSITY PLAZA DR

INTERSTATE 110

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-2012-01 500' 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

G

G

G

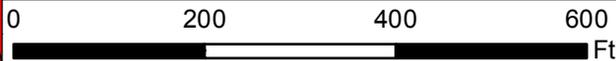
G



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-2012-01 FUTURE LAND USE



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

INTERSTATE 10

INTERSTATE 10 RAMP E

INTERSTATE 10 RAMP B2

INTERSTATE 10 RAMP B1

PLANTATION RD

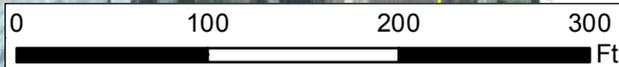
UNIVERSITY PLAZA DR



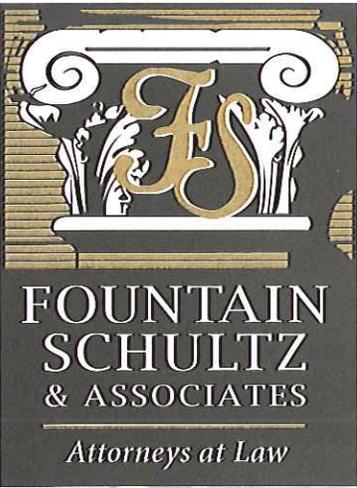
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

AP-2012-01 AERIAL MAP



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



KENNETH R. FOUNTAIN
KERRY ANNE SCHULTZ
SCOTT C. BRIDGFORD

2045 FOUNTAIN PROFESSIONAL CT.

SUITE A

NAVARRE, FLORIDA 32566

TEL: (850) 939-3535

FAX: (850) 939-3539

SANTA ROSA BEACH

TEL: (850) 622-2700

FAX: (850) 622-2722

March 13, 2012

VIA ELECTRIC MAIL (adholmer@co.escambia.fl.us)

and REGULAR U.S. MAIL

ESCAMBIA COUNTY

Development Services Department

Attention: ANDREW HOLMER

3363 West Park Place

Pensacola, Florida 32505

RE: **Subject Real Property: 7253 Plantation Road, Pensacola, Florida**
Owner: CNL FUNDING 2000-A, LP
Purchaser: C.E.J. SOUTH, INC. (Christen Jensen)

APPEAL TO THE BOARD OF ADJUSTMENTS

Dear Mr. Holmer:

I have the pleasure of representing CNL Funding 2000-A, LP, the owner of the subject property and C.E.J. South, Inc., the purchaser of the property. Please direct all future correspondence to me with respect to this Appeal.

Enclosed are the Application, Affidavit of Owner and Limited Power of Attorney, Legal Description, Deed to prove ownership, and other supporting documentation to support my clients' Appeal.

PROCEDURAL HISTORY

Christian Jensen, the owner of C.E.J. South, Inc., submitted a Zoning Verification request for property located at 7253 Plantation Road, Pensacola, Florida 32504, to the Development Services Bureau on December 20, 2011. The form was verified by Brenda L. Wilson on this same date, **who indicated that the property in question is zoned C-2 and wrote the following statement on the completed verification form: "A crematory/funeral home is allowed."**

In reliance on the above zoning verification, Mr. Jensen, on behalf of C.E.J. South, Inc., entered into a purchase agreement for said property on January 23, 2012. On or about February 3, 2012, Development Services personnel informed Mr. Jensen that a crematory would not be allowed on said property because allegedly C-2 zoning restrictions in Escambia County did not permit crematories. Consequently, Mr. Jensen and C.E.J. South, Inc., have suffered and will continue to suffer damages because of their detrimental reliance on the zoning verification by Development Services Bureau. Unless this zoning issue can be favorably resolved on or before April 18, 2012, damages to Mr. Jensen and C.E.J. South, Inc. will be irreparable.

Mr. Jensen and C.E.J. South, Inc. subsequently requested a Planning Board Interpretation of the Land Development Code for the following reasons: (1) Florida Statutes provide that crematory (i.e. cinerator) may be located at a funeral establishment provided that a licensed funeral director is responsible for the facility; therefore, (2) any zoning classification that permits a funeral home also permits a crematory provided that a licensed funeral director is responsible for the facility; and (3) there are two existing funeral homes with crematories in Pensacola, which are in areas that are zoned C-2. A more detailed discussion follows. The Planning Board denied my clients' interpretation. My clients subsequently filed an Application for Building Permit, which was denied in light of the Planning Board's Interpretation.

C-2 Zoning Classification Allows For Funeral Homes With Crematories in Escambia County

Section 497.005(14), *Florida Statutes*, defines a cinerator as "a facility where dead human bodies are subjected to cremation." Similarly, 497.606(9)(e) and (f), *Florida Statutes*, provide that a cinerator facility may be located at the same address as a funeral establishment provided that a licensed funeral director is responsible for the facility, as opposed to a direct disposer, and provided that the name of the facility and the name of the funeral director are displayed at the public entrance.

Likewise, **Escambia County Ordinance 6.05.16 paragraph B(1) provides that any use permitted in a C-1 district is also a permitted use in C-2 districts**, and funeral homes may include cinerator facilities pursuant to Florida Statutes provided that a licensed funeral director is responsible for the facility. This is consistent with the fact that there are two existing funeral homes in Pensacola with crematories that are in C-2 districts. SCI Funeral Services of Florida, Inc. d/b/a Oak Lawn Funeral Home is located at 619 New Warrington Road, Pensacola, Florida 32506, and has operated a crematory at that facility for many years. Trahan Mortuary Services, Inc. recently opened a facility with a crematory at 430 Beverly Parkway, Pensacola, Florida 32505. To the extent that these funeral home are operating with cremetatories substantiates the position that my clients should also be permitted to do so as the Ordinance must be applied uniformly.

The Development Services Bureau questioned whether crematories are allowed in C-2 districts for the following reasons. Crematoriums are conditional uses in R-5 districts [Esc. Ord. 6.05.12 (D)2]. Conditional uses in R-6 districts include any conditional use allowed in a R-5 District. [Esc. Ord. 6.05.13 (C)1]. Conditional uses in C-1 districts include any conditional use allowed in a R-6 District. [Esc. Ord. 6.05.14 (C)1]. However, Esc. Ord. 6.05.16 (B)1 provides that "any use permitted in the C-1 district" is a permitted use in a C-2 district and does not provide for any conditional use allowed in a C-1 district.

It is important to note that the language used in Esc. Ord. 6.05.16 (B)1 is very different from the language used in Esc. Ord. 6.05.12 (D)2, Esc. Ord. 6.05.13 (C)1, and Esc. Ord. 6.05.14 (C)1. Esc. Ord. 6.05.16 (B)1 does not provide that permitted uses in C-2 districts include any "permitted use" in a C-1 district; rather, **the ordinance provides that a permitted use in a C-2 district is any use "that is permitted," (which implies any use that is allowed) in a C-1 district.** Consequently, it appears that since crematoriums are permitted or allowed in C-1

districts, they should be permitted or allowed in a C-2 district. However, this entire line of reasoning is irrelevant because it ignores the fact that "funeral homes" are specifically identified as "permitted uses" in C-1 districts, and C-2 districts include any "permitted use" in a C-1 district. Since funeral homes may include crematoriums pursuant to Florida Statutes, crematories, which are located at the same address as the funeral home, are a "permitted use" in C-2 districts.

To apply the law differently to my clients is a gross injustice when other funeral homes with crematories operate in the same zoning classification. I trust that the Board of Adjustments will grant my clients' Appeal and allow my clients to proceed with the change of use from a restaurant to a funeral home with crematory.

Please advise if you have any questions, concerns or further instructions. Thank you for your consideration.

Very truly yours,

FOUNTAIN, SCHULTZ & ASSOCIATES, P.L.



Kerry Anne Schultz, Esq.

KAS: mae

cc: clients (via electronic mail)

Michael Carro (via electronic mail)

Enclosures as stated

APPLICATION

Please check application type:
[] Conditional Use Request for:
[X] Administrative Appeal
[] Variance Request for:
[] Development Order Extension
[] Rezoning Request from: to:

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

Owner(s) Name: CNL FUNDING 2000-A, LP Phone: 850-939-3535 (Attorney)

Address: 450 South Orange Avenue, 11th Floor, Orlando, Florida 32801 Email: kaschultz@fountainlaw.com

[X] 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: 7253 Plantation Road, Pensacola, Florida

Property Reference Number(s)/Legal Description: 301S30410101002

**Legal Description attached hereto as Exhibit "A"

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 (handwritten signature) Printed Name Owner/Agent: Kerry Anne Schultz, Esquire Date: 3/13/12

Signature of Owner Printed Name of Owner Date

STATE OF COUNTY OF

The foregoing instrument was acknowledged before me this 13th day of March 2012 by

Personally Known [] OR Produced Identification []. Type of Identification Produced:

Signature of Notary (handwritten signature) (notary seal must be affixed)

Printed Name of Notary: Pamela J. Burns



PAMELA J. BURNS NOTARY PUBLIC STATE OF FLORIDA Comm# DD0933154 Expires 10/14/2013

FOR OFFICE USE ONLY
CASE NUMBER: AP-2012-01
Meeting Date(s): 4-18-01 Accepted/Verified by: KA Date: 3/8/12
Fees Paid: \$ 560.00 Receipt #: 551072 Permit #: PBA120300009

DR BK 4598 P60578
Escambia County, Florida
INSTRUMENT 2000-765247

DEED DOC STAMPS PD @ ESC CO \$11482.10
08/28/00 ERNIE LEE MORRIS, CLERK

By: *[Signature]*

15.00
11482.10

PREPARED BY ~~AND RETURN TO~~

Dale A. Burket, Esquire
Lowndes, Drosdick, Doster,
Kantor & Reed, P.A.

c/o Keren Baki
LandAmerica NCS
3922 Coconut Palm Dr., Suite 102
Tampa, FL 33619



RECORD AND RETURN TO:
LANDAMERICA SERVICE CENTER
10550 DEERWOOD PARK BOULEVARD, SUITE 300
JACKSONVILLE, FL 32256

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and executed as of the 24 day of July, 2000, by CNL APF PARTNERS, LP, a Delaware limited partnership, whose address is 450 South Orange Avenue, Orlando,, Florida 32801 (hereinafter referred to as the "Grantor") to CNL FUNDING 2000-A, LP, a Delaware limited partnership, whose address is 103 Foulk Road, Suite 202, Wilmington, Delaware 19803 (hereinafter referred to as the "Grantee").

Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) to Grantor in hand paid by Grantee, the receipt of which is acknowledged, has granted, bargained, and sold to Grantee, and Grantee's heirs and assigns forever that certain piece, parcel or tract of land situated in Escambia County, Florida more particularly described on Exhibit "A" (hereinafter referred to as the "Property"), together with all of Grantor's right, title and interest as landlord or lessor in and to any and all leases or rental agreements pertaining to the Property, and all of the rights, benefits and privileges of the landlord or lessor thereunder, including without limitation any and all of Grantor's right, title and interest in and to any and all security deposits and rentals thereunder, to have and to hold the described property to Grantee and Grantee's successors and assigns, forever, and Grantor does fully warrant the title to the land conveyed, and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

Mail all tax statements directly to CNL FUNDING 2000-A, LP at 103 Foulk Road, Suite 202, Wilmington, Delaware 19803.

[Signatures on Next Page]

15.00

11,482.10

IN WITNESS OF THE ABOVE, Grantor has executed this deed on the date first written above.

Signed, sealed and delivered in the Presence of:

CNL APF PARTNERS, LP, a Delaware limited partnership

[Signature]
Name: Zandra M. Maltindale

By: CNL APF GP CORP., a Delaware corporation as general partner

[Signature]
Name: Tanya Mantlo

By: [Signature]
Name: MICHAEL WOOD
Its: EXECUTIVE VICE PRESIDENT

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me on the 24 day of July, 2000, by MICHAEL WOOD, as EXECUTIVE VICE PRESIDENT APF GP CORP., a Delaware corporation, on behalf of the corporation as general partner of CNL APF Partners LP, a Delaware limited partnership. He/She is personally known to me and did not take an oath.

[Signature]
Notary Signature

Virginia S. Williams
Printed Name: Virginia S. Williams
Notary Public, State of Florida
Commission Number: CC699665
My Commission Expires: December 2, 2001

DR BK 4598 PG0580
Escambia County, Florida
INSTRUMENT 2000-765247

RCD Aug 28, 2000 08:40 am
Escambia County, Florida

Ernie Lee Magaha
Clerk of the Circuit Court
INSTRUMENT 2000-765247

Commencing at the northwesterly corner of Parcel G, Plantation Park, as recorded in Plat Book 10, page 88, of the public records of Escambia County, Florida, and considering the West line of Parcel G to bear South 01 degree 18 minutes 00 seconds West and all bearings contained herein relative thereto said point lying on the curved southerly right of way line of Plantation Road (60 foot right of way); thence southwesterly along a curve concave to the southeast (radius of 247.04 feet) through a central angle of 23 degrees 45 minutes 07 seconds for an arc distance of 102.41 feet to a point of tangency; thence North 47 degrees 03 minutes 40 seconds West a distance of 60.00 feet; thence South 42 degrees 56 minutes 20 seconds West a distance of 253.54 feet to the point of beginning; thence South 42 degrees 56 minutes 20 seconds West a distance of 225.00 feet; thence North 47 degrees 03 minutes 40 seconds West a distance of 365.22 feet to a point on the curved southerly right of way of Interstate Highway I-10, then easterly along said right of way on a curve concave to the southeast (radius of 879.93 feet) through a central angle of 14 degrees 55 minutes 22 seconds for an arc distance of 229.17 feet; thence South 47 degrees 03 minutes 40 seconds East a distance of 325.19 feet to the point of beginning, lying in Section 30, Township 1 South, Range 30 West, Escambia County, Florida.

Bennigan's Pensacola, FL
NCS Case No. 00-000264
URN: 761-042959 TPW: 190

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 7253 Plantation Road, Pensacola, Florida 32504,
 Florida, property reference number(s) 301S304101010002

I hereby designate Kerry Anne Schultz, Esquire 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) Appeal on the above referenced property.

This Limited Power of Attorney is granted on this 1st day of March the year of,
2012, 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.

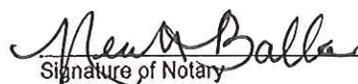
Agent Name: Kerry Anne Schultz, Esquire Email: kaschultz@fountainlaw.com
 Address: 2045 Fountain Professional Court, Navarre, FL Phone: 850-939-3535

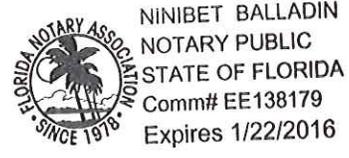
<u></u> Signature of Property Owner	<u>Kenneth R. Heimlich</u> Printed Name of Property Owner	<u>3/6/12</u> Date
_____ Signature of Property Owner	_____ Printed Name of Property Owner	_____ Date

STATE OF Florida COUNTY OF Orange

The foregoing instrument was acknowledged before me this 7th day of March 2012,
 by Kenneth R. Heimlich.

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

<u></u> Signature of Notary	<u>Ninibet Balladin</u> Printed Name of Notary	(Notary Seal)
-------------------------------------------------------------------------------------------------------------------	---------------------------------------------------	---------------





Development Services Bureau
Escambia County, Florida

For Office Use Only
Invoice # _____
Fee \$ <u>\$25.00</u>

ZONING VERIFICATION REQUEST FORM

Requestor's Information	Requestor/Agent Name: <u>CHRIS JENSEN / MIKE CARRO</u>		Date: <u>12/20/11</u>
	Phone #: <u>850-814-4476</u>	Fax #: _____	Escrow Account # (if applicable): _____
	Property Address: <u>7253 PLANTATION RD</u>		
	Property Reference #: <u>30-15-30-4101-010-002</u>		
	Property Reference # can be obtained from the Property Appraiser's Office at 434-2735 or at www.escpa.org		
	Tax Acct #: <u>03-2151-797</u>	Property Owner's Name: <u>G.E. Capital</u>	
<p>This verification relates to zoning for the specified property and is provided for information purposes only. This form DOES NOT imply or confer development rights for any desired use or activity on the specified parcel. Prior to the issuance of any permits, the applicant must submit a complete application to the County and must comply with all other applicable State and Local Regulations. Requestor, please sign below verifying that you have read and understand, and accept, this disclaimer:</p>			
SIGNATURE <u>[Signature]</u>			Date: <u>12/20/11</u>

OFFICE USE ONLY	Is parcel a Lot of Record? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If No, issue must be resolved before any permits can be issued.		
	Zoning District: <u>C-2</u>	Future Land Use Category: <u>C</u>	Zoning Overlay District: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, check one: Barrancas <input checked="" type="checkbox"/> Brownsville <input type="checkbox"/> Scenic Hwy <input checked="" type="checkbox"/> Warrington <input type="checkbox"/>
	Wetlands located on property? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
	Property in a Flood Zone? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Flood Zone <u>X</u> Base Flood Elevation _____ Map # _____		
	Property in an Airport/Airfield Environ? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, complete the section below:		
	Airfield/Airport	Airfield Influence Planning District AIPD-1 () AIPD-2 ()	Noise Zone
	NAS Pensacola _____ NOLF Saufley _____ NOLF 8 _____ Pensacola Regional: _____ PNSPD <input checked="" type="checkbox"/> Heights Zone <u>350</u>	AIPD-1 & Accident Potential Zone (APZ) Areas Clear Zone () Area A () APZ-1 (NASP) () APZ-1 () Area B () APZ-2 (NASP) () APZ-2 ()	AIPD PNSPD Zone 1 <input checked="" type="checkbox"/> A () Zone 2 <input checked="" type="checkbox"/> B () Zone 3 <input checked="" type="checkbox"/> C () Not in noise zone ()
	Verified by: <u>Brenda J. Wilson</u>		Date: <u>12-20-2011</u>
<input checked="" type="checkbox"/> In-office/Pickup		<input type="checkbox"/> Faxed <input type="checkbox"/> Mailed	

Real Estate Disclosure Form

Note: Payment must be collected prior to processing. Requests may be paid by cash, check, using an established escrow account or by credit card (Visa or MasterCard only).

Note: Check the address carefully before submitting a zoning request. If we receive an inquiry for property that is in the City of Pensacola, Santa Rosa County, or other jurisdiction, the processing fee will still be charged to cover administrative costs.

A crematory / General Home is allowed. You will need to follow up with the Development Review (DRG) or A.D.A.

Bo going thru

PAGE 1 OF 1
3300 NORTH PACE BOULEVARD, SUITE 300 • PENSACOLA, FLORIDA 32506
850-595-3632 FAX: 850-595-3557

PLU 120300315



BUILDING PERMIT NO.: _____
PARCEL ID NO.: _____
DRC No.: _____
Tank/Sewer No.: _____
Project Name: _____

Application For Building Permit
2007 Florida Building Code

DATE: February 29, 2012

LOCATION OF IMPROVEMENTS	Job Address: 7253 Plantation Road, Pensacola, Florida	CONTRACTOR INFORMATION	Contractor: NA
	CONSTRUCTION COSTS: \$ Unknown		Address: _____
TYPE OF IMPROVEMENT	OWNER: CNL Funding 2000-A, LP	City: _____	State: _____ Zip Code: _____
	ADDRESS: 450 South Orange Avenue, 11th Floor Orlando, Florida 32801	Phone: _____	Fax: _____
	Phone: _____	Email: _____	
	Fax: _____		
ARCHITECT ENGINEER	Name: NA	MORTGAGE LENDER	Name: NA
	Address: _____		Address: _____
	Phone: _____		Phone: _____
{ } New <input checked="" type="checkbox"/> Addition <input checked="" type="checkbox"/> Alteration { } Repair { } Replace { } Demolition <input checked="" type="checkbox"/> Change of Occupancy: FROM Restaurant TO FUNERAL HOME WITH CREMATORY Structure Type: <input checked="" type="checkbox"/> Commercial { } Residential 1 or 2 Units { } Residential 3 or more units WIDTH _____ LENGTH _____ HEIGHT _____ NO. FLOORS _____ NO. UNITS _____ FTP in/SQ. FT _____ UNDER ROOF/SQ. FT _____ SQs/SHINGLES _____ Description of Work: Interior remodel and construction of 20 x 20 metal garage to the rear exterior			
Fee Simple Titleholder's Name & Address (if Other than Owner) _____ Bonding Company & Company Address: _____			

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work has been commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit may be required for all ELECTRICAL, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, AIR CONDITIONERS, HEATING, AND VENTILATING SYSTEMS, ELEVATORS, ESCALATORS AND TRANSPORTING ASSEMBLINGS, GAS, SPRINKLER, ROOFING AND INSTALLATIONS, ETC. OWNER'S AFFIDAVIT: I certify that the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning. WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AT THE ESCAMBIA COUNTY CLERK OF COURTS AND A CERTIFIED COPY FILED AT THE BUILDING INSPECTIONS DIVISION, BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. If you are not the owner of the property being permitted, by signing this application, you hereby certify that you are the authorized agent of the owner. Furthermore, you must, by law, promise to inform the owner that the property in question is being subjected to possible liens and/or attachment, and must deliver all forms and notices required by law to the owner.

Signature of Owner or Agent: Kenneth R. Helmlich Date: 2/27/12 Signature of Contractor: _____ Date: _____
Kenneth R. Helmlich Contractor's License No.: _____

Notary as to Owner or Agent: STATE OF FLORIDA/COUNTY OF Orange
Sworn to and subscribed before me this 27th day of February, 2012,
by Kenneth R. Helmlich who is not personally known to me or who has produced n/a as identification.
Signature of Notary: Jocelyn Mennenga Comm. Expires: 10/16/13
Notary as to Contractor: STATE OF FLORIDA/COUNTY OF _____
Sworn to and subscribed before me this _____ day of _____, 20____,
by _____ who is/ is not personally known to me or who has produced _____ as identification.
Signature of Notary: _____ Comm. Expires: _____
Printed Name of Notary: Jocelyn Mennenga Printed Name of Notary: _____

Form 1001
NOTARY PUBLIC-STATE OF FLORIDA
Jocelyn Mennenga
Commission # DD910944
Expires: OCT. 16, 2013
BONDED THRU ATLANTIC BONDING CO., INC

Denied, Based on Land Use Approval
revised BU 1483
PLANS REVIEW

* Land use and zoning verification denied
per Planning Board Interpretation made on
February 13, 2012
H-genev, Division Manager 3-7-12



Development Services Department

Escambia County, Florida

Request for Planning Board Interpretation of a Provision or Section of the Land Development Code

Per Article 2, Section 2.07.01 of the Land Development Code: The Planning Board, sitting as the local planning agency (LPA), shall 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 interpretation of any provision or section. Such interpretation request shall be presented at the next regular planning board meeting if the request is received by the department of growth management staff at least 20 calendar days in advance of said meeting. *

**Note: Although the request is submitted at the next regular Planning Board meeting, the actual interpretation is subject to the Planning Board's direction and may not be available until the following meeting (depending on the nature of the request and the extent of staff research required).*

Please call the office (595-3475) to make an appointment with the Planning Board Coordinator to personally discuss your request, to review the application form with you, to answer any questions you may have, and/or any possible alternatives to the request. This will prevent any unnecessary expenditures in the event that it is determined an interpretation is not needed. Fees cannot be waived and are non-refundable regardless of the interpretation. The requestor must be present at the Planning Board meeting.

An application is not considered complete until the following information is received along with the submittal fee of \$175.00. (Checks made payable to Escambia County, MasterCard & Visa are accepted)

Applicant Information:

Name: Chris Jensen as President of C.E.J. South, Inc. Date: 02/07/12

Address: P.O. Box 15306, Panama City, Florida 32406

Phone: 850-814-4476 Other: _____ Email: cjensen@knology.net

Provision and/or Section of the Land Development Code to be interpreted:

Escambia Ordinance 6.05.12, 6.05.13, 6.05.14, and 6.05.16.

Reason for the Request: (Give a description of request and include any documentation to support request.) (use additional sheets as necessary)

See attached.

Tommy G. Smith as attorney for Chris Jensen and C.E. J. South, Inc.

Applicant Signature

Date 02/07/12

Office Use Only - H:\DEV SRVCS\FOR-000 Forms\Planning Board\Planning Board Interpretation Request_08_22_11.doc

Chris Jensen, the owner of C.E.J. South, Inc., submitted a Zoning Verification Request for property located at 7253 Plantation Road, Pensacola, Florida 32504, to the Development Services Bureau on 12/20/11. The form was verified by Brenda L. Wilson on 12/20/11, who indicated that the property in question is zoned C-2 and wrote the following statement on the completed verification form: "A crematory/funeral home is allowed."

In reliance on the above zoning verification, Mr. Jensen, on behalf of C.E. J. South, Inc., entered into a purchase agreement for said property on January 23, 2012. On or about February 3, 2012, Development Services personnel informed Mr. Jensen that a crematory would not be allowed on said property because C-2 zoning restrictions, pursuant to Escambia County Ordinances, did not allow for crematories. Consequently, Mr. Jensen and C.E.J. South, Inc. have suffered and will continue to suffer damages because of their detrimental reliance on the zoning verification by Development Services Bureau. Unless this zoning issue can be favorably resolved on or before March 23, 2012, damages to Mr. Jensen and C.E. J. South, Inc. will be irreparable.

Consequently, Mr. Jensen and C.E. J. South, Inc. respectfully request a Planning Board Interpretation of a Provision or Section of the Land Development Code for the following reasons: 1) Florida statutes provide that a crematory (i.e. cinerator) may be located at a funeral establishment provided that a licensed funeral director is responsible for the facility; therefore, 2) any zoning classification that permits a funeral home also permits a crematory provided that a licensed funeral director is responsible for the facility; and 3) there are two existing funeral homes with crematories in Pensacola, which are in areas that are zoned C-2. A more detailed discussion follows.

Fla. Stat. §497.005 (14) defines a cinerator as "a facility where dead human bodies are subjected to cremation." Similarly, Fla. Stat. §497.606(9) (e) and (f) provide that a cinerator facility may be located at the same address as a funeral establishment provided that a licensed funeral director is responsible for the facility, as opposed to a direct disposer, and provided that the name of the facility and the name of the funeral director are displayed at the public entrance. Likewise, Escambia County Ordinance 6.05.16 paragraph B (1) provides that any use permitted in a C-1 district is also a permitted use in C-2 districts. Because funeral homes are a permitted use in C-1 districts, they are also a permitted use in C-2 districts, and funeral homes may include cinerator facilities pursuant to Florida Statutes provided that a licensed funeral director is responsible for the facility. This is consistent with the fact that there are two existing funeral homes in Pensacola with crematories that are in C-2 districts. SCI Funeral Services of Florida, Inc. d/b/a Oak Lawn Funeral Home is located at 619 New Warrington Road, Pensacola, Florida 32506, and has operated a crematory at that facility for many years. However, Trahan Mortuary Services, Inc. recently opened a facility with a crematory at 430 Beverly Parkway, Pensacola, Florida 32505.

Our understanding is that the Development Services Bureau questioned whether crematories are allowed in C-2 districts for the following reasons. Crematoriums are conditional uses in R-5 districts [Esc. Ord. 6.05.12 (D)2]. Conditional uses in R-6 districts include any conditional use allowed in a R-5 District. [Esc. Ord. 6.05.13 (C)1]. Conditional uses in C-1 districts include any conditional use allowed in a R-6 District. [Esc. Ord. 6.05.14 (C)1]. However, Esc. Ord. 6.05.16 (B)1 provides that "any use permitted in

the C-1 district” is a permitted use in a C-2 district and does not provide for any conditional use allowed in a C-1 district.

It is important to note that the language used Esc. Ord. 6.05.16 (B)1 is very different from the language used in Esc. Ord. 6.05.12 (D)2, Esc. Ord. 6.05.13 (C)1, and Esc. Ord. 6.05.14 (C)1. Esc. Ord. 6.05.16 (B)1 does not provide that permitted uses in C-2 districts include any “permitted use” in a C-1 district; rather, the ordinance provides that a permitted use in a C-2 district is any use “that is permitted,” (which implies any use that is allowed) in a C-1 district. Consequently, it appears that since crematoriums are permitted or allowed in C-1 districts, they should also be permitted or allowed in a C-2 district. However, this entire line of reasoning is irrelevant because it ignores the fact that “funeral homes” are specifically identified as “permitted uses” in C-1 districts, and C-2 districts include any “permitted use” in a C-1 district. Since funeral homes may include crematoriums pursuant to Florida Statutes, crematories, which are located at the same address as the funeral home, are a “permitted use” in C-2 districts.



**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.

AFFIDAVIT OF LUIS LLORENS

Before me, the undersigned authority, appeared LUIS LLORENS ("Affiant"), who, upon being duly sworn, stated as follows:

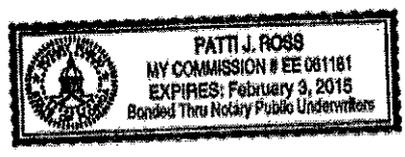
1. My name is Luis Llorens. I am over the age of 18 and have knowledge of the facts recited herein.
2. I am the President of both AI Environmental Consulting Services, Inc., a Florida corporation, and of American Incinerators Corporation, a Florida corporation, doing business as U.S. Cremation Equipment.
3. I have extensive experience and expertise in the area of human cremation. Attached hereto as Exhibit A is my curriculum vitae.
4. A crematory is a piece of equipment specifically designed to convert human remains to a gas state.
5. In a crematorium, the volatile portions of human remains are oxidized into mostly carbon dioxide and water vapor, which are the two elements that make up more than 90% of human remains. The remaining materials are sterile remains that are returned to the family of the deceased in an urn or other appropriate container.
6. Crematories are specifically designed to operate indoors and typically operate at 99.99% combustion efficiency.
7. Human crematories are not regulated at the federal level due to their essentially inconsequential impact on air quality. The Florida Department Of Environmental Protection does regulate human crematories, but does so via a general permit.
8. A typical crematory operates without smoke or odor, does not discharge waste waters, and its operation is not discernable to the average person.
9. The United States Environmental Protection Agency ("EPA") specifically investigated the issue of mercury emissions and reported the results of this study to Congress. The EPA found that the four major sources of mercury emissions are utility boilers, municipal waste combustors, commercial/industrial boilers, and medical waste incinerators. According to the EPA study, crematories statistically represent 0.0% of national mercury emissions.
10. The operation of a crematory poses no threat whatsoever to the general public and is appropriate for placement even in residential areas. The exhaust generated from vehicles traveling on a highway or interstate that is adjacent to residential or commercial areas poses a far greater threat to humans and the environment than a fully operational crematory.

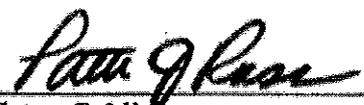

Luis Llorens

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing was acknowledged before me on this 11 day of APRIL, 2012, by Luis Llorens, who [] (s personally known) to me or who [] has produced _____ as identification.

(Seal)




Notary Public.

Luis Llorens

President – US Cremation Equipment, AI Environmental Consulting Services, Inc.
Affiliated Engineer – Grove Scientific & Engineering.

Mr. Llorens graduated from the University of Detroit with a B.S. Chemical Engineering degree in August, 1989. Prior to founding US Cremation Equipment in 2001, he was employed in various sales and technical positions at Crawford Equipment & Engineering of Orlando, Florida. Luis has worked as an Air Pollution Engineer and a Hazardous waste consultant for more than 20 years and his experience includes:

- Air Pollution Permitting (Title V)
- Hazardous Waste Consulting RCRA
- Extensive Background in Chemical Engineering
- Air Toxics Modeling and Permitting
- Emergency response consulting (CERCLA)
- Environmental Audits
- Due Diligence Audits
- Soil Remediation Projects
- EPCRA Consulting
- SWPPP
- MSDS Preparation
- Ambient Monitoring
- Stack Testing

Mr. Llorens Certifications include, Hazardous Waste Management, Environmental Auditor, Certified Visible Emissions Observer, Certified Incinerator Operator Instructor HAZWOPER 40-Hour Certified and RCRA

His professional affiliations include, the Air & Waste Management Association, National, American Institute of Chemical Engineers, Cremation Association of North America and National Funeral Directors Association among others.

In the death care industry he has been involved with approximately 1000 cremation projects.

Publications

Ferraro, B.A., , Llorens L, “Grease Laden Air & Baking Ovens” for the National Fire Protection Agency

AFFIDAVIT OF MITESH PATEL

Before me, the undersigned authority, appeared Mitesh Patel, who, upon being duly sworn, stated as follows:

1. My name is Mitesh Patel. I am over the age of 18 and have knowledge of the facts recited herein.
2. I am the Managing Member of Sai Ram Krupa, LLC, a Florida limited liability company. This company owns and operates the Americas Best Value Inn located on Plantation Road in Pensacola, Florida.
3. I am the Managing Member of Amba Sai Shakti, LLC, a Florida limited liability company. This company owns and operates the Baymont Inn located on Plantation Road in Pensacola, Florida.
4. I am aware of the proposed purchase of the real property at 7253 Plantation Road, Pensacola, Florida, and its planned future use as a funeral home with crematory.
5. Both the Americas Best Value Inn and the Baymont Inn are in the immediate vicinity of the proposed funeral home.
6. I have no objection to the proposed construction and operation of a funeral home with crematory at 7253 Plantation Road.
7. I own another hotel that is located in the vicinity of a funeral home. My experience with that hotel has been that the funeral home is a good neighbor and has generated business for my hotel by way of guests coming to the area for funerals.
8. Based on my experience, I believe that the proposed funeral home with crematory will be good for business at the Americas Best Value Inn and the Baymont Inn, and that it will be a source of potential guests who need conveniently located lodging when coming to the area for funerals.
9. Based on my experience, I have no present concerns about the health of my employees and guests in relation to the potential proximity of the Americas Best Value Inn and Baymont Inn to a funeral home with crematory,

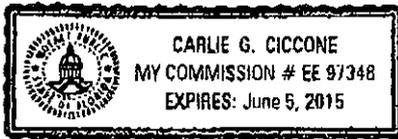
M Patel

Mitesh Patel

STATE OF FLORIDA
COUNTY OF Escambia

The foregoing was acknowledged before me on this 17th day of April, 2012, by Mitesh Patel, who is personally known to me or who has produced _____ as identification.

(Seal)



Carl G. Ciccone

Notary Public.

COMMUNICATION WORKERS OF
1621 ATWOOD DR
PENSACOLA FL 32514

JENNINGS VIVIAN R
1505 ATWOOD DR
PENSACOLA FL 32514

SAI RAM KRUPA LLC
4031 STEPHANI RD
CANTONMENT FL 32533

SIMON PROPERTY GROUP L P
ATTN HARRY SPELL PROP TAX MGMT
225 W WASHINGTON ST
PO BOX 6120
INDIANAPOLIS IN 46204

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

SERVICE PENSACOLA LLC
3300 ENTERPRISE PKWY
BEACHWOOD OH 44122

PENSACOLA SILVER SCREEN INC
PO BOX 10015
PENSACOLA FL 32524

CHAVEZ FERNANDO &
5190 MOBILE HWY
PENSACOLA FL 32526

ADX COMMUNICATIONS OF
7251 PLANTATION RD
PENSACOLA FL 32504

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

CNL FUNDING 2000-A
C/O MICHELLE CHOW BANKRKUPTCY
TRUSTEE
4115 N CENTRAL EXPY
DALLAS TX 75204

HANUMAN OM HOSPITALITY INC
2031 HESPERIA WY
PENSACOLA FL 32505

RELAX HOSPITALITY LLC
7230 PLANTATION RD
PENSACOLA FL 32504

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

TOMMY G SMITH
226 PALAFOX PLACE 9TH FLOOR
PENSACOLA FL 32502

STEVE LYON
619 NEW WARRINGTON RD
PENSACOLA FL

CHRIS JENSEN
PO BOX 15306
PANAMA CITY FL 32406

MICHAEL CARRO
4369 DIEVEREUX CIR
PENSACOLA FL 32504

BUDDY PAGE
5337 HAMILTON LN
PACE FL

DAVE HOXENG
7251 PLANTATION
PENSACOLA FL 32504

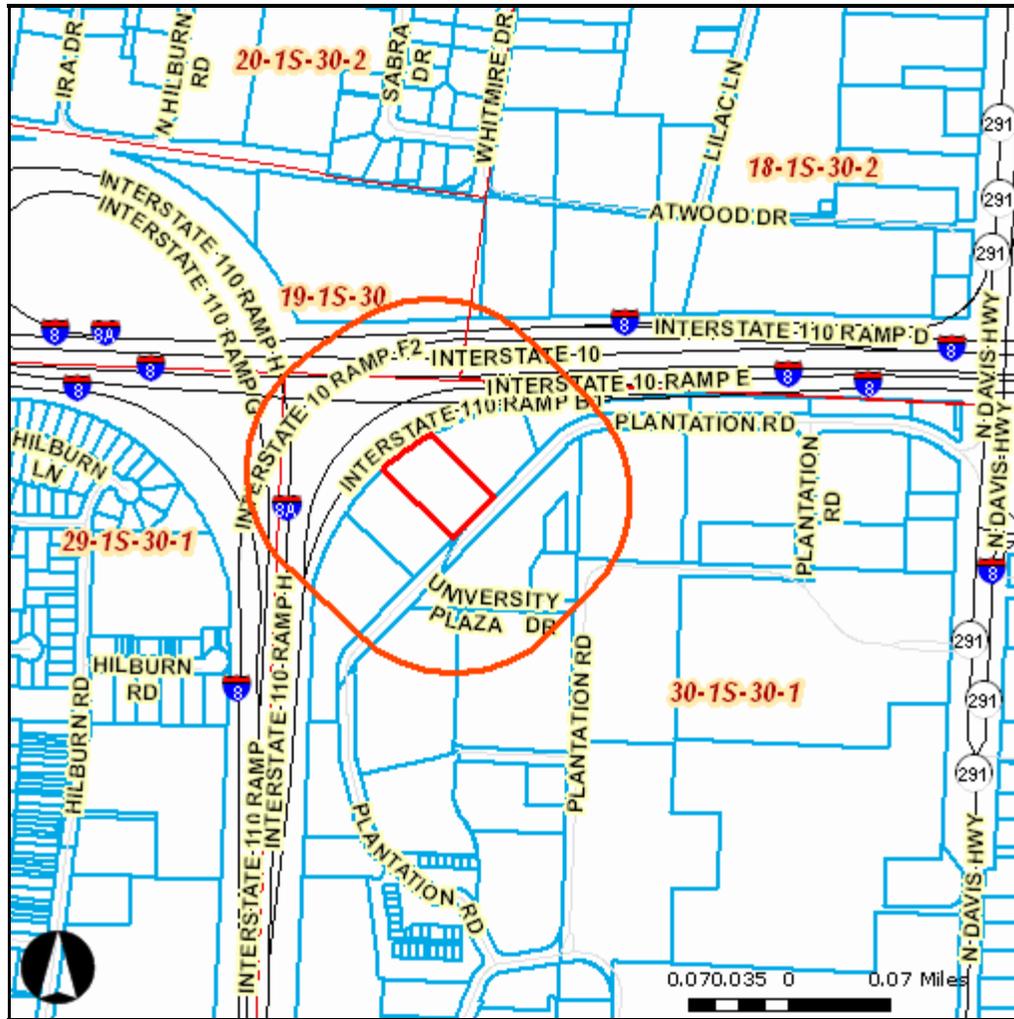
PAUL BLAKE
7230 PLANTATION RD
PENSACOLA FL 32504

RED ROOF INN
C/O MARLENE JONES
7340 PLANTATION RD
PENSACOLA FL 32504

TIMOTHY MCEVOY
812 MALDONADO DR
PENSACOLA BEACH FL 32562

AJIT PATEL
7230 PLANTATION RD
PENSACOLA FL 32504

ECPA Map



Map Grid



Major Roads

- City Road
- County Road
- Interstate
- State Road
- US Highway

All Roads



Property Line



PLEASE NOTE: This product has been compiled from the source data of the Inter-Local Mapping and Geographic Information Network (IMAGINE) project of Escambia County. The ESCAMBIA COUNTY PROPERTY APPRAISER I-MAP Service is for reference purposes only and not to be considered as a legal document or survey instrument. Relying on the information contained herein is at the user's own risk. We assume no liability for any use of the information contained in the I-MAP Service or any resultant loss.



Development Services Department

Building Inspections Division

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

RECEIPT

Receipt No. : **551072**

Date Issued. : 03/12/2012

Cashier ID : VHOWENS

Application No. : PBA120300009

Project Name : AP-2012-01

Address : 2045 FOUNTAIN PROFESSIONAL CT
Navarre, FL, 32566

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Credit Card			
	M-7528	\$560.00	App ID : PBA120300009
		\$560.00	Total Credit Card

Received From : C E JENSEN, JR / KERRY ANNE SCHULTZ FOUNTAIN, SCHULTZ & ASSOCIATES, P.L.

Total Receipt Amount : **\$560.00**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PBA120300009	644271	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 3/12/2012

Karen S. Spitsbergen

From: Kerry Anne Schultz [kaschultz@fountainlaw.com]
To: Karen S. Spitsbergen
Sent: Tuesday, April 10, 2012 8:37 AM
Subject: Read: 4.18.12 BOA Applicant Notification

Your message was read on Tuesday, April 10, 2012 8:37:15 AM (GMT-06:00) Central Time (US & Canada).



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Development Services
Department

T. Lloyd Kerr, AICP
Director

ESCAMBIA COUNTY BOARD OF ADJUSTMENT

All items with an asterisk * are required.

Please Print Clearly

*Name: Kerry Ann Schell Phone: 939-3535
*Address: 2045 Fountain Professional Court City, State, Zip: Navarre FL 32564
*Agenda Item (CASE NO.#) Series Meeting Date: 18 MAR 2012

Please check here if you wish to speak as: () Lay Person
Attorney. () 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.

Chamber Rules

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ESCAMBIA COUNTY BOARD OF ADJUSTMENT

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Please Print Clearly

*Name: Scott Bridgford Phone: 850-939-3535

*Address: 2075 Fountain Prof Ct., Suite A *City, State, Zip: Navarre, FL 32566

*Agenda Item (CASE NO.#) AP 2012 ~ ~ Meeting Date: 4-18-12

Please check here if you wish to speak as: () Lay Person
(x) 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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Director

ESCAMBIA COUNTY BOARD OF ADJUSTMENT

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Please Print Clearly

*Name: Luis LLORENS Phone: 321-282-7357
*Address: 598 Nonfulake Blvd, Ste 1016 *City, State, Zip: Altamonte Springs, FL 32701
*Agenda Item (CASE NO.#) AP 2012-02 Meeting Date: 18 MAR 2012

_____ 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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ESCAMBIA COUNTY BOARD OF ADJUSTMENT

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Please Print Clearly

*Name: CHRIS JENSEN Phone: 814 4476
*Address: PO Box 15306 *City, State, Zip: PC, FL 32406
*Agenda Item (CASE NO.#) AP 2012-01 Meeting Date: 18 APR 2012

Please check here if you wish to speak as: () Lay Person
() Expert: Area of Expertise & Qualifications
23 years
FUN. HM. OWNER

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



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ESCAMBIA COUNTY BOARD OF ADJUSTMENT

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Please Print Clearly

*Name: STEVE LYON Phone: 432-7805
*Address: 6619 New Warrington *City, State, Zip: Pensacola
*Agenda Item (CASE NO.#) AP Meeting Date: 18 APR 2012

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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- 23925
- 15 minute OAKLAWN
- 4 of 7



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ESCAMBIA COUNTY BOARD OF ADJUSTMENT

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Please Print Clearly

*Name: Annie Remington - Landowner Phone: 477-7022
*Address: 6723 Plantation Rd *City, State, Zip: Pensacola FL 04
*Agenda Item (CASE NO.#) AP-2012-01 Meeting Date: 4-17-12

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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ESCAMBIA COUNTY BOARD OF ADJUSTMENT

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Please Print Clearly

*Name: Rajesh Garg owner Super 6-Dum & Suites Phone: 850-478-4100

*Address: 7226 Plantation Rd *City, State, Zip: 32504

*Agenda Item (CASE NO.#) AP 2012-01 Meeting Date: 4-18-2012

_____ 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.

Chamber Rules

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Please Print Clearly

*Name: BUDDY PAGE Phone: 232-9853
*Address: 5337 Hamilton W *City, State, Zip: _____
*Agenda Item (CASE NO.#) 2012-01 Meeting Date: _____

_____ 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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ESCAMBIA COUNTY BOARD OF ADJUSTMENT

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Please Print Clearly

*Name: AJIT PATEL Phone: 850 377 1410
*Address: 7230 PLANTATION RD *City, State, Zip: PENS. FL 32504
*Agenda Item (CASE NO.#) AP-2012-01 Meeting Date: 4/18/12

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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ESCAMBIA COUNTY BOARD OF ADJUSTMENT

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*Name: Clairce Bockwith Phone: 494-1776
*Address: 7100 Plantation Rd. *City, State, Zip: 32504
*Agenda Item (CASE NO.#) AP 2012-01 Meeting Date: 4/18/12

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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*Name: GARY TIPPENS Phone: 501-3021

*Address: 3069 PELICAN LN *City, State, Zip: PGA

*Agenda Item (CASE NO.#) AP1201 Meeting Date: 4/18/12

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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Please Print Clearly

*Name: Michael Carrero Phone: 380-3344
*Address: 4369 D'EVEREUX CIR *City, State, Zip: PNS FL 32504
*Agenda Item (CASE NO.#) 15 2012-01 Meeting Date: 4/18/12

Please check here if you wish to speak as: () Lay Person
() Expert: Area of Expertise & Qualifications
Licensed Real Estate Broker/Associate

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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*Name: Marleen Jones - Red Roof Inn Phone: 476-7960
*Address: 7340 Plantation Rd *City, State, Zip: Pens FL 32504
*Agenda Item (CASE NO.#) AP 12-01 Meeting Date: 4/18/12

_____ 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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*Name: PAUL BLAKE Phone: 850-479-1000
*Address: 7230 PLANTATION RD *City, State, Zip: Pensacola, FL 32504
*Agenda Item (CASE NO.#) AP201201 Meeting Date: 4/18/12

_____ 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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ESCAMBIA COUNTY BOARD OF ADJUSTMENT

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Please Print Clearly

*Name: David Valletto Phone: _____
*Address: Beck Prop Co. *City, State, Zip: PAUS
*Agenda Item (CASE NO.#) AD 2012-01 Meeting Date: _____

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

Council - Real Estate Broker

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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Please Print Clearly

*Name: JAVA VARRAZO Phone: 850-712-2340
*Address: 221 Key Largo Pl *City, State, Zip: PENS FL 32507
*Agenda Item (CASE NO.#) AP 2012-01 Meeting Date: 4-18-12

Please check here if you wish to speak as: () Lay Person
() Expert: Area of Expertise & Qualifications
AIR EXPERT

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.



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: Tim McEvoy Phone: 791-6400
*Address: 812 MARQUADO DR *City, State, Zip: PENSACOLA BBACH
*Agenda Item (CASE NO.#) AP-2012-01 Meeting Date: _____

_____ 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.

Chamber Rules

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Development Services
Department

T. Lloyd Kerr, AICP
Director

ESCAMBIA COUNTY BOARD OF ADJUSTMENT

All items with an asterisk * are required.

Please Print Clearly

*Name: Mary Hoxeng Phone: 494-2800
*Address: 251 Plantation Road *City, State, Zip: 32504
*Agenda Item (CASE NO.#) AP-2012-01 Meeting Date: 4/18/12

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.

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.
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DEVELOPMENT SERVICES ADMINISTRATIVE APPEAL WORKSHEET

Board of Adjustment

6. B.

Meeting Date: 04/18/2012

Information

I. SUBMISSION DATA:

APPLICANT: Kerry Anne Schultz, Esq., Agent for CNL Funding 2000-A, LP and C.E.J. South, Inc

DATE OF ADMINISTRATIVE DECISION: March 7, 2012

DATE OF APPEAL APPLICATION: March 12, 2012

PROJECT ADDRESS: 7253 Plantation Rd

PROPERTY REFERENCE NO.: 30-1S-30-4101-010-002

ZONING DISTRICT: C-2

FUTURE LAND USE: Commercial

III. REQUESTED APPEAL::

Appeal of the denial of Change of Use Permit #PLU120300315 (Based on Planning Board Interpretation # 2012-01)

BOARD ACTION:

The Board voted 4-2 to reverse the staff denial, finding that the action by staff was arbitrary and capricious.

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.

Attachments

[AP-2012-01 Case File](#)



Board of County Commissioners • Escambia County, Florida

T. Lloyd Kerr, AICP, Director
Development Services

April 23, 2012

Kerry Anne Schultz, Esq.
Fountain, Schultz & Associates, P.L.
2045 Fountain Professional Ct. Suite A
Navarre, Florida 32566

RE: Notification of Board of Adjustment (BOA) Action on April 18, 2012. Case # AP-2012-01,
7253 Plantation Rd.; 30-1S-30-4101-010-002

Dear Applicant:

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

- Appeal of the denial of Change of Use Permit #PLU120300316 (Based on Planning Board Interpretation #2012-01)

The Board voted 4-2 to reverse the staff denial of your permit, finding that the action by staff was arbitrary and capricious. You may now continue with the County permitting process.

Please submit a copy of this letter, and note the case number, date of approval, and description of the appeal with your site plan submittal.

Section 2.04.02 of the Land Development Code states:

"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."

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

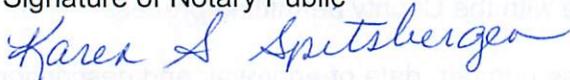
cc: **Kristin Hual**, Assistant County Attorney
CNL Funding 2000-A, L.P.
C.E.J. South, Inc.
Front Counter

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF ESCAMBIA

Andrew D Holmer, who is personally known to me acknowledged the foregoing letter before me
this 23RD day of April 2012.

Signature of Notary Public



Karen S Spitsbergen

Name of Notary Printed

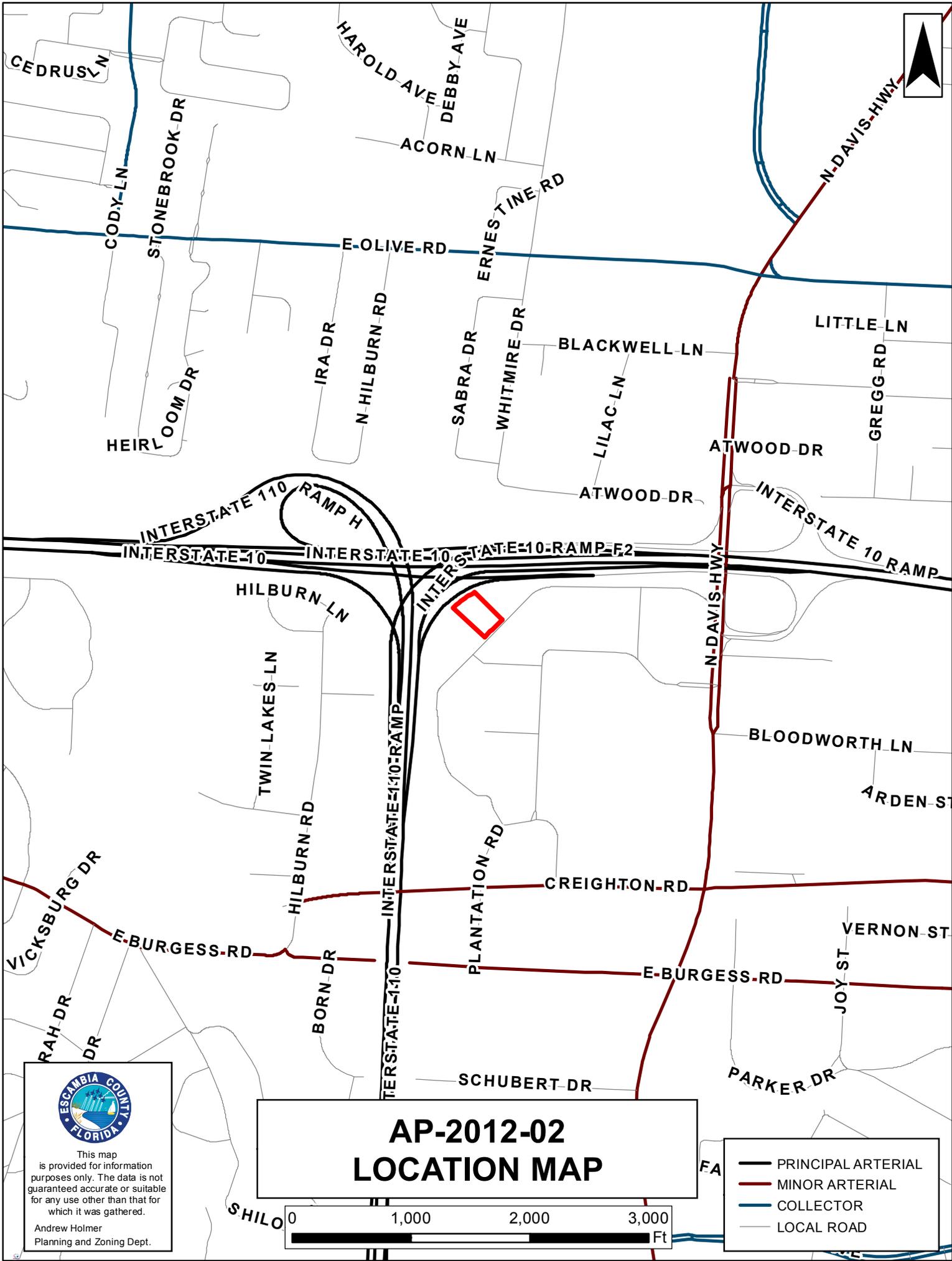


(Notary Seal)

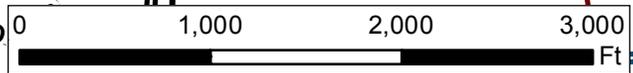
My Commission Expires: _____ Commission Number: _____

****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.****

AP-2012-02



**AP-2012-02
LOCATION MAP**



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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

Andrew Holmer
Planning and Zoning Dept.



R-6

R-5

R-5

INTERSTATE 10

C-2

PLANTATION RD

C-2

R-4

UNIVERSITY PLAZA DR

INTERSTATE 110

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

G

G

G

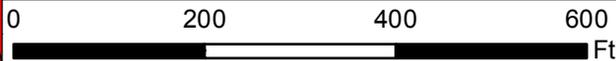
G



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



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

INTERSTATE 10

INTERSTATE 10 RAMP E

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.

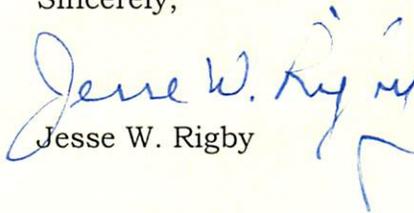
8. Section 2.02.04, LDC, provides that: "No permit or development order may be issued by the county administrator, or his/her designee, for any development if such development would violate the terms and conditions of this Code." The permits issued by the building official violate the terms and conditions 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:	<input type="checkbox"/> Conditional Use Request for: _____
<input checked="" type="checkbox"/> Administrative Appeal	<input type="checkbox"/> Variance Request for: _____
<input type="checkbox"/> Development Order Extension	<input type="checkbox"/> 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:
[X] 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

[X] 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.

Jesse W. Rigby, Esquire (Agent) 5/29/12
Signature of Owner/Agent Printed Name Owner/Agent Date
David E. Hoxeng, Manager 5/29/12
Signature of Owner Printed Name of Owner Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 29th day of May 2012, by David E. Hoxeng, Manager.

Personally Known [] OR Produced Identification [X]. Type of Identification Produced: FLDL # H252165500090

Constance M. Weiss
Signature of Notary (notary seal must be affixed) 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 #: PBA120500014

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]
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]
Signature of Notary

Constance M. Weiss
Printed Name of Notary



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.

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_____, 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

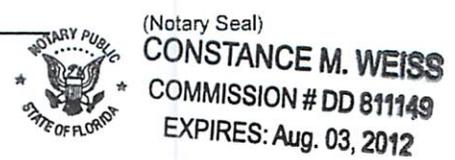
STATE OF Florida COUNTY OF Escambia

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: #252165 50 0090

[Signature]
Signature of Notary

Constance M. Weiss
Printed Name of Notary



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™

[Create Contractor Login](#) | [Login](#)

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

[Search for Permits](#)

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	General Search <input type="button" value="v"/>
-----------------------	-------------------------------------------------

Permit Number:

Permit Type:

Search by specific permit type.

Project Name:

Start Date:

End Date:

(mm/dd/yyyy) (mm/dd/yyyy)

License Type:

Contractor ID Number

First: **Last:** **Business Name:**

Street No: **Direction:** **Street Name:** **Street Type:**

(e.g. N) (e.g. Main)

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	<u>BD120502393</u>	Building/Commercial/Alterat	ion/Na	Building	Issued



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



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:

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General Search	General Search <input type="button" value="v"/>
-----------------------	-------------------------------------------------

Permit Number:

Permit Type:

Search by specific permit type.

Project Name:

Start Date:

End Date:

(mm/dd/yyyy) (mm/dd/yyyy)

License Type:

Contractor ID Number

First: **Last:** **Business Name:**

Street No: **Direction:** **Street Name:** **Street Type:**

(e.g. N) (e.g. Main)

Parcel No:

City: **State:** **Zip:**

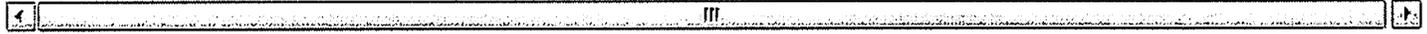
Search

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





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



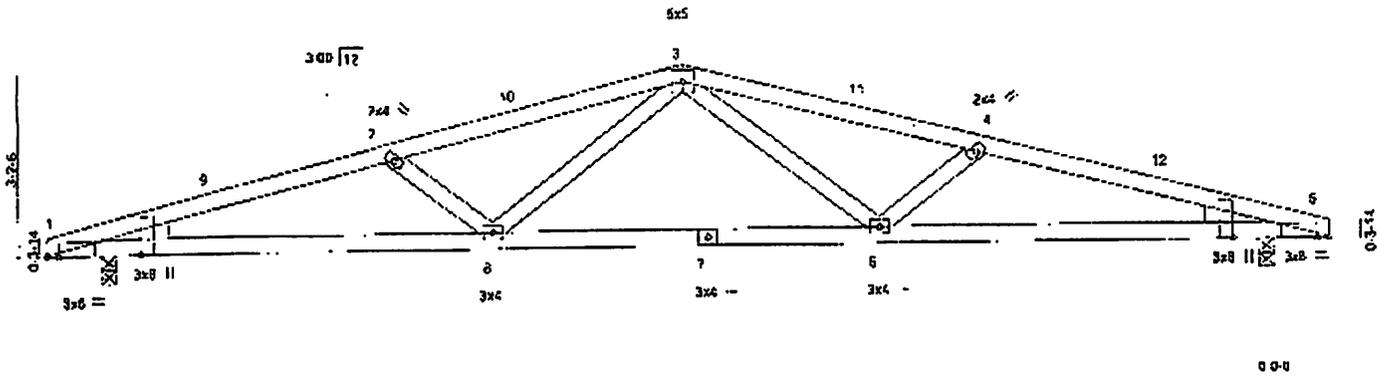


Plate Offsets (X, Y): [1:0-2-B Edge], [1:0-0-0, 1-8-13], [5:0-2-B Edge], [5:0-0-0, 1-8-13]

0-0-0	8-0-5	14-11-11	21-10-4	23-0-0
1'-12"	6'-10-8"	6'-11-5"	6'-10-2"	3'-1-12"

LOADING (psf)	SPACING	2-0-0	CSI	DEFL	in (loc)	Use(l)	L/d	PLATES	GRIP
TCLL 20.0	Plates Increase	1.25	TC 0.88	Ver(LL)	0.26	6-8	>899	MT20	244/180
TCOL 10.0	Lumber Increase	1.25	BC 0.86	Ver(TL)	-0.43	1-8	>528		
BCLL 0.0	Rep Stress Incr	YES	WB 0.22	Horz(TL)	0.10	5	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

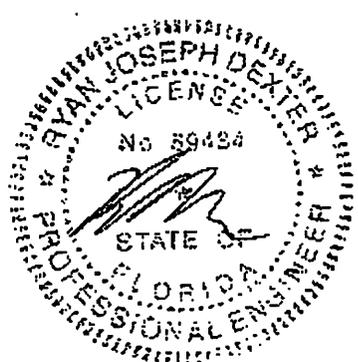
BRACING
 TOP CHORD Structural wood sheathing directly applied or 3-3-8 oc purlins.
 BOT CHORD Rigid ceiling directly applied or 6-0-8 oc bracing.

REACTIONS (lb/size) 1=808/0-3-8 (min. 0-1-8), 5=808/0-3-8 (min. 0-1-8)
 Max Horz 1=77(LC 5)
 Max Uplift 1=507(LC 7), 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, 2-6=-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=-845/1780, 5-6=-1425/2839
 WEBS 2-8=-444/885, 3-8=-380/698, 3-6=-350/698, 4-8=-444/885

- 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 noncoincident 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.

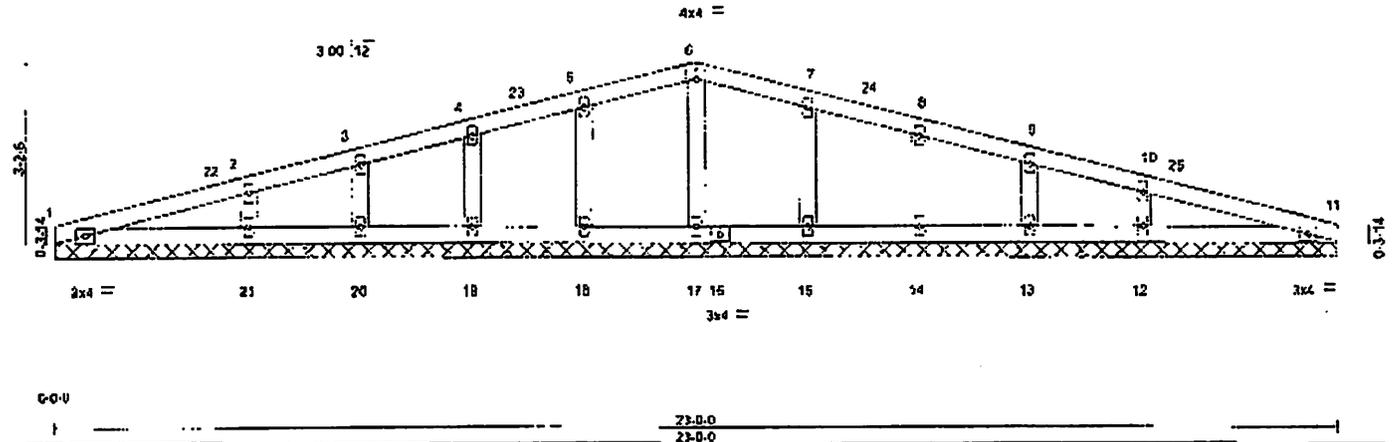
LOAD CASE(S) Standard



May 16, 2012

Job	Truss	Truss Type	City	Flt	FAMILY FUNERAL & CREMATION	15607576
B1204334	GAUGE	GABLE				
Job Reference (optional)						
7340 s. Lee St 2012 M-Tech Industries, Inc. Valid May 16 11:17:43 2012 Page 1						
ID:QFFbmkdKpEPhpTIGFRzzGCa7-VpdLJSwate6ZCJOSnDBwslwFwdhpcJQ1wY68zFol5						
0-0-0	11-6-0	23-0-0	23-0-0	11-6-0		

Scale = 1/32.3



LOADING (psf)	SPACING	2-0-0	CSI	DEFL	in	(loc)	f/dof	L/d	PLATES	GRIP
TCLL 20.0	Plates Increase	1.25	TC 0.00	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 Incr	YES	WB 0.05	Horz(TL)	0.00	11	n/a	n/a		
BCCL 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 purlins.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

REACTIONS All bearings 23-0-0
(b) - 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=198(LC 5), 15=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 ANSITPI 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=ib) 18=117, 19=118, 21=198, 15=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/I Reference Sheet (rev. C3-17) before use. Design valid for use with M-Tech connector 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 design does not include any other members or connections. Building code requirements for bracing, stability, and bracing of the overall structure are the responsibility of the building designer or owner of the trusses. For general guidance regarding design possibilities, fabrication, quality control, storage, delivery, erection, lateral restraint and diagonal bracing, consult ANSITPI 1, IBC-03 and ECSI (Building Component Safety Information) available from SRC at www.sbcindy.com

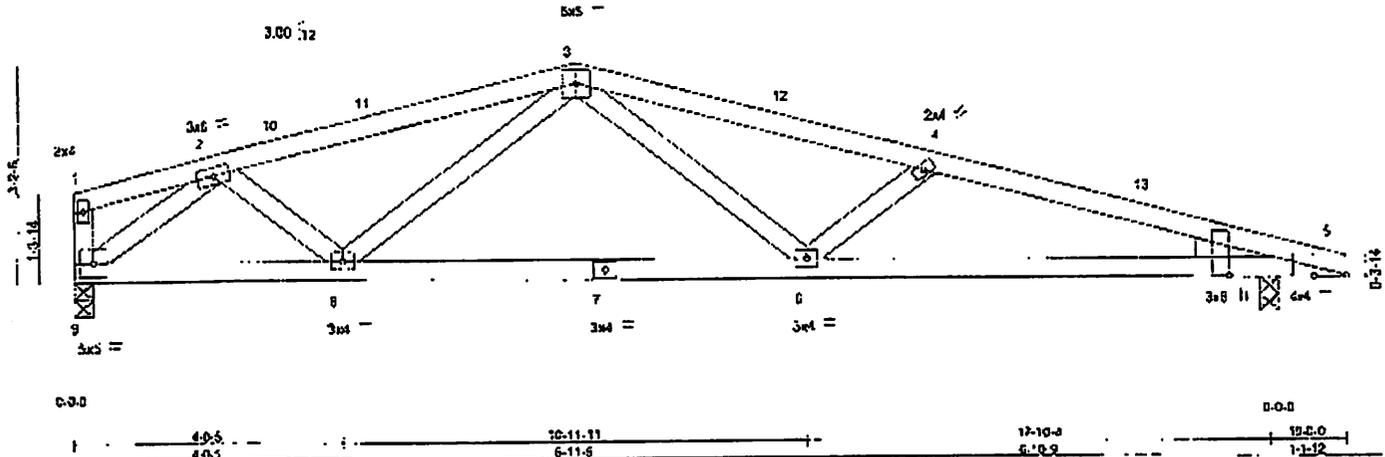


Plate Offsets (X,Y): [5-0-5-8, Fdcol, 15-0-0-D, 1-8-13]

LOADING (psf)	SPACING	2-0-0	CSI	DEFL	in (loc)	Vdefl	L/d	PLATES	GRIP
TCLL 20.0	Plates Increase	1.25	TC 0.81	Vert(LL)	0.15	5-6	>999	SB0	244/190
TCCL 10.0	Lumber Increase	1.25	BC 0.78	Vert(TL)	-0.31	5-6	>733	240	
BCLL 0.0	Rep Stress Incr	YES	WB 0.23	Horz(TL)	0.05	5	n/a	n/a	
BCDL 10.0	Code FBC2007/TPI2007		(Matrix)						
								Weight: 84 lb	FT = 20%

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

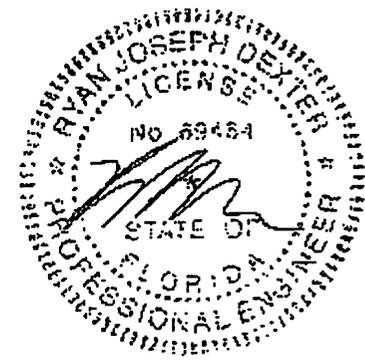
BRACING
 TOP CHORD Structural wood sheathing directly applied or 3-8-13 oc purlins, except end verticals.
 BOT CHORD Rigid ceiling directly applied or 5-8-13 oc bracing.

REACTIONS (lb/size) 5=748/0-3-8 (min. D-1-8), 9=748/0-3-8 (min. D-1-8)
 Max Horz 9=-126(LC 6)
 Max Uplift 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=-1756/983, 4-12=-1799/868,
 4-13=-2101/1256, 5-13=-2438/1246
 BOT CHORD 8-9=-514/823, 7-8=-553/1162, 6-7=-553/1162, 5-6=-1151/2040
 WEBS 2-8=-54/300, 3-6=-360/719, 4-5=-451/480, 2-9=-1151/679

- NOTES**
- Unbalanced roof live loads have been considered for this design.
 - Wind: ASCE 7-05; 140mph (3-second gust); TCCL=6.0psf; BCDL=6.0psf; h=12ft; Cw1 1; 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 14-8-0 zone; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
 - 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) except (jt=lb) 5=435, 9=393.
 - "Semi-rigid pitchbreaks with fixed heels" Member end fixity model was used in the analysis and design of this truss.

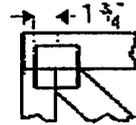
LOAD CASE(9) Standard



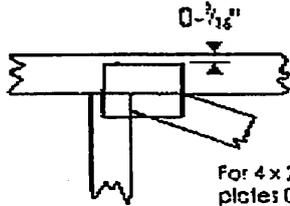
May 16, 2012

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 orient on, locate plates 3/16" 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

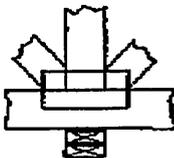
The first dimension is the plate width measured perpendicular to slots. Second dimension is the length parallel to slots.

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



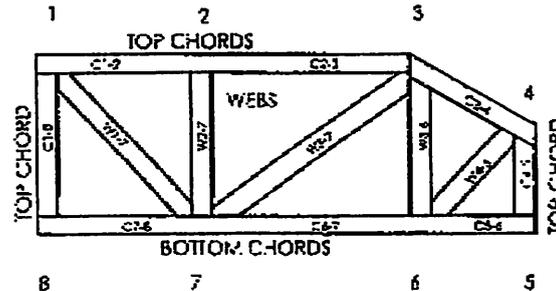
Indicates location where bearings (supports) occur. Bars vary but reaction section indicates joint number where bearings occur.

Industry Standards:

- ANSI/TPI-1: National Design Specification for Metal Plate Connected Wood Truss Construction.
- DSB-89: Design Standard for Bracing.
- BCS1: Building Component Safety Information, Guide to Good Practice for Handling, Installing & Bracing of Metal Plate Connected Wood Trusses.

Numbering System

6-4-8 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-1511, ESR-1352, ER-5243, 9604B, 9735, 95-43, 96-31, 9667A, NER-467, NER-561, 95110, 84-32, 95-67, ER-3507, 9432A

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DrJ Consulting, LLC
6300 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 BCS1.
2. Truss bracing must be designed by an engineer. For wide truss spacing, individual brand 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. Knots and wane 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 retention, 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 provided 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. Connectors not shown are the responsibility of others.
16. Do not cut or alter truss member or plate without prior approval of an engineer.
17. Install and load vertically 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, block 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 BCS1-E2 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 bracing 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. Consultant 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, Fc, Fc, Fp, Ft, and Fu) 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 testing 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.

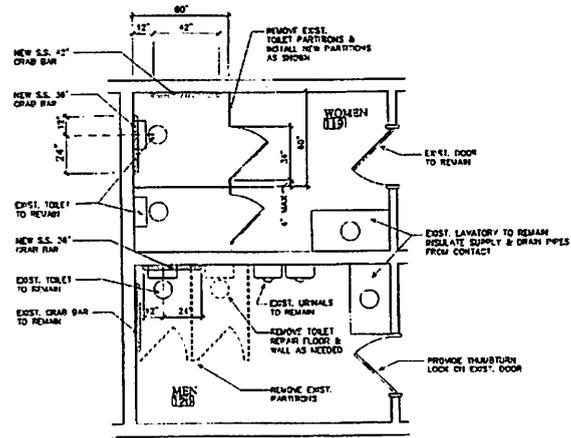
PRODUCT APPROVAL NUMBERS

2010 Florida Building Code

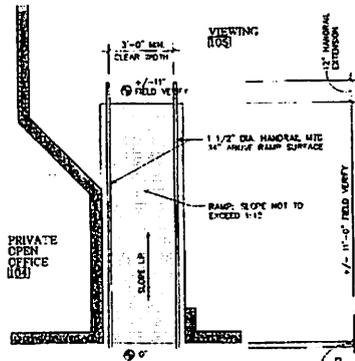
<u>PRODUCT</u>	<u>CATEGORY</u>	<u>SUBCATEGORY</u>	<u>MANUFACTURER</u>	<u>APPROVAL NUMBER</u>
Asphalt shingles	Roofing	Asphalt Shingles	GAF	FL10124.1
Wall siding	Panel Walls	Siding	James Hardie Bldg. Products	FL13223.2
Soffits	Panel Walls	Siding	James Hardie Bldg. Products	FL13265.1
Garage Door	Exterior 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



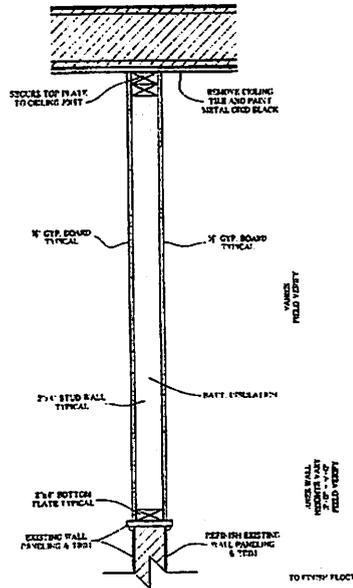


5 ENLARGED PLAN
EXISTING RESTROOMS 1/2" = 1'-0"

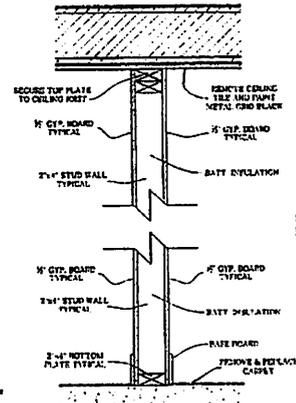


4 ENLARGED PLAN
RAMP 3/8" = 1'-0"

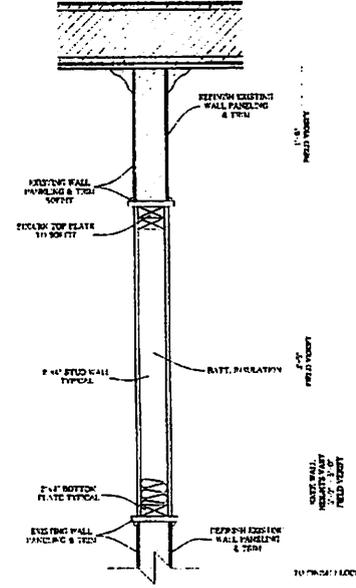
HORIZONTAL EXTENSION NOT TO EXCEED 1'-0" UNLESS OTHERWISE SPECIFIED BY THE STATE FLORIDA ARCHITECTURAL BOARD



1 WALL SECTION
NEW WALL & EXISTING CORE WALL 1 1/2" = 1'-0"

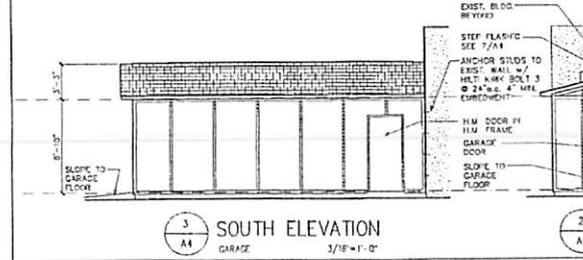
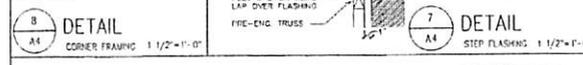
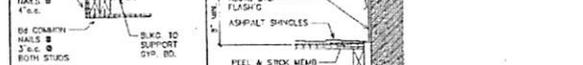
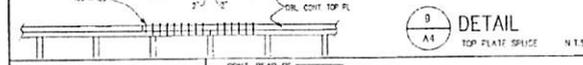
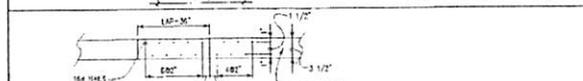
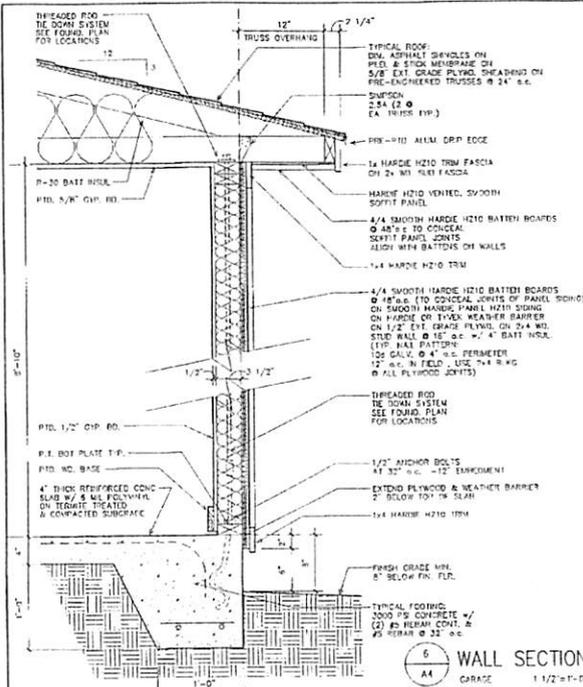


2 WALL SECTION
NEW FULL HEIGHT WALL 1 1/2" = 1'-0"



3 WALL SECTION
NEW WALL & EXISTING KNEE WALL 1 1/2" = 1'-0"

CONFORMS TO ALL CODES AND REGULATIONS IN EFFECT AT THE TIME OF THE ORIGINAL DESIGN AND AS AMENDED THEREAFTER. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHER PROFESSIONALS OR FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THE DRAWINGS AND SPECIFICATIONS.



FOUNDATION NOTES

General Notes

1. Consider to precast site and review job conditions prior to commencing work.
2. All concrete work shall conform with ACI 301. Concrete reinforcement and accessories shall conform to ACI 315 detailing manual.
3. Proposed detail design shall be fully documented and reviewed by the owner's engineering laboratory. It is the contractor's responsibility to obtain the required design strength.
4. Contractor to coordinate concrete work with plumbing, mechanical, and electrical if any, to install sub-slab utilities and to leave all underground work backfilled and supported if required by public or private inspectors.
5. Contractor shall leave work and all provisions required by public or private inspectors not completed and required approvals in a record. The contractor shall not make any repairs or changes to any work not covered thereon before the satisfaction. The preparation must be successfully completed before concrete placement.
6. Soil compaction shall be done by a motor driven vibratory compactor. A hand roller will not be acceptable. Hand tamping is acceptable in places that cannot be reached by mechanical compactor.

Reinforcing

1. Reinforcing steel shall conform to ASTM A615 grade 60.
2. In all reinforcing steel and embedment assembly prior to placing concrete. Provide sufficient supports to maintain position for reinforcement. "Stick up" reinforcement (concrete) into wet concrete is not acceptable.
3. Provide continuous reinforcement where ever possible. Splice coils when necessary. Use full lap splice (Class B) lap splices with standard hooks.
4. Reinforcing steel shall have the following concrete cover: Concrete spiral shall extend to 3\"/>

Preparation

1. All formwork surfaces shall be treated with a release agent before being used for concrete. The polyethylene release shall be removed by 10\"/>

Placing Concrete

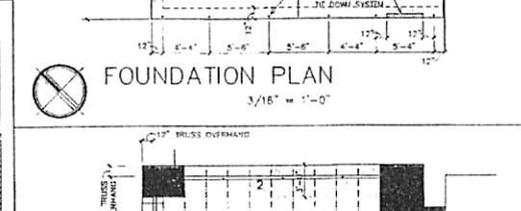
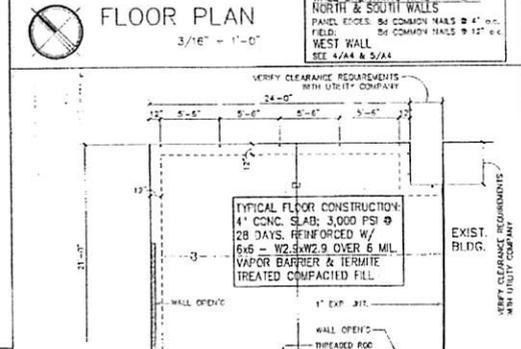
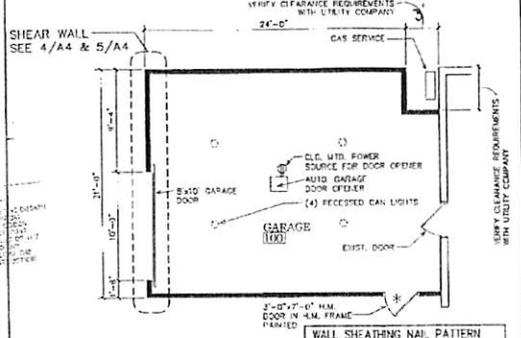
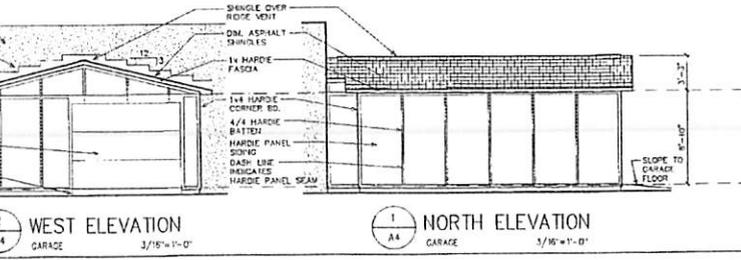
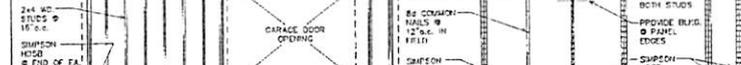
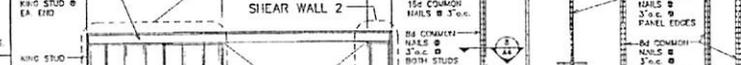
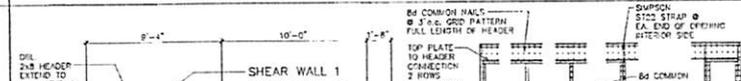
1. Concrete shall be placed in a continuous manner to avoid any cold joints. Field techniques for handling and placing concrete must ensure that it remains uniform within each batch and is kept batch to batch. Concrete must not be allowed to set or be exposed over long distances (over 8\"/>

Finishing

1. Use of water on the surface to make finishing easier is not acceptable.
2. Hand trowel should be used and other devices depending on the slab finish. Finish around floor drains to provide positive drainage to the drain.
3. Contractor shall finish all prepared concrete slab surfaces with a smooth steel trowel finish.
4. A light broom finish is to be provided for all exposed areas for concrete.
5. Finish all slab surfaces to be level including under slab landings, without depressions, high spots, or other surface defects, and to a tolerance consistent with the above specifications. Maximum surface tolerance shall be 1/8\"/>

Curing

1. Contractor shall maintain proper surface moisture (in summer) and slab temperature (in winter) for 7 days to facilitate proper curing of concrete.
2. During any hot days (90 degrees or more) approved concrete curing practices may be used.
3. Concrete forms shall not be stripped until concrete is hard and has gained sufficient strength to avoid damaging the form concrete, to be made within 24 hours.



NOTES:

1. TYPICAL ROOF FRAMING SHALL BE PRE-ENGINEERED WOOD TRUSSES
2. DECKING SHALL BE 5/8\"/>

ROOF DECK NAIL PATTERN

1	106 COMMON NAILS @ 12\"/>
2	106 COMMON NAILS @ 6\"/>
3	106 COMMON NAILS @ 3\"/>

WELBY
ARCHITECTS

60 Gulfburg Green, West, Pensacola, FL 32502
phone: 850-485-1189 email: mark@welby-architect.com

FAMILY FUNERAL & CREMATION
7253 FLORIAN ROAD, PENSACOLA, FLORIDA 32504

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

BD120502394

BD120502393+

~~BD120502394~~

Does not include over

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

FILE COPY

(13)

REVIEWED FOR CODE COMPLIANCE
IN ACCORDANCE WITH THE FLORIDA
BUILDING CODE 10 EDITION
REVIEWED BY: PK
DATE: 5/23/12
REVIEWED PERMIT DOES 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

	REJECTED	REVISIONS REJECTED	APPROVED
BUILDING			12/5/2012
MECHANICAL			5/24/12 GAC
PLUMBING			5/24/12 GAC
ELECTRICAL			05-21-2012 GA
LIFTGATE			5-23-12 JH
TREE			
FIRE ALARM	SEPARATE PERMIT REQUIRED FOR FIRE ALARM		
PLANNING			
HEALTH DEPT.			

THIS PERMIT PROCESS IS ON HOLD

Collier County, Florida

523-12

575-1812

PROVIDE OPEN DOOR BETWEEN ROOM 118

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

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,


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



PART III - LAND DEVELOPMENT CODE
Article 2 - ADMINISTRATION

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.

A handwritten signature in black ink, consisting of several overlapping loops and lines, positioned below the main text.



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

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2. This form must be filled out and given to the Board Clerk in order to be heard.
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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.



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: Keray Anne Schultz Phone: 924/12
*Address: 3809 Paradise Bay Lane *City, State, Zip: Midway
*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

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

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Development Services
Department

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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Development Services
Department

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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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::

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 Case File](#)



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,



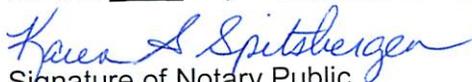
Andrew D. Holmer
Sr. Urban Planner

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



(Notary Seal)

Karen S Spitsbergen

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.****



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



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

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

**COMMUNICATION WORKERS OF AMERICA
1621 ATWOOD DR
PENSACOLA, FL 32514**

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.

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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

**JENNINGS VIVION R LIFE EST
1505 ATWOOD DR
PENSACOLA, FL 32514**

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

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Escambia County
Development Services Department
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Pensacola, FL 32505



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

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

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

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Development Services Department
3363 West Park Place
Pensacola, FL 32505



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

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

**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

**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

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

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

**SIMON PROPERTY GROUP L P
ATTN HARRY SPELL, PROP TAX MGMT
225 W WASHINGTON ST
PO BOX 6120
INDIANAPOLIS, IN 46204**

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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

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

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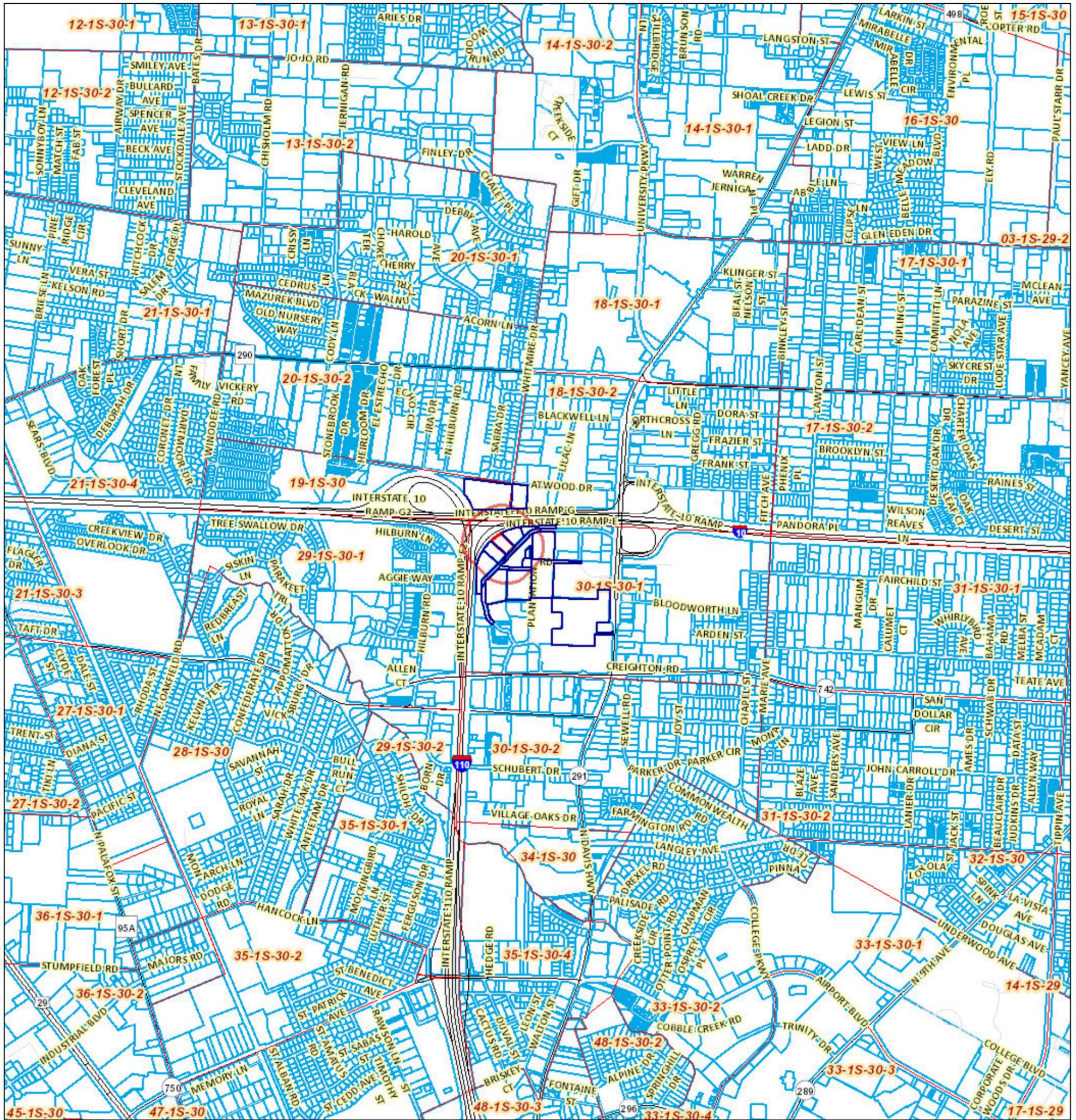
Cordova Community Facilities Corp.
205 Brooks St., Suite 201
Fort Walton Beach, FL 32548

Red Roof Inn
7340 Plantation Rd.
Pensacola, FL 32504

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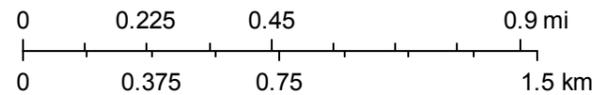
Chris Jones Escambia County Property Appraiser



February 26, 2014

1:20,590

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



Board of Adjustment

7. 2.

Meeting Date: 03/19/2014
CASE: V-2014-02
APPLICANT: Donald J. Weber, Agent for Eyad Abdelqader
ADDRESS: 4500 Baywalk Circle
PROPERTY REFERENCE NO.: 03-1S-29-1000-000-010
ZONING DISTRICT: R-1, Single Family District
FUTURE LAND USE: MU-U, Mixed-Use Urban

SUBMISSION DATA:
REQUESTED VARIANCE:

The Applicant is seeking a 25 foot variance to the Scenic Highway Overlay District right-of-way setback. The variance would reduce the east side setback from 50 to 25 feet.

RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section: 6.07.06.D.

D. Setback. All structures shall be located a minimum of 50 feet from the Scenic Highway right-of-way unless precluded by lot configuration or topography.

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 subject property is one of two corner lots in Baywalk Subdivision, platted prior to adoption of

the Land Development Code (LDC) and the Scenic Highway Overlay(SHO) district. The property is unique in both its orientation and size, creating practical difficulties in placing a house on the site. Unlike the other corner lot, the subject property is oriented east/west with the natural front yard facing north. In addition, this lot is the smallest in the subdivision and has a much smaller buildable area than the other 9 lots in the subdivision.

Because of these factors, the imposition of the overlay setback reduces the buildable area to a size out of character with the rest of the subdivision and presents a unique hardship.

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 variance is necessary for the preservation and enjoyment of a substantial property right given the unique limitations of the 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 is the minimum necessary to build a house in a similar manner as others in the subdivision given the limitations of the site.

STAFF RECOMMENDATION:

Staff finds that the Applicant meets all of the required criteria and recommends approval as requested.

BOARD OF ADJUSTMENT FINDINGS:

Attachments

Working Case File V-2014-02

V-2014-02



ADDISON-DR

COPTER RD

BILL-METZGER-LN

MCLEMORE-DR

TIPPIN-AVE

IBU-DR

ELSIOR-DR

PENCE-DR

LOFTON-DR

RIDGEFIELD-DR

GAWIN-DR

GROW-DR

MONTICELLO-DR

HENDRIX-AVE

PELICAN-LN
CURLEW-DR

N-9TH-AVE

BURTONWOOD-DR

BIXBY-CIR

WYCLIFF-DR

COLDSPRINGS-DR

E-JOHNSON-AVE

TONBRIDGE-CIR

CROYDON-RD

FORDHAM-DR

STRASBURG-DR

LYRIC-DR

PILGRIM-DR

NORTHPO-DR

E-OLIVE-RD

HOLGATE-DR

BURSTAFF-DR

EMPEROR-DR

E-L-DR

WINDING-LN

SQUIRE-RD

VOYAGER-DR

ANCHOR-LN

TRADEWINDS-DR

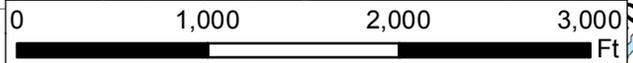
SCENIC-HWY

CALLE-VENTOSO

ESCAMBIA BAY

V-2014-02

LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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

Andrew Holmer
Planning and Zoning Dept.



R-1

ESCAMBIA BAY

R-1

R-1

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ID-1

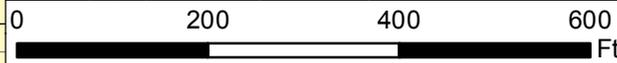
N 9TH AVE

9TH AVENUE CT

BURTONWOOD DR

BURTONWOOD CT

V-2014-02 500' RADIUS ZONING



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



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Andrew Holmer
Planning and Zoning Dept.



ESCAMBIA BAY

MU-U

MU-U

MU-U

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MU-U

I

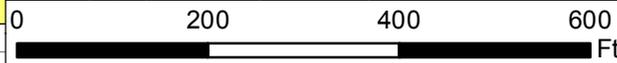
9TH AVENUE CT

N 9TH AVE

BURTONWOOD DR

BURTONWOOD CT

V-2014-02 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.



BAYWALK CIR
SCENIC HWY



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-2014-02 AERIAL MAP



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



SCENIC HWY(OL)

ESCAMBIA BAY

SCENIC HWY

PELICAN LN

AVOCET LN

BAYWALK CIR

SCENIC HWY

SCENIC HWY(OL)

BURTONWOOD CT

9TH AVENUE CT

N 9TH AVE

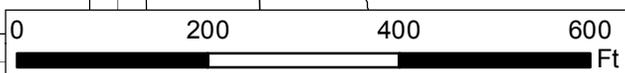
BURTONWOOD DR



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.

V-2014-02 OVERLAY DISTRICT



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

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: EYAD ABDELQADER Phone: 850 484-9811

Address: 10883 Country Ostrich DR Email: EYAD QADER @ Yahoo. com

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

Property Address: 4500 BAYWALK

Property Reference Number(s)/Legal Description: _____

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.

Donald J. Weber
Signature of Owner/Agent



Donald J. Weber
Printed Name of Owner/Agent

2-19-14
Date

Eyad
Signature of Owner

EYAD ABDELQADER
Printed Name of Owner

2-19-14
Date

STATE OF Florida

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 19 day of February 20 14.

by Donald John Weber + Eyad Abdel-Qader

Personally Known OR Produced Identification . Type of Identification Produced: Florida Drivers License

Brenda L Wilson
Signature of Notary

Brenda Wilson
Printed Name of Notary

(notary seal must be affixed)

FOR OFFICE USE ONLY CASE NUMBER: V-2014-02

Meeting Date(s): 03-19-14 Accepted/Verified by: DL/AJ Date 02-21-14

Fees Paid: \$ 423.50 Receipt #: 600284 Permit #: PBA 1402 00003

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 4500 BAYWALK,
Florida, property reference number(s) _____

I hereby designate DONALD J. WEBER for the sole purpose
of completing this application and making a presentation to the:

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

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

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

Agent Name: DONALD J. WEBER Email: don_weber@live.com

Address: 8300 BOWKLEY ST. Phone: 850-395-8935

<u>[Signature]</u>	<u>EYAD ABDELQADER</u>	<u>2-19-14</u>
Signature of Property Owner	BRENDA L. WILSON MY COMMISSION # EE 182967 EXPIRES: July 23, 2016 Brenda L. Wilson Notary Public Underwriters	Printed Name of Property Owner Date
<u>[Signature]</u>	<u>Brenda L. Wilson</u>	_____
Signature of Notary	Printed Name of Notary	Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 19 day of February 20 14
by EYAD ABDELQADER.

Personally Known OR Produced Identification . Type of Identification Produced: Florida Drivers License

[Signature] Brenda L. Wilson (Notary Seal)
Signature of Notary Printed Name of Notary



Chris Jones Escambia County Property Appraiser

- Real Estate Search
- Tangible Property Search
- Sale List
- Amendment 1/Portability Calculations

[Back](#)

← Navigate Mode Account Reference →

[Printer Friendly Version](#)

<p>General Information</p> <p>Reference: 031S291000000010 Account: 010090650 Owners: ABDELQAADER EYAD & YOUSEF LUBNA RADWAN Mail: 10883 COUNTRY OSTRICH DR PENSACOLA, FL 32534 Situs: 4500 BAYWALK CIR BLK 32514 Use Code: VACANT RESIDENTIAL Taxing Authority: COUNTY MSTU Tax Inquiry: Open Tax Inquiry Window</p>	<p>2013 Certified Roll Assessment</p> <p>Improvements: \$0 Land: \$76,000 Total: \$76,000 <u>Save Our Homes:</u> \$0</p> <p style="text-align: center;">Disclaimer</p> <p style="text-align: center;">Amendment 1/Portability Calculations</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>Sales</p> <table border="1"> <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>12/16/2013</td> <td>7116</td> <td>100</td> <td>\$65,000</td> <td>TR</td> <td>View Instr</td> </tr> <tr> <td>07/03/2012</td> <td>6879</td> <td>1054</td> <td>\$100</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>04/17/2012</td> <td>6847</td> <td>1472</td> <td>\$100</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>02/1996</td> <td>3918</td> <td>531</td> <td>\$100</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>04/1995</td> <td>3750</td> <td>509</td> <td>\$260,000</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>11/1994</td> <td>3677</td> <td>520</td> <td>\$194,400</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>09/1991</td> <td>3066</td> <td>564</td> <td>\$60,000</td> <td>WD</td> <td>View Instr</td> </tr> </tbody> </table>	Sale Date	Book	Page	Value	Type	Official Records (New Window)	12/16/2013	7116	100	\$65,000	TR	View Instr	07/03/2012	6879	1054	\$100	WD	View Instr	04/17/2012	6847	1472	\$100	WD	View Instr	02/1996	3918	531	\$100	WD	View Instr	04/1995	3750	509	\$260,000	WD	View Instr	11/1994	3677	520	\$194,400	WD	View Instr	09/1991	3066	564	\$60,000	WD	View Instr	<p>2013 Certified Roll Exemptions</p> <p>None</p> <p>Legal Description</p> <p>LT 10 BAYWALK PB 14 P 17 OR 7116 P 100</p> <p>Extra Features</p> <p>None</p>
Sale Date	Book	Page	Value	Type	Official Records (New Window)																																												
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09/1991	3066	564	\$60,000	WD	View Instr																																												

Section Map
Id: 03-1S-29-1

[Launch Interactive Map](#)

Approx. Acreage: 0.2900

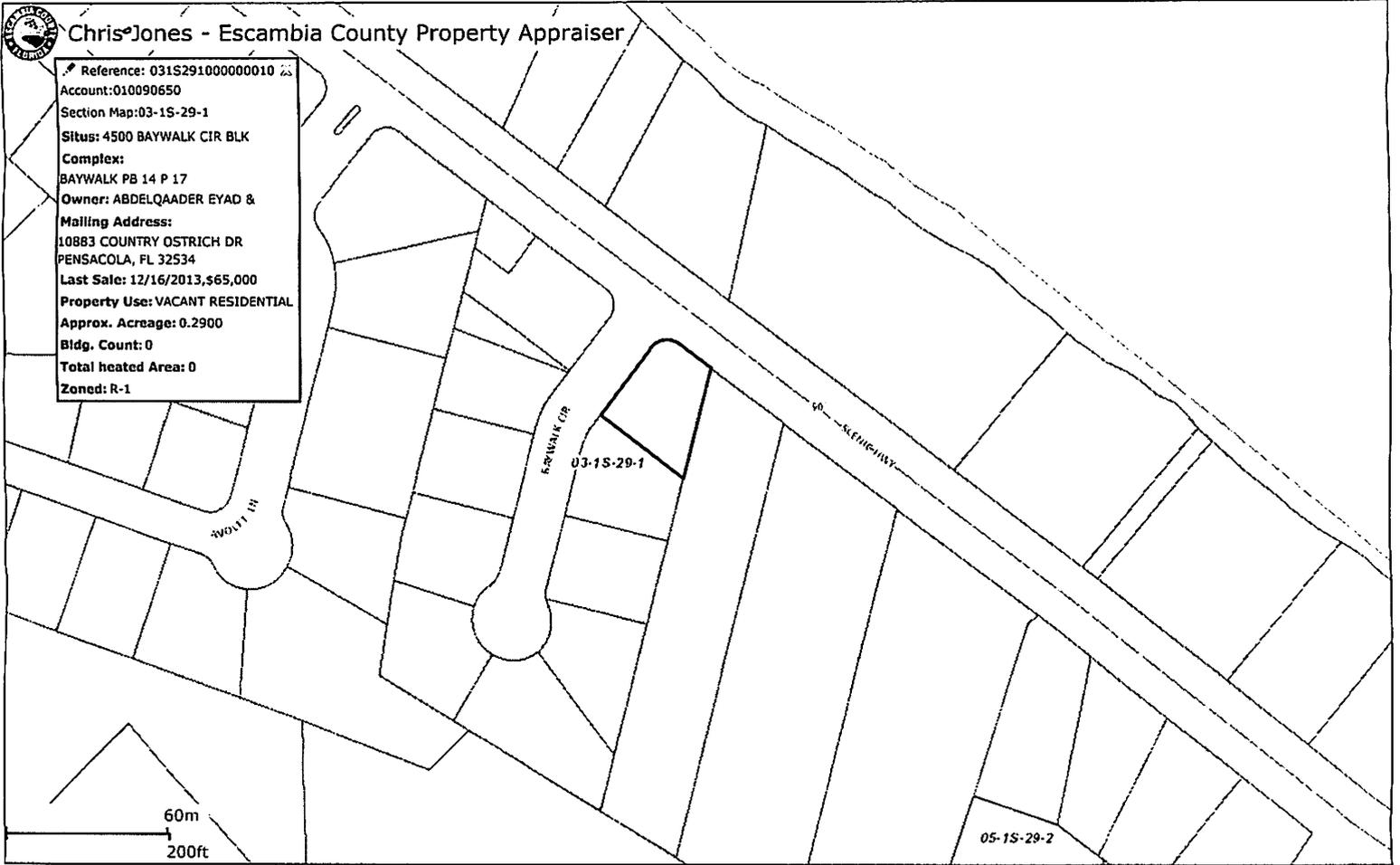
Zoned: R-1

Evacuation & Flood Information
[Open Report](#)



Chris Jones - Escambia County Property Appraiser

Reference: 031S29100000010
Account: 010090650
Section Map: 03-1S-29-1
Situs: 4500 BAYWALK CIR BLK
Complex:
BAYWALK PB 14 P 17
Owner: ABDELQAADER EYAD &
Mailing Address:
10883 COUNTRY OSTRICH DR
PENSACOLA, FL 32534
Last Sale: 12/16/2013, \$65,000
Property Use: VACANT RESIDENTIAL
Approx. Acreage: 0.2900
Bldg. Count: 0
Total heated Area: 0
Zoned: R-1



450
455

This Instrument Prepared by and Return to:

Pam Childers
CLERK OF THE CIRCUIT COURT
ESCAMBIA COUNTY FLORIDA
INST# 2013096133 12:19:2013 at 10:31 AM
OFF REC BK: 7116 PG: 100 - 101 Doc Type: TD
RECORDING: \$18.50 Deed Stamps \$455.00

SURETY LAND TITLE OF FLORIDA, LLC
2600 N. 12th Avenue
PENSACOLA, FL 32503

Property Appraisers Parcel Identification (Folio) Numbers:
03-1S-29-1000-000-010

SPACE ABOVE THIS LINE FOR RECORDING DATA

Trustee's Deed

Vinzant *AV*

26

This Trustee's Deed made this 16th day of December, 2013 between George W. Vinzent Jr. and Sandra S. Vinzent, Trustees of the George W. Vinzent, Jr. and Sandra S. Vinzent Trust, dated April 17, 2012 whose post office address is 759 E. Ten Mile Road, Pensacola, Fl. 32514, grantor, and Eyad Abdelqaader and Lubna Radwan Yousef, Husband and Wife whose post office address is _____, 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantees heirs and assigns forever, the following described land, situate, lying and being in ESCAMBIA County, Florida, to-wit:

Lot 10, Baywalk, A Subdivision of a portion of the Joseph Noriega Grant, Section 3, Township 1 South, Range 29 West, and a portion of Section 4, Township 1 South, Range 29 West, Escambia County, Florida, according to the plat thereof, recorded in Plat Book 14, Page 17, of the Public Records of said County.

Said Property is not the Homestaed Property of the Grantors.

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his/her hand and seal on the day and year first above written.

Angela L Cecil

Witness #1 Signature

ANGELA L CECIL

Witness #1 Printed Name

Patricia A Shellgrove

Witness #2 Signature

George W. Vinzent Jr.

George W. Vinzent Jr.
VINZANT

Sandra S. Vinzent

Sandra S. Vinzent
VINZANT

WNL
Witness #2 Signature

Patricia A Shellygrove
Witness #2 Printed Name

Sandra S. Vinzent
Sandra S. Vinzent
vinzent SAU

STATE OF FLORIDA)

COUNTY OF ESCAMBIA)

The foregoing instrument was acknowledged before me this 16th day of December, 2013 by George W. Vinzent Jr. and Sandra S. Vinzent who are personally known to me or have produced FLDL as identification.



JANNA BERRY
MY COMMISSION # EE 073734
EXPIRES: March 14, 2015
Bonded Thru Budget Notary Services

J. Berry
Notary Public

File No.: 1305-758

Page 1 of 2

**RESIDENTIAL SALES
ABUTTING ROADWAY
MAINTENANCE DISCLOSURE**

ATTENTION: Pursuant to Escambia County Code of Ordinances Chapter 1-29.2, Article V, sellers of residential lots are required to disclose to buyers whether abutting roadways will be maintained by Escambia County. The disclosure must additionally provide that Escambia County does not accept roads for maintenance that have not been built or improved to meet county standards. Escambia County Code of Ordinance Chapter 1-29.2, Article V requires this disclosure be attached along with other attachments to the deed or other method of conveyance required to be made a part of the public records of Escambia County, Florida. Note: Acceptance for filing by County employees of this disclosure shall in no way be construed as an acknowledgment by the County of the veracity of any disclosure statement.

Name of roadway: Baywalk Circle

Legal Address of Property: 4500 Baywalk Circle Pensacola, Fl. 32514

The County (X) has accepted () has not accepted the abutting roadway for maintenance.

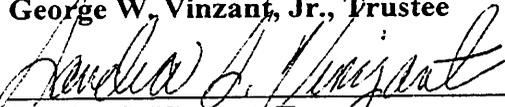
This form completed by:

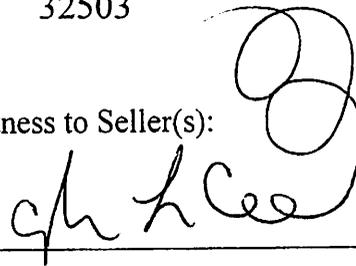
Surety Land Title, Inc.
2600 North 12th Avenue
Pensacola, FL 32503

AS TO SELLER (S):

Witness to Seller(s):

George W. Vinzant, Jr., Trustee

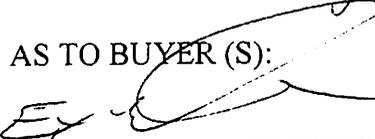

Sandra S. Vinzant, Trustee

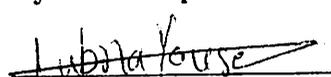


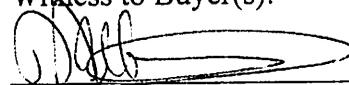


AS TO BUYER (S):

Witness to Buyer(s):


Eyad Abdelqaader


Lubna Radwan Yousef

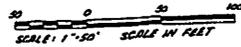




THIS FORM APPROVED BY THE ESCAMBIA COUNTY BOARD OF COUNTY
COMMISSIONERS. Effective: 4/15/95

BAYWALK

A SUBDIVISION OF A PORTION OF THE JOSEPH NORRIS GRANT, SECTION 3, TOWNSHIP 1 SOUTH, RANGE 29 WEST, AND A PORTION OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 29 WEST, ESCAMBIA COUNTY, FLORIDA



OWNER / DEVELOPER:

THOMAS H. DAVIS, JOHN A. SCOTT,
ROBERT E. BURKLEIN
3771 MACKEY CIRCLE
PENSACOLA, FLORIDA 32504

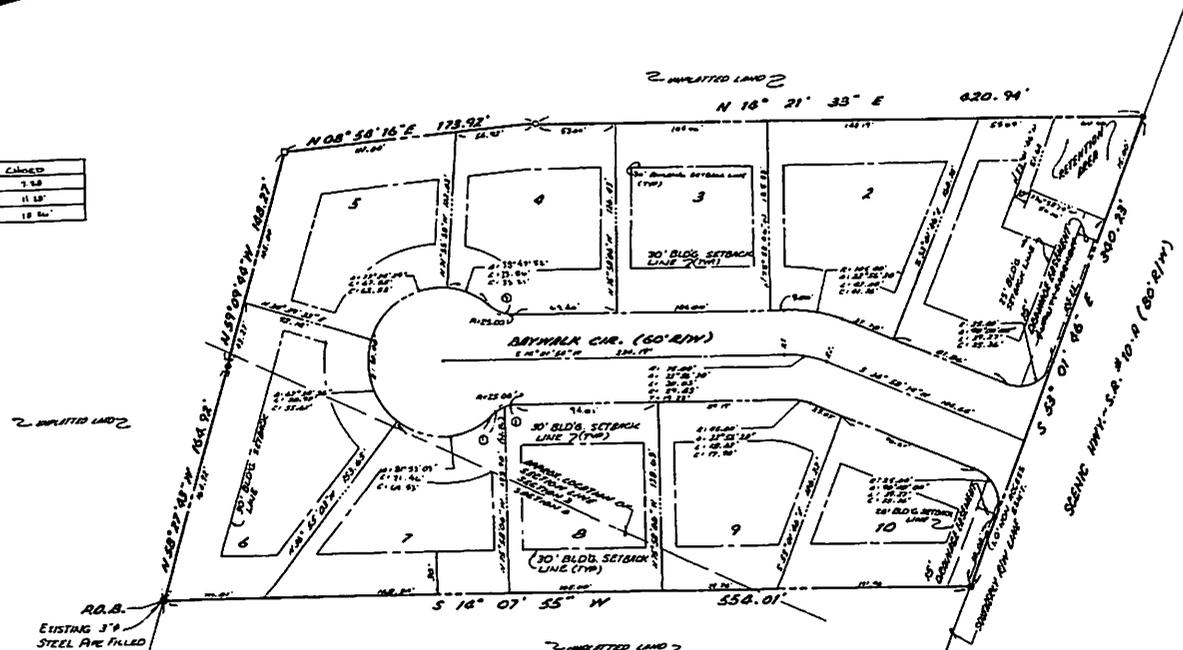
PREPARED BY:

PERDISON ASSOCIATES
8000 UNIVERSITY PARKWAY SUITE 6-1
PENSACOLA, FLORIDA 32504

MAY, 1989

Curve Data

Q	DELTA	ALL LENGTH	CHORD
1	16° 09' 02"	7.91'	7.58'
2	26° 04' 55"	11.98'	11.18'
3	42° 50' 00"	18.63'	18.00'



- LEGEND**
- P.R.M. (FOUND)
 - UNNUMBERED UNLESS NOTED
 - P.R.M. (30' BLDG SET (TYP))
 - P.R.M. (30' SET (TYP))
 - 3" CONC. FILLED PIPE (FOUND)
 - Curve Limb

GENERAL NOTES

- ARRANGED BASED ON THE SOUTH RIGHT-OF-WAY LINE OF SCENE HIGHWAY AS BEING SOUTH 53° 01' 46" EAST ACCORDING TO THE F.O.D.T. RIGHT-OF-WAY MAP OF STATE ROAD 10-A SECTION BOARD (SHEET 12 OF 12).
- ALL MEASUREMENTS MADE IN ACCORDANCE WITH UNITED STATES STANDARDS.
- ALL STREET INTERSECTIONS SHALL HAVE A RADIUS OF 25 FEET.
- THE ABOVE PROPERTY IN ITS ENTIRETY LIES IN FLOOD HAZARD ZONE "C" (AREA OF MINIMUM FLOODING) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY NUMBER, HIGHLIGHTED ZONING DISTRICT DATED AUGUST 19, 1987.
- THE ABOVE PROPERTY IN ITS ENTIRETY LIES IN THE UNIVERSITY OF WEST FLORIDA ZONING DISTRICT R-1.
- ALL LOT DIMENSIONS ON CORNER LOTS ARE TO THE INTERSECTIONS OF RIM LINES, UNLESS SHOWN OTHERWISE.
- ALL FRONT BUILDING SETBACK LINES SHALL BE A MINIMUM OF 30 FEET.
- THE SIGN ("°") MEANS DEGREE; THE SIGN ("′") MEANS MINUTES (OR FEET); THE SIGN ("") MEANS SECONDS.
- NO FINANCING SHALL BE PERMITTED IN ANY DRAINAGE EASEMENT.
- P.R.M. DENOTES PERMANENT REFERENCE MONUMENT.
- P.C.P. DENOTES PERMANENT CONTROL POINT.
- ALL SIDE BUILDING SETBACK LINES SHALL BE 10% OF THE LOT WIDTH AS MEASURED AT THE BLDG. SETBACK LINE (NOT TO EXCEED 15').
- J.R. DENOTES JAN-RADIAL LINE

LEGAL DESCRIPTION

THAT PORTION OF THE JOSEPH NORRIS GRANT, SECTION 3, TOWNSHIP 1 SOUTH, RANGE 29 WEST, AND A PORTION OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 29 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT A CONCRETE MONUMENT AT THE NORTHWEST CORNER OF LOT 10, BLOCK "A" NEARBY THE SUBDIVISION AS RECORDED IN PLAT BOOK 9 OF PAGE 1 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID CONCRETE MONUMENT BEING ON THE SOUTH LINE OF SAID ABSTRACTED SECTION 4; THENCE NORTH 07° 46' 16" EAST ALONG THE SOUTH LINE OF SAID ABSTRACTED SECTION 4 A DISTANCE OF 696.25 FEET TO AN EXISTING CONCRETE MONUMENT; THENCE NORTH 53° 01' 46" WEST A DISTANCE OF 620.94 FEET TO AN EXISTING 3" ROUND STEEL PIPE FILLED WITH CONCRETE BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 53° 01' 46" WEST A DISTANCE OF 164.92 FEET TO AN EXISTING 3" ROUND STEEL PIPE FILLED WITH CONCRETE; THENCE NORTH 59° 09' 08" WEST A DISTANCE OF 149.87 FEET TO AN EXISTING 4" - 4" CONCRETE MONUMENT; THENCE NORTH 08° 58' 16" EAST A DISTANCE OF 178.92 FEET TO AN EXISTING 0" - 4" CONCRETE MONUMENT; THENCE NORTH 10° 21' 33" EAST A DISTANCE OF 620.92 FEET TO THE SOUTHWEST RIGHT-OF-WAY LINE OF SCENE HIGHWAY (STATE ROAD 10-A); 50' RIGHT-OF-WAY; THENCE SOUTH 53° 01' 46" WEST ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE A DISTANCE OF 340.28 FEET; THENCE SOUTH 10° 02' 15" WEST A DISTANCE OF 654.01 FEET TO THE POINT OF BEGINNING, CONTAINING 0.10 ACRES, MORE OR LESS.

COUNTY COMMISSIONERS APPROVAL CERTIFICATE

I, J. A. FLOWERS, COMPTROLLER OF ESCAMBIA COUNTY, FLORIDA, HEREBY CERTIFY THAT THE WITHIN PLAT BEING PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS OF SAID COUNTY AT THEIR MEETING HELD ON THE 27th DAY OF JUNE, 1989, WAS PARAPHRASED FOR FILING BY SAID BOARD, AND I, AS COMPTROLLER OF SAID BOARD, WAS INSTRUCTED TO SO CERTIFY HEREON.

J. A. Flowers
COUNTY COMPTROLLER, ESCAMBIA COUNTY, FLORIDA.

COUNTY COMPTROLLER'S CERTIFICATE

I, J. A. FLOWERS, COMPTROLLER OF ESCAMBIA COUNTY, FLORIDA, HEREBY CERTIFY THAT THE WITHIN PLAT COMPLIES WITH ALL THE REQUIREMENTS OF THE PLAT ACT THAT THE WITHIN PLAT COMPLIES WITH ALL THE REQUIREMENTS OF THE PLAT ACT (CHAPTER 71-339, SECTIONS 171.01 THROUGH 171.05 OF THE FLORIDA LEGISLATURE) AND THE SAME WAS FILED FOR RECORD ON THE 27th DAY OF SEPT. 1989, AND FILED IN PLAT BOOK 14 AT PAGE 17 OF SAID COUNTY.

J. A. Flowers
COUNTY COMPTROLLER, ESCAMBIA COUNTY, FLORIDA.

ATTORNEY'S CERTIFICATE

I, AS A MEMBER OF THE FLORIDA BAR ASSOCIATION AND ON BEHALF OF THE OWNERS, HEREBY CERTIFY THAT I HAVE EXAMINED THE PLAT HEREON AND THE ACCOMPANYING DOCUMENTS AND HAVE FOUND THEM TO BE IN PROPER LEGAL FORM AND TO MEET ALL REQUIREMENTS OF THE FLORIDA PLAT ACT AND THE ESCAMBIA COUNTY SUBDIVISION REGULATIONS. SIGNED THIS 1st DAY OF JUNE, 1989.

Paul A. Jones

SURVEYOR'S CERTIFICATE

THE UNDESIGNED HEREBY CERTIFIES THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND DESCRIBED HEREIN AND SURVEYED; THAT SAID LAND HAS BEEN SUBDIVIDED UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND STAKED AS INDICATED; THAT PERMANENT REFERENCE MONUMENTS (INDICATED P.R.M.) HAVE BEEN PLACED AS REQUIRED BY THE PLAT ACT (CHAPTER 71-339, SECTIONS 171.01 THROUGH 171.05 OF THE FLORIDA LEGISLATURE); SURVEY DATA COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS ACCORDING TO STATE OF FLORIDA RULE 31M-6.

James B. Hurd 5/11/89
JAMES B. HURD, REGISTERED FLORIDA LAND SURVEYOR #5887

STATE OF FLORIDA, COUNTY OF ESCAMBIA

BEFORE THE SUBSCRIBER PERSONALLY APPEARED THOMAS H. DAVIS, JOHN A. SCOTT AND ROBERT E. BURKLEIN, KNOWN TO ME TO BE THE INDIVIDUALS WHO EXECUTED THE FOLLOWING DEDICATION AND SEVERALLY ACKNOWLEDGED THAT THEY EXECUTED THE SAME FOR THE USES AND PURPOSES THEREIN SET FORTH. GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 23rd DAY OF MAY, 1989.

Robert E. Burklein
NOTARY PUBLIC, STATE OF FLORIDA MY COMMISSION EXPIRES 7/20/1991

STATE OF FLORIDA, COUNTY OF SANTA ROSA

BEFORE THE SUBSCRIBER PERSONALLY APPEARED WILBUR ADAMS, CHAIRMAN OF FIRST NATIONAL BANK OF SANTA ROSA, KNOWN TO ME TO BE THE INDIVIDUAL WHO EXECUTED THE FOLLOWING DEDICATION AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE USES AND PURPOSES THEREIN SET FORTH. GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 30th DAY OF JUNE, 1989.

Walter T. Adams
NOTARY PUBLIC, STATE OF FLORIDA MY COMMISSION EXPIRES JUL 3 1990

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THOMAS H. DAVIS, JOHN A. SCOTT AND ROBERT E. BURKLEIN, OWNERS OF THE LAND DESCRIBED HEREIN AND PLATTED HEREON; AND FIRST NATIONAL BANK OF SANTA ROSA, HOLDER OF A MORTGAGE ON THE LAND DESCRIBED HEREIN AND PLATTED HEREON; DO HEREBY DEDICATE TO THE PUBLIC ALL STREETS, THOROUGHFARES, AND DRAINAGE EASEMENTS SHOWN HEREON AND DO HEREBY AUTHORIZE AND REQUEST THE FILING OF THIS PLAT, KNOWN AS BAYWALK, IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.

Thomas H. Davis
THOMAS H. DAVIS
OWNER

John A. Scott
JOHN A. SCOTT
OWNER

Robert E. Burklein
ROBERT E. BURKLEIN
OWNER

Walter T. Adams
WALTER T. ADAMS
FIRST NATIONAL BANK OF SANTA ROSA

James B. Hurd
JAMES B. HURD
REGISTERED FLORIDA LAND SURVEYOR #5887

Robert S. Owens
ROBERT S. OWENS
WITNESS

Janet S. Owens
JANET S. OWENS
WITNESS

Janet S. Owens
JANET S. OWENS
WITNESS

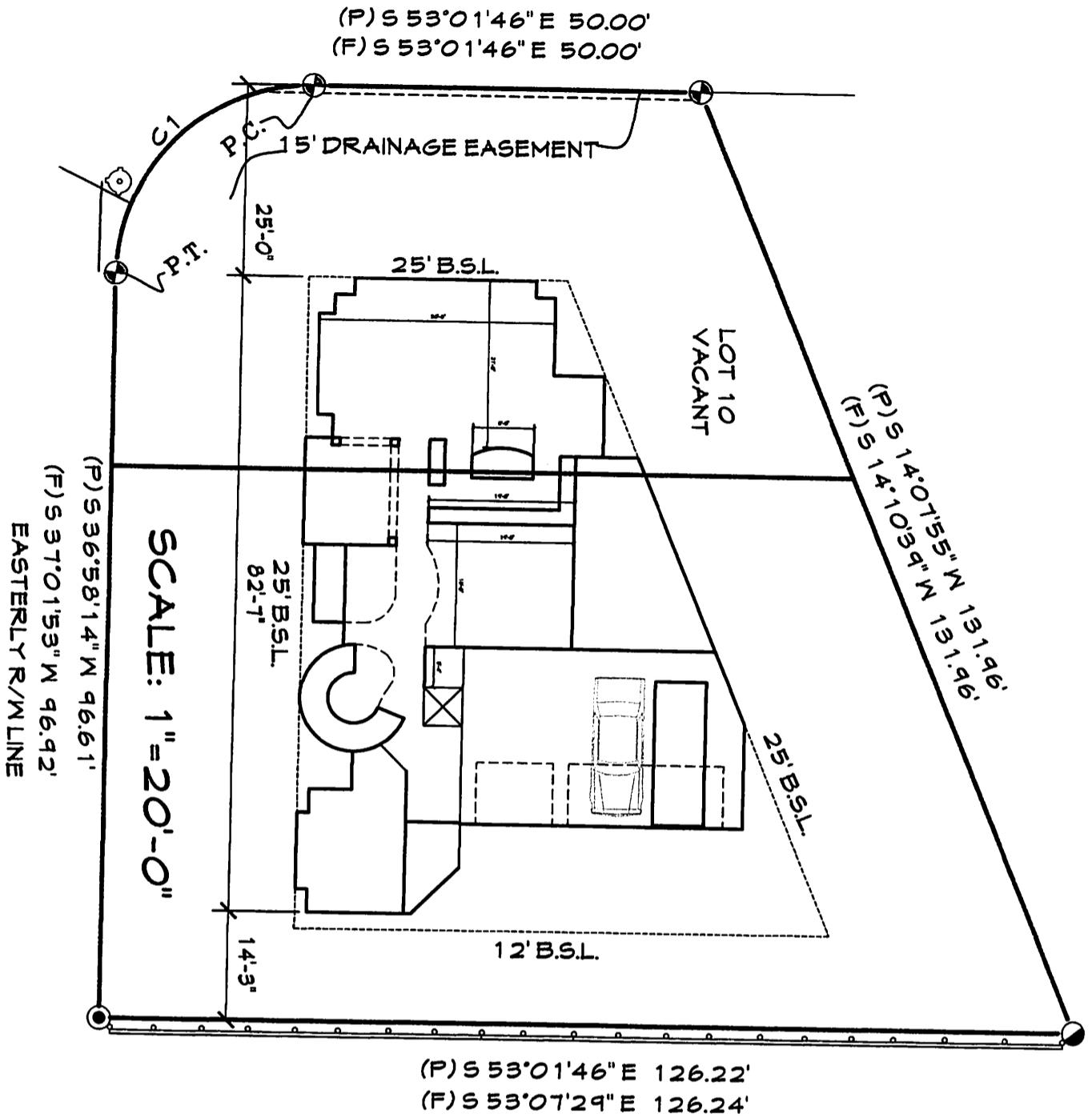
APPROVALS

Richard W. Pitts
COUNTY PLANNER

Walter T. Adams
COUNTY ENGINEER

SCENIC HIGHWAY (S.R. # 10-A) (80' R/W)

BAYWALK CIRCLE (60' R/W)



BRODEUR
 HOME DESIGNS

PH.# (850) 377-6612 EMAIL: Brodeurhomedesigns@gmail.com



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



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

**COAST COMMUNITY BANK
40 N PALAFOX ST
PENSACOLA, FL 32502**

**AKBAR ASIF &
4510 BAYWALK CIR
PENSACOLA, FL 32514**

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.

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



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

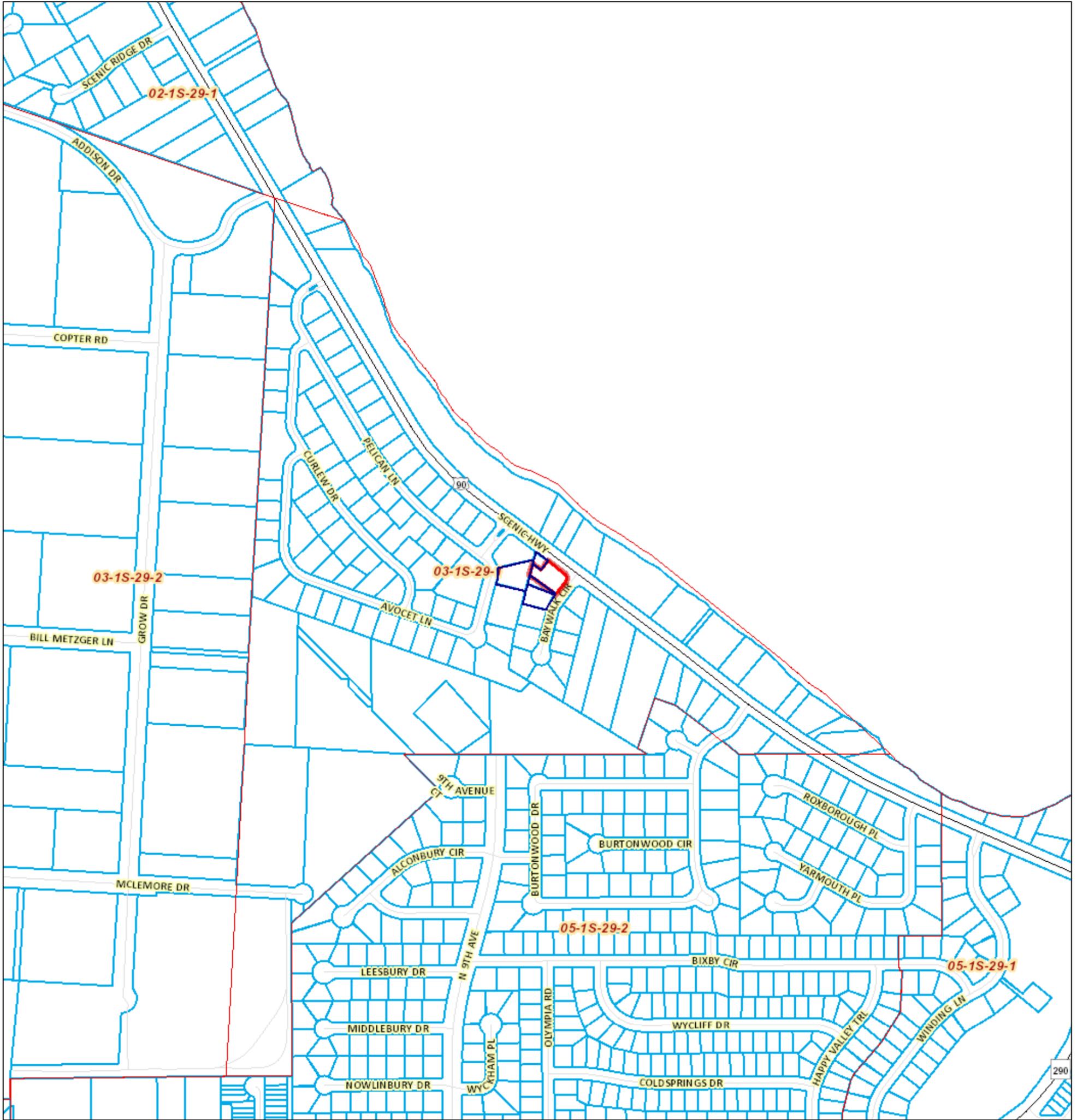
**FIRST NATIONAL BANK OF SANTA ROSA
PO BOX 3654
MILTON, FL 325723654**

**MEHMOOD FARHAT &
4079 CURLEW DR
PENSACOLA, FL 32514**

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.

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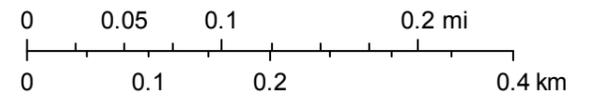
Chris Jones Escambia County Property Appraiser



February 26, 2014

1:5,810

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





Development Services Department

Building Inspections Division

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

RECEIPT

Receipt No. : **600284**

Date Issued. : 02/21/2014

Cashier ID : VHOWENS

Application No. : PBA140200003

Project Name : V-2014-02

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	2337	\$423.50	App ID : PBA140200003
		\$423.50	Total Check

Received From : N/A

Total Receipt Amount : **\$423.50**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PBA140200003	692211	423.50	\$0.00	4500 Baywalk CIR, PENSACOLA, FL

Total Amount :

423.50

\$0.00

Balance Due on this/these
Application(s) as of 2/21/2014

Board of Adjustment

7. 3.

Meeting Date: 03/19/2014
CASE: CU-2014-02
APPLICANT: Tom Hammond, Agent for Terra Cane, LLC
ADDRESS: 14140 River Road
PROPERTY REFERENCE NO.: 14-3S-32-1001-070-140
ZONING DISTRICT: C-1PK, Perdido Key
Commercial District
MU-PK, Mixed-Use
FUTURE LAND USE: Perdido Key
OVERLAY DISTRICT: N/A

SUBMISSION DATA:

REQUESTED CONDITIONAL USE:

The Applicant is seeking Conditional Use Approval for a proposed commercial recreation facility.

RELEVANT AUTHORITY:

**Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended),
Section:6.05.15.C.1.**

1. Commercial amusement and **commercial recreational facilities**, including miniature golf courses.

CRITERIA:

**Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended),
Section 2.05.03**

CRITERION (1)

***On-site circulation.* Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, on-site parking and loading, and access in case of fire or catastrophe.**

FINDINGS-OF-FACT

Ingress and egress will be via a connection to River Rd. The proposed parking arrangement, number of spaces and fire department access will be reviewed in the site plan review process.

CRITERION (2)

Nuisance. Adverse impact such as noise, glare, smoke, odor or other harmful effects (electrical interference, hazardous materials, etc.) of the conditional use on adjoining properties and properties generally in the District.

FINDINGS-OF-FACT

The scale of the proposed use along with buffering standards imposed through site plan review should limit any adverse impacts associated with the use.

CRITERION (3)

Solid Waste. Refuse and service areas with particular reference to concurrency requirements and items (1) and (2) above.

FINDINGS-OF-FACT

Solid waste service will be provided by the owner or operator of the use.

CRITERION (4)

Utilities. Utilities with reference to concurrency requirements, location, availability and compatibility with surrounding land uses.

FINDINGS-OF-FACT

Utilities are available to the site and will be secured by the owner or operator of the use.

CRITERION (5)

Buffers. The buffer may be a landscaped natural barrier, a natural barrier or a landscaped or natural barrier supplemented with fencing or other man-made barriers, so long as the function of the buffer and the intent of Policy FLU 1.1.9 of the Comprehensive Plan and the provisions of Section 7.01.06 of the Land Development Code are fulfilled.

FINDINGS-OF-FACT

While the parcel in question is zoned commercial, it abuts residential zoning and will need to meet the buffering standards imposed through the site plan review.

CRITERION (6)

Signs. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the District.

FINDINGS-OF-FACT

Any signage associated with the proposed use will need to be permitted through the county and meet the standards of LDC Article 8.

CRITERION (7)

Environment impact. Impacts to protected trees, wetlands, water bodies, stormwater management or other natural features of the subject parcel.

FINDINGS-OF-FACT

Environmental impacts will be addressed at the site plan review stage and must meet county and outside agency standards.

CRITERION (8)

Neighborhood impact. General compatibility with adjacent properties and other property in the immediate area.

FINDINGS-OF-FACT

While the site is adjacent to a residence, it is zoned commercial and there are other recreation facilities in the immediate area. A golf course is across River Rd., a marina is to the north and a county kayak launch/park is to the south.

CRITERION (9)

***Other requirements of Code.* The proposed Conditional Use is consistent with all other relevant provisions of this Code.**

FINDINGS-OF-FACT

LDC section 6.08.02.E provides additional conditional use review standards for recreation facilities and the proposed use can meet all of those standards.

STAFF RECOMMENDATION

Staff finds that the proposed use can meet all of the required criteria and approval is recommended.

BOARD OF ADJUSTMENT FINDINGS:

Attachments

Working Case File CU-2014-02

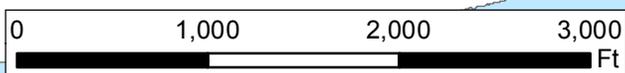
CU-2014-02



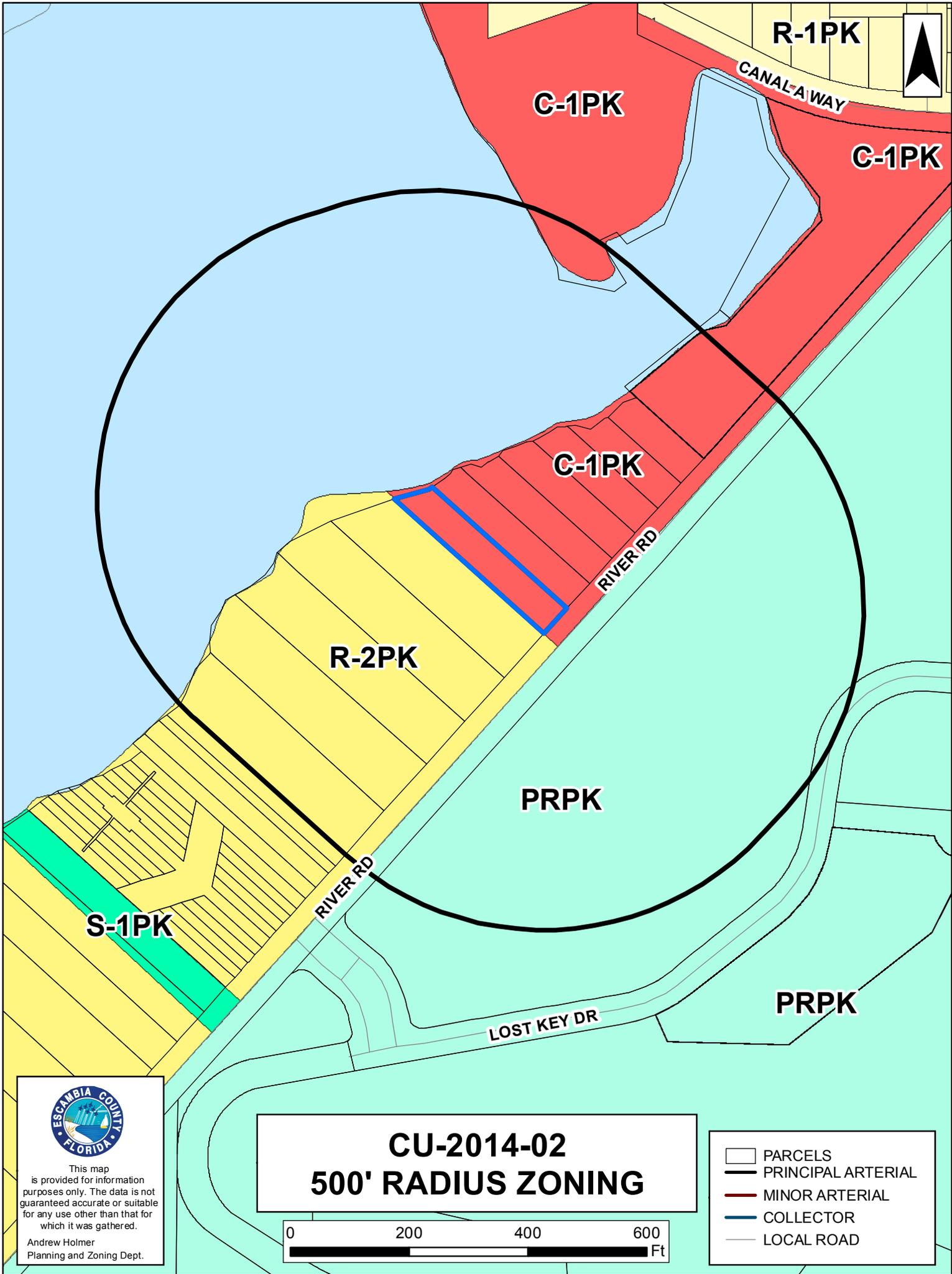

This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

CU-2014-02 LOCATION MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



R-1PK

C-1PK

C-1PK

C-1PK

R-2PK

PRPK

S-1PK

PRPK



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.

CU-2014-02
500' RADIUS ZONING

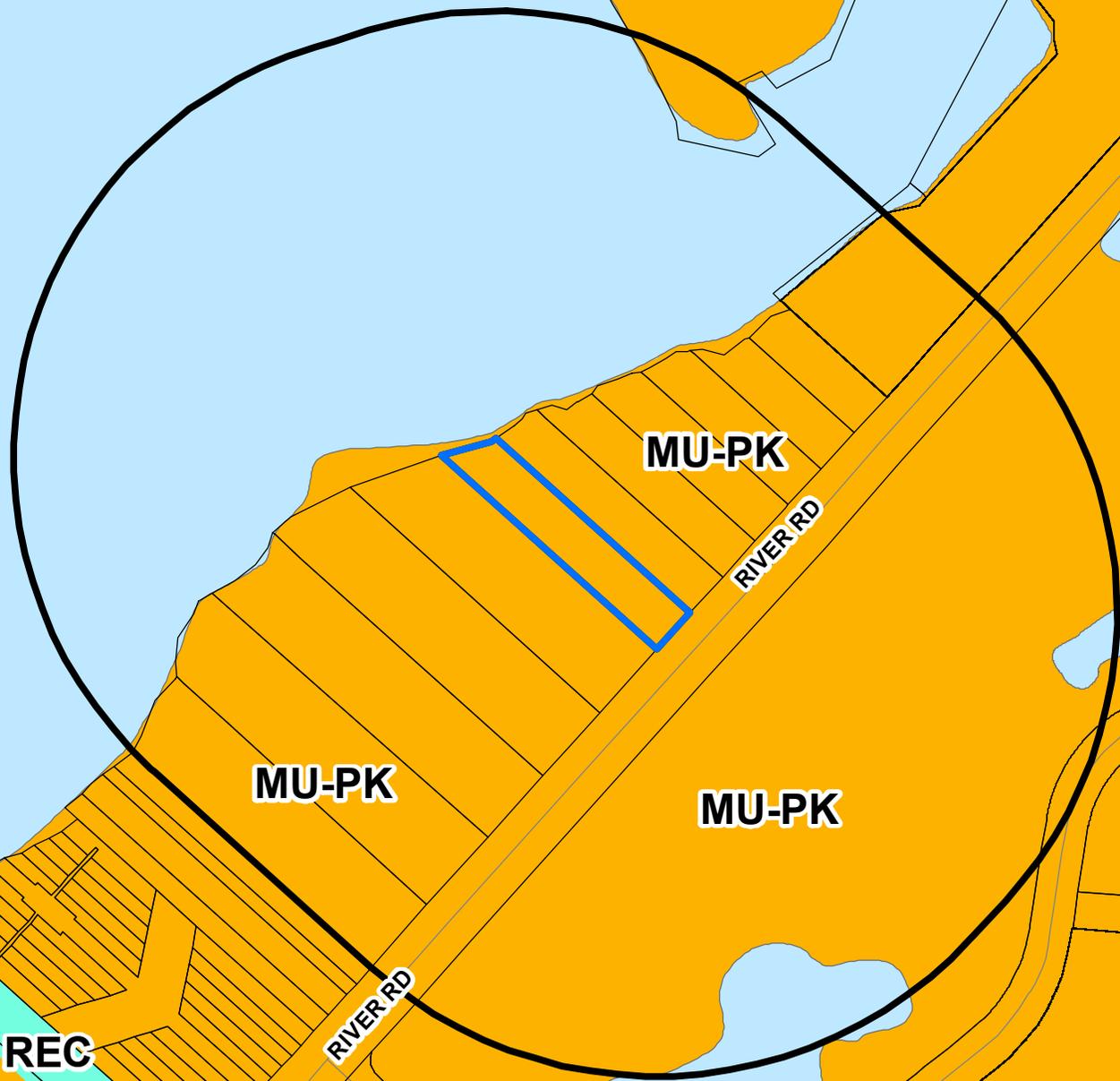


- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



MU-PK

CANAL A WAY



MU-PK

RIVER RD

MU-PK

MU-PK

REC

RIVER RD

MU-PK

LOST KEY 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.

CU-2014-02 FUTURE LAND USE



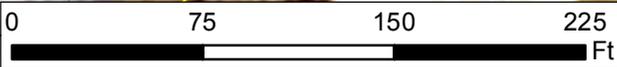
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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.

CU-2014-02 AERIAL MAP



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



HAMMOND ENGINEERING, INC.
FLORIDA CERTIFICATE OF AUTHORIZATION NO. 9130
ALABAMA CERTIFICATE OF AUTHORIZATION NO. 3277

February 6, 2014

Mr. Drew Homer
Escambia County Development Services
3363 West Park Place
Pensacola, Florida 32505

**Reference: 14140 River Road
14-3S-32-1001-070-140
HEI Project No. 14-004**

Dear Drew:

The owner of the above referenced parcel wishes to use the site for the rental of kayaks and paddle boards. The parcel is zoned C-1PK and the FLU is MU-PK. The proposed use is considered "commercial amusement and commercial recreational facilities" which requires a Conditional Use approval based on the current zoning designation. The total lot area is 0.42 acres. We request a hearing before the Board of Adjustment and approval of this conditional use request based on the following:

Conditional Use Criteria

- 1. On-site circulation** The proposed use will not impede on-site circulation. The attached site plan shows there is adequate room for ingress/egress from River Road, required commercial parking, and life safety access. Customers will park, rent the desired vessel and access the water by foot.
- 2. Nuisance** The proposed use will be a small commercial rental facility. The proposed use will not create noise, glare, smoke, odor or harmful effects to any extent that would exceed allowable uses under the current zoning designation.
- 3. Solid Waste** The proposed use (vessel rental) is not a significant solid waste producer. The owner intends to have a residential type waste container and regular pickup service.
- 4. Utilities** Potable water and sanitary sewer infrastructure is in place along River Road. The provider is the ECUA and any development of the lot which requires these services will be required to tie into the existing ECUA systems.
- 5. Buffers** The proposed conditional use will allow commercial use of the property. The parcel is adjoined by a residence to the southwest and a vacant parcel to the northeast. The proposed use will require a 10' buffer along the southwest property line

and may require additional fencing and vegetation following the DRC process.

6. Signs The proposed use will likely require signage as would other commercial uses allowed under the current zoning designation. Signage will be addressed in DRC and will also require a sign permit.

7. Environmental Impact The proposed conditional use will allow the owner to rent kayaks/paddle boards and provide pedestrian access to Old River. There are jurisdictional wetlands paralleling the shoreline. Pedestrian access across the jurisdictional wetlands will require permitting through the NFWFMD/USCOE and Escambia County. Stormwater treatment of the first 1" of runoff will be required by NFWFMD which exceeds Escambia County's treatment requirements. Stormwater treatment will likely be provided by a swale upstream of the jurisdictional wetlands.

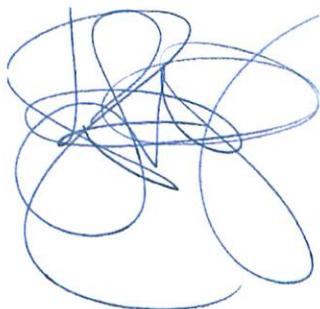
8. Neighborhood Impact The proposed conditional use will allow the owner to rent kayaks/paddle boards. The immediate surrounding area to the southwest is developed as single family residences. The area across River Road is developed as a golf course. The area to the northeast and north is developed as multi-family residential (condominiums) and commercial (marina/boat yard and restaurant). The proposed use fits with the surrounding area by providing a recreational service to those who vacation here, stay in the surrounding condominiums, and patronize the golf course, marina, and restaurant. The proposed use does not constitute a negative neighborhood impact.

9. Other requirements of the code We have met with the Director of Development Services and were directed to obtain a conditional use from the Board of Adjustment. No other requirements are required at this time according to staff

We appreciate your assistance in this matter. Should you have questions or comments, please give us a call.

Sincerely,

HAMMOND ENGINEERING, INC.

A handwritten signature in blue ink, appearing to read 'Thomas G. Hammond, Jr.', with several overlapping loops and flourishes.

Thomas G. Hammond, Jr., PE
President

Cc: Robert Hale- Terra Cane, LLC

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: TERRA CANE, LLC Phone: 251-271-4189

Address: 29793 Old Blvd, Orange Beach, AL 36561 Email: Robert@robertthale.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. SUPPLY ORS. 10m

Property Address: 14140 River Road, PENSACOLA, FL (Per deed key)

Property Reference Number(s)/Legal Description: 14-38-32-1001-070-140

By my signature, I hereby certify that:

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

Signature of Owner/Agent

Printed Name Owner/Agent: Robert L. Hale III

Date: 1/21/14

Signature of Owner

Printed Name of Owner

Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 21 day of January 20 14, by Robert L. Hale III

Personally Known [X] OR Produced Identification []. Type of Identification Produced:

Signature of Notary

Printed Name of Notary: Ryan Sieg



FOR OFFICE USE ONLY
CASE NUMBER: CU-2014-02
Meeting Date(s): 03-19-14 Accepted/Verified by: JH A/D JH/DL Date: 02-07-14
Fees Paid: \$ 1270.50 Receipt #: 599047 Permit #: PBA 1402 00002



HAMMOND ENGINEERING, INC.
FLORIDA CERTIFICATE OF AUTHORIZATION NO. 9130
ALABAMA CERTIFICATE OF AUTHORIZATION NO. 3277

February 6, 2014

Mr. Drew Homer
BOA Coordinator
Escambia Development Services
3363 West Park Place
Pensacola, Florida 32505

**Reference: 14140 River Road
11-3S-32-1001-070-140**

Dear Drew:

We have attached the following items as listed on the Conditional Use application:

1. A detailed letter of request (dated, signed and notarized).
2. One (1) copy of the Completed Conditional Use Application.
3. One (1) copy of the Warranty Deed.
4. One (1) copy of the Affidavit of Owner & Limited Power of Attorney form
5. One (1) copy of the Legal Description of Property Street Address/Property Reference Number.
6. One (1) copy of the Site Plan drawn to scale

Please review these items and provide the county's findings at your earliest convenience. Should you have questions or comments, please give us a call.

Sincerely,

HAMMOND ENGINEERING, INC.

Thomas G. Hammond, Jr., PE.
President

Attachments

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 14140 River Rd,
Florida, property reference number(s) 14-38-32-1001-070-140
I hereby designate Hammond Engineering, Inc. 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) Conditional Use on the above referenced property.

This Limited Power of Attorney is granted on this 3 day of February the year of, 2014, 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: Tom Hammond Email: tom@selonddesign.com
Address: 3802 N's' St Pensacola FL 32505 Phone: 434-2603

[Handwritten Signature]
Signature of Property Owner

Robert Hale III
Printed Name of Property Owner

2-3-14
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 3 day of February 20 14,
by Robert Hale III

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

[Handwritten Signature]
Signature of Notary

Ryan Sieg
Printed Name of Notary



R. SIEG
MY COMMISSION # EE 146400
EXPIRES: December 1, 2015
Bonded Thru Budget Notary Services

SPECIAL WARRANTY DEED

This Special Warranty Deed made this 10th day of DECEMBER 2013.

between PEOPLESOUTH BANK

hereinafter called "Grantor" and TERRA CANE, LLC, a Louisiana Limited Liability Company

hereinafter called "Grantee(s)" whose address is 29793 Ono Blvd., Orange Beach,

AL 36561

WITNESSETH: That said Grantor for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to said Grantor in hand paid by said Grantee(s), the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee(s), and Grantee(s) heirs and assigns, forever, the following described land, situate, lying and being in ESCAMBIA County, Florida, to wit:

SEE ATTACHED EXHIBIT "A"

Parcel ID No. 14-3S-32-1001-070-140

To have and to hold, the same unto the said Grantee(s) in fee simple.

And the said Grantor does hereby covenant with the Grantee(s) that except as above noted that at the time of delivery of this Deed, the premises were free from all encumbrances made by Grantor.

RAZ JP

27.00
1050.00
1077.00

And that Grantor warrants the title to said land and will defend the same against lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

In witness whereof, the Grantor has caused these presents to be executed the day and year first above written.

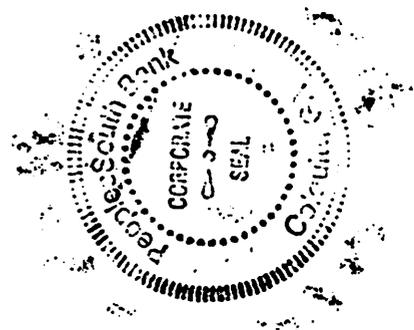
Witnesses:
James Hallister
Vanessa Holister
Felicia DeLoach
STATE OF Florida
COUNTY OF Jackson

PEOPLESOUTH BANK
[Signature]
BY: ROBERT A. JACKSON, REGIONAL PRESIDENT
[Signature]
BY: LARRY PITCHFORD, REGIONAL PRESIDENT

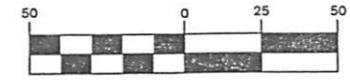
The foregoing instrument was acknowledged before me this 10th day of December 2013 by ROBERT A. JACKSON as REGIONAL PRESIDENT AND * of PEOPLESOUTH BANK, who is personally known to me or who presented as identification.

*LARRY PITCHFORD, REGIONAL PRESIDENT

Felicia Ann DeLoach
NOTARY PUBLIC



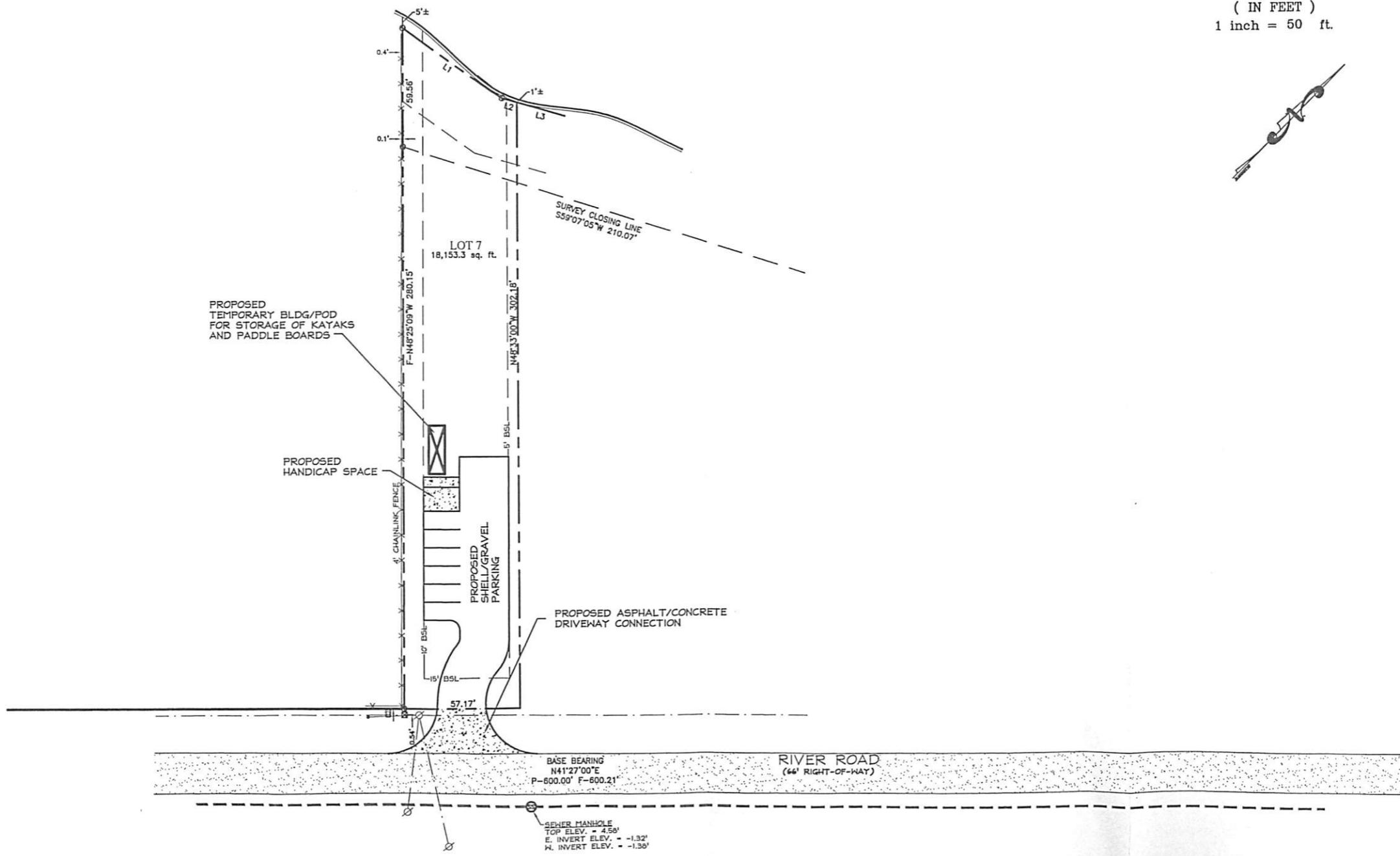
GRAPHIC SCALE



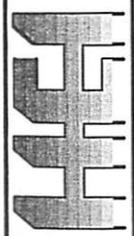
(IN FEET)
1 inch = 50 ft.



OLD RIVER



NOTE: THIS DRAWING IS FOR PERMITTING PURPOSES ONLY-NOT RELEASED FOR CONSTRUCTION

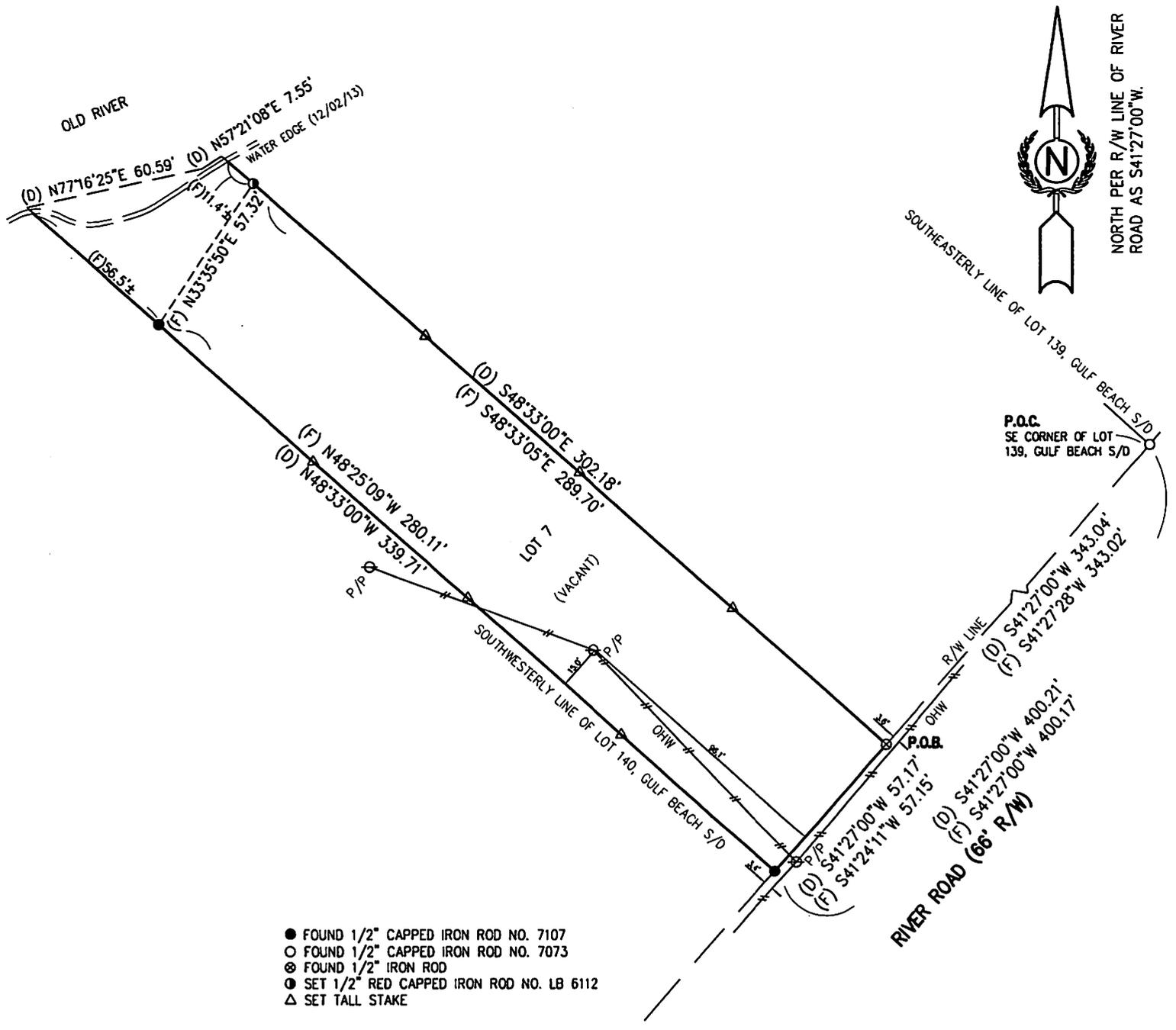


HAMMOND ENGINEERING, INC.
FLORIDA AUTHORIZATION NO. 9130
ALABAMA AUTHORIZATION NO. 3277
3802 NORTH "S" STREET
PENSACOLA, FLORIDA 32505
850.434.2603
850.434.2650 (FAX)
TOM@SELANDESIGN.COM

14140 RIVER ROAD

COUNTY: ESCAMBIA
RIVER ROAD SITE PLAN

SHEET NO.: 1 OF 1
DATE: 2/5/14



- FOUND 1/2" CAPPED IRON ROD NO. 7107
- FOUND 1/2" CAPPED IRON ROD NO. 7073
- ⊗ FOUND 1/2" IRON ROD
- SET 1/2" RED CAPPED IRON ROD NO. LB 6112
- △ SET TALL STAKE

LOT 7: COMMENCE AT A PLAIN 1" IRON PIPE AT THE SOUTHEAST CORNER OF LOT 139, GULF BEACH SUBDIVISION, A SUBDIVISION OF A PORTION OF SECTIONS 14, 26, 27, 34 AND 35, TOWNSHIP 3 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 4, PAGE 52 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE GO SOUTH 41 DEGREES 27 MINUTES 00 SECONDS WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF RIVER ROAD (66' R/W) A DISTANCE OF 343.04 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 41 DEGREES 27 MINUTES 00 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 57.17 FEET TO THE WESTERLY LINE OF LOT 140 OF SAID SUBDIVISION; THENCE GO NORTH 48 DEGREES 25 MINUTES 09 SECONDS WEST A DISTANCE OF 339.71 FEET TO THE MEAN HIGH WATER LINE OF OLD RIVER; THENCE GO NORTH 77 DEGREES 16 MINUTES 25 SECONDS EAST ALONG SAID MEAN HIGH WATER LINE A DISTANCE OF 60.59 FEET; THENCE GO NORTH 57 DEGREES 21 MINUTES 08 SECONDS EAST ALONG SAID MEAN HIGH WATER LINE A DISTANCE OF 7.55 FEET; THENCE GO SOUTH 48 DEGREES 33 MINUTES 00 SECONDS EAST A DISTANCE OF 302.18 FEET TO THE POINT OF BEGINNING, THE ABOVE DESCRIBED PARCEL OF LAND LYING AND BEING IN SECTION 27, TOWNSHIP 3 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA AND CONTAINS 18,153.3 SQUARE FEET, MORE OR LESS; MORE PARTICULARLY REFERRED TO AS: LOT 7, OF AN UNPLATTED SUBDIVISION KNOWN AS BELLA RIO EAST, A RESUBDIVISION OF LOTS 139 AND 149, GULF BEACH SUBDIVISION, LOCATED IN SECTION 27, TOWNSHIP 3 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA.

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Lands shown hereon were not abstracted for easements and/or right of way, recorded or unrecorded, by this firm. No search of the public records has been performed by this firm to determine any defects and/or ambiguities in the title. Underground portions of foundations, footings, or any other underground structures were not located unless otherwise noted. Measurements were made in accordance with United States standards. Property is subject to setbacks, easements and restrictions of record. This drawing only reflects setback lines which appear on the recorded plat. This property may also be subject to setback lines mandated by zoning ordinances and/or restrictive covenants of record. This survey and/or sketch does not reflect or determine ownership. Federal and State copyright acts protect this survey and/or sketch from unauthorized use. This map is not to be copied or reproduced in whole or part and is not to be used for any other transaction. This survey and/or sketch cannot be used for the benefit of any other person, company or firm without consent of the copyright owner and is to be returned upon request.

REVISIONS	ISSUE DATE	FIELD DATE	FB./PG.

SCALE	1"=40'	TYPE	BOUNDARY	ISSUE DATE	12/04/13	FIELD DATE	12/03/13	ORDER NO.	13-12-003	FIELD BOOK	1521/77
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I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5J-17.050, 5J-17.051 AND 5J-17.052, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

· Degree	P.R.C.	Point of Reverse Curvature	B.S.L.	Building Setback Line	H/T	Hub and Tack
· Feet or Minutes	P.C.C.	Point of Compound Curvature	D	Deed	C.M.	Concrete Monument
· Inches or Seconds	P.R.M.	Permanent Reference Monument	P	Plot	O/S	Offset Point
N	R/W	Right of Way	F	Field	O.H.W.	Overhead Utility Wire
S	R.P.	Radius Point	P.O.C.	Point of Commencement		Concrete or Pavement
E	△	Central Angle	P.O.B.	Point of Beginning		Wood Decking
W	R	Radius	I.R.	Iron Rod		Covered Area
P.C.P.	L	Length of Arc	C.I.R.	Capped Iron Rod	--x--	Wire of Chain Link Fence
P.T.	C	Chord	I.P.	Iron Pipe	---	Wooden Privacy Fence
P.C.	C.B.	Chord Bearing	N/D	Nail and Disk		

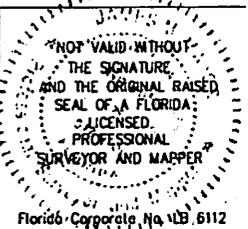


EXHIBIT "A"

Lot 7: Commence at a plain 1" iron pipe at the Southeast corner of Lot 139, Gulf Beach Subdivision, a subdivision of a portion of Sections 14, 26, 27, 34 and 35, Township 3 South, Range 32 West, Escambia County, Florida, as recorded in Plat Book 4, Page 52, of the public records of said county; thence go South 41 degrees 27 minutes 00 seconds West along the Northerly right-of-way line of River Road (66' R/W) a distance of 343.04 feet to the Point of Beginning; thence continue South 41 degrees 27 minutes 00 seconds West along said right-of-way line a distance of 57.17 feet to the Westerly line of Lot 140 of said Subdivision; thence go North 48 degrees 25 minutes 09 seconds West a distance of 339.71 feet to the mean high water line of Old River; thence go North 77 degrees 16 minutes 25 seconds East along said mean high water line a distance of 60.59 feet; thence go North 57 degrees 21 minutes 08 seconds East along said mean high water line a distance of 7.55 feet; thence go South 48 degrees 33 minutes 00 seconds East a distance of 302.18 feet to the Point of Beginning, the above described parcel of land lying and being in Section 27, Township 3 South, Range 32 West, Escambia County, Florida, more particularly referred to as Lot 7, of an unplatted subdivision known as Bella Rio East, a Resubdivision of Lots 139 and 140, Gulf Beach Subdivision, located in Section 27, Township 3 South, Range 32 West, Escambia County, Florida.

R.W. JH



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

**TERRA CANE LLC
29793 ONO BLVD
ORANGE BEACH, AL 36561**

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

**PAYNE JOYLEE L TRUSTEE FOR
9 LAKE TERRACE
PONTE VEDRA BEACH, FL 32082-2321**

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3363 West Park Place
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**ROGERS DAVID M & MARILYN R
14156 RIVER RD
PENSACOLA, FL 32507**

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**PEARSON LINDA FAYE
14630 RIVER RD
PENSACOLA, FL 32507**

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**HOLIDAY HARBOR MARINA INC
PO BOX 12346
PENSACOLA, FL 32591-2346**

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3363 West Park Place
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**HUSTED MURL E JR & PATRICIA M
14170 RIVER RD
PENSACOLA, FL 32507**

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**DOCK O MINIMUM INC
C/O BUD GARRETT
14100 RIVER RD # D100
PENSACOLA, FL 32507**

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**ADVANTAIRA TRUST LLC FBO
1520 ROYAL PALM SQUARE BLVD STE 320
FORT MYERS, FL 33919**

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**PAIR EXCHANGE LLC
C/O MATTHEW J PAIR
2275 BANQUOS CT
PENSACOLA, FL 32503**

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**MARKS PAUL L
430 TOLBERT ST
CUMMING, GA 30040**

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**RMJ HOLDINGS LTD
4990 570TH AVE
WEST BEND, IA 50597**

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**VENTANA I LLC
2741 ABINGDON RD
MOUNTAIN BROOK, AL 35243**

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Pensacola, FL 32505

**FRENCH JOHN W III TRUSTEE FOR
1669 MCCONNELL RD
GRAYSON, GA 300171345**

**O GARA JOSEPH D &
31 STAR LAKE DR
PENSACOLA, FL 32507**

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Development Services Department
3363 West Park Place
Pensacola, FL 32505

**NEWTON MILES K JR & LINDA J
211 SYRCLE DR N W
PENSACOLA, FL 32507**

**WISE JOSEPH R &
9406 SIDNEY RD
PENSACOLA, FL 32507**

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3363 West Park Place
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**GUTHRIE THOMAS H SR & PATRICIA E
3317 LOOKOUT DR
HUNTSVILLE, AL 35801**

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Escambia County
Development Services Department
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**HAMAKER JACK E &
811 GRANT AVE
PASCAGOULA, MS 39567**

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**WEAVER HAROLD E TRUSTEE
705 BITTERFIELD DR
BALLWIN, MO 630113512**

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**MCCULLAR DAVID C &
PO BOX 16575
PENSACOLA, FL 32507**

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Pensacola, FL 32505

**RUYLE WALTER K &
14100 RIVER RD UNIT 123
PENSACOLA, FL 32507**

**RANEY WILLIAM
14100 RIVER RD # 124B
PENSACOLA, FL 32507**

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**CAMPBELL CHARLES JR & ELLEN B
640 WARRENGTON DR
SAINT LOUIS, MO 63122**

**BEUMER BRENDA L
13880 PERDIDO KEY DR
PENSACOLA, FL 32507**

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**CITIMORTGAGE INC
1000 TECHNOLOGY DR
OFALLON, MO 63368**

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**FADDIS THORUNN H &
1071 KELTON BLVD
GULF BREEZE, FL 32563**

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**SCOTTY HOLDINGS LTD
14456 RIVER RD
PENSACOLA, FL 32507**

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3363 West Park Place
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**VAN PELT GEORGE T JR &
5460 PELT RD
CENTURY, FL 32535**

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PANELLA BERNARD & ANN
14100 RIVER RD # C133
PENSACOLA, FL 32507

KYME JOHN W
4301 ORKNEY CT
WOODBIDGE, VA 22192

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Pensacola, FL 32505

KELLY P CLARKE & KATHRYN G
2289 BELLEVUE CT
BIRMINGHAM, AL 35226

RICE GEORGE J JR
105 RESERVE CROSSING
MADISON, MS 391107610

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3363 West Park Place
Pensacola, FL 32505

TIERNAN JAMES S TRUSTEE
1332 DARTMOUTH
FLOSSMOOR, IL 60422

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3363 West Park Place
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KANE BYRON & LIGAYA G
10963 ROCK ISLAND RD
JACKSONVILLE, FL 32257

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3363 West Park Place
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BIGRAS DENIS J &
14100 RIVER RD # 211
PENSACOLA, FL 32507

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Pensacola, FL 32505

JONES LONNIE L & DIANE W
14100 RIVER RD # 213-A
PENSACOLA, FL 32507

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**PARKER TIMOTHY H & CINDY
PO BOX 6328
PENSACOLA, FL 32503-0328**

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**WILLIAMS CARLIE N JR
PO BOX 6127
BILOXI, MS 39531**

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**BOE THEODORE A & CAROLYN K
26680 TERRY COVE DR
ORANGE BEACH, AL 36561**

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**SKIPPER GUY H JR &
7725 MISTY PINES RD
PENSACOLA, FL 32526**

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3363 West Park Place
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BERGERON HAROLD J
14100 RIVER RD UNIT B222
PENSACOLA, FL 32507

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DMYTRYK JOHN W & DMYRYK
270 AVIVA DR
MEMPHIS, TN 38120

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MENDELSON BEVERLY J
4362 ANTARES LN
MOBILE, AL 366934610

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SLIDER KEVON R
1344 PENNELWOOD DR
TOLEDO, OH 43614

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3363 West Park Place
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ANDERSON CHARLES A SR 50%
406 E BAY ST
JACKSONVILLE, FL 32202

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Development Services Department
3363 West Park Place
Pensacola, FL 32505

ANTONETTI EMILIO A
1618 STAR LAKE PL
PENSACOLA, FL 32507

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HILLENMAYER JAMES D
6501 N SILVERBELL RD
TUCSON, AZ 857439217

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3363 West Park Place
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MANN KENDRA L SMITH
14100 RIVER RD UNIT 234C
PENSACOLA, FL 32507

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

**GRINSTEAD JONATHAN C &
3506 NORTHWEST DR
ALTON, IL 62002**

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3363 West Park Place
Pensacola, FL 32505

**CARMICHAEL NICHOLAS B & JANET P
1320 IVY PLANTATION
MONROE, GA 30656**

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

**SHELTON LEE U &
28250 CANAL RD # 902
ORANGE BEACH, AL 365614066**

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Escambia County
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3363 West Park Place
Pensacola, FL 32505

**RILEY DON DRU C
5816 E BAY BLVD
GULF BREEZE, FL 325619666**

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**ADAMS THOMAS E
3891 TIMUQUANA RD
JACKSONVILLE, FL 32210**

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Escambia County
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Pensacola, FL 32505

**BLUE WATER DEVELOPMENT LLC
416 DEERPOINT DR
GULF BREEZE, FL 32561**

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Escambia County
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Pensacola, FL 32505

**MCINTYRE PATRICK J &
PO BOX 58501
FAIRBANKS, AK 99711**

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**GARRETT SUZANNE
218 POCO VISTA DR
KERRVILLE, TX 78028-6118**

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TULLOS HUGH D & DEBORAH J
14100 RIVER RD # 317
PENSACOLA, FL 32507

HANSON CHARLES A & MARY LEE
1280 MAHOGANY MILL RD # 10
PENSACOLA, FL 32507

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Pensacola, FL 32505



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3363 West Park Place
Pensacola, FL 32505

CARSON JAMES L & DORRIE A
3861 GREENHILL DR
ATLANTA, GA 30341

BROWN GREGORY S &
4700 BAYSIDE BLVD
MILTON, FL 32583-8437

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3363 West Park Place
Pensacola, FL 32505

ANTRIM JANET F TRUSTEES
3135 HWY 196
MOLINO, FL 32577

HAUSER L LAWRENCE &
4540 MENEWA PATH
PENSACOLA, FL 32504

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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

BTS HOLDINGS LLC
12641 BAHIA CT
PENSACOLA, FL 32507

MCCREARY PAUL C
14100 RIVER RD # 328
PENSACOLA, FL 32507

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Escambia County
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Pensacola, FL 32505

FREEMAN DARRYL D
14100 RIVER RD # B-327
PENSACOLA, FL 32507

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PATRIOT INVESTORS LLC
918 DEVENGER RD
GREER, SC 29650

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Pensacola, FL 32505

BAUMET NELLIE J TRUSTEE FOR
197 N SPRINGS WAY
ACWORTH, GA 30101

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ERICKSON JAMES R
365 RUCKER RD
ALPHARETTA, GA 30004

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Pensacola, FL 32505



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Development Services Department
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Pensacola, FL 32505

**BEWLEY C ADRIAN &
3508 OLD LEEDS TERR
BIRMINGHAM, AL 35213**

**BANK OF NEW YORK MELLON TRUSTEE FOR
C/O BANK OF AMERICA N A
7105 CORPORATE DR
PLANO, TX 75024**

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Pensacola, FL 32505

**DOWNTOWN LIVING SPACES LLC
1833 ST ANN ST
JACKSON, MS 39202**

**DYKES EUGENE T JR
221 CHARLEMAGNE CIR
PONTE VEDRA BEACH, FL 32082**

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Pensacola, FL 32505

**LOST KEY PLANTATION
C/O WCI COMMUNITIES INC
24301 WALDEN CENTER DR, SUITE 300
BONITA SPRINGS, FL 34134**

**WCI COMMUNITIES LLC
24301 WALDEN CENTER DR STE 300
BONITA SPRINGS, FL 34134**

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Pensacola, FL 32505



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**DUBOSE WILLIAM C & BARBARA C
14146 RIVER RD
PENSACOLA, FL 32507**

**GRINSTEAD DOROTHY J TRUSTEE
83 CHAFFORD WOODS
SAINT LOUIS, MO 631441170**

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HAWK CHARLES & GAYE
PO BOX 18225
PENSACOLA, FL 32523

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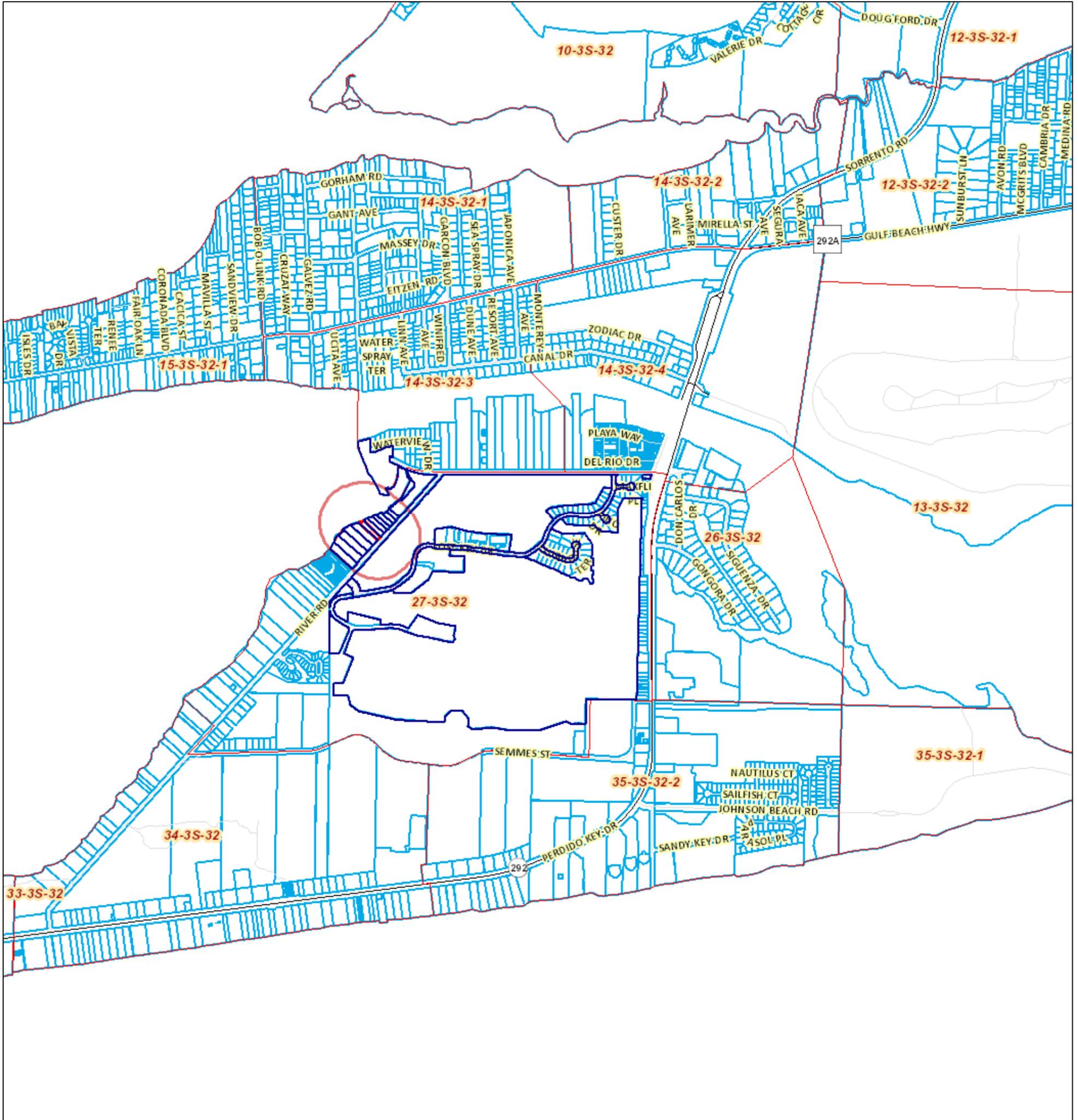


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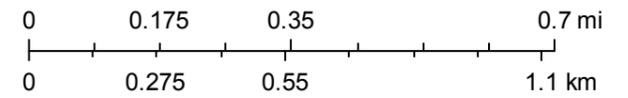
Chris Jones Escambia County Property Appraiser



February 26, 2014

1:15,140

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





Development Services Department

Building Inspections Division

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

RECEIPT

Receipt No. : **599047**

Date Issued. : 02/03/2014

Cashier ID : CASTILLS

Application No. : PBA140200002

Project Name : CU-2014-02

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check			
	849	\$1,270.50	App ID : PBA140200002
		\$1,270.50	Total Check

Received From : TOM HAMMOND HAMMOND ENGINEERING, INC.

Total Receipt Amount : **\$1,270.50**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PBA140200002	690989	1,270.50	\$0.00	14140 RIVER RD, PENSACOLA, FL, 32507

Total Amount :

1,270.50

\$0.00

Balance Due on this/these
Application(s) as of 2/3/2014